

# REPORT TO COUNCIL



**Date:** April 24, 2017

**RIM No.** 1250-30

**To:** City Manager

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

**Application:** Z17-0016 **Owner:** James & Nelly Oostenbrink

**Address:** 242 Clifton Road **Applicant:** James & Nelly Oostenbrink

**Subject:** Rezoning Application

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RR3 – Rural Residential 3

Proposed Zone: RU6 – Two Dwelling Housing

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## 1.0 Recommendation

THAT Rezoning Application No. Z17-0016 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 10 Section 6 Township 23 ODYD Plan 30121, located at 242 Clifton Road, Kelowna, BC, from the RR3 – Rural Residential 3 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 April 24, 2017;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to an access easement agreement being registered on Title of Lot 59 Section 6 Township 23 ODYD Plan KAP42134, located at 244 Clifton Road, Kelowna, BC, to grant access to Lot 10 Section 6 Township 23 ODYD Plan 30121, located at 242 Clifton Road, Kelowna, BC.

## 2.0 Purpose

To rezone the subject property to the RU6 – Two Dwelling Housing zone to facilitate construction of a second dwelling.

### 3.0 Community Planning

Staff supports the application to rezone from the RR3 – Rural Residential 3 zone to the RU6 – Two Dwelling Housing zone to allow a second dwelling to be built on the subject property. The RU6 zone complies with the existing Future Land Use designation of S2RES – Single / Two Unit Residential. The property is within an existing built-up area in the Permanent Growth Boundary and is well in excess of the minimum lot dimensions for two dwelling housing.

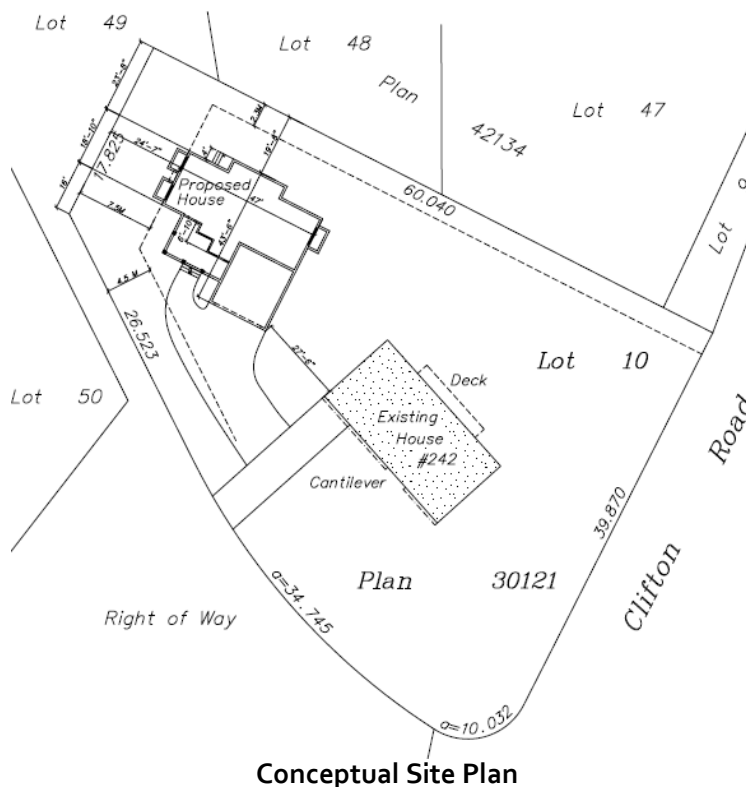
The application meets the intent of several Official Community Plan (OCP) goals and policies related to containing growth within developed areas with existing infrastructure and services, notably OCP Goal 1, Objective 5.3, and Policy 5.3.2. The proposal is also consistent with OCP policies that support additional residential density and housing forms that generally fit with the surrounding neighbourhood. In terms of allowed building height and siting, the RU6 zone is similar to the property's existing zoning of RR3, particularly as it relates to setbacks to adjacent properties. The table below compares the development regulations of the RU6 and RR3 zones.

Zoning Comparison Table		
Development Regulation	RR3 Zone Requirements (Existing)	RU6 Zone Requirements (Proposed)
Site Coverage	30%	40%
Site Coverage (with driveways & surface parking)	n/a	50%
Height	9.5 m or 2 ½ storeys	9.5 m or 2 ½ storeys
Front Yard	6.0 m	4.5 m
Side Yard (south)	2.3 m	2.3 m
Side Yard (north)	2.3 m	2.3 m
Rear Yard	7.5 m	7.5 m

The minimum lot area for two dwelling housing is 700 m<sup>2</sup>, and the property's lot area of 2,185 m<sup>2</sup> is well in excess of this requirement. No variances are being requested and there is ample room to locate a new dwelling towards the rear of the property within the required setbacks. The proposal accounts for parking for two dwellings on the site.

The property has mature vegetation. While construction of a second dwelling requires the removal of some trees, the site perimeter has several mature trees and shrubs, minimizing the visual impact of an additional dwelling on adjacent properties.

Development Permits for two dwelling housing are no longer needed; therefore, if the rezoning is supported the applicant can proceed to apply for Building Permits.



The property is accessed from Clifton Road via a driveway from the City-owned lot south of the subject property. The City lot serves as a pedestrian connection between Merlin Court and Clifton Road, and provides access to both the subject property and 250 Clifton Road to the south. As part of this application, access to the subject property will be formalized through an access easement agreement. This avoids additional accesses directly onto Clifton Road.



Clifton Road is built to a major collector road standard in this location and is urbanized with a bicycle lane, sidewalk, and boulevard trees on this side of the road. The property currently has an adequate water service, and should the applicant choose to stratify a second water service would be required at that time. The applicant must decommission the existing septic system and connect to the City sanitary sewer system prior to adoption of the rezoning.

The applicant completed neighbourhood consultation in accordance with Council Policy No. 367. Staff has been contacted by several area residents with questions and concerns about the application.

#### 4.0 Proposal

##### 4.1 Project Description

The proposal is to rezone the subject property to construct a second dwelling. The applicant proposes to retain the existing house and construct a second detached house towards the rear of the property. The site has substantial mature vegetation, and no variances are being requested.

##### 4.2 Site Context

The subject property is located on the west side of Clifton Road between Rio Drive and Magic Drive, in the City's Glenmore – Clifton – Dilworth Sector. The surrounding area is characterized by single family dwellings, specifically the Magic Estates neighbourhood on the west side of Clifton Road.

Adjacent land uses are as follows:

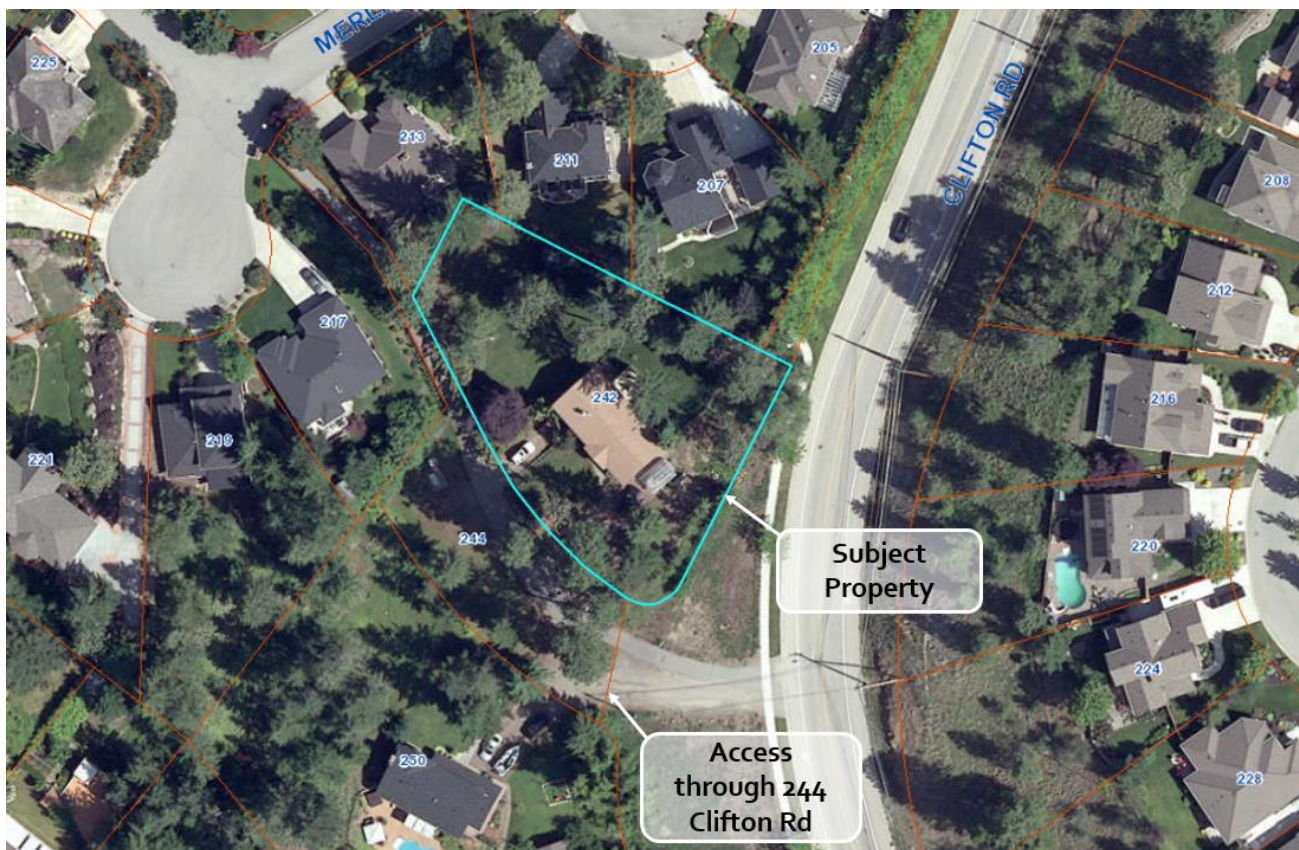
Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single dwelling housing
East	RU1 – Large Lot Housing	Single dwelling housing
South	RR3 – Rural Residential 3	Greenspace & pedestrian walkway Single dwelling housing
West	RU1 – Large Lot Housing	Single dwelling housing



Map 1: Surrounding Area & Existing Zoning



Map 2: Subject Property



## 4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot Regulations		
Lot Area	700 m <sup>2</sup>	2,185 m <sup>2</sup>
Lot Width	18.0 m	39.9 m
Lot Depth	30.0 m	60.0 m
Development Regulations		
Site Coverage	40%	14.8%
Site Coverage (with driveways & surface parking)	50%	25.7%
Height	9.5 m or 2 ½ storeys	7.4 m (2 storeys)
Front Yard	4.5 m	11.9 m
Side Yard (south)	2.3 m	m
Side Yard (north)	2.3 m	6.0 m
Rear Yard	7.5 m	7.5 m
Distance Between Dwellings	4.5 m	8.4 m
Other Regulations		
Minimum Parking Requirements	4 stalls	6 stalls

## 5.0 Current Development Policies

## 5.1 Kelowna Official Community Plan (OCP)

## Chapter 1: Introduction

**Goal 1. Contain Urban Growth.** Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

**Goal 2. Address Housing Needs of All Residents.** Address housing needs of all residents by working towards an adequate supply of a variety of housing.

## Chapter 5: Development Process

**Objective 5.3** Focus development to designated growth areas.

**Policy 5.3.2 Compact Urban Form.** 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.

**Policy 5.22.6 Sensitive Infill.** 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.

**Policy 5.22.7 Healthy Communities.** 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.

## **6.0 Technical Comments**

### **6.1 Development Engineering Department**

- See attached memorandum.

### **6.2 Strategic Investments (Real Estate Services)**

- Formalization of access to subject property via the City-owned lot at 244 Clifton Road is required.

## **7.0 Application Chronology**

Date of Application Received: February 17, 2017

Date Public Consultation Completed: February 26, 2017

### **Report prepared by:**

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Laura Bentley, Planner II

**Reviewed by:** Todd Cashin, Subdivision, Suburban and Rural Planning Manager

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

### **Attachments:**

Schedule "A" City of Kelowna Memorandum

Conceptual Site Plan & Elevations