

REPORT TO COUNCIL



Date: April 10, 2012
To: City Manager
From: Land Use Management, Community Sustainability (JM)
Application: ASP10-0001 **Owner:** Lakeside Communities Inc.
1855 Bennett Road
Address: 1005 Clifton Road North **Applicant:** MMM Group
(E OF) Paly Road
(E OF) Paly Road
Subject: North Clifton Road Area Structure Plan Boundary Amendment & Consultation Plan
Existing OCP Designation: FUR - Future Urban Reserve
AGR - Resource Protection Area
Proposed OCP Designation: TBD
Existing Zone: A1 - Agriculture 1
P4 - Utilities
Proposed Zone: TBD

1.0 Recommendation

THAT Council authorize the amendment of the Area Structure Plan boundary for the North Clifton Road Area Structure Plan, as outlined on *Attachment 2* of the report of Land Use Management, dated April 10, 2012.

AND THAT Council endorse the Public Consultation Plan, prepared by the applicant team, as outlined in *Attachment 3* of the report of Land Use Management, dated April 10, 2012.

2.0 Purpose

The applicant is seeking authorization from Council to amend the boundary of the Area Structure Plan (ASP) originally authorized by Council on July 11, 2011. The proposal would see the addition of an area previously considered inaccessible for development, but will not increase the overall maximum yield of 200 units in the plan area.

Approval is also being sought for the Public Consultation Plan prepared by the applicant team, which summarizes the public consultation efforts to date and those future efforts seen to be necessary in order to engage affected property owners of the proposal and to seek feedback and input from area residents.

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3.0 Land Use Management

ASP Boundary Amendment

Land Use Management staff have no substantial concerns with the proposal to include the additional area within the ASP boundary in order to investigate its development potential. This investigation must include detailed review of environmental values, access and servicing, and must not result in development that exceeds the total density of 200 dwelling units permitted within the ASP area.

Public Consultation Plan

To this point, the ASP process has been controversial and has spurred significant feedback from area residents. In recognition of this, the applicant team has demonstrated a positive commitment to engaging area residents in an honest and open dialogue about the proposed development. Staff feel that the proposed Public Consultation Plan is evidence of this commitment. However, Staff would also encourage the applicant team to remain flexible should additional consultation opportunities be required as the process moves forward.

4.0 Proposal

4.1 Background

ASP Boundary Amendment

On July 11, 2011, Council authorized the preparation of an Area Structure Plan (ASP) for the North Clifton Road area, the boundary of which is shown on *Attachment 1*, and upheld a total unit yield not exceeding 200 dwelling units. This boundary was determined after consultation with Staff on the basis of avoiding environmentally sensitive areas and areas that were deemed largely inaccessible for development purposes. The ASP boundary is also consistent with the Permanent Growth Boundary (PGB) in the OCP. At this July 11, 2011 meeting, Council also noted that development should stay within the PGB, but asked the applicant to investigate those portions of their property outside of the PGB for potential conservation purposes.

During the course of the wildfire mitigation work that the owner has undertaken, a portion of the subject properties outside of the PGB that was previously excluded from the ASP boundary has been found to be more accessible than previously thought. Using this information, the applicant wishes to include this area within the boundaries of the ASP in order to assess fully the development potential of the site. The proposed revision of the ASP boundary is shown in *Attachment 2*. Should this area prove suitable for development, an amendment to the OCP to alter the PGB will be required.

Public Consultation Plan

In terms of public consultation, the applicant team has already made considerable efforts to engage area residents in the ASP process. Efforts to date as well as planned future efforts are summarized in *Attachment 3*.

4.2 Project Description

ASP Boundary Amendment

The ASP is under preparation over four parcels lying between the north end of Clifton Road and the southern boundary of the McKinley Landing neighbourhood. These parcels are largely undeveloped and in their natural state.

The proposal includes the development of up to 200 dwelling units consisting principally of single dwelling housing, with the potential for some compact cluster housing, conceptually identified in nine “development nodes” (see Attachment). None of the properties are presently serviced by water or sanitary sewer.

The area proposed for inclusion within the ASP boundary consists of a gently sloped bench situated on the northeast corner of the subject lands. Accessing the bench is challenging, as the slope of land leading up to the bench is often in excess of 30%. According to the applicant, this area contains land suitable for approximately 6-10 dwelling units. Combined with other units within the ASP area, unit yield would not exceed the 200 dwelling units permitted.

Through the ASP process, the applicant will consider issues such as environmentally lands, natural hazards, drainage, servicing, road network, parks and land use prior to bringing the draft ASP to Council for endorsement.

Public Consultation Plan

The applicant team proposes to engage affected property owners and area residents in general using a variety of methods, including regular email updates, notice board postings at prominent site accesses, website updates, meetings with neighbourhood associations, and public open houses. These methods are described in more detail in *Attachment 3*. Of these, a minimum of two public open houses are required by the City in accordance with Council Policy No. 247.

4.3 Site Context

The subject properties are situated between the southern end of the McKinley Landing neighbourhood and the northern terminus of Clifton Road. The properties have seen limited forestry and agricultural uses in the past, but remain principally in their natural state. Some recent wildfire mitigation work has been undertaken in the area.

There is one existing residence on the southwest portion of the lands, which is accessed from a driveway extending from the south end of Bennett Road in the McKinley Landing neighbourhood.

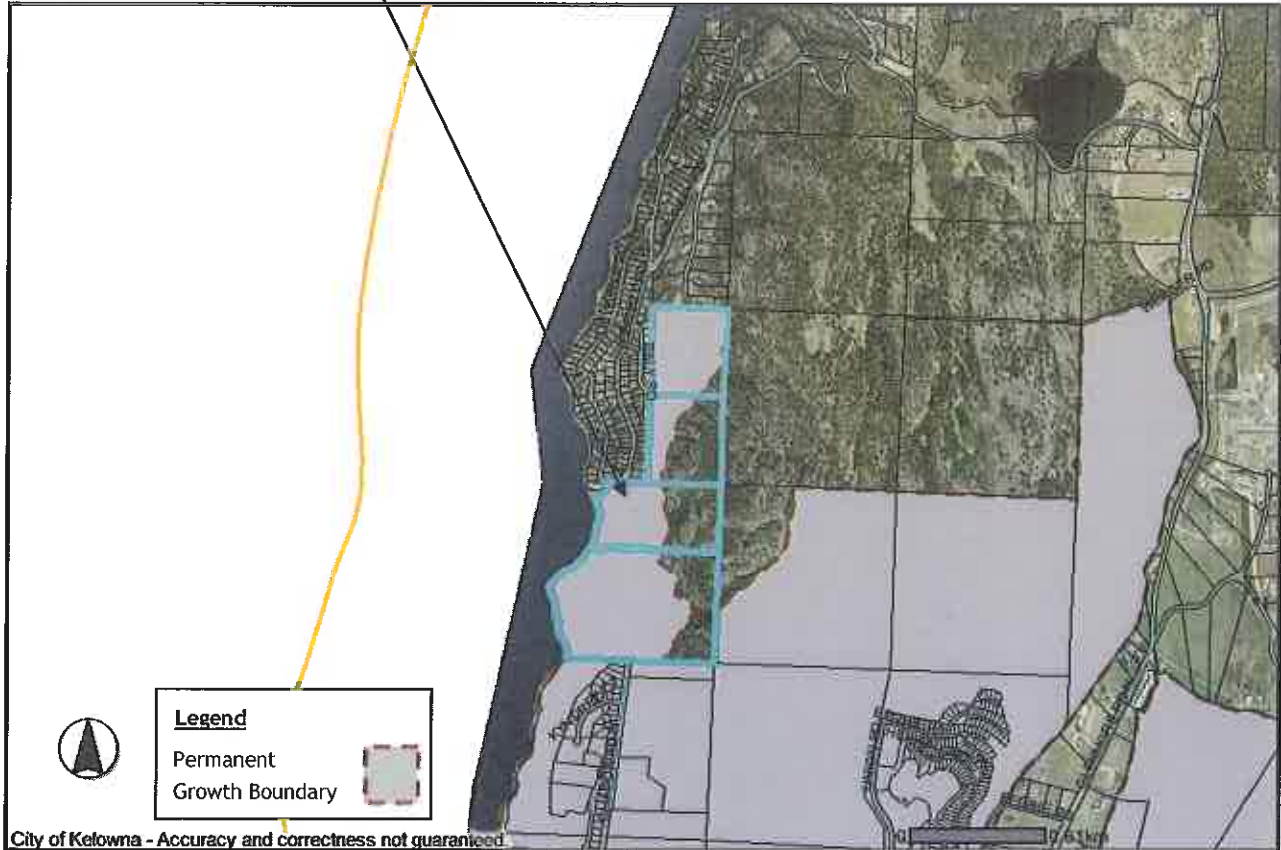
Existing environmental information suggests that there are several areas containing sensitive terrestrial habitat, and the foreshore is comprised of very high value Kokanee spawning habitat. Also, the terrain on the subject properties is challenging, with a large proportion of land exceeding a slope of 30%.

