City of Kelowna Public Hearing AGENDA



Tuesday, March 7, 2017 6:00 pm Council Chamber City Hall, 1435 Water Street

Pages

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 February 22, 2017 (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.

Notification of Meeting

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

3. Individual Bylaw Submissions

3.1 2025 Agassiz Rd, (BL11358) Z16-0052 - Exceling Investments Inc.

4 - 19

To rezone the subject property to facilitate the development of a multi-family townhome complex.

3.2 403 Viewcrest Rd, (BL11359) Z16-0029 - Richard Mercier and Tracey Gronick

20 - 30

To rezone the subject property to RR2c – Rural Residential 2 with Carriage House zone to facilitate a carriage house.

3.3 3523 Landie Rd, (BL11360) Z16-0085 - Tracy Hansford

31 - 41

To consider rezoning the subject property from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House to facilitate the future construction of a carriage house.

4. Termination

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 respresentation (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: February 20, 2017

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TB)

Application: Z16-0052 Owner: Exceling Investments Inc. No.

BC1062096

Address: 2025 Agassiz Road Applicant: Cristian Anca

Subject: Rezoning Application

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

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RM5 – Medium Density Multiple Housing

1.0 Recommendation

THAT Rezoning Application No. Z16-0052 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, District Lot 129, ODYD, Plan EPP68381, located at 2025 Agassiz Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RM5 – Medium Density Multiple Housing, 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 24, 2016;

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 multi-family townhome complex.

3.0 Community Planning

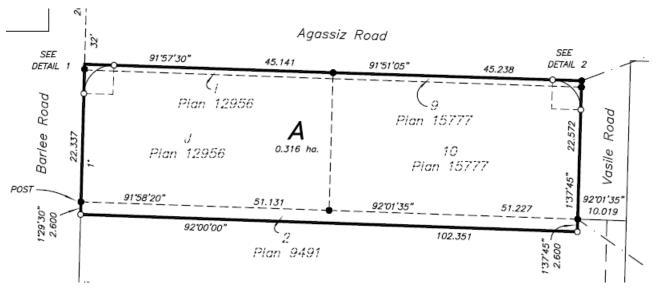
Community Planning Staff are recommending support for the proposed rezoning to facilitate the development of a multi-family townhome complex. The proposal is consistent with the Official Community

Plan (OCP) Future Land Use Designation of Multiple Unit Residential Medium Density (MRM). It is located within the Permanent Growth Boundary and more specifically within the Midtown Urban Centre. It is an appropriate location to increase residential densities as it is well supported by nearby amenities, services and transit. Many of the neighbouring properties have the same zone and developed with similar multifamily densities. The applicant's proposed townhome complex is consistent with the OCP Urban Infill Policies of Compact Urban Form, Sensitive Infill, Family Housing, and Ground Oriented Housing.

4.0 Proposal

4.1 Background

The new lot at 2025 Agassiz Road was achieved through consolidation of 2 residential lots, 2 remnant lots, and some purchased land from the property owner to the south. Through this lot consolidation process, the applicant was able to create a larger parcel to facilitate the development proposal and reduce the initial number of variances proposed.



4.2 <u>Project Description</u>

The applicant has proposed 15 three-bedroom townhomes located in three separate buildings with parking achieved in garages accessed from a common private lane. Each unit has access to a patio at grade, a second floor balcony, and a south-facing roof-top space. The proposal is sensitive to the existing residential character of the neighbourhood and appropriate for the long rectangular configuration of the subject property. The applicant is proposing a building height of three stories rather than the maximum height in the RM5 Zone of four and a half storeys. Articulation along the front façade as well as the patios at grade provide a visually interesting streetscape and integration of public and private space.



Each unit will have main entrances at grade, ample private outdoor space on patios and decks, three bedrooms, and located near schools and amenities.

4.3 <u>Variances Requested</u>

Should Council support the rezoning to RM5 – Medium Density Multiple Housing, Staff will bring forth a Form & Character Development Permit and the associated variances for consideration. Staff have worked extensively with the applicant over the past year to make adjustments to the proposal in order to reduce the number of variances to three. These include a variance on site coverage from 70% maximum allowed to 72% requested; a variance to the east side yard for the third storey portion of the building (access to rooftop patio), and to allow parallel visitor parking in the rear yard setback (see Section 4.5 Zoning Analysis Table for further details).

4.4 Site Context

The location falls with the Urban Centre of Midtown, is within the Permanent Growth Boundary and is within walking distance to many amenities including a Community Garden, Mission Creek Park, and Rapid Bus Transit on Highway 97. It fronts onto two streets and a lane, is immediately adjacent to the Ukrainian Greek Orthodox Church, and behind Orchard Plaza Shopping Centre.

