

City of Kelowna Public Hearing AGENDA



Tuesday, March 1, 2016
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 February 16, 2016 (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 1855 Bennett Road, 1005 Clifton Road N, (E of) Paly Road, BL11159 (OCP14-0018) & BL11160 (Z14-0033) - Lakeside Communities Ltd. 4 - 33**

To amend the Official Community Plan Future Land Use Designation and to rezone portions of the subject properties in order to accommodate the development of a single family subdivision

- 3.2 3697 Lakeshore Road, BL11201 (Z15-0066) - Pam Irene Sahlin 34 - 42**

To rezone the subject property to allow for the development of duplex housing.

- 3.3 464 Morrison Avenue, BL11202 (Z15-0058) - Flying Eagle Holdings & Birkett Holdings 43 - 49**

To rezone the subject parcel to allow the construction of a two (2) single-family dwelling homes.

- 3.4 330 Davie Road, BL11203 (Z15-0062) - Jeremiah Weiler & Carissa Kennedy 50 - 60**

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

4. Termination

5. Procedure on each Bylaw Submission

- (a) Brief description of the application by City Staff (Land Use Management);
- (b) The Chair will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.
- (c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.
- (d) The Chair will call for representation from the public in attendance as follows:
 - (i) The microphone at the public podium has been provided for any person(s) wishing to make representation at the Hearing.
 - (ii) The Chair will recognize ONLY speakers at the podium.
 - (iii) Speakers are encouraged to limit their remarks to 5 minutes, however, if they have additional information they may address Council again after all other members of the public have been heard a first time.
- (e) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.

(f) Questions by staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.

(g) Final calls for representation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

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

REPORT TO COUNCIL



Date: October 19, 2015

RIM No. 1250-30

To: City Manager

From: Community Planning (DB)

Application: OCP14-0018/ Z14-0033 **Owner:** Lakeside Communities Inc.
Inc. No. A57531

Address: 1855 Bennett Rd
1005 Clifton Rd N **Applicant:** MMM Group Ltd.
(E OF) Paly Rd

Subject: Z14-0033 OCP14-0018

Existing OCP Designation: Single / Two Unit Residential, Major Park & Open Space,
Future Urban Reserve

Proposed OCP Designation: Single / Two Unit Residential, Major Park & Open Space,
Future Urban Reserve

Existing Zones: A1 - Agriculture 1, P4 - Utilities

Proposed Zones: RU1H - Large Lot Housing Hillside, P3- Parks and Open Spaces

1.0 Recommendation

THAT Official Community Plan Bylaw Amendment No. OCP14-0018 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of portions of Lot 1, Section 17, Township 23, ODYD, Plan KAP65503 located Bennett Road, Kelowna, BC and portions of Lot 2, Section 17, Township 23, ODYD, Plan KAP65503 located at Clifton Road, Kelowna, BC from FUR - Future Urban Reserve to PARK - Major Park/Open Space, PARK - Major Park/Open Space to FUR - Future Urban Reserve, PARK - Major Park/Open Space to S2RESH - Single / Two Unit Residential Hillside and S2RES - Single / Two Unit Residential to PARK - Major Park/Open Space designations as shown on Map "A1" attached to the Report from the Community Planning Department dated October 19, 2015, be considered by Council;

AND THAT Official Community Plan Bylaw Amendment No. OCP14-0018 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of portions of Lot 1, Section 17, Township 23, ODYD, Plan KAP65503 located Bennett Road, Kelowna, BC and portions of Lot 2, Section 17, Township 23, ODYD, Plan KAP65503 located at Clifton Road, Kelowna, BC, portion of Fractional South $\frac{1}{2}$ of east $\frac{1}{2}$ of the north west $\frac{1}{4}$ of Section 17 Township 23 ODYD located at Paly Road, Kelowna, BC and portions of The North $\frac{1}{2}$ of

the Fractional East $\frac{1}{2}$ of the fractional North West $\frac{1}{4}$ of Section 17 Township 23 ODYD located at Paly Road, Kelowna, BC from S2RES - Single / Two Unit Residential to S2RESH - Single / Two Unit Residential Hillside designation as shown on Map "A2" attached to the Report from the Community Planning Department dated October 19, 2015, be considered by Council;

AND THAT the applicant be required to hold a public information session in accordance with Council Policy 367 following Council consideration of the road safety improvement options prior to public hearing;

AND THAT Rezoning Application No. Z14-0033 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot 1, Section 17, Township 23, ODYD, Plan KAP65503 located Bennett Road, Kelowna, BC and portions of Lot 2, Section 17, Township 23, ODYD, Plan KAP65503 located at Clifton Road, Kelowna, BC and portion of Fractional South $\frac{1}{2}$ of east $\frac{1}{2}$ of the north west $\frac{1}{4}$ of Section 17 Township 23 ODYD located at Paly Road, Kelowna, BC and portions of The North $\frac{1}{2}$ of the Fractional East $\frac{1}{2}$ of the fractional North West $\frac{1}{4}$ of Section 17 Township 23 ODYD located at Paly Road, Kelowna, BC from the A1 - Agriculture 1 to RU1H - Large Lot Housing Hillside and to P3 - Parks and Open Space as shown Map "B" attached to the report of Community Planning, dated October 19, 2015, be considered by Council;

AND THAT the Official Community Plan Bylaw Amendment and the Zone Amending 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 "B" attached to the Report from the Community Planning Department dated October 19, 2015;

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the issuance of a Preliminary Layout Review by the City of Kelowna's Subdivision Approving Officer.

2.0 Purpose

To amend the Official Community Plan Future Land Use Designation and to rezone portions of the subject properties in order to accommodate the development of a single family subdivision.

3.0 Community Planning

The Community Planning Department recommends support for the proposed Official Community Plan (OCP) amendment and Rezoning applications as consistent with the Area Structure Plan (ASP) approved by Council on July 15, 2014 and the additional requirements of Council from the July 15, 2014 meeting.

The proposed development complies with the City's expectations for the land by achieving park, transportation and environmental objectives. The overall design respects the topographic limitations of the site limiting site grading while protecting a significant amount of environmentally sensitive features.

The proposed housing type fits in well with the existing settlement patterns in McKinley Landing and North Clifton neighborhoods.

The applicant has provided a development phasing plan (attached to this report) and has now made a formal subdivision application for the first phase of development. Final subdivision approval of Phase 1 will be subject to the adoption of this OCP amendment and Rezoning application.

Background

4.0 Proposal

4.1 Background

On October 14, 2010, the developer made application to the City of Kelowna for the preparation of an Area Structure Plan (ASP) for portions of the subject properties (North Clifton Area). The purpose of the ASP was to investigate development potential on the site, and to plan future development comprehensively together with public infrastructure and servicing requirements. On July 11, 2011, Council authorized the preparation of the ASP. At that time, Council also limited the number of units on the site to a maximum of 200. Part way into the planning process, the applicant requested that Council allow them to expand the ASP boundary area to encompass the entirety of the four subject properties.

On June 23, 2014, the ASP and the corresponding amendment to the Official Community Plan was presented to Council for initial consideration. Council subsequently decided to forward the proposal to a Public Hearing.

On Tuesday, July 15, 2014, a Public Hearing was held for the Official Community Plan amendments resulting from the conclusion of the North Clifton Area Structure Plan development process. Residents from both Clifton Highlands and McKinley Landing neighbourhoods were present and raised concerns about the proposal.

At its Regular Meeting immediately following the Public Hearing, Council asked staff to report back with a draft resolution providing further direction on the following issues:

- Timing of the permanent road connection between Clifton Highlands and McKinley Landing neighbourhoods;
- Scope and timing of upgrades to improve the safety of existing roads in both neighbourhoods;
- Limiting access through the existing Bennett Road until such a time as the permanent road connection between both neighbourhoods is completed; and,
- Access via trail to the lakeshore as part of the proposed park.

In order to give direction to staff regarding a number of issues raised at the public hearing, a supplemental report was presented for Council on August 11, 2014 and the following resolution (R591/14/08/11) was adopted:

THAT further to discussions following the July 15, 2014 Public Hearing and adoption consideration of ASP10-0001 and OCP13-0019, Council directs staff as follows:

1. THAT trail access to the Lake from the Park be provided in accordance with City standards;

2. AND THAT the Bennett Road access be limited via gate to emergency vehicles only until such time as the Clifton Road extension is constructed and open to public traffic;
3. AND THAT staff bring forward a road safety improvement plan for McKinley and Clifton Roads prior to initial consideration by Council of the initial rezoning application;
4. AND FURTHER THAT staff be directed to work with the applicant to ensure the Clifton Road extension be completed as quickly as possible, while considering any necessary upgrades to existing roads.

Over the past several months, the applicant has worked with staff to address the above mentioned issues.

- The Real Estate Division has been working directly with the Developer to prepare a Parks Agreement addressing the Council requirement and meeting the ASP objective of creating an extensive and publicly accessible trail network linked to a centrally located city-wide park. A draft version of the Parks Agreement will be available to Council consideration prior to final adoption of the zone amendment.
- The second and fourth item will be addressed through the Preliminary Layout Review (Subdivision file). The Subdivision Approving Officer will work with the developer to determine the timing of the Clifton Rd extension. The Developer has indicated that the connection will likely take place as part of Phase 4.

4.2 Project Description

The applicant is proposing to amend the OCP future land use designation and rezone parts of the subject properties required to facilitate the development of a single family subdivision. The proposal is in general accordance with the North Clifton Area Structure Plan (2014).

OCP Amendment

The applicant is proposing to amend the OCP Future Land Use designation from the existing Single/Two Family residential (S2RES) to Major Park/Open Space (PARK) designation to accommodate a proposed beach access at the south end of the proposed development. This OCP amendment will facilitate placement of a future trail to access the Lake below and connect the overall trail network.

The applicant is also proposing to amend the OCP Future Land Use designation from the existing Single/Two Family Residential (S2RES) to Single/Two Residential Hillside. The OCP Future Land Use Designation was mistakenly amended to S2RES without the "hillside" designation. As the developer is proposing to use a hillside zone (RU1h), it is important to align the zoning with the proper OCP Future Land Use designation. This amendment is seen as an administrative exercise and does not change the proposed single family land use and does not increase the proposed density.

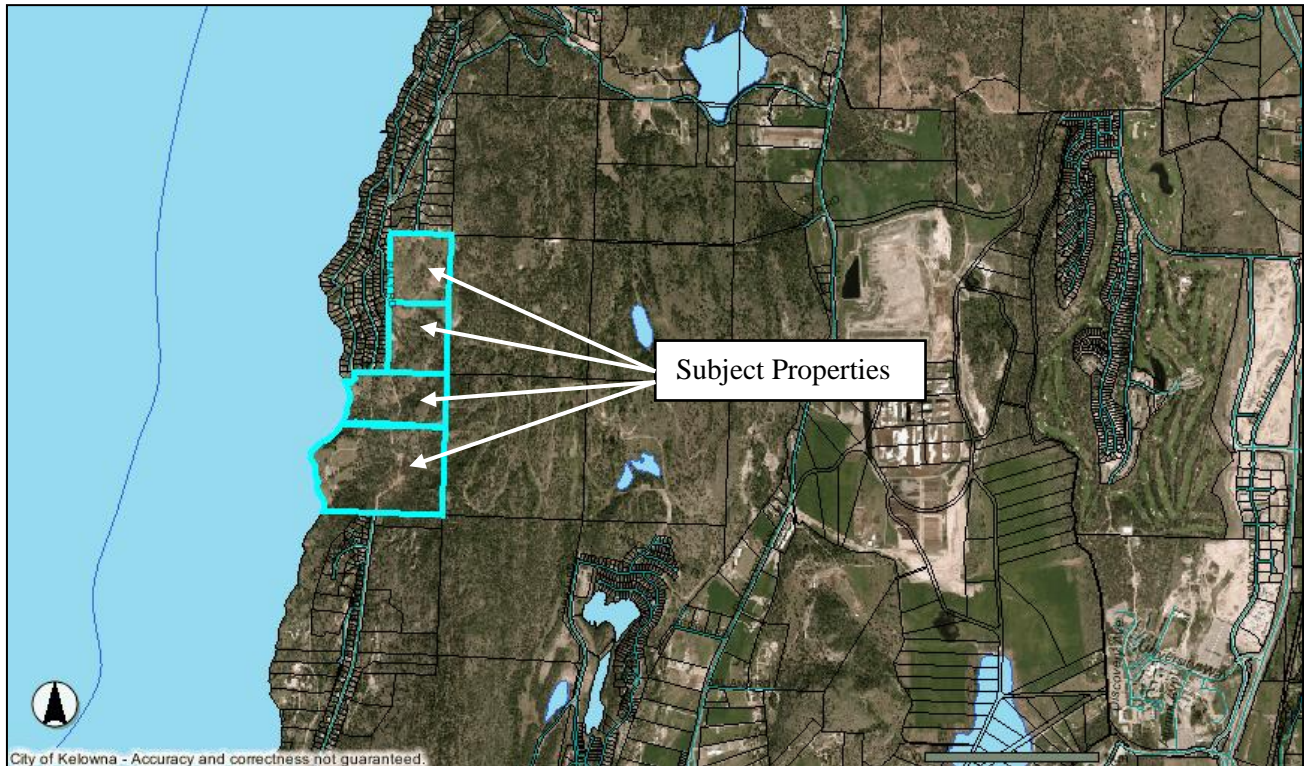
Rezoning

The applicant is seeking approval to rezone parts of the subject properties from A1- Agricultural 1 to RU1H - Large Lot Housing and to P3 - Parks and Open Spaces to accommodate the proposed

subdivision layout and ensure land uses align with the proposed layout. This proposed rezoning is in general accordance with the North Clifton Area Structure Plan.

4.2 Site Context

Subject Properties Map:



The subject property is located at the Northwest of town in a predominantly single family neighbourhood. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR2 - Rural Residential 2	Single Family Housing Resource Protection
East	A1 - Agricultural Zone	Single Family Housing Resource Protection
South	RR3 - Rural Residential 3	Single Family Housing
West	RR3 - Rural Residential 3	Single Family Housing

3.0 Current Development Policies

3.1 Kelowna Official Community Plan (OCP)

Future Land Use

Single/Two Unit Residential (S2RES)¹: 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.

Development Process

Compact Urban Form.² Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

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

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

5.0 Technical Comments

Interior Health

Interior Health has previously made comment on this application during the initial Area Structure Plan development and raised concerns regarding safety for pedestrians and cyclists along North Clifton Road. The recently adopted Area Structure plan will address those concerns and provide road upgrades (barriers or sidewalks and warning signs/deflectors etc...) along Clifton Road.

Infrastructure Planning

- Recommend that a partnership be established for the waterfront park (referred to in ASP as Bennett Park) in that the developer's land is transferred to the City in the short term for immediate public benefit and that the City and the developer look at jointly developing the park (Completed).
- The developer needs to work with the City's Real Estate Division to determine the details of transfer of the waterfront park (Completed).
- Park partnership to include: trail access to City standards for Class 4 standard multi-use trail from the upland park to the beach / waterfront to provide accessibility; and the parking area (Completed).

¹ City of Kelowna Official Community Plan - Future Land Use Chapter.

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

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

⁴ City of Kelowna Official Community Plan, Policy 5.22.11 (Development Process Chapter).

- Other proposed parks and open spaces to be dedicated at the time of subdivision of adjacent phases.
- The developer is encouraged to partner with the City on the overall long term trail network as open space areas become dedicated to the City (In process).

Application Chronology

Date of Application Received: September 24th, 2014

Report prepared by:

Damien Burggraeve, Land Use Planner

Approved for Inclusion:



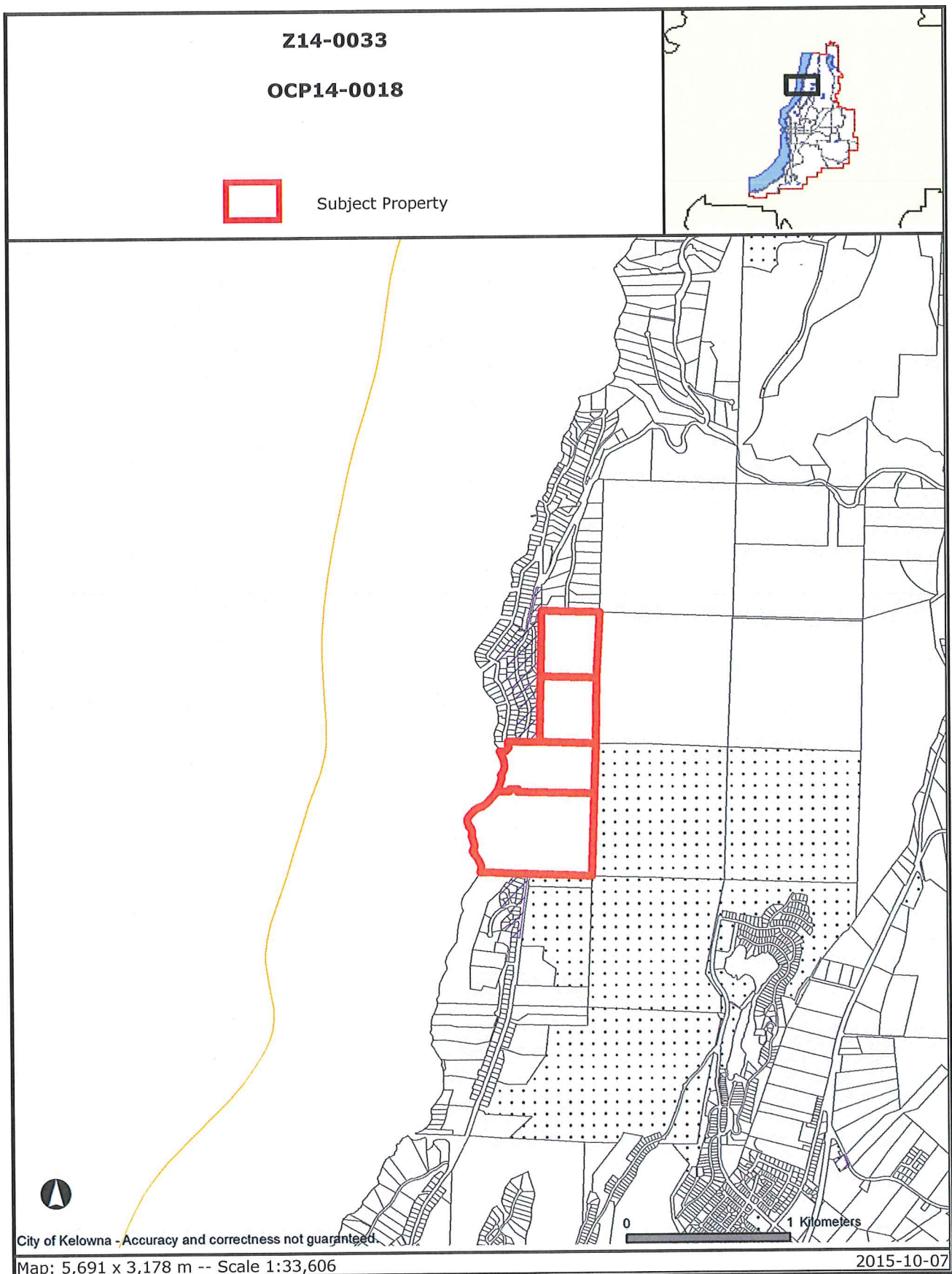
Todd Cashin, Suburban and Rural Planning Manager



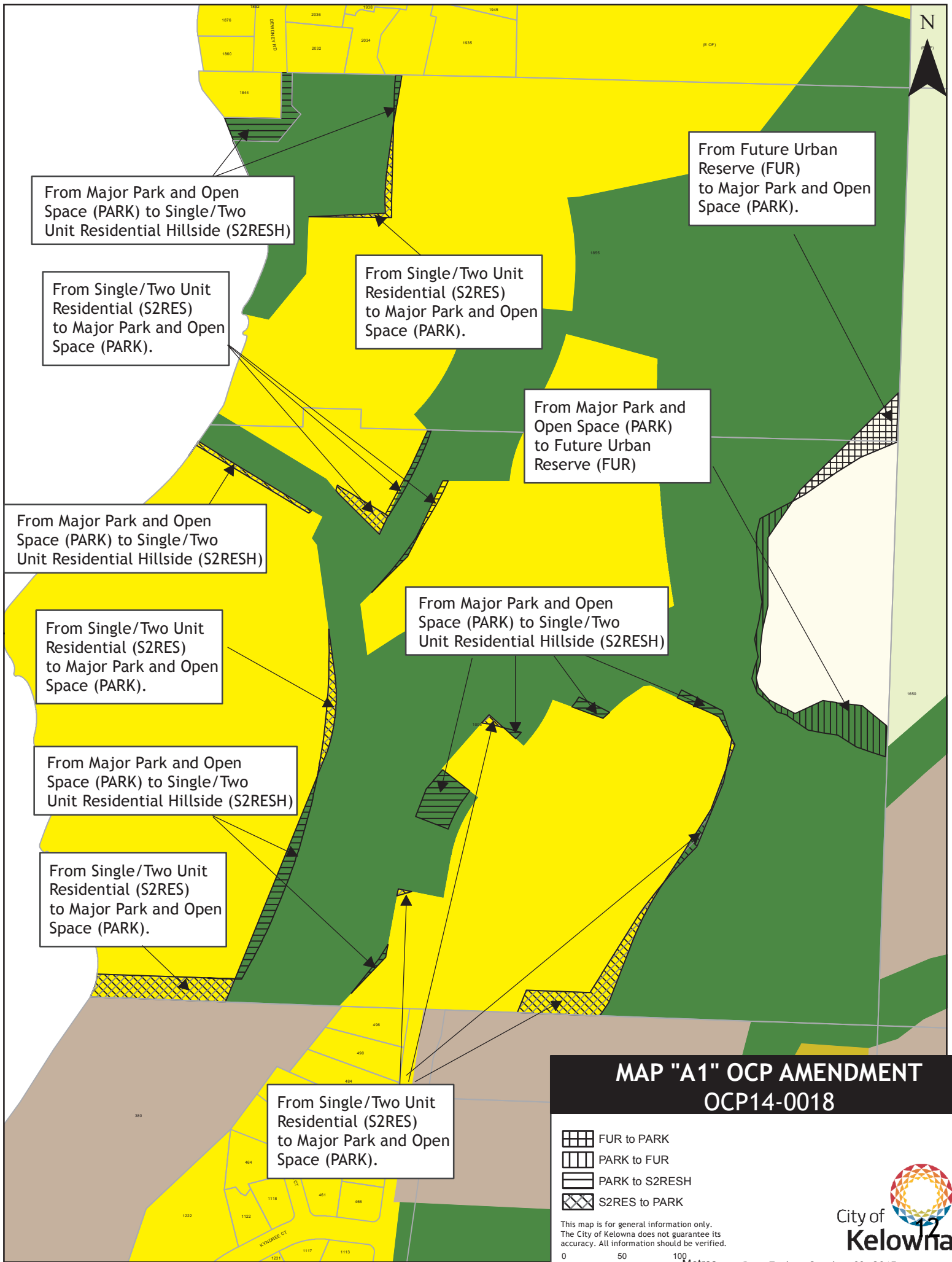
Ryan Smith, Community Planning Department Manager

Attachments:

Map A
Map B
Subject Property Map
Conceptual Subdivision Layout
Conceptual Subdivision Phasing Plan
Development Engineering Requirements



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



From Major Park and Open Space (PARK) to Single/Two Unit Residential Hillside (S2RESH)

From Future Urban Reserve (FUR) to Major Park and Open Space (PARK).

From Single/Two Unit Residential (S2RES) to Major Park and Open Space (PARK).

From Single/Two Unit Residential (S2RES) to Major Park and Open Space (PARK).

From Major Park and Open Space (PARK) to Future Urban Reserve (FUR)

From Major Park and Open Space (PARK) to Single/Two Unit Residential Hillside (S2RESH)

From Single/Two Unit Residential (S2RES) to Major Park and Open Space (PARK).

From Major Park and Open Space (PARK) to Single/Two Unit Residential Hillside (S2RESH)

From Major Park and Open Space (PARK) to Single/Two Unit Residential Hillside (S2RESH)

From Single/Two Unit Residential (S2RES) to Major Park and Open Space (PARK).

From Single/Two Unit Residential (S2RES) to Major Park and Open Space (PARK).

MAP "A1" OCP AMENDMENT OCP14-0018

- FUR to PARK
- PARK to FUR
- PARK to S2RESH
- S2RES to PARK

This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

0 50 100 Metres

N




From Single/Two Unit Residential (S2RES) to Single/Two Unit Residential Hillside (S2RESH)

From Single/Two Unit Residential (S2RES) to Single/Two Unit Residential Hillside (S2RESH)

From Single/Two Unit Residential (S2RES) to Single/Two Unit Residential Hillside (S2RESH)

MAP "A2" OCP AMENDMENT OCP14-0018

 Data Sample: S2RES to S2RESH

This map is for general information only.
The City of Kelowna does not guarantee its
accuracy. All information should be verified.

0 100
Metres

0 50 100 200
Metres

Rev. Thursday, October 08, 2015



Subject Property Notes:
Rezone portions of the subject property from A1 Agriculture to P3 Parks and Open Space.

Subject Property Notes:
Rezone portions of the subject property from A1 Agriculture to RU1H Large Lot Housing (Hillside Area)

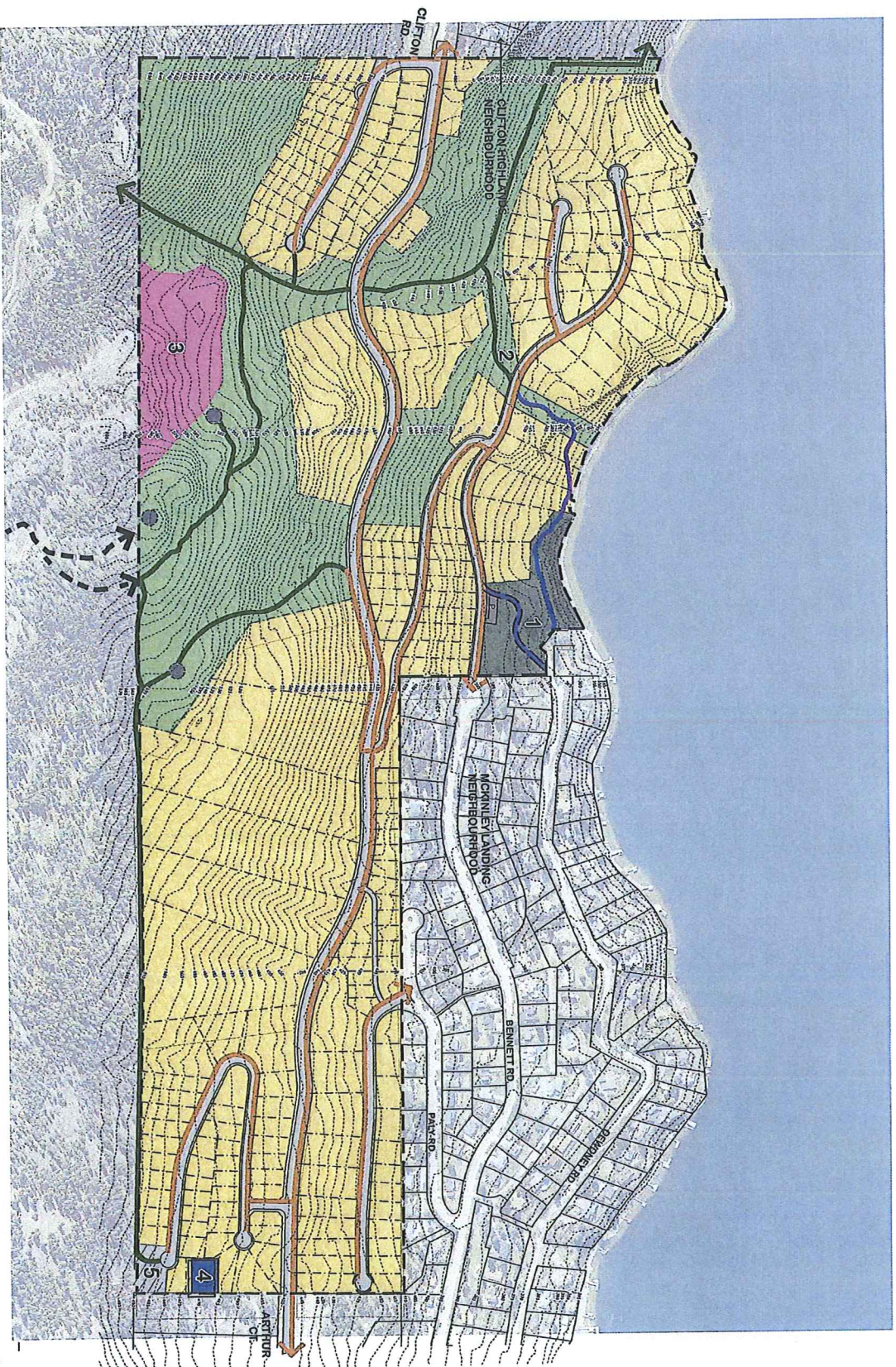
Subject Property Notes:
Rezone portions of the subject property from A1 Agriculture to P3 Parks and Open Space.

MAP "B" PROPOSED ZONING
File Z14-0033

- A1 to P3
- A1 to RU1H

This map is for general information only.
The City of Kelowna does not guarantee its accuracy. All information should be verified.





