

**CITY OF ENDERBY
REZONING APPLICATION**

File No.: 0004-22-RZ-END

April 12, 2023

APPLICANT: Karen and Wes Uhlenberg

OWNER: Karen Uhlenberg, Wes Uhlenberg, Clinton Uhlenberg

LEGAL DESCRIPTION: LOT 2 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 23899

P.I.D: 006-192-939

CIVIC ADDRESS: 1709 Kate Street, Enderby BC

PROPERTY SIZE: 930.8 m² (0.23 acres)

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

PROPOSED ZONING: Residential Two Family (R.2)

O.C.P DESIGNATION: Residential Low Density

PROPOSAL: Develop a two-family dwelling

RECOMMENDATION:

THAT City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1768, 2023 which proposes to rezone the property legally described as LOT 2 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 23899, and located at 1709 Kate Street, Enderby BC, from the Residential Single Family (R.1-A) zone to the Residential Two Family (R.2) zone be given First and Second Reading and forwarded to a Public Hearing.

BACKGROUND:

This report relates to an application to rezone the property located at 1709 Kate Street, Enderby BC from the Residential Single Family (R.1-A) zone to the Residential Two Family (R.2) zone. The applicant is proposing to develop a two-family dwelling on the property.

Site Context

The 930.8 m² (0.23 acres) property is relatively flat and is located on the northeast corner of the intersection of Kate Street and Kildonan Avenue; Kate Street is identified in Schedule 'C' of the City's Official Community Plan (OCP) as a 'Municipal Minor Collector Road' while Kildonan Avenue is identified

as a 'local road'. Access to the property is gained via a driveway off of Kildonan Avenue, with a single family dwelling built in 1976 located in the southwest portion of the lot. The property is entirely located in the 1:200 year floodplain.

The subject property and properties to the north, east, west, and southwest are zoned Residential Single Family (R.1-A) and are designated in the OCP as Residential Low Density. The properties to the northwest (high school) and southeast (Arena/Riverside Park) are zoned Assembly, Civic and Public Service Use (S.1) and are designated in the OCP as School Site and Existing Park, respectively.

