

City of Kelowna

Public Hearing

AGENDA



Tuesday, February 4, 2020
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.

This evening, Council will hold both a Public Hearing and a Regular Meeting.

The purpose of the Hearing is to hear from the public on matters contained in the various bylaws which, if adopted, will amend *Kelowna 2030* - Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.

After the close of the Public Hearing, Council will then debate and vote on the proposed bylaws at the Regular Meeting that follows.

Council has been provided with the information, correspondence, petitions or reports that have been received concerning the subject bylaws. This information is available to the public on the table in the foyer of Council Chamber. Reports are also available to the public online under *Council* at Kelowna.ca.

For those in attendance this evening, or who have already submitted letters to Council, a reminder that this Hearing is open to the public and all representations to Council form part of the public record. A live audio feed may also be broadcast and recorded by Castanet.

Following the close of the Public Hearing, no further information from the applicant or members of the public will be accepted by Council.

2. Individual Bylaw Submissions

2.1 Stockley St 1075, Z19-0057 (BL11968) - Melcor Lakeside Inc.

4 - 14

To consider rezoning the subject property from the RU4 – Low Density Cluster Housing zone to the RU6 – Two Dwelling Housing zone to accommodate a future subdivision.

2.2 McCurdy Rd 1085, Z19-0110 (BL11969) - Amandeep & Manpreet Singh

15 - 22

To consider rezoning the subject property from the A1 – Agriculture 1 zone to the I2 – General Industrial zone to accommodate an automotive/equipment repair shop and office.

- 2.3 Nickel Rd 300, Z19-0104 (BL11972) - Okanagan Valley Construction Ltd., Inc. No. BCo665697** 23 - 31

To consider rezoning the subject property from the RU1 – Large Lot Housing zone to the RM1 – Four Dwelling Housing zone to facilitate a four dwelling housing project.

- 2.4 Vaughan Ave 760, TA19-0019 (BL11973) - 760 Vaughan Inc., Inc.No. BC1148021** 32 - 40

To consider amending the Zoning Bylaw to allow select commercial uses in the I4 – Central Industrial zone at 760 Vaughan Avenue.

- 2.5 Speer St 2257-2263, Z19-0102 (BL11974) - Jesse David East and John Thomas Hodges** 41 - 50

To consider rezoning the subject properties from the RU6 – Two Dwelling Housing zone to the HD2 – Hospital and Health Support Services zone to facilitate the development of a multi-family residential building.

- 2.6 Mugford Rd 550, Z19-0122 (BL11975) - Dr. A Ravindran Inc., Inc. No. B.C. 0814175** 51 - 59

To consider rezoning the subject property from RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone to facilitate a proposed six lot subdivision.

3. Termination

4. Procedure on each Bylaw Submission

- (a) Brief description of the application by City Staff (Community Planning);
- (b) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.
- (c) 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.
- (d) 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.

(e) 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.

(f) Final calls for representation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

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

REPORT TO COUNCIL



Date: January 13, 2020

To: Council

From: City Manager

Department: Development Planning

Application: Z19-0057

Owner: Melcor Lakeside Inc.

Address: 1075 Stockley Street

Applicant: CTQ Consultants Ltd.

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU4 – Low Density Cluster Housing

Proposed Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z19-0057 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 5, Section 19, Township 27, ODYD, Plan KAP81890, located at 1075 Stockley Street, Kelowna, BC from the RU4 – Low Density Cluster Housing zone to the RU6 – Two Dwelling Housing zone be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to 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 Development Planning Department dated January 13, 2020;

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

2.0 Purpose

To rezone the subject property from the RU4 – Low Density Cluster Housing zone to the RU6 – Two Dwelling Housing zone to accommodate a future subdivision.

3.0 Development Planning

Development Planning Staff support the proposed rezoning amendment from RU4 – Low Density Cluster Housing zone to the RU6 – Two Dwelling Housing zone to accommodate future subdivision. The subject

property is designated S2RES – Single / Two Unit Residential in the Official Community Plan (OCP) and is within the Permanent Growth Boundary. The proposal is generally consistent with the OCP Urban Infill Policies and is fully serviced.

The intent of the current RU₄ is to provide for cluster development, in a strata format, to preserve topography and natural features. The property was rezoned as part of the original Area Structure Plan for the Black Mountain neighbourhood more than a decade ago. Staff believe that the proposed RU₆ can achieve the same housing intent while allowing the potential for fee simple lots. Staff do have concerns regarding the visual impact and grading of the site given its steep topography and profile to the Hwy 33 corridor, however feel that this can be addressed through the subdivision and development permit process.

4.0 Proposal

4.1 Project Description

The applicant has applied for a rezoning to accommodate a future subdivision which will be accessed from Stockley Street in the north-east corner. The current proposal shows 22 lots in a duplex party-wall configuration. The subdivision would be accessed by a municipal road approximately 200 m in length ending in a cul-de-sac turn around. Given the topography of the site, the proposal will involve several cut and fill slopes to accommodate the roadway and the building envelopes.

4.2 Site Context

The subject property is located in the Belgo – Black Mountain City Sector and at the south end of Stockley Street. Stockley Road is currently a dead-end road which is connected to Black Mountain Drive and eventually Hwy 33 E. The surrounding neighborhood is primarily single family residential on the east side of Stockley Street and older single family residential to the south. Upslope and north-west of the property is designated park and open space. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P3 – Parks and Open Space / RU1H – Large Lot Housing (Hillside Area)	Park and Open Space / Single Family Residential
East	RU1H – Large Lot Housing (Hillside Area)	Single Family Residential
South	A1 - Agriculture	Rural Residential
West	P3 – Parks and Open Space	Park and Open Space

Subject Property Map: 1075 Stockley



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Objective 5.3 Focus development to designated growth areas

Policy .2 Compact Urban Form. Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Objective 5.22 Ensure context sensitive housing development

Policy .6 Sensitive Infill. Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

6.0 Technical Comments

6.1 Development Engineering Department

See attached memorandum.

7.0 Application Chronology

Date of Application Received: March 28, 2019
Date Public Consultation Completed: October 15, 2019

Report prepared by: Wesley Miles, Acting Community and Development Planning Manager
Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Schedule A: Development Engineering Memo

Attachment A: Conceptual Drawing Package



CITY OF KELOWNA

MEMORANDUM

Date: March 29, 2019
File No.: Z19-0057
To: Suburban and Rural Planning (WM)
From: Development Engineering Manager (JK)
Subject: 1075 Stockley St. Rezoning: RU4 to RU6

Development Engineering Technologist for this application in Andy Marshall. Requirements for this application to rezone 1075 Stockley St from RU4 to RU6 are as follows:

.1) General

- a) Steep slopes must be identified and a Restrictive Covenant must be registered for all the steep slopes and environmentally sensitive areas.
- b) Provide easements as may be required.
- c) The proposed subdivision may require the installation of centralized mail delivery equipment. Please contact Arif Bhati, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC V1Y 2K0 to obtain further information and to determine suitable location(s) within the development.

.2) Geotechnical Report

- a) Provide a comprehensive 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) 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, including effects upon adjoining lands.
 - (vi) Slope stability, rock fall hazard and slippage including the effects of drainage on the site.
 - (vii) Identify in detail all slopes greater than 30%.

- viii) Top of bank assessment and location including recommendations for property line locations, building setbacks, and ground water disposal locations.
- ix) Recommendations for items that should be included in a Restrictive Covenant.
- x) 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.
- xi) Any items required in other sections of this document.
- xii) Recommendations for roof drains and perimeter drains.
- xiii) Recommendations for construction of detention or infiltration ponds and their effects on the downstream properties.

.3) Water

- a) The property is located within the Black Mountain Irrigation District (BMID)
- 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.
- c) Arrange for individual lot connections before submission of the subdivision plan; including payment of connection fees (provide copy of receipt).
- d) Design drawings must be reviewed by the Black Mountain Irrigation District prior to the City issuing the drawings for construction. Confirmation of their review must be provided to the City.
- e) Design drawings must be reviewed by GEID prior to the City issuing the drawings for construction. Confirmation of their review must be provided to the City.

.4) Sanitary Sewer

- a) Provide an adequately sized sanitary sewer system complete with individual lot connections for each proposed lot in accordance with the Subdivision, Development & Servicing Bylaw.

.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,
 - iii) An Erosion and Sediment Control Plan.
- b) Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.

.6) Roads

- a) Submit a roads plan complete with standard cross section designations from the Bylaw.
- b) Provide traffic control and street name signs where required. The City will install all signs and traffic control devices at the developer's expense.
- c) Provide a Street Sign, Pavement Markings and Traffic Control Devices Drawing.
- d) Terminal ending roads that will not be extended in the future can be no more than 200m and must end with a cul-de-sac (Schedule 4 section 4.4 By-Law 7900)
- e) Grade the fronting road boulevards in accordance with the standard drawing. Major cut/fill slopes must start at the property lines.
- f) Landscaped boulevards, complete with street trees, are required as per standard detail specifications.
- g) Verify that physical driveway access will satisfy City requirements for all lots.
- h) Re-locate existing poles and utilities, where necessary.

.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 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.

.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 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.

.11) 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 Fee: \$50.00 per newly created lot (GST exempt).
 - iii) Engineering and Inspection Fee: 3.5% of construction value (plus GST).
 - iv) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.



James Kay, P Eng.
Development Engineering Manager

agm

DESIGN CRITERIA:

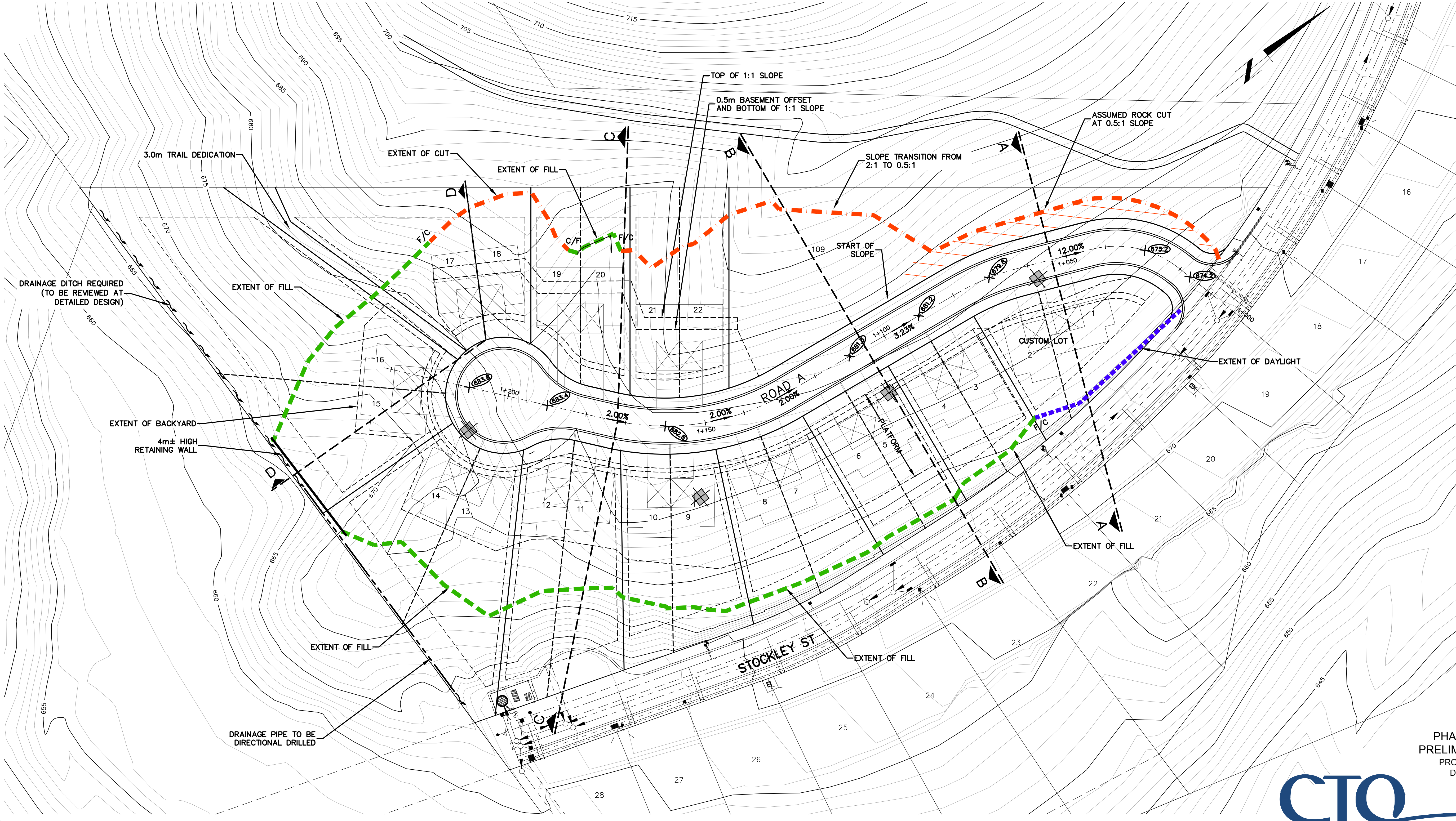
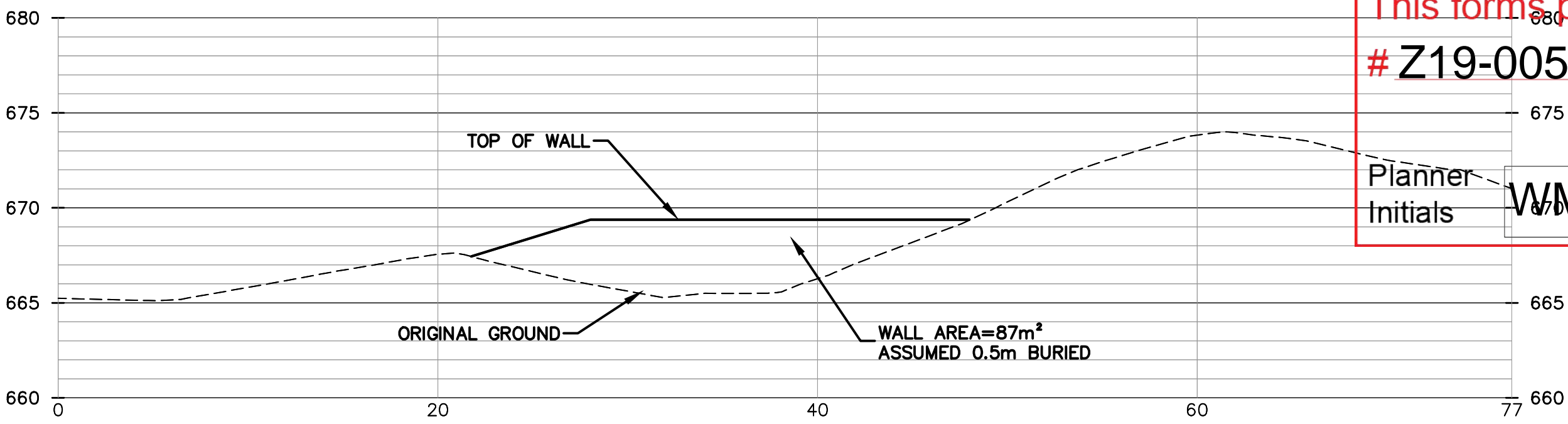
ZONING RM3 (CURRENTLY RU4)

ROAD A
14m ROW.
ROCK CATCHMENTS 2.5m WIDE = 6-7m ROCK CUT
DESIGN ROAD GRADE - MAX 12%

LOT GRADING:
NON-ROCK CUT 2:1
ROCK CUT 0.5:1
ROCK FILL 1.5:1

REAR PROPERTY LINE SETBACK: 7.5m
FRONTAGE PROPERTY LINE SETBACK: 1.5m
SIDE PROPERTY LINE SETBACK: 1.5m
GARAGE SETBACK FROM PROPERTY LINE: 6.0m

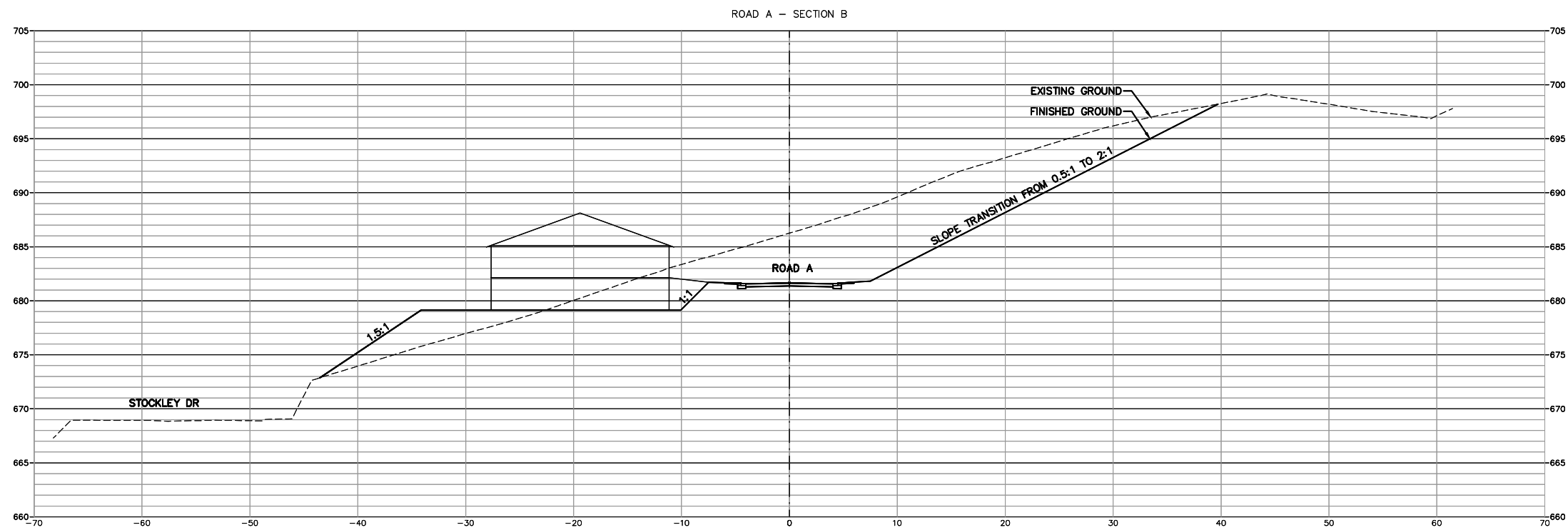
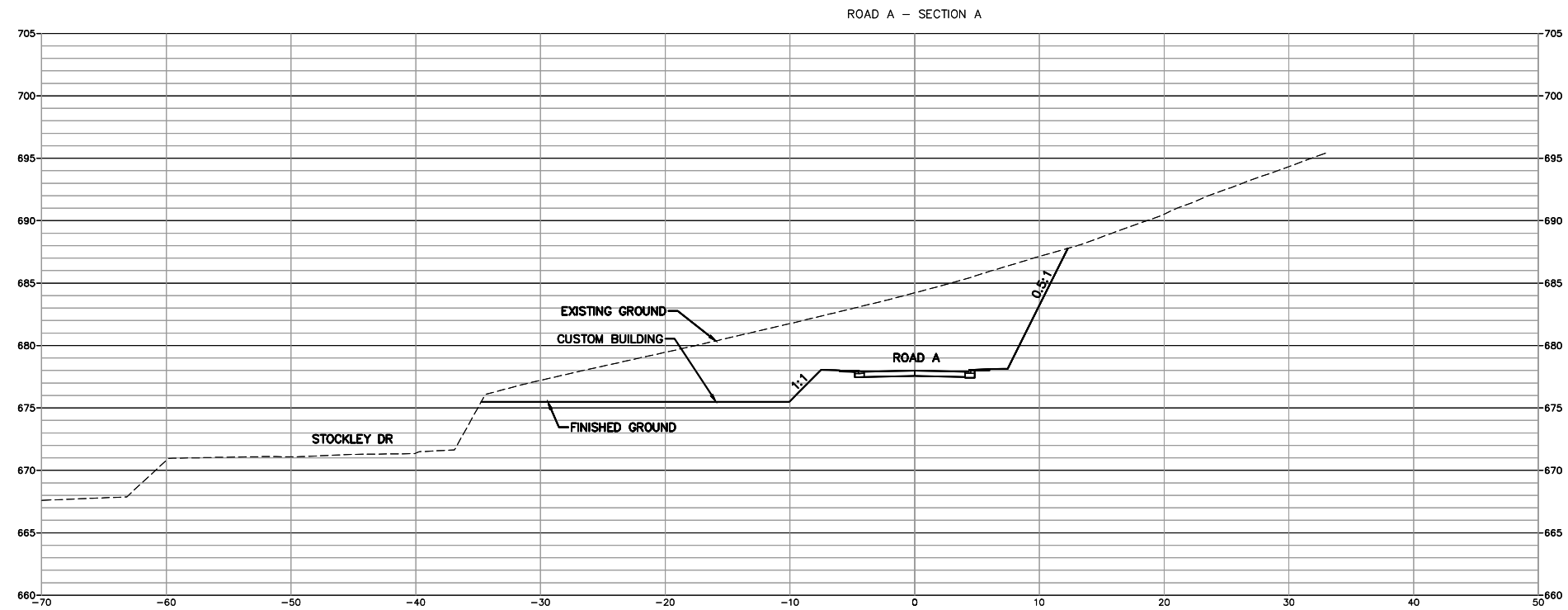
TOP OF CUT
TOE OF FILL
DAYLIGHT
GRADE BREAK



PHASE 2A MF SITE
PRELIMINARY GRADING PLAN
PROJECT No.03090-30
DRAWING: SK-03
SCALE 1:500
June 28, 2019

CTQ

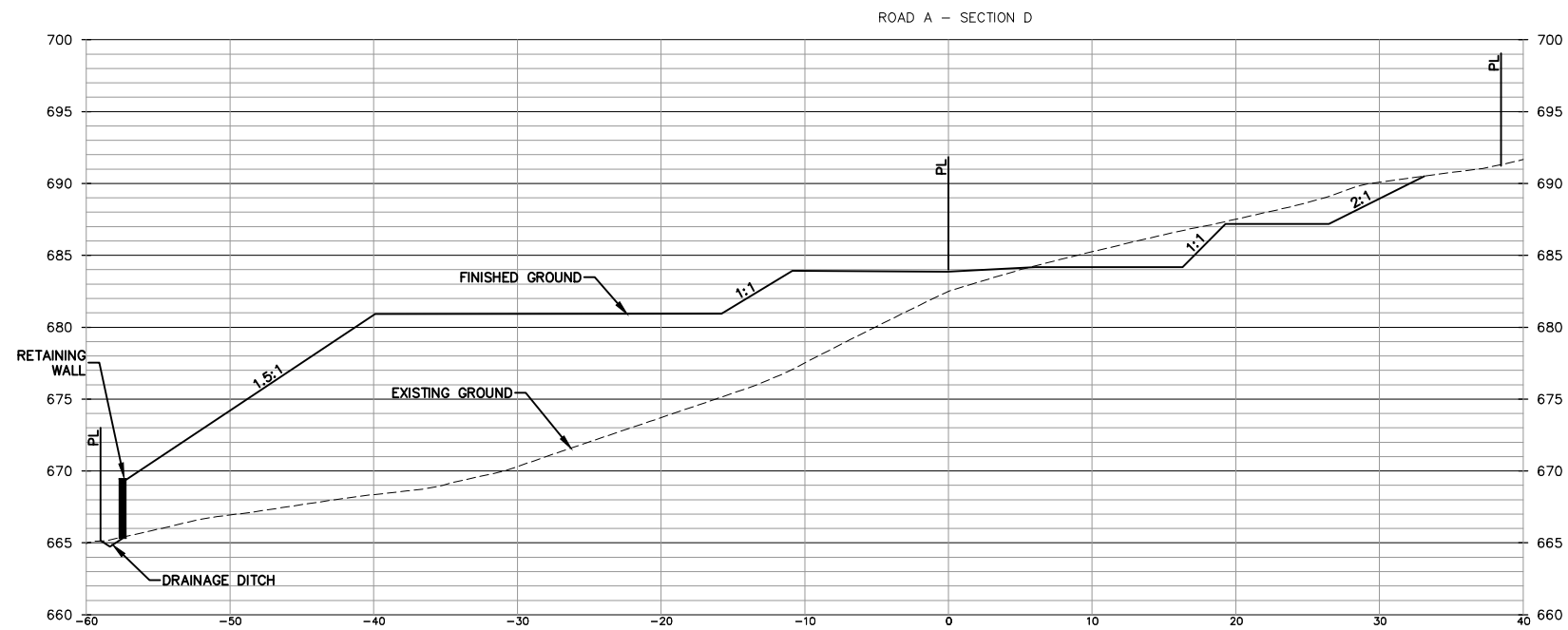
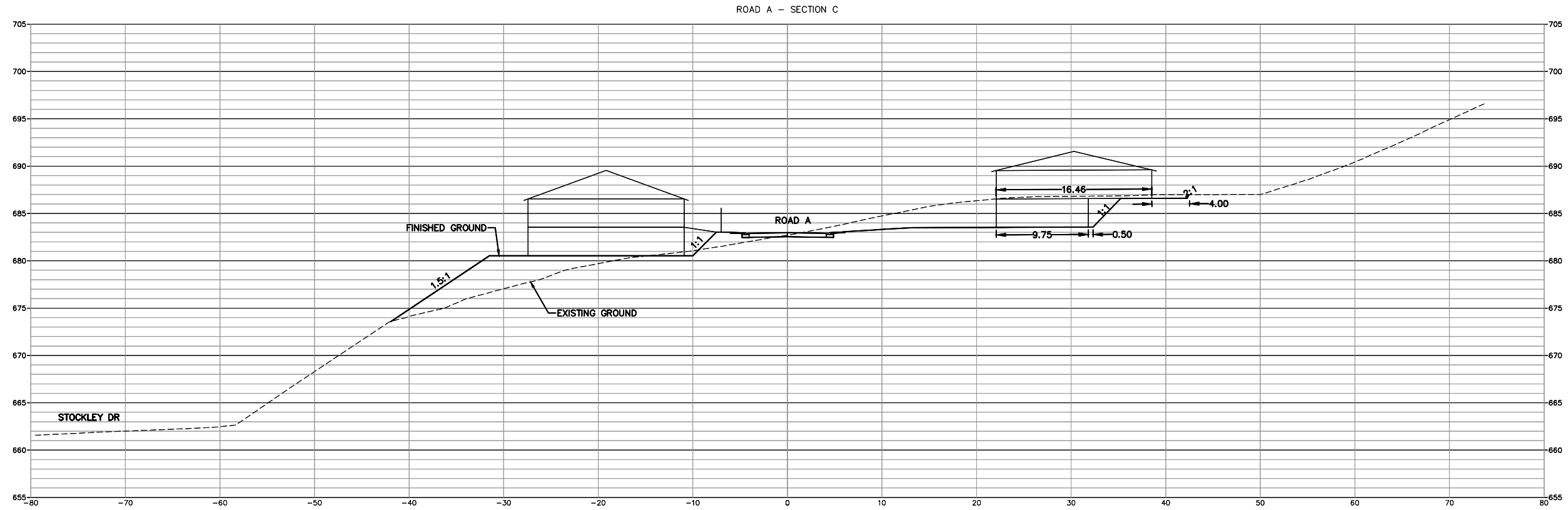
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PHASE 2A MF SITE
PRELIMINARY SITE PLAN
PROJECT No.03090-30
DRAWING: SK-03
SCALE 1:500
June 27, 2019

CTQ

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PHASE 2A MF SITE
SECTION C-D
PROJECT No.03090-30
DRAWING: SK-03
SCALE 1:500
June 27, 2019

CTQ

REPORT TO COUNCIL



Date: January 13, 2020

To: Council

From: City Manager

Department: Development Planning (WM)

Application: Z19-0110

Owner: Amandeep and Manpreet Sidhu

Address: 1085 McCurdy Road

Applicant: Grant Maddock, Protech
Consulting 2012

Subject: Rezoning Application

Existing OCP Designation: Industrial (IND)

Existing Zone: A1 – Agriculture 1

Proposed Zone: I2 – General Industrial

1.0 Recommendation

THAT Rezoning Application No. Z19-0110 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 District Lot 143 ODYD Plan 10792, located at 1085 McCurdy Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I2 – General Industrial 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 January 13, 2020;

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

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

2.0 Purpose

To consider rezoning the subject property from the A1 – Agriculture 1 zone to the I2 – General Industrial zone to accommodate an automotive/equipment repair shop and office.

3.0 Development Planning

Development Planning Staff are supportive of the proposed rezoning application to facilitate an automotive/equipment repair shop and office. The subject property is designated IND – Industrial in the Official Community Plan (OCP) and is within the Permanent Growth Boundary.

4.0 Proposal

4.1 Project Description

The applicant has applied to rezone the property to the I2 – General Industrial zone to accommodate an automotive/equipment repair shop and office. The office is to be located in the existing structure along McCurdy Road, while the automotive repair shop in the rear of the property is in an existing accessory building. The repair shop will be accessed by a small drive aisle off of McCurdy Road through a shared let down with the neighbouring property. Staff are also tracking a Development Variance Permit associated with the rezoning application.

4.2 Site Context

The subject property is a small remnant parcel located within the Highway 97 Industrial/Commercial Corridor that is zoned A1. North and South along Highway 97 is primarily zoned service commercial, while the businesses East along McCurdy Road primarily have Industrial uses. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C3 – Community Commercial	McCurdy Corner Entertainment and Retail Shopping Center
East	C10 & A1 – Service Commercial & Agriculture 1	Service Commercial & Industrial
South	C10 – Service Commercial	Service Commercial
West	C10 – Service Commercial	Service Commercial

Subject Property Map: 1085 McCurdy Road



5.0 Technical Comments

5.1 Development Engineering Department

5.1.1 See Attached Memo [Schedule A]

6.0 Application Chronology

Date of Application Received: August 14, 2019

Date Public Consultation Completed: October 11, 2019

Report prepared by: Wesley Miles, Acting Community Planning and Development Manager
Tyler Caswell, Planner I

Reviewed by: Laura Bentley, Urban Planning & Development Policy Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Schedule A: Development Engineering Memo

Attachment A: Conceptual Drawing Package



CITY OF KELOWNA

MEMORANDUM

Date: August 30, 2019
File No.: Z19-0110
To: Suburban and Rural Planning (WM)
From: Development Engineering Manager (JK)
Subject: 1085 McCurdy Rd A1 to I2

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 Aaron Sangster.

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) The Fire Department and Environment Division requirements and comments are addressed separately.
- d) These are Development Engineering comments/requirements and are subject to the review and requirements from the Ministry of Transportation (MOTI) Infrastructure Branch.

2) Geotechnical Study

- a) Provide a geotechnical report prepared by a Professional Engineer competent in the field of 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.
- viii. 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 industrial zone is 225l/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) 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.
- c) This property is located within the Black Mountain Irrigation District (BMID) service area. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. The developer is responsible, if necessary, to arrange with BMID staff for any service improvements and the decommissioning of existing services. Only one water service will be permitted per lot.

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) MuCurdy Rd fronting this development has already been upgraded. No further upgrades are needed at this time.

7) Road Dedication and Subdivision Requirements

- a) Grant Statutory Rights of Way if required for utility services.
- b) The ultimate width of McCurdy Road at Hwy 97C is established as a 4 lane arterial, complete with a 30.0m right of way (R.O.W). The R.O.W. in the front of the subject property is deficient. It is recommended that a dedication that aligns with 1049 McCurdy Rd frontage.
- c) If any road dedication affects lands encumbered by a Utility right-of-way (such as BC Hydro 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.

8) Power and Telecommunication Services and Street Lights

- a) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground.
- b) LED Streetlights must be installed on all roads.
- c) Remove existing poles and utilities, where necessary. Remove aerial trespass (es).

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) 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)

Ryan O'Sullivan for James Kay

James Kay, P.Eng.
Development Engineering Manager

AS

ATTACHMENT

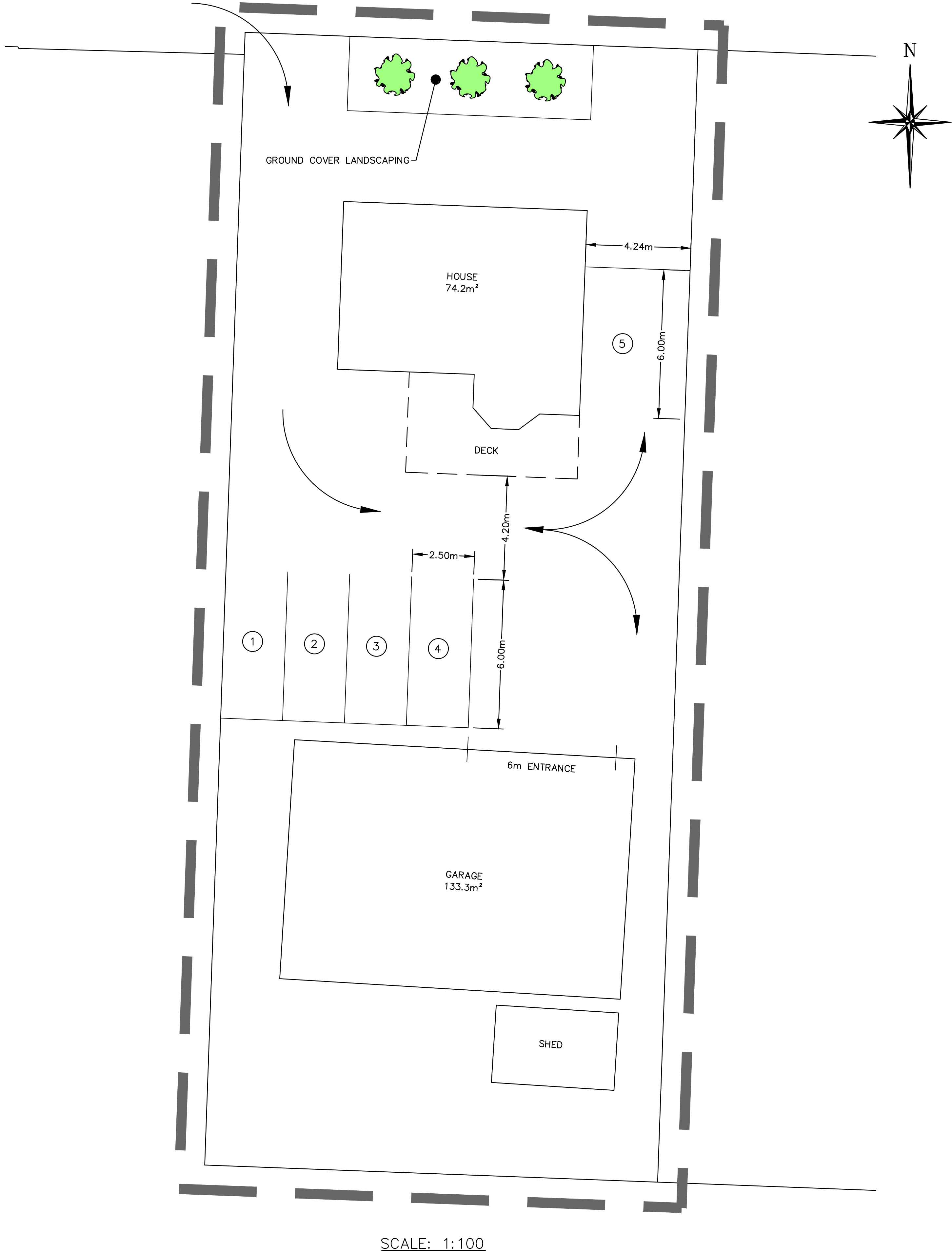
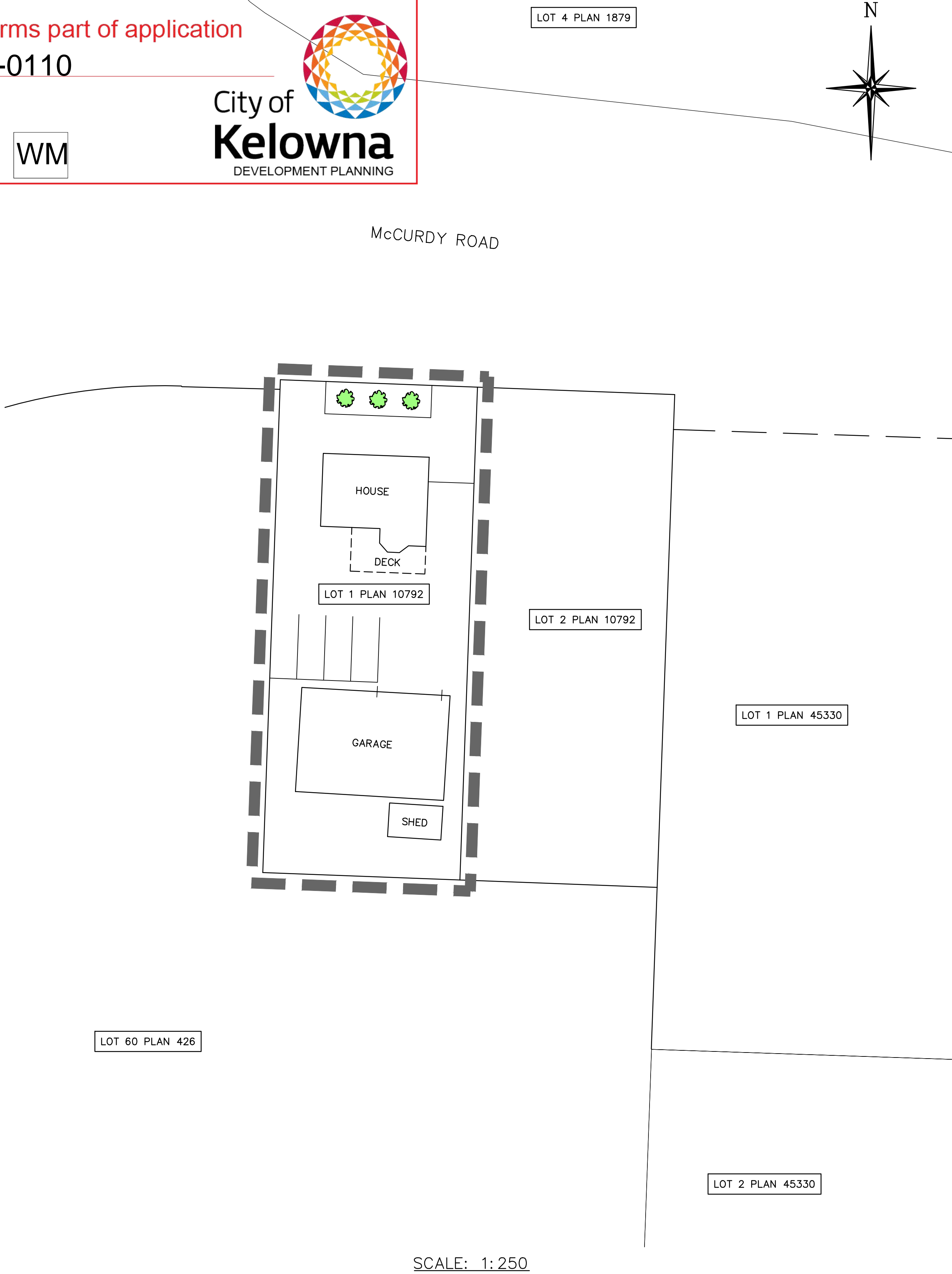
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Z19-0110

Planner
Initials WM

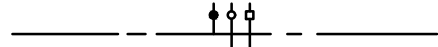

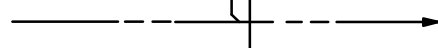

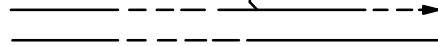

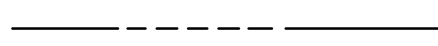

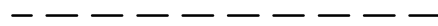



A



City of
Kelowna
DEVELOPMENT PLANNING



FILE LOCATION: P:\Projects\2019\19017 - McCurdy Road - Site Plan - 1:250.dwg
DRAWN: DS
DESIGN: HGM
APPROVED: HGM
DATE: JUNE 2019
SCALE: AS NOTED
HORIZ.:

Legend			
Water		Manhole	
San. Sewer		Power Pole	
Storm Sewer		Lamp Standard	
Gas		Catch Basin	
U.G. Telephone		Hydrant	
U.G. Electrical		Trees	

PROTECH
CONSULTING 2012

200 - 1461 St. Paul Street Kelowna B.C. Phone 860-1771
FAX 860-1994

NO.	DATE	BY	REVISION	CH'D

DRAWN	DS
DESIGN	HGM
APPROVED	HGM
DATE	JUNE 2019
SCALE	AS NOTED
HORIZ.	AS NOTED

THE CITY OF KELOWNA ENGINEERING DEPARTMENT		DIVISION	
A & M SIDHU 1085 McCUDY ROAD SITE PLAN		DRAWING NO.	REV. NO.
		19017-01	0

REPORT TO COUNCIL



Date: January 20, 2020

To: Council

From: City Manager

Department: Development Planning - Urban

Application: Z19-0104

Owner: Okanagan Valley Construction Ltd., Inc. No. BCo665697

Address: 300 Nickel Road

Applicant: Okanagan Valley Construction

Subject: Rezoning Application

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

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RM1 – Four Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z19-0104 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6 Section 27 Township 26 ODYD Plan 8839 located at 300 Nickel Road, Kelowna, BC, from the RU1 – Large Lot Housing zone to the RM1 – Four Dwelling Housing zone be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to 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 Development Planning Department dated January 20, 2020;

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

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 the RU1 – Large Lot Housing zone to the RM1 – Four Dwelling Housing zone to facilitate a four dwelling housing project.

3.0 Development Planning

Development Planning Staff are supportive of the application to rezone the subject property from RU1 – Large Lot Housing to RM1 – Four Dwelling Housing to facilitate the development of a four dwelling housing project. This rezoning application is consistent with the Official Community Plan (OCP) Future Land Use designation of the subject property, which is MRL – Multiple Unit Residential (Low Density), and several new townhouse projects have been approved on the block in recent years. The MRL designation supports low density multiple unit residential development including townhouses, garden apartments, apartments, and buildings containing three or more units. Council Policy No. 367 with respect to public consultation was undertaken by the applicant.

4.0 Proposal

4.1 Project Description

The applicant has provided a site plan of the potential development under the proposed RM1 zoning. The proposal consists of two semi-detached dwellings, each containing two units. The semi-detached dwellings are proposed to be two storeys in height, and parking is to be provided through private single garages as well as through parking on a shared driveway. Private open space requirements are to be met through private at-grade yards allocated to each unit as well as additional open space throughout the site.

The single-family dwelling currently on the property would be demolished should this application be approved. This application is tracking three variances to site coverage, drive aisle width, and landscaping.

4.2 Site Context

The subject property is located in the Rutland City Sector between the Rutland Urban Centre and the Midtown Urban Centre. The property fronts onto Nickel Road south of Houghton Road and north of Highway 33 W. The neighbourhood consists of single dwelling, two dwelling, and multi-family housing, and there are also some nearby commercial uses along Highway 33 W. The subject property has a Walkscore of 60 – some errands can be accomplished on foot. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM4 – Transitional Low Density Housing	Multiple Dwelling Housing
East	RU1 – Large Lot Housing	Single Dwelling Housing
South	RU1 – Large Lot Housing	Single Dwelling Housing
West	RM3 – Low Density Multiple Housing	Multiple Dwelling Housing

Subject Property Map: 300 Nickel Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 1: Introduction

Goals for a Sustainable Future:

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

Chapter 5: Development Process

Objective 5.3 Focus development to designated growth areas

Policy .2 Compact Urban Form. Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 – 100 people and/or jobs per ha 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.

Objective 5.22 Ensure context sensitive housing development

Policy .6 Sensitive Infill. Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height, and siting.

Policy .7 Healthy Communities. Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

5.2 Zoning Bylaw No. 8000

Section 13.7 – RM1 – Four Dwelling Housing

The purpose is to provide a zone for the development of a maximum of four dwelling units in the form of single detached, semi-detached, duplex, three-plex, or four-plex housing on urban services. The maximum floor area ratio is 0.6, the maximum building height is the lesser of 9.5 m or 2.5 storeys, and the maximum site coverage of buildings is 40%.

6.0 Application Chronology

Date of Application Received: May 16, 2019
Date Public Consultation Completed: December 10, 2019

Report prepared by: Arlene Janousek, Planner

Reviewed by: Laura Bentley, Urban Planning & Development Policy Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Schedule A: Development Engineering Memorandum

Schedule B: Proposed Site Plan

CITY OF KELOWNA
MEMORANDUM

SCHEDULE

A

This forms part of application
Z19-0104

Planner
Initials

AJ

City of
Kelowna
DEVELOPMENT PLANNING



Date: July 17, 2019

File No.: Z19-0104

To: Urban Planning (AJ)

From: Development Engineering Manager (JK)

Subject: 300 Nickel Rd

RU1 to RM1

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 Aaron Sangster.

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 Rick Ould, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC V1Y 2K0 to obtain further information and to determine suitable location(s) within the development.

2) 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.
- viii. Additional geotechnical survey may be necessary for building foundations, etc

3) Water

- a) This property is located within the Black Mountain Irrigation District (BMID) service area. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. The developer is responsible, if necessary, to arrange with BMID staff for any service improvements and the decommissioning of existing services. Only one water service will be permitted per lot.
- b) 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 zoning 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.
- c) An approved backflow protection device must also be installed on site as required by the City Plumbing Regulation and Water Regulation bylaws.
- d) 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) Nickel Rd must be upgraded to an 2 lane major collector along the full frontage of this proposed development including curb and gutter, street lights, landscaped boulevard, separated sidewalk, drainage system including catch basins, and pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. Road cross section to be used is a SS-R5.

7) Road Dedication and Subdivsion Requirements

- a) Grant Statutory Rights of Way if required for utility services.
- b) The ultimate width of Nickel Road between Houghton Road and Hwy 33 is established as a collector-class 1 with bike lanes, complete with a 20.0m right of way (R.O.W). The R.O.W. in the front of the subject property is deficient by approximately 2.44m. It is recommended that a dedication to 2.44m width along the full frontage.
- c) If any road dedication affects lands encumbered by a Utility right-of-way (such as BC Hydro 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

8) Power and Telecommunication Services and Street Lights

- a) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground.
- 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) Remove existing poles and utilities, where necessary. Remove aerial trespass (es).

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

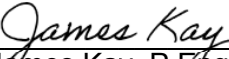
- a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands, and for public access to Vaughan Ave via the proposed lane.
- b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, etc.) 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.

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) 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

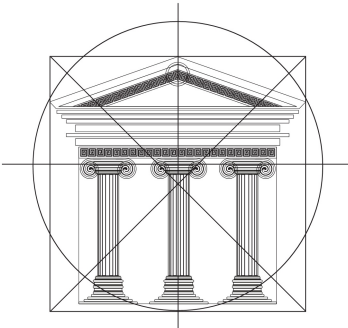
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AJ

City of Kelowna
DEVELOPMENT PLANNING



*inArtifex
Design Ltd*

#301-1630 Pandosy St.
Kelowna, BC V1Y 1P7
236.420.3600
www.inartifex.com
info@inartifex.com

OKANAGAN
VALLEY
CONSTRUCTION

Proposed
Project For:

300 NICKEL
ROAD

KELOWNA, BC

Sheet Title:

SITE PLAN

DATE:

8/30/2019

SCALE: 1/8"=1'

VERSION:

1.0

SHEET NO.:

A-3

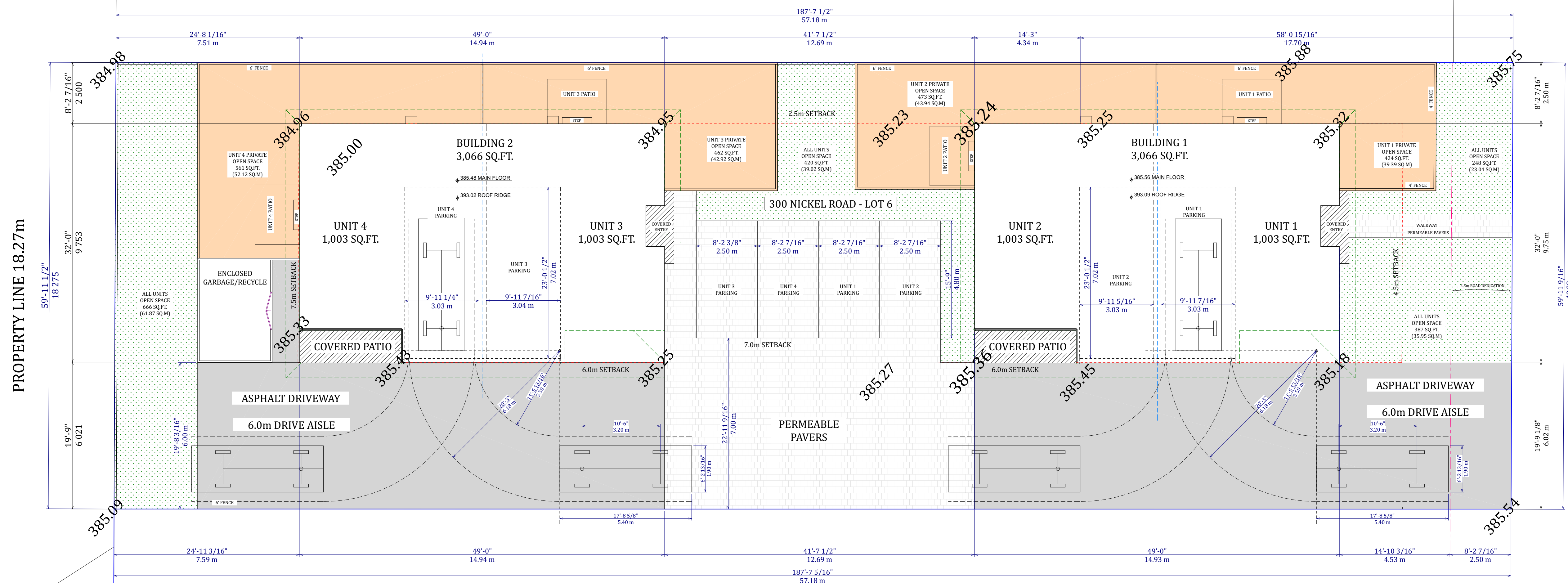
31

STRATA PLAN

EPS1636

320 NICKEL ROAD

PROPERTY LINE 57.2m



PROPERTY LINE 57.18m

290 NICKEL ROAD

5

SITE PLAN

SITE COVERAGE: (BLDGS)

BLDG 1:	146.32 SQ.M
<u>BLDG 2:</u>	<u>146.32 SQ.M</u>
TOTAL BLDG AREA:	292.64 SQ.M
SITE AREA:	1,045.04 SQ.M
SITE COVERAGE:	28.00 %

SITE COVERAGE (BLDGS/DRIVEWAYS/PARKING)

TOTAL BLDG AREA:	292.64 SQ.M
DRIVEWAYS/PARKING:	392.98 SQ.M
GARBAGE/RECYCLE:	13.00 SQ.M
TOTAL AREA:	698.62 SQ.M
SITE AREA:	1,045.04 SQ.M
SITE COVERAGE:	66.85 %

SITE COVERAGE (IMPERMEABLE DRIVEWAY & PARKING/BLDGS)

TOTAL BLDG AREA:	292.64 SQ.M
DRIVEWAYS/PARKING:	142.14 SQ.M
TOTAL AREA:	434.78 SQ.M
SITE AREA:	1,045.04 SQ.M
SITE COVERAGE:	41.60 %

DENSITY:

UNIT 1:	1,629.5 SQ.FT.
UNIT 2:	1,513.5 SQ.FT.
UNIT 3:	1,629.5 SQ.FT.
UNIT 4:	1,513.5 SQ.FT.
TOTAL BLDGS NET AREA:	6,286 SQ.FT.
SITE AREA:	11,256.14 SQ.FT.
FAR:	0.56

REPORT TO COUNCIL



Date: January 20, 2020

To: Council

From: City Manager

Department: Development Planning

Application: TA19-0019

Owner: 760 Vaughan Inc., Inc. No.
BC1148021

Address: 760 Vaughan Avenue

Applicant: Alec Warrender, Faction
Projects Inc.

Subject: Text Amendment

Existing OCP Designation: I₄ – Central Industrial

Existing Zone: IND – Industrial

1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA19-0019 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule "A" attached to the report from the Development Planning Department dated January 20, 2020 for Lot 2 Section 30 Township 26 ODYD Plan 23753 located at 760 Vaughan Avenue, Kelowna, BC be considered by Council;

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

2.0 Purpose

To amend the Zoning Bylaw to allow select commercial uses in the I₄ – Central Industrial zone at 760 Vaughan Avenue.

3.0 Development Planning

Development Planning Staff support the proposed Text Amendment to allow the requested uses in the I₄ – Central Industrial zone for the property located at 760 Vaughan Avenue. The subject property is located in the industrial district north of downtown Kelowna and is one block east of the Downtown Urban Centre. Staff recognize that this area of the City is experiencing change and that it is necessary to protect the core of the north end industrial area while allowing for compatible uses that provide an effective transition to the Downtown Urban Centre.

The I₄ zone covers most of the north end industrial area and currently permits breweries and distilleries, food primary establishments, industrial high technology research and product design, minor liquor primary establishments, and indoor participant recreation services, among other uses. Several of the proposed uses are similar to service commercial and light industrial uses.

Staff are recommending prohibiting office uses in ground floor units to retain ground-oriented units for industrial uses. Additionally, the applicant is proposing only limited retail uses, and the retail uses proposed complement the mix of residential and industrial uses surrounding the subject property. Residential uses are not being proposed as part of this application and would not be supported on the subject property. This proposal does not meet Council Policy No. 359 regarding large Liquor Primary Establishments being located in Urban Centres only; however, given the proximity to the Downtown Urban Centre, Staff are recommending support in this case.

Overall, the proposal respects the industrial history of the site and maintains industrial uses while allowing for additional compatible uses that relate to the changes occurring in the area.

4.0 Proposal

4.1 Background

In 2018, 740 Clement Avenue, the property south of the subject property, underwent an OCP amendment and rezoning to allow commercial residential uses under the C₄ – Urban Centre Commercial zone (OCP17-0021/Z17-0093). A Development Permit was approved for 740 Clement Avenue that includes approximately 150 residential units. Additionally, a site-specific text amendment was approved for 816 Clement Avenue in 2018 (TA18-0006), which also is south of 760 Vaughan Avenue. This text amendment allows for some retail and office uses.

4.2 Project Description

The subject property is 1.43 hectares (3.53 acres) in area. Currently, there are three buildings on the property. In the southeast corner is the recently established 700m² brewery (Rustic Reel Brewing Company), which was developed in 2019 by repurposing a trucking garage. In the southwest corner of the property is an old loading bay building (approximately 750m²), and in the northwest corner of the property is an old warehouse building (approximately 900m²). The loading bay building and the warehouse building are not currently in use. Overall, most of the property is vacant, and the site is underdeveloped. The applicant is requesting a site-specific text amendment to facilitate additional phases of development.

The applicant is requesting the following uses in the I₄ zone in addition to the uses already permitted:

- Business support services – would allow for tenants that provide services such as printing, janitorial services, and repair services to businesses.
- High technology research and product design – would expand on what is permitted in I₄ under industrial high technology research and production design.
- Offices and offices, construction and development industry – would be permitted on-site but prohibited in ground floor units.
- Retail stores, convenience – would allow for retail sales of goods in a limited floor area required by area residents and employees on a day-to-day basis.
- Retail stores, service commercial – would allow for retail sales of goods that require extensive on-site storage to support the store's operations.
- Liquor primary establishment, major – would expand what is permitted in I₄ under the liquor primary establishment, minor use to allow service of alcoholic beverages to over 100 people.

- Spectator entertainment establishments – would allow for entertainment focused uses such as movie screenings, live music, and theatre.

The request for liquor primary establishment, major and spectator entertainment establishment uses are to facilitate plans the applicant has to repurpose the warehouse building located in the northwest corner of the property. Plans for the building are still being formalized, and the applicant is pursuing partnerships with local entrepreneurs to refine this project further. The intention is to create a space that offers food and liquor service and entertainment uses such as movie screenings and potentially live music.

This site-specific text amendment would apply to the whole subject property, allowing any permitted use to occur in any building on the site. If this application is approved, the applicant could move forward with building permits. The applicant completed neighbourhood notification as per Council Policy No. 367.

4.3 Site Context

The subject property is located midblock on the north side of Vaughan Avenue between Richter Street and Ethel Street. The site is centrally located in Kelowna's north end industrial area and is surrounded on the east, west, and north by I₄ zoned industrial properties. The adjacent property to the south has a Future Land Use Designation of Mixed Use – Residential / Commercial and is zoned C₄ – Urban Centre Commercial. The subject property is just east of the Downtown Urban Centre, which ends at Richter Street, and the Okanagan Rail Trail is in close proximity. Land uses of the properties adjacent to the subject property are listed below:

Orientation	Zoning	Land Use
North	I ₄ – Central Industrial	Breweries and Distilleries, Major
East	I ₄ – Central Industrial	General Industrial Uses
South	C ₄ – Urban Centre Commercial I ₄ – Central Industrial	Apartment Housing, Retail Stores, General General Industrial Uses
West	I ₄ – Central Industrial	Breweries and Distilleries, Major

Subject Property Map: 760 Vaughan Avenue



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Objective 5.3 Focus development to designated growth areas

Policy .2 Compact Urban Form. Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 – 100 people and/or jobs per ha 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.

Objective 5.19 Ensure development is compatible with surrounding land uses

Policy .6 North End Industrial (High Tech and Incubator). Encourage the redevelopment of industrially designated lands north of the Downtown Urban centre for high-tech projects and buildings, including the potential for “incubator space” for smaller businesses.

Objective 5.29 Ensure efficient use of industrial land supply.

Policy .1 Industrial Land Use Intensification. Encourage more intensive industrial uses of currently under-utilized industrial sites during site redevelopment or by permitting lot subdivision where new lots can meet the minimum lot size requirements of the Zoning Bylaw.

6.0 Application Chronology

Date of Application Received: November 22, 2019

Date Public Consultation Completed: November 26, 2019

Report prepared by: Arlene Janousek, Planner

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Schedule “A”: Summary Table of Proposed Text Amendments to Zoning Bylaw No. 8000

Attachment A: Applicant’s Rationale

Schedule A – Zoning Bylaw No. 8000 Text Amendment

No.	Section	Existing Text	Proposed Text				Explanation of Change										
1.	15.4 I4 – Central Industrial 15.4.7 Site Specific Uses and Regulations	N/A	15.4.7 Site Specific Uses and Regulations Uses and regulations apply to the I4 – Central Industrial zone on a site-specific basis as follows: <table><tr><td></td><td>Legal Description</td><td>Civic Address</td><td colspan="2">Regulation</td></tr><tr><td>1.</td><td>Lot 2 Section 30 Township 26 ODYD Plan 23753</td><td>760 Vaughan Ave, Kelowna, BC</td><td colspan="2">To allow business support services, high technology research and product design, liquor primary establishment, major, offices, construction and development industry, offices, retail stores, convenience, retail stores, service commercial, and spectator entertainment establishments as permitted Principal Uses in addition to those permitted in section 15.4.2. Office uses are not permitted in ground-floor units.</td></tr></table>					Legal Description	Civic Address	Regulation		1.	Lot 2 Section 30 Township 26 ODYD Plan 23753	760 Vaughan Ave, Kelowna, BC	To allow business support services, high technology research and product design, liquor primary establishment, major, offices, construction and development industry, offices, retail stores, convenience, retail stores, service commercial, and spectator entertainment establishments as permitted Principal Uses in addition to those permitted in section 15.4.2. Office uses are not permitted in ground-floor units.		The new section will facilitate the addition of a site-specific text amendment for 760 Vaughan Avenue and allow for various uses in addition to the uses already permitted under the I4 zone. The site-specific text amendment will allow various Principal Uses on the subject property.
	Legal Description	Civic Address	Regulation														
1.	Lot 2 Section 30 Township 26 ODYD Plan 23753	760 Vaughan Ave, Kelowna, BC	To allow business support services, high technology research and product design, liquor primary establishment, major, offices, construction and development industry, offices, retail stores, convenience, retail stores, service commercial, and spectator entertainment establishments as permitted Principal Uses in addition to those permitted in section 15.4.2. Office uses are not permitted in ground-floor units.														

November 6, 2019

Mr. Adam Cseke, Planner Specialist
City of Kelowna 1435 Water Street
Kelowna, BC V1Y 1J4

RE: Letter of Rationale - Text Amendment for 760 Vaughan Avenue, Kelowna, BC

ATTACHMENT

A

This forms part of application

TA19-0019

Please
Initials

AJ



Dear Adam:

Further to our previous meetings and discussions we hereby submit our Letter of Rationale in support of this Text Amendment application for our '760 Vaughan' project.

Looking Back

The Kelowna Growers Exchange (KGE) was established in 1913 in Kelowna's North End. Their objective was simple - support the growing, buying and selling of local agriculture products. In truth, however, this bustling hive was about so much more than just packing and selling fruit. The KGE was about the meeting of likeminded individuals who shared a passion for local, authentic, and an appreciation for everything the Okanagan Valley had to offer. These values align with the vision behind 760 Vaughan.



Looking Forward

The North End of Downtown Kelowna is in the early stages of revitalization, a different type of revitalization than is currently being experienced downtown. 760 Vaughan is extremely well located to positively impact the commercial / industrial renaissance taking place in this neighbourhood. 760 Vaughan and its unique tenants have the potential to attract a new batch of producers and consumers who share a passion for local and the desire for something handmade.



DEVELOPMENT MANAGEMENT

ARCHITECTURE

CONSTRUCTION MANAGEMENT

T 250-980-4510 F 250-764-2116 201-3935 Lakeshore Rd, Kelowna BC V1W 1V3

www.factionprojects.com

760 Vaughan

The subject property is located between Sandhill Wines and BC Tree Fruits and is directly across the street from PC Urban's 'The Packing District' project. Recently rezoned to the C4 – Urban Centre Commercial Zone, The Packing District will accommodate a mix of commercial units and 160 apartment housing units. The infographic below provides a broad overview of the transition taking place within and on the northern edge of the Downtown Urban Centre.



As shown above the North End is currently experiencing rapid growth and, although 760 Vaughan will embrace this change, it will do so while celebrating the neighbourhoods industrial past, present and future.

The Rustic Reel Brewing Company is the first phase of 760 Vaughan and it successfully respected the North End's history as a production and transport hub while creating a vibrant venue that has helped energize the area. This unique project saw an old trucking garage rehabilitated and converted into a new space and it acknowledges the area's past while sustainably reinvesting in its future. The old garage bays and the building structure were retained and highlighted to help tell the area's story.



Next Steps

Phase 1B

This phase will see the rehabilitation of the old vacant warehouse building at the N/W corner of the property. This building will be retained, repurposed and injected with new life. Rather than losing this old industrial building to the revitalization being experienced in the area, it will be celebrated and sustainably repurposed.



The exterior of the warehouse has an interesting form and character worth protecting as it captures the simplicity and practicality of an old warehouse building constructed in the 1950s. However, the most valuable and impressive part of the building is the exposed interior wooden roof structure that truly makes it special and worthy of rehabilitation. The goal is to deliver this phase in partnership with local entrepreneurs that share our vision of transforming this unique building into a successful community asset. This phase will tell the North End's industrial story while welcoming the new energy being brought to the area. It's anticipated that restorative work will begin early in 2020.

Phase 2

This phase will see the first new building introduced to 760 Vaughan and as proposed will consist of a mix of commercial and light industrial uses. This building provides a link between new and existing industrial buildings to complete the Vaughan Avenue frontage.

Phase 3

This phase will complete and complement the previous phases but is currently still in the visioning stage. The development of 760 Vaughan has been a patient process and the plan for this phase will only be finalized once the first three phases are underway.

Text Amendment

In order to enable 760 Vaughan to reach its full potential a Text Amendment allowing a few additional uses is being requested. The following uses will help realize the vision we have for 760 Vaughan:

- Business Support Services;
- High Technology Research and Product Design;
- Liquor Primary Establishment, Major;

- Offices;
- Offices, Construction and Development Industry;
- Retail Stores, Service Commercial; and
- Retail Stores, Convenience.

While the proposed Text Amendment will introduce new uses, those uses are intended to compliment rather than compete with the exciting changes happening downtown and in the neighbourhood. The majority of the proposed uses are partially allowed within the current zone but the proposed amendment will help to generally broaden the type of businesses that can put down roots at 760 Vaughan and will specifically help accommodate partners that have shown interest in the project. 760 Vaughan will be a unique place due to its transitional context between the Downtown Urban Centre and the North End industrial area; it will celebrate rather than turn its back on its industrial history and context. It will continue to build upon and facilitate the growth in cycling and pedestrian modes of transportation that the area has experienced due to its central location and close proximity to Downtown, Knox Mountain and the rail trail.

Faction Projects Inc. takes a multiple bottom line approach to success that focuses on people, planet and profit. Our whole system methodology optimizes results, increases value, reduces waste and maximizes efficiency through all phases of development. We believe that 760 Vaughan, including the revitalization of two industrial buildings, is consistent with staff and Council expectations for this transitional area and will complement the positive improvements that have been made to date.

Please contact me should have any questions or require any further information.

Best Regards,



Alec Warrender
Manager, Development
Faction Projects Inc.

REPORT TO COUNCIL



Date: January 20, 2020

To: Council

From: City Manager

Department: Development Planning - Urban

Application: Z19-0102

Owner: Jesse David East & John
Thomas Hodges

Address: 2257 and 2263 Speer Street

Applicant: Urban Options Planning &
Permitting

Subject: Rezoning Application

Existing OCP Designation: HLTH – Health District

Existing Zone: RU6 – Two Dwelling Housing

Proposed Zone: HD2 – Hospital and Health Support Services

1.0 Recommendation

THAT Rezoning Application No. Z19-0102 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 34 District Lot 14 ODYD Plan 413, located at 2257 Speer Street, Kelowna, BC and Lot 35 District Lot 14 ODYD Plan 413, located at 2263 Speer Street, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the HD2 – Hospital and Health Support Services zone be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated January 20, 2020;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the demolition of existing dwellings and the consolidation of the subject properties;

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 properties from the RU6 – Two Dwelling Housing zone to the HD2 – Hospital and Health Support Services zone to facilitate the development of a multi-family residential building.

3.0 Development Planning

Development Planning Staff are supportive of the proposed rezoning to facilitate the development of a multi-family residential building. The Official Community Plan (OCP) Future Land Use Designation of the subject properties is Health District (HLTH), and the proposed rezoning to HD2 – Hospital and Health Support Services is consistent with the HLTH Future Land Use Designation. The purpose of the Health District is to designate land for uses that support Kelowna General Hospital (KGH) and provide a transition in scale from KGH to adjacent residential areas. The Health District is intended for development that includes uses such as health administration, health education, patient services, and care facility operations.

The HD2 zone is intended to support land uses that are associated with KGH; however, the zone currently permits multiple dwelling housing as a principal use. To ensure that the proposed development has the potential to better support health services, the applicant is working with Staff to incorporate two ground-oriented live-work units into the building design. The goal of the live-work units is to provide the option for health-related uses such as medical offices, counseling and rehabilitation services, and other health services. The site and building design will be finalized through the Development Permit and Development Variance Permit process.

As the subject properties are currently adjacent to other residential uses, the residential nature of this proposal is suitable for the neighbourhood. Additionally, the subject properties are located centrally between two Urban Centres and are accessible by transit and by bike and can therefore support increased residential density. The applicant completed neighbourhood notification in accordance with Council Policy No. 367. The applicant also hosted an open house to provide an additional engagement opportunity.

4.0 Proposal

4.1 Project Description

The applicant has provided a conceptual site plan showing potential development under the proposed HD2 zone. The applicant is currently proposing a 4.5 storey, 24-unit apartment building which would have access off the lane rear lane and underground parking. Should the application proceed, lot consolidation of the two subject properties would be necessary, and the existing single-family dwellings on the subject properties would be demolished.

The proposal is currently tracking two setback variances that would be considered by Council at a later date should the project proceed.

4.2 Site Context

The subject properties are located between the City Centre Urban Centre and the South Pandosy Urban Centre in the Central City Sector of Kelowna. The properties are one block east of Pandosy Street and KGH, north of Rose Avenue. Currently Speer Street is predominately residential with single family dwellings as the main building form. The properties are located mid-block and this application is one of the first on this block to propose development under the Health District Future Land Use Designation. The surrounding properties are also designated as Health District and are expected to develop over time in accordance with uses that support the hospital as indicated in OCP policy. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing	Single Dwelling Housing with Carriage House
East	RU6 – Two Dwelling Housing	Single Dwelling Housing
South	RU6 – Two Dwelling Housing	Single Dwelling Housing
West	RU6 – Two Dwelling Housing	Single Dwelling Housing



5.1 Kelowna Official Community Plan (OCP)

Chapter 4: Future Land Use

To integrate uses in support of the regional KGH campus both physically and functionally with the surrounding communities and to provide a moderating transition in scale from a major institutional centre to adjacent established residential areas that incorporate heritage components, where included in the Heritage Conservation Area boundary. This designation is to encompass development that supports the operations of the Kelowna General Hospital or other health administration, health education, patient services or care facility operation. Other uses may include multiple unit residential uses consistent with the RM3, RM4 or RM5 zones of the Zoning Bylaw. Limited health and service-related commercial uses as defined by the Zoning Bylaw may be supported.

Chapter 5: Development Process

Objective 5.3 Focus development to designated growth areas

Policy .2 Compact Urban Form. Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 – 100 people and/or jobs per ha 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

Section 17.2 HD2 – Hospital and Health Support Services

17.2.1 Purpose. The purpose is to provide a zone for the conversion and new development of buildings that provide services to the medical community associated with the Kelowna General Hospital,

Interior Health Authority, and UBC Medical Programs including staff, clients, patients and their families. This zone will provide for a range of institutional, medical-related commercial and complimentary residential uses within the Official Community Plan Health District future land use designation. Principal uses for properties with a lot area of 9000m² or more include multiple dwelling housing, health services, and short-term rentals.

6.o Application Chronology

Date of Application Received: June 28, 2019
Date Public Consultation Completed: August 27, 2019

Report prepared by: Arlene Janousek, Planner

Reviewed by: Laura Bentley, Urban Planning & Development Policy Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Schedule A: Development Engineering Memo

Schedule B: Site Plan

CITY OF KELOWNA

MEMORANDUM

Date: July 10, 2019
File No.: Z19-0102
To: Community Planning (AJ)
From: Development Engineering Manager (JK)
Subject: 2257-2263 Speer Street

SCHEDULE

A

This forms part of application
Z19-0102

Planner
Initials

AJ



RU6 to HD2

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 Aaron Sangster.

.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.

.2) Road Dedication and Subdivision Requirements

- a) Vehicle access to the development should only be from the laneway.
- b) Lot consolidation is required.

.3) 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 reports must be submitted to the Development Services Department for distribution to the Development Engineering Branch and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval:
 - 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.

Additional geotechnical survey may be necessary for building foundations, etc

.4) Water

- a) The property is located within the City of Kelowna service area. The existing lots are serviced with a 13mm diameter water service. Only one service will be permitted to the site or per property. The applicant, at his cost, will arrange for the removal of the existing services and the installation of one new larger metered water service.
- b) 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 commercial zoning 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.
- c) An approved backflow protection device must also be installed on site as required by the City Plumbing Regulation and Water Regulation bylaws.
- d) 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

.5) 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.

.6) 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.

.7) Roads

- a) Speer Street is designated an 2-lane collector road and must be upgraded to an collector standard along the full frontage of this proposed development, including curb and gutter, separated 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 modified SS-R5 cross section will be provided at time of detailed design.
- b) The laneway must be upgraded to an laneway standard along the full frontage of this proposed development, including storm drainage and pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. A SS-R2 standard cross section is to be used at detailed design.
- c) Landscaped boulevards, complete with underground irrigation design drawing as per bylaw, is required on Speer Street prior to the issuing of the notice to proceed.

.8) Power and Telecommunication Services and Street Lights

- a) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground as the subject properties are within the "City Center Urban Center".
- 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.

.9) Design and Construction

- d) 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.
- e) 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.
- f) 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).
- g) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- h) 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) 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 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.

.11) Servicing Agreements for Works and Services

- b) 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.
- c) 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

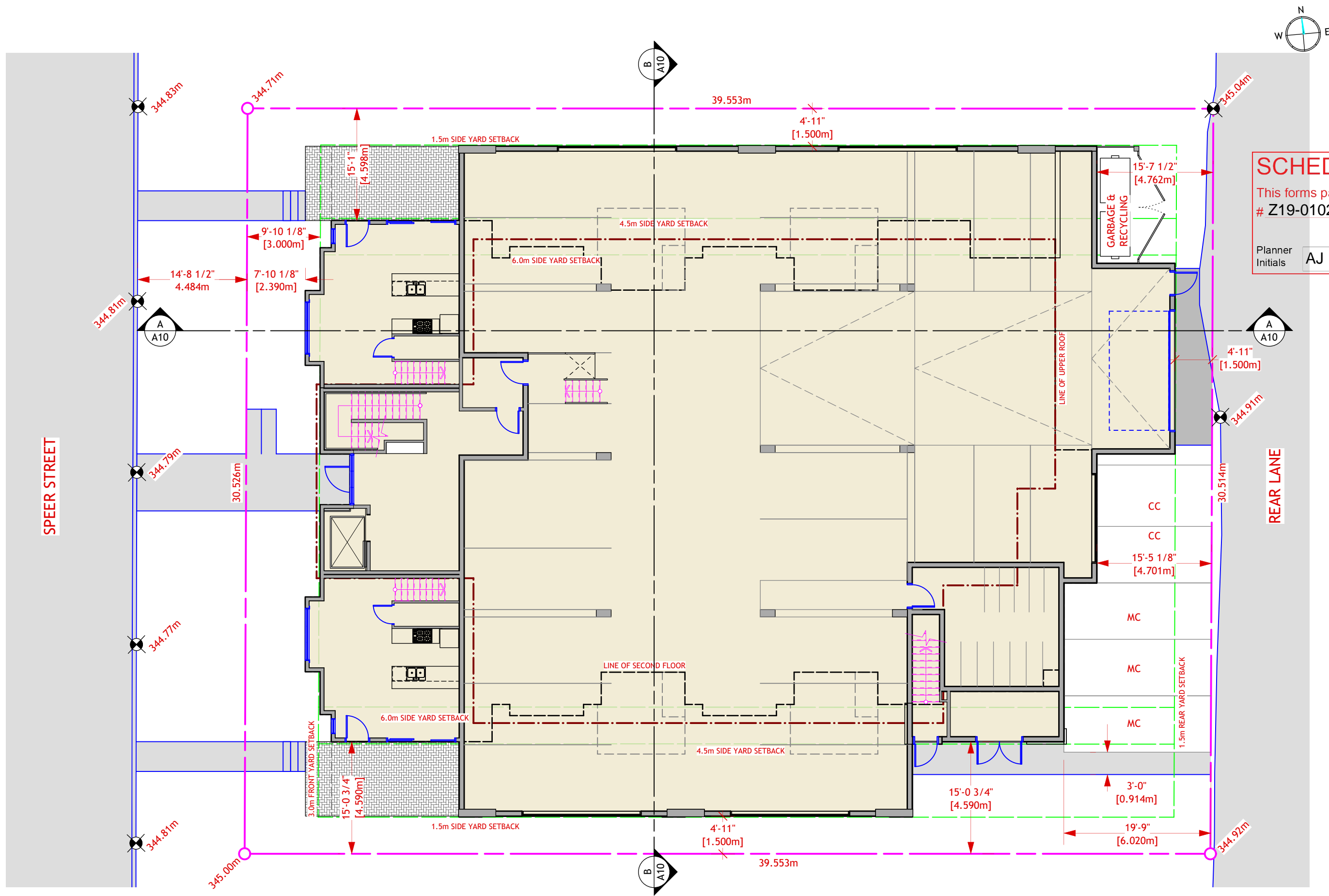
- a) Development Cost Charges (DCC's) are payable

- 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.
 - iii) Engineering and Inspection Fee: 3.5% of construction value (plus GST).

Ryan O'Sullivan for James Kay

James Kay, P.Eng.
Development Engineering Manager

JA for AS



SCHEDULE B

This forms part of application
Z19-0102

Planner Initials
AJ



AXOarchitecture
250-469-3190
andrea@axoarchitecture.ca

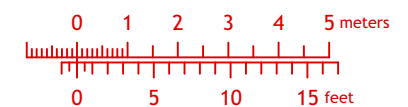
SPEER STREET MULTIFAMILY
2257-2263 SPEER STREET
KELOWNA, BC

SITE PLAN

DATE:
JUNE 27, 2019

SCALE: 1:150
ISSUED FOR: DESIGN REVIEW
SHEET: A2

1 SITE PLAN
Scale: 1:150



REPORT TO COUNCIL



Date: January 20, 2020

To: Council

From: City Manager

Department: Development Planning – Urban

Application: Z19-0122

Owner: Dr. A Ravindran Inc.

Address: 550 Mugford Rd

Applicant: New Town Services

Subject: Rezoning Application

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU2 – Medium Lot Housing

1.0 Recommendation

THAT Rezoning Application No. Z19-0122 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot E Sec 26 TWN 26 ODYD Plan 35641 located at 550 Mugford Road, Kelowna BC from the RU1 – Large Lot Housing to the RU2 – Medium Lot Housing zone to be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to 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 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 Development Planning Department dated January 20, 2020.

2.0 Purpose

To consider an application to rezone the subject property from RU1 – Large Lot Housing to RU2 – Medium Lot Housing to facilitate a proposed six lot subdivision.

3.0 Development Planning

Development Planning Staff support the proposed Rezoning amendment from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone to facilitate a proposed six lot subdivision. The subject property has a Future Land Use designation of S2RES – Single/Two Unit Residential in the City's

Official Community Plan (OCP) and is within the Permanent Growth Boundary. The proposal is consistent with the OCP's Development Process Policies and the property is fully serviced.

4.0 Proposal

4.1 Project Description

The proposal is to rezone the subject property in order to facilitate a proposed six lot subdivision and subsequent bareland stratification in the future. The rezoning application does not involve a specific development proposal as each individual lot, once subdivided, would be developed separately.

At the time of subdivision, a Section 219 Covenant will be required to be registered on the proposed Lot 1 (or the lot adjacent to Mugford Road) in order to ensure any building constructed will have a street oriented building design to reflect the character of the neighbourhood. This will require the building to have a front façade facing Mugford Road, to treat the lot line abutting Mugford Road as a Front Lot Line, and to restrict any part of a garage or carport to only facing the internal strata road.

4.2 Site Context

The subject property is located in the Rutland City Sector near the intersection of Mugford Road and Merrifield Road. The subject property currently has a single detached house and related accessory buildings and structures. The neighbourhood predominantly consists of single dwelling housing with some nearby properties zoned for two-dwelling housing and medium lot housing

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Residential
East	RU1 – Large Lot Housing	Residential
South	RU1 – Large Lot Housing	Residential
West	RU1 – Large Lot Housing & RU6 – Two Dwelling Housing	Residential

Subject Property Map: 550 Mugford Road



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	Ru2 ZONE REQUIREMENTS	PROPOSAL
Subdivision Regulations		
Min. Lot Area	400 m ²	408 – 433 m ²
Min. Lot Width	13 m	13 – 13.3 m
Min. Lot Depth	30 m	33.3 m

5.0 **Current Development Policies**

5.1 Kelowna Official Community Plan (OCP)

Chapter 1: Introduction

Goals for a Sustainable Future:

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

Chapter 5: Development Process

Objective 5.3 Focus development to designated growth areas

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

Policy .2 Compact Urban Form. Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75-100 people and/or jobs per ha 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 in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Objective 5.22 Ensure context sensitive housing development

Policy.6 Sensitive Infill. Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

Zoning Bylaw No.

Section 13 – Urban Residential Zones

13.2 RU2 – Medium Lot Housing.

The purpose is to provide a zone for single detached housing,k and compatible secondary uses, on medium sized serviced urban lots. Principal uses in this zone include single dwelling housin, urban agricultura, and community gardens. The maximum site coverage of buildings is 40% and the maximum building height is the lesser of 9.5 m or 2.5 storeys.

6.0 Technical Comments

6.1 Development Engineering Department

See attached Memo from the Development Engineering Department dated December 12, 2019.

7.0 Application Chronology

Date of Application Received: October 21, 2019

Date Public Consultation Completed: January 8, 2020

Report prepared by: Hailey Rilkoff, Planner I

Reviewed / Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Schedule A: Development Engineering Memo

Attachment A: Conceptual Subdivision Layout

2	191211	Issued for Review
1	191129	Issued for Review
No.	Date	Description

Revisions



NEW TOWN
ARCHITECTURE
URBAN PLANNING
CIVIL ENGINEERING
www.newtownservices.ca

project title

Mugford
Subdivision

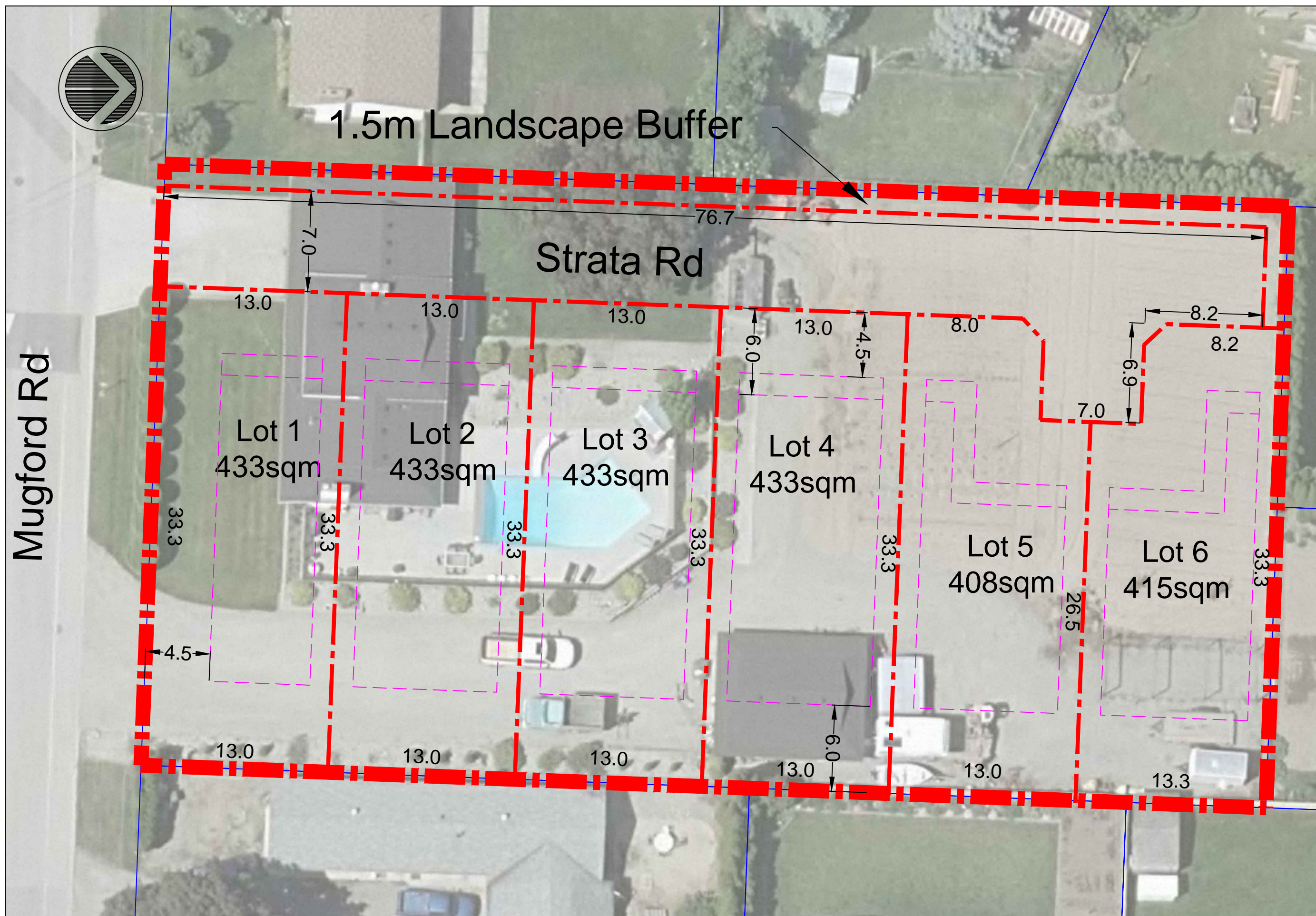
project no. 1691

drawing title

RU2 Site Plan

designed	scale 1:250 (@ 11x17)
drawn	
checked	

plotted



CITY OF KELOWNA
MEMORANDUM

SCHEDULE

A

This forms part of application
Z19-0122

Planner
Initials

HR

City of
Kelowna
DEVELOPMENT PLANNING



Date: January 14, 2020
File No.: Z19-0122
To: Urban Planning Management (HR)
From: Development Engineering Manager (JK)
Subject: 550 Mugford Rd RU1 to RU2

The Development Engineering Department has the following comments and requirements associated with this application to rezone the subject property from RU1 to RU2. The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technician for this project is Jim Hager.

1. General

- a) These are Development Engineering Branch comments/requirements and are subject to the review and requirements from the Ministry of Transportation and Infrastructure (MoTI).

2. Domestic Water and Fire Protection

- a) The subject lot is within the Black Mountain Irrigation District (BMID) water service area. The developer is required to make satisfactory arrangements with BMID for all water and fire protection-related issues. All charges for service connection and upgrading costs, as well as any costs to decommission existing services, shall be the responsibility of the developer.
- b) The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. All fire flow calculations approved by BMID are to be shared with the Development Engineering Branch upon submittal of off-site civil engineering drawings.
- c) 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 No. 7900.

3. Sanitary Sewer

- a) This property is currently serviced with a 100-mm sanitary service. 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 their cost, will arrange for the removal and disconnection of the existing services and the installation of one new larger service, if necessary.

4. 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 Subdivision, Development and Servicing Bylaw No. 7900. 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. Only one service will be permitted for this development. The applicant, at his cost, will arrange the installation of one overflow service if required.
- 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; and
 - iii. An Erosion and Sediment Control Plan.

5. Subdivision Requirements

- a) Grant statutory rights-of-way if required for utility services.

6. Electric Power and Telecommunication Services

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.

7. Road Improvements

- a) Mugford Rd must be upgraded to a collector standard along the full frontage of this proposed development, including sidewalk, curb and gutter, pavement removal and replacement, boulevard landscaping and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The existing catch basin is to be relocated to the new gutter line. The sidewalk is to tie in to the existing sidewalk to the east at 580 Mugford Rd. Driveway letdowns required for 550 / 580 Mugford Rd. Only one 6.0m access to the property will be permitted. The road cross section to be used is a modified SS-R5 with the sidewalk located at 0.2m from property line.
- b) There is a speed hump in Mugford Rd fronting the subject lot. If this speed hump is disturbed during construction, it is to be replaced as per the City of Kelowna's requirements.
- c) The estimated cost of this construction, for performance security purposes, is to be submitted by the Developer's Consulting Engineer.

8. 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.

- (b) 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.
 - (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.

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 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. **Site Requirements**

- (a) Provide turning movements showing ingress and egress of an MSU vehicle on the subject lot.

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) Engineering and Inspection Fee: 3.5% of construction value (plus GST).

Ryan O'Sullivan for James Kay

James Kay, P.Eng.
Development Engineering Manager

JKH