

REPORT TO COUNCIL



Date: September 13, 2021

To: Council

From: City Manager

Department: Development Planning Department

Application: Z21-0036

Owner: Mair Developments Ltd., Inc.
No. BC0753083

Address: 4973 Buckhaven Crt

Applicant: Mair Developments Ltd. -
Andrew Bruce

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential
S2RESH – Single/Two Unit Residential Hillside
PARK – Major Park / Open Space (public)

Existing Zone: A1 – Agriculture 1

Proposed Zone: RU2 – Medium Lot Housing
A1 – Agriculture 1

1.0 Recommendation

THAT Rezoning Application No. Z21-0036 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portion of Lot 1, Sections 20 and 29, Township 29, SDYD, Plan EPP100536, located at 4973 Buckhaven Court, Kelowna, BC from the A1 – Agriculture 1 zone to the RU2 – Medium Lot Housing zone as shown on Map "A" attached to the Report from the Development Planning Department dated September 13, 2021, 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 FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

2.0 Purpose

To rezone a portion of the subject property from the A1 – Agriculture 1 zone to the RU2 – Medium Lot Housing zone to facilitate an eight-lot residential subdivision, and to waive the Public Hearing.

3.0 Development Planning

Staff supports the proposal to rezone a portion of the property from the A₁ – Agriculture 1 zone to the RU₂ – Medium Lot Housing zone to facilitate an eight-lot plus remainder subdivision as it is within the Permanent Growth Boundary and the proposal aligns with the Area Structure Plan and Official Community Plan (OCP) Future Land Use designation of S₂RES – Single/Two Unit Residential. The proposal conforms to OCP urban infill policies encouraging new development in existing residential areas to be consistent with the existing neighbourhood. The RU₂ – Medium Lot Housing zone is consistent with existing lots in the immediate area.

The applicant has submitted plans demonstrating that the proposed subdivision can be achieved in compliance with the RU₂ – Medium Lot Housing zone with respect to lot area, width and depth.

4.0 Proposal

4.1 Background

The Neighbourhood 3 ASP for “The Ponds” neighbourhood and related OCP amendments were adopted by Council on April 3, 2007. The Plan envisions a logical pattern of development for Neighbourhood 3 that would result in a high quality, attractive and complete community. The ASP notes that the development concept has been formulated to work harmoniously with the topography and to retain the integrity of water features and their surroundings. The subject portion of the property was specifically identified as being suitable for single/two unit residential development.

4.2 Project Description

The proposed rezoning from the A₁ – Agriculture 1 zone to the RU₂ – Medium Lot Housing zone will facilitate an eight-lot plus remainder subdivision of the subject property. The existing dwelling would be located on the remainder lot. The proposed lots would meet the minimum dimensions of the RU₂ zone. A new public road is proposed to be dedicated along the east side of the proposed new lots to provide access to the remainder lot.

