REPORT TO COUNCIL

Date:	June 12, 2017		
RIM No.	1250-30		
To:	City Manager		
From:	Community Planning Department (LB)		
Application:	OCP16-0017 / Z16-0058	**Owner:**	Vincent & Pamela Blaskovich
Address:	4975 Buckhaven Court	**Applicant:**	Dave Lange, Mair Developments Ltd.
Subject:	Official Community Plan Amendment and Rezoning		

Existing OCP Designation:	MRC – Multiple Unit Residential (Cluster Housing) PARK – Major Park and Open Space S2RESH – Single / Two Unit Residential - Hillside
Proposed OCP Designation:	PARK – Major Park and Open Space S2RESH – Single / Two Unit Residential - Hillside
Existing Zone:	A1 – Agriculture 1
Proposed Zone:	P3 – Parks and Open Space RU1h – Large Lot Housing (Hillside Area) RH1 – Hillside Large Lot Residential

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP16-0017 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 A Sections 20 and 29 Township 29 SDYD Plan KAP44335 Except Plans KAP92565, EPP23066, EPP31364 and EPP51781, located at 4975 Buckhaven Court, Kelowna, BC, from the:

- MRC – Multiple Unit Residential (Cluster Housing) designation to the PARK – Major Park and Open Space designation;
- from the MRC – Multiple Unit Residential (Cluster Housing) designation to the S2RESH – Single / Two Unit Residential – Hillside designation;
- from the PARK – Major Park and Open Space designation to the S2RESH – Single / Two Unit Residential – Hillside designation; and
- from the S2RESH – Single / Two Unit Residential – Hillside designation to the PARK – Major Park and Open Space designation

as shown on Map "A" attached to the Report from the Community Planning Department dated June 12, 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 Hearing public process to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*, as outlined in the Report from the Community Planning Department dated June 12, 2017;

AND THAT Rezoning Application No. Z16-0058 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot A Sections 20 and 29 Township 29 SDYD Plan KAP44335 Except Plans KAP92565, EPP23066, EPP31364 and EPP51781, located at 4975 Buckhaven Court, Kelowna, BC, from the:

- A1 – Agriculture 1 zone to the P3 – Parks and Open Space zone;
- from the A1 – Agriculture 1 zone to the RU1h – Large Lot Housing (Hillside Area) zone;
- from the A1 – Agriculture 1 zone to the RH1 – Hillside Large Lot Residential zone; and
- from the P3 – Parks and Open Space zone to the RU1h – Large Lot Housing (Hillside Area) zone

as shown on Map "B" attached to the Report from the Community Planning Department dated June 12, 2017, be considered by Council;

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

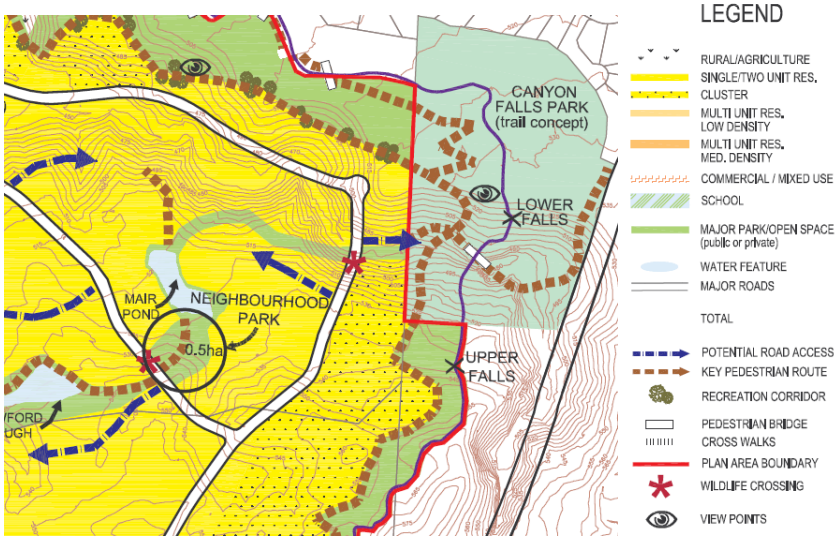
2.0 Purpose

To amend the Official Community Plan to change the future land use designation and to rezone portions of the subject property to facilitate a residential subdivision with park and natural open space areas.

