

# REPORT TO COUNCIL



**Date:** November 19, 2018

**RIM No.** 1250-30

**To:** City Manager

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

**Application:** Z18-0063

**Owner:** Lihua Feng

**Address:** 575 Radant Road

**Applicant:** Urban Options Planning and Permits

**Subject:** Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU6 – Two Dwelling Housing

## **1.0 Recommendation**

THAT Rezoning Application No. Z18-0063 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 1 Township 25 ODYD Plan 11054, located at 575 Radant Road, Kelowna, BC from the RU1 – Large Lot Housing 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 November 19, 2018;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the registration of a No-Build, No-Disturb Section 219 Restrictive Covenant within the 15.0 m Riparian Management Area of the subject property.

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the registration of a Section 219 Restrictive Covenant requiring demolition of all existing structures and dwellings, and completion of an Environmental Development Permit prior to any new construction.

## **2.0 Purpose**

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to accommodate two dwelling housing.

### 3.0 Community Planning

Community Planning supports the proposed rezoning as the RU6 – Two Dwelling Housing zone is the highest density directed by the S2RES - Single Two Unit designation.

The RU6 zone amendment will see the removal of the existing dwelling that is currently located within the 15.0 m riparian setback (currently 7.1 m from Mission Creek natural boundary). Redeveloped lands along Mission Creek will see important environmental restoration works within the Riparian Management Area, these riparian works are a condition of this rezoning application.

### 4.0 Proposal

#### 4.1 Background

1930 dwelling on a 1,983 sq.m. parcel.

**Subject Property Map:** 575 Radant Road

Riparian Management Area setback shown with yellow dashed line.



#### 4.2 Project Description

As the parcel is adjacent to Mission Creek, the 15.0 m Riparian Management Area setback is required to be adhered to. Staff are in support of redevelopment on the subject parcel subject to the removal of the existing dwelling on the parcel prior to new construction on the parcel. This means that the existing dwelling may remain on the land until the owner is ready to redevelop the site. This also means that a new single family dwelling may not be constructed on the land if the existing dwelling remains on the land.

An Environmental development permit is required prior to any new construction. This permit will ensure riparian planting, fencing and erosion control are designed and monitored by a Qualified Professional. A restrictive covenant is also registered on the land to ensure disturbance does not occur within the Riparian Management Area.

Once the existing dwelling is removed and the Environmental Development Permit is fulfilled, the Riparian Management Area will be reclaimed to City standards and construction of any form of two dwelling housing will be permitted on the remainder of the parcel.

Kelowna's *Official Community Plan* seeks to ensure development on lands within sensitive ecosystems maintain or enhance contiguous habitat areas. Environmentally Sensitive Area Linkages policy speaks to the importance of the RMAs "Ensure that development activity does not compromise the ecological function of environmentally sensitive areas and maintains the integrity of plant and wildlife corridors." A number of other OCP policies exist with regards to these environmentally sensitive areas and are noted in section 5.0 of this report.

#### 4.3 Site Context

The subject parcel is located within the North Mission-Crawford sector of Kelowna, on the north side of Radant Road. Mission Creek runs along the north property line. The parcel is also located within 150 m of neighbourhood commercial area along Lakeshore Road, and is within 250 m of BC Transit rapid bus route.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	Mission Creek C9	Mission Creek Multiple Family Dwellings
East	RU1	Single Family Dwelling
South	RU1	Single Family Dwelling
West	RU1	Single Family Dwelling

#### 4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	700 m <sup>2</sup>	1,983 m <sup>2</sup>
Lot Width	18.0 m	21.6 m
Lot Depth	30.0 m	51.0 m
Development Regulations		
Site Coverage	40 % 50% with driveways & parking	t.b.d.
Height	9.5 m or 2.5 storeys	
Front Yard	4.5 m	
Side Yard (south)	2.3 m	
Side Yard (north)	2.3 m	
Rear Yard – <i>Mission Creek setback</i>	15.0 m	
Other Regulations		
Minimum Parking Requirements	2 stalls per dwelling	

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Biodiversity.**<sup>1</sup> 1.4 Undertake recovery efforts to enhance or re-introduce species, sub-species and populations where species are threatened, endangered or extirpated.

**Buffers**<sup>2</sup> Buffers on private land should be protected by covenant.

**Vegetation**<sup>3</sup> Plant native species of trees, shrubs and ground cover and discourage the use of vegetation that is not indigenous to the Okanagan Valley.

**Urban Development**<sup>4</sup> Require that all development take place outside riparian management areas.

#### Minimum Riparian Management Areas (RMA)<sup>5</sup>

Mission Creek	Downstream of Gordon Drive	15.0 m
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**Compact Urban Form.**<sup>6</sup> 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.

Subject property is within 250 m of BC Transit rapid bus route. 150 m to neighbourhood commercial.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

Full plan check is required for any new construction. Demolition Permit required in order to remove existing dwelling.

### 6.2 Development Engineering Department

See attached Schedule "A" Development Engineering Memorandum.

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<sup>1</sup> City of Kelowna Official Community Plan, Objective 1.0 (Natural Environment DP Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Objective 3.3 (Natural Environment DP Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Objective 4.2 (Natural Environment DP Chapter).

<sup>4</sup> City of Kelowna Official Community Plan, Objective 5.1 (Natural Environment DP Chapter).

<sup>5</sup> City of Kelowna Official Community Plan, Table 12.1 (Natural Environment DP Chapter).

<sup>6</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

**7.0 Application Chronology**

Date of Application Received: May 30, 2018  
Date Public Consultation Completed: June 21, 2018

**Report prepared by:** Tracey Hillis, Planner

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

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

**Attachments:**

Schedule A Development Engineering Memorandum