

THE CORPORATION OF THE CITY OF ENDERBY

AGENDA

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Planner
Date: April 6, 2022
Subject: 0012-22-RZ-END (Eliason) - Third Reading and Adoption of City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1745, 2022 and City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1746, 2022

RECOMMENDATION

THAT Council receives and files the attached Staff Report dated March 29, 2022;

AND THAT upon consideration of input at the Public Hearing, City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1745, 2022, which proposes to change the future land use designation of the property legally described as THAT PART OF LOT A SHOWN ON PLAN B544 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 111 EXCEPT: (1) PARCEL 6 ON PLAN B694, (2) PART LYING NORTH OF A LINE DRAWN PARALLEL TO AND PERPENDICULARLY DISTANT 150 FEET NORTH OF THE SOUTH BOUNDARY OF PLAN B544, and located at 307 Regent Avenue, Enderby BC, from *Residential Low Density* to *Residential Medium Density*, be given Third Reading and Adoption;

AND THAT upon consideration of input at the Public Hearing, City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1746, 2022 which proposes to rezone the property legally described as THAT PART OF LOT A SHOWN ON PLAN B544 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 111 EXCEPT: (1) PARCEL 6 ON PLAN B694, (2) PART LYING NORTH OF A LINE DRAWN PARALLEL TO AND PERPENDICULARLY DISTANT 150 FEET NORTH OF THE SOUTH BOUNDARY OF PLAN B544, and located at 307 Regent Avenue, Enderby BC, from the Residential Single Family (R.1-A) zone to the Residential Multi-Family Low Intensity (R.3-A) zone, be given Third Reading and Adoption.

AND FURTHER THAT should Council give Third Reading and Adoption to City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1746, 2022, such Adoption shall come into force and effect once the Ministry of Transportation and Infrastructure has endorsed the Bylaw.

BACKGROUND

A Joint Official Community Plan Amendment and Rezoning Application has been submitted for the property located at 307 Regent Avenue, Enderby BC. The applicant is proposing to change the Official Community Plan future land use designation for the property from Residential Low Density to Residential Medium Density and to rezone the property from the Residential Single Family (R.1-A) zone

to the Residential Multi-Family Low Intensity (R.3-A) zone. The applicant is seeking to demolish an existing single family dwelling and redevelop the property to include up to 4 dwelling units

At the Regular Meeting of April 4, 2022, Council gave First and Second Readings to the associated City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1745, 2022 and City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1746, 2022 and forwarded them to a Public Hearing; the Public Hearing provides an opportunity for all persons who believe that their interest in property is affected by the Bylaws to make public representation. Following the conclusion of the Public Hearing, Council will consider the Bylaws for Third Reading and Adoption.

Respectfully Submitted,



Kurt Inglis
Planner

AGENDA

CITY OF ENDERBY
OFFICIAL COMMUNITY PLAN AMENDMENT AND REZONING APPLICATION

File No: 0012-22-OR-END

March 29, 2022

total
OWNER: 1297910 BC Ltd.

APPLICANT/OWNER: Chad Eliason

LEGAL DESCRIPTION: THAT PART OF LOT A SHOWN ON PLAN B544 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 111 EXCEPT:
(1) PARCEL 6 ON PLAN B694
(2) PART LYING NORTH OF A LINE DRAWN PARALLEL TO AND PERPENDICULARLY DISTANT 150 FEET NORTH OF THE SOUTH BOUNDARY OF PLAN B544

PID #: 003-821-005

LOCATION: 307 Regent Avenue, Enderby BC

PROPERTY SIZE: 1,010 square meters (0.2497 acres)

PRESENT ZONING: Residential Single Family (R.1-A)

PROPOSED ZONING: Residential Multi-Family Low Intensity (R.3-A)

PRESENT O.C.P

DESIGNATION: Residential Low Density

PROPOSED O.C.P

DESIGNATION: Residential Medium Density

PROPOSAL: Demolish an existing single family dwelling and redevelop the property to include up to 4 dwelling units

RECOMMENDATION:

THAT City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1745, 2022 which proposes to change the future land use designations of the property legally described as THAT PART OF LOT A SHOWN ON PLAN B544 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 111 EXCEPT: (1) PARCEL 6 ON PLAN B694, (2) PART LYING NORTH OF A LINE DRAWN PARALLEL TO AND PERPENDICULARLY DISTANT 150 FEET NORTH OF THE SOUTH BOUNDARY OF PLAN B544, and located at 307 Regent Avenue, Enderby BC, from *Residential Low Density* to *Residential Medium Density*, be given First Reading;

AND THAT after First Reading of City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1745, 2022 and in accordance with Sections 473 (2.1) and 477 of the *Local Government Act*, Bylaw No. 1745 be considered in conjunction with the City's Housing Needs Assessment Report, Financial Plan, and Regional Solid Waste Management Plan;

AND THAT after considering City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1745, 2022 in conjunction with the City's Housing Needs Assessment Report, Financial Plan, and Regional Solid Waste Management Plan, Bylaw No. 1745 be given Second Reading and forwarded to a Public Hearing;

AND THAT the referral process which requests that various authorities and organizations review the amendments proposed by City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1745, 2022, as outlined in this Staff Report, be considered appropriate consultation for the purposes of Sections 475 and 476 of the *Local Government Act*;

AND FURTHER THAT City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1746, 2022 which proposes to rezone the property legally described as THAT PART OF LOT A SHOWN ON PLAN B544 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 111 EXCEPT: (1) PARCEL 6 ON PLAN B694, (2) PART LYING NORTH OF A LINE DRAWN PARALLEL TO AND PERPENDICULARLY DISTANT 150 FEET NORTH OF THE SOUTH BOUNDARY OF PLAN B544, and located at 307 Regent Avenue, Enderby BC, from the Residential Single Family (R.1-A) zone to the Residential Multi-Family Low Intensity (R.3-A) zone, be given First and Second Reading and forwarded to a Public Hearing.

BACKGROUND:

This report relates to a Joint Official Community Plan Amendment and Rezoning Application for the property located at 307 Regent Avenue, Enderby BC. The applicant is proposing to change the Official Community Plan (OCP) future land use designation for the subject property from *Residential Low Density* to *Residential Medium Density* and to rezone the property from the Residential Single Family (R.1-A) zone to the Residential Multi-Family Low Intensity (R.3-A) zone. The applicant is seeking to demolish an existing single family dwelling and redevelop the property to include up to 4 dwelling units

Site Context

The subject property is located on the north side of Regent Avenue, and the west side of the unnamed alley that runs north-south between Regent Avenue and Baird Avenue. The subject property is flat with a single family dwelling, built in 1910, located in the centre of the lot. Access to the property is currently gained via a gravel driveway off of the unnamed alley. A multi-family development, Regency on the River, and the Shuswap River are located directly to the east of the subject property.

The subject property and properties to the west and north are zoned Residential Single Family (R.1-A) and are designated in the Official Community Plan (OCP) as *Residential Low Density*. The properties to the east and south are zoned Residential Multi-Family Medium Intensity (R.3) and are designated in the OCP as *Residential Medium Density*.

The following figure shows the zoning designations of the subject and surrounding properties:

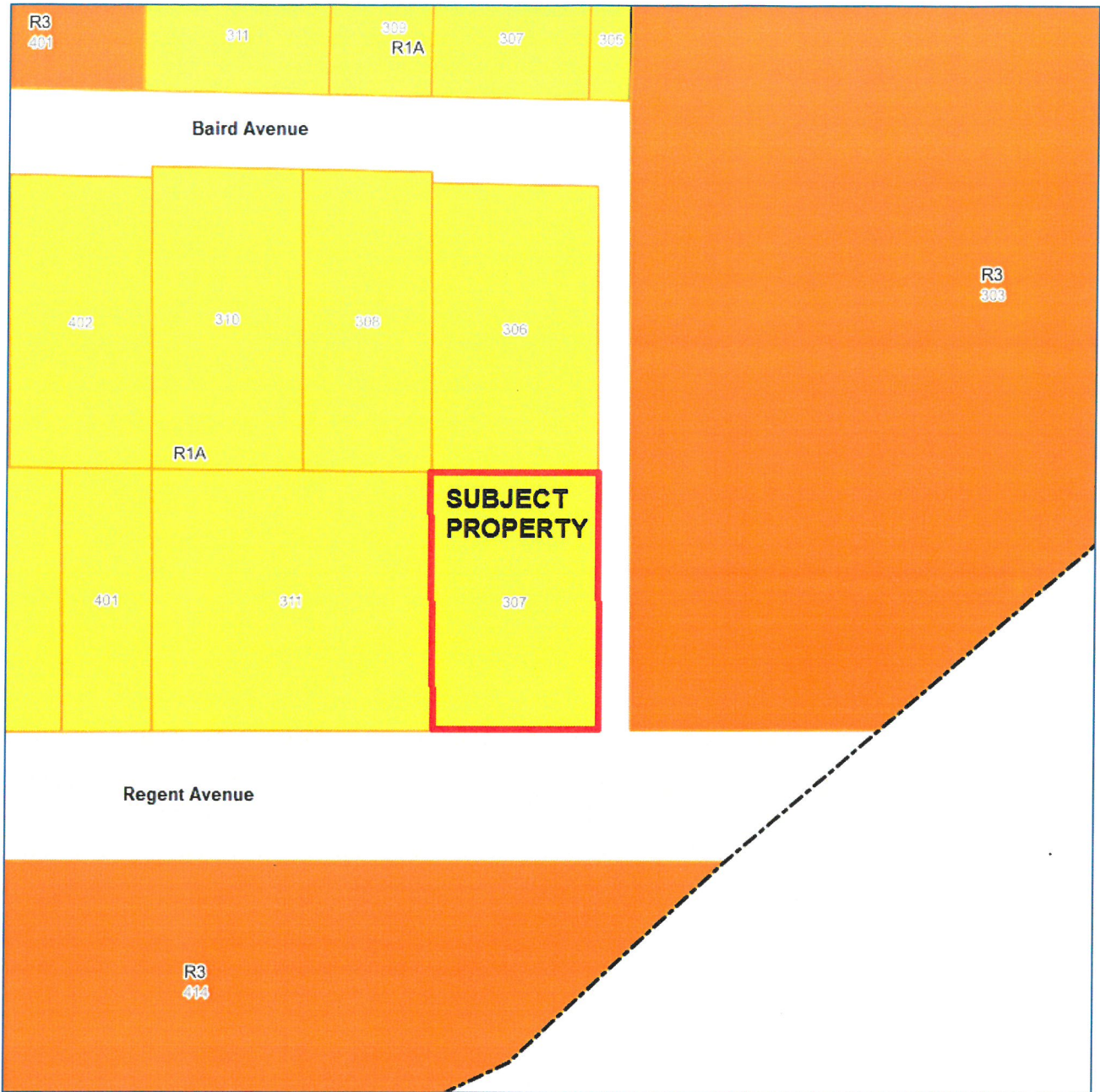


Figure 1. Zoning Map

Yellow – Residential Single Family (R.1-A)

Orange – Residential Multi-Family Medium Intensity (R.3)

The following figure shows the OCP future land use designations of the subject and surrounding properties:



Figure 2. OCP Future Land Use Designations

Yellow – Residential Low Density
Orange – Residential Medium Density
Green - Park

The following orthophoto of the subject and surrounding properties was taken in 2011:



Figure 3: Orthophoto

****NOTE:** The property lines shown above are not an accurate representation of their true locations and are intended for display purposes only.

The Proposal

The applicant is seeking to demolish an existing single family dwelling and redevelop the property to include up to 4 dwelling units. In order to accommodate this proposed development, the applicant has applied to change the OCP future land use designation of the subject property from *Residential Low Density* to *Residential Medium Density* and to rezone it from the Residential Single-Family (R.1-A) zone to the Residential Multi-Family Low Intensity (R.3-A) zone.

ZONING BYLAW:

The subject property is zoned Residential Single Family (R.1-A) and permitted uses within this zone include:

- Accessory residential
- Restricted agriculture
- Single-family dwellings
- Secondary suites
- Bed and breakfasts
- Civic and public service use

Uses within the proposed Residential Multi-Family Low Intensity (R.3-A) zone include:

- Accessory residential
- Boarding, lodging, or rooming houses
- Convalescent, nursing, and personal care homes
- Restricted agricultural use
- Single family dwellings
- Attached Secondary Suites
- Two family dwellings
- Three family dwellings
- Four family dwellings
- Row housing
- Bed and breakfasts
- Civic and public service use

The Residential Multi-Family Low Intensity (R.3-A) zone specifies a maximum permitted gross density of 41 units per hectare (16.59 units per acre). Given the subject property's lot area of 0.2497 acres (0.101 hectares), the maximum number of dwelling units permitted on the property is 4.

The minimum lot area requirements within the R.3-A zone are as follows:

- Single family dwellings = 350 m² (3,767 square feet)
- Two family dwellings = 700 m² (7,535 square feet)
- Three family dwellings = 1,000 m² (10,764 square feet)
- Four family dwellings = 1,300 m² (13,993 square feet)
- Row housing unit = 220 m² (2,368 square feet) for inside units
330 m² (3,552 square feet) for end units

Given the subject property's lot area of 1,010 square meters (0.2497 acres), if the property owner wishes to pursue developing a four family dwelling or a row housing block (minimum of four units) on the subject property then they would need to apply for a Development Variance Permit to reduce the minimum lot area for the associated use.

OFFICIAL COMMUNITY PLAN:

Policies contained within the OCP which apply to this development include:

- Policy 3.3.c - Council recognizes that development of land has social impacts and will act through the approval process to minimize negative and maximize positive impacts.
- Policy 3.3.h - Council will utilize the development approval process, including Phased Development Agreements, to secure an adequate supply of quality affordable, attainable and special needs housing which meets the needs of all residents of the community, regardless of age, mobility, background or socio-economic status.
- Policy 4.4.c - Council will encourage and support a spectrum of housing choices throughout the community, including secondary suites, in order to meet the diverse housing needs of residents.
- Policy 5.3.f - Council will develop strategies and tools to encourage and facilitate infill and redevelopment within existing developed areas of the community.
- Policy 8.3.h - Council will support infill and redevelopment within the community.
- Policy 8.3.i - Council will employ Smart Growth principles in future development.
- Policy 9.3.f - Council will develop a robust strategy to support infill, redevelopment, and brownfield reclamation that utilizes existing infrastructure, revitalizes the community, and enhances the use of underutilized lands.
- Policy 20.3.f - Council will encourage infill, redevelopment and brownfield strategies that focus growth towards areas with existing infrastructure.
- Policy 20.3.g - Council will support innovative options that will assist in maintaining appropriate levels of infrastructure and service delivery in a fiscally responsible manner.

HOUSING NEEDS REPORT

As per Section 473 (2.1) of the *Local Government Act*, when a local government is amending its OCP in relation to statements or map designations relating to the location, amount, type and density of residential development required to meet anticipated housing needs, the local government must consider its most recently received Housing Needs Report. The City of Enderby received its first Housing Needs Report at the Regular Council Meeting of November 2, 2020, which can be accessed through the following link:

<https://www.cityofenderby.com/enderby-housing-needs-assessment-report/>

An overview of how the proposal relates to the outcomes of the Housing Needs Assessment Report is provided in the Planning Analysis section of this report.

REFERRAL COMMENTS:

The application was referred to the following individuals/agencies:

- City of Enderby Public Works Manager;
- City of Enderby Chief Financial Officer;
- Building Inspector;
- Fire Chief;
- Regional District of North Okanagan Manager of Regional Engineering Services; and
- Ministry of Transportation and Infrastructure.

The following comments were received in response to the application

City of Enderby Chief Financial Officer

"This application would not have an effect on the Financial Plan."

No other comments were received in response to the referral.

PLANNING ANALYSIS:

The City of Enderby Planner raises no objections to the applicant's request to change the OCP future land use designation for the subject property from *Residential Low Density* to *Residential Medium Density* and to rezone it from the Residential Single Family (R.1-A) zone to the Residential Multi-Family Low Intensity (R.3-A) zone, in order to facilitate a redevelopment of the property to include up to 4 dwelling units, and upon consideration of input received at a Public Hearing, recommends that Council approve the subject application for the following reasons:

- The proposal would facilitate infill development, which is a key element of Smart Growth development and is supported in the OCP, and provides the following community benefits:
 - More efficient use of land by increasing the ratio of improvement-to-land values;
 - Reducing pressures related to greenfield development and boundary expansion which in turn facilitates urban containment and rural protection;
 - Focusing future growth within developed areas of the community in order to maximize the value of existing infrastructure; and
 - Adding residential capacity without encroaching upon rural or environmentally sensitive areas.
- The proposed development of the property to a more intensive residential land use would result in additional housing within the community, while potentially broadening the spectrum of housing choices (i.e. smaller dwellings, rental housing), both of which are key elements of Smart Growth;
- Given the servicing costs associated with development of the City's future growth area of the Knoll, the community currently has a relatively low supply of vacant lots which are available for development, particularly multi-family development; given this, enabling infill development on existing underutilized properties is critical to Enderby's short-term growth;

- The subject property is directly adjacent to a multi-family development to the east (Regency on the River) and a vacant parcel to the south that is zoned for higher density multi-family; furthermore, several properties on the north side of Baird Avenue, which are in close proximity to the subject property, are designated in the OCP for higher density multi-family development; given this, rezoning the subject property to the Residential Multi-Family Low Intensity (R.3-A) zone in order to allow a redevelopment of the property to a more intensive residential use would be consistent with existing and future land uses in the area;
- Given the existing higher density multi-family development in the area, coupled with the potential for higher density multi-family developments to the north and south, it is not anticipated that redeveloping the subject property to include a relatively small number of additional dwelling units would negatively impact the subject or surrounding properties; and
- The maximum height provisions of the proposed Residential Multi-Family Low Intensity (R.3-A) zone are identical to that of the existing Residential Single Family (R.1-A) zone, therefore the proposal would not result in any incremental impacts to the potential views of neighbouring properties.

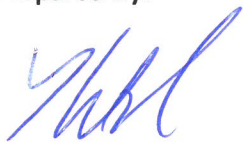
It should be noted that a successful rezoning of the subject property would increase the yield of dwelling units that could be accommodated on the subject property, which would ultimately work towards achieving objectives within the City of Enderby Housing Needs Assessment Report related to increasing the availability of housing within the community. Furthermore, the proposal has the potential to broaden the spectrum of housing choices (i.e. smaller dwellings, rental housing) throughout the community, which would also work towards achieving the objectives of the Report related to increasing housing types and rental inventory.

SUMMARY

This report relates to a Joint Official Community Plan Amendment and Rezoning Application for the property located at 307 Regent Avenue, Enderby BC. The applicant is proposing to change the OCP future land use designation for the subject property from *Residential Low Density* to *Residential Medium Density* and to rezone the property from the Residential Single Family (R.1-A) zone to the Residential Multi-Family Low Intensity (R.3-A) zone. The applicant is seeking to demolish an existing single family dwelling and redevelop the property to include up to 4 dwelling units.

The City of Enderby Planner is supportive of the application.

Prepared By:



Kurt Inglis, MCIP, RPP
Planner

Reviewed By:

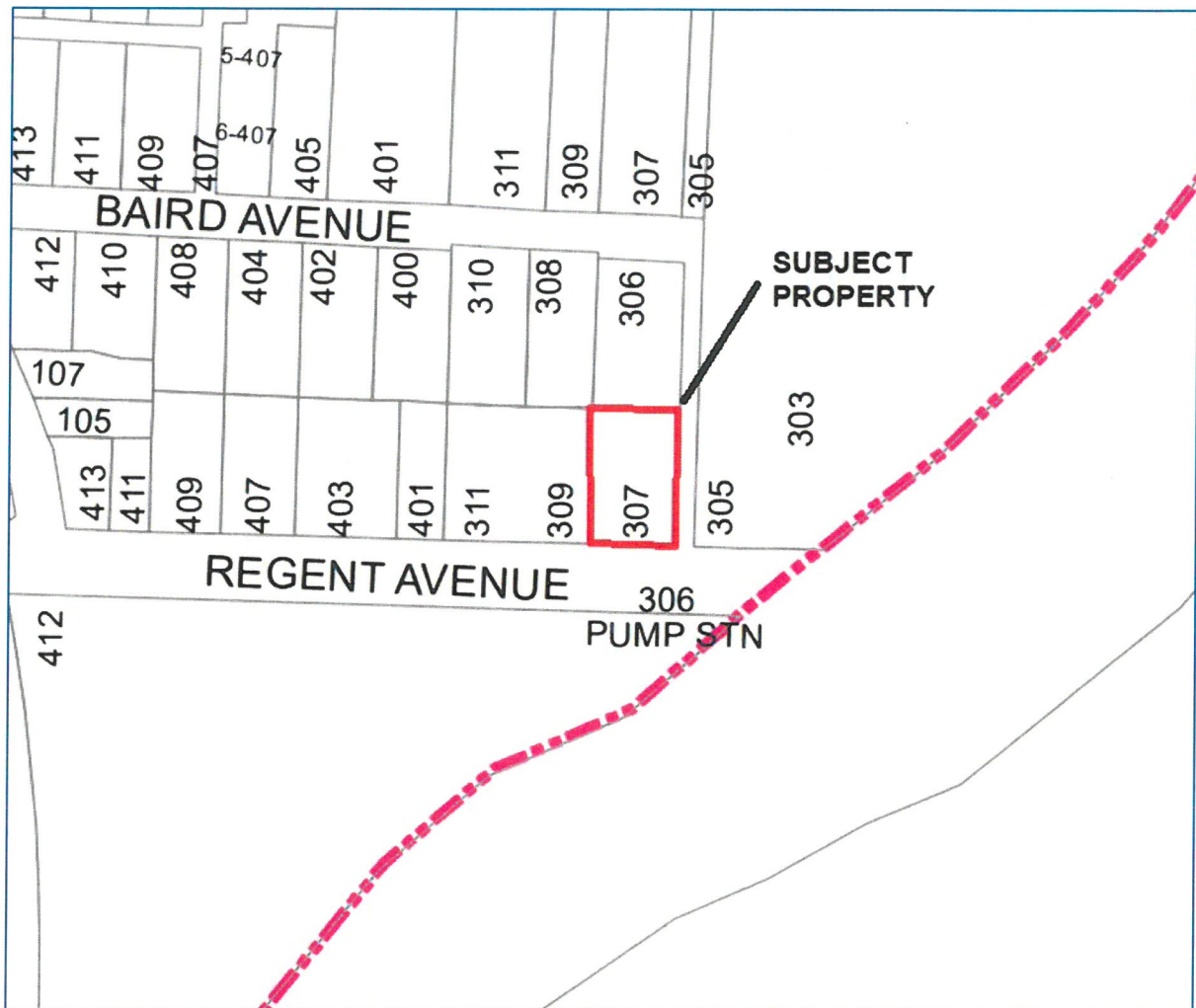
Tate Bengtson
Chief Administrative Officer

THE CORPORATION OF THE CITY OF ENDERBY

OCP/REZONING APPLICATION

SUBJECT PROPERTY MAP

File: 0012-22-OR-END (Eliason)
Applicant: Chad Eliason
Owner: 1297910 BC. Ltd.
Location: 307 Regent Avenue, Enderby BC



THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1745

A BYLAW TO AMEND THE CITY OF ENDERBY OFFICIAL COMMUNITY PLAN BYLAW NO.
1549, 2014 AND AMENDMENTS THERETO

WHEREAS Council of the City of Enderby has determined to make an amendment to "City of Enderby Official Community Plan Bylaw No. 1549, 2014";

NOW THEREFORE Council of the City of Enderby, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the "City of Enderby Official Community Plan Bylaw No. 1549, 2014 Amendment Bylaw No. 1745, 2022".
2. The future land use designation of the property legally described as THAT PART OF LOT A SHOWN ON PLAN B544 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 111 EXCEPT: (1) PARCEL 6 ON PLAN B694, (2) PART LYING NORTH OF A LINE DRAWN PARALLEL TO AND PERPENDICULARLY DISTANT 150 FEET NORTH OF THE SOUTH BOUNDARY OF PLAN B544, and located at 307 Regent Avenue, Enderby BC, is hereby changed from *Residential Low Density* to *Residential Medium Density*.

READ a FIRST time this day of , 2022.

READ a SECOND time this day of , 2022.

Advertised on the day of , 2022 and the day of , 2022, and a Public Hearing held pursuant to the provisions of Section 464 of the Local Government Act on the day of , 2022.

READ a THIRD time this day of , 2022.

ADOPTED this day of , 2022.

MAYOR

CORPORATE OFFICER

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1746

A BYLAW TO AMEND THE CITY OF ENDERBY ZONING BYLAW NO. 1550, 2014 AND
AMENDMENTS THERETO

WHEREAS pursuant to Section 479 of the *Local Government Act*, Council of the City of Enderby may, by bylaw, divide the whole or part of the City of Enderby into zones, name each zone, establish boundaries for the zones and regulate uses within those zones;

AND WHEREAS Council has created zones, named each zone, established boundaries for those zones and regulated uses within those zones by Bylaw No. 1550, cited as "The Corporation of the City of Enderby Zoning Bylaw No. 1550, 2014";

WHEREAS Council of the City of Enderby has determined to make an amendment to "The Corporation of the City of Enderby Zoning Bylaw No. 1550, 2014";

NOW THEREFORE Council of the City of Enderby, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the "City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1746, 2022".
2. The zoning designation of the property legally described as THAT PART OF LOT A SHOWN ON PLAN B544 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 111 EXCEPT: (1) PARCEL 6 ON PLAN B694, (2) PART LYING NORTH OF A LINE DRAWN PARALLEL TO AND PERPENDICULARLY DISTANT 150 FEET NORTH OF THE SOUTH BOUNDARY OF PLAN B544, and located at 307 Regent Avenue, Enderby BC, is hereby changed from the Residential Single Family (R.1-A) zone to the Residential Multi-Family Low Intensity (R.3-A) zone.

READ a FIRST time this day of , 2022.

READ a SECOND time this day of , 2022.

Advertised on the day of , 2022 and the day of , 2022, and a Public Hearing held pursuant to the provisions of Section 464 of the Local Government Act on the day of , 2022.

READ a THIRD time this day of , 2022.

APPROVED pursuant to Section 52(3)(a) of the Transportation Act this day of , 2022.

Development Officer
Ministry of Transportation and Infrastructure

ADOPTED this day of , 2022.

MAYOR

CORPORATE OFFICER