

REPORT TO COUNCIL



Date: November 21, 2016

RIM No. 1250-30

To: City Manager

From: Community Planning Department (LK)

Application: Z16-0032

Owner: Rukhmani & Shivnesh Reddy
Praneeta & Dinesh Naidu

Address: 380 Hardie Road

Applicant: Lupul Properties Ltd.

Subject: Rezoning Application

Existing OCP Designation: S2RES - Single/ Two Unit Residential

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU6 - Two Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z16-0032 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 5 Section 26 Township 26 ODYD Plan 14462, located at 380 Hardie Road, Kelowna, BC from the RU1 - Large Lot Housing 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 to Community Planning Department dated July 21, 2016;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance and completion of a Building Permit for the removal of the existing second suite within the existing primary dwelling on the subject property;

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

2.0 Purpose

To rezone the subject property to facilitate the development of a second single family dwelling on the subject property.

3.0 Community Planning

Community Planning Staff supports the proposed rezoning application to allow the construction of a second dwelling on the subject property. The OCP S2RES - Single/ Two Unit Residential land use designation permits the proposed RU6 - Two Dwelling Housing zone. Increased density already exists in the area as the surrounding neighbourhood contains a mix of single family and multi-residential dwellings. The proposed two dwelling housing use also meets the OCP urban infill policies. The increase in density is further supported by local amenities such as parks, school, transit and recreational opportunities in the immediate area.

OCP Urban Design Guidelines:

- Design projects to reflect the character of the neighbourhood and the principal building through similar architectural and landscaping themes (i.e. respecting building setbacks, height massing, scale, articulated rooflines, building materials, etc.)
- Design and finish buildings to complement and enhance the principal dwelling (upgrades to the principal dwelling may be required to achieve visual consistency).
- Retain existing, healthy, mature trees and vegetation both on site and adjacent to the street.
- Minimize the amount of impervious paved surfaces (i.e. shared driveways between two dwellings).

The application meets many of these urban design objectives. The finishes for the proposed and existing dwelling will provide consistency between the two buildings. The remodeling will add to the upgrades that are beginning to occur throughout the older, established neighbourhood. The site currently does not provide any trees and the existing landscaped has been neglected. The project will see the provision of many trees, shrubs and grasses to provide privacy, shading and a more appealing streetscape.

Council Policy No. 367 with respect to public notification was undertaken by the applicant. All adjacent neighbours within a 50m radius were provided with a circulation package in regards to the proposed development.

4.0 Proposal

4.1 Project Description

The subject parcel has an existing 1½ storey single detached dwelling which was constructed in 1964. The dwelling currently has an existing non-conforming secondary suite in the basement. The various owners have maintained a City of Kelowna business license for the suite dating back to 1995. With the homeowners plans to develop a second primary dwelling on the subject parcel, the secondary suite will be removed to ensure the Zoning Bylaw regulations allowing a maximum of two dwelling on the subject property are met. This will include a decommissioning permit to document the removal.

The existing dwelling has a single vehicle carport that will be retained and the existing driveway will provide shared access for both the existing and proposed dwellings. With the existing dwelling offset to the west side of the property, sufficient driveway access to the proposed second dwelling is provided. In having a shared driveway, the overall amount of impervious paved surface is reduced. The new dwelling is a 1½ storey dwelling with an attached single car garage.

The driveway of each dwelling provides the second required parking stall to meet the Zoning Bylaw requirements.

The exterior façade of the existing dwelling will be updated to match the proposed new dwelling with hardi-board siding and stucco in neutral tones. Hardi-trim battens and cedar shingles are used as accents. The style of the homes will fit into the context of the subject parcel and the neighbourhood, which mainly consists of single and 1½ storey dwellings in neutral tones.

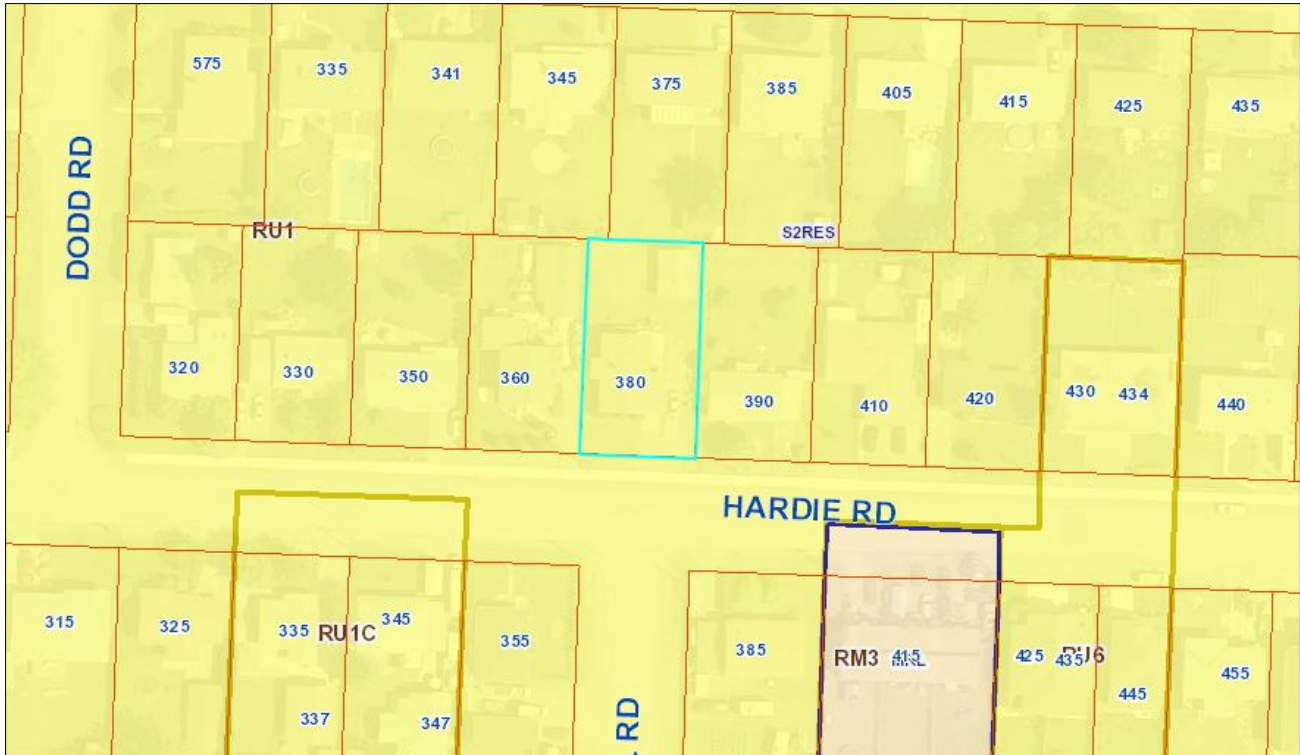
The new single detached dwelling has been designed and sited on the parcel to meet OCP guidelines and Zoning Bylaw requirements, with the exception of one variance. The Zoning bylaw requires a 7.5 m minimum rear yard setback. Staff is supportive of this variance, as the intention of the rule is to ensure that outdoor amenity space is provided, as well as sufficient separation distance from the adjacent parcel. The size of the lot does provide extensive green space at the rear of the proposed dwelling and for the existing dwelling. Numerous new trees are provided across the rear property line and along both sides to provide privacy for both the subject parcel and all adjacent parcels. At-grade patios provide private amenity space for each dwelling and are de-lined by new fencing and hedges to provide screening between the two dwellings.

4.2 Site Context

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Single Family Dwelling
East	RU1 - Large Lot Housing	Single Family Dwelling
South	RU1 - Large Lot Housing	Single Family Dwelling
West	RU1 - Large Lot Housing	Single Family Dwelling

Subject Property Map: 380 Hardie Road



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	700 m ²	802.5 m ²
Lot Width	18 m	20.72 m
Lot Depth	30 m	38.64 m
Development Regulations		
Maximum Site Coverage (buildings)	40%	32%
Maximum Site Coverage (buildings, driveways and parking)	50%	48%
Maximum Height (lessor of)	9.5 m or 2 ½ stories	5.63 m or 1 ½ stories
Minimum Front Yard	4.5 m	7.4 m to existing house
Minimum Side Yard (east)	2.0 m	2.0 m
Minimum Side Yard (west)	2.0 m	3.27 m
Minimum Rear Yard	7.5 m	6.0 m ●
Minimum Distance Between Dwellings	4.5 m	14.8 m
Other Regulations		
Minimum Parking Requirements	2 stalls / dwelling	2 stalls / dwelling
Minimum Private Open Space	30 m ²	Meets requirement
● Indicates a requested variance to the rear yard setback of the proposed dwelling.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP) - Urban Infill Policies

Chapter 5: 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.

Technical Comments

5.2 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

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

- Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

5.3 Development Engineering Department

- Refer to attachment A.

5.4 Fire Department

- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- All units shall have a posted address on Hardie Rd. for emergency response.

6.0 Application Chronology

Date of Application Received: May 30, 2016
Date Public Consultation Completed: September 30, 2016

Report prepared by:

Lydia Korolchuk, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Site Plan
Conceptual Elevations
Attachment A: Development Engineering Memorandum
Attachment B: Rutland Waterworks District Letter