

REPORT TO COUNCIL



Date: September 19, 2016

RIM No. 1250-01

To: City Manager

From: Community Planning Department (EW)

Application: Z15-0060 **Owner:** Romesha Ventures Inc.,
Inc.No. BC0452408

Address: 1280 Wilmot Ave **Applicant:** Protech Consulting 2012

Subject: Rezoning Application

Existing OCP Designation: S2RES - Single / 2 Unit Residential

Existing Zone: A1 - Agricultural

Proposed Zone: RU1h - Large Lot Residential (Hillside Area)
P3 - Parks and Open Space

1.0 Recommendation

THAT Rezoning Application No. Z15-0060 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Part of Lot 12, Section 13, Township 26, ODYD, Plan KAP82084 except Plans KAP85143 and KAP86150 located at 1280 Wilmot Ave., Kelowna, BC from the A1 - Agricultural zone to the RU1h - Large Lot Residential Housing Hillside zone and from the RU1 - Large Lot Residential zone to the P3 - Parks and Open Space zone as shown on Map "A" be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

2.0 Purpose

To consider a rezoning application for a portion of land off of Nishi Court to allow the creation of four residential lots and the designation of approximately 2.4 ha of natural area parkland.

3.0 Community Planning

Community Planning Staff support the application. The parcel being rezoned from A1 to RU1 is a very small parcel in the heart of a residential area. It is unlikely to be used for any agricultural purposes and it has only remained zoned A1 as the result of different phased developments over the past decade. The applicant is designating significantly more area as park than currently shown on the OCP Future Land Use Map. The rezoning will allow the applicant to complete a

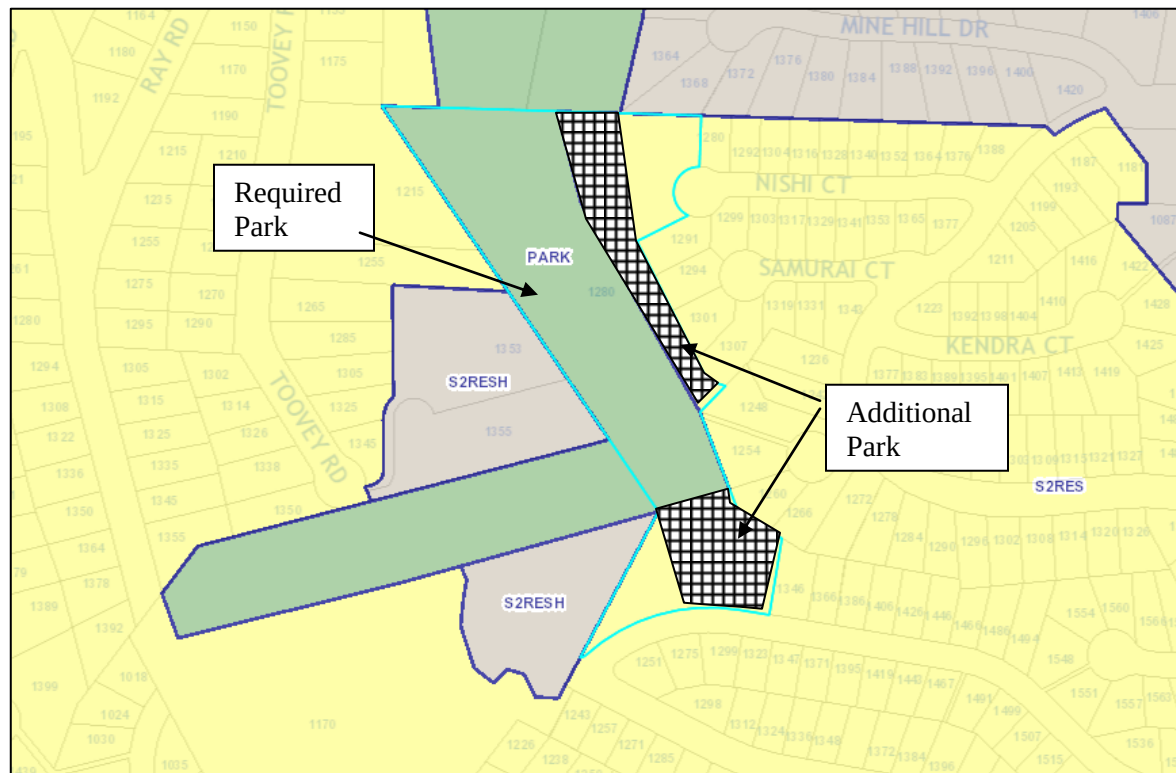
subdivision which will create 4 new residential lots and dedicate a substantial area of land to the City.

4.0 Proposal

4.1 Background

The subject parcel is a remnant parcel that was left after development on Black Mountain. A 1340 m² portion of land at the end of Nishi Court was left as A1 - Agricultural land, rather than being zoned for RU1 or RU1h like the remainder of the development. A sliver of the property is also zone RU1h.

The Official Community Plan designates a portion of the property for future parks use. The applicant is designating significantly more land as park than is required by the OCP. The parkland will be steeply sloped grassland with some trees and potential for a future public trail connection.



4.2 Project Description

The applicant intends on subdividing the property to create 3 lots off of Nishi Ct and 1 new lot on Wilmot. The lots will be of similar size and character to the existing neighbourhood.

The remainder of the property will be designated for park and protected use. The parkland dedication will ensure that the steep sloped area is protected in perpetuity and allow for a public trail system. The park dedication will fit together with the larger vision for parks in the area. At the subdivision stage, black chain link fencing will be required to delineate the public and private property interface and a pedestrian walkway will be secured off of Nishi Ct to provide access to the park space.

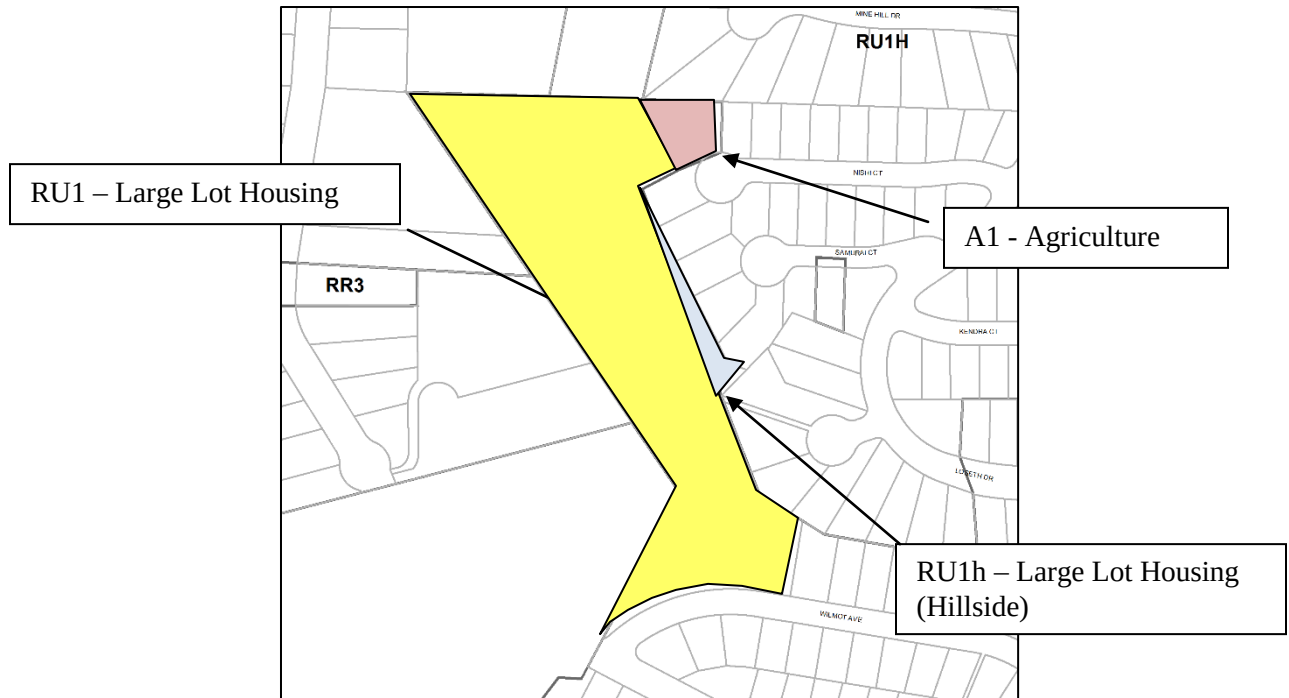


Figure 1 - Current Zoning

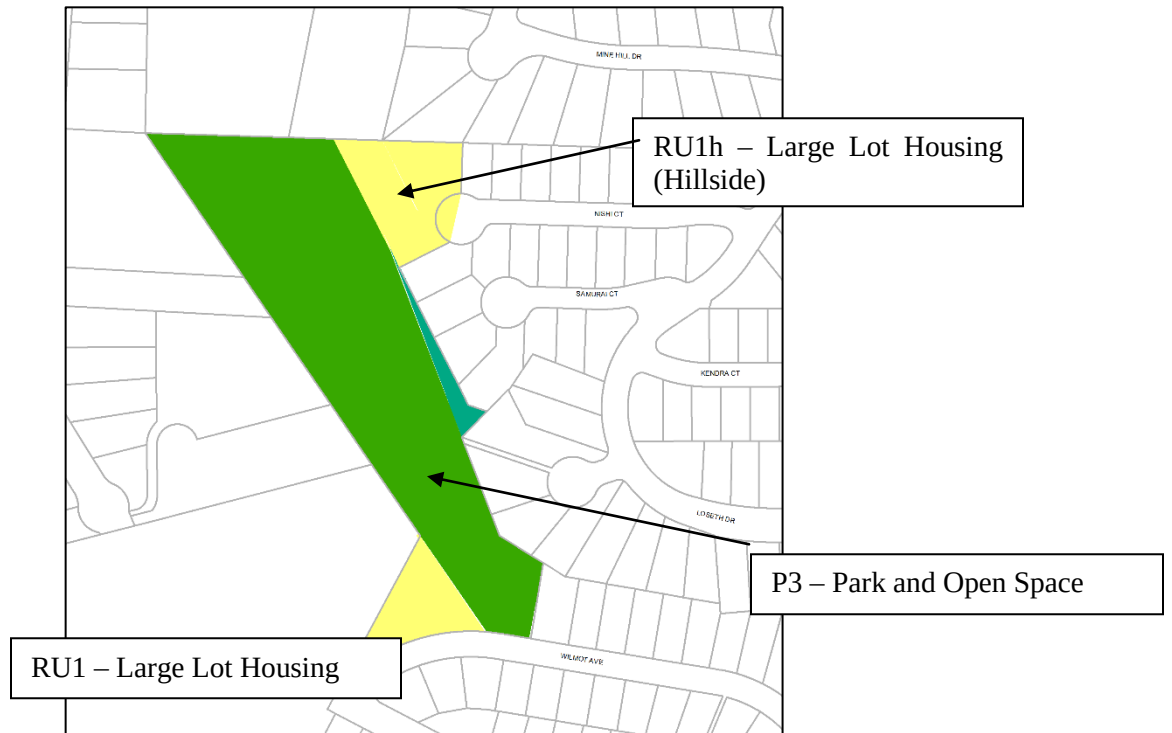


Figure 2 Requested Configuration

4.3 Site Context

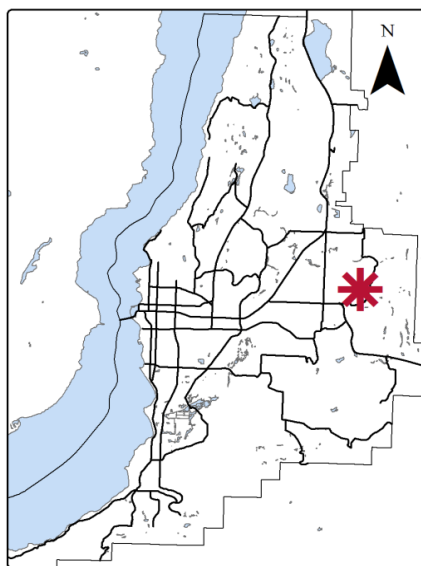
The subject property is in the Black Mountain area, in a suburbanized neighbourhood characterized by single family dwellings on steep lots. The area being rezoned from A1 is at the end of a developed cul-de-sac. The future parkland is further behind, stretching down to Wilmot Ave. A small portion of land fronting Wilmot will remain RU1 - Large Lot Residential.



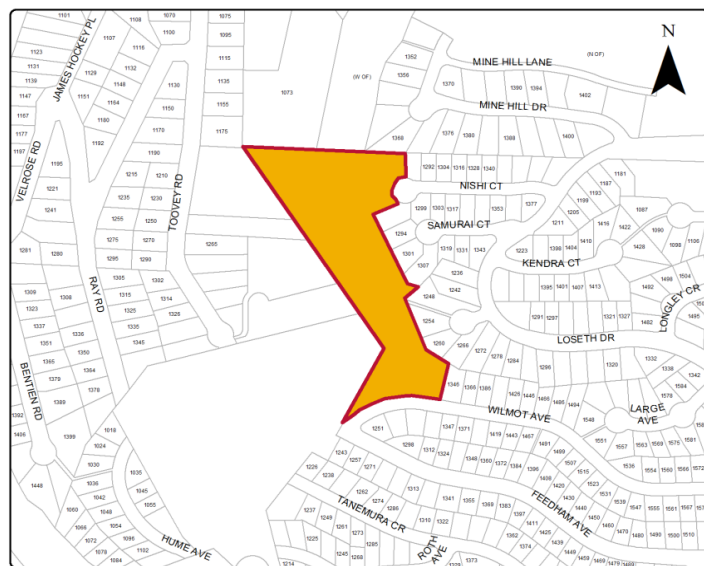
Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1h - Large Lot Housing Hillside	Residential
East	RU1h - Large Lot Housing Hillside	Residential
South	RU1h - Large Lot Housing Hillside	Residential
West	RU1 - Large Lot Housing	Vacant

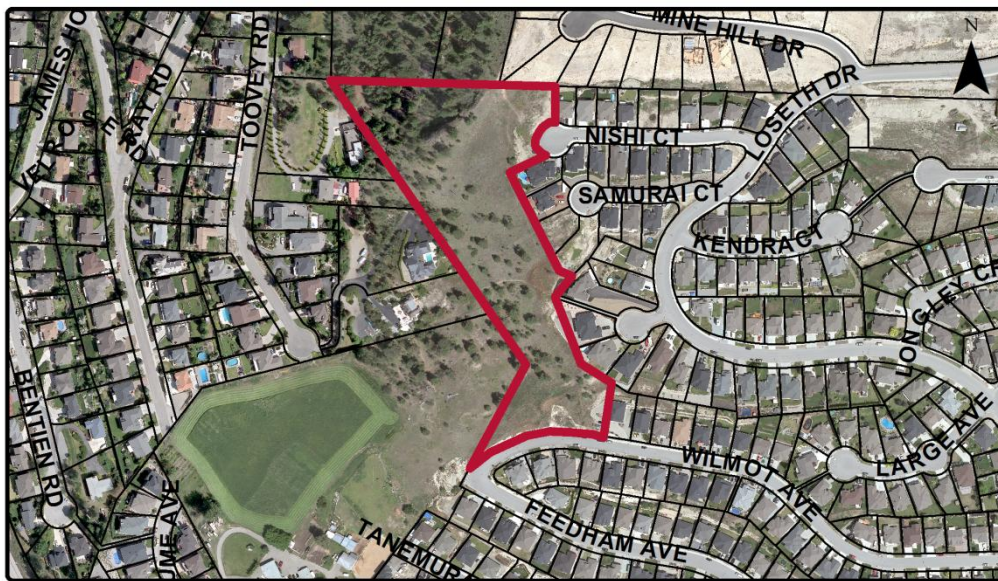
Subject Property Map:



CONTEXT



NEIGHBOURING ZONING



SUBJECT PROPERTY

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Compact Urban Form.¹ 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.

Cluster Housing.² Require new residential development to be in the form of cluster housing on / or near environmentally sensitive areas and areas of steeper slopes to lessen site disturbance and environmental impact on those areas identified on the Future Land Use Map 4.1 as single-two unit residential hillside. Steeply sloped areas should be retained as natural open space, public or private. The intent of the clustering would be to preserve features identified through the Development Permit process that otherwise might be developed and to maximize open space in order to:

- a. Protect environmentally sensitive areas of the development site and preserve them on a permanent basis utilizing the most appropriate tools available; and
- b. Facilitate creative and flexible site design that is sensitive to the land's natural features and adaptive to the natural topography.

¹ City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.22.1 (Development Process Chapter).

6.0 Technical Comments

6.1 Development Engineering Department

- See attached Memorandum dated January 14, 2016.

6.2 Fire Department

- The Fire Department has no issues with the rezoning application.

6.3 Irrigation District

- No comments or concerns received from BMID.

7.0 Application Chronology

Date of Application Received: November 16, 2015
Date Public Consultation Completed: July 12, 2016

Report prepared by:

Emily Williamson, Planner I

Reviewed by:

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Terry Barton, Urban Planning Manager

Approved for Inclusion:

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Ryan Smith, Community Planning Department Manager

Attachments:

Site Plan
City of Kelowna Memorandum dated January 14, 2016