

# REPORT TO COUNCIL



**Date:** May 8, 2023

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** OCP22-0002 Z22-0004      **Owner:** Frazer Lake Developments GP Ltd., Inc.No. BC1313068

**Address:** 5081 Killdeer Road      **Applicant:** Emil Anderson Properties

**Subject:** OCP Amendment & Rezoning Application

**Existing OCP Designation:** S – RES – Suburban Residential  
NAT – Natural Areas  
PARK - Parks

**Proposed OCP Designation:** S-RES – Suburban Residential  
NAT – Natural Areas  
PARK - Parks

**Existing Zone:** RR1 – Large Lot Rural Residential

**Proposed Zone:** RU2 – Medium Lot Housing  
RR1 – Large Lot Rural Residential  
P3 – Parks and Open Space

---

## 1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP22-0002 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 B Section 24 Township 28 SDYD Plan 28853 Except Plans 30846, 30848, 34710, 37381, 39945 and 42749, located at 5081 Killdeer Rd, Kelowna, BC from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation and from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation, as shown on Map “A” attached to the Report from the Development Planning Department dated May 8, 2023, 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 Consultation 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 8, 2023;

AND THAT Rezoning Application No. Z22-0004 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot B Section 24 Township 28 SDYD Plan 28853 Except Plans 30846, 30848, 34710, 37381, 39945 and 42749, located at 5081 Killdeer Rd, Kelowna, BC from the RR1 – Large Lot Rural Residential zone to the RU2 – Medium Lot Housing zone and the P3 – Parks and Open Space zone as shown on Map “B” attached to the Report from the Development Planning Department dated May 8, 2023, 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 Attachment “A” attached to the Report from the Development Planning Department dated May 8, 2023;

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 designation of portions of the subject property and to rezone portions of the subject property to facilitate the development of a 12-lot residential subdivision.

## **3.0 Development Planning**

Staff support the Official Community Plan amendment and Rezoning application to accommodate a 12-lot residential subdivision of the subject property and provide parkland. The proposal is consistent with the Area Structure Plan for Neighbourhood 2, which identified the property as being suitable for residential development. It conforms to OCP Policy which encourages integrating nature into new developments while protecting environmentally sensitive areas. An environmentally sensitive stream, wetland, ravine, and steep hillside would be transferred to the City and include an established trail network. The proposal to amend the Future Land Use Designation is intended to align the boundaries of the proposed development with the natural topography and reflects more detailed site investigation of the topographic condition of the site.

Road connections are identified through the Official Community Plan across other portions of the subject property. As a condition of Rezoning, the applicant will be required to provide a road reserve for the extension of Southcrest Drive between Killdeer Road and Horn Ct, a road reserve for the extension of Killdeer Rd to Cobble Crescent, and a road reserve for a turn around at the terminus of Horn Cr. Construction of these road connections would be contingent on future phases of development.

Staff have reviewed this application, and it may move forward without affecting either the City’s Financial Plan or Waste Management Plan. The remainder of the site which is not subject to this application would be redeveloped through further development applications in the future.

Public consultation was completed in accordance with Council Policy No. 367 by mailing a notice to all property owners within a 50 m radius of the subject property. A summary of the applicant’s public consultation efforts is attached as “Attachment C.”

#### 4.0 Site Context & Background

##### 4.1 Site Context

| Orientation | Zoning  | Land Use   |
|-------------|---|--|
| North       | RR1 – Large Lot Rural Residential   | Vacant   |
| East        | RU1 – Large Lot Housing<br>P3 – Parks and Open Space                                      | Single Detached Housing<br>Hillside Natural Area           |
| South       | A2 – Agriculture/Rural Residential  | Vacant (Thomson Flats)                                     |
| West        | RU1 – Large Lot Housing<br>RU4 – Duplex Housing<br>RU5 – Multiple Single Detached Housing | Single Detached Housing<br>Semi-Detached Housing<br>Vacant |

##### Subject Property Map: 5081 Killdeer Road



The subject site is located at the end of Benmore Place in the Upper Mission. Frazer Lake is on the property, located to the north of the development site. An unnamed stream flows north-south through the property, into Frazer Lake. The Future Land Use of the surrounding area is S-RES – Suburban Residential, NAT – Natural Area, and R-AGR – Rural – Agricultural and Resource and is zoned RU1 – Large Lot Housing, RR1 – Large Lot Rural Residential, P3 – Parks and Open Space, and A2 – Agriculture/Rural Residential.

##### 4.2 Background

The Neighbourhood 2 Area Structure Plan (ASP) and related OCP Amendments were adopted by Council on January 22, 2001. The Plan envisioned a compact, well-ordered community tailored to the dramatic landscape of the site. The ASP notes that the predominant land use is low to medium density single-family housing, which should be clustered to preserve parkland and located to take the best advantage of natural

topography and views. The subject site was specifically identified in the Area Structure Plan as being suitable for single/two unit residential development.

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

| <b>Objective 7.1.1 Create more complete communities in Suburban Neighbourhoods</b>                    |   |
|---|---|
| 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 signaled in an ASP or where proposals are likely to require significant changes to planned transportation, parks and utility infrastructure.   |
|   | <i>The proposed development is in an area that was designated for residential development in the Neighbourhood 2 Area Structure Plan.</i>   |
| <b>Objective 7.2 Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable</b> |   |
| Policy 7.2.3 Integrate Nature   | Integrate the design of active parks with adjacent natural areas while maintaining individual park standards. Reduce the impacts of parks on adjacent natural systems.  |
|   | <i>The development proposal would transfer parkland area to the City, including an environmentally sensitive ravine and wetland, steep hillside, and an established trail network.</i>  |
| <b>Objective 10.1 Acquire new parks to enhance livability throughout the City.</b>                    |   |
| Policy 10.1.15 Natural Areas  | Preserve a diversity of Natural Areas for habitat and ecosystem conservation, including ecosystem connectivity corridors, with limited trails access and other low impact activities. The network should contain representative Okanagan ecosystems, contain areas of natural beauty and of high visual sensitivity, with opportunities for viewpoints, staging areas, and linear trails. Aim for contiguous spaces that link to other regionally and provincially protected spaces. Ensure that acquired spaces have adequate access for maintenance and linear trails, and that hazards (e.g. wildfire or rock fall) are mitigated prior to acquisition. Disturbed and weedy areas are not suitable for natural park areas, unless restored to the satisfaction of the City prior to transfer. The cost/benefit of the land must result in an overall benefit to the City rather than a maintenance burden. |
|   | <i>The proposed development would protect an environmentally sensitive ravine and wetland, and steep hillside as natural park area.</i>   |

## 6.0 Technical Comments

### 6.1 Development Engineering Department

- See Attachment A

## 7.0 Application Chronology

Date of Application Accepted: January 19, 2022

Date Public Consultation Completed: March 20, 2023

**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:**

Map A: Official Community Plan Amendment  
Map B: Zoning Amendment  
Attachment A: Development Engineering Memo  
Attachment B: Drawing Package  
Attachment C: Public Engagement Summary