

City of Kelowna

Public Hearing

AGENDA



Tuesday, August 11, 2020
6:00 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Due to COVID-19 a Public Hearing Agenda will also include Regular Council Meeting Items.
2. Call to Order the Public Hearing - START TIME 6:00 PM - Park Ave 409 - Z20-0042 (BL12085) - Brenda Rusnak

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 is broadcast and recorded on kelowna.ca.

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

3. Individual Bylaw Submissions

3.1 START TIME - 6:00 PM - Park Ave 409 - Z20-0042 (BL12085) - Brenda Rusnak

6 - 30

To rezone the subject property from the RU1-Large Lot Housing zone to the RU2-Medium Lot Housing zone to facilitate a 2-lot subdivision.

4. Termination

5. Call to Order the Regular Meeting

5.1 START TIME - 6:00 PM - Park Ave 409 - BL12085 (Z20-0042) - Brenda Rusnak

31 - 31

To give Bylaw No. 12085 second and third reading in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU2 – Medium Lot Housing zone.

6. Termination

7. Call to Order Public Hearing - START TIME 7:00 PM - Highway 97 N 2339-2397 - Z20-0014 (BL12083) - Dilworth Shopping Centre Ltd., Inc. No. 319846

THE CHAIR WILL CALL THE HEARING TO ORDER:

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7.1 START TIME 7:00 PM - Highway 97 N 2339-2397 - Z20-0014 (BL12083) - Dilworth Shopping Centre Ltd., Inc. No. 319846

32 - 48

To rezone a portion of the subject property from the C4rcs – Urban Centre Commercial (Retail Cannabis Sales) zone to the C4rls/rcs – Urban Centre Commercial (Retail Liquor Sales / Retail Cannabis Sales) zone to facilitate the relocation of an existing liquor store on the subject site.

8. Termination

9. Call to Order the Regular Meeting

9.1 START TIME - 7:00 PM - Highway 97 N 2339-2397 - BL12083 (Z20-0014) - Dilworth Shopping Centre Ltd., Inc. No. 319846

49 - 50

To give Bylaw No. 12083 second and third reading in order to rezone the subject property from the C4rcs – Urban Centre Commercial (Retail Cannabis Sales) zone to the C4rls/rcs – Urban Centre Commercial (Retail Liquor Sales/ Retail Cannabis Sales) zone.

10. Termination

11. Call to Order Public Hearing - START TIME 7:00 PM - Pacific Ave 1144 - Z20-0013 (BL12084) - 1217799 BC Ltd., Inc.No. BC1217799

THE CHAIR WILL CALL THE HEARING TO ORDER:

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

11.1 START TIME 7:00 PM - Pacific Ave 1144 - Z20-0013 (BL12084) - 1217799 BC Ltd., Inc.No. BC1217799

51 - 75

To rezone the property from the RU6 – Two Dwelling Housing zone to the C4 – Urban Centre Commercial zone to facilitate the development of a 4 storey mixed use building with both commercial and residential uses.

12. Termination

13. Call to Order the Regular Meeting

13.1 START TIME - 7:00 PM - Pacific Ave 1144 - BL12084 (Z20-0013) - 1217799 BC Ltd., Inc. No. BC1217799

76 - 76

To give Bylaw No. 12084 second and third reading in order to rezone the subject

property from the RU6 – Two Dwelling Housing zone to the C4 – Urban Centre Commercial zone.

14. Termination

15. Call to Order Public Hearing - START TIME 7:00 PM - Robson Rd W 235, 285 and Rutland Rd S 240 - Z20-0010 (BL12086) - 1918951 Alberta Ltd., Inc.No. A0110539

THE CHAIR WILL CALL THE HEARING TO ORDER:

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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 is broadcast and recorded on kelowna.ca.

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

15.1 START TIME 7:00 PM - Robson Rd W 235, 285 and Rutland Rd S 240 - Z20-0010 (BL12086) - 1918951 Alberta Ltd., Inc.No. A0110539

77 - 101

To rezone the subject property from the RU1- Large Lot Housing to the RM3- Low Density Multiple Dwelling Housing to facilitate the development of a multi-family building.

16. Termination

17. Call to Order the Regular Meeting

17.1 START TIME - 7:00 PM - Robson Rd W 235, 285 and Rutland Rd S 240 - BL12086 (Z20-0010) - 1918951 Alberta Ltd., Inc. No. A0110539

102 - 102

To give Bylaw No. 12086 second and third reading in order to rezone the subject properties from the RU1 - Large Lot Housing zone to the RM3 - Low Density Multiple Housing zone.

18. Termination

19. 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: July 27, 2020

To: Council

From: City Manager

Department: Development Planning

Application: Z20-0042

Owner: Brenda Rusnak

Address: 409 Park Ave

Applicant: David Cullen- CTQ Consultants Ltd.

Subject: Rezoning Application

Existing OCP Designation: S2Res- Single/Two Dwelling Housing

Existing Zone: RU1- Large Lot Housing

Proposed Zone: RU2- Medium Lot Housing

1.0 Recommendation

THAT Rezoning Application No. Z20-0042 to amend the City of Kelowna Zoning Bylaw. No. 8000 by changing the zoning classification of Lot 7, Block 6, District Lot 14 Osoyoos Division Yale District Plan 431, located at 409 Park Ave, Kelowna, BC, from the RU1- Large Lot Housing zone to the RU2- Medium Lot Housing zone, be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer;

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

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated July 27, 2020.

2.0 Purpose

To consider an application to rezone the subject property from the RU1-Large Lot Housing zone to the RU2-Medium Lot Housing zone to facilitate a 2-lot subdivision.

3.0 Development Planning

Development Planning is supportive of the proposed rezoning application. The subject property is located in the Heritage Conservation Area and currently contains no structures.

The proposed rezoning application will allow for a future two lot subdivision. Under the proposed zoning, each lot will be able to develop a single-family dwelling. The proposed density is aligned with the future land use designation of S2Res- Single/Two Dwelling Housing and will create lot sizes and a development opportunity for a single-family dwelling that can be built within the development regulations of the RU2 zone. The proposed lot size and configuration under the RU2 zone will fit in with the existing lot pattern of the area, which varies greatly and does not follow a consistent overall pattern.

Staff are confident that the proposed zone will allow for context sensitive development that will conform to the Zoning Bylaw. The proponent has made a Heritage Alteration Permit (HAP) application for the subdivision and a new dwelling on the lot located at the corner of Park Ave and Long St. An additional HAP will be required for future development on the second lot.

4.0 Proposal

4.1 Background

The subject property recently went through a request to remove a previously existing home from the Kelowna Heritage Registry. The request was granted and the home was demolished.

4.2 Project Description

The rezoning application will allow for a future two lot subdivision. The proposed lots are 504.6m² and 593.1m² accessed off Long St (refer to Attachment A). The proponent has made a Heritage Alteration Permit (HAP) application for the subdivision and a new dwelling on the lot located at the corner of Park Ave and Long St. The HAP will go to the Heritage Advisory Committee for consideration and subsequently issued at the Staff level. Staff are currently not tracking any variances on the HAP. Should a variance request be made through the HAP review process, the variance request would come forward for Council consideration.

4.3 Site Context

The subject property is located in the Heritage Conservation Area at the corner of Park Ave and Long St. The property is surrounded by single-family development. A few properties in the surrounding area are designated as RU1c- Large Lot Housing with Carriage House.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1- Large Lot Housing	Single dwelling housing
East	RU1- Large Lot Housing	Single dwelling housing
South	RU1- Large Lot Housing	Single dwelling housing
West	RU1- Large Lot Housing	Single dwelling housing

Subject Property Map:



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 16: Heritage Conservation Area Guidelines Objectives

Maintain the residential and historical character of the Marshall Street and the Abbott Street Heritage Conservation Areas

Encourage that change to buildings and streetscapes will be undertaken in ways which offer continuity of the 'sense of place' for neighbours and the broader community

Chapter 5: Development Process

Objective 5.7 Identify and conserve heritage resources.

Policy .4 Heritage Conservation Areas. Continue to recognize the established heritage conservation areas of Abbott Street and Marshall Street as identified on Map 9.1

6.0 Technical Comments

6.1 Development Engineering Department

See attached memorandum.

7.0 Application Chronology

Date of Application Received: May 21, 2020

Date Public Consultation Completed: May 24, 2020

Report prepared by: Jocelyn Black, Planner Specialist

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

Approved for Inclusion: Dean Strachan, Suburban and Rural Planning Manager

Attachments:

Schedule A: Development Engineering Memo

Attachment A: Site Plan & Project Rendering

**CITY OF KELOWNA****MEMORANDUM****Date:** May 27, 2020**File No.:** Z20-0042**To:** Community Planning (JB)**From:** Development Engineering Manager (JK)**Subject:** 409 Park Ave.

RU1 to RU2

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

1. General

- a) These are Development Engineering comments/requirements and area subject to the review and requirements from the Ministry of Transportation (MOTI) Infrastructure Branch.
- b) The following requirements are valid for one (1) years from the reference date of this memo, or until the PLR and/or application has been closed, whichever occurs first. The City of Kelowna reserves the rights to update/change some or all items in this memo once these time limits have been reached.

2. Domestic Water and Fire Protection

- a) The subject property is currently serviced with a 19mm water service. One metered water service will be required for the development. The disconnection of the existing small diameter water services and the tie-in of a larger service is the developer's responsibility.

3. Sanitary Sewer

- a) This property is currently serviced with a 100-mm sanitary service. The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs. Only one service will be permitted for this development. The applicant, at their cost, will arrange for the removal and disconnection of the existing services and the installation of one new larger service, if necessary.

4. Storm Drainage

- a) The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the Subdivision, Development and Servicing Bylaw No. 7900. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems. Only one

service will be permitted for this development. The applicant, at his cost, will arrange the installation of one overflow service if required.

5. Electric Power and Telecommunication Services

- a) All proposed service connections are to be installed underground. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.

6. Road Improvements

- a) Park Ave. must be upgraded to a local standard along the full frontage of this proposed development, curb and gutter, drainage system, catch basin, manholes, pavement removal and replacement, and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The road cross section to be used is a SS-R3.

7. Road Dedication and Subdivision Requirements

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


8. Erosion Servicing Control Plan

- a) Provide a detailed ESC Plan for this development as per the Subdivision, Development and Servicing Bylaw #7900.
- b) The developer must engage a consulting civil engineer to provide an ESC plan for this site which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900.
- c) Civil consultant is responsible for all inspection and maintenance.
- d) A Security Deposit for ESC Works equal to 3.0% of the Consulting Engineer's opinion of probable costs of civil earthworks and infrastructure will be added to the Servicing Agreement.

9. Geotechnical Report

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

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

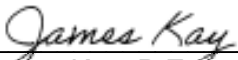
SCHEDULE		A
This forms part of application		
# Z20-0042		
Planner	IB	 City of Kelowna

SCHEDULE		A
This forms part of application # Z20-0042		
Planner Initials	JB	 City of Kelowna <small>DEVELOPMENT PLANNING</small>

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

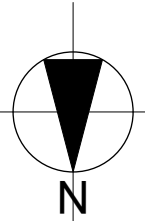
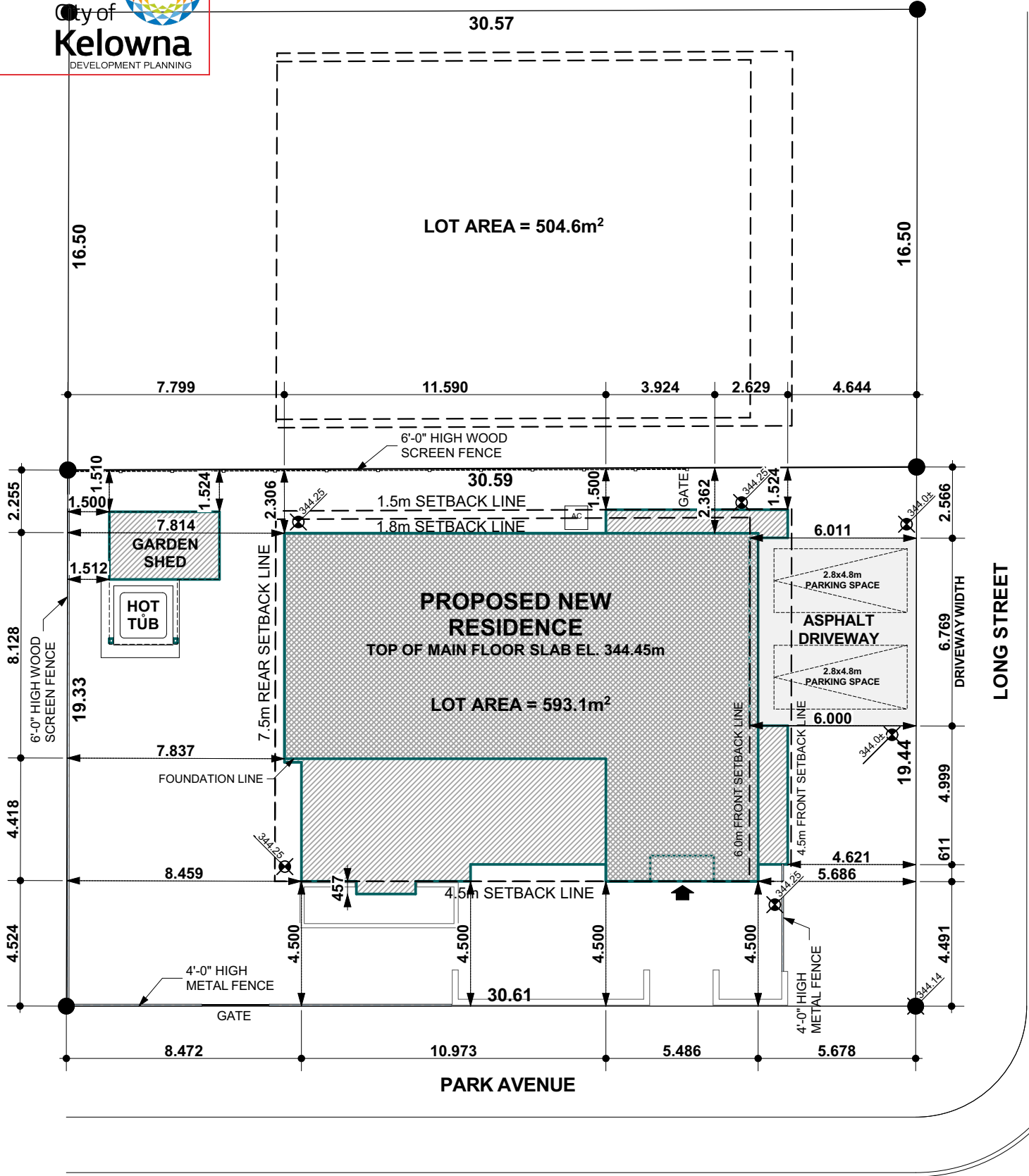
10. Charges and Fees

- a) Development Cost Charges (DCC's) are payable.
- b) Fees per the "Development Application Fees Bylaw" include:
 - i) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.



James Kay, P.Eng.
Development Engineering Manager

AS



409 PARK AVENUE

LEGAL DESCRIPTION: LOT 7, BLOCK 6, DL 14, ODYD, PLAN 431

ZONING: PROPOSED RU2 -MEDIUM LOT HOUSING

SITE DETAILS:

LOT AREA:	593.10 m²	400m² MIN.
LOT WIDTH:	19.39 m	15.0m MIN.
LOT DEPTH:	30.59 m	30.0m MIN.

