

# REPORT TO COUNCIL



**Date:** October 3, 2016  
**RIM No.** 1250-30  
**To:** City Manager  
**From:** Community Planning Department (TY)  
**Application:** Z16-0018 **Owner:** D & S Schulz Enterprises Ltd  
**Address:** 196 Cariboo Rd **Applicant:** Siegfried Schulz  
**Subject:** Rezoning Application  
**Existing OCP Designation:** S2RES - Single/Two Unit Residential  
**Existing Zone:** RR3 - Rural Residential 3  
**Proposed Zone:** RU6 - Two Dwelling Housing

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## 1.0 Recommendation

THAT Rezoning Application No. Z16-0018 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot H Section 4 Township 23 ODYD Plan 20088, located at 196 Cariboo Road, Kelowna, BC from the RR3 - Rural Residential 3 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 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 October 3, 2016.

## 2.0 Purpose

To rezone the subject property from the RR3 - Rural Residential zone to the RU6 - Two Dwelling Housing zone.

## 3.0 Community Planning

Community Planning supports the proposed application to rezone the subject property from a rural residential zone to an urban residential zone. The subject property is located in a neighbourhood designated as a S2RES - Single/Two Unit Residential Future Land Use and is within the Permanent Growth Boundary. The RU6 - Two Dwelling Housing zone meets the Future Land Use of Kelowna's Official Community Plan. No variances are triggered as part of this rezoning.

## 4.0 Proposal

### 4.1 Background

A similar development proposal was considered by Council in 2010. The application was given third reading. Extensions were granted however, the applicant did not fulfill the required items of the rezoning and the application was canceled.

### 4.2 Project Description

#### Existing Conditions

Currently the property contains one single family dwelling constructed in the 1970s. This dwelling is positioned on the northern portion of the property. The remainder of the property is undeveloped, there are no accessory structures on the parcel.

Image 1: Subject Property



### 4.3 Proposed Development

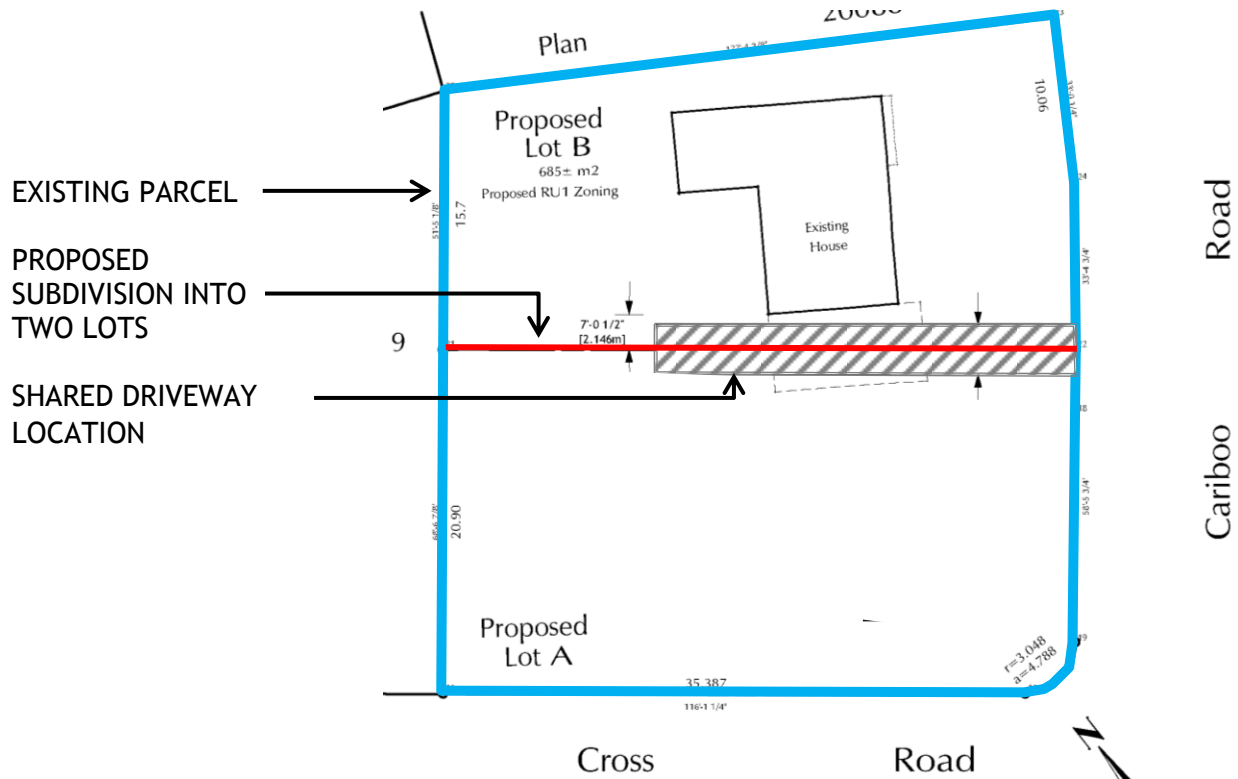
The application to rezone the subject parcel is being considered by Council. Should the rezoning application be successful, the applicant will apply to subdivide the subject parcel into two lots.

