

# REPORT TO COUNCIL



**Date:** June 22<sup>nd</sup>, 2012

**To:** City Manager

**From:** Land Use Management, Community Sustainability (AW)

**Application:** OCP12-0005 / Z12-0037      **Owner:** No. 21 Great Projects Ltd., Inc. No. 355991  
City of Kelowna  
Bulat Khabibullin & Naila Khabibullina  
Karl & Gail Tritscher

**Address:** 5000 & 4940 Gordon Drive  
1355, 1248, 1260, 1266 &  
1272 Steele Road      **Applicant:** No. 21 Great Projects  
(S OF) Redstem Street  
900 South Crest Drive

**Subject:** OCP Amendment & Rezoning Applications

**Existing OCP Designation:** Commercial, Multiple Unit Residential (Cluster Housing), Single / Two Unit Residential (Hillside Area)

**Proposed OCP Designations:** Commercial, Major Park and Open Space, Multiple Unit Residential (Medium Density), Single / Two Unit Residential (Hillside Area) & Public Service Utilities

**Existing Zone:** RU1h - Large Lot Housing (Hillside Area) & A1- Agriculture 1

**Proposed Zones:** RU1 - Large Lot Housing, RU2 - Medium Lot Housing & P3 - Parks and Open Space, P4 - Utilities

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## 1.0 Recommendation

THAT OCP Bylaw Amendment No. OCP12-0005 to amend Map 4.1 of the *Kelowna 2030* - Official Community Plan Bylaw No. 10500 by changing a portion of the Future Land Use designation of Lot 40, D.L. 579, SDYD, Plan EPP9638, located at (S OF) Redstem Street, Kelowna, B.C. from Multiple Unit Residential (Cluster Housing) and Single / Two Unit Residential (Hillside Area) to Major Parks & Open Space and by changing a portion of Lot A, D.L. 579, SDYD, Plan EPP9618 Except Plans EPP9638 and EPP15721, located at 1355 Steele Road from Major Parks & Open Space to Single / Two Unit Residential as shown on Map "A1" attached to the report of the Land Use Management Department, dated June 22<sup>nd</sup>, 2012, and by changing a portion of the Future Land Use designation of the South ½ District Lot 579, SDYD, Except Plans KAP77336, KAP86178, KAP86917, KAP87090, KAP87918, EPP9619, EPP9638, EPP12863 and EPP15721, located at 5000 Gordon Drive, Kelowna, B.C. from Commercial to Single / Two Unit Residential (Hillside Area) and Multiple Unit Residential (Medium Density) and Lot A, D.L. 579, SDYD, Plan EPP9618 Except Plans EPP9638 and EPP15721, located at 1355 Steele Road from Commercial to Multiple Unit Residential (Medium Density) and Lot 1, D.L. 579, SDYD, Plan EPP9619, located at 900 South Crest Drive from

Commercial to Public Service Utilities as shown on Map "A2" attached to the report of the Land Use Management Department, dated June 22<sup>nd</sup>, 2012, be considered by Council;  
AND THAT Council considers the Public Hearing process to be appropriate consultation for the purpose of Section 879 of the *Local Government Act*, as outlined in the report of the Land Use Management Department dated June 22<sup>nd</sup>, 2012;

AND THAT Rezoning Application No. Z12-0037 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, D.L. 579, SDYD, Plan EPP9619, located at 900 South Crest Drive from A1 - Agriculture 1 to P4 - Utilities, Lot 40, D.L. 579, SDYD, Plan EPP9638, located at (S OF) Redstem Street from A1 - Agriculture 1 to P3 - Parks & Open Space and by changing the zoning classification for a portion of Lot A, D.L. 579, SDYD, Plan EPP9618 Except Plans EPP9638 and EPP15721, located at 1355 Steele Road from A1 - Agriculture 1 to RU1 - Large Lot Housing and Lot A, D.L. 579, SDYD, Plan KAP88577, located at 4940 Gordon Drive from A1 - Agriculture 1 to P3 - Parks & Open Space, as shown on Map "B1" attached to the report of the Land Use Management Department, dated June 22<sup>nd</sup>, 2012, and by changing the zoning classification for a portion of Lot 1, D.L. 579, SDYD, Plan EPP15721, located at 1248 Steele Road, Lot 3, D.L. 579, SDYD, Plan EPP15721, located at 1260 Steele Road, Lot 4, D.L. 579, SDYD, Plan EPP15721, located at 1266 Steele Road, Lot 5, D.L. 579, SDYD, Plan EPP15721, located at 1272 Steele Road from RU1h - Large Lot Housing (Hillside Area) to RU2 - Medium Lot Housing and Lot A, D.L. 579, SDYD, Plan EPP9618 Except Plans EPP9638 and EPP15721, located at 1355 Steele Road from A1 - Agriculture 1 and RU1h - Large Lot Housing (Hillside Area) to P3 - Parks & Open Space, as shown on Map "B2" attached to the report of the Land Use Management Department, dated June 22<sup>nd</sup>, 2012, be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP12-0005 bylaw and the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction.

## **2.0 Purpose**

The OCP and rezoning applications are to address inconsistent land use designations and zoning boundaries as related to approved subdivision lot lines.

## **3.0 Land Use Management**

When large scale developments occur there are often minor inconsistencies with the upfront zoning and OCP designation boundaries and the actual physical subdivision that takes place after various engineering and technical studies have been completed. This application seeks to address these inconsistencies between land use designations and zoning boundaries as related to approved subdivision lot lines. There are no significant changes in land use or density occurring as part of the proposed amendments. For example, portions of Power Line Park and the public utilities in the area needed to be appropriately zoned and designated. As such, there are no concerns with the proposed amendments and are viewed as procedural housekeeping amendments. It is also important to ensure that public park spaces are appropriately zoned before they are dedicated to the City.

#### 4.0 Proposal

The OCP and rezoning applications are to address inconsistent land use designations and zoning boundaries as related to approved subdivision lot lines.