The area proposed for inclusion within the ASP boundary is approximately 3.8 ha in area and is located on the northeast portion of the subject properties. The area consists of a gently sloped bench surrounded by far steeper slopes, making access a challenge. A majority of the parcels are within the OCP’s Permanent Growth Boundary, with only eastern portions of the parcel lying outside of the PGB.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR2 - Rural Residential 2	McKinley Landing neighbourhood
East	A1 - Agriculture 1	Open forest
South	RR3 - Rural Residential 3	Clifton Highlands neighbourhood
West	RR3 - Rural Residential 3 / Okanagan Lake	McKinley Landing neighbourhood / Okanagan Lake

Subject Property Map: ASP Properties



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Compact Urban Form.¹ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Environmentally Sensitive Area Linkages.² Ensure that development activity does not compromise the ecological function of environmentally sensitive areas and maintains the integrity of plant and wildlife corridors.

Steep Slopes.³ 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.

Cluster Housing.⁴ Require new residential development to be in the form of cluster housing on / or near environmentally sensitive areas and areas of steeper slopes to lessen site disturbance and

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

² City of Kelowna Official Community Plan, Policy 5.15.3 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.15.12 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 5.22.1 (Development Process Chapter).

environmental impact on those areas identified on the Future Land Use Map 4.1 as single-two unit residential hillside. Steeply sloped areas should be retained as natural open space, public or private. The intent of the clustering would be to preserve features identified through the Development Permit process that otherwise might be developed and to maximize open space in order to:

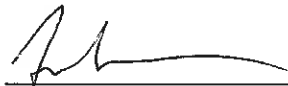
- a. Protect environmentally sensitive areas of a development site and preserve them on a permanent basis utilizing the most appropriate tools available;
- b. Facilitate creative and flexible site design that is sensitive to the land's natural features and adaptive to the natural topography;
- c. Decrease or minimize non-point source (i.e. asphalt roofs, driveways and parking) pollution impacts by reducing the amount of impervious surfaces in site development;
- d. Promote overall cost savings on infrastructure installation and maintenance; and
- e. Provide opportunities for social interaction, walking and hiking in open space areas.

6.0 Application Chronology

Date of Application Received: October 14, 2010

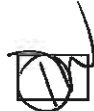
Date of Council Authorization to Prepare: July 11, 2011

Report prepared by:



James Moore, Land Use Planner

Reviewed by:



Danielle Noble Manager, Manager, Urban Land Use

Approved for Inclusion:



Shelley Gambacort, Director, Land Use Management

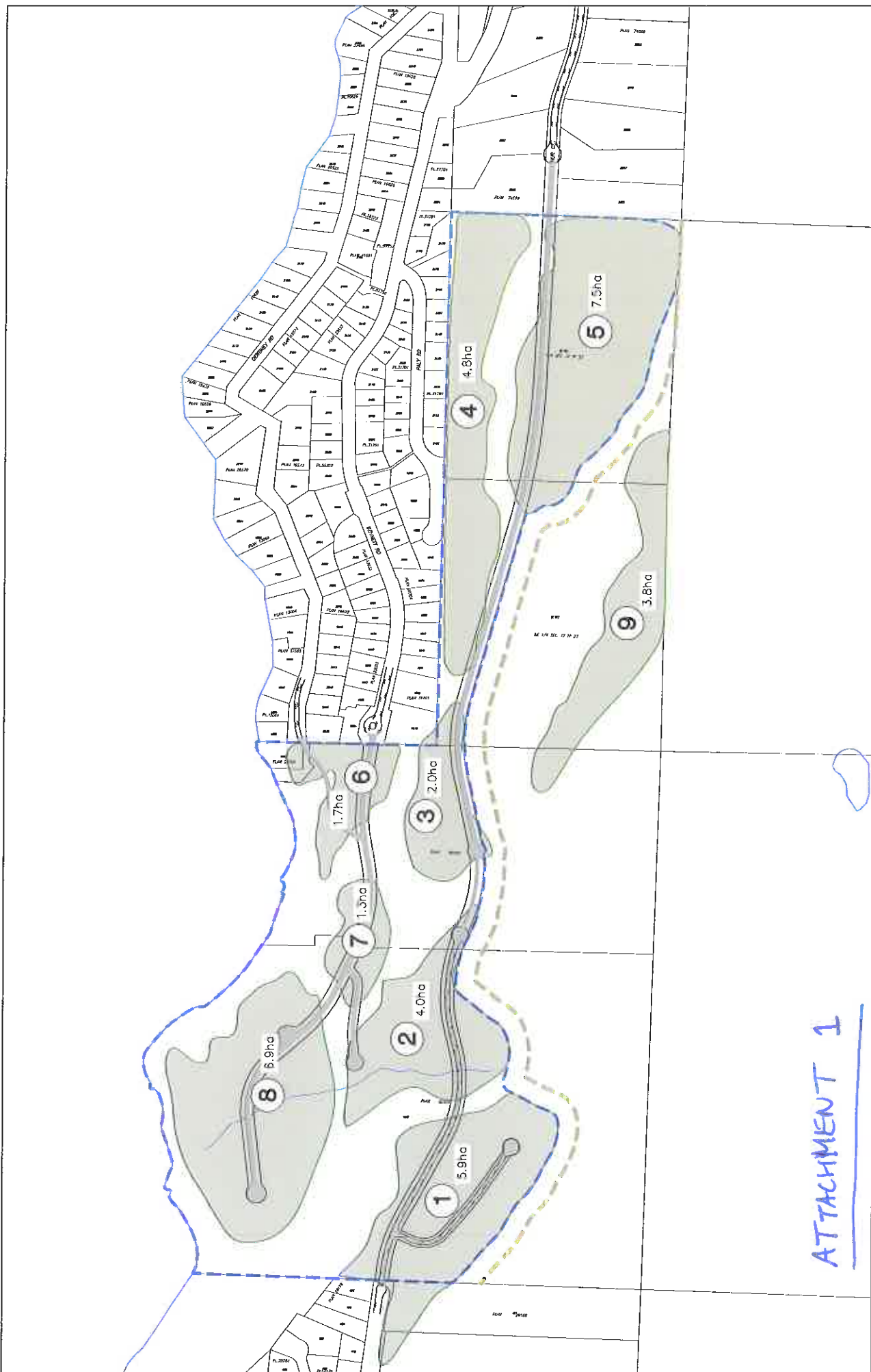
Attachments:

Subject Property Map

Attachment 1 - Original Area Structure Plan Boundary

Attachment 2 - Proposed Area Structure Plan Boundary

Attachment 3 - Summary of Public Consultation



ATTACHMENT 1

LEGEND SHADDED AREA - PROPOSED DEVELOPMENT DASHED LINE - PROPOSED PERMANENT URBAN BOUNDARY DASHED LINE - DEVELOPMENT NODE DASHED LINE - UTILITY POLE DASHED LINE - POWER POLE DASHED LINE - CAMP STANDARD DASHED LINE - GAS DASHED LINE - U/I TELEPHONE DASHED LINE - U/I ELECTRICAL DASHED LINE - SURVEY MONUMENT DASHED LINE - TREE DASHED LINE - FENCE DASHED LINE - STORM SEWER DASHED LINE - PROPOSED PERMANENT URBAN BOUNDARY DASHED LINE - DEVELOPMENT NODE DASHED LINE - UTILITY POLE DASHED LINE - POWER POLE DASHED LINE - CAMP STANDARD DASHED LINE - GAS DASHED LINE - U/I TELEPHONE DASHED LINE - U/I ELECTRICAL DASHED LINE - SURVEY MONUMENT DASHED LINE - TREE DASHED LINE - FENCE DASHED LINE - STORM SEWER		NAD 83 INSERTION BASE POINT = 300,000 - 5,000,000 LAYOUT AND DESIGN OF THIS PLAN IS THE PROPERTY OF THE ENGINEER AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER. THE CITY OF KELOWNA ACCEPTS NO LIABILITY FOR ANY ERRORS OR OMISSIONS.
2010001 JOB 2010002 JOB 2010014 JOB 2010014 JOB	ADDED SUP & PERMANENT URBAN BOUNDARIES REVERSED LAYOUT CONCEPT PRELIMINARY SITE LAYOUT - FOR REVIEW PRELIMINARY DESIGN - FOR REVIEW	DATE: 2010-05-14 SCALE: 1:2500 SHEET: 1 OF 2
THE CITY OF KELOWNA ENGINEERING DEPARTMENT MELCOR DEVELOPMENTS CLIFTON ROAD NORTH LEGAL BOUNDARIES & POTENTIAL DEVELOPMENT NODES	DIVISION: DEVELOPMENT DRAWING NO.: FIGURE 1 REV NO.: D	DATE: 2010-05-14 SCALE: 1:2500 SHEET: 1 OF 2

Legend

- LAND HOLDINGS & ASP BOUNDARY
- POTENTIAL DEVELOPMENT ROSE
- EMERGENCY ACCESS ROUTE
- POSSIBLE ACCESS ROUTE

NO.	DESCRIPTION	DATE
1	ISSUED FOR REVIEW	2012-01-01

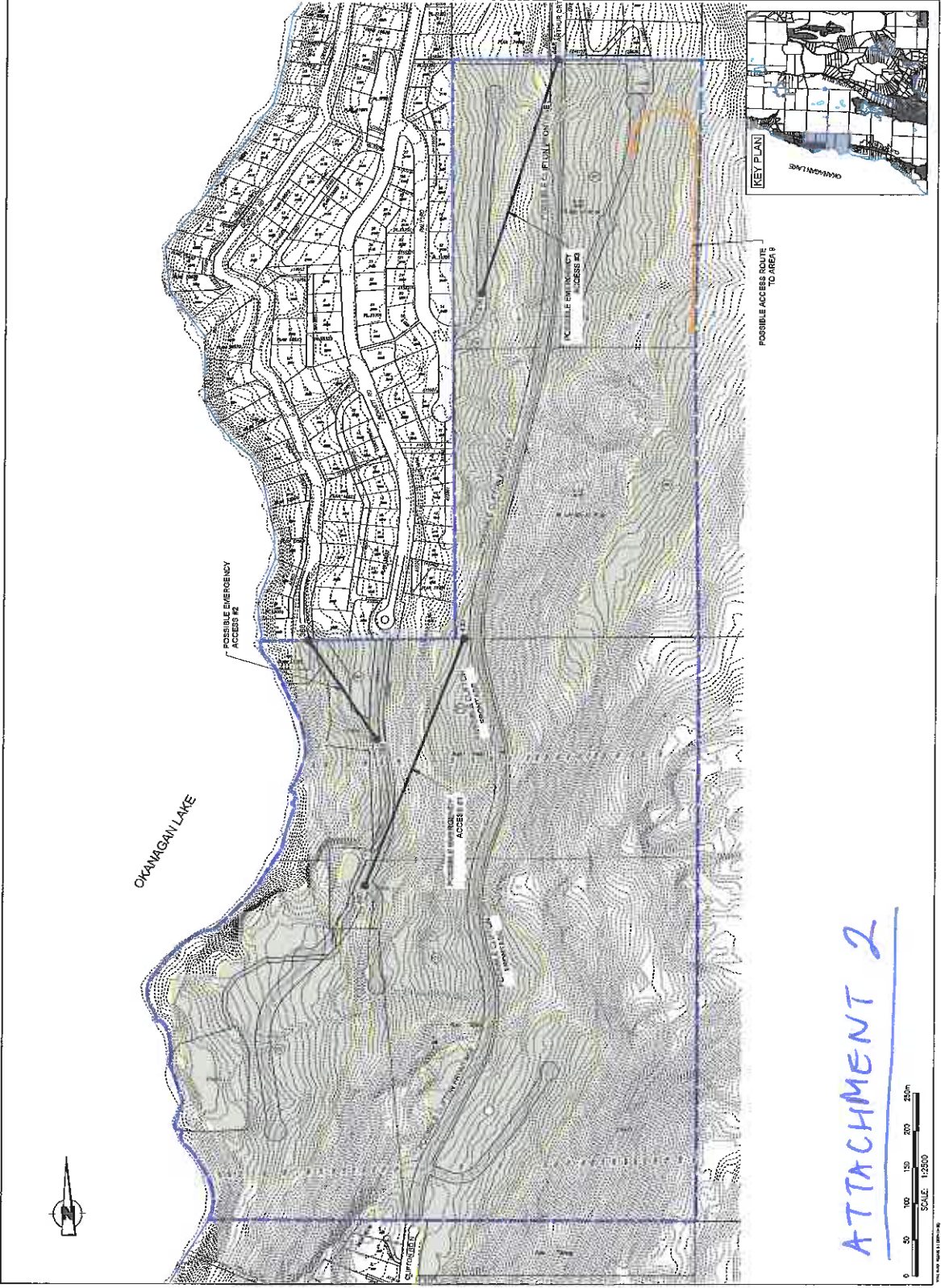
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DATE	2012-01-01
SCALE	1:2500
PROJECT NAME	MELCOR DEVELOPMENTS
CLIENT	MELCOR DEVELOPMENTS
DESIGNER	MELCOR DEVELOPMENTS
APPROVED BY	[Signature]
DATE	2012-01-01



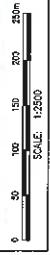
MELCOR DEVELOPMENTS
CLIFTON ROAD NORTH
KELOWNA, BC

POTENTIAL DEVELOPMENT
PODS AND TRANSPORTATION
NETWORK

PROJECT NO.	2012-01-01
DATE	2012-01-01
SCALE	1:2500
PROJECT NAME	MELCOR DEVELOPMENTS
CLIENT	MELCOR DEVELOPMENTS
DESIGNER	MELCOR DEVELOPMENTS
APPROVED BY	[Signature]
DATE	2012-01-01



ATTACHMENT 2



ATTACHMENT 3

North Clifton Road Area Structure Plan

Public Consultation Strategy Summary

In an effort to engage meaningfully with the residents of the Clifton Highlands and McKinley Landing neighbourhoods, the applicant proposes the following public consultation measures:

1. Website

The applicant maintains and updates a website on a monthly, or as needed basis, that is fully accessible to all interested members of the public, and which contains basic information regarding the status of the Area Structure Plan. The website also contains contact information in case area residents or members of the public wish to contact the developer with any questions or concerns.

See: <http://www.melcor.ca/cliftonmckinleyasp/>

2. Notice Boards

At each major entrance to the site, both from McKinley Landing and from Clifton Road, the applicant has placed large notice boards. The boards contain current information regarding the status of the development and contact information if a member of the public has questions or concerns. The Notice Boards are updated on a monthly, or as needed, basis.



Figure 1: Photo of Notice Board at end of Clifton Road

3. Monthly Newsletter Email List

The applicant maintains a list of the email addresses for all those residents who have advised that they wish to be kept informed on a monthly basis. Using this system, each participating resident is sent an email each month that provides details and updates regarding the ASP development.

4. Residents'/Community Association Meetings

The applicant team has made efforts to stay in regular contact with both the McKinley Landing Residents' Association (MLRA) and the Clifton Highlands Community Association (CHCA) during the early stages of the ASP process. The applicant has also had at least one in-person meeting with each association. The applicant plans to maintain these lines of communication and to meet with the residents'/community associations as often as necessary and at their request.

5. Public Open Houses

As part of the ASP process, the City has mandated a minimum of two Public Open Houses to be hosted by the applicant, with one required towards the conclusion of each phase of the two phases of the ASP. The purpose of these meetings is to involve residents in the development of the ASP by identifying their priorities and concerns as early as possible in the process. The first of the two open houses was held on March 29, 2012. It is anticipated that the second open house will be held at the conclusion of the second (final) phase of the ASP in the early fall of 2012. This second event will allow residents to see how their concerns shaped the ultimate development proposal.



Images from the Public Open House held on March 29, 2012

In addition to the above strategies, the applicant maintains at all times open lines of communications with all area residents and interested members of the public.