

# City of Kelowna

## Public Hearing

### AGENDA



Tuesday, September 15, 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 Meeting Items
2. Call to Order the Public Hearing - START TIME 6:00 PM - DeHart Rd 664 - Z20-0050 (BL12077) - Carolyn Rae Stevenson

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.

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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.

3. Individual Bylaw Submissions

**3.1 START TIME 6:00 PM - DeHart Rd 664 - Z20-0050 (BL12077) - Carolyn Rae Stevenson**

10 - 28

To rezone the subject property from the RU1 – Large Lot Housing to the RU1C – Large Lot Housing with Carriage House to facilitate the development of a Carriage House on the subject property.

**4. Termination**

**5. Call to Order the Regular Meeting**

**6. Bylaws Considered at Public Hearing**

**6.1 START TIME 6:00 PM - DeHart Rd 664 - BL12077 (Z20-0050) - Carolyn Rae Stevenson**

29 - 29

To give Bylaw No. 12077 second and third reading and be adopted in order to rezone the subject property from the RU1 – Large Lot Housing to the RU1C – Large Lot Housing with Carriage House.

**7. Termination**

**8. Call to Order the Public Hearing - START TIME 6:00 PM - Grantham Rd 2368 - Z20-0049 (BL12078) - Bernard Schmidt and Beverly Schmidt**

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.

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**9. Individual Bylaw Submissions**

**9.1 START TIME 6:00 PM - Grantham Rd 2368 - Z20-0049 (BL12078) - Bernard Schmidt and Beverly Schmidt**

30 - 47



To rezone the subject property from the RR1 – Rural Residential 1 zone to the A1 – Agriculture 1 zone to allow for a mobile home for immediate family.

**10. Termination**

**11. Call to Order the Regular Meeting**

**12. Bylaws Considered at Public Hearing**

**12.1 START TIME 6:00 PM - Grantham Rd 2368 - BL12078 (Z20-0049) - Bernard Schmidt and Beverly Schmidt**

48 - 48

To give Bylaw No. 12078 second and third reading and be adopted in order to rezone the subject property from the RR1 – Rural Residential 1 zone to the A1 – Agriculture 1 zone.

**13. Termination**

**14. Call to Order the Public Hearing - START TIME 6:00 PM - Grantham Rd 2380 - Z20-0051 (BL12079) - Diana Lynn Nixon**

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.

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**15. Individual Bylaw Submissions**

**15.1 START TIME 6:00 PM - Grantham Rd 2380 - Z20-0051 (BL12079) - Diana Lynn Nixon**

49 - 63

To rezone the subject property from the RR1 – Rural Residential 1 zone to the A1 – Agriculture 1 zone to allow for a mobile home for immediate family.

**16. Termination**

**17. Call to Order the Regular Meeting**

**18. Bylaws Considered at Public Hearing**

**18.1 START TIME 6:00 PM - Grantham Rd 2380 - BL12079 (Z20-0051) - Diana Lynn Nixon**

64 - 64

To give Bylaw No. 12079 second and third reading and be adopted in order to rezone the subject property from the RR1 – Rural Residential 1 zone to the A1 – Agriculture 1 zone

**19. Termination**

**20. Call to Order the Public Hearing - START TIME 6:45 PM - St. Paul St 1193 - Z18-0011 (BL12080) - Evergreen Lands Limited, Inc No. BCo382754**

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.

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**21. Individual Bylaw Submissions**

**21.1 START TIME - 6:45 PM - St. Paul St 1193 - Z18-0011 (BL12080) - Evergreen Lands Limited, Inc No. BCo382754**

65 - 112

To consider an application to rezone the subject property from the I4 - Central Industrial zone to the C7 - Central Business Commercial zone to facilitate the construction of a hotel.

**22. Termination**

**23. Call to Order the Regular Meeting**

**24. Bylaws Considered at Public Hearing**

**24.1 START TIME 6:45 PM - St. Paul St 1193 - BL12080 (Z18-0011) - Evergreen Lands Limited, Inc No. BCo382754**

113 - 113

To give Bylaw No. 12080 second and third reading in order to rezone the subject property from the I4 - Central Industrial zone to the C7 - Central Business Commercial zone.

**25. Termination**

**26. Call to Order the Public Hearing - START TIME 7:20 PM - Clement Ave 599 - Z20-0046 (BL12082) - Okanagan Opportunity GP Inc**

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.

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**27. Individual Bylaw Submissions**

**27.1 START TIME 7:20 PM - Clement Ave 599 - Z20-0046 (BL12082) - Okanagan Opportunity GP Inc**

114 - 137

To consider a Rezoning application to rezone the subject property from the RM6 - High Rise Apartment Housing zone to the RM6r - High Rise Apartment Housing (Residential Rental Tenure Only) zone.

**28. Termination**

**29. Call to Order the Regular Meeting**

**30. Bylaws Considered at Public Hearing**

**30.1 START TIME 7:20 PM - Clement Ave 599 - BL12082 (Z20-0046) - Okanagan Opportunity GP Inc**

138 - 138

To give Bylaw No. 12082 second and third reading and be adopted in order to rezone the subject property from the RM6 - High Rise Apartment Housing zone to the RM6r - High Rise Apartment Housing (Residential Rental Tenure Only) zone.

**31. Termination**

**32. Call to Order the Public Hearing - START TIME 7:20 - Pacific Ave 1145 - Z20-0047 (BL12081) - Okanagan Opportunity (Pacific) GP Inc., Inc. No. BC1188652**

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.

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**33. Individual Bylaw Submission**

**33.1 START TIME 7:20 PM - Pacific Ave 1145 - Z20-0047 (BL12081) - Okanagan Opportunity (Pacific) GP Inc., Inc. No. BC1188652**

139 - 162

To consider a Rezoning application to rezone the subject property from the RM5 – Medium Density Multiple Housing zone to the RM5r - Medium Density Multiple Housing (Residential Rental Tenure Only) zone.

**34. Termination**

**35. Call to Order the Regular Meeting**

**36. Bylaws Considered at Public Hearing**

**36.1 START TIME 7:20 PM - Pacific Ave 1145 - BL12081 (Z20-0047) - Okanagan Opportunity (Pacific) GP Inc., Inc. No. BC1188652**

163 - 163

To give Bylaw No. 12081 second and third reading in order to rezone the subject property from the RM5 – Medium Density Multiple Housing zone to the RM5r - Medium Density Multiple Housing (Residential Rental Tenure Only) zone.

**37. Termination**

**38. Call to Order the Public Hearing - START TIME 8:00 PM - Lakeshore Road 4071 - OCP19-0013 (BL12091) Z19-0144 (BL12092) - Greencorp Ventures Inc., Inc.No. BC0987730**

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.

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**39. Individual Bylaw Submissions**

**39.1 START TIME 8:00 PM - Lakeshore Road 4071 - OCP19-0013 (BL12091) Z19-0144 (BL12092) - Greencorp Ventures Inc., Inc.No. BC0987730**

164 - 190

To consider an OCP Amendment to change the future land use designation of the subject lot from S2RES – Single / Two Unit Residential to MRM – Multiple Unit Residential (Medium Density); and to rezone the lot from the RU1 – Large Lot Housing zone to the RM5 – Medium Density Multiple Housing zone to facilitate the development of a 5 storey apartment building.

**40. Termination**

**41. Call to Order the Regular Meeting**

**42. Bylaws Considered at Public Hearing**

- 42.1 START TIME 8:00 PM - Lakeshore Rd 4071 - BL12091 (OCP19-0013) - Greencorp Ventures Inc., Inc. No. BC0987730** 191 - 191

**Requires a majority of all members of Council (5)**

To give Bylaw No. 12091 second and third reading in order to amend the Official Community Plan to change the future land use designation for the subject property from the S2RES – Single / Two Unit Residential designation to the MRM – Multiple Unit Residential (Medium Density) designation.

- 42.2 START TIME - 8:00 PM - Lakeshore Rd 4071 - BL12092 (Z19-0144) - Greencorp Ventures Inc., Inc. No. BC0987730** 192 - 192

To give Bylaw No. 12092 second and third reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RM5 – Medium Density Multiple Housing zone.

**43. Termination**

**44. 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:** August 24<sup>th</sup>, 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** Z20-0050

**Owner:** Carolyn Rae Stevenson

**Address:** 664 DeHart Road

**Applicant:** Carolyn Rae Stevenson

**Subject:** Rezoning Application

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

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

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

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## 1.0 Recommendation

THAT Rezoning Application No. Z20-0050 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 358 ODYD Plan KAP90312, located at 664 DeHart Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone, be considered by Council;

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

## 2.0 Purpose

To rezone the subject property from the RU1 – Large Lot Housing to the RU1C – Large Lot Housing with Carriage House to facilitate the development of a Carriage House on the subject property.

## 3.0 Development Planning

Development Planning Staff support the proposed rezoning application to RU1C to facilitate the development of a carriage house. The subject property is within the Permanent Growth Boundary (PGB), is serviced (i.e. sewer) and the plans align with the Official Community Plan (OCP) Future Land Use of S2RES – Single/Two Unit Residential. This application would meet policy objectives including fostering a mix of housing forms and concentrating growth within the PGB. Development Planning staff do not anticipate any neighbourhood concerns regarding the application.



#### 4.0 Proposal

##### 4.1 Project Description

The proposed rezoning from RU1 to RU1C is to facilitate the development of a new carriage house. The applicant has submitted conceptual drawings showing the proposed carriage in the front yard with access off DeHart Road. The proposal indicates that the carriage house can be constructed to meet all Zoning Bylaw Regulations without variances. The subject property is near parks, schools and nearby transit on Gordon Drive and Lakeshore Road, making this a suitable location for increased density.

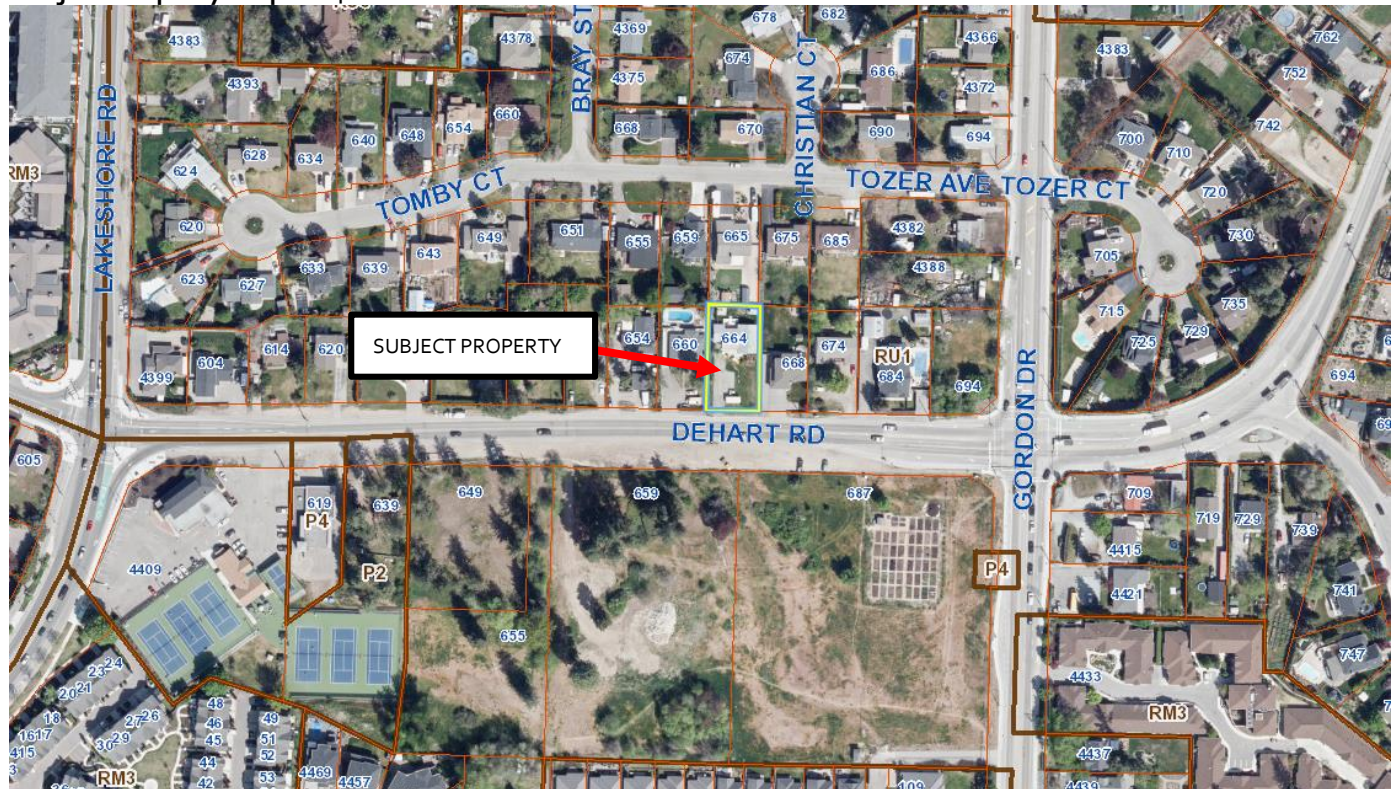
##### 4.2 Site Context

The subject property is in the North Mission – Crawford OCP Sector and the surrounding area is primarily zoned RU1 – Large Lot Housing. The surrounding area has a Future Land Use Designation of S2RES – Single/Two Unit Residential and PARK – Major Park/Open Space (public).

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single-Family Dwelling
East	RU1 – Large Lot Housing	Single-Family Dwelling
South	RU1 – Large Lot Housing	Vacant City-Owned Parcel
West	RU1 – Large Lot Housing	Single-Family Dwelling

**Subject Property Map: 664 DeHart Road**



#### 4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU <sub>1</sub> C ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	550m <sup>2</sup>	1018.49m <sup>2</sup>
Min. Lot Width	16.5m	22.32m
Min. Lot Depth	30m	45.4m
Development Regulations		
Max. Site Coverage (buildings)	40%	25.72%
Max. Site Coverage (buildings, parking, driveways)	50%	38.9%
Max. Height	4.8m	3.89m
Min. Front Yard	9.0m	9.0m
Min. Side Yard (east)	1.5m	1.5m
Min. Side Yard (west)	1.5m	9.3m
Min. Rear Yard	1.5m	25.7m
Other Regulations		
Min. Parking Requirements	3	3

### 5.0 **Current Development Policies**

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

##### Chapter 5: Development Process

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

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

##### *Objective 5.22 Ensure context sensitive housing development*

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

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

### 6.0 **Technical Comments**

#### 6.1 FortisBC – Gas

6.1.1 Existing gas line will have to be rerouted prior to construction of carriage house.

## **7.0 Application Chronology**

Date of Application Received: June 16, 2020

Date Public Consultation Completed: June 17, 2020

**Report prepared by:** Tyler Caswell, Planner I

**Reviewed by:** Dean Strachan, Community Planning & Development Manager

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

### **Attachments:**

Attachment A: Conceptual Drawing Package

Attachment B: Site Plan

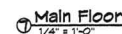


*A*

# Z20-0050



City of Kelowna  
DEVELOPMENT PLANNING



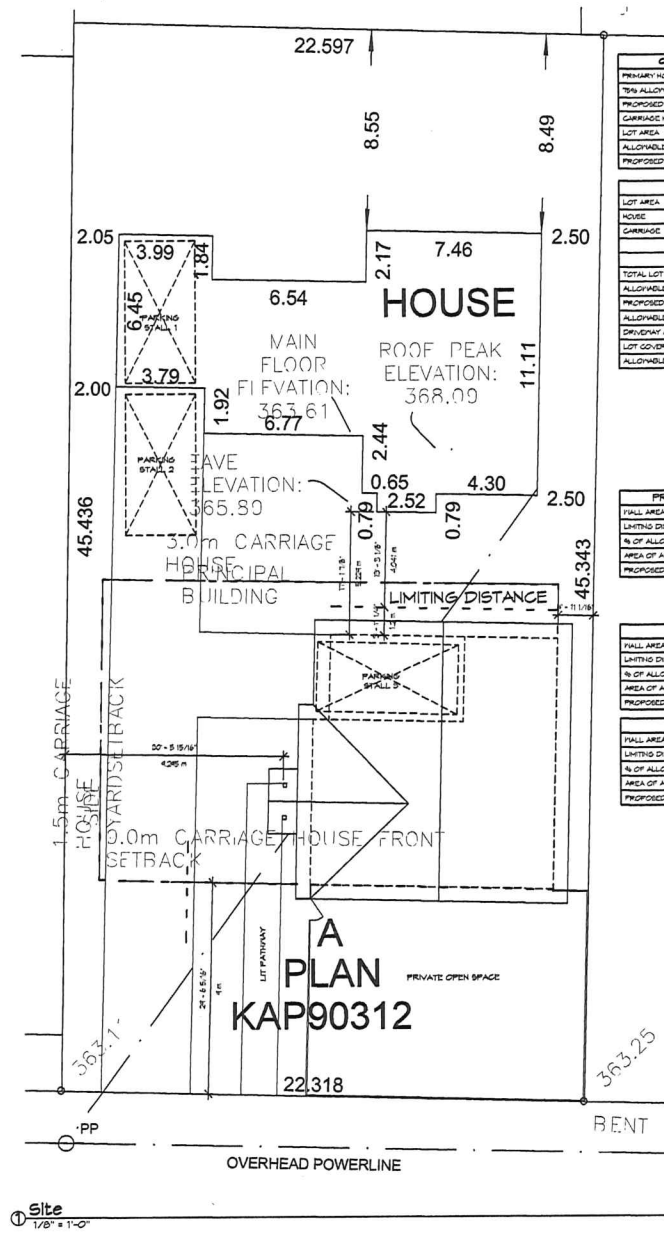
**AWARD WINNING BUILDER**

# ATTACHMENT B

This forms part of application

# Z20-0050

Planner  
Initials **TC**



CARRIAGE HOME LOT CALCULATIONS		
PRIMARY HOME FLOOR AREA	1056.84 SF	1012.48 SF
75% ALLOWABLE AREA	1242.63 SF	115.44 SF
PROPOSED CARRIAGE AREA	458 SF	87.14 SF
CARRIAGE HOME ALLOWABLE LG	20 %	
LOT AREA	10962.42 SF	1012.48 SF
ALLOWABLE CARRIAGE LG	2142.55 SF	203.7 SF
PROPOSED CARRIAGE LG	1183 SF	108.25 SF

LOT COVERAGE		
LOT AREA	10962.42 SF	1012.48 SF
HOUSE	1056.84 SF	1012.48 SF
CARRIAGE	1183 SF	108.25 SF
	0 SF	0 SF
	0 SF	0 SF
TOTAL LOT COVERAGE	2214.84 SF	211.47 SF
ALLOWABLE LOT COVERAGE	4355.11 SF	407.34 SF
PROPOSED LOT COVERAGE	28.10%	
ALLOWABLE LOT COVERAGE	40 %	
DRIVEWAY AREA	1444.84 SF	134.21 SF
LOT COVERAGE WITH DRIVEWAY	58.40%	
ALLOWABLE LG WITH DRIVEWAY	80%	

PRIMARY HOME ELEVATION		
FULL AREA	0 SF	0 SF
LIMITING DISTANCE	0'	2.000 m
% OF ALLOWABLE OPENINGS	0.00%	
AREA OF ALLOWABLE OPENINGS	0.00 SF	0.00 SF
PROPOSED OPENINGS	0 SF	0 SF

LEFT ELEVATION		
FULL AREA	550.74 SF	50.75 SF
LIMITING DISTANCE	0' - 11 1/4"	1.500 m
% OF ALLOWABLE OPENINGS	1.00%	
AREA OF ALLOWABLE OPENINGS	20.10 SF	2.18 SF
PROPOSED OPENINGS	22 SF	2.04 SF

REAR ELEVATION		
FULL AREA	240.84 SF	21.61 SF
LIMITING DISTANCE	4' - 11 1/4"	1.500 m
% OF ALLOWABLE OPENINGS	8.80%	
AREA OF ALLOWABLE OPENINGS	50.10 SF	5.80 SF
PROPOSED OPENINGS	20 SF	1.88 SF

PRELIMINARY  
ONLY  
NOT FOR CONSTRUCTION PURPOSES



PHONE: (250) 765-4191  
4251 - 4253 PRING ROAD, KELOWNA, B.C.

PROPOSED RESIDENCE OF:  
Carolin Stevenson  
KELOWNA, B.C.

DRAWING SCALE: 1/8" = 1'-0"

DATE: MAY 12, 2020

REV. DATE:

DRN. BY: J.A.S.

AWARD WINNING BUILDER



# SITE PLAN OF LOCATION ON LOT A DISTRICT LOT 358 ODYD PLAN KAP90312

PID: 028-137-523  
ADDRESS: 664 DEHART ROAD

A  
PLAN  
KAP49516

PLAN

33246

2

3  
PLAN  
KAP47283

A  
PLAN  
KAP90312

**ATTACHMENT**

B

This forms part of application  
# Z20-0050

Planner  
Initials

TC

City of  
**Kelowna**  
DEVELOPMENT PLANNING



B

COVENANT,  
PLAN KAP47284

22.318

BENT

OVERHEAD POWERLINE

## LEGEND

- ⊗ SPOT HEIGHT
- IRON PIN FOUND
- <sup>PP</sup> POWER POLE

PROPERTY LINES ARE APPROXIMATE AND  
ARE SUBJECT TO A FULL LEGAL SURVEY

ELEVATIONS ARE GEODETIC AND ARE  
DERIVED FROM RTK GPS

## DEHART ROAD

DIMENSIONS GIVEN ARE TO THE SIDING OF THE HOUSE.

THIS PLAN SHOWS REGISTERED CHARGES ON TITLE THAT ARE DEFINED  
BY SURVEY PLAN OR DESCRIPTION. UNREGISTERED INTERESTS HAVE NOT  
BEEN INCLUDED OR CONSIDERED.

CLIENT: STEVENSON, CAROLYN

DATE: APRIL 20, 2020

SCALE: 1:300 METRES

FILE: 22150

© T.E. FERGUSON LAND SURVEYING LTD.

**T.E. Ferguson Land Surveying Ltd.**

B.C. AND CANADA LAND SURVEYORS  
404-1630 PANDOSY STREET, KELOWNA, B.C.  
TELEPHONE: (250) 763-3115  
FAX: (250) 763-0321



# Z20-0050 664 DeHart Road

Rezoning Application



# Proposal

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



# Development Process

Jun 16<sup>th</sup>, 2020

Development Application Submitted

Staff Review & Circulation

Jun 17<sup>th</sup>, 2020

Public Notification Received

Aug 24<sup>th</sup>, 2020

Initial Consideration

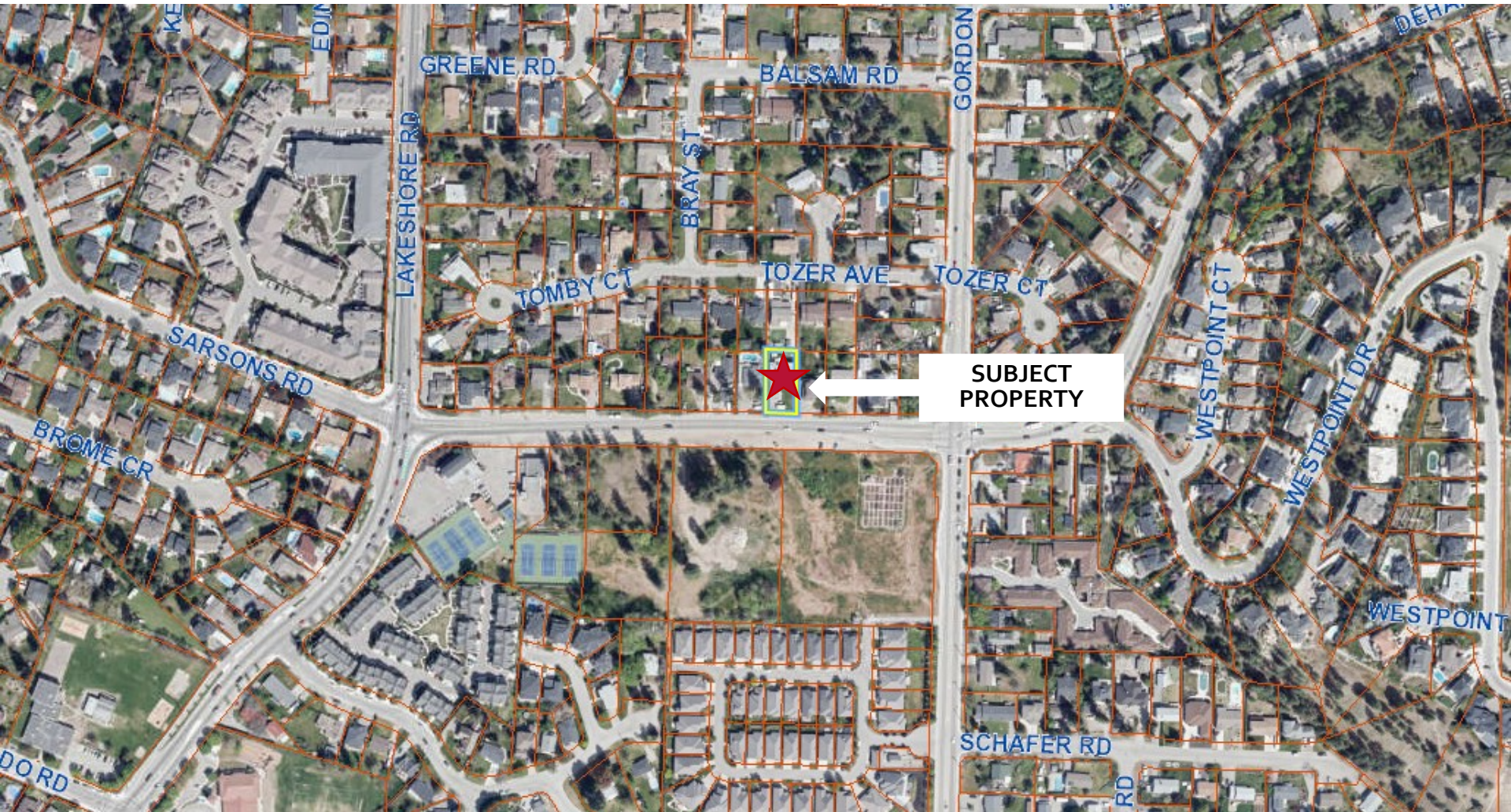
Public Hearing  
Second & Third Readings

Final Reading

Building Permit

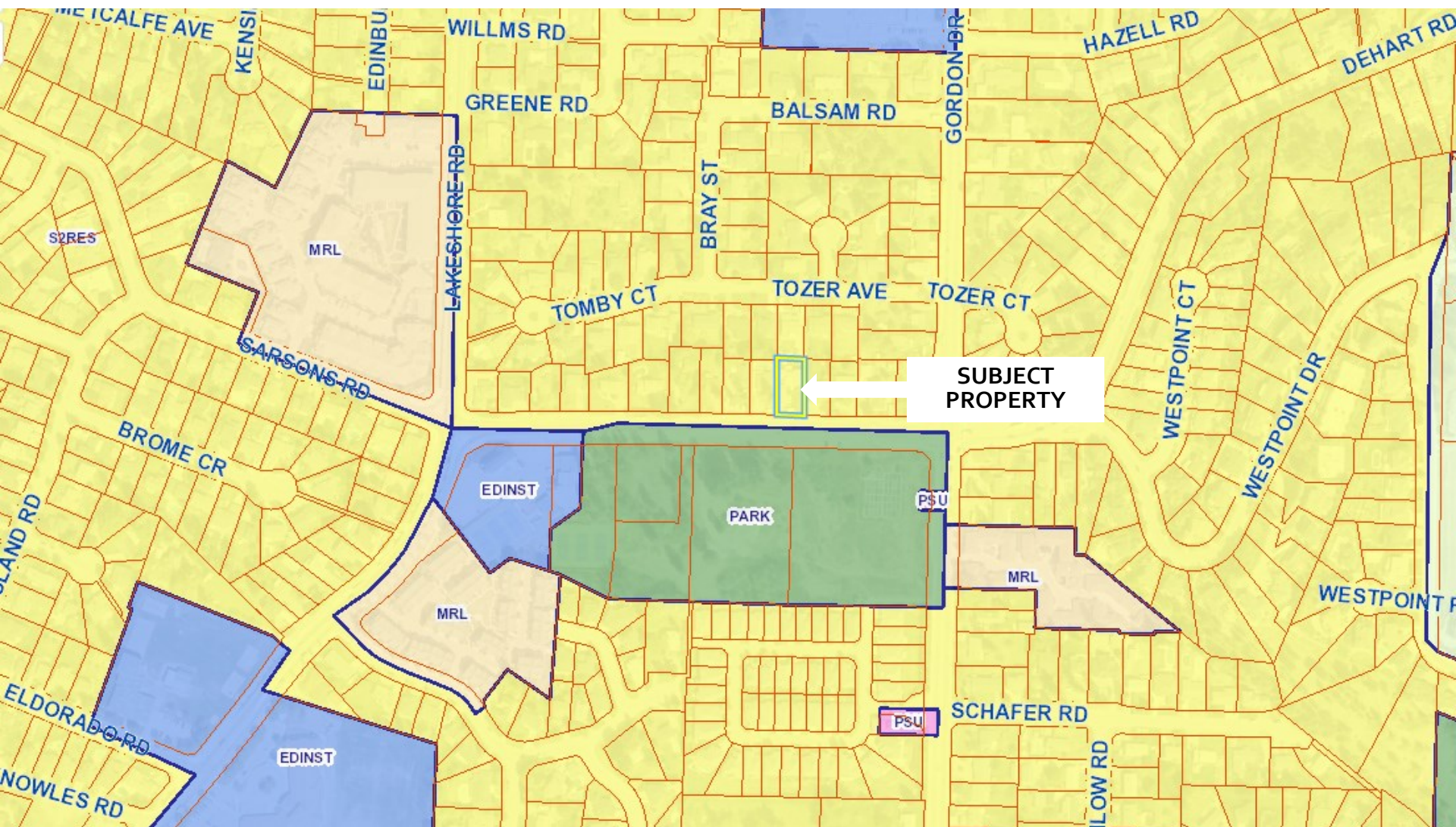
Council  
Approvals

# Context Map





# OCP Future Land Use / Zoning





# Subject Property Map



# Project/technical details

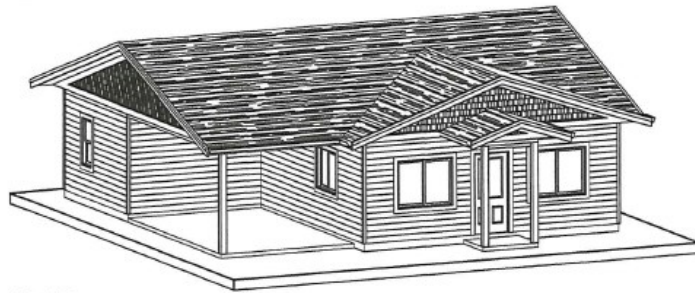
- ▶ Proposed rezoning will facilitate a carriage house.
- ▶ The proposed carriage house will be in the front yard of the existing home.
- ▶ No variances have been identified relating to the proposed rezoning.

[illegible]

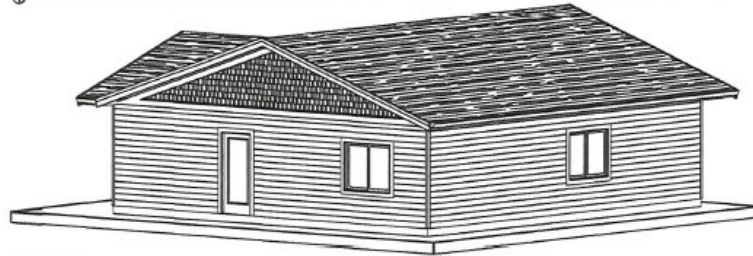
① Site  
1/8" = 1'-0"



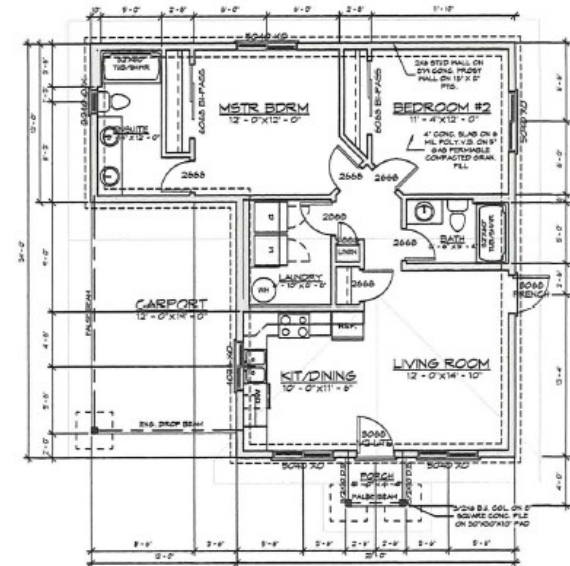
# Conceptual Drawings



Front 3D



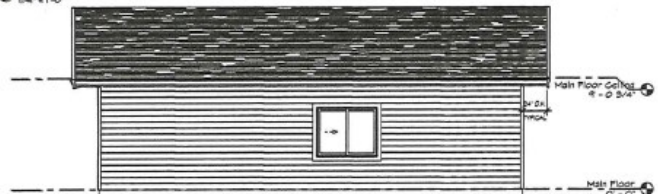
Rear 3D



Main Floor



Front



Rear



Left



Right

# Development Policy

- ▶ Meets the intent of Official Community Plan Urban Infill Policies:
  - ▶ Within Permanent Growth Boundary
  - ▶ Complete Communities
  - ▶ Sensitive Infill
  - ▶ Carriage Houses and Accessory Apartments
- ▶ Consistent with Zoning Bylaw – no variances



# Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning to facilitate development of a carriage house
  - ▶ Meets the intent of the Official Community Plan
    - ▶ Urban Infill Policies
    - ▶ Appropriate location for adding residential density
- ▶ Recommend the Bylaw be forwarded to Public Hearing



## *Conclusion of Staff Remarks*

**CITY OF KELOWNA**  
**BYLAW NO. 12077**  
**Z20-0050 – 664 DeHart Road**

---

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 A District Lot 358, ODYD, Plan KAP90312 located at DeHart Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House 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 24<sup>th</sup> day of August, 2020.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk

# REPORT TO COUNCIL



**Date:** August 24<sup>th</sup>, 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** Z20-0049

**Owner:** Bernard Schmidt & Beverly Schmidt

**Address:** 2368 Grantham Road

**Applicant:** Tom Allin (LCM Homes)

**Subject:** Rezoning Application

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

**Existing Zone:** RR1 – Rural Residential 1

**Proposed Zone:** A1 – Agriculture 1

---

## 1.0 Recommendation

THAT Rezoning Application No. Z20-0049 to amend the City of Kelowna Zoning Bylaw no. 8000 by changing the zoning classification of Lot A Section 4 Township 26 ODYD Plan 38370, located at 2368 Grantham Road, Kelowna, BC from the RR1 – Rural Residential 1 zone to the A1 – Agriculture 1 zone, be considered by Council;

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

## 2.0 Purpose

To rezone the subject property from the RR1 – Rural Residential 1 zone to the A1 – Agriculture 1 zone to allow for a mobile home for immediate family.

## 3.0 Development Planning

Development Planning staff support the proposed rezoning application to A1 – Agriculture 1 to facilitate a mobile home for immediate family members. The property is located in the Agricultural Land Reserve (ALR). The Official Community Plan (OCP) Future Land Use Designation of the subject property is REP – Resource Protection Area, which means the designated area is to be preserved for agriculture, environmental and recreational purposes. This application will allow for this property's land to be further protected for agricultural use. Development Planning staff do not anticipate any neighbourhood impacts relating to this rezoning.

#### 4.0 Proposal

##### 4.1 Background

The property was previously rezoned to rural-residential in 1987 as part of a two-lot subdivision. This subdivision was supported by the Agricultural Land Commission and subdivided a 2.42 ha parcel into two parcels: the neighbouring east property to 1.29ha and this parcel to 1.13ha.

##### 4.2 Project Description

The proposed rezoning from RR1 to A1 is to facilitate a mobile home for immediate family members. Mobile homes for immediate family members are a permitted secondary use for A1 properties in the ALR. The owners of the property are aging and they want to remain on the property, so they want to have an immediate family member on site to tend to the day-to-day care of the property. The applicant has submitted conceptual drawings showing the mobile home on the property, which will be within the homeplate near the existing dwelling. The proposal indicates that the mobile home can be constructed to meet all the Zoning Bylaw Regulations without any variances. If the Rezoning is approved, the Farm Residential Footprint covenant will have to be amended and placed on Title. This will restrict the area of the mobile home and will be required to be completed before a Building Permit can be issued.

##### 4.3 Site Context

The subject property is in the Southeast Kelowna OCP Sector and the surrounding area is primarily zoned A1 – Agriculture 1 and RR1 – Rural Residential 1. The property to the East is the only RR1 zoned property and has an active application to also rezone from RR1 to A1. The Future Land Use Designation of the area is REP – Resource Protection Area.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 – Agriculture 1	Active Farm
East	RR1 – Rural Residential 1	Single-Family Acreage
South	A1 – Agriculture 1	Single-Family Acreage
West	A1 – Agriculture 1	Single-Family Acreage

#### Subject Property Map: 2368 Grantham Road



## **5.0 Current Development Policies**

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

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

##### ***Objective 5.2 Develop Sustainably***

*Policy .1 Integrated Land Use.* Integrate land use approaches wherever possible to improve opportunities for biodiversity, ecosystem connectivity, recreation, agriculture and local food production, while reducing conflicts.

##### ***Objective 5.33 Protect and enhance local agriculture***

*Policy .1 Protect Agricultural Land.* Retain the agricultural land base by supporting the ALR and by protecting agricultural lands from development, except noted in the City of Kelowna Agricultural Plan. Ensure that the primary use of agricultural land is agriculture, regardless of parcel size.

##### ***Objective 5.34 Preserve Productive Agricultural Land.***

*Policy .3 Homeplating.* Locate buildings and structures, including farm help housing and farm retail sales area and structures, on agricultural parcels in close proximity to one another and where appropriate, near the existing road frontage. The goal should be to maximize use of existing infrastructure and reduce impacts on productive agricultural lands.

## **6.0 Application Chronology**

Date of Application Received: June 16, 2020

Date Public Consultation Completed: June 26, 2020

**Report prepared by:** Tyler Caswell, Planner I

**Reviewed by:** Dean Strachan, Community Planning & Development Manager

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

### **Attachments**

Attachment A: Site Plan

Attachment B: Conceptual Drawing Package

**PLAN 38370**

**SEPTIC LIDS**

**COVENANT, PLAN EPP99767**

**COVENANT AREA: 1804m<sup>2</sup>**

**PROPOSED HOUSE**

**EXISTING HOUSE**

**POOL**

**DECK**

**PATIO AREA**

**EXISTING GARAGE**

**GRANTHAM ROAD**

**City of Kelowna**  
DEVELOPMENT PLANNING

**REV. 1**  
APRIL 20, 2020

**NOTE: STORAGE BUILDING AND A PORTION OF THE GARAGE ARE**

A

# Z20-0049

TC

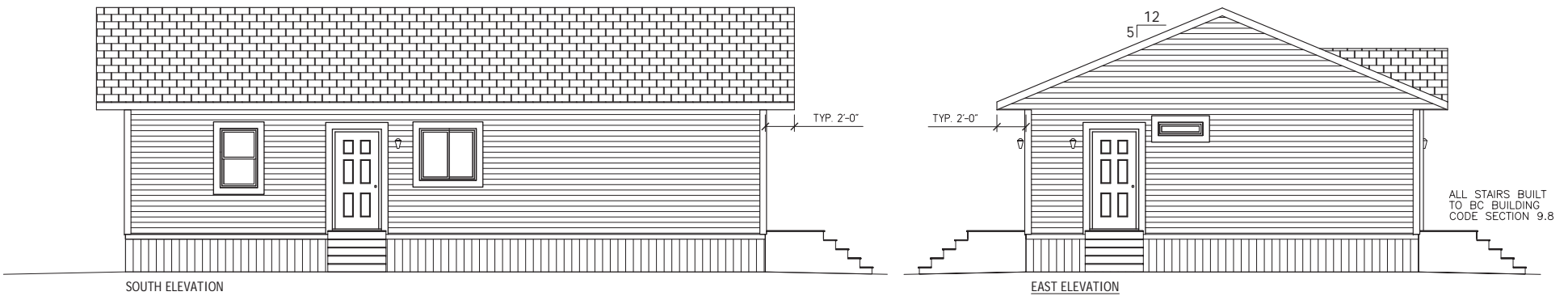
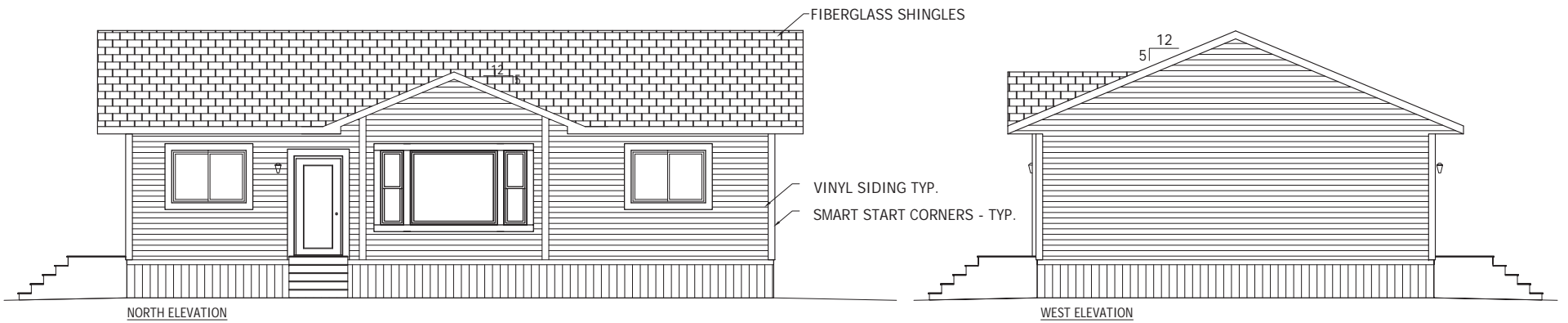


City of Kelowna  
DEVELOPMENT PLANNING

APRIL 20, 2020

CLIENT: LAKE COUNTRY MODULAR HOMES		DATE: DECEMBER 20, 2019	
SCALE: 1:500 METRES	FILE: 22061	DRAWN BY: RD	
<b>Ferguson Land Surveying &amp; Geomatics Ltd.</b>			
BC AND CANADA LAND SURVEYORS		404-1630 PANDOSY STREET, KELOWNA, BC	
PHONE: (250) 763-3115		FAX: (250) 763-0321	
©Ferguson Land Surveying & Geomatics Ltd. ALL RIGHTS RESERVED.			

THIS PLAN IS BASED ON DESIGN DRAWING PROVIDED TO FERGUSON  
LAND SURVEYING & GEOMATICS LTD. COMPLIANCE WITH APPLICABLE  
ZONING BYLAWS IS NOT BEING GUARANTEED BY THIS PLAN.



## ATTACHMENT B

This forms part of application

# Z20-0049

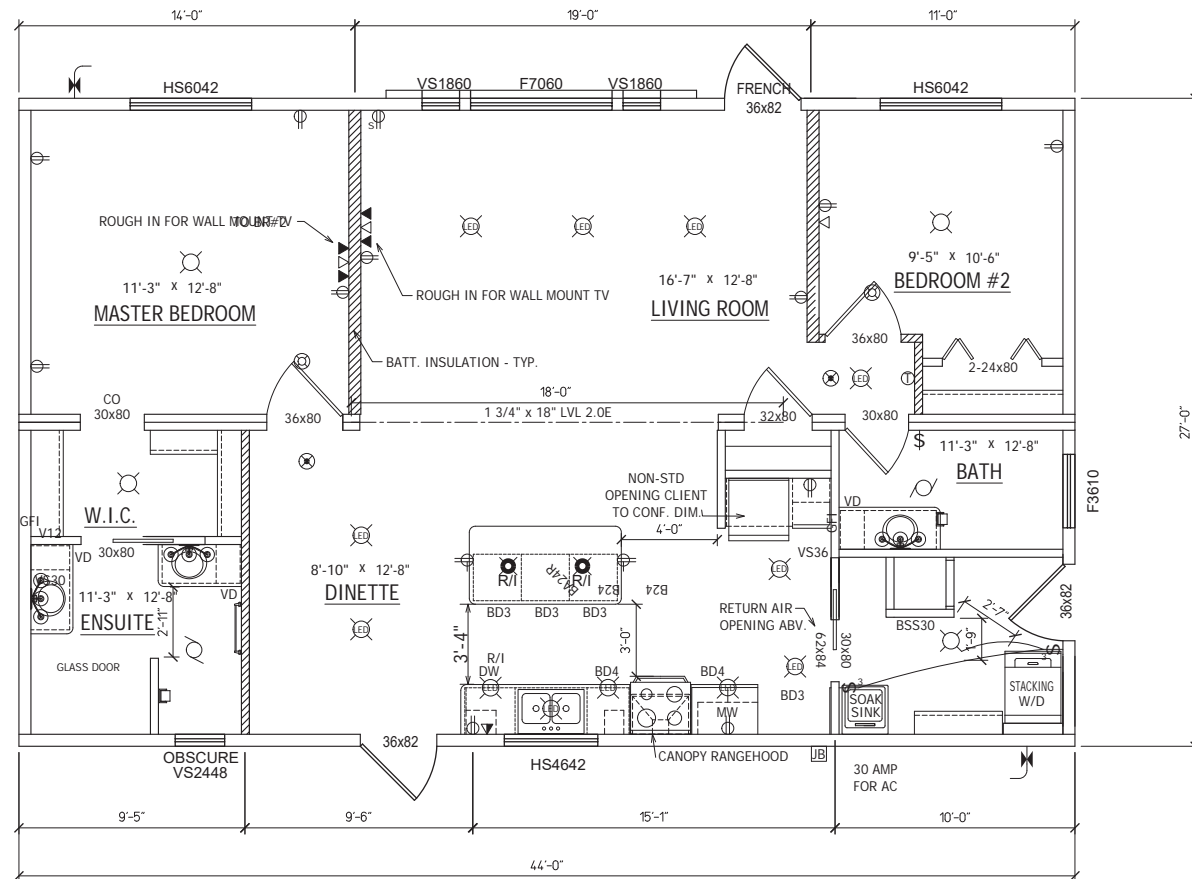
Planner  
Initials TC



REV.	DATE	DESCRIPTION	ELEVATIONS		
			CLIENT: DIAMOND	2368 GRANTHAM RD	
			SCALE: 3/16"=1'	DATE: APR 28, 2020	DRAWN: TA
			LAKE COUNTRY MODULAR HOMES		







# ATTACHMENT B

This forms part of application  
# Z20-0049

Planner Initials **TC**



REV.	DATE	DESCRIPTION

FLOOR PLAN			
CLIENT: DIAMOND		2368 GRANTHAM RD	
SCALE: 1/4"=1'		DATE: FEB 18, 2020	DRAWN: TA
LAKE COUNTRY MODULAR HOMES			





# Z20-0049

# 2368 Grantham Road

Rezoning Application



# Proposal

- ▶ To rezone the subject property from RR1 – Rural Residential 1 to A1 – Agriculture 1.

# Development Process

Jun 16, 2020

Development Application Submitted



Staff Review & Circulation



Jun 26, 2020

Public Notification Received



Aug 24, 2020

Initial Consideration



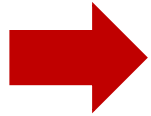
Public Hearing  
Second & Third Readings



Final Reading  
DP & Variances



Building Permit



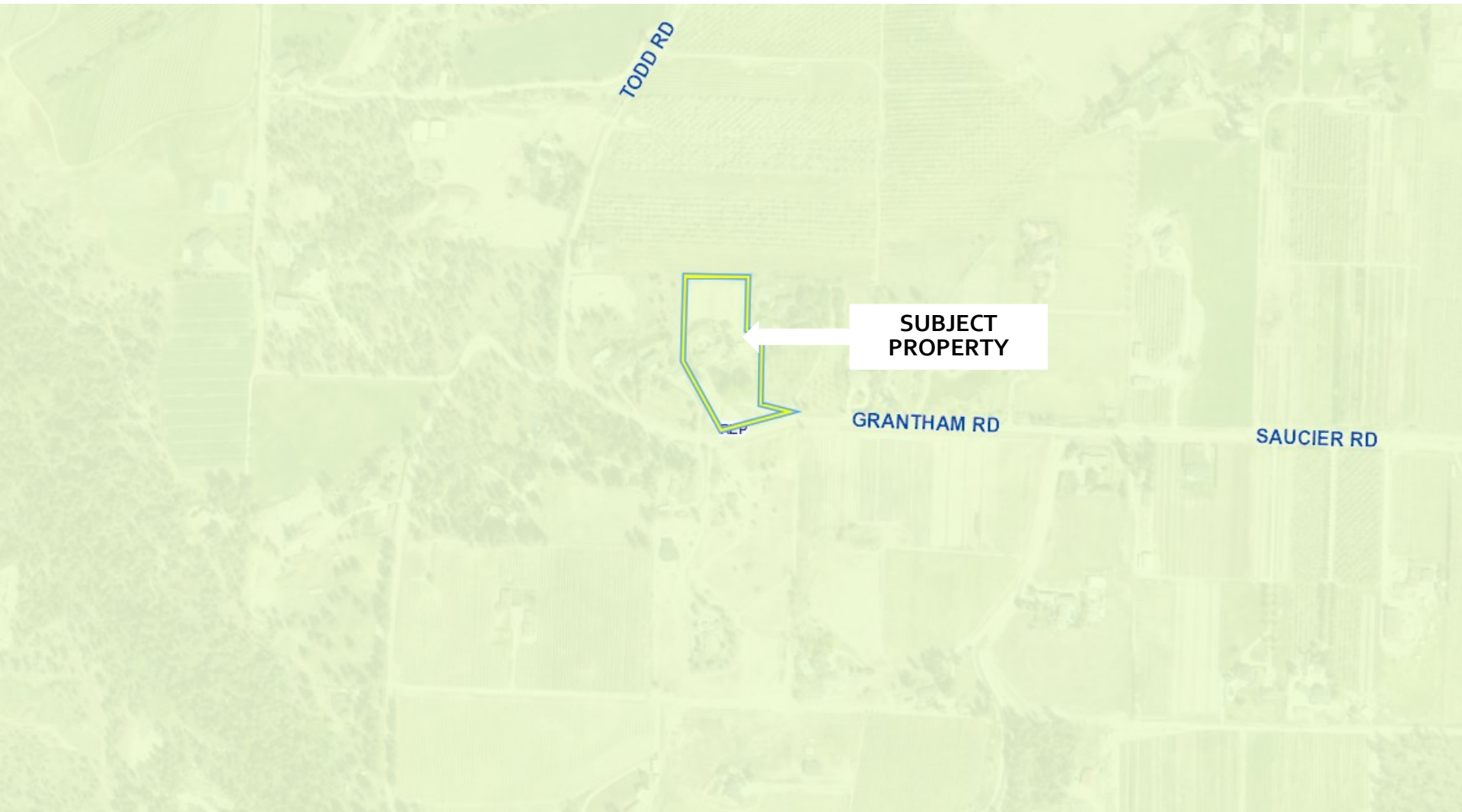
Council  
Approvals



# Context Map



# OCP Future Land Use / Zoning





# Subject Property Map



# Project/technical details

- ▶ Proposed rezoning to facilitate a mobile home for immediate family members.
- ▶ Permitted in A1/ALR properties, but not RR1/ALR.
- ▶ Mobile home will allow owners to stay on property but have immediate family members help with day-to-day duties on the property.

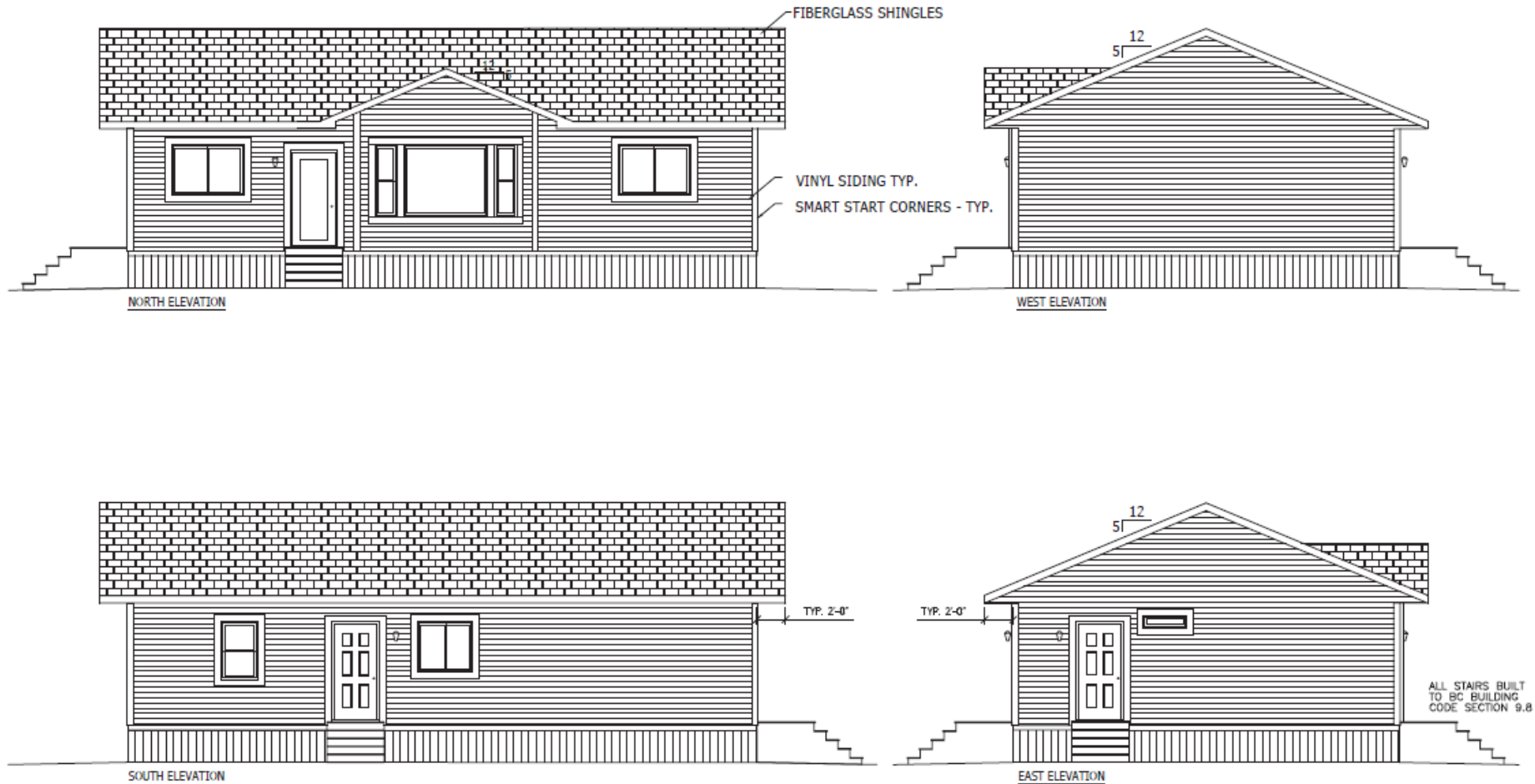


Site plan for Plan 38370, showing the proposed location of a new house. The plan includes an existing house, patio area, deck, pool, and garage. A blue arrow points to the 'PROPOSED HOUSE' location. The site is bounded by Grantham Road to the south and is adjacent to a covenant area. Dimensions and bearings are provided for various boundaries and features.

Key features and dimensions:

- Proposed House:** Indicated by a blue arrow pointing to a rectangular area.
- Existing House:** Located to the south of the proposed house.
- Patio Area:** Located to the south of the existing house.
- Deck:** Located to the west of the existing house.
- Pool:** Located to the west of the deck.
- Existing Garage:** Located to the east of the existing house.
- Covenant Area:** Labeled "COVENANT AREA: 1804m<sup>2</sup>".
- Grantham Road:** Located to the south of the site.
- Septic Lids:** Indicated by a symbol and label.
- Dimensions and Bearings:** Various measurements are provided for boundaries and features, including bearings like 10.21, 5.12, 0.90, 9.19, 3.85, 1.88, 9.86, 23.99, 0.60, 11.92, 3.86, 7.73, 7.43, 12.23, 34.04, 13.53, 3.50, 13.41, 0.90, 15.52, 0.90, 17.58, 82.40, 20.69, 78.06, 28.07, 75.20, 9.86, 0.60, 23.99, 0.60, 1.88, 3.85, 9.19, 0.90, 5.12, 10.21, 0.90, 56.85, 68.19, 91.46, and 13.41.

# Conceptual Design



# Development Policy

- ▶ Official Community Plan – Chapter 5: Development Process:
  - ▶ Objective 5.2 – Policy .1 – Integrated Land Use
  - ▶ Objective 5.33 – Policy .1 – Protect and enhance local agriculture.
  - ▶ Objective 5.34 – Policy. 3 – Homeplating

# Staff Recommendation

- ▶ Development Planning Staff recommend **support** of the proposed Rezoning:
  - ▶ The application helps protect agricultural lands.
  - ▶ The property is within the ALR, and all other properties in the surrounding area are zoned A1.



## *Conclusion of Staff Remarks*

**CITY OF KELOWNA**  
**BYLAW NO. 12078**  
**Z20-0049 – 2368 Grantham Road**

---

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 A Section 4 Township 26 ODYD Plan 38370 located at Grantham Road, Kelowna, BC from the RR1 – Rural Residential 1 zone to the A1 – Agriculture 1 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 24<sup>th</sup> day of August, 2020.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

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City Clerk



# REPORT TO COUNCIL



**Date:** August 24<sup>th</sup>, 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** Z20-0051

**Owner:** Diana Lynn Nixon

**Address:** 2380 Grantham Road

**Applicant:** Shane Worman – Worman Homes

**Subject:** Rezoning Application

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

**Existing Zone:** RR1 – Rural Residential 1

**Proposed Zone:** A1 – Agriculture 1

---

## 1.0 Recommendation

THAT Rezoning Application No. Z20-0051 to amend the City of Kelowna Zoning Bylaw no. 8000 by changing the zoning classification of Lot B Section 4 Township 26 ODYD Plan 38370, located at 2380 Grantham Road, Kelowna, BC from the RR1 – Rural Residential 1 zone to the A1 – Agriculture 1 zone, be considered by Council;

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

## 2.0 Purpose

To rezone the subject property from the RR1 – Rural Residential 1 zone to the A1 – Agriculture 1 zone to allow for a mobile home for immediate family.

## 3.0 Development Planning

Development Planning staff support the proposed rezoning application to A1 – Agriculture 1 to facilitate a mobile home for immediate family members. The property is located in the Agricultural Land Reserve (ALR). The Official Community Plan (OCP) Future Land Use Designation of the subject property is REP – Resource Protection Area, which means the designated area is to be preserved for agriculture, environmental and recreational purposes. This application, will allow for this property's land to be further protected for agricultural use. Development Planning staff do not anticipate any neighbourhood impacts relating to this rezoning.

#### 4.0 Proposal

##### 4.1 Background

The property was previously rezoned to rural-residential in 1987 as part of a two-lot subdivision. This subdivision was supported by the Agricultural Land Commission and subdivided a 2.42 ha parcel into two parcels: the neighbouring west property to 1.13ha and this parcel to 1.29ha.

##### 4.2 Project Description

The proposed rezoning from RR1 to A1 is to facilitate a mobile home for immediate family members. Mobile homes for immediate family members are a permitted secondary use for A1 properties in the ALR. The owners have lived on the subject property for 35 years and they want to remain on the property, so they want to have an immediate family member on site to tend to the day-to-day care of the property. The proposal indicates that the mobile home can be constructed to meet all the Zoning Bylaw Regulations without any variances. If the Rezoning is approved, a Farm Residential Footprint covenant will have to be placed on Title. This will restrict the area of the principal dwelling and mobile home and will be required to be completed before a Building Permit can be issued.

##### 4.3 Site Context

The subject property is in the Southeast Kelowna OCP Sector and the surrounding area is primarily zoned A1 – Agriculture 1 and RR1 – Rural Residential 1. The property to the West is the only RR1 zoned property and has an active application to also rezone from RR1 to A1. The Future Land Use Designation of the area is REP – Resource Protection Area.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 – Agriculture 1	Active Farm
East	A1 – Agriculture 1	Single-Family Acreage
South	A1 – Agriculture 1	Single-Family Acreage
West	RR1 – Rural Residential 1	Single-Family Acreage

**Subject Property Map: 2380 Grantham Road**



## **5.0 Current Development Policies**

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

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

##### ***Objective 5.2 Develop Sustainably***

*Policy .1 Integrated Land Use.* Integrate land use approaches wherever possible to improve opportunities for biodiversity, ecosystem connectivity, recreation, agriculture and local food production, while reducing conflicts.

##### ***Objective 5.33 Protect and enhance local agriculture***

*Policy .1 Protect Agricultural Land.* Retain the agricultural land base by supporting the ALR and by protecting agricultural lands from development, except noted in the City of Kelowna Agricultural Plan. Ensure that the primary use of agricultural land is agriculture, regardless of parcel size.

##### ***Objective 5.34 Preserve Productive Agricultural Land.***

*Policy .3 Homeplating.* Locate buildings and structures, including farm help housing and farm retail sales area and structures, on agricultural parcels in close proximity to one another and where appropriate, near the existing road frontage. The goal should be to maximize use of existing infrastructure and reduce impacts on productive agricultural lands.

## **6.0 Application Chronology**

Date of Application Received: June 26, 2020

Date Public Consultation Completed: July 14, 2020

**Report prepared by:** Tyler Caswell, Planner I

**Reviewed by:** Dean Strachan, Community Planning & Development Manager

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

### **Attachments:**

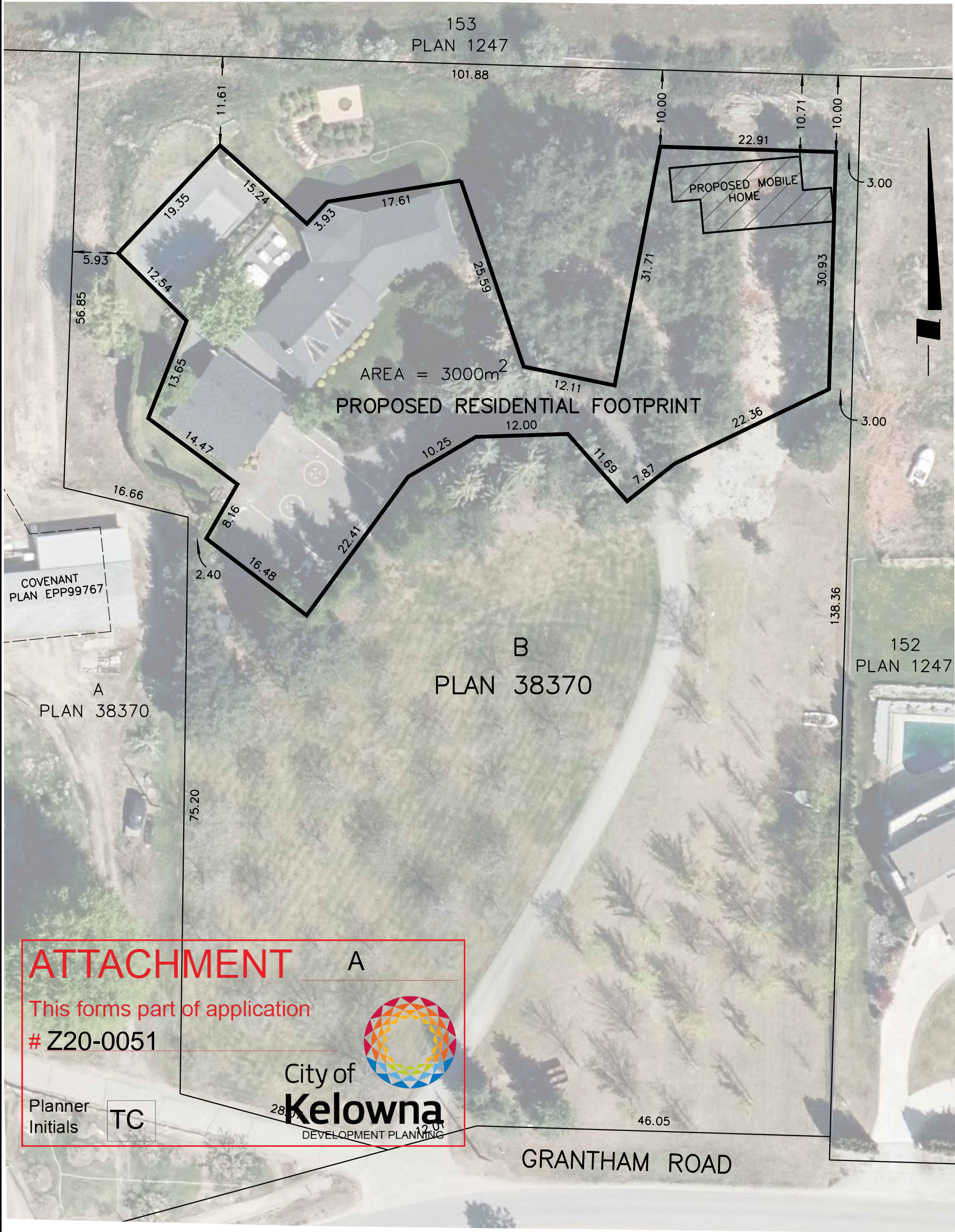
Attachment A: Site Plan



SITE PLAN SHOWING PROPOSED RESIDENTIAL FOOTPRINT ON LOT B  
SECTION 4 TOWNSHIP 26 ODYD PLAN 38370

PID: 007-995-849

2380 GRANTHAM ROAD  
KELOWNA



\*DIMENSIONS OF THE RESIDENTIAL FOOTPRINT ARE APPROXIMATE AND  
ARE SUBJECT TO A SURVEY OF THE IMPROVEMENTS

THIS SKETCH SHOWS THE REGISTERED DIMENSIONS OF THE ABOVE  
DESCRIBED PROPERTY

THIS PLAN IS FOR THE SOLE USE OF THE CLIENT FOR COVENANT  
REVIEW ONLY AND IS NOT TO BE USED FOR RE-ESTABLISHMENT OF  
PROPERTY BOUNDARIES.

THIS PLAN SHOWS REGISTERED CHARGES ON TITLE THAT ARE DEFINED  
BY SURVEY PLAN OR DESCRIPTION. UNREGISTERED INTERESTS HAVE NOT  
BEEN INCLUDED OR CONSIDERED.

CLIENT: WORMAN HOMES		DATE: JUNE 22, 2020
SCALE: 1:500 METRES	FILE: 22212	DRAWN BY: CF
Ferguson Land Surveying & Geomatics Ltd.		
BC AND CANADA LAND SURVEYORS 404-1630 PANDOSY STREET, KELOWNA, BC		
PHONE: (250) 763-3115 FAX: (250) 763-0321		
© Ferguson Land Surveying & Geomatics Ltd., ALL RIGHTS RESERVED.		





Z20-0051

2380 Grantham Road

Rezoning Application





# Proposal

- ▶ To rezone the subject property from RR1 – Rural Residential 1 to A1 – Agriculture 1.

# Development Process

Jun 26, 2020

Development Application Submitted



Staff Review & Circulation



Jul 14, 2020

Public Notification Received



Aug 24, 2020

Initial Consideration



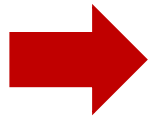
Public Hearing  
Second & Third Readings



Final Reading  
DP & Variances



Building Permit



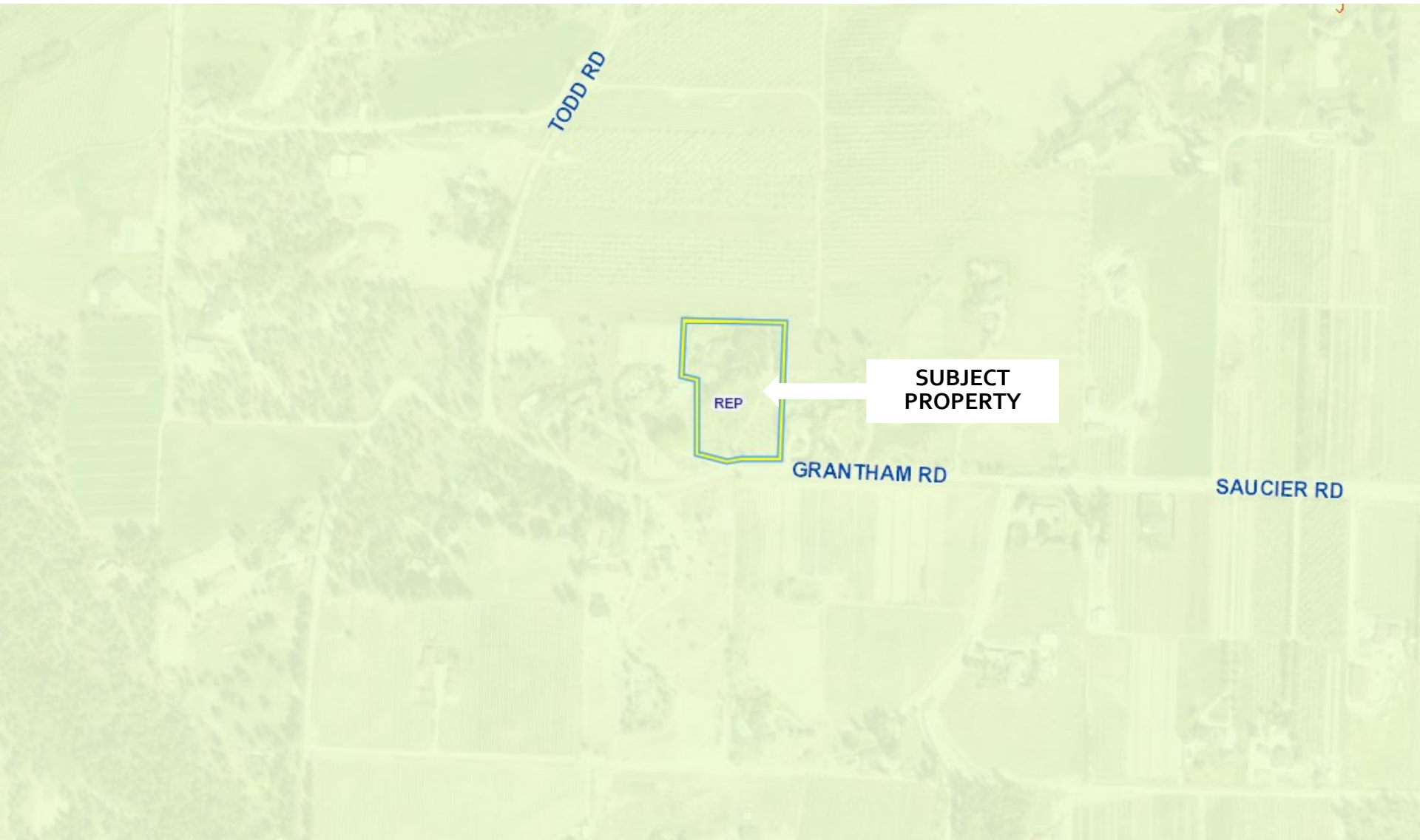
Council  
Approvals

# Context Map





# OCP Future Land Use / Zoning



# Subject Property Map





# Project/technical details

- ▶ Proposed rezoning to facilitate a mobile home for immediate family members.
- ▶ Permitted in A1/ALR properties, but not RR1/ALR.
- ▶ Mobile home will allow owners to stay on property but have immediate family members help with day-to-day duties on the property.

# Site Plan

SITE PLAN SHOWING PROPOSED RESIDENTIAL FOOTPRINT ON LOT B  
SECTION 4 TOWNSHIP 26 ODYD PLAN 38370

PID: 007-995-849

2380 GRANTHAM ROAD  
KELOWNA



**PROPOSED  
LOCATION**

# Development Policy

- ▶ Official Community Plan – Chapter 5: Development Process:
  - ▶ Objective 5.2 – Policy .1 – Integrated Land Use
  - ▶ Objective 5.33 – Policy .1 – Protect and enhance local agriculture.
  - ▶ Objective 5.34 – Policy. 3 – Homeplating

# Staff Recommendation

- ▶ Development Planning Staff recommend **support** of the proposed Rezoning:
  - ▶ The application helps protect agricultural lands.
  - ▶ The property is within the ALR, and all other properties in the surrounding area are zoned A1.



## *Conclusion of Staff Remarks*

**CITY OF KELOWNA**  
**BYLAW NO. 12079**  
**Z20-0051 – 2380 Grantham Road**

---

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 B Section 4 Township 26 ODYD Plan 38370 located at Grantham Road, Kelowna, BC from the RR1 – Rural Residential 1 zone to the A1 – Agriculture 1 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 24<sup>th</sup> day of August, 2020.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk



# REPORT TO COUNCIL



**Date:** Aug 24<sup>th</sup> 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** Z18-0011      **Owner:** Evergreen Lands Ltd., Inc No. BC0382754

**Address:** 1193 St. Paul Street      **Applicant:** Meiklejohn Architects Inc

**Subject:** Rezoning Application

**Existing OCP Designation:** COMM - Commercial

**Existing Zone:** I<sub>4</sub> – Central Industrial

**Proposed Zone:** C<sub>7</sub> – Central Business Commercial

---

## 1.0 Recommendation

That Rezoning Application No. Z18-0011 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, District Lot 139, ODYD, Plan EPP54107 located at 1193 St. Paul Street, Kelowna, BC from the I<sub>4</sub> – Central Industrial zone to the C<sub>7</sub> – Central Business Commercial zone, be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated Feb 5<sup>th</sup> 2018;

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

## 2.0 Purpose

To consider an application to rezone the subject property from the I<sub>4</sub> - Central Industrial zone to the C<sub>7</sub> - Central Business Commercial zone to facilitate the construction of a hotel.

## 3.0 Development Planning

The rezoning application and subsequent Development Permit application is for an 88-unit hotel. The Official Community Plan designates the property as Commercial as part of the Downtown Urban Centre. The referral comments from the abutting RCMP site was “residential uses might have some land use conflicts due to normal Police operations”. Therefore, Staff are recommending support for the proposed C7 zone due to the developer’s commitment to a Hotel project and that the sleeping units will not be stratified at the time of rezoning in order to limit the potential of converting the Hotel units into residential units. A hotel will complement the land uses and building forms of the recent developments along the Clement Avenue corridor and gateway into the Downtown.

#### 4.0 Proposal

##### 4.1 Project Description & Background

If Council supports the rezoning, Staff will provide a detailed recommendation on the Development Permit and Development Variance Permit. Currently, the development proposal is for 88 hotel units with 37 parking stalls, 10 bicycle parking stalls, a Floor Area Ratio of 2.04, and 18.0 metres in height with five total storeys. Staff are tracking one variance related height as the C7 zone has a maximum 16.0 metres podium height before a setback is required.

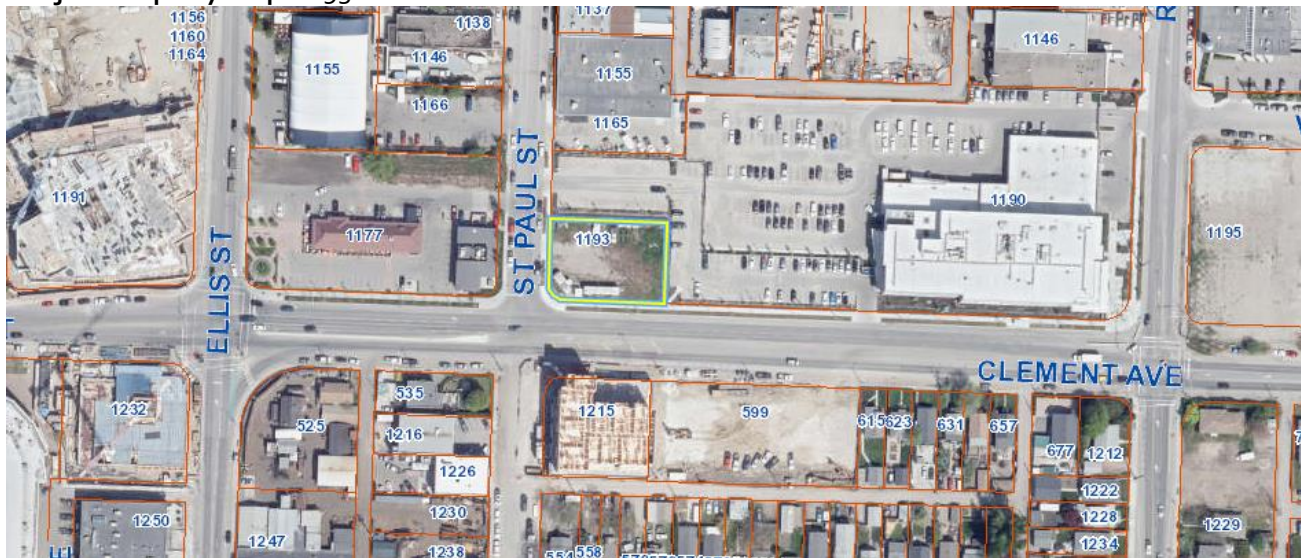
Since the application was submitted prior to the parking changes in November of 2019, the former parking rules will apply. The total parking required with the old regulations was 37 stalls as compared with the current Zoning Bylaw of 70 parking stalls.

##### 4.2 Site Context

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P1 – Major Institutional	Kelowna Police Services Building (RCMP)
East	P1 – Major Institutional	Kelowna Police Services Building (RCMP)
South	C7 – Central Business Commercial	Apartment Condos
West	I4 – Central Industrial	Train Station Pub and Liquor Store

##### Subject Property Map: 1193 St. Paul



## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Goals for A Sustainable Future

Contain Urban Growth.<sup>1</sup> Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

#### Development Process

Compact Urban Form.<sup>3</sup> Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Objective 5.9. Support the creation of affordable and safe rental, non-market and / or special needs housing.

Objective 5.10. Ensure opportunities are available for greater use of active transportation and transit to: to improve community health; reduce greenhouse gas emissions; and increase resilience in the face of higher energy prices.<sup>4</sup>

Objective 5.11. Support parking management programs that promote reduced vehicle ownerships, reduced vehicle trips and increased use of active modes of transportation.

Objective 5.18. Ensure efficient land use.

Objective 5.19. Ensure development is compatible with surrounding land uses.

## 7.0 Technical Comments

### 7.1 Building & Permitting Department

No comment on the rezoning application.

### 7.2 Development Engineering Department

See Attachment 'A', memorandum dated Feb 5<sup>th</sup> 2018

## 8.0 Application Chronology

Date of Application Received: Jan 23<sup>rd</sup> 2018

Date Public Consultation Completed: Feb 21<sup>st</sup> 2020

**Report Prepared by:** Adam Cseke, Planner Specialist

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

**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

#### Attachments:

Attachment 'A' Development Engineering Memo

Attachment 'B' Initial Drawings of proposed Hotel

<sup>1</sup> Goal 1. (Introduction Chapter 1).

<sup>2</sup> Policy 5.2.4 (Development Process Chapter 5).

<sup>3</sup> Policy 5.3.2 (Development Process Chapter 5).

<sup>4</sup> Objective 5.10 (Development Process Chapter 5).

---

# CITY OF KELOWNA

## MEMORANDUM

**Date:** February 05, 2018  
**File No.:** Z18-0011  
**To:** Community Planning (TA)  
**From:** Development Engineering Manager (JK)  
**Subject:** 1193 St. Paul St.,



I4&P1 to C7

---

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 Jason Angus

### **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.
- 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**

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

Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and recommendations for onsite drainage containment and disposal systems.

- b. On site storm drainage systems for the site will be reviewed and approved by Engineering when a site servicing design is submitted.
- c. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.

#### **4. Road Improvements**

- a. St. Paul St. fronting this development site has been urbanized. No further upgrades are needed at this time.
- b. Clement Ave fronting this development site has been urbanized. No further upgrades are needed at this time

#### **5. 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. All access to the development will be from St Paul Street.

#### **6. Electric Power and Telecommunication Services**

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

#### **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 Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs

## **8. 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.

## **9. Geotechnical Study**

- (a) Provide a geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision. The Geotechnical reports must be submitted to the Development Services Department for distribution to the Development Engineering Branch and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval:
  - i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
  - ii. Site suitability for development.
  - iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
  - iv. Any special requirements for construction of roads, utilities and building structures.
  - v. Recommendations for items that should be included in a Restrictive Covenant.
  - vi. Recommendations for roof drains, perimeter drains and septic tank effluent on the site.
  - vii. Any items required in other sections of this document.

Additional geotechnical survey may be necessary for building foundations, etc

---

James Kay, P. Eng.  
Development Engineering Manager  
JA

<b>ATTACHMENT</b>		<b>A</b>
This forms part of application		
# Z18-0011		
Planner Initials	AC	 City of <b>Kelowna</b> DEVELOPMENT PLANNING





















# Z18-0011

# 1193 St. Paul

## Rezoning Application



# Proposal

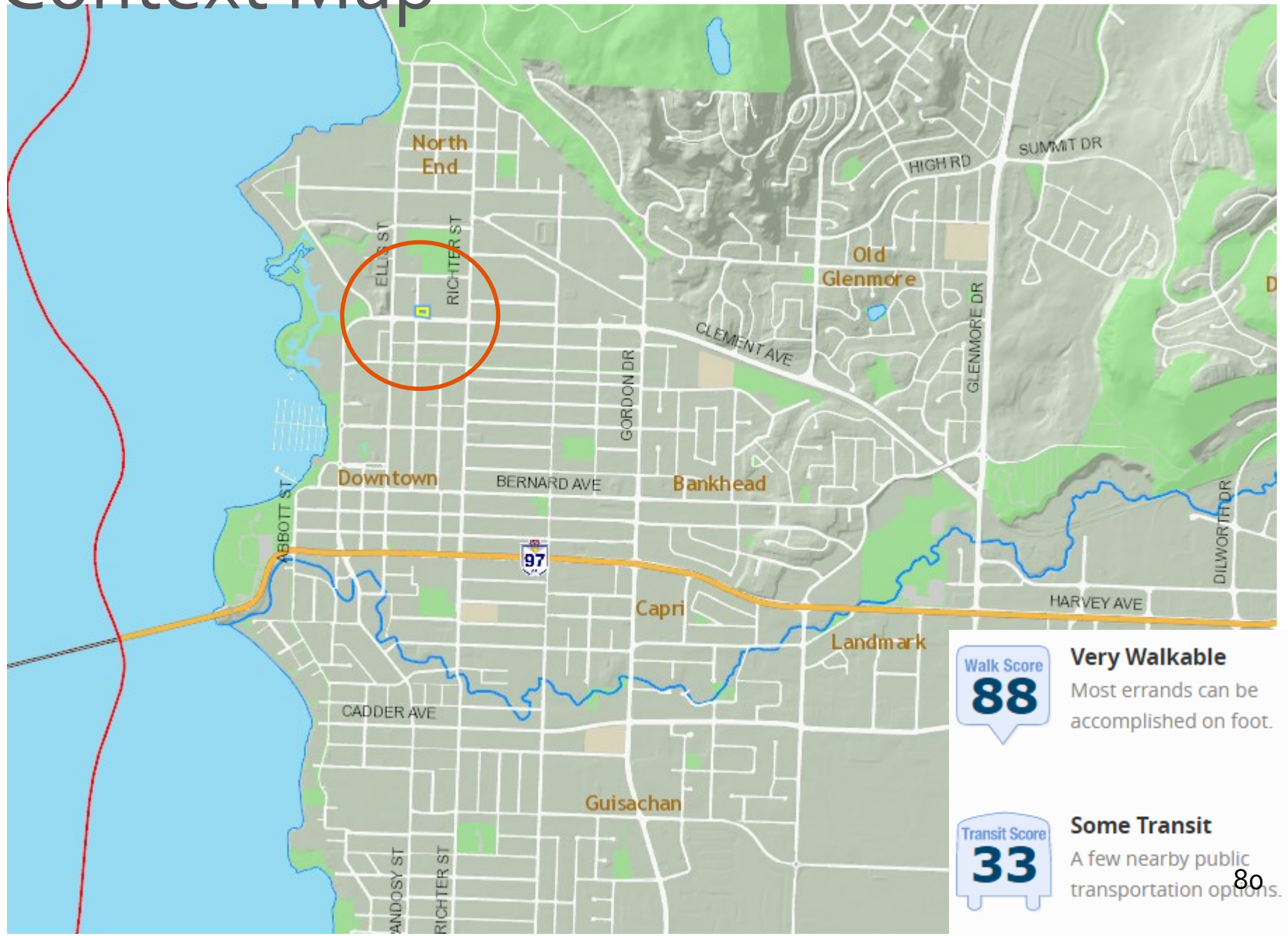
- ▶ To consider an application to rezone the subject property from the I4 zone to the C7 zone to facilitate the construction of a potential hotel.

# Development Process



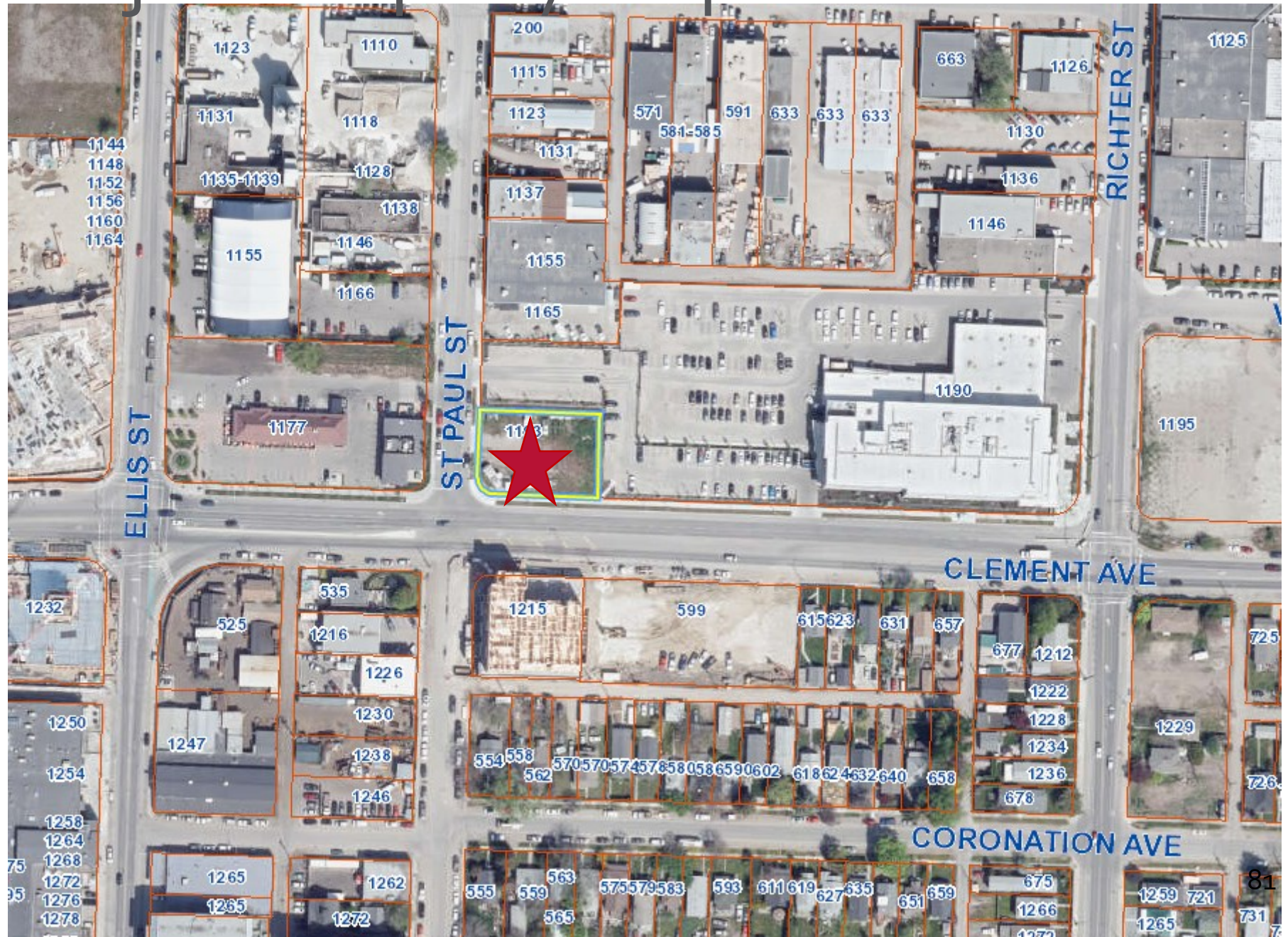


# Context Map





# Subject Property Map





# Renderings



# Renderings



# Renderings





# Renderings



# Renderings



# Renderings



# Potential Variances

- Tracking one variance to Podium Height from 16.0 metres to 18.0 metres

	Rate	Total Stalls Required	Total Stalls Provided
Previous Parking Regulation	1.3 stalls per 100 m <sup>2</sup>	37 stalls	37 stalls
Current Parking Regulation	0.8 stalls per Sleeping Unit	70 stalls	



# Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning
  - ▶ Meets the intent of the Official Community Plan
    - ▶ Hotel compatible with adjacent building forms and land uses
- ▶ Recommend the Bylaw be forwarded to Public Hearing



## *Conclusion of Staff Remarks*

## September 15, 2020 PUBLIC HEARING – (rezone to C7)



**1193 St. Paul Street Hotel**

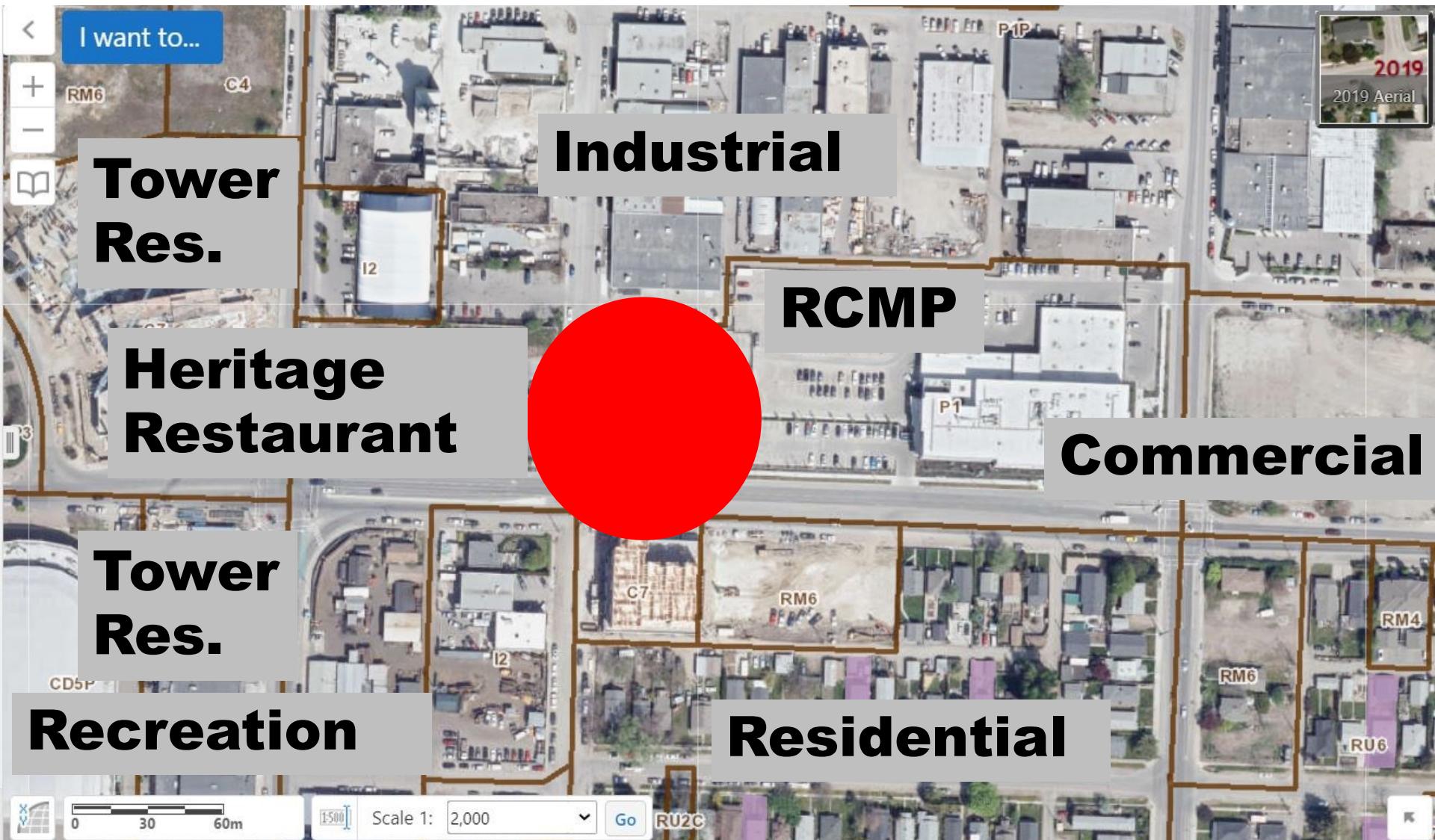


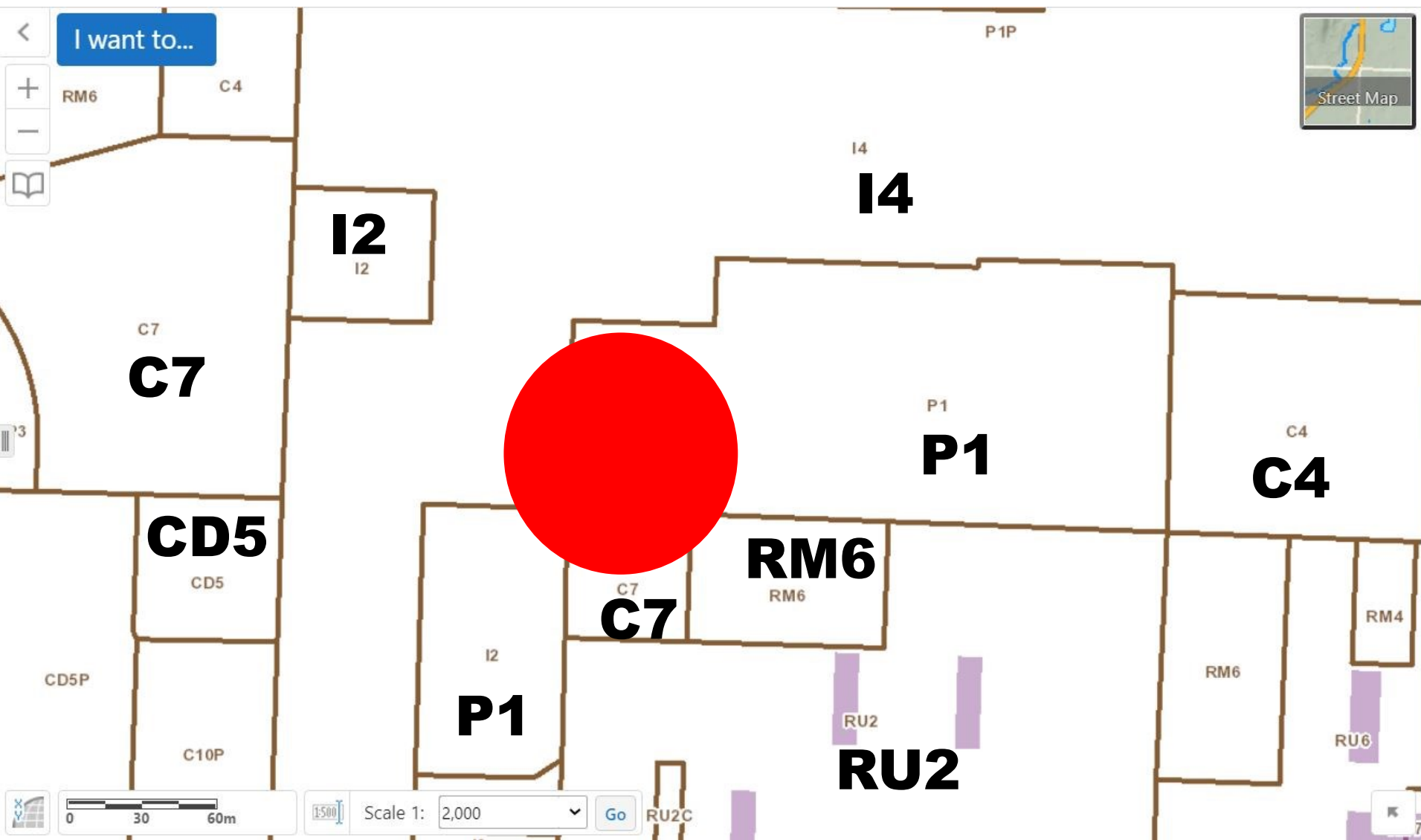
## September 15, 2020 PUBLIC HEARING – (rezone to C7)



# 1 – SITE ANALYSIS

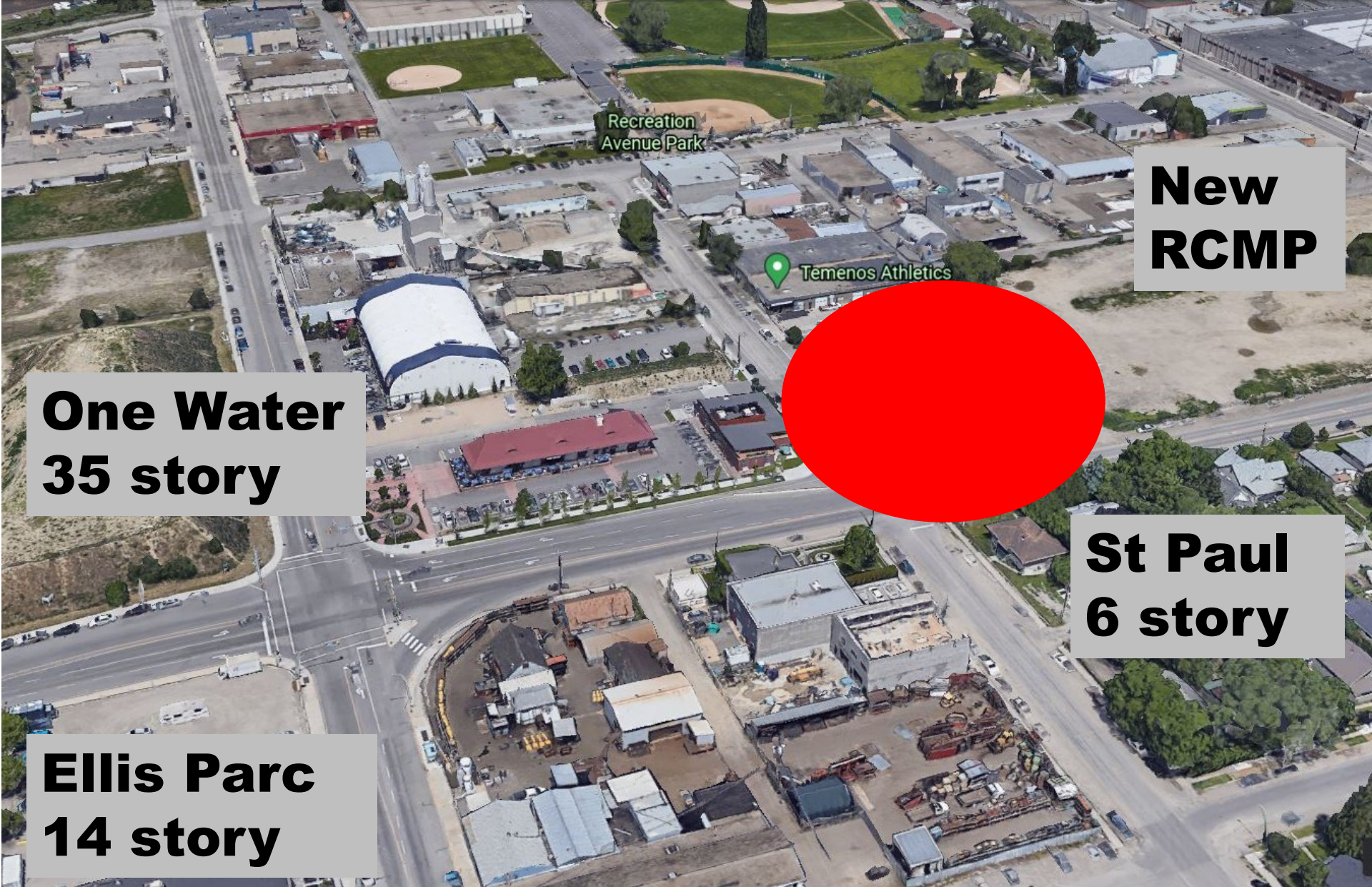






## Location Plan – Zoning (“transitional”)





**aerial context – walkable & affordable**





**One Water**

**RCMP**

**Site**

**street context – very tall neighbors**



# Ellis Parc – from south



**ARCHITECTURAL DESIGN:**  
**Brick panels, strip windows, irregular piers** <sup>97</sup>



# Ellis Parc – view from east



**ARCHITECTURAL DESIGN:**  
**Spandrel glass, irregular piers & windows**



# One Water – from east



**ARCHITECTURAL DESIGN:**  
**Multiple setbacks and jogs – to reduce scale**

# Central Station – Metro Liquor

**ARCHITECTURAL DESIGN:**  
**Modern commercial w/heritage centerpiece**



# View Southwest - Active Development



**DESIGN:**  
**Undergoing redevelopment**



# 1215 St Paul – New Condos



**ARCHITECTURAL DESIGN: 'modern'**  
**Vertical detailing, brick with white and gray**



# 1215 St Paul Proposal



**ARCHITECTURAL DESIGN: “heritage modern”**  
**Vertical detailing, brick with white and gray**



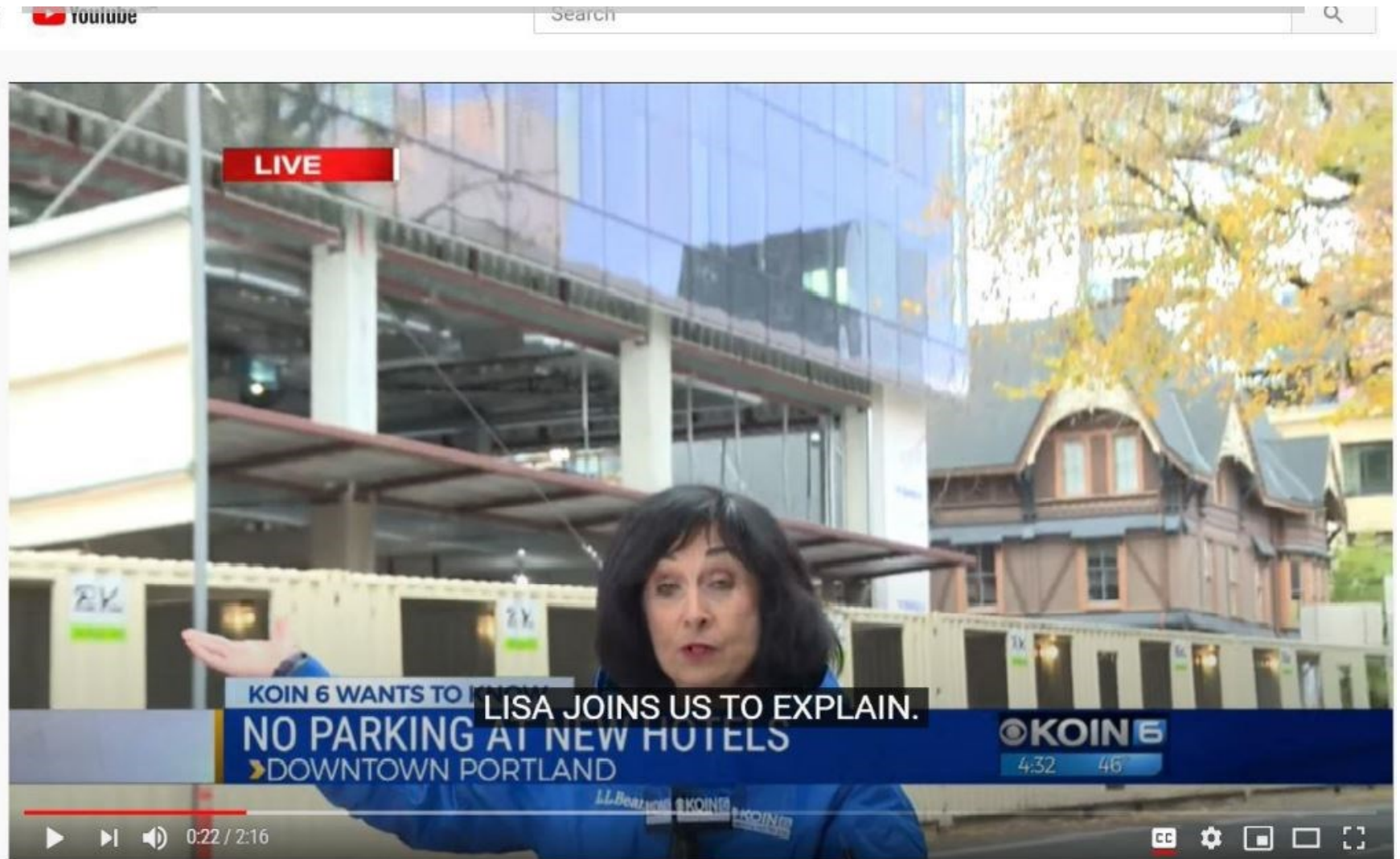
## September 15, 2020 PUBLIC HEARING – (rezone to C7)



# 2 – HOTEL PARKING



# Portland News 2017 – Hotels No Parking



New trend has hotels built without parking lots

178 views • Nov 3, 2017

1 1 SHARE SAVE 105

# Portland News 2017 – Hotels No Parking

PORTLAND, Ore. (KOIN) — There's a building boom for hotels in downtown Portland, but many are going up without on-site parking for guests.

One lot on SW 10th and Alder that is currently home to food carts will soon become a new hotel, Moxy, Marriott brand. There will be about 200 rooms and no parking spots.

"We're seeing 3-4,000 rooms coming to just downtown over a 3-4 year period, in that, the hotel products that are coming in are a lot of specialty brands, a lot of boutiques ..." said Steve Faulstick with Travel Portland.

This is a trend not only for Portland hotels but in many other major cities. It's not just Portland pushing visitors to use public transportation.

City code also exempts buildings if the property is within 500 feet of a street with frequent transit that much of downtown Portland.

"I think you see for hotel developers, the investment to be in the parking business just isn't as lucrative as to focus on the hotel part," Faulstick said.

It also has to do with who's going to hotels these days.

"A lot of hotels aren't being built with big banquet rooms, a lot of meeting space, so the need to accommodate day parkers for events isn't there from a lot of new hotels coming in," Faulstick said.

More meetings are being held in offices, restaurants and the Convention Center instead of hotels.

## Downtown Hotels - Parking

*“Hotel brands that we are in early discussions with have indicated that on site parking for a downtown hotel is not a requirement. They understand that less parking is required for downtown hotels and that downtown areas typically have available parking to satisfy whatever demand there is.”,*

*- Ken Webster*



## September 15, 2020 PUBLIC HEARING – (rezone to C7)



## 3 – DESIGN (hotels)



# Holiday Inn – highway / “car oriented”



# Kanata – highway / “car oriented”





# Past Projects (m+m) 2004 - 2018



**CANNERY LOFTS:**  
2006 Woodworks  
**Best Multi-Family (BC)**

**LAUREL:**  
2011 Heritage BC  
**Honor Award**

**2012 Heritage Canada**  
**Prix d'Excellence**





# Thank you



**CITY OF KELOWNA**  
**BYLAW NO. 12080**  
**Z18-0011 – 1193 St Paul Street**

---

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 District Lot 139 ODYD Plan 54107 located on St Paul Street, Kelowna, BC from the I4 – Central Industrial zone to the C7 – Central Business 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 24<sup>th</sup> day of August, 2020.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk



# REPORT TO COUNCIL



**Date:** August 24<sup>th</sup>, 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning Department

**Application:** Z20-0046

**Owner:** Okanagan Opportunity GP Inc.

**Address:** 599 Clement Avenue

**Applicant:** Okanagan Opportunity GP Inc.

**Subject:** Rezoning Application

**Existing OCP Designation:** MRH – Multiple Unit Residential (High Density)

**Existing Zone:** RM6 – High Rise Apartment Housing

**Proposed Zone:** RM6r – High Rise Apartment Housing (Residential Rental Tenure Only)

---

## 1.0 Recommendation

THAT Rezoning Application No. Z20-0046 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 139, ODYD, Plan EPP82176, located at 599 Clement Avenue, Kelowna, BC from the RM6 – High Rise Apartment Housing zone to the RM6r – High Rise Apartment Housing (Residential Rental Tenure Only), be considered by Council;

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

AND FURTHER THAT Council waives the requirement for a car-share program to be provided on-site as identified in Development Variance Permit DVP17-0248.

## 2.0 Purpose

To consider a Rezoning application to rezone the subject property from the RM6 - High Rise Apartment Housing zone to the RM6r - High Rise Apartment Housing (Residential Rental Tenure Only) zone.

## 3.0 Development Planning

This rezoning application is in response to failed discussions between the developer and the City of Kelowna regarding the Car Share agreement related to the existing Development Permit and Development Variance Permit. At the February 12<sup>th</sup>, 2019 Council meeting, Council approved this 58 rental unit building with a parking variance to reduce the number of stalls by 20 stalls. The applicant had the option to pay cash-in-lieu

of parking but instead committed to 4 car-share vehicles in which Council agreed. The car-share operator does not wish to provide that many vehicles. The proposed sub-zone would bring the parking requirements in alignment with the City of Kelowna's current revised parking regulations adopted at the end of November 2019. This would no longer require the car share as part of the project.

The project is currently under construction and the intent of this revision is to be processed while construction continues. The project is not seeking any changes from the approved Development Permit & Building Permit and the parking counts and bicycle parking revisions are entirely within the parking level of the building.

The applicant has provided a table (see attachments) to provide a summary of the parking requirements and the number of stalls required. The Zoning Bylaw has a reduced level of parking for rental projects due to the efficiencies gained by operating the parking lot as a shared facility for all residents rather than the ownership of stalls associated with stratified condos.

To help ensure this issue is not repeated in future developments that consider a Car-Share to reduce the levels of parking, staff will require a letter of commitment from the Car-Share operator to be included in the Development Permit application prior to final approval.

Staff are recommending support for this application as the sub-zone would protect this property as a rental project in perpetuity. Further, this project meets the City's new parking regulations for rental only projects.

#### **4.0 Proposal**

##### **4.1 Project Description**

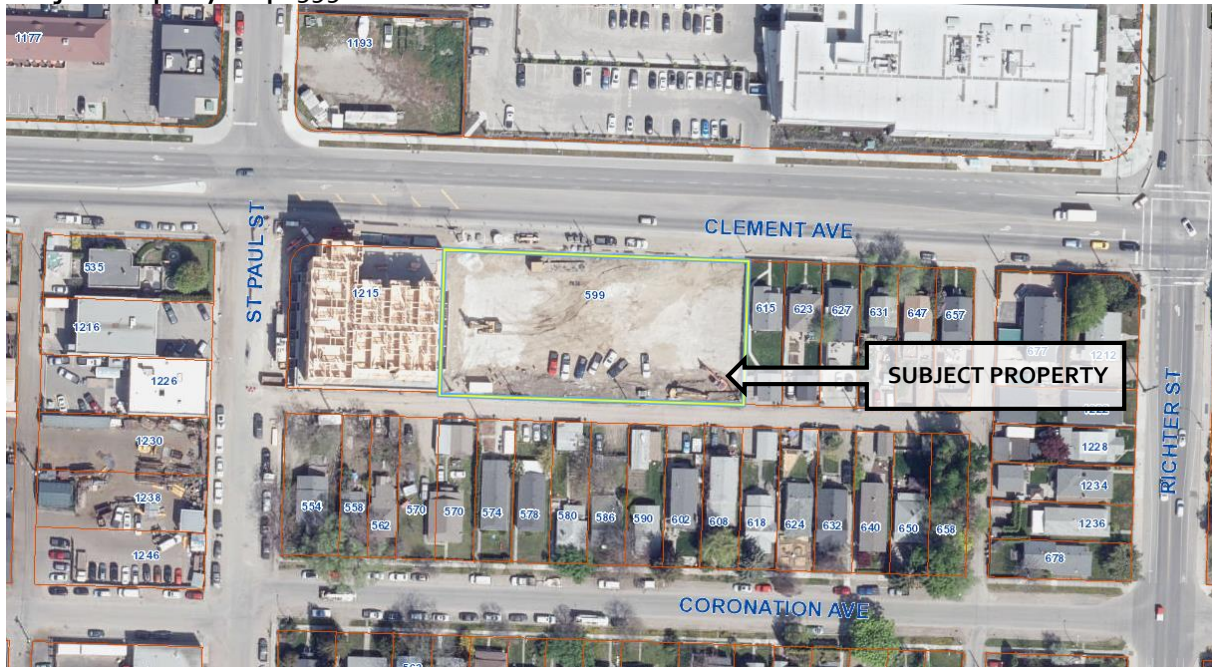
The proposing is under construction for a six-storey, 58-unit purpose built rental apartment building.

##### **4.2 Site Context**

The subject property is located in the 'City Centre' Urban Centre on the south side of Clement Ave. The lot has an area of 3,096m<sup>2</sup> and is located in a neighbourhood with a mix of residential, commercial, and institutional uses. Specifically, adjacent land uses are as follows:

<b>Orientation</b>	<b>Zoning</b>	<b>Land Use</b>
North	P1 – Major Institutional	RCMP Building
East	RU2 – Medium Lot Housing	Residential
South	RU2 – Medium Lot Housing	Residential
West	C7 – Central Business Commercial	Residential

**Subject Property Map: 599 Clement Ave**



**5.0 Current Development Policies**

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

Objective 5.9. Support the creation of affordable and safe rental, non-market and / or special needs housing.

Objective 5.10. Ensure opportunities are available for greater use of active transportation and transit to: improve community health; reduce greenhouse gas emissions; and increase resilience in the face of higher energy prices.

Objective 5.11. Support parking management programs that promote reduced vehicle ownerships, reduced vehicle trips and increased use of active modes of transportation.

**6.0 Technical Comments**

None

**7.0 Application Chronology**

Date of Application Received: June 5<sup>th</sup>, 2020

Date Public Consultation Completed: June 19<sup>th</sup>, 2020

**Report prepared by:** Adam Cseke, Planning Specialist

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

**Approved by:** Ryan Smith, Divisional Director, Planning and Development Services

**Attachments:**

Schedule A: Development Engineering Memo

Attachment 'B': Applicant Package



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**CITY OF KELOWNA**  
**MEMORANDUM**

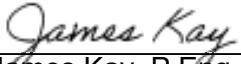
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**Date:** June 9, 2020  
**File No.:** Z20-0046  
**To:** Urban Planning (AC)  
**From:** Development Engineering Manager (JK)  
**Subject:** 599 Clement Ave RM6 to RM6R

---

Development Engineering comments and requirements regarding this Rezoning application to the sub 'r' rental Zone to align parking provided with updated parking regulations.

1. All the offsite infrastructure and services upgrades are addressed in the Development Engineering Report under the rezoning application file number.Z17-0103 and DP17-0247

  
James Kay P.Eng.  
Development Engineering Manager  
RO

<b>SCHEDULE</b>	<b>A</b>
This forms part of application # Z20-0046	
Planner Initials	<b>AC</b>
 <b>City of Kelowna</b> DEVELOPMENT PLANNING	

2020.06.01

Clement Avenue Rentals – Anagram Properties

Sub-Rezone Application for RM-6-r

Existing DP: DP17-0247 & DVP17-0248

Existing BP: BP 60658



MQN Architects have been engaged to complete a sub-rezone of this project to the recently created Rental suffix. The sub-rezone application is in response to concerns discussed between the client and the City of Kelowna regarding the Car Share agreement related to the existing development permit. The proposed sub-rezone would bring the parking requirements in alignment with the City of Kelowna's revised Section 08 – Parking and Loading in the Zoning Bylaw and would no longer require the car share as part of the project.

The project is currently under construction and the intent of this revision is to be processed while construction continues. The project is not seeking any changes from the approved DP & BP for form and character and the parking counts and bicycle parking revisions are entirely within the parking level of the building.

The table on the following page provides a synopsis of the parking requirements and the number of stalls required. The attached RZ-01 drawing sheet also shows the layout of the parking stalls and bicycle parking.

Regards,

A handwritten signature in black ink, appearing to read 'Roger Green', with a stylized flourish at the end.

Roger Green



**Brian F. Quiring**  
Architect AIBC, MAA, M.Arch

**Vicki A. Topping**  
Architect AIBC, M.Arch. LEED AP+

**Roger B. Green**  
Architect AIBC, MRAIC, M.Arch

100, 3313 - 32nd Avenue  
Vernon, British Columbia  
Canada V1T 2M7  
T. 250.542.8085  
F. 250.542.5236  
E. [info@mqn.ca](mailto:info@mqn.ca)  
[www.mqn.ca](http://www.mqn.ca)

Parking and Bicycle Parking Requirements per Section 08 of the Zoning Bylaw:

	UNITS	PARKING REQUIRED PER UNIT	PARKING STALLS	VISITOR STALLS (0.14/unit)	TOTAL PARKING REQUIRED	
<i>Bachelor</i>	-	0.9 – 1.25	-	-		
<i>1 Bedroom</i>	2	1.0 – 1.25	2 – 2.5			
<i>2 Bedroom</i>	44	1.25 – 1.6	55 – 70.4			
<i>3+ Bedroom</i>	12	1.5 – 2.0	18 – 24			
<b>TOTAL</b>	<b>58</b>		75 – 96.9	8	<b>83</b>	
				20% Reduction	<b>67 Stalls</b>	<b>68 Stalls Proposed</b>

Accessible Parking Required – **2 Stalls**

Van Accessible Parking Required – **1 Stall**

Bicycle Parking (Class I) Long Term – **40 Spaces**

Bicycle Parking (Class II) Short Term – **6 Spaces**



**Brian F. Quiring**  
Architect AIBC, MAA, M.Arch

**Vicki A. Topping**  
Architect AIBC, M.Arch. LEED AP+

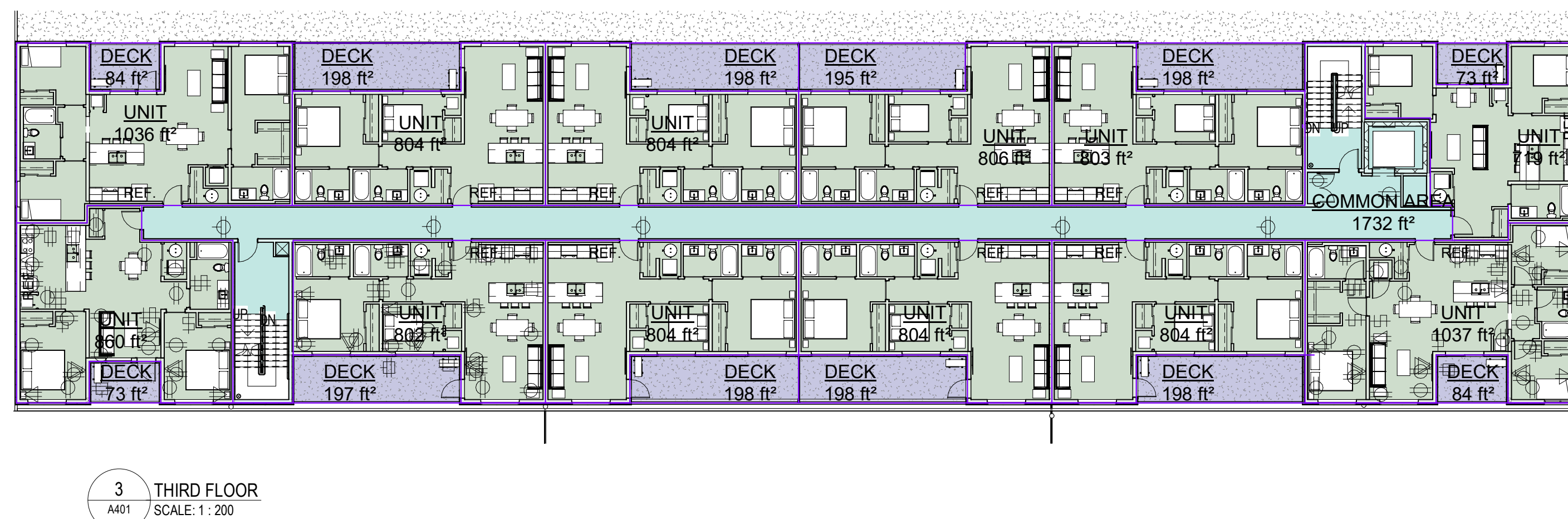
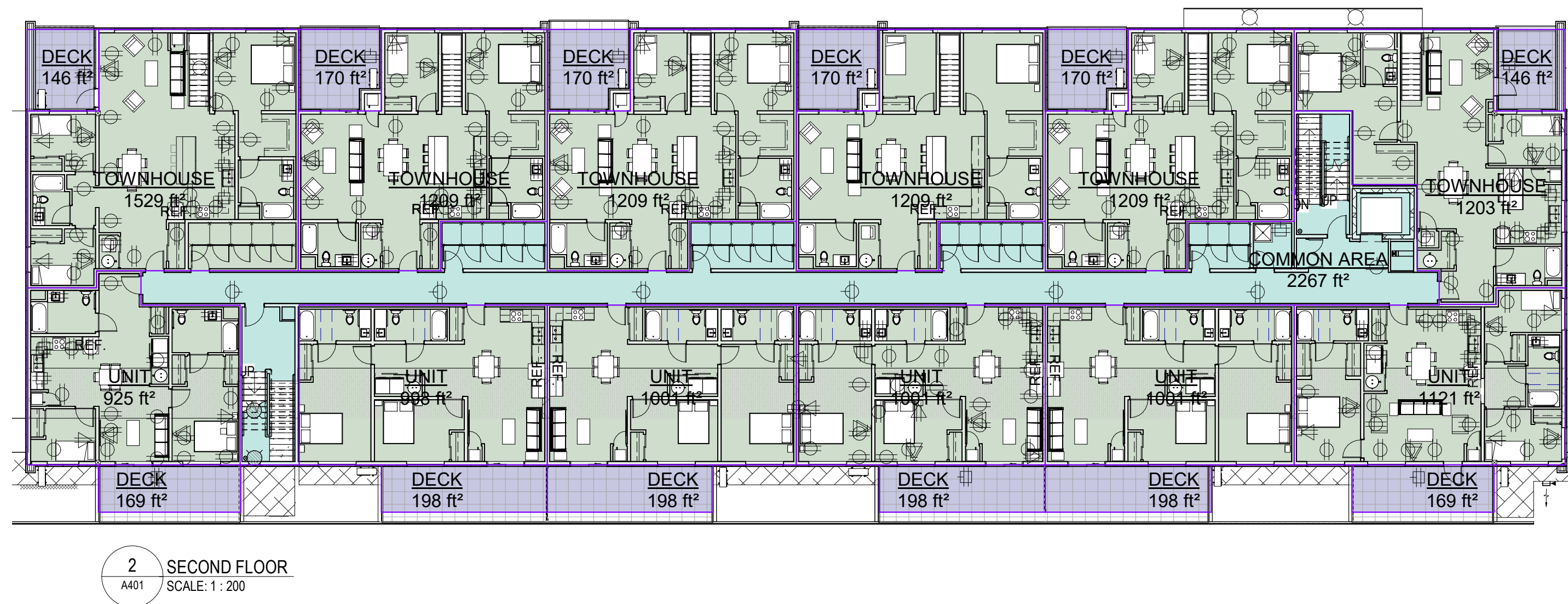
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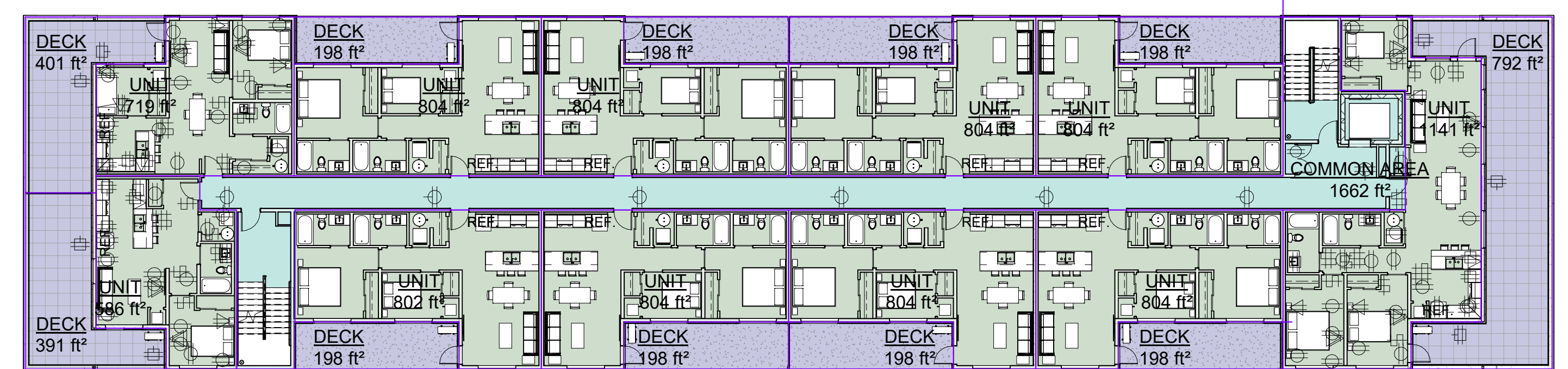




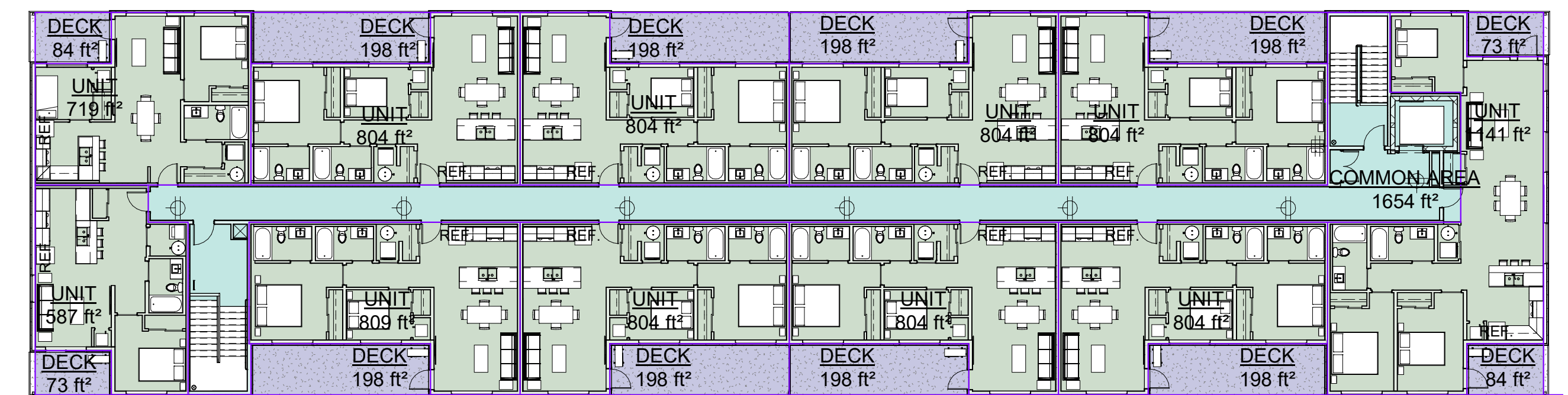


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



4 FOURTH FLOOR  
A401 SCALE: 1 : 200



5 FIFTH FLOOR  
A401 SCALE: 1 : 200



6 SIXTH FLOOR  
A401 SCALE: 1 : 200

 INCLUDED AREA  
 EXCLUDED AREA  
 PRIVATE OPEN SPACE  
 PARKING AREA





# Z20-0046

# 599 Clement Ave

Rezoning Application





# Proposal

- ▶ To consider a Rezoning application to rezone the subject property from RM6 to RM6r zone.

# Development Process

June 5<sup>th</sup> 2020

Development Application Submitted

Staff Review & Circulation

June 19<sup>th</sup> 2020

Public Notification Received

Aug 24<sup>th</sup> 2020

Initial Consideration

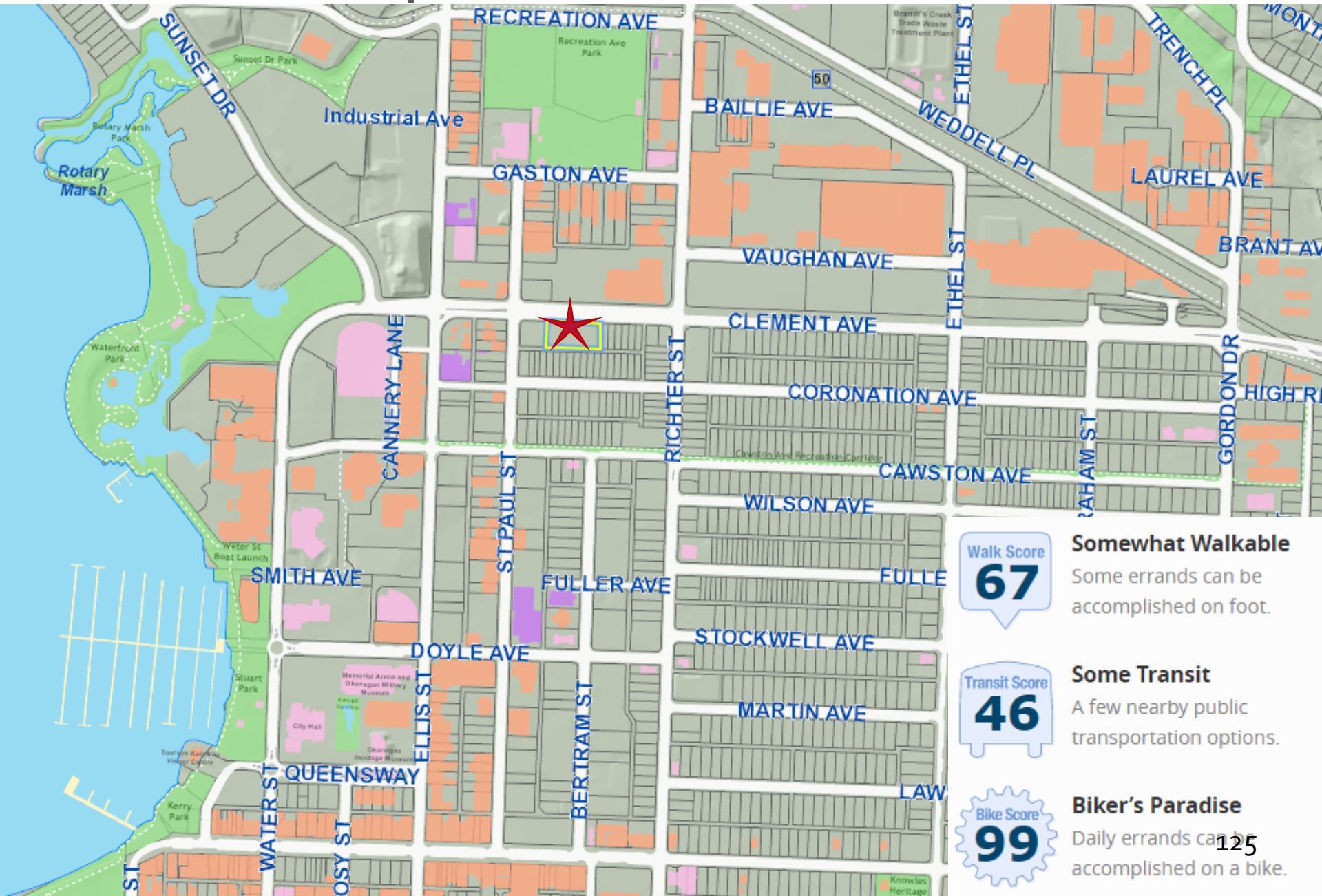
Public Hearing  
Second & Third Readings

Final Reading

Building Permit

Council  
Approvals

# Context Map

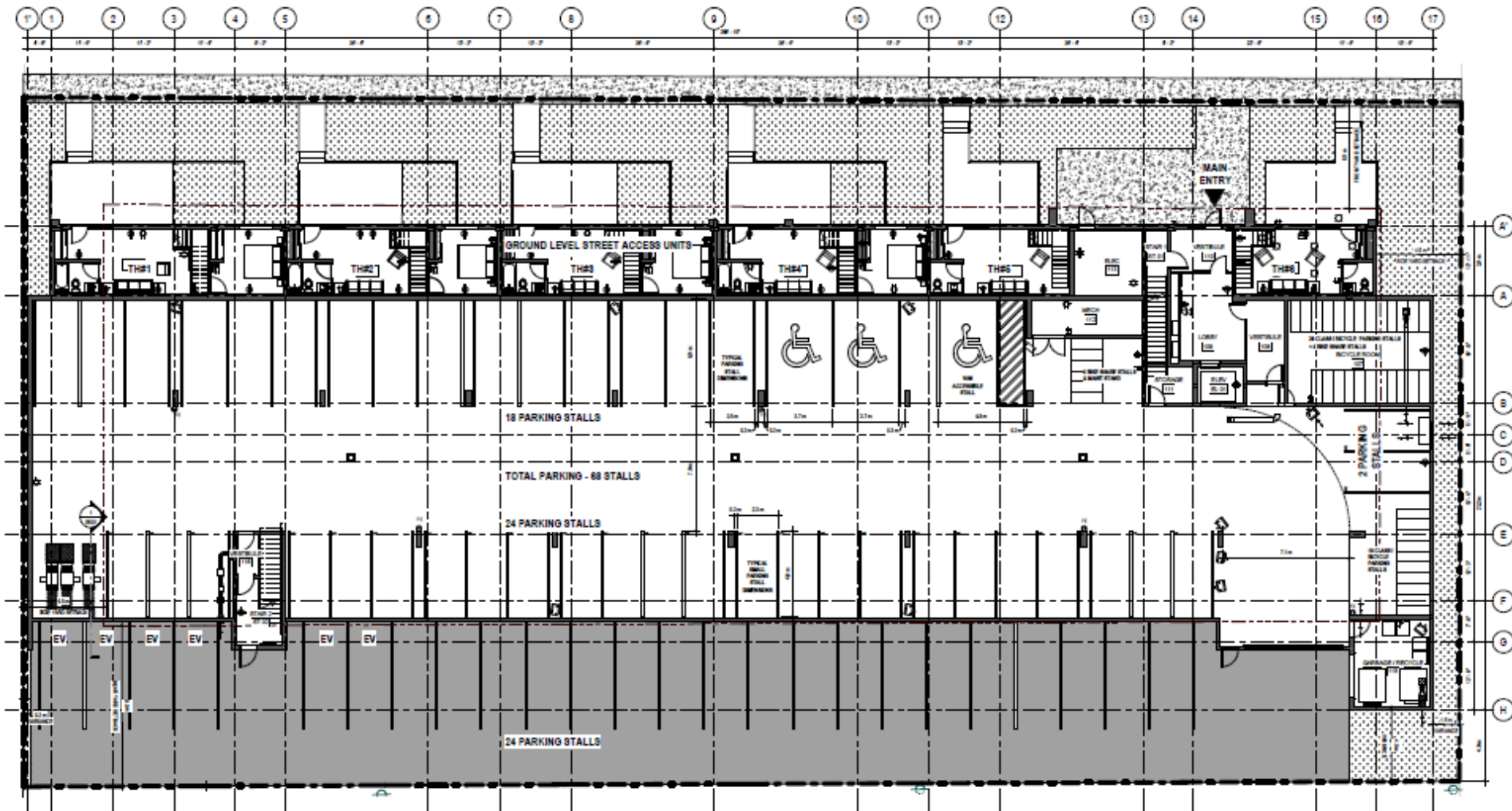




# Subject Property Map



# Parking Plan

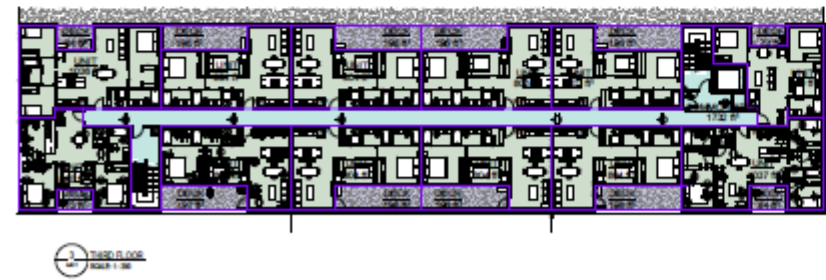
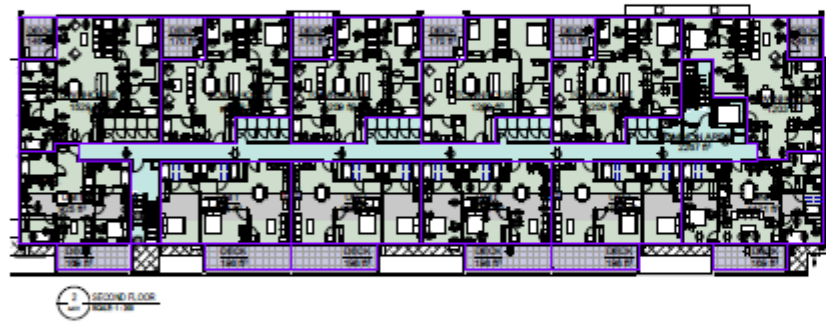
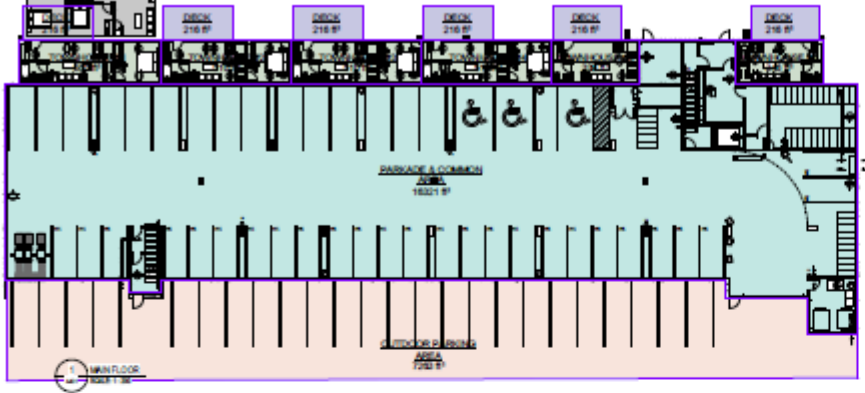


LOT A, PLAN EPP82178, DISTRICT LOT 138, OSOY008 DIV OF YALE LAND DISTRICT

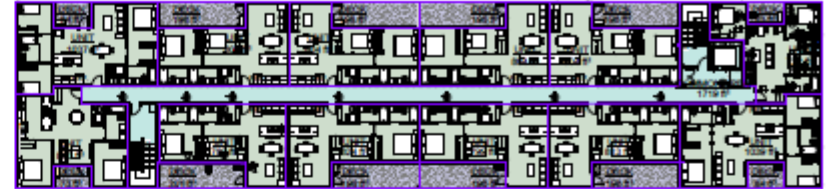


# Parking and Floor Layouts

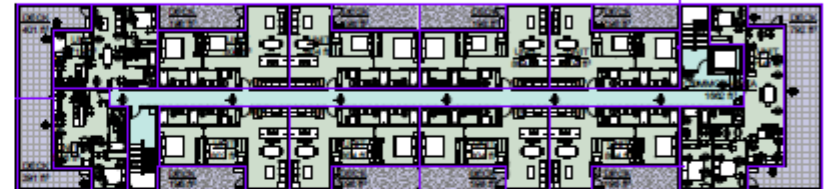
ATTACHMENT  
This form part of application  
200-0048  
City of Kelowna



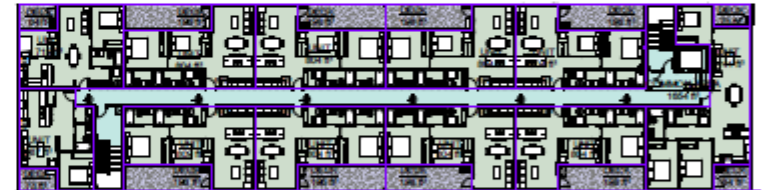
LOT A, PLAN EPP82178, DISTRICT LOT 189, OSOYOOS DIV OF YALE LAND DISTRICT



FOURTH FLOOR  
1778.7 SF



FIFTH FLOOR  
1778.7 SF



SIXTH FLOOR  
1778.7 SF

## SITE COVERAGE CALCULATION

TOTAL SITE AREA	3096.4 m <sup>2</sup>
BUILDING AREA	1778.7 m <sup>2</sup>
PARKING AREA	674.7 m <sup>2</sup>
BUILDING COVERAGE	0.57
PARKING COVERAGE	0.22
TOTAL SITE COVERAGE:	0.79
(BUILDINGS, DRIVEWAYS, & PARKING)	

## FAR CALCULATION

TOTAL SITE AREA	3096.4 m <sup>2</sup>
EXCLUDED AREA	2355.8 m <sup>2</sup>
INCLUDED AREA	6046.2 m <sup>2</sup>
PARKING AREA	674.7 m <sup>2</sup>
PRIVATE OPEN SPACE	1137.1 m <sup>2</sup>
FLOOR AREA RATIO:	1.88

## FAR AREAS

INCLUDED AREA	
EXCLUDED AREA	
PRIVATE OPEN SPACE	
PARKING AREA	



# Zoning Bylaw Parking Regulations

	UNITS	PARKING REQUIRED PER UNIT	PARKING STALLS	VISITOR STALLS (0.14/unit)	TOTAL PARKING REQUIRED	
<i>Bachelor</i>	-	0.9 – 1.25	-	-		
<i>1 Bedroom</i>	2	1.0 – 1.25	2 – 2.5			
<i>2 Bedroom</i>	44	1.25 – 1.6	55 – 70.4			
<i>3+ Bedroom</i>	12	1.5 – 2.0	18 – 24			
<b>TOTAL</b>	<b>58</b>		75 – 96.9	8	83	
				20% Reduction	<b>67 Stalls</b>	<b>68 Stalls Proposed</b>

Accessible Parking Required – **2 Stalls**

Van Accessible Parking Required – **1 Stall**

Bicycle Parking (Class I) Long Term – **40 Spaces**

Bicycle Parking (Class II) Short Term – **6 Spaces**

# Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning
  - ▶ Meets the intent of the Official Community Plan
    - ▶ Consistent with newly adopted parking regulations
- ▶ Recommend the Bylaw be forwarded to Public Hearing



## *Conclusion of Staff Remarks*



## 599 CLEMENT AVENUE

DP17-0247-01  
BP 60658  
Z20-0046

ISSUED 2019-06-24  
ISSUED 2019-08-14  
PENDING



A purpose-built rental project located on the edge of the city centre.

## WHY ARE WE REZONING?

599 Clement Avenue has always been planned as a rental property and that was part of the original development permit submission.

Car Share requirements cannot be achieved as originally proposed.

New Rental sub-zone at the start of 2020 which addresses the parking requirements.

# WHAT CHANGES BY REZONING THIS PROJECT?

This rezoning does not change the physical construction of 599 Clement which is currently being built.

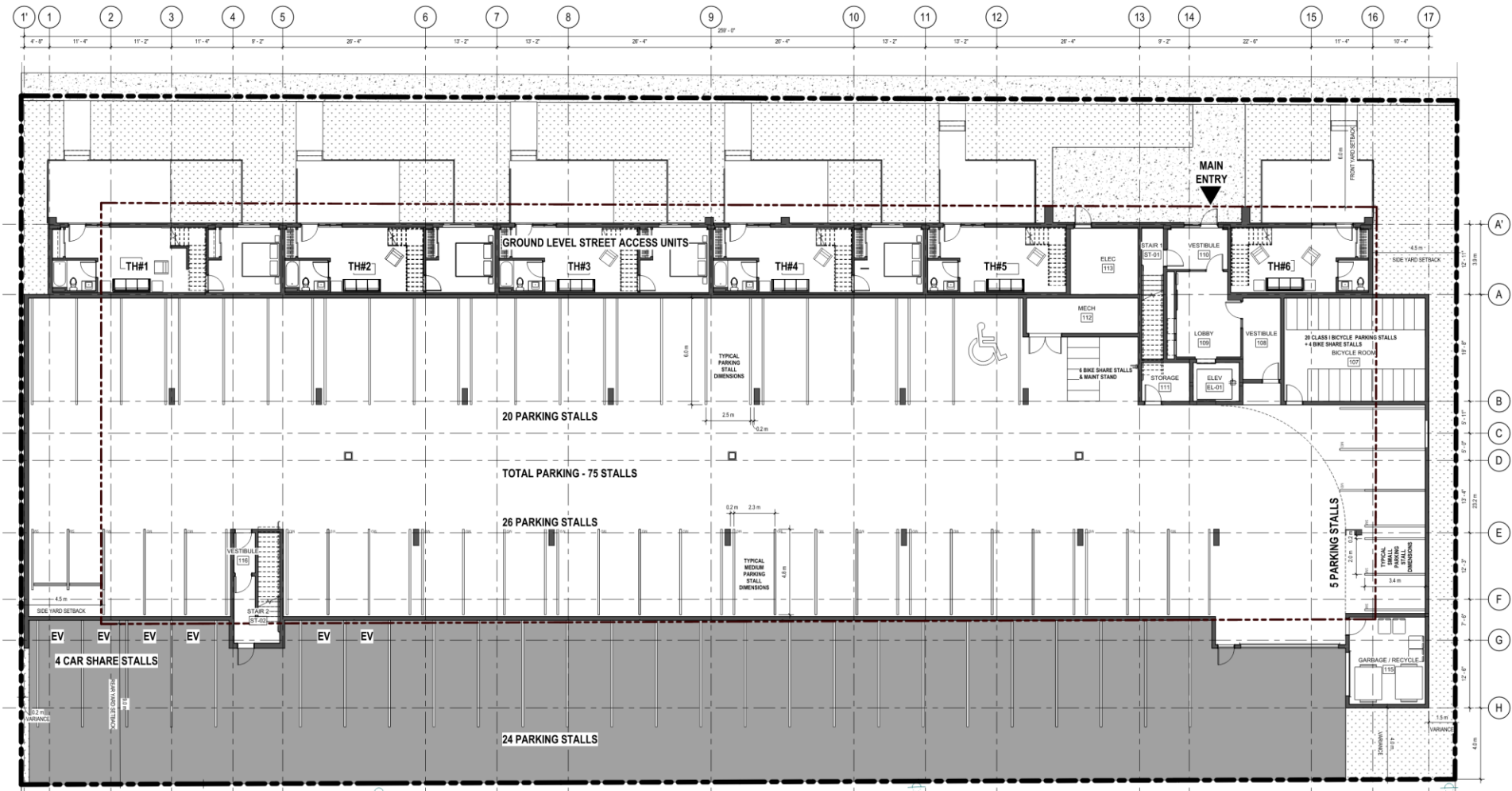
The rezoning affects the requirements under Section 08 – Parking and Loading in the Zoning Bylaw.

CLEMENT	Units in Building	2019 DP Variance	2020 Parking – No Variance
Bachelor	0	0	0
1 Bedroom	2	2	2
2 Bedroom	45	45	55
3+ Bedroom	11	11	18
Visitor	58 units	8.12	8.12
Rental Building		--	20% Parking Reduction
ZONING TOTAL		67	67
Car Share	4 stall reduction to 1 car share	Partial justification of variance.	None
Parking Provided		72	68*

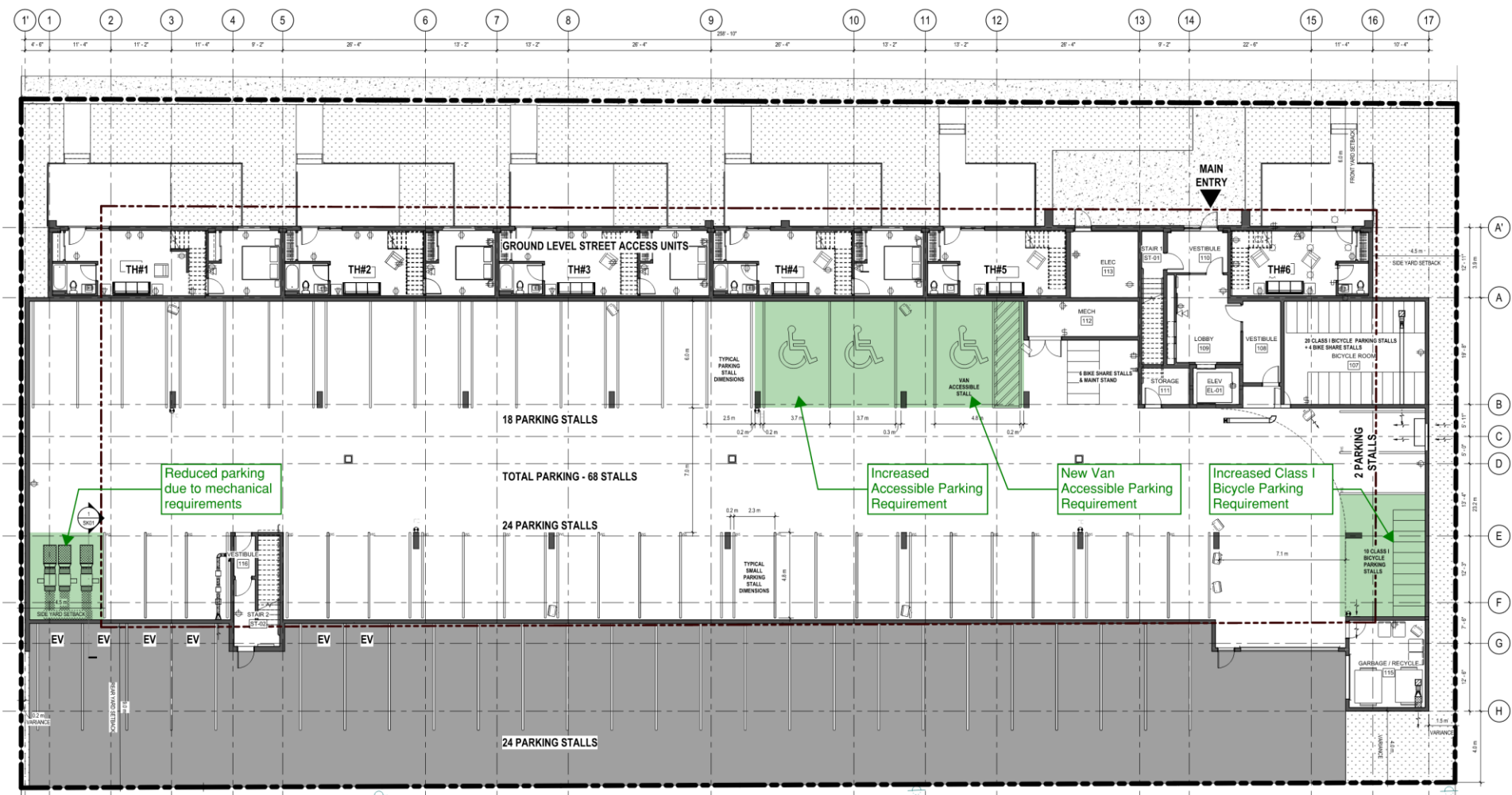
\*Parking is reduced in 2020 layout due to increased accessible parking requirements as well as the deletion of the micro (small) car stall from the zoning requirements. All stalls in the current proposal meet current 2020 size requirements.



# APPROVED DP CONFIGURATION



# PROPOSED REZONE CONFIGURATION



## THIS WILL WORK

**“I would ask the question to the applicant: Does your parking plan work for your designated building, and for your tenants?” Councilor Luke Stack**

The City of Kelowna added the Rental subzone to the zoning bylaw to encourage the development of rental housing. This newly created zone provides a 20% reduction in parking requirements recognizing the lower ownership of vehicles and increased ability of rental buildings to manage their parking pool.

Within walking distance of Urban Core businesses, restaurants and parks.

The location is on Kelowna's bike network

Located on main transit routes.

More parking than required by adjacent C7 zones



**CITY OF KELOWNA**  
**BYLAW NO. 12082**  
**Z20-0046 – 599 Clement 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 A District Lot 139, ODYD, Plan EPP82176 located at Clement Avenue, Kelowna, BC from the RM6 – High Rise Apartment Housing zone to the RM6r – High Rise Apartment Housing (Residential Rental Tenure Only) 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 24<sup>th</sup> day of August, 2020.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

---

City Clerk

# REPORT TO COUNCIL



**Date:** Aug 24<sup>th</sup> 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning Department

**Application:** Z20-0047

**Owner:** Okanagan Opportunity (Pacific)  
GP Inc., Inc. No. BC1188652

**Address:** 1145 Pacific Ave

**Applicant:** Roger Green (MQN Architects)

**Subject:** Rezoning Application

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

**Existing Zone:** RM5 – Medium Density Multiple Housing

**Proposed Zone:** RM5r – Medium Density Multiple Housing (Residential Rental Tenure Only)

---

## 1.0 Recommendation

THAT Rezoning Application No. Z20-0047 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 137, ODYD, Plan EPP84914, located at 1145 Pacific Avenue, Kelowna, BC from the RM5 – Medium Density Multiple Housing zone to the RM5r – Medium Density Multiple Housing (Residential Rental Tenure Only), be considered by Council;

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

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

## 2.0 Purpose

To consider a Rezoning application to rezone the subject property from the RM5 – Medium Density Multiple Housing zone to the RM5r - Medium Density Multiple Housing (Residential Rental Tenure Only) zone.

## 3.0 Development Planning

This rezoning application (to the rental sub-zone) is in response to concerns discussed between the developer and City regarding the Car Share agreement related to the existing Development Permit and Development Variance Permit. At the February 12<sup>th</sup> 2019 Council meeting, Council approved this 31 rental unit building with a parking variance to reduce the number of stalls by 12 stalls. The applicant had the option to pay cash-

in-lieu of parking but instead committed to two (2) car-share vehicles in which Council agreed. There is an on-going disagreement between the applicant and the car share operator on where, how, and other details relating to the provision of car-share. The proposed rental sub-zone (and associated parking discount) would bring the parking requirements in alignment with the City of Kelowna's current revised parking regulations adopted at the end of November 2019. This would no longer require the car share as part of the project.

The project is currently under construction and the intent of this revision is to be processed while construction continues. The project is not seeking any changes from the approved Development Permit & Building Permit and the parking counts and bicycle parking revisions are entirely within the parking level of the building.

The applicant has provided a table (see attachments) to provide a summary of the parking requirements and the number of stalls required. Staff are recommending support for this application as the sub-zone would protect this property as a rental project in perpetuity. Further, this project meets the City's new parking regulations for rental only projects.

## 4.0 Proposal

#### 4.1 Project Description

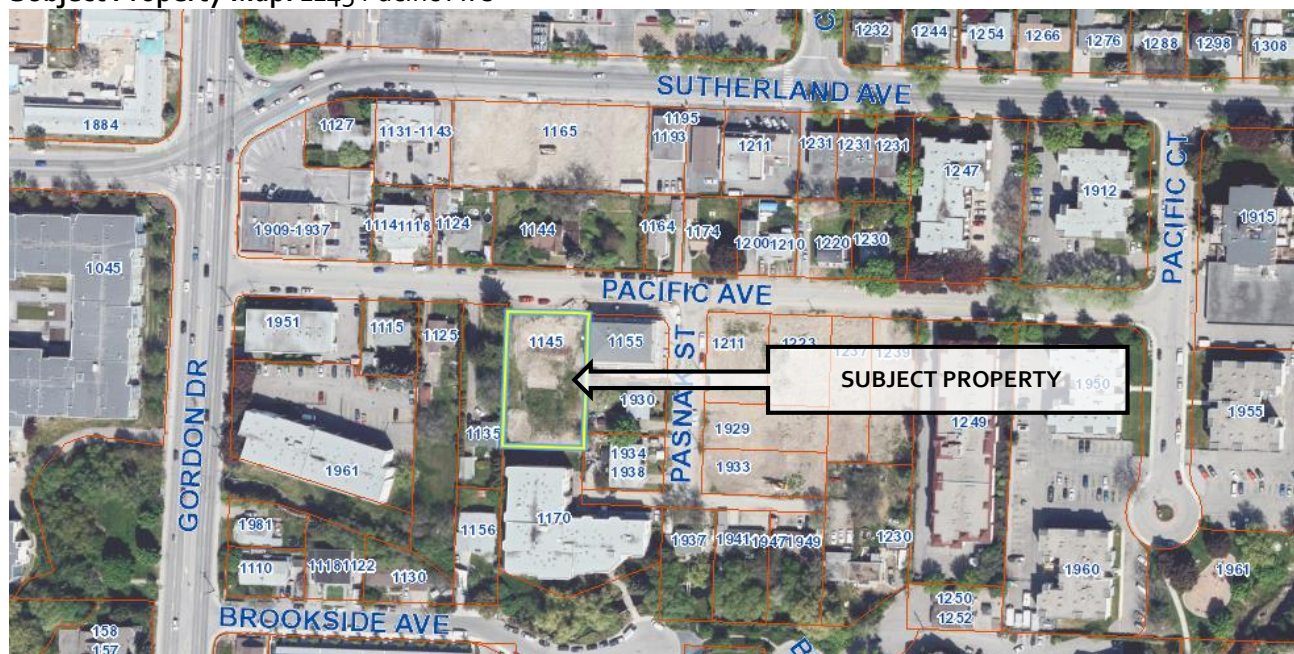
The proposing is under construction for a six-storey, 31-unit purpose built rental apartment building.

## 4.2 Site Context

The subject properties are in the Capri Landmark Urban Centre one block south of Sutherland Avenue in an area designated for an apartment form of housing. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 & C4 Rezoning application	Residential & Mixed Use Building Proposed
East	RM5 & RU6	Apartment Housing & Residential
South	RM5	Apartment Housing
West	RU6	Residential

**Subject Property Map: 1145 Pacific Ave**





## **5.0 Current Development Policies**

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

Objective 5.9. Support the creation of affordable and safe rental, non-market and / or special needs housing.

Objective 5.10. Ensure opportunities are available for greater use of active transportation and transit to: improve community health; reduce greenhouse gas emissions; and increase resilience in the face of higher energy prices.

Objective 5.11. Support parking management programs that promote reduced vehicle ownerships, reduced vehicle trips and increased use of active modes of transportation.

## **6.0 Technical Comments**

None

## **7.0 Application Chronology**

Date of Application Received: June 5<sup>th</sup>, 2020

Date Public Consultation Completed: June 19<sup>th</sup>, 2020

**Report prepared by:** Adam Cseke, Planning Specialist

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

**Approved by:** Ryan Smith, Divisional Director, Planning and Development Services

### **Attachments:**

Schedule A: Development Engineering Memo

Attachment 'B': Applicant Package

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**CITY OF KELOWNA**  
**MEMORANDUM**

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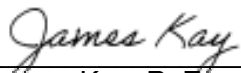
**Date:** June 12, 2020  
**File No.:** Z20-0047  
**To:** Community Planning (AC)  
**From:** Development Engineering Manager (JK)  
**Subject:** 1145 Pacific Ave. RM5 to RM5c rental Zone

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

1. General

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

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

AS

<b>SCHEDULE</b>		<b>A</b>
This forms part of application # Z20-0047		
Planner Initials	AC	 <b>City of Kelowna</b> DEVELOPMENT PLANNING

2020.06.01

Pacific Avenue Rentals – Anagram Properties

Sub-Rezone Application for RM-6-r

Existing DP: DP17-0296 & DVP17-0297

Existing BP: BP 61090



MQN Architects have been engaged to complete a sub-rezone of this project to the recently created Rental suffix. The sub-rezone application is in response to concerns discussed between the client and the City of Kelowna regarding the Car Share agreement related to the existing development permit. The proposed sub-rezone would bring the parking requirements in alignment with the City of Kelowna's revised Section 08 – Parking and Loading in the Zoning Bylaw and would no longer require the car share as part of the project.

The project is currently under construction and the intent of this revision is to be processed while construction continues. The project is not seeking any changes from the approved DP & BP for form and character and the parking counts and bicycle parking revisions are entirely within the parking level of the building.

The table on the following page provides a synopsis of the parking requirements and the number of stalls required. The attached RZ-01 drawing sheet also shows the layout of the parking stalls and bicycle parking.

Regards,

Roger Green



---

**Brian F. Quiring**  
Architect AIBC, MAA, M.Arch

**Vicki A. Topping**  
Architect AIBC, M.Arch. LEED AP+

**Roger B. Green**  
Architect AIBC, MRAIC, M.Arch

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100, 3313 - 32nd Avenue  
Vernon, British Columbia  
Canada V1T 2M7  
T. 250.542.8085  
F. 250.542.5236  
E. [info@mqn.ca](mailto:info@mqn.ca)  
[www.mqn.ca](http://www.mqn.ca)



Parking and Bicycle Parking Requirements per Section 08 of the Zoning Bylaw:

	UNITS	PARKING REQUIRED PER UNIT	PARKING STALLS	VISITOR STALLS (0.14/unit)	TOTAL PARKING REQUIRED	
<i>Bachelor</i>	-	0.9 – 1.25	-	-		
<i>1 Bedroom</i>	3	1.0 – 1.25	3 – 3.75			
<i>2 Bedroom</i>	23	1.25 – 1.6	28.75 – 36.8			
<i>3+ Bedroom</i>	5	1.5 – 2.0	7.5 – 10			
<b>TOTAL</b>	31		39.25 – 50.55	4	43	
				20% Reduction	<b>34 Stalls</b>	<b>34 Stalls Proposed</b>

Accessible Parking Required – **2 Stalls**

Van Accessible Parking Required – **1 Stall**

Bicycle Parking (Class I) Long Term – **25 Spaces**

Bicycle Parking (Class II) Short Term – **6 Spaces**

ATTACHMENT
B

This forms part of application  
# Z20-0047

Planner  
Initials
 

AC



**City of  
Kelowna**  
DEVELOPMENT PLANNING

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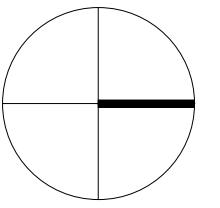
**Brian F. Quiring**  
Architect AIBC, MAA, M.Arch

**Vicki A. Topping**  
Architect AIBC, M.Arch. LEED AP+

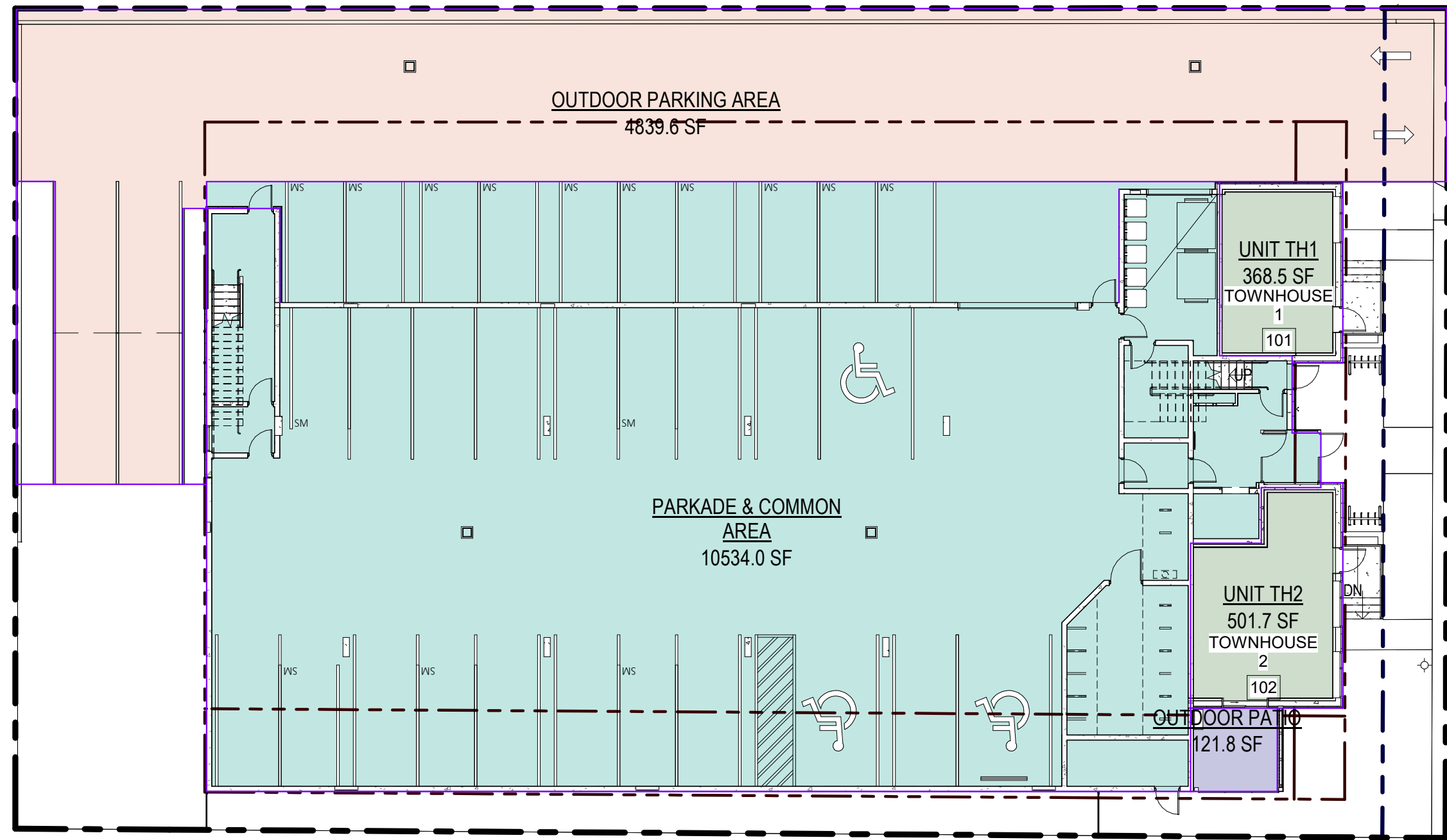
**Roger B. Green**  
Architect AIBC, MRAIC, M.Arch

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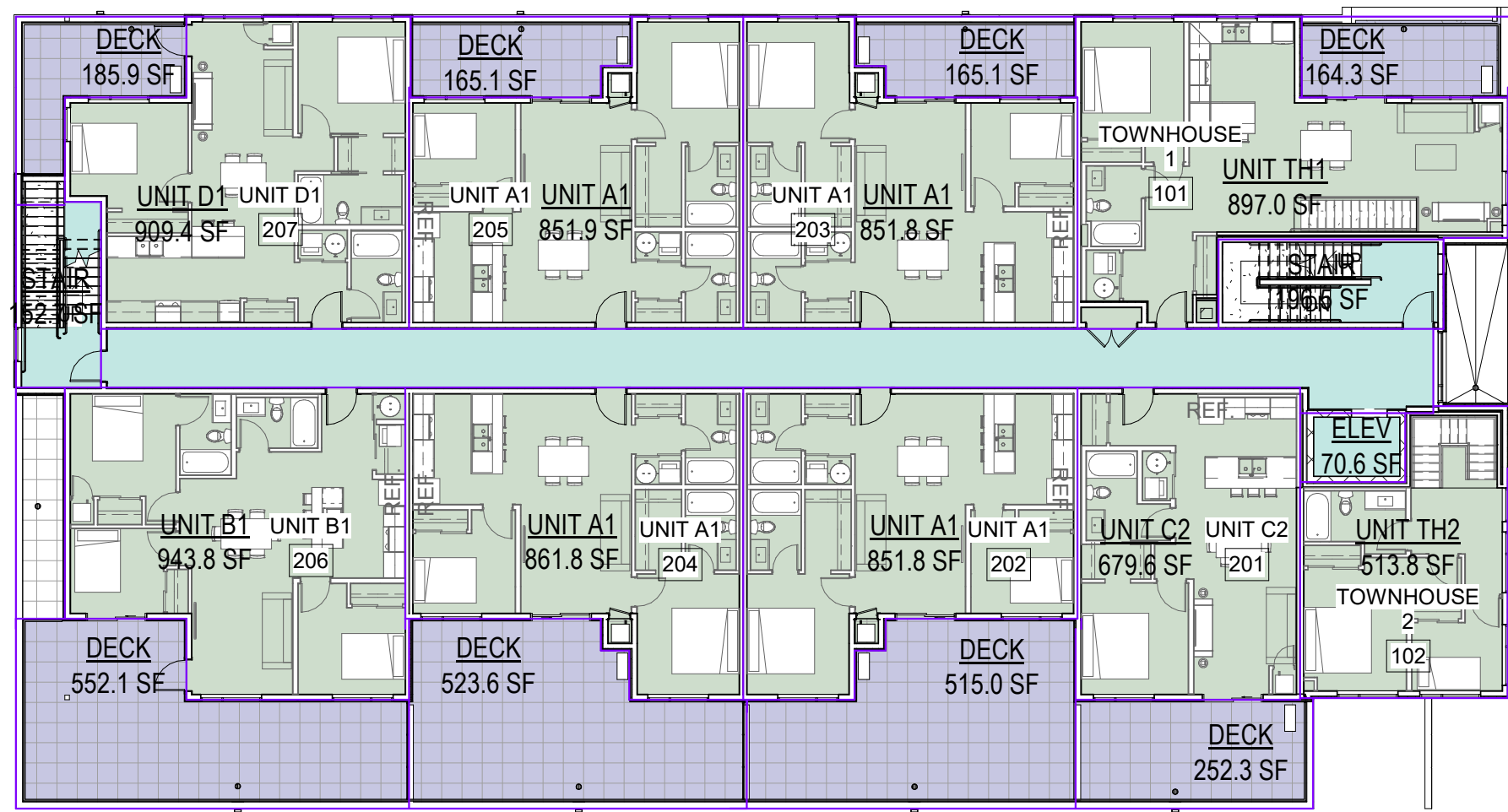
100, 3313 - 32nd Avenue  
Vernon, British Columbia  
Canada V1T 2M7  
T. 250.542.8085  
F. 250.542.5236  
E. [info@mqn.ca](mailto:info@mqn.ca)  
[www.mqn.ca](http://www.mqn.ca)



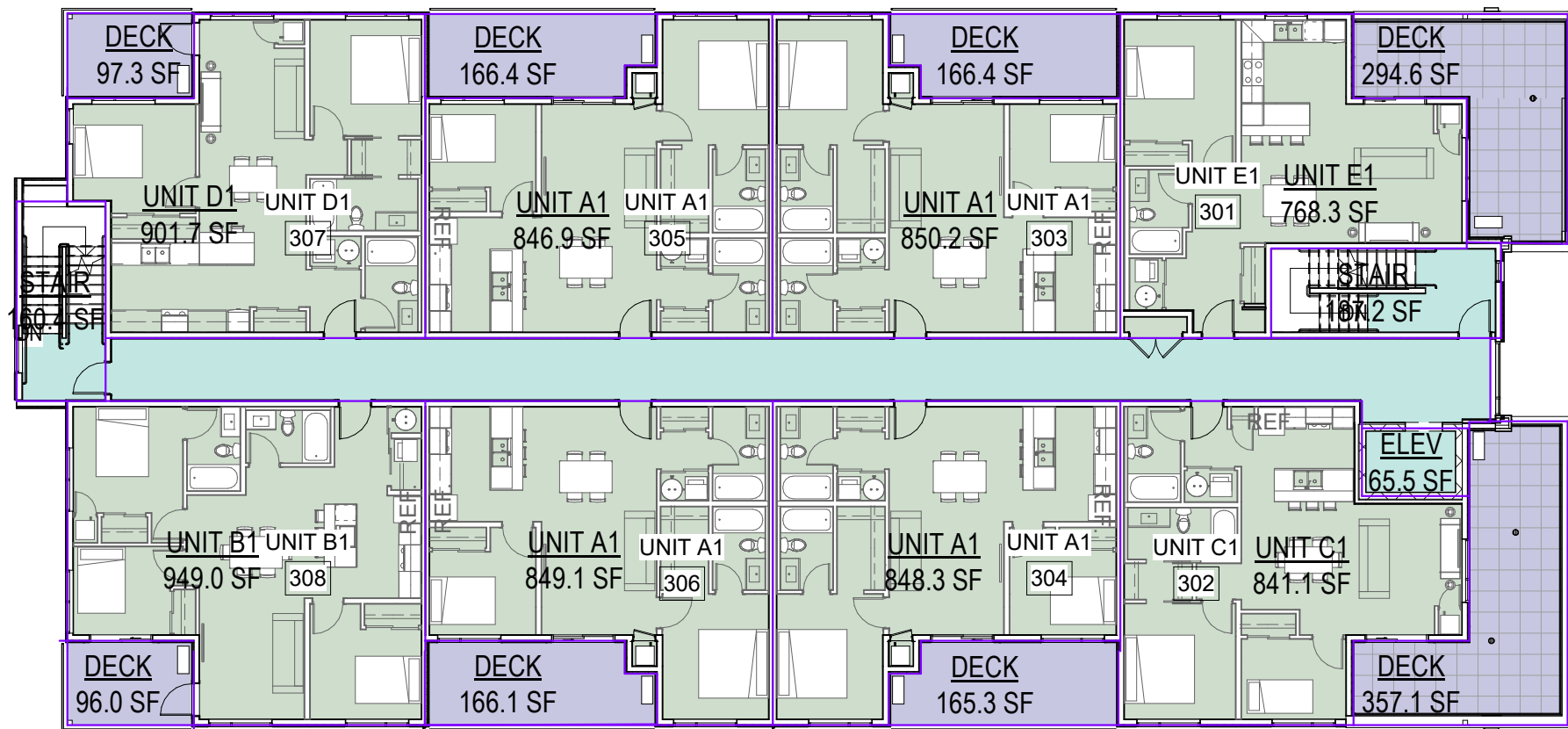




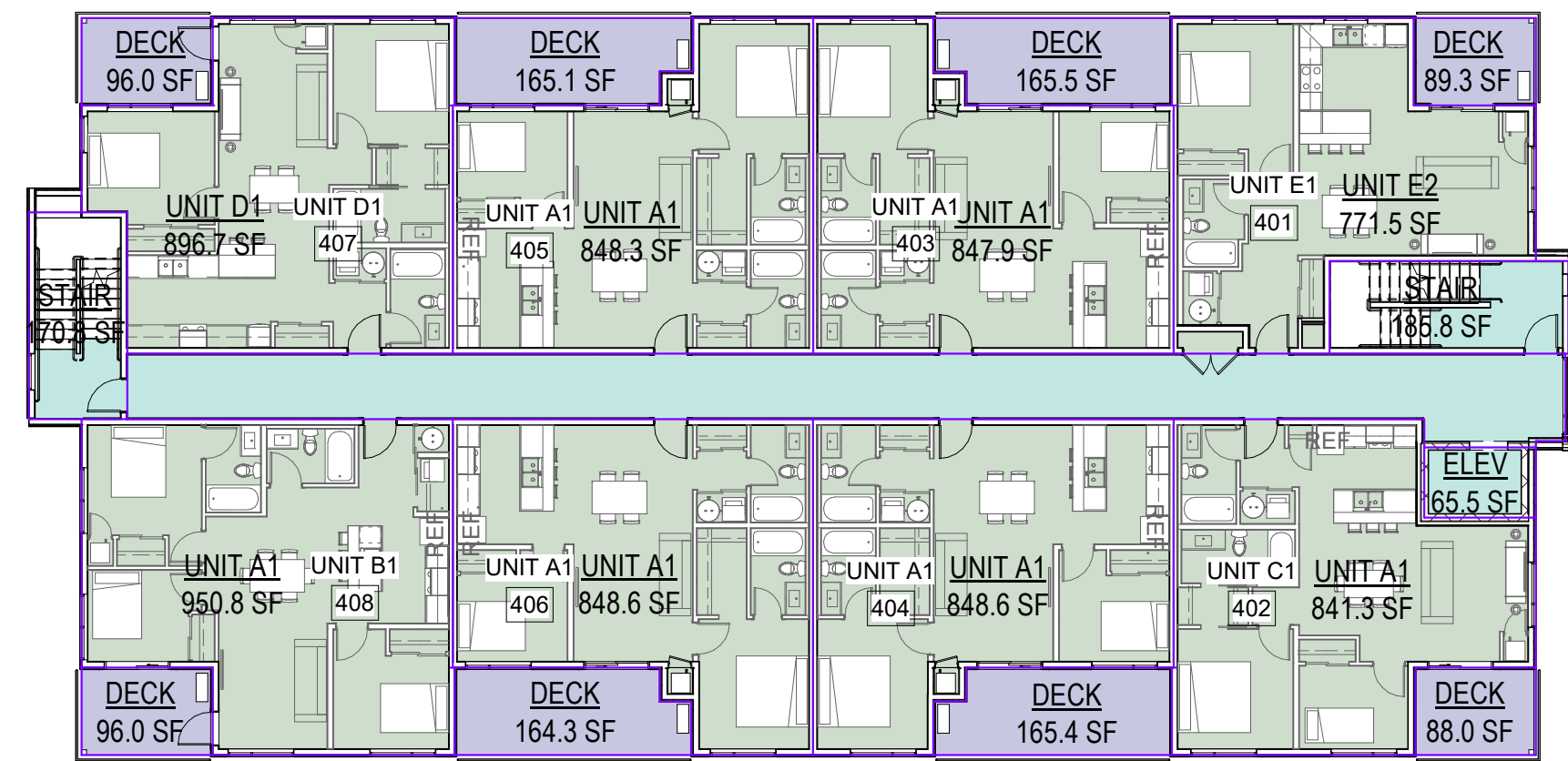
1 PARKADE  
SCALE: 1/16" = 1'-0"



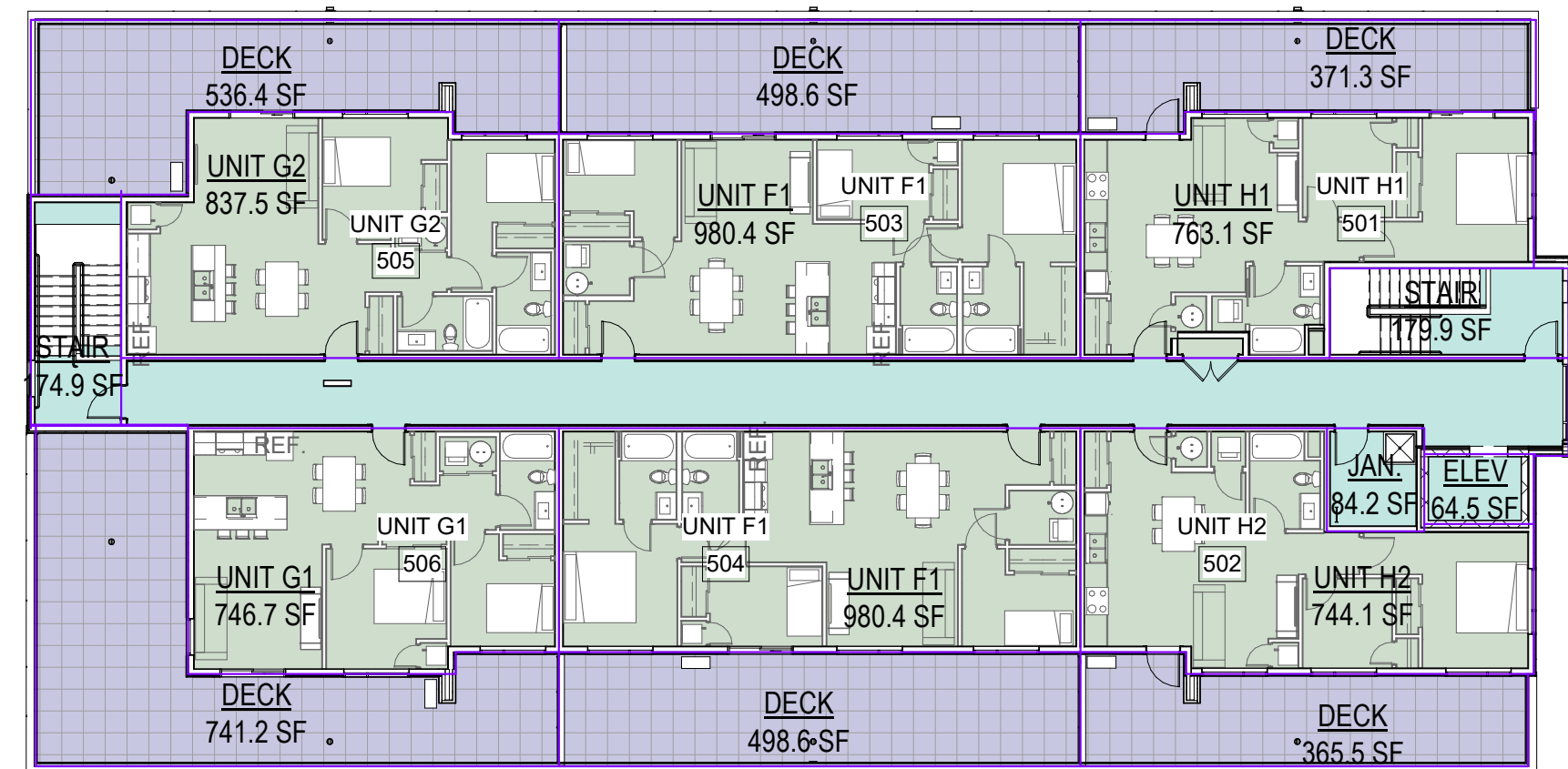
2 SECOND FLOOR  
SCALE: 1/16" = 1'-0"



3 THIRD FLOOR  
SCALE: 1/16" = 1'-0"



4 FOURTH FLOOR  
SCALE: 1/16" = 1'-0"



5 FIFTH FLOOR  
SCALE: 1/16" = 1'-0"

ATTACHMENT B  
This forms part of application  
# Z20-0047  
Planner Initials AC  
City of Kelowna  
DEVELOPMENT PLANNING

#### SITE COVERAGE CALCULATION

TOTAL SITE AREA	1851.8 m <sup>2</sup>
BUILDING AREA	1059.5 m <sup>2</sup>
PARKING AREA	449.6 m <sup>2</sup>
BUILDING AREA	0.57
PARKING AREA	0.24
<b>TOTAL SITE COVERAGE:</b>	<b>0.82</b>

#### FAR CALCULATION

TOTAL SITE AREA	1851.8 m <sup>2</sup>
EXCLUDED AREA	0.0 m <sup>2</sup>
INCLUDED AREA	1450.5 m <sup>2</sup>
PARKING AREA	449.6 m <sup>2</sup>
PRIVATE OPEN SPACE	761.4 m <sup>2</sup>
<b>FLOOR AREA RATIO:</b>	<b>1.356</b>

#### FAR AREAS

- INCLUDED AREA
- EXCLUDED AREA
- PRIVATE OPEN SPACE
- PARKING AREA





# Z20-0047 1145 Pacific Ave

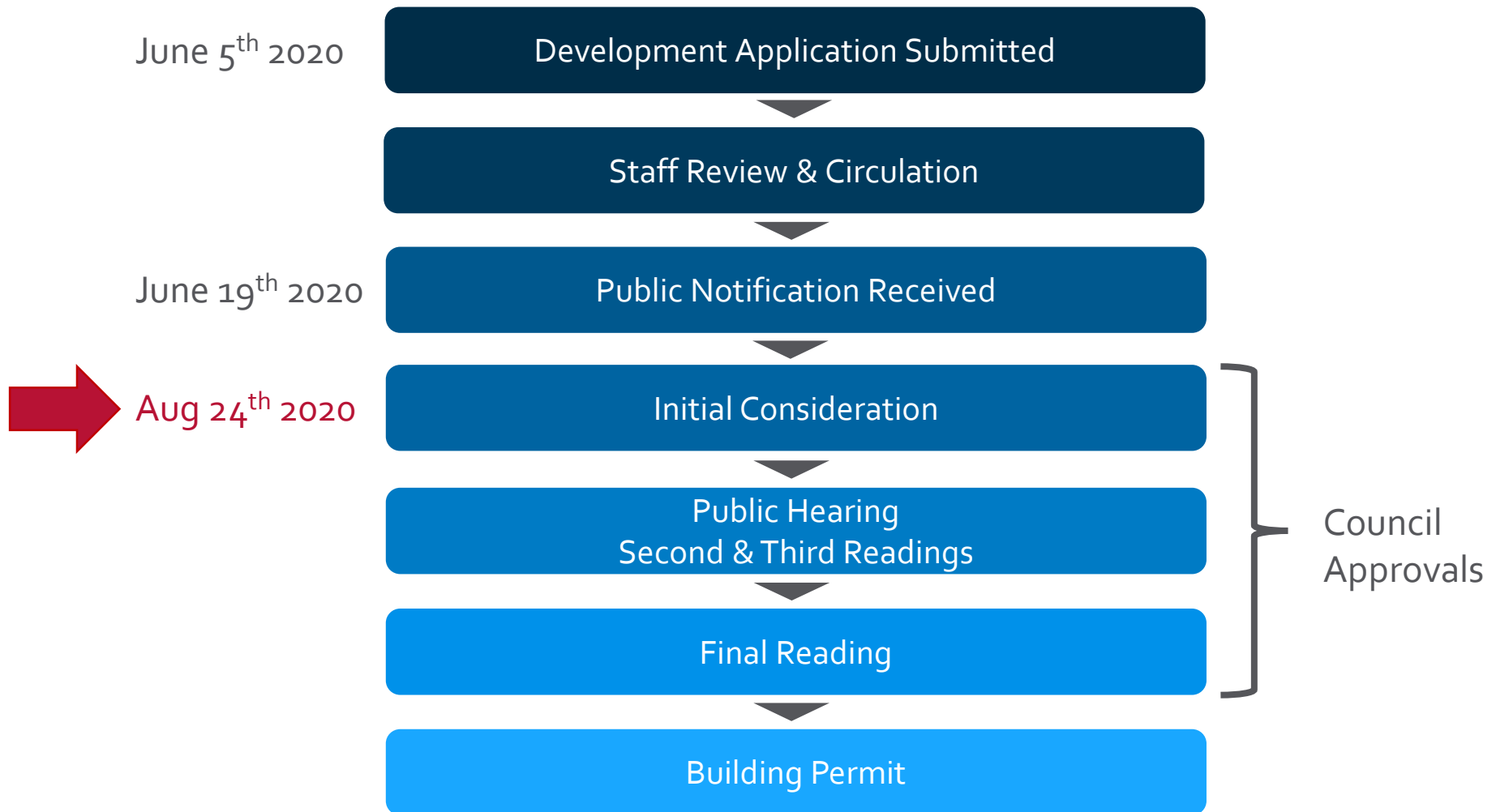
Rezoning Application



# Proposal

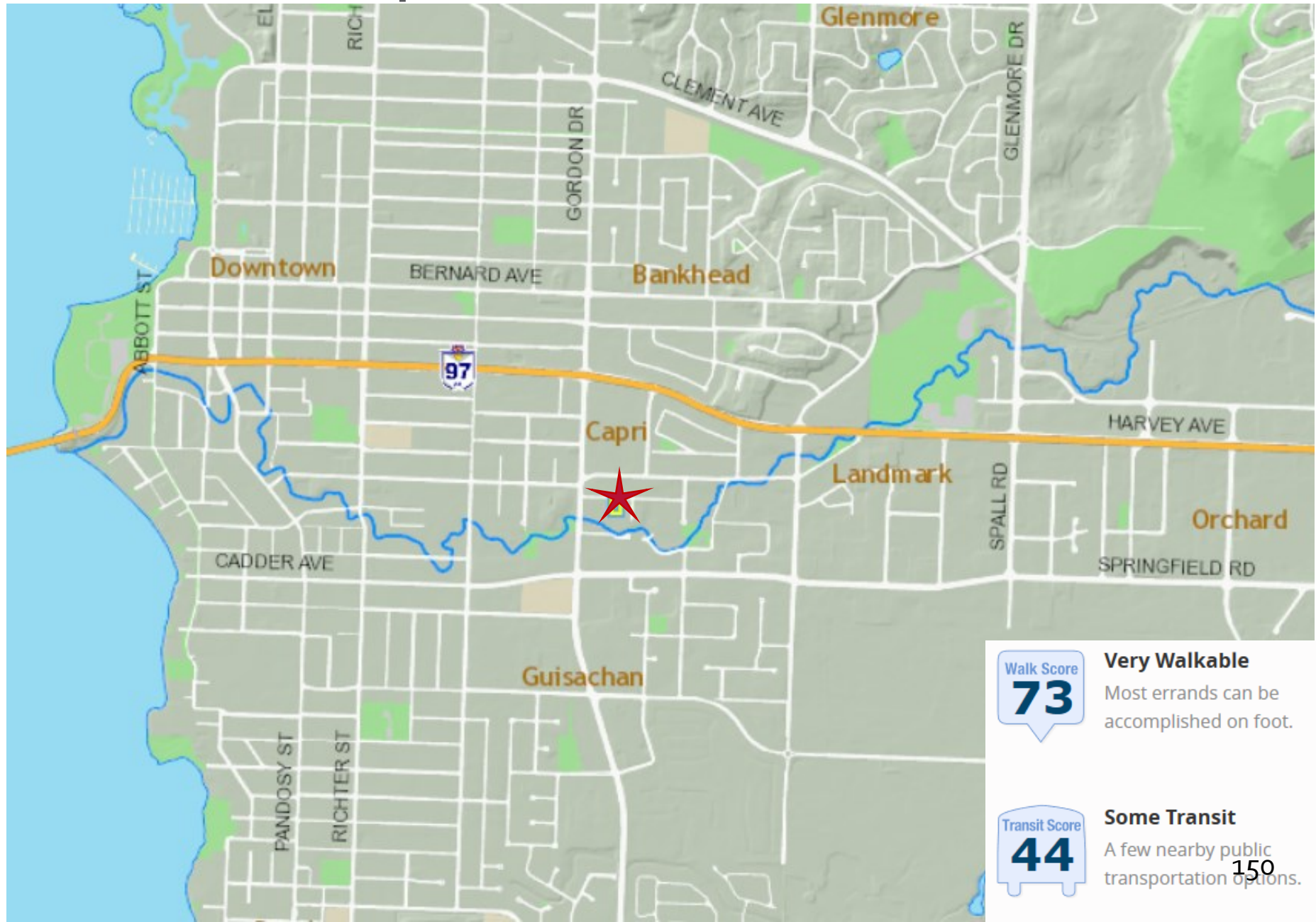
- ▶ To consider a Rezoning application to rezone the subject property from RM5 to RM5r zone.

# Development Process





# Context Map



Walk Score  
**73**

## Very Walkable

Most errands can be accomplished on foot.

Transit Score  
**44**

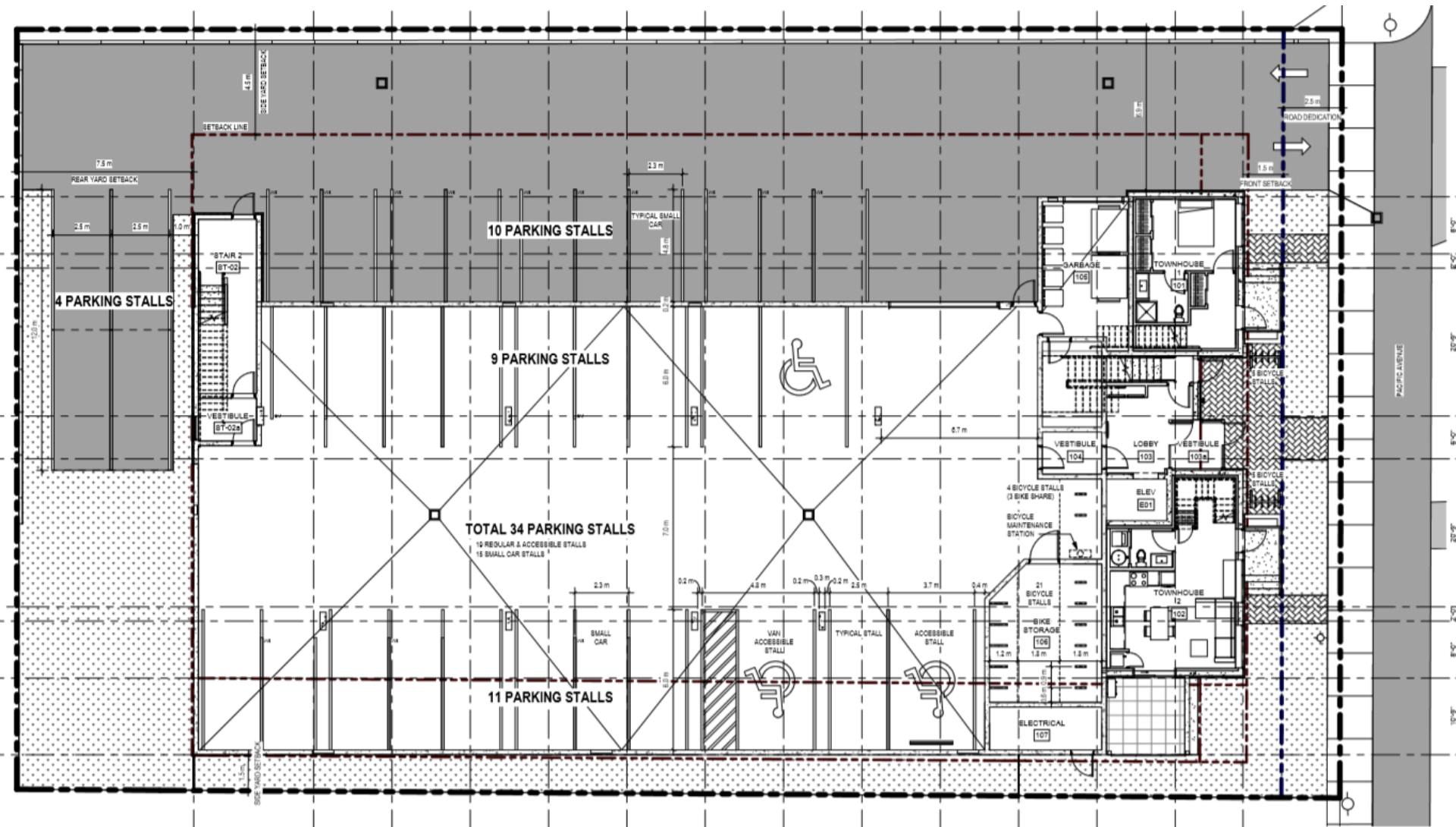
## Some Transit

A few nearby public transportation options.



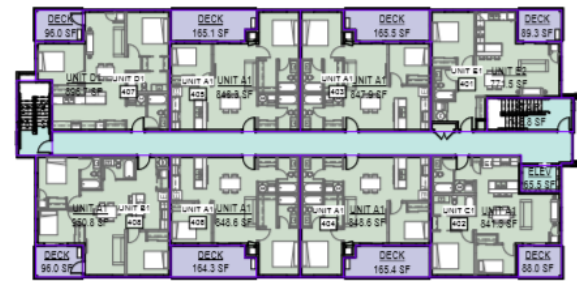






# Parking Plan





The site plan illustrates the layout of the proposed development. It includes an **OUTDOOR PARKING AREA** measuring 4039.6 SF at the top, a large **PARKADE & COMMON AREA** measuring 10534.0 SF in the center, and a **POOL PA** measuring 21.3 SF at the bottom right. Two townhouse units are shown: **UNIT TH1** (368.5 SF TOWNHOUSE 1) and **UNIT TH2** (501.7 SF TOWNHOUSE 2). The plan also features various parking spaces, a wheelchair symbol indicating accessible areas, and a north arrow pointing towards the top right.



 INCLUDED AREA  
 EXCLUDED AREA  
 PRIVATE OPEN SPACE  
 PARKING AREA

# Zoning Bylaw Parking Regulations

Parking and Bicycle Parking Requirements per Section 08 of the Zoning Bylaw:

	UNITS	PARKING REQUIRED PER UNIT	PARKING STALLS	VISITOR STALLS (0.14/unit)	TOTAL PARKING REQUIRED	
<i>Bachelor</i>	-	0.9 – 1.25	-	-		
<i>1 Bedroom</i>	3	1.0 – 1.25	3 – 3.75			
<i>2 Bedroom</i>	23	1.25 – 1.6	28.75 – 36.8			
<i>3+ Bedroom</i>	5	1.5 – 2.0	7.5 – 10			
<b>TOTAL</b>	31		39.25 – 50.55	4	43	
				20% Reduction	<b>34 Stalls</b>	<b>34 Stalls Proposed</b>

Accessible Parking Required – **2 Stalls**

Van Accessible Parking Required – **1 Stall**

Bicycle Parking (Class I) Long Term – **25 Spaces**

Bicycle Parking (Class II) Short Term – **6 Spaces**

# Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning
  - ▶ Meets the intent of the Official Community Plan
    - ▶ Consistent with newly adopted parking regulations
- ▶ Recommend the Bylaw be forwarded to Public Hearing





## *Conclusion of Staff Remarks*

# 1145 PACIFIC AVENUE

DP17-0296  
BP 61090  
Z20-0047

ISSUED 2019-02-12  
ISSUED 2019-07-31  
PENDING



A purpose-built rental project located at the Capri Landmark Urban Core

## WHY ARE WE REZONING?

1145 Pacific Avenue has always been planned as a rental property and that was part of the original development permit submission.

Car Share requirements cannot be achieved as originally proposed.

New Rental sub-zone at the start of 2020 which addresses the parking requirements.



# WHAT CHANGES BY REZONING THIS PROJECT?

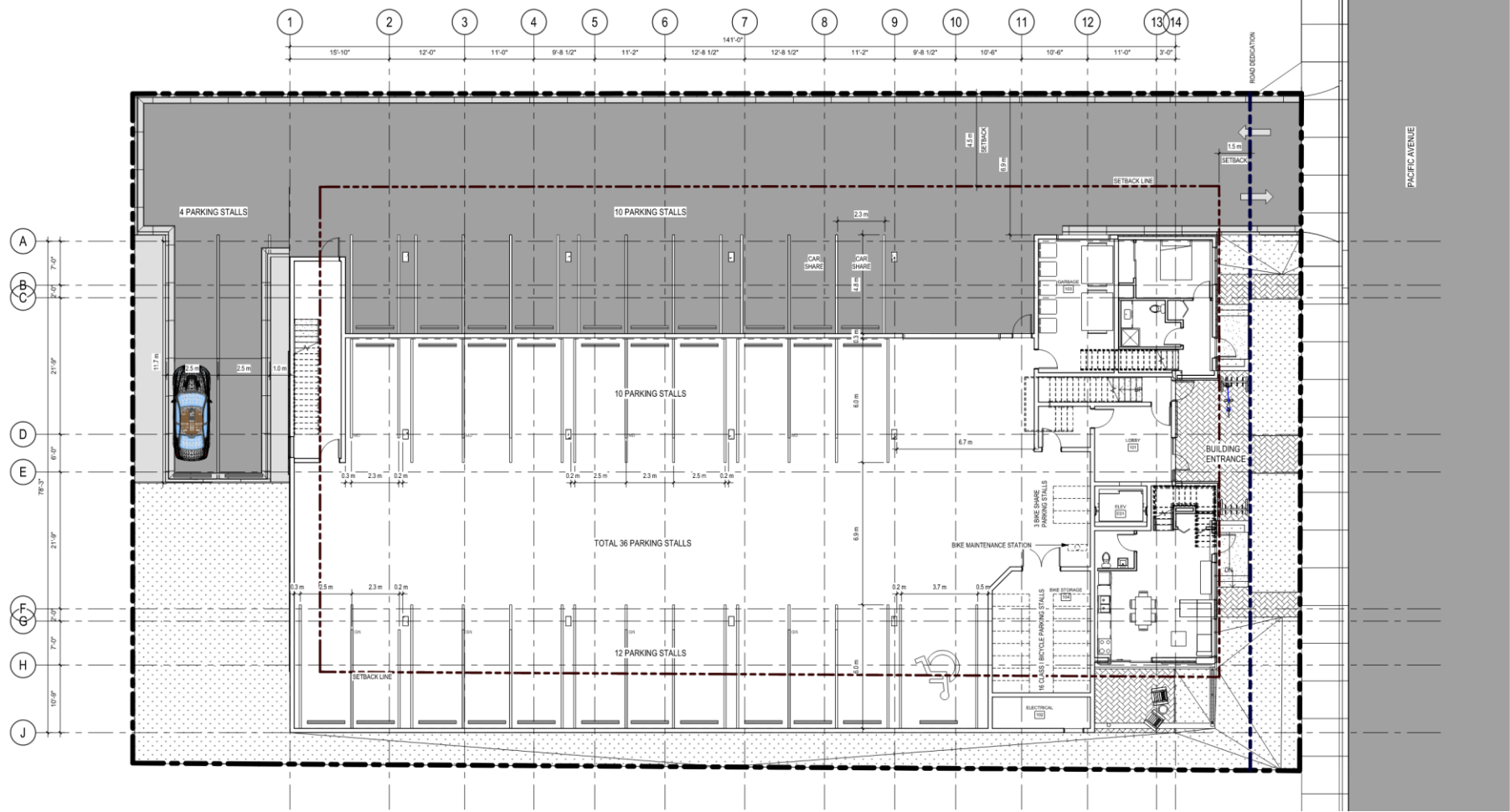
This rezoning does not change the physical construction of 1145 Pacific Ave which is currently being built.

The rezoning affects the requirements under Section 08 – Parking and Loading in the Zoning Bylaw.

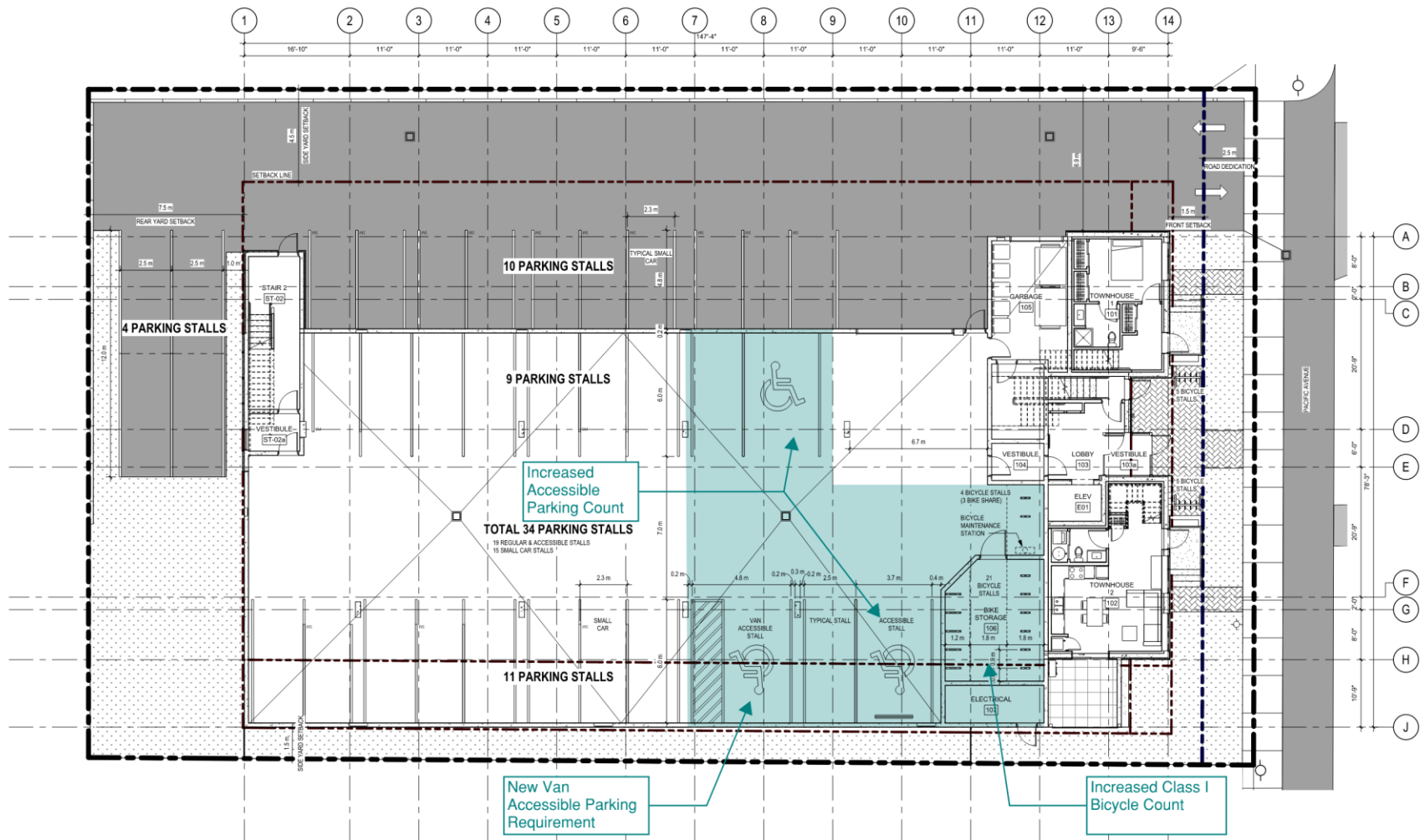
CLEMENT	Units in Building DP	2019 DP Variance	Units in Building	2020 Parking – No Variance
<b>Bachelor</b>	0	0	0	0
<b>1 Bedroom</b>	5	5	3	3
<b>2 Bedroom</b>	21	21	23	28.75
<b>3+ Bedroom</b>	5	5	5	7.5
<b>Visitor</b>	31 units	4.43	31 units	4.43
<b>Rental Building</b>		--		20% Parking Reduction
<b>ZONING TOTAL</b>		36		34
<b>Car Share</b>	4 stall reduction to 1 car share	Partial justification of variance.		None
<b>Parking Provided</b>		36		34*

\*Parking is reduced in 2020 layout due to increased accessible parking requirements as well as the deletion of the micro (small) car stall from the zoning requirements. All stalls in the current proposal meet current 2020 size requirements.

# APPROVED DP CONFIGURATION



# PROPOSED REZONE CONFIGURATION





## THIS WILL WORK

**“I would ask the question to the applicant: Does your parking plan work for your designated building, and for your tenants?” Councilor Luke Stack**

The City of Kelowna added the Rental subzone to the zoning bylaw to encourage the development of rental housing. This newly created zone provides a 20% reduction in parking requirements recognizing the lower ownership of vehicles and increased ability of rental buildings to manage their parking pool.

Within walking distance of Urban Core businesses, restaurants and parks.

The location is on Kelowna's bike network

Located on main transit routes.

**CITY OF KELOWNA**  
**BYLAW NO. 12081**  
**Z20-0047 – 1145 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 Lot A District Lot 137 ODYD Plan EPP84914 located on Pacific Avenue, Kelowna, BC from the RM5 – Medium Density Multiple Housing zone to the RM5r – Medium Density Multiple Housing (Residential Rental Tenure Only) 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 24<sup>th</sup> day of August, 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:** August 24, 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** OCP19-0013 & Z19-0144

**Owner:** Greencorp Ventures Inc.,  
Inc.No. BC0987730

**Address:** 4071 Lakeshore Rd

**Applicant:** Shane Worman; Worman  
Commercial

**Subject:** OCP Amendment & Rezoning Application

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

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

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

**Proposed Zone:** RM5 – Medium Density Multiple Housing

---

## 1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP19-0013 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot A Section 6 Township 26 ODYD Plan 10613, located at 4071 Lakeshore Rd., Kelowna, BC from the S2RES – Single / Two Unit Residential designation to the MRM – Multiple Unit Residential (Medium Density) designation, be considered by Council;

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

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the *Purpose* of Section 879 of the *Local Government Act*, as outlined in the Report from the Development Planning Department dated August 24, 2020;

AND THAT Rezoning Application No. Z19-0144 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 6 Township 26 ODYD Plan 10613, located at 4071



Lakeshore Rd., Kelowna, BC from the RU1 – Large Lot Housing zone to the RM5 – Medium Density Multiple Housing zone, be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule “A” attached to the Report from the Development Planning Department dated August 24, 2020;

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

## **2.0 Purpose**

To consider an OCP Amendment to change the future land use designation of the subject lot from S2RES – Single / Two Unit Residential to MRM – Multiple Unit Residential (Medium Density); and to rezone the lot from the RU1 – Large Lot Housing zone to the RM5 – Medium Density Multiple Housing zone to facilitate the development of a 5 storey apartment building.

## **3.0 Development Planning**

Development Planning supports the OCP Amendment to change the future land use designation of the lot to MRM – Multiple Unit Residential (Medium Density), and rezone the lot to RM5 – Medium Density Multiple Housing to facilitate the development of a 5 storey apartment building.

Staff recognize that that the proposed zone represents a substantial increase in density over the existing zone and future land use designation of the lot. However, due to a number of site-specific factors, Staff believe the proposed zone is appropriate in this instance.

To begin with, the lot is in close proximity to numerous amenities and destinations, including a neighbourhood commercial centre to the north at Lexington Dr.; Mission Recreation Park to the east (which includes both the H2o Adventure & Fitness Centre and Capital News Centre); Thomson Marsh Park to the southeast; Mission Creek and Greenway to the north; the newly introduced Bluebird Beach Park immediately to the northwest; and Belmont Park in the immediate surroundings. Given the number and variety of amenities and destinations in close proximity, the lot is in a suitable location to accommodate greater residential development in line with the zone proposed.

Also, the lot is directly on and accessed from the arterial Lakeshore Rd., which also acts as a major bus route and accommodates active transportation through the Lakeshore Road Recreation Corridor. Given the availability of both transit and active transportation, and given the development is away from (and does not stand to congest) local roads, once again the lot is in a suitable location to accommodate greater residential development in line with what is being proposed. To reinforce this, there are already numerous multiple dwelling developments in the surrounding area along Lakeshore Rd., including an RM6 (large apartment building) development directly across the street.

Further, since the lot is buffered on all sides either by park or multiple dwelling housing, the proposed development does not stand to unduly encroach on the single family and lower-profile development nearby. Furthermore, the development offers numerous ‘eyes-on-the-park’ to the surrounding Belmont Park, thus increasing safety for this area of the park.

Finally, the applicant has agreed to make a significant contribution to connecting Belmont Park in the immediate area to the newly introduced Bluebird Beach Park to the northwest. Specifically, the applicant

has agreed to contributing to a connecting sidewalk along the east side of Lakeshore Rd, and a crosswalk connection north of the subject lot leading to the park. These improvements stand to benefit not only the future residents of the development, but the broader community as well by ensuring that safe pedestrian infrastructure is in place to support the proposed land use.

#### 4.0 Proposal

##### 4.1 Project Description

The applicant proposes an OCP Amendment to change the future land use designation of the subject lot to MRM – Multiple Unit Residential (Medium Density); and to rezone the lot to RM5 – Medium Density Multiple Housing to facilitate the development of a 5 storey, 8 unit apartment building.

The proposed apartment building would feature ground-oriented units along the north side, integrating with the pathway through Belmont Park. However, specific questions related to design are only to be addressed formally at Development Permit stage.

Finally, staff are tracking 3 variances related to the following: the rear yard setback on the east side of the lot; the side yard setback on the north side of the lot; and height.

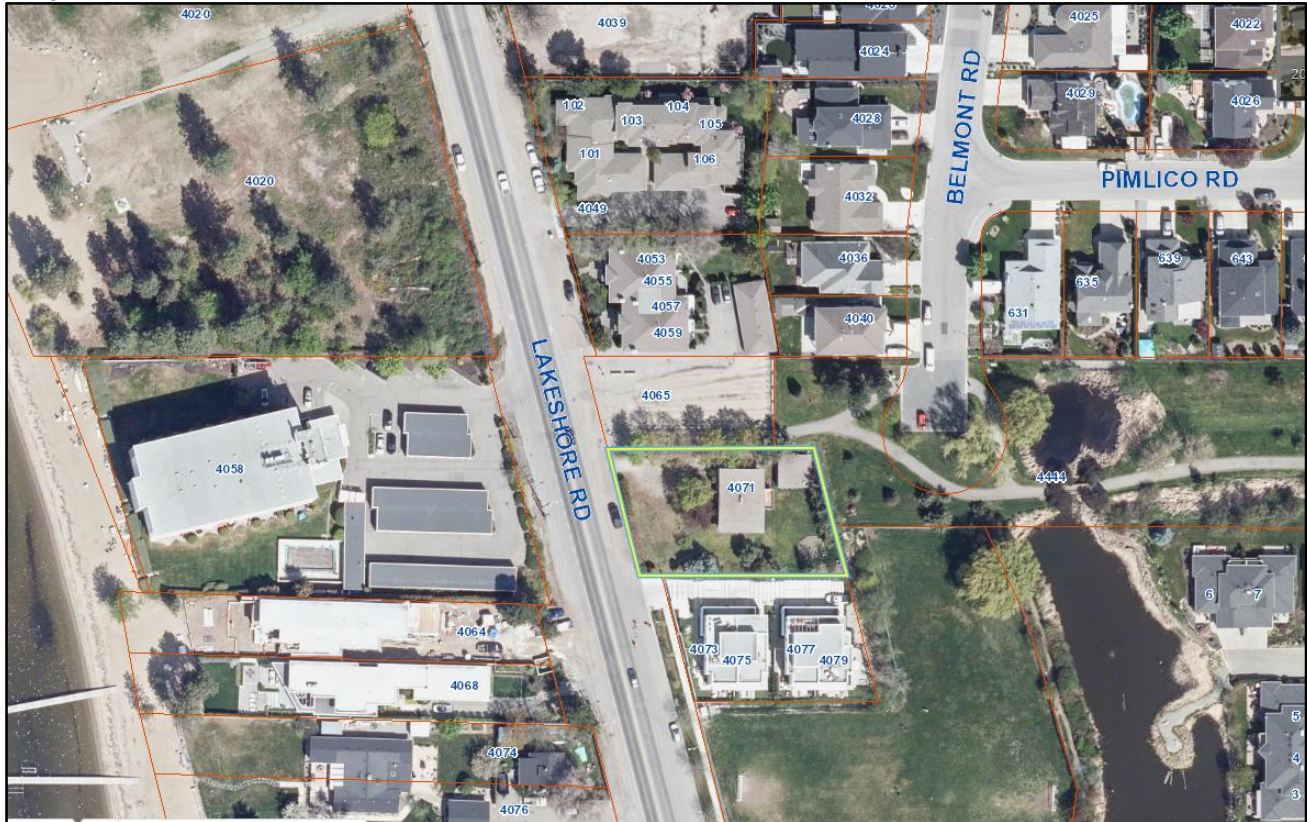
##### 4.2 Site Context

The property is located on the arterial Lakeshore Rd. in the North Okanagan Mission Sector. The lot is in close proximity to numerous amenities and destinations including a neighbourhood commercial centre to the north at Lexington Dr; Mission Recreation Park to the east (which includes both the H2o Adventure & Fitness Centre and Capital News Centre); Thomson Marsh Park to the southeast; Mission Creek and Greenway to the north; the newly introduced Bluebird Beach Park immediately to the northwest; and Belmont Park in the immediate surroundings.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU2 – Medium Lot Housing / P3 – Parks and Open Space	Park (Belmont Park)
East	P3 – Parks and Open Space	Park (Belmont Park)
South	RM3 – Low Density Multiple Housing	Multiple Dwelling Housing
West	RM6 – High Rise Apartment Housing	Multiple Dwelling Housing

**Subject Property Map: 4071 Lakeshore Rd**



**5.0 Current Development Policies**

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

**Chapter 5: Development Process**

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

*Policy .2 Compact Urban Form.* Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns.

**6.0 Technical Comments**

**6.1 Development Engineering Department**

- See Schedule A

## **7.0 Application Chronology**

Date of Application Received: December 20, 2019

Date Public Consultation Completed: February 24, 2020

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

**Reviewed by:** James Moore, Acting Development Planning Manager

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

### **Attachments:**

Schedule A: Development Engineering Memo

Attachment A: Applicant Rationale

Attachment B: Conceptual Drawing Package



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# CITY OF KELOWNA

## MEMORANDUM

**Date:** January 13, 2020  
**File No.:** Z19-0144  
**To:** Community Planning (AT)  
**From:** Development Engineering Manager (JK)  
**Subject:** 4071 Lakeshore Rd

### SCHEDULE

**A**

This forms part of application  
# OCP19-0013, Z19-0144

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RU1 To RM5

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The Development Engineering Department has the following comments and requirements associated with this proposal to rezone the subject property from RU1 to RM5 to facilitate a five-story development. The Development Engineering Technician for this project is Aaron Sangster.

#### 1. General

- a. Where there is a possibility of a high water table or surcharging of storm drains during major storm events, non-basement buildings may be required. This must be determined by the engineer and detailed on the Lot Grading Plan required in the drainage section.
- b. Provide easements as may be required.
- c. The Fire Department and Environment Division requirements and comments are addressed separately.

#### 2. Domestic Water and Fire Protection

- a. The existing lot is serviced with 19mm diameter water service. The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service (if required) at the applicant's cost.

#### 3. Sanitary Sewer

- a. The existing lot is serviced with a 100mm diameter sanitary service. The developer's consulting mechanical engineer will determine the requirements of this proposed development and establish the required size and preferred location of the new service. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal of the existing small diameter service and the installation of a new larger service (if required).

#### 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 Section 3 of Schedule 4 of the Subdivision Development & Servicing Bylaw No. 7900. The

# SCHEDULE A

This forms part of application # OCP19-0013, Z19-0144

# OCP19-0013, Z19-0144

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2 -

storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and recommendations for onsite drainage containment and disposal systems.

- b. On site storm drainage systems for the site will be reviewed and approved by the Development Engineering Branch when a site servicing design is submitted.
- c. Any possibility of a high water table or surcharging of storm drains during major storm events should be considered in the design of the onsite system.
- d. An Erosion and Sediment Control Plan is to be provided.

## 5. Road Improvements and Site Access

### a. Coordinated Offsite Works:

#### i. **Bluebird Beach Park:**

- 1. Parks (COK) will construct a trail this fall from the property line to the beach. (designed/built/paid by COK Parks).

#### ii. **4071 Lakeshore Rd:**

- 1. Developer constructs full urban standard for the frontage of 4071 Lakeshore Rd (designed/paid/built).
- 2. See 5.b for more detail

#### iii. **4065 Lakeshore Rd:**

- 1. Developer designs and builds the frontage.
- 2. COK will pay for the construction of this frontage. \*upon approved cost estimate (typical).
- 3. Parks (COK) will dedicates road frontage to match 4071 Lakeshore Rd.
- 4. See 5.c for more detail

#### iv. **4053-4059 Lakeshore Rd:**

- 1. Developer designs and builds the frontage.
- 2. COK will pay for the construction of this frontage through deffered revenue from 4053-4059 Lakeshore Rd.

#### v. **Cross-Walk @ 4053-4059 to Bluebird Beach Park:**

- 1. Developer designs (review by COK) and builds including the following (concrete bulb-outs, conduits for future ped-lights, ped lights basses, paint, signs). \*Integrated Transportation will provide a sample design and items required.
- 2. Integrated Transportation (COK) will budget for cross-walk flashers for 2021.
- 3. Developer contributes \$5,000 to cross-walk project (must include paint road marking and signage)
- 4. COK will pay for the remaining cost of constructing this item.

#### vi. **4049 Lakeshore Rd:**

- 1. Sidewalk already installed.

#### vii. **4039 Lakeshore Rd:**

- 1. Developer designs and builds the frontage.
- 2. COK will pay for the construction of this frontage through deffered revenue from 4039 Lakeshore Rd.

- viii. City of Kelowna will reimburse the developer for the inspection cost of the City portion of works, hourly basis to an upper limit of 3.5% to the value of the Cities works.



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AT

b. 4071 Lakeshore Rd must be upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, sidewalk, irrigated landscaped boulevard complete with street trees drainage system including catch basins, manholes and pavement removal and replacement, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.

c. 4065 Lakeshore Rd must be upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, sidewalk, irrigated landscaped boulevard complete with street trees drainage system including catch basins, manholes and pavement removal and replacement, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.

## 6. Site Access and Turning Movements

a. The proposed development shall have a SS-C7 driveway access of no greater than 6.0 m wide at property line.

## 7. Road Dedication and Subdivision Requirements

a. Dedicate ~5.16m width along the full frontage of Lakeshore Rd.

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

c. 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. Electric Power and Telecommunication Services

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

b. The City is requesting the applicant to consider the undergrounding of power and telecommunication wires and poles along frontage of the subject lots.

c. Re-locate existing utilities, where necessary.

## 9. Geotechnical Study

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

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

ii. Site suitability for development.



the soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).

- iv. Any special requirements for construction of roads, utilities and building structures.
- v. Recommendations for items that should be included in a Restrictive Covenant.
- vi. Recommendations for roof drains, perimeter drains and septic tank effluent on the site.
- vii. Any items required in other sections of this document.

Additional geotechnical survey may be necessary for building foundations, etc

## 10. Design and Construction

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

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

---

James Kay, P. Eng.  
Development Engineering Manager

AS

<b>SCHEDULE</b>		<b>A</b>
This forms part of application # OCP19-0013, Z19-0144		
Planner Initials	AT	 City of <b>Kelowna</b> COMMUNITY PLANNING



WORMAN  
WORMAN HOMES | WORMAN COMMERCIAL

Dec. 16, 2019

Re: 4071 Lakeshore Drive  
Development and Variance Rationale Letter

**ATTACHMENT A**

This forms part of application

# OCP19-0013, Z19-0144

Planner  
Initials

AT



Dear City Staff and Council,

The attached application for 4071 Lakeshore Road is a 4-storey residential development. The development consists of 8 residential strata units. There are 7 three-bedroom units and 1 two-bedroom unit. Parking is provided just below grade, entered from a center drive aisle. Each unit has large private deck spaces, as well as private 2 car garages large enough to also accommodate storage. The building also has a common pool and a small amenity building at grade located in the rear yard.

The RM5 zone was chosen for this site in order to maximize the density in this infill location. The close proximity to the beach, H2O and Capital News Center, as well as to transit and neighbourhood commercial makes this an ideal site for a denser zone. The proposed layout allows for integration with the trail to the north which accesses the park and linear trail. The decision to add more density was also predicated by the City's recent purchase of the waterfront park across the road.

Our proposal meets most of the requirements under the RM5 zone with two exceptions. The first exception is for the number of storeys. Under the proposed zone we are allowed 4.5 storeys. With the location of this building so close to the lake, the water table is very high which only allows us to drop our parking down about two feet below the existing grade. This means that our parking level is now too far out of the ground to be considered a half storey, so under the strict definition of the zone, we are considered 5 storeys high. Although we are below the maximum height for an RM5 development, we require a "storeys" variance, rather than a height variance.

The second variance is for a small portion of the building which protrudes into the rear yard setback for the first storey and part of the second. This variance is required in order for the stairs to exit the building and still maintain double car garages for each of the 8 units. Within our design, the stairs are in the center of the building between the 2 units on each floor. However, in order to make the driveway work, which also runs down the center of the building, we had to take the stairs outside the building from the 2<sup>nd</sup> floor down to the main, therefore requiring a small variance.

This application maintains our design philosophy of creative solutions for density on smaller lots and we believe it will be an asset to this area. We look forward to the application's approval.

Sincerely,

Shane Worman  
Worman Homes/ Worman Commercial

P. 250.762.0040

F. 250.762.0550



# ATTACHMENT B

This forms part of application  
# OCP19-0013, Z19-0144

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Initials

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City of  
**Kelowna**  
COMMUNITY PLANNING



WORMAN  
WORMAN HOMES | WORMAN COMMERCIAL



4071 LAKESHORE ROAD | Kelowna, BC

Worman Homes | Worman Commercial



## An architectural rendering of a modern, multi-story residential building. The building features a light-colored, textured facade with large windows and balconies. A parking lot in the foreground contains a white car and a blue car. Landscaping includes young trees and a small garden area. A person is visible walking on a path near the building.

## ARCHITECTURAL &amp; LANDSCAPE DRAWINGS:

CMC: 4071 Idestone Drive Kelowna, BC	A-001	SITE INFORMATION	A-106	ROOF PLAN
LEGAL: KPD: 10836; PLAN: 10613, LOT: A	A-101	GARAGE LEVEL PLAN	A-200	ELEVATIONS
PLAN: KAP10613 LOT A, SECTION 6 TOWNSHIP 26	A-102	FIRST LEVEL PLAN	A-201	ELEVATIONS
	A-103	SECOND LEVEL PLAN	A-300	SECTIONS
	A-104	THIRD LEVEL PLAN	A-RENDER	RENDERINGS AND EXISTING CONDITION PHOTOS
	A-105	FOURTH LEVEL PLAN	L-1/-2	LANDSCAPE PLAN

Current:	RU1
Proposed:	RM5

Gross Site Area =	16,303 SF (1,514.6 sm)	
Allowable Building Site Coverage =	40% (6,521 SF)	29% (4,713 SF)

	Allowed	Proposed
Gross Site Area = Allowable Building Site Coverage =	16,503 SF (1,514.6 sm) 40% (6,521 SF)	29% (6,773 SF)
Allowable Total Site Coverage =	65% (10,597 SF)	50% (8,078 SF)

Allowable Total Site Coverage=

PRIVATE OPEN SPACE	Proposed
269 SF (2.5 sm)/RESIDENCE	323 SF/RESIDENCE (20% INCREASE ABOVE ZONING ALLOWS INCREASE IN SITE COVERAGE)

Unit Area Calculations: NET FLOOR AREA  
PARKING LEVEL: 200 SF

<u>FIRST LEVEL:</u>	
UNIT 101 =	2,592 SF
UNIT 102 =	2,171 SF

SECOND-FOURTH LEVELS  
UNITS 201, 301 & 401 = 5,556 SF (1,852X3)  
UNITS 202, 302 & 402 = 6,456 SF (2,152X3)

TOTAL

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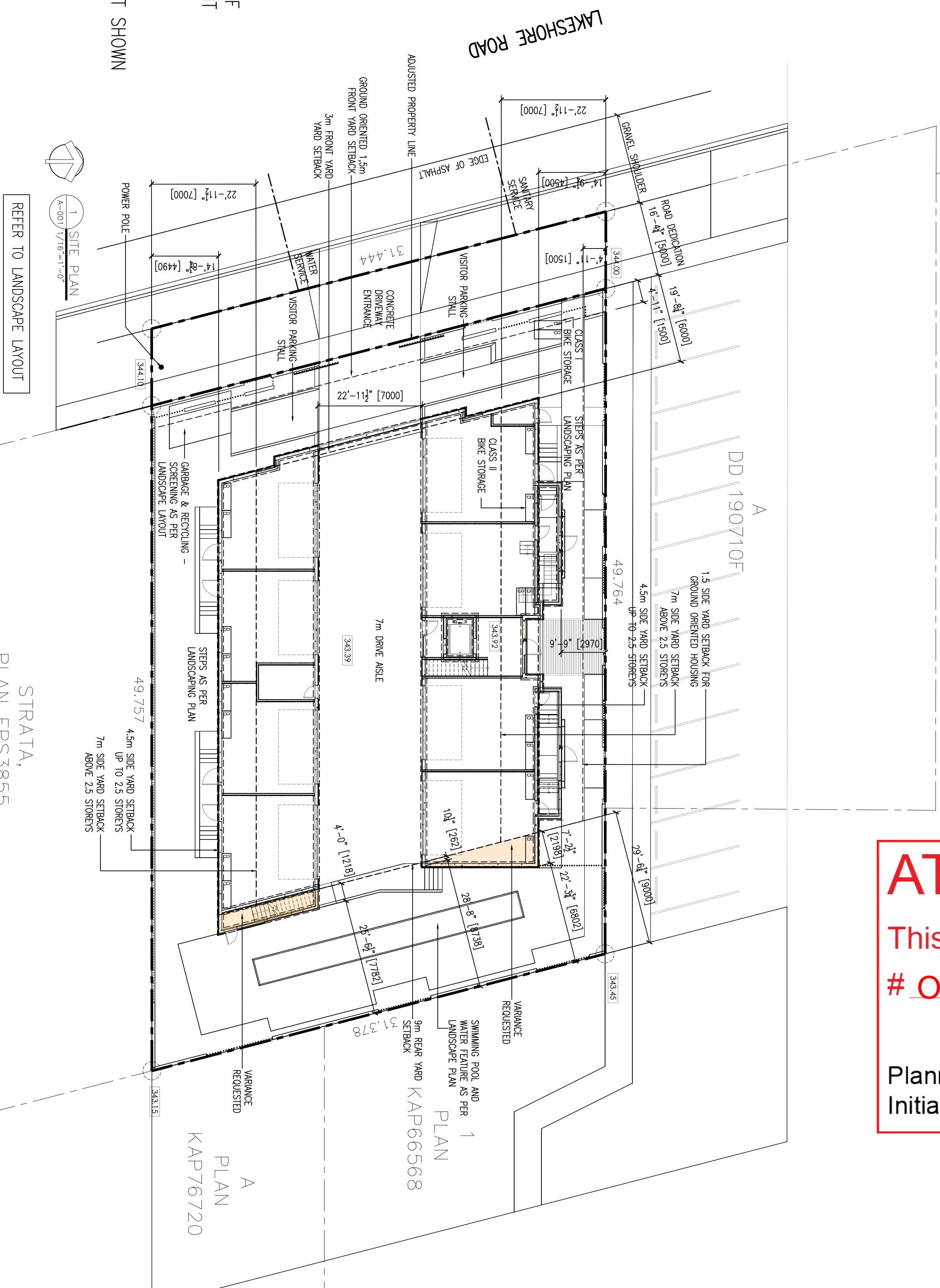
16,975 SF (1,577 SM)

Building Height: Max. Height =	Allowed: 18m/4.5 storeys	Proposed: 17.1m/5 storeys	PROPOSED VARIANCE – NO. 0 STOREYS, NOT BUILDING HEIGHT
Yard setbacks: Front yard - Side yard -	Allowed: 6.0 m/1.5m from floor ground oriented 4.5m up to 2.1/2 storeys/7.0m above 2-2.1/2 storeys/1.5 for ground oriented	Proposed: 6.0m 4.5m 1-1/2 storeys/7.0m above 1-1/2 storeys/2.9m ground oriented housing	PROPOSED VARIANCE – EXTENT HATCHED ON SITE PLAN
Rear yard -	9.0 m	6.8 m (min.)	

Parking Calculations:  
2 per /3 bed=  
Total

Visitor= .14X8=2

Required:	Proposed:
Bicycle Storage:	
Class I, 5/unit	16 (dedicated bike storage ea. garage)
Class II, .1/unit	2



This forms part of application  
# OCP19-0013, Z19-0144

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## RENDER STUDIES



VIEW FROM LAKESHORE LOOKING NORTHEAST



VIEW FROM NORTH OF PROPERTY LOOKING SOUTH



VIEW FROM NORTHEAST PROPERTY CORNER LOOKING SOUTHWEST

ATTACHMENT     B    

This forms part of application

# OCP19-0013, Z19-0144



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STREET VIEWS (subject property shown with heavy dashed line)



VIEW FROM LAKESHORE LOOKING SOUTHEAST



VIEW FROM LAKESHORE LOOKING NORTHEAST



VIEW FROM PROPERTY LOOKING WEST (ACROSS THE STREET FROM PROPERTY)

# REZONE/DVP ADDENDUM NO.3



PHONE: 250-448-7801

205-1626 Richter Street  
Kelowna, BC V1Y 2M3

[www.limearchitecture.com](http://www.limearchitecture.com)



WORMAN

#401 - 590 KLO Road  
Kelowna, BC V1Y 7S2  
P: 250.762.0040  
F: 250.762.0550  
www.worlman.ca

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All trades are to execute the work in accordance with the current municipality building by-laws and requirements of other local authorities having jurisdiction as well as the British Columbia building code. (first recent edition) including all published revisions and addenda. All trades to all assume full responsibility for the locations and protection of all under and above ground utilities, wires and conduit connections, including (but not limited to) water, sewers, gas, hydro and telephone.

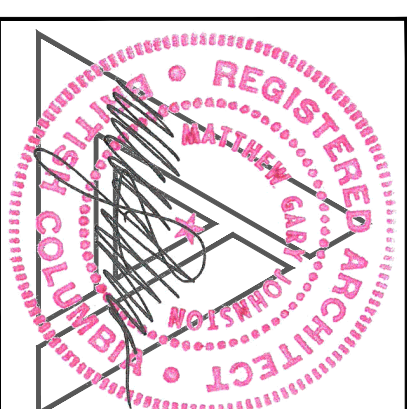
Revision No., Date and Description	PLOT DATE	DRAWING NO.
11.20.19 - FOR CLIENT REVIEW	28-Jul-20	A-RENDER
12.13.19 - FOR RECONING & DIV		
04.18.20 - Reconn'd/YP Addt. No. 0		
06.19.20 - Addendum No. 2		
07.28.20 - Addendum No. 3		

PROJECT

4071 LAKESHORE DRIVE

DRAWING TITLE

RENDER STUDIES







# OCP19-0013 & Z19-0144 4071 Lakeshore Rd.

OCP Amendment & Rezoning Application



# Proposal

- ▶ To consider an OCP Amendment to change the future land use designation of the subject lot from S2RES – Single / Two Unit Residential to MRM – Multiple Unit Residential (Medium Density); and to rezone the lot from the RU1 – Large Lot Housing zone to the RM5 – Medium Density Multiple Housing zone to facilitate the development of a 5 storey apartment building.

# Development Process

Dec. 20, 2019

Development Application Submitted



Staff Review & Circulation



Feb. 24, 2020

Public Notification Received



Aug. 24, 2020

Initial Consideration



Sept. 15, 2020

Public Hearing  
Second & Third Readings



Final Reading  
DP & Variances



Building Permit

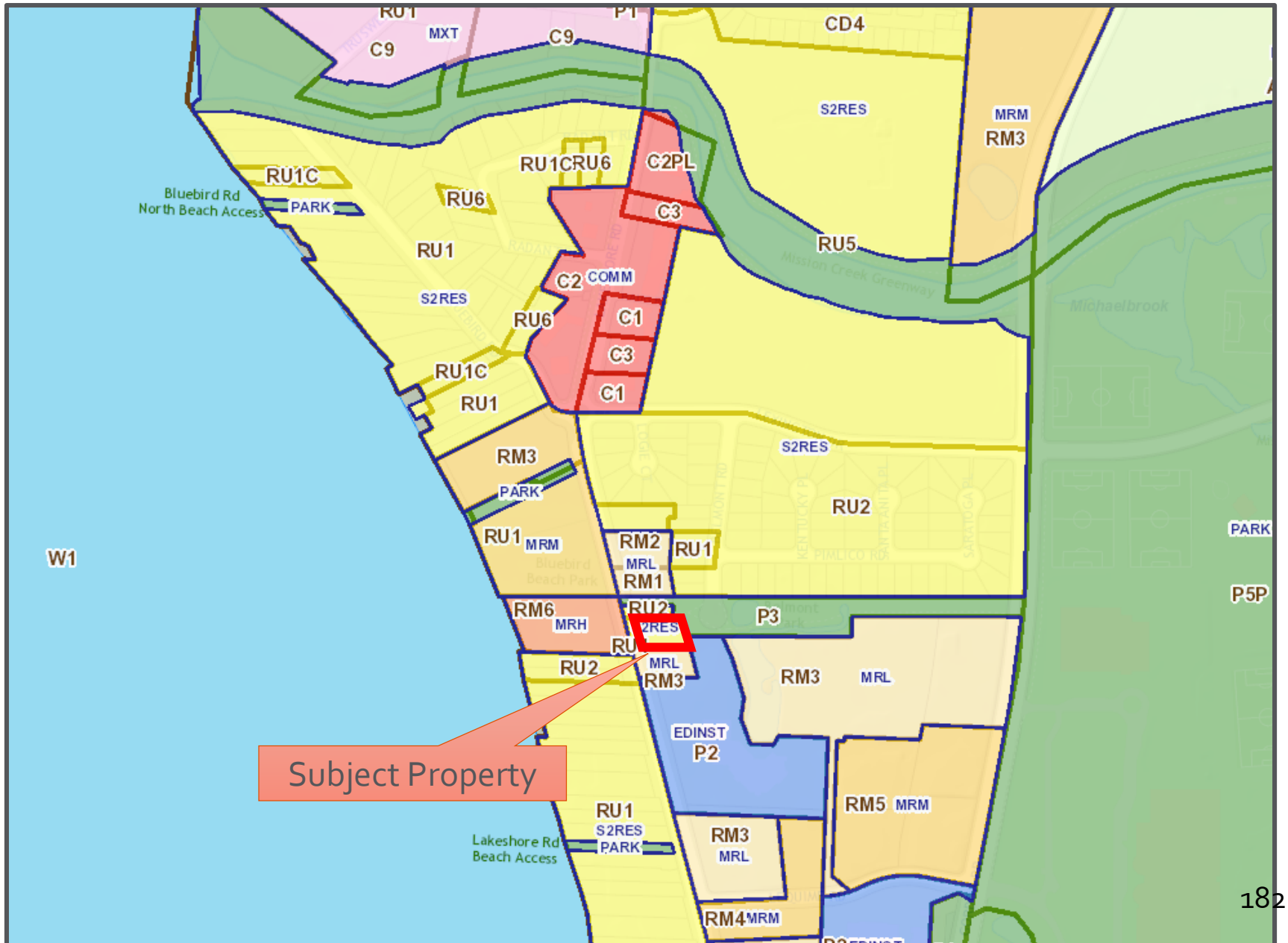
Council  
Approvals



# Context Map



# OCP Future Land Use / Zoning





# Subject Property Map



# Project/technical details

- ▶ OCP Amendment FLU: S2RES ➡ MRM
- ▶ Rezoning: RU1 ➡ RM5
- ▶ Facilitate the development of a 5 storey, 8 unit apt. bldg.
- ▶ Proposed bldg. to feature ground-oriented units at north, integrating with Belmont Park
  - ▶ Form and character will only be addressed formally at DP stage
- ▶ Staff tracking 3 variances: rear yard setback; side yard setback; height



# Conceptual Render



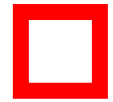
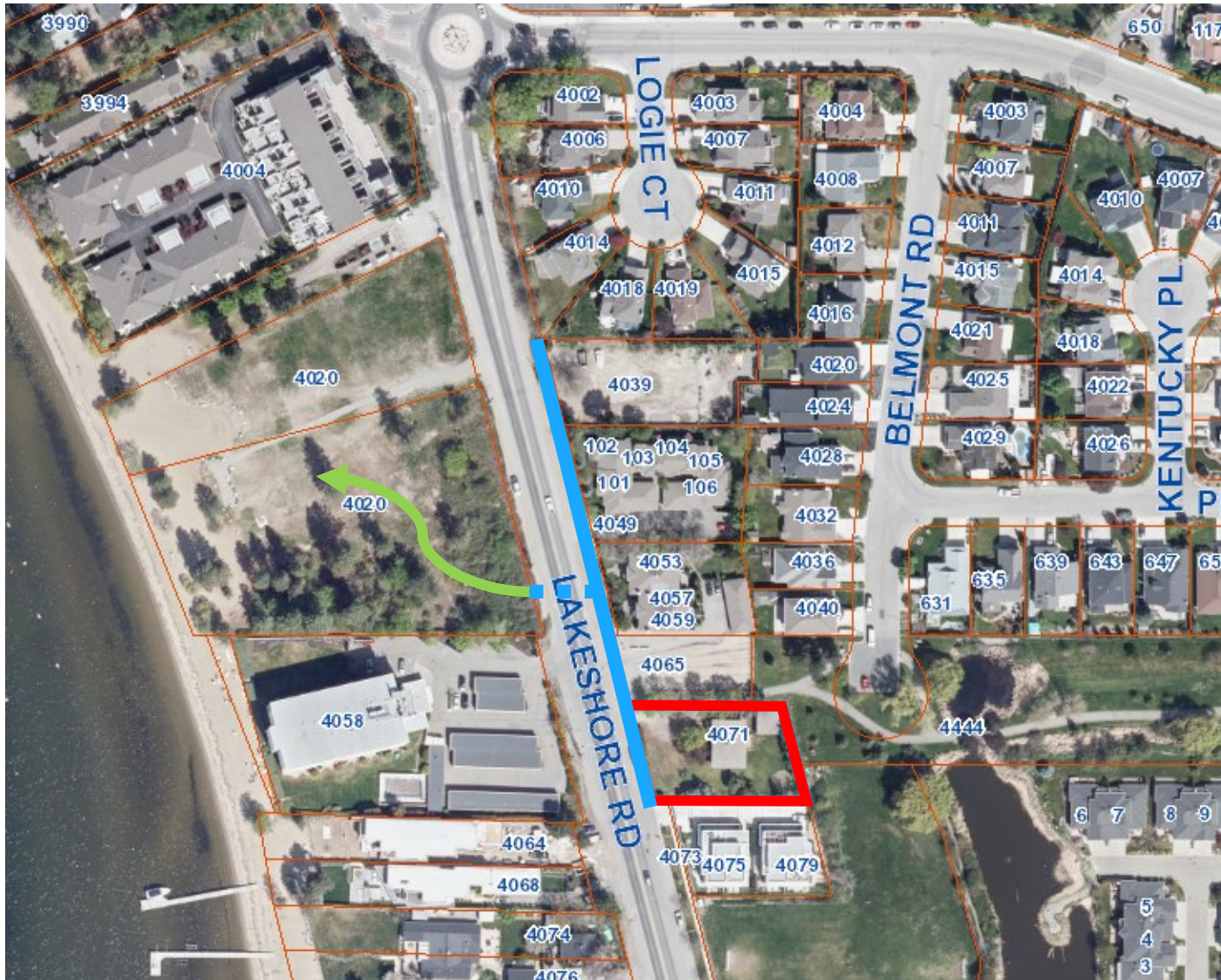
WORMAN  
WORMAN SIGMA • WORMAN SUBSIDIARY

# Development Policy

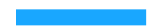
- ▶ Proposed zone represents a substantial increase in density over existing zone and FLU designation (S2RES).
- ▶ However, site-specific factors favour the proposed zone
  - ▶ Close proximity to numerous amenities and destinations
  - ▶ On arterial road; good access to transit and active transportation
  - ▶ Numerous multi-family developments in area on Lakeshore Rd. (incl. RM6 apt. bldg. across street)
  - ▶ Buffered on all sides by park or multi-family
  - ▶ Offers numerous 'eyes-on-the-park' for Belmont Park
  - ▶ Applicant agreed to contribute to pedestrian connection b/w Belmont Park and Bluebird Beach Park.



# Pedestrian Connection



Subject Lot



New Sidewalk



New Crosswalk



Future Pathway  
into Park

# Development Policy

- ▶ Given the site-specific factors, the project stands to contribute to creating a compact urban form
  - ▶ OCP Policy 5.3.2: Promote a Compact Urban Form



# Staff Recommendation

- ▶ Staff support the proposed RM5 zone and accompanying OCP Amendment.
  - ▶ Site specific factors favor proposed RM5 zone
  - ▶ Proposal stands to contribute to a compact urban form



## *Conclusion of Staff Remarks*

# CITY OF KELOWNA

## BYLAW NO. 12091

### Official Community Plan Amendment No. OCP19 –0013 4071 Lakeshore Road

---

A bylaw to amend the "*Kelowna 2030* – Official Community Plan Bylaw No. 10500".

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

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* – Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of Lot A Section 6 Township 26 ODYD Plan 10613, located on Lakeshore Road, Kelowna, B.C., from the S2RES – Single/Two Unit Residential designation to the MRM – Multiple Unit Residential (Medium Density) designation;
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 24<sup>th</sup> day of August, 2020.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk

**CITY OF KELOWNA**  
**BYLAW NO. 12092**  
**Z19-0144 – 4071 Lakeshore Road**

---

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 A Section 6 Township 26, ODYD, Plan 10613 located at Lakeshore Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RM5 –Medium Density Multiple 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 24<sup>th</sup> day of August, 2020.

Considered at Public Hearing by the Municipal Council this

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk