

# REPORT TO COUNCIL



**Date:** February 3, 2020

**RIM No.** 1250-30

**To:** Council

**From:** City Manager

**Department:** Development Planning (AK)

**Application:** OCP19-0004/Z19-0103

**Owner:** Trailhead Communities (Ponds) Ltd.

**Address:** 5100 Gordon Drive

**Applicant:** WSP Global Inc.

**Subject:** Official Community Plan Amendment and Rezoning Application

**Existing OCP Designation:** MRC- Multiple Unit Residential – Cluster Housing  
PARK – Major Park/Open Space

**Proposed OCP Designation:** MRC - Multiple Unit Residential – Cluster Housing  
PARK – Major Park/Open Space

**Existing Zone:** A1- Agriculture

**Proposed Zone:** RH3- Hillside Cluster Housing  
P3- Parks and Open Space  
RU2h – Medium Lot Housing (Hillside Area)

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## 1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP19-0004 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 The South ½ District Lot 579 SDYD Except Plans KAP77336, KAP86178, KAP86917, KAP87090, KAP87918, EPP9619, EPP9638, EPP12863, EPP15721, EPP18670, EPP22118, EPP55798, EPP45189, EPP72926, EPP74481 AND EPP77194 located at 5100 Gordon Drive, Kelowna, BC from the:

- Major Park / Open Space (public) (PARK) designation to the Multiple Unit Residential- Cluster Housing (MRC) designation; and from the
- Multiple Unit Residential- Cluster Housing (MRC) designation to the Major Park / Open Space (public) (PARK) designation

as shown on Map "A" attached to the Report from the Development Planning Department dated February 3, 2020, 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 Public Hearing process to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*, as outlined in the Report from the Development Planning Department February 3, 2020;

THAT Rezoning Application No. Z19-0103 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of The South ½ District Lot 579 SDYD Except Plans KAP77336, KAP86178, KAP86917, KAP87090, KAP87918, EPP9619, EPP9638, EPP12863, EPP15721, EPP18670, EPP22118, EPP55798, EPP45189, EPP72926, EPP74481 AND EPP77194 located at 5100 Gordon Drive, Kelowna, BC, from the A1 – Agriculture zone to the RH3 – Hillside Cluster Housing zone, RU2h – Medium Lot Housing (Hillside Area) zone and P3- Parks and Open Space zone as shown on Map “B” attached to the Report from the Development Planning Department February 3, 2020, be considered by Council;

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

## **2.0 Purpose**

To amend the Official Community Plan to change the future land use designation to PARK – Major Park/Open Space and MRC – Multiple Unit/Residential - Cluster Housing and rezone the subject property to RH3 – Hillside Cluster Housing, RU2h – Medium Lot Housing (Hillside Area), and P3 – Parks and Open Space to facilitate a future residential subdivision.

## **3.0 Development Planning**

Development Planning staff support the proposed Official Community Plan (OCP) amendment and rezoning application to allow for a residential subdivision with natural open space connections. The proposal is consistent with the 2007 Area Structure Plan (ASP) for the neighbourhood known as ‘The Ponds’ in the Upper Mission area and the Official Community Plan. Within the ASP the subject property is envisioned to accommodate a mix of trails, parkland and residential development. Residential development is intended to be a group of housing units situated within clearly defined “buildable areas” surrounded by natural open space and typically accessed by a single local or strata road as proposed.

The property is currently designated a mix of PARK – Major Park/Open Space and MRC - Multi Unit Residential- Cluster Housing as defined in the Official Community Plan. The proposed OCP amendment is meant to create adjustments to the boundaries of the existing Future Land Use designations based on the proposed development plan. The proposed amendment would result in a 2.0 ha (5 acre) net increase in the amount of land designated as park as portions of the lot currently designated for residential housing are proposed to re-designated for park/open spaces use. The remainder of the site is proposed to be used for residential development. The proposed density of the site is consistent with the surrounding S2RES - Single/Two Unit Residential OCP designation that is characteristic of the surrounding existing neighborhood.

