REPORT TO COUNCIL

Date: December 12, 2016

RIM No. 1250-30

To: City Manager

From: Community Planning Department (LK)

Application:	Z16-0048	**Owner:**	Calvin & Sunok Condy
Address:	3031 Abbott Street	**Applicant:**	John Sproule
Subject:	Rezoning Application		

Existing OCP Designation:	MRM – Multiple Unit Residential (Medium Density)
Existing Zone:	RU1 – Large Lot Housing
Proposed Zone:	RM4 – Transitional Low Density Housing

1.0 Recommendation

THAT Rezoning Application No. Z16-0048 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 8 Block 2 District Lot 14 ODYD Plan 4743, located at 3031 Abbott Street, Kelowna, BC from the RU1 – Large Lot Housing zone to the RM4 – Transitional Low Density 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 31, 2016;

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 proposed five-unit townhouse project on the subject property.

3.0 Community Planning

Community Planning Staff recommends support for the proposed rezoning to facilitate the development of a five-unit townhouse on the subject property.

The proposed rezoning is consistent with the Official Community Plan (OCP) Future Land Use designation of MRM – Multiple Unit Residential (Medium Density). The MRM designation extends to

a number of properties to the North, East and South of the subject property. To date, only one other site has redeveloped. Due to the small lot sizes, the assembly of multiple lots is generally needed to achieve the development and density envisioned for the area. With the site being a corner lot, the property presents an opportunity for urban infill development that isn't achievable on individual interior lots.

The property's proximity to retail services, employment opportunities, recreation and transportation options make it an appropriate location for the addition of residential density. The proposed project will help contribute to fulfilling the City's policy of 'Complete Communities' by increasing the residential density of the property and neighbourhood. The project is also consistent with several other OCP Urban Infill policies including 'Compact Urban Form' and 'Sensitive Infill'. The parcel fronts onto the Abbott Street multi-use corridor fulfilling the City's policy of Ground Oriented Housing.

Although row housing and stacked row housing are permitted forms of development within the RM4 zone, it was created with low rise apartments in mind and the development regulations reflect this. As a row house development on a small urban lot, several of the development regulations are not met and variances are being requested.

Row houses are typically developed under the RM3 zone and Staff are considering the variances in light of the development regulations for similar forms of development in other zones. For example, the development has access to grade and individual unit entrances face onto Newsom Road and Abbott Street, and is considered ground-oriented housing. Several OCP policies support this form of development to improve housing options for families. While both the RM2 and RM3 zones have development regulations that specifically encourage ground-oriented housing, primarily through the reduction of front and side yard setbacks, the RM4 zone does not have these same provisions since ground-oriented housing is not characteristic of the zone.

In fulfillment of Council Policy No. 367, the applicant completed public notification and consultation with property owners within 50 m of the subject property.

4.0 Proposal

4.1 Project Description

Proposed Development

The proposed development consists of a five-unit, three storey townhouse building with attached garages. The intent is to create a building strata, thus allowing the units to be sold individually. Unit sizes range from just under 1,600 ft^2 (148 m^2) up to 1,800 ft^2 (167 m^2), with private exterior decks or patio space. The unit breakdown comprises of one two-bedroom unit and the four three-bedroom units, making this development appealing for families.

Secured parking is provided for each of the units. The rear of the building has four attached garages which are accessed from the lane and one garage accessed from Newsom Avenue. Each garage offers tandem parking for two vehicles. Each unit has an at-grade pedestrian entrance facing either Newsom Avenue or Abbott Street. The location along Abbott Street, and the proximity to the South Pandosy amenities and Okanagan Lake make this development appealing to expectant buyers.

Rezoning

The property is currently zoned RU1 – Large Lot Housing and the proposed zone is RM4 – Transitional Low Density Housing. The RM4 zone was created to facilitate development that provides a transition between low and medium density developments. It is the lower density of

the two zones under the MRM – Multiple Unit Residential (Medium Density) Future Land Use designation, the other being RM5 – Medium Density Multiple Housing.

Variances

This project is similar to another that was approved by Council in March of this year and located at 1295 St. Paul Street in the downtown for a 4-unit townhouse development. The applicant is requesting several similar variances to facilitate this housing form on the subject parcel. The variances are noted in the Zoning Analysis Table in Section 4.3 below and include increasing the site coverage, reducing setbacks, and allowing an additional driveway access. Should the zoning be supported by Council, a development permit and the variances will come forth to Council for approval.

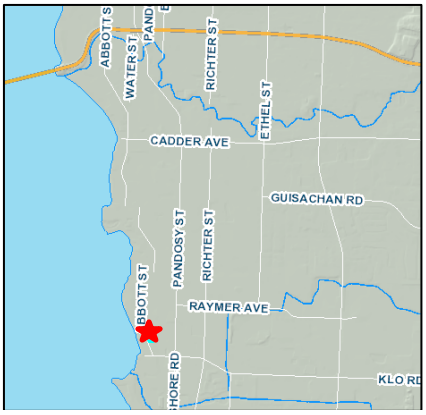
4.2 Site Context

The subject property is located at the southeast corner of Abbott Street and Newsom Avenue in the South Pandosy Urban Centre. It is west of the SOPA development on Pandosy Street. The parcel is designated for development as MRM – Multiple Unit Residential (Medium Density) within the Official Community Plan (OCP) and is within the Permanent Growth Boundary. The surrounding area is characterized by a mix of single dwelling housing to the north, south and west. There is some multi-residential to the north and mixed use commercial and residential to the east along Pandosy Street. The Kelowna Paddle Centre is across Abbott Street to the west.

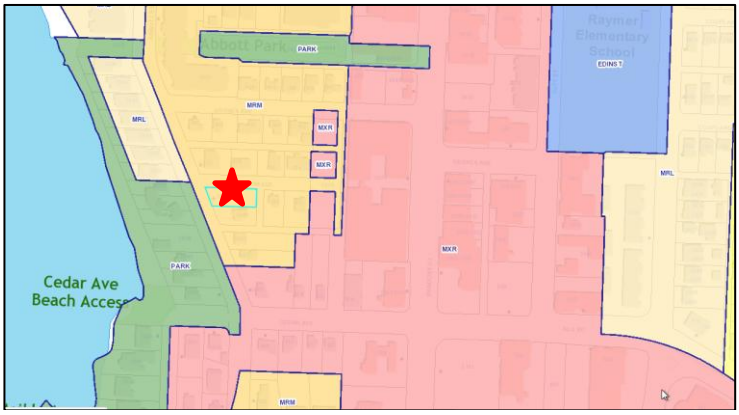
Specifically, adjacent land uses are as follows:

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	Single Dwelling Housing
West	P3 – Parks & Open Space	Single Dwelling Housing Paddle Centre

Context Map:



Future Land Use



Subject Property Map: 3031 Abbott Street



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	**RM4 ZONE REQUIREMENTS**	**PROPOSAL**
Existing Lot/Subdivision Regulations		
Minimum Lot Area	900 m^2	632.70 m^2 *
Minimum Lot Width	30.0 m	14.90 m *
Minimum Lot Depth	30.0 m	43.04 m *
Development Regulations		
Maximum Floor Area Ratio	1.15	1.15
Maximum Site Coverage (buildings)	50%	51% ❶
Maximum Site Coverage (buildings, driveways and parking)	60%	68.8% ❷
Maximum Height	13.0 m / 3 storeys	13.0 m & 3 storeys
Minimum Front Yard	4.5 m (two storeys or less) 6.0 m (more than two storeys)	3.0 m ❸ 6.0m
Minimum Side Yard (south)	2.3 m (two storeys or less) 4.5 m (more than two storeys)	1.5 m ❹
Minimum Side Yard (north)	4.5 m	0.6 m ❺
Minimum Rear Yard	7.5 m (two storeys or less)	1.5 m ❻
Other Regulations		
Minimum Parking Requirements	10 stalls (5 full, 5 medium)	10 stalls (5 full, 5 medium)
Minimum Private Open Space	25 m^2 per dwelling	58 m^2 per dwelling (average)
Subdivision, Development & Servicing Bylaw No. 7900		
Driveway Access (not allowed with rear lane access)	No driveway access	Newsom Avenue driveway access proposed ❼

* No subdivision is being proposed; therefore, the lot does not need to conform to the minimum lot dimensions of the RM4 subdivision regulations.

❶ Indicates a requested variance to increase the building site coverage from 50% to 51%.

❷ Indicates a requested variance to increase the total site coverage from 60% to 68.8%.

❸ Indicates a requested variance to reduce the front yard setback from 4.5 m to 3.0 m proposed.

❹ Indicates a requested variance to reduce the side yard setback from 4.5m to 1.5m proposed.

❺ Indicates a requested variance to reduce the flanking street side setback from 4.5 m to 0.6 m proposed.

❻ Indicates a requested variance to reduce the rear yard setback from 7.5 m to 1.5 m proposed.

❼ Indicates a requested variance to allow a driveway access when a parcel abuts a lane.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Complete Communities.[1] Support the development of complete communities with a minimum intensity of approximately 35-40 people and/or jobs per hectare to support basic transit service – a bus every 30 minutes.

Compact Urban Form.[2] 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.[3] 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.

Healthy Communities.[4] Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

Housing Mix.[5] Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

Ground-Oriented Housing.[6] Encourage all multiple-unit residential buildings in neighbourhoods with schools and parks to contain ground-oriented units with 2 or more bedrooms so as to provide a family housing choice within the multi-unit rental or ownership markets. High density residential projects in the Downtown area are encouraged to include a ground-oriented housing component, especially where such can be provided on non-arterial and non-collector streets.

[1] City of Kelowna Official Community Plan, Policy 5.2.4 (Development Process Chapter).
[2] City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).
[3] City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).
[4] City of Kelowna Official Community Plan, Policy 5.22.7 (Development Process Chapter).
[5] City of Kelowna Official Community Plan, Policy 5.22.11 (Development Process Chapter).
[6] City of Kelowna Official Community Plan, Policy 5.23.1 (Development Process Chapter).

6.0 Technical Comments

6.1 Building & Permitting Department

- No concerns with rezoning.
- Additional comments provided for Development Permit and Development Variance Permit applications.

6.2 Development Engineering Department

- Refer to Attachment A dated August 31, 2016.

6.3 Fire Department

- The complex shall have one main address with unit numbers or each addressed off of the street that the unit is accessed from.
- Laneways are not for emergency access.

6.4 FortisBC - Electric

- There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Abbott Street and Newsom Avenue. Based on the plans submitted, it is unclear whether adequate space has been provided to accommodate the transformation required to service the proposed development. It is recommended that FBC(E) be contacted as soon as possible to determine servicing and land rights requirements for the proposed design. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

  Otherwise, FBC(E) has no concerns with this circulation.

7.0 Application Chronology

Date of Application Received:	August 29, 2016
Date Public Consultation Completed:	September 28, 2016
Date of Amended Plans Received:	November 24, 2016

Report prepared by:

Lydia Korolchuk, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment 'A' – Development Engineering Memorandum
Siteplan & Floor Plans
Conceptual Elevations & Renderings