

# REPORT TO COUNCIL



**Date:** August 28, 2017  
**RIM No.** 1200-30/1250-04  
**To:** City Manager  
**From:** Lindsey Ganczar, Community Planning Supervisor  
**Application:** TA17-0005  
**Subject:** RU7 – Infill Housing Zone Amendments

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## **1.0 Recommendation**

THAT Official Community Plan Text Amendment Application No. OCP17-0019 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 as outlined in Schedule “A” attached to the Report from the Community Planning Department dated August 28, 2017, be considered by Council;

AND THAT Zoning Bylaw Text Amendment Application No. TA17-0005 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule “B” attached to the Report from the Community Planning Department dated August 28, 2017 be considered by Council;

AND THAT the Text Amending Bylaws be forwarded to a Public Hearing for further consideration.

## **2.0 Purpose**

To consider text amendments to the Official Community Plan Bylaw No. 10500 and the Zoning Bylaw No. 8000 with regard to the RU7 – Infill Housing zone.

## **3.0 Community Planning**

In January 2017, City Council adopted the RU7 – Infill Housing zone with the purpose of creating an inner city zone that would facilitate infill residential development. The RU7 zone is the implementation tool for the Infill Challenge project. During the approval process, Staff agreed to bring the RU7 zone back to Council for updates and a review to ensure the zone was being implemented in the way Council and Staff had intended. After reviewing various applications for RU7 projects, it has become evident to Staff that a few housekeeping amendments are necessary to smoothly enforce the RU7 regulations.

Most of the amendments are required to clarify language in the zone and to avoid misinterpretation, however, there are also two significant regulation changes that are required.

The first regulation amendment is to clarify how existing secondary suites are considered in the RU7 zone. Secondary suites do not require any servicing upgrades, such as water and sewer, because they are a secondary use to the principal dwelling.

Currently, secondary suites are only allowed:

- a) In single dwelling housing zones with a maximum of two dwelling units per site, or

- b) In single dwelling housing in zones where multiple housing is permitted on site, and as such, where utility capacity has been upgraded.

When the RU7 zone was adopted, it was the first time secondary suites were introduced to a low-density residential zone where multiple housing is permitted. Consequently, some sites may not have utility capacity to develop more than two units. As a way to regulate this, Staff is proposing to grandfather all legally existing secondary suites in the RU7 zone (recognizing that a third unit will trigger utility upgrades), and remove them as a permitted use for all future development. Any future proposals for two dwelling housing would have to be in the form of a semi-detached or duplex house. This regulation also ensures that two single family dwellings are not developed with secondary suites where development cost charges (DCCs) would be avoided on half of the units.

The second regulation amendment is to clarify the unique use of floor area ratio (FAR) in a low-density residential zone. Where FAR is normally used to regulate density in high-density residential, commercial, and other similar zones, it was added to the RU7 zone as a means of regulating habitable space on relatively small urban lots. FAR calculations typically include various exclusions such as stairwells, attached garages, and corridors, but in order to achieve the intent of regulating habitable space in the RU7 zone, accessory buildings and structures, and detached garages must also be excluded.

**Figure 1: Properties Affected**



#### 4.0 Current Development Policies

##### 4.1 Kelowna Official Community Plan (OCP)

###### Chapter 5: 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.

**Contain Urban Growth.**<sup>3</sup> Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres

#### 5.0 Technical Comments

Not applicable.

#### 6.0 Application Chronology

Not applicable.

Report prepared by:

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Lindsey Ganczar, Community Planning Supervisor

Reviewed by:

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Ryan Smith, Community Planning Department Manager

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Doug Gilchrist, Community Planning & Strategic Investments  
Divisional Director

#### Attachments:

Schedule 'A' – Summary table of proposed text amendments to Official Community Plan Bylaw 10500

Schedule 'B' – Summary table of proposed text amendments to Zoning Bylaw 8000

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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 5.22.6 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Goals for a Sustainable Future, Objective 1 (Chapter 1 Introduction)