
CITY OF KELOWNA

MEMORANDUM

Date: October 10, 2001
File No.: Z01-1048

To: City Manager

From: Planning & Development Services Department

APPLICATION NO. Z01-1048 OWNER: Various – see Fact Sheet

AT: South of South Ridge Drive APPLICANT: 369736 BC Ltd./Grant Gaucher

PURPOSE: To amend the existing residential zones (RU1, RU2, and RM2) to add the “h” designation to utilize the Hillside Development Guidelines, which incorporates alternative road and zoning bylaw standards.

EXISTING ZONE: RU1 – Large Lot Housing
RU2 – Medium Lot Housing
RM2 – Low Density Row Housing

PROPOSED ZONE: RU1h / RU2h / RM2h (Hillside Area)

REPORT PREPARED BY: Shelley Gambacort

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT City of Kelowna Zoning Bylaw No. 8000 be amended to add the “h” (Hillside Area) designation to the RU2 – Medium Lot Housing and the RM2 – Low Density Row Housing zones as shown on Schedule “A” attached to the Planning Department’s report dated October 10, 2001;

AND THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of part of Lot A, District Lot 1688S, SDYD, Plan KAP68646 except Plan KAP68647, located on South of South Ridge Drive, Kelowna, B.C., from the RU1 – Large Lot Housing, RU2 – Medium Lot Housing, and the RM2 – Low Density Row Housing zones to the RU1h – Large Lot Housing (Hillside Area), RU2h – Medium Lot Housing (Hillside Area), and the RM2h – Low Density Row Housing (Hillside Area) zones;

AND THAT the text amending bylaw and the zone amending bylaw be forwarded to a Public Hearing for further consideration.

2.0 SUMMARY

The purpose of this application is to amend the current zoning designations of the subject property by adding the “h” designation, which will facilitate the use of the Hillside Development Guidelines within these designated areas. These guidelines include alternative road standards for hillside development and zoning bylaw standards.

3.0 ADVISORY PLANNING COMMISSION

The subject application was reviewed by the Advisory Planning Commission at the meeting of October 9, 2001 and the following recommendation was passed:

That the Advisory Planning Commission supports Rezoning Application No. Z01-1048 by 369736 BC Ltd. to amend the existing residential zones (RU1, RU2, and RM2) to utilize the Hillside Development Guidelines, which incorporates alternative road standards.

4.0 BACKGROUND

4.1 The Proposal

The subject property was rezoned to the current zoning designations in January of this year. Since this time the draft Kelowna Hillside Development Guidelines, Official Community Plan, Zoning Bylaw and Subdivision, Development & Servicing Bylaw amendments have been completed and will receive first reading on October 15, 2001. As a result of the completion of these guidelines the applicant is requesting that the Hillside Development Guidelines be applied to the subject property since the property qualifies based on the criteria outlined in the guidelines. Specifically, a *Hillside* is defined in the Official Community Plan as *lands in their natural state that have a slope angle of 10% or greater for a height of 6 metres or more*. By utilizing the Hillside Guidelines there will be reduced road widths and reduced building setbacks, which ultimately result in less site disturbance and allow for a more sensitive form of development.

A review of the building setbacks, comparing the current regulations to the hillside regulations, are outlined below:

CRITERIA	RU1	RU1h	RU2	RU2h	RM2	RM2h
Setbacks (m)						
Front	4.5/6.0 ^①	3.0/6.0 ^②	4.5/6.0 ^①	3.0/6.0 ^②	4.5/6.0 ^①	3.0/6.0 ^②
Rear	NO CHANGE TO REAR YARD SETBACK REQUIREMENT					
Side yard						
- 1/1 ½ storey	NO CHANGE IN SETBACK REQUIREMENT					
- 2/ 2 ½ storey	NO CHANGE IN SETBACK REQUIREMENT					
- Flanking street	4.5	3.0/6.0 ^③	4.5	3.0/6.0 ^③	4.5/6.0 ^④	4.5

① - Front yard setback with a garage or carport having vehicular entry from the front.

