# REPORT TO COUNCIL



Date: January 18, 2022

To: Council

From: City Manager

**Department:** Development Planning Department

Application: DVP21-0221 Owner: Kinnikinnik Developments Inc.,

Inc. No. BC0622664

Address: 3155 Hilltown Drive Applicant: McKinley NA Limited

Partnership – 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. DVP21-0221 for Lot 10, Section 28, Township 23, ODYD, Plan EPP92233, located at 3155 Hilltown Drive, Kelowna, BC;

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

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

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 <u>Project Description</u>

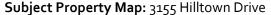
The applicant is proposing a 4-lot subdivision of the subject property. In order to accommodate the building envelope on one of the proposed lots, the applicant seeks to reduce the required setback from the Comprehensive Development zone boundary from 10 m to 2.3 m.

### 4.2 <u>Site Context</u>

The subject property is within the McKinley OCP Sector and is located on Hilltown Drive at the intersection of Porcupine Point Crescent. 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	Bareland Strata Housing
East	A1 – Agriculture 1	Vacant (hillside)
South	A1 – Agriculture 1	Vacant (hillside)
West	CD18 – McKinley Beach Comprehensive Resort Development	Single detached housing





## 5.0 Current Development Policies

# 5.1 Kelowna Official Community Plan (OCP)

## <u>Chapter 5: Development Process</u>

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 DVP21-0221

Schedule A: Site Plan