

City of Kelowna

Public Hearing

AGENDA



Tuesday, February 6, 2018
6:00 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

THE CHAIR WILL CALL THE HEARING TO ORDER:

1. (a) The purpose of this Hearing is to consider certain bylaws which, if adopted, shall amend Kelowna 2030 - Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.

(b) All persons who believe that their interest in property is affected by the proposed bylaws shall be afforded a reason-able opportunity to be heard or to present written submissions respecting matters contained in the bylaws that are the subject of this hearing. This Hearing is open to the public and all representations to Council form part of the public record. A live audio feed may be broadcast and recorded by Castanet.

(c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after January 24, 2018 (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.

(d) Council debate on the proposed bylaws is scheduled to take place during the Regular Council meeting after the conclusion of this Hearing. It should be noted, however, that for some items a final decision may not be able to be reached tonight.

(e) It must be emphasized that Council will not receive any representation from the applicant or members of the public after conclusion of this Public Hearing.

2. Notification of Meeting

The City Clerk will provide information as to how the Hearing was publicized.

3. Individual Bylaw Submissions

- | | | |
|------------|---|----------------|
| 3.1 | OCP Amendment OCP17-0027 (BL11527) & Rezoning Application Z17-0107 (BL11536) – Boundaries Amendments | 4 - 28 |
| | <p>To amend the Official Community Plan to change future land use designations and to rezone the subject properties to complete housekeeping amendments to lot line boundaries.</p> | |
| 3.2 | McIntosh Rd 360, Dougall Rd N 345 & 365 - Z17-0041 (BL11528) - Unik-Town Development Inc | 29 - 40 |
| | <p>To rezone the subject property to facilitate the development of multiple dwelling housing.</p> | |
| 3.3 | Lakeshore Rd 5076, LUCT16-0001 (BL11529) & Z16-0027 (BL11531) - Stewart Storie and Gloria Heung | 41 - 49 |
| | <p>To consider an application to terminate the Land Use Contract and rezone the subject properties from A1 – Agriculture to the RR2 – Rural Residential 2.</p> | |
| 3.4 | DeHart Rd 644, Z17-0097 (BL11533) - Ricardo & Patricia Tomic | 50 - 56 |
| | <p>To rezone the subject property to the RU6 – Two Dwelling Housing zone to facilitate the construction of a second dwelling.</p> | |
| 3.5 | Glenmore Rd 621, Z17-0106 (BL11535) - Mehdi Tehrani & Mandana Ghanyei | 57 - 68 |
| | <p>To rezone the subject property from A1 to RU6 to facilitate a two-lot subdivision.</p> | |
| 3.6 | Rutland Rd N 1308 & 1324, Z17-0047 (BL11537) - 1121911 BC Ltd | 69 - 81 |
| | <p>To rezone the subject property to facilitate the development of multiple dwelling housing.</p> | |
| 3.7 | Moberly Rd 3439, Z17-0090 (BL11538) - Steven and Colleen Hall | 82 - 89 |
| | <p>To rezone the subject property to facilitate the construction of a carriage house.</p> | |
| 3.8 | Christleton Ave 344, Z17-0102 (BL11539) - Christopher and Sara Eddy | 90 - 94 |
| | <p>To rezone the subject property from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House to facilitate the development of a carriage house.</p> | |
| 3.9 | Maple St 1847, Z17-0070 (BL11541) - Robert and Marianne Law | 95 - 98 |
| | <p>To rezone the subject property from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House to facilitate the development of a carriage house.</p> | |

To rezone the subject property from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House to facilitate the development of a carriage house.

To rezone the subject property from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House to facilitate the development of a carriage house.

4. Termination

5. Procedure on each Bylaw Submission

- (a) Brief description of the application by City Staff (Land Use Management);
- (b) The Chair will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.
- (c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.
- (d) The Chair will call for representation from the public in attendance as follows:
 - (i) The microphone at the public podium has been provided for any person(s) wishing to make representation at the Hearing.
 - (ii) The Chair will recognize ONLY speakers at the podium.
 - (iii) Speakers are encouraged to limit their remarks to 5 minutes, however, if they have additional information they may address Council again after all other members of the public have been heard a first time.
- (e) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.
- (f) Questions by staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.
- (g) Final calls for representation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

Note: Any applicant or member of the public may use visual aids (e.g. photographs, sketches, slideshows, etc.) to assist in their presentation or questions. The computer and ELMO document camera at the public podium are available. Please ask staff for assistance prior to your item if required.

REPORT TO COUNCIL



Date: January 8, 2018

RIM No. 1250-20

To: City Manager

From: Community Planning Department (LB)

Application: OCP17-0027 / Z17-0107 **Owner:** Various

Address: Various **Applicant:** City of Kelowna

Subject: OCP Amendment & Rezoning Application – Discrepancies in Boundaries

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP17-0027 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of several properties as indicated the Future Land Use Designation Discrepancies Table and shown on Maps "A" to "H" attached to the Report from the Community Planning Department dated January 8, 2018 be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw be forward to a Public Hearing for further consideration;

AND THAT Council considers the Public Hearing process to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

AND THAT Rezoning Application No. Z17-0107 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of several properties as indicated the Future Land Use Designation Discrepancies Table and shown on Maps "I" to "T" attached to the Repot from the Community Planning Department dated January 8, 2018 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 of and to rezone the subject properties to complete housekeeping amendments to correct boundary discrepancies.

3.0 Community Planning

Staff have identified several properties with discrepancies in future land use designation and zoning boundaries and are bringing forward these amendments to resolve these inconsistencies. These are considered housekeeping amendments that will align future land use designation and zoning boundaries with existing or proposed future lot lines and resolve clerical oversights from previous applications. Some

mapping amendments are the result of the subdivision of properties occurring after adoption of rezoning bylaws. As such, Maps A to T are considered housekeeping amendments.

In accordance with section 466(7) of the *Local Government Act*, notices were not mailed to property owners or residents of the subject property and direct neighbourhood notification was not carried out. Notices were posted in the newspaper in accordance with other requirements of *Local Government Act* section 466.

3.1 Future Land Use Designation Discrepancies Table

| Legal Description | Civic Address | Existing Designation | Proposed Designation | Map No. |
|---|----------------------|--|--|---------|
| Part of LOT 2 SECTION 17 TOWNSHIP 23 OSOYOOS DIVISION YALE DISTRICT PLAN KAP65503 | Bennett Road 1602 | PARK – Major Park / Open Space (public) S2RESH – Single / Two Unit Residential – Hillside | S2RESH – Single / Two Unit Residential – Hillside PARK – Major Park / Open Space (public) | A & B |
| Part of LOT 1 SECTION 17 TOWNSHIP 23 OSOYOOS DIVISION YALE DISTRICT PLAN KAP65503 | Bennett Road 1855 | PARK – Major Park / Open Space (public) S2RESH – Single / Two Unit Residential – Hillside | S2RESH – Single / Two Unit Residential – Hillside PARK – Major Park / Open Space (public) | A & B |
| Part of LOT 17 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP45757 | Carnegie Street 1798 | PARK – Major Park / Open Space (public) | S2RESH – Single / Two Unit Residential – Hillside | C |
| Part of LOT 16 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP45757 | Carnegie Street 1810 | PARK – Major Park / Open Space (public) | S2RESH – Single / Two Unit Residential – Hillside | C |
| Part of LOT 29 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP45757 | Carnoustie Drive 438 | S2RESH – Single / Two Unit Residential – Hillside | PARK – Major Park / Open Space (public) | C |
| Part of LOT 12 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP42924 | Carnoustie Drive 488 | PARK – Major Park / Open Space (public) | S2RESH – Single / Two Unit Residential – Hillside | C |
| Part of LOT 1 SECTIONS 20 AND 29 TOWNSHIP 29 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP51781 EXCEPT PLAN EPP55883 AND EPP60436 | Fawn Run Drive 1448 | PARK – Major Park / Open Space (public) | S2RESH – Single / Two Unit Residential – Hillside | D |
| Part of LOT 1 SECTIONS 20 AND 29 TOWNSHIP 29 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP51781 EXCEPT PLAN EPP55883 AND EPP60436 | Fawn Run Drive 1448 | PSU - Public Services / Utilities S2RES – Single / Two Unit Residential | PARK – Major Park / Open Space (public) PSU - Public Services / Utilities | E |

| Legal Description | Civic Address | Existing Designation | Proposed Designation | Map No. |
|--|---------------------|---|--|---------|
| Part of LOT 1 SECTION 2 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP72188 | Mahonia Drive 4075 | REP – Resource Protection Area | S2RES – Single / Two Unit Residential | F |
| Part of LOT 1 DISTRICT LOT 14 OSOYOOS DIVISION YALE DISTRICT PLAN EPP34822 | Pandosy Street 3030 | MRM – Multiple Unit Residential (Medium Density) (formerly road right-of-way) | MXR – Mixed Use (Residential / Commercial) | G |
| Part of LOT A DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN EPP39101 EXCEPT PLANS EPP50977 AND EPP54107 | Richter Street 1190 | COMM – Commercial | EDINST – Educational / Major Institutional | H |
| Part of LOT 1 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN EPP54107 | St Paul Street 1193 | EDINST – Educational / Major Institutional | COMM – Commercial | H |

3.2 Summary of Zoning Discrepancies

| Legal Description | Civic Address | Existing Zone | Proposed Zone | Map No. |
|--|----------------------|--|--|---------|
| Part of LOT 19 DISTRICT LOT 134 OSOYOOS DIVISION YALE DISTRICT PLAN 20399 | Bechard Road 760 | RU1 – Large Lot Housing | RU2 – Medium Lot Housing | I |
| Part of LOT 2 SECTION 19 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP68016 | Burne Avenue 816 | P2 – Education and Minor Institutional | RU6 – Two Dwelling Housing | J |
| Part of LOT 17 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP45757 | Carnegie Street 1798 | P3 – Parks and Open Space | RU1h – Large Lot Housing (Hillside Area) | K |
| Part of LOT 16 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP45757 | Carnegie Street 1810 | P3 – Parks and Open Space | RU1h – Large Lot Housing (Hillside Area) | K |
| Part of LOT 29 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP45757 | Carnoustie Drive 438 | RU1h – Large Lot Housing (Hillside Area) | P3 – Parks and Open Space | K |
| Part of LOT 12 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP42924 | Carnoustie Drive 488 | P3 – Parks and Open Space | RU1h – Large Lot Housing (Hillside Area) | K |

| Legal Description | Civic Address | Existing Zone | Proposed Zone | Map No. |
|--|-------------------------|--|---|---------|
| Part of LOT 1 SECTION 29 TOWNSHIP 29 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP55883 | Fawn Run Drive 1428 | A1 – Agriculture 1 | RU1 – Large Lot Housing | L |
| Part of LOT 1 SECTIONS 20 AND 29 TOWNSHIP 29 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP51781 EXCEPT PLAN EPP55883 AND EPP60436 | Fawn Run Drive 1448 | P3 – Parks and Open Space | RU1h – Large Lot Housing (Hillside Area) | M |
| Part of LOT 1 SECTIONS 20 AND 29 TOWNSHIP 29 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP51781 EXCEPT PLAN EPP55883 AND EPP60436 | Fawn Run Drive 1448 | A1 – Agriculture P4 - Utilities | P3 – Parks and Open Space P4 - Utilities | L |
| LOT 1 DISTRICT LOT 357 OSOYOOS DIVISION YALE DISTRICT PLAN KAP46269 | Gordon Drive 4623 | RU1 – Large Lot Housing | RU6 – Two Dwelling Housing | N |
| Part of LOT 1 SECTION 2 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP72188 | Mahonia Drive 4075 | RR2 – Rural Residential 2 | RR3 – Rural Residential 3 | O |
| LOT 24 SECTION 24 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP67683 | Mine Hill Drive 1330 | RU4h - Low Density Cluster Housing (Hillside Area) | RU1h – Large Lot Housing (Hillside Area) | P |
| Part of LOT 1 DISTRICT LOT 508A SIMILKAMEEN DIVISION YALE DISTRICT AND SECTION 31 TOWNSHIP 29 OSOYOOS DIVISION YALE DISTRICT PLAN EPP50904 | Mission Ridge Road 1193 | RU1 – Large Lot Housing | A1 – Agriculture 1 | Q |
| Part of LOT 1 DISTRICT LOT 14 OSOYOOS DIVISION YALE DISTRICT PLAN EPP34822 | Pandosy Street 3030 | RU1 – Large Lot Housing (formerly road right-of-way) | C4 – Urban Centre Commercial | R |
| Part of LOT A DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN EPP39101 EXCEPT PLANS EPP50977 AND EPP54107 | Richter Street 1190 | I4 – Central Industrial | P1 – Major Institutional | S |

| Legal Description | Civic Address | Existing Zone | Proposed Zone | Map No. |
|---|---------------------|--------------------------|------------------------------------|---------|
| Part of LOT 1 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN EPP54107 | St Paul Street 1193 | P1 – Major Institutional | I4 – Central Industrial | S |
| Part of LOT 1 SECTION 29 TOWNSHIP 29 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP31682 | Steele Road 1328 | RU3 – Small Lot Housing | RU1 – Large Lot Housing | L |
| Part of LOT A SECTIONS 32 AND 29 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP54061 | Valley Road 720-724 | A1 – Agriculture 1 | RM3 – Low Density Multiple Housing | T |

Report prepared by: Laura Bentley, Planner Specialist

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Map "A" OCP Amendment – 1602 & 1855 Bennett Road
 Map "B" OCP Amendment – 1602 & 1855 Bennett Road
 Map "C" OCP Amendment – 1798 & 1810 Carnegie Street and 438 & 488 Carnoustie Drive
 Map "D" OCP Amendment – 1448 Fawn Run Drive
 Map "E" OCP Amendment – 1448 Fawn Run Drive
 Map "F" OCP Amendment – 4075 Mahonia Drive
 Map "G" OCP Amendment – 3030 Pandosy Street
 Map "H" OCP Amendment – 1190 Richter Street and 1193 St Paul Street
 Map "I" Rezoning – 760 Bechard Road
 Map "J" Rezoning – 816 Burne Avenue
 Map "K" Rezoning – 1798 & 1810 Carnegie Street and 438 & 488 Carnoustie Drive
 Map "L" Rezoning – 1428 & 1448 Fawn Run Drive and 1328 Steele Road
 Map "M" Rezoning – 1448 Fawn Run Drive
 Map "N" Rezoning – 4623 Gordon Drive
 Map "O" Rezoning – 4075 Mahonia Drive
 Map "P" Rezoning – 1330 Mine Hill Drive
 Map "Q" Rezoning – 1193 Mission Ridge Road
 Map "R" Rezoning – 3030 Pandosy Street
 Map "S" Rezoning – 1190 Richter Street and 1193 St Paul Street
 Map "T" Rezoning – 720-724 Valley Road



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MAP "A" OCP AMENDMENT OCP17-0027

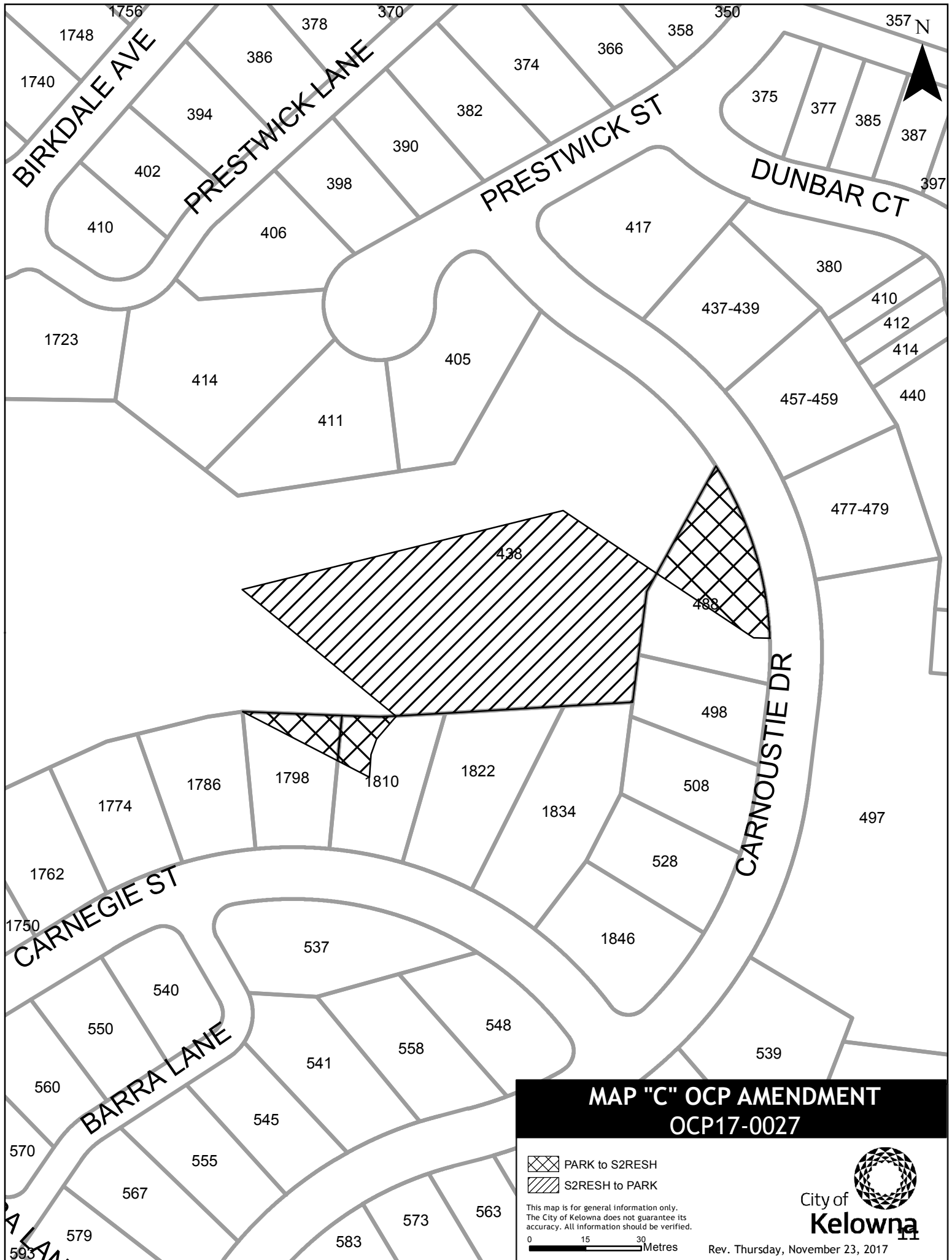
 PARK to S2RESH

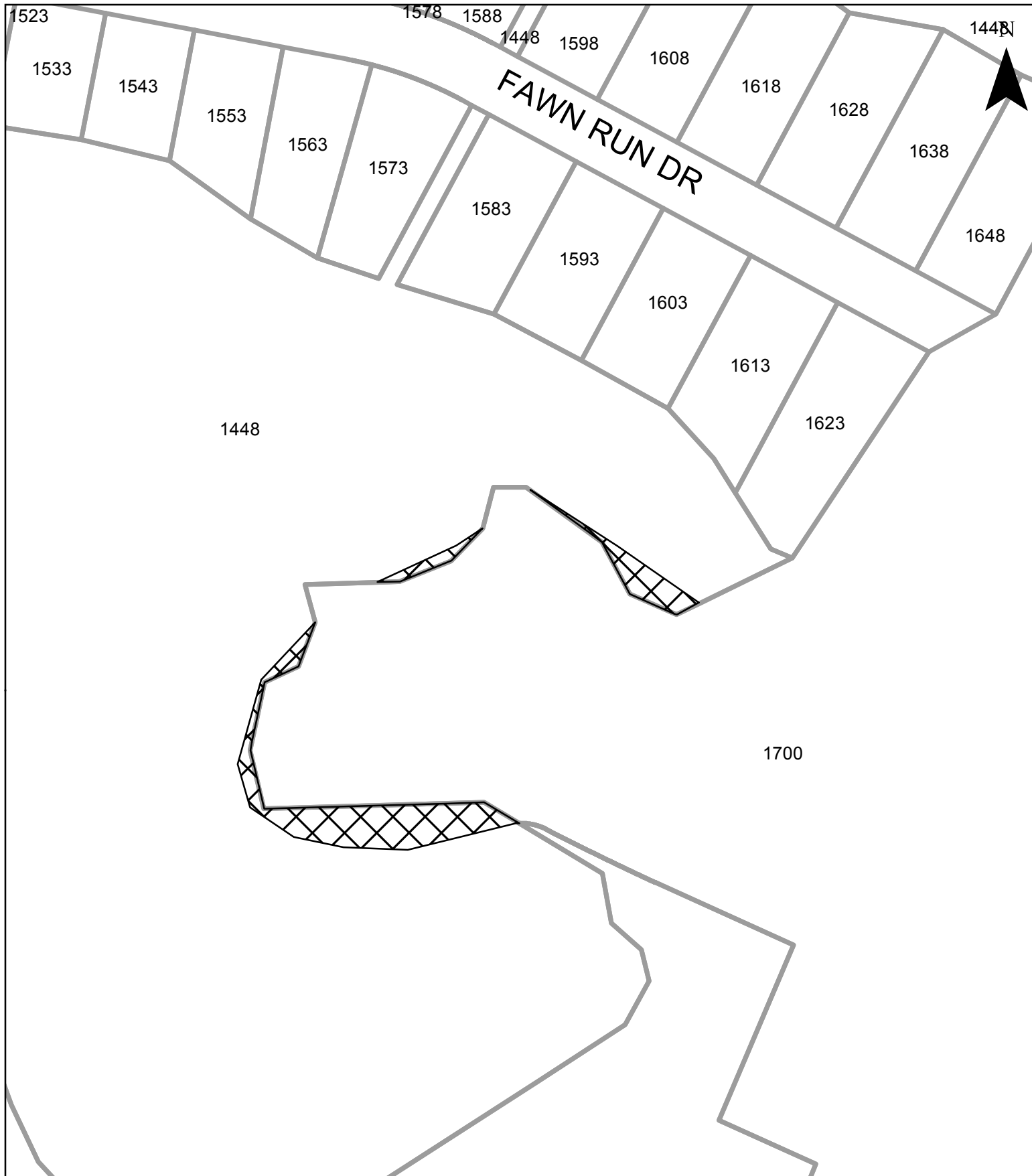
This map is for general information only.
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Rev. Thursday, November 23, 2017





