

REPORT TO COUNCIL



Date: May 1, 2017

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TY)

Application: Z16-0033 **Owner:** Lok Tien Enterprises Ltd

Address: 547 Osprey Avenue **Applicant:** Lok Tien Enterprises Ltd

Subject: Rezoning Application

Existing OCP Designation: MXR – Mixed Use (Residential/Commercial)

Existing Zone: RU6 – Two Dwelling Housing zone

Proposed Zone: C4 – Urban Centre Commercial zone

1.0 Recommendation

THAT Rezoning Application No. Z16-0033 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 23 District Lot 14 ODYD Plan 3769, located at 547 Osprey Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the C4 – Urban Centre Commercial zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER 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 May 1, 2017.

2.0 Purpose

To rezone the subject property from the RU6 – Two Dwelling Housing zone to the C4 – Urban Centre Commercial zone.

3.0 Community Planning

Community Planning supports the proposed rezoning application to Urban Centre Commercial as the subject property is located within the South Padosy Urban Centre with a Future Land Use designation of Mixed Use (Residential/Commercial), as identified in Kelowna's Official Community Plan. The proposed C4 – Urban Centre Commercial zone meets the intent of this designation, and is the consistent zone of redeveloped parcels in the neighborhood.

4.0 Proposal

4.1 Background

The 570 m² property contained one single family dwelling which was demolished in November, 2015. A City lane exists to the south of the subject property. The owner of the subject parcel also owns the RU6 zoned lot to the immediate west and two additional RU6 zoned lots across the rear lane to the south.

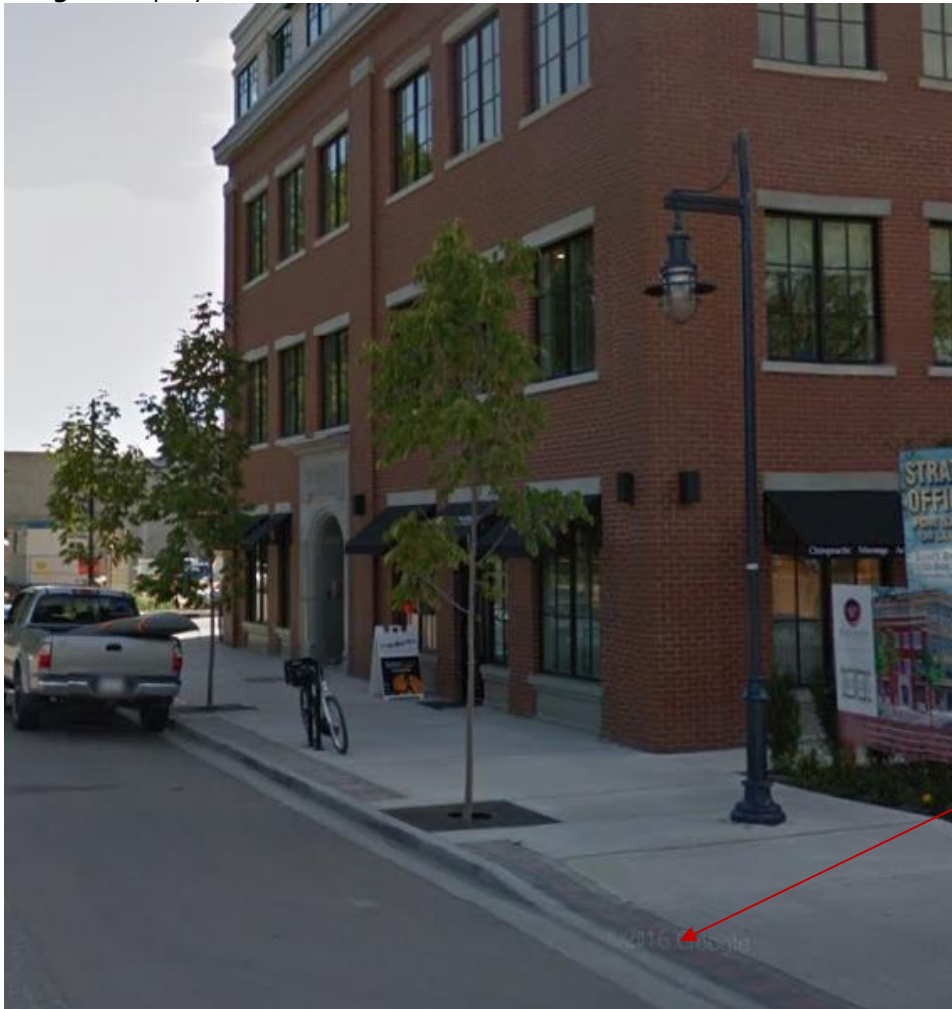
Image 1: Neighbourhood Context



4.2 Project Description

The current application for Council consideration is to rezone the parcel from the RU6 – Two Dwelling Housing zone to the C₄ – Urban Centre Commercial zone. The rezoning application triggers frontage upgrades of Osprey Boulevard to full urban standards (e.g. curb, gutter, boulevard, sidewalk, etc.). The improvements will be consistent with the recently developed parcel to the east, as identified in Image 2: Osprey Boulevard Standard.

Image 2: Osprey Boulevard Standard



LIGHT STANDARDS

BOULEVARD TREES

BICYCLE PARKING

DECORATIVE PAVING

4.3 Project Details

The applicant intends to construct a non-accessory surface parking lot which is a permitted use in the proposed C₄ zone. The parking lot is proposed as a 14 stall, paved lot with vehicular access from Osprey Avenue and the rear lane.

A non-accessory parking lot is a permitted use in the C₄ zone. However, the design proposed by the applicant does trigger two variances to two City bylaws. The variances would be considered by Council once the zoning is approved.

Variances for future consideration by Council:

1. Zoning Bylaw No. 8000:
 - To vary the rear yard landscape buffer from the minimum 3.0 m width required to 0.0 m width proposed.
2. Subdivision, Development & Servicing Bylaw No. 7900:
 - To vary the location of the driveway of a lot from the lane as required to the frontage road as proposed.

4.3 Site Context

The subject property is currently an RU6 –Two Dwelling Housing zone. It is located within the South Pandosy Urban Centre and within a Revitalization Development Permit Area. The Future Land Use Designation of Mixed Use (Residential / Commercial) exists on the subject parcel and neighbouring parcels. The property to the east has a Future Land Use designation of COMM – commercial.

Adjacent land use:

Orientation	Zoning	Land Use
North	C ₄ – Urban Centre Commercial zone	Approved Development: Retail / Office / Residential
East	C ₄ – Urban Centre Commercial zone	Retail / Office
South	RU6 –Two Dwelling Housing zone	Residential
West	RU6 –Two Dwelling Housing zone	Residential

