

City of Kelowna Public Hearing AGENDA



Tuesday, December 13, 2016
6:00 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

THE CHAIR WILL CALL THE HEARING TO ORDER:

1. (a) The purpose of this Hearing is to consider certain bylaws which, if adopted, shall amend *Kelowna 2030* - Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.

(b) All persons who believe that their interest in property is affected by the proposed bylaws shall be afforded a reason-able opportunity to be heard or to present written submissions respecting matters contained in the bylaws that are the subject of this hearing. This Hearing is open to the public and all representations to Council form part of the public record. A live audio feed may be broadcast and recorded by Castanet.

(c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after November 29, 2016 (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.

(d) Council debate on the proposed bylaws is scheduled to take place during the Regular Council meeting after the conclusion of this Hearing. It should be noted, however, that for some items a final decision may not be able to be reached tonight.

(e) It must be emphasized that Council will not receive any representation from the applicant or members of the public after conclusion of this Public Hearing.

2. Notification of Meeting

The City Clerk will provide information as to how the Hearing was publicized.

3. Individual Bylaw Submissions

- | | | |
|------------|---|------------------|
| 3.1 | Infill Challenge Implementation, BL11310 & BL11311 (OCP16-0015) - City of Kelowna | 4 - 28 |
| | <p>To consider changes to the Official Community Plan necessary to implement the outcomes of the Infill Challenge project. The proposed changes include the introduction of a new Development Permit Area and associated guidelines and the creation of a new Future Land Use classification.</p> | |
| 3.2 | Infill Challenge - Removal of Development Permit Areas BL11312 (OCP16-0025) | 29 - 42 |
| | <p>To consider amendments to the Official Community Plan to remove Development Permit areas for Intensive Residential and Character Neighborhood Areas.</p> | |
| 3.3 | Infill Challenge - Rezoning and Text Amendment BL11313 (TA16-0010) & BL11314 (Z16-0053) - The City of Kelowna | 43 - 48 |
| | <p>To consider Text Amendments, Zoning Bylaw amendments and Servicing Bylaw amendments associated with the Infill Challenge to allow increased residential densities on designated properties.</p> | |
| 3.4 | 2280 Baron Rd, BL11315 (Z16-0057) - Victor Projects Ltd | 49 - 53 |
| | <p>To consider a rezoning application to add the “rls” (Retail Liquor Sales) designation to the existing C4 - Urban Centre Commercial Zone, in order to permit the sale of BC wines on shelves in an existing grocery store.</p> | |
| 3.5 | 604 Old Meadows Rd, BL11317 (Z16-0049) - Tony Pulice Construction Ltd | 54 - 59 |
| | <p>To rezone the subject property from RU1 - Large Lot Housing to RU2 - Medium Lot Housing to facilitate a 4 lot subdivision.</p> | |
| 3.6 | 4125 & 4193 Gordon Dr, BL11318 & BL11319 (HRA16-0002) - Colin Gifford Magnus Thomson | 60 - 83 |
| | <p>To consider a Heritage Designation Bylaw to designate the Thomson Farm House and Tobacco Barn on G. Thomson Farm; and to consider a Heritage Revitalization Agreement to allow a tourist accommodation in a proposed accessory building.</p> | |
| 3.7 | 1893 Ethel St, BL11320 (OCP16-0018) & BL11321 (TA16-0013) & BL11322 (Z16-0059) - Michael Ohman | 84 - 99 |
| | <p>To consider an application to amend the Official Community Plan, rezone the subject property, and amend the interpretation of ‘health services, minor’ within the P2 Zone to facilitate the operation of a counselling office.</p> | |
| 3.8 | 380 Hardie Rd, BL11323 (Z16-0032) - Rukhmani & Shivnesh Reddy and Praneeta & Sinesh Naidu | 100 - 112 |

To rezone the subject property to facilitate the development of a second single family dwelling on the subject property.

3.9 1985 Knox Cres, BL11324 (Z16-0061) - Sheldon and Heather Upshaw

113 - 127

To rezone the subject property from RU1 to RU1c to facilitate the development of a carriage house.

4. Termination

5. Procedure on each Bylaw Submission

- (a) Brief description of the application by City Staff (Land Use Management);
- (b) The Chair will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.
- (c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.
- (d) The Chair will call for representation from the public in attendance as follows:
 - (i) The microphone at the public podium has been provided for any person(s) wishing to make representation at the Hearing.
 - (ii) The Chair will recognize ONLY speakers at the podium.
 - (iii) Speakers are encouraged to limit their remarks to 5 minutes, however, if they have additional information they may address Council again after all other members of the public have been heard a first time.
- (e) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.
- (f) Questions by staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.
- (g) Final calls for representation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

Note: Any applicant or member of the public may use visual aids (e.g. photographs, sketches, slideshows, etc.) to assist in their presentation or questions. The computer and ELMO document camera at the public podium are available. Please ask staff for assistance prior to your item if required.

Report to Council



Date: November 14, 2016
File: 1200-40
To: City Manager
From: James Moore, Acting Department Manager, Policy & Planning
Subject: Infill Challenge Implementation

Recommendation:

THAT Official Community Plan Bylaw Amendment No. OCP16-0015 to amend Kelowna 2030 - Official Community Plan Bylaw No. 10500 by adding a new Future Land Use classification entitled Sensitive Infill Housing (Low Density), as outlined in the Report of the Land Use Management Department dated November 14, 2016, be considered by Council;

AND THAT Official Community Plan Bylaw Amendment No. OCP16-0015 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by changing the Future Land Use designation of the properties identified in Map "A" and in the Bylaw attached to the report from the Policy & Planning Department, dated November 14, 2016, from the Single/Two Unit Residential designation to the Sensitive Infill Housing (Low Density) designation, be considered by Council;

AND THAT Official Community Plan Bylaw Amendment No. OCP16-0015 to amend Kelowna 2030 - Official Community Plan Bylaw No. 10500 by adding a new Development Permit Area and corresponding guidelines entitled "Intensive Residential - Infill Neighbourhood Development Permit Area", as outlined in the Report of the Land Use Management Department dated November 14, 2016, be considered by Council;

AND THAT Official Community Plan Bylaw Amendment No. OCP16-0015 to amend Map 5.8 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by adding the Intensive Residential - Infill Neighbourhood Development Permit Area Designation to the properties identified in Map "A" and in the Bylaw attached to the report from the Policy & Planning Department, dated November 14, 2016, be considered by Council;

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

AND FURTHER THAT Council considers the Infill Challenge public process to be appropriate consultation for the purpose of Section 475 of the Local Government Act, as outlined in the Report of the Land Use Management Department dated November 14, 2016.

Purpose:

To consider changes to the Official Community Plan necessary to implement the outcomes of the Infill Challenge project. The proposed changes include the introduction of a new Development Permit Area and associated guidelines and the creation of a new Future Land Use classification.

Background:

On May 30, 2016, Council endorsed the two recommended winners from the Infill Challenge process and further directed staff to bring forward the bylaw and process changes needed to implement them.

This Council resolution marked the successful conclusion of an in-depth, year-long process to identify new forms of sensitive infill housing for portions of the city's Urban Core Area. The process utilized a design competition to generate new ideas from the development, home building and design communities. The submissions demonstrated that there is ample room for more creativity, diversity and flexibility in new housing forms that still respect the character of their existing neighbourhoods. Only the winning designs from the design competition have been used as the basis upon which to craft proposed bylaw and process changes.

Public Engagement:

A broad cross-section of community and industry stakeholders came together in a Community Panel and helped to guide the entire process, from setting the vision to selecting the recommended winners for Council consideration. The Community Panel provided a balance of perspectives and included representatives from neighbourhood associations, architects and designers, Canada Mortgage and Housing Corporation (CMHC), School District 23, Interior Health (IH), Canadian Home Builders Association (CHBA), Okanagan Mainline Real Estate Board (OMREB), and the Urban Development Institute (UDI).

Work with the Community Panel has taken place generally as follows:

June, 2015 - the Panel met to set the overall vision for infill housing in Kelowna neighbourhoods.

July, 2015 - the Panel met to set the parameters of the competition and to define the key characteristics of successful infill housing.

February, 2016 - the Evaluation Committee (a sub-group of the Panel) met to begin evaluating the submissions.

March, 2016 - the Evaluation Committee met again to finalize its recommendations for Council.

Following Council's resolution to prepare bylaw amendments, staff organized a final Community Panel meeting on September 29, 2016 to review the draft regulations and guidelines needed to implement the Infill Challenge.

In addition, staff contacted all the affected land owners by direct mail and held a Public Information Meeting on October 26, 2016. A total of approximately 200 residents attended the meeting. The feedback was generally positive at the open house. The concerns raised are summarized below with a staff response immediately following each point.

- *Parking* - the most common concern among attendees was parking. In particular, residents were concerned that 1 stall per unit is not enough and that there will be considerable congestion to on-street parking.

Staff Response - The rezoning areas have been selected in part for their proximity to urban centres, as major nodes of employment, entertainment and services. The aim of this was to ensure that residents could choose to reduce their vehicle dependency, electing instead to walk, to take transit, or to cycle to nearby destinations. Staff acknowledge that on-street parking availability will be impacted by the proposed parking standards. Residents who have extra vehicles will likely look for on-street parking as the most convenient alternative. Staff will need to monitor on-street parking and to implement the appropriate parking management practices as required.

- *Green Space* - some residents expressed concerns that infill housing may result in a significant loss of green space on lots.

Staff response - The proposed RU7 zone allows only 5% more site coverage than the existing zone, which will not result in any significantly greater loss of green space. In addition, the proposed guidelines set high standards for landscaping, including tree replacement, and strongly encourage the retention of mature trees.

- *Infrastructure* - several attendees noted the need for improvements to laneways (e.g.: paving, lighting) and fronting streets (e.g.: sidewalks, boulevards) in conjunction with new development.

Staff response - As density in these neighbourhoods increases, so does the importance of the public realm. In these neighbourhoods, the public realm consists mainly of public roads. At present, many of these represent standards that were seen to be appropriate well over 50 years ago, having irregular sidewalks, no boulevard or street trees, poor lighting and gravel "soaker strips". Some laneways are also not in ideal condition. If these infill neighbourhoods are truly going to be successful, investment in addressing these deficiencies will be required. Much of this investment will be enabled through the collection of frontage improvement fees associated with each development.

- *Tenure* - residents also shared their concerns that infill housing would introduce more renters into the subject areas.

Staff response - Infill housing will likely introduce more of all tenure types into these neighbourhoods over the coming decades, from home owners to renters. This diversity is key to the concept of the Infill Challenge project.

- *Overall Character* - some concern was noted regarding the relatively large scale of new development versus existing development sometimes resulting in large new homes next to very small older homes. This was seen to be an undesirable state that damages neighbourhood character (i.e.: “doesn’t fit in”).

Staff response - Much of the concern about neighbourhood character emerges from building scale, where new homes are much larger than many of the older homes in the infill neighbourhoods. The proposed Design Guidelines and RU7 zoning regulations attempt to ensure that homes “fit in” to the neighbourhood. However, it must be acknowledged that new homes reflect the demands of new generations of homeowners, which have changed considerably since the smaller, older homes were constructed.

Given the amount of public engagement undertaken to date, staff are recommending newspaper advertising along with some non-statutory methods (website, etc...) prior to Public Hearing. Should Council desire to exceed statutory advertising, staff could be instructed to conduct further community engagement.

Proposed Official Community Plan (OCP) Changes:

Two key changes to the Official Community Plan (OCP) are needed to implement the Infill Challenge:

1. A new Future Land Use classification entitled “Sensitive Infill Housing (Low Density)” to apply to the properties in the Infill Challenge, as listed in Table “A” and shown on Map “A”; and
2. The addition of a new Development Permit Area and related guidelines to ensure that new infill development meets the elevated quality standards expected by staff, Council and the community.

Each of these proposed changes will be discussed in more detail below. Please note that the required Zoning Bylaw and Subdivision, Development and Servicing Bylaw changes are being brought forward to Council in a related report by Community Planning.

New Future Land Use

The existing Future Land Use (FLU) designation for the subject properties is all Single / Two Unit Residential (S2RES). This FLU does not contemplate the varied forms of housing and tenures envisioned by the Infill Challenge. Therefore, a new FLU classification is proposed entitled “Sensitive Infill Housing (Low Density)”. This new FLU will be applied to the properties noted in Map “A” and Table “A”, allowing for a broader range of housing types and tenures. The designation specifically references the RU7 - Infill Housing zone, which is the subject of a separate report from the Community Planning Department.

The proposed new FLU designation reads as follows:

“Sensitive Infill Housing (Low Density)

A variety of housing types and tenures (fee simple, strata, rental), including, but not limited to, single detached homes, semi-detached homes, duplexes, triplexes, four-plexes, and combinations thereof, along with those complementary uses, that are integral components of complete, walkable neighbourhoods. The design of sensitive infill housing should respect the character of the neighbourhood, having limited massing, a positive relationship to the street, and high-quality green space. Densities and standards for housing within this designation should be consistent with the RU7 zone. Sensitive infill housing should only be permitted within the Core Area Map 5.1 where there is direct lane access.”

New Development Permit Area

As housing density increases, so must the attention to the quality of design and architecture. City staff is committed to dedicating the attention needed to ensure that new infill housing meets the high expectations of Council and the community. To achieve this, a clear set of design guidelines is proposed.

The proposed Development Permit design guidelines are based on direction and feedback from the Community Panel process and have been informed by best practices. The guidelines provide clear direction to citizens, applicants, Council and staff about expectations for issues such as landscaping, exterior building materials, building size and architecture, lighting, and site planning. Noteworthy within these guidelines is that the winning Infill Challenge designs will be exempted from the requirement to obtain a Development Permit, meaning that those who are able to utilize the winning designs will benefit from an expedited approval process.

All of the subject properties are currently covered under two layers of existing Development Permit Areas. The first of these is the Two Dwelling Housing layer, which is intended to cover carriage homes and duplexes. The second is the Character Area layer, which is intended to cover all housing forms and to protect the character of established neighbourhoods in transition. In coordination with the Infill Challenge process, staff are proposing to eliminate these two Development Permit Areas in their entirety. The existing areas are not seen to be adding value, and occupy significant amounts of staff time that will be required if infill housing is to be given the attention needed to ensure high quality standards. The proposed elimination of these Development Permit Areas is outlined in a separate report from the Community Planning Department.

Internal Circulation:

Doug Gilchrist, Divisional Director, Community Planning & Real Estate
Ryan Smith, Department Manager, Community Planning
Kari O’Rourke, Community Engagement Consultant
Marnie Douglas, Communications Consultant
Mo Bayat, Director of Development Services
Joel Shaw, Infrastructure Engineering Manager
Purvez Irani, Manager, Development Engineering
Derek Edstrom, Director, Real Estate
Stephen Fleming, City Clerk
Alan Newcombe, Divisional Director, Infrastructure

Legal/Statutory Authority:

LGA, Development Permit Areas

Existing Policy:

Official Community Plan (OCP) - Goals for a Sustainable Future

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

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

Kelowna Housing Strategy, 2012.

Recommendations number 2 (Communities), 3 (Understanding), 6 (Housing Mix), 10 (Fee Simple Townhouses), 11 (Courtyard Housing)

Infrastructure Comments:

While staff are not concerned about the capacity of existing infrastructure (water, sanitary, drainage) immediately, the potential impacts to infrastructure should be considered holistically during the upcoming 20-year Servicing Plan reviews in conjunction with the next OCP review.

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements

Alternate Recommendation

Personnel Implications

Communications Comments

External Agency/Public Comments

Financial/Budgetary Considerations

Submitted by:

James Moore, MCIP, RPP

Acting Department Manager, Policy & Planning

Approved for inclusion:



D. Gilchrist, Div. Dir., Community Planning & Real Estate

cc:

Doug Gilchrist, Divisional Director, Community Planning & Real Estate

Ryan Smith, Department Manager, Community Planning

Kari O'Rourke, Community Engagement Consultant

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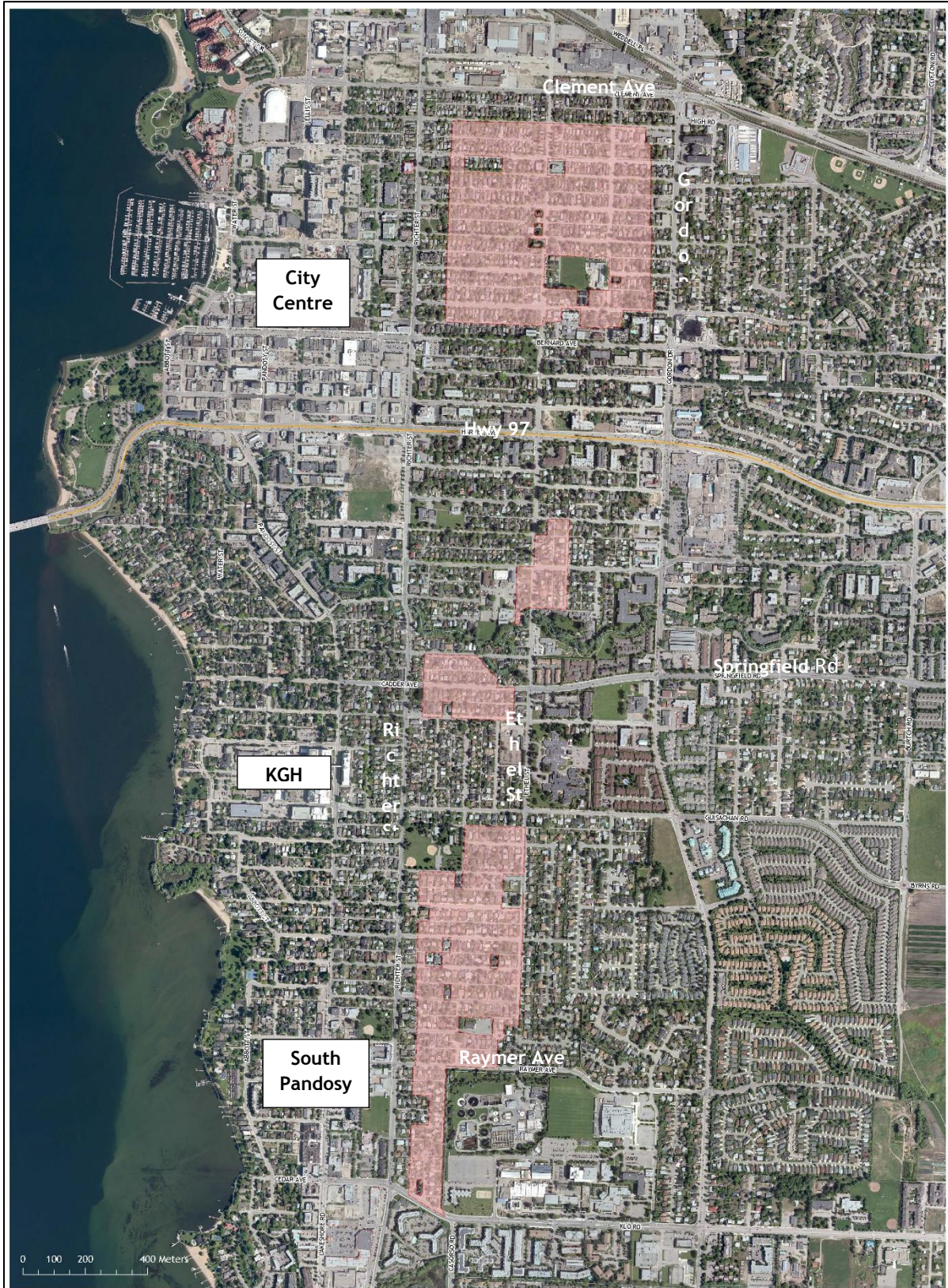
Stephen Fleming, City Clerk

Alan Newcombe, Divisional Director, Infrastructure

Attachments:

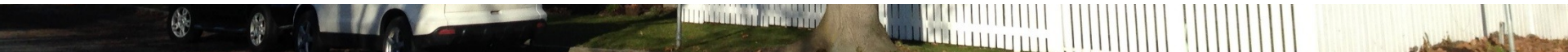
Map "A" - Infill Challenge Area Map

Map “A” - Infill Challenge Area Map



INFILL CHALLENGE

Implementation



OUTLINE

- ▶ Process Review
- ▶ New Future Land Use
- ▶ New Development Permit Area
- ▶ Joint effort

BACKGROUND

► Infill housing is...

“the development of new housing in established neighbourhoods.”



Narrow detached



Narrow duplex



Four-plex

BACKGROUND

▶ Infill benefits

- ▶ Increase housing diversity
- ▶ Match housing options to demographic and housing preference changes
- ▶ Builds complete neighbourhoods
- ▶ Makes efficient use of infrastructure

BACKGROUND

- ▶ Challenges with infill
 - ▶ Polarizing



VS.



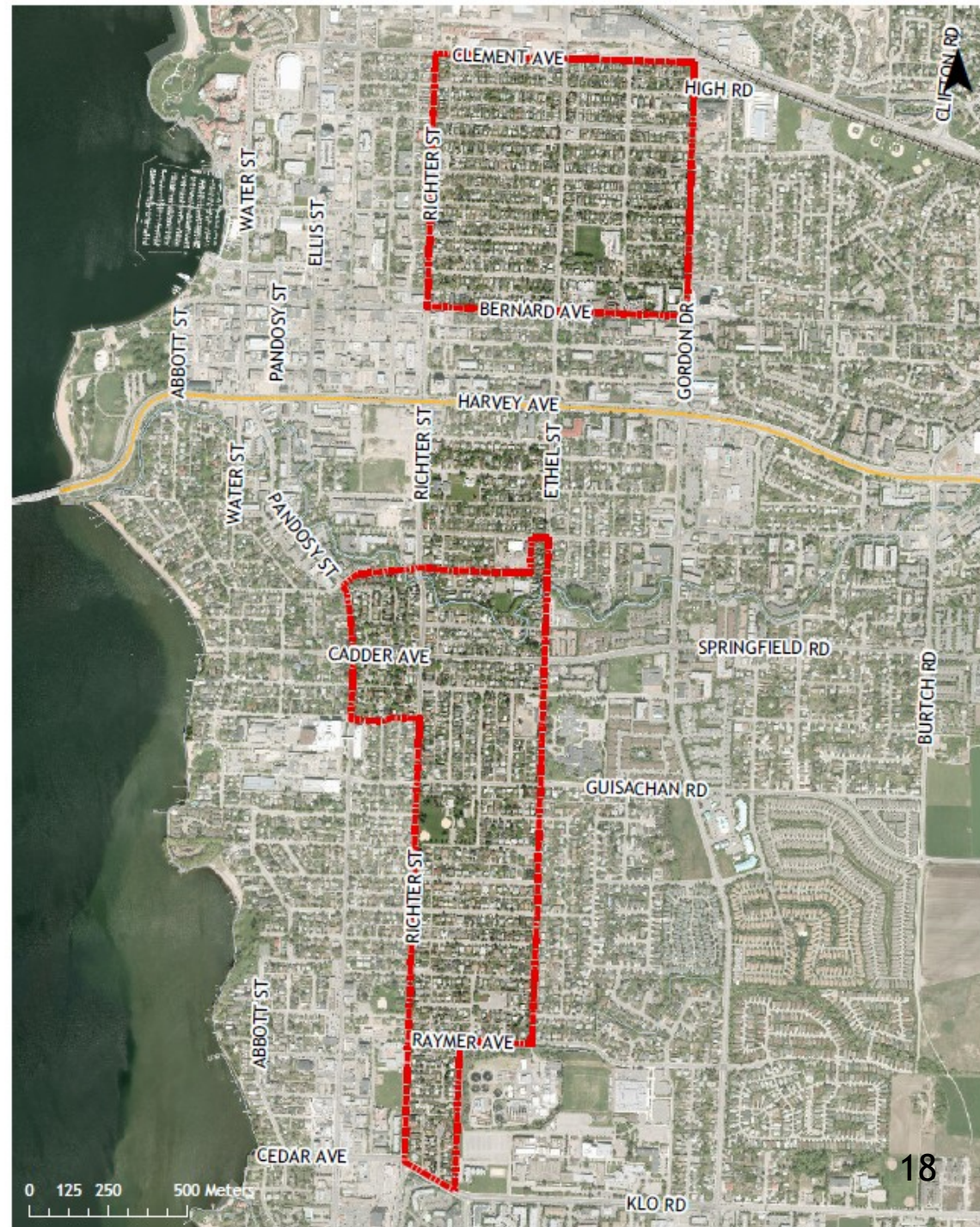
PROCESS OVERVIEW

- ▶ Started the Infill Challenge:
 - ▶ Community Panel
 - ▶ Interior Health, SD23, UBCO, CMHC, Residents, Neighbourhood Associations, Developers, Builders, Realtors

