

REPORT TO COUNCIL



Date: December 5th 2022

To: Council

From: City Manager

Department: Development Planning

Application: Z21-0083

Owners: 1320467 B.C. Ltd., Inc.No.
BC1320467

Address: 1150 Band Road

Applicant: Robert Webster

Subject: Rezoning Application

Existing OCP Designation: S-RES – Suburban Residential

Existing Zone: RR1 – Large Lot Residential/RU1 – Large Lot Housing

Proposed Zone: Ru2 – Medium Lot Housing

1.0 Recommendation

THAT Rezoning Application No. Z21-0083 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 1, Section 13, Township 26, ODYD Plan EPP122639 located at 1150 Band Road, Kelowna, BC and a portion of Band Road from the RR1 – Large Lot Rural Residential zone to the RU2 – Medium Lot Housing zone and a portion of Band Road from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone as shown on Map "A" attached to the Report from the Development Planning Department dated December 5th 2022 be considered by Council;

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 Development Planning Department dated December 5th 2022;

AND THAT final adoption of the rezoning bylaw be considered subsequent to final adoption of a Road Closure Bylaw related to the closure of the road as shown on Schedule "B" attached to the Report from the Development Planning Department dated December 5th 2022.

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

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

2.0 Purpose

To rezone 1150 Band Road from the RR1 – Large Lot Rural Residential Zone and RU1 – Large Lot Housing Zone to the RU2 – Medium Lot Housing Zone

3.0 Development Planning

Staff recommend the proposed rezoning application be supported. The proposal is consistent with the 2040 Official Community Plan S-RES – Suburban Residential designation intended to allow for single and two dwelling housing. The proposal would allow for a 21-lot infill subdivision. Substantial road improvements associated with the proposed development would result in safer access to Hwy #33 for residents. The development also provides for new single-family housing in a strata-housing format which means the cost of maintaining and replacing the infrastructure needed for the development will be the responsibility of the future strata. This development is considered 'infill' development which utilizes existing roads and water/sewer infrastructure that are surrounding the subject property.

Final adoption of the rezoning bylaw is recommended to be conditional upon issuance of a 'Preliminary Layout Review' (PLR) letter from the City's Statutory Subdivision Approving Officer. Approval from the Ministry of Transportation and Infrastructure is required as the site is adjacent to Hwy# 33. A road closure bylaw is also required to be completed prior to final adoption.

4.0 Proposal

4.1 Background

The subject property is a vacant 1.7-acre lot located in the Black Mountain neighborhood and is comprised of land/road remainders that were the result of previous development and road construction.

4.2 Project Description

The proposal would allow for 'suburban' style infill development of 21 single detached homes as part of a new strata development. The proposed rezoning application is consistent with the Official Community Plan as it provides for new single-family housing in a strata-housing format which means the cost of maintaining and replacing the infrastructure needed for the development will be the responsibility of the future strata. This development is considered 'infill' development which utilizes existing roads and water/sewer infrastructure that are surrounding the subject property.



4.3 Site Context

The subject property is adjacent to Hwy#33 and Band Road. Hume Road currently dead-ends at the subject property. Residents to the west of the site currently access their homes by driving over the property via a statutory-right-of-way registered on the subject property. If approved the applicant would be required to construct an extension to Hume Road to access the proposed subdivision and this would improve vehicle access for existing residents. The majority of Band Road is proposed to be closed and sold to the applicant as part of this proposal as the road would no longer be needed if Hume Road is extended.

The property (and surrounding area) are currently serviced by minimal transit along the Hwy#33 corridor and have a 'walk score' of zero which means almost all errands require a car. In the context of the Official Community Plan the subject property and surrounding area is located in the permanent growth boundary and is designated S-RES – Suburban Residential. Generally, lands within the Permanent Growth Boundary may be considered for urban uses. Specifically lands designated S-Res – Suburban Residential are meant to accommodate most of the city's single and two dwelling residential growth in the Suburban Neighbourhoods.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 7.2 Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable.	
Policy 7.2.1 Ground Oriented Housing.	Consider a range of low-density ground-oriented housing development to improve housing diversity and affordability and to reduce the overall urban footprint of Suburban Neighbourhoods. Focus more intensive ground-oriented housing where it is in close proximity to small scale commercial services, amenities like schools and parks, existing transit service and/or active transportation facilities <i>The proposal provides for low-density single-family housing in an existing suburban area already serviced by roads water/sewer. The site is near (within 1km) of existing schools (Black Mountain Elementary).</i>
Objective 7.6. Support a variety of low-density housing.	
Policy 7.6.1. Family-friendly multi-unit housing.	Encourage multi-unit developments near schools to include a variety of unit sizes, including three or more bedrooms. <i>The proposal is for single family housing which can provide for 3 or more-bedroom units on medium sized strata lots that will provide for a modest increase in density in an existing suburban neighbourhood characterized by large single-family lots.</i>

6.0 Technical Comments

6.1 Development Engineering Department

- Servicing Memorandum attached as Schedule "A"

7.0 Application Chronology

Date of Application Received: August 20th 2021
 Date Public Consultation Completed: October 22nd 2021

Report prepared by: Alex Kondor, Planner Specialist
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 – Rezoning Map "A"
 Attachment B – Conceptual Subdivision Plan

Schedule A: Development Engineering Memo

Schedule B: Road Closure Sketch