

# REPORT TO COUNCIL



**Date:** January 16, 2017

**RIM No.** 1250-30

**To:** City Manager

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

**Application:** Z16-0055

**Owner:** Mission Creek Mews Ltd. Inc.  
No. BC1094686

**Address:** 1940 KLO Road

**Applicant:** Mission Creek Mews Ltd.

**Subject:** Rezoning Application

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

**Existing Zone:** A1 – Agriculture 1 zone

**Proposed Zone:** RU5 – Bareland Strata Housing Zone

---

## 1.0 Recommendation

THAT Rezoning Application No. Z16-0055 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2 Plan 12786 Section 17 Township 26, District Lot 131, located at 1940 KLO Road, Kelowna, BC from the A1 – Agricultural 1 zone to the RU5 – Bareland Strata 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 January 16, 2017;

## 2.0 Purpose

To rezone the subject property to the RU5 – Bareland Strata Housing Zone to permit a bareland strata development.

## 3.0 Community Planning

Community Planning supports the rezoning application to develop bareland strata lots on the subject property. The proposed strata lots will accommodate semi-detached dwellings (one dwelling per lot). The subject parcel is directly east of an existing RU5 zone parcel, 1960 KLO Rd (Gablecraft) with a similar housing form. The applicant is proposing 12 strata lots on the 2.0-acre parcel. These strata lots exceed the minimum depth, width and area of a strata lot required in the RU5 Zone. This property is outside of the

Permanent Growth Boundary which is not supportive of further subdivision, however the RU5 zone is consistent with Kelowna's Official Community Plan, Future Land Use Designation of S2RES – Single/Two Unit Residential. The application as proposed mimics the adjacent property land use, meets the Future Land Use designation and provides lot sizes that exceed minimum standards. No variances would be triggered by the proposed conceptual layout.

Further details of Kelowna's policies and goals with regards to development of this property are outlined in section 5.0 Current Development Policies of this report.

