

# REPORT TO COUNCIL



**Date:** April 12, 2021

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** Z20-0080

**Owner:** Diane Maggie Jane Gatley

**Address:** 855 DeHart Road

**Applicant:** Owen Brown (Sharpshooter Development Company)

**Subject:** Rezoning Application

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

**Existing Zone:** RU1 – Large Lot Housing

**Proposed Zone:** RU6 – Two Dwelling Housing

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## 1.0 Recommendation

THAT Rezoning Application No. Z20-0080 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 45 District Lot 358 ODYD Plan 40481, located at 855 DeHart Road, Kelowna, BC, from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464 (2), waive the Public Hearing for the Rezoning Bylaw.

AND THAT final adoption of the Rezoning be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated April 12, 2021;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of the Preliminary Layout Review Letter by the Approving Officer.

## 2.0 Purpose

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to facilitate a 3-lot subdivision, and to waive the Public Hearing.

**3.0 Development Planning**

Staff support the proposal to rezone the subject property from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing to facilitate a 3-lot subdivision. The subject property has a Future Land Use Designation of S2RES – Single/Two Unit Residential and is within the City’s Permanent Growth Boundary. As such, the proposed zone is consistent with the Official Community Plan’s (OCP) objectives. In addition, each of the proposed lots meet the minimum dimensions of the RU6 zone. The majority of the area is zoned RU1, but there are a few RU6 properties in the vicinity of the subject property.

Staff directed the applicant to complete further site investigation and technical work of the subject property before moving to Council. The applicant completed a Geotechnical Report and Environmental Assessment of the site, which showed that the buildable area is outside of the environmentally sensitive area. These two documents showed there were no major concerns. The final document that was required was a Sight Line Assessment, which proved out that the sight line distances met the City of Kelowna sight line standard in Bylaw 8120 - Schedule J.

**4.0 Proposal**

**4.1 Project Description**

The proposed rezoning from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing is to facilitate a 3-lot subdivision. The property is currently vacant, and the three lots will be able to meet the dimensions of the RU6 zone, and no variances are required. Only one of the three lots would be large enough to allow for two-dwelling housing, while the other two would be undersized RU6 lots, so they could build a maximum of a single-family dwelling and a carriage house.

**4.2 Site Context**

The property is located in the North Mission – Crawford OCP Sector and is within the Permanent Growth Boundary (PGB). The surrounding area is primarily RU1 – Large Lot Housing and RU6 – Two Dwelling Housing.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single-Family Dwelling
East	RU1 – Large Lot Housing	Single-Family Dwelling
South	RU1 – Large Lot Housing	Single-Family Dwelling
West	RU1 – Large Lot Housing	Single-Family Dwelling

**Subject Property Map: 855 DeHart Road**



**5.0 Current Development Policies**

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

Chapter 1: Introduction

*Goals for a Sustainable Future:*

Contain Urban Growth – Reduce greenfield urban sprawl and focus growth in compact, connected, and mixed-use (residential and commercial) urban and village centres.

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 outside the PGB for more intensive use only to the 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 or as per Council’s specific amendment of this policy. The PGB may be reviewed as part of the next major OCP update.

**6.0 Technical Comments**

**6.1 Development Engineering Department**

6.1.1 Attached Development Engineering Memorandum dated September 21, 2020.

**7.0 Application Chronology**

Date of Application Received: September 9<sup>th</sup>, 2020  
Date Public Consultation Completed: December 19<sup>th</sup>, 2020

**Report prepared by:** Tyler Caswell, Planner I

**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: Sight Line Assessment

Attachment B: Applicant Submission