

# REPORT TO COUNCIL



**Date:** July 24, 2017

**RIM No.** 1250-30

**To:** City Manager

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

**Application:** Z17-0037

**Owner:** Joseph Crosara & Elizabeth Shelton

**Address:** 4264 Lakeshore Rd

**Applicant:** Christopher Blake

**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. Z17-0037 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 11 District Lot 167 ODYD Plan 4610, located at 4264 Lakeshore Road, 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 approvals as set out in Schedule "A" attached to the Report from the Community Planning Department dated July 24, 2017;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Variance Permit for the subject property.

## 2.0 Purpose

To rezone the subject property from RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to facilitate a two lot residential subdivision.

### 3.0 Community Planning

The subject property is located within the Permanent Growth Boundary in the North Mission/Crawford area of Kelowna along Lakeshore Road. The parcel is designated as S2RES – Single/ Two Unit Residential in the Official Community Plan (OCP). The application to rezone the parcel meets the OCP Urban Infill Policies of supporting the densification of neighbourhoods through appropriate infill development, including the use of smaller lots. The modest increase in density (i.e. 4 units) is supported by local amenities such as parks, schools, transit and recreational opportunities in the immediate area. The two lots will be serviced by one common driveway access to Lakeshore Road, in an effort to minimize any traffic impacts to the major roadway.

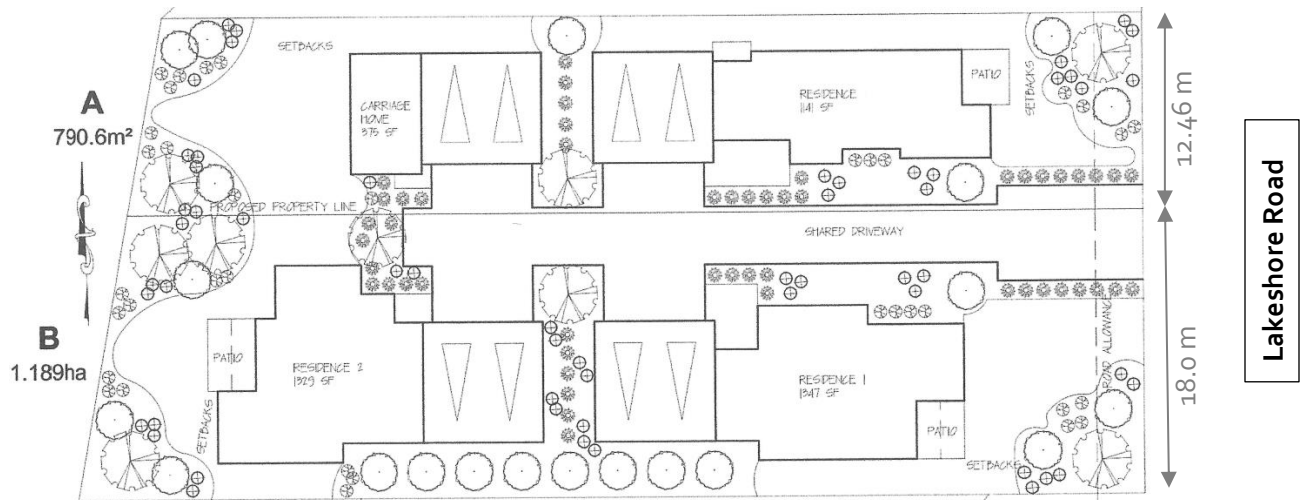
### 4.0 Proposal

#### 4.1 Project Description

The subject application is to rezone the parcel from the existing RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone. Should the rezoning be successful, the applicant is planning to subdivide the parcel into two residential lots. The RU6 zone will allow the applicant to develop the south parcel with two single family dwellings and the north parcel with a single family dwelling and a carriage house. This is due to the north parcel having a narrower lot width. The RU6 zone allows for the development of two dwellings for lots that have a minimum width of 18.0 m. The north lot proposes a 12.46 m lot width, therefore the lot can only accommodate a single family dwelling and a carriage house (or secondary suite).

