

# REPORT TO COUNCIL



**Date:** March 20, 2017

**RIM No.** 1250-30

**To:** City Manager

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

**Application:** Z16-0042

**Owner:** Gary Lupul

**Address:** 4377 Kensington Drive

**Applicant:** Gary Lupul

**Subject:** Rezoning Application

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. Z16-0042 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 21 District Lot 167 ODYD Plan 27559, located at 4377 Kensington Drive, 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 from Community Planning Department dated July 25, 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 second single family dwelling on the subject parcel.

## 3.0 Community Planning

Community Planning staff supports the proposal to rezone the parcel to facilitate the development of a second single family dwelling. The property is within the Permanent Growth Boundary in the North Mission/Crawford area of Kelowna. The parcel meets the Official Community Plan (OCP) Future Land Use

designation of S2RES – Single/Two Unit Residential and the policy of supporting densification of neighbourhoods through appropriate infill development. The proposed second dwelling is sensitive with respect to the building design, height and siting. The modest increase in density is supported by local amenities such as parks, schools, transit, and recreational opportunities in the immediate area.

Council Policy No. 367 with respect to public consultation was undertaken by the applicant and all neighbours within a 50m radius of the subject parcel.

#### 4.0 Proposal

##### 4.1 Project Description

The subject application is to rezone the parcel to RU6 to accommodate the construction of a second dwelling on the parcel. If the Rezoning application is approved, a development variance permit will be considered by Council at a future date as the application would require a variance for parcel width due to the irregular shape of the parcel.

The parcel has a narrow frontage due to the location on the curve of the Cul de Sac and the minimum lot width as indicated in the subdivision regulations. The overall parcel area is more than three times the size required for two dwelling housing. As the parcel does not have rear lane access, the applicant is proposing shared driveway access to both the existing and new dwelling. This will ensure the amount of hard surfacing on the parcel, which in turn maximizes the amount of outdoor amenity area/green space on the parcel.

The proposed dwelling is located towards the rear of the parcel. It meets all of the zoning bylaw regulations, including required setbacks and site coverage. Overlook issues to adjacent properties are reduced as the proposed dwelling is single storey in height. The applicant is utilizing a Landscape Architect to address new site landscaping which includes additional trees, shrubs and lawn. The east fence will have climbing vines to provide screening for the adjacent parcels. The proposed dwelling provides setbacks larger than required from the rear adjacent multi-family site. All of these factors will increase the privacy of the subject parcel and those adjacent to it.



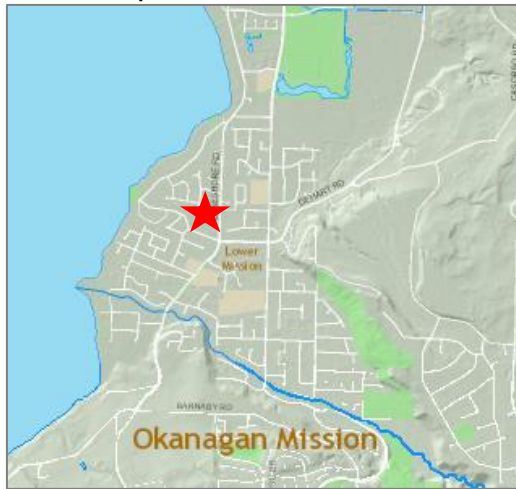
##### 4.2 Site Context

The parcel is within the South Mission/ Crawford area at the end of a Cul de Sac. The parcel is within the Permanent Growth Boundary with easy access to Lakeshore Road. The Rezoning request aligns with the OCP Future Land Use of S2RES – Single/Two Unit Residential. The site provides a transition from the adjacent MRL – Multiple Unit Residential (Low Density) to the predominantly single family dwelling neighbourhood.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Family Housing
East	RU1 – Large Lot Housing	Single Family Housing
South	RM3 – Low Density Multiple Housing	Multiple Dwelling Housing
West	RU1 – Large Lot Housing	Single Family Housing

