

# City of Kelowna

## Public Hearing

### AGENDA



Tuesday, February 25, 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 Okanagan Rail Trail Landscaping and Screening Regulations TA19-0004 (BL11970) - City of Kelowna

4 - 26

To amend Section 7 of the Zoning Bylaw to introduce landscape buffering and screening requirements for properties adjacent to the Okanagan Rail Trail and to clarify the Minimum Landscape Buffer Treatment Level descriptions.

<b>2.2</b>	<b>Gallagher Rd, 2975, TA19-0017 (BL11983), Temporary Farm Worker Housing - David Geen</b>	<b>27 - 34</b>
	To consider a Text Amendment to the Zoning Bylaw to facilitate temporary farm worker housing for up to 70 temporary farm workers on the subject property, which would result in a total of up to 130 temporary farm workers for a single farm unit located within the same City Sector and increase the maximum 'temporary farm worker housing footprint' from 0.3ha to 0.95ha.	
<b>2.3</b>	<b>Coronation Ave 1028, 1036, 1044 Z17-0117 (BL11731) - 1136605 BC Ltd., Inc No. BC1136605</b>	<b>35 - 44</b>
	To rezone the subject properties from the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple Housing zone to facilitate the development of multiple dwelling housing.	
<b>2.4</b>	<b>Gordon Dr 5100, OCP-19004 (BL11977) and Z19-0103 (BL11978) - Trailhead Communities Ltd.</b>	<b>45 - 57</b>
	To amend the Official Community Plan to change the future land use designation to PARK – Major Park/Open Space and MRC – Multiple Unit/Residential - Cluster Housing and rezone the subject property to RH3 – Hillside Cluster Housing, RU2h – Medium Lot Housing (Hillside Area), and P3 – Parks and Open Space to facilitate a future residential subdivision.	
<b>2.5</b>	<b>Pandosy St 2660, Z19-0129 (BL11980) - Southgate Centre Holdings Inc., Inc.No. BC1077192</b>	<b>58 - 63</b>
	To rezone the subject property from C4 – Urban Centre Commercial to C4rcs -Urban Centre Commercial (Retail Cannabis Sales) to allow for a retail cannabis sales establishment.	
<b>2.6</b>	<b>Cawston Ave 640-650 &amp; Richter St 1284-1292, OCP20-0002 (BL11982) and Z19-0126 (BL11984) - 1145287 B.C. LTD., Inc. No. BC1145287</b>	<b>64 - 79</b>
	To amend the Official Community Plan to change the future land use designation of the subject properties from MRM – Multiple Unit Residential Medium Density to MXR – Mixed Use Residential / Commercial and rezone the subject properties from the RU2 – Medium Lot Housing zone to the C7 – Central Business Commercial zone to facilitate the development of a 6 storey apartment building with the potential for live/work units on the ground floor.	
<b>2.7</b>	<b>Cawston Ave 640-650 (BL11967) - Road Closure</b>	<b>80 - 82</b>
	To close a 185.8 square metre portion of lane for consolidation with the adjacent properties.	
<b>2.8</b>	<b>Cadder Ave 338, Z19-0120 (BL11987) - Daniel Konrad</b>	<b>83 - 91</b>
	To rezone the subject property from RU1-Large Lot Housing to RU1C- Large Lot	

Housing with Carriage House to facilitate the construction of a carriage house.

**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 27, 2020

**To:** Council

**From:** City Manager

**Subject:** Okanagan Rail Trail Landscaping and Screening Requirements and Minimum Landscaping Buffer Treatment Levels

**Department:** Development Planning Department

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## **Recommendation:**

THAT Council receives, for information, the report from the Development Planning Department dated January 27, 2020, with respect to Okanagan Rail Trail Landscaping and Screening Requirements and Minimum Landscape Buffer Treatment Levels;

AND THAT Zoning Bylaw Text Amendment Application No. TA19-0004 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the report from the Development Planning department dated January 27, 2020 be considered by Council;

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

## **Purpose:**

To consider an application to amend the Zoning Bylaw to introduce landscape buffering and screening requirements for properties adjacent to the Okanagan Rail Trail and amend the Minimum Landscape Buffer Treatment Level descriptions to further clarify the intended outcomes of the buffers.

## **Background:**

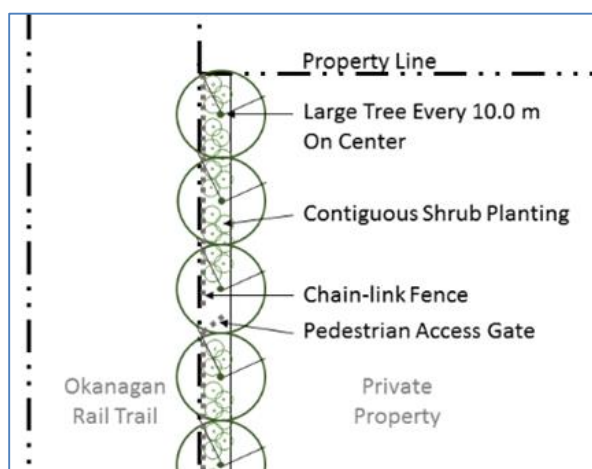
As part of the City's ongoing initiatives to enhance and encourage use of the Okanagan Rail Trail (ORT), Planning staff are considering appropriate interfaces between uses on private properties abutting the ORT and the trail corridor. The ORT travels through different areas with a wide range of uses, including parks, single family residential areas, light to heavy industrial uses, the airport, and rural and agricultural land. Each of these areas presents distinct opportunities and challenges. Staff identified a need for interim measures to support an improved interface prior to completion of a broader land use review and associated recommendations and are recommending landscaping requirements as a means of accomplishing this.



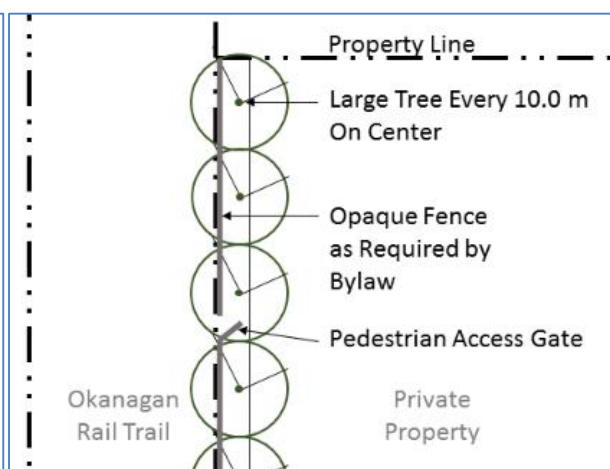
## Discussion

Landscaping and screening regulations present an opportunity to achieve several objectives: provide shade for trail users, improve visual appeal, add a buffer to adjacent uses, and provide secure access between private property and linear trails. Currently, the Zoning Bylaw outlines different landscape buffer requirements for different uses and Development Permit design guidelines provide direction on the landscape design. Introducing a landscape buffer specific to properties abutting the ORT, regardless of use, would support a more consistent landscape treatment and help to achieve the objectives identified above.

Amendments to the landscaping and screening requirements in the Zoning Bylaw would introduce new standards for properties along the ORT, resulting in improved landscaping with trees and fencing along the ORT. A minimum 3.0 m wide landscaping buffer would be required with trees to be planted every 10 m within the buffer area. The standards require one pedestrian access gate for any fences between the ORT and adjacent properties, providing employees, patrons and residents the opportunity to access business and homes via the ORT. The gates would be a minimum of 1.6 m wide in order to accommodate cargo bikes and trailers. Pedestrian access gates would be maintained and controlled by the private property owner, and no vehicle access is permitted.



*Figure 1 - Level 6 Minimum 3.0m Landscape Buffer*



*Figure 2 - Level 6 Landscape Buffer with Opaque Barrier*

Property owners would be required to follow the new landscaping requirements as part of development or redevelopment of property abutting the ORT and Development Permit plans will need to reflect these landscaping requirements. Private property owners will be responsible for maintaining the landscaping and screening located within the buffer area on their property. It should be noted that properties in the Agricultural Land Reserve and properties zoned P<sub>3</sub> - Parks and Open Space would be exempt from these requirements.

Additional amendments to Section 7 are proposed to update incorrect section references to Section 7.7, which should instead read Section 7.6. Modification of the Minimum Landscape Buffer Treatment Level descriptions for Levels 2, 3 and 4 are proposed to further clarify the intended outcomes of these landscape buffers. These proposed amendments are intended to dispel the misconception that the minimum landscape buffer widths can be reduced with the construction of a continuous barrier (such as

a fence). The intent of these landscape buffers is to provide a minimum 3.0m width buffer which must be planted with vegetation and may include a continuous barrier (such as a fence). Further, the amendment proposes removing the diagrams which are outdated and do not contribute to clarifying the intent of the Minimum Landscape Buffer Treatment Levels.

For a comprehensive review of the proposed changes, see Attachment 'A': Summary of Changes.

### Conclusion

The inclusion of new landscaping requirements for properties along the ORT will provide a consistent approach to landscaping on private property along the ORT as well as improve the public-private interface between recreation or active transportation uses and adjacent uses.

### **Internal Circulation:**

Active Transportation

Crime Prevention

Development Engineering

Parks Planning

Policy and Planning

### **Considerations applicable to this report:**

#### ***Existing Policy:***

#### Kelowna Official Community Plan (OCP)

##### *Transportation Corridor (TC) Future Land Use Designation*

In Kelowna's Official Community Plan (OCP), lands with a Future Land Use designation of Transportation Corridor (TC) are railway (public or private), transit, cycling or pedestrian corridors or other uses that complement an alternative transportation function. The corridor that makes up the Okanagan Rail Trail (ORT) has the TC future land use designation.

#### *Chapter 7: Infrastructure*

General transportation policies within the OCP place increased emphasis on sustainable modes of transportation, with Active Transportation (walking and cycling) accorded the highest priority (Objective 7.6; Policy 7.6.1). In addition, Active Transportation infrastructure is seen to increase resilience in the face of higher energy prices; improve community health; and reduce greenhouse gas emissions (Objective 7.8). The OCP's objective to provide a city-wide linear park and trail network (Objective 7.13) identifies the ORT as one of the top six linear park priorities (Policy 7.13.1).

#### *Chapter 14: Urban Design Development Permit Areas*

The OCP's Urban Design guidelines encourage the promotion of interesting, pedestrian friendly streetscape designs and pedestrian linkages as well as the promotion of alternative transportation with enhanced streetscapes and multimodal linkages. Linking industrial developments to recreational opportunities is encouraged through the design of industrial developments (14.7.5). The design guidelines prioritize the safe and convenient movement of pedestrians (14.8.1) and promote the use of alternative modes of transportation in site design (14.8.2).

#### Pedestrian and Bike Master Plan

The City's Pedestrian and Bike Master Plan encourages the application of higher design standards for high demand or 'strategic' active transportation routes, such as the ORT, as one of the objectives in order to increase walking and cycling as practical modes of travel and to improve safety and convenience for pedestrians and cyclists.

#### Linear Parks Master Plan

The Linear Parks Master Plan envisions an interconnected network of outstanding linear parks with the goal of providing safe and enjoyable trails and infrastructure and providing trail connections that increase city-wide and neighbourhood connectivity.

#### **Considerations not applicable to this report:**

*Legal/Statutory Authority:*

*Legal/Statutory Procedural Requirements:*

*Financial/Budgetary Considerations:*

*External Agency/Public Comments:*

*Communications Comments:*

Report prepared by:	H. Rilkoff, Planner I
Approved for inclusion:	T. Barton, Development Planning Department Manager

cc:

M. Steppuhn, Park and Landscape Planner

M. Kam, Sustainability Coordinator

J. Kay, Development Engineering Manager

A. Hunsberger, Urban Forestry Supervisor

C. Cornock, Crime Prevention Supervisor

M. Worona, Active Transportation Coordinator

#### **Attachments:**

Attachment 'A': Summary of Changes

Attachment A – Proposed Text Amendments to Section 7 – Landscaping and Screening of Zoning Bylaw No. 8000 – TA19-0004

Zoning Bylaw No. 8000 – Section 7 Updates				
No.	Section	Existing	Proposed	Explanation
1.	7.1.1	The minimum level of <b>landscaping</b> required in each <b>zone</b> along all front, rear and <b>side yards</b> shall be determined from the <b>Minimum Landscape Buffer Treatment Levels Schedule (Table 7.1)</b> and <b>landscaping</b> details entitled Minimum Landscape Buffer in Section 7.7.	The minimum level of <b>landscaping</b> required in each <b>zone</b> along all front, rear and <b>side yards</b> shall be determined from the <b>Minimum Landscape Buffer Treatment Levels Schedule (Table 7.1)</b> and <b>landscaping</b> details entitled Minimum Landscape Buffer in Section 7.6.	Replace references to Section 7.7 with correct reference to Section 7.6
2.	7.2.2	Required landscape buffers in subsection <b>7.7</b> shall be continuous along the affected property boundaries, except that they may be interrupted only by walkways and driveways providing access to the property and running perpendicular to the property line.	Required landscape buffers in Section <b>7.6</b> shall be continuous along the affected property boundaries, except that they may be interrupted only by walkways and driveways providing access to the property and running perpendicular to the property line.	
3.	7.2.10	7.2.10 Urban plazas are permitted as a substitute for a <b>front yard</b> or <b>side yard street</b> landscape buffers according to the provisions of Section 7.4 and Section 7.7.	7.2.10 Urban plazas are permitted as a substitute for a <b>front yard</b> or <b>side yard street</b> landscape buffers according to the provisions of Section 7.4 and Section 7.6.	

4.	7.5.3	No <b>fence</b> constructed at the <b>natural grade</b> in rural residential or <b>residential zones</b> shall exceed 2.0 m in <b>height</b> , except where <b>abutting</b> an agricultural or commercial <b>zone</b> , the maximum <b>height</b> is 2.4 m.	No <b>fence</b> constructed at the <b>natural grade</b> in rural residential or <b>residential zones</b> shall exceed 2.0 m in <b>height</b> , except where <b>abutting</b> an agricultural or commercial <b>zone</b> , the maximum <b>height</b> is 2.4 m. Where fences are constructed adjacent to the Front Lot Line or a Flanking Street, the maximum fence height shall be 1.06 m	Introduction of maximum height for fences sited adjacent to the front lot line or a flanking street.
5.	7.6.1 (b)	<b>Level 2:</b> a minimum 3.0m landscape buffer is required to separate <b>uses</b> from <b>adjacent</b> properties and will consist of a vegetative buffer where no continuous opaque barrier is required.	<b>Level 2:</b> a minimum 3.0m landscape buffer is required to separate <b>uses</b> from <b>adjacent</b> properties;	Modification of Minimum Landscape Buffer Treatment Level descriptions to further clarify the intended outcomes of the buffers
6.	7.6.1 (c)	<b>Level 3:</b> a minimum 3.0 m landscape buffer is required to separate <b>uses</b> from <b>adjacent</b> properties and will consist of a vegetative buffer or a continuous opaque barrier;	<b>Level 3:</b> a minimum 3.0 m landscape buffer is required to separate <b>uses</b> from <b>adjacent</b> properties. The buffer will consist of a vegetative buffer and may include a continuous barrier;	

7.	7.6.1 (d)	<b>Level 4:</b> a minimum 3.0 m landscape buffer is required to separate <b>uses</b> from <b>adjacent</b> properties and will consist of coniferous tree species or native vegetation to provide a continuous opaque screen for parking areas; and	<b>Level 4:</b> a minimum 3.0 m landscape buffer is required to separate <b>uses</b> from <b>adjacent</b> properties. The buffer will consist of coniferous tree species or native vegetation to provide a continuous opaque screen for parking areas; and	
8.	Section 7.6.1 (f)	n/a	<p><b>Level 6:</b> a minimum 3.0 m landscape buffer is required along all <b>lot lines</b> abutting a Future Land Use designation of Transportation Corridor (TC) in the <b>Official Community Plan</b>.</p> <p>The minimum landscape buffer will include trees which are to be planted every 10.0 m on center within the landscape buffer area. Without limiting Section 7.5.5, any fencing within the minimum landscape buffer must be a black chain link fence, or other materials approved by the Divisional Director of Planning and Development Services, with a maximum height of 2.0 m and with a minimum of one pedestrian access gate along the <b>lot line</b> abutting the TC designation. The fence is to be located at least 0.15 m from the <b>lot line</b> abutting the TC designation. The pedestrian gate will be a minimum 1.6 m wide and may be lockable and controlled by the subject property owner.</p> <p>Only where the bylaw requires a continuous opaque barrier may the chain link fence be substituted for the opaque barrier and a minimum of one pedestrian access gate is required within an opaque barrier.</p>	<p>A new Level 6 standard for all properties abutting the Okanagan Rail Trail (ORT) provides a consistent approach to landscaping on private property along the ORT to improve the public-private interface. These landscaping requirements would be applied at time of development or redevelopment. The standards</p>

			Lands within the Agricultural Land Reserve and lots zoned P3 – Parks and Open Space are exempt from Level 6 requirements.	will be reviewed following the ORT land use study and ongoing work to further define amenities and uses within and along the ORT.										
9.	Table 7.1 Minimum Landscape Buffer Treatment Levels Schedule	Column Headings: <table><tr><td>Location</td><td>Front</td><td>Rear Yard</td><td>Side Yard</td><td>Urban Plaza Permitted (see 7.4)</td></tr></table>	Location	Front	Rear Yard	Side Yard	Urban Plaza Permitted (see 7.4)	Column Headings: <table><tr><td>Location</td><td>Front or Flanking Yard</td><td>Rear Yard</td><td>Side Yard</td><td>Urban Plaza Permitted (see 7.4)</td></tr></table>	Location	Front or Flanking Yard	Rear Yard	Side Yard	Urban Plaza Permitted (see 7.4)	Change heading to require the same landscape buffer treatment level for both Front and Flanking Yards.
Location	Front	Rear Yard	Side Yard	Urban Plaza Permitted (see 7.4)										
Location	Front or Flanking Yard	Rear Yard	Side Yard	Urban Plaza Permitted (see 7.4)										
10.	Table 7.1 Minimum Landscape Buffer Treatment Levels Schedule	n/a	<table><tr><td>Location</td><td>Front or Flanking Yard</td><td>Rear Yard</td><td>Side Yard</td></tr><tr><td>All lots abutting a Future Land Use designation of Transportation Corridor (TC)</td><td colspan="3">6</td></tr></table>	Location	Front or Flanking Yard	Rear Yard	Side Yard	All lots abutting a Future Land Use designation of Transportation Corridor (TC)	6			Table 7.1 identifies the minimum landscape “Level” required along the abutting property line. Using Table 7.1 flags this in the main table (easy to pick up on).		
Location	Front or Flanking Yard	Rear Yard	Side Yard											
All lots abutting a Future Land Use designation of Transportation Corridor (TC)	6													

				Level 6 is a new minimum landscape buffer treatment.
11.	Diagram 7.3	<p>SEE NOTES FOR LANDSCAPE SPECIFICATIONS</p> <p>MINIMUM LANDSCAPE BUFFER LEVEL 2 - 6.0M</p> <p>MINIMUM LANDSCAPE BUFFER LEVEL 2 - 4.5M</p> <p>MINIMUM LANDSCAPE BUFFER LEVEL 2 - 3.0M</p> <p>MINIMUM LANDSCAPE BUFFER TREATMENT - LEVEL 2</p> <p>Diagram 7.3</p>	Remove Diagram – Diagrams are inconsistent with Section 7.6 Minimum Landscape Buffers	





# TA19-0004 Okanagan Rail Trail Landscaping & Screening Regulations

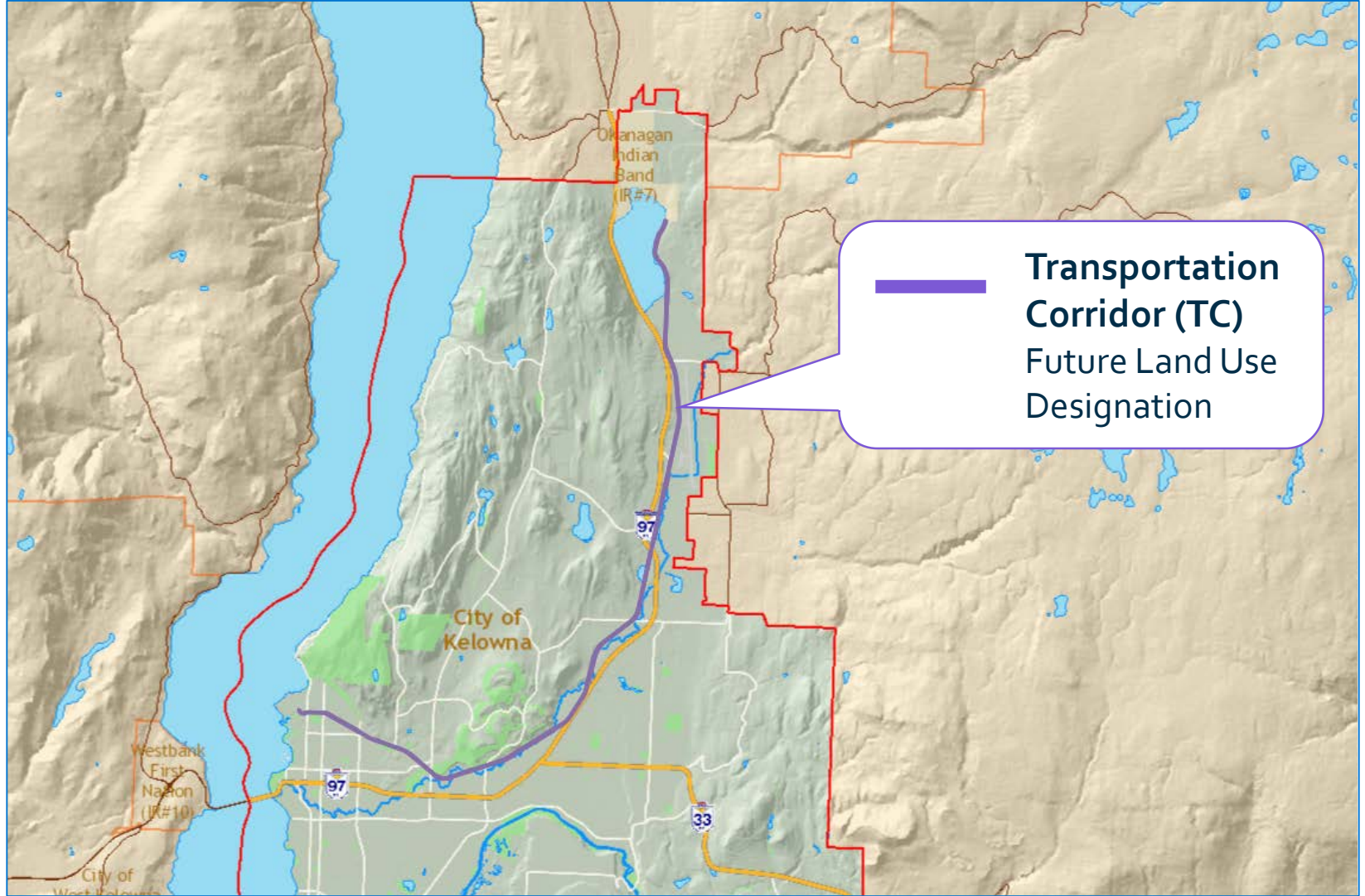
Zoning Bylaw Update

# Purpose

- ▶ To consider an application to amend the Zoning Bylaw to introduce landscape buffering and screening requirements for properties adjacent to the Okanagan Rail Trail and amend the Minimum Landscape Buffer Treatment Level descriptions to further clarify the intended outcomes of the buffers.



# Context Map



# Objectives

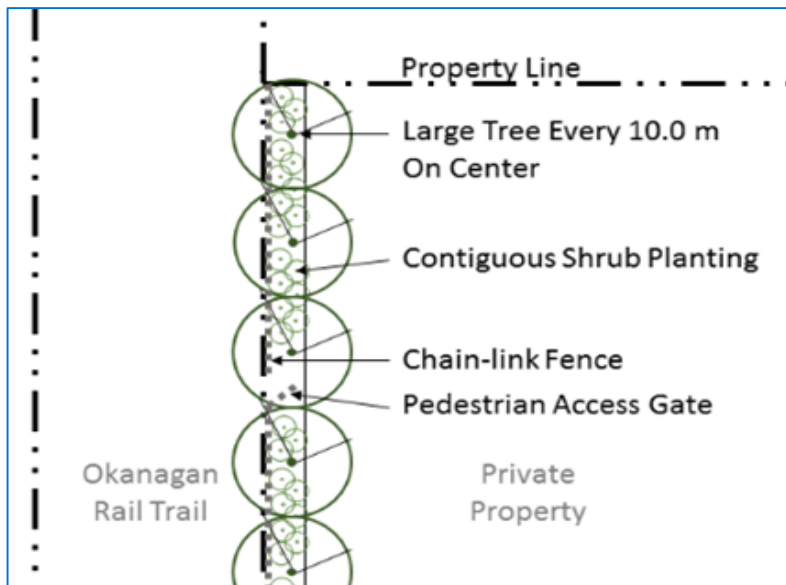
- ▶ Create an appropriate interface between uses on private property and the Okanagan Rail Trail
- ▶ Shade and visual aesthetic
- ▶ Secure access to private property from the Okanagan Rail Trail
- ▶ Clarify minimum buffer treatment levels

# Proposed Amendments

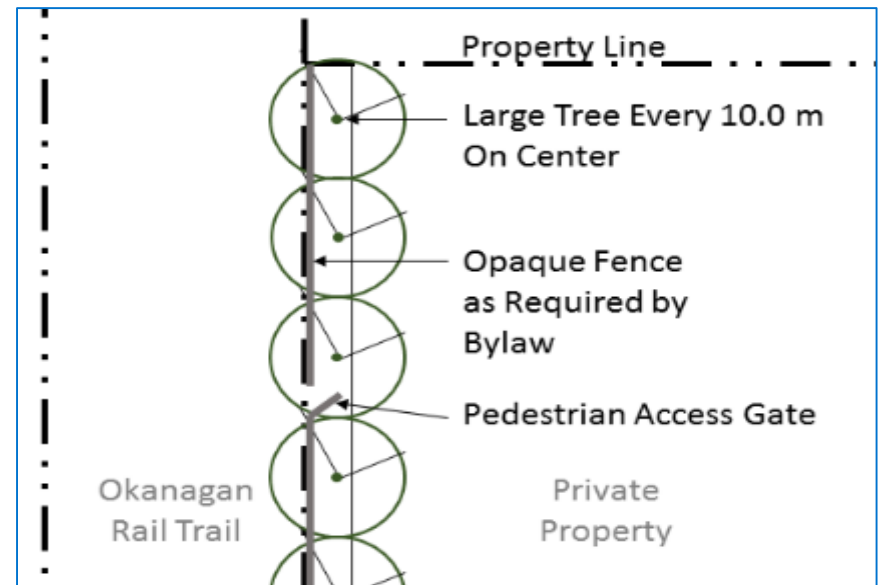
## Minimum Landscape Buffer Treatment - new Level 6:

- ▶ Minimum 3.0 m wide landscaped buffer
- ▶ Trees every 10.0 m on center
- ▶ Any fencing must be:
  - ▶ Black chain link (base standard) or better
  - ▶ Maximum 2.0 m high
  - ▶ Minimum 1 pedestrian/cyclist access gate (1.6m wide)
  - ▶ Can be lockable and controlled by property owner

# Minimum Landscape Buffer Treatments – Level 6



*Figure 1 - Level 6 Minimum 3.0m Landscape Buffer*



*Figure 2- Level 6 Landscape Buffer with Opaque Barrier*

# Proposed Amendments

## Exemptions

- ▶ Properties within the Agricultural Land Reserve (ALR)
- ▶ Properties zoned P<sub>3</sub> – Parks and Open Space



# Proposed Amendments

## Clarification of Treatment Levels

- ▶ Intent of these landscape buffers is to provide a minimum 3.0m width buffer which **must** be planted with vegetation and **may** include a continuous barrier (such as a fence).
- ▶ Remove the diagrams which are outdated and do not contribute to clarifying the intent of the buffers

# Supporting Policy

- ▶ Pedestrian & Bike Master Plan
- ▶ Linear Parks Master Plan
- ▶ OCP Chapter 7: Infrastructure
  - ▶ Objective 7.6 – Place **increased emphasis on sustainable modes of transportation** (walking, cycling, transit) while maintaining automobile, commercial goods and emergency vehicle mobility.
  - ▶ Objective 7.13 – Provide a city-wide linear park and trail network.
    - ▶ Policy 7.13.1 identifies the **ORT as one of the top six linear park priorities**

# Supporting Policy

- ▶ OCP Chapter 14: Urban Design Development Permit Areas
  - ▶ Guideline 7.5 - **Design industrial developments to include** outdoor break areas, green space, bicycle racks, skylights and windows in work areas, and **linkages to recreational opportunities** (e.g. linear parks).
  - ▶ Guideline 14.8.1 - Prioritize the **safe and convenient movement of pedestrians** above all other modes of transportation.
  - ▶ Guideline 14.8.2 - **Promote the use of alternative modes of transportation** in site design.

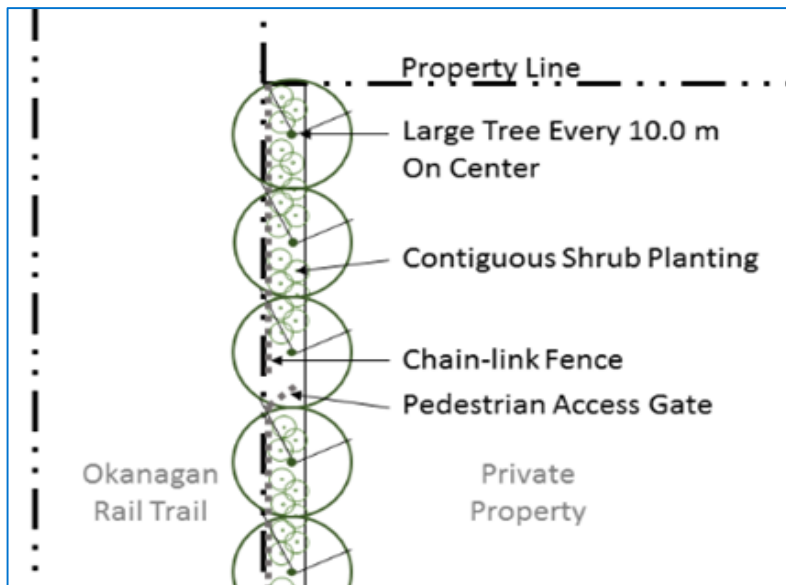
# Staff Recommendation

- ▶ Staff are recommending support for the new minimum landscape buffer treatment Level 6 for properties abutting the Transportation Corridor (TC) Future Land Use designation and amendments to the Minimum Landscape Buffer Treatment Levels.

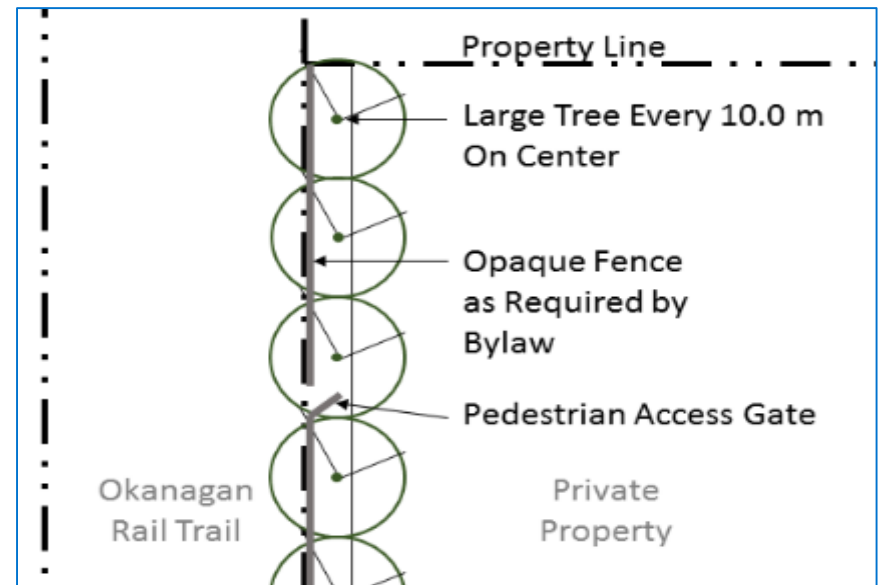


## *Conclusion of Staff Remarks*

# Minimum Landscape Buffer Treatments – Level 6



*Figure 1 - Level 6 Minimum 3.0m Landscape Buffer*



*Figure 2- Level 6 Landscape Buffer with Opaque Barrier*

# REPORT TO COUNCIL



**Date:** February 3<sup>rd</sup> 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning (AK)

**Application:** TA19-0017

**Owner:** Geen, David

**Address:** 2975 Gallagher Road

**Applicant:** Sellinger, Bob

**Subject:** Zoning Bylaw Text Amendment

**Existing OCP Designation:** REP – Resource Protection Area

**Existing Zone:** A1 – Agriculture 1

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## 1.0 Recommendation

THAT Council receives for information the Supplemental Report of the Development Planning department dated February 3, 2020, regarding Text Amendment No. TA19-0017 for Lot A, Section 12, Township 26, ODYD, Plan EPP71625 located at 2975 Gallagher Road, Kelowna, BC.

## 2.0 Purpose

To give Bylaw No. 11983 first reading.

## 3.0 Background

On January 27<sup>th</sup> 2020 council considered the alternative recommendation of the staff report for a text amendment to the Zoning Bylaw. The text amendment is to facilitate temporary farm worker housing for up to 70 temporary farm workers on the subject property, which would result in a total of up to 130 temporary farm workers for a single farm unit located within the same City Sector and increase the maximum 'temporary farm worker housing footprint' from 0.3ha to 0.95ha (Report Dated January 27<sup>th</sup> attached).

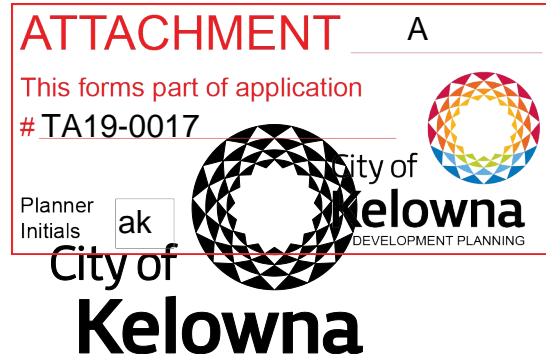
**Report prepared by:** Alex Kondor, Planner Specialist

**Approved for Inclusion:** Terry Barton, Development Planning Department Manager

## Attachments

Attachment A - Council Report dated January 27<sup>th</sup> 2020

# REPORT TO COUNCIL



**Date:** January 27<sup>th</sup> 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning (AK)

**Application:** TA19-0017 **Owner:** Geen, David

**Address:** 2975 Gallagher Drive **Applicant:** Sellinger, Bob

**Subject:** Zoning Bylaw Text Amendment, ALR Non-Adhering Residential Use Permit and Temporary Farm Worker Housing Permit

**Existing OCP Designation:** REP – Resource Protection Area

**Existing Zone:** A1 – Agriculture 1

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## 1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA19-0017 to amend the City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule "A" attached to the Report from the Development Planning Department dated January 27<sup>th</sup> 2020 for Lot A, Section 12, Township 26, ODYD, Plan EPP71625 located at 2975 Gallagher Drive, Kelowna, BC, NOT be considered by Council;

## 2.0 Purpose

To consider a Staff recommendation to NOT support an application for a Text Amendment to the Zoning Bylaw to facilitate temporary farm worker housing for up to 70 temporary farm workers on the subject property, which would result in a total of up to 130 temporary farm workers for a single farm unit located within the same City Sector and increase the maximum 'temporary farm worker housing footprint' from 0.3ha to 0.95ha.

## 3.0 Development Planning

Development Planning staff are recommending non-support for the proposed application which would result in a total of 130 temporary farm workers for a single farm unit located within the same City Sector and increase the maximum 'temporary farm worker housing footprint' from 0.3ha to 0.95ha. The City's Zoning Bylaw limits the amount of housing for temporary farm workers per farm unit in each City Sector to avoid an excessive concentration of workers in agricultural areas that lack amenities such as shops, services, sanitary connection, parks, and access to transit. The subject site is an isolated agricultural parcel not located near transit, stores, or other amenities.



Staff are recommending non-support due to the fact that 60 beds of TFWH has been deemed to be the maximum amount of workers that is appropriate for each farm unit in each Sector of the City. The property owners have previously been granted approval for 60 workers within the same Sector on the subject property early in 2019 (A19-0005 AND FH19-0001). In 2017, Council adopted new regulations for Temporary Farm Worker Housing (TFWH) following consultation with the Ministry of Agriculture, the farming industry, and the public. The regulations were intended to address concerns related impact on agricultural land, increased demands on municipal infrastructure, and the potential 'detachment' of the workers having no connection to the overall community. The current zoning bylaw regulations allow farmers to have accommodations for up to 40 temporary farm workers on parcels less than 8.0 ha and up to 60 temporary farm workers for parcels 8.0 ha or greater on farm units within each City sector. This maximum applies to each 'farm unit', which is defined as the group of parcels owned, rented, or leased by an individual farmer. This enables farmers to have multiple TFWH locations within the City but not in the same Sector of the City. Staff recommend that more urban locations of the City are more appropriate for this level of housing.

#### **4.0 Proposal**

##### **4.1 Background**

The property is farmed by Coral Beach Farms Ltd. The company currently has 930 acres of cherries planted with an additional 250 acres planned in 2020 for a total of 1,180 acres. 300 of those acres are in the City of Kelowna. The majority of land owned or leased by the company is in the Central and North Okanagan. In 2018 the company produced 3,750 tons of cherries, and upwards of 6,000 tons is expected by 2021. The cherries are currently packed at the company's facility in Carr's Landing and a new packing facility under construction on a property on Shanks Road near Highway 97 N is anticipated to be used in 2020.

Coral Beach Farms employs approximately 1,000 staff in the peak summer season. By 2023 the company expects to employ over 1,400 staff. Approximately 60% of seasonal staff are brought in under the Seasonal Agricultural Workers Program (SAWP) program from Mexico and Jamaica, with the remainder primarily being international backpackers and out-of-province Canadians.

The property owners have previously been granted approval for 60 workers within the same Sector on the subject property early in 2019 (A19-0005 AND FH19-0001). The applicants have provided a detailed letter (attached) which states the company currently has 222 beds in City of Kelowna and 474 beds for workers in Lake Country and Vernon. The applicants have also provided a letter of opinion from an agrologist (attached) on the proposed worker accommodation area and its impact on the overall agricultural operations on the subject property.

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

The property owners have applied for permits to accommodate 70 additional workers on the subject site located at 2975 Gallagher Road which will mean up to 130 workers will be housed on the property. The subject property is zoned for A1 - Agriculture and located within the Agricultural Land Reserve (ALR). The lot is 61 hectares (151 acres) in area. Approximately 96 acres are presently planted as cherry orchard and cherry/apple tree nursery. The proposed accommodation is required in order to house seasonal workers to maintain the cherry orchard on the property and nearby orchards of Coral Beach Farms.

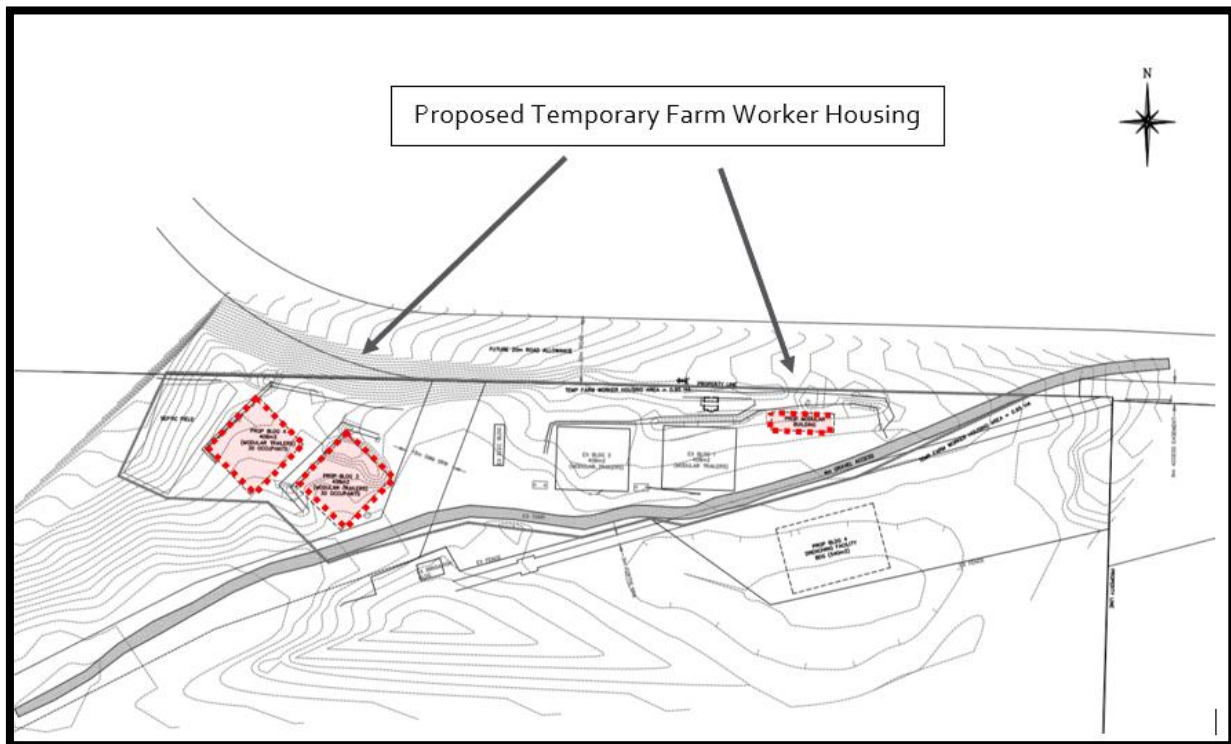
The application is for 70 additional beds for temporary farm worker housing (TFWH) in temporary structures on non-permanent foundations. Specifically, the proposal is to accommodate 70 additional seasonal farm workers by placing 12 'ATCO' trailers on the property. The majority of the housing will be

located in two 'pods' of 6 trailers each. Each pod includes bedrooms, shared washrooms and a common kitchen area.

The proposed housing is located in a City Sector that currently has approximately 60 units of temporary farm worker housing (TFWH). In comparison the Rutland City Sector has approximately 231 units of existing TFWH and the McKinley City Sector has 180 units of TFWH. The applicant owns multiple parcels within the City of Kelowna and surrounding area. Staff have discussed other possible sites with the applicant. The applicant has advised that the subject site is the least disruptive location to their agricultural operation and is intended to be the least disruptive to adjacent properties. In addition to the proposed housing the applicant is also proposing to construct 44 units of temporary farm worker housing in the East Kelowna City Sector.

The Official Community Plan (OCP) states that temporary farm worker housing should utilize all existing dwellings within a farm unit prior to building new temporary farm worker housing. The applicants have clarified that throughout their farms in Kelowna, and also in Lake Country and Vernon, 100% of the dwellings are used for farm staff. Specifically, the applicants state they have zero non-farm use rental accommodation, which could otherwise be converted to use for temporary farm worker housing.

To deal with the fact the proposed housing is located in an isolated rural area, the applicants are proposing to provide bus transportation to urban amenities such as grocery stores or banks. The site is accessed by easement over the Kirschner Mountain property the applicants are proposing to pay the cost of upgrading a portion of this easement to a municipal emergency road standard to ensure safe access to the site. The trailers are located near a low-point of the property and the proposed location is not highly visible from the surrounding area. A landscape buffer has been installed as condition of the previous approval for 60 workers on the subject site and would be required to be expanded to buffer the proposed units.



#### 4.3 Site Context

The site is located outside of the Permanent Growth Boundary and within the Belgo-Black Mountain City Sector. The site is located on a portion of Layer Cake Mountain and was planted with cherries starting in 2017/18. The lot is adjacent to Mission Creek to the south and west which is designated as Park in the Official Community Plan and Zoned P3 – Parks and Open Space. The lot is adjacent to Kirschner Mountain to the north which is designated S2Res – Single/Two Unit Residential in the OCP and zoned A1 – Agriculture 1. The property is accessed by easement from Gallagher Road to the east, and the location of the access easement will likely become a future road to service Kirschner Mountain development.

### 5.0 **Current Development Policies**

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

### **Chapter 5: Development Process**

*Objective 5.33 Protect and enhance local agriculture.*

Policy 5.33.1 Protect Agricultural Land. Retain the agricultural land base by supporting the ALR and by protecting agricultural lands from development, except as otherwise noted in the City of Kelowna Agricultural Plan. Ensure that the primary use of agricultural land is agriculture, regardless of parcel size.

*Objective 5.34 Preserve productive agricultural land.*

Policy 5.34.2 Farm Help Housing. Accommodation for farm help on the same agricultural parcel will be considered only where:

- Agriculture is the principal use on the parcel; and
- The applicant demonstrates that the additional housing is necessary to accommodate farm employee(s) whose residence on the farm property is considered critical to the overall operation of the farm. The primary consideration is whether the scale of the farm operation is large enough that permanent help is deemed necessary.
- Temporary farm worker housing (e.g. bunkhouse accommodation on non-permanent foundations) is the preferred solution where the need for farm worker housing is justified.

### **Chapter 15 Farm Protection Development Permit Guidelines.**

Design temporary farm working housing such that:

- Temporary farm worker housing should use all existing dwellings within the farm unit, prior to building new temporary farm worker housing, unless the existing dwellings are used for a use consistent with the Agriculture Land Commission Act. Alternatively, the existing dwellings on the farm unit must be removed, decommissioned to an approved use or demolished including decommissioning the existing septic system, prior to the authorization of a new temporary farm worker housing structure.
- Temporary farm worker housing footprint should be contiguous with the residential footprint (i.e. homeplate) and / or within 50 metres of the road and/or located to maximize agricultural potential and limit negative impacts on the farm parcel.
- Temporary farm worker housing should have a minimum 3 metre wide vegetated buffer for screening to adjacent property lines and between the temporary farm worker housing and active farming areas.

## 5.2 City of Kelowna Agriculture Plan

Allow Temporary Farm Worker Housing, as permitted by City of Kelowna bylaw. Temporary Farm Worker Housing, as permitted by the City of Kelowna, should be allowed. The TFWH footprint means the portion of a lot that includes all structures, driveways and parking areas associated with the temporary farm worker housing, including but not limited to structures for cooking, sanitary, living and sleeping. The footprint does not include the vegetated buffer

## 6.0 **Technical Comments**

### 6.1 Development Engineering Department

- See Attached Servicing Memo (Attachment A)

### 6.2 Ministry of Agriculture

- Ministry staff in general support the development of farm worker accommodation appropriate to the farm operation's agricultural activity and consistent with the ALC's Act and Regulations.
- Based on the information provided, Ministry staff consider the proposal to be a reasonable application based on the crop, scale, and location of the agricultural operation. Ministry staff are aware of Kelowna's accompanying referral requests for FH19-0006 farm help application and TA19-0017 zoning bylaw text amendment and will respond separately following further review.
- Ministry staff anticipate that the zoning bylaw text amendment will require Minister's approval given that the City of Kelowna's is identified in the Local Government Act's Right to Farm Regulation with the proposed bylaw being submitted following 3<sup>rd</sup> reading.

## 7.0 **Application Chronology**

Date of Application Received: October 18<sup>th</sup> 2019  
 Date Public Consultation Completed: December 20<sup>th</sup> 2019

Agricultural Advisory Committee December 12<sup>th</sup> 2020

The above noted application was reviewed by the Agricultural Advisory Committee at the meeting held on December 12<sup>th</sup> 2019 and the following recommendation was passed:

*THAT The Agricultural Advisory Committee recommends that Council support temporary farm worker housing for up to 70 additional farm workers on the subject property, which would result in a total of up to 130 temporary farm workers for a single farm unit located within the same City Sector.*

## 8.0 Alternate Recommendation

### 8.1 Discussion

Should Council support the applicant's proposal, several approvals are required:

1. Zoning Bylaw Amendment (TA19-0017) - The property owners have applied for a site-specific text amendment to the Zoning Bylaw to allow for structures to accommodate a maximum of 70 temporary farm workers on the property, and to accommodate a maximum of 130 temporary farm workers on this farm unit in the Belgo-Black Mountain City Sector. A text amendment is also required to increase the maximum Temporary Farm Worker Housing Footprint from 0.4ha to 0.95ha to accommodate the proposed structures. In 2019 the property owners obtain permission for Temporary Farm Worker Housing to house 60 workers on the subject site at 2975 Gallagher Road.

In 2017, Council adopted new regulations for Temporary Farm Worker Housing (TFWH) following consultation with the Ministry of Agriculture, the farming industry, and the public. The regulations were intended to address concerns related to:

- Potential misuse of farm worker housing;
- Loss of agricultural land;
- Changes to the agricultural landscape;
- Increased demands on municipal infrastructure; and
- A perceived 'detachment' of the workers having no connection to the community.

The regulations allow farmers to have accommodations for up to 40 temporary farm workers on parcels less than 8 ha and up to 60 temporary farm workers for parcels 8 ha or greater on farm units within each City sector. This maximum applies to each 'farm unit', which is defined as the group of parcels owned, rented, or leased by an individual farmer. This enables farmers to have multiple TFWH locations within the City but not in the same Sector of the City. The main reason for the limit on worker allocation is to avoid concentrating a large amount of workers in an otherwise agricultural or rural area where there are typically not many amenities such as transit or grocery stores. The limit on the number of farm workers per City Sector is also in place to minimize impacts such as traffic and noise on surrounding properties.

2. Non-Adhering Residential Use (A19-0017) – Owners of land within the Agricultural Land Reserve are required to obtain approval from the Agricultural Land Commission for dwellings for temporary farm help where it exceeds what would be considered one dwelling unit on a property. Should Council choose to support the site specific text amendment and non-adhering residential use application, approval from the Agricultural Land Commission would be required prior to adoption of the text amendment.
3. Temporary Farm Worker Housing Permit (FH19-0006) – A Farm Worker Housing permit must be approved by Council confirming the proposal meets the City of Kelowna regulations and guidelines related to temporary farm worker housing. In keeping with the Ministry of Agriculture's Guide to Bylaw Development in Farming Areas and the City's regulations for TFWH, the property owner would be required to register Section 219 restrictive covenants on title that generally state:
  - The TFWH will be used for temporary farm workers only;

- The owner will remove the TFWH if the farm operation changes such that it is no longer required; and
- The TFWH will only be used for farm workers for a specified number of months of the year (typically a maximum of eight, though may be increased to ten).

The proposed temporary farm worker accommodation meets all other regulations of the Zoning Bylaw and the guidelines stated in Official Community Plan. The proposal is also consistent with Ministry of Agriculture standards for temporary farm worker accommodation. Specifically, agriculture is the principal use on the parcel, and the applicant has demonstrated that the housing is necessary to accommodate farm employees whose residence on the farm property is considered critical to the overall operation of the farm. The proposed accommodation is on non-permanent foundations which is the preferred solution where the need for farm worker housing is justified.

## 8.2 Alternative Recommendations

THAT Zoning Bylaw Text Amendment Application No. TA19-0017 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 27<sup>th</sup> 2020 for Lot A, Section 12, Township 26, ODYD, Plan EPP71625 located at 2975 Gallagher Drive, Kelowna, BC be considered by Council;

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

AND THAT final adoption of the Zoning Bylaw Text Amending Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated January 27<sup>th</sup> 2020;

AND THAT final adoption of the Zoning Bylaw Text Amending Bylaw be considered subsequent to approval from the Ministry of Agriculture;

AND FURTHER THAT final adoption of the Zoning Bylaw Text Amending Bylaw be considered in conjunction with Council's consideration of a Non-Adhering Residential Use Permit, and Farm Help Development Permit for the subject property.

**Report prepared by:** Alex Kondor, Planner Specialist

**Reviewed by:** Terry Barton, Development Planning Department Manager

**Approved Inclusion:** Ryan Smith, Divisional Director, Planning & Development Services

### **Attachments :**

Schedule A: Zoning Bylaw Text Amendments

Attachment A: Development Engineering Memo

Attachment B: Supporting Documents (Site Plan, Letter of Rational, Agrologist Report)

# REPORT TO COUNCIL



**Date:** February 3, 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning

<b>Application:</b>	Z17-0117	<b>Owner:</b>	1136605 B.C. Ltd., Inc. No. BC1136605 Sage Mona Holdings Ltd., Inc No. BC1136607 1136499 B.C. Ltd., Inc. No. BC1136499
<b>Address:</b>	1028, 1036 & 1044 Coronation Avenue	<b>Applicant:</b>	New Town Architecture
<b>Subject:</b>	Rezoning Application		
<b>Existing OCP Designation:</b>	MRM – Multiple Unit Residential (Medium Density)		
<b>Existing Zone:</b>	RU6 – Two Dwelling Housing		
<b>Proposed Zone:</b>	RM5 – Medium Density Multiple Housing		

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## 1.0 Recommendation

THAT Rezoning Application No. Z17-0117 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 9 & 10 District Lot 138 and of Section 30 Township 26 ODYD Plan 3763 and Lot 1 District Lot 138 ODYD Plan 4282, located at 1026, 1036 & 1044 Coronation Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple Housing zone, be considered by Council;

AND THAT the Rezoning Bylaw No. 11731 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 Development Planning Department dated February 3, 2020;

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 properties.

## 2.0 Purpose

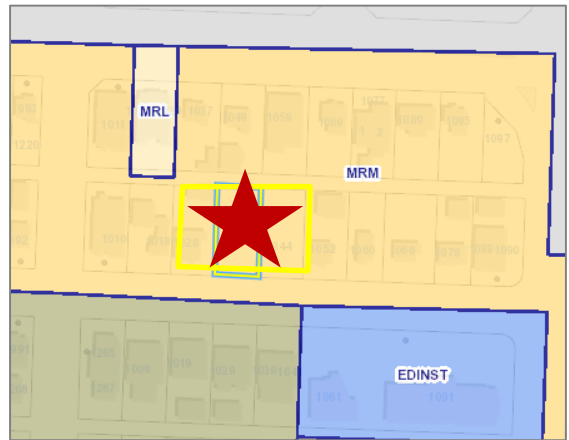
To consider an amended application to rezone the subject properties from the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple Housing zone to facilitate the development of multiple dwelling housing.

## 3.0 Development Planning

The applicant is requesting to rezone the three subject properties from the RU6 – Two Dwelling Housing zone to the RM5 - Medium Density Multiple Housing zone. The proposal for a condominium development achieves a FAR of 1.17 with a maximum FAR of 1.2 allowed within the zone. The development will provide ground-oriented housing along with adding to the housing options within the existing neighbourhood.

The proposed development is consistent with the Official Community Plan (OCP) Future Land Use of MRM - Multiple Unit Residential (Medium Density). The MRM designation extends from Clement Avenue to the north side of Coronation Avenue with SIH – Sensitive Infill Housing extending south along Coronation Avenue. The surrounding neighbourhood is an area in transition with a number of projects in the development stage. The proximity to downtown provides nearby amenities including parks, restaurants, shops and recreational opportunities in the immediate area.

Council Policy No. 367 with respect to public consultation was undertaken by the applicant and all neighbours within 50 m radius of the subject parcel.



## 4.0 Proposal

### 4.1 Background

The original application was before Council for Initial Consideration on January 7, 2019 and the Public Hearing followed on January 29, 2019. The application consisted of 16-townhouse units which were designed to achieve the maximum FAR of 1.2 allowed for the site. Staff was supportive of the development proposal as it provided a housing type that was lacking within the neighbourhood.

During the past year, the property owners observed changes in Kelowna's real estate market which prompted a decision to redesign the project from 16 townhouses to a 36-unit condominium development. Due to the shift in the direction of the project, it was determined that the new proposal should be evaluated on its merits. Therefore, second and third reading of the current Bylaw should be rescinded, and the Bylaw sent to Public Hearing again for consideration.

### 4.2 Project Description

The applicant is proposing the construction of a 4-1/2 storey 36-unit condo development. Four ground-oriented units with patios providing direct access to the street front the Coronation avenue facade. The development provides generous setbacks to both the east and west sides of the site. This aids in providing a transition to the adjacent existing single-family dwellings and lessens overlook concerns to the properties. The material selections and articulated façade along with the enhanced landscaping provides visual interest and lends to achieving a pedestrian scaled development along Coronation Avenue.



The majority of the required parking is provided in a partially underground parkade structure, which is 1.0 m below grade due to the high-water table in this location. This allows for ground-oriented, landscaped patios to screen the above ground portion of the parking podium while providing an outdoor amenity area for the occupants. Fourteen parking spaces are provided along the rear lane with two access points to the structured parking which provides a further 40 parking stalls to meet Zoning Bylaw requirements.

Staff are tracking two variances, site coverage and parking stall ratios. The site coverage variance would apply to both the site coverage of building and the site coverage of building, driveways and parking area. The variance is requested in order to accommodate the partially above ground parking structure.

Should Council support the Rezoning bylaw, staff will bring forward a report to Council with a detailed review of the design guidelines for the Development Permit and a Development Variance Permit for Council's consideration of the variances.

#### 4.3 Site Context

The three parcels are located on the north side of Coronation Avenue, which has a Future Land Use of MRM – Multiple Unit Residential (Medium Density). Sensitive Infill Housing (RU7) is situated on the south side of Coronation Avenue. The development is within the Permanent Growth Boundary.

**Subject Property Map: 1028, 1036 & 1044 Coronation Avenue**



## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Chapter 1: Introduction

##### *Goals for a Sustainable Future:*

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

#### Chapter 5: Development Process

##### *Objective 5.3 Focus development to designated growth areas*

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

*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 .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.

*Policy .11 Housing Mix.* Support a greater mix of housing unit size, form and tenure in multi-unit residential and mixed-use developments.

## 6.0 Application Chronology

Date of Application Received:	December 20, 2017
Date of Initial Consideration:	January 7, 2019
Date of Public Hearing:	January 29, 2019
Date of Amended Drawing Package Received:	September 20, 2019

**Report prepared by:** Lydia Korolchuk, Planner II

**Approved for Inclusion:** Terry Barton, Development Planning Department Manager

#### **Attachments:**

Schedule A: Development Engineering Memo

Attachment A: Conceptual Drawing Package

# CITY OF KELOWNA

## MEMORANDUM

**SCHEDULE** A

This forms part of application  
# Z17-0117

Planner  
Initials

LK



**Date:** October 01, 2018

**File No.:** Z17-0117 (REVISED)

**To:** Community Planning (LK)

**From:** Development Engineering Manager(JK)

**Subject:** 1028 - 1044 Coronation Ave (REVISED)

RU6 to RM5

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

The Development Engineering Technologist for this project is Jason Angus

.1) Domestic Water and Fire Protection

- a) The development site is presently serviced with a two (2) small diameter (13-mm) water services and one (1) 19mm service. The applicant's consulting mechanical engineer will determine the domestic, fire protection requirements of this proposed development and establish hydrant requirements and service needs. Only one service will be permitted for this development.
- b) It is apparent that the existing 150mm diameter water main within Coronation Ave is substandard. The applicant, at their cost, will arrange for upgrading of watermain along the full frontage to Gordon Drive with a 200mm PVC water main, the decommissioning of the Three (3) small water services, and the installation of one new larger water service.

.2) Sanitary Sewer

- (a) The development site is presently serviced with a Three (3) 100mm-diameter sanitary sewer service. Only one service will be permitted for this development. The developer's consulting civil engineer will determine sanitary sizing for this development. The applicant, at his cost, will arrange for the removal of the existing services and the installation of a new larger service if required.

.3) Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan for these sites which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems.
- (b) Only one service will be permitted for this development. The applicant, at their cost, will arrange the installation of one overflow service.

.4) Road Improvements

- (a) Coronation Ave fronting this development must be upgraded to an urban standard to include barrier curb & gutter, storm drainage, concrete sidewalk, landscaped boulevard c/w irrigation and relocation or adjustment of existing utility appurtenances if required to accommodate the upgrading construction.
- (b) The lane fronting this development is constructed to a paved standard, therefore the upgrades that are required is the pavement widening and a storm drainage system.

.5) Road Dedication and Subdivision Requirements

By registered plan to provide the following:

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

.6) Electric Power and Telecommunication Services

- 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 this site is located within the South Pandosy urban town centre.
- b) 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.
- c) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

.7) Engineering

Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the City Engineering Department for review and marked "issued for construction" by the City Engineer before construction may begin.

.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 on the insurance policy as an additional insured.

.10) Survey Monuments and Iron Pins

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

.11) Bonding and Levy Summary

(a) Bonding

(i)	Water main and service upgrade	\$TBD
(ii)	Sanitary main and service upgrade	\$TBD
(iii)	Lane Upgrades	\$TBD
(iv)	Coronation Ave Frontage Improvements	\$TBD

.12) Administration Charge

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

14) Development Permit and Site Related Issues

Access and Manoeuvrability

- (i) The access to this site must be from the lane. Access to Gore Street is not permitted as per bylaw.


15. Geotechnical Report

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

- (a) Area ground water characteristics.
- (b) Site suitability for development, unstable soils, etc.
- (c) Drill and / or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of

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

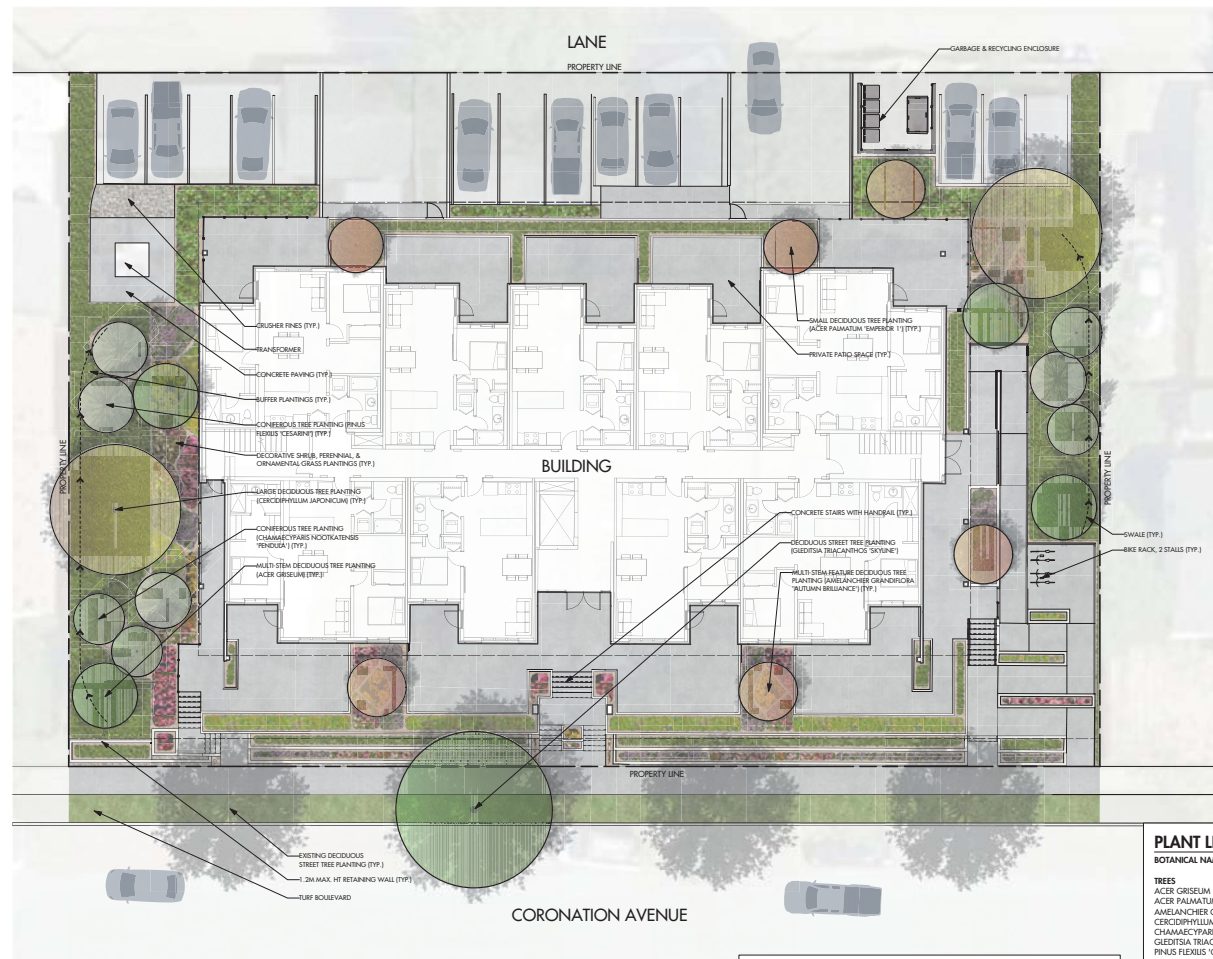
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- (e) Additional geotechnical survey may be necessary for building foundations, etc.



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James Kay, P. Eng.  
Development Engineering Manager  
JA





## NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED THE CANADIAN LANDSCAPE STANDARDS & CITY OF KELLOWNA ZONING BYLAW 7900.
2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.
3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 75mm WOOD MULCH, AS SHOWN ON PLANS. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.
4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT. DRYLAND SEED AREAS TO RECEIVE A MINIMUM OF 30mm TOPSOIL PLACEMENT.
5. TURF FROM SOIL SHALL BE NO. 1 GRADE GROWN FROM CERTIFIED SEED OF IMPROVED CULTIVARS REGISTERED FOR SALE IN B.C. AND SHALL BE TOLERANT OF DROUGHT CONDITIONS. A MINIMUM OF 150mm DEPTH OF GROWING MEDIUM IS REQUIRED BENEATH TURF AREAS. TURF AREAS SHALL MEET EXISTING GRADES AND HARD SURFACES FLUSH.
6. SITE GRADING AND DRAINAGE WILL ENSURE THAT ALL STRUCTURES HAVE POSITIVE DRAINAGE AND THAT NO WATER OR LOOSE IMPEDIMENTS WILL BE DISCHARGED FROM THE LOT ONTO ADJACENT PUBLIC, COMMON OR PRIVATE PROPERTIES.

## PLANT LIST

BOTANICAL NAME	COMMON NAME	QTY	SIZE	REMARKS
<b>TREES</b>				
ACER GRISEUM	PAPERBARK MAPLE	4	6cm CAL./MULTISTEM	
ACER PALMATUM 'EMPEROR 1'	EMPEROR 1 JAPANESE MAPLE	2	4cm CAL.	
AMELANCHIER GRANDIFLORA 'AUTUMN BRILLIANCE'	AUTUMN BRILLIANCE SASKATOON	4	6cm CAL./MULTISTEM	
CERCIDIPHYLLUM JAPONICUM	KATSURA TREE	2	6cm CAL.	
CHAMAECYPARIS NODIKATENSIS 'PENDULA'	WEeping NOOTKA CYPRESS	4	2.0m HT. MIN.	
GLEDITSIA TRIACANTHOS 'SKYLINE'	SKYLINE HONEYLOCUST	1	6cm CAL.	
PRINUS FLEXILIS 'CESARINI'	BLUE LIMBER PINE	4	2.0m HT. MIN.	
<b>SHRUBS</b>				
BERBERIS THUNBERGII 'CENTRY'	ROYAL BURGUNDY BARBERRY	40	#02 CONT. / 1.0m O.C. SPACING	
BERBERIS THUNBERGII 'MONROY'	SUNSHATION BARBERRY	40	#02 CONT. / 1.0m O.C. SPACING	
BUXUS 'GREEN GEM'	GREEN GEM BOXWOOD	111	#02 CONT. / 0.6m O.C. SPACING	
CORNUS ALBA 'BAEHALO'	IVORY HALO DOGWOOD	18	#02 CONT. / 1.5m O.C. SPACING	
PRUNIA ALBA 'CHENEDORFF'	CHENEDORFF'S NORWAY SPRUCE	12	#02 CONT. / 1.8m O.C. SPACING	
RIBES ALPINUM	ALPINE CURRANT	12	#02 CONT. / 1.8m O.C. SPACING	
SPIREAE JAPONICUM 'DOUBLE PLAY ARTIST'	DOUBLE PLAY ARTIST SPIREA	72	#02 CONT. / 0.75m O.C. SPACING	
SYRINGA PATULUA 'WISS 18M'	MISS KIM LILAC	18	#02 CONT. / 1.5m O.C. SPACING	
<b>GROUNDCOVERS &amp; PERENNIALS</b>				
ACHILLEA MILEFOLIUM 'YAPPIKA'	PAPRIKA YARROW	54	#01 CONT. / 0.6m O.C. SPACING	
ALCEMILLA MOLIS	LADY'S MANTLE	35	#01 CONT. / 0.75m O.C. SPACING	
ARCTOSTAPHYLOS UVA-URSI	KORONAROCK	54	#01 CONT. / 0.6m O.C. SPACING	
ASTER FRIKARTI 'MONCH'	FRIKARTI'S ASTER	24	#01 CONT. / 0.9m O.C. SPACING	
HEUCHERA 'PLUM PUDDING'	PLUM PUDDING CORAL BELL	35	#01 CONT. / 0.75m O.C. SPACING	
HOSTIA 'HALCYON'	HALCYON HOSTA	19	#01 CONT. / 1.0m O.C. SPACING	
MATTEUCCIA STRUTHOPTERIS	OSTRICH FERN	35	#01 CONT. / 0.75m O.C. SPACING	
MISCANTHUS SINENSIS 'HURON SUNRISE'	HURON SUNRISE MAIDEN GRASS	13	#01 CONT. / 1.2m O.C. SPACING	
PEROVSKIA ATRIPICIFOLIA 'DENIM 'N' LACE'	DENIM 'N' LACE RUSSIAN SAGE	35	#01 CONT. / 0.75m O.C. SPACING	
RUDBECKIA FULGIDA 'GOLDSTURM'	GOLDSTURM CONEFLOWER	35	#01 CONT. / 0.75m O.C. SPACING	
SEDUM SPECTABILE 'AUTUMN JOY'	AUTUMN JOY STONECROP	54	#01 CONT. / 0.6m O.C. SPACING	



PROJECT TITLE

**1044 CORONATION AVE  
MULTI-FAMILY**

Kelowna, BC

DRAWING TITLE

**CONCEPTUAL  
LANDSCAPE PLAN**

ISSUED FOR / REVISION

NO.	DATE	REVISION
1	19.08.03	Review
2	19.08.18	Development Permit
3		
4		
5		

PROJECT NO.

190076

DESIGN BY

IDA

DRAWN BY

NDS

CHECKED BY

FB

DATE

SEPT. 18, 2019

SCALE

1:125

SEAL

FIONA BARTON

334

LANDSCAPE ARCHITECT

DRAWING NUMBER

L1/2

ISSUED FOR REVIEW ONLY

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ALL CONTRACTORS ARE REQUIRED TO PERFORM THEIR WORK AND SUPPLY THEIR PRODUCTS IN COMPLIANCE WITH ALL BUILDING CODES AND LAWS OF THE PROVINCE OF BRITISH COLUMBIA.

This drawing is an instrument of service and the property of New Town Services. The use of this drawing shall be restricted to the original site for which it was prepared and publication thereof is expressly limited to such use.

This drawing must not be scaled.

Verify all dimensions and datums prior to commencement of work.

Report all errors and omissions to the Architect.



Seal

Revisions

No	Date	Description
1	09/19/19	ISSUED FOR DP

project title  
**CORONATION 36-UNIT  
MULTI-FAMILY**

project address  
**1028, 1036 & 1044  
Coronation Ave., Kelowna**  
project no. **4093**

drawing title  
**RENDERINGS**

designed **R.Y.R.B.** scale  
drawn **R.Y.R.B.**  
checked **R.Y.**  
drawing no.

**A502**  
printed 9/19/2019 5:22:20 PM

# ATTACHMENT

This forms part of application  
# Z17-0117

Planner Initials **LK**

**City of Kelowna**  
DEVELOPMENT PLANNING



# REPORT TO COUNCIL



**Date:** February 3, 2020

**RIM No.** 1250-30

**To:** Council

**From:** City Manager

**Department:** Development Planning (AK)

**Application:** OCP19-0004/Z19-0103      **Owner:** Trailhead Communities (Ponds) Ltd.

**Address:** 5100 Gordon Drive      **Applicant:** WSP Global Inc.

**Subject:** Official Community Plan Amendment and Rezoning Application

**Existing OCP Designation:** MRC- Multiple Unit Residential – Cluster Housing  
PARK – Major Park/Open Space

**Proposed OCP Designation:** MRC - Multiple Unit Residential – Cluster Housing  
PARK – Major Park/Open Space

**Existing Zone:** A1- Agriculture

**Proposed Zone:** RH3- Hillside Cluster Housing  
P3- Parks and Open Space  
RU2h – Medium Lot Housing (Hillside Area)

---

## 1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP19-0004 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of portions of The South ½ District Lot 579 SDYD Except Plans KAP77336, KAP86178, KAP86917, KAP87090, KAP87918, EPP9619, EPP9638, EPP12863, EPP15721, EPP18670, EPP22118, EPP55798, EPP45189, EPP72926, EPP74481 AND EPP77194 located at 5100 Gordon Drive, Kelowna, BC from the:

- Major Park / Open Space (public) (PARK) designation to the Multiple Unit Residential- Cluster Housing (MRC) designation; and from the
- Multiple Unit Residential- Cluster Housing (MRC) designation to the Major Park / Open Space (public) (PARK) designation

as shown on Map "A" attached to the Report from the Development Planning Department dated February 3, 2020, be considered by Council;

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

AND THAT Council considers the Public Hearing process to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*, as outlined in the Report from the Development Planning Department February 3, 2020;

THAT Rezoning Application No. Z19-0103 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of The South ½ District Lot 579 SDYD Except Plans KAP77336, KAP86178, KAP86917, KAP87090, KAP87918, EPP9619, EPP9638, EPP12863, EPP15721, EPP18670, EPP22118, EPP55798, EPP45189, EPP72926, EPP74481 AND EPP77194 located at 5100 Gordon Drive, Kelowna, BC, from the A1 – Agriculture zone to the RH3 – Hillside Cluster Housing zone, RU2h – Medium Lot Housing (Hillside Area) zone and P3- Parks and Open Space zone as shown on Map “B” attached to the Report from the Development Planning Department February 3, 2020, be considered by Council;

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

## **2.0 Purpose**

To amend the Official Community Plan to change the future land use designation to PARK – Major Park/Open Space and MRC – Multiple Unit/Residential - Cluster Housing and rezone the subject property to RH3 – Hillside Cluster Housing, RU2h – Medium Lot Housing (Hillside Area), and P3 – Parks and Open Space to facilitate a future residential subdivision.

## **3.0 Development Planning**

Development Planning staff support the proposed Official Community Plan (OCP) amendment and rezoning application to allow for a residential subdivision with natural open space connections. The proposal is consistent with the 2007 Area Structure Plan (ASP) for the neighbourhood known as ‘The Ponds’ in the Upper Mission area and the Official Community Plan. Within the ASP the subject property is envisioned to accommodate a mix of trails, parkland and residential development. Residential development is intended to be a group of housing units situated within clearly defined “buildable areas” surrounded by natural open space and typically accessed by a single local or strata road as proposed.

The property is currently designated a mix of PARK – Major Park/Open Space and MRC - Multi Unit Residential- Cluster Housing as defined in the Official Community Plan. The proposed OCP amendment is meant to create adjustments to the boundaries of the existing Future Land Use designations based on the proposed development plan. The proposed amendment would result in a 2.0 ha (5 acre) net increase in the amount of land designated as park as portions of the lot currently designated for residential housing are proposed to re-designated for park/open spaces use. The remainder of the site is proposed to be used for residential development. The proposed density of the site is consistent with the surrounding S2RES - Single/Two Unit Residential OCP designation that is characteristic of the surrounding existing neighborhood.

The proposed site is zoned A1 -Agriculture. The proposal would rezone the site to a mix of RH3, RU2h and P3 zones. The proposed RU2h – Medium Lot Housing zone is meant to allow for fee simple single family lots and future single detached housing. A portion of the site near the south-east corner is proposed to be zoned RH3 – Multi Unit Residential – Cluster Housing which allows for a range of uses including single family lot, strata lots, and multi-family. The applicant intends to develop this area as either fee-simple or

strata single family lots. If the applicant chooses to develop the site as multi-family development a form and character development permit would be required to be considered by council.

The applicant has completed neighbourhood consultation in accordance with Council Policy no. 367. An Open House was held by the applicant on October 29<sup>th</sup> 2019 at the Okanagan Mission Hall. Concerns raised during the public consultation included traffic congestion downstream on Gordon Drive, concerns that the density of the proposed homes will impact property values, and that a 'triangle' shaped portion of the subject site near Clarence Ave would be more appropriate as a park. To address these concerns the developers have reduced the number of lots in their proposed subdivision by two lots to increase the overall lot width of the proposed lots and are proposing to designate the 'triangle' shaped portion of the lot as Park/Open Space.

Should Council support the OCP amendments and rezoning, staff would work with the applicant through the subdivision process to address specific service requirements such as road standards, pedestrian connections, environmental restoration, and trails. Servicing requirements would be a condition of subdivision approval. Environmental and hazardous condition requirements will be addressed through the Development Permit process.



*Proposed Subdivision Rendering*

#### **4.0 Proposal**

##### **4.1 Background**

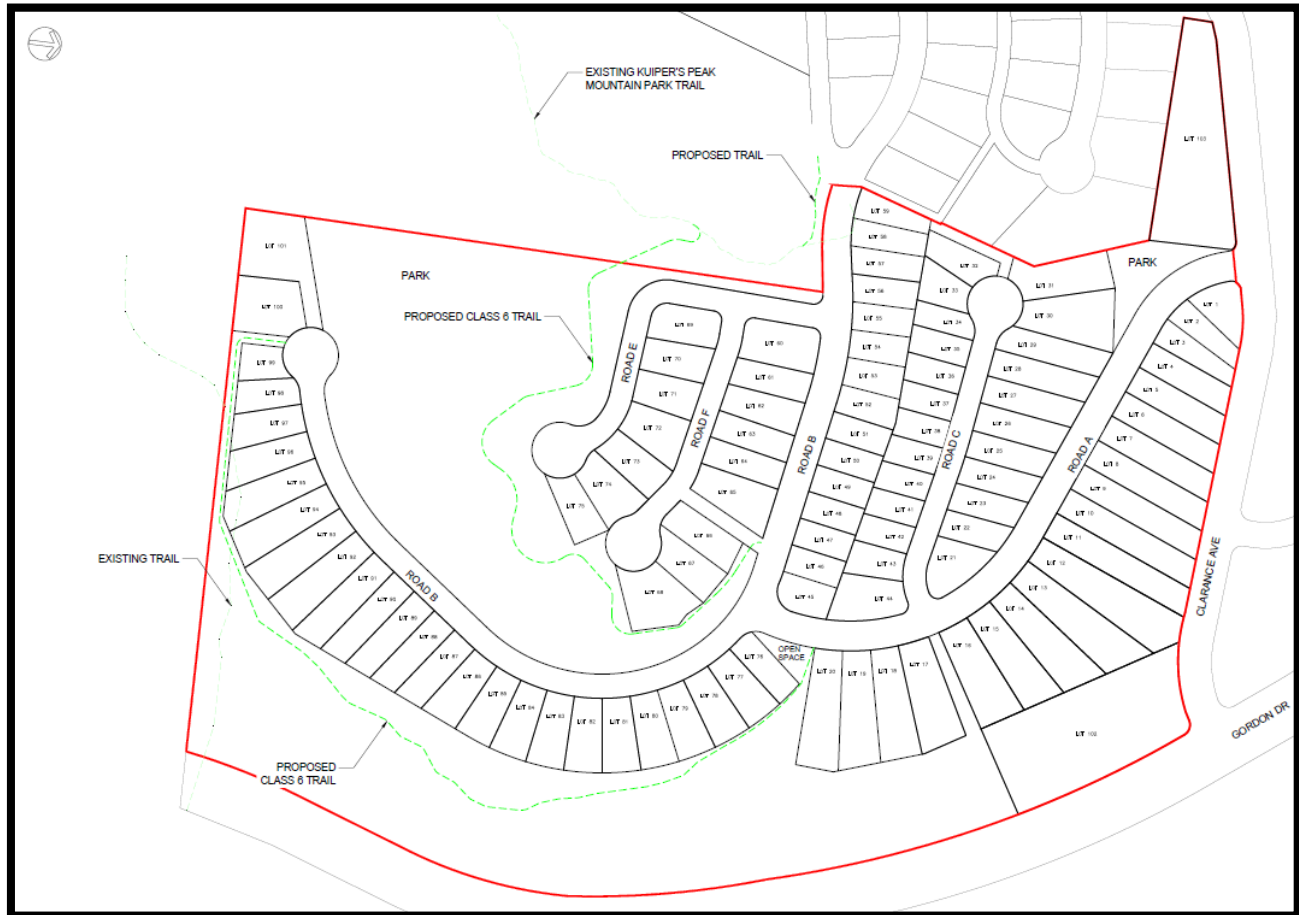
The site is currently designated MRC – Multiple Unit Residential Cluster Housing and PARK- Major Park/Open Space. The property is located within the Permanent Growth Boundary. A linear trail corridor on the subject property is identified in the OCP. The property is located in several Development Permit Areas including the Wildland Fire/Hazardous Condition DPA, Natural Environment DPA, and Hillside DPA.

The subject site is approximately 18 hectares (44 acres) in area and is located at the intersection of Gordon Drive and Clarence Avenue. The property is characterized by rock cliffs and outcrops with moderate sloping areas. The majority of the property burned in the 2003 Okanagan Mountain Park fire which destroyed most of the vegetation in the area. There are environmentally sensitive habitat features for a range of sensitive wildlife species, including wildlife trees, talus slopes, and cliffs that occur in pockets throughout the property.

The Area Structure Plan (ASP) and related OCP amendments were adopted by Council on April 3, 2007. This neighborhood was identified within the 1994 Southwest Okanagan Mission Sector Plan and covers the entirety of the area now known as 'The Ponds'. The plan envisions a pattern of development that would result in a high quality, attractive and complete community. Within the ASP this property was specifically identified for residential cluster development. The cluster designation was chosen primarily in areas interwoven with slopes and environmentally sensitive areas. Cluster development was envisioned in the plan to be a group of housing units situated within clearly defined "buildable areas" surrounded by natural

open space and accessed by a single local or strata road. Trail connections and wildlife corridors on the site were also recognized in the ASP which are proposed to be maintained.

#### 4.2 Project Description



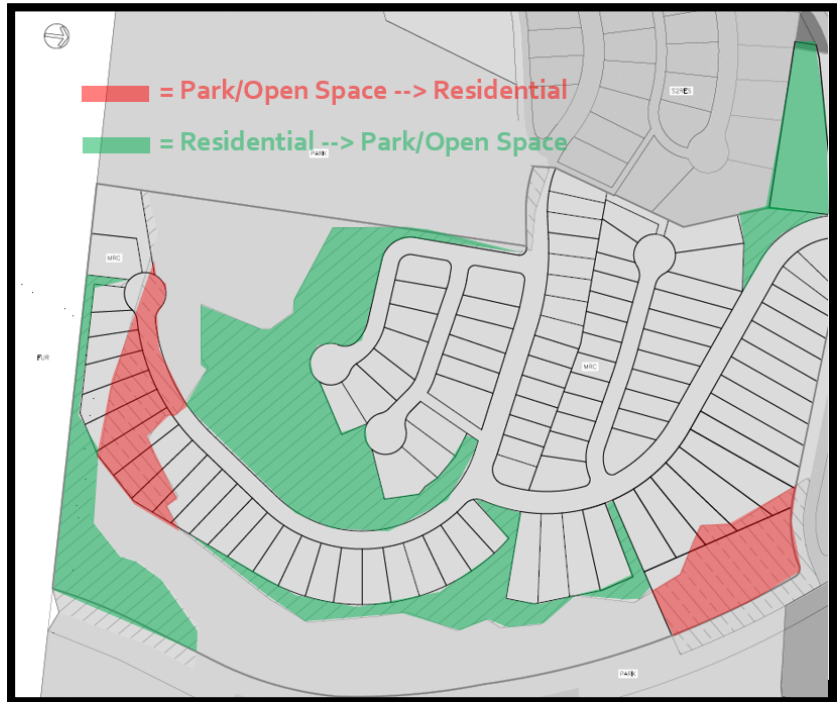
*Preliminary Subdivision Concept*

The purpose of the proposed OCP amendment and rezoning application is to facilitate the development of a residential subdivision. The proposed subdivision includes approximately 100 residential lots accessed from a new road and cul-de-sacs connecting with Clarence Avenue and Hewetson Court. The proposed subdivision is intended to create mostly fee simple lots for single detached housing to be developed in accordance with the Ruzh zone. A portion of the site near the South-West end of the proposed new cul-de-sac may be developed in the form of bareland strata, fee-simple single family lots or potentially as a multi-family strata development in accordance with the RH3 zone.

The proposed single family lot sizes range from 450sqm to 2000sqm in area. The average proposed lot is approximately 15.5m wide and 770sqm in area. The proposed lot widths and areas are comparable with the surrounding neighbourhood. The proposed lots are approximately 30% smaller than the immediate surrounding neighbourhood on Clarence Ave and Hewetson Court which are approximately an average of 21.5m wide and 1100sqm in area. The proposed lots are larger than lots in other recent phases of 'The Ponds' neighbourhood such as the Steele Road/Redstem Street neighbourhood where a typical lot is approximately 10m wide and 400sqms in area.

The proposed development features an extensive trail network and is proposing to maintain connectivity to the Kuiper's Peak Mountain Park through park land dedication and east-west connectivity through no-disturb areas on the proposed lots. Specifically, an existing trail to Kuiper's Peak is proposed to be re-aligned to connect with Hewetson Court and two new public trails are meant to connect to Kuiper's Peak Mountain Park.

There are two areas of the subject site currently designated for Park – Major Park/Open Space that are proposed to be changed to MRC - Multi Unit Residential – Cluster Housing. One area is near the South side of the lot (shown in red to the right). This area was identified in the ASP as a natural area and wildlife corridor. To maintain connectivity the applicant intends to maintain no-disturb areas along the side and rear yards of several of the lots, the specific location of these areas would be determined at the subdivision and natural environment development permit stage. The second area to be changed from park to residential is located at the corner of Gordon Drive and Clarence Ave; this area was previously used as a sales centre.



Environmental monitoring and geotechnical oversight would be required during the construction phase of the project.

#### 4.3 Site Context

The subject property is located within the Okanagan Mission Sector of the City. The site is located within the Permanent Growth Boundary. The portion of the subject parcel under consideration contains a mix of Future Land Use designations, including: MRC – Multiple Unit Residential- Cluster Housing and PARK- Major Park/Open Space (Public).

The adjacent properties to the North of the site have a Future Land Use



*Subject Site Map*

designation of S2RESH – Single/Two Unit Residential- Hillside and contain single-family housing. To the East of the site across Gordon Drive is a residential subdivision designated S2RESH – Single/Two Unit Residential- Hillside and Jack Smith Lake. To the South, the entire area has a designation of FUR – Future Urban Reserve and is under consideration for an Area Structure Plan (ASP) for an area known as 'Thomson Flats'. Adjacent to the West of the site is Kuiper's Peak Mountain Park and a subdivision designated S2RES – Single/Two Unit Residential in the OCP.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU2H	Single Family Subdivision
East	A1, P3 and RU2H	Single Family Subdivision and Jack Smith Lake Park
South	A1	Vacant/Open Space
West	RU1H, A1, P3 and P4	Kuiper's Peak Mountain Park and Single Dwelling Subdivision.

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Chapter 5: Development Process

**Policy 5.15.3 Environmentally Sensitive Area Linkages.** Ensure that development activity does not compromise the ecological function of environmentally sensitive areas and maintains the integrity of plant and wildlife corridors.

**Policy 5.15.13 Access Through Steep Slopes.** Discourage roads (public or private) through +30% slope areas intended to access lands beyond, except in cases where it can be demonstrated the road will be sensitively integrated (visual and aesthetic impacts minimized) with the natural environment and will present no hazards to persons or property, environmental threats or unreasonable servicing or maintenance challenges.

**Policy 5.22.1 Cluster Housing.** Require new residential development to be in the form of cluster housing on/or near environmental sensitive areas and areas of steeper slopes to lessen site disturbance and environmental impact on those areas identified on the Future Land Use Map 4.1 as single-two-unit residential hillside. Steeply sloped areas should be retained as natural open space, public or private. The intent of the clustering would be to preserve features identified through the Development Permit process that otherwise might be developed and to maximize open space in order to:

- Protect environmentally sensitive areas of a development site and preserve them on permanent basis utilizing the most appropriate tools available;
- Facilitate creative and flexible site design that is sensitive to the land's natural features and adaptive to the natural topography;
- Decrease or minimize non-point source (i.e. asphalt roofs, driveways and parking) pollution impacts by reducing the amount of impervious surface in site development;
- Promote overall cost savings on infrastructure installation and maintenance; and
- Provide opportunities for social interaction, walking and hiking in open space areas.



**Policy 5.36.3 Design for People and Nature.** Structure new neighbourhoods around parks, pedestrian and bike routes, open spaces, and environmental areas, rather than around roadway and cars.

## **Chapter 7: Infrastructure**

**Policy 7.8.3 New Residential Developments.** Ensure that new residential developments and subdivisions have active transportation links to the nearest arterial or major collector roads at developer cost.

**Policy 7.12.2 Natural Area Parks and Open Spaces.** Provide a city-wide network of natural area parks which meet the following criteria:

- Contains representative Okanagan ecosystems;
- Contains areas of outstanding natural beauty (including areas with high visual sensitivity and high visual vulnerability, such as rocky outcrops, ridge lines, hilltops, slit slopes, canyons, and water edges);
- The land area is contiguous and forms part of a larger open space network;
- Contains conservation areas;
- Protects viewshed corridors; and
- Where appropriate, trails which maximize public safety while minimizing human impact on the most sensitive and vulnerable areas.

## **6.o Application Chronology**

Date of Application Received: July 10, 2019  
Date Public Consultation Completed: November 15, 2019

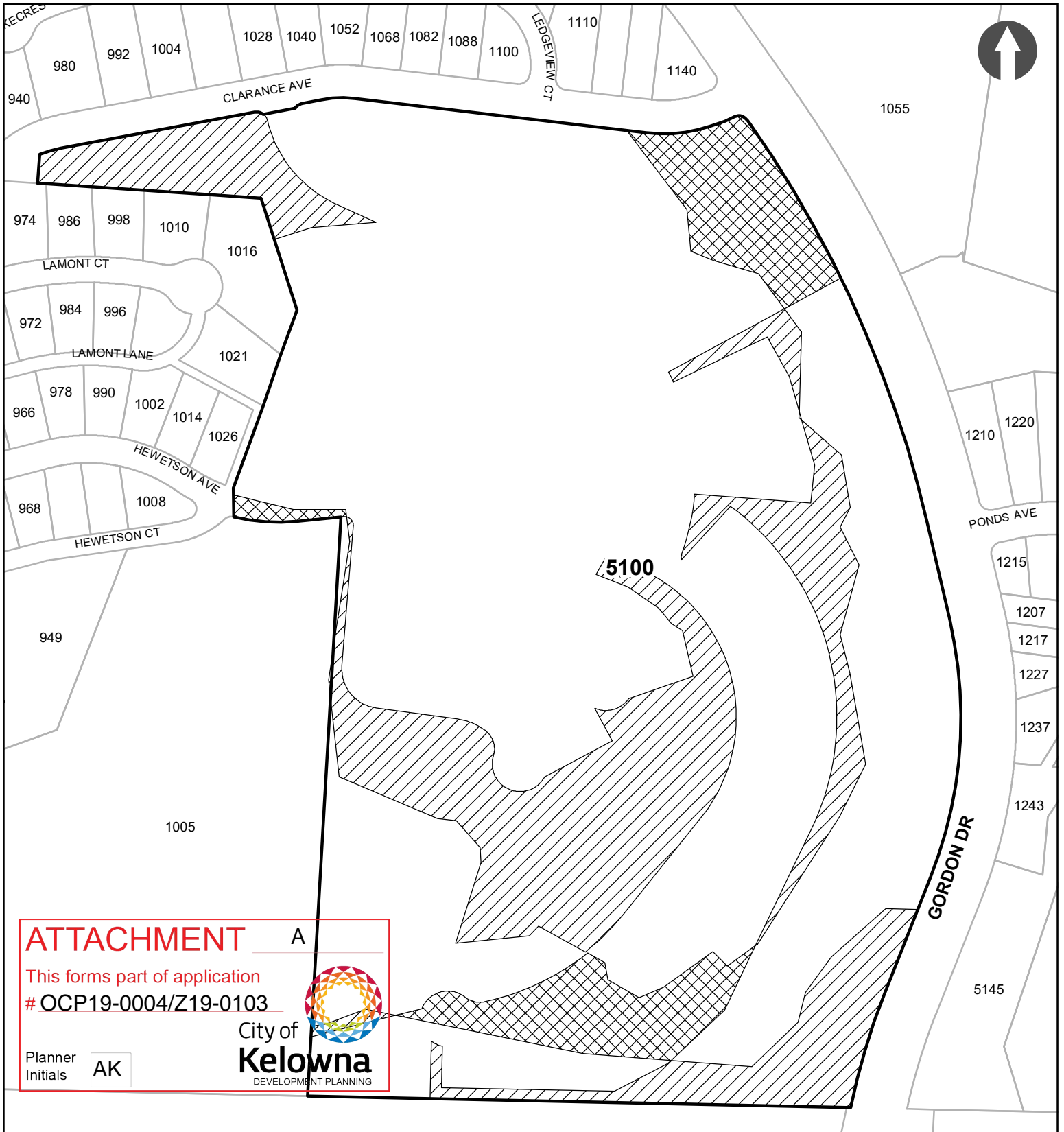
**Report prepared by:** Alex Kondor, Planner Specialist  
Tyler Caswell, Planner I

**Reviewed by:** Wesley Miles, A/Suburban and Rural Planning Manager

**Approved for Inclusion:** Terry Barton, Development Planning Department Manager

### **Attachments:**

Attachment A: Map "A"  
Attachment B: Map "B"  
Attachment C: Concept Plans



## ATTACHMENT

A

This forms part of application

# OCP19-0004/Z19-0103




Planner  
Initials

AK

City of  
**Kelowna**  
DEVELOPMENT PLANNING



## MAP "A" OCP AMENDMENT File OCP19-0004

-  MRC - Multi Unit Residential - Cluster Housing to PARK - Major Park/Open Space
-  PARK - Major Park/Open Space to MRC - Multi Unit Residential - Cluster Housing
-  Subject Property

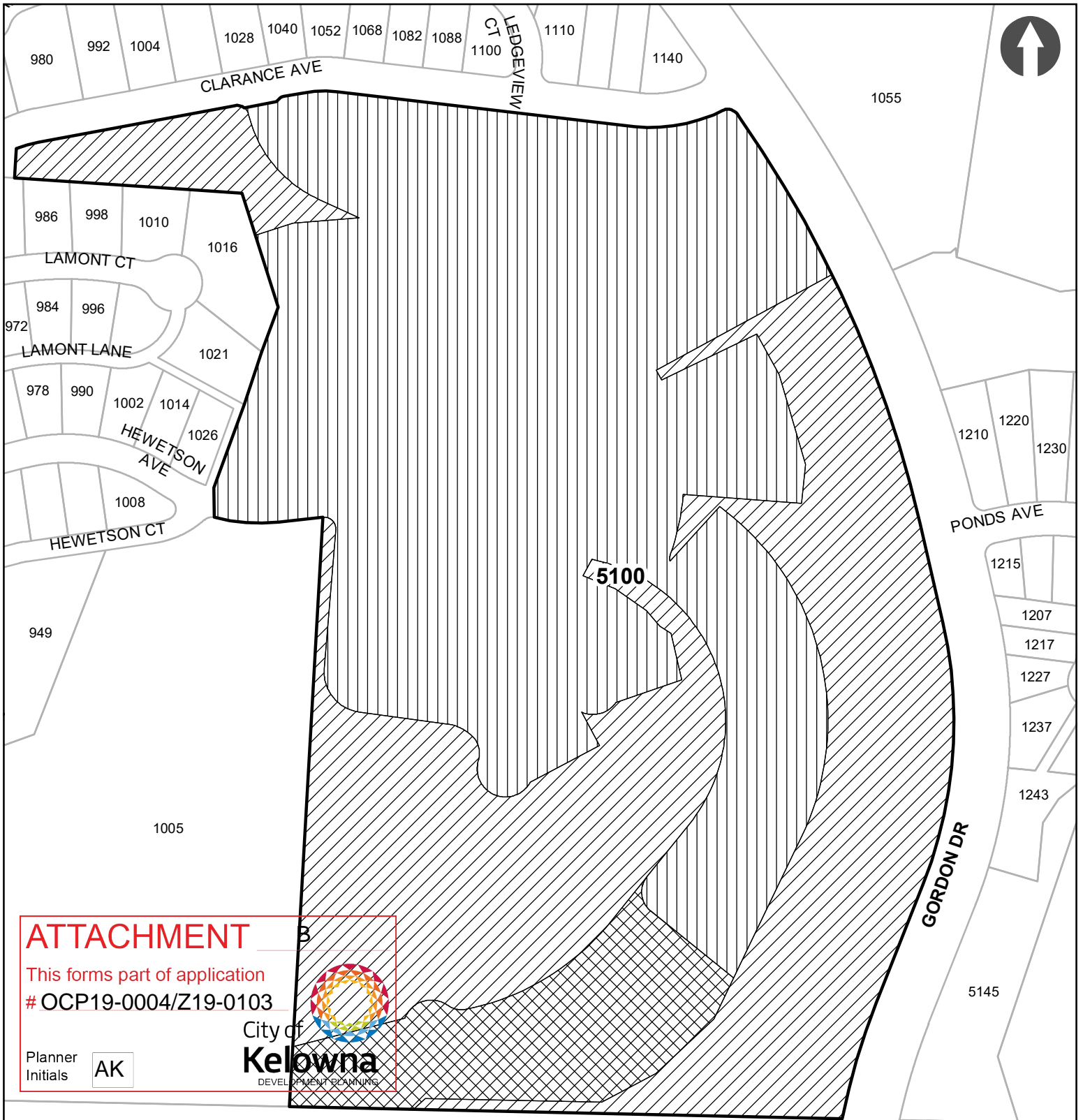
This map is for general information only.  
The City of Kelowna does not guarantee its  
accuracy. All information should be verified.

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City of  
**Kelowna**

Rev. Monday, January 27, 2025









## ATTACHMENT B

This forms part of application  
# OCP19-0004/Z19-0103

Planner  
Initials **AK**

City of  
**Kelowna**  
DEVELOPMENT PLANNING

## MAP "B" PROPOSED ZONING File Z19-0103

-  Subject Property
-  A1 - Agriculture to P<sub>3</sub> - Parks and Open Space
-  A1 - Agriculture to RH<sub>3</sub> - Hillside Cluster Housing
-  A1 - Agriculture to RU<sub>2</sub>H - Medium Lot Housing (Hillside Area)

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

0 37.5 75 Metres

City of  
**Kelowna**

Rev. Monday, January 27, 2020 **53**





Gordon Dr

Clarence Ave





Clarence Ave





Clarence Ave

Gordon Dr





Gordon Dr

Clarence Ave

# REPORT TO COUNCIL



**Date:** February 3, 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** Z19-0129

**Owner:** Southgate Centre Holdings Inc., Inc.No. BC1077192

**Address:** 2660 Pandosy Street

**Applicant:** Jordan Hettinga; Kent-Macpherson

**Subject:** Rezoning Application

**Existing OCP Designation:** MXR – Mixed Use Residential / Commercial

**Existing Zone:** C4 – Urban Centre Commercial

**Proposed Zone:** C4rcs – Urban Centre Commercial (Retail Cannabis Sales)

---

## 1.0 Recommendation

THAT Rezoning Application No. Z19-0129 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 14 ODYD Plan 33506, located at 2660 Pandosy Street, Kelowna, BC from the C4 – Urban Centre Commercial zone to the C4rcs – Urban Centre Commercial (Retail Cannabis Sales) zone, be considered by Council;

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

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

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

## 2.0 Purpose

To rezone the subject property from C<sub>4</sub> – Urban Centre Commercial to C<sub>4</sub>rcs -Urban Centre Commercial (Retail Cannabis Sales) to allow for a retail cannabis sales establishment.

## 3.0 Development Planning

Development Planning supports the proposal to rezone the subject property to C<sub>4</sub>rcs – Urban Centre Commercial (Retail Cannabis Sales).

The C<sub>4</sub> – Urban Centre Commercial zone allows for the addition of the Retail Cannabis Sales designation. Also, the property meets all minimum buffer distance requirements associated with retail cannabis sales establishments as listed in the Zoning Bylaw under Section 9.16.

## 4.0 Proposal

### 4.1 Project Description

The applicant proposes to rezone the subject property to C<sub>4</sub>rcs – Urban Centre Commercial (Retail Cannabis Sales) to allow for a retail cannabis sales establishment.

### 4.2 Site Context

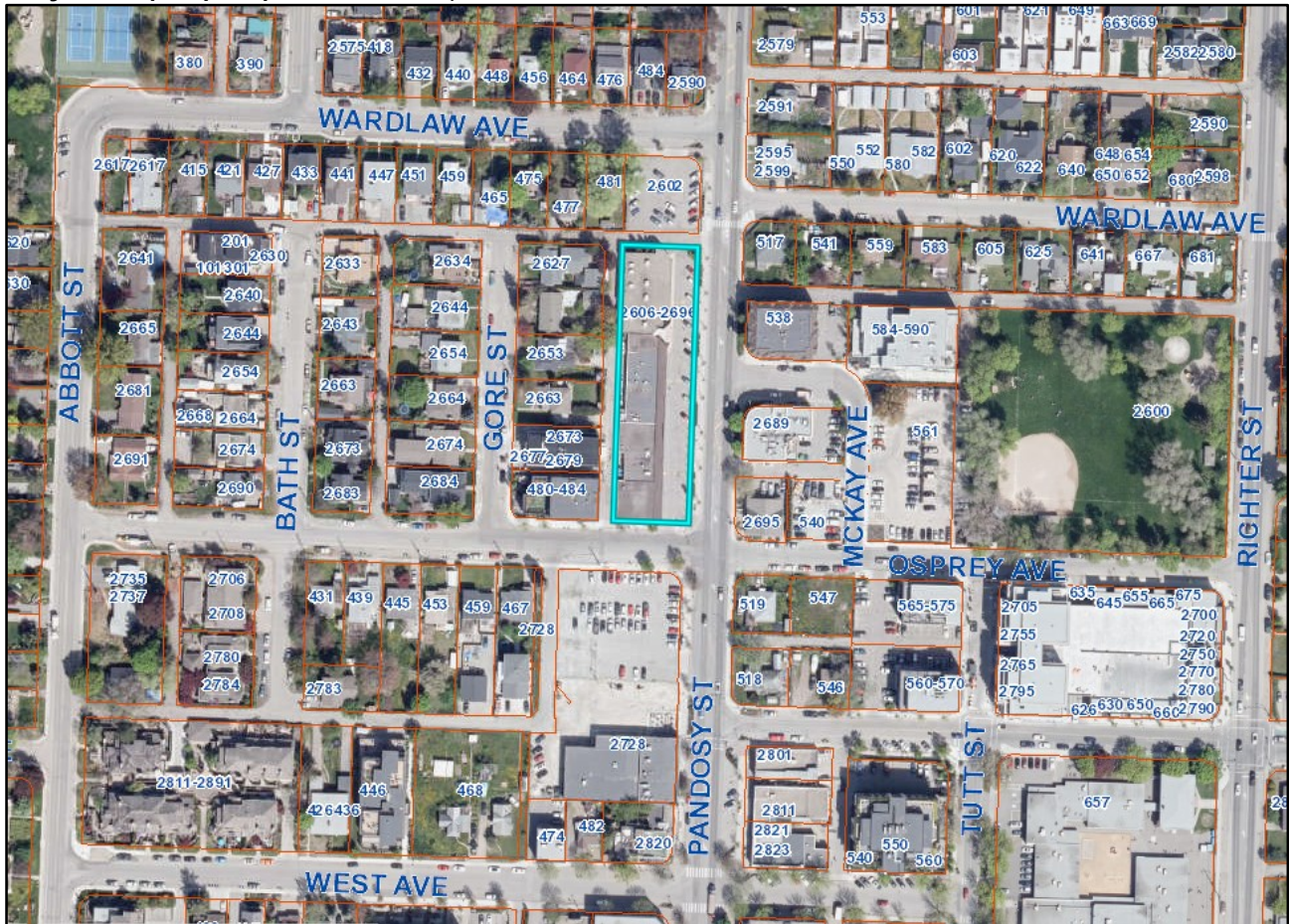
The lot is at the corner of Pandosy St. and Osprey Ave north of Raymer Ave, and at the north end of the South Pandosy Urban Centre. The lot contains a strip mall with numerous commercial retail units (CRUs). The nearest property with the Retail Cannabis Sales designation is at 3140 Lakeshore Rd., more than 500m away.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C <sub>4</sub> – Urban Centre Commercial	Commercial Parking
East	C <sub>4</sub> – Urban Centre Commercial / RU6 – Two Dwelling Housing	Mixed Use Development / Commercial Uses / Single Family Housing
South	C <sub>4</sub> – Urban Centre Commercial	Commercial Parking / Commercial Uses
West	C <sub>4</sub> – Urban Centre Commercial / RM5 – Medium Density Multiple Housing / / RU6 – Two Dwelling Housing	Commercial Uses / Apartment Housing / Single Family Housing



**Subject Property Map: 2660 Pandosy St.**



## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Chapter 8: Economic Development

*Objective 8.1 Focus on economic drivers that generate new and sustainable wealth.*

*Policy .1 Sustainable Prosperity.* Assign priority to supporting the retention, enhancement and expansion of existing businesses and post-secondary institutions and the attraction of new businesses and investment identified as bringing sustainable prosperity to Kelowna.

## 6.0 Technical Comments



6.1 Development Engineering Department

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

7.0 **Application Chronology**

Date of Application Received: November 19, 2019

Date Public Consultation Completed: December 20, 2019

**Report prepared by:** Aaron Thibeault, Planner II

**Approved for Inclusion:** Terry Barton, Development Planning Department Manager

**Attachments:**

Attachment A: Applicant Rationale

<b>ATTACHMENT</b>		<b>A</b>
This forms part of application		
# <b>Z19-0129</b>		
Planner Initials	<b>AT</b>	 City of <b>Kelowna</b> <small>COMMUNITY PLANNING</small>



October 29, 2019

Current Planning Department  
City of Kelowna  
1435 Water Street  
Kelowna, BC, V1Y 1J4

**Re:                   Rezoning Application**  
**2660 Pandosy Street, Kelowna**  
**PID – 003-164-993**  
**Lot A, District Lot 14, ODYD, Plan 33506**

**Applicant:           The Heartland Group**

Please accept this application to add Cannabis Retail Sales as a permitted use for the subject property located on 2660 Pandosy Street, which is currently zoned C4; Urban Centre Commercial. The subject property is a 0.831-acre shopping plaza in the South Pandosy Urban Centre. The proposed cannabis retail store would be located in the center of the plaza.

The property is located in the heart of Pandosy within the Urban Centre referred to as the ‘South Pandosy’ district, which is one of the five Urban Centres in Kelowna. The property is situated along Pandosy Street and can provide easy access to vehicles, transit, bikes, and pedestrians. There is a transit stop directly to the south, contributing to a Walk Score of 86 (Very Walkable) and a Bike Score of 94 (Bikers Paradise).

Following the success of this application, The Heartland Group will be working with the Liquor & Cannabis Regulation Branch to obtain the Provincial approvals necessary to sell cannabis at this location.

We believe that this proposed cannabis retail location meets all the City’s policies and guidelines and is an appropriate location for the surrounding community. We believe that with the growth in the South Pandosy

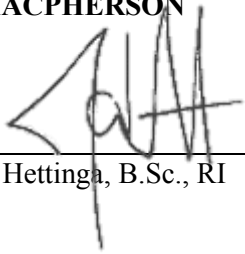
Town Centre, along with the developments in the Hospital District, South Kelowna, and Lower Mission, that a cannabis store in this location is an appropriate use.

If you have any questions pertaining to this Application, please do not hesitate to contact me.

Sincerely,

**KENT-MACPHERSON**

Per:

  
J. Hettinga, B.Sc., RI

Cc: Fred Hamel, The Heartland Group  
Reid Ogdon, The Donnelly Group  
David Bakonyi, Southgate Holding Ltd.

<b>ATTACHMENT</b>		<b>A</b>
This forms part of application		
# Z19-0129		
Planner Initials	AT	 City of <b>Kelowna</b> <small>COMMUNITY PLANNING</small>

# REPORT TO COUNCIL



**Date:** February 3, 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** OCP20-0002 & Z19-0126      **Owner:**

**Address:** 640-650 Cawston Ave. & 1284-1292 Richter St.      **Applicant:** Paul Pasutto; Innocept

**Subject:** OCP Amendment and Rezoning Application

**Existing OCP Designation:** MRM – Multiple Unit Residential Medium Density

**Proposed OCP Designation:** MXR – Mixed Use Residential / Commercial

**Existing Zone:** RU2 – Medium Lot Housing

**Proposed Zone:** C7 – Central Business Commercial

---

## 1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP20-0002 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of The East ½ of Lot 19 District Lot 139 ODYD Plan 1037; Lot 18 District Lot 139 ODYD Plan 1037; Lot 17 District lot 139 ODYD Plan 1037; Lot A District Lot 139 ODYD Plan KAP68057; Lot 16 District Lot 139 ODYD Plan 1037; The South ½ of Lot 15 District Lot 139 ODYD Plan 1037; and Road Plan 1037 EPP99502, located at 640-650 Cawston Ave. and 1284-1292 Richter St., Kelowna, BC from the MRM – Multiple Unit Residential Medium Density designation to the MXR – Mixed Use Residential / Commercial designation, be considered by Council;

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

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the *Purpose* of Section 879 of the *Local Government Act*, as outlined in the Report from the Community Planning Department dated February 3, 2020;

AND THAT final adoption of the Official Community Plan Map Amending Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated February 3, 2020.

AND THAT Rezoning Application No. Z19-0126 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of The East ½ of Lot 19 District Lot 139 ODYD Plan 1037; Lot 18 District Lot 139 ODYD Plan 1037; Lot 17 District lot 139 ODYD Plan 1037; Lot A District Lot 139 ODYD Plan KAP68057; Lot 16 District Lot 139 ODYD Plan 1037; The South ½ of Lot 15 District Lot 139 ODYD Plan 1037; and Road Plan 1037 EPP99502, located at 640-650 Cawston Ave. and 1284-1292 Richter St., Kelowna, BC from the RU2 – Medium Lot Housing zone to the C7 – Central Business Commercial zone, be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated February 3, 2020;

AND 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;

AND THAT a covenant be placed on Title limiting development to 6 ½ storeys and 24m in height;

AND FURTHER THAT a covenant be placed on Title limiting permitted uses to residential with live-work units on the ground floor.

### **Purpose**

To amend the Official Community Plan to change the future land use designation of the subject properties from MRM – Multiple Unit Residential Medium Density to MXR – Mixed Use Residential / Commercial and rezone the subject properties from the RU2 – Medium Lot Housing zone to the C7 – Central Business Commercial zone to facilitate the development of a 6 ½ storey apartment building with the potential for live/work units on the ground floor.

### **2.0 Development Planning**

Development Planning supports the proposal to change the future land use designation of the subject property to MXR – Mixed Use Residential / Commercial and rezone the subject property to C7 – Central Business Commercial to facilitate the development of a 6 ½ storey apartment building with the potential for live/work units on the ground floor.

The C7 – Central Business Commercial zone was designed for the City Centre Urban Centre to accommodate the density, mix of uses and parking requirements appropriate for the downtown area. In this case, the C7 zone is deemed by staff to be the most appropriate zone so as to satisfy the desired density and set an appropriate parking requirement for the development. Though the C7 zone allows for commercial uses, the bulk of these commercial uses are intended to be confined primarily to certain Retail Corridors, as shown in the Zoning Bylaw on C7 Map B – Civic Precinct and Retail Streets. The site in question is well away from any of these Retail Corridors; and therefore, staff do not support locating commercial uses in this area. In order to ensure the C7 zoning will not be used for commercial uses at this site, a covenant will be required on Title limiting development to residential uses, and with the potential for live/work units on the ground floor. Live/work units are considered to be acceptable in residential areas.

With respect to height, the C7 zone allows for variable heights as governed by the C7 Map A – Downtown Building Heights Plan. The site in question straddles two distinct areas in the C7 Map A, as part of the site sits east of the laneway west of Richter St., and part of the site sits west of this laneway. See diagram below:

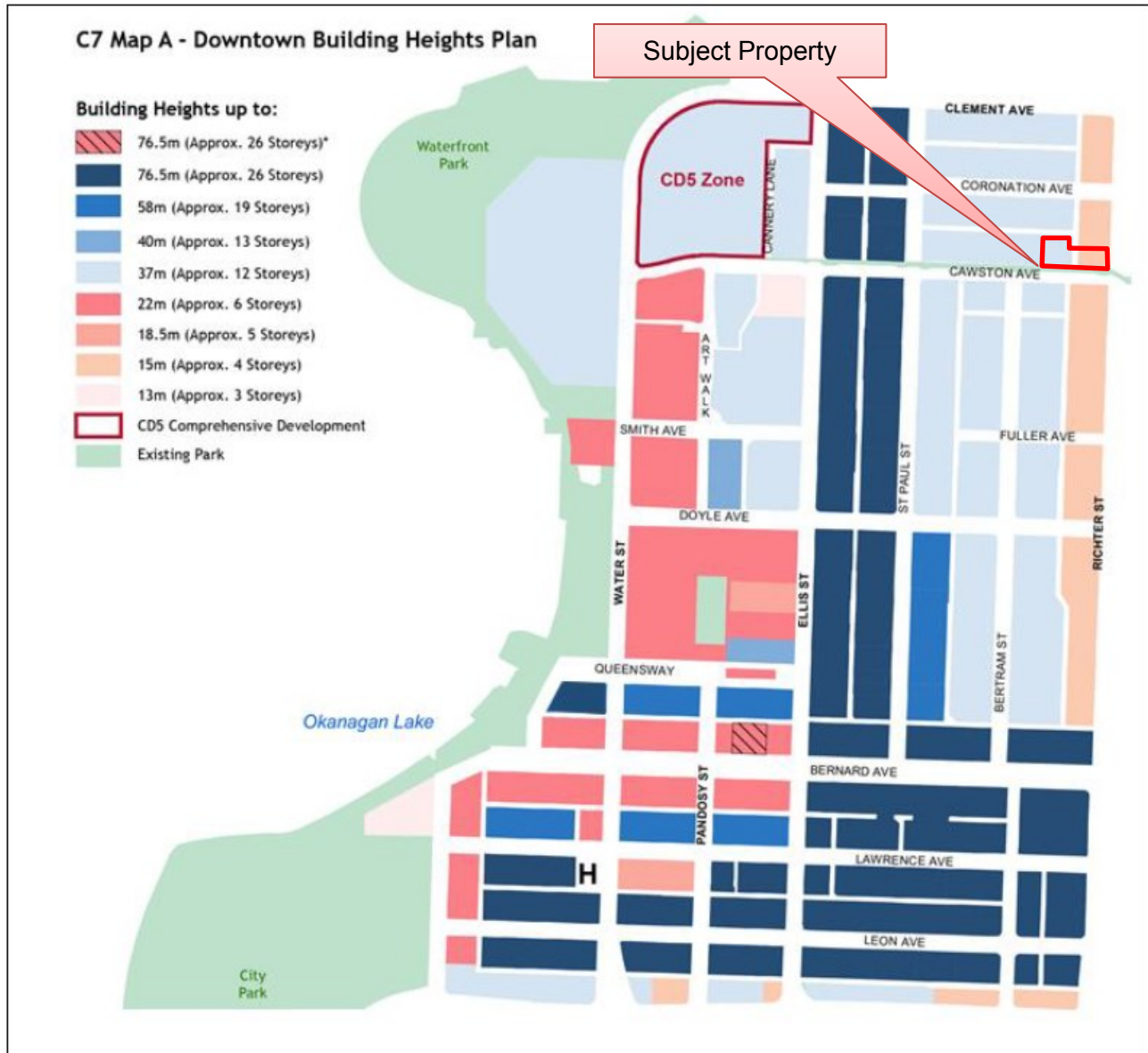


Table 1.

The area of the site west of the laneway allows for a height of 37m (approx. 12 storeys), while the area of the site east of the laneway allows for a height of 15m (approx. 4 storeys). In this case, staff support limiting the development to 6 ½ storeys in height, as development next to the site remains low profile, and the 6 ½ storey height is in keeping with the current future land use designation of the site, which is meant to accommodate mid-rise apartment buildings. In order to limit the development to 6 ½ storeys a covenant will be required on Title.

As the C7 zone fits under the future land use designation of MXR – Mixed Use Residential / Commercial the rezoning necessitates a change in the future land use designation from MRM – Multiple Unit Residential Medium Density to MXR – Mixed Use Residential / Commercial. Again, though, the intention here is not to

introduce commercial uses to this site, and a covenant will be required on Title limiting the development to residential uses (with the potential for live/work units on the ground floor).

### **3.0 Proposal**

#### **3.1 Background**

The laneway west of Richter St. in the site area was closed to vehicular access from Cawston Ave. in late October/early November 2019, and bollards were placed to prevent private vehicles from accessing the lane. The lane was closed as part of an initiative to close access to all lanes on Cawston Ave. between Bertram Ave. and Graham St. so as to minimize conflicts between vehicles and pedestrians and cyclists on the Cawston Ave. multi-use pathway. The decision to close access to these lanes was made by the Transportation Planning Department in July of 2019, and a letter was sent to local residents informing them of the closure of the lanes on July 19, 2019. The need to close the laneway in question to vehicular access opened up the possibility of closing the laneway permanently through a Road Closure Bylaw, and of ultimately disposing the lane. On January 13, 2020 Council resolved to permanently close the laneway extending from Cawston Ave. to the north lot line of 1284 Richter St. (described as Road Plan 1037 EPP99502) and to dispose of this portion of the laneway for consolidation with the adjacent lands.

#### **3.2 Project Description**

The applicant proposes to change the future land use designation and rezone the subject properties to facilitate the development of a 6 ½ storey apartment building with the potential for live/work units on the ground floor.

The C7 – Central Business Commercial zone is considered to be the most appropriate zone for the site so as to satisfy the desired density and set an appropriate parking requirement. The C7 zone allows for a mix of residential and commercial uses, including retail at grade. In this case, intensive commercial uses are not desirable in this area, as the area is well away from any of the Residential Corridors cited in the Zoning Bylaw under C7 Map B – Civic Precinct and Retail Streets. Therefore, a covenant will be required on Title limiting the development to residential uses with the potential for live-work units on the ground floor.

With respect to height, the C7 zone allows for a height of 37m (approx. 12 storeys) on that part of the site west of the laneway west of Richter St. In this case, staff support limiting the development to 6 ½ storeys in height, as development next to the site remains low profile, and the 6 ½ storey height is in keeping with the current future land use designation of the site, which is meant to accommodate mid-rise apartment buildings. As such, a covenant will be required on Title limiting the development to 6 storeys. The area of the site east of the laneway west of Richter St. allows for a height of 15m (approx. 4 storeys) under the C7 zone. As the proposed development in the Development Permit application is proposed to be 6 ½ storeys in height throughout, the 6 ½ storey height east of the laneway west of Richter St. would require a variance, which staff is tracking.

In addition to the height variance, staff are also tracking three other variances related to the corner setback, setback distance above 16m height, and the ratio of car parking devoted to regular size parking stalls. These potential variances are not to be considered formally at this stage of the development process.

As the C7 zone falls under the future land use designation of MXR – Mixed Use Residential / Commercial, the proposed development also requires an OCP Amendment to change the future land use designation of the site, which currently sits as MRM – Multiple Unit Residential Medium Density.

#### **3.3 Site Context**



The subject properties are located at the northwest corner of Cawston Ave. and Richter St. on the eastern edge of the City Centre Urban Centre. As a property in the City Centre Urban Centre, the site is within walking distance of a wide range of amenities and destinations, including retail and dining opportunities; employment opportunities; and cultural and recreational facilities. Related to this, the lot has a walkscore of 92, and is considered to be a Walker's Paradise, where "daily errands do not require a car". In addition, the lot has direct access to the Cawston Ave. multi-use pathway and is within 400m of the Ethel St. multi-use pathway, and thus has excellent access for all forms of active transportation.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU2 – Medium Lot Housing	Single Family Housing
East	RU6 – Two Dwelling Housing	Single Family Housing
South	RM5 – Medium Density Multiple Housing	Stacked Row Housing
West	RU2 – Medium Lot Housing	Single Family Housing

**Subject Property Map:**



#### 4.0 Current Development Policies



#### 4.1 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 400m 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.

#### 5.0 **Technical Comments**

##### 5.1 Development Engineering Department

- See Schedule A

#### 6.0 **Application Chronology**

Date of Application Received: November 13, 2020

Date Public Consultation Completed: January 14, 2020

**Report prepared by:** Aaron Thibeault, Planner II

**Reviewed by:** Terry Barton, Development Planning Department Manager

**Approved for Inclusion:** Ryan Smith, Divisional Director, Planning & Development Services

#### **Attachments:**

Schedule A: Development Engineering Memo

Attachment A: Applicant Rationale

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## CITY OF KELOWNA

# MEMORANDUM

**Date:** December 19, 2019  
**File No.:** Z19-0126 R  
**To:** Community Planning (AT)  
**From:** Development Engineering Manager (JK)  
**Subject:** 640, 650 Cawston Ave, 1292, 1292, 1284 Richter St.t



RU2 to C7

Development Engineering has the following comments and requirements associated with this application to this Rezoning application to rezone the subject properties from RU2. Medium Lot Housing to C7. Central Business Commercial to facilitate the construction of an apartment building.

The road and utility upgrading requirements outlined in this report will be a requirement of this application. All servicing and Road requirements will be address in this Rezoning memo.

Technologist for this project is Ryan O'Sullivan

The following Works & Services are required for this Rezoning:

.1) **General**

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

.2) **Geotechnical Report**

- a) Provide a comprehensive geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.**

The Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the



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Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

- i) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- ii) Site suitability for development.
- iii) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- iv) Any special requirements for construction of roads, utilities and building structures.
- v) Suitability of on-site disposal of storm water and sanitary waste, including effects upon adjoining lands.
- vi) Slope stability, rock fall hazard and slippage including the effects of drainage and septic tank effluent on the site.
- vii) Identify slopes greater than 30%.
- viii) Top of bank assessment and location including recommendations for property line locations, septic field 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 erosion and sedimentation controls for water and wind.
- xiii) Recommendations for roof drains and perimeter drains.

### .3) Domestic Water and Fire Protection

- a) 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 property to confirm this. Ensure every building site is located at an elevation that ensures water pressure is within the bylaw pressure limits.
- b) The property is located within the City of Kelowna service area. 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 service and the installation of one new larger metered water service
- 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 their cost.

## .4) Sanitary Sewer

- a) Our records indicate that these properties are currently serviced with 5- 100mm-diameter sanitary sewer services. The applicant's consulting mechanical engineer will determine the requirements of the proposed development and establish the service needs. Only one service will be permitted for this development. If required, the applicant will arrange for the removal and disconnection of the existing service and the installation of one new service at the applicant's cost.

## .5) Drainage

- a) Provide a detailed Storm Water Management Plan for this development as per the Subdivision, Development and Servicing Bylaw #7900.
- b) 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 recommendations for onsite drainage containment and disposal systems
- 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) Richter St frontage improvements have already been completed. No further upgrades are needed at this time.
- b) Cawston Ave frontage improvements have already been completed. No further upgrades are needed at this time. With the exception of the existing Letdown to Lane way to be removed and landscaped Boulevard, Roll over curb and gutter to removed and replaced with Barrier curb and gutter.
- c) The laneways fronting this development and Lane way north to Coronation Ave needs to be upgraded to a laneway standard. Standard drawings to be used is SS-R2 for the full construction of the laneway and SS-C7 for the laneway driveway let down. The limits of construction of the lane will be the west-east portion and the entire north-south section. A storm drainage system will be needed within the laneways. CB and Drywell are required
- d) Existing poles and utilities in Lane way effected in section C will need to be undergrounded.

## .7) Development Permit and Site Related Issues

- a) By Registered plan to provide the following
  - i) Grant statutory rights-of-way or dedicate lands if required for utility services and/or pedestrian access
  - ii) Dedication of Corner Rounding in the south west corner of the property

SCHEDULE

A


This forms part of application

# OCP20-0002, Z19-0126

Planner Initials

AT

Z19-0126



City of

Kelowna

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b) All vehicle access to this development will be via laneway. No access will be granted from Cawston Ave or Richter Street.

c) Lot consolidation is needed.

.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) Street lights 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**

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) 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 FortisGas, 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.

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

*James Kay*

James Kay, P. Eng.  
Development Engineering Manager  
RO

<b>SCHEDULE</b>		<b>A</b>
This forms part of application		
# OCP20-0002, Z19-0126		
Planner Initials	AT	 <b>City of Kelowna</b> COMMUNITY PLANNING



## DEVELOPMENT RATIONALE FOR PROPOSED RICHTER-CAWSTON MULTI FAMILY PROJECT

Proposal for Re-Zoning, Development Permit and Development Variance Permit

Existing Zoning: RU2

Proposed Zoning: C-7

1292 Richter Street. - Legal Description:

**ATTACHMENT**

**A**

This forms part of application

# OCP20-0002, Z19-0126

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AT



1284 Richter Street. - Legal Description:

Lot 16, District Lot 139 Osoyoos Division  
Yale District Plan 1037. PID:011-855-045  
AND

The South ½ Of Lot 15 District Lot 139  
Osoyoos Division Yale District Plan  
1037. PID: 011-855-037

Lot A District Lot 139 Osoyoos Division  
District Plan KAP68057

650 Cawston Avenue. - Legal Description:

Lot 17 District Lot 139 Osoyoos Division  
Yale District Plan 1037. PID: 011-855-053

640 Cawston Avenue. - Legal Description:

The East ½ of Lot 19 District Lot 139  
Osoyoos Division Yale District Plan  
1037. PID: 011-855-070

### Introduction

This is an application for the re-zoning, development permit and development variance permit to accommodate a 73-unit multi-family building.

### Site Description


The subject property is situated on the NW corner of Cawston Avenue and Richter Street within Kelowna's downtown Urban Cultural District. Located walking distance away from Downtown Kelowna's many amenities; the future residents of this medium density multi-family structure can choose to walk or bike for daily essentials instead of driving.



The site consists of four lots (which will be consolidated) that contain approximately 2276 m<sup>2</sup> (24,489 sq. ft.) The subject properties are currently zoned RU2 and we are seeking a re-zoning to C7 (Central Business District). In addition, the proposed development includes a portion of the laneway whose prospective sale has received preliminary approval from City of Kelowna.

The site is level, with frontages on both Cawston Avenue and Richter Street. All four separate older houses that will be demolished prior to construction commencing. The North End of Downtown Kelowna is undergoing substantial redevelopment as the downtown core continues to evolve into a medium to higher density area.

### Development Description

<b>ATTACHMENT</b>		<b>A</b>
This forms part of application		
# OCP20-0002, Z19-0126		
Planner Initials	AT	 <b>City of Kelowna</b> <small>COMMUNITY PLANNING</small>



The proposed project requires a new Re-Zoning Development Permit and a Development Variance Permit for a 6-storey condominium building which will consist of a single level (lower parking, partial below grade) concrete parking area with 75 parking stalls and six (6) floors (wood frame) of condominiums consisting of 73 condos above the parking podium.

The building will incorporate independent patio/green space on top of portions of the parking structure. Vehicular access to the parking shall be from the rear alleyway via St. Paul and Clement. The intention is to use of brick, concrete, and wood materials. The final design details will be provided in the forthcoming Development Permit grade drawings.

The centrally located building entrance is planned to emphasize the entrance and to create a prominent street scape. The accent feature, and deliberate glazing, on the large vertical column, creates an inspired yet subtle accent and creatively defines this important corner.

The mix of units in the building is currently proposed to be made up of 19 two-bedroom units, 15 one bedroom plus den units, 9 one-bedroom units, and 30 studio units. Unit sizes range from 493 sq. ft for studios, 634 sq. ft. for one bedroom, 690-780 for one bedroom plus den, 1,110-1,230 sq. ft. for two bedrooms.

### **Development Rationale**

- This development intends to support the goals of the Kelowna "My Downtown" Official Community Plan.
- Scale of building and wood frame construction provides a much required attainable and affordable alternative to concrete high-rise developments prominent in the downtown core.
- This location reduces the impact and need for car use; walking to work and bike riding will be a common practice with residents as they access the many entertainment and dining options nearby.
- Residential and pedestrian interface along Cawston with off street vehicle and bike parking will support an active lifestyle.
- The site is well positioned near the rapid transit bus route system. It is also located to be strategically integrated with the Cawston community bike path.

Your electronic signature is a representation that you are a British Columbia land surveyor and a subscriber under section 168.6 of the *Land Title Act*, RSBC 1996 c.250. By electronically signing this document, you are also electronically signing the attached plan under section 168.3 of the act.

1. BC LAND SURVEYOR: (Name, address, phone number)

Surveyor General Certification [For Surveyor General Use Only]

2. PLAN IDENTIFICATION:	Control Number:
Plan Number:	
This original plan number assignment was done under Commission #:	LTO Document Reference:

3. CERTIFICATION:	Form 9	Explanatory Plan	Form 9A
-------------------	--------	------------------	---------

The field survey was completed on: (YYYY/Month/DD) The checklist was filed under ECR#:

The plan was completed and checked on: (YYYY/Month/DD)

I am a British Columbia land surveyor and certify that

this plan was completed and checked on: (YYYY/Month/DD)

that the checklist was filed under ECR#:

and that the plan is correct in accordance with Land Title Office records.

I am a British Columbia land surveyor and certify that the buildings included in this strata plan have not been previously occupied as of (YYYY/Month/DD)	None	Strata Form S
---	------	---------------

None	Strata Form U1	Strata Form U1/U2
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I am a British Columbia land surveyor and certify that the buildings shown on this strata plan are within the external boundaries of the land that is the subject of the strata plan

Certification Date: (YYYY/Month/DD)

I am a British Columbia land surveyor and certify:

1. That the buildings shown on this strata plan are within the external boundaries of the land that is the subject of the strata plan subject to clause 2 of this endorsement
2. That certain parts of the buildings are not within the external boundaries but appropriate and necessary easements of other interests are registered as set out in section 244 (1)(f) of the Strata Property Act.

Registered Charge Number(s):

Certification Date: (YYYY/Month/DD)

Arterial Highway	I am a British Columbia land surveyor and certify that I am authorized by the Minister of Transportation and Infrastructure under section 44.1 of the Transportation Act to show certain lands identified on this plan dedicated as Arterial Highway.
------------------	---

Remainder Parcel (Airspace)	I am a British Columbia Land Surveyor and certify that no portion of the parcels or dedications created on this plan overlap vertically, that is, lie above or below any portion of the Air Space parcels on Air Space Plan
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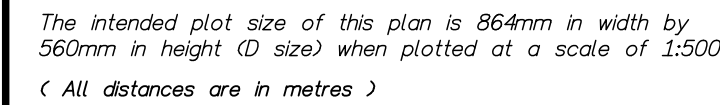
4. ALTERATION: LTO Document Reference:

This is an alteration to a previous version of this plan identified by control number:

DESCRIPTION OF ALTERATION: SEE SCHEDULE

*PLAN EPP99502*

BCGS 82E.083



● Denotes Standard Iron post (Type 5) found  
 ○ Denotes Standard Iron post (Type 5) placed  
 ⊗ Denotes Control Monument found  
 ■ Denotes Lead Plug (Type 3) found  
 NF Denotes nothing found  
 Wt Denotes witness

Note: This plan shows one or more witness posts which are not set on the true corner(s).

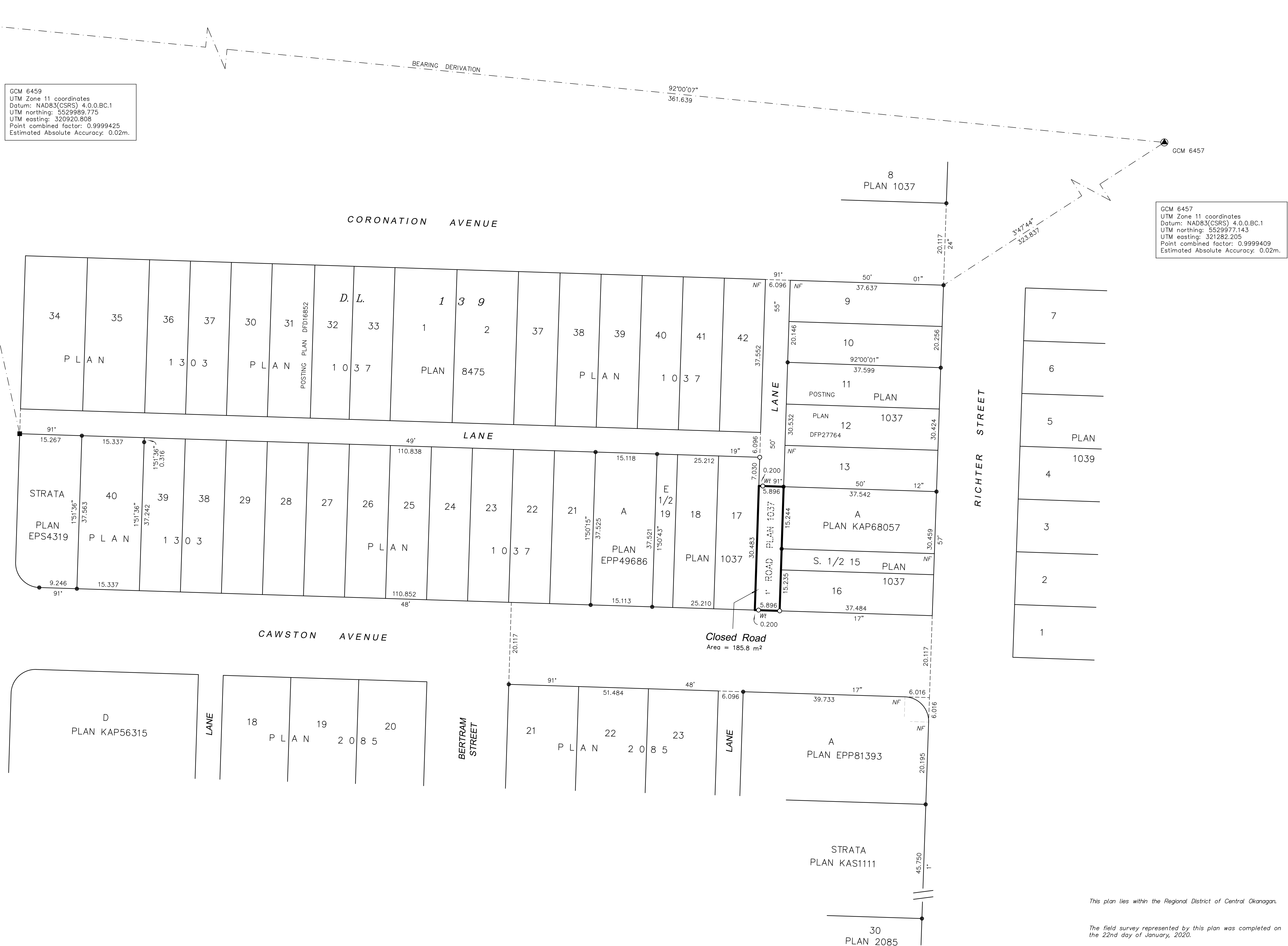
Integrated Survey Area No. 4, City of Kelowna  
NAD83 (CSRS) 4.0.0.BC.1

Grid bearings are derived from GNSS observations and are referred to the central meridian of UTM Zone 11.

The UTM coordinates and estimated horizontal positional accuracy are derived from Real-time GNSS survey ties to geodetic control monuments 6457 and 6459 from Leica Smartnet station ID 4005.

This plan shows horizontal ground-level distances unless otherwise specified. To compute grid distances, multiply ground-level distances by the combined factor of 0.9999417 which has been derived from geodetic control monuments 6457 and 6459. CGVD 28 (HTV2.0)

Note: The coordinates and horizontal positional accuracies shown on this plan are a result of an independent and accurate GNSS survey and do not represent official published coordinates.



*This plan lies within the Regional District of Central Okanagan.*

The field survey represented by this plan was completed on the 22nd day of January, 2020.

Robert T. Macdonald, BCLS 873

259A Lawrence Avenue Phone: (250)763-7322  
Kelowna, B.C. Fax: (250)763-4413  
V1Y 6L2 Email: rob@runnallsdenby.com

DWG. No.: 15490 CLOSED ROAD FILE: 15490

# Report to Council



**Date:** February 3, 2020  
**To:** Council  
**From:** City Manager  
**Subject:** 650 Cawston Avenue – Road Closure  
**Department:** Real Estate Services

---

## **Recommendation:**

THAT Council receives, for information, the Report from the Manager, Real Estate Services dated February 3, 2020, recommending that Council adopt the proposed closure of a portion of road adjacent to 650 Cawston Avenue;

AND FURTHER THAT Bylaw No. 11967, being proposed road closure of a portion of road adjacent to 650 Cawston Avenue, be given reading consideration.

## **Purpose:**

To close a 185.8 square metre portion of lane for consolidation with the adjacent properties.

## **Background:**

The proposed road closure (shown as "Closed Road" on the attached Schedule 'A') has been deemed excess to municipal needs and will be transferred to and consolidated with the adjacent properties at 640 and 650 Cawston Avenue and 1284 and 1292 Richter Street.

## ***Legal/Statutory Authority:***

Section 26 and 40, Community Charter

## **Considerations not applicable to this report:**

Internal Circulation:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

**Submitted by:** Mike Olson, Manager, Real Estate Services

**Approved for inclusion:** Johannes Säufferer, Department Manager, Real Estate

Attachment: 1. Schedule A – Survey Plan

cc: J. Kay, Manager, Development Engineering  
T. Barton, Manager, Urban Planning  
G. Foy, Manager, Transportation Engineering



# REPORT TO COUNCIL



**Date:** February 10, 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning (JB)

**Application:** Z19-0120

**Owner:** Daniel A. Konrad & Jeanine K. Wiens

**Address:** 338 Cadder Avenue

**Applicant:** Urban Options Planning & Permits

**Subject:** Rezoning Application

**Existing OCP Designation:** S2RES – Single/Two Unit Residential

**Existing Zone:** RU1 – Large Lot Housing

**Proposed Zone:** RU1c – Large Lot Housing with Carriage House

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## 1.0 Recommendation

THAT Rezoning Application No. Z19-0120 to amend the City of Kelowna Bylaw No. 8000 by changing the zoning classification of Lot 4, District Lot 14, Osoyoos Division Yale District Plan 3514, located at 338 Cadder Avenue, Kelowna, BC from the RU1 – Large Lot Housing zone to RU1c – Large Lot Housing with Carriage House zone, be considered by Council;

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

## 2.0 Purpose

To rezone the subject property from RU1-Large Lot Housing to RU1c- Large Lot Housing with Carriage House to facilitate the construction of a carriage house.

## 3.0 Development Planning

Development Planning supports the proposed rezoning to RU1c – Large Lot House with Carriage House.

The subject property has a Future Land Use Designation of S2RES – Single/Two Unit Residential and is within the Permanent Growth Boundary, which supports the proposed RU1c zone. The rezoning also relates to

compact urban form, which is an Official Community Plan (OCP) policy. The site is serviced by City sewer, storm and water.

#### 4.0 Proposal

##### 4.1 Background

The subject property currently contains an existing single-family dwelling and detached rear garage. The applicant is proposing to relocate the existing home and demolish the garage to facilitate future development of a new principal residence and carriage house.

##### 4.2 Project Description

The proposed rezoning would allow for a new principal residence and carriage house on the subject property. The proposed carriage house is 1<sup>1/2</sup> storey (4.55m) and one bedroom. The first floor of the carriage house will contain triple garage with three parking stalls, which includes parking for the primary dwelling. Access to the site is provided by an existing rear laneway.

The property is located within the Abbott Street Conservation Area; however, the existing dwelling is not on the Heritage Register. The Abbott Street & Marshall Street Heritage Conservation Area Development Guidelines identify the dominant style as 'Early Vernacular Cottage'.

##### 4.3 Site Context

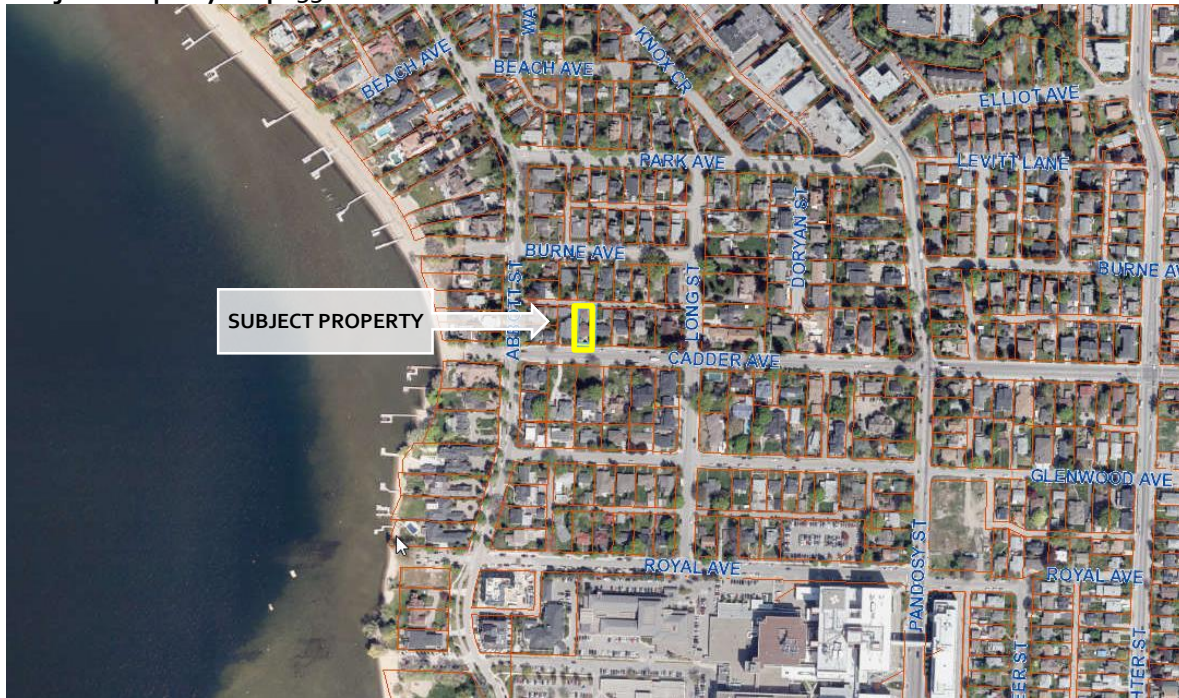
The subject property is located in the Central City OCP Sector on Cadder Avenue. It is in the Abbott Street Conservation Area. The surrounding properties are primarily zoned RU<sub>1</sub> – Large Lot Housing and RU<sub>1c</sub> – Large Lot Housing with Carriage House and have a Future Land Use Designation of S<sub>2</sub>RES – Single/Two Unit Residential.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU <sub>1</sub> – Large Lot Housing	Single Family Dwelling
East	RU <sub>1</sub> – Large Lot Housing	Single Family Dwelling
South	RU <sub>1</sub> – Large Lot Housing	Single Family Dwelling
West	RU <sub>1</sub> – Large Lot Housing	Single Family Dwelling



**Subject Property Map: 338 Cadder 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 (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 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 or reflect the character of the neighbourhood with respect to building design, height and siting.

Policy .12 **Carriage Houses & Accessory Apartments**. Support carriage houses and accessory apartments through appropriate zoning regulations.

**6.0 Technical Comments**

Development Engineering Department memo attached. Requirements will be fulfilled at time of Building Permit.

## **7.0 Application Chronology**

Date of Application Received: September 30, 2019

Date Public Consultation Completed: October 31, 2019

**Report prepared by:** Jocelyn Black, Planning Specialist  
Tyler Caswell, Planner I

**Reviewed by:** James Moore, Urban Planning & Development Policy Manager

**Approved for Inclusion:** Terry Barton, Development Planning Department Manager

### **Attachments:**

Attachment A: Development Engineering Memo

Attachment B: Conceptual Drawing Package

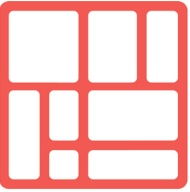
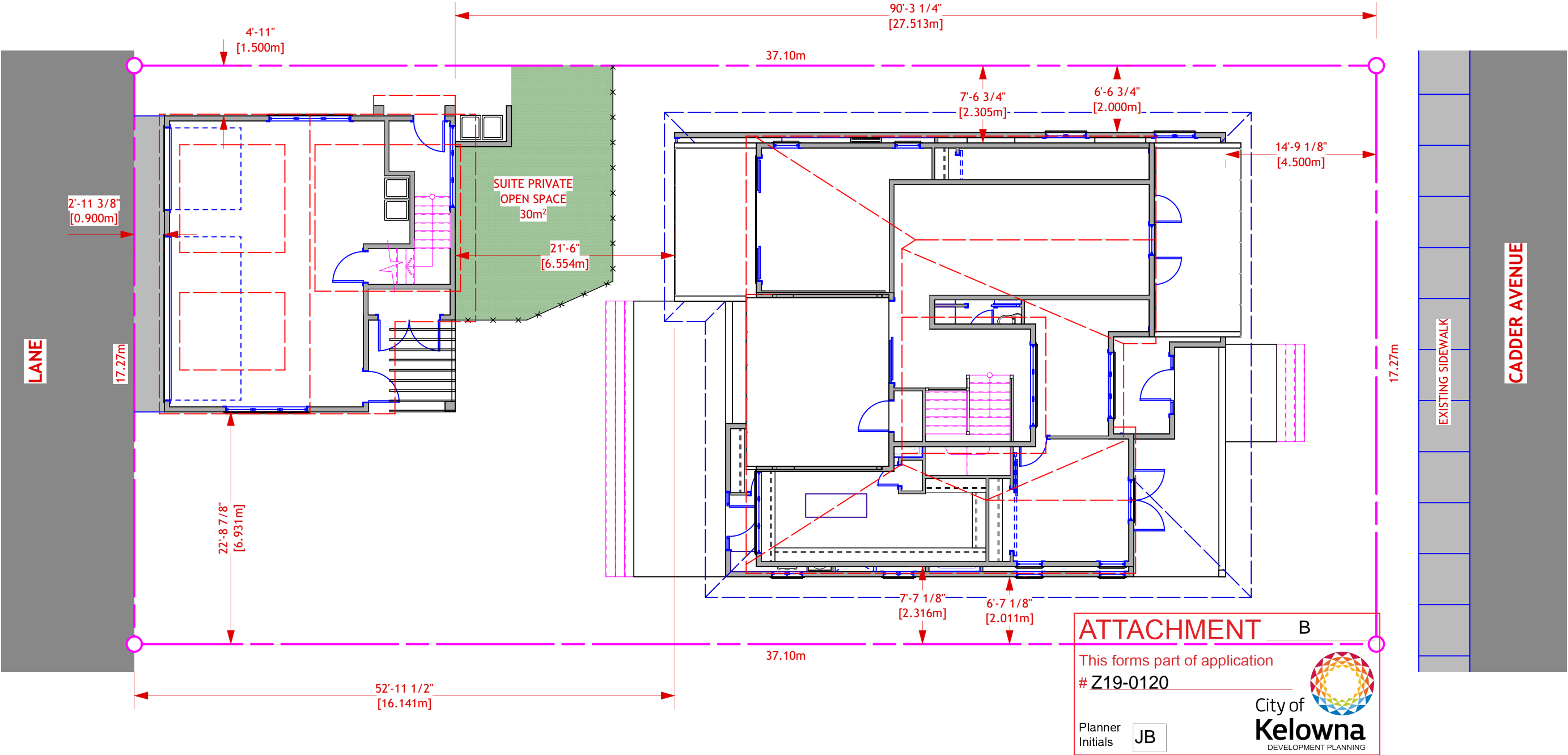
Attachment C: Applicant's Rationale



ZONING INFORMATION

RU1-c - LARGE LOT HOUSING WITH CARRIAGE HOUSE	PERMITTED	PROPOSED
SITE AREA	550m2	640.7m2
PRINCIPAL BUILDING FOOTPRINT AT GRADE		186.9m2
CARRIAGE HOUSE FOOTPRINT AT GRADE	90m2	69.68m2
PROPOSED COVERED FRONT ENTRY		15.47m2
PROPOSED DRIVEWAY		7.96m2
SITE COVERAGE	40%	40%
SITE COVERAGE W/ HARDSURFACE	50.0%	41.3%
PRINCIPAL BUILDING HEIGHT	9.5m/2.5 STOREYS	9.40m/2.5 STOREYS
PRINCIPAL DWELLING SETBACKS		
FRONT (SOUTH) YARD SETBACK - CADDER AVE.	4.500m	4.500m
REAR (NORTH) YARD SETBACK - LANE	7.500m	16.141m
SIDE (EAST) YARD SETBACK - INTERIOR RU1	2.000m	2.000m
SIDE (EAST) YARD SECOND FLOOR SETBACK - INTERIOR RU1	2.300m	2.300m
SIDE (WEST) YARD SETBACK - INTERIOR RU1	2.000m	2.011m
SIDE (WEST) YARD SECOND FLOOR SETBACK - INTERIOR RU1	2.300m	2.316m

RU1-c - LARGE LOT HOUSING WITH CARRIAGE HOUSE	PERMITTED	PROPOSED
CARRIAGE HOUSE BUILDING HEIGHT	4.8m/1.5 STOREYS	4.549m/1.5 STOREYS
CARRIAGE HOUSE PEAK OF ROOF	10.533m	6.641m
CARRIAGE HOUSE TOTAL FINISHED FLOOR AREA		63.27m2
PRINIPAL DWELLING TOTAL FFA		341.59m2
PERCENTAGE CARRIAGE HOUSE FFA TO PRINCIPAL FFA	40.0%	18.5%
PERCENTAGE CARRIAGE HOUSE MAIN GFA TO SECOND GFA	75.0%	74.5%
TOTAL PRIVATE OPEN SPACE	30.00m2	42.00m2
CARRIAGE HOUSE SETBACKS		
FRONT (SOUTH) YARD SETBACK - CADDER AVE.	9.500m	27.513m
REAR (NORTH) YARD SETBACK - LANE	0.900m	0.900m
SIDE (EAST) YARD SETBACK - INTERIOR RU1	1.500m	1.500m
SIDE (WEST) YARD SETBACK - INTERIOR RU1	1.500m	6.931m
SETBACK BETWEEN BUILDINGS	4.500m	6.554m



IHS DESIGN

#202-1470 ST. PAUL ST.  
KELOWNA, BC  
250.212.7938  
info@ihdesign.ca



RESIDENTIAL DEVELOPMENT  
338 CADDER AVENUE  
KELOWNA, BC V1Y 5N1

SITE PLAN

DATE: 27-Sep-19

SCALE: AS NOTED

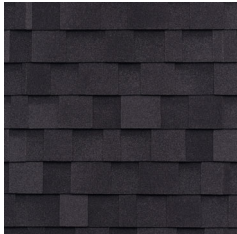
ISSUED FOR: DEVELOPMENT PERMIT

SHEET: A2





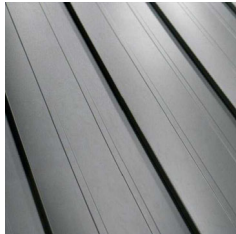
6 1 5 3 4



SHINGLES  
IKO CAMBRIDGE  
DUAL BLACK



TRIM/FIR TRELLIS  
EXTERIOR STAIN  
CHARCOAL



STANDING SEAM  
METAL ROOF  
INTERLOCK  
BLACK



ACRYLIC STUCCO  
BENJAMIN MOORE  
SIMPLY WHITE OC-117



ALUMINUM GUTTERS  
GENTEK  
BLACK

**EXTERIOR MATERIAL LEGEND**

1. ACRYLIC STUCCO
2. 6" LINTEL FIR TRIM BOARD (STAINED)
3. 8" SMART BOARD FASCIA
4. ALUMINUM GUTTERS & DOWNSPOUTS
5. STANDING SEAM METAL ROOF
6. FIBERGLASS REINFORCED LAMINATE SHINGLES
7. ALUMINUM FRAME GLASS RAIL - BLACK
8. FIR TRELLIS (STAINED)



7 3 4 1 2



2 6 8 1

**ATTACHMENT B**

This forms part of application  
# Z19-0120

Planner  
Initials

JB

City of  
**Kelowna**  
DEVELOPMENT PLANNING



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info@ihdesign.ca



**RESIDENTIAL DEVELOPMENT**

338 CADDEN AVENUE  
KELOWNA, BC V1Y 5N1

**EXTERIOR MATERIALS**

DATE: 27-Sep-19

SCALE: AS NOTED  
ISSUED FOR: DEVELOPMENT PERMIT  
SHEET: A11





<b>ATTACHMENT</b>		<b>C</b>
This forms part of application		
# Z19-0120		
Planner Initials	JB	The logo for the City of Kelowna Development Planning, featuring a colorful, multi-pointed star or flower-like shape made of small triangles, with the text "City of Kelowna" and "DEVELOPMENT PLANNING" below it.

September 30, 2019

City Of Kelowna  
Urban Planning Department  
1435 Water Street  
Kelowna, BC

**RE: Proposed Rezoning and Heritage Alteration Permit at 338 Cadder Avenue**

Dear Urban Planner:

We are applying to rezone the subject property from the existing “RU1 - Large Lot Housing” zone to the “RU1c - Large Lot Housing with Carriage House” zone in order to permit the construction of new single-family dwelling and carriage house. The dwelling that is currently located on the property is to be moved off the site and relocated within the City.

The subject property is located within the Abbott Street Heritage Conservation area and thus also requires an application for a Heritage Alteration Permit to authorize construction of the new dwelling and carriage house. The existing dwelling is not listed on the Heritage Register but is identified as within the “Early Vernacular Cottage” dominant style in the “Abbott Street & Marshall Street Heritage Conservation Area Development Guidelines”.

The dwelling has been designed with elements reminiscent of the “Vernacular Cottage (late)” style in order to complement the heritage design elements of other dwellings located in the neighbourhood. The proposed home creates a transition from modern to the west and the basic 1950’s bungalow to the east. The building meets the following character defining qualities:

- Less fanciful feel to the architecture
- Flush gable verges
- Stucco or horizontal siding
- Up to 2 storey massing
- Clustered vertical window sashes
- Asymmetrical facade design
- Gable roof forms
- Side or rear yard parking

The new dwelling adjacent to the Cadder Avenue frontage is 2½ storeys in height incorporating a front veranda. Plenty of outdoor spaces are provided including a deck area within the attic roof structure oriented towards the rear yard, other small balconies located off bedrooms and the abundant gardens at the front and rear of the site. Although the

existing rear garden will be lost during the construction the landowner is planning on recreating it.

The carriage house will be located behind the new dwelling, adjacent to the lane. Three vehicle parking stalls are allocated within the lower floor of the building providing parking for both the principal dwelling and the residential portion of the carriage house. The proposed carriage house will incorporate design elements of the new principal dwelling, including the use of complementary building materials and colours for both buildings. The entrance to the carriage house is on the east side of the building, close to the private open space area.

The downtown area was developed with single unit dwellings on large lots dating back to the early 1900's, a time associated with the early incorporation of the City of Kelowna. The neighbourhood has seen a resurgence of development in the last 20 years. There are properties located to the north and east of the subject property that have the "c" designation. Further, the location of the subject property will provide walking access to many employment and commercial uses in the nearby downtown business district as well as to several beach accesses on Okanagan Lake.

We believe this proposal is a good fit within the fabric of the neighbourhood and will contribute to positive infill density in this area of Kelowna.

Regards

Birte Decloux on behalf of the owners

<b>ATTACHMENT</b>		<b>C</b>
This forms part of application		
# Z19-0120		
Planner Initials	<b>JB</b>	 City of <b>Kelowna</b> DEVELOPMENT PLANNING