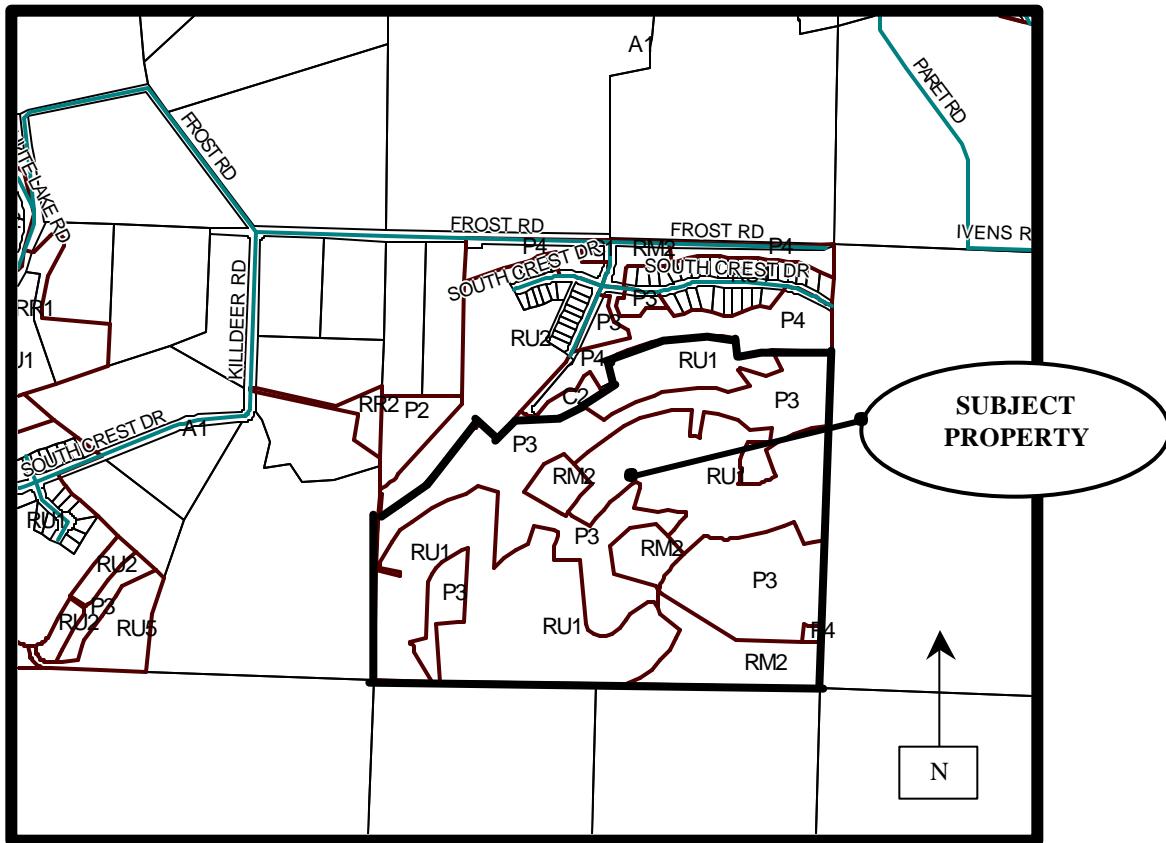
② - Front yard setback measured from the back of curb or a sidewalk, whichever is closest, to a garage or carport having vehicular entry from the front.

③ - Flanking street setback is 3.0 m except it is 6.0 m measured from the back of a curb or a sidewalk, whichever is closest, to a garage or carport having vehicular entry from the front.

④ - Flanking street setback is 4.5 m unless there is a garage it shall be 6.0 m.

4.2 Site Context

The subject property is south of South Ridge Drive and South Crest Drive.



Adjacent zones and uses are, to the:

- North - RU1-Large Lot Housing, P4-Utilities & P3 – Parks & Open Space; single family residential subdivision, park site and drainage facilities
- East - A1 – Agriculture; rural undeveloped land
- South - A1 – Agriculture; rural undeveloped land
- West - A1 – Agriculture; rural land with a single family dwelling

4.4 Current Development Policy

4.4.1 City of Kelowna Strategic Plan (1992)

The proposed hillside designation is in keeping with the Strategic Plan which states that the City will allow for differing densities and scale of development in new urban areas to provide for choice in urban environments and to protect environmentally sensitive areas.

