

# City of Kelowna

## Public Hearing

### AGENDA



Tuesday, November 16, 2021

4:00 pm

Council Chamber

City Hall, 1435 Water Street

Pages

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

**2. Call to Order the Public Hearing - START TIME 4:00 PM - Sherwood Rd 639 - Z21-0067 (BL12264) - Yunfang Gao**

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](http://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](http://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 4:00 PM - Sherwood Rd 639 - Z21-0067 (BL12264) - Yunfang Gao**

6 - 31

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to facilitate a 2-lot subdivision.

**4. Termination**

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

**6. Bylaws Considered at Public Hearing**

**6.1. START TIME 4:00 PM - Sherwood Rd 639 - BL12264 (Z21-0067) - Yunfang Gao**

32 - 32

To give Bylaw No. 12264 second and third reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.

**7. Termination**

**8. Call to Order the Public Hearing - START TIME 4:00 PM - 3510 Spectrum Crt - TA21-0013 (BL12284) - Kelowna Motors Investments Ltd., Inc. No. BC 1281822**

The purpose of the Hearing is to hear from the public on matters contained in the various bylaws which, if adopted, will amend *Kelowna 2030* - Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.

After the close of the Public Hearing, Council will then debate and vote on the proposed bylaws at the Regular Meeting that follows.

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**9. Individual Bylaw Submissions**

**9.1. START TIME 4:00 PM - 3510 Spectrum Crt - TA21-0013 (BL12284) - Kelowna Motors Investments Ltd., Inc. No. BC 1281822**

33 - 60

To consider a Site-Specific Text Amendment application to the CD15 – Airport Business Park zone, for 3510 Spectrum Court to add the permitted use of automotive and minor recreational vehicle sales/rental and accommodate the August Garage and Car Club Lounge and Vehicle Service Building.

**10. Termination**

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



**12. Bylaws Considered at Public Hearing**

**12.1. START TIME 4:00 PM - 3510 Spectrum Crt - BL12284 (TA21-0013) - Kelowna Motors Investments Ltd., Inc. No. BC 1281822**

61 - 61

To give Bylaw No. 12284 second and third reading in order to consider a Site-Specific Text Amendment application for 3510 Spectrum Court to add the permitted use of automotive and minor recreational vehicle sales/rental.

**13. Termination**

**14. Call to Order the Public Hearing - START TIME 4:30 PM - Doyle Ave 350 - Z21-0061 (BL12286) - City of Kelowna**

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](http://Kelowna.ca/council) or by request to the Office of the City Clerk.

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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.

**15. Individual Bylaw Submissions**

**15.1. START TIME 4:30 PM - Doyle Ave 350 - Z21-0061 (BL12286) - City of Kelowna**

62 - 95

To rezone the subject property from the P1 – Major Institutional zone to the C7r – Central Business Commercial (Residential Rental Tenure Only) zone to facilitate a mixed-use rental development.

**16. Termination**

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

**18. Bylaws Considered at Public Hearing**

To give Bylaw No. 12286 second and third reading in order to rezone the subject property from the P1 – Major Institutional zone to the C7r – Central Business Commercial (Residential Rental Tenure Only) zone.

**19. Termination**

**20. Call to Order the Public Hearing - START TIME 5:15 PM - Richter St 1875 - Z21-0055 (BL12289) - 1243978 BC Ltd., Inc. No. BC1243978**

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](http://Kelowna.ca/council) or by request to the Office of the City Clerk.

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In accordance with the most recent Public Health restrictions regarding gatherings and events, seating is limited in Council Chambers. Members of the public must remain seated unless invited to address Council. Thank you for your co-operation.

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

**21. Individual Bylaw Submissions**

**21.1. START TIME 5:15 PM - Richter St 1875 - Z21-0055 (BL12289) - 1243978 BC Ltd., Inc. No. BC1243978**

To rezone the subject property from the RU6 – Two Dwelling Housing zone to the RM3r – Low Density Multiple Housing (Residential Rental Tenure Only) zone to facilitate the development of multiple dwelling housing.

**22. Termination**

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

**24. Bylaws Considered at Public Hearing**

**24.1. START TIME 5:15 PM - Richter St 1875 - BL12289 (Z21-0055) - 1243978 BC Ltd., Inc. No. BC1243978**

To give Bylaw No. 12289 second and third reading in order to rezone the subject property from the RU6 – Two Dwelling Housing zone to the RM3r – Low Density Multiple Housing (Residential Rental Tenure Only) zone.

**25. Termination**

**26. Procedure on each Bylaw Submission**

- a) Brief description of the application by City Staff (Development Planning);
- (b) The applicant has up to 15 minutes to make representations to Council regarding the project.
- (c) The Chair will call for representation from the public participating in person and online as follows:
  - (i) Any person wishing to make representations 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 questions be held open, the Chair shall state to participants the the Public Hearing on the Bylaw is closed.
- (e) Once the public has had an opportunity to comment, the application 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. Online participants must be able to share their screen to display the item.

# REPORT TO COUNCIL



**Date:** September 13<sup>th</sup>, 2021

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** Z21-0067

**Owner:** Yunfang Gao

**Address:** 639 Sherwood Road

**Applicant:** Urban Options Planning Corp.

**Subject:** Rezoning Application

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

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

**Proposed Zone:** RU6 – Two Dwelling Housing

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## 1.0 Recommendation

THAT Rezoning Application No. Z21-0067 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2 District Lot 358 ODYD Plan 16547, located at 639 Sherwood Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone be considered by Council;

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

AND THAT final adoption of the Rezoning Application 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 September 13<sup>th</sup>, 2021;

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

## 2.0 Purpose

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to facilitate a 2-lot subdivision, and to waive the Public Hearing.

### 3.0 Development Planning

Staff support the proposal to rezone the subject property from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing to facilitate a 2-lot subdivision. The subject property has a Future Land Use Designation of S2RES – Single/Two Unit Residential and is within the City’s Permanent Growth Boundary. As such, the proposed zone is consistent with the Official Community Plan’s (OCP) objectives. In addition, both lots meet the minimum dimensions of the RU6 zone.

### 4.0 Proposal

#### 4.1 Project Description

The proposed rezoning from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing is to facilitate a 2-lot subdivision. The property currently has one home, which will be required to be removed as part of the application. The proposed Lot B is the only lot that is large enough to allow two-dwelling housing, while Lot A, is an undersized RU6 lot, so the maximum density is a single-family dwelling and a carriage house.

#### 4.2 Site Context

The property is located in the North Mission – Crawford OCP Sector and is within the Permanent Growth Boundary (PGB). The surrounding area is primarily zoned RU1 – Large Lot Housing, RU1c – Large Lot Housing with Carriage House and RU5 – Bareland Strata Housing.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single-Family Dwelling
East	RU1 – Large Lot Housing	Single-Family Dwelling
South	RU1 – Large Lot Housing	Single-Family Dwelling
West	RU1c – Large Lot Housing with Carriage House	Single-Family Dwelling and Carriage House

**Subject Property Map: 639 Sherwood 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.

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

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

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

## **6.0 Technical Comments**

### **6.1 Development Engineering Department**

6.1.1 Development Engineering Memo attached dated September 13, 2021

## **7.0 Application Chronology**

Date of Application Received: June 22, 2021

Date Public Consultation Completed: July 13, 2021

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

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

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

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

#### **Attachments:**

Schedule A: Development Engineering Memo

Attachment A: Proposed Subdivision

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## CITY OF KELOWNA MEMORANDUM

**Date:** July 7, 2021

**File No.:** Z21-0067

**To:** Planning and Development Officer (TC)

**From:** Development Engineering Manager (RO)

**Subject:** 639 Sherwood Rd.

RU1 to RU6

<b>SCHEDULE</b>		<b>A</b>
This forms part of application # Z21-0067		
Planner Initials	TC	 <b>City of Kelowna</b> <small>DEVELOPMENT PLANNING</small>

The Development Engineering Branch has the following comments and requirements associated with this rezoning application to rezone the subject property from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing to facilitate a two-lot subdivision. The Development Engineering Technician for this project is Aaron Sangster.

**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.

**2. Domestic Water and Fire Protection**

This property is currently serviced with 19mm-diameter water service. The developer's consulting mechanical engineer will determine the domestic, fire protection requirements of this proposed development and establish hydrant requirements and service needs. The applicant, at their cost, will arrange for the removal and disconnection of the existing services and installation of one new larger service, if necessary.

**3. Sanitary Sewer**

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

**4. Storm Drainage**

- a) The developer must engage a consulting civil engineer to provide a stormwater management plan for the site, which meets the requirements of the Subdivision, Development, and Servicing Bylaw No. 7900. The storm water management plan

must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and recommendations for onsite drainage containment and disposal systems.

**5. Electric Power and Telecommunication Services**

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

**6. Road Improvements / Site Access**

- a) Sherwood Rd. must be upgraded to an urban standard along the full frontage of this proposed development, including roll-over curb and gutter, sidewalk, irrigated landscaped boulevard, streetlights, drainage system including catch basins, watermain upgrade, manholes and pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The road cross section to be used is a SS-R7.
- b) Rattenbury Ct. must be upgraded to an urban standard along the full frontage of this proposed development, including roll-over curb and gutter, sidewalk, irrigated landscaped boulevard, streetlights, drainage system including catch basins, watermain upgrade, manholes and pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The road cross section to be used is a SS-R7.

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

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors as required.
- 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.

**8. Geotechnical Report**

- a) Although a geotechnical report will not be required at time of rezoning, a report must be provided at the time of Building Permit.
- b) Provide a comprehensive geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.**

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

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



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

## 9. **Road Dedication**

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

## 10. **Design and Construction**

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

**11. Servicing Agreements for Works and Services**

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

**12. Charges and Fees**


- a) Development Cost Charges (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) Hydrant levy charge of **\$250.00** (\$250.00 per new lot.)
  - iv) Survey Monument Fee: **\$50.00** (\$50 per newly created lot – GST exempt).

*Ryan O'Sullivan*

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Ryan O'Sullivan  
Development Engineering Manager

AS

<b>SCHEDULE</b>		<b>A</b>
This forms part of application # Z21-0067		
Planner Initials	TC	 City of <b>Kelowna</b> DEVELOPMENT PLANNING

A

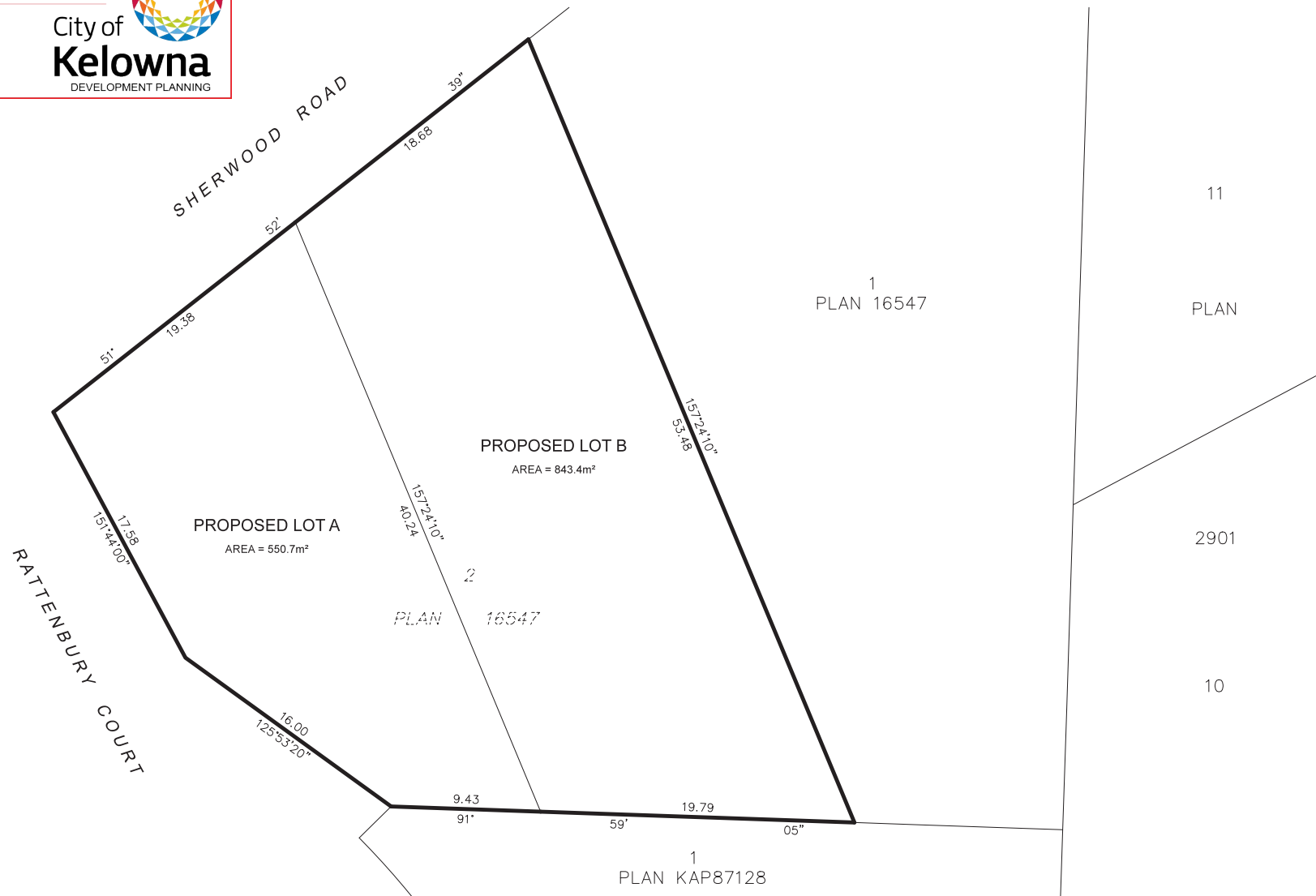
~~# Z21-0067~~



City of Kelowna  
DEVELOPMENT PLANNING

Planner  
Initials

TC



PROPOSED SUBDIVISION OF LOT 2,  
D.L. 358, O.D.Y.D., PLAN 16547  
(639 Sherwood Road, Kelowna)

**RUNNALLS DENBY**  
british columbia land surveyors

Phone: (250)763-7322  
Fax: (250)763-4413  
Email: [rob@runnallsdenby.com](mailto:rob@runnallsdenby.com)

BOB LIU

REV.	0
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# Z21-0067

# 639 Sherwood Road

Rezoning Application



# Proposal

- ▶ To rezone the subject property from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing to facilitate a 2-lot subdivision.

# Development Process

Jun 22<sup>nd</sup>, 2021

Development Application Submitted

Staff Review & Circulation

July 13<sup>th</sup>, 2021

Public Notification Received

Sept 13<sup>th</sup>, 2021

Initial Consideration

Public Hearing  
Second & Third Readings

Final Reading

Building Permit

Council  
Approvals

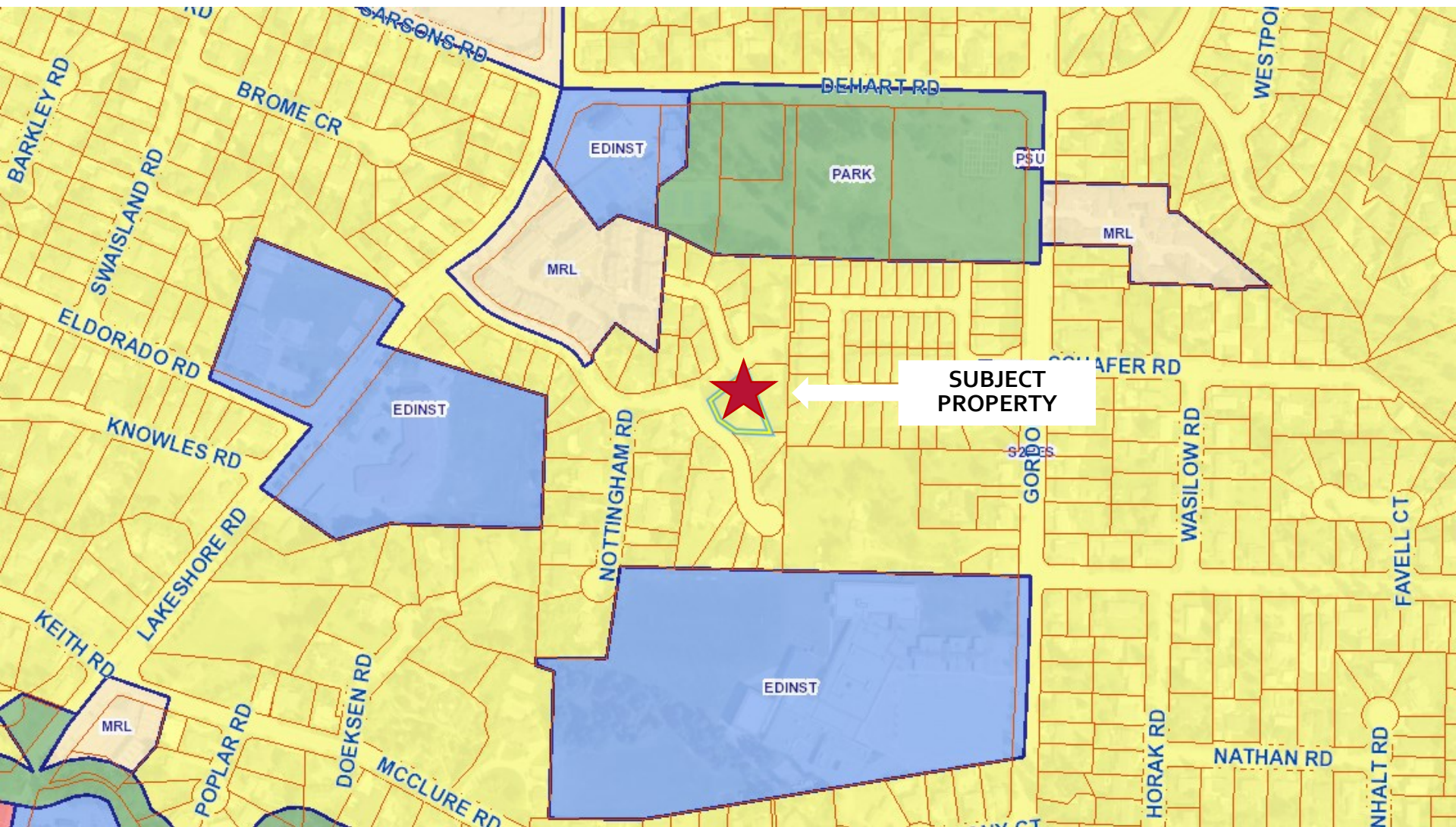


# Context Map





# OCP Future Land Use / Zoning





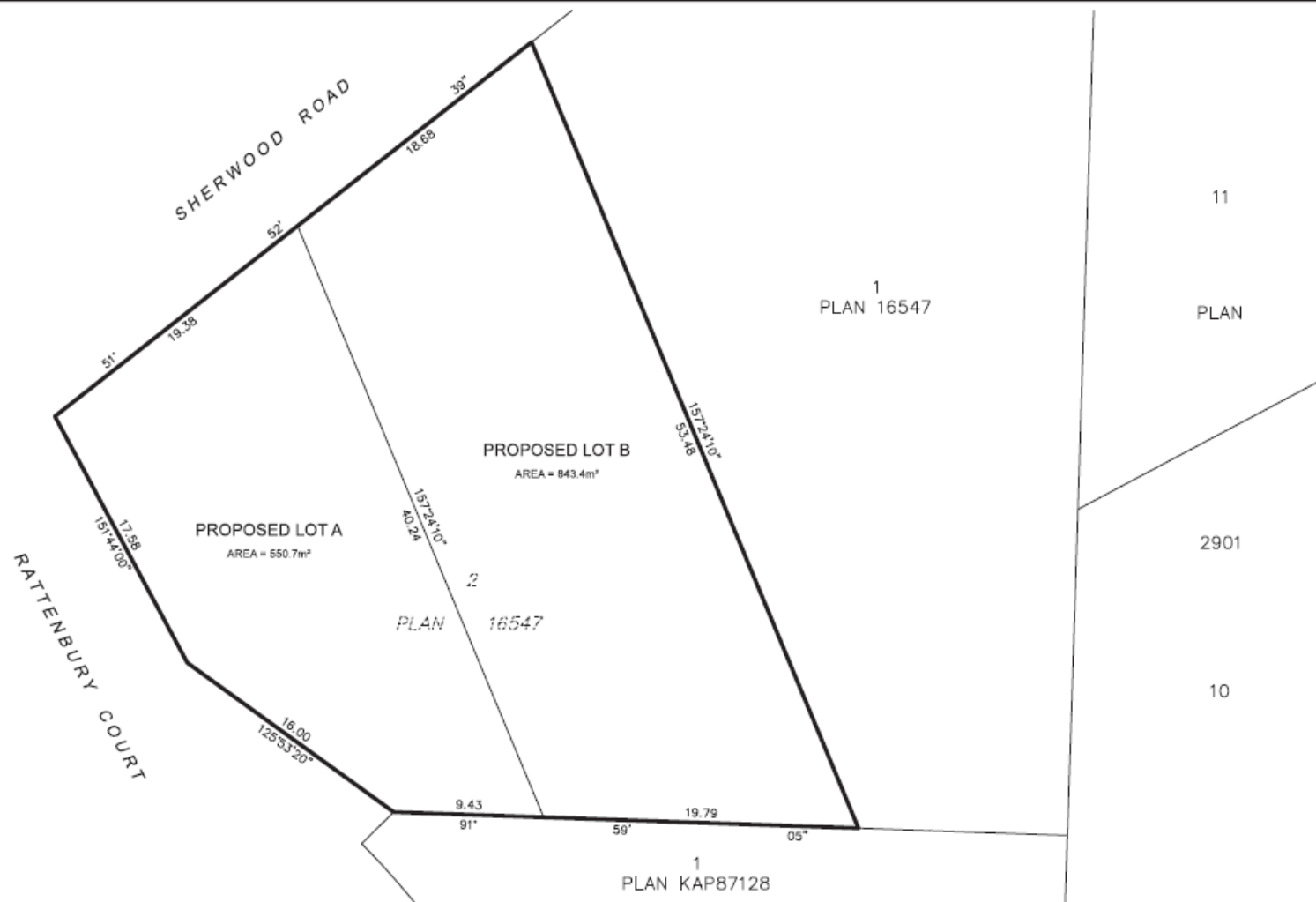
# Subject Property Map



# Project/technical details

- ▶ Proposed rezoning to RU6 –Two Dwelling Housing will facilitate a 2-lot subdivision.
- ▶ Both lots meet the depth, width and size of the RU6 zone.
- ▶ Only one of the two will be large enough to have two dwellings on them.

# Site Plan



# Development Policy

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

# Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning to facilitate a 2-lot subdivision
- ▶ Meets the intent of the Official Community Plan
  - ▶ Urban Infill Policies
  - ▶ Appropriate location for adding residential density
- ▶ Consistent with Zoning Bylaw and the proposed lots meet the size minimums.
- ▶ Recommend the Public Hearing be waived.



## *Conclusion of Staff Remarks*





# 639 Sherwood

Rezone to RU6 – Two Dwelling Housing



## Summary of concerns

### Parking in the neighbourhood

- Specifically overflow parking from Multi-family called Enclave

### Sidewalks

- Safety of children

### Infill development too much for neighbourhood



# Parking

All parking will be contained **on site** in accordance with Zoning Bylaw regulations

- For the duplex we are required to provide 4 stalls
- For the single family we are required to provide 2 stalls
- Both resulting properties are large in size and will have full driveways that can accommodate overflow parking for guests

## Sidewalks



- The only sidewalks in the neighbourhood are located adjacent to the Enclave
- Frontage upgrades will be required to facilitate this project to city standards

Infill too much for the  
neighbourhood

Many recent changes to the  
area

Rattenbury Court was a large single family  
parcel prior to 2009

when it was subdivided into 7 lots





Infill too much for the  
neighbourhood

Sherwood Court was a large single  
family lot prior to 2006

when it was subdivided into 8 lots



Conclusion

- Questions?



# **CITY OF KELOWNA**

## **BYLAW NO. 12264**

**Z21-0067**

**639 Sherwood Road**

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2 District Lot 358 ODYD Plan 16547 located on Sherwood Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 13<sup>th</sup> day of September, 2021.

Public Hearing waived by the Municipal Council this 13<sup>th</sup> day of September, 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

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Mayor

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City Clerk

# REPORT TO COUNCIL



**Date:** October 18, 2021

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** TA21-0013

**Owner:** Kelowna Motors Investments  
Ltd., Inc. No. BC 1281822

**Address:** 3510 Spectrum Court

**Applicant:** Innocept Developments

**Subject:** Zoning Bylaw Text Amendment Application

**Existing OCP Designation:** IND - Industrial

**Existing Zone:** CD15 – Airport Business Park

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## 1.0 Recommendation

That Zoning Bylaw Text Amendment Application No. TA21-0013 to amend the City of Kelowna Zoning Bylaw No. 8000 as identified in Schedule "A" and outlined in the Report from the Development Planning Department dated October 18, 2021 for Lot 17 Section 14 Township 23 ODYD Plan KAP82802 located at 3510 Spectrum Court be considered by Council;

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

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

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

## 2.0 Purpose

To consider a Site-Specific Text Amendment application to CD15 – Airport Business Park Zone, for 3510 Spectrum Court to add the permitted use of automotive and minor recreational vehicle sales/rental and accommodate the August Garage and Car Club Lounge and Vehicle Service Building.

### 3.0 Development Planning

Staff recommend support for the proposed text amendment application to facilitate automotive sales and a vehicle service building on the subject property. The existing luxury car rentals and maintenance business on the property and the proposed addition of sales on the property is considered less intensive than traditional car lots and requires significantly less space and inventory. Because of this the proposed amendment is considered compatible with the existing and surrounding land uses.

### 4.0 Proposal

#### 4.1 Background

The subject property is a partially developed lot with an existing building currently being used by the August Motors business. It is directly adjacent to Highway 97N however is accessed from Spectrum Court. The Future Land Use Designations for the property is currently IND - Industrial and is zoned CD15 – Airport Business Park

#### 4.2 Project Description

The proposed amendments will allow for automotive sales and a proposed vehicle service building. The building will have 15 service bays, detail/wash bays, interior display/showroom, and a lounge/club facility. The proposed building is two storeys, with a gross floor area of just over 20,000 ft².

#### 4.3 Site Context

The subject properties are in the Highway 97 City Sector. The Future Land Use is IND – Industrial is zoned CD15 – Airport Business Park and is within the Permanent Growth Boundary (PGB). The property is 2.5 acres in size. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	CD15 – Airport Business Park	Vacant
East	A1 - Agriculture	Hwy 97 / Vacant
South	CD15 – Airport Business Park	Spectrum Court / Industrial
West	CD15 – Airport Business Park	Industrial

**Subject Property Map: 3510 Spectrum Court**





## 5.0 Current Development Policies

### 6.0 Kelowna Official Community Plan (OCP)

#### 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 issues 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.

## 7.0 Technical Comments

### 7.1 Development Engineering Department

- Refer to Development Engineering Memo Dated June 7, 2021

## 8.0 Application Chronology

Date of Application Received: June 4, 2021  
Date Public Consultation Completed: August 18, 2021

**Report prepared by:** Wesley Miles, Planner Specialist  
**Reviewed by:** Dean Strachan, Community Planning and Development Manager  
**Reviewed by:** Terry Barton, Development Planning Department Manager  
**Approved for Inclusion:** Ryan Smith, Divisional Director, Planning & Development Services

### **Attachments:**

Schedule A: CD15 – Text Amendments  
Schedule B: Development Engineering Memo  
Attachment A: Site Map & Conceptual Layout

**Schedule A – CD15 – Airport Business Park Zone - Zoning Bylaw No. 8000 Text Amendment TA21-0013**

No.	Section	Relevant Existing	Proposed	Explanation								
1.	Section 18 - Schedule B – Comprehensive Development Zones – CD15 – Airport Business Park	N/A	<div><div><div>1.9 Site Specific Uses and Regulations</div><div>Uses and regulations apply to the CD15 – Airport Business Park on a site-specific bases as follows:</div><table><tr><th></th><th>Legal Description</th><th>Civic Address</th><th>Regulation</th></tr><tr><td>1</td><td>Lot 17 Section 14 Township 23 ODYD Plan KAP82802</td><td>3510 Spectrum Court</td><td>To allow <b>Automotive and minor recreational vehicle sales/rentals</b> as a permitted principal use</td></tr></table></div></div>		Legal Description	Civic Address	Regulation	1	Lot 17 Section 14 Township 23 ODYD Plan KAP82802	3510 Spectrum Court	To allow <b>Automotive and minor recreational vehicle sales/rentals</b> as a permitted principal use	To add a new site-specific section within the CD15 – Airport Business Park zone to allow for <b>Automotive and minor recreational vehicles sales/rentals</b> as a permitted principal use at 3510 Spectrum Court.
	Legal Description	Civic Address	Regulation									
1	Lot 17 Section 14 Township 23 ODYD Plan KAP82802	3510 Spectrum Court	To allow <b>Automotive and minor recreational vehicle sales/rentals</b> as a permitted principal use									

<b>SCHEDULE</b>		<b>A</b>
This forms part of application		
# <b>TA21-0013</b>		
Planner Initials	WM	 City of Kelowna COMMUNITY PLANNING



---

## MEMORANDUM

---

**Date:** June 7, 2021

**File No.:** TA21-0013

**To:** Urban Planning Management (WM)

**From:** Development Engineer Manager (RO)

**Subject:** 3510 Spectrum Ct

Text Amendment

---

The Development Engineering has no comments or requirements regarding this application for a Text Amendment to the CD15 – Airport Business Park Zone to add the permitted use of automotive sales.

All comments and requirements are addressed in Development Engineering memo for DP under file DP16-0300.

---

Ryan O'Sullivan  
Development Engineering Manager

SK



# AUGUST VEHICLE SERVICE FACILITY

PROJECT LEGAL DESCRIPTION:  
LOT 17, SEC/ 14, TOWNSHIP 263, ODYD  
PLAN KAP82802

PROJECT CIVIC ADDRESS:  
3510 SPECTRUM COURT, KELOWNA, BC.

ATTACHMENT

A

This forms part of application  
# TA21-0013

Planner  
Initials

WN

City of  
Kelowna

COMMUNITY PLANNING



1 SITE LOCATION  
NTS



## CONSULTANTS

### ARCHITECT

**BLUEGREEN ARCHITECTURE INC.**  
100 - 1353 Ellis Street  
Kelowna, BC V1Y 1Z9

Contact:  
Wendy Rempel, Architect AIBC,  
P: 236.420.3550  
wrempel@bluegreenarch.com

### LANDSCAPE

**OUTLAND DESIGN  
LANDSCAPE ARCHITECTURE**  
303 - 590 KLO Road,  
Kelowna, BC V1Y 7S2

Contact:  
Fiona Barton  
P: 250.868.9270  
fiona@outlanddesign.ca

## DRAWING LIST

### ARCHITECTURAL DRAWINGS

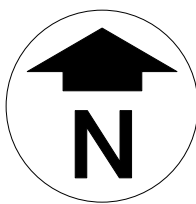
- |       |                                   |
|-------|-----------------------------------|
| A0.00 | COVER / PROJECT INFO              |
| A0.01 | SITE CONTEXT & PHASE 2 RENDERINGS |
| A1.00 | SITE PLAN & ZONING                |
| A2.00 | MAIN FLOOR PLAN                   |
| A2.01 | 2ND FLOOR / MEZZANINE PLAN        |
| A3.00 | BUILDING ELEVATIONS & SIGNAGE     |
| A4.00 | BUILDING SECTIONS & RENDERINGS    |

### LANDSCAPE DRAWINGS

- |     |                                    |
|-----|------------------------------------|
| L-1 | CONCEPTUAL LANDSCAPE PLAN          |
| L-2 | WATER CONSERVATION/IRRIGATION PLAN |



PROJECT LOCATION



2 EXISTING BUILDING - PHASE 1, 3510 SPECTRUM COURT  
SCALE: NTS



3 VIEW LOOKING EAST FROM SPECTRUM COURT  
SCALE: NTS

1 PHOTO / PERSPECTIVE KEY  
SCALE: NTS



4 VIEW LOOKING SOUTHWEST FROM HWY. 97  
SCALE: NTS



5 VIEW LOOKING WEST FROM HWY. 97  
SCALE: NTS



6 VIEW LOOKING WEST FROM HWY. 97  
SCALE: NTS



7 PHASE 2 PERSPECTIVE OF WEST FACE  
SCALE: NTS



8 PHASE 2 PERSPECTIVE OF WEST & SOUTH FACES  
SCALE: NTS



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ARCHITECTURE INC.**  
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P | 250.374.1112 F | 250.374.2279

AUGUST VEHICLE SERVICE FACILITY

SITE CONTEXT & PHASE 2 RENDERINGS

DATE 2021.05.27  
SCALE NTS  
ISSUED FOR DP  
PROJECT 20.833  
A0.01



PROJECT INFORMATION

LEGAL ADDRESS:  
LOT 17, SEC/ 14, Township 263, ODYD  
Plan KAP82802  
CIVIC ADDRESS:  
3510 Spectrum Court, Kelowna, BC.

ZONING INFORMATION

ZONING	CD-15	AIRPORT BUSINESS PARK - Industrial Uses	
	MINIMUM	ACTUAL	
MINIMUM LOT WIDTH	40 m	105.68 m	
MINIMUM LOT DEPTH	35 m	85.87 m	
MINIMUM LOT AREA	4000 sm	10320.9 sm	111,094 SF
TOTAL GROSS FLOOR AREA - Phase 2			
Main Floor			
Service / Wash (Industrial)	11022 sf	1023.9 sm	
Car Club (Commercial)	5978 sf	555.4 sm	
Subtotal Main Floor	17000 sf	1579.3 sm	
2nd Floor			
Office (Industrial)	1105 sf	102.7 sm	
Car Club (Commercial)	2312 sf	214.8 sm	
Subtotal 2nd Floor	3417 sf	317.4 sm	
Mezzanine (Industrial)	510 sf	47.4 sm	
TOTAL	20927 sf	1944.1 sm	
BUILDING AREAS FOR F.A.R. CALCULATIONS			
Net Floor Area - Existing Building	20817.4 sf	1934.0 sm	
Net Floor Area - Phase 2 (New)	20927.0 sf	1944.1 sm	
TOTAL	41744.4 sf	3878.1 sm	

DEVELOPMENT REGULATIONS - INDUSTRIAL				
FLOOR AREA RATIO (FAR)	MAXIMUM	ACTUAL		
Total Net Floor Area / Lot Area	1 : 1.5	0.376		
SETBACKS	MINIMUM	ACTUAL		
FRONT YARD	6 m	6	m	
SIDE YARD WEST (Adj. to commercial or indust.)	0 m	3.25	m	West - Exist. Bldg
SIDE YARD EAST (Adj. to commercial or indust.)	0 m	24.6	m	South - New Bldg.
SIDE YARD (Adj. to Flanking street)	4.5 m	N/A	m	
SETBACK FROM HWY 97 Property Line	7 m	16.98	m	
REAR YARD (Adj. to commercial or industrial)	0 m	3.2	m	North - Exist. Bldg.
REAR YARD (Adj. to other zones)	6 m	n/a	m	
REAR YARD (Adj. to Flanking street)	4.5 m	n/a	m	
BUILDING HEIGHT	MAXIMUM	ACTUAL		
	4 storeys/18m	2 storeys (9.14m)		
LANDSCAPE BUFFERS				
FRONT (Level 2)	3 m	1.5 m	Existing - Phase 1	
REAR YARD (Level 3)	3 m	n/a m	Existing - Phase 1	
FLANKING (Level 2)	3 m	n/a m		
SIDE YARD (Level 3) - West and South	3 m	3 m		
HIGHWAY 97 BUFFER (Level 4)	3 m	3 m		

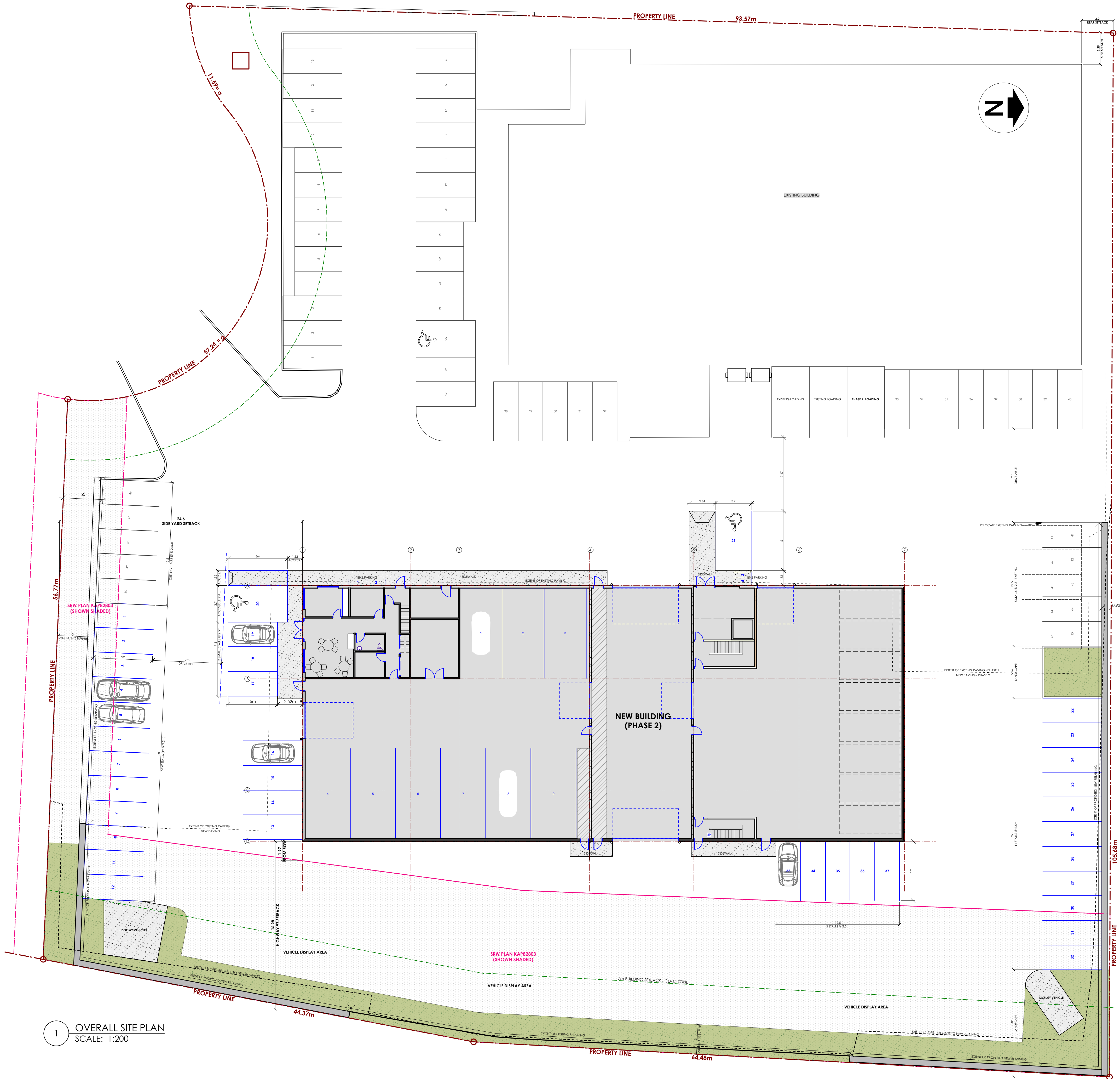
PARKING INFORMATION

PARKING SUMMARY						
	Sq. Ft.	Sq. m				STALLS
						Required Provided
Main Floor						
office	1105	102.65	2.5 STALL	PER	100 sm	2.6
General Industrial	9945	923.89	1 STALL	PER	100 sm	9.2
Showroom/Display	5950	552.76	2.5 STALL	PER	100 sm	13.8
Subtotal	17000					25.6
Mezzanine/2nd Floor						
Car Club	2312	214.78	2.5 STALL	PER	100 sm	5.4
Mezz/Office	1105	102.65	2.5 STALL	PER	100 sm	2.6
Storage	510	47.38	1 STALL	PER	100 sm	0.5
Subtotal	3927.0	364.818				8.4
SUBTOTAL STALLS						34.0
TOTAL STALLS						37

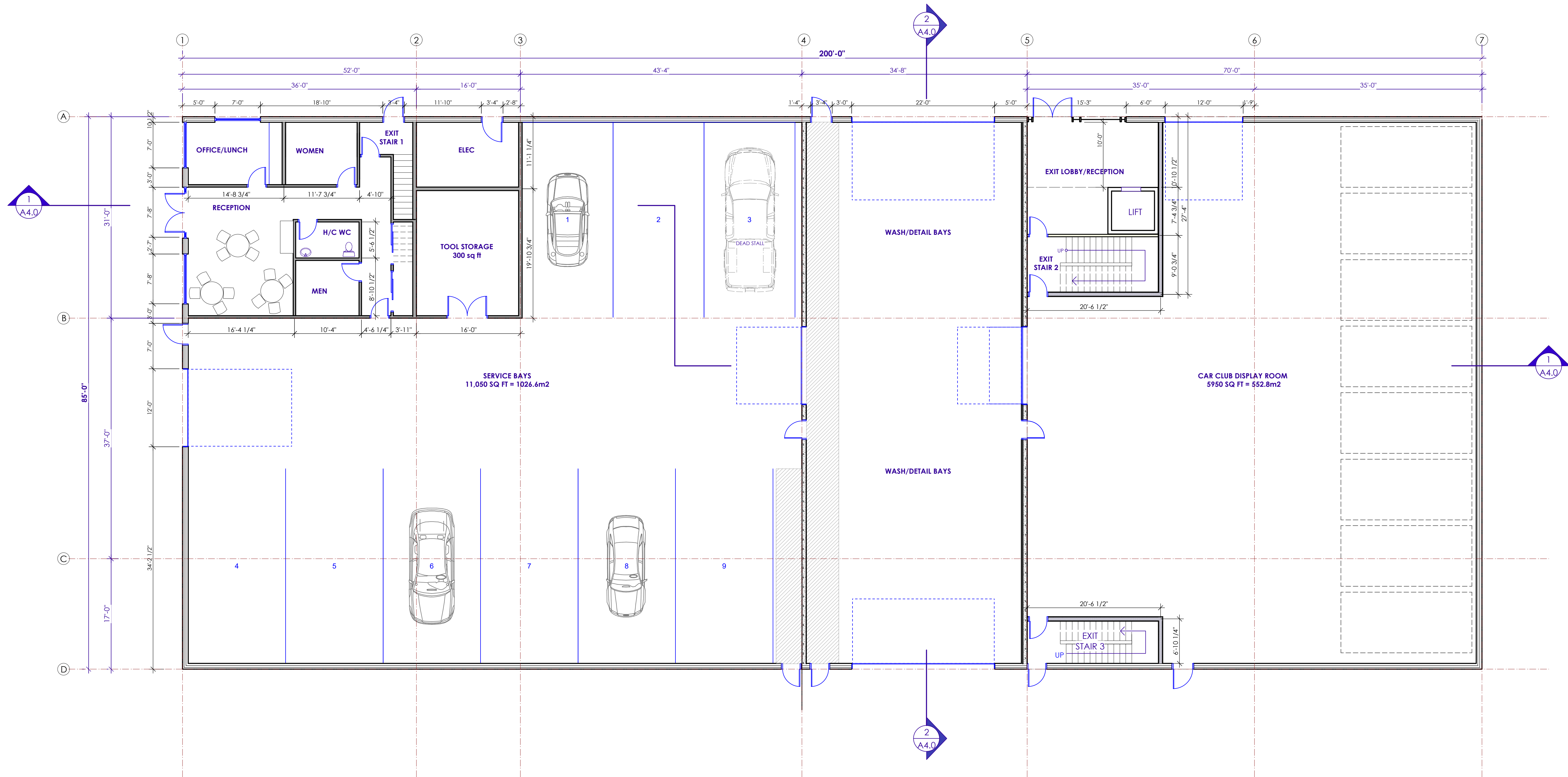
BICYCLE PARKING SUMMARY						
Proposed Bike Parking Calculations						STALLS
GFA (sm)						Required Provided
Industrial						
Long Term Parking	1174.0	@	0.5 STALL	PER	1000 sm	0.6 1
Short-Term Parking		@	0 STALL	PER	500 sm	0.0 0
Commercial						
Long Term Parking (	770.1	@	1 STALL	PER	500 sm	1.5 2
Short-Term Parking		@	2 STALL	PER	Entrances (2)	4.0 4
		OR	1 STALL	PER	750 sm	1.0 n/a

OFF-STREET LOADING SUMMARY					
Phase 2					
GFA (sm)					
Total GFA - Phase 2	1944.12	@	1 STALL	PER	1900 sm
					LOADING STALLS
					Required Provided
					1.02 1

NOTE:  
REFER TO LANDSCAPE PLAN FOR ALL  
LANDSCAPING INFORMATION

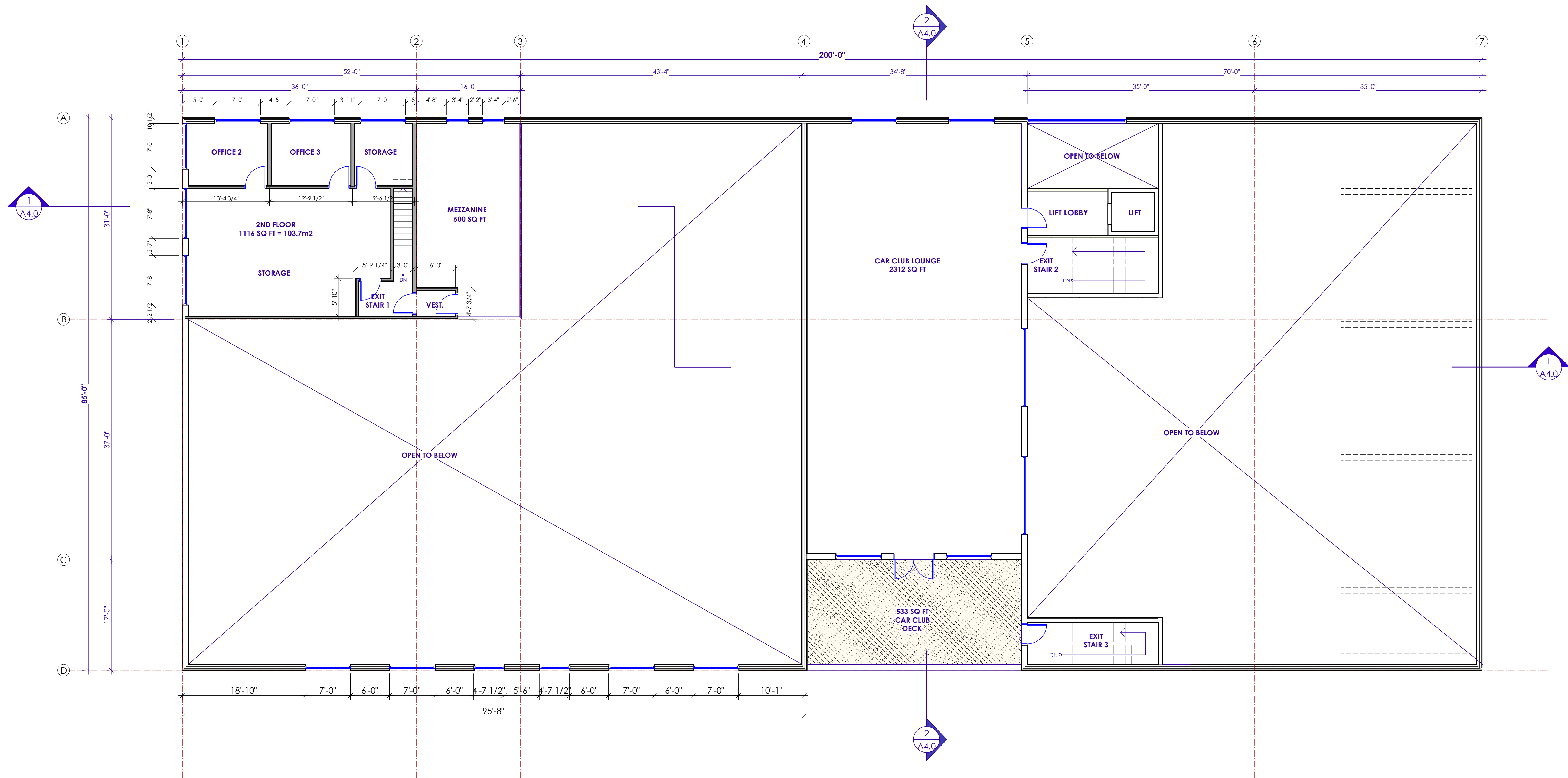


1 OVERALL SITE PLAN  
SCALE: 1:200

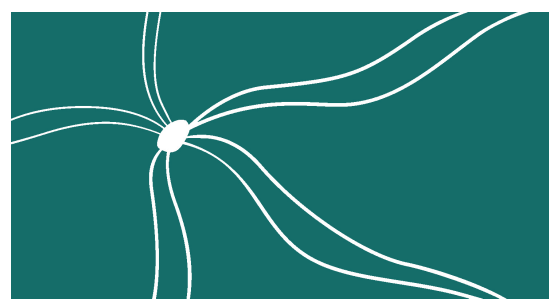


1 MAIN FLOOR PLAN  
SCALE: 1/8" = 1'-0"





1 2ND FLOOR / MEZZANINE PLAN  
SCALE: 1/8" = 1'-0"

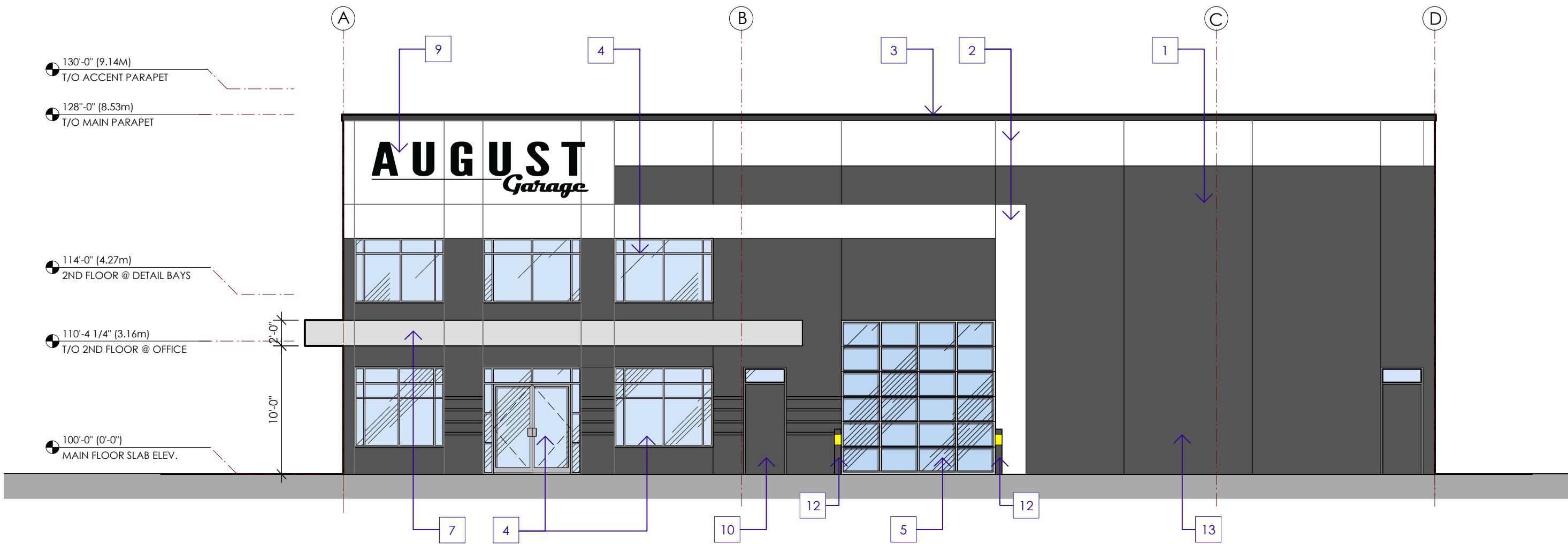


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202 - 110 HWY 33, Kelowna BC, V1X  
1X7  
P | 778.753.2650 F |  
2 - 436 Lorne Street, Kamloops BC, V2C 1W3  
P | 250.374.1112 F | 250.374.2279

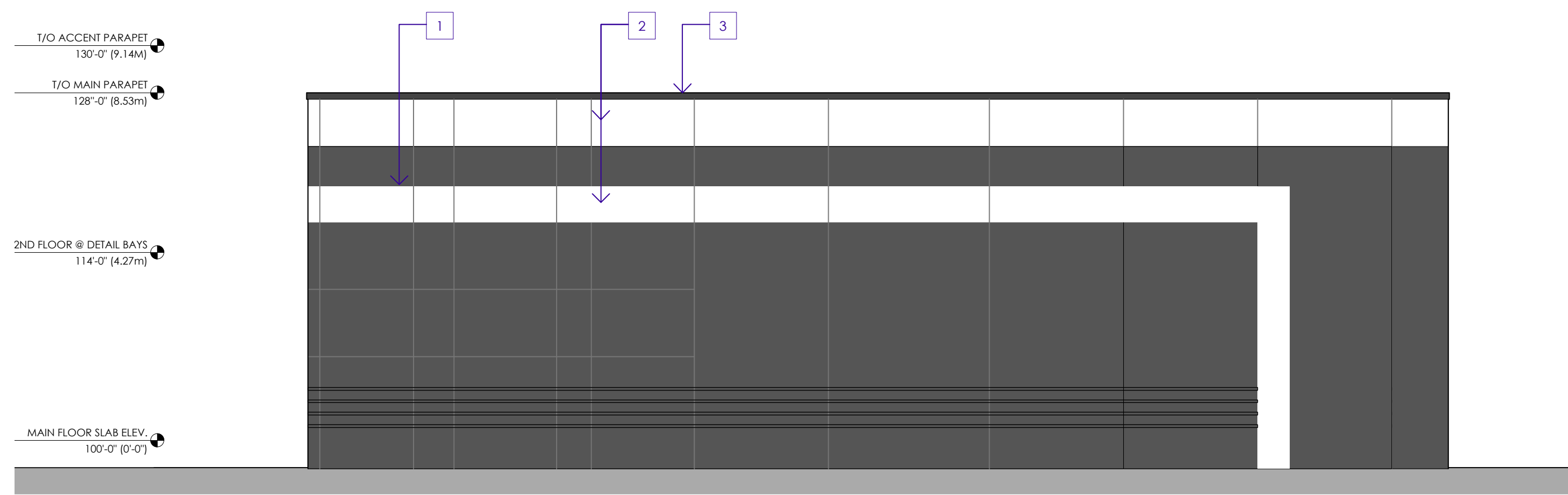
## PROPOSED VEHICLE SERVICE FACILITY

## 2ND FLOOR / MEZZANINE PLAN

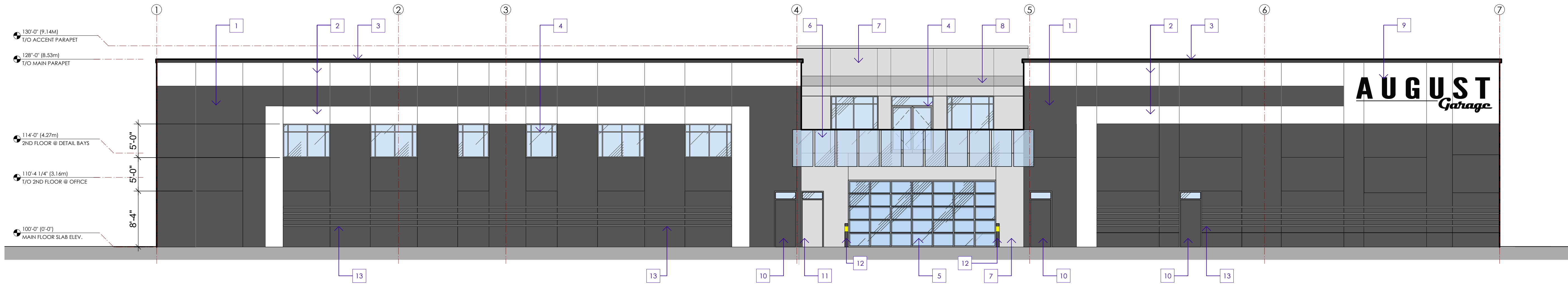
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ISSUED FOR DP  
PROJECT 20.833 A2.01



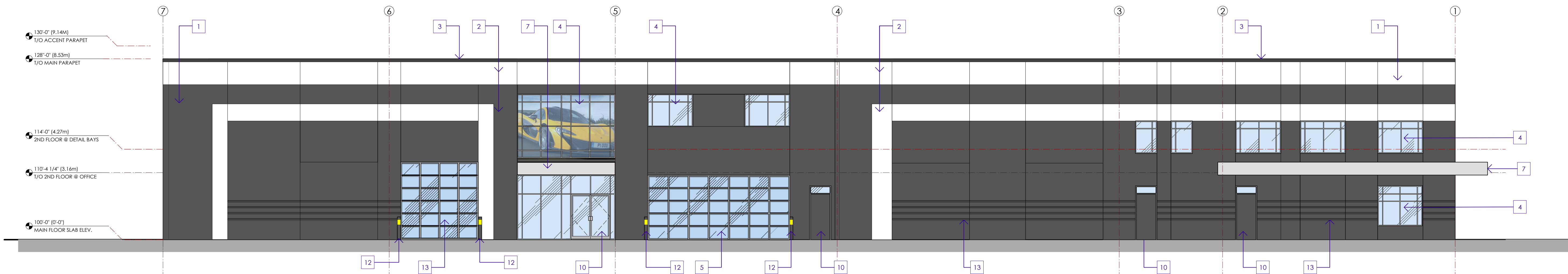
1 SOUTH ELEVATION  
1/8" = 1'-0"



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



3 EAST ELEVATION (HIGHWAY 97)  
1/8" = 1'-0"



4 WEST ELEVATION (HIGHWAY 97)  
1/8" = 1'-0"

EXTERIOR FINISH LEGEND:	
1	MAIN COLOR 1 - PAINTED CONCRETE PANEL COLOR: Benjamin Moore "Black Ash" #0657
2	ACCENT COLOR - PAINTED CONCRETE PANEL COLOR: Benjamin Moore "Brilliant White" #0150
3	PRE-FINISHED METAL FLASHING AT PARAPET CASCADE METALS - MATT BLACK
4	STOREFRONT / CURTAINWALL GLAZING COLOR: CLEAR ANNOXIDIZED ALUMINUM
5	PRE-FINISHED INSULATED O/H DOOR COLOR: GREY/SILVER W/ GLAZING PANELS
6	GLASS GUARD CLEAR GLASS
7	METAL PANEL WALL / METAL CANOPY COL: BRILLIANT SILVER METALLIC
8	ACCENT METAL PANEL WALL / METAL CANOPY COL: ANTHRACITE SILVER METALLIC
9	PAINTED SIGNAGE - REFER TO SIGNAGE PERMIT INFORMATION - A3.00
10	PAINTED STEEL MAIN DOOR AND FRAME COLOR: Benjamin Moore "Black Ash" #0657
11	PAINTED STEEL MAIN DOOR AND FRAME COLOR TO MATCH METAL PANEL - ITEM 7
12	PAINTED STEEL BOLLARD
13	CONCRETE REVEALS

#### WALL SIGN - PERMIT INFORMATION



**WALL SIGN - EAST FRONTAGE:**  
PER SIGN BYLAW 11530  
ALLOWABLE AREA: 1sq.m / 1lin. m OF FRONTAGE  
ACTUAL LIN. m OF FRONTAGE: 61m (200ft.)  
ALLOWABLE WALL SIGN AREA: 61 sq.m  
ACTUAL WALL SIGN AREA: 11.7 sq.m

**WALL SIGN - SOUTH FRONTAGE:**  
PER SIGN BYLAW 11530  
ALLOWABLE AREA: 1sq.m / 1lin. m OF FRONTAGE  
ACTUAL LIN. m OF FRONTAGE: 25.9m (85ft.)  
ALLOWABLE WALL SIGN AREA: 25.9 sq.m  
ACTUAL WALL SIGN AREA: 11.7 sq. m



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AUGUST VEHICLE SERVICE FACILITY

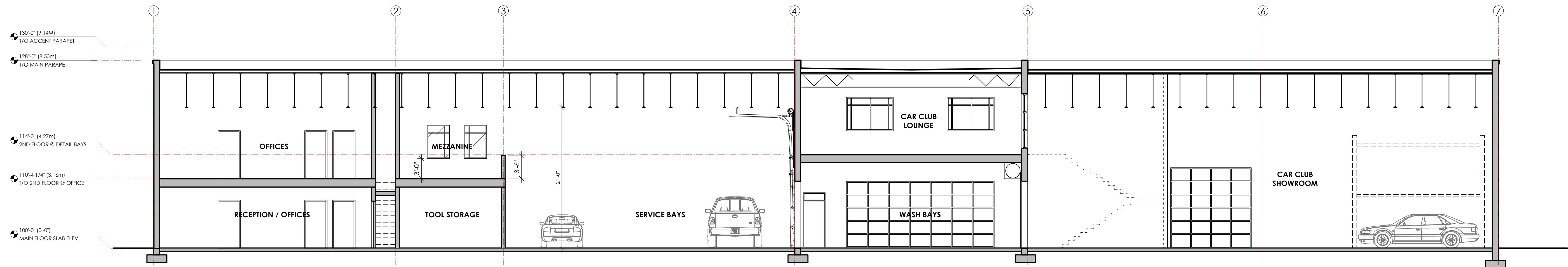
BUILDING ELEVATIONS & SIGN PERMIT

DATE 2021.05.27  
SCALE 1/8" = 1'-0"  
ISSUED FOR DP

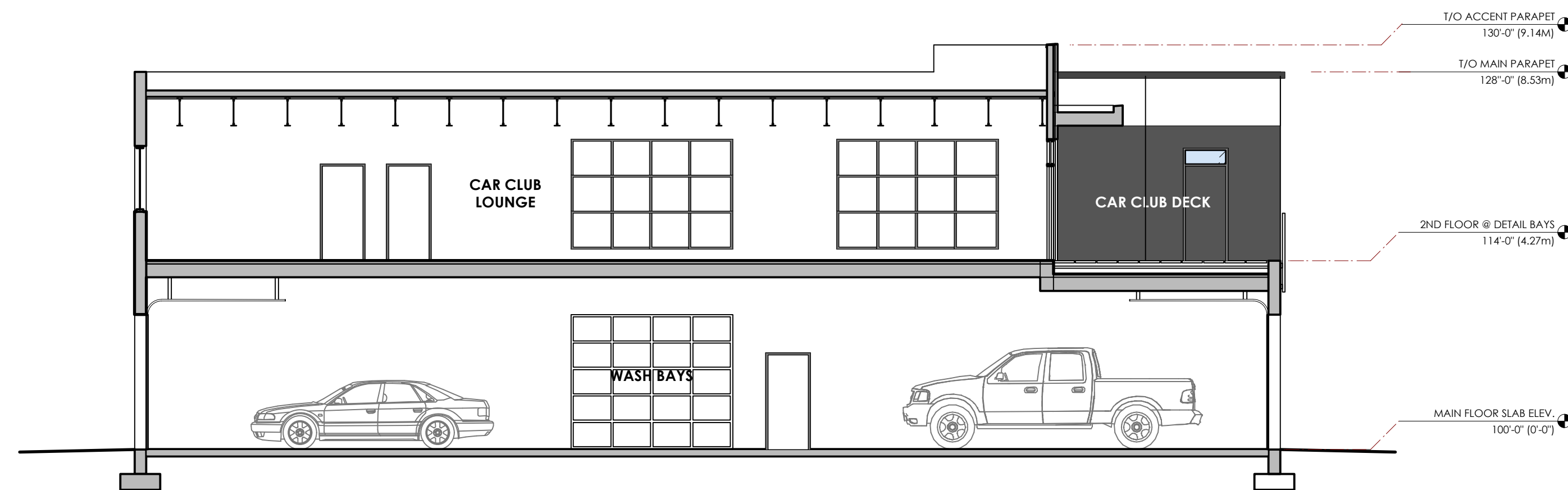
PROJECT 20.833

A3.00





1 BUILDING SECTION  
A2.00  
1/8" = 1'-0"



2 BUILDING SECTION  
A2.00  
1/8" = 1'-0"



3 PHASE 2 PERSPECTIVE EAST/NORTH FACES  
A0.0  
SCALE: NTS



4 PHASE 2 PERSPECTIVE SERVICE ENTRY (SW CORNER)  
A0.0  
SCALE: NTS



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AUGUST VEHICLE SERVICE FACILITY

BUILDING SECTIONS & RENDERINGS

DATE 2021.05.27  
SCALE 1/8" = 1'-0"  
ISSUED FOR DP  
PROJECT 20.833

A4.00





# TA21-0013

# 3510 Spectrum Court

Text Amendment Application

# Proposal

- ▶ To consider a Text Amendment application to CD15 – Airport Business Park Zone, for 3510 Spectrum Court to add the permitted use of automotive and minor recreational vehicle sales/rental.



