

REPORT TO COUNCIL



Date: September 14, 2015

RIM No. 1250-30

To: City Manager

From: Community Planning (DB)

Application: Z15-0006 **Owners:** 1. Watermark Development Ltd. Inc. No. BC0642787
2. City of Kelowna

Address: (S OF Academy Way) **Applicant:** Beaumont Realty Corporation Inc.

Subject: Report Z15-0006

Existing OCP Designation: Single / Two Unit Residential - Hillside, Major Park & Open Space

Proposed OCP Designation: Single / Two Unit Residential, Major Park & Open Space

Existing Zones: A1- Agricultural 1, RM5 - Medium Density Multiple Housing, P3- Parks and Open Spaces

Proposed Zones: RU1H - Large Lot Housing Hillside, P3- Parks and Open Spaces, P4 - Utilities

1.0 Recommendation

THAT Rezoning Application No. Z15-0006 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of:

1. Part(s) of Lot C Section 3 Township 23 Osoyoos Division Yale District Plan EPP33993, "see plan as to limited access", located (S of) Academy Way from A1 - Agriculture 1 to RU1h - Large Lot Housing (Hillside Area), from A1 - Agricultural 1 to P3 - Parks and Open Space, from A1 - Agricultural 1 to P4 - Utilities, from RM5 - Medium Density Multiple Housing to RU1h - Large Lot Housing (Hillside Area), and from P3 - Parks and Open Space to RU1h - Large Lot Housing (Hillside Area).
2. Part(s) of Lot 1 Sections 3 and 10 Township 23 Osoyoos Division Yale District Plan EPP45918, located at 800 Academy Way from P3 - Parks and Open Space to RM5 - Medium Density Multiple Housing and from A1 - Agricultural 1 to RM5 - Medium Density Multiple Housing.
3. Part(s) of Lot A Section 3 Township 23 Osoyoos Division Yale District Plan EPP33993 "see plan as to limited access", located (S OF) Academy Way from RM5 - Medium Density Multiple Housing to P3 - Parks and Open Space and from A1 - Agricultural 1 to P3 - Parks and Open Space.

As shown on Map "A" attached to the Report from the Community Planning Department dated September 14, 2015.

AND THAT the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "B" attached to the Report from the Community Planning Department dated September 14, 2015;

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the issuance of a Preliminary Layout Review by the City of Kelowna's Subdivision Approving Officer.

2.0 Purpose

To rezone portions of the subject properties in order to accommodate the development of a single family subdivision.

3.0 Community Planning Comments

The applicant is proposing to rezone parts of the subject properties to facilitate the development of a single family subdivision. More specifically the applicant is proposing to rezone the bulk of the subject property from the existing A1 - Agricultural 1 zone to the RU1h zone which is consistent with the Official Community Plan Generalized Future Land Use Designation Map 4.1.

It is important to clarify that while the zoning application involves three properties, Lot C, Plan EPP33993 is the primary focus of this application. The two other properties are only involved as part of a minor zoning amendment which will be discussed later in this report. Community Planning staff support the proposal, as it is generally in accordance with the University South Development Plan (2010) which was a refinement of the original high level Area Structure Plan completed in 1997.

Additionally, the applicant is proposing to rezone a 1600 m² portion of the subject property located at the centre of the proposed subdivision which will be used as a neighborhood park. The proposed park will be very similar to the existing Hidden Lake Neighborhood Park located in the Wilden neighborhood. The proposed size, location and concept of the park were reviewed and approved in principle by the City's Parks Department.

The developer has agreed to rezone a 20 m wide section of land located at the north end of the property to serve as a maintenance access for the large natural open space located directly west of the subject property. This section of land will be dedicated and consolidated to the open park space as part of the future subdivision application. A roof height restriction will also be imposed for the four proposed residential lots directly west of the proposed park maintenance access to ensure the view corridors from the hilltop area are preserved.

The developer will construct a detention facility for storm water at the east end of the subject property which will eventually be dedicated to the City. The detailed design of this facility will be completed at subdivision stage, but the proposed area requires rezoning from the existing A1 - Agricultural 1 zone to the proposed P4 - Utility zone to reflect the proposed land use.

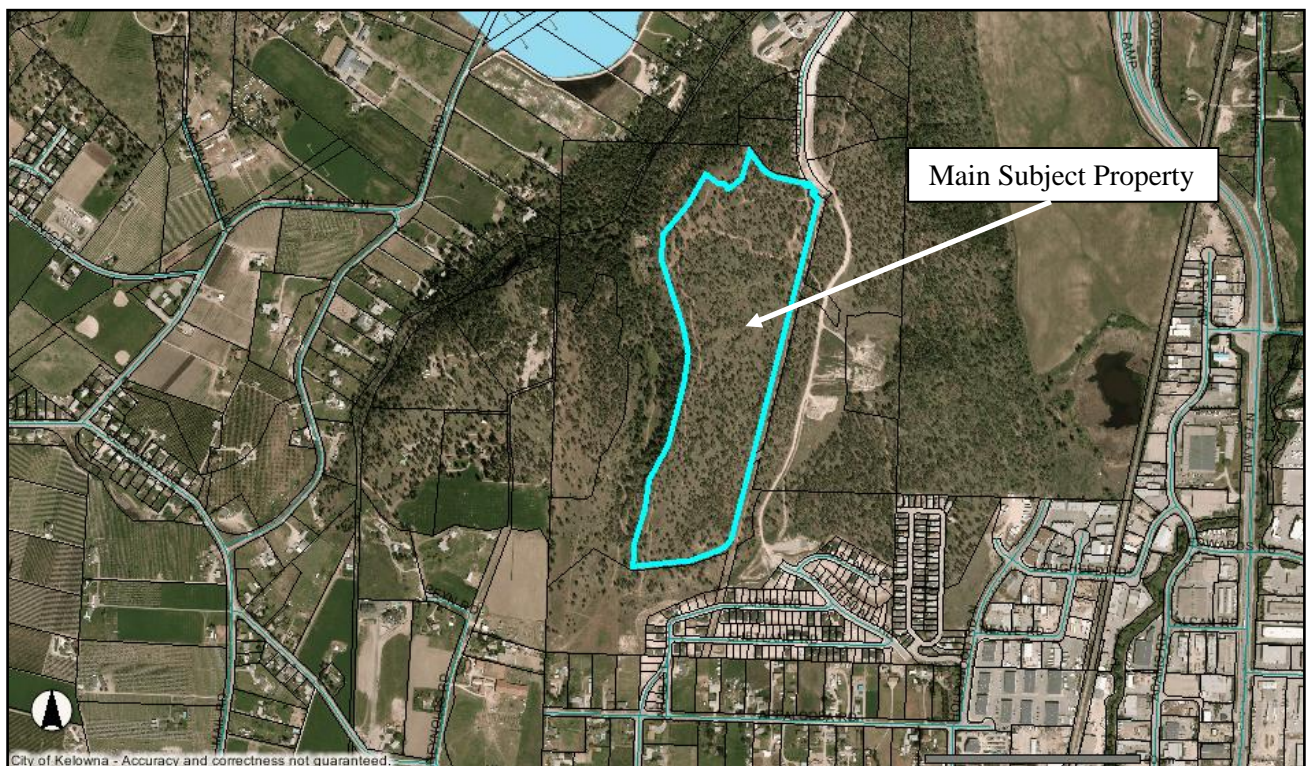
In addition to all abovementioned changes related to the proposed development, there is a need to amend some zoning discrepancies involving the two properties to the north of the subject property. This zoning amendment is an administrative exercise to align the zoning with the property lines and the Generalized Future Land Use Map 4.1 and will have no impact on the proposed and existing land use.

4.0 Proposal

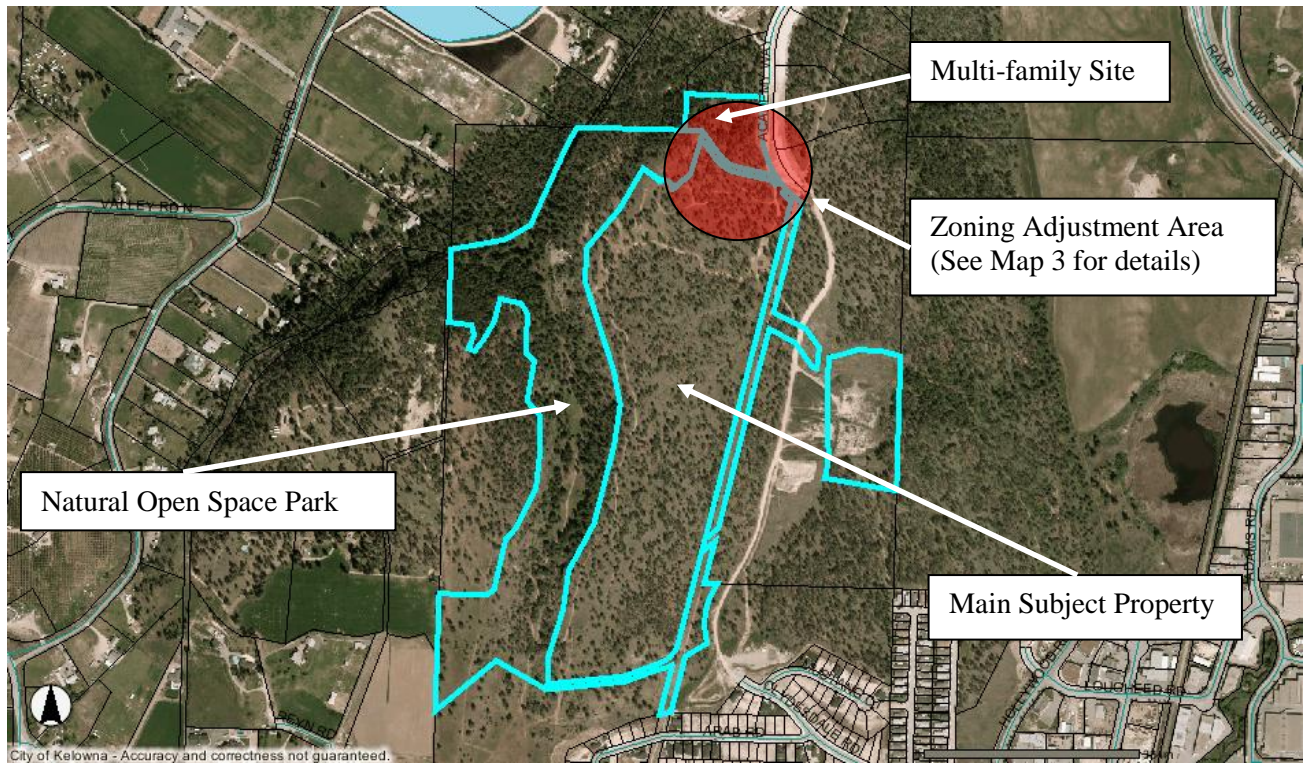
4.1 Project Description

As mentioned above, the applicant is proposing to rezone the main subject property to RU1h to facilitate the placement of a single family residential subdivision. The two other properties are simply involved as part of a minor zoning adjustment as illustrated on Maps 2 and 3.

Map 1 - Main Subject Property

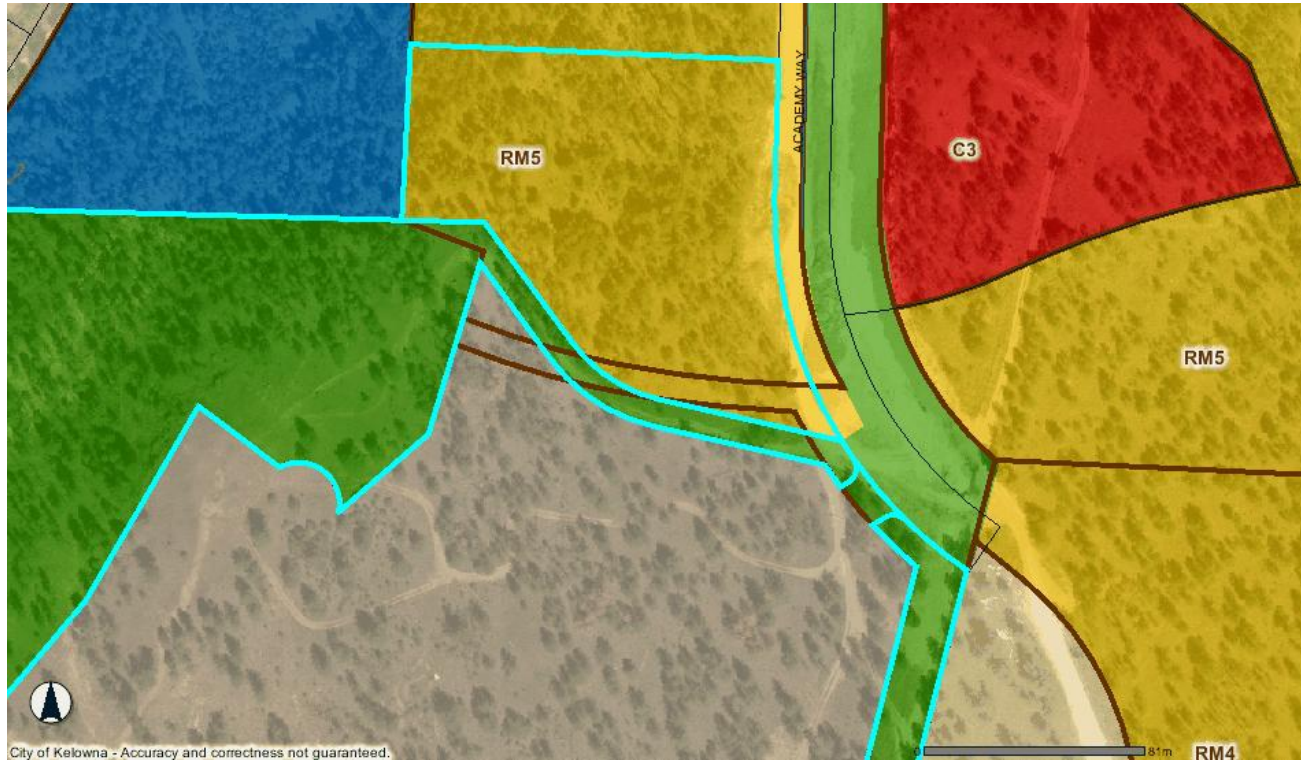


Map 2 - Subject Properties



Map 3 - Zoning Cleanup Area (Area identified in red circle on map 2)

As discussed above, the zoning (brown lines) do not match the existing property lines shown in blue. Part of this zoning file is to properly align zoning boundaries with the existing property lines and the Generalized Future Land Use Map.

**4.2 Site Context**

The subject property is located at the Northeast of town in the UBCO development area. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM5 - Medium Density Multiple Housing	Multiple Unit Residential (Medium Density)
East	RM3 - Low Density Multiple Housing	Multiple Unit Residential (Low Density)
South	A1- Agricultural 1	Single Family Housing Hillside
West	P3 - Parks and Open Space	Major Park and Open Space

3.0 Current Development Policies

3.1 Kelowna Official Community Plan (OCP)

Future Land Use

Single/Two Unit Residential (S2RES)¹: Single detached homes for occupancy by one family, single detached homes with a secondary suite or carriage house, semi-detached buildings used for two dwelling units, modular homes, bareland strata, and those complementary uses (i.e. minor care centres, minor public services/utilities, convenience facility and neighbourhood parks), which are integral components of urban neighbourhoods. Suitability of non-residential developments within the neighbourhood environment will be determined on a site-specific basis. Nonresidential developments causing increases in traffic, parking demands or noise in excess of what would typically be experienced in a low density neighbourhood would not be considered suitable.

Development Process

Compact Urban Form.² 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.

Sensitive Infill.³ Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting.

Housing Mix.⁴ Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

5.0 Technical Comments

Development Engineering Department

The Works and Services required from this application are attached to this letter as "Memorandum, dated: March 16, 2015.

Development Engineering Branch will review and issue for construction drawings and provide servicing requirements once a Preliminary Layout Review application is submitted.

Infrastructure Planning - Parks & Public Spaces

- At least 20 m of road frontage will be required for the hilltop area park between proposed lots 193 and 194.
- Infrastructure Planning is generally accepting the size and location of the proposed neighborhood park at the intersection of proposed roads A and C; however, the City has concerns about the proposed 5:1 slope, and recommends increasing the

¹ City of Kelowna Official Community Plan - Future Land Use Chapter.

² City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 5.22.11 (Development Process Chapter).

slope to a maximum of 3:1, or that consideration be given to installation of a retaining wall, in order to maximize flat area for active recreation.

- A fencing plan is required to show where fencing will be installed to delineate the public / private interface. A 1.2 m high black chain link fence to City standard will be located 15 cm inside the private property lines between all natural areas and active (neighbourhood) parkland and between private property and the gas ROW.
- Height restriction will be required for lots 190 through 196 to ensure that view corridors from the hilltop natural area park to the lake and remainder of the City are preserved for the public.

Application Chronology

Date of Application Received:	January 22, 2015
Public Information Session:	July 24, 2015
Public Notification Received:	July 22, 2015
Complete Information Received:	August 14, 2015

Report prepared by:

Damien Burggraeve, Planner

Approved for Inclusion: ☐ Todd Cashin, Community Planning

Attachments:

Subject Property Map
Map A - Proposed Zoning
Schedule A - Subdivision Layout
Schedule B - Development Engineering Requirements
Schedule C - Glenmore-Ellison Improvement District Requirements
Schedule D - Public Consultation