

City of Kelowna

Public Hearing

AGENDA



Tuesday, May 1, 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 April 18, 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 Christleton Avenue 343, Z17-0073 (BL11590) - Jason & Rhonda Hymers** 4 - 10
- To rezone the subject property from RU1 – Large Lot Housing zone to RU1c – Large Lot Housing with Carriage House zone to facilitate the development of a carriage house.
- 3.2 Bernard Avenue 1371, Z17-0116 (BL11591) - Miroslavka Gataric** 11 - 33
- To rezone the subject property from the RU6 - Two Dwelling Housing zone to the RM3 - Low Density Multiple Housing zone to facilitate the development of multiple dwelling housing.
- 3.3 Portview Ave 150, Z18-0023 (BL11594) - Darcy and Martha Ruck** 34 - 41
- To rezone the subject property to the RU2c-Medium Lot Housing with Carriage House designation to facilitate the development of a carriage house.
- 3.4 Cawston Ave 1044, 1052, 1074 - OCP18-0002 (BL11595) and Z18-0008 (BL11596) - Sukhdarshan Singh Pannu** 42 - 59
- To amend the Official Community Plan to change the Future Land Use designation and to rezone the subject properties to facilitate the development of multiple dwelling housing on the subject properties.
- 3.5 Hartman Rd 280 and Maygard Rd 940, Z18-0001 (BL11597) - JE Holdings Inc Inc No C0561382** 60 - 69
- To rezone the subject properties to facilitate two dwelling housing and a four lot subdivision.
- 3.6 Old Vernon Rd 144 - LUC17-0003 (BL11598) - Serra Holdings (No. 9) Ltd Inc No BC0950182** 70 - 73
- To consider a Land Use Contract Discharge for LUC77-1015 on the subject property.
- 3.7 Old Vernon Rd 155-165 Rutland Ct 2155-2165, LUC17-0003 (BL11599) & Z18-0005 (BL11600) - Cornel Epp, Terra Landscaping & CGSB Automotive Group** 74 - 78
- To consider a Land Use Contract Termination for LUC77-1015 and LUC77-1082 and to rezone the subject properties from C2 – Neighbourhood Commercial to C10 – Service Commercial.

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: April 09, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (BBC)

Application: Z17-0073 **Owner:** Jason Murray Hymers and Rhonda Sue Hymers

Address: 343 Christleton Avenue **Applicant:** Birte Decloux - Urban Options Planning & Permitting

Subject: Rezoning Application – Z17-0073

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. Z17-0073 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, District Lot 14, Osoyoos Division, Yale District, Plan 6701, located at 343 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 requirements of the Development Engineering Department being completed to their satisfaction.

2.0 Purpose

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

3.0 Community Planning

Community Planning supports the proposed rezoning from RU1 – Large Lot Housing to RU1c – 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 with urban services. The concept of the carriage house is aligned with the OCP urban infill 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 context of the neighbourhood.

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

To fulfill Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form to staff on March 14, 2018, outlining that the neighbours within 50 m of the subject property were notified.

4.0 Proposal

4.1 Background

The subject property is double-fronting, located between Christleton Avenue and Robin Way. The lot is amongst the largest in its neighbourhood and currently contains a single dwelling house. The existing house was previously listed on the Heritage Register, however was removed in 2015, and is in poor state of repair. The current dwelling will be demolished prior to the construction of a new single-family dwelling and a carriage house on the subject property.

4.2 Project Description

The applicant has provided preliminary site plan design for the proposed new single dwelling house and carriage house. Access to the dwellings and the subject property will be from Robin Way, bordering the southern property boundary.

No Development Permits are required for the two dwelling units, and the proposed new dwelling and carriage house do not trigger any variances at this time.

4.3 Site Context

The subject property is located near the intersection of Christleton Avenue and Abbott Street. The area is characterized primarily by single family dwellings, with the Kelowna General Hospital campus located to the northeast. The property is within walking distance to Pandoway Street and its many amenities.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing RU1c – Large Lot Housing with Carriage House	S2RES – Single/Two Unit Residential HLTH – Health District
East	RU1 – Large Lot Housing RU1c – Large Lot Housing with Carriage House	S2RES – Single/Two Unit Residential HLTH – Health District
South	RU1 – Large Lot Housing RU1c – Large Lot Housing with Carriage House	S2RES – Single/Two Unit Residential
West	RU1 – Large Lot Housing	S2RES – Single/Two Unit Residential

Subject Property Map: 343 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.

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.

Carriage Houses & Accessory Apartments.⁴ Support carriage houses and accessory apartments through appropriate zoning regulations.

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 5.22.6 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 5.22.12 (Development Process Chapter).

6.0 Technical Comments

6.1 Building & Permitting Department

- No comments

6.2 Development Engineering Department

- Please see attached Development Engineering Memorandum (Attachment A).

6.3 Fire Department

- No concerns with zoning request.
- The 2 buildings are accessed off of and addressed off of Christleton and all buildings shall be addressed off of either Robin Way.
- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.

6.4 Fortis BC (Electric)

- There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Christleton Avenue. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

7.0 Application Chronology

Date of Application Received:	November 23, 2017
Date Application Reassigned to Planner:	February 5, 2018
Date of Revised Drawings Received:	February 21, 2018
Date Public Consultation Completed:	March 14, 2018

Report prepared by:	Barbara B. Crawford, Planner
Reviewed by:	Terry Barton, Urban Planning Manager
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A – Development Engineering Memorandum

Attachment B – Applicant's Rationale Letter

Schedule A – Proposed Single Dwelling and Carriage House Site Plan

CITY OF KELOWNA

MEMORANDUM

Date: December 14, 2017
File No.: Z17-0073
To: Community Planning (TB)
From: Development Engineering Manager (JK)
Subject: 343 Christleton Ave *REVISED* RU1 to RU1c

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

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 carriage house.

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.

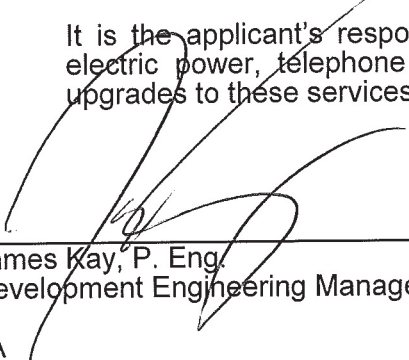
3. Development Permit and Site Related Issues

Direct the roof drains onto splash pads.

Driveway access is permitted from the Robin Way only.

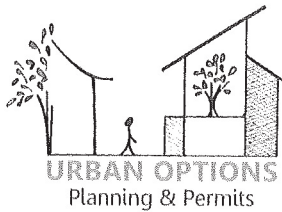
4. Electric Power and Telecommunication Services

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



November 23, 2017 - Revised

City Of Kelowna
Planning Department
Attn. Lyndsey Ganczar
1435 Water Street
Kelowna, BC

RE: Rezoning to allow a carriage house at 343 Christleton Avenue

Dear Lyndsey:

Thank you for pulling the application to rezoning the subject property allowing a two-lot subdivision. When looking at the design in combination with the requirement to give 2.5m off the Christleton frontage the project no longer met the landowners needs. The revised application seeks to rezone the property to the RU1c- Large lot housing with carriage house zone, to allow the construction of a new single-family dwelling and a carriage house. Both dwellings would have access off Robin way.

Attached is a revised site plan showing the entire lot. Work is underway to design the new dwelling and associated carriage house. Unfortunately, these plans have not been finalized, however we expect to have a more detailed site plan available prior to the Public Hearing for the zone.

The property is in a very desirable area of Kelowna with ample amenities within a 20min walk. These include downtown Kelowna, multiple parks, the Pandosy village area, the hospital, schools and a bus stop. The Abbott Street multimodal corridor makes bicycle access to farther out amenities relatively easy. The proposal is anticipated to be good infill development that is easily integrated into the existing form of the neighbourhood, adding quality housing stock to the area.

Sincerely yours,

Birte Decloux on behalf of J and R Hymers

1. LEGAL DESCRIPTION	CIVIC ADDRESS
LOT 2, PLAN 6701 DL 2045	343 CHRISTLETON AVE. KELOWNA, BC
2. ZONING	
RU1c - PROPOSED ZONING CHANGE	
3. LOT AREA	
1244.0 m ²	13,390 ft ²
4. SITE COVERAGE	
PRINCIPAL BUILDING	= 350.0 m ²
CARRIAGE HOUSE	= 130.0 m ²
DRIVEWAY	= 140.0 m ²
BUILDING COVERAGE	= 35.6 %
BUILDING & DRIVEWAYS	= 49.8 %

106'-1"	[32.34]
---------	---------

32.34

DRIVEWAY

19'-8"
[6.00]

A



BC



City of
Kelowna
COMMUNITY PLANNING

SCALE: 3/16" = 1'-0"

WEST | COAST DESIGN

FEB 21, 2018

10

REPORT TO COUNCIL



Date: April 9, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (KB)

Application: Z17-0116 **Owner:** Miroslavka Gataric

Address: 1371 Bernard Avenue **Applicant:** Miroslavka Gataric

Subject: Rezoning Application

Existing OCP Designation: MRL – Multiple Unit Residential (Low Density)

Existing Zone: RU6 – Two Dwelling Housing

Proposed Zone: RM3 – Low Density Multiple Housing

1.0 Recommendation

THAT Rezoning Application No. Z17-0116 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 7 District Lot 137 Osoyoos Division Yale District Plan 7936, located at 1371 Bernard Avenue, Kelowna, BC from the Ru6 – Two Dwelling 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 April 9, 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 RU6 – Two Dwelling Housing to RM3 – Low Density Multiple Housing to facilitate the development of multiple dwelling housing. The Official Community Plan (OCP) Future Land Use designation for the property is MRL – Multiple Unit Residential

(Low Density) and the proposed RM3 zone meets the density objective of the MRL designation. The subject property is located near services, parks and transit, and would provide a three-bedroom row housing option that is in great need in the City. It addresses several objectives of the OCP, notably:

- **Housing Mix.** Support a greater mix of housing unit size, form and tenure in new multi-unit residential.
- **Family Housing.** Support housing alternatives for families when single detached housing is too costly, including features that are important to families such as: outdoor space, direct access to grade, larger units, safe design, and neighbourhood characteristics (e.g. location and amenities).
- **Ground-Oriented Housing.** Encourage all multiple-unit residential buildings in neighbourhoods with schools and parks to contain ground-oriented units with 2 or more bedrooms so as to provide a family housing choice within the multi-unit rental or ownership markets, especially where such can be provided on non-arterial and non-collector streets.

To fulfil Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form to staff documenting that neighbours within 50 m of the subject property were notified.

4.0 Proposal

4.1 Project Description

The application is to rezone the subject property from RU6 – Two Dwelling Housing to RM3 – Low Density Multiple Housing to allow for a multiple dwelling development in the form of row housing. The proposed development features four three-bedroom units; one dwelling with a main entrance on Bernard Avenue, and three dwellings with access off Lakeview Street. The required number of parking stalls would be met through double wide garages located below each unit. All vehicular access for the development is proposed to come from the lane that fronts this development on the south property line.

Should Council support the rezoning, Staff will bring forward a Development Permit for Council consideration.

4.2 Site Context

The subject property is located at the corner of Bernard Avenue and Lakeview Street in the Central City Sector. It has an area of 924 m² and is located within the Permanent Growth Boundary. Transit stops are located nearby on Bernard Avenue and Lawrence Avenue and the Walk Score is 70 (Very Walkable – most errands can be accomplished on foot). It is in relatively close proximity to commercial areas on Gordon Drive and Burtch Road.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	Ru6 – Two Dwelling Housing	Two Dwelling Housing
East	Ru6 – Two Dwelling Housing	Single Dwelling Housing
South	P2 – Education and Minor Institutional	Child Care Centre, Major
West	Ru6 – Two Dwelling Housing	Two Dwelling Housing

Subject Property Map: 1371 Bernard Avenue



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5 - Development Process

Objective 5.3 Focus development to designated growth areas

Policy .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.

Objective 5.22 Ensure context sensitive housing development

Policy .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 .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.

Policy .13 Family Housing. Support housing alternatives for families when single detached housing is too costly, including features that are important to families such as: outdoor space, direct access to grade, workshop space, larger units, safe design, and neighbourhood characteristics (e.g.: location and amenities).

Objective 5.23 Address the needs of families with children through the provision of appropriate family-oriented housing

Policy .1 Ground-Oriented Housing. Encourage all multiple-unit residential buildings in neighbourhoods with schools and parks to contain ground-oriented units with 2 or more bedrooms so as to provide a family housing choice within the multi-unit rental or ownership markets. High density residential projects in the Downtown area are encouraged to include a ground-oriented housing component, especially where such can be provided on non-arterial and non-collector streets.

6.0 Technical Comments

6.1 Development Engineering Department

See Schedule "A" City of Kelowna Memorandum

7.0 Application Chronology

Date of Application Received: November 27, 2018

Date Public Consultation Completed: March 14, 2018

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

Attachment "A" Initial Drawing Package

CITY OF KELOWNA

MEMORANDUM

Date: January 3, 2018 (REVISED)
File No.: Z17-0116
To: Community Planning (KB)
From: Development Engineering Manager(JK)
Subject: 1371 Bernard Avenue RU6 to RM3

Development Engineering has the following 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 Aaron Sangster.

.1) Domestic Water and Fire Protection

- (a) The development site is presently serviced with a 19mm diameter water service. The developer's consulting mechanical engineer will determine the domestic, fire protection requirements of this proposed development and establish hydrant requirements and service needs. Only one service will be permitted for this development.

.2) Sanitary Sewer

- (a) The development site is presently serviced with a 100mm diameter sanitary sewer service. Only one service will be permitted for this development. The developer's consulting civil engineer will determine sanitary sizing for this development. The applicant, at his cost, will arrange for the removal of the existing service and the installation of a new larger service if required.

.3) Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan for these sites which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems.

.4) Road Improvements

- (a) Lakeview Street fronting this development must be upgraded to an Local – Class 1 (SS-R5) to include barrier curb & gutter, pave the unpaved gravel area adjacent to the existing sidewalk, remove and replace existing sidewalk if required to accommodate proposed curb & gutter, and relocation or adjustment of existing utility appurtenances if required to accommodate the upgrading construction. No retaining walls or structures permitted in City ROW.

Z17-0116 1371 Bernard Ave. RU6 - RM3 AS.doc

- (b) The lane fronting this development is required to be constructed to a paved standard. A cross section of SS-R2 should be used for design and costing.

.5) Road Dedication and Subdivision Requirements

By registered plan to provide the following:

- (a) Grant statutory rights-of-way if required for utility services.

.6) Electric Power and Telecommunication Services

- (a) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground as this site is located adjacent to the South Pandosy urban town centre.
- (b) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- (c) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

.7) Engineering

Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the City Engineering Department for review and marked "issued for construction" by the City Engineer before construction may begin.

.8) 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 (refer to 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 Works & Utilities 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.

Z17-0116 1371 Bernard Ave. RU6 - RM3 AS.doc

.9) Servicing Agreements for Works and Services

- (a) A Servicing Agreement is required for all 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 on the insurance policy as an additional insured.

.10) Survey Monuments and Iron Pins

If any legal survey monuments or property iron pins are removed or disturbed during construction, the developer will be invoiced a flat sum of \$1,200.00 per incident to cover the cost of replacement and legal registration. Security bonding will not be released until restitution is made.

.11) Bonding and Levy Summary

(a) Bonding

Lakeview Street upgrade	To be determined
Lane Frontage Improvements	To be determined
Total Bonding	To be determined

.12) Administration Charge

An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as (3.5% of Total Off-Site Construction Cost plus GST).

14) Development Permit and Site Related Issues

Access and Manoeuvrability

- (a) The access to this site must be from the lane. Access from Bernard Avenue is not permitted as per bylaw.

15. Geotechnical Report

As a requirement of this application the owner must provide a geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

- (a) Area ground water characteristics.
- (b) Site suitability for development, unstable soils, etc.
- (c) Drill and / or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.

- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- (e) Additional geotechnical survey may be necessary for building foundations, etc.



James Kay, P. Eng.
Development Engineering Manager
AS

BERNARD AVE. 4-PLEX



ATTACHMENT A

This forms part of application
Z17-0116

Planner
Initials

KB



ALL CONTRACTORS ARE REQUIRED TO
THEIR WORK AND SUPPLY THEIR PRODUCTS
COMPLIANCE WITH ALL BUILDING CODES
LAWS OF THE PROVINCE OF BRITISH

This drawing is an instrument of service and
property of New Town Services. The use of
drawing shall be restricted to the original site for
it was prepared and publication thereof is
limited to such

This drawing must not be
Verify all dimensions and datums prior
commencement of
Report all errors and omissions to the



NEW TOWN
ARCHITECTURE
URBAN PLANNING
CIVIL ENGINEERING
www.newtownservices.ca

Revision

No	Date	Description
1	NOV 24, 2017	ISSUED FOR DP

Seal

ARCHITECTURAL

NEW TOWN ARCHITECTURE & ENGINEERING
200-1464 ST. PAUL STREET
KELOWNA, BC V1Y 2E6
ROMAN YAMCHSHIKOV
Roman@newtownservices.net
T. (250) 860 8185
F. (250) 860 0985

DRAWING LIST:

A001	COVER SHEET & DRAWING LIST
A002	SITE PLAN & ZONING ANALYSIS
A003	SURVEY
A004	RENDERINGS
A005	RENDERINGS
A006	FOUNDATION & GARAGE LEVEL PLANS
A007	MAIN & SECOND LEVEL PLANS
A008	ROOF DECK & UPPER ROOF PLANS
A009	ELEVATIONS
A010	ELEVATIONS
A011	SECTIONS

CIVIL

NEW TOWN ARCHITECTURE & ENGINEERING
200-1464 ST. PAUL STREET
KELOWNA, BC V1Y 2E6
JACOB PAUL
Jacob@newtownservices.net
T. (250) 860 8185
F. (250) 860 0985

DRAWING LIST:

1	SERVICING PLAN
2	GRADING PLAN

LANDSCAPE

WSP
540 LEON AVENUE
KELOWNA, BRITISH COLUMBIA, V1Y 6J6
BYRON DOUGLAS
BYRON.DOUGLAS@WSP.COM
T. (250) 469 7730
M. (250) 826 7728

DRAWING LIST:

LDP-1	SITE PLAN
LDP-2	HYDROZONE PLAN



CONTEXT PLAN: 1371 BERNARD AVE.

project title

BERNARD AVE. 4-PLEX

project address

1371 BERNARD AVE,
KELOWNA, BC

project no.

4035

file no.

drawing title

**COVER SHEET
& DRAWING
LIST**

designed

scale

drawn

checked

R.Y.

drawing no.

A001

plotted NOV 24, 2017

11/24/2017 2:00:08 PM

ZONING ANALYSIS:

EXISTING

ZONING:
RU6

PROPOSED

RM3

RM3 ZONING REQUIREMENTS:

ALLOWED

PROPOSED

FAR:

0.80

0.59

NET BUILDING AREA:

7943.8 SF BASED ON 0.80 FAR

6123.35 SF

MAX SITE COVERAGE FOR BUILDINGS:

40%

29%

MAX SITE COVERAGE INCL PARKING & DRIVEWAYS:

60%

59%

BUILDING HEIGHT:

3 STOREYS OR 10 m

3 STOREYS W/ LOCALIZED DEPRESSION
FOR ENTRY

SETBACKS:

FRONT: 4.5m

4.5m

SIDE: 2.5m FROM WEST

4.5m FROM LAKEVIEW ST.

7.75m FROM WEST

4.5m FROM LAKEVIEW ST.

REAR: 7.5m

8.3m

PRIVATE OPEN SPACE:

REQUIRED: 100.0 m2

BALCONIES/ PATIOS: 333.57 m2

PARKING AND LOADING:

2 STALLS x 4 UNITS = 8 STALLS

PROVIDED:

8 STALLS

BICYCLE PARKING:

CLASS II: 0.1 x 4 UNITS = 0.4

PROVIDED:

2 STALLS

BUILDING STATISTICS:

UNIT TYPOLOGY & COUNT:

3 BEDROOM: 4

BUILDING AREA: 268.5 SM (2690.13 SF)

GROSS CONSTRUCTION AREA: 922.4 SM (9928.7 SF)

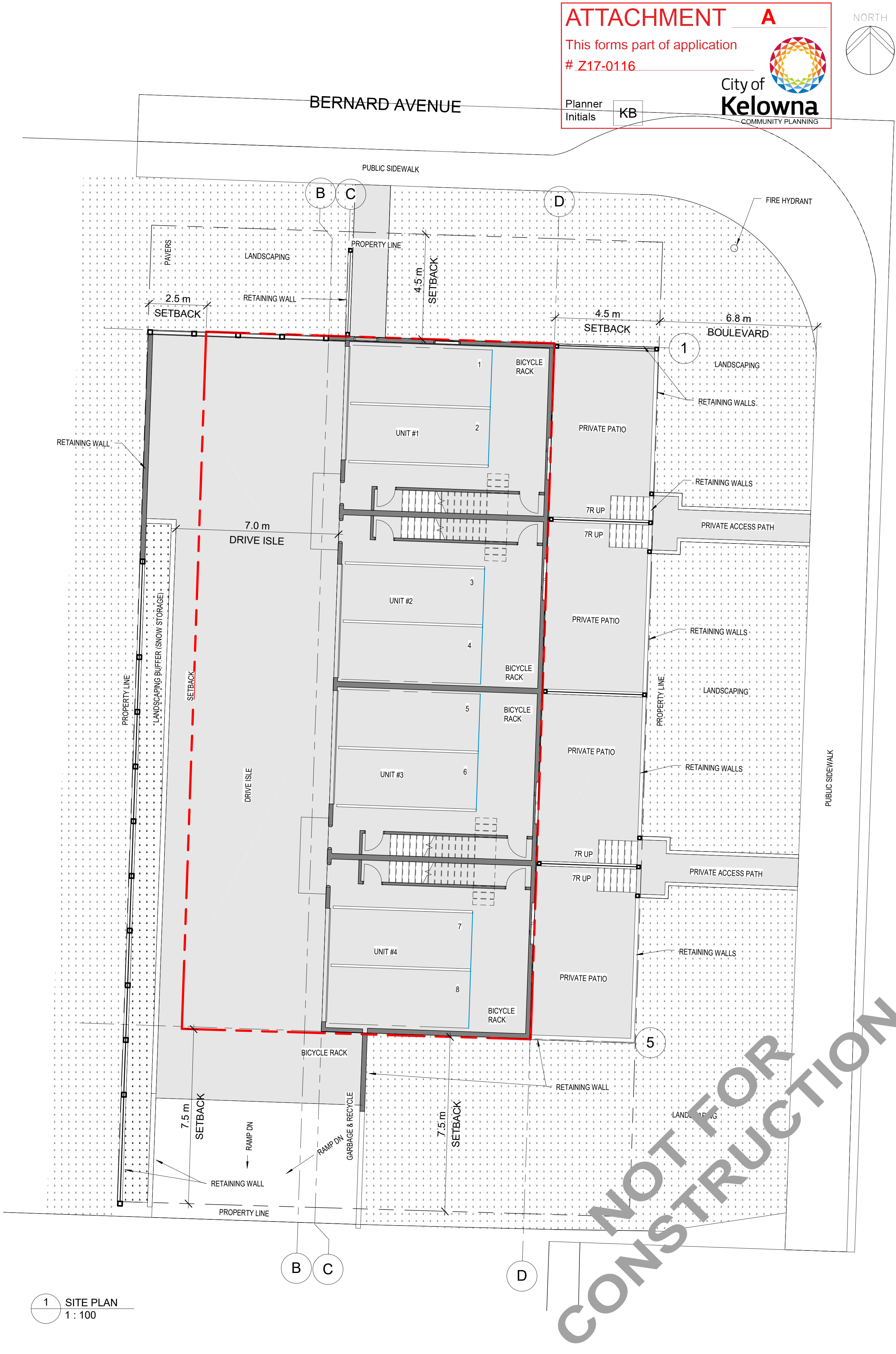
NOTE:

SITE SURVEY BASED ON INFORMATION PROVIDED BY:

FINAL LAYOUT, GRADE ELEVATIONS AND FINAL MAIN FLOOR ELEVATION TO BE
DETERMINED BY SURVEYOR & CIVIL ENGINEER IN CONSULTATION WITH
CONTRACTOR & OWNER.

ARCHITECTURAL SITE PLAN TO BE READ IN CONJUNCTION WITH CIVIL SITE
PLAN.

ARCHITECTURAL SITE PLAN TO BE READ IN CONJUNCTION WITH LANDSCAPE
PLAN.