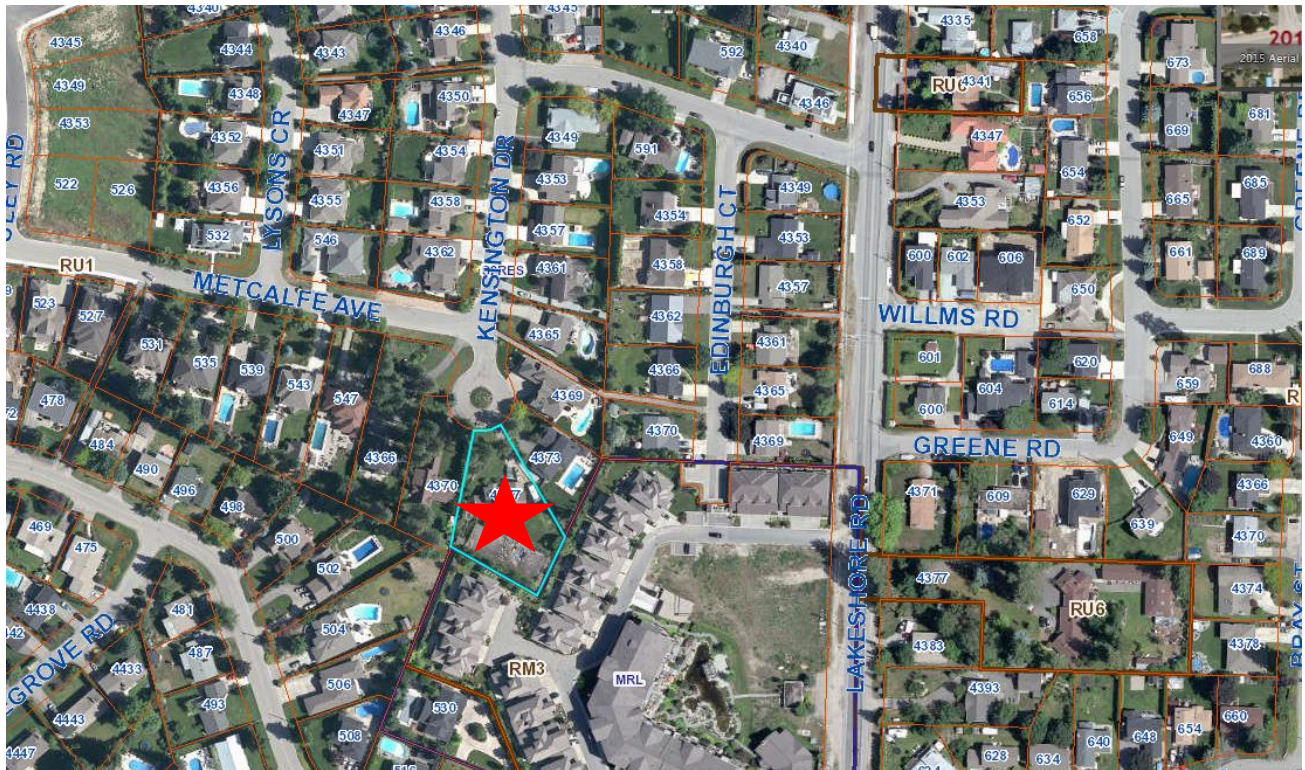
Context Map:



Future Land Use:



Subject Property Map: 4377 Kensington Drive



## 4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	700 m <sup>2</sup>	2307 m <sup>2</sup>
Minimum Lot Width	18 m	17.03 m <span style="color: red;">❶</span>
Minimum Lot Depth	30 m	56.94 m
Development Regulations		
Maximum Site Coverage (buildings)	40%	21%
Maximum Site Coverage (buildings, driveways and parking)	50%	38%
Maximum Height	9.5 m	4.19 m
Minimum Front Yard	4.5 m	24.6 m to existing dwelling
Minimum Side Yard (east)	2.0 m	2.0 m
Minimum Side Yard (west)	2.0 m	26.81 m
Minimum Rear Yard	7.5 m	15.64 m
Other Regulations		
Minimum Parking Requirements	4 stalls	+5 stalls
Minimum Private Open Space	25 m <sup>2</sup> per dwelling	Exceeds requirements
<span style="color: red;">❶</span> Indicates a requested variance to the minimum lot width of 18.0 m to 17.03 m proposed.		

## 5.0 Current Development Policies

## 5.1 Kelowna Official Community Plan (OCP)

## Development Process

**Complete Suburbs.**<sup>1</sup> Support a mix of uses within Kelowna's suburbs (see Map 5.1 – Urban Core Area), in accordance with "Smart Growth" principles to ensure complete communities. Uses that should be present in all areas of the City (consistent with Map 4.1 – Future Land Use Map), at appropriate locations, include: commercial, institutional, and all types of residential uses (including affordable and special needs housing) at densities appropriate to their context.

**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.

**Sensitive Infill.**<sup>3</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.

## 6.0 Technical Comments

## 6.1 Building &amp; Permitting Department

<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 5.3.2 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).



- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

- Refer to Attachment "A".

**7.0 Application Chronology**

Date of Application Received: July 12, 2016  
Date Public Consultation Completed: November 12, 2016  
Date of Amended Plans Received: January 16, 2017

**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  
Site Plan  
Conceptual Elevations  
Landscape Plan