REPORT TO COUNCIL

Date:	April 9, 2018		
RIM No.	1250-30		
To:	City Manager		
From:	Community Planning Department (TA)		
Application:	Z18-0001	**Owner:**	J.E. Holdings Inc. Inc. No. C0561382
Address:	280 Hartman Road 940 Maygard Road	**Applicant:**	Mark Kayban
Subject:	Rezoning Application		
Existing OCP Designation:	S2RES – Single/Two Unit Residential		
Existing Zone:	A1 – Agriculture		
Proposed Zone:	RU6 – Two Dwelling Housing		

1.0 Recommendation

THAT Rezoning Application No. Z18-0001 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classifications of each of the following properties:

- Lot 1, Section 26, TWP 26, ODYD, Plan 22455, located at 280 Hartman Road, Kelowna, BC;
- Lot 2, Section 26, TWP 26, ODYD, Plan 22455, located at 940 Maygard Road, Kelowna, BC;

from the A1 – Agriculture 1 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 April 09, 2018;

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 properties to facilitate two dwelling housing and a four lot subdivision.

3.0 Community Planning

Community Planning supports the proposed rezoning from A1 – Agriculture 1 zone to RU6 – Two Dwelling Housing zone to facilitate two dwelling housing on a four lot subdivision. The rezoning aligns with Official Community Plan (OCP) Future Land Use Designation of S2RES – Single/Two Unit Residential, and aligns with OCP Development Policy regarding Compact Urban Form. The proposed subdivision is consistent with the neighbourhood in terms of lot sizes and frontage widths. Three of the four lots will meet the minimum lot size and width for two dwelling housing, and the fourth lot could be developed with a Single Family Dwelling and a secondary suite or carriage house. One variance to the side yard setback for the existing dwelling is requested at this time and will have minimal impact on the neighbourhood. Development Permits are no longer required for two dwelling housing, so should Council support the rezoning, the applicant can apply for their building permits.

4.0 Proposal

4.1 Background

The two subject properties are 2778m2 in total and each have single dwelling housing on them. One of the homes will require to be demolished as a function of this development while the other can be retained with a side yard setback variance.

The property is currently zoned A1 – Agriculture 1 which is inconsistent with zoning regulations for Agricultural properties in terms of size and use. It is most likely that the A1 zone was assumed when Rutland was incorporated into the City of Kelowna and is not reflective of the property attributes.

4.2 Project Description

The applicant has applied to rezone the subject properties from A1 – Agriculture 1 to RU6 – Two Dwelling Housing which is consistent with the Future Land Use of S2RES – Single/Two Unit Residential. The proposed rezoning will facilitate a four lot subdivision, with three of the four lots meeting the requirements for Two Dwelling Housing. The fourth lot could be developed with a Single Family Dwelling, a Single Family Dwelling with secondary suite, or a Single Family Dwelling with carriage house.

4.3 Site Context

The subject properties are located on the corner of Hartman Road and Maygard Road near the intersection of Rutland Road N and McCurdy Road E. The surrounding neighbourhood has a mix of densities including single dwelling housing, two dwelling housing, and low density multiple housing. It is within walking distance to Rutland Secondary School and the Rutland Family YMCA.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 – Agriculture 1	Single Dwelling Housing
East	RU1 – Large Lot Housing RU6 – Two Dwelling Housing	Single Dwelling Housing Two Dwelling Housing
South	RU1 – Large Lot Housing	Single Dwelling Housing
West	RU1 – Large Lot Housing	Single Dwelling Housing

Subject Property Map: 280 Hartman Road and 940 Maygard Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.[1] 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.

Future Land Use

Single / Two Unit Residential (S2RES).[2] Single detached homes for occupancy by one family, single detached homes with a secondary suite or carriage house, semi-detached buildings used for two dwelling units, modular homes, bareland strata, and those complementary uses (i.e. minor care centres, minor public services/utilities, convenience facility and neighbourhood parks), which are integral components of urban neighbourhoods. Suitability of non-residential developments within the neighbourhood environment will be determined on a site-specific basis. Nonresidential developments causing increases in traffic, parking demands or noise in excess of what would typically be experienced in a low density neighbourhood would not be considered suitable.

6.0 Technical Comments

[1] City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).
[2] City of Kelowna Official Community Plan, Chapter 4: Future Land Use

6.1 Building & Permitting Department

- Demolition Permits required for any existing structures
- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- A third party work order may be required with the Development Engineering Department for an upgraded water line and sewage connection. These requirements are to be resolved prior to issuance of the Building Permit.
- HPO (Home Protection Office) approval or release is required at time of Building Permit application.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this complex at time of permit application

6.2 Development Engineering Department

- Please see attached Schedule "A": Development Engineering Memorandum dated January 11, 2018.

6.3 Interior Health Authority

- It is my understanding that this application is to change the zoning from A1-Agriculture to RU6-Two Dwelling Housing to allow for a 4 lot subdivision.
- The proposed rezoning aligns with Kelowna's planning principles as per the Future Land Use (Map 4.1) of the Official Community Plan. Interior Health is in support of this application as these proposed rezoned residential properties would be close proximity to parks, recreational facilities, public transit, bike lanes, and sidewalks which all provide a viable opportunity for residents to use active forms of travel to access the amenities for daily life.
- Further, Rutland Elementary School, Rutland Middle School, and Rutland Senior Secondary are all within reasonable walking and biking distances for children and young adults. Evidence shows that the shorter distances between home and school increases the likelihood children will use active modes of travel to school. The shorter distances to these schools provide the opportunity for children to incorporate physical activity into their daily routine and shift towards healthier lifestyles

6.4 Irrigation District

- BMID doesn't have any concerns with this application. The preliminary hydraulic simulations show that there is enough capacity in the two closest hydrant to supply single family fire protection for the 4 lots. In order to complete our review and outline all costs and requirements, engineered water servicing drawings will need to be submitted to BMID for review.

7.0 Application Chronology

Date of Application Received: December 20, 2017
Date Public Consultation Completed: March 25, 2018

Report prepared by: Trisa Atwood, Planner II

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment "A": Proposed Site Plan
Schedule "A": Development Engineering Memorandum