ATTACHMENT

A

This forms part of application

Z17-0116

Planner

Initials

KB

City of
Kelowna
COMMUNITY PLANNING

NORTH

ALL CONTRACTORS ARE REQUIRED TO PERFORM
THEIR WORK AND SUPPLY THEIR PRODUCTS IN
COMPLIANCE WITH ALL BUILDING CODES AND
LAWS OF THE PROVINCE OF BRITISH COLUMBIA

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NEW TOWN
ARCHITECTURE
URBAN PLANNING
CIVIL ENGINEERING
www.newtownservices.ca

Revision

No	Date	Description
1	NOV 24, 2017	ISSUED FOR DP

Seal

project title

BERNARD AVE. 4-PLEX

project address

1371 BERNARD AVE,
KELOWNA, BC

project no.

4035

file no.

drawing title

**SITE PLAN &
ZONING
ANALYSIS**

designed

scale

As indicated

drawn

R.B./R.Y.

checked

R.Y.

drawing no.

A002

plotted

NOV 24, 2017

11/24/2017 2:00:09 PM



STRATA PLAN
KAS2634

7
PLAN 7936

LANE

LAKEVIEW STREET

1 Survey
A010 1 : 100

ATTACHMENT A

This forms part of application
Z17-0116

Planner
Initials KB



ALL CONTRACTORS ARE REQUIRED TO PERFORM THEIR WORK AND SUPPLY THEIR PRODUCTS IN COMPLIANCE WITH ALL BUILDING CODES AND LAWS OF THE PROVINCE OF BRITISH COLUMBIA
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Revision		
No	Date	Description
1	NOV 24, 2017	ISSUED FOR DP

Seal

project title
BERNARD AVE. 4-PLEX

project address
1371 BERNARD AVE,
KELOWNA, BC
project no. 4035
file no.
drawing title
SURVEY

designed	scale 1 : 100
drawn	R.B./R.Y.
checked	R.Y.
drawing no.	

plotted NOV 24, 2017 11/24/2017 2:00:09 PM

A003

NOT FOR
CONSTRUCTION



ATTACHMENT A

This forms part of application # Z17-0116

Planner Initials KB

City of Kelowna COMMUNITY PLANNING

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NEW TOWN

ARCHITECTURE

URBAN PLANNING

CIVIL ENGINEERING

www.newtownservices.ca

Revision		
No	Date	Description
1	NOV 24, 2017	ISSUED FOR DP



Seal

project title
BERNARD AVE. 4-PLEX

project address
1371 BERNARD AVE,
KELOWNA, BC

project no. 4035

file no.

drawing title

RENDERINGS

designed

scale

drawn R.B./R.Y.

checked R.Y.

drawing no.

A004

plotted NOV 24, 2017 11/24/2017 2:00:09 PM



ATTACHMENT A

This forms part of application
Z17-0116

Planner
Initials KB



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ARCHITECTURE
URBAN PLANNING
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Revision

No	Date	Description
1	NOV 24, 2017	ISSUED FOR DP



Seal

project title
BERNARD AVE. 4-PLEX

project address
1371 BERNARD AVE,
KELOWNA, BC

project no. 4035

file no.

drawing title

RENDERINGS

designed

scale

drawn

R.B./R.Y.

checked

R.Y.

drawing no.

A005

plotted NOV 24, 2017 11/24/2017 2:00:09 PM

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Revision		
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1	NOV 24, 2017	ISSUED FOR DP

Seal

project title
BERNARD AVE. 4-PLEX

project address
1371 BERNARD AVE,
KELOWNA, BC

project no. 4035

file no.

drawing title

FOUNDATION &
GARAGE LEVEL
PLANS

designed scale 1/8" = 1'-0"

drawn R.B./R.Y.

checked R.Y.

drawing no.

A006

plotted NOV 24, 2017 11/24/2017 2:00:10 PM

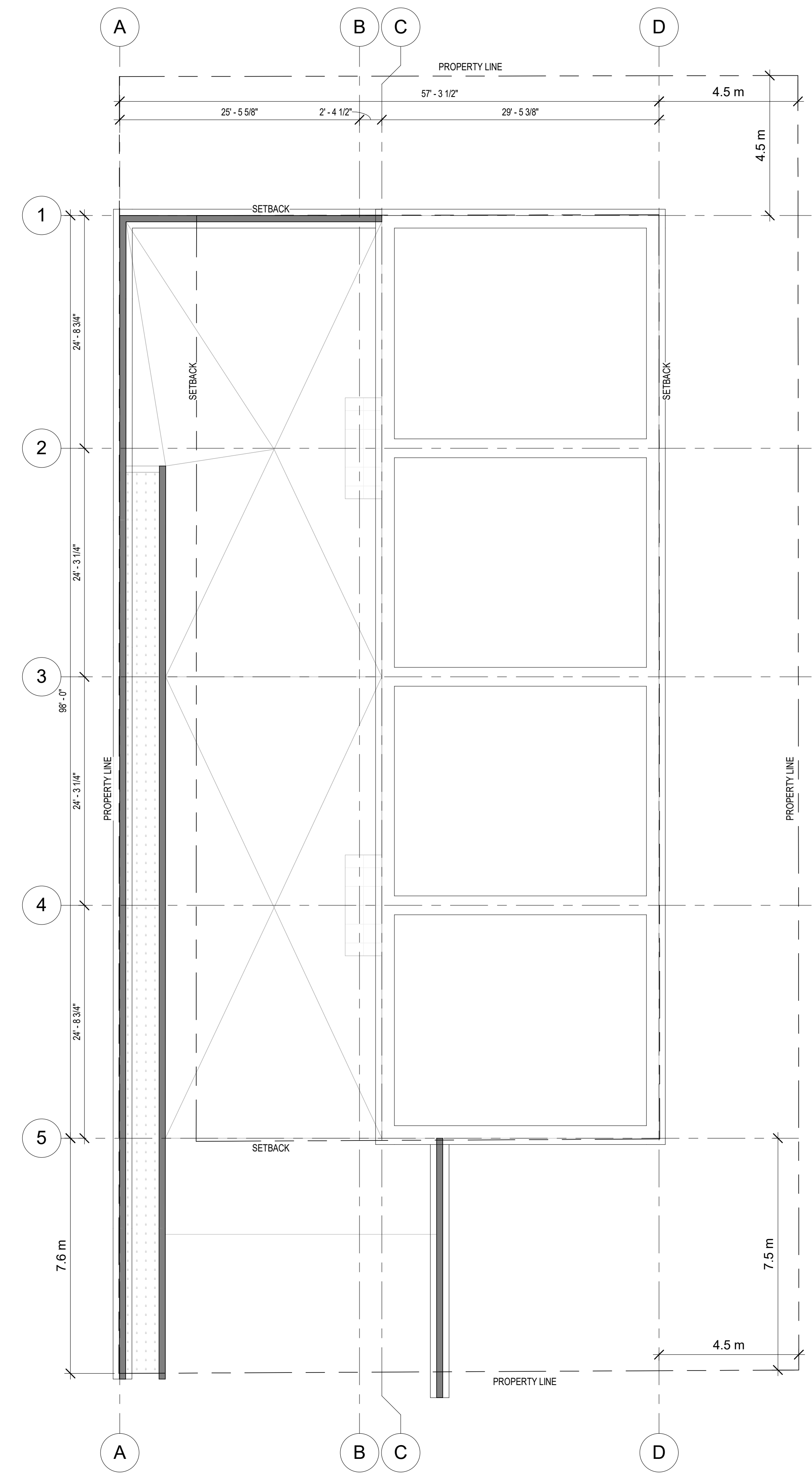
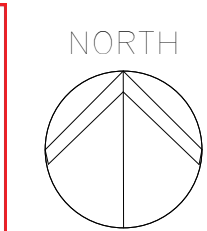
ATTACHMENT A

This forms part of application

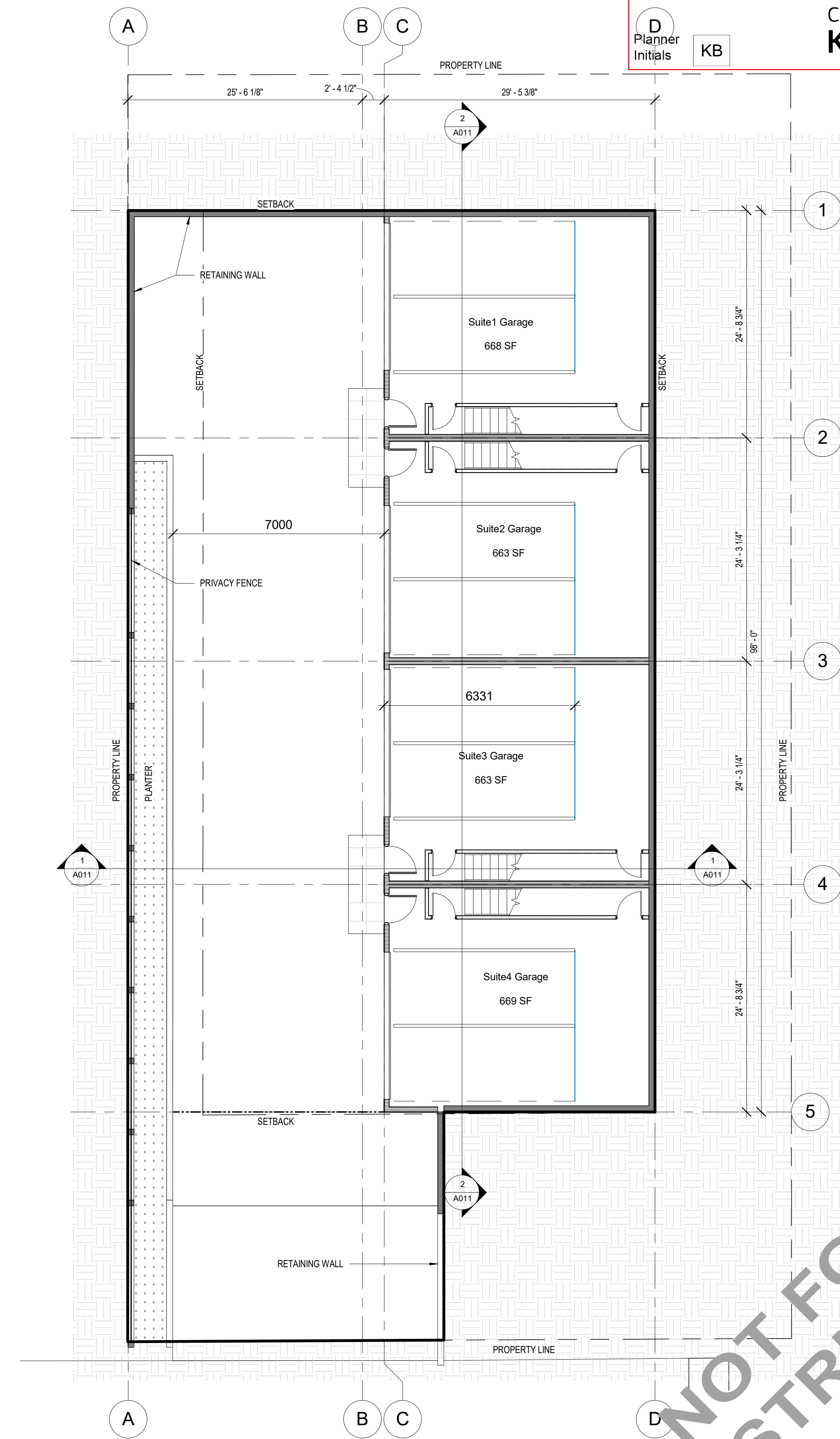
Z17-0116

D
Planner
Initials
KB

City of Kelowna
COMMUNITY PLANNING

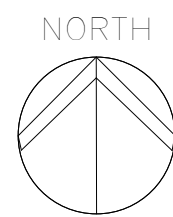


1 FOUNDATION PLAN
1/8" = 1'-0"



2 GARAGE FLOOR PLAN
1/8" = 1'-0"

NOT FOR
CONSTRUCTION



Revision

No	Date	Description
1	NOV 24, 2017	ISSUED FOR DP

Seal

project title

BERNARD AVE. 4-PLEX

project address

1371 BERNARD AVE,
KELOWNA, BC

project no.

4035

file no.

drawing title

MAIN & SECOND
LEVEL PLANS

designed

scale

1/8" = 1'-0"

drawn

R.B./R.Y.

checked

R.Y.

drawing no.

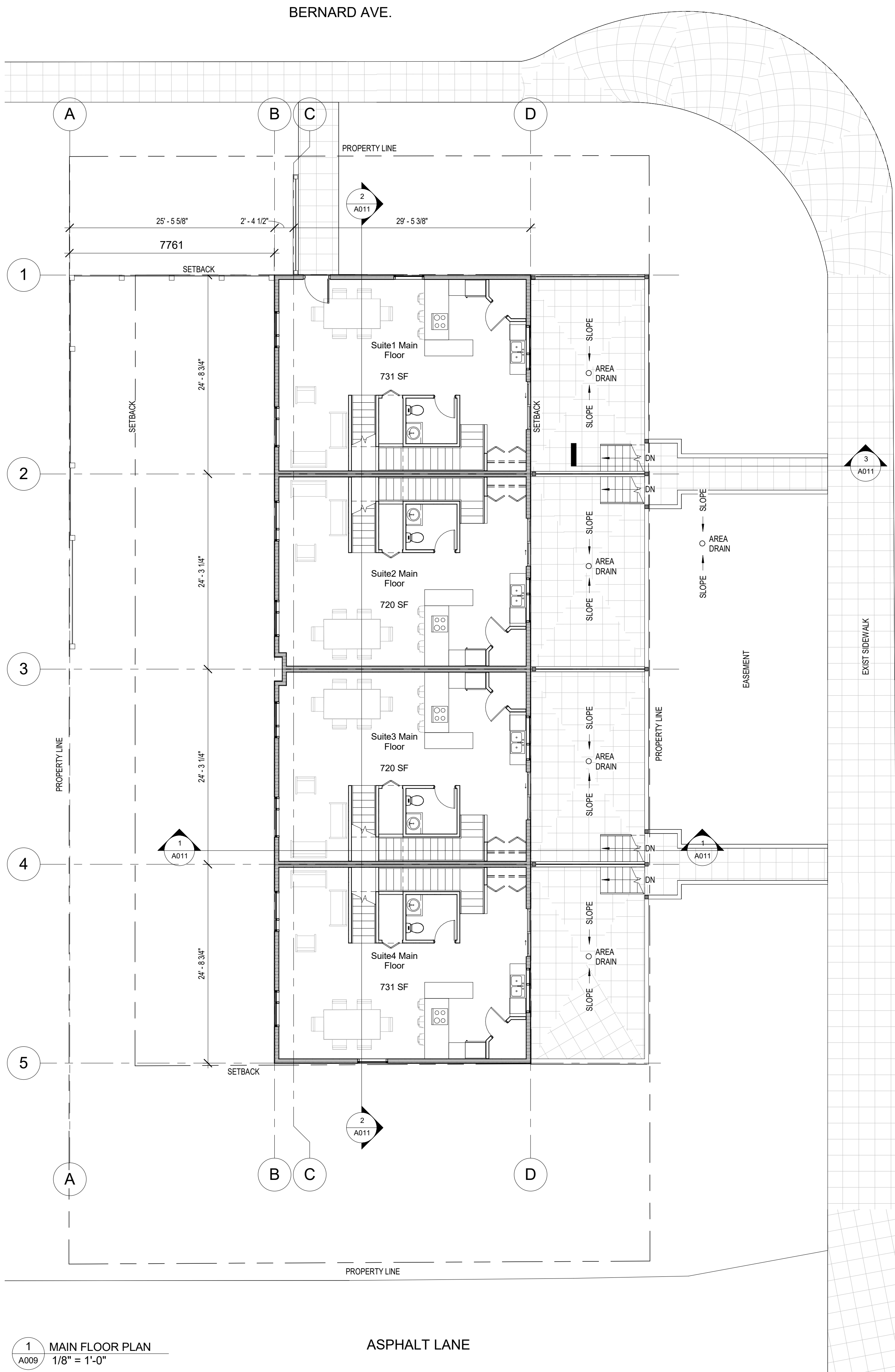
A007

plotted

NOV 24, 2017

11/24/2017 2:00:12 PM

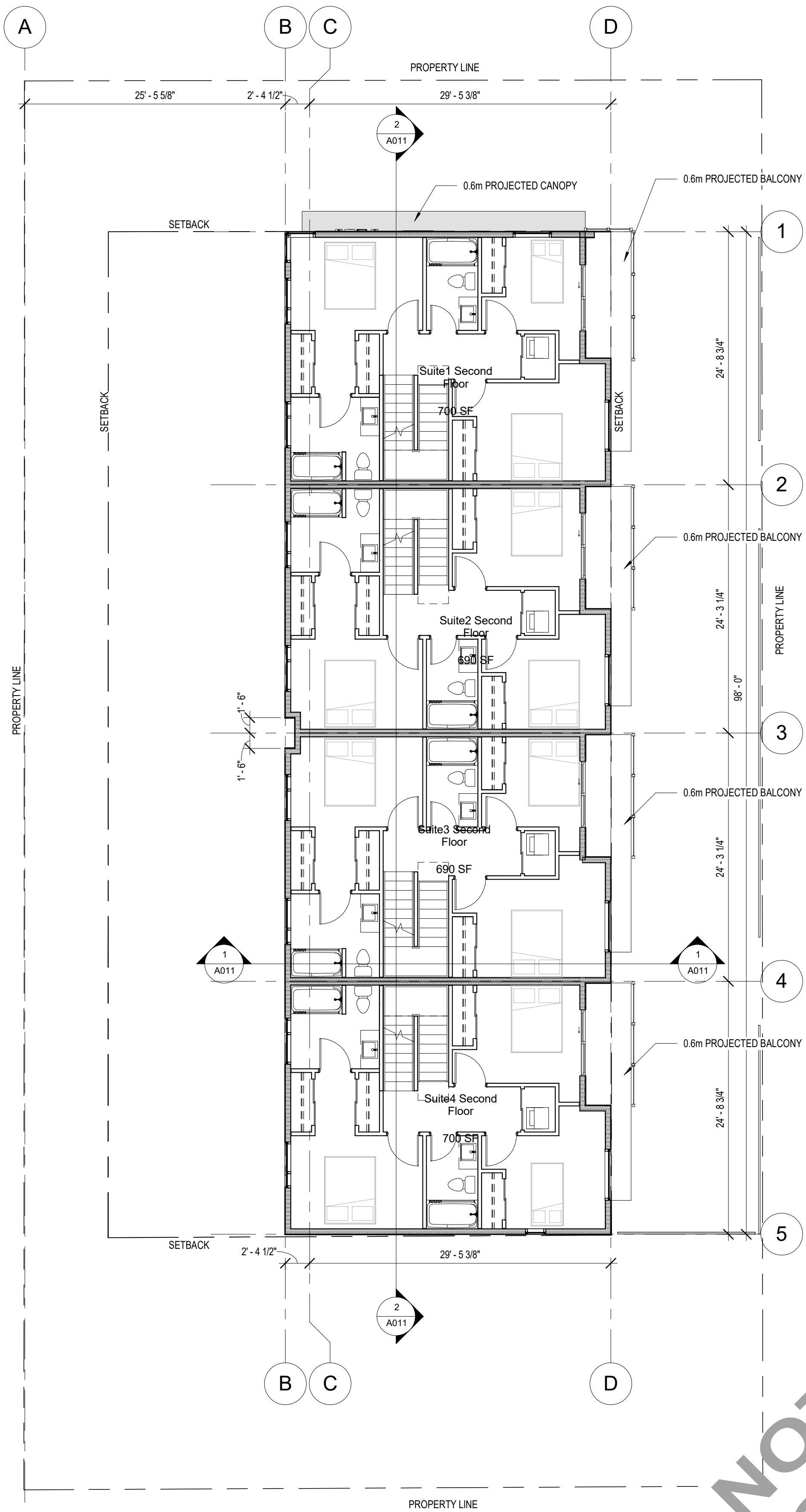
BERNARD AVE.



1 MAIN FLOOR PLAN
A009 1/8" = 1'-0"

ASPHALT LANE

LAKEVIEW STREET



2 SECOND FLOOR PLAN
A009 1/8" = 1'-0"

NOT FOR
CONSTRUCTION

Revision		
No	Date	Description
1	NOV 24, 2017	ISSUED FOR DP

Seal

project title
BERNARD AVE. 4-PLEX

project address
1371 BERNARD AVE,
KELOWNA, BC

project no. 4035

file no.

drawing title

**ROOF DECK &
UPPER ROOF
PLANS**

designed scale 1/8" = 1'-0"

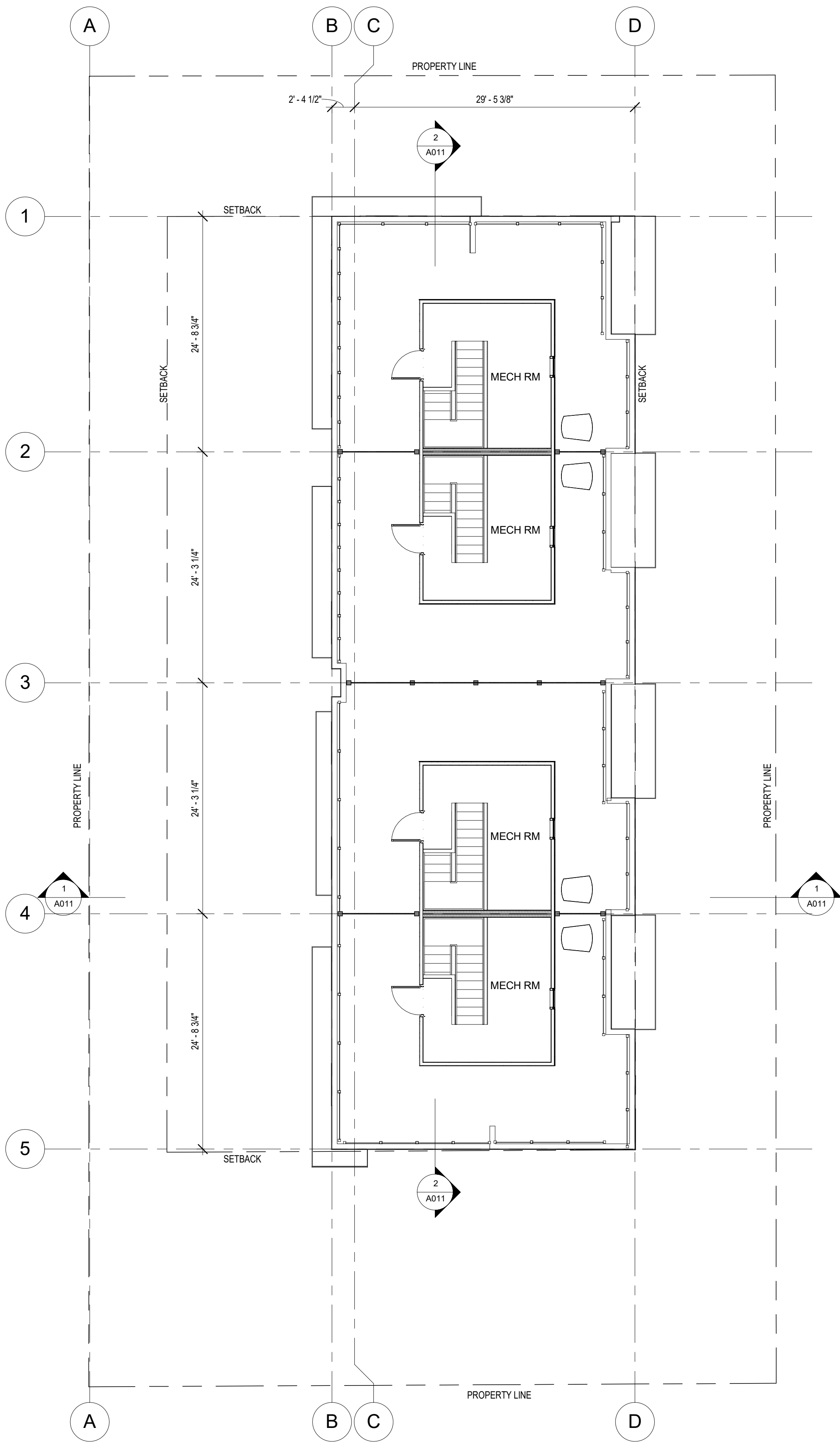
drawn R.B./R.Y.

checked R.Y.

