Report to Council

Date: November 14, 2016

File: 940-00

To: City Manager

From: Ryan Roycroft, Planner

Subject: Rezoning and Text Amendment – Infill Challenge

Recommendation:

THAT Zoning Bylaw Text Amendment Application No. TA16-0010 to amend City of Kelowna Zoning Bylaw No. 8000 to create a new RU7 – Infill Housing Zone as outlined in Bylaw No. 11313 and described the Report from the Community Planning Department dated November 14th, 2016 be considered by Council;

AND THAT Rezoning Application No. Z16-0053 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of the properties identified in Bylaw No. 11314 from the RU6 – Two Dwelling Housing zone; RU1 – Large Lot Housing zone; RU1c – Large Lot Housing (carriage house) zone and RU2 – Medium Lot Housing (carriage house) zone to the RU7 – Infill Housing zone be considered by Council;

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

AND FURTHER THAT BL11309 being Amendment No. 17 to the City of Kelowna Subdivision, Development and Servicing Bylaw 7900, be forwarded for reading consideration

1.0 Purpose

To consider Text Amendments, Zoning Bylaw amendments and Servicing Bylaw amendments associated with the Infill Challenge to allow increased residential densities on designated properties.

2.0 Community Planning

The proposed bylaw amendments represent the second portion of the Infill Challenge Implementation. The Text Amendment will create the new RU7 Infill Housing zone, which will allow up to 4 dwellings on lots larger than 15 m by 37 m. The Zoning Bylaw amendment will designate approximately 750 fee simple and 225 strata titled properties in downtown urban neighbourhoods as RU7. The Servicing Bylaw Amendment will establish a requirement that Infill lots be serviced to the same standards as the RU6 – Two Dwelling Housing Zone.

The bylaw will create a progressive and flexible RU7 zone that will further increase choice in housing form and tenure in the neighbourhoods near downtown. The zone will be flexible in terms of housing form and tenure, instead restricting building bulk and mass. It is anticipated that the bylaw will encourage some sites to fully redevelop, but also encourage built out properties to add incremental density.

3.0 Proposal

The proposed RU7 – Infill Housing Zone is an extension of the traditional RU6 – Two Dwelling Housing zone, allowing up to 4 dwellings on properties at least 15 x 37 m.

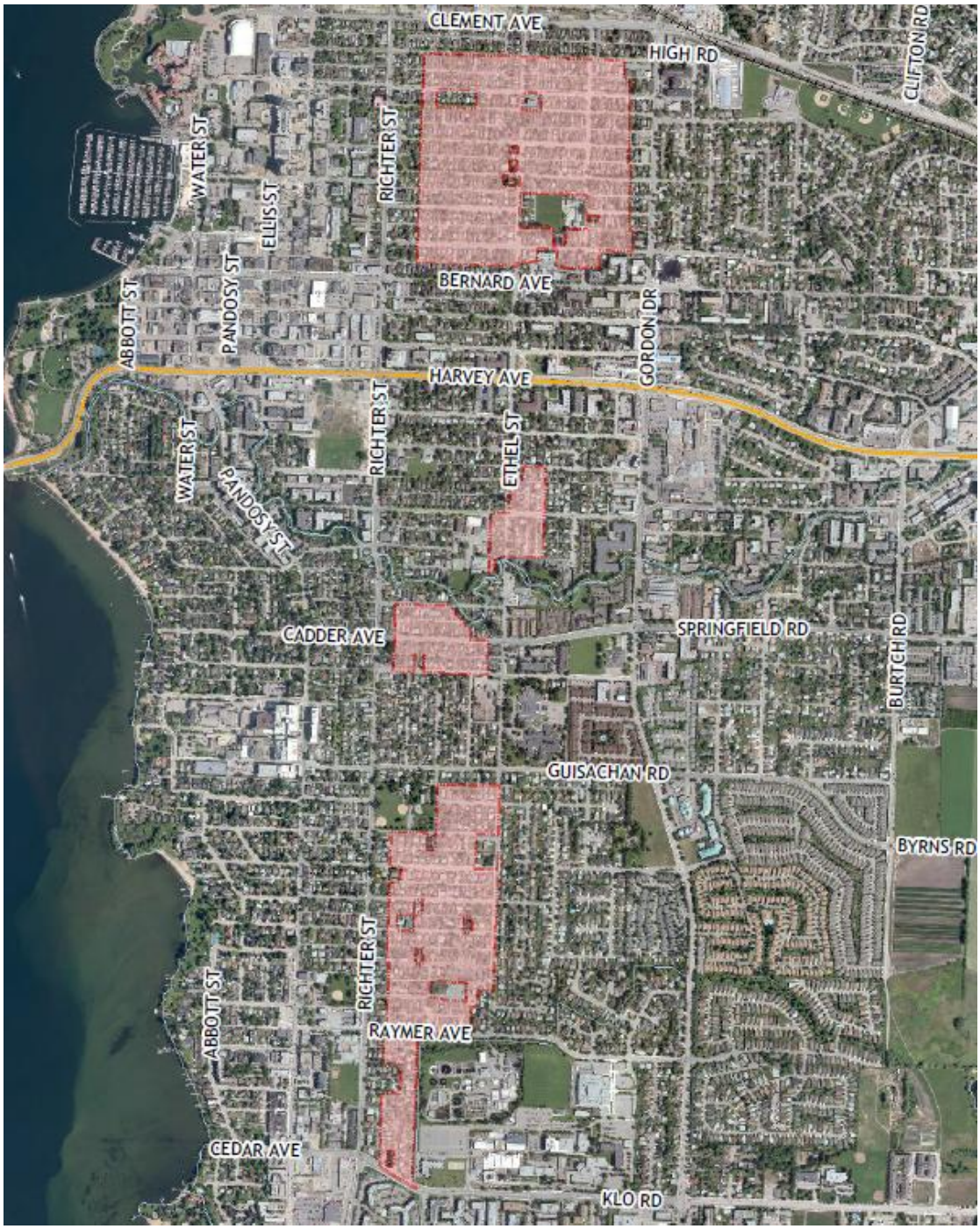
The RU7 zone has been crafted based on the winners of the Infill Challenge. The setbacks and site coverage are slightly more relaxed than the RU6 zone, allowing a greater intensity of development. These relaxations were required to allow sufficient building envelope for average lots to be developed with up to 4 residential units.

To limit bulk and overdevelopment, the RU7 zone will restrict buildings heights to 2 storeys and establish a Floor Area Ratio of 0.8.

RU6 vs. RU7		
	RU6	RU7
Maximum Height	2 ½ storeys / 9.5 m	2 storeys / 8.0 m
Maximum Site Coverage	40% building / 50% building+driveways	45% building / 55 % buildings garage, driveways
Front yard setback	4.5 m	4.0 m
Side yard setback	2.0 m for 1 storey 2.3 m for 2 storey	1.0 m
Rear yard setback	1.5 m	0.9 m
Floor Area Ratio	None	0.80

The RU7 zone will permit up to 4 residential units on a 15 x 37 m parcel of land. It is expected that builders will experiment with different configurations, including 4-plexes, paired duplexes and combinations of suites and multiple homes. The bylaw is drafted to allow flexibility in housing tenure and configuration, to reflect evolving neighborhoods.

For smaller lots zoned RU7, the bylaw will allow two or three units. Lots between 13.5 m and 15.0 m in width will be able to be developed with up to three residential units. Lots narrower than 13.5 m will be able to be developed with 2 units.



Parking

The proposed RU7 – Infill zone would require 1 medium parking stall per residential unit. This is a significant reduction from RU6 zone, which requires 3 or 4 parking stalls per two units. The RU7 Infill zone is intended for dwellings where residents do not own multiple vehicles.

In the near term, the lower number of parking stalls required is likely to generate need for street parking and parking conflicts. In the long run, there is an anticipation that downtown

residents will move away from owning multiple vehicles, and that one vehicle per dwelling unit will be sufficient.

Site Access

All properties will be required to access from the rear lane with no driveways permitted on redeveloping sites. Garages will be required to face the rear of the property, onto the lane. If in the future Council expands the Infill area to lots without lane access, amendments to the RU7 bylaw will be required. These requirements will only be applied at site redevelopment – no existing driveways will be removed unless a property is adding density.

The lane access is an important part of driving sensitive infill. One of the largest concerns raised during public discussions on infill surrounded the concern that front yards of redeveloping properties would resemble parking lots, with large driveways and parking areas. Restricting access to lane only preserves the front yards of redeveloping sites, and will protect trees and the tree canopy.

Land Tenure

The RU7 zone is intended to allow flexible land tenures. A property zoned RU7 could be owned as a single real estate entity and rented to tenants, stratified along internal walls, stratified into individual lots, or subdivided into two fee simple lots. The zone is intended to encourage multiple forms of tenure and different ownership options.

The flexibility of land tenure is an important facet of the bylaw and the Infill Challenge. It is expected that configurations will include stratified fourplexes, duplexes with rental carriage houses, or properties with two dwelling and two rental suites.

Servicing Bylaw Amendments

The bylaw package includes a short amendment to the Subdivision and Development Servicing Bylaw which will add a mention of the RU7 zone to the bylaw. The RU7 zone will require identical servicing to the RU6 zone, including sewer, water and sidewalks. These requirements will be enforced during the building permit process.

Report prepared by:

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Ryan Roycroft, Planner

Approved for Inclusion: Ryan Smith, Community Planning Department Manager