

REPORT TO COUNCIL



Date: August 10th, 2012
To: City Manager
From: Land Use Management, Community Sustainability (AW)
Application: OCP12-0003 / Z12-0023 **Owner:** Various Owners
Address: Various Wilden Properties **Applicant:** Blenk Development Corporation
Subject: OCP Amendment & Rezoning Applications

Existing OCP Designations: Single / Two Unit Residential, Single / Two Unit Residential - Hillside, Major Park and Open Space, Multiple Unit Residential (Low Density)
Proposed OCP Designations: Single / Two Unit Residential, Single / Two Unit Residential - Hillside, Major Park and Open Space, Multiple Unit Residential (Low Density)
Existing Zones: RU1H - Large Lot Housing (Hillside Area), RU2H - Medium Lot Housing (Hillside Area), P3 - Parks and Open Space, RM3 - Low Density Multiple Housing
Proposed Zones: RU1H - Large Lot Housing (Hillside Area), RU2H - Medium Lot Housing (Hillside Area), P3 - Parks and Open Space

1.0 Recommendation

THAT OCP Bylaw Amendment No. OCP12-0003 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 53, Section 5, Township 23, ODYD, Plan EPP9195, located at 155 Lost Creek Court from Single / Two Unit Residential to Major Parks & Open Space as shown on Map 'A1' attached to the report of the Land Use Management Department, dated August 10th, 2012 and by changing the Future Land Use Designation for a portion of:

STREET ADDRESS	LEGAL DESCRIPTION
225 Clifton Road	Lot D, Section 8, Township 23, ODYD, Plan KAP75116
185 Clifton Road North	The North West ¼ of Section 5, Township 23, ODYD, Except Plans 20895 and KAP88266
(W OF) Union Road	The North East ¼ of Section 5, Township 23, ODYD, Except Plans 896, B645 and KAP69724

from Multiple Unit Residential, Single / Two Unit Residential, Single / Two Unit Residential - Hillside and Major Park and Open Space to Single / Two Unit Residential - Hillside and Major Park and Open Space as shown on Map "A2" attached to the report of the Land Use Management Department dated August 10th, 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 August 10th, 2012;

AND THAT Rezoning Application No. Z12-0023 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of:

STREET ADDRESS	LEGAL DESCRIPTION	PROPOSED ZONE	EXISTING ZONE
123 Lost Creek Court	Lot 54, Section 5, Township 23, ODYD, Plan EPP9195	P3	RU2h
117 Lost Creek Court	Lot 55, Section 5, Township 23, ODYD, Plan EPP9195	P3	RU2h
111 Lost Creek Court	Lot 56, Section 5, Township 23, ODYD, Plan EPP9195	P3	RU2h

and by rezoning a portion of:

STREET ADDRESS	LEGAL DESCRIPTION	PROPOSED ZONE	EXISTING ZONE
155 Lost Creek Court	Lot 53, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
208 Lost Creek Place	Lot 57, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
183 Lost Creek Court	Lot 52, Section 5, Township 23, ODYD, Plan EPP9195	P3	RU2h
189 Lost Creek Court	Lot 51, Section 5, Township 23, ODYD, Plan EPP9195	P3	RU2h
195 Lost Creek Court	Lot 50, Section 5, Township 23, ODYD, Plan EPP9195	P3	RU2h
201 Lost Creek Court	Lot 49, Section 5, Township 23, ODYD, Plan EPP9195	P3	RU2h
207 Lost Creek Court	Lot 48, Section 5, Township 23, ODYD, Plan EPP9195	P3	RU2h
1409 Rocky Point Drive	Lot 13, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
146 Lost Creek Court	Lot 25, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
152 Lost Creek Court	Lot 26, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
158 Lost Creek Court	Lot 27, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
194 Lost Creek Court	Lot 31, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
200 Lost Creek Court	Lot 32, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
206 Lost Creek Court	Lot 33, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
212 Lost	Lot 34, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3

Creek Court			
249 Lost Creek Court	Lot 41, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
246 Lost Creek Lane	Lot 63, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
240 Lost Creek Lane	Lot 64, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
234 Lost Creek Lane	Lot 65, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
228 Lost Creek Lane	Lot 66, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
222 Lost Creek Lane	Lot 67, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
216 Lost Creek Lane	Lot 68, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
210 Lost Creek Lane	Lot 69, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
191 Lost Creek Place	Lot 72, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
179 Lost Creek Place	Lot 73, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
1285 Rio Drive	Lot 74, Section 5, Township 23, ODYD, Plan EPP9195	RU1h & RU2h	P3

as shown on Map 'B1' attached to the report of the Land Use Management Department, dated August 10th, 2012 and by changing the zoning classification for a portion of:

STREET ADDRESS	LEGAL DESCRIPTION	PROPOSED ZONE	EXISTING ZONE
185 Clifton Road North	The North West ¼ of Section 5, Township 23, ODYD, Except Plans 20895 and KAP88266	RU1h & P3	RU1h & P3
(E OF) Upper Canyon Drive	The South West ¼ of Section 5, Township 23, ODYD, Except Plans KAP83526, KAP88266 and EPP9195	RU1h & P3	RU1h & P3
(W OF) Union Road	The North East ¼ of Section 5, Township 23, ODYD, Except Plans 896, B645 and KAP69724	RU1h & P3	RU1h & P3
2025 Begbie Road	Lot A, Sections 4,5,8 and 9, Township 23, ODYD, Plan KAP69724 Except Plans KAP71944, KAP73768, KAP75949, KAP78547, KAP80107, KAP81912, KAP85278 and KAP86750	RU1h & P3	RU1h & P3
225 Clifton Road	Lot D, Section 8, Township 23, ODYD, Plan KAP75116	RM3	RU1h

as shown on Map 'B2' attached to the report of the Land Use Management Department, dated August 10th, 2012 be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP12-0003 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 Parks Department and Fortis BC requirements being completed to their satisfaction.

2.0 Purpose

This application is considered to be a minor amendment to the Phase 2C and Phase 2D Wilden neighbourhoods. The Phase 2C amendments are to address inconsistencies with the approved subdivision plan and the existing OCP Future Land Use Designation and the zones. Essentially, it is a 'clean-up' amendment to ensure that all uses are accurately reflected. The Phase 2D OCP Future Land Use amendment and rezoning are to deal with block zoning and future land use designations that have shifted slightly now that detailed road and lot layouts have been established.

3.0 Land Use Management

This application is for a rezoning and OCP amendment for portions of Phase 2C and 2D of the Wilden neighbourhood. The detailed lot configuration and road design has been designed for Phase 2D and this application is intended to align the zoning and OCP designations with the proposed lot layout. The rezoning is required to match the proposed new legal property lines. The result will be an increase of 0.55 ha of park (P3) while allowing improvements to adjacent RU1H lot layouts. Additionally, the applicant team conducted a detailed review of the lot grading and design and it was determined that a small portion should be re-designated to allow single family dwellings. As part of this adjustment, a portion of the RM3 zoned Phase 2D area will be rezoned and designated to accommodate single family housing.

During the Phase 2C detailed design process, Staff had requested that the area originally zoned and designated for public park should be shifted to a nearby alternate site that was deemed to be preferable from a park perspective. Staff and the applicant moved forward with this change but the zone and OCP Future Land Use line work was not adjusted at the time of subdivision. As the majority of the Wilden development was rezoned when the Area Structure Plan was adopted, it is not uncommon to refine the land use line work to reflect the detailed design topographical realities.

4.0 Proposal

4.1 Background

The Glenmore Highland ASP was adopted in 2002 and has guided the Wilden community development. The ASP is a high level document that outlined where development should be located and how it should take shape. When the ASP was adopted, most of the land was pre-zoned at the same time based on the work done through the ASP.

4.2 Project Description

This application is considered to be a minor amendment to the Phase 2C and Phase 2D Wilden neighbourhoods. The Phase 2C amendments are to address inconsistencies with the approved subdivision plan and the existing OCP Future Land Use Designation and the zone. It is a 'clean-up' amendment to ensure that all uses are accurately accounted for. The Phase 2D OCP Future Land Use amendment and rezoning are to deal with block zoning and future land use designations that have shifted slightly now that detailed road and lot layouts have been designed.

5.4 Fortis BC - Gas

Upon review of the property referral referencing the above noted matter, please be advised that FortisBC facilities will not be adversely affected.

FortisBC (electric) reviewed the attached referral and based on the information received have identified two areas that Fortis will require SRW for protection of existing Fortis facilities over the approximate areas shown in the two attached sketch plans. Fortis has no other objections with the proposal subject to any changes to this application which would require further review and comment by Fortis.

Prior to final approval of this application, the applicants must contact FortisBC at 1-866-436-7847 and quote their file # Z12-0023; OCP12-0003; Wilden Phase 2 to initiate all necessary arrangements for electrical service with this proposal. It is the developer's responsibility to ensure that all of FortisBC's requirements including construction fees and any SRWs that may be required have been addressed prior to receiving final approval.