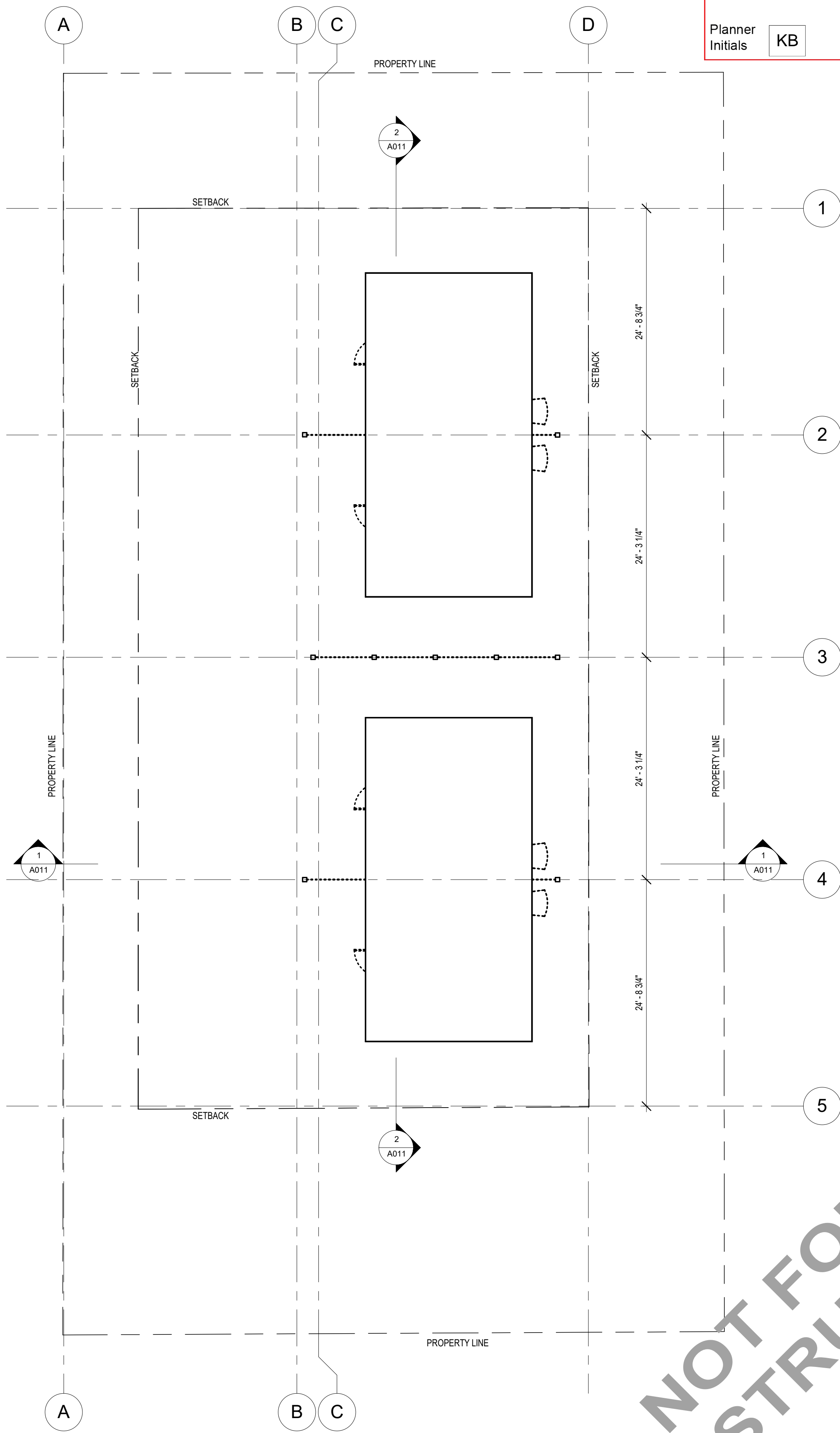
drawing no.

A008

plotted NOV 24, 2017 11/24/2017 2:00:12 PM



1 ROOF LEVEL
1/8" = 1'-0"



2 HIGHER ROOF
1/8" = 1'-0"

NOT FOR
CONSTRUCTION



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URBAN PLANNING
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Revision		
No	Date	Description
1	NOV 24, 2017	ISSUED FOR DP

Seal

project title
BERNARD AVE. 4-PLEX

project address
1371 BERNARD AVE,
KELOWNA, BC

project no. 4035

file no.

drawing title

ELEVATIONS

designed scale As indicated

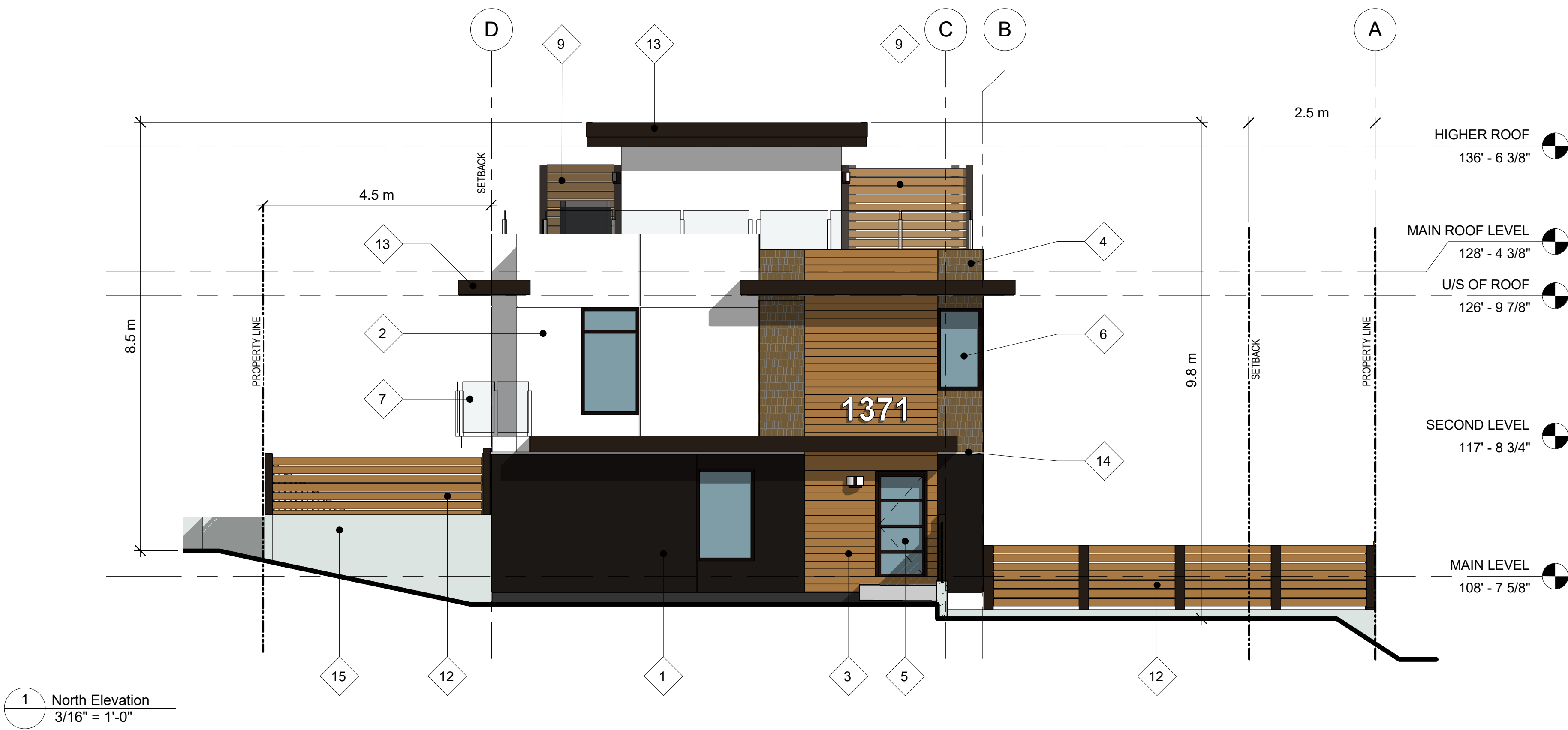
drawn R.B./R.Y.

checked R.Y.

drawing no.

A009

plotted NOV 24, 2017 11/24/2017 2:00:18 PM



MATERIAL KEYNOTE	
1.	ACRYLIC STUCCO - DARK BROWN
2.	ACRYLIC STUCCO - WHITE
3.	IMITATION CEDAR SIDING (FIBRE CEMENT BOARD)
4.	IMITATION CEDAR SHINGLES (FIBRE CEMENT BOARD)
5.	DOUBLE GLAZED ALUMINUM DOORS
6.	DOUBLE GLAZED ALUMINUM WINDOWS
7.	GLAZED RAILING SYSTEM
8.	METAL OVERHEAD GARAGE DOOR - INSULATED
9.	PRIVACY SCREEN - COMPOSITE CEDAR STRIP
10.	ALUMINUM SOLAR SHADE - PAINTED BLACK
11.	MECHANICAL UNIT - ON ISOLATION PAD
12.	CEDAR STRIP FENCING
13.	METAL CAP-FLASHING - PAINTED
14.	EXPANSION JOIST - METAL FLASHING - PAINTED
15.	ARCHITECTURAL CONCRETE
16.	METAL FENCE - PAINTED WHITE



NOT FOR CONSTRUCTION

City of
Kelowna
COMMUNITY PLANNING

MATERIAL KEYNOTE

1. ACRYLIC STUCCO - DARK BROWN
2. ACRYLIC STUCCO - WHITE
3. IMITATION CEDAR SIDING (FIBRE CEMENT BOARD)
4. IMITATION CEDAR SHINGLES (FIBRE CEMENT BOARD)
5. DOUBLE GLAZED ALUMINUM DOORS
6. DOUBLE GLAZED ALUMINUM WINDOWS
7. GLAZED RAILING SYSTEM
8. METAL OVERHEAD GARAGE DOOR - INSULATED
9. PRIVACY SCREEN - COMPOSITE CEDAR STRIP
10. ALUMINUM SOLAR SHADE - PAINTED BLACK
11. MECHANICAL UNIT - ON ISOLATION PAD
12. CEDAR STRIP FENCING
13. METAL CAP-FLASHING - PAINTED
14. EXPANSION JOIST - METAL FLASHING - PAINTED
15. ARCHITECTURAL CONCRETE
16. METAL FENCE - PAINTED WHITE

Planner
Initials
KB

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ARCHITECTURE
URBAN PLANNING
CIVIL ENGINEERING
www.newtownservices.ca

Revision

No	Date	Description
1	NOV 24, 2017	ISSUED FOR DP

Seal

project title

BERNARD AVE. 4-PLEX

project address

1371 BERNARD AVE,
KELOWNA, BC

project no. 4035

file no.

drawing title

ELEVATIONS

designed

scale

As indicated

drawn

R.B./R.Y.

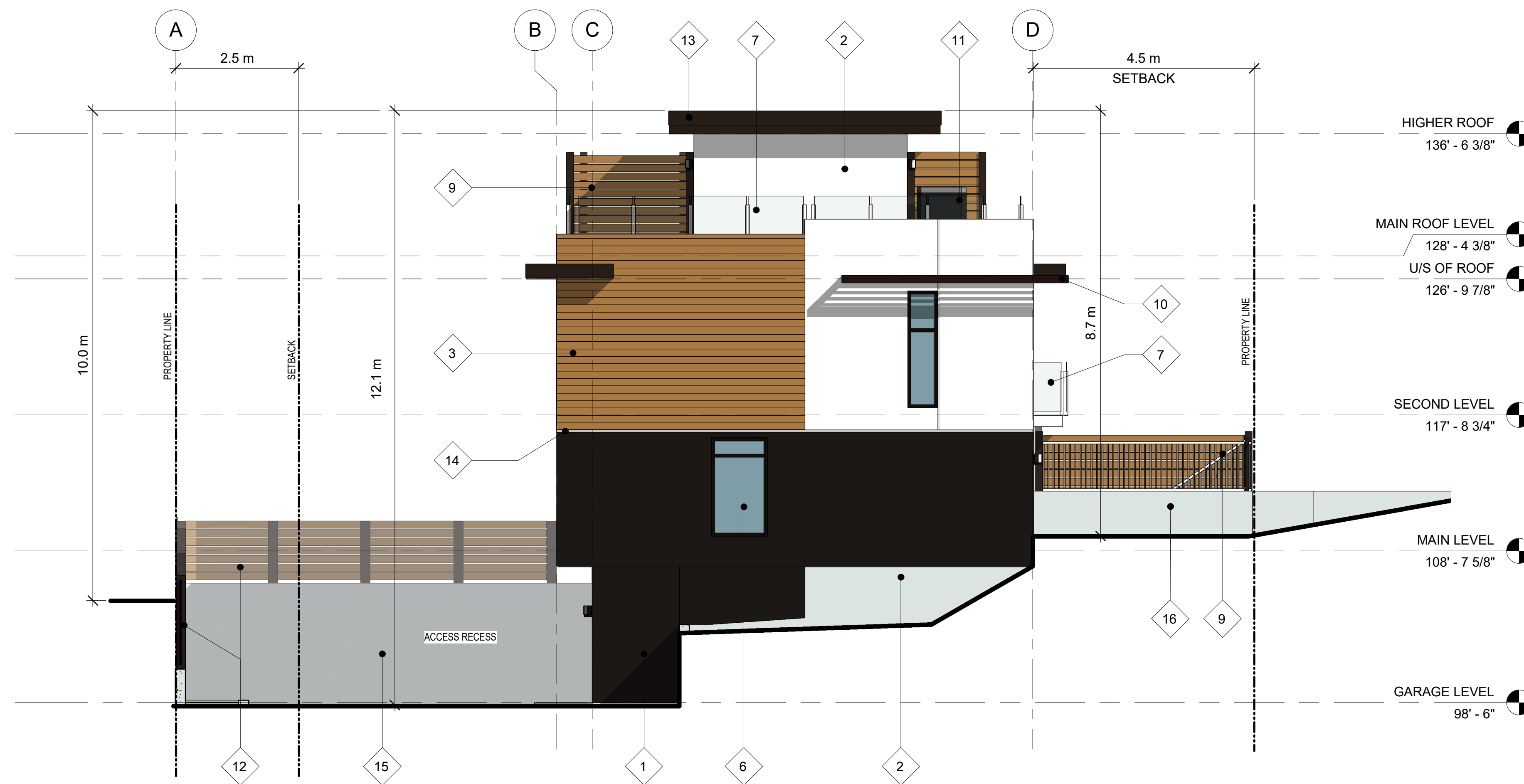
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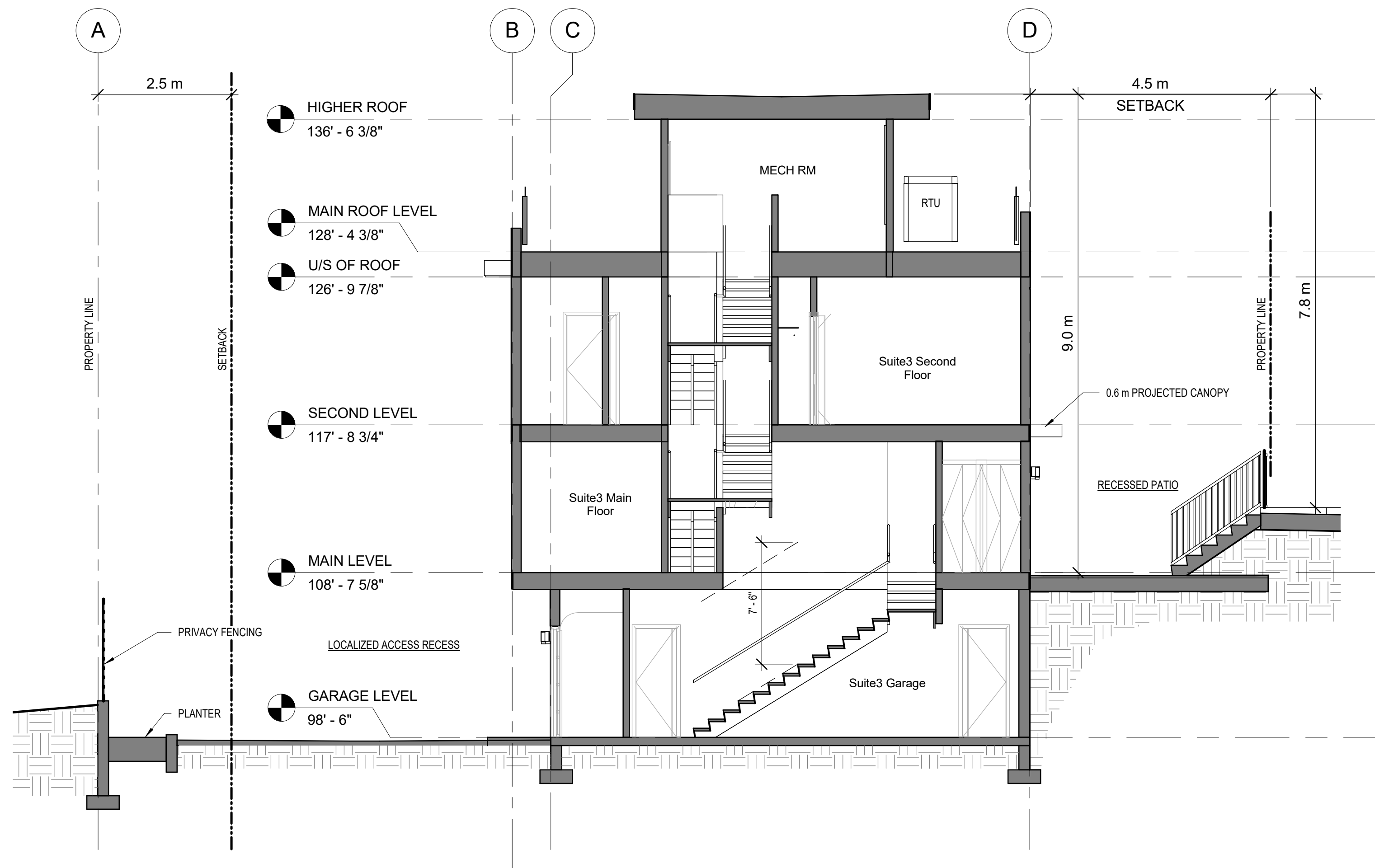
R.Y.

drawing no.

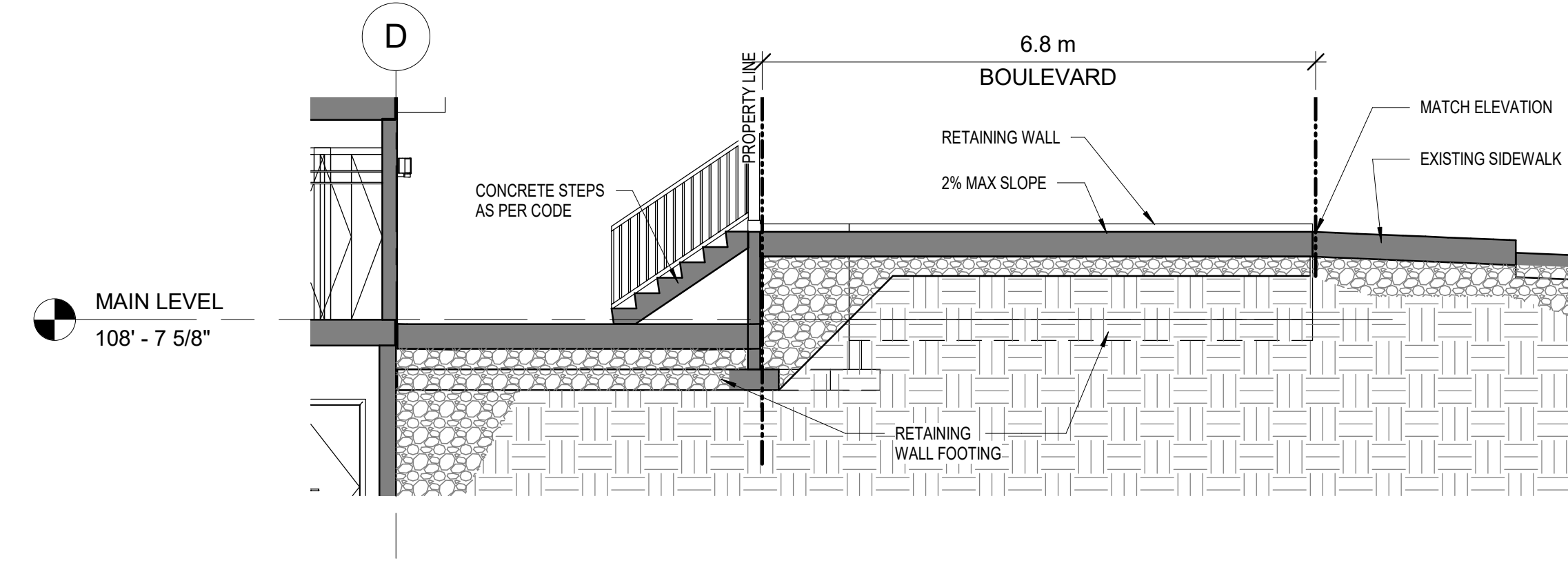
A010

plotted NOV 24, 2017 11/24/2017 2:00:28 PM

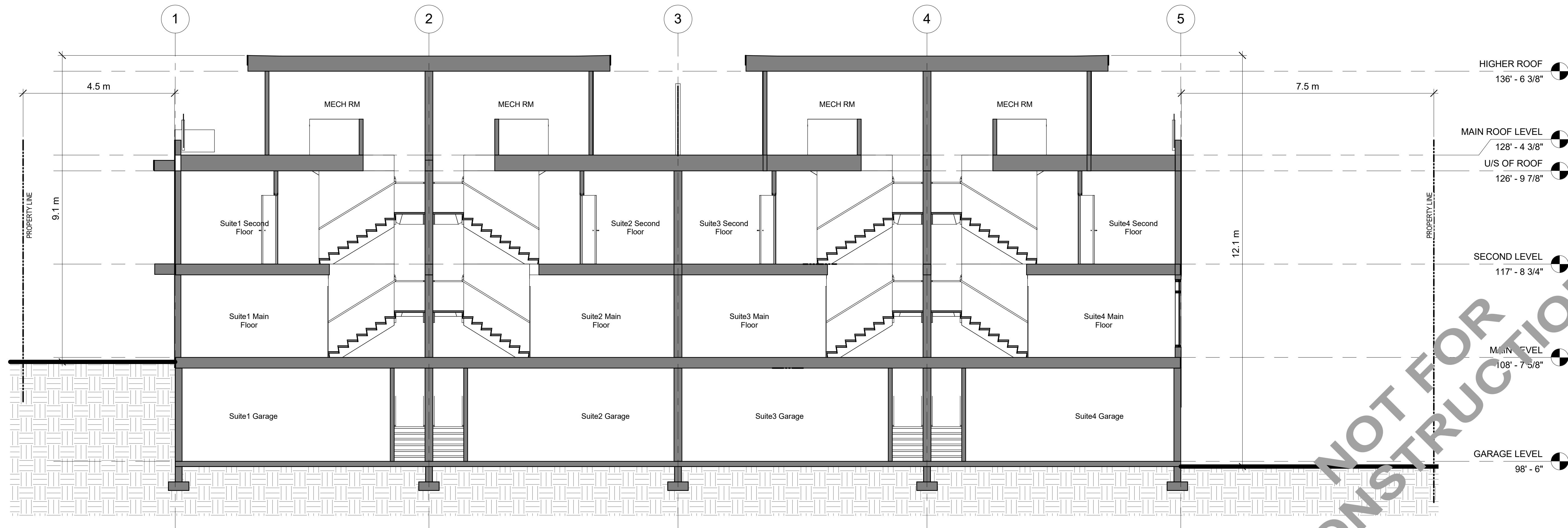
1 South Elevation
3/16" = 1'-0"2 West Elevation
3/16" = 1'-0"NOT FOR
CONSTRUCTION



1 Section 1
A006 3/16" = 1'-0"



3 PATIO SECTION - TYPICAL
A3.1 3/16" = 1'-0"



2 Section 2
A006 3/16" = 1'-0"

ATTACHMENT A

This forms part of application
Z17-0116

Planner
Initials KB



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Revision

No	Date	Description
1	NOV 24, 2017	ISSUED FOR DP

Seal

project title
BERNARD AVE. 4-PLEX

project address
**1371 BERNARD AVE,
KELOWNA, BC**

project no. 4035

file no.

drawing title

SECTIONS

designed scale 3/16" = 1'-0"

drawn R.B./R.Y.

checked R.Y.

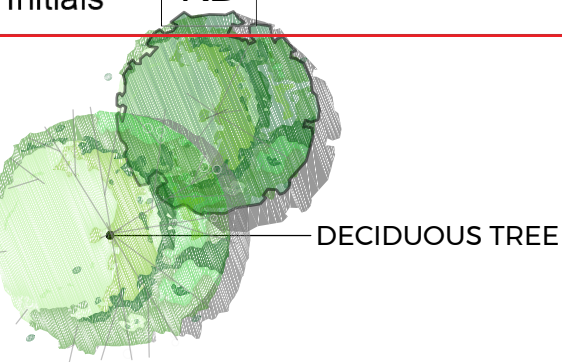
drawing no.

A011

plotted NOV 24, 2017 11/24/2017 2:00:28 PM



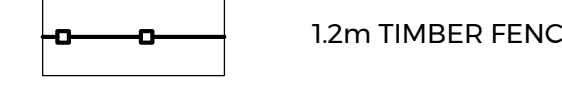
Planner Initials KB



DECIDUOUS TREE



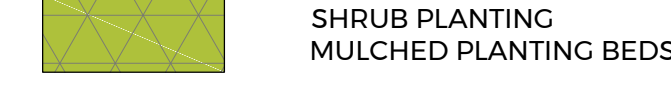
PROPERTY LINE



12m TIMBER FENCE



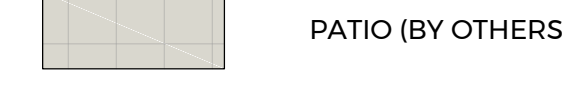
GRASS / PERENNIAL MULCHED PLANTING BEDS



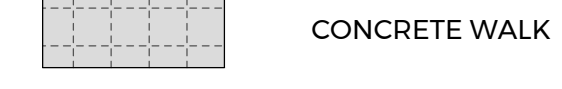
SHRUB PLANTING MULCHED PLANTING BEDS



SOD AREA



PATIO (BY OTHERS)



CONCRETE WALK

LANDSCAPE DEVELOPMENT DATA:

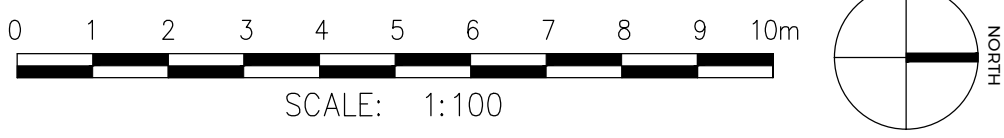
1. PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO MINIMUM STANDARDS ESTABLISHED IN THE CANADIAN LANDSCAPE STANDARD (CURRENT EDITION).
2. THE LANDSCAPE DESIGN DESIGNATED HEREIN IS CONCEPTUAL BUT REFLECTS THE MINIMUM ACCEPTABLE QUALITY AND SIZE.
3. PLANT MATERIAL SELECTIONS ARE CONCEPTUAL ONLY. FINAL PLANTING SELECTIONS MAY VARY DEPENDING UPON AVAILABILITY.
4. ALL PLANTING BEDS SHALL HAVE APPROVED MULCH.
5. ALL LANDSCAPE AREAS TO BE IRRIGATED WITH AN EFFICIENT AUTOMATIC IRRIGATION SYSTEM.
6. THIS DRAWING DEPICTS FORM AND CHARACTER AND IS TO BE USED FOR DEVELOPMENT PERMIT SUBMISSION ONLY. IT IS NOT INTENDED FOR USE AS A CONSTRUCTION DOCUMENT.

REPRESENTATIVE PLANT LIST

BOTANICAL NAME	COMMON NAME	SIZE	ROOT	Mature Plant Size (Ht x Wd.)
Trees Deciduous				
<i>Cercidiphyllum japonicum</i>	Katsura Tree	6cm Cal	B&B	12.0m x 8.0m
Shrubs / Grasses				
<i>Buxus 'Green Gem'</i>	Green Gem Boxwood	#01	Potted	1.0m x 1.0m
<i>Cornus alba 'Bailhala'</i>	Ivory Halo Dogwood	#01	Potted	1.50m x 1.50m
<i>Euonymus alatus 'Compactus'</i>	Dwarf Burning Bush	#01	Potted	2.0m x 2.0m
<i>Miscanthus sinensis 'Gracillimus'</i>	Maiden Hair	#01	Potted	1.0m x 1.5m
<i>Pennisetum alopecuroides 'Red Head'</i>	Red Head Fountain Grass	#01	Potted	1.2m x 1.2m
Perennials				
<i>Allium 'Globemaster'</i>	Persian Onion		bulb	
<i>Echinacea purpurea 'Magnus'</i>	Magnus Coneflower	#01	Potted	1.0m x 0.75m
<i>Nepeta x fassenii 'Walker's Low'</i>	Walker's Low Catmint	#01	Potted	0.90m x 0.90m
<i>Rudbeckia hirta 'Indian Summer'</i>	Goldsturm Coneflower	#01	Potted	0.75m x 1.0m



1 LANDSCAPE PLAN
LDP1 SCALE: 1:100



REPRESENTATIVE IMAGES



Cercidiphyllum japonicum



Buxus 'Green Gem' with Allium



Cornus alba 'Bailhala'



Euonymus alatus 'Compactus'



Nepeta x fassenii 'Walker's Low'



Rudbeckia hirta 'Indian Summer'



Echinacea purpurea 'Magnus'



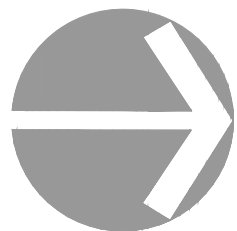
Pennisetum alopecuroides 'Red Head'



Miscanthus sinensis 'Gracillimus'



Bike Racks



REVISIONS / ISSUED		
NO.	DATE	DESCRIPTION
1	NOV 02/17	ISSUED FOR DP

PROJECT
1371 BERNARD AVENUE 4-PLEX
CLIENT
LOCATION
KELOWNA, B.C.

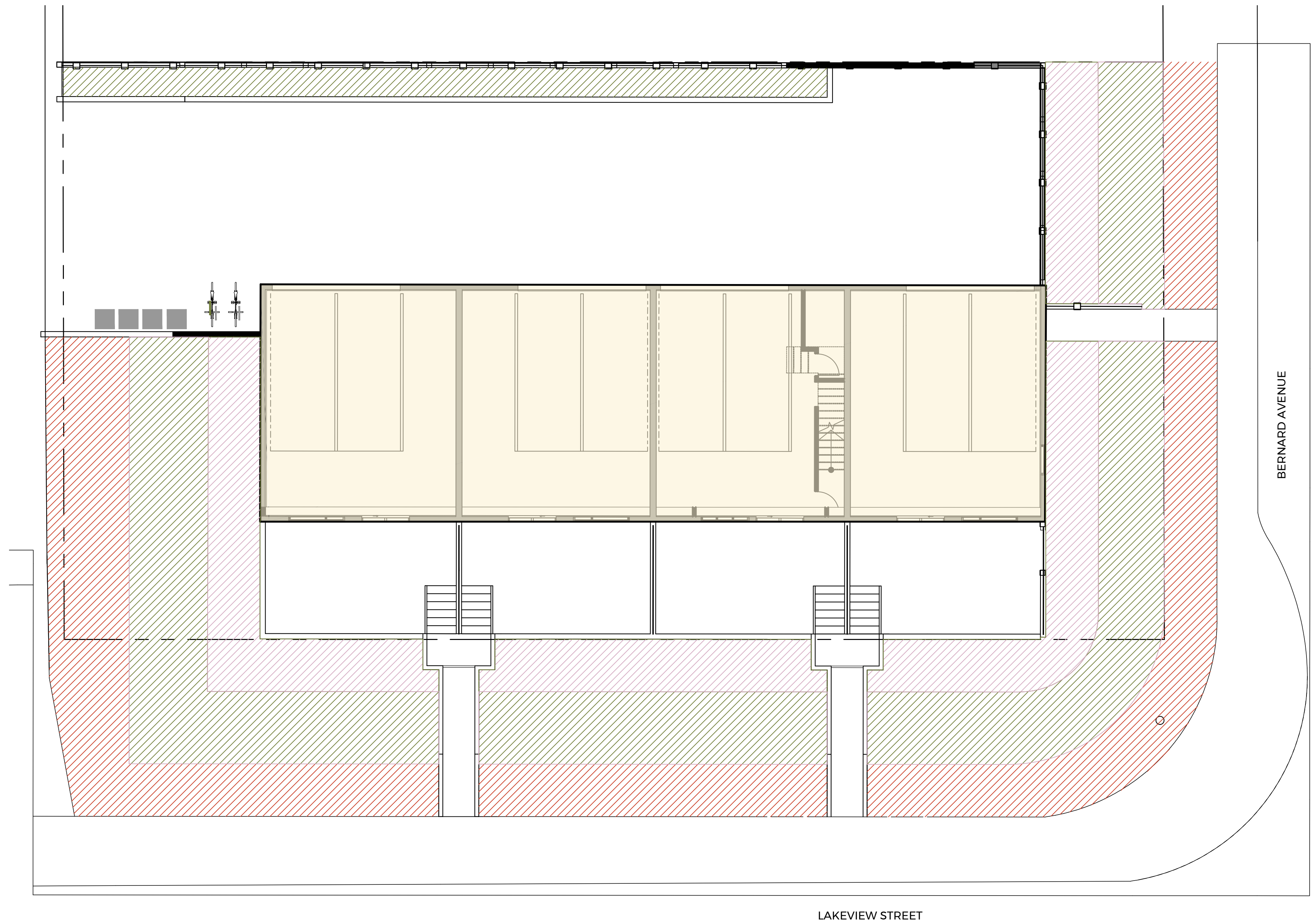


540 Leon Avenue, Kelowna, BC V1Y6J6
t. 250.869.1334, f. 250.862.4849, www.wsp.com

DESIGN BY	BD
DRAWN BY	YY
CHECKED BY	BD
PROJECT NO.	17M-01929
SCALE	1:100

SHEET TITLE	SITE PLAN
SHEET NO.	LDP-1
	1 OF 2

P:\51 - BC INTERIOR\517\17M-01929-00 BERNARD 4-PLEX\01 - PRODUCTION DRAWINGS\01 - CURRENT\17M-01929-LDP.DWG



- HYDROZONE LEGEND:
- LOW WATER REQUIREMENTS (224.0m.sq.)
 - MODERATE WATER REQUIREMENTS (121.0m.sq.)
 - HIGH WATER REQUIREMENTS (178.0m.sq.)

ATTACHMENT A

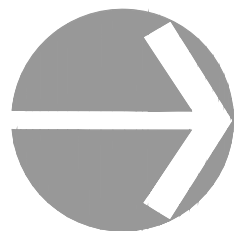
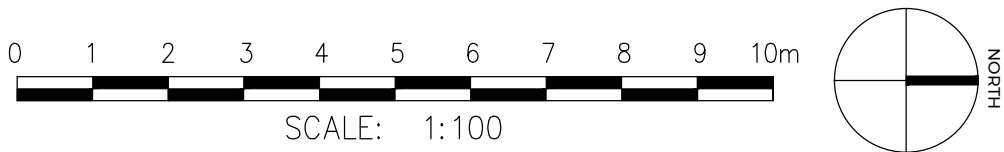
This forms part of application

Z17-0116

Planner Initials KB



1 HYDROZONE PLAN
LDP2 SCALE: 1:100



REVISIONS / ISSUED		
1	NOV 02/17	ISSUED FOR DP
NO.	DATE	DESCRIPTION

PROJECT
1371 BERNARD AVENUE 4-PLEX

CLIENT

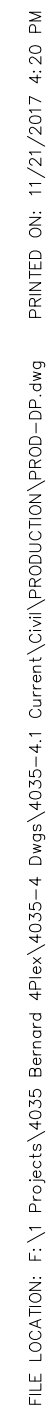
LOCATION
KELOWNA, B.C.

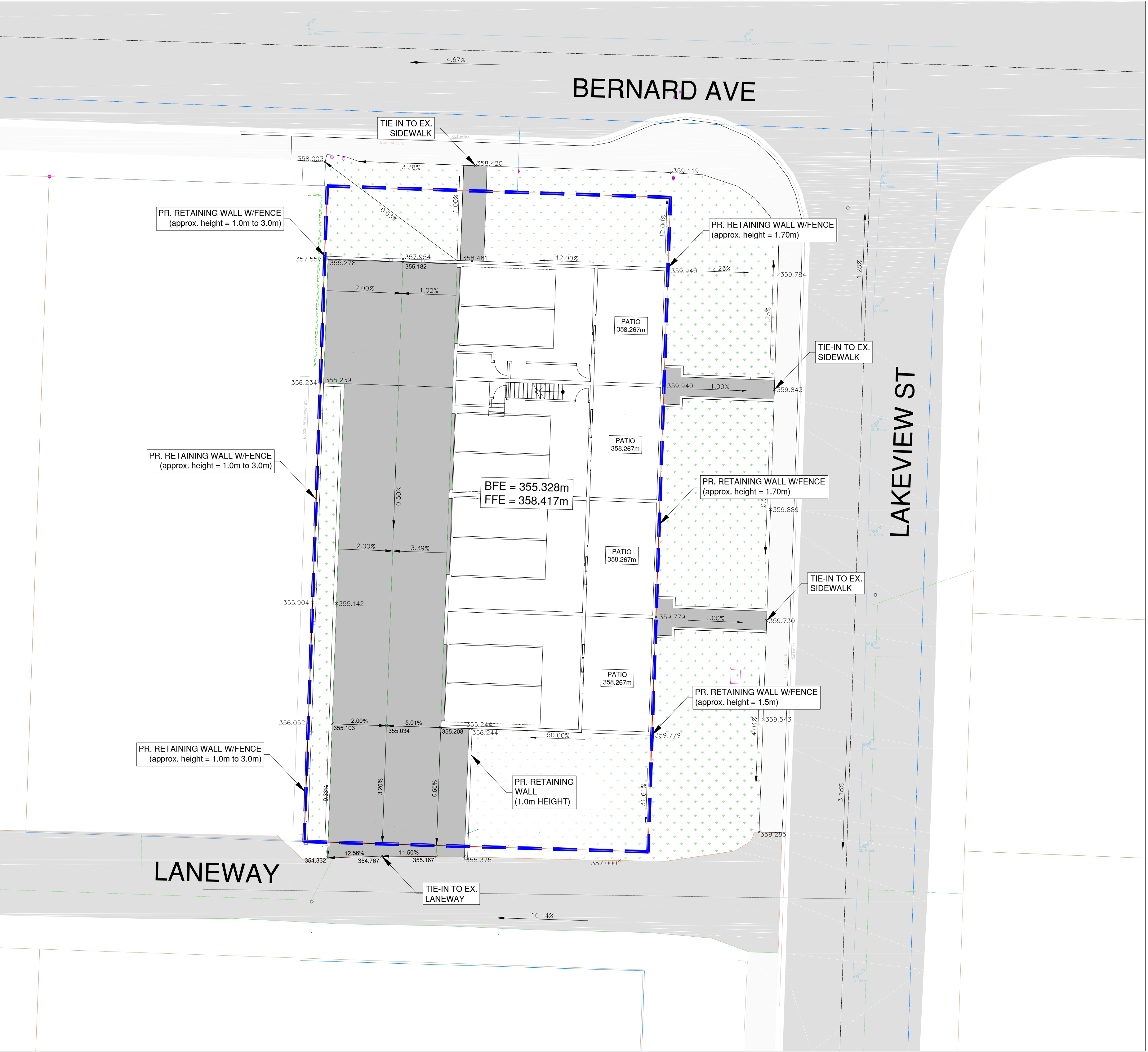
540 Leon Avenue, Kelowna, BC V1Y6J6
t. 250.869.1334, f. 250.862.4849, www.wsp.com

DESIGN BY	BD
DRAWN BY	YY
CHECKED BY	BD
PROJECT NO.	17M-01929
SCALE	1:100

SHEET TITLE
HYDROZONE PLAN

SHEET NO.
LDP-2 2 OF 2

32



LEGEND

WATER

SAN. SEWER

STORM SEWER

GAS

U/G TELEPHONE

U/G ELECTRICAL

MANHOLE

UTILITY POLE

POWER POLE

LAMP STANDARD

CATCH BASIN

HYDRANT

TREES

SURVEY MONUMENT

○ M.H.

● U.P.

● P.P.

□ L.S.

⊗ C.B.

⊕ HYD

○ T

⊙

PAVE WITH ASPHALT

REMOVE-REGRADE-REPLACE

LEVEL COURSE

NO.

YY/MM/DD

BY

REVISION

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URBAN PLANNING

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BASE

DESIGN

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DATE

SCALE

JP

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2017/11/21

1:150

CITY OF KELOWNA

DESIGN AND CONSTRUCTION

GRADING PLAN

BERNARD 4 PLEX

1371 BERNARD AVE

The location of existing underground utilities are shown in an approximate way only & have not been independently verified by the owner or its representative. The contractor shall determine the exact location of all existing utilities before commencing work, and agrees to be fully responsible for any and all damages which might be occasioned by the contractor's failure to exactly locate and preserve any and all underground utilities.

DRAWING NO.

2

CITY OF KELOWNA FILE NO.

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REV. NO.

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FILE LOCATION: F:\1 Projects\023 Bernard 4 Plex\Draw\035-41 Draw\035-41.dwg
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REPORT TO COUNCIL



Date: April 9, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (KB)

Application: Z18-0023

Owner: Darcy Byron Ruck
Martha Mary Ruck

Address: 150 Portview Avenue

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. Z18-0023 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 5 Township 23 Osoyoos Division Yale District Plan KAP46777, located at 150 Portview Avenue, 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;

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 April 9, 2018;

2.0 Purpose

To rezone the subject property to the RU2c-Medium Lot Housing with Carriage House designation to facilitate the development of a carriage house.

3.0 Community Planning

Community Planning Staff support the proposed rezoning application from RU2 – Medium Lot Housing to RU2c – Medium Lot Housing with Carriage House to facilitate the development of a carriage house.

The Official Community Plan (OCP) Future Land Use designation of the subject property is S2RES – Single/Two Unit Residential, which supports this increase in density. The concept of the carriage house is aligned with the OCP Policy of Compact Urban Form – increasing density where infrastructure already exists, and the property is connected to City sanitary sewer. Should Council approve the rezoning, the applicant may apply for a building permit provided there are no variances requested.

The applicant indicated in a rationale letter that it is anticipated that this property will eventually be subdivided further. Staff note that if an application for subdivision was submitted, based on current zoning regulations, this could result in up to four adjacent RU2 – Medium Lot Housing with Carriage House zoned properties.

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

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 a new single storey carriage house. A conceptual site plan has been submitted showing the single storey carriage house can be constructed without variances and that it will not be located within a natural environment development permit area, due to steep slopes, on the property.

4.3 Site Context

The 3,310 m² subject property is located in the Glenmore-Clifton-Dilworth Sector, in close proximity to schools and parks. It is located within the Permanent Growth Boundary and has a walk score of 13 which means that almost all errands require a car.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU2 – Medium Lot Housing	Single Dwelling Housing
East	RU2 – Medium Lot Housing	Single Dwelling Housing
South	RU2 – Medium Lot Housing	Single Dwelling Housing
West	Ru1h – Large Lot Housing (Hillside Area)	Single Dwelling Housing

Subject Property Map: 150 Portview Avenue



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5 - Development Process

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 neighborhood with respect to building design, height and siting.

Policy 5.22.12 – Carriage Houses & Accessory Apartments. Support carriage houses and accessory apartments through appropriate zoning regulations.

6.0 Technical Comments

6.1 Development Engineering Department

See attached City of Kelowna Memorandum dated March 1, 2018.

7.0 Application Chronology

Date of Application Received: February 28, 2018

Date Public Consultation Completed: March 20, 2018

Report prepared by: Kimberly Brunet, Planner

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Schedule A – City of Kelowna Memorandum

Attachment A - Applicants Letter of Rationale, Draft Site Plan and Elevations

CITY OF KELOWNA

MEMORANDUM

Date: March 1, 2018
File No.: Z18-0023
To: Community Planning (KB)
From: Development Engineering Manager (JK)
Subject: 150 Portview Avenue RU2 to RU2c 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

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 is responsible, if necessary, to arrange with GEID staff for any service improvements.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. Only one service will be allowed per lot.

3. Development Permit and Site Related Issues

Direct the roof drains onto splash pads.

Existing 13m driveway must be reduced to one (1) 6m wide as per bylaw 7900.

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

RO



February 23, 2018

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

Re: Rezoning to construct a Carriage House at 150 Portview Avenue

Dear Planning Staff

This application is to rezone the property at 150 Portview Avenue to the RU2c – Medium Lot Housing with Carriage House zone, allowing the construction of a carriage house. The property is very large and can easily accommodate a carriage house, yet still provides ample private open space for two dwellings. All Zoning Bylaw regulations can easily be met.

The proposed siting of the carriage house is intentionally placed directly behind the existing principal dwelling on a relatively flat area. The property is a remnant parcel when this subdivision was created. It is anticipated that this property will eventually be subdivided into multiple RU2- Medium Lot Housing properties and it is expected that the carriage house will remain with the principal dwelling.

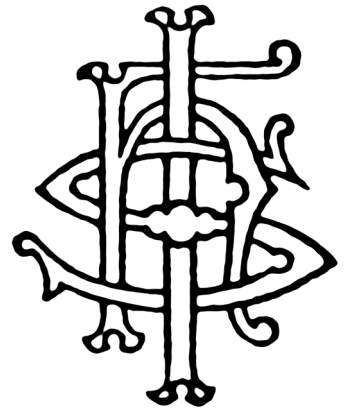
The proposed two-bedroom carriage house is 1storey in height with a big open plan living area which accesses the private open space on the south side of the proposed dwelling. The carriage house is reached by a foot pathway from the allocated parking on the existing driveway apron. The plan is to retain the abundant mature vegetation and not disturb the slopes at the rear of the site.

Many of the Official Community Plan objectives for creating good infill housing are easily met for this property and the greater community. The property has easy access to schools, parks, transit and other natural amenities. This proposal is anticipated to be good infill development that is easily integrated into the existing form of the neighbourhood.

With this application we are seeking to develop quality housing stock in the area. Please contact me directly should you have any questions about the property.

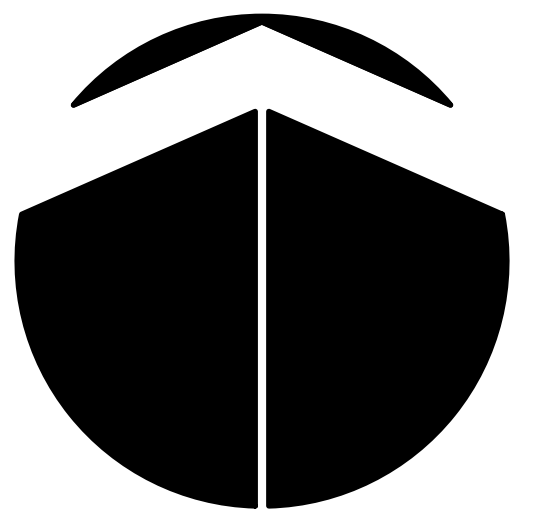
Regards,

Birte Decloux for Martha and Darcy Ruck



IHS DESIGN
1392 MINE HILL DRIVE
KELOWNA, BC V1P 1S5
www.ihsdesign.com
(250) 212-7938

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PROJECT NORTH

REVISION	DATE	DISCRPTION

PROJECT

CARRIAGE HOUSE DEVELOPMENT

150 PORTVIEW AVENUE

KELOWNA, BC V1V 1T9

LOT A PLAN KAP46777

DRAWING TITLE

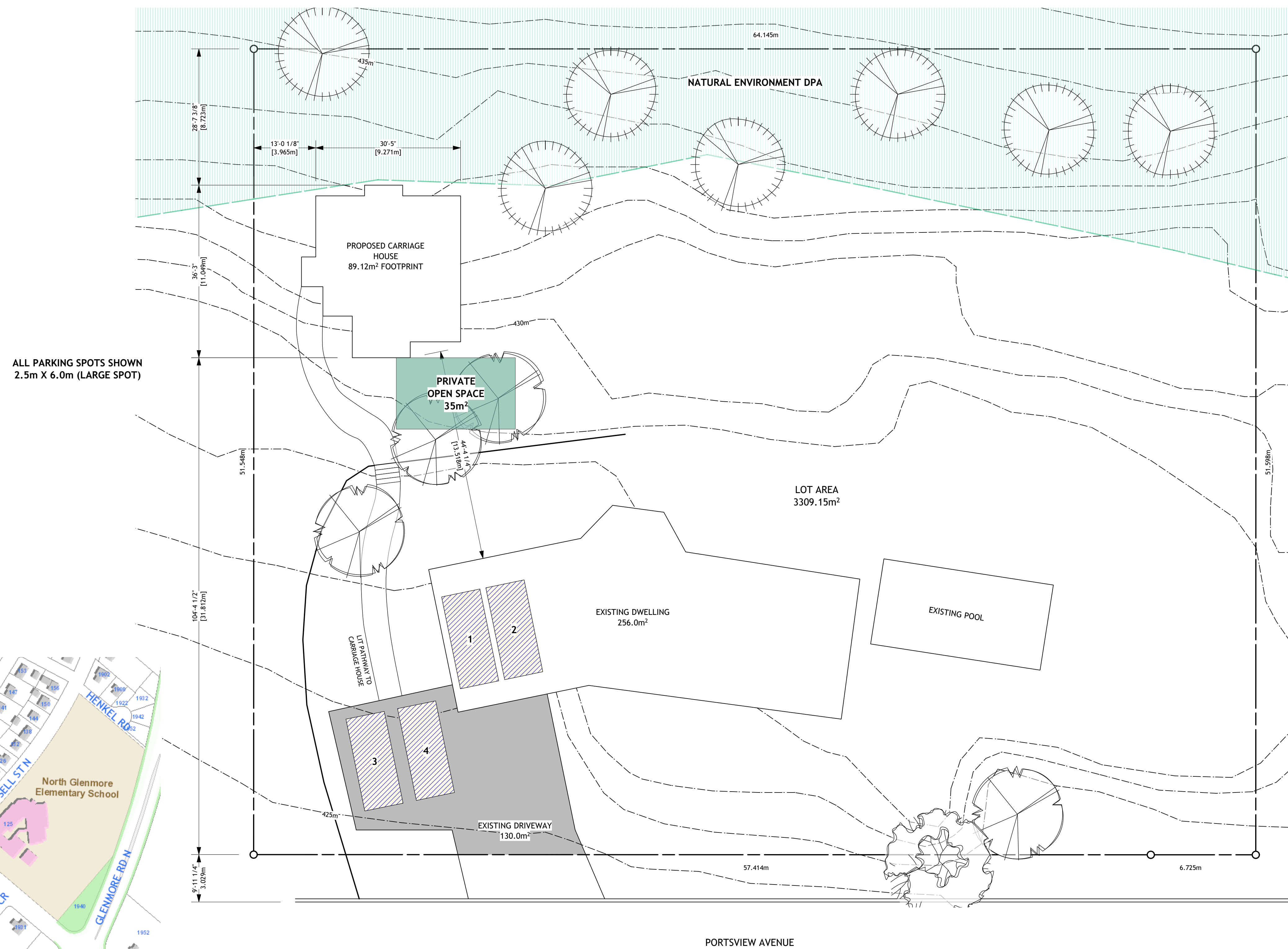
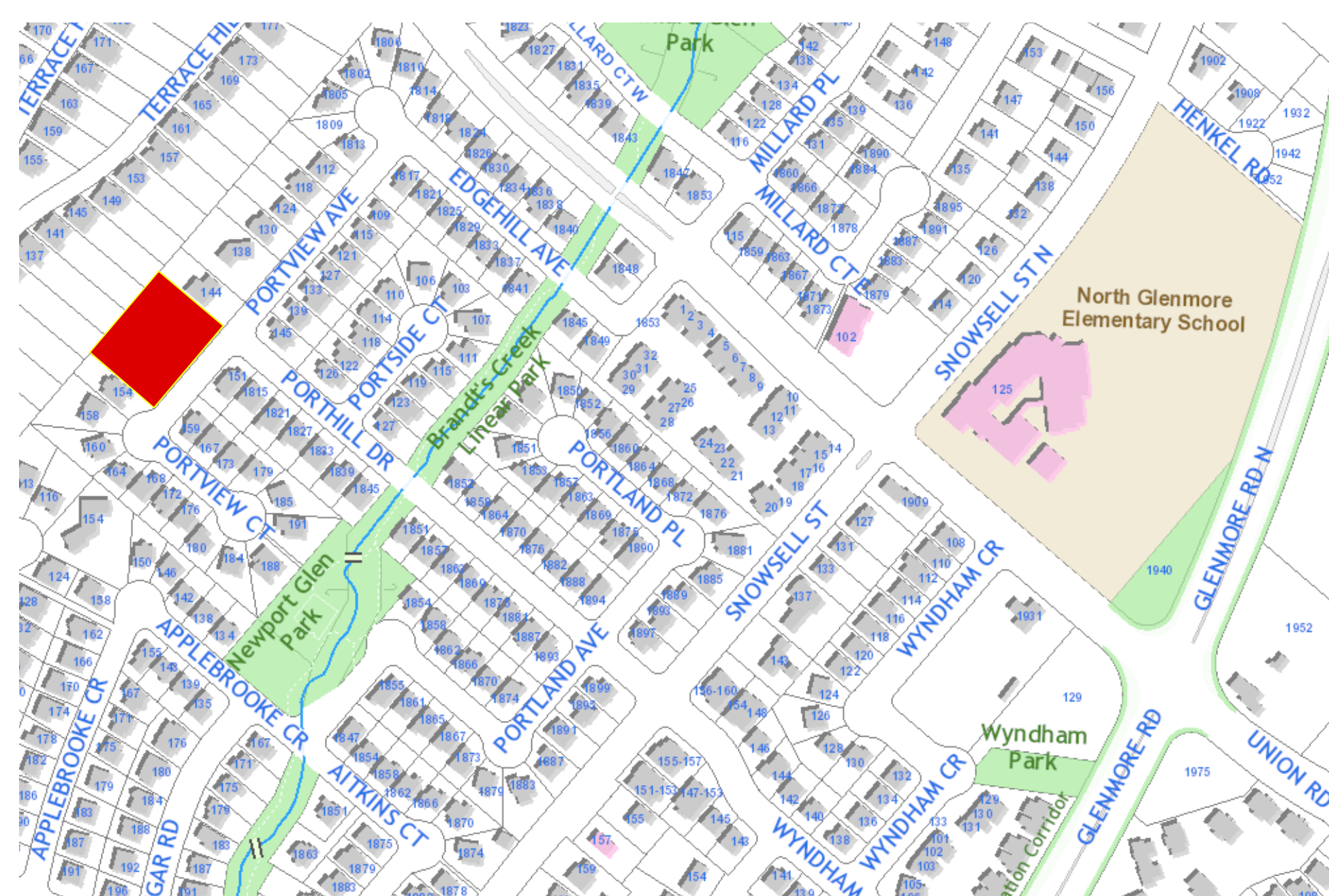
SITE PLAN

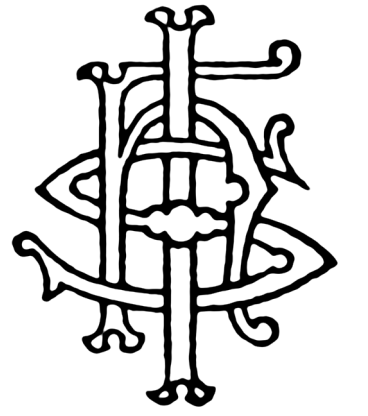
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FEBRUARY 20, 2018

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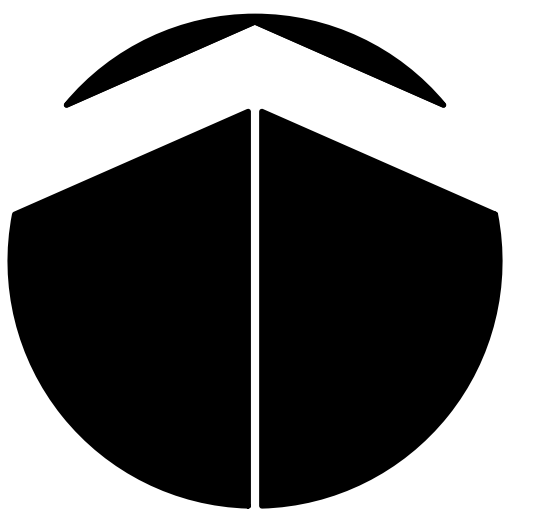
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PROJECT NORTH

REVISION	DATE	DISCRPTION

PROJECT

ACCESSORY DEVELOPMENT

150 PORTVIEW AVENUE

KELOWNA, BC V1V 1T9

LOT A PLAN KAP46777

DRAWING TITLE

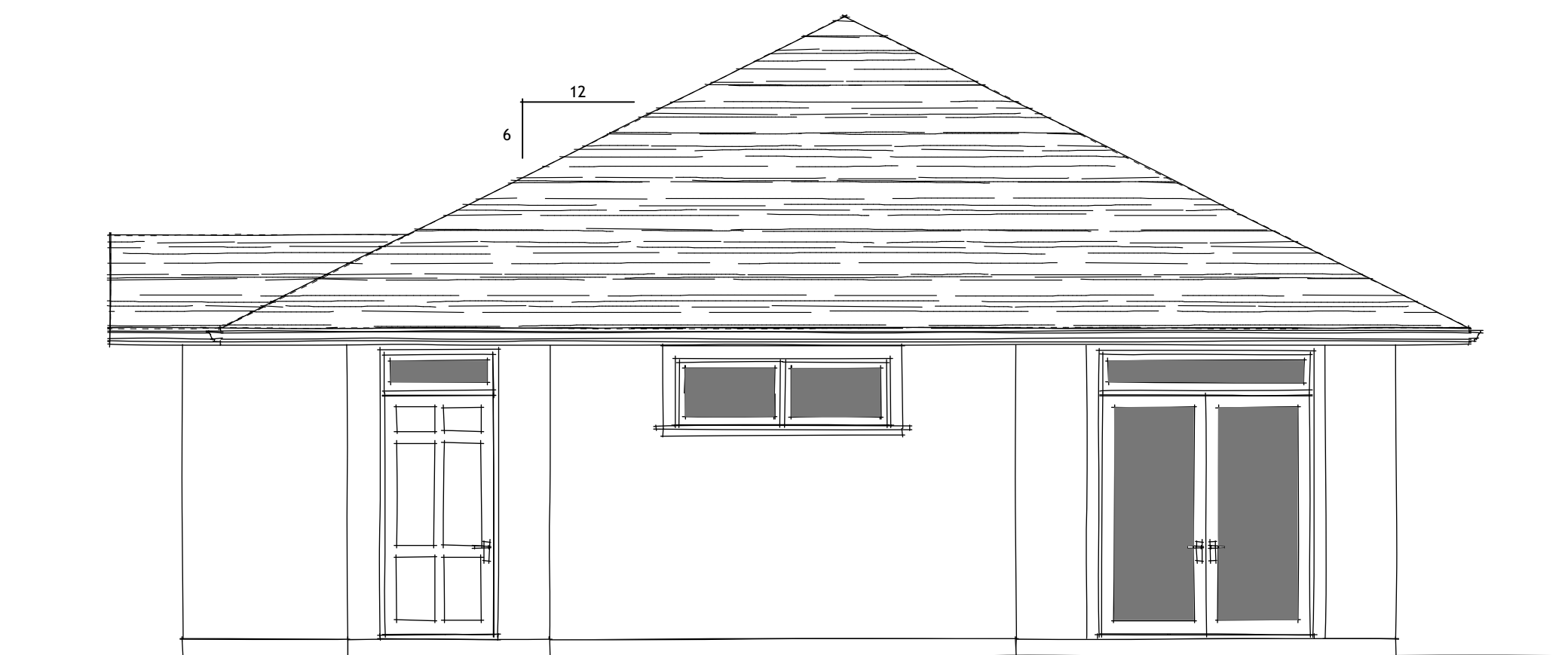
ELEVATIONS

DATE _____

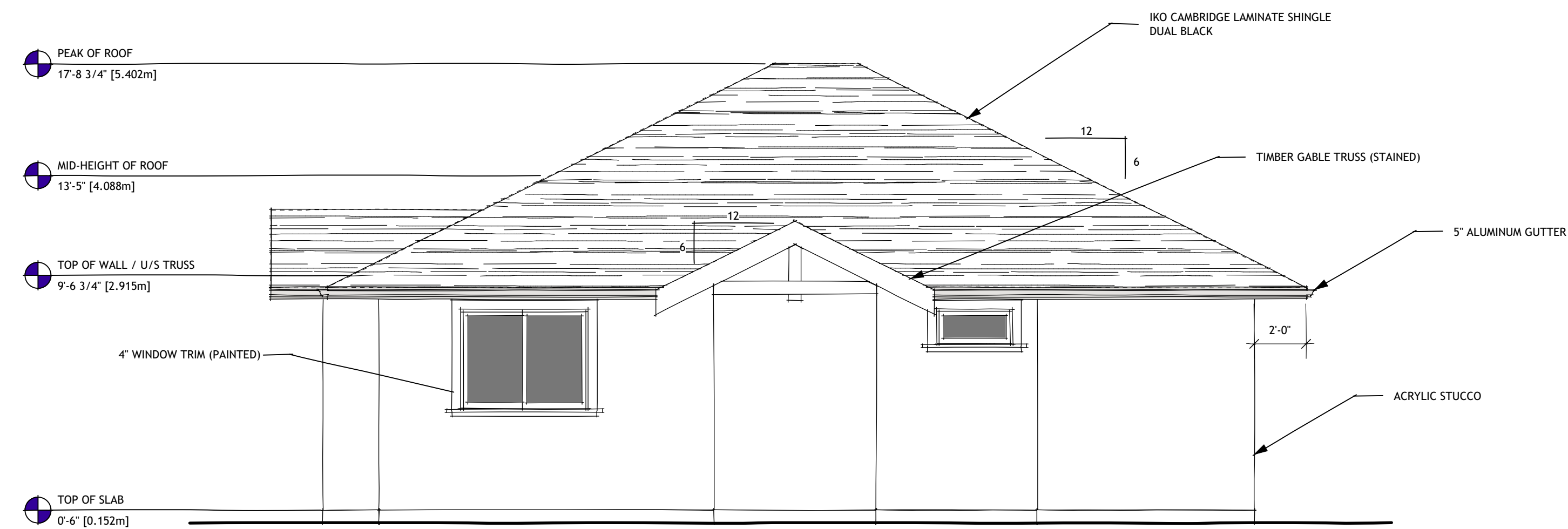
FEBRUARY 20, 2018

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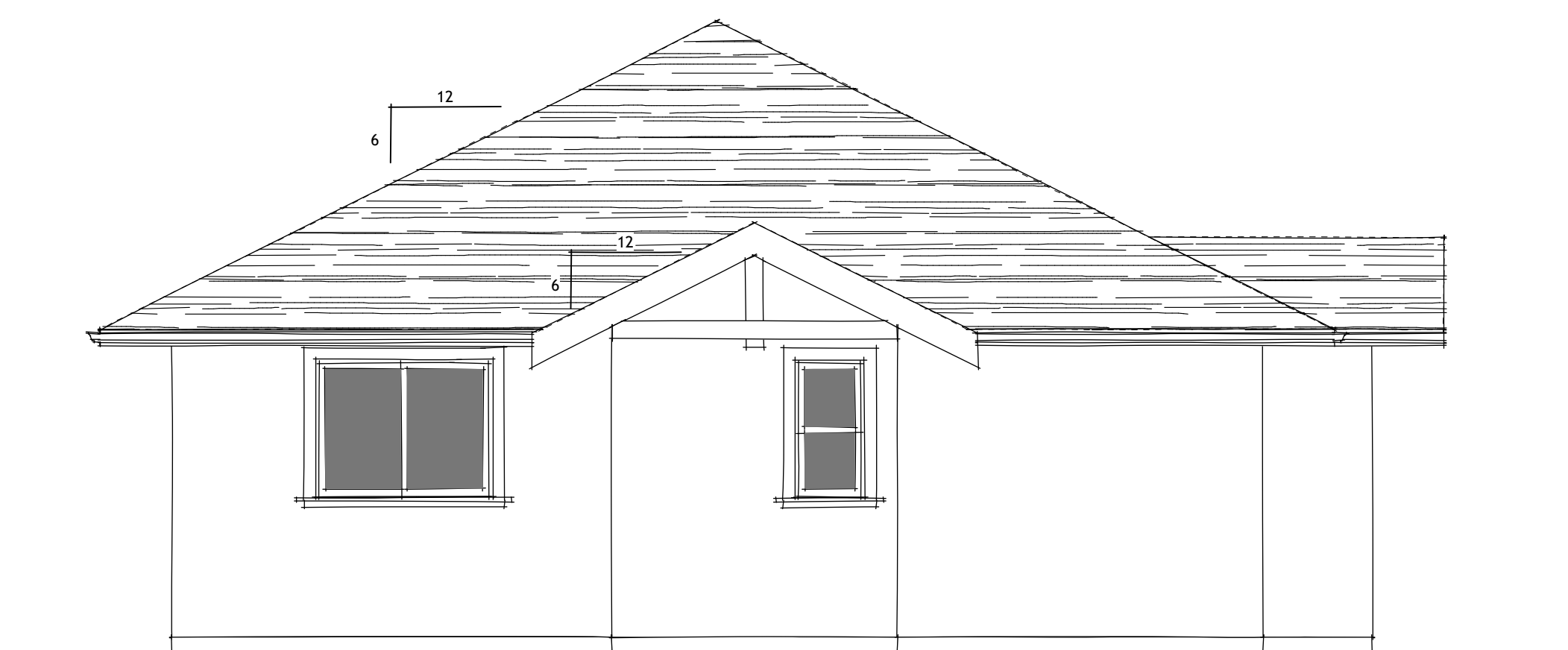
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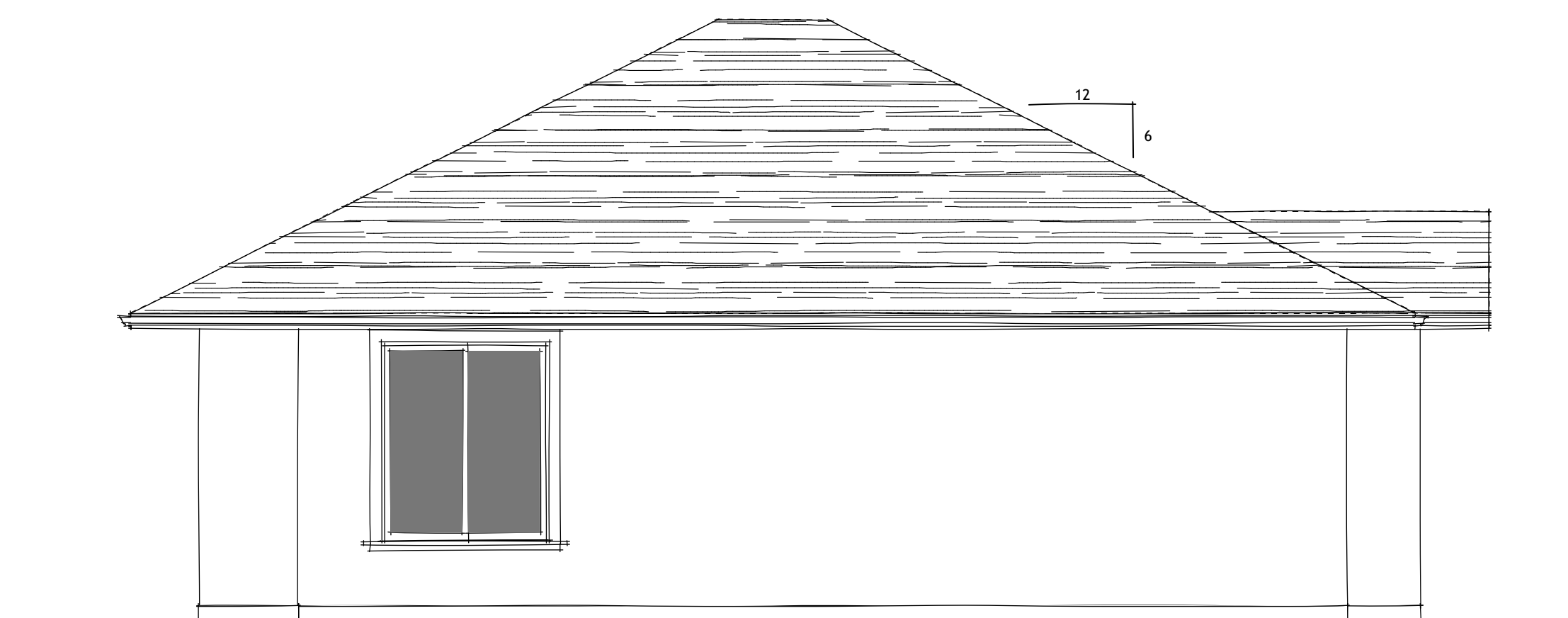
1 SOUTH ELEVATION
Scale: 1/4" = 1'-0"



2 EAST ELEVATION
Scale: 1/4" = 1'-0"



3 SOUTH ELEVATION
Scale: 1/4" = 1'-0"



4 WEST ELEVATION
Scale: 1/4" = 1'-0"

REPORT TO COUNCIL



Date: April 9, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (LK)

Application: OCP18-0002 & Z18-0008 **Owner:** Sukhdarshan Singh Pannu

Address: 1044, 1052 & 1074 Cawston Avenue **Applicant:** New Town Services

Subject: OCP Amendment & Rezoning Applications

Existing OCP Designation: SIH – Sensitive Infill Housing, MRM – Multiple Unit Residential (Medium Density)

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

Existing Zone: RU7 – Infill Housing, RU6- Two Dwelling Housing

Proposed Zone: RM5 – Medium Density Multiple Housing

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP18-0002 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 2 District Lot 138 ODYD Plan 3857, located at 1044 Cawston Avenue, Kelowna, BC from the SIH – Sensitive Infill Housing designation to the MRM – Multiple Unit Residential (Medium Density) designation, be considered by Council;

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

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the *Purpose* of Section 879 of the *Local Government Act*, as outlined in the Report from the Community Planning Department dated April 9, 2018;

THAT Rezoning Application No. Z18-0002 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 & Lot 2 District Lot 138 ODYD Plan 4315, located at 1052 & 1074 Cawston Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple Housing zone and by changing the zoning classification of Lot 2 District Lot 138 ODYD Plan 3857, located at 1044 Cawston Avenue, Kelowna, BC from the RU7 – Infill 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 Official Community Plan Map Amending Bylaw and 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 April 9, 2018;

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

2.0 Purpose

To amend the Official Community Plan to change the Future Land Use designation and to rezone the subject properties to facilitate the development of multiple dwelling housing on the subject properties.

3.0 Community Planning

Community Planning Staff are supportive of the proposed Official Community Plan (OCP) Amendment and Rezoning applications to facilitate the development of a 40-unit apartment housing development. The subject properties are close to the 'City Centre' Urban Centre at 1044, 1052 & 1074 Cawston Avenue between Graham Street and Gordon Drive. The three properties, which will be consolidated, are on the north side of the Cawston Avenue multi-use corridor which will provide good cycling connectivity to downtown, the Ethel St multi-use corridor, and Rails with Trails. The properties have a Walk Score of 67 (Somewhat Walkable- some errands can be accomplished on foot) and a Transit Score of 43 (Some Transit- a few nearby public transportation options). The surrounding neighbourhood is an area in transition with a number of projects in the development stage. The proximity to downtown provides nearby amenities including parks, restaurants, shops and recreational opportunities in the immediate area.

The applicant is requesting an Official Community Plan amendment for one of the three subject parcels from SIH – Sensitive Infill Housing to the MRM – Multiple Unit Residential (Medium Density) and rezoning of all three parcels (1 – RU7 and 2 - RU6) to the RM5 - Medium Density Multiple Housing zone. The proposal is for the construction of a 4-½ storey apartment building with a proposed FAR of 1.155. The maximum achievable floor area ratio is 1.2 when parking is provided under habitable space or screened from view. The proposal includes 40 dwelling units which include bachelor, one and two bedroom units to meet the OCP goal of providing a greater mix of housing unit sizes.

To fulfill Council Policy No. 367 for 'OCP Minor' and 'Zoning Major' applications, the applicant held a public information session on February 28, 2018 at the Martin Avenue Community Centre located at 1434 Graham Street from 5:30 -8pm. The session was advertised in the Kelowna Daily Courier and development notice signage was erected at the project site.

Staff have reviewed this application and it may proceed without affecting the City's Financial Plan or the Waste Management Plan.

4.0 Proposal

4.1 Project Description

The applicant is proposing the construction of a 4 ½ storey, 40-unit condo building. The main floor has ground oriented units with entry doors facing onto Cawston Avenue. The building massing steps back above 2 ½ storeys, which aids in providing a more pedestrian scaled development and a transition in height to the single family dwellings located to the west.

Zoning Bylaw parking requirements have been met through the provision of 49 parking stalls with the site access from the rear laneway. The parking has been divided with half of the stalls provided in a partially underground parking structure and the remainder as at-grade parking stalls adjacent to the rear lane.

Staff are tracking site coverage variances for the applicant's proposal. The variance would apply to both the site coverage of building and the site coverage of building, driveways and parking area. The variances are requested in order to accommodate the partially above ground parking structure.

Should Council support the OCP Amendment and the Rezoning bylaws, staff will bring forward a report to Council with a detailed review of the design guidelines for the Development Permit and a Development Variance Permit for Council's consideration of the variances.

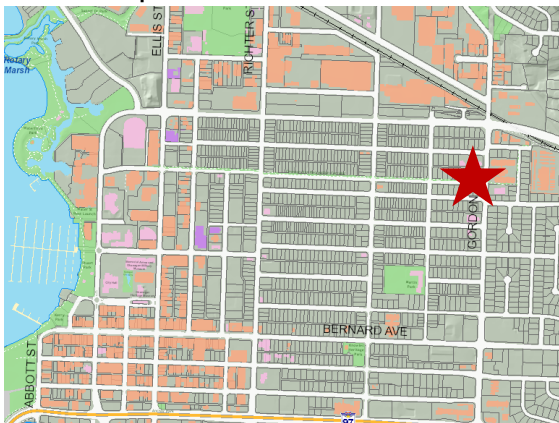
4.2 Site Context

The three subject properties are located outside of the 'City Centre' Urban Centre on the north side of Cawston Avenue between Graham Street and Gordon Drive. The properties are connected to urban services and are located within the Permanent Growth Boundary.

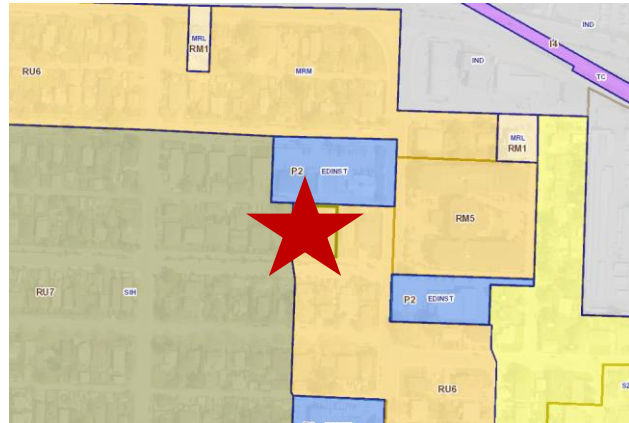
Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P2 – Education and Minor Institutional	Religious Assemblies (Catholic Church)
East	RU6 – Two Dwelling Housing RM5 – Medium Density Multiple Housing	Single & Semi-detached housing Supportive Housing (Northwood)
South	RU6 – Two Dwelling Housing	Duplex Housing
West	RU7 – Infill Housing	Duplex Housing

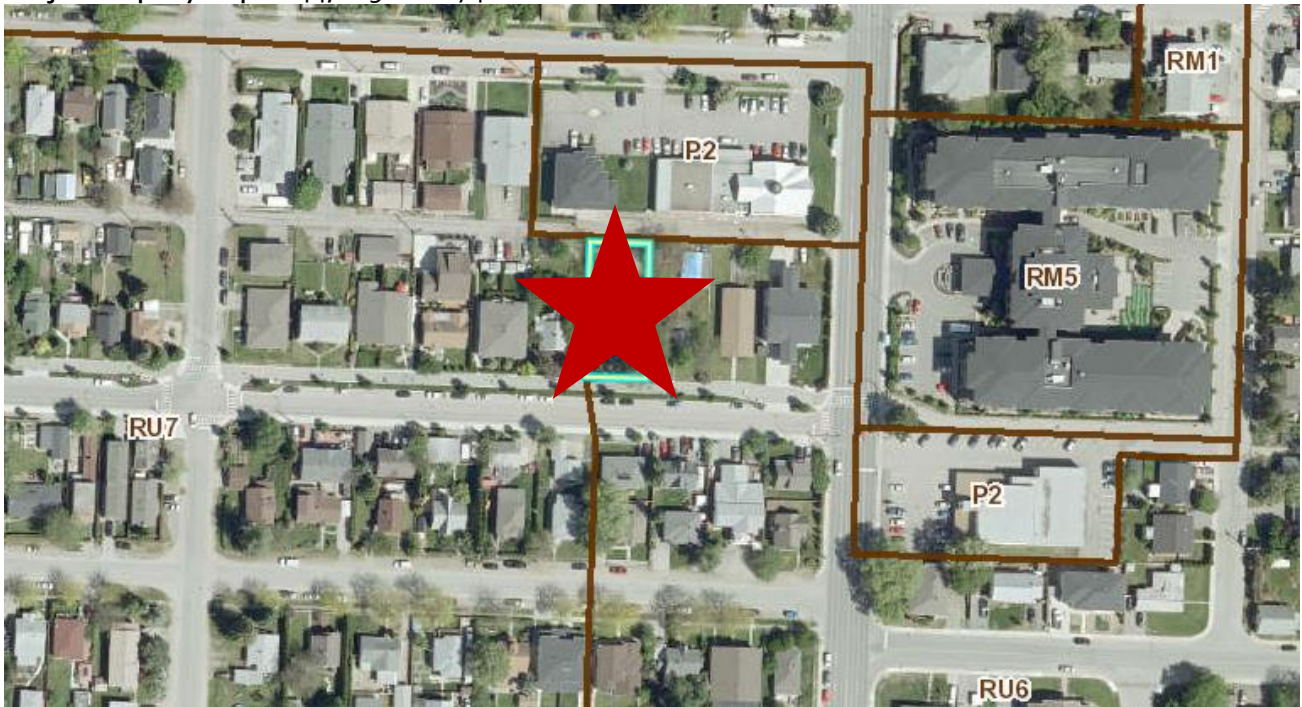
Context Map:



Future Land Use:



Subject Property Map: 1044, 1052 & 1074 Cawston Avenue



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Complete Communities.¹ Support the development of complete communities with a minimum intensity of approximately 35-40 people and/or jobs per hectare to support basic transit service – a bus every 30 minutes. (approx. 114 people / hectare proposed).

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.

Neighbourhood Impact.³ When considering an OCP Amendment, the City will seek information with respect to the impact on land values related to the likelihood that other properties in the immediate neighbourhood will remain or develop as indicated in the OCP.

Housing Mix.⁴ Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

¹ City of Kelowna Official Community Plan, Policy 5.2.4 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.27.9 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 5.27.11 (Development Process Chapter).

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 applications.

6.2 Development Engineering Department

- Refer to Attachment 'A' dated January 29, 2018.

6.3 Fire Department

- No comments related to zoning.

7.0 Application Chronology

Date of Application Received: January 23, 2018

Date of Applicants Public Information Meeting: February 28, 2018

Report prepared by: Lydia Korolchuk, Planner

Reviewed by: Terry Barton, Urban Planning Manager

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

Attachments:

Attachment A: Development Engineering Memorandum

Schedule A: Site Plan and Floor Plans

Schedule B: Conceptual Elevations & Renderings

Schedule C: Landscape Plan

CITY OF KELOWNA

MEMORANDUM

Date: January 29, 2018
File No.: Z18-0008

To: Community Planning (LK)

From: Development Engineering Manager (JK)

Subject: 1044-1074 Cawston Ave RU6 & RU7 to RM5

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

- a. These properties are currently serviced with a 19mm-diameter water services. The developer's consulting mechanical engineer will determine the domestic, fire protection requirements of this proposed development and establish hydrant requirements and service needs. The applicant will arrange for the removal and disconnection of the existing services and the installation of one new larger service at the applicants cost.
- b. A water meter is mandatory for this development 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. The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures. The City of Kelowna water meter contractor must salvage existing water meters, prior to building demolition. If water meters are not salvaged, the developer will be invoiced for the meters.

2. Sanitary Sewer

- a. Our records indicate that these properties are currently serviced with a 100mm-diameter sanitary sewer services. The applicant's consulting mechanical engineer will determine the requirements of the proposed development and establish the service needs. Only one service will be permitted for this development. The applicant will arrange for the removal and disconnection of the existing services and the installation of one new larger service at the applicants cost.

3. Storm Drainage

- a. The developer must engage a consulting civil engineer to provide a storm water

management plan for this site which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems

4. Road Improvements

- a. Cawston Ave has already been upgraded to an urban standard along the full frontage of this proposed development. No further upgrades are needed at this time.
- b. The Laneway on the Southside of this development is in poor condition and will need to be upgraded to an asphalt standard c/w a storm drainage system. Lane cross section to be used is a SS-R2 (6m residential lane).

5. Road Dedication and Subdivision Requirements

- a. Grant Statutory Rights of Way if required for utility services.
- b. If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, TELUS, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.
- c. Lot Consolidation is required
- d. All access to the development will be via the laneway.

6. Development Permit and Site Related Issues

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

7. Electric Power and Telecommunication Services

- a. 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.
- b. Re-locate existing poles and utilities, where necessary. If possible, remove any aerial trespass (es).

8. Engineering

- a. Road and Utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the City Engineering Department for review and marked "issued for construction" by the City Engineer before construction may begin

9. 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 (refer to 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 Works & Utilities 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.

10. Servicing Agreement for Works and Services

- a. A Servicing Agreement is required for all 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.

11. Administration Charge

- a. An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as (3.5% of Total Off-Site Construction Cost plus GST).

12. Survey, Monument and Iron Pins

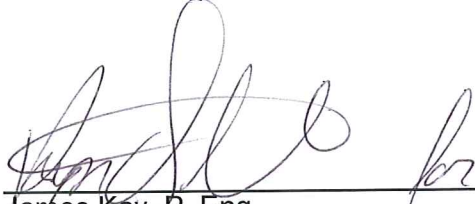
- a. If any legal survey monuments or property iron pins are removed or disturbed during construction, the developer will be invoiced a flat sum of \$1,200.00 per incident to cover the cost of replacement and legal registration. Security bonding will not be released until restitution is made.

13. Geotechnical Report

- a. As a requirement of this application the owner must provide a geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:
- b. Area ground water characteristics.
- c. Site suitability for development, unstable soils, etc.
- d. Drill and / or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any.

Identify unacceptable fill material, analyse soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.

- e. List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- f. Additional geotechnical survey may be necessary for building foundations, etc.



James Kay, P. Eng.
Development Engineering Manager
JA



CITY OF KELOWNA
MEMORANDUM


Date: January 26, 2018
File No.: OCP18-0002
To: Community Planning (LK)
From: Development Engineering Manager (JK)
Subject: 1044-1074 Cawston Ave

SIH - MRM

The Development Engineering Branch comments and requirements regarding this OCP amendment application are as follows:

1. **General**

All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z18-0008



James Kay, P. Eng.
Development Engineering Manager

JA

CAWSTON AVE. 40-UNIT MULTI-FAMILY

ADDRESS: 1044, 1052, & 1074 CAWSTON AVE., KELOWNA, BC



ARCHITECTURAL

NEW TOWN ARCHITECTURE & ENGINEERING INC.
1464 St. Paul Street Kelowna, B.C. V1Y 2E6
Roman Yanchyshnikov, Architect AIBC
ph. 250 860 8185, fax. 250 860 0985
roman@newtownservices.net

- A001 COVER PAGE AND DWG LIST
- A002 ZONING & CODE ANALYSIS
- A102 RENDERINGS
- A103 RENDERINGS
- A200 SITE PLAN
- A300 PARKADE FLOOR PLAN
- A301 FIRST FLOOR PLAN
- A302 SECOND FLOOR PLAN
- A303 THIRD FLOOR PLAN
- A304 FOURTH FLOOR PLAN
- A400 EXTERIOR ELEVATIONS
- A500 BUILDING SECTIONS

LANDSCAPE

WSP
540 Leon Avenue, Kelowna, British Columbia, V1Y 6J6
Byron Douglas
T+ 1 250 468 7730 M+ 1 250 826 7728
Byron.Douglas@wsp.com

- LDP-1 SITE PLAN
- LDP-2 HYDROZONE PLAN



CONTEXT PLAN: 1044, 1052, & 1074
CAWSTON AVE., KELOWNA

NOT FOR CONSTRUCTION

ALL CONTRACTORS ARE REQUIRED TO PERFORM THEIR WORK AND SUPPLY THEIR PRODUCTS IN COMPLIANCE WITH ALL BUILDING CODES AND LAWS OF THE PROVINCE OF BRITISH COLUMBIA

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This drawing must not be scaled

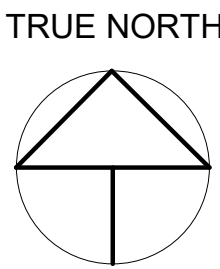
Verify all dimensions and datums prior to commencement of work.

Report all errors and omissions to the Architect.



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URBAN PLANNING
CIVIL ENGINEERING
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SEAL



Revisions

No	Date	Description
1	DEC 15, 2017	ISSUED FOR DP

project title

CAWSTON MULTI-FAMILY

project address

1044, 52, & 74 CAWSTON AVE., KELOWNA, BC

project no.

4028

file no.

drawing title

COVER PAGE AND DWG LIST

designed

scale

drawn

R.B./R.Y.

checked

R.Y.

drawing no.

A001

plotted DEC 15, 2017

ZONING ANALYSIS:

EXISTING	PROPOSED
ZONING:	
RU6 & RU7	RM5

RM5 ZONING REQUIREMENTS:

ALLOWED	PROPOSED
---------	----------

FAR:		
1.1 (1.2 IF PARKING IS UNDER LIVING SPACE)	1.155	
SITE AREA:		
2371.5 m2 (25,526.61 sf)		
NET BUILDING AREA:		
2739.0 m2 (29,482 sf) BASED ON 1.155 FAR	2523.43 m2 (27,161.97 sf)	
MAX SITE COVERAGE FOR BUILDINGS:		
40%	45.48%	
MAX SITE COVERAGE INCL PARKING & DRIVEWAYS:		
65%	73.6%	
BUILDING HEIGHT:		
4.5 STOREYS OR 18m	4.5 STOREYS / 14.9m	
SETBACKS:		
FRONT:	1.5m FOR FIRST 2.5 STOREYS 6.0m FOR UPPER 2 STOREYS	3.66m FOR FIRST 2 STOREYS 6.0m FOR UPPER 2 STOREYS
SIDE:	4.5m FOR FIRST 2.5 STOREYS 7.0m FOR UPPER 2 STOREYS	4.5m FOR FIRST 2 STOREYS 7.0m FOR UPPER 2 STOREYS
REAR:	7.0m	18.0m
PRIVATE OPEN SPACE:		
REQUIRED: 580.0 m2	BALCONIES/ PATIOS:	319.50 m2
	OPEN PRIVATE SPACE AT GROUND LEVEL:	325.34 m2
	TOTAL PROVIDED:	644.84 m2
PARKING AND LOADING:		
BACHELOR (STUDIO):	20 x 1.0 = 20 STALLS	
1 BEDROOM:	7 x 1.25 = 8.75 STALLS	
2 BEDROOM:	13 x 1.5 = 19.5 STALLS	
TOTAL:	49 STALLS	PROVIDED: 49 STALLS
BICYCLE		
40 UNITS x 0.5 STALLS = 20 STALLS (CLASS I)		
40 UNITS x 0.1 STALLS = 4 STALLS (CLASS II)		
TOTAL:	24 STALLS	PROVIDED: 24 STALLS

BUILDING STATISTICS:

UNIT TYPOLOGY & COUNT:

BACHELOR (STUDIO):	20
1 BEDROOM:	7
2 BEDROOM:	13
TOTAL:	40

NUMBER OF STOREYS: 4

GROSS CONSTRUCTION AREA: 3,264.6 SM (35,140 SF)

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Revisions

No	Date	Description
1	DEC 15, 2017	ISSUED FOR DP

project title

CAWSTON MULTI-FAMILY

project address

1044, 52, & 74 CAWSTON AVE., KELOWNA, BC

project no.

4028

file no.

drawing title

ZONING & CODE ANALISYS

designed

scale

drawn

R.B./R.Y.

checked

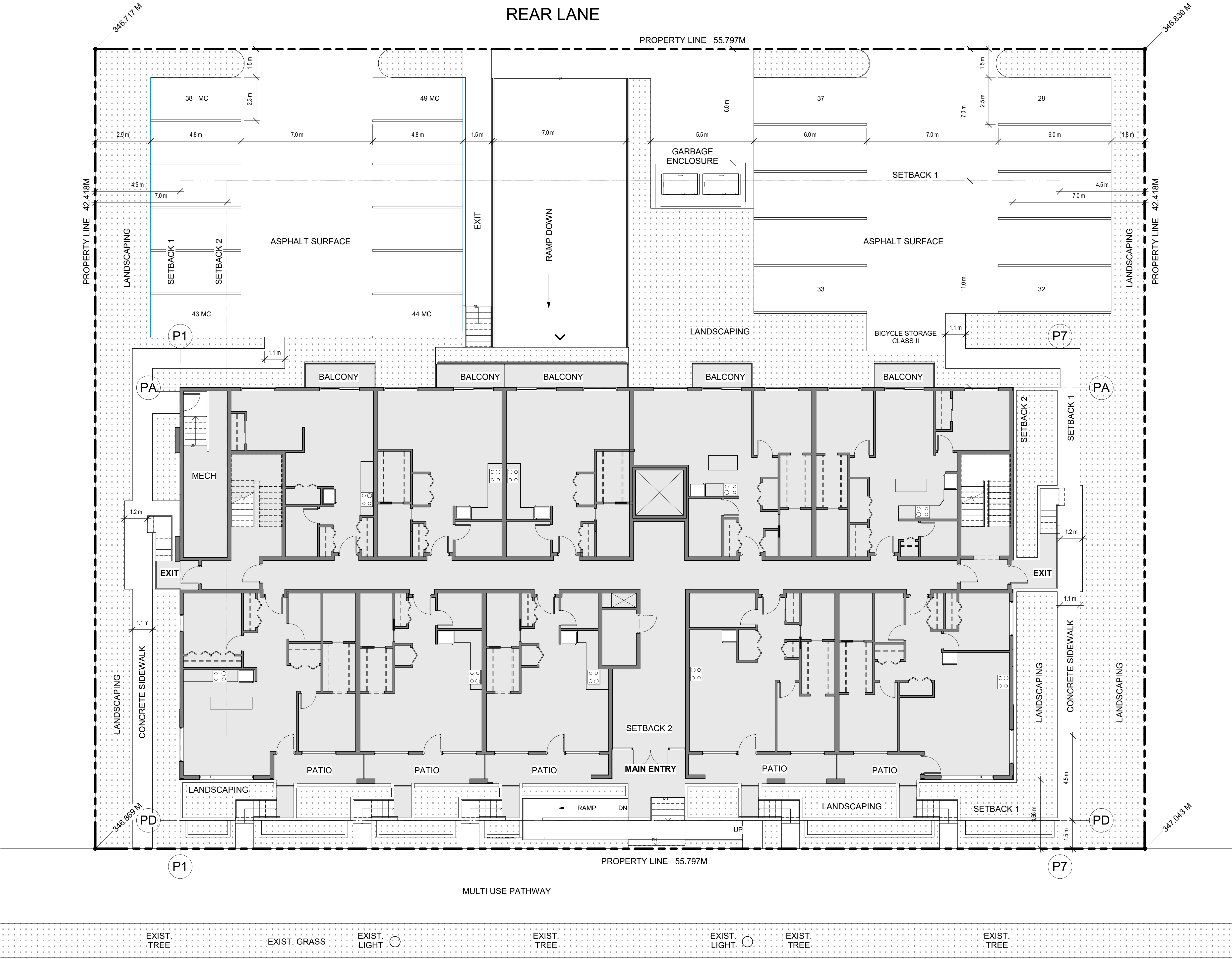
R.Y.

drawing no.

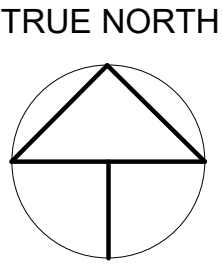
plotted DEC 15, 2017

NOT FOR CONSTRUCTION

A002



SCHEDULE A
This forms part of application
OCP18-0002 Z18-0008
Planner Initials LK
City of Kelowna
COMMUNITY PLANNING



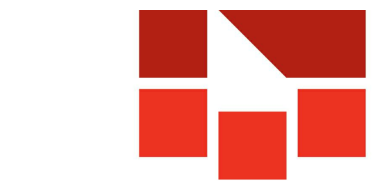
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SEAL

Revisions		
No	Date	Description
1	DEC 15, 2017	ISSUED FOR DP

project title
CAWSTON MULTI-FAMILY

project address
1044, 52, & 74 CAWSTON AVE., KELOWNA, BC
project no. 4028

drawing title
SITE PLAN

designed	scale 1 : 100
drawn	R.B./R.Y.
checked	R.Y.
drawing no.	A200
plotted	DEC 15, 2017

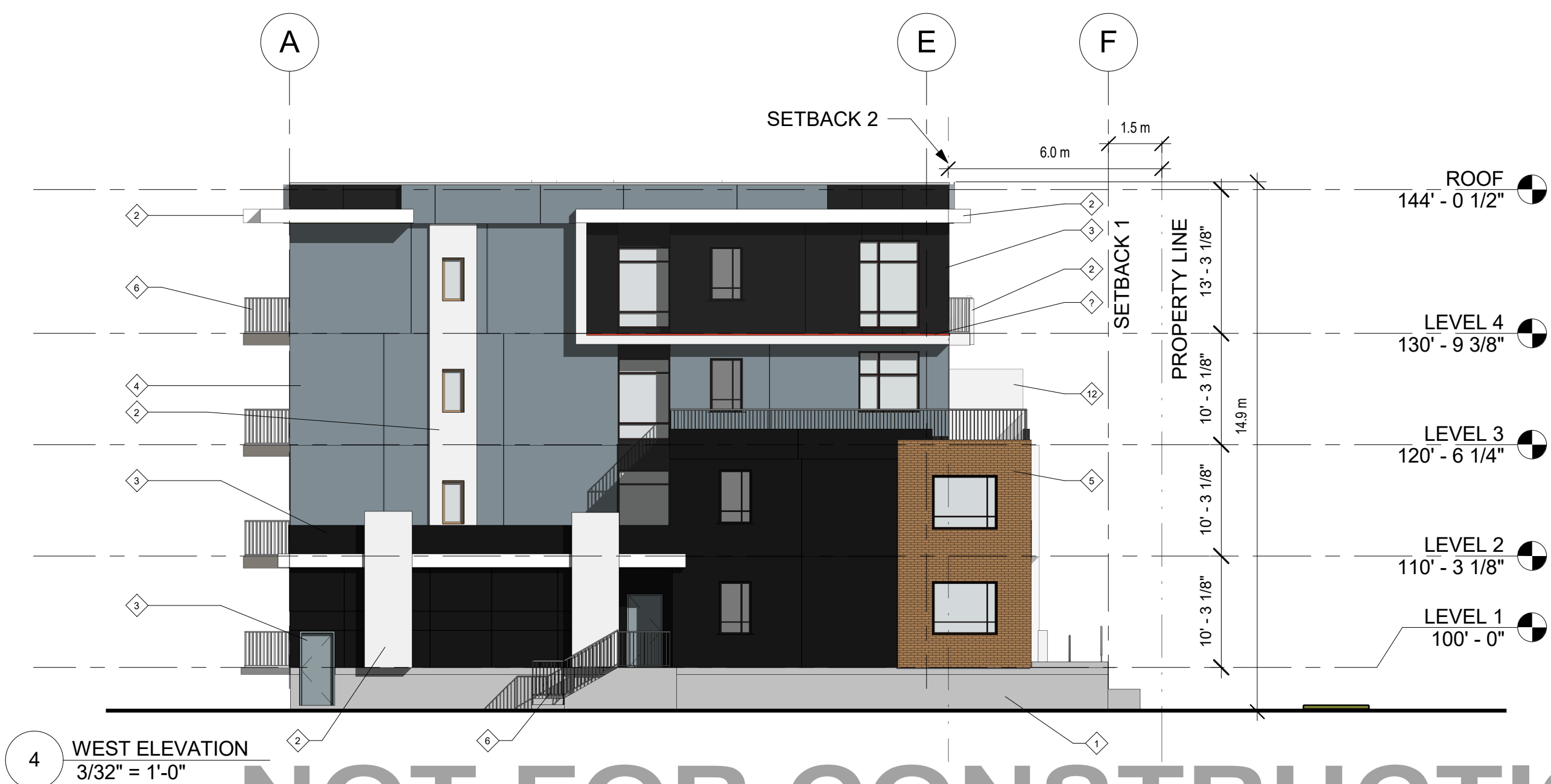
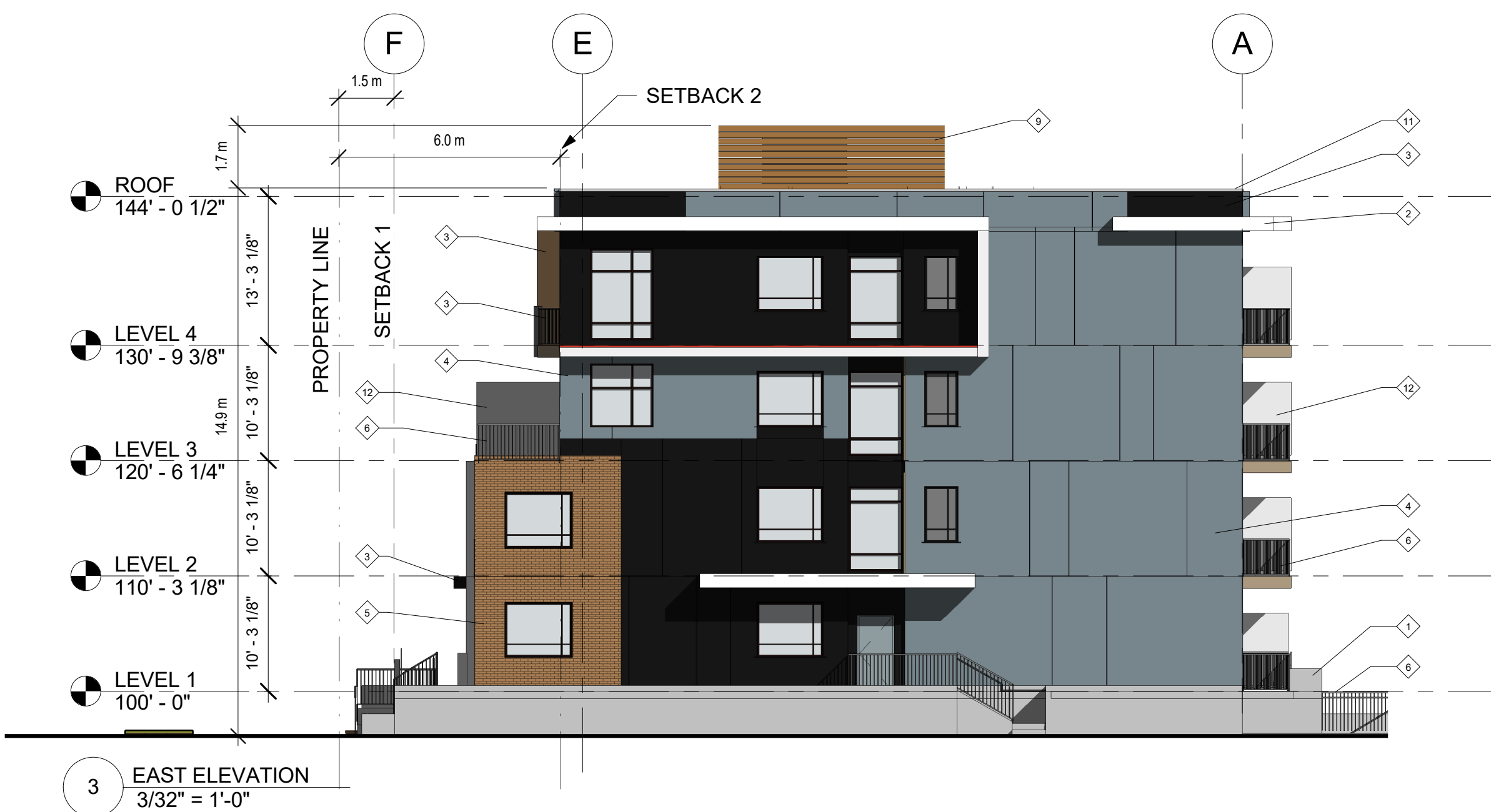
NOT FOR CONSTRUCTION

1 SITE PLAN
1 : 100



EXTERIOR MATERIAL LEGEND

1. ARCHITECTURAL CONCRETE
2. HARDI PANEL - WHITE
3. HARDI PANEL - DARK BROWN
4. HARDI PANEL - GRAY-BLUE
5. BRICK VANEER - BROWN
6. ALUMINUM RAILINGS - BLACK
7. ALUMINUM CURTAIN WALL
8. EXTERIOR ALUMINUM ENTRY DOORS
9. MECHANICAL SCREEN - CEDAR STRIP
10. METAL OEH GARAGE DOOR - INSULATED
11. METAL CAP-FLASHING
12. PRIVACY SCREEN



NOT FOR CONSTRUCTION

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Revisions

No	Date	Description
1	DEC 15, 2017	ISSUED FOR DP

project title
CAWSTON MULTI-FAMILY

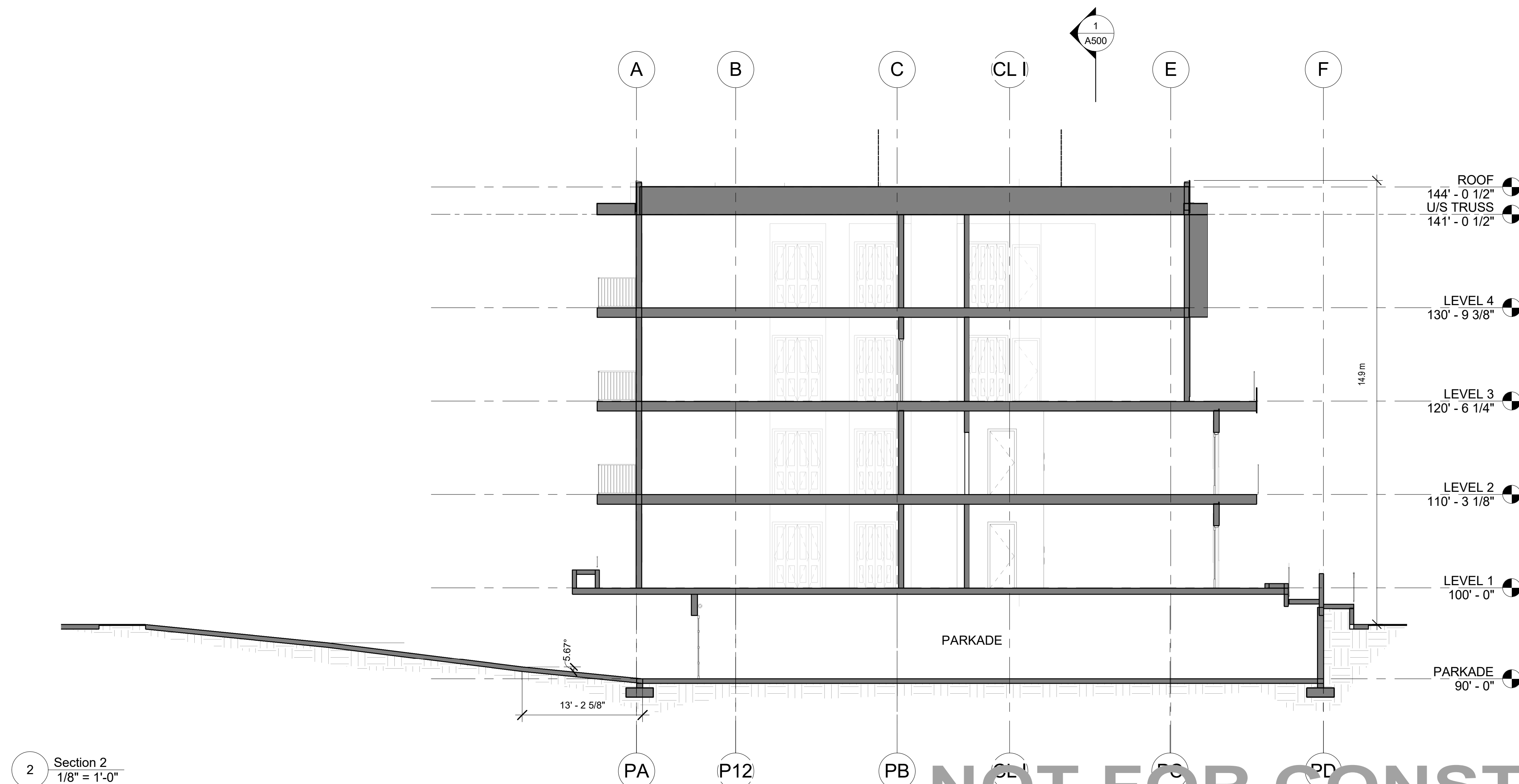
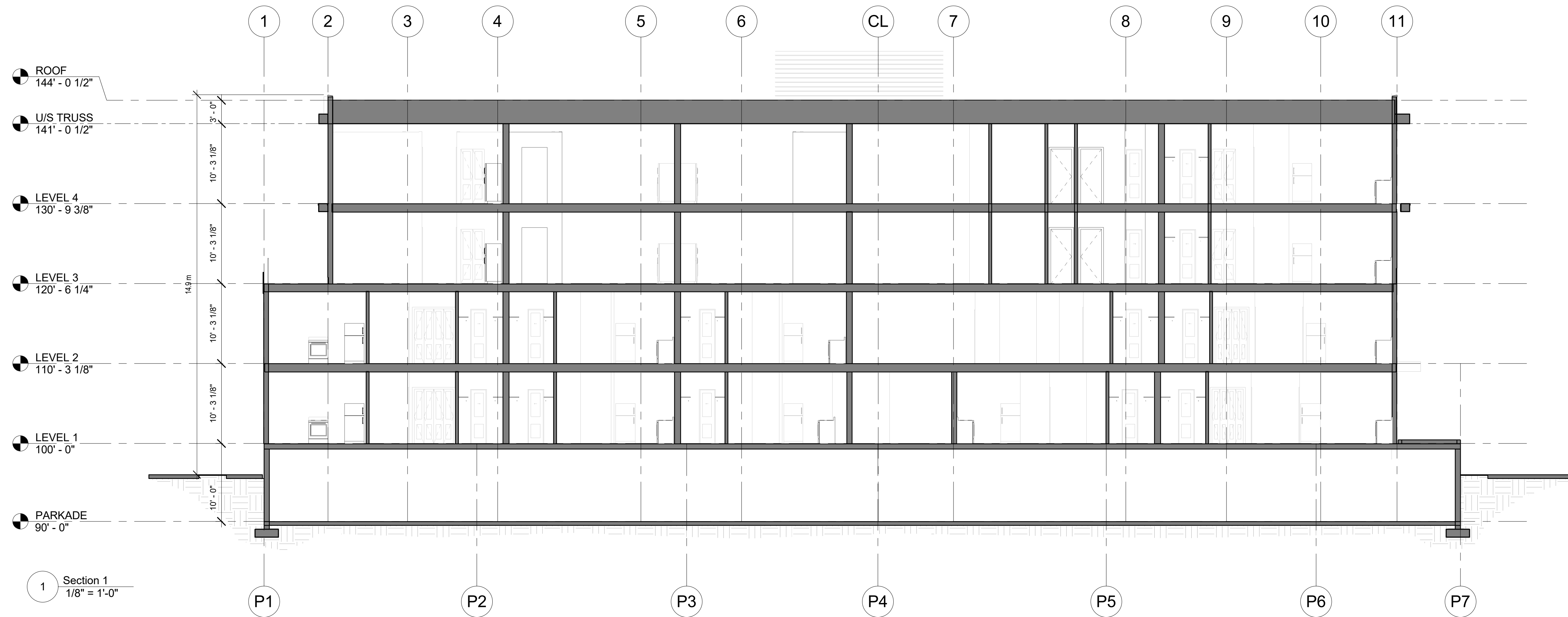
project address
1044, 52, & 74 CAWSTON AVE., KELOWNA, BC
project no. 4028

drawing title
EXTERIOR ELEVATIONS

designed scale As indicated
drawn R.B./R.Y.
checked R.Y.
drawing no.

A400

plotted DEC 15, 2017



NOT FOR CONSTRUCTION

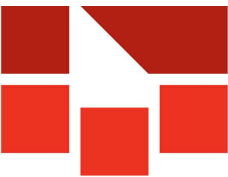
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Revisions

No	Date	Description
1	DEC 15, 2017	ISSUED FOR DP

project title

CAWSTON MULTI-FAMILY

project address

1044, 52, & 74 CAWSTON
AVE., KELOWNA, BC

project no.

4028

file no.

drawing title

BUILDING SECTIONS

designed

scale

1/8" = 1'-0"

drawn

R.B./R.Y.

checked

R.Y.

drawing no.

A500

plotted DEC 15, 2017



SCHEDULE B

This forms part of application
OCP18-0002 Z18-0008

Planner
Initials LK

City of Kelowna
COMMUNITY PLANNING



NOT FOR CONSTRUCTION

ALL CONTRACTORS ARE REQUIRED TO PERFORM THEIR WORK AND SUPPLY THEIR PRODUCTS IN COMPLIANCE WITH ALL BUILDING CODES AND LAWS OF THE PROVINCE OF BRITISH COLUMBIA

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URBAN PLANNING
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SEAL

Revisions		
No	Date	Description
1	DEC 15, 2017	ISSUED FOR DP

project title
CAWSTON MULTI-FAMILY

project address
1044, 52, & 74 CAWSTON AVE., KELOWNA, BC

project no. 4028

file no.

drawing title
RENDERINGS

designed	scale
drawn	R.B./R.Y.
checked	R.Y.
drawing no.	A102
plotted	DEC 15, 2017



SCHEDULE

B

This forms part of application

OCP18-0002 Z18-0008

Planner

Initials

LK

City of Kelowna

COMMUNITY PLANNING

ALL CONTRACTORS ARE REQUIRED TO PERFORM THEIR WORK AND SUPPLY THEIR PRODUCTS IN COMPLIANCE WITH ALL BUILDING CODES AND LAWS OF THE PROVINCE OF BRITISH COLUMBIA

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URBAN PLANNING

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SEAL

Revisions		
No	Date	Description
1	DEC 15, 2017	ISSUED FOR DP



NOT FOR CONSTRUCTION

project title

CAWSTON MULTI-FAMILY

project address

1044, 52, & 74 CAWSTON AVE., KELOWNA, BC

project no.

4028

drawing title

RENDERINGS

designed

scale

drawn

R.B./R.Y.

checked

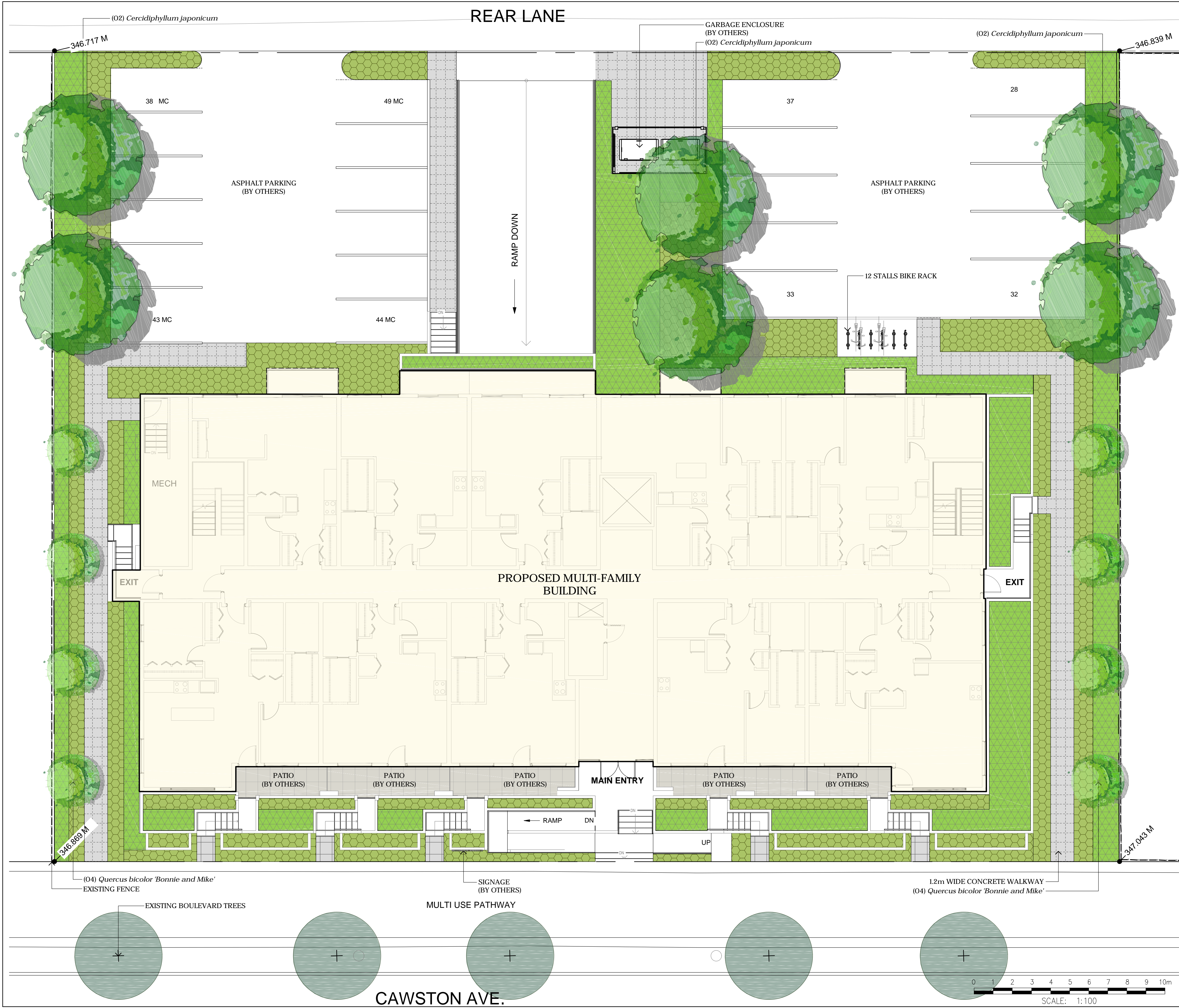
R.Y.

drawing no.

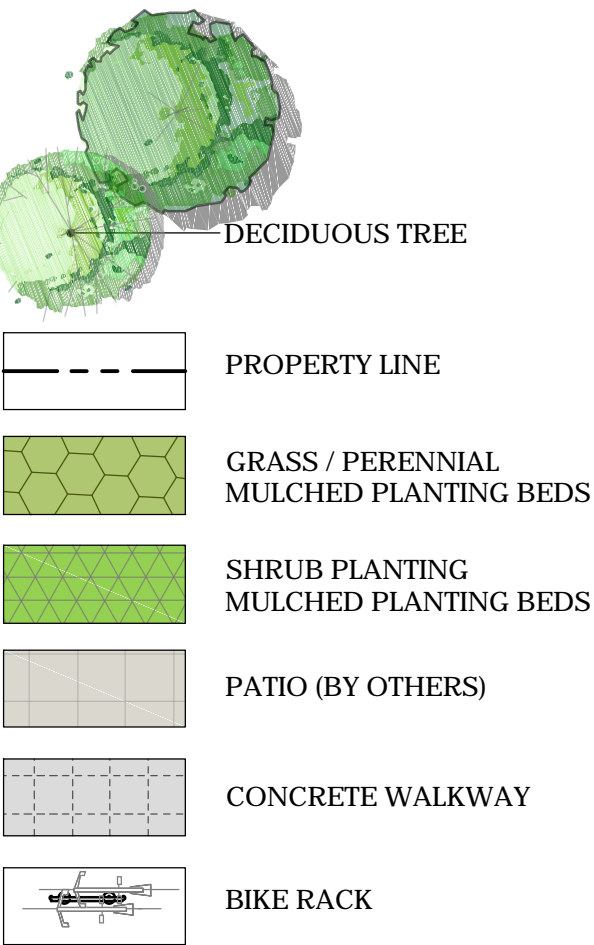
A103

plotted

DEC 15, 2017



SITE PLAN LEGEND:



LANDSCAPE DEVELOPMENT DATA:

1. PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO MINIMUM STANDARDS ESTABLISHED IN THE CANADIAN LANDSCAPE STANDARD (CURRENT EDITION).
2. THE LANDSCAPE DESIGN DESIGNATED HEREIN IS CONCEPTUAL BUT REFLECTS THE MINIMUM ACCEPTABLE QUALITY AND SIZE.
3. PLANT MATERIAL SELECTIONS ARE CONCEPTUAL ONLY. FINAL PLANTING SELECTIONS MAY VARY DEPENDING UPON AVAILABILITY.
4. ALL PLANTING BEDS SHALL HAVE APPROVED MULCH.
5. ALL LANDSCAPE AREAS TO BE IRRIGATED WITH AN EFFICIENT AUTOMATIC IRRIGATION SYSTEM.
6. THIS DRAWING DEPICTS FORM AND CHARACTER AND IS TO BE USED FOR DEVELOPMENT PERMIT SUBMISSION ONLY. IT IS NOT INTENDED FOR USE AS A CONSTRUCTION DOCUMENT.

REPRESENTATIVE PLANT LIST

BOTANICAL NAME	COMMON NAME	SIZE	ROOT	Mature Plant Size (HtxWd.)
Trees Deciduous				
<i>Cercidiphyllum japonicum</i>	Katsura Tree	6cm Cal	B&B	12.0m x 8.0m
<i>Quercus bicolor 'Bonnie and Mike'</i>	Beacon Oak	6cm Cal	B&B	12.0m x 4.5m
Shrubs / Grasses				
<i>Buxus 'Green Gem'</i>	Green Gem Boxwood	#01	Potted	1.0m x 1.0m
<i>Cornus alba 'Bailhalo'</i>	Ivory Halo Dogwood	#01	Potted	1.50m x 1.50m
<i>Euonymus alatus 'Compactus'</i>	Dwarf Burning Bush	#01	Potted	2.0m x 2.0m
<i>Miscanthus sinensis 'Gracillimus'</i>	Maiden Hair Grass	#01	Potted	1.0m x 1.5m
<i>Pennisetum alopecuroides 'Red Head'</i>	Red Head Fountain Grass	#01	Potted	1.2m x 1.2m
Perennials				
<i>Allium 'Globemaster'</i>	Persian Onion		bulb	
<i>Echinacea purpurea 'Magnus'</i>	Magnus Coneflower	#01	Potted	1.0m x 0.75m
<i>Nepeta x fassenii 'Walker's Low'</i>	Walker's Low Catmint	#01	Potted	0.90m x 0.90m
<i>Rudbeckia hirta 'Indian Summer'</i>	Black Eyed Susan	#01	Potted	0.75m x 1.0m

REPRESENTATIVE IMAGES



Cercidiphyllum japonicum



Quercus bicolor 'Bonnie and Mike'



Euonymus alatus 'Compactus'



Buxus 'Green Gem' with Allium



Cornus alba 'Bailhalo'



Echinacea purpurea 'Magnus'



Nepeta x fassenii 'Walker's Low'



Rudbeckia hirta 'Indian Summer'



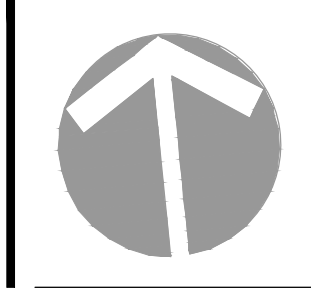
Pennisetum alopecuroides 'Red Head'



Miscanthus sinensis 'Gracillimus'



Bike Racks



REVISIONS / ISSUED		
NO.	DATE	DESCRIPTION
1	NOV 08/17	ISSUED FOR DP

PROJECT
CAWSTON AVENUE MULTI-FAMILY DEVELOPMENT

CLIENT
NEWTOWN SERVICES

LOCATION
KELOWNA, B.C.

wsp

540 Leon Avenue, Kelowna, BC V1Y6J6
t. 250.869.1334, f. 250.862.4849, www.wsp.com

DESIGN BY	BD
DRAWN BY	YY
CHECKED BY	BD
PROJECT NO.	17M-02133
SCALE	1:100

SHEET TITLE	SITE PLAN
SHEET NO.	LDP-1
	1 OF 2

REPORT TO COUNCIL



Date: April 9, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TA)

Application: Z18-0001 **Owner:** J.E. Holdings Inc. Inc. No. Co561382

Address: 280 Hartman Road
940 Maygard Road **Applicant:** Mark Kayban

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: A1 – Agriculture

Proposed Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z18-0001 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classifications of each of the following properties:

- Lot 1, Section 26, TWP 26, ODYD, Plan 22455, located at 280 Hartman Road, Kelowna, BC;
- Lot 2, Section 26, TWP 26, ODYD, Plan 22455, located at 940 Maygard 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 April 09, 2018;

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

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

2.0 Purpose

To rezone the subject properties to facilitate two dwelling housing and a four lot subdivision.