The future two lot subdivision would permit:

- Proposed Lot A 800 m<sup>2</sup> - Two Dwelling Housing
- Proposed Lot B 685 m<sup>2</sup> - Single Family Dwelling (with a secondary suite or a carriage house)

The proposed two lot split will require the removal of the existing attached garage. This will be required at the time of subdivision of the subject parcel.

Image 2: Future RU6 Subdivision



Vehicle access currently exists off of Cariboo Road. No access is permitted from Cross Road as per the City of Kelowna, Subdivision and Servicing Bylaw<sup>1</sup>: "Where a lot abuts a lane or road of different classification, the driveway shall be located to access the lane or road of the lower classification."

As such, a future subdivision creating Lot A would prohibit vehicular access from Cross Road. To ensure future owners and developers understand this regulation and safety precaution, a covenant will be registered on title at time of subdivision limiting vehicular access of both parcels to the location shown on the sketch above. The two lots would also share one driveway access off of Cariboo Road in this registered easement area.

<sup>1</sup> City of Kelowna Subdivision & servicing bylaw Schedule 4 of Bylaw 7900 City of Kelowna Design Standards 4.6

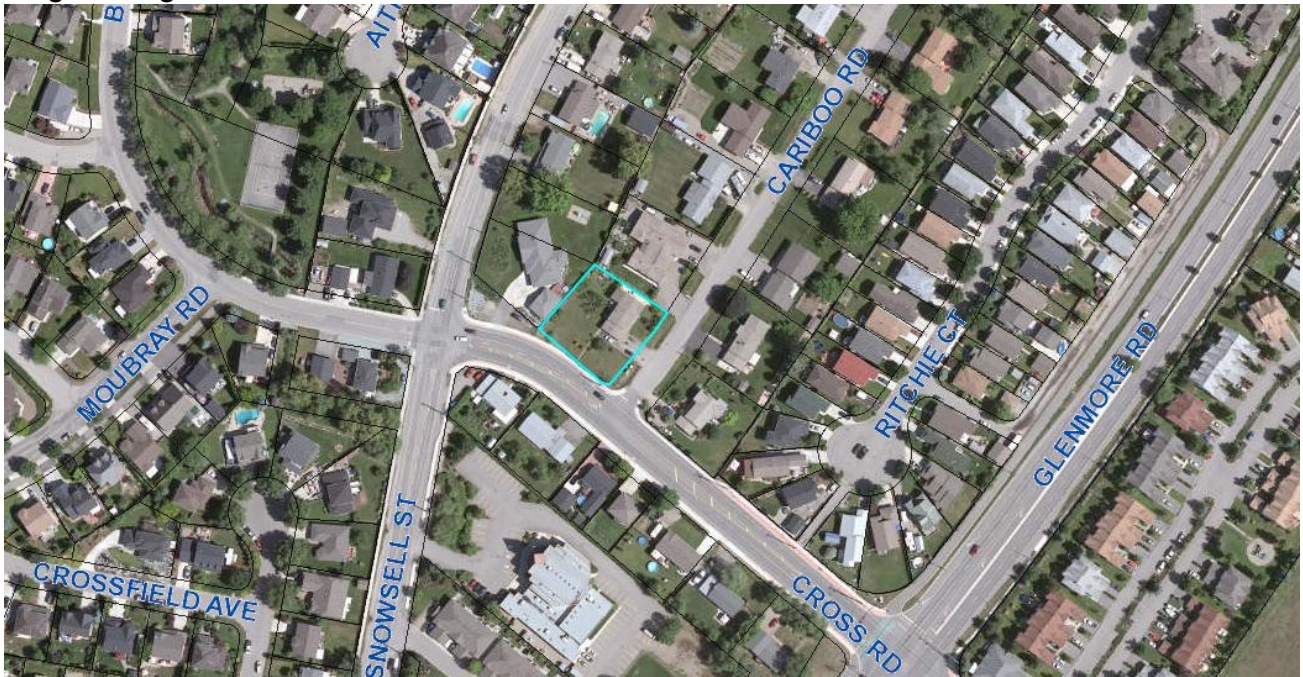
#### 4.4 Site Context

The subject parcel is located on the northwest corner of Cross and Cariboo Road. The parcel is 30.0 m from the intersection of Cross Road and Snowsell Street, and 150 m from the intersection of Cross Road and Glenmore Road. The immediate neighbourhood is designated S2RES Single/Two Unit Residential.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR3	Single Family Dwelling
East	RR3	Single Family Dwelling
South	RR3 RU2	Single Family Dwelling Single Family Dwelling
West	RR3	Single Family Dwelling

Image 3: Neighbourhood Context



## 4.5 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSED
Existing Lot/Subdivision Regulations		
Lot Area for Two Dwelling (for a corner lot)	800 m <sup>2</sup>	1,484.7 m <sup>2</sup>
Lot Width for Two Dwelling (on a corner lot)	20.0 m	38.5 m
Lot Depth	30.0 m	38.4 m
Development Regulations		
Site Coverage	40%	18%
Site Coverage including driveways & parking	50%	31%
Height	9.5 m or 2.5 storeys	1.5 storeys
Front Yard	4.5 m to dwelling 6.0 m to garage	+ 10.0 m
Side Yard (flaking street)	4.5 m	+ 10.0 m
Side Yard (north)	2.0 m for 1.5 storey	+ 2.4 m
Rear Yard	7.5 m	+ 10.0 m
Other Regulations		
Minimum Parking Spaces	2 per dwelling	2

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Compact Urban Form.**<sup>2</sup> 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.

#### Goals for A Sustainable Future

**Address Housing Needs of All Residents**<sup>3</sup> Address housing needs of all residents by working towards an adequate supply of a variety of housing.

#### Two Dwelling Housing Design Guidelines<sup>4</sup>

Locate parking and garages within the rear yard with direct access from the lane. On properties which do not abut a lane, locate parking within the rear yard with driveway access from the street;

Minimize the amount of impervious paved surfaces (i.e., share driveways between two dwellings or between the principal dwelling and secondary suite or use pervious paving materials such as grasscrete)

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Goal 2 (Introduction Chapter).

<sup>4</sup> City of Kelowna Official Community Plan, Guideline 1.15 (Urban Design Development Permits Areas Chapter).

Design buildings located on a double fronting or corner lot so that there is frontage onto both streets (i.e., entrance to principal dwelling from the front street and the entrance to the second dwelling/secondary suite from the side street or a front to back configuration with the principal dwelling fronting onto one street and the secondary suite fronting onto the other);

## 5.2 Subdivision & Servicing Bylaw No. 7900

**Design Standards**<sup>5</sup> Each property shall only have one (1) driveway access per road frontage. Upon demonstrated need and approval from the City Engineer, more than one (1) driveway access may be granted to service stations, major commercial and other developments. Where a lot abuts a lane or road of different classification, the driveway shall be located to access the lane or road of the lower classification.

Residential driveway access onto an arterial or Class 1 collector road, is not permitted unless alternate access is impossible. Wherever physically possible, alternate local road or lane access shall be dedicated to preclude residential driveways accessing directly onto major roads. Residential driveway accesses serving corner lots shall be a minimum of 7 m from the lot corner nearest the intersection. All residential driveway accesses shall have a minimum width of 4 m and a maximum width of 6 m.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

Building Permit required for the modification to the existing house.

### 6.2 Development Engineering Department

The applicant is responsible for frontage upgrades along Cariboo Road including but not limited to curb, gutter and sidewalk. A servicing agreement must also be entered into for water and sanitary upgrades. See attached requirements in Schedule "A" for full details.

### 6.3 Irrigation District GEID

All required upgrades will be addressed at time of subdivision.

## 7.0 Application Chronology

Date of Application Received:	March 21, 2016
Date of Revised Site Plan:	July 4, 2016
Date Public Consultation Completed:	July 21, 2016
Referral Process Completed:	September 8, 2016

**Report prepared by:** Tracey Yuzik, Planner

**Reviewed by:** Todd Cashin, Subdivision, Suburban and Rural Planning Manager

**Reviewed by:** Ryan Smith, Community Planning Department Manager

**Approved for Inclusion:** Doug Gilchrist, Divisional Director, Community Planning & Real Estate

## Attachments:

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<sup>5</sup> City of Kelowna Subdivision & Servicing Bylaw No 7900, 4.6

Schedule A: Development Engineering Memorandum  
Attachment A: Existing Conditions Site Plan  
Attachment B: Proposed (Future) Subdivision Plan