

City of Kelowna

Public Hearing

AGENDA



Tuesday, January 12, 2021
4:00 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 4:00 PM - Baron Rd 2125 and 2205, Leckie Rd 1830 and 1880 - OCP19-0007 (BL12122) Z19-0115 (BL12123) - Victor Projects Ltd., BC1050457

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 online at Kelowna.ca/council or by request to the Office of the City Clerk.

For those participating this evening, or who have already submitted letters to Council, a reminder that this Hearing is open to the public and all representations to Council form part of the public record. A live audio-video feed is being broadcast and recorded on kelowna.ca.

In accordance with Order of the Provincial Health Officer on Gatherings and Events, applicants and the public are not permitted to attend in person. Participation by applicants and the public will be by electronic means only. Thank you for your co-operation.

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 4:00 PM - Baron Rd 2125 and 2205, Leckie Rd 1830 and 1880 - OCP19-0007 (BL12122) Z19-0115 (BL12123) - Victor Projects Ltd., BC1050457

6 - 52

To amend the Official Community Plan (OCP) to change the Future Land Use designation of the subject properties from MRM – Multiple Unit Residential (Medium Density) and MRH – Multiple Unit Residential (High Density) to MXR – Mixed Use

(Residential / Commercial) and to rezone the subject sites from the A1 – Agriculture 1 zone to the C4 – Urban Centre Commercial zone to facilitate the development of a large-scale retail store.

4. Termination

5. Call to Order the Regular Meeting

6. Bylaws Considered at Public Hearing

- 6.1. START TIME 4:00 PM - Baron Rd 2025, 2125 and Leckie Rd 1830, 1880 - BL12122 (OCP19-0007) - Victor Projects Ltd., No. BC1050457** 53 - 53

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

To give Bylaw No. 12122 second and third reading in order to amend the Official Community Plan to change the future land use designation for the subject properties from the MRM - Multiple Unit Residential (Medium Density) and the MRH - Multiple Unit Residential (High Density) designations to the MXR - Mixed Use (Residential/Commercial) designation.

- 6.2. START TIME 4:00 PM - Baron Rd 2025, 2125 and Leckie Rd 1830, 1880 - BL12123 (Z19-0115) - Victor Projects Ltd., No. BC1050457** 54 - 54

To give Bylaw No. 12123 second and third reading in order to rezone the subject property from A1 - Agriculture 1 zone to the C4 - Urban Centre Commercial zone.

7. Termination

8. Call to Order the Public Hearing - START TIME 7:15 PM - McCurdy Rd 335 - Z20-0053 (BL12117) - Mohan Lal Madurai

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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9. Individual Bylaw Submissions

9.1. START TIME 7:15 PM - McCurdy Rd 335 - Z20-0053 (BL12117) - Mohan Lal Madurai 55 - 70

To consider an application to rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to facilitate the development of a second dwelling.

10. Termination

11. Call to Order the Regular Meeting

12. Bylaws Considered at Public Hearing

12.1. START TIME 7:15 PM - McCurdy Rd 335 - BL12117 (Z20-0053) - Mohan Lal Madurai 71 - 71

To give Bylaw No. 12117 second and third reading in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone.

13. Termination

14. Call to Order the Public Hearing - START TIME 7:15 PM - Rodondo Pl 1295 - Z20-0028 (BL12120) - Janis Wiens

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 7:15 PM - Rodondo Pl 1295 - Z20-0028 (BL12120) - Janis Wiens

72 - 91

To consider an application to rezone the subject property from the RR1- Rural Residential 1 zone to the RU1- Large Lot Housing zone and P3- Parks and Open Space zone to facilitate a 2-lot subdivision.

16. Termination

17. Call to Order the Regular Meeting

18. Bylaws Considered at Public Hearing

18.1. START TIME 7:15 PM - Rodondo Pl 1295 - BL12120 (Z20-0028) - Janis Wiens

92 - 93

To give Bylaw No. 12120 second and third reading in order to rezone the subject property from the RR1 - Rural Residential 1 zone to the RU1 - Large Lot Housing zone and P3 - Parks and Open Space zone.

19. Termination

20. Call to Order the Public Hearing - START TIME 7:15 PM - Elliot Ave 535 - Z20-0033 (BL12121) - Robert T. Groholski and Michalina J. Groholski

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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In accordance with Order of the Provincial Health Officer on Gatherings and Events, applicants and the public are not permitted to attend in person. Participation by applicants and the public will be by electronic means only. Thank you for your co-operation.

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

21. Individual Bylaw Submissions

21.1. START TIME 7:15 PM - Elliot Ave 535 - Z20-0033 (BL12121) - Robert T. Groholski and

94 - 116

Michalina J. Groholski

To consider an application to rezone the subject property from the RU6 – Two Dwelling Housing zone to the RM1 – Four Dwelling Housing zone to facilitate the development of a fourplex dwelling.

22. Termination

23. Call to Order the Regular Meeting

24. Bylaws Considered at Public Hearing

24.1. START TIME 7:15 PM - Elliot Ave 535 - BL12121 (Z20-0033) - Robert T. Groholski and Michalina J. Groholski

117 - 117

To give Bylaw No. 12121 second and third reading in order to rezone the subject property from the RU6 - Two Dwelling Housing zone to the RM1 - Four Dwelling Housing zone.

25. Termination

26. Procedure on each Bylaw Submission

- (a) Brief description of the application by City Staff (Development Planning);
- (b) The applicant has up to 15 minutes to make representation to Council regarding the project.
- (c) The Chair will call for representation from the public participating online as follows:
 - (i) Any person wishing to make representation during the Hearing will have the opportunity to do so.
 - (ii) Speakers have up to 5 minutes to share their remarks.
- (d) 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 participants that the Public Hearing on the Bylaw is closed.
- (e) Once the public has had an opportunity to comment, the applicant is given up to 10 minutes to respond to any questions raised.
- (f) Questions of 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.

Note: Any applicant or member of the public may use electronic visual aids to assist in their presentation or questions. The participant must be able to share their screen to display the item.

REPORT TO COUNCIL



Date: November 23, 2020

To: Council

From: City Manager

Department: Development Planning

Application: OCP19-0007 / Z19-0115

Owner: Victor Properties Ltd., Inc. No. BC1050457

Address: 2125 & 2205 Baron Rd, 1830 & 1880 Leckie Rd

Applicant: WSP Canada Group Limited

Subject: Official Community Plan Amendment and Rezoning Applications

Existing OCP Designation: MRM – Multiple Unit Residential (Medium Density) & MRH – Multiple Unit Residential (High Density)

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

Existing Zone: A1 – Agriculture 1

Proposed Zone: C4 – Urban Centre Commercial

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP19-0007 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of:

Lot 2, District Lot 126, ODYD Plan KAP59203, located at 2125 Baron Road; and

Lot 3, District Lot 126, ODYD Plan KAP59203, located at 2205 Baron Road, Kelowna, BC from the MRH – Multiple Unit Residential (High Density) designation to the MXR – Mixed Use (Residential / Commercial) designation, and

Lot 1, District Lot 126, ODYD Plan KAP59203, located at 1830 Leckie Road; and

Lot B, District Lot 126, ODYD Plan KAP56817, located at 1880 Leckie Road, Kelowna BC from the MRM – Multiple Unit Residential (Medium Density) designation to the MXR – Mixed Use (Residential / Commercial) designation, be considered by Council;

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

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the Purpose of Section 475 of the Local Government Act, as outlined in the Report from the Development Planning Department dated November 23, 2020;

AND THAT Rezoning Application No. Z19-0115 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of:

Lot 2, District Lot 126, ODYD Plan KAP59203, located at 2125 Baron Road;

Lot 3, District Lot 126, ODYD Plan KAP59203, located at 2205 Baron Road;

Lot 1, District Lot 126, ODYD Plan KAP59203, located at 1830 Leckie Road; and

Lot B, District Lot 126, ODYD Plan KAP56817, located at 1880 Leckie Road, Kelowna, BC from the A1 – Agriculture 1 zone to the C4 – Urban Centre Commercial zone be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated November 23, 2020;

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

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

2.0 Purpose

To amend the Official Community Plan (OCP) to change the Future Land Use designation of the subject properties from MRM – Multiple Unit Residential (Medium Density) and MRH – Multiple Unit Residential (High Density) to MXR – Mixed Use (Residential / Commercial) and to rezone the subject sites from the A1 – Agriculture 1 zone to the C4 – Urban Centre Commercial zone to facilitate the development of a large-scale retail store.

3.0 Development Planning

Staff are in support of the proposed OCP Amendment and Rezoning applications to facilitate the development of a large-scale retail store (Costco) on the subject properties. The subject sites are currently vacant and have never been developed. The 4 combined properties represent approximately 14.75 acres (5.97 ha) of land centrally located within the Highway 97 regional commercial corridor. The applicant is proposing to amend the OCP Future Land Use designation to MXR – Mixed-use Commercial and to rezone the subject properties to C4 – Urban Centre Commercial. The proposed commercial development would be consistent with many other neighbouring properties within the Mid-Town Urban Centre including; Real Canadian Superstore, Canadian Tire, Orchard Park Shopping Centre, Staples, Marshalls, Home Depot, and Walmart. These vendors have benefited from clustering together in a high-profile central part of the City in order to share a traveling customer base effectively making business more efficient. During their search for an appropriate site, Costco considered other locations that were less central but all came with challenges from land use and infrastructure standpoints.

The existing Costco site located at 2479 Highway 97 N was developed in 1991 and has served Kelowna residents and beyond for the last 30 years. Over that time, and as Kelowna's population has significantly grown, the store has continually become busier in terms of increasing membership numbers and visits per

year. Costco is proposing to relocate the existing operation to a larger site that would allow for both a gas bar and a larger warehouse building to allow the business to continue to grow. A central, high profile location is important for Costco to not only conveniently serve residents of Kelowna but also act as a regional facility serving the Okanagan Valley. The central location also ensures Costco is most accessible to residents of the urban areas of the City. A more suburban or remote out-of-town location potentially makes the facility less accessible to residents of the City and has the potential to create greater transportation challenges.

Traffic Considerations

The proposed new Costco will be a large traffic generator and regional destination although the existing site, situated approximately 770 m to the northeast is generally considered within the same neighbourhood and as such the proposal does not represent a significant departure in terms of general transportation patterns or network impact. The site is well served by several major roadways including Benvoulin Rd to the south, Springfield Rd, Leckie Rd, Baron Rd, Dilworth Rd and Highway 97 N. The central location benefits Kelowna residents in terms of maintaining a reasonable average vehicle travel distance relative to more suburban or remote locations. While only a minor number of trips are anticipated to be taken by alternative forms of transportation, the location of the site is conducive to transit use and cycling for employees.

Costco undertook a Traffic Impact Assessment (TIA) to study possible impacts to the area's key intersections and roadway functions. As a result, to help ensure the long-term functioning of the City's network and Provincial Highway, the applicant has agreed to fund the following improvements:

Leckie Road Improvements (funded by Costco):

- Four lane Leckie Rd (two through lanes in each direction)
- Full signalization of Leckie Rd & Parkview Cr intersection including dedicated through lanes in all directions, except traveling westward from Parkview Cr and into proposed Costco site with dedicated left turn lanes in all directions.

Hwy 97 N/Leckie Road Improvements (funded by Costco, future development, MoTI):

- Southbound dual left turn onto Leckie Rd (eastbound) from Hwy 97 N
 - To be delivered when intersection study data indicates that it is necessary.

Springfield Road/Leckie Road Improvements (funded by Costco):

- Dual left turn lanes heading eastbound on Springfield Rd and turning left onto Leckie Rd.
- Dual through lanes in both directions on Springfield Rd.
- Relocation of existing transit bus stop located at southwest corner of intersection to the southeast corner of the intersection to accommodate the dual left from Springfield Rd onto Leckie Rd while maintaining two eastbound through lanes on Springfield Rd.

In addition to the above transportation improvements, the adjacent approved mixed-use development at 1940 Underhill Rd (Z18-0071) will be contributing to further infrastructure improvements to the area which include:

Baron Road/Durnin Road Improvements (funded by others):

- Relocate pedestrian-activated crossing light at Baron Rd/Underhill St intersection to Durnin Rd.

Baron Road/Underhill Street Improvements (funded by others):

- Full signalization of intersection with dedicated left-turn lanes onto Baron Rd from Underhill St.
- Shared through/right-turn lanes onto Baron Rd from Underhill St.

Baron Road/Dilworth Drive Improvements (funded by others):

- Dedicated left-turn lane on Baron Rd, turning left onto Dilworth Dr.
- Shared through/right-turn, Baron Rd onto Dilworth Dr.
- Dedicated right and left-turn lanes, Dilworth Dr onto Baron Rd.

Springfield Road/Durnin Road Improvements (funded by others):

- Addition of left turn lane from Springfield Rd onto Durnin Rd (optional if warranted by queue volumes).

The results of the TIA indicate pre-existing conditions of congestion and capacity issues within the study area network relative to the subject site. These relate to both City network and Hwy 97 N corridor. The improvements proposed by the applicant will mitigate the additional trips and traffic generated as best they can, however, it should be noted that further traffic improvements will be necessary in the area on other future development proposals or initiated by the City through its various plans.

Should the proposed OCP Amendment and Rezoning applications be supported by Council, a Development Permit for form and character would come forth to Council for consideration. There are no variances being tracked at this time.

4.0 Proposal**4.1 Background**

The subject properties are currently sitting vacant and have never been developed or built upon since the lots were created, more than 30 years ago.

4.2 Project Description

The purpose of the proposed OCP amendment and rezoning applications is to move away from medium and high-density residential land uses on the subject properties and to allow for a mixed-use commercial development to facilitate the proposed relocation of the existing Costco within the City. The proposed Costco warehouse site is approximately 14.75 acres (5.97 ha) and comprises 4 legal parcels. The proposed warehouse building is expected to be 15,531 m² (167,177 ft²) in gross floor area (GFA) and measure only one-storey in height. The redevelopment plans include a total of 4 access points – 2 on Baron Road (1 right in, right out, and 1 all access) and 2 full access points on Leckie Road – 1 full access with traffic signals at the Parkview Cr and Leckie Rd intersection and another full access point in between Parkview Cr and Springfield Rd on Leckie Rd.

4.3 Site Context

The subject property is located in the Mid-town Urban Centre near the intersection of Leckie and Springfield roads. The subject site is composed of 4 legal parcels and is more specifically situated in between Baron Road to the west, Leckie Road to the east and Springfield Road to the south. The surrounding land uses include a mixture of low to medium density residential townhomes and apartments, located to the south, east and north with commercial situated on the west side of the property, mostly on the north side of Baron Road. The surrounding Future Land Use designations include medium to low density residential to the south, east and north with mixed use commercial / residential to the west.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM5 – Medium Density Multiple Housing	Residential
East	RM3 – Low Density Multiple Housing & RM5 – Medium Density Multiple Housing	Residential
South	RM5 – Medium Density Multiple Housing & P3 – Parks and Open Space	Residential and Park
West	C4lp – Urban Centre Commercial (Liquor Primary)	Commercial

Subject Property Map: 2125 & 2205 Baron Road, 1830 & 1880 Leckie Road



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 maximises the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75-100 people and/or jobs per ha located within a 400-metre walking distance of transit stops is required to support the level of transit service) through the 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 5.24 Encourage Mixed-use Commercial Development

Policy .1 Auto-Oriented Sites. Support (but do not require) inclusion of residential uses when auto-oriented commercial sites and strip malls redevelop. Live-work, student and rental housing is particularly encouraged. Where auto-oriented sites are redeveloped within Urban Centres, redevelopment should create a higher-density, more walkable, and higher amenity space.

6.0 Technical Comments

Executive summary of Transportation Impact Study- see Attachment "C".

6.1 Development Engineering Department

See Schedule "A".

7.0 Application Chronology

Date of Application Received: September 17, 2019

Date Public Consultation Completed: January 27, 2020

Report prepared by: Andrew Ferguson, Planner II

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Schedule A: Development Engineering Memo

Attachment A: Site Plan

Attachment B: Applicants Rationale/ Project Rendering

Attachment C: TIA- Executive Summary

CITY OF KELOWNA

MEMORANDUM

Date: November 12, 2020
File No.: Z19-0115
To: Urban Planning Management (AF)
From: Development Engineering Manager (JK)
Subject: 1830 and 1880 Leckie Rd, 2125 and 2205 Baron Rd

SCHEDULE		A
This forms part of application # OCP19-0007 Z19-0115		
Planner Initials	AF	 City of Kelowna COMMUNITY PLANNING

A1 to C4

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

1. General

- a. Where there is a possibility of a high water table or surcharging of storm drains during major storm events, non-basement buildings may be required. This must be determined by the engineer and detailed on the Lot Grading Plan required in the drainage section.
- b. Provide easements as may be required.
- c. These Development Engineering comments and requirements are subject to review and/or revision for approval by the Ministry of Transportation (MOTI) Infrastructure.

2. Drainage

- a. Provide an adequately sized drainage system. The Subdivision, Development and Servicing Bylaw requires that a lot be provided with an individual connection; however, the City Engineer may permit use of individual ground water disposal systems, where soils are suitable. For on-site disposal of drainage water, a geotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems for each lot.
- b. Provide the following drawings:
 - i) A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill);
 - ii) A detailed Stormwater Management Plan for this subdivision; and,
 - iii) An Erosion and Sediment Control Plan.

3. Domestic Water and Fire Protection

- a. The development site(s) is presently serviced with multiple water services. The developer's consulting civil & mechanical engineers will determine the domestic, fire protection requirements of this proposed development and establish hydrant requirements and service needs. Only one service per lot will be permitted for this development.
- b. The developer must obtain the necessary permits and have all existing utility services disconnected at the main prior to development.

4. Sanitary

- a. The developer's consulting civil & mechanical engineers will determine the requirements of the proposed development and establish the service needs. The existing lot(s) are serviced with multiple sanitary services. Only one service per lot 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.

5. Roads

- a. Road improvements will be as outlined in the WSP TIA, dated November 10, 2020. Drawings are subject to review and approval by Development Engineering prior to Servicing Agreement and Issued for Construction. Scope of works include:
 - i. Leckie Road realignment and widening, including Parkview Crescent access;
 - ii. Springfield at Leckie intersection upgrades;
 - iii. Baron at Durnin pedestrian crossing relocation;
 - iv. Financial contribution to further upgrades, anticipated to be partial funding of a second left turn lane from Hwy 97 to Leckie, including design and monitoring as required.

6. Road Dedication and Subdivision Requirements

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

7. Development Permit and Site Related Issues

- (a) Access and Manoeuvrability
 - (i) An MSU standard size vehicle must be able to manoeuvre onto and off the site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles movements should also be illustrated on the site plan.

- (ii) Perimeter access must comply with the BC Building Code. Fire Truck access designs and proposed hydrant locations will be reviewed by the Fire Protection Officer.

8. Power and Telecommunication Services and Street Lights

- a. All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground.
- b. Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- c. Remove existing poles and utilities, where necessary. Remove aerial trespass (es).

9. Design and Construction

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

10. Servicing Agreements for Works and Services


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

11. 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.**
 - i. The Geotechnical report must be submitted prior to submission of Engineering drawings or application for subdivision approval.
 - ii. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
 - iii. Site suitability for development.
 - iv. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
 - v. Any special requirements for construction of roads, utilities and building structures.
 - vi. Recommendations for items that should be included in a Restrictive Covenant.
 - vii. Recommendations for roof drains, perimeter drains and septic tank effluent on the site.
 - viii. Any items required in other sections of this document.
 - ix. Additional geotechnical survey may be necessary for building foundations, etc

12. Charges and Fees

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


James Kay, P.Eng.
Development Engineering Manager

AS

CITY OF KELOWNA

MEMORANDUM

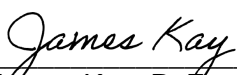
Date: November 12, 2020
File No.: OCP19-0007
To: Urban Planning Management (AF)
From: Development Engineering Manager (JK)
Subject: 1830 and 1880 Leckie Rd, 2125 and 2205 Baron Rd

SCHEDULE		A
This forms part of application		
# OCP19-0007 Z19-0115		
Planner Initials	AF	 City of Kelowna <small>COMMUNITY PLANNING</small>

The Development Engineering Branch comments and requirements regarding this Official Community Plan Amendment to change the Future Land Use from MRM Multiple Unit Residential (Medium Density) and MRH Multiple Unit Residential (High Density) to MXR Mixed Use (Residential / Commercial).

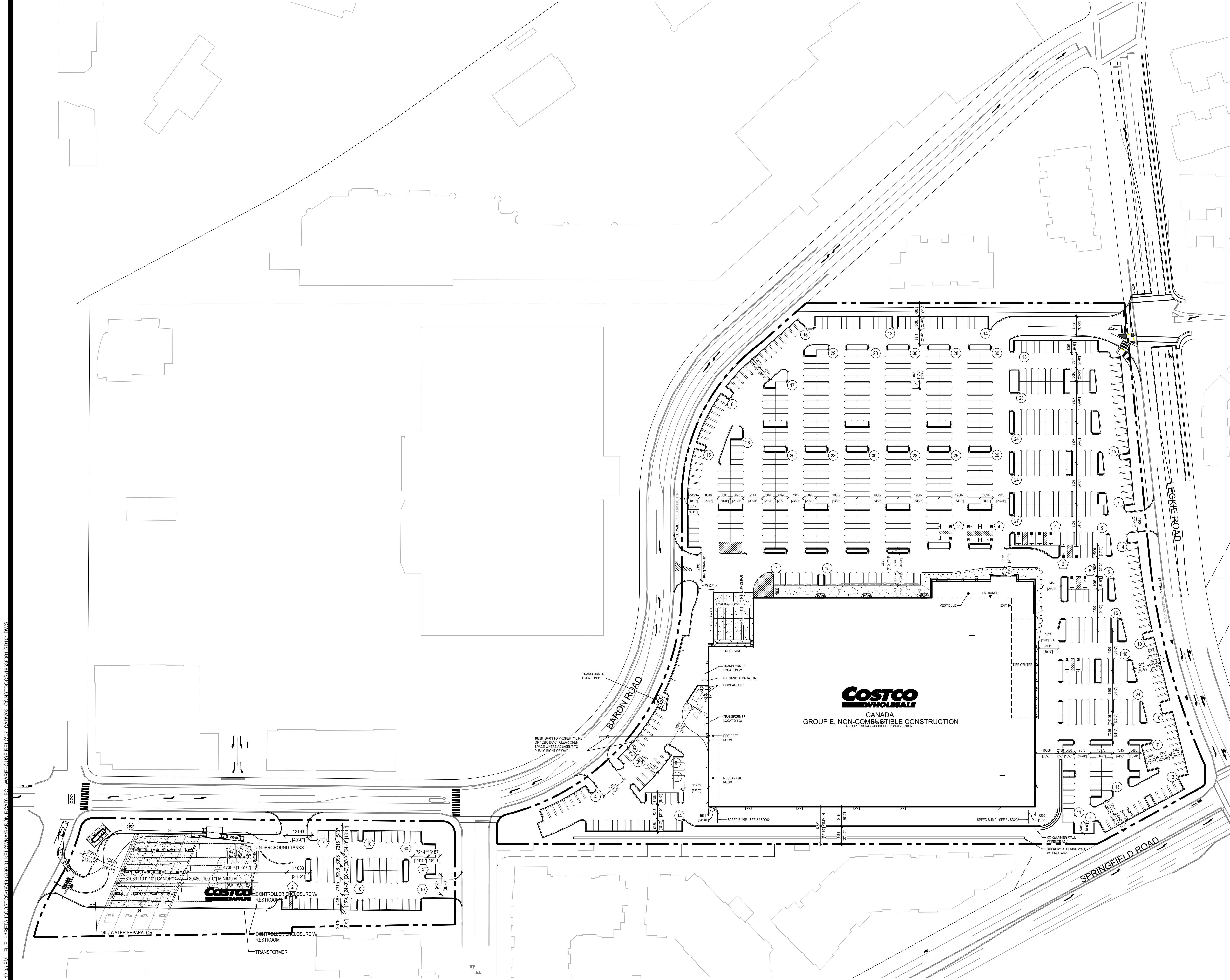
1. General

All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z19-0115.



James Kay, P. Eng.
Development Engineering Manager

AS



GC NOTE:
GENERAL CONTRACTOR IS TO CONFIRM THAT ACCESSIBLE PARKING AND ACCESSIBLE PATH PAVEMENT MEETS BC BUILDING CODE SLOPE REQUIREMENTS (2% MAX SLOPE) -
IF PAVEMENT DOES NOT MEET ADA REQUIREMENTS, GENERAL CONTRACTOR IS TO REMOVE AND REPLACE PAVEMENT TO MEET ADA REQUIREMENTS AT NO ADDITIONAL COST TO OWNER

SITE PLAN

SCALE: 1:700

NOTE:
SITE PLAN IS FOR REFERENCE
ONLY - SEE CIVIL DRAWINGS
FOR HORIZONTAL CONTROL

NOTE:
SEE SD101
FOR MORE
INFORMATION

PROJECT DATA

CLIENT: COSTCO WHOLESALE
999 LAKE DRIVE
ISSAQUAH, WA 98027

PROJECT ADDRESS: BARON ROAD & LECKIE ROAD
KELOWNA, BRITISH COLUMBIA

SITE DATA:

COSTCO SITE AREA:	68,036.9M ² (6.80 HA) 732,343FT ² (16.81 AC)
INCLUDES:	
WAREHOUSE SITE:	59,719.7M ² (5.97 HA) 642,818FT ² (14.76 AC)
AUX. PARKING/FUEL:	8,317.2M ² (0.83 HA) 89,526FT ² (2.06 AC)

JURISDICTION: CITY OF KELOWNA
ZONING: WAREHOUSE SITE: A1 - AGRICULTURAL
AUXILIARY SITE: C4 - URBAN COMMERCIAL

BOUNDARY INFORMATION: THIS DRAWING IS BASED ON A SURVEY RECIEVED SEPTEMBER 27, 2017

BUILDING DATA:

NET WAREHOUSE AREA	14656 SM [157,751 SF
NET FIRE DEPT ROOM	51 SM [545 SF
NET MECHANICAL ROOM	178 SM [1,914 SF
NET ENCLOSED CANOPY	448 SM [4,817 SF
ENVELOPE / EXTERIOR WALL	196 SM [2,106SF

-TOTAL BUILDING - GROSS	15527 SM [167,13 SF
-------------------------	---------------------

PARKING DATA:

①	10' WIDE WAREHOUSE SITE STALLS	777 STALLS
②	GAS BAR SITE STALLS	72 STALLS
③	ACCESSIBLE STALLS (1 IN 6 VAN)	18 STALLS

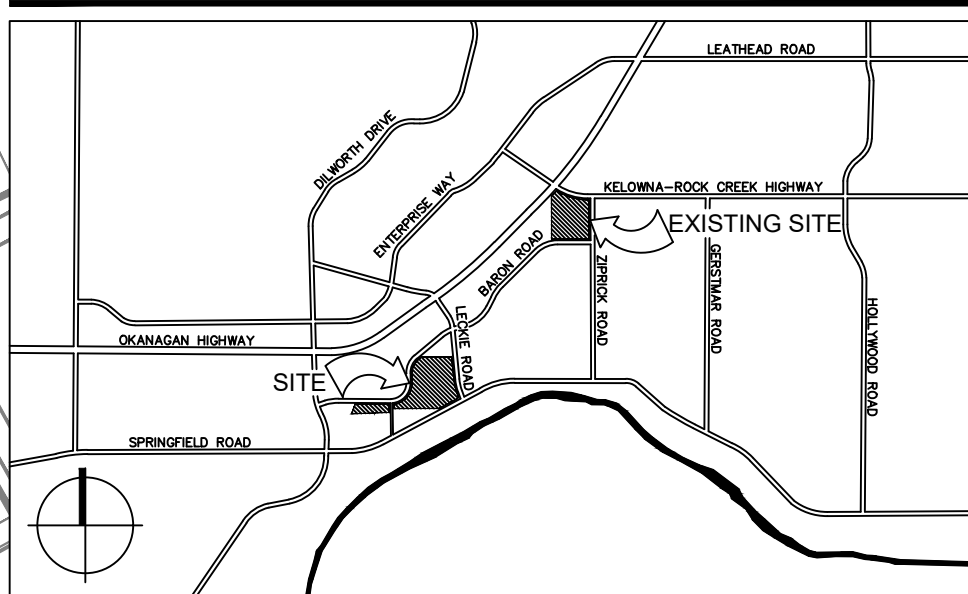
TOTAL PARKING PROVIDED:	867 STALLS
JURISDICTIONAL REQUIREMENT: (C4) 1.3 PER 100 SM = 156 X 1.3	203 STALLS

ACCESSIBLE PARKING REQUIRED: 18 STALLS
2% OF PARKING PROVIDED =

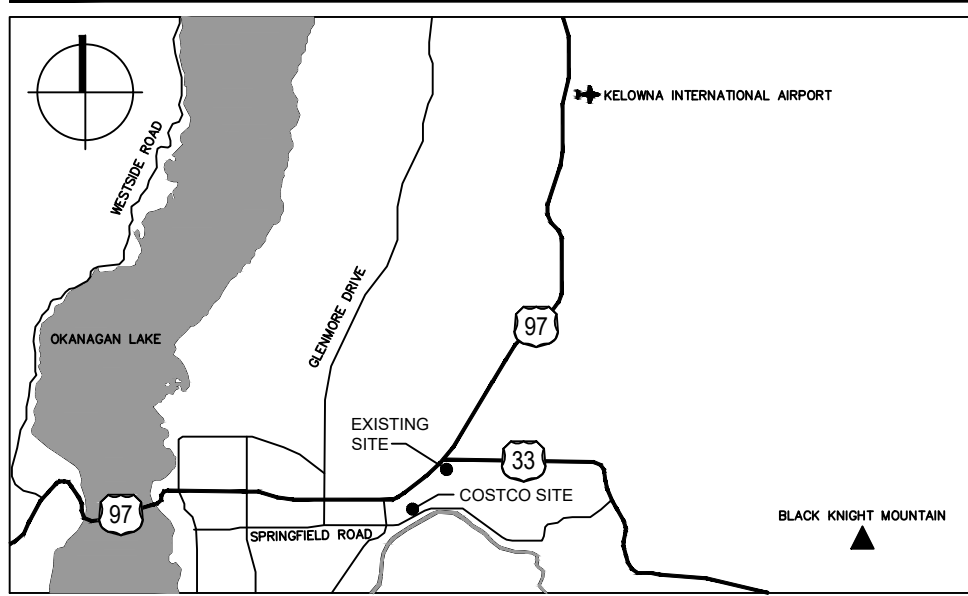
NOTES:
EXISTING CONDITIONS TO BE FIELD VERIFIED.

ATTACHMENT A	
This forms part of application # OCP19-0007 Z19-0115	
Planner Initials	AF
 City of Kelowna COMMUNITY PLANNING	

VICINITY MAP



REGIONAL MAP

[illegible]

18-5380-01
PM: TIM LIN
DRAWN: KLJ

OVERALL SITE PLAN

SD100

September 9, 2019

Public

City of Kelowna
1435 Water Street
V1Y 1J4

Attention: Laura Bentley, Planning Manager

Dear Sir:

Subject: Costco Baron Road Re-location 2125 and 1901 Baron Road – Planning & Development Permit Applications for Rezoning and OCP Amendment & Planning & Design Rationale.

WSP is the applicant for Victor Projects Limited whom are the owners of the property's municipally known as 2125 and 1901 Baron Road. We are pleased to submit Planning and Development Permit applications for Rezoning, and OCP Amendment to permit uses in accordance with the C4 and C10 zoning regulations. The proposed development is a relocation from the existing Costco at 2479 Highway 97 N, and will contain a gas bar and warehouse facility. In addition to the owner, WSP also represents Costco Wholesale Canada Ltd whom will be leasing the subject lands following approval of these applications.

It should be noted that because the application consists of two separate parcels, two separate applications are being made. A summary of each parcel and the respective development permit applications and amendments are highlighted below.

1901 Baron Road

Subject Use: Gas Bar and associated Commercial uses

Existing Zoning: C4 (*to remain unchanged*)

Development Permits: Urban Design

OCP: Mixed Use (Residential / Commercial) (MXR) (*to remain unchanged*)

2125 Baron Road

Subject Use: Warehouse and associated parking and drive isles

Existing Zoning: A1 (*to be rezoned to C10 – to match existing Costco warehouse zone*)

Development Permits: Urban Design, Natural Environment

OCP: High Density Res (MRH) & Single / Two Units (S2RES) (*to be amended to Service Commercial (SC) – to match existing Costco warehouse Designation*)

PLANNING AND DESIGN RATIONALE

1.0 OFFICAL COMMUNITY PLAN & AMENDMENT 2125 BARON ROAD

The requested amendment for 2125 Baron Road would develop an underutilized 16.82-acre parcel in conformity with the SC Service Commercial Designation of the city of Kelowna 2030 Official Plan. The site currently sits vacant under the High Density Res (MRH) & Single / Two Units (S2RES) Designation and has sat vacant for approximately 30 years. Careful consideration has been given to urban design, traffic, and landscaping elements throughout the site. The principal warehouse building has also sited to allow for maximum traffic and pedestrian flow and to limit impact of the proposed built form on existing residential buffer uses. Building Densities would be consistent with the provision of the C10 zone of the City of Kelowna zoning bylaw.

The sites location in the context of the city is also conducive to and encourages commercial type uses. The surrounding neighbourhood is predominantly commercial in its make up and hosts many similar big box retail uses and warehouse facilities (Real Canadian Superstore, Staples, & Marshalls). The area also hosts the Orchard Park Shopping Centre as a hub of commercial uses central to the city. The current designation is largely out of character with surrounding land uses and the amendment to Service Commercial as proposed by this application is in keeping with the context of the surrounding neighbourhood. The amendment preserves the context of the neighbourhood by respecting existing uses.

1.1 NATURAL ENVIRONMENT DEVELOPMENT PERMIT 2125 BARON ROAD

The subject site at 2125 Baron road has been flagged for review of natural environment considerations through the development permit process primarily due to the sites proximity to Mission Creek. We understand this review will occur through review of the zoning bylaw amendment application and the review is primarily focused on geotechnical and hydrogeological concerns. The following is a synopsis of the background reports and studies in support of the Natural Environment Development Permit review as anticipated by city staff.

A geotechnical report was prepared by Kelifelder August 2019 and concluded that from a geotechnical standpoint the site is suitable for the proposed development. No concerns were raised.

An Endangered Species Survey & Environmental Protection Plan was also undertaken by Kleinfelder in August 2019. Based on the results of the endangered species and ecosystems desktop research and field survey, no evidence of species-at-risk and ecosystems-at-risk were observed. An environmental protection plan and best practices review was also included for implementation during construction.

1.2 URBAN DESIGN (REVITALIZATION) DP 2125 BARON ROAD & 1901 BARON ROAD

Both sites have been designed with Costco branding and service standards at the forefront. Both sites have also been designed to lessen impacts on the surrounding traffic network and buffering

residential uses through building placement and entrance locations. Landscaping has also been articulated to provide the appropriate buffers from roads to the new proposed use.

As traffic is anticipated to be a major design concern through the public consultation and development review process we have provided staff with a Traffic Impact Study. It should be noted that because the site is a re-location of the existing Costco site, many of the generated trips from the current location are already on the study network which means they will be re-distributed following approval of this application. As a result, the impact of the proposed Costco relocation on the wider traffic network is minimal and the impacts are localized to the surrounding network within the proposed site.

1.3 REZONING 2125 BARON ROAD

An application has been submitted to rezone the subject lands at 2125 Baron Road from A1 to C10 under City of Kelowna consolidated Zoning Bylaw No.8000 to permit a warehouse and associated parking and drive isles. The intent of the C10 zone is to designate and preserve land for the accommodation of a mix of commercial uses, including vehicular oriented areas, not provided for in other zones. Given that the zoning amendment to C10 specifically responds to the intent of the SC Service Commercial designation as per the proposed amendment to the OCP, and is encouraged as the zone of choice for that specific designation, we feel the amendment should be approved pending successful adoption of the corresponding OCP amendment submitted with the broader development.

