

REPORT TO COUNCIL



Date: September 9, 2019

To: Council

From: City Manager

Department: Development Planning – Suburban, Rural

Application: Z19-0101

Owner: B.H.K.T. Holdings Ltd., Inc.No.
BC0751350; Sukhdev Gill

Address: 1929 Fisher Road

Applicant: Jagdeep Toor

Subject: Rezoning Application

1.0 Recommendation

THAT Rezoning Application No. Z19-0101 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 29 District Lot 130 ODYD Plan 17924, located at 1929 Fisher Road, Kelowna, BC from the A1 – Agriculture 1 zone to the RU1 – Large Lot 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 September 9, 2019.

2.0 Purpose

To consider an application to rezone the subject property from the A1 – Agriculture 1 zone to the RU1 – Large Lot Housing zone to facilitate the subdivision of the land.

3.0 Development Planning

Development Planning supports the proposal to rezone the subject property to the RU1 – Large Lot Housing zone.

The subject property is outside of the Permanent Growth Boundary (PGB); however, several factors favor the proposed urban zone and subsequent subdivision in this instance. First, the lot is part of a neighbourhood that has been built out with single family and semi-detached homes. Second the lot already has 2 service connections for both water and sanitary sewer. Third, the lot is not adjacent to the Agricultural Land Reserve (ALR). Finally, the property has a Future Land Use designation of Single / Two Unit Residential (S2RES) which supports the RU1 zone.

4.0 Proposal

4.1 Background

The subject property and surrounding neighbourhood were originally subdivided in March, 1968, as part of a small subdivision of farmland adjacent to Benvoulin Rd. A second subdivision to the south of the property consisting of semi-detached homes was developed beginning in 2010. The neighbourhood is excluded from the Agricultural Land Reserve (ALR), though it is surrounded by ALR land.

4.2 Project Description

The applicant proposes to rezone the property to RU1 – Large Lot Housing to allow for the future subdivision of the land, and the construction of a single family home on the newly created western lot. The existing home is positioned entirely on the eastern part of the lot, such that it can be preserved without violating setback requirements. The existing lot already has two service connections for both water and sanitary sewer—one connection services the existing home, and one that would connect to the newly built home on the western lot.

4.3 Site Context

The lot contains a single family home on the eastern half, and a detached garage on the western half.

The lot is part of a small subdivision consisting of single family and semi-detached homes in the eastern part of the South Pandosy Sector. Most of the single family homes are on lots zoned A1 – Agriculture 1, though 4 of these lots have been rezoned to RU1. The semi-detached homes are part of a strata development zoned RU5 – Bareland Strata Housing. Though the neighbourhood is surrounded by ALR land, the subject property is not adjacent to such lands.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 – Agriculture 1	Single Family Home
East	A1 – Agriculture 1	Single Family Home
South	RU5 – Bareland Strata Housing	Semi-Detached Housing
West	A1 – Agriculture 1	Single Family Home

Subject Property Map: 1929 Fisher Rd.



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 4: Future Land Use

Future Land Use Designation Definitions

Single / Two Unit Residential (S2RES): 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.

Chapter 5: Development Process

Objective 5.3 Focus development to designated growth areas

Policy .1 Permanent Growth Boundary. Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of properties outsid the PGB for more intensive use only to th extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except for Agri-Business designated sites. Land outside the PGB will not be supported for any further parcelization. The PGB may be reviewed as part of the next major OCP update.

Policy .2 Compact Urban Form. 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... in exsting areas as per the provisions of the Generalized Future Land Use Map 4.1.

6.0 Technical Comments

6.1 Development Engineering Department

- See Schedule A

7.0 Application Chronology

Date of Application Received: July 2, 2019

Date Public Consultation Completed: August 22, 2019

8.0 Alternate Recommendation

THAT Rezoning Application No. Z19-0101 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 29 District Lot 130 ODYD Plan 17924, located at 1929 Fisher Road, Kelowna, BC from the A1 – Agriculture 1 zone to the RU1 – Large Lot Housing zone NOT be considered by Council.

Report prepared by: Aaron Thibeault, Planner II

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments

Schedule A: Development Engineering Memo

Attachment A: Proposed Subdivision of Subject Property

Attachment B: Applicant Rationale