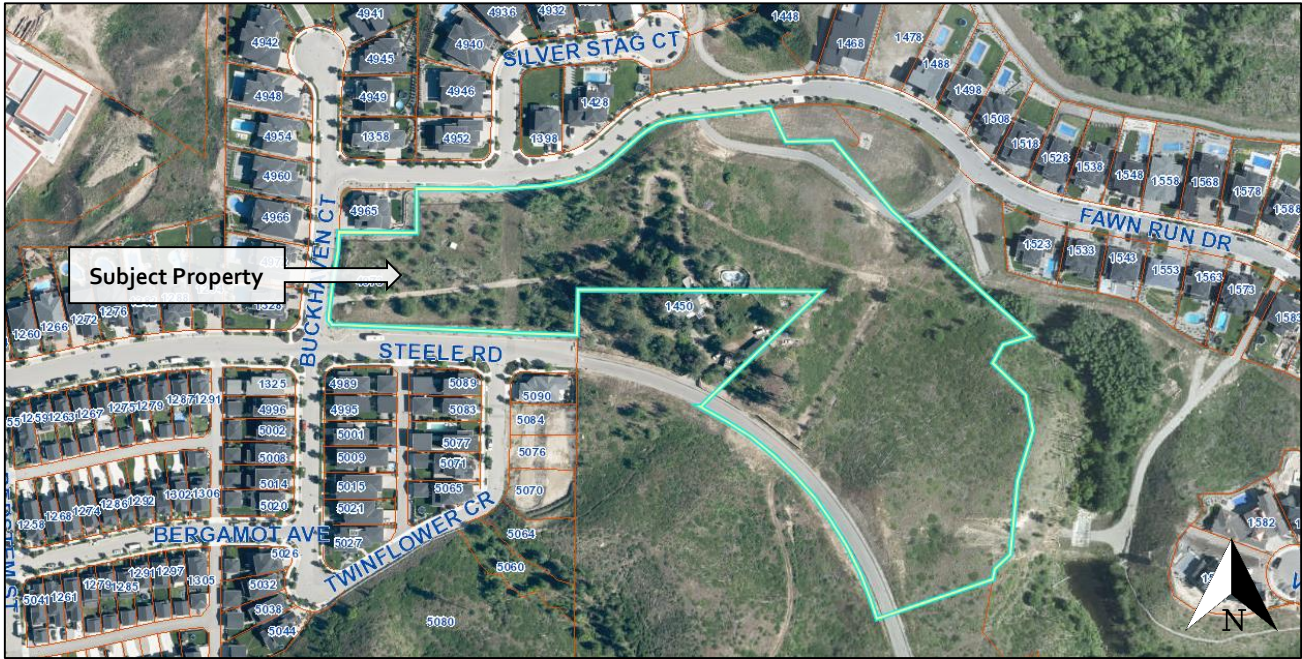
4.3 Site Context

The subject property is in the Southwest Mission OCP Sector and is located on Buckhaven Court, between Fawn Run Drive and Steele Road. The surrounding developed areas are zoned RU₁ – Large Lot Housing, RU₂ – Medium Lot Housing, RU₃ – Medium Lot Housing, with surrounding undeveloped lands zoned A₁ – Agriculture 1. The Future Land Use Designation of the area is S₂RES – Single/Two Unit Residential, S₂RESH – Single Two Unit Residential Hillside and PARK – Major Park / Open Space.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU ₁ – Large Lot Housing	S ₂ RES – Single/Two Unit Residential
East	A ₁ – Agriculture 1	S ₂ RESH – Single/Two Unit Residential Hillside
South	RU ₃ – Small Lot Housing	S ₂ RES – Single/Two Unit Residential
West	RU ₂ – Medium Lot Housing	S ₂ RES – Single/Two Unit Residential

Subject Property Map: 4973 Buckhaven Court



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

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. Lands outside the Permanent Growth Boundary will not be supported for urban or intensive uses with the exception of the extent permitted as per the OCP Future Land Use designations as of initial adoption of OCP Bylaw 10500 or, for Agri-Business designated sites. Land outside of the Permanent Growth Boundary will not be supported for any further parcelization. The Permanent Growth Boundary will not be supported for any further parcelization. The Permanent Growth Boundary may be reviewed as part of the next major OCP update.

Objective 5.22 Ensure context sensitive housing development

Policy .6 Sensitive Infill. Encourage new development tor redevelopment in existing residential areas to be sensitive or to reflect the neighbourhood with respect to building design, height, and siting.

6.0 Technical Comments

6.1 Development Engineering Department

- A subdivision application will require the installation of services and road works. Development Engineering is prepared to defer the requirements of the rezoning to the subdivision stage.

7.0 **Application Chronology**

Date of Application Received: April 21, 2021

Date Public Consultation Completed: June 11, 2021

Report prepared by: Mark Tanner, Planner II

Reviewed by: Dean Strachan, Community Planning & Development Manager

Reviewed by: Terry Barton, Development Planning Department Manager

Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments

Attachment A: Conceptual Drawing