The proposed 12.46 m lot would require a variance (from the 13.0 m required width in the Zoning Bylaw) and will come before Council should the rezoning be supported.

#### Proposed Subdivision Layout:



Staff is supportive of the rezoning application as it will facilitate additional density to the neighbourhood on an easily access large suburban parcel. The two parcels will share a common driveway access from Lakeshore Road with the driveway mainly located on the larger south parcel. While the plans for the buildings are only schematic at this point, each shows an achievable building footprint that would meet the Zoning Bylaw Development Regulations. The parcel area of the smaller Lot A is almost double the minimum requirement of 400 m² at 790.6 m² and the minimum parcel depth of 30.0 m is far exceeded at over 62.0 m.

The two single family dwellings to be located on Lot B could be stratified, while the dwelling and carriage house on Lot A would retain a single title for the ownership of both buildings as strata titling is not allowed for carriage houses.

There is an existing road right-of-way along the western (rear) property line which is utilized for underground services. The City has no intention of developing a vehicular laneway through this area.

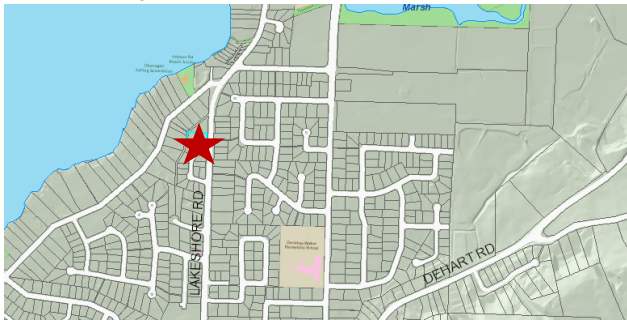
No development permit is required for the project. After subdivision, the development would proceed to building permit applications for development. Zoning Bylaw compliance would again be reviewed at that stage.

#### 4.2 Site Context

Specifically, 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	RU1 – Large Lot Housing	Single Dwelling Housing
West	RU1 – Large Lot Housing	Single Dwelling Housing

**Context Map:**



**Future Land Use Map:**



## Subject Property Map: 4264 Lakeshore Road

4.3 Subdivision Regulations Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Subdivision Regulations		
Minimum Lot Area	700 m <sup>2</sup>	Lot A - 790.7 m <sup>2</sup> Lot B - 1190.4 m <sup>2</sup>
Minimum Lot Width	13.0 m for single dwelling housing 18.0 m for two dwelling housing	Lot A - 12.46 m ● Lot B - 18.0 m
Minimum Lot Depth	30 m	Lot A - 62.27 m Lot B - 64.48 m
● Indicates a requested variance to the minimum parcel width from 13.0 m required to 12.46 m proposed.		

4.4 Zoning Analysis Table

CRITERIA	RU6 – TWO DWELLING HOUSING ZONE REQUIREMENTS
Minimum Front Yard	4.5 m (6.0 m from a garage or carport)
Minimum Side Yard	2.0 m (for up to 1 ½ storey portion of building) 2.3 m (for 2 storey portion of building)
Minimum Rear Yard	7.5 m
Maximum Site Coverage	40 % buildings (50 % including driveways and parking areas)

## 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.

**Carriage Houses & Accessory Apartments.**<sup>3</sup> Support carriage houses and accessory apartments through appropriate zoning regulations.

## 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 Permit(s).
- Demolition Permit required for any existing structures.
- HPO (Home Protection Office) approval or release is required at time of Building Permit application.
- 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 these houses at time of permit application.

### 6.2 Development Engineering Department

- Refer to Attachment A.

### 6.3 Fire Department

- Ensure that the common driveway servicing 4 buildings is appropriate for access to the western most buildings.

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<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 5.27.6 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.27.12 (Development Process Chapter).

## **7.0 Application Chronology**

Date of Application Received: April 11, 2017

Date Public Consultation Completed: June 30, 2017

**Report prepared by:** Lydia Korolchuk, 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 and Strategic Investments

### **Attachments:**

Attachment A: Development Engineering Memorandum dated May 4, 2017

Attachment B: Subdivision Plan