

REPORT TO COUNCIL



Date: October 16, 2017
RIM No. 1250-30
To: City Manager
From: Community Planning Department (TB)
Application: Z17-0030 **Owner:** Harbrinder Singh Khangura
Address: 440 Edith Gay Road **Applicant:** Jaspal Dhaliwal
Subject: Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential
Existing Zone: RR3 – Rural Residential 3
Proposed Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z17-0030 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 10, Section 35, Township 26, ODYD, Plan 18660, located at 440 Edith Gay 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 October 16, 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 to facilitate a two lot subdivision.

3.0 Community Planning

Community Planning supports the proposed rezoning from RR3 – Rural Residential 3 to RU6 – Two Dwelling Housing to facilitate a two lot subdivision.

The property is fully serviced and located within the Permanent Growth Boundary. The Official Community Plan (OCP) Future Land Use is designated as S2RES – Single/Two Unit Residential, which supports this modest increase in density. The subject property is large in nature at 0.41 of an acre and is suitable for a two lot subdivision.

Should Council support the rezoning, Staff will bring forward a Development Variance Permit to vary the rear yard setback on the existing house.

4.0 Proposal

4.1 Background

The subject property has a single family dwelling that was constructed in 1970 and will be retained through this development process. In 2004 sewer was installed in the area, and the applicant has an open plumbing permit to connect to the sewer line (2016). This connection allows rezoning to RU6, which would not have been permissible prior to connection.

4.2 Project Description

The proposed rezoning to RU6 – Two Dwelling Housing is supported by the OCP Future Land Use Designation of S2RES – Single/Two Unit Residential. Due to the large size of the subject property, a 2 lot subdivision is possible. The corner lot would not meet the minimum size requirements for two dwellings, therefore the maximum density would be a Single Family Dwelling with a Secondary Suite, or a Single Family Dwelling with a Carriage House. The interior lot meets the minimum width and size for two dwellings, a duplex, or semi-detached housing.

The site is fully serviced and within the Permanent Growth Boundary, which is where density should be directed to alleviate pressure on agricultural and environmentally sensitive hillside lands that are located outside of the Permanent Growth Boundary.

Should Council support the proposed rezoning, Staff will bring forward a Development Variance Permit to vary the rear yard setback on the existing house.

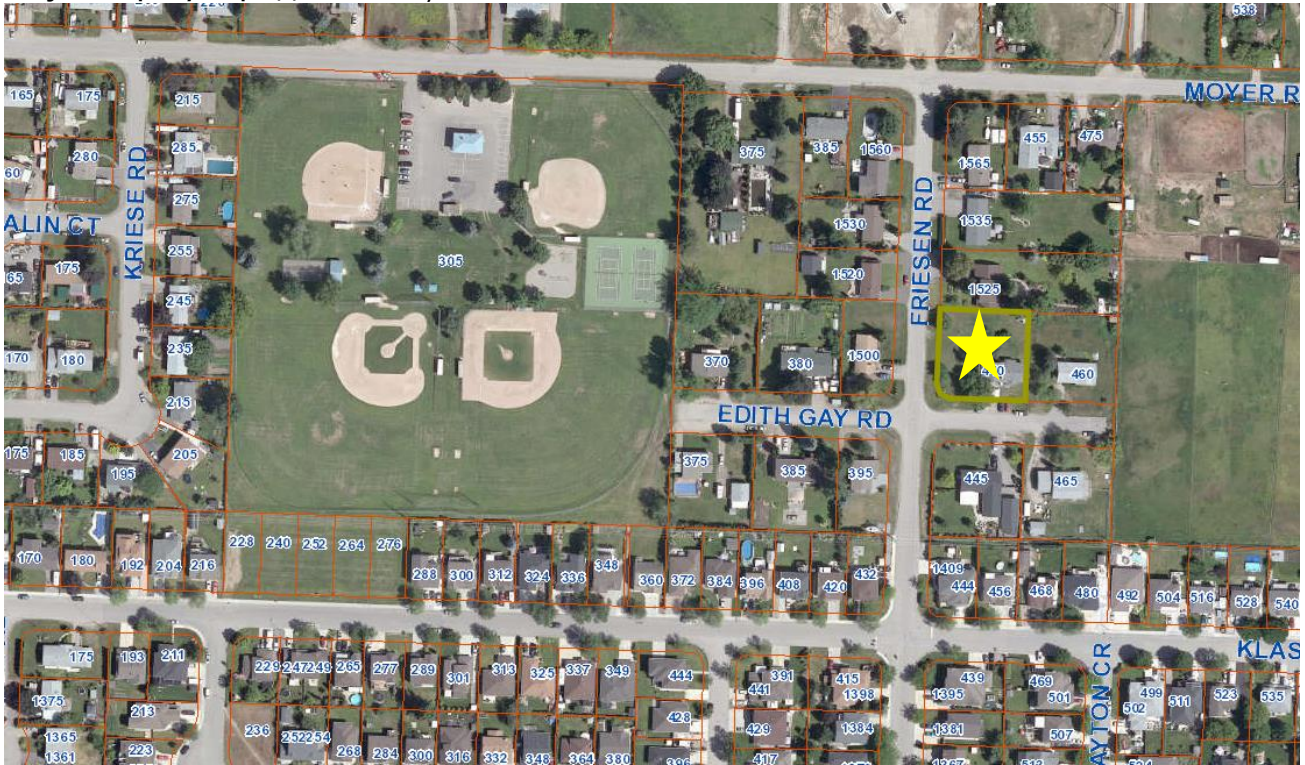
4.3 Site Context

The property is located in the north-east area of Rutland, approximately 2.0 kilometers from the Rutland Urban Centre as identified in the OCP. Edith Gay Park is in the nearby vicinity, and BC Transit Bus Route No. 8 and No. 10 are within 600m walking distance.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR3 – Rural Residential 3	Residential
East	RR3 – Rural Residential 3	Residential
South	RR3 – Rural Residential 3	Residential
West	RR3 – Rural Residential 3	Residential

Subject Property Map: 440 Edith Gay Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Objective 5.3.1 Focus development to designated growth areas.

Permanent Growth Boundary. Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of property outside the Permanent Growth Boundary for more intensive use only to the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except for Agri-Business designated sites or as per Council’s specific amendment of this policy. The Permanent Growth Boundary may be reviewed as part of the next major OCP update.

6.0 Technical Comments

6.1 Development Engineering Department

Please see attached Schedule “A” attached to the Report from Community Planning dated October 16, 2017.

6.2 Bylaw Services

Currently there are no outstanding/open Bylaw enforcement files pertaining to property address: 440 Edith Gay Rd.

7.0 **Application Chronology**

Date of Application Received: February 20, 2017

Date Public Consultation Completed: July 7, 2017

Report prepared by: Trisa Brandt, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment "A": Sketch Plan and Proposed Subdivision Plan

Schedule "A": Development Engineering Memorandum