

REPORT TO COUNCIL



Date: July 13, 2020

To: Council

From: City Manager

Department: Development Planning

Application: Z20-0019

Owner: Ashwani K. Lakha and Komal R. Lakha

Address: 185 Bach Road

Applicant: Birte Decloux; Urban Options Planning & Permits

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. Z20-0019 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B Section 26 Township 26 ODYD Plan KAP57577, located at 185 Bach Rd., Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone, be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464(2), waive the Public Hearing for the Rezoning Bylaw;

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 Development Planning Department dated April 8, 2020;

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

2.0 Purpose

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU2 - Medium Lot Housing zone to facilitate a 2-lot subdivision, and to waive the Public Hearing.

3.0 Development Planning

Development Planning supports the proposal to rezone the subject property to the RU2 – Medium Lot Housing zone to facilitate a 2-lot subdivision.

To begin with, the subject property has a future land use designation of S2RES – Single / Two Unit Residential, and is within the City's Permanent Growth Boundary (PGB). As such, the proposed carriage house zone is consistent with the Official Community Plan's (OCP) objective of incrementally increasing residential densities in existing urban neighbourhoods and utilizing existing streets and infrastructure.

The two proposed lots are to be 41.7m in depth and 526.8m² in area, which exceeds the minimum lot depth and area for an RU2 lot at 30m and 400m² respectively. That said, each of the proposed lots are to be 12.65m in width, which is marginally less than the zone minimum of 13.0m, and will therefore require a variance. In order to mitigate against the slight reduction in lot width, a reciprocal access agreement will be required on the title of the properties limiting the two lots to a single car access point off Bach Rd.

Given the proposed zone is consistent with the OCP, and given the slight reduction in lot size that would come out of a 2-lot subdivision will be mitigated through a reciprocal access agreement on the two new lots, Staff support the proposal.

4.0 Proposal

4.1 Project Description

The applicant proposes to rezone the subject property to the RU2 – Medium Lot Housing zone to facilitate a 2-lot subdivision. The 2 proposed lots meet the minimum dimensions of the RU2 zone except for width, which would be reduced by 35 centimeters on each lot. A variance will be required to reduce lot width below the minimum requirement. A reciprocal access agreement will be required on Title limiting the two lots to a single car access.

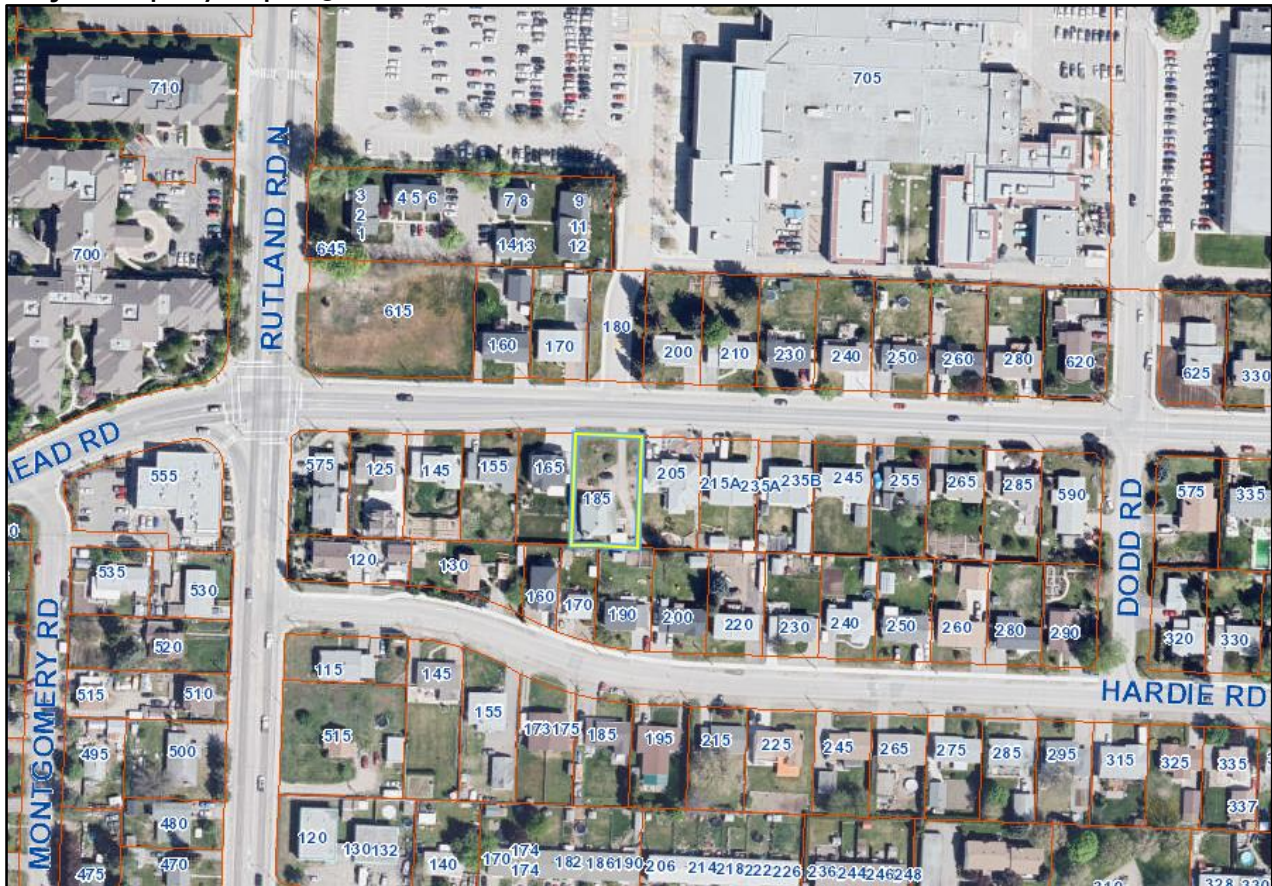
4.2 Site Context

The property is located in the Rutland Sector and is just outside the boundary of the Rutland Urban Centre (within 150m). The lot is also directly across the street from both Rutland Senior School and Rutland Middle School.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Family Housing
East	RU1 – Large Lot Housing	Single Family Housing
South	RU2 – Medium Lot Housing	Single Family Housing
West	RU1 – Large Lot Housing	Single Family Housing

Subject Property Map: 185 Bach Rd.



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Objective 5.22 Ensure context sensitive housing development.

Policy .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

6.0 Technical Comments

6.1 Development Engineering Department

- See Schedule A

7.0 Application Chronology

Date of Application Received: February 24, 2020

Date Public Consultation Completed: May 20, 2020

Report prepared by: Aaron Thibeault, Planner II

Reviewed by: James Moore, Acting Development Planning Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Schedule A: Development Engineering Memo

Attachment A: Applicant Rationale

Attachment B: Subdivision Plan