#### 4.1 Background

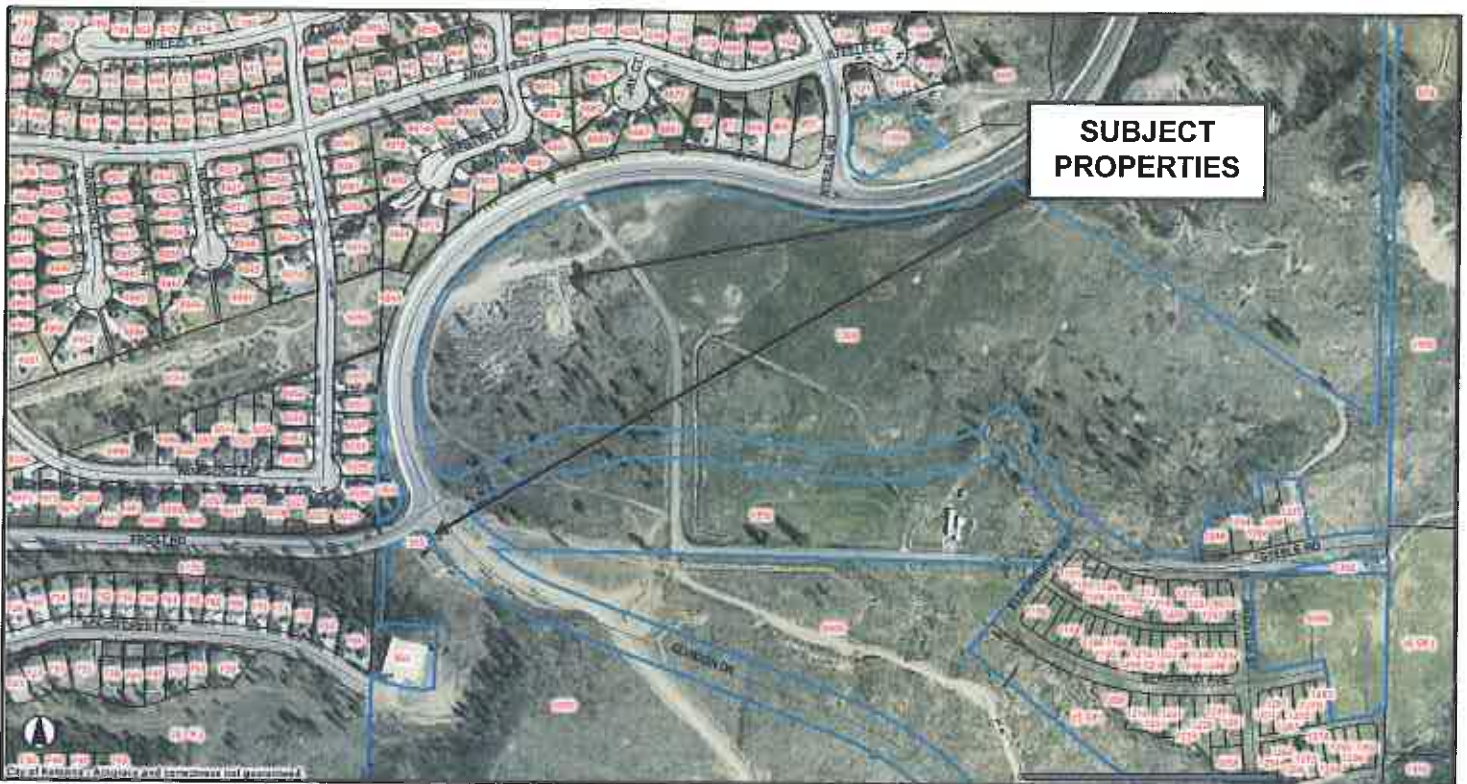
The Neighbourhood 3 Area Structure Plan (ASP) was submitted to the City on January 31, 2007. The purpose of the plan was to envision a logical pattern of development for the Neighbourhood 3 area that would result in a high quality, attractive, complete community. The high level ASP work guided the OCP Future Land Use designation and zoning work done to date.

#### 4.2 Site Context

The subject properties are located in the South West Mission Sector and the adjacent land uses are as follows:

| <i>Direction</i> | <i>Zoning Designation</i> | <i>Land Use</i> |
|------------------|---------------------------|-----------------|
| North            | RU1 - Large Lot Housing   | Residential     |
| West             | RU1 - Large Lot Housing   | Residential     |
| South            | A1 - Agriculture 1        | Vacant          |
| East             | RU1 - Large Lot Housing   | Residential     |

#### 4.3 Subject Property Map



**5.0 Technical Comments**

5.1 Building & Permitting Department  
No comment.

5.2 Development Engineering Department  
See Attached.

5.3 Fire Department  
Access and fire hydrants as per the City of Kelowna Subdivision Bylaw #7900

**6.0 Application Chronology**

Date of Application Received: May 4<sup>th</sup>, 2012

Report prepared by:



Alec Warrender, Land Use Planner

Reviewed by:



Danielle Noble, Manager of Urban Land Use

Approved for Inclusion:



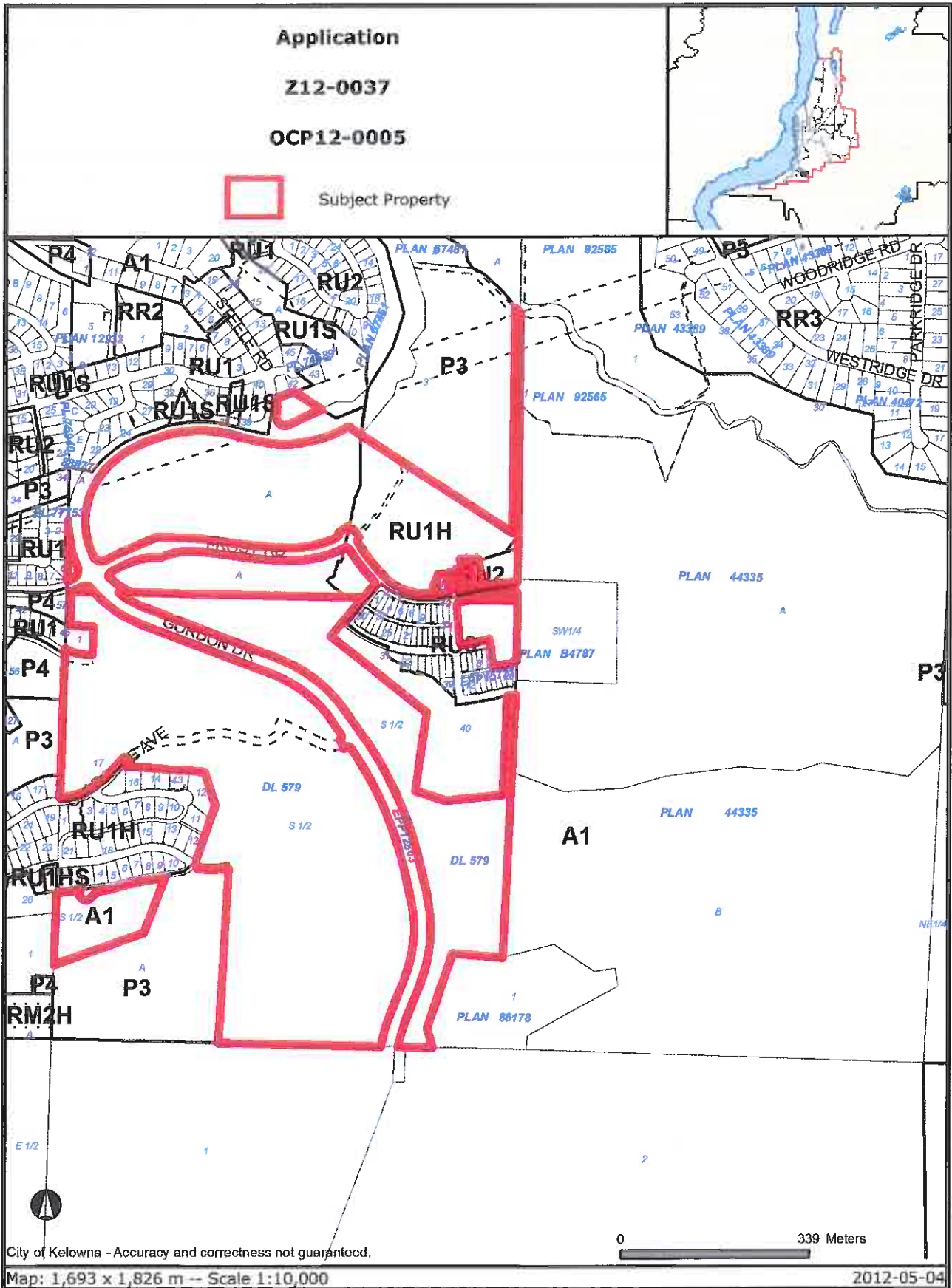
Shelley Gambacort, Director of Land Use Management

Attachments:

Subject Property Map

Development Engineering Requirements





Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.

**Subject Property Notes:**

- Amend the OCP for a portion of the subject property from Major Park and Open Space (PARK) to Single / Two Unit Residential (S2RES).

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- Amend the OCP for a portion of the subject property from Single / Two Unit Residential (S2RES) to Major Park and Open Space (PARK).

**Subject Property Notes:**

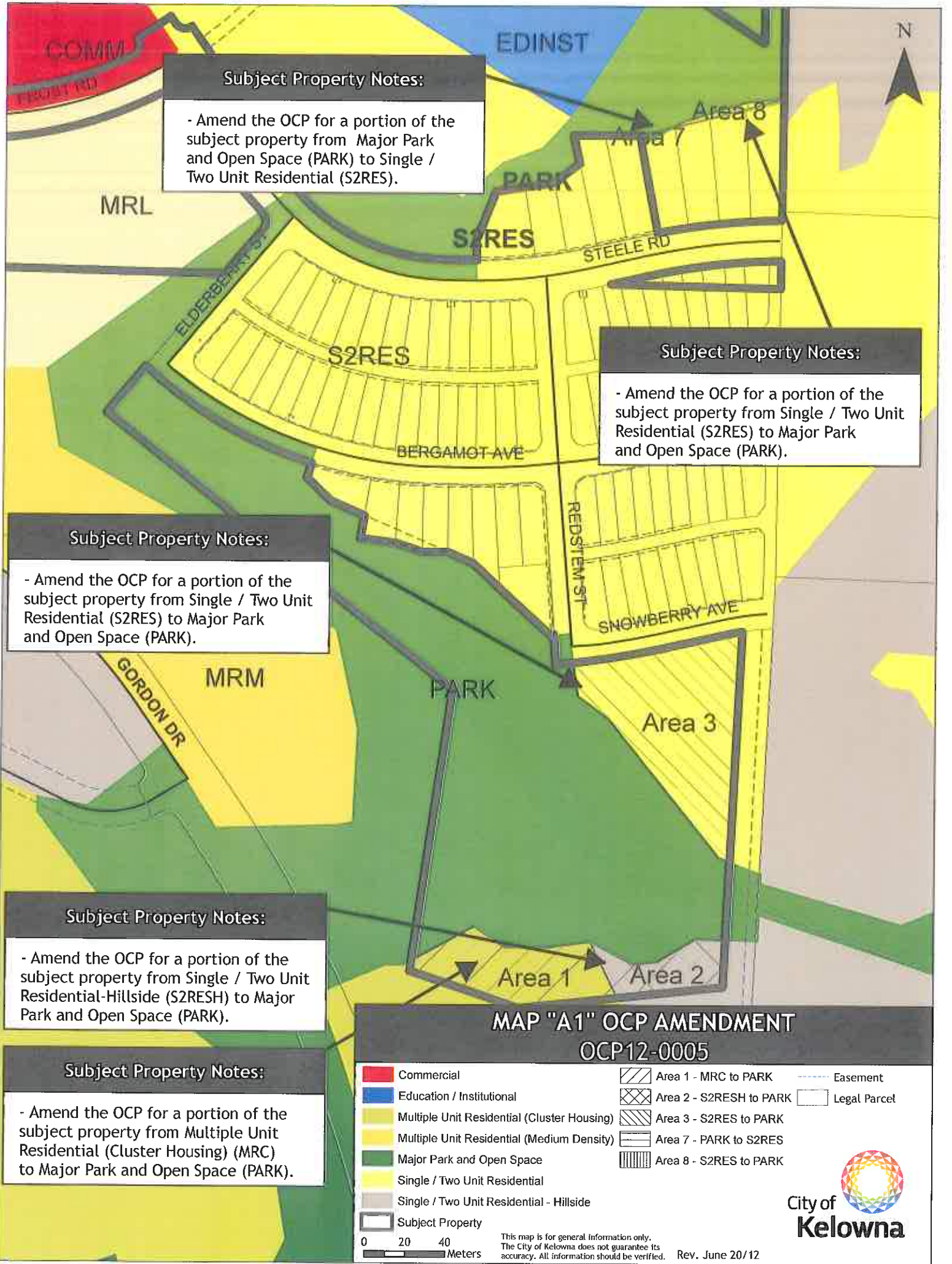
- Amend the OCP for a portion of the subject property from Single / Two Unit Residential (S2RES) to Major Park and Open Space (PARK).

**Subject Property Notes:**

- Amend the OCP for a portion of the subject property from Single / Two Unit Residential-Hillside (S2RESH) to Major Park and Open Space (PARK).

**Subject Property Notes:**

- Amend the OCP for a portion of the subject property from Multiple Unit Residential (Cluster Housing) (MRC) to Major Park and Open Space (PARK).



**MAP "A1" OCP AMENDMENT  
OCP12-0005**

|   |                         |              |
|---|-------------------------|--------------|
| Commercial                                  | Area 1 - MRC to PARK    | Easement     |
| Education / Institutional                   | Area 2 - S2RESH to PARK | Legal Parcel |
| Multiple Unit Residential (Cluster Housing) | Area 3 - S2RES to PARK  |              |
| Multiple Unit Residential (Medium Density)  | Area 7 - PARK to S2RES  |              |
| Major Park and Open Space                   | Area 8 - S2RES to PARK  |              |
| Single / Two Unit Residential               |                         |              |
| Single / Two Unit Residential - Hillside    |                         |              |
| Subject Property                            |                         |              |



**Subject Properties Notes:**

- Amend the OCP for a portion of the subject properties from Commercial to Public Service Utilities (PSU).















**Subject Properties Notes:**

- Amend the OCP for a portion of the subject properties from Commercial to Multiple Unit Residential (Medium Density) (MRM).

**Subject Properties Notes:**

- Amend the OCP for a portion of the subject properties from Commercial to Single/Two Unit Residential - Hillside (S2RESH).

**MAP "A2" OCP AMENDMENT  
OCP12-0005**

|   |   |   |                         |
|---|---|---|-------------------------|
|  | Commercial                                  |  | Area 4 - COMM to PSU    |
|  | Multiple Unit Residential (Cluster Housing) |  | Area 5 - COMM to S2RESH |
|  | Multiple Unit Residential (Medium Density)  |  | Area 6 - COMM to MRM    |
|  | Multiple Unit Residential (Low Density)     |  | Subject Properties      |
|  | Major Park and Open Space                   |  | Legal Parcel            |
|  | Public Service Utilities                    |  | Easement                |
|  | Single / Two Unit Residential               |   |                         |
|  | Single / Two Unit Residential - Hillside    |   |                         |

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0 20 40 Meters

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**Subject Property Notes:**

- Rezone the subject property from A1 Agricultural 1 to P3 Parks & Open Space

**Subject Property Notes:**

- Rezone the subject property from A1 Agricultural 1 to RU1 Large Lot Housing

**Subject Property Notes:**

- Rezone the subject property from A1 Agricultural 1 to P4 Utilities

**MAP "B1" PROPOSED ZONING**

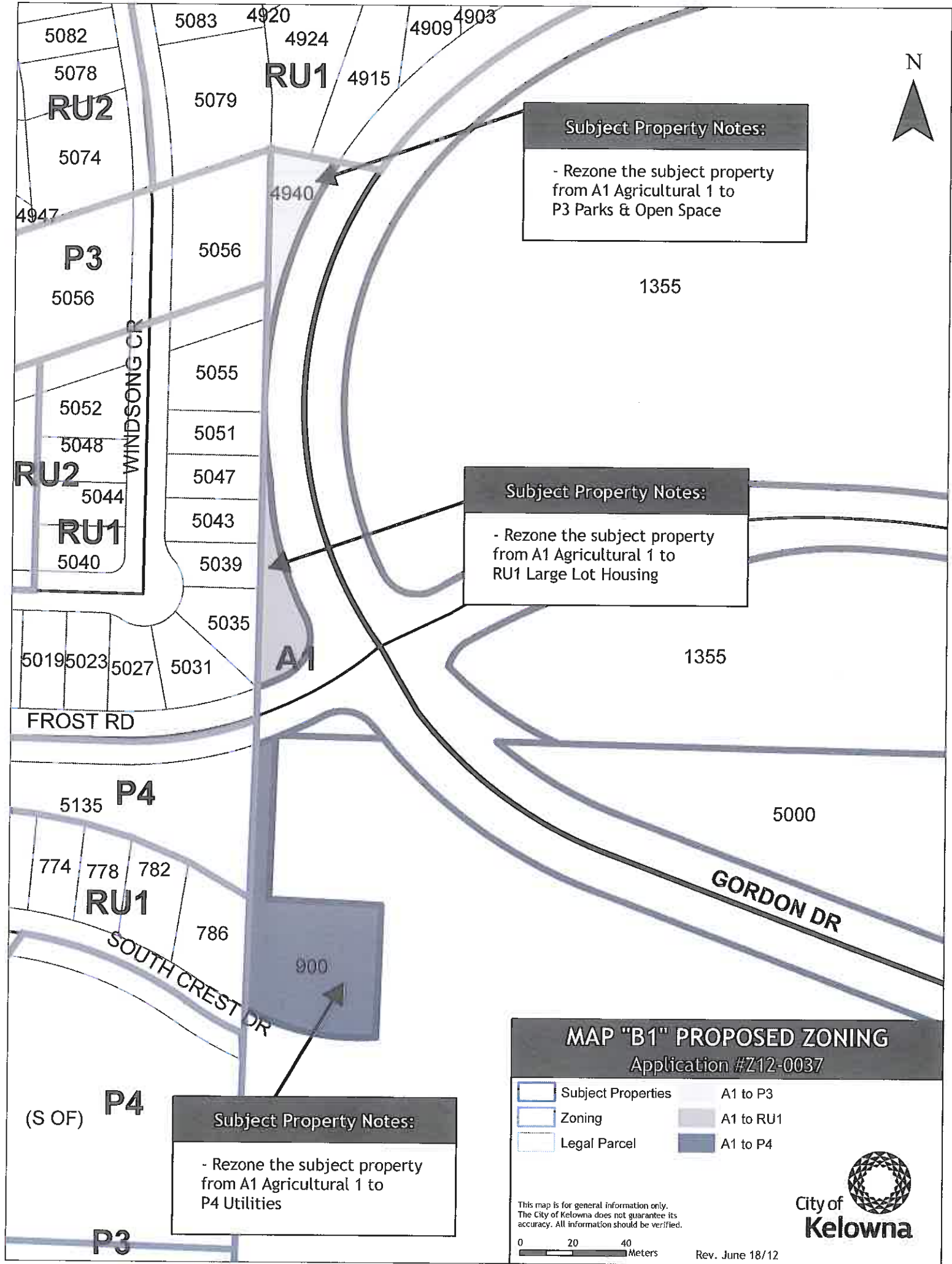
Application #Z12-0037

-  Subject Properties
-  Zoning
-  Legal Parcel
-  A1 to P3
-  A1 to RU1
-  A1 to P4

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**Subject Properties Notes:**

- Rezone the subject properties from RU1H Large Lot Housing Hillside to RU2 Medium Lot Housing

**Subject Properties Notes:**





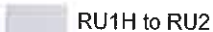

- Rezone the subject properties from A1 Agricultural 1 to P3 Parks & Open Space

**Subject Property Notes:**

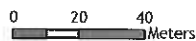
- Rezone the subject property from RU1H Large Lot Housing Hillside to P3 Parks & Open Space

**MAP "B2" PROPOSED ZONING**

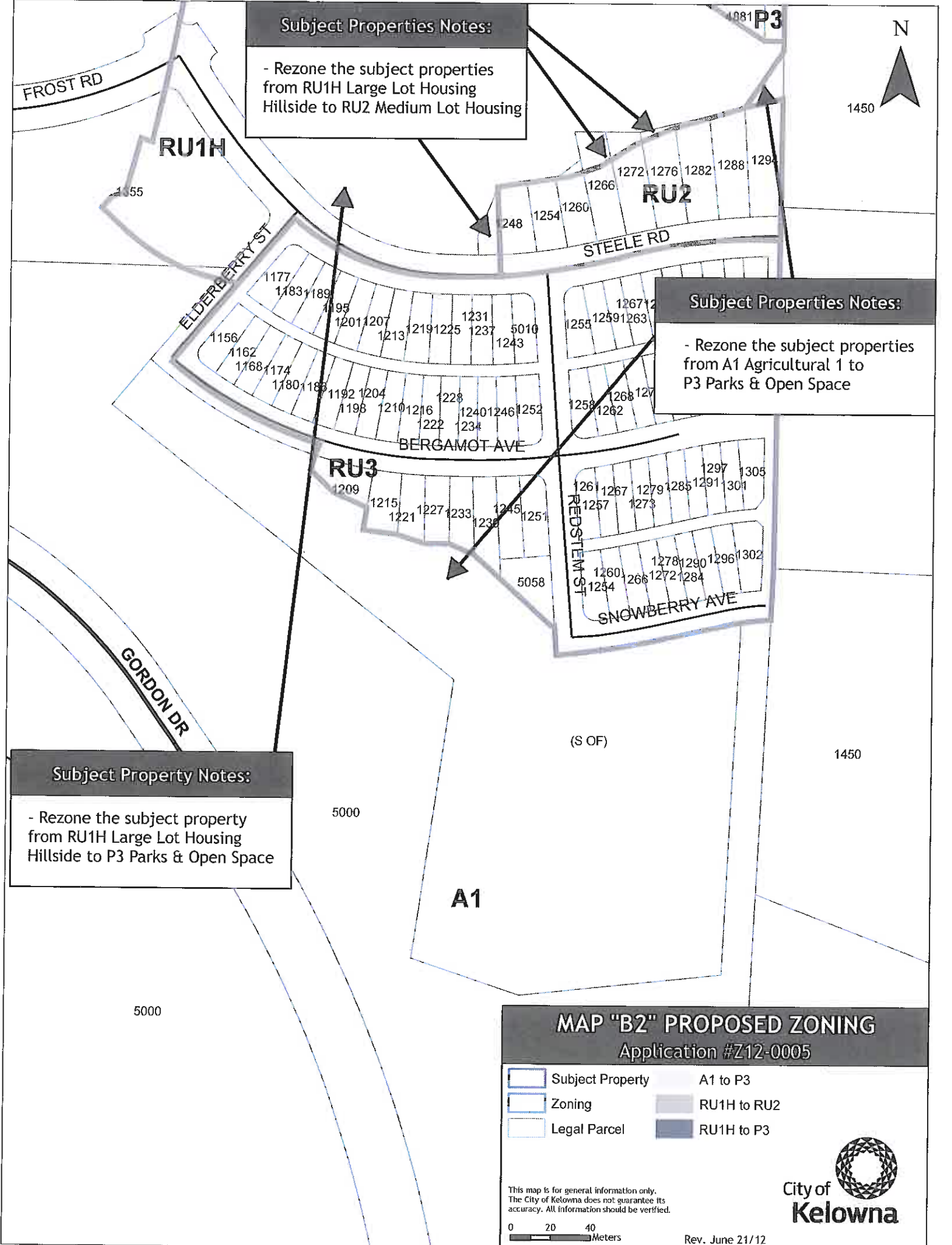
Application #Z12-0005

-  Subject Property
-  Zoning
-  Legal Parcel
-  A1 to P3
-  RU1H to RU2
-  RU1H to P3

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FILE COPY

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CITY OF KELOWNA  
MEMORANDUM

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**Date:** May 15, 2012  
**File No.:** OCP12-0005  
**To:** Land Use Management (AW)  
**From:** Development Engineer Manager (SM)  
**Subject:** Gordon Dr/Steele Rd/Redstem St/South Crest

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Development Engineering comments and requirements regarding this application to amend the OCP boundaries for the subject properties are as follows:

1. **General.**

Ensure that the lot being converted from A1 to RU1 on the west side of Gordon Road has a no build covenant placed on the parcel, or ensure that it is made clear that no access can be provided to the lot, nor can parking occur adjacent to the property on either Gordon Drive or Frost Road.

  
\_\_\_\_\_  
Steve Muenz, P. Eng.  
Development Engineering Manager

SS