4.4.2 Kelowna Official Community Plan

The proposed rezoning is in keeping with the OCP Hillside Objectives, which support development in appropriate hillside locations which respect the natural topography and which maximise the retention of existing landforms and vegetation. The OCP Hillside Objectives also encourage flexibility and innovation on the part of both the City and Developer in order to permit projects, which result in a reduced impact on the natural environment.

4.4.3 Neighbourhood Two Area Structure Plan

The proposed rezoning is consistent with the uses and intent of the Neighbourhood Two Areas Structure Plan adopted in January of this year.

5.0 TECHNICAL COMMENTS

The Planning & Development Services Department is recommending support for this rezoning application. Development within these guidelines would be appropriate given the topographic conditions that exist on site. Because this application is merely to add the “h” zone designation to the parent zone, and because all on-site and off-site servicing requirements have been addressed through the previous rezoning and subdivision, this application received a limited circulation. It should be noted that an Environmental Development Permit will be required prior to any development or site preparation.

Hazel Christy, MBA, MCIP
Special Projects Planning Manager

Approved for inclusion ☐

R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning & Development Services

HC/SG/jd

Attachments

FACT SHEET

1. **APPLICATION NO.:** Z01-1048
2. **APPLICATION TYPE:** Rezoning
3. **OWNER:** 369736 BC Ltd./Grant Gaucher
 . **ADDRESS** 200 – 3275 Lakeshore Road
 . **CITY/ POSTAL CODE** Kelowna, BC V1W 3S9
 OWNER: R265 Enterprises
 . **ADDRESS** 301 – 1665 Ellis Street
 . **CITY/ POSTAL CODE** Kelowna, BC V1Y 2B3
 OWNER: Emil Anderson Construction Co. Ltd.
 . **ADDRESS** 907 Ethel Street
 . **CITY/ POSTAL CODE** Kelowna, BC V1Y 2W1
 OWNER: Gilmar Management Ltd.
 . **ADDRESS** 907 Ethel Street
 . **CITY/ POSTAL CODE** Kelowna, BC V1Y 2W1
 OWNER: Gillen Investments Inc.
 . **ADDRESS** 907 Ethel Street
 . **CITY/ POSTAL CODE** Kelowna, BC V1Y 2W1
 OWNER/CONTACT PERSON: 369736 BC Ltd./Grant Gaucher
 . **ADDRESS** 200 – 3275 Lakeshore Road
 . **CITY/ POSTAL CODE** Kelowna, BC V1W 3S9
4. **APPLICANT/CONTACT PERSON:** 369736 BC Ltd./Grant Gaucher
 • **ADDRESS** 200 – 3275 Lakeshore Road
 • **CITY/POSTAL CODE** Kelowna, BC V1W 3S9
 • **TELEPHONE/FAX NO.:** 763-4444/763-1000
5. **APPLICATION PROGRESS:**
 Date of Application: September 20, 2001
 Staff Report to Council:
6. **LEGAL DESCRIPTION:** Lot A, District Lot 1688S, SDYD, Plan KAP68646 except Plan KAP68647
7. **SITE LOCATION:** South of South Ridge Drive
8. **CIVIC ADDRESS:** South of South Ridge Drive
9. **AREA OF SUBJECT PROPERTY:** 49 ha
10. **AREA OF PROPOSED REZONING:** Less than 49 ha
11. **EXISTING ZONE CATEGORY:** RU1 – Large Lot Housing; RU2 – Medium Lot Housing; RM2 – Low Density Row Housing
12. **PROPOSED ZONE:** RU1h – Large Lot Housing (Hillside area); RU2h – Medium Lot Housing (Hillside Area) and RM2h - Low Density Row Housing
13. **PURPOSE OF THE APPLICATION:** To amend the existing residential to utilize the Hillside Development Guidelines
14. **DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS** Environmental and Hazardous Condition Development Permit Area

**SCHEDULE A:
AMENDMENTS PROPOSED TO ZONING BYLAW No. 8000**

To be inserted in Zoning Bylaw 8000 after the following sections (Proposed amendments denoted in bold type):

RU2 – Urban Residential Medium Lot zone

(proposed amendments shown in bold)

- 13.2 RU2 – Medium Lot Housing
 RU2s- Medium Lot Housing with Secondary Suite
 RU2h-Medium Lot Housing (Hillside Area)
- 13.2.5.c. **In RU2 and RU2s zones**, the minimum front yard is 4.5m, except it is 6.0m from a garage or carport having vehicular entry from the front. **In RU2h zones, the minimum front yard is 3.0m except it is 6.0 m measured from the back of curb or a sidewalk, whichever is closest, to a garage or carport having vehicular entry from the front.**
- 13.2.5.d. The minimum side yard is 1.5m for a 1 or 1 ½ storey portion of a building and 1.8m for a 2 or 2 ½ storey portion of a building, except that it is 4.5m from a flanking street or when required by Section 13.2.5.(e). **In RU2h zones the minimum setback from a flanking street shall be 3.0m except that it is 6.0 m measured from the back of curb or a sidewalk, whichever is closest, to a garage or carport having vehicular entry from the flanking street.**
- 13.2.5.f. **For RU2h zones, the maximum height of any vertical wall element facing a front, flanking or rear yard (including walkout basements) is the lesser of 6.5m or 2 storeys, above which the building must be stepped back at least 1.2m.**
- 13.2.5.g. **For RU2h zones, all decks, supporting posts or columns shall not exceed the lesser of 4.5m or 1 storey in height, such measurements to include the height of any support structure or retaining wall.**
- 13.2.6.e. **An “h” notation shown on Schedule “A” as part of the identified zone classification indicates that the zoned area may be developed in accordance with Hillside Development Standards contained in the Subdivision, and Development Services Bylaw.**

Renumber following section.

RM2 –Low Density Row Housing zone

(proposed amendments shown in bold)

- 13.8 RM2 – Low Density Row Housing
 RM2h – Low Density Row Housing (Hillside Area)
- 13.8.5. Development Regulations

- 13.8.5.c The maximum height is the lessor of 9.5m or 2 ½ storeys, except it is 4.5m for accessory buildings and structures. **For RM2h zones the maximum height of any vertical wall element facing a front, flanking or rear yard (including walkout basements) is the lessor of 6.5m or 2 storeys, above which the building must be stepped back at least 1.2m.**
- 13.8.5.d The minimum site front yard is 4.5m. except it is 6.0m for a garage or carport. **In RM2h zones, the minimum site front yard is 3.0m except it is 6.0m measured from the back of curb or a sidewalk, whichever is closest, to a garage or carport having vehicular entry from the front.**
- 13.8.5.f The minimum site side yard is 4.0m for a 1 or 1½ storey portion of a building or accessory building or structure and 4.5m for a 2 or 2 ½ storey portion of a building except it is 4.5 from a flanking street unless there is a garage it shall be 6.0m. **In RM2h zones, the minimum site side yard shall be 3.0m except it is 6.0m measured from the back of curb or sidewalk, whichever is closest, to a garage or carport having vehicular entry from the front.** Where there is no direct vehicular access to the rear yard or to an attached garage or carport, one site side yard shall be at least 3.0m.
- 13.8.6. Other Regulations
- 13.8.6.c. For RM2h zones, all decks, supporting posts or columns shall not exceed the lesser of 4.5m or 1 storey in height, such measurements to include the height of any support structure or retaining wall.
- 13.8.6.d. **An “h” notation shown on Schedule “A” as part of the identified zone classification indicates that the zoned area may be developed in accordance with Hillside Development Standards contained in the Subdivision, and Development Services Bylaw.**

Renumber following sections.

Attachments

(Not attached to the electronic copy of the report)

Location Map
Zoning Plan