

# REPORT TO COUNCIL



**Date:** January 9<sup>th</sup>, 2023

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** Z22-0042

**Owner:** Upper Mission Development Inc., Inc.No. BC1224405

**Address:** 949 Hewetson Court

**Applicant:** GTA Architecture Ltd.

**Subject:** Rezoning Application

**Existing OCP Designation:** S-MU – Suburban Multiple Unit

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

**Proposed Zone:** MF2 – Townhouse Housing

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## 1.0 Recommendation

THAT Rezoning Application No. Z22-0042 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 1 District Lot 579 SDYD Plan EPP77194, located at 949 Hewetson Court, Kelowna, BC from the RU1 – Large Lot Housing zone to the MF2 – Townhouse Housing zone, 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 Attachment "A" attached to the Report from the Development Planning Department dated January 9, 2023;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to issuance of a Natural Environment and Hazardous Condition Development Permit(s);

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Form and Character Development Permit for the subject property.

## 2.0 Purpose

To rezone the subject property from the RU1 – Large Lot Housing zone to the MF2 – Townhouse Housing zone to facilitate a multi-family development.

### 3.0 Development Planning

Staff support the proposed rezoning from the RU1 – Large Lot Housing zone to the MF2 – Townhouse Housing zone to facilitate the construction of 31 new residential units. The subject property has the Future Land Use Designation of S-MU – Suburban Multiple Unit and is within the Permanent Growth Boundary. As such, the proposed zone is consistent with the Official Community Plan (OCP) objectives. In addition, the proposed design meets the minimum setbacks, parking and other Development Regulations as outlined in the Zoning Bylaw.

Due to the regulatory complexity of developing land within environmentally sensitive and hillside areas, Staff are recommending final adoption be considered subsequent to the issuance of a Natural Environment and Hazardous Condition Development Permit.

### 4.0 Proposal

#### 4.1 Background

The Neighbourhood 3 Area Structure Plan (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 property was specifically identified as being suitable for cluster housing. The ASP anticipated that the maximum achievable density for cluster residential development in Neighbourhood 3 would be within the range of 15 to 20 dwelling units per hectare, but up to 30 could be possible. The applicant is proposing 16.9 units per hectare.

#### 4.2 Project Description

The proposed rezoning to MF2 – Townhouse Housing is to facilitate 31 units, which are a mix between single-detached housing and semi-detached housing. The subject property is currently vacant, and the development will be accessed by a new drive aisle accessed from Hewetson Court. The proposal will include two separate pedestrian accesses to Kuiper’s Peak Mountain Park, along with a Statutory-Right-Of-Way to allow public access through the site. The applicant’s site plan has indicated that all dwellings can be constructed without the need for any variances.

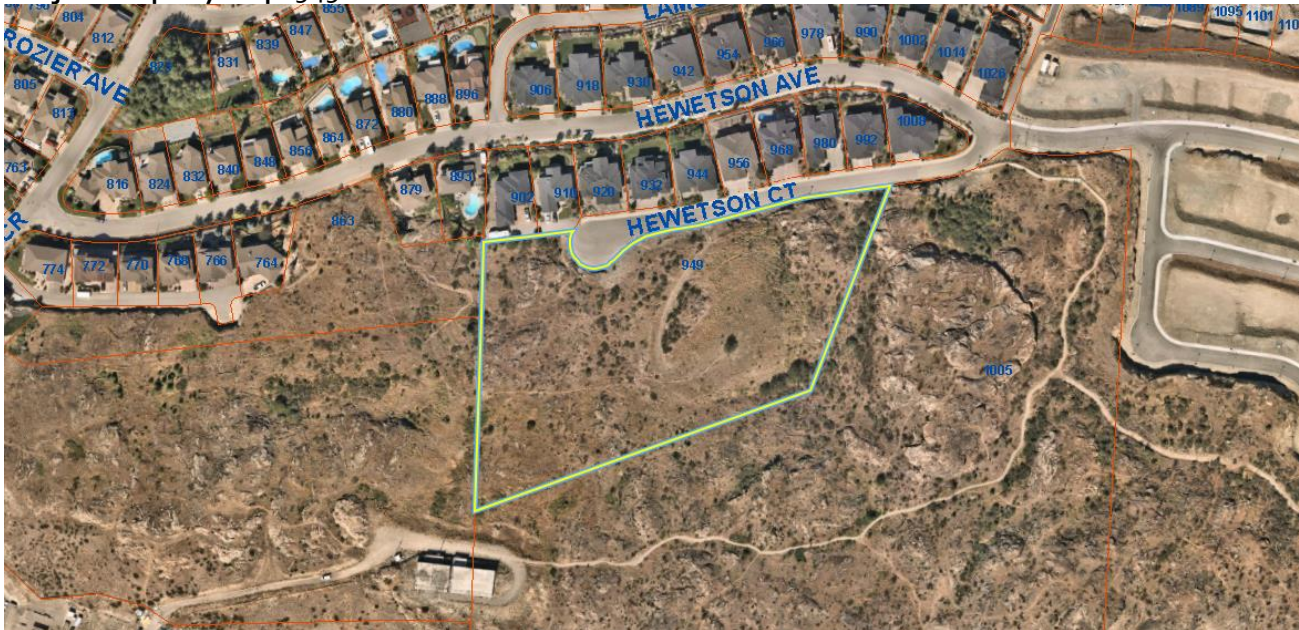
#### 4.3 Site Context

The subject property is in the Southwest Mission OCP Sector and is located on Hewetson Court. The subject property is currently vacant and is surrounded by Kuiper’s Peak Mountain Park to the South, East and West. The surrounding area is primarily zoned RU1 – Large Lot Housing and P3 – Parks and Open Space.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single-Detached Housing
East	P3 – Parks and Open Space	Kuipers’ Peak Mountain Park
South	P3 – Parks and Open Space	Kuipers’ Peak Mountain Park
West	P3 – Parks and Open Space	Kuipers’ Peak Mountain Park

**Subject Property Map: 949 Hewetson Ct.**



**5.0 Current Development Policies**

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

<b>Objective 7.2 Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable</b>	
Policy 7.1.1. Area Structure Plan Consistency.	<p>Support development that is consistent with adopted Area Structure Plans (ASPs) in Suburban Neighbourhoods. Require amendments to ASPs where proposals include significant increases to the number of residential units beyond those signaled in an ASP or where proposals are likely to require changes to planned transportation, parks and utility infrastructure.</p> <p><i>The subject property was identified as cluster housing in the Neighbourhood 3 ASP. The ASP anticipated 15 to 20 dwellings per hectare, but up to 30 was possible. This proposal is consistent with 16.9 units per hectare proposed.</i></p>
Policy 7.2.1 Ground Oriented Housing	<p>Consider a range of low-density ground-oriented housing development to improve housing diversity and affordability 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 transportation facilities</p> <p><i>The proposed development provides ground-oriented housing.</i></p>

**6.0 Technical Comments**

6.1 Development Engineering Department

6.1.1 Attached Development Engineering Memorandum dated January 9<sup>th</sup>, 2023.

**7.0 Application Chronology**

Date of Application Accepted: July 5<sup>th</sup>, 2022  
Date Public Consultation Completed: December 14<sup>th</sup>, 2022

**Report prepared by:** Tyler Caswell, Planner I  
**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: Development Engineering Memo  
Attachment B: Site Plan