

# REPORT TO COUNCIL



**Date:** March 2, 2012

**To:** City Manager

**From:** Land Use Management, Community Sustainability

**Application:** Z12-0001/OCP12-0001      **Owner/Applicant:** Melcor Lakeside Inc.

**Address:** 373 Prestwick Street

**Subject:** Rezoning & OCP Amendment

**Existing & Proposed OCP Designations:** MRL - Multiple Unit Residential - Low Density  
S/2RESH - Single/Two-Unit Residential (Hillside)

**Existing Zoning:** RM3 - Low Density Multiple Housing  
RU1hs - Large Lot Housing (Hillside Area) with Secondary Suite

**Proposed Zoning:** RM3 - Low Density Multiple Housing  
RU6 - Two Dwelling Housing

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## 1.0 Recommendation

THAT OCP Bylaw Amendment No. OCP 12-0001 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by changing the Future Land Use designation of a portion of Lot 2, Section 19, Township 27, ODYD, Plan EPP12261, located at 373 Prestwick Street, Kelowna, BC from the Multiple Unit Residential (Low Density) designation to the Single/Two-Unit Residential (Hillside) designation, and a portion from the Single/Two-Unit Residential (Hillside) designation to the Multiple Unit Residential (Low Density) designation as shown on Map "A" attached to the report from the Land Use Management Department dated March 2, 2012, be considered by Council;

AND THAT Council considers the Applicant's public notification program (as approved by the Land Use Management Department) to be appropriate consultation for the purpose of Section 879 of the Local Government Act, as outlined in the Report of the Land Use Management Department dated March 2, 2012.

THAT Rezoning Application No. Z12-0001 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of a portion of Lot 2, Section 19, Township 27, ODYD, Plan EPP12261, located at 373 Prestwick Street, Kelowna, BC from the RM3 - Low Density Multiple Housing zone to the RU6 - Two Dwelling Housing zone, and a portion from the RU1hs - Large Lot Housing (Hillside Area) with Secondary Suite zone to the RM3 - Low Density Multiple Housing zone as shown on Map "B" attached to the report from the Land Use Management Department dated March 2, 2012, be considered by Council;

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



AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Black Mountain Irrigation District being completed to their satisfaction;

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

## **2.0 Purpose**

This application seeks to rezone a portion of the property from the RM3 - Low Density Multiple Housing zone to the RU6 - Two Dwelling Housing zone to facilitate the creation of four fee-simple duplex lots. In addition, a minor mapping inaccuracy is to be amended at the southern end of the property, created by a previous subdivision.

## **3.0 Land Use Management**

The proposed OCP amendment and associated rezoning is considered to be minor in nature. The proposed RU6 lots are not a significant departure from the existing approved land use, and in fact, represent a lower density. While the proposal does not increase density from that which is already approved, it allows the developer to better accommodate current market conditions with a different housing product. The ability to pursue multi-unit development in the future would continue for the remainder of the site.

Staff are supportive of increasing the variety of housing types in the area, as fee-simple duplex lots were not considered in the original Black Mountain Area Structure Plan. The lots dimensions proposed exceed zoning requirements, which is typically encouraged in hillside areas to respect natural topography. In addition, solving the existing mapping inaccuracy would meet staff's request, allowing the property to conform to the land designations previously adopted through the Area Structure Plan process.

Through consideration of the above, the Land Use Management Department recommends support for the proposed OCP and zoning amendments.

## **4.0 Proposal**

An application has been made to rezone a portion of the property from the RM3 - Low Density Multiple Housing zone to the RU6 - Two Dwelling Housing zone. While the Black Mountain Area Structure Plan identified the property for multi-unit development (i.e. townhomes), prevailing market conditions and topographical constraints of the site limit the ability to consider a comprehensive townhome development encompassing the entire property.

The property owner seeks to create four duplex lots along the upper portion of the site. These new lots would be accessed from a new road under-construction (currently referred to as Road D) which will lead to additional phases of the Black Mountain community. The lower (north) portion of the lot would remain zoned RM3, allowing for a future strata townhome development with access from Prestwick Street.

At staff's request, the OCP and zone amending bylaws would also fix an existing minor mapping error on the southern portion of the site (as shown on the attached maps), where a small portion of the property is zoned RU1hs. This issue was caused through a previous subdivision application.

As the property is located within a Hazardous Conditions Development Permit area, the proposed lots require a Natural Environment Development Permit which has already been submitted, and is to be executed at a staff level.

The proposed RU6 lots conform to Zoning Bylaw No. 8000 as follows:

Criteria	Proposal	RU6 Zone Requirements
<b>Existing Lot/Subdivision Regulations</b>		
Site Area (m <sup>2</sup> )	1,064m <sup>2</sup>	700m <sup>2</sup>
Site Width (m)	28.5m	18.0m
Site Depth (m)	34.0m	30.0m

#### 4.3 Subject Property Map: 373 Prestwick Street



### 5.0 Current Development Policies

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

**Complete Suburbs.**<sup>1</sup> Support of mix of uses within Kelowna’s suburbs, in accordance with “Smart Growth” principals to ensure complete communities. Uses that should be present in all areas of the City (consistent with Map 4.1 - Future Land Use Map), at appropriate locations, include: commercial, institutional, and all types of residential uses at densities appropriate to their context.

### 6.0 Technical Comments

#### 6.1 Development Engineering Branch

This application to downzone the subject property to create 4 new lots does not compromise servicing requirements. All servicing are addressed through subdivision application S11-0070. This application does not trigger any offsite infrastructure upgrades

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter)

6.2 Irrigation District (BMID)

Capital Expenditure Charges (CEC's) are applicable. Other requirements to be met prior to subdivision and Building Permit.


6.3 Subdivision Approving Officer

Supportive of proposed lot layout based on review of the design challenges for the site. Additional comments to be provided through Natural Environment DP process.

7.0 Application Chronology

Date application received: January 5, 2012

Report prepared by:



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Luke Turri, Urban Land Use Planner

Reviewed by:



Danielle Noble, Manager, Urban Land Use Branch

Approved for Inclusion:



Shelley Gambacort, Director, Land Use Management

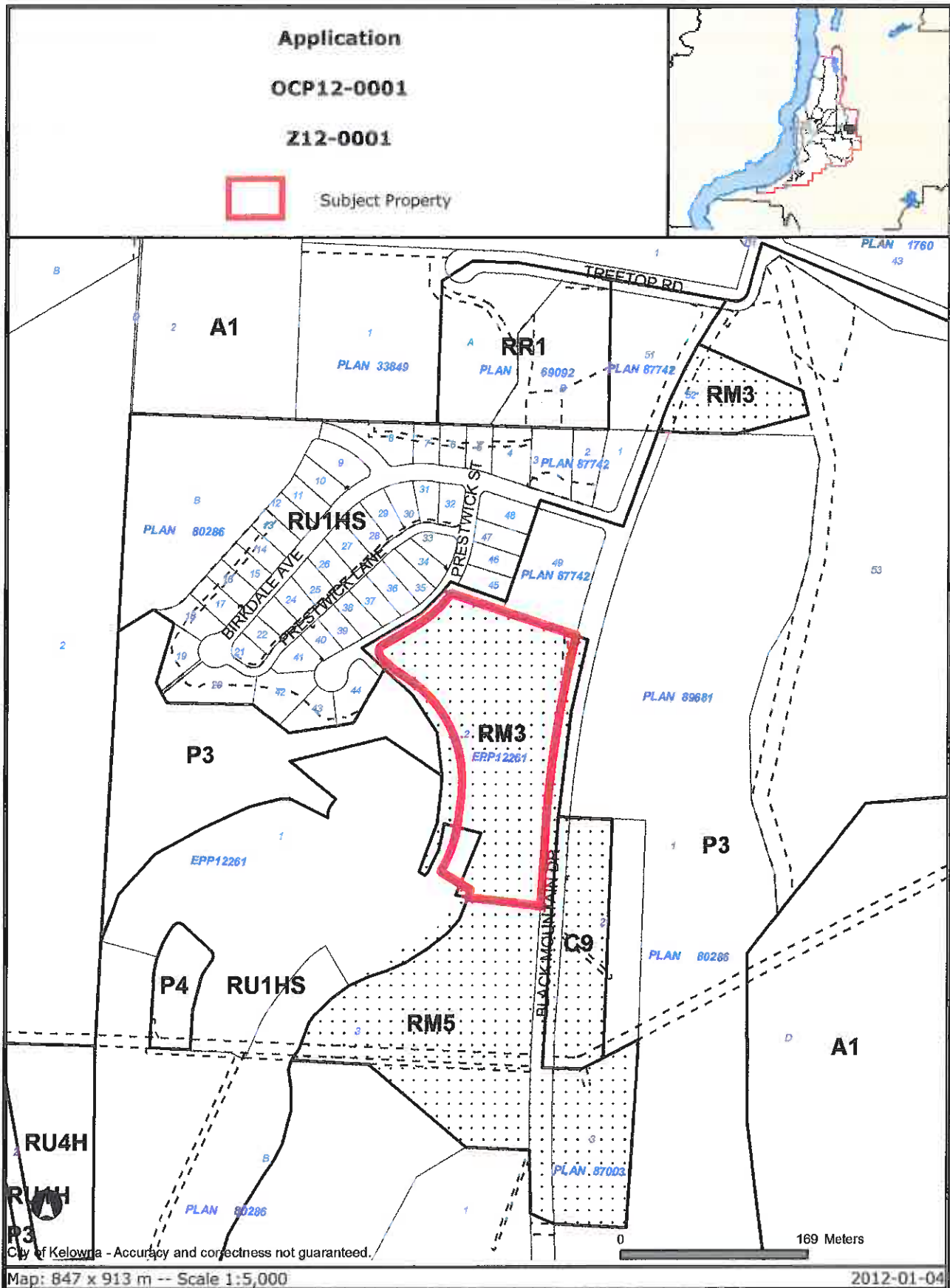
Attachments:

Subject Property Map

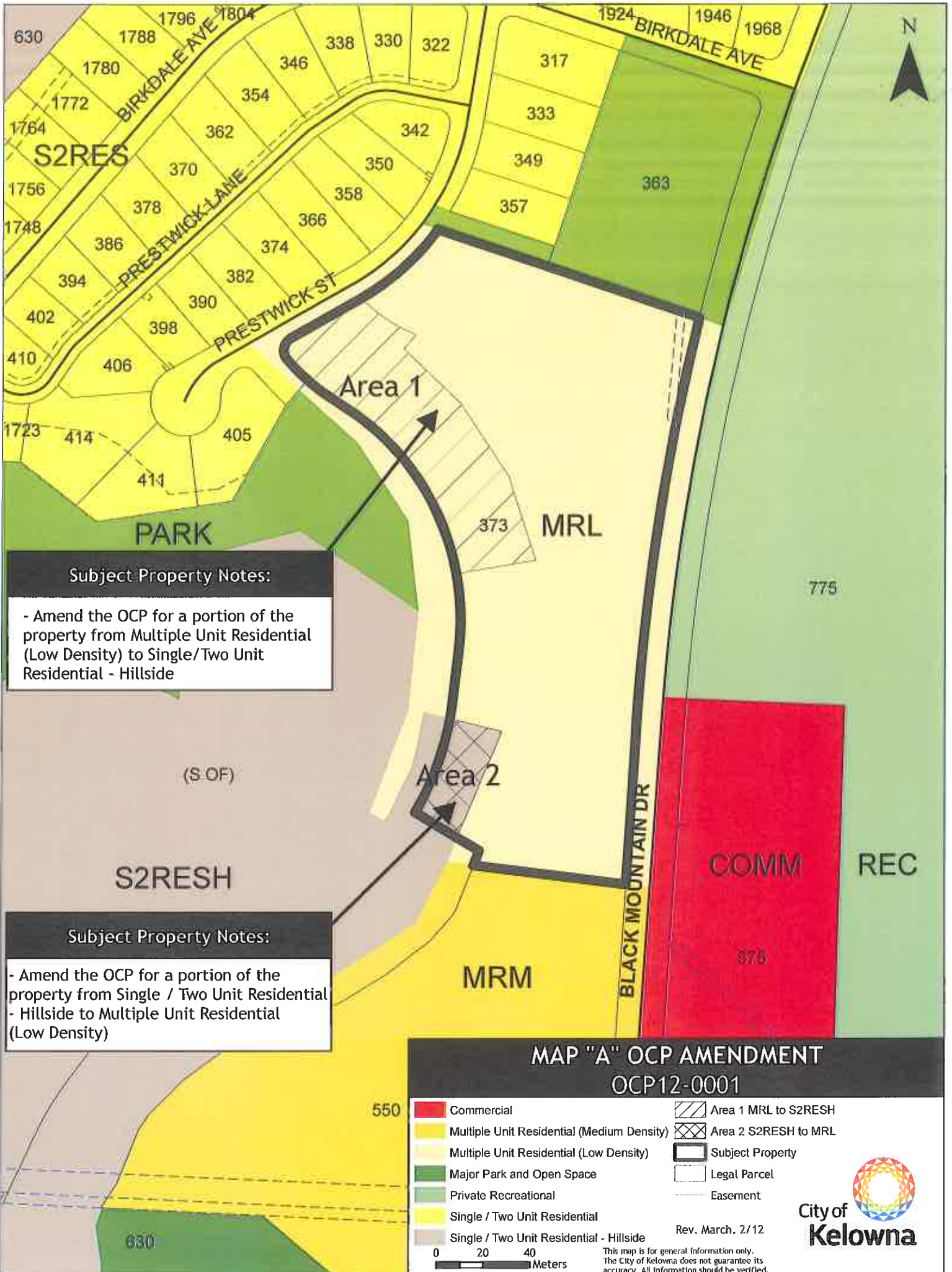
Map "A" - Proposed OCP Amendment

Map "B" - Proposed Zoning Amendment

Site Plan (4-Lot Subdivision)



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:**

- Amend the OCP for a portion of the property from Multiple Unit Residential (Low Density) to Single/Two Unit Residential - Hillside

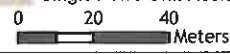
**Subject Property Notes:**

- Amend the OCP for a portion of the property from Single / Two Unit Residential - Hillside to Multiple Unit Residential (Low Density)

**MAP "A" OCP AMENDMENT  
OCP12-0001**

- |  |                      |
|--|----------------------|
| Commercial                                 | Area 1 MRL to S2RESH |
| Multiple Unit Residential (Medium Density) | Area 2 S2RESH to MRL |
| Multiple Unit Residential (Low Density)    | Subject Property     |
| Major Park and Open Space                  | Legal Parcel         |
| Private Recreational                       | Easement             |
| Single / Two Unit Residential              |                      |
| Single / Two Unit Residential - Hillside   |                      |

Rev. March, 2/12



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**RU1HS**

BIRKDALE AVE

PRESTWICK LANE

PRESTWICK ST

BIRKDALE AVE

**Subject Property Notes:**

- Rezone a portion of the subject property from RM3 Low Density Multiple Housing to RU6 Two Dwelling Housing.

Area 1

**P3**

**RM3**

**P3**

**RU1HS**

Area 2

BLACK MOUNTAIN DR

**C9**

**Subject Property Notes:**

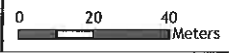
- Rezone a portion of the subject property from RU1H to RM3 Low Density Multiple Housing.

**RM5**

**MAP "B" PROPOSED ZONING**  
Application #Z12-0001

- Subject Property
- Zoning
- Legal Parcel
- Area 1 RM3 to RU6
- Area 2 RU1H to RM3

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Rev. March 1/12



