



ADVISORY PLANNING COMMISSION REPORT

To: Advisory Planning Commission Members

Date: April 19, 2023

From: Yvonne Mitchell, Planner II

File No: Z 23-02

Subject: **Z 23-02; Zoning Bylaw Amendment; 3655 and 3657 Apple Way Boulevard**

BACKGROUND

The subject property is in the South Boucherie neighbourhood. The addresses are each a side of a duplex. Both owners (each side) of the existing duplex have applied for this application.

PROPERTY DETAILS			
Address	3655 and 3657 Apple Way Boulevard		
PID	030-488-311		
Folio	36413696.562		
Lot Size	0.12 acres (501.8 m2)		
Owner	Amanda Balak and Charles Lelliott	Agent	Amanda Balak and Charles Lelliott
Current Zoning	Duplex Residential Zone (R2)	Proposed Zoning	Duplex Residential Zone (R2) with site-specific
Current OCP	Single Family Residential	Proposed OCP	N/A
Current Use	Duplex	Proposed Use	Duplex and Short Term Accommodations
Development Permit Areas	None		
Hazards	None		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES			
North	^	Low Density Multiple Residential Zone (R3)	
East	>	Duplex Residential Zone (R2)	
West	<	Duplex Residential Zone (R2)	
South	v	Agricultural Zone (A1)	

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

Proposal

The application is for a site-specific text amendment to permit short term accommodation in the Duplex Residential Zone (R2) and to permit short term accommodation in a duplex.

Applicant's Rationale

The applicant has provided a rationale for this site-specific text amendment application (Attachment 1).

Zoning and Policy Review

Zoning Bylaw No. 0265

Part 23 – Interpretation

The following definitions are provided in the Zoning Bylaw that are relevant to this application:

SHORT TERM ACCOMMODATION means the use of a principal residence for visitor accommodation where the operator hosts guests within a single detached dwelling, secondary suite or carriage house.

The proposed site-specific text amendment application does not meet the above definition in the Zoning Bylaw as the short term accommodations are proposed in a duplex.

Part 3 General Regulations

Section 3.5 of the Zoning Bylaw outlines prohibited uses and structures and includes the following:

- .1 Except as expressly permitted by this Bylaw, the following uses are prohibited in every zone:
 - (b) Vacation rentals other than bed and breakfast, short term accommodations, agri-tourism accommodations, and the use of resort apartments and resort townhouses; and

Section 3.21 of the Zoning Bylaw outlines regulations for short term accommodations. This site-specific text amendment application appears to meet the short term accommodation regulations except for the following:

- .1 A short term accommodation use shall only be conducted within a single detached dwelling, secondary suite or carriage house.

Part 4 Off-Street Parking and Loading

Section 4.4 sets out parking space requirements for different uses. A short term accommodation is to have one parking space for one or two bedrooms and two parking spaces for three or four bedrooms. Tandem parking for a short term accommodation use is permitted. Both 3655 and 3657 Apple Way Boulevard propose to use two bedrooms for short term accommodation. The required one parking space each can be accommodated on the driveways of each home, and an extra space can be accommodated at 3655 Apple Way (See Parking Plan in Attachment 2).

Part 10 – Residential Zones

The subject property is zoned Duplex Residential (R2). The R2 Zone permits either a single detached dwelling or duplex. The secondary uses permitted in the R2 Zone do not include short term accommodation, as such the site-specific text amendment is required. Short term accommodation is permitted as a secondary use in the R1, R1L, RU1, RU2, RU3, RU4, RU5, and A1 Zones.

The relevant Zoning Bylaw sections discussed above can be found in Attachment 3.

Official Community Plan Bylaw No. 0100

The Land Use Designation of 3655/3657 Apple Way Boulevard is Single Family Residential. The Built Form/Land Use of the Land Use Designation is single detached, duplex and carriage house and compact or clustered single-detached housing, including manufactured homes. The Purpose is to provide traditional single family housing opportunities and encourage more land efficient compact housing forms for families. The proposed site-specific text amendment is consistent with the Single Family Residential Land Use Designation.

KEY CONSIDERATIONS

In providing recommendations to City staff and Council, the APC may wish to consider the following:

- Short term accommodation is not a use permitted in the R2 Zone or in a duplex.
- The proposal appears to otherwise meet the short term accommodation regulations and the required parking can be provided on the properties.

Specific comments would be appreciated should the APC have any concerns with the proposed site-specific text amendment so that they may be further investigated or considered prior to staff providing a recommendation to Council as part of consideration of the application.

Respectfully submitted,

Yvonne Mitchell, Planner II

Powerpoint: Yes No

Attachments:

1. Applicant's Rationale
2. Parking Plan
3. Zoning Bylaw Sections