

City of Kelowna

Public Hearing

AGENDA



Tuesday, May 21, 2019
6:00 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

THE CHAIR WILL CALL THE HEARING TO ORDER:

I would like to acknowledge that we are gathered today on the traditional, ancestral, unceded territory of the syilx/Okanagan people.

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 May 8, 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 | Clement Ave 1049, Z19-0045 (BL11814) - Gurpreet Pannu | 5 - 15 |
| | To consider an application to rezone to the RM4 – Transitional Low Density Housing to facilitate a proposed 8-unit townhome. | |
| 3.2 | Bach Rd 140, Rutland Rd N 615 & 625, OCP19-0001 Z19-0039 TA19-0002 (BL11815, BL11819, BL11821) - Bharosa Developments Ltd. Inc.No.BC117705 | 16 - 33 |
| | To consider an OCP amendment application to change the Future Land Use designation of the subject properties from the S2RES-(Single Two Unit Residential) and MRL-Multiple Unit Residential (Low Density) to the MXR-Mixed Use (Residential/Commercial) designation and to consider a rezoning application from the RU1 – Large Lot Housing zone to the C4 – Urban Centre Commercial zone as well as to consider a Text Amendment application to the C4 zone to add extra Floor Area Ratio for five and six storey buildings. | |
| 3.3 | Lakeshore Rd 4119, Z19-0046 (BL11816) - Whitworth Holdings Ltd., Inc.No. BC1059455 | 34 - 42 |
| | To rezone the subject property from RU1 – Large Lot Housing to RM3 – Low Density Multiple Housing to facilitate a 26-unit stacked row housing development. | |
| 3.4 | Kirschner Rd 1977, Z19-0023 (BL11817) - Lambert and Paul Construction Ltd, Inc No 80191 | 43 - 46 |
| | To rezone the subject property from the C10 - Service Commercial zone to the C10rcs - Service Commercial (Retail Cannabis Sales) zone to facilitate the development of a retail cannabis sales establishment. | |
| 3.5 | Ethel St 1675 & 1685, TA19-0006 (BL11818) - Petel Properties Inc., Inc.No. A0069509 | 47 - 52 |
| | To amend the RM6 - High Rise Apartment Housing zone to allow Offices, Health Services (Major & Minor), and Retail Stores (General) specifically for 1675 & 1685 Ethel St. | |
| 3.6 | Short-Term Rental Accommodation in Secondary Suites and Carriage Houses (BL11820) | 53 - 72 |
| | To amend the Zoning Bylaw by adding short-term rental accommodation as a permitted use in secondary suites and carriage houses, with associated regulations. | |
| 3.7 | Union Rd 1550, OCP18-0014 Z18-0070 (BL11824, BL11825) - Glenwest Properties Ltd.,Inc.No.CO889227 | 73 - 89 |

To amend the Official Community Plan designation from COMM – Commercial and MRM – Multiple Unit Residential (Medium Density) to the MRL – Multiple Unit Residential (Low Density) and rezone the subject property from RM2 – Low Density Row Housing, RM5 – Medium Density Multiple Housing and P3 – Parks and Open Space to RM3 – Low Density Multiple Housing to accommodate a 61 unit townhome development.

3.8 Airport Way 5505-5507, Z19-0034 (BL11828) - Midwest Ventures Ltd Inc No BC0046021

90 - 95

To rezone the subject property to facilitate the development of a retail cannabis sales establishment.

3.9 Walker Rd 4480, Z18-0047 (BL11829) – Thomas A.M. Brown

96 - 108

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot 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 resrepresentation (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 29, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (LKC)

Application: Z19-0045

Owner: Gurpreet Pannu

Address: 1049 Clement Ave

Applicant: New Town Architecture and Engineering INC.

Subject: Rezoning Application

Existing OCP Designation: MRM – Multiple Unit Residential (Medium Density)

Existing Zone: RU6 – Two Dwelling Housing

Proposed Zone: RM4 – Transitional Low Density Housing

1.0 Recommendation

THAT Rezoning Application No. Z19-0045 to amend the City of Kelowna Zoning Bylaw No.8000 by changing the zoning classification of Lot 3, District Lot 138 and of section 30 Township 26 ODYD, Plan 3763, located at 1049 Clement Ave, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM4 – Transitional Low Density Housing zone;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated April 23, 2019;

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

2.0 Purpose

To consider an application to rezone to the RM4 – Transitional Low Density Housing to facilitate a proposed 8-unit townhome.

3.0 Community Planning

Community planning staff are recommending support for the proposed rezoning of the subject property to the RM4 – Low Density Housing zone as it is consistent with the Official Community Plan (OCP) Future

Land Use designation and infill growth policies. The property is located within the Permanent Growth Boundary, near the Downtown along the Clement Avenue corridor and as such has close access to services, amenities and existing infrastructure. The subject property has a Walk Score of 64, as some errands can be accomplished on foot.

4.0 Proposal

4.1 Background

The subject property consists of a single lot that is currently zoned RU6 - Two Dwelling Housing, and is located along Clement Ave. A single family home is located on the property and will be removed to allow for the proposed development to occur. There are other existing single family homes in the area, however the future land use of this property and the surrounding area encourages denser types of housing such as townhomes.

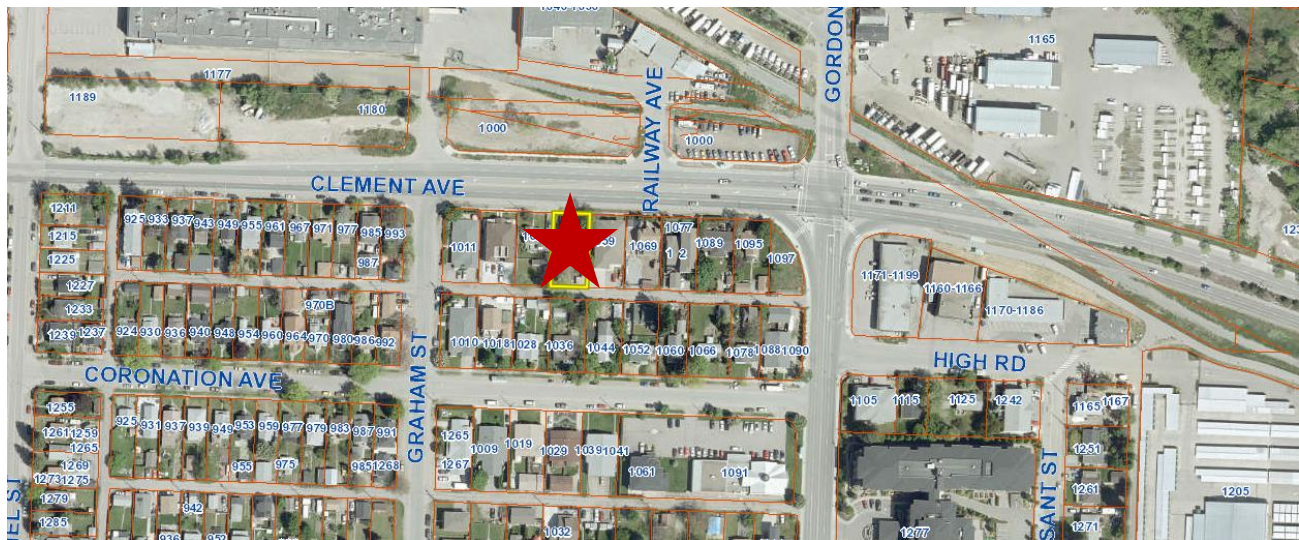
4.2 Project Description

The proposed rezoning is necessary to permit the development of an 8-unit townhome on the property. The proposed townhome will be 3 storeys in height and will be ground oriented development facing out towards Clement Ave. All the parking is to be located at the rear of the property as the proposed townhomes will have access to the rear lane. Planning staff are currently tracking 3 variances associated to this application to site coverage, parking stall ratio and parking location setback.

4.3 Site Context

The subject property is designated MRM – Multiple Unit Residential, is zoned RU6 – Two Dwelling Housing and is in the Central City sector of the City.

Subject Property Map: 1049 Clement Ave



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

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

5.2 Zoning Bylaw No. 8000

RM₄ – Transitional Low Density Housing

The purpose of the RM₄ zone is to facilitate multiple dwelling housing in the form of low rise density apartment housing or row housing. The maximum floor area ratio is 0.65, site coverage for buildings is 50%, and the maximum height is the lesser of 13.0m or 3 storeys.

6.0 Technical Comments

See Attachment A: Engineering memo

7.0 Application Chronology

Date of Application Received: December 21, 2018

Date Public Consultation Completed: April 1, 2019

Report prepared by: Levan King Cranston, Planner I

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

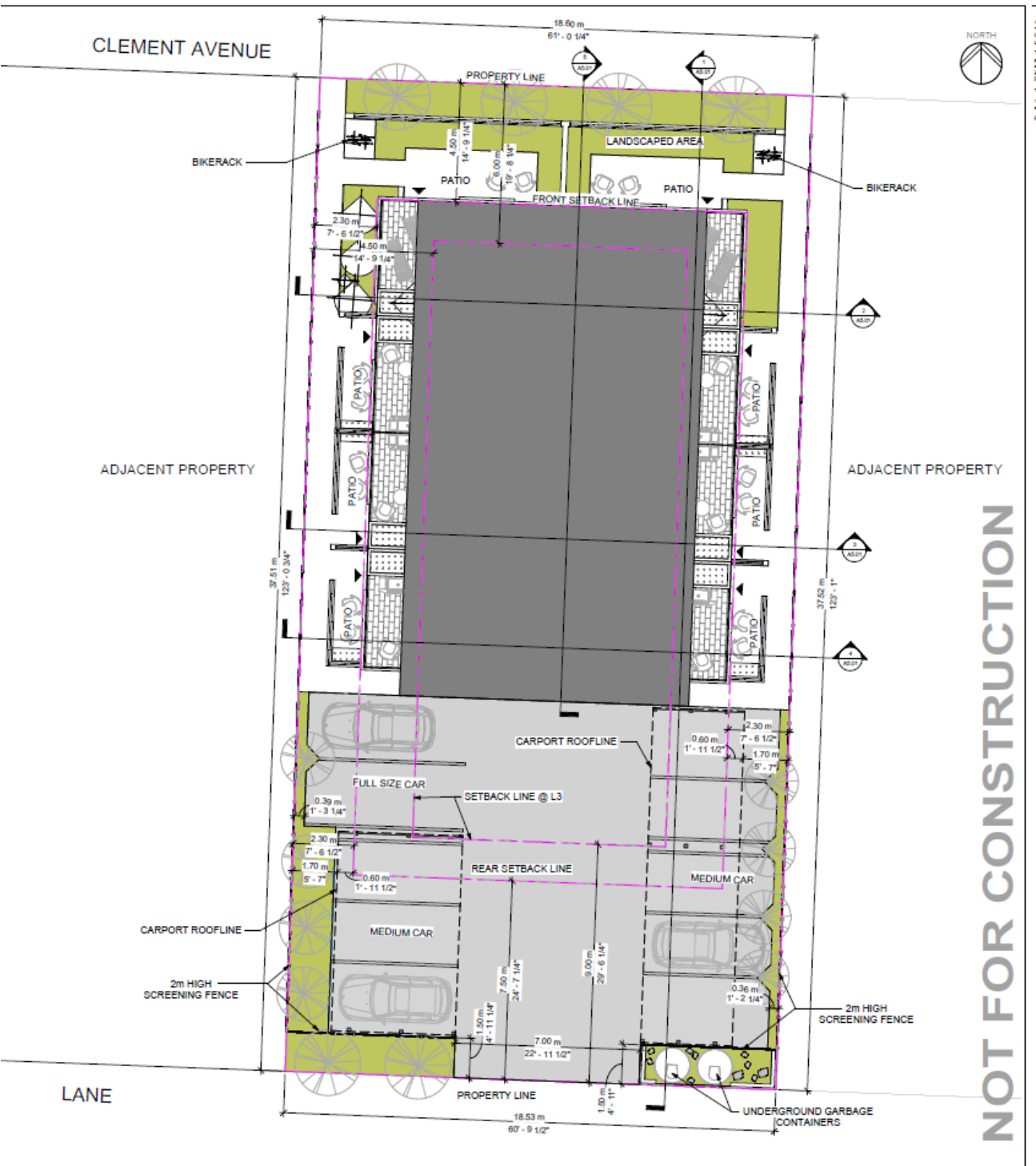
Attachment A: Engineering Memorandum

Attachment B: Site Plan and Renderings

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

Attachment 1 – Site Plan & Landscape Plan

Subject: 1049 Clement Ave. (Application Z19-0045)





Attachment 2 – Renderings

Subject: 1049 Clement Ave. (Application Z19-0045)





Subject: 1049 Clement Ave. (Application Z19-0045)

CITY OF KELOWNA
MEMORANDUM

Date: January 29, 2019
File No.: Z19-0045
To: Community Planning (TA)
From: Development Engineering Manager (JK)
Subject: 1049 Clement Ave RU6 to RM4

1. General

- ## 2. Domestic Water and Fire Protection

- ### 3. Sanitary Sewer

- 11

Z19-0045 1049 Clement Ave

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will determine the requirements of the proposed development and establish the service needs. Only one service will be permitted for this development. If required, the applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service at the applicants cost.

4. Storm Drainage

- a. The developer must engage a consulting civil engineer to provide a storm water management plan for this site which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems

5. Road Improvements

- a. Clement Ave must be upgraded to an arterial standard along the full frontage of this proposed development, including curb and gutter, Landscaped boulevard c/w irrigation, sidewalk, drainage system including catch basins, manholes and pavement removal and replacement 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 \$24,293.16 not including utility service cost.
- b. The Laneway fronting this development will need to be upgraded to a SS-R2 standard.

6. Road Dedication and Subdivision Requirements

- a. Grant Statutory Rights of Way if required for utility services.
- b. If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.

7. Development Permit and Site Related Issues

- a. Direct the roof drains into on-site rock pits or splash pads.
- b. The vehicle access to this site must be from the Laneway. The existing curb let down will be decommissioned and replaced at the developer's cost.

8. Electric Power and Telecommunication Services

- a. 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.

9. Design and Construction

- a. Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is

Z19-0045 1049 Clement Ave

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subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.

- b. Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c. Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d. A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e. Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

10. Servicing Agreement for Works and Services

- a. A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- b. Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

11. Administration Charge

- a. An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as (3.5% of Total Off-Site Construction Cost plus GST).

12. Survey, Monument and Iron Pins

- a. If any legal survey monuments or property iron pins are removed or disturbed during construction, the developer will be invoiced a flat sum of \$1,200.00 per incident to cover the cost of replacement and legal registration. Security bonding will not be released until restitution is made.

13. Geotechnical Report

- a. As a requirement of this application the owner must provide a geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:
- b. Area ground water characteristics.
- c. Site suitability for development, unstable soils, etc.
- d. Drill and / or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any.

Z19-0045 1049 Clement Ave

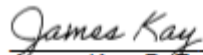
4 -

Identify unacceptable fill material, analyse soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.

- e. List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- f. Additional geotechnical survey may be necessary for building foundations, etc.

14. Bonding and Levy Summary

- a. Bonding
 - i. Utility improvements TBD
- b. Total Cash-in-lieu
 - i. Clement Ave Improvements \$24,293.16



James Kay, P.Eng.
Development Engineering Manager
JA

REPORT TO COUNCIL



Date: April 29, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (AC)

Application: Z19-0039, OCP19-0001 & TA19-0002 **Owner:** Bharosa Developments Ltd.
Inc. No. BC1177705

Address: 140 Bach Rd, 615 & 625 Rutland Rd N **Applicant:** Kevin Edgecombe

Subject: OCP Amendment, Rezoning, and Text Amendment Application

Existing OCP Designation:	MRL – Multiple Residential (Low Density) & S2RES (Single Two Unit Residential)
Proposed OCP Designation:	MXR – Mixed Use (Residential/Commercial)
Existing Zone:	RU1 – Large Lot Housing
Proposed Zone:	C4 – Urban Centre Commercial

1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA19-0002 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined within this Community Planning Department Report and within Attachment 'B' be considered by Council;

THAT Official Community Plan Map Amendment Application No. OCP19-0001 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of:

- Lot 25, Section 26, Township 26, ODYD, Plan 19679 except Plan 41879, located at 140 Bach, Kelowna, BC from the S2RES (Single Two Unit Residential) designation to the MXR – Mixed Use (Residential/Commercial) designation;
- Lot 26, Section 26, Township 26, ODYD, Plan 19679 except Plan 41879, located at 615 Rutland Rd N, Kelowna, BC from the MRL – Multiple Unit Residential (Low Density) designation to the MXR – Mixed Use (Residential/Commercial) designation; and
- Lot A, Section 26, Township 26, ODYD, Plan 5624 except Plan 41879, located at 625 Rutland Rd N, Kelowna, BC from the MRL – Multiple Unit Residential (Low Density) designation to the MXR – Mixed Use (Residential/Commercial) designation;

be considered by Council;

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the *Purpose* of Section 879 of the *Local Government Act*, as outlined in this Community Planning Department Report;

THAT Rezoning Application No. Z19-0039 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of:

- Lot 25, Section 26, Township 26, ODYD, Plan 19679 except Plan 41879, located at 140 Bach, Kelowna, BC from the RU1 – Large Lot Housing zone to the C4 – Urban Centre Commercial zone;
- Lot 26, Section 26, Township 26, ODYD, Plan 19679 except Plan 41879, located at 615 Rutland Rd N, Kelowna, BC from the RU1 – Large Lot Housing zone to the C4 – Urban Centre Commercial zone;
- Lot A, Section 26, Township 26, ODYD, Plan 5624 except Plan 41879, located at 625 Rutland Rd N, Kelowna, BC from the RU1 – Large Lot Housing zone to the C4 – Urban Centre Commercial zone;

be considered by Council;

AND THAT the Zoning Bylaw Text Amendment Bylaw, the Official Community Plan Map Amendment Bylaw, and the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the OCP Map Amending Bylaw and the Rezoning Bylaw be considered subsequent to the outstanding conditions identified in Attachment “A” of this Community Planning Department report.

2.0 Purpose

To consider an OCP amendment application from the existing OCP designations to MXR – Mixed Use (Residential/Commercial) designation and to consider a rezoning application from the RU1 – Large Lot Housing zone to the C4 – Urban Centre Commercial zone as well as to consider a Text Amendment application to the C4 zone to add extra Floor Area Ratio for five and six storey buildings.

3.0 Community Planning

Staff supports the Rezoning, Official Community Plan (OCP) amendment and the C4 Text Amendment applications. The project will achieve several important City objectives in terms of its contribution to housing options, intensifying development along arterial routes like Rutland Rd and having convenient access to services, transit, amenities and schools within the Rutland Urban Centre. Future residents should have good opportunity to walk and cycle within the area promoting the City’s objective of creating walkable communities and decreasing reliance on vehicular transportation.

In order to allow for commercial land uses to occur on the ground floor, the OCP needs to be amended to permit MXR (Mixed Use – Residential/Commercial) and rezone the property to the C4 zone. Consequently, the OCP amendment and rezoning applications would also add additional residential density to be built on the site. The current OCP designation of MRL and accompanying RM3 zone would only permit a 3 storey multi-family building as the highest permitted land uses and would not permit any commercial land uses.

There are some site layout issues with access and parking but those will be discussed with the Applicant and further analyzed in a future Development Permit Council Report. The first step is to approve the increase in residential density and permitting commercial land uses on the subject property. The Official Community Plan encourages mixed use (commercial and residential) development to occur in Urban Centres and along arterial roads. Additionally, commercial uses in close proximity to the high school is seen as a beneficial land use. Therefore, Staff are supporting and encouraging the OCP amendment and the rezoning applications to achieve a higher intensity mixed-use development.

The Text Amendment application is to alter the C4 density bonuses by adding 0.2 FAR for five and six storey buildings. Staff are proposing a comprehensive zoning bylaw update that would allow the five and six storey wood framed buildings. Lately, Staff have recommended support for a number of height variances in-lieu of

updating the Zoning Bylaw. This would be the same case here except the Floor Area Ratio (FAR) also needs updating to correspond with the increase in height. Therefore, Staff are recommending a 0.2 FAR bonus be added to the C4 zone for five and six storey buildings until such time as Staff can produce a comprehensive report on C4 densities.

4.0 Proposal

4.1 Project Description

The purpose of the numerous applications is to construct a 5 storey building with five floors of residential and one ground floor commercial unit. To make this plan viable a: Zoning Bylaw Text Amendment, a change in the Official Community Plan designation, a Rezoning, a Development Permit, and Development Variance Permit application are necessary. Staff are tracking two variances (height increase from four storeys to five storeys and a reduction in parking from 85 stalls to 76 stalls).

Staff will provide recommendations on the merits of the variances and the cash-in-lieu within the Development Permit Council Report. Staff have provided recommendations and rationale on the land use components and on the Text Amendment proposal within Section 3.0 Community Planning.

If Council supports the OCP amendment, rezoning, and Text Amendment bylaws, then the applicant will finalize the design and Staff will update the project description in a Development Permit Council Report.

Subject Property Map: 140 Bach Road



4.2 Public Notification & Other City Plans

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

To fulfill Council Policy No. 367 for 'OCP Minor' and 'Zoning Major' applications, the applicant held a public information session on February 26, 2019 at 310 – 1350 St. Paul Street from 6:30pm to 8:00pm. The applicant also completed the neighbourhood notification process by contacting all properties within 50m of the subject properties.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

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

Contain urban growth.² Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Mixed Use.³ Integration of residential uses into commercial developments as mixed-use projects is encouraged in Urban Centres, provided that the ground floor use remains commercial.

Building Height.⁴ South Pandosy: Generally 4 stories. Six storeys within c4 or c9 zoned areas.

Residential Land Use Policies.⁵

- Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.
- Ensure context sensitive housing development.

Commercial Land Use Policies.⁶ Encourage Mixed-use commercial development.

Relationship to the Street.⁷ Locate buildings to provide an effective street edge while respecting the established, desired streetscape rhythm;

Relationship to the Street.⁸ Design buildings with multiple street frontages to give equal emphasis to each frontage with respect to building massing, materials, details, and landscaping.

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

² City of Kelowna Official Community Plan, (Chapter 1 Introduction).

³ City of Kelowna Official Community Plan, (Chapter 4 Future Land Use).

⁴ City of Kelowna Official Community Plan, Policy 5.5.1 (Chapter 5 Development Process).

⁵ City of Kelowna Official Community Plan, Objective 5.22 (Chapter 5 Development Process).

⁶ City of Kelowna Official Community Plan, Objective 5.24 (Chapter 5 Development Process).

⁷ City of Kelowna Official Community Plan, Policy 3.1.1 (Chapter 14 Urban Design Guidelines).

⁸ City of Kelowna Official Community Plan, Policy 3.1.1 (Chapter 14 Urban Design Guidelines).

6.0 Technical Comments

6.1 Building & Permitting Department

No comment on rezoning.

6.2 Development Engineering Department

See attached memorandum dated February 4th 2019.

7.0 Application Chronology

Date of Application Received: January 8th 2019

Date Public Consultation Completed: February 26th 2019

Report prepared by: Adam Cseke, Planner Specialist

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

1. Attachment 'A' Development Engineering Memo dated February 4th 2019
2. Attachment 'B' Zoning Bylaw Text Amendment Summary
3. Sample Drawing Package

CITY OF KELOWNA
MEMORANDUM

ATTACHMENT A

Date: February 04, 2019
File No.: Z19-0039
To: Urban Planning Management (AC)
From: Development Engineering Manager (JK)
Subject: 615 625 Rutland Rd., 140 Bach Rd.

This forms part of application
OCP19-0001 / Z19-0039

Planner
Initials

AC



RU1 to C4

The Development Engineering Branch has the following comments and requirements associated with this rezoning application. The road and utility upgrading requirements outlined in this report will be requirements of this development. Review and approval from MOTI required.

The Development Engineering Technologist for this project is Andy Marshall.

1. Domestic Water and Fire Protection

- a) This development is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with the BMID for these items. All charges for service connection and upgrading costs, as well as any costs to decommission existing services are to be paid directly to BMID.
- b) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures.

2. Sanitary Sewer

Our records indicate that 625 Rutland Rd. and 140 Bach are currently each serviced with a 100mm-diameter sanitary sewer service and 615 Rutland Rd is currently serviced with a 150mm-diameter sanitary sewer service. All three properties are paying their Spec Area Fees on taxes and will be required to be cash commuted. 625 Rutland Rd is in Spec Area 20 and requires a pay out of **\$1,786.52**. 615 Rutland Rd and 140 Bach Rd are in Spec Area 20A and require a pay out of $2 \times \$1045.17 = \$2,090.34$. Spec Area fees for 68 units will be $((19.7 \text{ units} \times 0.7 \text{ SFE/unit}) - 1 \text{ SFE credit}) \times \$1786.52 + ((48.3 \text{ units} \times 0.7 \text{ SFE/unit}) - 2 \text{ SFE credit}) \times \$1045.17 = \$56,141.45$. Commercial SFE's are 3951ft²/2600ft² per SFE= 1.5 SFE. Commercial Spec Area fees are $(0.75 \text{ SFE} \times \$1786.52) + (0.75 \text{ SFE} \times \$1045.17) = \$2,123.77$. The applicant's consulting mechanical engineer will determine the requirements of the proposed development and establish the service needs. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal and disconnection of the existing services not required and the installation of one new larger service if required.

3. Storm Drainage

- a) The developer must engage a consulting civil engineer to provide a storm water management plan for the site which meets the requirements of the City

Subdivision Development and Servicing Bylaw 7900. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and recommendations for onsite drainage containment and disposal systems.

- b) On site drainage systems for the site will be reviewed and approved by Engineer when site servicing design is submitted.

4. **Road Improvements**

- a) Rutland Rd. will require frontage upgrading to an urban standard (SS-R9) along the full frontage of the subject property which includes curb and gutter, sidewalk (removal of existing sidewalk and curb & gutter), street lighting, landscape boulevard, storm drainage system, pavement removal and replacement and relocation or adjustment of utility appurtenances if required to accommodated upgrading construction. Access will be right in, right out only from Rutland Rd.. A centre median is required from Bach Rd intersection to the north property line.
- b) Bach Rd. will require frontage upgrading to an urban standard (SS-R6 modified) along the full frontage of the subject property which includes curb and gutter, sidewalk (removal of existing sidewalk), street lighting, landscape boulevard, storm drainage system, pavement removal and replacement and relocation or adjustment of utility appurtenances if required to accommodated upgrading construction. Access will be right in, right out only from Bach Rd. A centre median is required from Rutland Rd intersection to the east property line.

5. **Subdivision and Dedication**

- a) 1.95m of road dedication is required along the entire frontage of Rutland Road.
- b) Corner Rounding of 6m radius at the intersection to be moved east to tie into new property line.
- c) 1.0m of road dedication is required along the entire frontage of Bach Road.
- d) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.

6. **Electric Power and Telecommunication Services**

- a) All proposed service connections are to be installed underground. 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.
- b) All overhead power lines fronting development to be installed underground.
- c) Re-locate existing utilities, where necessary.

7. **Geotechnical Report**

ATTACHMENT		A
This forms part of application		
# <u>OCP19-0001 / Z19-0039</u>		
Planner Initials	AC	 City of Kelowna <small>COMMUNITY PLANNING</small>



As a requirement of this application the owner must provide a geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

- (a) Area ground water characteristics.
- (b) Site suitability for development, unstable soils, etc.
- (c) Drill and / or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- (e) Additional geotechnical survey may be necessary for building foundations, etc.

8. **Design and Construction**

- (a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- (b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- (c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- (d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- (e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs

9. **Servicing Agreements for Works and Services**

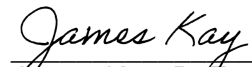
- (a) A Servicing Agreement is required for all offsite works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- (b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

10. Other Engineering Comments

- (a) Provide all necessary Statutory Rights-of-Way for any utility corridors as required.

11. Charges and Fees

- a) Development Cost Charges (DCC's) are payable
- b) Fees per the "Development Application Fees Bylaw" include:
- i) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - ii) Engineering and Inspection Fee: 3.5% of construction value (plus GST).
 - iii) Spec Area Fees **\$62,142.08**


James Kay, P. Eng.
Development Engineering Manager

agm

ATTACHMENT		A
This forms part of application		
# <u>OCP19-0001 / Z19-0039</u>		
Planner Initials	AC	 City of Kelowna COMMUNITY PLANNING

Design Rationale – Sole Rutland

615 Rutland Road N, Kelowna, BC

Sole Rutland is the latest iteration of the Sole branded condominiums in Kelowna. The name 'Sole' is a direct reference to the footprint of the building, in this case, the footprint is compact and efficient. Building on the success of Sole on St. Paul, Sole Downtown, and Sole KLO located in Kelowna, Sole Rutland is designed to apply similar design aesthetics and concepts fitting to the Rutland area. Sole Rutland provides an increased housing density in a residential area and is a short walk from the Rutland Town Centre. This project is a mixed-used 5 storey building with a modest commercial unit on the ground floor where Rutland Road and Bach Road meet. The project will consist of townhouses on the main and second floor, along with one- and two-bedroom condo units on the main to the fifth floor.

Sole Rutland breaks away from the typical horizontal stepping features of most buildings. To articulate the building mass, this project has utilized a shift of the floor planes creating an offset in the stacking of the floors. The three upper floors of this building shift horizontally creating a composition which breaks down the visual height of a traditional vertically stacked building.

Along the south side of the site, the residential units are stepped back 5.7m from the front yard's required 0.0m setback to provide residential character in fitting with the adjacent properties and the neighbourhood context. To the east, the first two levels of residential units fit within the boundaries of the 4.5m setback. The upper stories step back further, reducing the building scale adjacent to the existing houses. A 1.5m road dedication is provided along the west boundary, and to the rear, or north side of the site, the residential units are stepped back 13.6m (7.6m beyond the required 6.0m setback requirement) to lessen the impact on the neighbouring property.

The inclusion of the commercial unit on the ground floor provides the opportunity for a community-scaled grocer, or similar commercial unit, to serve the surrounding residential area. The commercial entrance supports a pedestrian or cyclist orientated streetscape by bringing the commercial façade to the sidewalk and pushing the surface parking into the interior of the site. The residential stories above follow a stepping concept to improve the commercial relationship of the building with the street. The project includes a 520SF amenity space with a 300SF outdoor deck for the residents to share above the commercial space on the third level.

Rutland is expected to accommodate a 44% future population growth based on the 2030 Official Community Plan. The Rutland area currently consists of residential, commercial and institutional buildings. The proposed mid-rise, Sole Rutland building fits into this future vision for Rutland area and provides a community scaled commercial while accommodating the increased density required to achieve growth in Rutland. . The Sole Rutland site is currently serviced by 3 bus routes, Route 8, 10 & 11 along Rutland Road, with direct routes to downtown Kelowna and the University. As well, bike lanes currently exist on both Rutland Road and Bach Road to facilitate bike traffic to and from the site. The many parks, hiking paths, playgrounds, and sports fields make Rutland suitable to support an

increase in housing density and a draw for population increase. The size and scale of the project complements the vision for increased housing along the Rutland Road corridor.

Natural surveillance at various times of the day is enhanced by incorporating commercial & residential usage into the building, which is a key guideline to CPTED (Crime Prevention Through Environmental Design) strategy. As well as the parking area is clearly visible, hidden alcoves are avoided and the loading area does not create potential hiding places which is also in line with the CPTED crime prevention strategies.

This newest Sole project will have a fresh and urban material palette. Previous Sole projects introduced a design aesthetic which is clean and urban. Sole Rutland takes a similar but fresh approach to materials with the use of concrete, brick, wood, metal and cementitious panel products but with an urban aesthetic tailored to the residential feel of the Rutland area.

The location of Sole Rutland is on the edge of the commercial district and has been designed to transition from the busy thoroughfare of Rutland Road to the residential neighbourhood of Bach Road. The building has been designed with ground-oriented suites for the residential component along Bach to enhance the residential connection. The landscaping between the building and the sidewalk has been configured with three levels of privacy, starting from the public sidewalk, to a semi-private landscaped buffer/courtyard, and finally, a private yard for the ground level suites. The semi-private area is designed as a courtyard for building residents to utilize providing an exterior shared space that wraps around the east end of the building.

Design Variances – Sole on Rutland

615 Rutland Road N, Kelowna, BC

Sole on Rutland has been designed to optimize 2 points of entry to a relatively tight site. Through design progression and discussions with the City of Kelowna Planning Department it is recognized that this project will require rezoning and variances to be achieved. The following variances are based on the rezoning of this property to a C4 – Urban Centre Commercial zone.

1. FAR Rationale

The FAR for the C4 zone is 1.3 for mixed use developments with a total maximum FAR of 2.35 thorough bonusing. Sole on Rutland has been designed with an FAR of 1.57 requiring bonus density of 0.27. To achieve the bonus density this project proposes utilizing the following bonuses:

- a. Parking below building (maximum 0.2 bonus). This project has a total of 65 parking stalls all of which are below the building footprint. This project seeks a bonus density of 0.2
- b. In addition to the required open private space this project provides a public courtyard at grade level along Bach Road and between the parkade entrance and the rear of the building. Complete with common grass areas, planting and benches. This project seeks a bonus density of 0.09.

2. Building Height

Sole on Rutland is designed as a 5 storey, 14.8m high building. Under C4 zoning the maximum height is 4 storeys, 15m. To provide the efficiency required to fit this building on site, the project allowed for circulation and parking through the interior of the site, requiring the residential unit to be stacked above the commercial unit. The efficient floor to floor height is respectful to the current zoning height requirements. To mitigate the visual impact to the street frontage the building is designed with the main entrance and a commercial unit shielding the parking area.

3. Parking Count

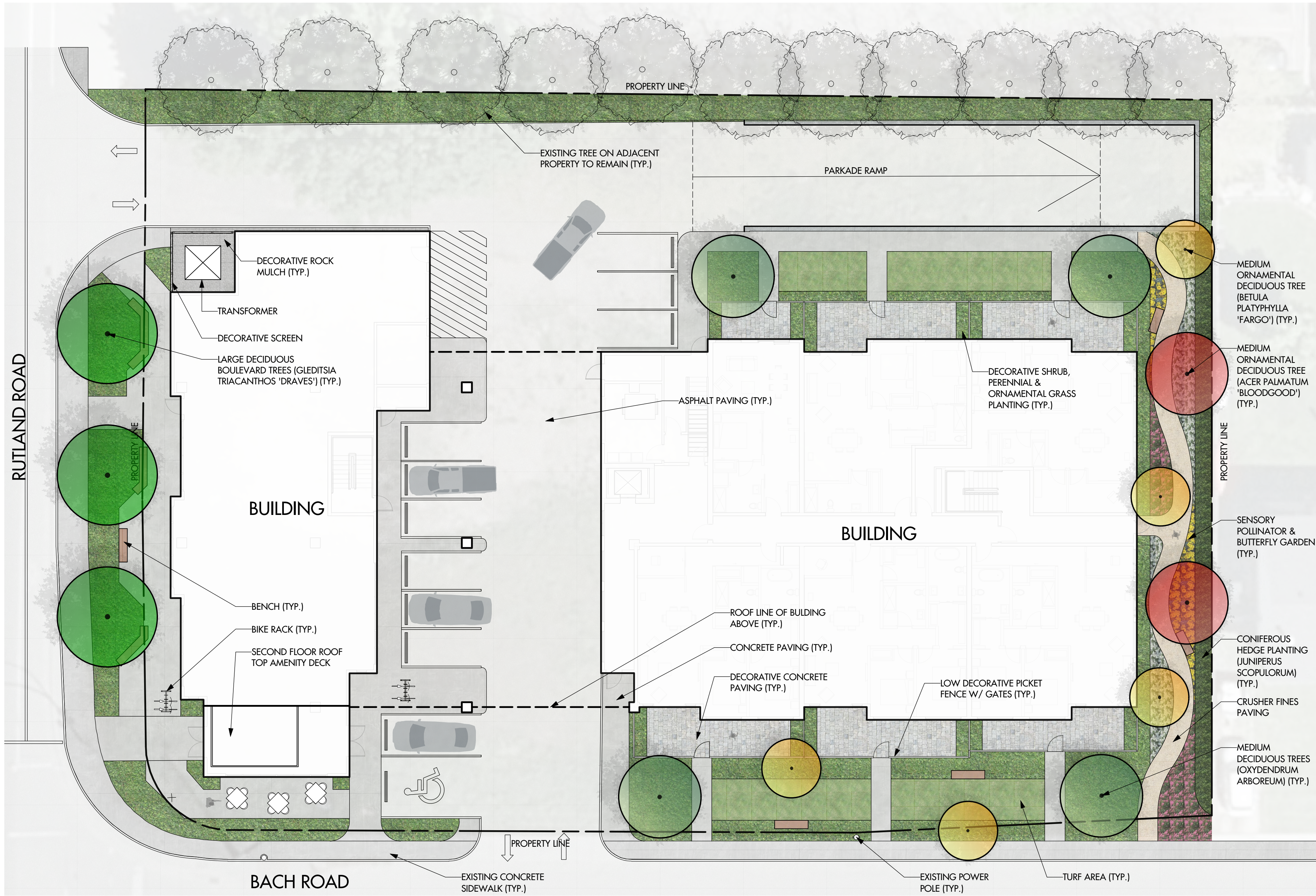
C4 zoning has a parking requirement based on the following:

- 1 Space per Dwelling Unit x 68 units = 68 stalls
- 1 Visitor Space per 7 Units x 68 units = 9.7 stalls
- Commercial 1.75 per 100m² GFA = 6.5 stalls

This requires a total of 85 parking stalls per zoning. The proposed design is seeking a variance to have a total of 76 parking stalls with 8 stalls being designated for commercial use. The reduction of the parking is in acknowledgement that this project is within an urban setting where occupants capable of living car free. The location is well serviced by bus routes, bicycle routes and is in close proximity to the full service commercial district Rutland Town Centre.

4. Loading Bays

The parking bylaw does not list a requirement for residential and the requirement for commercial is one stall per 1,900 m² GFA. This project has a total of 368.8 m² of commercial area and one loading space is provided at the side of the commercial space.



PLANT LIST

BOTANICAL NAME	COMMON NAME	QTY	SIZE / SPACING & REMARKS
TREES			
ACER PALMATUM 'BLOODGOOD'	BLOODGOOD JAPANESE MAPLE	2	6cm CAL.
BETULA PLATYPHYLLA 'FARGO'	DAKOTA PINNACLE BIRCH	5	6cm CAL.
GLEDITSIA TRACANTHOS 'DRAVES'	STREET KEEPER HONEYLOCUST	3	6cm CAL.
OXYDENDRUM ARBOREUM	SOURWOOD	4	8cm CAL.
SHRUBS			
BERBERIS THINBERGII 'GENTRY'	ROYAL BURGUNDY BARBERRY	19	#02 CONT. / 1.0m O.C. SPACING
BERGENIA CONFOLIA	ELEPHANT EAR	53	#02 CONT. / 0.6m O.C. SPACING
EUONYMUS ALATUS	WINGED BURNING BUSH	6	#02 CONT. / 3.0m O.C. SPACING
JUNIPERUS SCOPULORUM	ROCKY MOUNTAIN JUNIPER	35	#01 CONT. / 1.75m O.C. SPACING
PICEA ABIES 'PUMILA'	DWARF NORWAY SPRUCE	16	#02 CONT. / 1.8m O.C. SPACING
RIBES ALPINUM	ALPINE CURRANT	16	#01 CONT. / 1.5m O.C. SPACING
ROSA WOODSII	WOOD'S ROSE	23	#02 CONT. / 1.0m O.C. SPACING
PERENNIALS, GRASSES & VINES			
ARCTOSTAPHYLOS UVA-URSI	KINNIKINNICK	76	#01 CONT. / 0.6m O.C. SPACING
ASTER ALPINUS	SUMMER ASTER	76	#01 CONT. / 0.5m O.C. SPACING
BOUTELOUA GRACILIS	BLUE GRASS	76	#01 CONT. / 0.5m O.C. SPACING
CALAMAGROSTIS ACUTIFLORA 'KARL FOERSTER'	KARL FOERSTER REED GRASS	34	#01 CONT. / 0.75m O.C. SPACING
DICENTRA SPECTABILIS	BLEEDING HEARTS	34	#01 CONT. / 0.75m O.C. SPACING
HEUCHERA SANGUINEA	RED CORAL BELLS	34	#01 CONT. / 0.75m O.C. SPACING
HOSTA 'NORTHERN EXPOSURE'	NORTHERN EXPOSURE HOSTA	36	#01 CONT. / 1.2m O.C. SPACING
MONARDA DIDYMA 'JACOB CLINE'	JACOB CLINE BEE BALM	53	#01 CONT. / 0.6m O.C. SPACING
PANICUM VIRGATUM 'ROSTRAHLBUSCH'	RED SWITCH GRASS	23	#01 CONT. / 0.9m O.C. SPACING
RUDEBECKIA FULGIDA 'GOLDSTURM'	GOLDSTURM CONEFLOWER	34	#01 CONT. / 0.75m O.C. SPACING
THYMUS PSEUDOLANGINOSUS	WOOLY THYME	64	#01 CONT. / 0.6m O.C. SPACING

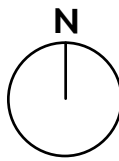
NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED C.L.N.A. STANDARDS.
2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.
3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 75mm WOOD MULCH. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.
4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.
5. TURF AREAS FROM SOD SHALL BE NO. 1 GRADE GROWN FROM CERTIFIED SEED OF IMPROVED CULTIVARS REGISTERED FOR SALE IN B.C. AND SHALL BE TOLERANT OF DROUGHT CONDITIONS. A MINIMUM OF 150mm DEPTH OF GROWING MEDIUM IS REQUIRED BENEATH TURF AREAS. TURF AREAS SHALL MEET EXISTING GRADES AND HARD SURFACES FLUSH.
6. SITE GRADING AND DRAINAGE WILL ENSURE THAT ALL STRUCTURES HAVE POSITIVE DRAINAGE AND THAT NO WATER OR LOOSE IMPEDIMENTS WILL BE DISCHARGED FROM THE LOT ONTO ADJACENT PUBLIC, COMMON, OR PRIVATE PROPERTIES.
7. ALL OFFSITE LANDSCAPE WORKS TO MEET CoK BYLAW 7900



OUTLAND DESIGN
LANDSCAPE ARCHITECTURE

303 - 590 KLO Road
Kelowna, BC V1Y 7S2
T (250) 868-9270
www.outlanddesign.ca



PROJECT TITLE

RUTLAND SOLE

Kelowna, BC

DRAWING TITLE

CONCEPTUAL LANDSCAPE
PLAN

ISSUED FOR / REVISION

1	18.12.18	Review
2		
3		
4		
5		

PROJECT NO. 18-127

DESIGN BY KM

DRAWN BY SR

CHECKED BY FB

DATE DEC. 18, 2018

SCALE 1:150

PAGE SIZE 24"x36"

SEAL

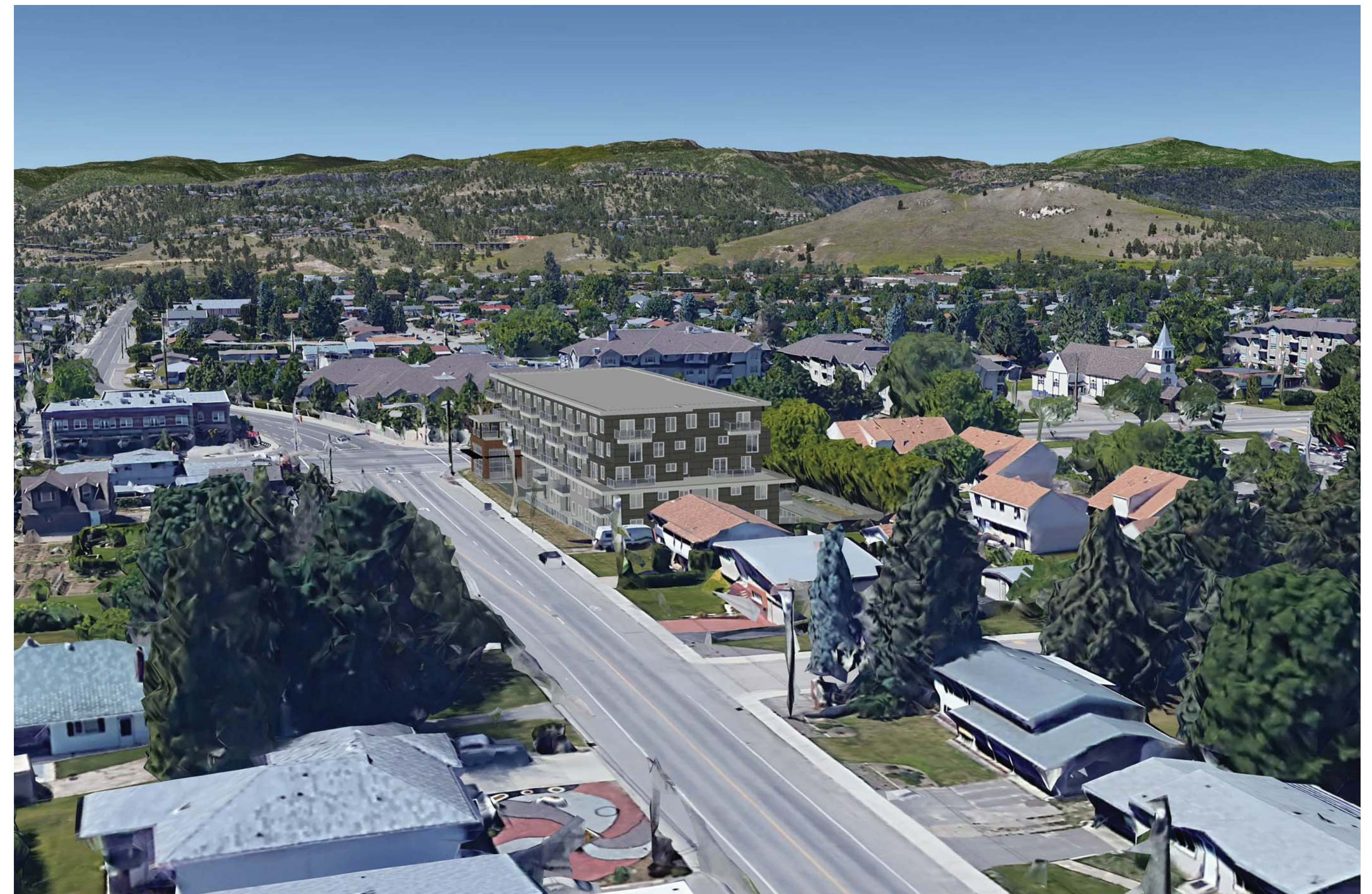


DRAWING NUMBER

L1/2

ISSUED FOR REVIEW ONLY
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Landscape Architecture Limited and shall not be reproduced, resold, or
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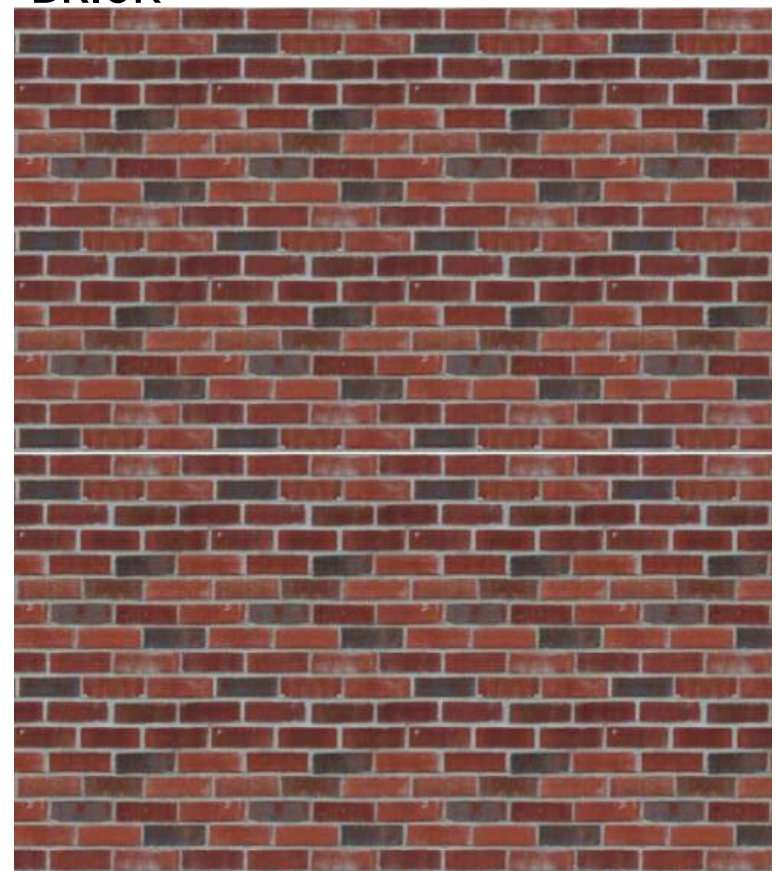
FAUX WOOD METAL SIDING



BOARD FORMED CONCRETE
CLEAR SEALED



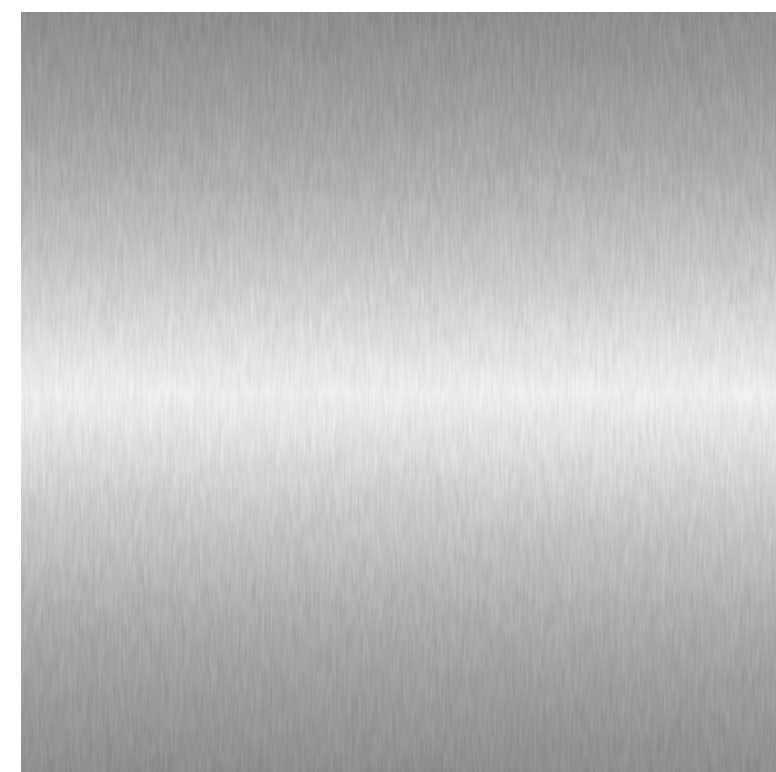
BRICK



TIMBER FRAMING



ALUMINUM FRAMED STOREFRONT



SBS ROOFING - GREY



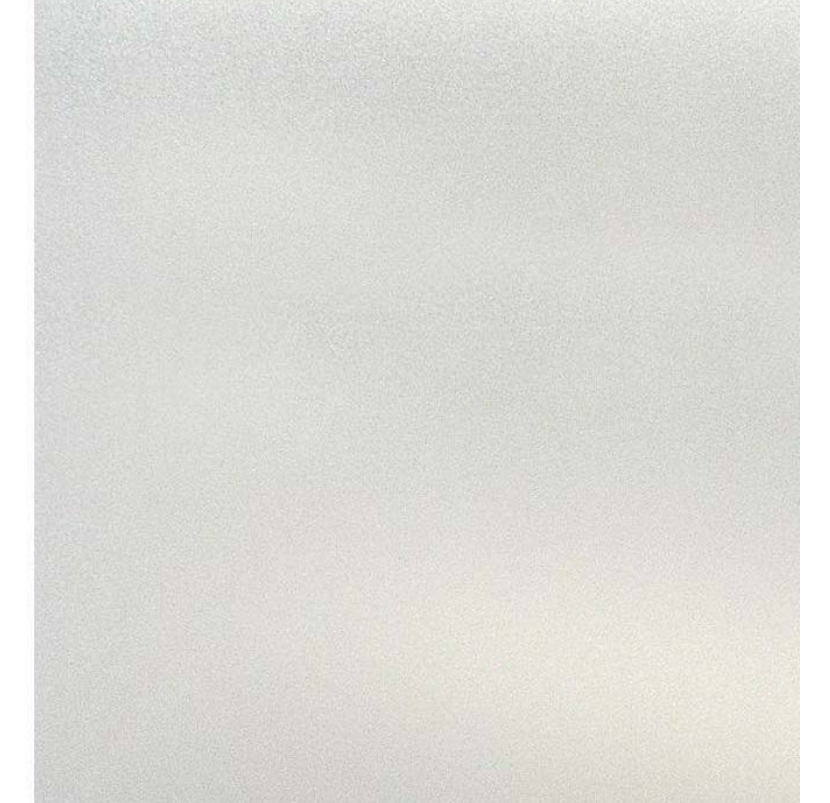
STEEL - PAINTED BLACK



FIBRE CEMENT BOARD -PANELS -
DARK GREY



BALCONY PRIVACY SIDE GLAZING -
FROSTED



BALCONY FRONT GLAZING -
CLEAR



CORRUGATED METAL PANEL- LIGHT
METALLIC FINISH



ATTACHMENT B - PROPOSED TEXT AMENDMENTS TO ZONING BYLAW 8000 - TA19-0002

Zoning Bylaw 8000 - Amending C4 - Urban Centre Commercial Zone				
No.	Section	Existing Text	Proposed Text	Rationale
1.	14.4.5 (a) - Development Regulations	n/a	v. Five and six storey buildings can add a 0.2 Floor Area Bonus.	See Report

ATTACHMENT B

This forms part of application
OCP19-0001 / Z19-0039

Planner
Initials

AC



**City of
Kelowna**
COMMUNITY PLANNING

REPORT TO COUNCIL



Date: April 29, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (AJ)

Application: Z19-0046

Owner: Whitworth Holdings Ltd.,
Inc.No. BC1059455

Address: 4119 Lakeshore Road

Applicant: Jim Meiklejohn

Subject: Rezoning Application

Existing OCP Designation: MRL – Multiple Unit Residential (Low Density)

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RM3 – Low Density Multiple Housing

1.0 Recommendation

THAT Rezoning Application No. Z19-0046 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3, Section 6, Township 26, ODYD, Plan 4912, located at 4119 Lakeshore Road from the RU1 – Large Lot Housing zone to the RM3 – Low Density Multiple Housing zone be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment A attached to the report from the Community Planning Department dated April 29, 2019;

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

2.0 Purpose

To rezone the subject property from RU1 – Large Lot Housing to RM3 – Low Density Multiple Housing to facilitate a 26-unit stacked row housing development.

3.0 Community Planning

Community Planning staff are supportive of the proposed rezoning application to facilitate the development of a 26-unit stacked row housing project on the subject property. The Official Community

Plan (OCP) Future Land Use designation of the subject property is MRL – Multiple Unit Residential (Low Density), which is consistent with building forms including townhouses, garden apartments, and buildings containing three or more residential units such as proposed in this application.

Council Policy No. 367 with respect to public consultation was undertaken by the applicant.

4.0 Proposal

4.1 Background

Currently, the subject property has an existing single family dwelling, which would be demolished to allow for the construction of the proposed 26-unit stacked row housing development.

4.2 Project Description

The applicant has provided plans to construct a 26-unit row housing development in the form of two 2.5 storey residential buildings. The development is intended to be purpose built rental housing. Parking is to be provided by a surface parking lot, and private open space is to be provided by private patios, landscaped areas, and a shared garden. This application is tracking two variances: one to remove the requirement for a landscaping buffer along a portion of the rear property line, and one to allow the patios to project into the north side yard setback further than permitted in the Zoning Bylaw. Otherwise, the proposed development meets Zoning Bylaw regulations.

4.3 Site Context

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM ₄ – Transitional Low Density Housing	Multiple Dwelling Housing
East	P ₂ – Educational and Minor Institutional	Public Education Services
South	RM ₃ – Low Density Multiple Housing	Multiple Dwelling Housing
West	RU ₁ – Large Lot Housing	Single Dwelling Housing

Subject Property Map: 4119 Lakeshore Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

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

5.2 Zoning Bylaw No. 8000

RM3 – Low Density Multiple Housing.² The intent of the zone is to provide a land use for low density multiple housing projects on urban services. Principal uses include multiple dwelling housing, supportive housing, and congregate housing. The maximum floor area ratio is 0.75, the maximum building height is the lesser of 10m or 3 storeys, and the maximum site coverage of buildings is 50%.

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.

6.2 Development Engineering Department

- Please see Attachment A.

7.0 Application Chronology

Date of Application Received: January 30, 2019

Date Public Consultation Completed: February 27, 2019

Report prepared by: Arlene Janousek, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A: Development Engineering Memo

Schedule A: Site Plan

Conceptual Rendering

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Chapter 5).

² City of Kelowna Zoning Bylaw No. 8000, Section 13.9.

CITY OF KELOWNA
MEMORANDUM

ATTACHMENT A	
This forms part of application # Z19-0046	
Planner Initials	<div style="border: 1px solid black; padding: 2px; display: inline-block;">AJ</div>
 City of Kelowna <small>COMMUNITY PLANNING</small>	

Date: January 31, 2019

File No.: Z19-0046

To: Community Planning (AJ)

From: Development Engineering Manager (JK)

Subject: 4119 Lakeshore Road

RU1 to RM3

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

- 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. Provide easements as may be required.
- c. This proposed subdivision may require the installation of centralized mail delivery equipment. Please contact Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC V1Y 2K0 to obtain further information and to determine suitable location(s) within the development.

2. Geotechnical Study

- (a) 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 report must be submitted prior to submission of Engineering drawings or application for subdivision approval.

- i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- ii. Site suitability for development.

- iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
 - iv. Any special requirements for construction of roads, utilities and building structures.
 - v. Recommendations for items that should be included in a Restrictive Covenant.
 - vi. Recommendations for roof drains, perimeter drains and septic tank effluent on the site.
 - vii. Any items required in other sections of this document.
- a. Additional geotechnical survey may be necessary for building foundations, etc

3. Water

- a. The developer's consulting engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The bylaw requirement for residential density housing zone is 150l/s and is available at the site. If it is determined that upgrades to any other existing water distribution system must be made to achieve the required fire flows, additional bonding will be required.
- b. An approved backflow protection device must also be installed on site as required by the City Plumbing Regulation and Water Regulation bylaws.
- c. 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

4. Sanitary Sewer

- a. The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal and disconnection of the existing services and the installation of one new larger service.

5. Drainage

- a. The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems.
- b. Provide a detailed Stormwater Management Plan for this development as per the Subdivision, Development and Servicing Bylaw #7900.
- c. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system

6. Roads

- a. Lakeshore Road must be upgraded to an full urban standard along the full frontage of this proposed development, including sidewalk, driveway let down, pavement removal and replacement, boulevard landscaping, underground irrigation system, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.
- b. The road cross section should match what is existing along Lakeshore Road to the North West including asphalt fillet and bike lane.

7. Power and Telecommunication Services and Street Lights

- a. 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.
- b. The existing overhead electrical and telecommunication distribution wiring on Lakeshore fronting this development must be installed underground to an approved offset fronting this development.

8. Road Dedication and Subdivision Requirements

- a. Provide 5.0m of road dedication along the frontage of this development.
- b. Grant Statutory rights of way if required for utility services

9. Design and Construction

- a. Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- b. Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c. Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d. A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e. Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

10. Other Engineering Comments


- a. 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.
- b. Street lighting including underground ducts must be installed on Lakeshore Road fronting on the proposed development. If the electrical source for the street lighting is on the lake side of Lakeshore Road, this source must be in underground ducts.
- c. Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the City Engineering Department for review and marked "issued for construction" by the City Engineer before construction may begin.

11. Servicing Agreements for Works and Services

- a. A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- b. Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured

12. Charges and Fees

- a. Development Cost Charges (DCC's) are payable
- b. Fees per the "Development Application Fees Bylaw" include:
 - i. Street/Traffic Sign Fees: at cost if required (to be determined after design).
 - ii. Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
- c. Engineering and Inspection Fee: 3.5% of construction value (plus GST)



James Kay, P.Eng.
Development Engineering Manager


JA



NOTE: GEODETIC
ELEVATION FOR
EL 100'-0" = 343.9M
(SEE CIVIL)

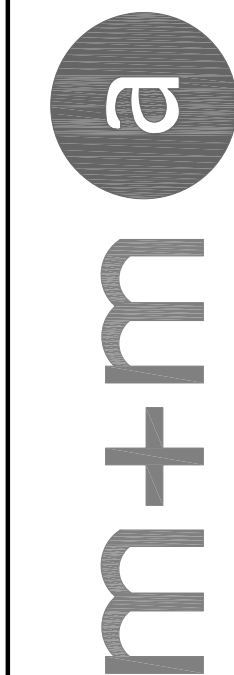
DVP-2
setback to
balcony

DVP-1
level 3
landscape
buffer

<h1 style="margin: 0; color: #C00000;">SCHEDULE _____</h1> <p style="margin: 10px 0 0 0; color: #C00000;">This forms part of application # Z19-0046</p>	<h1 style="margin: 0; color: #C00000;">A</h1> <div style="margin-top: 20px;">  <p style="margin: 10px 0;">City of Kelowna COMMUNITY PLANNING</p> </div>
<p>Planner Initials</p> <div style="border: 1px solid black; width: 60px; height: 40px; margin: 5px auto; text-align: center; line-height: 40px;">AJ</div>	



233 BERNARD AVENUE
KELOWNA, B.C.
V1Y 6N2
TEL: 250.762.3004
EMAIL: kel-mai@shaw.ca



MEIKLEJOHN ARCHITECTS INC.

Whitworth HOLDINGS LTD.

2019-03-24

revised
DP

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Meiklejohn Architects Inc. and may not be used
without the Architects' consent.

[illegible]

Project Title

LAKESHORE DRIVE
RENTAL TOWNHOMES
(26 UNITS)

4119 LAKESHORE DRIVE KELOWNA

Drawing Number

A2.00

DRAWINGS ARE NOT TO BE SCALED.
ALL DIMENSIONS SHALL BE VERIFIED ON JOB

Site Plan

$$1'' = 20' - 0''$$

Date	2019-03-21
Job No.	m+m 17-1779
Scale	AS SHOWN
Drawn	SN
Checked	JM



REPORT TO COUNCIL



Date: April 29, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (KB)

Application: Z19-0023

Owner: Lambert and Paul Construction Ltd., Inc. No. 80191

Address: 1977 Kirschner Road

Applicant: Zen Canna Retail Corp.

Subject: Rezoning Application

Existing OCP Designation: MXR – Mixed Use (Residential/Commercial)

Existing Zone: C10 – Service Commercial

Proposed Zone: C10rcs – Service Commercial (Retail Cannabis Sales)

1.0 Recommendation

THAT Rezoning Application No. Z19-0023 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 129 Osoyoos Division Yale District Plan 22769, located at 1977 Kirschner Road, Kelowna, BC from the C10 – Service Commercial zone to the C10rcs – Service Commercial (Retail Cannabis Sales) 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 approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT if the Rezoning Bylaw is adopted, Council direct Staff to send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch that they support issuance of a non-medical cannabis retail store license for this legal lot with the following comments:

- The proposed location meets local government bylaw requirements and as such, no negative impact is anticipated;
- The views of the residents were captured during a public hearing process for the rezoning of the property and Council meeting minutes summarizing those views are attached; and
- Local government recommends that the application be approved because of compliance with local regulations and policies.

2.0 Purpose

To rezone the subject property to facilitate the development of a retail cannabis sales establishment.

3.0 Community Planning

Community Planning Staff recommend support for the rezoning application to allow for a retail cannabis sales establishment on the subject property. This application was received prior to the close of the first intake of retail cannabis sales establishment applications on November 30, 2018. As such, it was evaluated in accordance with a Council-endorsed process and was selected, through a lottery process, to move forward with the City's standard rezoning process, established in the Development Application Procedures Bylaw. This application received a score of 69.29, and the overall average overall score of all applications evaluated was 69.53.

Should Council support the proposed Rezoning Bylaw, the property would be rezoned to a retail cannabis sales subzone, and Staff would send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch indicating support for issuance of a non-medical cannabis retail store license for this property.

The application meets the Zoning Bylaw No. 8000 and there are no variances being requested. Further, the applicant has confirmed the completion of public notification in accordance with Council Policy No. 367.

4.0 Proposal

4.1 Background

The unit proposed to be used for the retail cannabis sales establishment is currently occupied by Competition Glass.

4.2 Site Context

A Liquor Primary Establishment and a Retail Liquor Sales Establishment were identified sensitive uses within a 150 metre radius (at the OK Corral).

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C10- Service Commercial	Mix of commercial uses
East	C10- Service Commercial	Retail stores, service commercial
South	C10- Service Commercial	Animal clinics, major
West	C10- Service Commercial	Liquor primary establishment, major and liquor sales establishment

Subject Property Map: 1977 Kirschner Road



5.0 Technical Comments

5.1 Development Engineering Department

This application does not compromise any City of Kelowna municipal infrastructure.

6.0 Application Chronology

Date of Committee Evaluation of Application: January 11, 2019
Date of Application Accepted: February 8, 2019
Date Public Notification Completed: March 4, 14, & 15, 2019

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

Attachments:

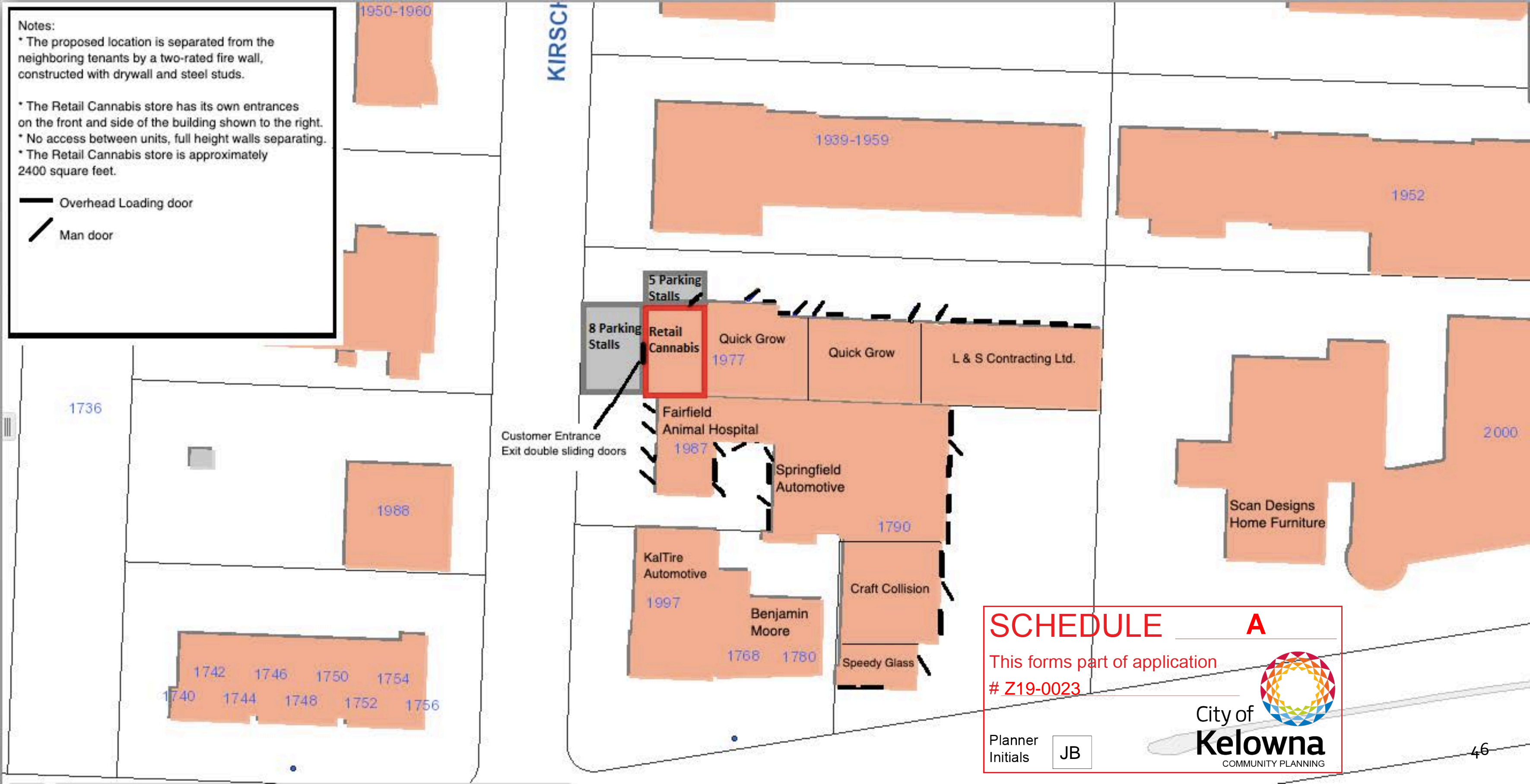
Attachment "A" - Site Plan

Notes:

- * The proposed location is separated from the neighboring tenants by a two-rated fire wall, constructed with drywall and steel studs.
- * The Retail Cannabis store has its own entrances on the front and side of the building shown to the right.
- * No access between units, full height walls separating.
- * The Retail Cannabis store is approximately 2400 square feet.

Overhead Loading door

Man door



SCHEDULE

A


This forms part of application
Z19-0023

Planner
Initials

JB

City of
Kelowna

COMMUNITY PLANNING



REPORT TO COUNCIL



Date: April 29, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (AC)

Application: TA19-0006

Owner: Petel Properties Inc., Inc.No.
A0069509

Address: 1675 & 1685 Ethel Street

Applicant: Kevin Bird

Subject: RM6 Commercial Land Use Text Amendment Application

1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA19-0006 to amend the City of Kelowna Zoning Bylaw No. 8000 as outlined in "Schedule A" within the report from the Community Planning Department dated April 29th 2019, for Strata Lots 1 & 2, District Lot 138, ODYD, Strata Plan EPS3699, Together With An Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V located at 1675 & 1685 Ethel St be considered by Council;

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

AND FURTHER THAT final adoption of the Zoning Bylaw Text Amendment Application No. TA19-0006 be considered subsequent to the approval of Ministry of Transportation.

2.0 Purpose

To amend the RM6 zone to allow Offices, Health Services (Major & Minor), and Retail Stores (General) specifically for 1675 & 1685 Ethel St.

3.0 Community Planning

The applicant would like to expand the allowable commercial land uses for the two commercial retail units (totaling 1,916 ft²) within Cambridge House to increase the marketability to various potential tenants. The RM6 zone is relatively narrow in the allowable secondary commercial uses. Table 1 illustrates the allowable and proposed land uses.

Staff are currently reviewing the amount and definitions of commercial land uses within a comprehensive zoning bylaw update. In the interim, ground floor commercial uses should have a 'walk-in' customer focus. Staff support adding these commercial land uses (office, health services, and retail), but only specifically for this property. Due to the design, size, and orientation of these commercial retail units along an active

transportation corridor, Staff are confident the proposed commercial uses will maintain the intended customer focused objective and help to contribute to the vibrancy of the neighbourhood.

Table 1.	
Existing Allowable Commercial Land Uses	Proposed Additional Commercial Land Uses
<p>The secondary uses in this zone are:</p> <ul style="list-style-type: none"> (a) agriculture, urban (b) child care centre, major (c) community recreation services (d) home based businesses, minor (e) hotel/motel accommodation within a multiple residential unit (f) household repair services (g) multi-residential shared gardens (f) participant recreation services, indoor (h) personal service establishments (i) retail stores, convenience 	<ul style="list-style-type: none"> (j) offices (k) Health Services (major & minor) (l) retail stores, general

Subject Property Map: 1675 & 1685 Ethel Street



4.0 Current Development Policies

4.1 Kelowna Official Community Plan (OCP)

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

Contain urban growth.² Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Mixed Use.³ Integration of residential uses into commercial developments as mixed-use projects is encouraged in Urban Centres, provided that the ground floor use remains commercial.

Commercial Land Use Policies.⁴ Encourage Mixed-use commercial development.

Transportation Related Policies:

- Support parking management programs that promote reduced vehicle ownerships, reduced vehicle trips, and increased use of active modes of transportation.
- The City of Kelowna's efforts will be focused on creating more mixed-use neighbourhoods (as identified on the OCP Future Land Use map) and on ensuring that residents can conveniently and safely travel by bus or by foot, bicycle and other forms of active transportation to get to major community destinations while ensuring the efficient movement of goods and services.
- Reduce peak hour trips and the percentage of trips undertaken by single occupant vehicles, particularly in Urban Centres, in order to reduce or eliminate the expansion of the transportation network and capacity.

Report prepared by: Adam Cseke, Planner Specialist
Reviewed by: Terry Barton, Urban Planning Manager
Approved by: Ryan Smith, Community Planning Manager

Attachments:

Applicant Rationale

Schedule 'A' - Proposed Text Amendment to Zoning Bylaw 8000

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

² City of Kelowna Official Community Plan, (Chapter 1 Introduction).

³ City of Kelowna Official Community Plan, (Chapter 4 Future Land Use).

⁴ City of Kelowna Official Community Plan, Objective 5.24 (Chapter 5 Development Process).

Re: Text Amendment for Strata Plan EPS3699 (Cambridge House)

The current RM6 Zoning bylaw has a very narrow scope of Secondary uses which is impacting the opportunity to either lease or sell the two (2) ground floor commercial units at Cambridge House (total of 1,1916 sq.ft.), having civic addresses of 1675 & 1685 Ethel Street, Kelowna.

Although we understand that this zoning bylaw is being reviewed and will go thru public consultation in 2019, we are seeking a text amendment to expedite the process to allow additional secondary uses, namely:

- Offices
- Health Services Major and Health Services, Minor; and
- Retail Stores, General and Retail Stores, Convenience

There have been a number of inquiries from Office and Health-related users (ie: Chiropractors, Real Estate Companies, Mortgage Brokers, Engineering Firms and small format retail).

There are six (6) reserved parking stalls allocated to these commercial units, which is slightly higher than other mixed-use strata developments and is appropriate for these types of uses.

It is our feeling that this will not take away from the spirit of the zone and will allow for a boarder range of uses yet remaining compatible with the neighborhood.

SCHEDULE A – PROPOSED TEXT AMENDMENTS TO ZONING BYLAW 8000 – TA19-0006

Zoning Bylaw 8000 – Amending Secondary Land Uses in RM6 Zone Amend Section 13.12.8 Site Specific Uses and Regulations

From:

13.12.8 Site Specific Uses and Regulations

Uses and regulation apply to the RM6 – High Rise Apartment Housing zone on a site-specific basis as follows:

	Legal Description	Civic Address	Regulation
1.	See Map A	1070-1130 Ellis Street 1075-1139 Sunset Drive 1088 Sunset Drive 1128 Sunset Drive 1142-1156 Sunset Drive 1151 Sunset Drive 1160 Sunset Drive	Notwithstanding section 9.17.1, the operator of short-term rental accommodation does not need to be a resident who resides for more than 240 days of the year at that dwelling unit.

To:

13.12.8 Site Specific Uses and Regulations

Uses and regulation apply to the RM6 – High Rise Apartment Housing zone on a site-specific basis as follows:

	Legal Description	Civic Address	Regulation
1.	See Map A	1070-1130 Ellis Street 1075-1139 Sunset Drive 1088 Sunset Drive 1128 Sunset Drive 1142-1156 Sunset Drive 1151 Sunset Drive 1160 Sunset Drive	Notwithstanding section 9.17.1, the operator of short-term rental accommodation does not need to be a resident who resides for more than 240 days of the year at that dwelling unit.

2.	Strata Lot 1, District Lot 138, ODYD, Strata Plan EPS3699	1675 Ethel Street	Notwithstanding section 13.12.3 Secondary Uses, these properties are permitted to have Offices, Health Services (major & minor), and Retail stores (General)
	Strata Lot 2, District Lot 138, ODYD, Strata Plan EPS3699	1685 Ethel Street	

Report to Council



Date: May 6, 2019
File: 1200-40
To: City Manager
From: Laura Bentley, Community Planning Supervisor
Subject: Short-Term Rental Accommodation in Secondary Suites and Carriage Houses

Recommendation:

THAT Zoning Bylaw Text Amendment Application No. TA19-0011 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Community Planning Department dated May 6, 2019 be considered by Council;

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

Purpose:

To amend the Zoning Bylaw by adding short-term rental accommodation as a permitted use in secondary suites and carriage houses, with associated regulations.

Background:

On March 12, 2019, Council directed staff to prepare a text amendment to Zoning Bylaw No. 8000 to permit short-term rental accommodation as a use in secondary suites and carriage houses. This was following the public hearing on the same date regarding the text amendment that introduced short-term rental accommodation as a use and outlined associated regulations in the Zoning Bylaw.

Staff propose that short-term rental accommodation be permitted in secondary suites and carriage houses with the following conditions:

- a) The short-term rental operator must have their principal residence on that property, as either the tenant of the secondary suite or carriage house, or the resident of the main house;
- b) One short-term rental operation is allowed per property for single dwelling housing with or without a secondary suite or carriage house;
- c) A maximum of two bedrooms or sleeping units can be used for short-term rentals in a secondary suite or carriage house; and

- d) One parking space is required, which may be the secondary suite or carriage house space.

These regulations will help to ensure that short-term rentals in secondary suites and carriage houses act as good neighbours by limiting the scale of this use in residential neighbourhoods. They are generally consistent with those already in place for short-term rentals in single, two, or multi-unit residential buildings. The proposed text amendment is outlined in Schedule A.

Secondary suites and carriage houses are an integral part of Kelowna's secondary market¹. Allowing short-term rentals in these units is expected to remove units from the long-term rental housing market, putting added pressure on purpose-built rentals and other forms of rental housing. Kelowna's Healthy Housing Strategy identifies a need to promote and protect rental housing, and taking action on those recommendations is important to support a more stable rental housing market. Other recommended actions, some of which are underway, include aligning land investments with housing needs, creating an inventory of existing purpose-built rental housing, reducing the cost of developing affordable purpose-built rental housing, and revising tax incentives for purpose-built rental housing.

The following sections provide a brief background of secondary suites and carriage houses in Kelowna, as well as other options that were considered in developing the proposed regulations.

Secondary Suites & Carriage Houses in Kelowna

Secondary suites and carriage houses have long been part of Kelowna's range of housing options. As of the end of 2018, Kelowna has an estimated 2,247 legal secondary suites and carriage houses, with upwards of 650 building permits issued for those housing types in 2017 and 2018 alone. For comparison, the primary rental market² has 5,176 units, with 708 units added from October 2016 to October 2018³.

As smaller units with relatively few overhead costs, secondary suites and carriage houses are generally a more affordable form of rental housing. On average in Kelowna, rent for secondary suites and carriage houses is 13% less than that for purpose-built rental apartments and 43% less than single detached houses⁴. Availability varies between rental unit types, with the vacancy rate for the primary rental market being 1.9% and the vacancy rate for rented condo units being 0.6%⁵. Although the primary rental market vacancy rate rose in 2018, it is still below the targeted rate of 3% to 5%.

Recognizing the value of secondary suites and carriage houses in providing more affordable forms of rental housing, adding incremental density in residential areas, and offering homeowners flexibility in adding a dwelling unit on their property, the development process for secondary suites and carriage houses has been streamlined over time to make it easier for homeowners to add a secondary dwelling unit. A brief timeline of the development process for these housing types is as follows:

- Mid-1990s: Secondary suites allowed in most single detached zones (rezoning to 's' subzone).
- Early 2000s: Carriage houses allowed in most single detached zones (rezoning to 's' subzone).

¹ The secondary rental market consists of individually owned units that are rented out on a long-term basis (minimum monthly tenancy), including secondary suites, carriage houses, condo units, and single detached houses.

² The primary rental market consists of purpose-built rental apartments and townhouses.

³ Canada Mortgage and Housing Corporation (2018). *CMHC Rental Market Survey*.

⁴ Canada Mortgage and Housing Corporation (2016). *Rental Market Report Kelowna CMA*.

⁵ Canada Mortgage and Housing Corporation (2018). *Rental Market Report Kelowna CMA*.

- 2012: Removed 's' subzone for secondary suites and changed to 'c' subzone for carriage houses.
- 2016: Extended secondary suites to all zones that allow single detached houses, with location-specific exceptions due to servicing limitations. Removed requirement for secondary suites and carriage houses to hold a business license.
- 2017: Removed form and character development permits for carriage houses.

Where before 2012 a homeowner looking to add a secondary suite needed to go through a full rezoning process, building permit, and business license, today a homeowner who meets the requirements for a secondary suite only needs a building permit. The intent behind these changes was to simplify opportunities to achieve legal and more affordable housing options.

Guiding Principles & Public Survey

On July 16, 2018, Council endorsed guiding principles to direct the development of regulations for short-term rentals. They are based on Kelowna's housing context, concerns about potential nuisance impacts in residential areas, and establishing a fair approach among short-term accommodation providers. The three guiding principles are:

1. Ensure short-term rental accommodations do not impact the long-term rental housing supply in a negative way.
2. Ensure short-term rental accommodations are good neighbours.
3. Ensure equity among short-term accommodation providers.

The public survey conducted in fall 2017 has been used throughout the development of the short-term rental regulations in conjunction with stakeholder consultation and consideration of Kelowna's housing context. In ranking eight objectives for regulating short-term rentals, respondents identified 'protect the supply of long-term rental housing' as the fourth most important. Just over 60% of respondents indicated that secondary suites and carriage houses should be used for short-term rentals, though suburban areas had the least support (62%) when asked where short-term rentals should be located.

Other Considerations

Over the course of developing the regulations, staff heard from many property owners who rent to post-secondary students during the school year (September to April) and operate short-term rentals in the summer. Staff considered a four-month restriction on short-term rentals in secondary suites and carriage houses to encourage these units to be used for long-term rentals during the school year. However, staff recognize that short-term rentals serve a variety of needs and residents are looking for flexibility. For example, residents around Kelowna General Hospital may be more likely to operate short-term rentals year-round. Similarly, a geographic area to support student rentals is not proposed because students live in many neighbourhoods across the City, and different neighbourhoods serve different demands for short-term rentals.

Recognizing the relationship to the long-term rental housing market, staff considered connecting regulations for short-term rentals in secondary suites and carriage houses to the vacancy rate. A healthy vacancy rate is generally considered to be 3%; this provides opportunities for a variety of suitable rental housing options for residents and represents more stability in the rental market.

One model would be to set a maximum number of short-term rental business licenses for secondary suites and carriage houses when Kelowna is below a 3% vacancy rate, and increase it when above 3%. This option has several challenges for implementation and administration. Vacancy rates are reported annually in the fall and lag time is not well-captured, meaning that vacancies may actually be higher or lower come the main tourist season. It would also create uncertainty for operators. Further, Kelowna's vacancy rate has been below 3% since 2013, calling into question the usefulness of such a cap. Should short-term rentals be allowed in secondary suites and carriage houses, other measures should be used to help to promote and protect rental housing.

It should be noted that from 2003 to 2008, second kitchens were allowed in single detached homes without being part of a formalized secondary suite. These kitchens were to be used exclusively for residents of the house and were to be free-flowing spaces with no locking doors. For those spaces to be used for short-term rentals, homeowners with previously approved second kitchens would need to either decommission the second kitchen or convert them into full secondary suites.

Across BC, municipalities have taken different approaches to regulating short-term rentals in secondary dwelling units (e.g., secondary suite, carriage house). Vancouver and Victoria, for example, only allow the principal resident (i.e., tenant) of a secondary dwelling unit to operate a short-term rental, while Nelson and Penticton allow the property owner to operate a short-term rental out of a secondary dwelling unit. Each municipality has associated regulations regarding the number of guests per unit.

Regulations around short-term rentals in secondary suites and carriage houses will be reviewed along with the broader set of short-term rental regulations following two tourist seasons.

Internal Circulation:

G. Wise, Business Licence Manager

J. Moore, Long Range Policy Planning Manager

K. O'Rourke, Community Communications Manager

Existing Policy:

OCP 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.

Healthy Housing Strategy Action: Update regulations to protect the rental stock from the impacts of short-term rentals.

Submitted by:

L. Bentley, Community Planning Supervisor

Approved for inclusion: R. Smith, Divisional Director, Planning & Development Services

Attachments:

Schedule A – Short-Term Rental Accommodation in Secondary Suites & Carriage Houses Zoning Bylaw No. 8000 Text Amendments

CC:

G. Wise, Business Licence Manager

D. Gazley, Bylaw Services Manager

J. Moore, Long Range Policy Planning Manager

K. O'Rourke, Community Communications Manager

Schedule A – Short-Term Rental Accommodation in Secondary Suites & Carriage Houses Zoning Bylaw No. 8000 Text Amendments

No.	Section	Relevant Existing	Proposed	Explanation
1.	8 – Parking and Loading Table 8.1 – Parking Schedule, Residential and Residential Related	n/a	<div> <div> <u>Short-Term Rental Accommodation in a Secondary Suite or Carriage House.</u> </div> <div> <u>Equivalent to parking requirements for a secondary suite or carriage house.</u> </div> </div>	Add parking requirement specific to short-term rental accommodation in a secondary suite / carriage house.
2.	9 – Specific Use Regulations 9.17 Short-Term Rental Accommodation	9.17.1 Where short-term rental accommodation is a secondary use , it must be secondary to a dwelling unit as a principal use and must be operated by a resident who resides for more than 240 days of the year at that dwelling unit.	9.17.1 Where short-term rental accommodation is a secondary use , it must be secondary to a dwelling unit as a principal use and must be operated by a resident who resides for more than 240 days of the year at that dwelling unit. <u>(a) For short-term rental accommodation in a secondary suite or carriage house, the operator must be a resident who resides for more than 240 days of the year on the lot.</u>	Add clarification that the operator of a short-term rental in a secondary suite / carriage house must live on the property (i.e., tenant of suite / carriage house, or resident of the main house). Owner's authorization would be required for any tenant looking to operate a short-term rental.

No.	Section	Relevant Existing	Proposed	Explanation
3.	9 – Specific Use Regulations 9.17 Short-Term Rental Accommodation	9.17.2 Short-term rental accommodation is not permitted in a secondary suite or carriage house .	9.17.2 Short-term rental accommodation is not permitted in a secondary suite or carriage house . <u>For single dwelling housing with or without a secondary suite or carriage house, a maximum of one short-term rental accommodation operation is permitted per lot.</u>	Add regulation that a resident may operate a short-term rental out of a house or a secondary suite / carriage house, but not both.
4.	9 – Specific Use Regulations 9.17 Short-Term Rental Accommodation Table 9.17.1 Maximum Sleeping Units for Short-Term Rental Accommodation	n/a	Add <u>Secondary suite</u> and <u>Carriage house</u> under “Use” in the third row, indicating a maximum of 2 sleeping units for short-term rental accommodation in a secondary suite or carriage house.	Add maximum of two sleeping units for short-term rentals in a secondary suite / carriage house.



TA19-0011 Short-Term Rental Accommodation

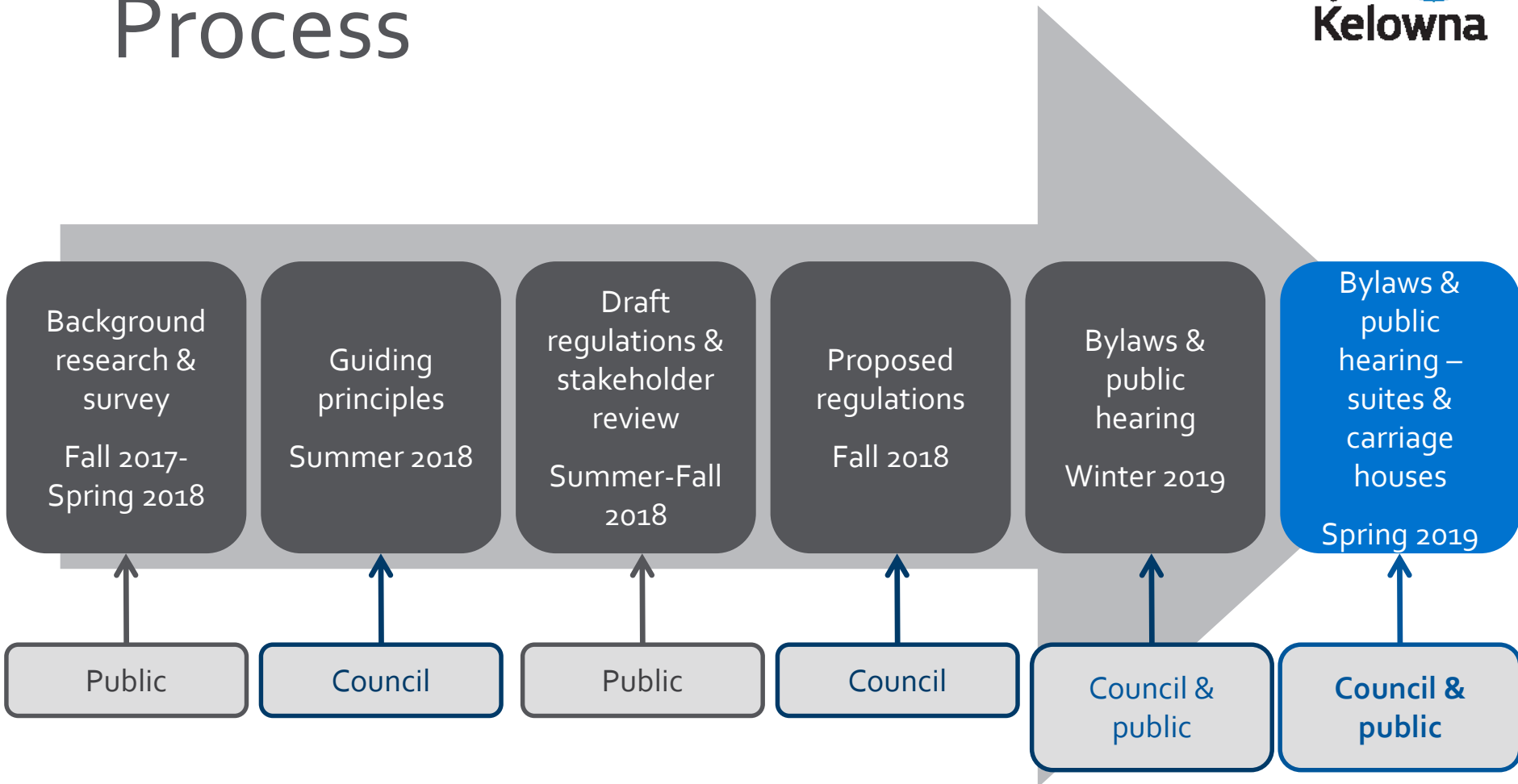
Zoning Bylaw Text Amendment



Proposal

- ▶ To consider adding short-term rental accommodation as a permitted use in secondary suites & carriage houses

Process



Public Survey

- ▶ Priority #4: Protect the supply of long-term rental housing
- ▶ 63% of respondents supported using secondary suites & carriage houses for short-term rentals
- ▶ 62% of respondents supported locating short-term rentals in suburban areas

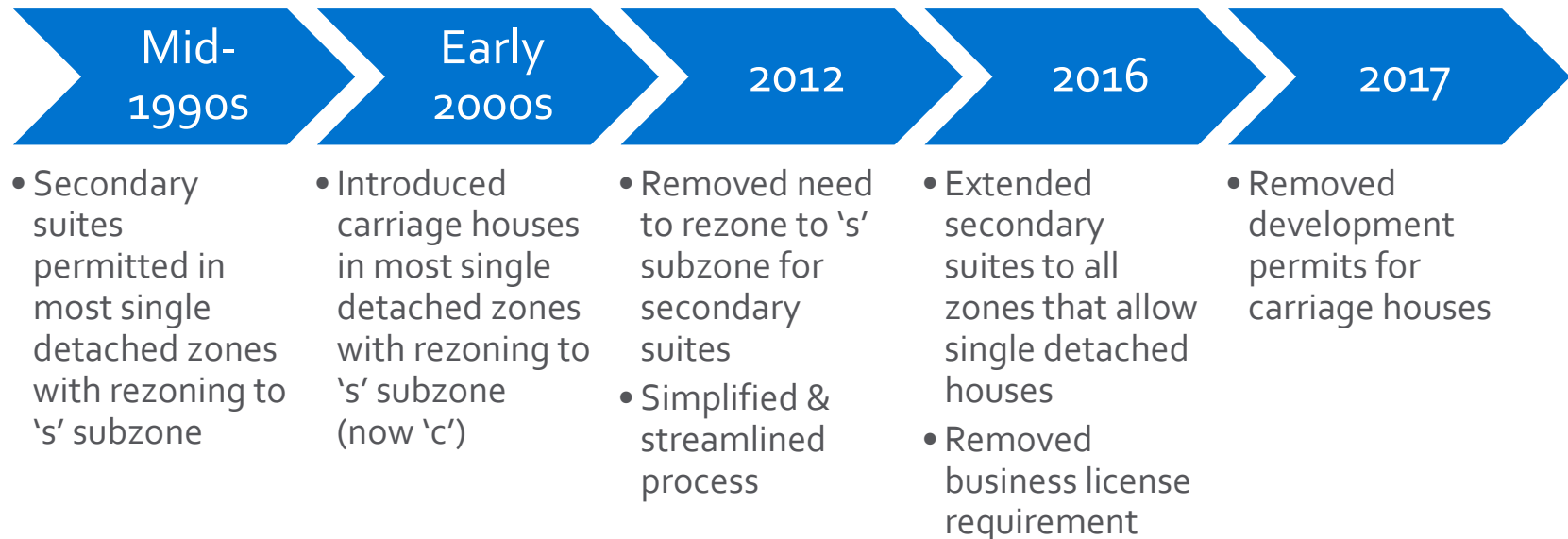
Guiding Principles

- ▶ Ensure short-term rental accommodations **do not impact long-term rental housing supply** in a negative way.
- ▶ Ensure short-term rental accommodations are **good neighbours**.
- ▶ Ensure **equity among short-term accommodation providers**.

Secondary Suites & Carriage Houses

- ▶ Policies to encourage suites & carriage houses
- ▶ Enables legal suites that offer more housing options for various long-term renters
 - ▶ Ground-oriented
 - ▶ More affordable than other options
- ▶ Approx. 2,247 legal suites & carriage houses in Kelowna

Secondary Suites & Carriage Houses



Proposed Regulations

- ▶ Allow short-term rentals in suites & carriage houses with conditions
- ▶ Meet the guiding principle of acting as a good neighbour

Regulation	Requirement	Note
Principal residency	Operator must live on the property	Principal resident of main house or suite / carriage house
Maximum # of short-term rental operations	1	Per property for single dwelling housing
Maximum # of bedrooms	2	
Minimum # of parking spaces	1	Can be the suite / carriage house space

Long-Term Rentals

- ▶ Removal of units from the secondary rental market
- ▶ Expect more pressure on purpose-built rentals
 - ▶ 73% of new households are renters
 - ▶ 550 new rental units needed annually
- ▶ Expect more challenges for those needing long-term rentals seasonally

Considerations

- ▶ Student rentals
 - ▶ 4-month restriction
 - ▶ Geographic restriction
- ▶ Vacancy rate cap
- ▶ Second kitchens
- ▶ Two-year review

Staff Recommendation

- ▶ Recommend **support** for the Zoning Bylaw text amendment for short-term rental accommodation
 - ▶ Allows residents to operate short-term rentals
 - ▶ Aligns with previously endorsed guiding principles
 - ▶ Establishes clear regulations so the public understands the rules that apply to them



Questions?

Proposed Regulations

- ▶ Allow short-term rentals in suites & carriage houses with conditions
- ▶ Meet the guiding principle of acting as a good neighbour

Regulation	Requirement	Note
Principal residency	Operator must live on the property	Principal resident of main house or suite / carriage house
Maximum # of short-term rental operations	1	Per property for single dwelling housing
Maximum # of bedrooms	2	
Minimum # of parking spaces	1	Can be the suite / carriage house space

REPORT TO COUNCIL



Date: May 6, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (WM)

Application: OCP18-0014/Z18-0070 **Owner:** Glenwest Properties Ltd.,
Inc.No. Co889227

Address: 1550 Union Road **Applicant:** Glenwest Properties Ltd.

Subject: Rezoning and Official Community Plan Amendment Application

Existing OCP Designation: COMM – Commercial & MRM – Multiple Unit Residential (Medium Density)

Proposed OCP Designation: MRL – Multiple Unit Residential (Low Density)

Existing Zones: RM2 – Low Density Row Housing
RM5 – Medium Density Multiple Housing
P3 – Parks and Open Space

Proposed Zone: RM3 – Low Density Multiple Housing

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP18-0004 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation for portions of Lot 4 Section 9 Township 23 ODYD Plan KAP86750 located at 1550 Union Road, Kelowna, BC from the COMM – Commercial and MRM – Multiple Unit Residential (Medium Density) designation to the MRL – Multiple Unit Residential (Low Density) designation, as shown on Map “A” attached to the Report from the Community Planning Department dated May 6th, 2019 be considered by Council;

THAT Rezoning Application No. Z18-0070 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classifications for portions of Lot 4 Section 9 Township 23 ODYD Plan KAP86750 located at 1550 Union Road, Kelowna, BC from the RM2 – Low Density Row Housing, RM5 – Medium Density Multiple Housing and P3 – Parks and Open Space zones to RM3 – Low Density Multiple Housing, as shown on Map “B” attached to the Report from the Community Planning Department dated May 6th, 2019 be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated May 6th, 2019;

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

2.0 Purpose

To amend the Official Community Plan designation from COMM – Commercial and MRM – Multiple Unit Residential (Medium Density) to the MRL – Multiple Unit Residential (Low Density) and rezone the subject property from RM2 – Low Density Row Housing, RM5 – Medium Density Multiple Housing and P3 – Parks and Open Space to RM3 – Low Density Multiple Housing to accommodate a 61 unit townhome development.

3.0 Community Planning

Community Planning Staff are recommending support for the proposed OCP and Rezoning amendments to facilitate a future townhouse development. The proposed amendments allow for a reduction in permitted density however are consistent with the objectives and policies of the OCP and the revised Wilden Village neighborhood plan. The proposed development is considered compatible with the existing neighborhood and the surrounding environmentally sensitive areas including Still Pond.

4.0 Proposal

4.1 Background

The subject property is within the Glenmore Highlands ASP area, adopted by Council in April 2000. The Wilden development team also has an active application to redesignate and rezone (OCP17-0023 & Z17-0098) the Wilden Village neighborhood to the west. In conjunction, the proposal for this site is to down zone and develop the 2.39 ha property to create 61 townhouse units in row house configuration. The property was originally proposed for higher density residential and commercial centre prior to the revision of the Wilden Village neighborhood. As part of that overall change, the proposal for lower density residential is seen to fit more sensitively within the overall neighborhood as well as the physical characteristics of the site including Still Pond and Still Pond Park. The potential loss of commercial area is to be transferred west across Union Road as part of the updated Wilden Village neighborhood plan.

4.2 Project Description

The proposal is to amend the OCP to MRL – Multiple Unit Residential (Low Density) and rezone to RM3 – Low Density Housing to accommodate future townhome development. Staff are also tracking a Form and Character Development Permit, a Natural Environment Development Permit and a Development Variance Permit for an over height retaining wall.

The 'Wilden Pondsides Landing' is a multi-unit residential development consisting of 61 units in row house form separated into eleven buildings. There is a 15 m Riparian Area setback next to Still Pond and wildlife corridor area at the south end of the property. These areas are protected by restrictive covenants and will remain undisturbed with the exception of a pedestrian trail which will connect from the south to Union Road.



4.3 Site Context

The proposed area is located within the Permanent Growth Boundary, and is fully serviced. The subject property's location is a short vehicle commute to the Kelowna International Airport, and the University of British Columbia Okanagan Campus. The subject property has a Walk Score of 2 as almost all errands require a car, in addition there are few transit stops near the subject property.

Subject Property Map: 1550 Union Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Policy 5.2.3 to meet the objective of developing sustainably supports a mix of uses within Kelowna's suburbs in accordance with 'smart growth' principals including all types of residential uses at appropriate locations and densities. The proposed zone is compatible with the surrounding

neighbourhood and meets smart growth principals by contributing to a mix of land uses in the area and provides for more compact building types than single detached houses.

Policy 5.3.2 to meet the objective of focusing development to designated growth areas encourages developing a compact urban form that maximizes the use of existing infrastructure. The subject property is located within the permanent growth boundary and will be able to utilize existing infrastructure such as water and sewer.

Policy 5.4.1 to meet the objective of ensuring adherence to form and character, natural environment, hazardous condition and conservation guidelines requires that multiple unit residential developments obtain the applicable Development Permits prior to building permit issuance. This property is located within the Urban Design Comprehensive Development Permit Area and the Natural Environment Development Permit area.

Policy 5.3.9 to meet the objective of ensuring all development is consistent with the vision, goals and objectives of the OCP development applications that require an OCP amendment are evaluated on the basis of the extent to which they comply with underlying OCP objectives, this proposed development meets the applicable objectives of the OCP, specifically the property is serviced with water and City sanitary sewer, the project involves redevelopment of currently under-utilized urbanized land, and the proposed use is compatible with the existing neighbourhood.

6.0 Technical Comments

6.1 Development Engineering Department

- Refer to Development Engineering Memo dated July 16, 2018.

7.0 Application Chronology

Date of Application Received: June 21, 2018

Date Public Consultation Completed: March 13, 2019

Report prepared by: Wesley Miles, Planner Specialist

Reviewed by: Dean Strachan, Suburban and Rural Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Schedule A: Conceptual Site Layout/Elevations

Attachment A: Development Engineering Memorandum

Attachment B: Applicant Rationale Letter

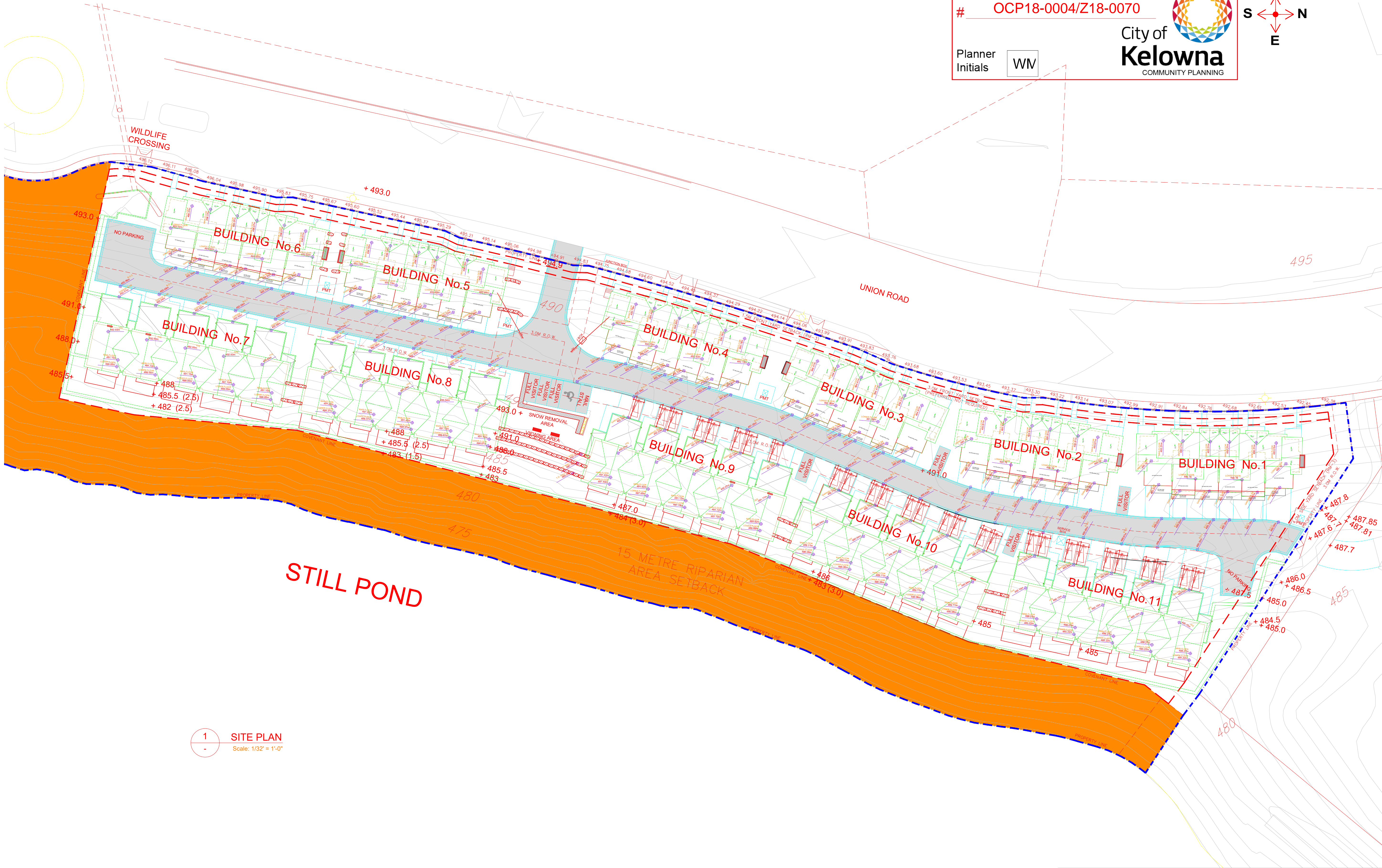
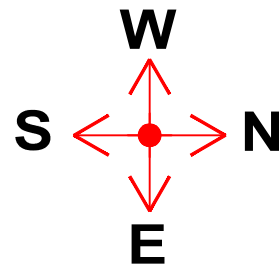
Map A: OCP Amendment

Map B: Zoning Bylaw Amendment

SCHEDULE A

This forms part of application
OCP18-0004/Z18-0070

Planner
Initials WM

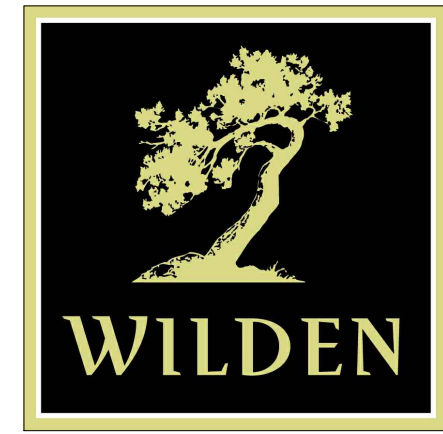


1 SITE PLAN
Scale: 1/32" = 1'-0"

EKISTICS
Architecture

1925 Main Street
Vancouver, BC,
Canada, V5T 3C1

T. 604 876-5050
F. 604 876-5060
www.ekistics.com



REVISIONS

1

ISSUES

8
7
6
5
4
3
2
1

DATE

2018.11.23

PROJECT NUMBER DD-13

DRAWN BY TEH

CHECKED BY RB

DATE CHECKED

CONSULTANT

PROJECT

PONDSIDE LANDING

KELOWNA, BC

DRAWING TITLE

SITE PLAN

DRAWING No.

A0.01



1.



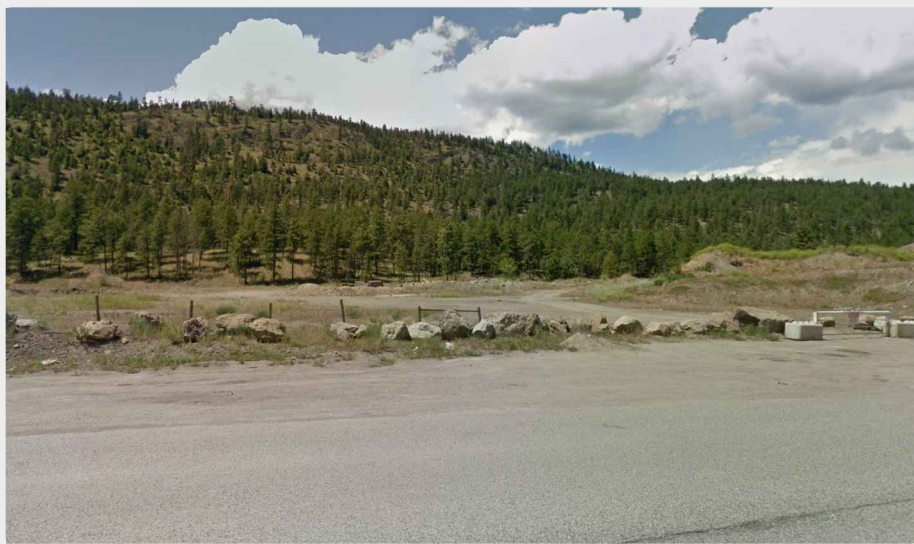
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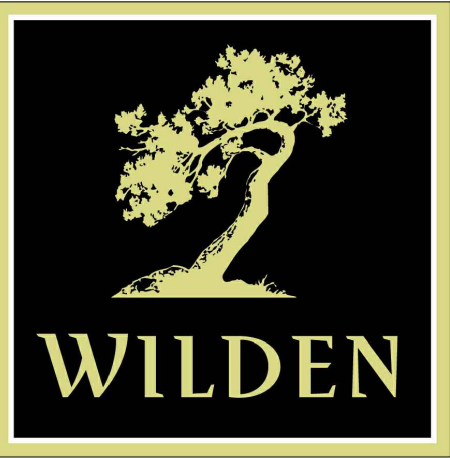
3.



4.



5.



REVISIONS

ISSUES

8
7
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3
2
1

ISSUED FOR DP

DATE

2018.11.23

PROJECT NUMBER

DD-13

DRAWN BY

TEH

CHECKED BY

RB

DATE PRINTED

CONSULTANT

PROJECT

POND SIDE LANDING

KELOWNA, BC

DRAWING TITLE

CONTEXT PLAN

DRAWING No.

A0.03





CITY OF KELOWNA
MEMORANDUM

Date: July 16, 2018
File No.: Z18-0070
To: Community Planning (TH)
From: Development Engineering Manager (JK)
Subject: Rezoning from RM5 Medium Density Multiple Housing to RM3 Low Density Multiple Housing

LOCATION: 1520, 1550 Union Road	ZONE RM3
APPLICANT: Glenwest Properties (Blenk)	
LEGAL: Lot 4 PL 86750	

WORKS AND SERVICES REQUIREMENTS

The City's Works & Utilities Department will handle the Works & Services requirements identified below between time of Preliminary Layout Review (PLR) and application for Subdivision Approval. Arrangements for construction must be made before making application for Approval of a subdivision plan. The Development Engineering Technician for this project is Ryan O'Sullivan

.1) General

- a) This proposed subdivision may require the installation of centralized mail delivery equipment. Please contact, 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.
- b) Where there is a possibility of a high water table or surcharging of storm drains during major storm events, non-basement homes may be required. This must be determined by the engineer and detailed on the Lot Grading Plan required in the drainage section

.2) Geotechnical Report

- a) Provide a comprehensive geotechnical report and hydro-geotechnical report (3 copies), 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 Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

- (i) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- (ii) Site suitability for development.
- (iii) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- (iv) Any special requirements for construction of roads, utilities and building structures.
- (v) Suitability of on-site disposal of storm water and sanitary waste, including effects upon adjoining lands.
- (vi) Slope stability, rock fall hazard and slippage including the effects of drainage and septic tank effluent on the site.
- ii) Top of bank assessment and location including recommendations for property line locations, septic field locations, building setbacks, and ground water disposal locations.
- iii) Recommendations for items that should be included in a Restrictive Covenant.
- iv) Any special requirements that the proposed subdivision should undertake so that it will not impact the bank(s). The report must consider erosion and structural requirements.
- v) Any items required in other sections of this document.
- vi) Recommendations for erosion and sedimentation controls for water and wind.
- vii) Recommendations for roof drains and perimeter drains.
- viii) Recommendations for construction of detention or infiltration ponds if applicable.

.3) Water

- a) This development is within the service area of the Glenmore Ellison Irrigation District (GEID). The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection and upgrading costs are to be paid directly to the GEID. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with the City of Kelowna current Bylaws and Policies.

.4) Sanitary Sewer

- a) Provide an adequately sized sanitary sewer system complete with individual lot connections and inspection chamber (IC) complete with brooks box must be installed on the service at the owner's cost.
- b) Confirmation is required from City of Kelowna that the sanitary system components proposed satisfy the Bylaw and that security is in place for any offsite Works and that all associated fees are paid.
- c) Design drawings must be reviewed by City of Kelowna prior to the City issuing the drawings for construction.

.5) Drainage

- a) Provide an adequately sized drainage system complete with individual lot connections. The Subdivision, Development and Servicing Bylaw requires that each lot be provided with an individual connection; however, the City Engineer may permit use of individual ground water disposal systems, where soils are suitable. For on-site disposal of drainage water, a hydrogeotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems for each lot.
- b) Provide the following drawings:
 - i) A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill);
 - ii) A detailed Stormwater Management Plan for this subdivision; and water treatment before entering any storm water pond or wet land
 - iii) An Erosion and Sediment Control Plan.
- c) Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- d) Any Stormwater discharged to Stormwater ponds or wet lands must be approved by City of Kelowna, Suburban and Rural Planning Department.

.6) Roads

- a) All Lanes to be constructed to SS-H15 or SS-R2 with 6.0m clear asphalt roadway with no parking.
- b) Access from Union road installed as a let down and when ultimate Union road is constructed as SS-H1 2 lane village parkway, this access will be right in right out only.
- c) Provide traffic control and street name signs where required. The City will install all signs and traffic control devices at the developer's expense.
- d) Provide a Street Sign, Markings and Traffic Control Devices Drawing.
- e) Grade the fronting road boulevards in accordance with the standard drawing and provide a minimum of 50 mm of topsoil. Major cut/fill slopes must start at the property lines.
- f) Verify that physical driveway access will satisfy City requirements for all lots. For steeper lots (15% and greater), show driveways on the lot grading plan with grades or profiles.
- g) MoT Section 440H Soild Rock Cut Section please use detail for any and all rock cuts on Road Right of Way or pathway sections.

.7) Power and Telecommunication Services and Street Lights

- a) All proposed distribution and service connections are to be installed underground.
- b) Street lights must be installed on all roads.
- c) Before making application for approval of your subdivision plan, please make arrangements with Fortis BC for the pre-payment of applicable charges and tender a copy of their receipt with the subdivision application.
- d) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.

.8) Design and Construction

- a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.

- b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

.9) Servicing Agreements for Works and Services

- a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.


.10) Other Engineering Comments

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Fortis BC, 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.

.11) Charges and Fees

- a) Development Cost Charges (DCC's) are payable at Subdivision or Building Permit.
- b) None of the Works & Services required are items included in the DCC calculations and therefore not eligible for DCC credits.

- c) Fees per the "Development Application Fees Bylaw" include:
- i) Street/Traffic Sign Fees: at cost if required (to be determined after design).
 - ii) Survey Monument Fee: \$50.00 per newly created lot (HST exempt).
 - iii) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - iv) Engineering and Inspection Fee: 3.5% of construction value (plus GST).



James Kay, P.Eng.
Development Engineering Manager
RO

Design Rationale – Wilden Pondsides Landing

The Pondsides Landing townhome project is ideally situated to take advantage of both the natural setting and proximity to future civic amenities within Wilden. Fronting onto Union Road, homes will experience the vibrant urban interface at the edge of the Village & Market Square, while backing onto the tranquil natural landscape that surrounds Still Pond.

Of the total 2.39 ha. site area, approximately 43% (1.03 ha.) remains as a protected wildlife corridor, increasing biodiversity and connecting wildlife habitats to provide safe migration to nearby greenbelts and wetlands.

The plan proposes to down-zone the property from RM5 to RM3 utilizing a layout and building form more conducive to the site, while shifting density across the street as part of updated plans for the Village neighbourhood. Moving away from the previous 4-storey apartment development (approved 2009), the new 3-storey townhomes fit the landform more closely, mitigating overall site massing and visual impact.

The updated design reduces the height of retaining walls from the previously approved 12m maximum to just over 7m in one location – which coincides with the least-visible area of the site – with an average height of roughly 4.5m over the length of the footprint. The proposed Sierrascape retaining wall system utilizes gabion-style baskets filled with rock extracted from site which blends in with existing geological features, and will be further enhanced with planted screening. This wall system has proven successful on other projects in Wilden.

The townhomes facing Union are urban in character with strong, vertical, gable ends and row-home like facades. Porches front onto Union Rd encouraging a sense of home and pedestrian orientation. These townhomes transition in form as they re-orient on the lane side to take advantage of views over Still Pond and the natural wooded hillside. Decks emerge out of the sloped roof structure to provide private rooftop amenity to each unit.

The townhomes on the pond side of the site are approached from the lane with a low-profile garage and entrance, and a gable-end roof form set back from the street. The building floor plates split at the entrance, step down to engage the slope and take advantage of the spectacular natural setting adjacent to the pond.

The buildings in Pondsides Landing utilize traditional gable roof forms while incorporating contemporary flat roof elements and crisp, modern detailing. Articulated decks and architectural elements provide visual relief to the rear building face. Each building volume is clearly delineated with distinct materials emphasizing the architectural form, with a subtle colour palette drawing on surrounding natural elements.

The architecture bridges the traditional and modern languages bringing a new identity to the Wilden Village neighbourhood.

Refer to the attached Site Rendering.



(W OF)

Subject Properties Notes:

Amend a portion of the subject property from MRM - Multiple Unit Residential (Medium Density) to MRL Multiple Unit Residential (Low Density)

Subject Properties Notes:

Amend a portion of the subject property from COMM - Commercial to MRL Multiple Unit Residential (Low Density)

UNION RD

UPPER CANYON DR N

STILL POND LANE

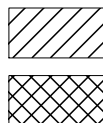
STILL POND PL

LONG RIDGE DR

LONG RIDGE CT

BIG ROCK CT

**MAP "A" OCP AMENDMENT
File OCP18-0014**



COMM to MRL

MRM to MRL



Subject Property

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

0 45 90 Metres



Rev. Tuesday, April 16, 2019

(W OF)

Subject Property Notes:

Rezone a portion of the subject property from RM5 - Medium Density Multiple Housing to RM3 - Low Density Multiple Housing

225





Subject Property Notes:

Rezone a portion of the subject property from P3 - Parks and Open Space to RM3 - Low Density Multiple Housing

Subject Property Notes:

Rezone a portion of the subject property from RM2 - Low Density Row Housing to RM3 - Low Density Multiple Housing

MAP "B" PROPOSED ZONING File Z18-0070

-  Subject Property
-  P3 to RM3
-  RM5 to RM3
-  RM2 to RM3

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

0 30 60 Metres

Rev. Tuesday, April 30, 2019



REPORT TO COUNCIL



Date: May 6, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (KB)

Application: Z19-0034 **Owner:** Midwest Ventures Ltd., Inc.No. BC0046021

Address: 5505-5507 Airport Way **Applicant:** National Access Cannabis

Subject: Rezoning Application

Existing OCP Designation: COMM - Commercial

Existing Zone: C9 – Tourist Commercial
CD15 – Airport Business Park

Proposed Zone: C9 – Tourist Commercial (Retail Cannabis Sales)

1.0 Recommendation

THAT Rezoning Application No. Z19-0034 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 14 Township 23 Osoyoos Division Yale District Plan EPP23036, located at 5505-5507 Airport Way, Kelowna, BC from the C9 – Tourist Commercial zone and from the CD15 – Airport Business Park to the C9rcs – Tourist Commercial (Retail Cannabis Sales) zone as shown on Map "A" attached to the Report from the Community Planning Department dated May 6, 2019, 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 approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT if the Rezoning Bylaw is adopted, Council direct Staff to send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch that they support issuance of a non-medical cannabis retail store license for this legal lot with the following comments:

- The proposed location meets local government bylaw requirements and as such, no negative impact is anticipated;
- The views of the residents were captured during a public hearing process for the rezoning of the property and Council meeting minutes summarizing those views are attached; and

- Local government recommends that the application be approved because of compliance with local regulations and policies.

2.0 Purpose

To rezone the subject property to facilitate the development of a retail cannabis sales establishment.

3.0 Community Planning

Community Planning Staff recommend support for the rezoning application to allow for a retail cannabis sales establishment on the subject property. This application was received prior to the close of the first intake of retail cannabis sales establishment applications on November 30, 2018. As such, it was evaluated in accordance with a Council-endorsed process and was selected, based on its score, to move forward with the City's standard rezoning process, established in the Development Application Procedures Bylaw. This application received a score of 84.29, and the average overall score of all applications evaluated was 69.53. There were no other applications received that were located within a 500 metre radius of this application.

Should Council support the proposed Rezoning Bylaw, the property would be rezoned to a retail cannabis sales subzone, and Staff would send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch indicating support for issuance of a non-medical cannabis retail store license for this property.

The application meets the Zoning Bylaw No. 8000 and there are no variances being requested. Further, the applicant has confirmed the completion of public notification in accordance with Council Policy No. 367.

4.0 Proposal

4.1 Background

The unit proposed to be used for the retail cannabis sales establishment was previously another retail store, however is currently vacant.

4.2 Site Context

A Retail Liquor Sales Establishment is an identified sensitive use within 150 metre radius (at 1730-1756 Pier Mac Way).

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	CD15CO- Airport Business Park	Mix of business park uses
East	CD12- Airport & A1- Agriculture 1	Restaurant, airport parking lot
South	CD15- Airport Business Park	Mix of business park uses
West	CD15- Airport Business Park	Mix of business park uses

Subject Property Map: 5505-5507 Airport Way



5.0 Technical Comments

5.1 Development Engineering Department

This application does not compromise any City of Kelowna municipal infrastructure.

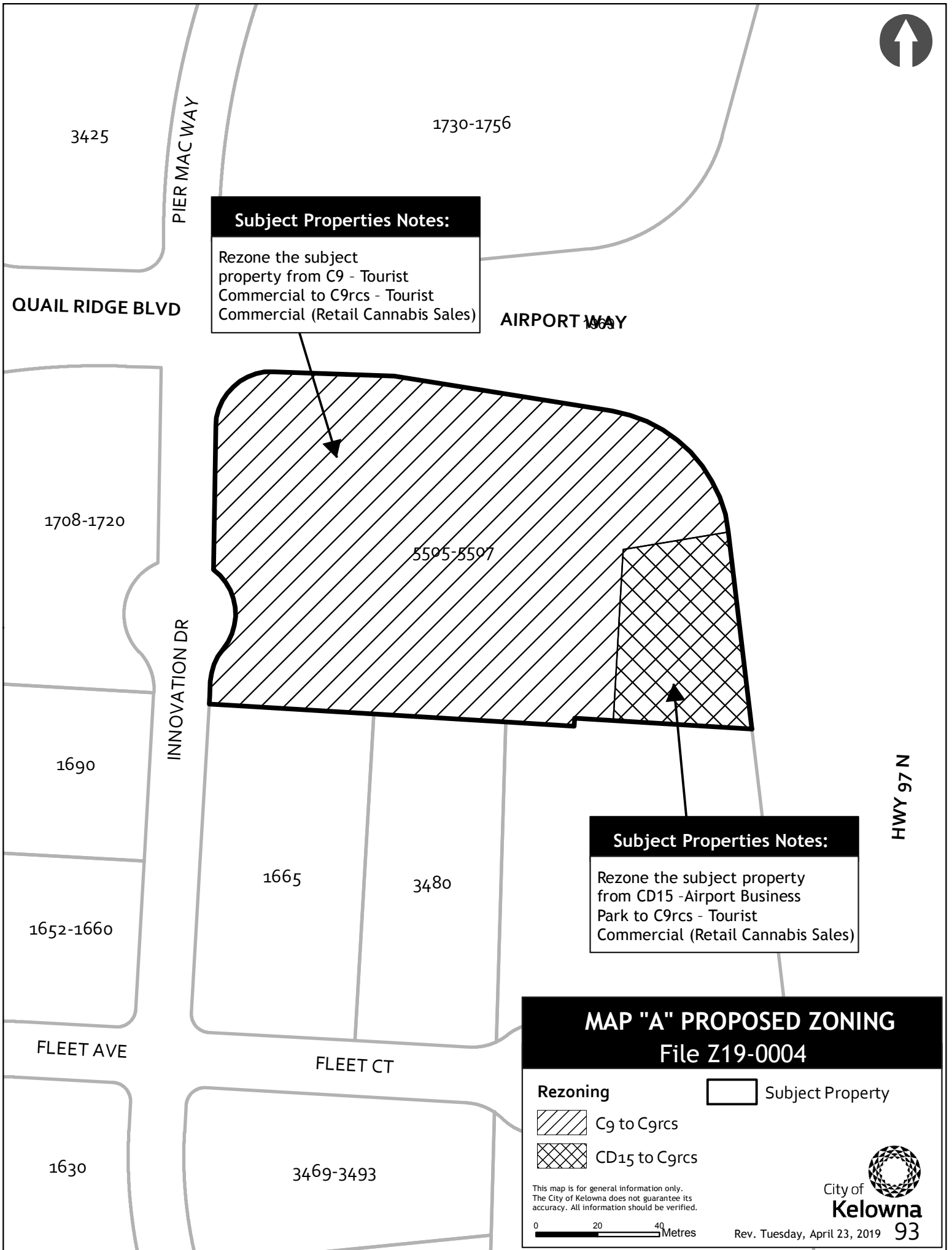
6.0 Application Chronology

Date of Committee Evaluation of Application: January 11, 2019
Date of Application Accepted: February 4, 2019
Date Public Notification Completed: February 22, 2019

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

Attachments:

Map A – Proposed Zoning Map
Attachment A – Site Plan and Floor Plan



NAC TENANT IMPROVEMENT

UNIT 120 - 5507 AIRPORT WAY KELOWNA, B.C



CONTEXT PLAN
NTS

SCOPE OF WORK
UNIT 120, 5507 AIRPORT WAY
KELOWNA, B.C

PROJECT DATA

CIVIC ADDRESS

UNIT 120 - 5507 AIRPORT WAY KELOWNA, BC

ZONE

C9 ; C15

LAND USE

COMMERCIAL ; COMPREHENSIVE DEVELOPMENT

BUILDING AREA

454 m² (4890 SF)

GROSS LEASABLE AREA (GLA)

111.66 m² (1,202 SF)

GENERAL PARKING REQUIREMENTS (KAMLOOPS BYLAW) REQUIRED PARKING SPACES

TOTAL REQUIRED PARKING SPACES: 5

PROVIDED PARKING SPACES: 5 (TO BE SITE VERIFIED)

REQUIRED PARKING SPACES FOR BICYCLE

0.2 SPOTS PER 100 m² GLA

122.2 m² / 100 m² = 1.2 X 0.2 SPACES = 0.24 SPACE

TOTAL REQUIRED PARKING SPACES FOR BICYCLE: 0

EXISTING BUILDING INFORMATION

1 STOREY
NON-COMBUSTIBLE
NON-SPRINKLERED

SUMMARY OF BUILDING CODE ANALYSIS BASED ON B.C. BUILDING CODE 2018 BUILDING CLASSIFICATION

3.2.2.66. Group E, up to 2 Storeys

1) A building classified as Group E is permitted to conform to Sentence (2) provided
a) it is not more than 2 storeys in building height, and
b) it has a building area not more than the value in Table 3.2.2.66.

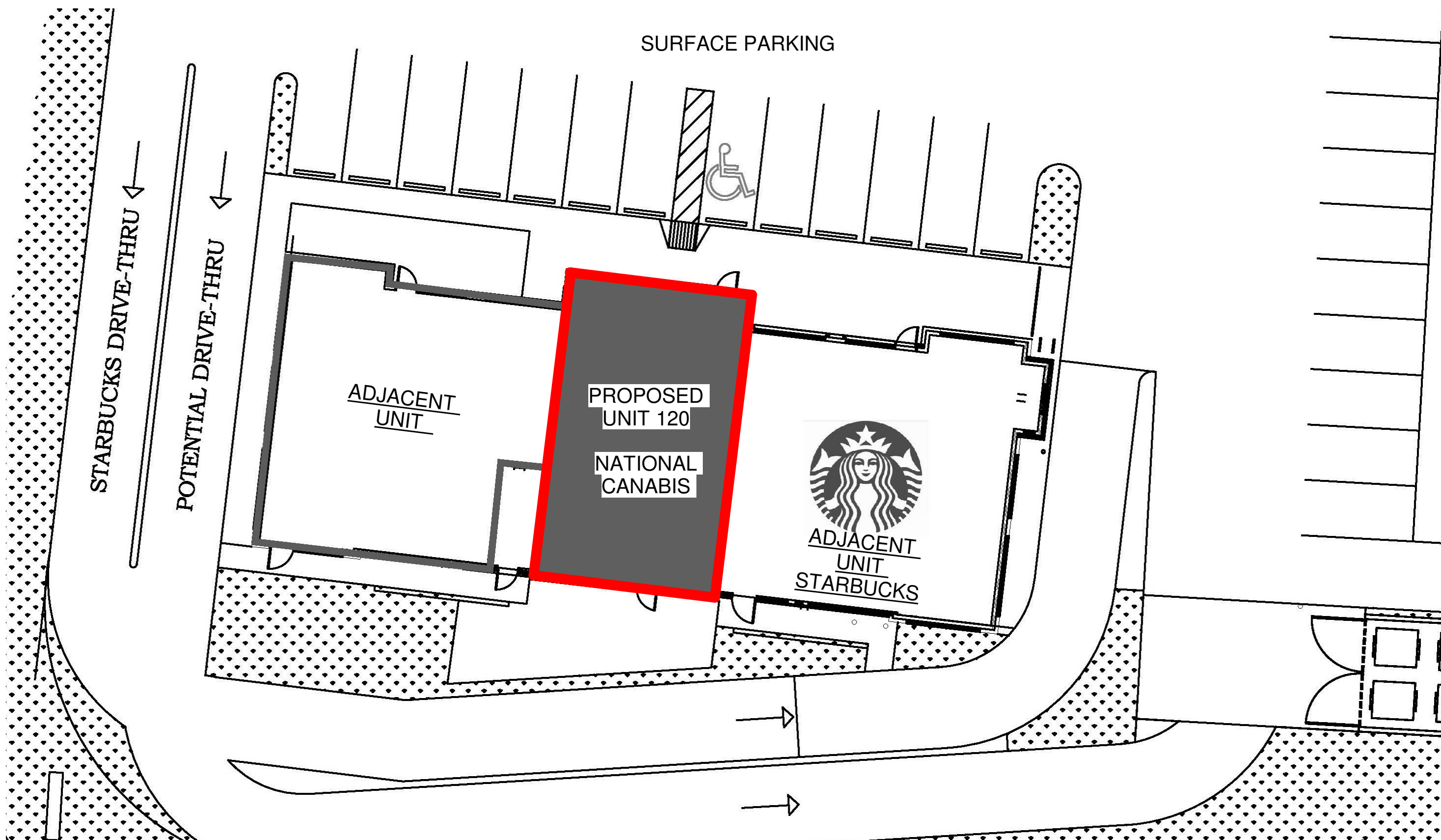
Table 3.2.2.66.

Maximum Building Area, Group E, up to 2 Storeys
(Forming part of Sentence 3.2.2.66.(1))

No. of Storeys	Maximum Area, m ²
1	Facing 1 Street: 1,000 Facing 2 Streets: 1,250 Facing 3 Streets: 1,500

2	Facing 1 Street: 600 Facing 2 Streets: 750 Facing 3 Streets: 900
---	--

2) The building referred to in Sentence (1) is permitted to be of combustible construction or noncombustible construction used singly or in combination, and
a) floor assemblies shall be fire separations with a fire-resistance rating not less than 45 min, and
b) loadbearing walls, columns and arches shall have a fire-resistance rating not less than that required for the supported assembly.



SITE PLAN
NTS

Revision Schedule

No	Description	Date
24		
23		
22		
21		
20		
19		
18		
17		
16		
15		
14		
13		
12		
11		
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4	ISSUED FOR LCRB	FEB 12 2010
3	ISSUED FOR CLIENT REVIEW 3(META 2.0)	FEB 8 2019
2	ISSUED FOR CLIENT REVIEW 2	OCT 11 2018
1	ISSUED FOR CLIENT REVIEW 1	SEP 26 2018

Project Name

NAC
TENANT
IMPROVEMENT

Project Address

UNIT 120, 5507 AIRPORT WAY
KELOWNA, B.C

Sheet Name

CONTEXT PLAN
&
SITE PLAN

Sheet No.

A100

Project No.

180902

Start of Project

SEPTEMBER 2018

SIGN & SEAL

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It is the responsibility of the Owner and General Contractor to verify all dimensions and site conditions prior to commencement of work and they shall notify the architect of any errors, omissions or discrepancies. Any work completed without architect's knowledge will be the full responsibility of the Owner and General Contractor.

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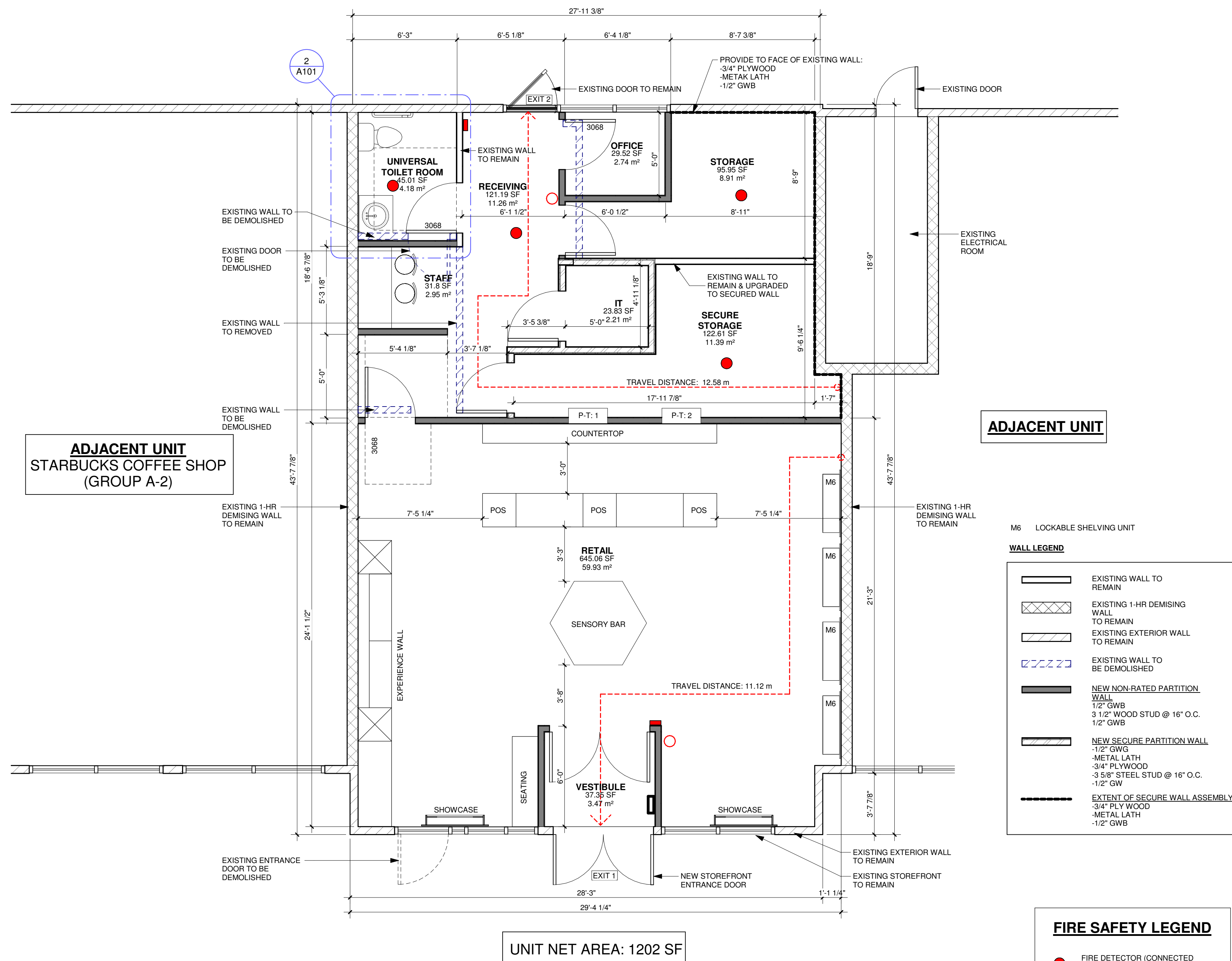
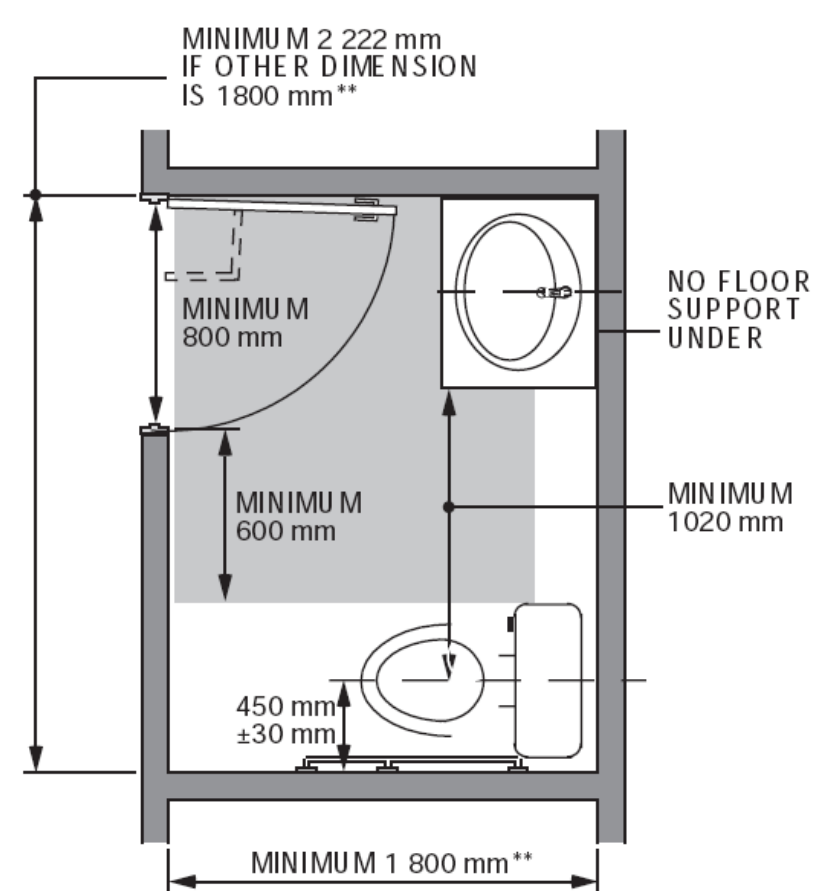
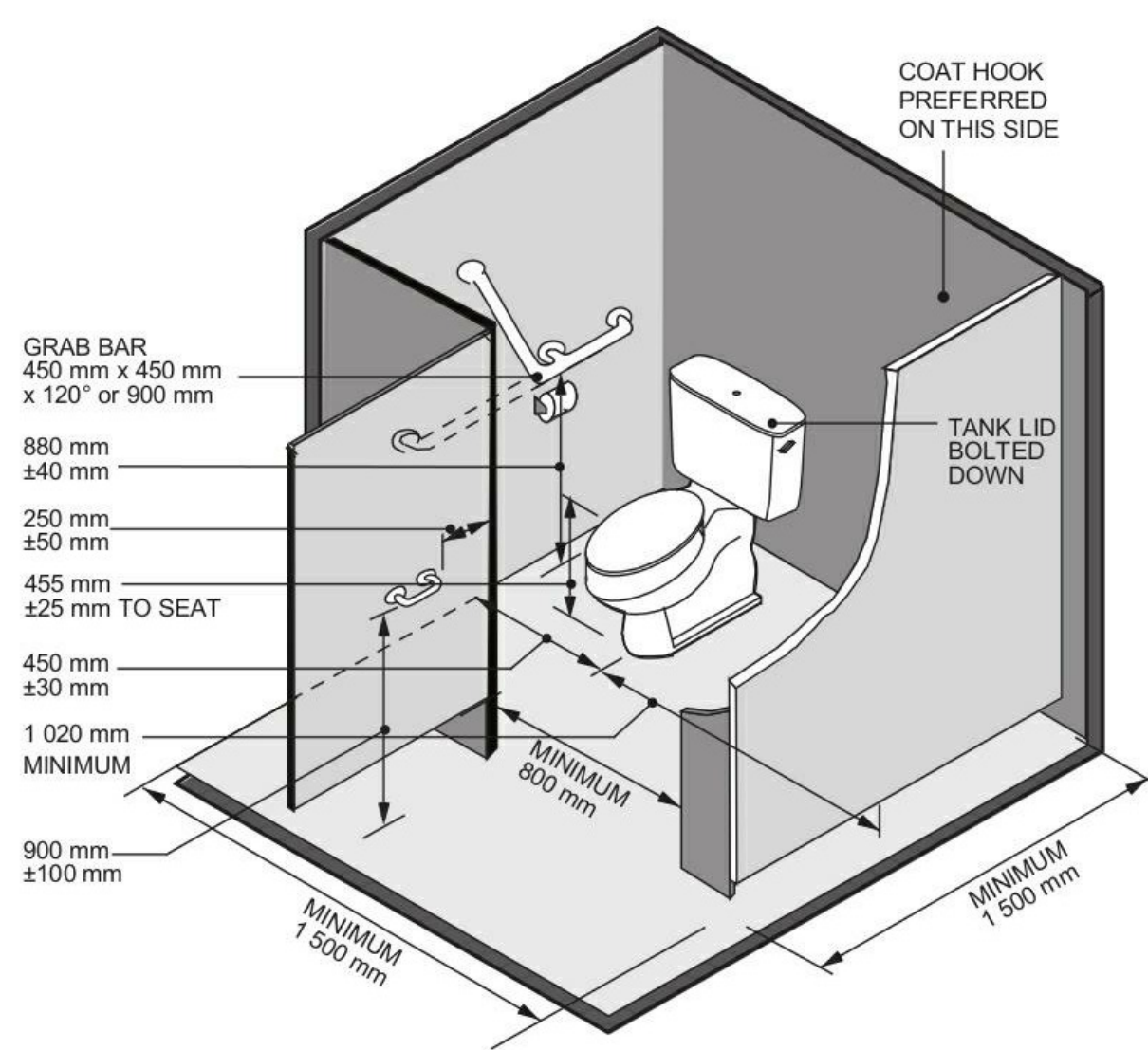
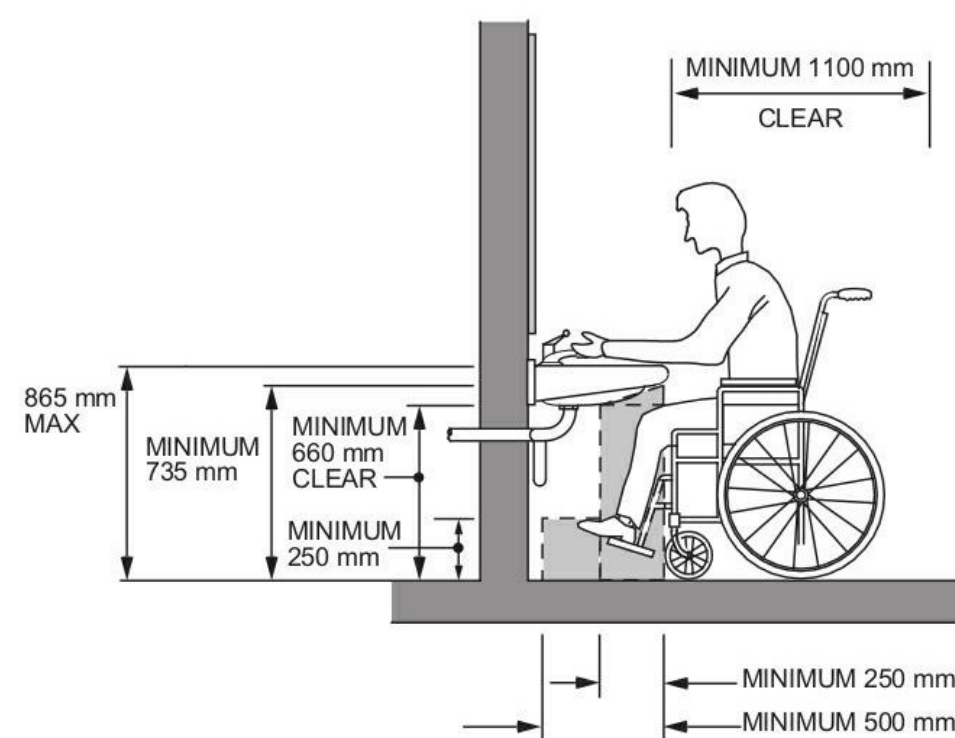
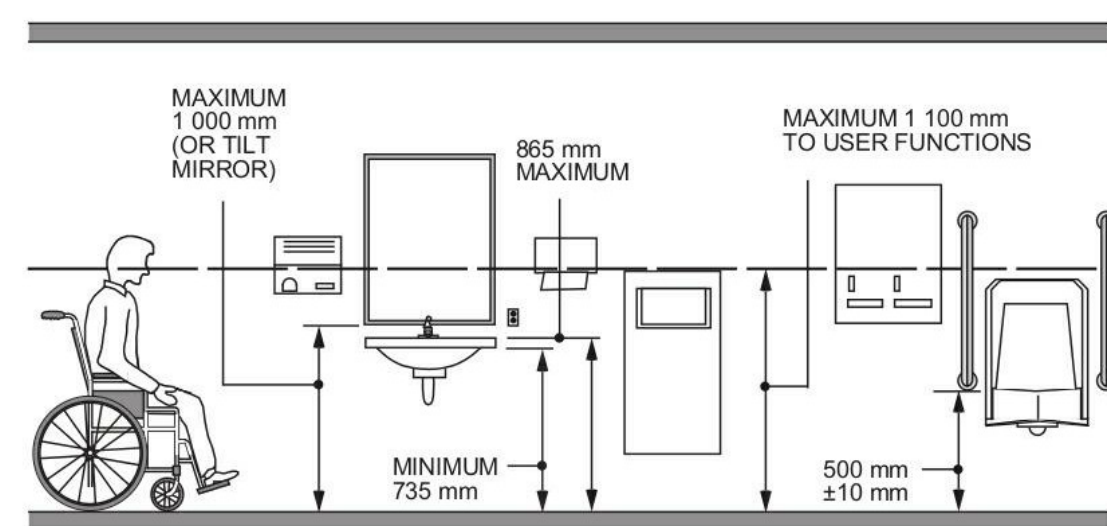
O: 604. 420-2233

C: 604. 970-8413

Email: rob@maraarch.com

Web: www.maraarch.com

AIBC, AA/9&AA



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19			11		3 ISSUED FOR CLIENT REVIEW 3(META 2.0)	FEB 8 2019
18			10		2 ISSUED FOR CLIENT REVIEW 2	OCT 11 2018
17			9		1 ISSUED FOR CLIENT REVIEW 1	SEP 26 2018

Project Name

NAC
TENANT
IMPROVEMENT

Project Address

UNIT 120, 5507
AIRPORT WAY
KELOWNA, B.C.

Sheet Name

FLOOR PLAN

Sheet No.	A101
Project No.	180902
Start of Project	SEPTEMBER 2018

SIGN & SEAL

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AIRC AAA95AA

Report to Council



Date: May 6, 2019

File: 0610-50

To: City Manager

From: Deputy City Clerk

Subject: Walker Rd 4480, Z18-0047 – Thomas A.M. Brown

Report Prepared by: Clint McKenzie, Legislative Coordinator

Recommendation:

THAT Rezoning Bylaw No. 11829 be given first reading as approved by Council at the April 29, 2019 Regular PM Meeting.

Purpose:

To give Rezoning Bylaw No. 11829 first reading and forward to Public Hearing.

Background:

At the April 29, 2019 PM Council Meeting, Council supported the alternate recommendation for the application at 4480 Walker Road, to consider rezoning the subject property from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone.

The bylaw will be forwarded to the May 21, 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: May 6, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (DS)

Application: Z18-0047

Owner: Thomas Brown

Address: 4480 Walker Road

Applicant: Thomas (Michael) Brown

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1 – Large Lot Housing
RU2 – Medium Lot Housing

1.0 Recommendation

THAT Rezoning Application No. Z18-0047 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot 1 District Lot 167 ODYD Plan 16858, located at 4480 Walker Road Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone NOT be considered by Council.

2.0 Purpose

To consider a Staff recommendation to NOT rezone portions of the subject property to facilitate a two-lot subdivision requiring a variance.

3.0 Community Planning

The application to Council is to amend the zone of a portion of the subject property to permit a two-lot subdivision of the residential parcel. The proposed subdivision would require a variance to lot depth. As such, this report will detail the zone amendment, subdivision details, and a brief explanation of the variance required to complete the subdivision.

Community Planning does not support the request for rezoning of a portion of the subject parcel to complete a two-lot subdivision that would require a lot depth variance. Variances to lot depth or width are rarely supported by Community Planning. Rare rationale for support include protection of sensitive natural environments or a small request such as 0.7 m or 0.5 m variances. The variance required to complete a subdivision on the subject parcel is to request a lot depth 4.3 m less than the required minimum. Kelowna's OCP does not have policy for supporting subdivision of lots that do not meet the required lot sizes unless

rationale such as natural environment protection is achieved. Further explanation of Kelowna's policies and Staff rationale are detailed in Section 4.2 of this report.

4.0 Proposal

4.1 Background

The subject parcel is located in a neighbourhood of RU1 zone, Single/Two Unit Residential designation. The area of large lot housing contains average lot sizes of 22 m width and 34.0 – 40.0 m depth. The subject parcel and many parcels to the east were constructed in the 1960's. Many other homes in the neighbourhood were constructed between 1970 and 1989. As such, this neighbourhood has seen applications to subdivide, rezone and reconstruct new single and two unit residential dwellings.

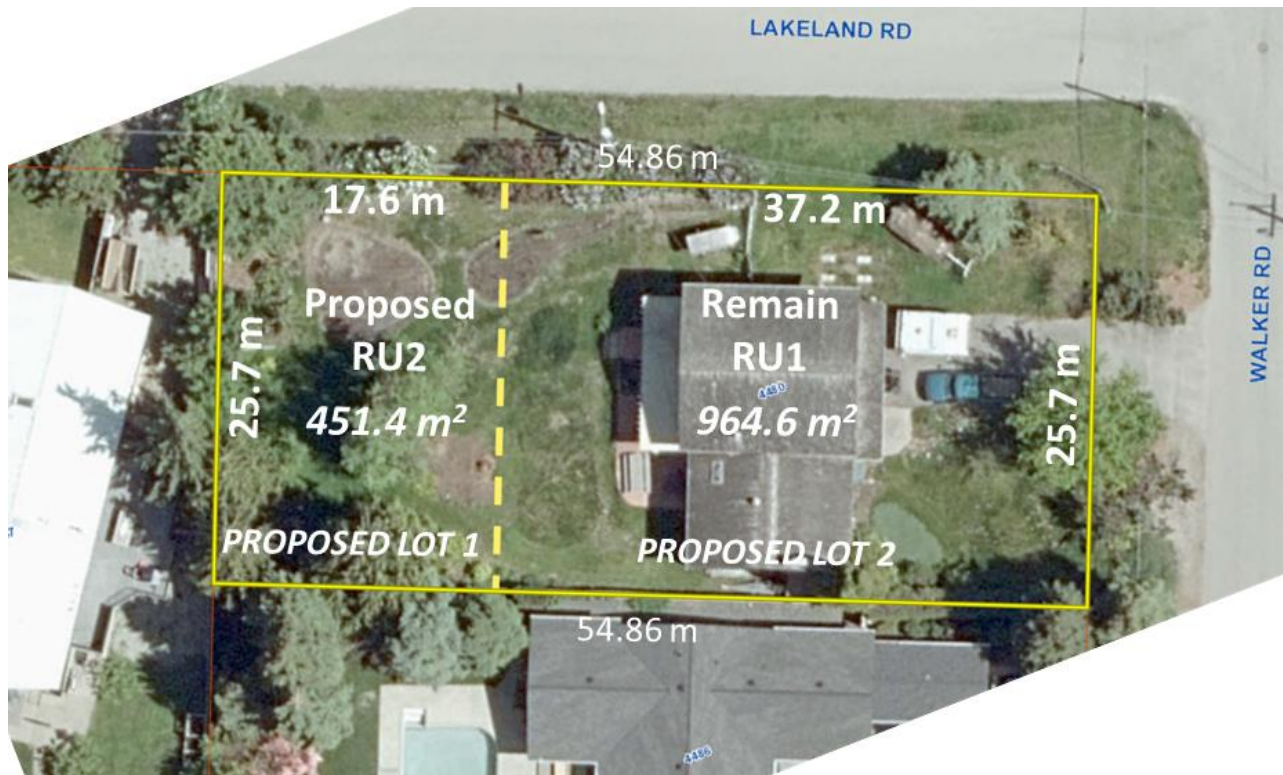
Subject Property Map: 4480 Walker Road



4.2 Project Description

The applicant is proposing to retain the existing 1968 single family dwelling, and redevelop only in an area of the rear yard. The applicant seeks to create a two-lot subdivision that would result in one RU1 zoned lot, and one RU2 zoned lot. The proposed subdivision does not meet the minimum lot dimensions for an RU2 zoned lot.

Proposed Lot 1, to be rezoned to the RU2 zone is designed to be 17.6 m in width, and 25.7 m in depth. Required RU2 zoned lots must meet a minimum of 13.0 m width, and 30.0 m depth. Zoning Bylaw No. 8000 requires a minimum lot depth requirement of 30.0 m in every zone with the exception of two hillside zones.

Subject Property Map: Proposed Two Lot Split & Rezoning

Subdivisions requiring variances (lot width or depth) require strong rationale for Staff to consider support. The rationale provided by the applicant was reviewed by staff and deemed insufficient to warrant support for the application. The existing neighbourhood consists of parcels that average approximately 930 m² in area. While the four parcels along Walker Road exceed this average, subdividing the parcels requires a reduced lot depth, which will create parcels that are not in keeping with the existing neighbourhood.

The Official Community Plan (OCP) has an objective of ensuring that subdivision design respects the existing neighbourhood context. Community Planning has concerns that this application could set a precedent and if this application and variance are supported, the same rationale would be applied for the remainder (proposed lot 2) of the subject property. This would result in another two-lot subdivision creating RU2 zoned lots with 4.3 m lot depth variances.

Although the subject property is large for the RU1 zone, it does not meet the subdivision regulations required for two RU1 zoned lots, or 2 RU2 zoned lots. There is opportunity to redevelop the subject parcel under the RU6 zone. This would allow a new semi-detached dwelling or two new detached dwellings to be constructed on the property. Secondary suites would not be permitted in two dwellings under the RU6 zone.

4.3 Zoning Analysis Table

Zoning Analysis Table			
CRITERIA	RU ₂ ZONE REQUIREMENTS	Lot 1 RU ₂ PROPOSAL	Lot 2 RU ₁ PROPOSAL
Subdivision Regulations			
Lot Area	400 m ²	451.4 m ²	964.6 m ²
Lot Width	13.0 m	17.6 m	25.7 m
Lot Depth	30.0 m	25.7 m ❶	37.2 m
Development Regulations			
Site Coverage	40 %		22 %
Height	9.5 m or 2.5 storeys	m	2 storeys
Front Yard	4.5 m 6.0 m to garage	m	13.0 m
Side Yard (west)	1.8 m	m	2.3 m
Side Yard (east)	1.8 m	m	6.0 m
Rear Yard	7.5 m	m	11.2 m
Other Regulations			
Minimum Parking Requirements	2	2	2
❶ Indicates a requested variance to the RU ₂ zone Lot Depth from 30.0 m to 25.7 m (4.3 m variance).			

4.4 Site Context

4480 Walker Road is located in the North Mission-Crawford sector of Kelowna. The parcel is 1,415 m² in size and fronts Walker Road with Lakeland Road as a flanking street. The parcel and neighbouring parcels are within a Natural Environment Development Permit Area for vulnerable groundwater aquifers. The parcel is within 650 m of an elementary school and 1.1 km of neighbourhood commercial along Lakeshore Road.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU ₁	Single Family Dwelling
East	RU ₁	Single Family Dwelling
South	RU ₁	Single Family Dwelling
West	RU ₁	Single Family Dwelling

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Kelowna's OCP does not have supporting policies for this application.

6.0 Technical Comments

6.1 Development Engineering Department

See attached Development Engineering Memorandum for required upgrades.

7.0 Application Chronology

Date of Application Received: May 1, 2018

Date Public Consultation Completed: July 3, 2018

8.o Alternate Recommendation

THAT Rezoning Application No. Z18-0047 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot 1 District Lot 167 ODYD Plan 16858, located at 4480 Walker Road Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone. as shown on Map “A” attached to the Report from the Community Planning Department dated May 6, 2019, 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 issuance of a Preliminary Layout Review Letter by the Approving Officer;

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

Report prepared by: Tracey Hillis, Planner

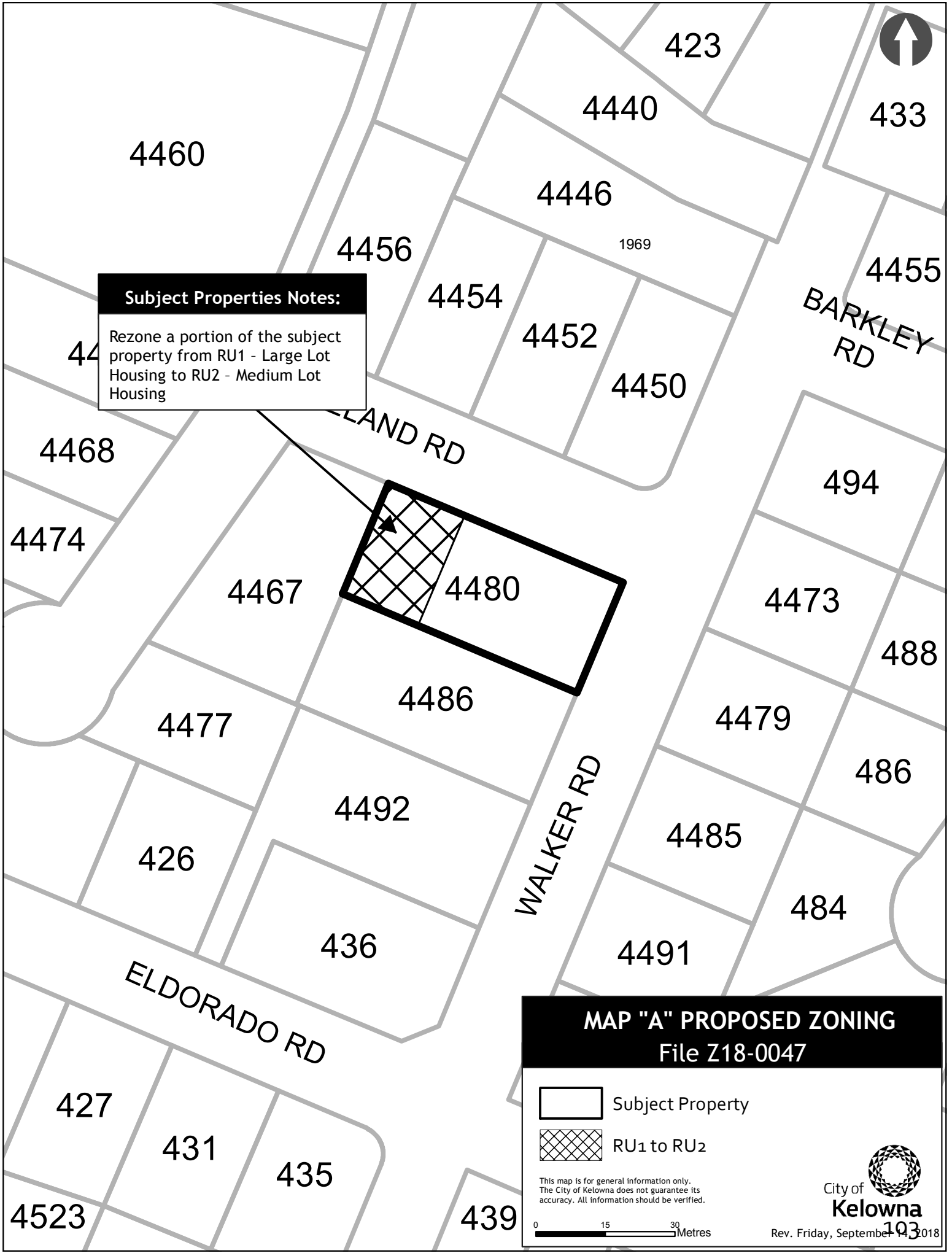
Reviewed by: Dean Strachan, Suburban and Rural Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Alternative Recommendation Map A: Rezoning Map

Alternative Recommendation Schedule A: Development Engineering Memorandum



CITY OF KELOWNA
MEMORANDUM

SCHEDULE A

This forms part of application
Z18-0047



City of
Kelowna
COMMUNITY PLANNING

Planner
Initials **LK**

Date: May 03, 2018
File No.: Z18-0047
To: Community Planning (TH)
From: Development Engineering Manager (JK)
Subject: 4480 Walker Road

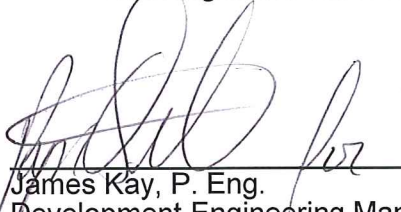
RU1 to RU2

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

1. General

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

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


James Kay, P. Eng.
Development Engineering Manager

JA

CITY OF KELOWNA
MEMORANDUM

SCHEDULE A	
This forms part of application # Z18-0047	
Planner Initials	LK
 City of Kelowna <small>COMMUNITY PLANNING</small>	

Date: May 03, 2018
File No.: S18-0038
To: Community Planning (TH)
From: Development Engineering Manager (JK)
Subject: Subdivision Application – PLR Requirements

LOCATION: 4480 Wlaker Road
APPLICANT: Thomas Brown
LEGAL: Lot 1 Plan 16858

WORKS AND SERVICES REQUIREMENTS

The City's Development Engineering Department will handle the Works & Services requirements identified below between time of Preliminary Layout Review (PLR) and application for Subdivision Approval. Arrangements for construction must be made before making application for Final Approval of a subdivision plan. The Development Engineering Technologist for this project is Jason Angus. The following Works & Services are required for this subdivision:

1. General

- a. The postal authorities must be contacted to determine whether or not a "community mailbox" will be utilized. Please contact the Canadian Post Corporation, Delivery Services, P.O. Box 2110, Vancouver, B.C. V6B 4Z3 (604) 662-1381 in this regard.

2. Geotechnical Report

- a. 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.
 - i. The Geotechnical reports must be submitted to the Development Services Department (Subdivision Approving officer) for distribution to the Development Engineering Branch and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

- ii. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- iii. Site suitability for development.
- iv. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- v. Any special requirements for construction of roads, utilities and building structures.
- vi. Recommendations for items that should be included in a Restrictive Covenant.
- vii. Recommendations for roof drains, perimeter drains and septic tank effluent on the site.
- viii. Any items required in other sections of this document.

3. Water

- a. The property is located within the City of Kelowna service area. The existing 19mm PVC water service will be utilised to service one of the lots.
- b. Provide an adequately sized domestic water and fire protection system complete with individual lot connections. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. Provide water calculations for this subdivision to confirm this. Ensure every building site is located at an elevation that ensures water pressure is within the bylaw pressure limits.

4. Sanitary Sewer

- a. The existing 100mm diameter service will be utilised to service one of the proposed lots.
- b. A new sanitary service should be provided at the applicants cost prior to subdivision approval

5. Drainage

- a. The property is located within the City of Kelowna drainage service area. The Subdivision, Development and Servicing Bylaw requires that each lot be provided with an individual connection; however, the City Engineer may permit use of individual ground water disposal systems, where soils are suitable. For on-site disposal of drainage water, a hydrogeotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems for each lot.
- b. The development is required to contain and dispose of site generated storm drainage on the site by installing a ground recharge system designed by the consulting civil engineer. The existing lots do not presently have storm drainage services.

6. Roads

- a. Walker Road frontage must be upgraded to a full urban standard including curb, gutter, fillet pavement, street lights, storm drainage, and adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction.
- b. Lakeland Road frontage must be upgraded to a full urban standard including curb, gutter, fillet pavement, street lights, storm drainage, and adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction.

7. Power and Telecommunication Services and Street Lights

- a. If the existing area is served by overhead wiring, the service connections may be provided overhead provided that there are no new poles required and service trespasses will not be created. If either of these conditions is not satisfied, then underground service will be required for that lot.
- b. Streetlights must be installed on all roads.
- c. 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.
- d. Before making application for approval of your subdivision plan, please make arrangements with Fortis for the pre-payment of applicable charges and tender a copy of their receipt with the subdivision application for final approval.
- e. Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

8. Other Engineering Comments

- a. Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- b. If any road dedication affects lands encumbered by a Utility right-of-way (such as B.C. Gas, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.

9. Design and Construction

- a. Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- b. Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.

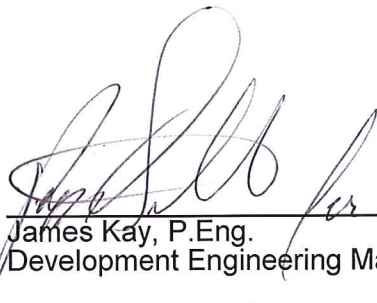
- c. Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d. A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e. Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

10. Servicing Agreements for Works and Services

- a. A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. **The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works.** The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- b. Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

11. Charges and Fees

- a. Development Cost Charges (DCC's) are payable
- b. Fees per the "Development Application Fees Bylaw" include:
 - i. Survey Monument Fee: **\$50.00** (\$50.00 per newly created lot GST exempt).
 - ii. Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
- c. A hydrant levy charge of **\$250.00** (250.00 per new lot).



James Kay, P.Eng.
Development Engineering Manager

JA