

REPORT TO COUNCIL



Date: August 13, 2018

RIM No. 1250-04

To: City Manager

From: Community Planning Department (TH)

Application: Z18-0039 **Owner:** Nicholas and Cheryl Kirschner

Address: 2005 Lindahl Street **Applicant:** Urban Planning Options and Permits

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RU2 – Medium Lot Housing

Proposed Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z18-0039 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 4 Section 19 Township 26 ODYD Plan 19208, located at 2005 Lindahl Street, Kelowna, BC from the RU2 – Medium Lot Housing zone to the RU6 – Two Dwelling Housing Zone, be considered by Council;

AND THAT the Rezoning be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated August 13, 2018.

2.0 Purpose

To rezone the subject property to facilitate two dwelling housing.

3.0 Community Planning

Community Planning supports the application to rezone the subject property to the RU6 zone to permit two dwelling housing. The RU6 zone meets the intent of Kelowna's Future Land Use designation of S2RES Single/Two Unit Residential designation. The rezoning application is an appropriate development in the surrounding single family dwelling neighbourhood.

The property is located within the Permanent Growth Boundary, in the Capri Landmark Urban Centre of Kelowna. The applicant submitted a Neighbourhood Consultation Summary Form to staff on May 22, 2018 outlining that Council Policy No. 367 has been fulfilled.

4.0 Proposal

4.1 Project Description

A single family dwelling was constructed in the 1960's on the subject property.

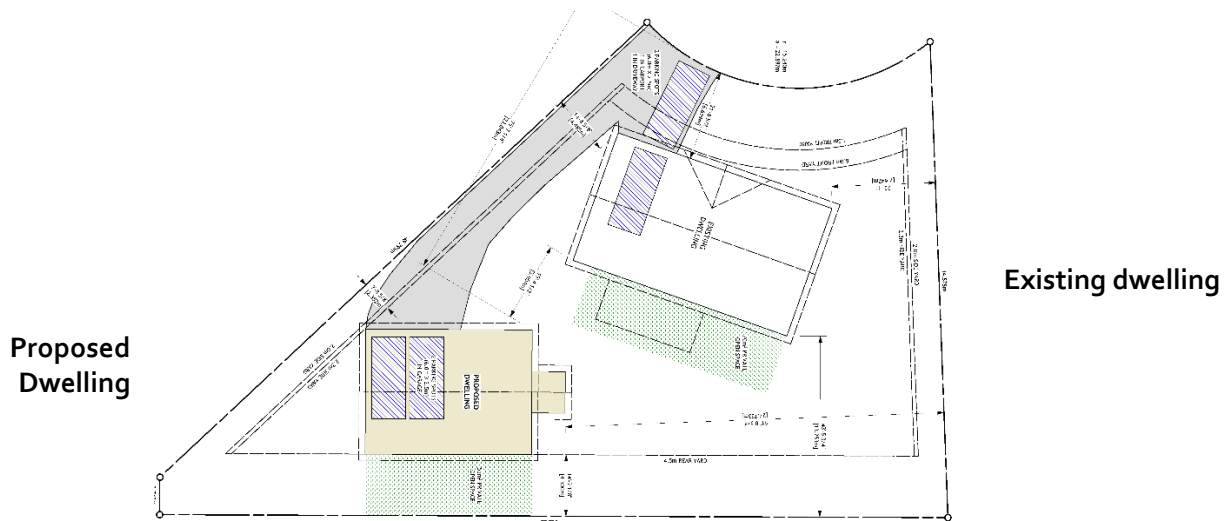
The application proposes an RU6 zone which would allow for one additional single family dwelling on the property. The applicant wishes to retain the existing single family dwelling and construct a new single family dwelling on the rear of the property. The zone would also allow for demolition of the existing house, allowing new construction of any form of housing type permitted within the RU6 zone.

As a maximum of two dwelling units are permitted within the RU6 zone, if the existing dwelling has a secondary suite within it, the secondary suite must be removed prior to issuance of occupancy permit of a new dwelling construction.

