

# REPORT TO COUNCIL



**Date:** November 14, 2016

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (LK)

**Application:** Z16-0035      **Owner:** Onkar Singh Dhillon & Ranjit Dhillon  
0872645 B.C.LTD., Inc. No. BC0872645

**Address:** 875 Mayfair Road      **Applicant:** Birte Decloux  
885 Mayfair Road

**Subject:** Rezoning Applications

**Existing OCP Designation:** S2RES - Single / Two Unit Residential

**Existing Zone:** RU1 - Large Lot Housing

**Proposed Zone:** RU6 - Two Dwelling Housing

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## 1.0 Recommendation

THAT Rezoning Application No. Z16-0035 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3 and 4, District Lot 143 ODYD Plan 22026, located at 875 and 885 Mayfair Road, Kelowna BC from 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 from the Community Planning Department dated August 8, 2016;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

## 2.0 Purpose

To rezone the two subject properties from RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone to facilitate a three lot subdivision.

## 3.0 Community Planning

The subject properties are located within the Permanent Growth Boundary in the Rutland neighbourhood of Kelowna. Both parcels are designated as S2RES - Single/Two Unit Residential in the Official Community Plan (OCP). The application to rezone the parcels meets the OCP Future Land Use Map for the policy of supporting the densification of neighbourhoods through appropriate infill development, including the use of smaller lots. The increase in density is supported by local amenities such as parks, schools, transit and recreational opportunities in the immediate area.

#### 4.0 Proposal

##### 4.1 Background

In 2012, the applicant applied for rezoning and received second and third readings on November 13, 2012 after a Public Hearing was held on the same date. An extension of the application was granted on Dec. 8, 2014 for a period of twelve (12) months with no further opportunities to extend. The application has since lapsed and a request to Council for the rescindment of this bylaw and the closure of the file has proceeded this application coming before Council.

Section 2.12.4 of Procedure Bylaw No. 10540 states that:

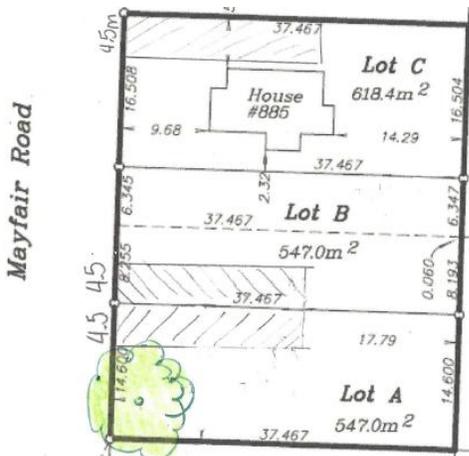
In order for an application that has lapsed under Section 2.12.1 or 2.12.2 to proceed, a new application (including fee), will be required.

This new rezoning application replaces the original application that expired. The project remains unchanged and is the same in all respects as the original application.

##### 4.2 Project Description

The proposal is to rezone the two parcels from the existing RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone. Should the rezoning be successful, the applicant is planning to subdivide the two parcels into three parcels. The RU6 zone will allow the applicant to develop carriage houses on each of the parcels in the future. Due to the proposed small lot sizes, duplexes or second houses would not be permitted under the Zoning Bylaw. The proposal will retain the existing house located on Lot C at 885 Mayfair Rd and remove the mobile home at 875 Mayfair Rd.

##### Proposed Subdivision Layout:



Should the zoning be supported by Council, a direct Development Permit will be required for the Carriage Houses to ensure conformity with the City’s Urban Design Guidelines and Zoning Development Regulations, including providing adequate on-site parking and driveway access.

As Staff understand it, Council Policy No. 367 with respect to public consultation was undertaken by the applicant. All adjacent neighbours within a 50 m radius were provided with a circulation package in regards to the development.

4.3 Site Context

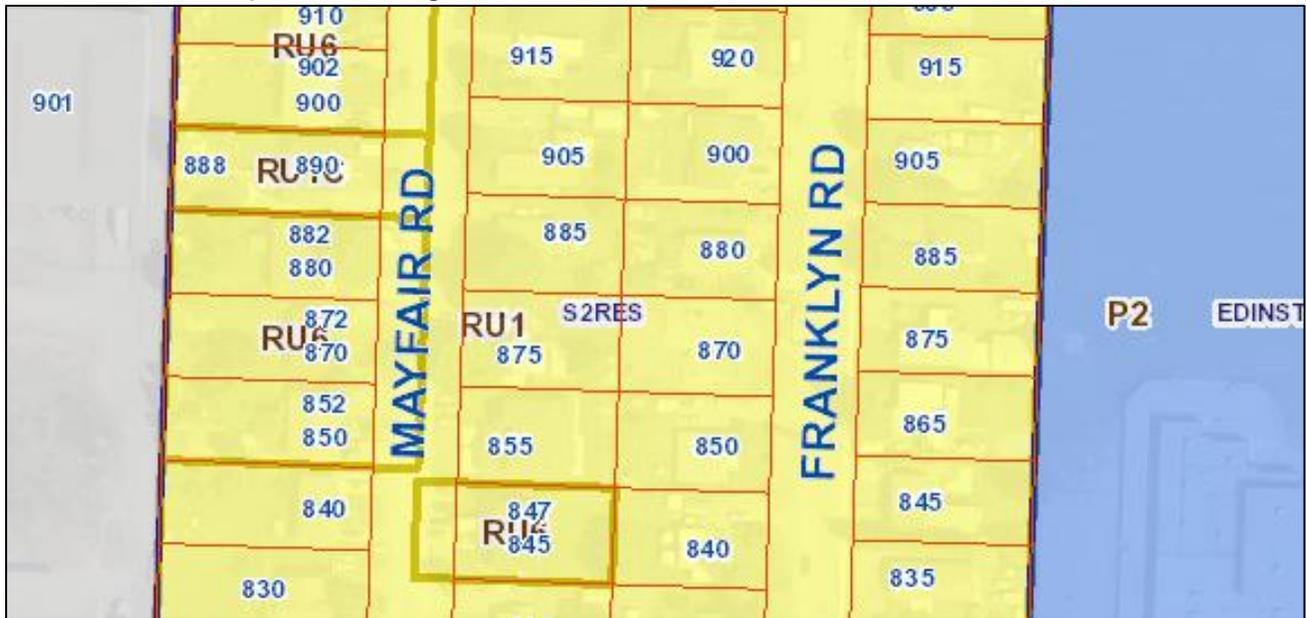
Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Single Dwelling Housing
East	RU1 - Large Lot Housing	Single Dwelling Housing
South	RU1 - Large Lot Housing RU6 - Two Dwelling Housing	Single Dwelling Housing Two Dwelling Housing
West	RU1 - Large Lot Housing RU6 - Two Dwelling Housing	Single Dwelling Housing Two Dwelling Housing

Subject Property Map: 875 & 885 Mayfair Road



Future Land Use Map: S2RES - Single / Two Unit Residential



4.4 Development Regulations Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	400 m <sup>2</sup> for single dwelling 700 m <sup>2</sup> for two dwellings	Lot A 618.4 m <sup>2</sup> Lot B 547.0 m <sup>2</sup> Lot C 547.0 m <sup>2</sup>
Minimum Lot Width	13.0 m for single dwelling 18.0 m for two dwellings	Lot A 16.51 m Lot B 14.60 m Lot C 14.60 m
Minimum Lot Depth	30 m minimum depth	37.47 m all 3 lots

No variances are required for this rezoning application.

4.5 Zoning Analysis Table

CRITERIA	RU6 - TWO LOT HOUSING - ZONE REQUIREMENTS
<b>Development Regulations</b>	
Minimum Front Yard	4.5 m (6.0 m from a garage or carport)
Minimum Side Yard	2.0 m (for up to 1 ½ storey portion of building) 2.3 m (for 2 storey portion of building)
Minimum Rear Yard	7.5 m
Maximum Site Coverage	40% (50% including driveways and parking areas)

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Chapter 5: Development Process

**Compact Urban Form.**<sup>1</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.

**Sensitive Infill.**<sup>2</sup> 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.

**Carriage Houses & Accessory Apartments.**<sup>3</sup> Support carriage houses and accessory apartments through appropriate zoning regulations.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- Spatial calculation to be provided and reviewed for existing dwellings as per new property lines.
- Demolition permits required for existing structures.

### 6.2 Development Engineering Department

- Refer to Attachment A.

### 6.3 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 Mayfair Rd. for emergency response.

### 6.4 School District No. 23

- The Subdivision application triggers the School Site Acquisition Charge which applies to residential development where new (additional) residential lots or dwellings are created through subdivision or new construction. Further details on the charge can be found in Division 10.1 of the Local Government Act.

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

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.27.6 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.27.12 (Development Process Chapter).

## 7.0 Application Chronology

Date of Application Received:	July 9, 2016
Date of Application Amendment #1:	July 25, 2016
Date of Application Amendment #2:	September 30, 2016
Date Public Consultation Completed:	October 2016

### Report prepared by:

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Lydia Korolchuk, Planner

**Reviewed by:** Terry Barton, Urban Planning Manager

**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

### Attachments:

Survey Plan - Proposed Subdivision Layout

Attachment A: Development Engineering Memorandum dated August 8, 2016

Attachment B: Black Mountain Irrigation District Water Service Certificate