NORTH CLIFTON ASP - KELOWNA, BC

MARCH 2014

LAND USE CONCEPT
+ TRAIL NETWORK

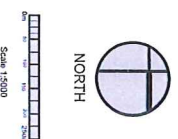
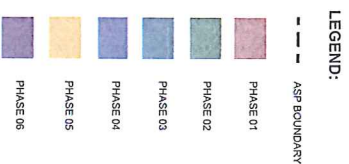
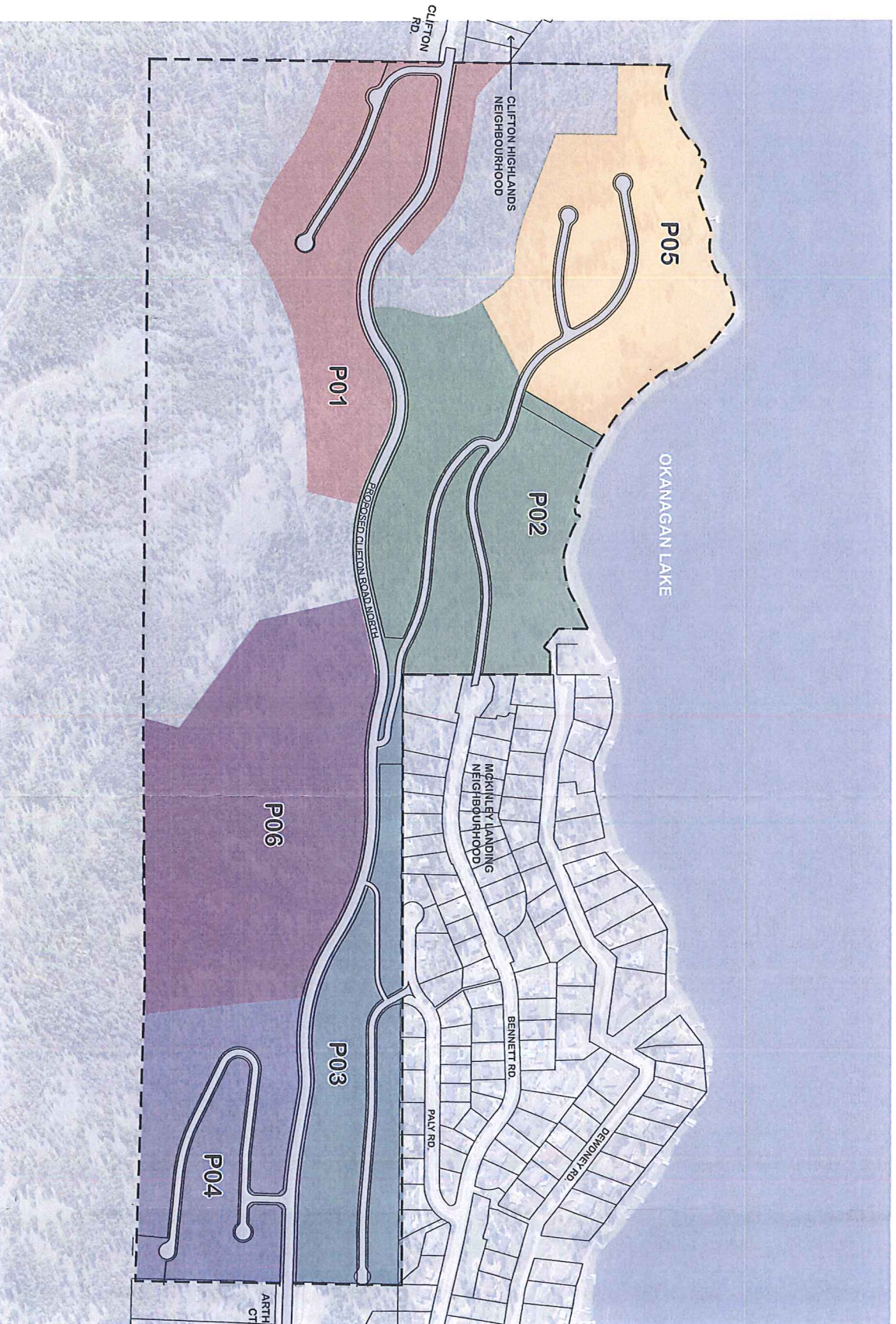
FIGURE 3.11



This map is conceptual in nature. Any development shown on this map is subject to future refinement at the subsequent development phase.



- LEGEND:**
- ASP BOUNDARY
 - == PROPOSED ROADWAY
 - DEDICATED OPEN SPACE
 - SINGLE FAMILY RESIDENTIAL DEVELOPMENT
 - ROADSIDE CORRIDOR
 - CLASS 5 MULTI-USE TRAIL
 - CLASS 6 NATURE TRAIL
 - SHARED USE TRAIL + BEACH ROW ON PRIVATE LAND
 - LOOKOUT POINT
 - POTENTIAL FUTURE LINK
 - POTENTIAL PARKING AREA (15+ SPOTS)
 - 1 PARK AND ACQUISITION/BENNETT PARK
 - 2 TRAIL HEAD PARKING
 - 3 FUTURE URBAN RESERVE
 - 4 UTILITY LOT (GEID RESERVOIR)
 - 5 ROAD RESERVE



Disclaimer:
This map is conceptual in nature. Any development items identified may be subject to minor refinements at the subdivision development phase.

MELCOR
DEVELOPMENTS LTD.

MMM GROUP

**PHASING
PLAN**

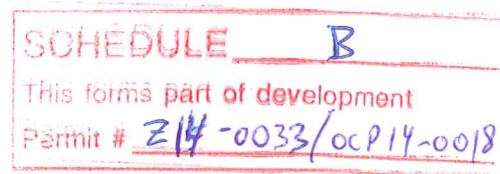
NORTH CLIFTON ASP - KELOWNA, BC

MARCH 2014

FIGURE 3.12

CITY OF KELOWNA
MEMORANDUM

Date: September 30, 2014
File No.: Z14-0033
To: Planning and Development Officer (JM)
From: Development Engineering Manager
Subject: Rezoning Application – Engineering Comments



LOCATION:	North Clifton		
APPLICANT:	MMM Group	Lakeside Communities	Melcor Developments
LEGAL:	Lots 1 & 2 Plan 65503 & S1/2 NE1/4 N1/2 NE1/4 Sec 17 TP 23 ODYD		

The Development Engineering Branch comments and requirements regarding this application to rezone from A1, P4 to RU!H and P3 are as follows:

The Development Engineering Technologist for this project is John Filipenko. AScT

.1) General

- a) The subject land area under this rezoning application is very large consisting of approximately 79.90 hectares of land generally from existing McKinley Landing neighbourhood to the north, Clifton North neighbourhood to the south, Widen development to the east and the Lake Okanagan shoreline to the west.
- b) This application is to achieve a comprehensive rezone of the entire site. With timing projected over 10 to 15 years, it is acknowledged that minor adjustments to zoning boundaries may be requested as each subdivision phase is submitted. Further review of offsite requirements will also be required to address servicing and traffic issues. The subject application has been submitted concurrently with an application for Natural Environment Development Permit
- c) The North Clifton Area Structure Plan process has set the maximum yield for this application to 200 lots / units

.2 Geotechnical Report

- a) Prior to initial consideration, provide a Geotechnical report (3 copies to be submit to the Planning and Development Services Department, Planning & Development Officer) prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the following:
 - (i) Confirm that each development node (cluster) is suitable for the proposed land use.
 - (ii) Identify lands that should not be developed such as environmentally sensitive or hazardous conditions areas.
- b) Further detailed reports will be required for each subdivision or development phase as they progress.

.3 Water

- a) The land area parcels under this application are currently located within Future City of Kelowna service area and Future GEID service area. The developer has indicated that the subject parcels under application will all be served by the City of Kelowna water supply system due to the available system pressure and distribution system capacities.
- b) A service boundary amendment will be required.
- c) Provide an adequately sized domestic water and fire protection system. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. Provide water calculations for this development to confirm this. Ensure every building site is located at an elevation that ensures water pressure is within the bylaw pressure limits.
- d) An extension of the existing 250mm diameter water system within Clifton Road will provide servicing to the subject parcels.
- e) A Servicing Plan shall be provided to identify the water system requirements to support each subdivision phase. Detailed design drawings will be required at the time of subdivision

.4 Sanitary Sewer

- a) Provide an adequately sized sanitary sewer system that is in accordance with the Subdivision, Development & Servicing Bylaw No.7900..
- b) Provide sanitary routing design complete with calculations ensuring the downstream infrastructure is capable of supporting this rezoning
- c) Off-site Sanitary System requirements will include the construction of force mains and gravity sewer mains within the Clifton Road right-of-way. A new sanitary main will also be installed that will bypass the existing Hillsborough lift station and tie into the existing 250mm diameter main on Clifton Road.
- d) An on Site Servicing Plan shall be provided to identify the sanitary sewer system requirements to support each subdivision phase. Detailed design drawings will be required at the time of subdivision.

.5 Drainage and Lot Grading

- a) A requirement of this rezoning application will be to prepare a comprehensive storm water management plan and design to comply complete with the City's drainage design and policy manual. Detailed Site Grading Plans including erosion and sedimentation controls will be required at time of subdivision.
- b) Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- c) Outlet to Okanagan Lake require review and approval from Provincial Authorities and the City's Environmental Manager.

.6) Roads

- a) A Traffic Impact Assessment (TIA) was completed and submitted by the developer to assist in evaluating the potential for off-site road impacts.
- b) In addition to the TIA, a Road Safety Audit was also conducted by the developer to investigate safety implications associated with the proposed development and existing Clifton Road and McKinley Road network.
- c) The required sanitary sewer construction on Clifton Road also provides a opportunity to implement road improvements within that sector of road. The City is willing to participate in the additional road construction costs to provide improved pedestrian connectivity and bike lanes.
- d) At the time of subdivision, written confirmation that all proposed internal road alignments, profiles, and design criteria satisfy the Subdivision, Development, and Servicing Bylaw and are able to access each node/neighbourhood will be required. Identify all roads (or components of roads) where the minimum criteria is proposed to be compromised.

.7) Power and Telecommunication Services and Street Lights

- 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.
- b) If the existing area is served by overhead wiring, the service connections may be provided overhead provided that there are no new poles required and service trespasses will not be created. If either of these conditions is not satisfied, then underground service will be required for that lot.
- c) Streetlights must be installed on all roads. Design drawings must be submitted.
- d) 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.

- e) Before making application for approval of your subdivision plan, please make arrangements with FortisBC for the pre-payment of applicable charges and tender a copy of their receipt with the subdivision application for final approval.

.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.

.9) Security and Levy Requirements

Bonding To be determined

Bonding amounts are comprised of estimated construction costs escalated to include engineering design and contingency protection. The developer's consulting civil engineer shall provide detailed designs and obtain actual tendered construction costs. Bonding for required off-site construction must be provided and may be in the form of cash or an irrevocable letter of credit, in an approved format. The owner must also enter into a servicing agreement in a form provided by the City.

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% of Total Off-Site Construction Cost plus GST)

.10) 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 named on the insurance policy as an additional insured.

.11) 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 B.C. Gas, 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.

Steve Muenz, P.Eng.
Development Manager

Jf

REPORT TO COUNCIL



Date: February 15, 2016

RIM No. 1250-30

To: City Manager

From: Community Planning Department (DB)

Application: OCP14-0018 / Z14-0033 **Owner:** Lakeside Communities Inc.
Inc. No. A57531

Address: 1855 Bennett Rd
1005 Clifton Rd N **Applicant:** MMM Group Ltd.
(E OF) Paly Rd

Subject: Z14-0033 / OCP14-0018 - Supplemental Report

Existing OCP Designation: Single / Two Unit Residential, Major Park & Open Space, Future Urban Reserve

Proposed OCP Designation: Single / Two Unit Residential, Major Park & Open Space, Future Urban Reserve

Existing Zone: A1 - Agriculture 1, P4 - Utilities

Proposed Zone: RU1H - Large Lot Housing Hillside, P3 - Parks and Open Spaces

1.0 Recommendation

THAT Council receives, for information, the Report from the Community Planning Department dated February 15, 2016 with respect to Rezoning Application No. Z14-0033 and Official Community Plan Amendment Application No. OCP14-0018 for the properties located at 1855 Bennett Road, 1005 Clifton Road N, and (East of) Paly Road;

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the purpose of Council Policy No. 367, as outlined in the Report from the Community Planning Department dated February 15, 2016;

AND THAT Bylaw No. 11160 be forwarded for amendment consideration;

AND FURTHER THAT Official Community Plan Amending Bylaw and the Zone Amending bylaw be forwarded to a Public Hearing for further consideration.

2.0 Purpose

To provide a summary of the public notification required as part of Council Policy 367 and to forward the Zone Amending Bylaw to a Public Hearing for further consideration.

3.0 Community Planning

3.1 Background

On October 19, 2015, initial consideration was granted by Council to amend the Official Community Plan Future Land Use Designation (OCP14-0018) and to rezone portions of the subject properties (Z14-0033) in order to accommodate the development of a single family subdivision.

One of Council's requirements was that the applicant is to hold a public information session in accordance with Council Policy #367 following Council's consideration of the road safety improvement options (Requirement of Council Resolution R591/14/0811) prior to a public hearing. This requirement has now been fulfilled by the applicant and the public notification and consultation is complete.

The applicant mailed out approximately 650 notifications explaining the proposal and inviting residents to participate at a Public Information Session which was held on December 2nd, 2015. The public information session was also advertised in the local newspaper. The information session was held at the Jewish Community Association (located at 102 Snowsell St N, Kelowna, BC) between the hours 3:30-7:30 and the developer, consultants, and City Staff were all in attendance (See Schedule A).

Through the public information process, a mapping error was discovered on the proposed Official Community Plan Future Land Use map. The error was at the north west portion of the subject property. There was an arrow pointing at the existing park lot suggesting that the Future Land Use would be changed from Major Park and Open space (PARK) to Single/Two unit Residential Hillside (S2RES). This arrow has now been removed (See Amended Map A1 - OCP Amendment).

4.0 Application Chronology

- October 14, 2010 - North Clifton Area Structure Plan application
- July 11, 2011 - Council authorizes the preparation of the Area Structure Plan
- June 23, 2014 - Initial consideration of the North Clifton Area Structure Plan
- July 15, 2014 - Council Adopts North Clifton Area Structure Plan
- October 19, 2015 - Initial Consideration of OCP and Zoning amendment
- November 10, 2015 - Public Notification Mailouts Distributed
- December 2, 2015 - Public Information Session Held

Report prepared by:

Damien Burggraave, Land Use Planner

Reviewed by:

☐

Todd Cashin, Suburban and Rural Planning Manager

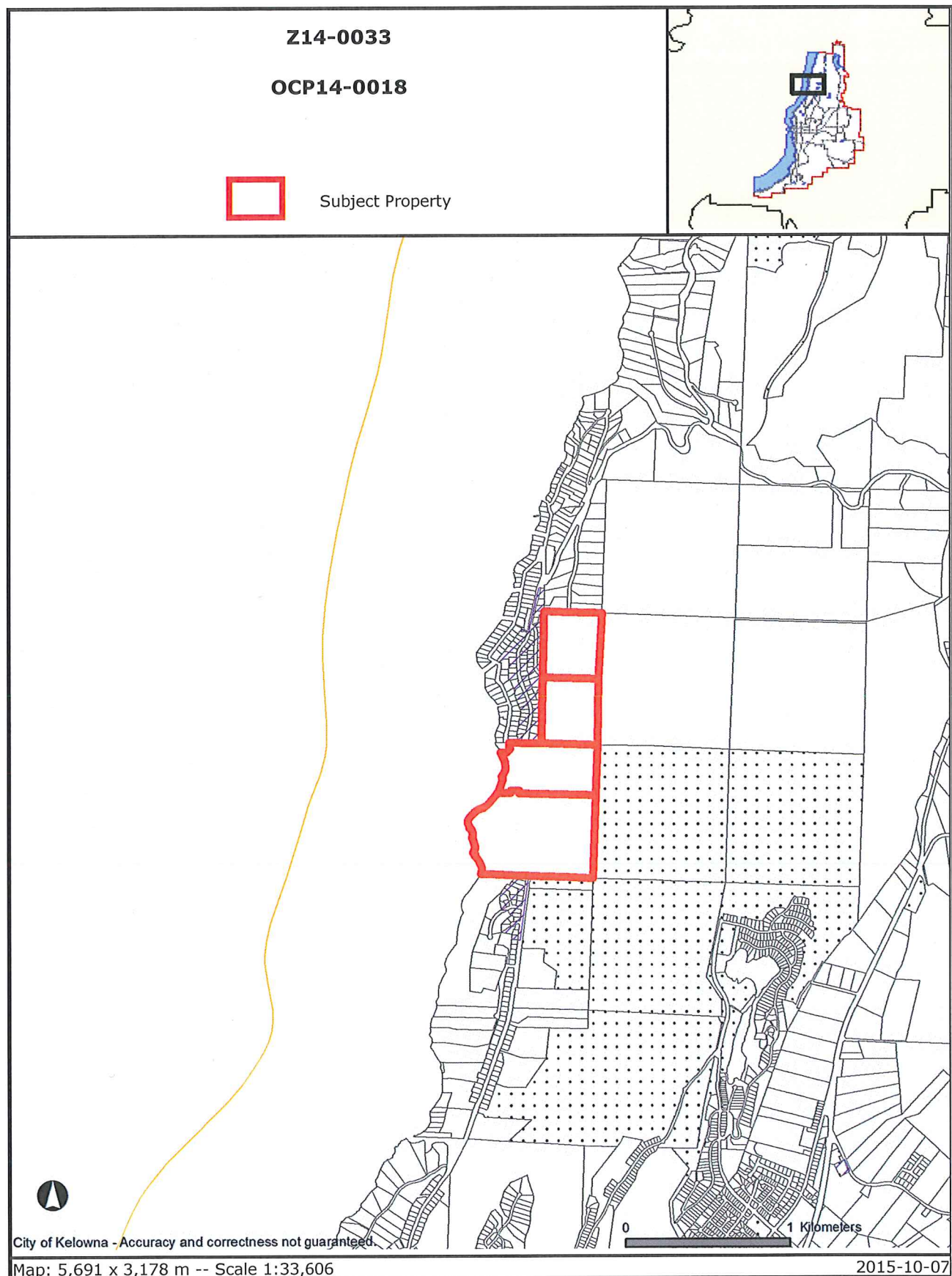
Approved for Inclusion:

☐

Ryan Smith, Community Planning Department Manager

Attachments:

- Schedule A - Public Consultation Package
- Schedule B - Original Map A1 - OCP Amendment
- Schedule C - Amended Map A1 - OCP Amendment



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

November 10, 2015

SCHEDULE <u>A</u>
This forms part of development
Permit # <u>214-0033/ocp14-0018</u>

Dear Resident and / or Landowner,

Re. North Clifton Lands Official Community Plan and Zoning Bylaw Map Amendments

Lakeside Communities Inc. (Melcor Developments Ltd.) has made application to the City of Kelowna to amend the Official Community Plan Future Land Use map and Zoning Bylaw map for the area commonly known as the 'North Clifton Area Structure Plan (ASP) lands. The proposal is to:

1. Amend City of Kelowna Official Community Plan Map 4.1 from FUR – Future Urban Reserve to PARK - Major Park/Open Space, PARK - Major Park/Open Space to FUR – Future Urban Reserve, PARK - Major Park/Open Space to S2RESH – Single / Two Unit Residential Hillside and S2RES – Single / Two Unit Residential to PARK - Major Park/Open Space designations, as shown within the enclosed figure; and
2. Amend the City of Kelowna Zoning Bylaw Map from from the A1 – Agriculture 1 to RU1H – Large Lot Housing Hillside and to P3 – Parks and Open Space as shown within the enclosed figure.

The purpose of the proposed amendments is to facilitate future residential development, as originally identified within the North Clifton Area Structure Plan (endorsed by City Council in Spring 2014).

North Clifton ASP Lands

The OCP and Zoning Bylaw application encompasses the 'North Clifton Area Structure Plan' lands, which encompasses four parcels, totaling +/- 197.44 acres (+/- 79.90 hectares).

Legal Address	Civic Address
Lot 1, Plan 65503, Section 17, Township 23, ODYD	1855 Bennett Road, Kelowna, BC
Lot 2, Plan 65503, Section 17, Township 23, ODYD	1005 Clifton Road N., Kelowna, BC
S½ NE¼, Section 17, Township 23, ODYD	E of Paly Road, Kelowna, BC
N½ NE¼, Section 17, Township 23, ODYD	E of Paly Road, Kelowna, BC



Public Information Session

Melcor Developments Ltd. will be hosting a Public Information Session offering information about the proposed OCP and Zoning Bylaw amendments. Information pertaining to off-site servicing (Clifton Rd. N. and parks and open space within the Area Structure Plan will also be available. Representatives from Melcor Developments Ltd., MMM Group Ltd., and the City of Kelowna will be available to answer any questions and accept feedback from area residents and landowners. Area residents and landowners may attend the Open House between 3:30pm and 7:30pm on December 2, 2015 at the **Okanagan Jewish Community Association**, 102 Snowsell Street N., Kelowna, BC.

For more information or to provide comments or feedback regarding this proposal, contacts for the corresponding representative are as follows:

MMM Group Ltd.

Davin A. Shillong

E: ShillongD@mmm.ca

Melcor Developments Ltd.

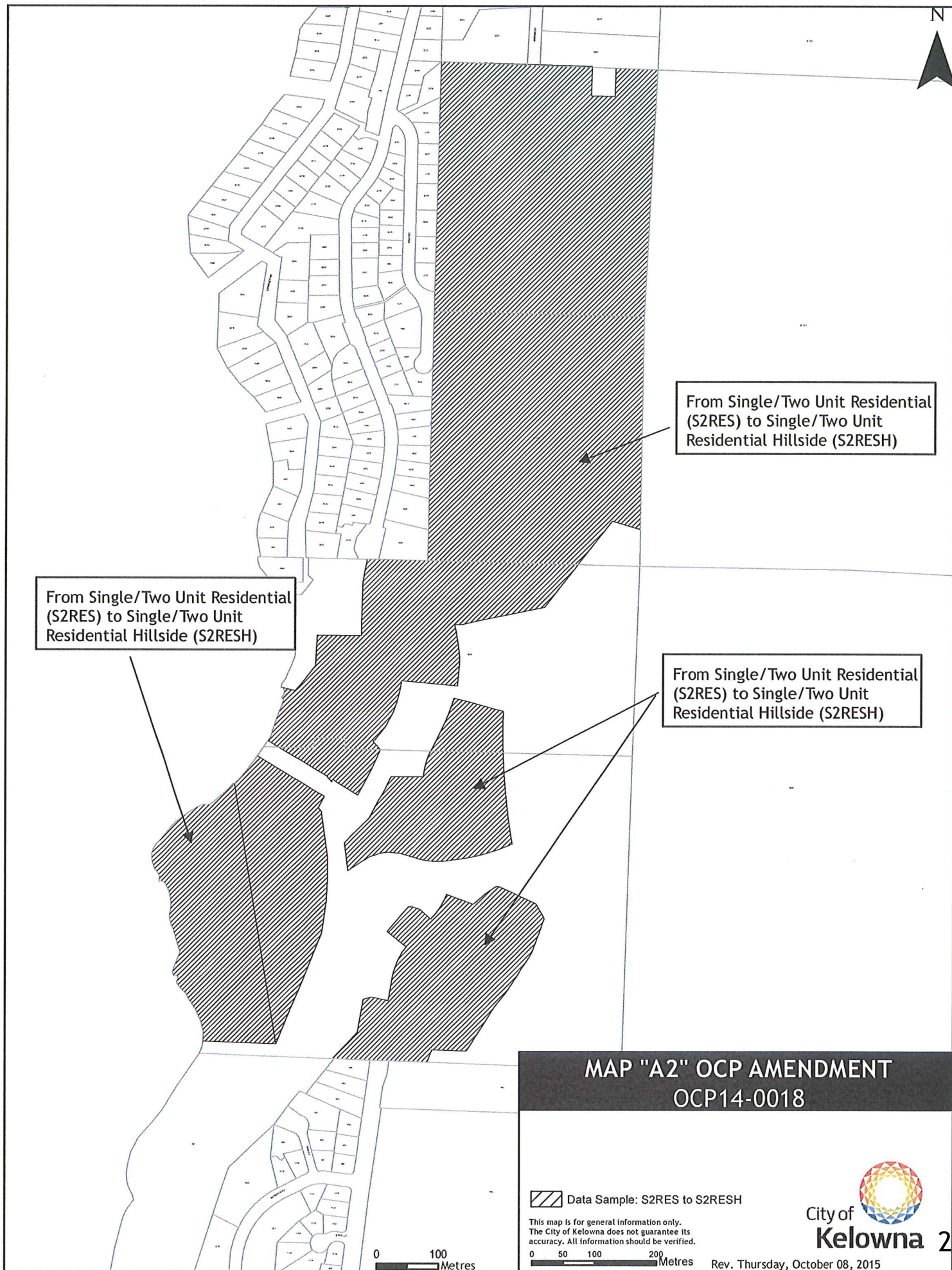
Andrew Bruce

E: ABruce@melcor.ca


City of Kelowna

Damien Burggraeve

E: DBurggraeve@kelowna.ca



MAP "A2" OCP AMENDMENT
OCP14-0018

 Data Sample: S2RES to S2RESH

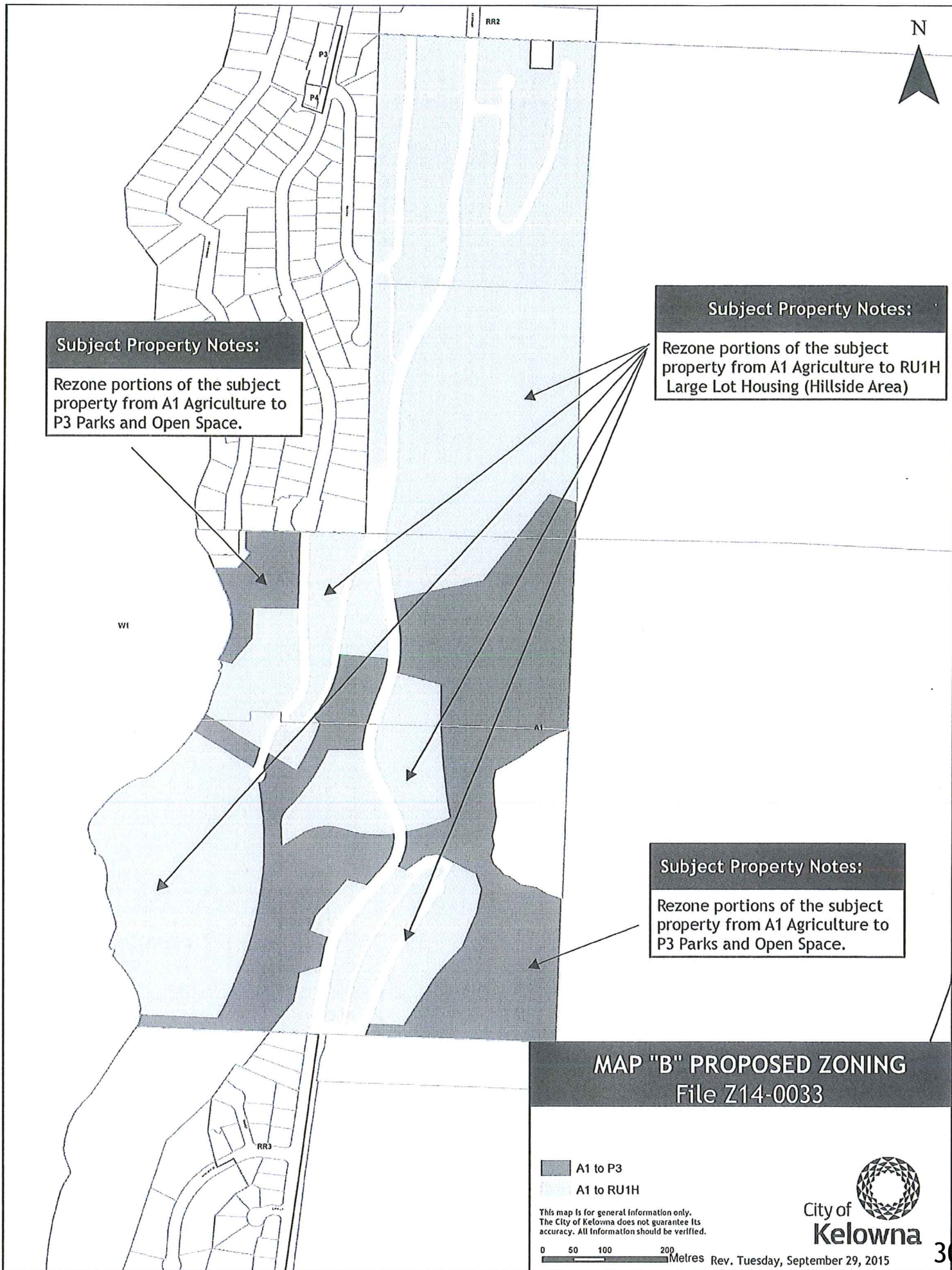
This map is for general information only.
The City of Kelowna does not guarantee its
accuracy. All information should be verified.

