

# REPORT TO COUNCIL



**Date:** May 29, 2017

**RIM No.** 1250-30

**To:** City Manager

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

<b>Application:</b>	Z17-0013	<b>Owner:</b>	Wes Riley Jones Tammy Retta Jones
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<b>Address:</b>	775 Rose Avenue	<b>Applicant:</b>	Integrity Services Inc.
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**Subject:** Rezoning Application

Existing OCP Designation: MRL – Multiple Unit Residential (Low Density)

Existing Zone: RU6 – Two Dwelling Housing

Proposed Zone: RM1 – Four Dwelling Housing

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## 1.0 Recommendation

THAT Rezoning Application No. Z17-0013 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 7, District Lot 136, ODYD, Plan 11487, located at 775 Rose Avenue Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM1 – Four 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 May 29, 2017;

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 RM1 – Four Dwelling Housing to facilitate the development of four dwelling units.

### **3.0 Community Planning**

Community Planning Staff supports the proposed rezoning application to facilitate the development of four dwelling units. The RM1 – Four Dwelling Housing zone is consistent with the Official Community Plan (OCP) Future Land Use Designation of MRL – Multiple Unit Residential (Low Density). The proposal is consistent with OCP policies for Compact Urban Form and Sensitive Infill. Should Council support this rezoning, a Development Permit and Development Variance Permit will be considered by Council prior to 4<sup>th</sup> reading.

There are two other development applications on Rose Avenue that have been submitted to the City requesting the same zone for the construction of a four-plex with nearly identical floor plans. Staff have worked with the representatives from each project to ensure that differences in the materials and colour palette of each application provides variety and individuality.

### **4.0 Proposal**

#### **4.1 Background**

The subject property features a raised bungalow that will be demolished as a function of this development proposal. The property is located near the new RU7 – Infill Housing Zone which will also allow for four-plex developments. It is anticipated that this area is in a stage of redevelopment where infill will become more and more frequent and density will increase.

#### **4.2 Project Description**

The proposed rezoning would facilitate the development of a four-plex on the subject property. This is consistent with the OCP Future Land Use designation of Multiple Unit Residential Low Density. The proposal meets the OCP Policy of Compact Urban Growth by increasing density where infrastructure already exists.

The proposal involves a 5.0m road reserve across the front property for future expansion of Rose Avenue. All parking will be located in the rear, with 4 covered parking stalls and 2 uncovered stalls. The project requires one variance to allow the additional 2 uncovered stalls to be located in the side yard setback. All other Zoning Bylaw requirements are met including provision of private outdoor space, height, setbacks, and site coverage.

The proposed design has front doors facing the street for the two front units, and side entry for the two rear units. The units feature full basements and as such a 219 Restrictive Covenant regarding the Mill Creek Floodplain Bylaw has been placed on title that indemnifies the City in the event of any flooding. Four units is the maximum allowed under the zone, and therefore secondary suites would not be permitted in the units.

The design as proposed meets the majority of the design guidelines, and should Council support the rezoning, a Development Permit and Development Variance Permit will be considered by Council prior to 4<sup>th</sup> reading. There are two other applications on Rose Avenue at this time that are also rezoning to a four-plex with nearly identical floor plans. The representatives from each project have taken care to ensure that differences in the materials and colour palette of each application provides variety and individuality. The three projects are located at 775 Rose Avenue, 815 Rose Avenue, and 861 Rose Avenue as shown in the Map on Page 3.



Figure 1.0 – Current Zoning Applications along Rose Avenue to RM1

#### 4.3 Site Context

The subject property is located in South Pandosy east of Richter Street and south of Ethel Street on the south side of Rose Avenue. The subject property is within walking distance to a variety of amenities including Guisachan Village, Cameron Park, Kelowna General Hospital, and is located on a bicycle corridor with access to the proposed Ethel Street Active Transportation Corridor. Immediately to the south of this property is Cameron Park, and an RU6 – Two Dwelling Housing neighbourhood is to the north.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing	Residential
East	RU6 – Two Dwelling Housing	Residential
South	RU7 – Infill Housing	Residential
West	RU6 – Two Dwelling Housing	Residential

## Subject Property Map: 775 Rose Avenue



## 4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM <sub>1</sub> ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Floor Area Ratio	.60	.49
Site Coverage of Buildings	40%	35.5%
Site Coverage of Buildings, Parking, and Driveways	50%	47.2%
Height	2.5 storeys or 9.0m	2.5 storeys or 8.56m
Front Yard	4.5m	6.5m
Side Yard (east)	2.0m	2.75m
Side Yard (west)	2.0m	2.75m
Rear Yard	1.5m	4.5m
Other Regulations		
Minimum Parking Requirements	6 parking stalls	6 parking stalls
Setbacks to Parking		
Side Yard (east)	1.5m	0.3m ❶
Side Yard (west)	1.5m	0.3m ❷
Rear Yard	1.5m	1.5m
Private Open Space	>25m <sup>2</sup> per dwelling	>25m <sup>2</sup> per dwelling
❶ Indicates a requested variance to allow required parking in the east side yard setback. ❷ Indicates a requested variance to allow required parking in the west side yard setback.		

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### **Development Process**

**Compact Urban Form.**<sup>1</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>2</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 & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- A third party work order may be required with the Development Engineering Department for an upgraded water line and sewage connection. These requirements are to be resolved prior to issuance of the Building Permit.
- A Mechanical room independent from the units is required for the water service to enter prior to being piped to the independent units.
- Separate and independent heating systems are required for each unit. These heating units may be required to vent thru the roof depending on distances to windows and air inlets to the building. We recommend that the location of any air conditioners are to be established at this time due to setback limitations.
- This property falls within a defined flood plain area and compliance is required to Mill Creek Bylaw No. 10248 or alternative approval from the subdivision approving officer as per section 5.3 of the bylaw is required prior to issuance of any building permits
- HPO (Home Protection Office) approval or release is required at time of Building Permit application.
- The drawings submitted for Building Permit application are to indicate the method of fire separation between the units.
- Range hood above the stove and the washroom to vent separately to the exterior of the building. The size of the penetration for this duct thru a fire separation is restricted by BCBC 12, so provide size of ducts and fire separation details at time of Building Permit Applications.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this complex at time of permit application.

### 6.2 Development Engineering Department

- Please see attached Schedule "A" dated March 6, 2017

<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 5.22.6 (Development Process Chapter).

6.3 Fire Department

- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- All units shall have a posted address on Rose Ave.
- If a fence is ever constructed between the units a clear width of 1100mm is required to be maintained for access
- Maintain access to all units from Rose Ave - a laneway is not a reliable emergency access route.

6.4 FortisBC Electric

- There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Rose Avenue and within the lane adjacent the subject's south property line. 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.

7.0 **Application Chronology**

Date of Application Received: December 23, 2017  
Date Public Consultation Completed: May 5, 2017

**Report prepared by:** Trisa Brandt, Planner I

**Reviewed by:** Terry Barton, Urban Planning Manager

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

**Attachments:**

Schedule "A": Memorandum dated March 6, 2017  
Site Plan and Floor Plans  
Conceptual Renderings  
Landscape Plan