3.0 Community Planning

Staff support the proposed OCP Amendment and Rezoning application to facilitate the next phase of development of The Ponds Bellevue. The application is generally consistent with the Neighbourhood 3 Area Structure Plan (ASP) that directs the vision and objectives for development of the area. Staff have reviewed the proposal in conjunction with the related Subdivision and Development Permit applications and have worked with the applicant to address concerns and identify conditions for subdivision.

The intent of the ASP is generally met through the provision of a wildlife corridor connecting the pond system to Bellevue Creek, park space, trail connections, and single / two unit residential development. The development concept in the ASP is shown to the right, and the entire ASP Development Concept and Parks and Pathway Plan are shown in attachments to this report. In addition to the defined wildlife corridor that would be designated and zoned as park and open space, small portions of adjacent lots will



have restrictions on building or disturbing land that abuts the corridor, further increasing the buffer for this natural open space between Mair Pond and Bellevue Creek. Additional natural open space is being provided north of Fawn Run Drive, adjacent to Bellevue Creek Regional Park and Canyon Falls Park.

The proposed amendments involve adjusting the boundaries of the existing Future Land Use designations and rezoning the site based on more detailed site investigations and servicing requirements that inform the subdivision layout. A portion of the area designated for cluster housing would be amended to single or two unit hillside residential, with two single dwelling housing lots proposed in this location. The slopes in this portion of the site are less severe than the remainder of the cluster housing site, making it appropriate for individual lots accessed from a short cul-de-sac. The remainder of the cluster housing site will be addressed through future development phases. Key considerations for future development south and southwest of the subject site will be the cluster housing area, the extension of Steele Road, the neighbourhood park, and the interface with Canyon Falls Park and wildlife corridors.

Staff representing various departments worked with the applicant to address matters related to park and trail access, site grading, road and servicing standards, and emergency access, in addition to the proposed land uses. All servicing requirements are a condition of subdivision approval, and environmental and hazardous condition requirements are noted in the related Development Permit. As part of this subdivision phase, the trail at the top of the south bank of Bellevue Creek will be extended, connecting The Ponds Community Park with the western portion of Canyon Falls Park. Staff are working with the developer on a partnership agreement to develop this section of trail, pending further budget approvals by Council.

Public consultation and notification was not required since no privately owned properties were within 50 m of the subject site at time of application. The development is part of a master planned community and is generally consistent with the ASP and development plan for the area.

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

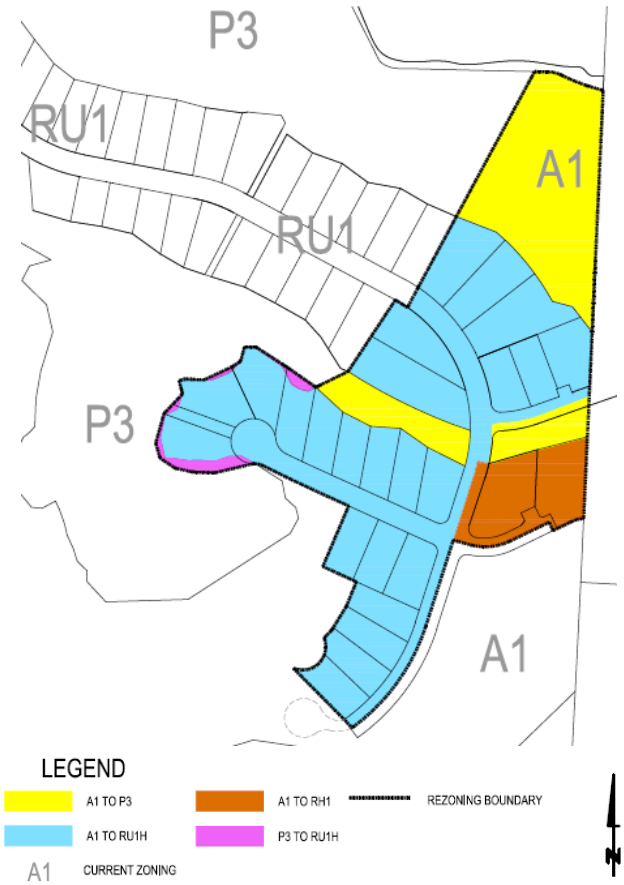
The Neighbourhood 3 ASP and related OCP amendments were adopted by Council on April 3, 2007. Neighbourhood 3 was identified within the 1994 Southwest Okanagan Mission Sector Plan and covers the entirety of the area now known as The Ponds. The Ponds Bellevue is part of this larger master planned community.

The Plan envisions a logical pattern of development for the Neighbourhood 3 area that would result in a high quality, attractive and complete community including the objectives of: providing a mix of housing types and densities suitable for a variety of households, age groups, income levels and preferences; and, through its inter-connection of natural spaces, parks, pathways encourages respect for nature. The ASP notes that the development concept has been formulated to work harmoniously with the topography and to retain the integrity of water features and their surroundings.

4.2 Project Description

This OCP Amendment and Rezoning application is for the next phase of The Ponds Bellevue, known as Phase 2 of Fawn Run at The Ponds. The related subdivision proposes 26 residential lots, park and natural open space areas, and a remainder parcel for future development phases. The Approving Officer issued the Preliminary Layout Review Letter for the subdivision on May 10, 2017, subject to these OCP Amendments and Rezoning, among other conditions.

The site is currently designated S2RESH – Single / Two Residential – Hillside, MRC – Multiple Unit Residential (Cluster Housing), and PARK – Major Park / Open Space (Public), and the existing zoning is A1 – Agriculture 1. The OCP Amendment proposes adjusting the boundaries of the existing Future Land Use designations in several locations, including refining the wildlife corridor identified in the ASP and increasing natural area parkland in other areas. Additionally, the Future Land Use for one of the development areas would change from MRC to S2RESH, removing any multiple unit cluster housing from this phase. The proposed zoning of P3 – Parks and Open Space, RU1h – Large Lot Housing (Hillside Area) and RH1 – Hillside Large Lot Residential aligns with the proposed Future Land Use designations, and would allow for single dwelling residential on large hillside lots within the development areas. The proposed zoning amendments and lot layout are shown to the right.



The main proposed vehicle access is via extension of Fawn Run Drive, terminating in a temporary cul-de-sac that will eventually intersect with the future extension of Steele Road. Fawn Run Drive is built to a local road standard, and it is anticipated the Steele Road extension will be a collector road. A trail north of Fawn Run Drive will also function as an emergency access route for the area.

The ASP identifies a 0.5 hectare neighbourhood park site south of Mair Pond. While this proposed park is not part of this OCP Amendment and Rezoning application, it is adjacent to the subject site. The extension of Steele Road is currently shown to bisect the park site, and staff are discussing the location with the developer as part of the subdivision for this and future phases to ensure the provision of a neighbourhood park is not compromised by the road or lot layout. The park area would be exclusive of any required environmental setbacks.

4.3 Site Context

The subject property is located within the Okanagan Mission Sector of the City, east of the intersection of Gordon Drive and Steele Road, and west of Canyon Falls Park / Bellevue Creek. It is located within the Permanent Growth Boundary, and is generally known as The Ponds.