3.0 Community Planning

Community Planning supports the proposed rezoning from A1 – Agriculture 1 zone to RU6 – Two Dwelling Housing zone to facilitate two dwelling housing on a four lot subdivision. The rezoning aligns with Official Community Plan (OCP) Future Land Use Designation of S2RES – Single/Two Unit Residential, and aligns with OCP Development Policy regarding Compact Urban Form. The proposed subdivision is consistent with the neighbourhood in terms of lot sizes and frontage widths. Three of the four lots will meet the minimum lot size and width for two dwelling housing, and the fourth lot could be developed with a Single Family Dwelling and a secondary suite or carriage house. One variance to the side yard setback for the existing dwelling is requested at this time and will have minimal impact on the neighbourhood. Development Permits are no longer required for two dwelling housing, so should Council support the rezoning, the applicant can apply for their building permits.

4.0 Proposal

4.1 Background

The two subject properties are 2778m² in total and each have single dwelling housing on them. One of the homes will require to be demolished as a function of this development while the other can be retained with a side yard setback variance.

The property is currently zoned A1 – Agriculture 1 which is inconsistent with zoning regulations for Agricultural properties in terms of size and use. It is most likely that the A1 zone was assumed when Rutland was incorporated into the City of Kelowna and is not reflective of the property attributes.

4.2 Project Description

The applicant has applied to rezone the subject properties from A1 – Agriculture 1 to RU6 – Two Dwelling Housing which is consistent with the Future Land Use of S2RES – Single/Two Unit Residential. The proposed rezoning will facilitate a four lot subdivision, with three of the four lots meeting the requirements for Two Dwelling Housing. The fourth lot could be developed with a Single Family Dwelling, a Single Family Dwelling with secondary suite, or a Single Family Dwelling with carriage house.

4.3 Site Context

The subject properties are located on the corner of Hartman Road and Maygard Road near the intersection of Rutland Road N and McCurdy Road E. The surrounding neighbourhood has a mix of densities including single dwelling housing, two dwelling housing, and low density multiple housing. It is within walking distance to Rutland Secondary School and the Rutland Family YMCA.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 – Agriculture 1	Single Dwelling Housing
East	RU1 – Large Lot Housing RU6 – Two Dwelling Housing	Single Dwelling Housing Two Dwelling Housing
South	RU1 – Large Lot Housing	Single Dwelling Housing
West	RU1 – Large Lot Housing	Single Dwelling Housing

Subject Property Map: 280 Hartman Road and 940 Maygard 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.

Future Land Use

Single / Two Unit Residential (S2RES).² Single detached homes for occupancy by one family, single detached homes with a secondary suite or carriage house, semi-detached buildings used for two dwelling units, modular homes, bareland strata, and those complementary uses (i.e. minor care centres, minor public services/utilities, convenience facility and neighbourhood parks), which are integral components of urban neighbourhoods. Suitability of non-residential developments within the neighbourhood environment will be determined on a site-specific basis. Nonresidential developments causing increases in traffic, parking demands or noise in excess of what would typically be experienced in a low density neighbourhood would not be considered suitable.

6.0 Technical Comments

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

² City of Kelowna Official Community Plan, Chapter 4: Future Land Use

6.1 Building & Permitting Department

- Demolition Permits required for any existing structures
- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- A third party work order may be required with the Development Engineering Department for an upgraded water line and sewage connection. These requirements are to be resolved prior to issuance of the Building Permit.
- HPO (Home Protection Office) approval or release is required at time of Building Permit application.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this complex at time of permit application

6.2 Development Engineering Department

- Please see attached Schedule "A": Development Engineering Memorandum dated January 11, 2018.

6.3 Interior Health Authority

- It is my understanding that this application is to change the zoning from A1-Agriculture to RU6-Two Dwelling Housing to allow for a 4 lot subdivision.
- The proposed rezoning aligns with Kelowna's planning principles as per the Future Land Use (Map 4.1) of the Official Community Plan. Interior Health is in support of this application as these proposed rezoned residential properties would be close proximity to parks, recreational facilities, public transit, bike lanes, and sidewalks which all provide a viable opportunity for residents to use active forms of travel to access the amenities for daily life.
- Further, Rutland Elementary School, Rutland Middle School, and Rutland Senior Secondary are all within reasonable walking and biking distances for children and young adults. Evidence shows that the shorter distances between home and school increases the likelihood children will use active modes of travel to school. The shorter distances to these schools provide the opportunity for children to incorporate physical activity into their daily routine and shift towards healthier lifestyles

6.4 Irrigation District

- BMID doesn't have any concerns with this application. The preliminary hydraulic simulations show that there is enough capacity in the two closest hydrant to supply single family fire protection for the 4 lots. In order to complete our review and outline all costs and requirements, engineered water servicing drawings will need to be submitted to BMID for review.

7.0 **Application Chronology**

Date of Application Received: December 20, 2017
Date Public Consultation Completed: March 25, 2018

Report prepared by: Trisa Atwood, Planner II

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment "A": Proposed Site Plan

Schedule "A": Development Engineering Memorandum

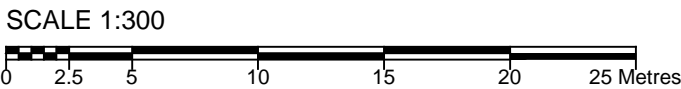
PROPOSED SUBDIVISION PLAN OF LOTS
1 AND 2 SECTION 26 TOWNSHIP 26
OSOYOOS DIVISION YALE DISTRICT
PLAN 22455

PID: 006-838-260 (LOT 1)
006-838-278 (LOT 2)
CLIENT: JIM EIDSE
CONTACT: MARK KAYBAN 250-826-4920
CIVIC ADDRESS: 280 HARTMAN ROAD & 940 MAYGARD ROAD

HORIZONTAL COORDINATE SYSTEM: UTM 11 NAD83(CSRs)
VERTICAL DATUM: CGVD28

DATE OF FIELD SURVEY: NOVEMBER 21, 2017

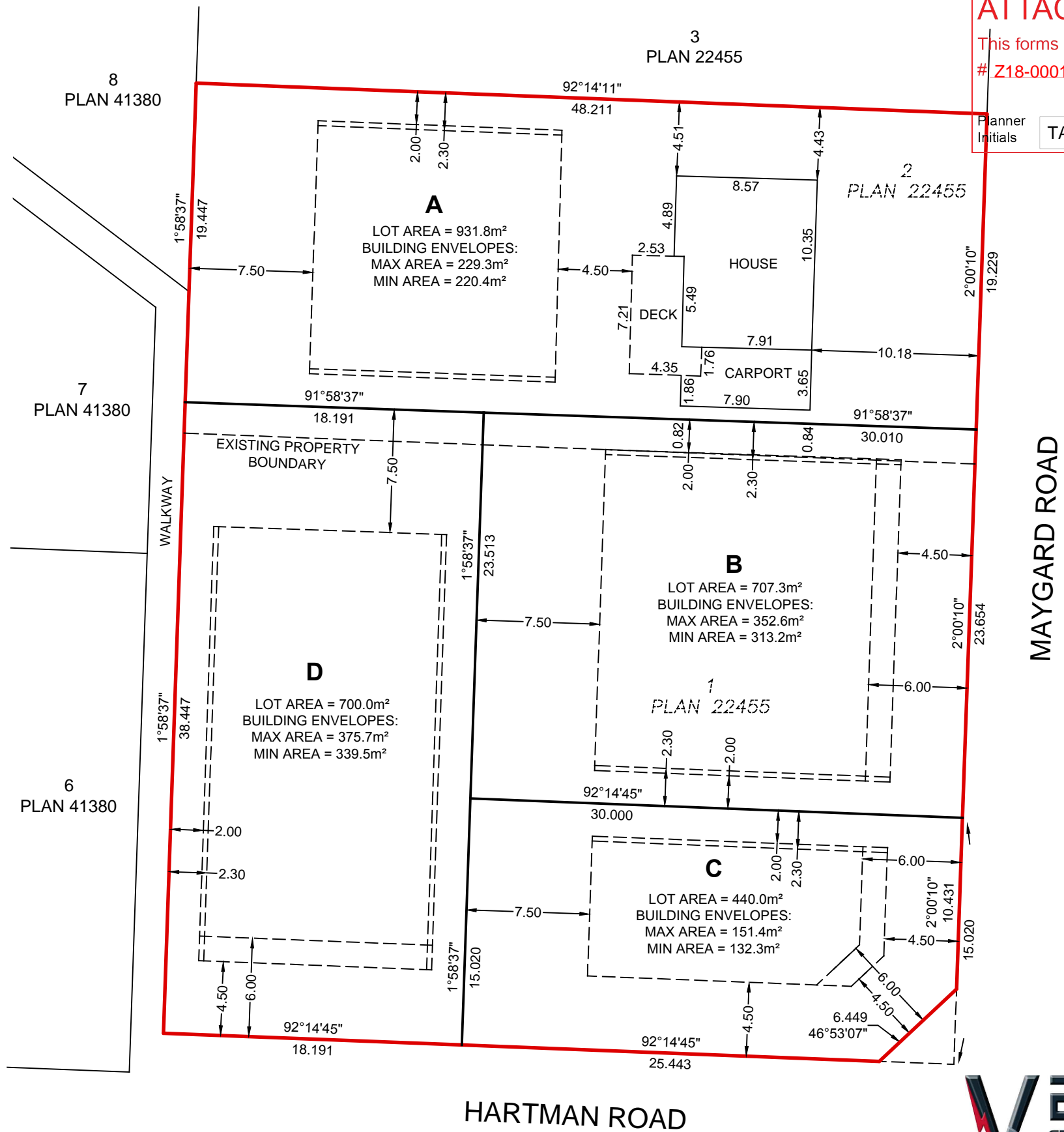
REGISTERED DOCUMENTS: NONE



LEGEND

— Subject Property

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ATTACHMENT A

This forms part of application # Z18-0001

Planner Initials TA

City of Kelowna
COMMUNITY PLANNING

VECTOR

GEOMATICS LAND SURVEYING LTD.

Head Office - Fort St. John
6884 Airport Rd, PO Box 6428
Fort St. John, B.C. V1J 4H8
Ph.: (250) 785-7474

Kelowna Office
170-1855 Kirschner Rd
Kelowna, B.C. V1Y 4N7
Ph.: (250) 868-0172
www.vectorgeomatics.com
File: 1700412REV1



CITY OF KELOWNA

MEMORANDUM

Date: January 11, 2018
File No.: Z18-0001
To: Urban Planning (TB)
From: Development Engineering Manager (JK)
Subject: 280 Hartman rd. & 940 Maygard rd. 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. The Development Engineering Technologist for this project is Aaron Sangster.

1. General

The postal authorities must be contacted to determine whether or not a "community mailbox" will be utilized, and if so, its location should be determined and the proposed location shown on the construction plans. Please contact the Canadian Post Corporation, Delivery Services, P.O. Box 2110, Vancouver, B.C. V6B 4Z3 (604) 662-1381 in this regard.

2. Geotechnical Report

As a requirement of this application the owner must provide a geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

- (a) Area ground water characteristics.
- (b) Site suitability for development, unstable soils, etc.
- (c) Drill and / or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- (e) Additional geotechnical survey may be necessary for building foundations, etc.

3. Domestic Water and Fire Protection

- (a) Both properties are located within the Black Mountain Irrigation District (BMID) 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 is responsible, if necessary, to arrange with BMID staff for any service improvements and the decommissioning of existing services. Only one water service will be permitted per 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) Arrange for individual lot connections before submission of the subdivision plan; including payment of connection fees (provide copy of receipt).
- (d) Design drawings must be reviewed by the Black Mountain Irrigation District prior to the City issuing the drawings for construction. Confirmation of their review must be provided to the City.

4. Sanitary Sewer

- (a) Our records indicate that 280 Hartman Rd. property and 940 Maygard Rd. property is currently serviced with a 100mm sanitary sewer service. The applicant's consulting mechanical engineer will determine the requirements of the proposed development and establish the service needs. Only one service will be permitted per lot. If required, the applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service at the applicants cost.
- (b) Downstream system capacity improvements may be required. Provide projected sanitary sewer flows for review by the Infrastructure Planning Utility Manager.
- (c) Arrange for individual lot connections before submission of the subdivision plan; including payment of connection fees (provide copy of receipt).

5. Storm Drainage

- (a) 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.
- (b) The developer must connect proposed storm drainage system on Hartman road to the existing system to the east.

6. Road Improvements

- (a) Hartman road must be upgraded to a Collector-Class 1 standard along the full frontage of this proposed development, including curb and gutter, 1.5m sidewalk, drainage system including catch basins, manholes and pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The road cross section to be used is a SS-R5.
- (b) Maygard road fronting this development has already been upgraded to SS-R4.

7. 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.

8. 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 (refer to 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.

9. 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.


**10. 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.

11. Charges and Fees

Development Cost Charges (DCC's) are payable

- (a) Fees per the "Development Application Fees Bylaw" include:
 - i) Survey Monument Fee: **\$50.00** per newly created lot (GST exempt).
 - ii) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - iii) Engineering and Inspection Fee: 3.5% of construction value (plus GST).
- (b) A hydrant levy charge of **\$250.00** per lot (not required if developer installs a fire protection system – mains and hydrants).



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

AS

REPORT TO COUNCIL



Date: April 16, 2018

RIM No. 1250-40

To: City Manager

From: Community Planning Department (TA)

Application: LUC17-0003

Owner: Serra Holdings (No. 9) Ltd. Inc.
No. BC0950182

Address: 144 Old Vernon Road

Applicant: Urban Design Group Architects
Ltd.

Subject: Land Use Contract Discharge

Existing OCP Designation: IND - Industrial

Existing Zone: C2 – Neighbourhood Commercial

1.0 Recommendation

THAT Application No. LUC17-0003 to discharge LUC77-1015 from Lot A (X26413) Section 2, Township 23, ODYD, Plan 7301, located at 144 Old Vernon Road, Kelowna, BC, be considered by Council;

AND THAT the Land Use Contract Discharge be forwarded to a Public Hearing for further consideration.

2.0 Purpose

To consider a Land Use Contract Discharge for LUC77-1015 on the subject property.

3.0 Community Planning

Community Planning supports the Land Use Contract Discharge for LUC77-1015 on the subject property to facilitate the development of a food primary establishment with drive through service (McDonald's). The underlying zone of C2 – Neighbourhood Commercial is appropriate for this use. Associated with this Discharge, Staff have brought forward a Land Use Contract Termination for LUC77-1015 and LUC77-1082 which are in the nearby vicinity in accordance with regulations from the Local Government Act to have all Land Use Contracts terminated by 2022.

4.0 Proposal

4.1 Background

Under LUC77-1015 the subject property has been used primarily for industrial purposes over the years and is currently has a business license for Automobile Dealer (new and used). The following uses were permitted by LUC77-1015:

SCHEDULE "C"

- i) Building Trade Offices
- ii) Catering Services
- iii) Commercial Printing
- iv) Communication Equipment Supply & Service
- v) ✓ Delivery and Express Terminals and Storage Facilities
- vi) Drapery Manufacturing and Installation Services
- vii) Farm and Garden Supplies (Retail Sales)
- viii) Frozen Food Lockers
- ix) Instrument and small equipment supply and service
- x) Janitorial Services, including window cleaning, disinfecting, extermination services
- xi) Locksmith and Gunsmith
- xii) Re-upholstery and furniture repair shop
- xiii) Sanitary Supplies
- xiv) Sign Painting and Fabricating
- xv) Trailer Parts Supply and Repair
- xvi) Used Good Sales
- xvii) Cabinet Manufacturing

4.2 Project Description

The applicant has applied to develop a food primary establishment with drive through services (McDonald's). This is not an allowed use under LUC77-1015 and therefore a Land Use Contract Discharge is required. Should Council support the Discharge of LUC77-1015 the underlying zone of C2 – Neighbourhood Commercial would be assumed. After LUC77-1015 has been discharged, Staff will bring forward a Development Permit and Development Variance Permit application to facilitate the development of the McDonald's restaurant. A variance for the height of the freestanding sign will be required, as well as a variance to allow drive through service. The subject property will be consolidated with the adjacent property 120 Old Vernon Road to achieve this development.

4.3 Site Context

The subject property is located on the east of Hwy 97 N near "Reid's Corner" at the corner of Old Vernon Road and Rutland Road. It is a vehicle oriented neighbourhood with a mix of Service Commercial and Industrial Uses.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I2 – General Industrial	Auctioneering Establishment
East	I2 – General Industrial	Automotive and Minor Recreation Vehicle Sales/Rentals

South	C2 – Neighbourhood Commercial LUC77-1015, LUC77-1082	General Industrial
West	A1 - Agriculture	Ministry of Transportation Highway Buffer

Subject Property Map: 144 Old Vernon Road



Land Use Contract Map LUC77-1015: 144 Old Vernon Road and 155-165 Old Vernon Road



5.0 Technical Comments

5.1 Ministry of Transportation and Infrastructure

Preliminary approval of land use contract release by way of Land Use Contract Amendment Bylaw to be received.

6.0 Application Chronology

Date of Application Received: August 14, 2018

Preliminary Approval by MOTI: March 8, 2018

Report prepared by: Trisa Atwood, Planner II

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

REPORT TO COUNCIL



Date: April 9, 2018

RIM No. 1250-40

To: City Manager

From: Community Planning Department (TA)

Application:	LUCT17-0003/Z18-0005	Owner:	Cornel Reuben EPP CGSB Automotive Group Ltd Inc. No. BC0731187
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Address:	155-165 Old Vernon Road 2155-2165 Rutland Court	Applicant:	City of Kelowna
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Subject: Land Use Contract Discharge

Existing OCP Designation: IND - Industrial

Existing Zone: C2 – Neighbourhood Commercial

Proposed Zone: C10 – Service Commercial

1.0 Recommendation

THAT Application No. LUCT17-0003 to terminate LUC77-1015 from Lot 1, Section 35, Township 26, ODYD, Plan EPP60557, located at 155-165 Old Vernon Road, Kelowna, BC, be considered by Council;

AND THAT Application No. LUCT17-0003 to terminate LUC77-1082 from Lot 1, Section 35, Township 26, ODYD, Plan 9018, located at 2155-2165 Rutland Court, Kelowna, BC, be considered by Council;

AND THAT the Land Use Contract Termination LUCT17-0003 be forwarded to a Public Hearing for further consideration;

AND THAT Rezoning Application No. Z18-0005 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of, Lot 1, Section 35, Township 26, ODYD, Plan EPP60557, located at 155-165 Old Vernon Road, Kelowna, BC, from C2 – Neighbourhood Commercial to C10 – Service Commercial be considered by Council;

AND THAT Rezoning Application No. Z18-0005 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Section 35, Township 26, ODYD, Plan 9018, located at 2155-2165 Rutland Court, Kelowna, BC, from C2 – Neighbourhood Commercial to C10 – Service Commercial, be considered by Council;

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

2.0 Purpose

To consider a Land Use Contract Termination for LUC77-1015 and LUC77-1082 and to rezone the subject properties from C2 – Neighbourhood Commercial to C10 – Service Commercial.

3.0 Community Planning

Staff are bringing forth and are recommending support for this Land Use Contract Termination to terminate LUC77-1015 and LUC77-1082 and to rezone the subject properties from C2 – Neighbourhood Commercial to C10 – Service Commercial. Changes to the Local Government Act in 2014 require that all Land Use Contracts be discharged or terminated by 2022. The instigation for this Land Use Contract Termination is the Land Use Contract Discharge on an adjacent property in order to facilitate the development of a food primary establishment with drive through services (McDonald's).

The underlying zone of C2 – Neighbourhood Commercial is not reflective of the current uses of the subject properties which include Service Commercial Retail Stores and Automotive and Minor Recreational Vehicle Sales, Rentals, and Repairs. Therefore, Staff have initiated a rezoning application to C10 – Service Commercial to reflect the current uses and to conform with the Future Land Use of SC – Service Commercial. There are no other commercial zones that allow for Automotive and Minor Recreational Vehicle Sales, Rentals, and Repairs. Any rezoning bylaw amendment within 800m of Hwy 97 N requires approval from Ministry of Transportation and Infrastructure (MOTI) prior to fourth and final adoption of the bylaw. Should MOTI express concern with the proposed zone of C10 – Service Commercial; other options may include placing a 219 Restrictive Covenant on the subject properties restricting certain uses, or rescinding the rezoning bylaw and allowing the properties to assume the underlying C2 – Neighbourhood Commercial zone with existing legal non-conforming uses.

4.0 Proposal

4.1 Background

Land Use Contracts were a tool regularly used in the 1970's 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.

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. 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 unless terminated early by the municipality. By June 20th 2022, local governments must have appropriate zoning regulations in place to replace land use contracts upon their termination. However, LUC 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.

4.2 Project Description

The termination of LUC77-1015 and LUC77-1082 would permit the subject properties to absorb the underlying zone of C2 – Neighbourhood Commercial. The subject properties currently have uses that were permitted under LUC77-1015 and LUC77-1082, namely Service Commercial Retail Stores and Automotive and Minor Recreational Vehicle Sales, Rentals, and Repairs. Neither of those are permitted uses in the C2 – Neighbourhood Commercial zone, and therefore rezoning to C10 – Service Commercial will align with the Future Land Use of SC – Service Commercial and the current uses. The suite of allowable uses is considerably greater in the C10 zone, and the purpose of the zone is to designate and preserve land for the accommodation of a mix of **commercial uses**, including vehicular oriented areas, not provided for in other **zones**. Primary uses include:

- | | |
|---|---|
| (a) animal clinics, major | (y) greenhouses and plant nurseries |
| (b) animal clinics, minor | (z) household repair services |
| (c) amusement arcades, major | (aa) liquor primary establishment, major (C10lp and C10lp/rls only) |
| (d) automotive and minor recreation vehicle sales/rentals | (bb) non-accessory parking |
| (e) automotive and equipment repair shops | (cc) offices, construction and development industry |
| (f) auctioneering establishments | (dd) participant recreation services, indoor |
| (g) bingo facilities | (ee) pawnshop |
| (h) breweries and distilleries, minor | (ff) private clubs |
| (i) broadcasting studios | (gg) rapid drive-through vehicle services |
| (j) business support services | (hh) recycled materials drop-off centres |
| (k) child care centre, major | (ii) retail stores, service commercial |
| (l) commercial schools | (jj) service stations, minor |
| (m) commercial storage | (kk) supportive housing |
| (n) community garden | (ll) temporary parking lot |
| (o) community recreation services | (mm) temporary shelter services |
| (p) convenience vehicle rentals | (nn) thrift stores |
| (q) equipment rentals | (oo) truck and mobile home sales/rentals |
| (r) emergency and protective services | (pp) used goods stores |
| (s) flea markets | (qq) utility services, minor impact |
| (t) fleet services | (rr) vehicle and equipment sales/rentals, industrial |
| (u) food primary establishment | (ss) vehicle and equipment services, industrial |
| (v) funeral services | (tt) warehouse sales |
| (w) gas bars | |
| (x) government agencies | |

4.3 Notification

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. After adoption of the LUC Termination, the City will send notices to all affected properties that the termination will come into effect one year after Council approval. Staff have sent a letter to both properties affected by the LUC Termination on January 11, 2018 and have not received any feedback from the property owners.

4.4 Site Context

The subject properties are located near “Reid’s Corner” at the intersections of Rutland Court, Old Vernon Road, Rutland Road North, and Highway 97 N.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C2 – Neighbourhood Commercial	Auctioneering Establishment
East	A1 – Agriculture 1	Vacant
South	A1 – Agriculture 1	Vacant
West	C2 – Neighbourhood Commercial	Vacant

Subject Properties Map: 155-165 Old Vernon Road, 2155-2165 Rutland Court



5.0 Current Development Policies

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

Council Policy No. 282.¹ Includes the following statement:

That the City of Kelowna initiate proceedings to discharge the contracts 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

6.1 Ministry of Transportation

Approval of the Rezoning Bylaw will require approval from Ministry of Transportation.

7.0 Application Chronology

¹ City of Kelowna Council Policy 282 Strategy for Elimination of Remaining Land Use Contracts.

Date of Application Received: January 10, 2018

Report prepared by: Trisa Atwood, Planner II

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager