

# City of Kelowna

## Public Hearing

### AGENDA



Tuesday, November 20, 2018  
6:00 pm  
Council Chamber  
City Hall, 1435 Water Street

Pages

#### 1. Call to Order

THE CHAIR WILL CALL THE HEARING TO ORDER:

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

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

(c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after November 6, 2018 (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.

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

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

#### 2. Notification of Meeting

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

### 3. Individual Bylaw Submissions

- |            |  |         |
|------------|--|---------|
| <b>3.1</b> | <b>McClure Rd 679, Z18-0078 (BL11691) - Paul Sexsmith</b>  | 4 - 9   |
|            | <p>A development application to rezone the subject property from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone to facilitate a proposed two lot subdivision</p>          |         |
| <b>3.2</b> | <b>Drummond Ct 649, LUC18-0003 (BL11693) &amp; Z18-0051 (BL11694) - Patrick &amp; Brenda Kryski</b>  | 10 - 17 |
|            | <p>To consider a Land Use Contract discharge and rezoning of the subject property from RR3 – Rural Residential 3 to RU1 - Large Lot Housing to facilitate a subdivision.</p>                     |         |
| <b>3.3</b> | <b>Nottingham Rd 4465, Z18-0067 (BL11695) - David Jeremy Stevens &amp; Rosemarie Jean Stewart</b>  | 18 - 27 |
|            | <p>To rezone the subject property from RU1 - Large Lot Housing zone to RU1c - Large Lot Housing with Carriage House to allow an existing accessory structure to be used as a carriage house.</p> |         |

### 4. Termination

### 5. Procedure on each Bylaw Submission

- (a) Brief description of the application by City Staff (Community Planning);
- (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 1, 2018

**RIM No.** 1250-30

**To:** City Manager

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

**Application:** Z18-0078 **Owner:** Paul Sexsmith

**Address:** 679 McClure Rd **Applicant:** Shannon Styles

**Subject:** Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU2 – Medium Lot Housing

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## 1.0 Recommendation

THAT Rezoning Application No. Z18-0078 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot C, District Lot 357, SDYD, Plan 30569, located at 679 McClure Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot 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 Attachment "A" attached to the Report from the Community Planning Department dated October 1, 2018;

## 2.0 Purpose

A development application to rezone the subject property from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone to facilitate a proposed two lot subdivision

## 3.0 Community Planning

Community Planning supports the proposed rezoning from RU1 – Large Lot Housing to RU2 – Medium Lot Housing as it is in line with the Official Community Plan (OCP) Future Land Use Designation of S2RES – Single/Two Unit Residential for the subject property and is located within the Permanent Growth Boundary. The property is fully serviced and is in close proximity to transit, parks, and schools. It is

therefore consistent with the Compact Urban Growth and Sensitive Infill Housing OCP Land Use Policies. These policies state that growth should occur in areas that are already serviced and have access to transit, and that growth should be designed to be sensitive to the existing character of the neighbourhood.

As a condition of rezoning, the applicant will be required to upgrade the adjacent frontage by installing curb and gutter, storm drainage and pavement widening or by providing cash in lieu for the frontage improvements.

#### 4.0 Proposal

##### 4.1 Background

The subject property currently has an existing one storey single family dwelling with two accessory buildings located on the property.

##### 4.2 Project Description

The proposed rezoning from RU1 to RU2 would facilitate the development of a two lot subdivision of the subject property. The proposed rezoning meets all of the zoning regulations and does not require any variances.

In order to facilitate the proposed subdivision, the existing single family dwelling will remain and the existing accessory buildings will be demolished and subsequently removed.

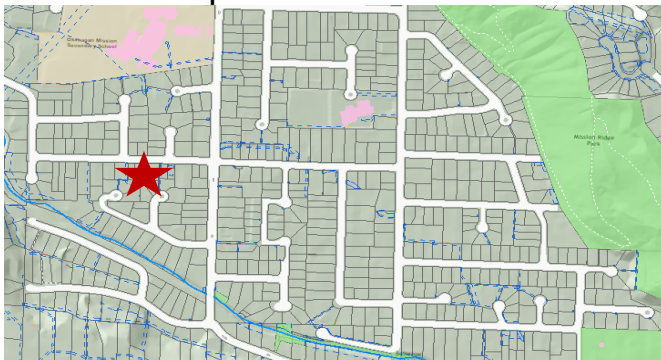
##### 4.3 Site Context

The subject property is located in North Okanagan Mission near the intersection of McClure Road and Gordon Drive. It is in close proximity to transit routes located along Gordon Drive and is within walking distance to Mission Ridge Park. The surrounding neighborhood is comprised largely of RU1 – Large Lot Housing zoned properties. Currently, there are two other RU2 – Medium Lot Housing zoned properties within the neighborhood. Other surrounding zones include several RU6 – Two Dwelling Housing and RU1c – Large Lot Housing with Carriage House zoned properties.

Specifically, adjacent land uses are as follows:

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

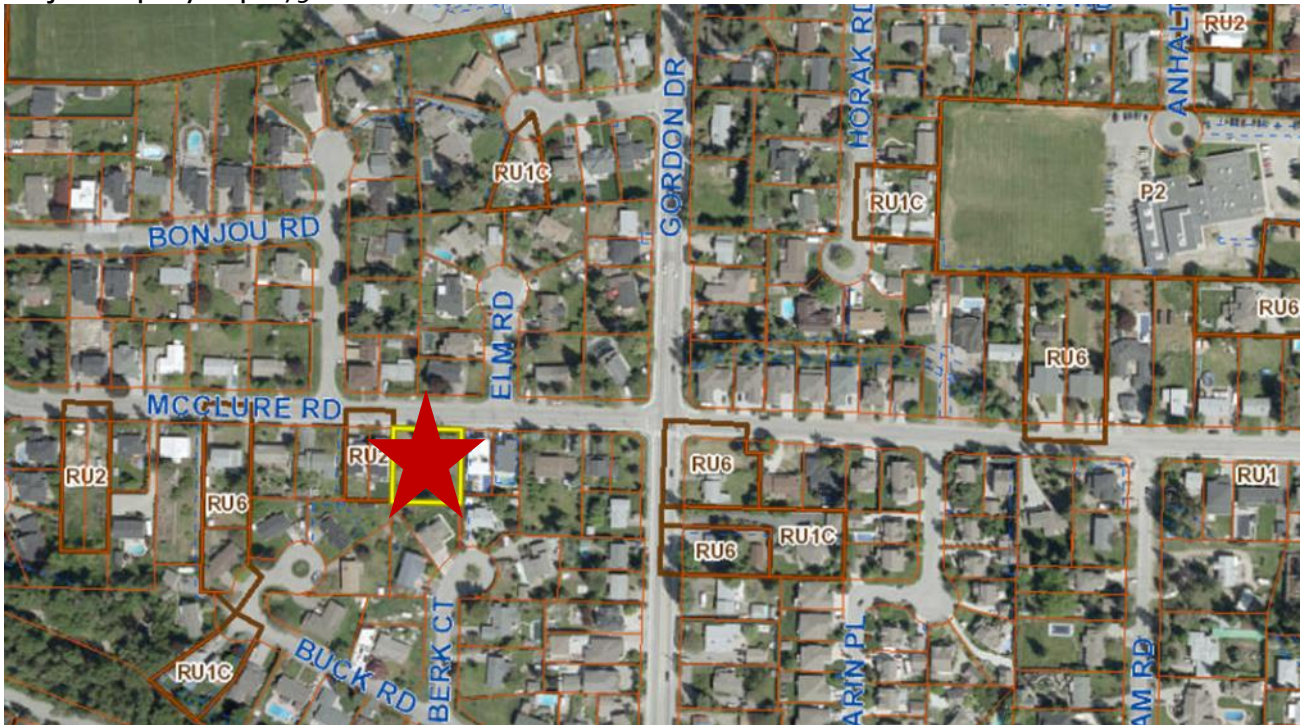
**Site Context Map**



**Future Land Use Map**



Subject Property Map: 679 McClure Rd



## 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.

**Sensitive Infill.**<sup>2</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.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- No comment

### 6.2 Development Engineering Department

- See Attachment A.

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

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

## **7.0 Application Chronology**

Date of Application Received: June 20, 2018  
Date Public Consultation Completed: August 30, 2018

Report prepared by: Sergio Sartori, Development Technician  
Reviewed by: Dean Strachan, Suburban and Rural Planning Manager  
Approved for Inclusion: Ryan Smith, Community Planning Department Manager

### **Attachments:**

Attachment A: Development Engineering Memorandum  
Schedule A: Site Plan

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## CITY OF KELOWNA

# MEMORANDUM

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**Date:** July 24, 2018  
**File No.:** Z18-0078  
**To:** Community Planning (SS)  
**From:** Development Engineering Manager (JK)  
**Subject:** 679 McClure Road



RU1 to RU2

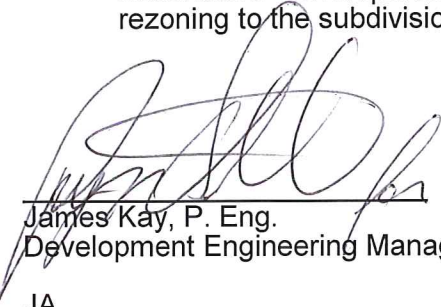
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Development Engineering has the following comments and requirements associated with this application.

1. General

Road frontage improvements are triggered by this rezoning application. The requirements include curb and gutter, sidewalk, storm drainage system and pavement widening. Also required is a landscaped boulevard, street lighting and the re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The cost of this construction is at the applicant's expense.

The proposed redevelopment includes the subject parcel being subdivided into three lots. A subdivision application will require service upgrades that include the installation of additional services. The work will require road cuts and boulevard and pavement restoration. Development Engineering is prepared to defer the requirements of the rezoning to the subdivision stage.

  
James Kay, P. Eng.  
Development Engineering Manager

JA

# SKETCH PLAN OF PROPOSED SUBDIVISION OF LOT C, DISTRICT LOT 357, SDYD, PLAN 30569

PID: 003-899-187

CIVIC ADDRESS: 679 McCLURE ROAD, KELOWNA BC

CLIENT: SEXSMITH

Field Survey completed December 5, 2017.

**SCHEDULE**

**A**

This forms part of application

# Z18-0078

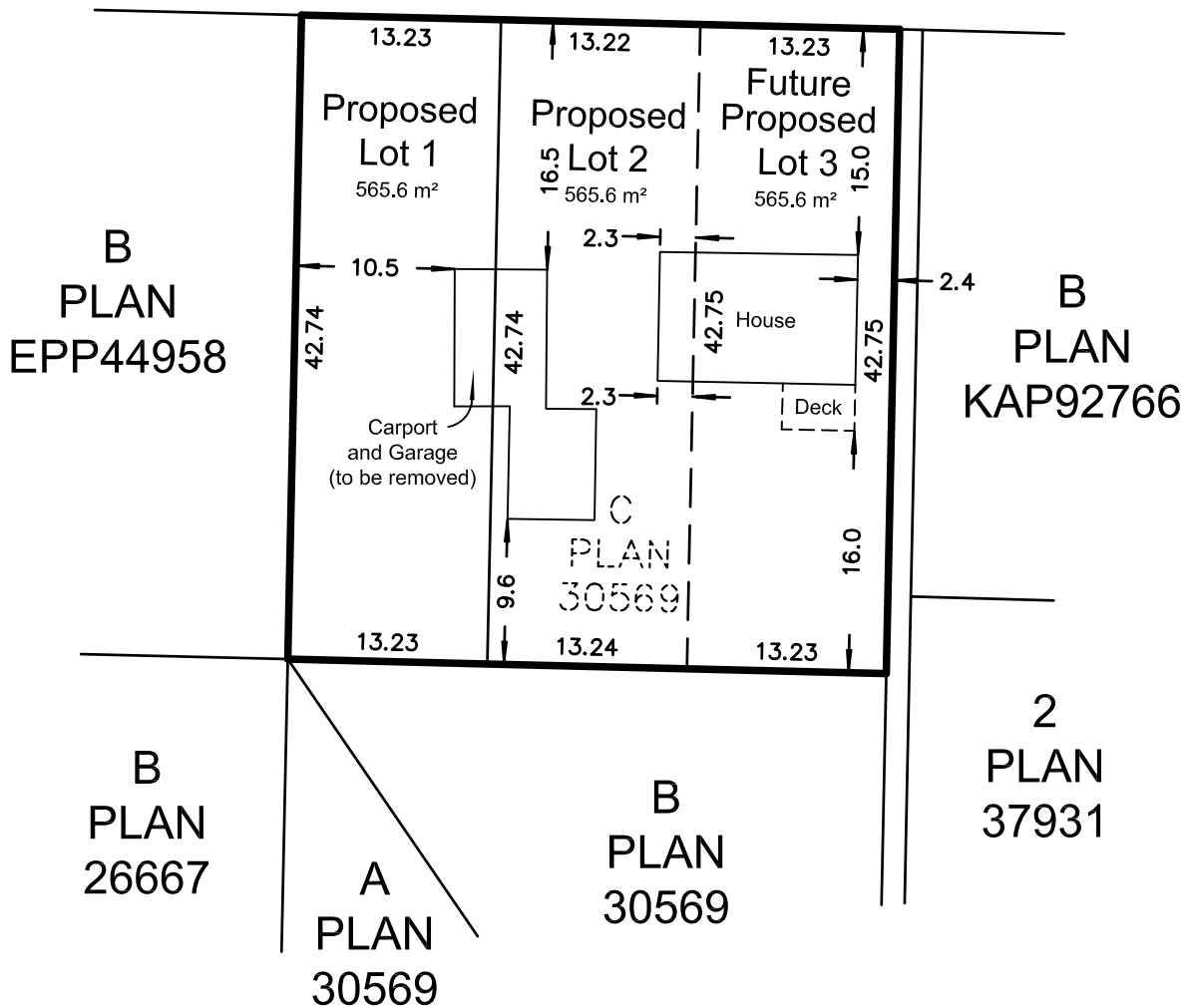


City of  
**Kelowna**  
COMMUNITY PLANNING

Planner  
Initials

SS

**McCLURE ROAD**



Lot dimensions shown are derived from field survey measurements and may vary from Land Title Office records.

Scale 1:500 Metric. Distances shown are in metres and decimals thereof.

Notes:

- Unregistered interests have not been included or considered.

DA Goddard Surveys  
103-1358 St. Paul Street, Kelowna BC  
Phone (250) 763-3733 File: 417543  
July 13, 2018.

# REPORT TO COUNCIL



**Date:** October 1, 2018

**RIM No.** 1250-40

**To:** City Manager

**From:** Community Planning Department (TH & JR)

**Application:** LUC18-0003 / Z18-0051 **Owner:** Patrick & Brenda Kryski

**Address:** 649 Drummond Court **Applicant:** Patrick & Brenda Kryski

**Subject:** Land Use Contract Discharge and Rezoning Application (LUC76-1041)

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RR3 – Rural Residential 3

Proposed Zone: RU1 – Large Lot Housing

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## 1.0 Recommendation

THAT Application No. LUC 18-0003 to discharge LUC76-1041 from Lot 26 District Lots 357 & 358 ODYD Plan 31179 located at 649 Drummond Court, Kelowna, BC, be considered by Council;

AND THAT Rezoning Application No. Z18-0051 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 26 District Lots 357 & 358 ODYD Plan 31179, located at 649 Drummond Court, Kelowna, BC from the RR3 – Rural Residential 3 zone to RU1 – Large Lot Housing zone be considered by Council;

AND FURTHER THAT the Land Use Contract Discharge and Zone Amending Bylaws be forwarded to a Public Hearing for further consideration;

## 2.0 Purpose

To consider a Land Use Contract discharge and rezoning of the subject property from RR3 – Rural Residential 3 to RU1 - Large Lot Housing to facilitate a subdivision.

## 3.0 Community Planning

The applicant is proposing to rezone the subject property to facilitate a subdivision. However, the parcel is currently under the regulation of a Land Use Contract (LUC) which does not permit subdivisions and so the LUC needs to be discharged. The LUC (LUC76-1041) was created in 1978 and permitted 28 total residential parcels in the neighbourhood. In 2005 six of these properties had the LUC discharged and were subdivided. There are now 22 properties that continue to be regulated by this LUC. Community Planning Staff supports the request to discharge the LUC and rezone the property as the underlying RR3 zone is not appropriate.

Rezoning will provide the property with an appropriate zone and will facilitate a subdivision. The LUC will be discharged in accordance with Council Policy No. 282 (Strategy for Elimination of Remaining Land Use Contracts).

In conformance with Council Policy No. 282, Staff will bring a bylaw terminating the Land Use Contract from the remainder 22 parcels within the Upper Mission Area of Kelowna. This is a separate process from the discharge of an LUC, as termination eliminates the LUC one year after Council adoption (whereas a discharge is immediate).

#### **4.0 Proposal**

##### **4.1 Background**

The Province first experimented with contract zoning in 1971. The Land Use Contract was a tool that entered into use in the 1970's before it was eliminated on November 15<sup>th</sup> 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

However, issues have arisen, specifically with the continued application of land use contracts as they supersede any subsequent bylaw dealing with land use and development including: Zoning Bylaws, Development Cost Charge Bylaws, and Development Permits. From 1978 to 2014, municipalities or the owners of the land could not unilaterally discharge, cancel, or modify the land use contract without the other party's consent. The Local Government Act was amended in 2014 stating all land use contracts in the province need to be terminated as of June 30<sup>th</sup> 2024. This provides property owners with ten years to complete any development authorized by their land use contract unless the LUC is terminated prior to that date. By June 20<sup>th</sup> 2022, local governments must have appropriate zoning regulations in place to replace land use contracts upon their termination. However, due to this requirement of the Local Government Act, staff are recommending whenever a property owner applies to change land uses within an LUC, that staff initiate the process to eliminate the whole LUC. This approach will help alleviate the future work load of eliminating and rezoning all LUC's at one time.

In addition, local governments must provide notice to each owner that the termination of land use contract is occurring 1 year after adoption and must provide notice of what the new zoning regulations are that apply to the land.

##### **4.2 Project Description**

The applicant is proposing to rezone the subject property to RU1 – Large Lot Housing to facilitate a subdivision of the property. The existing LUC needs to be discharged prior to supporting the rezoning and subdivision.

##### **4.3 Site Context**

The subject property has a total area of 2023 m<sup>2</sup> and is located on Drummond Court. The property and the surrounding area is designated S2RES – Single / Two Unit Residential in the Official Community Plan. The LUC applies to 22 parcels which front onto Drummond Court and Barnaby Road.

Adjacent land uses are as follows:

<b>Orientation</b>	<b>Zoning</b>	<b>Land Use</b>
North	LUC 76-1041 RR3 – Rural Residential 3	Residential Subdivision

East	LUC 76-1041 RR3 – Rural Residential 3	Residential Subdivision
South	LUC 76-1041 RU2 – Medium Lot Housing	Residential Subdivision
West	LUC 76-1041 RU1 – Large Lot Housing	Residential Subdivision

**LUC Area Map:** Drummond Ct / Barnaby Rd

**Subject Property Map:** 649 Drummond Court



## 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.

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

**Council Policy No. 282.**<sup>2</sup> Includes the following statement:

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

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- No comment

### 6.2 Development Engineering Department

- See Schedule A

### 6.3 Fire Department

- No objections to zoning

## 7.0 Application Chronology

Date of Application Received: April 17, 2018

Date Public Consultation Completed: May 18, 2018

**Prepared by:** Jenna Ratzlaff, Planner Tracey Hillis, Planner

**Reviewed by:** Terry Barton, Urban Planning Manager

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

#### Attachments:

Schedule 'A': Development Engineering Memo

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

<sup>2</sup> City of Kelowna Council Policy 282 Strategy for Elimination of Remaining Land Use Contracts.

Schedule 'B': Plans

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

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**Date:** June 12, 2018  
**File No.:** LUC18-0003

**To:** Land Use Management Department (TH)

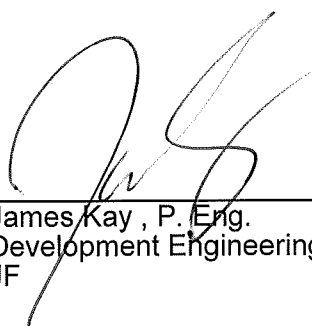
**From:** Development Engineering Manager

**Subject:** 649 Drummond Court Lot 26 Plan 31179 LUC to RU1 – Large Lot Housing

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Development Engineering Services have the following requirements associated with application to rezone the subject property to release Land Use Contract to RU1 – Large Lot Housing

The discharge of Land Use Contract 76-1041 from the subject property does not compromise the Development Services Branch.

  
\_\_\_\_\_  
James Kay, P. Eng.  
Development Engineering Manager  
JF

<b>SCHEDULE</b>		<b>A</b>
This forms part of application		
# LUC18-0003		
Z18-0051		
Planner Initials	TH	 City of <b>Kelowna</b> COMMUNITY PLANNING

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

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**Date:** June 12, 2018  
**File No.:** Z18-0051

**To:** Land Use Management Department (TH)

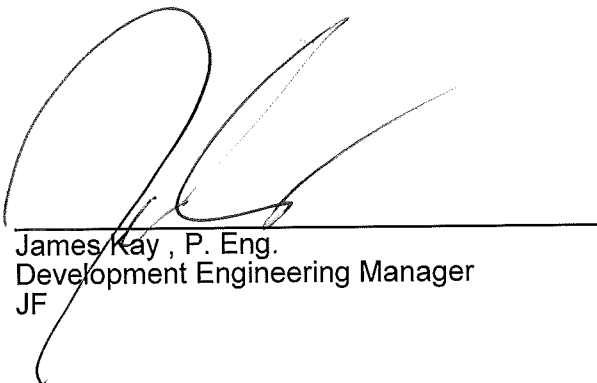
**From:** Development Engineering Manager

**Subject:** 649 Drummond Court Lot 26 Plan 31179 LUC to RU1 – Large Lot Housing

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Development Engineering Services have the following requirements associated with application to rezone the subject property to RU1 – Large Lot Housing

The discharge of Land Use Contract and to rezone the subject property to RU1 does not compromise Municipal Servicing requirements.

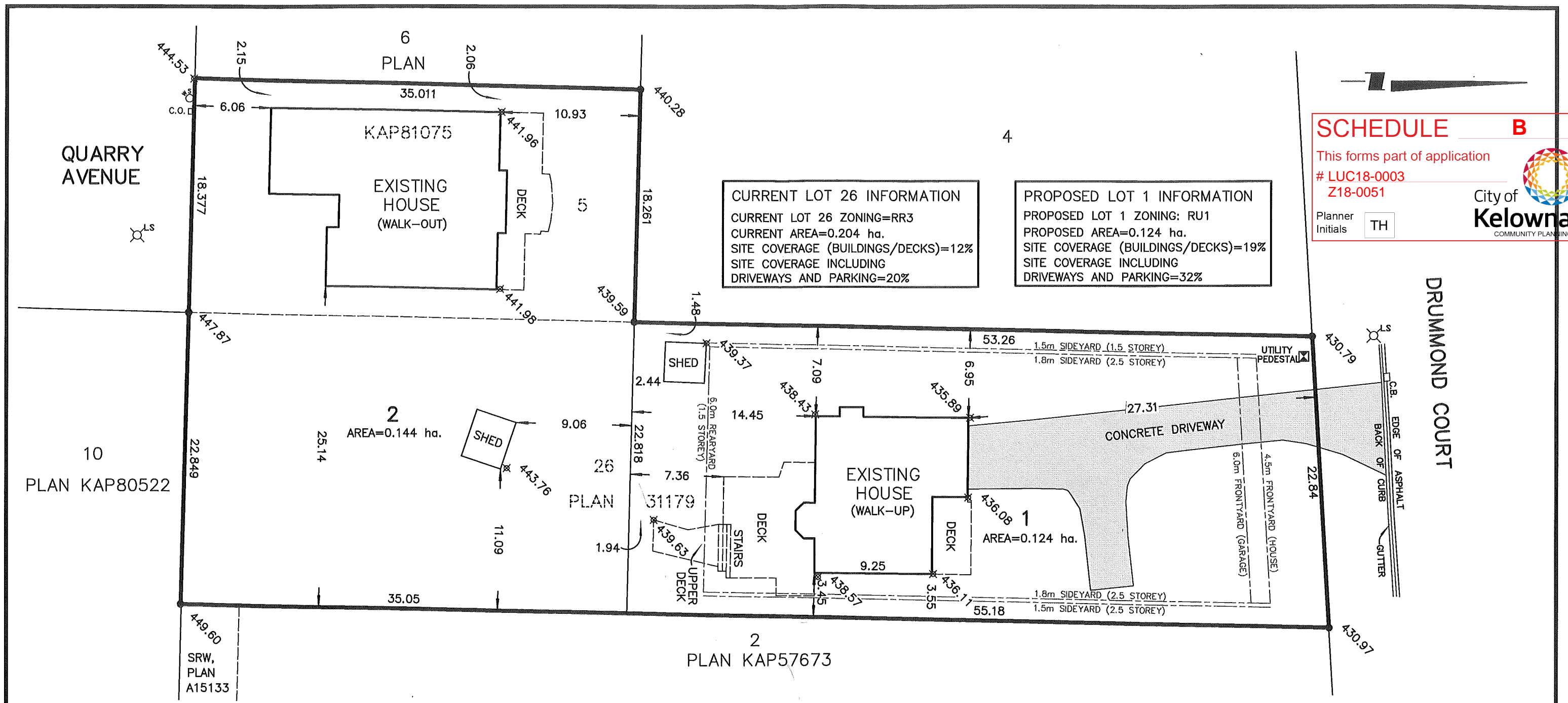
  
James Kay, P. Eng.  
Development Engineering Manager  
JF

**SCHEDULE A**

This forms part of application

# LUC18-0003  
Z18-0051

Planner  
Initials TH



**SCHEDULE B**

This forms part of application

# LUC18-0003

Z18-0051

Planner Initials TH



LEGAL DESCRIPTION: LOT 26 DL's 357 AND 358  
ODYD PLAN 31179 & LOT 5 DL 357 SDYD  
PLAN KAP81075

DRAWING TYPE: PROPOSED RE-ZONING/SUBDIVISION PLAN  
CIVIC ADDRESS: 649 DRUMMOND CT & 678 QUARRY AVE

**FERGUSON**  
Land Surveying & Geomatics Ltd.

B.C. LAND SURVEYORS  
CANADA LANDS SURVEYORS  
Subdivision Design  
Legal, Topographic & GPS Surveys  
404-1630 Pandosy St., Kelowna, B.C. V1Y 1P7  
Telephone (250)763-3115 Fax (250)763-0321

**LEGEND**

- SPOT HEIGHT
- LAMP STANDARD
- C.B. STORM CATCH BASIN
- SETBACK LINE
- WATER SHUT OFF
- C.D. SANITARY SEWER CLEANOUT

THESE LOTS ARE SUBJECT TO THE FOLLOWING NON-FINANCIAL CHARGES WHICH MAY AFFECT THE POSITIONING OF STRUCTURES OR DEVELOPMENT ON THIS SITE:  
RESTRICTIVE COVENANT K40096, STATUTORY BUILDING SCHEMES R47545 & LA69437, COVENANT LA69436, COVENANT LB357065, AND LAND USE CONTRACT N73280

REVISION NO.	DESCRIPTION	BY	DATE REVISED
1	ADDED LOT 26 INFORMATION	CH	APRIL 16, 2018
—	—	—	—
—	—	—	—

JOB NO. 21439

DATE: APRIL 10, 2018

SCALE: 1:300 METRES

CLIENT: PAT KRYSKI

NOTES: ELEVATIONS ARE GEODETIC.

FIELD BOOK: PAGE NO:

FIELD CREW: RC/JH DRAWN BY: CH

S:\Shared (Aug 10, 2006)\Job\_Files\214XX\21439\21439-SITE PLAN.DWG

# REPORT TO COUNCIL



**Date:** October 1, 2018

**RIM No.** 1250-30

**To:** City Manager

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

**Application:** Z18-0067 **Owner:** David Jeremy Stevens and Rosemarie Jean Stewart

**Address:** 4465 Nottingham Road **Applicant:** Ted Bajer

**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. Z18-0067 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 358, Osoyoos Division Yale District, Plan EPP25655, located at 4465 Nottingham Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone, be considered by Council;

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

## 2.0 Purpose

To rezone the subject property from RU1 - Large Lot Housing zone to RU1c - Large Lot Housing with Carriage House to allow an existing accessory structure to be used as a carriage house.

## 3.0 Community Planning

Community Planning recommends support for the proposed rezoning of the subject property from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House to allow the existing accessory building to be converted to a carriage house. Rezoning the subject property from RU1 to RU1c would permit the legal use of the accessory building as a carriage house, and a building permit would ensure that building code requirements are met.

The Official Community Plan (OCP) Future Land Use is designated as S2RES – Single/Two Unit Residential, supporting the modest increase in density. The concept of the carriage house is aligned with the OCP urban infill policy of Compact Urban Form – increasing density where infrastructure already exists. The property is

located within the Permanent Growth Boundary with urban services. The carriage house conversion also meets the OCP Policy of Sensitive Infill, which involves designing so that height and massing is sensitive to the existing context of the neighbourhood.

Parking requirements have been met, and there are no variances being tracked at this time. Should Council approve the rezoning, the applicant would proceed to building permit.

To fulfill Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form to staff on August 29, 2018, outlining that the neighbours within 50 m of the subject property were notified.

#### **4.0 Proposal**

##### **4.1 Background**

The 0.4 acre property currently has a single family dwelling, a swimming pool, and an accessory building. The accessory building under consideration was constructed as a pool-house with a permit in June 2015. The pool-house was utilized for overnight guests, and as a result City Bylaw enforcement notified the owner that the pool-house could not be used for overnight stays by guests. It is Staff's understanding that the property owner would like to bring the accessory building in compliance, to be utilized as a carriage house.

##### **4.2 Project Description**

The applicant is proposing to rezone the property to RU1c - Large Lot Housing with Carriage House to allow the existing accessory structure to be used as a carriage house, and allowing the property owner to use the building for guests.

A building permit would be required for the existing accessory building to bring it up to current BC Building Code. The form and character of the accessory building would not need to be modified. Parking and private open space for both the dwelling and the accessory building is accommodated on the subject property. Additionally, the applicant had agreed to improve neighbourhood street-scape by adding landscaping along the eastern property boundary.

##### **4.3 Site Context**

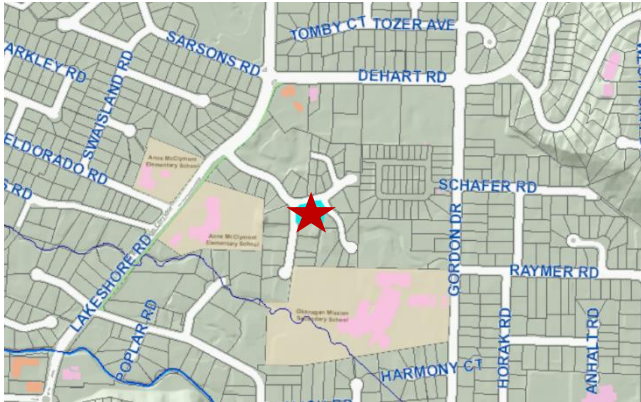
The subject property is located at the corner of Nottingham Road (front yard), Sherwood Road (flanking street) and Rattenbury Court (rear yard). Access to the property is from Sherwood Road. The subject property is near public transportation, located between Lakeshore Road to the west and Gordon Road to the east. It is within the North Mission - Crawford City Sector, and is located within the Permanent Growth Boundary. The area is characterized primarily by single family dwellings, with Anne McClymont Elementary and Okanagan Mission Secondary School located immediately to the west and south, respectively.

Adjacent land uses are as follows:

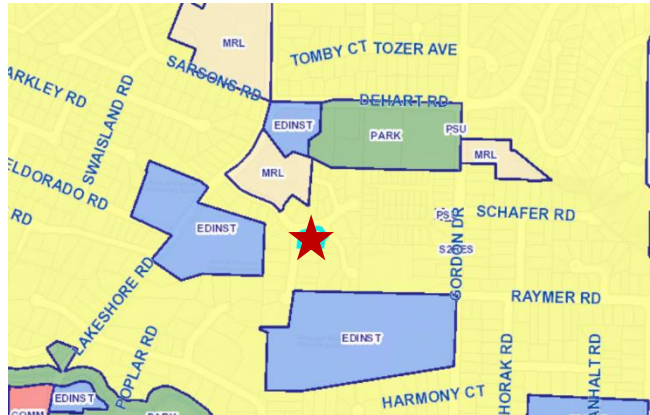
Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing RM3 - Low Density Multiple Housing P2 - Educational and Minor Institutional P4 - Utilities	Residential Firehall Park
East	RU1 - Large Lot Housing RU5 - Bareland Strata Housing RU1c - Large Lot Housing with Carriage House RU6 - Two Dwelling Housing P4 - Utilities	Residential

South	RU1 - Large Lot Housing RU2 - Medium Lot Housing P2 - Educational and Minor Institutional	Residential School and Park
West	RU1 - Large Lot Housing P2 - Educational and Minor Institutional	Residential School and Park

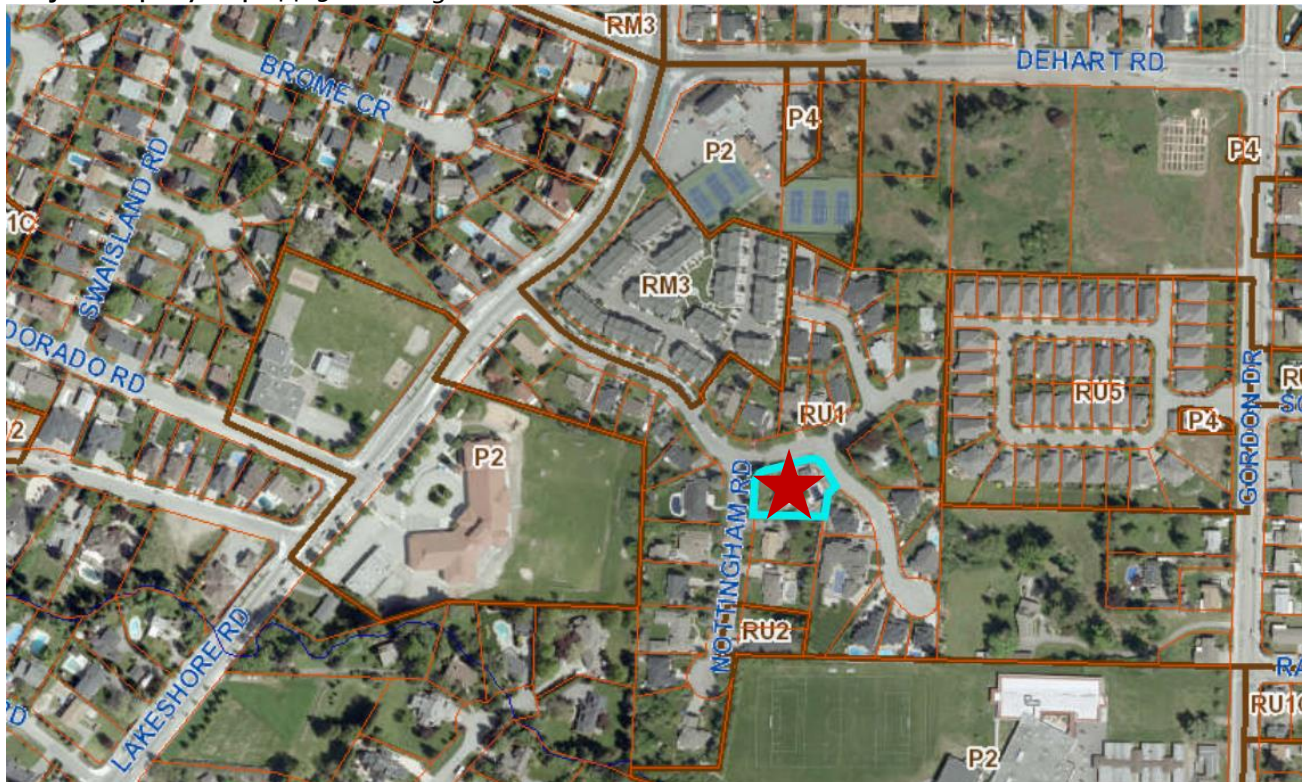
Site Context Map



Future Land Use Map



Subject Property Map: 4465 Nottingham Road



## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

**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.

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

**Carriage Houses & Accessory Apartments.**<sup>3</sup> Support carriage houses and accessory apartments through appropriate zoning regulations.

**Urban Uses.**<sup>4</sup> Direct urban uses to lands within the urban portion of the Permanent Growth Boundary, in the interest of reducing development and speculative pressure on agricultural lands.

## 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.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications for this change of use. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this structure at time of permit application.

### 6.2 Development Engineering Department

- Please see attached Development Engineering Memorandum (Attachment A) dated June 12, 2018.

### 6.3 Fire Department

- Access to all homes shall remain as is.
- Please ensure both are addressed off of Sherwood Road.

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

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

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

<sup>4</sup> City of Kelowna Official Community Plan, Policy 5.33.3 (Development Process Chapter).

## **7.0 Application Chronology**

Date of Application Received: February 26, 2018  
Supplemental Drawings Received: June 6, 2018  
Date Public Consultation Completed: August 29, 2018

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

### **Attachments:**

Attachment A – Development Engineering Memorandum  
Schedule A – Rational Letter, Site and Floor Plans

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

**Date:** June 12, 2018  
**File No.:** Z18-0067  
**To:** Community Planning (BC)  
**From:** Development Engineering Manager (JK)  
**Subject:** 4465 Nottingham Road RU1 to RU1c Carriage House

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

1. Domestic Water and Fire Protection

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

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. The service will be adequate for this application. One metered water service will supply both the main residence and the carriage house.

3. Development Permit and Site Related Issues

Direct the roof drains onto splash pads.

Proposed driveway shown on Plan will not be permitted  
Driveway access permissible is one (1) 6m wide per lot as per bylaw.

4. Electric Power and Telecommunication Services

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

  
James Kay, P.Eng.  
Development Engineering Manager  
JA

## Development Proposal- Carriage House Application for 4465 Nottingham Road

### Addendum to Application

The applicants, Dave Stevens and his wife Roses Stewart are medical professionals who live and work in Prince Albert Saskatchewan. They purchased the home at 4465 Nottingham Road several years ago with the intention of retiring in Kelowna when their careers have concluded. In the meantime, they use the home as a vacation home, and occupy the home on some weekends throughout the year and during the summer. Over the years they have remodelled the home and made many improvements to the property. About two years ago they decided to install a swimming pool including an adjacent pool house and patio to provide a separate change room and also to provide a private area separate from the main residence for relatives or visiting friends to use on occasion. The design was approved by the City of Kelowna Inspection Services Plan review and Building Permit # 50240 was issued. Construction was completed by professional contractors and every stage of the construction was duly inspected and approved. Final inspection and an "all deficiencies corrected notice" (inspection #418074) was issued by on December 13, 2016.

However much to the owner's chagrin, they were notified by the City of Kelowna By-Law enforcement that the pool house could not be used for overnight stays by guests. They were instructed to remove the bed and cooking facilities, and they complied.

In discussion with the writer who is acting on behalf of the owners regarding the current development application, I advised them to apply for a Carriage House designation, which would allow the owners to use the building for occasional guests as was initially intended.

Hence the Carriage House Development Application has been prepared, and this letter will accompany the formal application documents.

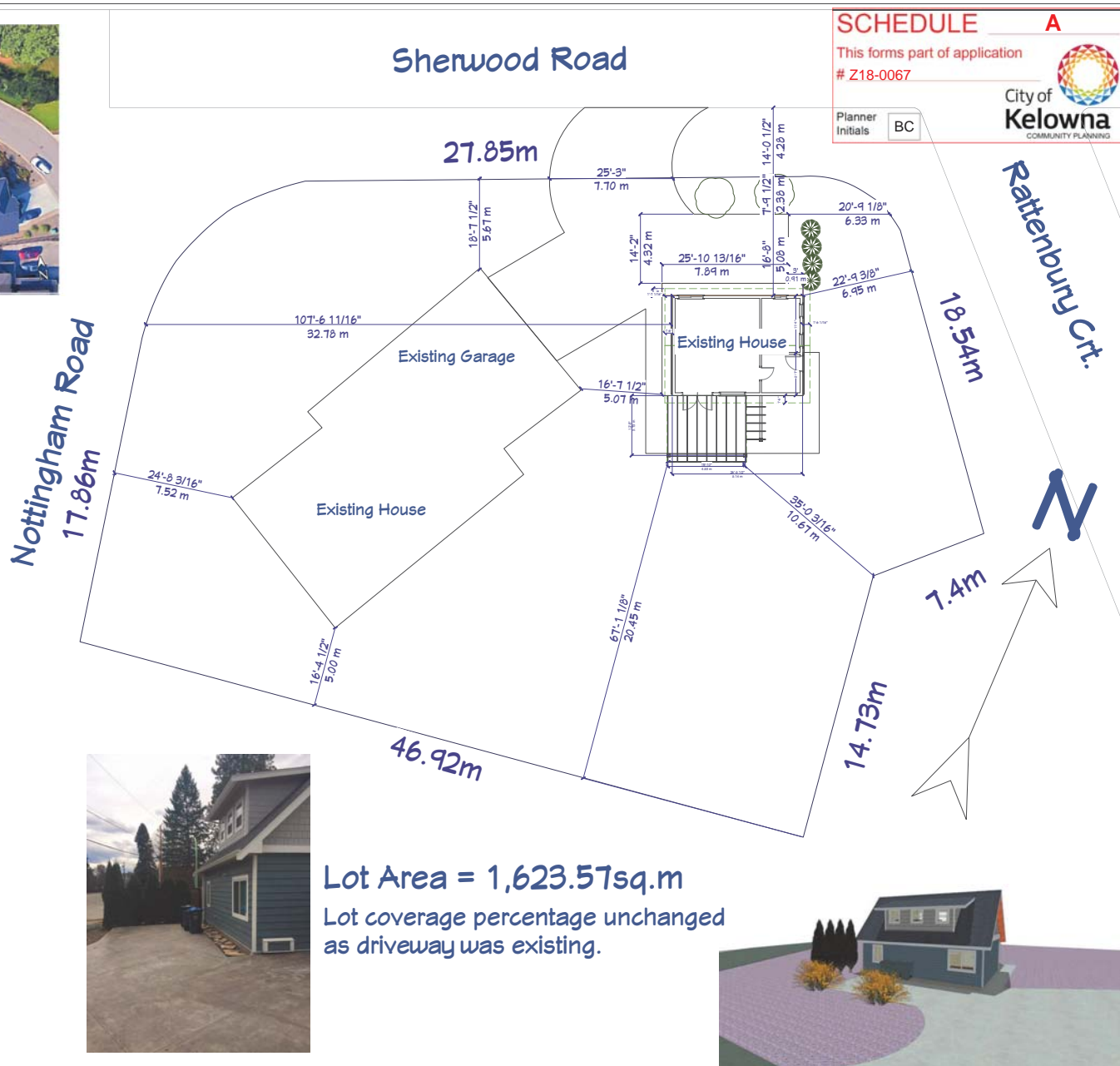
The pool house was designed and constructed to meet all the same specifications that would have been required for a carriage house, so there will be no structural changes required, but since this carriage house is classified as a two-story building, the RU1c zone requirements calls for a carport to be added and that requirement is shown on the attached design plans. Any other modifications that may be required by the City Planning Department during the development application process will be completed in due course along with the carport construction.

Yours Sincerely,

Ted Bajer, Authorized Representative of Dave Stevens and Roses Stewart



**Disclaimer:** Square footages and minor modifications to plans may be required due to site conditions, local building codes, neighborhood building schemes, strata bylaws, supply of materials, etc. The Owners will be advised of modifications if required. Some finishing and design details will be finalized during the building process and may vary from plans.



PRELIMINARY ISSUE ONLY - NOT FOR CONSTRUCTION

[illegible]

## A

City of Kelowna  
COMMUNITY PLANNING



PRELIMINARY ISSUE ONLY - NOT FOR CONSTRUCTION

REVISION TABLE		
NUMBER	DATE	REVISED BY DESCRIPTION
1	Oct. 25, 2017	MW, JF Preliminary

**Weninger Construction & Design Ltd.**  
10 - 220 Neave Road  
Kelowna, BC V1V 2L4  
Tel: (250) 765-6019 Fax: (250) 765-6019

PROJECT NAME	FLOOR PLAN
Carriage House Carport	3D & Image



SHEET:

2



**E14**  
**3**

**Cross Elevation 14**  
Scale 1/4" = 1'



**SCHEDULE A**

This forms part of application  
# Z18-0067

Planner Initials: **BC**

**City of Kelowna**  
COMMUNITY PLANNING

REVISION TABLE	REVISION DESCRIPTION	DATE	BY
1	PRELIMINARY	02.25.2018	BC

**PROJECT**  
4466 Nottingham Road  
Kelowna, BC V1Y 2A4

**DESIGNER**  
Mentinger Construction & Design Ltd.  
4466 Nottingham Road  
Kelowna, BC V1Y 2A4  
Tel: (250) 765-6416 Fax: (250) 765-6079

**PROJECT NAME**  
Carrage House Carport

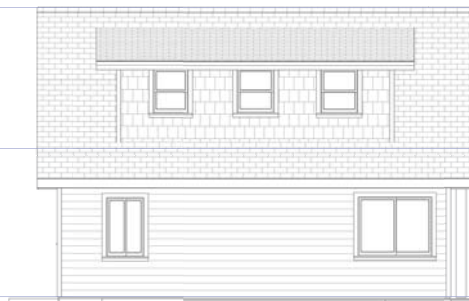
**Elevations**  
Cross Section



**DATE:**  
2018-05-31

**SCALE:**  
1/4" = 1' 0"

**SHEET:**  
**3**



Ridge Elevation:  
14' 8 5/8" 6.01m

Upper Floor Elevation:  
10' 1 5/8" 3.04m

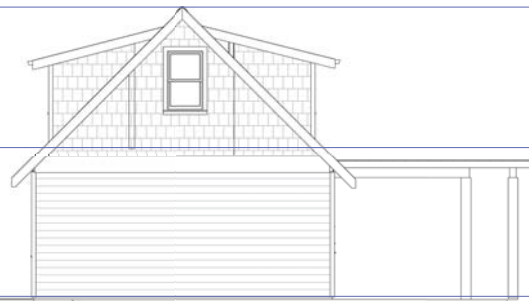
Main Elevation:  
0.00



9'-7" 2.92m

10'-1 5/8" 3.04m

Approx Finished Grade

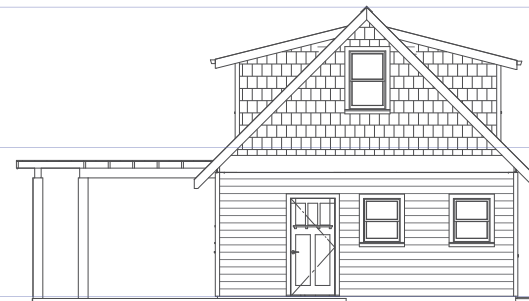


3/4" Plywood Sheeting  
Low slope roofing/ Torch on  
0.25:12 PITCH

Ridge Elevation:  
14' 8 5/8" 6.01m

Upper Floor Elevation:  
10' 1 5/8" 3.04m

Main Elevation:  
0.00



9'-7" 2.92m

10'-1 5/8" 3.04m

**Disclaimer:** Square footages and minor modifications to plans may be required due to site conditions, local building codes, neighborhood building schemes, strata bylaws, supply of materials, etc. The Owners will be advised of modifications if required. Some finishing and design details will be finalized during the building process and may vary from plans.

**PRELIMINARY ISSUE ONLY - NOT FOR CONSTRUCTION**