City of Kelowna
Public Hearing
AGENDA

Tuesday, February 2, 2021

6:00 pm

Council Chamber

City Hall, 1435 Water Street

Pages

1. Due to COVID-19 a Public Hearing Agenda will also include Regular Meeting Items

2. Call to Order the Public Hearing - START TIME 6:00 PM - Lakeshore Rd 5064 - LUCT18-0013 (BL11939) Z18-0092 (BL11963) - Mark Fipke

THE CHAIR WILL CALL THE HEARING TO ORDER:

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.

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

3. Individual Bylaw Submissions

3.1. START TIME 6:00 PM - Lakeshore Rd 5064 - LUCT18-0013 (BL11939) Z18-0092 (BL11963) - Mark Fipke 16 - 28

To consider an application to proceed with the early termination of LUC77-1012 and

rezone the subject property.

4. **Termination**

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

6. **Bylaws Considered at Public Hearing**

6.1. **START TIME 6:00 PM - Lakeshore Rd 5064 - BL11939 (LUCT18-0013) - Mark Fipke** 29 - 29

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

To give Bylaw No. 11939 second and third reading and be adopted in order to terminate LUC77-1012.

6.2. **START TIME 6:00 PM - Lakeshore Rd 5064 - BL11963 (Z18-0092) - Mark Fipke** 30 - 30

To give Bylaw No. 11963 second and third reading and be adopted in order to rezone the subject property from the A1 - Agriculture 1 zone to the RR2 - Rural Residential 2 zone.

7. **Termination**

8. **Call to Order the Public Hearing - START TIME 6:00 PM - HWY 97 N - LUCT20-0003 (BL12069) Z20-0062 (BL12070) - Hofa Transport Group Ltd. Inc. No. BC1096204**

THE CHAIR WILL CALL THE HEARING TO ORDER:

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9. **Individual Bylaw Submissions**

9.1. START TIME 6:00 PM - Hwy 97 N 2890 - LUCT20-0003 (BL12069) Z20-0062 (BL12070) - Hofa Transport Group Ltd. Inc.No. BC1096204 31 - 44

To consider an application to proceed with the early termination of Land Use Contract LUC76-1 and rezone the subject property.

10. Termination

11. Call to Order the Regular Meeting

12. Bylaws Considered at Public Hearing

12.1. START TIME 6:00 PM - Hwy 97 N 2890 - BL12069 (LUCT20-0003) - Hofa Transport Group Ltd. Inc.No. BC1096204 45 - 45

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

To give Bylaw No. 12069 second and third reading in order to terminate LUC76-1.

12.2. START TIME 6:00 PM - Hwy 97 N 2890 - BL12070 (Z20-0062) - Hofa Transport Group Ltd. Inc.No. BC1096204 46 - 46

To give Bylaw No. 12070 second and third reading in order to rezone the subject property from the A1 - Agriculture 1 zone to the I2 - General Industrial zone.

13. Termination

14. Call to Order the Public Hearing - START TIME 6:00 PM - Adams Rd 251 - LUCT20-0004 (BL12071) Z20-0063 (BL12072) - Heartwood Investments Ltd. Inc.No. 352195

THE CHAIR WILL CALL THE HEARING TO ORDER:

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15. Individual Bylaw Submissions

15.1. START TIME 6:00 PM - Adams Rd 251 - LUCT20-0004 (BL12071) Z20-0063 (BL12072) - Heartwood Investments Ltd. Inc.No. 352195 47 - 60

To consider an application to proceed with the early termination of Land Use Contract LUC77-1047 and rezone the subject property.

16. Termination

17. Call to Order the Regular Meeting

18. Bylaws Considered at Public Hearing

18.1. START TIME 6:00 PM - Adams Rd 251 - BL12071 (LUCT20-004) - Heartwood Investments Ltd Inc No 352195 61 - 61

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

To give Bylaw No. 12071 second and third reading in order to terminate LUC77-1047.

18.2. START TIME 6:00 PM - Adams Rd 251 - BL12072 (Z20-0063) - Heartwood Investments Ltd Inc No 352195 62 - 62

To give Bylaw No. 12072 second and third reading in order to rezone the subject property from the A1 – Agriculture 1 zone to the I2 – General Industrial zone.

19. Termination

20. Call to Order the Public Hearing - START TIME 6:00 PM - Sutherland Ave 1511 - LUCT20-0005 (BL12073) Z20-0064 (BL12074) - Sapphire Construction Ltd., Inc. No. 84820

THE CHAIR WILL CALL THE HEARING TO ORDER:

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21. Individual Bylaw Submissions

21.1. START TIME 6:00 PM - Sutherland Ave 1511 - LUCT20-0005 (BL12073) Z20-0064 (BL12074) - Sapphire Construction Ltd., Inc. No. 84820 63 - 76

To consider an application to proceed with the early termination of Land Use Contract LUC77-1061 and rezone the subject property.

22. Termination

23. Call to Order the Regular Meeting

24. Bylaws Considered at Public Hearing

24.1. START TIME 6:00PM - Sutherland Ave 1511 - BL12073 (LUCT20-0005) - Sapphire Construction Ltd., Inc. No. 84820 77 - 77

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

To give Bylaw No. 12073 second and third reading in order to terminate LUC77-1061.

24.2. START TIME 6:00 PM - Sutherland Ave 1511 - BL12074 (Z20-0064) - Sapphire Construction Ltd., Inc. No. 84820 78 - 78

To give Bylaw No. 12074 second and third reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the C3 – Community Commercial zone.

25. Termination

26. Call to Order the Public Hearing - START TIME 6:00 PM - Sutherland Ave 1521 - LUCT20-0006 (BL12075) Z20-0065 (BL12076) - Price's Alarm Systems Ltd. Inc.No. BC0929068

THE CHAIR WILL CALL THE HEARING TO ORDER:

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27. Individual Bylaw Submissions

27.1. START TIME 6:00 PM - Sutherland Ave 1521 - LUCT20-0006 (BL12075) Z20-0065 (BL12076) - Price's Alarm Systems Ltd. Inc.No. BC0929068 79 - 92

To consider an application to proceed with the early termination of Land Use Contract LUC78-1004 and rezone the subject property.

28. Termination

29. Call to Order the Regular Meeting

30. Bylaws Considered at Public Hearing

30.1. START TIME 6:00 PM - Sutherland Ave 1521 - BL12075 (LUCT20-0006) - Price's Alarm Systems Ltd. Inc. No. BC0929068 93 - 93

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

To give Bylaw No. 12075 second and third reading in order to terminate LUC78-1004.

30.2. START TIME 6:00 PM - Sutherland Ave 1521 - BL12076 (Z20-0065) - Price's Alarm Systems Ltd. Inc. No. BC0929068 94 - 94

To give Bylaw No. 12076 second and third reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the C3 – Community Commercial zone.

31. Termination

32. Call to Order the Public Hearing - START TIME 6:00 PM - Lakeshore Rd 3969 - LUCT20-0007 (BL12094) Z20-0068 (BL12095) - Steven Carl Wilson and Piblet Enterprises Ltd

THE CHAIR WILL CALL THE HEARING TO ORDER:

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33. Individual Bylaw Submission

33.1. START TIME 6:00 PM - Lakeshore Rd 3969 - LUCT20-0007 (BL12094) Z20-0068 (BL12095) - Steven Carl Wilson and Piblet Enterprises Ltd 95 - 108

To consider an application to proceed with the early termination of Land Use Contract LUC77-1005 and rezone the subject property.

34. Termination

35. Call to Order the Regular Meeting

36. Bylaws Considered at Public Hearing

36.1. START TIME 6:00 PM - Lakeshore Rd 3969 - BL12094 (LUCT20-0007) Z20-0068 - Steven Carl Wilson and Piblet Enterprises Ltd 109 - 109

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

To give Bylaw No. 12094 second and third reading and be adopted in order to terminate LUC77-1005.

36.2. START TIME 6:00 PM - Lakeshore Rd 3969 - BL12095 (Z20-0068) - Steven Carl Wilson and Piblet Enterprises Ltd 110 - 110

To give Bylaw No. 12095 second and third reading and be adopted in order to rezone the subject property from the C1 – Local Commercial zone to the C2 – Neighbourhood Commercial zone.

37. Termination

38. Call to Order the Public Hearing - START TIME 6:00 PM - Leathead Rd 460 and Fraser Rd 605 -

OCP20-0013 (BL12129) Z20-0066 (BL12130) - Brenda Lou Marie Gibson, 1032308 Alberta Ltd

THE CHAIR WILL CALL THE HEARING TO ORDER:

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39. Individual Bylaw Submission

39.1. START TIME 6:00 PM - Leathead Rd 460 and Fraser Rd 605 - OCP20-0013 (BL12129) Z20-0066 (BL12130) - Brenda Lou Marie Gibson, 1032308 Alberta Ltd 111 - 148

To rezone and to amend the Official Community Plan to change the future land use designation of the subject property to facilitate a multiple dwelling housing development.

40. Termination

41. Call to Order the Regular Meeting

42. Bylaws Considered at Public Hearing

42.1. START TIME 6:00 PM - Leathead Rd 460 and Fraser Rd 605 - BL12129 (OCP20-0013) - Brenda Lou Marie Gibson, 1032308 Alberta Ltd 149 - 149

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

To give Bylaw No. 12129 second and third reading in order to change the future land use designation of the subject properties from the S2RES - Single / Two Unit Residential designation to the MRL - Multiple Unit Residential (Low Density) designation.

42.2. **START TIME 6:00 PM - Leathead Rd 460 and Fraser Rd 605 - BL12130 (Z20-0066) - Brenda Lou Marie Gibson, 1032308 Alberta Ltd** 150 - 150

To give Bylaw No. 12130 second and third reading in order to rezone the subject properties from the RU1 - Large Lot Housing zone to the RM3 - Low Density Multiple Housing zone.

43. **Termination**

44. **Call to Order the Public Hearing - START TIME 6:20 PM - TA20-0021 (BL12150) - HD3 - Health Services Transitional Zone - City of Kelowna**

THE CHAIR WILL CALL THE HEARING TO ORDER:

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45. **Individual Bylaw Submission**

45.1. **START TIME 6:20 PM - TA20-0021 (BL12150) - HD3 - Health Services Transitional Zone - City of Kelowna** 151 - 166

To consider a Text Amendment Application to the HD3 - Health Services Transitional Zone to add multiple dwelling housing as a primary use.

46. **Termination**

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

48. **Bylaws Considered at Public Hearing**

48.1. START TIME 6:20 PM - BL12150 (TA20-0021) - HD3 - Health Services Transitional Zone - City of Kelowna 167 - 167

To give Bylaw No. 12150 second and third reading and be adopted in order to amend the HD3 - Health Services Transitional Zone to add multiple dwelling housing as a primary use.

49. Termination

50. Call to Order the Public Hearing - START TIME 6:20 PM - Royal Ave 480 - Z20-0059 (BL12142) - W Squared Ventures Inc., Inc.No. BC1258050

THE CHAIR WILL CALL THE HEARING TO ORDER:

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51. Individual Bylaw Submission

51.1. START TIME 6:20 PM - Royal Ave 480 - Z20-0059 (BL12142) - W Squared Ventures Inc., Inc.No. BC1258050 168 - 190

To consider an application to rezone the subject property from the RU1- Large Lot Housing to the HD3 - Health Services Transitional to facilitate the development of a mixed-use building.

52. Termination

53. Call to Order the Regular Meeting

54. Bylaws Considered at Public Hearing

54.1. START TIME 6:20 PM - Royal Ave 480 - BL12142 (Z20-0059) - W Squared Ventures Inc., Inc.No. BC1258050 191 - 191

To give Bylaw No. 12142 second and third reading in order to rezone the subject property from the RU1- Large Lot Housing zone to the HD3 - Health Services Transitional zone.

55. Termination

56. Call to Order the Public Hearing - START TIME 7:20 PM - Benvoulin Rd 2269-2279 - HD20-0002 (BL12143) - Central Okanagan Heritage Society, Inc. No. 17518S

THE CHAIR WILL CALL THE HEARING TO ORDER:

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57. Individual Bylaw Submission

57.1. START TIME 7:20 PM - Benvoulin Rd 2269-2279 - HD20-0002 (BL12143) - Central Okanagan Heritage Society, Inc. No. 17518S 192 - 260

To designate 2269-2279 Benvoulin Road as a municipal heritage site under Section 611 of the Local Government Act.

58. Termination

59. Call to Order the Regular Meeting

60. Bylaws Considered at Public Hearing

60.1. START TIME 7:20 PM - Benvoulin Rd 2269-2279 - BL12143 (HD20-0002) - Central Okanagan Heritage Society, Inc. No. 17518S 261 - 262

To give Bylaw No. 12143 second and third reading in order to designate 2269-2279 Benvoulin Road as a municipal heritage site.

61. Termination

62. Call to Order the Public Hearing - START TIME 7:20 PM - Text Amendment No. TA20-0023 (BL12144) - City of Kelowna

THE CHAIR WILL CALL THE HEARING TO ORDER:

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63. Individual Bylaw Submission

63.1. START TIME 7:20 PM - Text Amendment No. TA20-0023 (BL12144) - City of Kelowna 263 - 285

To amend Zoning Bylaw No. 8000 by amending general fencing height regulations, adding Multiple Dwelling Housing use to C9 and home-base business use to C9 and CD-22, amending tall building urban design regulations in C4, C7 and C9, and to correct inconsistencies.

64. Termination

65. Call to Order the Regular Meeting

66. Bylaws Considered at Public Hearing

66.1. START TIME 7:20 PM - BL12144 (TA20-0023) - City of Kelowna 286 - 289

To give Bylaw No. 12144 second and third reading in order to amend Sections 7,8,11,14,16 and 18 of Zoning Bylaw No. 8000.

67. Termination

68. Call to Order the Public Hearing - START TIME 7:20 PM - Springfield Rd 1585, TA20-0025 (BL12145) - Springfield Plaza Inc., Inc. No. BC0479374

THE CHAIR WILL CALL THE HEARING TO ORDER:

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69. Individual Bylaw Submission

69.1. START TIME 7:20 PM - Springfield Rd 1585, TA20-0025 (BL12145) - Springfield Plaza Inc., Inc. No. BC0479374 290 - 313

To amend the Zoning Bylaw by changing the Development Regulations in the CD16 – Bingo and Gaming zone for two proposed minor building additions and replacing the CD16 – Bingo and Gaming Site Plan to reflect these changes.

70. Termination

71. Call to Order the Regular Meeting

72. Bylaws Considered at Public Hearing

72.1. START TIME 7:20 PM - Springfield Rd 1585, BL12145 (TA20-0025) - Springfield Plaza 314 - 316

Inc., Inc. No. BC0479374

To give Bylaw No. 12145 second and third reading in order to amend the CD16 Comprehensive Development zone.

73. Termination

74. Call to Order the Public Hearing - START TIME 7:20 PM - (W OF) Hwy 97 N - OCP19-0006 (BL12151) and Z19-0108 (BL12152) - 1207431 B.C. Ltd., Inc. No. BC1207431

THE CHAIR WILL CALL THE HEARING TO ORDER:

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75. Individual Bylaw Submission

75.1. START TIME 7:20 PM - (W OF) Hwy 97 N - OCP19-0006 (BL12151) and Z19-0108 (BL12152) - 1207431 B.C. Ltd., Inc. No. BC1207431 317 - 357

To amend the Official Community Plan designation from the PARK – Major Park/Open Space (public) and S2RES – Single/Two Unit Residential designations to the IND – Industrial designation and rezone a portion of the subject property from the A1 – Agriculture 1 zone to the I1 – Business Industrial zone to accommodate future industrial development.

76. Termination

77. Call to Order the Regular Meeting

78. Bylaws Considered at Public Hearing

78.1. START TIME 7:20 PM - (W OF) Hwy 97 N - BL12151 (OCP19-0006) - 1207431 B.C. Ltd., Inc. No. BC1207431 358 - 359

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

To give Bylaw No. 12151 second and third reading in order to amend the Official Community Plan designation from the PARK – Major Park/Open Space (public) and S2RES – Single/Two Unit Residential designations to the IND – Industrial designation.

78.2. START TIME 7:20 PM - (W OF) Hwy 97 N - BL12152 (Z19-0108) - 1207431 B.C. Ltd., Inc. No. BC1207431 360 - 361

To give Bylaw No. 12152 second and third reading in order to rezone a portion of the subject property from the A1 – Agriculture 1 zone to the I1 – Business Industrial zone.

79. Termination

80. 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:	January 11, 2021		
To:	Council		
From:	City Manager		
Department:	Development Planning Department		
Application:	LUCT18-0013/Z18-0092	**Owner:**	Mark Fipke
Address:	5064 Lakeshore Road	**Applicant:**	The City of Kelowna
Subject:	Land Use Contract Termination and Rezoning Application		
Existing OCP Designation:	S2RES – Single/Two Unit Residential		
Existing Zone:	A1 – Agriculture 1		
Proposed Zone:	RR2 – Rural Residential 2		

1.0 Recommendation

THAT Land Use Contract Termination Application No. LUCT18-0013 to terminate LUC77-1012 from Lot A Section 23 Township 28 SDYD Plan 30063, located at 5064 Lakeshore Road, Kelowna, B.C. be considered by Council;

AND THAT Rezoning Application No. Z18-0092 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 23 Township 28 SDYD Plan 30063, located at 5064 Lakeshore Road, Kelowna, B.C. from the A1 – Agriculture 1 to the RR2 – Rural Residential 2 zone be considered by Council;

AND THAT Council waive the development sign requirement under Public Notification & Consultation for Development Applications No. 367 for Rezoning Bylaw No. 11939;

AND FURTHER THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

2.0 Purpose

To consider an application to proceed with the early termination of Land Use Contract 77-1012 and rezone the subject property.

3.0 Development Planning

Staff are recommending the Land Use Contract (LUC 77-1012) be terminated and for the subject property to be rezoned. The underlying zone is A1 – Agriculture 1 and is not appropriate for the current land use. The current use is a single-family home, which is permitted in the Land Use Contract. The Zoning Bylaw has since been updated and obtains different uses, requirements and zonings. The RR2 – Rural Residential 2 zone is the most appropriate zone to match the use and it matches the surrounding neighbourhood. Therefore, Staff are proposing to adopt the RR2 – Rural Residential 2 zone to the subject property. This zone is in accordance with the Official Community Plan.

4.0 Proposal

4.1 Background

Land Use Contracts were a tool regularly used in the 1970's before it was eliminated on November 15th, 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

Issues have arisen, specifically with the continued application of land use contracts as they supersede any subsequent bylaw dealing with land use and development including: Zoning Bylaws, Development Cost Charge Bylaws, and Development Permits. The Local Government Act was amended in 2014 stating all land use contracts in the province will be terminated as of June 30th, 2024. Land use contracts will remain in force until that date unless terminated early by the municipality. By June 20th, 2022, local governments must have appropriate zoning regulations in place to replace land use contracts upon their termination. However, LUC terminations (unlike LUC discharges) do not apply when Council adopts the bylaw. Terminations require a one-year grace period as outlined by the Local Government Act.

4.2 Notification

Local governments must provide notice to each owner that the termination of land use contract is occurring and must provide notice of what the new zoning regulations apply to the land. The municipality must also send an additional letter within 30 days of adoption, informing the owners and providing information about the Board of Variance. Staff are recommending Council Notification Policy #367 development signage requirements be waived for this Rezoning application. A development sign, in this case, is not recommended as the proposed zoning does not afford notable additional uses.

4.3 Site Context

The subject property has a total area of 5,018m² and is located on Lakeshore Road. The property is designated S2RES – Single/Two Unit Residential in the Official Community Plan and the surrounding area is rural residential.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	W1 – Recreational Water Use	Okanagan Lake
East	RR2 – Rural Residential 2	Single-Family Dwelling
South	RR3 – Rural Residential 3	Single-Family Dwelling
West	RR2 – Rural Residential 2	Single-Family Dwelling

Subject Property Map: 5064 Lakeshore Road

5.0 Current Development Policies

<u>Council Policy No. 282 – Strategy for Elimination of Remaining Land Use Contracts</u>

Council Policy No. 282. Includes the following statement:

That the City of Kelowna initiate proceedings to discharge the contracts subject to consultation with affected owners of the land and subject to prior approval by Council with regard to affected contracts.

<u>Kelowna Official Community Plan (OCP)</u>

Chapter 4: Future Land Use

Single/Two Unit Residential (S2RES): Single detached homes for occupancy by one family, single detached homes with a secondary suite or carriage house, semi-detached buildings used for two dwelling units, modular homes, bareland strata, and those complementary uses (i.e. minor care centres, minor public services/utilities, convenience facility and neighbourhood parks), which are integral components of urban neighbourhoods. Suitability of non-residential developments within the neighbourhood environment will be determined on a site-specific basis. Non-residential developments causing increases in traffic, parking demands or noise in excess of what would typically be experienced in a low-density neighbourhood would not be considered suitable.

6.0 Application Chronology

Date of Application Received: August 20th, 2018
Date Public Consultation Completed: November 19th, 2020

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

LUCT18-0012/Z18-0092

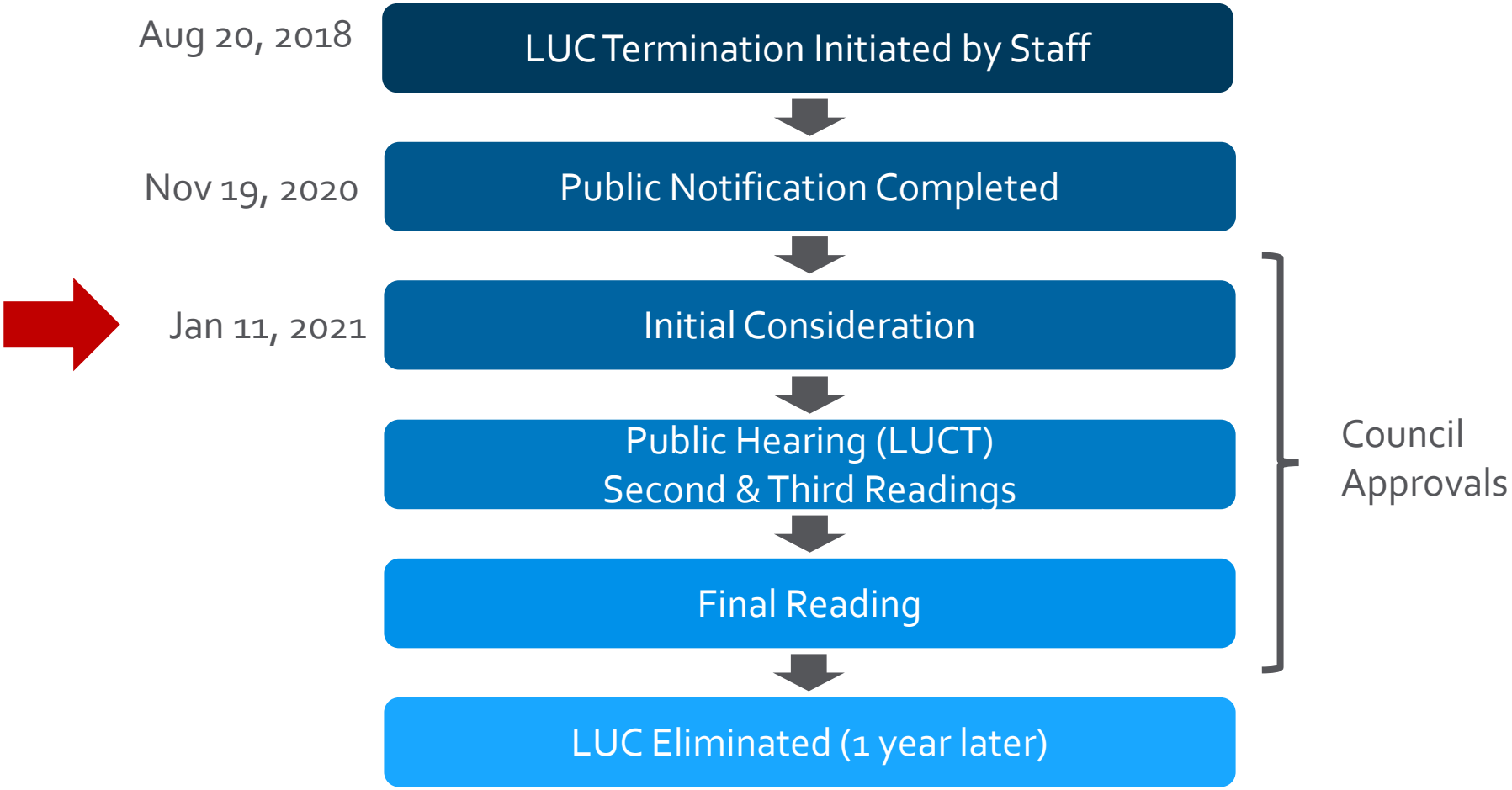
5064 Lakeshore Road

Land Use Contract Termination and Rezoning Application

Proposal

- To terminate the Land Use Contract (LUC77-1012) and to rezone the property from A1 – Agriculture 1 to RR2 – Rural Residential 2

Development Process



Context Map

BRAELOCH RD
BRAELOCH RD N
UPLANDS DR
LAKESHORE RD
VIEWCREST RD
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396
398
387
391
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OCP Future Land Use

Background

- Land Use Contracts: 1970's tool
- Allow local governments to grant development rights above and beyond current zoning
- Exchange for commitments from developers to help infrastructure costs
- BC Government requires all contracts to be discharged and/or terminated by 2024 and the appropriate zoning in place by 2022.

Project Details

- Staff initiated the termination of LUC77-1012.
- Staff are proposing to adopt the RR2 – Rural Residential 2 zone, which allows for the existing use.
- If successful, all properties will get full use of current RR2 zone, one year after termination date.

Public Notification Policy #367

City of Kelowna

- Staff sent a letter of Proposed Termination of Land Use Contract to the property owner in the LUC area.
  - Sent on November 19th, 2020
- One-year grace period from Council consideration before full uses of RR2 – Rural Residential 2 zone (as per Zoning Bylaw no. 8000).

Staff Recommendation

- Development Planning Staff recommend **support** for the proposed land use contract termination:
  - The proposed zone RR2 is appropriate for the area.
  - Province of BC requires all LUC's to be discharged/terminated.

Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 11939

LUCT18-0013
Early Termination of Land Use Contract LUC77-1012
5064 Lakeshore Road

WHEREAS a land use contract (the "Land Use Contract LUC77-1012") is registered at the Kamloops Land Title Office under the charge number N43260 against lands in the City of Kelowna particularly known and described as Lot A, Section 23, Township 28, SDYD, Plan 30063 (the "Lands"), located at Lakeshore Road, Kelowna, B.C.;

AND WHEREAS Section 548 of the *Local Government Act* provides that a local government may impose an early termination to land use contracts registered in a Land Title Office that applies to land within the jurisdiction of the local government;

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

1. This Bylaw may be cited for all purposes as "Early Termination of Land Use Contract LUCT18-0013 Bylaw No. 11939";

2. Land Use Contract Bylaw No. 4602-78 establishing Land Use Contract LUC77-1012 and all amendments thereto, are hereby repealed and the Land Use Contract is terminated as of the date of adoption; and

3. This bylaw will come into force and effect one year after the adoption date.

Read a first time by the Municipal Council this 11th day of January, 2021.

Considered at a Public Hearing this

Read a second and third time by Municipal Council on the

Adopted by the Municipal Council this

_____
Mayor

_____
City Clerk

CITY OF KELOWNA

BYLAW NO. 11963
Z18-0092 –5064 Lakeshore Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A Section 23 Township 28 SDYD Plan 30063 located on Lakeshore Road, Kelowna, B.C., from the A1 – Agriculutre 1 zone to the RR2 – Rural Residential 2 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 11th day of January, 2021.

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:	January 11, 2020		
To:	Council		
From:	City Manager		
Department:	Development Planning Department		
Application:	Z20-0062 / LUCT20-0003	**Owner:**	Hofa Transport Group Ltd., Inc.No. BC1096204
Address:	2890 Hwy 97 N	**Applicant:**	The City of Kelowna
Subject:	Land Use Contract Termination and Rezoning Application		
Existing OCP Designation:	IND – Industrial		
Existing Zone:	A1 – Agriculture 1		
Proposed Zone:	I2 – General Industrial		

1.0 Recommendation

THAT Land Use Contract Termination Application No. LUCT20-0003 to terminate LUC76-1 from Lot A Section 34 Township 26 ODYD Plan 30847, located at 2890 Hwy 97 N, Kelowna, B.C. be considered by Council;

AND THAT Rezoning Application No. Z20-0062 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 34 Township 26 ODYD Plan 30847, located at 2890 Hwy 97 N, Kelowna, B.C. from the A1 – Agriculture 1 zone to the I2 – General Industrial zone be considered by Council;

AND THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT the notice sign requirements under Council Policy No. 367 be altered to allow for placement on the City of Kelowna's boulevard;

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

2.0 Purpose

To consider an application to rezone the subject property and proceed with the early termination of Land Use Contract LUC76-1.

3.0 Development Planning

Staff are recommending the Land Use Contract (LUC76-1) be terminated and for the subject property to be rezoned. The underlying zone is A1 – Agriculture 1 and is not appropriate for the current land use. The current use is minor recreational vehicle sales and contractor services. These uses are currently permitted in the Land Use Contract, under the former Zoning Bylaw 4500's C7 – Service Commercial zone. The Zoning Bylaw has since been updated and obtains different uses, requirements and zonings. The I2 – General Industrial zone is the most appropriate to match the use, as it allows for both existing uses, it matches the surrounding area and it meets the Future Land Use Designation of IND – Industrial. Therefore, Staff are proposing to adopt the I2 – General Industrial zone to the subject property.

The existing Land Use Contract (LUC) affects one property at 2890 Hwy 97 N, and currently restricts the uses to Bylaw 4500's C7 – Service Commercial zone. The Land Use Contract uses and regulations largely fit within the I2 – General Industrial zone.

4.0 Proposal

4.1 Background

Land Use Contracts were a tool regularly used in the 1970's before it was eliminated on November 15th, 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

Issues have arisen, specifically with the continued application of land use contracts as they supersede any subsequent bylaw dealing with land use and development including: Zoning Bylaws, Development Cost Charge Bylaws, and Development Permits. The Local Government Act was amended in 2014 stating all land use contracts in the province will be terminated as of June 30th, 2024. Land use contracts will remain in force until that date unless terminated early by the municipality. By June 20th, 2022, local governments must have appropriate zoning regulations in place to replace land use contracts upon their termination. However, LUC terminations (unlike LUC discharges) do not apply when Council adopts the bylaw. Terminations require a one-year grace period as outlined by the Local Government Act.

4.2 Notification

Local governments must provide notice to each owner that the termination of land use contract is occurring and must provide notice of what the new zoning regulations apply to the land. The municipality must also send an additional letter within 30 days of adoption, informing the owners and providing information about the Board of Variance. Due to the file being Staff initiated, Staff suggest Council Policy #367 development signage requirements be altered to allow for the development signs to be placed on the City of Kelowna's boulevard, rather than on the subject property.

4.3 Site Context

The subject property has a total area of 2,711m^2 and is located on 2890 Hwy 97 N. The property has been designated IND – Industrial in the Official Community Plan and the surrounding area is a mix of SC – Service Commercial, IND – Industrial and COMM – Commercial.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C9 – Tourist Commercial	Amusement arcade and establishment
East	A1 – Agriculture 1 (Under LUC77-1004) / TC – Transit Corridor	General industrial uses
South	C10 – Service Commercial	Vacant
West	C10 – Service Commercial	Automotive and minor recreation vehicle sales/rentals

Subject Property Map: 2890 Hwy 97 N

5.0 Current Development Policies

5.1 Council Policy No. 282 – Strategy for Elimination of Remaining Land Use Contracts

Council Policy No. 282. Includes the following statement:

That the City of Kelowna initiate proceedings to discharge the contracts subject to consultation with affected owners of the land and subject to prior approval by Council with regard to affected contracts.

5.2 Kelowna Official Community Plan (OCP)

Chapter 4: Future Land Use

Industrial (IND): Light and heavy industrial uses as well as Industrial/Business activities and airport related industrial uses. Industrial/business refers to uses that provide services and support to industrial and business customers. This designation may also include CD Comprehensive Development zoning that provides for industrial uses.

6.0 Application Chronology

Date of Application Received: August 12th, 2020
Date Public Consultation Completed: October 1st, 2020

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

LUCT20-0003 / Z20-0062

2890 Hwy 97 N

Land Use Contract Termination and Rezoning Application

Proposal

- To terminate the Land Use Contract (LUC76-1) and to rezone the subject properties from A1 – Agriculture 1 zone to I2 – General Industrial zone.

Development Process

City of Kelowna

Aug 12, 2020 — LUC Termination Initiated by Staff

Oct 1, 2020 — Public Notification Completed

Jan 11, 2021 — Initial Consideration

Public Hearing
Second & Third Readings

Final Reading

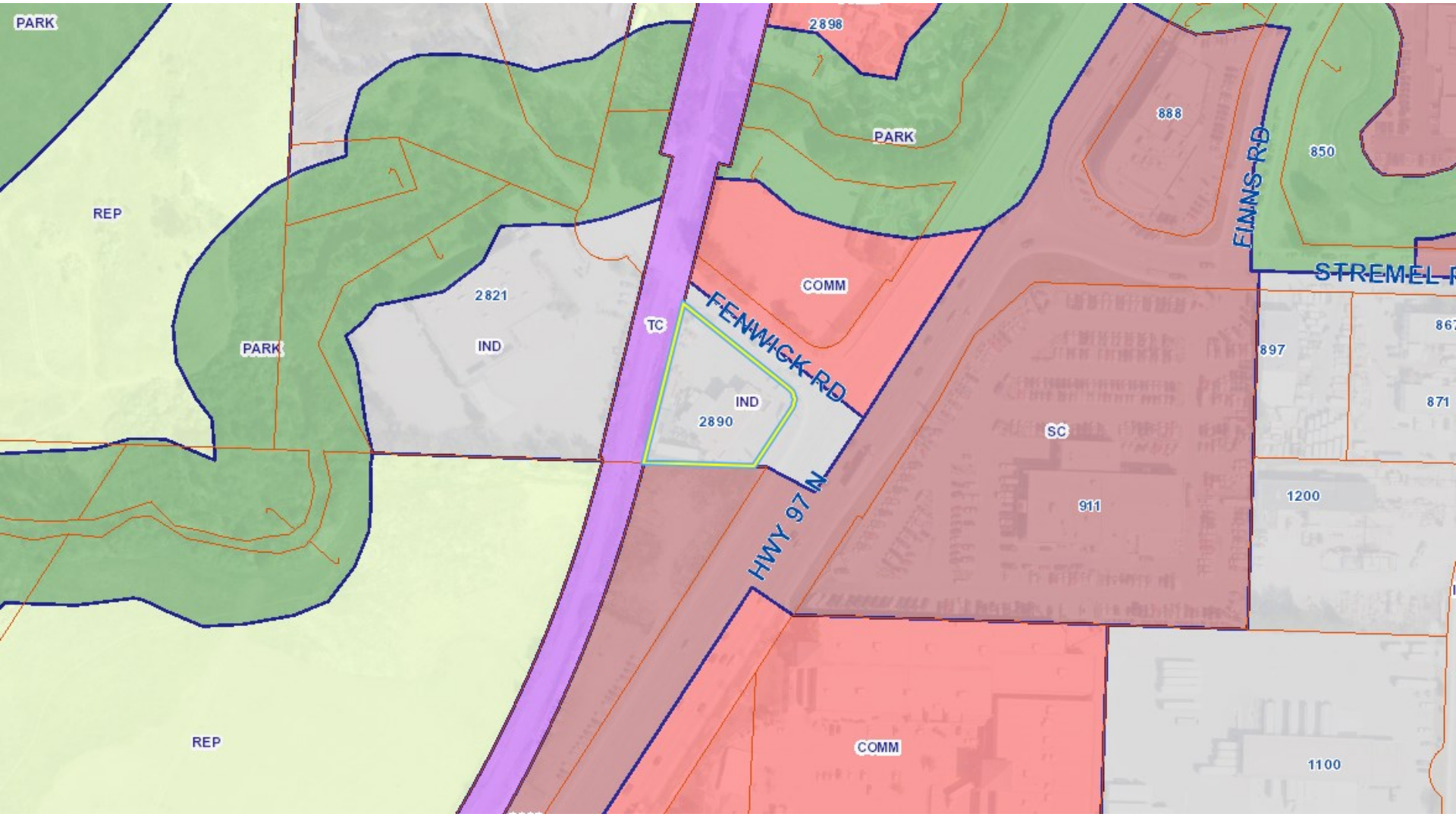
LUC Eliminated (1 year later)

Council Approvals

Context Map

2898
888
850
FINNS RD
STREME
2821
FENWICK RD
2890
897
911
1200
HWY 97 N

OCP Future Land Use



Background

- Land Use Contracts: 1970's tool
- Allow local governments to grant development rights above and beyond current zoning
- Exchange for commitments from developers to help infrastructure costs
- BC Government requires all contracts to be discharged and/or terminated by 2024 and the appropriate zoning in place by 2022.
- If an applicant initiates a discharge – Staff initiate a termination

Project Details

- Staff initiated termination of LUC76-1 for the subject property.
- The LUC allows them to operate a recreational vehicle sales business and all uses within C7 – Service Commercial in Zoning Bylaw no. 4500.
- Staff are proposing to adopt I2 – General Industrial, which allows for all existing uses and meets the Future Land Use.

Public Notification Policy #367

City of Kelowna

- Staff sent a letter of Proposed Termination of Land Use Contract to both property owners.
  - Sent on Oct 1st, 2020
- One-year grace period from Council consideration before the rezoning comes into effect.

Staff Recommendation

- Development Planning Staff recommend **support** for the proposed rezoning and land use contract termination:
  - I2 zone is appropriate to support existing use.
  - Province of BC requires all LUC's to be discharged/terminated.

Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12069

LUCT20-0003

Early Termination of Land Use Contract – LUC76-1
2890 Highway 97 North

WHEREAS a land use contract (the "Land Use Contract LUC76-1) is registered at the Kamloops Land Title Office under the charge number M11971 against land in the City of Kelowna particularly known and described as Lot A Section 34 Township 26 ODYD Plan 30847 (the "Land"), located on Highway 97 North, Kelowna, B.C.;

AND WHEREAS Section 548 of the *Local Government Act* provides that a local government may impose an early termination to land use contracts registered in a Land Title Office that applies to land within the jurisdiction of the local government;

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

1. This Bylaw may be cited for all purposes as "Early Termination of Land Use Contract Bylaw No. 12069";

2. Land Use Contract Bylaw No. 4131 establishing Land Use Contract LUC76-1 and all amendments thereto, are hereby repealed and the Land Use Contract is terminated as of the date of adoption; and

3. This bylaw will come into force and effect one year after the adoption date.

Read a first time by the Municipal Council this 11th day of January, 2021.

Considered at a Public Hearing this

Read a second and third time by Municipal Council this

Adopted by the Municipal Council this

_____
Mayor

_____
City Clerk

CITY OF KELOWNA

BYLAW NO. 12070
Z20-0062
2890 Highway 97 North

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A Section 34 Township 26 ODYD Plan 30847 located at Highway 97 North, Kelowna, BC from the A1 – Agriculture 1 zone to the I2 – General Industrial 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 11th day of January, 2021.

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:	January 11th, 2021		
To:	Council		
From:	City Manager		
Department:	Development Planning		
Application:	Z20-0063 / LUCT20-0004	**Owner:**	Heartwood Investments Ltd., Inc.No. 352195
Address:	251 Adams Rd	**Applicant:**	The City of Kelowna
Subject:	Rezoning Application and Land Use Contract Termination		
Existing OCP Designation:	IND – Industrial		
Existing Zone:	A1 – Agriculture 1		
Proposed Zone:	I2 – General Industrial		

1.0 Recommendation

THAT Land Use Contract Termination Application No. LUCT20-0004 to terminate LUC77-1047 from Lot A Section 2 Township 23 ODYD Plan 33555 Except Plan EPP52727, located at 251 Adams Road, Kelowna, B.C. be considered by Council;

AND THAT Rezoning Application No. Z20-0063 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 2 Township 23 ODYD Plan 33555 Except Plan EPP52727, located at 251 Adams Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the I2 – General Industrial zone be considered by Council;

AND THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

AND THAT the notice sign requirements under Council Policy No. 367 be altered to allow for placement on the City of Kelowna's boulevard;

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

2.0 Purpose

To consider an application to proceed with the early termination of Land Use Contract LUC77-1047 and rezone the subject property.

3.0 Development Planning

Staff are recommending the Land Use Contract (LUC77-1047) be terminated and for the subject property to be rezoned. The underlying zone is A1 – Agriculture 1 and is not appropriate for the current land use. The current use is custom indoor manufacturing. These uses are currently permitted in the Land Use Contract, under the former Zoning Bylaw 4500's I1 – Light Industrial and Warehouse. The Zoning Bylaw has since been updated and obtains different uses, requirements and zonings. The I2 – General Industrial zone is the most appropriate to match the use, as it allows for the existing uses, it matches the surrounding area and it meets the Future Land Use Designation of IND – Industrial. Therefore, Staff are proposing to adopt the I2 – General Industrial zone to the subject property.

The existing Land Use Contract (LUC) affects one property at 251 Adams Road and currently restricts the uses to Bylaw 4500's I1 – Light Industrial and Warehouse. The Land Use Contract uses, and regulations largely fit within the I2 – General Industrial zone.

4.0 Proposal

4.1 Background

Land Use Contracts were a tool regularly used in the 1970's before it was eliminated on November 15th, 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

Issues have arisen, specifically with the continued application of land use contracts as they supersede any subsequent bylaw dealing with land use and development including: Zoning Bylaws, Development Cost Charge Bylaws, and Development Permits. The Local Government Act was amended in 2014 stating all land use contracts in the province will be terminated as of June 30th, 2024. Land use contracts will remain in force until that date unless terminated early by the municipality. By June 20th, 2022, local governments must have appropriate zoning regulations in place to replace land use contracts upon their termination. However, LUC terminations (unlike LUC discharges) do not apply when Council adopts the bylaw. Terminations require a one-year grace period as outlined by the Local Government Act.

4.2 Notification

Local governments must provide notice to each owner that the termination of land use contract is occurring and must provide notice of what the new zoning regulations apply to the land. The municipality must also send an additional letter within 30 days of adoption, informing the owners and providing information about the Board of Variance. Due to the file being Staff initiated, Staff suggest the Council Policy #367 development signage requirements be altered to allow for the development signs to be placed on the City Kelowna's boulevard, rather than on the subject property.

4.3 Site Context

The subject property has a total area of 5,115m² and is located on 251 Adams Road. The property has been designated IND – Industrial in the Official Community Plan and the surrounding area is IND – Industrial.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I2 – General Industrial	General Industrial Uses
East	I2 – General Industrial	General Industrial Uses
South	I2 – General Industrial	General Industrial Uses
West	I2 – General Industrial	General Industrial Uses

Subject Property Map: 251 Adams Road

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Council Policy No. 282 – Strategy for Elimination of Remaining Land Use Contracts

Council Policy No. 282. Includes the following statement:

That the City of Kelowna initiate proceedings to discharge the contracts subject to consultation with affected owners of the land and subject to prior approval by Council with regard to affected contracts.

5.2 Kelowna Official Community Plan (OCP)

Chapter 4: Future Land Use

Industrial (IND): Light and heavy industrial uses as well as Industrial/Business activities and airport related industrial uses. Industrial/business refers to uses that provide services and support to industrial and business customers. This designation may also include CD Comprehensive Development zoning that provides for industrial uses.

6.0 Application Chronology

Date of Application Received: August 5th, 2020
Date Public Consultation Completed: October 1st, 2020

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

LUCT20-0004/ Z20-0063

251 Adams Road

Land Use Contract Termination and Rezoning Application

Proposal

- To terminate the Land Use Contract (LUC77-1047) and to rezone the subject properties from A1 – Agriculture 1 zone to I2 – General Industrial zone.

Development Process

City of Kelowna

Aug 5, 2020 — LUC Termination Initiated by Staff

Oct 1, 2020 — Public Notification Completed

Jan 11, 2021 — Initial Consideration

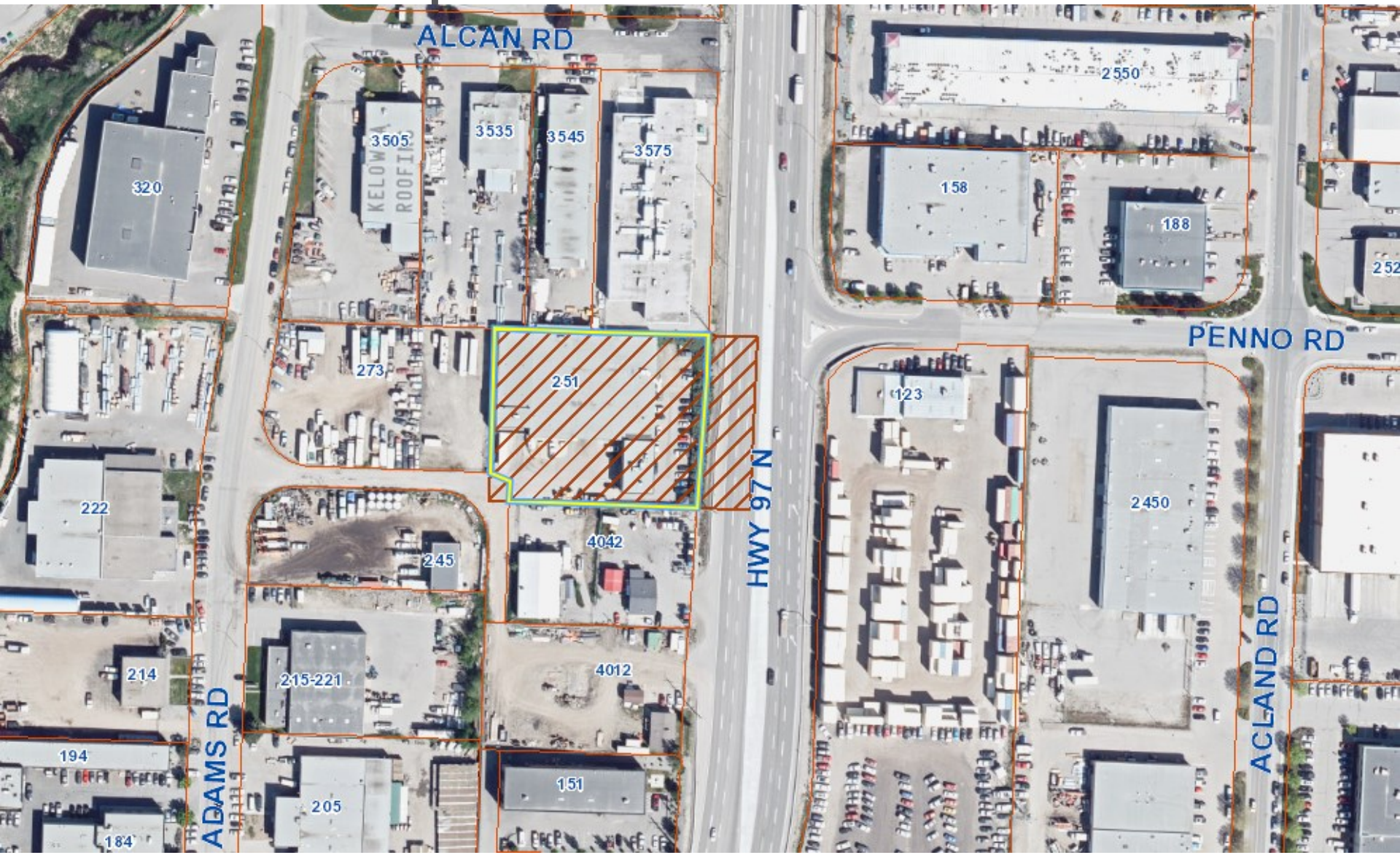
Public Hearing
Second & Third Readings

Final Reading

LUC Eliminated (1 year later)

Council Approvals

Context Map


ALCAN RD
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PENNO RD
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HWY 97 N
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215-221
4012
ACLAND RD
ADAMS RD
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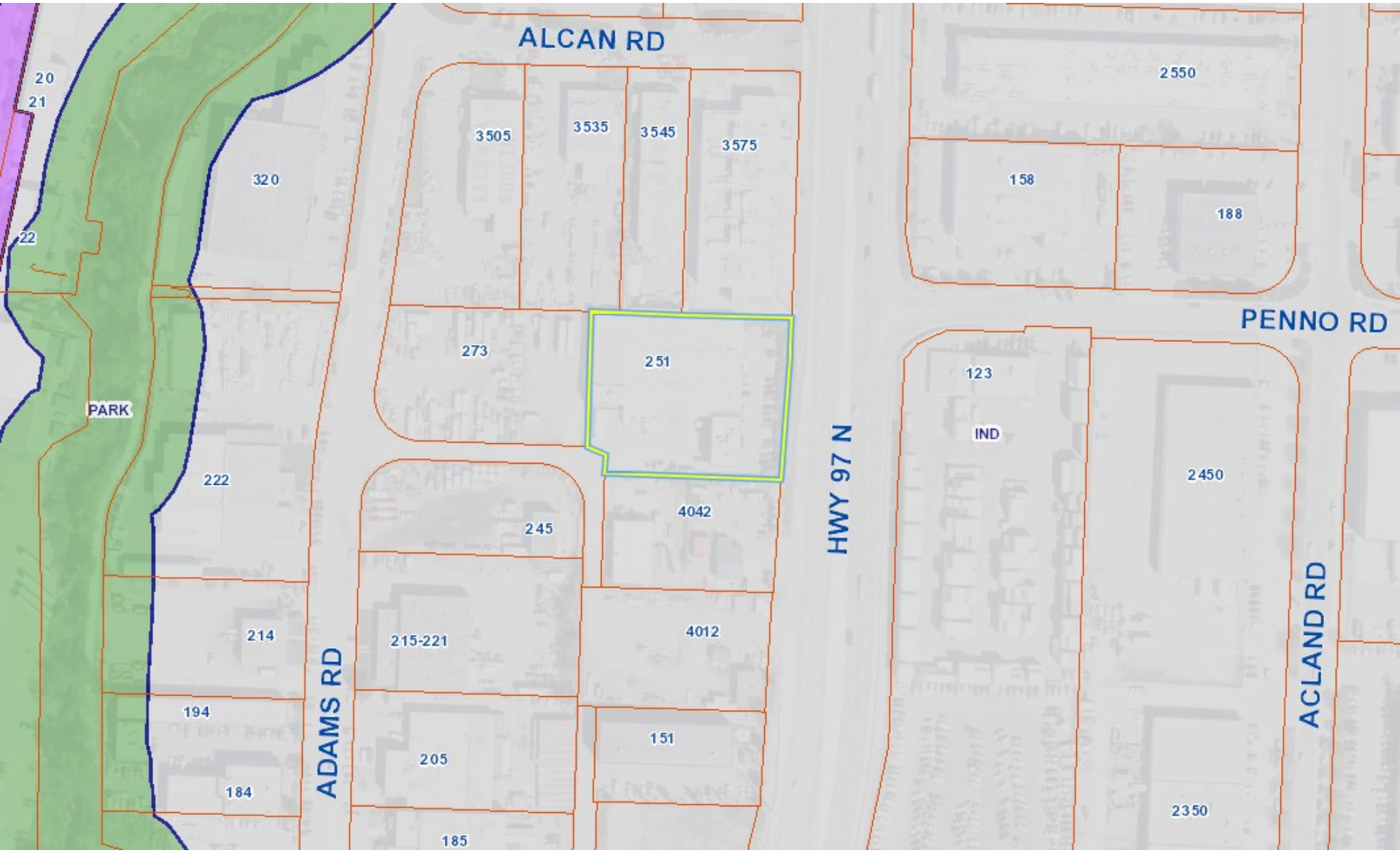
OCP Future Land Use



Background

- Land Use Contracts: 1970's tool
- Allow local governments to grant development rights above and beyond current zoning
- Exchange for commitments from developers to help infrastructure costs
- BC Government requires all contracts to be discharged and/or terminated by 2024 and the appropriate zoning in place by 2022.
- If an applicant initiates a discharge – Staff initiate a termination

Project Details

- Staff initiated termination of LUC77-1047 for the subject property.
- The LUC allows them to operate custom indoor manufacturing business and all uses within I1 – Light Industrial / Manufacturing in Zoning Bylaw no. 4500.
- Staff are proposing to adopt I2 – General Industrial, which allows for all existing uses and meets the Future Land Use.

Public Notification Policy #367

City of Kelowna

- Staff sent a letter of Proposed Termination of Land Use Contract to both property owners.
  - Sent on Oct 1st, 2020
- One-year grace period from Council consideration before the rezoning comes into effect.

Staff Recommendation

- Development Planning Staff recommend **support** for the proposed rezoning and land use contract termination:
  - I2 zone is appropriate to support existing use.
  - Province of BC requires all LUC's to be discharged/terminated.

Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12071

LUCT20-0004

Early Termination of Land Use Contract – LUC77-1047
251 Adams Road

WHEREAS a land use contract (the "Land Use Contract LUC77-1047") is registered at the Kamloops Land Title Office under the charge number N30953 against land in the City of Kelowna particularly known and described as Lot A Section 2 Township 23 ODYD Plan 33555 Except Plan EPP52727 (the "Land"), located on Adams Road, Kelowna, B.C.;

AND WHEREAS Section 548 of the *Local Government Act* provides that a local government may impose an early termination to land use contracts registered in a Land Title Office that applies to land within the jurisdiction of the local government;

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

1. This Bylaw may be cited for all purposes as "Early Termination of Land Use Contract Bylaw No. 12071";

2. Land Use Contract Bylaw No. 4524-78 establishing Land Use Contract LUC77-1047 and all amendments thereto, are hereby repealed and the Land Use Contract is terminated as of the date of adoption; and

3. This bylaw will come into force and effect one year after the adoption date.

Read a first time by the Municipal Council this 11th day of January, 2021.

Considered at a Public Hearing this

Read a second and third time by Municipal Council this

Adopted by the Municipal Council this

_____
Mayor

_____
City Clerk

CITY OF KELOWNA

BYLAW NO. 12072
Z20-0063
251 Adams Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A Section 2 Township 23 ODYD Plan 33555 Except Plan EPP52727 located at Adams Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I2 – General Industrial 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 11th day of January, 2021.

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:	January 11, 2020		
To:	Council		
From:	City Manager		
Department:	Development Planning Department		
Application:	Z20-0064 / LUCT20-0005	**Owner:**	Sapphire Construction Ltd., Inc.No. 84820
Address:	1511 Sutherland Ave	**Applicant:**	The City of Kelowna
Subject:	Land Use Contract Termination and Rezoning Application		
Existing OCP Designation:	MXR – Mixed Use (Residential / Commercial)		
Existing Zone:	RU1 – Large Lot Housing		
Proposed Zone:	C3 – Community Commercial		

1.0 Recommendation

THAT Land Use Contract Termination Application No. LUCT20-0005 to terminate LUC77-1061 from Lot A District Lot 141 ODYD Plan 31346, located at 1511 Sutherland Ave, Kelowna, B.C. be considered by Council;

AND THAT Rezoning Application No. Z20-0064 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 141 ODYD Plan 31346, located at 1511 Sutherland Ave, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the C3 – Community Commercial zone be considered by Council;

AND THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT the notice sign requirements under Council Policy No. 367 be altered to allow for placement on the City of Kelowna's Boulevard;

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

2.0 Purpose

To consider an application to rezone the subject property and proceed with the early termination of Land Use Contract LUC77-1061.

3.0 Development Planning

Staff are recommending the Land Use Contract (LUC77-1061) be terminated and for the subject property to be rezoned. The underlying zone is RU1 – Large Lot Housing and is not appropriate for the current land use. The current uses are retail stores, personal service establishments, health services, financial services and a thrift store. These uses are currently permitted in the Land Use Contract, under the former Zoning Bylaw 4500's C3 – Community Commercial zone. The Zoning Bylaw has since been updated and obtains different uses, requirements and zonings. Although the C3 – Community Commercial zone doesn't match the Future Land Use of MXR – Mixed Used (Residential / Commercial), this is the most appropriate zone, as it allows for most of the existing uses and it matches the surrounding area. Any uses that don't fit in the C3 zone can remain and will be considered legal non-conforming. Therefore, Staff are proposing to adopt the C3 – Community Commercial zone to the subject property.

The existing Land Use Contract (LUC) affects one property at 1511 Sutherland Ave, and currently restricts the uses to Bylaw 4500's C3 – Community Commercial zone. The Land Use Contract uses, and regulations largely fit within the C3 – Community Commercial zone.

4.0 Proposal

4.1 Background

Land Use Contracts were a tool regularly used in the 1970's before it was eliminated on November 15th, 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

Issues have arisen, specifically with the continued application of land use contracts as they supersede any subsequent bylaw dealing with land use and development including: Zoning Bylaws, Development Cost Charge Bylaws, and Development Permits. The Local Government Act was amended in 2014 stating all land use contracts in the province will be terminated as of June 30th, 2024. Land use contracts will remain in force until that date unless terminated early by the municipality. By June 20th, 2022, local governments must have appropriate zoning regulations in place to replace land use contracts upon their termination. However, LUC terminations (unlike LUC discharges) do not apply when Council adopts the bylaw. Terminations require a one-year grace period as outlined by the Local Government Act.

4.2 Notification

Local governments must provide notice to each owner that the termination of land use contract is occurring and must provide notice of what the new zoning regulations apply to the land. The municipality must also send an additional letter within 30 days of adoption, informing the owners and providing information about the Board of Variance. Due to the file being Staff initiated, Staff suggest Council Policy #367 development signage requirements be altered to allow for the development signs to be placed on the City of Kelowna's boulevard, rather than on the subject property.

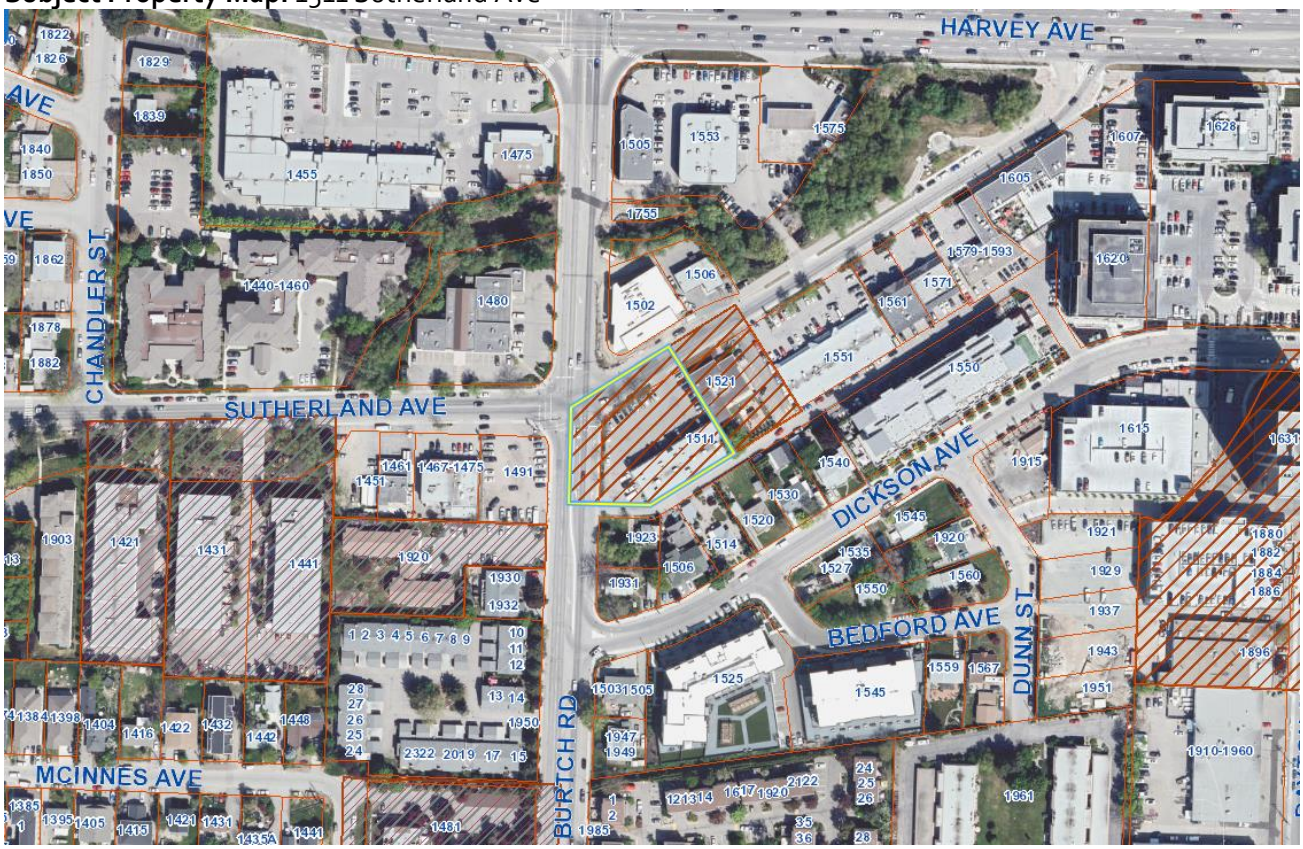
4.3 Site Context

The subject property has a total area of 2,487m^2 and is located on 1511 Sutherland Ave. The property has been designated MXR – Mixed Use (Residential / Commercial) in the Official Community Plan and the surrounding area is a mix of MXR – Mixed Use (Residential / Commercial), MRM – Multiple Unit Residential (Medium Density) and PARK – Major Park / Open Space (public).

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C3 – Community Commercial	Retail stores
East	C3 – Community Commercial (Under LUC78-1004)	Childcare centre, major
South	RU1 – Large Lot Housing	Single-family home(s)
West	C3 – Community Commercial	Vacant (former gas bar)

Subject Property Map: 1511 Sutherland Ave



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

5.2 Council Policy No. 282 – Strategy for Elimination of Remaining Land Use Contracts

Council Policy No. 282. Includes the following statement:

That the City of Kelowna initiate proceedings to discharge the contracts subject to consultation with affected owners of the land and subject to prior approval by Council with regard to affected contracts.

6.0 Application Chronology

Date of Application Received: August 5th, 2020
Date Public Consultation Completed: October 1st, 2020

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

LUCT20-0005 / Z20-0064

1511 Sutherland Ave

Land Use Contract Termination and Rezoning Application

Proposal

- To terminate the Land Use Contract (LUC77-1061) and to rezone the subject properties from RU1 – Large Lot Housing zone to C3 – Community Commercial Zone.

Development Process

City of Kelowna

Aug 5, 2020 — LUC Termination Initiated by Staff

Oct 1, 2020 — Public Notification Completed

Jan 11, 2021 — Initial Consideration

Public Hearing
Second & Third Readings

Final Reading

LUC Eliminated (1 year later)

Council Approvals

Context Map

HARVEY AVE
SUTHERLAND AVE
DICKSON AVE
BEDFORD AVE
CHANDLER ST
BURTCH RD
DUNN ST
1822
1826
1829
1839
1840
1850
1862
1878
1882
1455
1475
1440-1460
1480
1505
1553
1575
1607
1628
1605
1755
1506
1502
1579-1593
1620
1571
1561
1551
1550
1521
1511
1615
1540
1915
1461
1467-1475
1491
1451
1530
1520
1545
1921
1903
1421
1431
1441
1920
1923
1514
1535
1527
1920
1929
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1932
1931
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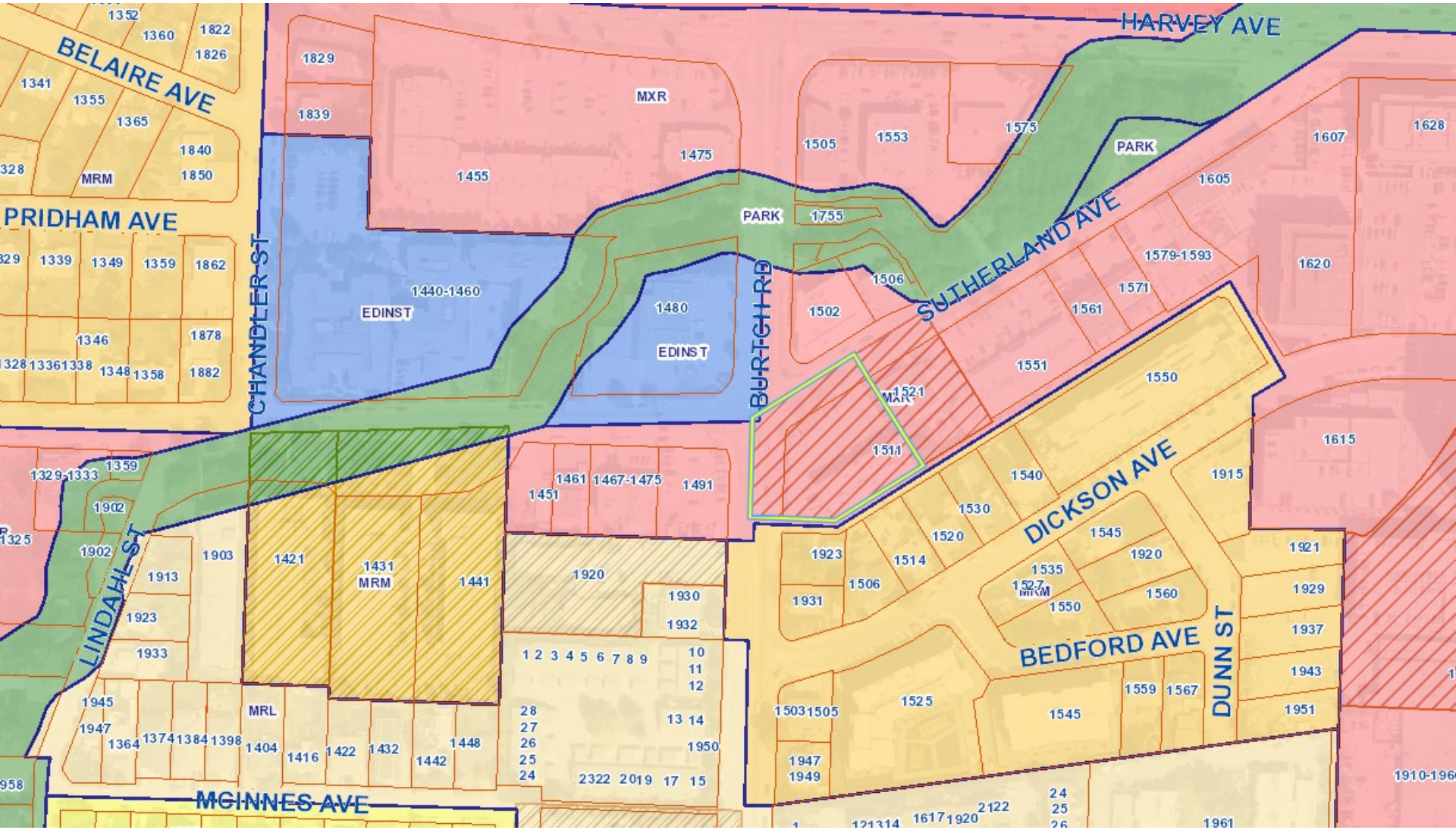
1550
1560
1937
1943
1951
1559
1567
1525
1545
1503
1505
1947
1950
1384
1398
1404
1416
1422
1432
1442
1448
1896
1910-1960

OCP Future Land Use



Background

- Land Use Contracts: 1970's tool
- Allow local governments to grant development rights above and beyond current zoning
- Exchange for commitments from developers to help infrastructure costs
- BC Government requires all contracts to be discharged and/or terminated by 2024 and the appropriate zoning in place by 2022.
- If an applicant initiates a discharge – Staff initiate a termination

Project Details

- Staff initiated termination of LUC77-1061 for the subject property.
- The LUC allows them to operate several businesses and all the uses within C3 – Community Commercial in Zoning Bylaw no. 4500.
- Staff are proposing to adopt C3 – Community Commercial, which allows for most of the existing uses.

