

REPORT TO COUNCIL



Date: June 27, 2016

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TB)

Application: Z16-0022

Owner: Paul Benjamin Neufeld
Douglas Richard Kirk

Address: 815 Rose Avenue

Applicant: Douglas Richard Kirk

Subject: Rezoning Application

Existing OCP Designation: MRL - Multiple Unit Residential (Low Density)

Existing Zone: RU6 - Two Dwelling Housing

Proposed Zone: RM1 - Four Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z16-0022 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, District Lot 136, ODYD, Plan 8116, located at 815 Rose Avenue, Kelowna, BC from the RU6 - Two Dwelling Housing zone to the RM1 - Four Dwelling 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 June 6, 2016;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit for the subject property.

2.0 Purpose

To rezone the subject property to facilitate the development of a duplex and the renovation of an existing dwelling.

3.0 Community Planning

Community Planning Staff supports the proposed rezoning application to allow the development of a duplex and renovation of an existing dwelling. The MRL - Multiple Unit Residential (Low

Density) land use designation supports the proposed RM1 - Four Dwelling Housing zone. The proposed duplex is consistent with the Official Community Plan (OCP) policies for Compact Urban Form, Sensitive Infill, Healthy Communities, and Embracing Diversity. Should Council approve this rezoning, staff will work with the applicant to issue a Development Permit.

Council Policy No. 367 with respect to public consultation was undertaken by the applicant. All adjacent neighbours within a 50m radius were provided with a circulation package that was delivered in person on April 9th, 2016.

4.0 Proposal

4.1 Background

The subject property features a 1 ½ storey single family dwelling that was constructed in 1960 and a small storage shed that will be demolished as part of this development. The existing single family dwelling features 3 bedrooms and will be renovated to modernize the form and character and increase the square footage. The existing driveway on Rose Avenue will be decommissioned as a function of this rezoning. The applicants have had numerous pre-application meetings to ensure their application is complete and aligns with current OCP policies.

4.2 Project Description

The proposed rezoning would facilitate the development of a duplex on the rear of the subject property while retaining and renovating the existing single family dwelling for a total of three dwellings. This is consistent with the OCP Future Land Use designation of Multiple Unit Residential Low Density. The lot meets the requirements of the zoning bylaw and does not require any variances.

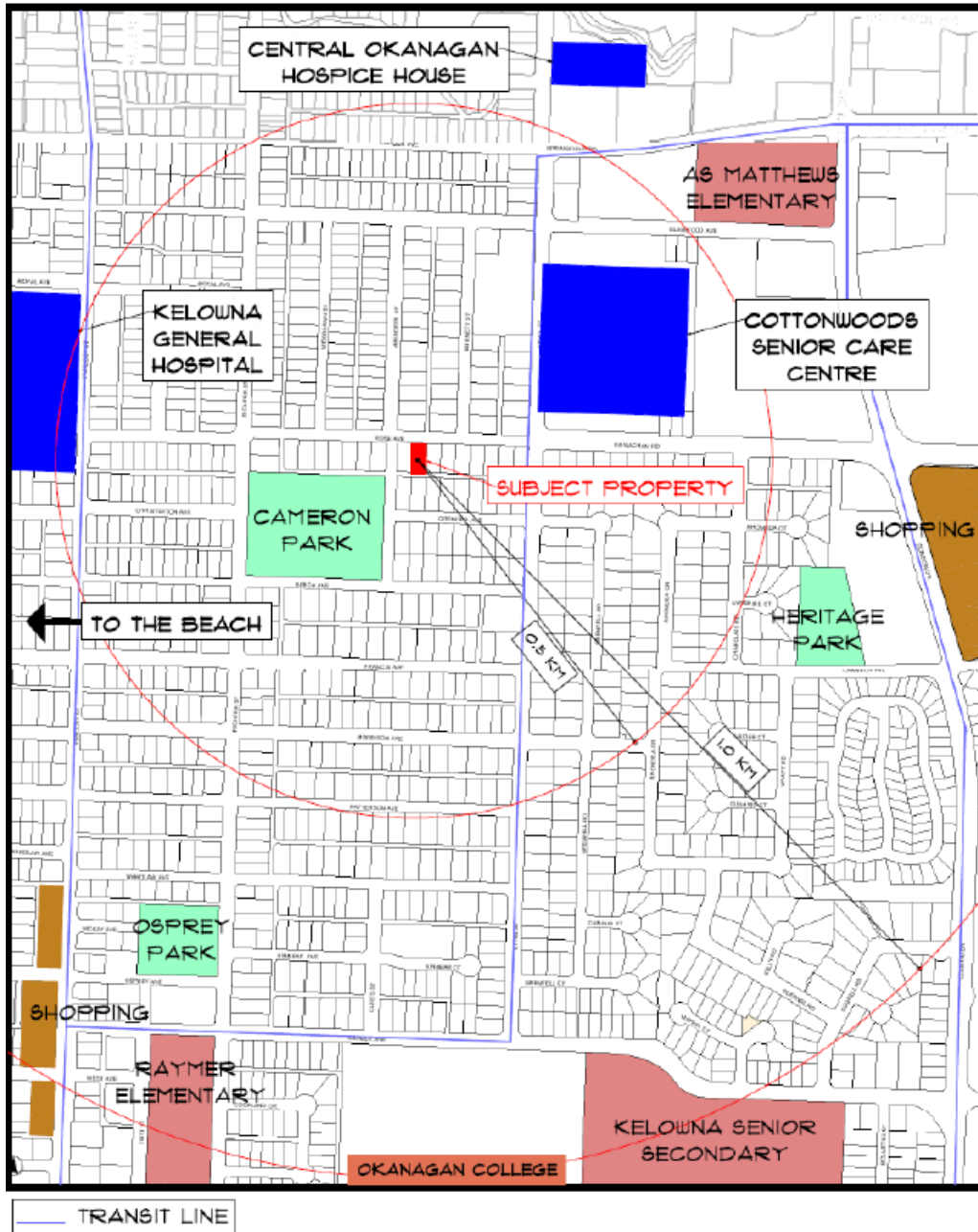
The proposed 2 ½ storey duplex is designed with 2 bedrooms plus a flex room. The front of the duplex faces onto the lane with visible entrances that activate the laneway. Each side of the duplex features a single car garage with an additional parking space in front of the garage. Two parking stalls for the single family dwelling will be relocated from the front driveway to a rear driveway with access from the lane.

Private outdoor space for the single family dwelling is improved through the addition of a covered porch in the front yard. Private outdoor space for the duplex units is achieved through the use of decks, porches, and covered patios. The proposed landscape plan includes the addition of several trees to the site along with fencing for privacy, and shrubs for screening.

As a function of this rezoning, a 5.0m road reserve in favour of the City of Kelowna will be registered on title for future widening of Rose Avenue.

4.3 Site Context

The subject property is located in South Pandosy east of Richter Street and south of Ethel Street on the south side of Rose Avenue. The subject property is within walking distance to a variety of amenities including Guisachan Village, Cameron Park, Kelowna General Hospital, and is located on a bicycle corridor with access to the proposed Ethel Street Active Transportation Corridor.



Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 - Two Dwelling Housing	Residential
East	RU6 - Two Dwelling Housing	Residential
South	RU6 - Two Dwelling Housing	Residential
West	RU6 - Two Dwelling Housing	Residential

Subject Property Map:



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM1 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	700 m ²	774.17 m ²
Lot Width	20.0 m	19.54 m
Lot Depth	30.0 m	39.62 m
Development Regulations		
Floor Area Ratio	.60	.527
Height	2.5 stories or 9.5 m	2.5 stories or 8.46 m
Front Yard	4.5 m	5.25 m
Side Yard (west)	2.5 m	3.55 m
Side Yard (east)	2.0 m	m
Rear Yard	6.0 m	6.86 m
Other Regulations		
Minimum Parking Requirements	6	6
Private Open Space	25 m ² per unit	48 m ² per unit

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.

Sensitive Infill.² 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.

Healthy Communities.³ 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.

Embracing Diversity.⁴ Increase understanding of various forms of housing needs and styles toward increasing acceptance of housing meeting the needs of diverse populations by encouraging applicants to undertake early and on-going consultation relating to their project, including provision of support material where appropriate.

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 Permit(s).
- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application. This property falls within the Mill Creek flood plain bylaw area and compliance is required. Minimum building elevations are required to be established prior to the release of the Development Permit. This minimum Geodetic elevation is required for all habitable spaces including parking garages. This building may be designed to low, which may affect the form and character of the building.
- 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 structure at time of permit application.

6.2 Development Engineering Department

Please see attached Schedule "A" dated June 6, 2016

6.3 Fire Department

¹ City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.22.7 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 5.22.8 (Development Process Chapter).

- Emergency access to the duplex (south) must be maintained - a laneway is not adequate for emergency access
- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- If a fence is ever constructed between the dwellings a gate with a clear width of 1100mm is required.
- All units shall have a posted address on Rose Ave. for emergency response
- The fire department has no issues with the zoning

6.4 FortisBC Electric

- There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Rose Avenue and within the lane adjacent the subject's south property line. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.
- Otherwise, FBC(E) has no concerns with this circulation.
- In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). It should be noted that additional land rights issues may arise from the design process but can be dealt with at that time, prior to construction.

7.0 Application Chronology

Date of Application Received: April 6, 2016
Date Public Consultation Completed: April 9, 2016

Report prepared by:

Trisa Brandt, Planner I

Reviewed by:

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Terry Barton, Urban Planning Manager

Approved for Inclusion:

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Ryan Smith, Community Planning Department Manager

Attachments:

Schedule "A": City of Kelowna Memorandum dated June 6, 2016
Site Plan
Conceptual Elevations
Landscape Plan
Context/Site Photos