#### **4.0 Proposal**

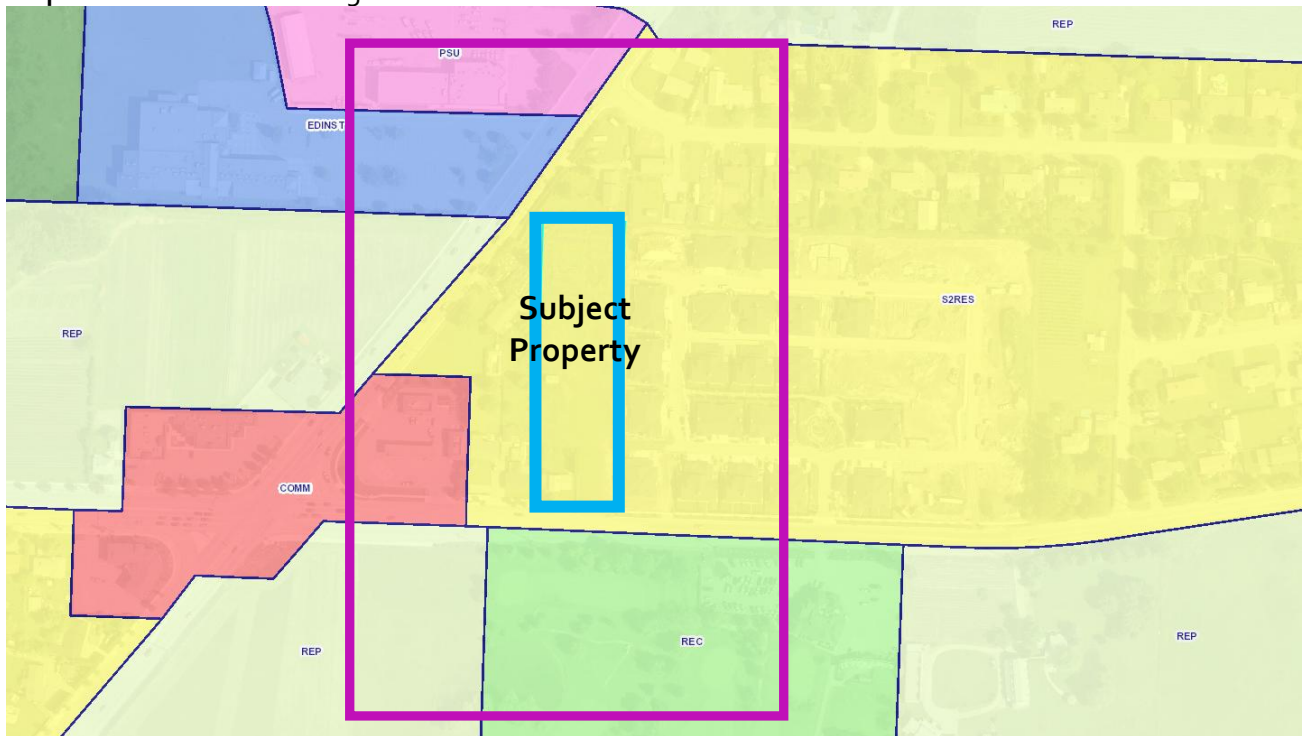
##### **4.1 Background**

This property is currently zoned A1 – Agriculture 1 zone and is located outside the Permanent Growth Boundary. The Future Land Use Designation is S2RES – Single / Two Unit Residential. The property is located outside the Agricultural Land Reserve, but within a Farm Development Permit Area as ALR land exists to the south across KLO Road. The 8,054 m<sup>2</sup> (2.0 acre) property currently contains one principal dwelling with an attached garage.

The subject neighbourhood contains six Future Land Use designations within a 100 m diameter, or one-minute walking distance. They include:

- Resource Protection
- Private Recreation
- Single Family
- Public Services
- Institutional
- Commercial

**Map 1** Future Land Use Designations



**Map 2** Agricultural Land Reserve (in green)



#### 4.2 Project Description

The applicant is proposing to rezone the property from the A1 – Agriculture 1 zone to the RU5 – Bareland Strata Housing zone. The rezoning would accommodate a total of twelve units in the form of six duplex/semi-detached dwellings.

Site planning and design considerations will be evaluated through a corresponding Development Permits should the land use be supported. The current site plan as proposed in this application does not trigger any variances to Zoning Bylaw No. 8000 for the RU5 – Bareland Strata Housing zone.

In order to align with the front property lines of adjacent parcels on both sides, a road dedication in favour of the City is proposed which includes a 6.0m taper from west to east along the full frontage of KLO Road. The applicant is responsible for full frontage upgrades including landscaped boulevard, sidewalks, and any road painting that may result from the corresponding Development Permit. In the RU5 zone, only one dwelling is permitted per strata lot and secondary suites are not permitted.

**Map 3** Conceptual Site Plan





Map 4 Neighbourhood Context



Map 5: 1940 KLO Road



#### 4.3 Site Context

The subject property is located on the north side of KLO Road east of its intersection with Benvoulin Road. It is located within the South Pandosy / KLO Sector of the City. Adjacent land uses are as follows:

	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>
North	A1 – Agriculture zone	Single detached dwellings	Single / Two Unit Residential
East	RU5 – Bareland Strata Housing	Semi-detached residential	Single / Two Unit Residential
South	P3lp - Parks and Open Space (Liquor Primary) / ALR	Private recreation (golf course)	REC – Private Recreation
West	A1 – Agriculture zone	Single detached dwellings	Single / Two Unit Residential

#### 4.4 Zoning Analysis Table

<b>Zoning Analysis Table</b>		
<b>CRITERIA</b>	<b>RU5 ZONE REQUIREMENTS</b>	<b>PROPOSAL</b>
<b>Bareland Strata Subdivision Regulations</b>		
Minimum Lot Area	1 Ha	8,053.53 m <sup>2</sup>
Minimum Lot Width	40 m	47.79 m
Minimum Lot width - strata lot	12 m	Avg. 14.0 m
Minimum Lot depth - strata lot	25 m	Avg. 38.6 m
Minimum Lot area - strata lot	325 m <sup>2</sup>	Avg. 538 m <sup>2</sup>
<b>RU5 Bareland Strata Lot Development Regulations</b>		
Maximum Height	lesser of 9.5 m or 2 ½ storeys	Less than 2 ½ storeys
Minimum Front Yard	4.5 m	6.0 m
Minimum Side Yard (Flanking)	3.0 m from a flanking road	6.0 m
Minimum Side Yard	3.0 m	3.0 m
Minimum Rear Yard	4.5 m for 1 storey building 6.0 m for 2 storey building	8.5 m +
Maximum Lot Coverage	50% for all buildings	< 50%
<b>Other Regulations</b>		
Minimum Site open space	10% open space other than required yard areas = 805 m <sup>2</sup>	900 m <sup>2</sup> +
Maximum number of buildings per lot	One residential dwelling per bareland strata lot	One Dwelling
Front Yard Landscape buffer	Level 1	Level 1
Rear Yard Landscape buffer	Minimum 3 m vegetative buffer or continuous opaque barrier	Continuous Opaque Barrier
Side Yard Landscape buffer	Minimum 3 m vegetative buffer or continuous opaque barrier	Existing Continuous Opaque Barrier
Minimum parking requirements	26 + 1 visitor	26 + 1 visitor

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Permanent Growth Boundary.**<sup>1</sup> Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of property outside the Permanent Growth Boundary for more intensive use only to the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except for Agri-Business designated sites or as per Council's specific amendment of this policy. The Permanent Growth Boundary may be reviewed as part of the next major OCP update.

Staff Note: Although this development is outside of the PGB, the rezoning is in line with the Future Land Use, mimics the adjacent land use, and meets or exceeds all minimum lot sizes for the zone.

**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.

Staff Note: The subject parcel is part of a sewer specification area that saw the construction of City sanitary sewer in 2007. The parcel is also on a transit route, with bus stops eastbound 280 m away, and westbound 290 m away (both under 5-minute walk). Commercial services are also located within 250 m. The official walk score of the site is 29 which notes that most errands require a car, and it is possible to get on a bus.

**Walled Developments.**<sup>3</sup> Prohibit developments enclosed on all sides by walls, gates or other physical or visual barriers if such developments compromise the principles embedded in the "Crime Prevention Through Environmental Design" guidelines and hinder efforts to create more pedestrian, bicycle and transit friendly communities, block access to public park land or inhibit the efficient use of infrastructure.

Staff Note: The development is encouraged to continue a similar low wall as the existing development to the east (Gablecraft).

**Housing Mix.**<sup>4</sup> Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

**Urban Uses.**<sup>5</sup> Direct urban uses to lands within the urban portion of the Permanent Growth Boundary, in the interest of reducing development and speculative pressure on agricultural lands.

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.3.1 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.22.2 (Development Process Chapter).

<sup>4</sup> City of Kelowna Official Community Plan, Policy 5.22.11 (Development Process Chapter).

<sup>5</sup> City of Kelowna Official Community Plan, Policy 5.33.3 (Development Process Chapter).

**Housing in Agricultural Areas.**<sup>6</sup> Discourage residential development (both expansions and new developments) in areas isolated within agricultural environments (both ALR and non-ALR).

Staff Note: This development does not abut active agriculture. A golf course exists across KLO Road. This development should not negatively impact farming in the neighbourhood.

## **6.0 Technical Comments**

### **6.1 Development Engineering Department**

- A dedication of road frontage is required and boulevard construction to City standards will be required as part of this rezoning.
- Refer to attached memorandum dated September 27, 2016 for full comments.

### **6.2 Fire Department (KFD)**

- Engineered Fire Flow calculations are required to determine Fire Hydrant requirements as per the City of Kelowna Subdivision Bylaw #7900. New hydrants on this property shall be operational prior to the start of construction and shall be deemed a private hydrant.

## **7.0 Application Chronology**

Date of Application Received:	May 31, 2016 (Application incomplete)
Date of Completed Application	November 8, 2016
Date Public Consultation Completed:	December 1, 2016

**Report prepared by:** Tracey Hillis, Land Use Planner

**Reviewed by:** Todd Cashin, 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:**

Schedule A: Development Engineering Memorandum

Attachment A: Conceptual Layout

Attachment B: Conceptual Landscape Plan

---

<sup>6</sup> City of Kelowna Official Community Plan, Policy 5.33.8 (Development Process Chapter).