The proposed site is zoned A1 -Agriculture. The proposal would rezone the site to a mix of RH3, RU2h and P3 zones. The proposed RU2h – Medium Lot Housing zone is meant to allow for fee simple single family lots and future single detached housing. A portion of the site near the south-east corner is proposed to be zoned RH3 – Multi Unit Residential – Cluster Housing which allows for a range of uses including single family lot, strata lots, and multi-family. The applicant intends to develop this area as either fee-simple or

strata single family lots. If the applicant chooses to develop the site as multi-family development a form and character development permit would be required to be considered by council.

The applicant has completed neighbourhood consultation in accordance with Council Policy no. 367. An Open House was held by the applicant on October 29<sup>th</sup> 2019 at the Okanagan Mission Hall. Concerns raised during the public consultation included traffic congestion downstream on Gordon Drive, concerns that the density of the proposed homes will impact property values, and that a 'triangle' shaped portion of the subject site near Clarence Ave would be more appropriate as a park. To address these concerns the developers have reduced the number of lots in their proposed subdivision by two lots to increase the overall lot width of the proposed lots and are proposing to designate the 'triangle' shaped portion of the lot as Park/Open Space.

Should Council support the OCP amendments and rezoning, staff would work with the applicant through the subdivision process to address specific service requirements such as road standards, pedestrian connections, environmental restoration, and trails. Servicing requirements would be a condition of subdivision approval. Environmental and hazardous condition requirements will be addressed through the Development Permit process.



*Proposed Subdivision Rendering*

#### **4.0 Proposal**

##### **4.1 Background**

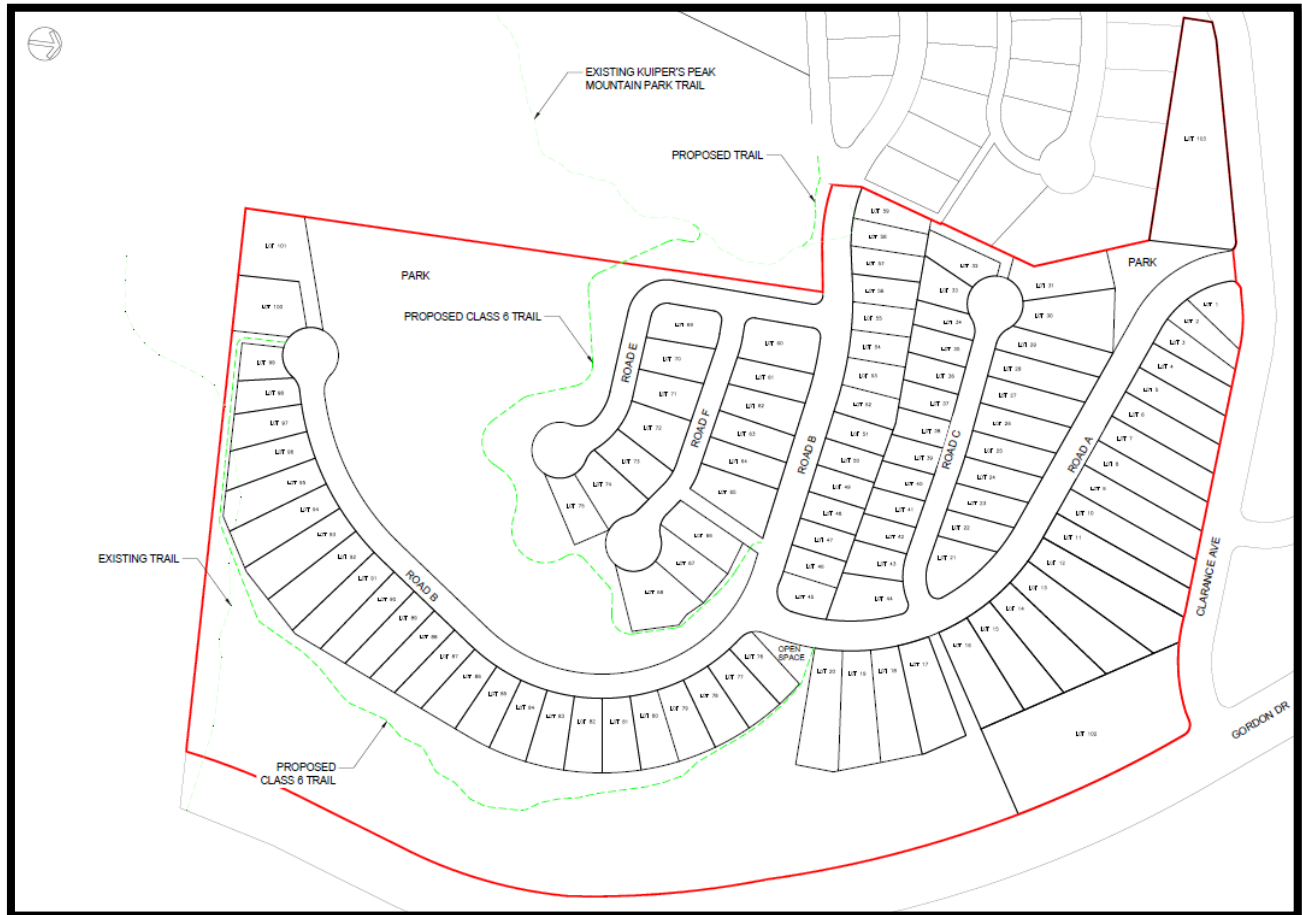
The site is currently designated MRC – Multiple Unit Residential Cluster Housing and PARK- Major Park/Open Space. The property is located within the Permanent Growth Boundary. A linear trail corridor on the subject property is identified in the OCP. The property is located in several Development Permit Areas including the Wildland Fire/Hazardous Condition DPA, Natural Environment DPA, and Hillside DPA.

