

REPORT TO COUNCIL REZONING



Date: January 15, 2024
To: Council
From: City Manager
Address: 1097 Dilworth Drive
File No.: Z21-0037

	Existing	Proposed
OCP:	S-MU – Suburban Multi Unit and PARK – Park and Open Space	S-MU – Suburban Multi Unit and PARK – Park and Open Space
Zone:	RR1 – Large Lot Rural Residential	MF3 – Apartment Housing and P3 – Parks and Open Space

1.0 Recommendation

THAT Rezoning Application No. Z21-0037 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot B District Lot 125 Section 28 Township 26 ODYD Plan 19786 Except Plans M15094, 37794, KAP67598, KAP67599, KAP67601 and KAP69740 located at 1097 Dilworth Drive, Kelowna, BC from the RR1 – Large Lot Rural Residential zone to the MF3 – Apartment Housing zone and the P3 – Parks and Open Space zone as shown on Map “A” attached to the Report from the Development Planning Department dated January 15, 2024, be considered by Council;

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 January 15, 2024;

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 Zoning Bylaw Amendment be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

2.0 Purpose

To rezone portions of the subject property from the RR1 – Large Lot Rural Residential zone to the MF3 – Apartment Housing and the P3 – Parks and Open Space zones to accommodate future residential development, park space and road corridor.

3.0 Development Planning

Staff are recommending support for the proposed Rezoning Application to accommodate future subdivision and development of the subject property. The proposal is consistent with the Official Community Plan (OCP) to allow for suburban multi-family development directly adjacent to the City’s Core Area and provides substantial park land and road dedication.

The site is adjacent to the Okanagan Rail Trail (ORT) and provides 2.27 ha of natural area park, which will allow for the protection of steep slopes and natural areas. This new park area provides a net gain of parkland to the City. The park dedication would be incorporated into the City owned lands to the north of the

development site for Dilworth Mountain Park. The proposal would also provide a critical piece of the City’s future transportation network with the dedication of the Clement Avenue Extension for the entire length of the property. The road dedication totals 2.13 ha and is proposed to run along the entire southern property boundary. As identified in the City’s Transportation Master Plan (TMP) this future arterial roadway would provide a connection from Clement Avenue to Enterprise Way and Highway 33 W.

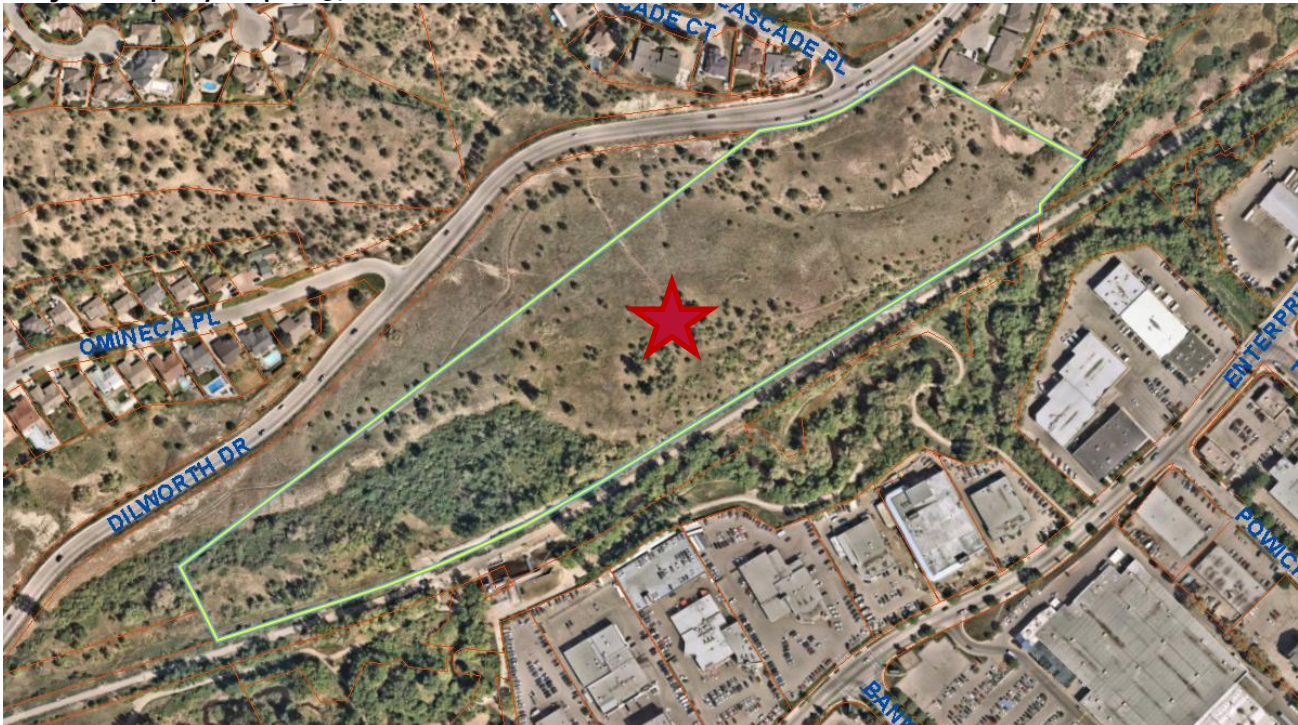
Lot Area	Proposed (ha)
Gross Site Area	8.09 ha (20.01 acres)
Road Dedication	2.13 ha (5.26 acres)
Undevelopable Area (park dedication area)	2.27 ha (5.16 acres)
Net Site Area	3.69 ha (9.11 acres)

4.0 Site Context & Background

The subject property is located at the base of Dilworth Mountain and is accessed from Dilworth Drive. The Future Land Use is S-MU – Suburban Multi Unit and PARK – Park and Open Space. It is directly adjacent to the Okanagan Rail Trail which runs parallel along Mill Creek. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P3 – Parks and Open Space	Natural Area Park/Dilworth Drive
East	MF2 – Townhouse Housing / P3 – Parks and Open Space	Residential / Natural Area Park
South	P3 – Parks and Open Space	Okanagan Rail Trail
West	P3 – Parks and Open Space	Natural Area Park/ Dilworth Drive

Subject Property Map: 1097 Dilworth Drive



4.1 Background

The applicant applied to rezone the subject property to accommodate future residential development on designated portions of the property. The conceptual proposal is for approximately 650 units, ranging from townhouse to apartment housing forms. The remainder of the property would be dedicated parkland and road corridor for the future Clement Avenue Extension.

The development will be accessed from Dilworth Drive at two points; one at the northern end to access a residential development node in the north-east corner of the property, and two, to existing residential development downslope of Omineca Place. Access will be provided to this portion of the property from Dilworth Drive and City Parkland through land transfer.

Transportation Considerations

Located on the southern property boundary is the existing ORT active transportation corridor and the proposed Clement Avenue Extension as identified in the TMP. The development would see a 30 m wide strip along the entire southern boundary of the property for a total of 2.13 ha (5.26 ac) dedicated for future road.

No road design has been completed to date, however funding of \$600,000 from the Provincial Government has been provided to help preliminary engineering designs to be completed. The Clement Avenue Extension is considered a key connection between Clement Avenue and Highway 33, which provides strategic transportation benefits for the City. The road dedication would also provide a temporary secondary emergency access route from the proposed development to Dilworth Drive.

Parkland Considerations

The total size of the subject property is 8.09 ha (20.01 acres), 2.27 ha (5.16 ac) will be dedicated as parkland. A City owned parcel is located between the road and the subject property. A portion of this lot is to be dedicated as road to accommodate the road works and fill slopes for expansion of Dilworth Drive as noted in the Development Engineering Memo.

The development proposal would provide new walking trails and enhance existing trails to provide for connectivity between the two development nodes, the ORT and the existing park.

Environmental and Geotechnical Considerations

The subject property is within two Development Permit Areas (DPAs). The first is the Natural Environmental Protection DPA, as Mill Creek is to the immediate south. The second is the Hazardous Conditions DPA as portions of the site have steep slopes greater than 30%. Preliminary environmental and geotechnical assessments have been completed which identify ESA areas and hazardous slopes which will be maintained and protected throughout the development process.

Development Process

The overall property is a large hillside parcel with the proposed residential units divided into two distinct development areas. Given the scale and the total number of units proposed, it is anticipated that the project will be built out over several years and in multiple phases. Individual Comprehensive Form and Character Development Permits will be necessary for each phase of development and require Council approval for each proposed phase.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 7.2. Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable.	
Policy 7.2.2. Hillside Housing Forms.	Encourage housing forms that best match to the topography and have the lowest amount of impact in hillside areas, such as minimum cuts and fills, for example, and provide the greatest environmental protection. Discourage housing forms and associated roadways that cause high amounts of slope disturbance and visual impact.
	<i>The proposed development areas utilize the flattest portions of the property and avoid identified steep slopes and hazardous areas. Building design and development layout is aimed to reduce large cuts and fills or retaining walls.</i>
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 proposal would add a large park dedication and maintain walking trails from the north and to the south the Okanagan Rail Trail.</i>

Objective 13.1 Prioritize infrastructure investment targeting high growth areas.	
Policy 13.1.2. Land Use Coordination.	Coordinate infrastructure upgrades and system extensions with land use and density requirements to ensure cost-effective urban development, to minimize infrastructure life cycle costs and to mitigate the financial impacts of lower density residential development.
	<i>The proposal will dedicate 2.13 ha (5.26 ac) of land for the Clement Avenue Extension identified as a key Capital Project in the City's Transportation Master Plan</i>
Objective 10.1 Acquire new parks to enhance livability throughout the City.	
Policy 10.1.14. Hillside Parks.	Ensure that active park space is flat and suitable for neighbourhood and community park use. Natural Areas may be connected to active park space but is not a replacement for it. To accommodate the challenges of providing parks in hillside developments, creatively consider using multiple smaller flat sites connected through a network of trails and using topography for views and other points of interest.
	<i>The proposal will dedicate 2.27 ha (5.16 ac) of land for hillside and natural area park which will connect to the City owned parkland directly adjacent to Dilworth Drive.</i>

6.0 Application Chronology

Application Accepted:	April 21, 2021
Public Information Session:	April 13, 2022
Neighbourhood Notification Summary Received:	April 13, 2022

Report prepared by: Wesley Miles, Planner Specialist
Reviewed by: Lydia Korolchuk, Acting Planning Supervisor
Reviewed by: Dean Strachan, Community Planning & Development Manager
Approved for Inclusion: Nola Kilmartin, Department Manager, Development Planning

Attachments:

Attachment A: Development Engineering Memo

Attachment B: Applicant Rationale Letter

Map A: Zoning Amendment

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.