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

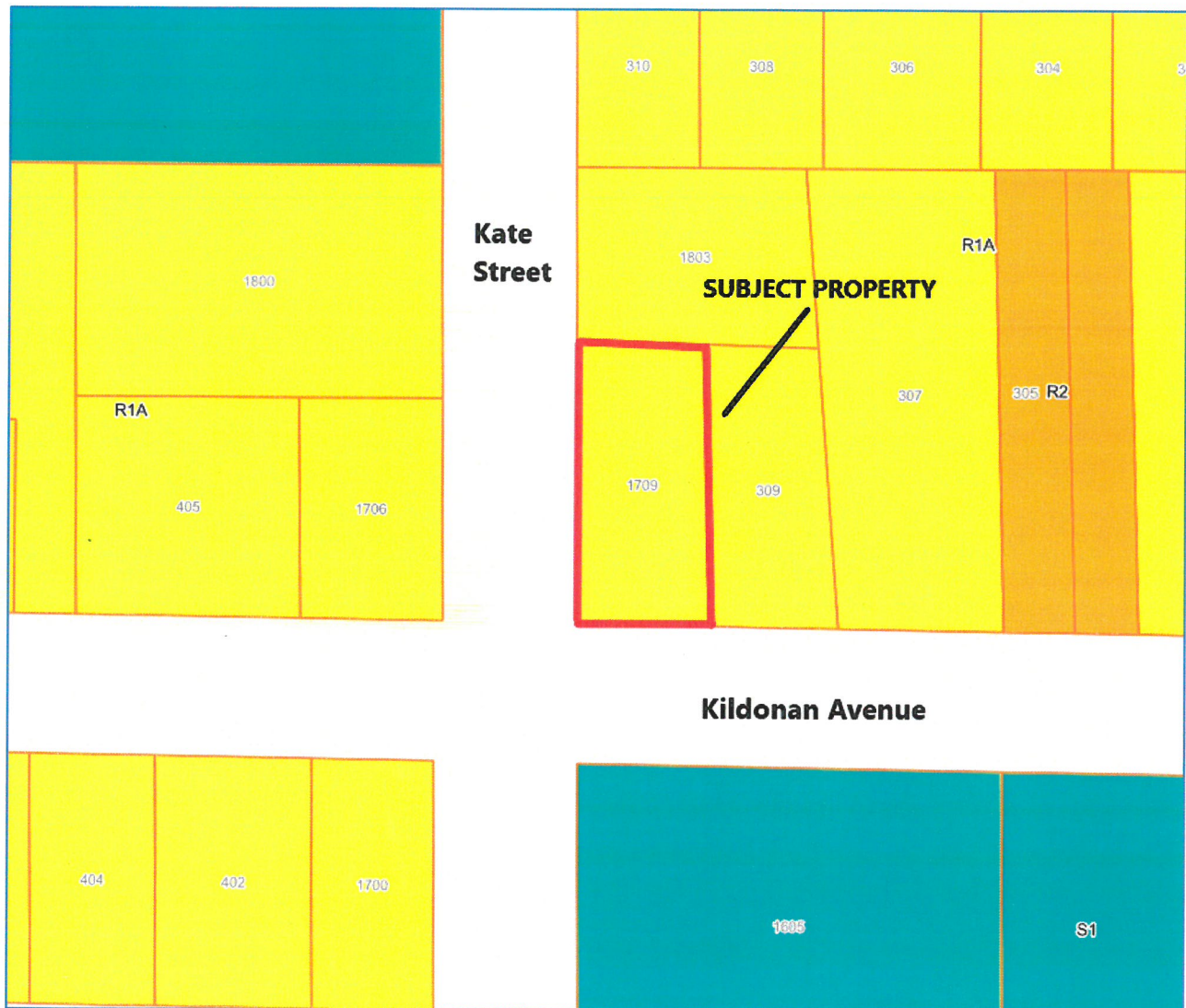


Figure 1: Zoning Map

- Yellow - Residential Single Family (R.1-A)
- Teal – Assembly, Civic and Public Service Use (S.1)
- Orange – Residential Two Family (R.2)

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



Figure 2: 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 proposing to develop a two family dwelling on the property, which could involve either converting the existing single family dwelling into a two family dwelling or constructing a new building altogether; given that two family dwellings are not a permitted use within the Residential Single Family (R.1-A) zone, the applicant is proposing to rezone the property to the Residential Two Family (R.2) zone.

ZONING BYLAW:

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

- Accessory residential
- Restricted agricultural use
- Single family dwellings
- Attached secondary suites
- Bed and breakfasts
- Civic and public service use
- Keeping of backyard hens and bees

Uses permitted within the proposed Residential Two Family (R.2) zone include:

- Accessory residential
- Boarding, lodging, or rooming houses
- Convalescent, nursing and personal care homes
- Restricted agricultural use
- Single family dwellings
- Two family dwellings
- Attached secondary suites
- Bed and breakfasts
- Civic and public service use
- Keeping of backyard hens and bees

It should be noted that the applicant has not yet developed a proposal for the proposed two family dwelling (i.e. construction plans, site plan). Should the rezoning be supported, the applicant would need to develop construction plans and a site plan as part of the Building Permit application process in order to demonstrate that their proposed development satisfies all of the R.2 zoning requirements (parking, setbacks, lot coverage, etc.); if the applicant is not able to meet certain R.2 zoning requirements, they would be required to apply for variances through the submission of a Development Variance Permit application to Council.

OFFICIAL COMMUNITY PLAN:

The following policies from the City of Enderby Official Community Plan relate to this development:

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.

REFERRAL COMMENTS:

The subject application was referred for comment to the City of Enderby Public Works Manager, Building Inspector, Fire Chief, and the Ministry of Transportation and Infrastructure.

The Ministry of Transportation and Infrastructure provided preliminary approval to the associated City of Enderby Zoning Bylaw No. 1550, 2014 Amendment Bylaw No. 1768, 2023.

No comments of concern were received in response to the referral.

PLANNING ANALYSIS:

The City of Enderby Planner raises no objections to the applicant's request to rezone the property located at 1709 Kate Street from the Residential Single Family (R.1-A) zone to Residential Two Family (R.2) zone, and upon consideration of input received at a Public Hearing, recommends that Council approve the 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

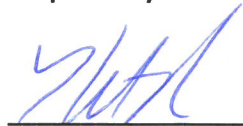
- Adding residential capacity without encroaching upon rural or environmentally sensitive areas.
- The proposed development of the property to a more intensive residential land use would result in the addition of housing within the community, while potentially broadening the spectrum of housing choices (i.e. duplex units, rental housing), both of which are key elements of Smart Growth and work towards achieving the objectives of the City of Enderby Housing Needs Assessment Report;
- The property meets the minimum lot size and frontage requirements for two family dwellings under the Residential Two Family (R.2) zone;
- The subject property is located in a high intensity area with a high school, arena, and active park all located in close proximity to the site; given this, it is not anticipated that redevelopment of the property to a higher intensity use under the R.2 zone (in addition to two family dwellings, the R.2 zone also allows for 'boarding, lodging, or rooming houses' and 'convalescent, nursing and personal care homes') would negatively impact the character of the neighbourhood; and
- The property is located in close proximity to a two-family dwelling (~45 m away) and multi-family developments to the east (apartment building ~60 m away, multi-family strata development ~100 m away); given this, the proposed development of the subject property to a higher intensity form of residential land use is consistent with current land uses within the immediate vicinity.

SUMMARY

This is an application to rezone the property located at 1709 Kate Street, Enderby BC from the Residential Single Family (R.1-A) zone to the Residential Two Family (R.2) zone. The applicant is proposing to develop a two-family dwelling on the property.

The City of Enderby Planner recommends that Council give First and Second Reading to the associated Zoning Amendment Bylaw and forwards it to a Public Hearing.

Prepared By:



Kurt Inglis, MCIP, RPP
Planner

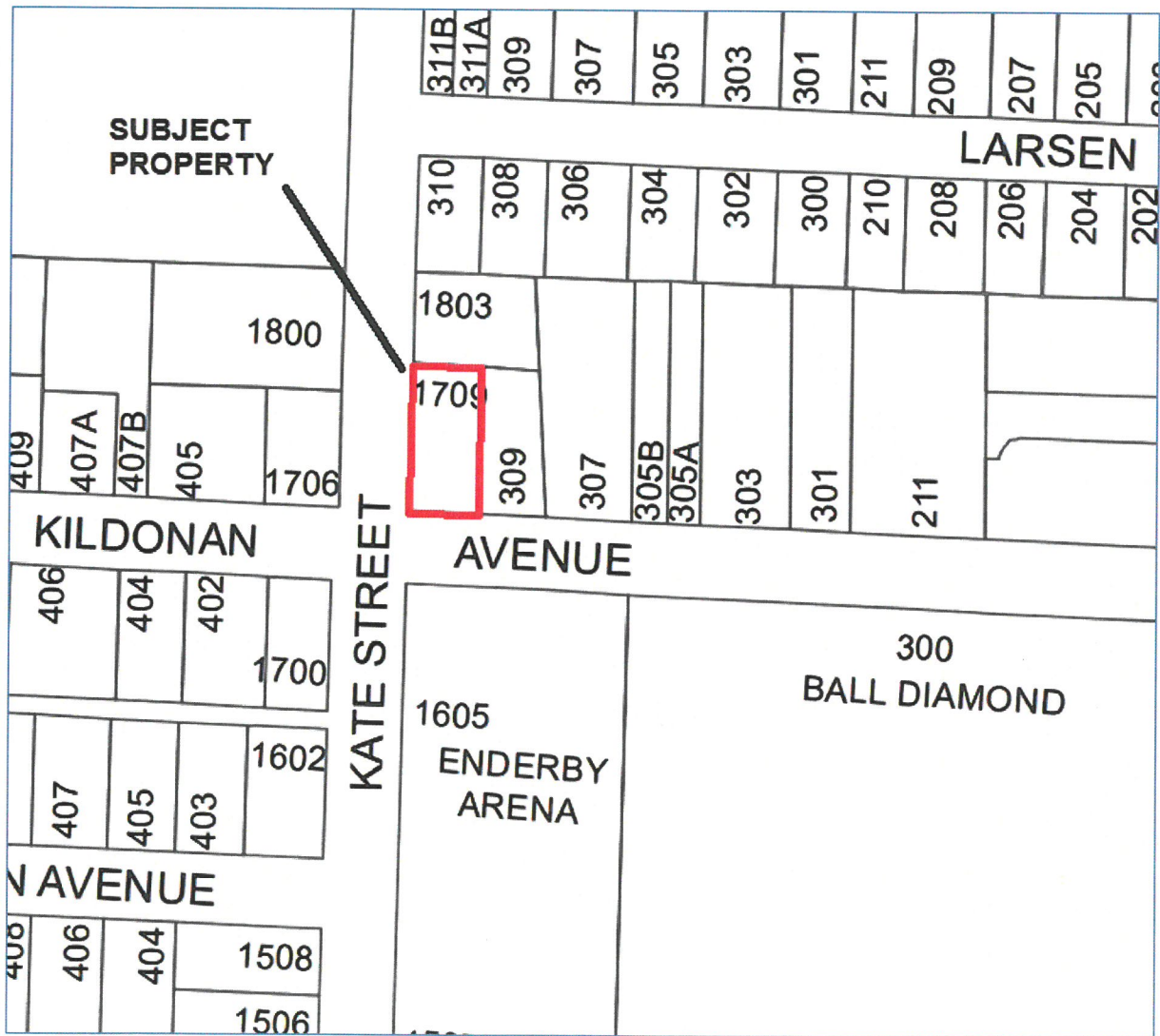
Reviewed By:



Tate Bengtson
Chief Administrative Officer

THE CORPORATION OF THE CITY OF ENDERBY
REZONING APPLICATION
SUBJECT PROPERTY MAP

File: 0004-23-RZ-END (Uhlenberg)
Applicant: Karen and Wes Uhlenberg
Owners: Karen Uhlenberg, Wes Uhlenberg, Clinton Uhlenberg
Location: 1709 Kate Street, Enderby BC



THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1768

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

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. 1768, 2023".
2. The zoning designation of the property legally described as LOT 2 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 23899 and located at 1709 Kate Street, Enderby BC, is hereby changed from the Residential Single Family (R.1-A) zone to the Residential Two Family (R.2) zone.

READ a FIRST time this day of , 2023.

READ a SECOND time this day of , 2023.

Advertised on the and day of , 2023, and a Public Hearing held pursuant to the provisions of Section 464 of the Local Government Act on the day of , 2023.

READ a THIRD time this day of , 2023.

APPROVED pursuant to Section 52(3)(a) of the Transportation Act this day of , 2023.

Development Officer
Ministry of Transportation and Infrastructure

ADOPTED this day of , 2023.

MAYOR

CORPORATE OFFICER