

# REPORT TO COUNCIL



**Date:** May 25, 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** Z20-0021

**Owners:** Gordon Kirschner, Heidi-Sabine Kirschner, Donald Kirschner, Amy Kirschner, Allen Kirschner & Angelica Kirschner

**Address:** 2890 Gallagher Road

**Applicant:** Kirschner Mountain Joint Venture

**Subject:** Rezoning Application

**Existing OCP Designation:** MRC – Multiple Unit Residential – Cluster Housing / PARK – Park and Open Space / REP – Resource Protection / S2Res – Single/Two Family Housing / S2ResH – Single/Two Family Housing - Hillside

**Existing Zone:** A1 – Agriculture 1 / P3 – Park and Open Space / RU1H – Large Lot Housing (Hillside Area)

**Proposed Zone:** RH3 – Hillside Cluster Housing / A1 – Agriculture 1 / P3 – Park and Open Space / RU1H – Large Lot Housing (Hillside Area)

---

## 1.0 Recommendation

THAT Rezoning Application No. Z20-0021 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for a portion of Lot 1, Section 12 and 13, Township 26 and Sections 7 and 18 Township 27, ODYD, Plan KAP71697, Except Plans KAP84278, KAP86315, KAP86363, KAP88598, EPP36504, EPP69212, EPP74058, and EPP84892 located at 2980 Gallagher Road, Kelowna, BC from the A1 – Agricultural 1 zone to the RH3 – Hillside Cluster Housing, as shown on Map "A" attached to the Report from the Development Planning Department dated May 25, 2020 be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464(2), waive the Public Hearing for the Rezoning Bylaw;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated May 25, 2020;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

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 consider an application to rezone a portion of the subject property from the A1- Agriculture 1 zone to RH3 – Hillside Cluster Housing zone to accommodate a multi-family development.

## **3.0 Development Planning**

Development Planning Staff are recommending support for the proposed rezoning amendment to facilitate a future multi-family townhouse development. The proposal is generally consistent with the OCP and meets the intent of the overall Kirschner Mountain Area Structure Plan.

The property is a continuation of the Kirschner Mountain development which would extend Loseth Road and provide eventual road connection to Gallagher Road. The proposed amendments would allow for a medium density of units in a series of multi-family buildings. Staff believe that the proposal fits within the surrounding Kirschner Mountain neighbourhood and allows for a mix of housing types in the area.

## **4.0 Proposal**

### **4.1 Project Description**

The proposed development is located on the south-west portion of the larger phased development parcel which extends around Kirschner Mountain and will eventually connect with Gallagher Road. The sites primary access will be from the extension of Loseth Road with the secondary emergency access provided out to Gallagher Road. The proposal is for a 77 townhouse unit strata development which would be split by Loseth road and be accessed by private internal access roads. The total number of units would consist of a mix of 3, 4 and 5-plex buildings with three-bedroom units.

Should the land use be supported by Council, a development permit for form and character would be required.

### **4.2 Site Context**

The subject property is located in the Belgo – Black Mountain City Sector and accessed from Loseth Road and ultimately Highway 33. The surrounding neighbourhood is primary single family residential

Specifically, adjacent land uses are as follows:

<b>Orientation</b>	<b>Zoning</b>	<b>Land Use</b>
North	Ru1H – Single Family Hillside	Residential
East	A1 – Agriculture 1	Vacant
South	A1 – Agriculture 1	Vacant
West	A1 – Agriculture 1	Vacant



Subject Property Map: 2890 Gallagher Road



## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### *Objective 5.2 Develop Sustainably*

*Policy .3 Complete Suburbs.* Support a mix of uses within Kelowna's suburbs, in accordance with "Smart Growth" principles to ensure complete communities. Uses that should be present in all areas of the

City, at appropriate locations, including commercial, institutional, and all types of residential uses (including affordable and special needs housing) at densities appropriate to their context.

*Policy .5 Integrated Land Use.* Integrate land use approaches wherever possible to improve opportunities for biodiversity, ecosystem connectivity, recreation, agriculture and local food production, while reducing conflicts.

## **6.0 Technical Comments**

### **6.1 Development Engineering Department**

6.1.1 See attached memorandum.

## **7.0 Application Chronology**

Date of Application Received: March 5, 2019

Date Public Consultation Completed: May 11, 2020

**Report prepared by:** Wesley Miles, Planner Specialist

**Reviewed by:** Dean Strachan, Community Planning & Development Manager

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

### **Attachments:**

Schedule A: Development Engineering Memo

Attachment A: Conceptual Layout

Map A: Zoning Bylaw Amendment