Public Notification Policy #367

City of Kelowna

- Staff sent a letter of Proposed Termination of Land Use Contract to both property owners.
  - Sent on Oct 1st, 2020
- One-year grace period from Council consideration before the rezoning comes into effect.

Staff Recommendation

- Development Planning Staff recommend **support** for the proposed rezoning and land use contract termination:
  - C3 zone is appropriate to support existing use and matches the surrounding area.
  - Province of BC requires all LUC's to be discharged/terminated.

Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12073

LUCT20-0005

Early Termination of Land Use Contract – LUC77-1061
1511 Sutherland Avenue

WHEREAS a land use contract (the "Land Use Contract LUC77-1061") is registered at the Kamloops Land Title Office under the charge number N48044 against land in the City of Kelowna particularly known and described as Lot A District Lot 141 ODYD Plan 31346, located on Sutherland Avenue, Kelowna, B.C.;

AND WHEREAS Section 548 of the *Local Government Act* provides that a local government may impose an early termination to land use contracts registered in a Land Title Office that applies to land within the jurisdiction of the local government;

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

1. This Bylaw may be cited for all purposes as "Early Termination of Land Use Contract Bylaw No. 12073";

2. Land Use Contract Bylaw No. 4599-78 establishing Land Use Contract LUC77-1061 and all amendments thereto, are hereby repealed and the Land Use Contract is terminated as of the date of adoption; and

3. This bylaw will come into force and effect one year after the adoption date.

Read a first time by the Municipal Council this 11th day of January, 2021.

Considered at a Public Hearing this

Read a second and third time by Municipal Council this

Adopted by the Municipal Council this

_____
Mayor

_____
City Clerk

CITY OF KELOWNA

BYLAW NO. 12074
Z20-0064
1511 Sutherland Avenue

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A District Lot 141 ODYD Plan 31346 located at Sutherland Avenue, Kelowna, BC from the RU1 – Large Lot Housing zone to the C3 – Community 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 11th day of January, 2021.

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:	January 11, 2020		
To:	Council		
From:	City Manager		
Department:	Development Planning Department		
Application:	LUCT20-0006/ Z20-0065	**Owner:**	Price's Alarm System Ltd. Inc.No. BC0929068
Address:	1521 Sutherland Ave	**Applicant:**	The City of Kelowna
Subject:	Land Use Contract Termination and Rezoning Application		
Existing OCP Designation:	MXR – Mixed Use (Residential / Commercial)		
Existing Zone:	RU1 – Large Lot Housing		
Proposed Zone:	C3 – Community Commercial		

1.0 Recommendation

THAT Land Use Contract Termination Application No. LUCT20-0006 to terminate LUC78-1004 from Lot A District Lot 141 ODYD Plan 29253, located at 1521 Sutherland Ave, Kelowna, B.C. be considered by Council;

AND THAT Rezoning Application No. Z20-0065 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 141 ODYD Plan 29253, located at 1521 Sutherland Ave, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the C3 – Community Commercial zone be considered by Council;

AND THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT the notice sign requirements unde Council Policy No. 367 be altered to allow for placement on the City of Kelowna's boulevard;

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

2.0 Purpose

To consider an application to rezone the subject property and proceed with the early termination of Land Use Contract LUC78-1004.

3.0 Development Planning

Staff are recommending the Land Use Contract (LUC78-1004) be terminated and for the subject property to be rezoned. The underlying zone is RU1 – Large Lot Housing and is not appropriate for the current land use. The current use is child care centre, major. This use is currently permitted in the Land Use Contract, under the former Zoning Bylaw 4500's C3 – Community Commercial zone. The Zoning Bylaw has since been updated and obtains different uses, requirements and zonings. Although the C3 – Community Commercial zone doesn't match the Future Land Use of MXR – Mixed Used (Residential / Commercial), this is the most appropriate zone, as it allows for the existing use and it matches the surrounding area. Therefore, Staff are proposing to adopt the C3 – Community Commercial zone to the subject property.

The existing Land Use Contract (LUC) affects one property at 1521 Sutherland Ave, and currently restricts the uses to Bylaw 4500's C3 – Community Commercial zone. The Land Use Contract uses and regulations largely fit within the C3 – Community Commercial zone.

4.0 Proposal

4.1 Background

Land Use Contracts were a tool regularly used in the 1970's before it was eliminated on November 15th, 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

Issues have arisen, specifically with the continued application of land use contracts as they supersede any subsequent bylaw dealing with land use and development including: Zoning Bylaws, Development Cost Charge Bylaws, and Development Permits. The Local Government Act was amended in 2014 stating all land use contracts in the province will be terminated as of June 30th, 2024. Land use contracts will remain in force until that date unless terminated early by the municipality. By June 20th, 2022, local governments must have appropriate zoning regulations in place to replace land use contracts upon their termination. However, LUC terminations (unlike LUC discharges) do not apply when Council adopts the bylaw. Terminations require a one-year grace period as outlined by the Local Government Act.

4.2 Notification

Local governments must provide notice to each owner that the termination of land use contract is occurring and must provide notice of what the new zoning regulations apply to the land. The municipality must also send an additional letter within 30 days of adoption, informing the owners and providing information about the Board of Variance. Due to the file being Staff initiated, Staff suggest Council Policy #367 development signage requirements be altered to allow for the development signs to be placed on the City of Kelowna's boulevard, rather than on the subject property

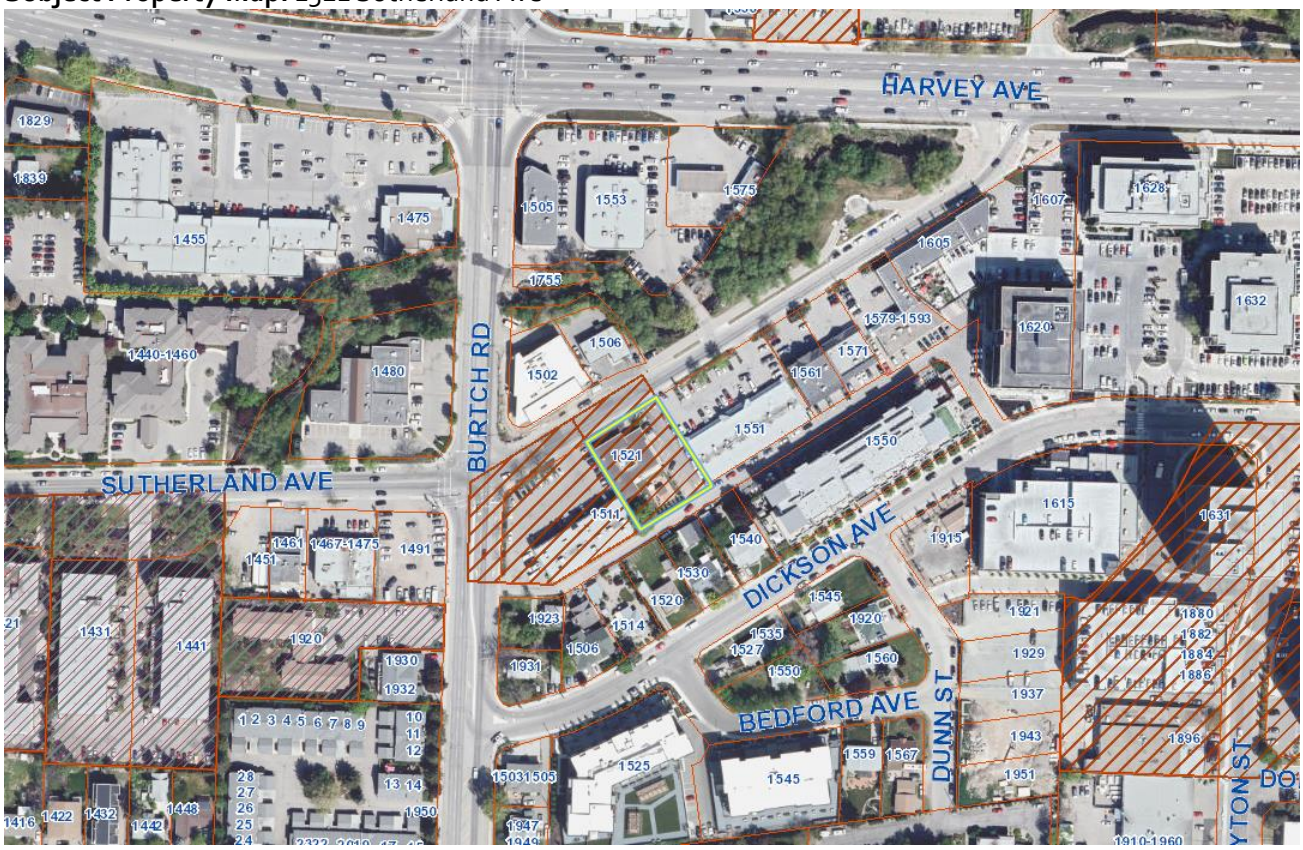
4.3 Site Context

The subject property has a total area of 1,659m^2 and is located on 1521 Sutherland Ave. The property has been designated MXR – Mixed Use (Residential / Commercial) in the Official Community Plan and the surrounding area is a mix of MXR – Mixed Use (Residential / Commercial) and MRM – Multiple Unit Residential (Medium Density).

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C3 – Community Commercial	Car wash and retail stores
East	C3 – Community Commercial	Animal clinic, retail stores and food primary establishment
South	RU1 – Large Lot Housing	Single-family home(s)
West	RU1 – Large Lot Housing	Retail stores, personal service establishments and health services

Subject Property Map: 1521 Sutherland Ave



5.0 Current Development Policies

5.1 <u>Council Policy No. 282 – Strategy for Elimination of Remaining Land Use Contracts</u>

Council Policy No. 282. Includes the following statement:

That the City of Kelowna initiate proceedings to discharge the contracts subject to consultation with affected owners of the land and subject to prior approval by Council with regard to affected contracts.

6.0 Application Chronology

Date of Application Received: August 5th, 2020
Date Public Consultation Completed: October 1st, 2020

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

LUCT20-0006 / Z20-0065

1521 Sutherland Ave

Land Use Contract Termination and Rezoning Application

Proposal

- To terminate the Land Use Contract (LUC78-1004) and to rezone the subject properties from RU1 – Large Lot Housing zone to C3 – Community Commercial Zone.

Development Process

City of Kelowna

Aug 5, 2020 — LUC Termination Initiated by Staff

Oct 1, 2020 — Public Notification Completed

Jan 11, 2021 — Initial Consideration

Public Hearing
Second & Third Readings

Final Reading

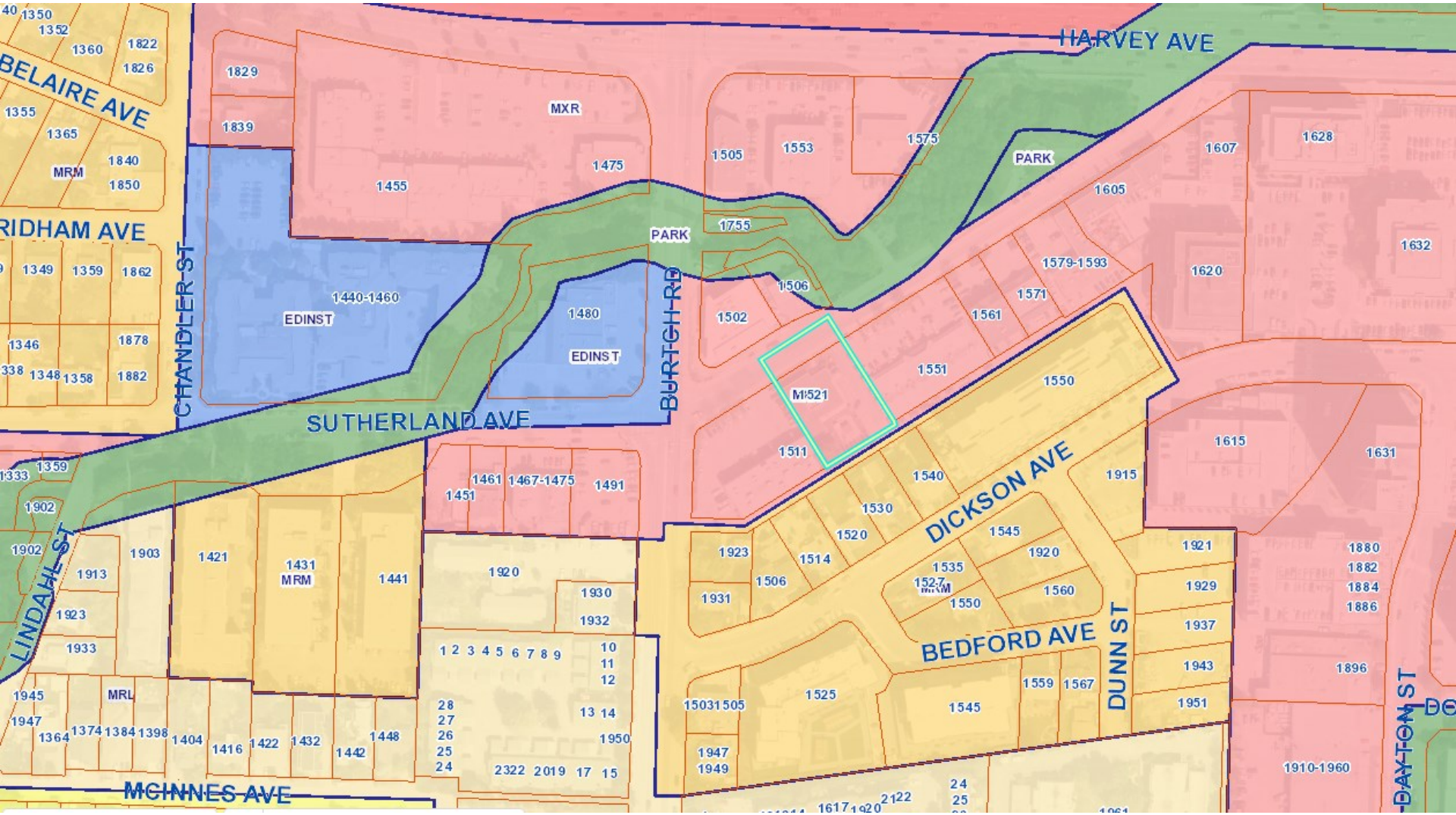
LUC Eliminated (1 year later)

Council Approvals

Context Map

HARVEY AVE
BELAIRE AVE
RIDHAM AVE
CHANDLER ST
BURTCH RD
SUTHERLAND AVE
DICKSON AVE
BEDFORD AVE
DUNN ST
LINDAHL ST
MCINNES AVE
DAYTON ST

OCP Future Land Use



Background

- Land Use Contracts: 1970's tool
- Allow local governments to grant development rights above and beyond current zoning
- Exchange for commitments from developers to help infrastructure costs
- BC Government requires all contracts to be discharged and/or terminated by 2024 and the appropriate zoning in place by 2022.
- If an applicant initiates a discharge – Staff initiate a termination

Project Details

- Staff initiated termination of LUC78-1004 for the subject property.
- The LUC allows them to operate a major childcare centre and all uses within C3 – Community Commercial in Zoning Bylaw no. 4500.
- Staff are proposing to adopt C3 – Community Commercial, which allows for all existing uses and meets the Future Land Use.

Public Notification Policy #367

City of Kelowna

- Staff sent a letter of Proposed Termination of Land Use Contract to both property owners.
  - Sent on Oct 1st, 2020
- One-year grace period from Council consideration before the rezoning comes into effect.

Staff Recommendation

- Development Planning Staff recommend **support** for the proposed rezoning and land use contract termination:
  - C3 zone is appropriate to support existing use and matches the surrounding area.
  - Province of BC requires all LUC's to be discharged/terminated.

Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12075

LUCT20-0006

Early Termination of Land Use Contract – LUC78-1004
1521 Sutherland Avenue

WHEREAS a land use contract (the "Land Use Contract LUC78-1004) is registered at the Kamloops Land Title Office under the charge number N39777 against land in the City of Kelowna particularly known and described as Lot A District Lot 141 ODYD Plan 29253, located on Sutherland Avenue, Kelowna, B.C.;

AND WHEREAS Section 548 of the *Local Government Act* provides that a local government may impose an early termination to land use contracts registered in a Land Title Office that applies to land within the jurisdiction of the local government;

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

1. This Bylaw may be cited for all purposes as "Early Termination of Land Use Contract Bylaw No. 12075";

2. Land Use Contract Bylaw No. 4583-78 establishing Land Use Contract LUC78-1004 and all amendments thereto, are hereby repealed and the Land Use Contract is terminated as of the date of adoption; and

3. This bylaw will come into force and effect one year after the adoption date.

Read a first time by the Municipal Council this 11th day of January, 2021.

Considered at a Public Hearing on the

Read a second and third time by Municipal Council this

Adopted by the Municipal Council this

_____
Mayor

_____
City Clerk

CITY OF KELOWNA

BYLAW NO. 12076
Z20-0065
1521 Sutherland Avenue

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A District Lot 141 ODYD Plan 29253 located at Sutherland Avenue, Kelowna, BC from the RU1 – Large Lot Housing zone to the C3 – Community 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 11th day of January, 2021.

Considered at 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:	January 11, 2021		
To:	Council		
From:	City Manager		
Department:	Development Planning Department		
Application:	LUCT20-0007/Z20-0068	**Owner:**	Steven Carl Wilson & Piblet Enterprises Ltd. Inc.No. 575424
Address:	3969 Lakeshore Road	**Applicant:**	The City of Kelowna
Subject:	Land Use Contract Termination and Rezoning Application		
Existing OCP Designation:	COMM – Commercial		
Existing Zone:	C1 – Local Commercial		
Proposed Zone:	C2 – Neighbourhood Commercial		

1.0 Recommendation

THAT Land Use Contract Termination Application No. LUCT20-0007 to terminate LUC77-1005 from Lot A Section 6 Township 26 ODYD Plan 28767, located at 3969 Lakeshore Road, Kelowna, B.C. be considered by Council;

AND THAT Rezoning Application No. Z20-0068 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 6 Township 26 ODYD Plan 28767, located at 3969 Lakeshore Road, Kelowna, B.C. from the C1 – Local Commercial zone to the C2 – Neighbourhood Commercial zone be considered by Council;

AND THAT the notice sign requirements under Council Policy No. 367 be altered to allow for placement on the City of Kelowna's Boulevard;

AND FURTHER THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

2.0 Purpose

To consider an application to rezone the subject property and proceed with the early termination of Land Use Contract LUC77-1005.

3.0 Development Planning

Staff are recommending the Land Use Contract (LUC 77-1005) be terminated and for the subject property to be rezoned. The underlying zone is C1 – Local Commercial and is not appropriate for the current land use. The current use is a veterinarian clinic, which is permitted in the Land Use Contract, in addition to all the uses within C1 – Local Commercial zone in former Zoning Bylaw No. 4500. The Zoning Bylaw has since been updated and obtains different uses, requirements and zonings. The C2 – Neighbourhood Commercial zone is the most appropriate zone to match the use, as it allows for minor veterinarian clinics and it matches the surrounding neighbourhood. Therefore, Staff are proposing to adopt C2 – Neighbourhood Commercial zone to the subject property. This zone is in accordance with the Official Community Plan.

The existing Land Use Contract (LUC) affects 1 property at 3969 Lakeshore Road, and currently restricts the use to a veterinarian clinic or the uses in the previous C1 – Local Commercial Zone. The Land Use Contract uses, and regulations fit within the C2 – Neighbourhood Commercial zone.

4.0 Proposal

4.1 Background

Land Use Contracts were a tool regularly used in the 1970's before it was eliminated on November 15th, 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

Issues have arisen, specifically with the continued application of land use contracts as they supersede any subsequent bylaw dealing with land use and development including: Zoning Bylaws, Development Cost Charge Bylaws, and Development Permits. The Local Government Act was amended in 2014 stating all land use contracts in the province will be terminated as of June 30th, 2024. Land use contracts will remain in force until that date unless terminated early by the municipality. By June 20th, 2022, local governments must have appropriate zoning regulations in place to replace land use contracts upon their termination. However, LUC terminations (unlike LUC discharges) do not apply when Council adopts the bylaw. Terminations require a one-year grace period as outlined by the Local Government Act.

4.2 Notification

Local governments must provide notice to each owner that the termination of land use contract is occurring and must provide notice of what the new zoning regulations apply to the land. The municipality must also send an additional letter within 30 days of adoption, informing the owners and providing information about the Board of Variance. Due to the file being Staff initiated, Staff suggest the Council Policy #367 development signage requirements be altered to allow for the development signs to be placed on the City of Kelowna's boulevard, rather than on the subject property.

4.3 Site Context

The subject property has a total area of 1,862m² and is located on Lakeshore Road. The property is designated COMM - Commercial in the Official Community Plan and the surrounding area is a mix between commercial and residential.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C2 – Neighbourhood Commercial	Food primary establishments, health services and retail stores.
East	RU5 – Bareland Strata Housing	Single dwelling housing
South	C3 – Community Commercial	Convenience retail stores
West	C2 – Neighbourhood Commercial	Convenience retail stores, food primary establishments and personal service establishments

Subject Property Map: 3969 Lakeshore Road

5.0 Current Development Policies

5.1 Council Policy No. 282 – Strategy for Elimination of Remaining Land Use Contracts

Council Policy No. 282. Includes the following statement:

That the City of Kelowna initiate proceedings to discharge the contracts subject to consultation with affected owners of the land and subject to prior approval by Council with regard to affected contracts.

5.2 Kelowna Official Community Plan (OCP)

Chapter 4: Future Land Use

Commercial (COMM): Developments for the sale of goods and services. Integration of residential uses into commercial developments as mixed-use projects is encouraged in Urban Centres, provided that the ground floor use remains commercial. This designation may also include CD Comprehensive Development zoning that includes commercial uses.

6.0 Application Chronology

Date of Application Initiation: August 12th, 2020
Date Public Consultation Completed: October 1st, 2020

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

LUCT20-0007 / Z20-0068

3969 Lakeshore Road

Rezoning Application and Land Use Contract Termination

Proposal

- To terminate the Land Use Contract (LUC77-1005) and to rezone the subject properties from C1 – Local Commercial and C2 – Neighbourhood Commercial

Development Process

City of Kelowna

Aug 12, 2020 — LUC Termination Initiated by Staff

Oct 1, 2020 — Public Notification Completed

Jan 11, 2021 — Initial Consideration

Public Hearing
Second & Third Readings

Final Reading

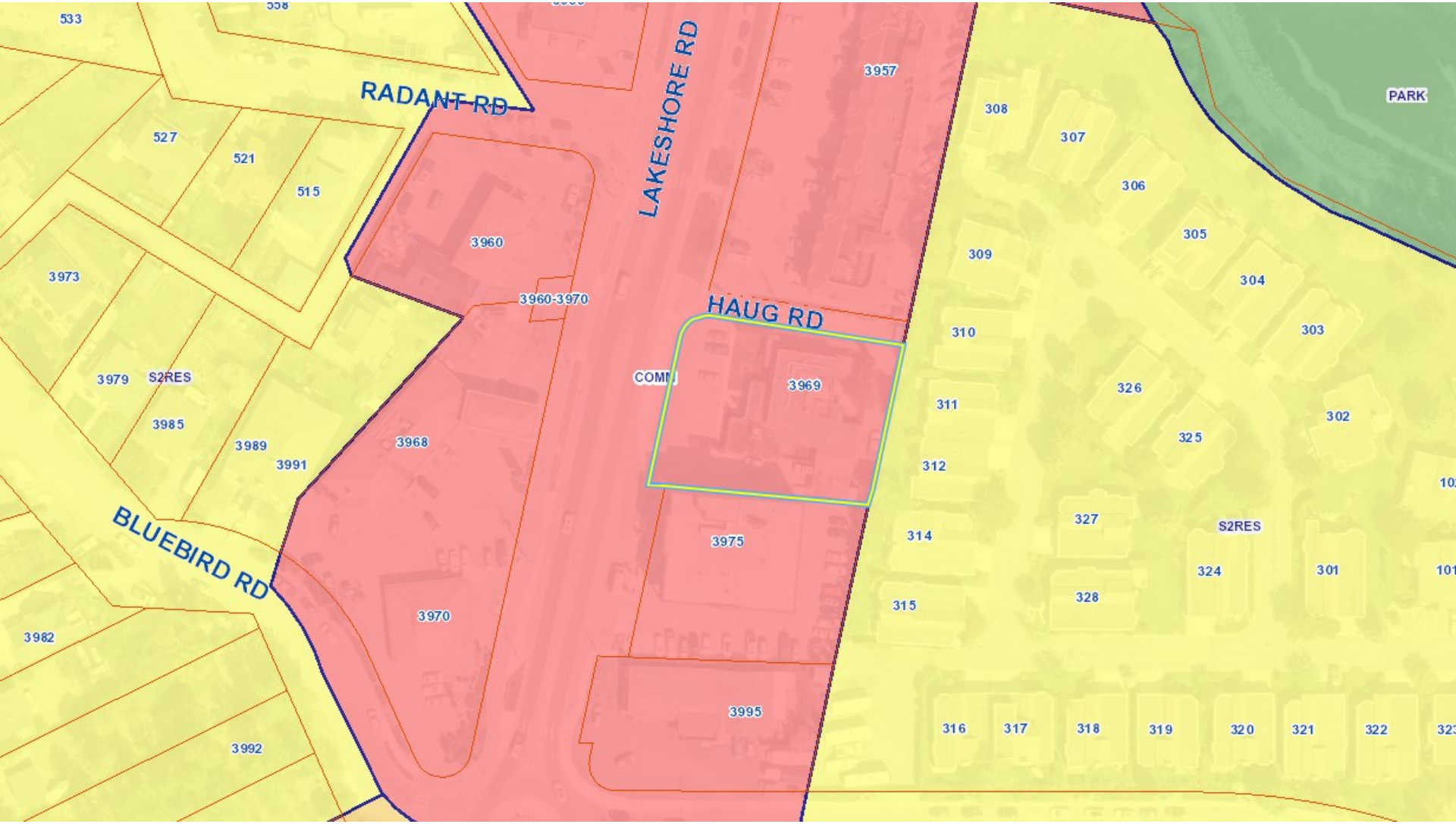
LUC Eliminated (1 year later)

Council Approvals

Context Map

533
558
RADANT RD
LAKESHORE RD
3957
308
307
306
305
304
303
302
527
521
515
3960
3960-3970
3973
HAUG RD
309
310
311
312
314
315
326
325
327
328
324
301
316
317
318
319
320
321
322
3969
3979
3985
3989
3991
3968
3975
BLUEBIRD RD
3970
3982
3995
3992

OCP Future Land Use



Background

- Land Use Contracts: 1970's tool
- Allow local governments to grant development rights above and beyond current zoning
- Exchange for commitments from developers to help infrastructure costs
- BC Government requires all contracts to be discharged and/or terminated by 2024 and the appropriate zoning in place by 2022.
- If an applicant initiates a discharge – Staff initiate a termination

Project Details

- Staff initiated termination of LUC77-1005 for the subject property.
- The LUC allows them to operate a veterinarian clinic and all uses within C1 – Local Commercial in Zoning Bylaw no. 4500.
- Staff are proposing to adopt C2 – Neighbourhood Commercial, which allows for minor veterinarian clinics.

Public Notification Policy #367

City of Kelowna

- Staff sent a letter of Proposed Termination of Land Use Contract to both property owners.
  - Sent on Oct 1st, 2020
- One-year grace period from Council consideration before the rezoning comes into effect.

Staff Recommendation

- Development Planning Staff recommend **support** for the proposed rezoning and land use contract discharge:
  - C2 zone is appropriate to support existing use.
  - Province of BC requires all LUC's to be discharged/terminated.

Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12094

LUCT20-0007

Early Termination of Land Use Contract – LUC77-1005
3969 Lakeshore Road

WHEREAS a land use contract (the "Land Use Contract LUC77-1005") is registered at the Kamloops Land Title Office under the charge number N34580 against land in the City of Kelowna particularly known and described as Lot A Section 6 Township 26 ODYD Plan 28767 (the "Land"), located on Lakeshore Road, Kelowna, B.C.;

AND WHEREAS Section 548 of the *Local Government Act* provides that a local government may impose an early termination to land use contracts registered in a Land Title Office that applies to land within the jurisdiction of the local government;

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

1. This Bylaw may be cited for all purposes as "Early Termination of Land Use Contract LUC77-1005 Bylaw";

2. Land Use Contract Bylaw No. 4355-77 establishing Land Use Contract LUC77-1005 and all amendments thereto, are hereby repealed and the Land Use Contract is terminated as of the date of adoption; and

3. This bylaw will come into force and effect one year after the adoption date.

Read a first time by the Municipal Council this 11th day of January, 2021.

Considered at a Public Hearing this

Read a second and third time by Municipal Council this

Adopted by the Municipal Council this

_____
Mayor

_____
City Clerk

CITY OF KELOWNA

BYLAW NO. 12095
Z20-0068
3969 Lakeshore Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A Section 6 Township 26 ODYD Plan 28767 located on Lakeshore Road, Kelowna, B.C., from the C1 – Local Commercial zone to the C2 – Neighbourhood 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 11th day of January, 2021.

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:	January 11, 2021		
To:	Council		
From:	City Manager		
Department:	Development Planning		
Application:	OCP20-0013 Z20-0066	**Owner:**	1032308 Alberta Ltd. Brenda Lou Marie Gibson
Address:	460 Leathead Road 605 Fraser Road	**Applicant:**	Blue Vision Design Inc.
Subject:	Rezoning and Official Community Plan Amendment Applications		
Existing OCP Designation:	S2RES – Single / Two Unit Residential		
Proposed OCP Designation:	MRL – Multiple Unit Residential (Low Density)		
Existing Zone:	RU1 – Large Lot Housing		
Proposed Zone:	RM3 – Low Density Multiple Housing		

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP20-0013 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 1 Section 26 Township 26 Osoyoos Division Yale District Plan 12434, located at 460 Leathead Road, Kelowna, BC and Lot 2 Section 26 Township 26 Osoyoos Division Yale District Plan 12434, located at 605 Fraser Road, Kelowna, BC from the S2RES - Single / Two Unit Residential designation to the MRL – Multiple Unit Residential (Low Density) designation, be considered by Council;

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

AND THAT Rezoning Application No. Z20-0066 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 Section 26 Township 26 Osoyoos Division Yale District Plan 12434, located at 460 Leathead Road, Kelowna, BC and Lot 2 Section 26 Township 26 Osoyoos Division Yale District Plan 12434, located at 605 Fraser Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RM3 – Low Density Multiple Housing zone, be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated January 11, 2021;

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 Development Variance Permit for the subject property.

2.0 Purpose

To rezone and to amend the Official Community Plan to change the future land use designation of the subject property to facilitate a multiple dwelling housing development.

3.0 Development Planning

Staff recommend support for the Rezoning and Official Community Plan Amendment applications to facilitate the development of a 16-unit row housing development. Staff recognize that this proposal represents an increase in density over the existing zone and OCP Future Land Use designation, however, staff are recommending that low density multi-family housing is a reasonable request for this specific location.

Leathead Road is designated as an arterial road in the Official Community Plan and it functions as a major corridor in Rutland. This road serves as the boundary for the Rutland Urban Centre, with properties across the road to the south being included within the Urban Centre. With Public transit options being available directly on Leathead Road, and the properties being in close proximity to schools, parks and existing commercial areas, Development Planning sees adding increased residential density on these properties to be appropriate.

The applicant completed neighbourhood notification in accordance with Council Policy No. 367. Staff have reviewed this application, and it may move forward without affecting either the City's Financial Plan or Waste Management Plan.

4.0 Proposal

4.1 Background

There is currently existing single dwelling housing on each of the subject properties. These dwellings would be demolished, and the lots would be consolidated to facilitate this development.

4.2 Project Description

This application is proposing a 16-unit row housing development contained within four separate buildings. The unit count includes four two-bedroom units (1 per building) and 12 three-bedroom units (3 per building). Parking requirements are met on-site, through a combination of side by side garages (25%) and tandem garages (75%). Visitor and van accessible parking stalls are also provided.

4.3 Site Context

The subject properties are located on the north side of Leathead Road, at the corner of Fraser Road, in the City's Rutland OCP Sector. The two lots have a combined total lot area of 3,000 m². The surrounding area is characterized by single and two dwelling housing and a religious assembly is located directly to the east. The properties are within the City's Permanent Growth Boundary and have a Walkscore of 50, indicating that some errands can be accomplished on foot.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Dwelling Housing
East	P2 – Education and Minor Institutional	Religious Assemblies
South	RU1 – Large Lot Housing	Single Dwelling Housing
West	RU1 – Large Lot Housing	Single Dwelling Housing

Subject Property Map: 460 Leathead Road and 605 Fraser Road

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 1: Introduction

Goals for a Sustainable Future:

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

Address Housing Needs of All Residents. Address housing needs of all residents by working towards an adequate supply of a variety of housing.

Chapter 5: Development Process

Objective 5.22 Ensure context sensitive housing development

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

Objective 5.23 Address the needs of families with children through the provision of appropriate family-oriented housing.

Policy .1 Ground-Oriented Housing. Encourage all multiple-unit residential buildings in neighbourhoods with schools and parks to contain ground-oriented units with 2 or more bedrooms so as to provide a family housing choice within the multi-unit rental or ownership markets.

6.0 Technical Comments

6.1 Development Engineering Department

See Schedule A City of Kelowna Memorandum

7.0 Application Chronology

Date of Application Accepted: August 6, 2020
Date Public Consultation Completed: November 9, 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: City of Kelowna Memorandum

Attachment A: Draft Site Plan and Rendering

Attachment B: Applicant's Letter of Rationale

SCHEDULE A
This forms part of application
OCP20-0013 Z20-0066
Planner Initials KB
City of Kelowna
DEVELOPMENT PLANNING

CITY OF KELOWNA

MEMORANDUM

Date: September 01, 2020

File No.: Z20-0066

To: Urban Planning Management (KB)

From: Development Engineering Manager (JK)

Subject: 605 Fraser Rd and 460 Leathead Rd RU1 to RM3

The Development Engineering Branch's comments and requirements regarding this application to rezone the subject lots from RU1 – Large Lot Housing to RM3 - Low Density Multiple Housing from are as follows. The Development Technician for this application will be Sarah Kelly (skelly@kelowna.ca).

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) These Development Engineering comments/requirements are subject to the review and requirements from the Ministry of Transportation and Infrastructure (MoTI).

d) 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 subject lots are within the Black Mountain Irrigation District (BMID) water supply area. The Developer is required to make satisfactory arrangements with BMID for all water and fire protection-related issues. All charges for service connection(s) 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 fire protection requirements of this proposed development and establish hydrant requirements and service needs. All fire flow calculations approved by BMID are to be shared with the Development Engineering Branch upon submittal of off-site civil engineering drawings.

c) 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. No. 7900. Provide water flow calculations for this development to confirm bylaw conformance (150 L/s for apartments/townhouses). Ensure every building site is located at an elevation that ensures water pressure is within the bylaw pressure limits. Note: Private pumps are not acceptable for addressing marginal pressure.

3. SANITARY SEWER SYSTEM

a) Our records indicate that subject lots are currently serviced with a 100-mm diameter sanitary sewer service off Fraser Rd and a 100-mm service off Leathead Rd. The Applicant's Consulting Mechanical Engineer will determine the requirements of the proposed development and establish the service needs. Only one service will be permitted for each legal lot. The applicant is to arrange for the removal and disconnection of the existing services and the installation of one new larger service (minimum diameter of 150 mm) at the applicant's cost.

b) All new service connections are to be completed with an inspection chamber (c/w Brooks Box) as per SS-S7.

4. STORM DRAINAGE

a) The property is located within the City of Kelowna drainage service area. The City Engineer may permit use of individual ground water disposal systems, where soils are suitable. For on-site disposal of drainage water, a hydrogeotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems 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 is to be prepared by a Professional Engineer proficient in the field of erosion and sediment control. The plan is to be prepared as per section 3.14 of Schedule 4 of Bylaw 7900. If a line item for ESC is not included in the Engineer's cost estimate for off-site work, then an additional 3% will be added to the performance security based on the total off-site construction estimate.

c) On-site detention systems are to be compliant with Bylaw 7900, Schedule 4, Section 3.11.1 *Detention Storage*.

d) As per Bylaw 7900, Schedule 4, Section 3.1.3 *Climate Change*, the capacity of storm works will include an additional 15 percent (15%) upward adjustment, and applied to the rainfall intensity curve stage (IDF) in Section 3.7.2.

e) Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.

f) Register right of ways on private properties for all the storm water infrastructure carrying, conveying, detaining and/or retaining storm water that is generated from the public properties, public road right of ways, and golf course lands.

g) Identify clearly on a contour map, or lot grading plan, all steep areas (>30 %). Provide cross sections for all steep areas at each property corner and at locations where there are significant changes in slope. Cross sections are to be perpendicular to the contour of the slope. Show the proposed property lines on the cross sections. Not all areas have a clear top of bank; and therefore, field reconnaissance by City staff and the applicant may be needed to verify a suitable location for property lines.

h) If individual lot connections are required, ensure that payment of connection fees has been completed (please provide receipt).

i) Where structures are designed or constructed below the proven high groundwater table, permanent groundwater pumping will not be permitted to discharge to the storm system. The City will approve designs that include provisions for eliminating groundwater penetration into the structure, while

addressing buoyancy concerns. These design aspects must be reviewed and approved by the City Engineer.

j) A complete storm drainage system is to be installed up to north end of the subject lot within Fraser Rd, c/w catch basins, leads, storm main, manholes, any required service connections, and connection to the existing storm main in Leathead Rd. Depending on the proposed design, a latecomer may be able to be registered for the drainage works.

5. ROAD IMPROVEMENTS

a) The existing condition of the Active Transportation Corridor on Leathead Rd is to be maintained.

b) A new east-west concrete wheelchair letdown as per City of Vancouver Standard Detail C8.3 is to be installed on the northeast corner of the Fraser-Leathead Rd intersection.

c) The existing utility pole servicing 460 Leathead Rd is to be removed, with all new additional services being underground.

d) Fraser Rd is to be fully urbanized to a modified SS-R5 with 1.5-m wide separated sidewalk 0.2 m from property line. The urbanization is to include storm drainage, curb and gutter, utility appurtenance adjustments, fillet paving, streetlights, boulevard landscaping and irrigation, and utility pole relocation (if necessary).

6. POWER AND TELECOMMUNICATION SERVICES

a) Underground services will be required for all power and telecommunications to the proposed lot.

b) As per comment 5.c), the existing utility pole servicing 460 Leathead Rd is to be removed.

c) Streetlights must be installed on all roads. All streetlighting designs are to be approved by the Development Engineering Branch at the same time as other “issued for construction” drawings.

d) 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.

e) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

f) If any road dedication affects lands encumbered by a Utility right-of-way (such as B.C. 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 Manager.

7. 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.

b) 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.

c) Should any on-site retaining walls surpass the following limits, an Over Height Retaining Wall Permit will be required:

> "Retaining walls on all lots, except those required as a condition of subdivision approval, must not exceed a height of 1.2 m measured from natural grade on the lower side, and must be constructed so that any retaining walls are spaced to provide a 1.2 m horizontal separation between tiers. The maximum number of tiers is two with a maximum total height of 2.4 m. Any multi-tier structure more than 2 tiers must be designed and constructed under the direction of a qualified professional engineer."

The design of all retaining walls is to conform with Engineer & Geoscientists British Columbia's *Professional Practice Guidelines for Retaining Wall Design*. Submission requirements for the Over Height Retaining Wall Permit include Engineer of Record documents (Appendix A of *Retaining Wall Design Guideline*) and any necessary independent reviews (as per EGBC's *Documented Independent Review of Structural Designs*).

d) Any modified slopes having a finished slope greater than 2H:V1 (50%) and an elevation change greater than 1.2 m must be installed under the direction of a qualified professional engineer.

8. ROAD DEDICATION/SUBDIVISION REQUIREMENTS

a) A 6.0-m radius corner rounding is to be dedicated on the southwest corner of 605 Fraser Rd.

b) Lot consolidation will be a requirement of this development.

9. DESIGN AND CONSTRUCTION

a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.

b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.

c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).

d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.

e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City

Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

10. SERVICING AGREEMENTS FOR WORKS AND SERVICES

a) A Servicing Agreement is required for all 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. CHARGES, FEES, AND SECURITIES

a) Development Cost Charges (DCC's) are payable.

b) Fees per the "Development Application Fees Bylaw" include:

i) Street/Traffic Sign Fees: at cost (to be determined after design).
ii) Survey Monument Fee: $50.00 per newly created lot (GST exempt).
iii) Survey Monument, Replacement Fee: $1,200.00 (GST exempt) – only if disturbed.
iv) Engineering and Inspection Fee: 3.5% of construction value (plus GST).

c) Approved payment methods for Performance Security:
i) Personal Cheques < $5,000
ii) Certified Cheque and Bank Draft > $5,000
iii) Minimum Letter of Credit value is $50,000

James Kay

James Kay, P.Eng.
Development Engineering Manager

JKH

SCHEDULE A
This forms part of application
OCP20-0013 Z20-0066
Planner Initials KB
City of Kelowna
DEVELOPMENT PLANNING

CITY OF KELOWNA

MEMORANDUM

Date: September 01, 2020

File No.: OCP20-0013

To: Urban Planning Management (KB)

From: Development Engineering Manager (JK)

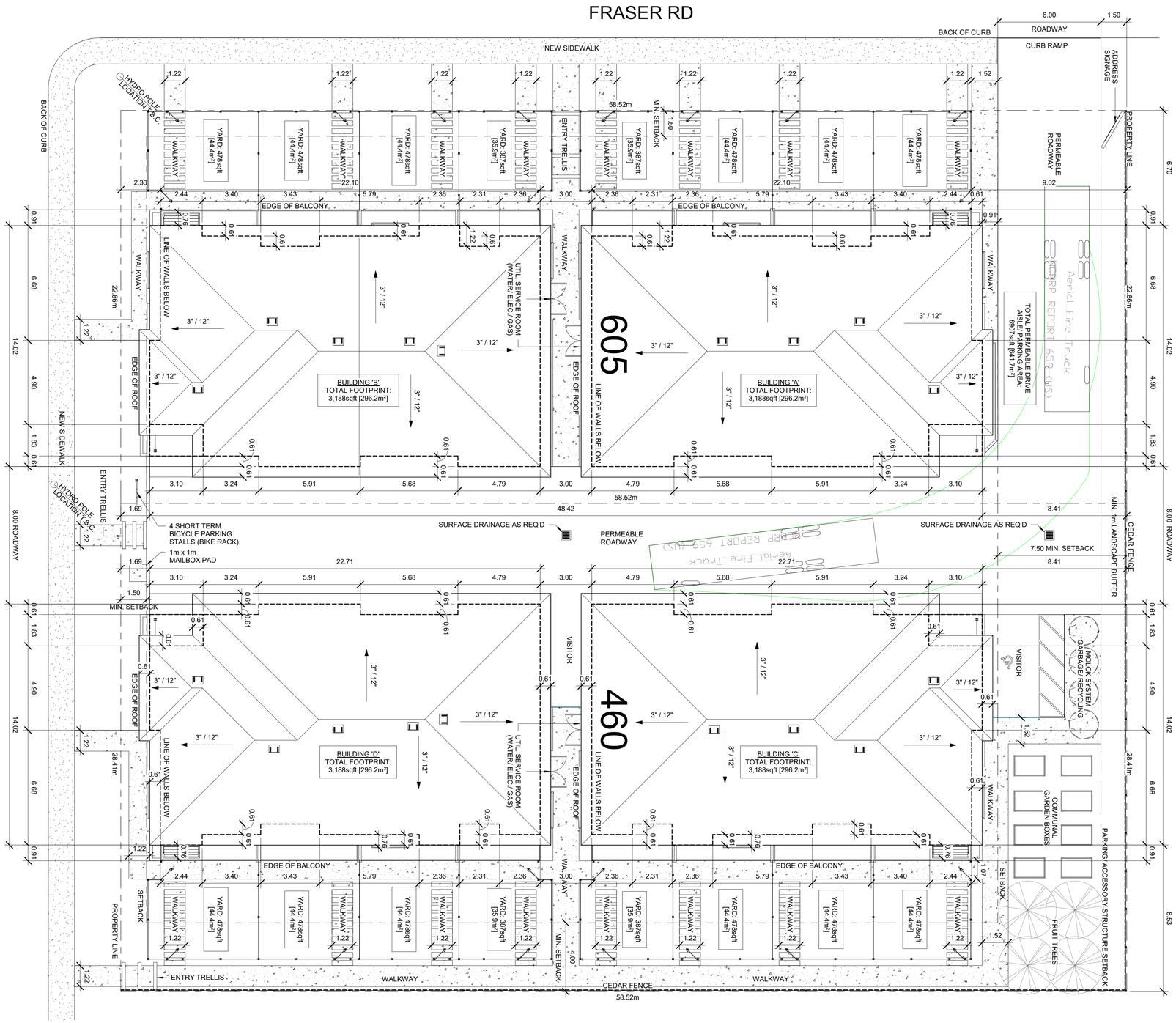
Subject: 605 Fraser Rd and 460 Leathead Rd S2RES to MRL

The Development Engineering Branch has no comments and requirements associated with this application to amend the Future Land Use from S2RES (Single / Two Unit Residential) to MRL (Multiple Unit Residential Low Density) for the subject lots. All other off-site requirements for the proposed development are addressed in the Development Engineering Memos Z20-0066.

James Kay

James Kay, P.Eng.
Development Engineering Manager

JKH



ADJACENT PROPERTY: ZONE P2

ADJACENT PROPERTY: ZONE RU1

1" = 10'-0" ①
SITE PLAN

SHEET NOTES:
- LANDSCAPING NOT SHOWN. REFER TO LANDSCAPE ARCHITECT'S DWGS.
- ALL WALKWAYS TO BE BRUSHED CONCRETE
- T/O ENTRY SLAB-ON-GRADE= 100'-0" [GEO. T.B.C.]
- ALL LOT DIMENSIONS & GEODEDIC ELEVATIONS TO BE CONFIRMED BY A SURVEYOR PRIOR TO CONSTRUCTION

ATTACHMENT A
This forms part of application
OCP20-0013 Z20-0066
City of Kelowna
DEVELOPMENT PLANNING
Planner Initials KB

BUILDING NOTES
GENERAL ZONING AND SITE INFORMATION

- CIVIC ADDRESS: 605 FRASER RD & 460 LEATHEAD RD
- LEGAL: PLAN 12434, LOTS 1 & 2
- AUTHORITY: CITY OF KELOWNA
- EXISTING ZONE: RU1 - URBAN RESIDENTIAL 1
- **PROPOSED ZONE: RM3- LOW DENSITY MULTIPLE HOUSING**

ZONING RESTRICTIONS

- MAXIMUM PARCEL COVERAGE: 40% OR 50%*
- MAXIMUM SITE COVERAGE: 60%**
- MAXIMUM FOOR AREA RATIO: 0.80***

NOTES:
* 50% IF PRIVATE OPEN SPACE FOR EACH UNIT CAN BE PROVIDED ON A DECK, PATIO, BALCONY, OR ROOFTOP DECK WHICH EXCEEDS THE BYLAW REQUIREMENTS BY 10%
** INCREASE TO 65% FOR PERMEABLE DRIVE SURFACES AND PARKING
*** WHERE MIN. 75% OF PARKING SPACES AREA SCREENED FROM PUBLIC VIEW

SETBACKS & SIZE RESTRICTIONS

- FRONT YARD SETBACK: 4.5m
  1.5m FOR GROUND-ORIENTED HOUSING
  6.0m FOR CARPORT/GARAGE
- REAR YARD SETBACK: 7.5m
  4.5m (COMMON RECREATION BUILDINGS)
  1.5m (ACCESSORY BUILDINGS)
- SIDE YARD SETBACK: 4.0m
  4.5m FOR FLANKING STREET
  1.5m FOR GROUND-ORIENTED HOUSING FACING A FLANKING STREET
  6.0m FOR CARPORT/GARAG
- MAX. HEIGHT OF MAIN HOUSE: 10m (3 STOREY)
  4.5m FOR ACCESSORY BUILDINGS
- MIN.SEPARATION BETWEEN BUILDINGS: 3m
- MIN. PRIVATE OPEN SPACE PER DWELLING: 25m²

AREA CALCULATIONS

- 605 FRASER RD LOT AREA:	14,400sqft [1337.8m²]
- 460 LEATHEAD RD LOT AREA:	17,896sqft [1662.6m²]
- TOTAL LOT AREA:	32,296sqft [3000.4m²]
- MAXIMUM BUILDING SITE COVERAGE:	12,752sqft [1184.7m²] (39.5%)
- MAXIMUM SITE COVERAGE (INCL. PERMEABLE DRIVEWAYS & PARKING AREAS):	20,992sqft [1950.2m²] (65%)
- PROPOSED TOTAL BUILDING COVERAGE:	12,776sqft [1186.9m²] (39.6%)
- PROPOSED TOTAL SITE COVERAGE:	19,987sqft [1856.9m²] (61.9%)
- PROPOSED 4-PLEX BUILDING SIZE:	3,188sqft [296.2m²]
- MAXIMUM TOTAL NET FLOOR AREA:	25,837sqft [2400.3m²] (0.80 FAR)
- PROPOSED TOTAL NET FLOOR AREA:	25,488sqft [2367.9m²] (0.79 FAR)
TOTAL FLOOR AREAS PER UNIT TYPE:	UNIT 1: 1333sqft [123.8m²] UNIT 2: 1671sqft [155.2m²] UNIT 3: 1671sqft [155.2m²] UNIT 4: 1819sqft [169.0m²]

Blue Vision DESIGN INC.
'BRINGING YOUR VISIONS TO LIFE'
Blue Vision Design Inc.
1486 Wilmot Ave
Kelowna, BC V1P 1N3
250.864.6666
blue.vision@hotmail.com

Issue Schedule

Issue Number	Description	Date (dd.mm.yy)
9	Development Permit	02.07.20
11	Development Permit	03.11.20

0725353 BC Ltd.
P.O. Box 22024 Capri
P.O.
Kelowna,BC V1Y 9N9
PH#: 250.317.3253
tkhunkhun @gmail.com

Multi-Residential Development

605 Fraser Rd &
460 Leathead Rd
Kelowna, BC

SITE PLAN

SCALE:
AS NOTED

DRAWN BY:	CHECKED BY:
BV	BV
DATE: 03.11.20	PROJECT: 2020-009

A1.1

ATTACHMENT A
This forms part of application
OCP20-0013 Z20-0066
City of Kelowna
DEVELOPMENT PLANNING
Planner Initials KB

MULTI-UNIT RESIDENTIAL
605 FRASER RD & 460 LEATHEAD RD

PROPOSED BC STEPCODE: STEP 1

SHEET LIST

Sheet Number	Sheet Name	Current Revision Date
A0.0	TITLE	03.11.20
A0.1	RENDERS	03.11.20
A0.2	RENDERS	03.11.20
A0.3	RENDERS	03.11.20
A0.4	3D VIEW	03.11.20
A0.5	3D VIEW	03.11.20
A1.0	GENERAL NOTES & SCHEDULES	03.11.20
A1.1	SITE PLAN	03.11.20
A2.0	ELEVATIONS	03.11.20
A2.1	ELEVATIONS	03.11.20
A2.2	ELEVATIONS	03.11.20
A2.3	ELEVATIONS	03.11.20
A3.1	GROUND FLOOR PLAN	03.11.20
A3.2	MAIN FLOOR PLAN	03.11.20
A3.3	UPPER FLOOR PLAN	03.11.20
A3.4	ROOF PLAN	03.11.20

1 3D Rendering- Leathead & Fraser
1/4" = 1'-0"

Blue Vision DESIGN INC.
'BRINGING YOUR VISIONS TO LIFE'

Blue Vision
Design Inc.
3448 Cougar Rd
West Kelowna, BC
V4T 2G9
250.864.6666
blue.vision@hotmail.com

Issue Schedule

Issue Number	Description	Date (dd.mm.yy)
9	Development Permit	02.07.20
11	Development Permit	03.11.20

0725353 BC Ltd.
P.O. Box 22024 Capri
P.O.
Kelowna,BC V1Y 9N9
PH#: 250.317.3253
tkhunkhun @gmail.com

Multi-Residential Development

605 Fraser Rd &
460 Leathead Rd
Kelowna, BC

TITLE

SCALE:
AS NOTED

DRAWN BY:	CHECKED BY:
DS	BV
DATE: 03.11.20	PROJECT: 2020-009

A0.0

ATTACHMENT B
This forms part of application
OCP20-0013 Z20-0066
City of Kelowna
DEVELOPMENT PLANNING
Planner Initials KB

Blue Vision
Drafting & Design
'BRINGING YOUR VISIONS TO LIFE.'

Rationale Letter

July 02, 2020

To: City of Kelowna Building & Permitting
1435 Water St
Kelowna, BC V1Y 1J4
P: 250.469.8960
developmentservicesinfo@kelowna.ca

From: Blue Vision Design Inc
3448 Cougar Rd
Westbank, BC V4T 2G9
P: 250.864.6666
blue.vision@hotmail.com

Subject: Proposal for Re-Zoning, OCP Amendment & Development Permit for (4) 4-plexes @ 605 Fraser rd & 460 Leathead rd.

Dear City of Kelowna,

The subject Property is located at 605 Fraser rd & 460 Leathead rd in Rutland. The properties are currently zones RU1 and the owner wishes to rezone the properties to RM3 to allow for the development of affordable multi-residential townhouses. Re-zoning will provide gentrification to an area central to family-oriented housing and help promote sustainable growth and development. The proposed design creates increase density while maintaining a street scale appropriate to the neighborhood and is a smooth transition from the RM5 designated properties South of this development, across from Leathead rd.

This Application will require a change in the Official Community Plan. The owner has worked closely with the planning department in this regard.

The proposed development consists of 4 – 3 story townhouses along a shared drive aisle with entry off of Fraser rd. We are proposing 4 two bedroom units (1 per building) and 12 three bedroom units (3 per building). All units will have private front yards, two outdoor decks and 2 car garages. All design aspects are to meet the existing zoning regulations of RM3. One handicap accessible visitor parking space and one standard visitor parking space has been provided on site per the zoning requirements.

Garden plots and fruit trees will be located at the North end of the property and available exclusively for the residents' enjoyment and use. This will also promote sustainability on the site. Bike storage is included in each unit with oversized 2 car garages for each unit. This project aims at healthy living for it's occupants and sustainable development in its neighborhood. This encourages harmonious living trough these shared amenity spaces. The project will provide privacy fencing and 1 meter of vegetative screening & fencing on the North side of the Property, neighboring an RU1 lot. Below ground garbage & recycling bins (Molok System) is provided for maximum convenience with minimal expose above grade.

ATTACHMENT B
This forms part of application
OCP20-0013 Z20-0066
City of Kelowna
DEVELOPMENT PLANNING
Planner Initials KB

Blue Vision
Drafting & Design
'BRINGING YOUR VISIONS TO LIFE.'

Rationale Letter

July 02, 2020

While aiming at family living, the design will accommodate a variety of different types of renters, such as students, with a close proximity to bus stops leading to UBCO and nearby shopping and recreation facilities. Nearby schools are ideal for young families as their children may walk to school.

The modern/ contemporary design features of each building have an urban feel that reflect many of the new development styles around Kelowna and throughout the Okanagan and Western Canada. The dark trim, low pitch/ flat rooflines and folding planes give it an appealing architectural design, with plenty of large windows and modern entry doors. All the exterior materials specified are hearty & low maintenance with a lifespan of 25+ years. The mix of warm natural wood tones and cool colors give the development a balanced mix that reflect our seasons here in the Okanagan.

Thank you for your consideration.

Sincerely,

Applied Science Technologists and Technicians of British Columbia
27979
BRADLEY VEENSTRA
AScT

Bradley A. Veenstra, AScT
Dated: July 02, 2020

Blue Vision Design Inc.
3448 Cougar Rd
West Kelowna, BC V4T 2G9

P: 250.864.6666
blue.vision@hotmail.com
www.bluevisiondesigninc.com

OCP20-0013 Z20-0066

605 Fraser Road
460 Leathead Road

Rezoning and Official Community Plan Amendment Applications

Proposal

- To rezone the subject property and to amend the Official Community Plan to change the future land use designation of the subject property to facilitate a multiple dwelling housing development.

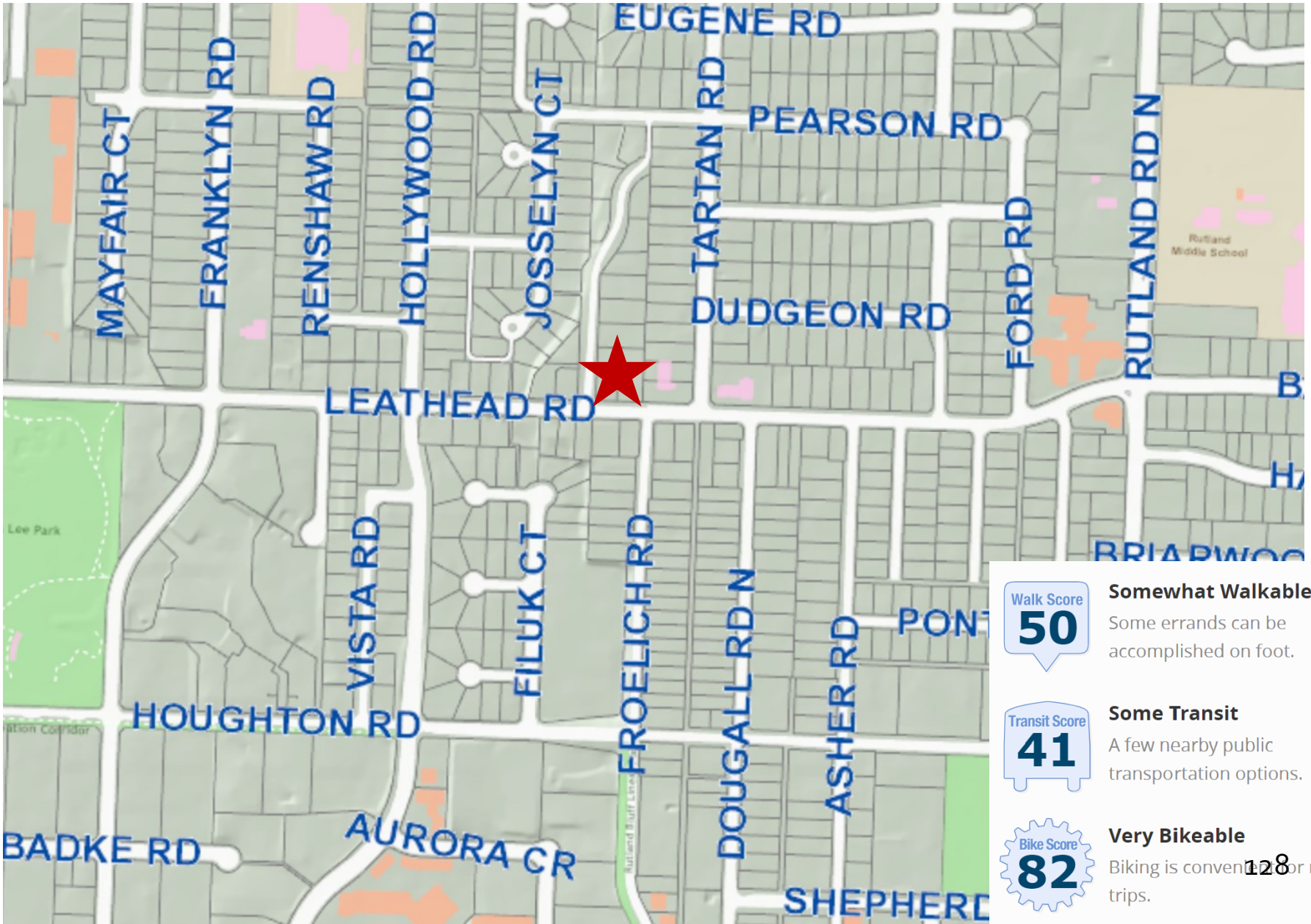
Development Process

City of Kelowna

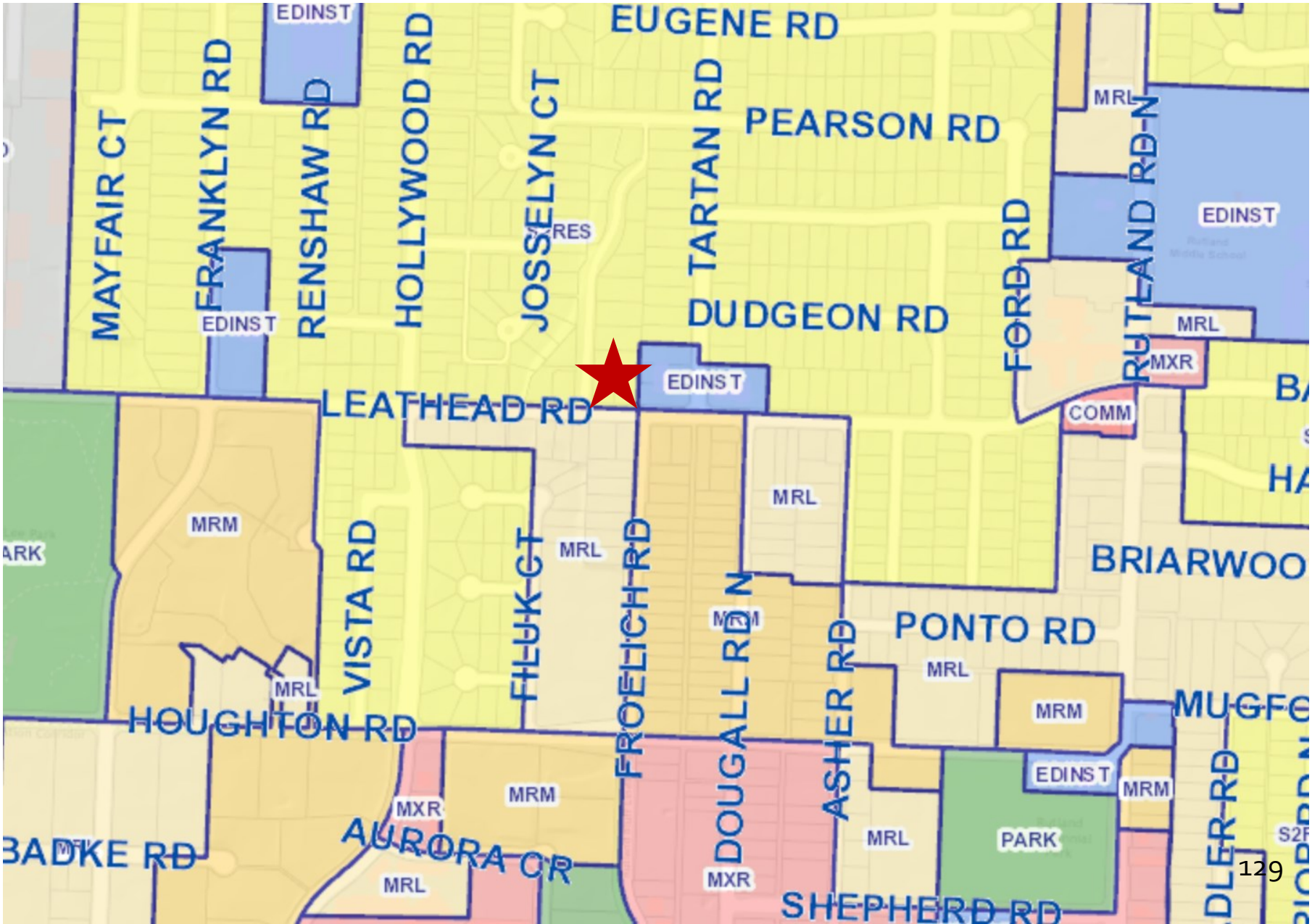
Aug 6, 2020	Development Application Accepted
	Staff Review & Circulation
Nov 9, 2020	Public Notification Received
Jan 18, 2021	Initial Consideration
Feb 2, 2021	Public Hearing Second & Third Readings
	Final Reading DP & Variances
	Building Permit

Council Approvals

Context Map


EUGENE RD
PEARSON RD
MAYFAIR CT
FRANKLYN RD
RENSHAW RD
HOLLYWOOD RD
JOSSELYN CT
TARTAN RD
DUDGEON RD
FORD RD
RUTLAND RD N
Rutland Middle School
LEATHEAD RD
Lee Park
VISTA RD
FILUK CT
FROELICH RD
DOUGALL RD N
ASHER RD
HOUGHTON RD
BADKE RD
AURORA CR
SHEPHERD
Walk Score
50
Somewhat Walkable
Some errands can be accomplished on foot.
Transit Score
41
Some Transit
A few nearby public transportation options.
Bike Score
82
Very Bikeable
Biking is convenient for most trips.

Future Land Use

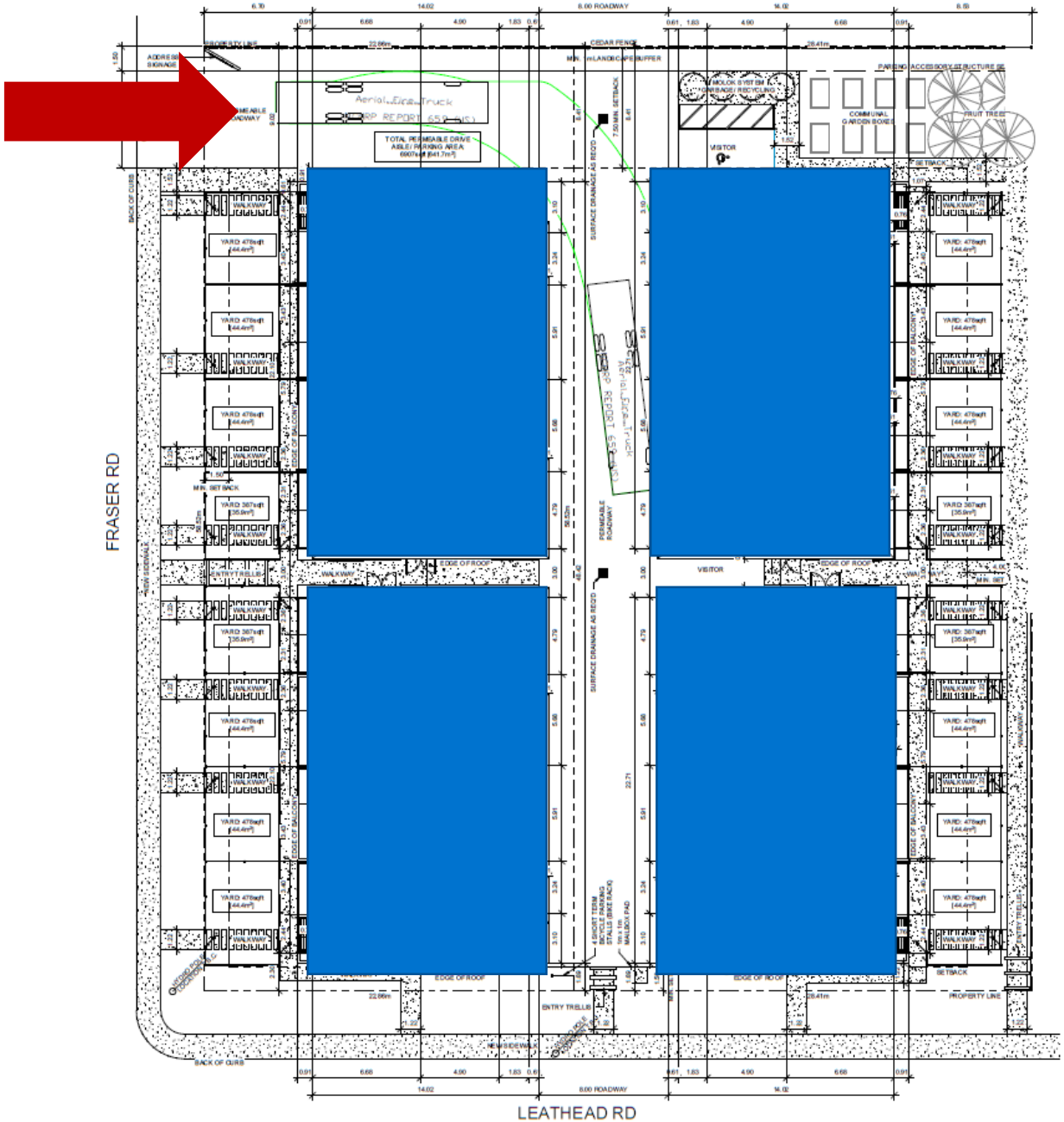


Subject Property Map

Project Details

- Multiple dwelling housing development
  - 16 units
    - Within four separate buildings
    - Four 2 bedroom units
    - Twelve 3 bedrooms units
  - Centre drive aisle
  - Garage parking
  - Ground-oriented entry

Draft Site Plan



N

Draft Rendering

Development Policy

- Official Community Plan
  - Application includes an OCP amendment (S2RES -> MRL)
  - OCP Policies:
    - Housing Mix
    - Address Housing Needs of All Residents
    - Ground Oriented Housing
- Location
  - Arterial Road (Leathead Road)
    - Public transit options
  - Near schools, parks and commercial areas

Staff Recommendation

- Staff recommend support for the Rezoning and OCP Amendment Applications
  - Supported by policies in the OCP
  - Located on an arterial road
  - Near urban amenities
- Recommend the Bylaws be forwarded to a Public Hearing

Conclusion of Staff Remarks

Tetra

605 Fraser Rd & 460 Leathead Rd

Proposed 16 Unit Towhouse Style Development

Current Zoning- RU1 → Proposed Zoning- RM3

Developer: **RA Quality Homes**

Designed by: **Blue Vision Design Inc.**

Proposed Development:

- 4- 3-storey townhouses (16 Units)
- 4- two bedroom units (1333sqft) and 12- three bedroom units (1671sqft- 1819sqft)
- Double Garage & Bike Storage ea. unit
- Modern/ Contemporary Architecture w/ high quality, low maintenance finishings

Existing Site- Leathead Rd

Blue Vision Design Inc.

Existing Site- Fraser Rd

Proposed Development:

- Promotes Outdoor & Harmonious Community Living
- On-Site Gardens & Fruit Trees
- 1m Landscape Buffer & Fencing to the North, for Neighbour's privacy (not shown)
- Undergroud garbage/ recycling collection

Blue Vision Design Inc.

Demographic:

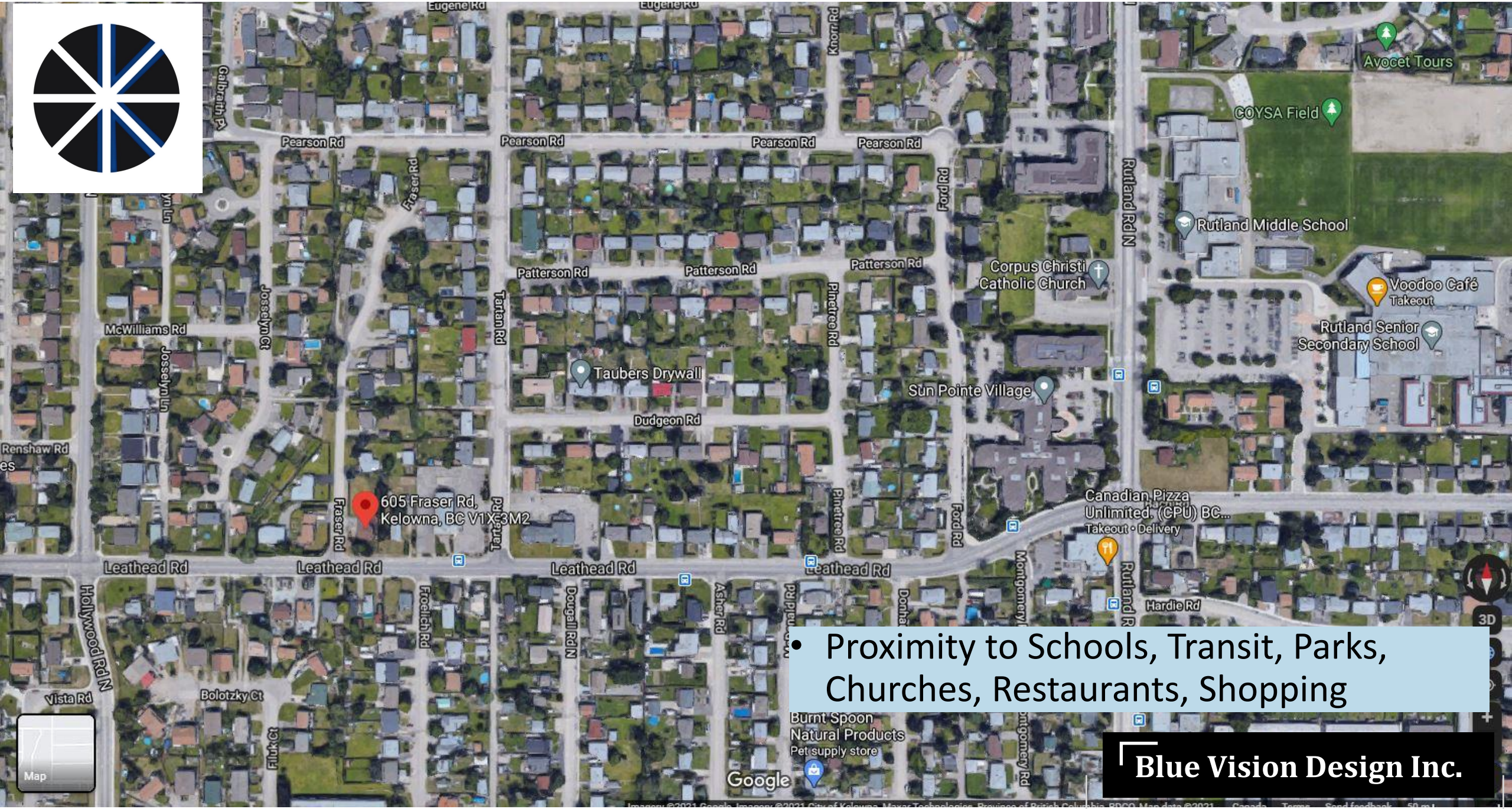
- Young Families- nearby schools
- First-Time Homebuyers
- Downsizing
- Low- Medium Income- Condo Alternative
- Accommodates Student Renters w/ nearby Bus routes to UBCO

Corner- Fraser/ Leathead Rd

Blue Vision Design Inc.

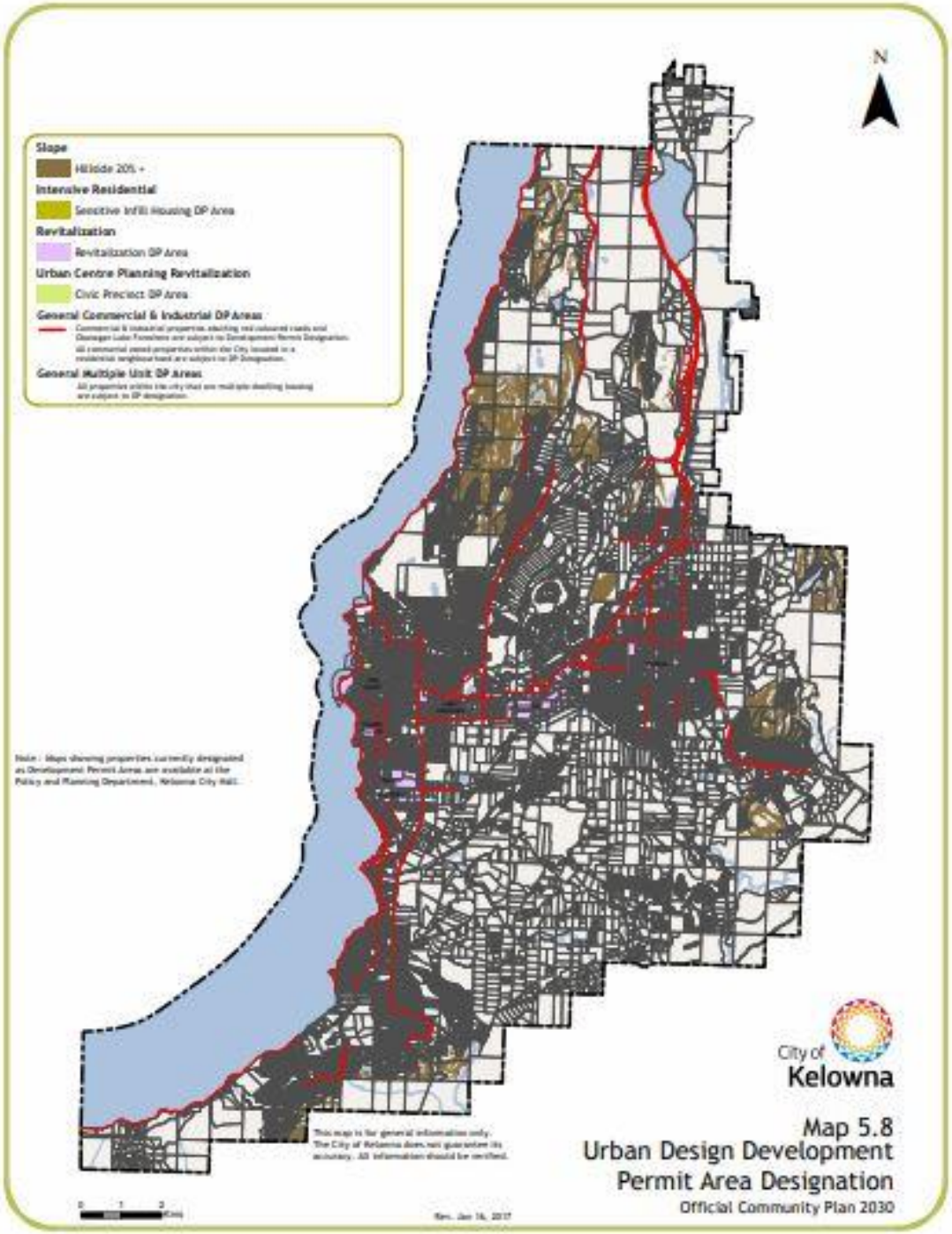
- Current Zoning RU1 → Proposed Zoning RM3

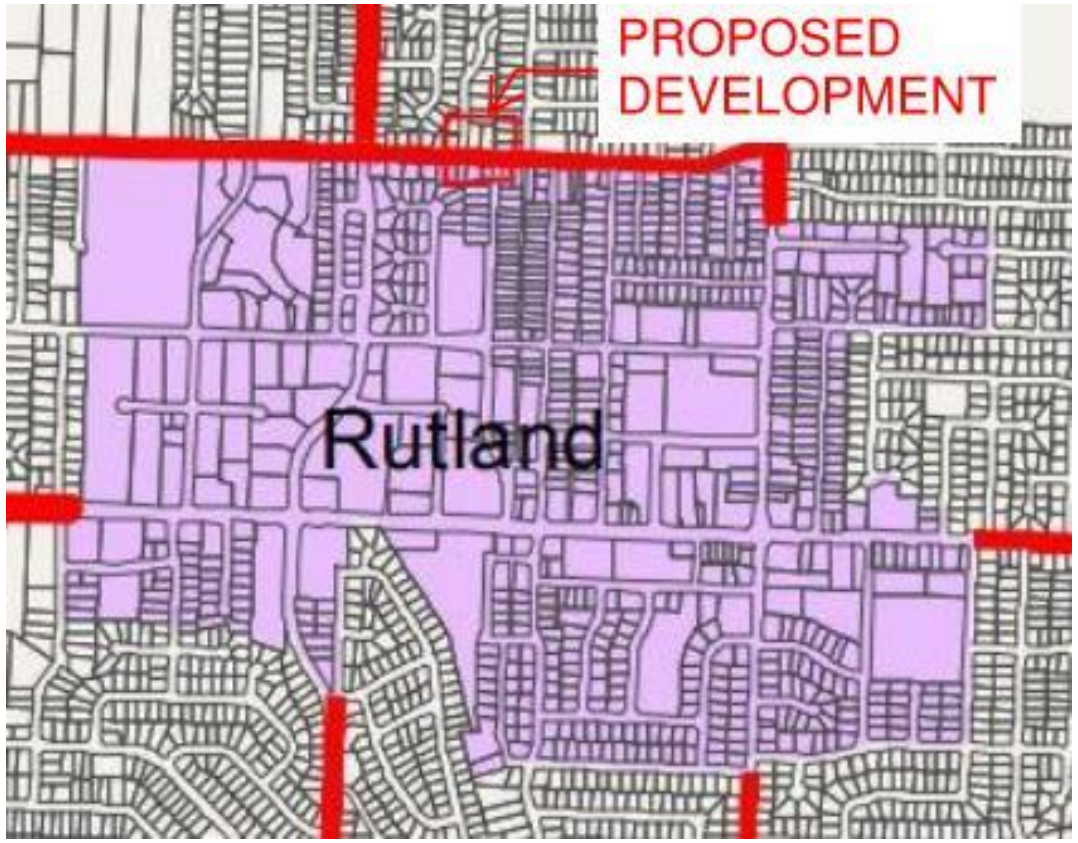
Blue Vision Design Inc.



- Proximity to Schools, Transit, Parks, Churches, Restaurants, Shopping

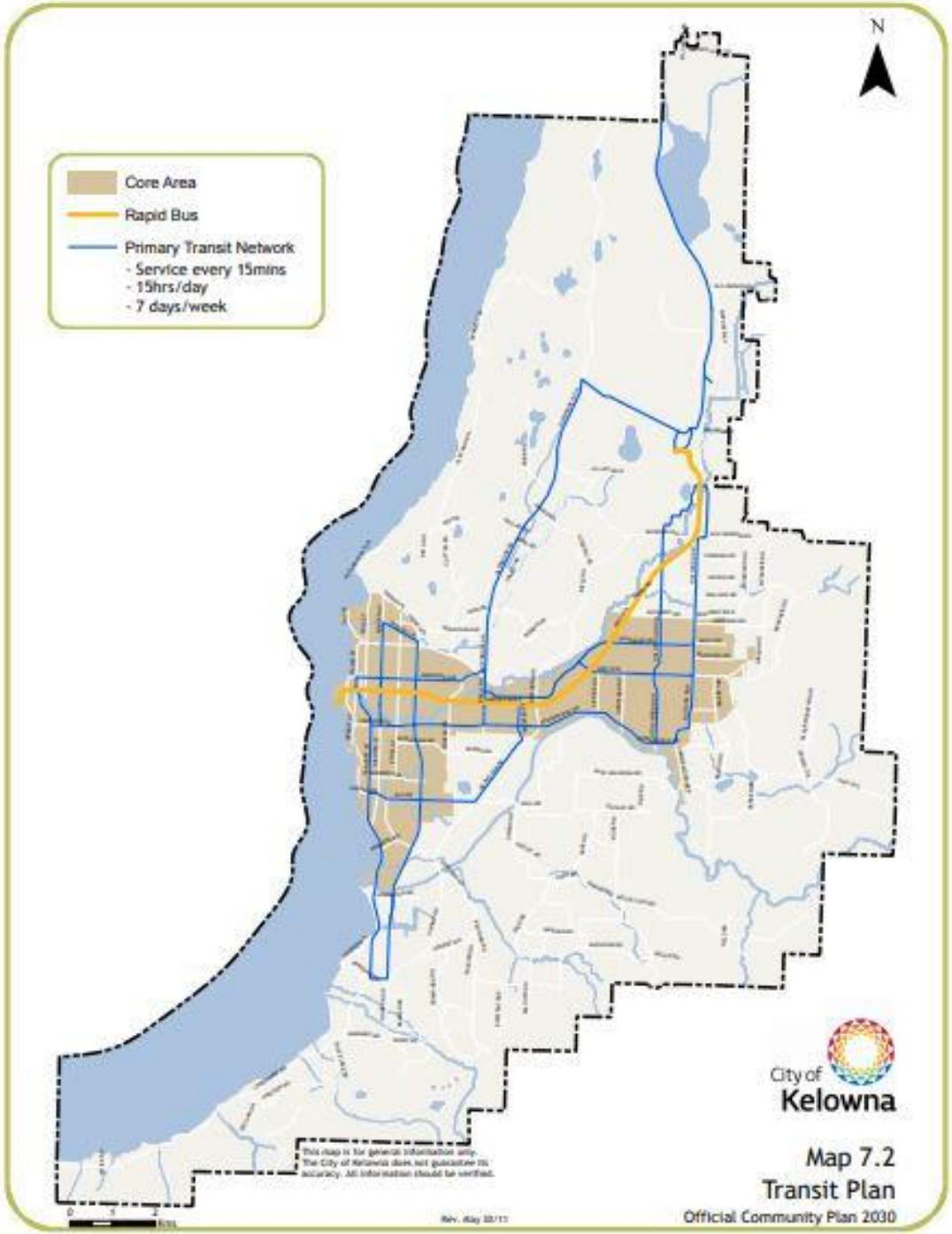
Blue Vision Design Inc.





- Bordering the Rutland Revitalization DP Area

Blue Vision Design Inc.



- Within the OCP Transit Core Area

Blue Vision Design Inc.

ASSOCIATION OF INTERIOR REALTORS®

MONTHLY BUYERS SURVEY

December 2020 Survey Overview

Property Type

- 16% FIRST-TIME BUYER
- 15% REVENUE/INVESTMENT
- 7% RECREATIONAL
- 13% DOWNSIZING
- 24% MOVE UP PURCHASE
- 3% SINGLE-FAMILY HOME TO STRATA UNIT
- 3% STRATA UNIT TO SINGLE-FAMILY HOME
- 1% RETIREMENT HOME
- 16% LATERAL PURCHASE

Buyer Origin

- 63% WITHIN BOARD
- 16% LOWER MAINLAND/ISLAND
- 5% OTHER BC AREAS
- 9% ALBERTA
- 2% SASK./MANITOBA
- 4% EASTERN CA./MARITIMES
- 0% N.W.T./YUKON
- 1% OUTSIDE CANADA

Buyer Type

- 8% SINGLE FEMALE
- 31% COUPLE, WITH CHILDREN
- 25% COUPLE, WITHOUT CHILDREN
- 12% SINGLE MALE
- 4% SINGLE PARENT WITH CHILDREN
- 18% EMPTY NESTERS/RETIREES

Area of Purchase

- 55% KELOWNA/ WEST KELOWNA
- 17% VERNON/COLDSTREAM
- 8% CENTRAL OKANAGAN *(outside K/WK)*
- 9% NORTH OKANAGAN
- 7% SHUSWAP/REVELSTOKE
- 4% SALMON ARM

THIS DATA REFLECTS BUYERS OF HOMES WITHIN THE REGION (PEACHLAND TO REVELSTOKE) AND IS OBTAINED THROUGH A MONTHLY BOARD-WIDE SURVEY THAT REALTOR® MEMBERS COMPLETE, BASED ON HOME SALES THAT CLOSE IN THE MONTH THE SURVEY DATA REFLECTS.

250.491.4560 INTERIORREALTORS.COM

TOWN-HOUSE

	CENTRAL OKANAGAN	NORTH OKANAGAN	SHUSWAP / REVELSTOKE
Sales	106 ↑ 82.8%	38 ↑ 171.4%	3 0.0%
Benchmark Price*	$499,400 ↑ 6.3%	$377,900 ↑ 6.6%	$377,900 ↑ 6.3%
Days to Sell	63 ↓ -24.9%	74 ↓ -24.9%	87 ↑ 289.6%
Inventory	241 ↓ -19.9%	82 ↓ -29.9%	30 ↓ -23.1%

- November 2020 Summary Statistics

Blue Vision Design Inc.

Developer

We have been building and developing properties in the Okanagan for over 25 years. We are a family operation and choose to remain that way. Recently, we have developed 3 affordable townhouse projects in Rutland alone in the last five years working always very closely with City of Kelowna planning department. They have all been extremely successful and they have allowed families affordable home ownership.

Contact

Tony & Jas Khunkhun

RA Quality Homes Ltd.

Phone: 250-317-3253

Fax: 888-813-9970

Email: raqualityhomesltd@gmail.com

www.raqualityhomes.com

Blue Vision
DESIGN INC.
'BRINGING YOUR VISIONS TO LIFE'

Designer

Blue Vision Design Inc. has been providing custom home, low density multi-family & sustainable energy designs since 2015 in the Okanagan and across British Columbia.

Certifications & Commitment

- Certified Building Designer through Applied Science Technologists & Technician of BC (ASTTBC)
- Certified Energy Advisor through Natural Resources Canada (NRCan)
- Certified Passive House Designer (PassiveHouse Canada)
- Member of Canadian Home Builder's Association (CHBA)
- Award Winning Designs
- Focus of Sustainability & Energy Efficiency

2016 TOMMIE GOLD WINNER

OHAE 2020 SILVER WINNER

Blue Vision Design Inc.

Thank You

Bradley Veenstra, AScT, CEA

+1 250-864-6666

blue.vision@hotmail.com

www.bluevisiondesigninc.com

Blue Vision Design Inc.

CITY OF KELOWNA

BYLAW NO. 12129

Official Community Plan Amendment No. OCP20-0013
460 Leathead Road and 605 Fraser 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 1 Section 26 Township 26 Osoyoos Division Yale District Plan 12434, located on Leathead Road, Kelowna, B.C.; and

   b) Lot 2 Section 26 Township 26 Osoyoos Division Yale District Plan 12434, located on Fraser Road, Kelowna, B.C.

   from the S2RES – Single / Two Unit Residential designation to the MRL – Multiple Unit Residential (Low Density) designation.

2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 18th day of January, 2021.

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. 12130
Z20-0066
460 Leathead Road and 605 Fraser 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 1 Section 26 Township 26 Osoyoos Division Yale District Plan 12434, located on Leathead Road, Kelowna, B.C.; and

   b) Lot 2 Section 26 Township 26 Osoyoos Division Yale District Plan 12434, located on Fraser Road, Kelowna, B.C.

   from the RU1 – Large Lot Housing zone to the RM3 – Low Density Multiple Housing zone.

2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 18th day of January, 2021.

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:	January 18, 2021		
To:	Council		
From:	City Manager		
Department:	Development Planning		
Application:	TA20-0021	**Owner:**	N/A
Address:	N/A	**Applicant:**	City of Kelowna
Subject:	Text Amendment Application		

1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA20-0021 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule "A" attached to the Report from the Development Planning Department dated January 18, 2021 be considered by Council;

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

2.0 Purpose

To consider a Text Amendment Application to the HD3 - Health Services Transitional Zone to add multiple dwelling housing as a primary use.

3.0 Development Planning

The HD3- Health Services zone was adopted by Council in 2014. The purpose of the HD3 – Health Services Transitional Zone is to provide a transitional zone, including supportive and low-impact health service uses, from the Kelowna General Hospital (KGH) campus to the established residential neighbourhood to the north and south of the KGH. For those parcels identified in blue on the boundary map below, this zone allows for small-scale health services that are compatible with residential land uses and capable of being located in a neighbourhood setting.

Additionally, the Official Community Plan supports integrated uses for the KGH campus both physically and functionally with the surrounding community. The addition of multiple dwelling housing as primary use in the HD3 Zone is an appropriate scale of development for this area and would allow for the modest transition from KGH to the existing surrounding residential land uses the HD3 Zone was intended for.

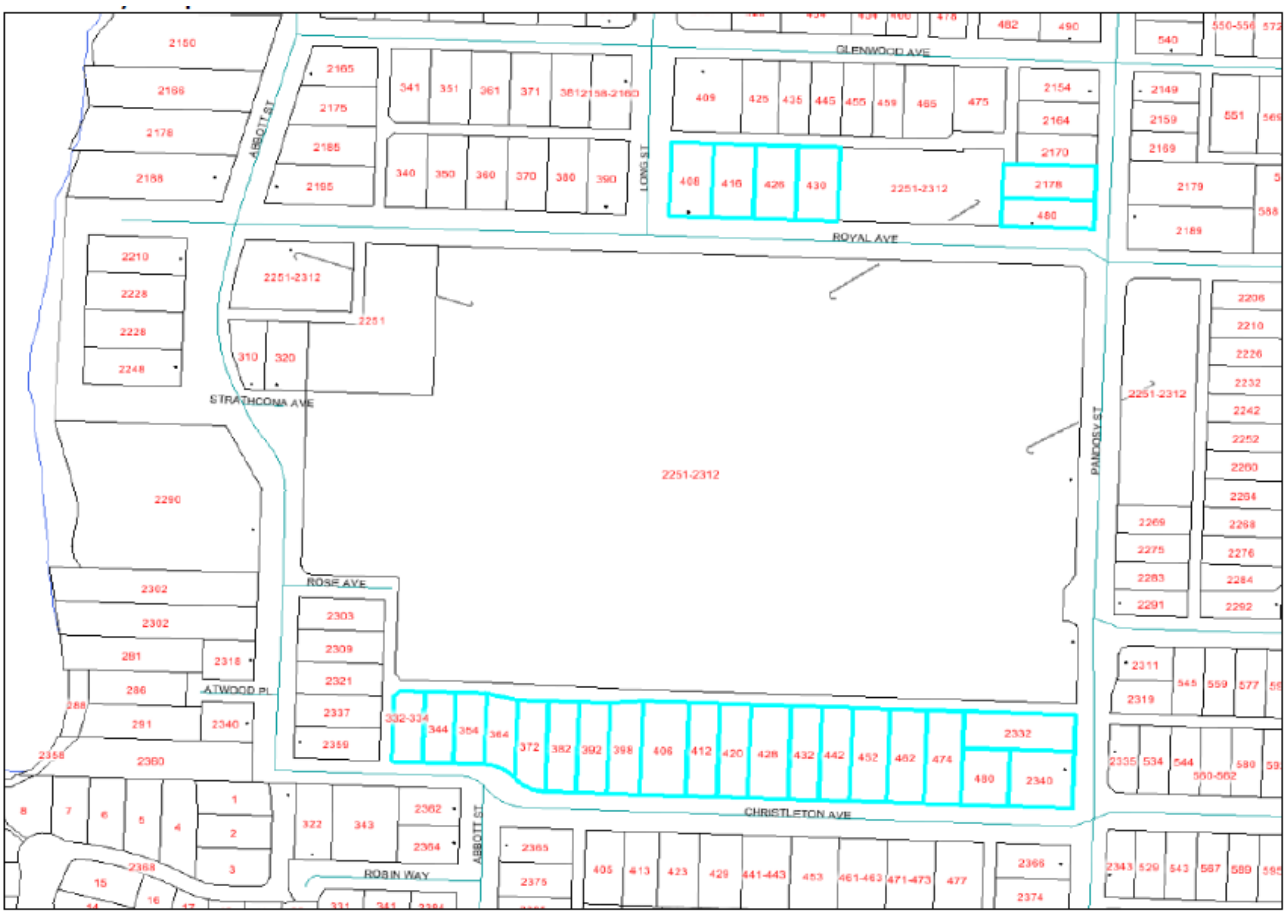
The addition of multiple dwelling housing is supported by existing development regulations in the zone that would allow for minimal density and low-rise development, particularly floor area ratio (FAR) and height:

Section 17.3.4 (a) The maximum floor area is 0.5, except it is 1.0 for properties with a lot area of more than 1800m²; and

Section 17.3.4 (c) The maximum building height is the lesser of 9.5 meters or 2 ½ storeys, except it is 4.5m for accessory buildings. Where parking is provided totally beneath habitable space of a principal building providing that in all cases, the parking spaces are screened from street frontage view, the maximum building height is the lesser of 10 meters or 3 storeys.

Additionally, the current development pattern to both the north and south of the KGH campus is single-family homes typically separated by adjacent single-family development with a laneway. Staff believe that multiple dwelling housing, built to the development regulations of the zone, are a compatible use with the existing residential nature and can also assist in buffering existing single family homes beyond the zone from the active KGH campus. Form and character developments permits for multi-family will be thoroughly reviewed for site specific context and design that is transitional in nature and adequately meets the intent of the zone.

HD3 - Health Services Transitional Zone Boundary Map:



4.0 Proposal

4.1 Background

This broad amendment to the HD3 - Health Services Transitional zone was initiated by development applications to facilitate development proposals at 480 Royal Avenue under application Z20-0059 and 416,

426 and 430 Royal Ave under application Z19-0068. The specific development applications will be considered by Council in separate applications.

5.0 Current Development Policies

5.1 Healthy Housing Strategy

Four key directions form the framework for the strategy:

1. Promote and protect rental housing;
2. Improve housing affordability and reduce barriers for affordable housing;
3. Build the right supply; and
4. Strengthen partnerships and align investments.

5.2 Kelowna Official Community Plan (OCP)

Chapter 1: Introduction

Goals for a Sustainable Future:

> Address Housing Needs of All Residents. Address housing needs of all residents by working towards an adequate supply of a variety of housing.

Chapter 5: Development Process

Objective 5.9 Support the creation of affordable and safe rental, non-market and/or special needs housing. Objective 5.22 Ensure context sensitive housing development.

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

6.0 Technical Comments

6.1 Development Engineering Department

The Development Engineering Branch has no comments related to the request for a Text Amendment. All Development Engineering Department comments related to the development at 480 Royal Avenue are included in City of Kelowna Memorandum for Z20-0059.

7.0 Application Chronology

Date of Application Received: August 11, 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: Summary Table of Proposed Text Amendments to Zoning Bylaw No. 8000

Schedule A – TA20-0021 - Proposed Text Amendment to Zoning Bylaw No. 8000

Section	Existing Text	Proposed Text	Explanation of Change
Section 17 – Health District Zone, 17.3 HD3 – Health Services Transitional, 17.3.2 Principal Uses	17.3.2.1 The **principal** uses in this zone are: (a) **boarding or lodging house** (b) **congregate housing** (c) **group home, minor** (d) **health services, minor** (e) **health services, major** (f) **single detached housing** (g) **two dwelling housing**	17.3.2.1 The **principal** uses in this zone are: (a) **boarding or lodging house** (b) **congregate housing** (c) **group home, minor** (d) **health services, minor** (e) **health services, major** (f) **single detached housing** (g) **two dwelling housing** (h) **multiple dwelling housing**	This addition will facilitate modest density increase and support the modest transition from Kelowna General Hospital Campus to the existing surrounding residential land uses the HD3 – Health Services Transition Zone was intended for.

SCHEDULE A
This forms part of application
TA20-0021
City of Kelowna
DEVELOPMENT PLANNING
Planner Initials BC

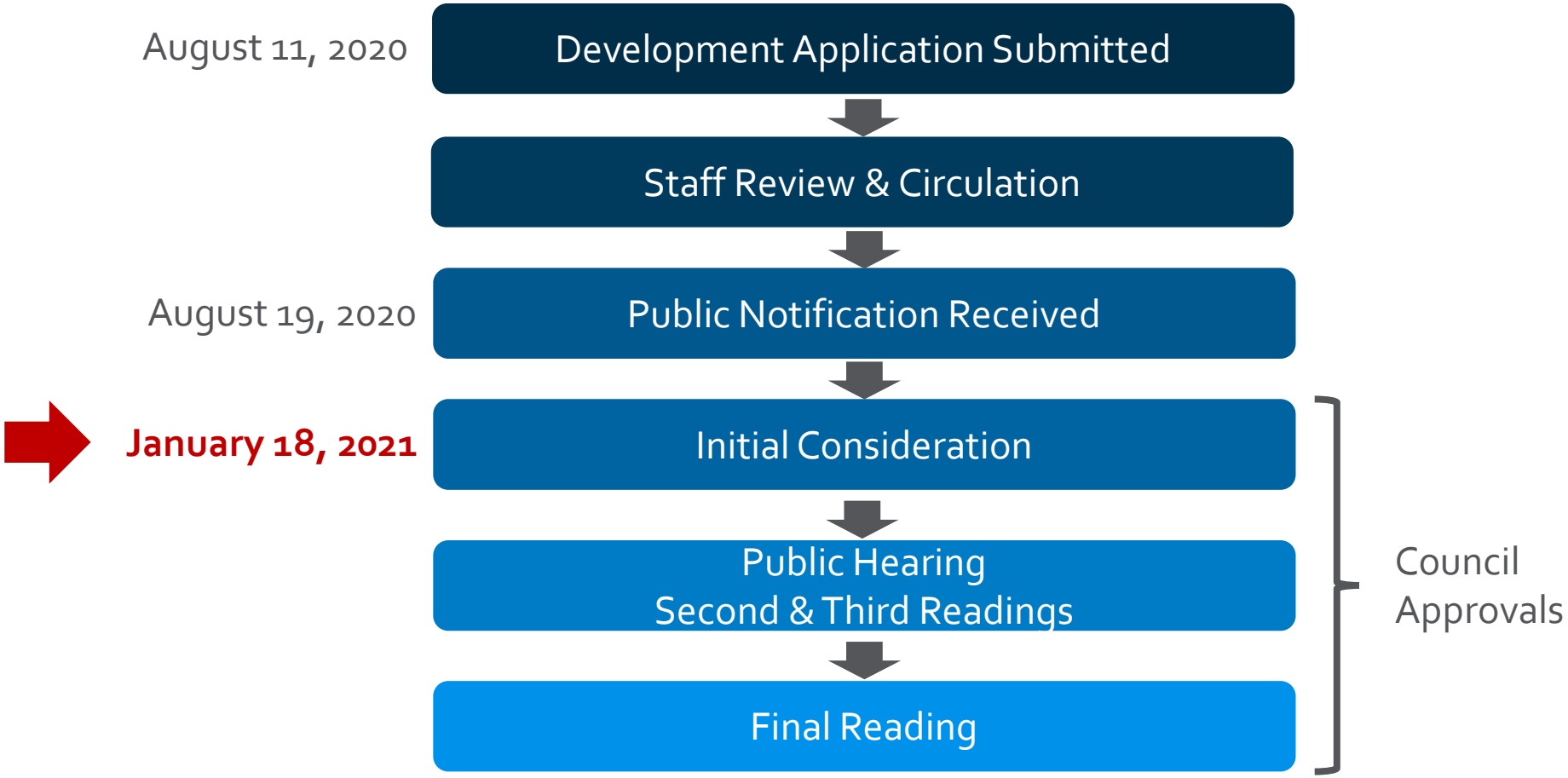
TA20-0021
480 Royal Avenue

Text Amendment Application

Proposal

- To consider a Text Amendment Application to the HD3 - Health Services Transitional Zone, to add multiple dwelling housing as a primary use.

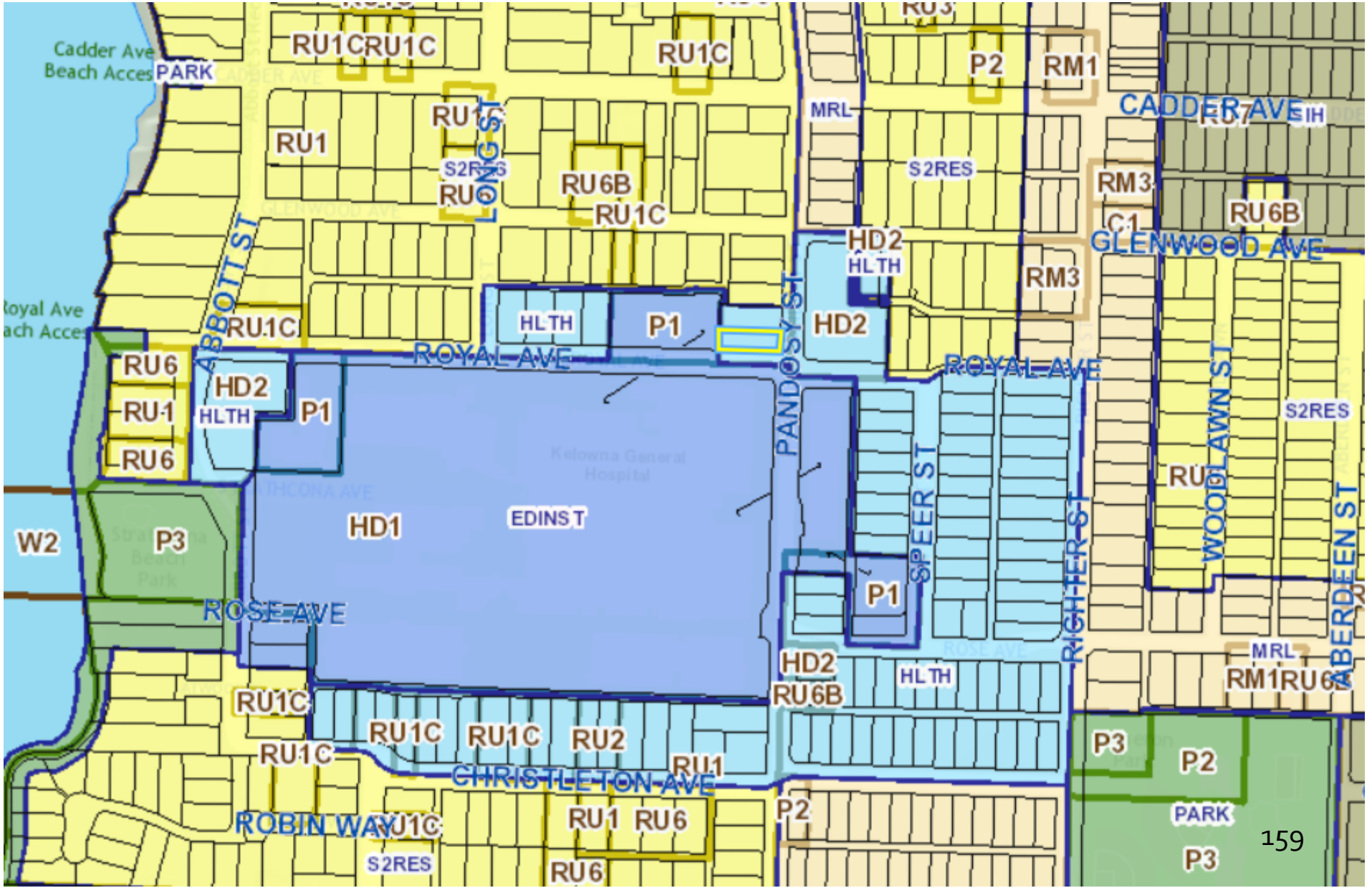
Development Process



HD3 - Health Services Transitional

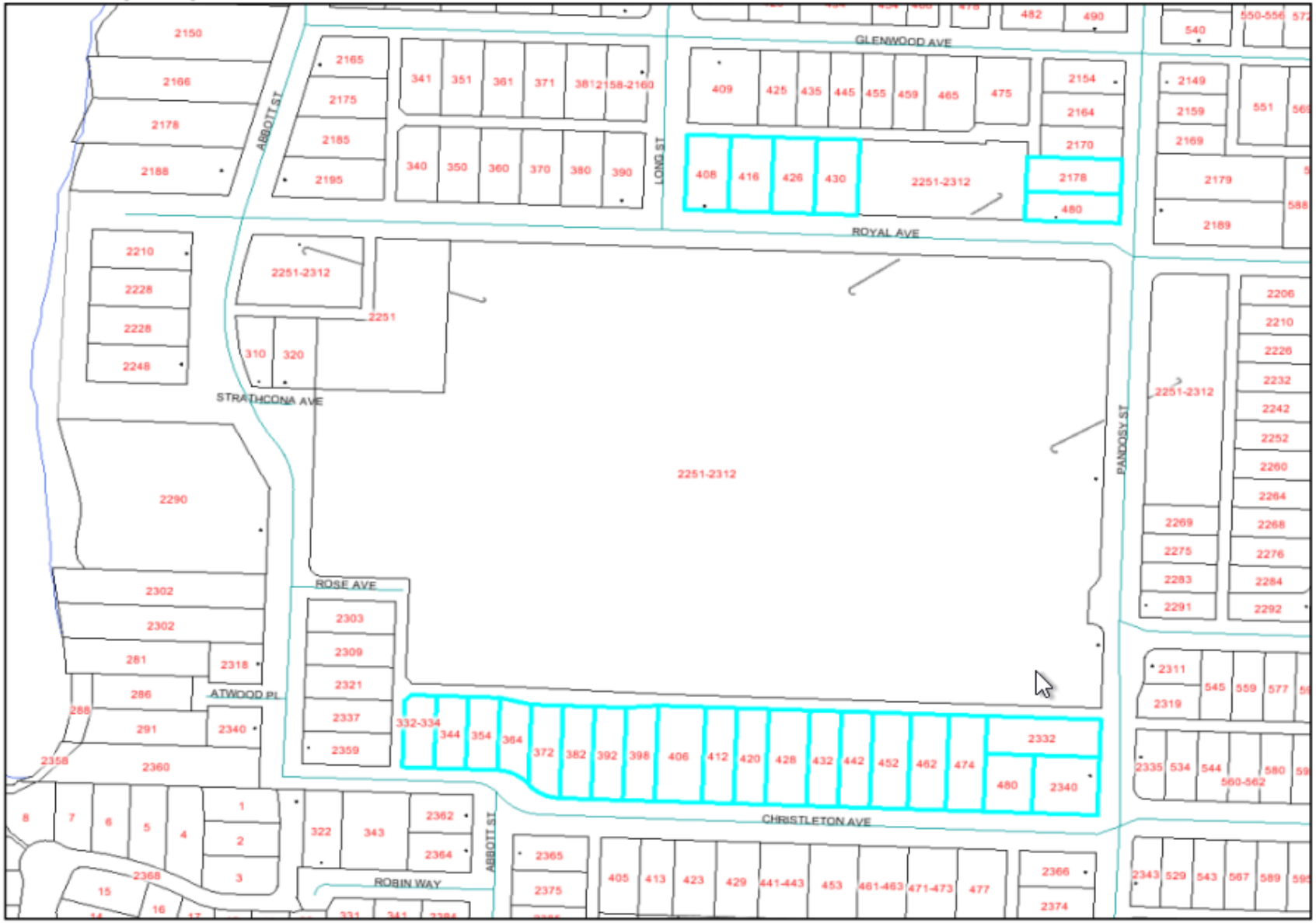
- HD3- Health Services Transitional was created as part of Phase 1 of the Hospital Area Plan
- The zone is intended for the transitional area immediately north and south of KGH
- Intention is to minimize impact of the Hospital Campus on adjacent residential neighbourhood and allow for sensitive transitions

OCP Future Land Use



HD3 - Health Services Transitional

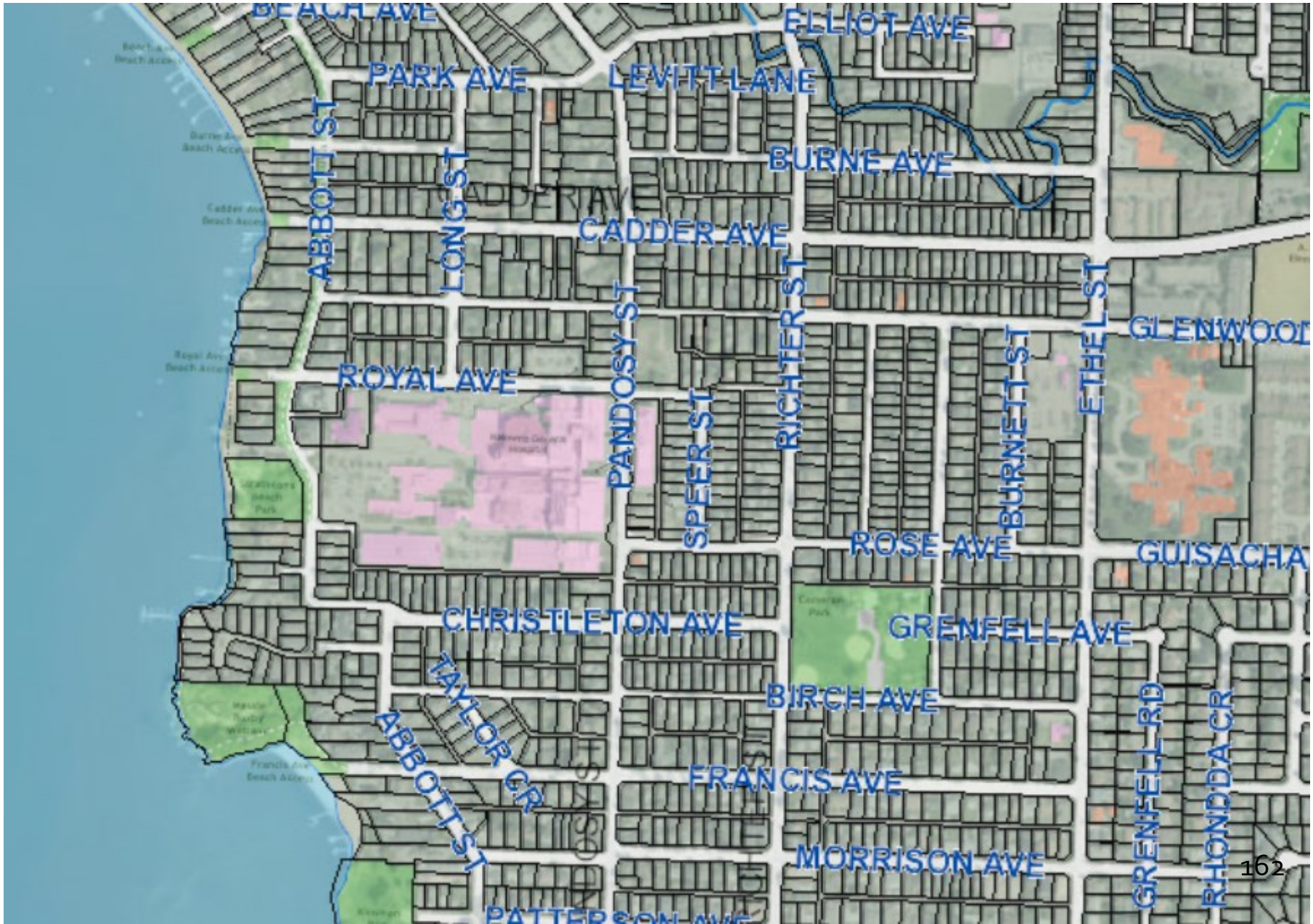
Boundary Map:



Zoning Bylaw Regulations

- Allow minimal density and low-rise development, particularly floor area ratio (FAR) and height
  - Section 17.3.4 (a) The maximum floor area is 0.5, except it is 1.0 for properties with a lot area of more than 1800m²
  - Section 17.3.4 (c) The maximum building height is the lesser of 9.5 meters or 2 ½ storeys, except it is 4.5m for accessory buildings

Context Map


BEACH AVE
ELLIOT AVE
PARK AVE
LEVITT LANE
ABBOTT ST
LONG ST
BURNE AVE
CADDER AVE
CADDER AVE
PANDOSY ST
RICHTER ST
ETHEL ST
GLENWOOD
ROYAL AVE
SPEER ST
BURNETT ST
ROSE AVE
GUISACHA
CHRISTLETON AVE
GRENFELL AVE
TAYLOR CR
BIRCH AVE
ABBOTT ST
FRANCIS AVE
GRENFELL RD
RHONDDA CR
MORRISON AVE
PATTERSON AVE

Development Policy

City of Kelowna

- Meets the intent of Official Community Plan for Health District
  - Integrate uses to support KGH campus.
- Meets the intent of HD3 - Health Services Transitional zone
  - Provide a transitional zone from the KGH campus to the established residential neighbourhood to the north and south.

Staff Recommendation

- Staff recommend **support** for the proposed Text Amendment Application to the HD3 - Health Services Transitional Zone, to add multiple dwelling housing as a primary use.
- Meets the intent of the Official Community Plan
  - Health District
- Recommend the Bylaw be forwarded to Public Hearing

Conclusion of Staff Remarks

Schedule A – TA20-0021 - Proposed Text Amendment to Zoning Bylaw No. 8000

Section	Existing Text	Proposed Text	Explanation of Change
Section 17 – Health District Zone, 17.3 HD3 – Health Services Transitional, 17.3.2 Principal Uses	17.3.2.1 The **principal** uses in this zone are: (a) **boarding or lodging house** (b) **congregate housing** (c) **group home, minor** (d) **health services, minor** (e) **health services, major** (f) **single detached housing** (g) **two dwelling housing**	17.3.2.1 The **principal** uses in this zone are: (a) **boarding or lodging house** (b) **congregate housing** (c) **group home, minor** (d) **health services, minor** (e) **health services, major** (f) **single detached housing** (g) **two dwelling housing** (h) **multiple dwelling housing**	This addition will facilitate modest density increase and support the modest transition from Kelowna General Hospital Campus to the existing surrounding residential land uses the HD3 – Health Services Transition Zone was intended for.

SCHEDULE A
This forms part of application
TA20-0021
City of Kelowna
DEVELOPMENT PLANNING
Planner Initials BC

CITY OF KELOWNA

BYLAW NO. 12150
TA20-0021
HD3 – Health Services Transitional Text Amendment

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 **Section 17 – Health District Zones, 17.3 HD3 - Health Services Transitional, 17.3.2 Principal Uses** be amended by adding in its appropriate location:

   "(h) **multiple dwelling housing**"

2. AND THAT **Section 17 – Health District Zones** be amended by deleting all occcurances of:

   "**Section 17 – Health District Zone**"

3. 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 18th day of January, 2021.

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:	January 18, 2021		
To:	Council		
From:	City Manager		
Department:	Development Planning		
Application:	Z20-0059	**Owner:**	W Squared Ventures Inc., Inc.No. BC1258050
Address:	480 Royal Avenue	**Applicant:**	Shane Worman – Simple Pursuits Inc.
Subject:	Rezoning Application		
Existing OCP Designation:	HLTH – Health District		
Existing Zone:	RU1 – Large Lot Housing		
Proposed Zone:	HD3 – Health Services Transitional		

1.0 Recommendation

THAT Rezoning Application No. Z20-0059 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 4, District Lot 14, Osoyoos Division Yale District, Plan 7535, located at 480 Royal Avenue, Kelowna, BC from the RU1 - Large Lot Housing zone to the HD3 - Health Services Transitional zone, be considered by Council;

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 January 18, 2021;

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

2.0 Purpose

To consider an application to rezone the subject property from the RU1- Large Lot Housing to the HD3 - Health Services Transitional to facilitate the development of a mixed-use building.

3.0 Development Planning

Staff are supportive of the proposed rezoning of the subject property from RU1- Large Lot Housing to HD3 - Health Services Transitional to facilitate the development of a two-storey mixed-use building.

The proposal is consistent with the Official Community Plan (OCP) future land use designation of Health District. The OCP supports integrated uses for the Kelowna General Hospital (KGH) campus both physically and functionally with the surrounding community.

Additionally, as per the Zoning Bylaw, the intent of the HD3 – Health Services Transitional zone is to provide a transitional zone, including supportive and low-impact health service uses, from the KGH campus to the established residential neighbourhood to the north and south. The zone allows for small-scale health services that are generally compatible with residential land uses and capable of being located in a neighbourhood setting.

As such, the proposed two-storey mixed-use building in this location would allow for the modest transition from KGH to the existing surrounding residential land uses that the HD3 Zone was intended for, as well is an appropriate scale of development within the HD3 area.

As the site is located in the Abbott Street Heritage Conservation Area, a Heritage Alteration Permit (HAP) is required for the project. Should Council support the rezoning, the HAP application would be brought before Council for consideration.

To fulfill Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form to Staff on August 23, 2020, outlining that the neighbours within 50m^2 of the subject property were notified.

4.0 Proposal

4.1 Project Description

Located on a highly visible corner lot, the proposal offers the opportunity to develop a new two-storey mixed use building that fronts onto Royal Avenue. The proposal consists of four ground-oriented commercial units on the main floor that is intended to support KGH. The second floor contains four 1-bedroom rental residential suites. Given the proximity of the site to the KGH campus, the proposal meets the purpose of the HD3 - Health Services Transitional Zone and offers an opportunity to provide low-impact health services and rental residential suites through a built form that is sensitive to the adjacent residential properties to the north.

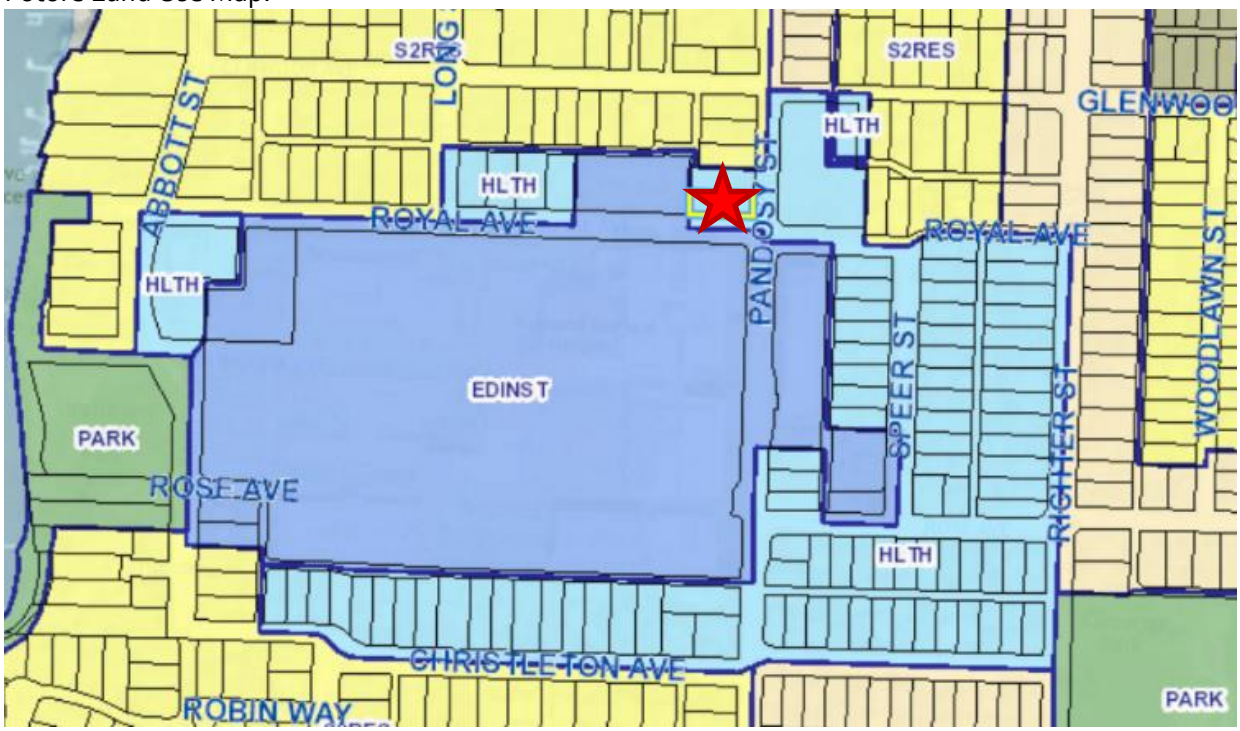
4.2 Site Context

The subject property is located at the corner of Royal Avenue and Pandosy Street within the Central City Sector. The vacant lot fronts Royal Avenue to the south and is flanked by Pandosy Street to the east. Surrounding land use consist of single-family dwelling lots to the north, a parking lot to the west, the KGH campus to the south and a vacant lot zoned HD2 – Hospital and Health Support Services to the east.

Subject Property Map: 480 Royal Avenue

Zoning Map:

Future Land Use Map:



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 4: Health District

Definition:

> The Health District west of Pandosy Street is a transitional area from the Kelowna General Hospital campus to the surrounding residential neighbourhoods. Any properties west of Pandosy Street that are designated health district are limited to the HD3- Health Services Transitional zone of the Zoning Bylaw. The embedded guidelines are intended to ensure that the design of individual developments is compatible with the overall neighbourhood context, adjacent established and future residential neighbourhoods of this area.

5.2 Zoning Bylaw Number 8000

Section 17.3: HD3 – Health Services Transitional

Purpose:

> The intent of the HD3 – Health Services Transitional zone is to provide a transitional zone, including supportive and low-impact health service uses, from the Kelowna General Hospital campus to the established residential neighbourhood to the north and south. The zone will allow for small-scale health services that are generally compatible with residential land uses and capable of being located in a neighbourhood setting.

6.0 Technical Comments

6.1 Development Engineering Department

Refer to attached Schedule A, Development Engineering Department Memorandum, dated July 29, 2020.

7.0 Application Chronology

Date of Application Received:	July 22, 2020
Date of Revised Plans Received:	October 1, 2020
Date Public Consultation Completed:	August 23, 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 Department Memorandum, dated July 29, 2020.

Attachment A: Site Plan and Project Rendering

CITY OF KELOWNA

MEMORANDUM

SCHEDULE A
This forms part of application
Z20-0059
Planner Initials BC
City of Kelowna DEVELOPMENT PLANNING

Date: July 29, 2020

File No.: Z20-0059

To: Urban Planning (JB)

From: Development Engineering Manager (JK)

Subject: 480 Royal Ave. RU1 to HD3

The 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.

1) **SITE-RELATED ISSUES**

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.

b) Existing east driveway on Royal Ave. must be removed and replaced with sidewalk, curb and gutter, and irrigated landscaped boulevard.

c) Dedicate ~3.18m width along the full frontage of Pandosy St. to match KGH property line on Pandosy St.

d) 6.0m corner rounding will be required on the south east corner.

2) **ROAD IMPROVEMENTS**

a) Pandosy St. frontage upgrades shall include irrigated landscaped boulevard and removing the elevation drop from back of sidewalk to existing/future property line to remove the trip/fall hazard. Otherwise, the existing frontage for this development has already been upgraded, and no further upgrades are required at this time.

b) Royal Ave. frontage upgrades shall include irrigated landscaped boulevard and removal of fence and retaining wall with a properly graded boulevard, removing any trip/fall hazards. Otherwise, the existing frontage for this development has already been upgraded, and no further upgrades are required at this time.

3) **DOMESTIC WATER AND FIRE PROTECTION**

a) The subject property is currently serviced with a 13mm 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, if required. You can engage an engineer and contractor to manage the work on your behalf at the developer's expense.

SCHEDULE A
This forms part of application
Z20-0059
Planner Initials BC
City of Kelowna
DEVELOPMENT PLANNING

4) **SANITARY SEWER SYSTEM**

a) The subject property is currently serviced with a 100mm water service. The disconnection of the existing small diameter sanitary services and the tie-in of a larger service is the developer's responsibility, if required. You can engage an engineer and contractor to manage the work on your behalf at the developer's expense.

5) **STORM DRAINAGE**

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

6) **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.

5) **GEOTECHNICAL REPORT**

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

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

b) Site suitability for development.

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

d) Any special requirements for construction of roads, utilities and building structures.

e) Suitability of on-site disposal of storm water and sanitary waste, including effects upon adjoining lands.

f) Slope stability, rock fall hazard and slippage including the effects of drainage and septic tank effluent on the site.

g) Top of bank assessment and location including recommendations for property line locations, septic field locations, building setbacks, and ground water disposal locations.

h) Recommendations for items that should be included in a Restrictive Covenant.

i) Any special requirements that the proposed subdivision should undertake so that it will not impact the bank(s). The report must consider erosion and structural requirements.

j) Any items required in other sections of this document

k) Recommendations for erosion and sedimentation controls for water and wind.

l) Recommendations for roof drains and perimeter drains.

m) Recommendations for construction of detention or infiltration ponds if applicable.

7) DESIGN AND CONSTRUCTION

a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.

b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.

c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).

d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.

e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

8) SERVICING AGREEMENT FOR WORKS AND SERVICES

a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.

b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than

SCHEDULE A
This forms part of application
Z20-0059
Planner Initials BC
City of Kelowna
DEVELOPMENT PLANNING

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

9) **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.

10) **OTHER ENGINEERING COMMENTS**

a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.

b) If any road dedication affects lands encumbered by a Utility right-of-way, please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.

11) **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).
iii) Street/Traffic Sign Fees: at cost if required (to be determined after design).

_____

James Kay, P. Eng.
Development Engineering Manager

AS

480 ROYAL AVE., KELOWNA, BC

ATTACHMENT A
This forms part of application
Z20-0059
Planner Initials BC
City of Kelowna
DEVELOPMENT PLANNING

PROPERTY DESCRIPTION

CIVIC: 480 Royal Avenue, Kelowna, BC
LEGAL: Lot 4, Plan 7535

ZONING CALCULATIONS:

CURRENT: City of Kelowna RU1 Zoning
RE-ZONING: City of Kelowna HD3 Zoning

SITE INFORMATION:

	Allowed	Proposed
Gross Site Area (south of Lane Dedication)=	7,444.3 SF (691.6 SM)	
Allowable Site Coverage=	50% (3,722 SF)	35% (2,579 SF)
Coverage + Hardscaping=	60% (4,467 SF)	72% (5,350 SF)
F.A.R. =	0.5 (3,722 SF)	0.50 (3,722 SF)

Variance Required

Unit Area Calculations:

Entry Level

CRU #1	523 SF
CRU #2	482 SF
CRU #3	482 SF
CRU#4	518 SF

Second Level

RES #1	469 SF
RES #2	386 SF
RES #3	386 SF
RES #4	476 SF

TOTAL New Commercial	2,005 SF (186 SM)
TOTAL New Residential	1,717 SF (159 SM)
TOTAL New	3,722 SF (345 SM)

Building Height:	Allowed:	Proposed:
Max. Height =	9.5m (31.16 ft) OR 2.5 storeys	7.86m (25'-9 $\frac{1}{2}$" ft) OR 2 storeys

Yard setbacks:	Allowed:	Proposed:
Front yard -	4.5m	4.69m
Side yard / South Elevation -	2.0m for 1 or 1.5 storey/ 2.3m for 2, 2.5 or 3 storeys	2.0m for 1 storey/ 3.981m for 2 storeys
Side yard / North Elevation -	2.0m for 1 or 1.5 storey/ 2.3m for 2, 2.5 or 3 storeys	2.115m for 1 storey/ 2.420m for 2 storeys
Rear yard -	6m	19.734m

Parking Calculations:	Required:		Proposed:
1 per 1 Bedroom Unit =	1 X 4 =	4 Required	4
Visitor =	0.14 per 1 Bedroom Unit	1 Required	1
3.5/100m2 (Health Services)	3.5 x 193m2/100 =	7 Required	5
Total		12 Required	10*

*Total minimum off-street vehicle parking can be reduced by 2 parking spaces subject to the provision of bonus long-term bicycle parking spaces as per Zoning Bylaw 8.5.8.

Bicycle Storage:
Residential:

	Required:	Bonus	Proposed:
Long-term	.75 per unit (4 units) = 3 (Required)	1 per Unit = 4	4
Short-term	6 per Entrance = N/A		

Offices

Long-term	1 per 500m2 = 1 (Required)	2
Short-term	2 per entrance = 2 (Required)	2

Landscape Buffer for HD3 Zoning:	Required:	Proposed:
Front yard & Flanking Street -	Level 2 - 3.0m	3.0m Pandosy St. / 2.0m Royal Ave.
Side yard -	Minimum 2.0m	0.658m
Rear yard -	Level 3 - 3.0m	0.468m

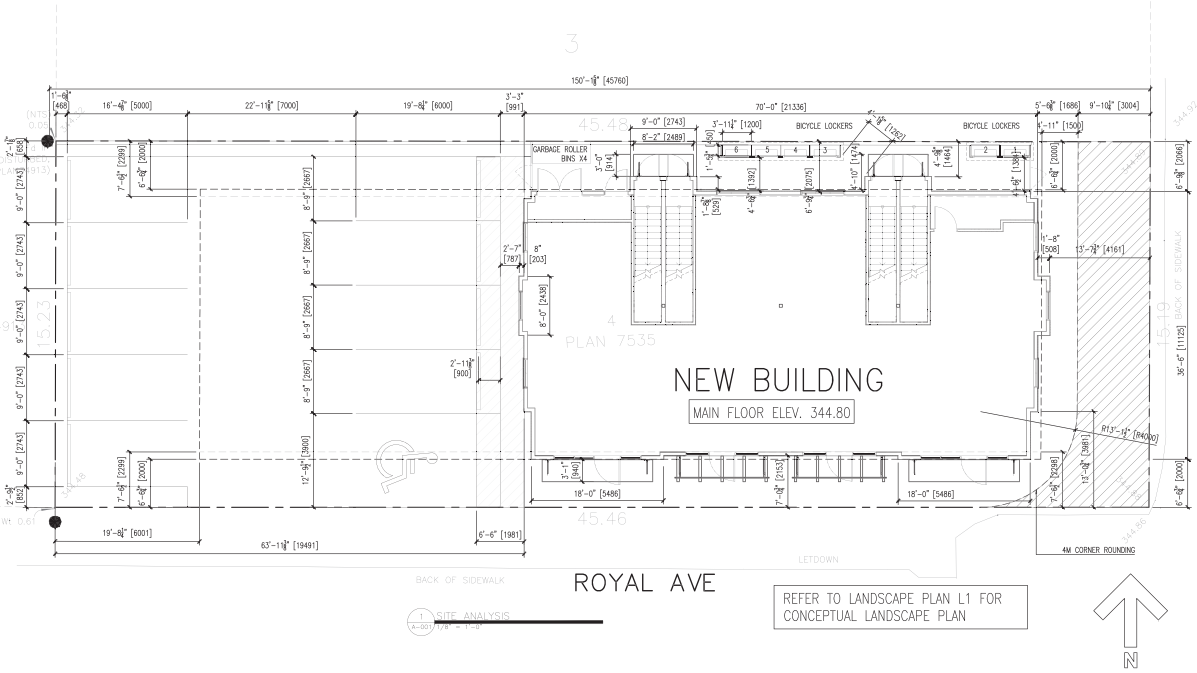
Variance Required

ARCHITECTURAL DRAWINGS:

A-001 PROJECT INFORMATION
A-101 ENTRY LEVEL PLAN
A-102 SECOND LEVEL PLAN
A-200 ELEVATIONS
A-201 ELEVATIONS
A-300 SECTIONS

LANDSCAPE DRAWINGS:

L-001 --



1 SITE ANALYSIS
A-001 1/16" = 1'-0"

REFER TO LANDSCAPE PLAN L1 FOR CONCEPTUAL LANDSCAPE PLAN

FOR DVP

LIME ARCHITECTURE INC.
PHONE:250-448-7881
205-1426 Richter Street, Kelowna, BC V1Y 2M3
www.limearchitecture.com

WORMAN
#401 - 590 KLO Road, Kelowna, BC V1Y 7R2
P: 250.762.4040
F: 250.762.0990
www.worman.ca

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

Revision No., Date and Description
07.03.20 - FOR REVIEW
07.07.20 - FOR REVIEW
07.08.20 - FOR REVIEW
07.09.20 - FOR REVIEW
10.01.20 - DVP REVISION: included 4m corner round

Plot Date	Drawing No.
1-Oct-20	A-001

PROJECT
480 ROYAL AVE. - WORMAN

DRAWING TITLE
PROJECT INFORMATION

Z20-0059
480 Royal Avenue

Rezoning Application

Proposal

- To consider an application to rezone the subject property from the RU1-Large Lot Housing to the HD3 - Health Services Transitional to facilitate the development of a mixed-use building.