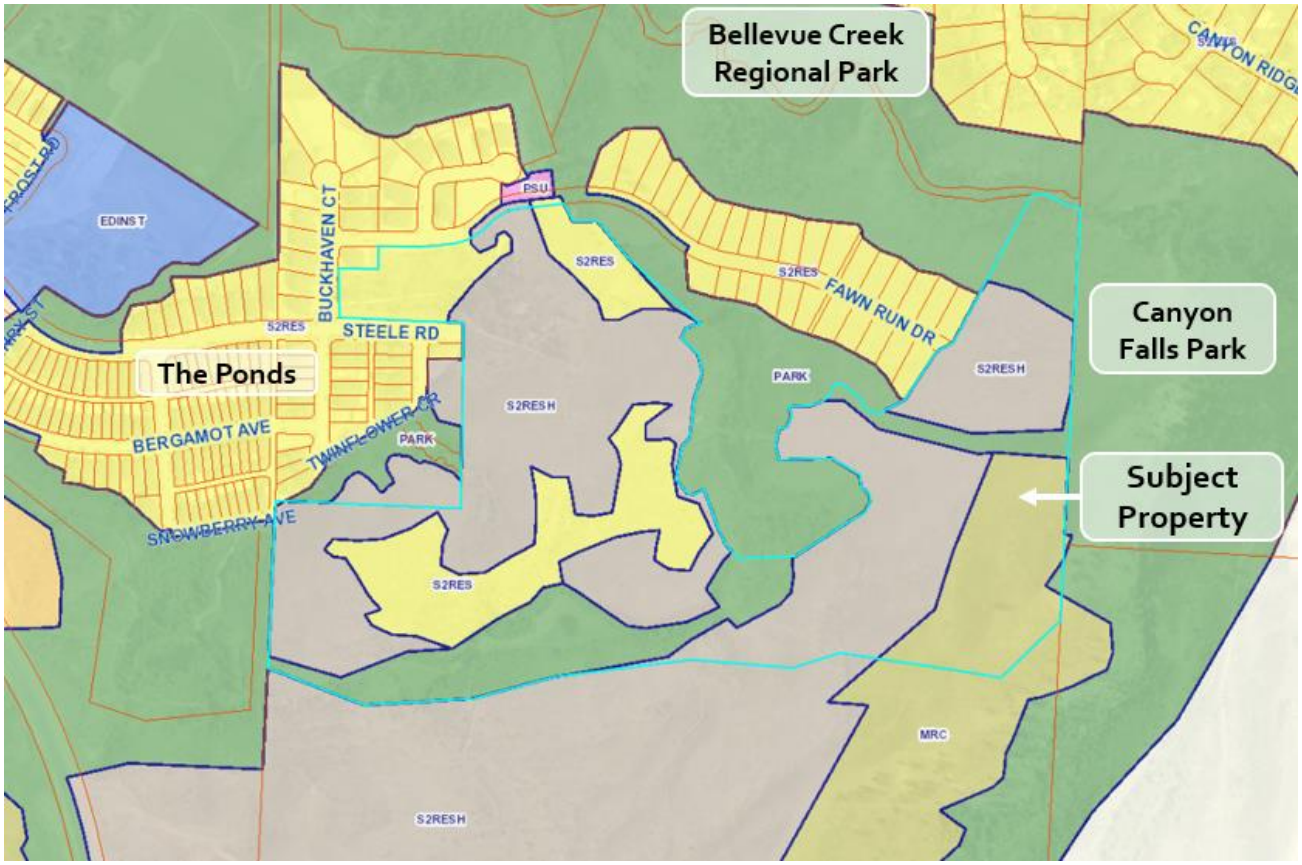
The portion of the subject parcel under consideration contains a mix of Future Land Use designations, including: S2RESH – Single / Two Unit Residential – Hillside; MRC – Multiple Unit Residential (Cluster Housing); and PARK – Major Parks and Open Space (Public).

The adjacent properties to the north and east have a Future Land Use designation of PARK – Major Park and Open Space (Public). To the south, the remainder of this property and adjacent properties have Future Land Use designations of MRC – Multiple Unit Residential (Cluster Housing) and S2RESH – Single / Two Unit Residential – Hillside. To the west, the remainder of this parcel has Future Land Use designations of PARK – Major Park and Open Space and S2RESH - Single / Two Unit Residential – Hillside.

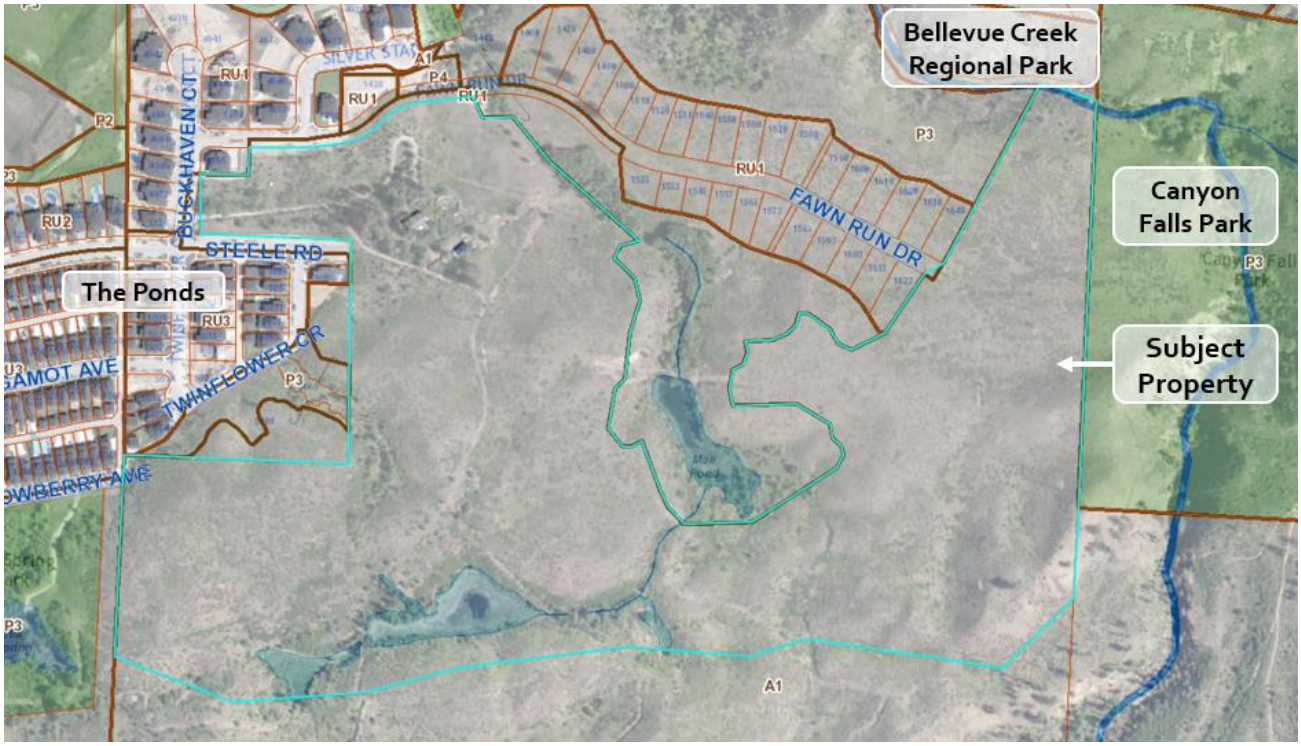
Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P3 – Parks and Open space A1 – Agriculture	Natural open space (future Bellevue Creek Linear Trail and Bellevue Creek Regional Park)
East	P3 – Parks and Open Space	Canyon Falls Park
	A1 - Agriculture	Vacant / open space
South	A1 - Agriculture	Vacant / open space
West	A1 - Agriculture	Vacant / open space
	P3 – Parks and Open space	Open space / storm water detention pond
	RU1 – Large Lot Residential	Residential under development

Map 1: Neighbourhood Context & Existing Future Land Use Designations



Map 2: Subject Property & Existing Zoning



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Policy 5.2.5 Integrated Land Uses. Integrate land use approaches wherever possible to improve opportunities for biodiversity, ecosystem connectivity, recreation, agriculture and local food production, while reducing conflicts.

Policy 5.14.2 Dedication of Linear Parks. At subdivision and rezoning for all development types secure a minimum 10-metre wide linear corridor for public access as included in Table 5.1 Linear Park – Public Access and/or are shown on Map 5.9 – Linear Corridors / Paths. The 10-metre wide corridor may be in addition to, and outside, any riparian management area requirements imposed through the Environmental Development Permit (see Chapter 12) requirements of the OCP. Linear trail corridors can have the following tenure which will be determined by staff at the time of subdivision or rezoning:

- Titled property in the name of the city as a park, protected area, or
- Road reserve right of way; or
- Statutory right of way.

Policy 5.15.3 Environmentally Sensitive Area Linkages. Ensure that development activity does not compromise the ecological function of environmentally sensitive areas and maintains the integrity of plant and wildlife corridors.

Policy 5.15.13 Access Through Steep Slopes. Discourage roads (public or private) through +30% slope areas intended to access lands beyond, except in cases where it can be demonstrated the road will be sensitively integrated (visual and aesthetic impacts minimized) with the natural environment and will

present no hazards to persons or property, environmental threats or unreasonable servicing or maintenance challenges.

Policy 5.36.3 Design for People and Nature. Structure new neighbourhoods around parks, pedestrian and bike routes, open spaces, and environmental areas, rather than around roadways and cars.

Chapter 7: Infrastructure

Policy 7.6.2 Complete Streets. Ensure new roads are built as complete streets that incorporate sidewalks and on street bike lanes on arterial and major collector roads and off-road bike paths as per the Active Transportation Plan and provides for efficient transit service, as well as sufficient space to include landscaping.

Policy 7.8.3 New Residential Developments. Ensure that new residential developments and subdivisions have active transportation links to the nearest arterial or major collector roads at developer cost.

Policy 7.12.2 Natural Area Parks and Open Spaces. Provide a city-wide network of natural area parks which meet the following criteria:

- Contains representative Okanagan ecosystems;
- Contains areas of outstanding natural beauty (including areas with high visual sensitivity and high visual vulnerability, such as rocky outcrops, ridge lines, hilltops, silt slopes, canyons, and water edges);
- The land area is contiguous and forms part of a larger open space network;
- Contains conservation areas;
- Protects viewshed corridors; and
- Where appropriate, trails which maximize public safety while minimizing human impact on the most sensitive and vulnerable areas.

Policy 7.15.1 Partnerships. The City will create community and enhance quality-of-life through partnerships with developers, residents' associations, property owners, non-profit organizations, private enterprise, user groups and individuals, on the acquisition and construction of all classes of parks. The City will also pursue joint use agreements and partnerships with School District 23, Regional District of the Central Okanagan, and the University of British Columbia Okanagan.

6.0 Technical Comments

6.1 Development Engineering

- All requirements are addressed through Subdivision Application No. S16-0101.

6.2 School District No. 23

- No objections to the application as proposed.

7.0 Application Chronology

Neighbourhood 3 ASP:	January 31, 2007
Date of Application Received:	September 14, 2016
Date of PLR Issuance:	May 10, 2017

Report prepared by: Laura Bentley, Planner II

Reviewed & Approved for Inclusion by: Ryan Smith, Community Planning Department Manager

Attachments:

Map "A"
Map "B"
Attachment 1: ASP Map 8 Development Concept
Attachment 2: ASP Map 10 Parks and Pathways Plan