

REPORT TO COUNCIL



Date: May 2, 2016
RIM No. 1250-30
To: City Manager
From: Community Planning Department (TB)
Application: Z16-0011 **Owner:** Corey Knorr Construction Ltd., Inc. No. BC0389398
Address: 330 Merrifield Rd **Applicant:** Corey Knorr
Subject: Rezoning Application
Existing OCP Designation: S2RES - Single/Two Unit Residential
Existing Zone: RU1 - Large Lot Housing
Proposed Zone: RU2 - Medium Lot Housing

1.0 Recommendation

THAT Rezoning Application No. Z16-0011 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Section 26, Township 26, ODYD, Plan 18164 located at 330 Merrifield Rd, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing zone be considered by Council;

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

AND 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 April 6, 2016;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer;

2.0 Purpose

To rezone the subject property from RU1 to RU2 to facilitate a 2-lot subdivision.

3.0 Community Planning

Community Planning supports the proposal to rezone the subject property. The rezoning of this property from RU1 to RU2 would allow it to be subdivided into two lots and a single family dwelling developed on the second lot. The existing lot has one single family dwelling with a

suite, and the rezoning and subdivision would not cause any variances on the existing dwelling. This is consistent with the Official Community Plan (OCP) Future Land Use Designation of S2RES - Single/Two Family Residential and the OCP urban infill policy of compact urban form. The subject property is located within the Permanent Growth Boundary in the City’s Core Area.

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbour consultation by individually contacting the neighbours on April 6, 2016.

4.0 Proposal

4.1 Background

The subject property had a single family dwelling that was damaged by fire in August 2014. The home was demolished in July 2015, and a new single family dwelling with a suite was completed in January 2016. The siting of the new single family dwelling was sited to allow for a future rezoning and subsequent subdivision without variances.

4.2 Project Description

The subject property is 931m² and the proposed rezoning does not trigger any variances. The RU2 - Medium Lot Housing zoning would allow the property to be subdivided into 2 lots without triggering a variance on the existing single family dwelling with suite. The second lot could then be developed with a single family dwelling, or a single family dwelling with suite. Should Council approve this rezoning, the Subdivision Approving Officer will review the application to subdivide. Should this be successful, a development permit would not be required for the single family dwelling on the new lot provided there were no variances requested.

This rezoning is consistent with the Future Land Use of Single/Two Unit Residential. It is also consistent with the OCP policy of Compact Urban Form, creating density where infrastructure already exists and is within 400m walking distance of transit stops.

4.3 Site Context

The subject property is located on the west side of Merrifield Road, north of Hwy 33 E and south of Mugford Road. It is within the Permanent Growth Boundary and the Core Area, and within walking distance to Mugford Park and Briarwood Park. It is a short drive to the commercial amenities located at Rutland Road and Highway 33 E.

There is an RU2 development two blocks to the east on Poonian Street that consists of 55 lots. There are nearly 20 RU6 lots in close proximity.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Residential
East	RU1 - Large Lot Housing	Residential
South	RU1 - Large Lot Housing	Residential
West	RU1 - Large Lot Housing	Residential

Subject Property Map: 330 Merrifield Road



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU2 ZONE REQUIREMENTS	PROPOSAL
Existing Lot		
Minimum Lot Area	400 m ²	913 m ²
Minimum Lot Width	13.0 m	30.40 m
Minimum Lot Depth	30.0 m	30.04 m
Proposed Future Subdivision		
Minimum Lot Area	400 m ²	Lot 1: 410 m ² Lot 2: 503 m ²
Minimum Lot Width	13.0 m	Lot 1: 13.67 m Lot 2: 16.74
Minimum Lot Depth	30.0 m	Lot 1: 30.04 m Lot 2: 30.04 m

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ 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.

6.0 Technical Comments

6.1 Development Engineering Department

- Please see attached Schedule "A" attached to the Report from the Community Planning Department dated April 6, 2016.

6.2 Fire Department

- Ensure both lots are addressed off of Merrifield Rd
- Ensure appropriate fire flows/hydrants in area.

6.3 FortisBC Gas

- Please be advised FortisBC Gas has reviewed the above mentioned referral and the gas service line may be impacted by this proposal. A Statutory Right of Way will be required to protect the existing asset from encroachment or a gas service alteration will be required.

6.4 FortisBC Electric

- There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Merrifield Rd. To date, arrangements have not been completed to meet the requirements to service the proposed subdivision. The applicant is responsible for costs associated with changes to the proposed lots' existing service, if any, as well as the provision of appropriate land rights where required.
- Otherwise, FBC(E) has no concerns with this circulation.

6.5 Rutland Water Works District

- Please see attached letter dated February 25, 2016

6.6 Ministry of Transportation

- Preliminary Approval is granted for the rezoning for one year pursuant to Section 52(3)(a) of the Transportation Act.

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

- Please forward the bylaw for Ministry signature after 3rd reading.

7.0 Application Chronology

Date of Application Received: February 18, 2016
Date Public Consultation Completed: April 6, 2016

Report prepared by:

Trisa Brandt, Planner I

Reviewed by:

Terry Barton, Urban Planning Manager

Approved for Inclusion:

Ryan Smith, Community Planning Department Manager

Attachments:

Schedule "A": Development Engineering Memorandum dated April 6, 2016
Letter from Rutland Water Works District dated February 25, 2016
Site Plan
Site Photo