MAP "D" OCP AMENDMENT OCP17-0027



PARK to S2RESH

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MAP "E" OCP AMENDMENT OCP17-0027

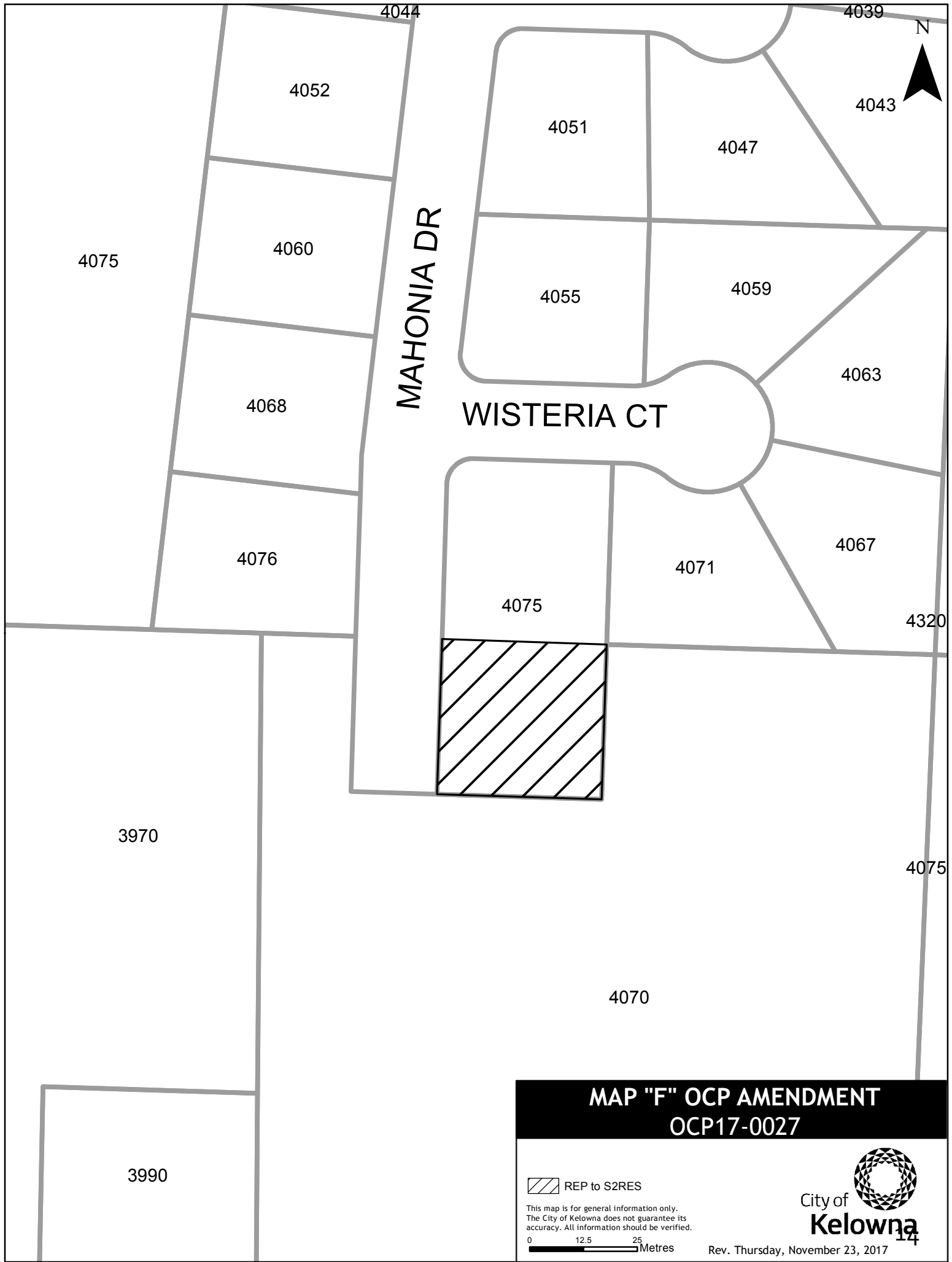
-  PSU to PARK
-  S2RES to PARK
-  S2RES to PSU

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**MAP "F" OCP AMENDMENT
OCP17-0027**

 REP to S2RES

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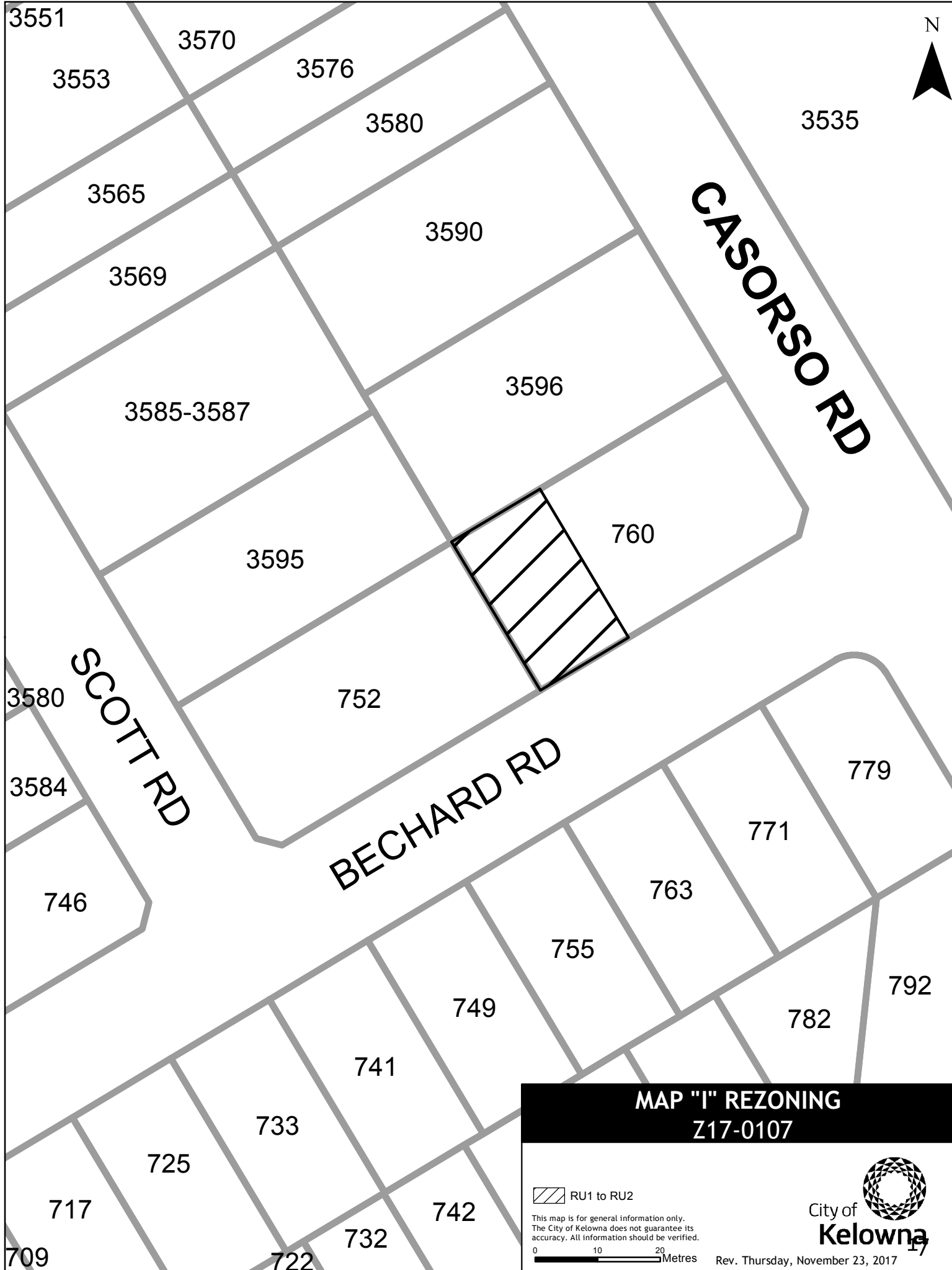
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MAP "J" REZONING

Z17-0107

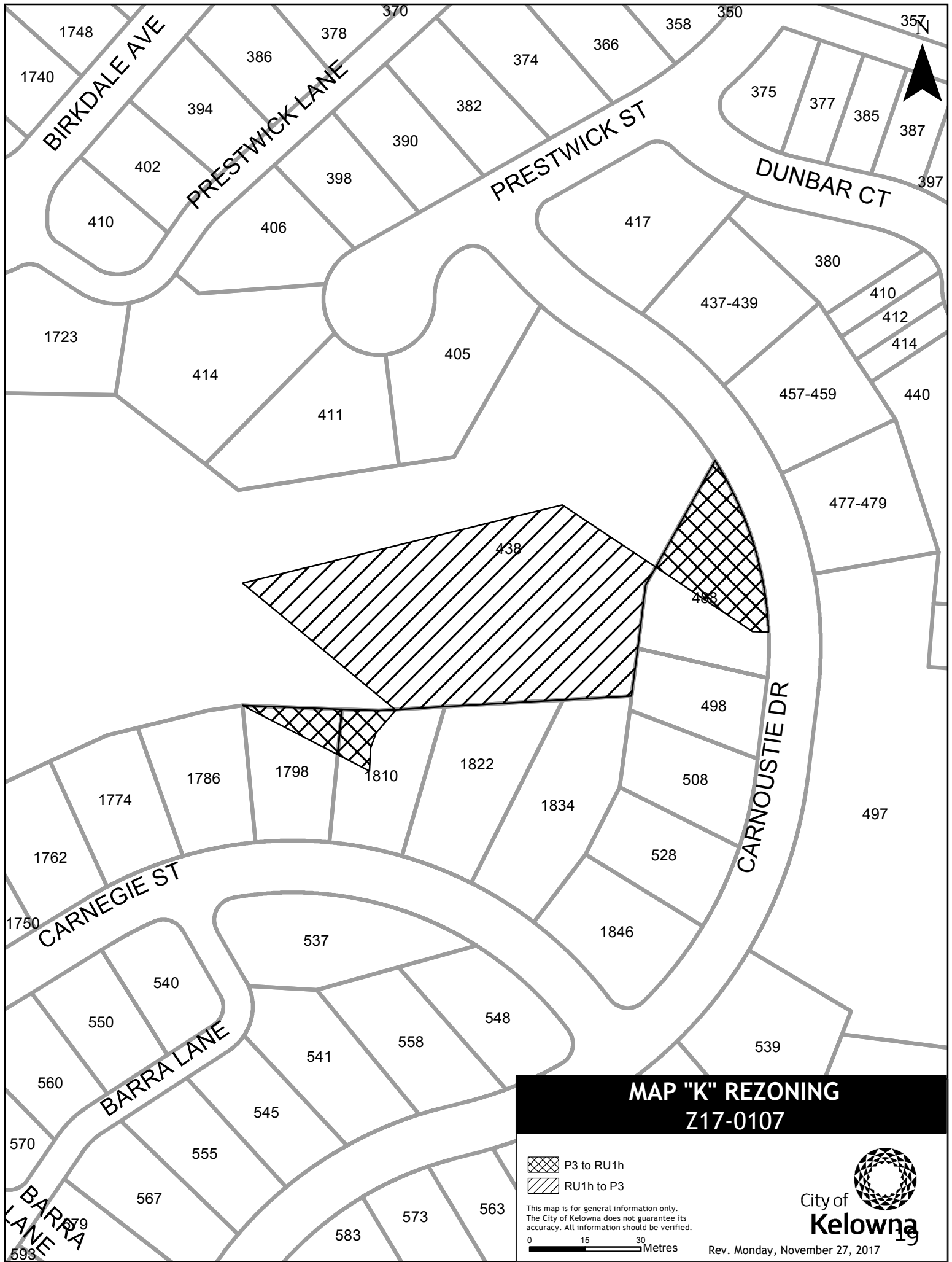
 P2 to RU6

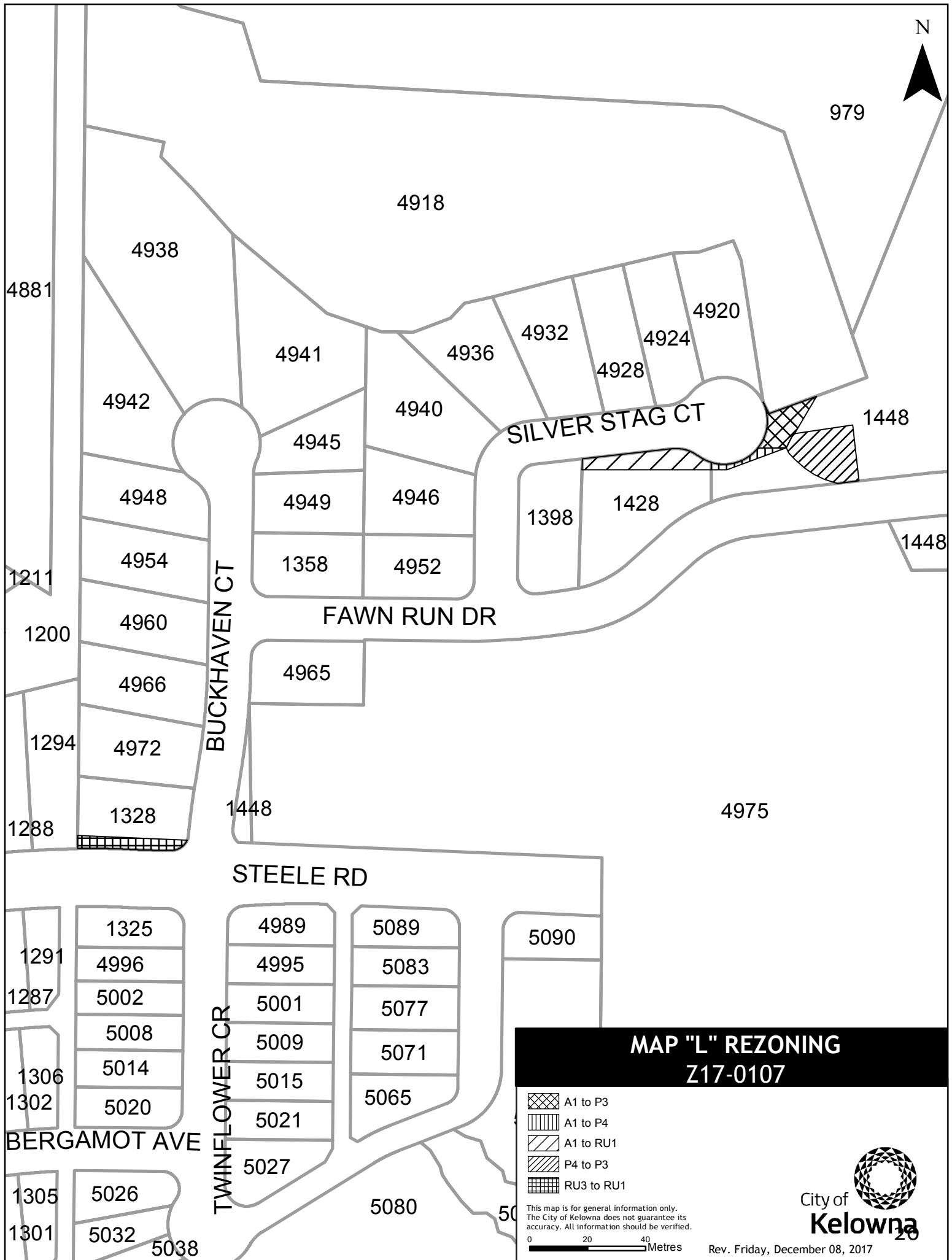
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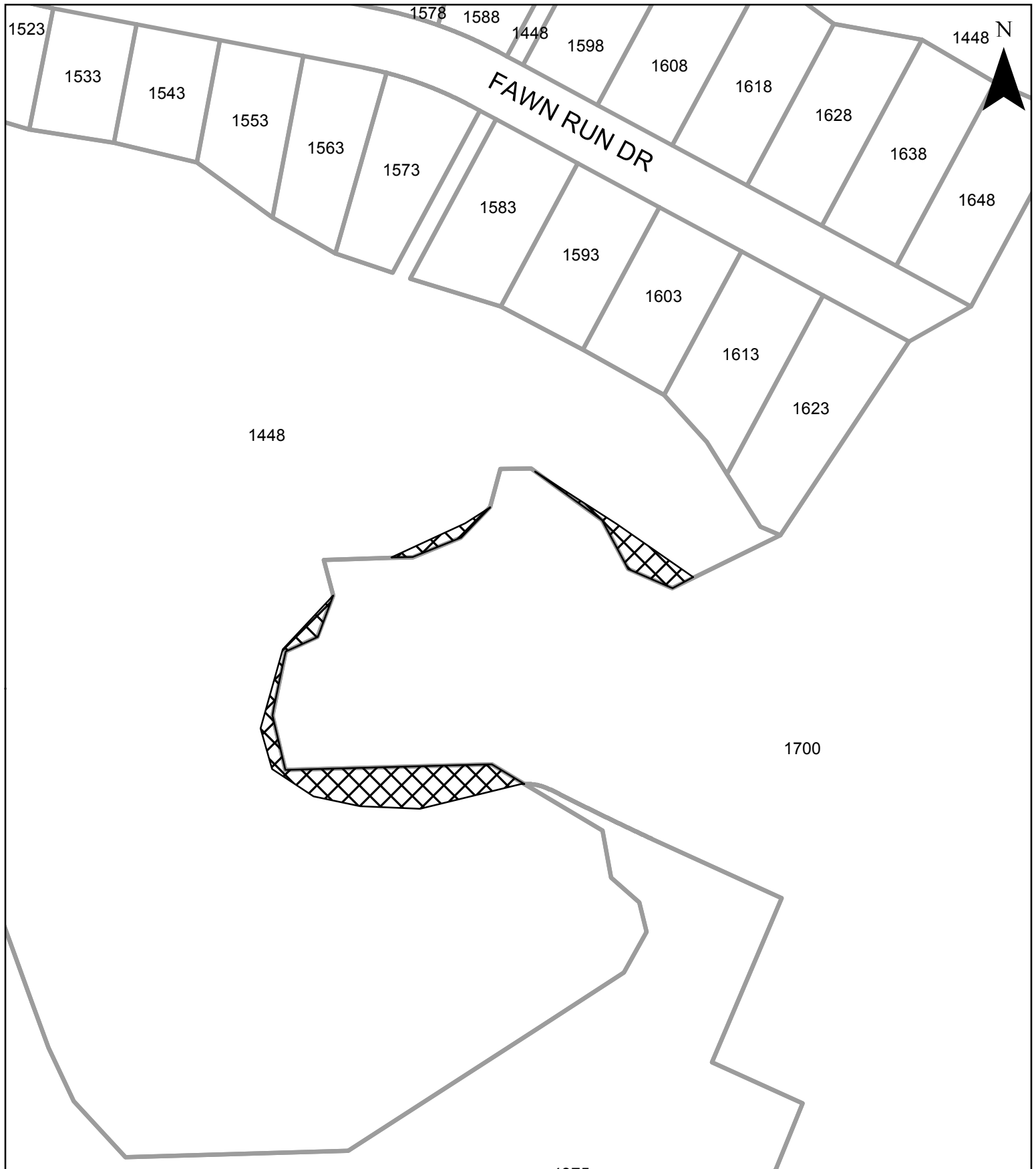
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Rev. Thursday, November 23, 2017







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MAP "M" REZONING

Z17-0107

 P3 to RU1h

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MAP "O" REZONING
Z17-0107

 RR2 to RR3

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
MINE HILL DR

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MAP "P" REZONING Z17-0107

 RU4h to RU1h

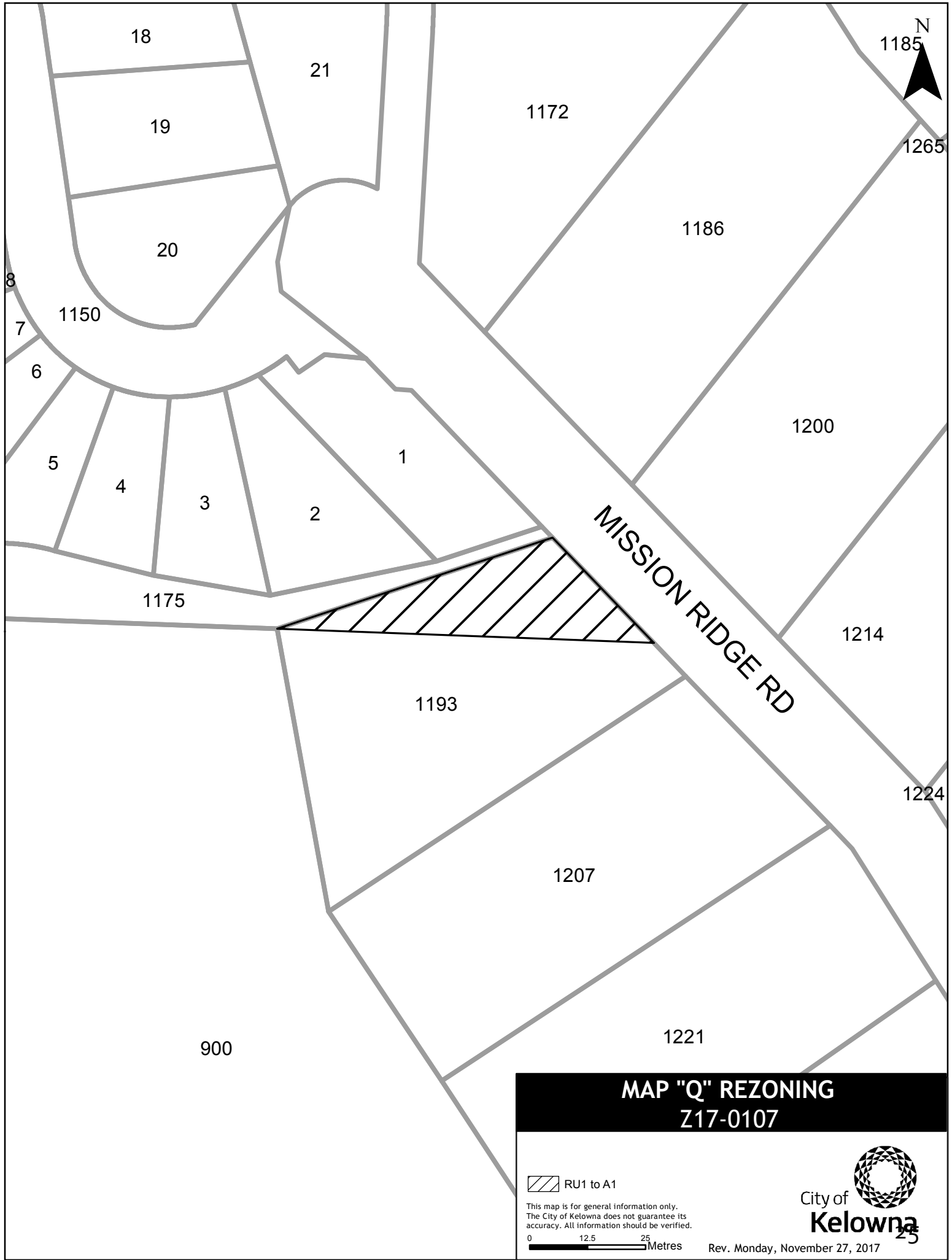
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**MAP "Q" REZONING
Z17-0107**

 RU1 to A1

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MAP "S" REZONING
Z17-0107

I4 to P1

P1 to I4

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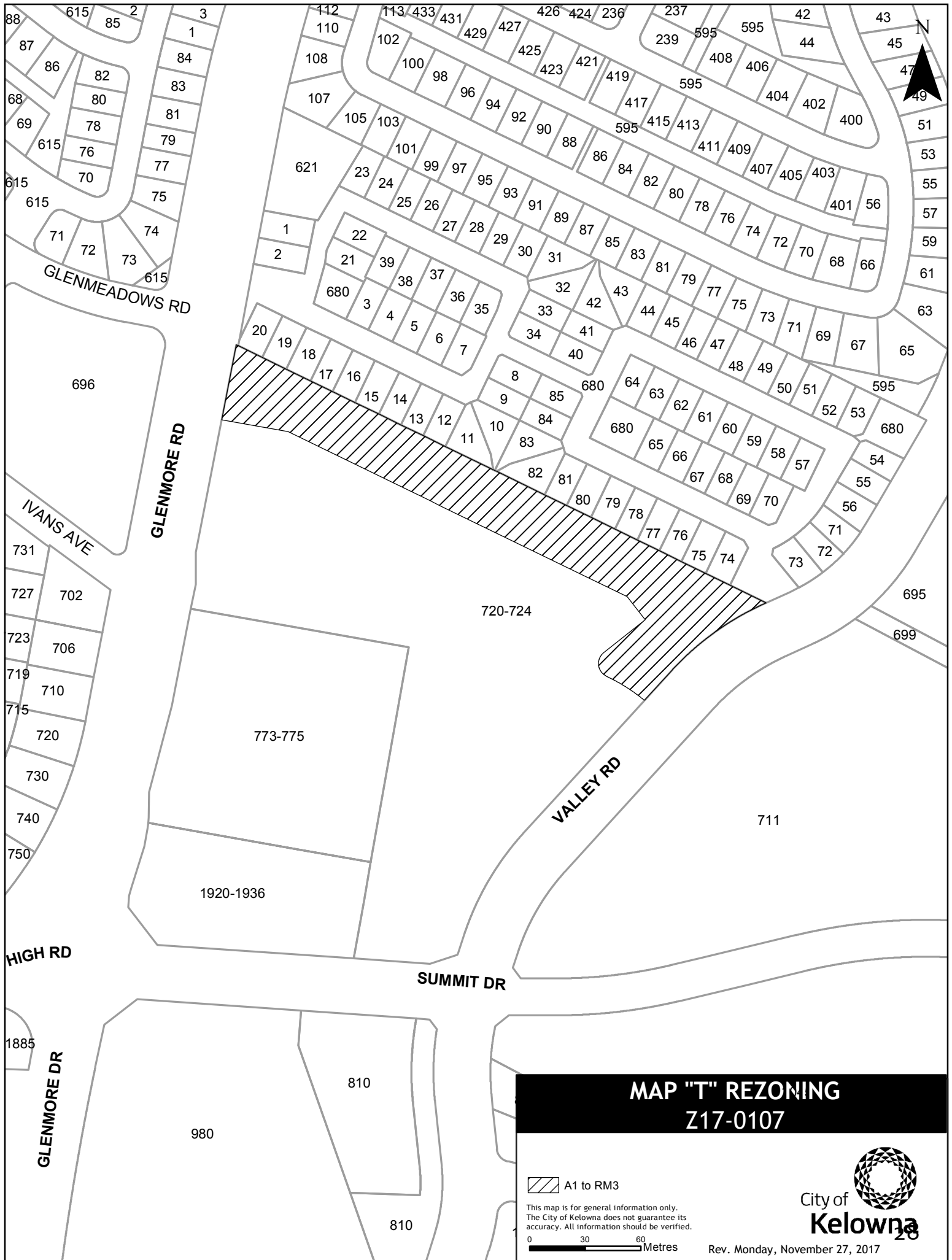
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
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Rev. Sunday, December 17, 2017



MAP "T" REZONING Z17-0107

 A1 to RM3

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Rev. Monday, November 27, 2017

REPORT TO COUNCIL



Date: January 15, 2017

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TB)

Application: Z17-0041

Owner: Unik-Town Development Inc.
Inc. No. BC1109459

Address: 360 McIntosh Road,
345 & 365 Dougall Road N

Applicant: Xu Yang – Pacific West
Architecture Inc.

Subject: Rezoning Application

Existing OCP Designation: MRM – Multiple Unit Residential (Medium Density)

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU5 – Medium Density Multiple Housing

1.0 Recommendation

THAT Rezoning Application No. Z17-0041 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of each of the following properties:

1. Lot A Sec 26 Twn 26 ODYD Plan 6977, located at 360 McIntosh Road, Kelowna, BC;
2. Lot B Sec 26 Twn 26 ODYD Plan 6977, located at 345 Dougall Road, Kelowna, BC
3. Lot C Sec 26 Twn 26 ODYD Plan 6977, located at 365 Dougall Road, Kelowna, BC;

from the RU1 – Large Lot Housing zone to the RM5 – Medium Density Multiple Housing zone 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 outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated January 23, 2017;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit, Development Variance Permit for the subject property.

2.0 Purpose

To rezone the subject property to facilitate the development of multiple dwelling housing.

3.0 Community Planning

Community Planning supports the proposed rezoning from RU1 – Large Lot Housing to RM5 – Medium Density Multiple Housing to facilitate the development of multiple dwelling housing. It is consistent with the Official Community Plan (OCP) Future Land Use Designation of MRM – Multiple Unit Residential (Medium Density). The applicant is proposing to re-purpose the existing single-family land to achieve an apartment building for student living.

This urban infill project has a number of land use benefits including its contribution to revitalizing the Rutland Urban Centre. The project will also benefit from the existing infrastructure and services within the immediate neighbourhood as well as the close proximity of a number of significant amenities including schools, parks, and transit. Equally, the businesses and services in the Rutland Urban Centre will benefit from an increased number of potential customers and patrons in close proximity.

4.0 Proposal

4.1 Background

The subject properties each have a single family dwelling on the property that will be demolished or relocated as a function of this development. The applicant first applied in May 2017, and in October 2017 significant changes were made to the unit make-up of the project under new ownership.

4.2 Project Description

The proposed rezoning will facilitate the development of a 94-unit student housing project with a mix of microsuites, 1-bedrooms, and 4-bedrooms. It is 4 ½ storeys high with a combination of parkade and surface parking accessed from the lane. Private outdoor space is provided on private balconies or patios for each unit, as well as communal balconies on each floor and a rooftop amenity area. The applicant is considering a 20% reduction in parking from the City's Zoning Bylaw with a potential cash-in-lieu payment.

Staff are currently working on a Carshare Bylaw which could apply to this property in order to provide several carshares rather than contributing to the City's cash-in-lieu parking program. In early discussions with OGO Carshare, the subject property is an ideal location to have minimum 2 cars provided on-site with the opportunity to have an additional 2 cars provided in the neighbourhood. This is consistent with OGO's business philosophy and has had success in other Urban Centres in Kelowna. Staff see this as a potentially valuable community amenity and it is consistent with OCP Objective 5.11; support parking management programs that promote reduced vehicle ownerships, reduced vehicle trips and increased use of active modes of transportation.

Should Council support the rezoning, Staff will bring forward a Development Permit for the form and character of the building with the necessary parking and Carshare details.

4.3 Walk Score and Transit Score



4.4 Site Context

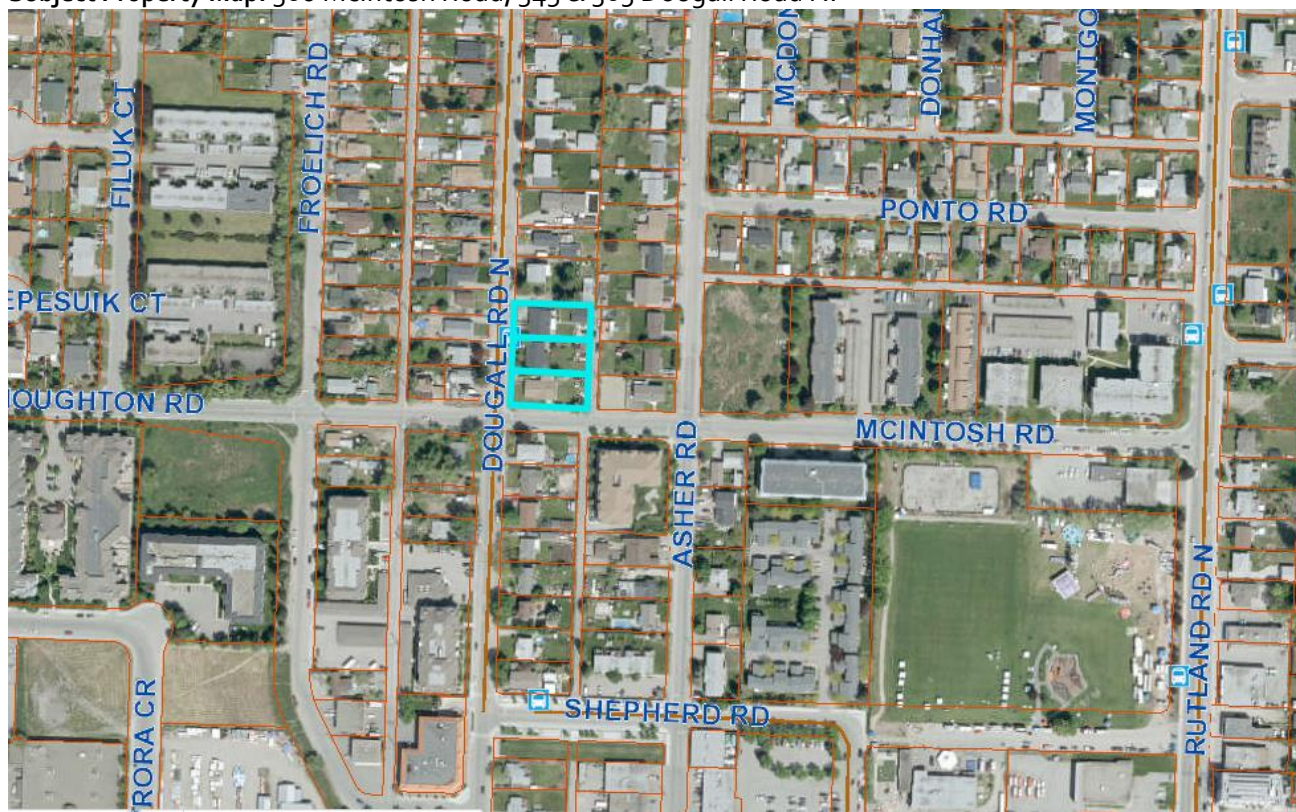
The subject property is located in Rutland Urban Centre which makes it an ideal site for increased density. With nearby transit, shops, employment, and parks, it is a desirable area for student housing. Due to the

location within an Urban Centre, the location does allow for micro-suites and also for cash-in-lieu for parking.

Specifically, adjacent land uses are as follows:

| Orientation | Zoning | Land Use |
|-------------|---|-------------|
| North | RU1 – Large Lot Housing | Residential |
| East | RU1 – Large Lot Housing | Residential |
| South | RU1 – Large Lot Housing | Residential |
| West | RU1 – Large Lot Housing RU2 – Medium Lot Housing | Residential |

Subject Property Map: 360 McIntosh Road, 345 & 365 Dougall Road N.



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Objective 5.3 - Focus development to designated growth areas.

Permanent Growth Boundary.¹ Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of property outside the Permanent Growth Boundary for more intensive use only to the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except for Agri-Business

¹ City of Kelowna Official Community Plan, Policy 5.2.1 (Development Process Chapter).

designated sites or as per Council's specific amendment of this policy. The Permanent Growth Boundary may be reviewed as part of the next major OCP update.

Compact Urban Form.² 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.

Sensitive Infill.³ Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting.

Healthy Communities.⁴ Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

6.0 Technical Comments

6.1 Development Engineering Department

- Please view Schedule "A" attached to the Report from the Community Planning Department dated January 23, 2017.

6.2 Bylaw Services

- Currently there are no open/outstanding Bylaw Enforcement files pertaining to the following property addresses: 345 & 365 Dougall Rd. N, 360 McIntosh Rd.

6.3 Ministry of Transportation

- Preliminary Approval is granted for the rezoning for one year pursuant to Section 52(3)(a) of the Transportation Act.

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

³ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 5.22.7 (Development Process Chapter).

7.0 Application Chronology

Date of Application Received: May 4, 2017
Date Public Consultation Completed: July 25, 2017
Date of Revised Drawings Received: October 30, 2017

Report prepared by: Trisa Brandt, Planner II

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Schedule "A": Development Engineering Memorandum
Site Plan
Conceptual Elevation and Site Context
Landscape Plan

CITY OF KELOWNA

MEMORANDUM

Date: June 26, 2017
File No.: Z17-0041
To: Urban Planning Management (TB)
From: Development Engineering Manager (SM)
Subject: 365 & 345 Dougall Rd N and 360 McIntosh Rd RU1 to RM5

The Development Engineering Department has the following comments and requirements associated with this rezoning application to rezone the subject properties from RU1 – Large Lot Housing to RM5 – Medium Density Multiple Housing to facilitate the development of a 60-unit rental apartment building. The road and utility upgrading requirements outlined in this report will be a requirement of this development.

The Development Engineering Technologist for this project is Jason Ough

1. Domestic Water and Fire Protection

- a) This development is within the service area of the Rutland Waterworks District (RWD). The developer is required to make satisfactory arrangements with the RWD for these items. All charges for service connection and upgrading costs, as well as any costs to decommission existing services are to be paid directly to RWD.
- b) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures.

2. Sanitary Sewer

- a) 365 & 345 Dougall Road N are currently serviced with 100mm sanitary services to Dougall Road N. 360 McIntosh Road is serviced with a 100mm sanitary service to McIntosh Road. The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal and disconnection of the existing services and the installation of one new larger service if necessary.
- b) 365 & 345 Dougall Road N are currently within Sanitary Sewer Specified Area # 20. The developer will be responsible to cash commute, pay in full, the specified area charges for this development. The charge is currently set at \$2045.50 per Equivalent Dwelling Unit (EDU). If this fee were calculated today the calculation would be as follows: $0.5 \times 60 \text{ units} \times \$2045.50 = \$61,350.00$

3. Storm Drainage

The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the Subdivision, Development and Servicing Bylaw No. 7900. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems. Only one service will be permitted for this development. The applicant, at his cost, will arrange the installation of one overflow service if required.

4. Road Improvements

- a) The applicant must have a civil engineering consultant submit a design for Dougall Road to be upgraded to an urban standard (SS-R5) along the full frontage of the subject property; including curb and gutter, relocated sidewalk, street lighting, landscaped boulevard, storm drainage system, pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. An estimate for public side works will be required, for bonding purposes, to be submitted by the applicants civil engineering consultant.
- b) Dougall Road frontage shall include a bus stop to be built to an accessible standard (1.5x4m pad back of sidewalk), moved closer to the intersection if possible.
- c) Access to this development will be from the existing lane off McIntosh Road along the east property line.
- d) The applicant must have a civil engineering consultant submit a design for McIntosh Road to be upgraded to an urban standard (SS-R5) along the full frontage of the subject property; including curb and gutter, relocated sidewalk, street lighting, landscaped boulevard, storm drainage system, pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. An estimate for public side works will be required, for bonding purposes, to be submitted by the applicants civil engineering consultant. McIntosh Road is identified in the Pedestrian and Bicycle Master Plan (PBMP) for inclusion of a multi-use pathway (MUP).
- e) At the time of design submission review, City staff will confirm that curb and gutter alignments will work with the ultimate cross section for McIntosh Road.

5. Road Dedication and Subdivision Requirements

- a) The subject properties are required to be consolidated as part of this development project.
- b) Provide approximately 2.5m of road dedication along Dougall Road N.
- c) Provide approximately 3m of road dedication on McIntosh Road frontage to match 340 McIntosh Road.
- d) Provide 6m corner rounding at the intersection.
- e) Grant statutory rights-of-way if required for utility services.

This forms part of application

Z17-0041

Planner
Initials

TB

City of
Kelowna
COMMUNITY PLANNING**6. Electric Power and Telecommunication Services**

- a) Burial of overhead wires will be required in all urban and village centre areas as outlined in the current Kelowna Official Community Plan. The City would ensure new development in these areas would be responsible for burial of wires fronting their property.
- b) All proposed service connections are to be installed underground. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.

7. Design and Construction

- a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (Part 5 and Schedule 3).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

8. Servicing Agreements for Works and Services

- a) A Servicing Agreement is required for all offsite works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

9. Other Engineering Comments

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors as required.
- b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's

Development Manager.

10. Geotechnical Report

- a) Provide a comprehensive geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed development.**
- Overall site suitability for development.
 - Presence of ground water and/or springs.
 - Presence of fill areas.
 - Presence of swelling clays.
 - Presence of sulphates.
 - Potential site erosion.
 - Provide specific requirements for footings and foundation construction.
 - Provide specific construction design sections for roads and utilities over and above the City's current construction standards


11. Development Permit and Site Related Issues

Access and Manoeuvrability

- (i) Access to the site will be permitted from the lane only.
- (ii) Ensure acceptable turning movements onsite for MSU design vehicle.
- (iii) Any bicycle racks included with this development shall be onsite.

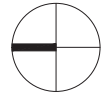
12. Charges and Fees

- a) Development Cost Charges (DCC's) are payable.
- b) Fees per the "Development Application Fees Bylaw" include:
- i) Street/Traffic Sign Fees: at cost if required (to be determined after design).
 - ii) Survey Monument Fee: \$50.00 per newly created lot (GST exempt).
 - iii) Engineering and Inspection Fee: 3.5% of construction value (plus GST).



Steve Muenz, P. Eng.
Development Engineering Manager

jo



SITE CALCULATIONS (94 UNITS)

CIVIC ADDRESS: 365 & 345 DOUGALL RD N, 360 MCINTOSH RD, KELOWNA, BC
LEGAL DESCRIPTION: LOTS A, B AND C PLAN MAP 6977

CURRENT ZONING: R1
PROPOSED ZONING: RM5

SITE DETAILS

| | ZONING REQUIREMENT | PROPOSED |
|---|--------------------|----------|
| SITE AREA (m ²) | 1400 | 2815.9 |
| SITE WIDTH (m) | 30 | 61.5 |
| SITE DEPTH (m) | 35 | 85.8 |
| SITE COVERAGE OF BUILDING (m ²) | 40% | 911.9 |
| COVERED PATIO (m ²) | | 31.4 |
| COVERED PATIO (m ²) | | 161.8 |
| TOTAL (m ²) | | 1105.1 |

SITE COVERAGE OF BUILDINGS,

DRIVEWAYS, AND PARKING AREAS

| | |
|--------|--------|
| 70% | 68.5% |
| 911.9 | 911.9 |
| 1015.9 | 1015.9 |
| 1927.8 | 1927.8 |

PARKING NUMBER

| | |
|-------|---------------------------|
| 89 | 1514/MICRO SUITE |
| 3.75 | 1.25 STALL/2 BEDROOM UNIT |
| 4 | 2 STALL/4 BEDROOM UNIT |
| 96.75 | TOTAL |

21 parking stalls will be payment-in-lieu

PARKING RATIO

| | |
|----|----------------------|
| 9 | INCLUDING: VISITOR |
| 1 | ACCESSIBLE |
| 35 | FULL SIZE (50%) 34 |
| 28 | MEDIUM SIZE (40%) 27 |
| 5 | COMPACT SIZE (10%) 7 |

BICYCLING PARKING REQUIREMENTS

| | |
|----|----------|
| 47 | CLASS I |
| 10 | CLASS II |

PRIVATE OPEN SPACE M2

| | |
|-------|------------------------|
| 667.5 | 7.5 per bachelor |
| 125 | 25 per 1+ brm dwelling |
| 730 | TOTAL REQUIRED |
| 409.6 | PRIVATE PATIO |
| 299.3 | ROOF PATIO |
| 34.3 | COMMON ROOM |
| 83.3 | LOCKER ROOM |
| 930 | TOTAL |

DEVELOPMENT REGULATIONS

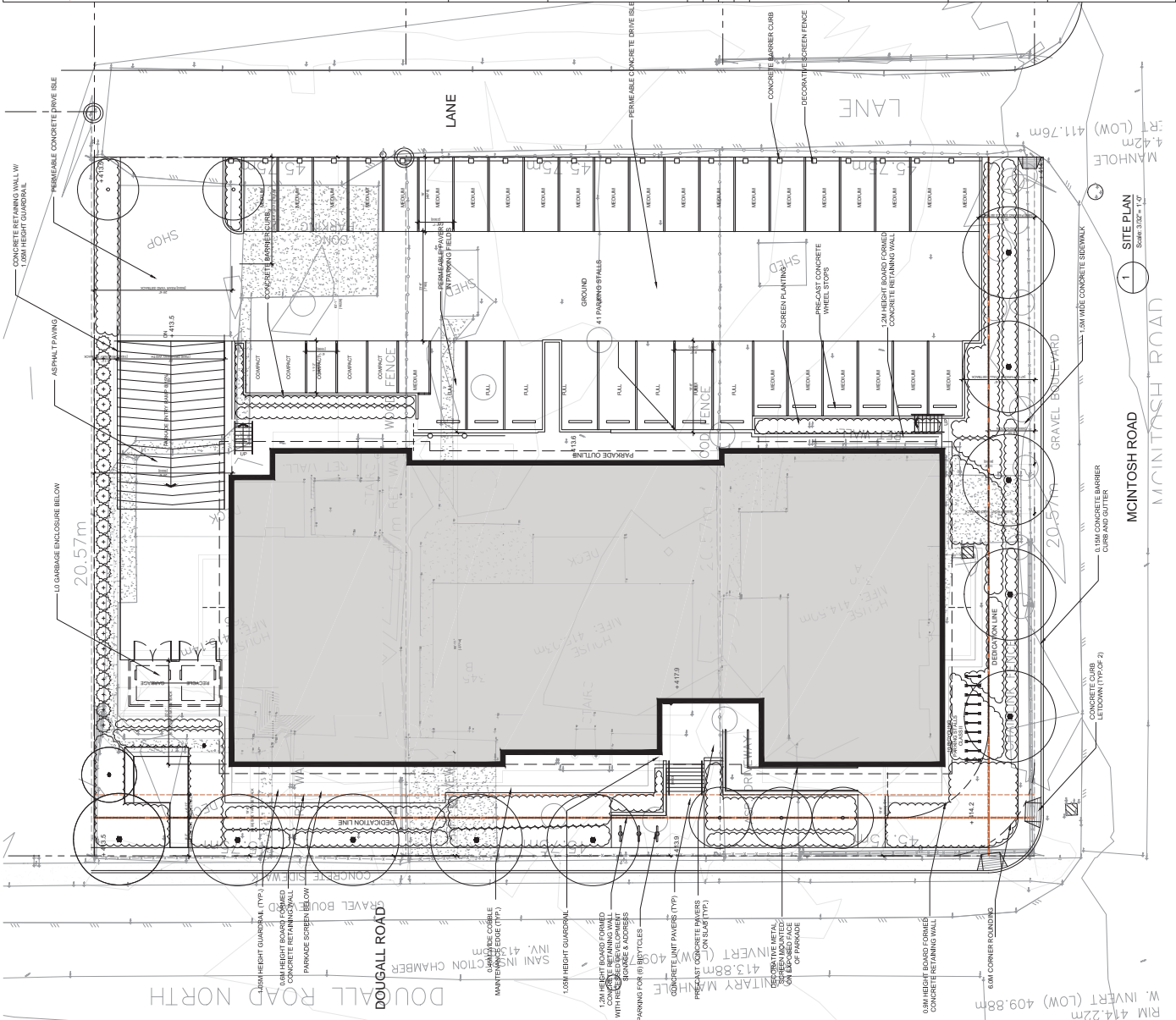
| | | |
|-------------------|----------|----------|
| FSR | REQUIRED | PROPOSED |
| 1.3 | 1.3 | 1.3 |
| BUILDING SETBACKS | | |
| FRONT | 6.0 | 6.0 |
| SIDE YARD (EAST) | 7.0 | 7.0 |
| SIDE YARD (WEST) | 6.0 | 6.0 |
| REAR YARD | 9.0 | 9.0 |

BUILDING DETAILS

| | |
|---------------|----------------------|
| 39397 | TOTAL BUILDING AREAS |
| 45 STOREY/18m | BUILDING HEIGHT |

Unit Breakdown

| Unit | Unit type | No. of Unit | Unit Area (ft. ²) | Area total (ft. ²) |
|------|-------------|-------------|-------------------------------|--------------------------------|
| A | Micro Suite | 89 | 312 | 27768 |
| B | 1 Bedroom | 3 | 480 | 1440 |
| C | 4 Bedroom | 2 | 1180 | 2360 |



P

W

A

pacific west architecture

1200 West 73rd Ave (Airport Square)
Vancouver B.C. V6P 1G5
Office: 604.987.7977
Fax: 604.267.7036
Email: info@pwestarch.com
www.pwestarch.com

REGIONS

1

FORMER

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HEAD FOR REZONING

HEAD FOR REZONING

2017.9.23

2017.9.23

PROJECT NUMBER

488

OWNER

2P

CHECKED BY

PP

DATE CHECKED

2017.9.23

CONSULTANT

PROJECT

KELOWNA APARTMENT

365 & 345 DOUGALL RD N, 360 MCINTOSH RD

KELOWNA B.C.

DRAWING TITLE

AND STATISTICS

SITE PLAN

DRAWING NO.

A1.01

38

DOUGALL APARTMENT

CIVIC ADDRESS: 365 & 345 DOUGALL RD N, AND
360 MCINTOSH RD KELOWNA, B.C.
LEGAL DESCRIPTION: LOTS A, B AND C PLAN KAP 6977

DRAWING INDEX

- A 1.00 COVER PAGE
- A 1.01 SITE PLAN AND STATISTICS
- A 2.01 FLOOR PLANS
- A 2.02 FLOOR PLANS
- A 2.03 FLOOR AND ROOF PLANS
- A 2.04 UNIT PLANS
- A 3.01 ELEVATIONS
- A 3.02 ELEVATIONS
- A 4.01 BUILDING SECTIONS
- A 4.02 BUILDING SECTIONS
- A 5.01 RENDERING AND MATERIAL BOARD
- A 5.02 RENDERINGS

ARCHITECT

PACIFIC WEST ARCHITECTURE Inc.
1200 West 73rd Ave (Airport Square)
Suite 1100, Vancouver B.C. V6P 6G5
Tel: (604) 546-7892
Email: info@pwaarchitecture.com

LANDSCAPE ARCHITECT

BENCH Site Design Inc.
4-1862 Water Street, Kelowna B.C. V1Y 1J7
Tel: (250) 868-5113



**pacific
west
architecture**

1200 West 73rd Ave (Airport Square)
Vancouver B.C. V6P 6G5
Office: (604) 546-7892
Fax: (604) 546-7895
Email: info@pwaarchitecture.com
www.pwaarchitecture.com

REVISIONS

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2 SITE PHOTO LOOKING NORTHEAST



3 SITE PHOTO LOOKING NORTHWEST



4 SITE PHOTO LOOKING SOUTHWEST



5 SITE PHOTO LOOKING SOUTHEAST

REPORT TO COUNCIL



Date: January 15, 2018

RIM No. 1250-40

To: City Manager

From: Community Planning Department (AC)

Application: Z16-0027/LUCT16-0001 **Owner:** Stewart James Storie and Gloria Wing Heung (5076)

Address: 5076 Lakeshore Road **Applicant:** The City of Kelowna

Subject: Rezoning and Land Use Contract Termination Application

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: A1 – Agriculture 1

Proposed Zone: RR2 – Rural Residential 2

1.0 Recommendation

WHEREAS the BC Provincial Government has mandated that all Land Use Contracts under the jurisdiction of a local government and in the Province of British Columbia be terminated by 2024;

AND WHEREAS the BC Provincial Government has provided a legislated process for the early termination of land use contracts when the local government has adopted a zoning bylaw that will apply to the land at the time the termination bylaw comes into force;

AND THAT Application No. LUCT16-0001 to terminate LUC77-1012 from Lot B, Section 23, Township 28, SDYD, Plan 30063, located on 5076 Lakeshore Road, Kelowna, BC, be considered by Council;

AND WHEREAS the underlying A1 – Agriculture 1 zone in the City of Kelowna Zoning Bylaw No. 8000 applies to Lot B, Section 23, Township 28, SDYD, Plan 30063, located on 5076 Lakeshore Road, Kelowna, BC under Land Use Contract LUC77-1012;

THEREFORE, BE IT RESOLVED THAT as the underlying A1 – Agriculture 1 zone Lot B, Section 23, Township 28, SDYD, Plan 30063, located on 5076 Lakeshore Road, Kelowna, BC under Land Use Contract LUC77-1012 does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

AND THAT Rezoning Application No. Z16-0027 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for Lot B, Section 23, Township 28, SDYD, Plan 30063, located 5076 Lakeshore Road, Kelowna, BC from the A1 - Agriculture 1 zone to the RR2 – Rural Residential 2 zone be considered by Council;

AND FURTHER THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

2.0 Purpose

To consider an application to terminate the Land Use Contract and rezone the subject properties from A1 – Agriculture to the RR2 – Rural Residential 2.

3.0 Community Planning

Staff are bringing forth a Land Use Contract (LUC) termination and rezoning application for the subject properties. The underlying zoning (A1 – Agriculture) does not fit within the established neighbourhood and does not match the existing land use. Staff are proposing to adopt the adjacent RR2 – Rural Residential 2 zone to the subject properties. This termination of LUC77-1012 is the result of the LUC discharge and rezoning application on 5080 Lakeshore Road (Z16-0009 & LUC16-0001). The existing Land Use Contract (LUC) on the subject properties was created in 1976 to allow for one single family residential dwelling per lot on Lakeshore Road with the possibility of an additional structure as an accessory building. Staff are suggesting rezoning the two properties to RR2 which would permit similar uses.

The Local Government Act, that was amended in 2014, states that all land use contracts in the province will be terminated as of June 30th 2024. In addition, by June 20th 2022, local governments must have the appropriate underlying zoning regulations adopted in order to replace land use contracts upon their termination. Therefore, the application at 5080 Lakeshore has brought an opportunity for the City to terminate this Land Use Contract.

Community Planning supports the request for the LUC termination and rezoning as it complies with the 2014 amendment of the Local Government Act.

Staff are recommending Council Notification Policy #367 including early notification and development signage be waived for this Land Use Contract termination. Public consultation in this case is not recommended as the process is a City initiative mandated by the Local Government Act and does not result in any changes in existing land use. Staff did mail out letters to the 2 impacted property owners (see attached letter). There are approximately 83-86 LUCs remaining out of an original 140 LUCs approved by the City of Kelowna that affect approximately 710 properties.

4.0 Proposal

4.1 Background

British Columbia first experimented with contract zoning in 1971. The Land Use Contract was a tool regularly used in the 1970's and was eliminated on November 15th 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

Issues have arisen, specifically with the continued application of land use contracts as they supersede any subsequent bylaw dealing with land use and development including: Zoning Bylaws, Development Cost Charge Bylaws, and Development Permits. From 1978 to 2014, municipalities or the owners of the land could not unilaterally discharge, cancel, or modify the land use contract without the other party's consent. The Local Government Act was amended in 2014 stating all land use contracts in the province will be terminated as of June 30th 2024. Land use contracts will remain in force until that date. This provides property owners with ten years to complete any development authorized by their land use contract unless the LUC is terminated prior to that date. By June 20th 2022, local governments must have appropriate zoning

regulations in place to replace land use contracts upon their termination. Local governments must provide notice to each owner that the termination of land use contract is occurring and must provide notice of what the new zoning regulations apply to the land.

Land Use Contract terminations (unlike LUC discharges) do not apply when Council adopts the bylaw. Terminations require a one-year grace period as outlined by the Local Government Act. Further, the municipality must send additional letters after the one-year grace period is complete informing the property owners of which land use regulations apply to their properties.

4.2 Project Description

The City is seeking to rezone one property to RR2 – Rural Residential 2 and to terminate the Land Use Contract. The property at 5076 Lakeshore Road consists of a single family dwelling.

The property located at 5064 Lakeshore Road has applied for a Land Use Contract discharge and rezoning application. Therefore, it was no included in this report.

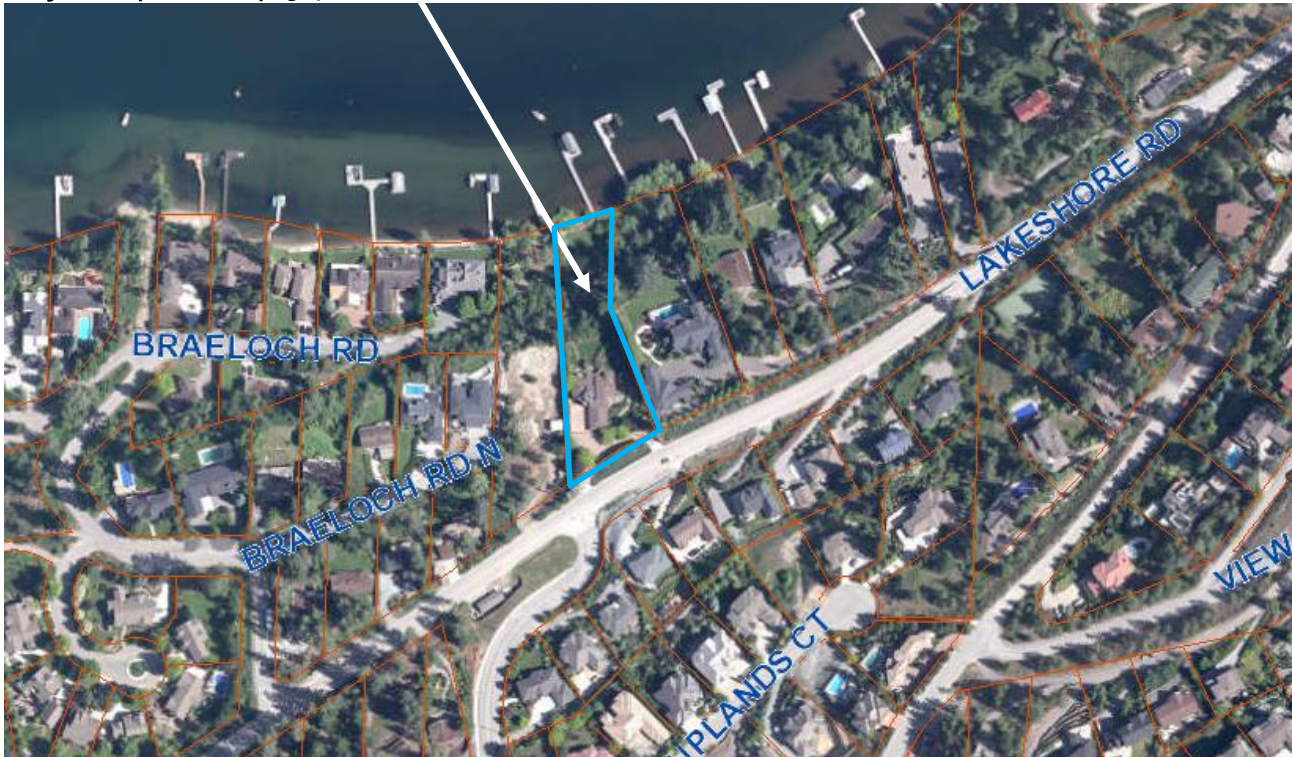
4.3 Site Context

The subject properties abut Lakeshore Road on the northwest side. The properties are designated S2RES – Single/Two Unit Residential in the Official Community Plan and the surrounding area is low density residential.

Adjacent land uses are as follows:

| Orientation - 5076 Lakeshore Road | Zoning | Land Use |
|-----------------------------------|-----------------------------------|---------------------------|
| North | W1 – Recreational Water Use | N/A |
| East | LUC 77-1012 (A1 – Agricultural 1) | Single family residential |
| South | RU1 – Large Lot Housing | Single family residential |
| West | LUC 77-1012 (A1 – Agricultural 1) | Single family residential |

Subject Properties Map: 5076 Lakeshore Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

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.

5.2 Council Policy No. 282 – Strategy for Elimination of Remaining Land Use Contracts

Council Policy No. 282.² Includes the following statement:

- That the City of Kelowna initiate proceedings to discharge the contacts subject to consultation with affected owners of the land and subject to prior approval by council with regard to affected contracts;

6.0 Technical Comments

N/A

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

7.0 Application Chronology

Date of Application Received: May 6, 2016

Date Public Consultation Completed: N/A *

*See community planning section for the public consultation waiver rationale.

Report Prepared by: Adam Cseke, Urban Planner Specialist & Jenna Ratzlaff, Summer Student

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Letter to LUC owners

November 30, 2017
1210-01



To: Property Owner

Re: Proposed Termination of Land Use Contract LUC77-1012; Pertaining to LUCT16-0001
and Rezoning Z16-0027 for 5080 Lakeshore Road

You are receiving this letter because your property is impacted by a Land Use Contract that regulates your land development rights.

A neighbouring property owner with the same Land Use Contract noted above, has recently applied to the City to discharge this contract under the City of Kelowna Zoning Bylaw No. 8000, for our files LUCT16-0001 and Z16-0009 at 5080 Lakeshore Road.

The existing underlying zoning is A1 - Agriculture; however, it is currently not in effect as the Land Use Contract takes precedence. Staff are proposing to rezone your property to the RR2 – Rural Residential 2 zone.

The City of Kelowna is mandated by the Province to eliminate all Land Use Contracts by 2022. The City is proposing to terminate the Land Use Contract within your neighbourhood, including your property. Generally, this results in clearer and more generous building and development regulations, such as the possibility for a legal secondary suite.

Terminating your Land Use Contract requires Council approval and staff are prepared to bring forward a recommendation to Council for consideration in the coming weeks. Once Council considers the Land Use Contract Termination Bylaw, there is a 1-year grace period before the underlying zone comes into effect (as regulated by the British Columbia Local Government Act).

What is a Land Use Contract?

The Province first experimented with Land Use Contract zoning in 1971 before it was eliminated on November 15th 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

The Local Government Act was amended in 2014 stating all land use contracts in the province must be terminated as of June 30th 2024. This provides property owners with ten years to complete any development authorized by their Land Use Contract unless the LUC is terminated prior to that date. By June 20th 2022, local governments must have appropriate zoning regulations in place to substitute land use contracts upon their termination. Whenever a property owner applies to change land uses within an LUC (resulting in a LUC Discharge), the City will then initiate the process to eliminate the whole LUC.

For further information regarding Land Use Contracts, please refer to the City of Kelowna website (www.kelowna.ca/homes-building/zoning-land-use-contracts). For inquiries regarding the termination of your Land Use Contract, please contact the Community Planning Department at 250-469-8626, or email: planninginfo@kelowna.ca.

Regards,

Terry Barton
Urban Planning Manager

Attachments:
Zoning Bylaw No. 8000 – RR2 –Rural Residential 2 zone

AC/hb

Community Planning Department
1435 Water Street
Kelowna, BC V1Y 1J4
TEL 250 469-8626
planninginfo@kelowna.ca
kelowna.ca

12.2 RR2 – Rural Residential 2

RR2c – Rural Residential 2 with Carriage House

12.2.1 Purpose

The purpose is to provide a **zone** for country residential **development**, and complementary **uses**, on medium sized **lots** in areas of high natural amenity and limited **urban services**.

12.2.2 Principal Uses

The **principal uses** in this **zone** are:

- (a) **community garden**
- (b) **greenhouses and plant nurseries**
- (c) **single dwelling housing**

12.2.3 Secondary Uses

The **secondary uses** in this **zone** are:

- (a) **bed and breakfast homes**
- (b) **child care centre, minor**
- (c) **carriage house (RR2c only)**
- (d) **group homes, minor**
- (e) **home based businesses, major**
- (f) **home based businesses, minor**
- (g) **home based businesses, rural**
- (h) **secondary suite**

12.2.4 Buildings and Structures Permitted

- (a) one **single detached house** (which may contain a **secondary suite**);
- (b) permitted accessory buildings or structures;
- (c) carriage house (permitted only on properties that have a 'c' designated sub-zone);
- (d) only one secondary dwelling unit is permitted (e.g. secondary suite or carriage house).

12.2.5 Subdivision Regulations

- (a) The minimum **lot width** is 36.0 m.
- (b) The minimum **lot depth** is 30.0 m.
- (c) The minimum **lot area** is 1.0 Ha unless a connection to the community sanitary sewer system, in accordance with the requirements of the City of Kelowna's Subdivision, Development & Servicing Bylaw, has been installed. If a connection to a community sanitary sewer system in accordance with the requirements of the City of Kelowna's Subdivision, Development & Servicing Bylaw, has been installed, the minimum **lot area** is 4000 m².

12.2.6 Development Regulations

- (a) The maximum **site coverage** is 20%, except that it is 50% for **greenhouses and plant nurseries**.

Site coverage of accessory **buildings** or **structures** and carriage house shall not exceed a combined 14%. The maximum floor area of a carriage house shall be 90 m² or 75% of the total floor area of the principal building. The maximum floor area of a carriage house may increase to a maximum of 100 m² only if the carriage house is limited to one (1) storey in height and is less than 75% of the total floor area of the principal building.

- (b) The maximum **height** for principal buildings is the lesser of 9.5m or 2 ½ storeys. The maximum **height** for accessory **buildings** / structures is 4.5m. The maximum **height** for carriage houses is 4.8m.
- (c) The minimum **front yard** is 6.0 m.
- (d) The minimum **side yard** is 3.0 m, except it is 4.5 m from a **flanking street**.
- (e) A "c" notation shown on Schedule "A" as part of the identified **zone** classification indicates that a **secondary use** in the form of a secondary **dwelling** unit is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. A "c" zoning classification on a property shall be established by rezoning the subject property to the "c" version of the parent **zone**.
- (f) The minimum **rear yard** is 9.0 m, except it is 3.0 m for accessory **buildings**.
- (h) [deleted]

12.2.7 Other Regulations

- (a) There shall be no more than one single detached house per **lot**.
- (b) When a home based **business** of any type involves the cutting and wrapping of wild game or any meat, the **lot** must have a minimum **lot area** greater than 0.33 ha.
- (c) For **sites** within the **Agricultural Land Reserve**, the maximum **gross floor area** of agricultural and garden sales for produce produced off the **site** is the lesser of 50.0 m² or one-third of the total floor area of the agricultural and garden sales stand.
- (d) In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 6 (accessory **development**, **yards**, projections into **yards**, lighting, stream protection, etc.), the **landscaping** and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific **use** regulations of Section 9.
- (e) [deleted]
- (f) A carriage house must not be closer than 3.0m to an existing principal building.

REPORT TO COUNCIL



Date: January 15, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (KB)

Application: Z17-0097

Owner: Ricardo Trumper & Patricia Tomic

Address: 644 DeHart Road

Applicant: Birte Decloux (Urban Options Planning & Permits)

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z17-0097 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 District Lot 358 Osoyoos Division Yale District Plan 39262, located at 644 DeHart Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU6 – Two Dwelling Housing zone be considered by Council;

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

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated January 15, 2018.

2.0 Purpose

To rezone the subject property to the RU6 – Two Dwelling Housing zone to facilitate the construction of a second dwelling.

3.0 Community Planning

Staff support the application to rezone from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to allow a second dwelling to be built on the subject property. The RU6 zone is consistent with the existing Future Land Use designation of S2RES – Single / Two Unit Residential. The property is

within the Permanent Growth Boundary and meets the minimum lot dimensions for two dwelling housing. The property is well in excess of the minimum lot dimensions and the applicant has submitted a conceptual site plan that demonstrates that the development can be achieved without variances.

The application meets the intent of several Official Community Plan (OCP) goals and policies related to containing growth within developed areas and providing for a variety of housing options. Full infrastructure servicing is available along DeHart Road in this area.

The applicant has confirmed the completion of neighbourhood consultation in accordance with Council Policy No. 367.

4.0 Proposal

4.1 Project Description

The proposal is to rezone the subject property to construct a second dwelling. The applicant proposes to retain the existing house and construct a second detached house towards the front of the property. The conceptual plan shows a potential building site with a gross main floor area of 181.2 m². No variances are being requested.

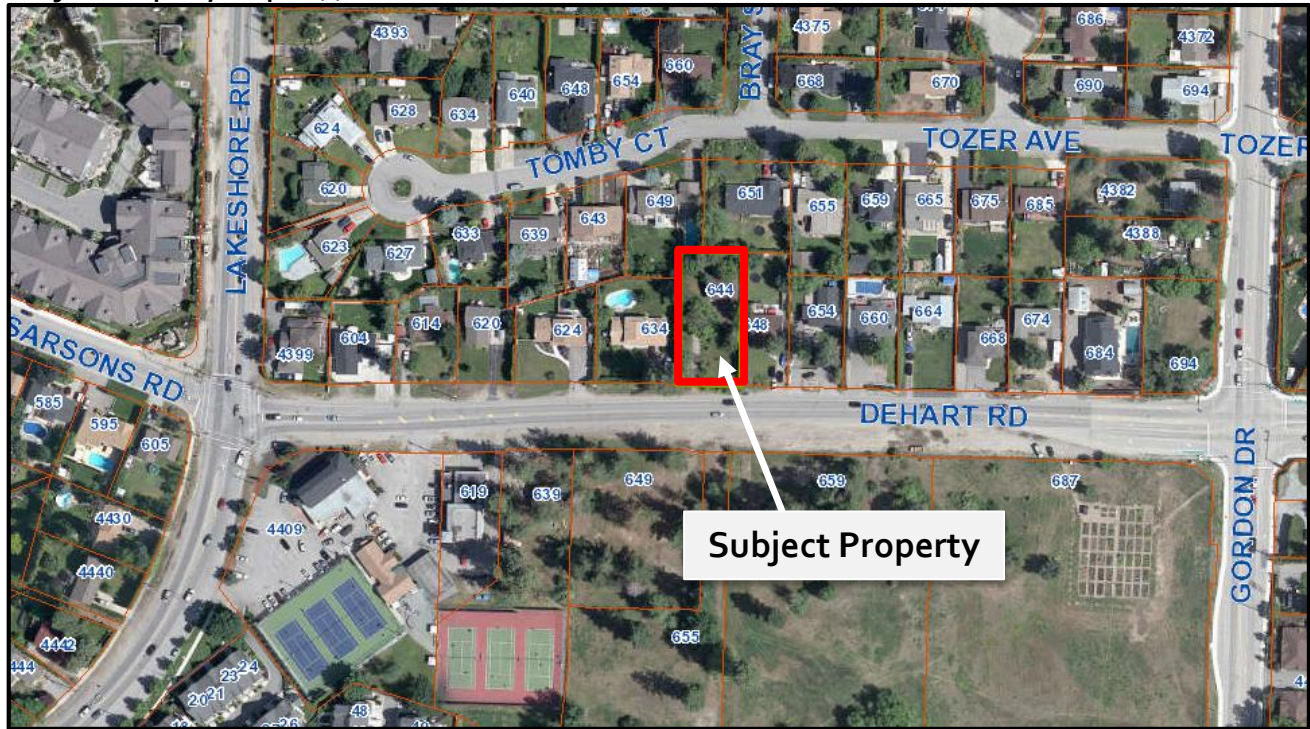
4.2 Site Context

The subject property is located on the north side of DeHart Road, between Lakeshore Road and Gordon Drive, in the City's North Mission – Crawford Sector. It is approximately 0.13 ha (0.32 ac) in area and currently has one single detached house. The surrounding area is characterized by single family dwellings, with the future DeHart Community Park immediately across the street. The property is located within the Permanent Growth Boundary.

Specifically, adjacent land uses are as follows:

| Orientation | Zoning | Land Use |
|--------------------|-------------------------|------------------------------|
| North | Ru1 – Large Lot Housing | Residential |
| East | Ru1 – Large Lot Housing | Residential |
| South | Ru1 – Large Lot Housing | Future DeHart Community Park |
| West | Ru1 – Large Lot Housing | Residential |

Subject Property Map: 644 DeHart Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 1: Introduction

Goal 1. Contain Urban Growth. Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Goal 2. Address Housing Needs of All Residents. Address housing needs of all residents by working towards an adequate supply of a variety of housing.

Development Process

Objective 5.3 Focus development to designated growth areas.

Policy 5.3.2 Compact Urban Form. 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.

Policy 5.22.6 Sensitive Infill. Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

Policy 5.22.7 Healthy Communities. Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

6.0 Technical Comments

6.1 Development Engineering Department

- See attached Schedule "A" City of Kelowna Memorandum

7.0 Application Chronology

Date of Application Received: October 20, 2017

Date Public Consultation Received: December 13, 2017

Report Prepared by: Kimberly Brunet, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Schedule "A" City of Kelowna Memorandum

Schedule "B" Conceptual Site Plan

CITY OF KELOWNA

MEMORANDUM

Date: November 02, 2017
File No.: Z17-0097

To: Community Planning (KB)

From: Development Engineering Manager(JK)

Subject: 644 DeHart Rd. RU1 to RU6

The Development Engineering Department has the following comments and requirements associated with this rezoning application. The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technologist for this project is Jason Angus

1. Domestic Water and Fire Protection

This property is currently serviced with a 19mm-diameter PVC water service. The disconnection of the existing small diameter water services and the tie-in of a larger new 50mm service c/w two curb stops can be provided by City forces at the developer's expense. The applicant will be required to sign a Third Party Work Order for the cost of the water service upgrades. For estimate inquiry's please contact Jason Angus, by email jangus@kelowna.ca or phone, 250-469-8783.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. No further utility upgrades are needed.

3. Road Improvements

- a. DeHart Rd must be upgraded to an urban arterial standard along the full frontage of this proposed development, including sidewalk, pavement removal and replacement, boulevard landscaping, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. A one-time cash payment in lieu of construction must be collected from the applicant for future construction by the City. The cash-in-lieu amount is determined to be **\$41,508.00** not including utility service cost.

4. Development Permit and Site Related Issues

Direct the roof drains into on-site rock pits or splash pads.

5. Electric Power and Telecommunication Services

The electrical and telecommunication services to this building must be installed in an underground duct system, and the building must be connected by an underground service. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.

7. Bonding and Levy Summary

(a) Levies

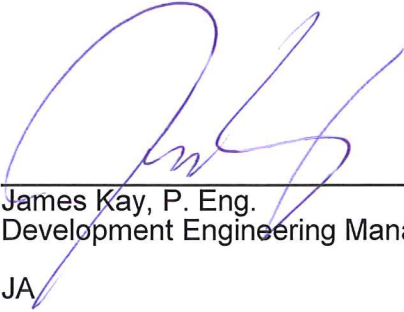
1. DeHart Rd. frontage improvements

\$41,508.00

(b) Bonding

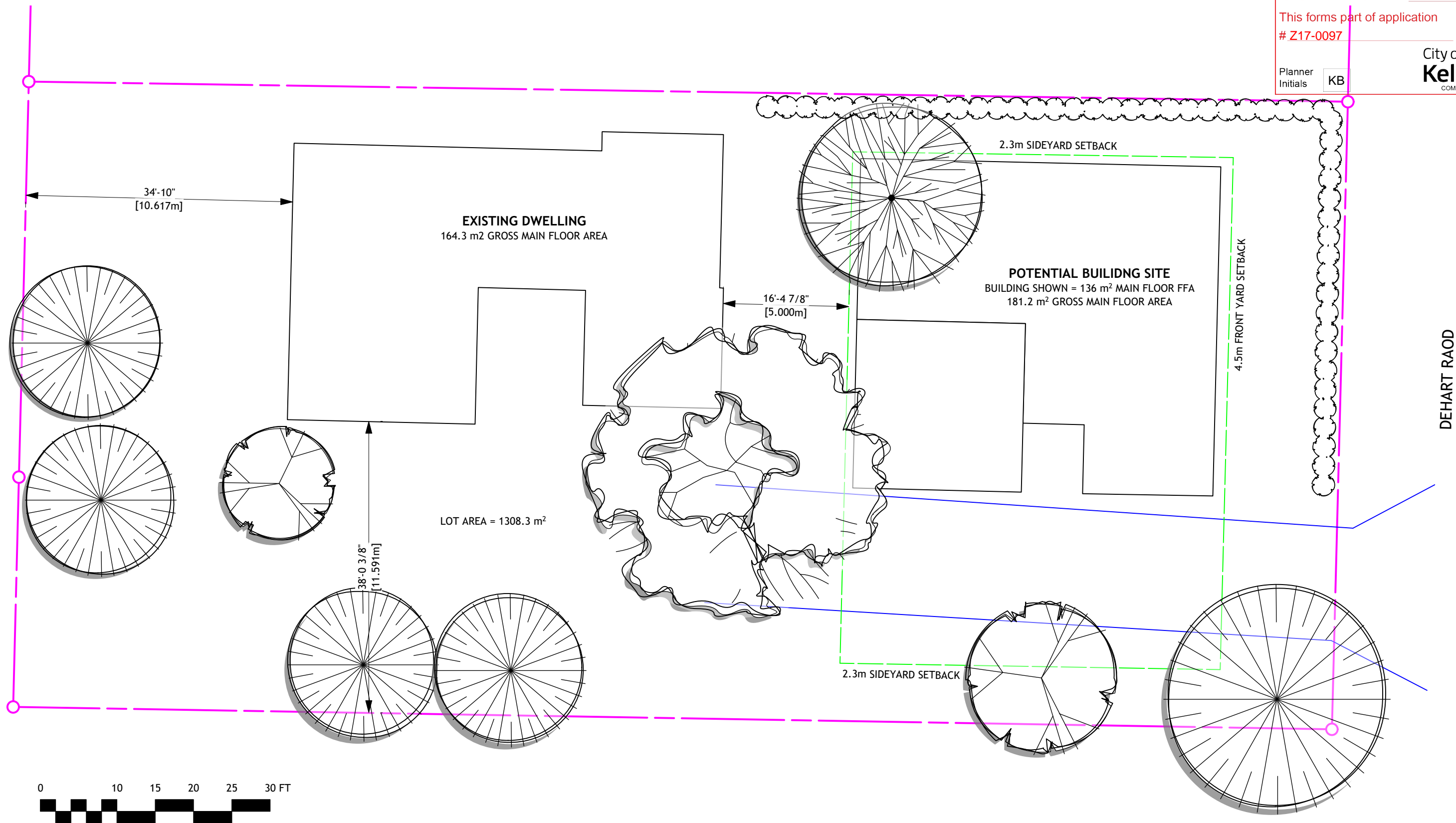
1. Service upgrades

To be determined



 James Kay, P. Eng.
 Development Engineering Manager

JA



REPORT TO COUNCIL



Date: January 15, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (KB)

Application: Z17-0106

Owner: Mehdi Tehrani & Mandana Ghanyei

Address: 621 Glenmore Road

Applicant: Mehdi Tehrani

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: A1 – Agriculture 1

Proposed Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z17-0106 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 32 Township 26 ODYD Plan 6835 Except Plan KAP71534, located at 621 Glenmore Road, Kelowna, BC from the A1 – Agriculture 1 zone to the Ru6 – Two Dwelling Housing zone, 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 outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated January 15, 2018;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

2.0 Purpose

To rezone the subject property from A1 to RU6 to facilitate a two-lot subdivision.

3.0 Community Planning

Staff support the application to rezone from the A1 – Agriculture 1 zone to the RU6 – Two Dwelling Housing zone, to facilitate a two lot subdivision. The RU6 zone is consistent with the Future Land Use designation of

Single / Two Unit Residential and the property is within the Permanent Growth Boundary. The existing lot is in excess of the minimum lot dimensions and the applicant has submitted a conceptual plan that demonstrates that the two lot subdivision can be achieved without variances. While the City is generally supportive of achieving higher residential densities within the urban core area, this specific property has some challenges with access to a major arterial road and the more modest proposed density will help to ensure access and egress does not become a problem.

The application meets the intent of several Official Community Plan (OCP) goals and policies relating to containing growth within developed areas and providing additional housing options.

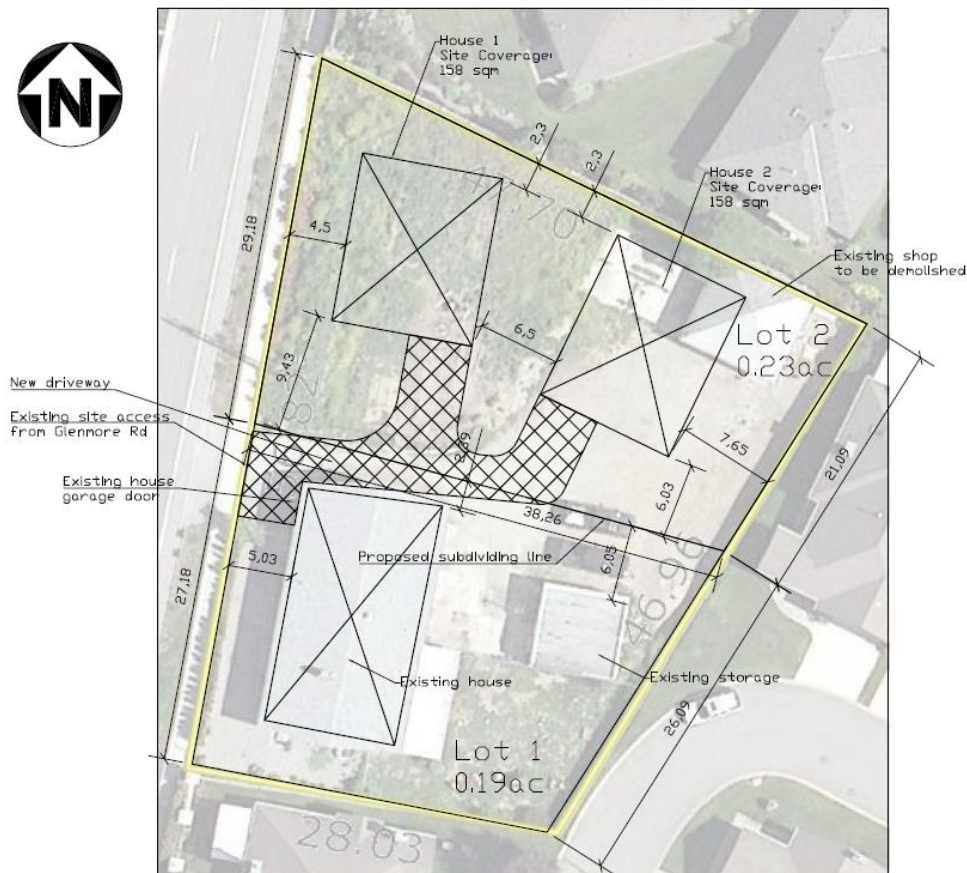
The applicant has confirmed the completion of neighbourhood notification in accordance with Council Policy No. 367.

4.0 Proposal

4.1 Project Description

The proposal is to rezone the subject property to facilitate a two lot subdivision. The conceptual subdivision plan indicates that a second lot can be created meeting all zoning and subdivision regulations. Staff will work with the applicant at the time of subdivision to ensure appropriate vehicle access to both lots, using one shared driveway, off Glenmore Road is achieved.

Conceptual Subdivision Plan: 621 Glenmore Road



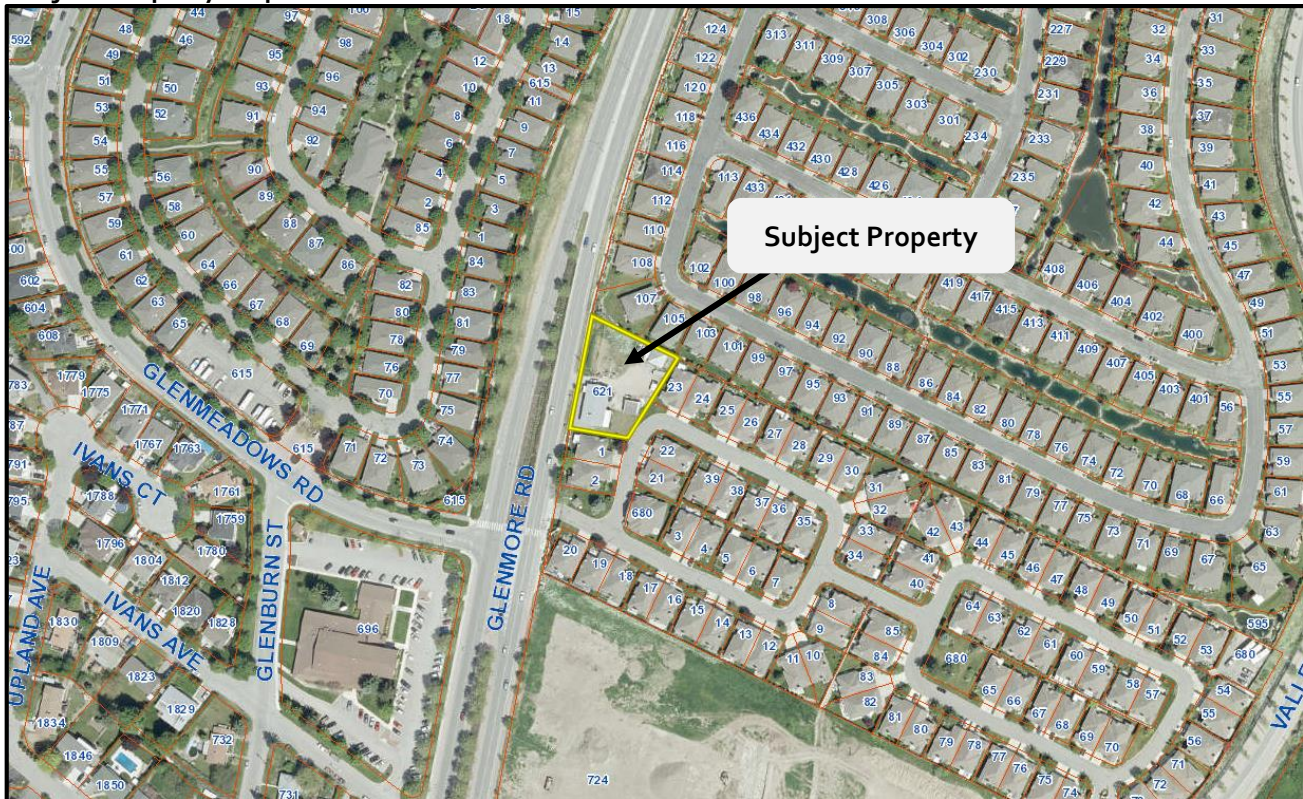
4.2 Site Context

The subject property is located on Glenmore Road in the Glenmore – Clifton – Dilworth Sector. It is approximately 0.433 acres (1,752 m²) in area and currently has one detached single house, which is proposed to remain after subdivision. The surrounding area is characterized by single family dwellings. It is located within the Permanent Growth Boundary.

Specifically, adjacent land uses are as follows:

| Orientation | Zoning | Land Use |
|-------------|-------------------------------|-------------|
| North | Ru5 – Bareland Strata Housing | Residential |
| East | Ru5 – Bareland Strata Housing | Residential |
| South | Ru5 – Bareland Strata Housing | Residential |
| West | Ru5 – Bareland Strata Housing | Residential |

Subject Property Map: 621 Glenmore Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

6.0 Chapter 1: Introduction

| | |
|---------------|--|
| Goal 1 | Contain Urban Growth. Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres. |
| Goal 2 | Address Housing Needs of All Residents. Address housing needs of all residents by working towards an adequate supply of a variety of housing. |

| Chapter 5: Development Process | |
|--------------------------------|---|
| Objective 5.3 | Focus Development to Designated Growth Areas. |
| Policy 5.2.3 | Compact Urban Form. 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. |
| Policy 5.22.6 | Sensitive Infill. Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting. |
| Policy 5.22.7 | Healthy Communities. Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood. |

Technical Comments

6.1 Development Engineering Department

See Attachment "A" City of Kelowna Memorandum

7.0 Application Chronology

Date of Application Received: October 31, 2017

Date Public Consultation Completed: December 3, 2017

Report prepared by: Kimberly Brunet, Planner

Reviewed by: Terry Barton, Community Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment "A" City of Kelowna Memorandum

Schedule "A" – Letter of Rationale



CITY OF KELOWNA

MEMORANDUM

Date: November 27, 2017
File No.: Z17-0106
To: Urban Planning (KB)
From: Development Engineering Manager (JK)
Subject: 621 Glenmore road Zone: A1 to RU6

The Development Engineering Department has the following comments and requirements associated with this application. The road and utility upgrading requirements outlined in this report will be a requirement of this development. All servicing and Road requirements will be address in S17-0110.

The Development Engineering Technologist for this project is Ryan O'Sullivan

1. Domestic Water and Fire Protection

- (a) The property is located within the Glenmore Ellison Irrigation District (GEID) service area. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. The developer (City of Kelowna) is responsible, if necessary, to arrange with GEID staff for any service improvements and the decommissioning of existing services. Only one water service will be permitted to a consolidated lot.
- (b) A water meter is mandatory for each property and must be installed inside the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost. Boulevard landscaping, complete with underground irrigation system, must be integrated with the on-site irrigation system.
- (c) Boulevard landscape irrigation system, must be integrated with the on-site irrigation system.

2. Sanitary Sewer

The developer's consulting mechanical engineer will determine the development requirements of the proposed development and establish the service needs. The proposed lot is not serviced. Only one service per lot will be permitted for this development. If required, the applicant will arrange for the installation of the new service at the applicants cost.

| | |
|---|----|
| ATTACHMENT A | |
| This forms part of application # Z17-0106 | |
| Planner Initials | KB |
|  City of Kelowna <small>COMMUNITY PLANNING</small> | |

3. **Storm Drainage**

The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the Subdivision, Development and Servicing Bylaw No. 7900. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems.

4. **Road Improvements and Dedication**

- (a) All road requirements will be addressed in S17-0110.

5. **Electric Power and Telecommunication Services**

The electrical and telecommunication services to this building must be installed in an underground duct system, and the building must be connected by an underground service. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.

6. **Design and Construction**

- (b) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- (c) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- (d) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- (e) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- (f) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

7. **Servicing Agreements for Works and Services**

- (a) A Servicing Agreement is required for all offsite works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- (b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than

\$5,000,000 and the City is to be named on the insurance policy as an additional insured.

8. Other Engineering Comments

- (a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- (b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.

9. Development Permit and Site Related Issues

- (a) Access and Manoeuvrability
 - (i) An MSU standard size vehicle must be able to manoeuvre onto and off the site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles movements should also be illustrated on the site plan.
 - (ii) Perimeter access must comply with the BC Building Code. Fire Truck access designs and proposed hydrant locations will be reviewed by the Fire Protection Officer.



James Kay, MS, P.Eng,
Development Engineering Manager

RO

Letter of Rationale

621 Glenmore Rd. Rezoning to RU6

To: City of Kelowna staff and Councilors;

We, Mandana Ghanyei and Mehdi Tehrani, the owners of 621 Glenmore Rd, Kelowna, BC, V1V 2H4 wish to apply to rezone the subject property from A1 to RU6. In addition, upon rezoning, the subject property meets the subdividing requirement and we would like to subdivide the property in to two lots.



Figure 1 Plan view of the 621 Glenmore Rd property and surrounding neighbors

Figure 1 shows the aerial photo of the subject property and the surrounding neighborhood. The lot size is 0.43 acre and there is an existing single family house on the south west of the lot. Based on current OCP, the future land use of the lot is proposed as S2RES which allows to build two detached single family houses.

Figure 2 presents the proposed subdividing which divides the lot in to Lot A (0.24ac) and Lot B (0.19ac). Since there is only one access from Glenmore Rd to the existing lot, an easement will be required to be registered at the common property line between Lot A and B.

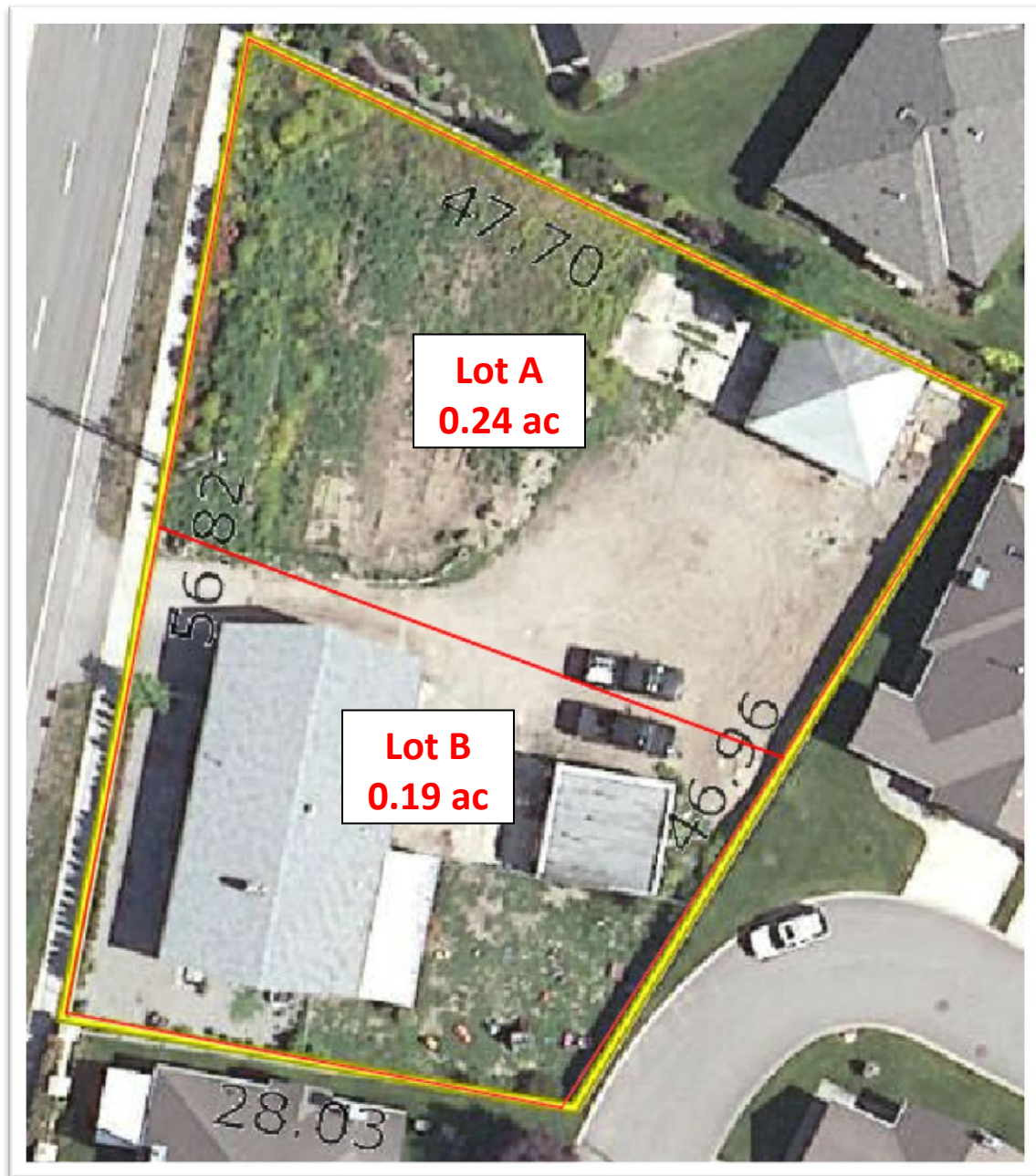


Figure 2 Lot dimensions and proposed subdividing line

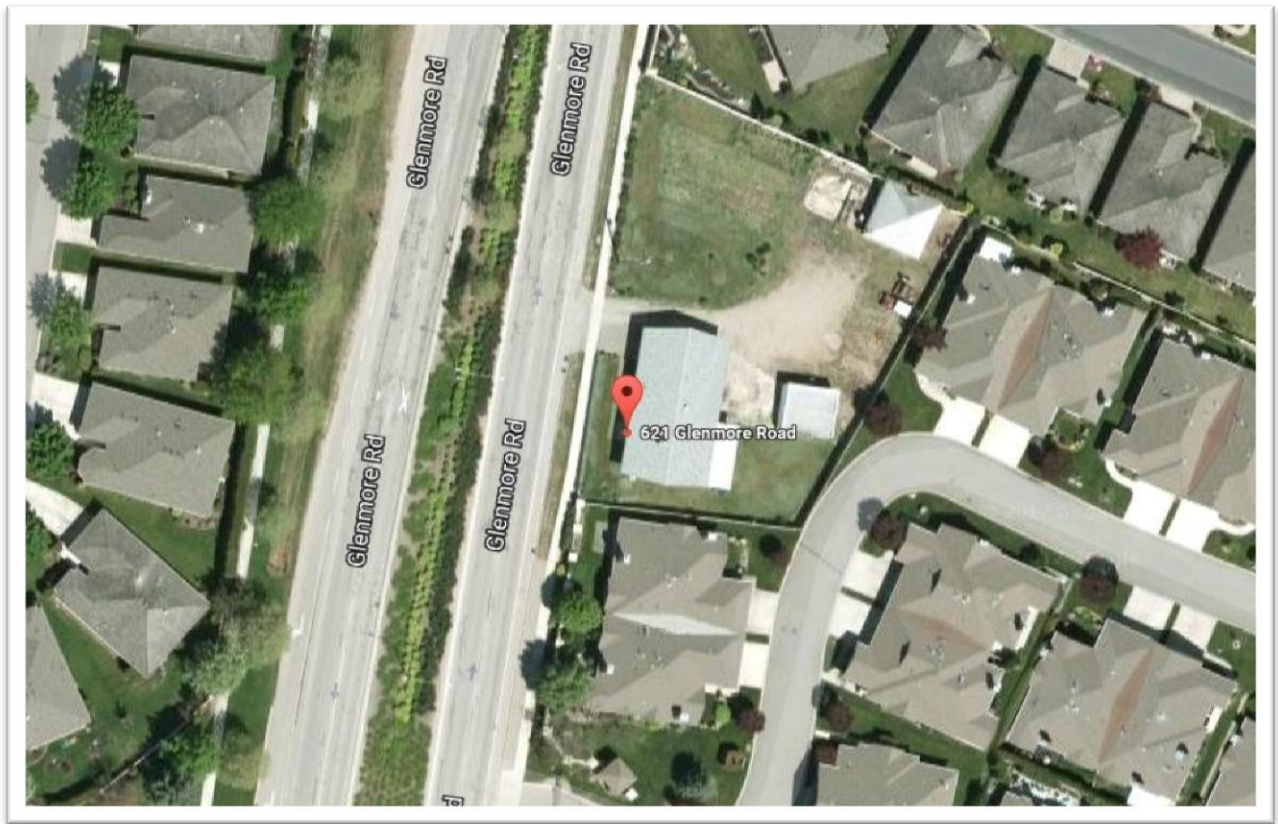
The ultimate goal is to build two detached single family dwelling houses on Lot A similar to the surrounding houses style, and keep the existing house and detached garage on Lot B and match

the exterior of the house with the new ones. The two new houses on Lot A will be stratified and will share a court yard between them.

Kind Regards,
Mandana Ghanyei, EIT
Mehdi Tehrani, P.Eng.

Enclosed:

- Lot layout drawing
- Property photos
- Application form
- Authorization form





REPORT TO COUNCIL



Date: January 15, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TB)

Application: Z17-0047

Owner: 1121911 BC Ltd. Inc. No.
BC1121911

Address: 1308 & 1324 Rutland Rd N

Applicant: Patrick McCusker Architecture
Inc.

Subject: Rezoning Application

Existing OCP Designation: MRL – Multiple Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RM3 – Low Density Multiple Housing

1.0 Recommendation

THAT Rezoning Application No. Z17-0047 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of each of the following properties:

1. Lot 2, Sec 35, Twp 26, ODYD, Plan 14663, located at 1324 Rutland Rd N, Kelowna, BC
2. Lot 3, Sec 35, Twp 26, ODYD, Plan 14663, located at 1308 Rutland Rd N, Kelowna, BC

from the RU1 – Large Lot Housing zone to the RM3 – Low Density Multiple Housing zone 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 outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated January 15, 2018;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit for the subject property.

2.0 Purpose

To rezone the subject property to facilitate the development of multiple dwelling housing.

3.0 Community Planning

Community Planning supports the proposed rezoning from RU1 – Large Lot Housing to RM3 – Low Density Multiple Housing as it is consistent with the Official Community Plan (OCP) Future Land Use Designation of Multiple Unit Residential (Low Density). The subject property is located in Rutland on two major BC Transit Routes and within 100m of the nearest transit stop, meeting the OCP Urban Policy of Compact Urban Form (Policy 5.2.3). In addition, the RM3 zone restricts height to three storeys which is only a half storey higher than height restrictions in the surrounding RU1 zones, therefore, it meets the OCP Policy of Sensitive Infill (Policy 5.22.6).

Two Development Engineering objectives are achieved through this rezoning including a 5.0m road dedication along Rutland Rd N, and a 2.0m Statutory Right of Way for a future walkway connection from Rutland Rd N to Aldon Rd. This achieves OCP Objective 5.1 to ensure that opportunities are available for greater use of active transportation in the future.

4.0 Proposal

4.1 Background

The subject properties each have a single family dwelling that will be demolished as a function of this development. The properties will be required to be consolidated prior to final adoption of the rezoning.

4.2 Project Description

The proposed rezoning will facilitate the development of multiple dwelling housing in the form of row housing. The applicant has proposed 36 homes in 6 buildings, three storeys in height, with ground-oriented units along the street front. One site access is proposed to align with Wallace Rd, and a secondary access will be for emergency vehicles only. Should Council support the rezoning, Staff will bring forward a Development Permit for Council consideration, and there are no variances contemplated at this time.

4.3 Site Context

The subject property is located in Rutland, north of the Urban Centre. It is located near Chichester Wetland Park and Harris Park. The neighbourhood is predominantly RU1, however, the future land use along this corridor supports zoning up to RM3.

Specifically, adjacent land uses are as follows:

| Orientation | Zoning | Land Use |
|-------------|-------------------------|-------------------------|
| North | RU1 – Large Lot Housing | Single Detached Housing |
| East | RU1 – Large Lot Housing | Single Detached Housing |
| South | RU1 – Large Lot Housing | Single Detached Housing |
| West | RU1 – Large Lot Housing | Single Detached Housing |

Subject Property Map: 1308 & 1324 Rutland Rd N**5.0 Current Development Policies****5.1 Kelowna Official Community Plan (OCP)****Development Process**

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.

Sensitive Infill.² Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting.

Objective 5.10.³ Ensure opportunities are available for greater use of active transportation and transit to: improve community health; reduce greenhouse gas emissions; and increase resilience in the face of higher energy prices.

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

² City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Objective 5.10 (Development Process Chapter).

Maximize Pedestrian / Cycling Connectivity.⁴ Require that pedestrian and cyclist movement and infrastructure be addressed in the review and approval of all City and private sector developments, including provision of sidewalks and trails and recognition of frequently used connections and informal pedestrian routes. With new developments, require dedication of on-site walking and cycling paths where necessary to provide links to adjacent parks, schools, transit stops, recreation facilities, employment nodes, cul-de-sacs and large activity areas.

6.0 Technical Comments

6.1 Building & Permitting Department

- Full Plan check for BC Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

- Please see Schedule “A” attached to the Report from Community Planning dated January 15, 2018.

6.3 Bylaw Services

- Currently there are no outstanding/open Bylaw Enforcement Files pertaining to property addresses 1308 & 1324 Rutland Rd. N.

7.0 Application Chronology

Date of Application Received: May 19, 2017
 Date of Revised Drawings Received: October 13, 2017
 Date Public Consultation Completed: October 18, 2017

Report prepared by: Trisa Brandt, Planner II

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Schedule “A”: Development Engineering Memorandum

Attachment “A”: Site Plan

Attachment “B”: Conceptual Elevations

⁴ City of Kelowna Official Community Plan, Policy 5.10.1 (Development Process Chapter).

CITY OF KELOWNA

MEMORANDUM

Date: July 12, 2017

File No.: Z17-0047

To: Urban Planning Management (TB)

From: Development Engineering Manager (JK)

Subject: 1324 & 1308 Rutland Rd N RU1 to RM3

The Development Engineering Department has the following comments and requirements associated with this rezoning application to rezone the subject properties from RU1 – Large Lot Housing to RM3 – Low Density Multiple Housing and a Development Permit Application for the form and character of 36 townhomes. The road and utility upgrading requirements outlined in this report will be a requirement of this development.

The Development Engineering Technologist for this project is Jason Ough

1. Domestic Water and Fire Protection

- a) This development is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with the BMID for these items. All charges for service connection and upgrading costs, as well as any costs to decommission existing services are to be paid directly to BMID.
- b) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures.

2. Sanitary Sewer

- a) 1324 Rutland Rd N & 1308 Rutland Rd N are currently serviced with 100mm sanitary services. The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal and disconnection of the existing services and the installation of one new larger service if necessary. Any service improvement and decommissioning works may be included in an offsite servicing design package submission including an estimate for bonding purposes.
- b) 1324 Rutland Rd N & 1308 Rutland Rd N are currently within Sanitary Sewer Specified Area # 20. The developer will be responsible to cash commute, pay in full, the specified area charges for this development. The charge is currently (until March 2018) set at \$2045.50 per Equivalent Dwelling Unit (EDU). The calculation of this fee is as follows: 36units X \$2045.50 = \$73,638.00

**3. Storm Drainage**

The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the Subdivision, Development and Servicing Bylaw No. 7900. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems. Only one service will be permitted for this development. The applicant, at his cost, will arrange the installation of one overflow service if required.

4. Road Improvements

- a) Rutland Road North is identified in the OCP Transportation Servicing Plan as a 4-lane arterial with an active transportation component. Transportation Planning staff will provide a cross section to establish the curb off-set.
- b) The applicant must have a civil engineering consultant submit a design for roadway improvements along the entire frontage of the subject properties. This will include curb and gutter, sidewalk, street lighting, landscaped boulevard, storm drainage system, pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. An estimate for public side works will be required, for bonding purposes, to be submitted by the applicants civil engineering consultant.
- c) This development application will be limited to one access to Rutland Rd N. Maximum 6m wide, this access should be aligned with Wallace Road, or, as far north as possible.

5. Road Dedication and Subdivision Requirements

- a) The subject properties are required to be consolidated as part of this development project.
- b) Provide 5m of road dedication along Rutland Road N.
- c) Provide 2m of SROW for future walkway to connect Rutland Road N to Aldon Rd.
- d) Grant statutory rights-of-way if required for utility services.

6. Electric Power and Telecommunication Services

All proposed service connections are to be installed underground. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.

7. Design and Construction

- a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of



sets and drawings required for submissions.

- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (Part 5 and Schedule 3).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

8. Servicing Agreements for Works and Services

- a) A Servicing Agreement is required for all offsite works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

9. Other Engineering Comments

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors as required.
- b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Fortis, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.

10. Geotechnical Report

- a) Provide a comprehensive geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed development.**
 - Overall site suitability for development.
 - Presence of ground water and/or springs.
 - Presence of fill areas.
 - Presence of swelling clays.
 - Presence of sulphates.
 - Potential site erosion.
 - Provide specific requirements for footings and foundation construction.
 - Provide specific construction design sections for roads and utilities over and above the City's current construction standards

| | | |
|--|----|---|
| SCHEDULE | | A |
| This forms part of application # Z17-0047 | | |
| Planner Initials | TB | |
| | |  City of Kelowna COMMUNITY PLANNING |

11. Development Permit and Site Related Issues

Access and Manoeuvrability

- (i) Access to the site will be permitted from the lane only.
- (ii) Ensure acceptable turning movements onsite for MSU design vehicle.
- (iii) Any bicycle racks included with this development shall be onsite.

12. Charges and Fees

- a) Development Cost Charges (DCC's) are payable.
- b) Fees per the "Development Application Fees Bylaw" include:
 - i) Street/Traffic Sign Fees: at cost if required (to be determined after design).
 - ii) Survey Monument Fee: \$50.00 per newly created lot (GST exempt).
 - iii) Engineering and Inspection Fee: 3.5% of construction value (plus GST).



James Kay, P. Eng.
Development Engineering Manager

Concluding Remarks



Project no. 2200

Drawing Site

| | | |
|---------|-----|---------------------------------|
| undoped | PMC | scale: $1/16^{\circ}=1^{\circ}$ |
| doped | JB | |
| doped | PMC | |

September 29, 2017 09:42 AM



[illegible]

Seed

- 1 - DOUBLE GLAZED THERMALLY BROKEN VINYL WINDOWS
- 2 - EXTERIOR RAINING - ALUMINUM GUARDRAIL AND PROXETS
- 3 - BUILT-UP COLUMNS
- 4 - INSULATED METAL SECTIONAL OVERHEAD DOOR
- 5 - FASCIA
- 6 - 5" PRE-FINISHED ALUMINUM FASCIA GUTTER W/ PREFINISHED ALUMINUM DOWNSPOUTS
- 7 - BELT BOARDS
- 8 - 1"X4" WINDOW AND DOOR TRIMS

MATERIALS LEGEND:



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| | HORIZONTAL SIDING (HARLIE PRODUCT) |
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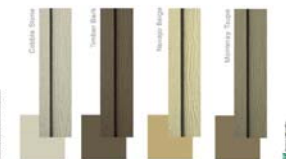
MEDICAL DOGS AND DATA

| | |
|--|--------------------|
| | (HARDCORE PRODUCT) |
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PANEL AND TRIM
(HARLIE PRODUCT)

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COLOUR LEGEND



COLOUR SCHEME OPTION 01

COLOUR SCHEME OPTION 02

ATTACHMENT B

This forms part of application
Z17-0047

Planner
Initials

TB

COLOR LEGEND

Calumet Brown
Timberline Black
Harvest Ridge
Monticello Taupe

PM
A

| | |
|---------------|--|
| project title | RUTLAND TOWNHOMES MULTI-FAMILY RESIDENTIAL 1308 AND 1324 RUTLAND ROAD KELWOWNA, B.C. |
| project no. | 3368 |

DP3.12



City of Kelowna
COMMUNITY PLANNING

REPORT TO COUNCIL



Date: January 22, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (EW)

Application: Z17-0090 **Owners:** Steven James Hall & Colleen May Hall

Address: 3439 Moberly Rd **Applicant:** Urban Options Planning & Permits

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RU2 – Medium Lot Housing

Proposed Zone: RU2c – Medium Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z17-0090 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 8 District Lot 135 ODYD Plan 39812, located at 3439 Moberly Rd, Kelowna, BC from the RU2 – Medium Lot Housing zone to the RU2c – Medium Lot Housing with Carriage House zone, be considered by Council;

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

2.0 Purpose

To rezone the subject property to facilitate the construction of a carriage house.

3.0 Community Planning

Community Planning Staff support the proposed rezoning application to facilitate the future construction of a carriage house on the subject property. Rezoning the subject property to add the 'c' designation meets several City policy objectives including fostering a mix of housing forms, concentrating growth with the Permanent Growth Boundary and achieving density through sensitive infill. The proposed rezoning is also consistent with the property's future land use designation and the property is connected to City sanitary sewer.

To fulfill Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form to staff on October 26, 2017, outlining that the neighbours within 50 m of the subject property were notified.

4.0 Proposal

4.1 Background

The applicant would like to construct a 1 ½ storey carriage house by converting the existing detached garage on the subject property. The building permit for the existing double garage was issued in 1990 with storage space on the upper storey. At this time staff are not tracking any variances for the conversion to a carriage house.



Figure 1. Photo of existing double garage with existing dwelling to the right.

4.2 Site Context

The 817m² subject property is located in the South Pandosy – KLO City Sector and in the South Pandosy City Centre, east of Richter St and south of Lanfranco Rd. The neighbourhood has a mix of residential zones and is in close proximity to commercial properties fronting Richter St and Lakeshore Rd.

Specifically, adjacent land uses are as follows:

| Orientation | Zoning | Land Use |
|-------------|--------------------------|-------------|
| North | RU2 – Medium Lot Housing | Residential |
| East | RU2 – Medium Lot Housing | Residential |
| South | RU2 – Medium Lot Housing | Residential |
| West | RU2 – Medium Lot Housing | Residential |

Subject Property Map: 3439 Moberly Rd



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

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.

Sensitive Infill.² Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting.

Carriage Houses & Accessory Apartments³. Support carriage houses and accessory apartments through appropriate zoning regulations.

6.0 Technical Comments

6.1 Building & Permitting Department

- Full plan check for Building Code related issues will be done at time of Building Permit application.

¹ City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.22.12 (Development Process Chapter).

6.2 Development Engineering Department

- See Attachment 'C' – Development Engineering Memorandum dated October 12, 2017.

6.3 Bylaw Services

- There are no outstanding/open Bylaw Enforcement files pertaining to property location: 3439 Moberly Rd.

7.0 **Application Chronology**

Date of Application Received: September 11, 2017

Date Public Consultation Completed: October 26, 2017

Report prepared by: Emily Williamson, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment 'A' – Applicant's Rationale Letter

Attachment 'A' – Carriage House Site Plan

Attachment 'A' – Development Engineering Memorandum dated October 12, 2017



Steve and Colleen Hall
3439 Moberly Road
Kelowna, BC
V1W 3H9

September 10, 2017

City of Kelowna
Urban Planning Department
1435 Water Street
Kelowna, BC



RE: Rezoning proposal at 3439 Moberly Road Zone: RU2 – Medium Lot Housing Zone

Dear Planning Staff:

We would like to rezone the property at 3439 Moberly Road to the RU2c– Medium Lot Housing with carriage house zone with the intention of converting the existing 2 vehicle garage to a carriage house. The garage is located on the left side of the site behind the principal dwelling and is 1 ½ storeys in height. The situation is ideal for a carriage house as there is ample parking and a large private open space area behind the garage.

The principal dwelling has a single car garage that is used for storage and converting the garage to livable space makes sense. The proposed suite will have a bedroom and full bath on the upper ½ storey and half the lower portion planned for the living area. One of the garage doors will become a large window. The entrance is planned for the west side of the building allowing easy access to the outdoor space.

The large yard space, which is fenced and well landscaped for the owner's enjoyment, will be retained by the principal dwelling. Since no new construction is proposed, there will be no negative impact on all mature landscaping, specifically the large trees and shrubs along the rear lot line.

The property is located within in the lower Mission sector of the City, close to amenities such as schools, shopping and beaches. The request for the RU2c zone is consistent given there are RU1c and RU6 zoned properties within the immediate neighbourhood. It meets the policies objectives in the Official Community Plan and is anticipated to be good infill development that is easily integrated on this large property and into the existing form of the neighbourhood, adding much needed quality housing stock to the area.

Regards,

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

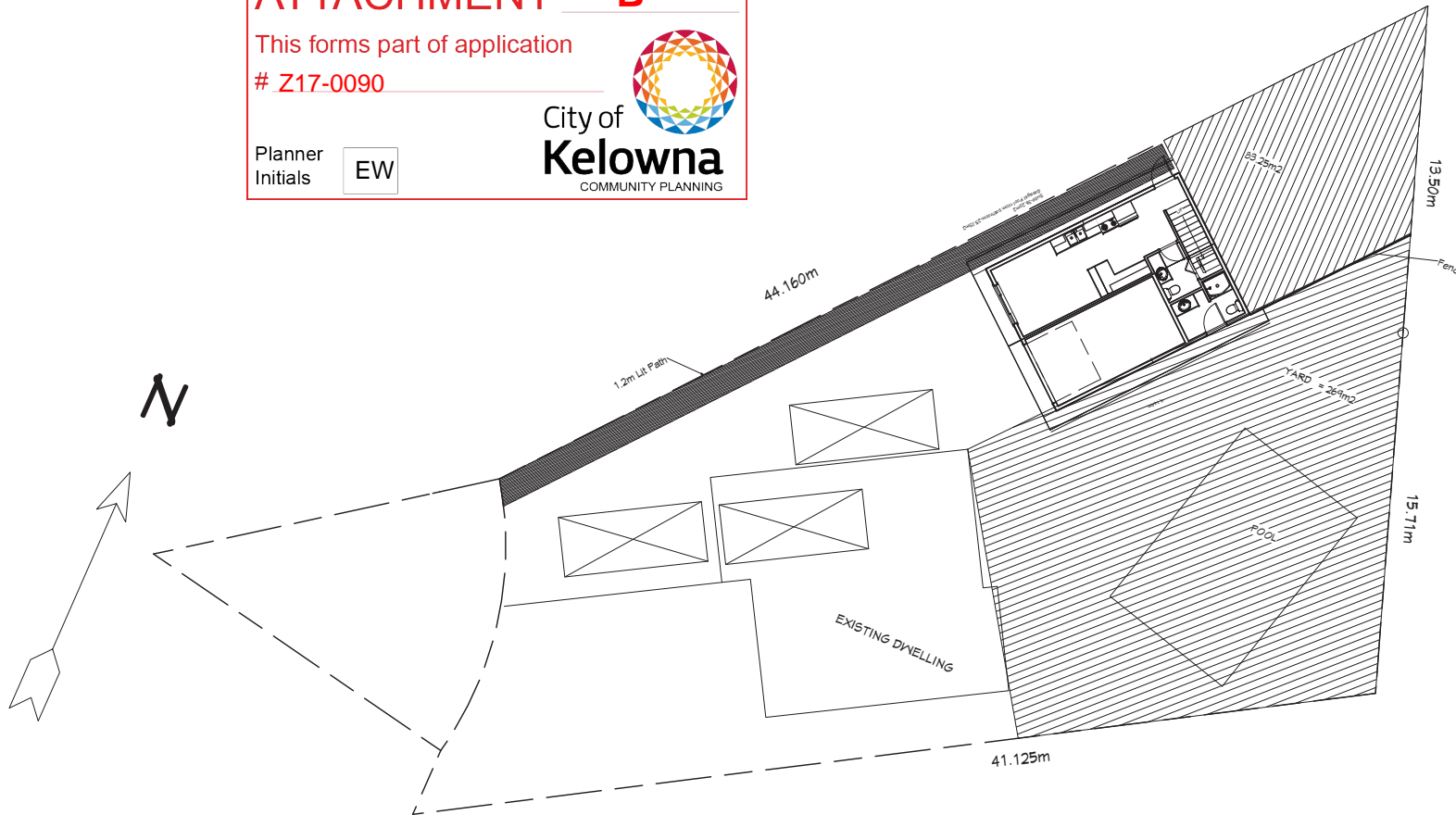
Birte Decloux, on behalf of S & C Hall

ATTACHMENT B

This forms part of application
Z17-0090

Planner Initials **EW**

City of Kelowna
COMMUNITY PLANNING



3439 Moberly
Site plan with parking and private open space

CITY OF KELOWNA

MEMORANDUM

Date: October 12, 2017
File No.: Z17-0090

To: Urban Planning (EW)

From: Development Engineering Manager (JK)

Subject: 3439 Moberly Rd

RU2 to RU2c

Development Engineering Department have the following comments and requirements associated with this application. The road and utility upgrading requirements outlined in this report will be a requirement of this development.

The Development Engineering Technologist for this project is Jason Angus.

1. Domestic Water and Fire Protection

- a) Our records indicate that this property is currently serviced with a 19mm-diameter water service which is adequate for this application.

2. Sanitary Sewer

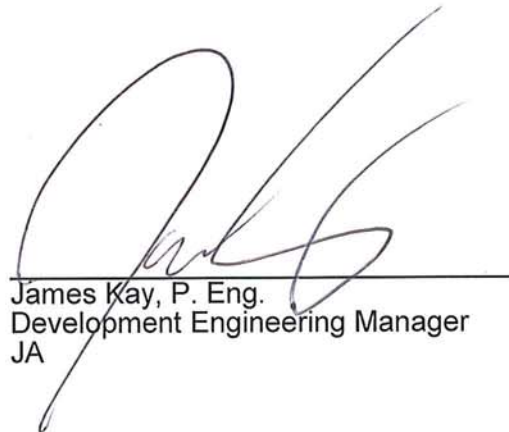
- a) Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service which is adequate for this application.

3. Development Permit and Site Related Issues

- a) Direct the roof drains onto splash pads
- b) Maximum one (1) driveway access per fronting road as per bylaw.

4. Electric Power and Telecommunication Services

- a) It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.



James Kay, P. Eng.
Development Engineering Manager
JA

| | | |
|--|----|--|
| ATTACHMENT | | C |
| This forms part of application # Z17-0090 | | |
| Planner Initials | EW |  City of Kelowna COMMUNITY PLANNING |

REPORT TO COUNCIL



Date: January 22, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TA)

Application: Z17-0102 **Owner:** Christopher Darryl Eddy
Sara Green Eddy

Address: 344 Christleton Avenue **Applicant:** Harmony Co-Ordination
Services Ltd

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1c – Large Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z17-0029 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 7 DL 14 ODYD Plan 3451 located at 344 Christleton Avenue, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone 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 outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated January 22, 2018.

2.0 Purpose

To rezone the subject property from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House to facilitate the development of a carriage house.

3.0 Community Planning

Community Planning supports the proposed rezoning from RU1 – Large Lot Housing to RU1 c – Large Lot Housing with Carriage House to facilitate the development of a carriage house.

The Official Community Plan (OCP) Future Land Use is designated as S2RES – Single/Two Unit Residential, which supports this modest increase in density and the property is located within the Permanent Growth Boundary. The concept of the carriage house is aligned with the OCP Urban Policy of Compact Urban Form – increasing density where infrastructure already exists.

Should Council approve the rezoning, the applicant may apply for a building permit provided there are no variances requested.

4.0 Proposal

4.1 Background

The subject property has a single family dwelling located on the property that will be retained through this development.

4.2 Project Description

The applicant has provided preliminary designs for the carriage house at 1 ½ storeys in height and located along the rear lane. The proposed carriage house does not trigger any variances at this time.

4.3 Site Context

The subject property is located south of the Kelowna General Hospital in an area that is well serviced with amenities including public beach accesses, South Padosy Urban Centre, and transit along Padosy Street. It earns a walkscore of 56 which means it is somewhat walkable.

Specifically, adjacent land uses are as follows:

| Orientation | Zoning | Land Use |
|--------------------|--|---|
| North | HD ₁ – Kelowna General Hospital | Hospital |
| East | RU ₁ – Large Lot Housing | Single Dwelling Housing |
| South | RU ₁ – Large Lot Housing | Single Dwelling Housing |
| West | RU _{1c} – Large Lot Housing with Carriage House | Single Dwelling Housing with Carriage House |

Subject Property Map: 344 Christleton Avenue**5.0 Current Development Policies****5.1 Kelowna Official Community Plan (OCP)****Development Process**

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.

Urban Uses.² Direct urban uses to lands within the urban portion of the Permanent Growth Boundary, in the interest of reducing development and speculative pressure on agricultural lands.

Housing in Agricultural Areas.³ Discourage residential development (both expansions and new developments) in areas isolated within agricultural environments (both ALR and non-ALR).

Sensitive Infill.⁴ Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

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

² City of Kelowna Official Community Plan, Policy 5.33.3 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.33.8 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

6.0 Technical Comments

6.1 Building & Permitting Department

- Full plan check will be done at time of Building Permit.

6.2 Development Engineering Department

- Please see attached Development Engineering Memorandum (Schedule "A").

7.0 Application Chronology

Date of Application Received: October 31, 2017

Date Public Consultation Completed: December 11, 2017

Report prepared by: Trisa Atwood, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Schedule "A": Development Engineering Memorandum



CITY OF KELOWNA

MEMORANDUM

Date: November 17, 2017
File No.: Z17-0102
To: Community Planning (TB)
From: Development Engineering Manager (JK)
Subject: 344 Christleton Ave Lot 7 Plan 3451 RU1 to RU1c Carriage House

Development Engineering has the following comments and requirements associated with this application. The utility upgrading requirements outlined in this report will be a requirement of this development.

1. Domestic Water and Fire Protection

Our records indicate that this property is currently serviced with a 13mm water service. The applicant will arrange for the disconnection of existing service and the installation of a new service. The disconnection of the existing small diameter water services and the tie-in of a larger new service can be provided by City forces at the applicant's Cost. **The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade.** For estimate inquiry's please contact Jason Angus, by email jangus@kelowna.ca or phone, 250-469-8783

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. An inspection chamber (IC) complete with brooks box must be installed on the service at the owner's cost. Service upgrades can be provided by the City at the applicant's cost. **The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade.** For estimate inquiry's please contact Jason Angus, by email jangus@kelowna.ca or phone, 250-469-8783.

3. Development Permit and Site Related Issues

Direct the roof drains onto splash pads.

Driveway access permissible is one (1) per property as per bylaw

4. Electric Power and Telecommunication Services

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.

James Kay, P. Eng.
Development Engineering Manager

JA

REPORT TO COUNCIL



Date: January 22, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TA)

Application: Z17-0070

Owner: Robert Andrew Law
Marianne Elizabeth Law

Address: 1847 Maple Street

Applicant: TI Developments Ltd

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1c – Large Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z17-0070 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B DL 14 ODYD Plan 4368, located on 1847 Maple Street, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone be considered by Council;

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

2.0 Purpose

To rezone the subject property from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House to facilitate the development of a carriage house.

3.0 Community Planning

Community Planning supports the proposed rezoning from RU1 – Large Lot Housing to RU1 c – Large Lot Housing with Carriage House to facilitate the development of a carriage house.

The Official Community Plan (OCP) Future Land Use is designated as S2RES – Single/Two Unit Residential, which supports this modest increase in density and the property is located within the Permanent Growth Boundary. Increasing density within the Permanent Growth Boundary reduces development pressure on agricultural land and is aligned with the OCP Urban Policy of Compact Urban Form – increasing density where infrastructure already exists. Carriage house regulations in general meet the OCP Policy of Sensitive Infill,

which involves designing so that height and massing is sensitive to the existing fabric of the neighbourhood. Zoning Bylaw No. 8000 restricts carriage houses from being stratified and sold, so a carriage house rezoning is one method of increasing the rental inventory within the City.

Should Council approve the rezoning, Staff will work with the applicant to issue a Heritage Alteration Permit for the form and character of the carriage house as the subject property is located within the Heritage Conservation Area.

4.0 Proposal

4.1 Background

The applicant initially applied in May 2017 with an incomplete application that required a variance. Revised drawings were provided on October 17, 2017 that eliminated the variance and allowed the application to proceed.

4.2 Project Description

The applicant has provided preliminary designs for the carriage house at 1 ½ storeys in height and located along the rear lane. The proposed carriage house does not trigger any variances at this time. Should Council support the rezoning, Staff will work with the applicant to issue a Heritage Alteration Permit for the form and character of the carriage house.

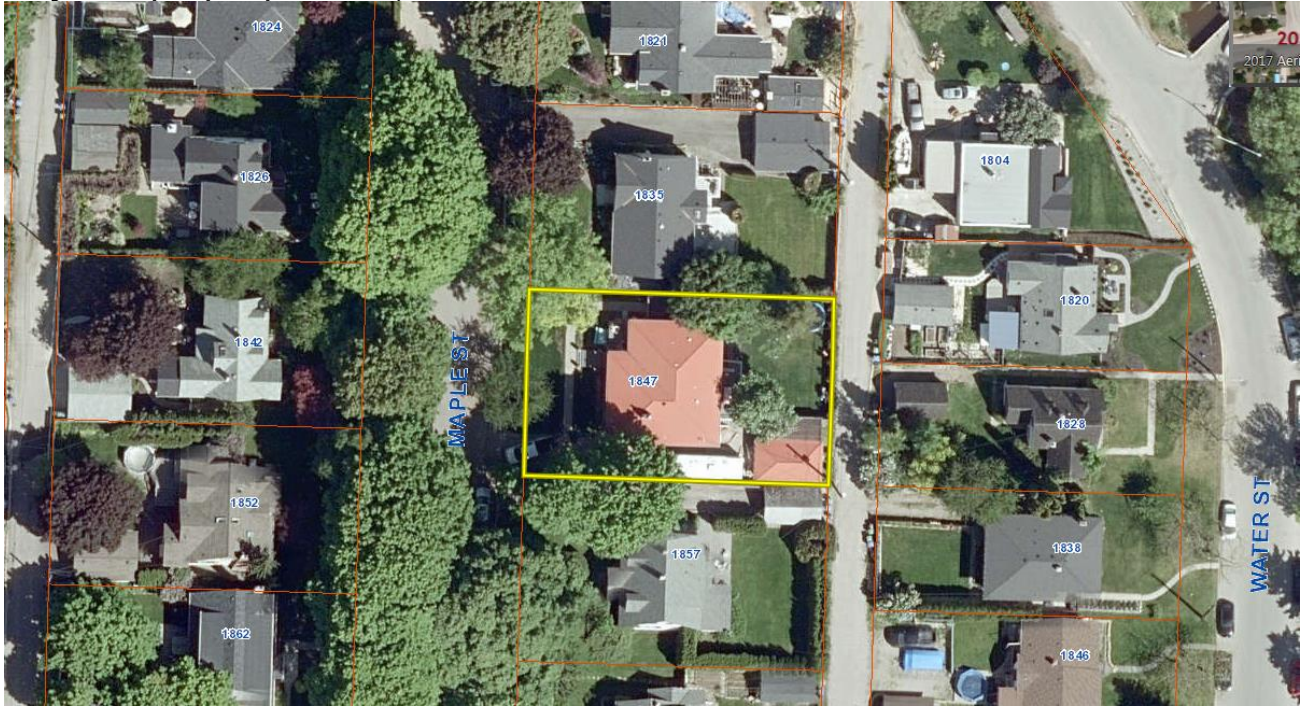
4.3 Site Context

The subject property is located in the Heritage Conservation area in an amenity rich neighbourhood. It is within walking distance to Downtown, several parks and beaches, and transit is available on nearby Pandosy Street. It has a walkscore of 87 meaning it is very walkable. There are several other RU1c rezonings in the area as the neighbourhood shifts to higher density.

Specifically, adjacent land uses are as follows:

| Orientation | Zoning | Land Use |
|--------------------|-------------------------|-------------------------|
| North | RU1 – Large Lot Housing | Single Dwelling Housing |
| East | RU1 – Large Lot Housing | Single Dwelling Housing |
| South | RU1 – Large Lot Housing | Single Dwelling Housing |
| West | RU1 – Large Lot Housing | Single Dwelling Housing |

Subject Property Map: 1847 Maple Street



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

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.

Urban Uses.² Direct urban uses to lands within the urban portion of the Permanent Growth Boundary, in the interest of reducing development and speculative pressure on agricultural lands.

Housing in Agricultural Areas.³ Discourage residential development (both expansions and new developments) in areas isolated within agricultural environments (both ALR and non-ALR).

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

² City of Kelowna Official Community Plan, Policy 5.33.3 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.33.8 (Development Process Chapter).

Sensitive Infill.⁴ Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

6.0 Technical Comments

6.1 Building & Permitting Department

Full plan check will be done at time of Building Permit.

6.2 Development Engineering Department

All Development Engineering requirements have been satisfied.

7.0 Application Chronology

| | |
|-------------------------------------|------------------|
| Date of Application Received: | May 18, 2017 |
| Date of Revised Drawings Received: | October 17, 2017 |
| Date Public Consultation Completed: | December 5, 2017 |

Report prepared by: Trisa Atwood, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

⁴ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

REPORT TO COUNCIL



Date: January 22, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TA)

Application: Z17-0084 **Owner:** Glen D'Arcy Manlove
Charmaine Ann Katherine Manlove

Address: 911 Pitcairn Ct **Applicant:** Kyle Turner, Gord Turner
Renovations Ltd.

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1c – Large Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z17-0084 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6 Section 29 TWP 26 ODYD Plan 18323 located at 911 Pitcairn Court, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone 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 outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated January 22, 2018.

2.0 Purpose

To rezone the subject property from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House to facilitate the development of a carriage house.

3.0 Community Planning

Community Planning supports the proposed rezoning from RU1 – Large Lot Housing to RU1 c – Large Lot Housing with Carriage House to facilitate the development of a carriage house.

The Official Community Plan (OCP) Future Land Use is designated as S2RES – Single/Two Unit Residential, which supports this modest increase in density and the property is located within the Permanent Growth Boundary. The concept of a carriage house is also aligned with the OCP Urban Policy of Compact Urban Form – increasing density where infrastructure already exists.

Should Council approve the rezoning Staff will bring forward a Development Variance Permit application to consider a variance to the flanking yard setback.

4.0 Proposal

4.1 Background

The subject property has a single family dwelling located on the property that will be retained through this development.

4.2 Project Description

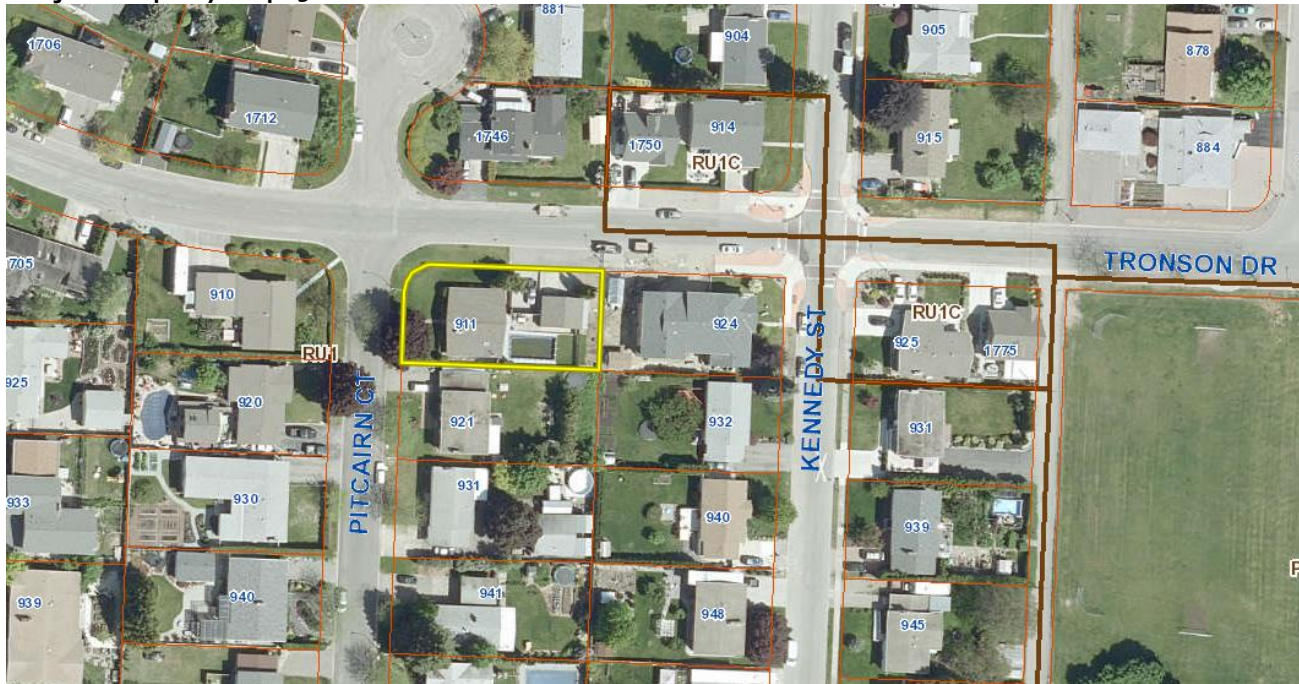
The applicant has provided proposed designs for the single storey carriage house, and is requesting a variance to the flanking side yard setback. Access to the proposed carriage house will be from Tronson Dr.

4.3 Site Context

The subject property is located near Glenmore Elementary School on the corner of Pitcairn Ct and Tronson Dr. It is a predominantly single family residential neighbourhood with several other RU1c properties in the nearby vicinity.

Specifically, adjacent land uses are as follows:

| Orientation | Zoning | Land Use |
|--------------------|-------------------------|-------------------------|
| North | RU1 – Large Lot Housing | Single Dwelling Housing |
| East | RU1 – Large Lot Housing | Single Dwelling Housing |
| South | RU1 – Large Lot Housing | Single Dwelling Housing |
| West | RU1 – Large Lot Housing | Single Dwelling Housing |

Subject Property Map: 911 Pitcairn Court**5.0 Current Development Policies****5.1 Kelowna Official Community Plan (OCP)****Development Process**

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.

Urban Uses.² Direct urban uses to lands within the urban portion of the Permanent Growth Boundary, in the interest of reducing development and speculative pressure on agricultural lands.

Housing in Agricultural Areas.³ Discourage residential development (both expansions and new developments) in areas isolated within agricultural environments (both ALR and non-ALR).

Sensitive Infill.⁴ Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

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

² City of Kelowna Official Community Plan, Policy 5.33.3 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.33.8 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

6.0 Technical Comments

6.1 Building & Permitting Department

- Full plan check will be done at time of Building Permit.

6.2 Development Engineering Department

- Please see attached Development Engineering Memorandum (Schedule "A").

7.0 Application Chronology

Date of Application Received: September 11, 2017

Date Public Consultation Completed: October 20, 2017

Report prepared by: Trisa Brant, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Schedule "A": Development Engineering Memorandum

CITY OF KELOWNA

MEMORANDUM

Date: September 25, 2017
File No.: Z17-0084

To: Community Planning (TB)

From: Development Engineering Manager (JK)

Subject: 911 Pitcairn Ct Lot 6 Plan 18323 RU1 to RU1c Carriage House

Development Engineering has the following comments and requirements associated with this application. The utility upgrading requirements outlined in this report will be a requirement of this development.

1. Domestic Water and Fire Protection

Our records indicate that this property is currently serviced with a 19mm-diameter water service which is adequate for this application.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. An inspection chamber (IC) complete with brooks box must be installed on the service at the owner's cost. Service upgrades can be provided by the City at the applicant's cost. **The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade.** For estimate inquiry's please contact Jason Angus, by email jangus@kelowna.ca or phone, 250-469-8783.

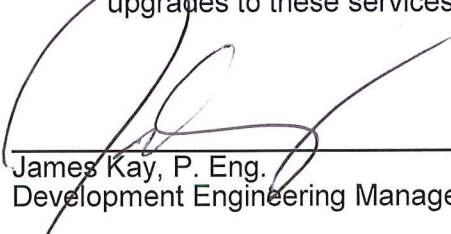
3. Development Permit and Site Related Issues

Direct the roof drains onto splash pads.

Maximum one (1) driveway access per fronting road as per bylaw.

4. Electric Power and Telecommunication Services

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.


James Kay, P. Eng.
Development Engineering Manager

JA

REPORT TO COUNCIL



Date: January 22, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TA)

Application: Z17-0029 **Owner:** Travis Austin Shipka

Address: 5059 Treadgold Ct **Applicant:** Travis Austin Shipka

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1c – Large Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z17-0029 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 21 Section 24 Township 28 SDYD Plan KAP76347 located at 5059 Treadgold Court, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone 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 outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated January 22, 2018.

2.0 Purpose

To rezone the subject property from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House to facilitate the development of a carriage house.

3.0 Community Planning

Community Planning supports the proposed rezoning from RU1 – Large Lot Housing to RU1 c – Large Lot Housing with Carriage House to facilitate the development of a carriage house.

The Official Community Plan (OCP) Future Land Use is designated as S2RES – Single/Two Unit Residential, which supports this modest increase in density and the property is located within the Permanent Growth Boundary. Increasing density within the Permanent Growth Boundary reduces development pressure on

agricultural land and is align with the OCP Urban Policy of Compact Urban Form – increasing density where infrastructure already exists. Carriage house regulations in general meet the OCP Policy of Sensitive Infill, which involves designing so that height and massing is sensitive to the existing fabric of the neighbourhood. Zoning Bylaw No. 8000 restricts carriage houses from being stratified and sold, so a carriage house rezoning is one method of increasing the rental inventory within the City.

Should Council approve the rezoning, the applicant may apply for a building permit provided there are no variances requested.

4.0 Proposal

4.1 Background

The subject property has a single family dwelling that will be retained as a function of this rezoning.

4.2 Project Description

The applicant has proposed to rezone the subject property without a firm design for the carriage house. Should Council support the rezoning, the applicant would be required to submit plans for building permit. Should the design or siting of the carriage house require a variance, Staff would bring forward a Development Variance Permit for Council consideration.

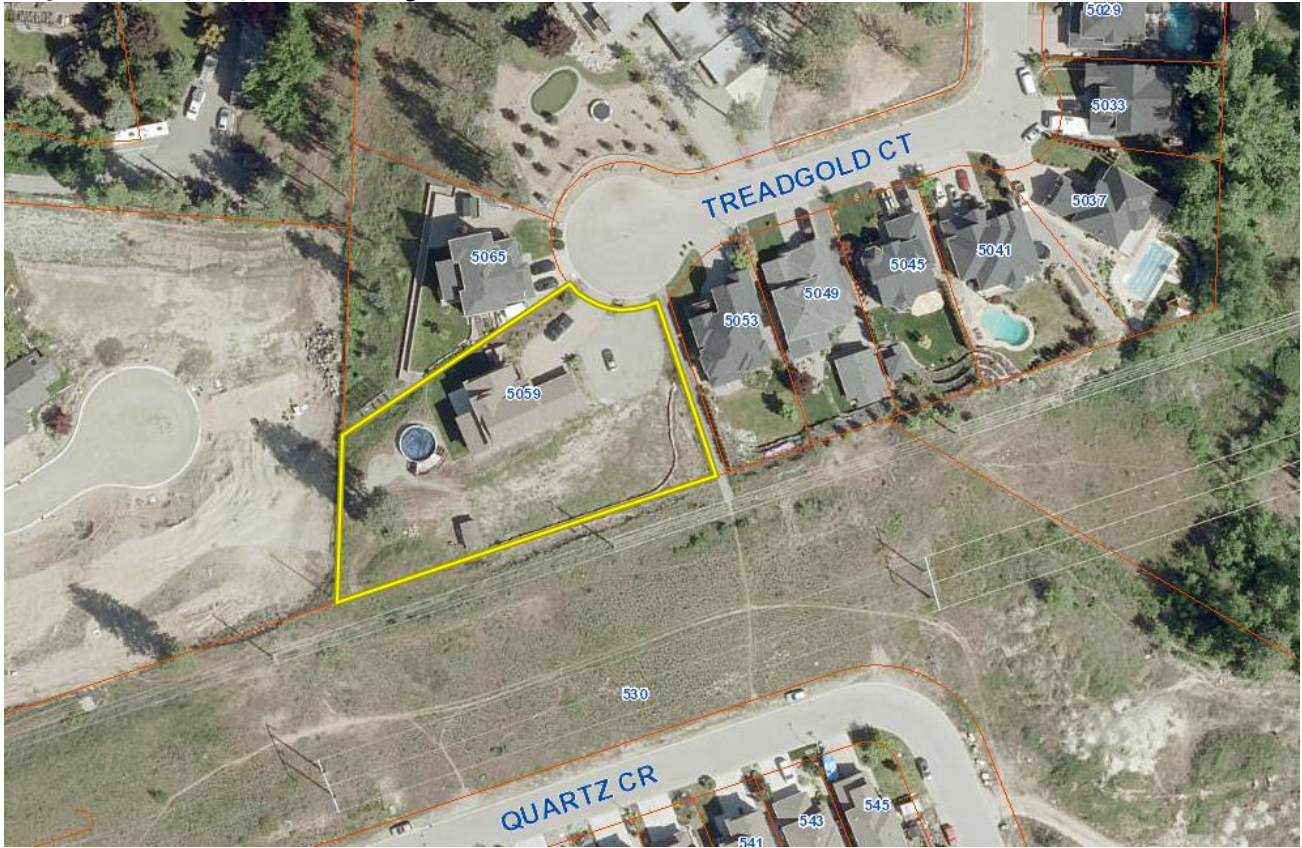
4.3 Site Context

The subject property is located on Treadgold Ct, near the edge of the Permanent Growth Boundary. The property earns a walkscore of 7, meaning it is car-dependent.

Specifically, adjacent land uses are as follows:

| Orientation | Zoning | Land Use |
|--------------------|--|-------------------------|
| North | RU ₁ – Large Lot Housing | Single Dwelling Housing |
| East | RU ₁ – Large Lot Housing | Single Dwelling Housing |
| South | P ₃ – Parks & Open Space | Park |
| West | RU _{1h} – Large Lot Housing (Hillside Area) | Single Dwelling Housing |

Subject Property Map: 5059 Treadgold Ct



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

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.

Urban Uses.² Direct urban uses to lands within the urban portion of the Permanent Growth Boundary, in the interest of reducing development and speculative pressure on agricultural lands.

Housing in Agricultural Areas.³ Discourage residential development (both expansions and new developments) in areas isolated within agricultural environments (both ALR and non-ALR).

Sensitive Infill.⁴ Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

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

² City of Kelowna Official Community Plan, Policy 5.33.3 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.33.8 (Development Process Chapter).

6.0 Technical Comments

6.1 Building & Permitting Department

Full plan check will be done at time of Building Permit.

6.2 Development Engineering Department

Please see attached Development Engineering Memorandum (Schedule "A").

7.0 Application Chronology

Date of Application Received: March 15, 2017

Date Public Consultation Completed: October 6, 2017

Report prepared by: Trisa Atwood, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Schedule "A": Development Engineering Memorandum

⁴ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).



CITY OF KELOWNA

MEMORANDUM

Date: April 27, 2017
File No.: Z17-0029

To: Land Use Management Department (TB)

From: Development Engineering Manager

Subject: 5059 Treadgold Ct Lot 21 Plan 76347 RU1c Carriage House

Development Engineering has the following requirements associated with this application.

1. Domestic Water and Sanitary Sewer

This property is currently serviced with a 19mm-diameter water service. The service will be adequate for this application. One metered water service will supply both the main residence and the suite.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service complete with inspection chamber (IC). No service upgrades are required for this application.

The property is within Sewer Connection Area No 28.
The developer is required to make payment for half of one equivalent dwelling unit.
An additional \$11,000.00 (0.5 of \$ 22,000 charge) is required.

3. Electric Power and Telecommunication Services

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.

4. Access and Parking Requirements

The proposed parking module location for the Carriage House must meet bylaw requirements.

Steve Muenz, P. Eng.
Development Engineering Manager
JF/jf