



## DEVELOPMENT SERVICES COUNCIL REPORT

To: Mayor and Council

Date: November 14, 2023

From: Paul Gipps, CAO

File No: Z 23-08

Subject: **Z 23-08, Zoning Bylaw Amendment No.0265.19 (First and Second Reading), 1018 West Kelowna Road**

Report Prepared By: Cam Graham, Planner I

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**RECOMMENDATION** to Consider and Resolve:

**THAT** Council postpone the proposed Zoning Amendment Bylaw No.0265.19 (Z 23-08) for 1018 West Kelowna Road to permit a modular carriage house in an R1 zone on a parcel less than 1100 m<sup>2</sup>.

### STRATEGIC AREA(S) OF FOCUS

**Pursue Economic Growth and Prosperity** – We will work with stakeholders throughout the region to advocate for and support efforts aimed at helping West Kelowna businesses prosper. With a focus on the future, we will advance opportunities to expand our economy, increase employment, and develop the community in ways that contribute towards prosperity for all.

### BACKGROUND

The subject property is in the West Kelowna Estates/Rose Valley neighbourhood. The property is across from the Rose Valley Community Park, and the Rose Valley Elementary School is to the South. It is currently developed with a single detached dwelling and detached garage.

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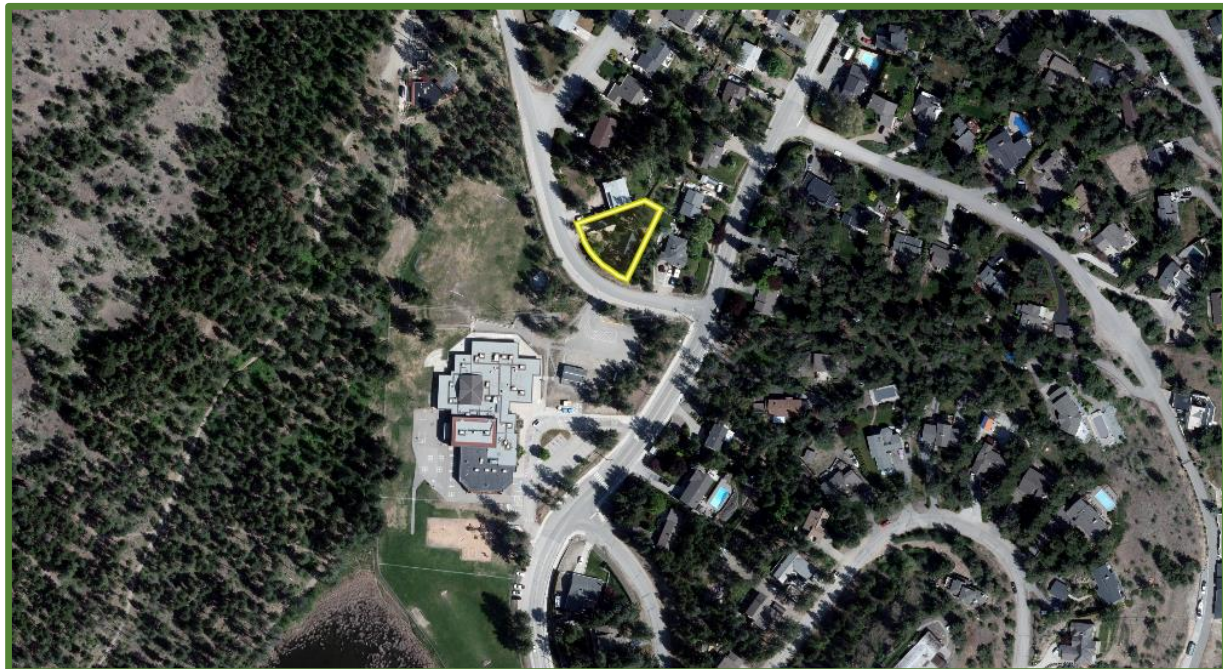
PROPERTY DETAILS			
<b>Address</b>	1018 West Kelowna Road		
<b>PID</b>	001-865-447		
<b>Folio</b>	36415052.502		
<b>Lot Size</b>	1080.51 m <sup>2</sup>		
<b>Owner</b>	Lori and Brian Pinnell	<b>Agent</b>	Kyle Blanleil

<b>Current Zoning</b>	Single Detached Residential Zone (R1)	<b>Proposed Zoning</b>	Single Detached Residential Zone (R1) <i>with a site-specific text amendment</i>
<b>Current OCP</b>	Low Density Residential	<b>Proposed OCP</b>	N/A
<b>Current Use</b>	Single Detached Dwelling	<b>Proposed Use</b>	Single Detached Dwelling and Carriage House
<b>Development Permit Areas</b>	None		
<b>Hazards</b>	N/A		
<b>Agricultural Land Reserve</b>	No		

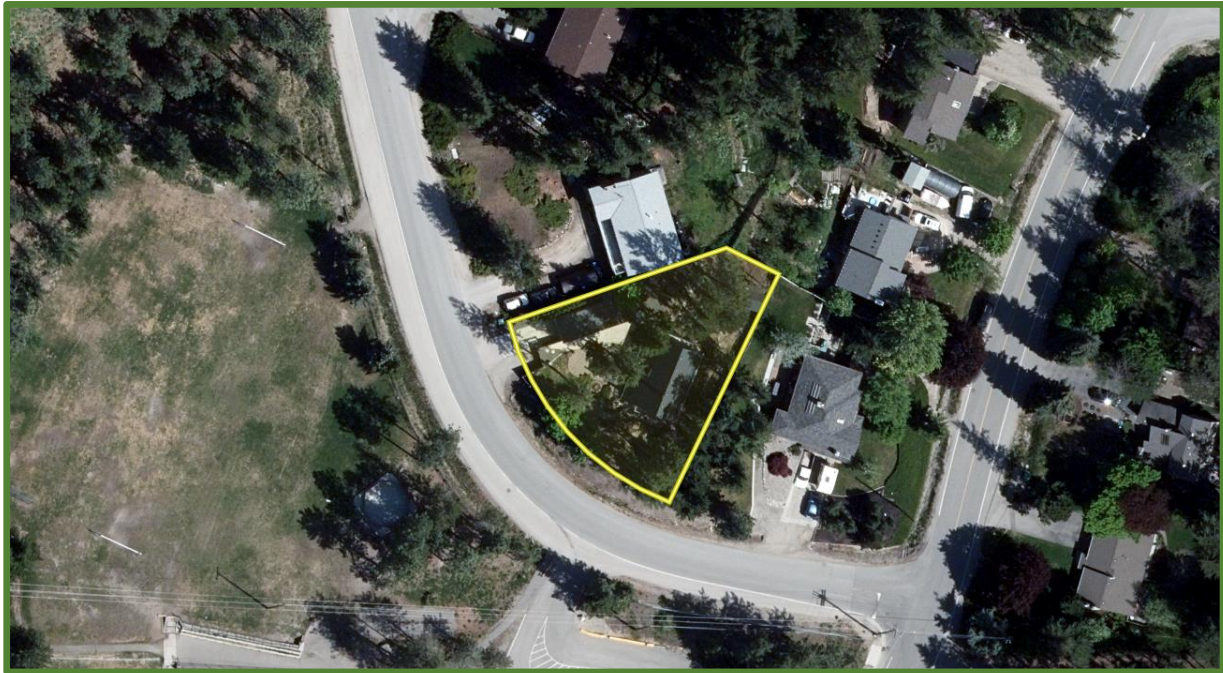
### ADJACENT ZONING & LAND USES

<b>North</b>	^	R1 – Single Detached Residential
<b>East</b>	>	R1 – Single Detached Residential
<b>West</b>	<	P1 – Parks and Open Space
<b>South</b>	v	P2 – Institutional and Assembly Zone

### NEIGHBOURHOOD MAP



## PROPERTY MAP



### Legislative Requirements

Council has the authority under s.479 of the *Local Government Act* to amend the Zoning Bylaw.

### Proposal

The application is for a site-specific text amendment to permit a modular carriage house home in an R1 zone on a parcel less than 1100 m<sup>2</sup>.

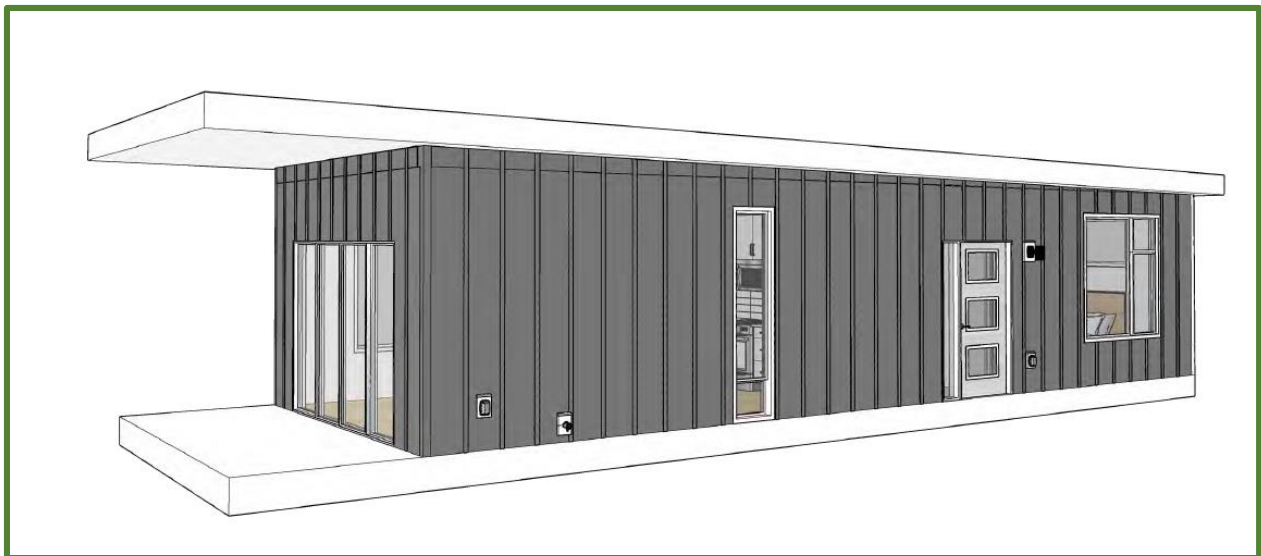


Figure 1: Rendering of Proposed Modular Carriage House



## Applicant's Rationale

The applicant's rationale is summarized below and provided in full as Attachment 3.

- The prefab home will be built according to BC Housing code, and the façade will be painted to match the existing home.
- The property is well suited for an additional dwelling unit, given its location to Rose Valley Elementary School and Rose Valley Community Park;
- The goal is to move the homeowners into the carriage house and their daughter and her family into the home so the family can be in the vicinity of Rose Valley Elementary, which they currently attend.
- The Applicant has already purchased the modular carriage house.
- The applicant has gathered neighbourhood support, which can be found in Attachment 3.

## DISCUSSION

### Zoning and Policy Review

#### Official Community Plan No.0300 (OCP 2040)

The Land Use Designation of the subject property in OCP 2040 is Low-Density Residential. The purpose of this LUD is to allow for a variety of low-rise residential uses limited to 1-2 units. Low-Density Residential permits uses such as Single-detached dwellings, secondary suites, carriage houses and clustered housing. This proposal is consistent with the Official Community Plan No.0300

#### Zoning Bylaw No.0265

#### *Zoning Bylaw No.0265 (R1 Zone)*

The R1 zone permits a variety of uses, including principle use: (a) Single detached dwelling and secondary use (d) Carriage house. As per Zoning Bylaw No.0265, R1 zoning (Single Detached Residential Zones) does not currently permit modular homes. A Site Specific Text Amendment is required for this application because modular homes are not a permitted principal or secondary use in an R1 Zone. If modular homes were permitted in R1 Zones this application would have been processed as a variance for a carriage



Figure 2: Official Community Plan Land Use Designations

house on a parcel less than 1100 m<sup>2</sup>. Modular homes are a permitted principal use in the following Zoning Bylaw No.0265 Zones: R1M, R1L, RU1, RU2, RU3, RU4, RU5, and A1.

*Zoning Bylaw No.0265 (3.19 Carriage House Requirements)*

### **3.19 CARRIAGE HOUSES**

- .1 The minimum parcel area required to accommodate a carriage house on a parcel with a single detached dwelling is specified in Table 3.8.

**Table 3.8 Minimum parcel area**

<b>Zone</b>	<b>Minimum Parcel Area</b>
RC1 & RC2	650 m <sup>2</sup> (6,996.5 ft <sup>2</sup> )
R1	1100 m <sup>2</sup> (11,840.3 ft <sup>2</sup> )
R1L, RU1, RU2, RU3, RU4, RU5 & A1	2,500 m <sup>2</sup> (26,909.7 ft <sup>2</sup> )

Figure 3: Minimum Parcel Area for R1 Zones

The proposed modular carriage house does not meet the minimum parcel area requirement for a carriage house as the subject property is 1080 m<sup>2</sup>. The proposal meets all other Zoning Bylaw regulations.

*Zoning Bylaw No.0265 (Parking)*

As per Section 4 of the Zoning Bylaw, the following parking is required for the proposed uses:

- Single Detached Dwelling – 2.0 Spaces per dwelling unit.
- Carriage House – 1.0 per one-bedroom dwelling.

The proposal meets our parking requirements, as the Parking Plan (Attachment 4) shows that the property can successfully accommodate three parking spaces in the orientation proposed. It is noted that the City is currently reviewing parking regulations and Staff will be engaging with Council on the parking review shortly.

### City of West Kelowna CMHC Housing Accelerator Fund (HAF) and Complete Communities Infill Strategy

The City of West Kelowna is currently in the process of applying for the CMHC Housing Accelerator Fund to increase the housing stock for the City of West Kelowna as well as an Infill Strategy.

The HAF application involves outlining seven initiatives to increase housing growth in the community. These initiatives are intended to provide additional dwelling units in the City with direction and input from the residents.

Initiative #1 Accessory Dwelling Unit Strategy – Gentle Density Infill includes an approach that is related to this application.

- Permit modular construction in the predominant low-density residential zones.

In this document, staff outline the positives of this approach *“Increased flexibility for modular construction will allow the City to grow the supply of missing middle”*. There are numerous modular ADUs that conform with the BC Building Code and can be purchased and placed on-site in a 10 to 12-week period, which if permitted through zoning regulations could speed up the delivery of a variety of housing types”.

As presented at the October 24<sup>th</sup> Council Meeting, staff were successful in a grant application from UBCM to prepare a Complete Communities Infill Strategy. Similar to the potential HAF related initiatives, it is anticipated that changes related to Carriage Homes and other infill related development will be considered by Council and informed by input from residents.

#### Bill 44 Housing Statutes Amendment Act

The Province is currently undergoing changes to how local governments deal with Small-Scale Multi-Unit Housing (SSMU). The legislation proposes changes to the Local Government Act and will likely require updating Zoning Bylaws, including allowing additional dwelling units on single family parcels. Staff will be reviewing the legislation in greater detail in the coming weeks and in the context of our upcoming policy work. These changes are another contributing factor to the City needing to establish the direction for infill housing and how we will manage additional dwelling units in the community.

Similar to other recent applications to Council, Staff recommend that direction be provided at a community-level with input from residents and direction from Council.

#### **Advisory Planning Commission (APC)**

The APC considered the application on September 20<sup>th</sup>, 2023, and carried the following motion:

**THAT** the Advisory Planning Commission recommend support for file Z 23-08, Zoning Bylaw Amendment, 1018 West Kelowna Road.

#### **Public Notification**

In accordance with the *Local Government Act* and the Development Applications Procedures Bylaw No. 0260, notice of first reading was sent to all property owners and their tenants within 100 m of the subject property, was posted in the newspaper, and on the City’s website A Notice of Application sign was also installed on the property in accordance with the Development Application Procedures Bylaw No. 0260.

Per the Development Applications Procedures Bylaw No. 0260, a public hearing is not required for zoning bylaw amendment applications consistent with the Official Community Plan unless 8 or more written submissions are received or at Council’s discretion. If a public hearing is scheduled for this application further notice will be required.

## CONCLUSION

Staff recommend that Council postpone this application as the Province and the City of West Kelowna have many initiatives underway that may inform changes related to infill housing and aspects of this proposal. These planning initiatives and policy will guide gentle density on a community and neighbourhood-wide scale with input from residents and direction from Council.

Staff do not have site-specific concerns for this proposal. The property is well suited for an additional dwelling unit, given its location to Rose Valley Elementary School and Rose Valley Community Park. Parking can be accommodated on site and the proposal is not anticipated to create negative impacts on the surrounding area. With the exception of the parcel area requirement, all other applicable Zoning Bylaw requirements are met, and the Official Community Plan promotes infill housing as an efficient use of existing services and more efficient compact forms for families. Staff understand that additional housing options and rental units are needed in West Kelowna, but the direction for how that will be achieved should be at a community wide decision-making level.

Staff recommend that Council postpone first and second reading of this application (Z 23-08); and direct the Staff to process the file once the Infill Strategy and corresponding bylaw amendments have been completed or close the file if the application is no longer necessary.

### **Alternate Recommendations to Consider and Resolve:**

1. **THAT** Zoning Amendment Bylaw No. 265.19, 2023 be given first and second reading; and

**THAT** Council direct staff to schedule the bylaw for consideration of third reading.

2. **THAT** Zoning Amendment Bylaw No. 265.19, 2023 be given first and second reading; and

**THAT** Council direct staff to schedule a Public Hearing regarding the proposed zoning amendment.

This option is available for Council should 8 or more written submissions be received triggering the public hearing requirement, or if Council, at their discretion, wishes to hold a public hearing for this zoning bylaw amendment application.

3. **THAT** Council deny the proposed Zoning Amendment Bylaw No.0265.19 (Z 23-08) for 1018 West Kelowna Road to permit a modular carriage house in an R1 zone on a parcel less than 1100 m<sup>2</sup>.

**THAT** Council direct staff to close the file.

**REVIEWED BY**

Chris Oliver, Planning Manager

Brent Magnan, Director of Development Approvals

Corinne Boback, Legislative Services Manager / Corporate Officer

Trevor Seibel, Deputy CAO

**APPROVED FOR THE AGENDA BY**

Paul Gipps, CAO

Powerpoint: Yes  No

Attachments:

1. Zoning Amendments Bylaw No.0265.19
2. Preliminary Survey Plan and Manufactured Home Specifications
3. Applicant's Rationale and Neighbourhood Support
4. Parking Plan
5. Delegation Request – Kyle Blanleil