

REPORT TO COUNCIL



Date: November 14, 2011
To: City Manager
From: Land Use Management, Community Sustainability (PMc)
Application: OCP10-0012/Z10-0067 **Owner:** City of Kelowna
Address: 1515, 1525, 1535, 1547, 1563 Highland Drive North **Applicant:** City of Kelowna (Derek Edstrom)
Subject: Rezoning Application
Existing OCP Designation: Multiple Unit Residential - Low Density
Existing Zone: RU1 - Large Lot Housing zone
Proposed Zone: RM3 - Low Density Multiple Housing zone

1.0 Recommendation

That Council receives, for information, the Report from the Land Use Management branch dated November 14, 2011 regarding Council Resolutions that were passed by Council during the April 19, 2011 Council Meeting with respect to transportation road improvements in the area and the protection of trees on the subject properties;

AND THAT Bylaw No. 10507 & Bylaw No. 10508 be forwarded for rescindment consideration and the appropriate files be closed;

AND THAT Final Adoption of Zone Amending Bylaw No. 10509 be considered by Council,

AND FURTHER THAT Council directs that any proposed land disposition agreement incorporate the following wording: "If one of the identified trees are removed, an equivalent number of trees will be replanted that could reasonably be expected to provide a similar canopy within 5 years".

2.0 Purpose

Service Request #193802 was created at the April 19, 2011 Regular Council Meeting as a result of a Council Directive, which states;

"THAT Council direct staff to report back prior to final reading with an assessment on the health and species of trees on the subject properties including consideration of any appropriate protective measures".

Service Request #193798 was also created at the April 19, 2011 Regular Council Meeting as a result of a Council Directive, which states;

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“THAT Council direct staff to report back prior to final reading with a report indicating what improvements could be made to mitigate traffic impacts on the neighbourhood based on increments related to potential future development of the subject properties.”

Accordingly, the Council requested information is summarized in this report to support final adoption of the zone amending bylaw.

3.0 Land Use Management

The Real Estate and Building Services (REBS) Department has compiled the requested information regarding the health of the trees on the subject properties. Through consultation with the Parks Planning Branch the Urban Forestry Supervisor, a review of the property concludes that the trees do not qualify as heritage status, but do provide a significant canopy cover. Logistically, it is noted that some removal of the trees may be required to facilitate a development proposal. Therefore it is proposed to add the following wording to the land disposition agreement: “if one of the identified trees is removed, an equivalent number of trees will be replanted that could reasonably be expected to provide a similar canopy within five years”. A calculation can take place if required based on ortho photos from the mapping system.

Additionally, the information provided by REBS regarding the traffic issues of the neighbourhood advises that upon review of the Clifton Rd./ Highland Dr. N. intersection by the Traffic and Transportation Branch, it has been determined that a signal is neither warranted at this time or after construction of the development. The future owner/developer will be required to build the sidewalk as previously mentioned and be required to install two speed humps on Willow Cr. to ensure vehicles traffic will be travelling at neighbourhood appropriate speed.

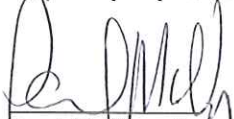
Finally, the outstanding technical requirements noted in the Council report considered on April 19, 2011 have now been addressed, as there has been a plan of subdivision submitted for registration which also includes a road reserve document to identify future dedication of the riparian area adjacent to Brandt’s Creek, as well as a restrictive covenant document to establish a minimum floor elevation.

There had been an Official Community Plan amendment application made to add a new table to Chapter 8 - Housing, under Policy 8.1 Housing Policy to list properties given a one increment increase in density, and to amend the future land use designation from the Single/Two Unit Residential designation to the Multiple Unit Residential - Low Density designation. However, due to the 2030 - Official Community Plan Bylaw being adopted by Council, these bylaws are out of date and serve no purpose.