1.5 CONCLUSION

It is in our opinion that the proposed development represents a well-balanced planning approach and that the OCP and zoning amendments represent good planning. The requested amendments would support intensification on an underutilized parcel to create a new service commercial use compatible with surrounding land uses and neighbourhood context.

In support of the applications please find enclosed a cheque in the amount of \$9,120, along with the following application materials as identified with city staff to support the required review:

- One copy of the application Cover letter, prepared by WSP
- One copy of the planning & design rationale (included in cover letter), prepared by WSP
- One copy of the Application Form for Development Approval, prepared by WSP, (OCP Amendment, Rezoning, & Development permits – (Urban Design (revitalization)/Natural Environment)) for 2125 Baron Road.
- One copy of the Application Form for Development Approval, prepared by WSP, (Development permits – (Urban Design (revitalization))) for 1901 Baron Road.
- Two copies of the Owners Authorization form for planning approval for 1901 Baron Road & 2125 Baron Road, Prepared by WSP & Client
- One cheque in the amount of \$9,120 made payable to the City of Kelowna
- One copy of the Certificate of title (ownership & registered easements)
- Two copies of the Site Plan, Prepared by Mulvany G2



- Two copies of the elevation drawings, prepared by Mulvany G2
- Two Copies of the Rendering Package for Warehouse, prepared by Mulvany G2
- Two copies of the Landscape Plan, prepared by WSP
- Two copies of the Hydrozone Plan, prepared by WSP
- One copy of the irrigation application, prepared by WSP
- One copy of the Landscape Bonding Letter, prepared by WSP
- Two Copies of the Geotechnical report, prepared by Kleinfelder (Natural Environment DP)
- Two Copies of the Traffic Impact Study, prepared by WSP
- Two Copies of the Functional Servicing Report and SWM Report, prepared by WSP
- Two Copies of the Grading Plan Warehouse, prepared by WSP
- Two Copies of the Grading Plan Gas Bar, prepared by WSP
- Two Copies of the Servicing Plan Warehouse, prepared by WSP
- Two Copies of the Servicing Plan Gas Bar, prepared by WSP
- One Copy of the Endangered Species Survey & Environmental Protection Plan, prepared by Kleinfelder (Natural Environment DP)

Yours sincerely,

Bob Evans MCIP, RPP



ATTACHMENT B

This forms part of application
OCP19-0007 Z19-0115

Planner
Initials AF



November 10, 2020



Costco Wholesale Corporation
45940 Horseshow Drive, Suite 150
Sterling, VA, 20166
USA

Attention: Kim Katz

Dear Kim:

Subject: Costco Wholesale Relocation Traffic Impact Study - Baron Road

Executive Summary

This study investigated the traffic impacts of the proposed relocation of Costco to Baron Road. There is already a Costco Warehouse near the proposed new site, and many of the generated trips are already on the study network which means they will be re-distributed. As a result, the impacts of the proposed Costco relocation on the wider traffic network are minimal and the impacts are localized to the surrounding network within the proposed site. The localized impacts can be reasonably mitigated by implementation of the strategies outlined above.

Traffic Impact Summary

A traffic impact study was completed for a proposed relocation of Costco Wholesale from its current location at 2479 Highway 97 N to 2125 and 1901 Baron Road in Kelowna, BC. This final report is based upon previous versions produced in 2019 and 2020 and incorporates additional comments received by the Ministry and City in August and September of 2020.

The new site will consist of a wholesale warehouse and gas station/auxiliary parking site with 12 pumps (24 fueling stations).

The proposed study area is shown in Figure 1 and includes the following intersections and accesses:

- Highway 97 and Banks Road;
- Highway 97 and Leckie Road;
- Highway 97 and Underhill Street;
- Highway 97 and Dilworth Drive;
- Baron Road and Banks Road;
- Baron Road and Leckie Road;
- Baron Road and Durnin Road;
- Baron Road and Underhill Street;
- Baron Road and Dilworth Drive;
- Springfield Road and Leckie Road;
- Springfield Road and Durnin Road;
- Springfield Road and Dilworth Drive;
- Leckie Road and Parkview Crescent access to site;
- Three additional accesses into the warehouse site and three accesses for the gas station.

This TIA compares the performance of the local traffic network with and without the Costco during the PM and Saturday afternoon peak hours in the 2021 and 2031 horizon years.

Conclusion

This study investigated the traffic impacts of the proposed relocation of Costco to Baron Road. There is already a Costco Warehouse near the proposed new site, and many of the generated trips are already on the study network which means they will be re-distributed. As a result, the impacts of the proposed Costco relocation on the wider traffic network are minimal and the impacts are localized to the surrounding network within the proposed site. The localized impacts can be reasonably mitigated by implementation of the strategies outlined above.

Yours sincerely,



Avi Thiessen, P. Eng.
Transportation Engineer

WSP ref.: 17M-02290-01

Table 1 – Summary Table of Improvements Corresponding to Summary Upgrade Map

Priority*	Location	Physical Upgrade Description
1	Leckie Road	<p>Realignment of Leckie Road and Baron Road intersection including but not limited to:</p> <ul style="list-style-type: none"> - Addition of a dedicated through lane on Leckie Road towards Springfield Road, resulting in two through lanes - Double left southbound from Hwy 97 onto Leckie Road plus conversion of the second eastbound left turn lane to a second eastbound through lane <p>Realignment of Leckie Road and Parkview Crescent Intersection including but not limited to:</p> <ul style="list-style-type: none"> - Addition of the through/right turn lane on Leckie at Parkview Crescent (to site entrance), resulting in two through lanes towards Springfield - Addition of the left turn at Parkview Crescent on Leckie Road to site entrance
2	Springfield at Leckie Road	<p>Intersection upgrades including but not limited to:</p> <ul style="list-style-type: none"> - Addition of second left turn lane from Springfield Road onto Leckie Road toward Hwy 97 - Shifting existing bus stop on Springfield Road to the other side of Mission Creek Park entrance as per Figure 2 included in Appendix E - Lane realignment along Springfield Road to account for the additional left turn lane and relocation of the bus stop
3	Baron at Underhill	Addition of fully signalized intersection at Baron Road and Underhill
4	Dilworth at Baron	<p>Intersection upgrades including but not limited to:</p> <ul style="list-style-type: none"> - Addition of a slip lane for right turn from Dilworth Drive to Baron Road - Reconfigure the north/south direction to a left turn lane and separate through/right turn lane, and optimize phasing.
5	Baron at Durnin	Moving of the existing pedestrian push button crossing at Baron Road/Underhill Street to the crosswalk at Baron Road/Durnin Road
6	Springfield at Durnin	Addition of a vehicle actuated left turn from Springfield Road onto Durnin Road (Optional if warranted by Queue volumes)
7	Springfield at Benvoulin/Dilworth	<ul style="list-style-type: none"> - Extension of the right turning lane from Benvoulin Road to Springfield Road - Adding a dual left-turn lane either direction for traffic on Springfield onto Dilworth and Benvoulin

*: Colour coordination for priorities corresponds to WSP upgrade summary map



Improvement Priority

- 1 Leckie Road
- 2 Springfield Road/ Leckie Road
- 3 Baron Road/ Underhill Street
- 4 Dilworth Road/ Baron Road/ Mall Entrance
- 5 Baron Road/ Durnin Road
- 6 Springfield Road/ Durnin Road
- 7 Springfield Road/ Benvoulin Road/ Dilworth Drive



1631 Dickson Ave. Suite 700, Kelowna, BC, V1Y
t. 250.980.5500 | wsp.com

Costco Wholesale

Costco Barron Road Locati
Transportation Impact Analy

Overall Off-Site Roadwork:
Improvement Summary Ma

project no. 17M-02290-00	figure no. 1
date: 2019-12-12	



OCP19-0007 & Z19-0115 2125 & 2205 Baron Rd and 1839 & 1880 Leckie Rd

Official Community Plan Amendment and Rezoning
Applications



Proposal

- ▶ To amend the Official Community Plan (OCP) to change the future land use designation of the subject properties from MRM- Multiple Unit Residential (Medium Density) and MRH- Multiple Unit Residential (High Density) to MXR- Mixed Use (Residential/Commercial)
- ▶ To rezone the subject properties from the A1- Agricultural 1 zone to C₄- Urban Centre Commercial zone to facilitate the development of a large-scale retail store.

Development Process

September 17, 2019

Development Application Submitted



Staff Review & Circulation



January 27, 2020

Public Notification Received



November 23,
2020

Initial Consideration



Public Hearing- Request to Waive
Second & Third Readings



Final Reading
DP & Variances



Building Permit

Council
Approvals

Context Map



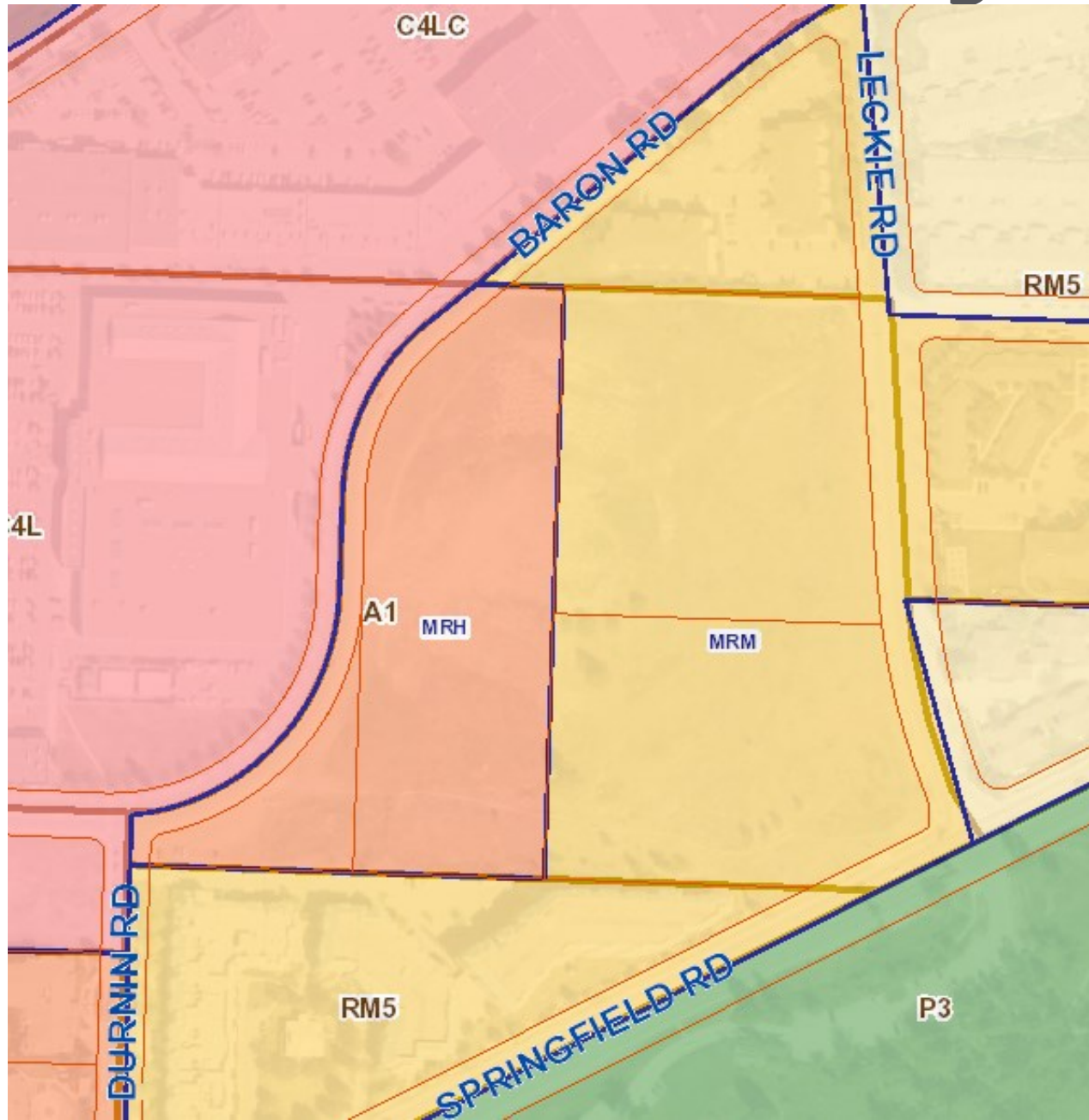
Context Photo



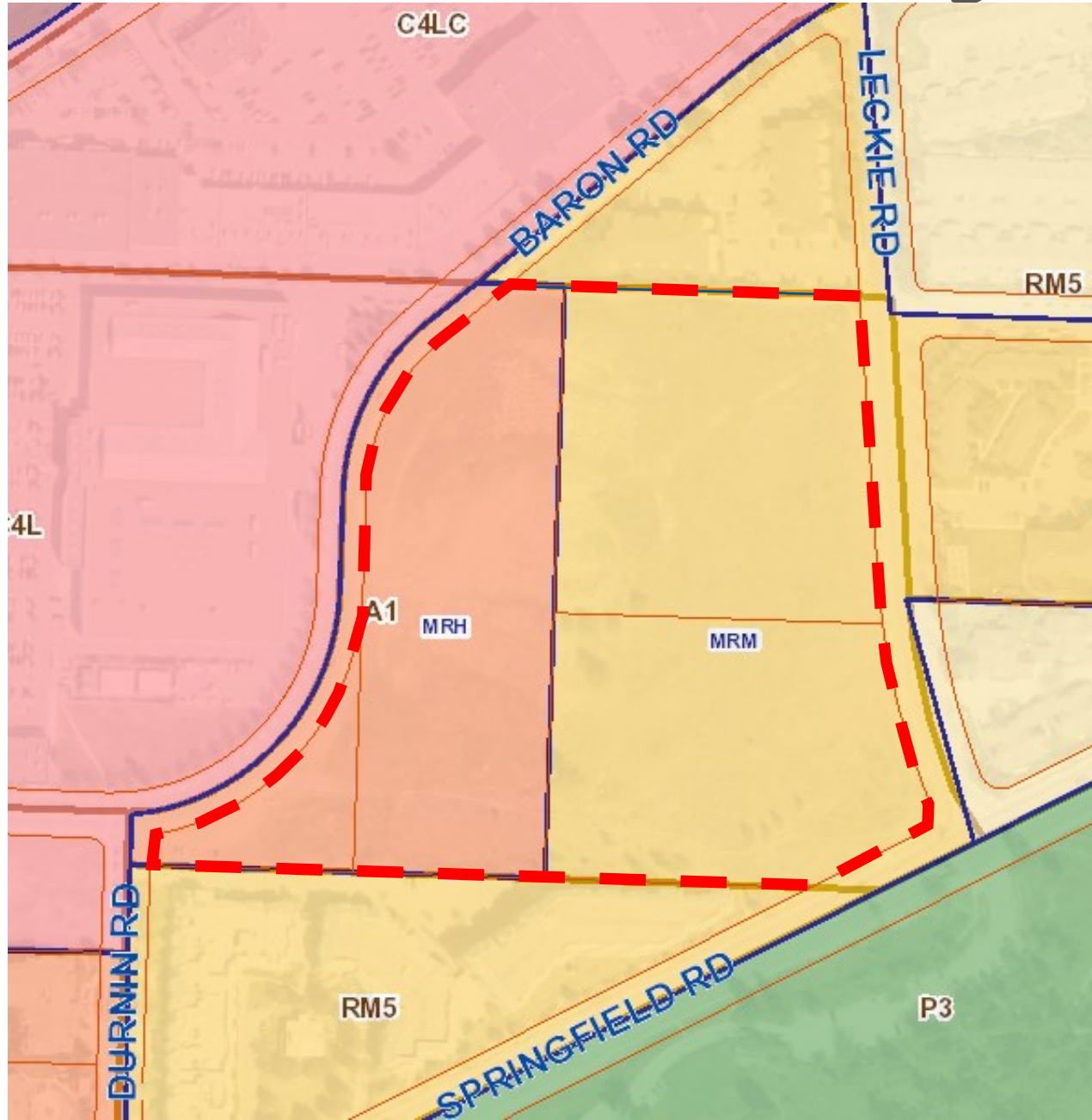
Context Photo



OCP Future Land Use / Zoning



OCP Future Land Use / Zoning



Subject Property Map



Subject Property Map



Walk Score
61

Somewhat Walkable

Some errands can be accomplished on foot.

Transit Score
47

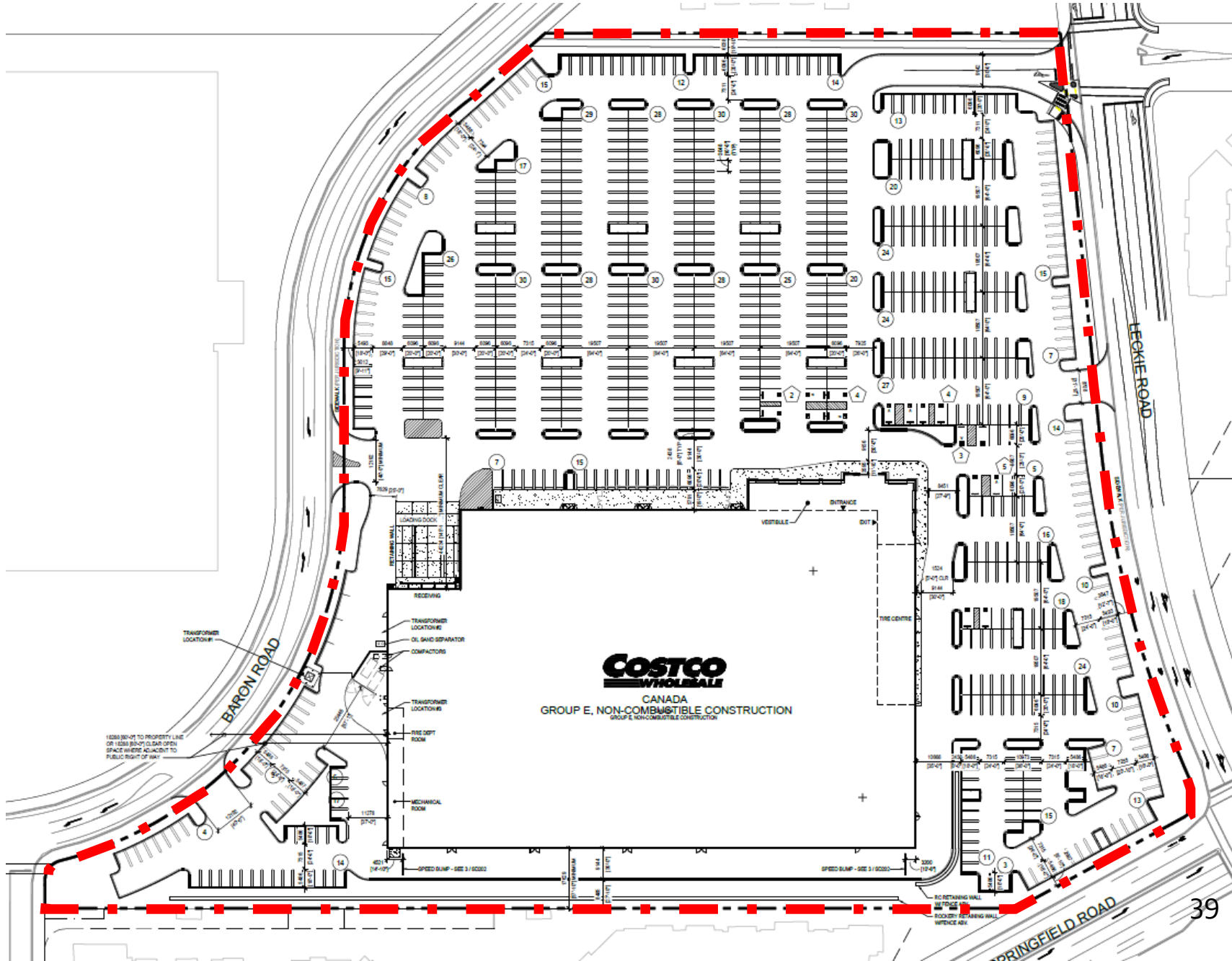
Some Transit

A few nearby public transportation options

Project Details

- ▶ Site comprises 4 legal parcels representing approximately 14.75 acres of undeveloped land.
- ▶ Proposed warehouse building to be 15,531 m² (167,177 ft²) in size
 - ▶ Approx. 25% larger than the existing location
- ▶ 793 parking stalls proposed
 - ▶ Including 16 accessible stalls
- ▶ 4 site accesses proposed (3 full access, with one right in, right out)

Site Plan



Renderings



Renderings



Development Policy

- ▶ Focus development to Designated Growth Areas
 - ▶ Subject properties within Permanent Growth Boundary and Midtown Urban Centre
- ▶ Maximize the use of existing infrastructure and contribute to efficient settlement patterns
- ▶ Increases employment within an Urban Centre
- ▶ C₄ Zone consistent with OCP Future Land Use Designation

Traffic Details

- ▶ 14-month in-depth TIA review process.
- ▶ Results show many intersections within the traffic study area are at or exceeding capacity.
 - ▶ Should the new Costco be supported, it is anticipated that many of the existing trips will be re-distributed from the existing site to proposed site location.
 - ▶ Proposed Costco relocation on the wider traffic network are expected to be minimal and mitigatable.
- ▶ Future traffic improvements to the area will be spread out by future developments, MoTI and City's Master Transportation Planning.

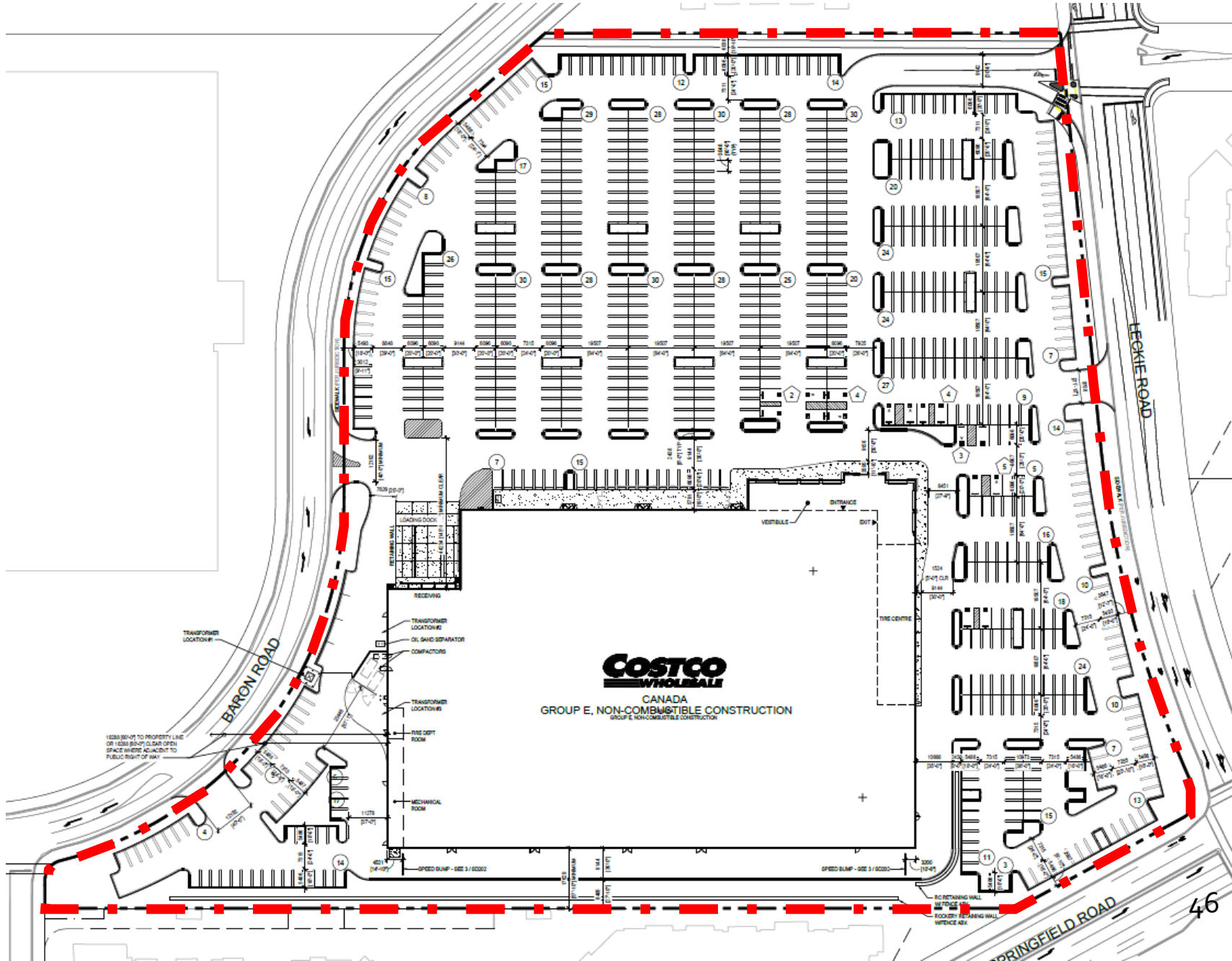
Staff Recommendation

- ▶ Staff recommend **support** of the proposed Official Community Plan Amendment and Rezoning applications.



Conclusion of Staff Remarks

Site Plan



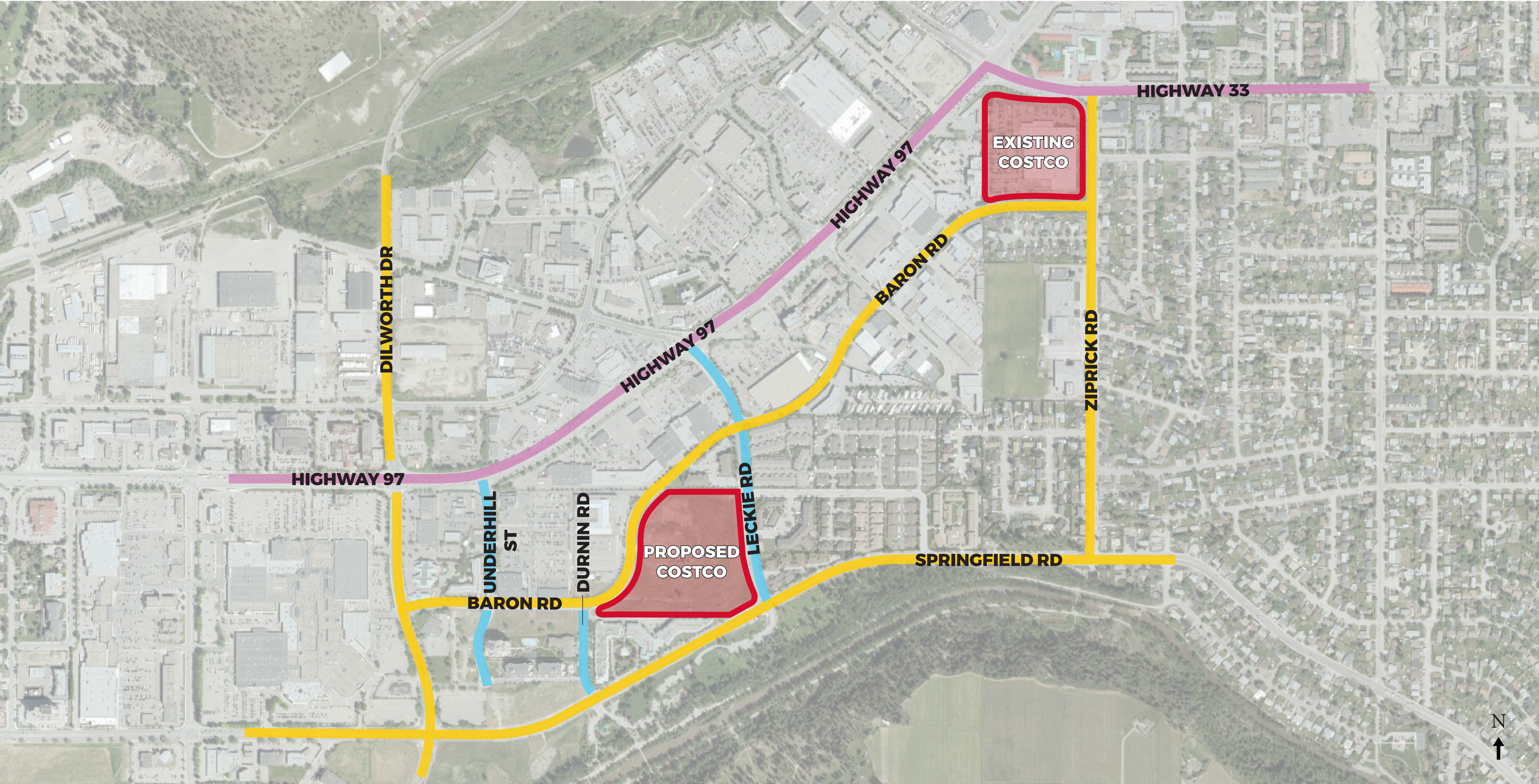
COSTCO - CITY OF KELOWNA PUBLIC HEARING



AERIAL PERSPECTIVE

JANUARY 12th, 2021

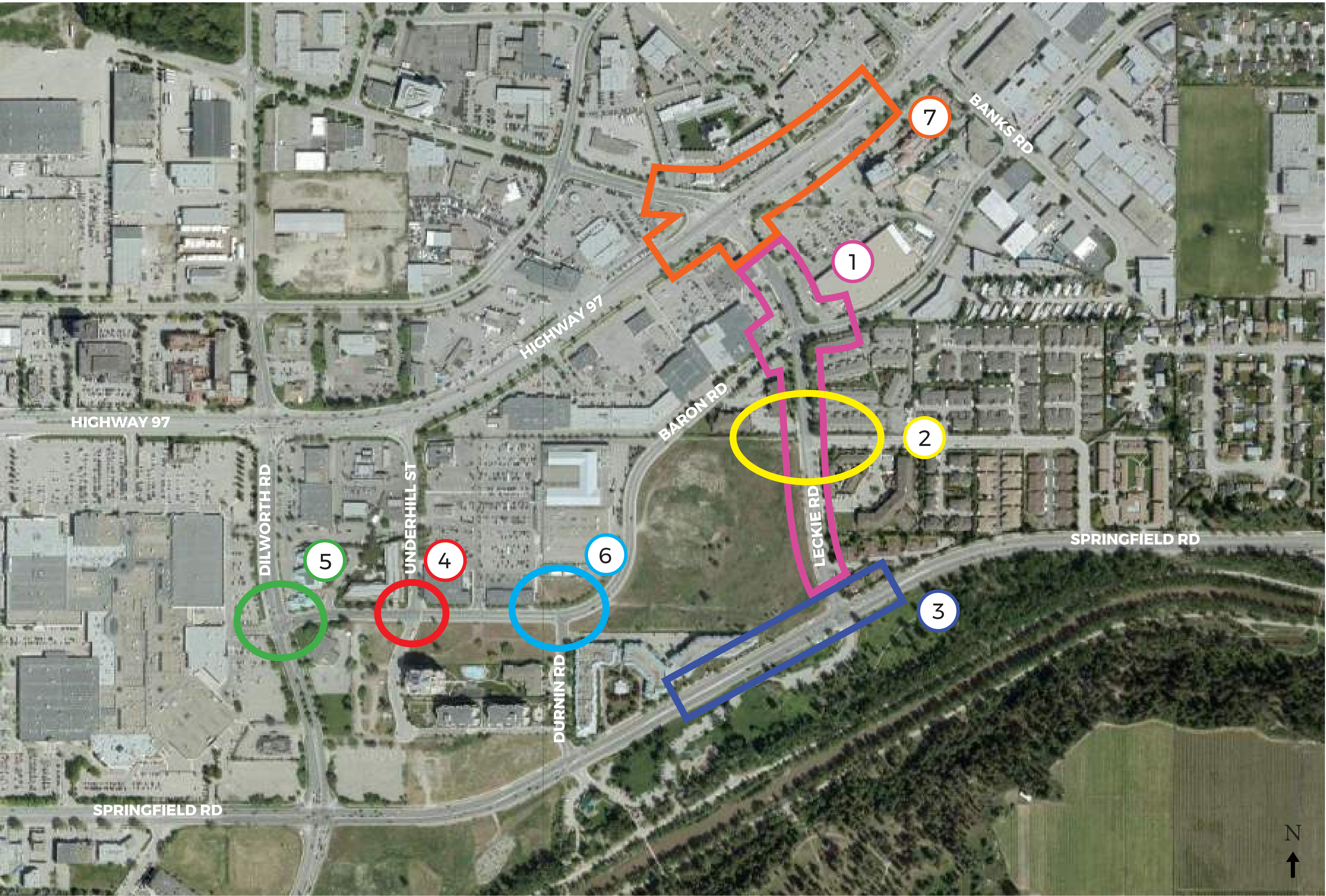
COSTCO - CITY OF KELOWNA PUBLIC HEARING



EXISTING AND PROPOSED SITE CONTEXT

JANUARY 12th, 2021

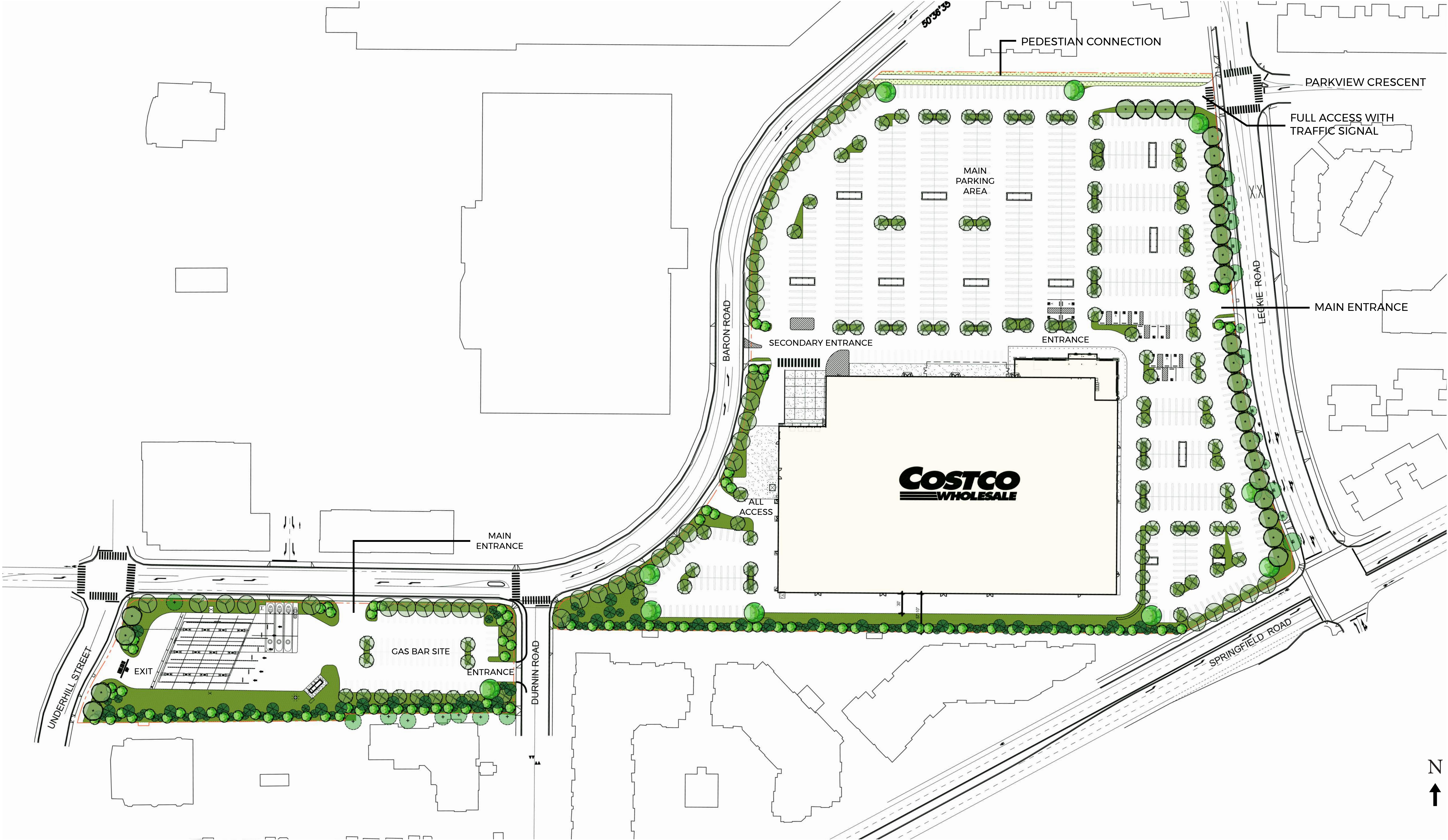
COSTCO - CITY OF KELOWNA PUBLIC HEARING



IMPROVEMENT PRIORITY

- 1 LECKIE ROAD - UPGRADE FROM 4 LANES TO 5
- 2 LECKIE ROAD AND PARKVIEW INTERSECTION - NEW FULL SIGNAL
- 3 SPRINGFIELD ROAD AND LECKIE ROAD - DOUBLE LEFT TURN
- 4 BARON ROAD AND UNDERHILL STREET - NEW FULL SIGNAL
- 5 DILWORTH ROAD AND BARON ROAD - RE-LANING AND RIGHT HAND TURNING LANE FROM DILWORTH ONTO BARON ROAD
- 6 BARON ROAD AND DURNIN ROAD - FLASHING PEDESTRIAN CROSSING
- 7 HIGHWAY 97 AND LECKIE ROAD - FUTURE, DOUBLE LEFT

COSTCO - CITY OF KELOWNA PUBLIC HEARING



SITE PLAN

JANUARY 12th, 2021

COSTCO - CITY OF KELOWNA PUBLIC HEARING



SURROUNDING RESIDENTIAL STRATAS

JANUARY 12th, 2021

COSTCO - CITY OF KELOWNA PUBLIC HEARING



RESIDENTIAL STRATA

- ① DILWORTH GREEN
- ② QUAILS PLACE
- ③ BRISTOL GARDENS
- ④ PARK PLACE
- ⑤ CHARTWELL CHATSWORTH SENIORS RESIDENCE
- ⑥ PARKLANDS
- ⑦ MISSION CREEK TOWERS

SURROUNDING RESIDENTIAL STRATAS

JANUARY 12th, 2021

CITY OF KELOWNA

BYLAW NO. 12122

Official Community Plan Amendment No. OCP19-0007 – 2125 & 2205 Baron Road and 1830 & 1880 Leckie 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:
 - a) Lot 2, District Lot 126, ODYD, Plan KAP59203 located at Baron Road, Kelowna, BC from the MRH – Multiple Unit Residential (High Density) designation to the MXR – Mixed Use (Residential / Commercial) designation;
 - b) Lot 3, District Lot 126, ODYD, Plan KAP59203 located at Baron Road, Kelowna, BC from the MRH – Multiple Unit Residential (High Density) designation to the MXR – Mixed Use (Residential / Commercial) designation;
 - c) Lot 1, District Lot 126, ODYD, Plan KAP59203 located at Leckie Road, Kelowna, BC from the MRM – Multiple Unit Residential (Medium Density) designation to the MXR – Mixed Use (Residential / Commercial) designation; and
 - d) Lot B, District Lot 126, ODYD, Plan KAP56817 located at Leckie Road, Kelowna, BC from the MRM – Multiple Unit Residential (Medium Density) designation to the MXR – Mixed Use (Residential / Commercial) 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 23rd day of November, 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. 12123

Z19-0115

2125 & 2025 Baron Road, 1830 & 1880 Leckie 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:
 - a) Lot 2, District Lot 126, ODYD, Plan KAP59203 located at Baron Road, Kelowna, B.C.;
 - b) Lot 3, District Lot 126, ODYD, Plan KAP59203 located at Baron Road, Kelowna, B.C.;
 - c) Lot 1, District Lot 126, ODYD, Plan KAP59203 located at Leckie Road, Kelowna, B.C.; and
 - d) Lot B, District Lot 126, ODYD, Plan KAP56817 located at Leckie Road, Kelowna, B.C.from the A1 – Agriculture 1 zone to the C4 – Urban Centre Commercial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 23rd day of November, 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: November 9, 2020

To: Council

From: City Manager

Department: Development Planning

Application: Z20-0053

Owner: Mohan Lal Madurai

Address: 335 McCurdy Road

Applicant: Mohan Lal Madurai

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z20-0053 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2 Section 26 Township 26 Osoyoos Division Yale District Plan 18917, located at 335 McCurdy Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone, 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 outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated October 26, 2020.

2.0 Purpose

To consider an application to rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to facilitate the development of a second dwelling.

3.0 Development Planning

Development Planning Staff support the rezoning application to facilitate the development of a second dwelling. The RU6 – Two Dwelling Housing zone meets the form and density objectives of the Official Community Plan (OCP) S2RES – Single / Two Unit Residential designation, and as such, the application is in compliance with the designated Future Land Use for the property. In addition, the OCP urban infill policies

support the densification of urban residential neighbourhoods where infrastructure already exists, and through sensitive development including the use of smaller lots. The subject property is fully serviced and meets the minimum lot width and area for two dwelling housing.

The applicant has confirmed the completion of neighbourhood notification in accordance with Council Policy No. 367.

4.0 Proposal

4.1 Project Description

The applicant is requesting permission to rezone to the RU6 – Two Dwelling Housing zone, to facilitate the development of a second dwelling in the rear of the property. The existing single family dwelling is proposed to remain. Parking stalls for the existing and proposed new dwelling can be accommodated on site and a minimum 3.0 m wide drive aisle would be provided on the west side of the property. The applicant has submitted a conceptual site plan which demonstrates that this development can occur with no variances required.

4.2 Site Context

The subject property is located mid-block on the south side of McCurdy Road, between Tartan Road and Knorr Road. The surrounding area is characterized by single and two dwelling housing. It is within the City's Permanent Growth Boundary. The walk score is 43, indicating that most errands require a car.

Specifically, adjacent land uses are as follows:

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

Subject Property Map: 335 McCurdy Road



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 5.3.2 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.

6.0 Technical Comments

6.1 Development Engineering Department

See Schedule "A": Development Engineering Memorandum

7.0 Application Chronology

Date of Application Received: May 26, 2020

Date Public Consultation Completed: July 24, 2020

Report prepared by: Kimberly Brunet, Planner II

Reviewed by: Jocelyn Black, Urban Planning Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Schedule "A": Development Engineering Memorandum

Attachment "A": Draft Site Plan

CITY OF KELOWNA

MEMORANDUM

Date: July 28, 2020
File No.: Z20-0053
To: Planning and Development Officer (JB)
From: Development Engineering Manager (JK)
Subject: 335 McCurdy Rd RU1 to RU6

The Development Engineering Branch has the following comments and requirements associated with this application to rezone the subject property from RU1 to RU6. The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technician for this project is Jim Hager.

1. General

- a) This proposed development may require the installation of centralized mail delivery equipment. Please contact Arif Bhatia, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC, V1Y 2K0, (250) 859-0198, arif.bhatia@canadapost.ca to obtain further information and to determine suitable location(s) within the development.
- b) The following requirements are valid for two (2) years from the reference date of this memo, or until the application has been closed, whichever occurs first. The City of Kelowna reserves the rights to update/change some or all items in this memo once these time limits have been reached.
- 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.

2. Domestic Water and Fire Protection

- a) The property is located within the Black Mountain Irrigation District service area. The developer is required to make satisfactory arrangements with BMID for all water and fire protection-related issues. All charges for service connection and upgrading costs, as well as any costs to decommission existing services, shall be the responsibility of the developer.
- b) The developer's consulting mechanical engineer will determine the domestic, fire protection requirements of this proposed development and establish hydrant requirements and service needs.
- c) The water system must be capable of supplying the domestic and fire flow demands of the project in accordance with the Subdivision, Development, & Servicing Bylaw No. 7900.

3. Sanitary Sewer

- a) This property is currently serviced with one 100 mm sanitary service. The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs. The applicant, at their cost, will arrange for the removal and disconnection of the existing services and installation of one new larger service, if necessary.
- b) Dependent on whether the lot is to be stratified an additional sanitary service (c/w with inspection chamber) may be permitted for this development. The applicant, at their cost, will arrange for the installation and connection of additional new service, if permitted.

4. Storm Drainage

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

5. Electric Power and Telecommunication Services

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

6. Road Improvements / Site Access

- a) No further upgrades are required at this time along the McCurdy Rd frontage.
- b) Only a single 6.0-m wide driveway access will be permitted for this development. No additional access will be granted onto McCurdy Rd.

7. Geotechnical Report

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

The Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

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

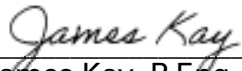
- (iv) Any special requirements for construction of roads, utilities and building structures.
- (v) Site suitability for development.
- (vi) Suitability of on-site disposal of storm water and sanitary waste, including effects upon adjoining lands.
- ii) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- iii) Recommendations for items that should be included in a Restrictive Covenant.
- iv) Any special requirements for construction of roads, utilities, and building structures.
- v) Any items required in other sections of this document.
- vi) Recommendations for erosion and sedimentation controls for water and wind.
- vii) Recommendations for roof drains and perimeter drains.
- viii) Any items required in other sections of this document.

8. Road Dedication

- a) Approximately 2.5m of road dedication is required along the entire frontage of McCurdy Road.
- 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.

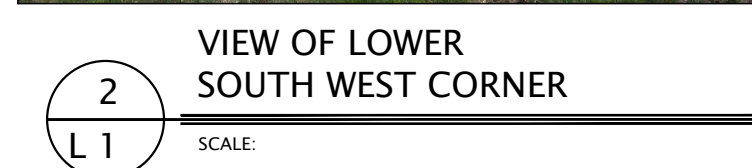
9. Charges and Fees

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


James Kay, P.Eng.
Development Engineering Manager

SK for JKH

- A. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL CONFORM TO MINIMUM STANDARDS ESTABLISHED PUBLISHED BY B.C.N.T.A. AND B.C.S.L.A. AS WELL AS THE CITY OF KELOWNA LANDSCAPE STANDARDS IN BYLAW 7900
- B. THE LANDSCAPE DESIGN DESIGNATED HEREIN IS CONCEPTUAL BUT REFLECTS THE MINIMUM CITY OF KELOWNA FORM AND CHARACTER REQUIREMENTS.
- C. TREES SHALL BE INSTALLED IN DEFINED SOIL. PITS OR PLANTING BEDS AREAS. ADEQUATE SOIL VOLUME SHALL BE PROVIDED. BASED ON THE SPECIFIC TREE SPECIES AND LOCATION.
- D. PLANT MATERIAL SELECTION ARE CONCEPTUAL ONLY. FINAL PLANTING, SELECTION MAY VARY DEPENDING UPON AVAILABILITY AT THE TIME OF PLANTING.
- E. ORNAMENTAL SHRUBS, GRASSES AND PERENNIAL CLUSTERS ARE TO BE PLACED WITHIN DEFINED PLANTING BEDS. ALL PLANTING BEDS SHALL HAVE A MIN. OF 450mm (18") IMPORTED GROWING MEDIUM AND 75mm (3") OF DECORATIVE ROCK OR MULCH OR APPROVED EQUAL. THE CONTRACTOR SHALL PROVIDE SAMPLES FOR APPROVAL PRIOR TO DELIVERY TO THE SITE AND INSTALLATION.
- F. LANDSCAPE FABRICS SHALL BE INSTALLED BELOW ALL DECORATIVE ROCK AREAS. LANDSCAPE FABRIC SHALL BE NILEX 4545 OR APPROVED EQUAL.
- G. TURF AREAS SHALL BE LOW WATER USE NO. 1 PREMIUM SOD WITH A MIN. OF 150 mm (6") IMPORTED GROWING MEDIUM.
- H. A HIGH EFFICIENCY IRRIGATION SYSTEM SHALL BE INSTALLED FOR ALL ORNAMENTAL AREAS AND SHALL CONFORM TO THE CITY OF KELOWNA IRRIGATION STANDARDS IN BYLAW 7900.
- I. DESIGN INTENT: THESE DRAWINGS REPRESENT THE GENERAL DESIGN INTENT TO BE IMPLEMENTED ON THE SITE. CONTRACTOR SHALL BE RESPONSIBLE FOR CONTRACTING THE CONTRACT ADMINISTRATOR FOR ANY ADDITIONAL CLARIFICATION OF DETAILS NECESSARY TO ACCOMMODATE SITE CONDITIONS OR DETAILS
- J. LIMIT OF WORK: THE CONTRACTOR SHALL VERIFY THE LIMIT OF WORK ON SITE WITH THE CONTRACT ADMINISTRATOR PRIOR TO CONSTRUCTION. ALL WORK OF THE CONTRACTOR SHALL BE WITHIN THE LIMITS OF WORK IDENTIFIED ON THESE DRAWINGS. ANY DAMAGE TO AREAS OUTSIDE OF THE LIMIT OF WORK WILL BE REPAIRED OR REPLACED AT THE CONTRACTORS OWN EXPENSE
- K. PLANT MATERIAL SHALL BE AVAILABLE FOR OPTIONAL INSPECTION BY THE CONTRACT ADMINISTRATOR AT SOURCE OF SUPPLY.



July 13, 2020	3	RAH	RULE ZONING APPLICATION		
DATE	Nº	BY	REVISION		
Copyright Reserved.					
This drawing is an instrument of service for the specified project. The drawing and design are the exclusive property of the designer and may not be used in whole or in part without written consent. Their name must appear on any reproduction of the whole or in part of this drawing. Please check and verify all critical details and dimensions prior to the start of construction, and contact the owner and designer if any clarification is required. Written dimensions take precedence over scaled dimensions. DO NOT SCALE THESE DRAWINGS.					
<p style="text-align: center;">HOLDEN'S DRAFTING & DESIGN</p> <p style="text-align: center;">832 SAUCIER AVENUE KELOWNA, B.C. VY-6A3</p> <div style="display: flex; justify-content: space-between;"><div style="text-align: center;"><p>H.D.D.</p></div><div style="text-align: right;"><p>Phone: 250.868.0962 Fax: 250.868.0962 Email: r-holden@shaw.ca</p></div></div>					
PROJECT					
<p style="text-align: center;">STRATA LOT RESIDENCE 335 MCCURDY ROAD KELOWNA, B.C.</p>					
SHEET TITLE					
<p style="text-align: center;">LANDSCAPE PLAN</p>					
DRAWN:	RAH		SHEET NO.		
CHECKED:	M.M.		L 1		
SCALE:	1/8"=1'-0"				
DATE:	September 28, 2020				
			Rev. 0		



Z20-0053

335 McCurdy Rd

Rezoning Application



Proposal

- ▶ To rezone the subject property from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing to facilitate the development of a second dwelling.

Development Process

May 26, 2020

Development Application Submitted

Staff Review & Circulation

July 24, 2020

Public Notification Received

Nov 9, 2020

Initial Consideration

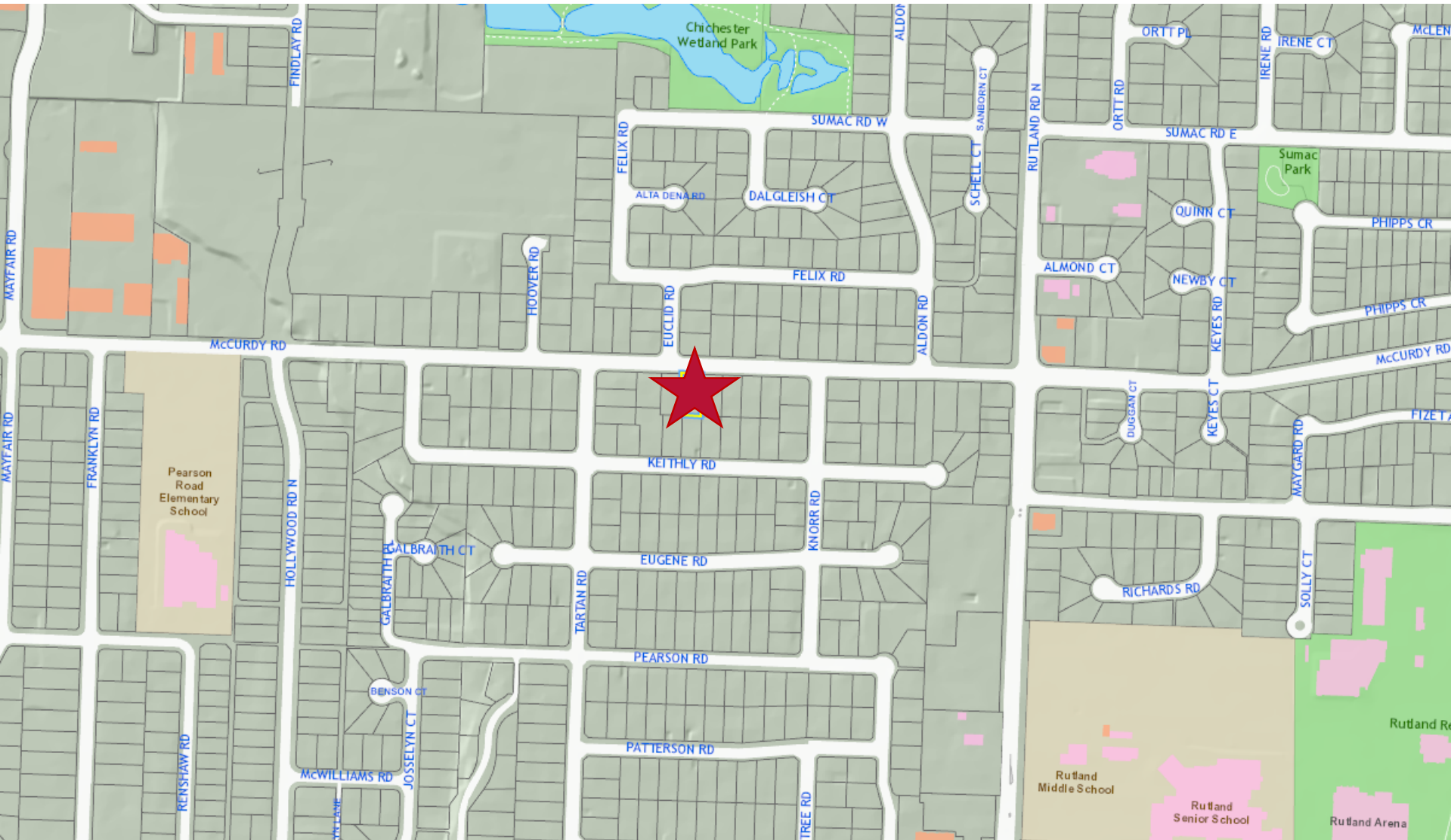
Public Hearing
Second & Third Readings

Final Reading

Building Permit

Council
Approvals

Context Map



City of Kelowna



Car-Dependent

Most errands require a car.

65

Subject Property Map



75'-0" (22.86m)

27'-0" (8.23)

LANDSCAPING GRASS & GARDENERY

NO PARKING 4.0M OFF PROPERTY LINE

MAIN RESIDENCE OPEN YARD SPACE 30 M2 DESIGNATED

EXISTING LAWN TO BE RESEED

REAR EXISTING STEEL MOOR FENCE

235 McCurdy Road
1,950 sq. ft.
Lot: 5
Plan: 00617
PID: 008197482

EXISTING PATIO 200 sq. ft.

MAIN RESIDENCE OPEN YARD SPACE 30 M2 DESIGNATED

EXISTING BUSHES

PROPOSED STRATA LINE

EXISTING LAWN TO BE RESEED

EXISTING RESIDENCE PARKING AREA 8'-0" x 12'-0"

REAR STRATA LOT PARKING AREA 8'-0" x 12'-0"

REMOVE TREE

25'-0" (7.62)

24'-0" (7.31)

REMOVE TREE

NOTE: SUBSTANTIAL PLAT LOT WITH A GENTLE SLOPE OF NOUGHT 1.1% FROM EXISTING HOUSE TO THE REAR PROPERTY LINE

OPEN YARD SPACE 30 M2 MINIMUM 39 M2 DESIGNATED

EXISTING GRID TO BE DEMOLISHED

157'-0" (47.24m)

Development Policy

- ▶ Meets the intent of Official Community Plan Urban Infill Policies:
 - ▶ Compact Urban Form
 - ▶ Within Permanent Growth Boundary
- ▶ Consistent with Future Land Use **S2RES**
- ▶ Consistent with Zoning Bylaw

Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning
 - ▶ 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. 12117

Z20-0053

335 McCurdy 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 2 Section 26 Township 26 ODYD Plan 18917 located at McCurdy Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling 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 9th day of November, 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: November 16, 2020

To: Council

From: City Manager

Department: Development Planning

Application: Z20-0028

Owner: Janis Wiens

Address: 1295 Rodondo Pl

Applicant: Alfred Wiens

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single/ Two Unit Residential
PARK – Major Park / Open Space (public)

Existing Zone: RR1 – Rural Residential 1

Proposed Zone: RU1 – Large Lot Housing
P3 – Parks and Open Space

1.0 Recommendation

THAT Rezoning Application No. Z20-0028 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Section 6, Township 23, Osoyoos Division Yale District Plan 29771, located at 1295 Rodondo Place, Kelowna, BC from the RR1- Rural Residential 1 zone to the RU1- Large Lot Housing zone and P3- Parks and Open Space zone as shown on Map "A" attached to the Report from the Development Planning Department dated November 16, 2020, 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 November 16, 2020;

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

2.0 Purpose

To consider an application to rezone the subject property from the RR1- Rural Residential 1 zone to the RU1- Large Lot Housing zone and P3- Parks and Open Space zone to facilitate a 2-lot subdivision.

3.0 Development Planning

Development Planning staff support the proposed rezoning application. The proposed rezoning will allow for a future two lot subdivision. The existing residence will be isolated on proposed lot B and a new single-family dwelling can be accommodated on proposed lot A. The proposal is well aligned with the Future Land Use Designation of S2Res- Single/Two Dwelling Housing and is located within the City's Permanent Growth Boundary (PGB). The proposed lots are 861 m² and 1,380 m² which meets the minimum lot size, width and length for the RU1 zone.

There is a small section of the SE Corner of the property that has the Official Community Plan Future Land Use Designation of PARK – Major Park / Open Space (Public). The City is asking for this section to be dedicated to the City, as the existing trail is within the riparian area of Blair Pond and the trail needs to be safely setback from the water's edge and widened to allow for better pedestrian/cycling access. This trail is identified on Official Community Plan Map 5.9 - Linear Park Trails. Objective 5.14 – Policy .2 permits the City to ask for up to 10-metre width for linear trails at Rezoning or Subdivision. If approved, the new lots being adjacent to Blair Pond Park will be required to install a 1.2m height, black vinyl chain link fence 150mm inside private property line. Both lots are permitted to include a one-person gate, no larger than 1-metre width to access the park.

4.0 Proposal

4.1 Project Description

The proposed rezoning from RR1 – Rural Residential 1 to RU1 – Large Lot Housing is to facilitate a 2-lot subdivision. The existing dwelling will remain and will be able to meet all required setbacks of the new lot. Both of the two lots will meet the minimum dimensions of the RU1 zone, and no variances are required.

4.2 Site Context

The subject property is located in the Glenmore-Clifton OCP Sector and is within the Permanent Growth Boundary. The surrounding area is primarily zoned RR1 – Rural Residential 1 and RU1 – Large Lot Housing. The surrounding Future Land Use is primarily S2RES – Single/Two Unit Residential and PARK.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1- Large Lot Housing	Single-dwelling Housing
East	P3- Parks and Open Space	Public Parks
South	P3- Parks and Open Space	Public Parks
West	RR1- Rural Residential Zone	Single-dwelling Housing

Subject Property Map:**5.0 Current Development Policies****5.1 Kelowna Official Community Plan (OCP)****Chapter 5: Development Process****Objective 5.2 Develop sustainably.**

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

Objective 5.14 Provide parks for a diversity of people and a variety of uses

Policy .2 Dedication of Linear Parks. At subdivision and rezoning for all development types secure a minimum 10-metre wide linear corridor for public access as included in Table 5.1 Linear Park – Public Access and/or shown on Map 5.9 – Linear Corridors / Paths. The 10-metre wide corridor may be in addition to, and outside, any riparian management area requirements imposed through the Environmental Development Permit (see Chapter 12) requirements of the OCP. On the private property side of the public access corridor, the City may, as necessary, consider stipulating additional “no disturb” zones. Lot line adjustments or other subdivision applications not resulting in the creation of new lots suitable for the construction of buildings permitted under the applicable zoning will be considered exempt from this policy. Linear trail corridors can have the following tenure which will be determined by staff at time of subdivision or rezoning:

- Titled property in the name of the city as park, protected area, or
- Road reserve right of way; or
- Statutory right of way.

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 neighbourhood with respect to building design, height and siting.

6.o Application Chronology

Date of Application Received: March 9, 2020

Date Public Consultation Completed: August 26, 2020

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Jocelyn Black, Urban Planning Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Schedule A: Development Engineering Memo

Attachment A: Map "A"

Attachment B: Site Plan

CITY OF KELOWNA

MEMORANDUM

Date: April 24, 2020
File No.: Z20-0028 R1
To: Community Planning (JB)
From: Development Engineering Manager (JK)
Subject: 1295 Rodondo PI

SCHEDULE

A

This forms part of application
Z20-0028

Planner
Initials TC

City of
Kelowna
DEVELOPMENT PLANNING



RR1 to RU1

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

1. Domestic Water and Fire Protection

- a. The property is located within the City of Kelowna service area. The existing 19mm PVC water service will be utilised to service one of the lots.
- b. Provide an adequately sized domestic water and fire protection system complete with individual lot connections. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. Provide water calculations for this subdivision to confirm this. Ensure every building site is located at an elevation that ensures water pressure is within the bylaw pressure limits.
Arrange for individual lot connections before submission of the subdivision plan.

2. Sanitary Sewer

- a. The existing 100mm diameter service will be utilised to service one of the proposed lots.
- b. New second Sanitary Service to come from 200mm PVC main in Blair Pond Park in Easement to Property line.
- c. A new sanitary service should be provided at the applicants cost prior to subdivision approval.

3. Development Permit and Site Related Issues

Direct the roof drains onto splash pads.

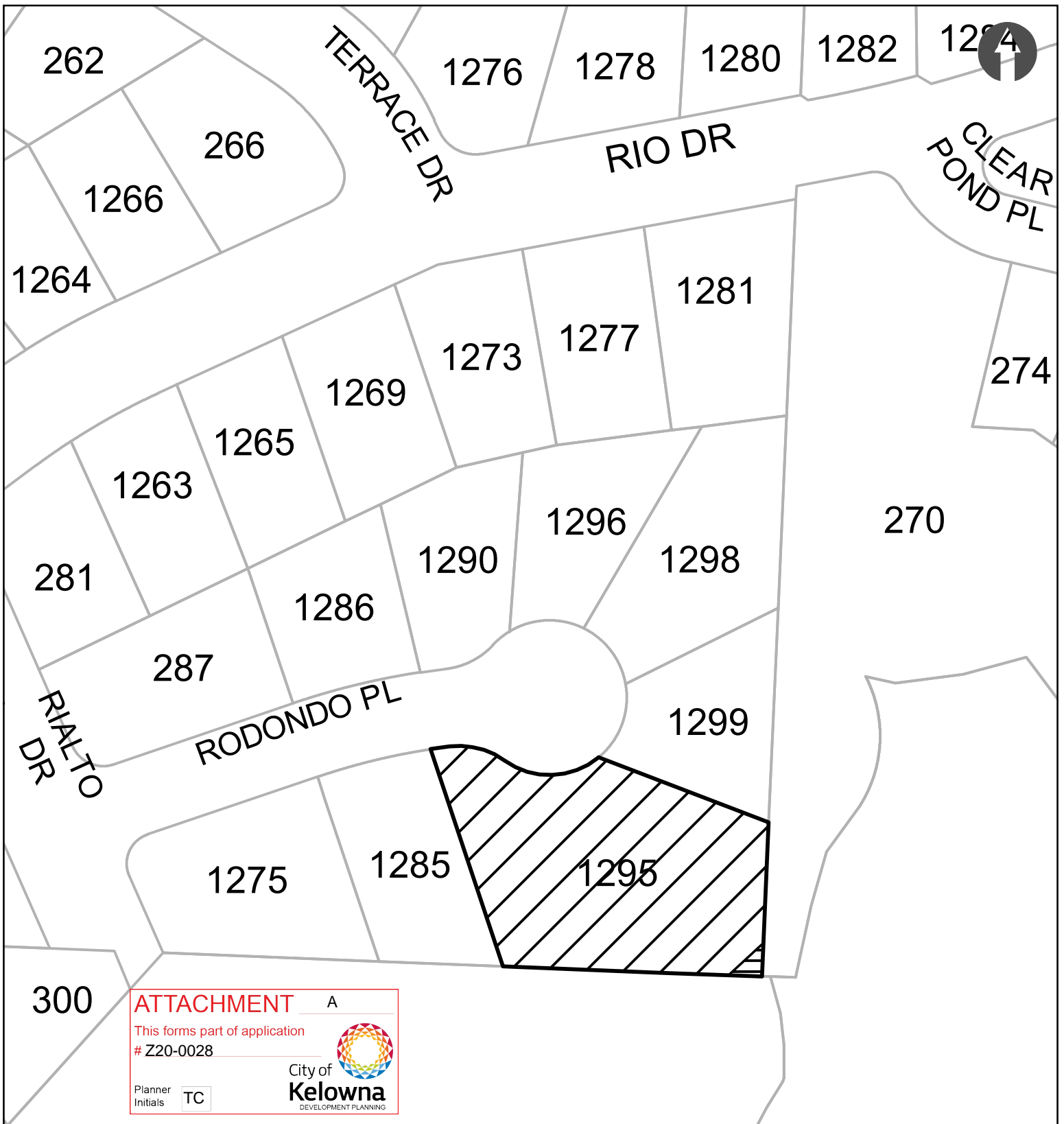
Frontages will be required to be complete, new Conc. Letdown 6.0m Max and landscaped Boulevard.

4. Electric Power and Telecommunication Services

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

James Kay

James Kay, P. Eng.
Development Engineering Manager
RO




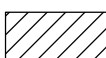
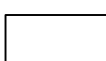
ATTACHMENT A

This forms part of application
Z20-0028

Planner Initials **TC**

City of Kelowna
DEVELOPMENT PLANNING

MAP "A" Proposed Zoning File Z20-0028

-  RR1 - Rural Residential 1 to P3 - Parks and Open Space
-  RR1 - Rural Residential 1 to RU1 - Large Lot Housing
-  Subject Property

0 15 30 Metres

PROPOSED SUBDIVISION OF LOT 2, SEC 6, TP 23, ODYD, PLAN 29771.

PID: 004-189-264

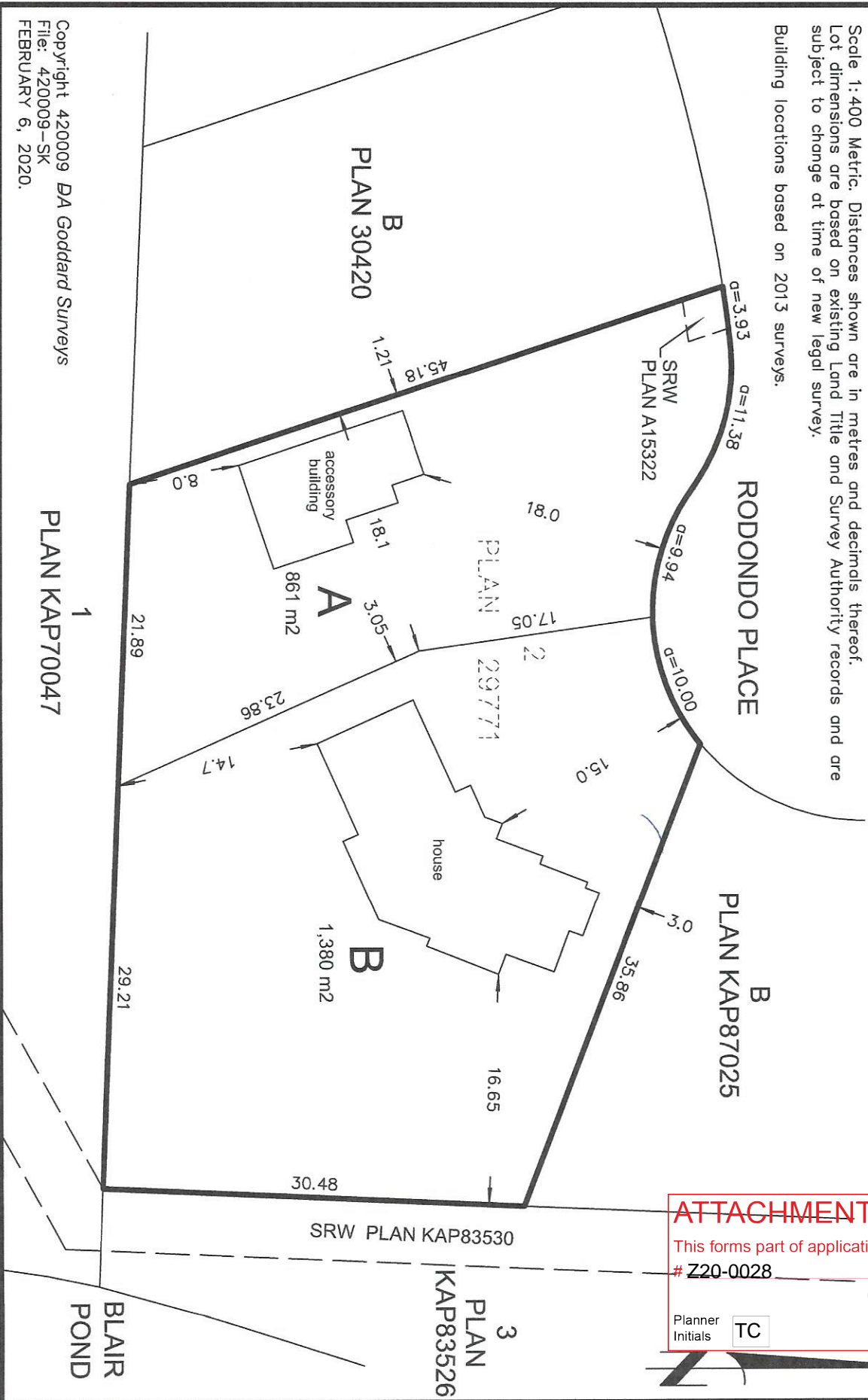
CIVIC ADDRESS: 1295 RODONDO PLACE, KELOWNA.

CLIENT: ALF WIENS

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Scale 1:400 Metric. Distances shown are in metres and decimals thereof. Lot dimensions are based on existing Land Title and Survey Authority records and are subject to change at time of new legal survey.

Building locations based on 2013 surveys.



ATTACHMENT B

This forms part of application

Z20-0028

Planner
Initials

TC

City of
Kelowna
DEVELOPMENT PLANNING





Z20-0028

1295 Rodondo Pl

Rezoning Application



Proposal

- ▶ To rezone the subject property from RR1 – Rural Residential 1 to RU1 – Large Lot Housing and P3 – Parks and Open Space to facilitate a 2-lot subdivision.

Development Process

Mar 9th, 2020

Development Application Submitted

Staff Review & Circulation

Aug 26th, 2020

Public Notification Received

Nov 16th, 2020

Initial Consideration

Public Hearing
Second & Third Readings

Final Reading

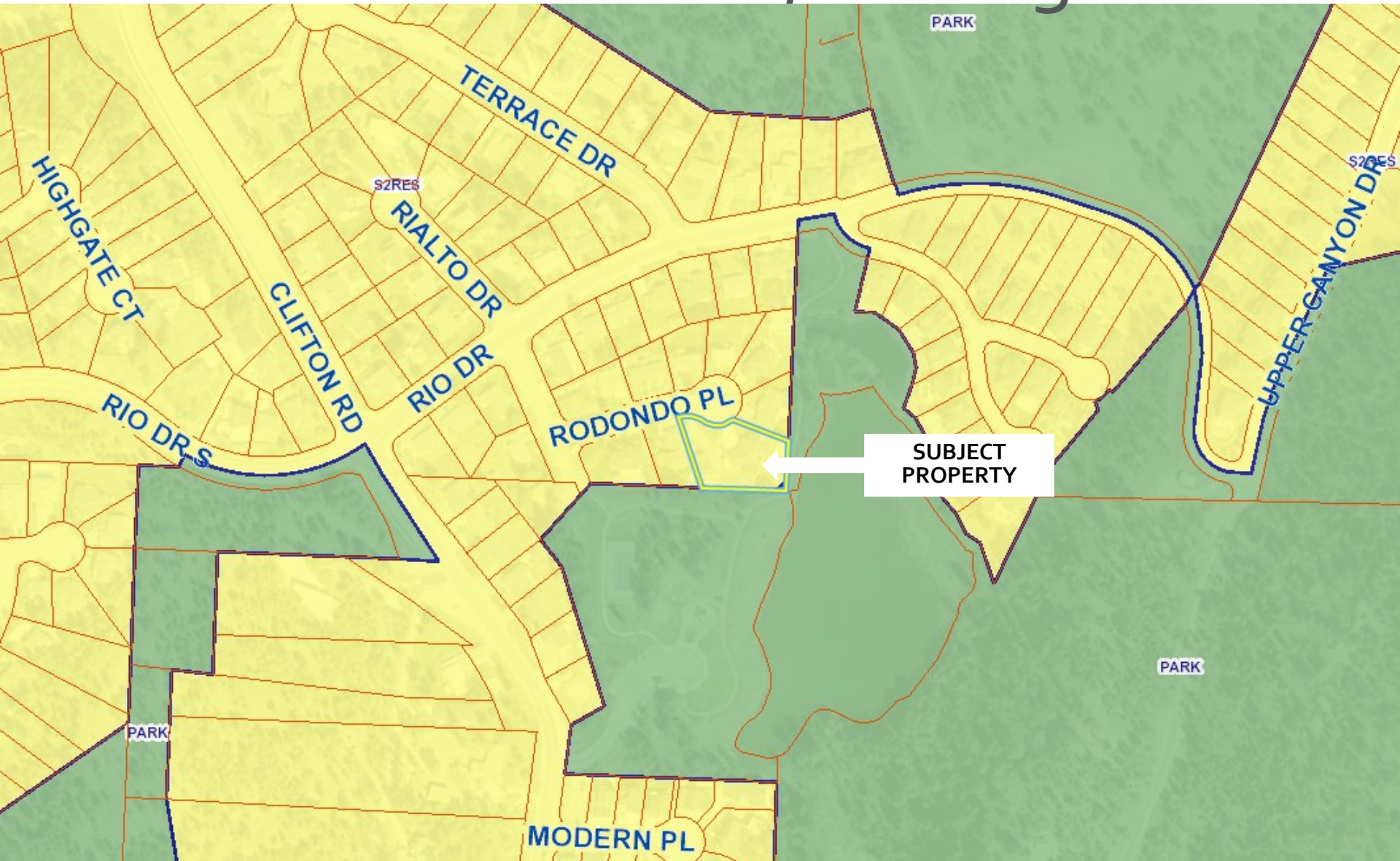
Building Permit

Council
Approvals

Context Map



OCP Future Land Use / Zoning



Subject Property Map



Project/technical details

- ▶ Proposed rezoning will facilitate a 2-lot subdivision.
- ▶ The existing dwelling will remain and meet all setbacks, but the accessory structure will be removed.
- ▶ Both lots meet the depth, width and size of the RU1 zone.

Park dedication

- ▶ The City is requiring a small corner of the lot to be dedicated to the park.
- ▶ Blair Pond Park trail needs to be setback from the riparian area of the pond.
- ▶ This dedication will be a condition of the Rezoning.

Park dedication



Site Plan

PROPOSED SUBDIVISION OF LOT 2, SEC 6, TP 23, ODYD, PLAN 29771.

PID: 004-189-264

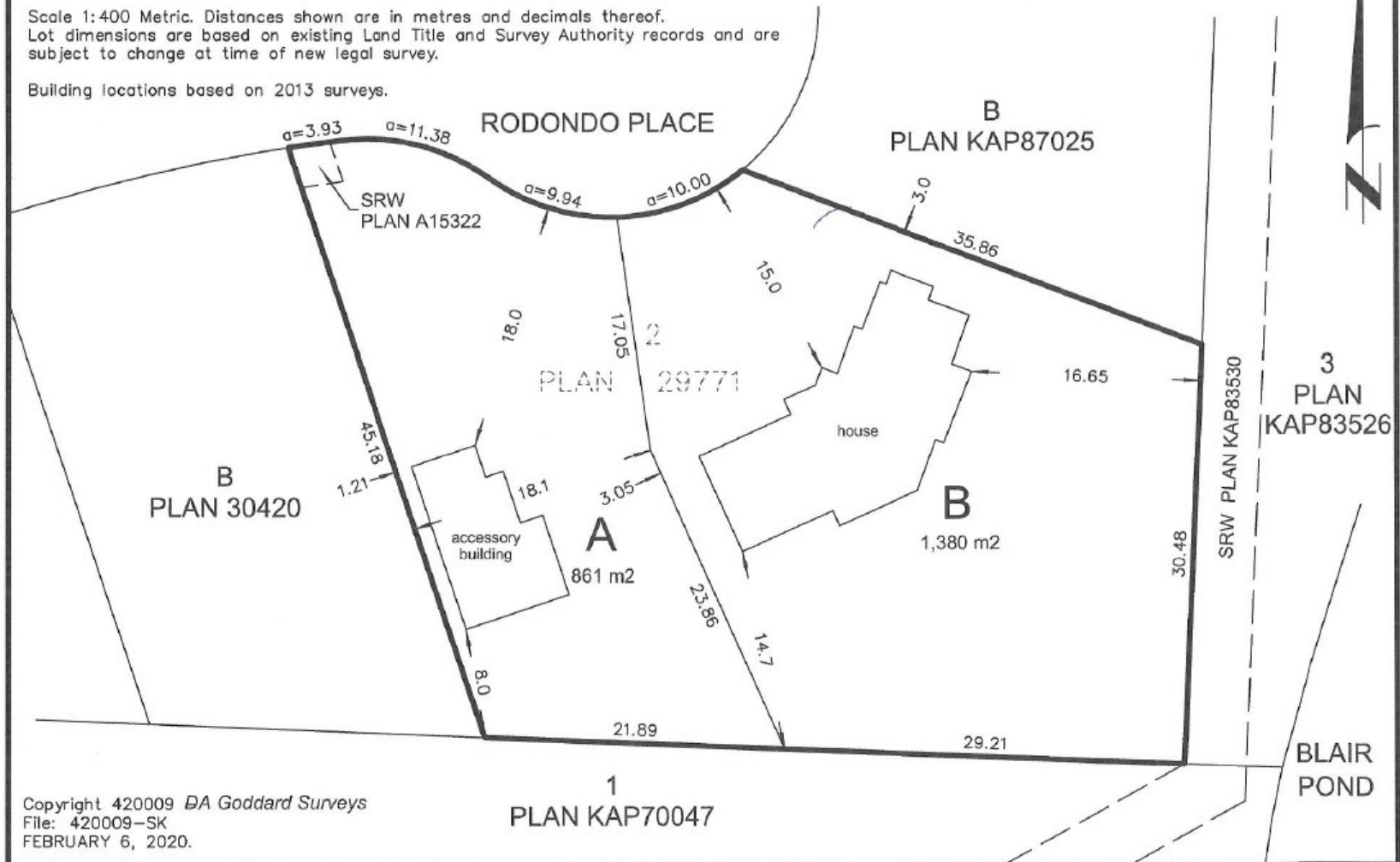
CIVIC ADDRESS: 1295 RODONDO PLACE, KELOWNA.

CLIENT: ALF WIENS

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Scale 1:400 Metric. Distances shown are in metres and decimals thereof.
Lot dimensions are based on existing Land Title and Survey Authority records and are subject to change at time of new legal survey.

Building locations based on 2013 surveys.



Development Policy

- ▶ Meets the intent of Official Community Plan Urban Infill Policies:
 - ▶ Within Permanent Growth Boundary
 - ▶ Sensitive Infill
 - ▶ Dedication of Linear Parks.
- ▶ Consistent with Zoning Bylaw – no variances

Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning to facilitate a 2-lot subdivision
- ▶ Meets the intent of the Official Community Plan
 - ▶ Urban Infill Policies
- ▶ Applicant has agreed to dedicate small portion of property to the City as part of the trail widening.
- ▶ Recommend the Bylaw be forwarded to Public Hearing



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12120

Z20-0028 -

1295 Rodondo Place

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 2 Section 6 Township 23 ODYD Plan 29771 located at Rodondo Place, Kelowna, BC from the RR1 – Rural Residential 1 zone to the RU1 – Large Lot Housing zone and P3 – Parks and Open Space zone as per Map "A" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 16th day of November, 2020.

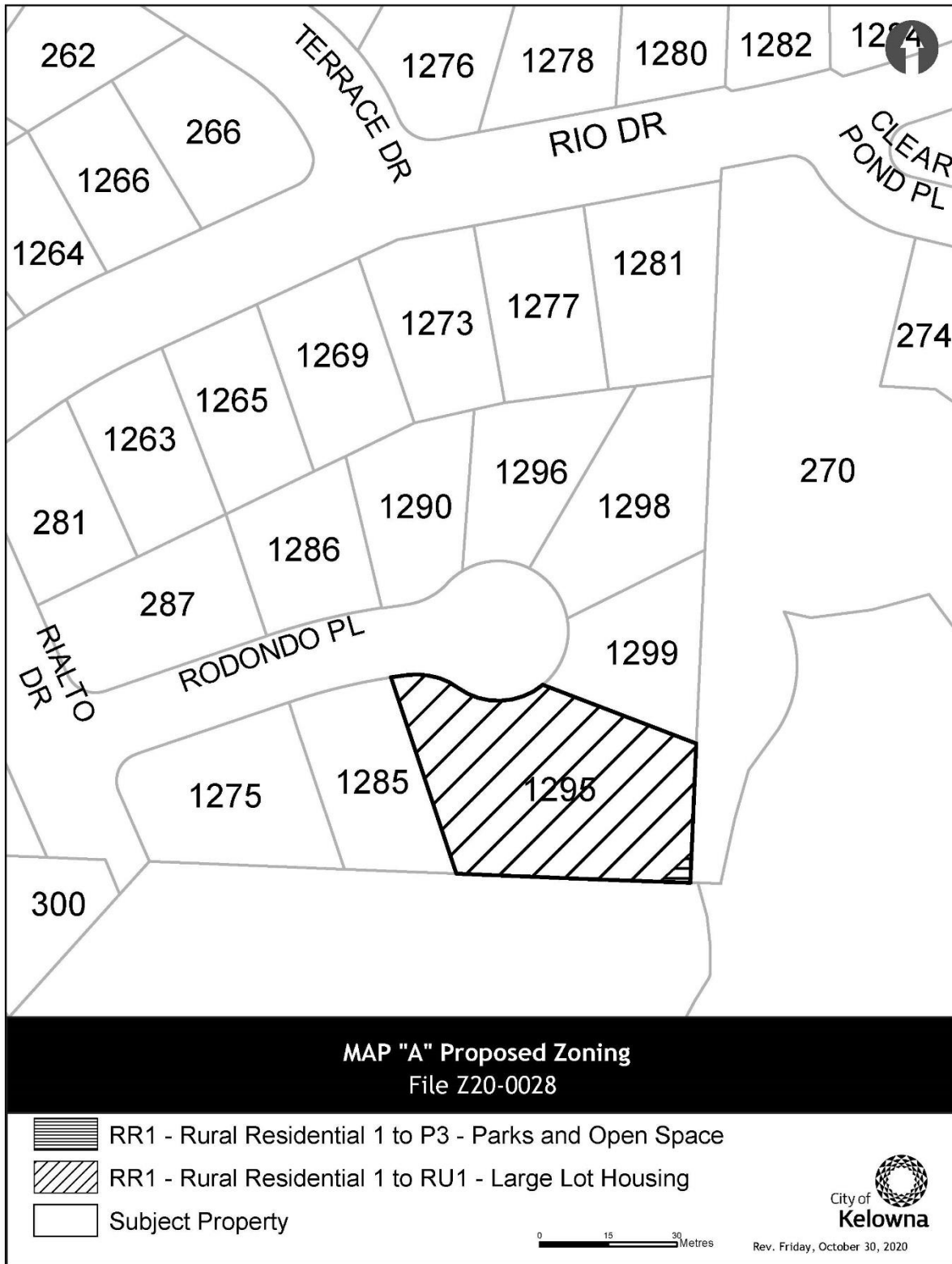
Considered at a Public Hearing on the

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: November 16, 2020

To: Council

From: City Manager

Department: Development Planning

Application: Z20-0033

Owner: Robert T. Groholski and
Michalina J. Groholski

Address: 535 Elliot Avenue

Applicant: New Town Architecture &
Engineering

Subject: Rezoning Application

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

Existing Zone: RU6 – Two Dwelling Housing

Proposed Zone: RM1 – Four Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z20-0033 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Block 19, District Lot 14, Osoyoos Division Yale District, Plan 830, located at 535 Elliot Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM1 – Four Dwelling 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 May 6, 2020;

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

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

2.0 Purpose

To consider an application to rezone the subject property from the RU6 – Two Dwelling Housing zone to the RM1 – Four Dwelling Housing zone to facilitate the development of a fourplex dwelling.

3.0 Development Planning

Development Planning Staff are supportive of the proposed rezoning of the subject property from RU6 – Two Dwelling Housing zone to RM1 – Four Dwelling Housing zone to facilitate the development of a fourplex dwelling, as it is consistent with the Official Community Plan (OCP) future land use designation. Located within the Permanent Growth Boundary, the property is immediately south of the Downtown Urban Center and is in close proximity to nearby amenities including shops and restaurants, the public transit, parks and recreational opportunities within the area.

Should Council support the rezoning, a Development Permit and a Development Variance Permit would be brought before Council for consideration.

To fulfill Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form to Staff on June 10, 2020, outlining that the neighbours within 50 m of the subject property were notified.

4.0 Proposal

4.1 Background and Project Description

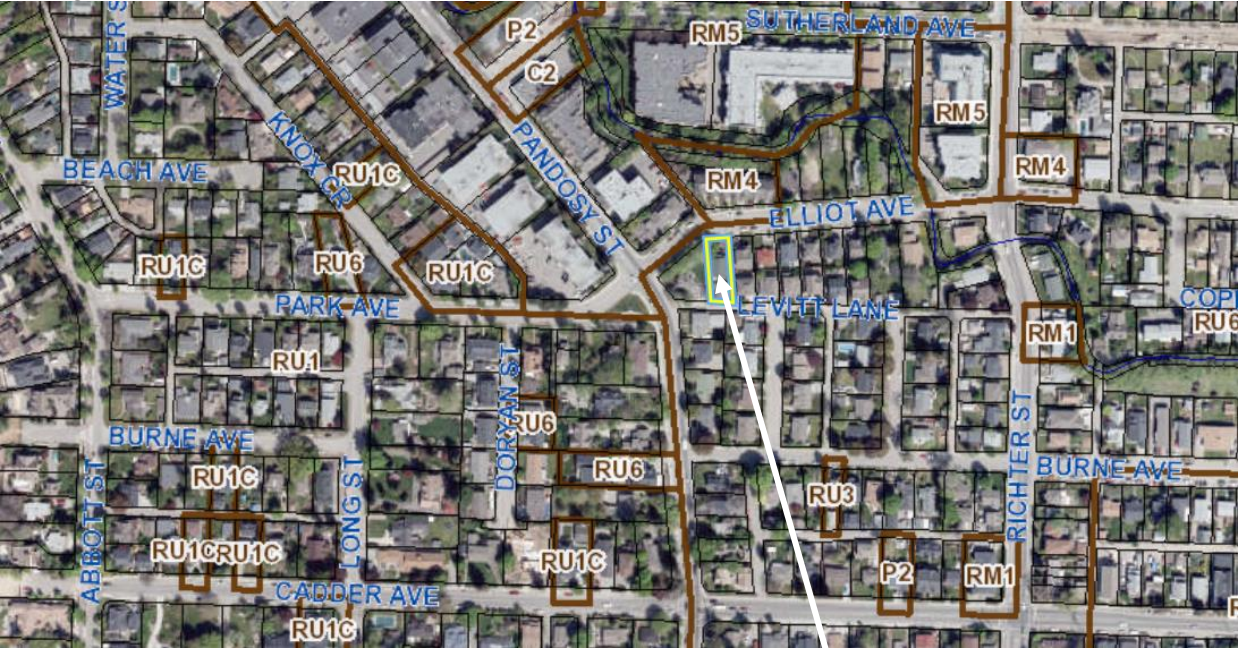
The applicant is proposing to rezone the subject property to RM1 – Four Dwelling Housing zone in order to facilitate the development of a fourplex on the parcel. The property currently has a single-family dwelling and a carriage house. The existing buildings will be demolished prior to the construction of the new development on the property. The applicant has provided a site plan (Attachment A) for the proposed new development.

4.2 Site Context

The subject property is located near the corner of Elliot Avenue and Pandosy Street within the Central City Sector. The property fronts Elliot Avenue to the north and backs onto to Levitt Lane to the south. The surrounding residential area is characterized by a mix of single family and secondary dwelling units developed as second dwellings and carriage houses to the south and east, and by townhouses and medium density apartment buildings to the north and west. The property is close to the Okanagan Lake and Abbott Street Multiuse Corridor to the west, to the City Park and Rowcliffe Park to the north and is within walking to the City Centre.

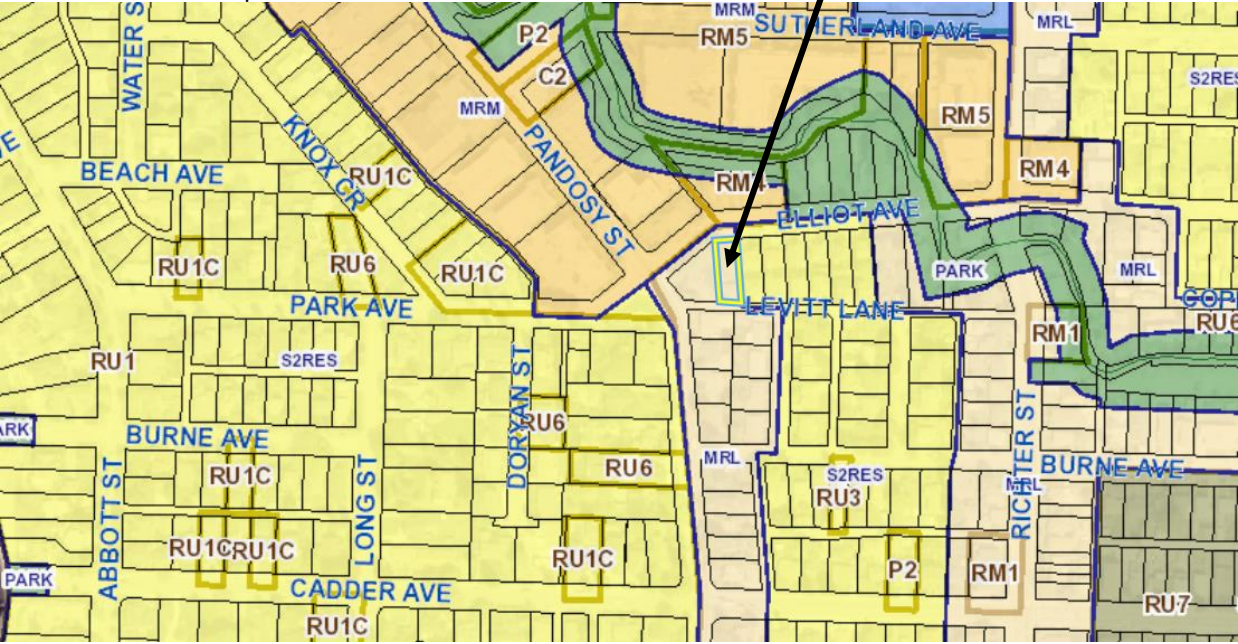
Subject Property Map: 535 Elliot Avenue

Zoning Map:



Subject Property

Future Land Use Map:



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

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

Objective 5.22 Ensure context sensitive housing development

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

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

6.0 Technical Comments

6.1 Development Engineering Department

Refer to attached Schedule A, Development Engineering Department Memorandum, dated May 6, 2020.

7.0 Application Chronology

Date of Application Received: April 16, 2020
 Date Public Consultation Completed: June 10, 2020
 Date of Revised Drawings Received: October 15, 2020

Report prepared by: Barbara B. Crawford, Planner II
Reviewed by: Jocelyn Black, Urban Planning Manager
Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Schedule A: Development Engineering Memo

Attachment A: Site Plan

CITY OF KELOWNA

MEMORANDUM

SCHEDULE		A
This forms part of application # Z20-0033		
Planner Initials	BC	 City of Kelowna DEVELOPMENT PLANNING

Date: May 6, 2020

File No.: Z20-0033

To: Community Planning (BC)

From: Development Engineering Manager (JK)

Subject: 535 Elliot Ave.

RU6 to RM1

The Development Engineering Department has the following comments and requirements associated with this application to rezone the subject property from RU6 to RM1. The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technician for this project is Aaron Sangster.

1. General

- a) The following requirements are valid for one (1) years from the reference date of this memo, or until the PLR and/or application has been closed, whichever occurs first. The City of Kelowna reserves the rights to update/change some or all items in this memo once these time limits have been reached.

2. Domestic Water and Fire Protection

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

3. Sanitary Sewer

- a) This property is currently serviced with a 100-mm sanitary service. The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs. Only one service will be permitted for this development.

4. Storm Drainage

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

SCHEDULE		A
This forms part of application # Z20-0033		
Planner Initials	BC	 City of Kelowna DEVELOPMENT PLANNING

5. Electric Power and Telecommunication Services

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

6. Road Improvements

- a) Elliot Ave. must be upgraded to a local standard along the full frontage of this proposed development, curb and gutter, sidewalk, irrigated landscaped boulevard, pavement removal and replacement, and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The road cross section to be used is a SS-R5.
- b) Levitt Lane fronting this development has already been upgraded, and no further upgrades are required at this time.

7. Erosion Servicing Control Plan

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

8. 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.

9. Design and Construction

- a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).

- d) A “Consulting Engineering Confirmation Letter” (City document ‘C’) must be completed prior to submission of any designs.
- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City’s Works & Utilities Department. The design drawings must first be “Issued for Construction” by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

10. Servicing Agreement for Works and Services

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

11. Geotechnical Report

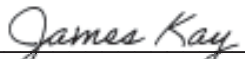
Provide a geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: NOTE: The City is relying on the Geotechnical Engineer’s report to prevent any damage to property and/or injury to persons from occurring as a result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

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

SCHEDULE		A
This forms part of application # Z20-0033		
Planner Initials	BC	 City of Kelowna DEVELOPMENT PLANNING

12. Charges and Fees

- a) Development Cost Charges (DCC's) are payable.
- b) Fees per the "Development Application Fees Bylaw" include:
 - i) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - ii) Engineering and Inspection Fee: 3.5% of construction value (plus GST).



James Kay, P.Eng.
Development Engineering Manager

AS

dated 2/7/10 20:20 4:32:07 PM

project title	ELIOTT 4-PLEX
project address	535 Elliott Street Kelowna, BC
project no.	4108
file no.	

drawing no. SITE PLAN & ZONING ANALYSIS

down	R.B.
checked	R.Y.
drawing no.	

2/7/02 20:20 4:33:07 PM
A2.00



Z20-0033 535 Elliot Avenue

Rezoning Application



Proposal

- ▶ To consider an application to rezone the subject property from RU6 – Two Dwelling Housing zone to RM1 – Four Dwelling Housing zone to facilitate the development of a fourplex dwelling.

RU6  RM1

Development Process



April 16, 2020

Development Application Submitted



Staff Review & Circulation



June 10, 2020

Public Notification Received



 **November 16, 2020**

Initial Consideration



Public Hearing
Second & Third Readings



Final Reading
DP & DVP Applications

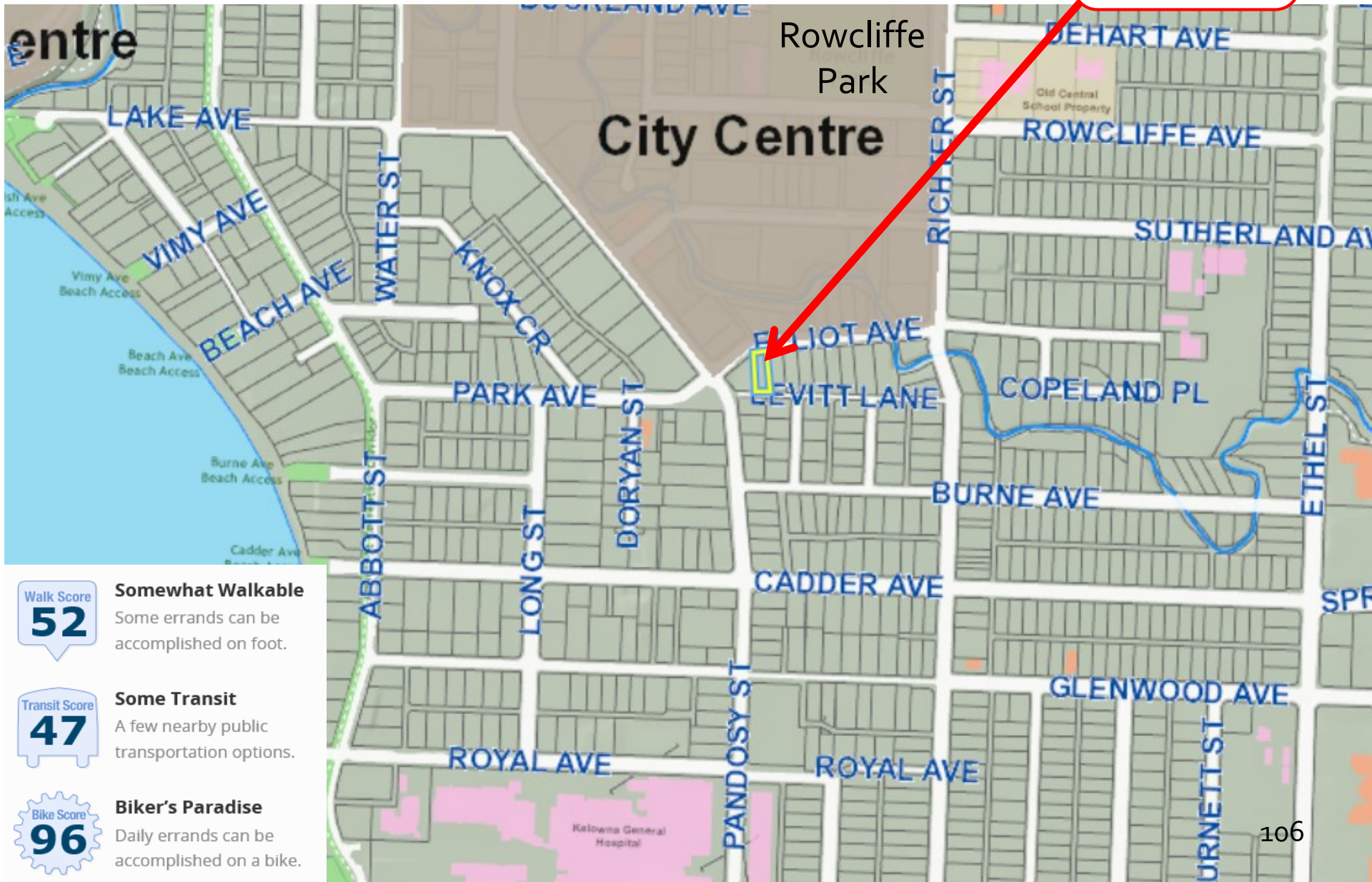


Building Permit

} Council Approvals

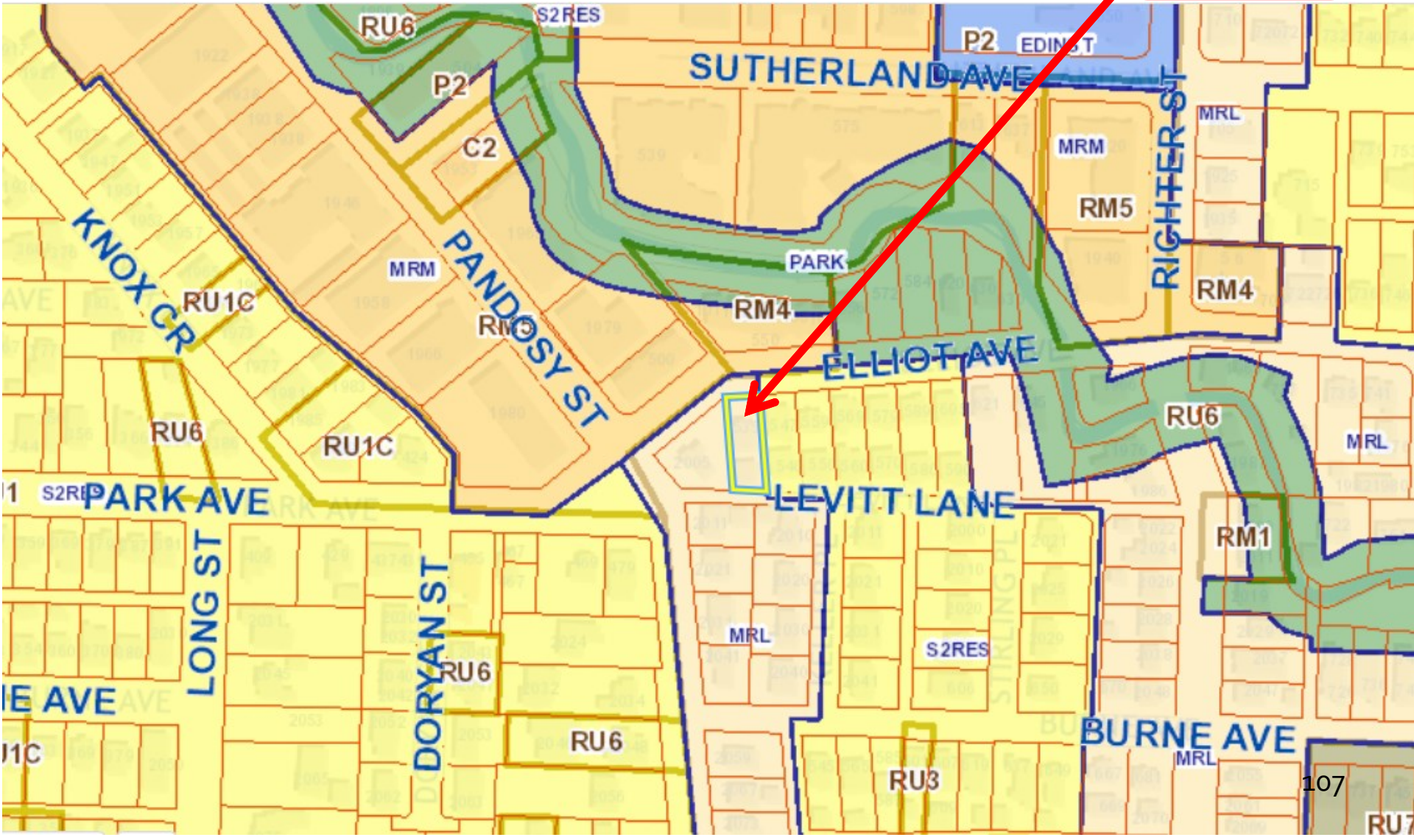
Context Map

Subject
Property



Zoning and OCP Future Land Use

Subject
Property



Subject Property Map



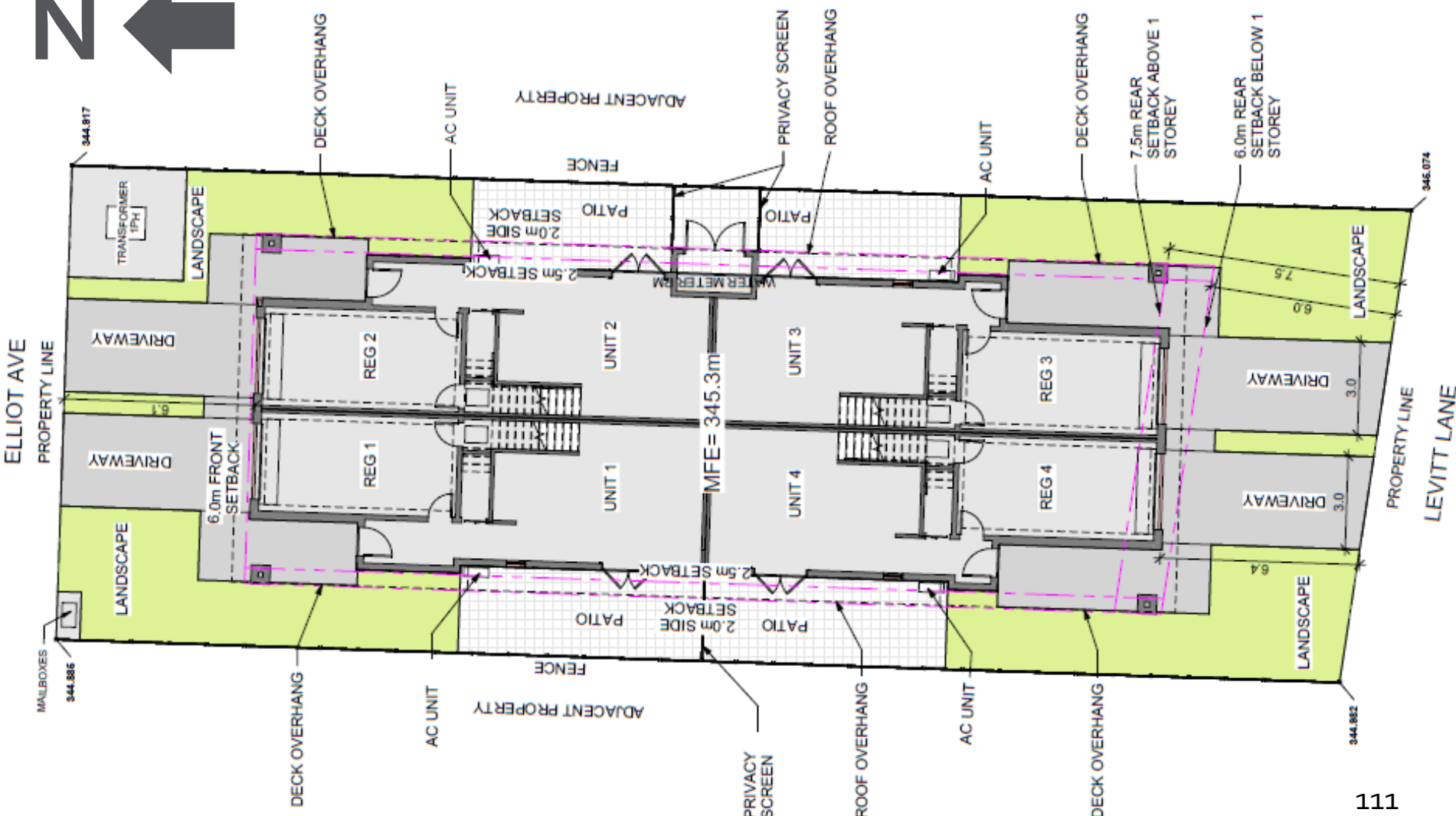
Subject Property Photo – Elliot Ave



Subject Property Photo – Levitt Lane



Conceptual Site Plan



Development Policy

- ▶ Meets the intent of Official Community Plan Urban Infill Policies:
 - ▶ Within Permanent Growth Boundary
 - ▶ Compact Urban Form
 - ▶ Sensitive Infill
 - ▶ Healthy Communities

Staff Recommendation

- ▶ Staff recommend **support** for the proposed rezoning to facilitate the development of a fourplex dwelling.
- ▶ 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

N ←





535 ELLIOT AVENUE

4 - Plex Infill Housing — RM1 Zone

CITY OF KELOWNA

BYLAW NO. 12121

Z20-0033 - 525 Elliot 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 2 Block 19 District Lot 14 ODYD Plan 830 located at Elliot Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM1 – Four Dwelling 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 16th day of November, 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