City of Kelowna
Public Hearing
AGENDA

Tuesday, April 23, 2019
6:00 pm
Council Chamber
City Hall, 1435 Water Street

1. Call to Order

THE CHAIR WILL CALL THE HEARING TO ORDER:

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

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

(c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after April 10, 2019 (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 **Commercial Frontage Amendment, BL11796 (TA19-0005) - City of Kelowna**

   To amend the C4 – Urban Centre Commercial zone to require functional commercial space on appropriate streets.

3.2 **Kelly Rd 1050, BL11797 (Z18-0112) - Jonathan D.C. Tyre and Heather E. Tyre**

   To consider the rezoning of the subject property from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone to facilitate a two-lot subdivision, and development on the new lot.

3.3 **TO BE DEFERRED - Laurier Ave 913, BL11798 (Z18-0105) - 1128826 B.C. Ltd, Inc.No. BC1128826**

   To defer the rezoning application due to the development sign not being posted in time.

3.4 **TO BE DEFERRED - Laurier Ave 934, BL11799 (Z18-0103) - 1079687 B.C. Ltd, Inc.No. BC1079687**

   To defer the rezoning application due to the development sign not being posted in time.

3.5 **Groves Ave 448,458 and 460, BL11801 (OCP18-0019) & BL11802 (Z17-0032) - Abbott Park Holdings Inc., Inc No. BC1096096**

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

3.6 **Byrns Rd 2089, BL11810 (OCP18-0018) & BL11811 (Z18-0094) - Mohammed Maizal Munif**

   To amend the Official Community Plan designation from REP - Resource Protection Area to the S2RES - Single/Two Unit Residential designation, and to rezone the subject property from the A1 - Agriculture 1 zone to RU6 - Two Dwelling Housing zone.

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: April 8, 2019
RIM No. 1250-40
To: City Manager
From: Community Planning Department (LK)
Application: TA19-0005
Applicant: City of Kelowna

Subject: Text Amendment Application
Existing OCP Designation: MXR – Mixed Use (Residential/Commercial)
Existing Zone: C4 – Urban Centre Commercial

1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA19-0005 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule A, attached to the Report from the Community Planning Department dated April 8, 2019 be considered by Council;

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

AND THAT final adoption of the Zoning Bylaw Text Amendment Application No. TA19-0005 be considered subsequent to the approval of the Ministry of Transportation;

2.0 Purpose

To amend the C4 – Urban Centre Commercial zone to require functional commercial space on appropriate streets.

3.0 Community Planning

Currently, any parcel with the C4 – Urban Commercial zone requires the provision of commercial space on the main floor even when the street is considered not to be a retail corridor (i.e. primarily residential). The C4- Urban Centre Commercial zone requires a site to provide a functional commercial space on the first floor which must occupy 90% of the street frontage. The proposed amendment would focus the commercial development to the areas located on major streets as indicated by Map 7.3 – 20 Year Major Road Network and Road Classification Plan. This will ensure functional commercial space is provided appropriately on retail streets, and not required in the more residential areas of the Urban Centres. Staff have analyzed the proposed changes in the context of all 5 Urban Centres to ensure appropriateness.

4.0 Proposal
4.1 Project Description

An application for a multiple dwelling housing project at 2080 Benvoulin Court has triggered the proposed Text Amendment. The applicant is proposing a 64-unit multiple dwelling housing project on the site. The 5-storey building would include 18 micro-suite units on the main floor and 16 bachelor units per floor for the remain four floors. The project is aimed at providing housing for youth that are capable of living on their own with some minor levels of support provided. The main floor units would be rented to a youth service provider who would determine the candidates to live in the building and the other units would be regular market rental units.

The Zoning Bylaw currently requires the street facing frontage to be occupied by commercial units. When staff reviewed the project site in context with the neighbourhood, it was determined that Benvoulin Court is not an appropriate area for commercial development. Staff would prefer to see the commercial nodes focused on the appropriate roadways as indicated on the excerpt of the 20 Year Major Roads Map below.

Staff are supportive of the Text Amendment to the C4 – Urban Commercial zone to limit the location of required commercial development to collector and arterial roads as identified in the OCP Map 7.3 – 20 Year Major Roads.

4.2 Context

Example Subject Property Map: 2080 Benvoulin Court
Map 7.3 – 20 Year Major Roads:

Figure 1 – Green indicates a 2-lane arterial road and light blue indicates a 4-lane arterial road.

5.0 Application Chronology

Date of Application Received: Jan 9, 2019  
Date Public Consultation Completed: February 24, 2019

Report prepared by: Lydia Korolchuk, Planner  
Reviewed by: Terry Barton, Urban Planning Manager  
Approved for Inclusion by: Ryan Smith, Community Planning Department Manager

Attachments:  
Schedule A: Proposed Text Amendment  
Site Plan & Rendering
**Schedule A – C4 Zoning Bylaw No. 8000 Text Amendments**

**Part I – Text Amendment Table**

<table>
<thead>
<tr>
<th>No.</th>
<th>Section</th>
<th>Existing Text</th>
<th>Proposed Text</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Section 14.4.6 Other Regulations</td>
<td>Other Regulations (a) Apartment housing and <strong>major group homes</strong> require access to grade separate from the <strong>commercial uses</strong>. In the case of elevator equipped <strong>buildings</strong>, <strong>uses</strong> can share elevators provided security measures are in place to restrict access to residential areas. (b) A minimum area of 6.0 m² of <strong>private open space</strong> shall be provided per <strong>bachelor dwelling</strong>, <strong>congregate housing bedroom or group home bedroom</strong>, 10.0 m² of <strong>private open space</strong> shall be provided per <strong>1 bedroom dwelling</strong>, and 15.0 m² of <strong>private open space</strong> shall be provided per <strong>dwelling</strong> with more than <strong>1 bedroom</strong>. (c) <strong>Drive-in food services</strong> shall only be permitted on properties fronting a provincial highway. (d) <strong>Financial services</strong> shall have a maximum total <strong>gross floor area</strong> of 500 m² unless a larger branch of the <strong>Financial services</strong> establishment is located within the Downtown Urban Centre.</td>
<td>Other Regulations (a) Apartment housing and <strong>major group homes</strong> require access to grade separate from the <strong>commercial uses</strong>. In the case of elevator equipped <strong>buildings</strong>, <strong>uses</strong> can share elevators provided security measures are in place to restrict access to residential areas. (b) A minimum area of 6.0 m² of <strong>private open space</strong> shall be provided per <strong>bachelor dwelling</strong>, <strong>congregate housing bedroom or group home bedroom</strong>, 10.0 m² of <strong>private open space</strong> shall be provided per <strong>1 bedroom dwelling</strong>, and 15.0 m² of <strong>private open space</strong> shall be provided per <strong>dwelling</strong> with more than <strong>1 bedroom</strong>. (c) <strong>Drive-in food services</strong> shall only be permitted on properties fronting a provincial highway. (d) <strong>Financial services</strong> shall have a maximum total <strong>gross floor area</strong> of 500 m² unless a larger branch of the <strong>Financial services</strong> establishment is located within the Downtown Urban Centre.</td>
<td>The intent of the amendment is to focus commercial development to the major streets as identified in the OCP.</td>
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<td>No.</td>
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<td>(e) A building incorporating residential uses shall provide a functional commercial space on the first floor, which must occupy a minimum of 90% of all street frontages, OR a minimum of 75% on secondary street frontages provided 100% of the principal frontage has a functional commercial space. Access driveways or other portions of the street frontage not used as building will not be considered for the purpose of this calculation.</td>
<td>(e) Any building located on streets classified as a collector or arterial as identified in the OCP Map 7.3 - 20 Year Major Road Network and Road Classification Plan shall provide a functional commercial space on the first floor, which must occupy a minimum of 90% of all street frontages, OR a minimum of 75% on secondary street frontages provided 100% of the principal frontage has a functional commercial space. Access driveways or other portions of the street frontage not used as building will not be considered for the purpose of this calculation.</td>
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<td>(f) In addition to the regulations listed above, other regulations may apply. These include the general development regulations of Section 6 (accessory development, yards, projections into yards, accessory development, lighting, stream protection, etc.), the landscaping and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific use regulations of Section 9.</td>
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<td>regulations of Section 8, and the specific <strong>use</strong> regulations of Section 9.</td>
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2080 Benvoulin CT., Kelowna, BC

PROPERTY DESCRIPTION

2080 Benvoulin CT., Kelowna, BC

ZONING CALCULATIONS
City of Kelowna C4 Zoning

SITE INFORMATION:

Gross Site Area = 28,031 sf (2,604.2 m²)
Allowable Site Coverage = 75% (21,226sf) = 18,773sf

F.A.R. = 1.3 + .18 = 1.48 (41,486sf) = 1.22 (34,292sf)

Unit Area Calculations:

NET FLOOR AREA
PRIVATE OPEN SPACE
ENTRY LEVEL
ALL UNITS
5,660 SF (526 SM)
64.6sf/unit x 84 = 5,426.4sf total
5,790sf Community Spaces

SECOND LEVEL
ALL UNITS
7,182 SF (667 SM)
16 bachelor suites

THIRD LEVEL
ALL UNITS
7,350 SF (683 SM)
16 bachelor suites

FOURTH LEVEL
ALL UNITS
7,350 SF (683 SM)
16 bachelor suites

FIFTH LEVEL
ALL UNITS
6,750 SF (627 SM)
16 bachelor suites

TOTAL
34,292 SF (3,186 SM)

Building Height:

Allowed:
Proposed:
Max. Height = 37m (59.1 ft) or 12 storeys
17.8 m (58.5 ft) - 5 storeys

Yard setbacks:

Allowed:
Proposed:
Front yard - 0.0 m
3m Landscape Buffer
Side yard - 0.0 m/2.0 m abutting residential
2.0 m
Rear yard - 0.0 m/6.0 m abutting residential
2.0 m

Parking Calculations:

Required:
Proposed:
1 per / bachelor (floors 2 to 5) = 1 x 64 = 64
64
Supportive Housing (floor 1) = 1 per 3 beds (floor 1) = 6 (Required)
70
72

Bicycle Storage:

Required:
Proposed:
Class I, .5/unit = .5X82=41 (Required)
85 (dedicated storage lockers)
Class II, .1/unit = .1X82=9 (Required)
9 (per Landscape Plan)

DRAWINGS:

10.14.18 - FOR DISCUSSION
10.19.18 - FOR DISCUSSION
12.10.18 - FOR DISCUSSION
12.20.18 - FOR DP

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FOR DP
REPORT TO COUNCIL

Date: April 8, 2019
RIM No. 0920-20
To: City Manager
From: Community Planning Department (BBC)

Application: Z18-0112
Owner: Jonathan David Clark Tyre and Heather Elizabeth Tyre
Address: 1050 Kelly Road
Applicant: Jonathan D. Tyre

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single / Two Unit Residential
Existing Zone: RU1 - Large Lot Housing
Proposed Zone: RU2 – Medium Lot Housing

1.0 Recommendation
THAT Rezoning Application No. Z18-0112 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3, District Lot 135, Osoyoos Division, Yale District, Plan 18974, located at 1050 Kelly Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone, be considered by Council;

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

2.0 Purpose
To consider the rezoning of the subject property from RU1 – Large Lot Housing to RU2 – Medium Lot Housing to facilitate a two-lot subdivision, and development on the new lot.

3.0 Community Planning
Community Planning supports the proposed rezoning of the subject property from RU1 – Large Lot Housing to RU2 – Medium Lot Housing, to facilitate a two-lot subdivision, as illustrated in Schedule A.

The property is located within the Permanent Growth Boundary in the South Pandosy – KLO City Sector. The parcel is designated as S2RES – Single/Two Unit Residential in the Official Community Plan (OCP). The application to rezone the parcel meets the OCP urban infill policy of supporting the densification of neighbourhoods through appropriate infill development, including the use of smaller lots. The modest increase in density is supported by local amenities such as parks, schools, transit and recreational opportunities in the immediate area.
To fulfill Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form to Staff on March 14, 2019, outlining that the neighbours within 50 m of the subject property were notified.

4.0 Proposal

4.1 Project Description

The subject property currently has a single family dwelling and a detached accessory structure located adjacent to the principle dwelling. The principle dwelling will be retained and the existing secondary structure will be demolished.

The proposal is to rezone the subject property from the existing RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone, to facilitate a two-lot subdivision and the development of a single detached dwelling on the newly created lot.

Should the rezoning be supported by Council, the applicant would be able to proceed with the subdivision application followed by a building permit application to construct a single family dwelling on the new lot. The Zoning Bylaw Development Regulations and parking requirements would be reviewed at time of Building Permit application to ensure compliance.

4.2 Site Context

The subject property is accessed from the end of Kelly Road, a cul-de-sac, and is approximately 230 meters north of intersection of Raymer Avenue. The area is characterized primarily by single family dwellings, with parks, public schools and transit within walking distance, including the Okanagan College Campus located within 400 m to the south.

Adjacent land uses are as follows:

<table>
<thead>
<tr>
<th>Orientation</th>
<th>Zoning</th>
<th>Land Use</th>
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</thead>
<tbody>
<tr>
<td>North</td>
<td>RU1 – Large Lot Housing</td>
<td>Residential</td>
</tr>
<tr>
<td></td>
<td>RU5 – Bareland Strata Housing</td>
<td></td>
</tr>
<tr>
<td>East</td>
<td>RU1 – Large Lot Housing</td>
<td>Residential</td>
</tr>
<tr>
<td></td>
<td>RM7 – Mobile Home Park</td>
<td></td>
</tr>
<tr>
<td>South</td>
<td>RU1 – Large Lot Housing</td>
<td>Residential</td>
</tr>
<tr>
<td></td>
<td>RU2 – Medium Lot Housing</td>
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<td></td>
<td>RU6 – Two Dwelling Housing</td>
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<tr>
<td>West</td>
<td>RU1 – Large Lot Housing</td>
<td>Residential</td>
</tr>
<tr>
<td></td>
<td>RU1C – Large Lot Housing with Carriage House</td>
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<tr>
<td></td>
<td>RU2 - Medium Lot Housing</td>
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</tbody>
</table>
5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

**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.

**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.

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1 City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).
2 City of Kelowna Official Community Plan, Policy 5.27.6 (Development Process Chapter)
6.0 Technical Comments

6.1 Building & Permitting Department

- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

7.0 Application Chronology

Date of Application Received: November 19, 2018
Date of Additional Documents Received: January 14, 2019
Date Public Consultation Completed: March 14, 2019

Report prepared by: Barbara B. Crawford, Planner
Reviewed by: Dean Strachan, Suburban and Rural Planning Manager
Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:
Schedule A – Proposed Site Plan
REPORT TO COUNCIL

Date: April 8, 2019
RIM No. 0920-20
To: City Manager
From: Community Planning Department (JB)
Application: OCP18-0019 and Z17-0032
Owner: Abbott Park Holdings Inc., Inc. No. BC1096096
Address: 448, 458, & 460 Groves Ave
Applicant: Zeidler Architecture
Subject: OCP Amendment (minor) and Rezoning Applications

Existing OCP Designation: MRM- Multiple Unit Residential (Medium Density)
Proposed OCP Designation: MRH- Multiple Unit Residential (High Density)
Existing Zone: RU1- Large Lot Housing
Proposed Zone: RM6- High Rise Apartment Housing

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP18-0019 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of lots 6, 7, and 8, District Lot 14, ODYD, Plan 3856 located at 448, 458, & 460 Groves Ave Kelowna, BC from the MRM- Multiple Unit Residential (Medium Density) designation to the MRH- Multiple Unit Residential (High Density) designation, be considered by Council;

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

THAT Rezoning Application No. Z17-0032 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of lots 6, 7, and 8, District Lot 14, ODYD, Plan 3856, located at 448, 458, & 460 Groves Ave, Kelowna, BC from the RU1- Large Lot Housing zone to the RM6- High Rise Apartment Housing zone be considered by Council;

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

AND THAT final adoption of the Official Community Plan Map Amending Bylaw and the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment “A” attached to the Report from the Community Planning Department dated March 26, 2018;
AND THAT final adoption of the Official Community Plan Map Amending Bylaw and the Rezoning Bylaw be considered subsequent to the registration of a height restriction covenant to a maximum of six (6) storeys and a land use restriction covenant limiting the types of allowable commercial on the subject property;

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

2.0 Purpose
To amend the Official Community Plan to change the Future Land Use designation and to rezone the subject properties to allow for the future development of multiple dwelling housing.

3.0 Community Planning
Community Planning Staff are supportive of the proposed Official Community Plan (OCP) amendment and rezoning application to facilitate the development of a 6 storey, 22-unit apartment housing development with a proposed floor area ratio (FAR) of 1.8. The subject properties are in the heart of the South Pandosy Urban Centre and requires the consolidation of three lots located at 448, 458, & 460 Groves Ave. It is a highly walkable location with a walkscore of 81 (most errands can be accomplished on foot), and a transit score of 38. Bordering the site immediately to the north is an existing laneway and Abbott Park.

The maximum FAR achievable under the RM5- Medium Density Multiple Housing zone, consistent with the subject properties current MRM- Multiple Unit Residential (Medium Density) future land use designation, is 1.4. The project’s proposed floor area ratio of 1.8 exceeds the maximum permitted floor area ratio in the RM5 zone. In order to proceed with the proposed development an Official Community Plan Amendment and rezoning are required. In consideration of the subject properties urban context Community Planning Staff are supportive of the proposed Official Community Plan Amendment to MRH – Multiple Unit Residential (High Density) and rezoning to RM6 – High Rise Apartment Housing to facilitate the construction of a six-storey apartment building. Staff are supportive of achieving significant residential density within the Urban Centre, especially when the land assembly is significant and allows for comprehensive development.

At the request of Community Planning Staff, the applicant provided a shadow study to show potential impacts of future development on the existing mature trees of Abbott Park. The study did not show any significant impact on the existing trees or use and enjoyment of the park.

On March 14, 2019, Council gave 4th reading to the road closure of the laneway, which is to remain as a separately titled lot. The landowner and property owners to the west of the subject site will register an access easement over the laneway to allow for pedestrian access, including stairway access and landscape treatment. A height caveat which limits the future building height to 6 storeys will be implemented as a condition of rezoning. Additionally, a land use restriction covenant will restrict the following commercial uses currently permitted in the RM6 zone: hotel/motel accommodation within a multiple residential unit, household repair service, personal service establishments, and retail stores, convenience. This is to ensure that the maximum height prescribed in the RM6 zone (at 16 stories) will not be utilized in any future development scenarios and commercial uses will be restricted.
As per Council Policy 367, the applicant completed the neighbourhood consultation required for a minor OCP amendment and minor rezoning application.

4.0 Proposal

4.1 Background
The subject property is currently three separate lots, each containing an existing single-family home.

4.2 Project Description
The “Abbott Park Residences” proposes the construction of a 6 storey, 22 unit condo building. A Development Permit and Development Variance Permit application have been submitted with the OCP amendment and rezoning application. Community Planning Staff are tracking multiple variances relating to setbacks and parking.

4.3 Site Context
The subject property is located within the South Pandosy Urban Centre on Groves Ave. The site is bordered by Abbott Park to the north, commercial to the east, and single family dwelling units to the south and west. Sopa Square is located southeast of the site.

Specifically, adjacent land uses are as follows:

<table>
<thead>
<tr>
<th>Orientation</th>
<th>Zoning</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>P3- Parks and Open Space</td>
<td>Public Park</td>
</tr>
<tr>
<td>East</td>
<td>C4- Urban Centre Commercial</td>
<td>Health Service</td>
</tr>
<tr>
<td>South</td>
<td>RU1- Large Lot Housing &amp; C4- Urban Centre Commercial</td>
<td>Single family dwellings &amp; Commercial</td>
</tr>
<tr>
<td>West</td>
<td>RM5- Medium Density Multiple Housing</td>
<td>Multiple dwelling housing</td>
</tr>
</tbody>
</table>

Context Map:  

Future Land Use:
5.0 Current Development Policies

Kelowna Official Community Plan (OCP)

Development Process

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.

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

Ensure appropriate and context sensitive built form. South Pandosy. Generally 4 storeys. Six storeys within C4 or C9 zoned areas. Potential for 8 storeys where an architecturally distinct and significant buildings is placed at a corner, gateway or view terminus location that is significant to the community or where a building is of cultural significance to the community.

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1 City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).
2 City of Kelowna Official Community Plan, Policy 5.27.9 (Development Process Chapter).
3 City of Kelowna Official Community Plan, Policy 5.5.1 (Development Process Chapter).
4 City of Kelowna Official Community Plan, Policy 5.5.1 (Development Process Chapter).
Kelowna Rezoning Bylaw No. 8000

RM6- High Rise Apartment Housing

The purpose of this zone is to provide for high density development. Principal uses provide opportunity for high density development such as multiple dwelling housing and supportive housing. Key development regulations include a maximum floor area ratio of 2.0.

5.0 Application Chronology

Date of Application Received: March 23, 2017
Date of Amended Plans Received: September 21, 2018
Date Public Consultation Completed: November 24-26, 2018

Report prepared by: Jocelyn Black, Planner
Reviewed by: Terry Barton, Urban Planning Manager
Approved for Inclusion by: Ryan Smith, Community Planning Department Manager

Attachments:
Attachment A: Development Engineering Memo
Schedule A: Site Plan
Schedule B: Conceptual Elevations & Renderings
1. Cost of the construction for bonding purposes is $15,000.00.

2. The development site is presently serviced with small diameter sanitary sewer.

3. Sanitary sewer be invoiced for the meters.

4. Bonding purposes is $76,000.00.

5. It is apparent that the existing 150 mm diameter watermain within Groves Avenue should lie in the main on Groves Avenue. The estimated cost of this construction and the installation of a new larger metered water service, the new service will be permitted for the removal of the existing services. The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing the existing structures.

6. Domestic Water and Fire Protection

7. The development engineer requested for this project, is Jason Angus.


9. The following requirements as outlined in this report will be a requirement of this development:

   a. Development Engineering

   b. Development Engineering

   c. Development Engineering

   d. Development Engineering

   e. Development Engineering

   f. Development Engineering

   g. Development Engineering

   h. Development Engineering

   i. Development Engineering

   j. Development Engineering

   k. Development Engineering

   l. Development Engineering

   m. Development Engineering

   n. Development Engineering

   o. Development Engineering

   p. Development Engineering

   q. Development Engineering

   r. Development Engineering

   s. Development Engineering

   t. Development Engineering

   u. Development Engineering

   v. Development Engineering

   w. Development Engineering

   x. Development Engineering

   y. Development Engineering

   z. Development Engineering

   AA. Development Engineering
A

OCP18-0019/Z17-0032

(3)

Re-locate existing poles and utilities, where necessary. Remove illegal trespass before commencing construction.

(c)

Utility companies. The utility companies are required to obtain the City's approval before submission of the respective applications for utility pole and electric communication suspension. Make servicing applications to the respective utility companies 

(b)

LED streetlights must be installed on Groves Ave.

(a)

All proposed distribution and service connections are to be installed underground as this site is located within the South Pandosy Urban Corporation.

(5)

Electrical Power and Telecommunication Services.

(d)

Grant extraordinary rights-of-way if required for utility services.

(c)

Lot consolidation.

(b)

Designate 1"m width along the full frontage of Groves Ave.

(a)

Designate 0"m width along the full frontage of the North/South lane.

(6)

By Registered Plan to provide the following:

Road Dedication and Subdivision Requirements

000'000

Improvements for bonding purposes is $65'000.00

Road Improvements

The estimated cost of the road improvements for bonding purposes is $65'000.00. The estimated cost of the road improvements include the upgrading of the existing utility lines and relocation of existing utility lines. In addition, 40 meters of sidewalk, storm drainage, and other appurtenances required to be upgraded to urban standard are included in the road improvements.

(b)

Only one service will be permitted for the development. The applicant at this time will arrange the installation of one overflow service. The estimated cost of systems and recommendations for onsite drainage contamnation and disposal is applicable and provision of a storm drainage management plan must also include provision of a grading plan. Minimum groundwater level can also include provision of a storm drainage plan. For these reasons, the requirements of the City subdividers development and servicing Bylaw 7900. The storm water management plan for these reasons meets the requirements of the City subdividers development and servicing Bylaw 7900.

(9)

The developer must engage a consulting civil engineer to provide a storm water management plan that meets the requirements of the City subdividers development and servicing Bylaw 7900.

Z17-0032 448-469 Groves Ave Rm6 (REVISED) 1a doc

ATTACHMENT A
Road Improvement

Sanitary Sewer System and Water Main Upgrade

Boeing

Bonding

Survey Monuments and Iron Pipes

$5,000.00 and the City is to be

Part 3: "Security for Works and Services," of the bylaw, secures the Bonding Agreement must be in the form as described in Schedule 2 of the bylaw.

Agreement is required for all works and services on City lands in accordance with the Subdivision Agreement Service Plans and Services for Works and Services Schedule 3.

A "Consulting Engineer's Confirmation Letter" (City document C.G.) must be signed by the Consulting Engineer confirming that the requirements of the Subdivision Agreement are met.

Quality Control and Assurance Plans must be provided in accordance with the City's "Engineering Drawing Submission Requirements Policy.

Engineering drawing submissions required for submissions must be submitted to the City's Engineering Department for review and approval. Design and construction must be performed by an approved consulting engineer subject to the approval of the City Engineer. Drawings must be in accordance with the City's "Engineering Drawing Submission Requirements Policy.

Dedication and Construction

Road and utility construction design, consultation, supervision, and quality control.
(b) Site suitability for development, unstable soils, etc.

(c) Drill and/or excavate test holes on the site and install piezometers if necessary to address the following:

Survey to address the following:

As a requirement of this application, the owner must provide a geological report prepared by a professional engineer qualified in the field. The report must provide a geological report.

Geotechnical Report

15.

Minimum clear front lane width must be 6.4m.

Review and confirm that the development and development site access does not adversely affect the lane operation as a two-way roadway. The access to the site is permitted from the lane as per bylaw.

Access and Maneuverability

Development Permit and Site Related Issues

is calculated as (3% of total O/S plus construction cost) plus GST.

An administration charge will be assessed for processing of this application. Review and approval of engineering designs and construction inspection. The administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection.

NOTE: The bonding amounts shown above are comprised of estimated construction costs and contractor's bonding.

Total Bonding

$17,003.32 448.458 460 excess AVE RMG (REVISED) 4/20/06
Recommendation:

THAT Official Community Plan Bylaw No.11810 and Rezoning Bylaw No.11811 be given first reading as approved by Council at the April 01, 2019 Regular PM Meeting.

Purpose:

To give OCP Bylaw No.11810 and Rezoning Bylaw No.11811 first reading and forward to Public Hearing.

Background:

At the April 1, 2019 PM Council Meeting, Council supported the alternate recommendation for the application at 2080 Byrns Road, to consider amendments to the OCP by changing the Future Land Use designation from REP – Resource Protection Area designation to the S2RES – Single/Two Unit Residential designation, and to rezone the subject property from the A1 – Agriculture 1 zone to RU6 – Two Dwelling Housing zone.

The bylaws will be forwarded to the April 23, 2019 Public Hearing.

Considerations not applicable to this report:

Internal Circulation:
Legal/Statutory Authority:
Legal/Statutory Procedural Requirements:
Existing Policy:
Financial/Budgetary Considerations:
Personnel Implications:
External Agency/Public Comments:
Communications Comments:
Alternate Recommendation:

Submitted by:

K. Needham, Deputy City Clerk
REPORT TO COUNCIL

Date: April 1, 2019
RIM No. 0920-20
To: City Manager
From: Community Planning Department (BBC)
Application: OCP18-0018 and Z18-0094
Owner: Mohammed Maizal Munif
Address: 2089 Byrns Rd
Applicant: Urban Options Planning & Permits – Birte Decloux

Subject: Official Community Plan (OCP) Amendment and Rezoning Application

Existing OCP Designation: REP – Resource Protection Area
Proposed OCP Designation: S2RES – Single/Two Unit Residential
Existing Zone: A1 – Agriculture 1
Proposed Zone: RU6 – Two Dwelling Housing

1.0 Recommendation
THAT Official Community Plan Bylaw Amendment No. OCP18-0018 to amend Map 4.1 of the Kelowna 2030 – Official Community Plan Bylaw No. 10500, by changing the Future Land Use designation of Lot 24, Block 3, District Lot 130, Osoyoos Division, Yale District, Plan 415B, located at 2089 Byrns Road, Kelowna, BC, from the REP – Resource Protection Area designation to the S2RES – Single/Two Unit Residential designation NOT be considered by Council;

AND THAT Rezoning Application No. Z18-0094 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 24, Block 3, District Lot 130, Osoyoos Division, Yale District, Plan 415B, located at 2089 Byrns Road, Kelowna, BC from the A1 – Agriculture 1 zone to the RU6 – Two Dwelling Housing zone NOT be considered by Council.

2.0 Purpose
To consider Staff recommendation to NOT amend the Official Community Plan from REP – Resource Protection Area to S2RES – Single/Two Unit Residential, and to NOT rezone the subject property from A1 – Agricultural to RU6 – Two Dwelling Housing that would facilitate the development of a second dwelling on the subject property.
3.0 Community Planning

Community Planning Staff do not recommend support to amend the future land use and to rezone the subject property to facilitate the development of a second dwelling on the subject property. The property and the neighbouring residential lots are outside of the Permanent Growth Boundary (PGB), designated as Resource Protection in the Official Community Plan (OCP) and located within a farming area.

While the subject property is not within the Agriculture Land Reserve (ALR), it is adjacent to ALR lands and is within an agricultural interface area. The OCP directs growth and development inside the PGB in order to reduce speculative pressure on agricultural lands, avoid isolated development pockets (both within the ALR and outside the ALR), and ensure the long-term viability of surrounding farmland. As the property is surrounded by active agricultural lands, additional residential dwellings have the potential to increase urban encroachment and agricultural / urban land use conflicts created by non-farm activities within agricultural areas. It is important to acknowledge the difficulties farmers have due to complaints and possible perceived restrictions regarding normal farming practices.

In alignment with the OCP and Agricultural Plan objectives to preserve agricultural land, in recent years the City has committed significant resources to regain viable agricultural land along the Benvoulin agricultural corridor, successfully increasing agricultural uses on a number of lots. These include several properties along Benvoulin between Byrns Road and KLO Road. The Agricultural Land Commission (ALC) strongly endorses the protection and preservation of the Benvoulin agricultural corridor to re-establish active farming on lands located within this corridor. Allowing additional density in the isolated residential areas may undermine the success gained to date along this corridor due to land use conflicts.

Further, the OCP sets clear goals for creating a sustainable future and community, and the proposal contradicts the following objectives: contain urban growth and focusing development into a compact urban form that maximizes the use of existing infrastructure in urban centers; contribute to energy efficient settlement patterns; promote healthy and productive agriculture through diverse strategies that protect farmlands and food production. The addition of a second dwelling in this location does not support the infill role of the RU6 zone as the property does not have easy access to adequate transit, active transportation, schools, parks, and employment districts.

Standard urban neighbourhood amenities such as curb, gutter and sidewalk are not present in this area. Permitting urban development and density increase at this and other similar interface areas would require City investment and resources to be re-allocated from urban and village centers, and other priority infill areas as identified by the OCP.

The applicant has confirmed the completion of neighbourhood consultation and public information session in accordance with Council Policy No. 367.

4.0 Proposal

4.1 Background

The subject property along with the surrounding lots located immediately to the west, east, and southeast resulted from a subdivision dating June of 1967. Throughout the late 1960s and early 1970s, prime agricultural lands were being lost each year to urban development. The provincial government responded by establishing the ALC and the ALR in 1973. Had the ALR been established at the time of the subdivision, it is unlikely the subdivision that created this and the surrounding lots would have been permitted.

In August of 2014, a nearby property located at 2049 Byrns Road received an OCP amendment approval from REP – Resource Protection Area to S2RES - Single/Two Unit Residential and was rezoned from A1 – Agriculture to RU6 – Two Dwelling Housing (OCP13-0012/Z13-0019, Bylaw #10897 and #10898).
At the time of application, three structures existed on that property: a legal non-conforming duplex, an accessory structure (garage) with an illegal dwelling unit, and an illegal carriage house. Both the duplex and the garage structure were permitted in 1973 by the Regional District, however the carriage house did not appear to be authorized by way of Building Permits.

An initial application for 2049 Byrns Road proposed to amend the OCP to higher density (from REP – Resource Protection to MRL – Multiple Unit Residential, Low Density) on a portion of the property. A recommendation of non-support for the OCP amendment was considered and deferred by Council. An alternate proposal for S2RES - Single/Two Unit Residential and RU6 – Two Dwelling Housing was ultimately adopted by Council; however, it is important to note that Staff identified and outlined a number of land use related conflicts and concerns, many of which are identified in this report and share commonality with the current proposal at the subject property.

4.2 Project Description
The applicant is proposing to amend the Future Land Use designation for the subject property from REP – Resource Protection Area to S2RES - Single/Two Unit Residential, and rezone from A1 – Agriculture 1 to RU6 – Two Dwelling Housing to facilitate the development of a second dwelling on the property. If the application to rezone the land is successful, the applicant proposes to relocate an existing house onto the subject property, which has been recently renovated and is similar in character to the existing dwelling on the property.

The applicant has provided an on-site parking plan that meets zoning requirements for the proposal. However, Staff has received comments of concern from neighbouring residents regarding parking practices and the potential number of vehicles parked on and off-site.

There are no variances being tracked at this time. Should Council support the proposed OCP amendment and rezoning, issuance of a Farm Protection Development Permit would be required prior to any construction on the property.

4.3 Site Context
The subject property is located along the south side of Byrns Road, between Benvoulin Road and Burtch Road. The 1,052 m² (0.26 acre) subject property is in an agricultural / rural residential interface area and is outside of the City’s PGB. With the exception of the two RU6 lots located west of the subject property, the subject lot along with all other properties fronting Byrns and Benvoulin Road are non-conforming A1 – Agriculture zoned properties given their parcel size; all are significantly less than 4.0 ha. All properties are connected to community water and sewer. Byrns Road is constructed to a rural standard and contains no storm sewer, curb, gutter or sidewalk.

The properties to the north and south of the subject property are large agricultural properties, while the properties to the east and west are rural residential, consistent with the subject property

Adjacent land uses are as follows:

<table>
<thead>
<tr>
<th>Orientation</th>
<th>Zoning</th>
<th>ALR (Yes/No)</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>A1 – Agriculture 1</td>
<td>Yes</td>
<td>Agriculture</td>
</tr>
<tr>
<td>East</td>
<td>A1 – Agriculture 1</td>
<td>No</td>
<td>Rural Residential</td>
</tr>
<tr>
<td>South</td>
<td>A1 – Agriculture 1</td>
<td>No – abutting Yes – adjacent</td>
<td>Agriculture</td>
</tr>
<tr>
<td>West</td>
<td>A1 – Agriculture 1 RU6 – Two Dwelling Housing</td>
<td>No</td>
<td>Rural Residential</td>
</tr>
</tbody>
</table>
Subject Property Map: 2089 Byrns Road. Current ALR lands are shown in dark green, future land use designated REP lands (non-ALR) are shown in light green.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 1: Introduction

Goals for a Sustainable Future:

Contain Urban Growth - Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Chapter 5: Development Process

Objective 5.3 Focus development to designated growth areas

Policy .1 Permanent Growth Boundary. Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of properties outside the PGB for more intensive use only to the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except for Agri-Business designated sites or as per Council’s specific amendment of this policy. The PGB may be reviewed as part of the next major OCP update.

Objective 5.33 Protect and enhance local agriculture

Policy .3 Urban Uses. 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.

Policy .8 Housing in Agricultural Areas. Discourage residential development (both expansions and new developments) in areas isolated within agricultural environments (both ALR and non-ALR).

Chapter 15: Farm Protection DP Guidelines

Objectives:

- Protect farm land and farm operations;
5.2 City of Kelowna Agriculture Plan (2017)

Official Community Plan Recommendations

- Minimize the impact of urban encroachment and land use conflicts on agricultural land;
- Minimize conflicts created by activities designated as farm use by ALC regulation and non-farm uses within agricultural areas.

5.2 City of Kelowna Agriculture Plan (2017)

Official Community Plan Recommendations

- Minimize the impact of urban encroachment and land use conflicts on agricultural land;
- Minimize conflicts created by activities designated as farm use by ALC regulation and non-farm uses within agricultural areas.

6.0 Technical Comments

6.1 Development Engineering Department

- See Attachment C – Development Engineering Memorandum

7.0 Application Chronology

Date of Application Received: April 18, 2018
Date of Neighbourhood Consultation Completed: November 12, 2018
Date of Public Information Session Completed: November 18, 2018

8.0 Alternate Recommendation

THAT Official Community Plan Bylaw Amendment No. OCP18-0018 to amend Map 4.1 of the Kelowna 2030 – Official Community Plan Bylaw No. 10500, by changing the Future Land Use designation of Lot 24, Block 3, District Lot 130, Osoyoos Division, Yale District, Plan 415B, located at 2089 Byrns Road, Kelowna, BC, from the REP – Resource Protection Area destination to the S2RES – Single/Two Unit Residential be considered by Council;

AND THAT Rezoning Application No. Z18-0094 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 24, Block 3, District Lot 130, Osoyoos Division, Yale District, Plan 415B, located at 2089 Byrns Road, Kelowna, BC from the A1 – Agriculture 1 zone to RU6 – Two Dwelling Housing zone be considered by Council;

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

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment C attached to the Report from the Community Planning Department.

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

Attachments:
Attachment A – Applicant’s Letter of Rationale
Attachment B – Conceptual Site and Landscape Plans
Attachment C – Development Engineering Memorandum
March 26, 2018

City of Kelowna
Planning Department
1435 Water Street
Kelowna, BC

RE: OCP Amendment / Rezoning at 2089 Byrns Road

Dear Planning Department:

This application seeks to rezone the property at 2089 Byrns Road to the RU6 – Two Dwelling Housing zone to allow a second home to be moved to the property. Although the property is located outside of the Permanent Growth Boundary and the future land use is “Resource Protection”, we ask you to consider the following reasons to support and send the application to Council for their consideration:

- Infill density in the immediate area
- Unique situation
- Rescue of a home
- Good quality affordable rental housing
- Neighbourhood support

In 2013 the property at 2049 Byrns Road sought to change the future land use designation to MRL (Multiple residential low density). The land had all the attributes for this designation, however, it was felt to be too intensive for the area given the proximity of active agriculture land and being outside of the Permanent Growth Boundary. A compromise was found, and Planning staff supported the change to the S/2RES (single two unit residential) and the associated RU6-Two Dwelling Housing zone was approved by Council. The file number associated with this change is OCP13-0012/Z13-0019.

The neighbourhood is unique given that it consists of 11 residential properties surrounded on all sides by agricultural land within the Agricultural Land Reserve. Interestingly, the neighbourhood is across from the Benvoulin Heritage Church which was constructed here in 1892 and the church was expected to be the center of the Benvoulin townsite. It is suspected that the subject property and its neighbours to the east (with 3-digit plan numbers) were created at that time as part of the town center.

If the application to rezone the land is successful, the house (below) will be placed directly behind the existing home on the parcel. This “new” home was purchased because the interior
had been recently renovated, its structural integrity and how it is similar in character to the existing dwelling. The benefits to bring the home to the site are:

- the mature vegetation can be retained,
- no additional driveway access needed, and
- no changes to the front home or how the property presents to the street are required.

To move the home onto the site, access to the property has been secured through 2430 Benvoulin Road. The house is in storage awaiting its fate.

In this case, it is believed that the infill is affordable. The cost of construction is limited to a foundation, associated water and sewer accesses, and moving the building to the site. The existing house is currently being rented and the land owner (who is renting elsewhere) plans to move in to the second home. Given the age of the homes, it will be difficult to strata title them for individual sale and it is expect that at least one home will continue as a rental dwelling.

To strengthen the case for a positive Staff recommendation, the landowner conducted a neighbourhood canvass to secure support from the neighbours. The results, site plan and letter supplied are provided as part of the submission. Fifteen immediate neighbours were contacted for a face-to-face visit with thirteen providing signatures of support and two remaining neutral. The properties that abut the subject property all agreed with the project.

We are seeking to rezone the property to allow a “rescue” house to be placed on the site which will provide additional housing stock while keeping the integrity of the neighbourhood intact. Support of the neighbours has been provided as part of the submission package. Now we ask you, Planning Staff and City Council to support this application.

Regards,

Birte Decloux on behalf of M. Maizal Munif
Development Engineering Department have the following comments and requirements associated with this application. The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technologist for this project is Jason Angus.

1) General

   i) 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.

   ii) Provide easements as may be required.

2) Geotechnical Study.

   i) Provide a geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: NOTE: The City is relying on the Geotechnical Engineer’s report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision. The Geotechnical reports must be submitted to the Development Services Department for distribution to the Development Engineering Branch and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval:

      (a) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.

      (b) Site suitability for development.

      (c) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).

      (d) Any special requirements for construction of roads, utilities and building structures.
(e) Recommendations for items that should be included in a Restrictive Covenant.

(f) Recommendations for roof drains, perimeter drains and septic tank effluent on the site.

(g) Any items required in other sections of this document.

(h) Additional geotechnical survey may be necessary for building foundations, etc

1) Water

i) The property is currently serviced with a 19mm-diameter copper water service. One 50mm water service c/w two curb stops are required to meet current by-law requirements. One new water 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 or phone, 250-469-8783

ii) An approved backflow protection devise must also be installed on site as required by the City Plumbing Regulation and Water Regulation bylaws.

iii) A water meter is mandatory for this development and must be installed inside a building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost.

3) Sanitary Sewer

i) 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.

4) Roads

i) Byrns Road is designated an urban arterial road. Frontage improvements required include curb and gutter, separate sidewalk, piped storm drainage system, road works, landscaped boulevard complete with underground irrigation system, street lights, treed middle median and left turn bays. 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 $31,895.50 not including utility service cost.

5) Power and Telecommunication Services and Street Lights

i) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground.

ii) Streetlights must be installed on all roads.
iii) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City’s approval before commencing construction.

iv) Remove existing poles and utilities, where necessary. Remove aerial trespass (es).

6) Other Engineering Comments
   i) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands, and for public access to Vaughan Ave via the proposed lane.
   
   ii) If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City’s Development Manager.
   
   iii) Direct the roof drains into on-site rock pits.
   
   iv) A maximum driveway width of 6m is to be designed to.

7) Bonding and Cash-in-lieu Summary
   
   i) Cash-in-lieu
      
      (a) General Requirements
          1. Byms Road Improvements $31,895.50
   
   ii) Bonding
      
      (a) General Requirements
          1. Utility Improvements $TBD

James Kay, P.Eng.
Development Engineering Manager

JA