

REPORT TO COUNCIL



Date: January 18, 2022

To: Council

From: City Manager

Department: Development Planning Department

Application: DVP21-0222 **Owner:** Forest Hills McKinley Beach Developments Inc., Inc. No. BC1135274

Address: 1960 Northern Flicker Court **Applicant:** Forest Hills McKinley Beach Developments Inc. – Andrew Gaucher

Subject: Development Variance Permit

Existing OCP Designation: MXT – Mixed Use Tourism

Existing Zone: CD18 – McKinley Beach Comprehensive Resort Development

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0222 for Lot 14, Section 28, Township 23, ODYD, Plan EPP92221, located at 1960 Northern Flicker Court, Kelowna, BC;

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted in accordance with Schedule "A":

Section 1.3.4.1: Schedule 'B' – Comprehensive Development Zones, CD18 – McKinley Beach Comprehensive Resort Development, Development Regulations, Setbacks:

To vary the minimum setback from the CD Zone boundary for all uses from 10 m required to 2.3 m proposed.

AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To vary the minimum setback from the CD Zone boundary for the subject property.

3.0 Development Planning

Staff support the application for a Development Variance Permit to vary the minimum setback from the Comprehensive Development (CD) zone boundary. The purpose of the setback from the CD zone boundary was to ensure that urban development within the CD18 zone was appropriately buffered from adjacent

rural areas. The proposed 2.3 m setback is consistent with the RR₃ – Rural Residential 3 zone, which is the standard for smaller lots in rural areas. The adjacent property outside of the CD18 zone boundary is not within the Agricultural Land Reserve and is vacant hillside which is not used for agricultural purposes.

4.0 Proposal

4.1 Project Description

The applicant is proposing 25 lot subdivision of the subject property. In order to accommodate the building envelope on one of the proposed lots, the applicant seeks to reduce the required setback from the Comprehensive Development zone boundary from 10 m to 2.3 m.

4.2 Site Context

The subject property is within the McKinley OCP Sector and is located on Northern Flicker Court. The surrounding area is zoned CD18 – McKinley Beach Comprehensive Resort Development and A₁ – Agriculture 1. The surrounding Future Land Use is MXT – Mixed Use Tourism and REP - Resource Protection.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	CD18 – McKinley Beach Comprehensive Resort Development	Vacant – future sports field and amenity building
East	A ₁ – Agriculture 1	Vacant (hillside)
South	CD18 – McKinley Beach Comprehensive Resort Development	Bareland Strata Housing
West	CD18 – McKinley Beach Comprehensive Resort Development	Single detached housing

Subject Property Map: 1960 Northern Flicker Court



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Objective 5.22 Ensure context sensitive housing development.

Policy .6 Sensitive Infill. Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

6.0 Application Chronology

Date of Application Received: September 28, 2021

Date Public Consultation Completed: October 25, 2021

Report prepared by: Mark Tanner, Planner II

Reviewed by: Dean Strachan, Community Planning & Development Manager

Reviewed by: Terry Barton, Development Planning Department Manager

Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Applicant's Letter of Rationale

Attachment B: Draft Development Variance Permit DVP21-0222

Schedule A: Site Plan