The subject site is approximately 18 hectares (44 acres) in area and is located at the intersection of Gordon Drive and Clarence Avenue. The property is characterized by rock cliffs and outcrops with moderate sloping areas. The majority of the property burned in the 2003 Okanagan Mountain Park fire which destroyed most of the vegetation in the area. There are environmentally sensitive habitat features for a range of sensitive wildlife species, including wildlife trees, talus slopes, and cliffs that occur in pockets throughout the property.

The Area Structure Plan (ASP) and related OCP amendments were adopted by Council on April 3, 2007. This neighborhood was identified within the 1994 Southwest Okanagan Mission Sector Plan and covers the entirety of the area now known as 'The Ponds'. The plan envisions a pattern of development that would result in a high quality, attractive and complete community. Within the ASP this property was specifically identified for residential cluster development. The cluster designation was chosen primarily in areas interwoven with slopes and environmentally sensitive areas. Cluster development was envisioned in the plan to be a group of housing units situated within clearly defined "buildable areas" surrounded by natural

open space and accessed by a single local or strata road. Trail connections and wildlife corridors on the site were also recognized in the ASP which are proposed to be maintained.

#### 4.2 Project Description



*Preliminary Subdivision Concept*

The purpose of the proposed OCP amendment and rezoning application is to facilitate the development of a residential subdivision. The proposed subdivision includes approximately 100 residential lots accessed from a new road and cul-de-sacs connecting with Clarence Avenue and Hewetson Court. The proposed subdivision is intended to create mostly fee simple lots for single detached housing to be developed in accordance with the Ruzh zone. A portion of the site near the South-West end of the proposed new cul-de-sac may be developed in the form of bareland strata, fee-simple single family lots or potentially as a multi-family strata development in accordance with the RH3 zone.

The proposed single family lot sizes range from 450sqm to 2000sqm in area. The average proposed lot is approximately 15.5m wide and 770sqm in area. The proposed lot widths and areas are comparable with the surrounding neighbourhood. The proposed lots are approximately 30% smaller than the immediate surrounding neighbourhood on Clarence Ave and Hewetson Court which are approximately an average of 21.5m wide and 1100sqm in area. The proposed lots are larger than lots in other recent phases of 'The Ponds' neighbourhood such as the Steele Road/Redstem Street neighbourhood where a typical lot is approximately 10m wide and 400sqm in area.

The proposed development features an extensive trail network and is proposing to maintain connectivity to the Kuiper's Peak Mountain Park through park land dedication and east-west connectivity through no-disturb areas on the proposed lots. Specifically, an existing trail to Kuiper's Peak is proposed to be re-aligned to connect with Hewetson Court and two new public trails are meant to connect to Kuiper's Peak Mountain Park.

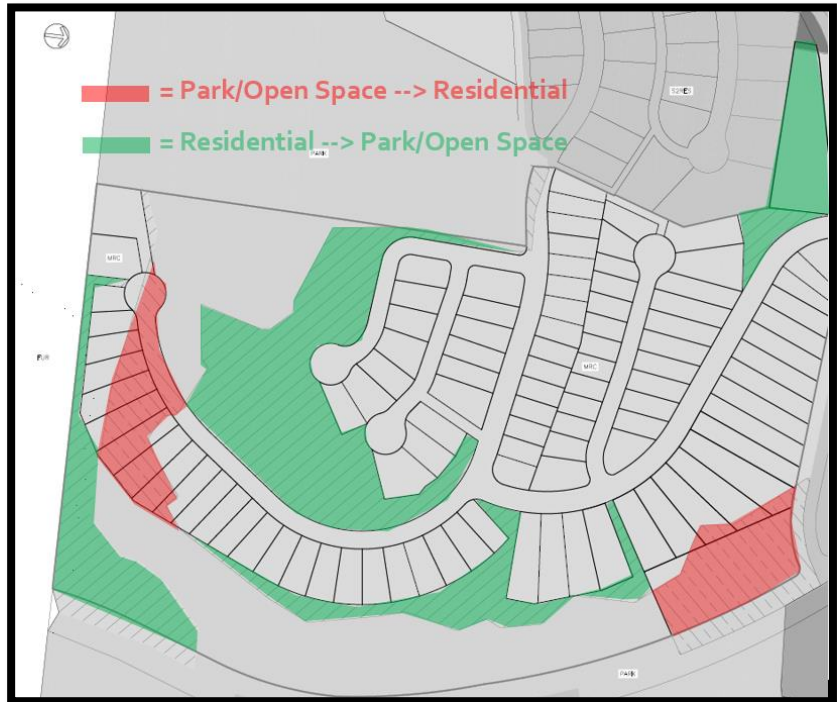
There are two areas of the subject site currently designated for Park – Major Park/Open Space that are proposed to be changed to MRC - Multi Unit Residential – Cluster Housing. One area is near the South side of the lot (shown in red to the right). This area was identified in the ASP as a natural area and wildlife corridor. To maintain connectivity the applicant intends to maintain no-disturb areas along the side and rear yards of several of the lots, the specific location of these areas would be determined at the subdivision and natural environment development permit stage. The second area to be changed from park to residential is located at the corner of Gordon Drive and Clarence Ave; this area was previously used as a sales centre.

Environmental monitoring and geotechnical oversight would be required during the construction phase of the project.

#### 4.3 Site Context

The subject property is located within the Okanagan Mission Sector of the City. The site is located within the Permanent Growth Boundary. The portion of the subject parcel under consideration contains a mix of Future Land Use designations, including: MRC – Multiple Unit Residential- Cluster Housing and PARK- Major Park/Open Space (Public).

The adjacent properties to the North of the site have a Future Land Use



*Subject Site Map*



designation of S2RESH – Single/Two Unit Residential- Hillside and contain single-family housing. To the East of the site across Gordon Drive is a residential subdivision designated S2RESH – Single/Two Unit Residential- Hillside and Jack Smith Lake. To the South, the entire area has a designation of FUR – Future Urban Reserve and is under consideration for an Area Structure Plan (ASP) for an area known as 'Thomson Flats'. Adjacent to the West of the site is Kuiper's Peak Mountain Park and a subdivision designated S2RES – Single/Two Unit Residential in the OCP.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU2H	Single Family Subdivision
East	A1, P3 and RU2H	Single Family Subdivision and Jack Smith Lake Park
South	A1	Vacant/Open Space
West	RU1H, A1, P3 and P4	Kuiper's Peak Mountain Park and Single Dwelling Subdivision.

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Chapter 5: Development Process

**Policy 5.15.3 Environmentally Sensitive Area Linkages.** Ensure that development activity does not compromise the ecological function of environmentally sensitive areas and maintains the integrity of plant and wildlife corridors.

**Policy 5.15.13 Access Through Steep Slopes.** Discourage roads (public or private) through +30% slope areas intended to access lands beyond, except in cases where it can be demonstrated the road will be sensitively integrated (visual and aesthetic impacts minimized) with the natural environment and will present no hazards to persons or property, environmental threats or unreasonable servicing or maintenance challenges.

**Policy 5.22.1 Cluster Housing.** Require new residential development to be in the form of cluster housing on/or near environmental sensitive areas and areas of steeper slopes to lessen site disturbance and environmental impact on those areas identified on the Future Land Use Map 4.1 as single-two-unit residential hillside. Steeply sloped areas should be retained as natural open space, public or private. The intent of the clustering would be to preserve features identified through the Development Permit process that otherwise might be developed and to maximize open space in order to:

- Protect environmentally sensitive areas of a development site and preserve them on permanent basis utilizing the most appropriate tools available;
- Facilitate creative and flexible site design that is sensitive to the land's natural features and adaptive to the natural topography;
- Decrease or minimize non-point source (i.e. asphalt roofs, driveways and parking) pollution impacts by reducing the amount of impervious surface in site development;
- Promote overall cost savings on infrastructure installation and maintenance; and
- Provide opportunities for social interaction, walking and hiking in open space areas.

**Policy 5.36.3 Design for People and Nature.** Structure new neighbourhoods around parks, pedestrian and bike routes, open spaces, and environmental areas, rather than around roadway and cars.

## **Chapter 7: Infrastructure**

**Policy 7.8.3 New Residential Developments.** Ensure that new residential developments and subdivisions have active transportation links to the nearest arterial or major collector roads at developer cost.

**Policy 7.12.2 Natural Area Parks and Open Spaces.** Provide a city-wide network of natural area parks which meet the following criteria:

- Contains representative Okanagan ecosystems;
- Contains areas of outstanding natural beauty (including areas with high visual sensitivity and high visual vulnerability, such as rocky outcrops, ridge lines, hilltops, slit slopes, canyons, and water edges);
- The land area is contiguous and forms part of a larger open space network;
- Contains conservation areas;
- Protects viewshed corridors; and
- Where appropriate, trails which maximize public safety while minimizing human impact on the most sensitive and vulnerable areas.

## **6.o Application Chronology**

Date of Application Received: July 10, 2019  
Date Public Consultation Completed: November 15, 2019

**Report prepared by:** Alex Kondor, Planner Specialist  
Tyler Caswell, Planner I

**Reviewed by:** Wesley Miles, A/Suburban and Rural Planning Manager

**Approved for Inclusion:** Terry Barton, Development Planning Department Manager

### **Attachments:**

Attachment A: Map "A"

Attachment B: Map "B"

Attachment C: Concept Plans