

# REPORT TO COUNCIL



**Date:** May 16<sup>th</sup> 2022

**To:** Council

**From:** City Manager

**Department:** Development Planning (ak)

**Application:** OCP21-0010/Z21-0032      **Owner:** Highstreet Canyon Falls Apartments Ltd., Inc.No. BC1311111

**Address:** 1055 Frost Road      **Applicant:** Highstreet Ventures Inc.

**Subject:** Official Community Plan Amendment and Rezoning Application

**Existing OCP Designation:** VC – Village Centre, NAT – Natural Areas

**Proposed OCP Designation:** VC – Village Centre, NAT – Natural Areas

**Existing Zone:** A1 – Agriculture 1, RU1h – Large Lot Housing (Hillside Area)

**Proposed Zone:** A1 – Agriculture 1, P3 – Parks and Open Space, RM5 – Medium Density Multiple Housing

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## 1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP21-0010 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 1, DL 579, SDYD, Plan EPP74481, located at 1055 Frost Road, Kelowna, BC from the VC – Village Centre and the NAT – Natural Areas designations to the VC – Village Centre and the NAT – Natural Areas designations as shown on Map “A” attached to the Report from the Development Planning Department dated May 16<sup>th</sup> 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<sup>th</sup> 2022

AND THAT Rezoning Application No. Z21-0032 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot 1, DL 579, SDYD, Plan EPP74481, located at 1055 Frost Road, Kelowna, BC from the A1 – Agriculture 1 zone and the RU1h – Large Lot Housing (Hillside Area) zone to the P3 – Parks and Open Space zone and RM5 – Medium Density Multiple Housing zone as shown on

Map "B" attached to the Report from the Development Planning Department dated May 16<sup>th</sup> 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<sup>th</sup> 2022;

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

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 amend the Official Community Plan to change the future land use designation of portions of the subject property from the VC – Village Centre and the NAT – Natural Areas designations to the VC – Village Centre and the NAT – Natural Areas designations and to rezone portions the subject property from the A1 – Agriculture 1 and the RU1h – Large Lot Housing (Hillside Area) zones to the P3 – Parks and Open Space and RM5 – Medium Density Multiple Housing zones to facilitate a multi-family residential housing proposal on the subject site.

## **3.0 Development Planning**

Staff recommend that the proposed Official Community Plan and Zoning Bylaw amendment application be supported. If approved, the changes would allow for the site to develop as a multi-family apartment housing development with approximately 300 housing units the majority of which are currently proposed to be 2br and 3br housing units.

The proposed multi-family housing development is consistent with the Official Community Plan (OCP) and Area Structure Plan (ASP) developed for 'The Ponds' neighbourhood and would contribute to completing the neighbourhood village centre. The proposed multi-family development site is near a middle school, parks, and trails. The proposed development includes large amounts of greenspace and an amenity building for residents.

The proposed development will contribute to an increase in road usage in the area. Several traffic related off-site upgrades are proposed to mitigate the traffic impact which include: Contribution toward the cost of a future traffic signal at the Frost Road and Gordon Drive intersection, construction of a northbound right turn lane at the Steele Road and Gordon Drive intersection, and installation of pedestrian safety flasher lights at the intersection of Frost Rd and Steele Rd.

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**

Development of 'The Ponds' neighborhood is guided by an Area Structure Plan (ASP) created in 2007. The plan envisioned a substantial mixed-use 'Village Centre' with places to live, work, shop, and socialize, that

will be the focal point of the community and would accommodate a range of residential housing forms, an elementary school, and an array of parks, pathways, and natural areas.

In the context of the Area Structure Plan the subject property was envisioned to provide low and medium density housing meant to compliment and support commercial uses within the village center. Specifically, the neighborhood plan contemplated apartment buildings up to 4 storeys would be developed in this area in accordance with the RM4 and RM5 zones.



To date no commercial or multi-family development has occurred in this area. If

approved this development would be the first portion of the village centre to be developed. Staff anticipate to process future Development Permit applications for commercial developments near the subject property but no applications have yet been submitted.

This property is currently designated 'Village Centre' in the context of the 2040 Official Community Plan this designation supports low rise (buildings lower than six storeys in height) multi-unit residential apartment buildings.

#### 4.2 Project Description

The proposed Official Community Plan amendment is to adjust areas on the site that are currently designated VC – Village Centre and NAT – Natural Areas. The OCP change is required to accommodate the proposed development footprint of the site and if approved it would result in a slight (0.12ha) net increase in land designated as NAT – Natural Areas.

The proposed zoning amendment is to rezone the site from the A1 – Agriculture 1 zone and RU1h – Large Lot Housing (Hillside Area) zone to the P3 – Parks and Open Space zone and RM5 – Medium Density Multiple Housing. If approved the zoning amendment would allow for multi-family residential housing on the portion of the subject property. Areas zoned P3 – Parks and Open Space would be left un-developed and used for trails and open space.

Staff are recommending final adoption be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit for the subject property. A Development Permit application has been submitted to allow for 4 apartment buildings on the site providing total of 298 housing units. A Development Variance Permit has been submitted to allow for buildings that are 5 stories with a maximum height of 15.6m

#### 4.3 Site Context

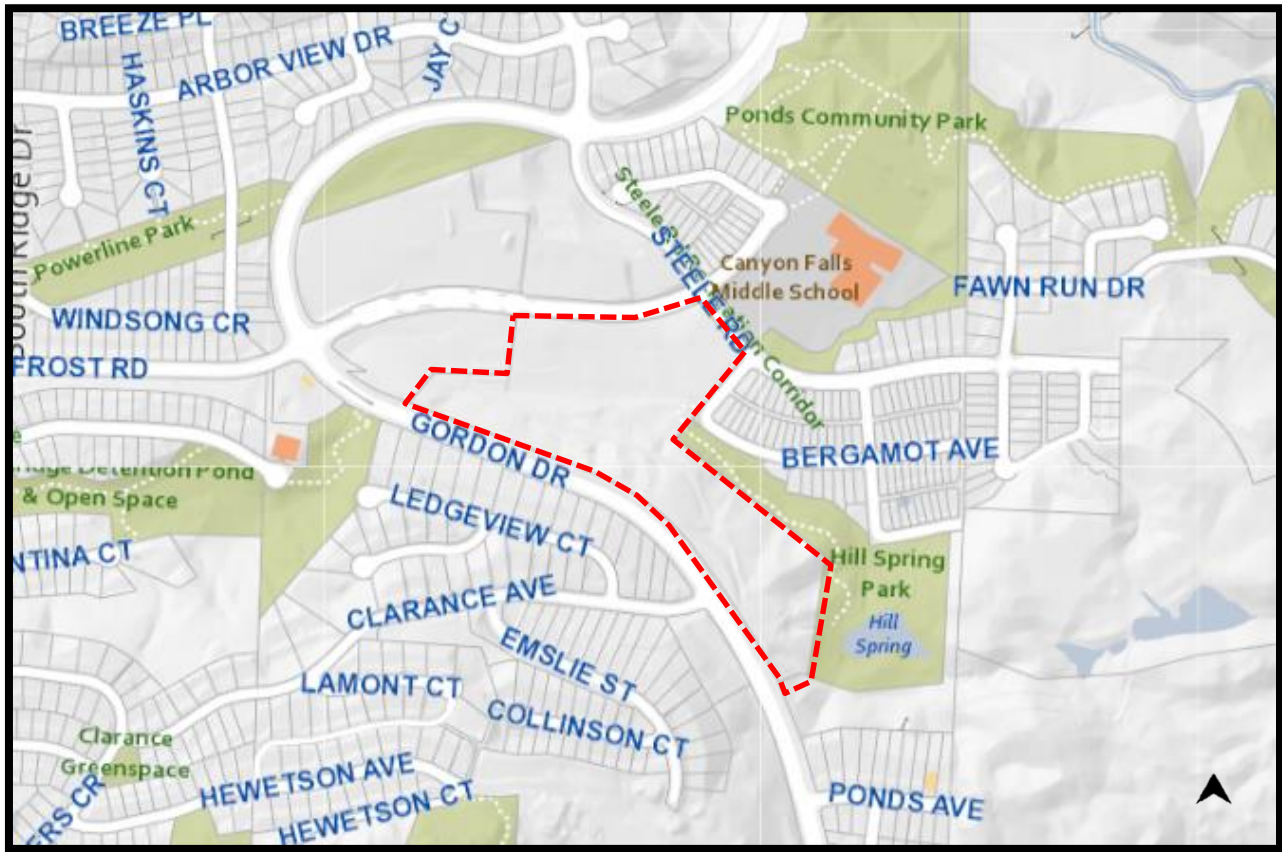
In the context of the Official Community Plan the property is located inside the permanent growth boundary, lands within the Permanent Growth Boundary (PGB) are expected to develop to higher intensity uses to accommodate the anticipated growth of the community to 2040. North and west of the site are

vacant lands designated Village Centre in the OCP and zoned for commercial uses. East of the property is Canyon Falls Middle School and single family housing. A portion of the site is adjacent to Hill Spring Park. The southern/upper portion of the site is not proposed be rezoned as part of this application is adjacent to single family housing.

Specifically, adjacent land uses are as follows:

| Orientation | Zoning   | Land Use                     |
|-------------|--|------------------------------|
| North       | C <sub>3</sub> – Community Commercial  | Vacant                       |
| East        | P <sub>2</sub> – Education and Minor Institutional RU <sub>3</sub> – Small Lot Housing | School/Single Family Housing |
| South       | P <sub>3</sub> – Parks and Open Space RU <sub>2h</sub> – Medium Lot Housing            | Park/Single Family Housing   |
| West        | C <sub>3</sub> – Community Commercial  | Vacant                       |

**Subject Property Map:**



**5.0 Current Development Policies**

**5.1 Kelowna Official Community Plan (OCP)**

| The Big Picture: 10 Pillars to Realize our Vision   |
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| <b>Promote more housing diversity</b> One of Imagine Kelowna’s goals is to build healthier neighbourhoods that support a variety of households, incomes and life stages. Having the housing |

that Kelowna citizens need is critical to achieving this goal. With this in mind, the Official Community Plan signals a wider variety of housing types and not just single family homes or small apartments. This housing is focused in areas where residents have easier access to jobs, amenities, transit and active transportation routes. In addition, this Official Community Plan supports more rental housing options .

**Objective 7.1. Create more complete communities in Suburban Neighbourhoods.**

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| <p>Policy 7.1.1 Area Structure Plan Consistency.</p> | <p>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.</p> <p><i>The proposed multi-family development is consistent with the Area Structure Plan (ASP) developed for The Ponds neighbourhood. If approved it will contribute to completing the neighbourhood village centre.</i></p> |
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**Objective 7.1. Create more complete communities in Suburban Neighbourhoods.**

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| <p>Policy 7.1.4 The Ponds Village Centre</p> | <p>Support development in the Ponds Village Centre that includes the following characteristics: A mix of commercial and residential development to a maximum height of approximately four storeys; and Orientation of buildings towards Frost Road, with minimal surface parking between the road and the buildings.</p> <p><i>The proposed multi-family development will support and compliment future commercial uses when The Ponds Village centre is fully built-out.</i></p> |
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**Objective 7.6 Support a variety of low-density housing**

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| <p>Policy 7.6.1 Family-friendly multi-unit housing.</p> <p>Policy 7.6.2. Social connections through design.</p> | <p>Encourage multi-unit developments near schools to include a variety of unit sizes, including three or more bedrooms. Encourage design for multi-unit residential buildings that incorporates common spaces that foster social connections, such as gardens, greenspace and children’s play areas.</p> <p><i>The proposed multi-family development is near a middle school and contains a mix of 3br, 2br, 1br, and studio apartment units. The proposed development includes large amounts of greenspace and an amenity building for residents.</i></p> |
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**Objective 7.8. Reduce dependence on the automobile where possible**

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| <p>Policy 7.8.1. Roadway Congestion.</p> | <p>Recognize and accept that Kelowna’s streets will become busier as the City grows. Suburban neighbourhoods will have limited potential to shift away from driving, meaning that greater roadway capacity will be needed to support growth in suburban areas. Increases to roadway capacity should consider ways to mitigate impacts on liveability of neighbourhoods in the Core Area and Urban Centres.</p> <p><i>The proposed development will contribute to an increase in road usage. Several traffic related off-site upgrades are proposed to mitigate the traffic impact and are outlined in greater in the technical servicing memo attached to this council report which include: Contribution toward the cost of a future traffic signal at Frost Road and Gordon Drive, construction of a northbound right turn lane at the Steele Road, Gordon Drive intersection and installation of pedestrian flashers on the south</i></p> |
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|  |   |
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|  | <i>crosswalk at the intersection of Frost Rd and Steele Rd.</i> |
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**6.0 Technical Comments**

6.1 Development Engineering Department

- Servicing Memo Attached

**7.0 Application Chronology**

Date of Application Received: April 6<sup>th</sup> 2021

Date Public Consultation Completed: June 1<sup>st</sup> 2021

**Report prepared by:** Alex Kondor, Planner Specialist

**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:**

Schedule A: Development Engineering Memo

Attachment A: OCP 'Map A'

Attachment B: Zoning 'Map B'

Attachment C: Application Supporting Documents