

REPORT TO COUNCIL



Date: October 3rd, 2016

RIM No. 1250-30

To: City Manager

From: Community Planning (DB)

Application: OCP16-0014/ Z16-0051 **Owner:** Kirschner Mountain J.V.

Address: 2980 Gallagher Rd **Applicant:** Kirschner Mountain J.V.

Subject: OCP & Rezoning Application

Existing OCP Designation: Single / Two Unit Residential Hillside, Major Park & Open Space

Proposed OCP Designation: Single / Two Unit Residential Hillside, Major Park & Open Space

Existing Zones: A1 - Agricultural 1, RU1h - Large Lot Housing (Hillside Area), RM3h - Low Density Multiple Housing, P3- Parks and Open Spaces

Proposed Zones: P3- Parks and Open Spaces, RU1h - Large Lot Housing (Hillside Area),

1.0 Recommendation

THAT Official Community Plan Bylaw Amendment No. OCP16-0014 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 1 Section 12 and 13 Township 26 and Sections 7 and 18 Township 27 ODYD KAP71697 Except Plans KAP84278, KAP86315, KAP86363, KAP88598 and EPP36504 from the Single/Two Unit Residential (S2RESH) to Major Park/Open Space (Public) (PARK) and from Major Park/Open Space (Public) (PARK) to Single/Two Unit Residential (S2RESH) as shown on Map "A" attached to the report of Community Planning, dated October 3, 2016 be considered by Council;

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the purpose of Section 879 of the Local Government Act, as outlined in the Report of Community Planning, dated October 3, 2016;

AND THAT Rezoning Application No. Z16-0051 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 Section 12 and 13 Township 26 and Sections 7 and 18 Township 27 ODYD KAP71697 Except Plans KAP84278, KAP86315, KAP86363, KAP88598 and EPP36504 from the P3-Park and Open Spaces to RU1h-Large Lot Housing (Hillside Area), from A1-Agricultural 1 to RU1h-Large Lot Housing (Hillside Area), from A1-Agricultural 1 to P3-Parks and

Open Spaces, from RM3h-Low Density Multiple Housing to RU1h-Large Lot Housing (Hillside Area), from RM3h-Low Density Multiple Housing to P3-Parks and Open Spaces, and from RU1h-Large Lot Housing (Hillside Area) to P3-Park and Open Spaces as shown on Map "B" attached to the report of Community Planning, dated October 3, 2016 be considered by Council;

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

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction

2.0 Purpose

To amend the Official Community Plan Future Land Use Designation and to rezone portions of the subject properties in order to accommodate the development of a single family subdivision.

3.0 Community Planning

This application is before Council requesting approval to amend the OCP future land use designation and rezone portions of the Kirschner Mountain Development. The detailed lot configuration and road design has now been created for this portion and this application is intended to align the zoning and OCP designations with the proposed lot layout. The overall proposal is in general accordance with the Official Community Plan and will result in a net gain in natural open space.

Planning staff have completed a detailed review of this proposed OCP and rezoning amendment and have been working with the applicant to ensure long term protection of steep slopes and environmental features. In addition, staff requested the applicant to provide a 15m buffer between agricultural land and the proposed residential development on the eastern portion of the subject property. Staff will work with the applicant through the development permit and subdivision process to ensure the above mention comments as well as the technical comments identified under section 5.0 of this report are met.

The proposed amendments are to reflect the more detailed site development that has resulted in the proposed subdivision layout.

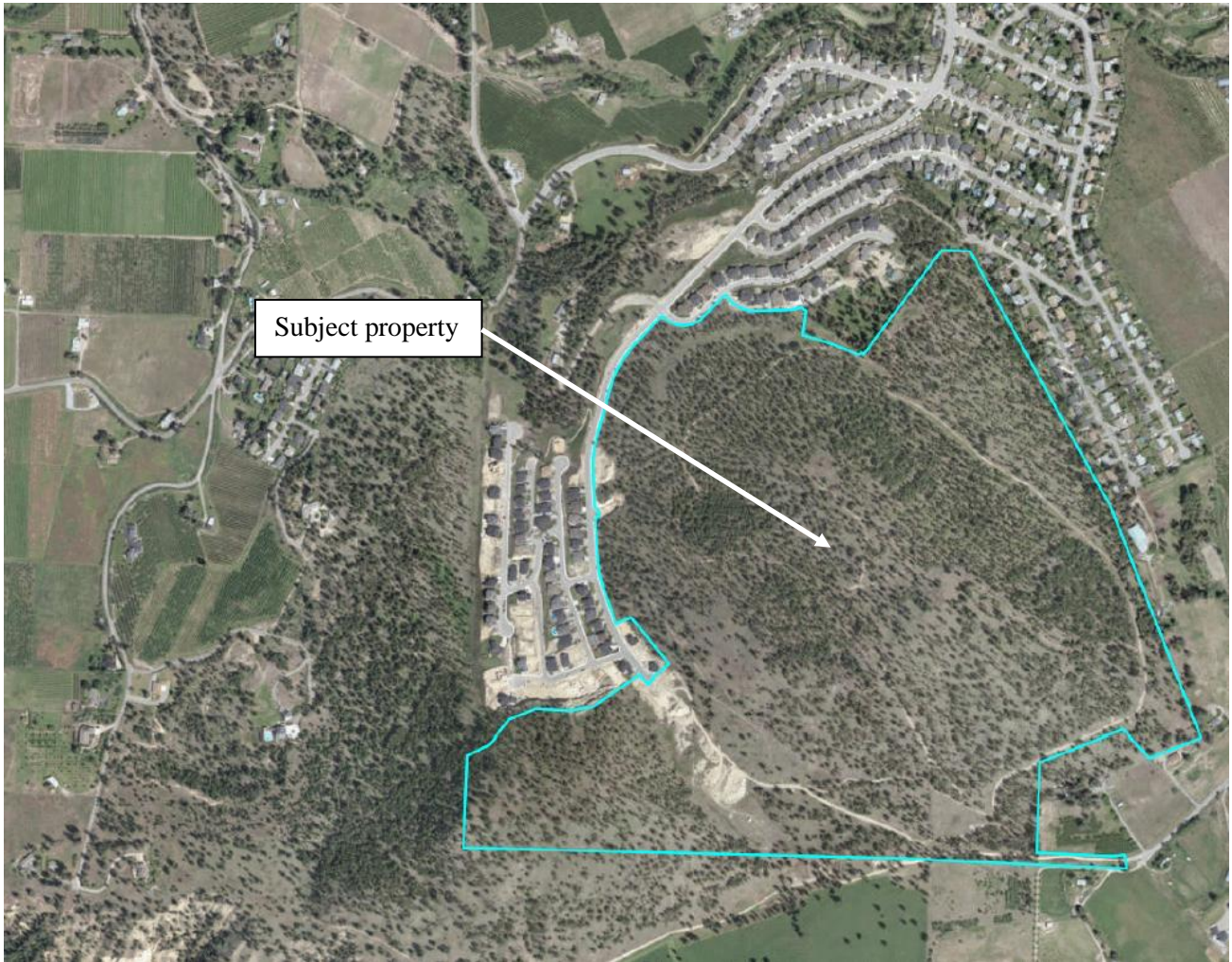
4.0 Proposal

4.1 Project Description

The applicant is proposing to amend the OCP future land use designation and rezone parts of the subject properties required to facilitate the development of the next phase of the Kirschner Development.

4.2 Site Context

Subject Property Map:



The subject property is located in the Kirshner Mountain development in a predominantly single family neighbourhood. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1h - Large Lot Housing (Hillside Area)	Single/Two Unit Residential
East	A1 - Agricultural 1	Agricultural
South	A1 - Agricultural 1	Agricultural
West	RU1h - Large Lot Housing (Hillside Area)	Single/Two Unit Residential

5.0 Current Development Policies

2.1 Kelowna Official Community Plan (OCP)

Future Land Use

Single/Two Unit Residential (S2RES)¹: Single detached homes for occupancy by one family, single detached homes with a secondary suite or carriage house, semi-detached buildings used for two dwelling units, modular homes, and those complementary uses (i.e. minor care centres, minor public services / utilities, and neighbourhood parks), which are integral components of urban neighbourhoods. This designation applies to suburban hillside areas where slopes are over 20%. Subdivisions on hillsides over 20% slope will be required to rezone to a hillside zone.

Development Process

Sensitive Infill.² Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting.

Housing Mix.³ Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

5.0 Technical Comments

Most of the technical comments will be addressed at subdivision preliminary layout review stage. However, the following comments are included for Council's information.

5.1 Park comments

- Cross walks will be required wherever a trail crosses or exits onto local road
- Trail alignments will be confirmed in the field by GPS and approved by staff
- Several public access walkways will be required for maintenance and pedestrian access to park land. These walkways will be required to be built to subdivision standards and include a 1.2 m high black vinyl coated chain link fencing 6 inches inside private property lines
- The neighborhood park will be dedicated to the City of Kelowna at time of final subdivision approval
- Interim access, until a through road is constructed needs to be provided for the public between the natural area park and neighborhood park
- Trail connections to correspond with proposed utility right of ways where appropriate
- Crosswalk over Loeth Rd to correspond with the existing trail leading to the Bella Vista park
- Barrier curb required on all park/road frontages
- Water service to the neighborhood park to be provided by the developer prior to final subdivision approval
- Applicant to build trail network as per OCP amendment OCP15-0015.

¹ City of Kelowna Official Community Plan - Future Land Use Chapter.

² City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.22.11 (Development Process Chapter).

5.2 Policy and Planning

- Policy & Planning has no concerns with the applications. The changes are minor in nature and reflect refinements that adhere to the vision of the OCP.

5.3 Development Engineering Branch

- All the offsite infrastructure and servicing requirements are addressed in the Development Engineering PLR report under file S16-0069.
- Proposed amendments will have no impact on existing municipal infrastructure.

Application Chronology

Date of Application Received:	August 4, 2016
Referral Comments Received:	September 20, 2016
Public Notification Received:	October 14, 2016

Report prepared by:

Damien Burggraeve, Land Use Planner

Approved for Inclusion: Todd Cashin, Suburban & Rural Planning Manager

Attachments:

Map A
Map B
Subdivision Layout
Development Engineering Memorandum
Public Consultation Notice