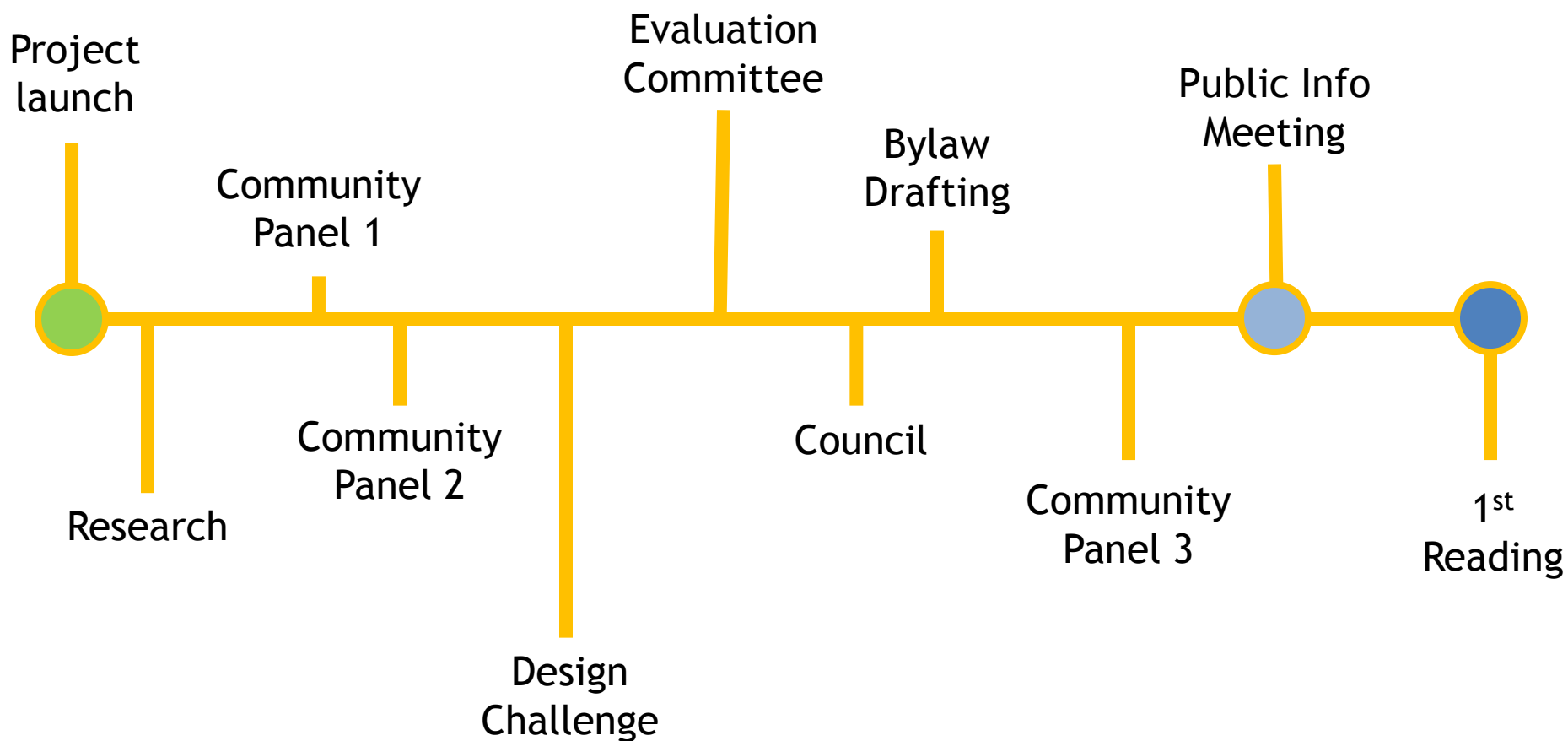


STUDY AREA

- ▶ Supporting our urban centres
- ▶ Lane access
- ▶ Consistent lot configurations



PROCESS OVERVIEW



OUTCOMES

- ▶ Winning Submissions
 - ▶ Inhabit4
 - ▶ Simple

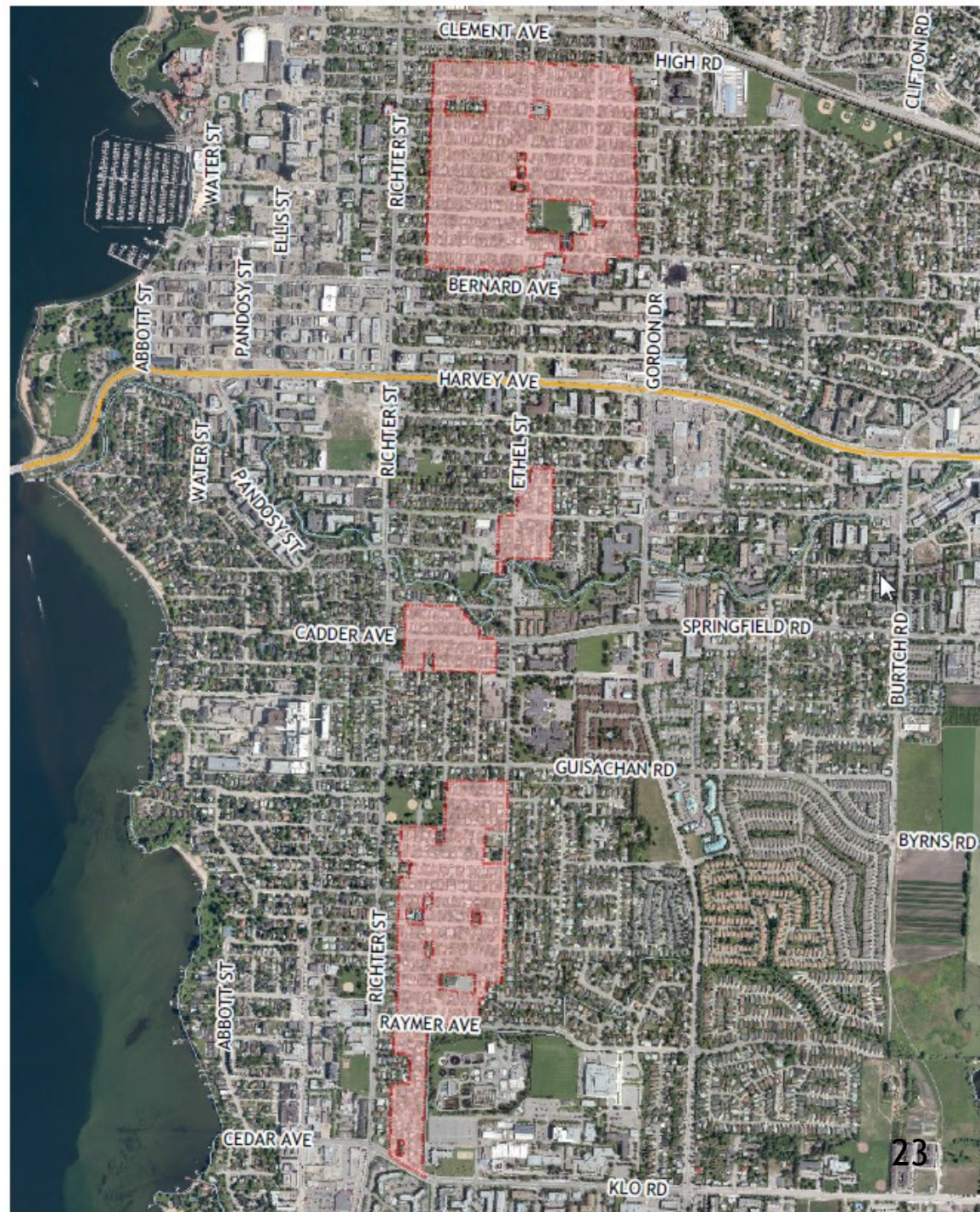




ILLUSTRATION: THE ARTS ALIVE

IMPLEMENTATION

- ▶ Refined Area
 - ▶ New Future Land Use
 - ▶ New DP Area
- ▶ Joint effort



NEW FUTURE LAND USE

- ▶ Existing Single / Two Unit Residential
 - ▶ Winning submissions not permitted
- ▶ Sensitive Infill (Low Density) proposed
 - ▶ Considers multiple forms
 - ▶ Aligned with proposed zoning

NEW DEVELOPMENT PERMIT AREA

- ▶ Increased need for design attention
- ▶ Existing DP Areas insufficient
- ▶ New DP Area proposed to replace existing

NEW DEVELOPMENT PERMIT AREA

- ▶ Informed by Community Panel
 - ▶ Relationship to Street
 - ▶ Bulk & Massing
 - ▶ Landscaping
 - ▶ Lane treatment

FINAL THOUGHTS

- ▶ Included a wide range of voices
- ▶ Success in building support
- ▶ Catalyst for positive change

RECOMMENDATION

- ▶ Introduce and apply new Future Land Use
- ▶ Introduce and apply new Development Permit Area & Guidelines

Report to Council



Date: November 14, 2016
File: 1200-30
To: City Manager
From: Ryan Roycroft, Planner
Subject: Removal of Development Permit Areas

Recommendation:

THAT Official Community Plan Text Amendment Application No. OCP16-0025 to amend Kelowna 2030 - Official Community Plan Bylaw No. 10500 as outlined in Schedule "A" attached to the Report from the Community Planning Department dated November 14, 2016 be considered by Council;

AND THAT Council considers the Public Hearing public process to be appropriate consultation for the *Purpose* of Section 879 of the *Local Government Act*, as outlined in the Report from the Community Planning Department dated November 14, 2016

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

Purpose:

To consider amendments to the Official Community Plan to remove Development Permit areas for Intensive Residential and Character Neighborhood Areas.

Background:

This third report regarding the Infill Challenge addresses proposed Development Permit requirement changes. Recognizing the expected development pressures resulting from the implementation of the Infill Challenge, the proposed bylaw amendments would amend the Official Community Plan to remove the Character Neighbourhood Development Permit Areas and the Intensive Residential Permit Areas as applied to duplexes and carriage houses.

Over the past two decades, Kelowna has continued to accept more and more density in existing neighbourhoods, in the form of secondary suites and later carriage houses. With the adoption of the Infill Challenge bylaws, Kelowna will begin to see four units on identified properties.

To balance regulation and staff time, the City has traditionally reduced permitting requirements on lower density infill as it has opened opportunities for greater infill. The City deregulated rezoning requirements and permits for secondary suites as the door was opened for carriage houses. Now, as the City moves to allow greater infill, staff are recommending that the regulatory burden for Carriage Houses and Duplexes be reduced as well. The Infill Challenge also overlaps almost completely with the Character Neighbourhood Development Permit Area, with the exception in the north downtown. To avoid having multiple areas of Development Permit guidelines, staff are recommending that the Character Area Development Permit guidelines be removed from the bylaw.

The combined effect of these changes would be to essentially remove all Development Permit requirements for single and two family homes in the city, while requiring full Development Permit controls for 3 unit dwellings and above.

Character Area Permits

The Character Neighbourhood Permit overlaps very closely with the Infill Challenge Permit area. Retaining the permit area as it currently sits would lead to multiple permit processes on a single application.

The Character Neighbourhood Permit was intended to preserve the character of downtown neighbourhoods by controlling forms of single family development, including modifications and renovations to existing single family dwellings. As Council has moved to designate these properties for higher density use, the character of the neighbourhoods would be better controlled through the new Infill Development Permit process.

Intensive Residential Permit

The Intensive Residential Permit Area governs development of carriage houses and duplexes in the City, requiring that all carriage houses and duplexes go through a staff issued development permit process.

This permit process was introduced as the City began to allow carriage houses and expanded duplex zones, as a means of ensuring that these new forms of development would integrate into existing neighbourhoods.

Carriage houses and duplexes are much more accepted and encouraged forms of development today. The local development industry has developed products which fit comfortably into established neighbourhoods. Staff are of the opinion that the development permit process for such an established form of development is now acting as more of an obstacle than a benefit.

Properties would still be required to re-zone in order to construct a carriage house or duplex, so Council would retain control over determining whether a site was suitable for a carriage house or duplex.

Legal/Statutory Authority:

Section 488(e) of the Local Government Act allows a municipality to designate Development Permit Areas for intensive Residential Development.

Legal/Statutory Procedural Requirements:

A public hearing will be required as part of the OCP amendment. The public hearing for these amendments may be held with other public processes for other aspects of the Infill Challenge.

Existing Policy:

Currently, the City of Kelowna has designated a Character Area Development permit, which requires the approval of Development Permit prior to any development in designated neighbourhoods.

The City also requires the issuance of a Development Permit for any development of a carriage house or duplex in the City.

Both development permit areas require staff issued development permits, rather than Council issued permits. Council is only involved in the review process where the applicant is requesting a variance to the Zoning bylaw, or where a property must be rezoned. These requirements would not change with the draft amendments.

Financial/Budgetary Considerations:

Removing the requirement for Development Permits would reduce the number of permit applications and associated fees. Minor Direct Development Permits are currently \$900. In a typical year, an average of about 45 permits are taken for carriage houses and character area neighbourhoods, which would lead to a revenue decline of \$40,500. This would be partially offset by permit revenues from the new Infill Challenge Development Permit.

Personnel Implications:

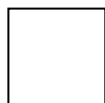
The amendments are intended to reduce staff time being dedicated to Intensive Residential (Carriage House and Duplex) permits to allocate that time towards Infill Challenge driven permits.

Considerations not applicable to this report:**Communications Comments:****External Agency/Public Comments:****Internal Circulation:**

Submitted by:

Ryan Roycroft, Planner

Approved for inclusion:



RS

OCP Bylaw No.				
No.	Section	Existing Text	Proposed Text	Explanation of Change
	14.0 Urban Design Development Permit Areas C - Intensive Residential - Carriage House / Two Dwelling Housing Design Guidelines		Delete	<i>Remove requirement for DPs for Carriage Houses and Duplexes</i>
	14.0 Urban Design Development Permit Areas D - Character Neighbourhood Design Guidelines		Delete	<i>Remove requirements for DPs for Character Areas</i>



APPLICATION: OCP16-0015

INFILL CHALLENGE - DP AREAS AMENDMENTS

PROPOSAL

- ▶ To remove the Intensive Residential - Character Neighbourhood and Intensive Residential - Carriage House / Two Dwelling Development permit areas

PROJECT/TECHNICAL DETAILS

- ▶ 3rd part of the Infill Challenge Implementation
- ▶ Intended to be next step for Kelowna's infill policies
- ▶ Getting Kelowna out of the business of single and two dwelling DPs to focus full attention on 3+ unit DPs.

REMOVING DP AREAS

- ▶ Removing DP areas mean that projects that previously required staff issued DPs would no longer require them
- ▶ Intended to allow implementation of Infill Challenge DPs at net-zero workload change

CHARACTER NEIGHBOURHOOD DP AREAS

- ▶ Currently overlaps with new Infill Area
- ▶ Requires DPs for single family dwellings and additions, garages, renovations
- ▶ Intended to preserve neighbourhood character

CHARACTER NEIGHBOURHOOD DP AREAS

- ▶ Removing permit areas would avoid 'doubling up' on regulation
- ▶ Time better allocated to 3+ unit infill projects rather than SFDs or garages

TWO DWELLING / CARRIAGE HOUSE DPS

- ▶ Staff level permits for carriage house and duplex developments
- ▶ Important during the early stages of infill in Kelowna, but industry and builders now have good understanding of infill
- ▶ Evolution of how city deals with infill

TWO DWELLING / CARRIAGE HOUSE DPS

- ▶ Majority of new Carriage Houses / Duplexes will still generate rezonings
- ▶ Council continues to review zonings
- ▶ Reduces regulatory burden post zoning
- ▶ Reduces need for staff time, improved time for review on major projects

INFILL CHALLENGE

- ▶ Altogether, the three files (OCP, Zoning, DP Guidelines) dramatically change how infill is handled in Kelowna
- ▶ Flexibility, creativity, reduced red tape
- ▶ Important new tool in improving housing situation

STAFF RECOMMENDATION

- ▶ Staff recommend that the DP Area amendments be advanced to Public Hearing as the third leg of the Infill Challenge Implementation

Report to Council



Date: November 14, 2016
File: 940-00
To: City Manager
From: Ryan Roycroft, Planner
Subject: Rezoning and Text Amendment - Infill Challenge

Recommendation:

THAT Zoning Bylaw Text Amendment Application No. TA16-0010 to amend City of Kelowna Zoning Bylaw No. 8000 to create a new RU7 - Infill Housing Zone as outlined in Bylaw No. 11313 and described the Report from the Community Planning Department dated November 14th, 2016 be considered by Council;

AND THAT Rezoning Application No. Z16-0053 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of the properties identified in Bylaw No. 11314 from the RU6 - Two Dwelling Housing zone; RU1 - Large Lot Housing zone; RU1c - Large Lot Housing (carriage house) zone and RU2 - Medium Lot Housing (carriage house) zone to the RU7 - Infill Housing zone be considered by Council;

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

AND FURTHER THAT BL11309 being Amendment No. 17 to the City of Kelowna Subdivision, Development and Servicing Bylaw 7900, be forwarded for reading consideration

1.0 Purpose

To consider Text Amendments, Zoning Bylaw amendments and Servicing Bylaw amendments associated with the Infill Challenge to allow increased residential densities on designated properties.

2.0 Community Planning

The proposed bylaw amendments represent the second portion of the Infill Challenge Implementation. The Text Amendment will create the new RU7 Infill Housing zone, which will allow up to 4 dwellings on lots larger than 15 m by 37 m. The Zoning Bylaw amendment will designate approximately 750 fee simple and 225 strata titled properties in downtown urban neighbourhoods as RU7. The Servicing Bylaw Amendment will establish a requirement that Infill lots be serviced to the same standards as the RU6 - Two Dwelling Housing Zone.

The bylaw will create a progressive and flexible RU7 zone that will further increase choice in housing form and tenure in the neighbourhoods near downtown. The zone will be flexible in terms of housing form and tenure, instead restricting building bulk and mass. It is anticipated that the bylaw will encourage some sites to fully redevelop, but also encourage built out properties to add incremental density.

3.0 Proposal

The proposed RU7 - Infill Housing Zone is an extension of the traditional RU6 - Two Dwelling Housing zone, allowing up to 4 dwellings on properties at least 15 x 37 m.

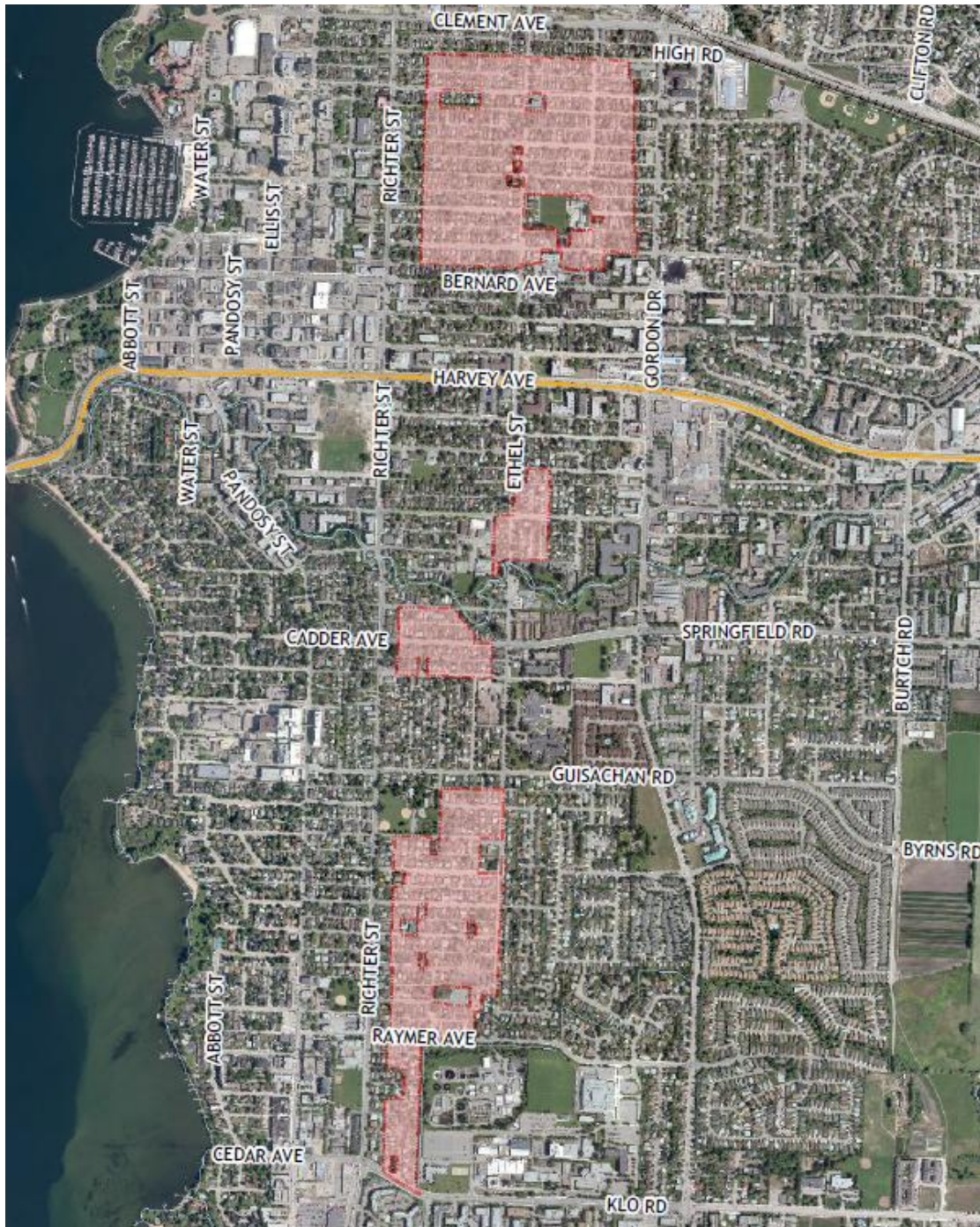
The RU7 zone has been crafted based on the winners of the Infill Challenge. The setbacks and site coverage are slightly more relaxed than the RU6 zone, allowing a greater intensity of development. These relaxations were required to allow sufficient building envelope for average lots to be developed with up to 4 residential units.

To limit bulk and overdevelopment, the RU7 zone will restrict buildings heights to 2 storeys and establish a Floor Area Ratio of 0.8.

RU6 vs. RU7		
	RU6	RU7
Maximum Height	2 ½ storeys / 9.5 m	2 storeys / 8.0 m
Maximum Site Coverage	40% building / 50% building+driveways	45% building / 55 % buildings garage, driveways
Front yard setback	4.5 m	4.0 m
Side yard setback	2.0 m for 1 storey 2.3 m for 2 storey	1.0 m
Rear yard setback	1.5 m	0.9 m
Floor Area Ratio	None	0.80

The RU7 zone will permit up to 4 residential units on a 15 x 37 m parcel of land. It is expected that builders will experiment with different configurations, including 4-plexes, paired duplexes and combinations of suites and multiple homes. The bylaw is drafted to allow flexibility in housing tenure and configuration, to reflect evolving neighborhoods.

For smaller lots zoned RU7, the bylaw will allow two or three units. Lots between 13.5 m and 15.0 m in width will be able to be developed with up to three residential units. Lots narrower than 13.5 m will be able to be developed with 2 units.



Parking

The proposed RU7 - Infill zone would require 1 medium parking stall per residential unit. This is a significant reduction from RU6 zone, which requires 3 or 4 parking stalls per two units. The RU7 Infill zone is intended for dwellings where residents do not own multiple vehicles.

In the near term, the lower number of parking stalls required is likely to generate need for street parking and parking conflicts. In the long run, there is an anticipation that downtown

residents will move away from owning multiple vehicles, and that one vehicle per dwelling unit will be sufficient.

Site Access

All properties will be required to access from the rear lane with no driveways permitted on redeveloping sites. Garages will be required to face the rear of the property, onto the lane. If in the future Council expands the Infill area to lots without lane access, amendments to the RU7 bylaw will be required. These requirements will only be applied at site redevelopment - no existing driveways will be removed unless a property is adding density.

The lane access is an important part of driving sensitive infill. One of the largest concerns raised during public discussions on infill surrounded the concern that front yards of redeveloping properties would resemble parking lots, with large driveways and parking areas. Restricting access to lane only preserves the front yards of redeveloping sites, and will protect trees and the tree canopy.

Land Tenure

The RU7 zone is intended to allow flexible land tenures. A property zoned RU7 could be owned as a single real estate entity and rented to tenants, stratified along internal walls, stratified into individual lots, or subdivided into two fee simple lots. The zone is intended to encourage multiple forms of tenure and different ownership options.

The flexibility of land tenure is an important facet of the bylaw and the Infill Challenge. It is expected that configurations will include stratified fourplexes, duplexes with rental carriage houses, or properties with two dwelling and two rental suites.

Servicing Bylaw Amendments

The bylaw package includes a short amendment to the Subdivision and Development Servicing Bylaw which will add a mention of the RU7 zone to the bylaw. The RU7 zone will require identical servicing to the RU6 zone, including sewer, water and sidewalks. These requirements will be enforced during the building permit process.

Report prepared by:

Ryan Roycroft, Planner

Approved for Inclusion:



Ryan Smith, Community Planning Department Manager

RU7 – Infill Housing

1.1 Purpose

The purpose is to provide a **zone** for infill development of a maximum of four dwelling units on selected properties with lane access in the central city.

1.2 Permitted Uses

The permitted **principal uses** in this **zone** are:

- (a) **agriculture, urban**
- (b) **community garden**
- (c) **single dwelling housing**
- (d) **two dwelling housing**
- (e) **three dwelling housing**
- (f) **four dwelling housing**

1.3 Secondary Uses

The permitted **secondary uses** in this **zone** are:

- (a) **child care centre, minor**
- (b) **group homes, minor**
- (c) **home based businesses, minor**
- (d) **secondary suite**

1.4 Buildings and Structures Permitted

- (a) **one single detached house** which may contain a **secondary suite**
- (b) **duplex housing**
- (c) **semi-detached housing**
- (d) **two single detached houses** which may contain **secondary suites**
- (e) **three-plex housing**
- (f) **four-plex housing**
- (g) permitted **accessory buildings or structures**

NOTE: A maximum of four dwelling units are permitted, as allowed by **Section 1.5** Density Regulations.

1.5 Subdivision Regulations

- (a) The minimum **lot width** is 7.5 m, except it is 9.5 m for a corner lot.
- (b) The minimum lot depth is 37.0 m.
- (c) The minimum lot area is 277.5 m², except it is 350 m² for a corner lot.

1.4 Development Regulations

- (a) The maximum site coverage is 45% and together with accessory buildings, driveways and parking areas, shall not exceed 55%.
- (b) The maximum **floor area ratio** is 0.8.
- (c) The maximum height for residential buildings is the lesser of 8.0m or 2 storeys.
- (d) The maximum height for accessory buildings or structures is 4.8m.
- (e) The minimum site front yard is 4.0 m.
- (f) The minimum site side yard is 1.2 m except it is 3.0 m from a flanking street. For lots 17.0m or wider, the minimum site side yard is increased to 2.0 m.
 - i. **Side yards** are not required for **semi-detached housing** on a **lot line** that has a **party wall**.
- (g) The minimum site rear yard is 0.9 m.
- (h) Detached dwelling units must be separated by a minimum distance of 2.0 m.

1.5 Density Regulations

- (a) Residential density shall be based on the width of the lot.
- (b) For lots narrower than 13.5 m in width, up to two dwellings are permitted.
- (c) For lots between 13.5 m and 15.0 m in width, up to three dwellings are permitted.
- (d) For lots greater than 15.0 m wide, four dwellings are permitted.

1.6 Other Regulations

- (a) Minor group homes are only permitted in single detached housing.
- (b) Vehicular access is only permitted from the lane, except for where a property has two street frontages, where access may be taken from the street frontage which is not the front yard.
- (c) In addition to the regulations listed above, other regulations may apply. These include the general development regulations of Section 6 (accessory development, yards, projections into yards, lighting, stream protection, etc.), the landscaping and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific use regulations of Section 9.

REPORT TO COUNCIL



Date: November 21, 2016

RIM No. 1250-30

To: City Manager

From: Community Planning Department (EW)

Application: Z16-0057

Owner: Victor Projects Ltd.

Address: 2280 Baron Rd

Applicant: Pacific land Resource Group Inc.

Subject: Rezoning Application

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

Existing Zone: C4 - Urban Centre Commercial

Proposed Zone: C4rls - Urban Centre Commercial (Retail Liquor Sales)

1.0 Recommendation

THAT Rezoning Application No. Z16-0057 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6 District Lot 126 ODYD Plan KAP59534, located at 2280 Baron Rd, Kelowna, BC from the C4 - Urban Centre Commercial to the C4rls - Urban Centre Commercial (Retail Liquor Sales) be considered by Council;

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

2.0 Purpose

To consider a rezoning application to add the "rls" (Retail Liquor Sales) designation to the existing C4 - Urban Centre Commercial Zone, in order to permit the sale of BC wines on shelves in an existing grocery store.

3.0 Community Planning

Community Planning Staff supports the proposal to rezone the subject property from the C4 - Urban Centre Commercial to the C4rls - Urban Centre Commercial (Retail Liquor Sales) to allow the sale of BC wines on shelves in the Real Canadian Superstore at 2280 Baron Rd.

Council Policy #359 provides guidance related to the location of liquor stores/retail liquor sales that aims to limit potential land use conflicts and community disturbance issues related to liquor stores and liquor primary establishments. The Policy recommends:

1. New RLS establishments apply for rezoning to allow "Retail Liquor Sales";

2. No Retail Liquor Sales be approved (in conjunction with) Liquor Primary Establishments with person capacity exceeding 150 persons; and
3. Any new Retail Liquor Sales establishment not be located within 300m of an existing Liquor Primary establishment with a capacity greater than 350 persons.

The proposal is in accordance with the Council Policy. The proposed license is not to be approved with a Liquor Primary establishment and there are no Liquor Primary establishments with a capacity greater than 350 persons within 300 m of the subject property.

Current Liquor Control and Licensing Branch Regulations prohibit private or provincial liquor stores from 1km (as the crow flies) of each other. However, these rules do not apply to the current proposal or any grocery stores that seek to sell BC wine on store shelves.

4.0 Proposal

4.1 Project Description

The applicant is proposing to add the "rls" (Retail Liquor Sales) designation to the existing C4 - Urban Centre Commercial Zone, in order to permit the sale of BC wines on shelves in the Real Canadian Superstore. Approximately 93 m² of interior floor space is proposed to be allocated for the retail sales of BC Wine. No exterior changes are proposed.

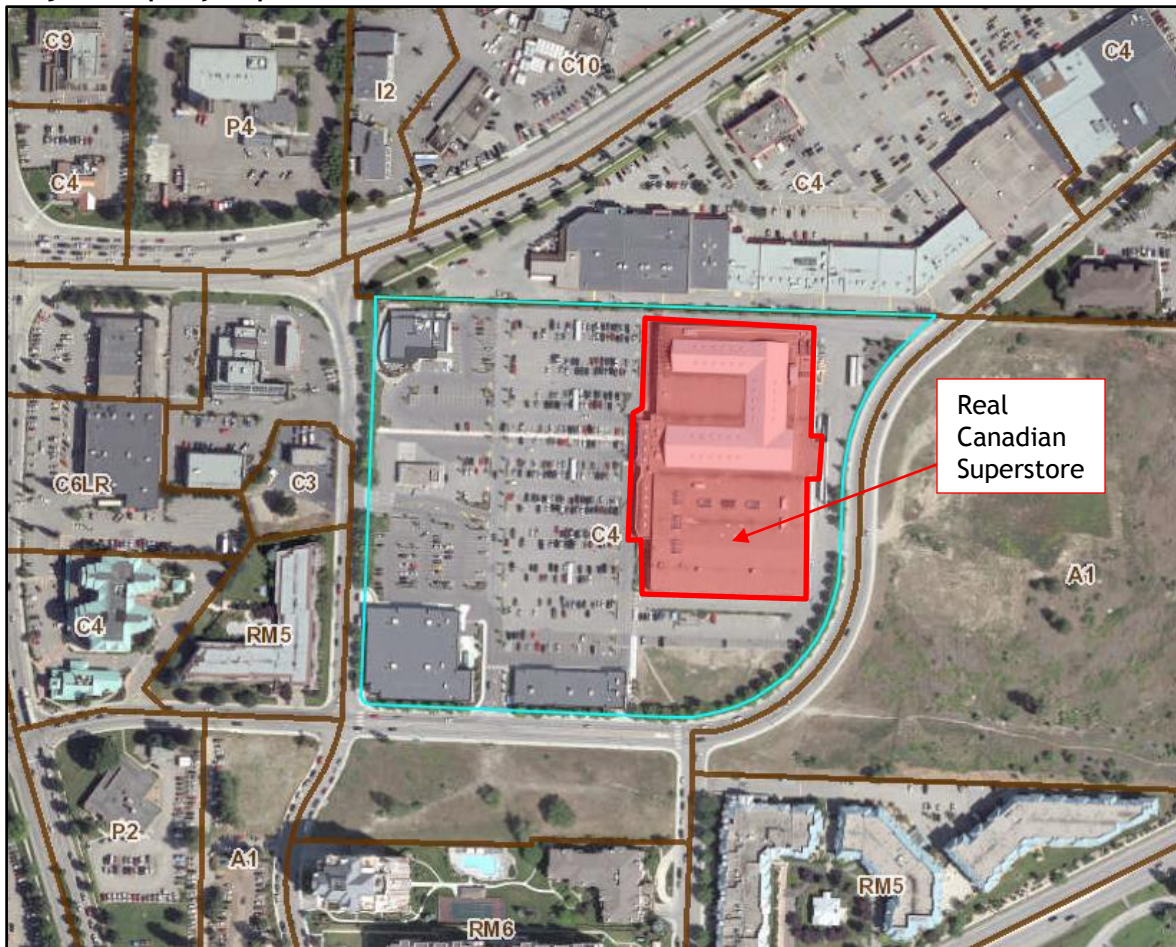
4.2 Site Context

The 5.9 hectare (14.58 acre) subject property called Baron Centre has five commercial building for businesses including The Real Canadian Superstore, Marshalls, Dollarama, and The Keg Steakhouse & Bar. The property is located in the Midtown Urban Centre, south of HWY 97 N.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C4 - Urban Centre Commercial	General retail stores (Dilworth Centre)
East	A1 - Agriculture 1	Vacant land
South	C4 - Urban Centre Commercial	Vacant land
West	C4 - Urban Centre Commercial C3 - Community Commercial RM5 - Medium Density Multiple Housing	Gas Bar Automobile Service Station Apartment Housing

Subject Property Map:



5.0 Current Development Policies

As per Council Policy #359 (Liquor Licensing Policy & Procedures), the following considerations should be made for the location of liquor stores/retail liquor sales (RLS):

- Continue to require new or relocated RLS establishments to apply for a rezoning applicable to allow for "Retail Liquor Sales" in applicable zones.
- No Retail Liquor Sales shall be approved for (in conjunction with) Liquor Primary Establishments with person capacity that exceed 150 persons.
- Any new or relocated Retail Liquor Sales establishment shall not be located within 300 m of an existing Liquor Primary establishment with a person capacity greater than 350 persons.

6.0 Technical Comments

6.1 Building & Permitting Department

- No comment.

6.2 Development Engineering Department

- See attached memorandum dated October 21, 2016.

6.3 Bylaw Services

- No concerns.

6.4 Fire Department

- No concerns with zoning request.

6.5 Ministry of Transportation and Infrastructure

- Preliminary approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*. Please forward the bylaw for Ministry signature after 3rd reading.

7.0 **Application Chronology**

Date of Application Received: August 12, 2016
Date Public Consultation Completed: October 25, 2016

Report prepared by: Emily Williamson, Planner I

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Development Engineering Memorandum dated October 21, 2016

CITY OF KELOWNA

MEMORANDUM

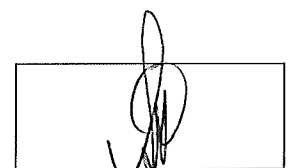
Date: October 21, 2016
File No.: Z16-0057
To: Urban Planning Management (EW)
From: Development Engineering Technologist (JO)
Subject: 2280-2310 Baron Rd Lot: 6 Plan: 59534

1. General.

- a) This application to rezone the subject property from C4 to C4lrs to permit the sales of wine-on-shelf at the Real Canadian Superstore does not impact existing infrastructure.
- b) The subject property is fully serviced by the municipal utility services and the frontage is fully urbanized in accordance with the C4 zone.
- c) The proposed Land Use does not trigger any offsite upgrades.



Jason Ough
Development Engineering Technologist



Development Engineering Manager
(initials)

REPORT TO COUNCIL



Date: November 28, 2016

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TB)

Application: Z16-0049 **Owner:** Tony Pulice Construction Ltd
Inc No BC0722156

Address: 604 Old Meadows Road **Applicant:** Tony Pulice Construction Ltd

Subject: Rezoning Application

Existing OCP Designation: S2RES - Single/Two Unit Residential

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU2 - Medium Lot Housing

1.0 Recommendation

THAT Rezoning Application No. Z16-0049 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Section 6, Township 26, ODYD, Plan 4873, Except plan B6708 and 40500, located at 604 Old Meadows Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing zone be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated August 30, 2016;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the removal of placed soils and fills as outlined in Soil Application Permit SA16-0014.

2.0 Purpose

To rezone the subject property from RU1 - Large Lot Housing to RU2 - Medium Lot Housing to facilitate a 4 lot subdivision.

3.0 Community Planning

Community Planning Staff supports the proposed rezoning from RU1 - Large Lot Housing to RU2 - Medium Lot Housing. The application is consistent with the OCP Future Land Use Designation of

S2RES - Single/Two Unit Residential and the proposal meets the intent of the OCP Urban Infill policies. The proposed 4-lot subdivision will also meet the zoning requirements for RU2.

The applicant completed the requirements of Council Policy #367 by speaking directly with the neighbours at the end of August 2016.

There have been several recent public complaints regarding this property and the placement of soil/fill prior to having proper permits in place. The applicant has now come forward with an application for a Soil Removal Permit that has been issued by the Subdivision Approving Officer that will see the temporary soils removed prior to 4th reading and prior to January 31, 2017 subject to bylaw enforcement.

4.0 Proposal

4.1 Project Description

The proposed rezoning to RU2 will allow for a 4-lot subdivision, increasing density in the area. The subject property is located within the Permanent Growth Boundary and the increased density will be supported by nearby parks, sports fields, schools, beaches, and public transit. The proposed rezoning and subsequent subdivision meet the zoning requirements for RU2 for lot size, width, and depth. The subdivision will trigger road dedications along Lakeshore Road and Old Meadows Road to meet the requirements of the Subdivision, Development, and Servicing Bylaw. Access to all proposed lots will be required to be from Old Meadows Road with no access from Lakeshore Road.

The house and garage have been demolished from the site in anticipation of this rezoning and subsequent subdivision.

4.2 Site Context

The subject property is located on the corner of Lakeshore Road and Old Meadows Road. In close proximity to this property is a mix of RU2, RU6, and Multi-Family zones.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Residential
East	RU1 - Large Lot Housing	Residential
South	RU1 - Large Lot Housing	Residential
West	RU1 - Large Lot Housing	Residential

Subject Property Map: 604 Old Meadows Road



4.3 Zoning Analysis Table

The zoning analysis of the proposed 4 lots will be completed at time of Preliminary Layout Review. The proposed developments on each lot will not be subject to a development permit and can be processed through a building permit.

Zoning Analysis Table		
CRITERIA	RU2 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	400 m ²	2776 m ²
Lot Width	13.0 m	36.52 m
Lot Depth	30.0 m	66.26 m

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Compact Urban Form.¹ 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.

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

Permanent Growth Boundary.² Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of property outside the Permanent Growth Boundary 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 Permanent Growth Boundary may be reviewed as part of the next major OCP update.

6.0 Technical Comments

6.1 Development Engineering Department

Please see attached Memorandum dated August 30, 2016.

6.2 FortisBC Electric

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Old Meadows Road and Lakeshore Road. To date, arrangements have not been completed to meet the requirements to service the proposed subdivision. The applicant is responsible for costs associated with changes to the proposed lots' existing service, if any, as well as the provision of appropriate land rights where required.

7.0 Application Chronology

Date of Application Received:	July 12, 2016
Date Public Consultation Completed:	August/September 2016

Report prepared by:

Trisa Brandt, Planner I

Reviewed by: Terry Barton, Urban Planning Department Manager

Reviewed by: Ryan Smith, Community Planning Department Manager

Approved for Inclusion: Doug Gilchrist, Divisional Director, Community Planning & Real Estate

Attachments:

Proposed Site Plan

Schedule "A": Development Engineering Memorandum dated August 30, 2016

² City of Kelowna Official Community Plan, Policy 5.3.1 (Development Process Chapter).

HEAD OFFICE:
1000-1008 COMMERCIAL AVE
KELLOWNA, B.C., V1Y 5A9
(250) 485-5546



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58



CITY OF KELOWNA

MEMORANDUM

Date: August 30, 2016
File No.: Z16-0049

To: Community Planning (DB)

From: Development Engineering Manager (PI)

Subject: 604 Old Meadows Rd

RU1 to RU2

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

1. General

Road dedication & frontage improvements are triggered by this rezoning application. The requirements include curb and gutter, storm drainage system and pavement widening. Also required is a landscaped boulevard, street lighting and the re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The cost of this construction is at the applicant's expense.

The proposed redevelopment includes the subject parcel being subdivided into four lots. A subdivision application will require service upgrades that include the installation of additional services. The work will require road cuts and boulevard and pavement restoration. Development Engineering is prepared to defer the requirements of the rezoning to the subdivision stage.

Purvez Irani, MS, P Eng., PTOE
Development Engineering Manager
SS

REPORT TO COUNCIL



Date: November 21, 2016

RIM No. 1240-30

To: City Manager

From: Community Planning Department (TB)

Application: HRA16-0002 **Owner:** Colin Gifford Magnus Thomson

Address: 4193 Gordon Drive **Applicant:** Colin Gifford Magnus Thomson

Subject: Heritage Revitalization Agreement

Existing OCP Designation: REP - Resource Protection Area

Existing Zone: A1 - Agriculture

1.0 Recommendation

THAT Council consider designation of the building located at 4193 Gordon Drive, Lot 3, Section 6, Township 26, ODYD, Plan KAP46027, commonly known as the "Thomson Farm House"; and the building located at 4125 Gordon Drive, Lot 3, Section 6, Township 26, ODYD, Plan KAP80134, commonly known as the "Tobacco Barn on G. Thomson Farm" as Designated Heritage Buildings to Section 611 of the Local Government Act, as shown in Attachment "A" - Map "A";

AND THAT Council consider a Bylaw which would authorize the City of Kelowna to enter into a Heritage Revitalization Agreement for certain real property on which is situated two buildings of heritage value which property is located at 4193 and 4125 Gordon Drive and legally known as Lot 3, Section 6, Township 26, ODYD, Plan KAP46027 and Lot 3, Section 6, Township 26, ODYD, Plan KAP80134, Kelowna, BC, in the form attached as Schedule "A" to the Report from the Community Planning Department dated November 7, 2016;

AND THAT the Heritage Designation Bylaw and Heritage Revitalization Agreement Authorization Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Heritage Revitalization Agreement Authorization Bylaw be considered subsequent to the issuance of a Heritage Alteration Permit for the form and character of the proposed accessory building;

AND FURTHER THAT final adoption of the Heritage Revitalization Agreement Authorization Bylaw be considered subsequent to a Heritage Designation Bylaw being adopted for the Thomson Farm House and Tobacco Barn on G. Thomson Farm.

2.0 Purpose

To consider a Heritage Designation Bylaw to designate the Thomson Farm House and Tobacco Barn on G. Thomson Farm; and to consider a Heritage Revitalization Agreement to allow a tourist accommodation in a proposed accessory building.

3.0 Community Planning

The applicant has applied for a Heritage Revitalization Agreement that would allow for the construction of tourist accommodation in an accessory building on their agricultural heritage property. The property features two buildings on the Heritage Register (Thomson Farm House and Tobacco Barn on G. Thomson Farm) and is actively farmed. The proposed accessory building would follow the general carriage house development guidelines and would be used for short term rental accommodation.

The applicant has applied to have both heritage buildings designated with a Heritage Designation Bylaw. This ensures long term protection of the heritage buildings through the use of a Heritage Alteration Permit for any major external alterations. In addition; it allows the applicant increased access to Heritage Grants as administered by the Central Okanagan Heritage Society (COHS).

This proposal has been presented to both the Heritage Advisory Committee and the Agricultural Advisory Committee. Both committees are recommending that Council support the proposal.

4.0 Proposal

4.1 Background

The subject property is zoned A1-Agriculture and is located in the Agricultural Land Reserve. The Thomson farm is of historical interest because of its long association (1898) with the original family which settled in the area during the earliest phase of European Settlement. It was once part of a 250-acre block that extended to the shoreline of Okanagan Lake. Over the last 100 years both urban and park development have reduced the size of the farm. The farm has historically been used as a tobacco farm, dairy farm, lettuce and celery, and nursery stock. There are two historical buildings on the property, the Thomson Farm House and the Tobacco Barn on G. Thomson Farm.

The Farm House (see left photo below) was constructed in 1922 and has been well maintained. It has a 3-bay front elevation, gabled dormers, and a large verandah. It represents a straightforward design with no pretence to historical styles. It has been noted on the Heritage Registry as being attractive and well maintained, with minimal alterations.

The Tobacco Barn (see right photo below) is associated with the second phase of the tobacco industry and was constructed in 1926. It is a well preserved, rare agricultural structure, and is considered a utilitarian agricultural building. The design features a gable-roofed central bay, shed-roofed side bays, cupola vents, and is constructed using post and beam. The walls featured

hinged slats that could be opened or closed for air circulation. Other buildings of historical interest on the property include a barn/horse stable, and a milk house.

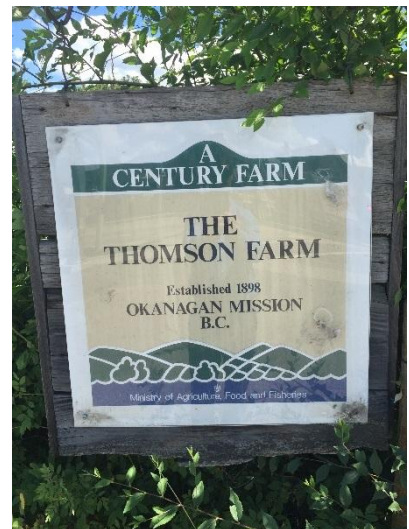


The farm has been a beef and hay operation since 1980. Currently the applicant supports a cow/calf operation of 60 cows and 4 bulls. The subject property is also related closely with another Thomson Family property to the south which is farmed with intensive organic vegetables and hay.

In 1998, the Thomson Farm was the proud recipient of the Century Farm Award. The award recognizes the Thomson family's contribution to BC's agriculture industry and the provincial economy over the previous 100 years.

4.2 Project Description

The applicant is proposing to construct a small single storey accessory building on the south-east corner of the property to be used for tourist accommodation. The specific siting, form and character is a condition of the Heritage Revitalization Agreement and will be assessed through the issuance of a Heritage Alteration Permit prior to 4th reading. The applicant's rationale is to provide rentals that would be associated with tourism of the subject property in terms of heritage tours and farm tours. The siting of the proposed accessory building will be on a Farm Building Footprint with minimal impact on existing farm operations.



It is anticipated that the impact on the neighbourhood will be minimal due to the mix of agricultural and multi-family properties in the near vicinity. Parking will be provided on site, and the property currently has landscaping that screens the view from Gordon Drive. No changes are proposed to the existing heritage buildings at this time. The design of the accessory building will be of a similar style to the existing Thomson Farm House and a similar size to a carriage house.

It is of note that this application is similar to an A1t (Agri-tourist Accommodation) or A1c (Agriculture with Carriage House) rezoning, however utilizing the Heritage Revitalization Agreement allows the application to be tied to the existing heritage value on the property. In addition, the two heritage buildings will be Heritage Designated by Bylaw as a function of this

application, providing a benefit to the City and ensuring long term preservation. This designation also allows the applicant increased access to Heritage Grants in the amount of \$10,000.00 (per 3 years) on approved construction work.

4.3 Site Context

The property is located on the east side of Gordon Drive, and south of the H20 and Capital News Centre. It is a short walk to Okanagan Lake and on a major transit corridor. The lands immediately to the south of the property are used for an intensive organic vegetable garden operation.

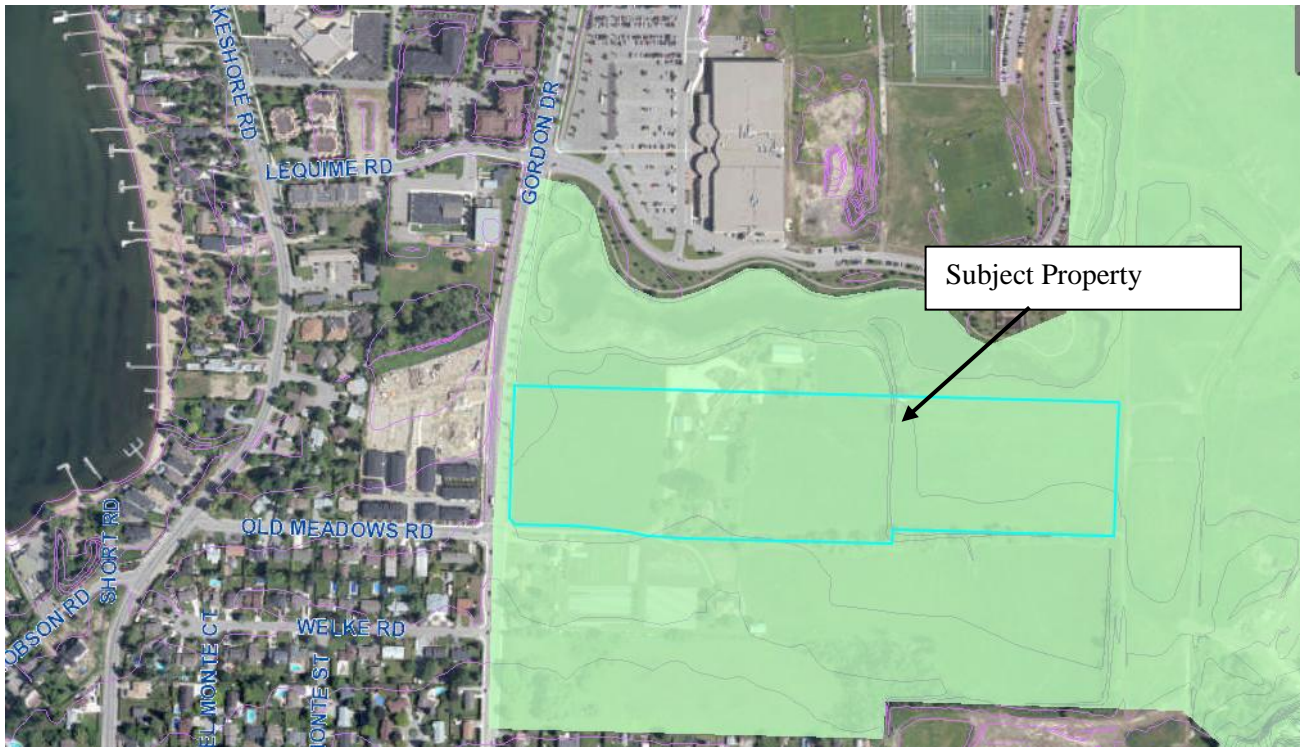
Specifically, adjacent land uses are as follows:

Direction	Zoning	ALR	Land Use
North	A1 - Agriculture	Yes	Agriculture
South	A1 - Agriculture	Yes	Agriculture
East	A1 - Agriculture	Yes	Agriculture
West	RM4 - Transitional Low Density Housing	No	Multi-Family

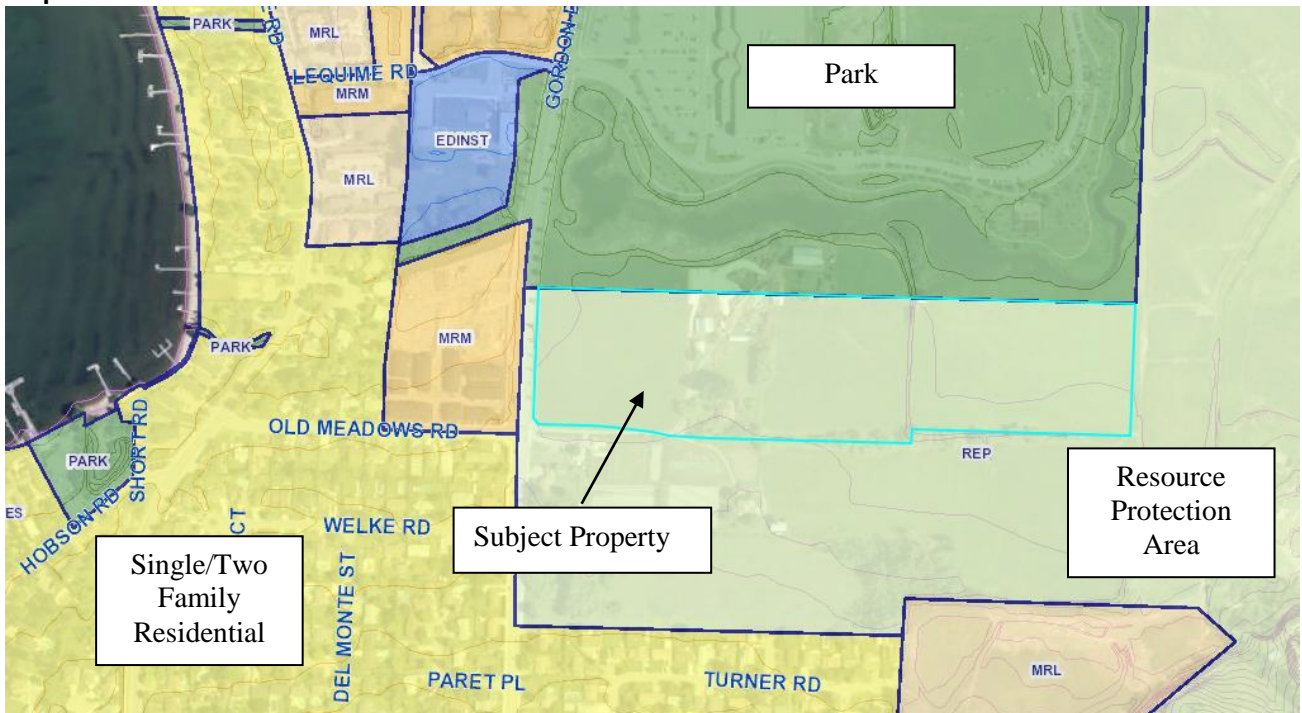
Map 1: Subject Property Map



Map 2: Agricultural Land Reserve



Map 3: Future Land Use



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5 - Development Process

Objective 5.33 Protect and enhance local agriculture.¹

Policy 5 Agri-tourism, Wineries, Cideries, Retail Sales. Support agri-tourism uses that can be proven to be in aid of and directly associated with established farm operations. Permit wineries, cideries and farm retail sales (inside and outside the ALR) only where consistent with existing ALC policies and regulations.

Objective 5.7: Identify and conserve heritage resources.²

Policy 1 Heritage Register: Use the Kelowna Heritage Register for fully informed decision-making regarding land use of heritage properties.

Policy 2 Heritage Designation: Encourage owners of properties listed in the Kelowna Heritage Register and identified as significant to voluntarily provide long-term heritage protection to their properties through the use of a Heritage Designation Bylaw.

Policy 3 Heritage Revitalization Agreements: Consider the adaptive reuse of heritage buildings appropriate within any future land use designation, provided that a Heritage Revitalization Agreement is negotiated with the City and provided that the project meets the criteria established for sensitive neighbourhood integration.

6.0 Technical Comments**6.1 Building & Permitting Department**

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

- Please see attached Memorandum dated August 23, 2016

6.3 Fire Department

- No issues with request
- A separate address or unit number will be required for this cottage.

6.4 FortisBC Electric

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Gordon Drive and within the road reserve bordering the south side of the subject property. Due to the location of existing services and the proposed cottage, extension work may be required to service the structure, the cost of which may be significant. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

¹ City of Kelowna, Official Community Plan Chapter 5, Objective 5.33

² City of Kelowna, Official Community Plan Chapter 5, Objective 5.7

6.5 Policy and Planning

Several structures are located on the property, including two buildings listed on the Heritage Register: the farmhouse built in 1922 and the rare surviving tobacco barn built in 1926. The Statements of Significance provide additional details on the heritage buildings (see attached Attachment "B" and Attachment "C").

The application includes a conceptual design for the guest cottage at the front of the property, though more detail is needed for inclusion in the HRA. The form & character should reflect that of the existing house on the property. The Carriage House / Two Dwelling Housing and Heritage Conservation Area design guidelines offer direction for revisions to the cottage design.

The HRA should consider and, where appropriate, specify details about several matters. These include, but are not limited to: permitted uses, building siting, form & character, hours / seasons of operation, signage, parking & access, landscaping, servicing, phasing, restoration work on the existing heritage buildings, and approvals & permitting requirements for future works. Although not directly applicable, the Adaptive Re-Use Guidelines for Heritage Buildings can be referenced when determining appropriate parameters for some of these items.

Staff conduct site visits every two years to properties with HRAs to confirm compliance with the conditions of the HRA and report back to Council. The HRA should be written in such a way that compliance can be reasonably monitored and confirmed.

Given the family's history of farming and contributions to agriculture in the Okanagan as well as the rare examples of heritage buildings on the site, it is requested the property owners also apply for a Heritage Designation for the two heritage buildings to ensure their long-term protection. This is supported by OCP Policy 5.7.2 and provides long-term benefit to the community.

The property is within the ALR and the ALC approval process should be confirmed prior to presenting the HRA to the HAC or Council.

7.0 Application Chronology

Date of Application Received:	July 26, 2016
Date Public Consultation Completed:	October 2016
Date of Agricultural Advisory Committee:	September 8, 2016
Date of Heritage Advisory Committee:	September 15, 2016

8.0 Agricultural Advisory Committee

The above noted application was reviewed by the Agricultural Advisory Committee at the meeting held on September 8, 2016 and the following recommendations were passed:

THAT the Agricultural Advisory Committee recommends that Council support the Heritage Revitalization Agreement Application No. HRA16-0002 for the property located at 4193 Gordon Drive, Kelowna, BC to allow for a carriage house to be used for rentals on the Heritage Registered property.

ANECTDOTAL COMMENT:

The Agricultural Advisory Committee supports the application for a carriage house to be used for rentals as there is minimal impacts to agriculture and the buffering proposed is

acceptable. The Agricultural Advisory Committee commented that they would like to see an improvement of some sort regarding the maintenance of the heritage property and suggested that Council may wish to seek to register a covenant on the title to ensure short-term rentals. The Agricultural Advisory Committee also noted that at this time, the proposed buffering is acceptable; however, in the future, more enhanced buffering may be necessary and should be considered.

9.0 Heritage Advisory Committee - September 15, 2016

The above noted application was reviewed by the Heritage Advisory Committee at the meeting held on September 15, 2016 and the following recommendations were passed:

THAT the Heritage Advisory Committee recommends that Council support the Heritage Revitalization Agreement No. HRA16-0002 on the subject property at 4193 Gordon Drive for a proposed Carriage House on a Heritage Registered property.

ANECTODAL COMMENT:

The Heritage Advisory Committee supported this application and suggested Heritage Designation be a requirement of the HRA. Members requested that this application come back to the Heritage Advisory Committee regarding form and character. The Committee recommends the Thomson Farm House and Tobacco Barn be designated through a Heritage Designation bylaw due to the history and agricultural uniqueness.

Report prepared by:

Trisa Brandt, Planner I

Reviewed by: Todd Cashin, Suburban and Rural Planning Manager

Reviewed by: Ryan Smith, Community Planning Department Manager

Approved for Inclusion: Doug Gilchrist, Divisional Director, Community Planning & Real Estate

Attachments:

Attachment "A": Map A - Subject Property

Attachment "B": Statement of Significance for Thomson Farm House

Attachment "C": Statement of Significance for Tobacco Barn on G. Thomson Farm

Schedule "A": Heritage Revitalization Agreement

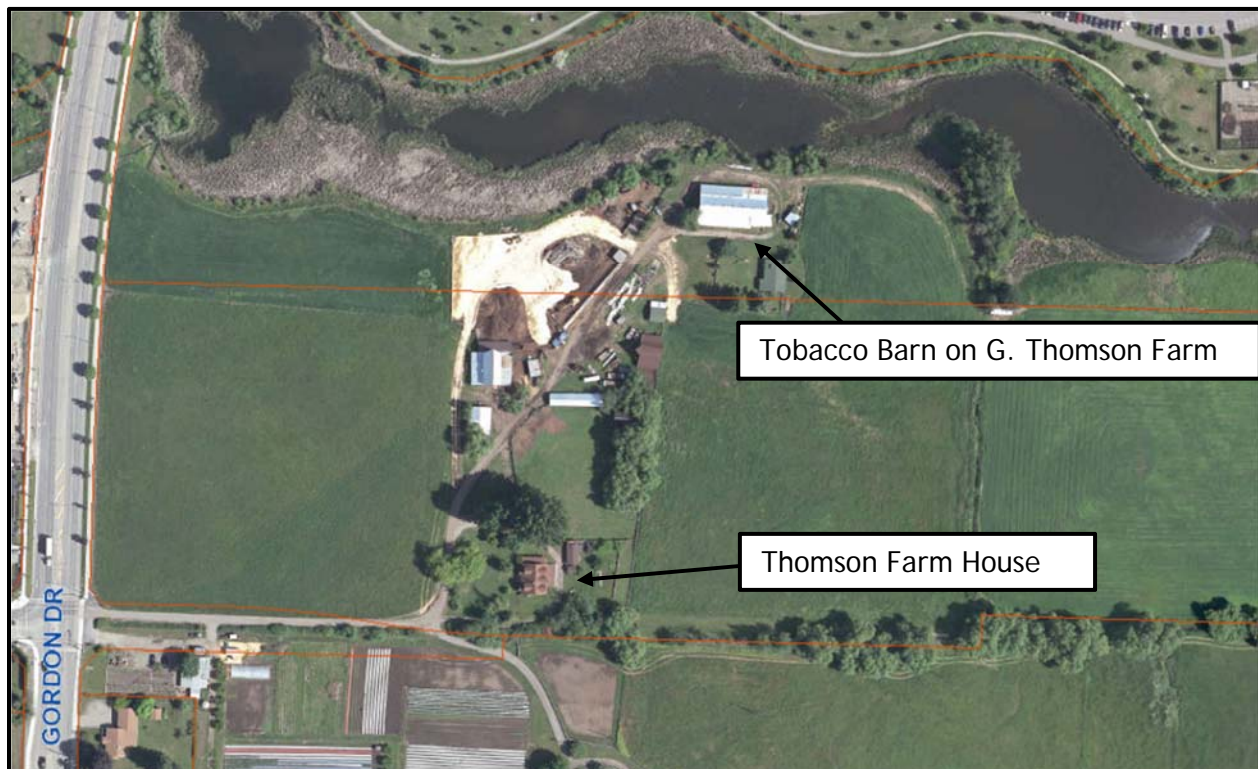
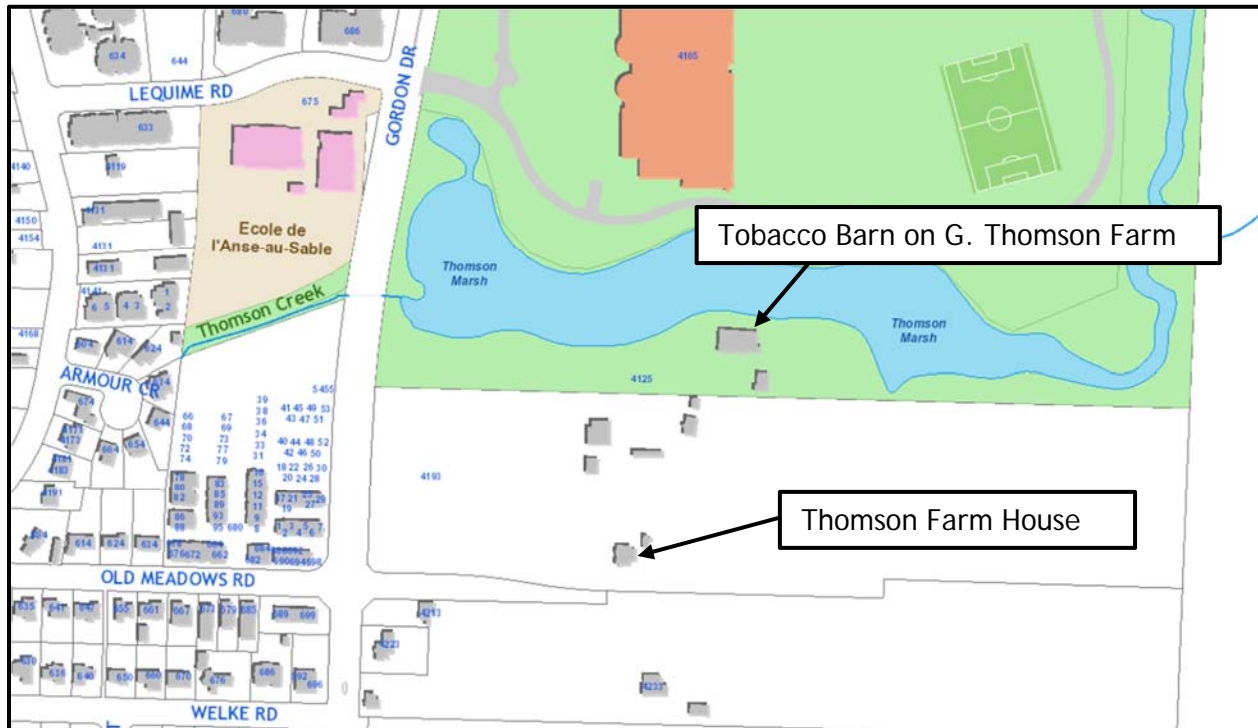
Schedule "AA": Images of Heritage Designation Buildings

Schedule "BB": Farm Building Footprint

MAP A:

4125 Gordon Drive and 4193 Gordon Drive -

Thomson Farm House and Tobacco Barn on G Thomson Farm



Statement of Significance

4193 Gordon Dr - Thomson Farm House

Place Description: The historic place is the 1.5-storey wood-frame residential structure, built in 1922 at 4193 Gordon Drive in Kelowna's Mission Sector.

Heritage Value: This early-1920s farmhouse represents the agricultural heritage of a farming family whose roots in this area go back to 1892. The changes of crops over the years reflect the area's changing agricultural conditions.

The house stands on the third farm in the Kelowna area owned by the family of Gifford R. Thomson. Originally from the Shetland Islands of Scotland, Thomson came to Benvoulin in 1892 with his wife and eight children (a last, ninth, child was born shortly after they arrived). He bought this property in 1898, gradually clearing it and growing hay. Gifford's two sons, Wilberforce ('Wilber') and John ('Jock'), took over the 120-acre farm when their father moved to Vancouver, adding 60 acres to the original 120 acres shortly after their return from service in the First World War. Theirs was a mixed farm. In the 1920s they tried tobacco, then being promoted in Kelowna as a lucrative cash crop (see their tobacco barn at 4193B Gordon Drive). In 1932 they started growing celery, head lettuce, and other vegetables. In the late 1930s they operated the vegetable business in partnership with J.B. Knowles, Kelowna's pioneer jeweler (see 369-371 and 865 Bernard Avenue), as Okanagan Mission Producers, sending vegetables to the Prairies by the boxcar-load and by truck.

Their father, Gifford Thomson, originally bought 20 acres of land from G.G. MacKay, the Benvoulin promoter, but the fruit trees he planted did not thrive because of the high water table. In order to make a living he drove the mail three times a week to Vernon. Around 1900 he pre-empted a property just south of Bellevue Creek, where he built a large house for his family and grew grain; after he sold it in 1904 the house became the well-known Bellevue Hotel. Gifford Thomson then moved to this property, further north, which he had purchased six years earlier. Shortly thereafter he moved to Vancouver, where his ventures included building the Gifford Hotel. With seven of the children being girls, the Thomsons contributed largely to the marriages and population growth of early Okanagan Mission.

The house was built by Wilber and Jock, for the former when he married in 1922. It has features of the American Colonial Revival style, with its steep roof, horizontal clapboard siding, casement windows, and dormers. Wilber's sons Gifford and Kenneth eventually took over operation of the family farm. The vegetable business ended in 1951 because refrigerated shipments of California produce made it uncompetitive. The Thomsons then shifted to dairy farming, shipping milk from their Holsteins through NOCA Dairy. In 1953, under the name Okanagan Nurseries, they started growing dwarf apple root stock to supply the orchard industry, which was beginning the shift to planting high-density orchards on dwarf trees.

After Gordon Drive was pushed through the site of their dairy barn in 1983, the brothers shifted to beef cattle. In the early 1990s they sold 80 acres to the City of Kelowna for park development and divided the remaining 40 acres of the original block between them. Gifford Thomson continues to live in this house, maintaining the continuity of occupation of the house and the long Thomson agricultural tradition.

Character
Defining
Elements:

- 1.5-storey residence with features of the American Colonial Revival style
- Steep gabled roof and gabled dormers
- Projecting gabled bays on front elevation
- Large screened porch on left side
- Six- and eight-pane casement windows
- Horizontal wood beveled siding
- Corbelled brick chimney
- Large property with gardens, large poplar trees, grass, and open space



Statement of Significance

4193 Gordon Dr - Tobacco Barn on G. Thomson Farm

Place Description: The historic place is the tall, wood Tobacco Barn on the Thomson Farm, a utilitarian agricultural structure built in 1926 on the property at 4193 Gordon Drive in Kelowna's Mission Sector.

Heritage Value: This barn has value as is a relic of the third and final phase of the local tobacco industry, an endeavour that ultimately failed, but which for a time looked poised to become Kelowna's main industry. Tobacco was only one of a range of crops that have been grown on this farm, which has been operated by the Thomson family for more than a century, another aspect of the barn's heritage value.

The property on which this barn stands was purchased in 1898 by Scots-born Gifford R. Thomson (see 4193A Gordon Drive), and was subsequently operated by his sons Wilberforce ('Wilber') and John ('Jock') Thomson. In 1928 the Thomsons, along with several other farmers in Okanagan Mission, were growing tobacco, and the barn was presumably erected for that crop. It is not as large as some of the other surviving tobacco barns, but it would have functioned in the same way.

Tobacco is demanding both in its growing and in its curing, and barns such as this were designed to give closely controlled conditions for drying the tobacco after it was harvested. They were made large enough for a wagon and team of horses to drive right through. Cupola ventilators on the roofs and hinged slats in the walls could be opened or closed for air circulation. The harvested tobacco plants were speared through the thick bases of their stalks onto four-foot laths, and then hung in the barns in layers, with an air space between. Ventilation in the barn was controlled to allow fermentation, or 'curing', of the leaf as it slowly dried.

The leaf grown in the third phase of the local tobacco industry, which began in 1926, was mostly for pipe tobacco and for cigarettes (mixed with leaf grown at Sumas, Washington), as cigars were in decreasing demand, and it was sold under the 'Kelowna Pride' brand.

Thomson's venture into tobacco was not a success. Since the failure of Kelowna's tobacco industry, the barn has been used for general farm purposes and hay storage. The cupola ventilators have been removed and shed-roofed side bays added, but the tall, central portion remains from the original structure.

- Character Defining Elements:
- Wood post-and-beam construction

- Utilitarian agricultural building style

- Tall, steeply gabled central core remains from the original barn

- Cupola Vents

- Large openings at the ends to allow carts to drive through

- Ventilators in side walls

- Horizontal wood siding on side bays

- Building is set on an active farm

SCHEDULE "A"
HERITAGE REVITALIZATION AGREEMENT

SCHEDULE A	
This forms part of application # <u>HRA16-0002</u>	
Planner Initials	<div style="border: 1px solid black; display: inline-block; width: 40px; height: 20px; line-height: 20px;">TB</div>
 City of Kelowna <small>COMMUNITY PLANNING</small>	

THIS AGREEMENT dated as of the 8 day of November, 2016

BETWEEN:

CITY OF KELOWNA, a Municipal Corporation having offices at
1435 Water Street
Kelowna, British Columbia
V1Y 1J4

(herein called the "CITY")

OF THE FIRST PART

AND: Colin Gifford Magnus Thomson
4193 Gordon Drive
Kelowna, British Columbia
V1W 1S4

(herein called the "OWNER")

OF THE SECOND PART

WHEREAS a local government may, by bylaw, enter into a Heritage Revitalization Agreement with the Owner of property identified as having heritage value, pursuant to Section 610 of the *Local Government Act*;

AND WHEREAS the Owner owns certain real property on which is situated two buildings of heritage value, pursuant to the City's Heritage Register, which property is located at 4193 Gordon Drive, Kelowna, British Columbia; including the Thomson Farm House located on 4193 Gordon Drive, Kelowna, BC and the Tobacco Barn located at 4125 Gordon Drive, Kelowna British Columbia, and legally described as:

Parcel Identifier: 017-524-822
Lot 3 Section 6 Township 26 ODYD Plan KAP46027

And

Parcel Identifier: 026-563-401
Lot 3 Section 6 Township 26 ODYD Plan KAP80134

(herein called the "Heritage Lands")

AND WHEREAS the Owner has presented to the City a proposal for the use, development and preservation of the Heritage Lands and has voluntarily and without any requirement by the City, entered into this agreement pursuant to Section 610 of the *Local Government Act*;

AND WHEREAS a local government must hold a Public Hearing on the matter before entering into, or amending, a Heritage Revitalization Agreement if the agreement or amendment would permit a change to the use or density of use that is not otherwise authorized by the applicable zoning of the Heritage Lands and for these purposes Section 464 through 470 of the *Local Government Act* apply;

AND WHEREAS within thirty days after entering into, or amending, a Heritage Revitalization Agreement the local government must file a notice in the Land Title Office in accordance with Section 594 of the *Local Government Act* and give notice to the Minister responsible for the *Heritage Conservation Act* in accordance with Section 595 of the *Local Government Act*;

NOW THEREFORE in consideration of the mutual promises contained in this agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1.0 Heritage Revitalization

1.1 The parties agree that the Heritage Lands have heritage value, deserving of protection and conservation and the Owner specifically agrees to restore, maintain, preserve and protect the heritage character of the Thomson Farm House and the Tobacco Barn on G. Thomson Farm located on the Heritage Lands as photographed in Schedule "AA".

1.2 The parties agree that the Heritage Lands may, notwithstanding the A1 - Agriculture Zoning on the Heritage Lands, be used for the following permitted uses:

(a) The construction of an accessory building to be used as a Bed and Breakfast for tourist accommodations:

- i. The siting of the accessory building is contained within the Farm Building Footprint indicated on Schedule "BB";
- ii. The maximum floor area of the accessory building is limited to 90m²;
- iii. The height of the accessory building be restricted to 6.0m maximum at mid-point;
- iv. The form and character of the accessory building shall be approved through a Heritage Alteration Permit and is to reflect the form and character of the Thomson Farm House;
- v. The accessory building may be used for short term vacation rentals;
- vi. The accessory building may contain one kitchen;
- vii. The accessory building may contain bedroom(s) and bathroom(s);
- viii. One additional parking stall shall be provided within the Farm Building Footprint indicated on Schedule "BB";
- vi. Agriculture shall remain as the principal use on the subject property;
- vii. The subject property shall retain Farm Status through BC Assessment;
- viii. The accessory building shall be screened from Gordon Drive through the use of landscaping;
- viv. The business sign be limited to one non-illuminated nameplate not to exceed 2.5 square feet in area;

(b) The Owner will apply for all necessary building permits and Heritage Alteration Permits for construction of the accessory building;

- (c) No major changes or additions are proposed to the Thomson Farm House or Tobacco Barn at this time;
- (d) The applicant will apply to have the Thomson Farm House and Tobacco Barn Heritage Designated by Bylaw as a function of this Heritage Revitalization Agreement.
- 1.3 The parties agree that, except as varied or supplemented by the provisions of this agreement, all bylaws and regulations of the City and all laws of any authority having jurisdiction shall apply to the Heritage Lands and the Heritage Building.
- 1.4 Where a Heritage Alteration Permit is required, the discretion to approve, refuse, or revise such permit is delegated by Council to the Director of Land Use Management.
- 2.0 **Conservation and Maintenance of Existing Development.**
- 2.1 The owner agrees not to alter the exterior through a major renovation or addition of the heritage buildings (Thomson Farm House and Tobacco Barn on G. Thomson Farm) except pursuant to a Heritage Alteration Permit issued by the City, and in accordance with this agreement.
- 2.2 If original features must be replaced, the new material shall be similar or identical to the original. Where original features were removed through earlier renovations or alterations and the replacements were not in keeping with the original style of the building, any subsequent replacement of these features shall complement the building's heritage style.
- 2.3 The parties agree that the heritage buildings are to be inspected every two (2) years to ensure that regular maintenance and upkeep is consistent with the standards of this agreement.
- 3.0 **Proposed Development**
- 3.1 The parties agree that variances to the following sections of City of Kelowna Zoning Bylaw No. 8000 be granted through this agreement:

Zoning Bylaw No. 8000:

Section 6.5.11 - Accessory Development

To allow the proposed accessory development to contain bedroom(s); bathroom(s); and one kitchen;

Section 9.6.1 (a) - Bed and Breakfast Homes

To allow Bed and Breakfast as a secondary use in a detached accessory building rather than in the principal dwelling.

Section 9.6.1 (c) - Bed and Breakfast Homes

To allow the licensed operator of the Bed and Breakfast to reside in their primary dwelling and not the dwelling where the Bed and Breakfast is being operated.

- 3.2 The Owner agrees to provide and pay for all servicing required by the proposed development of the Heritage Lands and to provide required bonding for same, including, but not limited to: domestic water and fire protection, sanitary sewer, storm drainage, road improvements, road dedications and statutory rights-of-way for utility servicing, power and telecommunication services and street lighting all as noted in section 4.0 of this agreement.

(herein after called the "Development Engineering Department Requirements")

4.0 Development Engineering Requirements

Domestic Water

Our records indicate that this property is currently serviced with a 50mm-diameter water service which is adequate for this application.

Sanitary Sewer

Sanitary sewage is currently handled by an on-site sewage disposal system. On-site servicing will be reviewed by the Interior Health Authority and Building & Permitting.

Site Access and Development Related Issues

Direct the roof drains onto splash pads.

Electric Power and Telecommunication Services

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

Otherwise, all requirements of City of Kelowna Subdivision, Development, and Servicing Bylaw No. 7900 apply.

5.0 Commencement and Completion

- 5.1 The Owner agrees to commence the proposed development upon adoption of City of Kelowna Heritage Revitalization Agreement Authorization Bylaw No. _____ and to complete all such construction within 2 years of the Heritage Alteration Permit issuance.

6.0 Damage or Destruction

- 6.1 In the event that no more than 75% of the Heritage Building is damaged, the parties agree as follows:

a) The Owner may repair the Heritage Building in which event the Owner shall forthwith commence the repair work and complete same within one year of the date of damage;

OR, in the event that the Heritage Building is destroyed,

b) The City may, by bylaw, and after conducting a Public Hearing in the manner prescribed by Sections 464 through 470 of the *Local Government Act*, cancel this agreement, whereupon all use and occupation of the Heritage Lands shall thenceforth be in accordance with the zoning bylaws of the City and in accordance with all other bylaws or regulations of the City or any other laws of authority having jurisdiction.

7.0 Breach

7.1 In the event that the Owner is in breach of any term of this Agreement, the City may give the Owner notice in writing of the breach and the Owner shall remedy the breach within 30 days of receipt of the notice. In the event that the Owner fails to remedy the breach within the time allotted by the notice, the City may, by bylaw and after conducting a Public Hearing in the manner prescribed by Sections 890 through 894 of the *Local Government Act*, cancel this Agreement whereupon all use and occupation of the Heritage Lands shall thenceforth be in accordance with the zoning bylaws of the City and in accordance with all other bylaws or regulations of the City or any other laws of authority having jurisdiction.

8.0 Amendment

8.1 The parties acknowledge and agree that this Agreement may only be amended by one of the following means:

a) By bylaw with the consent of the parties provided that a Public Hearing shall be held if an amendment would permit a change to use or density of use on site or;

b) By Heritage Alteration Permit (HAP), issued pursuant to Section 617 of the *Local Government Act*.

9.0 Representations

9.1 It is mutually understood and agreed upon between the parties that the City has made no representations, covenants, warranties, promises or agreements expressed or implied, other than those expressly contained in this Agreement.

10.0 Statutory Functions

10.1 Except as expressly varied or supplemented herein, this Agreement shall not prejudice or affect the rights and powers of the City in the exercise of its statutory functions and responsibilities including, but not limited to, the *Local Government Act* and its rights and powers under any enactments, bylaws, order or regulations, all of which, except as expressly varied or supplemented herein, are applicable to the Heritage Lands.

11.0 Inurement

11.1 This Agreement inures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

12.0 Other Documents

12.1 The Owner agrees at the request of the City, to execute and deliver or cause to be executed and delivered all such further agreements, documents and instruments and to do and perform or cause to be done and performed all such acts and things as may be required in the opinion of the City to give full effect to the intent of this Agreement.

13.0 Interpretation

Unless defined otherwise in this document all terms are defined in City of Kelowna Zoning Bylaw No. 8000.

14.0 Notices

14.1 Any notice required to be given pursuant to this Agreement shall be in writing and shall either be delivered mailed by registered mail as follows:

(a) To the City:

City of Kelowna
1435 Water Street
Kelowna, B.C. V1Y 1J4

ATTENTION: City Clerk

(b) To the Owner:

Colin Gifford Magnus Thomson
4193 Gordon Drive
Kelowna, British Columbia
V1W 1S4

Or, to such other address to which a party hereto may from time to time advise in writing

15.0 No Partnership or Agency

15.1 The parties agree that nothing contained herein creates a relationship between the parties of partnership, joint venture or agency.

IN WITNESS WHEREOF this Agreement has been executed by the parties hereto on the day and year first above written.

CITY OF KELOWNA
By its authorized signatories

Mayor

City Clerk

SCHEDULE "A" - Page 7.

Colin Thomson.
Colin Gifford Magnus Thomson, Owner

COLIN G. M. THOMSON

In the presence of:

Trisa Brandt
Witness (print name)

[Signature]
Witness (Signature)

2219 Aberdeen St.
Address

Planner - City of Kelowna.
Occupation

SCHEDULE

AA

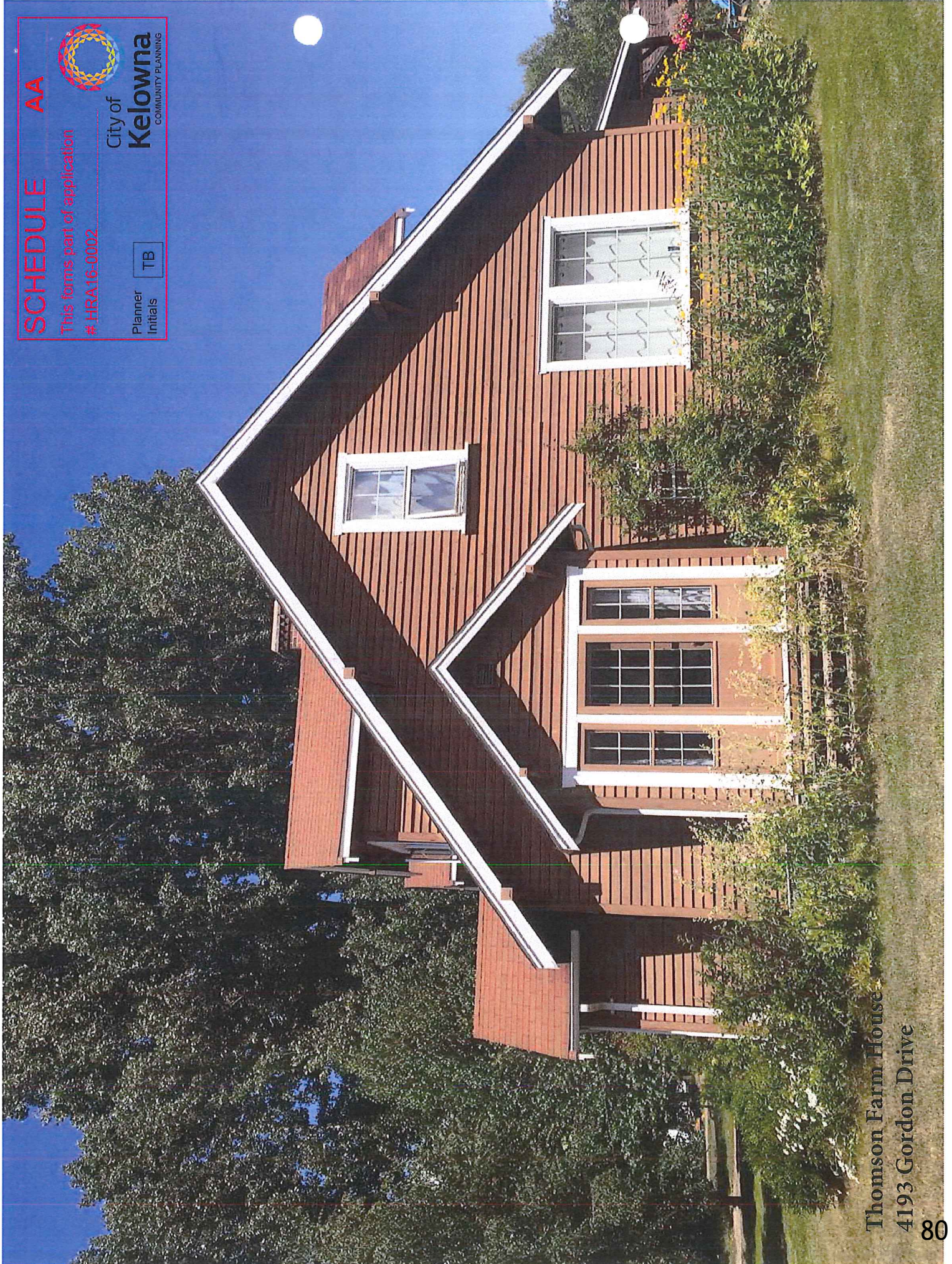
This form is part of application
HRA16-0002



City of
Kelowna
COMMUNITY PLANNING

Planner
Initials

TB



Thomson Farm House
4193 Gordon Drive

SCHEDULE AA

This forms part of application
HRA16-0002



City of
Kelowna
COMMUNITY PLANNING

Planner
Initials
TB



Thomson Farm House
4193 Gordon Drive
81

SCHEDULE

AA

This forms part of application
HRA16-0002



City of
Kelowna
COMMUNITY PLANNING

Planner
Initials

TB



Tobacco Barn
4125 Gordon Drive

GORDON ST. W. E

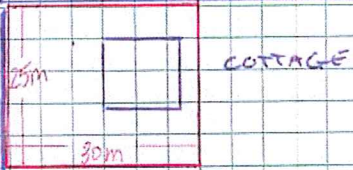
SCHEDULE

BB

This forms part of application
HRA16-0002

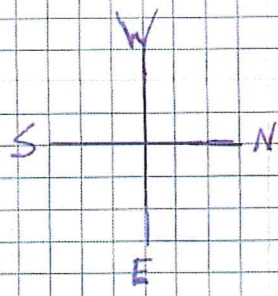
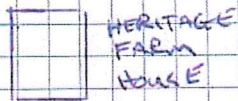
Planner
Initials

TB

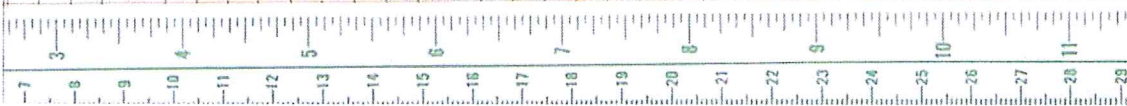


Farm Building Footprint to be in South West Corner of Property
 $25\text{m} \times 30\text{m} = 600\text{m}^2$

DRIVEWAY



1 SQUARE = 5 M



REPORT TO COUNCIL



Date: November 21, 2016

RIM No. 1250-20, 1250-04, & 1250-30

To: City Manager

From: Community Planning Department (EW)

Application: OCP 16-0018, TA16-0013, & Z16-0059 **Owner:** Michael Arthur Ohman

Address: 1893 Ethel St **Applicant:** Deanne Marian Leung

Subject: OCP Amendment, Text Amendment, & Rezoning

Existing OCP Designation: S2RES - Single/Two Unit Residential

Proposed OCP Designation: EDINST - Educational/Major Institutional

Existing Zone: RU6 - Two Dwelling Housing

Proposed Zone: P2 - Education and Minor Institutional

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP16-0018 to amend Map 4.2 in the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 6 District Lot 138 ODYD Plan 3189, located at 1893 Ethel St, Kelowna, BC from the S2RES - Single/Two Unit Residential designation to the EDINST - Education/Major Institutional designation;

AND THAT Rezoning Application No. Z16-0059 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6 District Lot 138 ODYD Plan 3189, located at 1893 Ethel St, Kelowna, BC from the RU6 - Two Dwelling Housing Zone to the P2- Education and Minor Institutional Zone;

AND THAT Text Amendment No. TA16-0018 to amend the City of Kelowna Zoning Bylaw No. 8000 as outlined in "Schedule A" attached to the Report from the Community Planning Department dated November 21st 2016, be considered by Council;

AND THAT the OCP Amending Bylaw, Text Amending Bylaw, and Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction.

2.0 Purpose

To consider an application to amend the Official Community Plan, rezone the subject property, and amend the interpretation of 'health services, minor' within the P2 Zone to facilitate the operation of a counselling office.

3.0 Community Planning

Community Planning supports the Official Community Plan and Zoning Bylaw amendment applications. The proposed land use, a counselling office, is not expected to generate any land use conflicts with surrounding residential uses. The subject property is a corner lot, in close proximity to other educational and institutional uses. The size of the property is a limiting factor and the availability of parking on site can only support minor educational and institutional uses. The property will maintain the single family character with screened parking and minor external modifications including bicycle parking and an accessible ramp.

4.0 Proposal

4.1 Background

The applicant currently operates Stepping Stones Counselling Group at 1369 Richter Street. Stepping Stones Counselling Group specializes in counselling for vulnerable and complex children. The applicant would like to relocate to the subject property, 1893 Ethel St, because it is a larger space and centrally located.

4.2 Project Description

The applicant has applied to amend the Official Community Plan and Rezone the subject property to facilitate the operation of a counselling office. A text amendment to the health services, minor interpretation and the P2 Zone is also to be considered. The current OCP designation for the property is S2RES Single/Two Unit Residential and the zoning is RU6 - Two Dwelling Housing.

The primary proposed use for the existing house is to provide child counselling, not currently permitted in the RU6 Zone. Adult/family counselling is also proposed but is generally in the context of the child as the primary referral. Recreation therapy and small group therapy sessions to a maximum of 6 children would also be offered at the Ethel St location. The existing house will not be used for residential purposes. The applicant's development proposal as well as two letters of support from a current and past neighbour are attached for review (Attachments A & B).

In addition to the proposal at 1893 Ethel St, the proposed text amendments to the health services, minor interpretation will facilitate additional therapy uses including occupational therapy, currently proposed by a prospective buyer at the applicant's current 1369 Richter Street location. As the Richter Street property is already zoned P2, no additional amendments are proposed.

Rezoning and OCP Amendment

In order to permit the proposed use, rezoning to a zone that permits health services is required. Health services is permitted in a number of commercial and health district zones, as well as the P1 and P2 Zones. Given the location of the subject property outside the OCP Health District future land use designation and the other permitted uses in the commercial zones including gas bars, rezoning to a commercial or HD zone was not recommended. Similarly, the permitted uses in the P1 Zone were too intensive for the subject property.

The P2 - Education and Minor Institutional Zone has a smaller scale of uses more appropriate to the location and size of the subject property. However, the size of the property, particularly the availability of parking, will be a limiting factor in allowing other uses currently permitted in the P2 Zone on site. Taking into consideration the maximum 60% site coverage for buildings and parking, it would not be possible for higher impact uses including community recreation services or religious assemblies to be accommodated on site.

Text Amendment

In order to allow adult counselling, complimentary therapy services, and group therapy sessions in the P2 Zone, text amendments to the health services, minor interpretation and the P2 Zone are proposed.

The current interpretation of health services, minor *means development used for the provision of child counselling services*. The proposed text amendments remove "child" from the interpretation, add "therapeutic services", and restrict the number of clients for a health services, minor use to a maximum of six (6), for lots smaller than 1000 m² in the P2 Zone.

Preservation of Neighbourhood Character

The site can accommodate the 4 required parking spaces for the proposed health services use (Site Plan and Parking Rationale - Attachments C & D). Parking will be accessed off the lane and will be screened with existing hedges and the addition of fencing. Bicycle parking is proposed at the front of the property facing Ethel St. The residential character of the property will be maintained and no exterior changes are proposed to the building apart from an accessible ramp and bicycle parking.

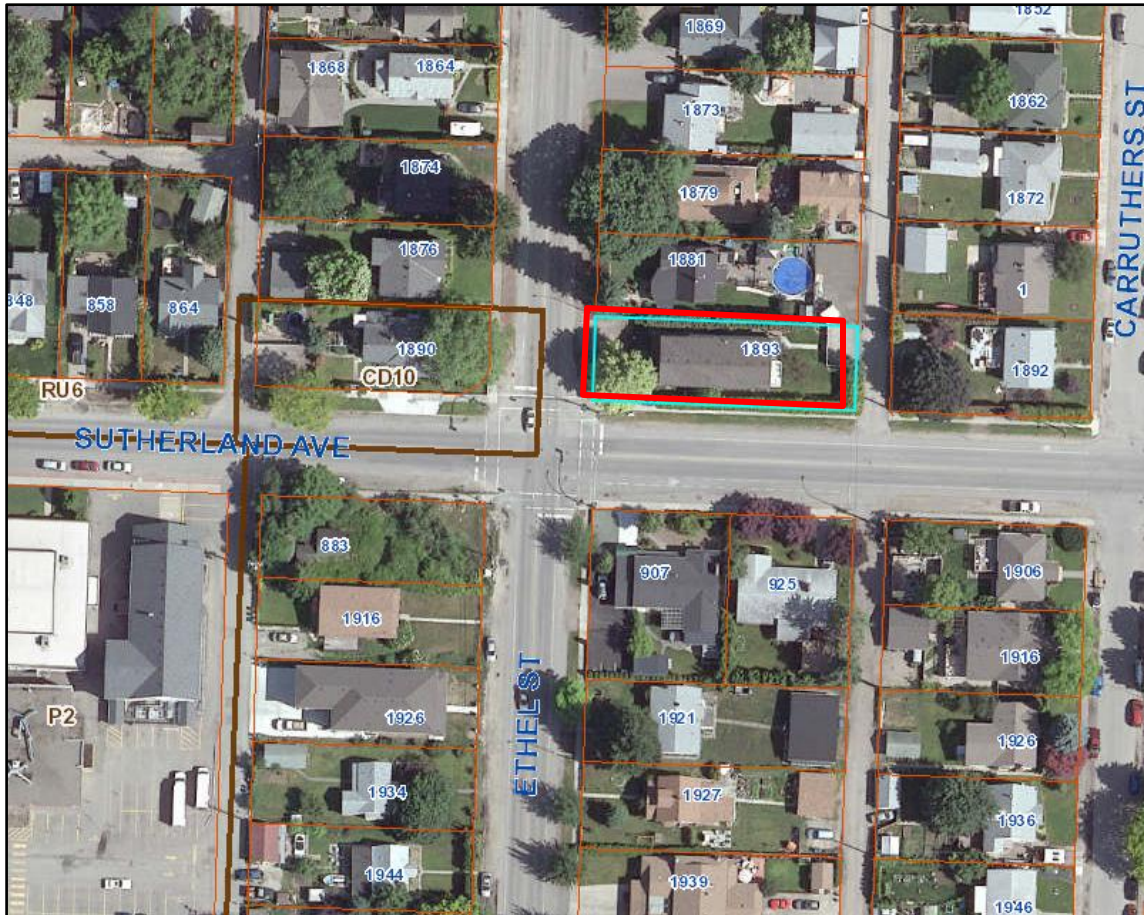
4.3 Site Context

The 769 m² property is a corner lot located in the South Pandosy - KLO city sector, at the intersection of Sutherland Ave and Ethel St. The surrounding neighbourhood is primarily residential but has also Education and Minor Institutional uses. Within approximately 75 m of the subject property is Immaculate Conception Church and Clubhouse at Sutherland, a 90 children capacity daycare.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 - Two Dwelling Housing	Residential
East	RU6 - Two Dwelling Housing	Residential
South	RU6 - Two Dwelling Housing	Residential
West	C10 - Heritage Cultural	Residential

Subject Property Map: 1893 Ethel St



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	P2 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	660 m ²	769 m ²
Lot Width	18.0 m	18.29 m
Lot Depth	30.0 m	37.19 m
Development Regulations		
Site Coverage (Building)	40%	21%
Site Coverage (Building, parking)	60%	44%
Height	3 storeys	2 storeys
Front Yard	6.0 m	12.48 m
Flanking Side Yard (south)	6.0 m	4.56 m*
Side Yard (north)	4.5 m	2.45 m*
Rear Yard	7.5 m	17.43 m
Other Regulations		
Minimum Parking Requirements	4 spaces (health services uses)	4 spaces (including 1 accessible space)
Bicycle Parking	6 spaces (1 Class I; 5 Class II)	6 spaces

* Legal non-conforming status

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Neighbourhood Impact¹. When considering an OCP Amendment, the City will seek information with respect to the impact on land values related to the likelihood that other properties in the immediate neighbourhood will remain or develop as indicated in the OCP.

Health Care Facilities². Support the extension of services and appropriate building expansions of the Kelowna General Hospital and other health care facilities, as provided for on the Generalized Future Land Use Map 4.1. The form and character of future expansions should be compatible with the surrounding neighbourhood context.

Evaluation Checklist³. Evaluate development applications that require an OCP amendment on the basis of the extent to which they comply with underlying OCP objectives, including the following:

- Does the proposed development respect the OCP Permanent Growth Boundary (OCP Map 4.1 and 5.2)?
- Is the proposed development located in an Urban Centre?
- Does the proposed development feature a mix of residential, employment, institutional, and/or recreational uses?
- Does the proposed development increase the supply of affordable housing (as defined in the OCP)?
- Is the property serviced with water and City sanitary sewer at the time of application?
- Is there transit service within 400 metres of major multiple unit residential projects (30 + units) or other non-residential projects or major employment generators (50 + employees)?
- Does the proposed project involve redevelopment of currently under-utilized, urbanized land?
- Does the proposed development contribute to preserving lands with slopes greater than 30%?
- Will the project likely facilitate future development on adjacent parcels that meets the policies of the OCP?
- Does the project avoid negative impacts (shadowing, traffic etc.) on adjoining properties?
- Is the project consistent with the height principles established in the OCP?
- Would the additional density or new land use designation enhance the surrounding neighbourhood (i.e. Complete Communities) or introduce incompatible uses?
- Could the project be supported without over-burdening existing park and other neighbourhood resources?
- Could the proposed project be built at minimal (<\$) cost to the City? (This should consider operational and maintenance costs.)

6.0 Technical Comments

¹ City of Kelowna Official Community Plan, Policy 5.22.9 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.32.10 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.39.1 (Development Process Chapter).

6.1 Building & Permitting Department

No comment.

6.2 Development Engineering Department

See attached memorandum dated October 21, 2016.

6.3 Bylaw Services

No concerns.

6.4 Fire Department

No concerns with zoning. Ensure appropriate life safety equipment and devices.

6.5 Real Estate & Building

A 6.0 m corner rounding and road dedication is required for the Sutherland Ave active transportation corridor as per True Consulting Land Acquisition Plan Dwg # LA13 at the intersection of Ethel St and Sutherland Ave.

6.6 School District No. 23

No objections to the application as proposed.

6.7 FortisBC - Gas

No concerns.

6.8 FortisBC - Electric

Applicant responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required. Otherwise, FBC(E) has no concerns with this circulation.

7.0 Application Chronology

Date of Application Received: September 2, 2016

Date Public Consultation Completed: October 3, 2016

Report prepared by: Emily Williamson, Planner I

Reviewed by: Terry Barton, Urban Planning Manager

Reviewed by: Ryan Smith, Community Planning Department Manager

Approved for Inclusion: Doug Gilchrist, Divisional Director, Community Planning & Real Estate

Attachments:

Attachment A - Applicant's Development Proposal

Attachment B - Neighbours' Letters of Support

Attachment C - Site Plan

Attachment D - Applicant's Parking Rationale

Attachment E - Development Engineering Memorandum, dated October 21, 2016

Schedule A - Text Amendment TA16-0013



STEPPING STONES

— counselling group —

ATTACHMENT A	
This forms part of application	
# <u>OCP16-0018 TA16-0013</u>	
<u>Z16-0059</u>	
Planner Initials	EW
City of Kelowna COMMUNITY PLANNING	

August 30, 2016

To: City of Kelowna

From: Deanne and Chi-Hang (Eric) Leung, owners of 1369 Richter and Stepping Stones Counselling Group

Development Proposal: Regarding rezoning of 1893 Ethel Street to P2

Thank you for taking the time to review our development proposal.

Background:

In 2006, we purchased 1369 Richter Street under P2 zoning. At that time, we amended the zoning with city support and approval to include Health Services Minor, which allowed for our child focused counselling practice. We have been at this location for almost 10 years. We love our Richter home, but have outgrown it and need larger therapeutic space to meet the community's request for our services.

Stepping Stones Counselling Group specializes in services for vulnerable and complex children. We provide private fee for service and the Ministry for Child and Family Development, various private schools, Aboriginal bands, Autism Funding Unit, Crime Victim Assistance Program etc, also contract with us.

We are known throughout the Okanagan valley for our specialized therapeutic services for children. We are involved in a number of current community collaborations with such projects as the Willow Child and Youth Advocacy Center project, the BC Integrated Youth Services Initiative, The Pearson Road Hub, Playful Connections with NOW Canada and the Kelowna Child Care Society and in the past provided Playful Connections with Ki-Low-Na Friendship Society.

Stepping Stones also provides educational workshops, conferences and seminars to therapists, service providers, parents, funders, and teachers on a variety of topics related to trauma, brain development and play and expressive therapies. In 2015, we presented at both the Regional and Provincial Judges Conferences, as well as the BC Alternate School Association Conference in Vancouver and to the Osoyoos Indian Band & School.

1369 Richter Street & #200-1974 Moss Court Kelowna, BC, V1Y 2L6
#100-4007 27th Street, Vernon, BC
#205-74 Wade Avenue East, Penticton, BC
www.steppingstonesokanagan.ca
P: 250-763-7414 F: 250-763-7714 TF: 1-855-763-7414

Rezoning Application for 1893 Ethel Street:

We have an accepted offer on 1893 Ethel Street and we believe this is an ideal home for Stepping Stones. Our proposal is to rezone this property to P2 to allow us to move into larger space. We have spoken with city representatives and were told that our application would be supported.

We see this property as being ideal for our clients and our community. It allows us to remain in a "home" like atmosphere. The home like environment is one of the most commented on features of our current location at 1369 Richter Street. Children feel comfortable and they feel relaxed and soothed by our space and home like atmosphere. We have had both the RCMP and MCFD at their request; use our space to interview children. Because our space is calming and reassuring, children are able to work through difficult and traumatic things.

By relocating to 1893 Ethel, it allows us to remain in the downtown area and accessible to all. It has the overall space indoors and outdoors that we require. It is located on the corner of two transportation and transit friendly streets (Ethel and Sutherland). It also is within a 5-minute walk of our residence, which would mean one less car on the road and it speaks to our appreciation and commitment to our neighborhood of 18 years.

There would be no residential use of the property, the form and character of the dwelling would remain the same.

The previous owners have used the property under the RU 6 zoning for an audio business, a women's group home and a health & wellness facility.

We have attached 2 letters from our next door neighbours at 1369 Richter Street for the past 10 years.

Sincerely



Deanne Leung M.Ed., R.C.C
Clinical Coordinator, Therapist



Eric Leung
Agency Coordinator

Jo-Ann Baker, CCDP, RPR
6389 Blue Jay Road
Vernon, BC
V1H 1W5
250-809-6290

ATTACHMENT B

This forms part of application

OCP16-0018 TA16-0013
Z16-0059

Planner
Initials

EW



August 3, 2016

City of Kelowna
Bylaw Services
1435 Water Street
Kelowna, BC
V1Y 1J4

Re: Re-Zoning application

This letter is in support of Eric and Deanne Leung of Stepping Stones Counselling Group who where my neighbours for almost eight and a half years at their Kelowna location of 1369 Richter Ave until my home at 721 Fuller Ave sold August 15, 2015.

Eric and Deanne have been exceptional neighbours who welcomed me to the neighborhood when I first arrived, introduced me to their therapy dogs, gave me a tour of their office, kept me informed about any issues that could affect me like staff and client parking, changes to their business hours and any weekend openings.

We developed a good friendship over the years and helped one another out with shoveling sidewalks and maintaining the boulevard adjacent to our properties. We kept a watchful eye out for each other as to the goings on in our corner of the neighbourhood.

Eric and Deanne are very professional, approachable people and I would not hesitate to recommend and support their re-zoning application.

Regards,

Jo-Ann Baker

August 31 2016

City of Kelowna
Bylaw Services

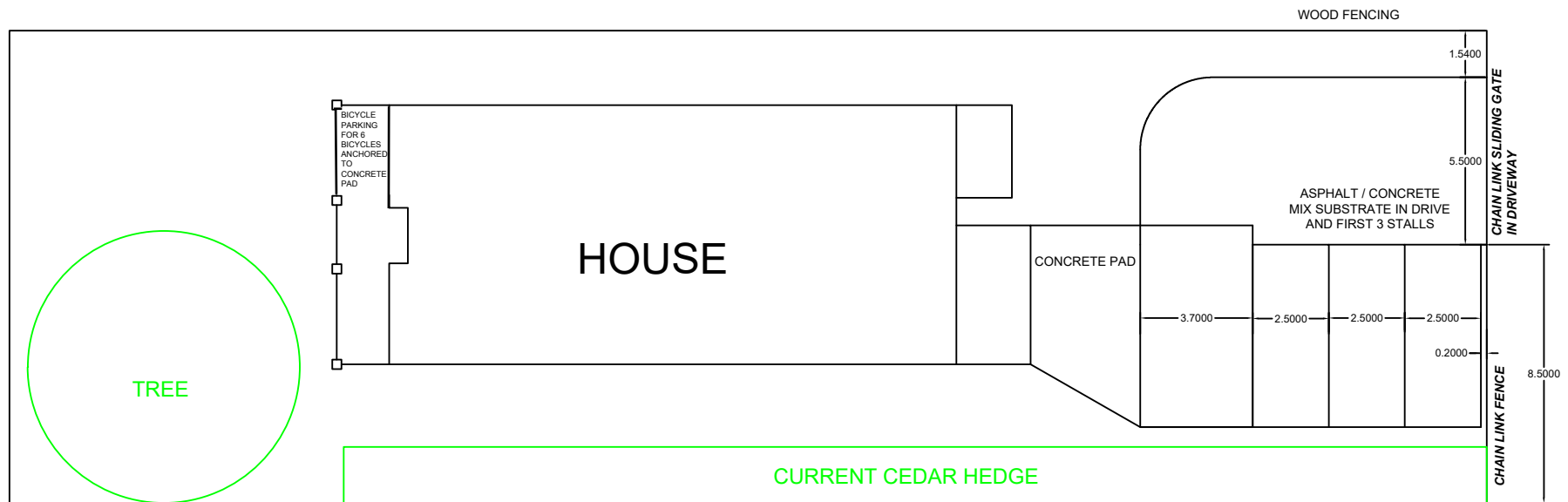
Regarding Rezoning Application for Eric and Deanne Leung

My name is Sonya Degner and I live at 1377 Richter st. Eric and Deanne Leung from Stepping Stones have been my neighbour for 10 year. They are wonderful and friendly to have as neighbours. Eric has been very caring and helpful with helping out shovelling my walk in the winter, when my husband was ill and not able to do the work. As neighbours we looked out for each other and I am very thankful to have Eric and Deanne as neighbours.

Sincerely


Sonya Degner

ETHEL STREET



LANE

SUTHERLAND AVENUE

DRAWN: 10/13/2016
REVISED: 10/23/2016

October 11, 2016

Parking Notes for 1893 Ethel Street

The following questions and comments were asked:

Please demonstrate how you will deal with drop-off/pick-up. When you provide your site plan and your parking plan you may wish to provide a letter with an explanation of how drop-off works. You mentioned your groups have a maximum of 6 clients at a time. Will that mean potentially 6 vehicles coming on site at one time? Or is there some sort of chartered vehicle/carpooling? Will 6 vehicles need to park on site for the duration of the group session or is it drop-off/pick-up only?

Indicate what sort of bicycle parking you will provide in the front yard. [8.4.8 of the Zoning Bylaw](#) requires bike racks constructed of theft resistant materials that are anchored to the floor, building or ground, and allow the front or rear wheel to be locked with a U-style lock.

Regarding group drop off and pick up:

The group members (children/teens) are typically dropped off, by their caregiver, a few minutes before the start of group. It is rare that caregivers park or stay on site during group time. Some families choose to car pool together and some of our teens ride the bus. If needed we can give staggered drop off times. We have not had any parking issues at any of our current or past locations with groups or with drop off or pick up.

Bike Rack:

Please see the parking site plan. Located on a concrete surface, the metal bike rack will be anchored to the concrete and will accommodate U locks.

CITY OF KELOWNA
MEMORANDUM

ATTACHMENT E

This forms part of application

OCP16-0018 TA16-0013
Z16-0059

Planner
Initials

EW



Date: October 21, 2016
File No.: Z16-0059
To: Community Planning (EW)
From: Development Engineering Technologist(SS)
Subject: 1893 Ethel Street

P2

Development Engineering has the following comments and requirements associated with this application to rezone from RU6 to P2.

1. Domestic Water and Fire Protection

Our records indicate this property is currently serviced with a 25mm-diameter water service. The service is adequate for the proposed application.

2. Sanitary Sewer

Our records indicate that this property is serviced with a 100mm-diameter sanitary sewer service. The service is adequate for the proposed application.

3. Roads

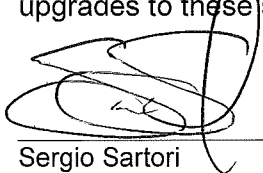
Provide a 6.0m corner rounding & dedication as per True Consulting Land Acquisition Plan Dwg # LA13 at the intersection of Ethel St and Sutherland Ave.

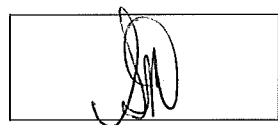
4. Development Permit and Site Related Issues

Driveway access is permitted from the lane only.
Direct the roof drains into on-site splash pads.

5. Electric Power and Telecommunication Services

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


Sergio Sartori
Development Engineering Technologist


Development Engineering Manager
(initials)

CITY OF KELOWNA



MEMORANDUM

Date: October 21, 2016
File No.: OCP16-0018
To: Community Planning (EW)
From: Development Engineering Technologist(SS)
Subject: 1893 Ethel Street

The Development Engineering comments and requirements regarding this OCP & TA application are as follows:

1. General.

- a) All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z16-0059.


Sergio Sartori
Development Engineering Technologist
Development Engineering Manager
(initials)

Zoning Bylaw No. 8000				
No.	Section	Existing Text	Proposed Text	Explanation of Change
1.	2 - Interpretation 2.3 General Definitions	HEALTH SERVICES, MINOR means development used for the provision of child counselling services.	HEALTH SERVICES, MINOR means development used for the provision of counselling and therapeutic services.	Removes “child” to permit adult/family counselling and adds “therapeutic services” to permit complimentary services such as occupational therapy and speech and language therapy.
2.	16.2 - P2 - Education and Minor Institutional Zone 16.2.6 Other Regulations	(d) For lots less than 1,000 m ² in area, a health services, minor use shall not generate more than four (4) clients to the site from which the business is being operated at any given time.	(d) For lots less than 1,000 m ² in area, a health services, minor use shall not generate more than six (6) clients to the site from which the business is being operated at any given time.	To allow therapy groups up to 6 people.

SCHEDULE		A
This forms part of application		
# OCP16-0018 TA16-0013		
Z16-0059		
Planner Initials	EW	 City of Kelowna <small>COMMUNITY PLANNING</small>

Schedule A - Proposed Text Amendments to Zoning Bylaw 8000 - TA16-0013

REPORT TO COUNCIL



Date: November 21, 2016

RIM No. 1250-30

To: City Manager

From: Community Planning Department (LK)

Application: Z16-0032

Owner: Rukhmani & Shivnesh Reddy
Praneeta & Dinesh Naidu

Address: 380 Hardie Road

Applicant: Lupul Properties Ltd.

Subject: Rezoning Application

Existing OCP Designation: S2RES - Single/ Two Unit Residential

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU6 - Two Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z16-0032 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 5 Section 26 Township 26 ODYD Plan 14462, located at 380 Hardie Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone, be considered by Council;

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

AND 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 to Community Planning Department dated July 21, 2016;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance and completion of a Building Permit for the removal of the existing second suite within the existing primary dwelling on the subject property;

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 to facilitate the development of a second single family dwelling on the subject property.

3.0 Community Planning

Community Planning Staff supports the proposed rezoning application to allow the construction of a second dwelling on the subject property. The OCP S2RES - Single/ Two Unit Residential land use designation permits the proposed RU6 - Two Dwelling Housing zone. Increased density already exists in the area as the surrounding neighbourhood contains a mix of single family and multi-residential dwellings. The proposed two dwelling housing use also meets the OCP urban infill policies. The increase in density is further supported by local amenities such as parks, school, transit and recreational opportunities in the immediate area.

OCP Urban Design Guidelines:

- Design projects to reflect the character of the neighbourhood and the principal building through similar architectural and landscaping themes (i.e. respecting building setbacks, height massing, scale, articulated rooflines, building materials, etc.)
- Design and finish buildings to complement and enhance the principal dwelling (upgrades to the principal dwelling may be required to achieve visual consistency).
- Retain existing, healthy, mature trees and vegetation both on site and adjacent to the street.
- Minimize the amount of impervious paved surfaces (i.e. shared driveways between two dwellings).

The application meets many of these urban design objectives. The finishes for the proposed and existing dwelling will provide consistency between the two buildings. The remodeling will add to the upgrades that are beginning to occur throughout the older, established neighbourhood. The site currently does not provide any trees and the existing landscaped has been neglected. The project will see the provision of many trees, shrubs and grasses to provide privacy, shading and a more appealing streetscape.

Council Policy No. 367 with respect to public notification was undertaken by the applicant. All adjacent neighbours within a 50m radius were provided with a circulation package in regards to the proposed development.

4.0 Proposal

4.1 Project Description

The subject parcel has an existing 1½ storey single detached dwelling which was constructed in 1964. The dwelling currently has an existing non-conforming secondary suite in the basement. The various owners have maintained a City of Kelowna business license for the suite dating back to 1995. With the homeowners plans to develop a second primary dwelling on the subject parcel, the secondary suite will be removed to ensure the Zoning Bylaw regulations allowing a maximum of two dwelling on the subject property are met. This will include a decommissioning permit to document the removal.

The existing dwelling has a single vehicle carport that will be retained and the existing driveway will provide shared access for both the existing and proposed dwellings. With the existing dwelling offset to the west side of the property, sufficient driveway access to the proposed second dwelling is provided. In having a shared driveway, the overall amount of impervious paved surface is reduced. The new dwelling is a 1½ storey dwelling with an attached single car garage.

The driveway of each dwelling provides the second required parking stall to meet the Zoning Bylaw requirements.

The exterior façade of the existing dwelling will be updated to match the proposed new dwelling with hardi-board siding and stucco in neutral tones. Hardi-trim battens and cedar shingles are used as accents. The style of the homes will fit into the context of the subject parcel and the neighbourhood, which mainly consists of single and 1½ storey dwellings in neutral tones.

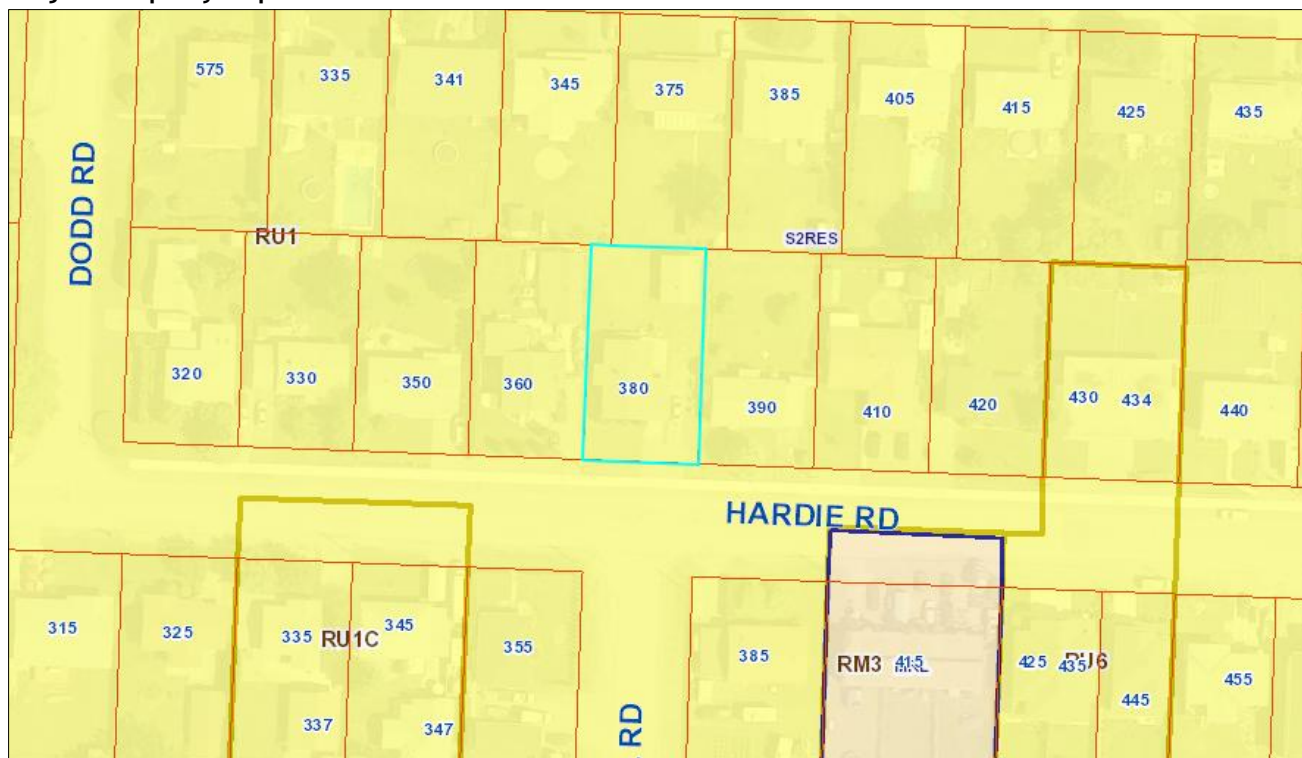
The new single detached dwelling has been designed and sited on the parcel to meet OCP guidelines and Zoning Bylaw requirements, with the exception of one variance. The Zoning bylaw requires a 7.5 m minimum rear yard setback. Staff is supportive of this variance, as the intention of the rule is to ensure that outdoor amenity space is provided, as well as sufficient separation distance from the adjacent parcel. The size of the lot does provide extensive green space at the rear of the proposed dwelling and for the existing dwelling. Numerous new trees are provided across the rear property line and along both sides to provide privacy for both the subject parcel and all adjacent parcels. At-grade patios provide private amenity space for each dwelling and are de-lined by new fencing and hedges to provide screening between the two dwellings.

4.2 Site Context

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	RU1 - Large Lot Housing	Single Family Dwelling

Subject Property Map: 380 Hardie Road



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	700 m ²	802.5 m ²
Lot Width	18 m	20.72 m
Lot Depth	30 m	38.64 m
Development Regulations		
Maximum Site Coverage (buildings)	40%	32%
Maximum Site Coverage (buildings, driveways and parking)	50%	48%
Maximum Height (lessor of)	9.5 m or 2 ½ stories	5.63 m or 1 ½ stories
Minimum Front Yard	4.5 m	7.4 m to existing house
Minimum Side Yard (east)	2.0 m	2.0 m
Minimum Side Yard (west)	2.0 m	3.27 m
Minimum Rear Yard	7.5 m	6.0 m ❶
Minimum Distance Between Dwellings	4.5 m	14.8 m
Other Regulations		
Minimum Parking Requirements	2 stalls / dwelling	2 stalls / dwelling
Minimum Private Open Space	30 m ²	Meets requirement
❶ Indicates a requested variance to the rear yard setback of the proposed dwelling.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP) - Urban Infill Policies

Chapter 5: Development Process

Compact Urban Form.¹ 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.

Sensitive Infill.² 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.

Technical Comments

5.2 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

- Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

5.3 Development Engineering Department

- Refer to attachment A.

5.4 Fire Department

- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- All units shall have a posted address on Hardie Rd. for emergency response.

6.0 Application Chronology

Date of Application Received: May 30, 2016
Date Public Consultation Completed: September 30, 2016

Report prepared by:

Lydia Korolchuk, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

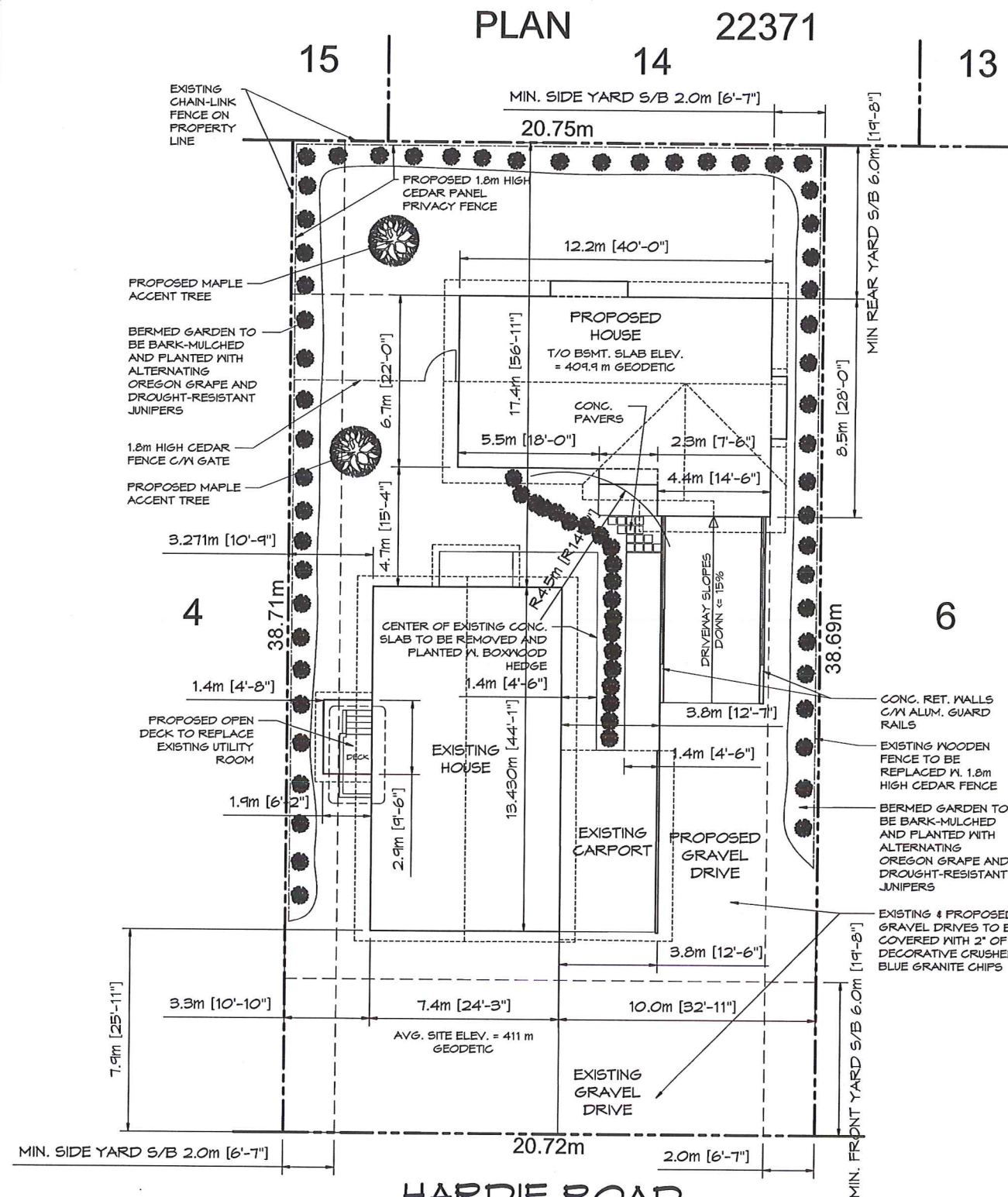
Attachments:

Site Plan

Conceptual Elevations

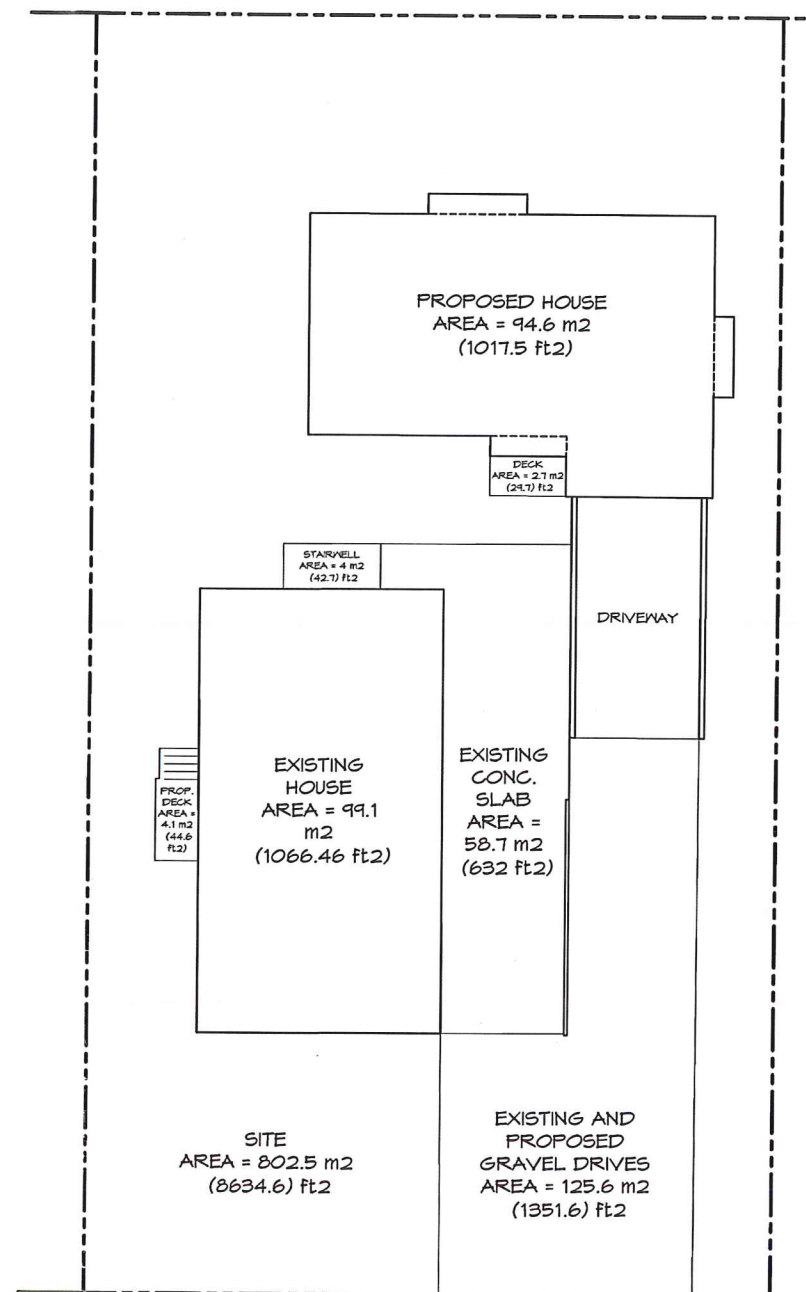
Attachment A: Development Engineering Memorandum

Attachment B: Rutland Waterworks District Letter



LEGAL DESCRIPTION

380 HARDIE ROAD
LOT 5, SEC.26
TWP.26, LD 41, PLAN
KAP 14462.



SITE AREA: 802.5 m²
TOTAL SITE COVERAGE: 388.8 m²
SITE COVERAGE (%): 48%
ALLOWABLE SITE COVERAGE (%): 50%

NOT FOR CONSTRUCTION
DEVELOPMENT PERMIT ONLY



Willow
CADD
Services
1371 ORCHARD DRIVE
KELOWNA, B.C. V1Y 5V1
PH. (718) 215-0461

No.	REVISIONS	DATE

JOB TITLE
**DEVELOPMENT
PROPOSAL FOR
380 HARDIE
ROAD**

DRAWING TITLE
**SITE PLAN AND
SITE COVERAGE**

DATE
APRIL 06 / 2016

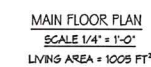
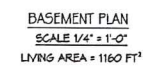
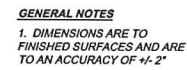
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D.P.

JOB No.
WCS 01-16

SCALE
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DRAWING No.

A1



*W*illow
CADD
Services

1371 ORCHARD DRIVE,
KELOWNA, B.C. V1Y 3V1
PH. (778) 215-0967

JOB TITLE

DEVELOPMENT
PROPOSAL FOR
380 HARDIE ROAD

DATE
APRIL 6/2016

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D.P.

JOB No.
WCS 01-16

SCALE
1/4" = 1'-0"

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JOB TITLE

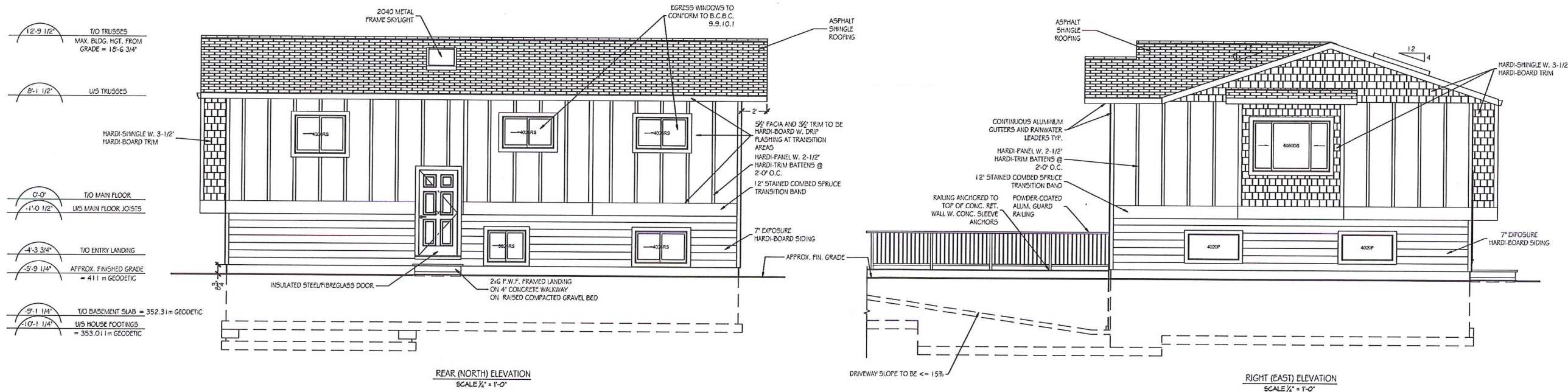
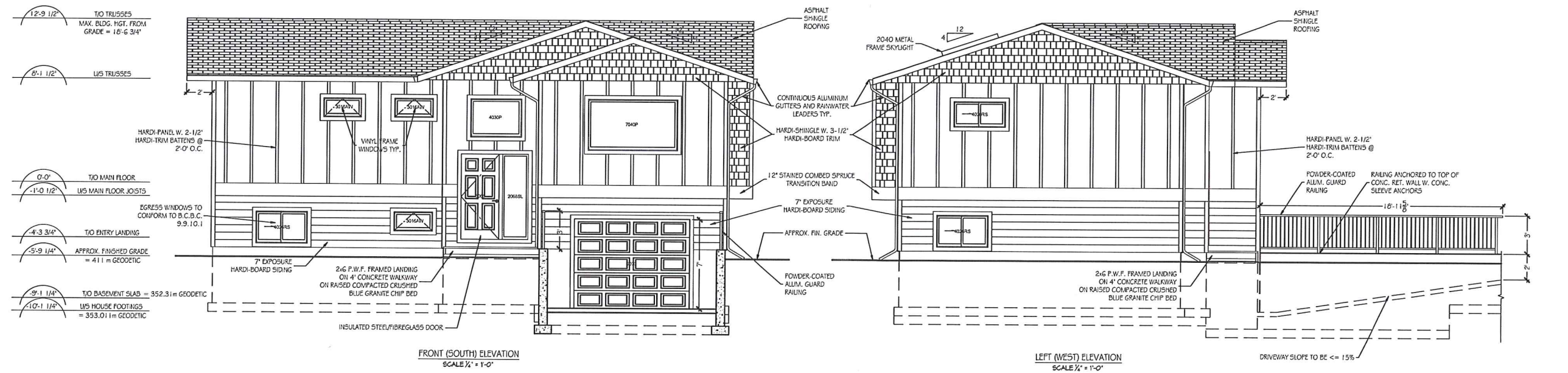
DEVELOPMENT
PROPOSAL FOR
380 HARDIE
ROAD

DRAWING TITLE

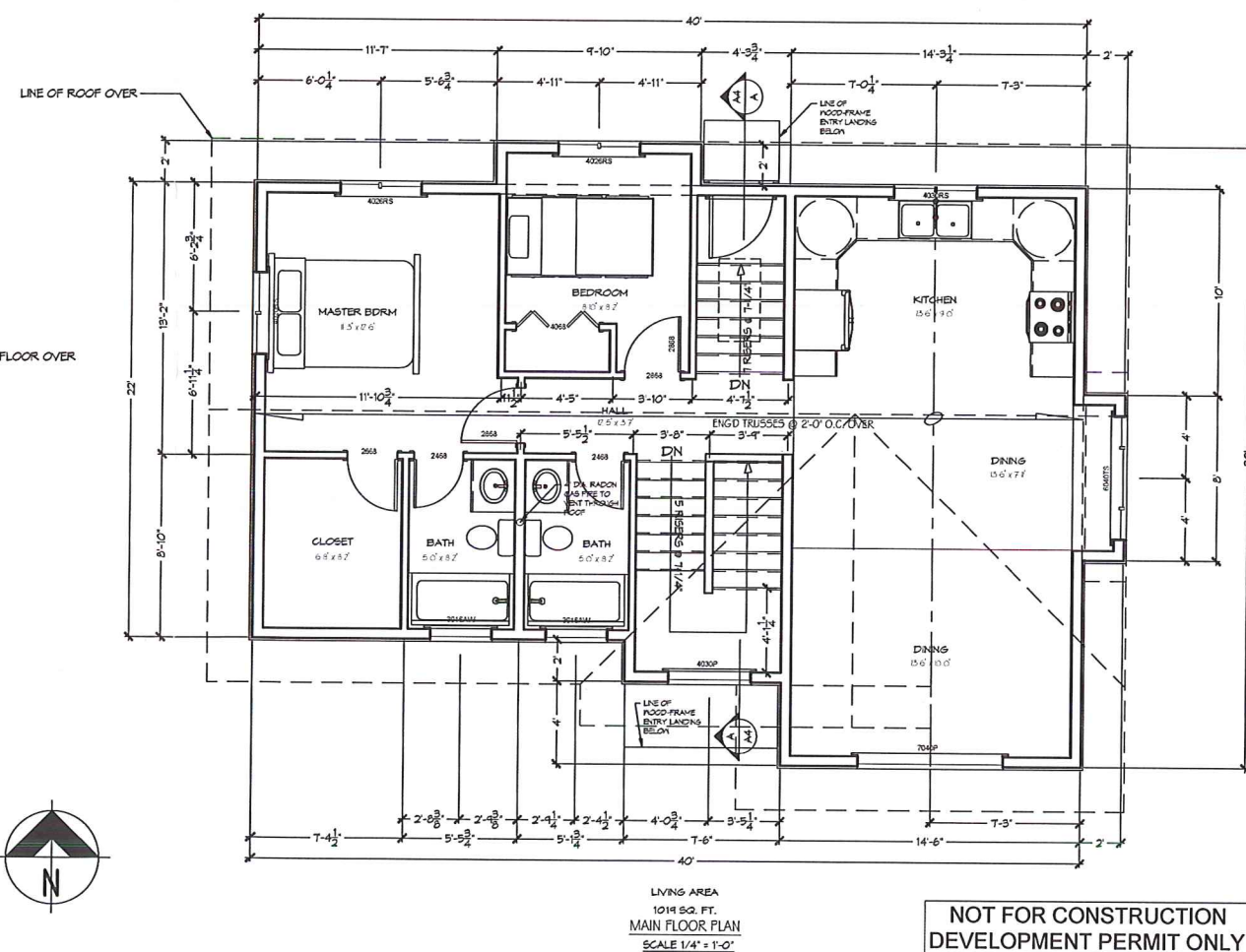
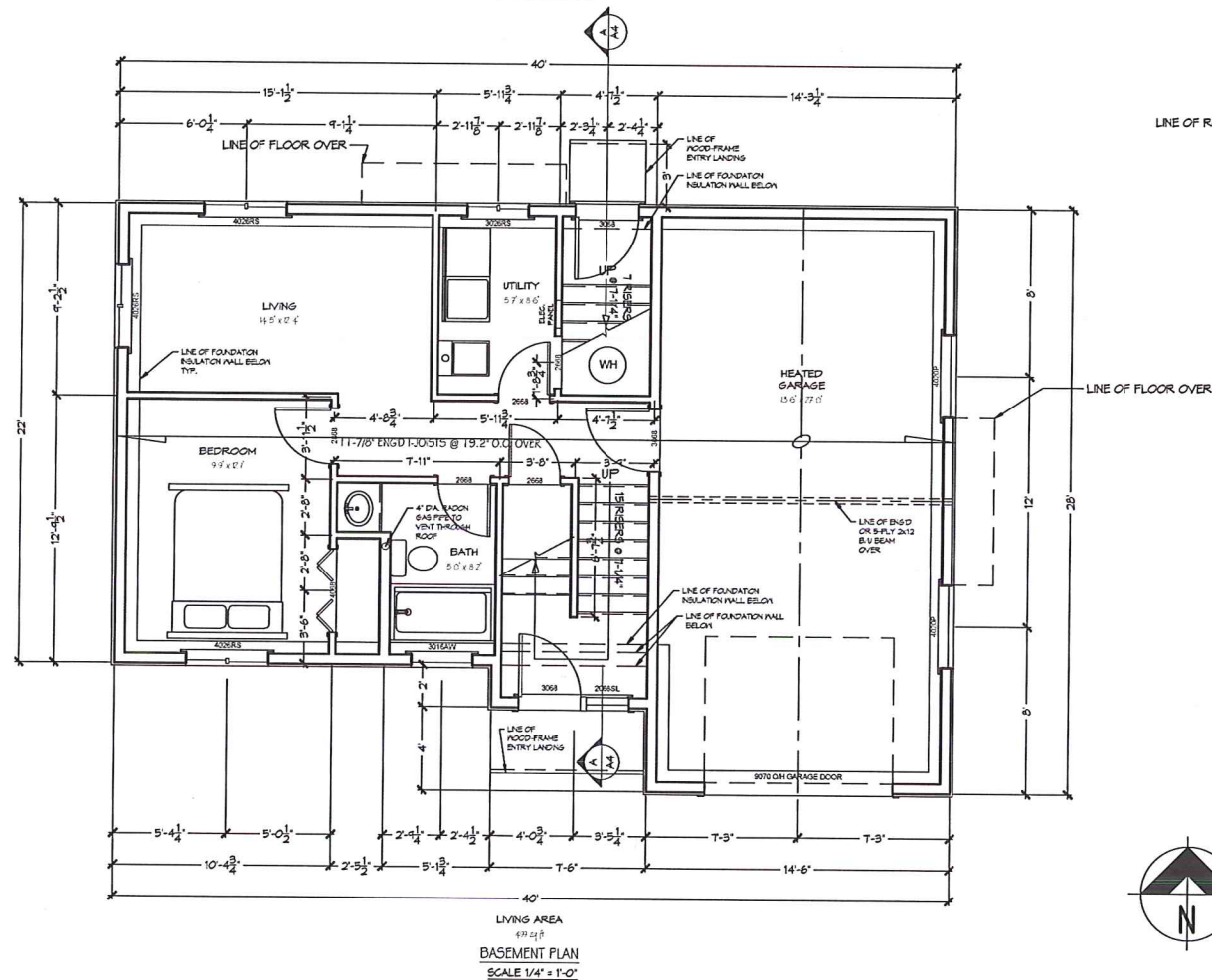
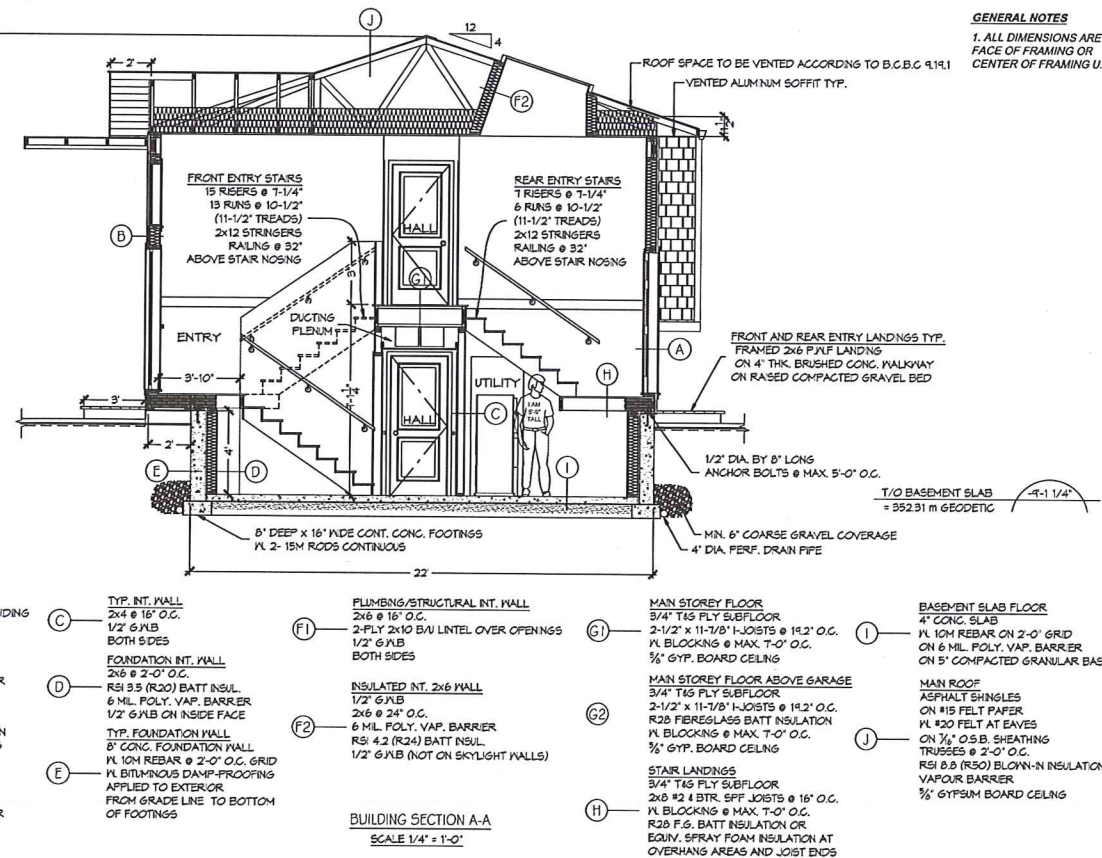
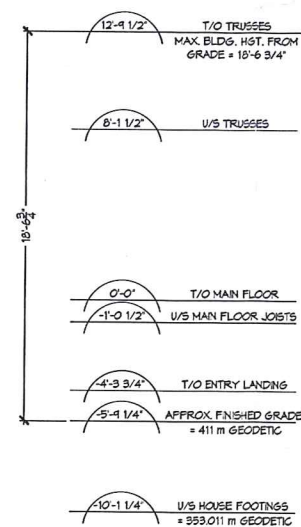
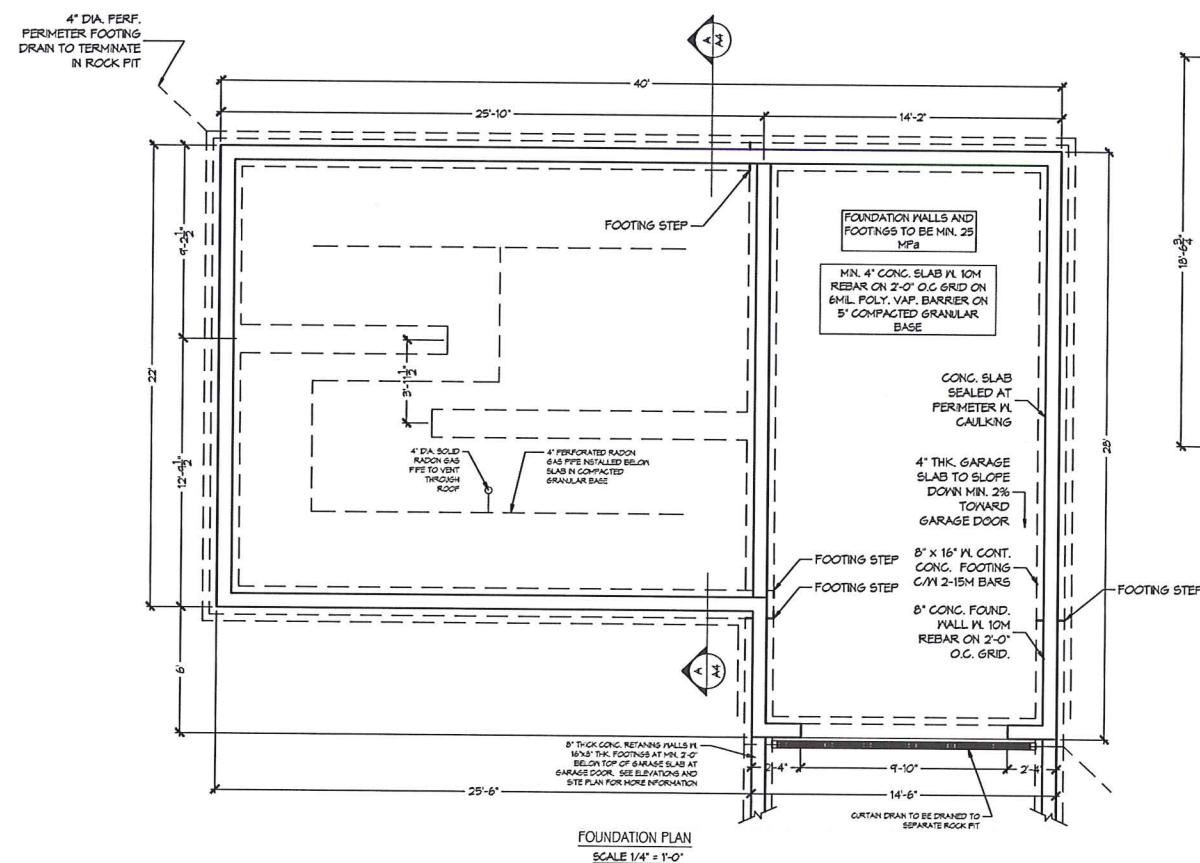
PROPOSED
BUILDING
ELEVATIONS

DATE	APRIL 07/2016
DRAWN BY	D.P.
JOB No.	WCS 01-16
SCALE	1/4" = 1'0"
DRAWING No.	

A4



NOT FOR CONSTRUCTION
DEVELOPMENT PERMIT ONLY



GENERAL NOTES
1. ALL DIMENSIONS ARE TO
FACE OF FRAMING OR
CENTER OF FRAMING U.N.O.



Willow
CADD
Services

1371 ORCHARD DRIVE,
KELOWNA, B.C. V1Y 3V
PH. (718) 215-0361

[illegible]

JOB TITLE	
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DEVELOPMENT
PROPOSAL FOR
308 HARDIE
ROAD

DRAWING TITLE

PROP. HOUSE
MAIN FLOOR,
BASEMENT &
FOUNDATION
PLANS AND BLDG.
SECTION

DATE
APR. 6/2016

DRAWN BY
D.P.

JOB No. WCS 01-16

SCALE
1/4" = 1'-0"

DRAWING No.

A5

NOT FOR CONSTRUCTION
DEVELOPMENT PERMIT ONLY

CITY OF KELOWNA
MEMORANDUM

Date: July 21, 2016
File No.: Z16-0032

To: Community Planning (LK)

From: Development Engineering Manager (PI)

Subject: 380 Hardie Rd

RU1 to RU6



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

1. Domestic Water and Fire Protection

- a) The property is located within the Rutland Water District (RWD) service area. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. The developer is responsible, if necessary, to arrange with RWD staff for any service improvements and the decommissioning of existing services.
- b) RU6 lots require two water services in accordance with the City of Kelowna domestic water servicing requirements. Arrange for individual lot connections before submission of the subdivision plan; including payment of connection fees (provide copy of receipt).
- c) A water meter is mandatory for each property and must be installed inside the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost. Boulevard landscaping, complete with underground irrigation system, must be integrated with the on-site irrigation system.

2. Sanitary Sewer

- a) Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. An inspection chamber (IC) complete with brooks box should be 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 Jason Ough by email jough@kelowna.ca or phone, 250-469-8721.
- b) The subject property is serviced by the Municipal Wastewater system and is located within the Specified Area #20; 1 Single Family Equivalent (SFE) was paid in 2005. The creation of the additional dwelling triggers the payment of Specified Area charges for an additional Single Family Equivalent (SFE). The payment is in the amount of **\$2,458.33** and is valid until April 30, 2017.

3. Road Improvements

- a) Hardie Road must be upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, sidewalk, drainage system including catch basins, manholes and pavement removal and replacement, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. A one-time cash payment in lieu of construction must be collected from the applicant for future construction by the City. The cash-in-lieu amount is determined to be **\$11,797** not including utility service cost.
- b) Only the service upgrades must be completed at this time. The City wishes to defer the upgrades to Hardie Road fronting this development. Therefore, cash-in-lieu of immediate construction is required and the City will initiate the work later, on its own construction schedule.

Item	Cost
Drainage	\$3,738.00
Curb &Gutter	\$2,100.00
Sidewalk	\$0.00
Street Lighting	\$709.00
Road Fillet	\$5,250.00
Blvd Landscaping	\$0.00
Total	\$11,797.00

4. Development Permit and Site Related Issues

Direct the roof drains into on-site rock pits or splash pads.

Access permitted through one driveway letdown only

5. Electric Power and Telecommunication Services

The electrical and telecommunication services to this building must be installed in an underground duct system, and the building must be connected by an underground service. 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.



Purvez Irani, MS, P.Eng, PTOE
Development Engineering Manager

jo



Rutland
WATERWORKS DISTRICT

106 – 200 Dougall Road North
Kelowna, BC V1X 3K5
www.rutlandwaterworks.com

p: (250) 765-5218
f: (250) 765-7765
e: info@rutlandwaterworks.com

July 8, 2016

Lupul Properties Ltd
PO Box 25039 RPO Mission Park
Kelowna BC V1W 3Y7

RE: Lot 5, Plan 14462 – 380 HARDIE RD Z16-0032, DP16-0138; RWD File 16/07

In response to City of Kelowna request for comment the following is a summary of Rutland Waterworks District requirements:

- | | | |
|----|--|------------|
| 1. | Capital Expenditure Charges | \$2,200.00 |
| | Please pay by separate cheque, noting file # 16/07CEC | |
| 2. | Water Service Works Deposit (Twin Existing Service) | 1,780.00 |
| | Please pay by separate cheque, noting file # 16/07 Works
(Includes new water meter) | |

Upon receipt of above noted fees a water certificate will be issued.

Should you have any questions or require further information, please contact the undersigned.

Sincerely,

Kevin Reynolds
Assistant Manager

c. City of Kelowna (Planning Department)

REPORT TO COUNCIL



Date: November 28, 2016

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TB)

Application: Z16-0061
Owner: Sheldon Bruce Upshaw
Heather Dale Upshaw

Address: 1985 Knox Crescent
Applicant: Sheldon Bruce Upshaw

Subject: Rezoning Application

Existing OCP Designation: S2RES- Single/Two Unit Residential

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU1c - Large Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z16-0061 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, District Lot 14, ODYD, Plan 2767, located at 1985 Knox Crescent, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone, be considered by Council;

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

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 Community Planning Department dated October 4, 2016;

2.0 Purpose

To rezone the subject property from RU1 to RU1c to facilitate the development of a carriage house.

3.0 Community Planning

Community Planning staff support the proposed rezoning from RU1 - Large Lot Housing to RU1c - Large Lot Housing with Carriage House. The Official Community Plan (OCP) Future Land Use designation on the subject property is Single/Two Unit Residential in which the proposed zoning is consistent with. Furthermore, the development is also consistent with the OCP urban infill policies of Sensitive Infill and Compact Urban form. The subject property is located in the

Heritage Conservation Area and was presented to the Heritage Advisory Committee on October 20th, 2016. They are also supportive of the proposal.

4.0 Proposal

4.1 Background

The single storey bungalow was constructed in 1948 and there have been no major additions or renovations to the dwelling since that time. The existing garage was constructed in 1952 and will be demolished as a function of this application and rebuilt as a carriage house.

4.2 Project Description

The proposed carriage house meets all of the zoning requirements and does not require any variances. It is a 1 ½ storey carriage house with a three car garage on the lower floor. Private open space for the carriage house is achieved through a large balcony that overlooks the lane and will provide “eyes on the street” and activity. The private open space for the existing dwelling is maintained in the rear yard. The use of fencing further defines the two separate dwellings and their private open space while allowing for emergency access through the use of a lit pathway and large gate.

Two existing mature trees will be preserved and no additional landscaping is proposed. The materials and design are similar to the main dwelling and are respectful of the Heritage Conservation Area guidelines.

The applicant has also applied for an addition to the single family dwelling that does not require any variances. The form and character of the addition as well as the carriage house will be evaluated through a Minor Heritage Alteration Permit that can be issued at a staff level. The Heritage Advisory Committee has reviewed the addition as well as the carriage house and has recommended support for both.

4.3 Site Context

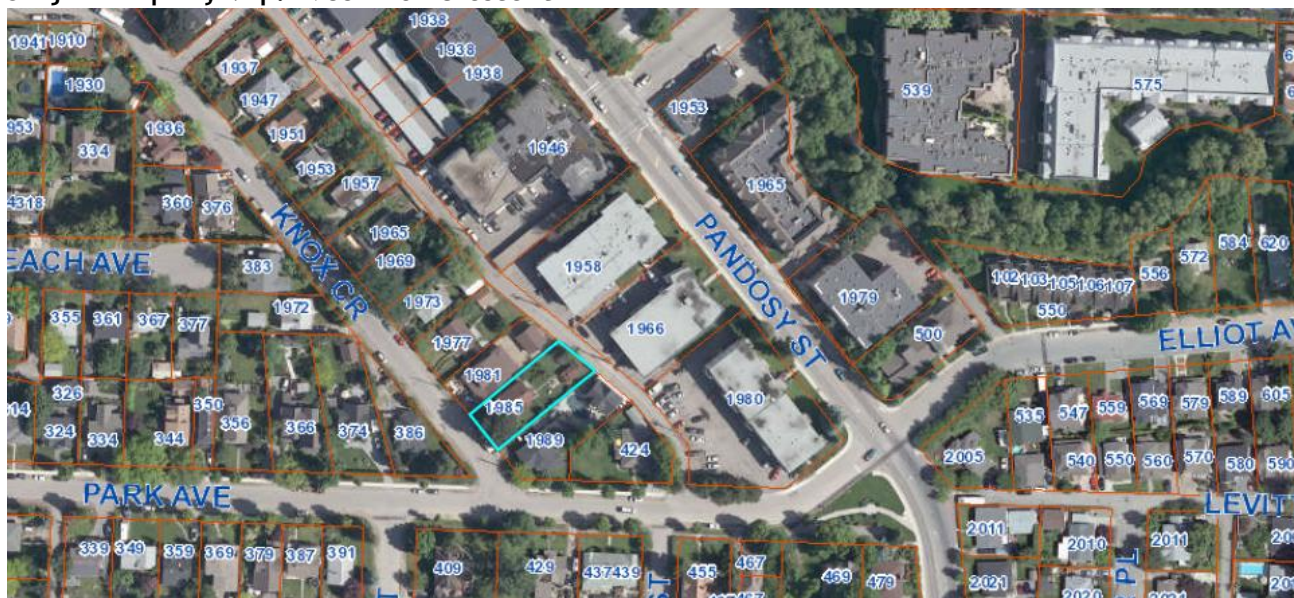
The subject property is located on Knox Crescent, north of Park Avenue. Across the lane from the subject property are several multi-family apartment and condominium buildings. Within the same neighbourhood there is a mix of RU1, RU6, RU1c, and other multi-family zones.

The property is located within walking distance to downtown and to Okanagan Lake. The property receives a walk-score of 82 meaning it is very walkable and most errands can be accomplished on foot.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Single Family Residential
East	RM5 - Medium Density Multiple Housing	Multi-Family Residential
South	RU1c - Large Lot Housing with Carriage House	Single Family with Carriage House
West	RU1 - Large Lot Housing	Single Family Residential

Subject Property Map: 1985 Knox Crescent



4.4 Zoning Analysis Table

CRITERIA	RU1c ZONE REQUIREMENT	PROPOSAL
Subdivision Regulations / Existing Lot		
Minimum Lot Width	15.0 m	17.42 m
Minimum Lot Depth	30.0 m	43.3 m
Minimum Lot Area	550 m ²	809 m ²
Development Regulations		
Maximum Total Site Coverage (buildings)	40%	37%
Maximum Total Site Coverage (buildings, driveways & parking)	50%	39%
Carriage House Development Regulations		
Maximum Accessory Site Coverage	14%	11%
Maximum Accessory Building Footprint	90 m ²	89.9 m ²
Maximum Net Floor Area	90 m ²	67.4 m ²
Maximum Net Floor Area to Principal Building	75%	23%
Maximum Upper Storey Floor Area to Building Footprint	75%	75%
Maximum Height (to mid-point)	4.8 m	4.55 m
Maximum Height (to peak)	Peak of principal dwelling (7.2m)	6.5 m
Minimum Side Yard (north)	2.0 m	3.0 m
Minimum Side Yard (south)	2.0 m	2.7 m
Minimum Rear Yard	1.5 m	1.5 m

CRITERIA	RU1c ZONE REQUIREMENT	PROPOSAL
Minimum Distance to Principal Building	3.0 m	10.3 m
Other Regulations		
Minimum Parking Requirements	3 stalls	4 stalls
Minimum Private Open Space	30 m ² per dwelling	m ²

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ 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.

Sensitive Infill.² 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 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- Provide the City of Kelowna Bulletin #88-02 (Secondary Suites Requirements in a single family dwelling) for minimum requirements. The drawings submitted for Building Permit application is to indicate the method of fire separation between the Carriage home and the garage.
- Range hood above the stove and the washroom to vent separately to the exterior of the building. The size of the penetration for this duct thru a fire separation is restricted by BCBC 12, so provide size of ducts and fire separation details at time of Building Permit Applications.
- A fire rated exit stairwell is required from the suite to the exterior c/w fire rated doors that open into the stairwell and a fire rating on the bottom of the stairs. Please provide these details on the building permit drawing sets.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

6.2 Development Engineering Department

Please see attached Schedule "A" attached to the Report from Community Planning dated October 4, 2016.

6.3 Fire Department

- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- It appears that a fence will be constructed between the dwellings. A gate with a clear width of 1100mm is required with no special locking mechanisms
- All units shall have a posted address on Knox Cr. for emergency response

6.4 FortisBC Gas

Please be advised FortisBC Gas has reviewed the above mentioned referral and the gas service line will be impacted by the proposal and will need to be altered or abandoned/renewed in order to accommodate the development.

6.5 FortisBC Electric

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Knox Crescent and within the lane adjacent the subject's north property line. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

6.6 Ministry of Transportation

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the Transportation Act. Please forward the bylaw for Ministry signature after 3rd reading.

7.0 Application Chronology

Date of Application Received:

September 16, 2016

Date of Heritage Advisory Committee: October 20, 2016
Date Revised Drawings Received: October 26, 2016
Date Public Consultation Completed: November 15, 2016

Heritage Advisory Committee October 20, 2016

The above noted application was reviewed by the Community Heritage Committee at the meeting held on October 20, 2016 and the following recommendations were passed:

THAT the Heritage Advisory Committee recommends that Council support Rezoning Application No. Z16-0061 for the property located at 1985 Knox Crescent to rezone the subject property from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone to allow for a carriage house as a secondary use.

Carried

Anecdotal Comments:

The Heritage Advisory Committee recommended support for the proposed rezoning as the Committee felt the RU1c zone fits into the neighbourhood as there are apartment buildings and other carriage houses in the area. The Committee suggested the siding for the carriage house be placed horizontally and that the finishing materials match the primary residence

Report prepared by:

Trisa Brandt, Planner I

Reviewed by: Terry Barton, Urban Planning Manager

Reviewed by: Ryan Smith, Community Planning Department Manager

Approved for Inclusion: Doug Gilchrist, Divisional Director, Community Planning & Real Estate

Attachments:

Schedule "A": Dated October 4, 2016
Attachment "A": Site Plan and Floor Plans
Attachment "B": Conceptual Elevations
Attachment "C": Context/Site Photos

CITY OF KELOWNA

MEMORANDUM

Date: October 4, 2016
File No.: Z16-0061

To: Community Planning (TB)

From: Development Engineering Technologist(SS)

Subject: 1985 Knox Cres

RU1C

Development Engineering has the following comments and requirements associated with this application to rezone from RU1 to RU1C.

1. Domestic Water and Fire Protection

The existing lot is serviced with a small diameter (13-mm) copper water service, which is substandard. Adequate metered water service must be provided to meet current by-law requirements. **The disconnection of the existing small diameter water service and the tie-in of a larger new service can be provided by City forces at the developer's expense.** One metered water service will supply both the main residence and the carriage house. **The applicant will be required to sign a Third Party Work Order for the cost of the water service upgrades.** For estimate inquiry's please contact Sergio Sartori, by email ssartori@kelowna.ca or phone, 250-469-8589.

2. Sanitary Sewer

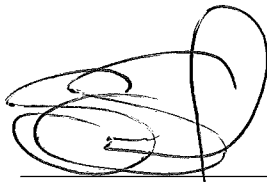
Our records indicate that this property is serviced with a 100mm-diameter sanitary sewer service. The service is adequate for the proposed application.

3. Development Permit and Site Related Issues

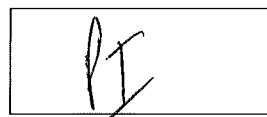
Direct the roof drains into on-site rock pits.
 Driveway access is permitted from the lane.

4. Electric Power and Telecommunication Services

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



Sergio Sartori
 Development Engineering Technologist



Development Engineering Manager
 (initials)

CITY OF KELOWNA

MEMORANDUM

Date: October 4, 2016
File No.: HAP16-0012
To: Community Planning (TB)
From: Development Engineering Technologist(SS)
Subject: 1985 Knox Cres.

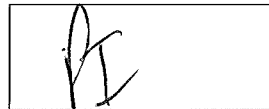
The Development Engineering comments and requirements regarding this HAP application are as follows:

1. **General.**

- a) All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z16-0061.

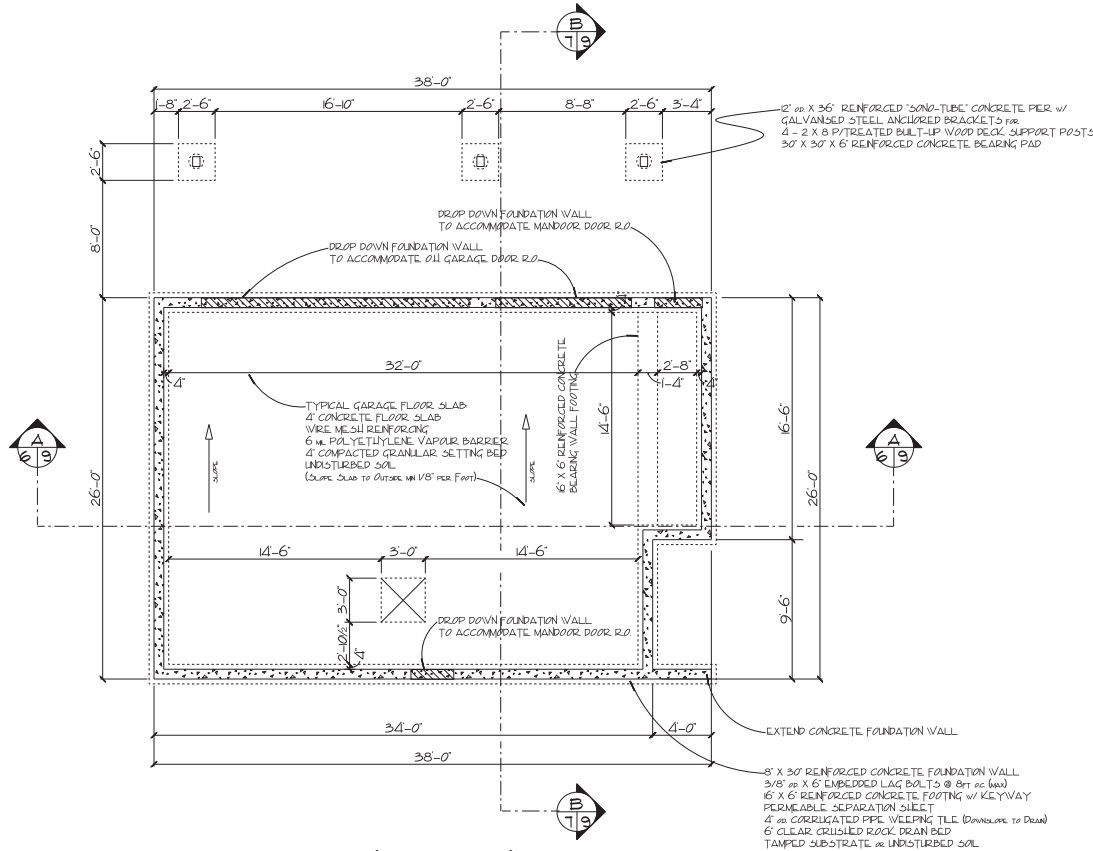


Sergio Sartori
Development Engineering Technologist



Development Engineering Manager
(initials)

121



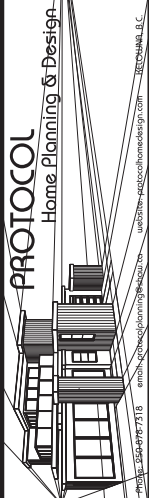
GARAGE FOUNDATION - 968 sf - (FOOTPRINT)

SCALE: 1/4" = 1'-0"

ALL DIMENSIONS SHOWN ARE TO BE VERIFIED
ON SITE BY THE BUILDING CONTRACTOR.
LOCATIONS OF POST BEARING PADS AND
BEARING WALL FOOTINGS ARE TO BE
CONFIRMED AND THESE LOCATIONS DETERMINED
TO BE ADEQUATE WITH PROPER BEARING OF
SUBSTRATE AND POTENTIAL LATERAL SHIFT
DUE TO VIBRATION AND / OR EARTH MOVEMENT.
A GEO-TECHNICAL SURVEY IS TO BE CONDUCTED
TO VERIFY SITE CONDITIONS AS REQUIRED.


ALL MAJOR STRUCTURAL COMPONENTS AND
RELATED SUPPORTS & CONNECTIONS ARE TO BE
ENGINEER REVIEWED & CERTIFIED AS REQUIRED
BY THE MUNICIPAL AUTHORITY HAVING JURISDICTION
AND THE LATEST VERSION OF THE NATIONAL & LOCAL
BUILDING CODES AND AMENDMENTS THERETO.

GENERAL NOTES:
ALL WORK SHALL BE EQUAL IN ALL RESPECTS
TO GOOD BUILDING PRACTICES.
WRITTEN DIMENSIONS TAKE PRECEDENCE
OVER SCALED DRAWINGS.
THESE PLANS ARE FOR THE SOLE PURPOSE OF
CONSTRUCTION ONLY. THEY MAY NOT BE USED
FOR REPEAT CONSTRUCTION OR SOLD TO
OTHERS FOR SUCH PURPOSES. THE DESIGN
CONTAINED HEREIN IS TO BE A GUIDE ONLY AND
IS SUBJECT TO CHANGE AT ANY TIME. PROTOCOL
HOME PLANNING & DESIGN ITS EMPLOYEES OR
PRINCIPALS WILL NOT BE HELD RESPONSIBLE FOR
ANY CHANGES DUE TO UNFORESEEN CIRCUMSTANCES
IN CONSTRUCTION BUILDING CODES ENGINEERING
OR ORIGINAL DESIGN OR ANY OTHER CONDITION
THAT MAY AFFECT THE OVERALL BUILDING OF
THIS OR RELATED STRUCTURES.



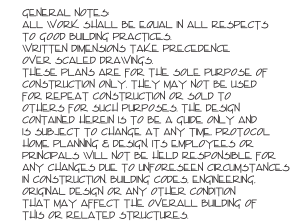
NOTE:
GENERAL CONTRACTOR IS RESPONSIBLE FOR VERIFICATION OF FILE BUILDING
DEPARTMENT RECORDS FOR EXISTING FOUNDATION CONDITIONS.
ALL STRUCTURES, COMPONENTS TO BE LOCATED, DESIGNED OR CONSTRUCTED
FOR COMPLIANCE WITH NATIONAL AND LOCAL BUILDING CODES INCLUDING
BUT NOT LIMITED TO: FOUNDATION, WALLS, ROOFING, FLOORING, CEILING, ETC.
LOCATIONS OF THE BUILDING, SITE CONDITIONS TO BE TESTED AND APPROVED
ACCORDING TO LOCAL BUILDING AUTHORITY REQUIREMENTS. SUBSTRATE
REQUIREMENTS TO BE VERIFIED BY THE GENERAL CONTRACTOR TO
PROVIDE A POSITIVE SLOPE TO DRAIN AND GRADING LIMITS DRAINAGE.

TB



PROTOCOL
Home Planning & Design

PHONE: 504.667.7515 EMAIL: info@protocolhomedesign.com WWW.PROTOCOLHOMEDSIGN.COM

[illegible]

Z16-0061



City of Kelowna
COMMUNITY PLANNING

Approved By:

Scale: AS 5110VN

Date: 24 OCT 2016

1985 KNO.

Home Planning & Design

ALL STRUCTURAL COMPONENTS TO BE ENGINEER DESIGNED OR VERIFIED FOR COMPLIANCE TO NATIONAL AND LOCAL BUILDING CODES REGARDING WEARINGS AND COMPLIANCE TO LOCAL BUILDING CODE REQUIREMENTS

IVE LOADS, DEAD LOADS, WIND LOADS, OR SNOW LOADS FOR THE PROPOSED LOCATION OF THE BUILDING. SITE CONDITIONS TO BE TESTED AND APPROVED ACCORDING TO LOCAL BUILDING AUTHORITY REGARDING SUBSTRATE



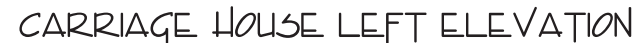
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ENGINEER / DESIGNER RESPONSIBLE
FOR ROOF / FLOOR TRUSS & JOIST
ENGINEERING DESIGN & CERTIFICATE
TO CLARIFY POSSIBLE DISCREPANCIES
ERRORS OR OMISSIONS ON ROOF PLAN
OR JOIST LAYOUT WITH PROTOCOL
HOME PLANNING & DESIGN PRIOR TO
ISSUING CERTIFICATE FOR APPROVAL

ALL MAJOR STRUCTURAL COMPONENTS AND
RELATED SUPPORTS & CONNECTIONS ARE TO BE
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WRITTEN DIMENSIONS TAKE PRECEDENCE
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HOME PLANNING & DESIGN TO ITS EMPLOYEES OR
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ANY CHANGES DUE TO INTERFERING OBSTACLES
IN CONSTRUCTION BUILDING CODES, ENGINEERING,
ORIGINAL DESIGN OR ANY OTHER CONDITION
THAT MAY AFFECT THE OVERALL BUILDING OF
THIS OR RELATED STRUCTURES.



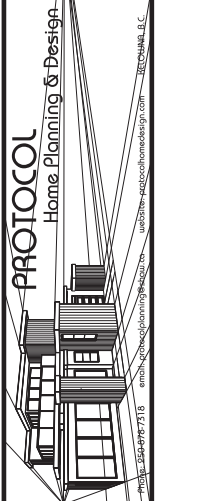
City of
Kelowna
COMMUNITY PLANNING

Planner
Initials **TB**

CARRIAGE HOUSE SECTION 5

Drawn By: CLC
Checked By: JLS
Date: 24 OCT 2016
Drawing Number: PT67-09

Approved By: AS
Date: 24 OCT 2016
1985 KNOX CRESCENT



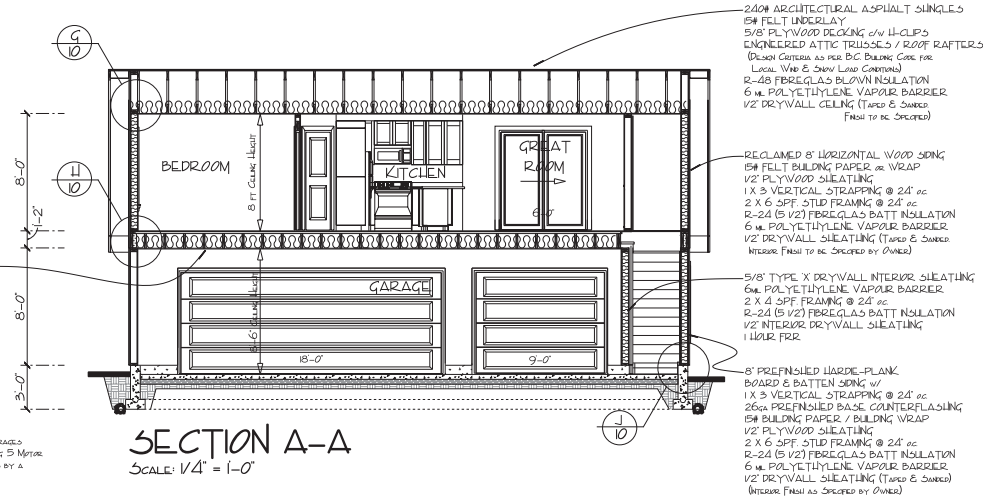
PROTOCOL
Home Planning & Design

NOTE: GENERAL CONTRACTOR IS RESPONSIBLE FOR BUILDING PERMITS AND INSURANCE. ALL STRUCTURES, COMPONENTS TO BE CONSIDERED AS VARIOUS FOR COMPLIANCE WITH LOCAL BUILDING CODES INCLUDING FOUNDATION, ROOF, EXTERIOR WALLS, INTERIOR WALLS, FLOORING, CEILING, AND LOCATION OF THE BUILDING. SEE CONDITIONS TO BE TESTED AND APPROVED ACCORDING TO LOCAL BUILDING AUTHORITY INCLUDING SUBSTITUTIONS. GENERAL CONTRACTOR TO PROVIDE A POSITIVE SLOPE TO DRAIN AND GRADING LAYOUT DRAWING.

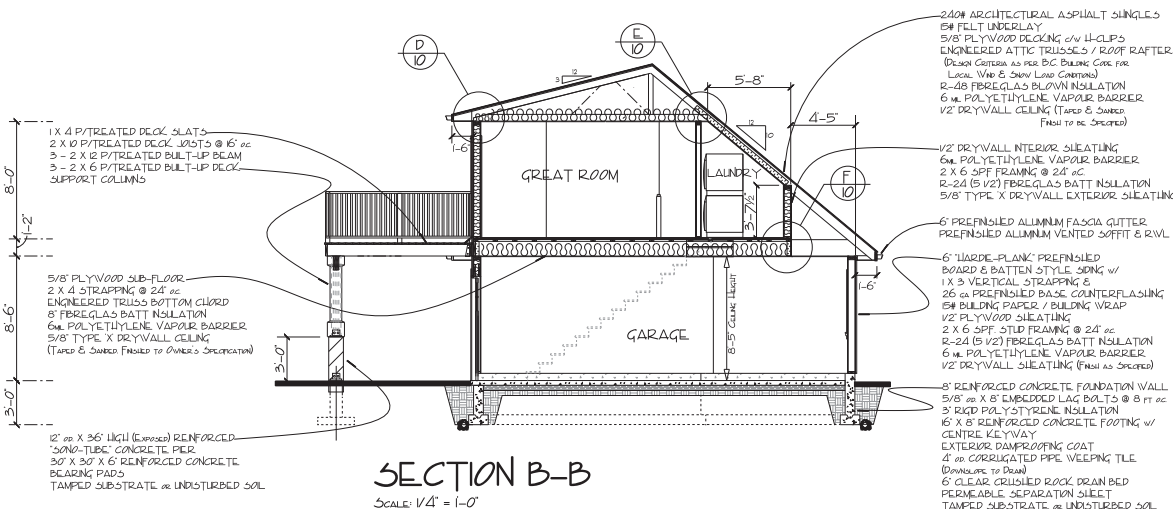
ENGINEER / DESIGNER RESPONSIBLE FOR ROOF / FLOOR TRUSSES OR JOIST ENGINEERING DESIGN & CERTIFICATE TO CLARIFY POSSIBLE DISCREPANCIES, ERRORS OR OMISSIONS ON ROOF PLAN OR JOIST LAYOUT WITH PROTOCOL HOME PLANNING & DESIGN PRIOR TO ISSUING CERTIFICATE FOR APPROVAL

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ALL MAJOR STRUCTURAL COMPONENTS AND RELATED SUPPORTS & CONNECTIONS ARE TO BE ENGINEER REVIEWED & CERTIFIED AS REQUIRED BY THE MUNICIPAL AUTHORITY HAVING JURISDICTION AND THE LATEST VERSION OF THE NATIONAL & LOCAL BUILDING CODES AND AMENDMENTS THERE TO.



BCBC 12 PART 9 - DIVISION B SECTION 91096 - SEPARATION OF STORAGE GARAGES
2) EXCEPT AS PERMITTED IN SENTENCE (3), STORAGE GARAGES CONTAINING 5 MOTOR VEHICLES OR FEWER SHALL BE SEPARATED FROM OTHER OCCUPANCIES BY A FIRE SEPARATION OF NOT LESS THAN 1 HOUR.



ALL DIMENSIONS SHOWN ARE TO BE VERIFIED ON SITE BY THE BUILDING CONTRACTOR. LOCATIONS OF POST BEARING PADS AND BEARING WALL FOOTINGS ARE TO BE CONFIRMED AND THESE LOCATIONS DETERMINED TO BE ADEQUATE WITH PROPER BEARING OF SUBSTRATE AND POTENTIAL LATERAL SHIFT DUE TO VIBRATION AND / OR EARTH MOVEMENT. A GEO-TECHNICAL SURVEY IS TO BE CONDUCTED TO VERIFY SITE CONDITIONS AS REQUIRED.



ATTACHMENT C

This forms part of application

Z16-0061

Planner
Initials

TB

City of
Kelowna
COMMUNITY PLANNING