4.0 Application Chronology

Date of Application Received:	July 21, 2010
Advisory Planning Commission;	October 12, 2010
Revised Development Engineering comments;	January 14, 2011
Public Hearing;	April 19, 2011
Environmental Development Permit;	September 30, 2011
Subdivision Plans to Lawyer;	November 14, 2011

Report prepared by:


Paul McVey, Land Use Planner

Reviewed by:



Danielle Noble Manager, Manager, Urban Land Use

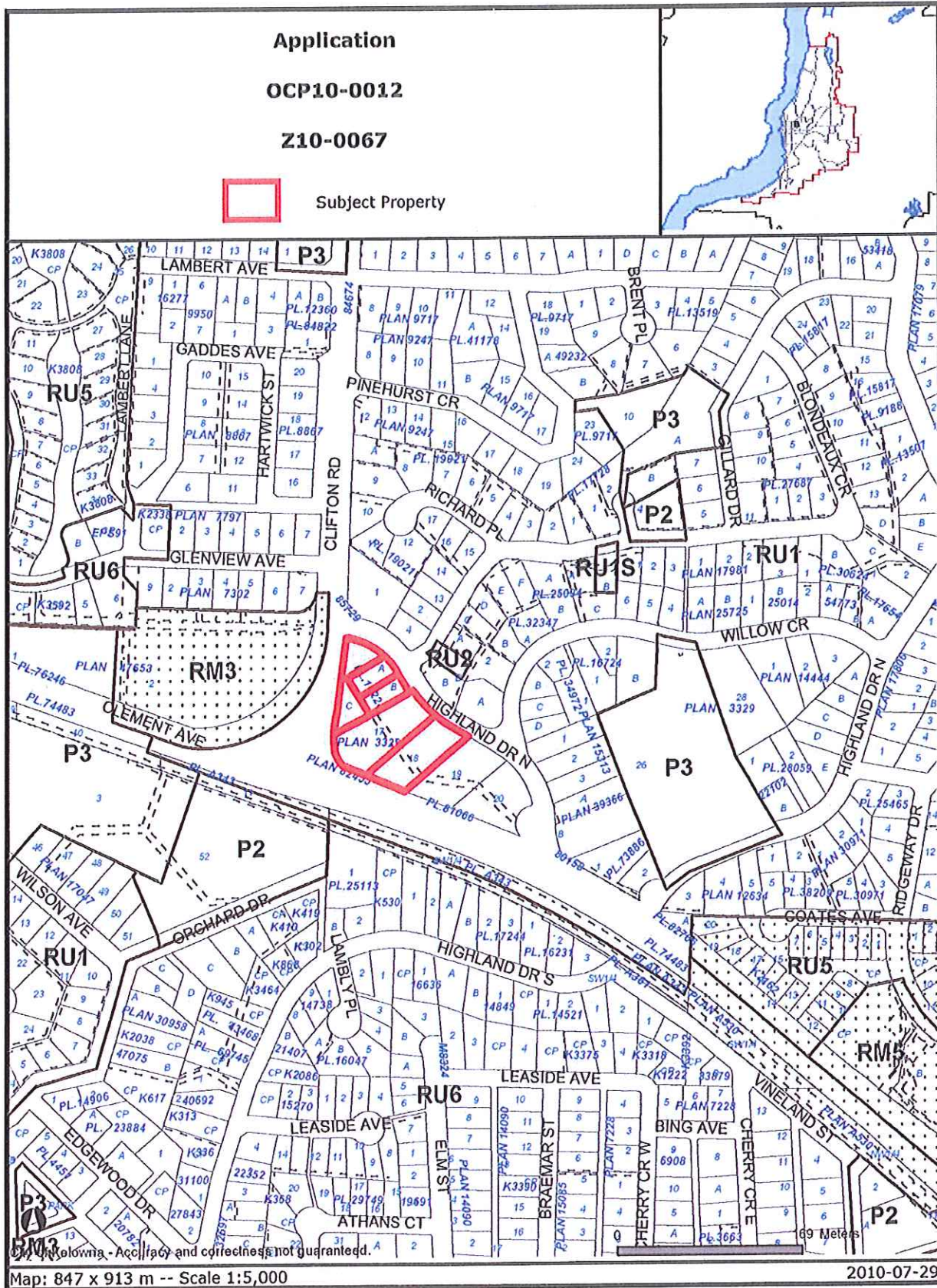
Approved for Inclusion:



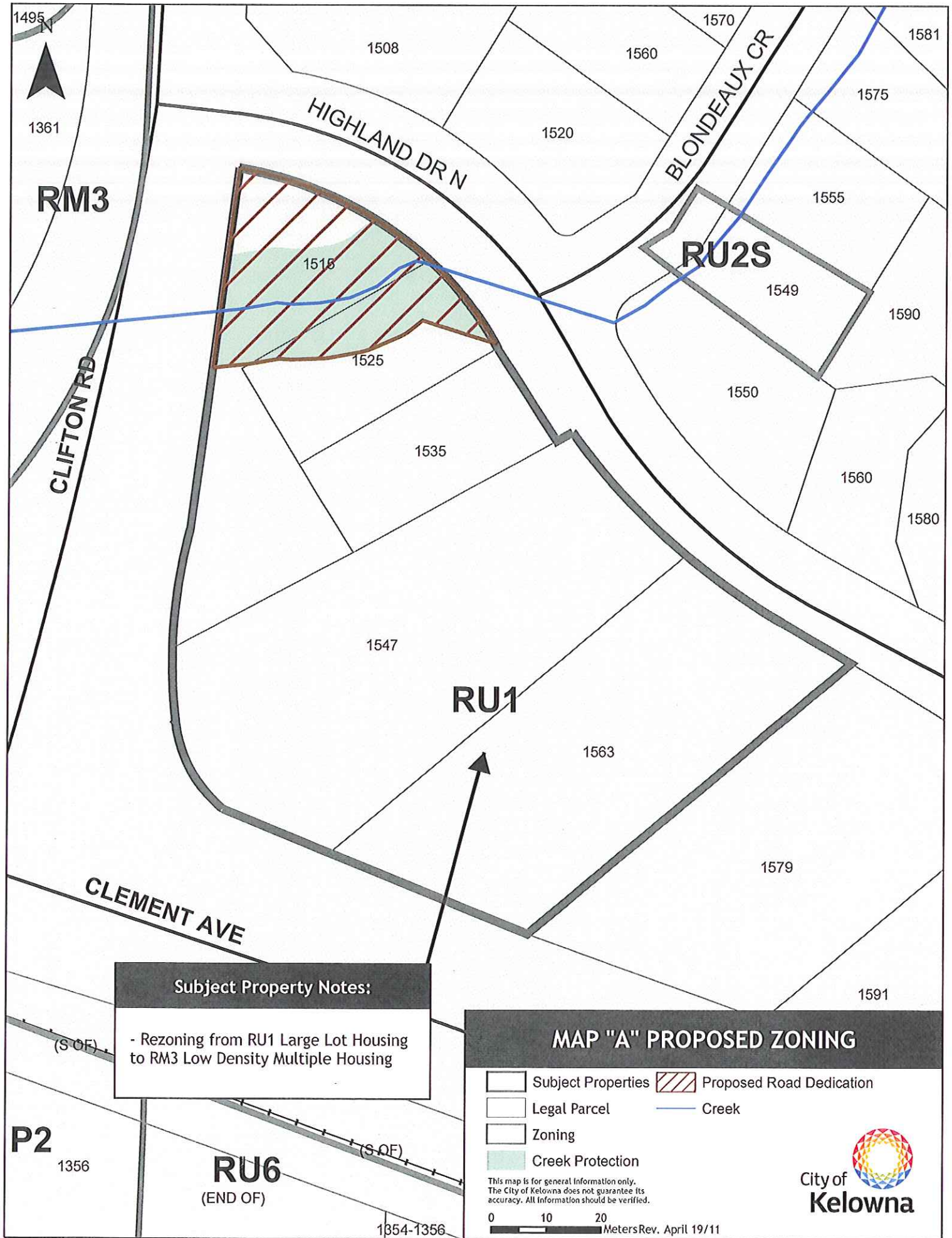
Shelley Gambacort, Director, Land Use Management

Attachments:

Location Map
Map "A" Proposed Zoning



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.



Subject Property Notes:

- Rezoning from RU1 Large Lot Housing to RM3 Low Density Multiple Housing

MAP "A" PROPOSED ZONING

	Subject Properties		Proposed Road Dedication
	Legal Parcel		Creek
	Zoning		Creek Protection

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