5.5 Infrastructure Planning

We will require fencing along the side property line of Lot 56. Because the interface is between natural area park and manicured front/side yard, it probably should be either chain link or post & rail. This would be true for Lots 53, 52, 18 and 17 or any other lots that have this type of interface. In areas where a private back/side yard with a registered Section 219 covenant back on to parkland, we have agreed with Wilden to continue with the post and sign pilot project.

Any areas of park that are disturbed, they will need to restore - I would suggest that they install temporary construction fencing to try to protect the area from contractors. For road frontage immediately adjacent to public park & open space, the developer shall install a vertical curb.

6.0 Application Chronology

Date of Application Received: March 28, 2012

Report prepared by:

Alec Warrender, Land Use Planner

Reviewed by:



Danielle Noble, Manager of Urban Land Use

Approved for Inclusion:

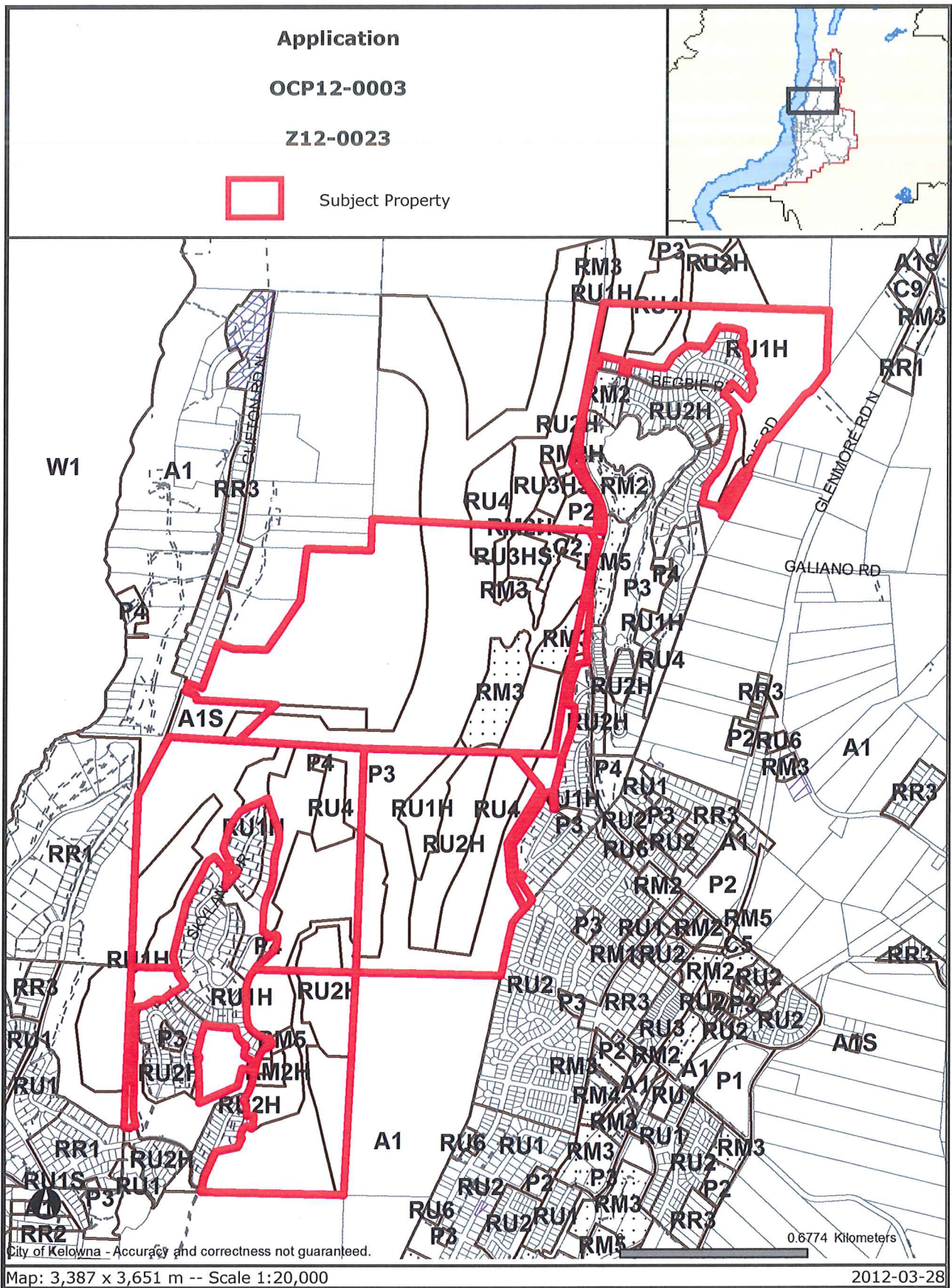


Shelley Gambacort, Director of Land Use Management

Attachments:

Site Plan

Lot Layout & Analysis



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.



286 Clear Pond Place
Kelowna, BC, Canada, V1V 2X6
Tel: 250-762-2325 Fax: 250-762-2929
Email: info@blenkdev.com

July 19, 2012

City of Kelowna
1435 Water Street
Kelowna, BC, V1Y 1J4

Attention: **Alec Warrender**
Land Use Planner
Land Use Management Department

Re: **Wilden Phase 2 Rezoning Application**

Please consider this letter as supplemental information and clarification for our Wilden Phase 2 Rezoning Application.

The first component of this application is a technical rezoning to align the zoning with the legal property lines created through the Wilden Phase 2C subdivision approval - City file # S08-0088. Detailed environmental studies were completed for the Ph2C development permit application that identified a moisture receiving site on the West slope that required extensive planning and engineering to ensure all development avoided this environmental area. The moisture receiving site was protected and dedicated to the City in a large natural park area – lot 74, as part of the Phase 2C subdivision. The re-alignment of roads, lots and park areas due to the environmental site considerations requires a rezoning in order to match the zoning lines with the legal lot lines.

The remaining rezoning items pertain to the Wilden Ph2D subdivision application currently under review by staff – City file # S11-0055

This application proposes the rezoning of three distinct regions. The first area(s) are adjacent to P3 zoning and allows for an increase in the P3 land area by 0.55 hectares and enhancements to the neighbouring RU1h lots. The areas noted as improvement to RU1h will allow grading efforts required to provide reasonable home sites and will be protected by registered No-Disturb covenants, in order to safeguard the integrity of the adjacent natural area. The rezoning of these P3 lands and subsequent subdivision will provide the City with a large natural park lot of 9.30 hectares which will successfully accommodate wildlife movement.

The second area is currently zoned RM3 – Low Density Multiple Housing, with a request to down zone to RU1h density in keeping with the adjacent development zoning to the South. The remaining RM3 parcel will still have appropriate size and allowance for future development under the current RM3 designation.

The third area(s) are lots 5 and 26 through 37, where the zoning is split over the proposed lots. Lot 5 would be rezoned from Ru2h and P3 to RU1h. Lots 26 to 30 would be entirely RU1h and lots 31 to 37 all RU2h.

These areas were rezoned in 2003 under The Glenmore Highlands – Phase Two Rezoning and in accordance with the approved Glenmore Area Structure Plan in 2000. The developable lands in the Phase Two area compose only one-third of the total land area due to the environmental and topographic constraints of the Wilden landform. Road alignments, site servicing corridors and lot lines are only finalized once detailed environmental and engineering studies are completed for each development phase so as to minimize impacts to the hillside. The rezoning of these areas will better allow for the integration of a refined residential landscape with the wildness of the natural environment.

Please let me know if you have any further questions and we look forward to the continued positive working relationship we share with the City of Kelowna.

Sincerely
Blenk Development Corp.

A handwritten signature in black ink, appearing to read 'Bob Dargatz', written in a cursive style.

Bob Dargatz, P.Eng
Engineering and Construction Manager

4.3 Subject Property Map



5.0 Technical Comments

5.1 Building & Permitting Department

No comment

5.2 Development Engineering Department

The adjustment to the zoning boundaries as indicated does not compromise any municipal services.

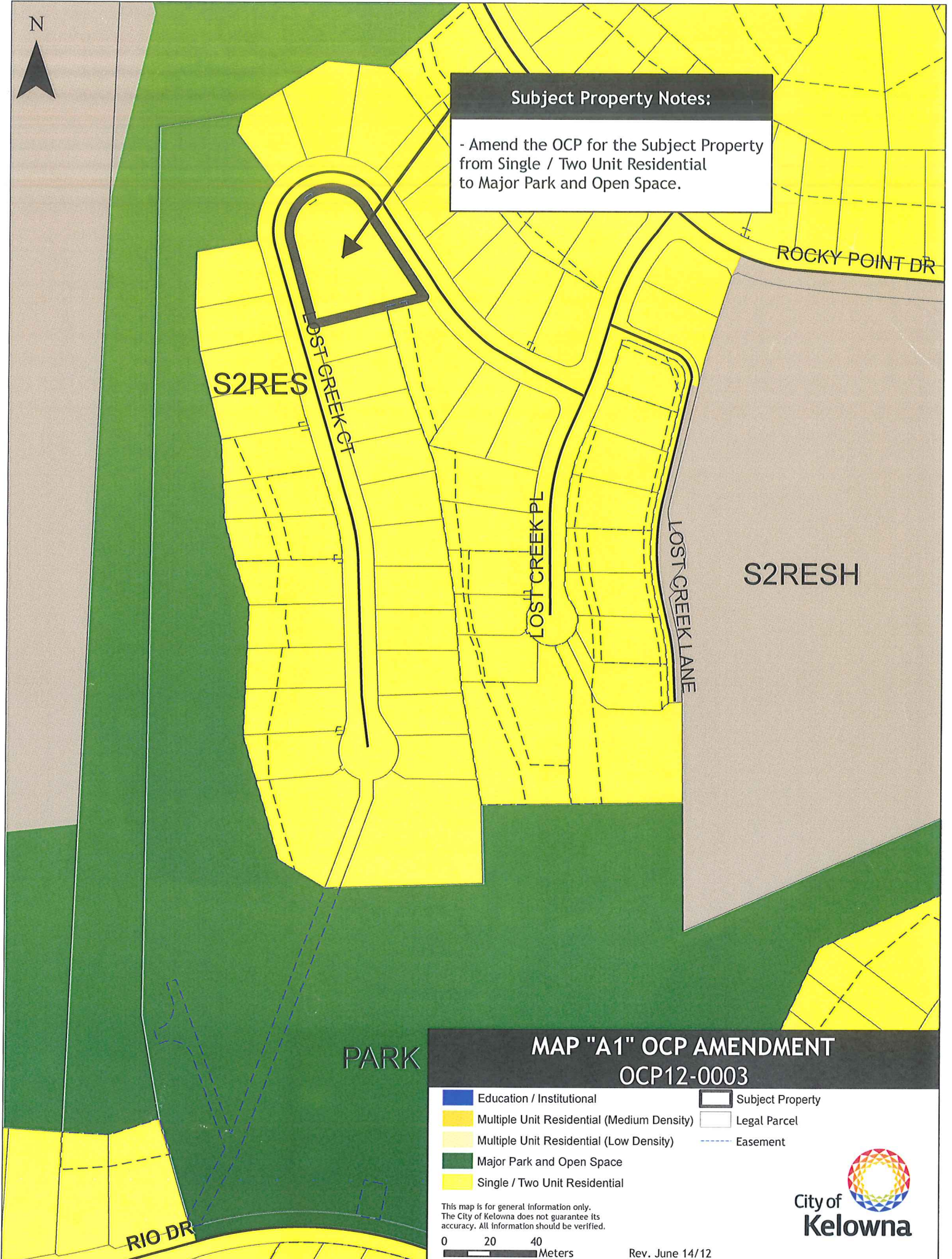
5.3 Fire Department

Fire Hydrants and flows as per the City of Kelowna Subdivision Bylaw #7900. Wilden is an interface area and all areas required fuel modifications as per the Fire Smart Guidelines. Fuel treatments should include up to 100 meters from home sites on sloped areas.



Subject Property Notes:

- Amend the OCP for the Subject Property from Single / Two Unit Residential to Major Park and Open Space.



**MAP "A1" OCP AMENDMENT
OCP12-0003**

- Education / Institutional
- Multiple Unit Residential (Medium Density)
- Multiple Unit Residential (Low Density)
- Major Park and Open Space
- Single / Two Unit Residential
- Subject Property
- Legal Parcel
- Easement

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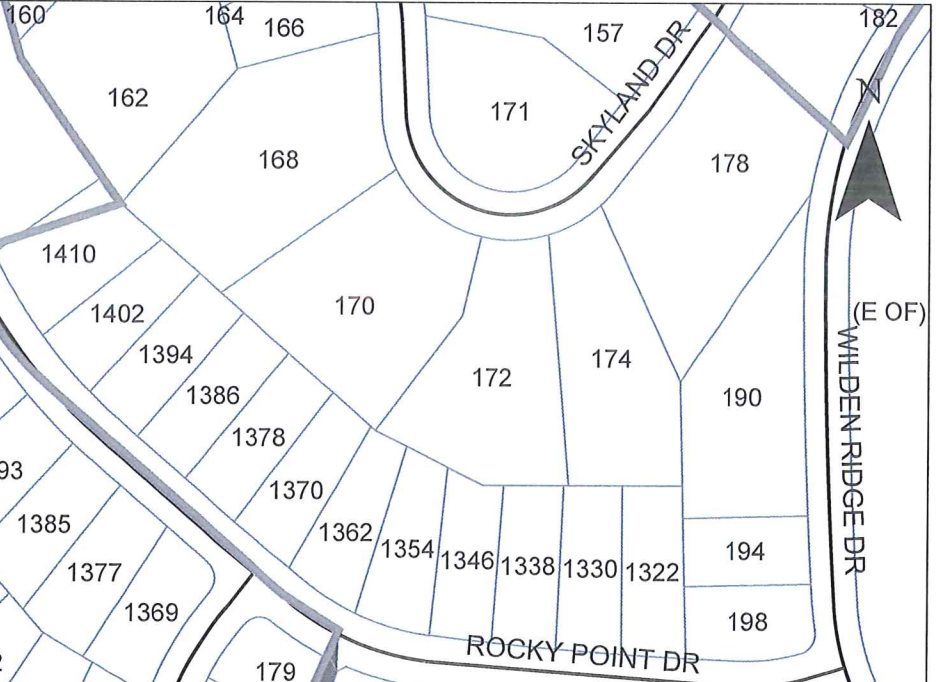


Rev. June 14/12



RU1H

(E OF)



RU1H

RU2H

RM2H

(E OF)

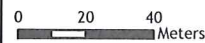
P3

MAP "B1" PROPOSED ZONING

Application #Z12-0023

- Zoning
- Legal Parcel
- P3 to RU1H
- RU2H to P3
- P3 to RU2H
- RU1H to P3
- RU1H to RU2H

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Rev. Aug. 7/12



RU2H

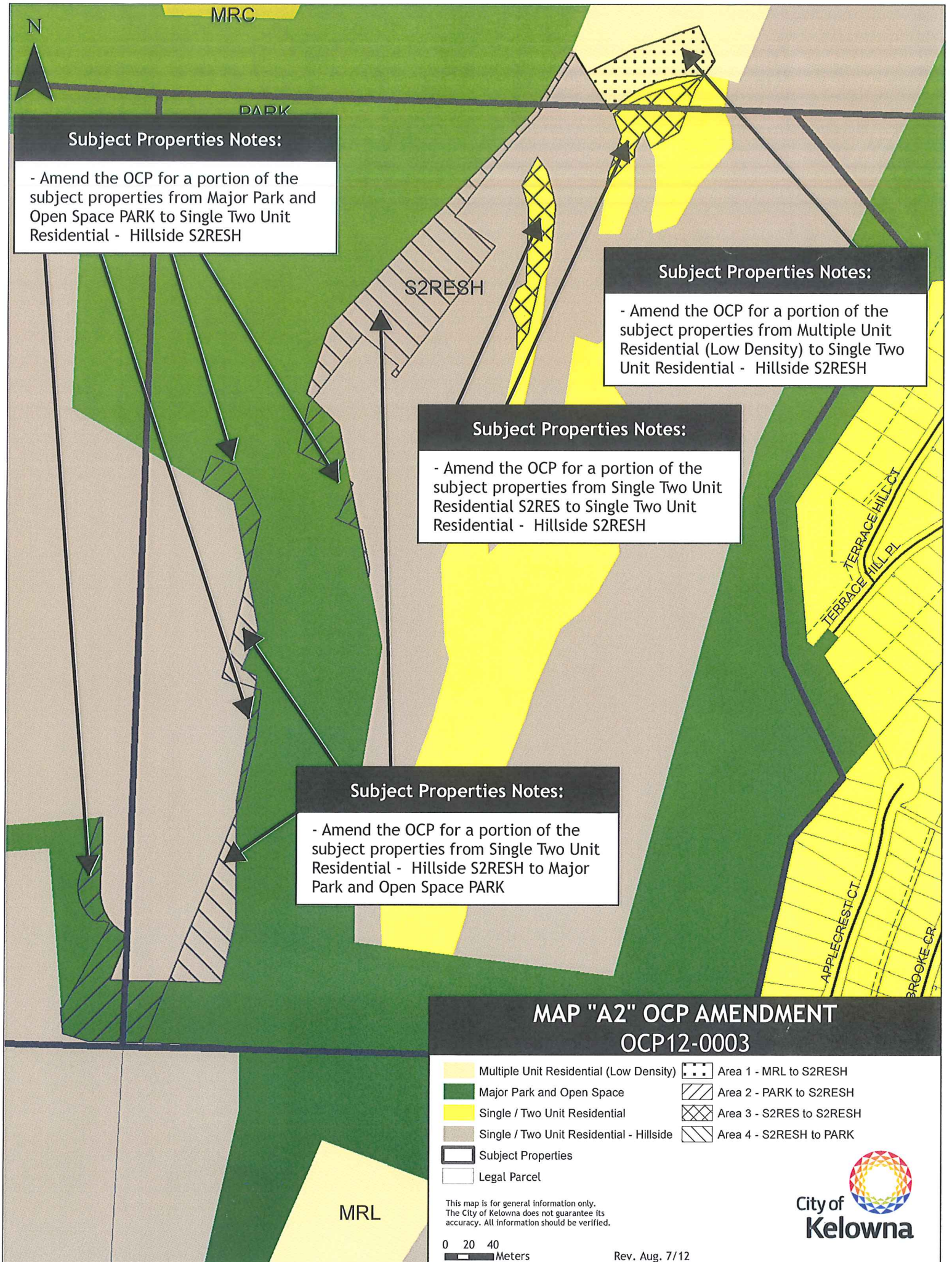
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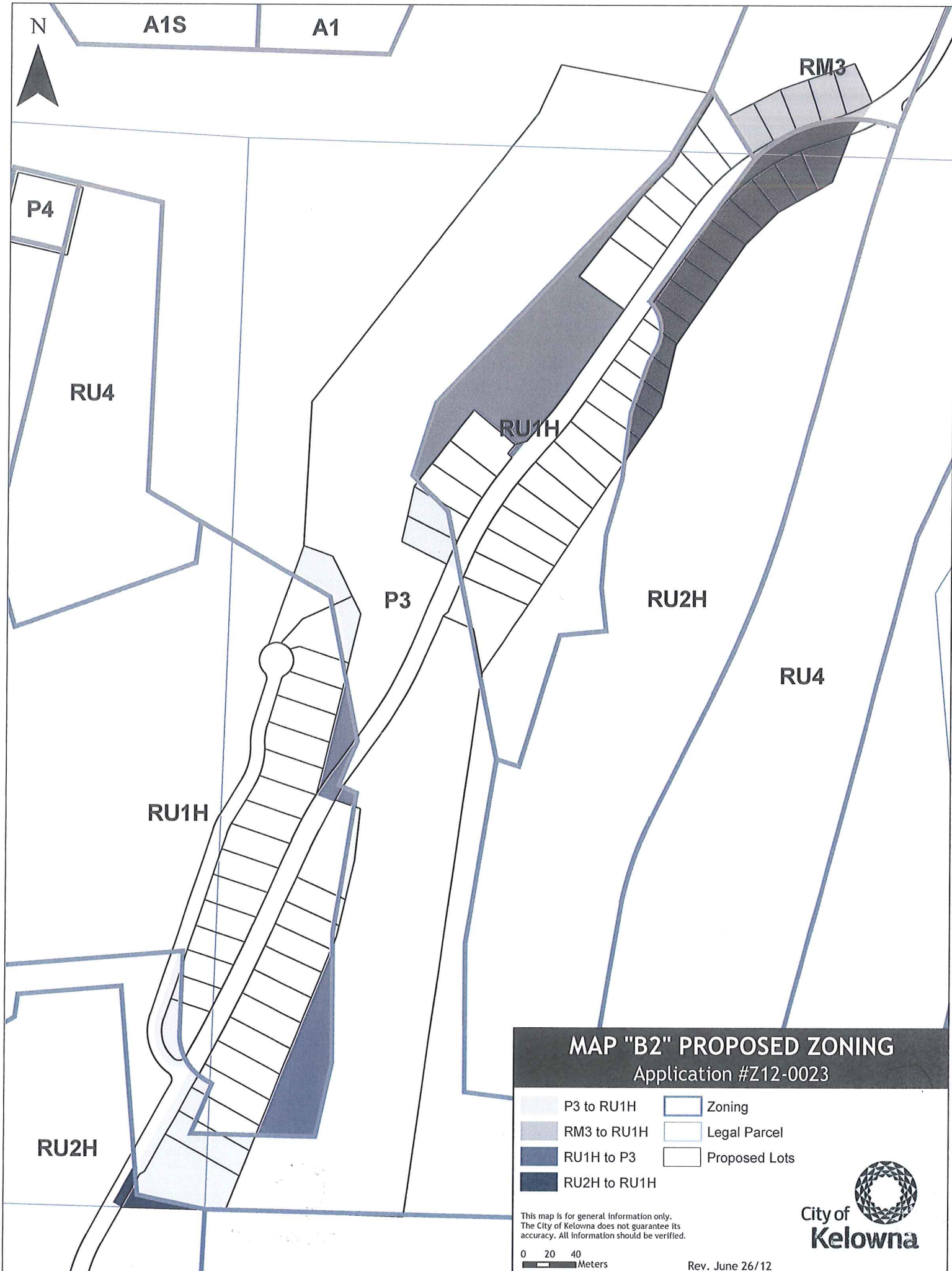
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WILSON DR

(E OF)





Existing Phase 2C Layout

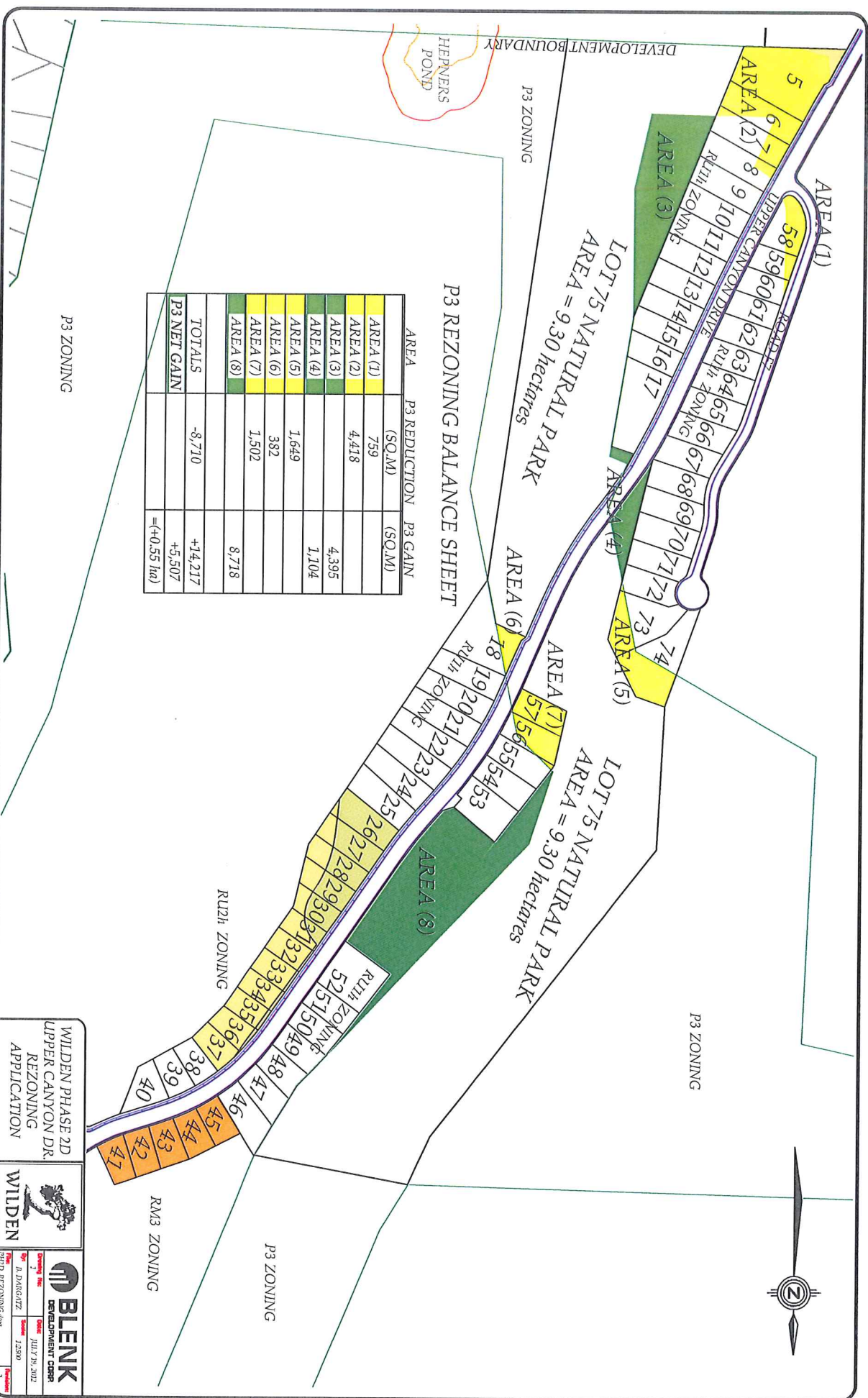


WILDEN PHASE 2C
LOST CREEK
REZONING
APPLICATION

BLENK
DEVELOPMENT CORP

City of Wilden
1000 W. 1st St.
Wilden, NJ 07095
908.354.1234
www.wilden-nj.gov

'Proposed Phase 2D Layout'



P3 REZONING BALANCE SHEET

AREA	P3 REDUCTION (SQ.M)	P3 GAIN (SQ.M)
AREA (1)	759	
AREA (2)	4,418	
AREA (3)		4,395
AREA (4)		1,104
AREA (5)	1,649	
AREA (6)	382	
AREA (7)	1,502	
AREA (8)		8,718
TOTALS	-8,710	+14,217
P3 NET GAIN		+5,507
		=(+0.55 ha)

WILDEN PHASE 2D
UPPER CANYON DR.
REZONING
APPLICATION

BLENK
DEVELOPMENT CORP.
12500
JULY 19, 2012

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