0 50 100 200 Metres



City of
Kelowna

Rev. Thursday, October 08, 2015



Notice Of Public Information Session

NORTH CLIFTON OCP AND ZONING AMENDMENT

Date: Wednesday, December 2nd, 2015

Time: 3:30pm - 7:30pm

Location: Okanagan Jewish Community Centre
(102 Snowsell Street North, Kelowna, BC)

The purpose of the Public Information Session is to provide information to the public on the following:

1) Official Community Plan Amendment

- 'Future Urban Reserve' to 'Major Park/Open Space'
- 'Major Park/Open Space' to 'Future Urban Reserve'
- 'Major Park/Open Space' to 'Single/Two Unit Residential Hillside'
- 'Single/Two Unit Residential' to 'Major/Park Open Space'

2) Zoning Bylaw Amendment

- 'Agriculture 1' to 'Large Lot Housing Hillside' and 'Parks and Open Space'

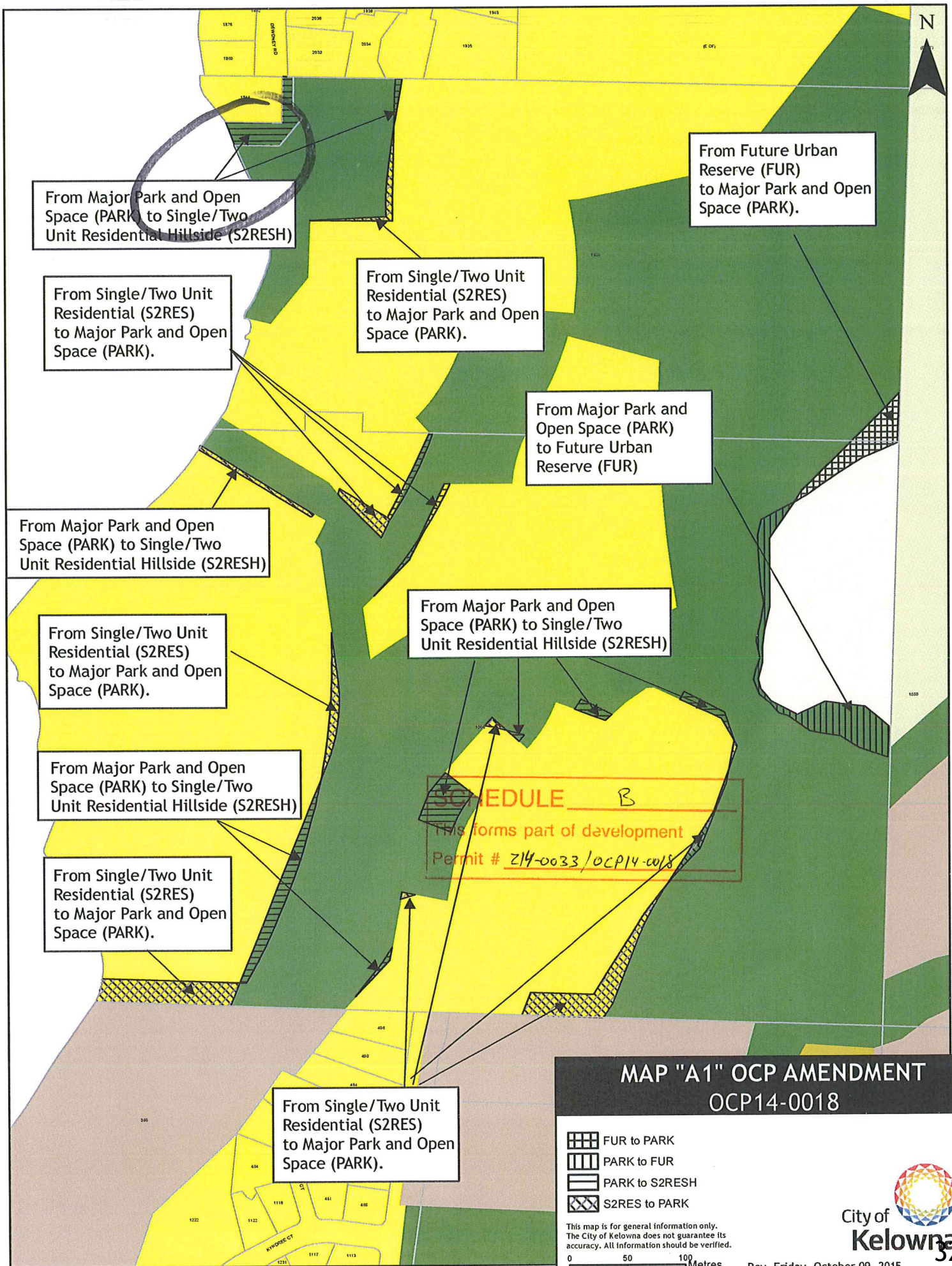
Interested members of the public are invited to drop in between 3:30pm-7:30pm to learn more about the proposed amendments and provide comments and feedback. The developer and managing consultant will be present to answer questions.

For more information, please contact:

Davin A. Shillong, MMM Group Ltd.
P: 250-869-1334

Andrew Bruce, Melcor Developments Ltd.
P: 250-717-8390





REPORT TO COUNCIL



Date: February 15, 2016
RIM No. 1250-30
To: City Manager
From: Community Planning Department (TB)
Application: Z15-0066 **Owner:** Pam Irene Sahlin
Address: Lakeshore Rd 3697 **Applicant:** Thomson Dwellings Inc.
Subject: Rezoning Application
Existing OCP Designation: S2RES - Single/Two Unit Residential
Existing Zone: RU1 - Large Lot Housing
Proposed Zone: RU6 - Two Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z15-0066 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 24, Block 4, District Lot 134, ODYD, Plan 515 except Plan KAP91276, located at 3697 Lakeshore Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone be considered by Council;

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

AND 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 February 15, 2016;

2.0 Purpose

To rezone the subject property to allow for the development of duplex housing.

3.0 Community Planning

Community Planning supports the proposal to rezone the subject property. The rezoning of this property from RU1 to RU6 would allow it to be developed for duplex housing. This is consistent with the Official Community Plan (OCP) Future Land Use Designation and the OCP policy of creating a compact urban form. As part of the rezoning, the City of Kelowna would receive a 5.0 m road dedication on Lakeshore Road, a 5.0 m road reserve on Lakeshore Road, and a 3.0 m road reserve along Barrerra Road for future use.

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbour consultation by individually contacting the neighbours. To date, staff has not received any feedback.

4.0 Proposal

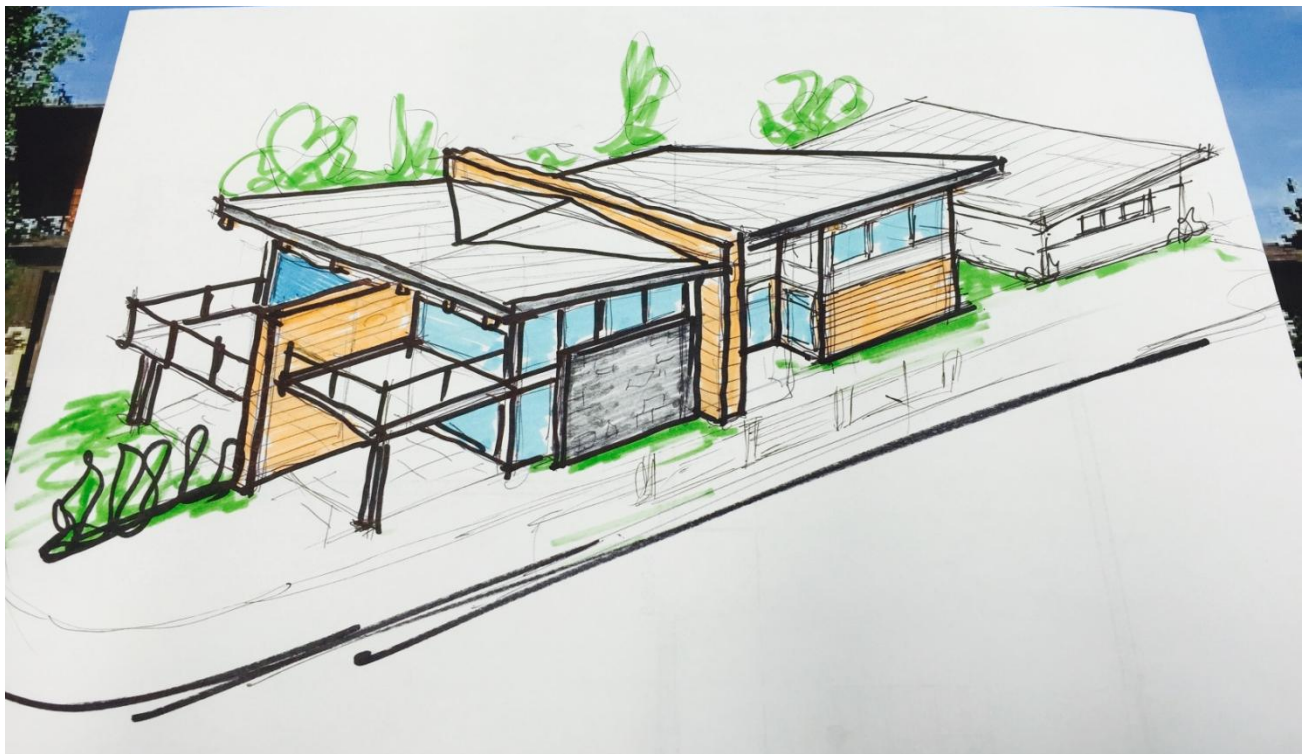
4.1 Background

The single family dwelling was built in 1965 and will be demolished to facilitate the proposed duplex.

4.2 Project Description

The subject property is 990 m² and requires no variances for the proposed duplex. The road dedication and road reserves on this property would allow for future widening of Lakeshore and Barrera Roads. Access to the proposed development would be from the lane on the east side of the property. Parking is provided in rear-oriented garages, and private open space is accommodated with front decks. The proposed duplex will require a direct (non-council) development permit.

Conceptual Rendering:



4.3 Site Context

The subject property is located on the north-east corner of Lakeshore Road and Barrera Road. The neighborhood is a mix of RU1, RU2, and RM2 zones. Two recreation corridors border this property, and Rotary Beach Park is across Lakeshore Road on the west.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Residential
East	RU2 - Medium Lot Housing	Residential
South	RM2 - Low Density Row Housing	Residential
West	P3 - Parks and Open Space	Rotary Beach Park

Subject Property Map:



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	550 m ²	990.35 m ²

Minimum Lot Width	20 m	20.12 m
Minimum Lot Depth	30 m	46.59 m (to road dedication)
Development Regulations		
Maximum Site Coverage (buildings)	40%	39.96%
Maximum Site Coverage (buildings, driveways and parking)	50%	41.86%
Minimum Front Yard	4.5 m	4.5 m
Minimum Side Yard (south)	4.5 m	4.5 m
Minimum Side Yard (north)	2.3 m	2.3 m
Minimum Rear Yard to Garages	1.5 m	1.5 m
Minimum Private Outdoor Space	60 m ²	+60 m ²
Minimum Parking Requirements	4 stalls	4 stalls

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.

6.0 Technical Comments

6.1 Development Engineering Department

- See attached Schedule "A" dated January 14, 2016.

6.2 FortisBC Inc - Electric

- There are primary distribution facilities along Lakeshore Road. 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.
- Otherwise, FortisBC Inc. (Electric) has no concerns with this circulation.

6.3 Real Estate and Building Services Manager

- Ensure Lakeshore Rd dedication/reserve is adequate (30m cross-section).

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

7.0 Application Chronology

Date of Application Received: December 14, 2015
Date Public Consultation Completed: January 29, 2015

Report prepared by:

Trisa Brandt, Planner I

Reviewed by: ☐ Terry Barton, Urban Planning Manager

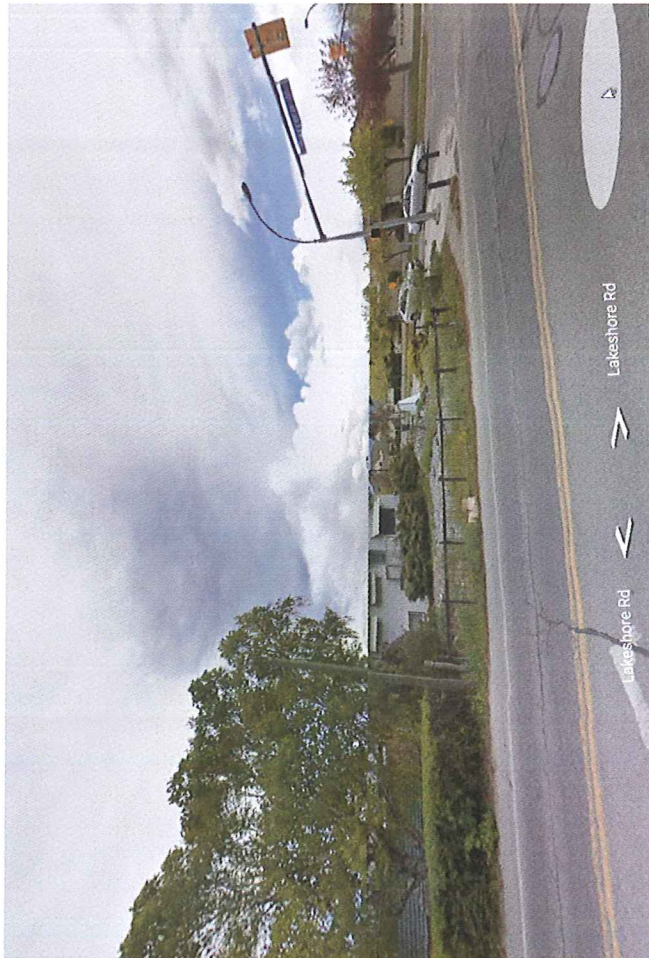
Approved for Inclusion: ☐ Ryan Smith, Community Planning Department Manager

Attachments:

Site Plan

Context/Site Photos

Schedule "A": Development Engineering Memorandum dated January 14, 2016.



CITY OF KELOWNA

MEMORANDUM

Date: January 14, 2016
File No.: Z15-0066

To: Community Planning (TB)

From: Development Engineering Manager(SM)

Subject: 3697 Lakeshore Road

RU1 to RU6

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

1. Domestic Water and Fire Protection

This property is currently serviced with a 19mm-diameter copper water service. Two 19mm water services are required to meet current by-law requirements. An additional 19mm service and adjustments to the existing service can be provided by the City at the owner's cost. The applicant will be required to sign a Third Party Work Order for the cost of the water service upgrades. For estimate inquiry's please contact Sergio Sartori, by email ssartori@kelowna.ca or phone, 250-469-8589.

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

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. An inspection chamber (IC) complete with brooks box should be installed on the service at the owner's cost. Service upgrades can be provided by the City at the applicant's cost. The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade. For estimate inquiry's please contact Sergio Sartori, by email ssartori@kelowna.ca or phone, 250-469-8589.

3. Road Improvements

- (a) Lakeshore Road must be upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, sidewalk, drainage system including catch basins, manholes and pavement removal and replacement, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. A one-time cash payment in lieu of construction must be collected from the applicant for future construction by the City. The cash-in-lieu amount is determined to be **\$9,070.00** not including utility service cost.

SCHEDULE	A
This forms part of development	
Permit #	Z15-0066

7. Bonding and Levy Summary**(a) Levies**

1. Lakeshore Rd frontage improvements **\$9,070.00**

(b) Bonding

1. Barrera Rd modification & landscaping To be determined
2. Service upgrades To be determined

Steve Muenz, P. Eng.
Development Engineering Manager
SS

CITY OF KELOWNA

MEMORANDUM

Date: December 8, 2015
File No.: Z15-0058

To: Community Planning (RR)

From: Development Engineering Manager

Subject: 464 Morrison Ave

RU1 to RU6

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

1. Domestic Water and Fire Protection

This property is currently serviced with a 13mm-diameter copper water service. Two 19mm water services are required to meet current by-law requirements. New 19mm services can be provided by the City at the owner's cost. The applicant will be required to sign a Third Party Work Order for the cost of the water service upgrades. For estimate inquiry's please contact Sergio Sartori, by email ssartori@kelowna.ca or phone, 250-469-8589.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. An inspection chamber (IC) complete with brooks box should be installed on the service at the owner's cost. Service upgrades can be provided by the City at the applicant's cost. The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade. For estimate inquiry's please contact Sergio Sartori, by email ssartori@kelowna.ca or phone, 250-469-8589.

