

# REPORT TO COUNCIL



**Date:** May 29, 2017

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (MS)

**Application:** OCP16-0005 / Z16-0078

**Owners:** Emil Anderson Construction Inc.  
0935343 BC Ltd. (Tower Ranch Golf & Country Club)

**Address:** 1700 Tower Ranch Blvd and  
1638 Tower Ranch Blvd

**Applicant:** Greg Asling

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

**Existing OCP Designation:** S2RES – Single / Two Unit Residential  
S2RESH – Single / Two Unit Residential – Hillside  
PARK – Major Park and Open Space (public)  
REC – Private Recreation

**Proposed OCP Designation:** S2RES – Single / Two Unit Residential  
S2RESH – Single / Two Unit Residential – Hillside  
PARK – Major Park / Open Space (public)  
REC – Private Recreation

**Existing Zone:** RU1h – Large Lot Housing (Hillside Area)  
RU2 – Medium Lot Housing  
RU2h – Medium Lot Housing (Hillside Area)  
RU4 – Low Density Cluster Housing  
RU6 – Two Dwelling Housing  
P3 – Parks and Open Space

**Proposed Zone:** RU2h - Medium Lot Housing (Hillside Area)  
RU4h – Low Density Cluster Housing (Hillside Area)  
RU6 – Two Dwelling Housing  
P3 – Parks and Open Space

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## 1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP16-0005 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of portions of *Lot 2 Section 31 TWP 27 ODYD Plan KAP80993 Except Plans KAP25114, KAP90346, EPP50442 and EPP64271*, located at 1700 Tower Ranch Boulevard, from the future land use designations identified in the OCP for the property (REC – Private Recreation, S2RES – Single/Two Unit Residential, S2RESH – Single/Two Unit Residential Hillside and PARK – Parks and Open Space) to the future land use designations (PARK – Parks and Open Space, S2RES – Single/Two Unit Residential and S2RESH – Single/Two Unit

Residential (Hillside)) as shown on Map "A" attached to the Report from the Community Planning Department dated May 29, 2017, be considered by Council;

AND THAT Official Community Plan Map Amendment Application No. OCP16-0005 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of portions of *Lot 1 Section 31 TWP 27 ODYD Plan KAP80993*, located at 1638 Tower Ranch Blvd, Kelowna, BC from S2RESH – Single/Two Unit Residential (Hillside) to REC – Private Recreation as shown on Map "A" attached to the Report from the Community Planning Department dated May 29, 2017, 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 process to be appropriate consultation for the *Purpose* of Section 879 of the *Local Government Act*, as outlined in the Report from the Community Planning Department dated May 29, 2017;

THAT Rezoning Application No. Z16-0078 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of *Lot 2 Section 31 TWP 27 ODYD Plan KAP80993 Except Plans KAP85114, KAP90346, EPP50442 and EPP64271*, located at 1700 Tower Ranch Boulevard, Kelowna, BC, from (P3 – Parks and Open Space, RU1h – Large Lot Housing (Hillside Area), RU6 – Two Dwelling Housing) to (P3 – Parks and Open Space, RU2h - Medium Lot Housing (Hillside Area) and RU6 – Two Dwelling Housing) as shown on Map "B" attached to the Report from the Community Planning Department dated May 29, 2017), 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 release of Restrictive Covenant CA440802 and CA4540803 (Zoning Covenant).

## **2.0 Purpose**

Official Community Plan amendment and rezoning application to amend the future land use designations and rezone portions of the subject property to facilitate a single and two unit residential subdivision with park space for 1700 Tower Ranch Boulevard, and make the future land use designation consistent with existing golf course use at 1638 Tower Ranch Boulevard.

## **3.0 Community Planning**

Community Planning supports the proposed OCP and zone amendments. Key components to the amendments are:

- Including the hillside designation to all of the residential area;
- Refinement of the location of the neighbourhood park and natural park areas; and
- Correction of the golf course and residential areas with respect to property lines.

Staff believe the proposed amendments better align this portion of the development with the City's Hillside Development policies and natural open space/park objectives.

## **4.0 Proposal**

### **4.1 Background**

At the time of the adoption current OCP (approved in May 2011), the subject properties were owned by a previous developer. The configuration of future land use designations was designed in accordance with the

previous concept plan. The amendment responds to the current concept plan as well as the finalized property line of the Tower Ranch Golf Course.

In 2011, 1700 Tower Ranch Boulevard was purchased by Emil Anderson Construction Inc. (Emil Anderson). Emil Anderson has an interest in amending the configuration of the future land uses to better suit their concept and target market. A development permit for the current configuration was issued in 2008, and the site has been pregraded in accordance with this development permit. In addition, the amendment corrects the finalized property lines and location of the Tower Ranch Golf Course and park space.

In 2008, a neighbourhood park was planned for the area. This plan refines the location of the proposed neighbourhood park. In addition to this park, the amendment refines an area of steep natural open space that will also be designated as park.

The Agricultural Land Commission (ALC) allowed the graduated release of Tower Ranch Golf Course associated residential development from the Agricultural Land Reserve (ALR) through a number of resolutions, the most recent of which was Resolution #498/2006.

#### 4.2 Project Description

The amendment changes the single / two unit residential (S2RES) to single / two unit (S2RESH) residential hillside, so that the development can better respond to the hillside conditions of the site. The location of the open park space is refined, and a neighbourhood park is designated within the development to be held for future development.

The zoning designation of RU2h - Medium Lot Housing (Hillside Area) will be applied to the residential lots in the eastern and central portions of the property. The designation of RU6 – Two Dwelling Units will be applied along the western property line, to facilitate duplex units.

In 2008, a neighbourhood park was planned for the area. This plan refines the location of the proposed neighbourhood park. Our Real Estate Service's Department has had preliminary discussions with the owner regarding transfer of the parkland, and the parties are currently negotiating for the acquisition of the future park via Development Cost Charges (DCC) credit's to be issued as part of the overall development. The park areas will correspond to the new property lines with a zoning of P3 – Parks and Open Space.

In addition, the amendment refines an area of steep open space that will also be designated as park. A walkway connection from Tower Ranch Boulevard to 'Road D' providing connectivity to the development for pedestrians (see attached Plan PLR-01).

The amendment also corrects the private recreation future land use designation to the current property line of Tower Ranch Golf Course.

Fencing and landscape buffering along the ALR will be required when the area adjacent to the ALR at the north is subdivided, in accordance with the ALC requirements.

A restrictive covenant, in favour of the City of Kelowna, is registered on 1700 Tower Ranch Drive, which specifies that the parcel should be built to a RU2 – Medium Lot Housing zone. Given that this amendment will specify the proposed zone for the property, the covenant will be redundant. Staff recommends that this covenant and associated priority charge be discharged from title prior to the adoption of this bylaw.

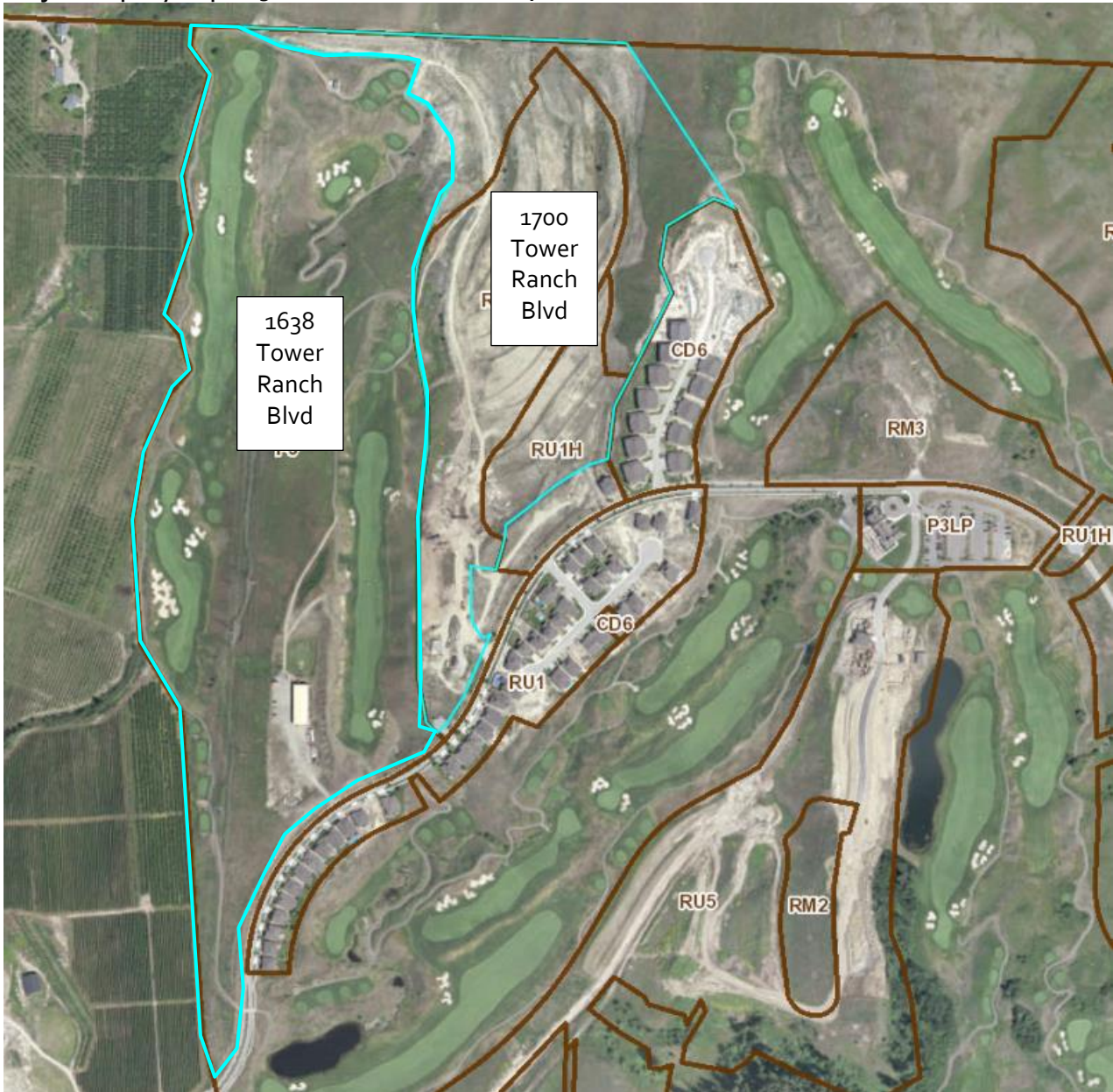
4.3 Site Context

The site is located on the upper McCurdy Bench in the Rutland Sector. Lands within the Agricultural Land Reserve (ALR) in the Regional District of the Central Okanagan (RDCO) lie to the north. The site is within the Tower Ranch Community Association Area.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	Agriculture 1 / ALR (RDCO)	Agriculture
East	P <sub>3</sub> – Parks and Open Space / RU <sub>4</sub> Cluster Housing(Hillside)	Golf Course / Residential
South	RU <sub>1</sub> – Large Lot Housing	Residential
West	P <sub>3</sub> – Parks and Open Space / A <sub>1</sub> – Agriculture 1 (ALR)	Golf Course / Agriculture

**Subject Property Map: 1638 Tower Ranch Blvd and 1700 Tower Ranch Blvd**



**5.0 Public Notification**

Staff understands that the applicant has undertaken public notification in accordance with Council Policy #367. This included delivering a letter, including a map of the proposed OCP Amendments to neighbouring residents.

## 6.0 Current Development Policies

### 6.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Steep Slopes.**<sup>1</sup> Prohibit development on steep slopes (+30% or greater for a minimum distance of 10 metres) except where provided for in ASPs adopted or subdivisions approved prior to adoption of OCP Bylaw 10500.

**Design for People and Nature.**<sup>2</sup> Structure new neighbourhoods around parks, pedestrian and bike routes, open spaces, and environmental areas, rather than around roadways and cars.

**Develop parkland to respond to user needs.**<sup>3</sup> Design parks to meet the needs of a variety of user groups, including families, youth, and seniors.

## 7.0 Technical Comments

### 7.1 Development Engineering Department

All offsite infrastructure and services upgrades are addressed in the Subdivision Application Engineering Report under file S16-0006.

### 7.2 Community Planning

The City has considered the City of Kelowna Financial Plan and the City of Kelowna Wastewater Management Plan as part of this amendment.

## 8.0 Application Chronology

Date of Complete Application Received:	August 9, 2016
Date Public Consultation Completed:	October 5, 2017
Date of Circulation Comments Received:	February 14, 2017

### Report prepared by:

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Melanie Steppuhn, Land Use Planner

**Reviewed by  
Approved for Inclusion:**

Ryan Smith, Community Planning Department Manager

**Approved for Inclusion:**

Doug Gilchrist, Divisional Director, Community Planning & Real Estate

### Attachments:

Map A – OCP Amendment

Map B – Zoning Amendment

Subdivision Plan – 1700 Tower Ranch Boulevard

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<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 7.16 (Infrastructure).