



THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
COUNCIL REPORT

DATE: May 18th 2017 FILE: ZON 2017-02
TO: Linda Tynan – Chief Administrative Officer
FROM: Alex Kondor – MCIP, RPP Development Planner
SUBJECT: Zoning Bylaw Amendment: Rezoning application to Rezone from RDH – Residential Duplex Housing Zone to RSD1 – Residential Medium Lot Zone – 11707 Quinpool Road (Lot 12, DL 3640, ODYD, Plan 22548)

STAFF RECOMMENDATION:

That Council pass the following resolutions:

1. *THAT “Zoning Bylaw Amendment (11707) Bylaw No. 2017-017” be introduced and given first and second reading.*
2. *THAT a Public Hearing be held on June 26th 2017 to receive public feedback on Bylaw No. 2017-017.*

PURPOSE:

To present a comprehensive review of the applicant's request to amend the Zoning Bylaw to accommodate a future 2 lot subdivision.

BACKGROUND:

The subject site is a 1,391sqm residential lot located near the west end of Quinpool Road. There is an existing single detached house and ‘carriage house’ under construction on the property. A site map is attached as Schedule “A”. The property is currently zoned RDH – Residential Duplex Housing and is designated ‘Low Density Residential’ in the Official Community Plan.

The property owners have applied to rezone the property from RDH – Residential Duplex to RSD1 – Residential Medium Lot Zone with the intention to subdivide the property. The main reason for the rezoning application is that the RSD1 zone allows for a smaller lot size than the RDH Zone. A detailed letter from the applicant is attached as Schedule “B”.

DISCUSSION:

Both the RSD1 and RDH zone are compatible with the existing OCP ‘Low Density Residential’ designation. The proposed RSD1 zone is meant to provide a zone to accommodate the development of single detached housing on standard urban lots having full urban services. Lands must be designated as Low Density Residential under the District’s Official Community Plan.

The existing RDH zone is meant to provide a zone to accommodate the mixed development of single detached and duplex housing within a neighbourhood having full urban services. Lands must be designated as Low Density Residential under the District’s OCP. The RDH Zone allows for both duplex and single detached housing.

The RDH zone subdivision regulations (Section 10.5.4 of Zoning Bylaw 2000-450) require a minimum lot area of 650sqm for single detached housing and 850sqm for duplex housing. The RSD1 zone subdivision regulations (Section 10.1.4 of the Zoning Bylaw) allow for a minimum lot area of 460sqm.

The proposed zoning change is meant to allow for a future subdivision. A site plan showing the proposed subdivision configuration of the property is attached as Schedule "C". Due to the location of the existing single family home the owners are unable to meet the minimum lot size of the RDH zone and therefore are requesting to rezone to RSD1 to allow for a small lot size. If the existing single detached house were to be removed and if the property was rezoned to RSD1 a total of three (3) lots may be possible at this location.

CIRCULATION COMMENTS:

This application has been circulated to the District's Works and Utilities Dept. and Fire Dept. and is currently under review. The Fire Dept. has confirmed they have no concerns. The Works and Utilities Dept. has noted that extensive servicing works would be required to accommodate the future subdivision including new water/sewer connections, relocation of the existing overhead electrical lines to underground, and frontage improvements would be required in accordance with the District's Subdivision and Development Servicing Bylaw.

The Works and Utilities Dept. is recommending that a 'pit meter' be installed at time of subdivision to provide a water meter to the lot with the existing carriage house and future single family house to facilitate easy water service transition if and when a new single family house is built on-site this will be a requirement at subdivision stage.

This application was presented to the Advisory Planning Commission on April 21st 2017. After the application was presented by staff the following motion was defeated 3-3:

THAT the application be supported.

The commission was 'split', no consensus was reached and no further motions were made. The general concerns raised were that if the zoning application and subsequent subdivision was approved it would result in increased on-street parking and the size of the proposed lots would not be characteristic of the surrounding neighbourhood.

LEGISLATION AND POLICY:

- *Local Government Act*
- Official Community Plan 2014-002
- Zoning Bylaw 2000-450
- Subdivision and Development Servicing Bylaw 99-004

CONCLUSION:

The proposed rezoning application is to rezone the property at 11907 Quinpool Road from RDH – Duplex Housing Zone to RSD1 – Medium Lot Zone to allow for a subsequent subdivision of the property.

OPTIONS:

1. Pass a motion denying the application.
2. Refer back to staff for other options.

Respectfully submitted,



Alex Kondor – MCIP, RPP
Development Planner

Reviewed by



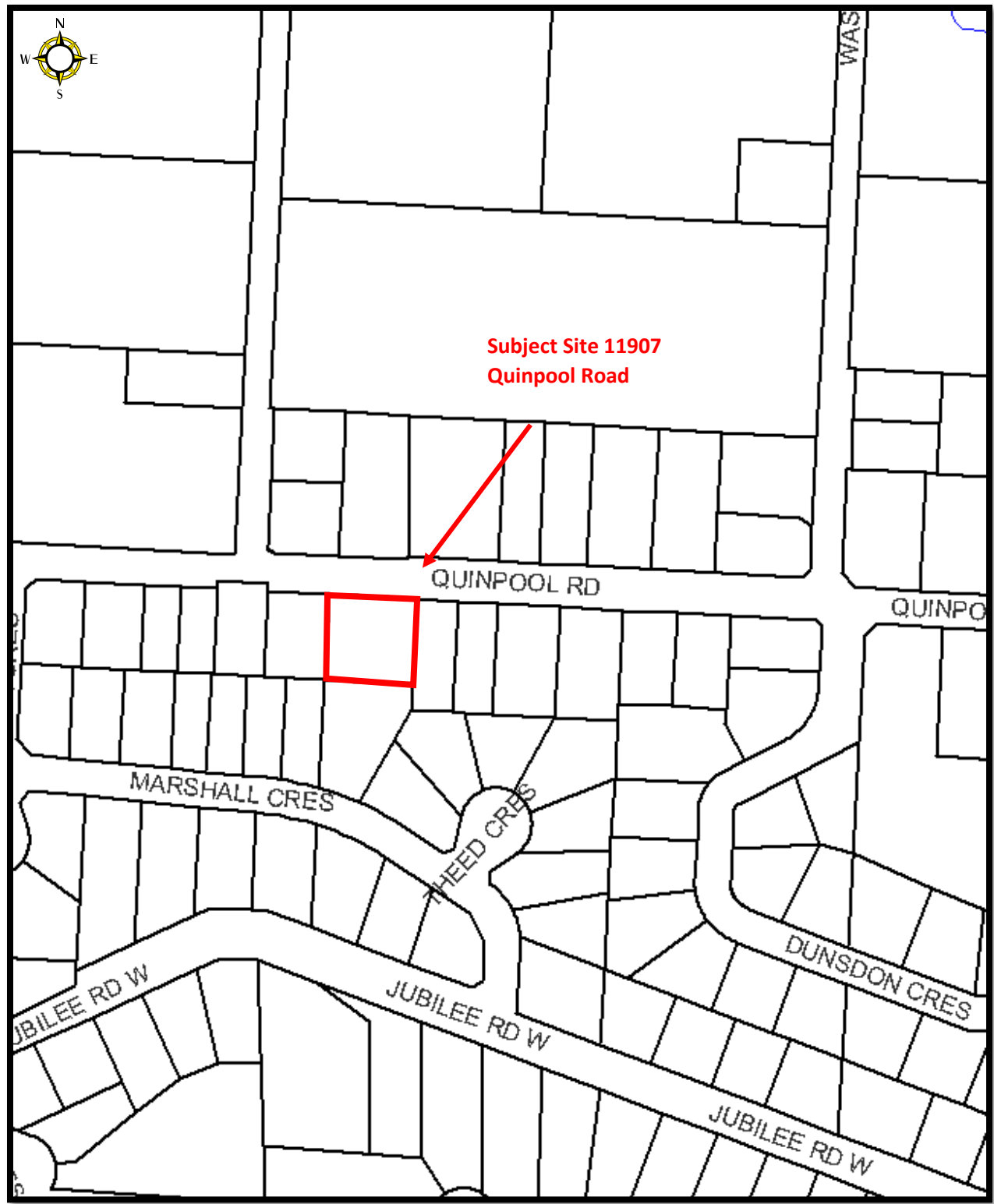
**Dean Strachan MCIP, RPP
Director of Development Services**

Approved for Agenda



Linda Tyrn, CAO

Schedule "A" – Site Map



Schedule "B" – Letter from Applicant

APPLICATION TO REZONE FROM RDH TO RSD1 (SUBDIVISION OF ONE LOT IF APPROVED)

DESCRIPTION OF DEVELOPMENT CONCEPT
Subject Lot 11907 QUINPOOL ROAD
PID: 006-810-713

PROPOSAL:

Rezone Lot from RDH (duplex) to RSD1 (single family).

If approved, application to subdivide one lot 12.6mx36.52 m where second dwelling is currently under construction.

(If not approved, request consideration of separate services for dwelling unit under construction to facilitate conservation of resources and future subdivision permitted under existing zone)

1.0 Summary of Planning and Land Use Context:

Regional Planning - South Okanagan Regional Growth Strategy (RGS):

- Policy framework guiding socially, economically and environmentally sustainable growth policies for the South Okanagan.
- Adopted by member municipalities.
- OCP support RGS.
- District of Summerland supports RGS, adoption in 2015.
- Summerland serviced urban area is designated a growth centre.
- Specifically relevant policies of RGS (H1, H2, H5, I2, I6).

OCP Designation for 11907 Quinpool Road:

- Urban Growth Area in Regional Growth Centre.
- Low Density Residential to 9 units per acre (target is to increase existing density).
- Specifically relevant OCP statements regarding density:

"construction of new dwelling units on vacant or underutilized lands; addition of carriage houses and secondary suites; redeveloping existing single family lots to accommodate multi-family housing developments; encouraging housing above the main floor in the downtown commercial core; increasing the maximum residential density rate throughout the community; and reducing minimum lot areas..."(OCP 7.4 Residential Designations, p. 7-5, emphasis added after by italics),

and,

"The District of Summerland seeks to increase densities in areas designated Low Density Residential from about 4 units per hectare (1.5 units per acre) up to 22 units per hectare (9 units per acre) to more efficiently use serviced land and increase transit potential." (OCP, p. 7-5)

Current Zoning of 11907 Quinpool Road:

- RDH - Residential Duplex Zone.
- Appears to be historical given the development pattern and lot sizes.
- RDH Zoned land block in subject area is small and surrounded by single family zone (RSD1).
- RDH includes single family uses and larger single family subdivisions (historical). Single family is complementary.
- Density gradient to ALR is mixed: from higher density urban core, to both lower density.
- Full urban services are available on Quinpool Road for this lot to efficiently direct growth pressure away from the ALR and greenfield.
- RDH Zone may have preceded current OCP principles of density as it freezes redevelopment and density increases on large lots due to lot area requirements (equivalent to estate lots) and permissible number of dwelling units.

2.0 Summary of Existing Conditions

Current Conditions of 11907 Quinpool Road:

- Serviced lot on collector road in urban growth area - OCP low density residential.
- One single family home built in approximately 1976.
- Carriage home approved and construction commenced.
- Existing dwelling is older and requires maintenance/repairs.
- Existing dwelling has useable life for approximately ten-twenty more years with maintenance and investment.
- Demolition of existing dwelling would be premature, unaffordable (see affordable housing principles), reduce rental stock, and create unnecessary waste at this time (see environmental sustainability principles).
- Large existing setbacks from property lines to existing dwelling, large front setback at 13.87 metres (45.5 feet - see survey attached) and side setbacks.
- Lot dimensions of 38.1 m width by 36.52 m depth.
- Lot size of approximately 1392.5 square metres (.34 acres).
- Large vacant/underutilized area on lot (14.72 m width by 36.5 depth) now being partially used by permitted coach house, but proposed to be subdivided off if granted approval with existing home preserved.
- Current condition equates to three units per acre density.
- Density is frozen at 5-6 units per acre due to RDH zoning.

Current Conditions - Neighbourhood Character:

- Mix of duplex housing and single family housing on a variety of lot sizes.
- ALR not adjacent.
- Density gradient to ALR includes higher density. Larger area review identifies ALR-adjacent small residential lots (efficient utility of serviced areas).
- Mature neighbourhood with mix of housing that is beginning to transition to higher densities as buildings age to end and land requires redevelopment.
- Mix of duplex/single family zoning along Quinpool Road within 120 m (a city block).
- Full services in front of lot.
- Collector road with higher projected traffic volumes.
- Walking distance to town centre (within 10 minutes), transit and community amenities thereby reducing reliance on vehicle trips and supporting walkable neighbourhoods.

Lot Area:

- Approximately 1,392.5 square metres (.34 of an acre or 14,982 square feet).

Lot Dimensions:

- 38.1 m (125 feet) width by 36.52 m (120 feet) depth.

Vacant Area (Coach House under construction):

- 14.72 m by 36.52 m, 537.57 square metres.

Current Density available with existing conditions:

- Under existing RDH Zoning and maintaining the current dwelling for its useable life (meeting affordability and environmentally sustainable principles), this lot is frozen at two dwelling units.
- Under existing conditions, the subdivision available is:
 - demolish the existing house to subdivide and create two large serviced single family lots.

Utilization Analysis:

- Under existing RDH zone the lot could only achieve two units: duplex or be subdivided into two large single family lots (19 m by 36.5 m, 693.5 square metres of area), but would require premature demolition of existing useable home.
- Full lot width/depth of subject lot is suitable to subdivision of 3 RSD1 Medium Lots (at 12.6 m by 36.52 m could achieve lot dimensions and area requirements for 3 lots under RSD1 zone which is 8/9 units per acre).

- The subject lot is the only lot in this area of RDH that could be easily rezoned to a similar zone with comparable uses (RSD1) and subdivided (with appropriate approvals) given the large vacant area, full services, and lot size/frontage and area.

OCP would allow:

- According to the OCP, there is direction to achieve approximately 9 units per acre (4 dwelling units on the 0.34 acre subject lot given neighbouring uses) to achieve highest and best intense use for low density residential in an urban growth area.
- OCP vision supporting the RGS is approximately 2 more units for the land area than permitted with existing conditions and existing zoning (frozen at 2 units).
- Duplex zoning is limiting the increase in density despite being considered a slightly higher density than single family zones.

3.0 Plans Support Complementary Rezoning: Rezone to RSD1 Medium Lot and allow one lot to be subdivided at this time, preserving the existing home for its useable life and rental stock, while sensitively transitioning to the slightly higher densities and more compact urban form considered for the urban growth area, using underutilized area with full services on a main road:

- A comparable and complementary residential zone (RSD1), existing single family use (does not create a non-conforming use) with similar and compatible uses as RDH, and surrounding land use, zones and existing development in the area.
- Supports transition to increased densities in Regional Growth Centre serviced area and decreases pressure on ALR and greenfield.
- Supports affordability and environment principles through retention of useable dwelling while using portion of lot to transition to more compact urban form.
- Facilitates graduated redevelopment starting on the serviced vacant area that is underutilized.
- Short term vision is to build in the vacant area on separate services.
- New dwelling is sited in such a manner so as to support subdivision.
- Pending owners currently plan to retain the useable dwelling for its foreseeable life and, if approved, subdivide and build the remaining lot into two RSD1 lots once the existing dwelling is demolished.

