

REPORT TO COUNCIL



Date: March 26, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TA)

Application: OCP17-0020 Z17-0091 **Owner:** Gillen Investments Inc. Inc. No. 528682
Emil Anderson Construction Co. Ltd. Inc.
No. C172775

Address: 680 Cantina Court **Applicant:** Matthew J. Temple
Emil Anderson Construction Co Ltd.

Subject: Official Community Plan Amendment and Rezoning Application

Existing OCP Designation: COMM – Commercial
PARK – Major Park/Open Space (Public)

Proposed OCP Designation: MRL – Multiple Unit Residential (Low Density)
PARK – Major Park/Open Space (Public)

Existing Zone: C2 – Neighbourhood Commercial
P3 – Parks & Open Space

Proposed Zone: RM2h – Low Density Row Housing (hillside)
P3 – Parks & Open Space

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP17-0020 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of:

- portions of Lot 15, District Lot 1688S, SDYD, Plan KAP71342, located at 680 Cantina Court, Kelowna, BC; from the COMM - Commercial designation to the MRL – Multiple Unit Residential (Low Density), and from the COMM – Commercial designation to the PARK – Major Park/Open Space (Public) designation; and
- portions of Lot 56, District Lot 1688S, SDYD, Plan KAP68647 Except Plan KAP71342, located at (S OF) South Crest Drive, Kelowna, BC; from the PARK – Major Park/Open Space (Public) designation to the MRL – Multiple Unit Residential (Low Density) designation;

as shown on Map "A" attached to the Report from the Community Planning Department dated March 26, 2018 be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT Council considers the neighbourhood consultation process to be appropriate consultation for the purposes of Section 475 of the *Local Government Act*, as outlined in the Report from the Community Planning Department dated March 26, 2018;

AND THAT final adoption of the Official Community Plan Map Amending Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated March 26, 2018;

AND THAT Rezoning Application No. Z17-0091 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of:

- portions of Lot 15, District Lot 1688S, SDYD, Plan KAP71342, located at 680 Cantina Court, Kelowna, BC from the C2 – Neighbourhood Commercial zone to the RM2h – Low Density Row Housing (Hillside Area) zone, and from the C2 – Neighbourhood Commercial zone to the P3 – Parks & Open Spaces zone; and
- portions of Lot 56, District Lot 1688S, SDYD, Plan KAP68647 Except Plan KAP71342, located at (S OF) South Crest Drive, Kelowna, BC from the P4 – Utilities zone to the RM2h – Low Density Row Housing (Hillside Area) zone;

as shown on Map "B" attached to the Report from the Community Planning Department dated March 26, 2018 be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the execution of the Land Agreement between the City of Kelowna and the applicant;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit for the subject property.

2.0 Purpose

To amend the Official Community Plan to change the future land use designation and to rezone the subject property to facilitate the development of low density row housing.

3.0 Community Planning

The subject property is currently zoned for neighbourhood commercial as established in the original Area Structure Plan for the South Ridge neighbourhood in 2002. It has sat vacant since that time as the surrounding residential neighbourhood has built out. The property owner has been challenged with developing commercial at this site due to low levels of interest and its relatively isolated commercial

location and is now proposing a change in land use to low density residential which would have greater market viability. While a commercial component is an important element in creating more sustainable neighbourhoods, Staff recognize that the South Ridge neighbourhood will be serviced by the future commercial village centre planned in the adjacent Ponds neighbourhood to the east along Frost Road. Community Planning supports the proposed low density residential land use as it is capability with the surrounding residential neighbourhood; contributes to providing a different housing type than currently exists in the area, and is an appropriate fit for the site constraints.

Should Council support the proposed OCP and Zoning amendments, Staff will be forwarding a Council considered Development Permit for Form and Character.

The applicant completed neighbourhood consultation in accordance with Council Policy No. 367. Staff have reviewed this application, and it may move forward without affecting either the City's Financial Plan or Waste Management Plan.

4.0 Proposal

4.1 Background

The subject property was identified as a commercial site through the South Ridge Area Structure Plan in 2002. It is currently zoned C2 – Neighbourhood Commercial. The intent of the neighbourhood commercial was to provide a stand-alone commercial building on the upper rocky portion of the site connected via stairwell to the lower portion of the site where parking would be sited. The property is vacant and has never been developed.

The subject property is a steeply sloped and irregularly shaped property with a rocky knoll at the upper north east portion. It is surrounded on three sides by City owned land currently zoned P4 – Utilities for the South Ridge Drainage and Retention Area. In order to achieve a reasonable site area for row-housing, the applicant has entered into a Land Agreement with the City of Kelowna to establish a land transfer. The applicant will transfer the north eastern steeply sloped portion to the City of Kelowna to be zoned P3 – Parks & Open Space and to be used as Park. The City will transfer portions of land at the lower elevation which are not as steeply sloped to create a site for 6 proposed row houses under the RM2h zone (please refer to attached Map "A" and Map "B").

4.2 Project Description

The applicant has proposed a residential development of 6 row houses. The portion of City lands that will be disposed to the applicant and consolidated with the subject property will be amended from PARK to MRL and rezoned to RM2h – Low Density Row Housing (Hillside Area). The steep slopes at the north-east corner of the property will become City-owned and will be amended from COMM to PARK and rezoned to P3 – Parks & Open Space.

4.3 Site Context

The subject property is located in Upper Mission in the South Ridge neighbourhood. It is located off of South Ridge Drive and Cantina Ct. in a subdivision that is predominantly single dwelling housing. The walk score of the subject property is 1, which means it is a car dependent neighbourhood.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P ₄ - Utilities	South Ridge Detention Pond
East	P ₄ - Utilities	South Ridge Detention Pond
South	P ₃ – Parks & Open Space RU _{1h} – Large Lot Housing (Hillside Area)	South Ridge Open Space Single Dwelling Housing
West	P ₄ - Utilities	South Ridge Detention Pond

Subject Property Map: 680 Cantina Court



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Policy 5.15.7: Protection Measures. Protect and preserve environmentally sensitive areas using one or more of the following measures, depending on which measures are appropriate to a given situation:

- Dedication as a City park or trail where the area complements the goals and objectives of sustainable development. ESA's acquired as parks or trails will be managed to protect their sensitive features in balance with public use.

Policy 5.15.12: Steep Slopes. Prohibit development on steep slopes (+30% or greater for a minimum distance of 10 metres) except where provided for in ASPs adopted or subdivisions approved prior to adoption of OCP Bylaw 10500.

Policy 5.22.7: Healthy Communities. Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

6.0 Technical Comments

6.1 Building & Permitting Department

- Any retaining walls or slope stability to platform the building sites are required to be designed by a geotechnical engineer and the work done as part of the subdivision.
- Locations of rock pits to clearly determined on site grading plans and comment for design should be provided in the geotechnical report. This area does not have a storm pipe system.
- Roof water disposal to be determined by geotechnical engineer at time of sub division. If the roof water is connected to stormwater management system then engineering details should be provided since this requirement is not within the Building Code. Details should include slope of piping, clean outs, connection to dwelling, size of pipe, backflow protection, etc.
- Any sloped areas above the building platform should have a drainage swale system before the property line to deal with potential overland water flows issues.

6.2 Development Engineering Department

- Please see attached Development Engineering Memorandum dated November 1, 2017 as Schedule "A".

7.0 Application Chronology

Date of Application Received: August 21, 2017
Date Public Consultation Completed: December 4, 2017
Date of Revised Drawings Received: March 7, 2018

Report prepared by: Trisa Atwood, Planner II

Reviewed by: Terry Barton, Urban Planning Manager

Reviewed by: Ryan Smith, Community Planning Department Manager

Approved for Inclusion: Doug Gilchrist, Divisional Director Community Planning and Strategic Investments

Attachments:

Attachment "A": Applicant's Letter of Rationale dated March 27, 2017
Map "A": Official Community Plan Amendment Map
Map "B": Zoning Bylaw Amendment Map
Schedule "A": Development Engineering Memorandum