

REPORT TO COUNCIL



Date: November 19, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (KB)

Application: Z18-0045 **Owner:** Lisa Carol White

Address: 1848-1854 Riverside Avenue **Applicant:** Urban Options Planning & Permits

Subject: Rezoning Application

Existing OCP Designation: S2RES- Single / Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z18-0045 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 14 Osoyoos Division Yale District Plan EPP81940, located at 1848-1854 Riverside Avenue, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone, be considered by Council;

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

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

2.0 Purpose

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to facilitate the legalization of existing two dwelling housing.

3.0 Community Planning

Community Planning Staff support the application to rezone from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to facilitate the legalization of an existing duplex. The RU6 – Two Dwelling Housing zone is consistent with the existing Future Land Use designation of S2RES – Single / Two Unit Residential. The property is within the Permanent Growth Boundary and is in excess of the minimum lot dimensions for two dwelling housing under the proposed RU6 – Two Dwelling Housing zone. The

application meets the intent of several Official Community Plan (OCP) goals and policies related to containing growth within developed areas and providing for a variety of housing options.

The applicant has confirmed the completion of neighbourhood notification in accordance with Council Policy No. 367.

4.0 Proposal

4.1 Background

Council previously considered a rezoning application from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing for this property, however the bylaws were rescinded in 2011, prior to receiving 4th reading. A Heritage Alteration Permit, and building permits for the exterior changes were issued in the fall of 2008, but they were cancelled in September 2011, after no work had been completed within that time. At some point after this, the work was completed by a previous owner without permits. A new owner is wanting to bring the property in to compliance.

As the existing dwelling was previously non-conforming and straddled two separate properties, the applicant recently completed a Technical Subdivision which saw the two properties consolidated and lot lines cleaned up.

4.2 Project Description

The proposal is to rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to legalize an existing duplex. If the rezoning application is supported by Council, because the property is located within the Abbott Marshall Heritage Conservation Area, a Staff-issued Heritage Alteration Permit, would also be required prior to any building permits being issued.

4.3 Site Context

The subject property is on the west side of Riverside Avenue, in the City's Central City Sector. The surrounding area is characterized by single dwelling housing. It is in close proximity to the downtown core, including City Park, Mill Creek Linear Park and the Abbott Street Recreation Corridor. It is within the City's Permanent Growth Boundary.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Residential	Residential
East	RU1 – Large Lot Residential	Residential
South	RU1 – Large Lot Residential	Residential
West	P3 - Parks and Open Space	Park

Subject Property Map: 1848-1854 Riverside Avenue



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 1: Introduction

- **Goal 1. Contain Urban Growth.** Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.
- **Goal 2. Address Housing Needs of All Residents.** Address housing needs of all residents by working towards an adequate supply of a variety of housing.

Development Process

- **Objective 5.3 Focus development to designated growth areas.**
- **Policy 5.3.2 Compact Urban Form.** 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.
- **Policy 5.22.6 Sensitive Infill.** Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

- **Policy 5.22.7 Healthy Communities.** Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

6.0 Technical Comments

6.1 Building & Permitting Department

- Work has been carried out without permits throughout the house that may require to be exposed and corrected under permit
- Fire separations are required between unit & installed under permit
- Correction of life safety and fire safety systems are required under permit

6.2 Development Engineering Department

- See attached City of Kelowna memorandum

7.0 Application Chronology

Date of Application Received: April 16, 2018
Date Public Consultation Completed: June 4, 2018
Date of Lot Consolidation Completed: September 25, 2018

Report prepared by: Kimberly Brunet, Planner
Reviewed by: Terry Barton, Urban Planning Manager
Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A – City of Kelowna Memorandum
Attachment B – Site Plan