The subject parcel is an irregular shaped lot 1,416 sq.m. in size, the width measures 30 m, depth 35 m. The applicant is proposing to construct a new single family dwelling in the rear of the property with vehicle access from the existing driveway. Due to the irregular shape of the parcel, the proposed site plan for a second single family dwelling does show the need for a rear yard variance. The RU6 zone rear yard setback of 7.5 m is required. The applicant is proposing a 4.5 m rear yard setback. A Development Variance Permit will be considered by Council if Council approves the current rezoning application. Council approval of the current RU6 Rezoning does not imply that a variance to the rear yard would be approved.

With the addition of a second dwelling an owner may apply to stratify each dwelling. In order to stratify, the existing dwelling would need to substantially be brought up to current BC Building Code standards. The existing dwelling was constructed in the 1960's meaning substantial upgrades may be required. As such, if the owner wishes to stratify the two dwellings, the upgrades to the existing dwelling fronting Lindahl Street would improve the streetscape in the neighbourhood.

Conceptual Site Plan



4.2 Site Context

The subject parcel is located on Lindahl Road, which is accessed off of Wilkinson Street in the Capri Landmark Urban Centre. Official Community Plan designations of S2RES and PARK exists in the immediate neighbourhood. The subject parcel is located walking distance to two different bus routes, one located on Sutherland Avenue (400 m), the second on Springfield Avenue (200 m).

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU2	Single Family Dwelling
East	RU6	Two Dwelling Housing
South	RU2	Single Family Dwelling
West	RU1	Single Family Dwelling

Neighbourhood Map: 2005 Lindahl Street



Subject Property Map: 2005 Lindahl Street



4.2 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	EXISTING CONDITIONS
Existing Lot/Subdivision Regulations for Two Dwelling Housing		
Lot Area	800 m ²	1,416 m ²
Lot Width	18.0 m	30.0 m
Lot Depth	30.0 m	35.0 m
Development Regulations		
Max Site Coverage	40%	13%
Max Site Coverage incl. driveways & parking areas	50%	31%
Max Height	9.5 m / 2.5 storey	1.5 storey
Min Front Yard	4.5 m and 6.0 to garage	4.5 m
Min Side Yard (south)	2.0 m / 2.3 m	3.6 m
Min Side Yard (north)	2.0 m / 2.3 m (one side yard must be 3.0 m)	7.0 m
Min Rear Yard	7.5 m	12.0 m
Other Regulations		
Min Parking Requirements	2 per dwelling (4)	Adequate Space for 4
Min Private Open Space	30 m ² per dwelling (60 m ²)	Adequate space for 30 m ²
Min distance between Two Single Detached Dwellings	4.5 m	n/a

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Future Land Use Single / Two Unit Residential (S2RES)¹ Single detached homes for occupancy by one family, single detached homes with a secondary suite or carriage house, semi-detached buildings used for two dwelling units,...

The RU6 zone is the highest density form of residential permitted within the S2RES designation.

Compact Urban Form² Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

The subject parcel is located near BC Transit bus stops, and commercial businesses as noted in this report.

6.0 Technical Comments

6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.

¹ City of Kelowna Official Community Plan, (Future Land Use Chapter).

² City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

- A third party work order may be required with the Development Engineering Department for an upgraded water line and sewage connection. These requirements are to be resolved prior to issuance of the Building Permit.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this complex at time of permit application.

6.2 Development Engineering Department

- Development Engineering Memorandum is attached to this report as Schedule "A"
 - Specific requirements include upgrading water service and upgrading Lindahl Street frontage.

7.0 Application Chronology

Date of Application Received: April 24, 2018

Date Public Consultation Completed: May 22, 2018

Report prepared by: Tracey Hillis, Planner, Suburban and Rural Planning

Reviewed by: Dean Strachan, Suburban and Rural Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Schedule "A" Development Engineering Memorandum
Conceptual Site Plan