

REPORT TO COUNCIL



Date: July 25, 2016
RIM No. 1250-30
To: City Manager
From: Community Planning Department (TB)
Application: Z15-0066 **Owner:** Pam Irene Sahlin
Address: 3697 Lakeshore Rd **Applicant:** Thomson Dwellings Inc.
Subject: Rezoning Application - Supplemental Information
Existing OCP Designation: S2RES - Single/Two Unit Residential
Existing Zone: RU1 - Large Lot Housing
Proposed Zone: RU6 - Two Dwelling Housing

1.0 Recommendation

THAT Council waives the requirements of Item 4 (Road Reserve) on Schedule "A" attached to the Report of the Community Planning Department dated July 25, 2016 that pertain to a 5.0m road reserve on Lakeshore Road and a 3.0m road reserve on Barrera Road;

AND THAT Council maintain the requirement of Item 4 (Road Dedication) on Schedule "A" attached to the Report of the Community Planning Department dated July 25, 2016 that pertains to a 5.0m road dedication on Lakeshore Road to be considered in conjunction with Final Adoption of Rezoning Bylaw No. 11201;

AND FURTHER THAT Rezoning Bylaw No. 11201 be forwarded for adoption consideration.

2.0 Purpose

To waive a condition of adoption of Rezoning Bylaw No. 11201, and to forward the Bylaw for adoption.

3.0 Community Planning

After Second and Third Reading of the proposed RU6 zoning was granted by Council, the property owner became concerned over the amount of road takings on the property and requested that staff review this requirement. Due to the small size of the property, the road requirements were reducing the developable area by over 30% or 238.0m². Staff have reviewed the requirement together with the City's overall transportation objectives for the area and agree that the current requirements are onerous for this type of development. Community Planning staff are

recommending that the requirement for the road reserves on Item 4 on Schedule "A" be removed and that the Lakeshore Road Dedication (5.0m width) requirement remain.

4.0 Proposal

4.1 Background

The application to rezone the subject property from RU1 - Large Lot Housing to RU6 - Two Dwelling Housing was received on December 14, 2015 and neighbourhood consultation was completed on February 1, 2016.

During circulation for technical feedback, a Memorandum from the Development Engineering Manager (Schedule "A" attached) indicated 7 requirements associated with this development. The memorandum was presented to Council as a condition of rezoning. Council gave 1st reading to the bylaw on February 15, 2016, a public hearing and second and third reading were given on March 1, 2016.

Since third reading, the applicant has been working to satisfy the conditions of the Schedule "A" in order to receive 4th reading. Upon review of the transportation requirements, Community Planning Staff have come to the position that the requirements are too onerous for a small property under a RU6 rezoning application and they should be reduced in order for the applicant to receive 4th reading. The Development Engineering Memorandum - Item 4 stated the following:

- (a) Grant Statutory Rights-of-Way if required for utility services.
- (b) Provide a 5.0m dedication and a 5.0m road reserve along the full frontage of Lakeshore Rd.
- (c) Provide ~3.0m road reserve along the full frontage of Barrera road to match property lines to the east.
- (d) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.

4.2 Proposal

Community Planning staff are suggesting that the requirement for the Lakeshore Road 5.0m road reserve and the Barrera Road 3.0m road reserve be removed. The 5.0m road dedication on Lakeshore Road would remain a requirement as would all other requirements in the Development Engineering Memorandum.

4.3 Rationale

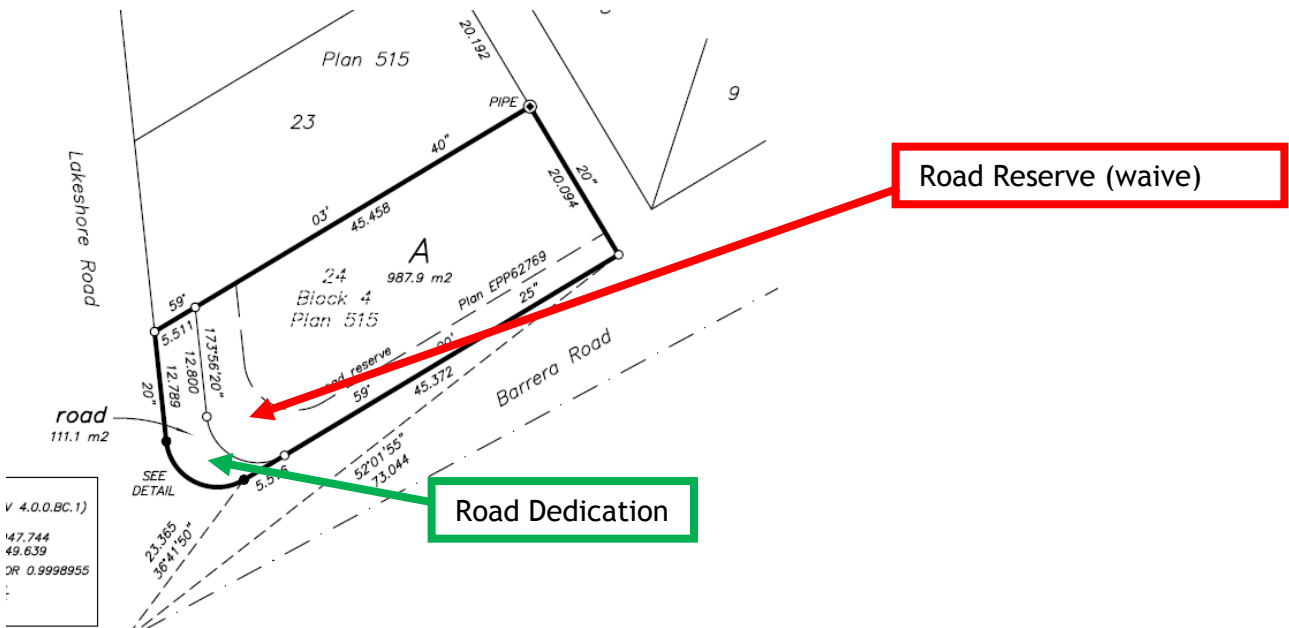
The rezoning application will change the existing zone of RU1 to RU6 to facilitate a semi-detached two dwelling building. The one additional unit is not considered a major land use change and so the City's infrastructure requirements should be consistent with the nature and scale of the development application.

The existing Lakeshore Road corridor is 20.0 m in width and the road was recently rebuilt in 2010 with two traffic lanes, a centre left-hand turn lane, an on-road bike lane, and a multi-use corridor on the west side. This cross-section and existing road right-of-way matches the City's

standard for this classification of road. Furthermore, the road cross section is not expected to change within the next 20 years according to the OCP and the 20 Year Servicing Plan.

Longer term, it is possible that changes and upgrades are required to the road corridor and to protect for this interest the City is seeking a 5.0m road dedication on the subject property to increase the overall road cross section to 25.0m. A further 5.0m road reserve to increase the potential road right-of-way to 30.0m would be onerous and not warranted at this time.

Barrera Road was recently rebuilt with the ultimate cross-section including a multi-use corridor under the existing road right-of-way in 2011. The road cross section is not expected to change within the next 20 years according to the OCP and the 20 Year Servicing Plan. Staff would suggest that a 3.0 m road reserve on the subject property to widen the road right-of-way is not necessary and would not result in any physical changes to the road cross-section.





5.0 Alternate Recommendation

Should Council choose not to waive the requirements of Item 4 on Schedule "A" that pertain to a 5.0m road reserve on Lakeshore Road and a 3.0m road reserve on Barrera Road, the following alternate resolution is provided for consideration;

THAT Council does not waive the requirements of Item 4 on Schedule "A" **attached to the Report of the Community Planning Department dated July 25, 2016** that pertain to a 5.0m road reserve on Lakeshore Road and a 3.0m road reserve on Barrera Road;

AND THAT Final Adoption of Rezoning Bylaw No. 111201 **not be** considered by Council until all requirements of Schedule "A" have been met.

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": City of Kelowna Memorandum from Development Engineering Manager

Initial Site Plan (including road reserves and dedications)