

REPORT TO COUNCIL



Date: April 29, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (AJ)

Application: OCP17-0014 & Z17-0053

Owner: Davara Holdings Ltd. Inc. No.
BCo797640

Address: 1260 Neptune Road

Applicant: Davara Holdings Ltd.

Subject: Official Community Plan Amendment and Rezoning Application (Waiver of Condition of Adoption)

Existing OCP Designation: EDINST – Educational / Major Institutional
S2RES – Single / Two Unit Residential

Proposed OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: P2 – Educational & Minor Institutional
RU1 – Large Lot Housing

Proposed Zone: RU4 – Low Density Cluster Housing

1.0 Recommendation

THAT Official Community Plan Amendment Bylaw No. 11558 and Rezoning Bylaw No. 11559 be amended at third reading to revise the legal description of the subject properties from Lot 2, Section 14, Township 26, ODYD, Plan 27837 and Lot 3, Section 14, Township 26, ODYD, Plan 27837 to Lot A, Section 14, Township 26, ODYD, Plan EPP83144;

AND THAT Council waives the requirement for a Council-issued Development Permit to be considered in conjunction with Final Adoption of Rezoning Bylaw No. 11559;

AND FURTHER THAT Final Adoption of Official Community Plan Amendment Bylaw No. 11558 and Rezoning Bylaw No. 11559 be considered by Council.

2.0 Purpose

To amend the legal description of the properties; to waive the requirement for a Council-issued Development Permit for the proposed single family development; and to adopt the OCP and Rezoning Bylaws.

3.0 Community Planning

3.1 Amended Legal Description

Staff recommend that Council amends the legal description of the subject property at third reading to reflect the recently completed lot consolidation. When the application was initially made, there were two lots and through the development process they have now been consolidated in anticipation of the new development. The new legal description is Lot A, Section 14, Township 26, ODYD, Plan EPP83144, located at 1260 Neptune Road.

3.2 Development Permit Requirement

Community Planning Staff recommend that Council waives the requirement that final adoption of the Official Community Plan Map Amending Bylaw and Rezoning Bylaw be considered in conjunction with a Council-issued Development Permit for the subject property. At the time of application, the City of Kelowna required Development Permits for duplexes, carriage houses, and character neighbourhoods. This application is to rezone the property to RU4 – Low Density Cluster Housing, a single family zone that allows duplexes, so at the time of initial consideration it was thought that a Council issued Development Permit may be required. Development Permits are no longer required for this type of building and therefore a Council-issued Development Permit is no longer required.

Community Planning Staff would still intend to require a staff-issued Development Permit for this application to ensure that the site layout and the footprint of the homes remains true to the intent of small scale single family dwellings (e.g. pocket neighbourhood style).

Overall, amending the legal description and waiving the Council-issued Development Permit Requirement will allow for the adoption of the Official Community Plan Map Amending Bylaw and the Rezoning Bylaw, and for staff to issue a Development Permit for this project.

Report prepared by: Arlene Janousek, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager