

# City of Kelowna

## Public Hearing

### AGENDA



Tuesday, December 4, 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 21, 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>Radant Rd 575, Z18-0063 (BL11698) - Lihua Feng</b>  | 4 - 10  |
|            | To rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to accommodate two dwelling housing.                             |         |
| <b>3.2</b> | <b>Highland Dr. N. 1720, Z18-0065 (BL11699) - Lidia B. Baumgart</b>  | 11 - 18 |
|            | To rezone the subject property from RU1 - Large Lot Housing zone to RU6 – Two Dwelling Housing zone to facilitate the development of one additional single family dwelling.  |         |
| <b>3.3</b> | <b>Riverside Ave 1848-1854, Z18-0045 (BL11700) - Lisa Carol White</b>  | 19 - 24 |
|            | To rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to facilitate the legalization of existing two dwelling housing. |         |

### 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:** November 19, 2018

**RIM No.** 1250-30

**To:** City Manager

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

**Application:** Z18-0063

**Owner:** Lihua Feng

**Address:** 575 Radant Road

**Applicant:** Urban Options Planning and Permits

**Subject:** Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU6 – Two Dwelling Housing

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## 1.0 Recommendation

THAT Rezoning Application No. Z18-0063 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 1 Township 25 ODYD Plan 11054, located at 575 Radant 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 November 19, 2018;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the registration of a No-Build, No-Disturb Section 219 Restrictive Covenant within the 15.0 m Riparian Management Area of the subject property.

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the registration of a Section 219 Restrictive Covenant requiring demolition of all existing structures and dwellings, and completion of an Environmental Development Permit prior to any new construction.

## 2.0 Purpose

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to accommodate two dwelling housing.

### 3.0 Community Planning

Community Planning supports the proposed rezoning as the RU6 – Two Dwelling Housing zone is the highest density directed by the S2RES - Single Two Unit designation.

The RU6 zone amendment will see the removal of the existing dwelling that is currently located within the 15.0 m riparian setback (currently 7.1 m from Mission Creek natural boundary). Redeveloped lands along Mission Creek will see important environmental restoration works within the Riparian Management Area, these riparian works are a condition of this rezoning application.

### 4.0 Proposal

#### 4.1 Background

1930 dwelling on a 1,983 sq.m. parcel.

**Subject Property Map:** 575 Radant Road

Riparian Management Area setback shown with yellow dashed line.



#### 4.2 Project Description

As the parcel is adjacent to Mission Creek, the 15.0 m Riparian Management Area setback is required to be adhered to. Staff are in support of redevelopment on the subject parcel subject to the removal of the existing dwelling on the parcel prior to new construction on the parcel. This means that the existing dwelling may remain on the land until the owner is ready to redevelop the site. This also means that a new single family dwelling may not be constructed on the land if the existing dwelling remains on the land.

An Environmental development permit is required prior to any new construction. This permit will ensure riparian planting, fencing and erosion control are designed and monitored by a Qualified Professional. A restrictive covenant is also registered on the land to ensure disturbance does not occur within the Riparian Management Area.

Once the existing dwelling is removed and the Environmental Development Permit is fulfilled, the Riparian Management Area will be reclaimed to City standards and construction of any form of two dwelling housing will be permitted on the remainder of the parcel.

Kelowna's *Official Community Plan* seeks to ensure development on lands within sensitive ecosystems maintain or enhance contiguous habitat areas. Environmentally Sensitive Area Linkages policy speaks to the importance of the RMAs "Ensure that development activity does not compromise the ecological function of environmentally sensitive areas and maintains the integrity of plant and wildlife corridors." A number of other OCP policies exist with regards to these environmentally sensitive areas and are noted in section 5.0 of this report.

#### 4.3 Site Context

The subject parcel is located within the North Mission-Crawford sector of Kelowna, on the north side of Radant Road. Mission Creek runs along the north property line. The parcel is also located within 150 m of neighbourhood commercial area along Lakeshore Road, and is within 250 m of BC Transit rapid bus route.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	Mission Creek C9	Mission Creek Multiple Family Dwellings
East	RU1	Single Family Dwelling
South	RU1	Single Family Dwelling
West	RU1	Single Family Dwelling

#### 4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	700 m <sup>2</sup>	1,983 m <sup>2</sup>
Lot Width	18.0 m	21.6 m
Lot Depth	30.0 m	51.0 m
Development Regulations		
Site Coverage	40 % 50% with driveways & parking	t.b.d.
Height	9.5 m or 2.5 storeys	
Front Yard	4.5 m	
Side Yard (south)	2.3 m	
Side Yard (north)	2.3 m	
Rear Yard – <b>Mission Creek setback</b>	15.0 m	
Other Regulations		
Minimum Parking Requirements	2 stalls per dwelling	

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Biodiversity.**<sup>1</sup> 1.4 Undertake recovery efforts to enhance or re-introduce species, sub-species and populations where species are threatened, endangered or extirpated.

**Buffers**<sup>2</sup> Buffers on private land should be protected by covenant.

**Vegetation**<sup>3</sup> Plant native species of trees, shrubs and ground cover and discourage the use of vegetation that is not indigenous to the Okanagan Valley.

**Urban Development**<sup>4</sup> Require that all development take place outside riparian management areas.

#### Minimum Riparian Management Areas (RMA)<sup>5</sup>

Mission Creek	Downstream of Gordon Drive	15.0 m
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**Compact Urban Form.**<sup>6</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.

Subject property is within 250 m of BC Transit rapid bus route. 150 m to neighbourhood commercial.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

Full plan check is required for any new construction. Demolition Permit required in order to remove existing dwelling.

### 6.2 Development Engineering Department

See attached Schedule "A" Development Engineering Memorandum.

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<sup>1</sup> City of Kelowna Official Community Plan, Objective 1.0 (Natural Environment DP Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Objective 3.3 (Natural Environment DP Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Objective 4.2 (Natural Environment DP Chapter).

<sup>4</sup> City of Kelowna Official Community Plan, Objective 5.1 (Natural Environment DP Chapter).

<sup>5</sup> City of Kelowna Official Community Plan, Table 12.1 (Natural Environment DP Chapter).

<sup>6</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

## **7.0 Application Chronology**

Date of Application Received: May 30, 2018

Date Public Consultation Completed: June 21, 2018

**Report prepared by:** Tracey Hillis, Planner

**Reviewed by:** Dean Strachan, Suburban and Rural Planning Manager

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

### **Attachments:**

Schedule A Development Engineering Memorandum



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## CITY OF KELOWNA

# MEMORANDUM

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**Date:** June 07, 2018  
**File No.:** Z18-0063  
**To:** Community Planning (TH)  
**From:** Development Engineering Manager (JK)  
**Subject:** 575 Radant Road RU1 to RU6

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

### 1) **General**

- a) Where there is a possibility of a high water table or surcharging of storm drains during major storm events, non-basement buildings may be required. This must be determined by the engineer and detailed on the Lot Grading Plan required in the drainage section.
- b) This proposed subdivision may require the installation of centralized mail delivery equipment. Please contact Rick Ould, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC V1Y 2K0 to obtain further information and to determine suitable location(s) within the development

### 2) **Road Dedication and Subdivision Requirements**

- a) Dedicate 2.25m to 5.20m width along the full frontage of Radant Road to achieve a standard cross section SS-R3

### 3) **Domestic Water and Fire Protection**

- a) This property is currently serviced with a 19mm-diameter copper water service. One 50mm water services is required to meet current by-law requirements. One new 50mm 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 Jason Angus, by email [jangus@kelowna.ca](mailto:jangus@kelowna.ca) or phone, 250-469-8783.

### 4) **Sanitary Sewer**

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

**5) Road Improvements**

- a) Radant 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 **\$29,468.88** not including utility service cost
- b) Only the service upgrades must be completed at this time. The City wishes to defer the upgrades to Radant Road 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.

**6) Development Permit and Site Related Issues**

- a) Direct the roof drains into on-site rock pits.
- b) A maximum driveway width of 6m is to be designed to.

**7) Electric Power and Telecommunication Services**

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

**8) Bonding and Levy Summary**Levies

Radant Road. frontage improvements	<b>\$29,468.88</b>
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Bonding

Service upgrades	<b>To be determined</b>
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James Kay, P. Eng.  
Development Engineering Manager

JA

# REPORT TO COUNCIL



**Date:** November 19, 2018

**RIM No.** 1250-30

**To:** City Manager

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

**Application:** Z18-0065 **Owner:** Lidia Bozena Baumgart

**Address:** 1720 Highland Dr. North. **Applicant:** Lidia Baumgart

**Subject:** Rezoning Application

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU6 – Two Dwelling Housing

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## 1.0 Recommendation

THAT Rezoning Application No. Z18-0065 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Section 29, Township 26, Osoyoos Division Yale District, Plan 28059, located at 1720 Highland Dr. North, 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 Attachment "A" from the Development Engineering Department dated June 7, 2018;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the registration on the subject property of a Section 219 Tree Protection Covenant to ensure the ongoing preservation of mature trees located on subject property.

## 2.0 Purpose

To rezone the subject property from RU1 - Large Lot Housing zone to RU6 – Two Dwelling Housing zone to facilitate the development of one additional single family dwelling.

## 3.0 Community Planning

Community Planning supports the proposed rezoning of the subject property from RU1 - Large Lot Housing to RU6 – Two Dwelling Housing to facilitate the development of one additional single family dwelling.

The property is designated as S2RES – Single/Two Unit Residential in the Official Community Plan (OCP) and as such the application to rezone to RU6 to construct an additional single family dwelling is consistent with the designated future land use. The proposed use is consistent with the OCP urban infill policies for Compact Urban Form and Sensitive Infill and the OCP generally supports the densification of neighbourhoods within the Growth Boundary through modest infill development.

There are a number of mature trees located throughout the subject property. The Applicant is dedicated to retain and protect the existing mature trees on the property during construction of the new dwelling. The proposed new dwelling has been designed to be located amongst the existing trees that are located along the front part of the property. Should Council support this application, the site development will require an Arborist to prepare tree protection plan for the mature trees, including temporary construction fencing during the construction phase. In addition, if supported, registration of a Tree Protection Covenant will be required prior to final adoption of Rezoning.

To fulfil Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form to staff on August 27, 2018, outlining that the neighbours within 50 m of the subject property were notified.

#### **4.0 Proposal**

##### **4.1 Background**

The proposal is to rezone the subject property from RU1 - Large Lot Housing to RU6 – Two Dwelling Housing to facilitate the development of one additional single family dwelling. The property currently has a single family dwelling, and is proposed to remain as part of this development. The proposed RU6 zoning will allow for the construction of one additional dwelling in the front of the property.

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

The proposed additional single family dwelling meets all of the zoning requirements for the RU6 – Two Dwelling Housing zone. Parking requirements for the new dwelling are met with an attached double car garage, and there is private open space to the north of the proposed new dwelling.

The close proximity to parks, schools, downtown, bicycle paths, and nearby transit on Clement Avenue, Clifton Road, and Glenmore Drive makes this an ideal location for increased density as per the OCP urban policies for Compact Urban Form and Sensitive Infill.

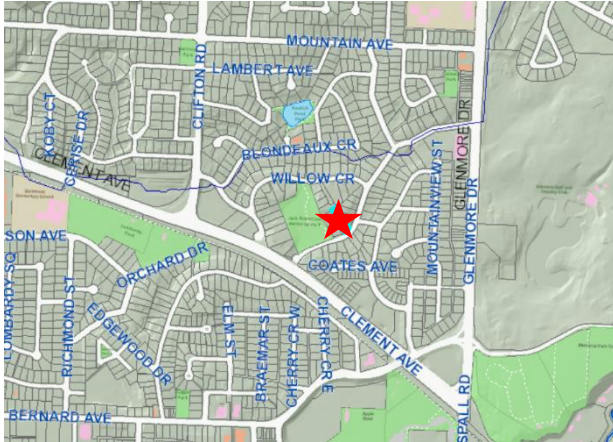
##### **4.3 Site Context**

The subject property is located in the Glenmore – Clifton – Dilworth Sector of Kelowna. Clement Avenue, Clifton Drive and Glenmore Drive are located to the south, west and east, respectively, of the property. It is accessed from Highland Dr. North, a cul-de-sac, and is approximately 200 meters north of the Trail To Rails recreational corridor. The area is characterized primarily by single family dwellings to the north, east and west, by medium density multiple housing to the south.

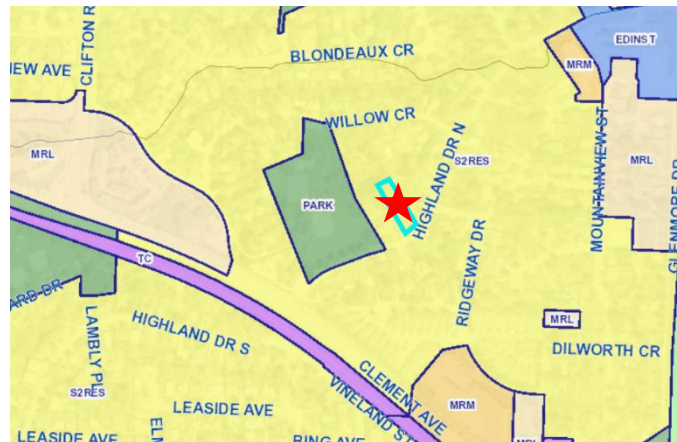
Adjacent land uses are as follows:

<b>Orientation</b>	<b>Zoning</b>	<b>Land Use</b>
North	RU1 – Large Lot Housing	Residential
East	RU1 – Large Lot Housing	Residential
South	RU1 – Large Lot Housing RU5 – Bareland Strata Housing RM5 – Medium Density Multiple Housing	Residential
West	RU1 – Large Lot Housing P3 – Park and Open Spaces	Residential Park

Context Map



Future Land Use



Subject Property Map: 1720 Highland Drive North



## 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

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

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.

