

# REPORT TO COUNCIL



**Date:** June 15, 2018

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (SS)

**Application:** Z18-0032

**Owner:** David Nicholds

**Address:** 526 Hawes Court

**Applicant:** Protech Consulting 2012

**Subject:** Rezoning Application

**Existing OCP Designation:** S2RES – Single /Two Unit Residential

**Existing Zone:** RR1 – Rural Residential 1  
RU1h – Large Lot Housing (Hillside Area)  
RU2h – Medium Lot Housing (Hillside Area)

**Proposed Zone:** RR1 – Rural Residential 1  
RU1h – Large Lot Housing (Hillside Area)  
RU6 – Two Dwelling Housing

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## 1.0 Recommendation

THAT Rezoning Application No. Z18-0032 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of *Lot 2 Section 24, Township 28 SDYD Plan 33972 except Plan 35765, EPP25048 and EPP23906* located at 526 Hawes Court, Kelowna, BC from the RU1H – Large Lot Housing (Hillside Area) zone to the RU6 Two Dwelling Housing zone; and the RU2H – Medium Lot Housing (Hillside Area) zone to the RU6 Two Dwelling Housing zone as shown on Map "A" attached to the Report from the Community Planning Department dated June 15, 2018 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 issuance of a Preliminary Layout Review Letter by the Approving Officer;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the Development Engineering Manager's approval.

## 2.0 Purpose

Rezoning application to rezone portions of the subject property to facilitate a single and two-unit residential subdivision for 526 Hawes Court.

### 3.0 Community Planning

Community Planning supports the proposed zone amendments. Staff have worked with the applicants to better accommodate the subdivision grading and drainage patterns within the development. Key components to the amendments are:

- Improve the balance of Single / Two Unit Residential(S2RES) within the development.
- Remove the proposed private access road thereby reducing impervious surface and reduce drainage flows.

### 4.0 Proposal

#### 4.1 Background

The current OCP designates the subject property as single and two-unit residential. The current applicant has worked with staff to establish a revised concept plan, having duplexes on 3 lots with a party wall agreement, that respects the natural environment and hillside conditions, including grading and drainage patterns. The zone amendment responds to improve a previous concept plan of a single unit residential subdivision.

The subject property slopes from the Powerline Linear Park boundary in the south down to an existing residential subdivision. A subdivision application (S18-0028) is currently under staff review.

#### 4.2 Project Description

The subject parcel is approximately 1.20 hectares (2.98 acres) in size. The development proposes 8 single and two unit residential lots. The main vehicle access is via extension of existing Hawes Court.

#### 4.3 Site Context

The subject property is located: within the Okanagan Mission Sector of the City; within the Permanent Growth Boundary; is located at the end of Hawes Court off Quartz Crescent adjacent to Powerline Linear Park.

The proposed subdivision will be serviced by City water main within proposed Hawes Court extension and sanitary & storm mains within the proposed Hawes Court extension and a SROW thru the west side of the subject property.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Developed
East	RU1 – Large Lot Housing	Developed
South	P3 – Parks and Open Space Zone	Powerline Linear Park
West	RR1 – Rural Residential 1	Residential and undeveloped

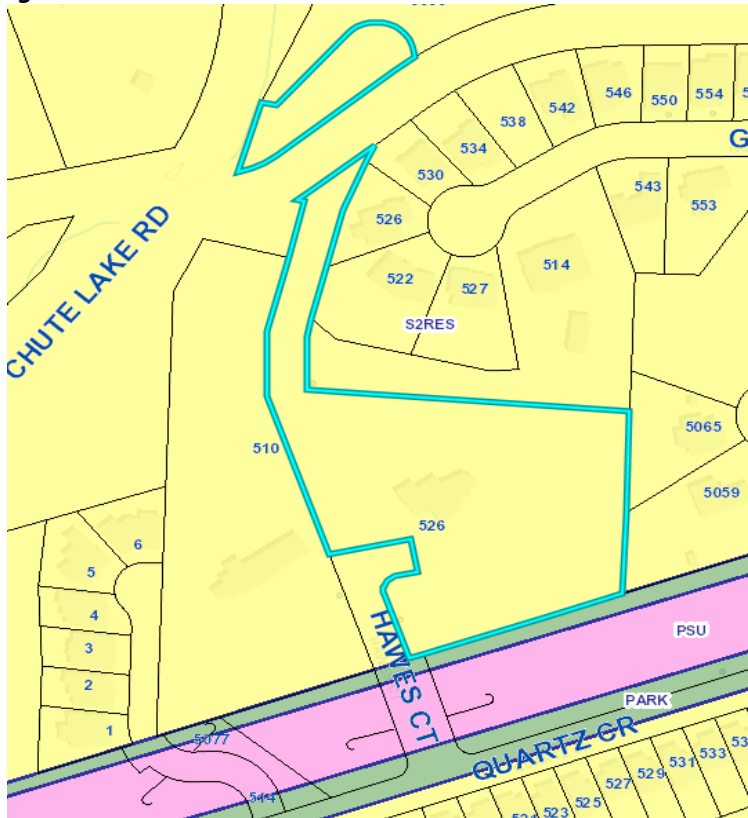
<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

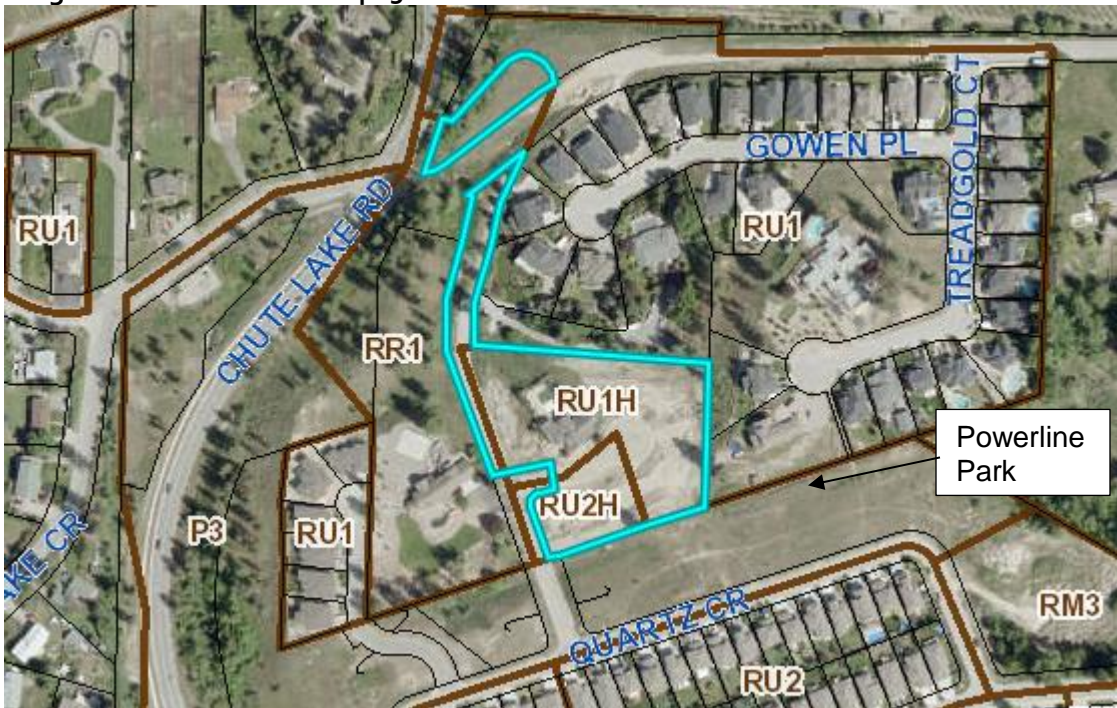
<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.15.3 (Development Process Chapter).

<sup>4</sup> City of Kelowna Hillside Development Guidelines, October 2009

Future Land Use Map: 526 Hawes Court



Neighbourhood Context Map: 526 Hawes Court



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<sup>4</sup> City of Kelowna Hillside Development Guidelines, October 2009

**Subject Property Map:**



**5.0 Public Notification**

The applicant has undertaken public notification in accordance with Council Policy #367. This has included delivery by courier as well as hand delivering a letter to those properties with residents, including a map of the proposed zone amendments to the residents and neighboring property owners within 50 metres of the subject property.

**6.0 Current Development Policies**

**6.1 Kelowna Official Community Plan (OCP)**

**Development Process**

**Steep Slopes.**<sup>1</sup> Prohibit development on steep slopes (+30% or greater for a minimum distance of 10 metres) except where provided for in ASPs adopted or subdivisions approved prior to adoption of OCP Bylaw 10500.

**Design for People and Nature.**<sup>2</sup> Structure new neighbourhoods around parks, pedestrian and bike routes, open spaces, and environmental areas, rather than around roadways and cars.

**Environmentally Sensitive Area Linkages.**<sup>3</sup> Ensure that development activity does not compromise the ecological function of environmentally sensitive areas and maintains the integrity of plant and wildlife corridors.

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<sup>4</sup> City of Kelowna Hillside Development Guidelines, October 2009

## 6.2 Hillside Development Guidelines<sup>4</sup>

**Vision:** Hillside developments will be environmentally sensitive, functionally appropriate, aesthetically pleasing and economically feasible.

**Principles for hillside development:**

- Damage to the environment and natural features should be avoided;
- Suitable density and diversity of housing type mitigates impacts;
- All users are accommodated on neighbourhood streets;
- Views are preserved for resident and visitors;
- Locally appropriate drought tolerant plants are used; and
- Building sites are safe.

**Visual Objectives:**

- Significant natural features and landforms, including ridgelines, are retained or enhanced.

**Grading / Retaining Objectives:**

- Site grading and retaining walls respect existing terrain; that is, large cuts / fills are not used to create "build-able lots" or flat yards. Driveway grades follow the natural terrain, large single level building platforms are avoided, final lot grades mimic the natural slope and slopes are promptly re-vegetated;
- Significant natural scenic features, such as gullies, rock outcrops and knolls are at a minimum retained and preferably enhanced; and
- Retaining structures integrate well with the onsite architectural character and natural environment.

**Housing Diversity and Design Objectives:**

- Cluster housing is used to retain significant natural areas or avoid / mitigate development impacts.

## 7.0 Technical Comments

### 7.1 Development Engineering Department

Development Engineering defers comments to the Suburban and Rural Planning Department. Requirements for servicing are addressed under File S18-0028, (see Memorandum dated April 10, 2018, attached).

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<sup>4</sup> City of Kelowna Hillside Development Guidelines, October 2009

## 8.o Application Chronology

Date of Application Received: March 28, 2018

Date Public Consultation Completed: June 18, 2018

**Report prepared by:** Sergio Sartori, Development Technician

**Reviewed by:** Dean Strachan, Suburban and Rural Planning Manager

**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

### Attachments:

Development Engineering Services Memorandum (s18-0028, April 10, 2018)

Map A – Proposed Zoning Amendment Site Plan

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