# Development Process

June 4, 2021

Development Application Submitted

Staff Review & Circulation

Aug 18, 2021

Public Notification Received

Oct 18, 2021

Initial Consideration

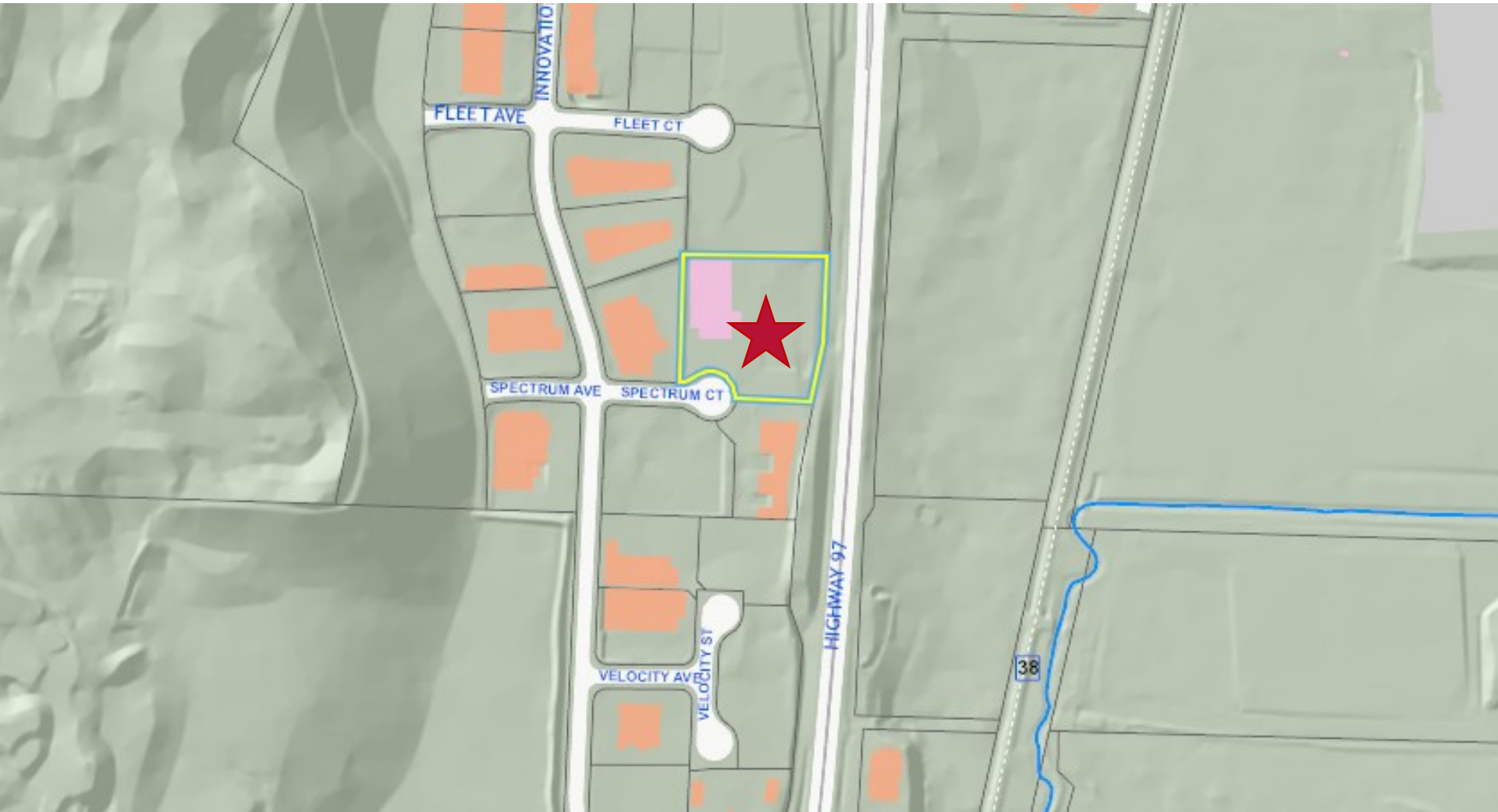
Public Hearing  
Second & Third Readings

Final Reading

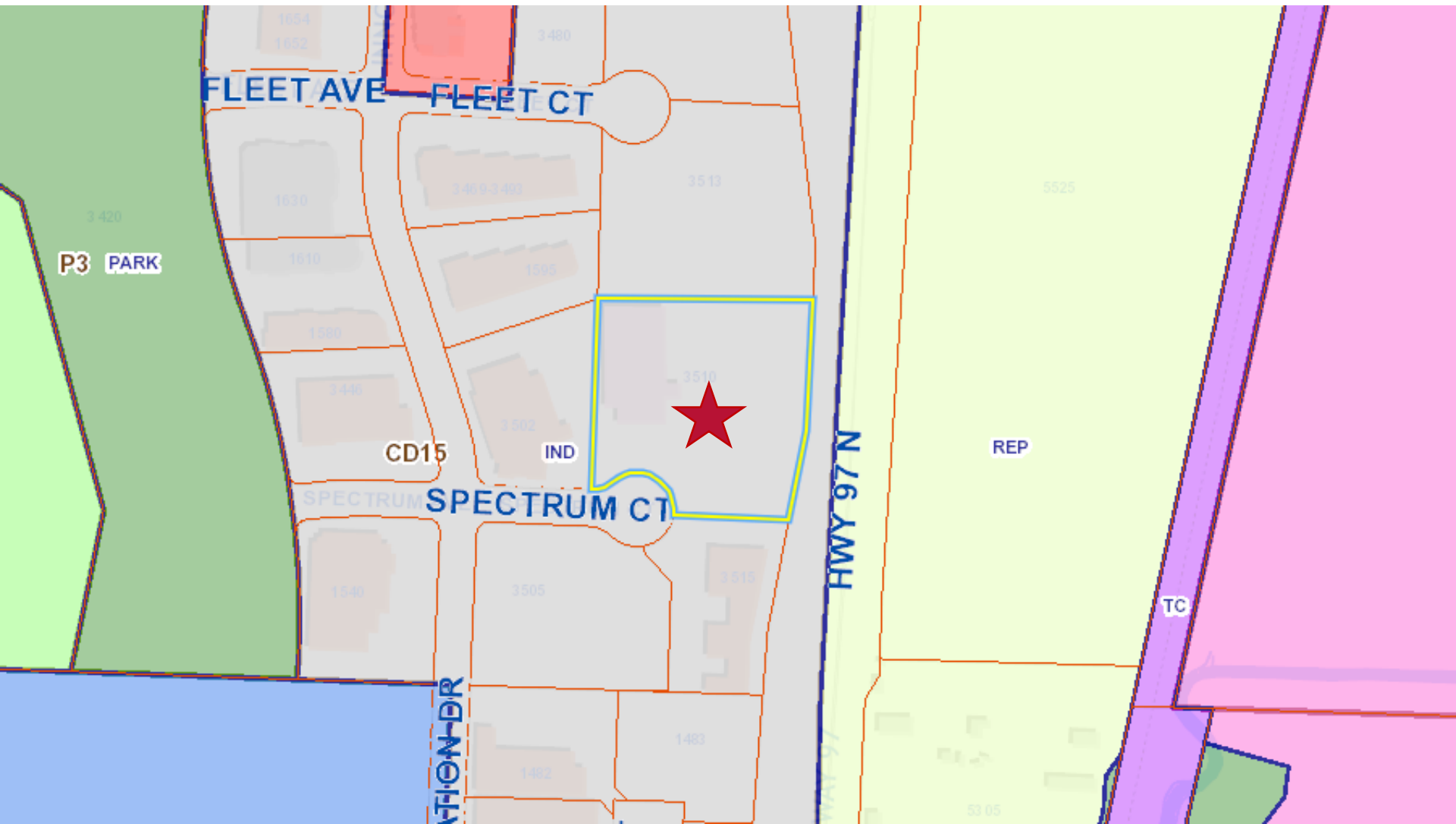
Development Permit and  
Building Permit

Council  
Approvals

# Context Map



# OCP Future Land Use / Zoning



# Subject Property Map



# Project Details

- ▶ The proposed amendments will allow for automotive sales and a proposed vehicle service building.
- ▶ The building will have 15 service bays, detail/wash bays, interior display/showroom, and a lounge/club facility. The proposed building is two storeys, with a gross floor area of just over 20,000 ft<sup>2</sup>.
- ▶ No Variances proposed at this time.



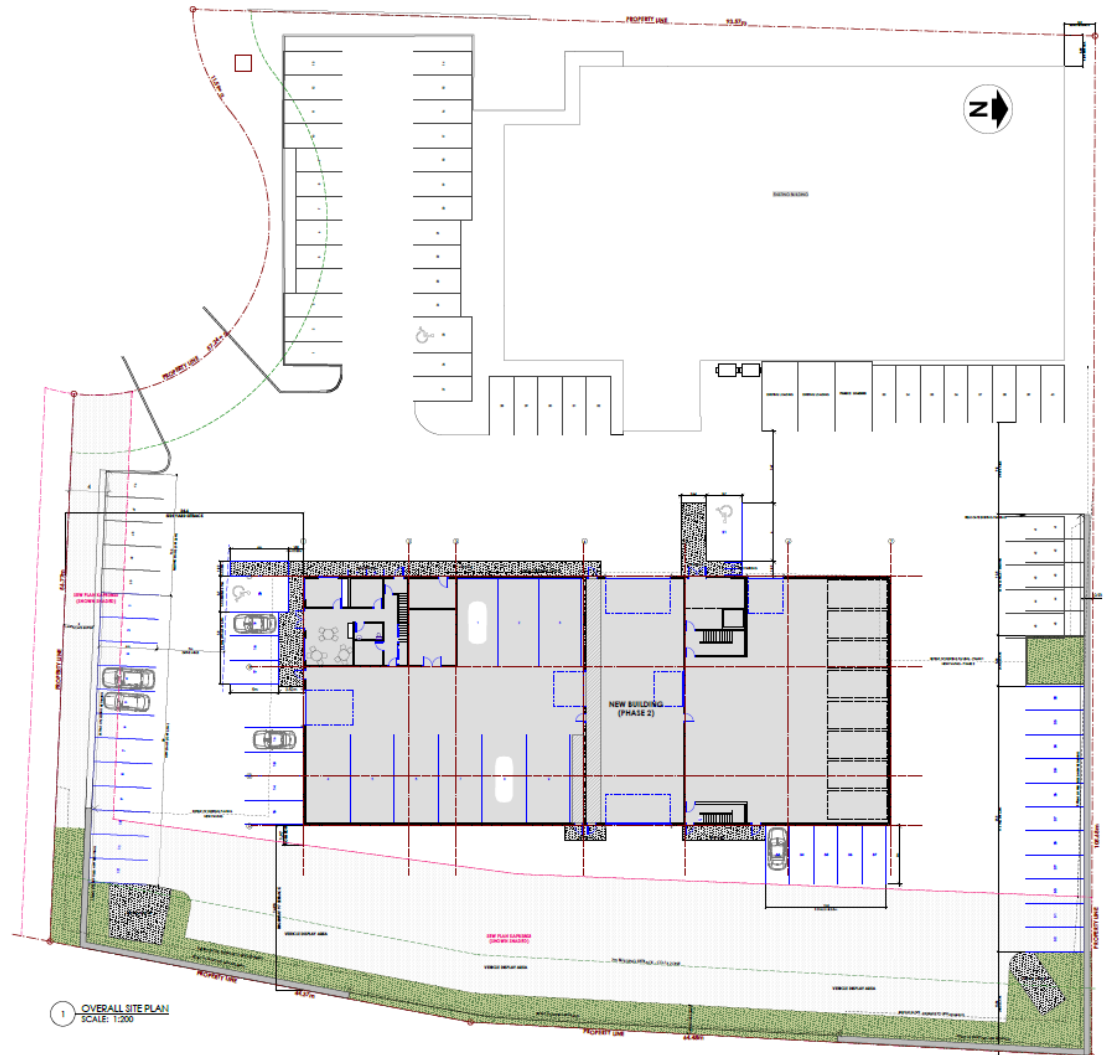
# Conceptual Site Plan and Building



3 PHASE 2 PERSPECTIVE EAST/NORTH FACADE  
SCALE: NTS



4 PHASE 2 PERSPECTIVE SERVICE ENTRY (SW CORNER)  
SCALE: NTS



1 OVERALL SITE PLAN  
SCALE: 1:500

## Objective 5.2 Develop 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 issues 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 Text Amendment application
  - ▶ Compatible with the adjacent land uses
  - ▶ Considered less intensive than traditional car lots



## *Conclusion of Staff Remarks*



AUGUST FAMILY  
FOUNDATION  
ACHIEVING THE IMPOSSIBLE



# 3510 Spectrum

APPLICANT:



INNOCEPT  
developments.



# Site Location Overview



- NE Corner of Innovation Dr & Spectrum Ct
- Across the Kelowna Airport on Highway 97
- August Motorcars purchased the site and existing warehouse December 2020.
- Site was originally developed for Eagle Creek Studios, a sound stage, and the Development Permit included the planning, services, and layout for a Phase II building which is now being proposed.

# Proposed Development



4 PHASE 2 PERSPECTIVE SERVICE ENTRY (SW CORNER)



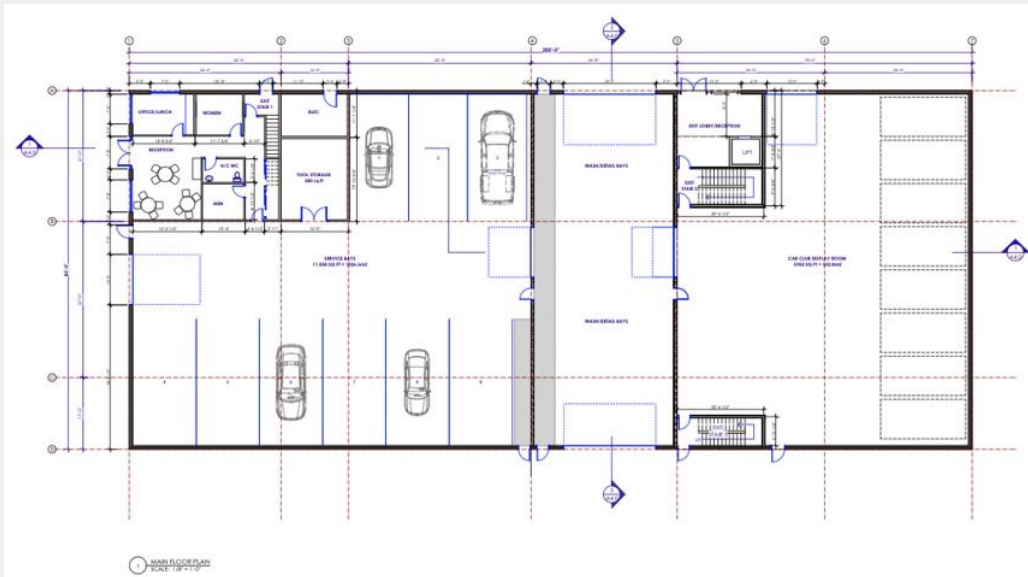
3 PHASE 2 PERSPECTIVE EAST/NORTH FACES  
SCALE: NTS

- Proposing a 15 service bay, detail/wash bay, interior display showroom, and a lounge/club facility located within a modern and low impact space that fits within the neighbourhood.
- No variances required.
- Text amendment required to permit automotive sales and vehicle servicing.

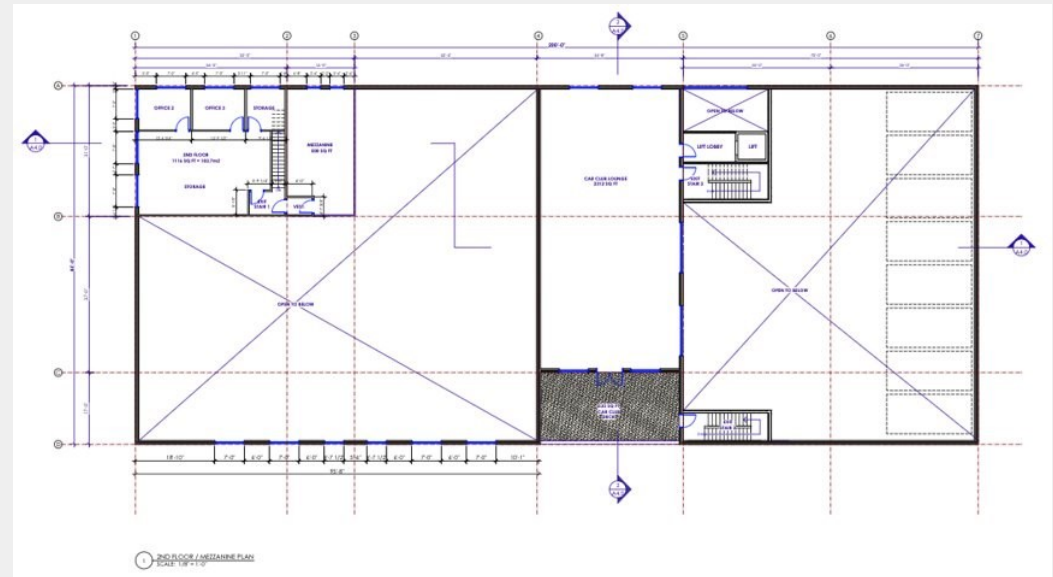
# Proposed Development



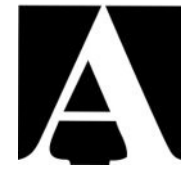
- New Proposed Two Storey Service Garage
- Office Space
- 15 Service Bays
- Interior Display Showroom



- Compatible with the adjacent land uses
- Fulfills the original development plan for the property
- Not a traditional automotive sales car lot







AUGUST FAMILY  
FOUNDATION  
ACHIEVING THE IMPOSSIBLE



# Thank you!

Comments & Questions

AUGUST  
LUXURY MOTORCARS

**CITY OF KELOWNA**  
**BYLAW NO. 12284**  
**TA21-0013**  
**3510 Spectrum Court**

---

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 **Section 18 – Schedule 'B' - Comprehensive Development Zones, CD15 – Airport Business Park** be amended by adding in its appropriate location the following:

**"1.9 Site Specific Uses and Regulations**

Uses and regulations apply to the CD15 – Airport Business Park on a site-specific basis as follows:

	<b>Legal Description</b>	<b>Civic Address</b>	<b>Regulation</b>
	Lot 17 Section 14 Township 23 ODYD Plan KAP82802	3510 Spectrum Court	To allow <b>Automotive and minor recreational vehicle sales/rentals</b> as a permitted principal use

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 18<sup>th</sup> day of October, 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:** October 18, 2021

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** Z21-0061

**Owner:** City of Kelowna

**Address:** 350 Doyle Avenue

**Applicant:** Zeidler Architecture

**Subject:** Rezoning Application

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

**Existing Zone:** P1 – Major Institutional

**Proposed Zone:** C7r – Central Business Commercial (Residential Rental Tenure Only)

---

## 1.0 Recommendation

THAT Rezoning Application No. Z21-0061 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot C District Lot 139 Osoyoos Division Yale District Plan EPP95954, located at 350 Doyle Avenue, Kelowna, BC from the P1 – Major Institutional zone to the C7r – Central Business Commercial (Residential Rental Tenure Only) 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 October 18, 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 the subject property from the P1 – Major Institutional zone to the C7r – Central Business Commercial (Residential Rental Tenure Only) zone to facilitate a mixed-use rental development.

## 3.0 Development Planning

Development Planning recommends support for the application to rezone the property from the P1 – Major Institutional zone to the C7r – Central Business Commercial (Residential Rental Tenure Only) zone. This rezoning application is consistent with the Future Land Use for the property in the 2030 Official Community Plan of MXR – Mixed Use (Residential / Commercial) as well as development policies, including Compact Urban Form, Contain Urban Growth and Complete Communities.

The redevelopment of this property, colloquially known as the old Royal Canadian Mounted Police site, is the primary focus area of the near-term plan within the Civic Precinct Plan. The rezoning application to the C7r – Central Business Commercial (Residential Rental Only Tenure) zone is supported by this plan, which envisioned a mixed-use re-development of six to 13 storeys and encouraged the inclusion of residential units.

The proposal triggered the need for a Traffic Impact Assessment (TIA) which has been completed and approved by the Ministry of Transportation. Due to the proposal's size and location, no major requirements have been identified in relation to the operations of Hwy 97. A full list of engineering and infrastructure requirements are listed in Schedule A which include the following key off-site requirements:

- i. Upgrade of Doyle Avenue to a full urban standard along the frontage of the property and a portion of 460 Doyle Ave including removal of the existing crosswalk and installation of a new crosswalk aligned with the Art Walk.
- ii. Design and construction of the Art Walk between Doyle Ave to the extents of the existing portion north of Smith Avenue.
- iii. Dedication and improvements to the north-south laneway fronting the development to the east. All vehicle access is to be provided from this laneway.

Should Council support the rezoning application for 350 Doyle Avenue, a Development Permit and Development Variance Permit would also be required, prior to any building permits being issued.

## 4.0 Proposal

### 4.1 Background

The subject property was formerly occupied by the Royal Canadian Mounted Police Detachment. This building was demolished in late 2018 and has been vacant since. In 2020, as part of a lease agreement, RISE Commercial Developments was selected to lease the property for a 13-storey mixed-use development.

### 4.2 Project Description

The proposal includes a mixed-use development, with both ground and second-floor commercial units and storeys three through 13 are dedicated residential rental units. The development project includes 6,000 ft<sup>2</sup> of public amenity space (the Creative Hub), contributing to key elements of the Civic Precinct Plan. The existing Art Walk would also be extended south to Doyle Avenue and be fronted with ground-oriented retail units.

This rezoning proposal also includes the Residential Rental Only Tenure subzone, guaranteeing long-term residential rental units within the City Centre Urban Centre.

#### 4.3 Site Context

The property is located on the north side of Doyle Avenue, between Water Street and Ellis Street. It is within an area known as the Civic Precinct, as well as in the City Centre Urban Centre. The Walk Score is 95, indicating that daily errands do not require a car.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C7 – Central Business Commercial	Art Walk, Library Parkade
East	C7 – Central Business Commercial	Okanagan Regional Library
South	P1 – Major Institutional	Memorial Arena, City Hall, Kasugai Gardens, Memorial Parkade & Kelowna Museums
West	P1 – Major Institutional	Kelowna Community Theatre

#### Subject Property Map: 350 Doyle Avenue



#### 5.0 Current Development Policies

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

##### Chapter 1: Introduction

##### *Goals for a Sustainable Future:*

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

## Chapter 4: Future Land Use

### *Land Use Designation Definitions*

#### Mixed Use (Residential / Commercial) (MXR)

Developments that provide for commercial floor space on the ground floor or above, with additional potential for residential units above the ground floor.

For Urban Centres other than the City Centre, building densities should decrease as the distance from the core of the Urban Centre increases. Other relevant policies include Policy 5.5.1 Building Height and Chapter 17 – Urban Centre definition. Maximum density at the centre of the core would be consistent with zoning as follows: City Centre – C7 zone; Rutland – C7 zone; Pandosy – C4 zone; Midtown – C6 zone; Capri/Landmark – C4 zone.

## Chapter 5: Development Process

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

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

#### 5.2 Civic Precinct Plan

##### Vision & Principles

Principle # 1 – Encourage vibrancy through a broad mix of land uses and public spaces

Principle #3 – Restrict market residential developments

Principle #6 – Use public land for community amenities

#### 5.3 Healthy Housing Strategy

##### Key Directions from the 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.

## **6.0 Technical Comments**

### 6.1 Development Engineering Department

See Schedule A – City of Kelowna Memorandum

## 7.0 Application Chronology

Date of Application Accepted: June 4, 2021  
Date Neighbour Notification Completed: June 25, 2021  
Dates of Public Information Session: July 10-18, 2021

**Report prepared by:** Kimberly Brunet, Planner II  
**Reviewed by:** Jocelyn Black, Urban Planning Manager  
**Reviewed by:** Terry Barton, Development Planning Department Manager  
**Approved for Inclusion:** Ryan Smith, Divisional Director, Planning & Development Services

### Attachments:

Schedule A: City of Kelowna Memorandum

Attachment A: Draft Site Plan

Attachment B: Conceptual Renderings



## CITY OF KELOWNA

# MEMORANDUM

---

**Date:** July 6, 2021  
**File No.:** Z21-0061  
**To:** Planning and Development Officer (KB)  
**From:** Development Engineering Manager (RO)  
**Subject:** 350 Doyle Ave P1 to C7R

---

The Development Engineering Branch has the following comments and requirements associated with this application to rezone the subject property from the P1 – Major Institutional zone to the C7r – Central Business Commercial (Residential Rental Tenure Only) zone.

### 1. GENERAL

- a. 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.
- b. This proposed development may require the installation of centralized mail delivery equipment. Please contact Arif Bhatia, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC, V1Y 2K0, (250) 859-0198, arif.bhatia@canadapost.ca to obtain further information and to determine suitable location(s) within the development.
- c. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.
- d. The proposed Development triggers a Traffic Impact Assessment (TIA). Prior to initiation of the TIA, Terms of Reference (TOR) must be established. The applicant's consulting transportation engineer shall contact the Development Engineering Technician for this development who, in collaboration with the City's Integrated Transportation Department, will determine the terms of reference for the study. Recommendations from the Traffic Impact Analysis (TIA) will become requirements of this development.
- e. These Development Engineering comments/requirements are subject to the review and requirements from the Ministry of Transportation and Infrastructure (MoTI).

### 2. DOMESTIC WATER AND FIRE PROTECTION

- a. The subject lot is located within the City of Kelowna water supply area. The existing lots does not currently have a water service. Only one service will be permitted per legal lot.

- b. The Developer's Consulting Engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The bylaw requirement for this development is 150 L/s. If it is determined that upgrades to any existing water distribution system must be made to achieve the required fire flows, additional bonding will be required.
- c. An approved backflow protection device must also be installed on site as required by the City Plumbing Regulation and Water Regulation bylaws.
- d. All fire flow calculations are to be shared with the Development Engineering Branch upon submittal of off-site civil engineering drawings.
- e. A Water meter is mandatory for this development and must be installed inside a building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The Developer or Building Contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department and prepare the meter setter at their cost.

### **3. SANITARY SEWER SYSTEM**

- a. Our records indicate that the subject lot is currently with serviced with one 100-mm and one 150-mm diameter sanitary sewer service. The Applicant's Consulting Mechanical Engineer will determine the requirements of the proposed development and establish the service needs.
- b. Only one service will be permitted for this development, the applicant will arrange for the removal and disconnection of the existing services and the installation of one new larger service at the applicants cost.
- c. If one of the existing service connections are to be utilized it must be completed with an inspection chamber (c/w Brooks Box) as per SS-S7 & SS-S9.
- d. Connection of new sanitary service to AC sewer main within Doyle Ave must adhere to WorkSafe BC approved procedures. Overbuild manhole will not be permitted.

### **4. STORM DRAINAGE**

- a. The property is located within the City of Kelowna drainage service area. 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.
- 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.

## 5. **ROAD IMPROVEMENTS**

- a. Doyle Ave must be upgraded to a full urban standard (modified SS-R6) along the full frontage of the subject property, 1375 Doyle Ave, and a portion of 460 Doyle Ave including; removal of crosswalk fronting 460 Doyle Ave and installation of new crosswalk at location to be provided by Development Technician at time of detailed design, curb and gutter, sidewalk, LED street lighting, landscaped and irrigated boulevard, storm drainage system, pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. Road cross section will be provided to consulting engineer, upon request, at time of detailed offsite design.
- b. Design and construction of the Artwalk for the entire area between Doyle Ave to the the extents of the existing portion north of Smith Ave will be a requirement of this development. Artwalk design requires approval by the City at the same time as other “issued for construction” drawings.
- c. North-south lane fronting this development to the east must be upgraded to a SS-R2 commercial lane standard including; road fillet paving, storm drainage, and relocation or adjustment of existing utility appurtenances if required to accommodate the upgrading construction.
- d. All Landscape and Irrigation plans require design and inspection by a Qualified Professional registered with the BCSLA and the IIABC, are to be included as a line item in the estimate for the Servicing Agreement performance security. Landscape and irrigation plans require approval by the Development Engineering Branch at the same time as other “issued for construction” drawings.

- e. Streetlights must be installed on all public roads. All streetlighting plans are to include photometric calculations demonstrating Bylaw 7900 requirements are met and approval by the Development Engineering Branch at the same time as other “issued for construction” drawings.

## **6. POWER AND TELECOMMUNICATION SERVICES**

- a. All proposed distribution and service connections are to be installed underground. It is the developer’s responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant’s cost.
- b. If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City’s Development Manager.
- c. Re-locate existing poles and utilities, where necessary including within lanes. Remove aerial trespass(es).

## **7. GEOTECHNICAL STUDY**

- a. Provide a comprehensive geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: The City is relying on the Geotechnical Engineer’s report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.**
- b. The Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.
  - i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
  - ii. Site suitability for development.
  - iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
  - iv. Any special requirements for construction of roads, utilities, and building structures.
  - v. Recommendations for items that should be included in a Restrictive Covenant.
  - vi. Recommendations for roof drains and perimeter drains.
  - vii. Recommendations for erosion and sedimentation controls for water and wind.
  - viii. 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.
- e. Any exposed natural rock surface on a lot that has the potential for materials to displace causing a hazardous condition, must be reviewed by a qualified professional engineer with the appropriate and measures undertaken as prescribed by the engineer. For adequate Rockfall Protection adjacent to walls and rock cuts, please consider BC MoTI Supplement to TAC Geometric Design Guide 440, page 440-8, which outlines a ditch bottom width depending on wall height. Sidewalks and utilities should be kept out of this protection area. Additional ROW may be required.

Where walls are on the high side, the City's preference is that the walls remain setback and on private property. Where the walls hold up a public road, the City's preference is that additional dedication be provided, and the walls be owned by the City. Please design any geogrids or tie-backs so that they do not encroach into the required road ROW.

## **8. ROAD DEDICATION/SUBDIVISION REQUIREMENTS**

- a. A dedication of approximately 0.86 m along a portion of the east property line, from the southeast lot corner extending 32.5m north, of the subject lot is required to achieve a future 7.6 m commercial laneway.
- b. No driveway access will be permitted to Doyle Ave. All vehicular access to the development site is to be provided from the lane.
- c. Indicate on the site, the locations of loading bays as well as the garbage and recycle bins. Provide turning movements for a MSU vehicle to confirm manoeuvrability on site and within lane.
- d. Perimeter access must comply with the BC Building Code. Fire Truck access designs and proposed hydrant locations will be reviewed by the Fire Protection Officer.

## **9. DESIGN AND CONSTRUCTION**

- a. Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is



subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.

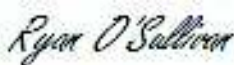
- b. Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c. Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development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

#### **10. SERVICING AGREEMENT FOR WORKS AND SERVICES**

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

#### **11. CHARGES AND FEES**

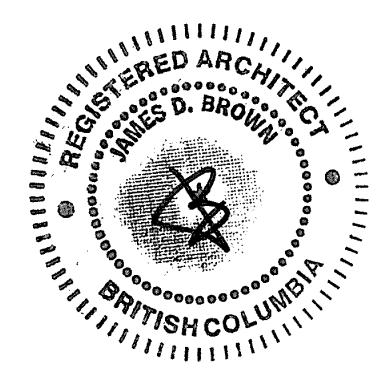
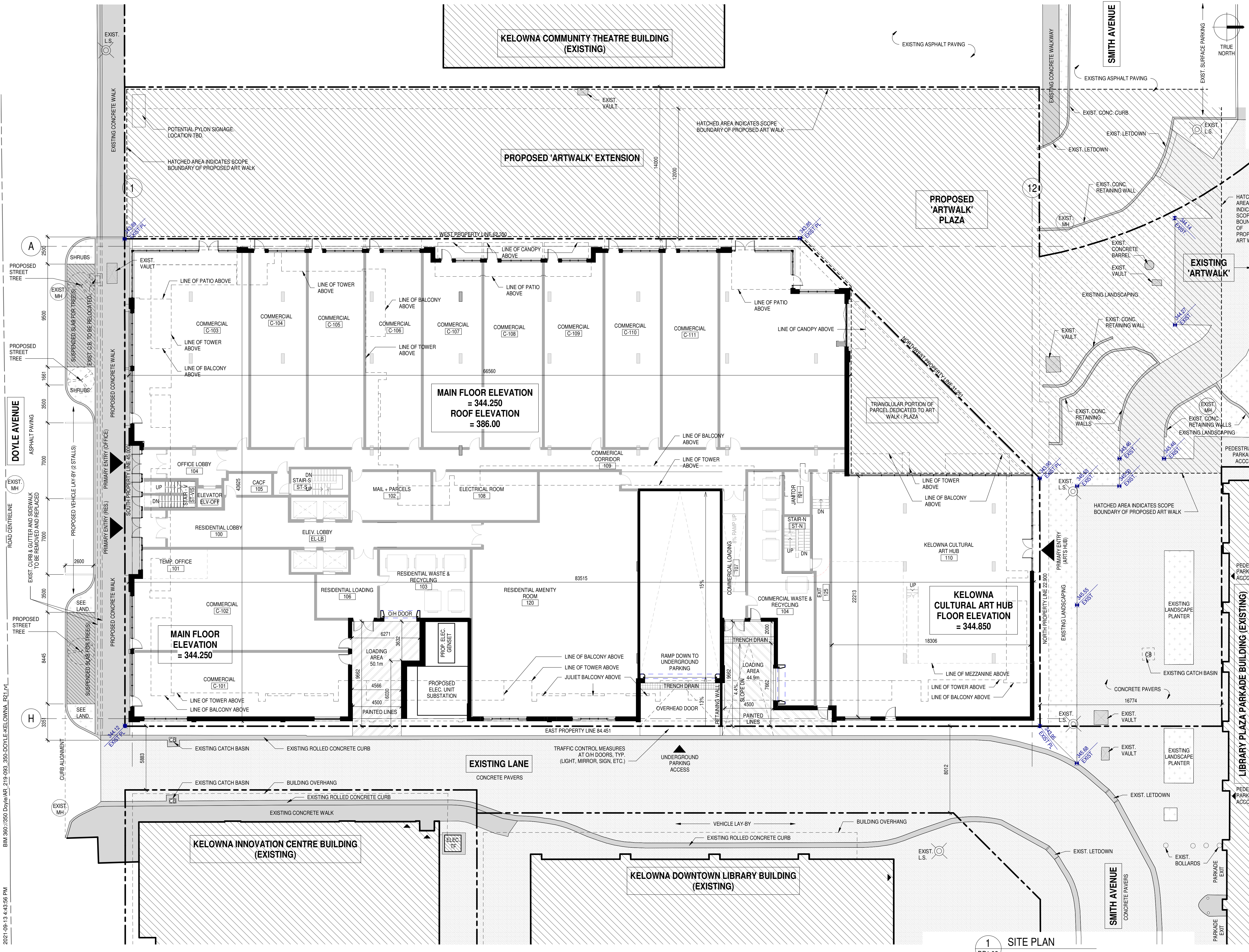
- a. Development Cost Charges (DCC's) are payable.
- b. Fees per the "Development Application Fees Bylaw" include:
  - i. Street Marking/Traffic Sign Fees: at cost (to be determined after detailed design completed).
  - ii. Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.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




Ryan O'Sullivan  
Development Engineering Manager

SK





**ATTACHMENT A**  
This forms part of application  
# Z21-0061  
Planner Initials KB  
 **City of Kelowna**  
DEVELOPMENT PLANNING

2	ISSUED FOR REZONING+DP+DVP - REV.1	2021-09-12
1	ISSUED FOR REZONING+DP+DVP	2021-06-01
NO.	ISSUE/ REVISION	DATE

NOT FOR CONSTRUCTION

PROJECT  
**350 DOYLE**

PROJECT ADDRESS  
350 DOYLE AVENUE  
KELOWNA, BRITISH COLUMBIA V1Y 6V7

TITLE  
**SITE PLAN**

PROJECT NO.	DRAWN	CHECKED
219-093	Author	Checker

DRAWING NO.	REVISION NO.
-------------	--------------

**DP1.02**

BIM 360://350 Doyle/AR\_219-093\_350-DOYLE-KELOWNA\_R2.LVT  
2021-09-13 4:43:56 PM





NORTHWEST BIRDS EYE



SOUTHWEST PERSPECTIVE



ARTWALK EXTENSION NORTHWEST STREET PERSPECTIVE



DOYLE AVENUE SOUTHEAST PERSPECTIVE



DOYLE AVENUE SOUTH PERSPECTIVE



DOYLE AVENUE SOUTHWEST PERSPECTIVE

RENDERED IMAGES ARE FOR VISUALIZATION PURPOSES ONLY AND MAY NOT DEPICT FINAL CONSTRUCTED RESULT.

**Zeidler Architecture**

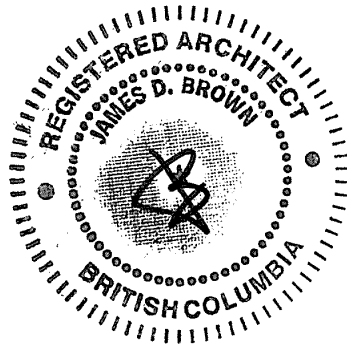
300, 640 – 8 Avenue SW  
Calgary, Alberta T2P 1G7  
T 403 233 2525 | zeidler.com



NOTE

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ATTACHMENT

B

This forms part of application

# Z21-0061

Planner Initials KB

  
City of Kelowna  
DEVELOPMENT PLANNING

1	ISSUED FOR REZONING+DP+DVP - REV.1	2021-09-12
NO.	ISSUE/ REVISION	DATE

NOT FOR CONSTRUCTION

PROJECT

**350 DOYLE**

PROJECT ADDRESS

350 DOYLE AVENUE  
KELOWNA, BRITISH COLUMBIA V1Y 6V7

TITLE

**EXTERIOR RENDERINGS (CONCEPTUAL)**

PROJECT NO.	DRAWN	CHECKED
219-093	Author	Checker

DRAWING NO.	REVISION NO.
-------------	--------------

**DP3.04**







# Z21-0061

# 350 Doyle Avenue

## Rezoning Application



# Proposal

- ▶ To rezone the subject property from P1 – Major Institutional to C7r – Central Business Commercial (Residential Rental Only Tenure) to facilitate a mixed-use rental development.



# Development Process

June 4, 2021

Development Application Accepted

Staff Review & Circulation

June 25, 2021

Public Notification Received

July 10-18, 2021

Public Information Session

Oct 18, 2021

Initial Consideration

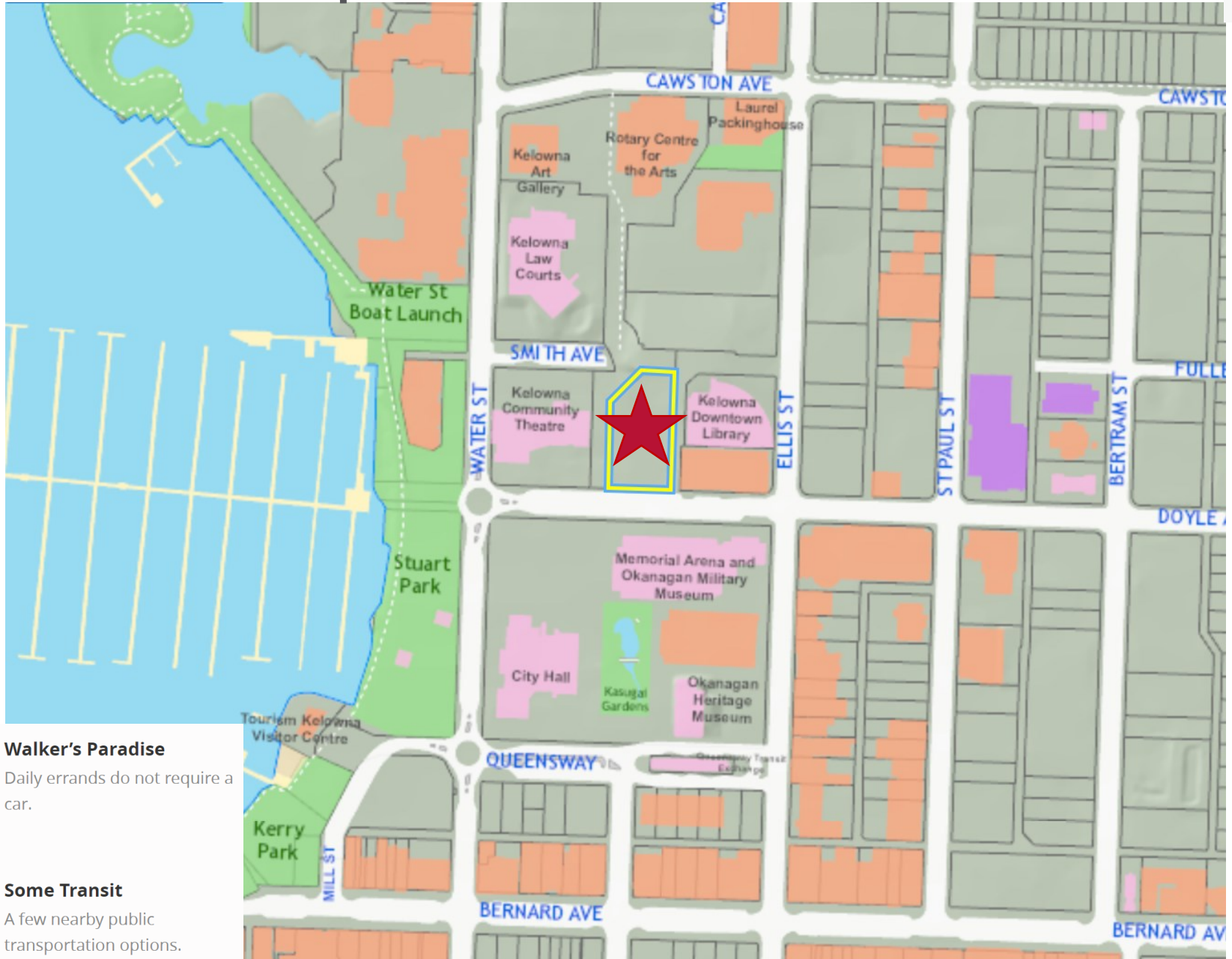
Public Hearing  
Second & Third Readings

Final Reading  
Development Permit & Development Variance Permit

Building Permit

Council  
Approvals

# Context Map



Walk Score  
**95**

## Walker's Paradise

Daily errands do not require a car.

Transit Score  
**48**

## Some Transit

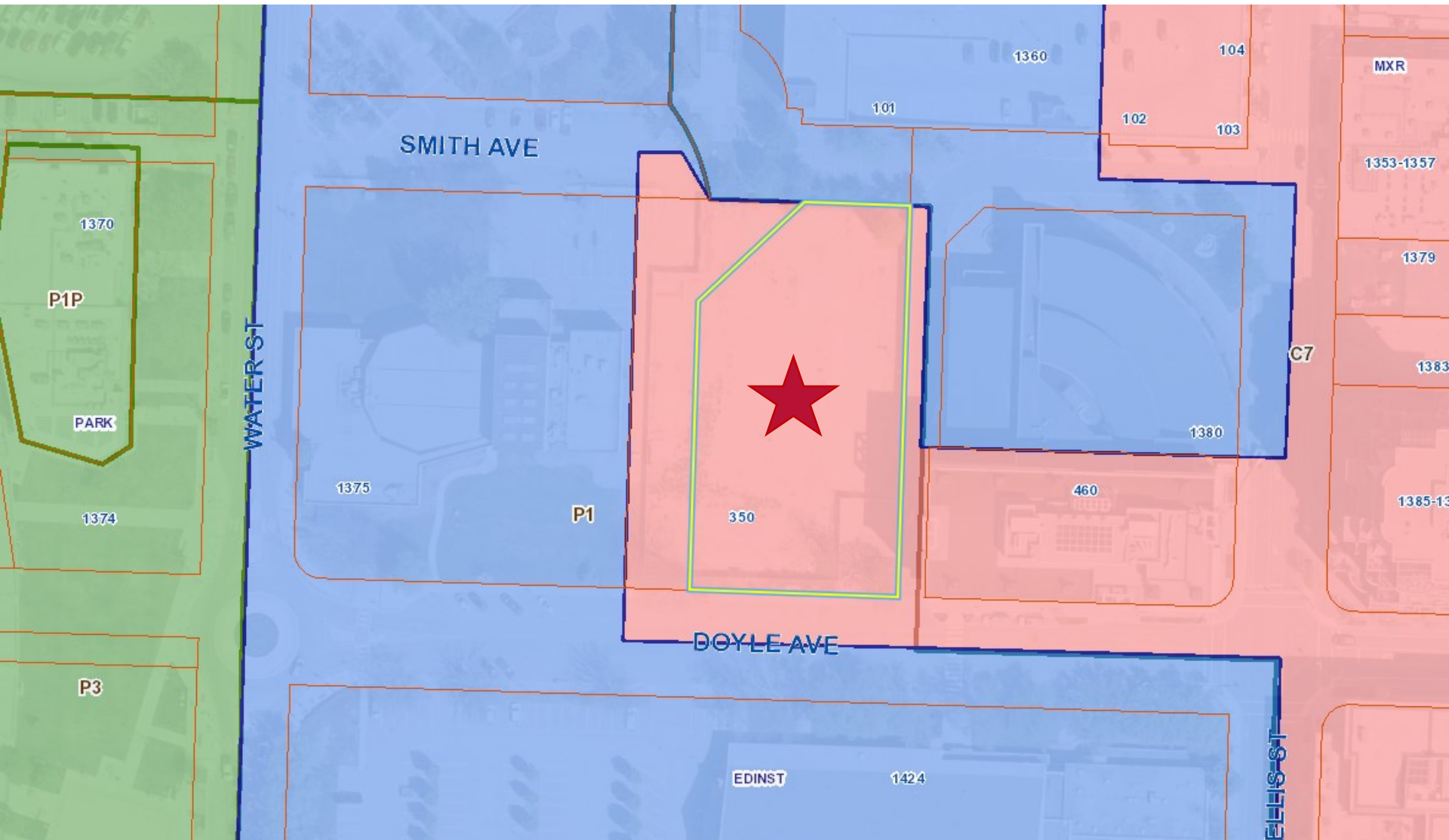
A few nearby public transportation options.

# Subject Property Map





# Zoning & Future Land Use Map

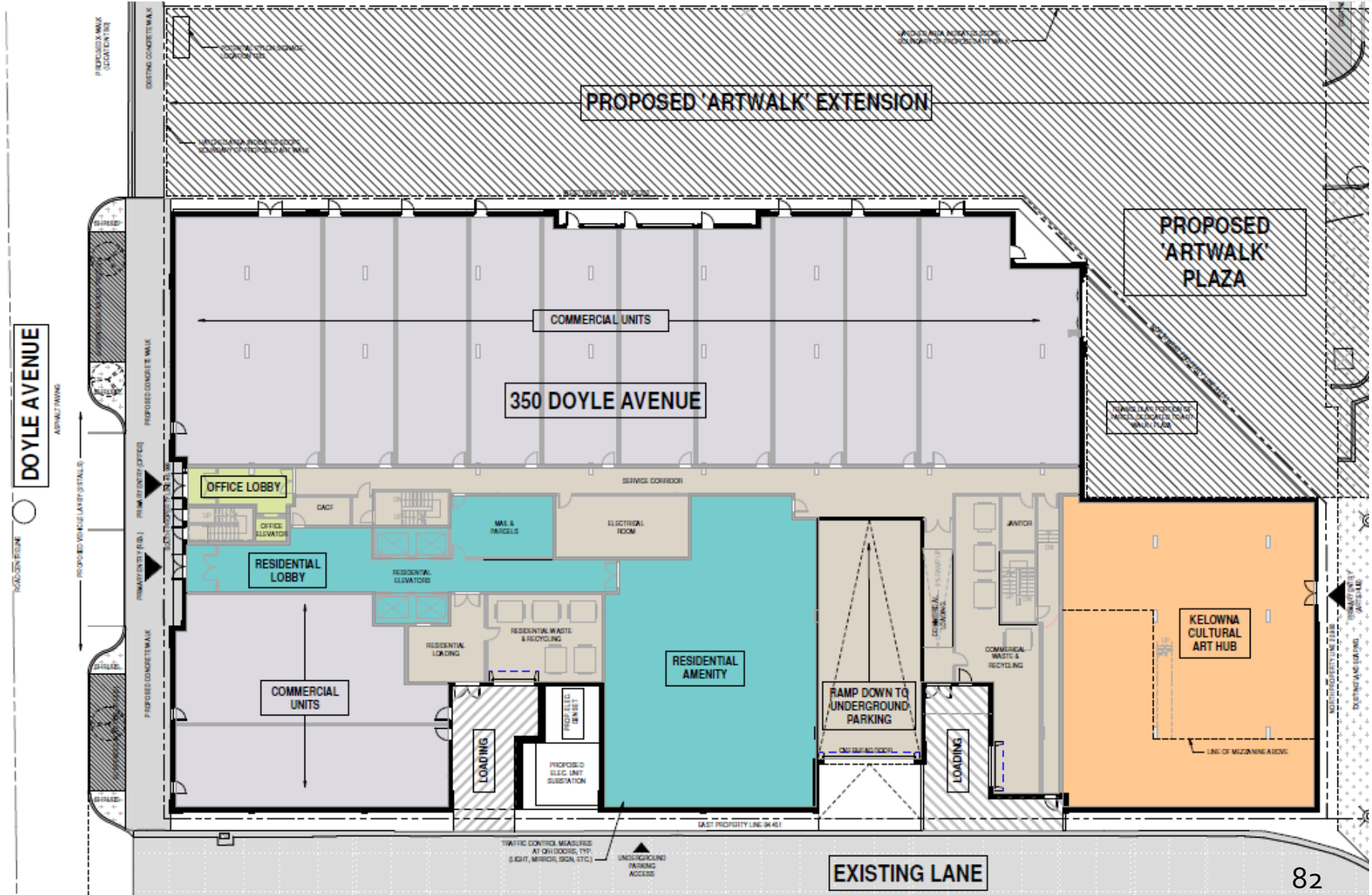








# Conceptual Site Plan



# Draft Rendering



# Development Policy

- ▶ Consistent with Future Land Use (***MXR***)
- ▶ Consistent with the Civic Precinct Plan
- ▶ Meets the intent of Official Community Plan Urban Infill Policies:
  - ▶ Within Permanent Growth Boundary
  - ▶ Contain Urban Growth
  - ▶ Complete Communities
  - ▶ Compact Urban Form

# Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning
  - ▶ Meets the intent of the Official Community Plan
    - ▶ Urban Infill Policies
    - ▶ Appropriate location for adding residential density
  - ▶ Meets the intent of the Civic Precinct Plan
  - ▶ Includes rental-only subzone
- ▶ Recommend the Bylaw be forwarded to Public Hearing





## *Conclusion of Staff Remarks*



# 350 DOYLE REZONING





# Development Team

Appelt PROPERTIES

**WEXFORD**  
DEVELOPMENTS

 **zeidler**  
ARCHITECTURE

- Local Community Builders
  - Owners & Operators
- Delivering What We Promise



'The SHORE' - rendering



'The SHORE' - photograph



# How We Got Here...

2019 – 2020 City of Kelowna (RCMP Site) RFP to Develop 350 Doyle Avenue

Proposed City of Kelowna Rezoning:

From P1 – Major Institutional to **C7r – Central Business Commercial** (*Residential Rental Only Tenure*)

## Project Criteria

- Mixed-Use Development
- 6,000 ft<sup>2</sup> for Kelowna Cultural Arts Hub program
- Extension of Kelowna Art Walk to Doyle Avenue
- Commitment to Podium Facade
- Sustainability (LEED Certification)

## Public Engagement

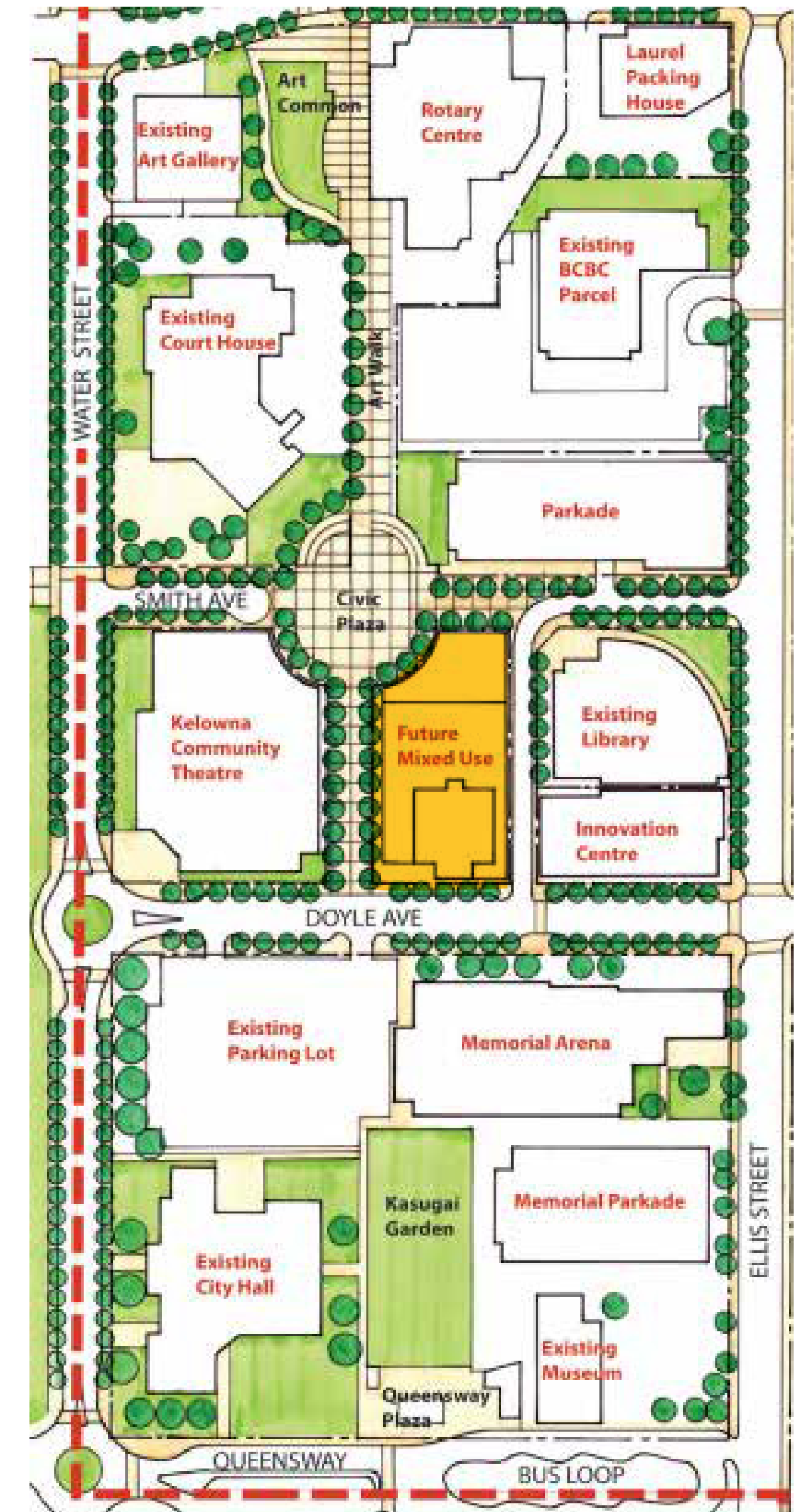
- Public Engagement Process started early
- Public Outreach Area went beyond City of Kelowna Requirements
- Neighbours, as well as Arts & Culture Stakeholders engaged

# Rezoning Unlocks Urban Potential

C7r - Central Business Commercial rezoning will allow realization of the Kelowna Civic Precinct Plan and the Kelowna Official Community Plan.

## Civic Precinct Principles

- Encourage **vibrancy** through a **broad mix of land uses and public spaces**
- Make the area a **distinct and diverse cultural precinct**
- Build on existing facilities and patterns of infrastructure wherever possible
- Create **landmark public spaces** that define future development
- Use public land for **community amenities**
- **Financial impact**
- Enhance opportunities for a healthy and **complete community**
- Be **pedestrian oriented** while still accommodating vehicles





# Project Vision

To create a vibrant and engaging mixed-use urban development that enhances & inspires the Cultural District.

- DENSITY
- DIVERSITY
- HUMAN SCALE
- ACTIVE USE
- CULTURAL NODE
- SUSTAINABLE





# Kelowna Art Walk Extension

To create a vibrant public open space that provides year-round opportunity for a variety of arts & cultural and entertainment activities, the Kelowna Art Walk will be extended south to Doyle Avenue.

- Design Process Underway.
- Extensive Public Engagement with various Kelowna Arts, Cultural, Performance and Event Groups.
- Working together with City of Kelowna Planning groups.





# Project Information

## MIXED-USE PROGRAM

- 13-storeys c/w Underground Parking
- ± 316 Residential Units (Rental)
- Residential Rooftop Amenity
- ± 2,520 m<sup>2</sup> Commercial Office
- ± 1,465 m<sup>2</sup> Commercial Retail
- ± 557 m<sup>2</sup> Kelowna Cultural Arts Hub
- Vehicular + Bicycle Parking to meet Bylaw
- Kelowna Art Walk Extension to Doyle Avenue









Thank you  
for your  
consideration.

# **CITY OF KELOWNA**

## **BYLAW NO. 12286**

**Z21-0061**

**350 Doyle Avenue**

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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 C District Lot 139 ODYD Plan EPP95954 located on Doyle Avenue, Kelowna, BC from the P1 – Major Institutional zone to the C7r – Central Business Commercial (Residential Rental Tenure Only) zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 18<sup>th</sup> day of October, 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

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(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk



# REPORT TO COUNCIL



**Date:** October 18, 2021

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** Z21-0055

**Owner:** 1243978 BC LTD., Inc. No.  
BC1243978

**Address:** 1875 Richter Street

**Applicant:** Novation Architecture LTD.

**Subject:** Rezoning Application

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

**Existing Zone:** RU6 – Two Dwelling Housing

**Proposed Zone:** RM3r – Low Density Multiple Housing (Residential Rental Tenure Only)

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## 1.0 Recommendation

THAT Rezoning Application No. Z21-0055 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B District Lot 138 ODYD Plan 4495, located at 1875 Richter Street, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM3r – Low Density Multiple Housing (Residential Rental Tenure Only) 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 October 18, 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 for the subject property.

## 2.0 Purpose

To rezone the subject property from the RU6 – Two Dwelling Housing zone to the RM3r – Low Density Multiple Housing (Residential Rental Tenure Only) zone to facilitate the development of multiple dwelling housing.

## 3.0 Development Planning

Staff supports the rezoning of the subject property from the RU6 – Two Dwelling Housing zone to the RM3r – Low Density Multiple Housing (Residential Rental Tenure Only) zone to facilitate the development of a 3-storey 20-unit purpose built rental housing development. The application is consistent with the Official Community Plan (OCP) Future Land Use Designation of MRL – Multiple Unit Residential (Low Density). It meets all of the Zoning Bylaw regulations for the RM3 – Low Density Multiple Residential zone with no variances required.

The subject property is located south of the City Centre Urban Centre on Richter Street between Rowcliffe Ave and Sutherland Ave. The parcel has a Walk Score of 77 – Very Walkable (most errands can be accomplished on foot) and a Bike Score of 99 – Biker's Paradise as the site provides easy access to both Richter Street and Sutherland Ave bike lanes. Additional density in this area is supported through the local amenities including nearby parks, Okanagan Lake, transit, restaurants and shopping opportunities in the area.

## 4.0 Proposal

### 4.1 Background

The subject property was home to J.N. Thompson House which is on the Kelowna Heritage Register. Prior to selling the property, the previous homeowner chose to relocate the building to a property in the East Kelowna area. Upon completion of the relocation, the vacant property was sold to a developer with the subject application coming forth.

### 4.2 Project Description

The proposed development consists of a three-storey 20-unit purpose-built rental project. Two floors of residential one-bedroom units sit upon the main floor structured parkade. All Zoning Bylaw regulations have been met including parking requirements. The site provides 20 parking stalls along with a secure bike storage area. The development was able to benefit from a parking reduction through the provision of bonus long-term bicycle parking spaces.

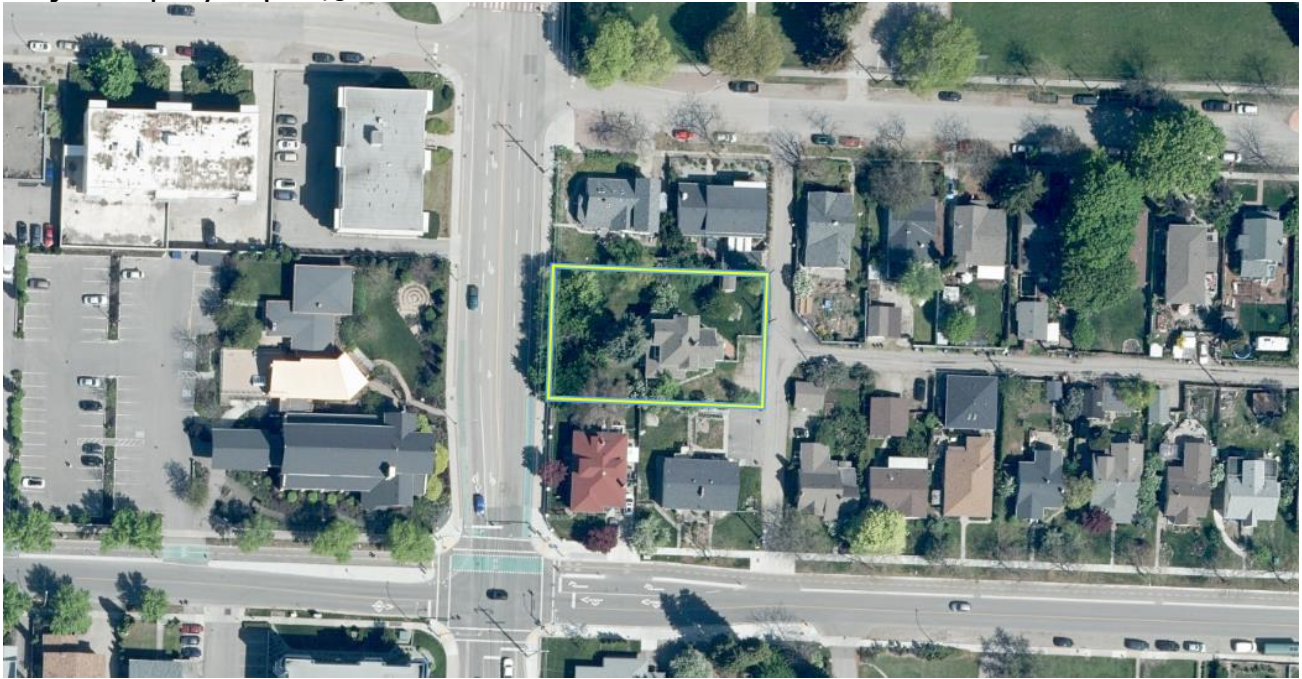
### 4.3 Site Context

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing	Single Dwelling Houses
East	RU6 – Two Dwelling Housing	Single Dwelling Houses
South	RU6 – Two Dwelling Housing	Single Dwelling Houses
West	RM5 – Medium Density Multiple Housing P2 – Education and Minor Institutional	Multi- Family Building Church



**Subject Property Map: 1875 Richter Street**



**5.0 Current Development Policies**

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

**Chapter 5: Development Process**

*Objective 5.2 Develop Sustainably.*

**Complete Communities.** Support the development of complete communities with a minimum intensity of approximately 35-40 people and/or jobs per hectare to support basic transit service – a bus every 30 minutes. (approx. 114 people / hectare proposed).

*Objective 5.3 Focus development to designated growth areas.*

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

*Objective 5.22 Ensure context sensitive housing development.*

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

**6.0 Technical Comments**

**6.1 Development Engineering Department**

Refer to Schedule 'A' Attached.

## **7.0 Application Chronology**

Date of Application Accepted: May 26, 2021

Date Public Consultation Completed: Sept 24, 2021

**Report prepared by:** Lydia Korolchuk, Planner Specialist

**Reviewed by:** Jocelyn Black, Urban Planning Manager

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

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

### **Attachments:**

Schedule A: Development Engineering Memo

Attachment A: Applicant's Project Rationale

Attachment B: Conceptual Drawing Package





# MEMORANDUM

**Date:** June 2, 2021

**File No.:** Z21-0055

**To:** Urban Planning (AT)

**From:** Development Engineering Manager (JK)

**Subject:** 1875 Richter St.

RU6 to RM3R

The Development Engineering Department has the following comments and requirements associated with this rezoning application to rezone the subject property from RU6 - Two Dwelling Housing to RM3r - Low Density Multiple Housing (Residential Rental Tenure Only). The Development Engineering Technologist for this project is Aaron Sangster.

## 1. General

- a. The following requirements are valid for one (1) years from the reference date of this memo, or until the PLR and/or application has been closed, whichever occurs first. The City of Kelowna reserves the rights to update/change some or all items in this memo once these time limits have been reached.
- b. This proposed development may require the installation of centralized mail delivery equipment. Please contact Arif Bhatia, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC, V1Y 2K0, (250) 859-0198, arif.bhatia@canadapost.ca to obtain further information and to determine suitable location(s) within the development.
- c. These Development Engineering comments/requirements are subject to the review and requirements from the Ministry of Transportation and Infrastructure (MoTI).

## 2. Domestic Water and Fire Protection

- a. This property is currently serviced with 19mm-diameter water service. One metered water service will be required for each of the properties. The disconnection of the existing small diameter water services and the tie-in of a larger service is the developer's responsibility. You can engage an engineer and contractor to manage the work on your behalf or it can be provided by City forces at the developer's expense. If you chose to have it completed by City forces, you will be required to sign a Third-Party Work Order and pre-pay for the cost of the water service upgrades. For estimate inquiry's please contact Aaron Sangster by email asangster@kelowna.ca or phone, 250-469-8487.

## 3. Sanitary Sewer

- a. Our records indicate that these properties are currently serviced with a 150mm-diameter sanitary sewer service. An inspection chamber (IC) complete with brooks

box must be confirmed/installed on the service at the owner's cost. Service upgrades can be provided by the City at the applicant's cost. The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade. For estimate inquiry's please contact Aaron Sangster by email [asangster@kelowna.ca](mailto:asangster@kelowna.ca) or phone, 250-469-8487.

#### **4. Storm Drainage**

- a. The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and recommendations for onsite drainage containment and disposal systems.
- b. On site storm drainage systems for the site will be reviewed and approved by Engineering in accordance with bylaw 7900, when a site servicing design is submitted.
- c. There is a possibility of a high-water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.

#### **5. Road Improvements**

- a. Richter St. has been upgraded to an urban standard along the full frontage of this proposed development. No further upgrades are needed at this time.
- b. Laneway must be upgraded to a SS-R2 standard along the full frontage of this proposed development including drainage system including catch basins, manholes or drywells and pavement removal and replacement, and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.
- c. Dedication 2.6m width along the full frontage of Richter St. to achieve the ROW for a SS-R14.

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

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

#### **7. Design and Construction**

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



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

## **8. Servicing Agreements for Works and Services**

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

## **9. Other Engineering Comments**

- a. Provide all necessary Statutory Rights-of-Way for any utility corridors as required.
- b. If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, 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

## **10. Development Permit and Site Related Issues**

- a. Provide all necessary Statutory Rights-of-Way for any utility corridors as required.
- 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.

## **11. Geotechnical Study**

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

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

Additional geotechnical survey may be necessary for building foundations, etc

## 12. **Charges and Fees**

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

---

Ryan O'Sullivan  
Development Engineering Manager

AS



April 30th, 2021

Our File: 2128

City of Kelowna  
1435 Water St,  
Kelowna, BC V1Y 1J4

Attention: Aaron Thibeault, Planner II at City of Kelowna

Dear Mr. Thibeault,

**Re: Development Permit / Rezoning for property located at 1875 Richter Street**

This development proposal will adhere to the requirements of the RM3r zone as described in the City of Kelowna Zoning Bylaw No. 8000.

### Project Description

The current zoning for the site is RU6. With an OCP future land use designation of MRL, we are seeking a rezoning from RU6 to RM3r zone. The proposed project is a 3-storey multi-family residential development located at 1875 Richter Street. It is purpose built rental housing consisting of main level parking with 2 levels of residential above, providing 20 1-bedroom 1-bath rental units.

### Design Rationale

The main building entrance will be off Richter Street, and vehicular access will be from a laneway off Rowcliffe Avenue, providing a secure entrance into an open-air parkade. In addition to vehicular parking, the main floor will provide plenty of bike parking. We have chosen to provide the bonus long-term bicycle parking for this project considering its proximity to surrounding transportation corridors. The property is flanked by bicycle lanes on both Richter Street and Sutherland Avenue, making this a very convenient location for those biking to and from work.

The material selection consists of a light-colored stucco, horizontal wood-patterned siding, and brick. These materials are complimented by the incorporation of glass along the balcony railings, full-height glass wall dividing the front elevation of the building, and vertical wood elements to provide security and screening of the parking. Additionally, to add texture to the front entry, we have created a pattern within the brickwork to create more visual appeal along Richter Street. The pedestrian entrance off Richter Street serves to create an inviting focal point surrounded by this glass and textured brick façade. In conjunction with the proposed landscaping, a thoughtful interface between the street and the building is created.

*Continued ...*

The garbage will be enclosed within the parking garage with easy access to the laneway but screened from neighbouring properties.

We are seeking no variances as we feel that the development has been designed appropriately for the site and location.

I trust that you will find our application in good order. Please contact our office if you require any further information.

Kind Regards,

**NOvation Architecture Ltd.**



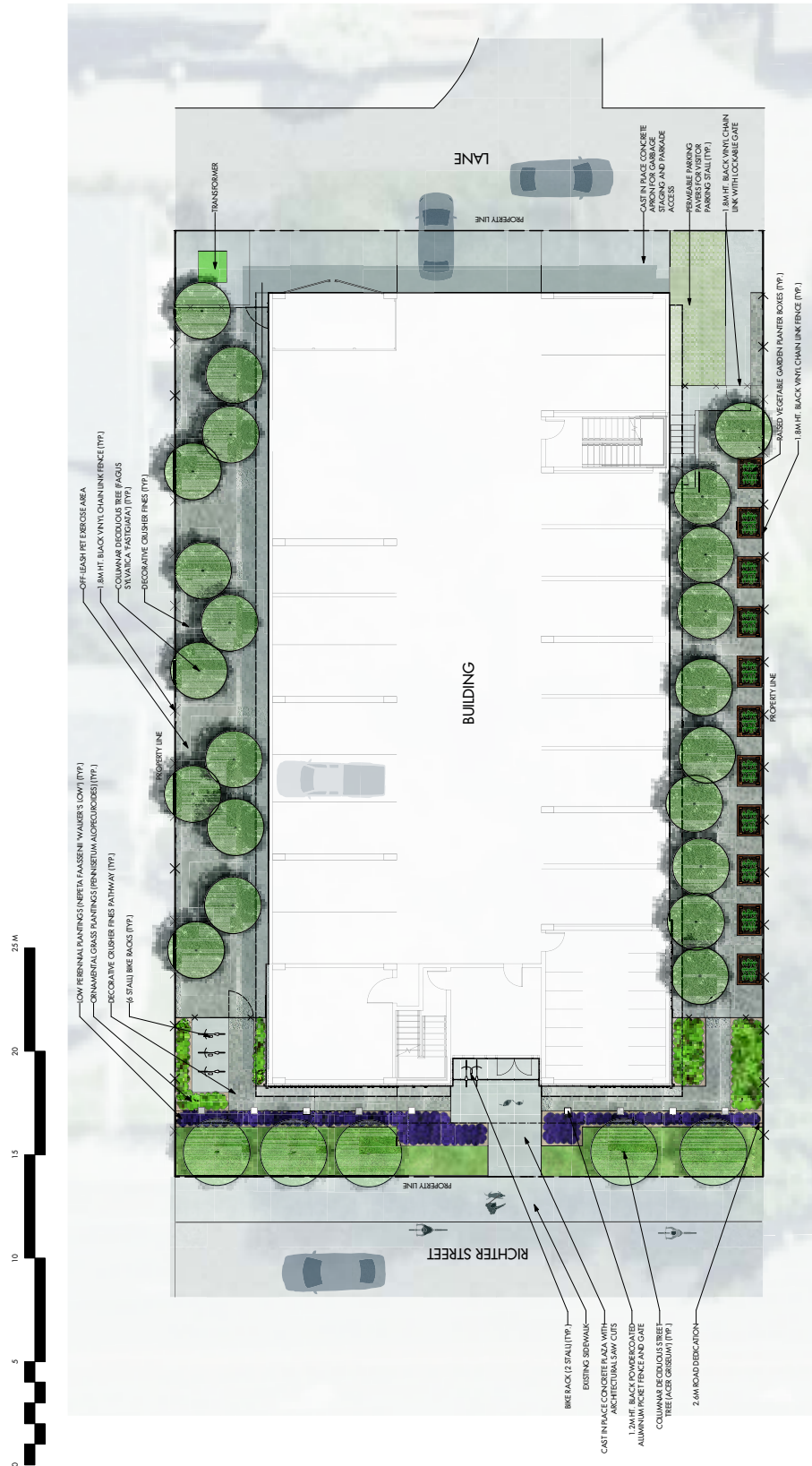
*Paul M. Schuster, Architect  
AIBC, CAB, MRAIC and NCARB Certified*

(250) 718 - 1302  
[paul@novationarchitecture.com](mailto:paul@novationarchitecture.com)



ISSUED / REVISION	
1	21.04.06 Review
2	21.04.14 Review
3	21.08.13 Review
4	
5	

PROJECT NO	21045
DESIGN BY	RB
DRAWN BY	rac
CHECKED BY	RB
DATE	AUG. 13, 2021
SCALE	1/100
PAGE SIZE	24"x36"



## NOTES

- PLANT MATERIAL AND CONSTRUCTION METHODS SHALL NOT EXCEED THE CANADIAN LANDSCAPE STANDARD. ALL SOFT PLANT AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TWO-IRRIGATOR IRRIGATION SYSTEM. TREES AND SHRUBS SHOULD BE DESIGNED IN A MINIMUM 75% DRAINAGE AS SHOWN IN PLAN. TREES IN THE AREAS SHALL BE PLANTED AT A MINIMUM OF 10% PLANTING RATE. PLANTING SHALL BE AS STATED.
- TREES AND SHRUBS SHOULD RECEIVE A MINIMUM 300MM DEPTH TOPSOIL PACKAGE.
- TURF AREAS FROM SOIL SHALL BE LIFTED 1.0 METRE DEEPER FROM CERTIFIED SOIL OF IMPROVED CULTIVARS BE REESTABLISHED WITH A MIXTURE OF 50% TURF AND 50% TOPSOIL. TURF SHALL BE LIFTED FROM A MINIMUM OF 50% DEPTH OF GROWING CULTIVARS TO BE REESTABLISHED WITH A MIXTURE OF 50% TURF AND 50% TOPSOIL.
- SOIL GRADING AND DRAINAGE SHALL ENSURE THAT ALL CULTIVARS HAVE POSITIVE DRAINAGE, AND THAT NO WATER OR SOIL GRADING OR DRAINAGE SHALL BE DISCHARGED FROM THE LOT INTO ADJACENT PUBLIC, COMMON OR PRIVATE PROPERTIES.

## PLANT LIST

BOTANICAL NAME	COMMON NAME	QTY	SIZE/SPACING & REMARKS
PIRETS			
ACER GIBBERNA	PAPER BARK MAPLE	5	6m CAL
FAIGUS SYLVATICA 'FASTIGIATA' (DWARF)	PRIMORDIAL GREEN BEECH	22	6m CAL
PERNETIA ALBA GRASSES & GROUND COVERS			
NERPETA FASCIATA 'WAMBER'S LOW'	CATFINT	14	#01 CONT./ 10.0M O.C. SPACING
PERNETISUE ALPINE ROCKS	WINTER GRASS	10	#01 CONT./ 10.0M O.C. SPACING



# Z21-0055 1875 Richter Street

Rezoning Application





# Proposal

- ▶ To consider an application to rezone the subject property from the RU6 – Two Dwelling Housing zone to the RM3r – Low Density Multiple Housing (Residential Rental Tenure Only) zone to facilitate the development of multiple dwelling housing.

# Development Process

May 26, 2021

Development Application Accepted

Staff Review & Circulation

Sept 24, 2021

Neighbourhood Consultation

Oct 18, 2021

Initial Consideration

Waive Public Hearing

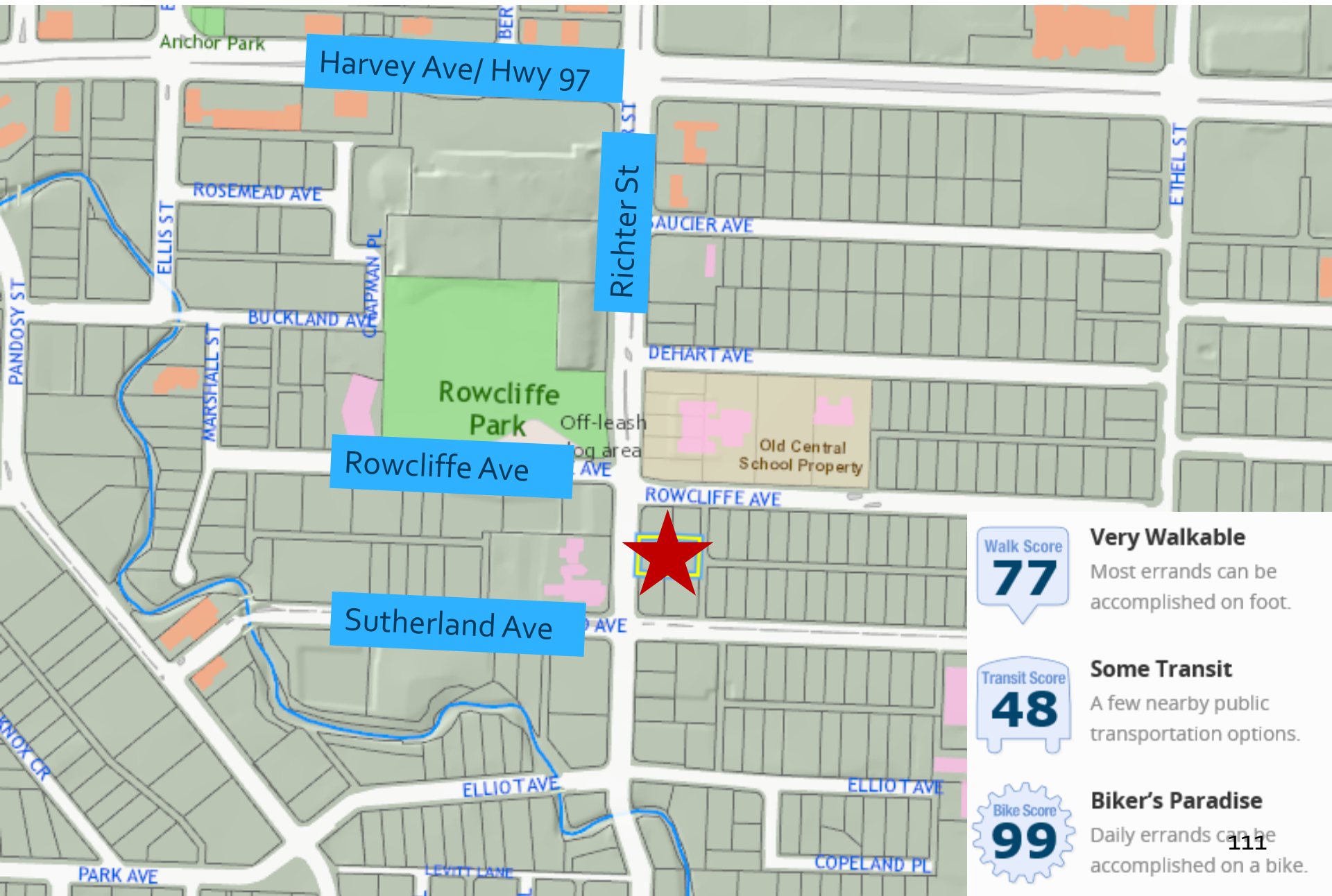
Final Reading and DP

Building Permit

Council Approvals



# Context Map



Walk Score  
**77**

## Very Walkable

Most errands can be accomplished on foot.

Transit Score  
**48**

## Some Transit

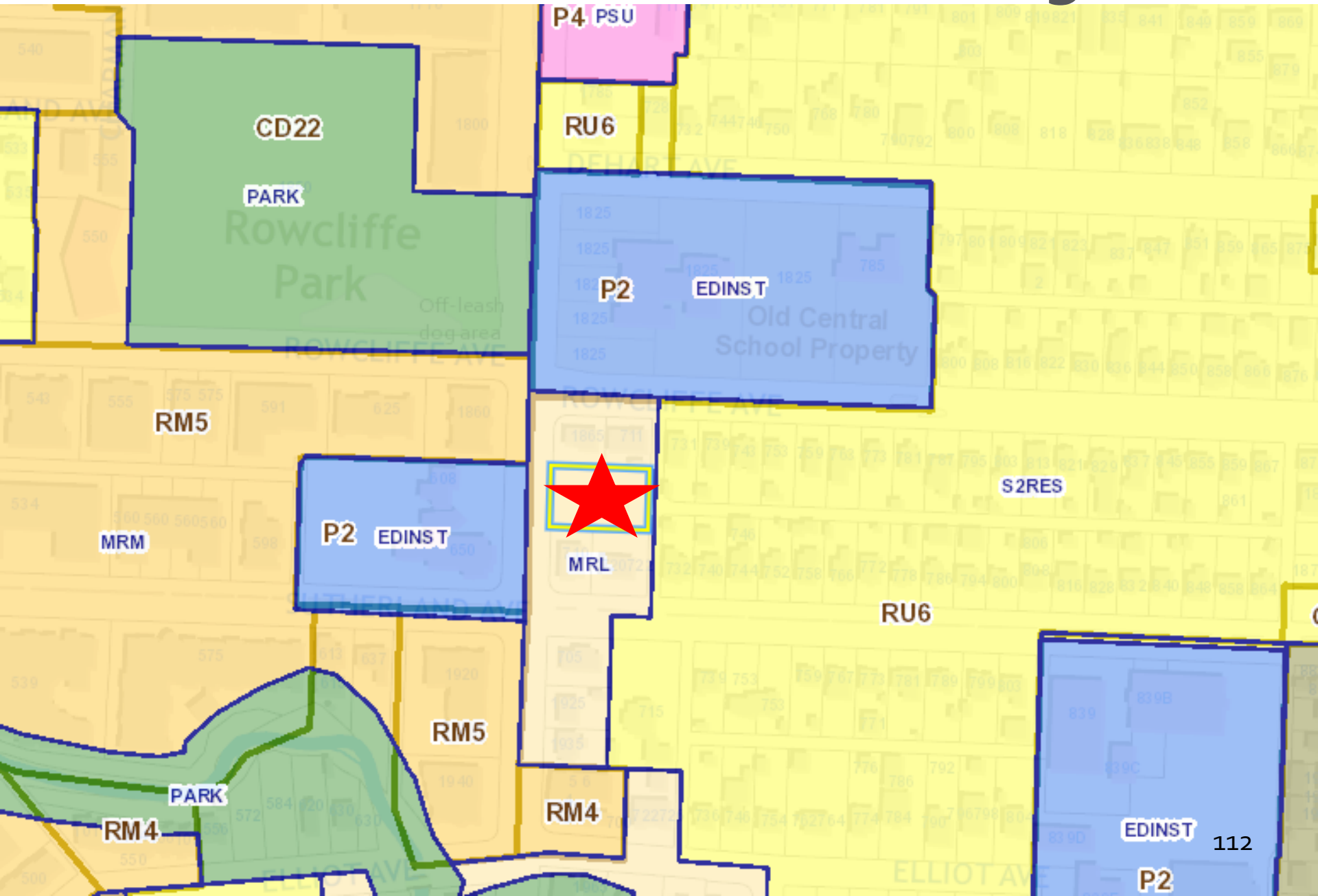
A few nearby public transportation options.

Bike Score  
**99**

## Biker's Paradise

Daily errands can be accomplished on a bike.

# OCP Future Land Use / Zoning

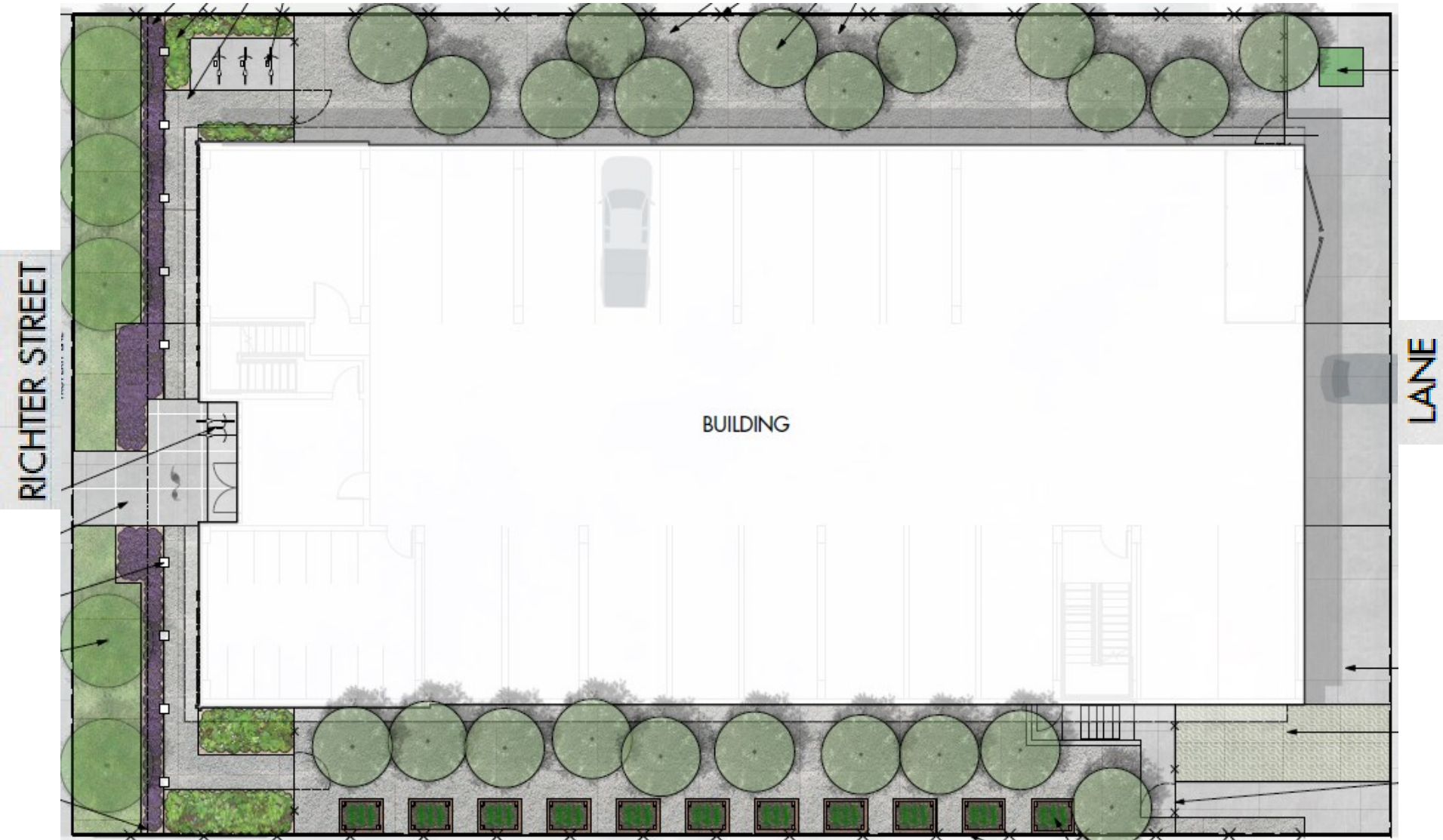




# Subject Property Map



# Site Plan





# Proposed Rendering



View from Richter Street

# Development policy

- ▶ Meets the intent of Official Community Plan Urban Infill Policies:
  - ▶ 5.2.4 – Complete Communities
  - ▶ 5.3.2 – Compact Urban Form
  - ▶ 5.22.1 – Sensitive Infill
- ▶ Consistent with the Future Land Use → MRL – Multiple Unit Residential (Low Density)



# Staff Recommendation

- ▶ **Support** of the proposed Rezoning:
  - ▶ Meets many objectives in the OCP
- ▶ Recommend that Public Hearing be waived



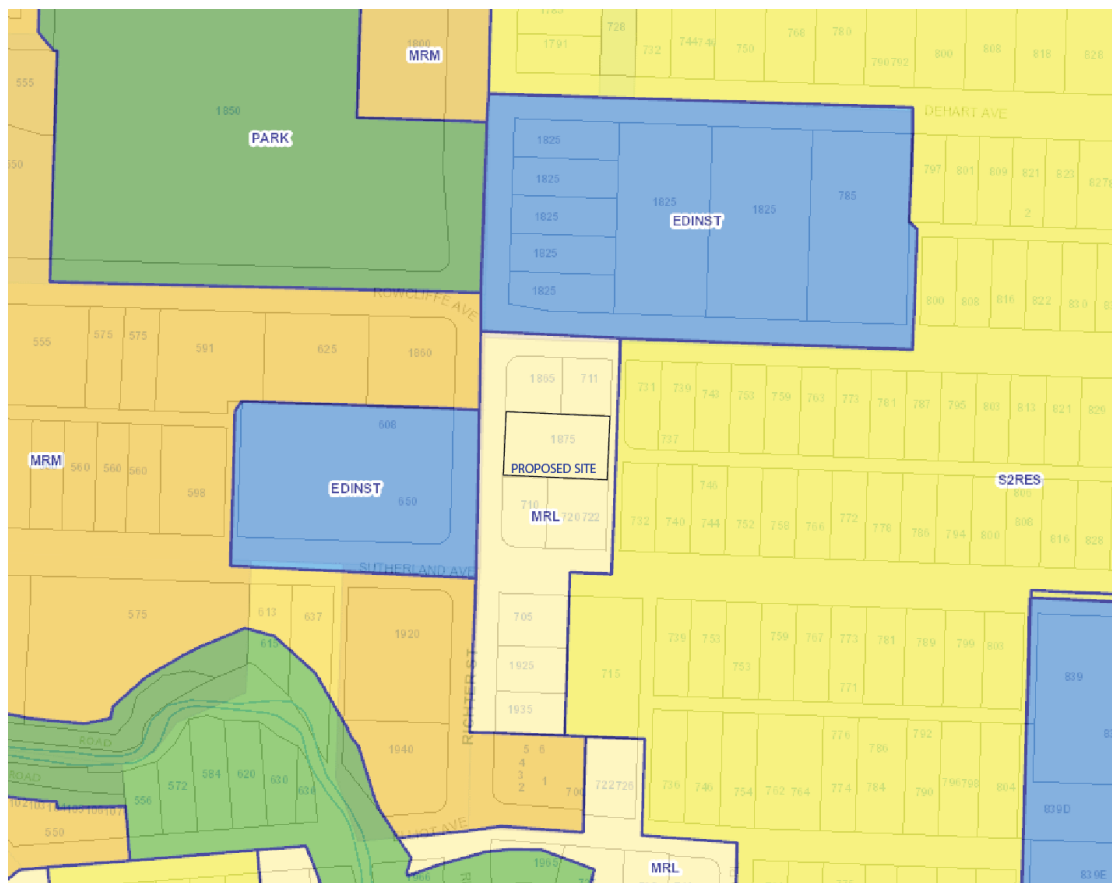
## *Conclusion of Staff Remarks*



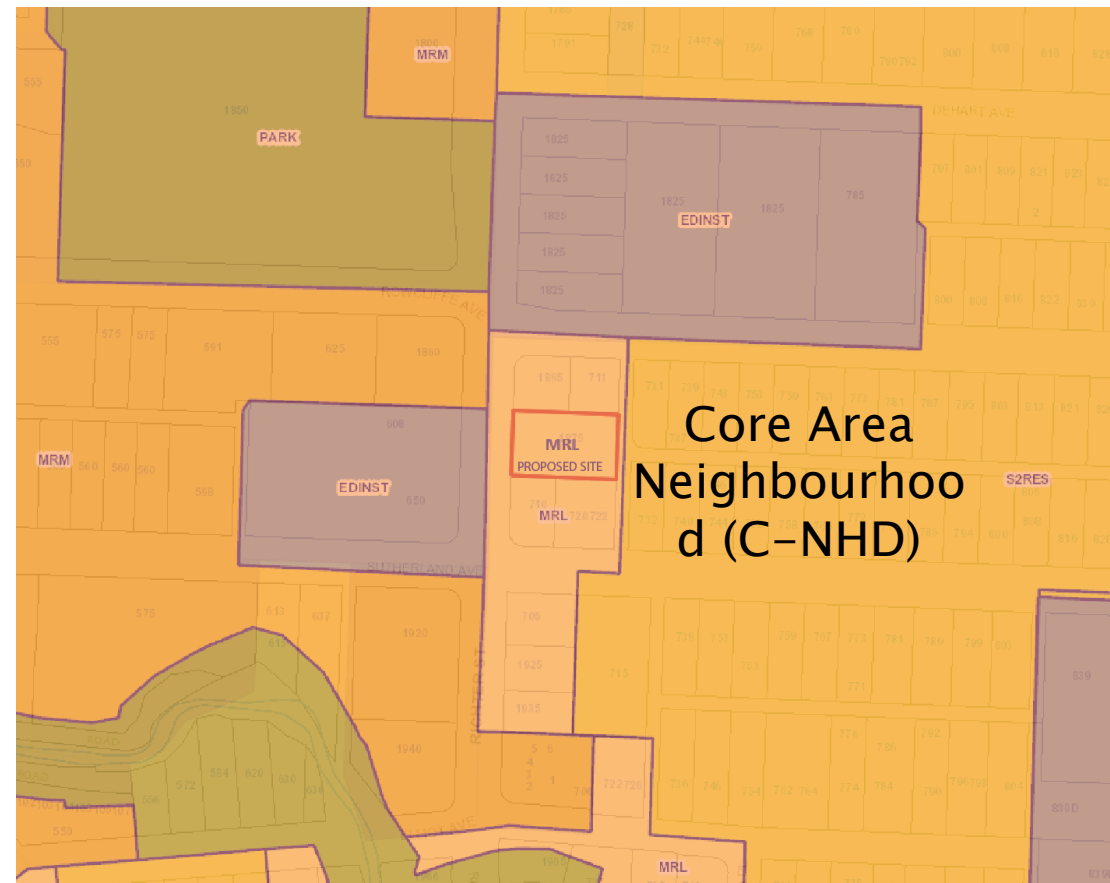
# 1875 Richter Street

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NOvation Architecture Ltd.



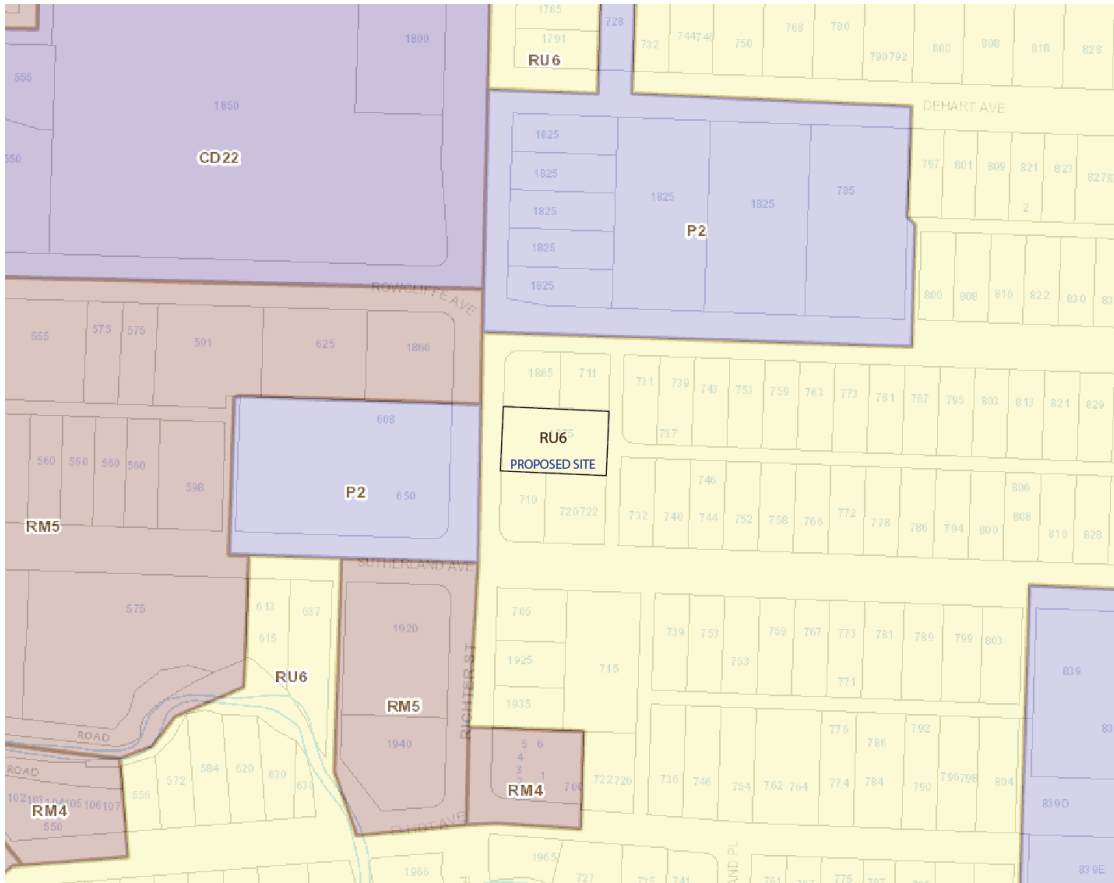
Existing OCP Map



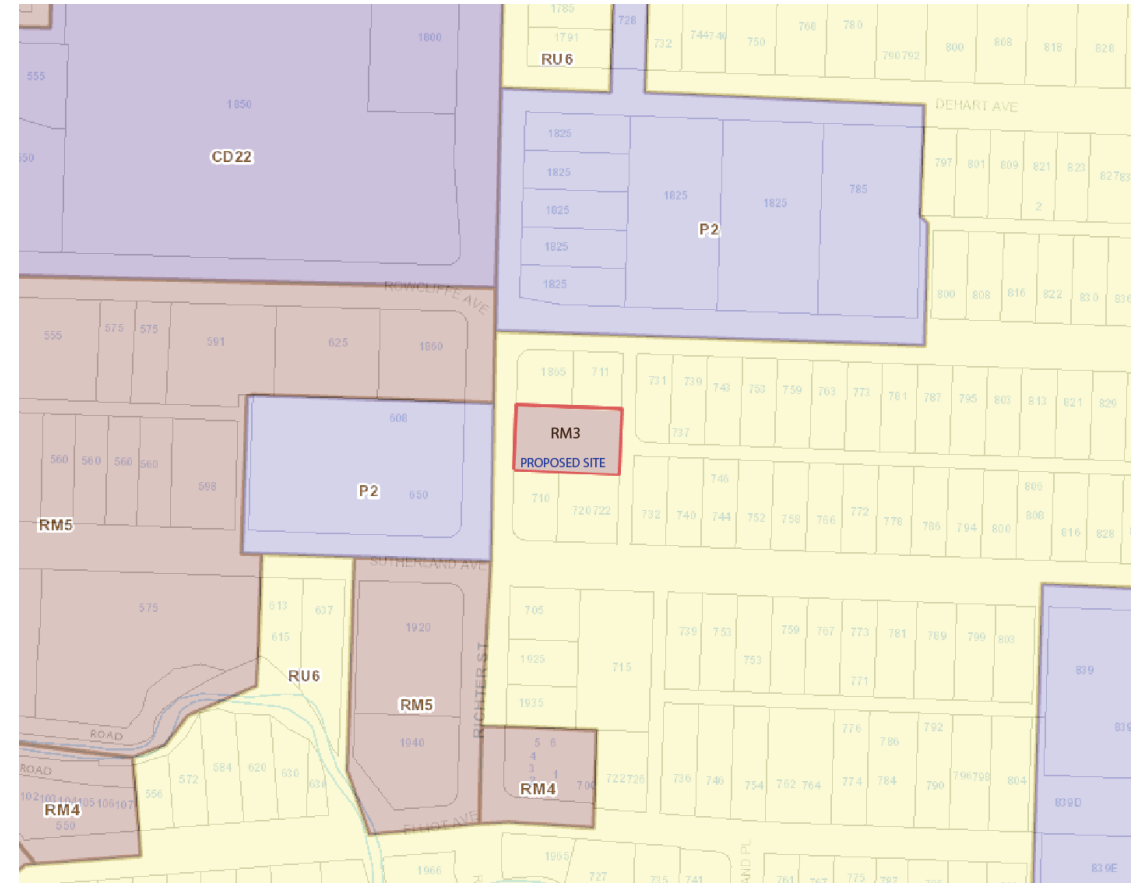
Core Area  
Neighbourhood  
(C-NHD)

Proposed 2040 OCP Map  
Supported Uses: Apartment Housing  
Supported Forms: Multi-unit buildings up to  
approximately 6 storeys

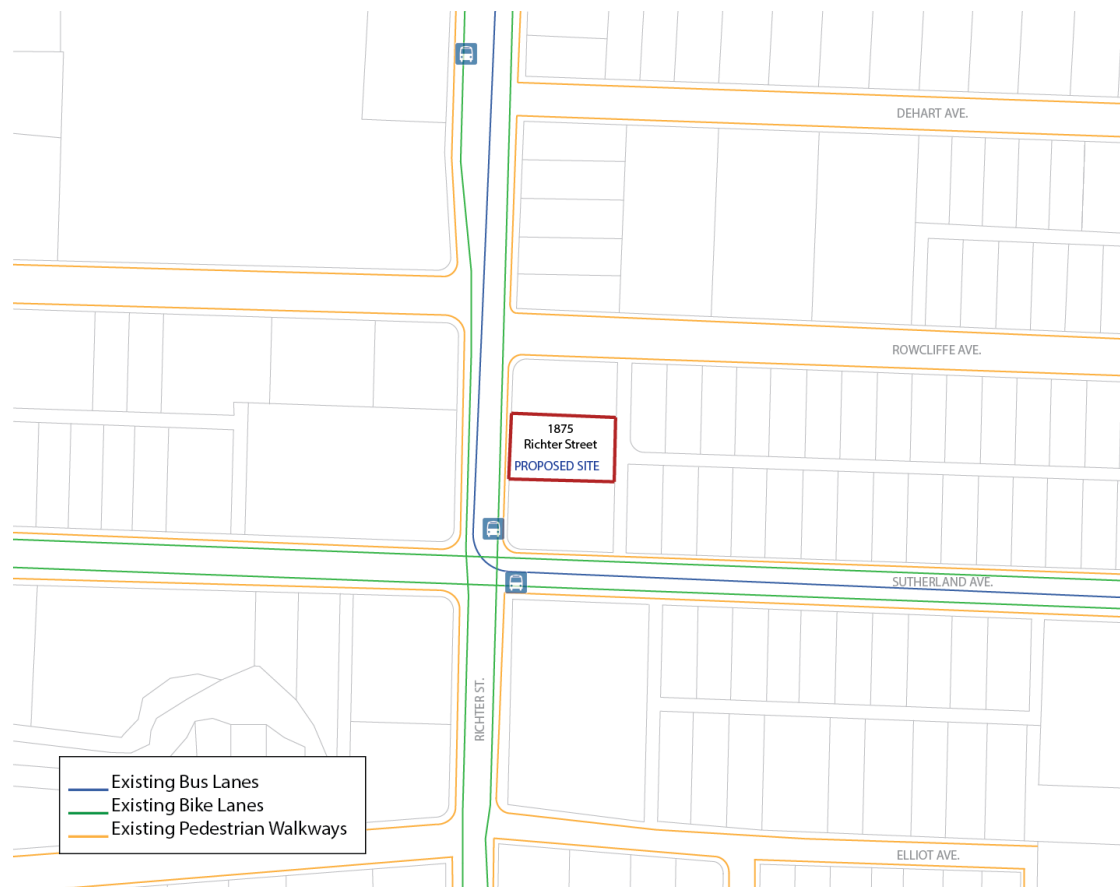




Existing Zoning  
Map



Proposed Zoning  
Map



**Transit Supported Corridor**  
Public Transit, Biking Lanes, Walkable Streets



200m from Existing Park Space  
500m from Commercial/Retail Centre



# **CITY OF KELOWNA**

## **BYLAW NO. 12289**

**Z21-0055**

**1875 Richter Street**

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot B District Lot 138 ODYD Plan 4495 located on Richter Street, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM3r – Low Density Multiple Housing (Residential Rental Tenure Only) zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 18<sup>th</sup> day of October, 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

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(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk