

REPORT TO COUNCIL



Date: May 16, 2022

To: Council

From: City Manager

Department: Development Planning

Application: OCP20-0006, Z20-0023 **Owner:** 0977415 BC Ltd Inc. No. BC0977415

Address: 2160 Tower Ranch Blvd **Applicant:** Christy & Associates Planning Consultants Ltd

Subject: Official Community Plan Amendment and Rezoning Application

Existing OCP Designation: S-RES – Suburban Residential, REC – Private Recreational, PSU – Public Services/Utilities

Proposed OCP Designation: S-RES – Suburban Residential, REC – Private Recreational, PSU – Public Services/Utilities

Existing Zone: RU1 – Large Lot Housing Zone, RU1h – Large Lot Housing (Hillside) Zone, P3 – Parks and Open Space Zone

Proposed Zone: RU5 – Bareland Strata Housing Zone, P3 – Parks and Open Space Zone

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP20-0006 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of portions of Lot 4, Section 31, Township 27, ODYD, Plan KAP80993 located at 2160 Tower Ranch Blvd, Kelowna, BC from the S-RES – Suburban Residential and the REC– Private Recreational designations to the S-RES – Suburban Residential and REC – Private Recreational designations as shown on Maps “A1 and A2” attached to the Report from the Development Planning Department dated May 16, 2022 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 Information Session public 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 dated May 16, 2022;

AND THAT Rezoning Application No. Z20-0023 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot 4, Section 31, Township 27, ODYD, Plan KAP80993 located at 2160 Tower Ranch Blvd, Kelowna, BC from the RU1 – Large Lot Housing, RU1h – Large Lot Housing (Hillside) and P3 – Parks and Open Space zones to the RU5 – Bareland Strata Housing and P3 –

Parks and Open Space zones as shown on Maps "B1 and B2" attached to the Report from the Development Planning Department dated May 16, 2022 be considered by Council;

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

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 16, 2022;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Development Permit related to the Natural Environment and Hazard Development Permit Areas;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

2.0 Purpose

To amend the Official Community Plan to change the future land use designations of portions of the subject property from S-RES – Suburban Residential and Rec – Private Recreational to S-RES – Suburban Residential and REC – Private Recreational, and to rezone portions of the subject property from the RU1 – Large Lot Housing, the RU1h – Large Lot Housing (Hillside) and the P3 – Parks and Open Space zones to the RU5 – Bareland Strata Housing and the P3 – Parks and Open Space zones.

3.0 Development Planning

Staff are recommending support for the proposed OCP and Rezoning Bylaw Application. The proposal is consistent with the Area Structure Plan for the Tower Ranch neighbourhood and the Official Community Plan. If approved this application will allow for the next phase of this development to occur in accordance with the approved plans for this area.

Staff reviewed natural hazard and environmental reporting for the site with the applicants team and adjusted the proposed plans to limit the potential impact to natural hazard areas as well as protecting highly sensitive ecosystems in the area. Areas of high environmental sensitivity included sites along the drainage corridors on the site as well as some areas of shallow to bedrock. Areas of natural hazard include sites with slopes over 30% as well as bedrock or shallow to bedrock sites. Contiguous polygons of natural hazard and high environmental sensitivity have been excluded from proposed development by either not including within the proposed lots or through restrictive covenants to be registered at subdivision.

The proposed development as a strata development will limit the amount of infrastructure that will be City owned and maintained. As the site is on the outer edge of the City, for asset management and logistic purposes limiting City owned infrastructure is important and has been achieved under the strata format proposed. The strata will be responsible for the maintenance and long term replacement of infrastructure. The City will retain statutory rights of way over the internal access roads for emergency access to the homes as well as to lands beyond in the event of emergency such as wildfire.

Adjacent land outside of the City, are within the ALR and are not designated for future development. As such public roadways are not proposed to extend to lands beyond the subject property. This was supported by the Regional District of Central Okanagan (RDCO) as well as by the Ministry of Agriculture and Agricultural Land Commission.

Portions of the site adjacent to ALR lands have include proposed buffering in line with the OCP policy and guidelines.

If the subject applications are approved by Council, the applicant would proceed with a subdivision application to create the lots. Through the subdivision process the parklands will be dedicated to the City, and the rights of way over the internal roadways will be established.

Staff have reviewed this application, and it may move forward without affecting either the City’s Financial Plan or Waste Management Plan.

4.0 Proposal

4.1 Background

The subject site is located in the Tower Ranch neighborhood. The property is within the Permanent Growth Boundary and is currently designated for a mix of residential and park uses in the City’s 2040 Official Community Plan. Specifically, the 2040 OCP anticipates approximately 425 units of new housing to occur in the Tower Ranch Areas (Table 2.5 – Housing Unit Projections by Growth Area) Development in the Tower Ranch area is guided by an Area Structure Plan (ASP) which for this property envisions.

4.2 Project Description

The proposal is to reconfigure areas of the property currently designated REC – Private Recreation and S-RES – Suburban Residential and rezone portions of the property to the RU5 – Bareland Strata housing zone to facilitate the development of single family strata residential housing development.

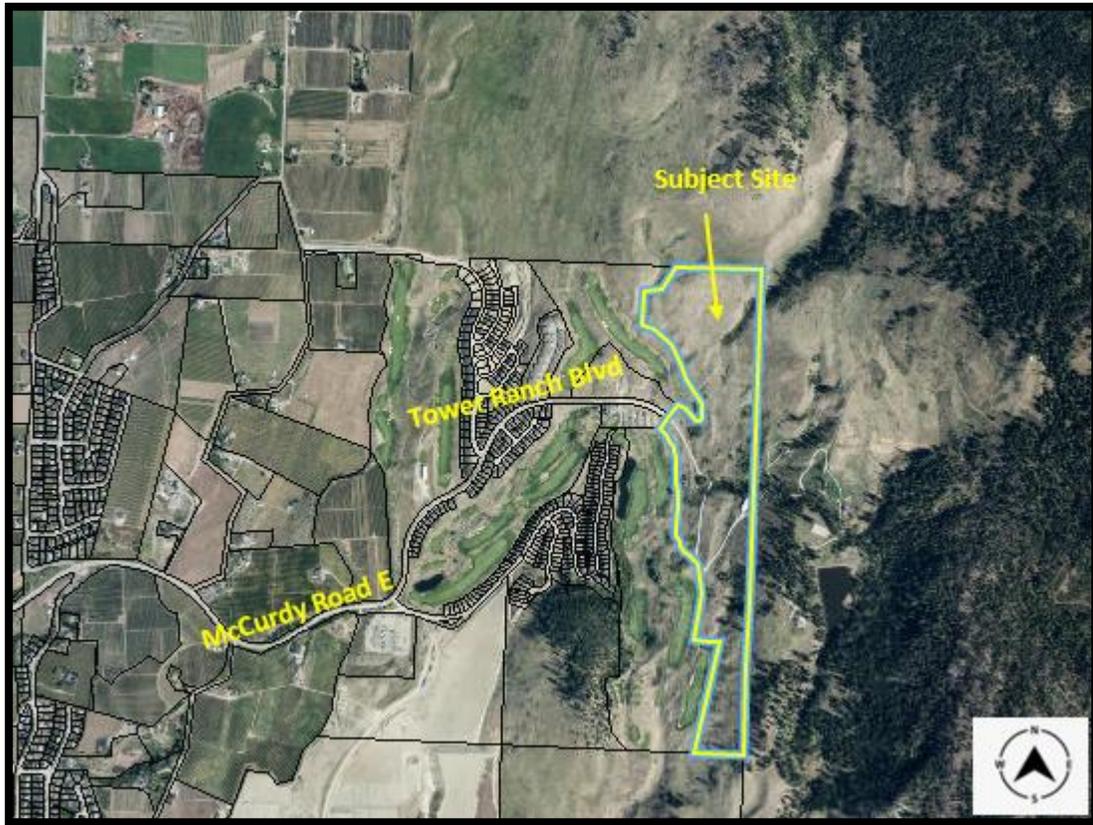
4.3 Site Context

The subject property is located at the North/East boundary of the City of Kelowna limits. Along the North and East of the site the property is bounded by land that is within the jurisdiction of Regional District of Central Okanagan (RDCO) this land is also within the Agricultural Land Reserve (ALR). To the South of the site is vacant land zoned A1 – Agriculture 1 and located in the ALR. To the West of the property there is an existing Tower Ranch Golf Course and single family housing zoned Ru5 – Bareland Strata Housing.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RDCO (A1 – Agricultural)/ALR	Vacant/Grass Lands
East	RDCO (LH – Large Holding)/ALR	Single Family Housing/Agriculture
South	A1 -Agricultural Zone/ALR	Vacant
West	P3 – Parks and Opens Space/RU5 – Bare land Strata Housing	Golf course/Single Family Housing

Subject Property Map:



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

The Big Picture: 10 Pillars to Realize our Vision	
Stop planning new suburban neighbourhoods	Imagine Kelowna focuses on limiting urban sprawl and growing in a way that is more environmentally and financially sustainable. In recognition of this goal, the Official Community Plan signals that suburban neighbourhoods already approved will continue to grow into more complete communities but no new suburban neighbourhoods would be considered.

Objective 7.1 Create more complete communities in Suburban Neighbourhoods	
Policy 7.1.1 Area Structure Plan Consistency	Support development that is consistent with adopted Area Structure Plans (ASPs) in Suburban Neighbourhoods. Require amendments to ASPs where proposals include significant increases to the number of residential units beyond those signalled in an ASP or where proposals are likely to require significant changes to planned transportation, parks and utility infrastructure.
	<i>The proposed development is consistent with the Area Structure Plan for the Tower Ranch neighbourhood, if approved it will allow for the next phase of this development to occur in accordance with the approved plans for this area.</i>

Objective 7.4 Ensure a compatible urban-rural interface that protects agricultural uses.	
Policy 7.4.3 Urban-Rural Buffers	Where a property is adjacent to land in the ALR , ensure that development limits associated negative impacts on adjacent agricultural operations by including appropriate buffers, setbacks and site planning, consistent with the Farm Protection Development Permit Guidelines outlined in Chapter 22: Farm Protection Development Permit Area.
	<i>The property is adjacent to ALR and will mitigate the impact of the proposal by installing buffers in accordance with the City of Kelowna Farm Protection Development Permit Area.</i>

6.0 Technical Comments

6.1 Development Engineering Department

- Development Engineering Servicing Memo Attached (Schedule A)

7.0 Application Chronology

Date of Application Received: March 5, 2020

Date Public Consultation Completed: September 15 & 16, 2021 (Report Attachment C)

Reviewed/Prepared 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:

Schedule A: Development Engineering Memo

Attachment A: Map A1 and A2 OCP Map

Attachment B: Map B1 and B2 Zoning Map

Attachment C: Supporting Documents