FOOTPRINT AREA OF DWELLING:	220.63 m²
AREA OF DRIVEWAY & PARKING:	38.63 m²
AREA OF DECKS:	0.00 m²
AREA OF COVERED PATIOS (15.98m² < 23m²):	0.00 m²
AREA OF ACCESSORY BUILDING:	9.66 m²

SITE COVERAGE (%)

DWELLING, DECKS, ACCESSORY BUILDING AND COVERED PATIOS >23m²:	38.83 %	40% MAX.
DWELLING, DRIVEWAYS & PARKING:	43.71 %	50% MAX.
ACCESSORY BUILDINGS:	1.63 %	14% MAX.

DWELLING DETAILS:

TOTAL FLOOR AREA OF DWELLING:	308.38 m ²	
GARAGE / WORKSHOP AREA:	64.71 m ²	
HEIGHT OF BUILDING:	7.38 m	9.5m MAX. OR 2 1/2 STOREYS (WHICHEVER IS THE LESSER)

SETBACKS (IN METRES):

WEST SETBACK TO GARAGE:	6.000 m	6.0m MIN.
WEST SETBACK TO LIVING SPACE:	4.621 m	4.5m MIN.
SOUTH SETBACK - TO 1 STOREY PORTION:	1.500 m	1.5m MIN.
SOUTH SETBACK - TO 2 STOREY PORTION:	2.306 m	1.8m MIN.
NORTH SETBACK - TO FLANKING STREET:	4.500 m	4.5m MIN.
EAST SETBACK:	7.814 m	7.5m MIN.

NUMBER OF PARKING STALLS (IN GARAGE):	2	2 MIN.
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FELIX WESTERKAMP, dipl-ing(FH)

1587 SUTHERLAND AVENUE
KELOWNA, B.C. V1Y - 5Y7
(250) 878-7846

e-mail: bauhaus1@shaw.ca
web: www.bauhausdesigns.com

PROJECT :		TITLE :	
PARK AVENUE RESIDENCE		409 PARK AVENUE KELOWNA, BC	
APPLICANT: DAVE CULLEN, P.Eng. CTQ CONSULTANTS 1334 ST. PAUL STREET KELOWNA, B.C. V1Y 2E1 250 870 6525		CIVIC : 409 PARK AVENUE KELOWNA, B.C. LEGAL : LOT 7, BLOCK 6, D.L. 14, ODYD, PLAN 431	

REVISED :

REVISED :

REVISED :

REVISED :

SCALE :

AS NOTED

DATE :

5/20/2020

SHEET :

A-003

Site Plan

SCALE: 1/16" = 1'-0"



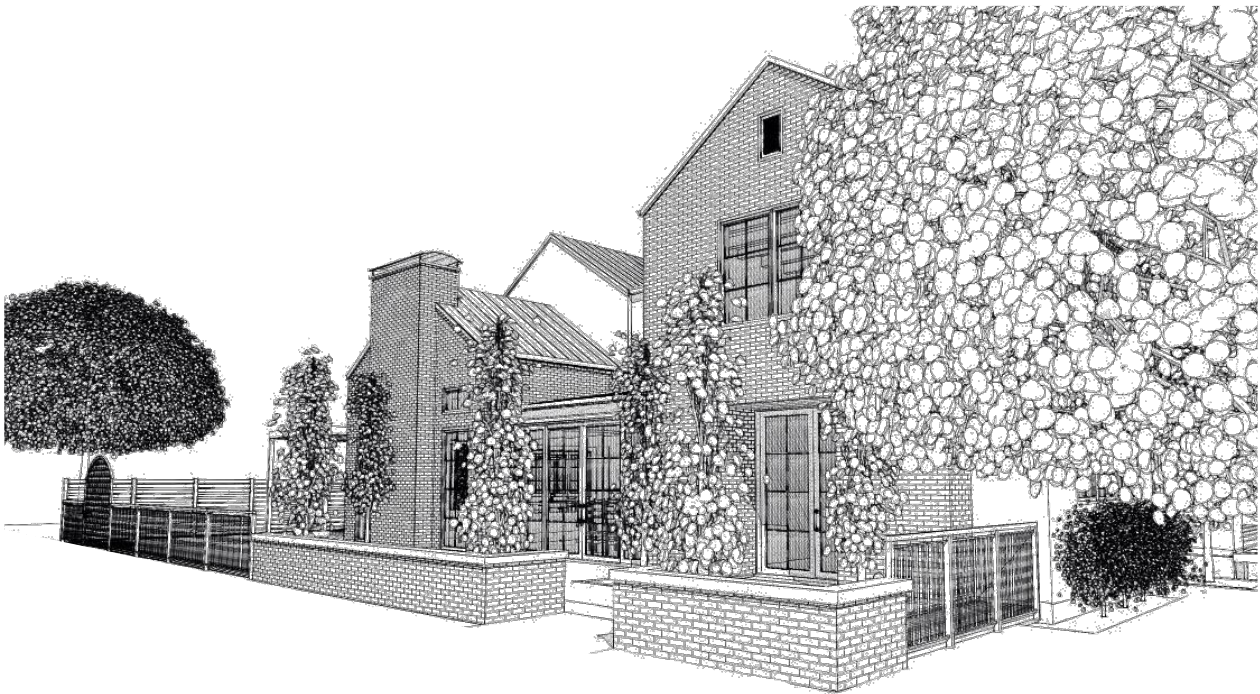
View from Park Avenue, Left Side



View from Long Street, Right Side



View from Long Street, Left Side



View from Park Avenue, Right Side



FELIX WESTERKAMP, dipl-ing(FH)

1587 SUTHERLAND AVENUE
KELOWNA, B.C. V1Y 5Y7
(250) 878-7846

e-mail: bauhaus1@shaw.ca
web: www.bauhausdesigns.com

PROJECT :
PARK AVENUE RESIDENCE
409 PARK AVENUE KELOWNA, BC

TITLE :
Cover Sheet - 2

APPLICANT: DAVE CULLEN, P.Eng.
CTQ CONSULTANTS
1334 ST. PAUL STREET
KELOWNA, B.C. V1Y 2E1
250 870 6525

CIVIC : 409 PARK AVENUE
KELOWNA, B.C.

LEGAL : LOT 7, BLOCK 6, D.L. 14, ODVD,
PLAN 431

REVISED :

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SCALE :

AS NOTED

DATE :

5/20/2020

SHEET :

A-002



Z20-0042 409 Park Ave

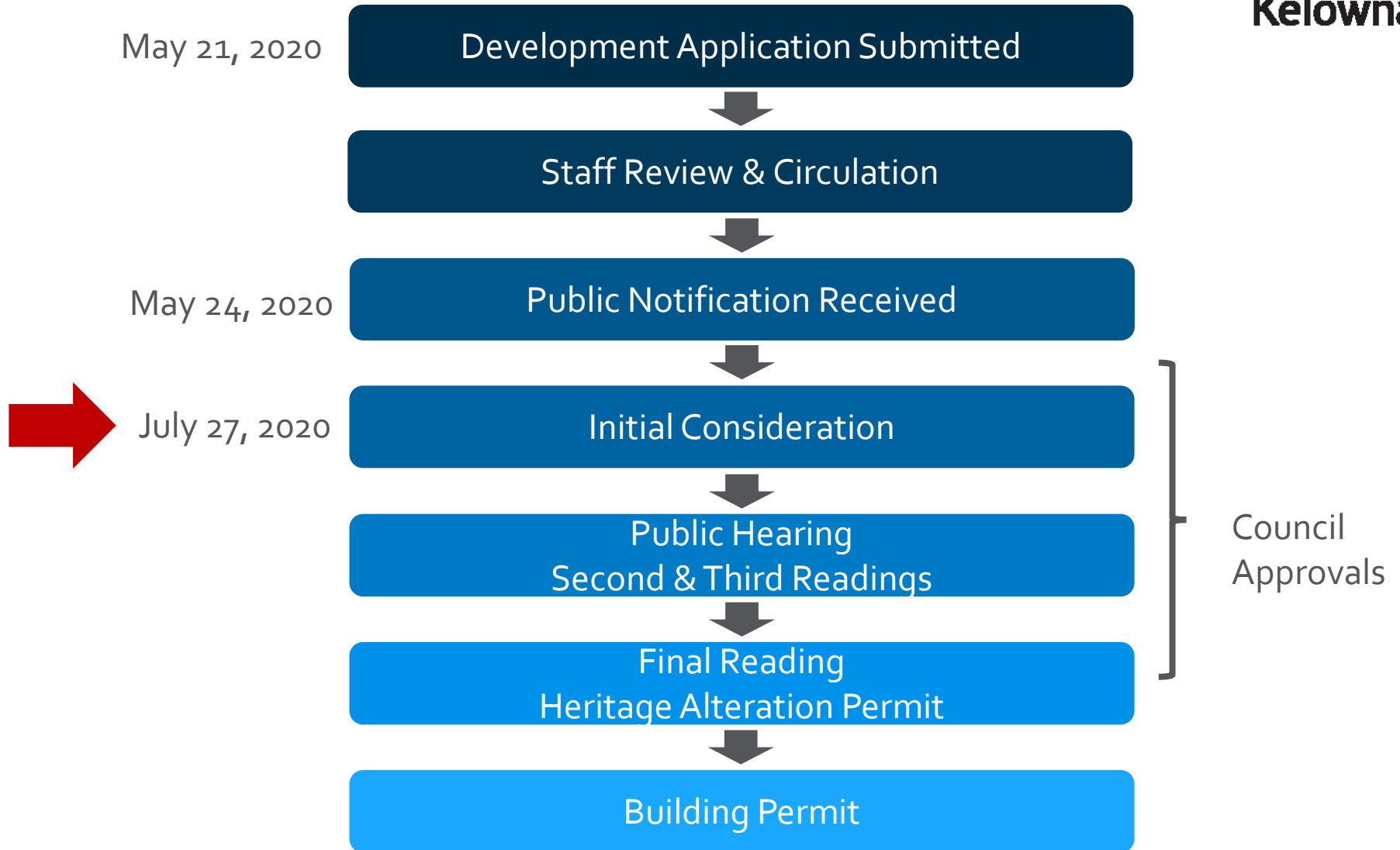
Rezoning Application



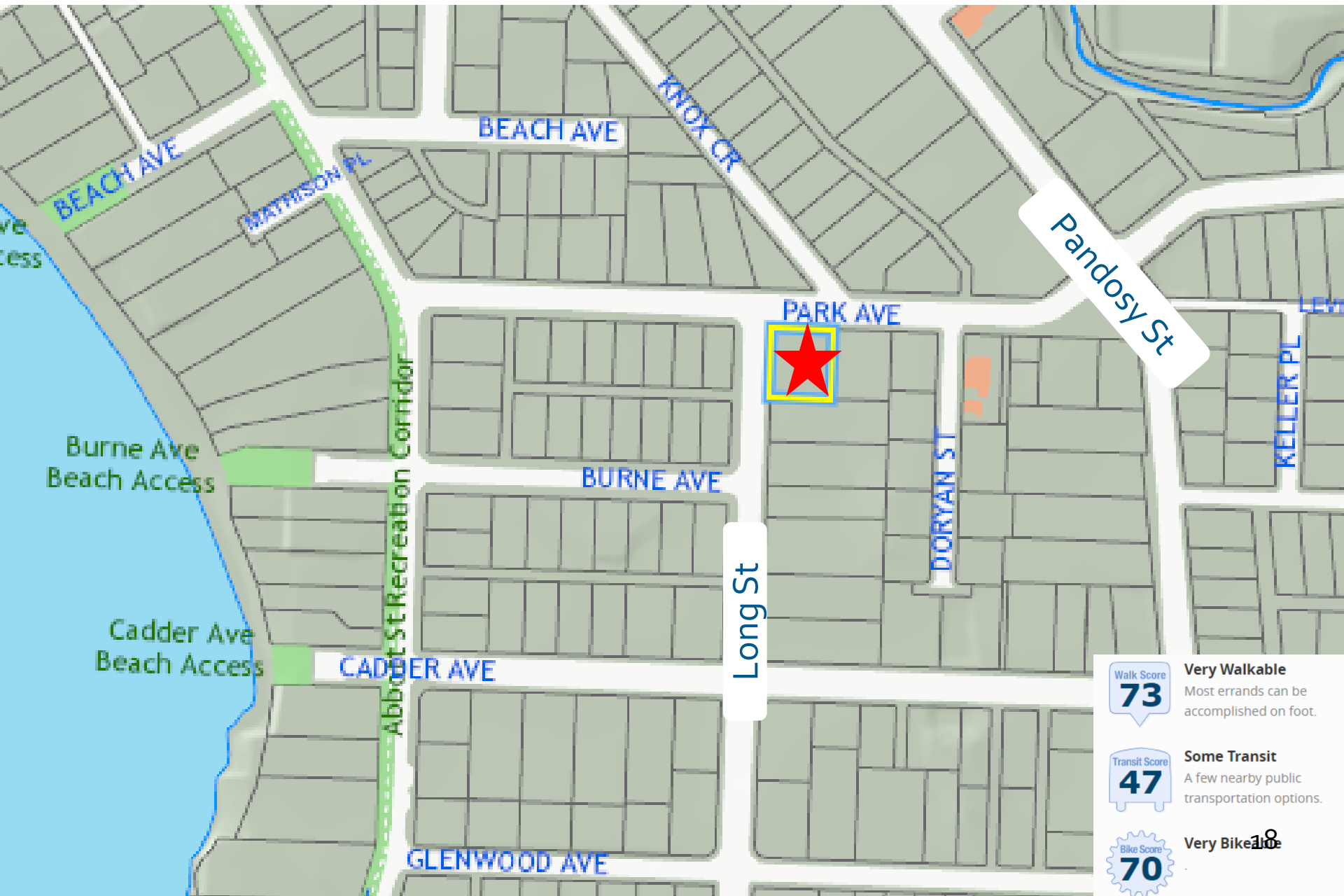
Proposal

- ▶ To consider an application to rezone the property from RU₁- Large Lot Housing to RU₂- Medium Lot Housing to facilitate a two lot subdivision

Development Process



Context Map



Walk Score
73

Very Walkable
Most errands can be accomplished on foot.

Transit Score
47

Some Transit
A few nearby public transportation options.

Bike Score
70

Very Bikeable

Block Pattern

The map displays a residential area with several streets: Beach Ave, Park Ave, Burne Ave, and Doryan St. A yellow box highlights a specific house at the intersection of Park Ave and Doryan St, with the number 409. Other house numbers are visible on the map, including 349, 355, 361, 367, 377, 383, 1969, 1973, 1977, 1981, 1983, 1985, 1989, 1958, 1966, 1979, 500, 310, 314, 326, 324, 334, 344, 350, 356, 366, 374, 386, 424, 2021, 2031, 2041, 339, 349, 359, 369, 379, 387, 391, 338, 348, 354, 360, 370, 380, 2030, 2031, 409, 429, 437, 439, 455, 467, 469, 479, 2043, 2047, 2032, 2024, 2034, 2046, 2048, 2053, 2052, 2062, 2063, 2056, 2061, 339, 349, 359, 363, 369, 379, 2050, 2071, 2083, 328, 338, 348, 358, 368, 2076, 2095, 2075, 422, 440, 450, 450, 468, 464, 474, 480, 486, 19.



Subject Property Map



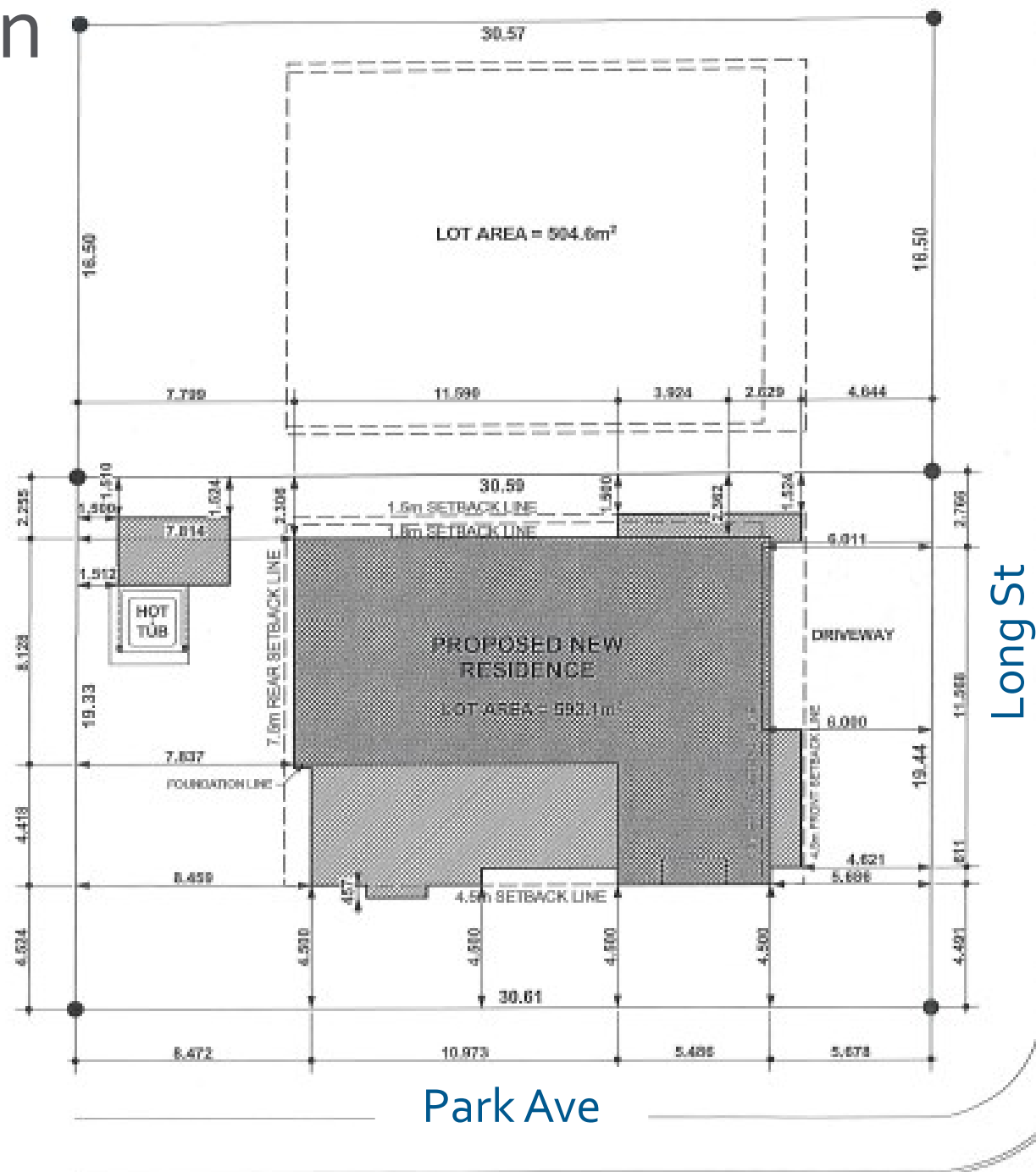
Subject Property Map



Project/technical details

- ▶ Rezoning application allows for future two lot subdivision under the RU2- Medium Lot Housing zone
- ▶ A Heritage Alteration Permit (HAP) has been made for the subdivision & new dwelling

Site Plan



Development Policy

- ▶ Heritage Conservation Area Guidelines
 - ▶ Maintain the residential and historical character
 - ▶ Encourage change to streetscapes which offer continuity of the “sense of place”

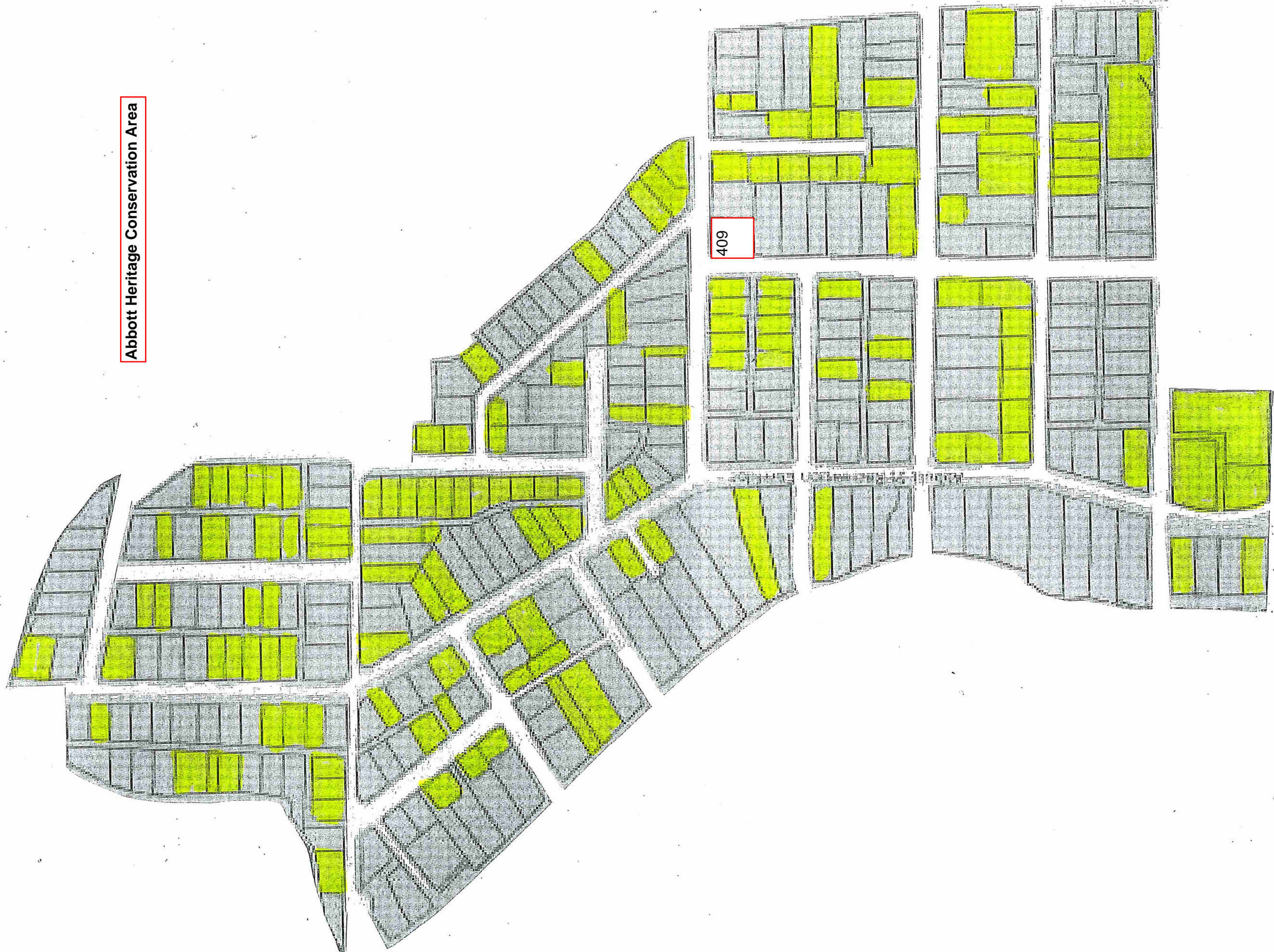
Staff Recommendation

- ▶ Staff are supportive of the rezoning to allow for a two lot subdivision
 - ▶ Proposed lots fit within the existing lot pattern of the neighbourhood
 - ▶ Heritage Alteration Permits are required for all proposed structures and will undergo review by the Heritage Advisory Committee
 - ▶ Sensitive infill development



Conclusion of Staff Remarks

Abbott Heritage Conservation Area



The figure is a site plan for Block 6, showing two proposed lots, Lot A and Lot B, separated by a horizontal line. The plan includes dimensions for the lots and the block, as well as area calculations for the proposed lots. A north arrow is located in the bottom right corner.

Proposed Lot A
Area = 593.1 m²

Proposed Lot B
Area = 504.6 m²

Block Dimensions:

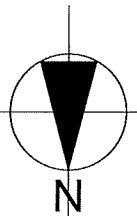
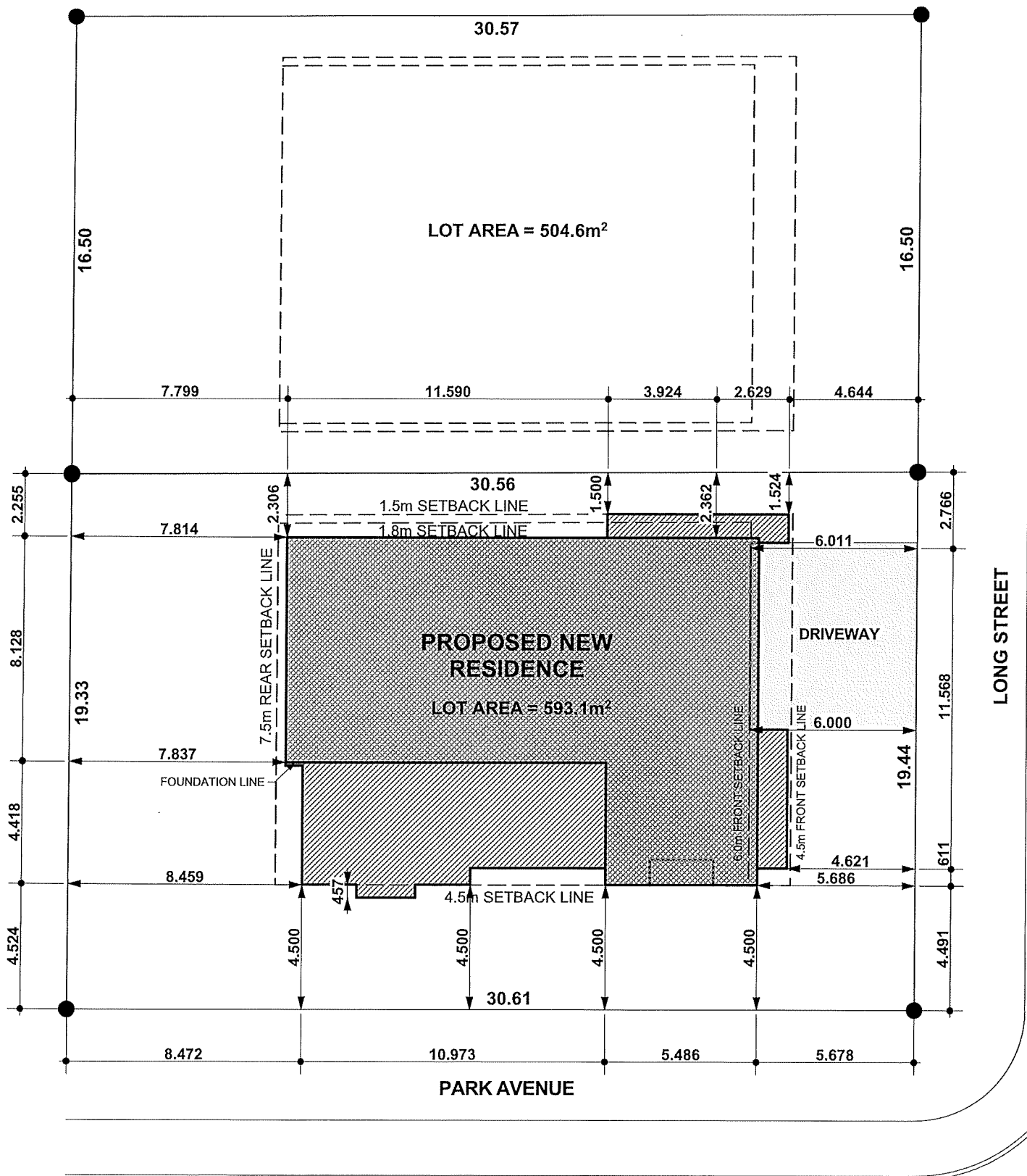
- Top boundary: 30.61
- Right boundary (top): 19.33
- Right boundary (bottom): 16.50
- Bottom boundary: 30.57
- Left boundary (top): 19.44
- Left boundary (bottom): 16.50

Block Label: B L O C K 6

Other Labels: D L, 1 4, 8, 4 3 1, 9, 3 4 8, P L A N, 10

SKETCH PLAN SHOWING PROPOSED SUBDIVISION
OF LOT 7, BLOCK 6, DL 14, ODYD, PLAN 431
(409 Park Avenue, Kelowna)

REV. 28



409 PARK AVENUE

LEGAL DESCRIPTION: LOT 7, PLAN 431, DL 14, ODYD

ZONING: PROPOSED RU2 -MEDIUM LOT HOUSING

SITE DETAILS:

LOT AREA:	593.10 m ²	400m ² MIN.
LOT WIDTH:	19.39 m	15.0m MIN.
LOT DEPTH:	30.59 m	30.0m MIN.

FOOTPRINT AREA OF DWELLING:	220.63 m ²
AREA OF DRIVEWAY & PARKING:	38.63 m ²
AREA OF DECKS:	0.00 m ²
AREA OF COVERED PATIOS (15.98m ² < 23m ²):	0.00 m ²
AREA OF ACCESSORY BUILDINGS:	0.00 m ²

SITE COVERAGE (%)

DWELLING, DECKS AND COVERED PATIOS >23m ² :	37.20 %	40% MAX.
DWELLING, DRIVEWAYS & PARKING:	43.71 %	50% MAX.
ACCESSORY BUILDINGS:	0.00 %	14% MAX.

DWELLING DETAILS:

TOTAL FLOOR AREA OF DWELLING:	308.38 m ²	
GARAGE / WORKSHOP AREA:	64.71 m ²	
HEIGHT OF BUILDING:	7.38 m	9.5m MAX. OR 2 1/2 STOREYS (WHICHEVER IS THE LESSER)

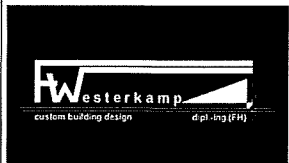
SETBACKS (IN METRES):

WEST SETBACK TO GARAGE:	6.000 m	6.0m MIN.
WEST SETBACK TO LIVING SPACE:	4.621 m	4.5m MIN.
SOUTH SETBACK - TO 1 STOREY PORTION:	1.500 m	1.5m MIN.
SOUTH SETBACK - TO 2 STOREY PORTION:	2.306 m	1.8m MIN.
NORTH SETBACK - TO FLANKING STREET:	4.500 m	4.5m MIN.
EAST SETBACK:	7.814 m	7.5m MIN.

NUMBER OF PARKING SPACES:	2	2 MIN.
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Site Plan

SCALE: 1/16" = 1'-0"



FELIX WESTERKAMP, dipl-ing(FH)

1587 SUTHERLAND AVENUE
KELOWNA, B.C. V1Y - 5Y7
(250) 878-7846

e-mail: bauhaus1@shaw.ca
web: www.bauhausdesigns.com

PROJECT : 409 PARK AVENUE KELOWNA, BC

TITLE : Site Plan

PROJECT :

TITLE :

CIVIC : 409 PARK AVENUE KELOWNA, BC

LEGAL : LOT 7, PLAN 431, D.L. 14, ODYD

REVISED :

REVISED :

REVISED :

REVISED :

SCALE :

AS NOTED

DATE :

4/30/2020

SHEET :

A-003



CITY OF KELOWNA
BYLAW NO. 12085
Z20-0042 - 409 Park Avenue

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 7, Block 6, District Lot 14, ODYD, Plan 431 located at Park Avenue, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU2 – Medium Lot Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 27th day of July, 2020.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: July 27, 2020

To: Council

From: City Manager

Department: Development Planning

Application: Z20-0014

Owner: Dilworth Shopping Centre Ltd.,
Inc. No. 319846

Address: 2339-2397 Highway 97 N

Applicant: Urban Design Group Architects
Ltd.

Subject: Rezoning Application

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

Existing Zone: C4rls/rcs – Urban Center Commercial (Liquor Retail Sales / Retail
Cannabis Sales)
C4rcs – Urban Centre Commercial (Retail Cannabis Sales)

Proposed Zone: C4rls/rcs – Urban Center Commercial (Liquor Retail Sales / Retail
Cannabis Sales)

1.0 Recommendation

THAT Rezoning Application No. Z20-0014 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot A, District Lots 126 and 532, ODYD, Plan 40108, located at 2339-2397 Highway 97 N, Kelowna, BC from the C4rcs – Urban Centre Commercial (Retail Cannabis Sales) zone to the C4rls/rcs – Urban Centre Commercial (Retail Liquor Sales / Retail Cannabis Sales) zone as shown on Map "A" attached to the Report from the Development Planning Department dated July 27, 2020, be considered by Council;

AND THAT Council, in accordance with *Local Government Act* s. 464(2), waive the Public Hearing for the Rezoning Bylaw;

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

1.0 Purpose

To consider an application to rezone a portion of the subject property from the C4rcs – Urban Centre Commercial (Retail Cannabis Sales) zone to the C4rls/rcs – Urban Centre Commercial (Retail Liquor Sales / Retail Cannabis Sales) zone to facilitate the relocation of an existing liquor store on the subject site, and to waive the Public Hearing.

2.0 Development Planning

Development Planning Staff are recommending support for the proposed application to rezone a portion of the subject property from the C4rcs – Urban Centre Commercial (Retail Cannabis Sales) zone to the C4rls/rcs – Urban Centre Commercial (Retail Liquor Sales / Retail Cannabis Sales) zone to facilitate the relocation of an existing liquor store on site as it is consistent with the Official Community Plan (OCP) Future Land Use designation of MXR – Mixed Use (Residential / Commercial).

The property is split zoned with the western portion being zoned C4rls/rcs and the eastern half being zoned C4rcs. The intent of the rezoning application is to facilitate a minor rezoning that will allow an existing liquor store operating on the site to move to a larger commercial retail unit (CRU) located on the eastern half of the property.

3.0 Proposal

3.1 Background

The subject property currently contains 6 existing commercial buildings of varying size and totaling approximately 196,000 square feet of combined commercial floor area.

3.2 Project Description

The proposed development application to rezone a portion of the site from C4rcs to C4rls/rcs will facilitate the relocation of an existing liquor store operating on site to be moved from the western portion of the property to a new commercial retail unit (CRU) situated adjacent to Leckie Road near the eastern property boundary.

The new CRU in which the liquor store is proposed to be relocated to was recently created from the former Safeway store. When Safeway closed at the end of 2019/early 2020, the existing CRU was converted into two smaller commercial units with one of the units (southern CRU) containing the new FreshCo store and the remaining unit proposed to be occupied by the liquor store.

The new liquor store is proposed to occupy 16,700 square feet of commercial space located at the eastern edge of the Dilworth Shopping Centre and will include a new set of entry doors at the east building face fronting towards Leckie Rd. To accommodate the new entry doors, which will enhance the overall form and character of the building, the east parking lot adjacent to the commercial unit will be reconfigured and see 3 fewer parking stalls in total to facilitate the new store entry.

Staff are tracking an Urban Development Permit Minor application to facilitate exterior facade updates to the new commercial unit which will be occupied by the liquor store. No variances are being tracked at this time.

3.3 Site Context

The subject property is located in the Central City Sector and within the Midtown Urban Centre along the Highway 97 corridor. The property is situated on the south side of Hwy 97 N in between Leckie Rd to the east, Baron Rd to the south and Underhill St to the west. The surrounding neighbourhood is largely comprised of

commercially zoned properties including; C3 – Community Commercial, C4 – Urban Centre Commercial, C9 – Tourist Commercial and C10 – Service Commercial. Other adjacent land uses include P4 – Utilities, RM5 – Medium Density Multiple Housing & A1 – Agriculture 1.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C4 – Urban Centre Commercial / C10 – Service Commercial	Commercial
East	C10 – Service Commercial	Commercial
South	C4lrs – Urban Centre Commercial / RM5 – Medium Density Multiple Housing	Commercial / Residential
West	C4 – Urban Centre Commercial	Commercial

Subject Property Map: 2339-2397 Highway 97 N



4.0 Current Development Policies

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

5.0 Application Chronology

Date of Application Received: February 12, 2020

Date Public Consultation Completed: July 7, 2020

Report prepared by: Andrew Ferguson, Planner II

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

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Conceptual Site Plan

Attachment B: Map "A"

Attachment C: Applicant's Letter of Rationale



City of Kelowna
DEVELOPMENT PLANNING



BOUNDARIES SHOWN HEREON ARE DERIVED FROM EXISTING RECORDS AND MUST BE
CONFIRMED BY SURVEY PRIOR TO THE DETERMINATION OF DIMENSIONS OR AREAS FOR
DEVELOPMENT PURPOSES.

EC	
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Subject Property Notes:

Portion of the subject property zoned C4rls/rcs - Urban Centre Commercial (Retail Liquor Sales/Retail Cannabis Sales).

Subject Property Notes:

Rezone a portion of the subject property from C4rcs - Urban Centre Commercial (Retail Cannabis Sales) to C4rls/rcs - Urban Centre Commercial (Retail Liquor Sales/Retail Cannabis Sales).

HARVEY AVE

HWY 97 N

LECKE RD

ENTERPRISE WAY

PARKVIEW CIR




UNDERHILL ST

DURRIN RD

MAP "A" Rezoning
2339-2397 Hwy 97 N
File #Z20-0014

Rev. 7/17/2020

Planner: af

-  C4rcs to C4rls/rcs
-  C4rls/rcs
-  Subject Property

0 50 100 Metres



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

Paul Chiu, Architect AIBC, MRAIC, AAA, SAA, MAA, OAA, SBA, Principal
Fariba Gharaei, Architect AIBC, MRAIC, OAA, LEED AP, SBA, Vice President
Crosbby Chiu, MRAIC, SBA, Senior Associate
Martin Grube, Associate

Rick Jones, Founding Principal
Aaron Vornbrock, Principal
Eric Ching, CSBA, Principal
Bojan Ilic, Associate
Sarah Chappell, Associate

January 20, 2020

City of Kelowna
Community Planning
1438 Water Street
Kelowna, BC V1Y 1J4



ATTN: Andrew Ferguson, BES, MLA
Planner II

RE: Project Description/Design Rationale, Rezoning/DP Application
Liquor Store Tenant Improvement, #500, 2339-2397 Highway 97N, Kelowna, BC **Our Project No. 5034**

Dear Andrew,

Please accept the enclosed drawings and documents for a Rezoning and Development Permit Application to accommodate a new Retail Liquor Sales use in the above-referenced address.

A new Liquor Store is proposed to occupy a 16,700 SF endcap space demised from the existing 55,724 SF Safeway food store (#500 2339 Hwy 97N) at the north end of the Dilworth Shopping Centre. The Dilworth Centre is within the City's Midtown Revitalization Development Permit Area and is split-zoned C4 (Urban Centre Commercial) and C4rls (Urban Centre Commercial Retail Liquor Sales). The new store is a relocation of an existing 3,757 SF Liquor Depot (#220 2339 Hwy 97N) from the south end of the mall within the property's C4rls Zone (Area 2), to the proposed location within the C4 Zone (Area 1), requiring a Rezoning of the latter to a C4rls designation. The subject relocation will allow the shopping centre to respond to current market demands and provide expanded services to the community.

Shell building Tenant Improvement work will include the reduction of a row of 18 parking spaces along the east end of the mall to 16, including 1 space for the disabled, to accommodate a new east facing storefront and pedestrian access way. No other amendments to the existing Site Plan is proposed. An enhanced façade, consisting of a 'portal' build-out clad in gray corrugated metal siding with stucco infill for the Tenant's signage, is proposed to provide the necessary identification and brand exposure for the store while keeping in step with the form and character upgrades anticipated for some of the Centre's existing standalone pads along the Highway. A veneer spandrel glazing panel with 'lifestyle' imaging representative of the new store's business and branding is proposed along the north side of the unit where no pedestrian access to the store will be provided by the tenant.

Should you require additional information or clarification regarding the foregoing, please do not hesitate to contact us directly. ~

Very truly yours,

Eric Ching, Principal

URBAN DESIGN GROUP ARCHITECTS LTD.

(ekc)



Z20-0014

2339-2397 Highway 97 N

Rezoning Application



Proposal

- ▶ To consider an application to rezone a portion of the subject property from the C4rcs – Urban Centre Commercial (Retail Cannabis Sales) zone to the C4rls/rcs – Urban Centre Commercial (Retail Liquor Sales/Retail Cannabis Sales) zone to facilitate the relocation of an existing liquor store on the subject site.

Development Process

Feb 12, 2020

Development Application Submitted



Staff Review & Circulation



July 7, 2020

Public Notification Received



July 27, 2020

Initial Consideration



Public Hearing – Request to Waive
Second & Third Readings

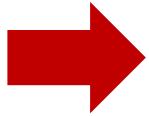


Final Reading

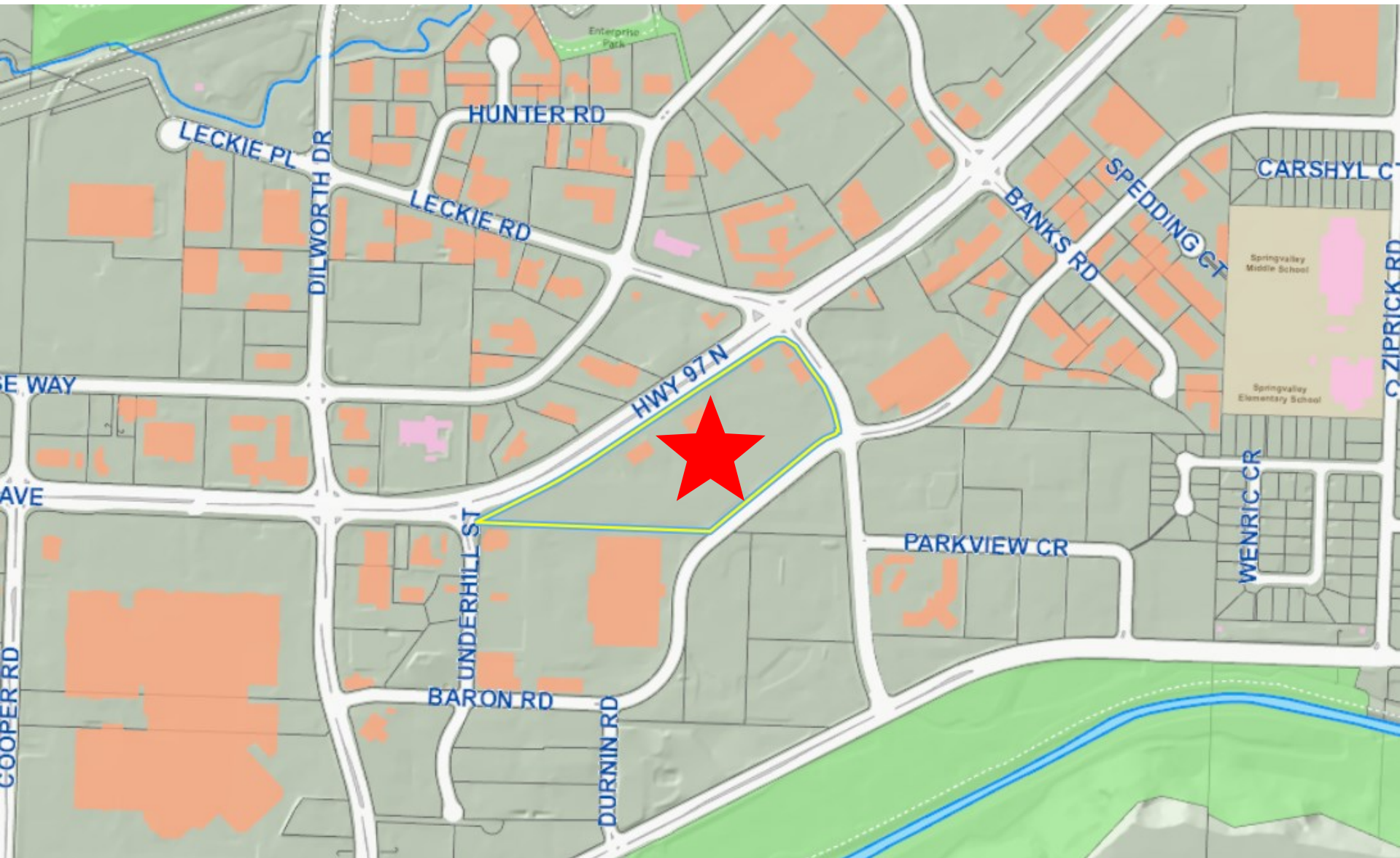


Building Permit

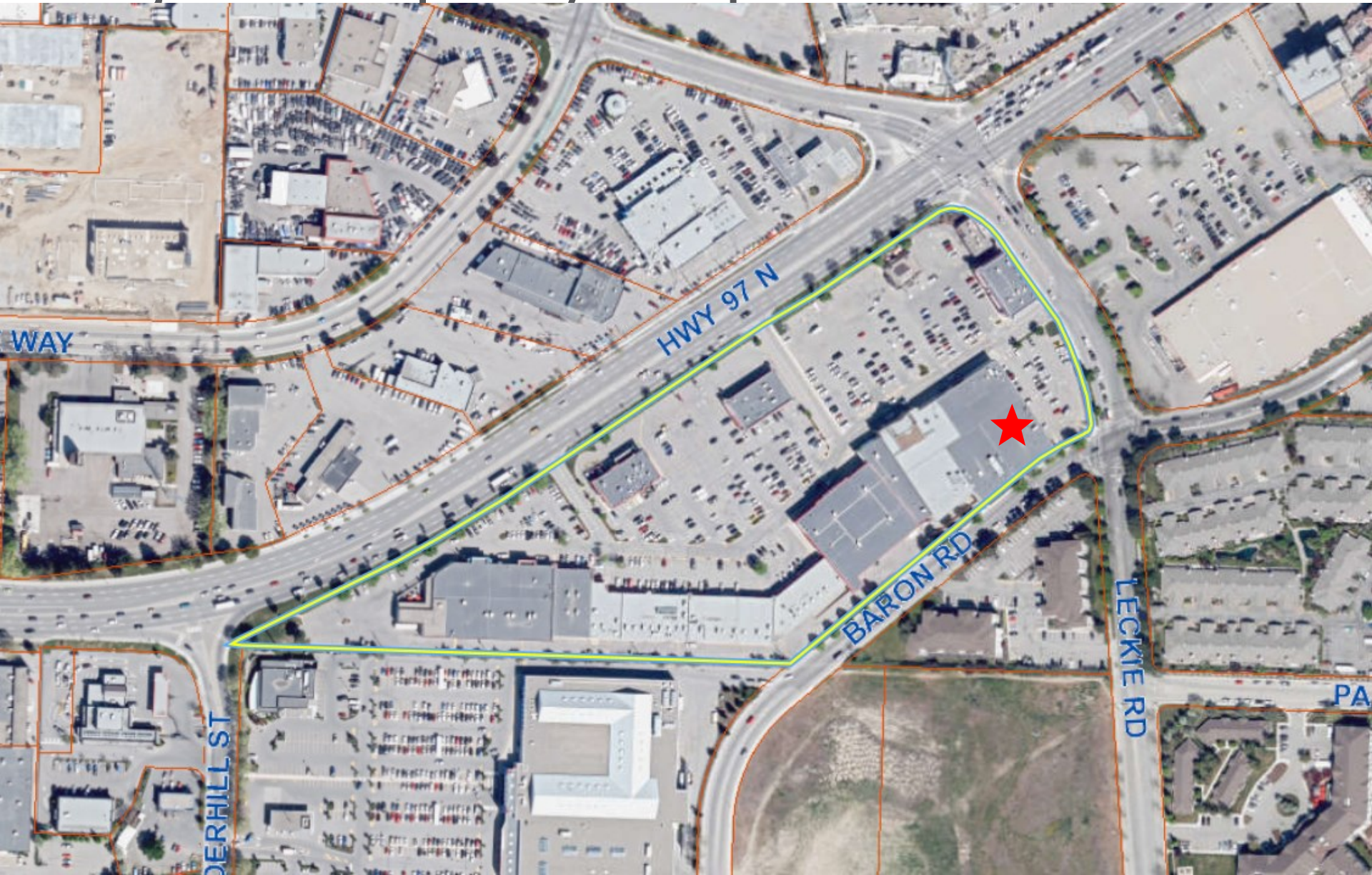
Council
Approvals



Context Map



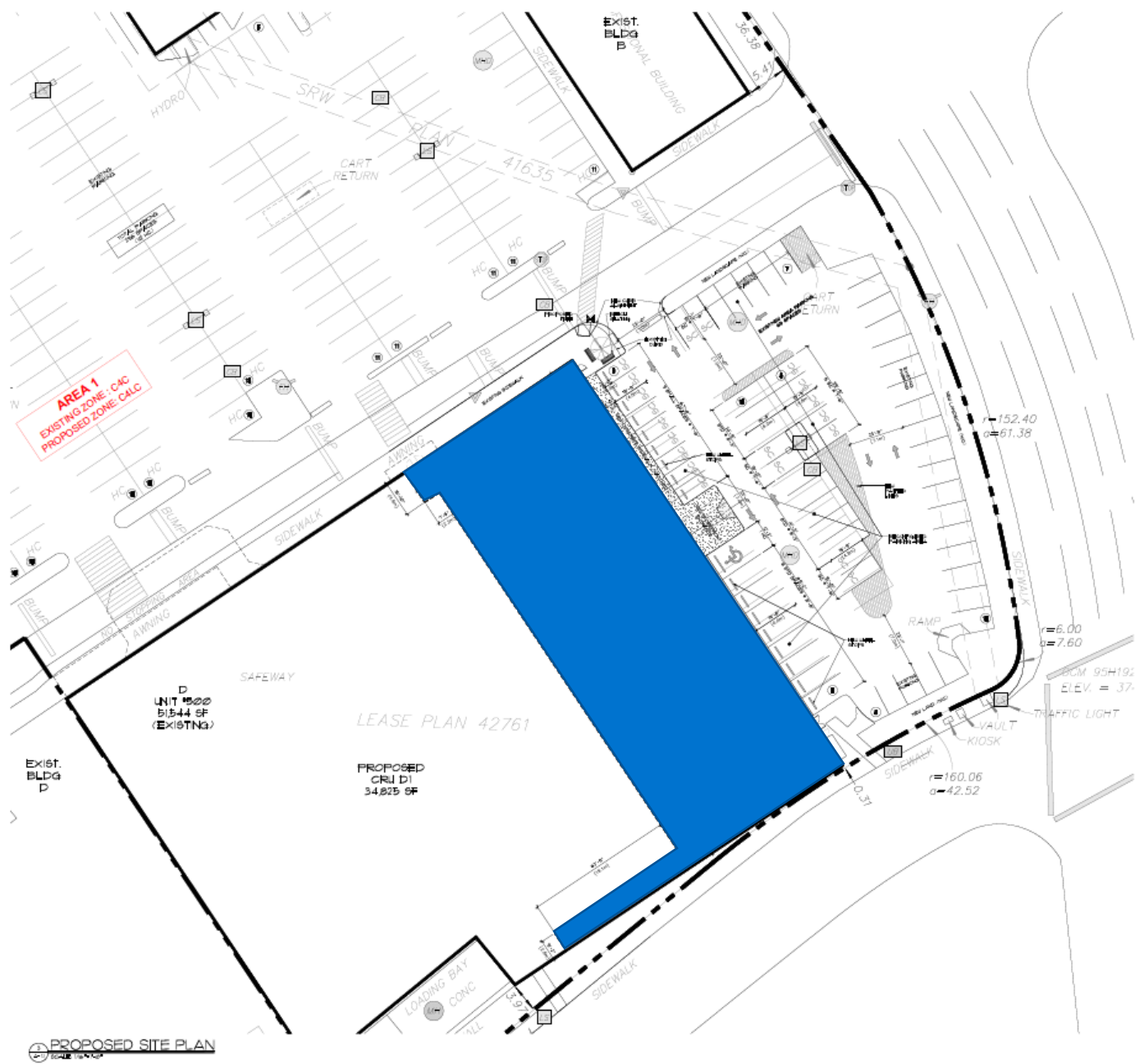
Subject Property Map



Project/technical details

- ▶ Rezoning application to C4rls/rcs consistent with Future Land Use designation of MXR – Mixed Use (Commercial/Residential).
 - ▶ Facilitate the relocation of an existing liquor store operating on-site to a new commercial retail unit
 - ▶ New front entry doors proposed for relocated liquor store
 - ▶ Adjacent parking lot to be reconfigured to accommodate new front entrance
 - ▶ 3 less parking stalls to facilitate new entry

Site Plan



Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning application:
 - ▶ Consistent with OCP
 - ▶ Minor rezoning
 - ▶ Will facilitate an existing liquor store operating on-site to move to a new commercial retail unit
- ▶ Recommend Public Hearing be waived for rezoning bylaw



Conclusion of Staff Remarks

3 PROPOSED SITE PLAN
2-12 SCALE: 1/8" = 1'-0"

CITY OF KELOWNA
BYLAW NO. 12083
Z20-0014 - 2339-2397 Highway 97 N

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of a portion of Lot A District Lots 126 and 532, ODYD, Plan 40108 located at Highway 97 N, Kelowna, BC from the C₄r_{cs} – Urban Centre Commercial (Retail Cannabis Sales) zone to the C₄rls/r_{cs} – Urban Centre Commercial (Retail Liquor Sales/ Retail Cannabis Sales) zone as shown on Map "A" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 27th day of July, 2020.

Considered at Public Hearing by the Municipal Council this

Read a second and third time by the Municipal Council this

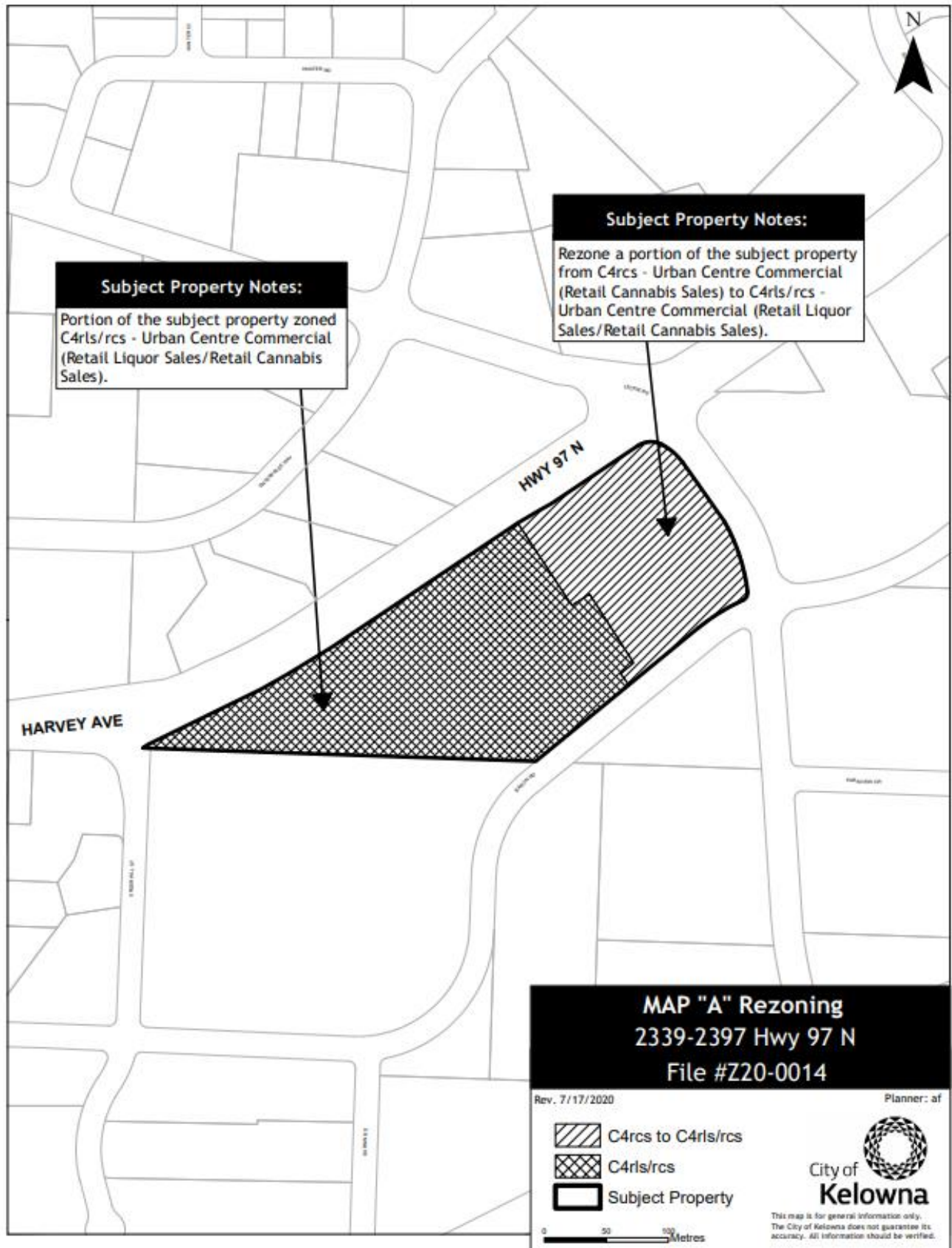
Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



REPORT TO COUNCIL



Date: July 27, 2020

To: Council

From: City Manager

Department: Development Planning

Application: Z20-0013

Owner: 1217799 BC Ltd., Inc.No.
BC1217799

Address: 1144 Pacific Ave

Applicant: Jesse Alexander; New Town
Planning Services

Subject: Rezoning Application

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

Existing Zone: RU6 – Two Dwelling Housing

Proposed Zone: C4 – Urban Centre Commercial

1.0 Recommendation

THAT Rezoning Application No. Z20-0013 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Parcel A (DD KL82857) District Lot 137 ODYD Plan 2862, located at 1144 Pacific Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the C4 – Urban Centre Commercial zone, be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464(2), waive the Public Hearing for the Rezoning Bylaw;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated July 27, 2020;

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

2.0 Purpose

To rezone the property from the RU6 – Two Dwelling Housing zone to the C4 – Urban Centre Commercial zone to facilitate the development of a 4 storey mixed use building with both commercial and residential uses, and to waive the Public Hearing.

3.0 Development Planning

Development Planning supports the proposal to rezone the property to C4 – Urban Centre Commercial to facilitate the development of a 4 storey mixed use building with both commercial and residential uses.

The subject property is in the Capri Landmark Urban Centre, and is in an area of the urban centre—just south of Capri Mall—that has been identified as being suitable for mixed use development. Accordingly, the subject property has a future land use designation of MXR – Mixed Use (Residential / Commercial), which does accommodate the proposed C4 zone. To reinforce this, the Capri-Landmark Urban Centre Plan also supports mixed use development in this area and on this lot (Capri-Landmark Urban Centre Plan p. 54, p. 89-90).

In this case, the lot fronts onto Pacific Ave, the south side of which has been designated to remain residential in terms of land use. This being the case, Staff are supportive of commercial uses on the north side of Pacific Ave provided the scale and design of any commercial component is respectful of the residential nature of the neighbourhood. That said, issues of form and character are only to be considered formally at Development Permit stage.

Staff are not tracking any variances at this time.

4.0 Proposal

4.1 Project Description

The applicant proposes to rezone the subject property to C4 – Urban Centre Commercial to facilitate the development of a 4 storey mixed use building with both commercial and residential uses. Specifically, the proposed building would have commercial uses across the first 2 storeys, and residential uses stepped back above. The applicant has worked with Staff to ensure the commercial component of the building is respectful of the residential development along the street and in the neighbourhood. However, questions of form and character will only be addressed formally at Development Permit stage. Staff are not tracking any variances at this time.

4.2 Site Context

The subject lot is in Central City Sector in the Capri Landmark Urban Centre and is one block south of Capri Mall. In addition to the mall, and the commercial space along Highway 97 to the north, the lot is also within walking distance of numerous parks and schools in the area. Accordingly, the lot has a Walkscore of 72, as “most errands can be accomplished on foot”. Though the property is surrounded to the east and west by single detached housing, the future land use in the area is either MXR – Mixed Use (Residential / Commercial) or MRM – Multiple Unit Residential (Medium Density). In addition, there are already numerous apartment housing developments in the neighbourhood, and further development in this direction is now underway (including across the street to the south).

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C4 – Urban Centre Commercial	Mixed Use Development
East	RU6 – Two Dwelling Housing	Single Detached Housing
South	RU6 / RM 4 / RM5	Single Detached Housing / Vacant / Apartment Housing
West	RU6 – Two Dwelling Housing	Single Detached Housing

Subject Property Map: 1144 Pacific Ave



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.

5.2 Capri-Landmark Urban Centre Plan

Section 5: Community Structure

Land Use & Housing: Future Land Use Map (p. 54)

Section 6: Area Specific Policy Direction

Sub-Area 4: Five Bridges

Vision: Areas adjacent to the Capri-Centre Mall will provide a mid-rise transition from the high density redevelopment of the Capri-Centre Mall, buffering nearby townhouse and low-rise development in the area.

Land Use Policies: 1. Encourage mixed-use development on the south side of Sutherland Avenue from Gordon Drive to Capri Street.

6.0 **Technical Comments**

6.1 Development Engineering Department

- See Schedule A

7.0 **Application Chronology**

Date of Application Received: February 7, 2020

Date Public Consultation Completed: July 10, 2020

Report prepared by: Aaron Thibeault, Planner II

Reviewed by: James Moore, Acting Development Planning Manager

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: Conceptual Drawing Package

Attachment B: Applicant Rationale

CITY OF KELOWNA

MEMORANDUM

Date: February 12, 2020
File No.: Z20-0013
To: Community Planning (AT)
From: Development Engineering Manager (JK)
Subject: 1144 Pacific Ave

SCHEDULE

A

This forms part of application
Z20-0013

Planner
Initials

AT



RU6 to C4

The Development Engineering Department has the following comments and requirements associated with this rezoning application. The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technologist for this project is Aaron Sangster.

1. Domestic Water and Fire Protection

- a) This property is currently serviced with a 13mm-diameter water service. The developer's consulting mechanical engineer will determine the domestic, fire protection requirements of this proposed development and establish hydrant requirements and service needs. The applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service at the applicants cost.
- b) A water meter is mandatory for this development and must be installed inside the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department and prepare the meter setter at his cost. Boulevard landscaping, complete with underground irrigation system, must be integrated with the on-site irrigation system
- c) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures. The City of Kelowna water meter contractor must salvage existing water meters, prior to building demolition. If water meters are not salvaged, the developer will be invoiced for the meters.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. 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 larger service at the applicants cost.



3. **Storm Drainage**

- a) Provide a detailed Stormwater Management Plan for this development as per the Subdivision, Development and Servicing Bylaw #7900.
- b) Ground water will not be allowed to be pumped to City drainage system.
- c) The developer must engage a consulting civil engineer to provide a storm water management plan for this site which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems

4. **Road Improvements**

- (a) Pacific Ave must be upgraded to an urban standard along the full frontage of this proposed development, including barrier curb and gutter, 1.5m sidewalk, irrigated landscaped boulevard, drainage system including catch basins, manholes and pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. Road cross section to be used is a SS-R5

4. **Road Dedication and Subdivision Requirements**

- (a) Grant Statutory Rights of Way if required for utility services.
- (b) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.
- (c) Dedicate ~2.25m width along the full frontage of Pacific Ave. to achieve a 20.0m ROW.

5. **Development Permit and Site Related Issues**

- a) As per bylaw 7900 only one driveway will be permitted on this development.
- b) Direct the roof drains into on-site rock pits or splash pads.

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 Capri Landmark Urban Centre.
- b) Streetlights must be installed on Pacific Ave. if needed.
- c) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- d) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

SCHEDULE		A
This forms part of application		
# Z20-0013		
Planner Initials	AT	 City of Kelowna <small>COMMUNITY PLANNING</small>

7. 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.

8. Servicing Agreement for Works and Services

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

2. Geotechnical Report

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

The Geotechnical report must be submitted prior to submission of Engineering drawings or application for subdivision approval.

- i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- ii. Site suitability for development.
- iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).


- iv. Any special requirements for construction of roads, utilities and building structures.
- v. 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.
- xiv. Recommendations for construction of detention or infiltration ponds if applicable.

3. Charges and Fees

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

James Kay
 James Kay, P. Eng.
 Development Engineering Manager

AS

SCHEDULE		A
This forms part of application # Z20-0013		
Planner Initials	AT	 City of Kelowna <small>COMMUNITY PLANNING</small>



FRONT VIEW FROM PACIFIC AVE

ALL CONTRACTORS ARE REQUIRED TO PRESERVE THEIR WORK AND SUPPORT 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 ARCHITECTURE URBAN PLANNING CIVIL ENGINEERING. It is to be used only for the project and 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.



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Seal



Revision		
No	Date	Description
1	20-12-19	ISSUED FOR DP
2	30-04-20	RE-ISSUED FOR DP

ATTACHMENT A
This forms part of application
Z20-0013

Planner
Initials

AT



project address
1144 PACIFIC AVE,
KELOWNA, BC

project no. 4100

file no.

drawing title

RENDERINGS

designed	scale
drawn	R.Y./B.L.A.
checked	R.Y.
drawing no.	

A1.01

performed 2020-04-28 3:01:53 PM

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 design and construction of the project shown on 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.
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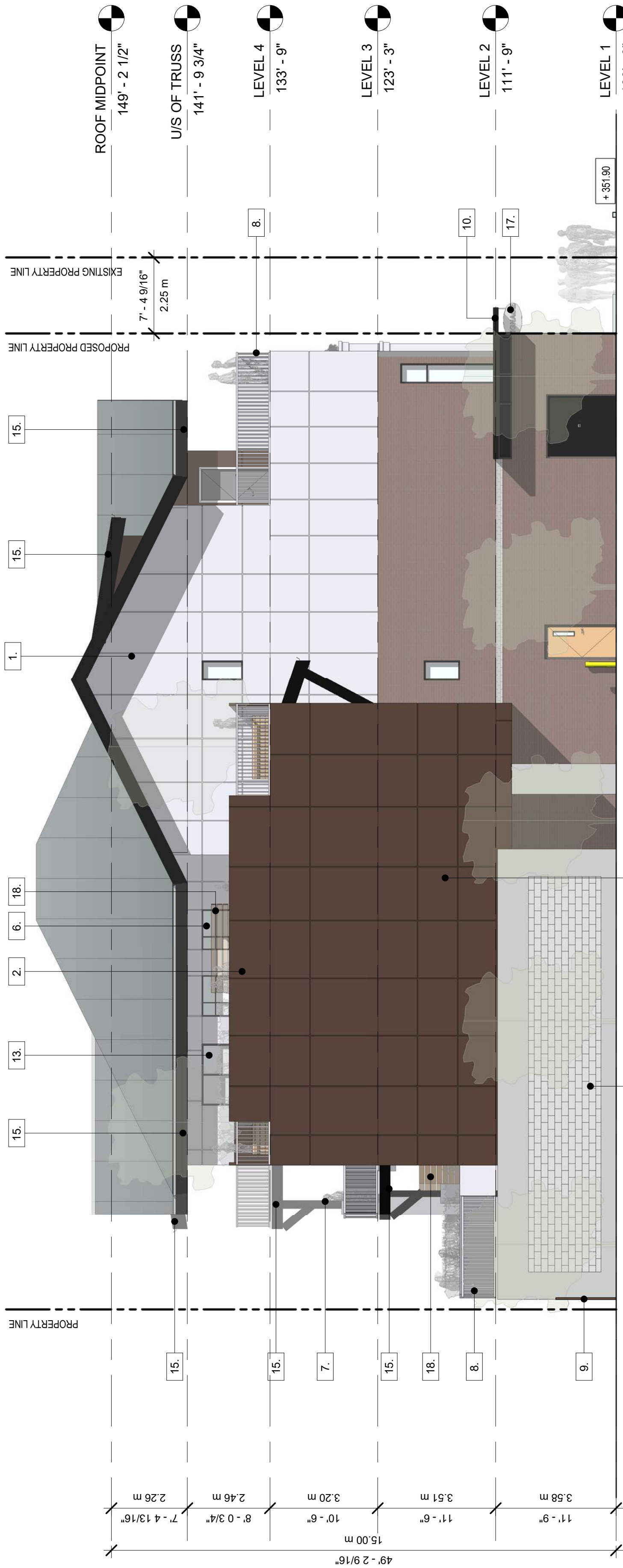
Seal



Revision		No	Date	Description
		1	20-12-19	ISSUED FOR DP
		2	30-04-20	RE-ISSUED FOR DP



1 SOUTH ELEVATION
1/8" = 1'-0"



2 WEST ELEVATION
1/8" = 1'-0"

ATTACHMENT A

This forms part of application
Z20-0013

Planner
Initials

AT

City of
Kelowna
COMMUNITY PLANNING



MATERIAL KEYNOTE	
1.	CEMENTITIOUS PANELS - ARCTIC WHITE
2.	CEMENTITIOUS PANELS - TURKISH COFFEE
3.	BOARD FORMED CONCRETE - PAINTED
4.	STOREFRONT GLAZING
5.	ALUMINUM GLAZED DOORS
6.	DOUBLE GLAZED WINDOWS
7.	BALCONY POSTS - BLACK
8.	WHITE PICKET RAILING
9.	1.8m HIGH FENCE
10.	ALUMINUM SOLAR SHADES w/ GLASS
11.	CONCRETE BASE
12.	BRICK VENEER
13.	PATIO DOORS
14.	PAINTED METAL EXTERIOR DOORS
15.	PRE-FINISHED METAL FLASHING
16.	BIKE RACK
17.	SUSPENDED SIGNAGE
18.	PRIVACY SCREEN
19.	PRECAST CONCRETE/TEXTURED CMU WALL
20.	DIRECTORY SIGN
21.	STUCCO- WHITE
22.	STUCCO- TAN

project title
**1144 PACIFIC- MIXED USE
DEVELOPMENT**

project address
**1144 PACIFIC AVE,
KELOWNA, BC**

project no. 4100

file no.

drawing title

ELEVATIONS

designed	scale	As indicated
drawn		R.Y.B./L.A.
checked		R.Y.
drawing no.		

A4.01

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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 drawings shall be used for the project 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.



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URBAN PLANNING
CIVIL ENGINEERING
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Seal



Revision		No	Date	Description
		1	20-12-19	ISSUED FOR DP
		2	30-04-20	RE-ISSUED FOR DP

project title
**1144 PACIFIC- MIXED USE
DEVELOPMENT**

project address
**1144 PACIFIC AVE,
KELOWNA, BC**

project no. 4100

file no.

drawing title

ELEVATIONS

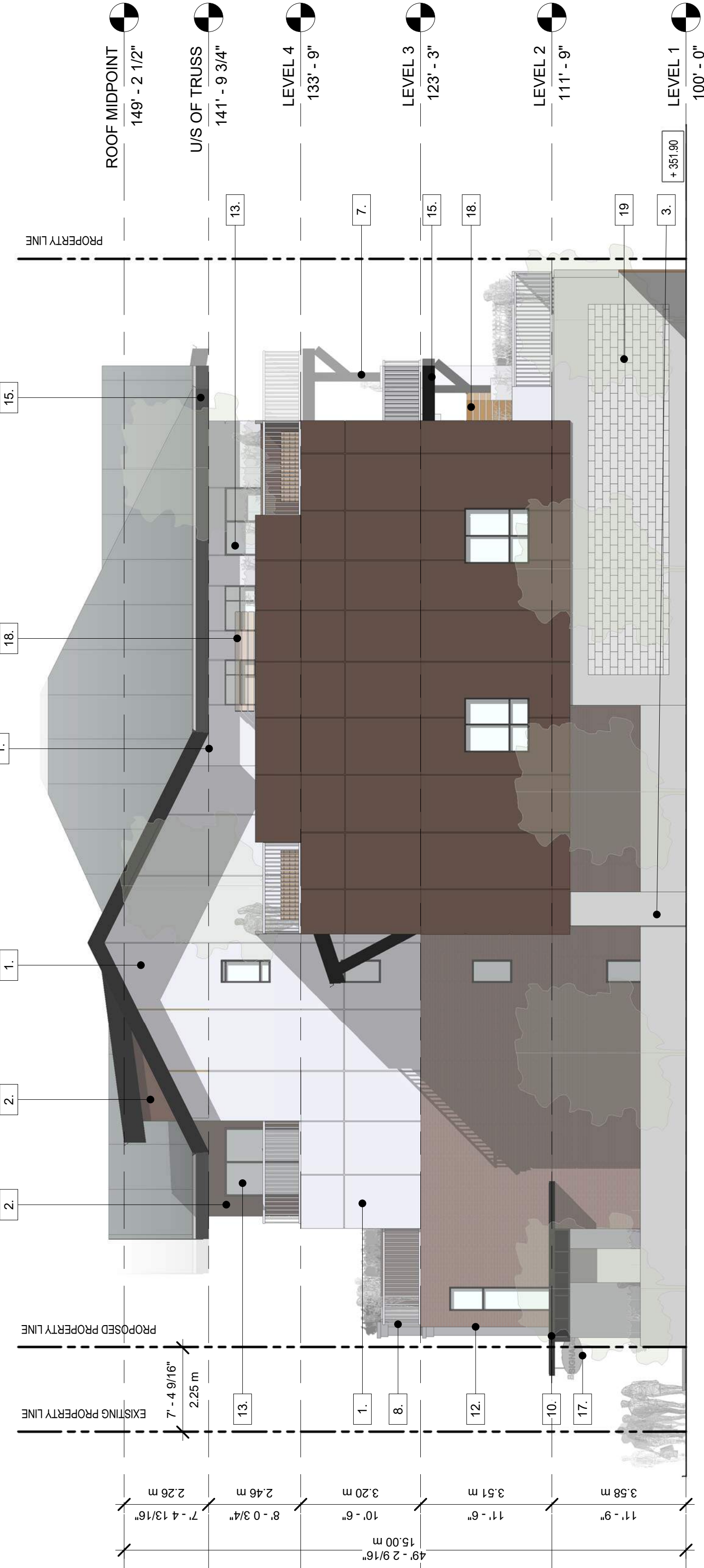
designed	scale	As indicated
drawn		
checked		R.Y./B.L.A.
drawing no.		R.Y.

A4.02

performed 2020-04-28 3:04:24 PM



1 NORTH ELEVATION
1/8" = 1'-0"



2 EAST ELEVATION
1/8" = 1'-0"

MATERIAL KEYNOTE	
1.	CEMENTITIOUS PANELS - ARCTIC WHITE
2.	CEMENTITIOUS PANELS - TURKISH COFFEE
3.	BOARD FORMED CONCRETE - PAINTED
4.	STOREFRONT GLAZING
5.	ALUMINUM GLAZED DOORS
6.	DOUBLE GLAZED WINDOWS
7.	BALCONY POSTS- BLACK
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17.	SUSPENDED SIGNAGE
18.	PRIVACY SCREEN
19.	PRECAST CONCRETE/TEXTURED CMU WALL
20.	DIRECTORY SIGN
21.	STUCCO- WHITE
22.	STUCCO- TAN

ATTACHMENT A

This forms part of application
Z20-0013

Planner Initials **AT**

City of
Kelowna
COMMUNITY PLANNING



ATTACHMENT B

This forms part of application

Z20-0013

Planner
Initials

AT



RE: Proposal for a Rezoning & Development Permit for: 1144 Pacific Avenue

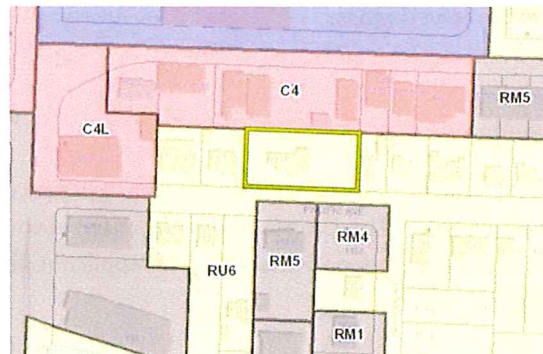
Introduction

This application is to facilitate the construction of a mixed-use development at 1144 Pacific Avenue, which is conveniently located within the Capri / Landmark Urban Centre. The intended use of the proposed development aligns with the City of Kelowna Official Community Plan.



Site Context and Land Use

The subject site consists of 1 parcel that is currently zoned *RU6 – Two Dwelling Housing*. The property is within the Mixed Use (Commercial/Residential) Land Use Designation as prescribed by the City of Kelowna Official Community Plan. The north abutting properties are zoned *C4 – Urban Centre Commercial* and therefore, the request to rezone is consistent within the neighbourhood context.





City of
Kelowna

Planner
Initials **AT**

Overview & Building Form

This application for a Development Permit is to facilitate the construction of a 4-storey mixed use building. Currently there is a single-family dwelling on the subject site. This proposed infill development aligns with the City of Kelowna Official Community Plan's goals for a sustainable future by focusing growth in compact, connected, and mixed-use centres and by creating more variety of housing types for Kelowna residents.

The first floor of the proposed development consists of ground floor commercial units with covered parking provided at the rear of the building. Commercial units have also been placed on the second floor of the proposed development, fronting Pacific Avenue, which creates an inviting urban street interface. Residential units are on the second, third and fourth floor and each unit has access to a private balcony. Additionally, amenity space has been incorporated on the 4th floor with proposed community gardens. The provided open space is nearly 2.5 times the required amount.



The building itself has been designed with varying colours and materials, including glass, brick veneer, wood grain panels, black metal panels, white and coffee coloured hardi cladding, and board formed concrete. In addition, building articulations and a visually interesting roofline have been included into the design of the building. These design features align with the City of Kelowna's Urban Design DP Guidelines as they create a visually appealing building that adds to the pedestrian realm whilst reducing the perceived mass.

Summary

This application is to facilitate the construction of a mixed-use building, located in the Capri / Landmark Urban Centre. The proposed development is consistent with the City of Kelowna Official Community Plan and includes **no variances**. The applicant kindly requests the support from Staff and Council for this project.



Z20-0013 1144 Pacific Ave.

Rezoning Application



Proposal

- ▶ To rezone the property from the RU6 – Two Dwelling Housing zone to the C4 – Urban Centre Commercial zone to facilitate the development of a 4 storey mixed use building with both commercial and residential uses.

Development Process

Feb. 7, 2020

Development Application Submitted



Staff Review & Circulation



July 10, 2020

Public Notification Received



July 27, 2020

Initial Consideration



Aug. 11, 2020

Public Hearing
Second & Third Readings



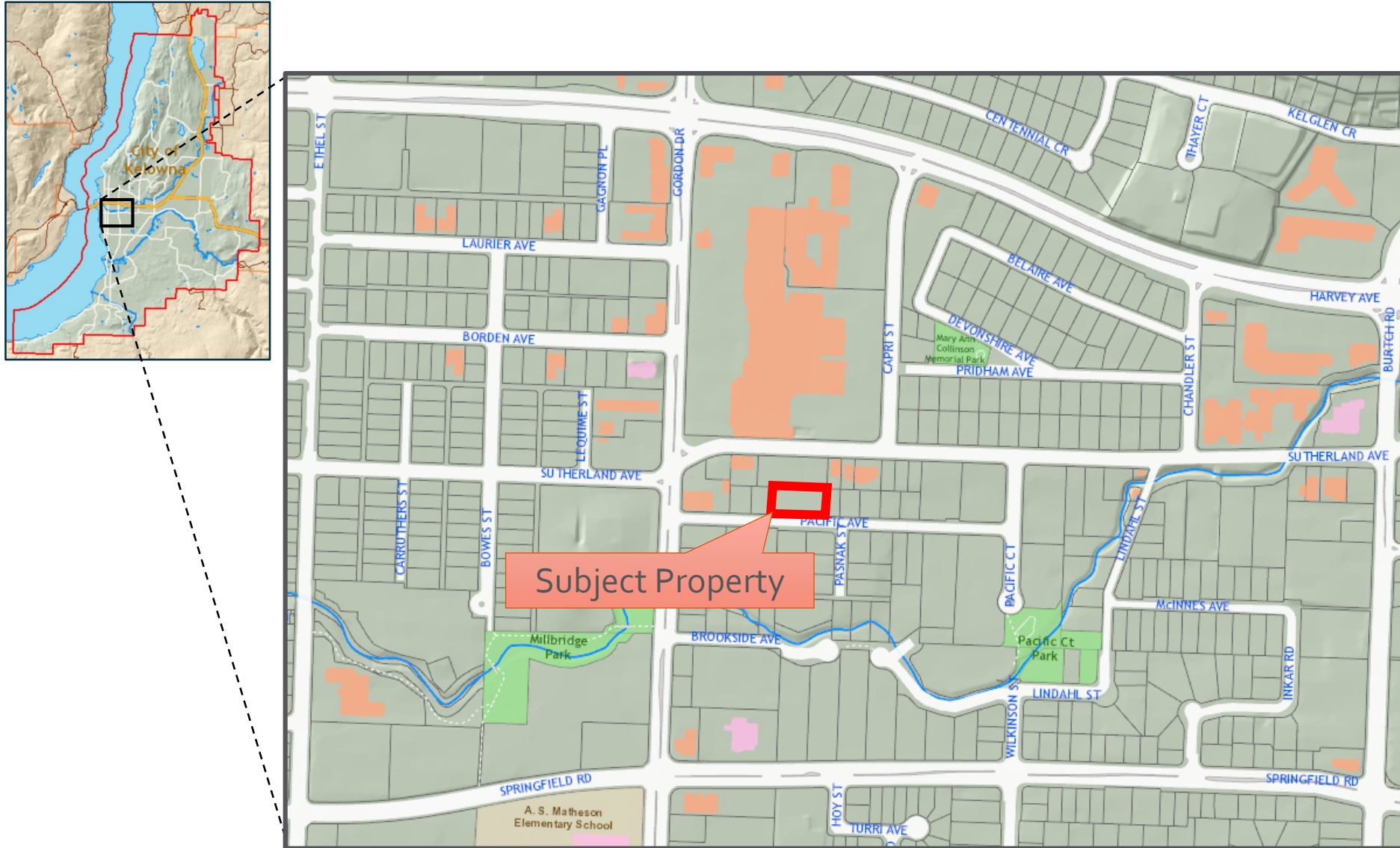
Final Reading
DP & Variances



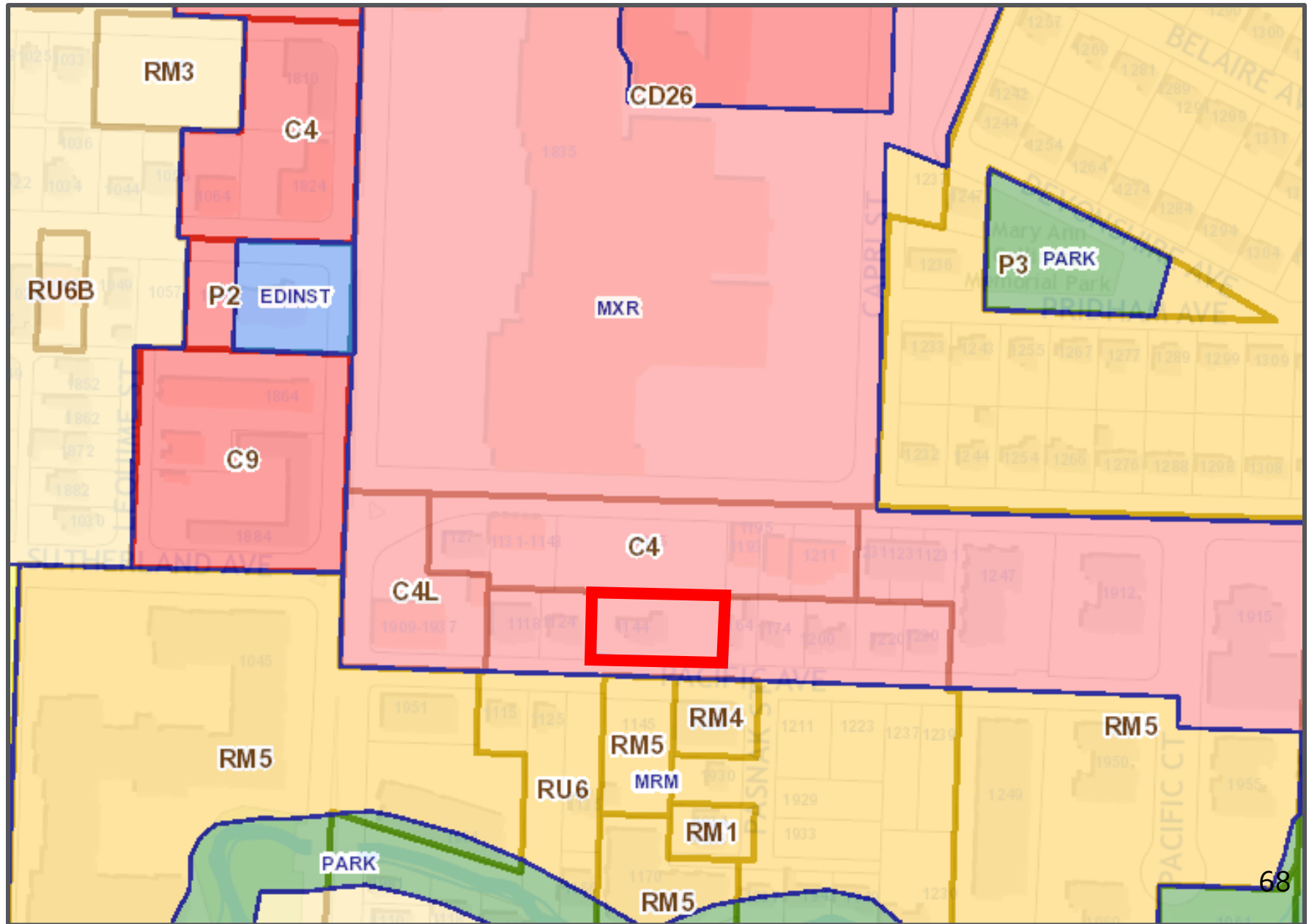
Building Permit

Council
Approvals

Context Map



OCP Future Land Use / Zoning



Subject Property Map



Project/technical details

- ▶ To rezone the lot to C4 – Urban Centre Commercial to facilitate the development of a 4 storey mixed use building.



Project/technical details

- ▶ Proposed building to have commercial uses across the first 2 storeys, and residential uses stepped back above.
- ▶ Applicant worked with Staff to ensure the commercial component of the building is respectful of the residential development along the street and in the neighbourhood.
 - ▶ Questions of form and character will only be addressed formally at Development Permit stage
 - ▶ Staff are not tracking any variances at this time

Development Policy

▶ OCP

- ▶ Contain Urban Growth
- ▶ Focus Development to Designated Growth Areas
 - ▶ Esp. Urban Centres

▶ Capri-Landmark Urban Centre Plan

- ▶ Encourage mixed-use and transitional development on the periphery of Capri Mall.

Public Notification Policy #367

- ▶ The public consultation process included both a Neighbour Consultation and a Public Information Session and was executed in full compliance with Policy #367
 - ▶ Public Consultation completed by July 10, 2020

Staff Recommendation

- ▶ Staff support rezoning the property to C₄ – Urban Centre Commercial for the following reasons:
 - ▶ OCP
 - ▶ Contain Urban Growth
 - ▶ Focus Development to Designated Growth Areas
 - ▶ Esp. Urban Centres
 - ▶ Capri-Landmark Urban Centre Plan
 - ▶ Encourage mixed-use and transitional development on the periphery of Capri Mall.



Conclusion of Staff Remarks

CITY OF KELOWNA
BYLAW NO. 12084
Z20-0013 – 1144 Pacific Avenue

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Parcel A (DD KL82857), District Lot 137, ODYD, Plan 2862 located at Pacific Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the C4 – Urban Centre Commercial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 27th day of July, 2020.

Considered at Public Hearing by the Municipal Council this

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: July 27, 2020

To: Council

From: City Manager

Department: Development Planning

Application: Z20-0010

Owner: 1918951 Alberta Ltd., Inc.No.
A0110539

Address: 235 & 285 Robson Rd W and 240
Rutland Rd S

Applicant: New Town Architecture and
Engineering Inc.

Subject: Rezoning Application

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

Existing Zone: RU1- Large Lot Housing

Proposed Zone: RM3- Low Density Multiple Housing

1.0 Recommendation

THAT Rezoning Application No. Z20-0010 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 and Lot 2, Section 23, Township 26, Osoyoos Division Yale District, Plan 12830 and Lot 10, Section 23, Township 26, Osoyoos Division Yale District, Plan 12078, located at 235 and 285 Robson Rd W and 240 Rutland Rd S, Kelowna BC from the RU1- Large Lot Housing zone to the RM3- Low Density Multiple Housing zone, be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464(2), waive the Public Hearing for the Rezoning Bylaw;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated July 27, 2020;

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

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

2.0 Purpose

To consider an application to rezone the subject property from the RU1- Large Lot Housing to the RM3- Low Density Multiple Dwelling Housing to facilitate the development of a multi-family building, and to waive the Public Hearing.

3.0 Development Planning

Development Planning Staff are supportive of the proposed rezoning application to facilitate the future development of a 3 storey, 54-unit apartment building. The properties are located in the Rutland Urban Centre. The subject site offers close proximity to transit routes, a commercial node within walking distance and everyday amenities and employment opportunities.

Planning Staff are supportive of achieving residential density and a variety of housing forms in Urban Centres. The proposed rezoning is well aligned with the future land use designation of MRL- Multiple Unit Residential (Low Density) in the Official Community Plan and other OCP housing goals and policies.

The applicant has met the requirements of Council Policy 367 and completed public engagement through mail outs to neighbours within 50m.

4.0 Proposal

4.1 Project Description

The subject properties (three separate lots) are currently zoned RU1- Large Lot Housing, two of which contain a single-family dwelling. The proposal will allow for the future development of a 3 storey, 54-unit building with a floor area ratio (FAR) of 0.887. The proposal fronts Rutland Rd S and Robson Rd W. Parking is located underground and is accessed from Robson Rd W. A form and character Development Permit has been submitted and Staff are currently not tracking any variances.

4.2 Site Context

The subject properties are located in the Rutland Urban Centre. One of the lots fronts onto Rutland Rd S, at the corner of Rutland Rd and Robson Rd. The properties are located to the south of a main commercial node (Plaza 33) located off Hwy 33. Rutland Lions Park is located in close proximity to the east. The properties are predominantly surrounded by single family dwellings the east, south and west. The site is in the Revitalization Development Permit Area (DPA) and is subject to review under the revitalization urban design guidelines.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C2- Neighbourhood Commercial/C4 Urban Centre Commercial	Health Services/Thrift Store
East	RU1- Large Lot Housing	Single dwelling housing
South	RU1- Large Lot Housing	Single dwelling housing
West	RU1- Large Lot Housing	Single dwelling housing

Subject Property Map:



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 5.2 Develop Sustainably

Policy .4 Complete Communities Support the development of complete communities with a minimum intensity of 35-40 people and/or jobs per hectare to support basic transit service- a bus every 30 minutes.

Objective 5.22 Ensure context sensitive housing development

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

Policy .13 Family Housing. Support housing alternatives for families when single detached housing is too costly, including features that are important to families such as: outdoor space, direct access to grade, workshop space, larger units, safe design, and neighbourhood characteristics (e.g.: location and amenities).

6.0 Technical Comments

6.1 Development Engineering Department

6.1.1 See attached memorandum.

7.0 Application Chronology

Date of Application Received: February 4, 2020

Date Public Consultation Completed: June 12, 2020

Report prepared by: Jocelyn Black, Planner Specialist

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

Approved for Inclusion: Dean Strachan, Community Planning & Development Manager

Attachments:

Schedule A: Development Engineering Memo

Attachment A: Site Plan & Project Rendering



CITY OF KELOWNA

MEMORANDUM

Date: April 28, 2020 (Rev 1)
File No.: Z20-0010
To: Urban Planning Management (JB)
From: Development Engineering Manager (JK)
Subject: 240 Rutland Rd S, 235 and 285 Robson Rd W RU1 to RM3

The Development Engineering Branch has the following comments and requirements associated with this application to rezone the subject property from RU1 to RU6. The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technician for this project is Jim Hager (250-575-3800; jhager@kelowna.ca).

1. General

- a) These Development Engineering Branch comments/requirements are subject to the review and requirements from the Ministry of Transportation and Infrastructure (MoTI) Infrastructure Branch.
- b) This proposed development may require the installation of centralized mail delivery equipment. Please contact Arif Bhatia, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC, V1Y 2K0, (250) 859-0198, arif.bhatia@canadapost.ca to obtain further information and to determine suitable location(s) within the development.

2. Lot consolidation and dedication

- a) Lot consolidation will be a requirement of this development.
- b) A 6.0-m corner rounding will be required on the northeast corner of 240 Rutland Rd S.

3. Domestic Water and Fire Protection

- a) The subject lots are within the Rutland Waterworks District (RWD) water service area. The developer is required to make satisfactory arrangements with RWD for all water and fire protection-related issues. All charges for service connection and upgrading costs, as well as any costs to decommission existing services, shall be the responsibility of the developer.
- b) The developer's consulting mechanical engineer will determine the domestic, fire protection requirements of this proposed development and establish hydrant requirements and service needs. All fire flow calculations approved by BMID are to be shared with the Development Engineering Branch upon submittal of off-site civil engineering drawings.



4. **Sanitary Sewer**

- a) Two of the subject lots (235 and 285 Robson Rd W) are currently serviced by respective on-site septic systems. These septic systems are to be decommissioned and the proposed development will be granted a single sewer service connection.
- b) Two of the subject lots (235 and 285 Robson Rd W) are in the Central Rutland (No. 22) Sewer Connection Area. As per the Sewer Connection Charge Bylaw (No. 11540). In lieu of paying any connection charges for the Sewer Connection Area, the Developer will be required to construct a 200-mm sanitary main along the entire Robson Rd W frontage to the next manhole (c/w cap and 3m stub for future extension) as per the existing design for the Sewer Connection Area (Contact the Development Technician for a copy of this design). Lots 230, 260, 270, 280, 290, 295, 300, 305, 325, and 330 Robson Rd W are to be pre-serviced by the Developer. The Developer will be reimbursed by the City for each sewer connection up to \$4,000. In return for the \$4,000 per service connection, the Developer will waive the right to apply any Latecomer to the installed sanitary sewer works.
- c) Provide an adequately sized sanitary sewer system complete with a single lot connection.

5. **Storm Drainage**

- a) The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the Subdivision, Development and Servicing Bylaw No. 7900. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems. Only one service will be permitted for this development. The applicant, at their cost, will arrange the installation of one overflow service if required.
- b) The City Engineer may permit use of individual ground water disposal systems, where soils are suitable. For on-site disposal of drainage water, a hydrogeotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems.
- c) Provide the following drawings:
 - i. A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill);
 - ii. A detailed Stormwater Management Plan; and
 - iii. An Erosion and Sediment Control Plan.
- d) Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- e) Register right of ways on private properties for all the storm water infrastructure carrying, conveying, detaining and/or retaining storm water that is generated from public properties and public road right of ways, if necessary.

6. **Electric Power and Telecommunication Services**

- a) All proposed service connections are to be installed underground. It is the developer's responsibility to make a servicing application with the respective electric

SCHEDULE		A
This forms part of application		
# Z20-0010		
Developer Initials	JB	 City of Kelowna DEVELOPMENT PLANNING

power, telephone and cable transmission companies to arrange for these services which would be at the applicant's cost.

- b) The subject lots are within the Rutland Urban Centre and subject to *Council Policy 101 – Conversion of Overhead Powerlines to Underground Installation*. As a result, all proposed service connections and existing overhead wiring is to be installed underground. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.
- c) Re-locate existing utilities, where necessary.

7. Road Improvements

- a) The full frontage of Rutland Rd S is to be constructed as a modified SS-R5 complete with separated 1.8-m wide sidewalks at property line, 1.8-m wide bike lanes (c/w painted buffer) streetlights, drainage system, landscaped boulevard and irrigation, and street trees.
- b) The full frontage of Robson Rd is to be constructed as a modified SS-R5 complete with separated 1.8-m wide sidewalks offset 0.20 m from property line, streetlights, drainage system, landscaped boulevard and irrigation, and street trees.
- a) The existing BC Transit stop fronting the subject lots on Rutland Rd S is to be upgraded and designed as per *BC Transit's Infrastructure Design Guide* for a "Typical bus stop and furnishing layout", including:
 - i) Accessibility requirements to be met (tactile warning strip, information panels, boarding platforms, etc.)
 - ii) It is recommended to provide min 3.2m width instead of 3m for Transit waiting pad and sidewalk, for constructability proposes.
 - iii) A bus shelter is requested but may be considered in the future, therefore the waiting pad, space and include pre-ducting for future shelter is still required.


Further details on the requirements for the bus pad and bus shelter can be requested from the Development Technician on this file.

8. Erosion and Sediment Control

- a) An Erosion and Sediment Control Plan is to be prepared by a Professional Engineer proficient in the field of erosion and sediment control. The plan is to be prepared as per section 3.14 of Schedule 4 of Bylaw 7900. If a line item for ESC is not included in the Engineer's cost estimate for off-site work, then an additional 3% will be added to the performance security based on the total off-site construction estimate.

9. Geotechnical Report

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

SCHEDULE		A
This forms part of application		
# Z20-0010		
City of Kelowna DEVELOPMENT PLANNING	City of Kelowna DEVELOPMENT PLANNING	
Submission of Engineering drawings Initials	JB	

Inspection Services Division prior to submission of Engineering drawings for application for subdivision approval.

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

9. Design and Construction

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

10. Servicing Agreements for Works And Services

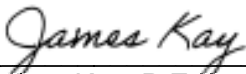
- (a) A Servicing Agreement is required for all offsite works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works.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



\$5,000,000 and the City is to be named on the insurance policy as an additional insured.

12. Charges and Fees

- a) Development Cost Charges (DCCs) are payable.
- b) Sewer Connection Area Fees (No. 22 Central Rutland) – **Construction of main in lieu of charge**
- c) Fees per the “Development Application Fees Bylaw” include:
 - i) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - ii) Engineering and Inspection Fee: 3.5% of construction value (plus GST).



James Kay, P.Eng.
Development Engineering Manager

JKH

ALL CONTRACTORS ARE REQUIRED TO PERSONALLY VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO ANY EXCAVATION OR CONSTRUCTION WORKS AND OBTAIN THE NECESSARY PERMITS FROM THE UTILITIES COMPANIES. THE OWNER AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES.



**NEW TOWN
ARCHITECTURE**
ARCHITECTS
1111 10th Avenue
Kelowna, BC V1Y 9V6
www.newtownservices.ca

Scale



Revision	No	Date	Description
1	16/12/04	ISSUED FOR DP	
2	20/05/08	REISSUED FOR DP	

Project Title
**RUTLAND-ROBSON
MULTI-FAMILY**

Project Address
**RUTLAND & ROBSON RD,
KELOWNA
BC**

Project No.
4096

Drawing Title
SITE PLAN

Sheet
A2.00

Date
20/05/2011 10:00 AM

ATTACHMENT A

This forms part of application

Z20-0010

Planner
Initials **JB**



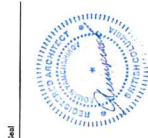
1 SITE PLAN
1/16" = 1'-0"

RUTLAND-ROBSON MULTI-FAMILY

RE-ISSUED FOR DEVELOPMENT PERMIT, MAY 28, 2020



ALL CONTRACTORS ARE REQUIRED TO PURCHASE THEIR WORK AND SUPPLY ITEMS PRODUCTS IN CANADA AND TO COMPLY WITH THE STANDARDS OF THE PROVINCE OF BRITISH COLUMBIA. The use of any product or material not approved by the City of Kelowna is prohibited. The use of any product or material not approved by the City of Kelowna is prohibited. The use of any product or material not approved by the City of Kelowna is prohibited.



Revision	No	Date	Description
1	15-12-04	ISSUED FOR DP	
2	20-05-28	RE-ISSUED FOR DP	



NEW TOWN SERVICES
215-1100-8888
215-1100-1111

Project Title
RUTLAND-ROBSON MULTI-FAMILY

Project Address
RUTLAND & ROBSON RD, KESWICK, BC

Project No.
0000

Drawing Title
COVER SHEET & DRAWING LIST

Scale
1:1

Sheet No.
A0.00

Date
28 MAY 2020 11:28 AM PST

ATTACHMENT A

This forms part of application

Z20-0010

Planner Initials **JB**

City of Kelowna

DEVELOPMENT PLANNING

LANDSCAPE DRAWING LIST:

L1/2 CONCEPTUAL LANDSCAPE PLAN
L3/2 WATER CONSERVATION PLAN

CIVIL DRAWING LIST:

NEW TOWN ARCHITECTURAL ENGINEERING
215-1100-8888
215-1100-1111

STORMWATER MANAGEMENT STRATEGY

ARCHITECTURAL DRAWING LIST:

NEW TOWN ARCHITECTURAL ENGINEERING
215-1100-8888
215-1100-1111

COVER SHEET & DRAWING LIST

- A0.00 COVER SHEET & DRAWING LIST
- A1.00 SITE ANALYSIS
- A1.01 RENDERINGS
- A1.02 RENDERINGS
- A2.00 SITE PLAN
- A2.01 FLOOR PLANS
- A3.00 LEVEL 1
- A3.01 LEVEL 2
- A3.02 LEVEL 3
- A3.03 MATERIALS
- A4.00 BUILDING ELEVATIONS
- A4.01 BUILDING ELEVATIONS
- A4.02 BUILDING ELEVATIONS
- A5.01 BUILDING SECTIONS

ALL CONTRACTORS ARE REQUIRED TO OBTAIN THE NECESSARY PERMITS FROM THE REGIONAL DISTRICT OF THE PROVINCE OF BRITISH COLUMBIA. THE REGIONAL DISTRICT OF THE PROVINCE OF BRITISH COLUMBIA IS NOT RESPONSIBLE FOR THE DESIGN OR CONSTRUCTION OF THE PROJECT. THE REGIONAL DISTRICT OF THE PROVINCE OF BRITISH COLUMBIA IS NOT RESPONSIBLE FOR THE DESIGN OR CONSTRUCTION OF THE PROJECT. THE REGIONAL DISTRICT OF THE PROVINCE OF BRITISH COLUMBIA IS NOT RESPONSIBLE FOR THE DESIGN OR CONSTRUCTION OF THE PROJECT.



**NEW TOWN
ARCHITECTURE**
CREATING
COMMUNITIES
www.newtownservices.ca

Cell



Revision	No	Date	Description
	1	18-12-04	ISSUED FOR DP
	2	20-05-20	RE-ISSUED FOR DP

Project title:
**RUTLAND-ROBSON
MULTI-FAMILY**

Project address:
**RUTLAND & ROBSON RD,
KELOWNA
BC V1Y 1C6**

Rendering title:
RENDERINGS

Scale:
1:100
Date:
20.05.2020 11:28 AM
A1.01



SITE OVERVIEW - BIRDSEYE PERSPECTIVE

ATTACHMENT

This forms part of application
Z20-0010

Planner Initials **JB**

City of
Kelowna
DEVELOPMENT PLANNING



L20-0010

235 & 285 Robson Rd W & 240 Rutland Rd S

Rezoning Application



Proposal

- ▶ To consider an application to rezone the subject properties from RU1- Large Lot Housing to RM3- Low Density Multiple Dwelling Housing to facilitate the development of a multi-family building

Development Process

February 4, 2020

Development Application Submitted



Staff Review & Circulation



June 12, 2020

Public Notification Received



July 27, 2020

Initial Consideration



Public Hearing- Request to Waive
Second & Third Readings

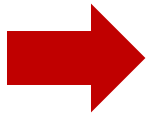


Final Reading
DP & Variances



Building Permit

Council
Approvals



Context Map



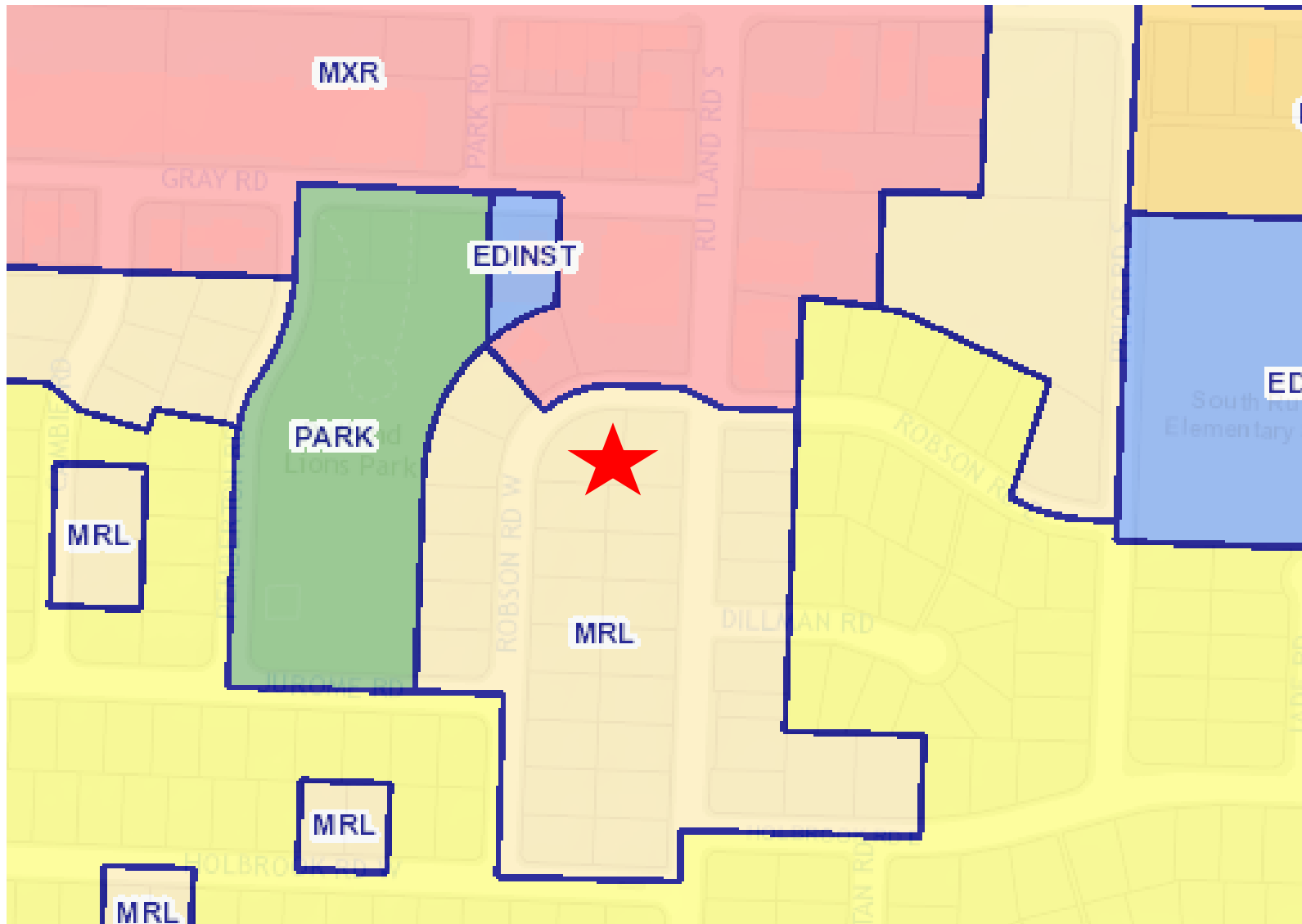
City of Kelowna

Walk Score
69
Somewhat Walkable
Some errands can be accomplished on foot.

Transit Score
40
Some Transit
A few nearby public transportation options.

Bike Score
82
Very Bikeable
Biking is convenient for most trips.

OCP Future Land Use / Zoning



Subject Property Map



Project/technical details

- ▶ Rezoning application will allow for a 3 storey, 54 unit apartment building
- ▶ Staff are tracking no variances

Robson Rd W



Renderings



SITE OVERVIEW - BIRDSEYE PERSPECTIVE

Renderings



VIEW FROM RUTLAND x ROBSON ROAD INTERSECTION

Development Policy

- ▶ Support residential density in Urban Centres
 - ▶ Allows for residential development close to the Plaza 33 commercial node, transit opportunities and everyday amenities
- ▶ Ensure context sensitive development
 - ▶ Housing mix with varying unit size, form and tenure in multi-unit residential

Staff Recommendation

- ▶ Staff are supportive of the proposed rezoning application
 - ▶ Allows for context sensitive residential development in an Urban Centre
 - ▶ Falls within the future land use and goals of the Official Community Plan



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12086

Z20-0010

235 and 285 Robson Road W and 240 Rutland Road S

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1 Section 23 Township 26, ODYD, Plan 12830 located at Robson Road W, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RM3 – Low Density Multiple Housing zone;
2. AND THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2 Section 23 Township 26, ODYD, Plan 12830 located at Robson Road W, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RM3 – Low Density Multiple Housing zone.
3. AND THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 10 Section 23 Township 26, ODYD, Plan 12078 located at Rutland Road S, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RM3 – Low Density Multiple Housing zone.
4. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 27th day of July, 2020.

Considered at Public Hearing by the Municipal Council this

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk