

City of Kelowna

Public Hearing

AGENDA



Tuesday, May 12, 2020
4:15 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 TA19-0020 CD2 Kettle Valley Comprehensive Residential Development Zone

3 - 26

To amend the Kettle Valley CD-2 zone from the Kettle Valley CD-2 Type VII to the Kettle Valley CD-2 Type III and IV to accommodate a future subdivision.

3. Termination

4. Procedure on each Bylaw Submission

- (a) Brief description of the application by City Staff (Community Planning);
- (b) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.
- (c) The Chair will call for representation from the public in attendance as follows:
 - (i) The microphone at the public podium has been provided for any person(s) wishing to make representation at the Hearing.
 - (ii) The Chair will recognize ONLY speakers at the podium.
 - (iii) Speakers are encouraged to limit their remarks to 5 minutes, however, if they have additional information they may address Council again after all other members of the public have been heard a first time.
- (d) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.
- (e) Questions by staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.
- (f) Final calls for representation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

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

REPORT TO COUNCIL



Date: April 20, 2020

To: Council

From: City Manager

Department: Development Planning

Application: TA19-0020

Owner: Kettle Valley Holdings Ltd.

Applicant: Stephen Wells

Subject: Text Amendment Application

Existing OCP Designation: S2ResH – Single / Two Unit Residential - Hillside

Existing Zone: Kettle Valley CD-2 -Type VII

Proposed Zone: Kettle Valley CD-2 – Type III and IV

1.0 Recommendation

That Zoning Bylaw Text Amendment Application No. TA19-0020 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing Section 18 Schedule 'B' – CD2 Kettle Valley Comprehensive Residential Development Zone as identified in Schedule "A" and outlined in the Report from the Development Planning Department dated April 20, 2020 be considered by Council;

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

2.0 Purpose

To consider a Text Amendment application to the Kettle Valley CD-2 zone, for 5533 Mountainside Drive to go from the Kettle Valley CD-2 Type VII to the Kettle Valley CD-2 Type III and IV to accommodate a future subdivision.

3.0 Development Planning

Development Planning Staff are recommending support for the proposed rezoning amendment to accommodate a future subdivision. The subject property is designated S2Res – Single / Two Unit Residential in the Official Community Plan (OCP) and is with the Permanent Growth Boundary. The proposal is generally consistent with the OCP, the intent of the Kettle Valley Comprehensive Development Zone and general hillside development patterns in the City. The proposed units and development form provides a variety of housing types within the Kettle Valley area and fits in well with the existing neighbourhood.

The intent of the current Type VII development type is to provide for “Cluster Estate” units in a strata format allowing single family, semi-detached and multifamily (up to 4 units) housing. Given the sites existing topography and the surrounding development composition staff believe the proposed changed will integrate better into the existing neighborhood which is primarily single family. Public access to the existing parkland to the north will be achieved off the end of the cul-de-sac to maintain trail connections through the area.

In addition, the Type VII development type will be removed in entirety from the CD2 zone as there is no existing or proposed development that utilizes this form of housing.

4.0 Proposal

4.1 Project Description

The applicant has applied for a text amendment to accommodate a future subdivision which will be accessed from Mountainside Drive. The current proposal shows 34 single family lots. The subdivision would be accessed by a municipal road, splitting into two dead roads with cul de sac turn arounds. Given the topography of the site, the proposal is not anticipated to have significant cut or fill slopes or large retaining walls.

4.2 Site Context

The subject property is located in the South Okanagan Mission City Sector and accessed from Mountainside Drive. The surrounding neighborhood is primarily single family residential to the west across Mountainside Drive and dedicated park land to the north. Directly adjacent south of the property is a vacant RH3 zoned parcel. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	CD-2 Kettle Valley Comprehensive Development Zone	Park and Open Space
East	CD-2 Kettle Valley Comprehensive Development Zone	Single Family Residential
South	RH3 – Hillside Cluster Housing	Vacant
West	RH3 – Hillside Cluster Housing	Vacant

Subject Property Map: 5533 Mountainside Drive



4.3 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Objective 5.2 Develop Sustainably

Policy .3 Complete Suburbs. Support a mix of uses within Kelowna's suburbs, in accordance with "Smart Growth" principles to ensure complete communities. Uses that should be present in all areas of the City, at appropriate locations, including commercial, institutional, and all types of residential uses (including affordable and special needs housing) at densities appropriate to their context.

Policy .5 Integrated Land Use. Integrate land use approaches wherever possible to improve opportunities for biodiversity, ecosystem connectivity, recreation, agriculture and local food production, while reducing conflicts.

5.0 Technical Comments

5.1 Development Engineering Department

- Refer to Development Engineering Memo dated December 17, 2019.

6.o Application Chronology

Date of Application Received: November 28, 2019

Date Public Consultation Completed: March 13, 2020

Report prepared by: Wesley Miles, Acting Community and Development Planning Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments

Schedule A: CD2 – Text Amendments

Schedule B: Development Engineering Memo

Attachment A: Site Map & Conceptual Layout

	Type II	Type III or IV	Type V	Type VI	Type VIIa
Map Colour Code					
Lot Type	Estate Single Family	Village Park Single Family	Village Single, Multi-Family	Village Multi-Family	Cluster Estate, Estate
Dwelling Style	Single Family	Single Family, Hillside Single Family	Row Houses, Narrow Single Family	Row Houses	Single Family, Semi-detached, Multi-Family Housing (Up to 4 Units)
Minimum Lot area	700 m2	455 m2	245 m2 Per Dwelling Unit	5000 m2	Parcel: 5000 m2 Bareland Strata Lot: 225 m2
Minimum Parcel Width	20 m	13 m	9.4 m	100 m	9 m
Average Parcel Depth	35 m	35 m	35 m	25 m	NA
Maximum Lot Coverage	35%	40%	50%	45%	Parcel: 35% Bareland Strata Lot: 60%
Net Density (Units Per Hectare)	NA	NA	NA	35	20
Vehicle Access	Street	Street, Lane	Lane	Lane	Street
Maximum Building Height	9.5 m	9.5 m	9.5 m	9.5 m	9.5 m
Primary Dwelling Front Yard Setback	4 m Encroachment Line: 2 m	4 m Encroachment Line: 2 m	4 m	4 m Encroachment Line: 2 m	4 m Encroachment Line: 2 m
Accessory Building Front Yard Setback	6 m	Access From Street: 6 m Access From Lane: 12 m	12 m	12 m	12 m
Setback From Property Line Flanking Street	4 m Encroachment Line: 2 m	4 m Encroachment Line: 2 m	4 m	4 m Encroachment Line: 2 m	4 m Encroachment Line: 2 m
Principl Dwelling Rear Setback	7.5 m	6 m	6 m	6 m	Cluster Estate: 6 m Estate: 7.5 m
Accessory Building Rear Yard Setback	Access From Street: 7.5 m Access From Lane: 1.5 m	Access From Street: 7.5 m Access From Lane: 1.5 m	1.5 m	1.5 m	Cluster Estate: NA Estate: 7.5 m



TA19-0020

5533 Mountainside Drive

Text Amendment Application



Proposal

- ▶ To consider a Text Amendment application to the Kettle Valley CD-2 zone, for 5533 Mountainside Drive to go from the Kettle Valley CD-2 Type VII to the Kettle Valley CD-2 Type III and IV to accommodate a future subdivision.

Development Process

Nov 28, 2019

Development Application Submitted



Staff Review & Circulation



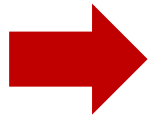
March 13, 2020

Public Notification Received



April 20, 2020

Initial Consideration



May 12, 2020

Public Hearing
Second & Third Readings



Final Reading



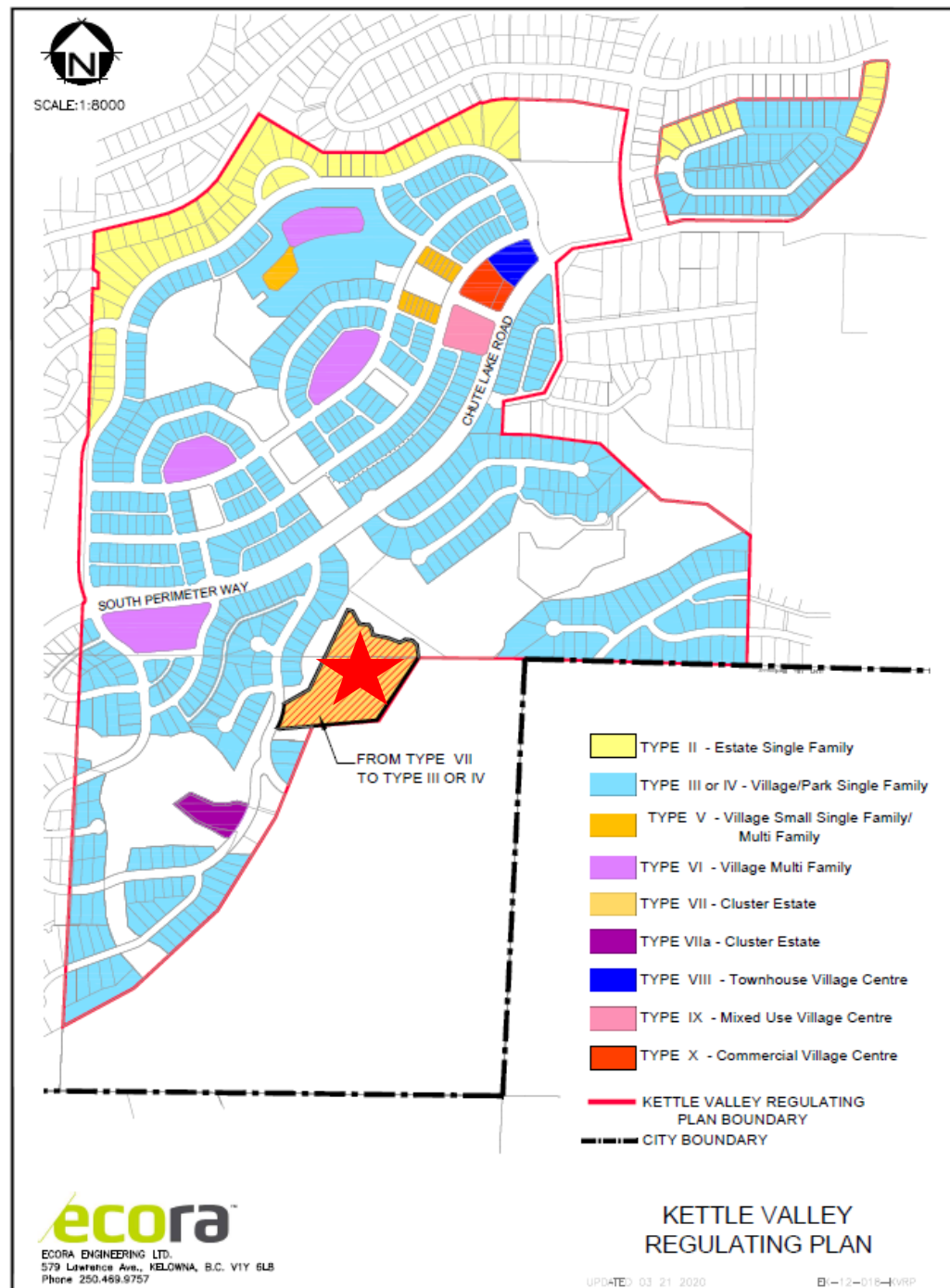
Subdivision/Building Permit

Council
Approvals

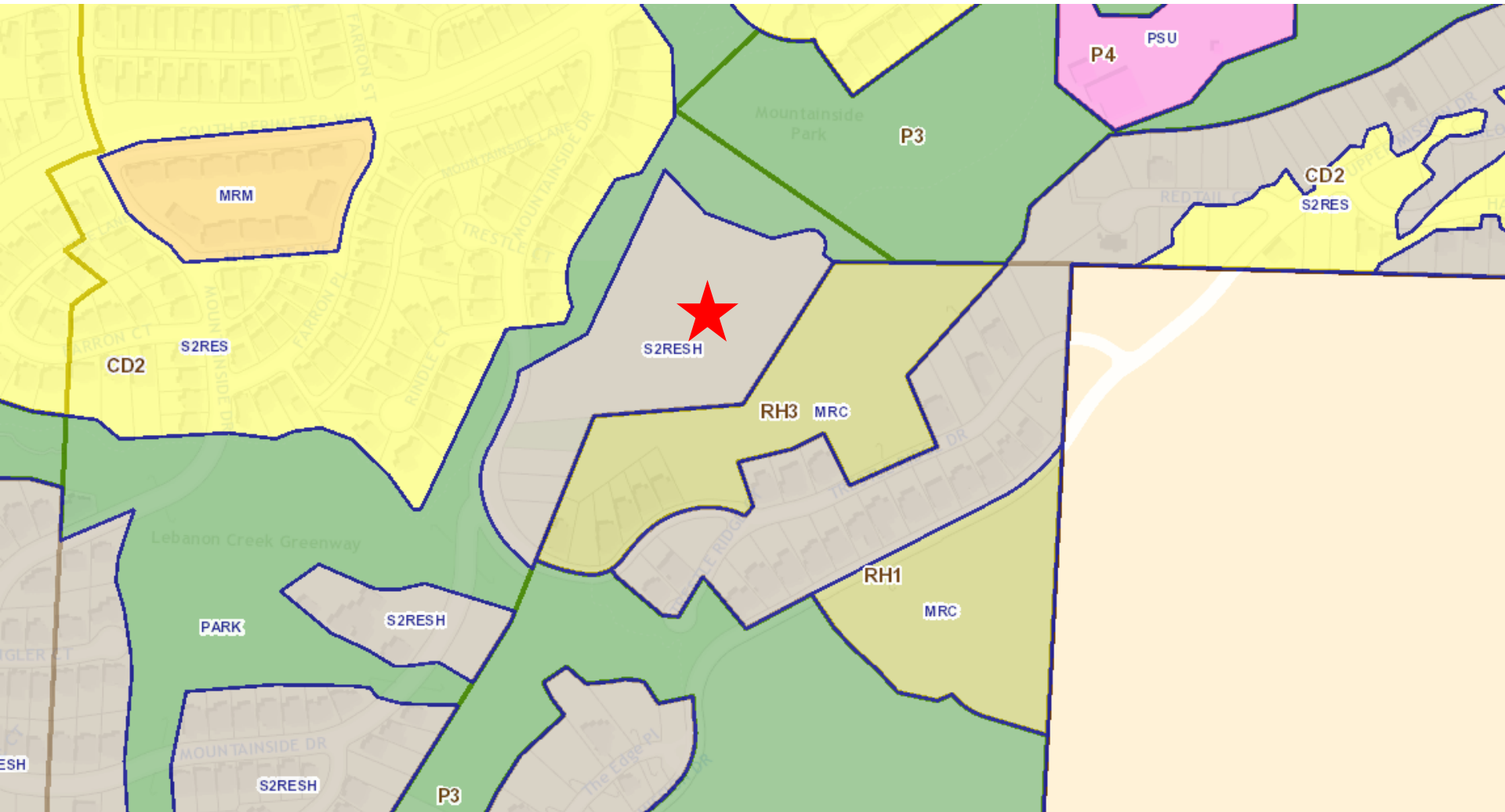
Context Map



Context Map



OCP Future Land Use / Zoning



Subject Property Map



Project Details

- ▶ Property is approx. 2.7 ha
- ▶ Proposed 34 lot subdivision for single family dwellings
- ▶ No variances identified

Project Details

City of Kelowna

Consolidated Zoning Bylaw No. 8000

	Type II	Type III or IV	Type V	Type VI	Type VIIa
Map Colour Code					
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Development Policy

- ▶ Kelowna Official Community Plan (OCP)
- ▶ *Objective 5.2 Develop Sustainably*
 - ▶ *Policy .3 Complete Suburbs.* Support a mix of uses within Kelowna's suburbs, in accordance with "Smart Growth" principles to ensure complete communities...
 - ▶ *Policy .5 Integrated Land Use.* Integrate land use approaches wherever possible to improve opportunities for biodiversity, ecosystem connectivity, recreation, agriculture and local food production, while reducing conflicts.

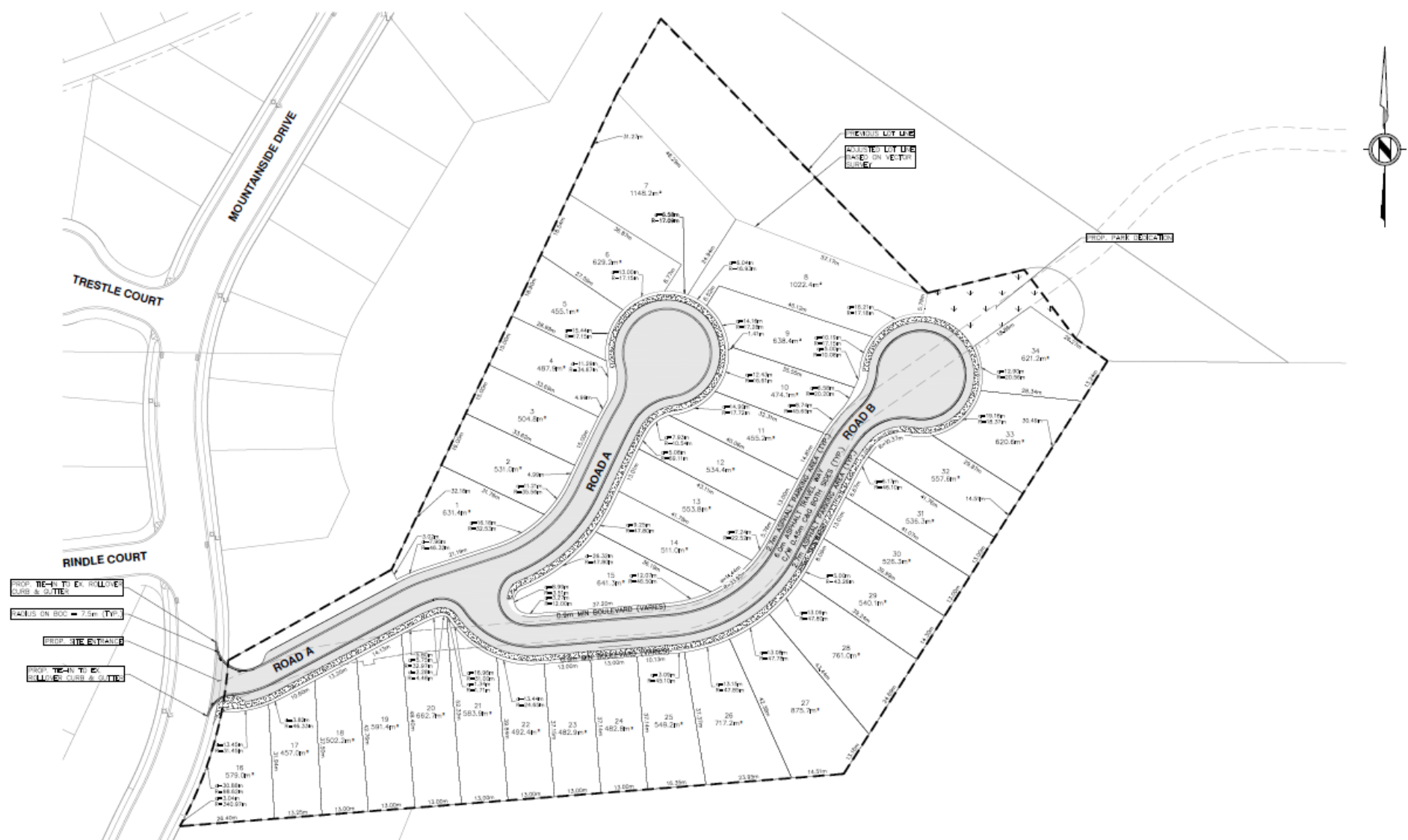
Staff Recommendation

- ▶ Development Planning Staff recommend **support** for the proposed text amendment application
 - ▶ Consistent with the Future Land Use designation
 - ▶ Meets the intent of the Kettle Valley Comprehensive Zone
 - ▶ Meets infill growth policies within the Permanent Growth Boundary



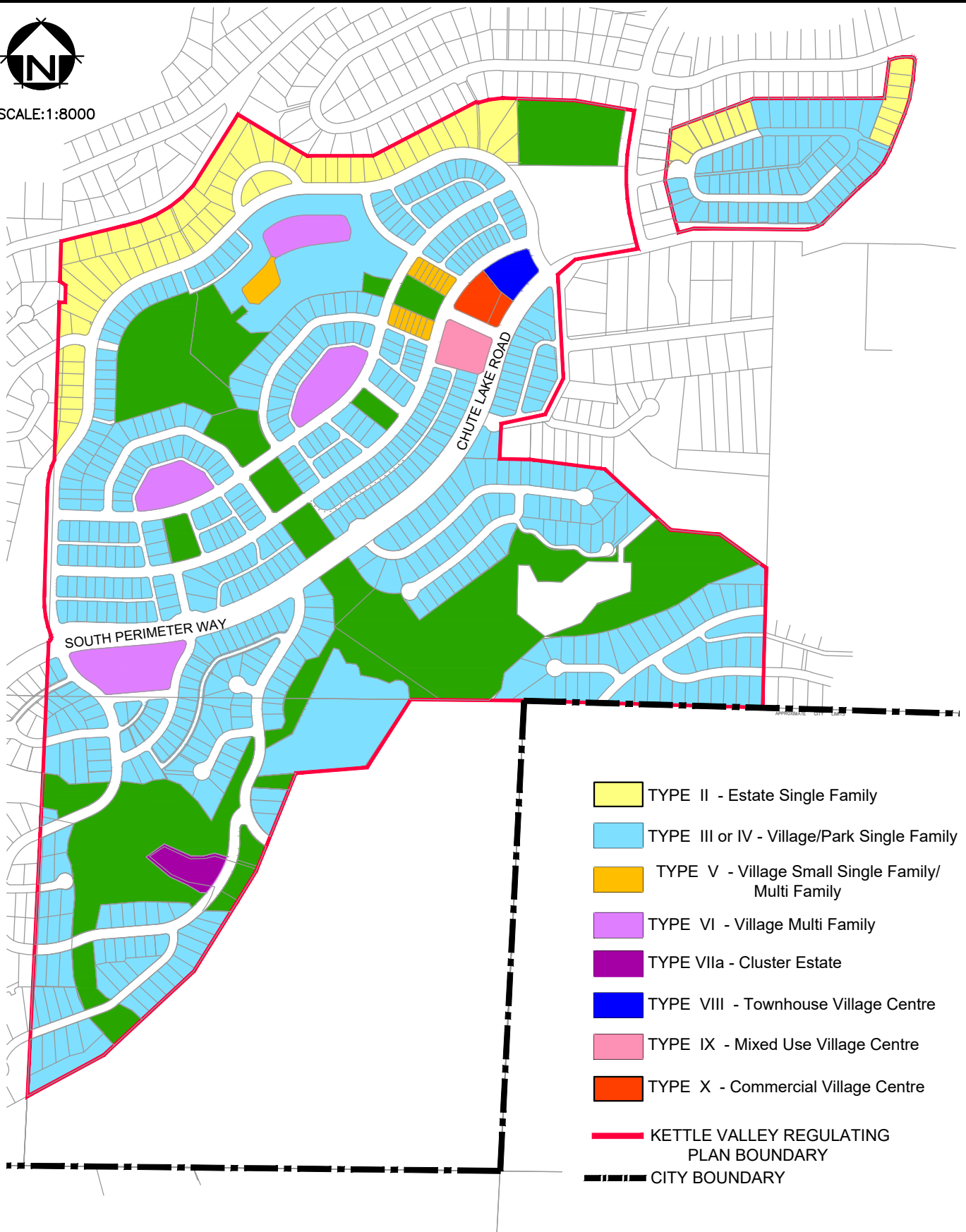
Conclusion of Staff Remarks

Site Plan





SCALE:1:8000



KETTLE VALLEY REGULATING PLAN

UPDATED 03 31 2020

EK-12-018-KVRP



Schedule A – CD2 – Kettle Valley Comprehensive Residential Development - Zoning Bylaw No. 8000 Text Amendments

No.	Section	Relevant Existing	Proposed	Explanation
1.	18 – Schedule B – Comprehensive Development Zones – CD2 – Kettle Valley Comprehensive Residential Development Kettle Valley Regulating Plan – Overview Map	Kettle Valley Regulating Plan – Overview Map (Nov 10/2016)	Kettle Valley Regulating Plan (Mar 21/2020)	Replace the existing map with the proposed map. To amend the subject property from Type VII to Type III or IV.
2.	CD2 – Kettle Valley Comprehensive Residential Development Development Type Schedule	Development Type Schedule (Types II-VIIa)	Development Type Schedule (Types II-VIIa)	Replace the existing schedule for proposed schedule. To remove Type VII from the Schedule as there is no existing or proposed development of this type.
3.	CD2 – Kettle Valley Comprehensive Residential Development 1.4(d) replace	Single detached housing, semi-detached housing and row housing (Types II-VII CD2 Map 1): 9.5m	Single detached housing, semi-detached housing and row housing (Types II-VI CD2 Map 1): 9.5m	Replace based on the removal of Type VII.
4.	CD2 - Kettle Valley Comprehensive Residential Development Map 1 (page 3 of 17) to Map 1 (page 15 of 17)		Delete all Diagrams referencing Development Type Schedule with all Map 1 pages	Remove the duplication of each Development Type Map within Bylaw that the Kettle Valley Regulating Plan provides.



CITY OF KELOWNA

MEMORANDUM

Date: December 17, 2019
File No.: TA19-0020
To: Land Use Management Department (WM)
From: Development Engineering Manager
Subject: 5533 Mountainside Drive Lot A Plan EPP91489

The Development Engineering Branch comments and requirements regarding this application for a Text Amendment to change the current Kettle Valley CD2 Type VII zone to CD2 Type III and IV zone to accommodate a 34 lot subdivision are as follows:

The Development Engineering Technologist for this project is John Filipenko. AScT

All requirements associated with this application will be addressed in the pending subdivision application..

The submitted design drawings in support of this application will be reviewed at the PLR application stage.

James Kay, P. Eng.
Development Engineering Manager

JF

This forms part of application
TA19-0020

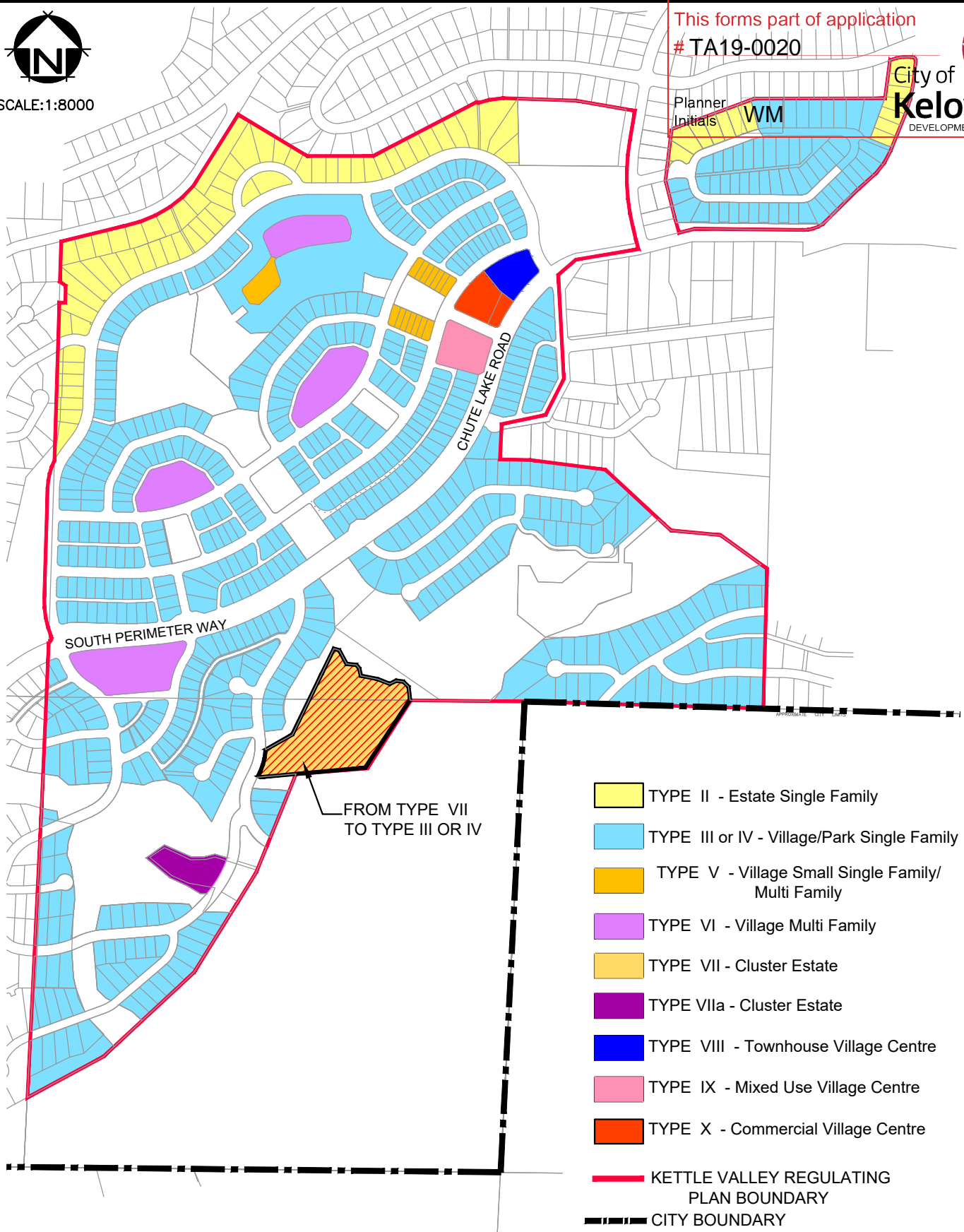
Planner
Initials

WM

City of
Kelowna
DEVELOPMENT PLANNING



SCALE:1:8000



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ECORA ENGINEERING LTD.
579 Lawrence Ave., KELOWNA, B.C. V1Y 6L8
Phone 250.469.9757

KETTLE VALLEY REGULATING PLAN

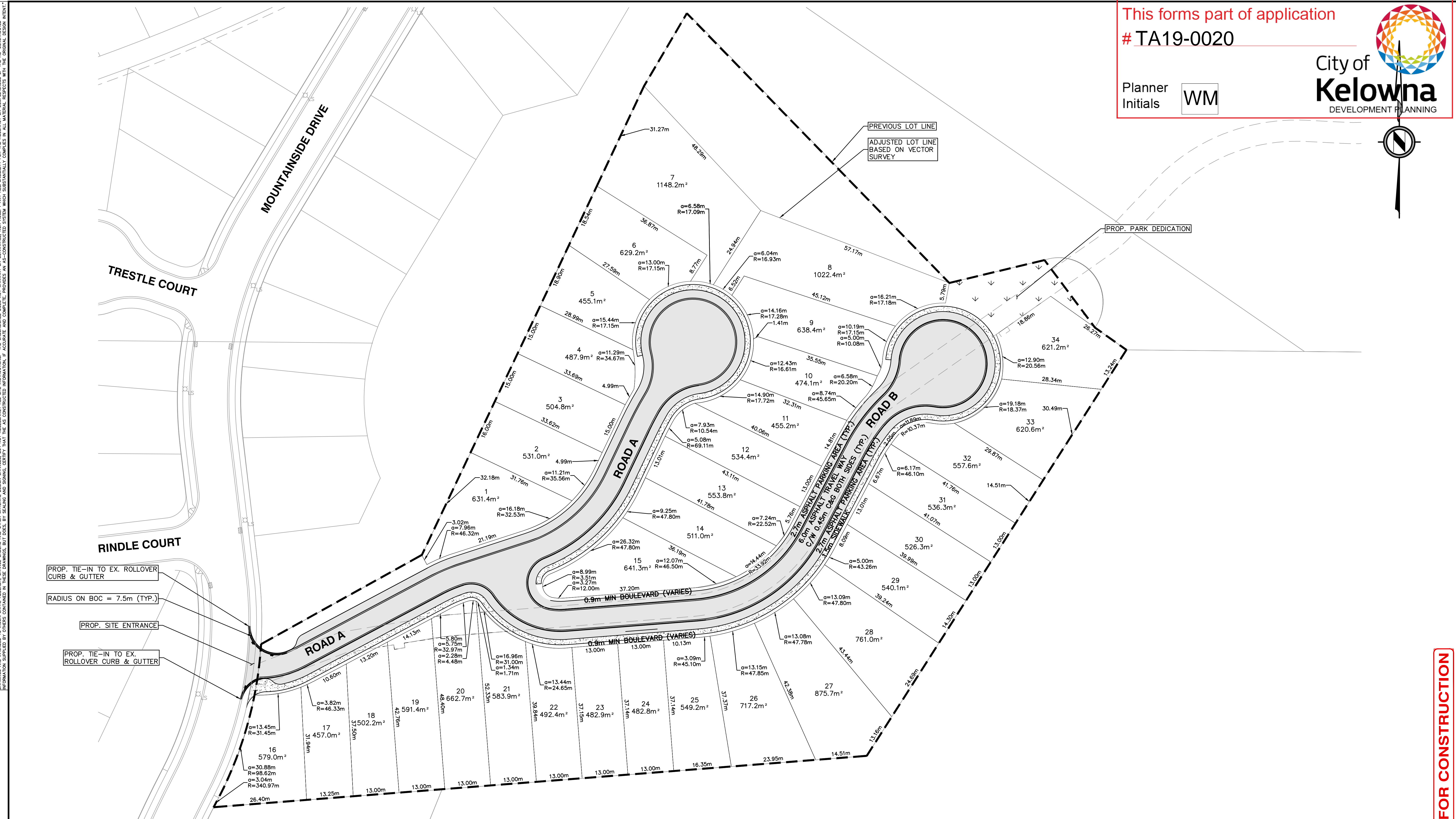
UPDATED 03 21 2020

EK-12-018-KVRP

This forms part of application
TA19-0020

Planner Initials WM

City of Kelowna
DEVELOPMENT PLANNING



The location of existing underground utilities are shown in an approximate way only & have not been independently verified by the owner or its representative. The contractor shall determine the exact location of all existing utilities before commencing work and agree to be fully responsible for any and all damages which might be occasioned by the contractor's failure to exactly locate and preserve any and all underground utilities.

LEGAL DESCRIPTION:
LOT 1, SECTION 23, TOWNSHIP 28, LAND DISTRICT 54, PLAN KAP85435

B.M. MONUMENT NO. ELEVATION:

LEGEND

WATER
SAN. SEWER
STORM SEWER
GAS
U/G TELEPHONE
U/G ELECTRICAL

MANHOLE
UTILITY POLE
LAMP STANDARD
CATCH BASIN
HYDRANT
TREES
SURVEY MONUMENT

LEGEND

NEW PAVEMENT
ASPHALT REPLACEMENT
MILL AND OVERLAY

NAD 83

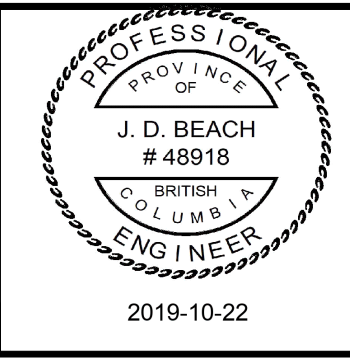
INSERTION BASE POINT= 300,000 , 5,500,000

Locations and offsets of existing utilities shown on this plan are not guaranteed to be accurate and must be verified in the field PRIOR TO CONSTRUCTION. The City of Kelowna does not guarantee their accuracy. Concerned persons should not rely on these documents and should verify all information shown by way of site survey and other appropriate methods. The City of Kelowna accepts no liability for use of these files or information.

APLIN MARTIN
ENGINEERING ARCHITECTURE PLANNING SURVEYING

1258 Ellis Street, Kelowna, B.C. Canada V1Y 1Z4
Tel: (250) 448-0157, Fax: (778) 436-2312, Email: general@aplinmartin.com

1	19/10/22	JMR	ISSUED FOR PRELIMINARY LAYOUT REVIEW	JRG
0	19/04/01	RJB	ISSUED FOR INFORMATION	BR
NO.	YY/MM/DD	BY	REVISION	CH'KD



BASE	JRG	DESIGN	JMR
APPROVED	JDB		
DATE	OCTOBER 2019		
SCALE	HORIZ. 1:500 VERT. N/A		
	SCALE NOT ACCURATE OVER LONG DISTANCES		

THE CITY OF KELOWNA
DESIGN AND CONSTRUCTION

VILLAGE OF KETTLE VALLEY
5533 MOUNTAIN SIDE DRIVE
SUBDIVISION PLAN

CITY FILE NO.
DRAWING NO. 18-3073-031
REV NO. 1

NOT FOR CONSTRUCTION

Oct 22 2019 8:44am M: 201818-3073\QMS\ON SITE PRODUCTION\18-3073-031 - SUBDIVISION PLAN.dwg/031 J:Jeter/rdson