**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.

**Sensitive Infill**.<sup>3</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

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

### 6.2 Development Engineering Department

- Please see attached Development Engineering Memorandum, dated June 7, 2018 (Attachment A).

### 6.3 Fire Department

- Access to both homes shall remain off of Highland Dr. N.
- Ensure both homes are addressed off of Highland Dr. N.

## 7.0 Application Chronology

Date of Application Received: May 1, 2018  
Date Public Consultation Completed: August 27, 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, dated June 7, 2018  
Schedule A – Applicant’s Rationale Letter, Site Plan, Conceptual Elevations, and Floor Plan.

<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 5.22.6 (Development Process Chapter)



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## CITY OF KELOWNA

# MEMORANDUM

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**Date:** June 07, 2018  
**File No.:** Z18-0065  
**To:** Community Planning (BC)  
**From:** Development Engineering Manager (JK)  
**Subject:** 1720 Highland Drive North RU1 to RU6

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

### 1) General

- a) This proposed subdivision may require the installation of centralized mail delivery equipment. Please contact Rick Ould, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC V1Y 2K0 to obtain further information and to determine suitable location(s) within the development

### 2) Domestic Water and Fire Protection

- a) This property is currently serviced with a 19mm-diameter copper water service. One 50mm water services is required to meet current by-law requirements. One new 50mm 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 Jason Angus, by email [jangus@kelowna.ca](mailto:jangus@kelowna.ca) or phone, 250-469-8783.

### 3) Sanitary Sewer

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

### 4) Road Improvements

- a) Highland Drive North must be upgraded to an urban standard along the full frontage of this proposed development, including sidewalk 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 **\$5,884.38** not including utility service cost

- b) Only the service upgrades must be completed at this time. The City wishes to defer the upgrades to Highland Drive North Road 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.

**5) Development Permit and Site Related Issues**

- a) Direct the roof drains into on-site rock pits.
- b) A maximum driveway width of 6m is to be designed to.

**6) Electric Power and Telecommunication Services**

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

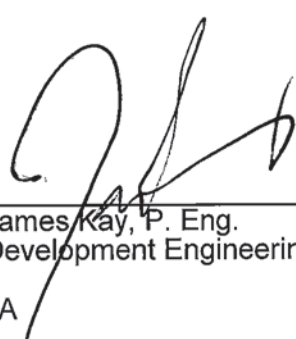
**7) Bonding and Levy Summary**

Levies

Highland Dr N. frontage improvements	<b>\$5,884.38</b>
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Bonding

Service upgrades	<b>To be determined</b>
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\_\_\_\_\_  
James Kay, P. Eng.  
Development Engineering Manager

JA



April 24, 2018

City of Kelowna Planning Department

1435 Water Street  
Kelowna, BC  
V1Y 1J4

Re: Rezoning and Development Application

Address: 1720 Highland Drive N. Kelowna, BC V1Y 4K8

Below, please find the Design Rationale to support the development proposal to rezone the property at 1720 Highland Drive N. From RU1 to RU6 and construct a secondary dwelling on the same property.

#### *Design Rationale*

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The property at 1720 Highland Drive N. is situated in old part of Glenmore, close to downtown Kelowna. The lot is 75 meters deep with the existing house in it's centre. The front part of the lot is currently covered with large pile of rocks, looking unattractive and empty.


Building additional dwelling in place of the rocks, would contribute to increased aesthetics of the neighbourhood. Neighbouring lots, on both sides of the property, have already been subdivided and built on.

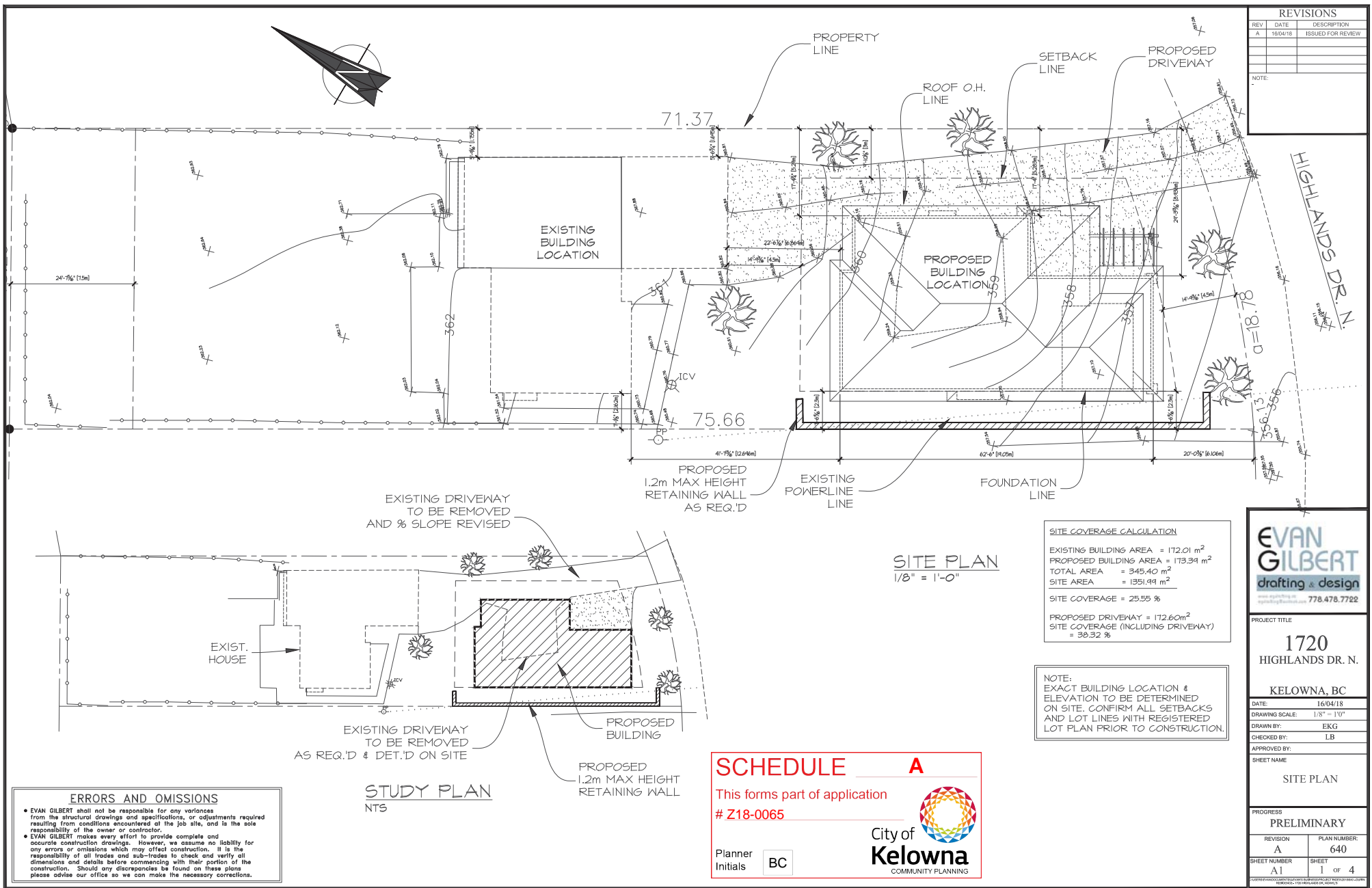
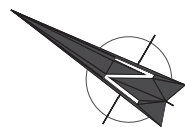
The proposed house has a modern, attractive and safe design. At the same time, the colours and materials are consistent with the neighbourhood character and style. Outdoor space, direct access to grade, covered parking and off street parking are included.

Considering the shortage of housing units in Kelowna, development of an empty piece of land, means addressing housing needs and is consistent with Kelowna Housing Strategy. It is also in agreement with the City of Kelowna future land use, which is for the said property : S2RES.

Thank you for accepting my application.

Sincerely,  
Lidia Baumgart

<b>SCHEDULE</b>		<b>A</b>
This forms part of application		
# Z18-0065		
Planner Initials	BC	 City of Kelowna COMMUNITY PLANNING



REVISIONS		
REV	DATE	DESCRIPTION
A	16/04/18	ISSUED FOR REVIEW
NOTE:		

SITE COVERAGE CALCULATION	
EXISTING BUILDING AREA	= 172.01 m <sup>2</sup>
PROPOSED BUILDING AREA	= 173.39 m <sup>2</sup>
TOTAL AREA	= 345.40 m <sup>2</sup>
SITE AREA	= 1351.99 m <sup>2</sup>
SITE COVERAGE	= 25.55 %
PROPOSED DRIVEWAY	= 172.60 m <sup>2</sup>
SITE COVERAGE (INCLUDING DRIVEWAY)	= 30.32 %

NOTE:  
EXACT BUILDING LOCATION & ELEVATION TO BE DETERMINED ON SITE. CONFIRM ALL SETBACKS AND LOT LINES WITH REGISTERED LOT PLAN PRIOR TO CONSTRUCTION.

778.478.7722

PROJECT TITLE

**1720**

HIGHLANDS DR. N.

KELOWNA, BC

DATE:	16/04/18
DRAWING SCALE:	1/8" = 1'-0"
DRAWN BY:	EKG
CHECKED BY:	LB
APPROVED BY:	
SHEET NAME	SITE PLAN

PROGRESS

PRELIMINARY

REVISION	PLAN NUMBER:
A	640
SHEET NUMBER	SHEET
A1	1 OF 4

PROFESSIONAL DESIGNER'S SEAL AND SIGNATURE REQUIRED FOR FINAL APPROVAL AND RECORD DRAWING. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION.

**ERRORS AND OMISSIONS**

- EVAN GILBERT shall not be responsible for any variances from the structural drawings and specifications, or adjustments required resulting from conditions encountered at the job site, and is the sole responsibility of the owner or contractor.
- EVAN GILBERT makes every effort to provide complete and accurate construction drawings. However, we assume no liability for any errors or omissions which may affect construction. It is the responsibility of all trades and sub-trades to check and verify all dimensions and details before commencing with their portion of the construction. Should any discrepancies be found on these plans please advise our office so we can make the necessary corrections.

**STUDY PLAN**  
NTS

**SCHEDULE A**

This forms part of application

# Z18-0065

Planner Initials **BC**

City of Kelowna  
COMMUNITY PLANNING

# REPORT TO COUNCIL



**Date:** November 19, 2018

**RIM No.** 1250-30

**To:** City Manager

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

**Application:** Z18-0045 **Owner:** Lisa Carol White

**Address:** 1848-1854 Riverside Avenue **Applicant:** Urban Options Planning & Permits

**Subject:** Rezoning Application

Existing OCP Designation: S2RES- Single / Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU6 – Two Dwelling Housing

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## 1.0 Recommendation

THAT Rezoning Application No. Z18-0045 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 14 Osoyoos Division Yale District Plan EPP81940, located at 1848-1854 Riverside Avenue, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone, be considered by Council;

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

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

## 2.0 Purpose

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to facilitate the legalization of existing two dwelling housing.

## 3.0 Community Planning

Community Planning Staff support the application to rezone from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to facilitate the legalization of an existing duplex. The RU6 – Two Dwelling Housing zone is consistent with the existing Future Land Use designation of S2RES – Single / Two Unit Residential. The property is within the Permanent Growth Boundary and is in excess of the minimum lot dimensions for two dwelling housing under the proposed RU6 – Two Dwelling Housing zone. The

application meets the intent of several Official Community Plan (OCP) goals and policies related to containing growth within developed areas and providing for a variety of housing options.

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

#### **4.0 Proposal**

##### **4.1 Background**

Council previously considered a rezoning application from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing for this property, however the bylaws were rescinded in 2011, prior to receiving 4<sup>th</sup> reading. A Heritage Alteration Permit, and building permits for the exterior changes were issued in the fall of 2008, but they were cancelled in September 2011, after no work had been completed within that time. At some point after this, the work was completed by a previous owner without permits. A new owner is wanting to bring the property in to compliance.

As the existing dwelling was previously non-conforming and straddled two separate properties, the applicant recently completed a Technical Subdivision which saw the two properties consolidated and lot lines cleaned up.

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

The proposal is to rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to legalize an existing duplex. If the rezoning application is supported by Council, because the property is located within the Abbott Marshall Heritage Conservation Area, a Staff-issued Heritage Alteration Permit, would also be required prior to any building permits being issued.

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

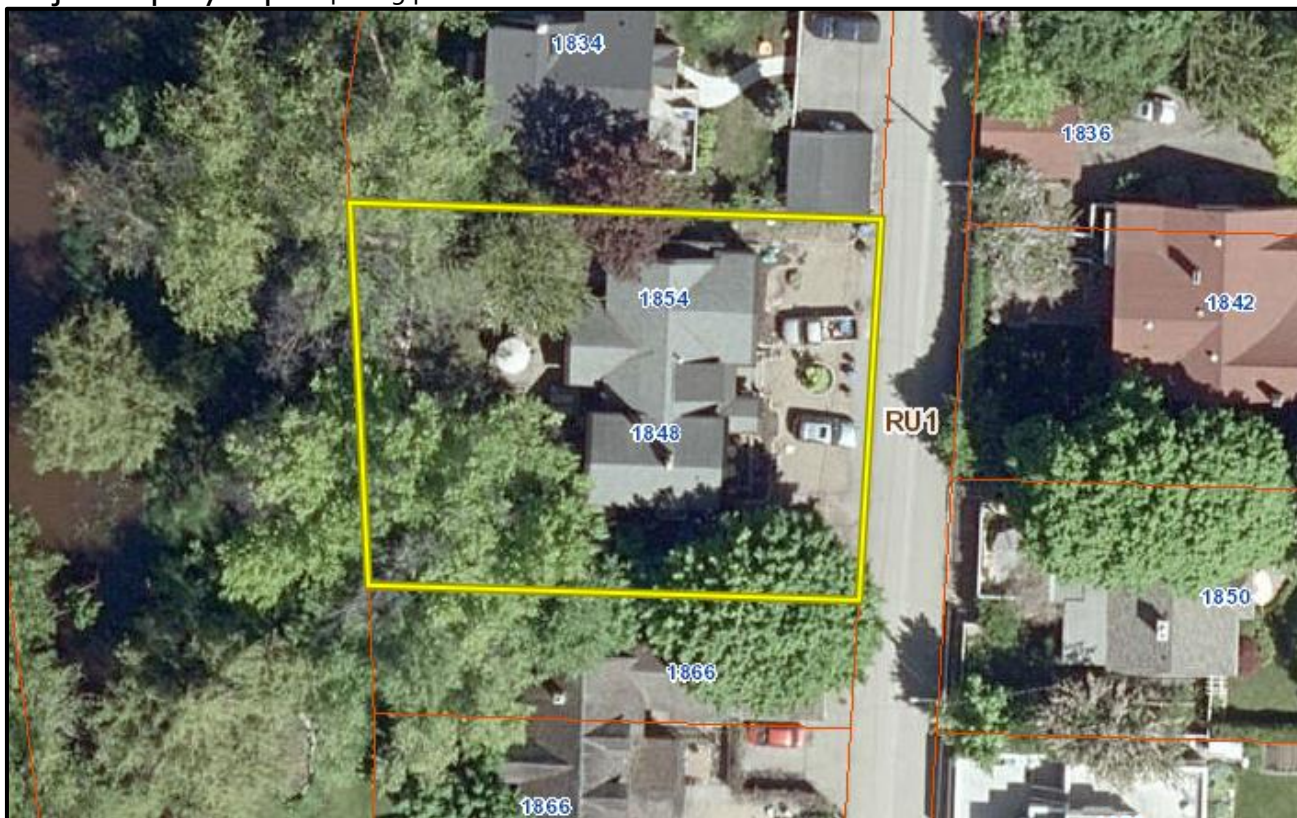
The subject property is on the west side of Riverside Avenue, in the City's Central City Sector. The surrounding area is characterized by single dwelling housing. It is in close proximity to the downtown core, including City Park, Mill Creek Linear Park and the Abbott Street Recreation Corridor. It is within the City's Permanent Growth Boundary.

Specifically, adjacent land uses are as follows:

<b>Orientation</b>	<b>Zoning</b>	<b>Land Use</b>
North	RU1 – Large Lot Residential	Residential
East	RU1 – Large Lot Residential	Residential
South	RU1 – Large Lot Residential	Residential
West	P3 - Parks and Open Space	Park



**Subject Property Map: 1848-1854 Riverside Avenue**



**5.0 Current Development Policies**

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

**Chapter 1: Introduction**

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

**Development Process**

- **Objective 5.3 Focus development to designated growth areas.**
- **Policy 5.3.2 Compact Urban Form.** Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.
- **Policy 5.22.6 Sensitive Infill.** Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

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

## **6.0 Technical Comments**

### **6.1 Building & Permitting Department**

- Work has been carried out without permits throughout the house that may require to be exposed and corrected under permit
- Fire separations are required between unit & installed under permit
- Correction of life safety and fire safety systems are required under permit

### **6.2 Development Engineering Department**

- See attached City of Kelowna memorandum

## **7.0 Application Chronology**

Date of Application Received: April 16, 2018  
Date Public Consultation Completed: June 4, 2018  
Date of Lot Consolidation Completed: September 25, 2018

**Report prepared by:** Kimberly Brunet, Planner  
**Reviewed by:** Terry Barton, Urban Planning Manager  
**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

### **Attachments:**

Attachment A – City of Kelowna Memorandum  
Attachment B – Site Plan

## CITY OF KELOWNA

# MEMORANDUM

**Date:** May 02, 2018  
**File No.:** Z18-0045  
**To:** Community Planning (KB)  
**From:** Development Engineering Manager(JK)  
**Subject:** 1848-1854 Riverside 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 Jason Angus.

1. **Domestic Water and Fire Protection**

This property is currently serviced by two 19mm Services. No further upgrades are needed at this time.

2. **Sanitary Sewer**

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

3. **Development Permit and Site Related Issues**

- Direct the roof drains into on-site rock pits or splash pads.
- Lot consolidation is required for this application

4. **Electric Power and Telecommunication Services**

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

5. **Parking**

Parking to be onsite as approved by Planning Officer.

  
James Kay, P.Eng.  
Development Engineering Manager

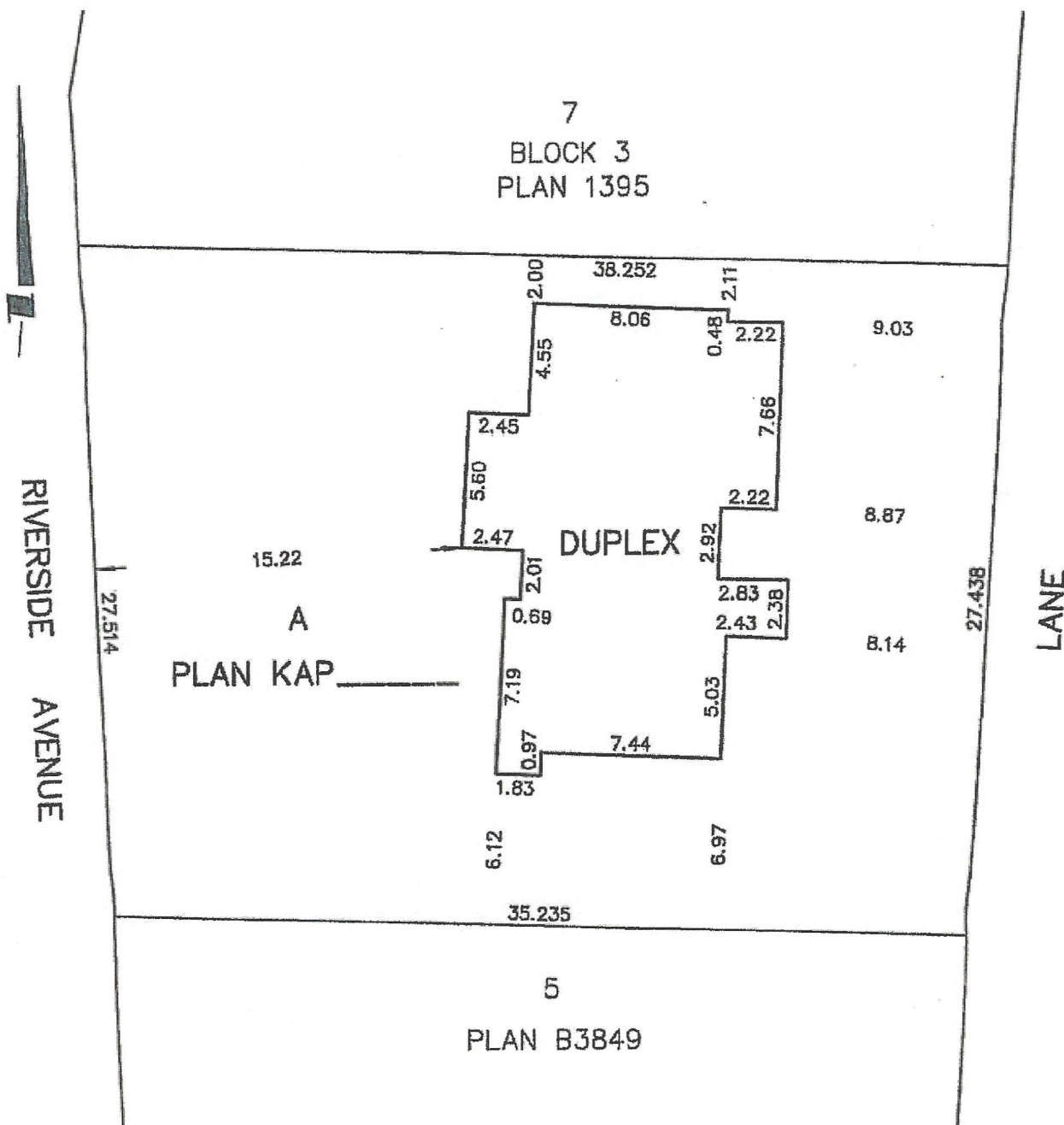
JA





# B.C. LAND SURVEYOR'S CERTIFICATE OF LOCATION ON LOT A, PLAN KAP\_\_\_\_\_, DL 14, ODYD.

1848 AND 1854 RIVERSIDE AVENUE



I HEREBY CERTIFY THAT THE ABOVE  
SKETCH SHOWS THE REGISTERED  
DIMENSIONS OF THE ABOVE DESCRIBED  
PROPERTY AND RELATIVE LOCATION OF  
THE BUILDINGS THEREON.

*T.E. Ferguson*

B.C.L.S., L.S.

THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY  
SIGNED AND SEALED

THIS PLAN IS FOR THE USE OF THE BUILDING INSPECTOR AND/OR MORTGAGEE ONLY  
AND IS NOT TO BE USED FOR THE RE-ESTABLISHMENT OF PROPERTY BOUNDARIES.

CLIENT: DOUG LANE

DATE: FEBRUARY 11, 2009

SCALE: 1:250 METRES

FILE: 18327

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T.E. Ferguson Land Surveying Ltd.

B.C. AND CANADA LAND SURVEYORS  
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TELEPHONE: (250) 763-3115  
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