RU1 ⇨ HD3

Development Process

City of Kelowna

July 22, 2020 — Development Application Submitted

Staff Review & Circulation

August 23, 2020 — Public Notification Received

January 18, 2021 — Initial Consideration

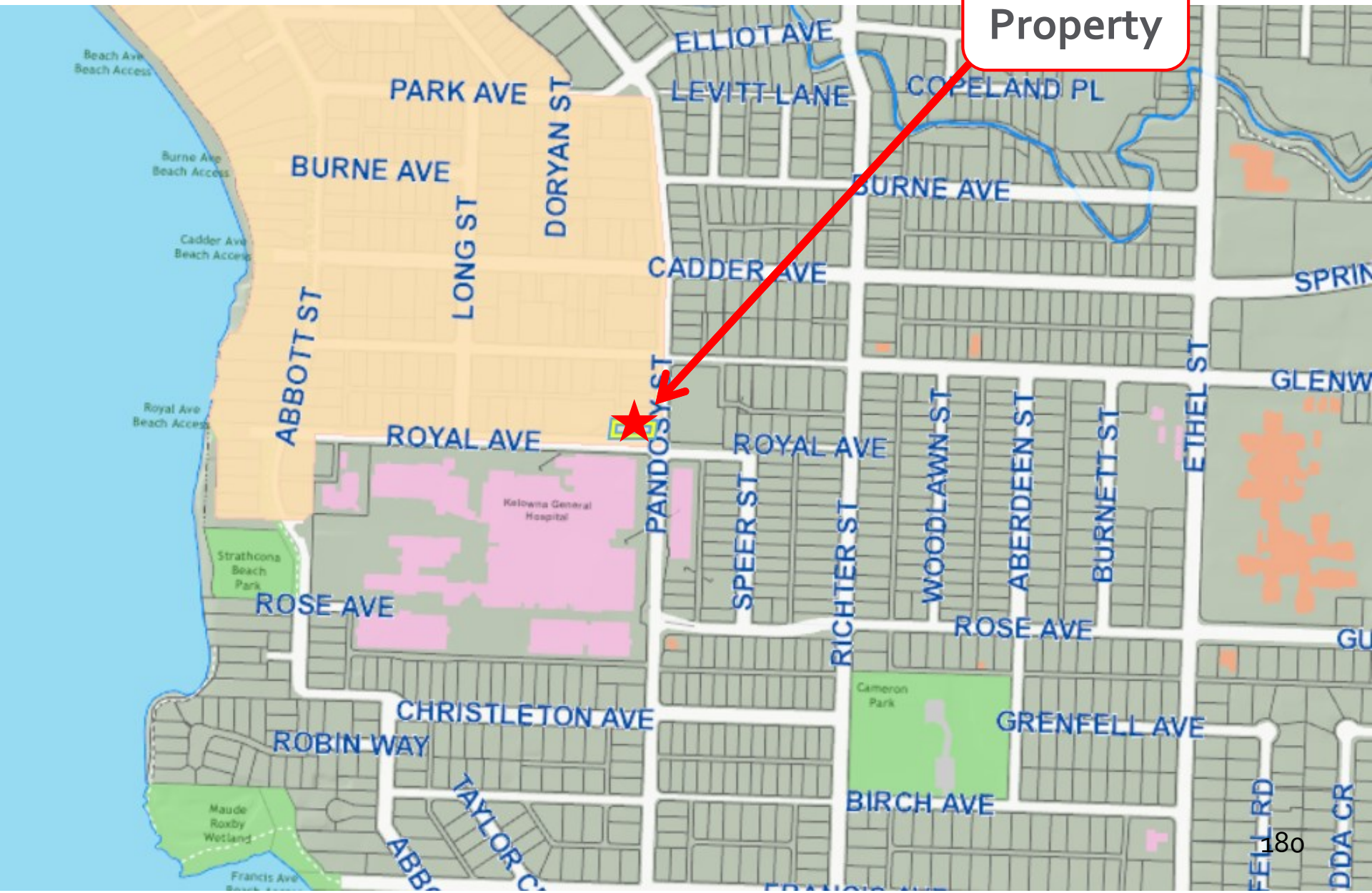
Public Hearing
Second & Third Readings

Final Reading
Heritage Alteration Permit

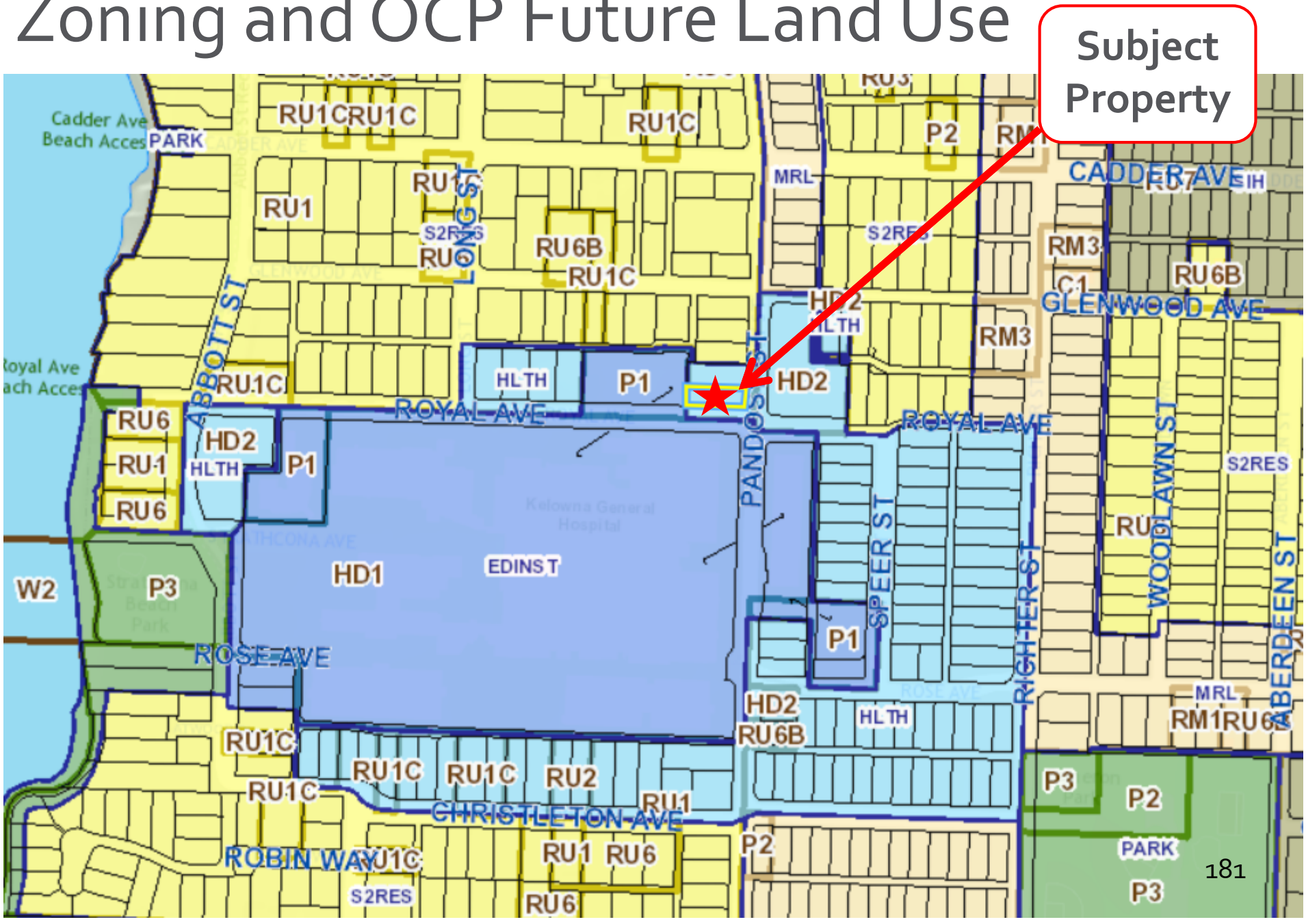
Council Approvals

Building Permit

Context Map


Subject Property
ELLIOT AVE
LEVITT LANE
COPELAND PL
PARK AVE
DORYAN ST
BURNE AVE
LONG ST
BURNE AVE
CADDER AVE
ABBOTT ST
ROYAL AVE
ROYAL AVE
PANDOSY ST
SPEER ST
RICHTER ST
WOODLAWN ST
ABERDEEN ST
BURNETT ST
ETHEL ST
Kelowna General Hospital
Strathcona Beach Park
ROSE AVE
ROSE AVE
Cameron Park
CHRISTLETON AVE
GRENFELL AVE
ROBIN WAY
BIRCH AVE
TAYLOR
Maude Roxby Wetland

Zoning and OCP Future Land Use



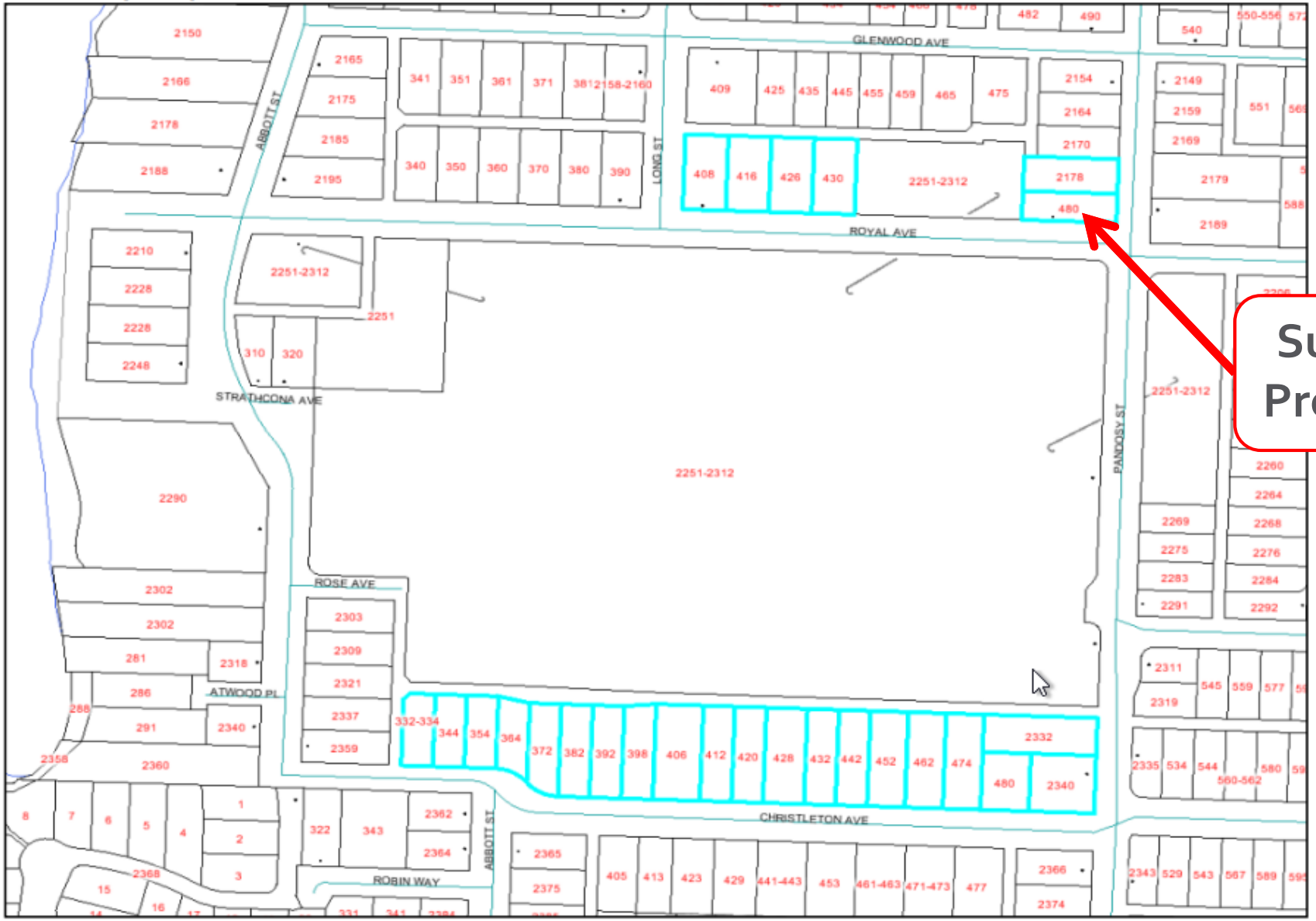
Subject Property Map

HD3 - Health Services Transitional

- HD3- Health Services Transitional was created as part of Phase 1 of the Hospital Area Plan
- The zone is intended for the transitional area immediately north and south of KGH
- Intention is to minimize impact of the Hospital Campus on adjacent residential neighbourhood and allow for sensitive transitions

HD3 - Health Services Transitional

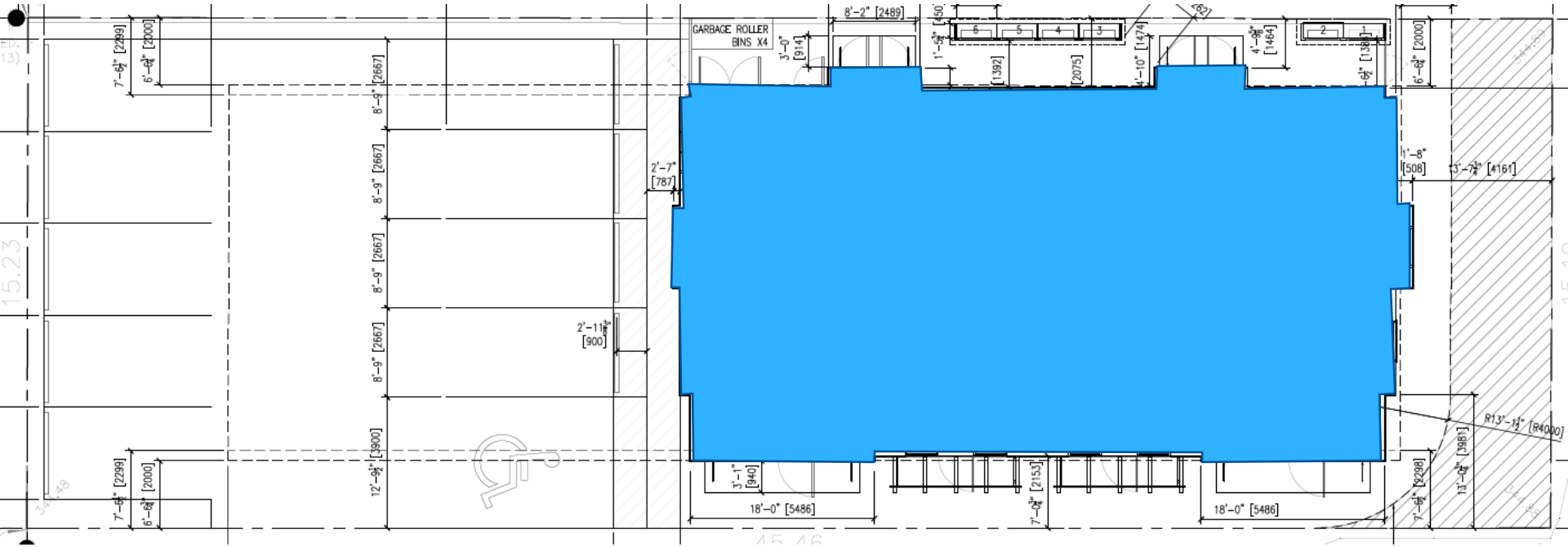
Boundary Map:



Project Details

- New two-storey mixed use building
- Four ground-oriented commercial units on the main floor
- Four 1-bedroom rental residential suites on second floor

Conceptual Site Plan



Royal Ave

Development Policy

City of Kelowna

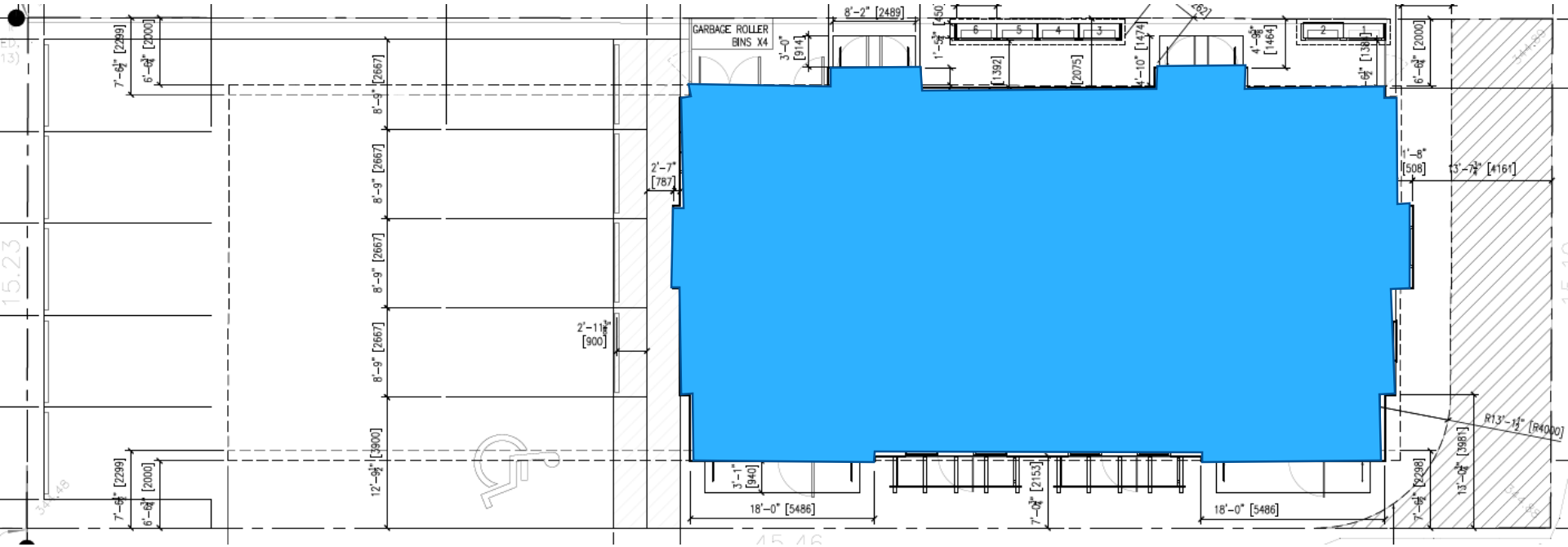
- Meets the intent of Official Community Plan for Health District
  - properties west of Pandosy Street that are designated health district are limited to the HD3 zone of the Zoning Bylaw.
- Meets the intent of HD3 - Health Services Transitional zone
  - provide a transitional zone from the KGH campus to the established residential neighbourhood to the north and south.
  - supportive health uses

Staff Recommendation

- Staff recommend **support** for the proposed rezoning of the subject lot from the RU1- Large Lot Housing to the HD3 - Health Services Transitional to facilitate the development of a mixed-use building.
- Meets the intent of the Official Community Plan
  - Health District
- Recommend the Bylaw be forwarded to Public Hearing

Conclusion of Staff Remarks

Conceptual Site Plan



Royal Ave

CITY OF KELOWNA

BYLAW NO. 12142
Z20-0059
480 Royal 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 4, District lot 14, ODYD, Plan 7535 located at Royal Avenue, Kelowna, BC from the RU1 – Large Lot Housing zone to the HD3 – Health Services Transitional 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 18th day of January, 2021.

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:	January 11, 2021		
To:	Council		
From:	City Manager		
Department:	Policy and Planning Department		
Application:	HD20-0002	**Owner:**	Central Okanagan Heritage Society
Address:	2269-2279 Benvoulin Road	**Applicant:**	Lorri Dauncey
Subject:	Request for Heritage Designation for Benvoulin Heritage Park		
Existing OCP Designation:	PARK		
Existing Zone:	P2 – Education and Minor Institutional		
Heritage Conservation Area:	None		
Heritage Register:	Included		

1.0 Recommendation

THAT Council consider a Bylaw for a Heritage Designation of the site commonly known as "Benvoulin Heritage Park" and for the building envelope as set out in Schedule 'A' as attached to the Report from the Community Planning Department for the property legally known as Parcel A (KN69976) Block 7 District Lot 130 ODYD Plan 415B, located at 2269-2279 Benvoulin Road, Kelowna, BC , as a Municipal Heritage Site pursuant to Section 611 of the Local Government Act;

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

2.0 Purpose

To designate 2269-2279 Benvoulin Road as a municipal heritage site under Section 611 of the Local Government Act.

3.0 Proposal

3.1 Background

The applicant is requesting that the subject property, located at 2269-2279 Benvoulin Road, be designated as a municipal heritage site for long-term protection. Heritage designation is a tool used to achieve long-term protection of heritage properties through the passage of a bylaw. Additionally, designated heritage properties qualify for additional City of Kelowna heritage grants of up to $12,500 per three-year period for

heritage conservation work. Heritage designation is tied to a property's State of Title and must be registered with the provincial Land Titles Office.

The subject property, known as Benvoulin Heritage Park, is owned by the Central Okanagan Heritage Society (COHS) and is currently operated as a venue and park space where numerous community, cultural, and private events are held each year. There are three buildings on the property: the Benvoulin Church, Reid Hall, and the McIver House.

The Benvoulin Church is currently protected by a Municipal Heritage Designation Bylaw (#5599); however, the McIver House, Reid Hall, and the park are not currently protected by a Heritage Designation Bylaw. Through this application, the applicant is seeking to designate the entire property, including all buildings and the park, as a heritage site to protect the property as a whole. In conjunction with this application, should it be approved, the Kelowna Heritage Register would be updated to indicate the designation of the property as a protected historical site. Additionally, updates to the McIver House Statement of Significance would be reviewed and implemented.

3.2 Heritage Value and Heritage Character

This section outlines the heritage value and character of each aspect of the property:

The Benvoulin Church & Reid Hall

The Benvoulin Church, built in 1892, is a wood Gothic Revival church with a prominent bell tower. The Benvoulin Church has heritage value as the first Presbyterian church between Vernon and the U.S. border and the first Protestant church in the Central Okanagan; for the locally prominent people associated with its construction; for its distinctive architecture and landmark status; as the last significant vestige of the failed Benvoulin townsite; and for the value placed on it by Kelowna residents in restoring it as a gathering place for the community.

The church was built by prominent builder and Kelowna's first mayor, H.W. Raymer. The site was donated by real estate developer G.G. Mackay who laid out the original Benvoulin townsite in 1891. The church was built largely from funds donated by Lord and Lady Aberdeen.

The church served the community for seven decades, first as a Presbyterian Church and then as a United Church. The original Reid Hall, added in the 1950s, served as the Sunday School and was also used for meetings. After the church closed in 1964, its condition deteriorated until it was almost demolished in the early 1980s. In 1982 the COHS was formed, and the restoration of the church was its first project. The restored building opened in 1986, with the tower rebuilt to its original appearance.

Character defining elements of the Benvoulin Church:

- Tall bell tower that includes segmental arches, a pointed-arched railing, pointed-arched louvred openings, ornamental shingles, and entry through the base of the bell tower
- Good representative example of a wood-frame Gothic Revival church, seen in features such as the pointed-arched windows and steeply pitched cross-gabled roof
- Cruciform floor plan
- Original beveled horizontal wood siding

The present-day Reid Hall replaced the original hall in 2000, and while it is newer than the other buildings on the site, it provides value as a community hall. It was named after the Reid family, who still live and farm nearby on Bryns Road. Reid Hall was designed by Peter Chataway, a local architect and past president of COHS, and Gordon Hartley, a Kelowna architect and heritage advocate. Reid Hall was designed to be architecturally compatible with the Church and is set back to ensure that the Church remains the focus of the site.

McIver House

The McIver farmhouse, built in 1904, has heritage value for being representative of the vernacular saltbox house-type, an Eastern Canadian tradition that is rare locally. It has further value for its association with early agriculture, and for the interest shown by the Kelowna community in conserving it.

The house, originally located at 1950 KLO Road, was built by Gordon C. Scott, a wheelwright. The house was purchased in 1927 by Bernard McIver and his wife Harriet, becoming the farmhouse for their 17-acre mixed farming operation. In 1994 the family donated the building to the COHS, which moved it to its current location and restored it. It now serves as the residence for the Benvoulin Heritage Park site manager. The McIver House was placed on the Kelowna Heritage Register in 2000.

Character defining elements of the McIver House:

- Traditional vernacular saltbox form that includes a gabled roof with a double slope at the rear
- Gable enclosing the second-floor door on the front elevation and a small balcony off the door
- Verandah across the front and one side, with wood details on the posts and under the eaves
- Horizontal wood shiplap siding
- Double-hung wood windows, with one-over-one and two-over-two sash

Park Site

The park is the original 1.26-acre site that was created in 1891 by early real estate developer G.G. Mackay. Mackay donated the lot for the first Presbyterian Church, which was part of his plan to create the new Benvoulin townsite. The site was turned into a park after COHS restored the church and Reid Hall. Over the last four decades, the site has continued to evolve and currently includes a wedding garden, a pollinator garden, and a memorial garden. The site contains mature landscaping including a Golden Rain Tree, planted by Mayor Walter Gray in 1997, and a large Manitoba Maple in the wedding garden.

3.3 Site Context

The subject property is located in the South Pandosy – KLO city sector on the east side of Benvoulin Road between Byrns Road to the south and Cooper Road to the north. The OCP Future Land Use designation of the property is Park. Additionally, the property is zoned P2 – Education and Minor Institutional, which is a zone that provides land for educational, residential and recreational uses and religious assemblies.

The subject property is not located in the Agricultural Land Reserve (ALR); however, the properties to the north, east, and south are located in the ARL and are used for agriculture. To the west, across Benvoulin Road, the properties are designated, zoned, and used for low density multiple family housing.

Subject Property Map: 2269-2279 Benvoulin Road (in yellow)

Left: Benvoulin Church, Right: McIver House

4.0 Discussion of Relevant Policies

4.1 Official Community Plan

Chapter 5:

Objective 5.7 Identify and conserve heritage resources.

> *Policy 5.7.2 Heritage Designation.* Encourage owners of properties listed in the Kelowna Heritage Register and identified as significant to voluntarily provide long-term heritage protection to their properties through the use of a Heritage Designation Bylaw.

Chapter 9:

Objective 9.2 Identify and conserve heritage resources.

Policy 9.2.1 Heritage Register. Ensure that the Heritage Register is updated on an on-going basis to reflect the value of built, natural and human landscapes.

4.2 Heritage Strategy

Strategy 1 – Preserve and Protect Heritage Resources. Continue to preserve and protect significant heritage resources through the use of protection tools and heritage planning initiatives.

Strategy 5 – Update Heritage Register. Continue to identify the City's significant cultural/natural landscapes, archaeological and built heritage resources.

5.0 Application Chronology

Date of Application Received: October 14, 2020

Heritage Advisory Committee: November 19, 2020

The above noted application was reviewed by the Heritage Advisory Committee at the meeting held on November 19, 2020 and the following recommendations were passed:

THAT the Committee recommends to Council that the subject property be designated as a municipal heritage site for long-term protection.

Report prepared by: Arlene Janousek, Planner II

Approved for Inclusion: James Moore, Long Range Policy Planning Manager

Attachments
Attachment A: Letter of Rationale
Attachment B: Site Plan
Attachment C: McIver House Heritage Conservation Plan

ATTACHMENT A
This forms part of application
HD20-0002
Planner Initials AJ
City of Kelowna
DEVELOPMENT PLANNING

Rationale for Request to Designate the Benvoulin Heritage Park (2279 Benvoulin Road) with a Municipal Heritage Designation Bylaw: (attached to form)

The Central Okanagan Heritage Society (COHS) is requesting that Benvoulin Heritage Park be designated in order to ensure that the whole site is protected and conserved for the community benefit today and for the future. Heritage Designation will ensure that this site remains as it is and that the park continues to provide context to the very significant Benvoulin Church and the McIver House.

In 2018, a *Heritage Conservation & Management Plan for the McIver House* was completed for COHS. The Plan includes why the house is significant and worthy of protection, as well as recommended updates to the current Statement of Significance (SOS) for the building. The Plan also recommends that the McIver House be designated in order to provide protection to the building. The COHS Board, decided that it makes the most sense to have the Benvoulin Heritage Park, along with the McIver House and the Benvoulin Church be designated together similar to the city owned Guisachan Heritage Park (1996 designated heritage).

The Benvoulin Heritage Park, with its historic Benvoulin Church and McIver House, and country gardens, is a significant and important heritage site in the City of Kelowna. This well-known site continues to be a link to this area's past and present.

The Gothic Revival church was built by prominent builder H.W. Raymer, who was also Kelowna's first mayor. The site was donated by real estate developer G.G. Mackay who laid out the original Benvoulin townsite in 1891. The church was built largely from funds donated by Lord and Lady Aberdeen in 1891. The Aberdeens had purchased the neighbouring McDougall Ranch, which they renamed Guisachan Farm.

The church also has value for the communities it served for seven decades, first as a Presbyterian Church and then as a United Church. The original Reid Hall, added in the 1950s, served as the Sunday School and was also used for meetings. After the church closed in 1964, its condition deteriorated until it was almost demolished in the early 1980s. The conservation of this site and buildings, undertaken by COHS as their first project in the 1980s, shows the amount of dedication by COHS volunteers and the community, and with city support for the project. The new Reid Hall (replaced the original hall in 2000), the church, and the grounds are used for numerous community, cultural, and private events each year.

The Reid Hall, while a relatively 'newer' building has value as a community hall that replaced the original hall, named after the Reid family who built it. The Reid family still lives and farms nearby on Bryns Road. The new Reid Hall was designed by Peter Chataway, local building designer and past president of COHS, and Gordon Hartley, well-known Kelowna architect and heritage advocate. The Hall, designed to be compatible with the Church, is set back to ensure that the Church remains the focus on the site.

The early farmhouse, while moved onto the site in 1995, is significant for its association with early agriculture in the Benvoulin area, its connection with the McIver Family along with the community's support in its move, restoration and reuse as the caretaker's residence at Benvoulin Heritage Park. The house's saltbox form, while fairly common in eastern Canada, is relatively uncommon and unique in B.C. and especially in Kelowna. The house was owned and lived in by the McIver family from 1927 until 1979, after which the family donated the building to COHS. The house replaced the manse (a similar farmhouse style) that was destroyed by fire in the 1960s. The McIver House, moved from its original site near the corner of KLO and Benvoulin, has regained new context as part of Benvoulin Heritage Park.

The park is the original 1.26-acre site that was created in 1891 by early real estate developer G.G. Mackay. Mackay donated the lot for the first Presbyterian Church, as part of his plan to create the new Benvoulin townsite. The site was turned into a park after COHS restored the historic church and Reid Hall. The early concrete sidewalk that leads from the driveway to the front door of the church is one of the only remaining elements in the park from the time that the building was used as a church. It should be noted that the sidewalk is in poor condition and is currently being assessed to determine if and how it can be repaired. Over the last four decades, the country gardens have continued to evolve and currently include a wedding garden, a pollinator garden, and a memorial garden.

The early significant features that should be included in the designation bylaw are:
-Benvoulin Heritage Church
-McIver House
-Mature landscaping- (i.e. trees, lawns, and flower gardens) specifically the Golden Rain Tree (in the Pollinator Garden) that was planted by Mayor Walter Gray planted in 1997 and the large Manitoba Maple in the south 'wedding' garden.

The Benvoulin Heritage Park with its significant buildings and features is a valuable community asset that should be protected with a designation bylaw to ensure the long-term conservation of this site.

Note: *COHS is planning to undertake a Heritage Conservation Management Plan for the Benvoulin Church in the near future, which will include Reid Hall and the site itself. The* ***McIver House Conservation Management Plan*** *(completed in 2018) and the Benvoulin Church Plan will ensure that this important community heritage asset is well looked after for future generations.*

NEW REID HALL ADD
TO BENVOULIN HERITAGE CH
TO BENVOULIN ROAD, KELO
2269 & 2279 BENVOULIN ROAD
300 POPLAR POINT DRIVE
KELOWNA, B.C. CANADA
V1Y 1Y1 (604) 762-3040
ARCHITECTURE
GORDON HARTLEY
A1 OF 4
Site
Benvoulin Heritage Park
McIver House
SCOTT-McIVER EXIST. HOUSE
Existing
H.House
XERISCAPE GARDEN
Golden Rain Tree
Pollinator Garden
BLDG SETBACK LINES
7.5m REARYARD
4.5m SIDEYARD
DRIVEWAY (HOUSE)
DRIVEWAY
OPTIONAL OVERFLOW PARKING (9)
Parking Lot
1777 m² INCL. DRIVEWAY
2.5 x 6.0 STALL
Loading
Bus & Bicycle
Reid Hall
New Addition
Re-locate
Existing
Hall
New Hall
'CRUCI-FORM'
Driveway
PAVED (WOOD OPT.)
NEW DROP-OFF PLAZA
LANDSCAPE PLAN
SEE 67 m² 723 SF
PLANTING
Early Concrete Sidewalk
Benvoulin Road
Existing Church
'CRUCI-FORM'
116m²
1247 SF.
LAWN
FRONTYARD
Septic Field
I.P.
Benvoulin Heritage Church
Roof & Site plan
SCALE: 1"=20'-0"
SEE ALSO LANDSCAPE PLAN BY OTHERS
GAZEBO
CONC. PAD
Wedding Garden
Manitoba Maple
APPROVED
FORMING PART OF BUILDING PERMIT #17987
THESE DRAWINGS SHALL REMAIN ON SITE
AVAILABLE TO CITY BUILDING INSPECTORS
See ATTACHED Plumbing Comments
NOTE: CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS ON JOB SITE BEFORE STARTING WORK
SET #2
CD4S-PL-REI
BDID 9 → 3

HERITAGE CONSERVATION (MANAGEMENT) PLAN
for the McIver House
2269 - 2279 Benvoulin Road, Kelowna, BC

McIver House, Summer 2018

Prepared for: **The Central Okanagan Heritage Society,**
August 2018

Prepared by: **Lorri Dauncey,** MA, BA, Dip

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Appendix #5: City of Kelowna's Statement of Significance for McIver House, 2000
Appendix #6: McIver House Condition Review, 2017 - 2018

Sources

1.0 Introduction

The main objective of this report is to compile research and building documentation for McIver House located at 2279 Benvoulin Road in Benvoulin Heritage Park in Kelowna BC. This report will become a record of the building in 2018. It should be used to guide future conservation work, plan for regular short- and long-term maintenance of this important heritage building. This report will provide guidance in conserving the heritage value of this City of Kelowna Heritage Register building and will help to ensure that the physical life of the building is extended as much as possible.

The McIver house is one of three buildings located in Benvoulin Heritage Park. The Benvoulin Church, built in 1892, has the Reid Hall (rebuilt in 2000) attached. The McIver House was moved from its original site near the corner of Benvoulin Road and KLO Road in 1994 to replace the original manse that had burned down in the 1960s. The McIver House was in poor condition as it had been vacant for many years before being moved to the Benvoulin Park to serve as the new caretaker residence for the site. The house underwent a major exterior restoration and interior rehabilitation/renovation in 1995. Although the house has undergone repairs since its restoration, it does not have a conservation plan to ensure that its heritage value is retained and maintained. A conservation plan will help ensure that the physical life of the building is extended as long as possible, while preserving the heritage value of the house for the community and future generations.

The original/early building materials and character-defining elements should be preserved, repaired and/or replaced, using the nationally, provincially and locally recognized heritage conservation standards and guidelines in any future conservation work.

> *Intervention at a historic place must respect its heritage value and character-defining elements. It is always better to preserve than to repair and better to repair than replace… This "minimal intervention" approach is the foundation of good conservation practice. (Source: Standards and Guidelines for the Conservation of Historic Places in Canada, p. 3)*

2.0 Conservation Guidelines

2.1 Standards & Guidelines

The Government of Canada, in collaboration with the provinces and territories, developed the *Historic Places Initiative* which created the *Canadian Register of Historic Places* and the *Standards and Guidelines for the Conservation of Historic Places in Canada (Standards & Guidelines* were created in 2003 and revised in 2010 by Parks Canada*).* The *Standards & Guidelines* are based on universally recognized conservation principles and identify good practice versus bad practice. This is the source used to assess the appropriate level of conservation and intervention on any heritage building. **(Refer to Appendix #1: Summary of Standards and Guidelines for the Conservation of Historic Places in Canada)**

The primary objective of the project and its heritage value will determine the best treatment, ensure that its heritage value is protected and that its physical life is extended. Conservation includes all actions or processes that are aimed at safeguarding the character-defining elements of an historic place so as to retain its heritage value and extend its physical life. This may involve *Preservation*, *Rehabilitation*, *Restoration*, or a combination of these actions or processes.

Preservation: the action or process of protecting, maintaining, and/or stabilizing the existing materials, form and integrity of a historic place or of an individual component, while protecting its heritage value.

Rehabilitation: the action or process of making possible a continuing or compatible contemporary use of a historic place or an individual component, through repair, alterations, ad/or additions, while protecting its heritage value.

Restoration: the action or process of accurately revealing, recovering or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.

The objective of this project is to document the building, review its heritage value and develop conservation recommendations, and to develop a maintenance plan to be used in the planning and management of the building.

2.2 General Conservation Strategy

Preservation of the McIver House is the primary intent of this plan, as the building has already undergone both restoration and rehabilitation work in the past, as well as recent conservation work. Conservation work on the house, up to this point, has been recorded in this plan.

As the McIver House will continue to be used as the caretaker's residence for Benvoulin Heritage Park, no major interventions should be required. If the building's use changes in the future, then rehabilitation work based on the *Standards and Guidelines for the Conservation of Historic Places in Canada* and the conservation recommendations in this plan should be followed.

3.0 Understanding the Historic Place

It is important to understand the context of the building within its surroundings in order to effectively assess the value of the heritage resource and make value-based decisions for its conservation. An understanding of the planning context and the building's evolution (at the original and current site) over time are important in the continued conservation of the building within the site. This understanding is also important background material in the evaluation of the current statement of significance (SOS) for the McIver House, which is essential in the effective management of the cultural resource.

3.1 Description of McIver House, located in the '*Benvoulin Heritage Park*'

Legal description:
Street Address: 2269 - 2279 Benvoulin Road, Kelowna BC
Original Address: 1954 KLO Road, Kelowna BC (moved in December 1994)
Legal Description: Lots 15 & 16, Block 7, Plan 415B
Roll Number: 10388000; Jurisdiction: 217; PID: 024-566-543
Site Area: 1.26 Acres

Site boundaries:
The pie-shaped property is bounded by Benvoulin Road directly to the west with multi-residential (RM3) units across the road, agricultural land (zoned A1 Agricultural in the ALR) is on the other three sides of the property.

Site Description:
The McIver House is located towards the back of the property known as Benvoulin Heritage Park in Kelowna's South Pandosy neighbourhood. The McIver House shares the site with the historic Benvoulin Heritage Church built in 1892 which is in its original location on the original lots subdivided and donated for the new Presbyterian Church by G.G. Mackay. The Reid Hall, along with the foyer containing bathrooms, was built in 2000, replacing the original c.1955 Reid Hall attached directly to the church. Access to the park and house is off of Benvoulin Road, which is the original entrance to the park. The park also includes: gazebo structure with concrete pad, wedding garden (2014), memorial garden for Marietta (Anderson) Lightbody (2017); pollinator garden (in progress- 2018); other garden spaces.

The c. 1904 farmhouse is a prominent 1.5 storey wood building. The house has about 900 square feet on the main floor and about 500 square feet on the second floor. The house is on a modern (1995) concrete foundation with a crawlspace. The house has its own gardens in the front, the back, and the side of the house. The driveway is on the southeast side. There are a number of sheds and a large container for COHS storage and garden equipment for the site. The house is partially fenced to delineate private space for the caretaker and COHS, from the semi-public space of the rest of the site.

Spatial Organization:
-Relationship between the McIver House and the Benvoulin Church and Reid Hall

> ***Note:** the relationship of the two buildings and the park, has regained an important aspect of the site's history with moving the McIver House onto the site close to the original location of the church manse that burned down in the late 1960s.*

-Landmark location within the old 'Benvoulin Townsite' and on Benvoulin Road

Topography:
-Flat valley bottom associated with Okanagan Lake and its water systems, rising up to the low round hills that line each side of the Valley.

Vegetation:
-Planted 'cottage style' gardens, grass parking, some gravel driveways & paths, and pavement
-Mature trees including: a large Manitoba Maple tree (in centre of wedding gardens), a Chestnut (in front), a Golden Rain Tree (in pollinator garden), fruit trees (apricots), hedges
***Note:** a tree inventory is being created for the park

Buildings & structures:
-The c. 1904 farmhouse
-The 1892 church with 2000 hall & foyer addition
-Storage sheds (and container) for site
-Gazebo in wedding garden, memorial garden with screen & sculpture, pollinator garden, benches and fencing.

Views and vistas:
-Internal views leading from one area of the site to another
-Views of the surrounding hills and farmland (orchards to the south and east; crops to the north) and urban residential to the west

3.2 Planning Context

An understanding of the overall planning context of the McIver House within its site is necessary for the development of effective conservation policy. This is a key part of the understanding of the historic place.

Cultural context:
As part (although a more recent addition) of Benvoulin Heritage Park, the McIver House is important to the local community for its heritage value as an early and unique farmhouse in the Benvoulin/KLO agricultural area. This is evident when the farmhouse was donated to COHS in 1994 and the community supported the restoration project through many, many volunteer hours, and significant financial and material donations. The McIver House was added to the Kelowna Heritage Register, which also indicates its value to the community. The house has become an integral part of this landmark heritage site on the Benvoulin Road and in Kelowna.

Formal recognition status:
The 1.26-acre site and buildings are owned by the Central Okanagan Heritage Society. The McIver House and the Benvoulin Church are listed on Kelowna's Heritage Register. The *Kelowna Heritage Register* (Community Heritage Register) was established under Section 954 of the Local Government Act (BC). These buildings are also on the Provincial and National Heritage Registers.

Legal protection status:
The Benvoulin Church Heritage Designation Bylaw No. 5599 was passed by City Council in 1983. It is the only building on the site that is protected with a Heritage Designation Bylaw. The McIver House is not protected by a heritage designation bylaw at this time.

Zoning status and regulations:
The P2 zoning of the site (Education & Minor Institutional) allows for the current secondary use of the house as a caretaker unit in a park with a cultural recreational use. **(Refer to Appendix #2: Education and Minor Institutional)**

Kelowna's Official Community Plan (OCP 2030):
The Official Community Plan (OCP) provides a policy framework and clear vision of the City's intentions with regard to future land uses and servicing across the community. Each property in Kelowna has a future land use designation as specified in the Official Community Plan. The OCP designates the future land use of the Benvoulin Heritage Park as **Major Park/Open Space (public)** (PARK), which is the current zoning of the park.

> "*City, District, Community, Neighbourhood and Linear parks. Not all parks required over the next 20 years are indicated on the map, as Neighbourhood parks will be provided at City standards as integral components of new and redevelopment initiatives. A major Recreation Park will be provided in the Glenmore Valley area. Open space indicated at the south end of Ellison Lake is intended as wildlife habitat preservation subject to approval of the appropriate provincial ministry or agency.*" (Source: OCP 2030, 4.2 Land Use Designation Definitions)

The surrounding properties' future land use is designated as **Resource Protection Area** (REP) to the north, east and south. "*Rural land preserved for agricultural, environmental and recreational purposes, including the ALR, other resource lands with environmental value and protected natural open spaces, including private open space, steeply sloped lands, Natural Environment/Hazardous Condition DP Areas, and other natural features such as watercourses, water bodies, wetlands, plant and wildlife habitat, and significant aesthetic value. Allowable uses would be agriculture / resource use including farming, forestry, wood lots and silviculture as well as public or private open space on lands considered environmentally sensitive or hazardous (steep slopes). Generally land areas within this designation (whether they are within the permanent growth boundary or not) will not be supported for exclusion from the ALR or for more intensive development than that allowed under current zoning regulations, except in specific circumstances where the City of Kelowna will allow exceptions to satisfy civic objectives for the provision of park/recreation uses. Non-ALR land outside the Permanent Growth Boundary will not be supported for any further parcelization*." (Source: OCP 2030, 4.2 Land Use Designation Definitions)

The land to the west is designated as **Multiple Unit Residential (Low Density)** (MRL). "*Townhouses, garden apartments, apartments, buildings containing three or more residential units. Complementary uses (i.e. care centres, minor public services/utilities, and neighbourhood parks), that are integral components of urban neighbourhoods would also be permitted. Building densities would be consistent with the provisions of the RM1 – Four-plex Housing, RM2 – Low Density Row Housing, or RM3 – Low Density Multiple Housing zones of the Zoning Bylaw and may include CD Comprehensive Development zoning for similar densities or land uses. Where multiple unit residential (low density) uses fall within character areas (see Map 5.8 - Urban Design DP Area Designation), rezoning will not be permitted if such results in building heights greater than 2 ½ storeys (regardless of density). Front yard setbacks should remain consistent with the established street pattern to ensure that neighbourhood character is maintained*." (Source: OCP 2030, 4.2 Land Use Designation Definitions)

The OCP includes policies that are intended to promote the conservation of heritage buildings listed on the Kelowna Heritage Register. It states *that the City will demonstrate a commitment to heritage conservation by ensuring that City-owned heritage properties be maintained in an appropriate condition.*

3.3 Evolution of Place

3.3.1 Historical Context:

The house was owned by the McIver family for 67 years before the family donated it to the Central Okanagan Heritage Society in 1994.

The farmhouse was built by a Mr. Scott, as a residence for his asparagus farm. There is little known about Scott, except that he was a wheelwright. The house was likely built around 1904, when the Kelowna Land and Orchard Company bought and subdivided the 6,473 Lequime property (pre-emption) into smaller agricultural lots and built KLO Road. The house originally faced KLO Road (1950/1954 KLO Road). It was suggested that the house may have been built earlier, however, between the orientation of the house and the subdivision of the old Lequime property in 1904, it is likely that it was built in 1904.

There is little information on the house until the house and land was bought by the McIvers in 1927. In the McIver family reminiscences of the house, it is mentioned that Bernard (Barney) Joseph McIver bought the property from his brother Pat who had likely bought it from the Scott family. Pat owned it for a short time before selling it to Barney.

Brothers Barney and Pat McIver, arrived in Kelowna in 1910, after arriving in Guelph Ontario from Ireland in 1908. Barney and his brother worked at many different jobs to save money to buy their own house. Barney eventually bought a homestead in Ellison where he grew berries for market. For many years Barney managed the Bulman Ranch in Ellison, where he met and married Harriet (Hattie) Perkins in 1923 at the Christien House in Ellison (now located at the Father Pandosy Mission). Hattie arrived from England

in 1920 and worked as a governess for the Cameron family before marrying Barney. The McIver's two children were born at the Ellison house; Bernard Bryan (Barry) in 1924 and Patricia (Pat) in 1927. The Ellison house was soon deemed too small for the growing family and the wildlife too close.

In 1927 the McIver's bought the house on the 17-acre farm, which ran from Benvoulin Road to Como Road, along KLO Road. The McIver's mixed farm had a combination of cows, pigs, chickens, vegetables and fruit. Their farm was well known for its fine cabbages and potatoes, which they grew and sold in Kelowna. There was also an asparagus patch, possibly what was left of the original asparagus farm when the house was first built. Barney also managed the Mission Creek Irrigation system and for many years had the animal pound on his property while still farming until he retired at 90 years old.

Hattie and Barney McIver, c.1970s. McIver Family

Barney and Hattie lived in the house until 1979, when they moved to a seniors' home. Barney died in 1982 at the age of 96, while Hattie lived until her 102nd birthday. Once the couple moved out, the house was boarded up and remained empty. A new house had been built behind the old farmhouse, in which Pat (McIver) and her husband Roger Arcand lived. Pat and Roger, both with military careers, married in 1954. Pat and Roger moved back to Kelowna in 1970 with their two children, Nancy and Michael. Barry McIver married Trudy Turney in 1944 and had three children; Bryan, David and Patricia. The Arcand's along with Pat's brother, Bernard (Barry) Bryan McIver continued to farm the land.

Pat Arcand, her brother Barry and mother Harriet, wanted to see the house preserved and lived in once more. The family decided to donate the farmhouse to COHS after Harriet's death in 1992. Pat had gotten to know Ray Helgeson, caretaker at the Benvoulin property, who was living in the small Reid Hall with his wife Fran. Pat was working in the Planning department for the City of Kelowna and Ray as a local newspaper photographer when they met. The friendship between the Arcands and the Helgesons was a key reason behind the donation to the Heritage Society. In the fall of 1994, preparations for the move of the McIver House to its new location at Benvoulin Heritage Park began.

Painting of the manse before it burned down. COHS Fonds

As the Benvoulin Heritage Park site continued to attract more people to use the church and the grounds, ideas about how to make the site more useable were discussed. In 1994, the society was offered the McIver House, a c.1904 farmhouse. The McIver House would be moved to the back of the site, at the location of the original church manse, which burned down in the late 1960s, and would serve as the site managers' new residence. This would not only give the site managers a new and larger home, but it would free up Reid Hall to once again become available as a public meeting space with a kitchen, washroom and bridal change room. By accepting the McIver House, the society preserved and restored another heritage building, which would likely have been lost.

On December 3rd, 1994, the 90-year old McIver family house was moved from KLO Road to a new foundation on the Benvoulin property. The move took place at 3am, to ensure that that the soft farmland was frozen. The move cost COHS about $20,000. Lesley-Anne Evans, a landscape architect, put together the concept plan and supervised the move. The foundation plan was drawn up by Peter Chataway and

built by Ken Reid (KSR Construction). KSR Construction moved the McIver house 1.5 kms across the fields to its new home at the Benvoulin Heritage Park. (**Refer to Appendix #3: Location of Original Site (1954 KLO Road) & New Location at Benvoulin Heritage Park (2279 Benvoulin Road))**

In early 1995, once the McIver House was on its new foundations, planning for the restoration of the building's exterior and the interior rehabilitation began. The committee included: Sandy Welbourn as project co-ordinator, Gordon Hartley as architectural advisor, Lorri Dauncey heritage conservation consultant and Grant Davies as building supervisor. Restoration work included: new cedar shingle roof; heritage colour scheme (based on colour sampling of the exterior to determine the original/early colour scheme); restoring the front balcony; restoring the original back verandah; repair of the various building elements.

The restoration work was finished in September 1995 with support from the community in the way of grants and donations of time and money. Major contributors towards the restoration included: the Capri Rotary Club, the Kelowna Heritage Foundation, Jamie Brown, R.J. Bennett, Dave Bowden, and Ralph Livingston. The project also received help in restoring the building through an Unemployment Insurance (UI) Training Program, for labour equivalent to $57,000. Unemployed skilled construction workers were hired for 20 weeks on the McIver House restoration/rehabilitation. The UI workers were under the supervision of Grant Davies. A $25,000 mortgage was taken out by the society in order to purchase building materials for the restoration. The mortgage was paid off a year later, with money raised through bingos and fundraisers. The McIver House restoration, at a total cost of approximately $160,000 was on budget and on time.

The McIver family in front of the restored house, c. 1996. McIver Family Fonds

On October 26th, 1995 the McIver House was officially opened to the public. The community was invited to come and see the restored heritage house, which would soon be lived in by the on- site managers. Pat (McIver) Arcand and Barry McIver planted a sunset maple tree near the house to commemorate the event.

Fran & Ray Helgeson c.2009. COHS Fonds

With the completion of the restoration of the McIver House, site managers Ray and Fran Helgeson moved into their new home. Reid Hall was converted back to a public use as a hall that could be used with the church or separately for meetings. The Helgeson's lived in the McIver House until their retirement in 2009, after 22 years as the Benvoulin Park caretakers. The Helgeson's created and cared for the park's gardens, as well as the church and hall during their long tenure. The McIver House continues to be lived in by the Benvoulin Park caretaker.

3.3.2 Chronology of the Historic Place:

The McIver House, built about 1904, is a rare example of a vernacular farmhouse in the saltbox house form in Kelowna. The house had some exterior alterations over the years, prior to the 1995 restoration. Changes to the building reflect the McIver family's needs over the years. The McIvers owned the house for 67 years before donating the building to COHS, who has now owned it for 24 years.

YEAR	EVENT	IMPACTS AND CHANGES
c.1904	Mr. Scott built the house as his residence at his asparagus farm at the corner of Benvoulin Road and the new KLO Road. This aerial photo shows the McIver House (left lower corner) in its farm setting, including a large barn set back to the right of the house. KLO Road, located in front of the house, is not in the photo, but the driveway from KLO Road to the house is visible to the right of the house. This photo was taken during the time that the McIver Family lived in the house. McIver Family Photos & COHS Fonds, n.d.	**Original design and elements:** - post and beam wood frame structure -1.5-storey house has a front sloping pitched roof and shed rear extension in the saltbox form -front gable roof has a central raised gable over the second-floor door to the balcony -gable roof drops lower in the back of the building to cover a second set of rooms -front façade has a three-bay façade: second floor- door with balcony with plain walls on each side; main floor- three bays are emphasized by the posts dividing the space. -exterior is clad with horizontal drop siding, including details such as corner boards, simple window and door trims. -front upper central balcony -wrap-around verandah in front, right side, and back -sleeping porch (either original or early addition on verandah; important in hot Okanagan summers) -delicate wood detail on posts and beneath the eaves on front and side; back has simple posts only -single hung windows with one over one and two over two sashes with simple wood mouldings
1927 to 1930s	Bernard ('Barney') and Harriet McIver bought the farm in 1927 and moved into the house with their two young children, Bernard ('Barry') Bryan and Patricia ('Pat'). View of the front of the house soon after the McIver family moved in. Many of the house's original design and elements are visible. McIver Family Photos & COHS Fonds, c.1930s	**Original design and elements:** The approx. 30-year-old house appears to be in fair to good condition. The burgundy trims are faded. The siding colour has faded and appears to be a lighter tone. The roof appears to be in good condition, with the chimney not visible from this side of the house. The second-floor balcony appears to be in fair condition. Both the second-floor door onto the balcony and the front door have simple two panel screen doors. The front verandah is in fair condition with the wood detailing on the posts and beneath the eaves visible. The vertical verandah skirting, as well as the simple steps up to the verandah can be seen.

YEAR	EVENT	IMPACTS AND CHANGES
1930s	Original rear verandah after the McIver family moved into the house. View of the back of the house after the McIver family moved in. The original design of the verandah is visible. McIver Family Photos & COHS Fonds, c.1930s	**Original design and elements**: The back verandah of the house looks to be in fair to poor condition. The skirting that encloses the deck has missing boards. The verandah posts are visible, as well as the horizontal boards at the end of the verandah, that have likely been added later to enclose this section of the verandah. The simple step up to the verandah's back door and the open four-panel screen door is visible. The verandah was on three sides of the house when the McIver family moved in. This included the early/ original sleeping porch, which was enclosed with boards in between the posts with screening on the upper half. There would have been a screen door facing the back of the house, next to the side door into the kitchen area of the house.
1940s	Removal of the front upper floor balcony and general disrepair of the house. Bernard ('Barney') and Harriet McIver standing in front of their house without the second-floor balcony. McIver Family Photos & COHS Fonds, c.1945	**Original element removed:** The 40-year-old house appears to be in fair condition, with the first major change to the front façade visible. The second-floor balcony has been removed, likely due to rot. In this c. 1945 photo, the area where the balcony was attached to the house is visible. The house appears to be in desperate need of new paint, as there is a significant amount of bare wood showing on the upper siding. Some of the wood detailing on the verandah posts is missing.
1940s/ 1950s	A 'mudroom' was built at the rear of the house on the right-hand side, replacing the back verandah. View of (current) north corner of house showing the side of the 'mudroom' before the house was moved. COHS Fonds, 1994 View of (current) northeast facade of house showing the 'mudroom' after the house was moved just prior to its removal. COHS Fonds, 1995	**Original element removed and partially replaced with addition:** The rear section of the verandah including the roof overhang, to the left of the back door (including in front of the kitchen window) was removed. This was likely due to the poor condition of the verandah and possibly to let more light into the kitchen. The section of the verandah on the right-hand side (about 2/3 of the length), including the back door, was enclosed into a 'mudroom' with a new exterior door. This would have given the family additional space and would help keep the cold or hot weather out when the back door was opened. (source: Pat (McIver) Arcand, COHS Fonds)

YEAR	EVENT	IMPACTS AND CHANGES
1940s/ 1950s	Replaced original brick chimney with a taller concrete block chimney. The cedar shingle roof was likely replaced at or around the same time. View of concrete block chimney before the house was moved. COHS Fonds, 1994	**Original element removed and replaced with modern materials:** The original brick chimney, which began on the second floor, did not extend very high on the roof. Because of this, there were many chimney fires. The chimney was replaced with a concrete block chimney, with a ceramic flue. This new chimney was built from the main floor to above the roof line. It is likely that the house's second cedar shingle roof was installed around this time.
1979 to 1994	The McIver House was empty after Barney and Hattie moved to a seniors' home in 1979, until it was donated to COHS in 1994. COHS president, Ron Schupe, standing on the verandah next to the sleeping porch before the house was moved. Ron Schupe sitting on the front verandah before the house was moved. COHS Fonds, 1994	**House moved to new location:** The house fell into disrepair once it was not lived in. By the time the house was donated to COHS, the verandah decking and under structure was in very poor condition; the window glazing had cracks and the storms were missing; the roof had failed; the paint was peeling and bare wood showing; as well the interior was no longer functional in regards to its systems. Plans were made to move the house to Benvoulin Heritage Park, including drawings of the new foundation and the house floor & elevation plans prior to the move. **(Refer to Appendix #4: Old McIver House Relocation & Existing Floor & Elevation Plans, 1994, Peter Chataway)** The house being moved to Benvoulin Heritage Park on December 3rd 1994. COHS Fonds, 1994
1995	Restoration & Rehabilitation by COHS The decision was made that the exterior of the house undergo a period restoration, as it was felt that the house's value lay largely as a vernacular farmhouse in a unique style. As the house had few changes and additions, this was the best option for the house. View of new back verandah, new crawlspace, verandah being repaired, front foundation. COHS Fonds, 1995	**Exterior restoration of the McIver House includes:** -The replication of the front balcony (using the early photo of the front façade & building evidence), as this was an important element to restore, as the door otherwise did not make sense. -The removal of the later back enclosed mudroom addition and the restoration of the back (and a small section of the side) verandah including the roof. The width of the back porch was increased by about 1' 8". -The removal of the concrete chimney (necessary in order to move the house) on the back roof and the replacement with a metal stack. The decision was made not to rebuild the original brick chimney, but instead re-use the chimney space for venting the new gas furnace. -The verandah floor structure, skirting and decking boards were in very poor condition by the time the building was moved. These were not moved with the building and were rebuilt at its new location. -The decorative elements on the porch -The house was placed on a new concrete foundation with a crawlspace.

YEAR	EVENT	IMPACTS AND CHANGES
1995 Cont.	 New foundation, verandah work in progress, new roof COHS Fonds, 1995 The McIver House's original/early garage that was not moved to Benvoulin Heritage Park partially due to lack of resources. COHS Fonds, 1995	-The house and verandah had a new cedar shingle roof installed, similar to the original and current roof. The rear verandah's roof was rebuilt to largely replicate the original roof. New eavestroughs & downspouts were installed. -The original windows were repaired and retained, with new storms built. -Exterior doors were repaired and new wooden screen doors built in a simple style similar to the ones seen in historic photos. The only exception was the front screen door, with a couple of decorative elements, was repaired and retained. Paint- not sure when first painted- Early/original colours- -Colour sampling revealed the original/early colour scheme that was very different than the white and green of the farmhouse when it was donated. The house was repainted in this heritage colour scheme. **Refer to:** *Exterior Colour Schemes* **for more details.**
1995	Restoration and Rehabilitation by COHS-Interior The interior of the house underwent a renovation/rehabilitation in order to accommodate the needs of the Benvoulin caretakers. Much of the original materials were salvaged and retained. Interior renos that preserved ceilings, some floors & trims. COHS Fonds, 1995 Interior renos that preserved a set of kitchen cupboards and the sink area. COHS Fonds, 1995	**Interior renovations of the interior of the McIver House include:** -All new systems (i.e. mechanical, electrical and plumbing) -New bathroom installed at the top of the stairs, next to the attic space on the back of the house. -The layout of the house was largely retained, along with the trims and flooring. New lino was installed in the kitchen and main floor bathroom/utility room/hot water tank/storage), -Much of the lathe and plaster was removed and replaced with dry wall, and insulation added in the exterior walls (although it appears limited in main attic space) ***Elements that were retained:*** -Most of the wood floors, including the heating/ventilation vents in the floor -Most of the ceilings, including the holes (plugged up) that show where the stove pipes for heating were installed -Interior doors and handles and hardware were reused and/or vintage ones found. The large double size door way between the main floor bedroom and the living room had sliding doors that were replaced with French doors between the two rooms. -The wood floor in the living room had a vintage lino rug with the wood floor painted around the outer edge. This gave the space the look that it had a rug in the space. The lino was in poor condition, but was photographed. The floors were refinished at this time to preserve the exterior outer darker stain. ***Note:*** *Unfortunately, this was removed when the floors were refinished in renovations in 2008/2009 to the house*. -Set of kitchen cupboards and sink were retained as part of kitchen reno.

YEAR	EVENT	IMPACTS AND CHANGES
1995	Exterior Restoration Completed View of SW, NW, NE & SE facades. COHS Fonds, 1996	**Original elements restored:** See above for details
Fall 1996	 Celebration for the completion of the McIver House restoration project Burning the mortgage with Pat Arcand & Sandy Welbourn. COHS Fonds, 1996	**Restoration paid for through significant volunteer work and community support**
2000	McIver House was added to the Kelowna Heritage Inventory and a SOS was created by the City of Kelowna	**Recognized as having heritage value (see SOS**), including its history as being a major community restoration project in Kelowna undertaken by COHS.
2006/ 2007	McIver House exterior repainted in similar heritage colour scheme	**Protection of original elements (CDE)** **Refer to:** *Exterior Colour Schemes* **for more details.**
2008/ 2009	Renovations/Updates to interior of house New French doors & Refinished floors (living room) with vintage paint removed. L. Dauncey, 2018	**Renovation of interior to make more livable for caretaker(s)** -floors were refinished (the perimeter black paint in living room was removed) and work done to keep mice from getting into the house through the crawlspace -interior was repainted -new French doors were installed between the living room and the dining room to create a new main floor bedroom. The space was modified in order to install the new doors. -two bathrooms had renovations and updates, such as new sinks, toilets, etc.

YEAR	EVENT	IMPACTS AND CHANGES
2017-2018	Conservation work on the exterior of the McIver House A heritage contractor was hired to undertake the exterior conservation work on McIver House in 2016. Due to the contractor's time constraints, the project did not begin until fall 2017 and was not completed until June 2018. COHS received a City of Kelowna Heritage Grant (CoKHGP) that paid for almost half of the total cost, excluding the additional work with the marmot wire mesh and gravel perimeter. New verandah decking & New steps with repaired skirting. L. Dauncey, 2018 Balcony repaired & New window sill. L. Dauncey, 2018 North corner board repaired & cellar entrance cover repaired. L. Dauncey, 2018	**Exterior conservation work included:** -The verandah, largely rebuilt in 1995, needed a number of repairs and replacement of materials. The under-structure of the verandah was repaired (i.e. high use areas such as near doorways). The 1995 decking material was tongue & groove (t&g) boards. The decking had warped and deteriorated over the years, due to the type of decking material used (t&g- not appropriate as decking material and was not the same decking material as on the verandah before it was moved) and to minimal upkeep (the boards had not been stained regularly since the deck was rebuilt in 1995). The new 2018 decking material is comprised of boards with a small gap between each board, more appropriate and similar to the verandah decking prior to the move. All of the decking was replaced, except for where the enclosed sleeping porch is, as this material was still in good condition and replacement more difficult. The new verandah boards were treated with boiled linseed oil. The t&g exposed boards of the sleeping porch ends were painted to match the siding. -The skirting around the verandah- front and back- was repaired and repainted. -The three sets of steps leading up to the three exterior doors on the verandah were in poor condition and were rebuilt. -The second-floor balcony was repaired with new decking (same as the verandah's new decking), repairs to the understructure (even with the poor condition of the t&g decking, the verandah roof underneath was fully protected from water damage due to the asphalt membrane, which is not visible), and new paint touchups. -The SE upper window sill was replaced due to rot, likely due to the air conditioning unit in the window. -One new storm window was made to replace a missing storm and one storm window was repaired (***Note**: Storms protect the original windows and take the brunt of the weather. They are considered replaceable*) -Repair of the bottom of the north corner board on the house -Repairs to the verandah decorative elements (many were loose and need to be reattached and painted) -Repairs to storm doors -The roof of the cellar entrance cover was replaced (with new metal flashing) and treated with boiled linseed oil. -New wire mesh was attached to verandah skirting and buried under new wider gravel perimeter around the house. The mesh is meant to help keep marmots out from under the verandah, to keep vegetation away from the building, and to drain water away from foundation.

3.3.3 Exterior Colour Schemes:

Colour sampling was undertaken by L. Dauncey, as part of the 1995 McIver House restoration work. The colours found were matched as close as possible to the Munsell colour chart (without microscopic matching). Care was taken to find areas to take samples from areas less affected by weathering, i.e. under the front verandah. The colour matching was undertaken prior to the creation of the Benjamin Moore *Historical True Colour Palette for Western Canada* (c. 1999), which would have provided a more accurate heritage colour scheme.

Original/early colours:
Siding – creamy caramel/gold
Trims, mouldings & posts - dark burgundy
Sashes, soffits & decorative elements- cream
Note: *The house was likely still painted in the above colours when the McIver Family bought the house in 1927. The house was not repainted for many years, as seen in the bare wood in the 1940s photo of the front of the house showing that the balcony was removed.*

Repainted in the 1950s/early 1960s
Siding- warm white
Trims/mouldings- 'apple' medium green
Sashes, soffits & decorative elements- warm white
Note: *In the 1950s/1960s, the house was repainted in a more modern colour scheme.*

Repainted in the 1970s
Siding- bright white
Trims/mouldings- dark green
Sashes, soffits & decorative elements- bright white
****Note:*** *this is the colour scheme that was on the McIver House when it was donated to COHS and moved onto the Benvoulin Park site.*

Repainted in 1995 to 'match' original/early colour scheme
Siding – creamy caramel/gold (Pantone 1245 U)
Trims, mouldings & posts - dark burgundy (Pantone 181 U)
Sashes & decorative elements- warm white/cream (no record)
****Note:*** *repainted in' similar' but not exact colours (matched by the painter) c. 2006/07*

4.0 Statement of Significance

Understanding the heritage values and significance of an historic place helps to guide the development of policies in the conservation report. The purpose of conservation is to retain the heritage values of an historic place while appropriate interventions happen.

The McIver House's Statement of Significance (SOS) is on the City of Kelowna Heritage Register. **(Refer to Appendix #5: City of Kelowna's Statement of Significance for 'McIvor House', 2000)** The SOS has been reviewed after researching and documenting the building. The following updates of the McIver House Statement of Significance is recommended.

4.1 Recommended Updates to SOS

McIver House (*Note: McIver is the correct spelling, not McIvor*) *(Note: **Bold text** is new wording)
2269-2279 Benvoulin Road

Place Description
The historic place is the 1.5-storey, wood-sided McIver House, built around 1904 as a farmhouse, and relocated to Benvoulin Heritage Park at 2279 Benvoulin Road, in Kelowna's South Pandosy neighbourhood, to ***replace the original manse and to complement the Benvoulin Church***.

Heritage Value
This farmhouse has heritage value for being representative of the vernacular saltbox house-type, an Eastern Canadian tradition that is rare locally. It has further value for its association with early agriculture in the area southeast of Kelowna, and also for the interest shown by the Kelowna community in conserving it.

The house was built by **Mr.** (*Note: there is no agreement on Mr. Scott's first name*) Scott, a wheelwright, as a residence at his asparagus farm. The original location was (*Note: 1950 is not the old house number*) **1954** KLO Road. It has been suggested that it may have been built as early as the **1890s** (*Note: according to the McIver family it was 1890s not 1900*), but it more likely dates from 1904, when the Kelowna Land and Orchard Company subdivided the old Lequime property into smaller farm blocks and built KLO Road, onto which the building faced.

The house is a continuation of a vernacular architectural tradition that goes back more than two centuries earlier in Eastern Canada and New England. The three-bay, 1.5- or 2-storey house (the McIver House has 1.5 storeys), with a gable roof that drops lower in the rear to cover a second range of rooms, is called a 'saltbox' house, a term that originated in the northeastern U.S.A. and is found in the Maritime provinces. The central raised gable, here enclosing a second-floor door, is particularly characteristic of Ontario. This house-type, common back East, is relatively uncommon **and unique** in B.C. generally and the Kelowna area specifically.

The house was purchased in 1927 by Bernard ('Barney') McIver and his wife Harriet **('Hattie'),** becoming the farmhouse for their 17-acre mixed farming operation. **Hattie** McIver lived in the house until **1979** (*Note: according to the McIver family it was 1979 not 1980*), after which it stood empty. In 1994 the family donated the building to the Central Okanagan Heritage Society, which moved it to its current location on the

Benvoulin Heritage Park site (with which it has no historical connection) and restored it. **The McIver House replaces the old church manse that burned down in the 1960s, which was located in the same location**. It now serves as the residence for the Benvoulin Heritage Park site **caretaker**.

Character Defining Elements
- **1.5-storey** vernacular saltbox form, with a gabled roof with a double-slope at the rear, with the rear eaves lower than the front eaves
- Gable enclosing the second-floor door on the centre of the front elevation, and small balcony off the door
- Verandah across the front and one side, with delicate wood detail on the posts and beneath the eaves, **and verandah continues across the back with simple fluted wood posts**
- Horizontal drop siding
- **Single-**(Note: not 'double' hung) hung wood windows, with one-over-one and two-over-two sashes
- **Park setting** (Note: Remove- Open property) with trees, lawn, rock paths, picket fence, and (Note: Remove- vegetable and) flower garden
-Sleeping porch with screened windows on side verandah

5.0 Conservation Recommendations

A comprehensive condition review and assessment (along with documenting the building) of the McIver House was carried out over many site visits during 2017 to 2018. This review included recording the recent conservation work for this plan. The recommendations for the conservation of the McIver House are based on the following: site review, building investigation & documentation, material samples, archival documents (i.e. photographs, building plans, and restoration reports from 1994-1995, as well as the COHS building files)

5.1 Condition Review

It is important to document and evaluate the existing condition of any heritage building as part of a heritage conservation plan. The condition of the significant physical elements of the building have been recorded (through photographic documentation and notes) and assessed in the *McIver House Building Condition Review*. **(Refer to *Appendix #6: McIver House Condition Review 2017- 2018* & CD containing Photographic Documentation 2017 - 2018)**

Architectural drawings of the McIver House when it was moved to its new location in 1994 are included in the documentation of the house. **(Refer to *Appendix #4: Old McIver House Relocation & Existing Floor & Elevation Plans, 1994, Peter Chataway*)** These drawings, by Peter Chataway, include: two floor plans, new footings & foundation plan, typical cross section and four elevation plans. It is recommended that these plans be updated to include the 1995 restoration work and any subsequent changes. ***Note:*** *the 1994 drawings are missing the upper southeast façade window, near the east corner.*

As this report is meant to document the McIver House and provide guidance in its continued conservation, the existing condition review identifies issues and appropriate interventions necessary based on *Standards and Guidelines for the Conservation of Historic Places in Canada*. The recent conservation work in 2017-2018 is included in this assessment.

The assessment of the condition of the significant materials and the elements of the building will also help to determine the appropriate intervention necessary to ensure that the heritage value is preserved and protected. Minimal intervention should be emphasized in which repair of original materials and elements will be prioritised. Replacement of character-defining elements will only be recommended if the material is too deteriorated to repair. *Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.* (Source: Standards and Guidelines for the Conservation of Historic Places in Canada, p. 7)

The conservation strategy that was chosen when the building was moved to the Benvoulin Heritage Park in 1994/95 was mainly an exterior restoration of the building, (close to as-built), using historic photos and building evidence. Some interventions were based partially on the rehabilitation of the building into the caretaker's residence. The interior was largely a rehabilitation/renovation in order to make the building a more comfortable home. Many of the original interior features were retained, with some interventions including the addition of a small bathroom on the second, renovations to the main floor bathroom and kitchen.

Over the past 23 years, since the restoration of the McIver House, the building has largely undergone repair and maintenance of the exterior. There has been some updates and renovations to the bathrooms as well as repair and maintenance of the walls and floors inside the house. In 2017-18, conservation work was undertaken on the exterior of the building, including repairs and some replacement of badly deteriorated materials. This conservation work can be considered rehabilitation of the exterior. This includes when repair or replacement of deteriorated features is necessary.

5.2 Requirements for Retaining Significance

The character-defining elements (CDE that have been identified in the SOS and the additional ones recommended and amended in this report) are important to conserve in order to retain the significance of the historic place. The following conservation Standards & Guidelines are especially important in the continued and future preservation of the McIver House.

#3 Conserve heritage value by adopting an approach calling for minimal intervention.
#7 Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.
#8 Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.
#9 Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place, and identifiable upon close inspection. Document any intervention for future reference.

5.3 Summary of Conservation Recommendations

5.3.1 <u>The Site:</u>

As the McIver House was moved into the Benvoulin Park in 1995, its connection with the park, the church, and the hall is relatively recent. The McIver House, which replaced the original manse which burned down in the 1960s, was relocated in the same spot. The McIver House was moved a short distance across the

fields from the corner of KLO and Benvoulin Roads. However, the house's new connection and relationship with the church, hall and park as the caretaker's residence is important and valued. The house, along with the church is noticeable and in full view and may be considered a landmark in the area. The cottage gardens and landscaping around the house, as well as in the rest of the park, was developed largely by the first caretakers (Ray and Fran Helgeson) that lived in McIver for almost 15 years.

Conservation Strategy: Preservation

- Preserve the primary elevations (front façade and southeast elevation) at it relates to Benvoulin Heritage Park, the Benvoulin Church, and Reid Hall.
- Protect and retain the landscaping and gardens around the house. If needed, replace with similar and appropriate plants, such as: water-wise plants, pollinator plants, indigenous vegetation, etc according to the garden plans for site.

5.3.2 Physical Form, Scale, and Massing:

It is important that the form, scale and massing of the house remain so as to not affect its heritage value. It is not recommended that there are new additions to the building in the future. However, if the house's use changes to include the COHS office or interpretation space, for example, it may be appropriate to add an exterior door with entry way on the northwest side to the second floor of the house. If a change in use is deemed necessary for the building, the *Standards and Guidelines* for rehabilitation should be adhered to with the aim of minimal intervention that retains the integrity of its overall form, scale, and massing.

Conservation Strategy: Preservation

- Preserve the overall form, scale and massing of the building such as the 1.5-storey height, the saltbox form, the upper front central gable.
- Preserve the primary elevations (front façade and southeast elevation) at it relates to Benvoulin Heritage Park, the Benvoulin Church, and Reid Hall.

5.3.3 Additions/Alterations:

There were a few alterations to the exterior of the McIver House prior to the 1995 restoration of the building. Alterations were largely due to poor condition, where the original elements were removed and not rebuilt. The 1995 restoration included the replication of these removed elements: the upper front balcony and the back verandah (which also included the removal of the later enclosed mudroom addition). The brick chimney, which was replaced with a concrete block chimney by the McIvers due to roof fires, was not restored. Instead the decision was made in 1995 to preserve the location of the chimney and replace it with a less noticeable modern metal stack. The brick chimney was not rebuilt, due to funds and minimal information on what it looked like and how tall it was.

Conservation Strategy: Preservation

- Preserve the replicated 1995 elements which have become character-defining elements, including the front upper balcony and the back verandah with overhang and simple fluted wood posts.
- Any new addition or alteration to the physical form of the building should follow these conservation principles:

  -Design a new addition in a manner that draws a clear distinction between what is historic and what is new

  -Design for the new work should reference design motifs from the historic place. It should be compatible in terms of mass, materials, relationship of solids to voids, and colour, yet be distinguishable from the historic place.

-The new addition should be physically and visually compatible with, subordinate to and distinguishable from the historic place.
- Any new additions should be built so that the essential form and integrity of the *historic place* is not be impaired if the new work is removed in the future.

5.3.4 <u>The Foundation:</u>

The McIver House was placed on a new concrete foundation with a poured cement floor as part of the 1995 restoration. In the recent conservation work, some of the plants that were close to the building have been taken out and relocated and a 3 ½' gravel perimeter was created around the three sides of the house that are not next to the driveway.

Conservation Strategy: Preservation

- To ensure the prolonged preservation of the foundations, all landscaping should be separated from the foundations at grade by a course of gravel, which help prevent splash back and assist drainage. Remove/prune back any trees, plants or bushes that are close to the house foundation. The irrigation system and any sprinklers should be set up to water away from the house to ensure that no water hits the foundation or the house.

5.3.5 <u>The Roof:</u>

The McIver House had the roof and verandah under-structure repaired (verandah roof structure was replaced and replicated) with new cedar shingles installed as part of the 1995 restoration. The cedar shingles are now 23 years old and are showing some deterioration. The roof should be monitored to determine the best time to replace the shingles. This will likely be within the next 3-5 years.

Conservation Strategy: Preservation

- Any repairs or replacement of the roof elements undertaken should be done using replicated elements that match the existing in materials, size, and shape
- New high-quality cedar shingles should be installed
- The fascia boards and soffits should be maintained through repair and paint as needed
- Existing eavestroughs and downspouts should be repaired/replaced as necessary, as well as cleaned annually or as needed
- The area where the original chimney was should be preserved as is.

5.3.6 <u>The Original/Early Building Elements:</u>

The elements of the house that have been identified as character-defining elements and/or are important to conserve include: verandah across the front and side with wood detailing on the posts and beneath the eaves; sleeping porch with screened windows and wood siding; horizontal wood drop siding on the house; single-hung wood windows with storms; simple window and door trims and corner boards; five panel wood doors with screen doors. The house should be painted within the next 1-3 years. Elements such as the fascia boards will need painting within the next year. The verandah should be oiled every 1-2 years.

Note: *The front and side verandah's roof, deck and sub-structure and skirting were replaced in the 1995 restoration due to very poor condition of materials. The 2017/18 conservation work included the repair and replacement of part of the verandah sub-structure, most of the decking boards and some of the skirting boards. The 1995 t&g decking boards had failed due to being too thin for an exterior deck. The new 2017/18 replaced decking boards are more similar to the deteriorated pre-1995 boards in width, thickness and installation (gap in between boards).*

Conservation Strategy: Preservation

- Repair building elements as needed, replace only if not repairable with replicated elements matching

existing in materials, size, profile and thickness. ***Note:*** *Modern materials such as combed and/or textured lumber or hardi-boards or other cementitious boards are not acceptable.*

- Windows and doors should be repaired and maintained in order to open smoothly and be made weather tight through re-puttying and weather-stripping. Any cracked or chipped glass needs to be replaced. When removing broken glass, the exterior putty should be carefully chipped off with a chisel and the glazier's points should be removed. The wood where the new glass will be rested on should be scraped and cleaned well, and given a coat of linseed oil to prevent the wood from absorbing the oil from the new putty. The new glass should be cut 1/16-1/8th smaller than the opening to allow for expansion and irregularities in the opening, to ensure the glazing does not crack due to natural forces. Window repairs should be undertaken by a contractor skilled in heritage restoration.
- Regular maintenance of siding, windows, doors, and wood elements required
- Cleaning procedures should be undertaken with non-destructive methods. Areas with biological growth should be cleaned using a soft, natural bristle brush, without water, to removed dirt and other materials. If a more intense cleaning is needed, use warm water, mild detergent and a soft bristle brush. High pressure power washing, abrasive cleaning or sandblasting is never appropriate as these methods will cause damage.
- To ensure the prolonged preservation of the building elements, remove/prune back any trees, plants, vines, or bushes that are close to the building. Nothing should be planted close to the house. The irrigation system and any sprinklers should be set up to water away from the house to ensure that no water hits any part of the house.

5.3.7 Exterior Heritage Colour Scheme:

Part of the conservation of the building is to ensure that the exterior of the McIver House is painted in historically appropriate paint colours. The following colour scheme has been determined by finding the closest match of the Benjamin Moore *Historical True Colour Palette for Western Canada* with the building's current colours.

***Note:** The conservation work undertaken in 2017-18 included a coat of paint where repairs or replacement was necessary using the True Colours palette. The match is not exact, partially due to fading of the intense colours (repainted 11-12 years ago), especially the dark burgundy colour. This will be corrected once the house is repainted in the near future. It should also be noted that the siding is not a very close match to the True Colour palette. The True Colour,* Strathcona Gold VC-9, *chosen is the closet colour on the palette. It was decided to use a closer match for the verandah skirting and the balcony boards for this project and use the VC-9, when the house is repainted.*

Colour Table: McIver House Exterior

Element	*Colour*	*Code*	*Sample*	*Finish*
Siding	Strathcona Gold	VC-9		**Flat or pearl**
Window & door trims, corner boards, fascias, & posts	Pendrell Red	VC-29		**Semi-Gloss**
Window & door frames & sashes	Edwardian Cream	VC-7		**High Gloss**
Decorative elements & other trims, soffits, balcony railings	Edwardian Cream	VC-7		**Semi-Gloss**

5.3.8 <u>Interior Elements:</u>

The McIver House had a number of its interior features repaired and maintained during the 1995 restoration of the building. These included the ceilings, the wood floors (except for in the main floor bathroom and the kitchen), original heating vents/grates, window and door trims, floor mouldings, interior doors, bedroom closets, kitchen pantry and closet, the narrow staircase, and even part of the kitchen cupboards and sink unit. The interior walls were removed and replaced with drywall. During subsequent renovations, the floors have been refinished (the original paint around the perimeter of the living room floor was sanded out- which was an interesting element in early farmhouses), the bathrooms (not CDE) updated and walls painted.

As the building was brought up to the building code in 1995, the remaining original/early interior elements should be able to be maintained and repaired as needed.

Conservation Strategy: Preservation/Rehabilitation

- Any repairs or replacement of early/original elements should be done using replicated elements that match the existing in materials, size, and shape
- Insulation in both attic spaces and under the main floor should be evaluated and upgraded if necessary. As there has been problems in the past with rodents and insects getting into the house, these areas may need additional work underneath the floor or in the attic to ensure that this is minimalized.

6.0 Potential Impacts – Current & Future

There are a number of factors that could have an impact on the value of an historic place. These go beyond simply considering the physical acts of preservation, rehabilitation or restoration of the physical fabric of the building. The following list includes factors that may impact the building now and/or in the future. This list may be expanded and/or modified in their future, especially if the use of the building is modified.

Environmental factors:

-The house may be at risk from rodents, birds (i.e. flickers love old wood), insects and, marmots

(***Note:*** *marmots have been an on-going problem under the verandah for the last number of years. However, with the new decking that lets light under the verandah and the new wire mesh attached to the skirting and buried under the gravel to prevent them from getting under the deck, it is hoped that this will solve the problem.*)

-The house may be at risk from vandalism and fire

(***Note****: Every year, especially in the fall, there are homeless people who wander through the property looking for somewhere warm to sleep. They have caused damage breaking into the crawlspace covers.*)

-The house may be at risk from falling trees, especially in the winter months and in high wind storms. It is important to monitor and remove/prune any trees, bushes, plants that are close to the building.

Factors related to the building's current and/or future use:

-The continued use of the farmhouse as the caretaker's residence is the easiest and best use for the house with the least impact. As the house has been limited to a single person or couple, this has helped to keep the house in good condition since 1995. The house is not suitable for more than two people, as this would put too much wear and tear on the house.

-As the house has not been modernized/renovated up to today's standards and expectations, the building might be considered too primitive for some. This is part of the charm, the authenticity and the value of

the building. It is not appropriate to gut the interior and modernize it, beyond updating the newer features such as the counters, flooring in the bathrooms, toilets, sinks, etc.
-The exterior of the building, especially the 'public view' from the front and side should be kept neat with limited personal objects. Simple exterior furniture such as Adirondack chairs and a small table would be appropriate. This will also help to keep the new verandah deck in good condition. The verandah (except for the sleeping porch) should not be used as a storage space. Barbeques and propane firepits should never be used on the verandah or near the house or any of the buildings. There should not be any modern additions, such as exterior blinds, trellises, or garden hose holders, etc attached to the building. These additions damage historic materials and are not appropriate only a historic building in a heritage park.
-If in the future, the house undergoes a rehabilitation to include the COHS office (i.e. the second floor of the house), the BC Building code would have an impact on the building. There are variances for heritage buildings that may be appropriate. For example, a new exterior entrance to the second floor would be required, likely on the northwest façade. This would likely have the least impact on the building. Accessibility and public access would need to be considered. However, as this would have a huge impact on the house and likely not be possible, it would make more sense to find a creative solution where the hall is used to meet the public who have accessibility issues.

Accessibility- public access:
Accessibility would be a factor if the McIver House's use is changed to include public access. The goal of universal design is design for all, barrier free design. This is a challenge in all heritage building rehabilitation projects. A balance is needed between the level of accessibility and the conservation of the building. In some cases, it might be appropriate to have an access audit undertaken in order to evaluate a structure and site to identify issues and possible improvements in the development of an accessibility plan. An accessibility plan will consider all types of disabilities in all areas of the site and structure including: getting to the site, approach and entrance, circulation throughout spaces and levels, bathroom, information/experiences, means of escape, lighting. This should be done before rehabilitation work is started.

Code Compliance/BC Building Code:
Building Code upgrading ensures life safety and long-term protection for historic resources. It is important to consider heritage buildings on a case-by-case basis, as the blanket application of Code requirements do not recognize the individual requirements and inherent strengths of each building.

A future new use with public access to the McIver House will determine what is required by the B.C. Building Code. Some alternate solutions (equivalencies) may be allowed, in order to conserve the building.

The B.C. Building Code states:

> *It is generally recognized that the...Building Code was primarily written for new construction and provides for a performance level that is significantly higher than what exists for many older buildings. To apply present Building Code requirements to existing buildings is in many cases, impractical and with Heritage Buildings may compromise historic appearances or authenticity. Therefore, the Table of Alternate Compliance Methods was developed to provide alternate methods for complying with the performance level intended by the Building Code.*

Code Compliance/Energy Efficiency Act:
The provincial Energy Efficiency Act was amended in 2009 to exempt buildings protected through heritage designation or listed on a community heritage register from compliance with the regulations. Energy efficiency standards do not apply to windows, glazing products, door slabs or products installed in heritage buildings. This means that exemptions can be allowed to energy upgrading measures, such as the retention of character-defining elements such as windows and doors. This allows a more sensitive approach of alternate compliance to each heritage building.

Fire detection, security alarms and suppression systems:
As the McIver House allows an on-site caretaker for the park, the buildings, including the house are regularly monitored. The house has two wired-in smoke detectors (one on each floor) and one battery smoke detector in the kitchen. There is no security or fire suppression system. As most heritage buildings are lost to fire, a fire suppression system may also be considered. However, installation would likely cause damage to the original ceilings. Battery smoke detectors should be installed in every room including the attic space and batteries changed every six months.

On-going maintenance program:
Regular maintenance of the house is required. Ongoing maintenance is the simplest, most effective (and least glamorous method) to ensure the lasting conservation of buildings.

Greening/sustainability:
Green initiatives that are appropriate in a heritage building are not necessary the same as for other buildings. For example, it is not appropriate to replace original wood windows with new double-glazed windows. Well maintained storm windows work just as well. However green systems (i.e. solar panels) may be considered or green roof, water barrels, added insulation in walls and the roof. The greenest building is the existing building. Minimal intervention (i.e. repair vs replacement) advocates conserving historic materials which are often less consumptive of energy than many new replacement materials.

> Life Cycle Assessment Life cycle assessment (LCA) quantifies energy and material usage and environmental releases at each stage of a product's life cycle. LCA examines impacts during a building's entire life, rather than focusing on environmental impacts at a particular stage. LCA indicates that retaining and rehabilitating buildings is more environmentally friendly than new construction, especially in cases where a building is replaced entirely and the old structure is sent to a landfill.

7.0 Maintenance Plan

It is highly recommended that a Maintenance Plan for the McIver House be adopted by the Central Okanagan Heritage Society. A maintenance plan is important in protecting the building and its heritage value. Proper maintenance is the most cost-effective method of extending the life of a building and preserving its character-defining elements. The survival of historic buildings in good condition is primarily due to regular upkeep.

7.1 Maintenance Guidelines

A maintenance schedule should adhere to the *Standards & Guidelines for the Conservation of Historic Places in Canada*. As defined in the *Standards & Guidelines*, maintenance is:

> *Routine, cyclical, non-destructive actions necessary to slow the deterioration of a historic place. It entails periodic inspection; routine, cyclical, non-destructive cleaning; minor repair and refinishing operations; replacement of damaged or deteriorated materials that are impractical to save.*

Conservation Standard #8 states:

> *Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.*

Routine maintenance keeps water out of the building, which is the single most damaging element to a heritage building. Regular maintenance also helps to prevent damage from the elements (i.e. sun, wind, snow), animals, birds, rodents and insects. The better the maintenance of a heritage building, the higher degree of preservation as well as the potential of saving money in future repairs.

Routine, Cyclical & Non-destructive Cleaning:

Following the *Standards & Guidelines*, Standard #7 recommends any intervention (including cleaning) "use the gentlest means possible." Any cleaning procedures on the building should always use the gentlest means possible (i.e. non-destructive methods). Cleaning should be limited to the exterior material such as concrete surfaces and wood elements such as siding and trims. All of these elements are usually easily cleaned, simply with a soft, natural bristle brush, without water, to remove dirt and other material. If a more intensive cleaning is required, it can be accomplished with warm water, mild detergent and a soft bristle brush. **High pressure washing, sandblasting or other abrasive cleaning should NEVER be undertaken on a heritage building**.

Repairs and Replacement of Deteriorated Materials:

Interventions such as repairs and replacements should conform to the *Standards & Guidelines.* The building's character-defining elements – characteristics of the building that contribute to its heritage value (and identified in the Statement of Significance) such as materials, form, configuration, etc. – should be conserved, referencing the following principles to guide interventions:

- An approach of minimal intervention should be adopted - where intervention is carried out it will be by the least intrusive and most gentle means possible.
- Repair rather than replace character-defining elements.
- Repair character-defining elements using recognized conservation methods.
- Replace 'in kind' extensively deteriorated or missing parts of character-defining elements.
- Make interventions physically and visually compatible with the historic place.

Inspections:

Inspections are a key element in the maintenance plan and should be carried out by a qualified person or company, preferably with experience in the assessment of heritage buildings. These inspections should be conducted on a regular and timely schedule.

The inspection should address all aspects of the building including exterior, interior and site conditions. It is important to inspect a building in both wet weather and in dry, in order to see how water runs off and not through a building. The inspection report should include notes, sketches and observations. It may be helpful for the inspector to have building drawings to mark areas of concern, i.e. cracks, staining and rot. The report should then be entered into a log book in which actions to correct the issue are recorded and tracked. It is important that there are two inspections a year- a more rigorous in spring followed by a fall inspection. In the spring, moisture-related deterioration is most visible, and maintenance work, such as staining, can be completed during the summer. In the fall, seasonal issues such as weather sealants, mechanical (heating) systems and drainage issues are the focus. Comprehensive inspections should be undertaken every five years, in which records from previous inspections are checked. Inspections should also occur after major storms to ensure that any damage can be addressed as quickly as possible.

Information File:
The McIver House should have its own information file which would include the inspection reports, the log book (with problems and corrective actions undertaken), building plans, building permits, heritage reports, photographs and other relevant documentation so that a complete understanding of the building and its evolution is readily available. A list outlining the finishes and materials used, would also be helpful. It is also recommended that a stock of spare materials for minor repairs be kept.

Log Book
The maintenance log book is an important tool that should be kept to record all maintenance activities, recurring problems and building observations and will assist in the overall maintenance planning of the building. Routine maintenance work should be noted in the maintenance log to keep track of past and plan future activities. A full record of these activities will help in planning future repairs as well help with future budgets. The log book should be kept in the information file.

7.2 Inspection Checklist

The following checklist considers a wide range of potential problems specific to the McIver House such as water/moisture penetration, material deterioration and structural deterioration. This does not include interior inspections.

EXTERIOR INSPECTION
Site Inspection

- Are tree branches or any vegetation near or touching the building?
- Is water draining away from the building foundation (i.e. eavestroughs and downspouts working)?
- Is the yard around the house well drained? Is there pooling of water?

Foundation

- Moisture: Is rising damp present?
- Is damp proof course present? (there is a vapour barrier under slab and foundation walls which should prevent moisture and rising damp)
- Is there back splashing from ground to structure?
- Is the irrigation/sprinklers hitting the foundation?
- Is any moisture problem general or local?

- Are there shrinkage cracks in the foundation?
- Are there movement cracks in the foundation?
- Is crack monitoring required?
- Is uneven foundation settlement evident?
- Are foundation crawl space vents clear and working?
- Do foundation openings (door access and vents) show: rust; rot; insect attack; soil build-up; holes in the screens?
- Is the access cover in good condition?
- Are there moisture problems present? (Rising damp, rain penetration, condensation moisture from plants, water run-off from roof, sills, or ledges?)
- Is there insect attack present? Where and probable source?
- Is there fungal attack present? Where and probable source?
- Are there any other forms of biological attack? (Moss, birds, etc.) Where and probable source?

Wood Features & Condition of Painted Materials

- Are there moisture problems present? (Rising damp, rain penetration, condensation moisture from plants, water run-off from roof, sills, or ledges, irrigation/sprinklers hitting the wood?)
- Is wood in direct contact with the ground?
- Is any wood surface damaged from UV radiation? (bleached surface, loose surface fibres)
- Is any wood warped, cupped or twisted?
- Is any wood split? Are there loose knots?
- Are nails pulling loose or rusted?
- Is there any staining of wood elements? Source?
- Is the wood damaged from animals, birds, rodents, insects?*
- Is there fungal attach present? Where and probable source?
- Paint shows: blistering, sagging or wrinkling, alligatoring, peeling. Cause?
- Paint has the following stains: rust, bleeding knots, mildew, etc. Cause?
- Is the linseed oil treatment of the decking (verandah and balcony) worn off?

***Note**: In the spring, birds (flickers) can cause major damage to wood elements, esp. siding. This is an on-going problem on many of the older wood buildings in the Okanagan. Insects (wasps) also cause damage with nests in attic spaces as well as on the exterior of older wood structures.*

Verandah, Sleeping Porch, Balcony

- Are steps safe? Balustrade secure?
- Do any support posts/columns show rot at their bases?
- Are porches, steps, etc securely connected to the building?
- Are there areas on the decking that appear 'soft' when walked on?
- Is the screen in the sleeping porch windows and door loose/not attached?

Windows

- Is there glass cracked, missing, or rattling? (i.e. glass loose in sash)
- If the glazing is puttied has it gone brittle and cracked? Fallen out?
- Is there condensation or water damage to the paint?
- Are the sashes easy to operate?
- Do the locks and latches work freely?

- Is the frame free from distortion?
- Do sills show weathering or deterioration?
- Are drip mouldings/flashing above the windows properly shedding water?
- Is the caulking between the frame and the cladding in good condition?
- Are the window sashes and storms weather tight? Need new weather stripping?
- Are there storm windows missing? Cracked glazing? Need repairs?

Doors

- Do the doors create a good seal when closed? Need weather proofing?
- Are the hinges sprung? In need of lubrication?
- Do locks and latches work freely?
- If glazed, is the glass in good condition? Does the putty need repair?
- Are door frames wicking up water? Where? Why?
- Are door frames caulked at the cladding? Is the caulking in good condition?
- What is the condition of the sill?
- Do the screen doors need repairs? Is the screen tight in the frame?

Eavestroughs and Downspouts

- Are eavestroughs or downspouts leaking? Clogged? Are there holes or corrosion? Damage? Are the eavestroughs pulling away from fascia? (Water against structure)
- Are eavestroughs or downspouts complete without any missing sections? Are they properly connected?
- Is the water being effectively carried away from the downspout by a drainage system?
- Do downspouts drain completely away?

Roof

- Are there water blockage points?
- Is the leading edge of the roof wet?
- Is there evidence of biological attack? (fungus, moss, birds, insects)
- Are wood shingles wind damaged or severely weathered? Are they cuped or split or lifting?
- Are the nails sound? Are there loose or missing shingles?
- Are flashings well seated?
- If there is a lightening protection system are the cables properly connected and grounded?
- Does the soffit show any signs of water damage? Insect or bird infestation?
- Is there rubbish buildup on the roof?

INTERIOR INSPECTION

Concealed spaces (crawlspace and attic spaces)

- Is light visible through walls, to the outsider or to another space?
- Are the vents for windowless spaces clear and functional?
- Do pipes or exhausts that pass through concealed spaces leak?
- Are wooden elements soft, damp, cracked? Is metal material rusted, paint peeling or off altogether?
- Are there signs of moisture damage to the walls?

- Infestations - are there signs of birds, bats, insects, rodents, past or present?
- Are insects and rodents getting into the house from the crawlspace? Where? How?

7.3 Maintenance Program

INSPECTION CYCLE

Daily/Weekly

• Observations noted during cleaning (cracks; damp, dripping pipes; malfunctioning hardware; etc.) to be noted in log book or building file.

Semi-annually

• Semi-annual inspection and report with special focus on seasonal issues.
• Thorough cleaning of drainage system to cope with winter rains and summer storms
• Check condition of weather sealants (Fall).
• Clean the exterior using a soft bristle broom/brush.

Annually (Spring)

• Inspect concrete for cracks, deterioration.
• Inspect metal elements, especially in areas that may trap water.
• Inspect windows for paint & glazing compound failure, corrosion & wood decay & proper operation.
• Complete annual inspection and report.
• Clean out of all perimeter drains and rainwater systems.
• Touch up worn paint/stain/oil on the building's exterior.
• Check for plant, insect or animal infestation (i.e. spiders and mice)
• Routine cleaning, as required.

Five-Year Cycle

• A full inspection report should be undertaken every five years comparing records from previous inspections and the original work, particularly monitoring structural movement and durability of utilities.
• Repaint house, including window sashes every five to fifteen years. (***Note:*** *the house was repainted about 10-11 years ago; this year there were touch ups where conservation work was undertaken; however still areas such as the fascia boards that will need new paint within the next year if the house is not repainted in 2019*)

Ten-Year Cycle

• Check condition of roof every ten years after last replacement in 1995.

Twenty-Year Cycle

• Confirm condition of roof and estimate effective lifespan. Replace when required. (***Note:*** *the cedar shingle roof will need to be replaced in next 3-5 years, as now 23 years old*)

Major Maintenance Work (as required)

• Thorough repainting/oiling, downspout and drain replacement; replacement of deteriorated building materials; etc. (***Note:*** *replacement of deteriorated materials with some painting and oiling was completed in 2018*)

The maintenance plan should be reviewed and updated to include any changes, especially if the McIver House is rehabilitated in the future to include a new use.

8.0 Conservation Policies

These policies are intended to direct the course of action in the continued conservation, on-going maintenance and management of the McIver House based on the *Standards and Guideline for the Conservation of Historic Places in Canada*.

- The McIver House should be protected, like the Benvoulin Church, with a Municipal Heritage Designation Bylaw. This would ensure the long-term conservation of this building for the community and future generations. This would also allow COHS to potentially apply for larger grants to help in the conservation of this building.

- Any change/alteration to the McIver House's exterior should have minimal or no impact on the physical form, scale and/or massing of the building. Additions to the house are not recommended. If an addition is deemed necessary in the future for the rehabilitation of the building, the *Standards and Guidelines* for additions should be adhered to. ***(Refer to: 5.3 Summary of Conservation Recommendations - Additions/Alterations)***

- Any changes/alterations to the building should be recorded and added to the building's record.

- The maintenance plan for the McIver House should be updated as needed. Monitoring, on-going maintenance, and repair should be carried out on an annual basis in order to protect the building and its character-defining elements.

- Long term planning for structural, mechanical & electrical systems' repair; bathroom & kitchen updates (including appliances); and major conservation/maintenance work is necessary. A five to ten-year plan, including estimated costs for the work should be undertaken. This should be reviewed and updated as needed.

- An important part of the heritage value of the McIver House, as part of Benvoulin Heritage Park, along with the Benvoulin Church and Reid Hall, is its significance to the community. It is important that the park, along with its buildings and gardens continues to give a high priority to community access and involvement. In the case of the McIver House, this is the exterior facade of the house.

- Monitoring, reviewing and implementation of the McIver House Conservation Plan should be on-going and updated as needed.

9.0 Conclusion

The McIver House is a significant historic building with its unique and rare architectural 'saltbox' house type, its association with early agriculture in the Benvoulin area, its connection with the McIver Family, and the community's support in its move, restoration and new use as the caretaker's residence at Benvoulin Heritage Park.

It is recommended that the McIver House be considered for municipal heritage designation, which will reflect the value the community places in the building and in Benvoulin Heritage Park as an important heritage place in Kelowna. In 1983, the Benvoulin Church was the second building (the Laurel Packinghouse was the first, 1983) that was designated heritage by the City of Kelowna.

The Heritage Conservation Plan, record of the building in 2018, has compiled and summarized the building's context, its evolution-history and alterations/changes, its value to the community, assessment of the building including its condition and conservation recommendations, potential impacts, maintenance plan, and general conservation policies. This will help with the short-term and long-term planning and management of the building.

This will help to ensure that the physical life of the building is extended as long as possible, while preserving the heritage value of the McIver House for the community and future generations.

Appendix #1: Summary of Standards and Guidelines for the Conservation of Historic Places in Canada

The four major principles are:

1. Understanding: *A comprehensive understanding of a historic place is acquired through documentary and oral research as well as physical investigation. Such research and analysis will lead to the identification of the heritage value of the historic place and the character-defining elements that embody its heritage value*. (Source: Standards and Guidelines for the Conservation of Significant Heritage Buildings, 2004, p.2)

2. Planning: *A mechanism establishing the connection between a comprehensive understanding of a place and interventions that respect its heritage value…Planning must reflect all factors affecting the future of a historic place, including the owner's needs, resources and external constraints.* (Source: Standards and Guidelines for the Conservation of Significant Heritage Buildings, 2004, p.3)

3. Using: *Use (i.e. occupancy) may be part of its heritage value, in which case, it must be maintained. Otherwise, a new use compatible with the defined heritage value should be considered. Uses that are economically, socially or symbolically viable are the best guarantee of the long-term survival of a historic place.* (Source: Standards and Guidelines for the Conservation of Significant Heritage Buildings, 2004, p.3)

4. Intervening: *Intervention at a historic place must respect its heritage value and character-defining elements. It is always better to preserve than to repair and better to repair than replace. Any additions must respect the spirit and substance of the old. This "minimal intervention" approach is the foundation of good conservation practice*. (Source: Standards and Guidelines for the Conservation of Significant Heritage Buildings, 2004, p.3)

These conservation standards and guidelines consider three types of treatment:

*__preservation__ (protecting, maintaining and/or stabilizing the materials, form and integrity of a historic place);
*__rehabilitation__ (repairing, alterations and/or additions to make possible a continuing or compatible use of a historic place);
*__restoration__ (revealing, recovering or representing the state of a historic place at a particular period in its history).

The primary objective of the project and its heritage value will determine the best treatment, ensure that its heritage value is protected and that its physical life is extended. (Source: Standards and Guidelines for the Conservation of Significant Heritage Buildings, 2004, p.5)

There are 14 standards and guidelines that are fundamental to the conservation of heritage resources in order to protect the value and extend the physical life of a historic place.

General Standards (for preservation, rehabilitation and restoration)

1. *Conserve the heritage value of a historic place. Do not remove, replace, or substantially alter its intact or repairable character-defining elements. Do not move a part of a historic place if its current location is a character-defining element.*
2. *Conserve changes to a historic place which, over time, have become character-defining elements in their own right.*
3. *Conserve heritage value by adopting an approach calling for minimal intervention.*
4. *Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties or by combining features of the same property that never coexisted.*
5. *Find a use for a historic place that requires minimal or no change to its character-defining elements.*
6. *Protect and, if necessary, stabilize a historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbance of archaeological resources, take mitigation measures to limit damage and loss of information.*

7. *Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.*
8. *Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.*
9. *Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place, and identifiable upon close inspection. Document any intervention for future reference.*

Additional Standards Relating to Rehabilitation

10. *Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.*
11. *Conserve the heritage value and character-defining elements when creating any new additions to a historic place or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.*
12. *Create any new additions or related new construction so that the essential form and integrity of a historic place will not be impaired if the new work is removed in the future.*

Additional Standards Relating to Restoration

13. *Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with the new elements that match the forms, materials and detailing of sound versions of the same elements.*
14. *Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.*

Source: Standards and Guidelines for the Conservation of Historic Places in Canada, 2010, pp.22-23.

Appendix #2: City of Kelowna P2 Zone- Education and Minor Institutional

City of Kelowna Consolidated Zoning Bylaw No. 8000 Section 16
Public & Institutional Zones Revised August 28, 2017
P2 – Education and Minor Institutional

16.2.1 Purpose
The purpose is to provide a zone for private and public educational, residential and recreational uses and religious assemblies.

16.2.2 Principal Uses
The principal uses in this zone are: (a) agriculture, urban (b) child care centre, major (c) community garden (d) community recreation services (e) emergency and protective services (f) health services, minor (g) private clubs (h) private education services (i) public education services (j) religious assemblies (k) supportive housing (l) temporary shelter services (m) utility services, minor impact

16.2.3 Secondary Uses
The secondary uses in this zone are: (a) public parks (b) residential security/operator unit (c) supportive housing 16.2.4 Subdivision Regulations (a) The minimum lot width is 18.0 m. (b) The minimum lot depth is 30.0 m. (c) The minimum lot area is 660 m². 16.2.5 Development Regulations (a) The maximum floor area ratio is 1.0. (b) The maximum site coverage is 40% for buildings and 60% for buildings, parking areas and roads. (c) The maximum height is 13.5 m or 3 storeys. (d) The minimum front yard is 6.0 m. (e) The minimum side yard is 4.5 m, except it is 6.0 m from a flanking street. (f) The minimum rear yard is 7.5 m.

16.2.6 Other Regulations
(a) In addition to the regulations listed above, other regulations may apply. These include the general development regulations of Section 6 (accessory development, yards, projections into yards, accessory development, lighting, stream protection, etc.), the landscaping and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific use regulations of Section 9. City of Kelowna Consolidated Zoning Bylaw No. 8000 Section 16 – Public & Institutional Zones Revised February 20, 2017 P2-2 (b) Accessory buildings and structures used for maintenance and/or storage (both temporary and permanent structures) must have a level 3 landscape buffer. No outdoor storage is permitted in this zone
(b) Accessory buildings and structures used for maintenance and/or storage (both temporary and permanent structures) must have a level 3 landscape buffer. No outdoor storage is permitted in this zone (c) For lots less than 1,000 m2 in area, a health services, minor use shall not generate more than four (4) clients to the site from which the business is being operated at any given time. (d) For lots less than 1,000 m2 in area, a health services, minor use shall not generate more than six (6) clients to the site from which the business is being operated at any given time.

Appendix #3: Location of Original Site (1954 KLO Road) & New Location at Benvoulin Heritage Park (2279 Benvoulin Road)

*(**Note:** 1950 KLO Road has replaced 1954 KLO Road)*

Appendix #4: Old McIver House Relocation & Existing Floor & Elevation Plans, 1994, Peter Chataway

Appendix #5: City of Kelowna's Statement of Significance for the McIver House, 2000

Heritage Building

2269-2279 Benvoulin Road – McIvor House (*Note: should be McIver House*)

Place Description: The historic place is the 1.5-storey, wood-sided McIver House, built around 1904 as a farmhouse, and relocated to Benvoulin Heritage Park at 2279 Benvoulin Road, in Kelowna's South Pandosy neighbourhood, to complement the Benvoulin Church located on the same site.

Heritage Value: This farmhouse has heritage value for being representative of the vernacular saltbox house-type, an Eastern Canadian tradition that is rare locally. It has further value for its association with early agriculture in the area southeast of Kelowna, and also for the interest shown by the Kelowna community in conserving it.

The house was built by Gordon C. Scott, a wheelwright, as a residence at his asparagus farm. The original location was 1950 KLO Road. It has been suggested that it may have been built as early as 1900, but it more likely dates from 1904, when the Kelowna Land and Orchard Company subdivided the old Lequime property into smaller farm blocks and built KLO Road, onto which the building faced.

The house is a continuation of a vernacular architectural tradition that goes back more than two centuries earlier in Eastern Canada and New England. The three-bay, 1.5- or 2-storey house (the McIver House has 1.5 storeys), with a gable roof that drops lower in the rear to cover a second range of rooms, is called a 'saltbox' house, a term that originated in the northeastern U.S.A. and is found in the Maritime provinces. The central raised gable, here enclosing a second-floor door, is particularly characteristic of Ontario. This house-type, common back East, is relatively uncommon in B.C. generally and the Kelowna area specifically.

The house was purchased in 1927 by Bernard ('Barney') McIver and his wife Harriet, becoming the farmhouse for their 17-acre mixed farming operation. Harriet McIver lived in the house until 1980, after which it stood empty. In 1994 the family donated the building to the Central Okanagan Heritage Society, which moved it to its current location on the Benvoulin Heritage Park site (with which it has no historical connection) and restored it. It now serves as the residence for the Benvoulin Heritage Park site manager.

Character Defining Elements:	Key elements that define the heritage character of the McIver House include: - Traditional vernacular saltbox form, with a gabled roof with a double-slope at the rear, with the rear eaves lower than the front eaves - Gable enclosing the second-floor door on the centre of the front elevation, and small balcony off the door - Verandah across the front and one side, with delicate wood detail on the posts and beneath the eaves - Horizontal wood shiplap (drop) siding - Double-hung wood windows, with one-over-one and two-over-two sash - Open property with trees, lawn, rock paths, picket fence, and vegetable and flower garden

Source: City of Kelowna website, Kelowna Heritage Register, 2017.

Appendix #6: McIver House Condition Review, 2017 - 2018

Sources

Arcand (Pat) and McIver Family. **Photographs & Archival materials including Family Reminisces, etc**.

City of Kelowna. ***Kelowna's Official Community Plan***, 1993.

City of Kelowna. ***Kelowna's OCP 2020***, 2010***.***

City of Kelowna Heritage Register*. **Statement of Significance for McIvor House,* 2279 Benvoulin Road,** 2000.

Central Okanagan Heritage Society. ***Photographs & Archival materials including the McIver House 1994/95 move & restoration, Community Memories Project on Benvoulin Heritage Church*.**

Google Maps. ***Location of Original Site (1950 KLO Road) & New Location at Benvoulin Heritage Park (2279 Benvoulin Road)***, 2017.

Kelowna Public Archives, ***Photographs, People Files, Okanagan Historical Society Reports, Maps.***

Luxton, Donald and Associates INC. ***Surtees House & Barn Conservation Plans, Kelowna*,** 2017**.**

Okanagan Historical Society Reports, UBC Library Open Collections, https://open.library.ubc.ca/collections/ohs

Parks Canada. ***Standards and Guidelines for the Conservation of Historic Places in Canada, second edition***. The Government of Canada, in collaboration with provincial and territorial governments, 2010.

Pattison, Eric with Quoin Projects Ltd. ***Keremeos Grist Mill 2010 Condition Survey***. University of Victoria Cultural Resource Management Program & BC Heritage Branch, Canada's Historic Places, 2010.

Note: *Photographs in report were taken by L. Dauncey, unless sourced otherwise.*

HD20-0002
2269-2279 Benvoulin Road

Heritage Designation

Proposal

- To designate 2269-2279 Benvoulin Road as a municipal heritage site

Development Process

Context Map

Subject Property Map

Heritage Value & Character

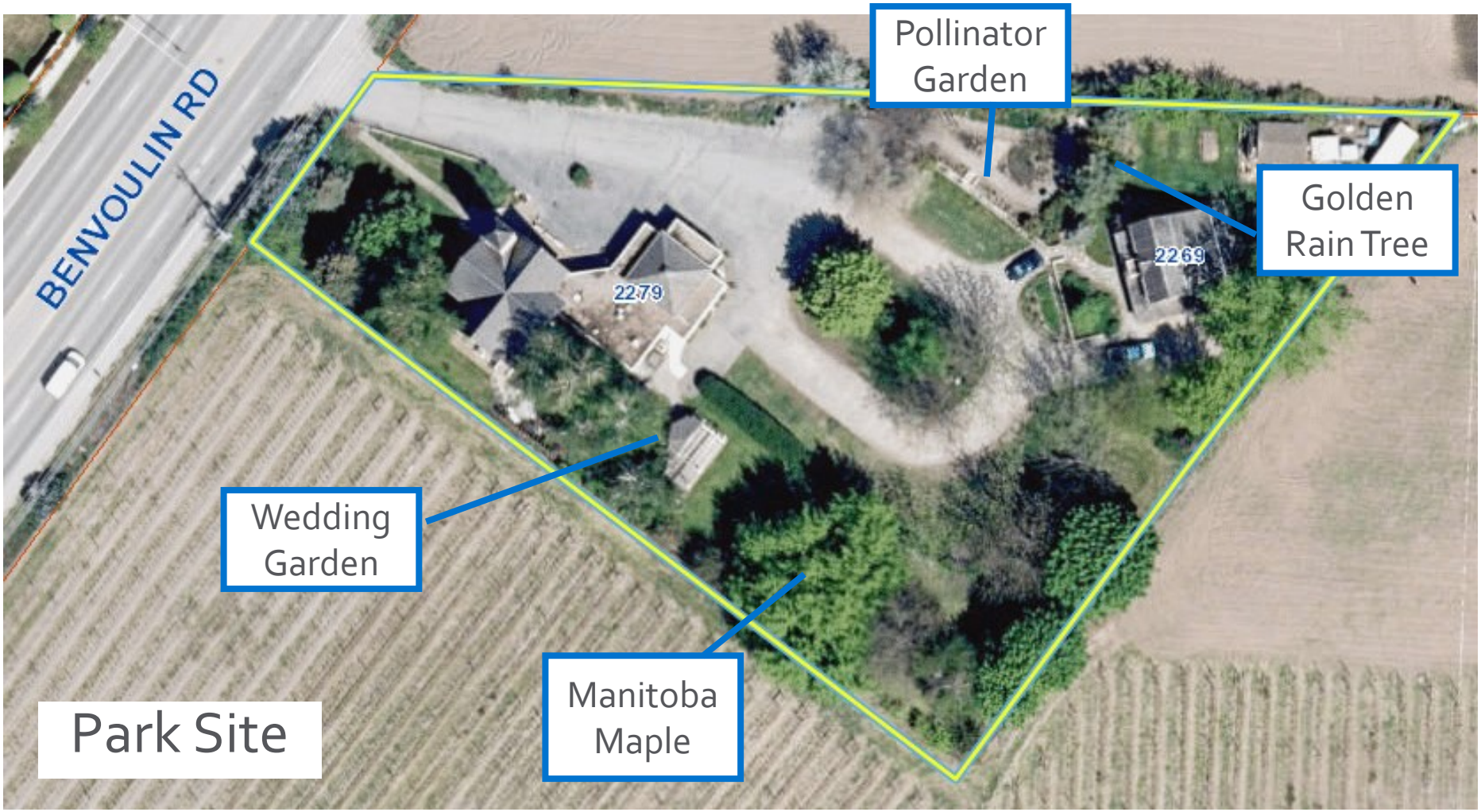
City of Kelowna

Benvoulin Church & Reid Hall

Heritage Value & Character

McIver House

Heritage Value & Character



Staff Recommendation

- Staff recommend support for the proposal
  - Aligns with OCP and Heritage Strategy policies
  - Heritage Designation Bylaw will offer long term protection

Conclusion of Staff Remarks

Heritage Designation Request
Benvoulin Heritage Park

Central Okanagan Heritage Society

GG. Mackay

Lord & Lady Aberdeen

Bethel Presbyterian Church, c. 1914

Reid Hall & Benvoulin United Church, 1958

Reid Hall & Benvoulin Church, early1980s

Formation of COHS and the restoration of the Benvoulin Heritage Church

Benvoulin Heritage Church, c.1987

Old Church Manse. c. 1950s

McIver House, 2018

Planting the Golden Rain Tree, 1997

Marietta Lightbody Memorial Garden

Pollinator Garden

Manitoba Maple & the Wedding Garden

© K. Peter Lepold

CITY OF KELOWNA

BYLAW NO. 12143
HD20-0002 - Heritage Designation Bylaw – 2269-2279 Benvoulin Road

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WHEREAS the Municipal Council of the City of Kelowna has already established the building "Benvoulin Church" legally described as Parcel A (KN69976) Block 7 District Lot 130 ODYD Plan 415B, located on Benvoulin Road, Kelowna, B.C. to be a building with heritage value under Bylaw No. 5599-83;

AND WHEREAS the Municipal Council of the City of Kelowna considers the property known as the "Benvoulin Heritage Park", as indicated in Schedule "A" attached to this bylaw located at Parcel A (KN69976) Block 7 District Lot 130 ODYD Plan 415B, on Benvoulin Road, Kelowna, B.C. to be a property with heritage value and that the designation of the site and the buildings located on the site as a heritage site pursuant to Section 611 of the Local Government Act is desirable for the conservation of the site;

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

1. The property known as the "Benvoulin Heritage Park", legally described as Parcel A (KN69976) Block 7 District Lot 130 ODYD Plan 415B, located at 2269-2279 Benvoulin Road, Kelowna, BC is hereby designated a Municipal Heritage Site pursuant to Section 611 of the *Local Government Act*.

2. Except as authorized by this bylaw or as authorized by a Heritage Revitalization Agreement or a Heritage Alteration Permit Approved by Council, no person shall:

    a. Alter the exterior of any building or structure situated on the property designated in this bylaw;
    b. Make a structural change to a building situated on the property designated by this bylaw;
    c. Move any building situated on the property designated by this bylaw; or
    d. Alter, excavate, or build on land designated by this bylaw.

3. The following alterations to buildings on the property designated by this bylaw are hereby authorized without a Heritage Alteration Permit:

    a. Normal day-to-day maintenance and repairs.

4. This bylaw may be cited for all purposes as the "Heritage Designation Bylaw No. 12143 the Benvoulin Heritage Park."

5. 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 18th day of January, 2021.

Considered at a Public Hearing on the

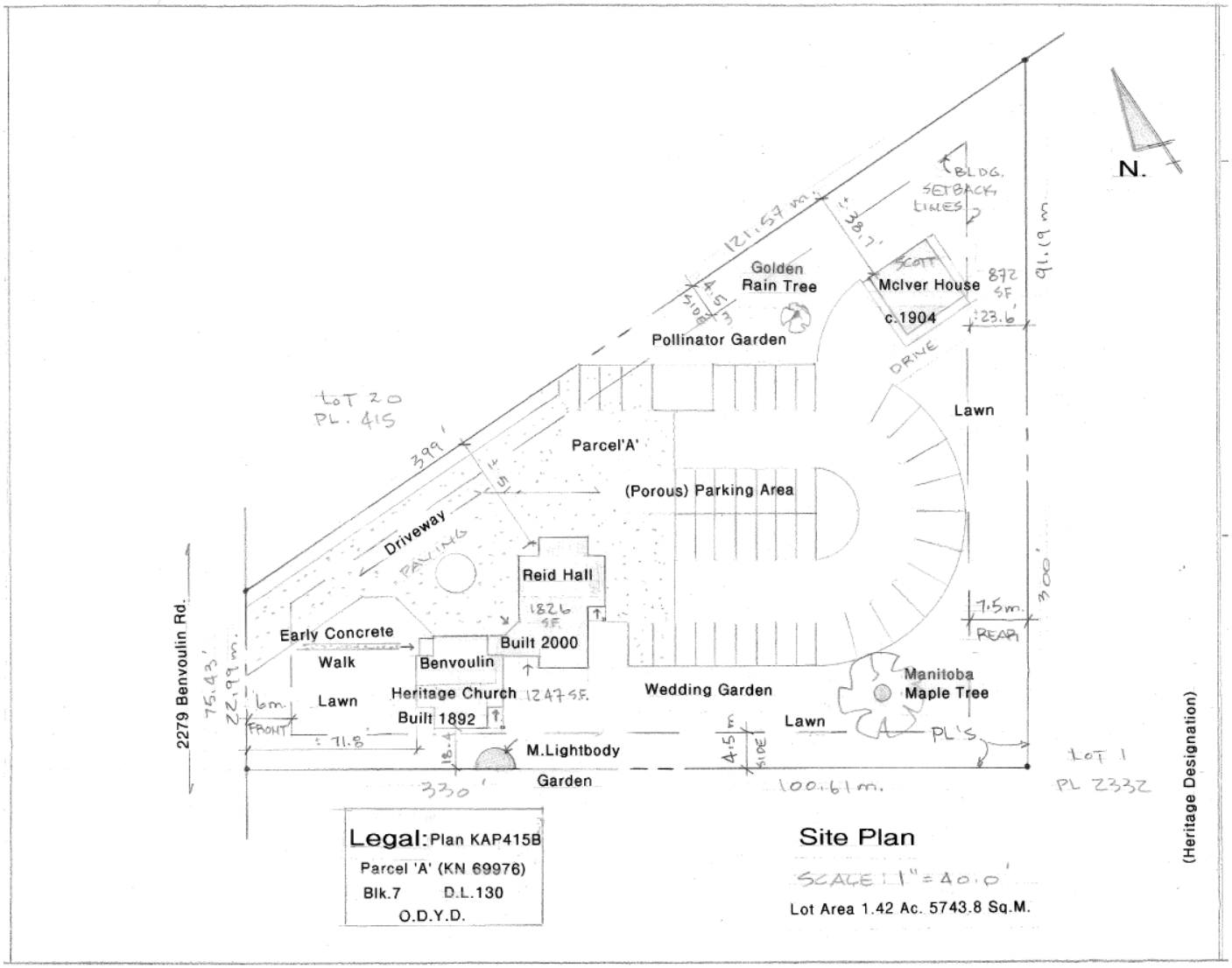
Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

_____
Mayor

_____
City Clerk

Schedule "A" – 2269-2279 Benvoulin Road



Report to Council

Date: January 18, 2020

To: Council

From: City Manager

Subject: TA20-0023

Department: Development Planning Department

Recommendation:

THAT Zoning Bylaw Text Amendment Application TA20-0023 to amend City of Kelowna Zoning Bylaw No. 8000 as indicated in Schedule A and outlined in the Report from the Development Planning Department dated January 18, 2021, 2020 be considered by Council;

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

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

Purpose:

To amend Zoning Bylaw No. 8000 by amending general fencing height regulations, adding Multiple Dwelling Housing use to C9 and home-base business use to C9 and CD-22, amending tall building urban design regulations in C4, C7 and C9, and to correct inconsistencies.

Background & Discussion:

Section 7: Landscaping and Screening

On July 13, 2020 Council approved changes to Section 7 – Landscaping and Screening as it relates to fence height and top of rail requirement. The approved changes reduced the maximum allowable height on fences along front yard and flanking streets to 1075 mm which applied to all zonings. Following the amendments, staff received a significant amount of correspondence as these changes were not suitable for agriculture, rural residential, or commercial properties. The proposed change in the Schedule 'A' will allow Rural Residential properties to construct a fence to a maximum height of 2000 mm. It is appropriate for Rural Residential properties to have a greater height around the total property line as many Rural Residential Properties are located within the Agriculture Land Reserve and

allow the use of Urban Agriculture. Additionally, commercial and industrial properties are often subject to a development permit so staff would be able to review the material and style as part of the landscape plan and ensure it is appropriate based on the location and use of the property.

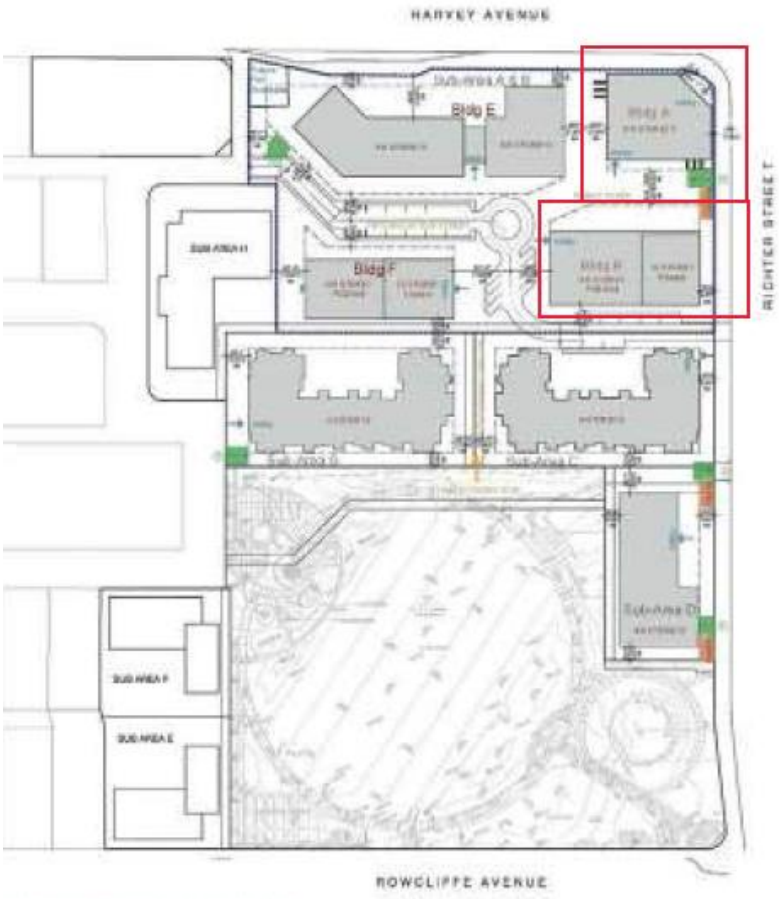
Section 14: Commercial Zones: C9 – Tourist Commercial

The C9 – Tourist Commercial zone serves a wide range of uses that accommodate tourism in key areas of the City. Several of the buildings existing under this zoning, and proposed, are looking to facilitate mixed use projects that accommodate both commercial and residential uses. Prior to the adoption of the Short Term Rental Bylaw, individuals were able to live in this zone under the use of "Apartment Hotel". When the Short Term Rental bylaw was adopted, the use of "Apartment Hotel" was deleted. To ensure long term tenants are able to reside in this zone Staff are recommending the use of Multiple Dwelling Housing be added as a principal use within the C9 zoning.

If Council supports the use of multiple dwelling housing within the C9 zoning it is appropriate for the use of home-based business, minor to be added as a secondary use. The use of home-based business, minor allows for residents to obtain a business licence for businesses that use home offices and require minimal face to face interaction with customer or clients in the residence.

Section 18: CD22 – Adding Home Based Business

The Central Green Development (Comprehensive Development Zone 22) has been developed into apartment housing consisting of hundreds of residential units and is broken down into "Sub-Areas". Currently all Sub Areas, except for Sub Area A & B, allow the use of home-based business, minor. Sub Area B is an apartment structure that recently received occupancy and Sub Area A was approved by Council July of 2017. Staff are seeking to add the home-based business, minor use into these two sub areas.



Large Structure Setbacks and Floor Plate Regulations

As Kelowna's Urban Centres continue to densify, more applications for taller structures are being proposed outside of the downtown C7 zoning. The current podium regulations within the C7 require setbacks from property line and streets of 4m and 3m respectively after 16m in height. Staff are recommending Council support this standard in the C4 & C9 zones. Additionally, staff are proposing a reduction to the current floor plate sizes. Currently in the C7 zoning the allowable floorplate is 1,221m^2. Staff are recommending that this floor plate size be reduced to 750m^2 for residential use and 850m^2 for commercial or hotel use in the C4, C7, and C9 zones. These proposed changes will encourage more slender towers to preserve view corridors, reduce shadowing on adjacent properties, and reduce the overall massing of the structure for a more pedestrian friendly streetscape environment.

Miscellaneous

There are multiple text amendments located within the attached Schedule A for the purpose of correcting spelling errors within the zoning bylaw. Staff are recommending Council support the correct spellings in all applicable sections.

Official Community Plan policies that support proposed changes:

Kelowna Official Community Plan (OCP)

Chapter 14: Urban Design DP Guidelines

Objectives

- Promote interesting, pedestrian friendly streetscape design and pedestrian linkages

Guidelines 4.0 – Massing and Height

4.1 Mitigate the actual and perceived bulk of buildings by utilizing appropriate massing, including:

- Step back upper floors to reduce visual impact

Chapter 8: Economic Development

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

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

Internal Circulation:
Policy & Planning Department

Considerations not applicable to this report:

Legal/Statutory Authority:
Legal/Statutory Procedural Requirements:
Existing Policy:
Financial/Budgetary Considerations:
External Agency/Public Comments:
Communications Comments:

Submitted by: Jason Issler, Planning Technician II

Reviewed by: J. Black, Urban Planning Manager

Approved for inclusion: T. Barton, Development Planning Department Manager

Attachments:

Schedule 'A': Summary of Changes

Schedule A – TA20-0023 – Proposed Text Amendments to Bylaw 8000.

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	**Section 7 – Landscaping and Screening, 7.5 Fencing and Retaining Walls, 7.5.3.**	No **fence** constructed at the **natural grade** in rural residential or **residential zones** shall exceed 2.0 m in **height**, except where **abutting** an agricultural or commercial **zone**, the maximum **height** is 2.4 m. Where fences are constructed adjacent to the Front Lot Line or a Flanking Street, the maximum fence height shall be 1.06 m	The maximum **height** for fences constructed at **natural grade** in rural residential zones shall not exceed 2000 mm in **height**, except where **abutting** an agricultural, industrial or commercial zone, the maximum **height** is 2400 mm. The maximum **height** for fences constructed at **natural grade** on commercial or industrial zoned properties shall not exceed 2400 mm. The maximum **height** for fences constructed at the **natural grade** in urban residential or multi-family zones shall not exceed 2000 mm in **height**, except that it shall not exceed 1200 mm in **height** within the minimum **front yard** or **flanking street** yard setbacks.	To update fence regulations to appropriate standards based on zoning.
2.	**Section 7 – Landscaping and Screening, 7.6**	Notwithstanding paragraph **7.6.1**, buffer widths between a	Notwithstanding paragraph **7.6.1**, buffer widths between a building	To correct spelling error.

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	Minimum Landscape Buffers, 7.6.5.	building or structure and the property line may be reduced to the width of the required yard if the required yard is narrower than the buffer specified in that section, with the exception of level 5 buffereing.	or structure and the property line may be reduced to the width of the required yard if the required yard is narrower than the buffer specified in that section, with the exception of level 5 buffering.	
3.	**Section 8 – Parking and Loading, 8.5 Off-Street Bicycle Parking, 8.5.6 Long- Term Bicycle Parking Standards (c) ii.**	ii. Wall-Mounted bicycle racks located in front of an automobile stall within a parkade will only be counted towards the minimum **Long-Term Bicycle Parking** if the automobile stall meets the minimum Regulat - size vehicle standards.	ii. Wall-Mounted bicycle racks located in front of an automobile stall within a parkade will only be counted towards the minimum **Long-Term Bicycle Parking** if the automobile stall meets the minimum regular - size vehicle standards.	Correct spelling error.
4.	**Section 11 – Agricultural Zones, 11.1.6 (c) Development Regulations.**	(c) For **lots** 0.4 ha and greater, a **residential footprint** must be registered on title for any residential development triggered by a Farm Protection Develoment Permit. The maximum **residential footprint** is 2,000 m². A second residential footprint up to 1,000 m2 may be registered for a **mobile home** for	(c) For **lots** 0.4 ha and greater, a **residential footprint** must be registered on title for any residential development triggered by a Farm Protection Development Permit. The maximum **residential footprint** is 2,000 m². A second residential footprint up to 1,000 m2 may be registered for a **mobile**	To correct spelling error.

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		immediate family where permitted.	**home** for **immediate family** where permitted.	
5.	**Section 14 – Commercial Zones, 14.4 C4 – Urban Centre Commercial, 14.4.5 Development Regulations.**	N/A	(h) For any building above 16.0m or 4 **storeys** in **height**: i. Any portion of a building above 16.0 m or 4 **storeys** (whichever is lesser) in **height** must be a minimum of 3.0 m. from any **property line** abutting a street. ii. Any portion of a building above 16.0m or 4 **storeys** (whichever is lesser) in **height** must be a minimum of 4.0 m from any **property line** abutting another **property**. iii. Any portion of a building 7 **storeys** and above cannot have a floor plate that exceeds 750	To bring buildings over 16.0m or 4 storeys in height to the same standard across all Zonings. To limit the floor plate size to encourage taller and slender developments to reduce overall massing.

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			m² for residential use or 850 m² for commercial or **hotel** use.	
6.	**Section 14 – Commercial Zones, 14.7 C7 – Central Business Commercial, 14.7.5 Development Regulations.**	(h) For any building above 16.0m in height: i. Any portion of a building above 16.0 m in height must be a minimum of 3.0 m. from any property line abutting a street. ii. Any portion of a building above 16.0 m in height must be a minimum of 4.0 m from any **property line** abutting another **property**. iii. A building floor plate cannot exceed 1,221 m².	(h) For any building above 16.0m or 4 **storeys** in **height**: i. Any portion of a building above 16.0 m or 4 **storeys** (whichever is lesser) in **height** must be a minimum of 3.0 m. from any **property line** abutting a street. ii. Any portion of a building above 16.0m or 4 **storeys** (whichever is lesser) in **height** must be a minimum of 4.0 m from any **property line** abutting another **property**. iii. Any portion of a building 7 **storeys** and above cannot	To bring buildings over 16.0m or 4 storeys in height to the same standard across all Zonings. To limit the floor plate size to encourage taller and slender developments to reduce overall massing.

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			have a floor plate that exceeds 750 m² for residential use or 850 m² for commercial or **hotel** use.	
7.	**Section 14 – Commercial Zones, 14.7 C7 – Central Business Commercial, 14.7.5 Development Regulations, Setback Table.**	*Figure 1 below	*Delete	Remove table from zoning bylaw. Table no longer required as greater detail provided on floor plate sizes provided within zoning.
8.	**Section 14 – Commercial Zones, 14.9 C9 – Tourist Commercial, 14.9.2 Principal Uses.**	N/A	(l) **multiple dwelling housing**	To add multiple dwelling housing as a permitted principal use within the C9 Zoning.
9.	**Section 14 – Commercial Zones, 14.9 C9 – Tourist Commercial, 14.9.3 Secondary Uses.**	N/A	(m) **home based businesses, minor**	To allow home based businesses, minor as a permitted secondary use within residential units.
10.	**Section 14 – Commercial Zones, 14.9 C9 – Tourist Commercial, 14.9.5 Development Regulations**	N/A	(f) For any building above 16.0m or 4 **storeys** in **height**: i. Any portion of a building above 16.0 m or 4 **storeys** (whichever is lesser) in **height** must be a minimum of 3.0 m. from any	To bring buildings over 16.0m in height to the same standard as Urban Centre Zonings. To limit the floor plate size to encourage taller and slender developments to reduce overall massing.

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			property line abutting a street. ii. Any portion of a building above 16.0m or 4 **storeys** (whichever is lesser) in **height** must be a minimum of 4.0 m from any **property line** abutting another **property**. iii. Any portion of a building 7 **storeys** and above cannot have a floor plate that exceeds 750 m² for residential use or 850 m² for commercial or **hotel** use.	
11.	**Section 16- Public and Institutional Zones, 16.2 P2 – Education and Minor Institutional, 16.2.6 (d) Other Regulations.**	For lots less than 1,000 m² in area, a **health services, minor** use shall not generate more than six (6) clients to the site from which the business is being operated at any given time.	For lots greater than 1,000 m² in area, a **health services, minor** use shall not generate more than six (6) clients to the site from which the business is being operated at any given time.	Error within zoning bylaw. Was intended to apply to lots greater than 1000 m².
12.	**Section 18 – Schedule B – Comprehensive Development Zones**	N/A	(w) **home based businesses, minor**	To permit the use of home based businesses,

	CD14-CD27, CD22 – Central Green Comprehensive Development Zone, Schedule 7 – CD 22 Sub-Areas A & B Zoning, 7.3 Secondary Uses.			minor in sub areas A & B in portion of CD22.

*Figure 1

Setback Table

Height	Front and Flanking Yard Setback	Side Yard Setbacks	Floorplate
0.0 to 16.0 m	0.0 m	0.0 m	No restriction
16.0 m and above	3.0 m	4.0 m	1,221 m^2

SCHEDULE A

This forms part of application

TA20-0023

City of Kelowna

DEVELOPMENT PLANNING

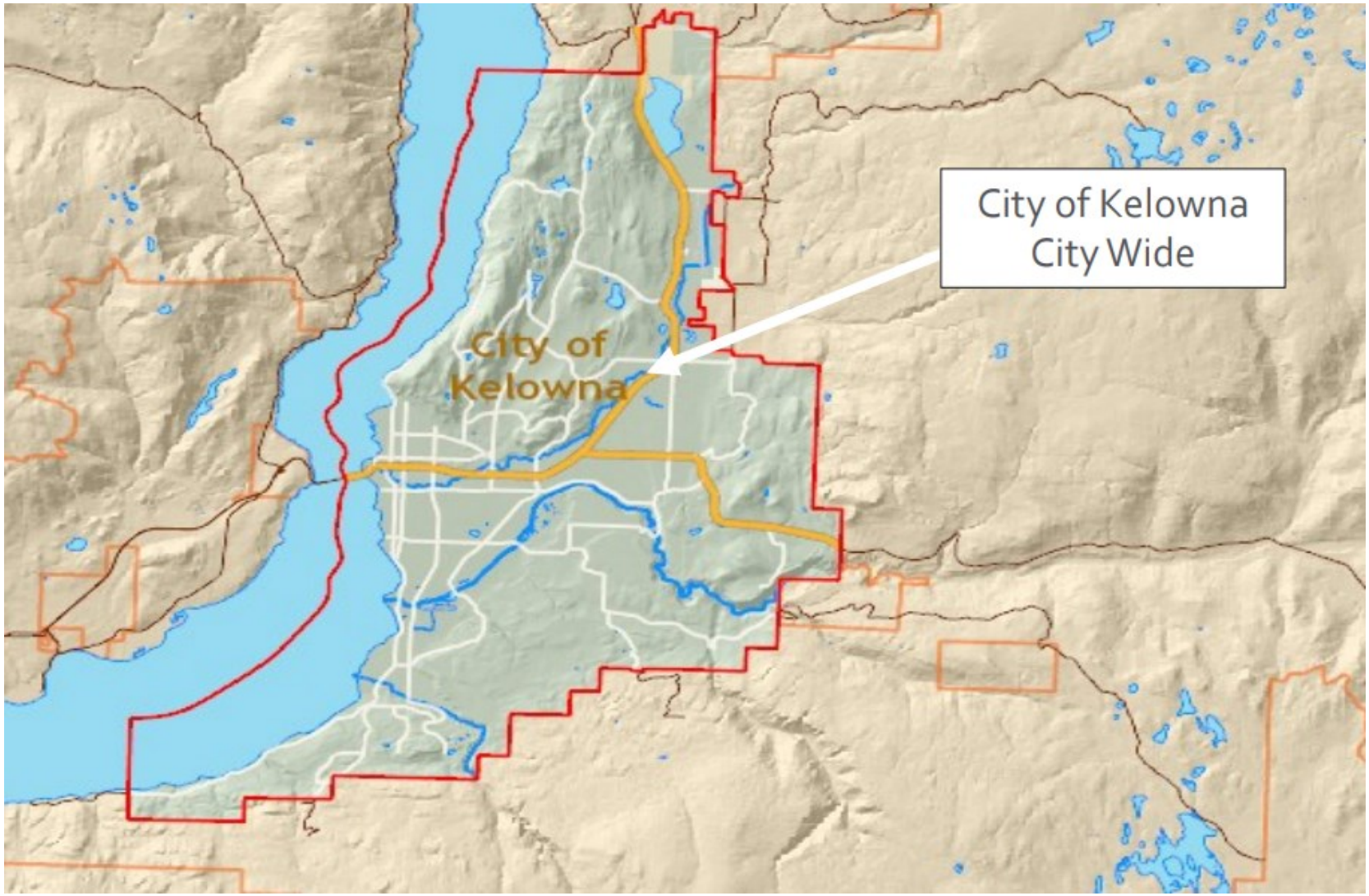
Planner Initials JI

TA20-0023
Zoning Bylaw No. 8000 Amendments

Purpose

- To consider a Text Amendment application that proposes to amend general fencing height regulations, to add Multiple Dwelling Housing use to C9 and home-base business use to CD-22, and to amend tall building urban design regulations in C4, C7 and C9.

Context Map



Section 7: Landscaping and Screening

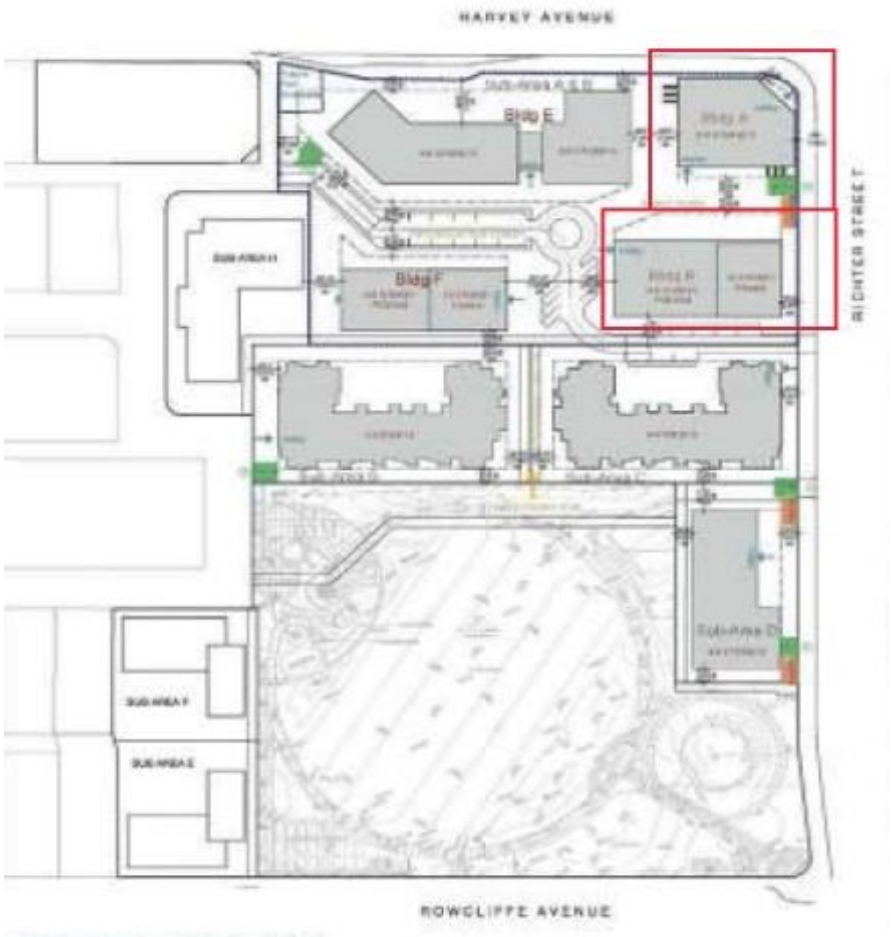
- Clarify wording that fence heights are restricted to 1075 mm when fronting a roadway with Urban Residential and Multi-family zonings.
- Increase fence height in Rural Residential zonings to 2000 mm.

C9 – Tourist Commercial

- Add the use of Multiple Dwelling Housing into the C9 zoning as a principle use.
- Add the use of Home Based Business, Minor as a secondary use within the C9 Zoning.

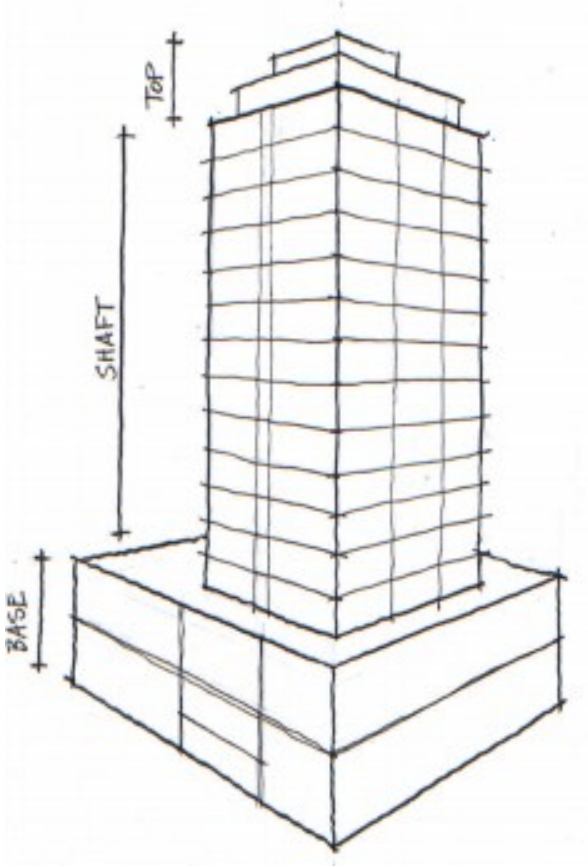
CD22 – Home Based Business

- Add the use of Home Based Business, Minor as a secondary use to Sub Areas A & B in the CD 22 Zoning (Central Green).



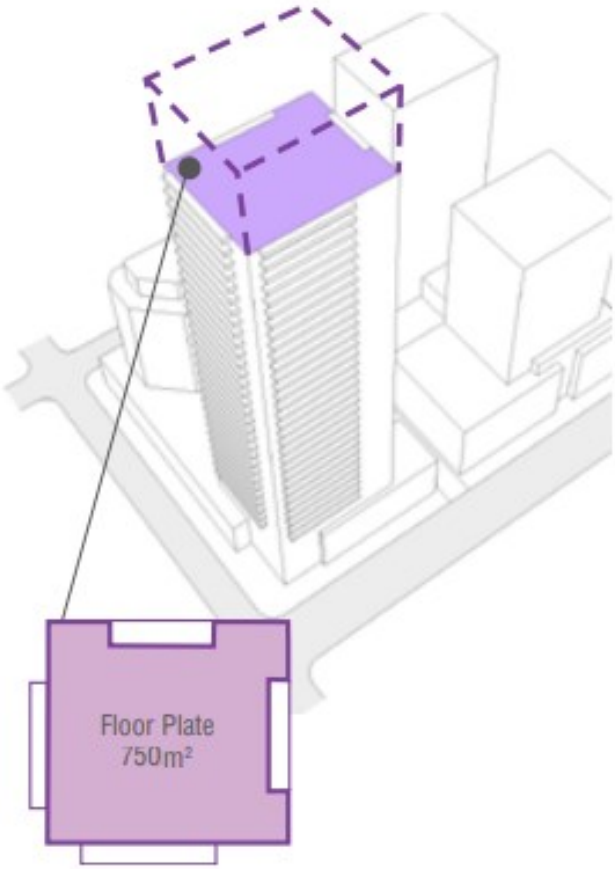
Large Structures Setbacks

- Add setback requirements of 4m from property line after 16m or 4 storeys in C4 and C9 Zoning.
- Add setback of 3m from streets after 16m or 4 storeys in C4 and C9 Zoning.



Large Structure Floor Plates

- Reduce floorplate sizes after 16m to 750 m² for residential uses and 850 m² for Commercial or hotel use.



Supporting Policies

City of Kelowna

Large Structure Setbacks

- Mitigate the actual and perceived bulk of buildings by utilizing appropriate massing by stepping back upper floors to reduce visual impact.

Reduced floor plate sizes

- Promote interesting, pedestrian friendly streetscape design and pedestrian linkages

Supporting Policies

Addition of Home Based Business Use

- Assign priority to supporting the retention, enhancement and expansion of existing businesses and the attraction of new businesses and investment identified as bringing sustainable prosperity to Kelowna

Staff Recommendation

- Staff are recommending support for the proposed Text Amendments to sections 7, 8, 11, 14, 16, and 18 of Zoning Bylaw No. 8000.

Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12144
TA20-0023 – Amendment to Sections 7, 8, 11, 14, 16 and 18

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 **Section 7 – Landscaping and Screening, 7.5 Fencing and Retaining Walls, 7.5.3** be amended by:

   a) Deleting the following:

   "No **fence** constructed at the **natural grade** in rural residential or **residential zones** shall exceed 2.0 m in **height**, except where **abutting** an agricultural or commercial **zone**, the maximum **height** is 2.4 m. Where fences are constructed adjacent to the Front Lot Line or a Flanking Street, the maximum fence height shall be 1.06 m"

   And replacing it with:

   "The maximum **height** for fences constructed at **natural grade** in rural residential zones shall not exceed 2000 mm in **height**, except where **abutting** an agricultural, industrial or commercial zone, the maximum **height** is 2400 mm. The maximum **height** for fences constructed at **natural grade** on commercial or industrial zoned properties shall not exceed 2400 mm. The maximum **height** for fences constructed at the **natural grade** in urban residential or multi-family zones shall not exceed 2000 mm in **height**, except that it shall not exceed 1200 mm in **height** within the minimum **front yard** or **flanking street** yard setbacks."

2. AND THAT **Section 7 – Landscaping and Screening, 7.6 Minimum Landscape Buffers, 7.6.5** be amended by:

   b) Deleting the following:

   "Notwithstanding paragraph 7.6.1, buffer widths between a building or structure and the property line may be reduced to the width of the required yard if the required yard is narrower than the buffer specified in that section, with the exception of level 5 buffereing."

   And replacing it with:

   "Notwithstanding paragraph **7.6.1**, buffer widths between a building or structure and the property line may be reduced to the width of the required yard if the required yard is narrower than the buffer specified in that section, with the exception of level 5 buffering."

3. AND THAT **Section 8 – Parking and Loading, 8.5 Off-Street Bicycle Parking, 8.5.6 Long Term Bicycle Parking Standards(c) ii** be amended by:

   c) Deleting the following:

   "Wall-Mounted bicycle racks located in front of an automobile stall within a parkade will only be counted towards the minimum Long-Term Bicycle Parking if the automobile stall meets the minimum Regulat - size vehicle standards."

   And replacing it with:

"Wall-Mounted bicycle racks located in front of an automobile stall within a parkade will only be counted towards the minimum **Long-Term Bicycle Parking** if the automobile stall meets the minimum regular - size vehicle standards."

4. AND THAT **Section 11 – Agricultural Zones, 11.1.6(c) Development Regulations** be amended by:

   Deleting the following:

   "(c) For **lots** 0.4 ha and greater, a **residential footprint** must be registered on title for any residential development triggered by a Farm Protection Develoment Permit. The maximum **residential footprint** is 2,000 m^2. A second residential footprint up to 1,000 m2 may be registered for a **mobile home** for **immediate family** where permitted."

   And replacing it with:

   "(c) For **lots** 0.4 ha and greater, a **residential footprint** must be registered on title for any residential development triggered by a Farm Protection Development Permit. The maximum **residential footprint** is 2,000 m^2. A second residential footprint up to 1,000 m2 may be registered for a **mobile home** for **immediate family** where permitted."

5. AND **THAT Section 14 – Commercial Zones, 14.4 C4 – Urban Centre Commercial, 14.4.5 Development Regulations** be amended by adding the following in its appropriate location:

   "(h) For any building above 16.0m or 4 **storeys** in **height**:

   i. Any portion of a building above 16.0 m or 4 **storeys** (whichever is lesser) in **height** must be a minimum of 3.0 m. from any **property line** abutting a street.
   ii. Any portion of a building above 16.0m or 4 **storeys** (whichever is lesser) in **height** must be a minimum of 4.0 m from any **property line** abutting another **property**.
   iii. Any portion of a building 7 **storeys** and above cannot have a floor plate that exceeds 750 m^2 for residential use or 850 m^2 for commercial or **hotel** use."

6. AND THAT **Section 14 – Commercial Zones, 14.7 C7 – Central Business Commercial, 14.7.5 Development Regulations** be amended by:

   Deleting the following:

   "(h) For any building above 16.0m in height:

   i. Any portion of a building above 16.0 m in height must be a minimum of 3.0 m. from any property line abutting a street.
   ii. Any portion of a building above 16.0 m in height must be a minimum of 4.0 m from any **property line** abutting another **property**.
   iii. A building floor plate cannot exceed 1,221 m^2."

   And replacing it with:

   "(h) For any building above 16.0m or 4 **storeys** in **height**:

   i. Any portion of a building above 16.0 m or 4 **storeys** (whichever is lesser) in **height** must be a minimum of 3.0 m. from any **property line** abutting a street.
   ii. Any portion of a building above 16.0m or 4 **storeys** (whichever is lesser) in **height** must be a minimum of 4.0 m from any **property line** abutting another **property**.

iii. Any portion of a building 7 **storeys** and above cannot have a floor plate that exceeds 750 m² for residential use or 850 m² for commercial or **hotel** use."

7. AND THAT **Section 14 – Commercial Zones, 14.7 C7 – Centre Business Commercial, 14.7.5 Development Regulations** be amended by deleting the following:

"Setback Table

Height	Front and Flanking Yard Setback	Side Yard Setbacks	Floorplate
0.0 to 16.0 m	0.0 m	0.0 m	No restriction
16.0 m and above	3.0 m	4.0 m	1,221 m²

"

8. AND THAT **Section 14 – Commercial Zones, 14.9 C9 – Tourist Commercial, 14.9.2 Principal Uses** by amended by adding in its appropriate location:

"(l) **multiple dwelling housing**"

9. AND THAT **Section 14 – Commercial Zones, 14.9 C9 – Tourist Commercial, 14.9.3 Secondary Uses** be amended by adding in its appropriate location:

"(m) **home based businesses, minor**"

10. AND THAT **Section 14 – Commercial Zones, 14.9 C9 – Tourist Commercial, 14.9.5 Development Regulations** be amended by adding in its appropriate location:

"(f) For any building above 16.0m or 4 **storeys** in **height**:

i. Any portion of a building above 16.0 m or 4 **storeys** (whichever is lesser) in **height** must be a minimum of 3.0 m. from any **property line** abutting a street.
ii. Any portion of a building above 16.0m or 4 **storeys** (whichever is lesser) in **height** must be a minimum of 4.0 m from any **property line** abutting another **property**.
iii. Any portion of a building 7 **storeys** and above cannot have a floor plate that exceeds 750 m² for residential use or 850 m² for commercial or **hotel** use. "

11. AND THAT **Section 16 – Public and Institutional Zones, 16.2 P2 – Education and Minor Institutional, 16.2.6(d) Other Regulations** be amended by:

Deleting the following:

"For lots less than 1,000 m² in area, a **health services**, **minor** use shall not generate more than six (6) clients to the site from which the business is being operated at any given time."

And replacing it with:

"For lots greater than 1,000 m² in area, a **health services**, **minor** use shall not generate more than six (6) clients to the site from which the business is being operated at any given time."

12. AND THAT **Section 18 – Schedule B – Comprehensive Development Zones, CD14–CD27, CD22 – Central Green Comprehensive Development Zone, Schedule 7 – CD22 Sub-Areas A & B Zoning, 7.3 Secondary Uses** be amended by adding in its appropriate location:

"(w) **home based businesses, minor**"

13. 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 18th day of January, 2021.

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:	January 18, 2021		
To:	Council		
From:	City Manager		
Department:	Development Planning Department		
Application:	TA20-0025	**Owner:**	Springfield Plaza Inc., Inc.No. BC0479374
Address:	1585 Springfield Road	**Applicant:**	LIME Architecture Inc.
Subject:	Zoning Bylaw Text Amendment Application		
Existing OCP Designation:	COMM – Commercial		
Existing Zone:	CD16 – Bingo and Gaming		

1.0 Recommendation

THAT Bylaw No. 12017 be forwarded for rescindment consideration and the bylaw file be closed;

AND THAT Zoning Bylaw Text Amendment Application No. TA20-0025 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule 'A' attached to the Report from the Development Planning Department dated January 18, 2021 for Lot A District Lot 129 ODYD Plan KAP70110 located at 1585 Springfield Road be considered by Council;

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

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

2.0 Purpose

To amend the Zoning Bylaw by changing the Development Regulations in the CD16 – Bingo and Gaming zone for two proposed minor building additions and replacing the CD16 – Bingo and Gaming Site Plan to reflect these changes.

3.0 Development Planning

The CD16 – Bingo and Gaming Zone is a Comprehensive Development Zone which applies only to the subject property, which contains Chances Casino. Staff support the proposed text amendments to accommodate the two small additions to the existing building.

The proposed text amendment identifies only minor changes to the footprint of the existing building. These changes are not expected to result in any negative impacts to the building's aesthetic, the site's functionality, or adjacent parcels.

4.0 Proposal

4.1 Background

On April 6th, 2020, Council forwarded a Text Amendment (BL12017) to Public Hearing for the subject property. Following the First Reading, the applicant decided to make changes to the proposal due to the Covid19 pandemic. These changes were to increase the staffing areas to allow for more staff space. Since these changes were done after First Reading, the original bylaw must be rescinded, and a new application was created. The proposal is similar to the first application; however, minor adjustments have been made.

The previous application came forward because of Council's recent approvals to allow for live gaming in the casino. Chances has experienced a steady increase in their visitor numbers over the year and has further development plans beyond the small additions currently proposed. These future development plans will require additional development applications and are anticipated to significantly change the CD16 – Bingo and Gaming zone, as well as substantially change the existing building form and scale. However, the applicants are not ready to make these applications at this time as they are still working through their preferred design and development plans.

4.2 Project Description

To respond to growing local demand, Chances is proposing additions to the existing building to provide support space including additional electrical room space and office spaces to be used by the casino repair technicians. These additions, as shown on the site plan in Attachment B, will increase the building footprint along the west façade (131.8 m^2) which reduces the side yard from 15.0 m to 14.39 m and along the south façade (243 m^2) which reduces the rear yard from 21.0m to 15.86m. The proposed additions also increase the site coverage from 25% to 27.3% and the drive aisle width for a double lane drive aisle from 7.0m to 6.1m.

4.3 Site Context

Chances Casino is located south of Springfield Road, east of Burtch Road. The subject property has adjacent uses of Residential to the east, Commercial to the west, and Agricultural (ALR) lands to the south. Chances Casino has a formal easement agreement with the adjacent property to the east, which is currently occupied by Rona, to access the underutilized surface parking area with stair access between the two sites.

The property is adjacent to ALR lands to the south which requires a Level 5 landscape buffer with a minimum width of 3.0m. The ALC's Guide to Edge Planning encourages a 15.0 m setback from the agricultural area boundary and an 8.0 m wide vegetative buffer within the setback. The proposed development meets the City's required 3.0 m buffer width and the ALC's encouraged 15.0 m building setback and would therefore be exempt from a Farm Protection Development Permit.

Subject Property Map: 1585 Springfield Road

4.4 Zoning Analysis Table

The CD16 – Bingo and Gaming Zone is a Comprehensive Development Zone which applies only to the subject property, which contains Chances Casino. As a Comprehensive Development Zone is in place, a Text Amendment to the Zone is required instead of what would be considered a variance application in other contexts.

The changes to the development regulations, as shown below in the Zoning Analysis Table, are complemented by the Zoning Bylaw CD16 – Bingo and Gaming Zone Site Plan (Schedule A) that is included in the zone and would restrict any future development from any proposal beyond what is currently being considered by Council.

Zoning Analysis Table		
CRITERIA	**CD16 ZONE REQUIREMENTS**	**PROPOSAL**
Existing Lot/Subdivision Regulations		
Min. Rear Yard Setback	21.0m	15.86m
Min. Side Yard Setback	15.0m	14.39m
Max. Site Coverage	25%	27.3%
Min. Drive Aisle Width	7.0m	6.1m

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

6.0 Chapter 8: Economic Development

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

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

7.0 Application Chronology

Date of Revised Application Received: December 18, 2020
Date Public Consultation Completed: September 14, 2020

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Jocelyn Black, Urban Planning Manager

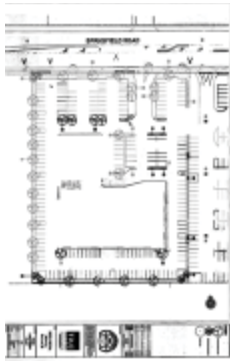
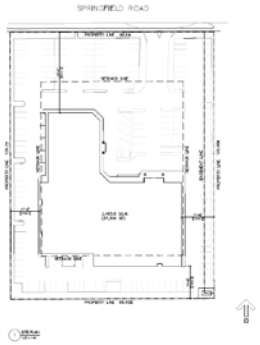
Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Schedule A: Proposed Text Amendment

Attachment A: Development Site Plan and Floor Plans

Attachment B: Proposed Elevation Drawings

Schedule A - Proposed Text Amendments to CD16 – Bingo and Gaming					
No.	**Section**	**Current Wording (CD15)**	**Originally Proposed Wording (April 2020 – BL12017)**	**Updated Proposed Wording**	**Reason for Change**
1.4 (b)	**Development Regulations**	b) The maximum **site coverage is** 25%	b) The maximum **site coverage** is 26%	b) The maximum **site coverage** is 27.3%	Increase the maximum site coverage
1.4 (e)	**Development Regulations**	e) The minimum **side yard** is 15.0m	e) The minimum **side yard** is 14.0m	e) The minimum **side yard** is 14.39m	Decrease the minimum side yard
1.4 (f)	**Development Regulations**	f) The minimum **rear yard** is 21.0m	f) The minimum **rear yard** is 18.0m	f) The minimum **rear yard** is 15.86m	Decrease the minimum rear yard
1.4 (c)	**Other Regulations**	c) Development of the subject property is limited to that shown on the **CD16 – Bingo and Gaming Site Plan**. 	c) Development of the subject property is limited to that shown on the **CD16 – Bingo and Gaming Site Plan.**	c) Development of the subject property is limited to that shown on the **CD16 – Bingo and Gaming Site Plan.** 	Update the Site Plan with the proposed changes to Development Regulations
n/a	**Other Regulations**	n/a	n/a	The minimum drive aisle width for a double lane drive aisle is 6.1m	Decrease the minimum drive aisle width

SCHEDULE A

This forms part of application

TA20-0025

City of Kelowna
DEVELOPMENT PLANNING

Planner Initials TC

CHANCES CASINO - NEW ADDITIONS

1585 SPRINGFIELD RD, KELOWNA, BC

PROPERTY DESCRIPTION:

CHANCES CASINO

CMC ADDRESS:	1585 SPRINGFIELD ROAD, KELOWNA BC
LEGAL ADDRESS:	PLAN 70110, LOT A, ROLL 10519967
ZONING:	CD16
BUILDING AREA:	33,380 SQ.FT (EXISTING)
INTENDED USAGE:	CASINO

CASINO FLOOR AREAS:

EXISTING GROSS FLOOR AREA:	40,788 SQ.FT (3,789 SQ.M)
WEST ADDITION:	1,311 SQ.FT (121.8 SQ.M)
SOUTH ADDITION MAIN FLOOR:	2,615 SQ.FT (243.0 SQ.M)
SOUTH ADDITION UPPER FLOOR:	2,622 SQ.FT (243.6 SQ.M)
TOTAL GROSS FLOOR AREA:	47,336 SQ.FT (4,397.4 SQ.M)
EXISTING BUILDING AREA:	33,380 SQ.FT (3,101 SQ.M)
WEST ADDITION:	1,311 SQ.FT (121.8 SQ.M)
SOUTH ADDITION:	2,622 SQ.FT (243.6 SQ.M)
TOTAL BUILDING AREA:	37,313 SQ.FT (3,466.4 SQ.M)

PARKING CALCULATIONS:

PARKING STALLS:
CASINO (CD16) — 3-4 PER 100m² GFA
= 4,397 /100
= 43.97 x 3 or 4
= 132-176 STALLS

LOADING BAYS: REQUIRED:
CASINO (CD16) — EXISTING TO REMAIN

BICYCLE PARKING: REQUIRED:
CASINO (CD16) — EXISTING TO REMAIN

TOTAL EXISTING STALLS:
CASINO = 205 STALLS

TOTAL REMAINING STALLS (WITH ADDITIONS):
CASINO = 186 STALLS (19 STALLS LOST)

B.C. BUILDING CODE (2018) ANALYSIS

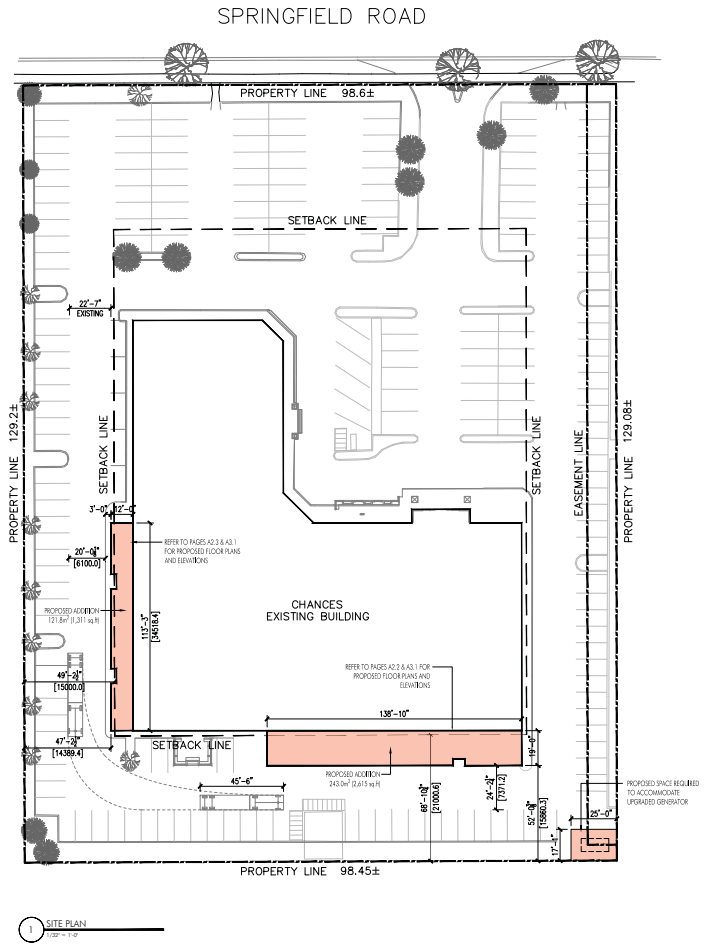
1. OCCUPANCY CLASSIFICATION:
   A2 - CASINO
2. NUMBER OF STREETS FACED: 3.2.2.10
   ONE (1)
3. BUILDING AREA: 3.2.2.5
   3,475.2 m²/ 37,407 sq.ft
4. BUILDING HEIGHT: 3.2.2.5
   3 STOREYS
5. SIZE & OCCUPANCY REQUIREMENTS:
   GROUP A, DIVISION 2, UP TO 6 STOREYS, ANY AREA, SPRINKLERED (3.2.2.24)
6. CONSTRUCTION REQUIREMENTS:
   NONCOMBUSTIBLE CONSTRUCTION
   FLOOR ASSEMBLIES AS FIRE SEPARATIONS WITH 1 HOUR F.R.R.
   MEZZANINES WITH 1 HOUR F.R.R.
   LOAD BEARING WALLS, COLUMNS, AND ARCHES REQUIRE A 1 HOUR F.R.R.
   OR BE NOT LESS THAN THAT REQUIRED FOR THE SUPPORTED ASSEMBLY

ZONING CALCULATIONS:

CURRENT: CITY OF KELOWNA, CD16 (COMPREHENSIVE DEVELOPMENT, BINGO AND GAMING)

SITE INFORMATION:

	ALLOWED	PROPOSED	
GROSS SITE AREA=	N/A	136,778 SF (12,707 SM)	
ALLOWABLE SITE COVERAGE=	25% (34,195 SF)(3,177 SM)	27.3% (37,313 SF)(3,466.4 SM)	VARIANCE
F.A.R. =	0.4 (54,711 SF)(5,083 SM)	0.35 (45,664 SF)(4,242.1 SM)	
	REQUIRED	PROPOSED	
MAX. HEIGHT -	12M (39FT) OR 3 STOREYS	EXISTING TO REMAIN	
FRONT YARD -	24.0 M	EXISTING TO REMAIN	
SIDE YARD (WEST)-	15.0 M	4.5' 11" (114.3M)	VARIANCE
SIDE YARD (EAST) -	15.0 M	EXISTING TO REMAIN	
REAR YARD -	21.0 M	51'-10" (15.8M)	VARIANCE
DRIVE AISLE -	REQUIRED	PROPOSED	
DOUBLE LANE DRIVE AISLE	7.0 M	6.1 M	VARIANCE



1 SITE PLAN
1:150 - 1'-0"

ATTACHMENT A
This forms part of application
TA20-0025
Planner Initials TC
City of Kelowna
DEVELOPMENT PLANNING

DVP ADDENDUM #4

LIME ARCHITECTURE INC.
PHONE:250-448-7881
205-1420 Richter Street, Kelowna, BC V1Y 2M3
www.limearchitecture.com

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

Revision No., Date and Description
01.16.20 - FOR DVP
05.21.20 - DVP ADDENDUM #1
06.19.20 - CLIENT REVIEW
06.23.20 - DVP ADDENDUM #2
08.19.20 - DVP ADDENDUM #4

Plot Date	Drawing No.
25-Aug-20	A-001

PROJECT
CHANCES

DRAWING TITLE
SITE PLAN & PROJECT INFORMATION

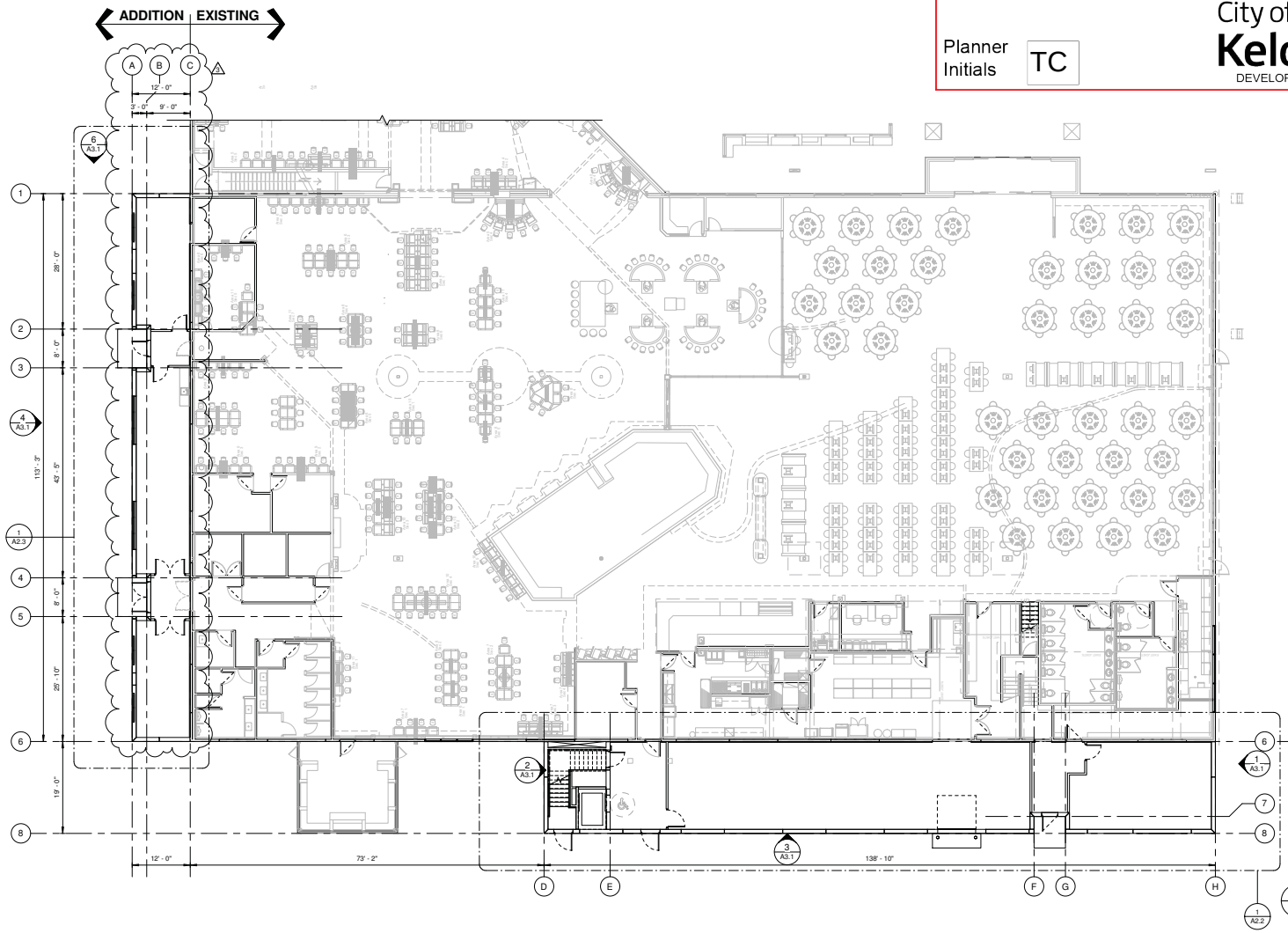
ATTACHMENT A

This forms part of application

TA20-0025

Planner Initials TC

City of Kelowna
DEVELOPMENT PLANNING



1 A2.0 Overall Main Floor Plan 3/32" = 1'-0"

NOTES

1. RATED WALLS SHALL BE FRAMED TO UNDERSIDE OF RATED FLOOR ASSEMBLY OR ROOF ASSEMBLY

2. ADD BLOCKING BETWEEN STUDS AS REQUIRED TO SUPPORT ALL EDGES OF 1/2" TYPE 'X' GYPSUM BOARD

3. FIRE SEPARATION AS SHOWN:

3/4 HR
1 HR
2 HR
4 HR

NOTE:

-ALL WASHROOMS AND JANITOR ROOMS TO RECEIVE IMPERVIOUS DURABLE FLOOR AND WALL FINISH UP TO 5'-0" A.F.F.

-FURNITURE NOT INCLUDED

-MILLWORK BY MILLWORK SUPPLIER

-FLOOR SLAB POLY. TO BE SEALED AT ALL JOINTS & PERFORATIONS. REFER TO MECHANICAL FOR RADON COLLECTION

Wall Types

1. 10" INSULATED PRECAST CONCRETE WALL PANEL C/W 4" INSULATION (TYPE S CONCRETE: UP TO 2 HR F.R.R. AS PER TABLE D-2.1.1.)
2. 5.5" SOLID PRECAST CONCRETE WALL PANEL (TYPE S CONCRETE: UP TO 2 HR F.R.R. AS PER TABLE D-2.1.1.)
3. 4" SOLID PRECAST CONCRETE WALL PANEL (TYPE S CONCRETE: UP TO 1 HR F.R.R. AS PER TABLE D-2.1.1.)
4. 1/2" GYPSUM BOARD
   3 5/8" 25ga STEEL STUDS @ 24" O/C
   1/2" GYPSUM BOARD
5. 5/8" TYPE "X" GYPSUM BOARD
   3 5/8" 25ga STEEL STUDS @ 24" O/C
   3 1/2" MINERAL FIBRE BATT INSULATION
   5/8" TYPE "X" GYPSUM BOARD
   (UP TO 1 HR FIRE RESISTANCE RATING)
   (DESIGN NO. ULC W453)
6. 1/2" GYPSUM BOARD
   3 5/8" 25ga STEEL STUDS @ 24" O/C
7. 1/2" GYPSUM BOARD
   6" 25ga STEEL STUDS @ 24" O/C
8. 2 LAYERS 5/8" TYPE "X" GYPSUM BOARD
   6" 25ga STEEL STUDS @ 24" O/C
   5 1/2" MINERAL FIBRE BATT INSULATION
   2 LAYERS 5/8" TYPE "X" GYPSUM BOARD
   (UP TO 2HR FIRE RESISTANCE RATING)
   (DESIGN NO. ULC W453)
9. 1 5/8" 25ga STEEL STUDS @ 24" O/C
   1/2" GYPSUM BOARD

NO.	DESCRIPTION	DATE
0	ISSUED FOR CONSTRUCTION	2020-06-10
3	MOVED GRID LINE A	2020-08-17

Chances Casino Renovation

Kelowna, British Columbia

Lot A, Plan KAP70110

chances

EAGLE BUILDERS
THE PRECAST CONCRETE CONNECTION

LIME ARCHITECTURE INC.

Stamp: REGISTERED ARCHITECT MATTHEW CARL JOHNSTON BRITISH COLUMBIA

aggregate design studio ltd.

(403) 885-5525 P.O. BOX 1690 BLACKFALDS, AB, T0M 0J0

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Floor Plan Overall

A2.0

Project number:	B20284
Date:	2020-08-18 9:56:39
Drawn by:	AB
Checked by:	RO
Scale:	As indicated

W:\Chances\Casino\Chances\Casino - Renovation\B20284\model\Chances Casino - Renovation - FC.rvt

ATTACHMENT A

This forms part of application

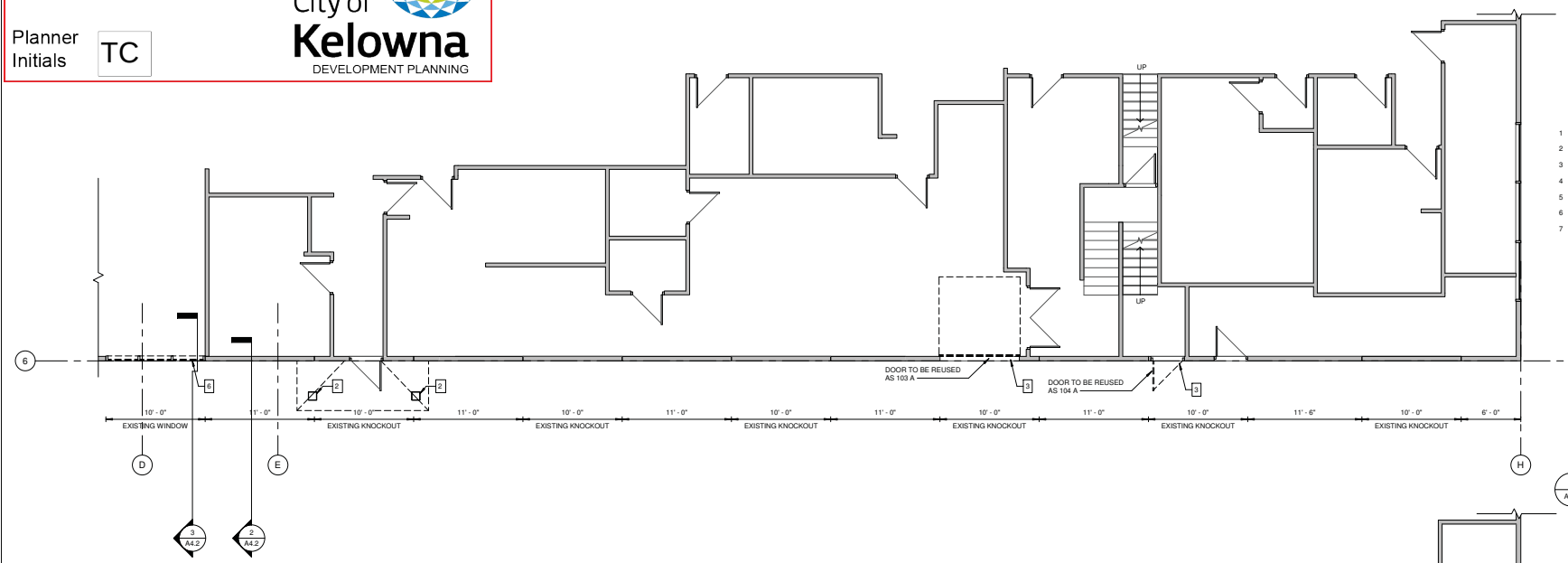
TA20-0025

Planner Initials TC

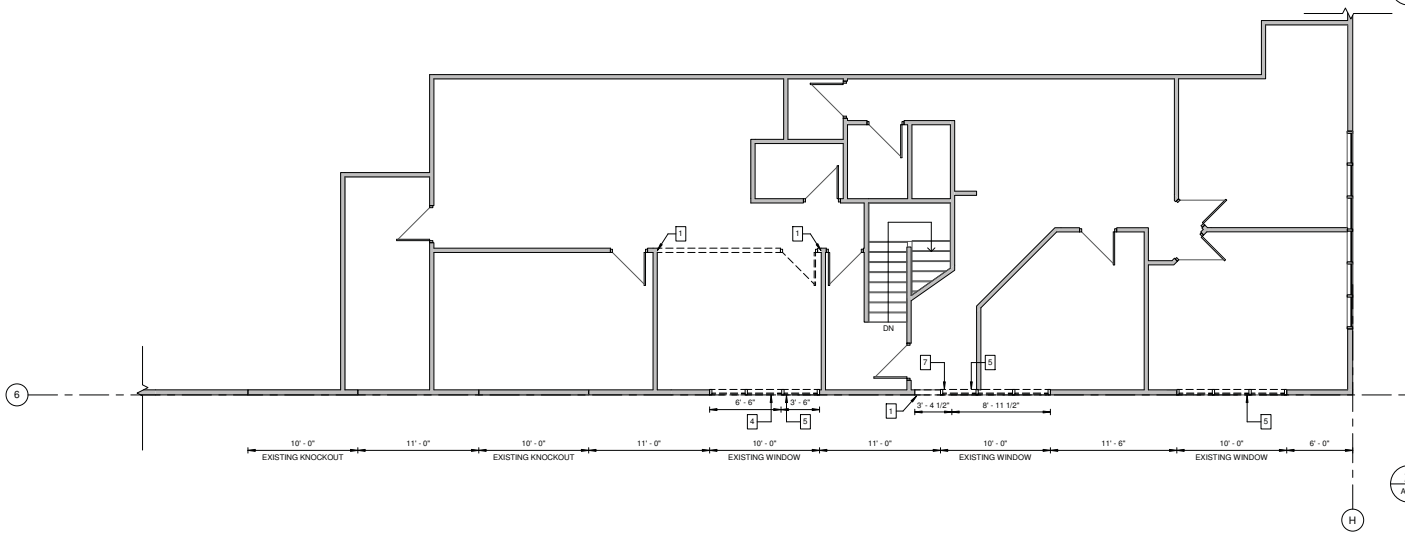
City of Kelowna
DEVELOPMENT PLANNING

DEMOLISHED WALL
EXISTING WALL
DEMOLISHED DOOR
EXISTING DOOR

1 PATCH & REPAIR WALL
2 REMOVE COLUMN & ROOF ABOVE
3 REMOVE EXISTING DOOR & MAINTAIN OPENING
4 REMOVE GLAZING (TO BE REUSED) & CUT WALL DOWN TO FLOOR
5 REMOVE GLAZING (TO BE REUSED) & INFILL W/ FRAMED WALL
6 REMOVE GLAZING & INFILL W/ 4" PRECAST WALL
7 CUT WALL DOWN TO FLOOR & ADD NEW DOOR



1 A2.1 South Main Floor Plan - Existing
3/16" = 1'-0"



2 A2.1 South Second Floor Plan - Existing
3/16" = 1'-0"

NO.	DESCRIPTION	DATE
0	ISSUED FOR CONSTRUCTION	2020-06-10

Chances Casino Renovation

Kelowna, British Columbia

Lot A, Plan KAP70110

chances
EAGLE BUILDERS
THE PRECAST CONCRETE CONNECTION

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Demo Floor Plan

A2.1

Project number:	B20284
Date:	2020-08-18 9:56:40
Drawn by:	AB
Checked by:	RO
Scale:	As indicated

W:\Chances\Casino\Chances Casino - Renovation\B20284\model\Chances Casino - Renovation - RC.rvt

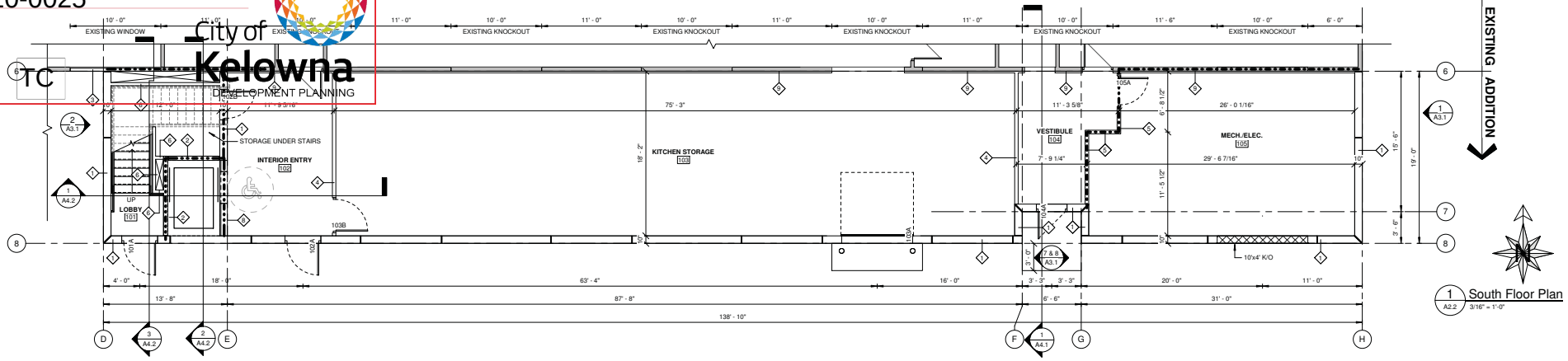
ATTACHMENT A

This forms part of application

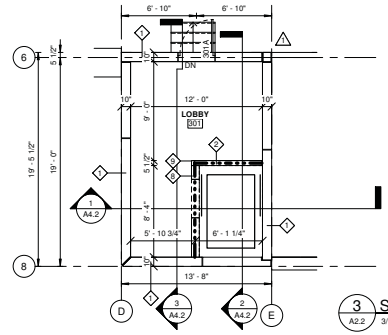
TA20-0025

City of Kelowna
DEVELOPMENT PLANNING

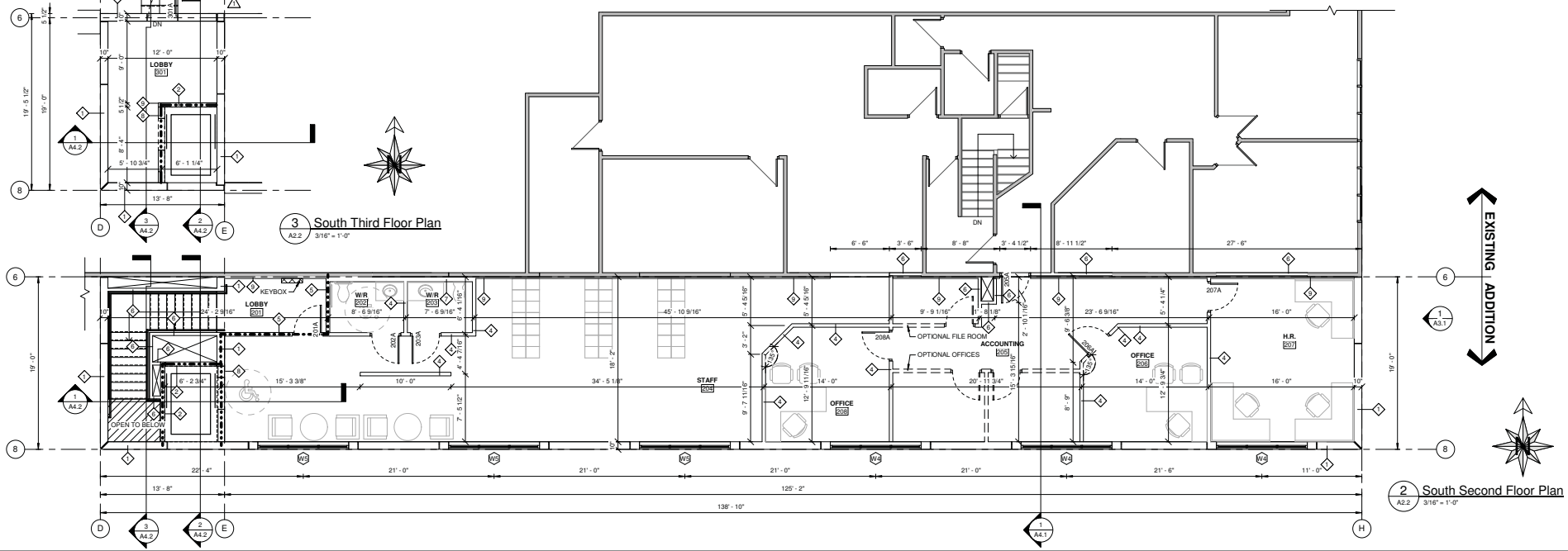
Planner Initials TC



1 South Floor Plan
A2.2 3/16" = 1'-0"



3 South Third Floor Plan
A2.2 3/16" = 1'-0"



2 South Second Floor Plan
A2.2 3/16" = 1'-0"

NO.	DESCRIPTION	DATE
0	ISSUED FOR CONSTRUCTION	2020-06-10
1	REVISED WALL 8	2020-06-25

Chances Casino Renovation

Kelowna, British Columbia

Lot A, Plan KAP70110

chances

EAGLE BUILDERS
THE PRECAST CONCRETE CONNECTION

LIME ARCHITECTURE INC.

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Enlarged Floor Plan

A2.2

Project number:	B20284
Date:	2020-08-18 9:56:41
Drawn by:	AB
Checked by:	RO
Scale:	As indicated

ATTACHMENT A

This forms part of application

TA20-0025

Planner Initials TC

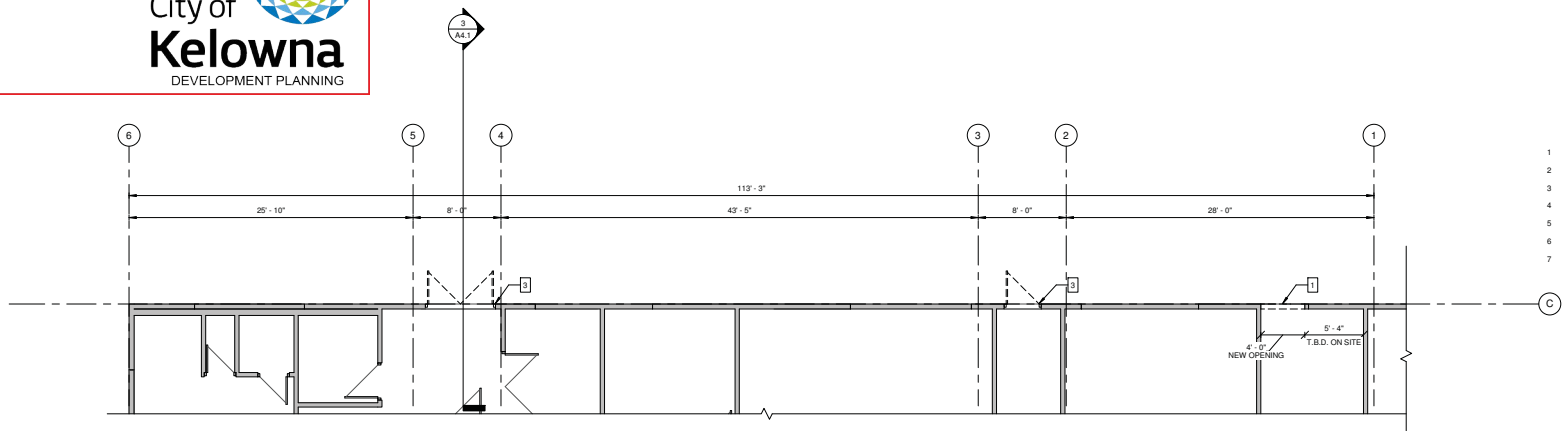
City of Kelowna
DEVELOPMENT PLANNING

DEMOLISHED WALL
EXISTING WALL

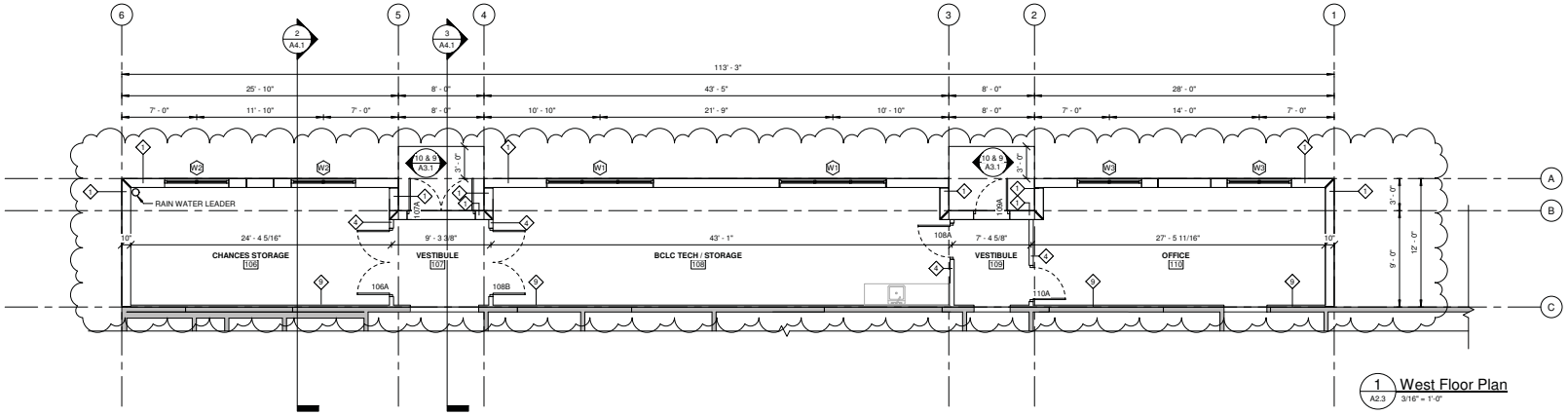
DEMOLISHED DOOR

EXISTING DOOR

1 PATCH & REPAIR WALL
2 REMOVE COLUMN & ROOF ABOVE
3 REMOVE EXISTING DOOR & MAINTAIN OPENING
4 REMOVE GLAZING (TO BE REUSED) & CUT WALL DOWN TO FLOOR
5 REMOVE GLAZING (TO BE REUSED) & INFILL W/ FRAMED WALL
6 REMOVE GLAZING & INFILL W/ 4" PRECAST WALL
7 CUT WALL DOWN TO FLOOR & ADD NEW DOOR



2 A2.3 West Floor Plan - Existing
3/16" = 1'-0"



1 A2.3 West Floor Plan
3/16" = 1'-0"

NO.	DESCRIPTION	DATE
0	ISSUED FOR CONSTRUCTION	2020-06-10
3	MOVED GRID LINE A	2020-08-17

Chances Casino Renovation

Kelowna, British Columbia

Lot A, Plan KAP70110

chances

EAGLE BUILDERS
THE PRECAST CONCRETE CONNECTION

LIME ARCHITECTURE INC.

Stamp: REGISTERED ARCHITECT MATTHEW OLIVI JOHNSTON BRITISH COLUMBIA

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Enlarged Floor Plan

A2.3

Project number:	B20284
Date:	2020-08-18 9:56:41
Drawn by:	AB
Checked by:	RO
Scale:	As indicated

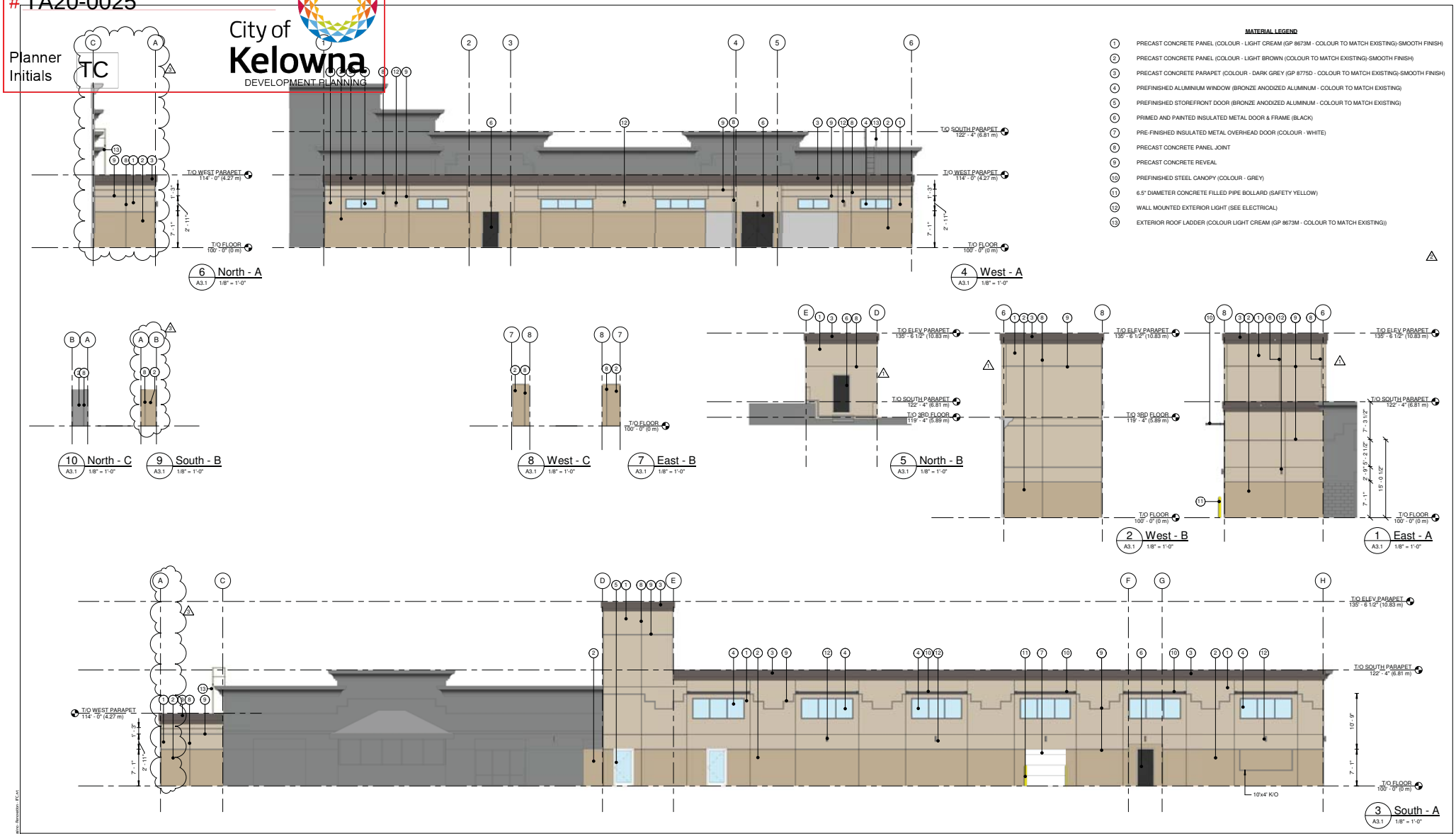
ATTACHMENT B

This forms part of application

TA20-0025

Planner Initials TC

City of Kelowna
DEVELOPMENT PLANNING



MATERIAL LEGEND

1. PRECAST CONCRETE PANEL (COLOUR - LIGHT CREAM (GP 8673M - COLOUR TO MATCH EXISTING)-SMOOTH FINISH)
2. PRECAST CONCRETE PANEL (COLOUR - LIGHT BROWN (COLOUR TO MATCH EXISTING)-SMOOTH FINISH)
3. PRECAST CONCRETE PARAPET (COLOUR - DARK GREY (GP 8775D - COLOUR TO MATCH EXISTING)-SMOOTH FINISH)
4. PREFINISHED ALUMINIUM WINDOW (BRONZE ANODIZED ALUMINUM - COLOUR TO MATCH EXISTING)
5. PREFINISHED STOREFRONT DOOR (BRONZE ANODIZED ALUMINUM - COLOUR TO MATCH EXISTING)
6. PRIMED AND PAINTED INSULATED METAL DOOR & FRAME (BLACK)
7. PRE-FINISHED INSULATED METAL OVERHEAD DOOR (COLOUR - WHITE)
8. PRECAST CONCRETE PANEL JOINT
9. PRECAST CONCRETE REVEAL
10. PREFINISHED STEEL CANOPY (COLOUR - GREY)
11. 6.5" DIAMETER CONCRETE FILLED PIPE BOLLARD (SAFETY YELLOW)
12. WALL MOUNTED EXTERIOR LIGHT (SEE ELECTRICAL)
13. EXTERIOR ROOF LADDER (COLOUR LIGHT CREAM (GP 8673M - COLOUR TO MATCH EXISTING))

NO.	DESCRIPTION	DATE
0	ISSUED FOR CONSTRUCTION	2020-06-10
1	REVISED WALL 8	2020-06-25
2	METRIC ELEVATIONS, DRIVE AISLES	2020-07-21
3	MOVED GRID LINE A	2020-08-17

Chances Casino Renovation

Kelowna, British Columbia

Lot A, Plan KAP70110

chances

EAGLE BUILDERS
THE PRECAST CONCRETE CONNECTION

LIME ARCHITECTURE INC.

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Elevations

A3.1

Project number:	B20284
Date:	2020-08-18 9:56:43
Drawn by:	AB
Checked by:	RO
Scale:	As indicated

W:\Chances\Casino\Chances Casino - Renovation\B20284\Model\Chances Casino - Renovation_RC.rvt

TA20-0025
1585 Springfield Road

Text Amendment

Proposal

- To amend the Zoning Bylaw by changing the Development Regulations in the CD16 – Bingo and Gaming zone and replacing the CD16 – Bingo and Gaming Site Plan to reflect these changes.

Development Process

Dec 18, 2020 — Development Application Submitted

Staff Review & Circulation

Sept 14, 2020 — Public Notification Received

Jan 18, 2021 — Initial Consideration

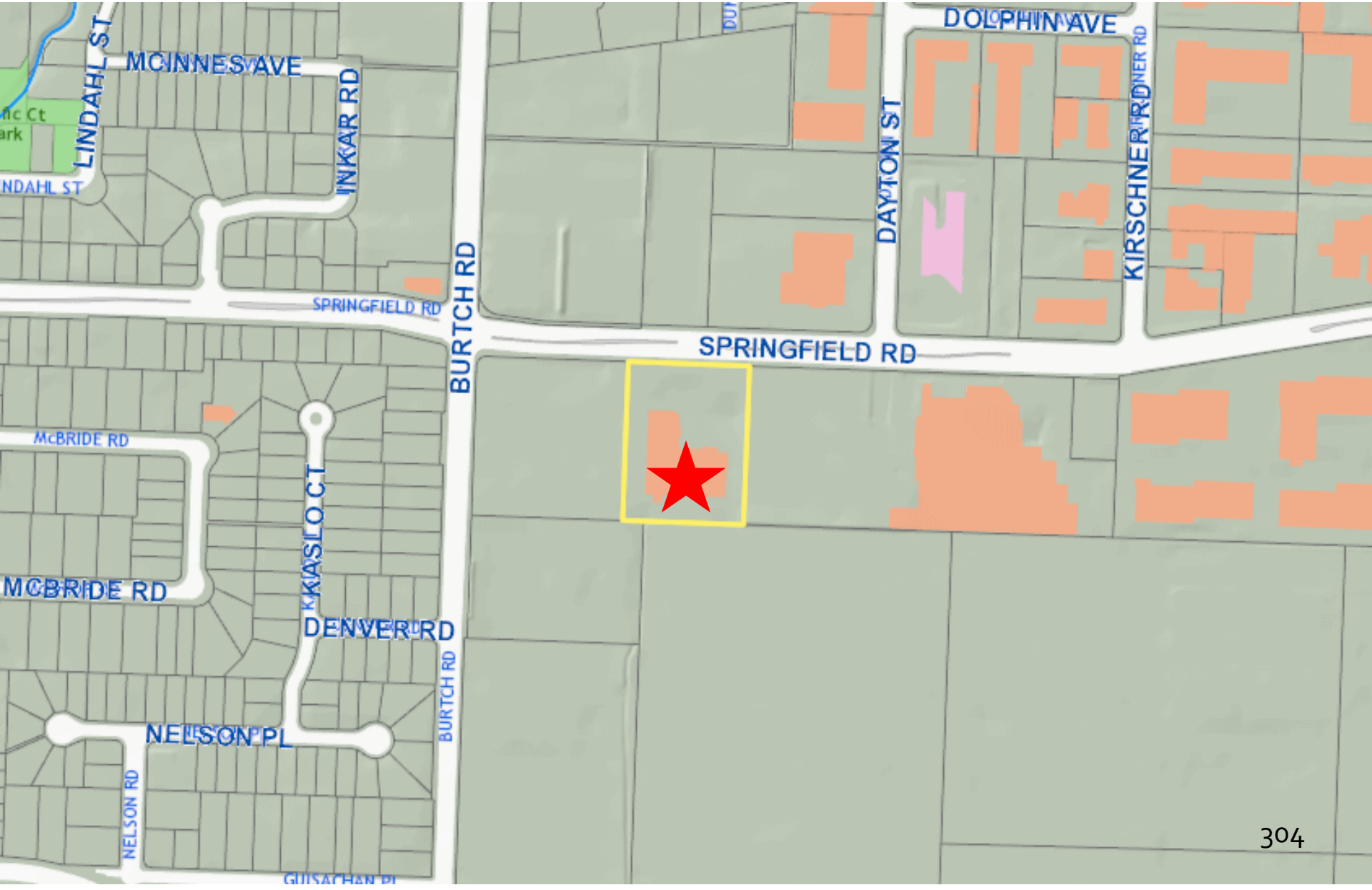
Public Hearing
Second & Third Readings

MOTI Approval, Final Reading

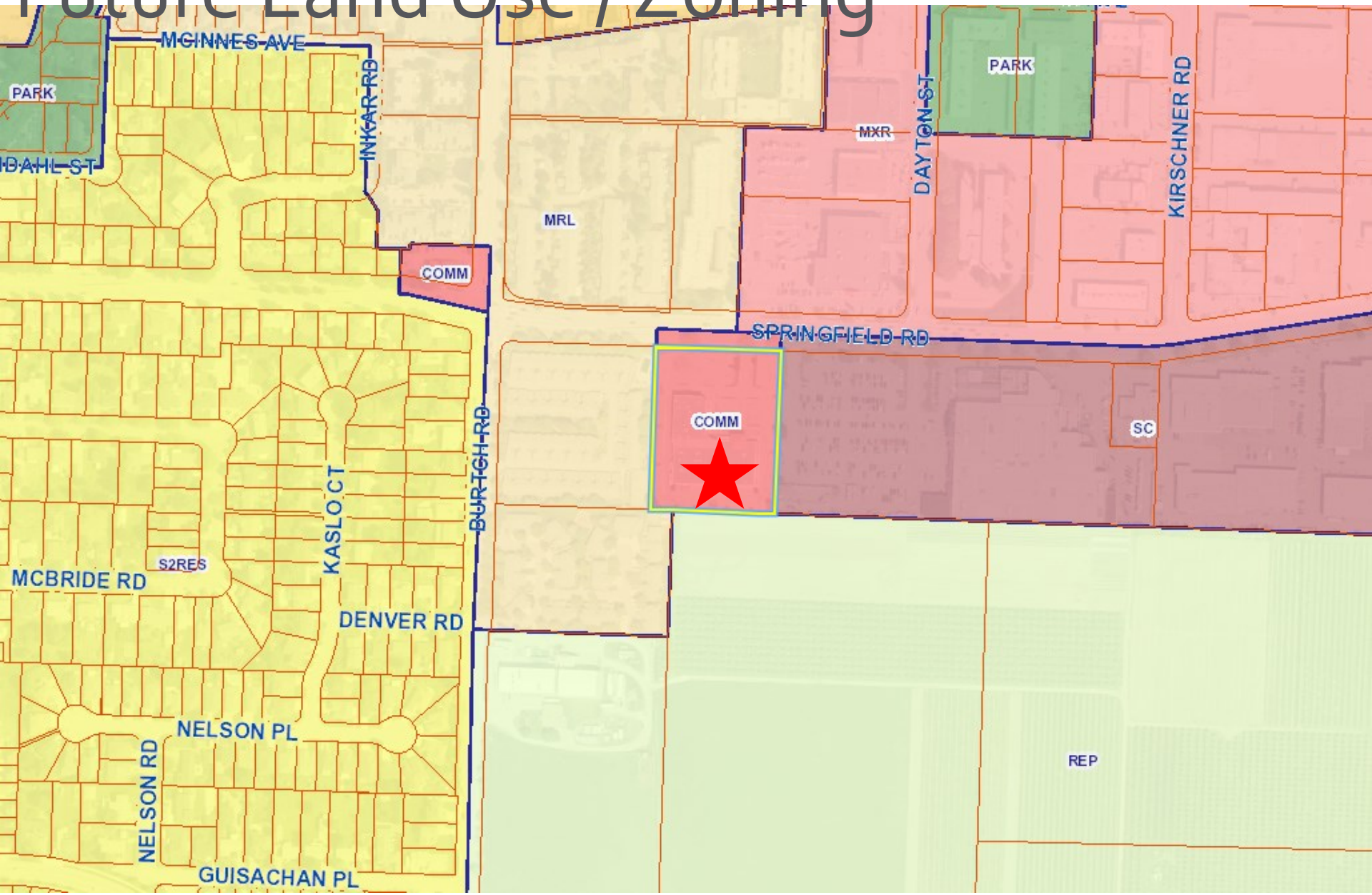
Council Approvals

Building Permit

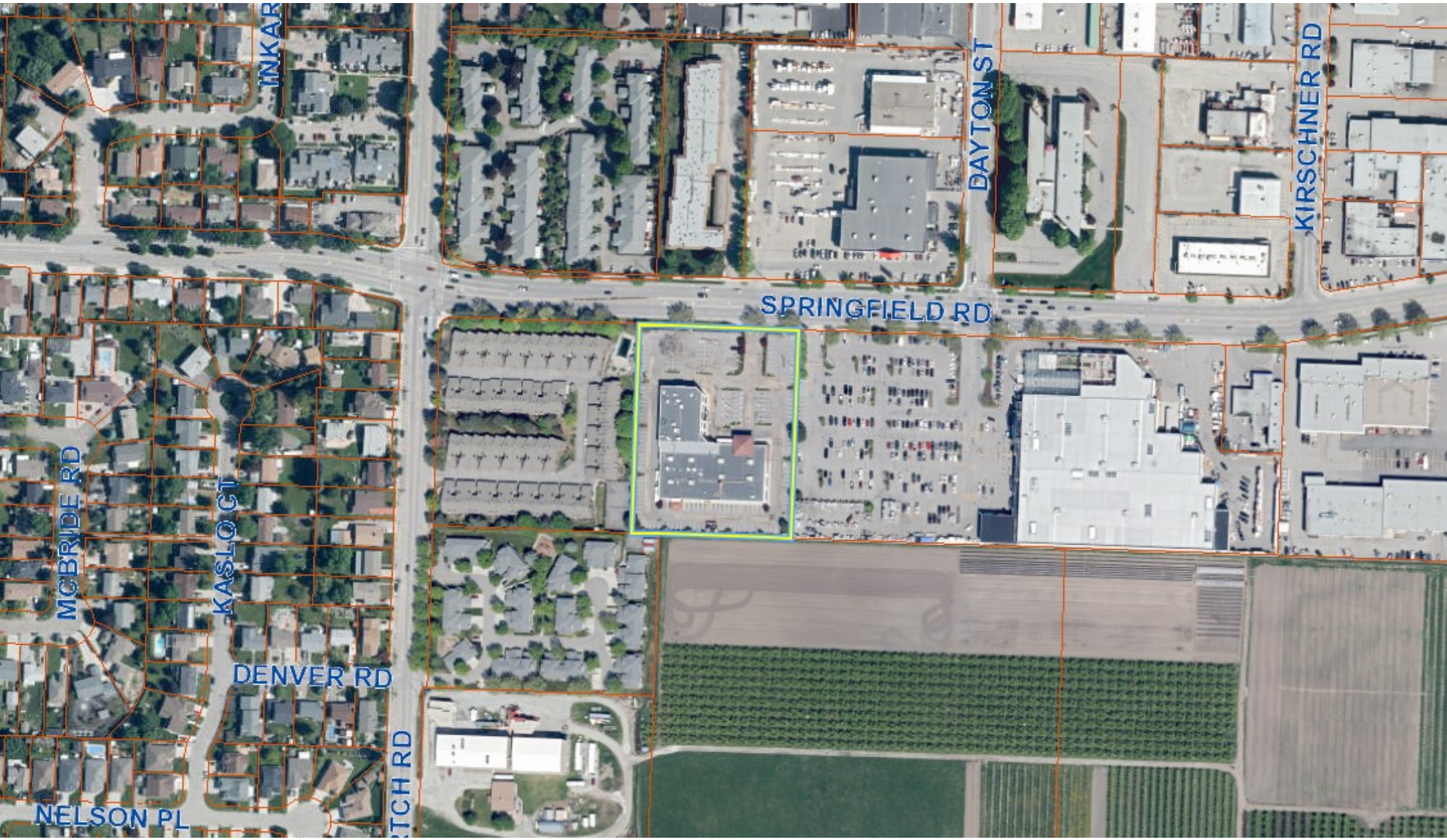
Context Map


LINDAHL ST
MCINNES AVE
INKAR RD
SPRINGFIELD RD
BURTCH RD
DAYTON ST
DOLPHIN AVE
KIRSCHNER RD
McBRIDE RD
KASLO CT
DENVER RD
NELSON PL
NELSON RD
GUISACHAN PL

Future Land Use / Zoning



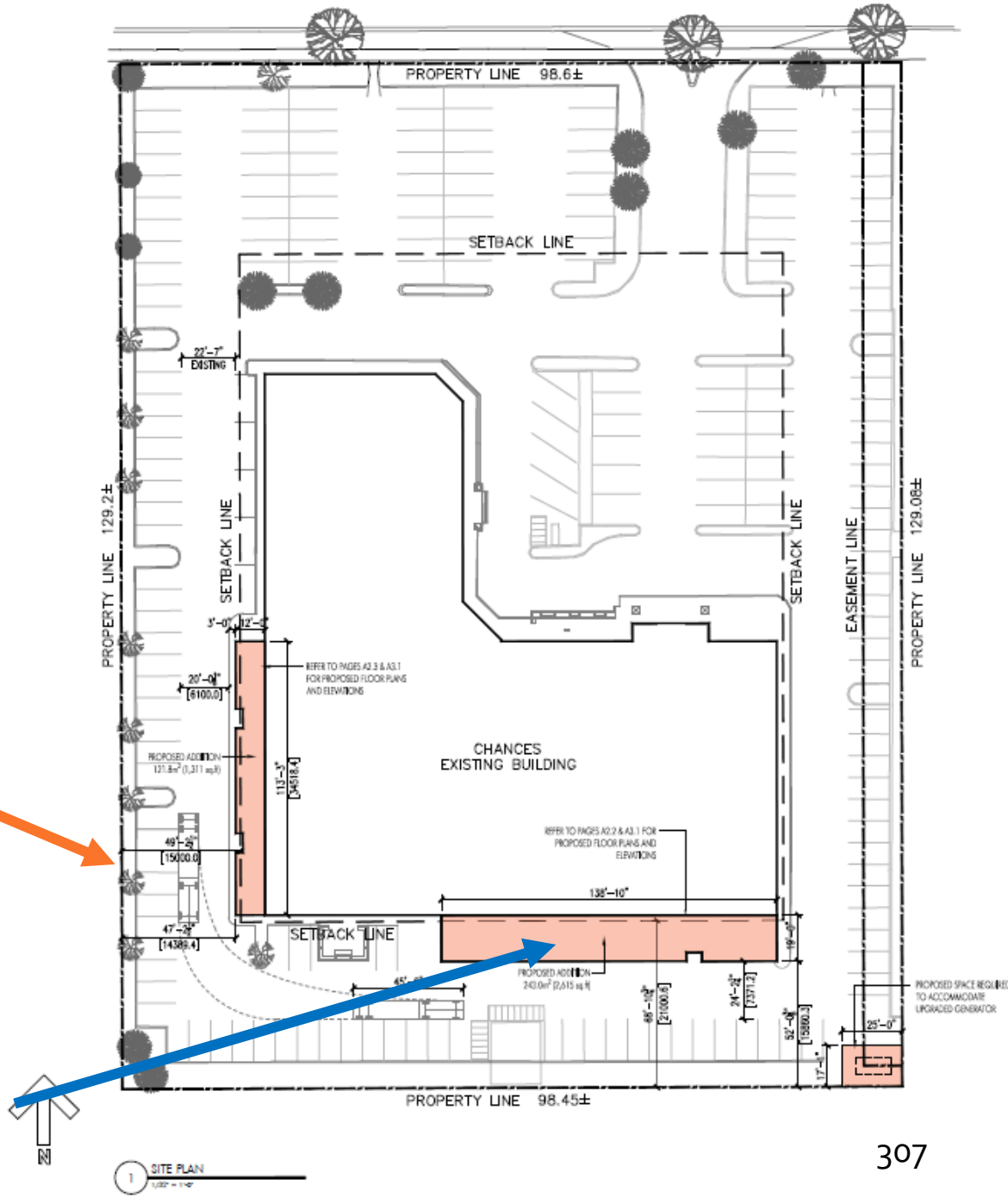
Subject Property Map



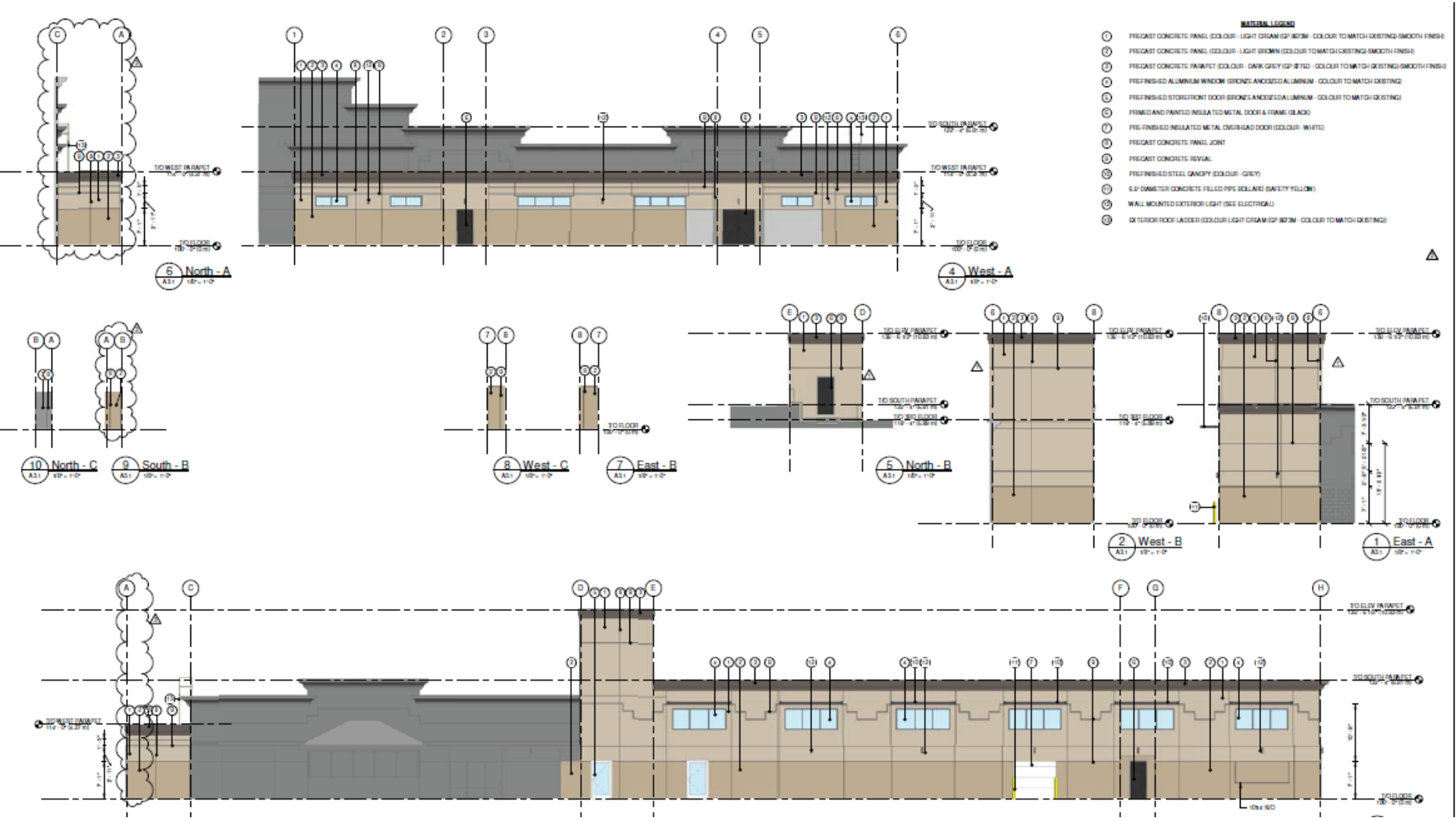
Project Details

121.8m2 – West Addition

243m2 – South Addition



Project Details



Text Amendments

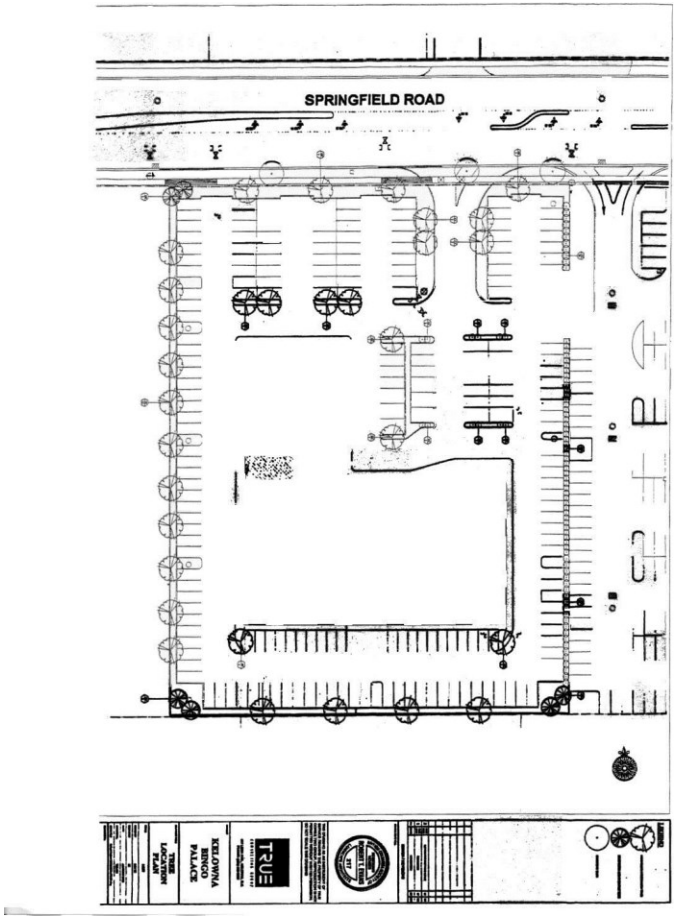
City of Kelowna

- Amend Development Regulations

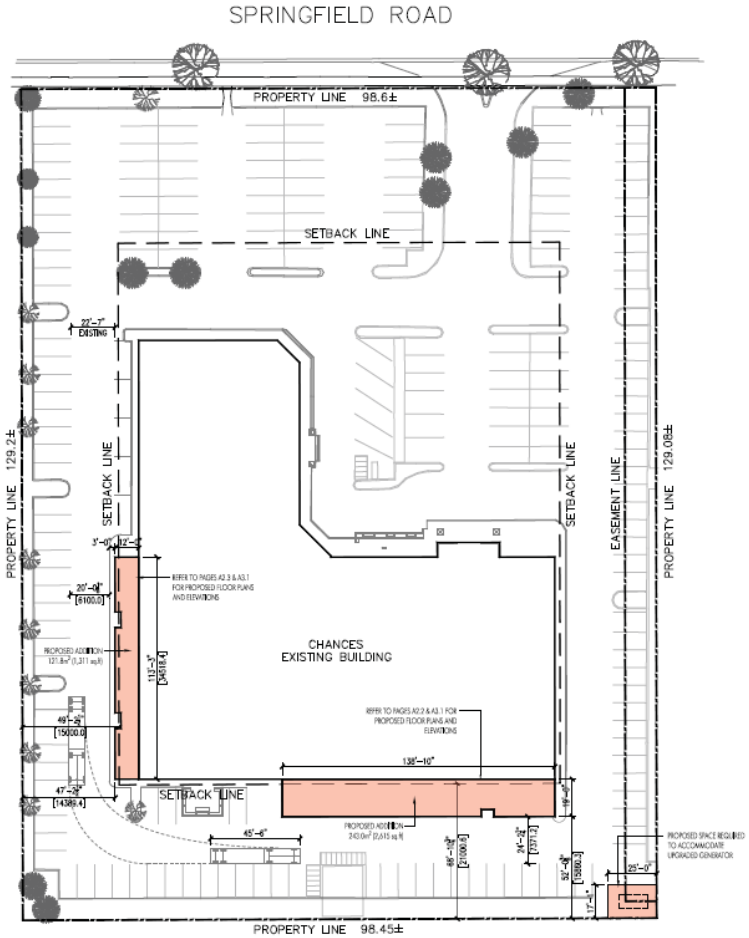
Development Regulation	CD16 Zone	Proposed
Max. Site Coverage	25%	27.3 %
Min. Side Yard	15.0 m	14.39 m
Min. Rear Yard	21.0 m	15.86 m

- Additional Changes
  - In addition, the application proposes a new regulation to lower the double drive aisle width to 6.1m, which isn't defined in the CD16 zone, but is 7.0m in the Bylaw.

Site Plan



Existing



Proposed

Future Development

- Staff understand the applicants have further development plans following the application:
  - Will require additional development applications
  - Anticipate to significantly change CD16 Zone
  - Substantial change to existing building form and scale
- Applicant is still working through their preferred design and development plans

Staff recommendation

- Staff recommend **support** of the proposed Text Amendments
- Recommend the Bylaw be forwarded to Public Hearing

Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12145
TA20-0025 – Schedule 'B' Comprehensive Development Zones
CD16 – Bingo and Gaming

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 **Section 18 – Schedule 'B' – Comprehensive Development Zones, CD16 – Bingo and Gaming, 1.4 Development Regulations** be amended by:

   Deleting the following:

   "(b) The maximum **site coverage** is 25%"

   "(e) The minimum **side yard** is 15.0m"

   "(f) The minimum **rear yard** is 21.0 m"

   And replacing it with:

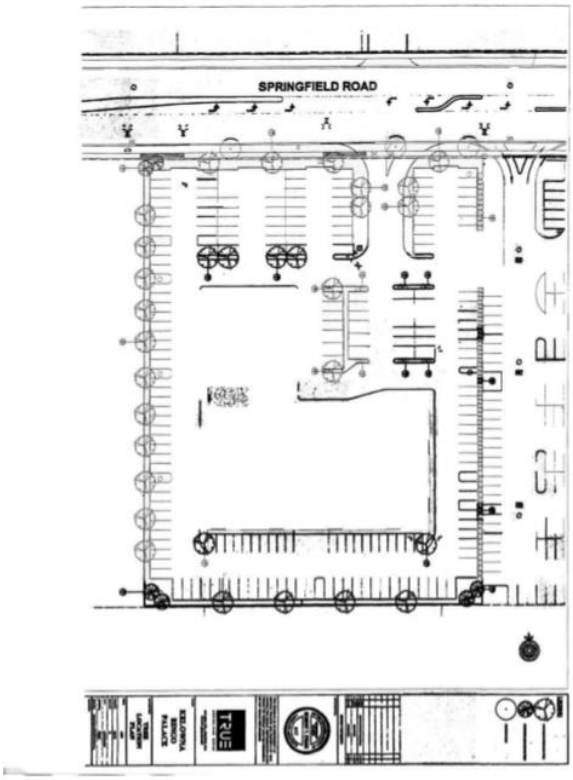
   "(b) The maximum **site coverage** is 27.3%"

   "(e) The minimum **side yard** is 14.39 m"

   "(f) The minimum **rear yard** is 15.86 m"

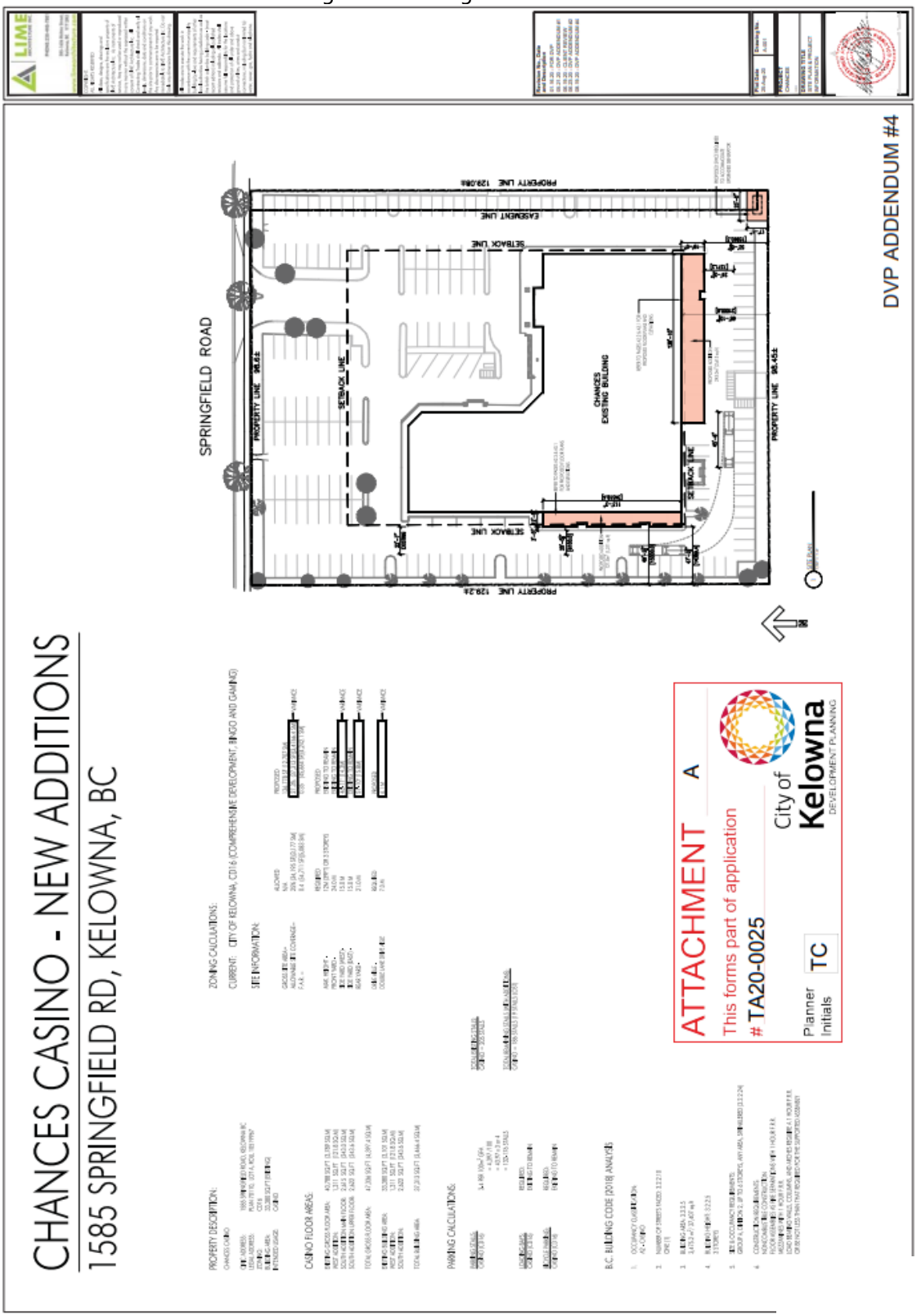
2. AND THAT **Section 18 – Schedule 'B' – Comprehensive Development Zones, CD16 – Bingo and Gaming, 1.5(c) Other Regulations** be amended by:

   Deleting the following:



And replacing it with:

CD16 – Bingo and Gaming – Site Plan



3. AND FURTHER THAT **Section 18 – Schedule 'B' – Comprehensive Development Zones, CD16 – Bingo and Gaming, 1.5(e) Other Regulations** be amended by adding the following:

   The minimum drive aisle for a double lane drive aisle is 6.1m;

4. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 18th day of January, 2021.

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:	January 18, 2021		
To:	Council		
From:	City Manager		
Department:	Development Planning		
Application:	OCP19-0006/Z19-0108	**Owner:**	1207431 B.C. Ltd., Inc.No. BC1207431
Address:	(W OF) Hwy 97 N	**Applicant:**	CTQ Consultants Ltd., Ed Grifone
Subject:	Official Community Plan Amendment and Rezoning Application		
Existing OCP Designation:	PARK – Major Park/Open Space (public) S2RES – Single/Two Unit Residential		
Proposed OCP Designation:	IND - Industrial		
Existing Zone:	A1 – Agriculture 1		
Proposed Zone:	I1 – Business Industrial		

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP19-0006 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation for a portion of Lot 1 Section 2 Township 23 Plan EPP76079 located at (W OF) Highway 97 North, Kelowna, BC from the PARK - Major Park/Open Space (public) and S2RES – Single/Two Unit Residential designations to the IND - Industrial designation, as shown on Map "A" attached to the Report from the Development Planning Department dated January 18, 2021 be considered by Council;

AND THAT Rezoning Application No. Z19-0108 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for a portion of Lot 1 Section 2 Township 23 Plan EPP76079 located at (W OF) Highway 97 North, Kelowna, BC from the A1 – Agriculture 1 zone to the I1 – Business Industrial zone, as shown on Map "B" attached to the Report from the Development Planning Department dated January 18, 2021 be considered by Council;

AND THAT the Official Community Plan Amendment and Rezoning Bylaws 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 January 18, 2021;

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

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

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

2.0 Purpose

To amend the Official Community Plan designation from the PARK – Major Park/Open Space (public) and S2RES – Single/Two Unit Residential designations to the IND – Industrial designation and rezone a portion of the subject property from the A1 – Agriculture 1 zone to the I1 – Business Industrial zone to accommodate future industrial development.

3.0 Development Planning

Development Planning Staff recommend support for the proposed OCP and Rezoning amendments to facilitate future industrial development. The proposed amendments allow for the extension of Lougheed Road and the Hollywood Rd North industrial areas. The proposed development is considered compatible with the existing and surrounding land uses and meets a number of industrial policies and objectives of the Official Community Plan (OCP). Staff have reviewed this application, and it may move forward without affecting either the City's Financial Plan or Waste Management Plan.

4.0 Proposal

4.1 Background

The subject property is a large forested parcel and is approximetly 40.0 acres in size. It is directly adjacent to the Academy Way developments to the west including a future school site, neighborhood park and the U - Buildings. The Future Land Use Designations for the property is currently PARK – Major Park/Open Space and S2Res – Single / Two Unit Residential. It property is zoned A1 – Agriculture and is currently vacant.

4.2 Project Description

The proposal is to amend the OCP to IND - Industrial and rezone to I1 – Business Industrial to accommodate future industrial development. The proposed industrial area would be approximately 2.4 acres in size with a 4.2 acres portion to remain park and open space. The conceptual site plan consists of four buildings roughly totalling 3600 m^2 of industrial space. Access to the development would be from the extension of Lougheed Road which currently dead ends at the subject property boundary. The northern most extent of the proposed development is aligned with the future Central Okanagan Multi Modal Corridor (COMMC), which is currently protected by Statutory Right of Way.

The sites topography has a large, relatively flat bench, which creates the envelope for the industrial buildings as well as the extension of Lougheed Road. The remainder of the site, south of the future Central Okanagan Multi Modal Corridor (COMMC), contains steep slopes and will remain park and open space. This aids in preserving the sites natural features and meets the objectives and guidelines of the OCP to protect sensitive hillside and reduce visual impact.

Environmental and Agricultural Considerations

The portion of the site to be redesignated is currently low-density residential development and the remainder park and open space. An environmental impact assessment has been conducted for the property and has concluded that the area is considered moderate environmental value (ESA 3) due to existing fragmentation from adjacent developments in addition to consideration of future transportation corridors which include COMMC, the extension of Hollywood Road North and Lougheed Road. However, retention of the proposed open spaces and hillsides will help maintain the connectivity for wildlife habitat within the subject property and adjacent high value area of Carney Pond.

The subject property is not within the Agricultural Land Reserve however is directly adjacent on its west boundary. The proposal will require a Development Permit and Development Variance Permit in regards form and character and buffering requirements from the ALR. Those applications will be brought forward to the Agricultural Advisory Committee for review and comment prior to being considered by Council.

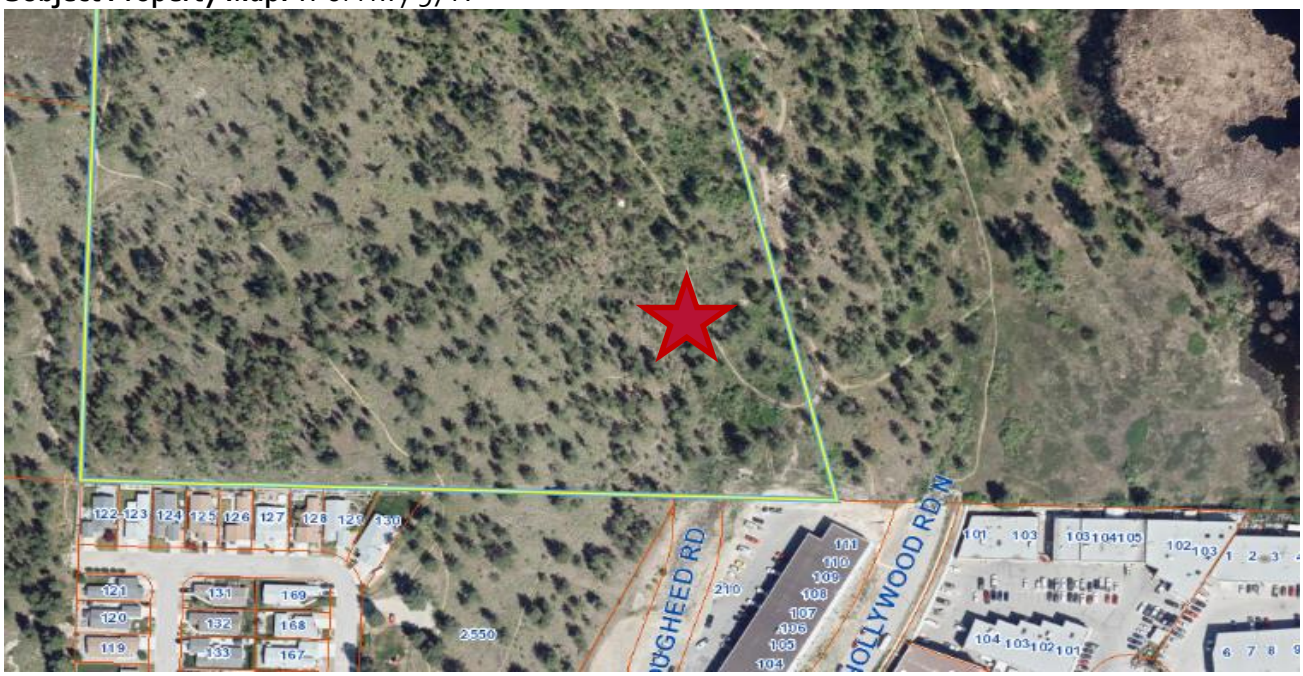
4.3 Site Context

The subject property is located in the Highway 97 City Sector, at the north end of existing Hollywood Road North and south of John Hindle Drive. It is situated west of Academy Way and east of Carney Pond.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 - Agriculture	Vacant
East	A1 - Agriculture	Vacant / Carney Pond
South	I1 – Business Industrial / RM5 – Strata	Industrial / Residential
West	P2/P3/RM4/RM5	Vacant / Residential

Subject Property Map: W of Hwy 97 N



4.4 Kelowna Official Community Plan (OCP)

5.0 Chapter 5 - Development Process

Objective 5.28 Focus Industrial development to areas suitable for industrial use.

Policy .1 Rezoning to Industrial. Consider allowing land not currently designated as industrial to be supported for an Official Community Plan amendment and subsequent rezoning to allow industrial uses provided that such a rezoning would be consistent with other Official Community Plan policies, provided that available municipal infrastructure can support the use, and provided that the industrial use would be compatible with existing and proposed future surrounding uses. Compatibility issuer to consider include, but are not limited to visual impact, noise, odour, hours of operation pollution and traffic.

Objective 5.29 Ensure efficient use of industrial land supply.

Policy .1 Industrial Land Use Intensification. Encourage more intensive industrial use of currently under-utilized industrial sites during site redevelopment or by permitting lot subdivision where new lots can meet the minimum lot size requirements of the Zoning Bylaw.

6.0 Technical Comments

6.1 Development Engineering Department

- Refer to Development Engineering Memo Dated August 8, 2019

7.0 Application Chronology

Date of Application Received:	June 11, 2019
Date of Amended Application:	September 21, 2020
Date Public Consultation Completed:	October 22, 2020

Report prepared by:	Wesley Miles, Planner Specialist
Reviewed by:	Dean Strachan, Community Planning & Development Manager
Approved for Inclusion:	Terry Barton, Development Planning Department Manager

Attachments:

Schedule A: Development Engineering Memorandum
Attachment A: Conceptual Layout
Map A: OCP Amendment
Map B: Zoning Amendment

SCHEDULE A

This forms part of application

Z19-0108/OCP19-0006

Planner Initials WM

City of Kelowna COMMUNITY PLANNING

CITY OF KELOWNA

MEMORANDUM

Date: August 8, 2019

File No.: Z19-0108

To: Urban Planning (SS)

From: Development Engineer Manager (JK)

Subject: (Wof) Hwy 97N, Lot 1, plan EPP76079, Sec. 2, Twp. 23, ODYD.

The Development Engineering comments and requirements regarding this Rezoning application to rezone the property from A1 – Agriculture to I1 Business Industrial for the subject property are:

1) General

a) This proposed subdivision 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 to obtain further information and to determine suitable location(s) within the development.

b) The Fire Department and Environment Division requirements and comments are addressed separately by them.

2) Geotechnical Report

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

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

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

(ii) Site suitability for development.

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

(iv) Any special requirements for construction of roads, utilities and building structures.

(v) Suitability of on-site disposal of storm water and sanitary waste, including effects upon adjoining lands.

(vi) Slope stability, rock fall hazard and slippage including the effects of drainage and septic tank effluent on the site.

(vii) Identify slopes greater than 30%.

ii) Top of bank assessment and location including recommendations for property line locations, septic field locations, building setbacks, and ground water disposal locations.

iii) Recommendations for items that should be included in a Restrictive Covenant.

iv) Any special requirements that the proposed subdivision should undertake so that it will not impact the bank(s). The report must consider erosion and structural requirements.

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) Recommendations for construction of detention or infiltration ponds if applicable.

3) <u>Sanitary Sewer System</u>

a) The developer's consulting mechanical engineer will determine the development requirements of the proposed development and establish the service needs. Only one service per lot will be permitted for this development.

4) <u>Water</u>

a) The property is located within the GEID service area.

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.

c) Ensure every building site is located at an elevation that ensures water pressure is within the bylaw pressure limits. Note: Private pumps are not acceptable for addressing marginal pressure.

d) Hydrants are to be spaced according to By-law 7900.

e) Design drawings must be reviewed by GEID prior to the City issuing the drawings for construction. Confirmation of their review must be provided to the City.

5) Drainage

a) Provide an adequately sized drainage system complete with individual lot connections. The Subdivision, Development and Servicing Bylaw requires that each 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 hydrogeotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems for each lot.

6) Road Improvements

a) Lougheed Rd must be designed and built to SS-5 Collector Class 1 Urban section 20.0m A urban standard including curb, gutter, sidewalk, landscaped boulevard complete with underground irrigation system, street lights, storm drainage, and extension and/or re-location of existing utility mains if required to accommodate this Development.

b) A Landscape Architect will be required for landscape and planting plan for I6 to A1 boundary

c) The future COMMC corridor must be protected and dedicated.

d) Only access to development will be allowed from Lougheed Road.

e) All Offsite construction work must be approved by Development Engineering group at City of Kelowna.

f) All terminal ending roads that will not be extended in the future over 100m must have a cul-de-sac.

g) All terminal ending roads that will not be extended in the future can be no more than 200m and must end with a cul-de-sac (Schedule 4 section 4.4 By-Law 7900) and emergency access will be required.

h) All terminal ending roads that will be extended in the future can be no more than 400m and must end with a cul-de-sac (Schedule 4 section 4.4 By-Law 7900) and emergency access will be required.

i) Temporary asphalt cul-de-sacs or turn-a-round will be required at each terminal end of roads that will be extended in the future. Additional dedication or a Statutory Right-of-Way may be needed.

j) Provide pavement marking and traffic signs where required. The City will install all signs and traffic control devices at the developer's expense.

k) Provide a Street Sign, Markings and Traffic Control Devices Drawing.

l) Verify that physical driveway access will satisfy City requirements for all lots. For steeper lots (15%), show driveways on the lot grading plan with grades or profiles. Where lots are serviced by onsite sewage disposal systems, show limits of cut and fill lines.

m) Re-locate existing poles and utilities, where necessary.

n) Private access roads must be constructed and paved to the City standard SS-R2.

7) <u>Power and Telecommunication Services and Street Lights</u>

a) Overhead wiring is permitted for this subdivision although underground installation is recommended. Remove aerial trespass(es)

b) Street lights must be installed on all roads.

c) Before making application for approval of your subdivision plan, please make arrangements with Fortis BC for the pre-payment of applicable charges and tender a copy of their receipt with the subdivision application.

d) 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.

8) <u>Design and Construction</u>

a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.

b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.

c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).

d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.

e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

9) Servicing Agreements for Works and Services

a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.

b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than $5,000,000 and the City is to be named on the insurance policy as an additional insured.

10) Other Engineering Comments

a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.

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

c) An MSU standard size vehicle must be able to manoeuvre onto and off the site without requiring a reverse movement onto public roadways.

d) Indicate on the site, the locations of loading bays as well as the garbage and recycle bins.

11) Charges and Fees

a) Development Cost Charges (DCC's) are payable

b) None of the Works & Services required are items included in the DCC calculations and therefore not eligible for DCC credits.

c) Fees per the "Development Application Fees Bylaw" include:

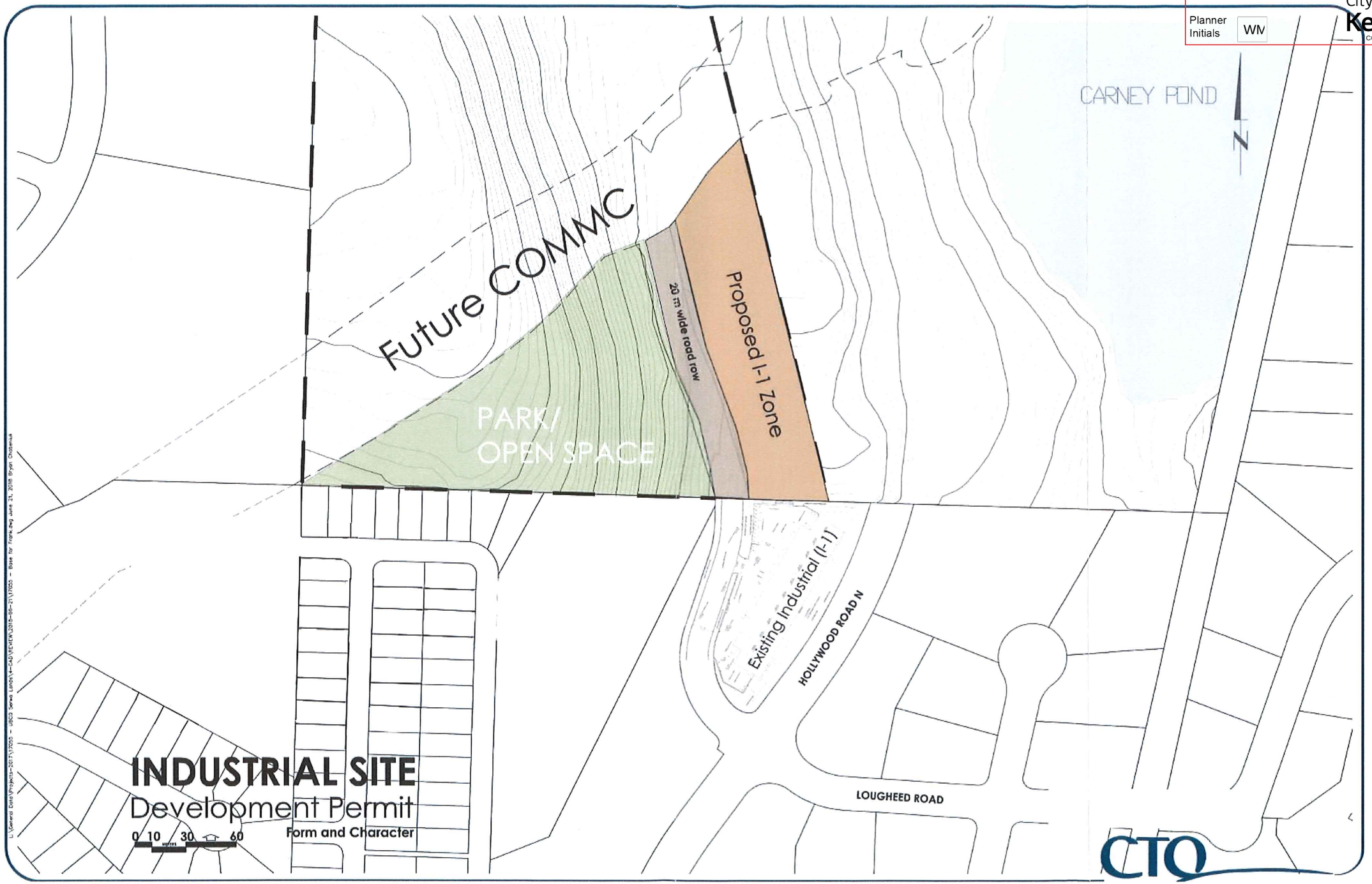
   i) Street/Traffic Sign Fees: at cost if required (to be determined after design).
   ii) Survey Monument Fee: $50.00 per newly created lot (HST exempt).
   iii) Survey Monument, Replacement Fee: $1,200.00 (GST exempt) – only if disturbed.
   iv) Engineering and Inspection Fee: 3.5% of construction value (plus GST).

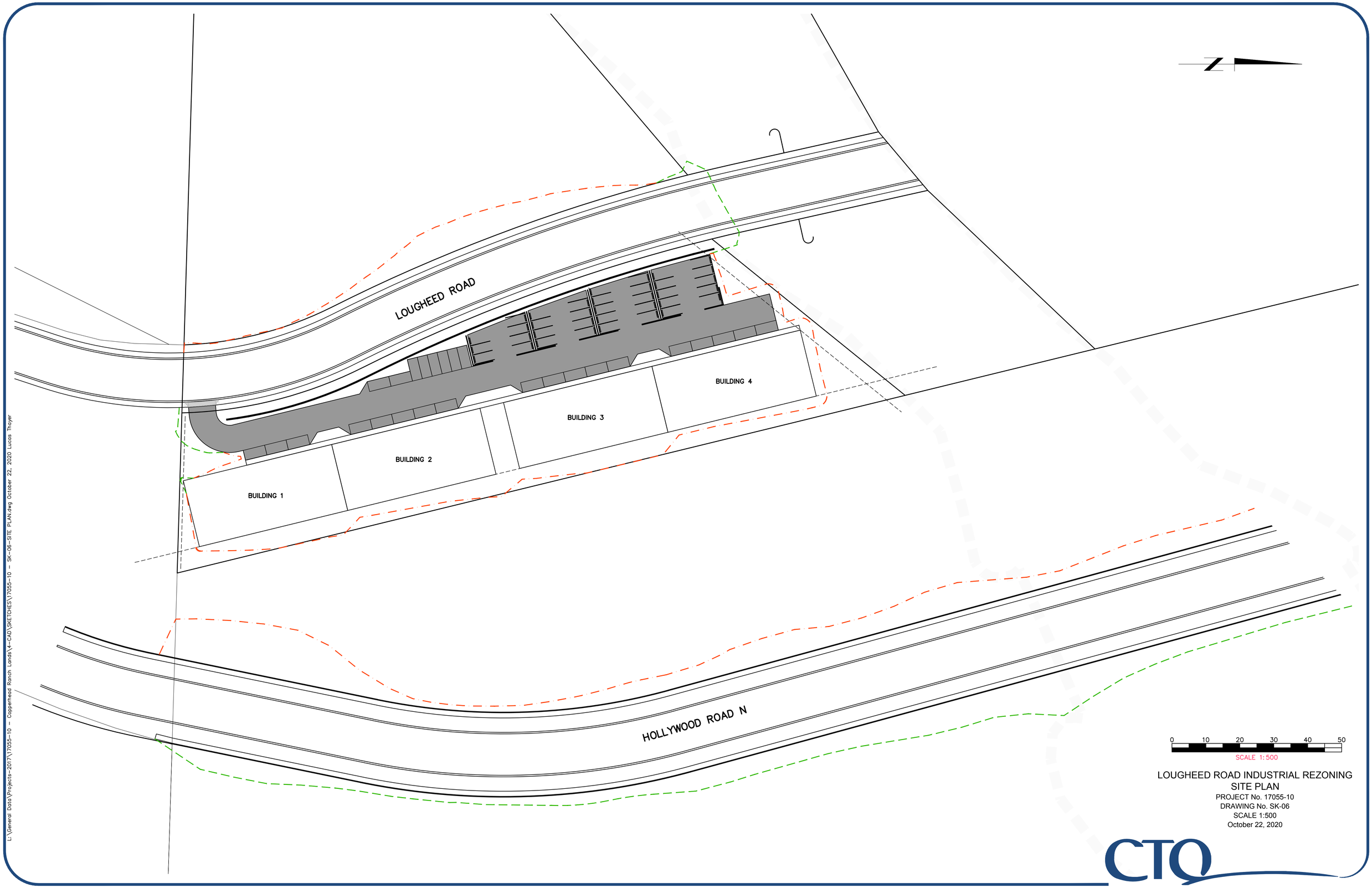
James Kay

James Kay, P.Eng.
Development Engineering Manager
RO

ATTACHMENT A
This forms part of application
Z19-0108/OCP19-0006
Planner Initials WM
City of Kelowna
COMMUNITY PLANNING

Figure 4 - Industrial (I1) Site Plan




LOUGHEED ROAD
BUILDING 1
BUILDING 2
BUILDING 3
BUILDING 4
HOLLYWOOD ROAD N
0 10 20 30 40 50
SCALE 1:500
LOUGHEED ROAD INDUSTRIAL REZONING
SITE PLAN
PROJECT No. 17055-10
DRAWING No. SK-06
SCALE 1:500
October 22, 2020
CTQ
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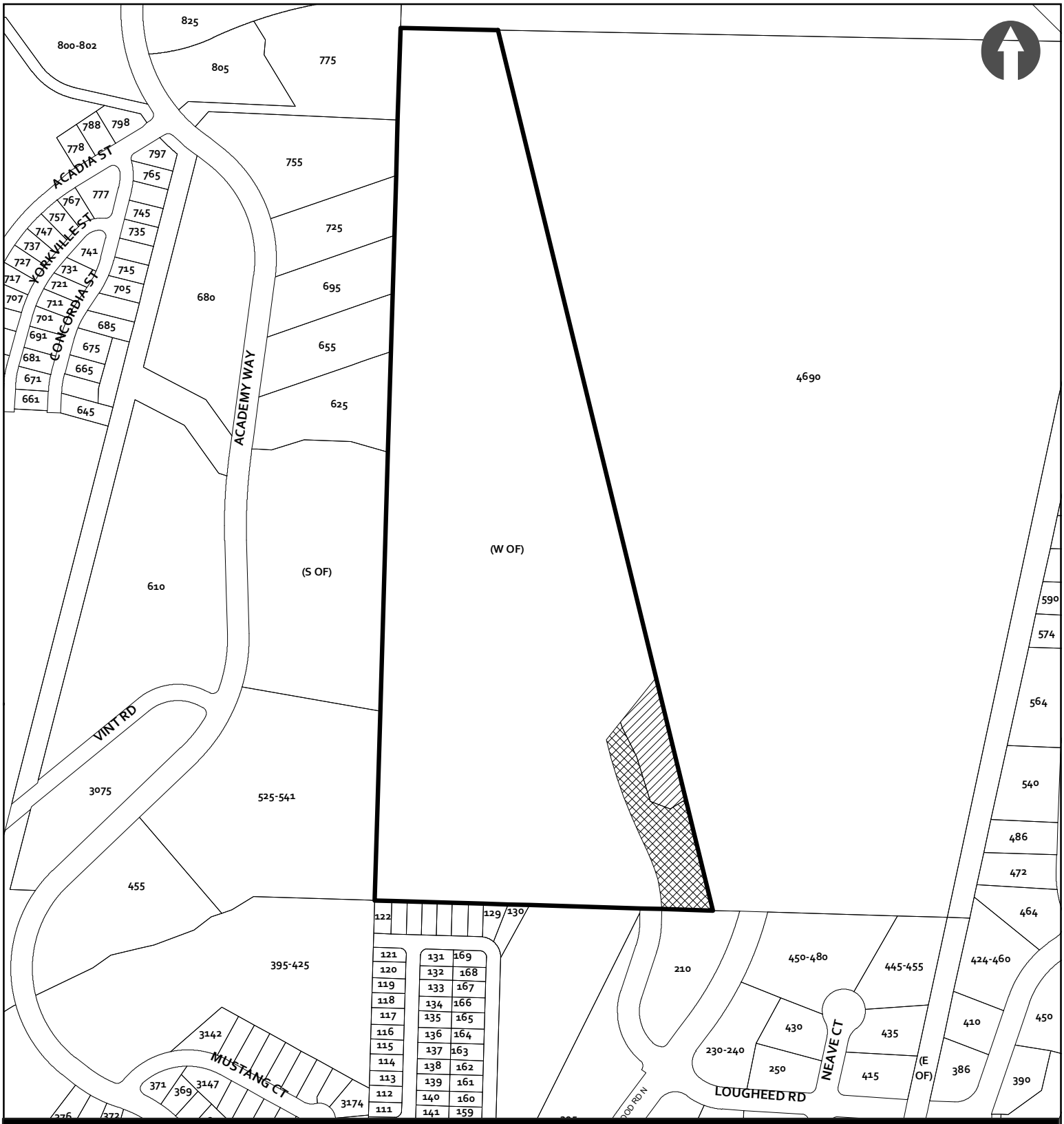


MAP "A" Proposed OCP Amendment

File OCP19-0006

S2RES - Single/Two Unit Residential to IND - Industrial

PARK - Major Park / Open Space (public) to IND - Industrial

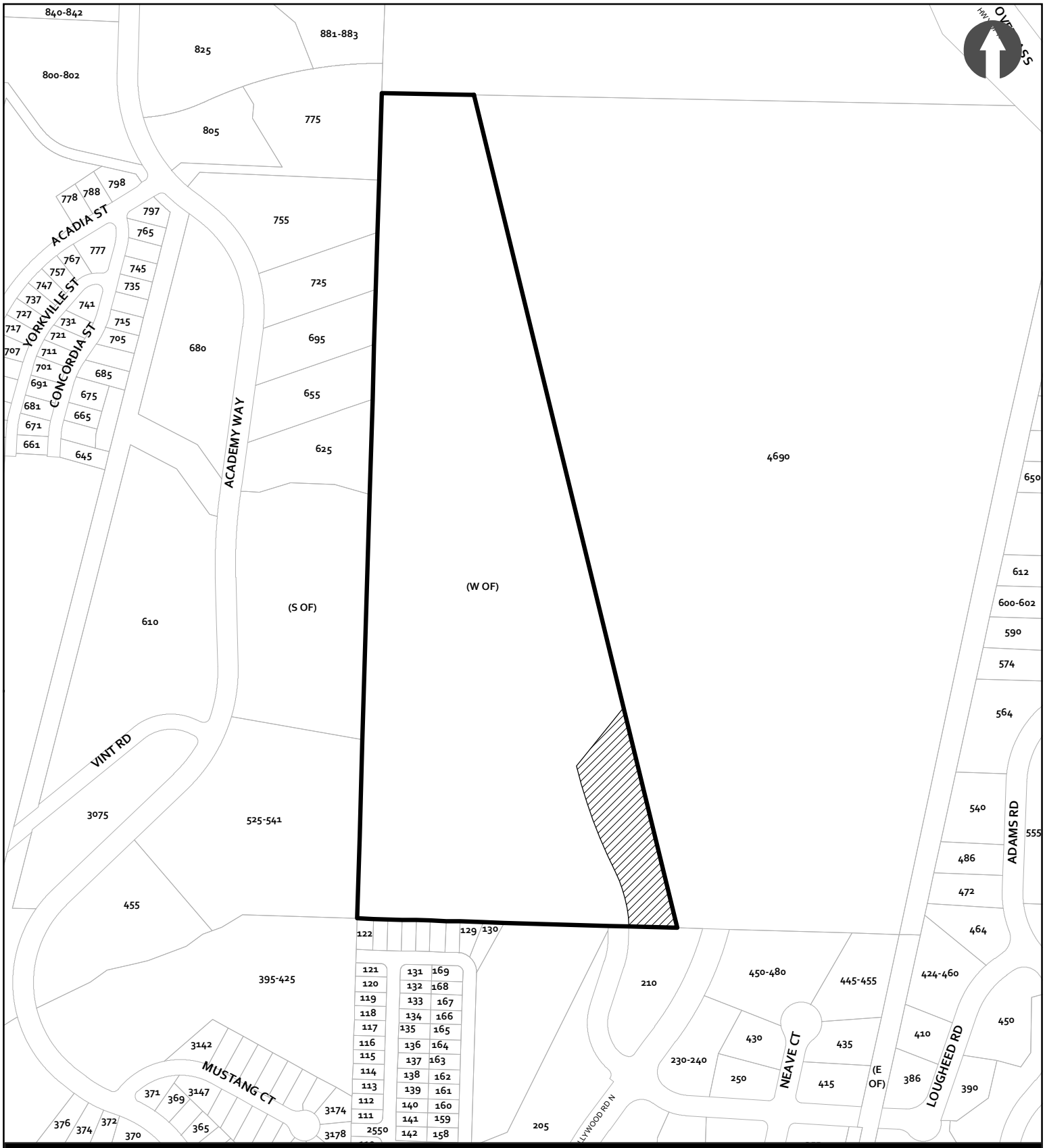
Subject Property

City of Kelowna

0 50 100 Metres

Rev. Tuesday, January 05, 2021

TC



MAP "B" Proposed Rezoning

File Z19-0108

Subject Property

A1 - Agriculture 1 to I1 - Business Industrial

0 50 100 Metres

City of Kelowna

Rev. Tuesday, January 05, 2021

TC

OCP19-0006 & Z19-0108
W of Hwy 97 N

OCP Amendment & Rezoning Application

Proposal

- To change the Future Land Use designation for a portion of the subject property from PARK - Major Park/Open Space (public) and S2Res – Single/Two Unit Residential designation to the IND - Industrial designation
- To rezone the subject property from A1 - Agriculture and I1 – Business Industrial

Development Process

June 11 , 2019
Amended
Sept 21, 2020

Development Application Submitted

Staff Review & Circulation

October 22, 2020

Public Notification Received

Jan 18, 2021

Initial Consideration

Public Hearing
Second & Third Readings

Final Reading

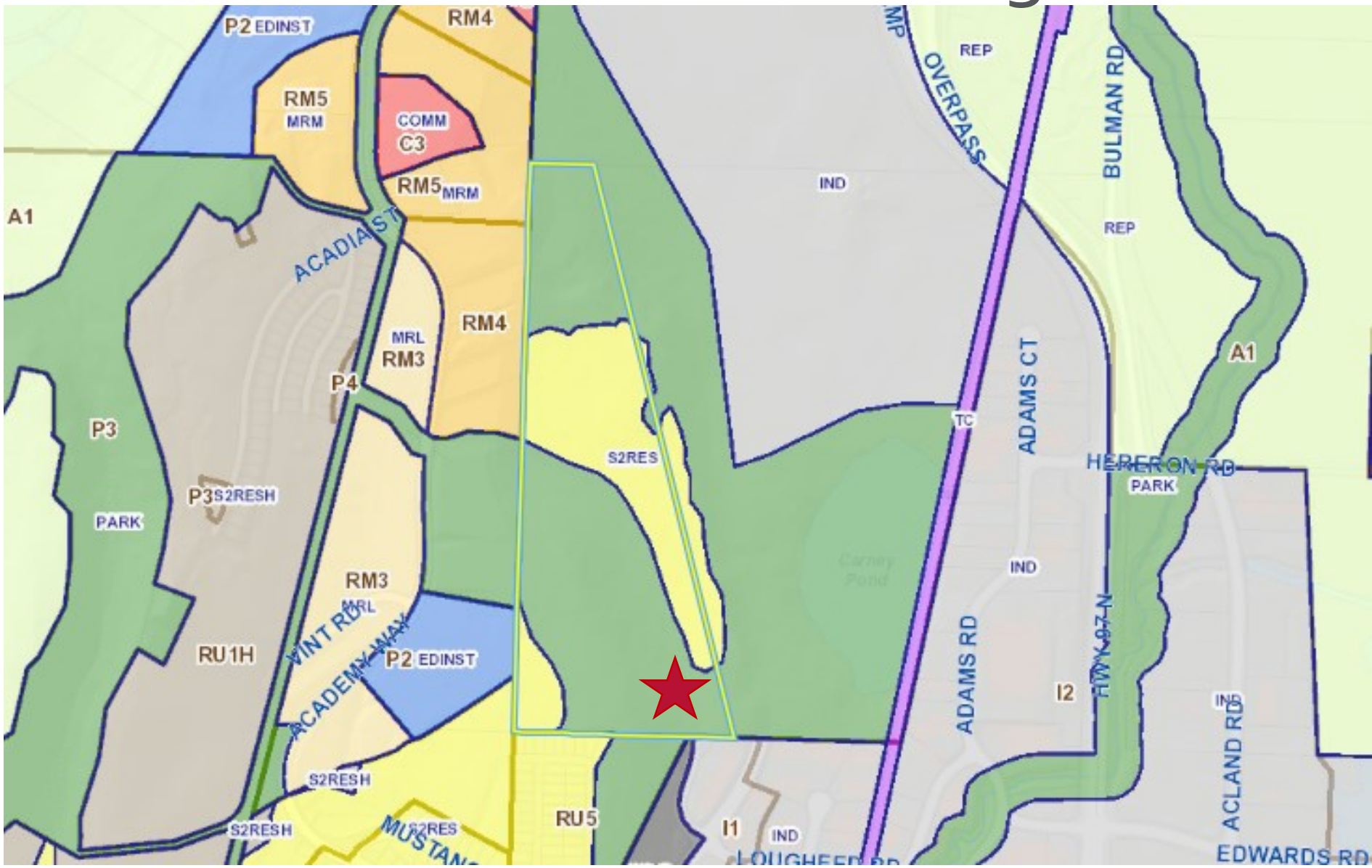
Development Permit/Development Variance Permit
Building Permit

Council Approvals

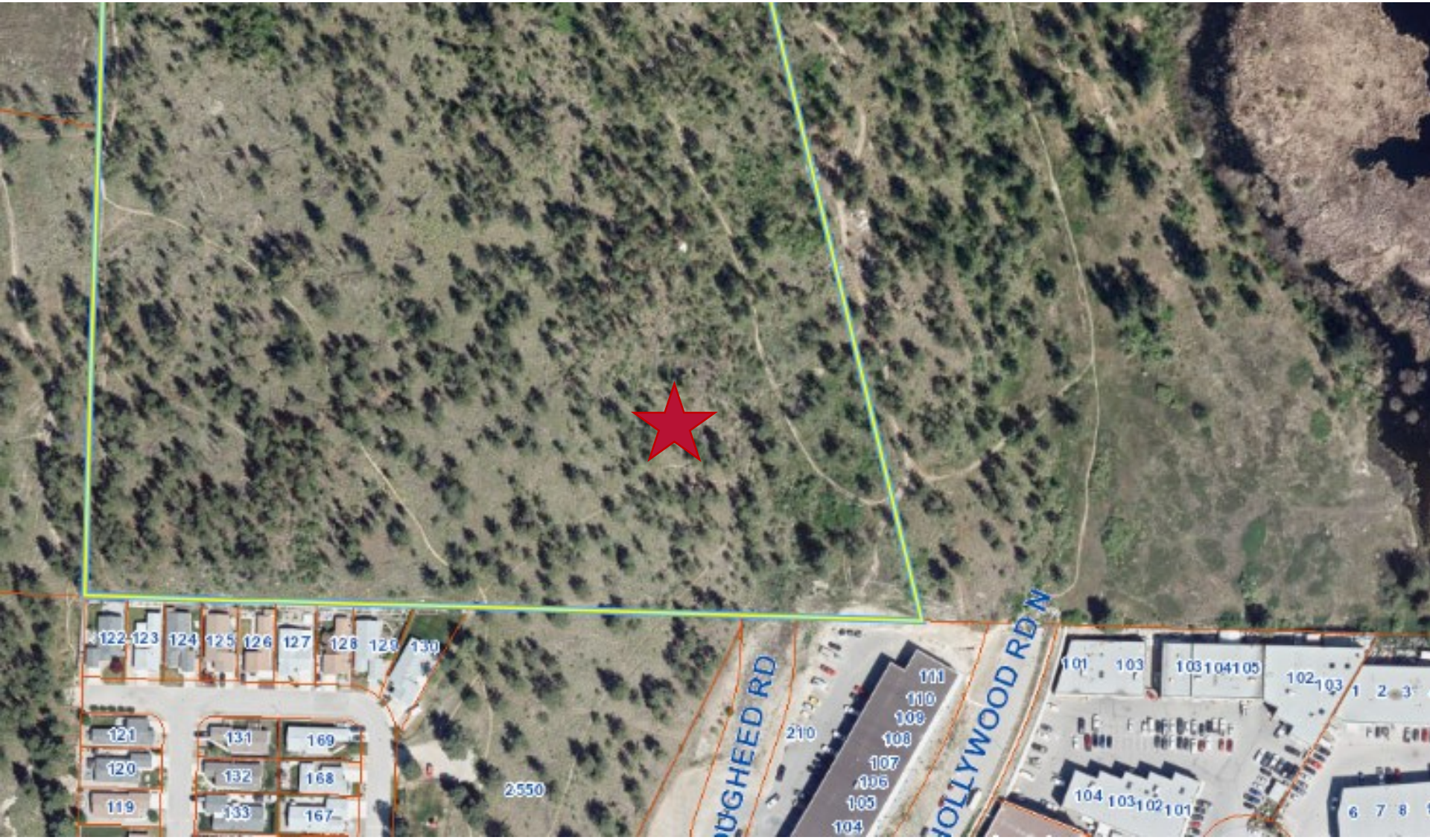
Context Map

AMP OVERPASS
BULMAN RD
ACADIA ST
ACADEMY WAY
ADAMS CT
HERERON RD
Carney Pond
VINT RD
HWY 97 N
Simpson's Pond
Simpson's Pond
HOLLYWOOD RD N
EDWARDS RD
ACLAND RD
NEAVE RD
ARAB RD
SHETLAND RD
ADAMS RD
NORRIS RD
PENNO RD

OCP Future Land Use / Zoning

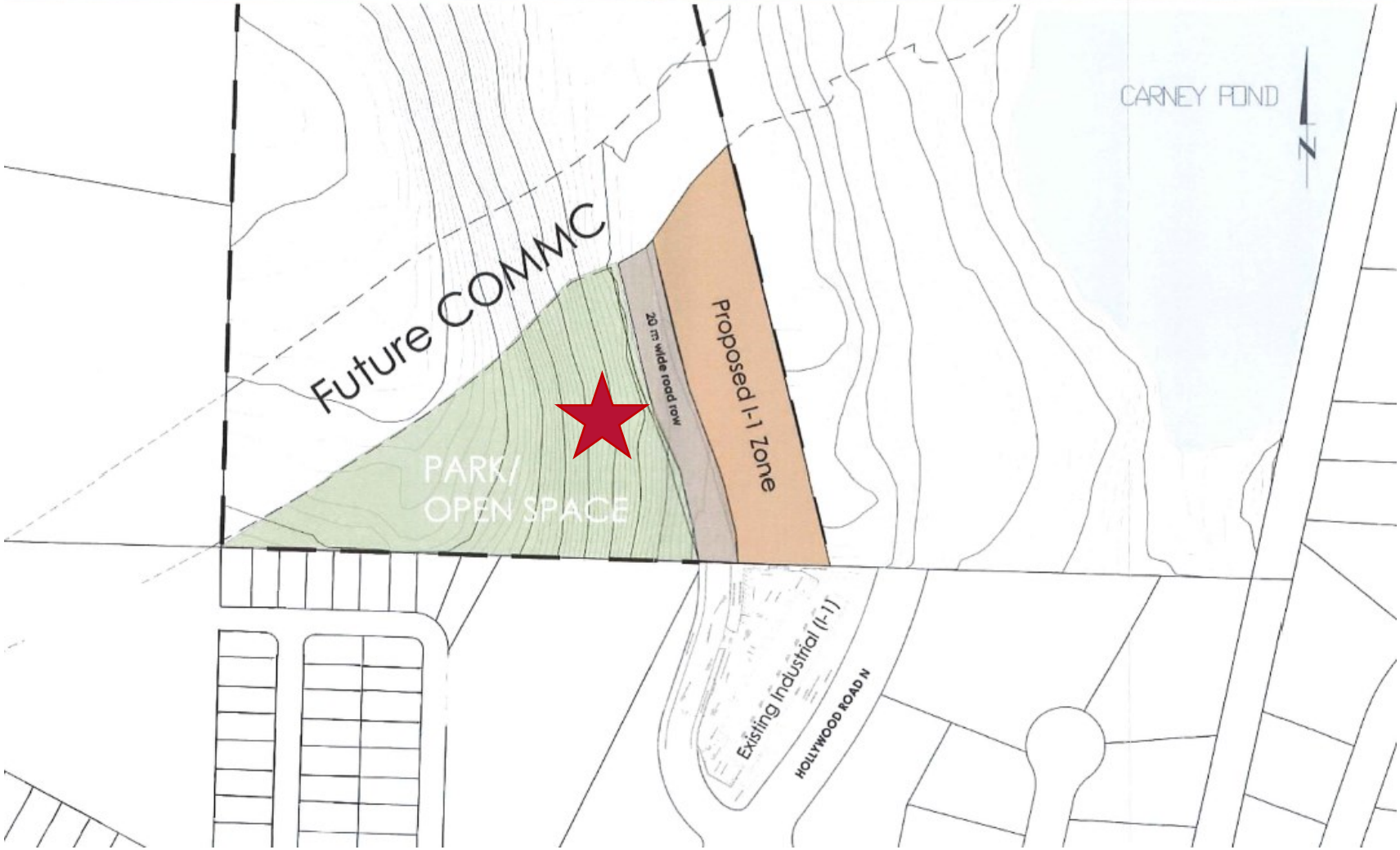


Subject Property Map

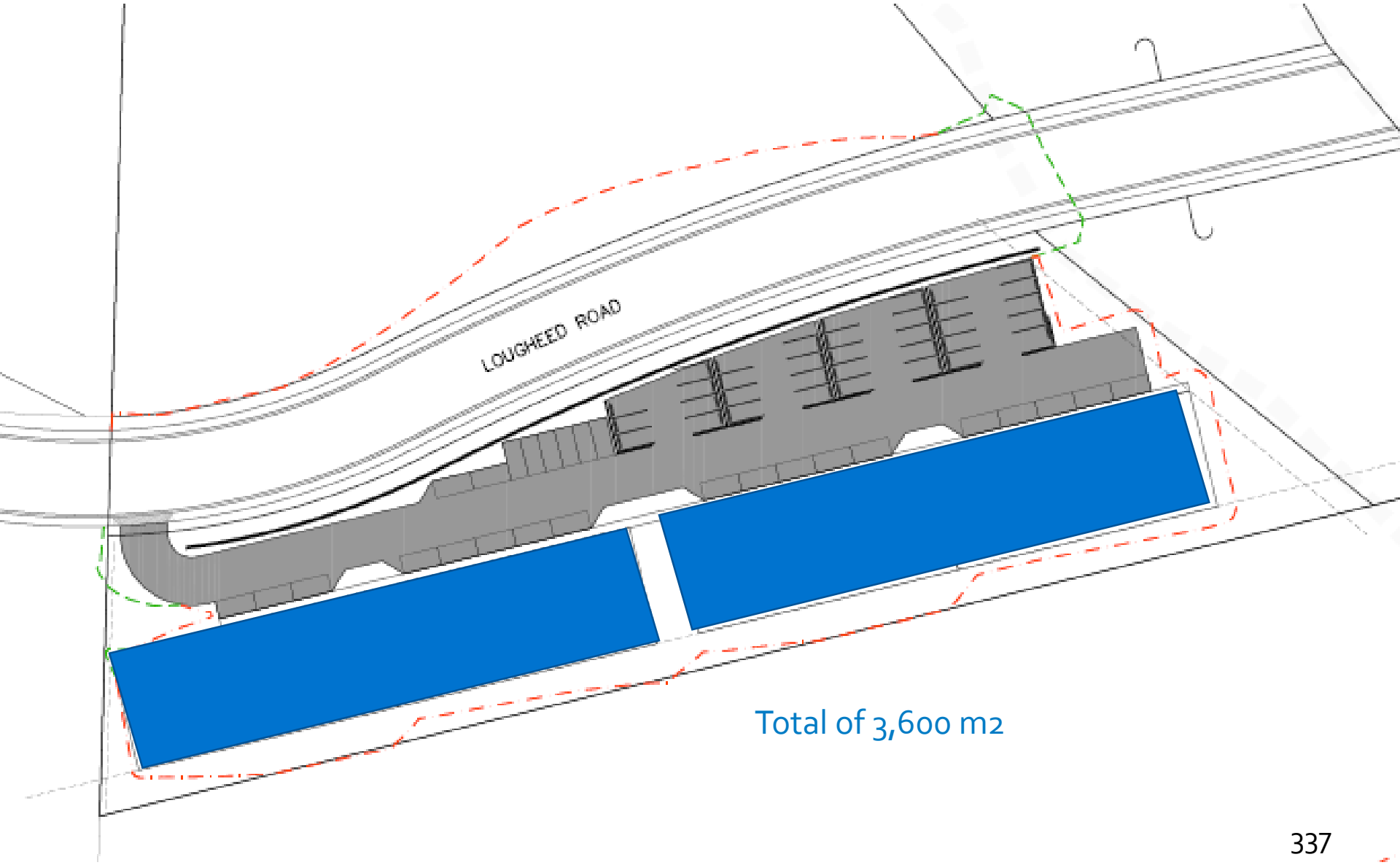


Proposal Overview

Industrial (I1) Site Plan

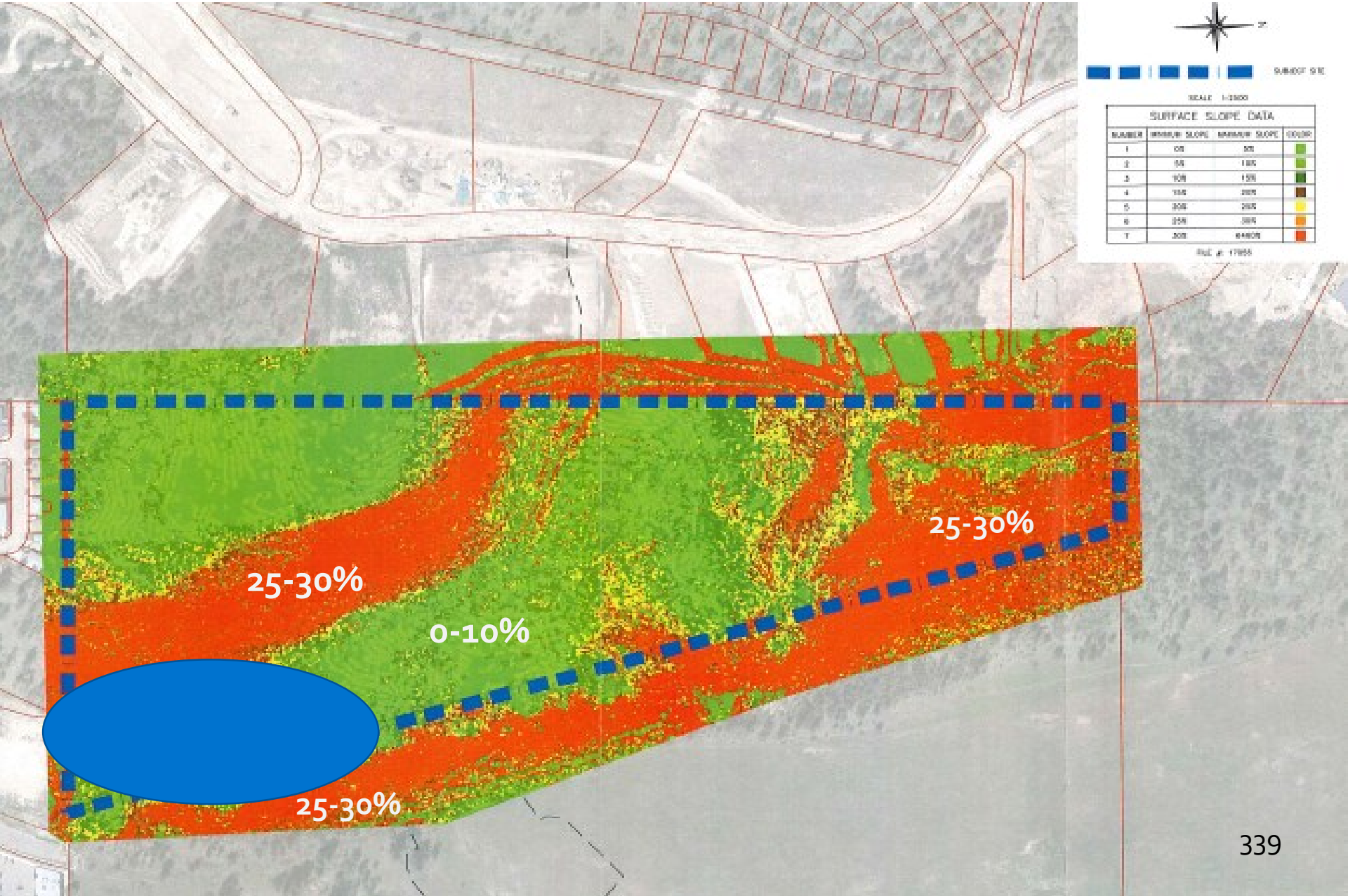


Conceptual Site Plan



Conceptual Rendering

Site Considerations – Slope Analysis



Development Policy

Kelowna Official Community Plan

City of Kelowna

- **Chapter 5 - Development Process**
  - **Objective 5.28 Focus Industrial development to areas suitable for industrial use.**
  - **Policy .1 Rezoning to Industrial**. Consider allowing land not currently designated as industrial to be supported for an Official Community Plan amendment and subsequent rezoning to allow industrial uses provided that such a rezoning would be consistent with other Official Community Plan polices, provided that available municipal infrastructure can support the use, and provided that the industrial use would be compatible with existing and proposed future surrounding uses. Compatibility issuer to consider include, but are not limited to visual impact, noise, odour, hours of operation pollution and traffic.
- **Objective 5.29 Ensure efficient use of industrial land supply.**
- **Policy .1 Industrial Land Use Intensification.** Encourage more intensive industrial use of currently under-utilized industrial sites during site redevelopment or by permitting lot subdivision where new lots can meet the minimum lot size requirements of the Zoning Bylaw.

Staff Recommendation

- Development Planning Staff recommend **support** for the Official Community Plan and Rezoning Amendment application
  - Meets industrial policies and objectives
  - Integrates well within existing industrial area to the south
  - Limits the impact on sensitive environmental and hillside areas; and
  - Meets infill growth policies within the Permanent Growth Boundary

Conclusion of Staff Remarks

LOUGHEED ROAD INDUSTRIAL

4690 Highway 97 North

OCP19-0006/Z19-0108 (W of) Hwy 97

OCP Amendment

and

Rezoning Application

Applicant: CTQ Consultants Ltd.

Public Hearing

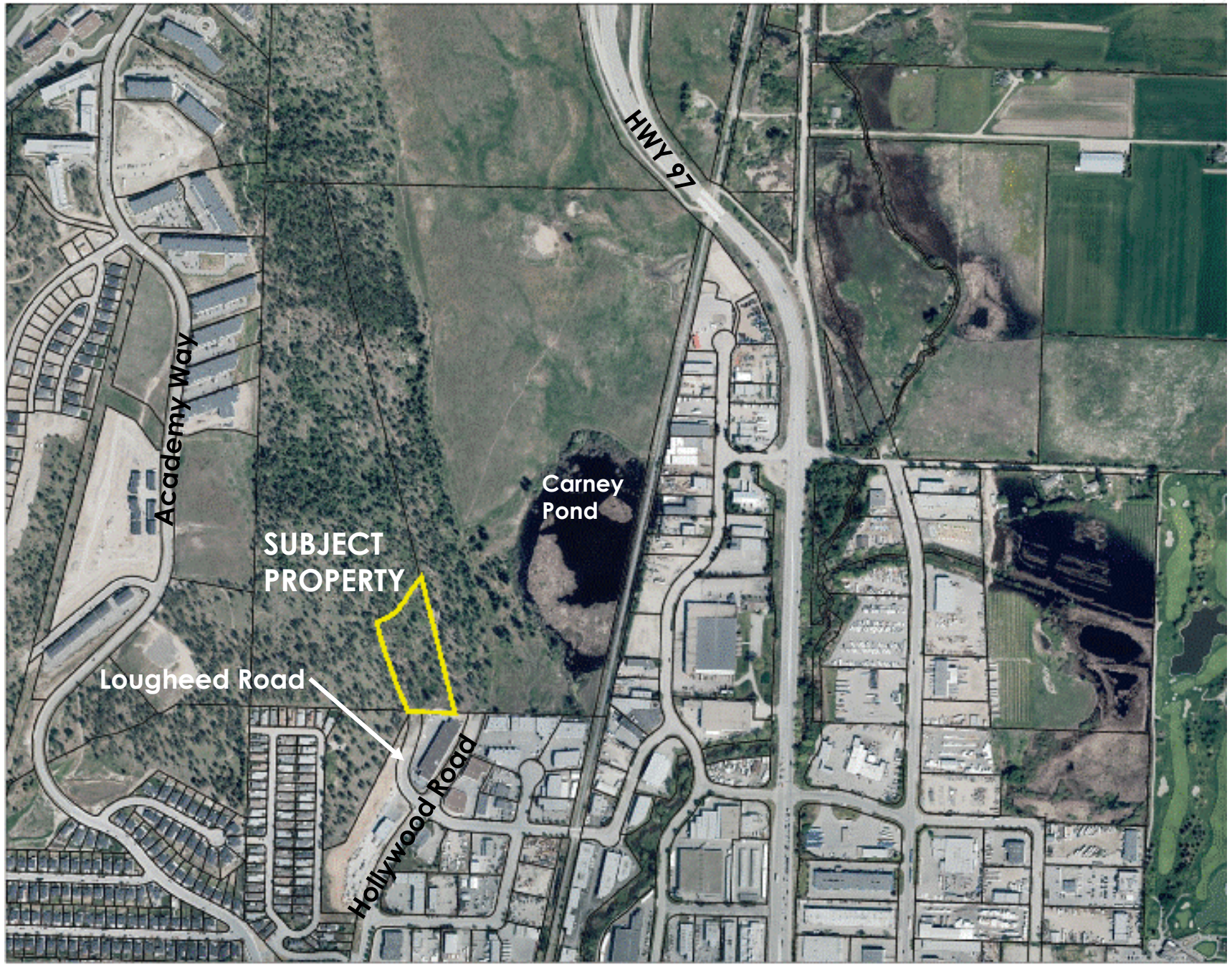
CITY OF KELOWNA

January, 2021

#120743 BC Ltd.

CTQ

ENGINEERING PLANNING URBAN DESIGN



LOUGHEED ROAD INDUSTRIAL

Context

#120743 BC Ltd.

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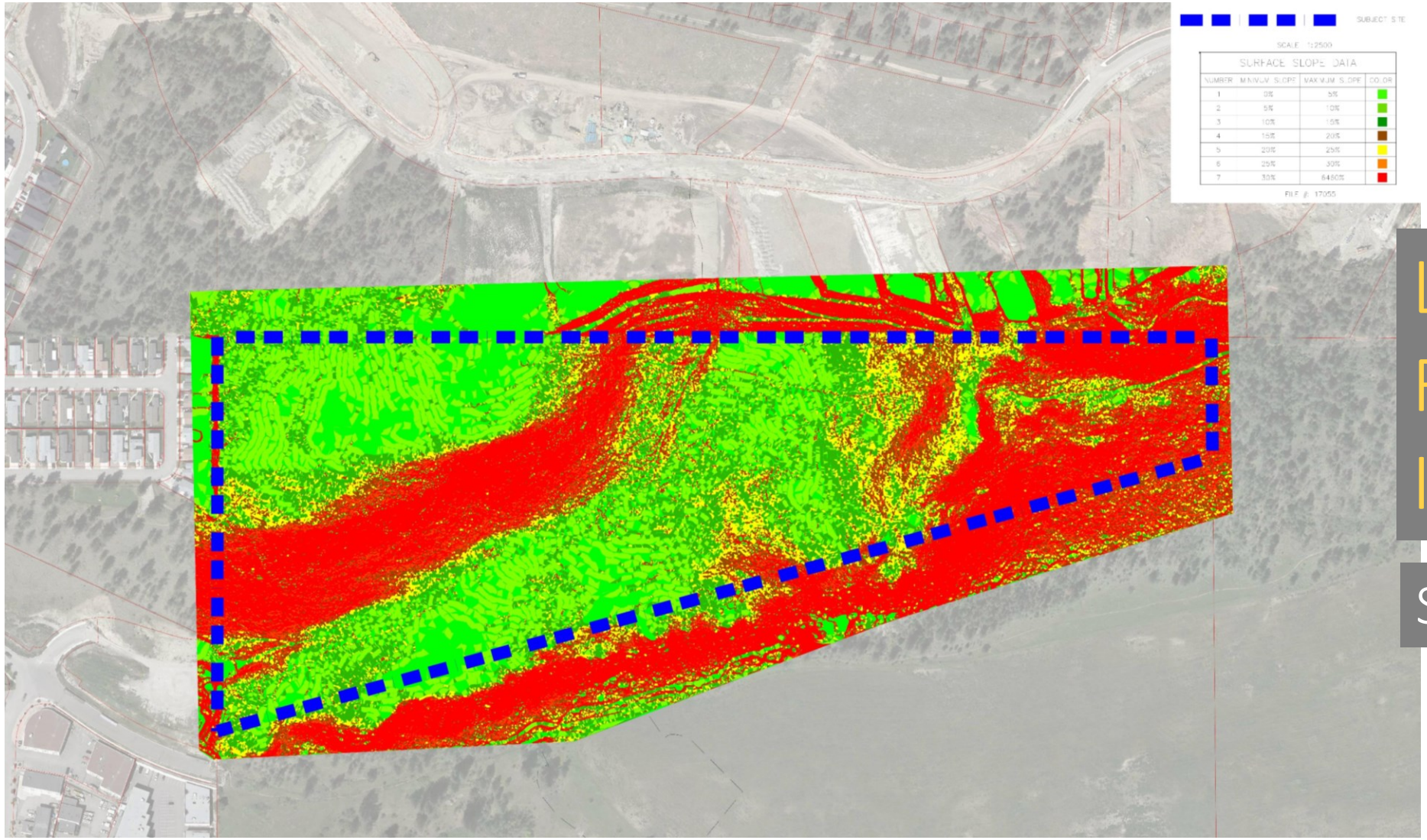
ENGINEERING PLANNING URBAN DESIGN



LOUGHEED ROAD INDUSTRIAL

Slopes

#120743 BC Ltd.

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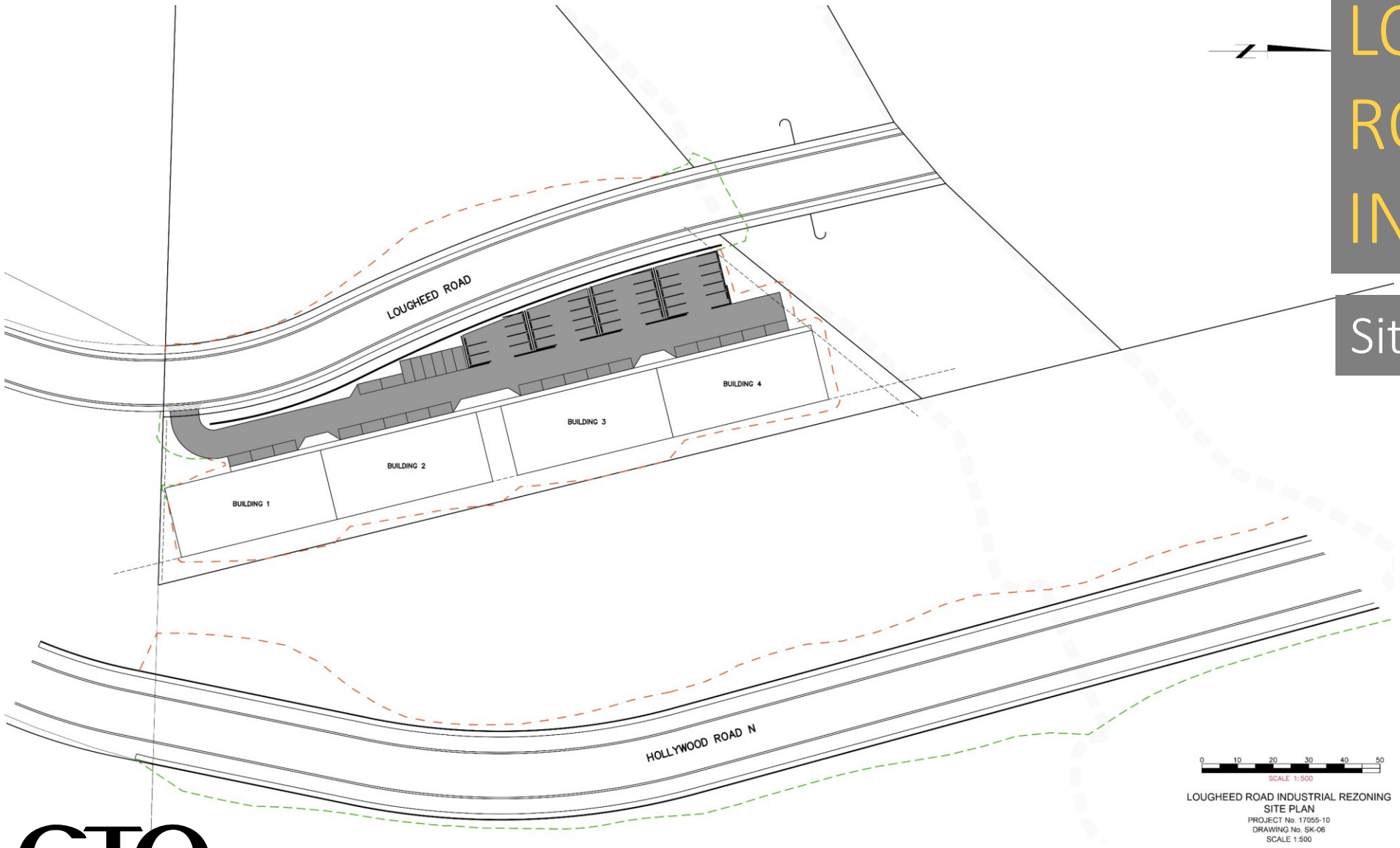
LOUGHEED ROAD INDUSTRIAL

Site Plan



#120743 BC Ltd.

CTQ
ENGINEERING PLANNING URBAN DESIGN

LOUGHEED ROAD INDUSTRIAL

Conceptual Renderings of architectural character

FINAL DESIGN WILL VARY

#120743 BC Ltd.

CTQ

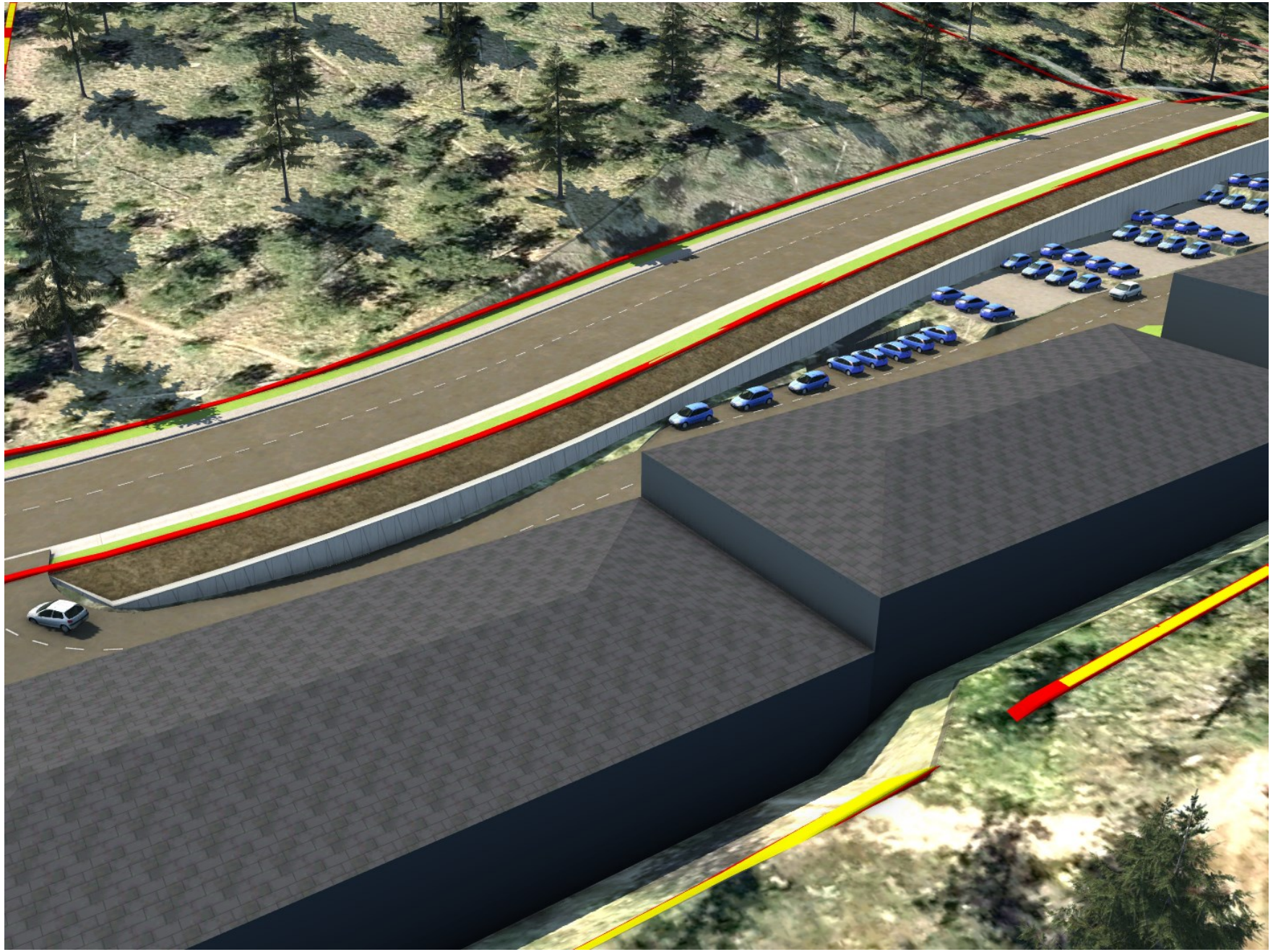
ENGINEERING PLANNING URBAN DESIGN

LOUGHEED ROAD INDUSTRIAL

Overview of site looking North

#120743 BC Ltd.

CTQ
ENGINEERING PLANNING URBAN DESIGN

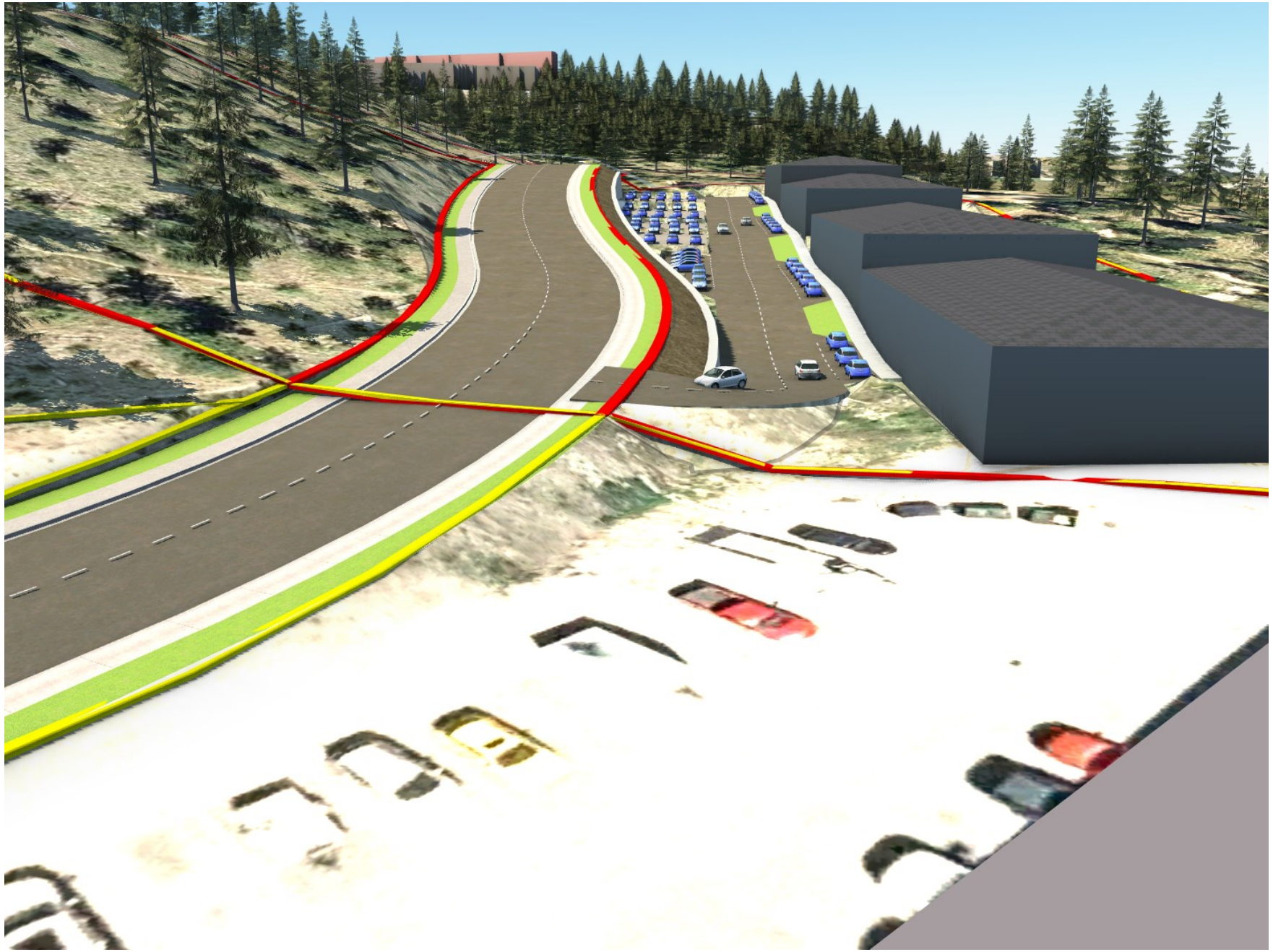


LOUGHEED ROAD INDUSTRIAL

Overview of retaining wall looking West

#120743 BC Ltd.

CTQ
ENGINEERING PLANNING URBAN DESIGN



LOUGHEED ROAD INDUSTRIAL

Overview of site looking NW

#120743 BC Ltd.

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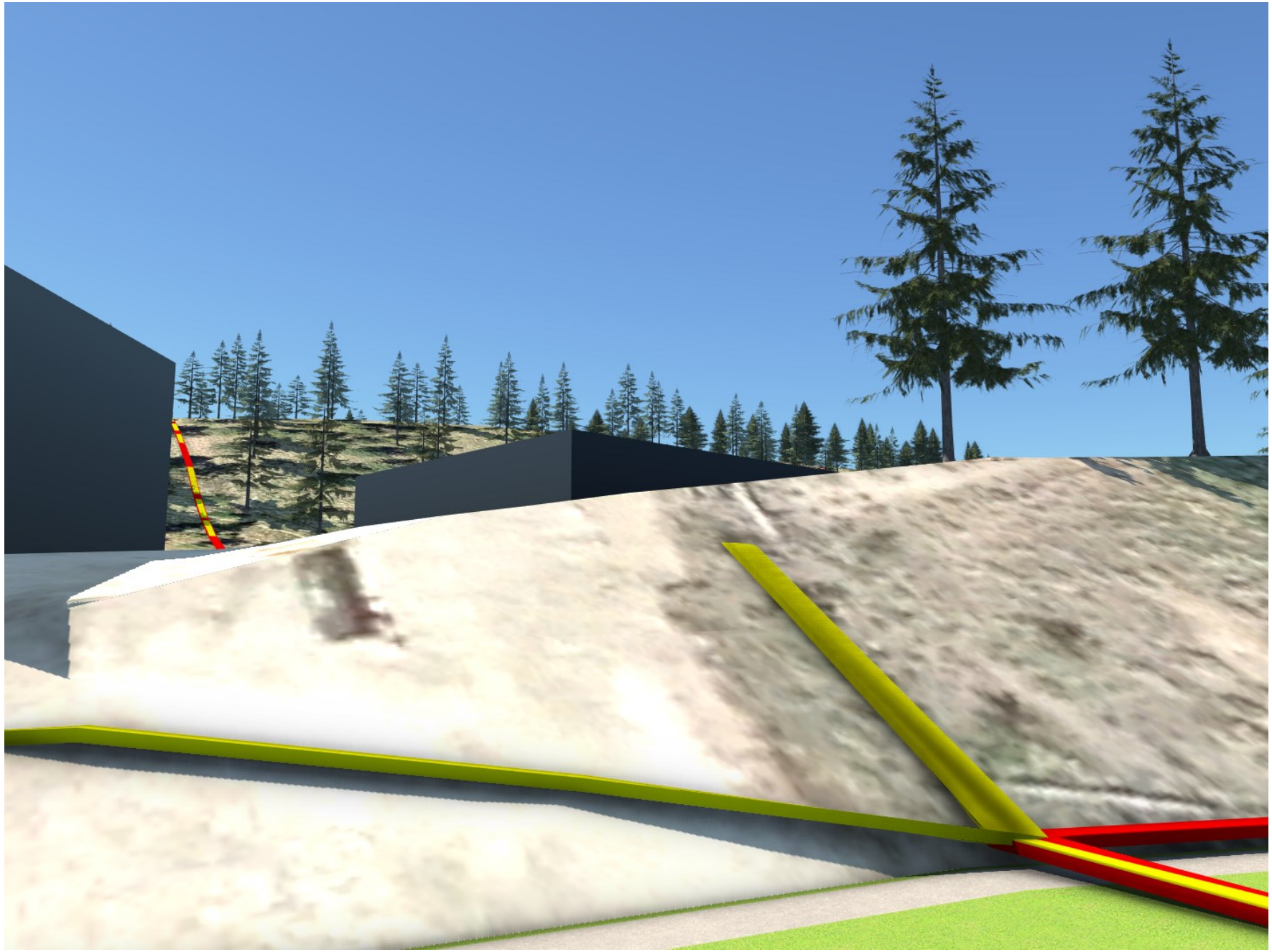

LOUGHEED ROAD INDUSTRIAL

View looking NW from future Hollywood Road

#120743 BC Ltd.

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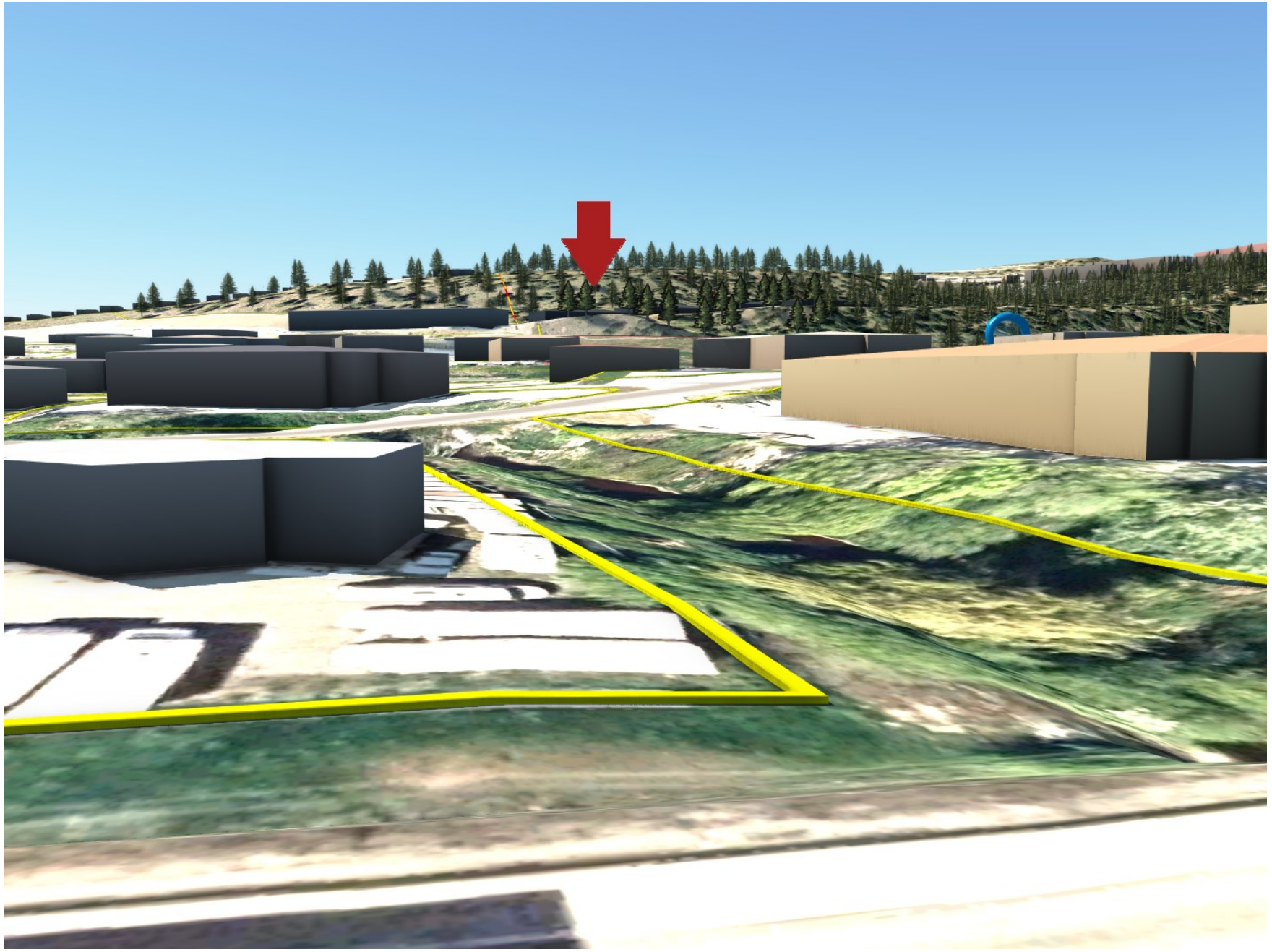
ENGINEERING PLANNING URBAN DESIGN

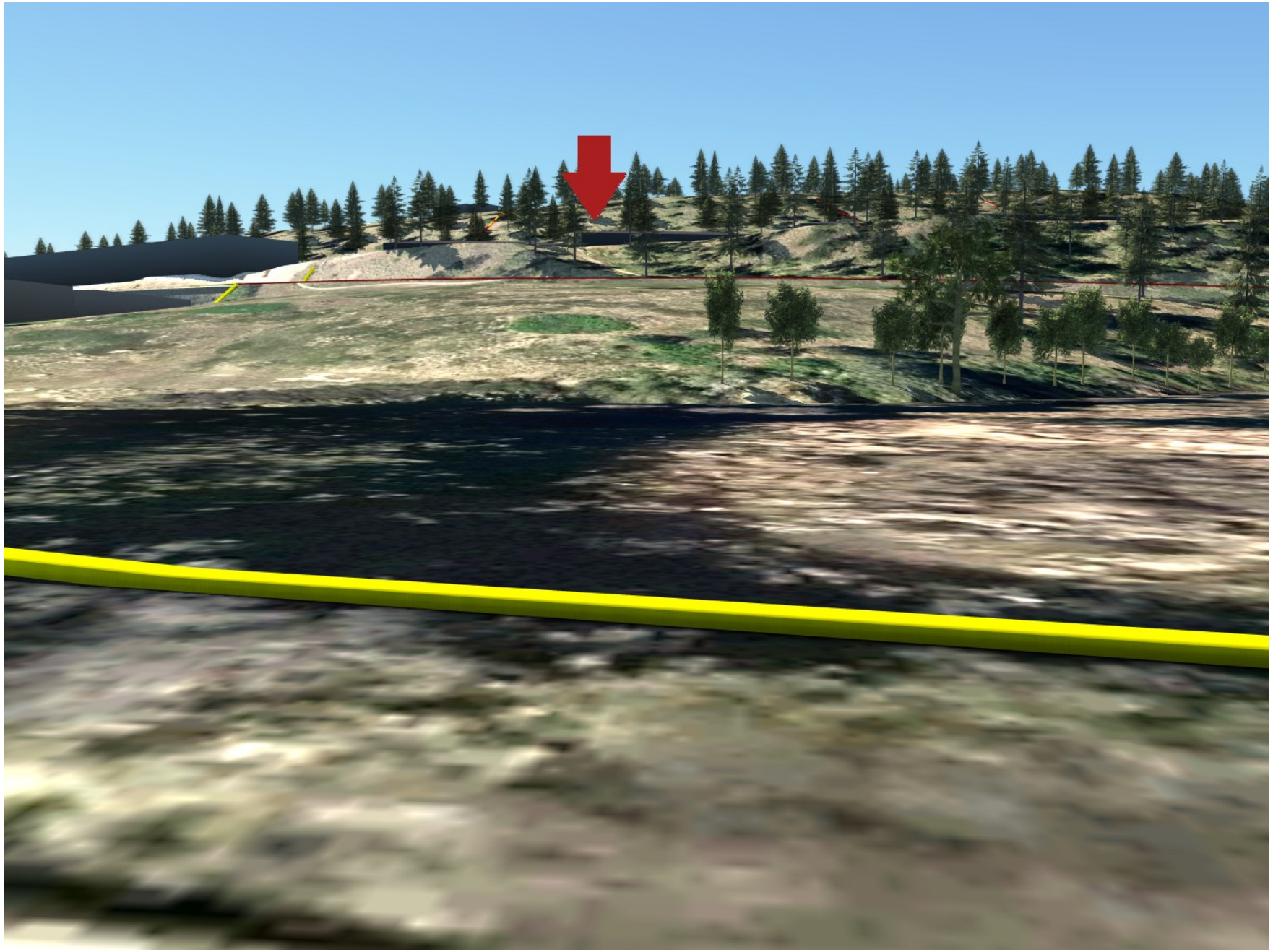


LOUGHEED ROAD INDUSTRIAL

Looking west from Highway 97

#120743 BC Ltd.

CTQ
ENGINEERING PLANNING URBAN DESIGN



LOUGHEED ROAD INDUSTRIAL

Looking west from across
Carney Pond

#120743 BC Ltd.

CTQ
ENGINEERING PLANNING URBAN DESIGN

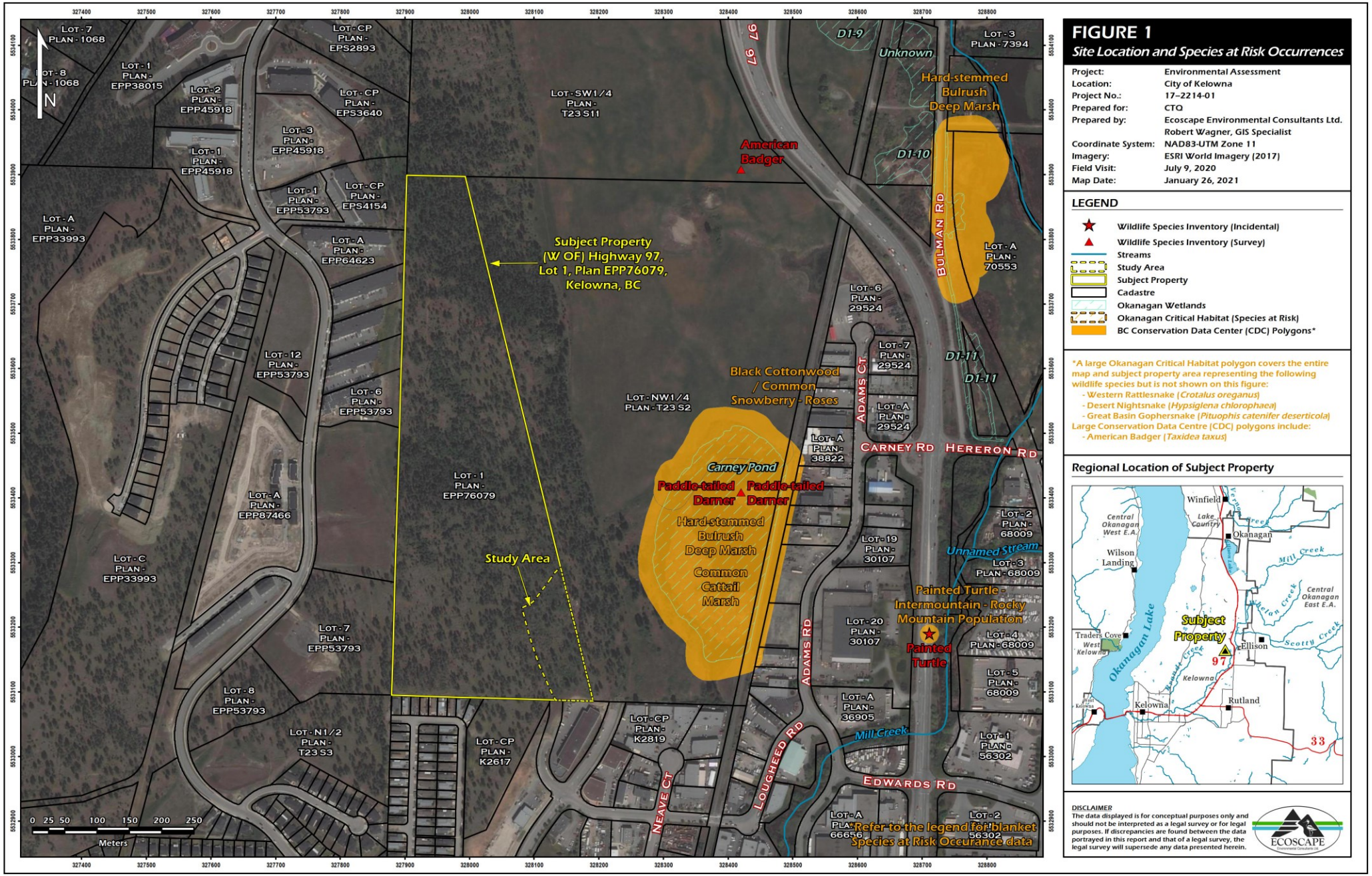


FIGURE 1

Site Location and Species at Risk Occurrences

Project:	Environmental Assessment
Location:	City of Kelowna
Project No.:	17-2214-01
Prepared for:	CTQ
Prepared by:	Ecoscape Environmental Consultants Ltd. Robert Wagner, GIS Specialist
Coordinate System:	NAD83-UTM Zone 11
Imagery:	ESRI World Imagery (2017)
Field Visit:	July 9, 2020
Map Date:	January 26, 2021

LEGEND

- Wildlife Species Inventory (Incidental)
- Wildlife Species Inventory (Survey)
- Streams
- Study Area
- Subject Property
- Cadastre
- Okanagan Wetlands
- Okanagan Critical Habitat (Species at Risk)
- BC Conservation Data Center (CDC) Polygons*

*A large Okanagan Critical Habitat polygon covers the entire map and subject property area representing the following wildlife species but is not shown on this figure:
- Western Rattlesnake (*Crotalus oreganus*)
- Desert Nightsnake (*Hypsiglena chlorophaea*)
- Great Basin Gophersnake (*Pituophis catenifer deserticola*)

Large Conservation Data Centre (CDC) polygons include:
- American Badger (*Taxidea taxus*)

Regional Location of Subject Property

DISCLAIMER
The data displayed is for conceptual purposes only and should not be interpreted as a legal survey or for legal purposes. If discrepancies are found between the data portrayed in this report and that of a legal survey, the legal survey will supersede any data presented herein.

ECOSCAPE

LOUGHEED ROAD INDUSTRIAL

#120743 BC Ltd.

CTQ
ENGINEERING PLANNING URBAN DESIGN

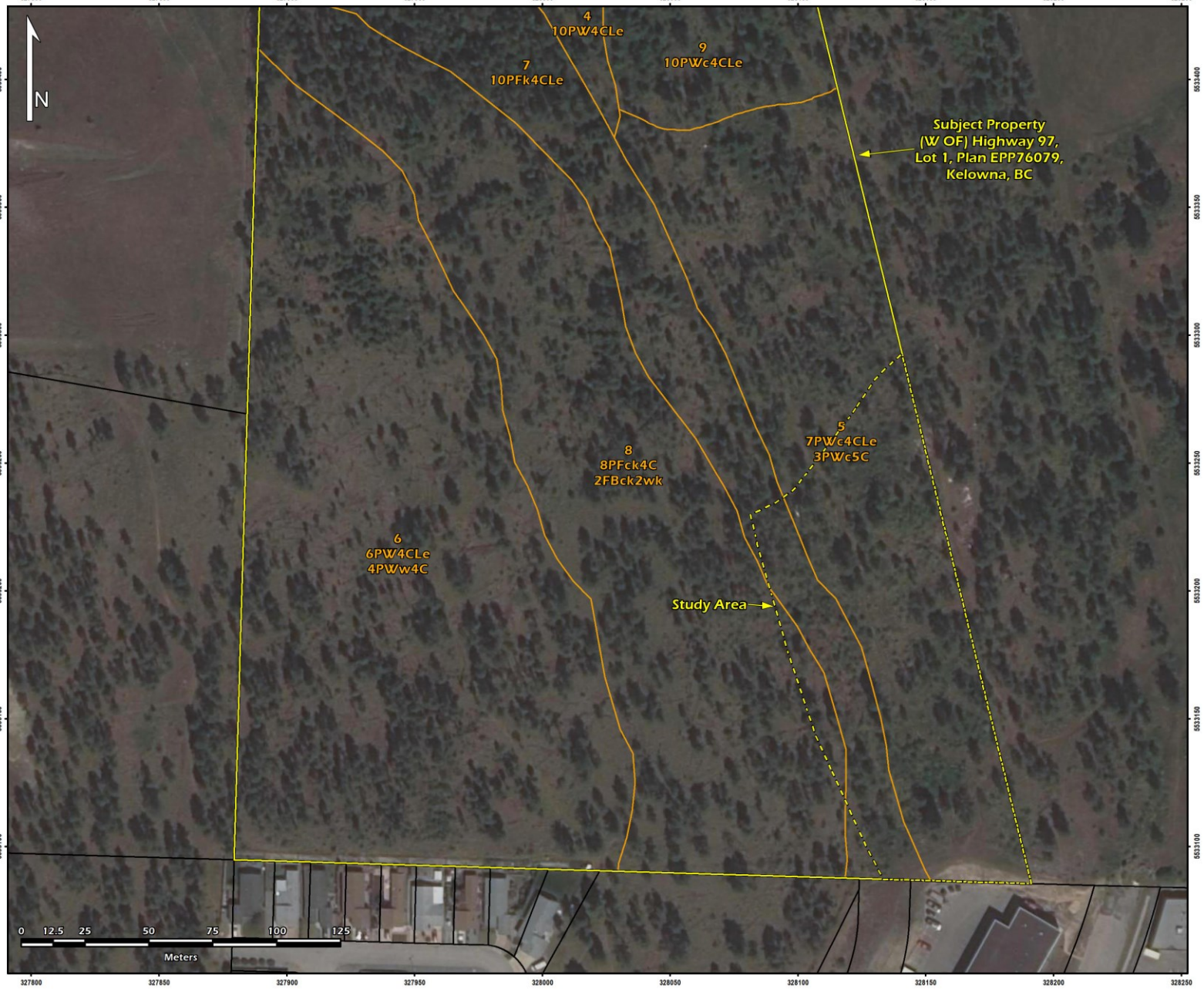


FIGURE 2
Ecosystem Polygons

Project:	Environmental Assessment
Location:	City of Kelowna
Project No.:	17–2214-01
Prepared for:	CTQ
Prepared by:	Ecoscape Environmental Consultants Ltd. Robert Wagner, GIS Specialist
Coordinate System:	NAD83-UTM Zone 11
Imagery:	ESRI World Imagery (2017)
Field Visit:	July 9, 2020
Map Date:	January 26, 2021

LEGEND

- Study Area
- Subject Property
- Cadastre
- Ecosystem Polygons
- Stream

Ecosystem Polygon Key

Polygon Number → 2402

Decile (60%) → 6PFks6C ← Stand Modifier

Ecosystem Unit → 2PFks8 ← Structural Stage

Site Modifiers → 2PWwc6Ckc ← Seral Stage

Ecosystem Units

FB	Rough fescue - Bluebunch wheatgrass
PF	Ponderosa pine - Bluebunch wheatgrass - Rough fescue
PW	Ponderosa pine - Bluebunch wheatgrass - Idaho fescue

Site Modifiers

c	coarse textured soils
k	cool aspect (slope >25%)
s	shallow soils (20-100 cm to bedrock)
v	very shallow (< 20 cm to bedrock)
w	warm aspect (slope > 25%)

Structural Stage

1	Sparce/bryoid
2b	Herb - Graminoid-dominated
3a	Shrub/Herb - Low Shrub
3b	Shrub/Herb - Tall Shrub
4	Pole Sapling
5	Young Forest
6	Mature Forest
7	Old Forest

Seral Stage/Weed Modifiers

kc	knapweed - cheatgrass
wk	bluebunch wheatgrass - knapweed

DISCLAIMER
The data displayed is for conceptual purposes only and should not be interpreted as a legal survey or for legal purposes. If discrepancies are found between the data portrayed in this report and that of a legal survey, the legal survey will supersede any data presented herein.

ECOSCAPE

LOUGHEED ROAD INDUSTRIAL

#120743 BC Ltd.

CTQ
ENGINEERING PLANNING URBAN DESIGN

FIGURE 3
Environmental Sensitivity Analysis and Impact Assessment

Project:	Environmental Assessment
Location:	City of Kelowna
Project No.:	17–2214-01
Prepared for:	CTQ
Prepared by:	Ecoscape Environmental Consultants Ltd. Robert Wagner, GIS Specialist
Coordinate System:	NAD83-UTM Zone 11
Imagery:	ESRI World Imagery (2017)
Field Visit:	July 9, 2020
Map Date:	January 26, 2021

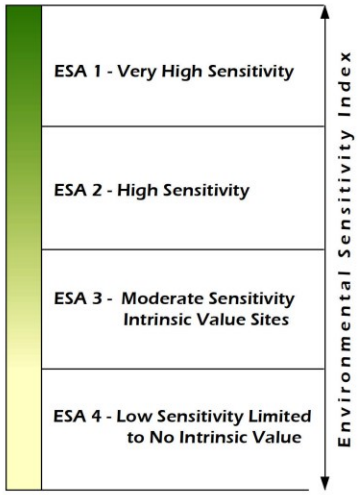
LEGEND

- "99" Ecosystem Polygon Number
- Proposed Road
- Stream
- Study Area
- Cadastre
- Okanagan Wetlands
- Proposed Buildings
- Future COMMC
- Disturbance Footprint
- Undisturbed Area

Environmental Sensitivity Analysis Rating

- Very High (ESA 1)
- High (ESA 2)
- Moderate (ESA 3)
- Low (ESA 4)

Environmental Sensitivity Gradient



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ECOSCAPE

LOUGHEED ROAD INDUSTRIAL

#120743 BC Ltd.

CTQ
ENGINEERING PLANNING URBAN DESIGN

LOUGHEED ROAD INDUSTRIAL

4690 Highway 97 North

OCP19-0006/Z19-0108 (W of) Hwy 97

OCP Amendment

and

Rezoning Application

Applicant: CTQ Consultants Ltd.

Public Hearing

CITY OF KELOWNA

January, 2021

#120743 BC Ltd.

CTQ

ENGINEERING PLANNING URBAN DESIGN

CITY OF KELOWNA

BYLAW NO. 12151

Official Community Plan Amendment No. OCP19-0006
(W OF) Highway 97 North

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 portions of Lot 1 Section 2 Township 23 ODYD Plan EPP76079, located on Highway 97 North, Kelowna, B.C., from the PARK – Major Park/Open Space (public) and S2RES – Single/Two Unit Residential designations to the IND - Industrial designation as shown on Map "A" attached to and forming part of this bylaw;

2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 18th day of January, 2021.

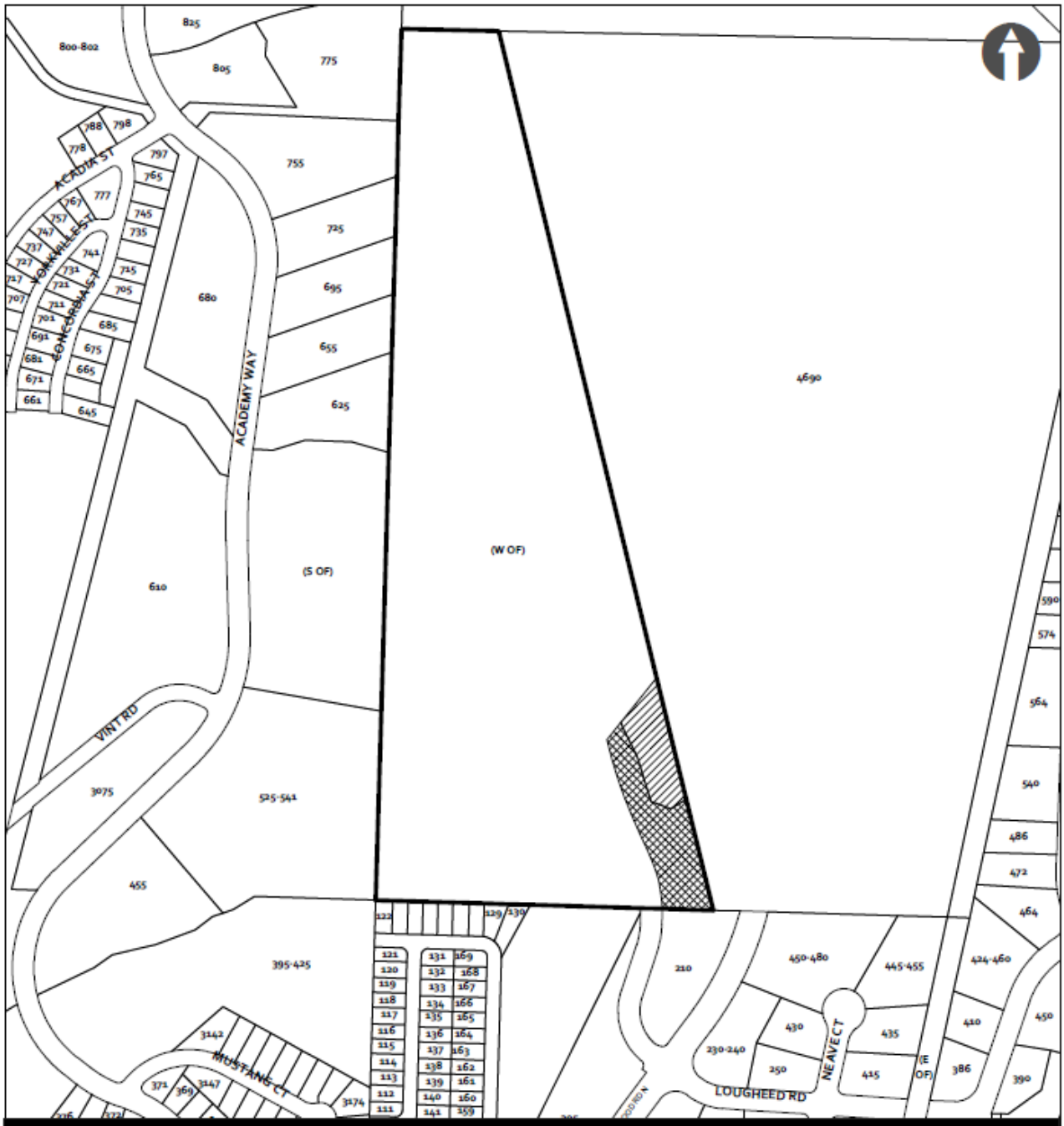
Considered at a Public Hearing on the

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



MAP "A" Proposed OCP Amendment
File OCP19-0006

S2RES - Single/Two Unit Residential to IND - Industrial

PARK - Major Park / Open Space (public) to IND - Industrial

Subject Property

City of Kelowna

0 50 100 Metres

Rev. Tuesday, January 05, 2021

TC

CITY OF KELOWNA

BYLAW NO. 12152
Z19-0108
(W OF) Highway 97 North

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of a portion of Lot 1 Section 2 Township 23 ODYD Plan EPP76079 located at Highway 97 North, Kelowna, BC from the A1 – Agriculture 1 zone to the I1 – Business Industrial zone as shown on Map "B" 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 18th day of January, 2021.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

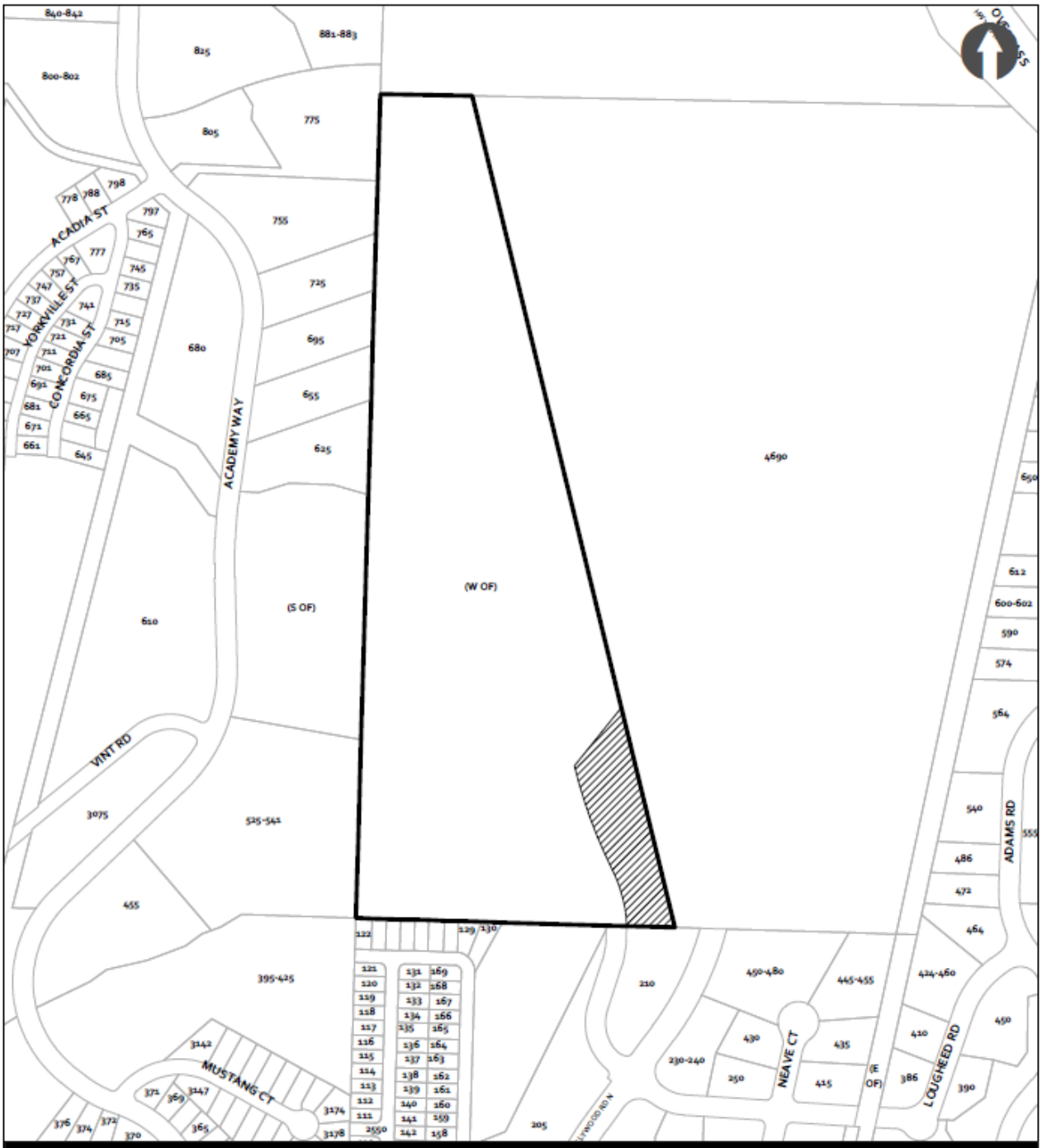
Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



MAP "B" Proposed Rezoning
File Z19-0108

Subject Property

A1 - Agriculture 1 to I1 - Business Industrial

0 50 100 Metres

City of Kelowna

TC

Rev. Tuesday, January 05, 2021