

REPORT TO COUNCIL REZONING



Date: August 12, 2024
To: Council
From: City Manager
Address: 1785 Swainson Rd
File No.: Z24-0012

	Existing	Proposed
OCP Future Land Use:	R-AGR – Rural – Agricultural & Resource S-RES – Suburban - Residential	R-AGR – Rural – Agricultural & Resource S-RES – Suburban - Residential
Zone:	A1 – Agriculture	A1 – Agriculture RU1 – Large Lot Housing

1.0 Recommendation

THAT Rezoning Application No. Z24-0012 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot A Sections 19 and 30 Township 27 and of Section 24 Township 26 ODYD Plan EPP120799 located at 1785 Swainson Rd, Kelowna, BC, from the A1 – Agriculture zone to the RU1 – Large Lot Housing zone as shown on Map “A” attached to the Report from the Development Planning Department dated August 12, 2024, be considered by Council;

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 outstanding conditions of approval as set out in Attachment “A” attached to the Report from the Development Planning Department dated August 12, 2024.

2.0 Purpose

To rezone a portion of the subject property from the A1 – Agriculture zone to the RU1 – Large Lot Housing zone to facilitate a subdivision along the Agriculture Land Reserve boundary.

3.0 Development Planning

Staff support the proposed rezoning application to facilitate a subdivision of the subject property. The proposed rezoning and subsequent subdivision are for a portion of the subject property (approx. 45.46 acres) that is adjacent to the Agriculture Land Reserve (ALR) boundary. The proposed new parcel (approx. 2.57 acres) is located within the City’s permanent growth boundary and is not in the ALR, however it is a rural-urban interface along the ALR boundary.

The proposal aligns with the Official Community Plan (OCP) Future Land Use designation of S-RES – Suburban Residential. OCP Policy (Objective 7.4) speaks to ensuring a compatible rural-urban interface that protects agricultural uses. Suburban residential lands support primarily single dwelling housing on larger lots, as well as complementary uses that do not place a significant burden on the limited utility and transportation infrastructure in these areas, such as home-based businesses and secondary suites.

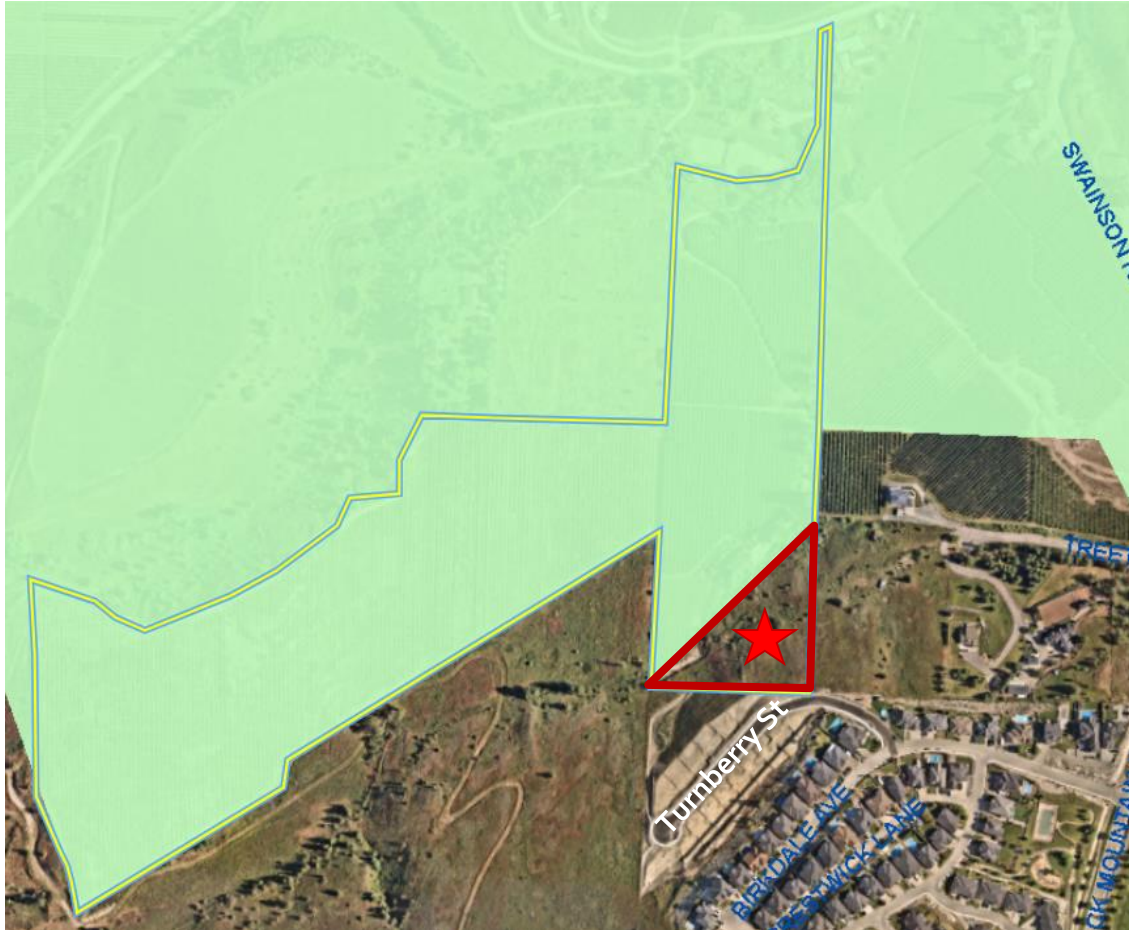
As a condition of rezoning, the applicant is required to dedicate a portion of the southeast corner of the lot to provide road frontage and servicing necessary for the creation of the new lot. Additionally, the road dedication will facilitate the future extension of Turnberry St. through the southeast corner of the site, to the lands beyond.

Lot Area	Proposed (m ²)
Gross Site Area	45.46 acres
Road Dedication	Approx. 260 m ²
Undevelopable Area	N/A
Subdivision Area	Approx. 2.57 acres

4.0 Site Context & Background

Orientation	Zoning	Land Use
North	A1 – Agriculture	Agriculture (ALR)
East	A1 – Agriculture RR1 – Large Lot Rural Residential RU1 -Large Lot Housing	Agriculture (ALR and non-ALR) Rural Residential
South	RU1 – Large Lot Housing RR1 - Large Lot Rural Residential	Rural Residential
West	A1 - Agriculture	Agriculture (ALR and non-ALR)

Subject Property Map: 1785 Swainson Rd property. The proposed rezoning and subsequent subdivision are illustrated by the red area. Green denotes Agriculture Land Reserve (ALR).



The subject property is located between Rutland Bench to the north and Black Mountain to the south, east of Hwy 33 E. The property spans approximately 45.46 acres and is currently accessed from Swainson Rd. There is active orchard farming on a portion of the property. The surrounding area of the proposed new lot consists of RU1 – Large Lot Housing and RR1- Large Lot Rural Housing, with single detached homes, as such the proposed rezoning from the A1 – Agriculture zone to the RU1 – Large Lot Housing zone is consistent with the surrounding properties.

5.0 Current Development Policies

Objective 7.4 Ensure a compatible urban-rural interface that protects agricultural uses		
Policy Urban-Rural Interface Uses	7.4.2	Where a property is adjacent to agricultural lands, encourage land uses that are compatible with adjacent agricultural uses. <i>The proposal is aligned with rural residential lands that support single dwelling housing, as well as low impact complementary uses that do not place a significant burden on the limited utility and transportation infrastructure in these areas.</i>
Policy Urban-Rural Buffers	7.4.3	Where a property is adjacent to land in the ALR, ensure that development limits associated negative impacts on adjacent agricultural operations by including appropriate buffers, setbacks and site planning. <i>The new dwelling is proposed to be located near the new access point to the subdivided property, with a significant setback and buffer from the adjacent ALR lands to the north.</i>

6.o Application Chronology

Application Accepted: April 2, 2024
Public Information Session: July 3, 2024
Neighbourhood Notification Summary Received: July 3, 2024

Report prepared by: Barbara B. Crawford, Planner II
Reviewed by: Dean Strachan, Community Planning & Development Manager
Reviewed by: Nola Kilmartin, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning, Climate Action & Development Services

Attachments:

Map A – Zoning Amendment
Attachment A: Development Engineering Memo
Attachment B: DRAFT Site Plan and Applicant Rationale Letter
Attachment C: Summary of Public Information Session

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.