

# City of Kelowna Public Hearing AGENDA



Tuesday, April 5, 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 March 22, 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

- 3.1 909 Juniper Road (formerly known as 1035 Hollywood Road South), BL11194 (OCP15-0014) & B:11105 (Z15-0043) - Seventh Day Adventist Church (British Columbia Conference)** 4 - 25

To consider a developer proposed alteration to a Bylaw previously given first reading, to amend the Official Community Plan to change the Future Land Use designation of the subject property, and to rezone the subject property to facilitate a single and two dwelling housing subdivision.

- 3.2 468 Barkley Road, BL11208 (Z15-0067) - Wayne & Lisa Heinen** 26 - 40

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

### 4. Termination

### 5. Procedure on each Bylaw Submission

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

Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

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

# REPORT TO COUNCIL



**Date:** January 25, 2016

**RIM No.** 1250-20

**To:** City Manager

**From:** Community Planning Department (RR)

**Application:** OCP15-0014 / Z15-0043      **Owner:** Seventh-Day Adventist Church (British Columbia Conference)

**Address:** 1035 Hollywood Road South      **Applicant:** Protech Consulting 2012

**Subject:** Official Community Plan Amendment, Rezoning and Text Amendment Applications

**Existing OCP Designation:** EDINST - Educational / Major Institutional

**Proposed OCP Designation:** S2RES - Single / Two Unit Residential

**Existing Zone:** P2 - Education and Minor Institutional

**Proposed Zone:** RU2 - Medium Lot Housing  
RU6 - Two Dwelling Housing

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## 1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP15-0014 to amend Map 4.1 in the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of a portion of Lot 2, Section 23, Township 26, ODYD, Plan 3849 except Plan 16489 located at 1035 Hollywood Road South, Kelowna, BC from the EDINST - Educational / Major Institutional designation to the S2RES - Single / Two Unit Residential designation, as shown on Map "A" attached to the Report from the Community Planning Department dated January 25, 2016, 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 January 25, 2016;

AND THAT Rezoning Application No. Z15-0043 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portions of Lot 2, Plan 3849 located at 1035 Hollywood Road South, Kelowna, BC from the P2 - Education and Minor Institutional zone to the RU1 - Large Lot Housing zone, the RU2 - Medium Lot Housing zone and the RU6 - Two Dwelling Housing zone, as shown on Map "B" attached to the Report from the Community Planning Department dated January 25, 2016, be considered by Council;

AND THAT 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 issuance of a Preliminary Layout Review Letter by the Approving Officer.

## **2.0 Purpose**

To amend the Official Community Plan to change the Future Land Use designation of the subject property and to rezone the subject property to facilitate a single and two dwelling housing subdivision. To amend the Zoning Bylaw by adding regulations to the RU6 - Two Dwelling Housing zone to facilitate the creation of fee simple lots for semi-detached dwellings.

## **3.0 Community Planning**

Community Planning recommends that Council support the bylaw. The style of development, a mixture of single family and semi-detached dwellings, will fit into the single family character of the neighborhood. This pattern of development will preclude future higher intensity development applications in the area which may be more disruptive to the neighbourhood.

The semi-detached units will be built as fee simple, rather than the more traditional strata titled semi-detached dwellings. This configuration is growing in popularity as developers and buyers look for alternatives to strata titled property. Each unit of the semi-detached dwellings will occupy a fee simple lot, with a party wall agreement registered on title with the adjoining unit.

## **4.0 Proposal**

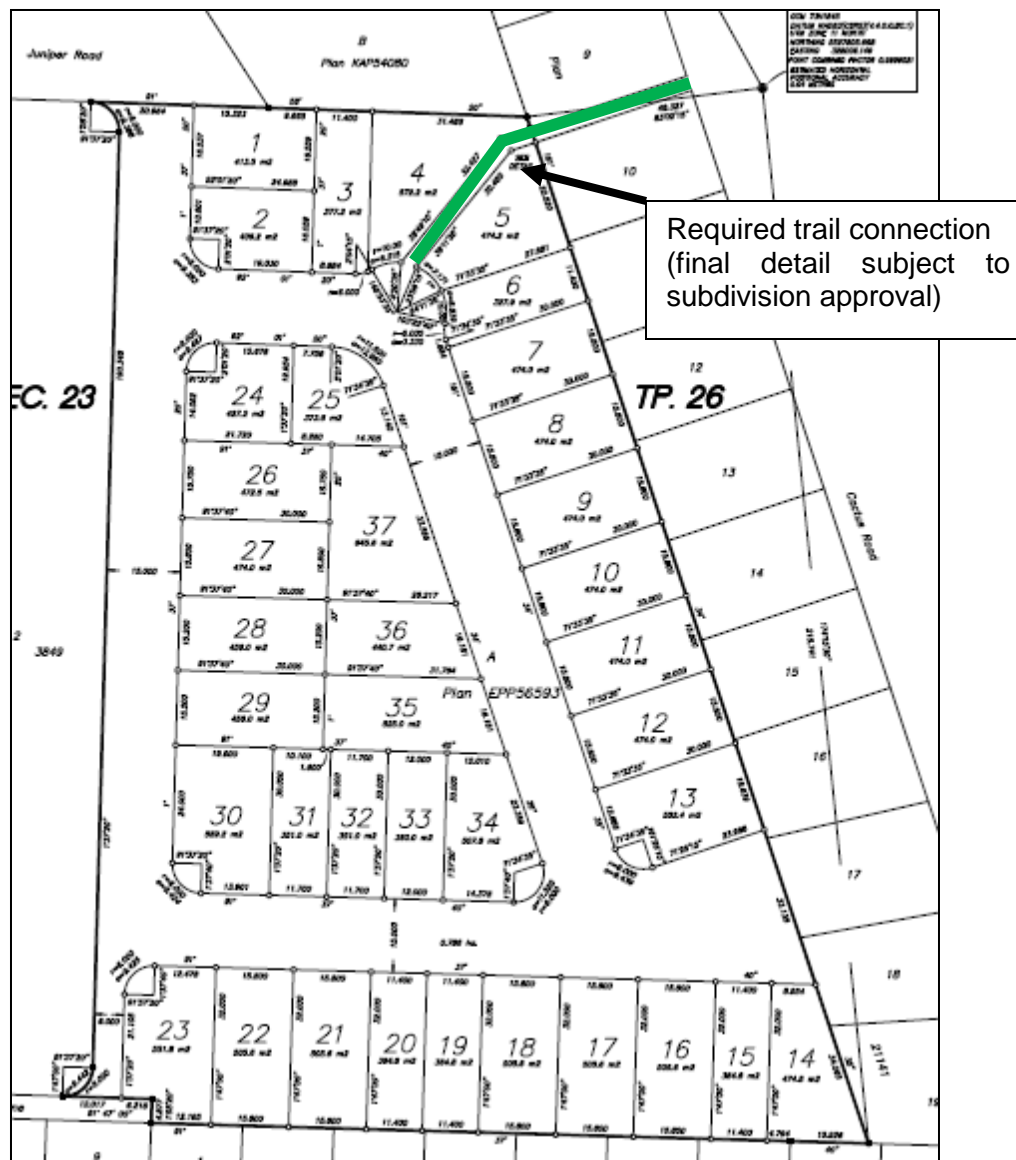
### **4.1 Background**

The 2.49 ha (6.15 ac) property has recently been subdivided from the Okanagan Adventist Academy to the west. It is a flat field without significant physical constraints or obstacles. Vehicular access is from Juniper Road to the north.

### **4.2 Project Description**

The proposed bylaw amendments would first change the designation of the property in the OCP from EDINST - Educational / Major Institutional to S2RES - Single / Two Unit Residential. The Zoning Bylaw amendment would rezone the property from P2 - Education and Minor Institutional to RU1 - Large Lot Housing, RU2 - Medium Lot Housing and RU6 - Two Dwelling Housing. The text amendment would allow semi-detached dwellings to be subdivided into two fee simple lots under the RU6 zone classification.

The intent of these bylaw amendments is to allow the creation of a 37 lot subdivision with 21 single detached lots and 16 semi-detached lots for a total of 37 units. Pedestrian connectivity will be required as part of the development to maintain the pedestrian pathway running from Juniper Road to Cactus Road.



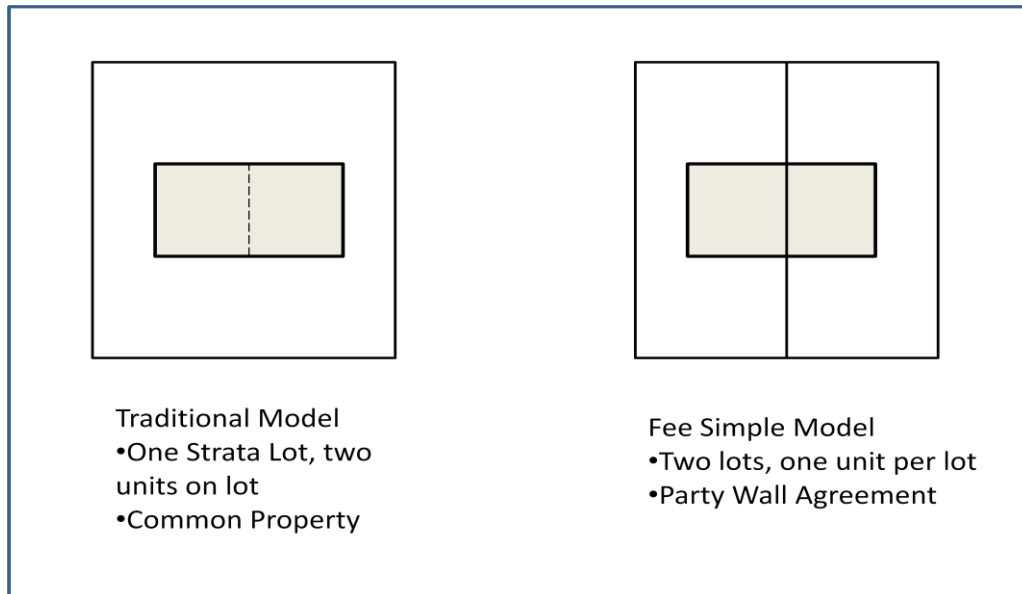
**Figure 1 Proposed Lot Layout (subject to final approval)**

### 4.3 Text Amendments

As part of the rezoning application, the applicant has proposed amendments to the RU6 - Two Family Housing zone which would allow for the development of duplex units as fee simple units, rather than strata units. This model of duplex development is different than the traditional model where every duplex creates an individual strata corporation, and instead allows for fee simple ownership of units joined by a party wall.

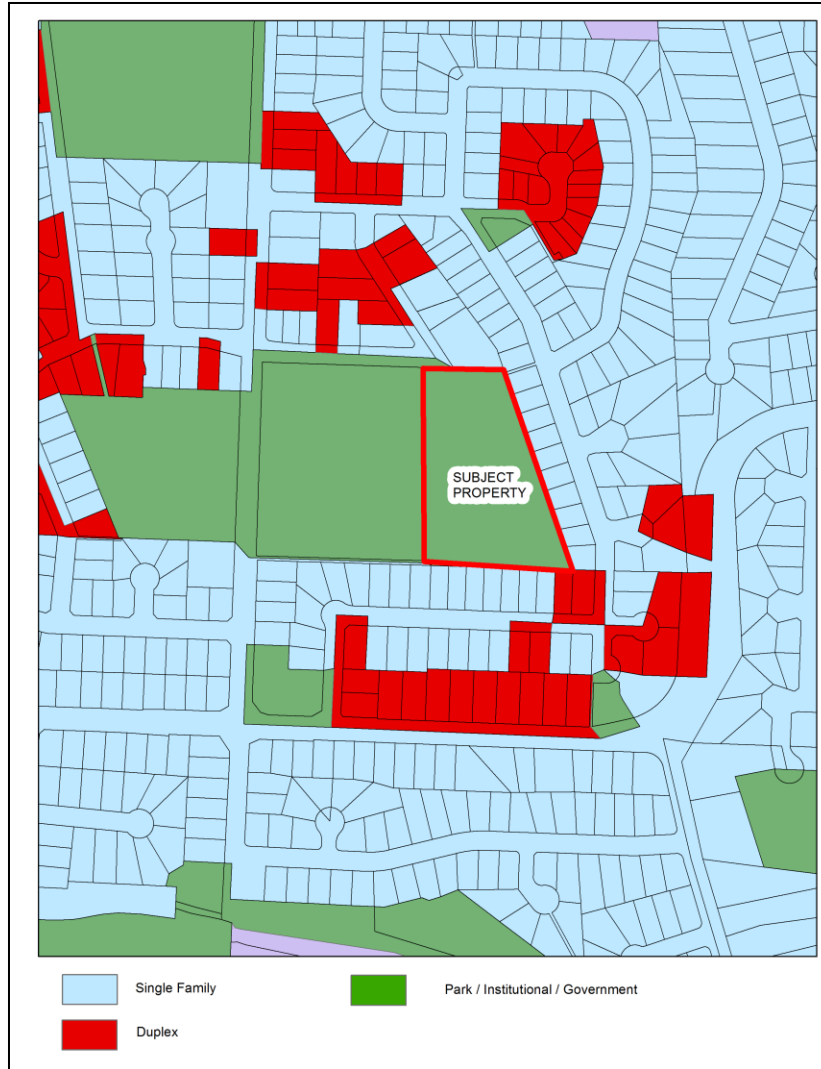
Staff are supportive of the text amendments. The fee simple model of duplex ownership is common in the Lower Mainland and Vancouver Island, as it creates duplex housing without the complexities of strata ownership. The text amendments will not only allow the duplex units in the proposed development to be built on this model, but also for duplex developments elsewhere in the city.

The text amendments to the RU6 zone will be considered as part of a separate report and bylaw.



#### 4.4 Site Context

The subject property is southeast of the intersection of Hollywood Road South and Juniper Road in the City's Rutland Sector. It is within the Permanent Growth Boundary and is in the midst of a largely single family suburban area of Kelowna. The neighbouring properties are largely single detached or semi-detached dwellings and the Okanagan Adventist Academy is directly adjacent to the west.

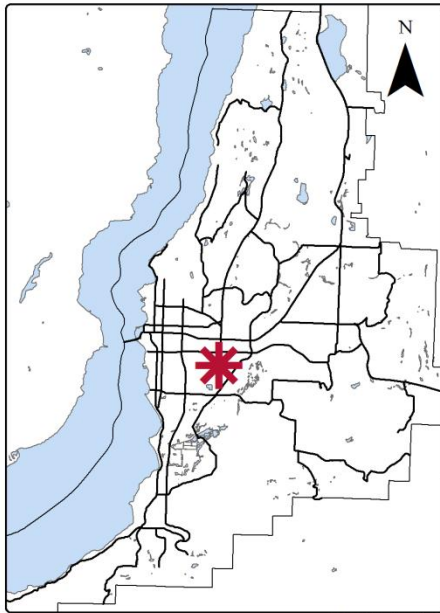


Adjacent land uses are as follows:

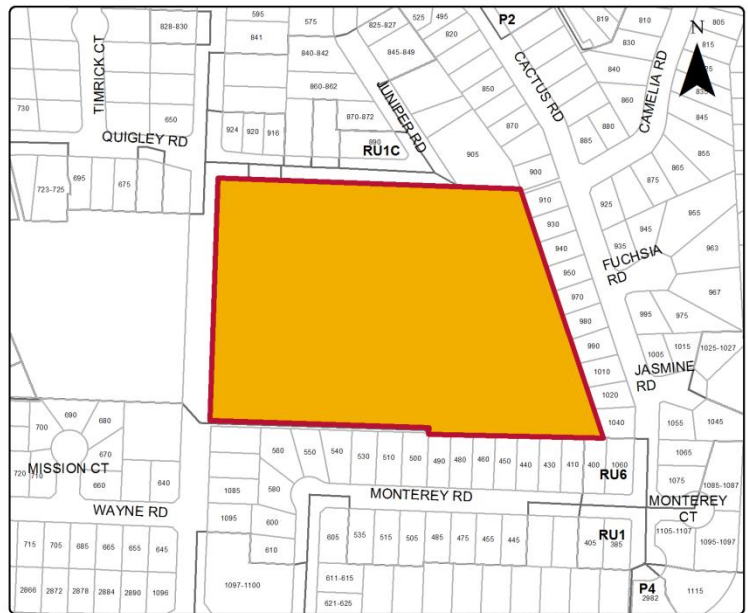
Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Single dwelling housing
	RU1c - Large Lot Housing with Carriage House	Single dwelling housing, carriage house
East	RU1 - Large Lot Housing	Single dwelling housing
South	RU1 - Large Lot Housing	Single dwelling housing
	RU6 - Two Dwelling Housing	
West	P2 - Education and Minor Institutional	Private education services



Subject Property Map:



CONTEXT



NEIGHBOURING ZONING



SUBJECT PROPERTY

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Single / Two Unit Residential (S2RES)

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. Non-residential 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

**Sensitive Infill.**<sup>1</sup> 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.

**Healthy Communities.**<sup>2</sup> 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.

**Housing Mix.**<sup>3</sup> Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

**Family Housing.**<sup>4</sup> 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).

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

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- No comments.

### 6.2 Development Engineering Department

- See attached memorandum, dated August 21, 2015.

### 6.3 Fire Department

- The Fire Department has no concerns with this zoning.
- Fire Department access is to be met as per BCBC 3.2.5 (6 m clear width of internal roadway, have turnaround facilities for any dead-end portion of access route and be connected with a public thoroughfare, 12 m turning radius, etc.). Access from a laneway is not acceptable unless visible name and above requirements are met.

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.22.7 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.22.11 (Development Process Chapter).

<sup>4</sup> City of Kelowna Official Community Plan, Policy 5.22.13 (Development Process Chapter).

- Fire flows of 60 litres/sec are required as per the Subdivision, Development and Servicing Bylaw No. 7900. Should a hydrant be required to be installed for this subdivision, it shall be operational prior to the start of construction.
- Requirements of Section 9.10.19 Smoke Alarms and Carbon Monoxide Alarms of the BCBC 2012 are to be met.
- All requirements of the City of Kelowna Fire and Life Safety Bylaw No. 10760 shall be met.

6.4 FortisBC - Electric

- There are primary distribution facilities within Juniper Road. Bringing electrical service to the proposed lots will require substantial extension work, the cost of which may be significant. The applicant is responsible for costs associated with any changes to the proposed lots' existing service, if any, as well as the provision of appropriate land rights where required.

6.5 Interior Health

Interior Health supports the application.

**7.0 Application Chronology**

Date of Application Received: July 31, 2015  
Date Public Consultation Completed: November 26, 2015

**Report prepared by:**

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Ryan Roycroft, Planner

**Reviewed by:**

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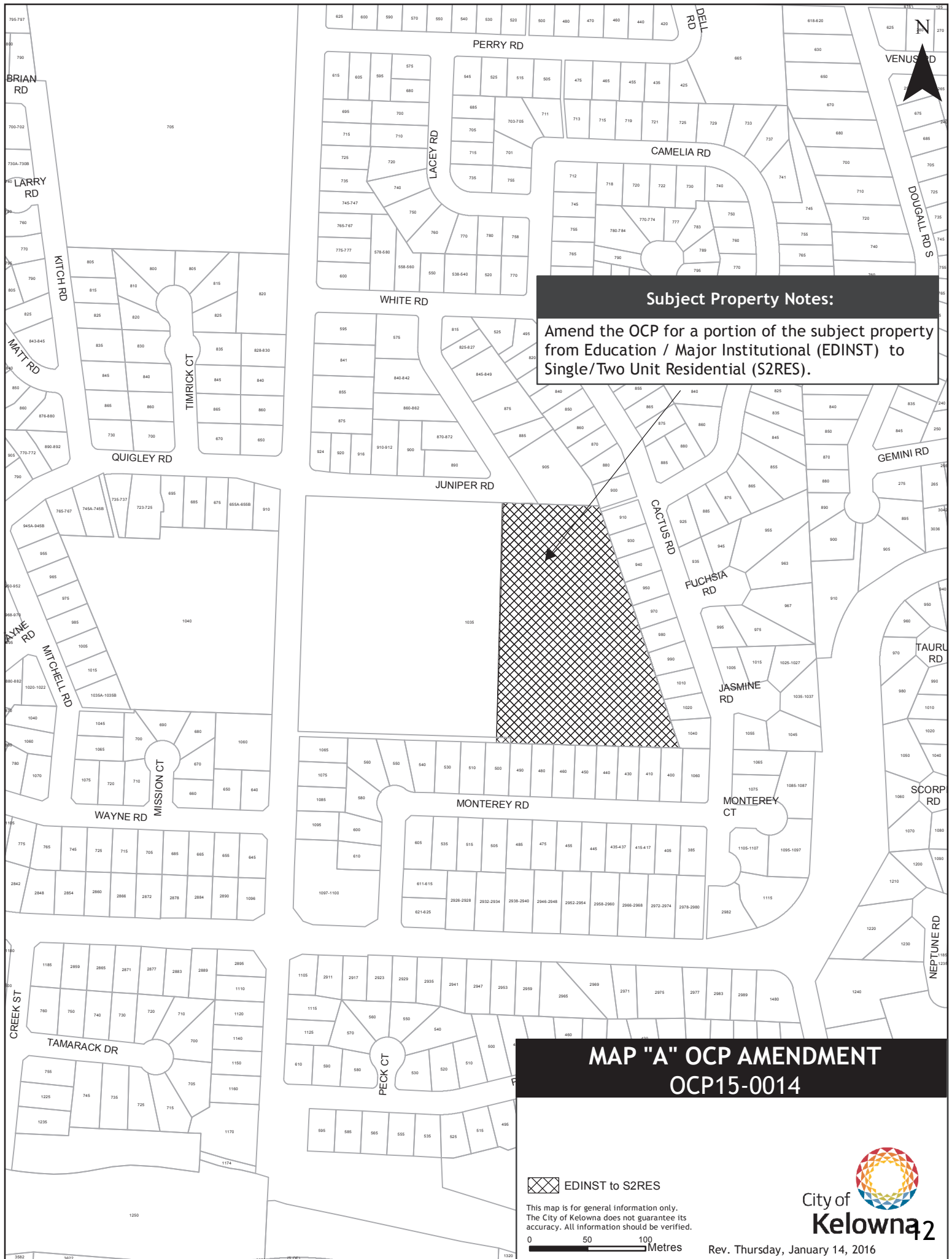
Terry Barton, Urban Planning Manager

**Approved for Inclusion:**

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Ryan Smith, Community Planning Department Manager

**Attachments:**



**Subject Property Notes:**

Amend the OCP for a portion of the subject property from Education / Major Institutional (EDINST) to Single/Two Unit Residential (S2RES).

# MAP "A" OCP AMENDMENT OCP15-0014

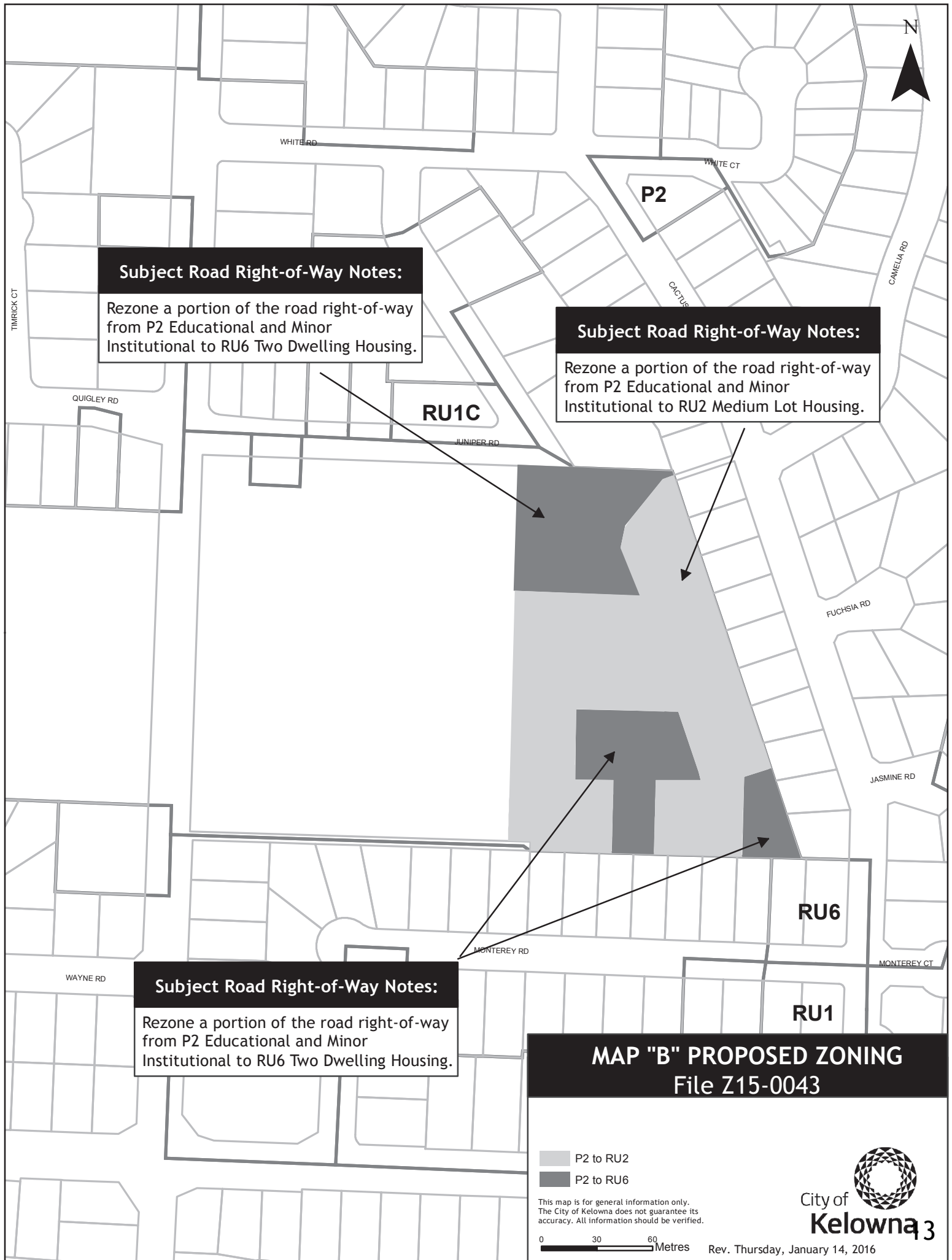
 EDINST to S2RES

This map is for general information only.  
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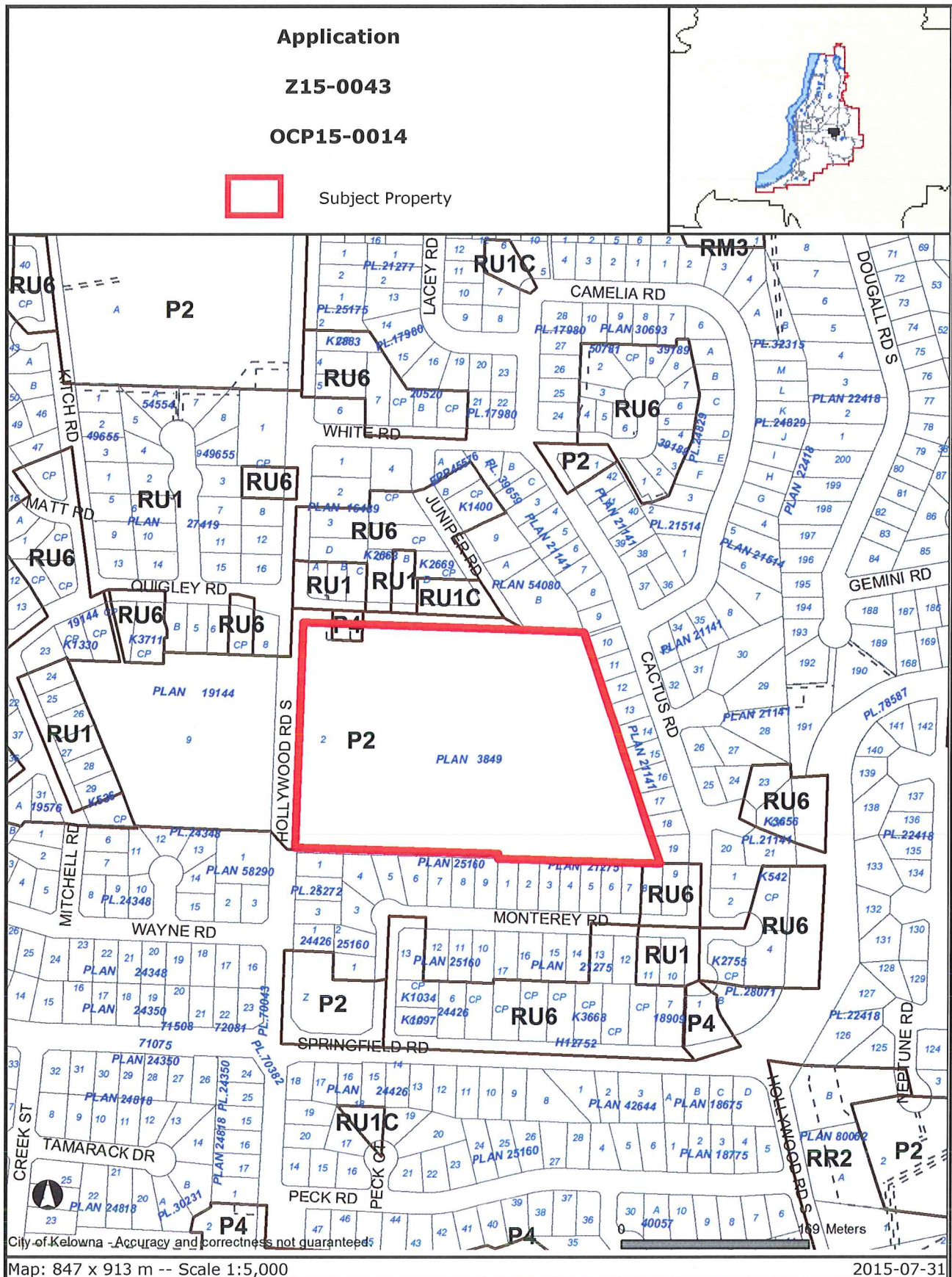
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Metres



Rev. Thursday, January 14, 2016







Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
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# REPORT TO COUNCIL



**Date:** March 14, 2016

**RIM No.** 1250-20

**To:** City Manager

**From:** Community Planning Department (RR)

**Application:** OCP15-0014 / Z15-0043      **Owner:** Seventh-Day Adventist Church (British Columbia Conference)

**Address:** 909 Juniper Road (formerly 1035 Hollywood Road South)      **Applicant:** Protech Consulting 2012

**Subject:** Official Community Plan Amendment, Rezoning and Text Amendment Applications - Supplemental Report

**Existing OCP Designation:** EDINST - Educational / Major Institutional

**Proposed OCP Designation:** S2RES - Single / Two Unit Residential

**Existing Zone:** P2 - Education and Minor Institutional

**Proposed Zone:** RU2 - Medium Lot Housing  
RU6 - Two Dwelling Housing

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## 1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP15-0014 to amend Map 4.1 in the Kelowna 2030 - Official Community Plan Bylaw No. 10500 be amended to change the Future Land Use Designation of Lot A, Sec. 23, Twp 26, ODYD, Plan EPP56593, located at 909 Juniper Road (formerly 1035 Hollywood Road South), Kelowna, BC from the EDINST - Educational/Major Institutional designation to the S2RES - Single/Two Unit Residential designation as shown on Map "A" attached to the Report of the Community Planning Department dated March 14, 2016 be considered by Council;

AND THAT Rezoning Application No. Z15-0043 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portions of Lot A, Sec. 23, Twp 26, ODYD, Plan EPP56593, located at 909 Juniper Road (formerly 1035 Hollywood Road South), Kelowna, BC be amended to rezone from the P2 - Education and Minor Institutional zone to the RU2 - Medium Lot Housing zone and the RU6 - Two Dwelling Housing zone, as shown on Map "B" attached to the Report from the Community Planning Department dated March 14, 2016, be considered by Council;

AND THAT the OCP Amending Bylaw and Rezoning Bylaw be forwarded for amendment consideration;

AND THAT OCP Amending Bylaw and the Rezoning Bylaw, as amended, be forwarded to a Public Hearing for further consideration;

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

## **2.0 Purpose**

To consider a developer proposed alteration to a bylaw previously given first reading, to amend the Official Community Plan to change the Future Land Use designation of the subject property and to rezone the subject property to facilitate a single and two dwelling housing subdivision.

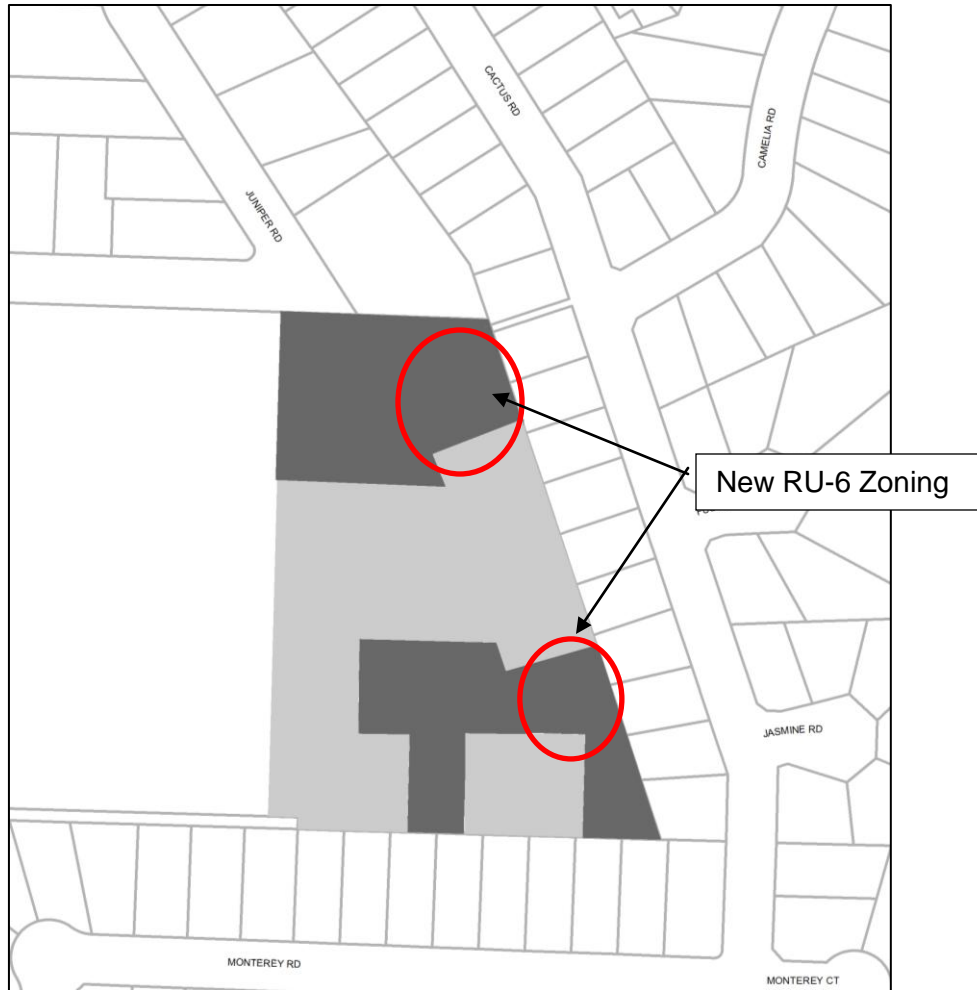
## **3.0 Proposed Amendment**

On January 25, Council gave initial consideration to a Zoning Bylaw amendment to rezone a portion of land off of Juniper Road from P2 - Educational and Minor Institutional to RU2 - Medium Lot Housing and RU6 - Two Dwelling Housing.

The applicant has requested a slight re-configuration to the proposed re-zoning, changing some areas previously intended to be zoned RU2 - Medium Lot Housing to RU6 - Two Dwelling Housing to allow one additional duplex over the project. This reconfiguration would increase the proposed unit count from 37 to 38.

Staff have no objections or concerns with the new configuration. It does require Council to give first reading to the amended bylaw, and will require re-advertising prior to the public hearing.





#### 4.0 Community Planning

Community Planning recommends that Council support the bylaw. The style of development, a mixture of single family and semi-detached dwellings, will fit into the single family character of the neighborhood. This pattern of development will preclude future higher intensity development applications in the area which may be more disruptive to the neighbourhood.

The semi-detached units will be built as fee simple, rather than the more traditional strata titled semi-detached dwellings. This configuration is growing in popularity as developers and buyers look for alternatives to strata titled property. Each unit of the semi-detached dwellings will occupy a fee simple lot, with a party wall agreement registered on title with the adjoining unit.

#### 5.0 Proposal

##### 5.1 Background

The 2.49 ha (6.15 ac) property has recently been subdivided from the Okanagan Adventist Academy to the west. It is a flat field without significant physical constraints or obstacles. Vehicular access is from Juniper Road to the north.

##### 5.2 Project Description

The proposed bylaw amendments would first change the designation of the property in the OCP from EDINST - Educational / Major Institutional to S2RES - Single / Two Unit Residential. The Zoning Bylaw amendment would rezone the property from P2 - Education and Minor Institutional to RU2 - Medium Lot Housing and RU6 - Two Dwelling Housing. The text amendment would allow semi-detached dwellings to be subdivided into two fee simple lots under the RU6 zone classification.

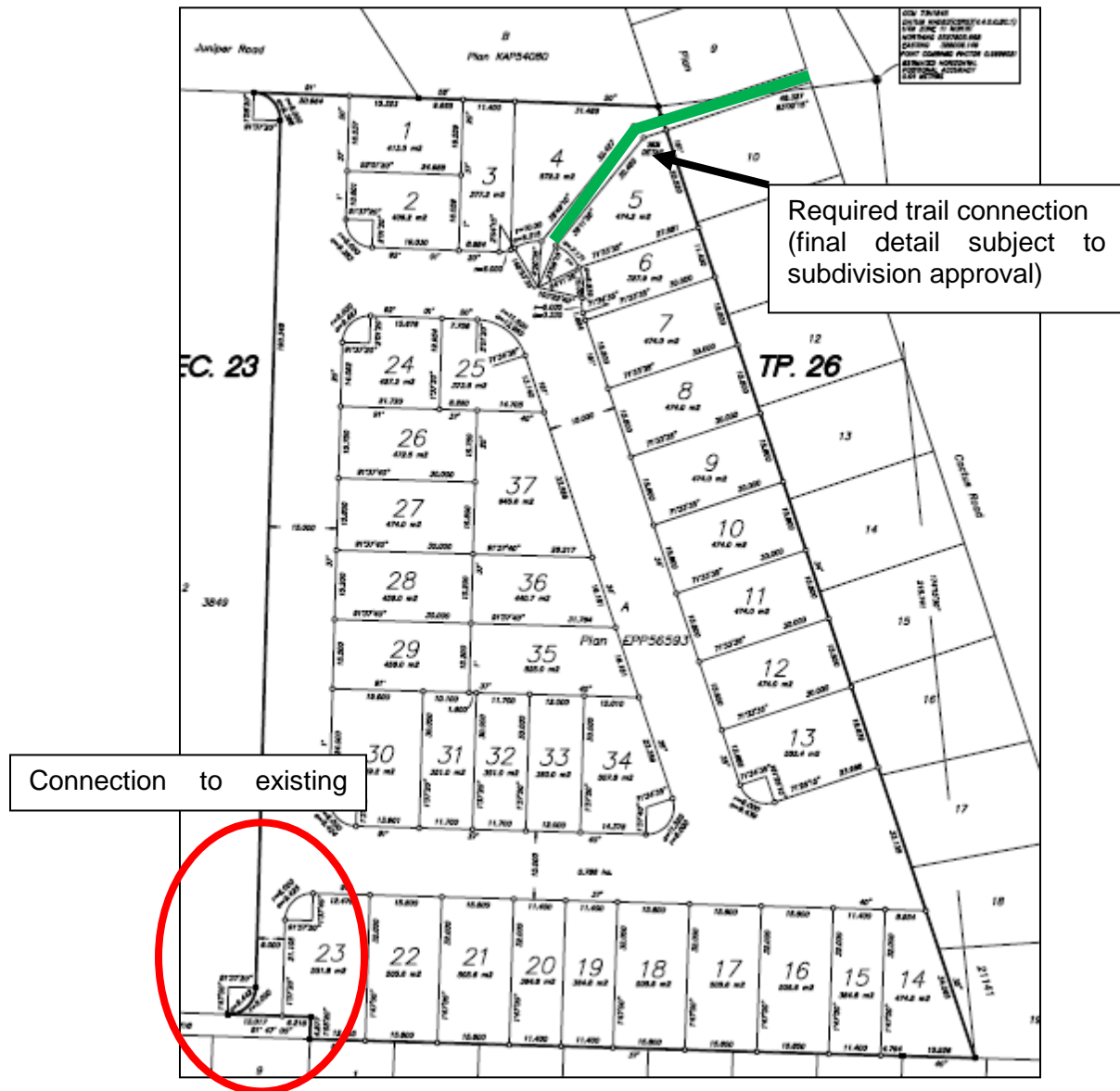
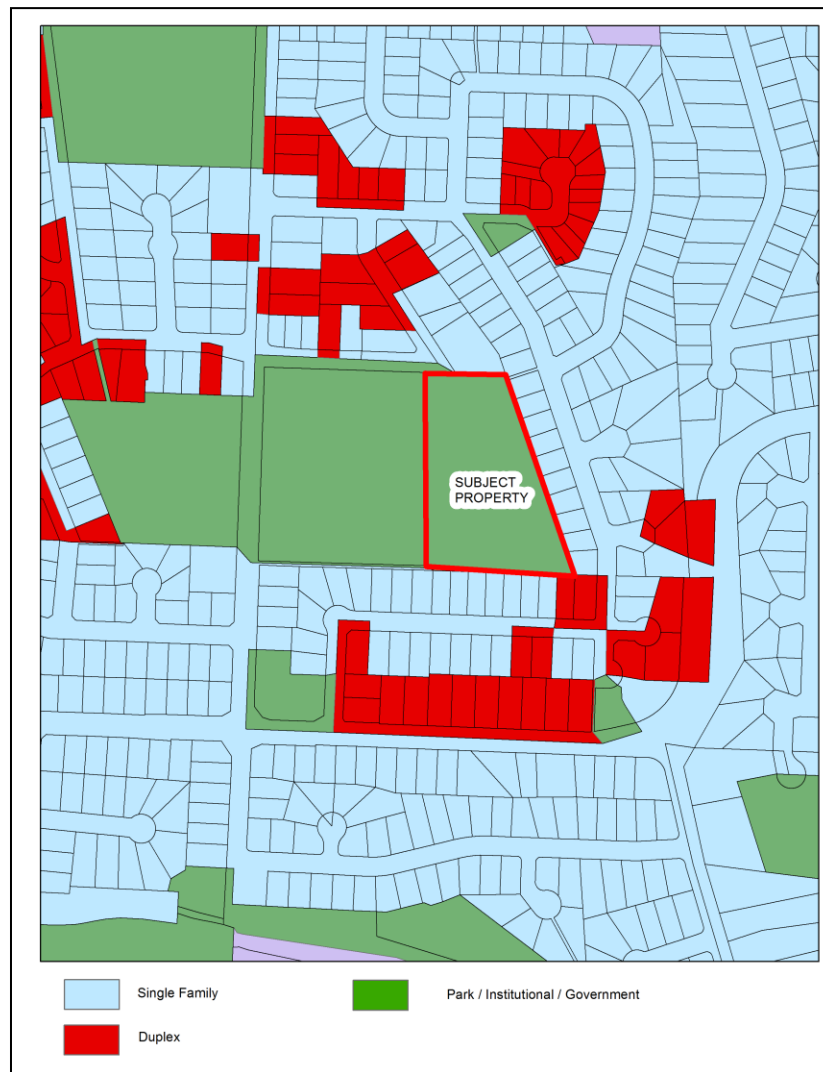


Figure 1 Proposed Lot Layout (subject to final approval)

### 5.3 Site Context

The subject property is southeast of the intersection of Hollywood Road South and Juniper Road in the City's Rutland Sector. It is within the Permanent Growth Boundary and is in the midst of a largely single family suburban area of Kelowna. The neighbouring properties are largely single

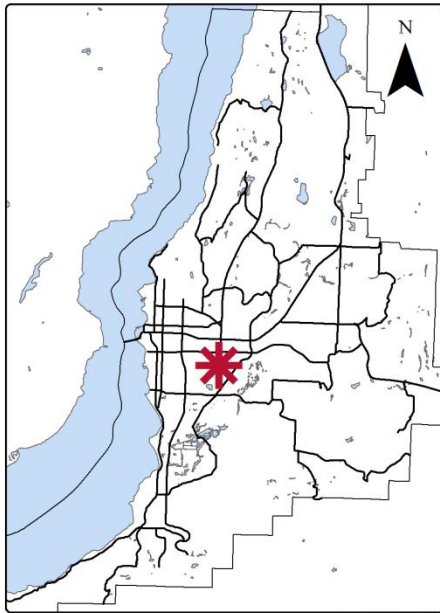
detached or semi-detached dwellings and the Okanagan Adventist Academy is directly adjacent to the west.



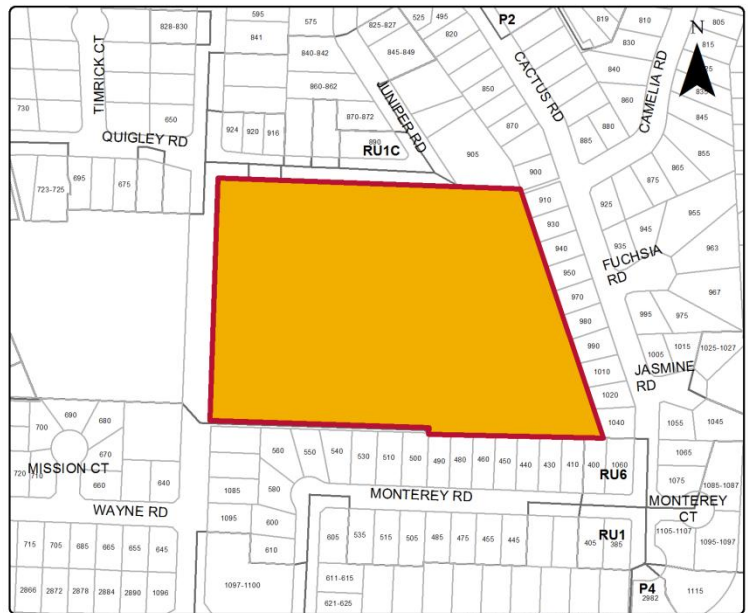
Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Single dwelling housing
	RU1c - Large Lot Housing with Carriage House	Single dwelling housing, carriage house
East	RU1 - Large Lot Housing	Single dwelling housing
South	RU1 - Large Lot Housing RU6 - Two Dwelling Housing	Single dwelling housing
West	P2 - Education and Minor Institutional	Private education services

Subject Property Map:



CONTEXT



NEIGHBOURING ZONING



SUBJECT PROPERTY

## 6.0 Current Development Policies

### 6.1 Kelowna Official Community Plan (OCP)

#### Single / Two Unit Residential (S2RES)

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. Non-residential 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

**Sensitive Infill.**<sup>1</sup> 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.

**Healthy Communities.**<sup>2</sup> 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.

**Housing Mix.**<sup>3</sup> Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

**Family Housing.**<sup>4</sup> 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).

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

## 7.0 Technical Comments

### 7.1 Building & Permitting Department

- No comments.

### 7.2 Development Engineering Department

- See attached memorandum, dated August 21, 2015.

### 7.3 Fire Department

- The Fire Department has no concerns with this zoning.
- Fire Department access is to be met as per BCBC 3.2.5 (6 m clear width of internal roadway, have turnaround facilities for any dead-end portion of access route and be connected with a public thoroughfare, 12 m turning radius, etc.). Access from a laneway is not acceptable unless visible name and above requirements are met.

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.22.7 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.22.11 (Development Process Chapter).

<sup>4</sup> City of Kelowna Official Community Plan, Policy 5.22.13 (Development Process Chapter).

- Fire flows of 60 litres/sec are required as per the Subdivision, Development and Servicing Bylaw No. 7900. Should a hydrant be required to be installed for this subdivision, it shall be operational prior to the start of construction.
- Requirements of Section 9.10.19 Smoke Alarms and Carbon Monoxide Alarms of the BCBC 2012 are to be met.
- All requirements of the City of Kelowna Fire and Life Safety Bylaw No. 10760 shall be met.

7.4 FortisBC - Electric

- There are primary distribution facilities within Juniper Road. Bringing electrical service to the proposed lots will require substantial extension work, the cost of which may be significant. The applicant is responsible for costs associated with any changes to the proposed lots' existing service, if any, as well as the provision of appropriate land rights where required.

7.5 Interior Health

Interior Health supports the application.

**8.0 Application Chronology**

Date of Application Received: July 31, 2015  
Date Public Consultation Completed: November 26, 2015

**Report prepared by:**

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Ryan Roycroft, Planner

**Reviewed by:**

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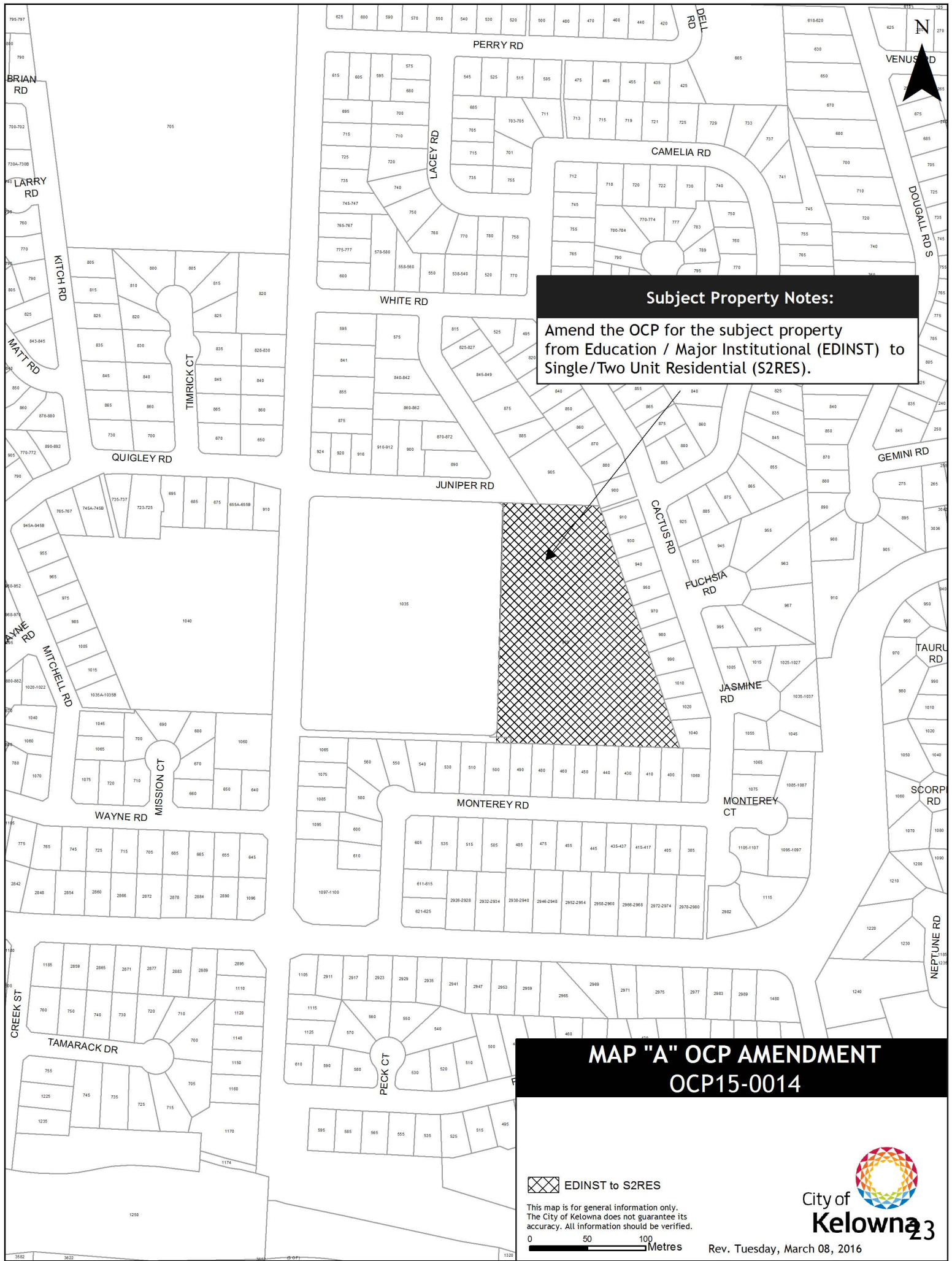
Terry Barton, Urban Planning Manager

**Approved for Inclusion:**

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Ryan Smith, Community Planning Department Manager





**Subject Property Notes:**  
Amend the OCP for the subject property from Education / Major Institutional (EDINST) to Single/Two Unit Residential (S2RES).

**MAP "A" OCP AMENDMENT  
OCP15-0014**

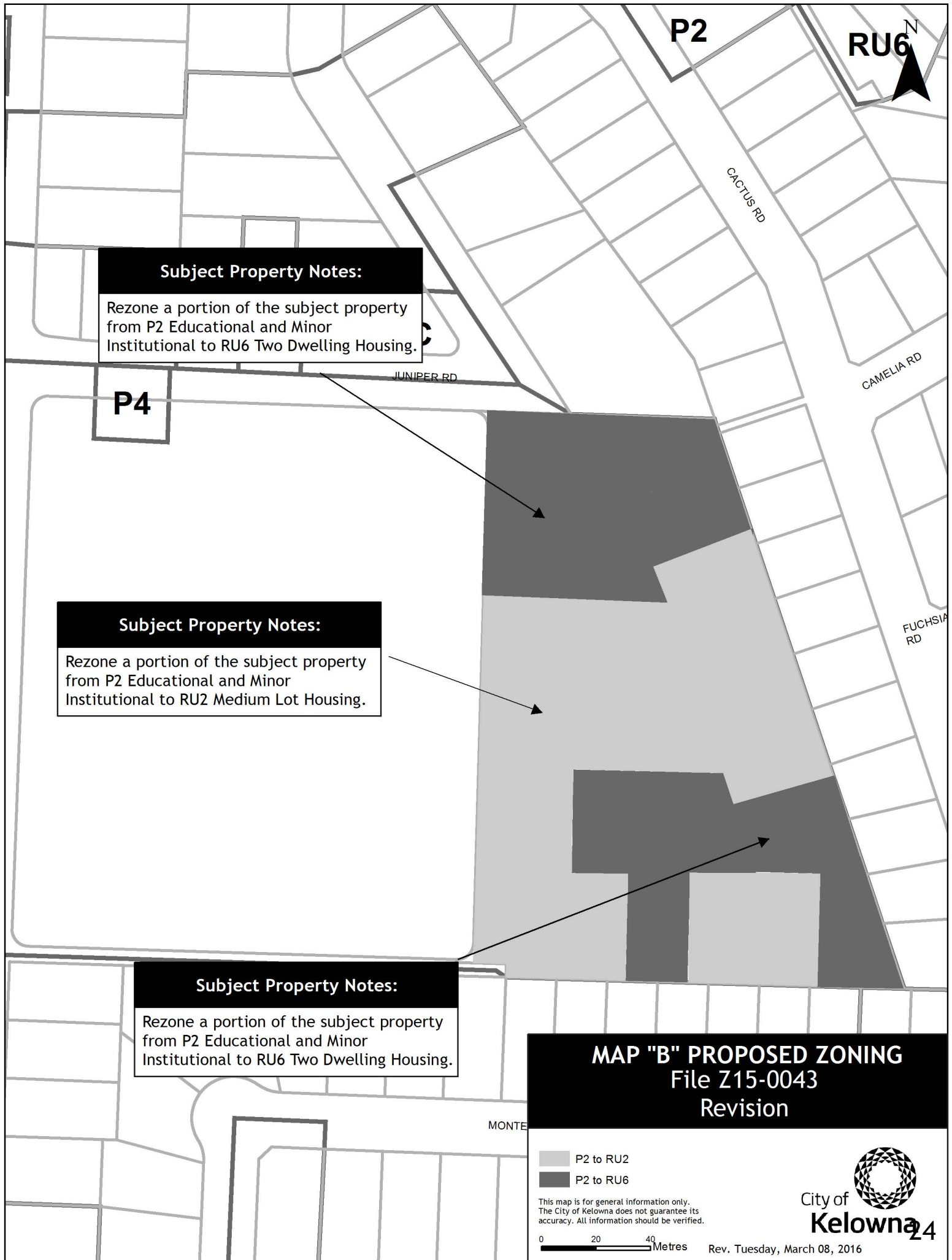
 EDINST to S2RES

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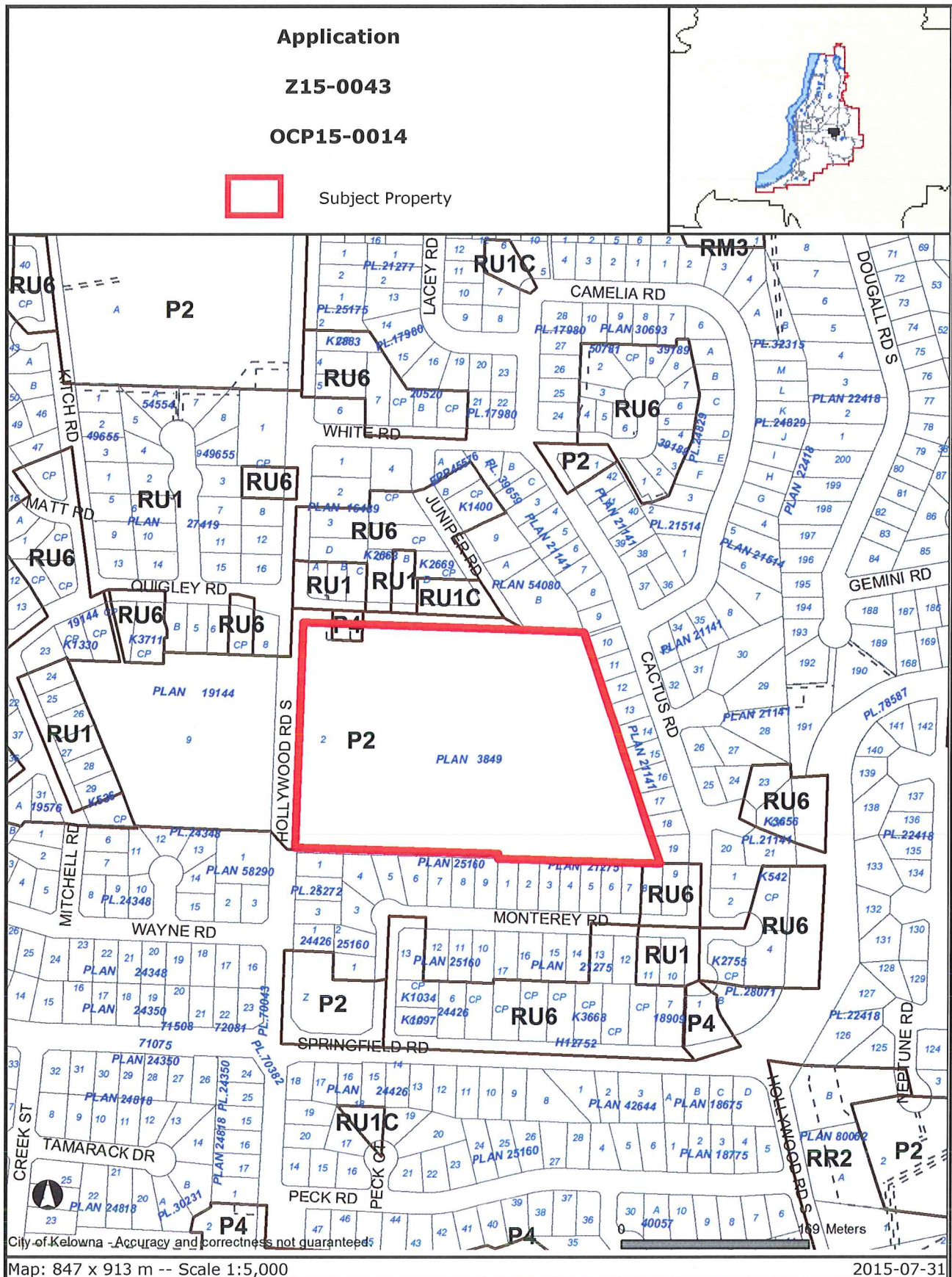
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Rev. Tuesday, March 08, 2016







Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
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# REPORT TO COUNCIL



**Date:** March 7, 2016

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (TB)

**Application:** Z15-0067

**Owner:** Wayne Daryle Heinen,  
Lisa Marie Cayer Heinen

**Address:** 468 Barkley Rd

**Applicant:** Wayne Daryle Heinen

**Subject:** Rezoning Application

**Existing OCP Designation:** S2RES - Single/Two Unit Residential

**Existing Zone:** RU1 - Large Lot Housing

**Proposed Zone:** RU1c - Large Lot Housing with Carriage House

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## 1.0 Recommendation

THAT Rezoning Application No. Z15-0067 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 16, DL 167, ODYD, Plan 13550, located on 468 Barkley Road, Kelowna, BC from the RU1, Large Lot Housing, to RU1c, Large Lot Housing with carriage house zone, be considered by Council;

AND THAT 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 "A" attached to the Report from the Community Planning Department dated (January 25, 2016);

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

## 2.0 Purpose

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

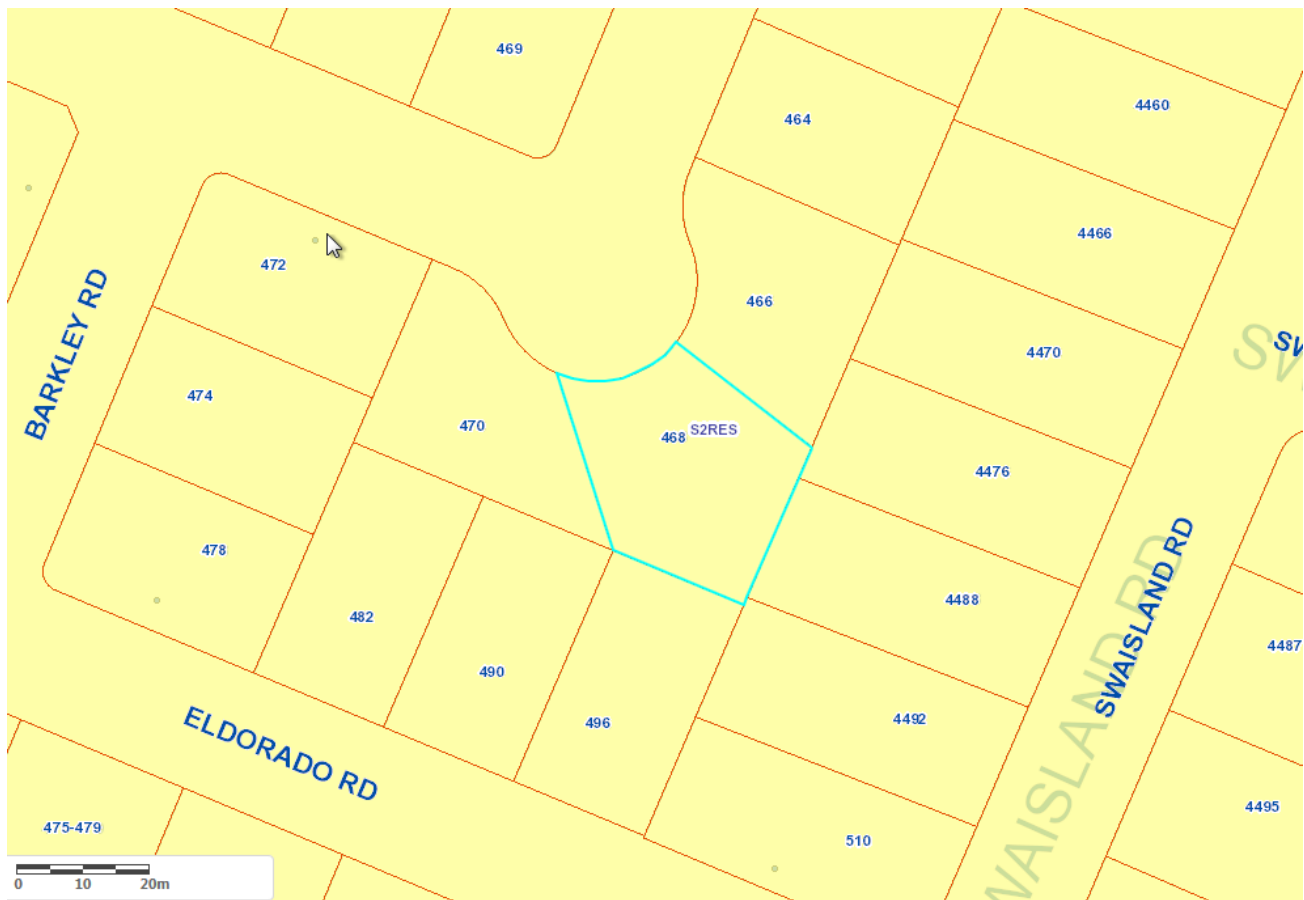
## 3.0 Community Planning

Community Planning Staff supports the request to rezone the subject property from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone to facilitate the

development of a carriage house. The proposal is consistent with the Official Community Plan Future Land Use Designation of S2RES - Single/Two Unit Residential and with the OCP policy of Compact Urban Form. The applicant is proposing to convert an existing accessory building to a carriage house dwelling. The applicant will be working with City Staff to bring the building to a standard required for a dwelling as per the BC Building Code as well as Zoning Bylaw No 8000.

In accordance with Council Policy No. 367, the applicant completed neighbourhood consultation by contacting neighbouring properties within 50 m. To date, Staff has received 3 emails and 1 phone call of non-support from neighbors. The general concerns included changing the density and character of the neighbourhood from single unit housing to two-unit housing, potential parking issues, and non-support of rental units.

#### OCP Future Land Use Map: 468 Barkley Rd



## 4.0 Proposal

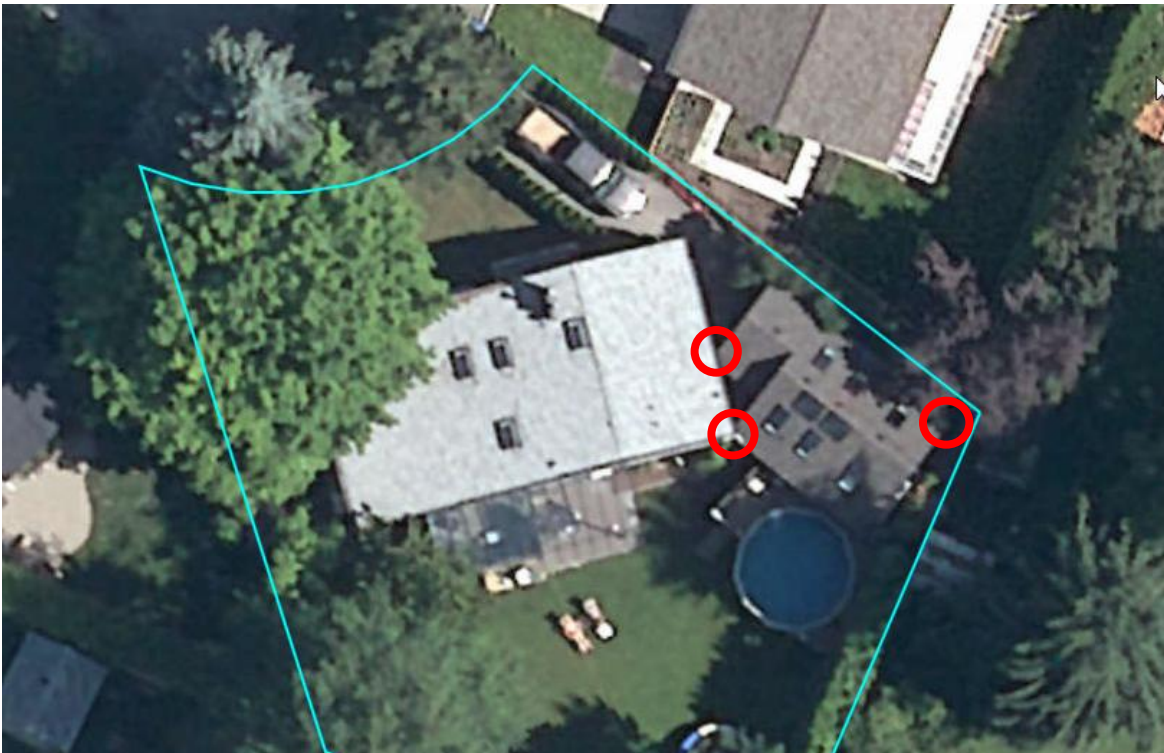
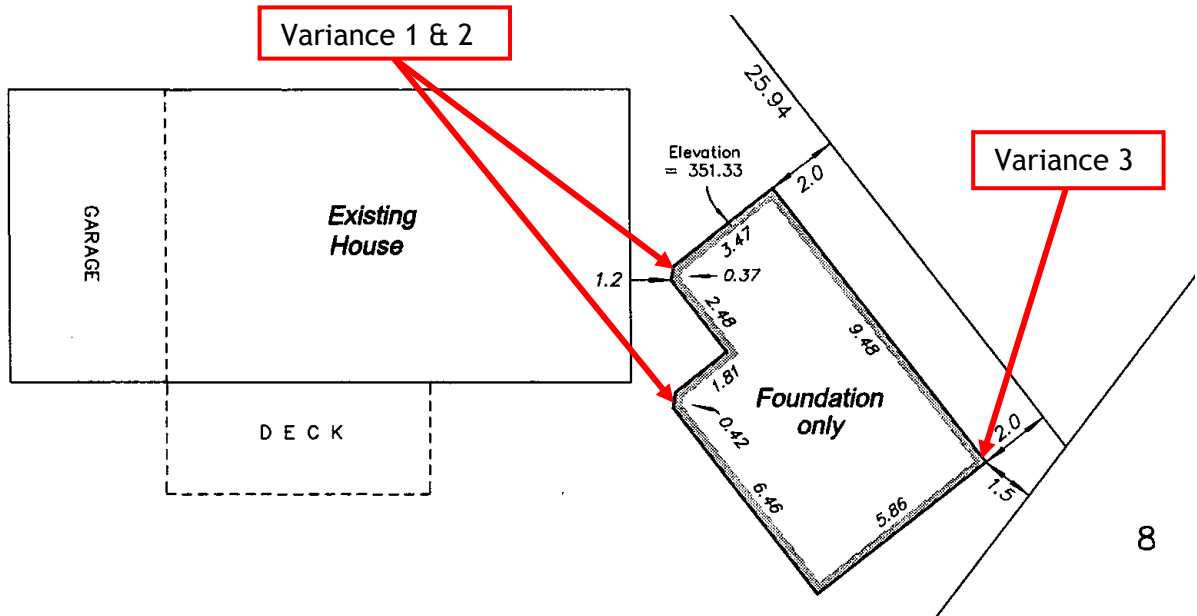
### 4.1 Background

The subject property contains a single story 1960's bungalow and one accessory building. The proposed conversion of the accessory building would create a one-bedroom carriage house with driveway parking and private open space beside. The accessory building was constructed in 2011 with the required building permit.



## 4.2 Project Variances

The proposed conversion requires 3 variances for setbacks, which met the zoning requirements for an accessory building but not for a carriage house. Two variances are for setbacks between the principal dwelling and the carriage house from 3.0m required to 1.20m proposed at the two east corners of the proposed carriage house. The third variance is for rear yard setback from 2.0m required to 1.52m proposed.



A small attached greenhouse will be removed from this accessory building as a function of this application in order to maintain the 2.0m setback to the adjacent property to the north. Parking requirements are met in the existing driveways, and each dwelling has 30m<sup>2</sup> of private outdoor space. Should Council support this rezoning application, Staff will bring forth a Development Permit and Development Variance Application for formal consideration by Council.

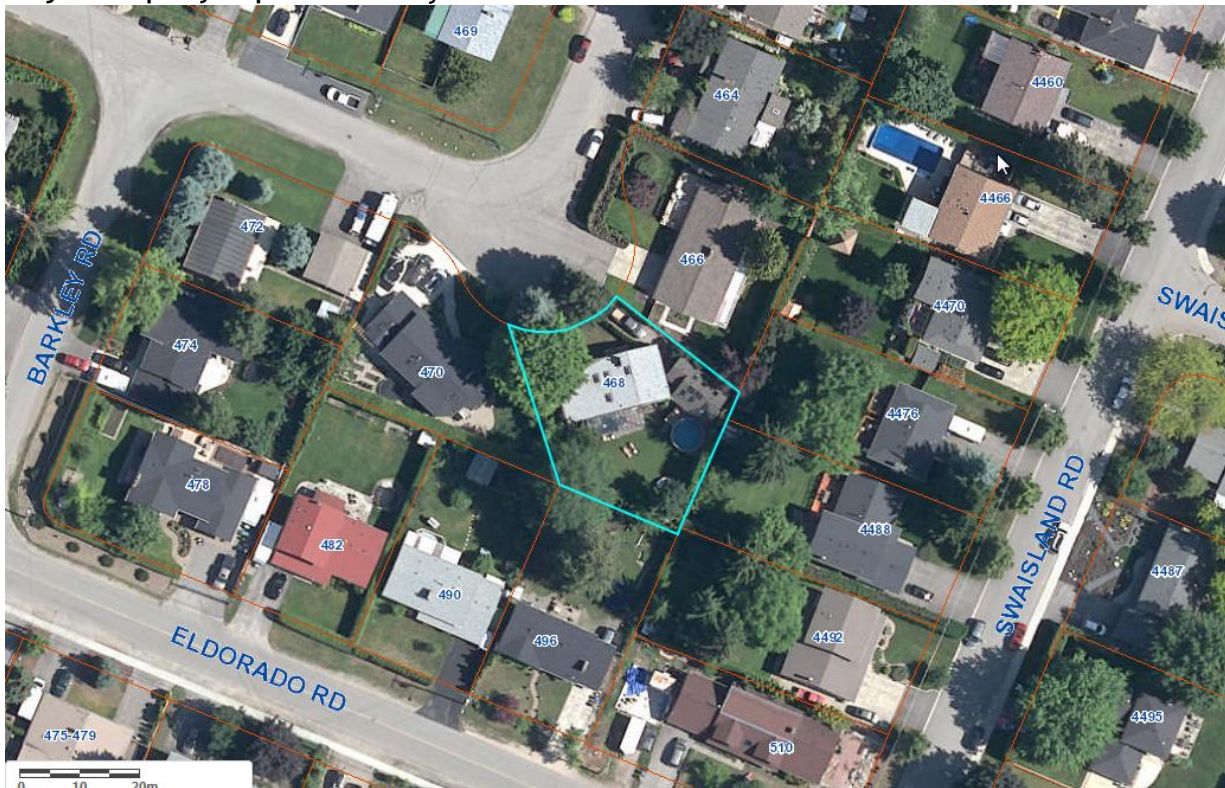
#### 4.3 Site Context

The subject property is located east of Lakeshore Road and south of Sarsons Road in North Mission within the Permanent Growth Boundary.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	S2Res - Single/Two Unit Residential
East	RU1 - Large Lot Housing	S2Res - Single/Two Unit Residential
South	RU1 - Large Lot Housing	S2Res - Single/Two Unit Residential
West	RU1 - Large Lot Housing	S2Res - Single/Two Unit Residential

Subject Property Map: 468 Barkley Road



#### 4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1c	PROPOSAL
Existing Lot		
Minimum Lot Area	550 m <sup>2</sup>	1245 m <sup>2</sup>
Minimum Lot Width	16.5 m	30 m
Minimum Lot Depth	30.0 m	41 m
Development Regulations		
Maximum Site Coverage of all buildings	40%	21%
Maximum Site Coverage of all buildings, driveways, and parking	50%	25.9%
Maximum Site Coverage of all accessory buildings	20%	6.8%
Maximum Height	Less than the principal dwelling	Less than the principal dwelling
Minimum Front Yard	6 m	15.39 m
Minimum Side Yard (north)	2.0 m	2.0 m
Minimum Side Yard (south)	2.0 m	Greater than 2.0 m
Minimum Rear Yard	2.0 m	1.52 m ❶
Minimum Setback to Principal Dwelling	3.0 m	1.20 m ❷❸
Other Regulations		
Minimum Parking Requirements	3 stalls	>3 stalls
Minimum Private Open Space	30 m <sup>2</sup> Each Dwelling	>30 m <sup>2</sup> Each Dwelling
❶ Indicates a requested variance to the minimum rear yard.		
❷ ❸ Indicates 2 requested variances to the setback from the principal dwelling.		

#### 5.0 Current Development Policies

##### 5.1 Kelowna Official Community Plan (OCP)

###### Development Process

**Compact Urban Form.**<sup>1</sup> 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 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.

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

- Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- Windows may be required to be reduced between structures and non-combustible cladding may be required. Designer to provide spatial calculations and fire rated assemblies as required.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

- Please see attached Schedule "A" dated January 25, 2016.

6.3 Fire Department

- The fire department has no issues with the zoning change
- 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 Barkley Rd. for emergency response and access
- Do not release BP until all life safety concerns are completed.

6.4 FortisBC Electric

- There are primary distribution facilities along Barkley 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.
- 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.

## 7.0 Application Chronology

Date of Application Received: November 26, 2015  
Date Public Consultation Completed: January 2, 2015

Report prepared by:

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Trisa Brandt, Planner I

Reviewed by:



Terry Barton, Urban Planning Manager

Approved for Inclusion:



Ryan Smith, Community Planning Department Manager

### Attachments:

Site Plan  
Landscape Plan  
Conceptual Elevations  
Context/Site Photos  
Schedule "A" Dated January 25, 2016

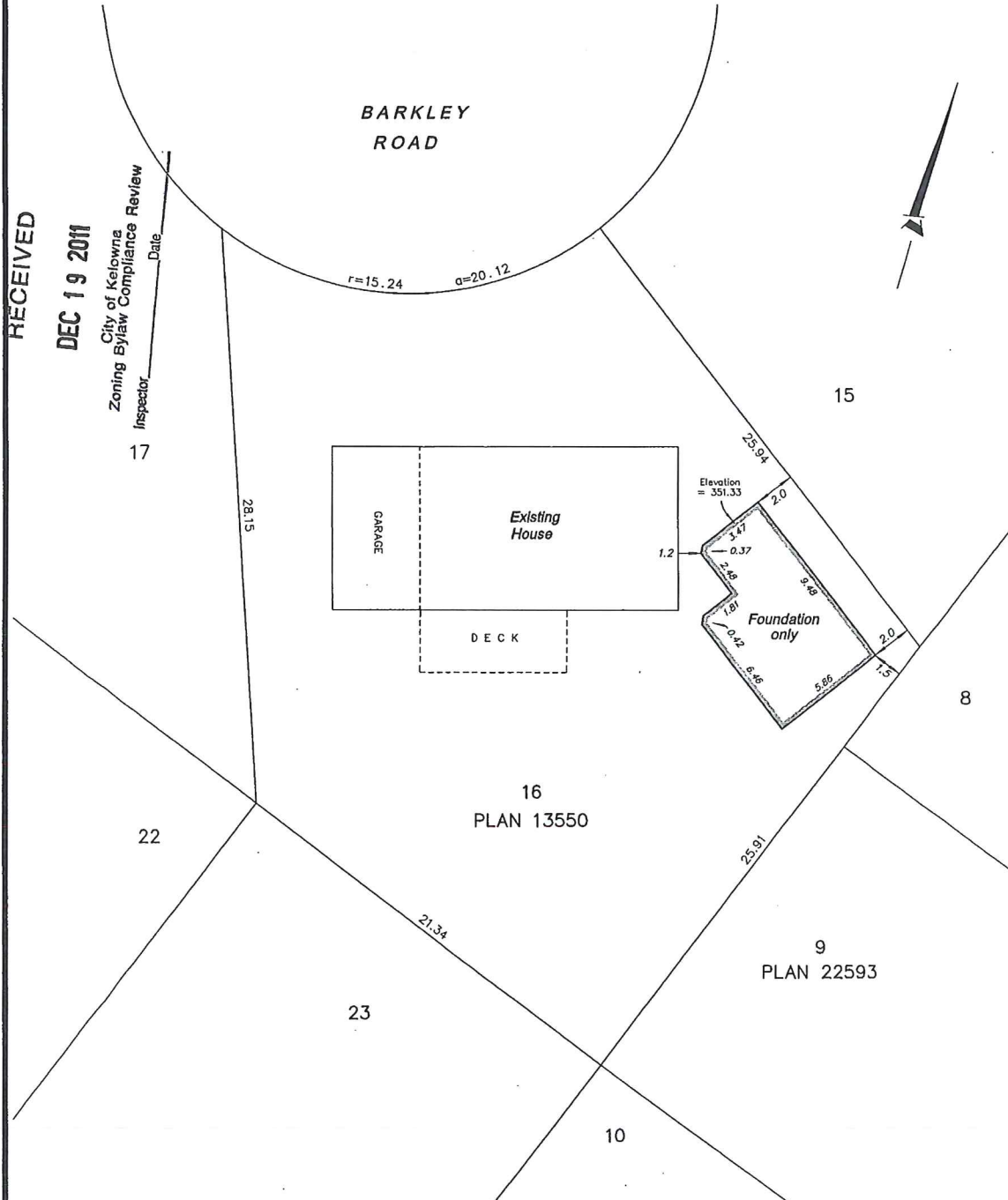


# B.C. LAND SURVEYOR'S CERTIFICATE

ON LOT 16, DISTRICT LOT 167,  
O.D.Y.D., PLAN 13550

CIVIC ADDRESS: 468 BARKLEY ROAD

SCALE 1:250 All distances are in metres.



Certified correct this 16th day of December, 2011.

NEIL R. DENBY

B.C.L.S.

## RUNNALLS DENBY

british columbia land surveyors

259A Lawrence Avenue  
Kelowna, B.C. V1Y 6L2

Phone: (250)763-7322  
Fax: (250)763-4413

Email: [neil@runnallsdenby.com](mailto:neil@runnallsdenby.com)

CLIENT : HEINEN

FILE No: 13465 SC 2

THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED  
AND SEALED.

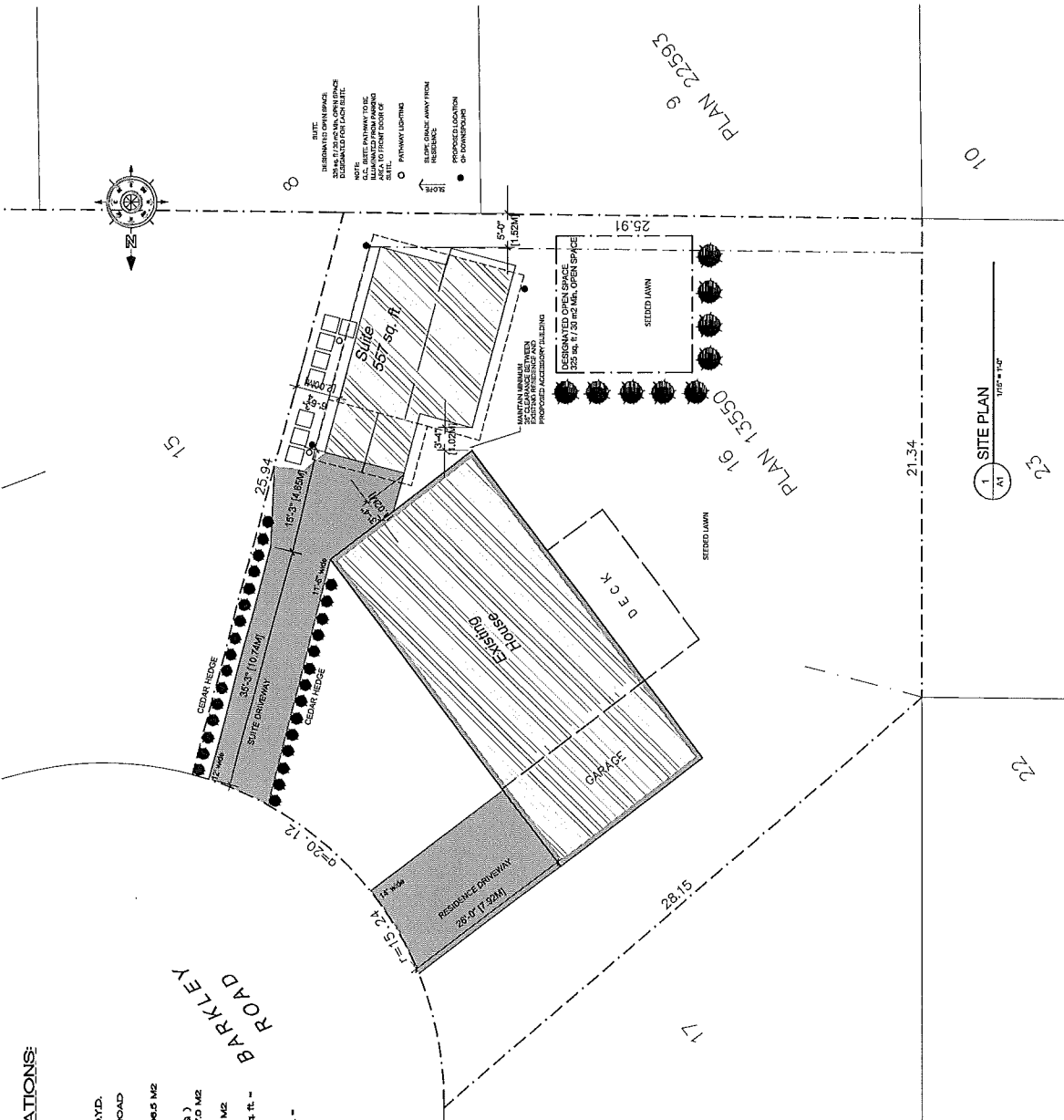
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NO PERSON MAY COPY OR ALTER THIS CERTIFICATE WITHOUT  
PRIOR CONSENT OF RUNNALLS DENBY.

THE DIMENSIONS SHOWN ON THIS CERTIFICATE ARE NOT TO  
BE USED TO DEFINE PROPERTY BOUNDARIES.

# **SITE CALCULATIONS:**

**ZONING**  
R1-1  
ADDRESS  
LOT 16  
PLAN 13550 O.D.Y.D.  
**LEGAL**  
MUNICIPAL ADDRESS  
BARKLEY ROAD  
KELLOWNA, B.C.  
**SITE AREA:**  
0.9964 ac. ft. / 896.5 M2  
0.9964 ac. ft. / 896.5 M2  
**BUILDING AREA:**  
RESIDENCE (EXISTING)  
1,475 sq. ft. / 137.0 M2  
**SUITE CONVERSION**  
557 sq. ft. / 51.7 M2  
**SITE COVERAGE**  
557 / 8,650 sq. ft. =  
6.43 %  
**HARDCOVER**  
2,500 / 8,650 sq. ft. =  
28.91 %

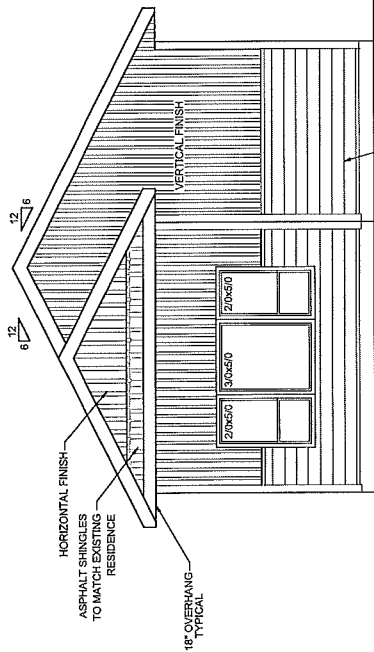


**GENERAL NOTES:**  
ALL WORK TO BE DONE IN COMPLIANCE WITH THE CURRENT  
RENTAL ACT AND THE LOCAL BUILDING CODES AND ALL  
APPLICABLE LOCAL CODES AND BYLAWS.  
ALL WORK SHALL BE PERFORMED IN ALL RESPECTS TO GOOD  
BUILDING PRACTICES.  
THE CONTRACTOR SHALL MAKE HIMSELF FAMILIAR WITH THE SITE  
CONDITIONS, SURROUNDINGS, AND LEVELS TO BE VERIFIED  
BEFORE COMMENCING WITH CONSTRUCTION.  
ANY DISCREPANCIES, OMISSIONS AND ERRORS SHALL BE REPORTED TO  
THE OWNER AND THE DESIGNER FOR CORRECTION.  
WRITTEN DIMENSIONS TO BE FOLLOWED, "DO NOT SCALE THESE DRAWINGS."  
ENGINEERED FLOOR AND ROOF SYSTEMS, JOISTS AND TRUSSES ARE TO BE  
SEALED BY AN ENGINEER REGISTERED IN THE LOCAL AREA.  
SUBMIT ALL SHOP DRAWINGS TO THE AUTHORITY HAVING JURISDICTION  
FOR STRUCTURAL COMPONENTS BEFORE COMMENCING CONSTRUCTION.  
THE DESIGNER SHALL NOT BE RESPONSIBLE FOR ANY VARIANCES FROM  
THESE DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY  
RESULTING FROM CONDITIONS ENCOUNTERED AT THE SITE AND IS THE SOLE  
RESPONSIBILITY OF THE OWNER, AND CONTRACTOR.  
THE DESIGNER MAKES EVERY EFFORT TO PROVIDE COMPLETE AND ACCURATE  
INFORMATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY  
OMISSIONS WHICH MAY AFFECT CONSTRUCTION. IT IS THE RESPONSIBILITY OF ALL  
TRADESMEN AND SUB-TRADESMEN TO CHECK AND VERIFY ALL DIMENSIONS AND DETAILS  
BEFORE CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY  
DISCREPANCIES BE FOUND ON THESE PLANS. PLEASE ADVISE OUR OFFICE SO WE  
CAN MAKE THE NECESSARY CORRECTIONS.  
PROTECT ALL TREES ON SITE, NOTED BY OWNER WITH FENCING PLACED  
DURING CONSTRUCTION.  
PROTECT NEIGHBOURS TREES AND PROPERTY FROM CONSTRUCTION DAMAGE.

<b>PROJECT</b> W. HENK 488 BARKLEY ROAD KELLOWNA, B.C.		<b>DATE</b> 2024.11.15	
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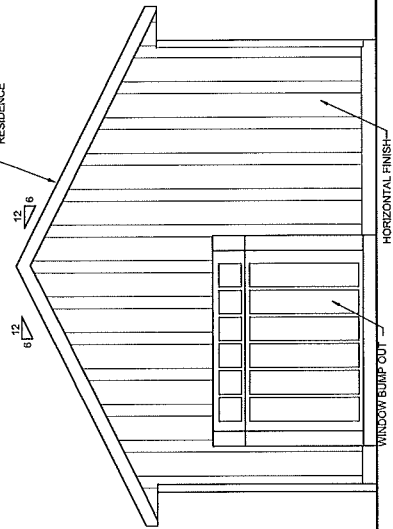


- NOTE:
1. ALL GUTTERS AND DOWNSPOUTS HAVE BEEN NOT SHOWN FOR CLARITY. DOWNSPUTS SHALL BE LOCATED AS TO MINIMIZE PUBLIC VIEW. CONTRACTOR TO VERIFY EXISTING GRADE AND COORDINATE ANY NECESSARY ADJUSTMENTS TO HOUSE WITH OWNER.
  2. PLUMBING AND HVAC VENTING SHALL BE GROUPED TO ONE SIDE OF THE HOUSE. VENTING SHALL BE BELOCATED AS TO MINIMIZE PUBLIC VIEW. CONTRACTOR TO VERIFY EXISTING GRADE AND COORDINATE ANY NECESSARY ADJUSTMENTS TO HOUSE WITH OWNER.
  3. REQUIRE ATIC VENTILATION PER LOCAL CODE REQUIREMENTS.
  4. EXTERIOR GLASSING SHALL BE CORRECTLY INSTALLED AT ALL CONNECTIONS BETWEEN ROOF AND WALLS. CONTRACTOR SHALL PROVIDE APPROPRIATE VENTILATION / ROOF VENTS PER LOCAL CODE REQUIREMENTS. CONTRACTOR SHALL PROVIDE APPROPRIATE VENTILATION AT ALL OVERHANGS.
  5. FINISH GRADE TO SLOPE AWAY FROM BUILDING FOUNDATION. FINISH GRADE TO SLOPE AWAY FROM THAT TO AN APPROVED DRAINAGE AREA.



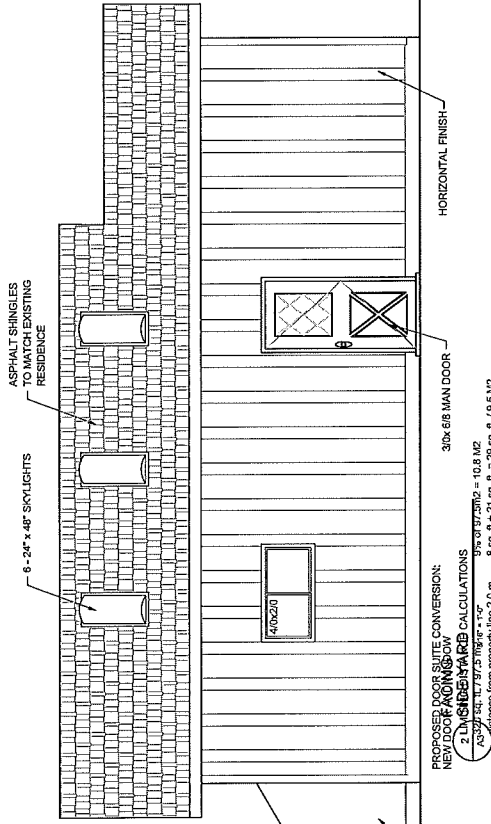
1  
A3  
FACING  
BARKLEY ROAD  
3'10" = 1'0"

ASPHALT SHINGLES  
TO MATCH EXISTING  
RESIDENCE



3  
A3  
FACING  
REAR PROPERTY  
3'10" = 1'0"

PROPOSED BUMP OUT SUITE CONVERSION:  
1.5 M offset from property line



PROPOSED DOOR SUITE CONVERSION:  
NEW DOOR / REMOVED WINDOW  
2 LIVING / BATH CALCULATIONS  
AS327 sq. ft. 17.97.5 sq. ft. = 10.8 M2  
9 sq. ft. + 21 sq. ft. = 29 sq. ft. / 9.5 M2  
distance from property line 2.0 m

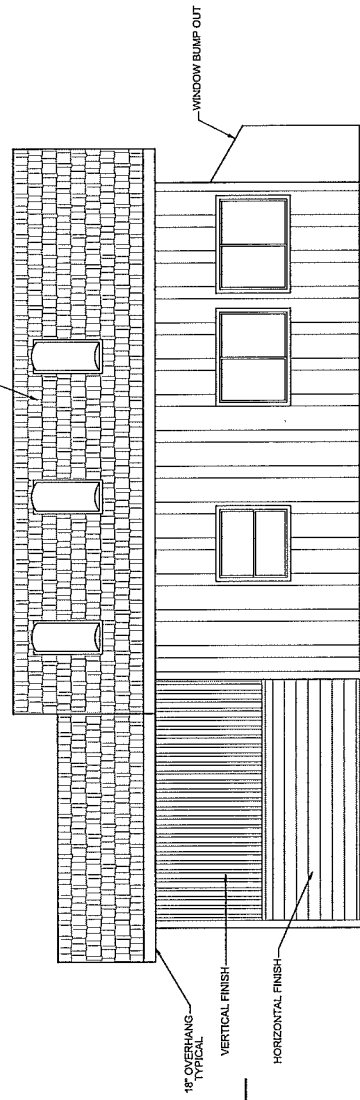
30'0" x 6'8" MAN DOOR

6'0" x 24" x 48" SKYLIGHTS

ASPHALT SHINGLES  
TO MATCH EXISTING  
RESIDENCE

<p>THIS DOCUMENT IS THE PROPERTY OF THE ARCHITECT. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.</p>	
<p>DATE: 11/11/2019 BY: J. L. BROWN CHECKED: J. L. BROWN APPROVED: J. L. BROWN</p>	<p>PROJECT: 4800 BARKLEY ROAD BETHESDA, MD SHEET TITLE: PROPOSED ELEVATION CHANGES TO SUITE CONVERSION</p>
<p>SCALE: 1/8" = 1'-0"</p>	<p>REVISIONS:</p>
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4  
A3  
FACING  
INTO PROPERTY  
3'10" = 1'0"



WINDOW BUMP OUT

18" OVERHANG TYPICAL

VERTICAL FINISH

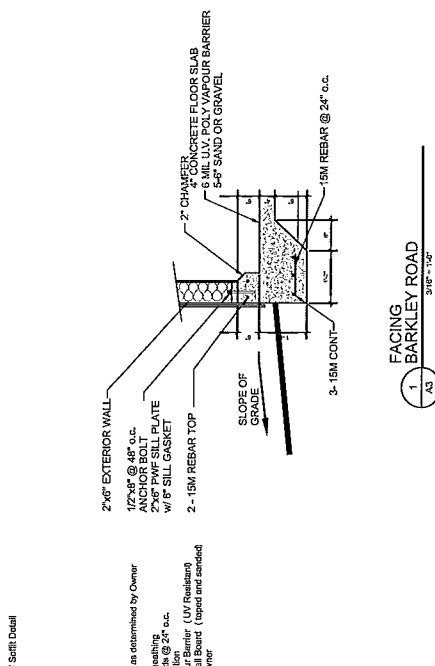
HORIZONTAL FINISH

PROPOSED BUMP OUT SUITE CONVERSION:  
1.5 M offset from property line

[illegible]

ALL WORK TO BE DONE TO THE LATEST EDITION OF APPLICABLE CODES.  
CODE REQUIREMENTS TO EXCEED MINIMUM EXPECTED STANDARDS.  
COORDINATE WITH ALL OTHER TRADES.  
A WALK THRU OF THE PROJECT WITH OWNER TO CONFIRM AND FINALIZE LOCATIONS OF OUTLETS, SWITCHES AND LIGHT FIXTURES PRIOR TO INSTALLATION.

ALL FINAL DUCT ROUTING TO BE REVIEWED BY THE OWNER PRIOR TO WORK.

[illegible][illegible]

**HOLDENS  
DRAUGHTING & DESIGN**  
831 S. MAIN ST. #2  
MELBOURNE, VIC.  
3113-4412  
Fax 3113-4412  
E-mail: holdens@optusnet.au

**PROJECT**

EXISTING CONSTRUCTION OF SUITE CONVERSION.	PROJECT FILE	
	A4	
	Rev. 0	
	2015.11.26	



1  
A1



2  
A1

STREET VIEW OF  
EXISTING GARAGE



CLOSE UP OF  
EXISTING GARAGE

[illegible]

**HOLDENS  
DRAUGHTING & DESIGN**  
623 SAUCIER AVENUE  
KILDAHA, B.C.  
V1R-2A3

Phone 250.898.0662  
Fax 250.966.0552

 **H.D.D.**

Email: [holder@shaw.ca](mailto:holder@shaw.ca)

**PROJECT**

**W. HEINEN**  
**408 BARKLEY ROAD**  
**KELOWNA, B.C.**

SHEET TITLE

SITE PLAN

<table border="1"> <tr><td>DATE</td><td>2015.11.26</td></tr> <tr><td>SCALE</td><td>AS NOTED</td></tr> <tr><td>DRAWN BY</td><td>RAH</td></tr> <tr><td>CHECKED BY</td><td>L.C. / W.H.</td></tr> </table>	DATE	2015.11.26	SCALE	AS NOTED	DRAWN BY	RAH	CHECKED BY	L.C. / W.H.	SHEET NO. <b>A1</b> Rev. 0
DATE	2015.11.26								
SCALE	AS NOTED								
DRAWN BY	RAH								
CHECKED BY	L.C. / W.H.								







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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** January 25, 2016  
**File No.:** Z15-0036 **67**  
**To:** Community Planning (AC)  
**From:** Development Engineering Manager  
**Subject:** 468 Barkley Rd RU1c

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Development Engineering has the following comments and requirements associated with this application to rezone from RU1 to RU1c.

1. Domestic Water and Fire Protection

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

2. Sanitary Sewer

Our records indicate that this property is serviced with a 100mm-diameter sanitary sewer service complete with inspection chamber. The service is adequate for the proposed application.

3. Development Permit and Site Related Issues

Direct the roof drains into on-site rock pits.

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.

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

SS