There is a mix of other property zones in the area including several Single Family, Multi-Family, Public & Institutional, and Commercial.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 and RM5	Single Family and Multi-Family
INOILII	ROI allu Kivi5	Residential
East	C4LR	Commercial Shopping Centre
South	RM ₄	Church and Multi-Family Residential
West	RM ₅	Multi-Family Residential

Subject Property Map: 2025 Agassiz Road



4.5 Zoning Analysis Table

Zoning Analysis Table					
CRITERIA	RM ₅ ZONE REQUIREMENTS	PROPOSAL			
	Development Regulations				
Floor Area Ratio	1.4	.98			
Height	18.0 m or 4 ½ storeys	9.14 m			
Front Yard	1.5 M	3.8 m			
Side Yard (east 2 nd storey portion)	1.5 M	2.9 M			
Side Yard (east 3 rd storey portion)	6.o m	4.9 m 0			
Side Yard (west 2 nd storey portion)	1.5 M	6.o m			
Side Yard (west 3 rd storey portion)	6.o m	6.o m			
Rear Yard	9.0 m	10.0 M			
Other Regulations					
Minimum Parking Requirements	30 stalls and 3 visitor stalls	30 stalls and 4 visitor stalls			
Private Open Space	24 m² per unit	m²			
Site Coverage (Buildings Only)	50%	47.7			
Site Coverage including Driveways and Parking	70%	72% 2			
Visitor Parking Stall Setback on Rear	1.5 M	o.o m 🕄			

- Indicates a requested variance to the third storey setback from 6.om required to 4.9m proposed.
- 2 Indicates a requested variance to the maximum site coverage including driveways and parking from 70% allowed to 72% proposed.
- **3** Indicates a requested variance to the minimum parking setback on the rear yard from 1.5 m required to o.om proposed.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Permanent Growth Boundary.¹ 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.

Compact Urban Form.² 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.³ Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting.

Family Housing.⁴ Support housing alternatives for families when single detached housing is too costly, including features that are important to families such as: outdoor space, direct access to grade, workshop space, larger units, safe design, and neighborhood characteristics (e.g.: location and amenities).

Ground-Oriented Housing.⁵ Encourage all multiple-unit residential buildings in neighbourhoods with schools and parks to contain ground-oriented units with 2 or more bedrooms so as to provide a family housing choice within the multi-unit rental or ownership markets.

6.o Technical Comments

6.1 <u>Building & Permitting Department</u>

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s)
- Demolition Permit required for any existing structures
- Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
- A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):

¹ City of Kelowna Official Community Plan, Policy 5.2.1 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter)

⁴ City of Kelowna Official Community Plan, Policy 5.22.13 (Development Process Chapter)

⁵ City of Kelowna Official Community Plan, Policy 5.23.1 (Development Process Chapter)

- Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
- Access to the roof is required per NFPA and guard rails may be required and should be reflected in the plans if required.
- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this structure.

6.2 <u>Development Engineering Department</u>

• Please see attached Schedule "A" attached to the Report from Community Planning dated October 24, 2016.

6.3 Fire Department

- Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required.
- Engineered Fire Flow calculations are required to determine Fire Hydrant requirements as per the City of Kelowna Subdivision Bylaw #7900. 150 L/Sec is required
- All buildings shall be addressed off of Agassiz Rd.
- Fire Department access is to be met as per BCBC 3.2.5. -
- All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met

6.4 <u>Ministry of Transportation</u>

• 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: May 13, 2016

Date of Revised Plans Received: September 26, 2016
Date Public Consultation Completed: October 12, 2016
Date of Consolidation Registered: January 13, 2017

Prepared by: Trisa Brandt, Planner I

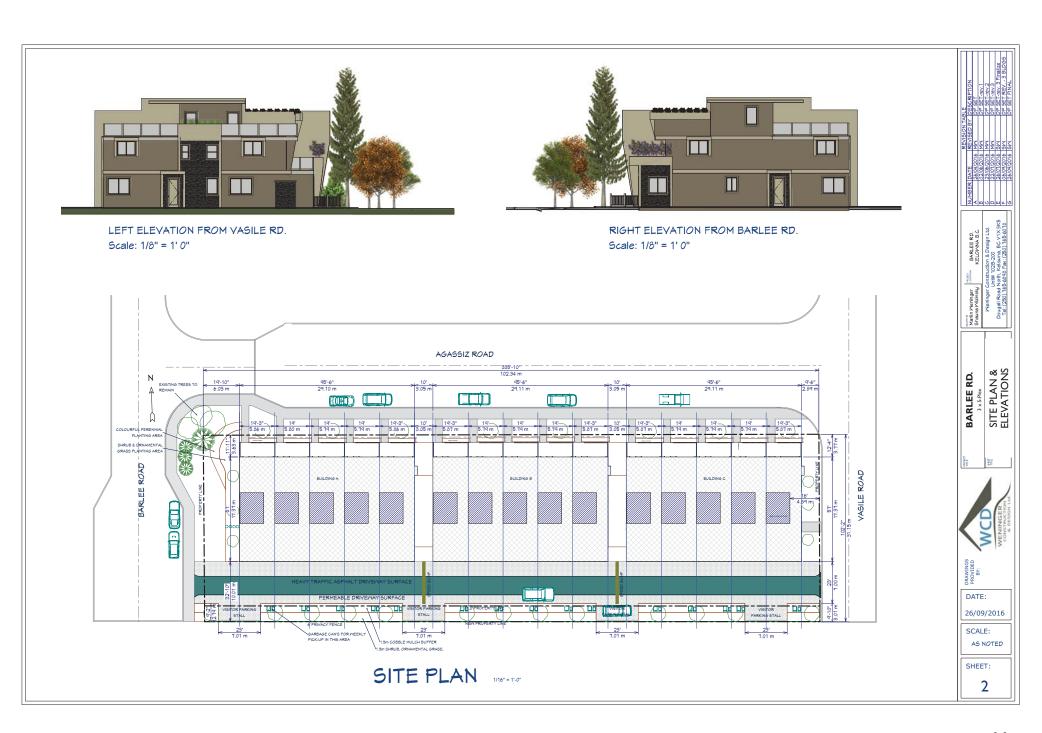
Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Site Plan Conceptual Elevations Landscape Plan

Schedule "A": Memorandum dated October 24, 2016



Unit Sizes:

Ground floor: 2 Car Garage- 400 sq.ft.

Living area- 687 sq.ft.
Private Patio- 156 sq.ft.

Second floor: 3 Bedrooms, Living Area- 947 sq.ft.

Deck- 144 sq.ft.

Top Floor: Interior- 214 sq.ft.

Roof Top Patio- 813 sq.ft.

FLOOR AREA RATIO CALCULATION

1st Floor × 15 = 16,305 sq.ft. 2nd Floor × 15 = 14,205 sq.ft. 3rd Floor × 15 = 3,210 sq.ft. Total = 33,720 sq.ft.

FLOOR AREA RATIO: 0.98 (1.2 allowed)

SITE COVERAGE:

5451 sq.ft. × 3 buildings = 16,353 sq.ft.

COVERAGE = 47.7%

maximum allowed 50%

with driveways; 24,852 sq.ft.

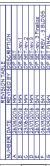
COVERAGE WITH DRIVEWAYS = 72.4%

max allowed 70%

PRIVATE OPEN SPACE REQUIREMENTS

24 sq.m. Required Per Unit 103.4 sq.m. Supplied Per Unit





BARLEE RD.
3 x 5-Rex
NOTES & 3-D VIEW

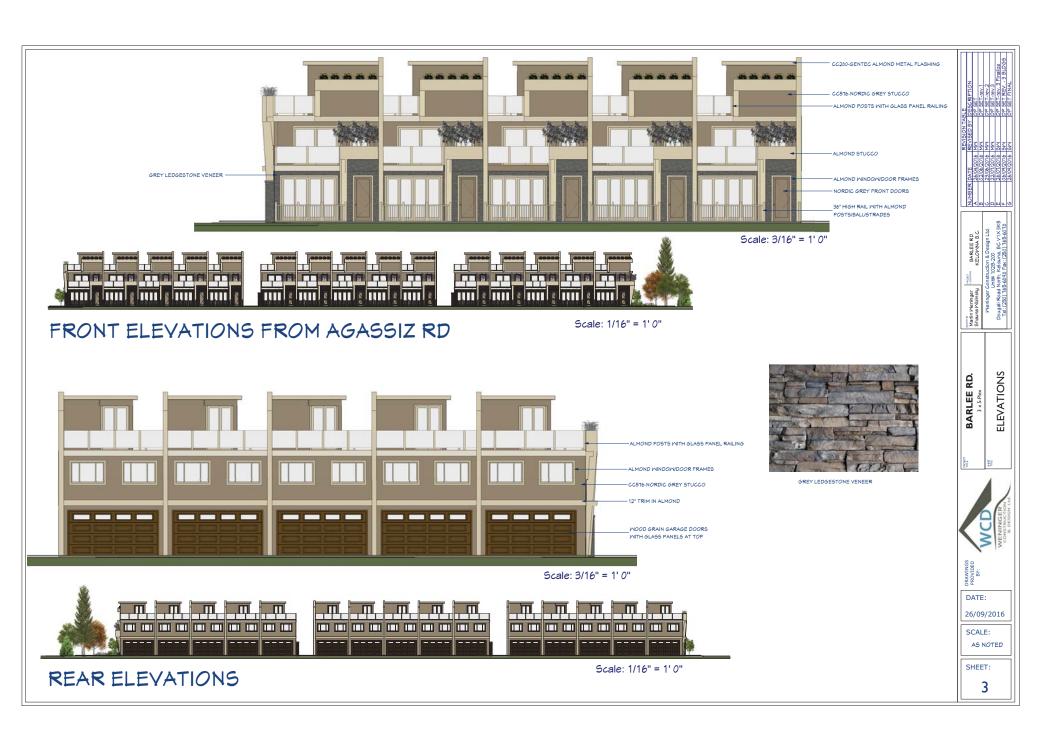


RAWINGS PROVIDED BY:

DATE: 26/09/2016

SCALE:

SHEET:









BOTANICAL NAME	COMMON NAME	QTY	SIZE / SPACING & REMARKS
TREES			
ACER GLABRUM	DOUGLAS MAPLE	6	6cm CAL.
TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LINDEN	8	6cm CAL.
QUERCUS ROBUR 'FASTIGIATA'	COLUMNAR ENGLISH OAK	13	6cm CAL.
SHRUBS			
CORNUS STOLONIFERA 'FARROW'	RED OSIER DOGWOOD	129	#01 CONT. /1.0M O.C. SPACING
PHILADELPHUS 'SNOWBELLE'	SNOWBELLE MOCKORANGE	129	#01 CONT. /1.0M O.C. SPACING
RHUS AROMATICA 'GRO-LOW'	GRO-LOW FRAGRANT SUMAC	129	#01 CONT. /1.0M O.C. SPACING
TAXUS X MEDIA 'HICKSII'	HICK'S YEW	232	#01 CONT. /0.75M O.C. SPACIN
PERENNIALS & GRASSES			
ASTILBE JAPONICA 'PEACH BLOSSOM'	PEACH BLOSSOM ASTILBE	62	#01 CONT. /0.75M O.C. SPACIN
ECHINACEA PURPUREA 'MAGNUS'	MAGNUS CONEFLOWER	62	#01 CONT. /0.75M O.C. SPACIN
ECHINOPS 'ARCTIC GLOW'	ARCTIC GLOW THISTLE	96	#01 CONT. /0.6M O.C. SPACING
PANICUM VIRGATUM 'HANSE HERMS'	RED SWITCH GRASS	34	#01 CONT. /1.0M O.C. SPACING
PENNISETUM ORIENTALE 'KARLEY ROSE'	KARLEY ROSE FOUNTAIN GRASS	34	#01 CONT /1 0M O C SPACING

NOTES

PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED B.C.L.N.A. STANDARDS.

3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 50mm WOOD MULCH. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.

4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.

5. TURF AREAS FROM SOD SHALL BEIND I GRADE GROWN FROM
CERTIFIED SEED OF MIRROYDE CULTIVARS REGISTERED FOR SALE IN
CERTIFIED SEED OF MIRROYDE CULTIVARS REGISTERED FOR SALE IN
CERTIFIED SEED OF SALE IN SECURIFIED SEED AND HARD
OF 100mm DEPITH OF GROWNIS MEDIUM IS RECURIFIED SEENEATH TURF
AREAS. TURF AREAS SHALL MEET EXISTING GRADES AND HARD
SURFACES FLUSH.



206 - 1889 Spall Road Kelowna, BC V1Y 4R2 T (250) 868-9270 www.outlanddesign.ca



BARLEE ROAD 15 UNIT ROW HOUSING Kelowna, BC

LANDSCAPE PLAN

ISSI	UED FOR / REVIS	SION
1	16.09.15	Review
2		
3		
4		

DATE	SEPT. 15. 2016
CHECKED BY	FB
DRAWN BY	NG
DESIGN BY	FB
PROJECT NO	16059



ISSUED FOR REVIEW ONLY

CITY OF KELOWNA

MEMORANDUM

Date:

October 24, 2016

File No.:

Z16-0052

To:

Community Planning (TB)

From:

Development Engineering Manager(SM)

Subject:

1925 Barlee Rd &2160 Vasile Rd

RU1 - RM5

Development Engineering Department have 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 Sergio Sartori

1. Domestic Water and Fire Protection

- (a) The existing lots are serviced with small diameter water services (2). The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The estimated cost of this construction for bonding purposes is \$10,000.00
- (b) The applicant, at his cost, will arrange for the removal of the existing services and the installation of one new larger metered water service.
- (c) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures. The City of Kelowna water meter contractor must salvage existing water meters, prior to building demolition. If water meters are not salvaged, the developer will be invoiced for the meters.

2. Sanitary Sewer

(a) The existing lots are serviced with 100mm diameter sanitary services (2). The developer's consulting mechanical engineer will determine the requirements of this proposed development and establish the required size and preferred location of the new service. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal of all existing small diameter services and the installation of a new larger service. The estimated cost of this construction for bonding purposes is \$8,000.00

Storm Drainage

(a) The developer must engage a consulting civil engineer to provide a storm water management plan for these sites which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems.



(b) Only one service will be permitted for this developing the service. The applicant, at his community planning cost, will arrange for the installation of one new overflow service. The estimated cost of this construction for bonding purposes is \$5,000.00

4. Road Improvements

- (a) Barlee Rd has been upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, sidewalk and drainage system. A landscaped boulevard complete with street trees is required. The estimated cost of this construction for bonding purposes is \$1,000.00.
- (b) Agassiz Rd has been upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, sidewalk and drainage system. A landscaped boulevard complete with street trees is required. The estimated cost of this construction for bonding purposes is \$4,000.00
- (c) Contribute a sum of \$2,254.39 per equivalent development unit as this development's assessed share for future extension of Agassiz Rd. from Kent Rd. thru to Ambrosi Rd. as required in the Ambrosi Area Plan Policy 235.

6. Subdivision

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

7. Electric Power and Telecommunication Services

- a) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground as the subject properties are within the "Capri Landmark Urban Centre".
- b) Streetlights must be installed on Agassiz Rd if required.
- c) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- d) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

8. Engineering

Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the city engineering

Z16-0052

3 -

This forms part of application
Z16-0052

City of

Unitials

TB

City of

department for review and marked "issued for construction" by the city engine telowna before construction may begin.

9. <u>Design and Construction</u>

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

10. Servicing Agreements for Works and Services

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

11. Geotechnical Report

As a requirement of this application the owner must provide a geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

- (a) Area ground water characteristics.
- (b) Site suitability for development, unstable soils, etc.
- (c) Drill and / or excavate test holes on the site and install pisometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, Identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.



City of City o

(e) Additional geotechnical survey may be necessary for building foundations, etc.

12. Bonding and Levy Summary

(a) Bonding

Water service upgrades	\$ 10,000
Sanitary sewer service upgrades	\$ 8,000
Storm overflow services	5,000
Bedford Street frontage improvements	\$ 5,000

Total Bonding

\$28,000.00

NOTE: The bonding amount shown above are comprised of estimated construction costs escalated by 140% to include engineering design and contingency protection and are provided for information purposes only. The owner should engage a consulting civil engineer to provide detailed designs and obtain actual tendered construction costs if he wishes to do so. Bonding for required off-site construction must be provided and may be in the form of cash or an irrevocable letter of credit, in an approved format.

The owner must also enter into a servicing agreement in a form provided by the City.

(b) <u>Levies</u>

Ambrosi Area Plan Policy 235 assessment:

15 unit's x 0.7 = 10.5 EDU @ \$2,254.39 = **\$ 23,671.10**

12. Development Permit and Site Related Issues

Access and Manoeuvrability

(i) Access to the site will be permitted from Barlee Rd.

(ii) Indicate on the site, the locations of the garbage and recycle bins.

Steve Muenz, P. Engl

Development Engineering Manager

SS

REPORT TO COUNCIL



Date: February 20, 2017

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TH)

Application: Z16-0029 Richard Mercier
Owner:

oplication: Z16-0029 Owner: Tracey Gronick

Address: 403 Viewcrest Road Applicant: Richard Mercier

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RR2 – Rural Residential 2

Proposed Zone: RR2c – Rural Residential 2 with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z16-0029 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 16 Plan 18995 Section 23 Township 28, located at 403 Viewcrest Road Kelowna, BC from the RR2 – Rural Residential 2 zone to the RR2c – Rural Residential 2 with Carriage House zone to 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 February 20, 2017.

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

2.0 Purpose

To rezone the subject property to RR2c – Rural Residential 2 with Carriage House zone to facilitate a carriage house.

3.0 Community Planning

Community Planning supports the rezoning application to permit a carriage house in an existing accessory building on the subject property. The conversion to a carriage house in this location does not impact

adjacent neighbours as views are not directed to adjacent private open space of neighbouring properties. The streetscape remains unchanged as no proposed renovations are proposed to the exterior of the accessory building.

The parcel is within the Permanent Growth Boundary, has a future land use of S2RES-Single/Two Unit Residential and meets all regulations within the RR2c zone.

City of Kelowna follows the Okanagan Basin Water Board policy which states that no parcel under 1.0 Hectare should be considered for additional dwellings if the parcel is not connected to a municipal sewer service. A condition of this rezoning requires the parcel to connect to the existing City sewer, as such this application aligns with both policies.

4.0 Proposal

4.1 Background

The o.7-acre property contains one single family dwelling and an outdoor pool constructed in the 1970s. A detached accessory building was constructed in 1996, this building shown on the right on Image 1 below is the building proposed as a carriage house. Vehicle access exists along the fronting road due to topography as the parcel is steeply sloped. A City sanitary main services this neighbourhood which runs along the rear lane of the parcel. This parcel is not connected to this sanitary main as it is being serviced by an on-site septic system which was constructed for the existing single family dwelling.

The City of Kelowna adheres to the Okanagan Basin Water Board policy of not allowing additional dwellings (in the form of single family or carriage house forms) on parcels under 1.0 Ha/2.5 Ac that are not connected to municipal sanitary system. This policy was created for these smaller lots as on-site septic systems have shown failure when the demands of the system are increased by way of additional dwellings.





4.2 Project Description

The conversion of the detached accessory building would include retaining the main floor as vehicle parking, and renovating the upper floor to the secondary suite. The exterior of the building, including siting, height and exterior finish of the structure remains unchanged in the proposed conversion.

Parking and private open space for both dwellings is accommodated on the subject parcel.

A requirement of this rezoning application includes connecting both dwellings to the City sanitary service that exist along the rear lane.

Should this rezoning application be supported by Council, two variances would be considered as part of the change of use:

- Carriage house in a front yard: The existing accessory building is located in the front yard, between
 the front property line and the principle dwelling. This is contrary to Zoning Bylaw No. 8000,
 Section 9.5b.1.c. Carriage House Regulations which states that the principle dwelling must be
 located between the front yard and carriage house.
- Front yard setback: The existing accessory structure is sited approx. 4.0 m from the front property line, Zoning Bylaw No. 8000, Section 12.2.6.c Rural Residential 2 Regulations require a 6.0 m setback from the front property line. A survey plan will need to be completed to identify the exact distance.

4.3 Site Context

The subject property is located within the Okanagan Mission Sector of the City on the south side of Viewcrest Road at its intersection with Edgemont Court. The subject parcel and adjacent parcels have a Future Land Use designation of S2RES - Single / Two Unit Residential.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR2 – Rural Residential 2	Residential
East	RR2 – Rural Residential 2	Residential
South	A1 – Agriculture 1	Residential
West	RR2 – Rural Residential 2	Residential

Map 1: Neighbourhood Context



Map 2: Subject Property



4.4 Zoning Analysis Table

Zoning Analysis Table			
CRITERIA	RR2c ZONE REQUIREMENTS	PROPOSAL	
Existing Lot/Subdivision Regulations			
Lot Area	10,000 m ²	2833 m ² (0.7 ac)	
Lot Width	36 m	m	
Lot Depth	30 m	m	
	Development Regulations		
Maximum Site Coverage (Total)	20% / 566.6 m ²	7% / 210 m²	
	Carriage House Regulations		
Site coverage for accessory structures	14%	2%	
Max. Height (mid-point of roof)	4.8 m	4.5 m	
Siting	Principle dwelling is to be located between the front yard and carriage house	Carriage house is located in the front yard •	
Min. Front Yard Setback (to Viewcrest Road)	6.0 m	3.2 m 🧕	
Min. Sideyard Setback (to east)	3.0 m	3.01 m	
Maximum floor area of carriage house	90 m² or 75% of the principal building	56.1 m ²	
Minimum distance to principal building	3 m	11 m	
Other Regulations			
Minimum Parking Requirements	1.0 space for carriage house plus 2.0 spaces per single detached house		
Private Open Space	30 m² each dwelling	+ 30 m² each dwelling	
 Indicates a requested variance to Zoning Bylaw No. 8000, Section 9. 5b.1.c Carriage House Regulations Indicates a requested variance to Zoning Bylaw No. 8000, Section 12.2.6.c 			

Thereares a requested variance to Esting Bytan No. 5550, Section 12:2:5

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

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

Staff Note: The proposed conversion does not alter the existing streetscape.

Carriage Houses and Accessory Apartments. ² Support carriage houses and accessory apartments through appropriate zoning regulations.

Staff Note: There are two variances triggered by the proposed change in use.

¹ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

 $^{^{2}}$ City of Kelowna Official Community Plan, Policy 5.22.12 (Development Process Chapter).

6.o Technical Comments

6.1 Building & Permitting Department

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

Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

Condition of the Rezoning application includes decommissioning existing on-site septic field, and connection to City sanitary main along rear lane.

A 4.5 m Right of Way is to be registered on the subject parcel for an existing municipal storm drainage main located along the south west property line.

Refer to attached memorandum dated June 23, 2016 for detailed information.

7.0 Application Chronology

Date of Application Received: May 18, 2016 Additional Information Received: June 7, 2016

Additional Information Received: November 4, 2016
Date Public Consultation Completed: January 26, 2016

Report prepared by: Tracey Hillis, Planner

Reviewed by: Todd Cashin, Subdivision, 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:

Schedule "A": Development Engineering Memorandum

Attachment "A": Carriage House Plans

Attachment "B": Carriage House Site Photos

Initials

CITY OF KELOWNA

MEMORANDUM

Date: June 23, 2016 File No.: Z16-0029

To: Land Use Management Department (TY)

From: **Development Engineering Manager**

Subject: 403 Viewcrest Rd Lot 16 Plan 18995 Carriage House RR2C

Development Engineering has the following requirements associated with this application.

1. **Domestic Water**

This property is currently serviced with a 19mm diameter Municipal Service that will service both the existing dwelling and proposed carriage house

The property is within Water Extended Service Area 14. The applicant shall make payment for one half of an equivalent dwelling unit \$1,940.00 (0.5 of \$3,880.00 ESA 14 charge) Valid until 2016-09-29

2. Sanitary Sewer

Sanitary sewage is presently handled by an on-site sewage disposal system. The applicant must connect to the municipal sanitary main that exists within the rear lane.

3. Right-Of-Way

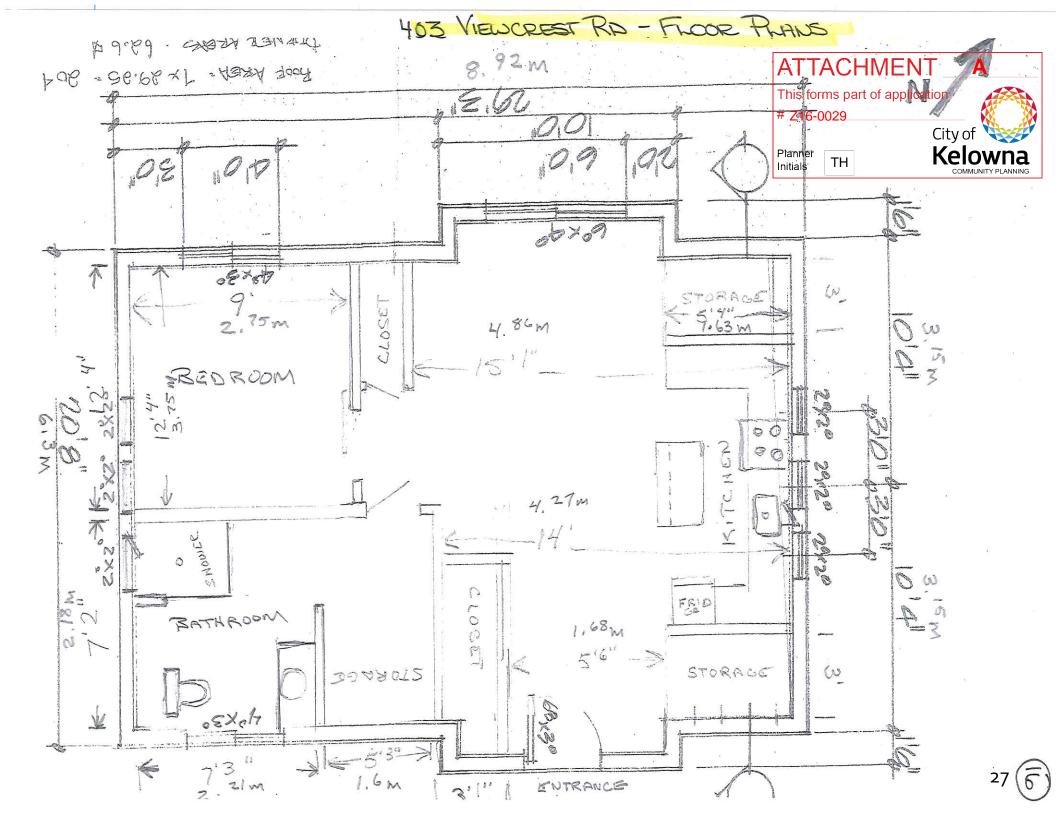
An existing municipal storm drainage main alongside the South West property line has insufficient statutory right-of-way width for the underground utility. A 4.5m wide statutory right-of-way is requested from the current property owner. Please contact Graham Hood City Real Estate Manager at ghood@kelowna.ca

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.

Steve Muenz, P. Eng. Development Engineering Manager JF/jf











REPORT TO COUNCIL



Date: February 20, 2017

RIM No. 1250-30

To: City Manager

From: Community Planning Department (EW)

Application: Z16-0085 **Owner:** Tracy Janine Hansford

Address: 3523 Landie Rd Applicant: West Bay Construction Co. Ltd.

Subject: Rezoning Application

Existing OCP Designation: SRES – 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. 16-0085 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot C District Lot 134 ODYD Plan 29197, located at 3523 Landie Rd, 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 Zone Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Zone Amending 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 February 20, 2017.

2.0 Purpose

To consider rezoning the subject property from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House to facilitate the future construction of a carriage house.

3.0 Community Planning

Community Planning Staff support the proposed rezoning application to facilitate the future construction of a carriage house on the subject property. The parcel has a Future Land Use designation of S2Res – Single/ Two Unit Residential in the Official Community Plan (OCP) and is currently zoned RU1 – Large Lot Housing. Density of the neighbourhood has been modestly increasing as there are recent examples of RU6 – Two Dwelling Housing and RU2 – Medium Lot Housing properties within the surrounding the area. Rezoning the subject parcel to the RU1c – Large Lot Housing with Carriage House will continue the density

increase trend. The parcel is within the City of Kelowna's Permanent Growth Boundary and the South Pandosy – KLO city sector.

In fulfillment of Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form outlining that neighbours within 50 m of the subject property were notified.

4.0 Proposal

4.1 Project Description

Renderings submitted with the rezoning application propose the construction of a single storey carriage house in the northeast corner of the property (Attachment 'A'). The proposal complies with the zoning regulations and is mindful of neighbouring properties by maximizing windows on the interior elevations and minimizing windows on the north elevation.



Figure 1. Elevation of proposed carriage house.

4.2 Site Context

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: 3523 Landie Rd



4.3 Zoning Analysis Table

Zoning Analysis Table				
CRITERIA	RU1 ZONE REQUIREMENTS	PROPOSAL		
Existing Lot/Subdivision Regulations				
Minimum Lot Area	1174 m²	550 m²		
Minimum Lot Width	28.02 m	16.5 m		
Minimum Lot Depth	41.15 m	30.0 m		
	Development Regulations			
Max. Site Coverage (buildings)	40%	17%		
Max. Site Coverage (buildings, driveways, and parking)	50%	22%		
Single Storey Carriage House Regulations				
Max. Accessory Site Coverage	14%	7%		
Max. Accessory Building Footprint	130 m²	87 m²		
Max. Net Floor Area	100 m²	87 m²		
Max. Net Floor Area to Principal Building	75%	43%		
Maximum Height (to mid-point)	4.8 m	4.2 m		
Maximum Height (to peak)	5.5 m	5.0 m		
Minimum Side Yard (north)	2.0 M	2.0 M		
Minimum Side Yard (south)	2.0 M	16.2 m		

Minimum Rear Yard	2.0 M	2.0 M	
Min. Distance to Principal Building	3.0 m	10.9 m	
Other Regulations			
Minimum Parking Requirements	3 stalls	3 stalls	
Minimum Private Open Space	30 m²	> 30m²	

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 neighborhood with respect to building design, height and siting.

6.0 Technical Comments

6.1 <u>Building & Permitting Department</u>

- 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).
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

• See Schedule 'A' memorandum dated December 23, 2016.

6.3 FortisBC - Electric

• There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Landie Road. 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. Otherwise, FBC(E) has no concerns with this circulation.

6.4 <u>Fire Department</u>

No issues with zoning

¹ City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

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

- 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 Landie Rd. for emergency response emergency response

7.0 Application Chronology

Date of Application Received: December 2, 2016

Date Public Consultation Completed: January 13, 2017

Report prepared by: Emily Williamson, Planner I

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Schedule 'A' Development Engineering Memorandum dated December 23, 2016 Attachment 'A' Conceptual Elevations

CITY OF KELOWNA

MEMORANDUM

Date:

December 23, 2016

File No.:

Z16-0085

To:

Community Planning (EW)

From:

Development Engineering Manager

Subject:

3523 Landie Rd

Carriage House

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

1. Domestic Water and Fire Protection

Our records indicate that this property is currently serviced with a 19mm-diameter water service which is adequate for this application.

Sanitary Sewer

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 Sergio Sartori, by email ssartori@kelowna.ca or phone, 250-469-8589.

Development Permit and Site Related Issues

Direct the roof drains onto splash pads.

Driveway access permissible is one (1) per property as per bylaw.

4. <u>Electric Power and Telecommunication Services</u>

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.

Steve Muenz, P. Eng.

Development Engineering Manager

SS









FINISH NOTES:
RENDERINGS ARE NOT TO SCALE; ALL RENDERINGS ARE FOR ARTIE
DEPICTION ONLY, PLAN UPDATES MAY NOT BE REFLECTED IN
RENDERINGS. RENDERINGS SHALL NOT BE USED FOR CONSTRUCTI

BASE BOARDS SHALL BE 6° IN ALL ROOMS, UNO. FINAL FINISHES SHALL BE CONFIRMED WITH THE HOME OWNER PRI TO APPLICATION.

THESE DRAWINGS ARE THE PROPRIETARY WORK PRODUCT AND PROPERTY OF WEST BAY CONSTRUCTION COMPANY, DEVELOPED FOR THE EXCLUSIVE USE OF WEST BAY CONSTRUCTION COMPANY USE OF THESE DRAWINGS AND COMESTS OF OF THESE DRAWINGS AND CONCEPTS CONTAINED THEREIN WITHOUT THE WRITTEN PERHISSION OF WEST BAY CONSTRUCTION COMPANY IS PROHIBITED AND MAY SUBJECT YOUT OR CLAIM FOR DAMAGES FROM WEST BAY CONSTRUCTION COMPANY.

