

REPORT TO COUNCIL



Date: July 18, 2012
To: City Manager
From: Land Use Management, Community Sustainability (JM)
Application: Z12-0001 **Owner / Applicant:** Melcor Lakeside Inc. (Andrew Bruce)
Address: 373 Prestwick Street
Subject: Rezoning Application - Supplemental
Existing Zone: RM3 - Low Density Multiple Housing
RU1hs - Large Lot Housing (Hillside Area) with Secondary Suite
Proposed Zone: RM3 - Low Density Multiple Housing
RU6h - Two Dwelling Housing (Hillside Area)

1.0 Recommendation

THAT Council receives, for information, the Supplemental Report of the Land Use Management Department dated July 18, 2012 with respect to a proposed amendment to Rezoning Application No. Z12-0001;

THAT second and third readings for Bylaw No. 10672 be forwarded for rescindment consideration; AND THAT Rezoning Application No. Z12-0001 (Bylaw No. 10672) be amended at first reading to change the proposed zoning classification for a portion of Lot 2, Section 19, Township 27, ODYD, Plan EPP12261, located at 373 Prestwick Street, Kelowna, BC, from the RU6 - Two Dwelling Housing zone to the RU6h - Two Dwelling Housing (Hillside Area) zone as shown on Map "B" attached to the Report of the Land Use Management Department dated July 18, 2012 be considered by Council;

AND THAT the Zone Amending Bylaw, as amended, 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

The applicant has requested to amend their original rezoning application in order to change the proposed zoning classification for a portion of the subject property from RU6 - Two Dwelling Housing to RU6h - Two Dwelling Housing (Hillside Area).

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3.0 Land Use Management

Land Use Management staff have no significant concerns regarding the change to the proposed zoning classification. The requested change is limited to the addition of the Hillside Area (h) designation to the RU6 - Two Dwelling Housing zoning classification that has already been considered by Council. This change will not affect use or density, but will make development on the affected land subject to the additional massing and siting requirements of the Hillside Area designation. As a result, development on the parcel will have a reduced visual impact on the hillside when compared to what is permitted without the Hillside Area designation.

4.0 Proposal

4.1 Background

The original rezoning application sought to amend a portion of the subject property from RM3 - Low Density Multiple Housing to RU6 - Two Dwelling Housing, and a second portion of the parcel from RU1hs - Large Lot housing (Hillside Area) with Secondary Suite to RM3 - Low Density Multiple Housing.

Council was asked to consider the original rezoning application alongside the required Official Community Plan Amendment application. The combined proposal was given initial consideration on March 12, 2012, a Public Hearing was held on April 3, 2012, and 2nd and 3rd readings were given following the Public Hearing.

On July 6, 2012, the applicant contact City staff and requested that one of the zoning classifications proposed as part of the original rezoning application be changed from RU6 - Two Dwelling Housing to RU6h - Two Dwelling Housing (Hillside Area). As rationale for the change, the applicant has noted that it was originally their intention to rezone using the Hillside Area designation, but, that they did not request the correct zone due to error or oversight. The applicant further stated that the property is subject to hillside conditions, and that surrounding single family development utilizes hillside zoning (RU1h).

Report prepared by:



James Moore, Land Use Planner

Reviewed by:



Danielle Noble, Manager, Urban Land Use

Approved for Inclusion:

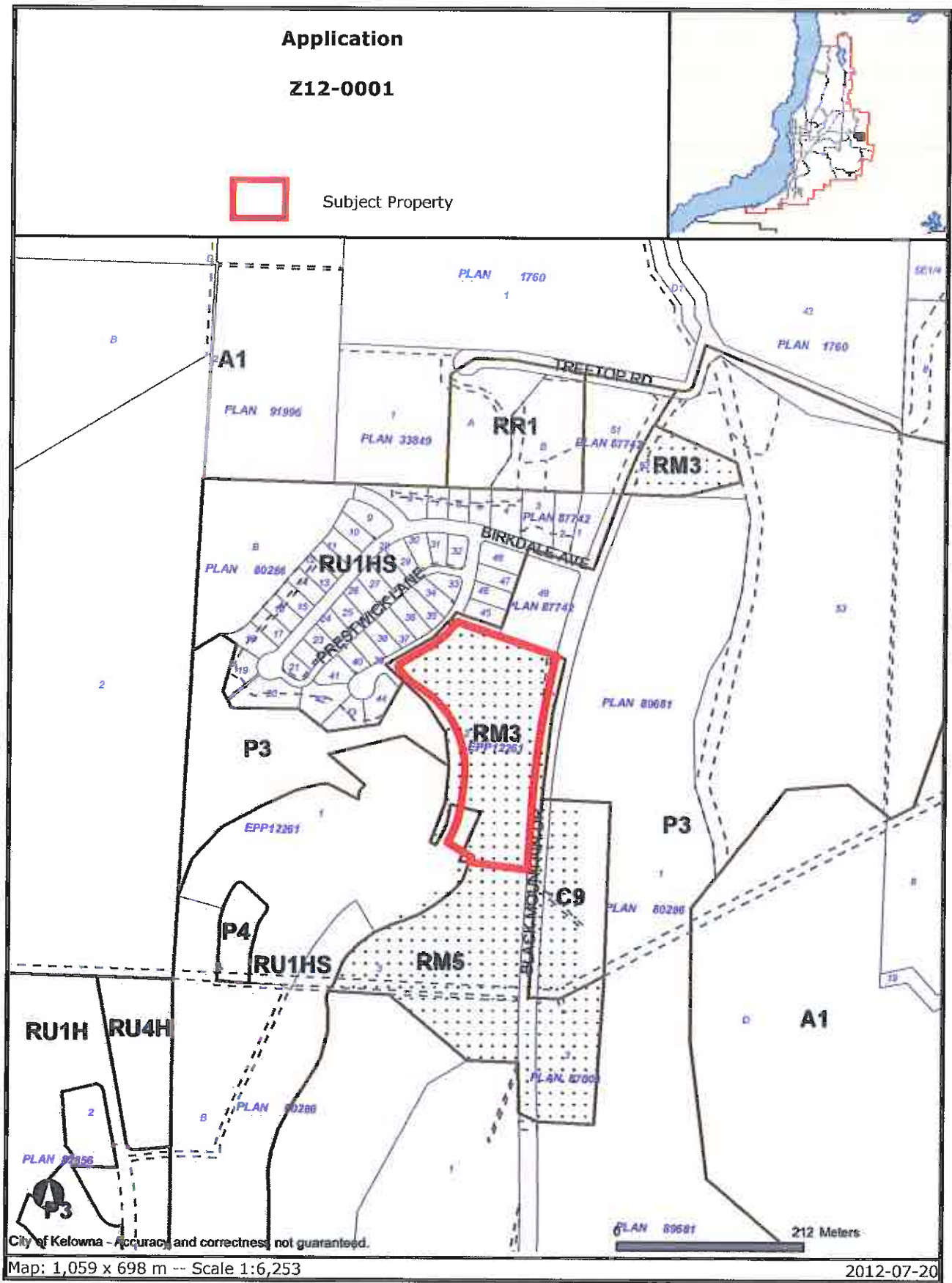


Shelley Gambacort, Director, Land Use Management

Attachments:

Subject Property Map

Map "B" - 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.

N



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 RU6H Two Dwelling Housing Hillside

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.

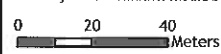
RM5

MAP "B" PROPOSED ZONING

Application #Z12-0001

- Subject Property
- Zoning
- Legal Parcel
- Area 1 RM3 to RU6H
- Area 2 RU1H to RM3

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Rev. March 1/12