3. Road Improvements

- (a) Morrison Ave must be upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, sidewalk, drainage system including catch basins, manholes and pavement removal and replacement, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. A one-time cash payment in lieu of construction must be collected from the applicant for future construction by the City. The cash-in-lieu amount is determined to be **\$8,752.00** not including utility service cost
- b) Only the service upgrades must be completed at this time. The City wishes to defer the upgrades to Morrison Ave fronting this development. Therefore, cash-in-lieu of immediate construction is required and the City will initiate the work later, on its own construction schedule.

Morrison Ave

Item	Cost
Drainage	\$ 469.00
Curb &Gutter	\$2,134.00
Sidewalk	\$2,668.00
Street Lighting	\$ 720.00
Road Fillet	\$1,961.00
Landscape Blvd	\$ 800.00
Total	\$8,752.00

4. Development Permit and Site Related Issues

Direct the roof drains into on-site splash pads.

Access permitted from the lane only.

5. 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.

Steve Muenz, P. Eng.
Development Engineering Manager

SS

REPORT TO COUNCIL



Date: February 15, 2016

RIM No. 1250-04

To: City Manager

From: Community Planning Department (RR)

Application: Z15-0058 **Owner:** Flying Eagle Holdings
Birkett Holdings

Address: 464 Morrison Avenue **Applicant:** Shane Styles

Subject: Zoning Bylaw Amendment

Existing OCP Designation: S2RES - Single / Two Unit Residential

Existing Zone: RU1 - Large Lot Residential

Proposed Zone: RU6 - Two Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z15-0058 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6, District Lot 14, ODYD Plan 3398, located on 464 Morrison Avenue, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone be, considered by Council;

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

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

2.0 Purpose

To rezone the subject parcel from RU1 - Large Lot Housing to RU6 - Two Dwelling Housing to allow the construction of two single dwelling homes.

3.0 Community Planning

Urban Planning supports the proposed application as the proposed RU6 zoning is consistent with the Official Community Plan future land use designation. The proposed rezoning would allow construction of two dwellings on the subject property and would be the first of its kind on the subject property block. As such, it is important that any future development on the subject property is cohesive with the surrounding neighbourhood form and character. This includes setbacks, massing, height, architectural style and landscape.

4.0 Proposal

4.1 Project Description

The applicant is applying to rezone the property to construct two dwellings on the property. The applicant has also applied for a Development Permit and Development Variance Permit, which will be considered by this Council at a later date, subject to the adoption of the Zoning Bylaw. Specifically, the applicant has requested a variance to the internal setback between the two buildings.

Council support for the bylaw amendment does not imply endorsement of the variance request, which will be subject to a separate approval process.



Figure 1 Conceptual Drawing, Not Approved, Variances Subject to Council Approval

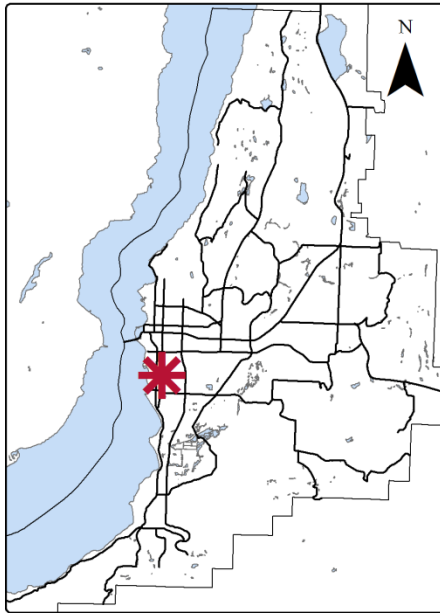
4.2 Site Context

The subject property is located in the South Pandosy - KLO sector on the north side of Morrison Ave, between Abbott and Pandosy Street. Neighbouring the site are single family dwellings on the north side of Morrison Avenue, and two dwelling housing along the south side. The subject property is designated S2RES - Single / Two Unit Residential and is within the Permanent Growth Boundary.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Single Family Dwelling
East	RU1 - Large Lot Housing	Single Family Dwelling
South	RU6 - Two Dwelling Housing	Two Family Dwelling
West	RU1 - Large Lot Housing	Single Family Dwelling and Home Office

Subject Property Map:



CONTEXT



NEIGHBOURING ZONING



SUBJECT PROPERTY

4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	700m ²	1030m ²
Minimum Lot Width	18m	21m
Minimum Lot Depth	30m	48m
Development Regulations		
Maximum Site Coverage (buildings)	40 %	38.4 %
Maximum Site Coverage (buildings, driveways and parking)	46.6 %	50%
Maximum Height	9.5 m	7.5 m
Minimum Front Yard	4.5 m	4.65 m
Minimum Side Yard (east)	2.0 m	2.0 m
Minimum Side Yard (west)	2.0 m	2.0 m
Minimum Rear Yard	1.5 m	1.5 m
Distance Between Buildings	4.5 m	1.8 m (variance)

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

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

5.2 Consultation Policy 367

Per City of Kelowna Policy 367, the applicant has given notice to neighbours within a 50 m radius of the proposed development.

6.0 Technical Comments

6.1 Building & Permitting Department

Development Cost Charges are required to be paid prior to issuance of any Building Permits. Operable bedroom windows required as per the 2012 edition of the BC Building Code (BCBC 12). There may be special concerns between the main dwelling and the proposed carriage house, but can be reviewed at time of building permit application. Full plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

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

See attached memorandum dated October December 8, 2015.

6.3 Fire Department

Ensure proper access from the front of the houses is provided from Morrison Ave - Fire Department access from the lane is not permitted. Ensure houses are addressed off of Morrison Ave. Should a gate fence be built, access to the house at the north side of the property will be compromised in an emergency.

7.0 Application Chronology

Date of Application Received: October 15, 2015
Date Public Consultation Completed: January 7, 2016

Report prepared by:

Ryan Roycroft, Planner

Reviewed by:

☐

Terry Barton, Urban Planning Manager

Approved for Inclusion:

☐

Ryan Smith, Community Planning Department Manager

Attachments:

Summary of Technical Comments

REPORT TO COUNCIL



Date: February 15, 2016

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TB)

Application: Z15-0062 **Owner:** Jeremiah Weiler & Carissa Kennedy

Address: 330 Davie Rd **Applicant:** Jeremiah Weiler & Carissa Kennedy

Subject: Zoning Amendment

Existing OCP Designation: MRL - Multiple Residential Low Density

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU1c - Large Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z15-0062 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 22 Township 26 ODYD Plan 31836, located at 330 Davie Rd, Kelowna, BC from RU1 - Large Lot Housing zone to 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 FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval set out in Attachment "A" - City of Kelowna Memorandum dated January 28, 2016.

2.0 Purpose

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

3.0 Community Planning

Community Planning Staff supports the proposed rezoning application to allow for the development of a carriage house on the subject property. The S2RES - Single / Two Unit Residential OCP Land Use Designation permits the proposed RU1c - Large Lot Housing with Carriage House zone. Currently the adjacent parcels contain a mix of single family and multi-family residential dwellings. The proposed carriage house use is consistent with the OCP policy for Sensitive Infill and Compact Urban Form.

Council Policy No. 367 with respect to public consultation was undertaken by the applicant. All adjacent neighbours within a 50m radius were provided with a circulation package in regards to the development. Staff have received one comment of non-support and one neutral telephone inquiry.

4.0 Proposal

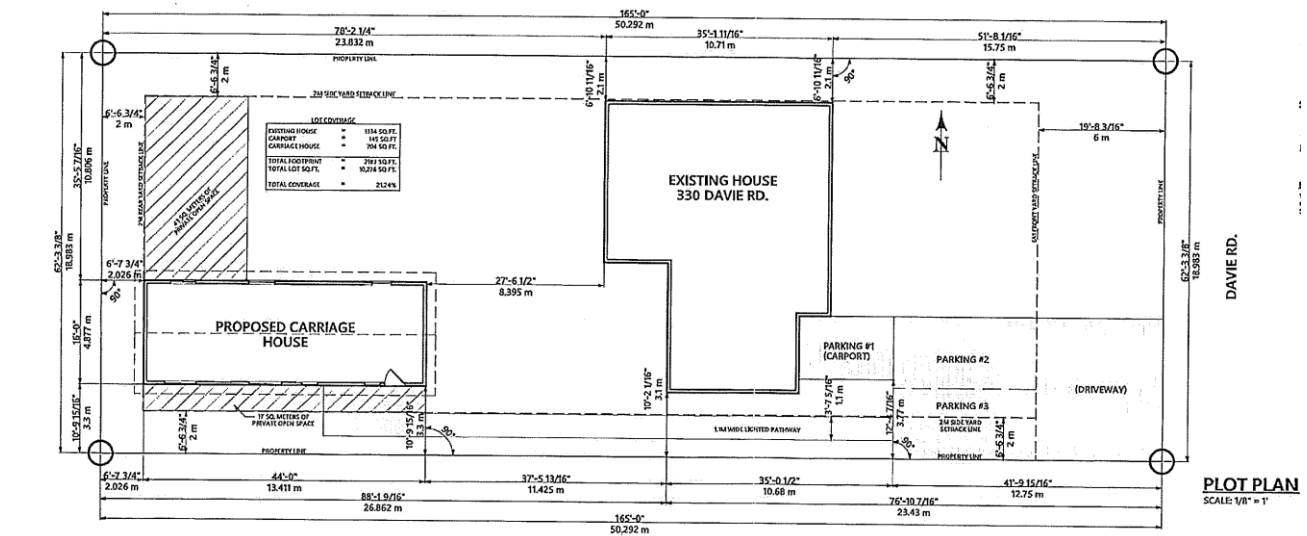
4.1 Background

The existing 1 ½ storey single detached dwelling was constructed in the early 1960's, with a carport and living room addition completed in 1994. An exterior entrance door was added to the basement in 2009. An existing workshop/shed will be demolished prior to construction of a carriage house.

4.2 Project Description

The subject parcel is located within the Permanent Growth Boundary on the west side of Davie Road, south of Hwy 33 E in the Rutland neighbourhood. In conjunction with the Rezoning application, the applicant submitted a Direct Development Permit application for the form and character of the proposed carriage house. Should Council choose to support the rezoning request, Staff will continue to work with the applicant to issue the Development Permit in accordance with the Intensive Residential - Carriage House / Two Dwelling Housing guidelines.

The proposal is for a single story carriage house with required private outdoor space in the form of a patio and green space, and 3 parking stalls at the front of the property.



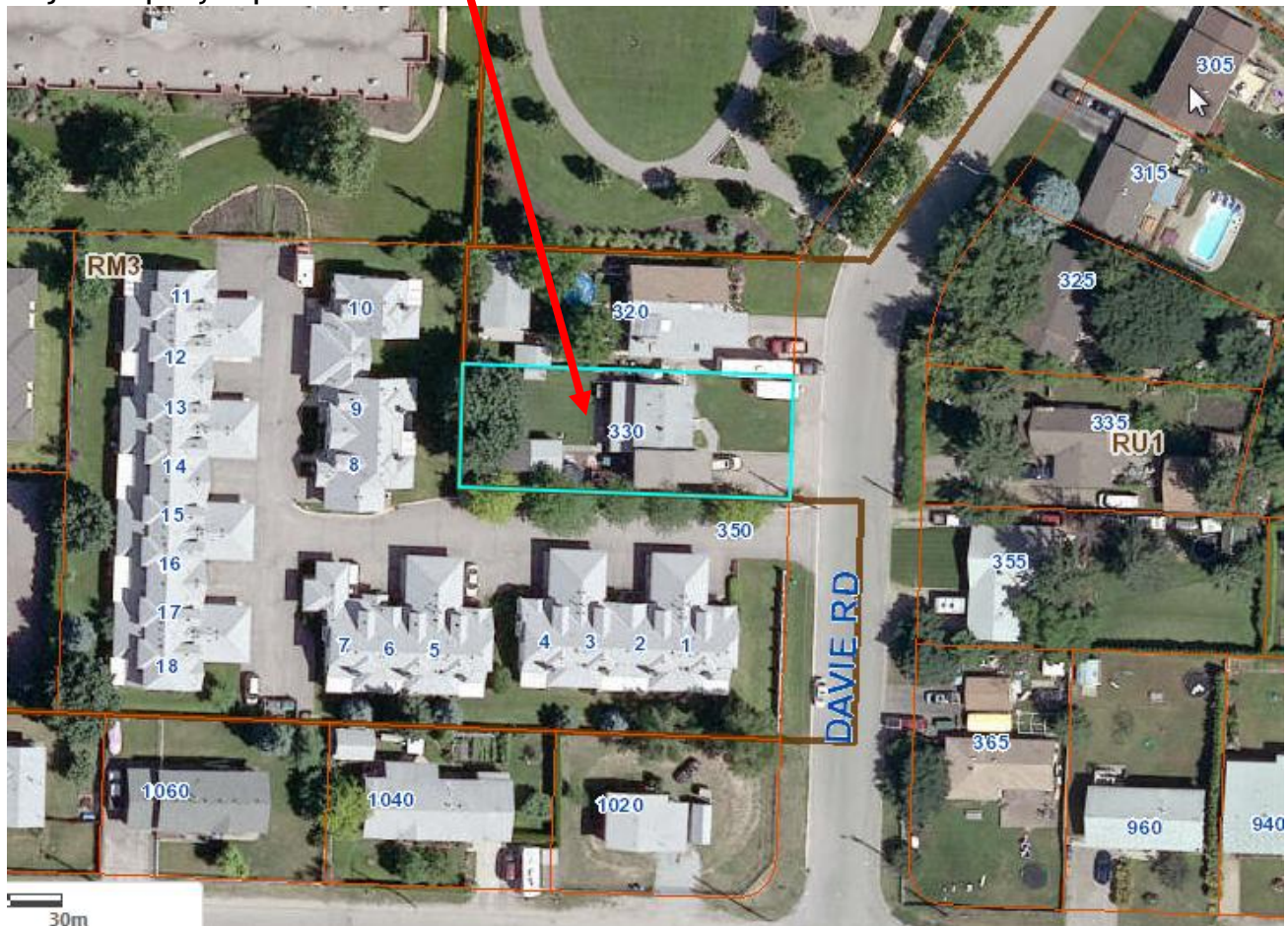
4.3 Site Context

The subject property is located on the West side of Davie Rd, with easy access to Hwy 33 E. There is a public park two lots to the north, and it is bordered on the south and west by a multi-family townhome complex.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Residential
East	RU1 - Large Lot Housing	Residential
South	RM3 - Low Density Multiple Housing	Residential
West	RM3 - Low Density Multiple Housing	Residential

Subject Property Map 330 Davie Rd:



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1c ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	550 m ²	971 m ²
Min. Lot Width	16.5 m	18.98 m
Min. Lot Depth	30 m	50.29 m
Development Regulations		
Site Coverage	40%	21.2%
Site Coverage: accessory buildings or structures and carriage house (one storey)	20%	5.9%
Floor area of carriage house (footprint)	100 m ²	56.1 m ²
Max. area of carriage house (total building area)	130 m ²	56.1 m ²
Max. net floor area of carriage house to total net floor area of principal building	75%	42%
Setback from Principal Dwelling	3.0 m	8.4 m
Carriage House Regulations		
Max. Height	4.8 m	3.8 m
Min. Side Yard (north)	2.0 m	10.8 m
Min. Side Yard (south)	2.0 m	3.3 m
Min. Rear Yard (without a lane)	2.0 m	2.0 m
Height (carriage house shall not be higher than existing primary dwelling unit)	1 1/2 storey ex. House	1 storey Carriage House
Other Regulations		
Min. Parking Requirements	3 stalls	3 stalls
Min. Private Open Space	30 m ²	+ 30 m ²

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.