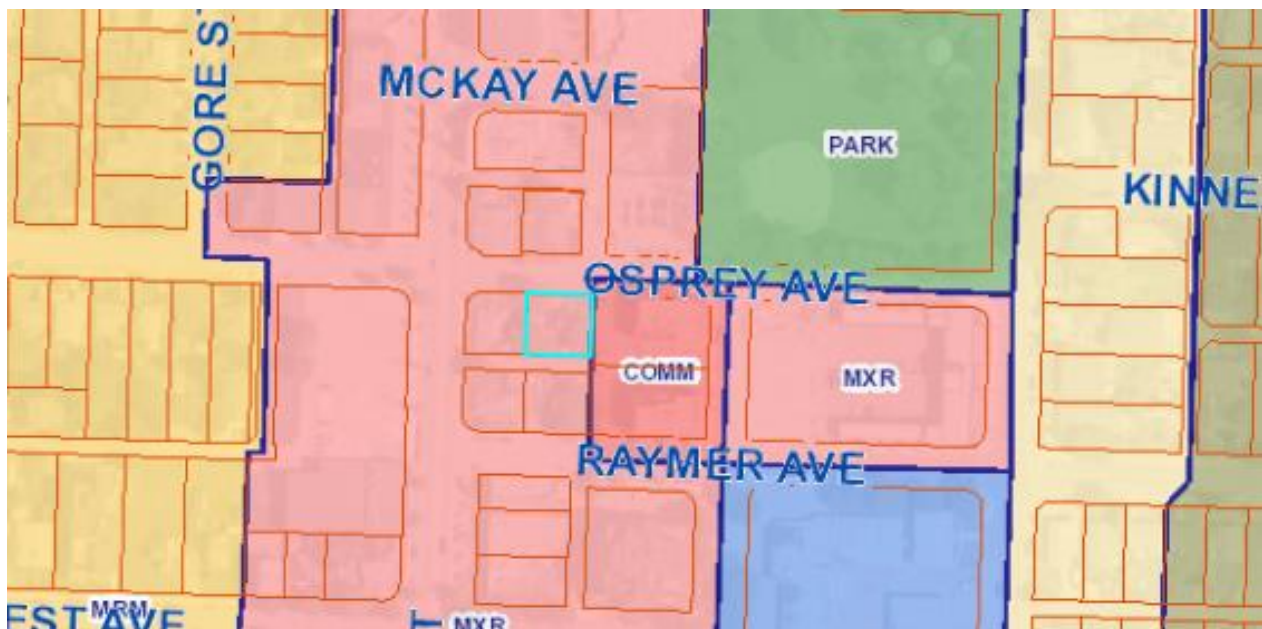


Image 2: Future Land Use

4.4 Bylaw Analysis Table

Bylaw Analysis Table		
CRITERIA	REQUIREMENTS	PROPOSAL
Subdivision Regulations C4 Zone		
Lot Area	460 m ²	570 m ²
Lot Width	13.0 m	24.7 m
Lot Depth	30.0 m	23.0 m
Development Regulations C4 Zone Non-Accessory Parking Lot		
Floor Area Ratio	1.0	n/a
Site Coverage	75%	n/a
Height	15.0 m or 4 Storeys	n/a
Front Yard Landscape Buffer non-accessory parking	3.0 m	3.5 m
Side Yard Landscape Buffer (west) non-accessory parking	3.0 m	4.8 m
Side Yard Landscape Buffer (east) non-accessory parking	0.0 m	0.0 m
Rear Yard non-accessory parking	3.0 m	0.0 m ^❶
Official Community Plan Urban Design Development Permit Areas		
Shade Tree Requirement	1 shade tree per 4 parking stalls = 3	4
Subdivision, Development & Servicing Bylaw		
Driveway shall be located to access the lane or road of lower classification	Rear Lane	Osprey Road ^❷ and Rear Lane
^❶ Indicates a requested variance to required landscape buffer ^❷ Indicates a requested variance to required driveway access location		

5.0 **Current Development Policies**5.1 Kelowna Official Community Plan (OCP)**Future Land Use**

Mixed Use (Residential / Commercial) (MXR) ¹ Developments that provide for commercial floor space on the ground floor or above, with additional potential for residential units above the ground floor. For Urban Centres other than the City Centre, building densities should decrease as the distance from the core of the Urban Centre increases. Maximum density at the centre of the core would be consistent with zoning as follows: Pandosy – C4 zone;

Achieve high quality urban design. ²

Streetscaping. Urban Centre roads should be considered as part of the public space and streetscaped with full amenities (i.e. Sidewalks, trees and other planting, furniture, bike facilities, boulevards, etc.).

¹ City of Kelowna Official Community Plan, Land Use Designation Definitions (Future Land Use Chapter).

² City of Kelowna Official Community Plan, Objective 5.8.2 (Development Process Chapter).

6.0 Technical Comments

Development Engineering department requirements of the C4 zone amendment include:

- Water upgrade along full frontage of Osprey Road,
- Connection to municipal storm drainage infrastructure, and
- Boulevard upgrades are required along full frontage of Osprey Road.
- For additional items and full details see Schedule "C" attached to this report.

7.0 Application Chronology

Application Received: June 2, 2016

Revised Drawings Received: February 21, 2017

Consultation Completed: March 30, 2017

Report prepared by: Tracey Hillis, Planner

Reviewed by: Terry Barton, Urban 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" Proposed Non-Accessory Parking Lot Plan