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

Sensitive Infill.² 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.

5.2 Technical Comments

5.3 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

5.4 Development Engineering Department

- See Schedule "A" City of Kelowna Memorandum dated January 28, 2015.

5.5 Fire Department

- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- All units shall have a posted address on Davie Rd. for emergency response
- Should a gate or fence be installed between main house and carriage house the gate is to open without special knowledge (locking device and have a clear width of 1100mm.
- Do not release BP until all life safety concerns are completed.

5.6 Fortis BC Electric

- There are primary distribution facilities along Davie Rd. 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.
- Otherwise, FortisBC Inc. (Electric) has no concerns with this circulation.
- In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). It should be noted that additional land rights issues may arise from the design process but can be dealt with at that time, prior to construction.

5.7 Irrigation District

- See Schedule "B": Rutland Water Works District Letter dated December 17, 2015

5.8 Ministry of Transportation

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

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

6.0 Application Chronology

Date of Application Received: July 3, 2015
Date Public Consultation Completed: January 21, 2016

Report prepared by:

Trisa Brandt, Planner I

Reviewed by: ☐ Terry Barton, Urban Planning Manager

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

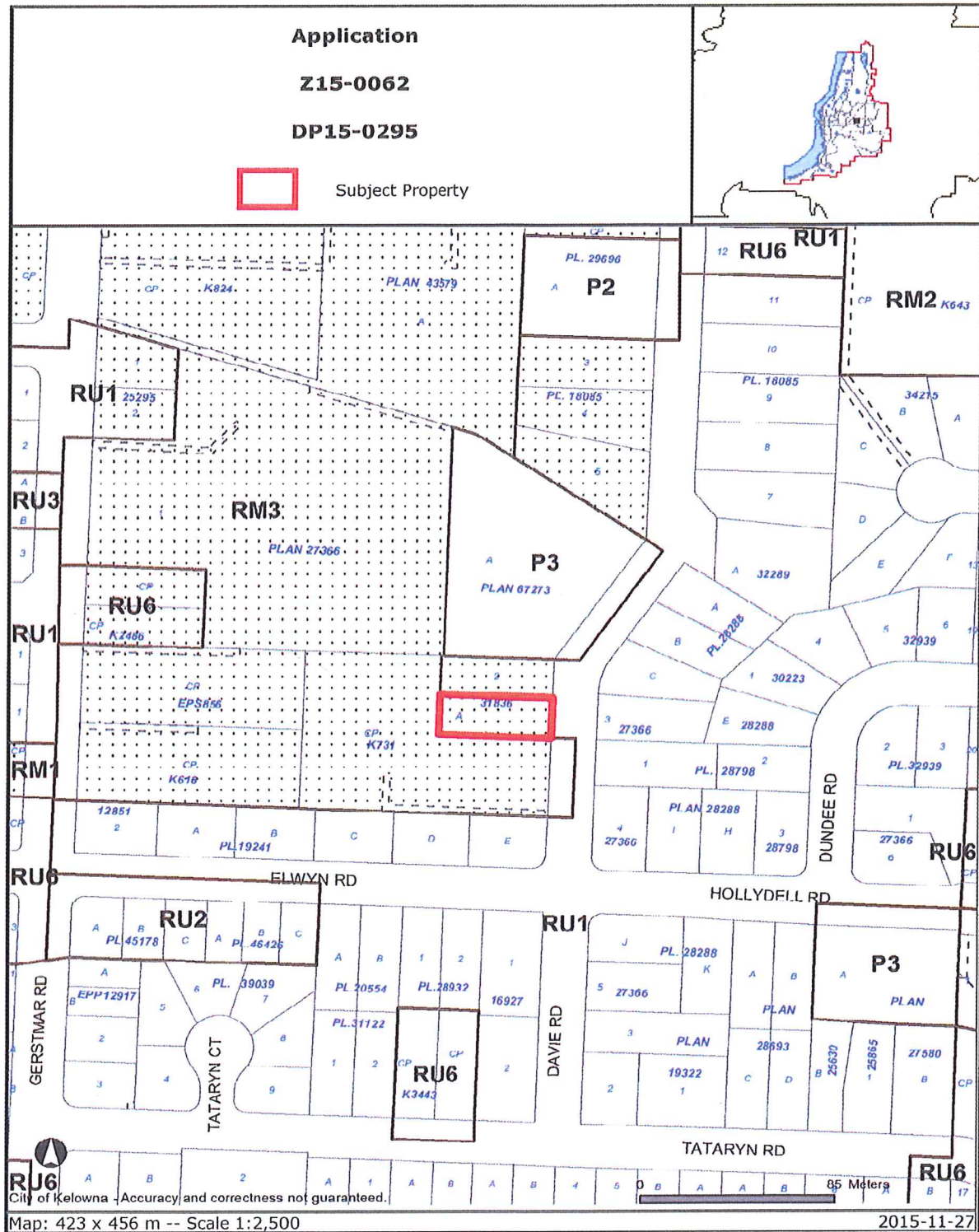
Attachments:

Subject Property Map

Schedule "A": City of Kelowna Memorandum dated January 28, 2016

Schedule "B": Rutland Water Works District Letter dated December 17, 2015

Conceptual Site Plan and Drawings



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

CITY OF KELOWNA
MEMORANDUM

Date: January 28, 2016
File No.: Z15-0062
To: Land Use Management Department (TB)
From: Development Engineering Manager
Subject: 330 Davie Rd Lot A Plan 31836 Carriage House RU1C

Development Engineering has the following requirements associated with this application.

1. Domestic Water

This property is located within the Rutland Water District (RWD) 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 RWD staff for any service improvements and the decommissioning of existing services.

2. Sanitary Sewer

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

3. Electric Power and Telecommunication Services

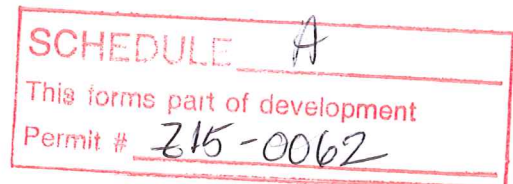
It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's co

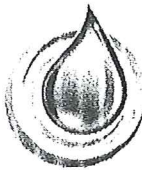
4. Development Permit and Site Related Issues

Direct the roof drains into on-site rock pits.

Steve Muenz, P. Eng.
Development Engineering Manager

jo





Rutland
WATERWORKS DISTRICT

106 – 200 Dougall Road North
Kelowna, BC V1X 3K5
www.rutlandwaterworks.com

p: (250) 765-5218
f: (250) 765-7765
e: info@rutlandwaterworks.com

December 17, 2015

Jeremiah Weiler
330 Davie Rd
Kelowna BC V1X 3Y8

RE: Lot A, Plan 31836 – 330 Davie Rd File # Z150062 / DP 15-0295, RWD File 15/19

In response to City of Kelowna request for comment, the following is a summary of Rutland Waterworks District requirements:

1. Capital Expenditure Charges for one multi-family unit (Carriage House) \$2,200.00

Total Fees Payable \$2,200.00

Water service for the carriage house is to be extended from the existing single family dwelling (through the primary residence water meter). Our records indicate that this meter is an older style and Rutland Waterworks will require it to be updated as part of this development. There is no additional fee to you for the upgraded meter; however, should there be any plumbing changes required the applicant is responsible for those costs.

Please contact our office at Building Permit stage for more information.

Upon receipt of these fees a water certificate will be issued.

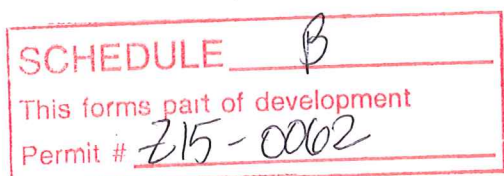
Should you have any questions or require further information, please contact the undersigned.

Sincerely,


Pete Preston
General Manager

c. City of Kelowna (Planning Department)

intermaldevelopment330 Davie Rd Dev Res File 15_19



CODES AND STANDARDS

All workmanship is to be of a standard equal in all respects to good building practice.

All the time of preparation, this plan was drawn in accordance with the current edition of the B.C. Building Code. It is the responsibility of the owner to ensure that changes made to the code are complied with and all amendments are incorporated in the construction of this plan. All work shall conform to local building codes and bylaws which may take precedence.

Prior to proceeding with construction, the owner/contractor must verify all information, dimensions and specifications of this plan. Written dimensions always take precedence over scale measurements.

Any variance from structural drawings or from conditions as shown are to be at the discretion of the owner/contractor and such variance shall be their sole responsibility.

CONCRETE & FOOTINGS

All concrete to have a minimum compressive strength of 2500 PSI (20 MPa) at 28 days.

Concrete footings must be placed on undisturbed or compacted soil to an elevation below frost penetration. Footings shown on these drawings have been designed for soil bearing capacity of 2500 PSI. If a lower bearing capacity is encountered, it is the responsibility of the owner/contractor to have the footings redesigned by a qualified person to suit existing conditions.

All foundation walls 24" (600 mm) and higher shall have one horizontal 10 mm reinforcing bar 3" (75 mm) from the top. Corner reinforcing is to be beyond minimum 18" (450 mm).

All footings are to have two 1" reinforcing bars. The reinforcing bars are to be spaced such that one bar is 3" (75 mm) from the side and bottom of the footing on both sides of the footing.

Grades shown on elevations are estimated. Adjust on site as required. Footing walls other than the foundation walls of the residence are beyond the scope of these drawings unless otherwise noted.

INSULATION / VENTILATION

Minimum R18 ratings from the BCBC R-26.2.6 for Zone 5 with out heat recovery ventilator.

Ceiling below attic - R 49.23 / R 2.67
Cathedral ceilings and flat roofs - R 24.52 / R 2.47
Interior walls - R 17.49 / R 2.10
Floor above or below ground - R 25.27 / R 2.47
Foundation walls - R 16.50 / R 2.28
Unheated floor above finished - R 11.13 / R 2.10
Heated floor above finished - R 13.17 / R 2.32
Slab on grade with an integral footing - R 11.13 / R 2.10

Ceiling insulation may be knee type or batt type.

Walls and ceilings between residence and attached garage shall be insulated.

Insulation requirements may vary with heating systems and with local conditions.

All roof spaces shall be ventilated with soffit, roof or gable vents or a combination of these, equally distributed between the top of the roof space and soffit.

ABOVE GRADE MASONRY

All above grade masonry is to conform to the BC Building Code.

If brick veneer is to be installed, exterior facing shall be installed up to 8" (200 mm) behind the building left and below the bottom course with vertical joints staggered. Veneer holes 2" (50 mm) max.

CARPENTRY

Framing lumber shall be number one (1) or better species unless otherwise specified on the plan. All beams and joists shown on the drawings to be supported & secured by those manufacturer and contractor. Any beam or joist shown provided by those manufacturer take precedence.

Joists shall be placed to accommodate plumbing in the event of a discrepancy please contact those supplier before any alterations or such are made.

Wood in contact with concrete shall be disengaged with 4x4, left as a sill plate gasket and pressure treated with a water-borne preservative or other approved method on an in-situ wall.

Interior framing to be 4" (100 mm) clear of back and sides of studs and 2" (50 mm) clear of back channels. Frame exterior walls 1" (25 mm) clear from exterior cladding.

Plum are to be anchored to concrete with 1/2" anchor bolts, maximum 6 ft. at or other approved method.

Flush framed wood members shall be anchored with 200 lb. j-bolts hangers unless otherwise specified.

MISCELLANEOUS

Caulk every and around all exterior openings using non-hardening caulking compound.

Flash over all exterior walls.

Flash over all exterior openings.

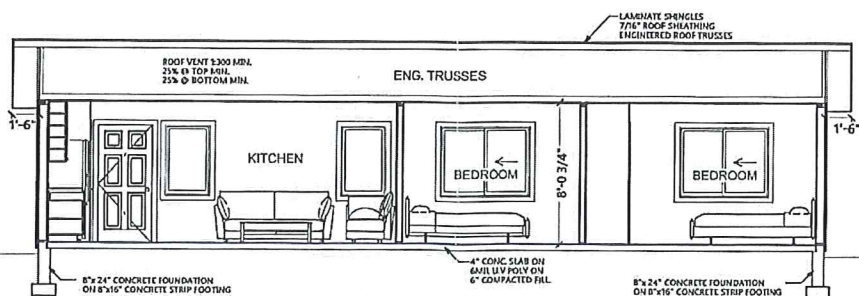
All siding or sheathing to be a minimum of 8" (200 mm) above finished grade.

All balcony railings to be 36" (910 mm) in height. Minimum spacing between vertical members is 4" (100 mm). Minimum distance between horizontal rails to be 37" (930 mm). Top rail to be within outward load of 40 lbs. per linear foot.

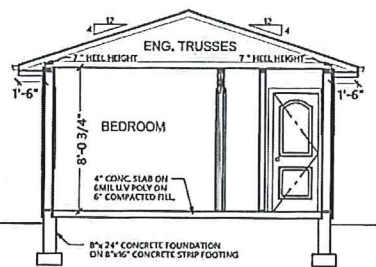
Cost and design details shall have at least one end and shall with minimum depth of 24" unless otherwise stated. Given detail shall have 3 adjustable washers wherever possible. Brackets shall have one end.

ERRORS AND OMISSIONS

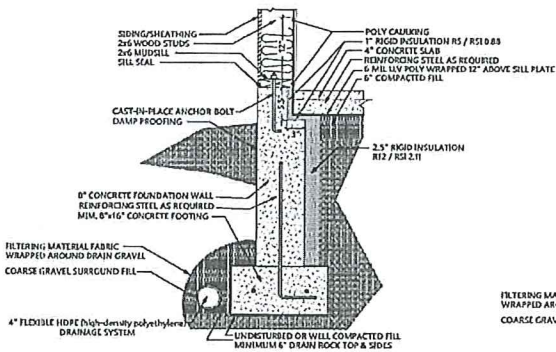
"RISTRY HOME DESIGN INC." MAKES EVERY EFFORT TO PROVIDE COMPLETE AND ACCURATE HOME PLANS. HOWEVER, WE ASSUME NO LIABILITY FOR ANY ERRORS OR OMISSIONS WHICH MAY AFFECT CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE BUYER TO CHECK AND VERIFY ALL DIMENSIONS AND DETAILS BEFORE PROCEEDING WITH CONSTRUCTION. SHOULD ANY DISCREPANCIES BE FOUND ON THESE PLANS PLEASE ADVISE "RISTRY HOME DESIGN INC." AT YOUR EARLIEST CONVENIENCE. BY GOING SO WE WILL BE ABLE TO MAKE CORRECTIONS TO THE DRAWINGS AND REPLACE ANY PLANS PURCHASED IF NECESSARY. IN THIS WAY WE CAN BETTER SERVE YOU AND PREVENT ERRORS FROM RECURRING.



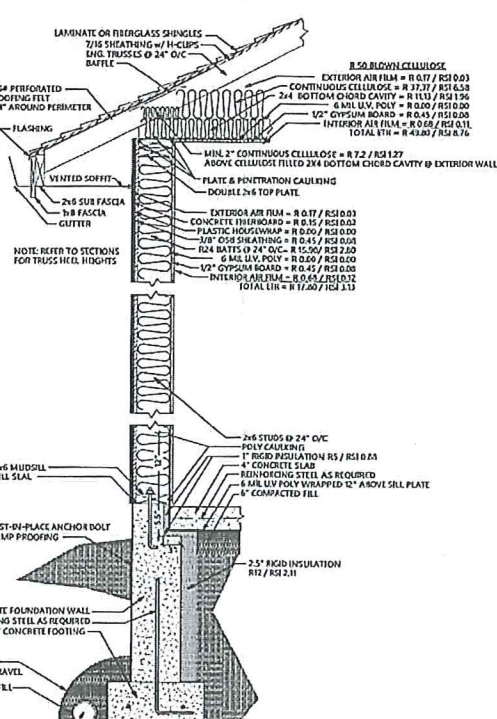
SECTION B-B



SECTION A-A



FOUNDATION FROST WALL: 24" (MIN)
SCALE: 1" = 1'-0"



TYPICAL WALL SECTION

SPECIFICATIONS

ROOF CONSTRUCTION
INTERGLASS SHINGLES
7/16" ROOF SHEATHING
ENGINEERED ROOF TRUSSES
R-18 BLOWN CELLULOSE
6 MIL UV POLY
1/2" DRYWALL

SOFFIT & FASCIA
5" GUTTER
2x4 SUB FASCIA
DIP FASCIA
VENTED ALUMINUM SOFFIT

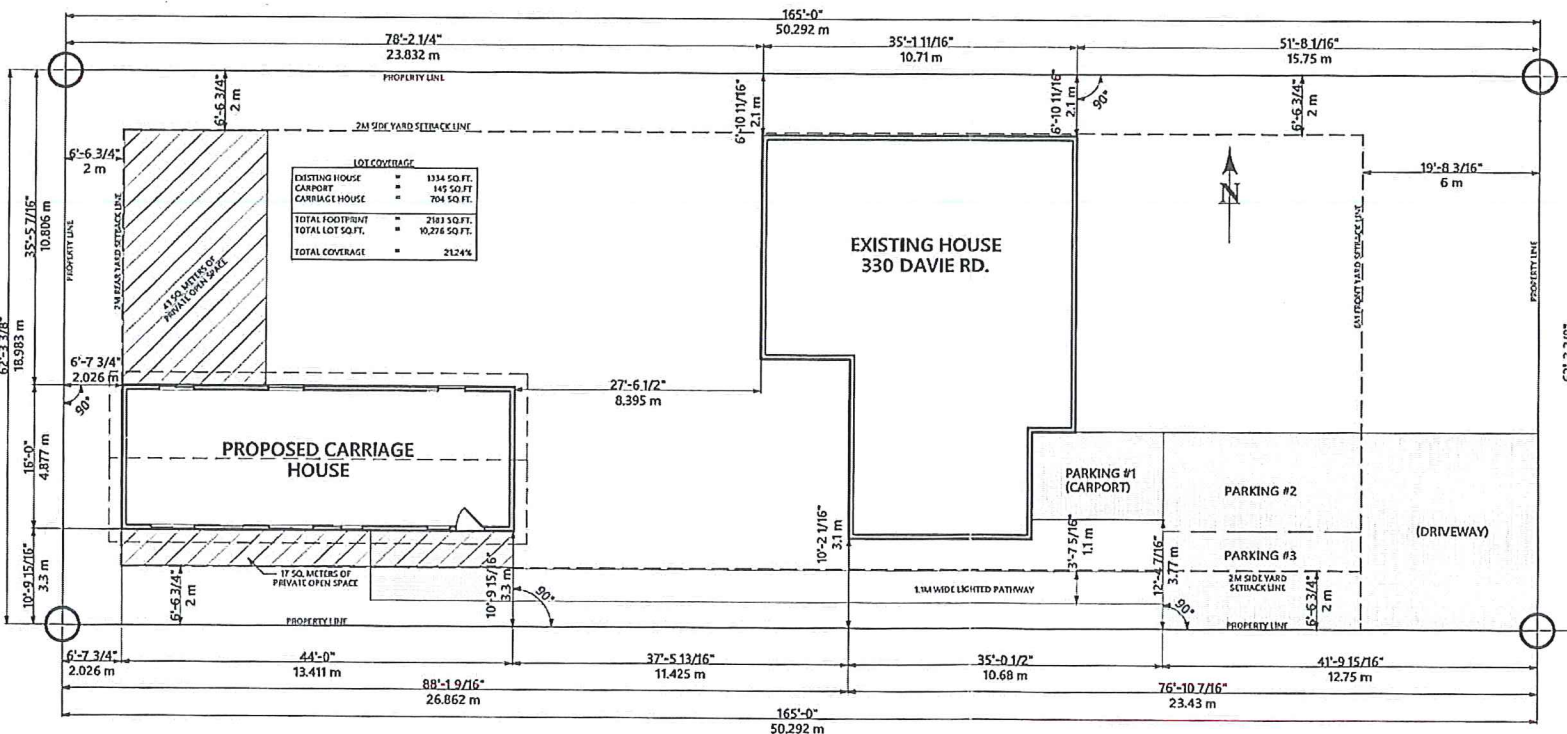
FOUNDATION
8" CONC. FOUNDATION
DOWN HEBER
8" HP CONC. FOOTING

DOORS & WINDOWS
WINDOWS & DOORS MIN. U VALUE OF 1.0
GARAGE DOOR MIN. R VALUE OF 6.3
STYROFOAM BACKER ROD AND CAULKING SEALS

EXTERIOR WALLS
1/2"X8" SONG
3/8" WALL SHEATHING
2x6 STUDS 24" O/C
R-14 BATT INSULATION
6 MIL UV POLY
1/2" DRYWALL

CONCRETE SLAB
4" CONC. SLAB
6 MIL UV POLY
6" COMPACTED GRAVEL

DRAINAGE TILE
PERFORATED FELT
MINIMUM 6" DRAIN ROCK
4" DRAIN TILE



PLOT PLAN
SCALE: 1/8" = 1'



Ristry Home Design
design@ristryhomedesign.com
PH: 250-459-1641

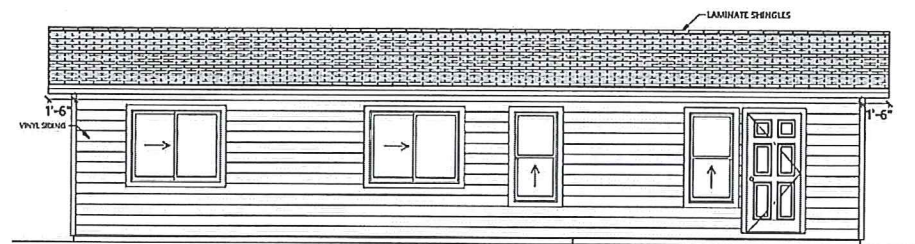
ISSUED PLANS:
NO.1 PERMIT DRAWINGS

PROJECT TITLE:
330 DAVIE RD.

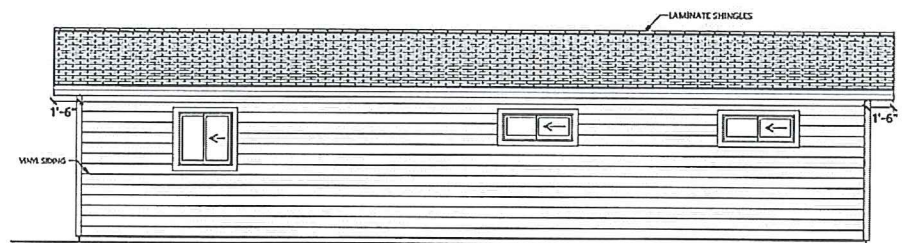
DATE:
11/10/2015

SCALE:
1/4" = 1'

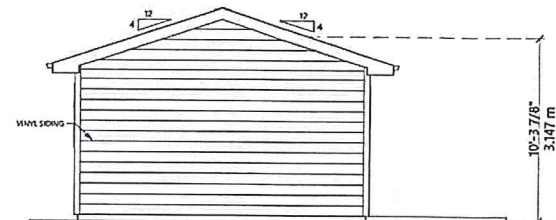
SHEET:
2/2



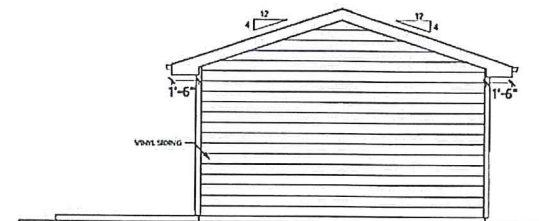
NORTH ELEVATION



SOUTH ELEVATION

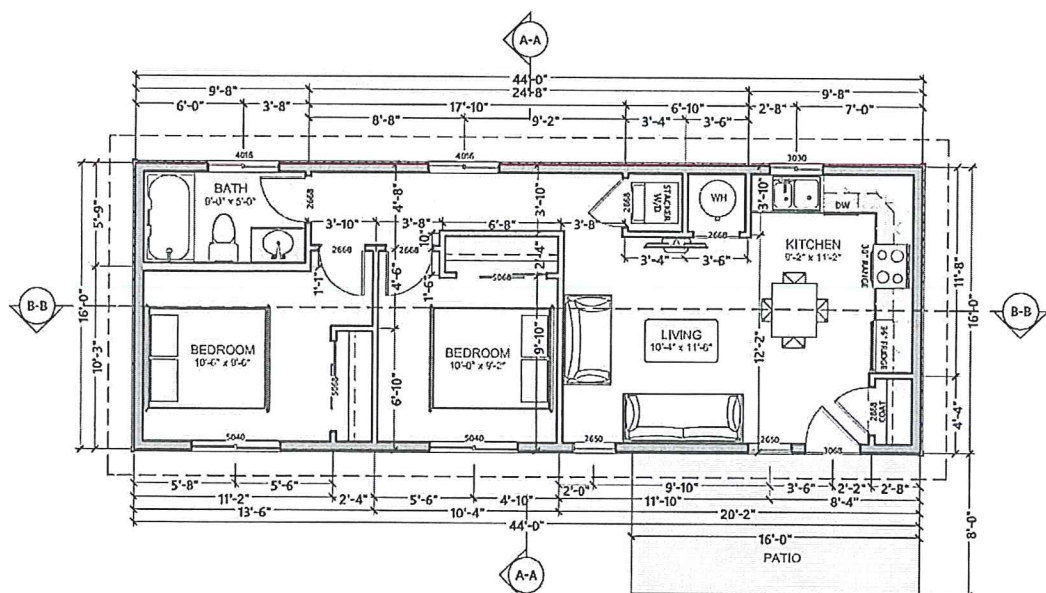


EAST ELEVATION



WEST ELEVATION

- STANDARD NOTES**
1. ALL WORK SHALL CONFORM TO THE CURRENT BUILDING CODES ADOPTED BY AUTHORITIES HAVING JURISDICTION OR LOCAL BUILDING CODES AND BYLAWS WHICH MAY TAKE PRECEDENCE.
 2. WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DRAWINGS.
 3. "R-TISTRY DRAFTING INC." SHALL NOT BE RESPONSIBLE FOR ANY VARIANCES FROM THE STRUCTURAL DRAWINGS AND SPECIFICATIONS, OR ADJUSTMENT REQUIRED RESULTING FROM CONDITIONS ENCOUNTERED AT THE JOB SITE AND IS THE SOLE RESPONSIBILITY OF THE OWNER/BUILDER.
 4. CONSTRUCTION LOADS ON THE STRUCTURE CAUSED BY INTERIM STORAGE OF MATERIALS OR USE OF EQUIPMENT, SHALL NOT BE ALLOWED TO EXCEED THE DESIGN LOADINGS.
 5. ALL WINDOW AND DOOR SEES AND OPERATION ARE TO BE CONFIRMED BY OWNER/BUILDER WITH THE MANUFACTURER.

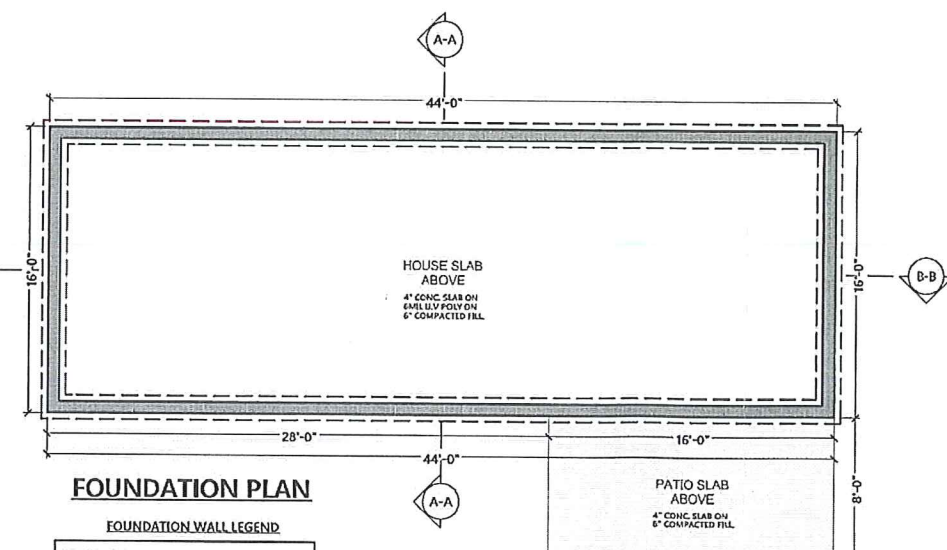


INTERIOR WALL LEGEND

2x6 STUDS 16" O/C

2x4 STUDS 16" O/C

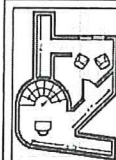
MAIN FLOOR
AREA: 704 SQ. FT.
NOTE: WINDOW LINTELS @ 6" B"



FOUNDATION PLAN

FOUNDATION WALL LEGEND

8" BARS 2" CONC. FOOT WALL ON 8" BARS 2" CONC. STEP FOOTING



R-tistry Home Design
design@rtistryhomedesign.com
PH: 250-469-1641

ISSUED PLANS:	1801-30-15
NO. 1 PERMIT DRAWINGS:	

PROJECT TITLE
330 DAVIE RD.

DATE:
11/10/2015

SCALE:
1/4" = 1'

SHEET:
1/2