

City of Kelowna

Public Hearing

AGENDA



Tuesday, July 11, 2017
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 June 28, 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.

2. Notification of Meeting

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

3. Individual Bylaw Submissions

3.1 Temporary Farm Worker Housing Bylaw Amendments OCP16-0022 (BL11373), TA16-0015 (BL11374)

4 - 66

To amend the Official Community Plan, Zoning Bylaw and Development Application Procedures Bylaw to provide updates to temporary farm worker housing policy, regulation and procedures.

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|------------|---|------------------|
| 3.2 | 170 & 230 Nickel Road, Z17-0039 (BL11429) - 554764 BC Ltd | 67 - 85 |
| | To consider a rezoning application on the subject property from the RU1 - Large Lot Housing Zone to the RM3 – Low Density Multiple Housing Zone. | |
| 3.3 | 1287 & 1297 Findlay Road, Z16-0083 (BL11430) - 0725353 BC Ltd Inc. | 86 - 106 |
| | To rezone the subject property from RU1 - Large Lot Housing zone to the RM3 - Low Density Multiple Housing zone to facilitate the development of row housing. | |
| 3.4 | 540 Jaginder Lane, Z16-0086 (BL11431) - Michael and Edgar Hiebert | 107 - 120 |
| | To rezone the subject property from A1 - Agriculture1 zone to the RR3c - Rural Residential 3 with Carriage House zone to permit a carriage house in addition to the primary residence. | |
| 3.5 | 454 Glenwood Ave, Z17-0031 (BL11432) - Lindsay Gibson and Meghan Wise | 121 - 132 |
| | To rezone 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. | |
| 3.6 | 2045 Loseth Rd and 1261 Kloppenburg Rd, OCP17-0009 (BL11435) and Z17-0024 (BL11436) - Kirschner Mountain Estates Ltd | 133 - 142 |
| | To amend the Official Community Plan to change the Future Land Use designation and to rezone portions of the subject property to facilitate the creation of residential development parcels and park dedication. | |
| 3.7 | 5317 Chute Lake Road, OCP17-0001 (BL11437) and TA17-0002 (BL11438) - 1104053 BC Ltd | 143 - 160 |
| | To amend the Official Community Plan to change the future land use designation of the subject property and to amend the Kettle Valley Comprehensive Development Zone (CD2) to facilitate a two lot residential subdivision. | |

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: June 19, 2017
File: 1210-24
To: City Manager
From: Community Planning and Strategic Investment (TG/MS)
Subject: Temporary Farm Worker Housing Bylaw Amendments OCP16-0022, TA16-0015, TA16-0016

Recommendation:

THAT Council receives, for information, the Report from Community Planning and Strategic Investment dated June 19, 2017 to amend the Official Community Plan Bylaw No. 10500, Zoning Bylaw No. 8000 and the Development Application Procedures Bylaw No. 10540;

AND THAT Council amend at first reading TA16-0022 Temporary Farm Worker Housing Official Community Plan Amending Bylaw No. 11373 as per Schedule 'A';

AND THAT Council amend at first reading TA16-0015 Temporary Farm Worker Housing Zoning Amendment Bylaw No. 11374 as per Schedule 'B';

AND THAT Council considers the public process outlined in the Report from Community Planning and Strategic Investment dated June 19, 2017, to be appropriate consultation for the purpose of Section 475 (1) and (3) of the Local Government Act;

AND THAT the Official Community Plan text amending bylaw and Zoning Bylaw text amending bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT Council amend at third reading Bylaw No. 11375 being Amendment No. 5 to Development Applications Procedures Bylaw No. 10540 as per Schedule 'C'.

Purpose:

To amend the Official Community Plan, Zoning Bylaw and Development Application Procedures Bylaw to provide updates to temporary farm worker housing policy, regulation and procedures.

Background:

Council provided first reading for bylaw amendments on temporary farm worker housing at the April 10, 2017 meeting. Following the May 2 Public Hearing, however, Council deferred 2nd and 3rd reading and directed staff to bring back the proposal to a Monday afternoon meeting with amendments based on input heard at the public hearing (R334/17/105/02).

Farm worker housing is commonly built on agriculture land in the ALR and typically generates concerns with the immediate neighbourhood or community. These include:

- Potential misuse of farm worker housing (i.e. as rental housing for non-farm uses to generate revenue);
- Loss of agricultural land (i.e. permanent conversion of agricultural land to a residential footprint);
- Changes to the agricultural landscape (i.e. the increased density of people and structures clutters the rural aesthetic quality of the landscape);
- Increased demands on municipal infrastructure; and
- A perceived 'detachment' of the workers having no connection to the community.

Central Okanagan communities are not immune to these issues, and as a result several challenging applications have been brought forth to house workers on farm land in the past 18 months.

Following the Public Hearing, staff have met with the BC Fruit Growers Association to discuss their concerns and examined opportunities to revise the proposed amendments to meet the BCFGA's four main concerns as outlined in Table 1.

Further, over the past month, staff have met with the Ministry of Agriculture on several occasions to discuss options to meet the concerns of the BCFGA as well as to ensure the proposed revisions remain consistent with the Ministry's "Guide for Bylaw Development in Farming Areas."

Table 1: BCFGA Concerns

BCFGA Concern	How it was addressed
Definition of farm unit	The definition for farm unit remains intact as per direction from the Ministry of Agriculture, however, policy has been revised to allow farms to have TFWH in each City sector (i.e. to allow more than one TFWH location per farmer).
Public hearing threshold	A site specific zoning amendment and associated public hearing would only be required for TFWH applications for structures to accommodate more than 40 temporary farm workers on parcels up to 8 hectares; and for TFWH applications for structures to accommodate more than 60 temporary farm workers on parcels eight hectares or more in each City sector. Allowing TFWH in each city sector provides more opportunities to locate TFWH across the City before requiring a site specific zoning amendment.
Annual term of occupation	Annual occupation has increased from eight months to ten months.
Placement of temporary farmworker housing	A clause has been added to allow location to "maximize agricultural potential and limit negative impacts on the farm parcel" with the intent of ensuring that location is sited to minimize the impact on agricultural productivity.

In response to balancing industry concerns, the public and Ministry of Agriculture interests, the amended proposal of OCP amendments (Schedule A, attached), Zoning Bylaw amendments (Schedule B, attached) and Development Application Procedures Bylaw amendments (Schedule C, attached) provide a balanced approach that will meet the needs of both industry and other interests. Staff have endeavored to provide a policy framework that promotes certainty for farmers while acknowledging the land use implications and aim to minimize conflicts with broader community issues. Table 1 provides a summary of the revisions made since the May 2 Public Hearing.

Table 2 – Changes to Draft Temporary Farm Worker Housing Policy since May 2 Public Hearing

Bylaw	Initial Draft Policy	Revised Draft Policy	Comments
Official Community Plan	Temporary Farm worker housing footprint should be contiguous with the residential footprint (i.e. homeplate and/or within 50 metres of the road.	Temporary farm worker housing footprint should be contiguous with the residential footprint (i.e. homeplate) and/or within 50 metres of the road <i>and/or located to maximize agricultural potential and limit negative impacts on the farm parcel.</i>	Provides the ability to locate TFWH on a parcel such to maximize agricultural potential.
Zoning Bylaw	On-farm processing means the undertaking of processes, including mixing, drying, canning, size reduction, fermentation, heat treatments, cold treatments, and biological treatments on a farm unit to: <ul style="list-style-type: none"> • Prepare value added products from farm products to sell, or • Prepare feed for livestock, poultry, farmed game, located on the farm But excludes on-farm composting, on-farm soil preparation, and on-farm soilless medium production.	On-farm processing means the undertaking of processes, including <i>grading, packing,</i> mixing, drying, canning, size reduction, fermentation, heat treatments, cold treatments, and biological treatments on a farm unit to: <ul style="list-style-type: none"> • Prepare value added products from farm products to sell, or • Prepare feed for livestock, poultry, farmed game, located on the farm But excludes on-farm composting, on-farm soil preparation, and on-farm soilless medium production.	Added the terms “grading” and “packing” to reflect the processing that happens on many Kelowna orchards.
	9.13.1 (b) Minimum parcel size is 3.8 ha	9.13.1 (b) Minimum <i>farm unit</i> size is 3.8 ha	Allows for smaller farms to utilize TFWH if their total farm unit is at least 3.8 ha.

Bylaw	Initial Draft Policy	Revised Draft Policy	Comments
Zoning Bylaw con't	9.13.1 (f) A statutory declaration must be filed with the City of Kelowna annually, by January 31 st , stating that the building will be used only for TFWH and specify the time(s) of year when the TFWH will be occupied. The specified period of time may be no greater than eight months per calendar year.	9.13.1 (f) A statutory declaration must be filed with the City of Kelowna annually, by January 31 st , stating that the building will be used only for TFWH and specify the time(s) of year when the TFWH will be occupied. The specified period of time may be <i>no greater than ten months per calendar year.</i>	Amended from eight months to ten months as per input from the BCFGA.
	9.13.2 (a) TFWH footprint may not exceed 0.20 ha.	9.13.2 (a) TFWH footprint may not exceed 0.20 ha for structure(s) to accommodate a maximum of forty temporary farm workers and may not exceed 0.30 ha for structure(s) to accommodate a maximum of sixty temporary farm workers .	Increased TFWH footprint size to be proportional with increase in maximum TFWH.
	<p>9.13.3</p> <p>(a) Structure(s) to accommodate a maximum of forty temporary farm workers per farm unit.</p> <p>(b) Farm units with greenhouses and/or on-farm processing structures may increase allowable number of workers by 1 worker per each 1000 m² of greenhouse and/or on-farm processing structures.</p> <p>(c) Where a farm unit comprises of multiple parcels of land, TFWH may be clustered on a single parcel, subject to:</p> <ol style="list-style-type: none"> A restrictive covenant be registered on all other parcels of the farm unit restricting the development of further TFWH on said parcels, and transferring the 	<p>9.13.3</p> <p>(a) Structure(s) to accommodate a maximum of <i>forty temporary farm workers per each city sector as identified on Official Community Plan Map 5.4 for parcels up to eight hectares. For parcels eight hectares or more, structure(s) to accommodate a maximum of sixty temporary farm workers per each city sector as identified on Official Community Plan Map 5.4.</i></p> <p>(b) Farm units with greenhouses and/or on-farm processing structures may increase allowable number of workers by 1 worker per each 1000 m² of greenhouse and/or on-farm processing structures.</p> <p>(c) Where a farm unit comprises multiple parcels of land, a restrictive</p>	Increased structures to accommodate a maximum sixty TFW for those parcels 8 ha or more. Proposal allows for structure(s) in each City sector (Schedule F) to minimize neighbourhood impacts. The City sector map was chosen for the geographical boundaries for ease of staff administration and certainty for farm operators.

Bylaw	Initial Draft Policy	Revised Draft Policy	Comments
	allocation of TFWH to the parcel being developed with TFWH .	<i>covenant shall be registered on all farm unit parcels within the same sector of the temporary farm worker housing as identified on Official Community Plan Map 5.4 restricting the development of further TFWH on said parcels within that sector.</i>	
Development Application Procedures Bylaw	Temporary Farm Worker Housing Permit Minor Direct means a permit authorized by Section 15 (1) of the Community Charter, issued by the Department Manager, Community Planning that applies to development that meets the following criteria: <ul style="list-style-type: none"> • Is for eight or fewer sleeping units in one or more Temporary farm worker agricultural dwellings; and • Is consistent with the applicable guidelines and policies of the Official Community Plan and regulations of the Zoning Bylaw. 	Temporary Farm Worker Housing Permit Minor Direct means a permit authorized by Section 15 (1) of the Community Charter, issued by the Department Manager, Community Planning that applies to development that meets the following criteria: <ul style="list-style-type: none"> • Is for eight or fewer sleeping units in one or more Temporary farm worker agricultural dwellings for the accommodation of an employee(s) paid to work for no greater than 10 months per calendar year; and • Is consistent with the applicable guidelines and policies of the Official Community Plan and regulations of the Zoning Bylaw. 	Amended to reflect the changes to the Zoning Bylaw which allows up to 10 months of occupation by temporary farm workers.
	'Temporary Farm Worker Housing Permit Major' means a permit authorized by Section 15(1) of the <i>Community Charter</i> for the accommodation of an employee(s) paid to work on a farm for less than eight months per calendar year	'Temporary Farm Worker Housing Permit Major' means a permit authorized by Section 15(1) of the <i>Community Charter</i> for the accommodation of an employee(s) paid to work on a farm for no greater than ten months per calendar year.	Amended to reflect the changes to the Zoning Bylaw which allows up to 10 months of occupation by temporary farm workers.

Next Steps:

Kelowna is one of only four farm bylaw communities in the province, and consequently, once the proposed amendments have received Third Reading by Council, they must be forwarded to the Minister of Agriculture for approval prior to Final Adoption.

Summary:

In summary, the proposed regulations are comprehensive, thoughtful and have been arrived at through best practice research and farm operation evaluation. Given the potential negative impacts that housing can have on agricultural land, the proposed regulations and approval streams are deemed the best approach to regulate farm housing for farm workers and provide a framework that will support farm operators for a wide variety of farm operations at different scales of economies while at the same time, avoid unwarranted development from occurring under the pretense of farm help.

The discussions with industry and resulting amendments represent a softened approach to reflect the agricultural industry needs, but also aim to provide the necessary land use, compatibility and servicing analysis to ensure they fit within each city sector with minimal impact.

Internal Circulation:

Divisional Director, Community Planning and Real Estate
Community Planning Department Manager
Divisional Director, Communications and Information Services
Divisional Director, Corporate and Protective Services
Building and Permitting Manager
Long Range Planning Manager
Communications Advisor

Legal/Statutory Authority:

Local Government Act Part 14, Division 4 – Official Community Plans
Local Government Act Part 14, Division 4 – Zoning Bylaws

Legal/Statutory Procedural Requirements:

Local Government Act Section 475 specifies that a local government must, during the development, repeal or amendment of an official community plan, provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected. This consultation is required in addition to a required public hearing.

Existing Policy:

OCP Policy 5.33.1 Protect Agricultural Land. Retain the agricultural land base by supporting the ALR and by protecting agricultural lands from development, except as otherwise noted in the City of Kelowna Agricultural Plan. Ensure that the primary use of agricultural land is agriculture, regardless of parcel size.¹

OCP Policy 5.34.2 Farm Help Housing. Accommodation for farm help on the same agricultural parcel will be considered only where:

¹ City of Kelowna. Kelowna 2030 Official Community Plan, Chapter 5: Development Process, page 5.35

- Agriculture is the principal use on the parcel, and
- The applicant demonstrates that the additional housing is necessary to accommodate farm employee(s) whose residence on the farm property is considered critical to the overall operation of the farm. The primary consideration is whether the scale of the farm operation is large enough that permanent help is deemed necessary.²

Temporary farm worker housing (e.g. bunkhouse accommodation on non-permanent foundations) is the preferred solution where the need for farm worker housing is justified.

Farm Protection DP Guidelines

Guideline 1.2: On agricultural lands, where appropriate, locate all buildings and structures, including farm help housing and farm retail sales, within a contiguous area (i.e. homeplate). Exceptions may be permitted where the buildings or structures are for farm use only.³

External Agency/Public Comments:

City of Kelowna staff collaborated with staff from Regional District of Central Okanagan, City of West Kelowna, District of Lake Country, Ministry of Agriculture and Agriculture Land Commission to develop the proposed policies and regulations.

City staff also consulted with the Agricultural Advisory Committee on two occasions (October 2016 and February 2017).

Since the April 10 Council meeting on TFWH, City staff have met with representatives from the BC Fruit Growers Association on three occasions (April 26, May 9, and May 24) and met with Ministry of Agriculture (via phone) on five occasions (May 3, 18, 25, 31 and June 2).

Communications Comments:

The requirements for consultation under Section 475 of the Local Government Act have been addressed in the following way:

- March 15, 2017 Official Community Plan webpage on kelowna.ca revised to explain proposed amendments and provide a contact for comments by March 31, 2017
- March 16, 2017 application file was referred to organizations affected (see previous section for list) with request for input by March 29, 2017.
- March 16, 2017 message forwarded to City of Kelowna e-subscribe recipients.
- March 17, 2017 ad placed in Kelowna Daily Courier, with comment deadline of March 31, 2017.
- March 24, 2017 ad placed in Kelowna Daily Courier, with comment deadline of March 31, 2017.
- April 21, 2017 ad placed in Kelowna Daily Courier, with Public Hearing and comment opportunities.
- May 2, 2017 Public Hearing

Submitted by:

T. Guidi, Sustainability Coordinator

M. Steppuhn, Planner Specialist

² City of Kelowna. Kelowna 2030 Official Community Plan, Chapter 5: Development Process, page 5.36

³ City of Kelowna. Kelowna 2030 Official Community Plan, Chapter 15: Farm Protection DP Guidelines, page 15.3

Approved for inclusion:



Danielle Noble-Brandt, Dept. Manager, Policy & Planning
Todd Cashin, Suburban and Rural Planning Manager

cc:

Divisional Director, Community Planning and Real Estate
Community Planning Department Manager
Divisional Director, Communications and Information Services
Divisional Director, Corporate and Protective Services
Building and Permitting Manager
Long Range Planning Manager
Communications Advisor
Regional District of Central Okanagan, Ron Fralick
City of West Kelowna, Brent Magnan
District of Lake Country, Mark Koch
District of Peachland, Cory Gain

Attachments:

Schedule A: OCP16-0022 List of Amendments to OCP Bylaw No. 10500 for TFWH
Schedule B: TA16-0015 List of Amendments to Zoning Bylaw No. 8000 for TFWH
Schedule C: TA16-0016 List of Amendments to Development Application Procedures Bylaw No. 10540 for TFWH
Schedule D: Temporary Farm Worker Housing Policy Development Process
Schedule E: Temporary Farm Worker Housing Policy Input Received
Schedule F: OCP Map 5.4 City Sector Map

Report to Council



Date: April 10, 2017
File: 1210-24
To: City Manager
From: Community Planning and Strategic Investment (TG/MS)
Subject: Temporary Farm Worker Housing Bylaw Amendments OCP16-0022, TA16-0015, TA16-0016

Recommendation:

THAT Official Community Plan Text Amendment Application No. TA16-0022 to amend Kelowna 2030 Official Community Plan Bylaw No. 10500 as outlined in Schedule 'A' attached to the Report from Community Planning and Strategic Investment dated April 10, 2017, be considered by Council;

AND THAT Zoning Bylaw Text Amendment Application No. TA16-0015 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule 'B' attached to the Report from Community Planning and Strategic Investment dated April 10, 2017, be considered by Council;

AND THAT Council receives, for information, the amendments to City of Kelowna Development Application Procedures Bylaw No. 10540 as outlined in Schedule 'C' attached to the Report from the Community Planning and Strategic Investment dated April 10, 2017;

AND THAT Council considers the public process outlined in the Report from Community Planning and Strategic Investment dated April 10, 2017, to be appropriate consultation for the purpose of Section 475 (1) and (3) of the Local Government Act;

AND THAT the Official Community Plan text amending bylaw and Zoning Bylaw text amending bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT Bylaw No. 11375, being Amendment No. TA16-0016 to Development Application Procedures Bylaw No. 10540 be forwarded for reading consideration.

Purpose:

To amend the Official Community Plan, Zoning Bylaw and Development Applications Procedures Bylaw to provide updates to temporary farm worker housing policy that meets the needs of farmers, which adheres to provincial standards and provides a consistent approach across the Central Okanagan.

Background:

Temporary Farm Worker Housing (TFWH) is a challenge faced by a number of BC municipalities due to the growing demand for temporary migrant farm workers. A general lack of labour due to insufficient farm family succession, an aging farm population and farm size have led to a critical shortage of experienced farm labour in much of BC.¹ However, farm worker housing is commonly built on agricultural land in the ALR and typically generates concerns within the immediate neighbourhood or community. These include:

- Potential misuse of farm worker housing (i.e. as rental housing for non-farm uses to generate revenue);
- Loss of agricultural land (i.e. permanent conversion of agricultural land to a residential footprint);
- Changes to the agricultural landscape (i.e. the increased density of people and structures clutters the rural aesthetic quality of the landscape);
- Increased demands on municipal infrastructure; and
- A perceived 'detachment' of the workers having no connection to the community.

Central Okanagan communities are not immune to these issues, and as a result several challenging applications have been brought forth to house workers on farm land in the past 18 months.

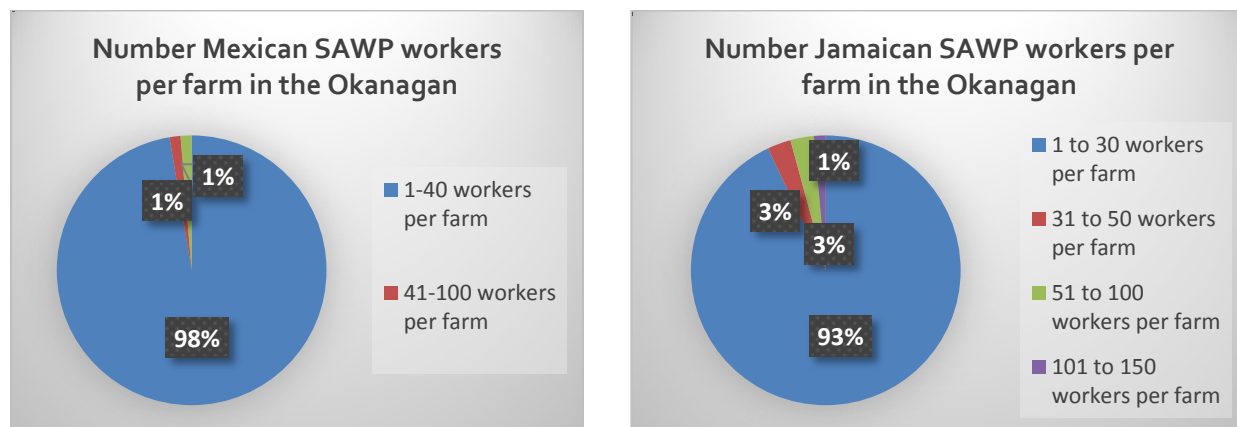
Recognizing that many farm operations have multiple parcels throughout the region, City staff have pursued a regional approach in an effort to provide consistent policies across the Central Okanagan. Starting in late 2015, staff worked together with the Regional District of Central Okanagan, City of West Kelowna, District of Lake Country, the Ministry of Agriculture and the Agriculture Land Commission to review and develop consistent policies for TFWH throughout the region. This "Regional TFWH Working Group" has undergone a robust process in the development of the proposed TFWH as outlined in Schedule D: Temporary Farm Worker Housing Policy Development Process. It should be noted that the District of Peachland declined to participate in the process due to the limited amount of ALR land in their community and TFWH is not expected to become an issue for their community.

Based on data from the Mexican Consulate and Jamaica Liaison Service, in 2016, farmers in the Okanagan hired 2085 Mexican and 707 Jamaican workers through the federal Seasonal Agricultural Workers Program (SAWP)². When examining the distribution of workers, it was discovered that over 93 per cent of Okanagan farms have less than 40 workers per farm as illustrated in Figure 1. Further investigation found that in 2016, only 3 Kelowna farms had more than 40 Mexican SAWP workers, and only 4 Kelowna farms had more than 30 Jamaican SAWP workers.

¹Ministry of Agriculture, 2009. Regulating Temporary Farm Worker Housing in the ALR, Discussion Paper and Standards.

² Personal Communication Consulada General de Mexico en Vancouver SAWP Coordinator and Deputy Chief Liaison Officer, Jamaica Liaison Service

Figure 1: Distribution of SAWP workers per Okanagan Farm



Note: The method for reporting data varies between the Mexican and Jamaican SAWP coordinators.³

The proposed OCP amendments (Schedule A, attached), and Zoning Bylaw amendments (Schedule B, attached) take into account the numbers of temporary farm workers per farm in the Okanagan, and have been drafted based on *Ministry of Agriculture's Guide to Bylaw Development in Farming Areas*.⁴ The proposed amendments have also been informed through a best practice review of other communities including Abbotsford, Delta, Maple Ridge, Pitt Meadows and Langley. The proposed amendments to the Development Application Procedures Bylaw (Schedule C, attached) outline the process for applying for a Temporary Farm Worker Housing Permit. The policies and regulations have been drafted to address the majority of applications for temporary farm worker housing with the intent of:

- Providing a consistent approach across the region;
- Meeting Council's priority of preserving agricultural land by minimizing the development footprint;
- Providing certainty and predictability for farm operators;
- Establishing a clear process for the application of up to 40 temporary farm workers; and
- Providing Council an opportunity to evaluate and hear from the public for those site specific applications for more than 40 temporary farm workers. These applications would require a site specific zoning amendment and would be required to go through a rezoning process as opposed to the permit process these proposed policies outline (as per Figure 2).

Ministry of Agriculture staff have been involved since the beginning of the process and have provided input and guidance to ensure the proposed policies were consistent with the Ministry of Agriculture's Guide to Bylaw Development in Farming Areas as well as advised on necessary requirements to meet as a Farm Bylaw Community (Kelowna is one of four in the province, regulated under Section 553 of the Local Government Act). A letter of support from the Ministry is attached (Schedule F).

The proposed amendments have also been referred to a variety of organizations for their input including:

³ Personal Communication Consulada General de Mexico en Vancouver SAWP Coordinator and Deputy Chief Liaison Officer, Jamaica Liaison Service

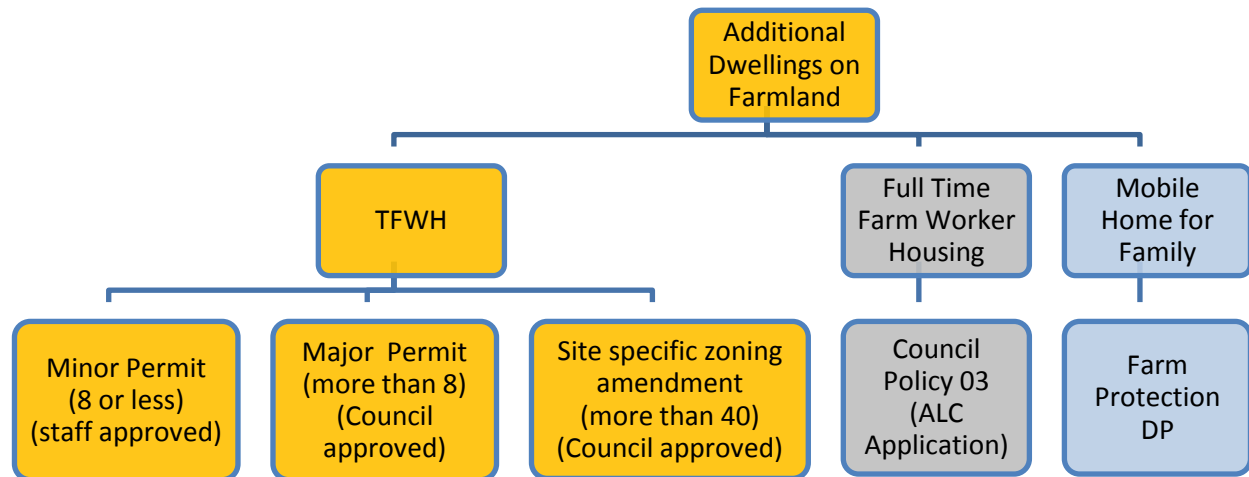
⁴ Ministry of Agriculture, 2015. Guide for Bylaw Development in Farming Areas.
http://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/agriculture-and-seafood/agricultural-land-and-environment/strengthening-farming/local-government-bylaw-standards/840000-1_guide_for_bylaw_development_in_farming_areas.pdf

- BC Fruit Growers Association
- BC Cherry Association
- Consulate General of Mexico
- Jamaican Liaison Services
- Agriculture Land Commission
- BC Ministry of Agriculture
- Interior Health
- Central Okanagan Economic Development Commission
- Central Okanagan Food Policy Council
- BC Cattlemen’s Association
- BC Grape Growers
- BC Wine Grape Council
- Certified Organics Association of BC
- BC Honey Producers Association

A summary of input received to date is provided in Schedule E: Temporary Farm Worker Housing Policy Input Received.

It should be noted that these proposed amendments only address temporary farm worker housing. Applications for housing family or additional housing for full time farm employees are addressed through separate, established, policies as illustrated in Figure 2:

Figure 2: Application streams for additional dwellings on farmland



Proposed Policy:

The proposed amendments have the following objectives:

- Minimize the footprint on farm land;
- Require the use of existing dwellings within the farm unit as a first option wherever possible;
- Require new TFWH to be temporary structures on non-permanent foundations;
- Address dwellings on all properties within the farm unit which includes leased properties;
- Ensure appropriate buffers to adjacent properties; and
- Measurable (e.g. number of workers, season of use, temporary farm worker housing footprint)

Given the input to date, staff have ensured that the proposed text amendments and policy changes reflect the Ministry of Agriculture’s best practices and guidelines, and promote a regulatory environment that provides consistent and predictable regulations to all farm operators. The broader coordination with neighbouring local governments was also an effort to create a regional framework

where such regulations are equal across the board for the purposes of farm business planning. Additionally, the proposed regulations aim to situate temporary farm workers in locations where municipal infrastructure is readily available and where services/amenities are accessible for the workers. Overall, the goal is to support the economic aspects of temporary farm workers adding value to farm activities but to direct the financial investment of the corresponding housing units to locations and forms that preserve the long-term integrity of agricultural land as it relates to the OCP's growth strategy.

The proposed Official Community Plan amendments (Schedule A) introduce policy to:

- Encourage the location of farm help housing within the Permanent Growth Boundary;
- Ensure the TFWH footprint is contiguous with the farm residential footprint or within 50 meters of the road;
- Require all existing dwellings on the farm unit be utilized prior to construction of new dwellings; and
- Require a vegetated buffer to screen the temporary housing from property lines and active farming areas.

The following proposed Zoning Bylaw amendments (Schedule B) translate the policy direction of the OCP into zone regulations and include:

- Definitions for farm residential footprint, farm unit, on-farm processing, temporary farm worker(s), temporary farm worker housing, and temporary farm worker housing footprint;
- Requirements to be met prior to issuance of a permit for TFWH;
- Maximum TFWH footprint size of 0.25 ha;
- The type of TFWH structures allowed; and
- Maximum number of 40 temporary farm workers per farm unit (applications for more than this would require a site specific zoning amendment application).

Amendments to the Development Application Procedures Bylaw (Schedule C) formalizes the process for applicants applying for a Temporary Farm Worker Housing Permits and:

- Outlines procedures for a Temporary Farm Worker Housing Permit Minor Direct for eight or fewer sleeping units in one or more TFW agricultural dwellings which can be approved by City staff if all criteria are met; and
- Outlines procedures for a Temporary Farm Worker Housing Permit Major for all other applications to be reviewed by Council.

In summary, the goals of the proposed policy changes are to:

- Remove constraints to agriculture and improve agricultural viability;
- Support agriculture as part of the agricultural community's future;
- Minimize intrusion of non-agricultural uses into agricultural protection areas;
- Support opportunities for legitimate farm operations to provide adequate dwellings for farm workers; and
- Establish regulations and guidelines that are enforceable.

Next Steps:

Kelowna is one of only four farm bylaw communities in the province, and consequently, once the proposed amendments have received Third Reading by Council, they must be forwarded to the Minister of Agriculture for approval prior to the Final Adoption.

The Regional District of Central Okanagan (RDCO) is undergoing the process concurrently and plans to bring their amendments to the Regional Board for First Reading near the end of April. It should be noted that there are differences between the City of Kelowna and RDCO policies due to the differences in staff resources, current processes and urban/rural interface. The biggest difference noted is that the RDCO has put all of the policy within their Zoning Bylaw, while the City of Kelowna is proposing policy changes in three documents (OCP, Zoning, and Development Application Procedures Bylaw) to allow for flexibility. The overall intent of the amendments, however, remains the same.

The District of Lake Country and City of West Kelowna will consider the proposed policy as part of future reviews of their Zoning Bylaws.

In summary, the proposed regulations are comprehensive, thoughtful and have been arrived at through best practice research and farm operation evaluation. Given the potential negative impacts that housing can have on agricultural land, the proposed regulations and approval streams are deemed the best approach to regulate housing for farm workers and provide a framework that will support farm operators in their efforts to support successful farm operations while at the same time, avoiding unwarranted development from occurring under the pretense of farm help. These recommendations have been supported by both the Agricultural Land Commission and the Ministry of Agriculture (see attached Schedule F and G).

Internal Circulation:

Divisional Director, Community Planning and Real Estate
Community Planning Department Manager
Divisional Director, Communications and Information Services
Divisional Director, Corporate and Protective Services
Building and Permitting Manager
Long Range Planning Manager
Communications Advisor

Legal/Statutory Authority:

Local Government Act Part 14, Division 4 – Official Community Plans
Local Government Act Part 14, Division 4 – Zoning Bylaws

Legal/Statutory Procedural Requirements:

Local Government Act Section 475 specifies that a local government must, during the development, repeal or amendment of an official community plan, provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected. This consultation is required in addition to a required public hearing.

Existing Policy:

OCP Policy 5.33.1 Protect Agricultural Land. Retain the agricultural land base by supporting the ALR and by protecting agricultural lands from development, except as otherwise noted in the City of Kelowna

Agricultural Plan. Ensure that the primary use of agricultural land is agriculture, regardless of parcel size.⁵

OCP Policy 5.34.2 Farm Help Housing. Accommodation for farm help on the same agricultural parcel will be considered only where:

- Agriculture is the principal use on the parcel, and
- The applicant demonstrates that he additional housing is necessary to accommodate farm employee(s) whose residence on the farm property is considered critical to the overall operation of the farm. The primary consideration is whether the scale of the farm operation is large enough that permanent help is deemed necessary.

Temporary farm worker housing (e.g. bunkhouse accommodation on non-permanent foundations) is the preferred solution where the need for farm worker housing is justified.⁶

Farm Protection DP Guidelines

Guideline 1.2: On agricultural lands, where appropriate, locate all buildings and structures, including farm help housing and farm retail sales, within a contiguous area (i.e. homeplate). Exceptions may be permitted where the buildings or structures are for farm use only.⁷

External Agency/Public Comments:

City of Kelowna staff collaborated with staff from Regional District of Central Okanagan, City of West Kelowna, District of Lake Country, Ministry of Agriculture and Agriculture Land Commission to develop the proposed policies and regulations.

City staff also consulted with the Agricultural Advisory Committee on two occasions (October 2016 and February 2017).

Agricultural Advisory Committee: February 9, 2017

The draft Temporary Farm Worker Housing policies were reviewed by the Agriculture Advisory Committee at the meeting held on February 9, 2017 and the following recommendations were passed:

Moved By Jeff Ricketts/Seconded By Ed Schiller

THAT the Agricultural Advisory Committee recommends that Council lobby the Ministry of Agriculture to reduce the allowable parcel size for temporary farm worker housing from 3.8 hectares to 2.0 hectares in order to reflect what is actually happening in the agriculture industry.

Carried

Moved By Domenic Rampone/Seconded By Pete Spencer

THAT the Agricultural Advisory Committee recommends that Council encourage the Regional District of Central Okanagan and the City of West Kelowna to join Kelowna in

⁵ City of Kelowna. Kelowna 2030 Official Community Plan, Chapter 5: Development Process, page 5.35

⁶ City of Kelowna. Kelowna 2030 Official Community Plan, Chapter 5: Development Process, page 5.36

⁷ City of Kelowna. Kelowna 2030 Official Community Plan, Chapter 15: Farm Protection DP Guidelines, page 15.3

lobbying the Ministry of Agriculture to lowering the minimum parcel size for Temporary Farm Worker Housing from 4.0 ha to 2.0 ha.

Carried

Moved By Domenic Rampone/Seconded By Pete Spencer

THAT the Agricultural Advisory Committee recommends that Council support the draft policies for temporary farm worker housing that meets the needs of farmers, which adheres to provincial standards, in conjunction with a consistent regional approach, as presented by staff on February 9, 2017.

Carried

The application files for the required OCP, Zoning and Development Application Procedure Bylaw amendments have been referred to the following organizations for comment:

- BC Fruit Growers Association
- BC Cherry Association
- Consulate General of Mexico
- Jamaican Liaison Services
- Agriculture Land Commission
- BC Ministry of Agriculture
- Interior Health
- Central Okanagan Economic Development Commission
- Central Okanagan Food Policy Council
- BC Cattlemen's Association
- BC Grape Growers
- BC Wine Grape Council
- Certified Organics Association of BC
- BC Honey Producers Association

Communications Comments:

The requirements for consultation under Section 475 of the Local Government Act have been addressed in the following way:

- March 15, 2017 Official Community Plan webpage on kelowna.ca revised to explain proposed amendments and provide a contact for comments by March 31, 2017
- March 16, 2017 application file was referred to organizations affected (see previous section for list) with request for input by March 29, 2017.
- March 16, 2017 message forwarded to City of Kelowna e-subscribe recipients.
- March 17, 2017 ad placed in Kelowna Daily Courier, with comment deadline of March 31, 2017.
- March 24, 2017 ad placed in Kelowna Daily Courier, with comment deadline of March 31, 2017.

Considerations not applicable to this report:

Financial/Budgetary Considerations:

Personnel Implications:

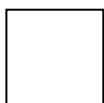
Alternate Recommendation:

Submitted by:

T. Guidi, Sustainability Coordinator

M. Steppuhn, Planner Specialist

Approved for inclusion:



DNB/TC

CC:

Divisional Director, Community Planning and Real Estate
Community Planning Department Manager
Divisional Director, Communications and Information Services
Divisional Director, Corporate and Protective Services
Building and Permitting Manager
Long Range Planning Manager
Communications Advisor
Regional District of Central Okanagan, Ron Fralick
City of West Kelowna, Brent Magnan
District of Lake Country, Mark Koch
District of Peachland, Cory Gain

Attachments:

Schedule A: OCP16-0022 List of Amendments to OCP Bylaw No. 10500 for TFWH
Schedule B: TA16-0015 List of Amendments to Zoning Bylaw No. 8000 for TFWH
Schedule C: TA16-0016 List of Amendments to Development Application Procedures Bylaw No. 10540 for TFWH
Schedule D: Temporary Farm Worker Housing Policy Development Process
Schedule E: Temporary Farm Worker Housing Policy Input Received
Schedule F: Ministry of Agriculture Letter of Support and follow up email
Schedule G: Agriculture Land Commission Letter of Support

SCHEDULE A - OCP16-0022

OCP16-0022 - DRAFT				
List of Amendments to Official Community Plan Bylaw No. 10500 for Temporary Farm Worker Housing				
Note: yellow highlights indicate revised text since May 2 Public Hearing				
No.	Section	Existing	Proposed	Explanation
1	Chapter 5 – Development Processes Revise policy 5.34.2 to replace the words agricultural parcel with farm unit.	<p>Farm Help Housing. Accommodation for farm help on the same agricultural parcel will be considered only where:</p> <ul style="list-style-type: none"> • agriculture is the principal use on the parcel, and • the applicant demonstrates that the additional housing is necessary to accommodate farm employee(s) whose residence on the farm property is considered critical to the overall operation of the farm. The primary consideration is whether the scale of the farm operation is large enough that permanent help is deemed necessary. <p>Temporary farm worker housing (e.g. bunkhouse accommodation on non-permanent foundations) is the preferred solution where the need for farm worker housing is justified.</p>	<p>Farm Help Housing. As a first option, farm help housing should be located within the Permanent Growth Boundary providing access to amenities for workers. Accommodation for farm help on the same farm unit will be considered only where:</p> <ul style="list-style-type: none"> • agriculture is the principal use on the parcel, and • the applicant demonstrates that the additional housing is necessary to accommodate farm employee(s) whose residence on the farm property is considered critical to the overall operation of the farm. The primary consideration is whether the scale of the farm operation is large enough that permanent help is deemed necessary. <p>Temporary farm worker housing (e.g. bunkhouse accommodation on non-permanent foundations) is the preferred solution where the need for farm worker housing is justified.</p>	<p>Replace the words 'agricultural parcel' with 'farm unit' to be consistent with Zoning Bylaw. Add statement to encourage farm help housing to be within Permanent Growth Boundary.</p>

SCHEDULE A - OCP16-0022

2	<p>Chapter 15 – Farm Protection Development Permit Guidelines</p> <p>Remove agri-tourist accommodation under Properties Affected 1. b. ii.</p>	<p>1) Any development located on Agricultural Lands before:</p> <p>a. Subdivision of land;</p> <p>b. A Building Permit, Soil Permit, or alteration of land associated with the following uses:</p> <p>i. agri-tourism;</p> <p>ii. agri-tourist accommodation;</p> <p>iii. agricultural dwellings, additional;</p> <p>iv. secondary suite (within an accessory building or structure);</p> <p>v. utility services, minor impact;</p> <p>vi. wineries and cideries;</p> <p>vii. greenhouses and plant nurseries;</p> <p>viii. agricultural and garden stands;</p> <p>ix. temporary farm worker housing.</p>	<p>1) Any development located on Agricultural Lands before:</p> <p>a. Subdivision of land;</p> <p>b. A Building Permit, Soil Permit, or alteration of land associated with the following uses:</p> <p>i. agri-tourism;</p> <p>ii. agricultural dwellings, additional;</p> <p>iii. secondary suite (within an accessory building or structure);</p> <p>iv. utility services, minor impact;</p> <p>v. wineries and cideries;</p> <p>vi. greenhouses and plant nurseries;</p> <p>vii. agricultural and garden stands;</p> <p>viii. temporary farm worker housing.</p>	<p>Remove agri-tourist accommodation to be consistent with Zoning Bylaw amendment to prohibit the use of Agri-tourist accommodation within the A1 zone. (received third reading at August 23, 2016 Council meeting).</p>
3	<p>Chapter 15 – Farm Protection Development Permit Guidelines</p> <p>Add new guideline under 1.7 and label it 1.8</p>		<p>Design temporary farm worker housing such that:</p> <ul style="list-style-type: none"> • Temporary farm worker housing should use all existing dwellings within the farm unit, prior to building new temporary farm worker housing, unless the existing dwellings are used for a use consistent with the Agriculture Land Commission Act. Alternatively, the existing dwellings on the farm unit must be removed, decommissioned to an approved use or demolished, including decommissioning the existing 	<p>Addition of policy on where temporary farm worker housing should be located, the type of buffer required as well as using existing dwellings first prior to construction of new temporary farm worker housing.</p>

SCHEDULE A - OCP16-0022

			<p>septic system, prior to the authorization of a new temporary farm worker housing structure.</p> <ul style="list-style-type: none">• Temporary farm worker housing footprint should be contiguous with the residential footprint (i.e. homeplate) and / or within 50 metres of the road and/or located to maximize agricultural potential and limit negative impacts on the farm parcel.• Temporary farm worker housing should have a minimum 3 metre wide vegetated buffer for screening to adjacent property lines and between the temporary farm worker housing and active farming areas.	
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SCHEDULE B - TA16-0015

Zoning Bylaw No. 8000				
List of Amendments to Zoning Bylaw No. 8000 for Temporary Farm Worker Housing				
Note: yellow highlights indicate revised text since May 2 Public Hearing				
No.	Section	Existing	Proposed	Explanation
1	Replace in Section 2 Interpretation, 2.3 General Definitions	AGRICULTURAL DWELLINGS, ADDITIONAL means any dwelling on a bona fide agricultural operation that is used to house full-time permanent or seasonal farm workers employed on the same site as the agricultural operation only. This may include but is not limited to single detached houses, mobile homes , or bunkhouses.	AGRICULTURAL DWELLING(S), ADDITIONAL means any dwelling on a bona fide agricultural operation that is used to house full-time permanent or temporary farm workers employed on the farm unit . This may include but is not limited to single detached houses, mobile homes , or bunkhouses.	Replaced the words "on the same site" with farm unit so the definition is consistent with temporary farm worker(s) . Replaced seasonal farm workers with temporary farm workers for consistency.
2	Add to Section 2 Interpretation, 2.3 General Definitions		RESIDENTIAL FOOTPRINT means the portion of a lot that includes all structures, landscaping, driveways and parking areas associated with the principal dwelling , including but not limited to the principal dwelling, mobile home for family, home based business (minor, major and rural) , accessory structures including garage and storage, recreation areas (including pools and sport courts), and outdoor living areas. Structures not included in the residential footprint are agricultural structures , including greenhouses, agricultural and garden stands and	Introduction of a new definition consistent with Ministry of Agriculture "Guide for Bylaw Development in Farming Areas."

SCHEDULE B - TA16-0015

			those structures associated with the temporary farm worker housing footprint .	
3	Add to Section 2 Interpretation, 2.3 General Definitions		FARM UNIT means one or more contiguous or non-contiguous parcels, that may be owned, rented or leased, within City limits, which forms and is managed as a single farm.	Introduction of a new definition consistent with Ministry of Agriculture "Guide for Bylaw Development in Farming Areas."
4	Add to Section 2 Interpretation, 2.3 General Definitions		<p>ON-FARM PROCESSING means the undertaking of processes, including grading, packing, mixing, drying, canning, size reduction, fermentation, heat treatments, cold treatments, chemical treatments, and biological treatments on a farm unit to:</p> <ul style="list-style-type: none"> • Prepare value added products from farm products to sell, or • Prepare feed for livestock, poultry, farmed game, located on the farm <p>But excludes on-farm composting, on-farm soil preparation, and on-farm soilless medium production.</p>	Introduction of a new definition consistent with Ministry of Agriculture "Guide for Bylaw Development in Farming Areas."
5	Add to Section 2 Interpretation, 2.3 General Definitions		TEMPORARY FARM WORKER(S) means an individual or individuals who carry out agricultural work on a temporary and seasonal basis on a farm unit .	Introduction of a new definition consistent with Ministry of Agriculture "Guide for Bylaw Development in Farming Areas."
6	Add to Section 2 Interpretation,		TEMPORARY FARM WORKER HOUSING (TFWH) means a	Introduction of a new definition consistent with Ministry of

SCHEDULE B - TA16-0015

	2.3 General Definitions		dwelling to temporarily accommodate temporary farm worker(s) , which is accessory to a farm unit , that is used to provide spaces for cooking, sanitary, living and sleeping.	Agriculture "Guide for Bylaw Development in Farming Areas."
7	Add to Section 2 Interpretation, 2.3 General Definitions		TEMPORARY FARM WORKER HOUSING (TFWH) FOOTPRINT means the portion of a lot that includes all structures, driveways and parking areas associated with the temporary farm worker housing , including but not limited to structures for cooking, sanitary, living and sleeping. The footprint does not include the vegetated buffer.	Definition modified from residential footprint to distinguish the area used for temporary farm worker housing .
8	Add to Section 9 Specific Use Regulations		9.13 Temporary Farm Worker Housing	Addition of category to specific use regulations for temporary farm worker housing .
9	Add to Section 9 Specific Use Regulations, 9.13 Temporary Farm Worker Housing		<p>9.13.1 The following requirements must be met prior to the issuance of a permit for a Temporary Farm Worker Housing (TFWH) structure:</p> <p>(a) Farm Classification for the parcel, as determined by the <i>BC Assessment Act</i>.</p> <p>(b) Minimum farm unit size is 3.8 ha.</p> <p>(c) The need for temporary farm worker housing onsite to house temporary farm workers must be demonstrated through documentation such as a</p>	Addition of specific use regulations outlining the conditions that must be met for temporary farm worker housing .

SCHEDULE B - TA16-0015

			<p>contract with the federal government through a migrant worker program, such as the Seasonal Agricultural Worker Program, farm receipts and / or previous employment records, and/or a farm plan prepared by a professional agrologist.</p> <p>(d) New TFWH structures shall include a communal kitchen.</p> <p>(e) The TFWH shall be occupied only during the farm unit's growing, harvesting and pruning periods. .</p> <p>(f) A statutory declaration must be filed with the City of Kelowna annually, by January 31st, stating that the building will be used only for TFWH and specify the time(s) of year when the TFWH will be occupied. The specified period of time may be no greater than ten months of that calendar year.</p> <p>(g) If the temporary farm worker housing is vacant for two consecutive growing seasons, the owner will remove, at their expense, any temporary structures for temporary farm worker housing, and remove or decommission any existing buildings that had been repurposed for temporary farm</p>	
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SCHEDULE B - TA16-0015

			worker housing purposes, by December 31 st of the second year of vacancy.	
10	Add to Section 9 Specific Use Regulations, 9.13 Temporary Farm Worker Housing		<p>9.13.2 TFWH Footprint Size</p> <p>(a) TFWH footprint may not exceed 0.20 ha for structure(s) to accommodate a maximum of forty temporary farmworkers and may not exceed 0.30 ha for structure(s) to accommodate a maximum of sixty temporary farm workers.</p>	Addition of specific use regulations for temporary farm worker housing footprint size.
11	Add to Section 9 Specific Use Regulations, 9.13 Temporary Farm Worker Housing		<p>9.13.3 TEMPORARY FARMWORKER ALLOCATION</p> <p>(a) Structure(s) to accommodate a maximum of forty temporary farm workers per each city sector as identified on Official Community Plan Map 5.4 for parcels up to eight hectares. For parcels eight hectares or more, structure(s) to accommodate a maximum of sixty temporary farm workers per each city sector as identified on Official Community Plan Map 5.4.</p> <p>(b) Farm units with greenhouses and/or on-farm processing structures may increase allowable number of workers by 1 worker per each 1000 m² of greenhouse and/or on-farm processing structures.</p>	Addition of specific use regulations for the number of temporary farm workers .

SCHEDULE B - TA16-0015

			(c) Where a farm unit comprises multiple parcels of land, a restrictive covenant shall be registered on all farm unit parcels within the same sector of the temporary farm worker housing as identified on Official Community Plan Map 5.4 restricting the development of further TFWH on said parcels within that sector.	
12	Replace in Section 11 Agriculture Zones 11.1.3 Secondary Uses	(a) agricultural dwellings, additional	(a) agricultural dwelling(s), additional	Update the word to match with revised definition.
13	Add to Section 11 Agriculture Zones 11.1.4 Buildings and Structures Permitted		(f) TFWH may be in one of the following structure types: i. Existing structure with a Building Permit that was approved at least 2 years prior to TFWH application, to be converted into TFWH , on the parcel within the farm unit . ii. New TFWH must be in temporary structures on non-permanent foundations, such that it is designed to be removed by a truck or vehicle. Concrete pads or foundations are not permitted.	Regulations for type of structures permitted for TFWH .

SCHEDULE C - TA16-0016

Procedures Bylaw No. 10540 - DRAFT

List of Amendments to Development Application Procedures Bylaw No. 10540 for Temporary Farm Worker Housing

Note: **yellow highlights** indicate revised text since May 2 Public Hearing

No.	Section	Existing Text	Proposed Text	Explanation
1	Update wording in section 1.3.7	An application for an Additional Dwelling for Farm Employee Permit	An application for a Temporary Farm Worker Housing Permit	
2	Add to 1.4 Definitions		'Community Planning' means the City of Kelowna's Community Planning Department.	Consistent with re-organization
3	Remove from 1.4 Definitions	'Land Use Management' means the City of Kelowna's Land Use Management Department;	'Land Use Management' means the City of Kelowna's Land Use Management Department;	Consistent with re-organization
4	Replace all instances in Zoning Bylaw	'Land Use Management'	'Community Planning'	Consistent with re-organization
5	Replace all instances in Zoning Bylaw	'Director of Land Use Management'	'Department Manager, Community Planning'	Consistent with re-organization. Note: the definition for Department Manager, Community Planning was added during a previous revision, and Director of Land Use Management definition was removed during a previous revision.
6	Remove from Section 1.4.1 Definitions	'Additional Dwelling for Farm Employee Permit' means a permit authorized by Section 15(1) of the <i>Community Charter</i> for the accommodation of a full-time employee or employees paid to work on a farm operation.	'Additional Dwelling for Farm Employee Permit' means a permit authorized by Section 15(1) of the <i>Community Charter</i> for the accommodation of a full-time employee or employees paid to work on a farm operation.	Remove additional dwelling for farm employee permit.
7	Add to Section 1.4.1 Definitions		'Agricultural Advisory Committee' means an advisory committee established by Council .	No definition in bylaw.

SCHEDULE C - TA16-0016

Procedures Bylaw No. 10540 - DRAFT

List of Amendments to Development Application Procedures Bylaw No. 10540 for Temporary Farm Worker Housing

Note: yellow highlights indicate revised text since May 2 Public Hearing

No.	Section	Existing Text	Proposed Text	Explanation
8	Add to Section 1.4.1 Definitions		<p>'Temporary Farm Worker Housing Permit Minor Direct' means a permit authorized by Section 15 (1) of the Community Charter, issued by the Department Manager, Community Planning that applies to development that meets the following criteria:</p> <ul style="list-style-type: none"> Is for eight or fewer sleeping units in one or more Temporary farm worker agricultural dwellings for the accommodation of an employee(s) paid to work for no greater than 10 months per calendar year; and Is consistent with the applicable guidelines and policies of the Official Community Plan and regulations of the Zoning Bylaw. 	No definition in bylaw. Wording is consistent with Development Application Fees Bylaw.
9	Section 1.4.1 Definitions		'Temporary Farm Worker Housing Permit Major' means a permit authorized by Section 15(1) of the <i>Community Charter</i> for the accommodation of an employee(s) paid to work on a farm for no greater than ten months per calendar year.	No definition in bylaw. Wording is consistent with Development Application Fees Bylaw.
10	Revise 2.1.2 in Section 2.1 Making Application	2.1.2 Application Requirements and Processing h) An Application for an Additional Dwelling for Farm Employee Permit will be made and processed substantially in accordance with Schedule 'g' of this bylaw.	2.1.2 Application Requirements and Processing h) An Application for a Temporary Farm Worker Housing Permit will be made and processed substantially in accordance with Schedule 'g' of this bylaw.	Replace Additional Dwelling for Farm Employee Permit with Temporary Farm Worker Housing Permit
11	Replace wording Section 2.3.4 Delegation of Authority	2.3.4 Issuance or Refusal of Additional Dwelling for Farm Employee Permits The powers of Council under Section 15(1) of the <i>Community Charter</i> to issue, to refuse, to amend and to set conditions for permits for the	2.3.4 Issuance of Temporary Farm Worker Housing Permits The powers of Council under Section 15(1) of the <i>Community Charter</i> to issue, to amend and to set conditions for permits for the placement of dwellings	Replace Additional Dwelling for Farm Employee Permit with Temporary Farm Worker Housing Permit; remove

SCHEDULE C - TA16-0016

Procedures Bylaw No. 10540 - DRAFT

List of Amendments to Development Application Procedures Bylaw No. 10540 for Temporary Farm Worker Housing

Note: yellow highlights indicate revised text since May 2 Public Hearing

No.	Section	Existing Text	Proposed Text	Explanation
		placement of dwellings for the accommodation of farm help, in accordance with the <i>Agricultural Land Commission Act</i> and Regulations.	for the accommodation of Temporary farm workers, in accordance with the <i>Agricultural Land Commission Act</i> and Regulations.	words 'farm help'; and remove the words "to refuse" as Council cannot refuse an application for up to 40 temporary farm workers as Kelowna is a Farm Bylaw community.
12	Add to Section 2.4.2 '(s)' and Renumber '(t)' Development Approval Information	s) Any other topic in relation to which the Director of Land Use Management considers the proposed activity or development impacts the jurisdiction of the City	s) Agricultural impacts, including, but not limited to a soils assessment; t) Any other topic in relation to which the Department Manager, Community Planning considers the proposed activity or development impacts the jurisdiction of the City .	
13	Rename schedule 9	Schedule 'g' Applications for Additional Dwelling for Farm Employee Permits	Schedule 'g' Applications for Temporary Farm Worker Housing Permits	
14	Replace Schedule 'g' Applications for Additional Dwelling for Farm Employee Permits with Schedule 'g' Applications for Permanent Farm Worker Housing Permits	This information is meant as a general guide only and is not regarded as the right to development approval if the steps indicated are followed. 1.0 APPLICATION REQUIREMENTS The following information will be required to accompany an application for an Additional Dwelling for Farm Employee Permit under this Bylaw: 1.1 State of Title, printed within ninety (90) days before making application, for all properties subject of the application; 1.2 Owner's Authorization (where required); 1.3 Project Rationale outlining the justification for the additional farm help in	This information is meant as a general guide only and is not regarded as the right to development approval if the steps indicated are followed. 1.0 TEMPORARY FARM WORKER HOUSING PERMIT MINOR DIRECT 1.1 Restriction on Delegation. As a restriction on Section 2.3.4, the Department Manager, Community Planning may only issue or amend Temporary Farm Worker Housing Permits that meet the following criteria: <ul style="list-style-type: none"> The Permit is consistent with OCP DP Guidelines; The Permit authorizes eight (8) or fewer 	Update wording to reflect Permanent Farm Worker Housing Permit

SCHEDULE C - TA16-0016

Procedures Bylaw No. 10540 - DRAFT

List of Amendments to Development Application Procedures Bylaw No. 10540 for Temporary Farm Worker Housing

Note: yellow highlights indicate revised text since May 2 Public Hearing

No.	Section	Existing Text	Proposed Text	Explanation										
		<p>relation to the agricultural activities, including maps, as necessary.</p> <p>2.0 PROCESSING PROCEDURES An Additional Dwelling for Farm Employee Permit application submitted in accordance with this bylaw will be processed as follows:</p> <p>2.1 Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.</p> <p>2.2 Land Use Management will review the application to determine whether it is complete and, if incomplete, will request the required information from the applicant. One Window Staff will open a file only upon a complete submission package.</p> <p>2.3 Land Use Management will refer the application to all applicable City departments, government and external agencies.</p> <p>2.4 Land Use Management will evaluate the proposal for compliance with relevant City bylaws and policies and relevant provincial regulations, which include but is not limited to Agricultural Land Reserve Use, Subdivision and Procedure Regulation.</p> <p>2.5 Relevant technical comments will be incorporated into a staff report for</p>	<p>sleeping units; and</p> <ul style="list-style-type: none">No variances to the Zoning Bylaw are required. <p>Applications not eligible for issuance or amendment by the Department Manager, Community Planning must be considered by Council.</p> <p>1.2 Application Requirements</p> <p>a) The following information listed in Schedule '1' of this bylaw will be required to accompany an application for a Temporary Farm Worker Housing Permit Minor Direct under this bylaw:</p> <table><tr><td>(a) Application Form</td><td>(g) Photographs</td></tr><tr><td>(b) State of Title Certificate</td><td>(i) Site Plan</td></tr><tr><td>(c) Owner's Authorization form (if applicable)</td><td>(j) Floor Plans</td></tr><tr><td>(d) Site Profile or Site Profile Waiver</td><td>(k) Elevation Drawings</td></tr><tr><td>(f) Project Rationale</td><td>(m) Landscape Plan</td></tr></table> <p>b) Additional information may be required by the Department Manager, Community Planning to evaluate adequately and to issue a Permit, in accordance with Section 2.4 of this bylaw.</p>	(a) Application Form	(g) Photographs	(b) State of Title Certificate	(i) Site Plan	(c) Owner's Authorization form (if applicable)	(j) Floor Plans	(d) Site Profile or Site Profile Waiver	(k) Elevation Drawings	(f) Project Rationale	(m) Landscape Plan	
(a) Application Form	(g) Photographs													
(b) State of Title Certificate	(i) Site Plan													
(c) Owner's Authorization form (if applicable)	(j) Floor Plans													
(d) Site Profile or Site Profile Waiver	(k) Elevation Drawings													
(f) Project Rationale	(m) Landscape Plan													

SCHEDULE C - TA16-0016

Procedures Bylaw No. 10540 - DRAFT

List of Amendments to Development Application Procedures Bylaw No. 10540 for Temporary Farm Worker Housing

Note: yellow highlights indicate revised text since May 2 Public Hearing

No.	Section	Existing Text	Proposed Text	Explanation
		<p>consideration by the Director of Land Use Management.</p> <p>2.6 Land Use Management will notify the applicant in writing of the decision of the Director of Land Use Management.</p> <p>2.7 If authorized for issuance by the Director of Land Use Management, staff will prepare the required Additional Dwelling for Farm Employee Permit, related schedules and required covenants for signature.</p>	<p>1.3 Processing Procedures A Temporary Farm Worker Housing Permit Minor Direct application submitted in accordance with this bylaw will be processed as follows:</p> <p>a) Upon receipt of an application package submitted in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.</p> <p>b) Community Planning will review the application to determine whether it is complete and, if incomplete, will request the required information from the applicant. One Window Staff will open a file only once a complete package has been submitted.</p> <p>c) Community Planning will refer the application to all applicable City departments.</p> <p>d) Community Planning will evaluate the proposal for compliance with relevant City bylaws and policies.</p> <p>e) Relevant technical comments will be incorporated into a staff report for consideration by the Department Manager, Community Planning.</p> <p>f) Community Planning will notify the applicant in writing of the decision of the Department Manager, Community Planning.</p> <p>g) If authorized for issuance by the</p>	

SCHEDULE C - TA16-0016

Procedures Bylaw No. 10540 - DRAFT

List of Amendments to Development Application Procedures Bylaw No. 10540 for Temporary Farm Worker Housing

Note: yellow highlights indicate revised text since May 2 Public Hearing

No.	Section	Existing Text	Proposed Text	Explanation										
			<p>Department Manager, Community Planning, staff will prepare the required Permit and related schedules for signature, and obtain the required Landscape Bonding, pursuant to Section 2.8 of this bylaw.</p> <p>h) Upon sign-off of the Permit by the Department Manager, Community Planning and receipt of the related bonding, the Permit will be issued and then registered on the State of Title.</p> <p>2.0 TEMPORARY FARM WORKER HOUSING PERMIT MAJOR</p> <p>2.1 Application Requirements</p> <p>a) The following information listed in Schedule '1' of this bylaw will be required to accompany an application for a Temporary Farm Worker Housing Permit Major under this Bylaw:</p> <table><tr><td>(a) Application Form</td><td>(g) Photographs</td></tr><tr><td>(b) State of Title Certificate</td><td>(i) Site Plan</td></tr><tr><td>(c) Owner's Authorization form (if applicable)</td><td>(j) Floor Plans</td></tr><tr><td>(d) Site Profile or Site Profile Waiver</td><td>(k) Elevation Drawings</td></tr><tr><td>(f) Project Rationale</td><td>(m) Landscape Plan</td></tr></table>	(a) Application Form	(g) Photographs	(b) State of Title Certificate	(i) Site Plan	(c) Owner's Authorization form (if applicable)	(j) Floor Plans	(d) Site Profile or Site Profile Waiver	(k) Elevation Drawings	(f) Project Rationale	(m) Landscape Plan	
(a) Application Form	(g) Photographs													
(b) State of Title Certificate	(i) Site Plan													
(c) Owner's Authorization form (if applicable)	(j) Floor Plans													
(d) Site Profile or Site Profile Waiver	(k) Elevation Drawings													
(f) Project Rationale	(m) Landscape Plan													

SCHEDULE C - TA16-0016

Procedures Bylaw No. 10540 - DRAFT

List of Amendments to Development Application Procedures Bylaw No. 10540 for Temporary Farm Worker Housing

Note: yellow highlights indicate revised text since May 2 Public Hearing

No.	Section	Existing Text	Proposed Text	Explanation
			<p>b) Additional information may be required by the Department Manager, Community Planning to evaluate adequately and to make a recommendation to Council concerning a Permit, in accordance with Section 2.4 of this bylaw.</p> <p>2.2 Processing Procedures A Temporary Farm Worker Housing Permit application submitted in accordance with this Bylaw will be processed as follows:</p> <p>a) Upon receipt of an application package submitted in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.</p> <p>b) Community Planning will review the application to determine whether it is complete and, if incomplete, will request the required information from the applicant. Staff will open a file only upon a complete submission package.</p> <p>c) Community Planning will refer the application to all applicable City departments, and government and external agencies.</p> <p>d) Community Planning will evaluate the proposal for compliance with relevant City bylaws and policies.</p>	

SCHEDULE C - TA16-0016

Procedures Bylaw No. 10540 - DRAFT

List of Amendments to Development Application Procedures Bylaw No. 10540 for Temporary Farm Worker Housing

Note: yellow highlights indicate revised text since May 2 Public Hearing

No.	Section	Existing Text	Proposed Text	Explanation
			<p>e) The applicant will undertake the form(s) of public notification and consultation required in accordance with Section 4 of this bylaw</p> <p>f) Community Planning will prepare a staff report and refer the application to the Agricultural Advisory Committee.</p> <p>g) The applicant is encouraged to attend the meeting of the Agricultural Advisory Committee at which the Permit application is being reviewed.</p> <p>h) Upon receipt of the recommendation of the Agricultural Advisory Committee and the comments of other referral agencies, Community Planning staff will prepare a staff report and draft Permit for review by Council.</p> <p>i) Staff of the Office of the City Clerk will notify the applicant in writing of the decision of Council.</p> <p>j) If authorized for issuance by Council, Community Planning staff will prepare the required Permit and related schedules for signature, and obtain the required Bonding, pursuant to Section 2.8 of this bylaw.</p> <p>Upon sign-off of the Permit by the Department Manager, Community Planning and receipt of the related bonding, the Permit will be issued and then registered.</p>	

Schedule D: Temporary Farm Worker Housing Policy Development Process

Date	Action
August 2015	City staff initiates regional approach to updating TFWH policies
September 22, 2015	1 st meeting with Regional TFWH Working Group ¹
December 1, 2015	2 nd meeting with Regional TFWH Working Group
April 13, 2016	3 rd meeting with Regional TFWH Working Group
July 6, 2016	4 th meeting with Regional TFWH Working Group
August 29, 2016	City staff receives input from Agriculture Land Commission staff on proposed TFWH policy changes.
October 13, 2016	Proposed policy changes referred to: <ul style="list-style-type: none"> • Interior Health • Ministry of Agriculture • Agriculture Land Commission • Ministry of Transportation • RDCO • BMID • GEID • SEKID • Rutland Water Works
October 13, 2016	1 st AAC workshop with initial proposed policy changes for TFWH
October 31, 2016	1 st City Council workshop on initial proposed TFWH policy changes
October – January, 2017	Multiple contacts with BCFGa regarding numbers of TFW and comparison of number of workers between Okanagan and the lower mainland.
November 1, 2016	City staff consult with local construction company that builds TFWH.
November 3, 2016	City staff meet with housing inspector for the federal Season Agriculture Worker Program (SAWP) that inspects the majority of large Central Okanagan farms
November 29, 2016	City staff consults with ALC CEO regarding TFWH bonding in the Lower Mainland
December 6, 2016	5 th meeting with Regional TFWH Working Group
January, 2017	City staff contacted the Mexican Consulate and the Jamaican Liaison Services and received documentation on number SAWP workers in the Okanagan.
January 23, 2017	City staff consult with City of Richmond staff regarding TFWH policies
January - February, 2017	Mexican Consulate staff provide documentation comparing TFWH policies in BC, Quebec and Ontario and information about upcoming SAWP informative sessions in BC.
February 9, 2017	2 nd AAC Workshop with revised proposed policy changes for TFWH
February 10, 2017	Revised proposed policy changes for TFWH referred for comment to:

¹ The Regional TFWH Working Group consisted of representatives from City of Kelowna, Regional District of Central Okanagan, District of Lake Country, City of West Kelowna, Ministry of Agriculture and Agriculture Land Commission (note ALC only participated in a few sessions). District of Peachland declined to participate in the process due to the limited amount of ALR land in their community and TFWH is not expected to become an issue.

Date	Action
	<ul style="list-style-type: none"> • Interior Health • Agriculture Land Commission • Ministry of Agriculture • Ministry of Transportation • Regional District of Central Okanagan • City of West Kelowna • District of Lake Country • Black Mountain Irrigation District • Glenmore Ellison Improvement District • Rutland Waterworks • South East Kelowna Irrigation District
February 23, 2017	City staff consult with Ministry of Agriculture staff to confirm information on impacts of site specific zoning amendments in Farm Regulated Communities
February 28, 2017	City staff consult with Ministry of Agriculture staff to confirm parcel size information.
March 6, 2017	2 nd City Council Workshop with revised proposed policy changes for TFWH
March 15, 2017	Revised proposed policy changes for TFWH referred for comment to: <ul style="list-style-type: none"> • BC Fruit Growers Association • BC Cherry Association • Consulate General of Mexico • Jamaican Liaison Services • Agriculture Land Commission • BC Ministry of Agriculture • Interior Health • Central Okanagan Economic Development Commission • Central Okanagan Food Policy Council • BC Cattlemen's Association • BC Grape Growers • BC Wine Grape Council • Certified Organics Association of BC • BC Honey Producers Association
March 17, 2017	Kelowna Daily Courier Advertisement inviting comments on the revised proposed policy for TFWH by March 31.
March 24, 2017	Kelowna Daily Courier Advertisement inviting comments on the revised proposed policy for TFWH by March 31.
<i>Process for policy development after report and amendments submitted to Council for April 10 meeting (highlighted in grey)</i>	
April 10, 2017	Council consideration of amendments. Council gives first reading and file proceeds to May 2 nd Public Hearing.
April 21, 2017	Kelowna Daily Courier Advertisement for Public Hearing
April 26, 2017	Meeting with BC Fruit Growers Association to discuss concerns
May 2, 2017	Public Hearing

Date	Action
May 3, 2017	Follow up with Ministry of Agriculture regarding farm unit definition after concerns raised at Public Hearing
May 9, 2017	Meeting with BC Fruit Growers Association to discuss concerns and future direction.
May 18, 2017	Phone meeting with Ministry of Agriculture regarding farm unit definition and minimum parcel size versus minimum farm unit size.
May 24, 2017	Meeting with BC Fruit Growers Association to discuss proposed policy.
May 25, 2017	Phone meeting with Ministry of Agriculture regarding farm unit and options to allow TFWH in each City sector.
May 26, 2017	Email input from BC Fruit Growers Association advising that they met with Ministry of Agriculture and that TFWH developments separated by some distance (placing them in different neighbourhoods, for example) could be considered.
May 31, 2017	Phone meeting with Ministry of Agriculture regarding farm unit and options to allow TFWH in each City sector as well as maximum TFW allowed per parcel.
June 1, 2017	Email input from Ministry of Agriculture to outlining that they feel that the proposed wording for a sector approach meets the needs of industry and balances other interests.
June 2, 2017	Phone meeting with Ministry of Agriculture to understand the technical aspects of allowing TFWH in City sectors.

Schedule E: Temporary Farm Worker Housing Policy Input Received

Date	Organization	Summary of Input	Notes
August 10, 2016	Radical Action with Migrants in Agriculture (RAMA)	Concerns with violations of SAWP requirements and opportunities for how farmworker housing is regulated.	
September 9, 2016	Ministry of Agriculture	Letter of support for initial proposed TFWH policy acknowledging the consistence with the Minister's Bylaw Standard.	
October 12, 2016	Agriculture Land Commission, Martin Collins Regional Planner	Letter of support for initial proposed TFWH policy and acknowledging consistency with the ALC Act and Regulation. Suggestion to adjust 60-meter road setback to 50-meter road setback.	<ul style="list-style-type: none"> TFWH proposed policies revised to 50-meter road setback as per suggestion.
November 10, 2016	Ministry of Agriculture, Gregory Bartle, Land Use Planner	Support the proposed policy with suggestions to: <ul style="list-style-type: none"> Development Application Procedures Bylaw and requirements of Right to Farm Regulated Community 	<ul style="list-style-type: none"> Continued discussions with Ministry of Agriculture to revise the draft policies to ensure consistency with Farm Regulated Community requirements.
December 16, 2016	Ministry of Agriculture, Gregory Bartle, Land Use Planner	Further recommendations for the proposed policy: <ul style="list-style-type: none"> Submit bylaws for Minister approval as a Farm Bylaw Ensure wording in Development Application Procedures Bylaw cannot deny housing for under 40 workers as per the Guide for Bylaw Development in Farming Areas. 	<ul style="list-style-type: none"> Development Application Procedures Bylaw proposed policy was revised to remove the word "deny"
January 10, 2017	Ministry of Transportation and Infrastructure, Blaine Garrison, Development Technician	No objection to proposed policy subject to all new structures adjacent to provincial highways adhere to the Ministry's standards for structural setbacks, and no direct access to controlled access highways.	

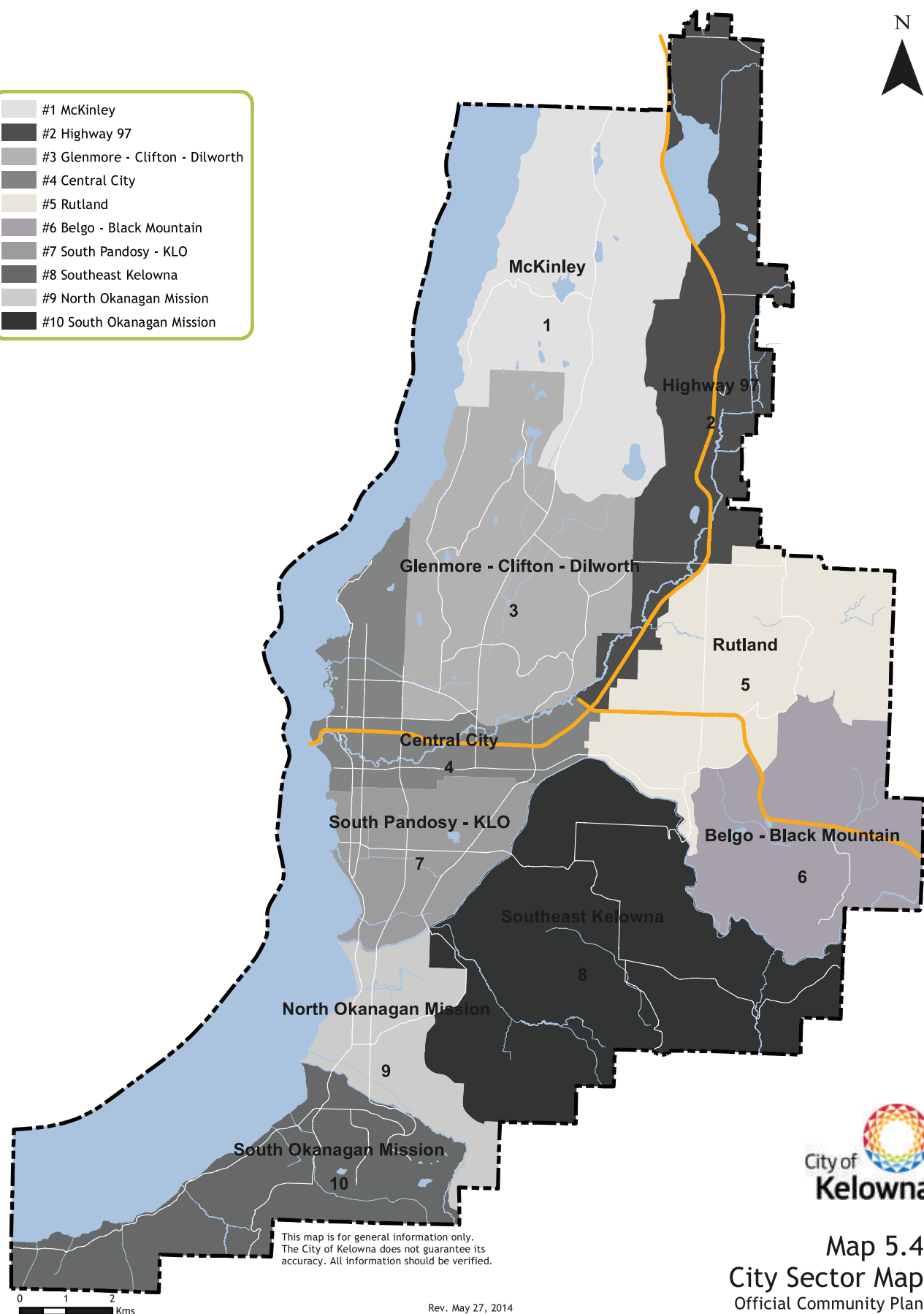
Date	Organization	Summary of Input	Notes
January 20, 2017	Interior Health, Jill Worboys (Public Health Dietician) and Anita Ely (Environmental Health Officer)	Support of proposed policy and outlined the importance that agricultural capacity is a key aspect of local healthy food systems and recommended that applications for TFWH be circulated prior to them prior to issuance of a building permit.	
February 16, 2017	Ministry of Transportation and Infrastructure, Blaine Garrison, Development Technician	Referred to same comments made on January 10, 2017.	
February 24, 2017	Ministry of Agriculture, Gregory Bartle, Land Use Planner	Support of proposed policies with suggestions to: <ul style="list-style-type: none"> Revise section 1.2b) of the Development Application Procedures Bylaw regarding authority to “deny” a permit 	<ul style="list-style-type: none"> Development Application Procedures Bylaw section 1.2b) was revised and the word “deny” removed.
March 15, 2017	BC Fruit Growers Association, Fred Steele, President	Request that the City organize a roundtable with industry, city staff, employee representatives, and BC Ministry of Agriculture staff to review and discuss proposed policy.	
March 28, 2017	David Geen, President Jealous Fruit Ltd. / Coral Beach Farms Ltd.	Concerns with TFWH proposed policy including: <ul style="list-style-type: none"> Cap of 40 temporary farm workers per farm unit as they currently staff over 700 people, with housing for 335. Housing TFW in urban areas as it adds to the length of workers’ day While 90% of farms have less than 40 workers, the remaining 10% of farms produce more Location of units near a road, suggest use of poorest land 	<ul style="list-style-type: none"> Proposed policy is under development permit guidelines “temporary farm worker housing footprint should be contiguous with residential footprint

Date	Organization	Summary of Input	Notes
			and/or within 50 meters of the road.” This allows for some flexibility.
March 29, 2017	Central Okanagan Food Policy Council	Supportive of TFWH policy, concerns include: <ul style="list-style-type: none"> • Recommends more detailed standards for zoning (i.e. number of kitchens required for a certain number of workers) • Suggestion of regional housing strategy that provides a variety of housing opportunities off of ALR land • Importance of food system resilience and food self-reliance 	<ul style="list-style-type: none"> • Federal SAWP requirements regulate standards for this
March 30, 2017	Elizabeth Heier, resident	Concerns over TFWH proposed policy including: <ul style="list-style-type: none"> • Neighbourhood awareness of TFWH applications • Enforcement of proposed regulations 	<ul style="list-style-type: none"> • Council Policy 367 Public Notification and Consultation for Development Application requires neighbourhood consultation for seasonal farm worker housing
March 30, 2017	Bruce Wilson, resident	Concerns over TFWH proposed policy including: <ul style="list-style-type: none"> • Enforcement of proposed regulations 	
<i>Input received after report and amendments submitted to Council for April 10 meeting (highlighted in grey)</i>			
April, 6, 2017	BC Fruit Growers Association	Concerns with consultation and not being referred on bylaw amendments.	<ul style="list-style-type: none"> • Referral sent to BCFGA on March 15 to both President and General Manager
April 7, 2017	BC Fruit Growers Association	Concerns over length of consultation time. Request for delegation at April 10 Council meeting.	
April 7, 2017	ALC	Letter of support for proposed amendments	
April 26, 2017	BC Fruit Growers Association	Meeting with staff regarding concerns on proposed amendments.	
Written input received for May 2,	Lynn Lashuk	Concerns over consultation period, minimum parcel size too small, maximum number of workers not related to farm size, maximum use per year is too short, housing footprint size not related to farm	

Date	Organization	Summary of Input	Notes
2017 Public Hearing		size, requirement to be within 50 meter of road, ON Farm Processing definition incomplete.	
	BC Fruit Growers Association	4 main concerns: 1. Definition of farm unit, should be contiguous only. 2. Public hearing threshold is too low, it should be 60 3. Annual term of occupation should be 10 months 4. TFWH should be allowed on poorest farmland	
	UDI	Support for approach to TFWH to go through a process similar to any other multi-family developer.	
	Norm and Tasha Melnichuk	Concerns over structures for 140 TFWH next to their property. The number is too many due to noise, proximity to neighbouring property, fire protection, water, access and property value.	
	Elizabeth Heier	Support for proposed amendments but concerns over enforcement of regulations.	
May 3, 2017	Ministry of Agriculture	Discussion on farm unit definition.	Ministry of Agriculture advised to keep the definition as outlined in the Guide for Bylaw Development in Farming Areas.
May 9, 2017	Meeting with BC Fruit Growers to discuss concerns and future direction.	Reviewed four main concerns as outlined in Public Hearing.	Informed the BCFGA that Ministry of Agriculture strongly advises to keep farm unit definition as outlined in the Guide for Bylaw Development in Farming Areas.
May 18, 2017	Ministry of Agriculture	Further discussion on farm unit definition and minimum parcel size versus minimum farm unit size.	Update 3.8 minimum parcel size requirement to 3.8 minimum farm unit size.
May 24	BC Fruit Growers Association	Discuss proposed revisions to policy.	

Date	Organization	Summary of Input	Notes
May 25	Ministry of Agriculture	Discussion on farm unit and options to allow TFWH in each City sector.	
May 26	BC Fruit Growers Association	Advised that they met with Ministry of Agriculture and that TFWH developments separated by some distance (placing them in different neighbourhoods, for example) could be considered.	
May 31	Ministry of Agriculture	Discussion on farm unit and options to allow TFWH in each City sector as well as maximum TFW allowed per parcel.	
June 1	Ministry of Agriculture	The proposed wording for the sector approach meets the needs of industry and balances other interests	
June 2	Ministry of Agriculture	Meeting to understand technical aspects of allowing TFWH in multiple City sectors	

- #1 McKinley
- #2 Highway 97
- #3 Glenmore - Clifton - Dilworth
- #4 Central City
- #5 Rutland
- #6 Belgo - Black Mountain
- #7 South Pandosy - KLO
- #8 Southeast Kelowna
- #9 North Okanagan Mission
- #10 South Okanagan Mission





Temporary Farm Worker Housing

June 19, 2017

Purpose

- ▶ Provide clear policy and process direction for Temporary Farm Worker Housing
- ▶ Respond to the changing needs of the industry
- ▶ Consistent with provincial bylaw standards



Council Priorities and Commitments

- ▶ Preserve agricultural land
- ▶ Fair but firm
- ▶ Responsive customer service
- ▶ Planning excellence



Opportunities for Input

TIMELINE	INPUT OPPORTUNITY
Throughout Process	Regional TFWH Working Group
Oct. 13, 2016	1 st Application Referral
Oct. 13, 2016	1 st AAC Meeting
Oct. 31, 2016	1 st Council Meeting
Feb. 9, 2017	2 nd AAC Meeting
Feb. 10, 2017	2 nd Application Referral
Mar. 6, 2017	2 nd Council Meeting
Mar. 15, 2017	3 rd Application Referral
Mar. 17 and 24, 2017	Courier ads inviting comments
April 21, 2017	Courier ads about Public Hearing
May 2	Public Hearing

Who we heard from

- ▶ Agriculture Advisory Committee
- ▶ Ministry of Agriculture
- ▶ Agriculture Land Commission
- ▶ Ministry of Transportation
- ▶ Interior Health
- ▶ BC Fruit Growers Association
- ▶ Orchardists
- ▶ Central Okanagan Food Policy Council
- ▶ Residents
- ▶ Consulate General of Mexico
- ▶ Jamaican Liaison Services
- ▶ Seasonal Agriculture Worker Program Inspector
- ▶ Radical Action with Migrants in Agriculture

Since First Reading

- ▶ BC Fruit Growers:
 - ▶ 3 in person meetings
 - ▶ 3 emails
- ▶ Ministry of Agriculture:
 - ▶ 5 phone meetings
 - ▶ 3 emails
- ▶ Other input (written and verbal) as part of Public Hearing process



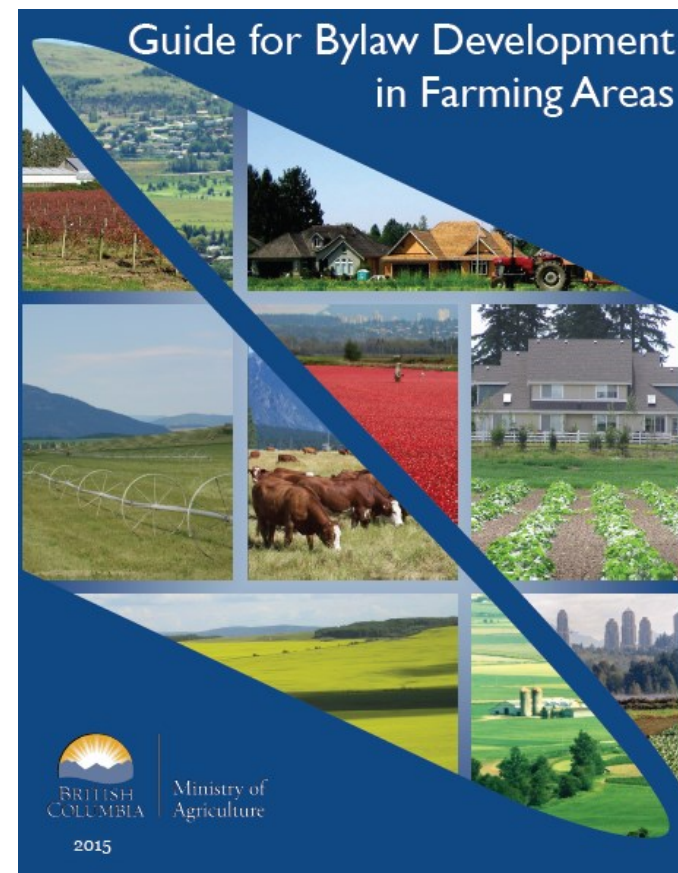
Objectives

- ▶ Reduce the footprint on farm
- ▶ Use existing dwellings as first option
- ▶ New TFWH on non-permanent foundations
- ▶ Addresses buffers to adjacent properties
- ▶ Minimize the risk of TFWH being used for non-farm purposes



The Policy

- ▶ Consistent with Guide to Bylaw Development in Farming Areas
- ▶ Policy changes to:
 - ▶ OCP
 - ▶ Farm Protection DP Guidelines
 - ▶ Zoning Bylaw
 - ▶ Development Application Procedures Bylaw



OCP changes since First Reading

	Initial Policy	Revised Policy

Zoning changes since First Reading

	Initial Policy	Revised Policy
1.	On-farm processing means the undertaking of processes including	Added “grading and packing”
2.	Minimum parcel size is 3.8ha	Minimum farm unit size is 3.8 ha
3.	Building will be occupied no longer than 8 months	Building will be occupied no longer than 10 months

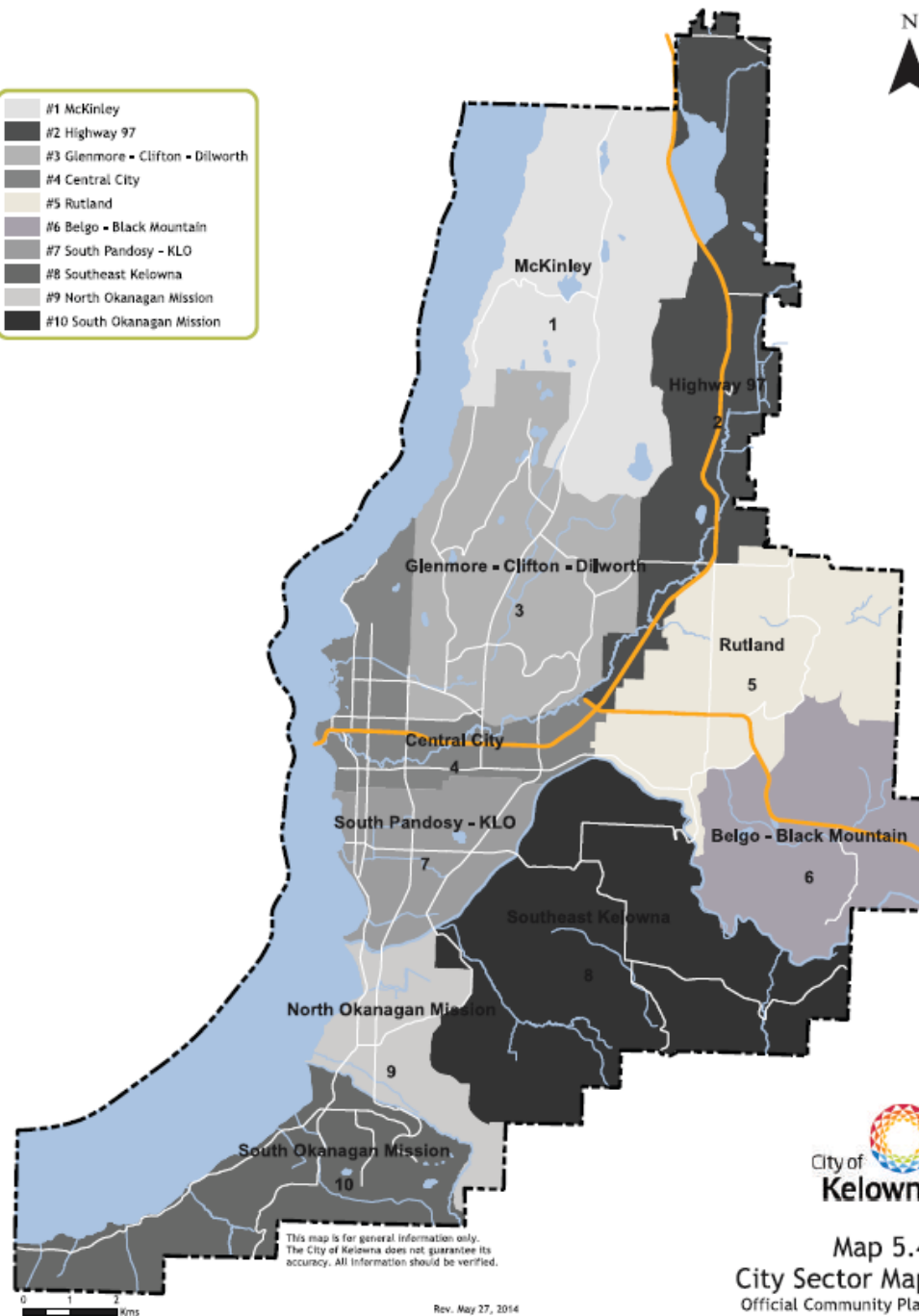
Zoning changes since First Reading con't

	Initial Policy	Revised Policy
4.	Structure(s) to accommodate a maximum of 40 TFW per farm unit	Structures to accommodate: <ul style="list-style-type: none">• 40 TFW per each sector for parcels up to 8 ha• 60 TFW per each sector for parcels over 8 ha
5.	TFWH footprint may not exceed 0.20 ha	May not exceed 0.20 ha for structures to accommodate up to 40 TFW, and not exceed 0.30 ha for structures to accommodate 60 TFW

Zoning changes since First Reading con't

	Initial Policy	Revised Policy
6.	Restrictive covenant registered on all other parcels of the farm unit restricting further TFWH.	Restrictive covenant registered on all other parcels within the same sector restricting further TFWH.

- #1 McKinley
- #2 Highway 97
- #3 Glenmore - Clifton - Dilworth
- #4 Central City
- #5 Rutland
- #6 Belgo - Black Mountain
- #7 South Pandosy - KLO
- #8 Southeast Kelowna
- #9 North Okanagan Mission
- #10 South Okanagan Mission



Map 5.4
City Sector Map
Official Community Plan

Development Application Procedures Bylaw changes since First Reading

	Initial Policy	Revised Policy
1.	Temporary Farm Working Housing Permit Minor Direct....	Added “for accommodation of an employee to work for no greater than 10 months per calendar year”
2.	Temporary Farm Working Housing Permit Major...for less than 8 months per calendar year.	Changed to “for no greater than 10 months per calendar year”

Addressing Industry Concerns

	Concern	How it was addressed
1.	'Contiguous' in the farm unit definition	Definition remains intact but now allow TFW in all sectors
2.	Public Hearing Threshold	<ul style="list-style-type: none"> • 40 for parcels less than 8 ha • 60 for parcels 8 ha or more • TFWH allowed in multiple sectors
3.	8 month occupation	Revised to 10 month occupation
4.	Location of TFWH	Added located to "maximize agricultural potential and limit negative impacts"



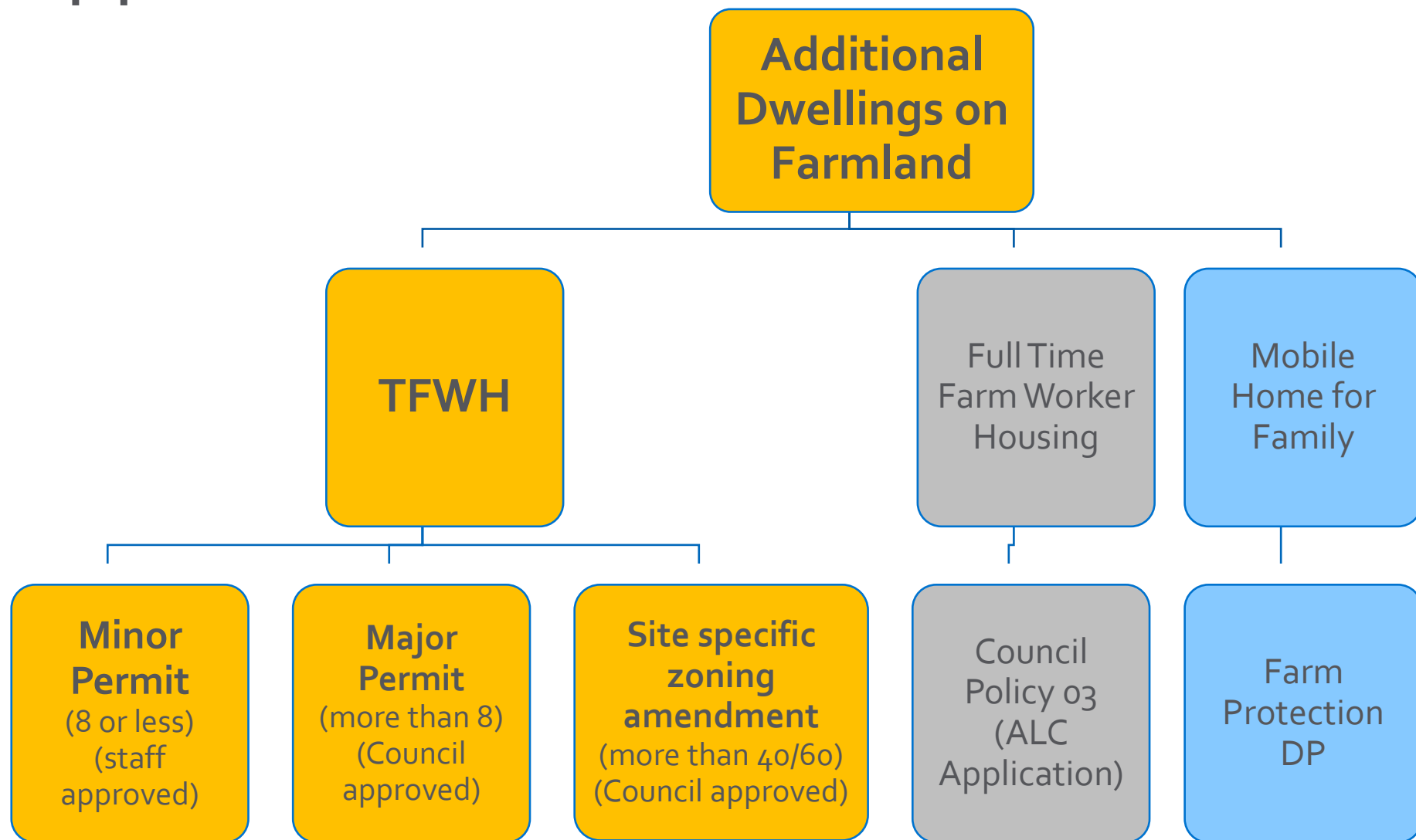
Questions?



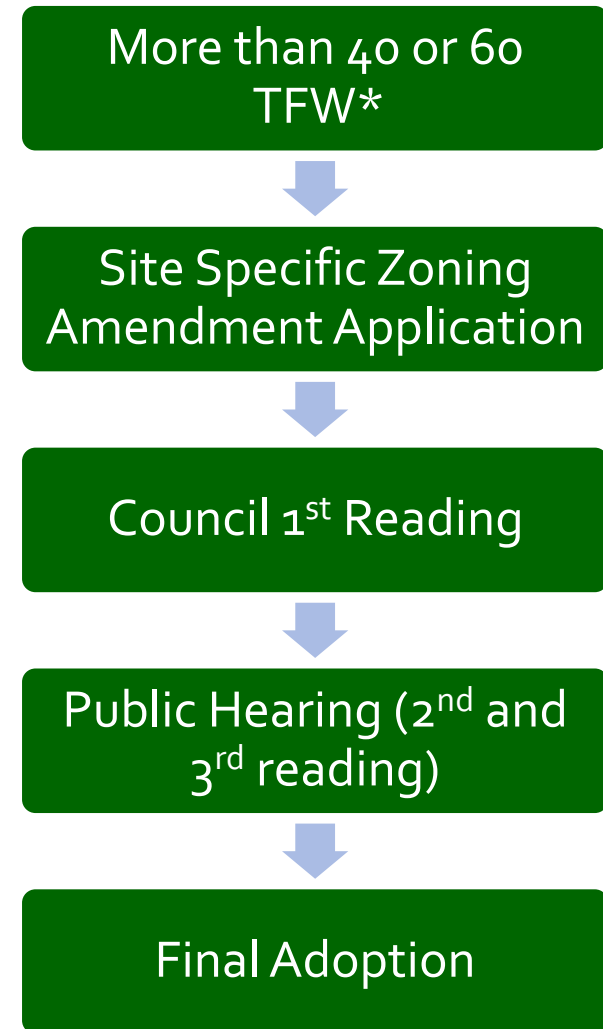
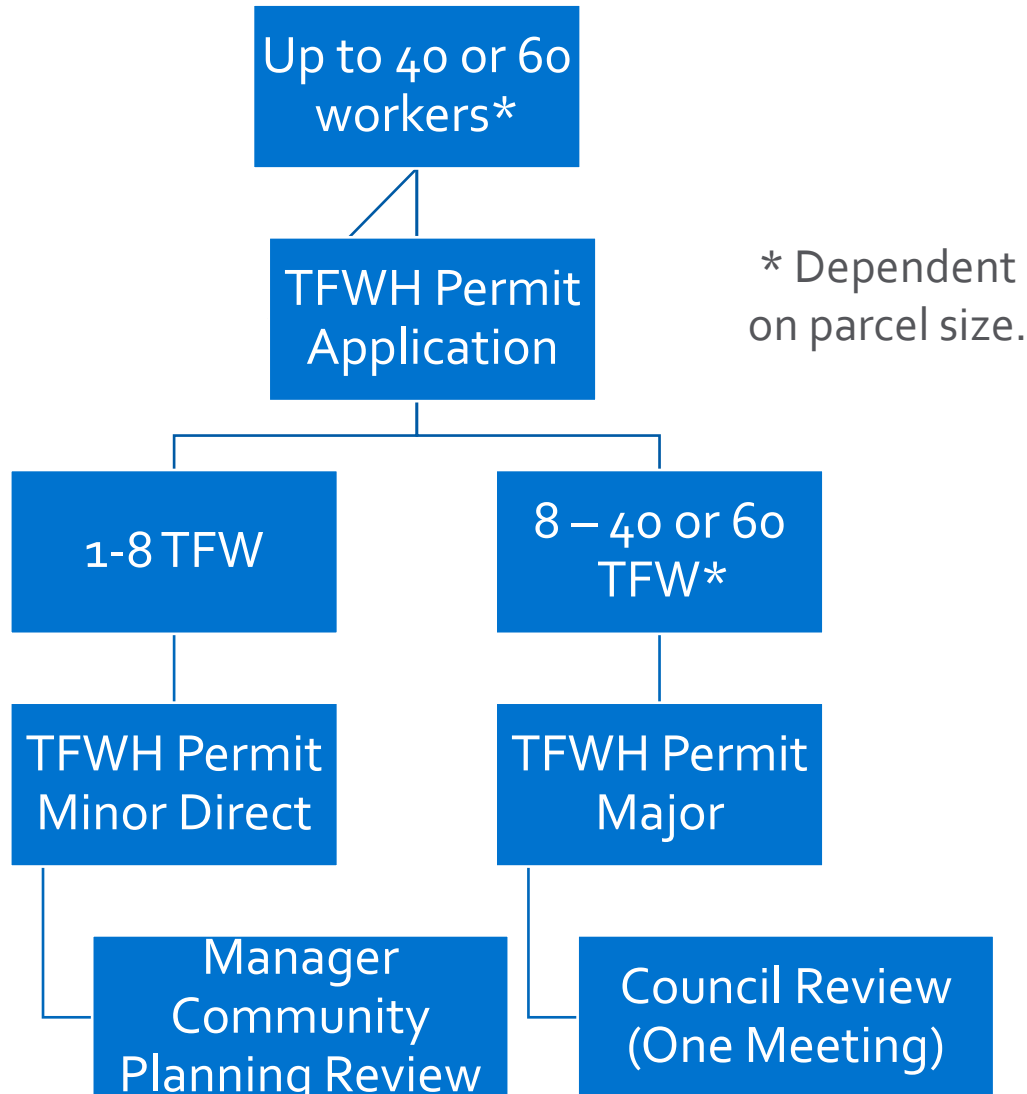
Other Municipal Examples

Local Gov't	Min. Farm Unit	Min. Lot Size	Max. workers per operation	Occupancy time limits	Farm Community (Section 553)
Kelowna	3.8 ha	3.8 ha	40	8 months specified on declaration	Yes
Delta	8 ha	4 ha	42 max	Specified on declaration	Yes
Langley	4 ha	4 ha	10 persons / 4 ha, 40 workers max	April 1 – Nov. 30	Yes
Abbotsford	3.8 ha (A ₁) 8 ha (A ₂)	3.8 ha	Not specified	Specified on declaration	Yes
Pitt Meadows	2 ha	2 ha	10 persons / 4 ha, 40 workers max	April 1 – Nov. 30	No
Richmond	8.09 ha	8.09 ha	30 max	10 months in any 12 month period	No

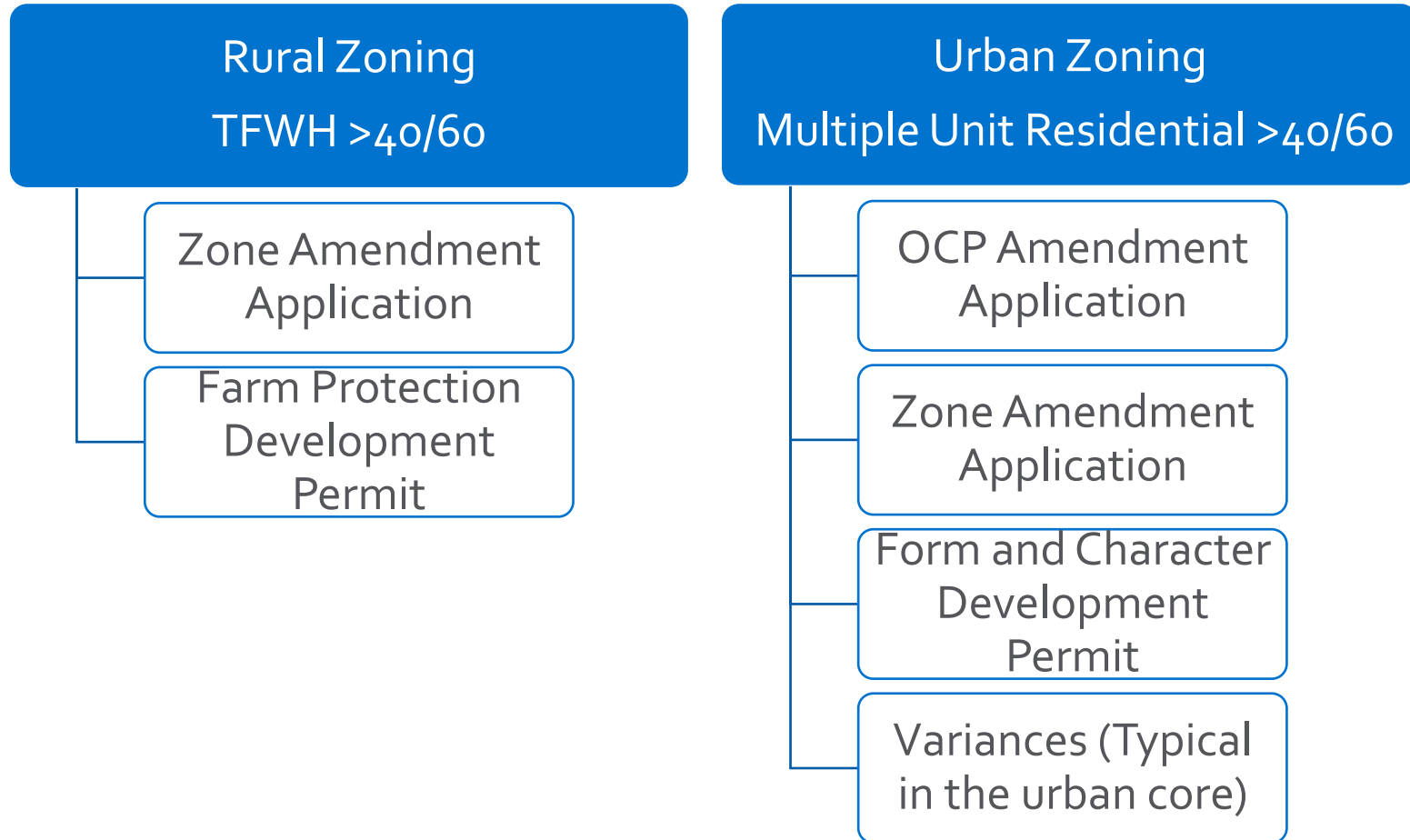
Application streams



The Process



Comparative Process – Rural and Urban



REPORT TO COUNCIL



Date: June 12, 2016

RIM No. 1250-30

To: City Manager

From: Community Planning Department (AC)

Application: Z17-0039

Owner: 554764 BC Ltd.

Address: 170 & 230 Nickel Rd

Applicant: James Zeleznik

Subject: Rezoning Application

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

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RM3 – Low Density Multiple Housing

1.0 Recommendation

THAT Rezoning Application No. Z17-0039 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Section 27, Township 26, ODYD, Plan 25115, located at 230 Nickel Rd, Kelowna, BC, and Lot B, Section 27, Township 26, ODYD, Plan 25115 Except Plan KAP65522, located at 170 Nickel Rd, Kelowna, BC from the RU1 – Large Lot Housing Zone to the RM3 – Low Density Multiple Housing Zone, be considered by Council;

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

AND THAT final adoption of the Zone Amending Bylaw be subsequent to the following:

To the outstanding conditions identified in Attachment "A" associated with the report from the Community Planning Department dated May 29th 2017.

AND FURTHER THAT, subsequent to forth reading of the above bylaw, a Development Permit will be required as outlined in the report from the Community Planning Department date June 12, 2017.

2.0 Purpose

To consider a rezoning application on the subject property from the RU1 – Large Lot Housing Zone to the RM3 – Low Density Multiple Housing Zone.

3.0 Community Planning

Staff support the rezoning from the RU1 zone to the RM3 zone. The Official Community Plan (OCP) designates the property as MRL – Multiple Unit Residential (Low Density) and encourages townhouse style development on the subject properties.

If the rezoning is successful, Staff will bring forth a form and character development permit to Council for the proposed project for consideration. Currently, Staff are not tracking any variances with the current proposal. The applicant's current landscape and site plan will need to be amended prior to Development Permit to comply with the engineering requirements (See attached memorandum dated May 29, 2017). A 3.0 metre walkway dedication has been identified as a requirement at the north end of the property to provide pedestrian connectivity between Nickel Road and Mills Road.

4.0 Proposal

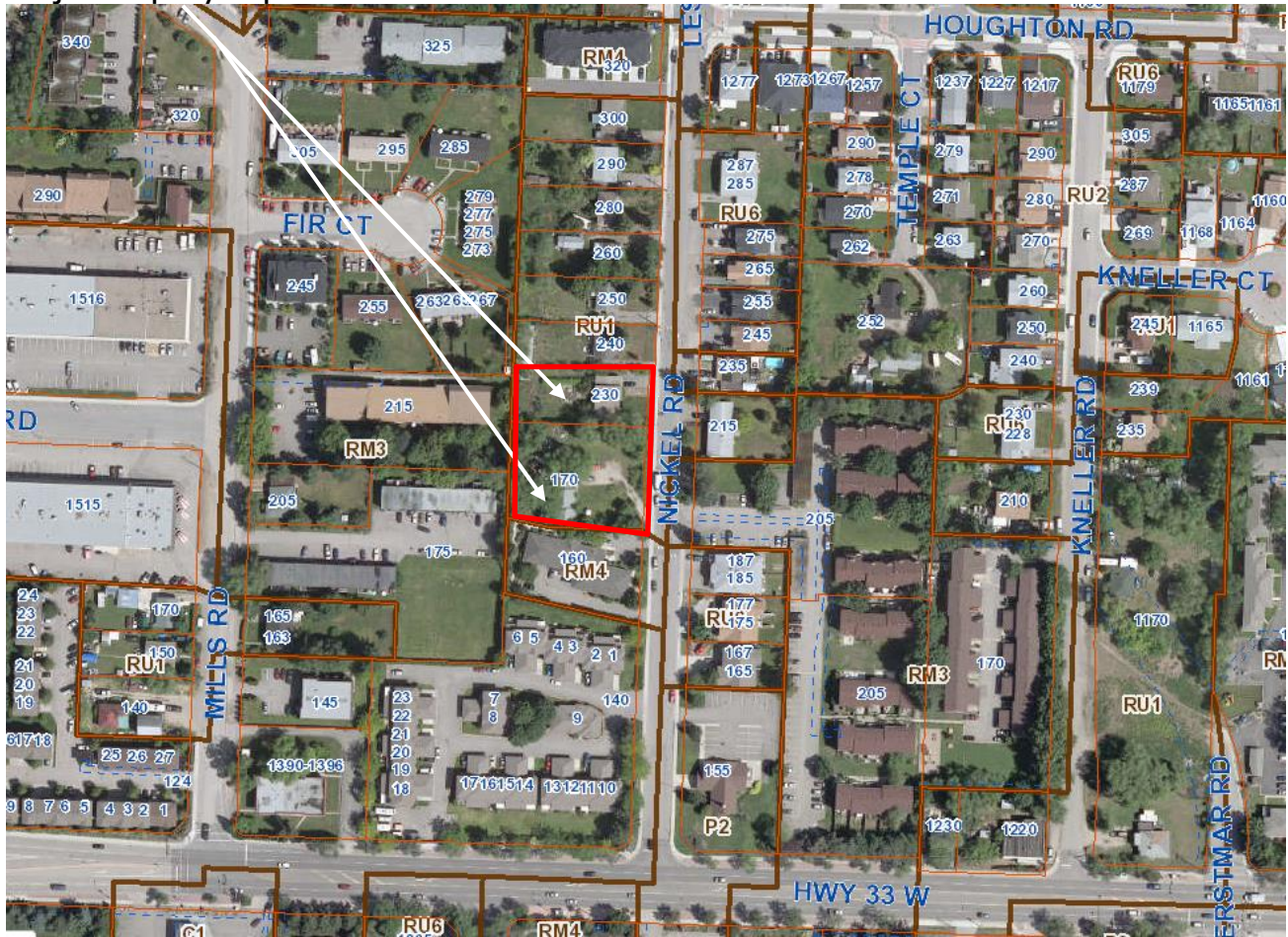
4.1 Project Description

The applicant wishes to consolidate the two subject properties and rezone to the RM3 zone to allow for the development of a rental townhouse project. The townhouse row fronting Nickel Rd is proposed to have seven 2-bedroom units. The back row is proposed to have eight 3-bedroom units. The central parking area is proposed to have 2 parking spaces per unit. All units will have 'front' and 'back' doors such that parking area and outdoor private patios and yards may be directly accessed.

4.2 Site Context

The subject property is Rutland between Houghton Road and Highway 33. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Residential
East	RU1 – Large Lot Housing RU6 – Two Dwelling Housing RM3 – Low Density Multiple Housing	Residential
South	RM4 – Transitional Low Density Housing RM3 – Low Density Multiple Housing	Residential
West	RM3 – Low Density Multiple Housing	Residential

Subject Property Map: 170 & 230 Nickel Rd**4.3 Zoning Analysis Table**

The zoning analysis is included in the table below:

Zoning Analysis Table		
CRITERIA	RM ₃ ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Height	10.0 m / 3 storeys	7.5 m / 2 storeys
Front Yard (east)	6.0m	4.5m
Side Yard (north)	4.0m	4.5m
Side Yard (south)	4.0m (principal) 1.5m (accessory)	4.6m (principal) 1.5m (accessory)
Rear Yard (west)	7.5m	7.5m
Site coverage of buildings	40%	29%
Site coverage of buildings, driveways & parking	60%	59%

Zoning Analysis Table		
CRITERIA	RM ₃ ZONE REQUIREMENTS	PROPOSAL
FAR	0.75 Max	0.74
Parking Regulations		
Minimum Parking Requirements	37 stalls	40 stalls
Ratio of Parking Stalls	Full size: 50% Min Medium Size: 40% Max Small Size: 10% Max	Full size: tbd Medium Size: tbd Small Size: tbd
Other Regulations		
Minimum Bicycle Parking Requirements	Class 1: 0 bikes Class 2: 0 bikes	Class 1: 0 bikes Class 2: 12 bikes
Private Open Space	25 m ² / unit	25 m ² / unit

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.

Residential Land Use Policies.²

- Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.
- Ensure context sensitive housing development.

6.0 Technical Comments

6.1 Building & Permitting Department

No comment on rezoning.

6.2 Development Engineering Department

See attached memorandum dated May 29, 2017.

6.3 Fire Department

No comment on rezoning.

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

² City of Kelowna Official Community Plan, Objective 5.22 (Development Process Chapter).

7.0 Application Chronology

Date of Application Received: April 21st 2017
Date Public Notification Completed: May 1st 2017

Report prepared by: Adam Cseke, Planner Specialist
Reviewed by: Terry Barton, Urban Planning Manager
Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

ATTACHMENT 'A' Development Engineering Memo dated May 29th 2017
Initial Architectural Drawing Package

CITY OF KELOWNA

MEMORANDUM

ATTACHMENT A

Date: May 29, 2017
File No.: Z17-0039
To: Urban Planning Management (AC)
From: Development Engineering Manager (SM)
Subject: 170 & 230 Nickel Road

This forms part of application
Z17-0039

Planner
Initials



RU1 to RM3

The Development Engineering Department has the following comments and requirements associated with this rezoning application from RU1 to RM3 to facilitate a townhouse development. 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. **General**

- a) These are Development Engineering comments/requirements and are subject to the review and requirements from the Ministry of Transportation (MOTI).

2. **Domestic Water and Fire Protection**

- a) This development is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with the BMID for these items. All charges for service connection and upgrading costs, as well as any costs to decommission existing services are to be paid directly to BMID.
- b) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures.

3. **Sanitary Sewer**

The subject properties are currently serviced with two 100mm sanitary services, at 170 and 230 Nickel Road. The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal and disconnection of the existing services and the installation of one new larger service if necessary.

4. **Storm Drainage**

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

5. **Road Improvements**

- a) There is some curb, gutter and pavement missing from the frontage of the subject properties. The applicant must have a civil engineering consultant submit a design for the completion of urbanization for Nickel Road along the full frontage of the subject properties; including curb and gutter, sidewalk, LED street lighting, landscaped boulevard, storm drainage system, pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. An estimate for public side works will be required, for bonding purposes, to be submitted by the applicants civil engineering consultant.

6. **Road Dedication and Subdivision Requirements**

- a) The subject properties are required to be consolidated as part of this development project.
- b) The applicant is required to dedicate 3m along the north property line of 230 Nickel Road for construction of a walkway to connect Nickel Rd to Fir Ct.
- c) Grant statutory rights-of-way if required for utility services.

7. **Electric Power and Telecommunication Services**

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

8. **Design and Construction**

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

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

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

- b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

10. Other Engineering Comments

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

11. Geotechnical Report

- a) Provide a comprehensive geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed development.**
- Overall site suitability for development.
 - Presence of ground water and/or springs.
 - Presence of fill areas.
 - Presence of swelling clays.
 - Presence of sulphates.
 - Potential site erosion.
 - Provide specific requirements for footings and foundation construction.
 - Provide specific construction design sections for roads and utilities over and above the City's current construction standards

12. Development Permit and Site Related Issues

Access and Manoeuvrability

- (i) Only on drive access (6m width maximum) will be permitted for this development.
- (ii) All turning movements including garbage pick-up must be contained onsite.

Steve Muenz, P. Eng.
Development Engineering Manager
jo

ATTACHMENT A	
This forms part of application # Z17-0039	
Planner Initials	<input type="text"/>
 City of Kelowna <small>COMMUNITY PLANNING</small>	

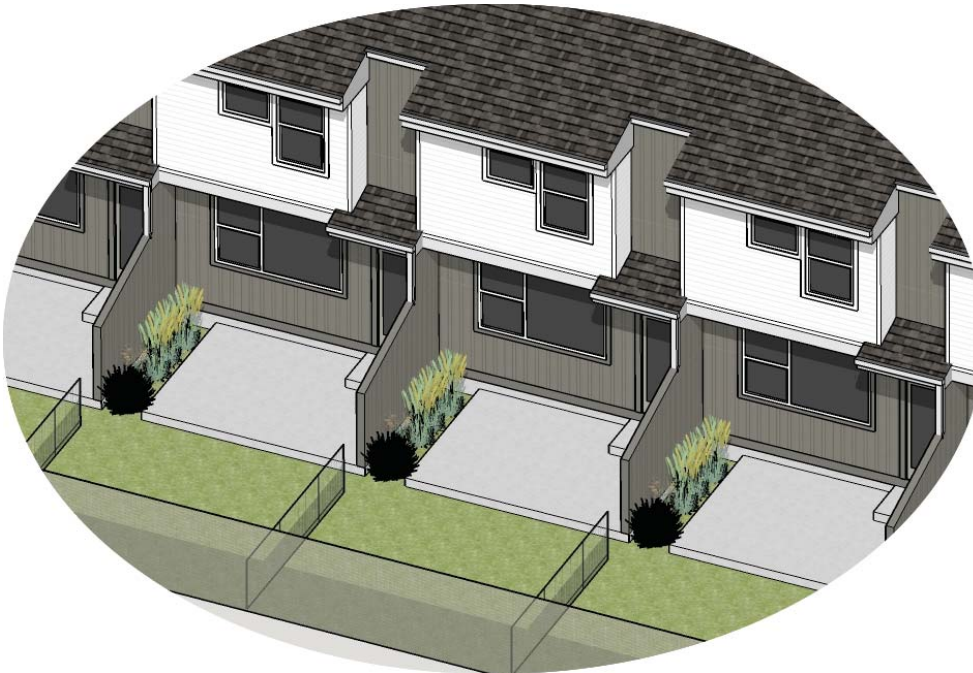
The subject properties are located at 170 & 230 Nickel Rd. in Rutland. The properties are currently zoned RU1. The Owner wishes to consolidate and rezone these properties to RM3 to allow for the development of rental row housing. A development with two, 2 storey blocks of row houses each side of a central parking plaza is proposed.



The row fronting Nickel Rd will provide seven, 2 *bedroom* units with two, 2 *bedroom + den* units at either end. These units will have unfinished basements for unit equipment (furnace/ HWT/ HRV) and tenant storage. The back row will provide 8, 3 *bedroom* units with two, 3 *bedroom + den* units at either end. These units will have basements finished to provide a bedroom, rec room, and washroom and will include unit equipment (furnace/ HWT/ HRV). The central parking area will allow 2 parking spaces per unit. All units will have 'front' and 'back' doors such that parking area and outdoor private patios and yards may be directly accessed.



Detail view of east elevation showing 'front' door access to Nickel street and private patios.



Detail view of west elevation showing 'back' door access to private patios and yards



Detail view of Interior (parking plaza) showing access to private patios and parking

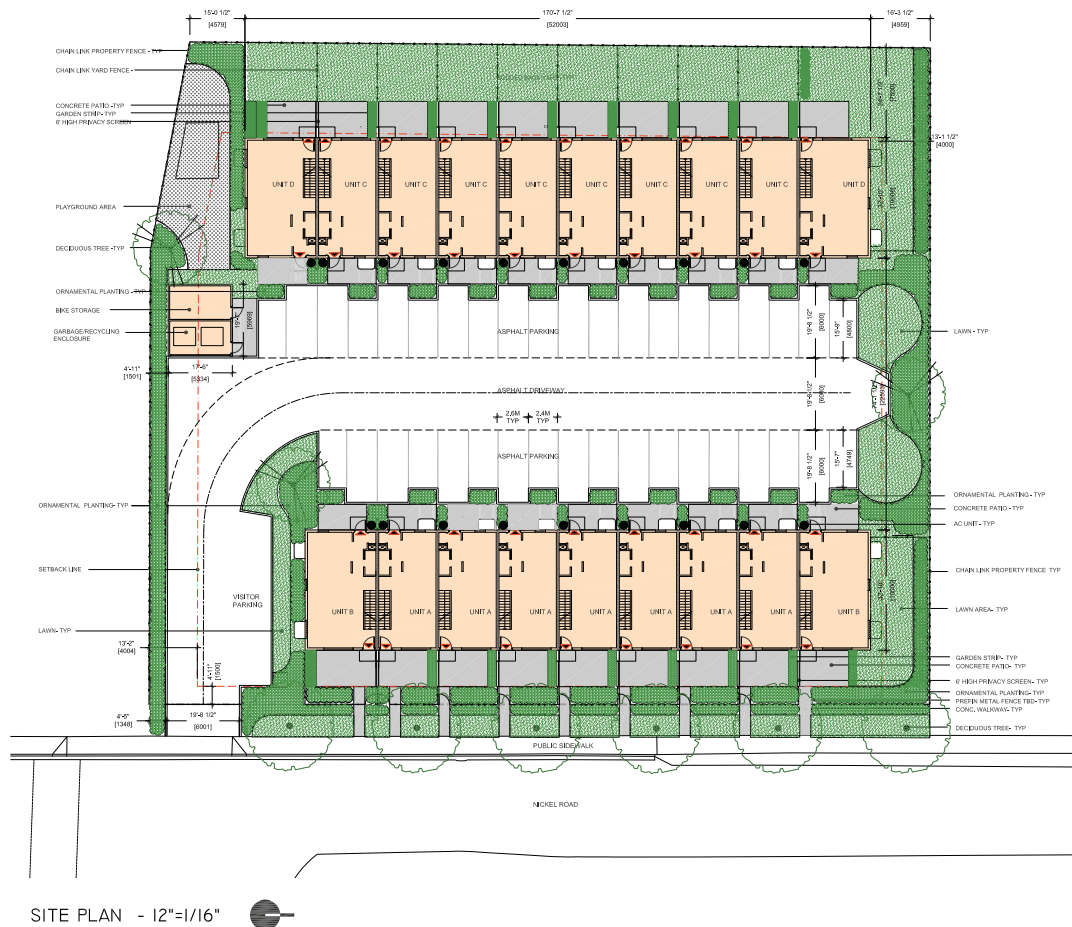
The block of rows will be broken vertically and horizontally to provide human scale, shading, weather protection and visual interest. The scale and material selection- 'hardi' board & batten with 'hardi' horizontal lap siding - are selected for their durability and as acknowledgement of the residential setting of the development.

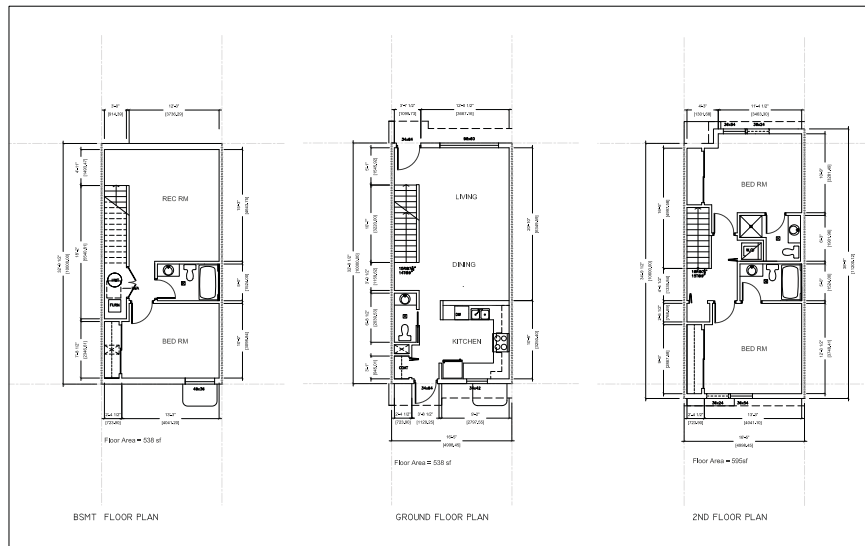


East/West Elevation Detail showing breaks in vertical & horizontal planes. Materials accentuate the breaks and provide additional human scale

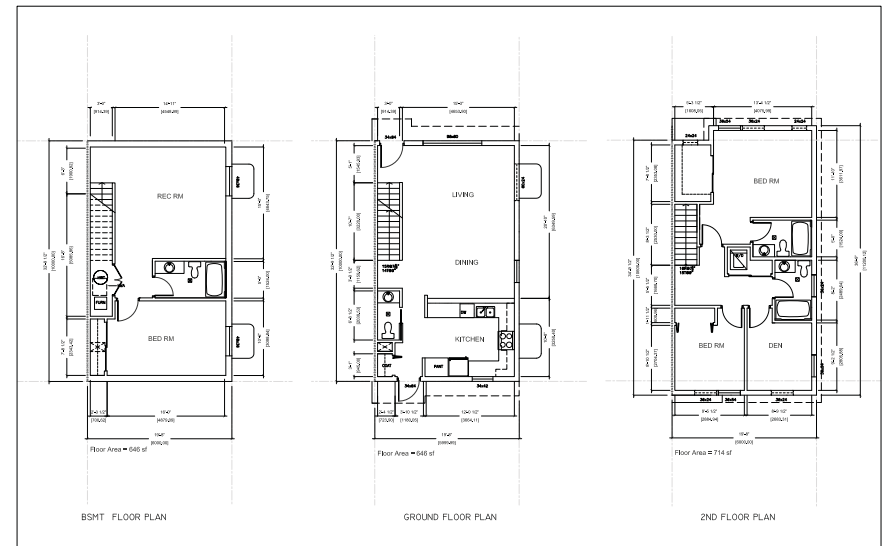


Interior (parking plaza) elevation detail showing breaks in vertical & horizontal planes. Materials accentuate the breaks and provide additional human scale

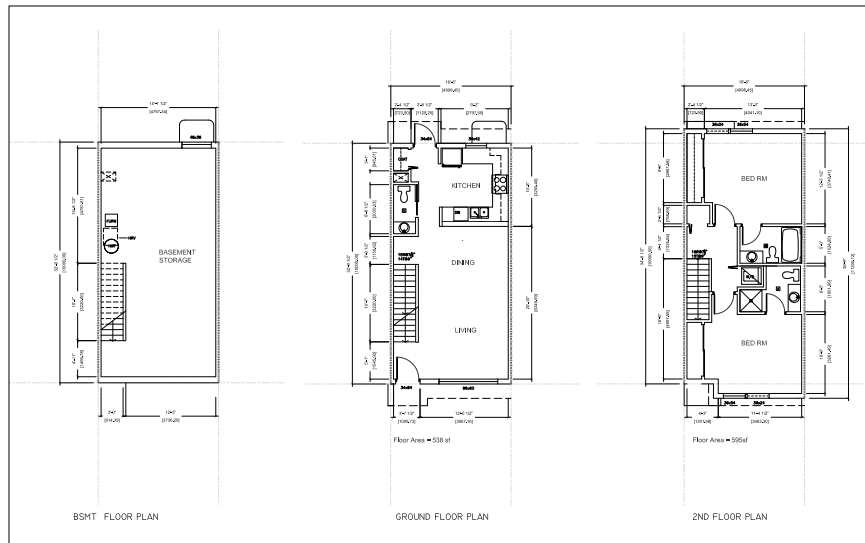




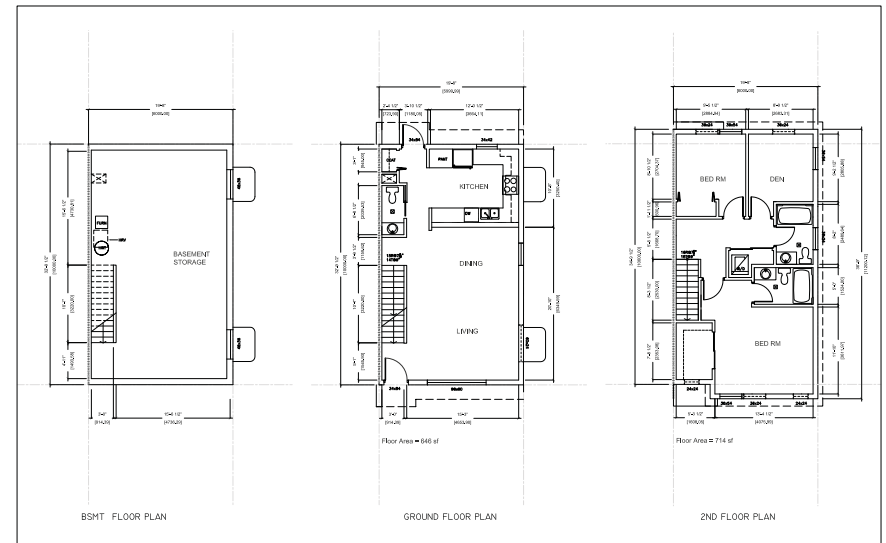
UNIT TYPE C - 3 BED, 3.5 BATH



UNIT TYPE D - 3 BED + DEN, 3.5 BATH



UNIT TYPE A - 2 BED, 1.5 BATH



UNIT TYPE B - 2 BED + DEN, 2.5 BATH

West Elevation



'IKO' Cambridge Shingle
Colour: Dual Black

North Elevation

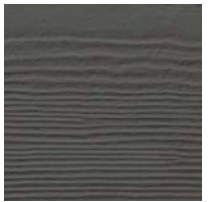


'Hardie' Fascia & Detail Panel
Colour: Pearl Gray



'Hardie' Horizontal Siding & Trim
Colour: Artic White

East Elevation



'Hardie' Board & Batten
Colour: Rich Espresso

South Elevation



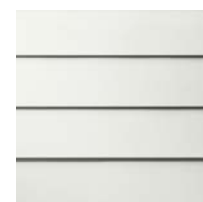
East Interior
Elevation



'IKO' Cambridge Shingle
Colour: Dual Black

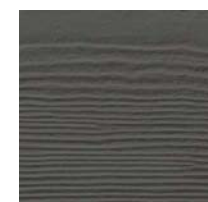


'Hardie' Fascia & Detail Panel
Colour: Pearl Gray



'Hardie' Horizontal Siding & Trim
Colour: Artic White

West Interior
Elevation



'Hardie' Board & Batten
Colour: Rich Espresso

West /East
Elevation Detail



Interior
Elevation Detail





LEGEND:

	LAWN AREA
	ORNAMENTAL SHRUBS, GRASSES, & PERENNIALS
	VEGETABLE & HERB GARDEN, PLANTED BY HOMEOWNER
	CONCRETE PAVING FINISH: BROOM
	CRUSH GRANULAR WALKWAY
	PROPOSED FENCE HT. VARIES
	EXISTING FENCE

NOTES:

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL CONFORM TO MINIMUM STANDARDS ESTABLISHED IN THE LATEST EDITION OF THE CANADIAN LANDSCAPE STANDARDS, PUBLISHED BY THE C.N.L.A. AND THE C.S.L.A. AS WELL AS THE CITY OF KELOWNA LANDSCAPE STANDARDS.
2. THE LANDSCAPE DESIGN DESIGNATED HEREIN IS CONCEPTUAL BUT REFLECTS THE MINIMUM CITY OF KELOWNA FORM AND CHARACTER REQUIREMENTS.
3. PLANT MATERIAL SELECTIONS ARE CONCEPTUAL ONLY. FINAL PLANTING SELECTIONS MAY VARY DEPENDING UPON AVAILABILITY AT THE TIME OF CONSTRUCTION.
4. TREES SHALL BE INSTALLED IN DEFINED OIL PITS OR PLANTING BED AREAS. ADEQUATE SOIL VOLUME SHALL BE PROVIDED BASED ON THE SPECIFIED TREE SPECIES AND LOCATION.
5. SHRUB BEDS TO HAVE COMPOSTED, PRE-APPROVED, MULCH, DEPTH 75mm.
6. ORNAMENTAL SHRUBS, GRASSES, AND PERENNIALS TO BE PLACED WITHIN DEFINED PLANTING BEDS. ALL PLANTING BEDS SHALL HAVE MIN. OF 450mm (18") IMPORTED GROWING MEDIUM AND 75mm (3") OF COMPOSTED MULCH R APPROVED EQUAL.
7. MAINTENANCE EDGE AREAS SHALL HAVE A MIN. DEPTH OF 100mm (3") OF DECORATIVE ROUND ROCK. LANDSCAPE FABRIC SHALL BE NILEX 4545 OR APPROVED EQUAL.
8. TURF AREAS SHALL BE ECO TURF FARMS, (O MART BLEND SOD WITH A MIN. OF 150mm (6") IMPORTED GROWING MEDIUM.
9. A HIGH EFFICIENCY IRRIGATION SYSTEM SHALL BE INSTALLED FOR ALL ORNAMENTAL LANDSCAPE AREAS, AND SHALL CONFORM TO THE CITY OF KELOWNA'S IRRIGATION STANDARDS IN BYLAW 7900.

PLANT LIST:

TREES			
BOTANICAL NAME	COMMON NAME	PLANT SIZE	SPACING
<i>Acer x freemanii</i> 'Jeffersred'	Autumn blaze red maple	B&B, 5cm Cal	As Shown
<i>Cercidiphyllum japonicum</i>	Katsura tree	B&B, 5cm Cal	As Shown
SHRUBS			
BOTANICAL NAME	COMMON NAME	PLANT SIZE	SPACING
<i>Forsythia x intermedia</i> 'Lynwood Gold'	Lynwood gold forsythia	#2 Pot	2.0m O.C.
<i>Mahonia aquifolium</i>	Oregon grape	#2 Pot	1.5m O.C.
<i>Philadelphus lewisii</i>	Mock orange	#2 Pot	1.5m O.C.
PERENNIALS			
BOTANICAL NAME	COMMON NAME	PLANT SIZE	SPACING
<i>Artemisia schmidtiana</i> 'Silver Mound'	Silver Mound Sage	#1 Pot	0.6m O.C.
<i>Echinacea paradoxa</i>	Yellow coneflower	#1 Pot	0.6m O.C.
<i>Gaillardia aristata</i>	Indian Blanket Flower	#1 Pot	0.5m O.C.
<i>Hesperis matronalis</i> 'Gloria'	Common Evening Primrose	#1 Pot	0.5m O.C.
<i>Perovskia atriplicifolia</i> 'Little Spire'	Dwarf Russian Sage	#1 Pot	0.6m O.C.
<i>Nepeta racemosa</i> 'Walker's Low'	Catmint	#1 Pot	0.9m O.C.
GRASSES			
BOTANICAL NAME	COMMON NAME	PLANT SIZE	SPACING
<i>Deschampsia caespitosa</i> 'Bronzeschiele'	Bronze veiled hair grass	#1 Pot	0.6m O.C.
<i>Miscanthus sinensis</i> 'Adagio'	Dwarf maiden grass	#1 Pot	0.6m O.C.
GROUND COVER			
BOTANICAL NAME	COMMON NAME	PLANT SIZE	SPACING
<i>Sedum spurius</i> 'Fuldagut'	Fuldagut stonecrop	#1 Pot	0.5m O.C.

Revision Issue

Issued for DP Apr 3 02
Issued for review Mar 15 01
DESCRIPTION DATE NO.

Sarah L. Dickie
Landscape Designer
(250) 300-4286
sarahldickie@gmail.com

PROJECT

Nickel Road
Townhomes
Kelowna BC

SHEET TITLE

Landscape Plan

Design by: Sarah L. Dickie

Project Number: 17010

Date: Mar 2017

Scale: 3/32" = 1'

SHEET NUMBER

L-1.0

Estimate of Probable Cost

Project Name: Nickel Road Townhomes

Project No.: 17-010

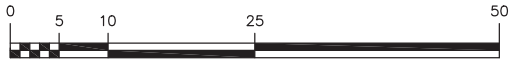
Date: April 3, 2017

No.	ITEM	UNIT	QTY	COST	PRICE
1.0	GROWING MEDIUM				
1.1	Tree growing medium - 1 m3 tree pit	m3	9	\$45	\$405
1.2	Shrub growing medium - 0.45m depth	m3	218	\$45	\$9,801
1.3	Lawn growing medium - 0.15m depth	m3	79	\$45	\$3,571
				1.0 Total	\$13,777
2.0	MULCH				
2.1	Shrub bed mulch - 0.075m depth	m3	36	\$40	\$1,452
				2.0 Total	\$1,452
3.0	TREES				
3.1	Deciduous trees - 5cm Cal.	ea.	9	\$150	\$1,350
				3.0 Total	\$1,350
4.0	SHRUBS GRASSES & PERENNIALS				
4.1	Plant - #2 pot	ea.	23	\$15	\$345
4.2	Plant - #1 pot	ea.	3	\$8	\$24
				4.0 Total	\$369
5.0	IRRIGATION				
5.1	Drip irrigation system (head, pipe, valve)	ea.	1	\$1,500	\$1,500
5.2	Controller	ea.	1	\$200	\$200
5.3	Point of connection	ea.	1	\$400	\$400
				5.0 Total	\$2,100
6.0	FENCING				
6.1	Perimeter fencing - Ht. 1.8m	l.m.	115	\$40	\$4,600
6.2	Nickel Rd fencing - Ht. 1.2m	l.m.	50	\$65	\$3,250
6.3	Screening between units - Ht. 1.2m	l.m.	73	\$65	\$4,745
				6.0 Total	\$12,595
7.0	LANDSCAPE STRUCTURES				
7.1	Play structure	ea.	1	\$20,000	\$20,000
				7.0 Total	\$20,000
				TOTAL	\$51,643
				(15%) CONTINGENCY	\$7,746
				GRAND TOTAL	\$59,389

* See corresponding development permit drawings L-1 Issued April 3, 2017

SITE PLAN SHOWING LOT A, SEC 27, TP 26, ODYD,
PLAN 25115 AND LOT B, SEC 27, TP 26, ODYD, PLAN
25115 EXCEPT PLAN KAP65522.

SCALE 1:500 METRIC



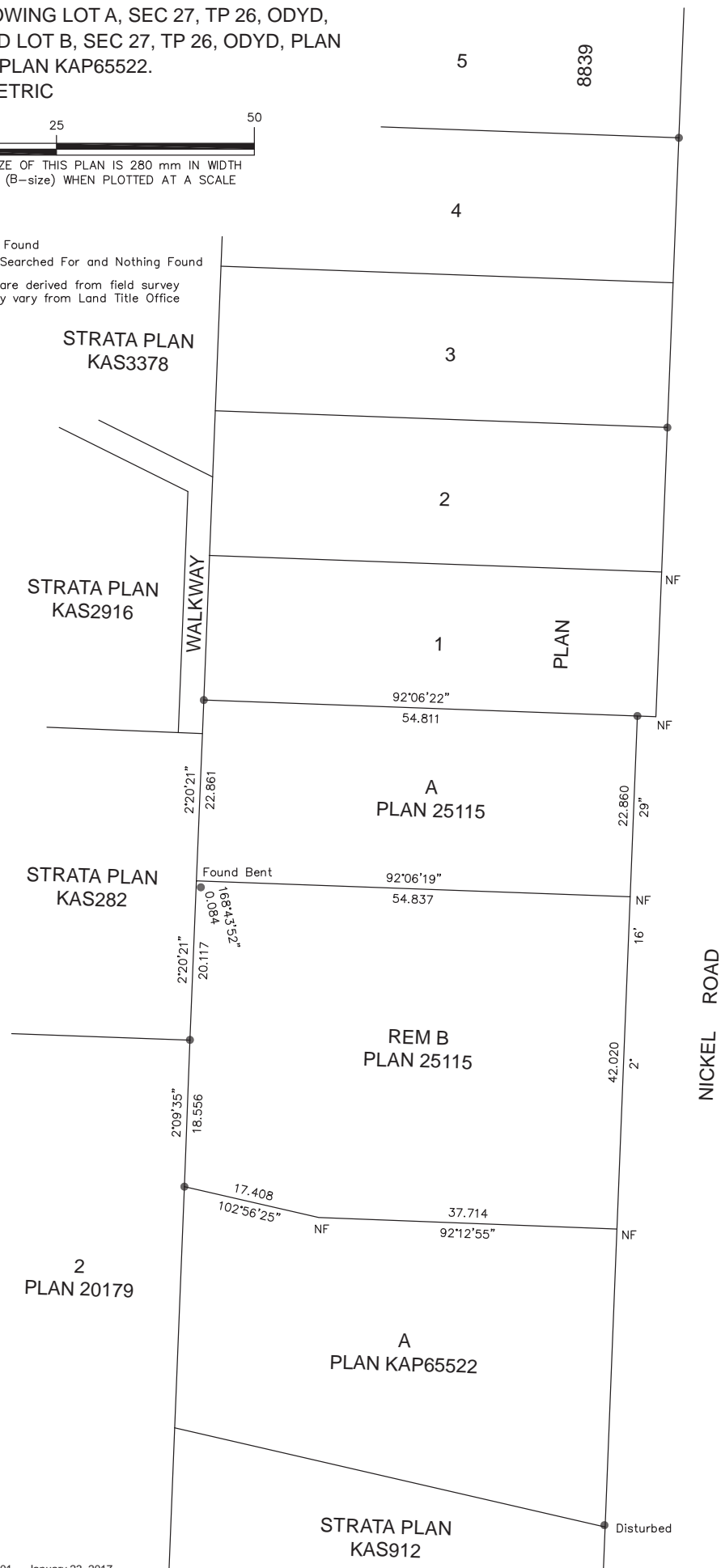
THE INTENDED PLOT SIZE OF THIS PLAN IS 280 mm IN WIDTH
BY 432 mm IN HEIGHT (B-size) WHEN PLOTTED AT A SCALE
OF 1:500 METRIC.

LEGEND

● Standard Iron Post Found

NF—Denotes Iron Post Searched For and Nothing Found

Lot dimensions shown are derived from field survey
measurements and may vary from Land Title Office
records.



AllTerra
Land Surveying Ltd.

www.AllTerraSurvey.ca
Ph: 250.762.0122 File: 317001 January 23, 2017

REPORT TO COUNCIL



Date: June 19, 2017

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TB)

Application: Z16-0083

Owner: 0725353 BC Ltd Inc. No.
BC0725353

Address: 1287 & 1297 Findlay Road

Applicant: Patrick McCusker

Subject: Rezoning Application

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

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RM3 – Low Density Multiple Housing

1.0 Recommendation

THAT Rezoning Application No. Z16-0083 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 35 Township 26 ODYD Plan 18811, located at 1297 Findlay Road, Kelowna, BC, and Lot B Section 35 Township 26 ODYD Plan 18811, located at 1287 Findlay Road, Kelowna, BC, from the RU1 – Large Lot Housing zone to the RM3 – Low Density Multiple Housing zone, be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated June 19, 2017;

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 row housing.

3.0 Community Planning

Community Planning supports the proposed rezoning from RU1 – Large Lot Housing to RM3 – Low Density Multiple Housing to facilitate the development of row housing. The rezoning is consistent with the Official Community Plan Future Land Use Designation of MRL – Multiple Unit Residential (Low Density). The proposed development will feature 20 three-bedroom units which is a type of housing that is currently in demand.

4.0 Proposal

4.1 Background

The subject properties each have a single family dwelling on the property that will be demolished or moved to facilitate this redevelopment.

4.2 Project Description

The proposed rezoning from RU1 – Large Lot Housing to RM3 – Low Density Multiple Housing will facilitate the redevelopment of the subject properties to allow for row housing to be constructed. The Official Community Plan Future Land Use Designation is MRL – Multiple Unit Residential (Low Density) which is consistent with this application. The proposal meets the OCP Guideline of Compact Urban Form, by increasing density where infrastructure and services already exist. A 5.0 m road dedication will be required along Findlay Road for the future Hollywood Road extension and the two properties will be consolidated as a function of this rezoning.

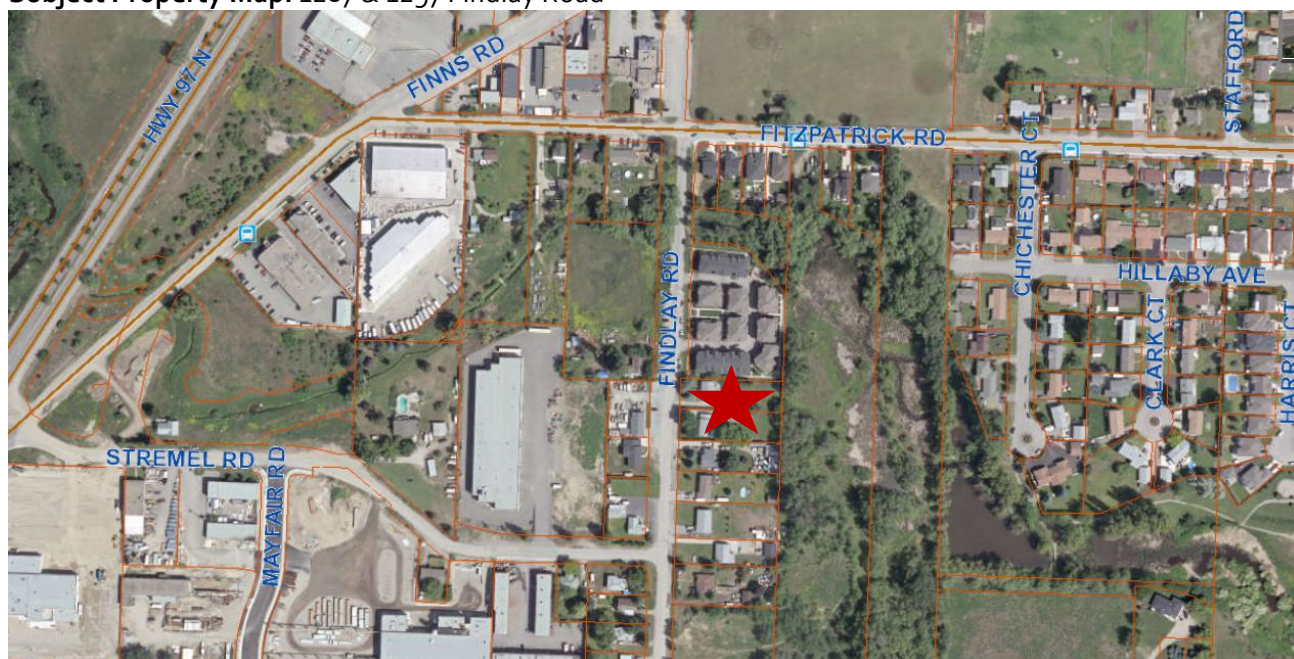
The proposed complex will feature 20 three-bedroom units accessed from a common driveway which is a type of housing that is currently in low supply. Each unit has parking for two vehicles either in a tandem or double garage. Visitor parking is provided at grade on the site, and one variance is requested to allow visitor parking in the rear yard setback. Each unit has a ground-oriented entrance off the rear of the units that is accessed from a common walkway, and the end units have an entrance facing the public street.

4.3 Site Context

The subject properties are located in Rutland in an area where redevelopment is supported. They are located within walking distance to Bus Route Number 10, and they back onto Chichester Wetland Park. The properties have a walk score of 37, meaning it is a car dependent neighbourhood.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM3 – Low Density Multiple Housing	Multi-family Housing
East	P3 – Parks & Open Space	Chichester Wetland Park
South	RU1 – Large Lot Housing	Single Family Dwelling
West	I1 – Business Industrial	Industrial

Subject Property Map: 1287 & 1297 Findlay Road**4.4 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	RM ₃ ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	900 m ²	3480 m ²
Lot Width	30.0 m	45.6 m
Lot Depth	30.0 m	75.4 m
Development Regulations		
Floor Area Ratio	0.8	.79
Site Coverage (Buildings)	40%	40%
Site Coverage (Buildings, Driveways, and Parking)	60%	59.7%
Height	10.0 m / 3 storeys	9.0 m / 3 storeys
Front Yard	1.5 m	1.5 m
Side Yard (south)	4.0 m	4.0 m
Side Yard (north)	4.0 m	4.0 m
Rear Yard	7.5 m	7.5 m
Other Regulations		
Minimum Parking Requirements	40 stalls	40 stalls plus 6 visitor stalls
Private Open Space	25 m ² per unit (500m ²)	>25 m ² per unit (522m ²)
Setback to Parking (rear)	1.5 m	0.0 m ❶
❶ Indicates a requested variance to reduce the rear yard setback to parking from 1.5m required to 0.0m proposed.		

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.

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 Permit(s).
- 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 Hoarding permit may be required and protection of the public from the staging area and the new building area during construction. Location of the staging area and location of any cranes should be established at time of DP.
- 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):
- Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
- Spatial calculation should be provided for the building face adjacent to the property line.
- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application. Minimum building elevations are required to be established prior to the release of the Development Permit. If a soil removal or deposit permit is required, this must be provided at time of Development Permit application.
- We strongly recommend that the developer have his professional consultants review and prepare solutions for potential impact of this development on adjacent properties. Any damage to adjacent properties is a civil action which does not involve the city directly. The items of potential damage claims by adjacent properties are items like settlement of foundations (preload), damage to the structure during construction, additional snow drift on neighbour roofs, excessive noise from mechanical units, vibration damage during foundation preparation work etc.
- Fire resistance ratings are required for units, garages and/or garbage enclosure room(s). The drawings submitted for building permit is to clearly identify how this rating will be achieved and where these area(s) are located.

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

- Size and location of all signage to be clearly defined as part of the development permit. This should include the signage required for the building addressing to be defined on the drawings per the bylaws on the permit application drawings.
- 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 at time of permit application.

6.2 Development Engineering Department

Please see attached Schedule "A" dated January 18, 2017.

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. New hydrants on this property shall be operational prior to the start of construction and shall be deemed a private hydrant.
- All buildings shall be addressed off of the street it is accessed from. One main address off of Findlay access for the complex and unit numbers for the strata.
- Fire Department access is to be met as per BCBC 3.2.5. if the road is over 90 metres long, a turn-around facility shall be constructed.
- If this is a gated complex, an approved Fire Department steel lock box acceptable to the fire dept. is required by the fire department entrance and shall be flush mounted
- All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met.
- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met

6.4 FortisBC Electric

- There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Findlay 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.
- In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). It should be noted that additional land rights issues may arise from the design process but can be dealt with at that time, prior to construction.

6.5 Ministry of Transportation

- Preliminary Approval is granted for the rezoning for one year pursuant to Section 52(3)(a) of the Transportation Act.

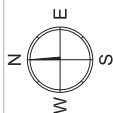
7.0 Application Chronology

Date of Application Received: November 16
Date Public Consultation Completed: March 3, 2017
Date of Revised Plans Received: May 30, 2017

Report prepared by: Trisa Brandt, Planner
Reviewed by: Terry Barton, Urban Planning Manager
Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Site Plan
Floor Plans
Conceptual Elevations
Landscape Plan
Schedule "A" from Development Engineering dated January 18, 2017



No.	Date	Description
3	2017.05.-	Refused for DP (Per Planner Comments)
2	2017.03.28	Refused for DP
1	2016.11.15	Issued for DP



**ATRICK McCUSKER
ARCHITECTURE INC**

AA	MAIBC	MRAIC
430	BENVOLIN ROAD	
ELOWNA	BC V1W 4M5	
- Phone: 778-484-0223 -		
pat@pmccarch.com		

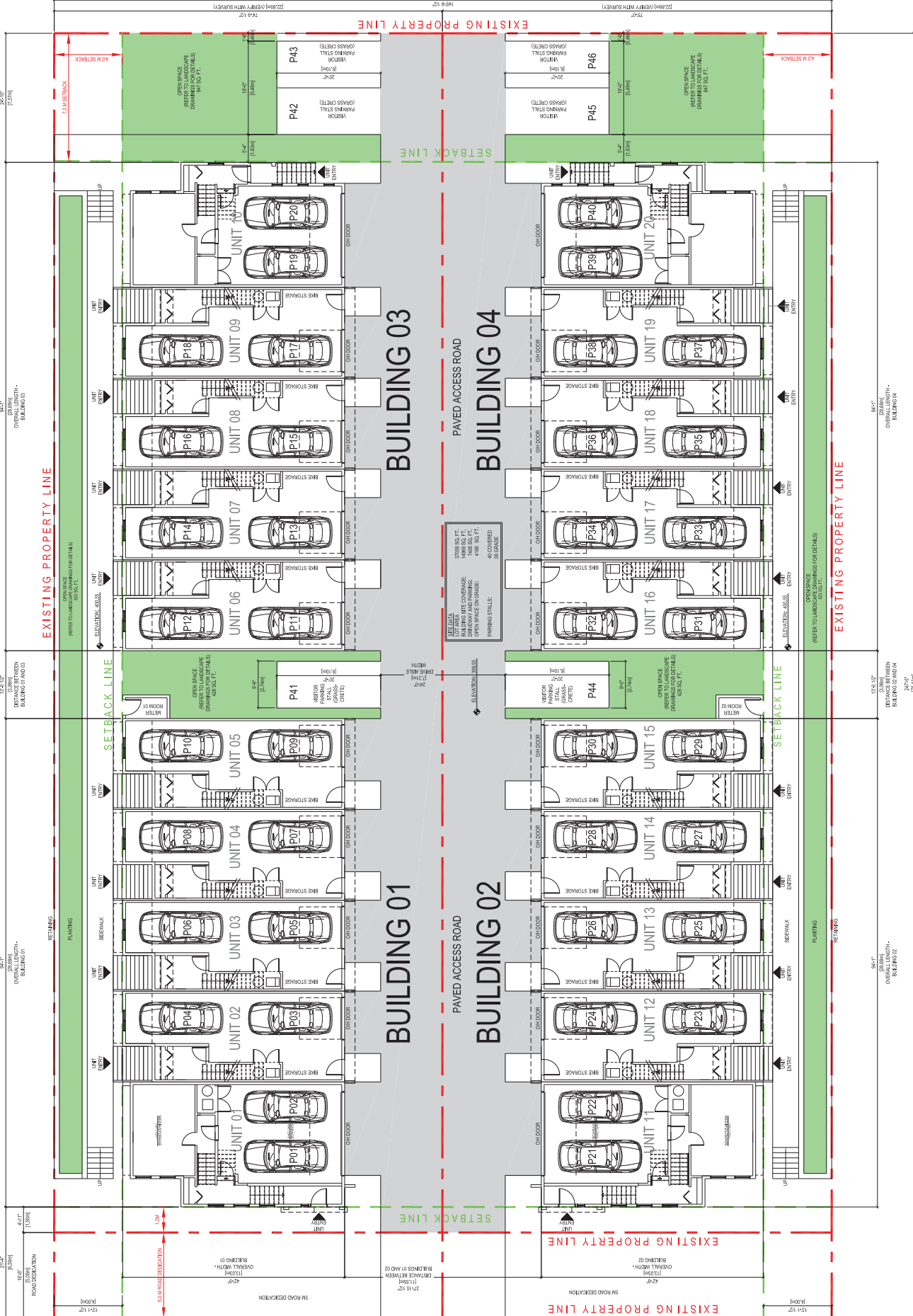
project title
FINDLAY ROAD
MULTIFAMILY

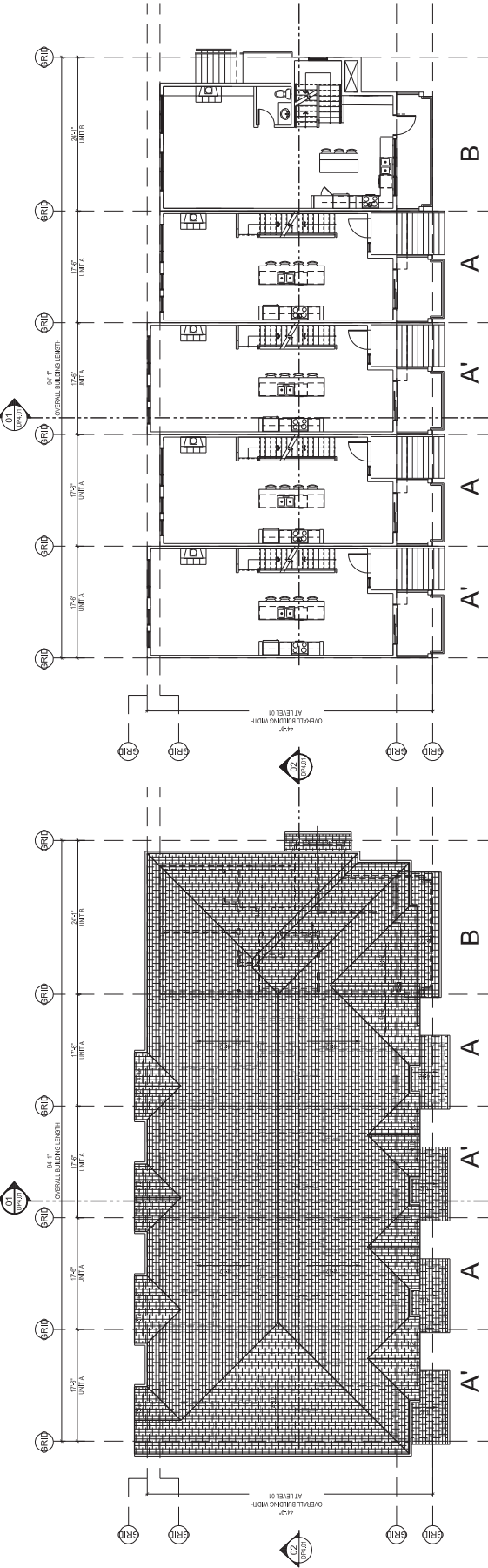
project no. 3352

SITE PLAN

analysis	scale	$1/\delta^2 = 10^4$
PMC		
JB		
PMc		

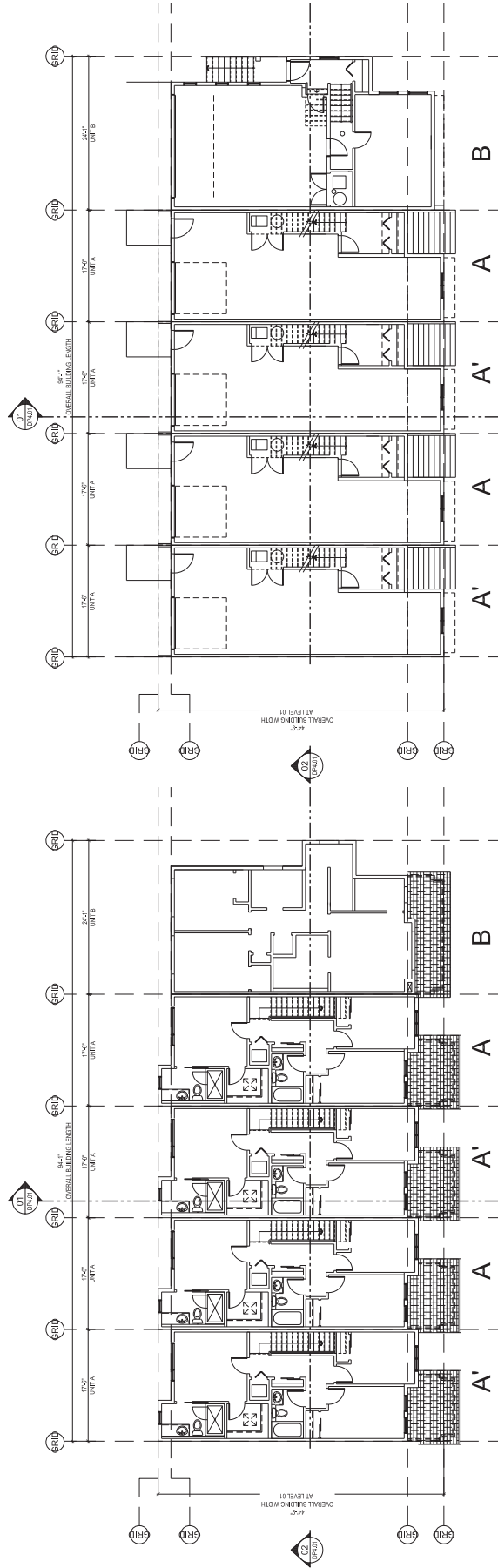
DP1.01





02 LEVEL 02 - BUILDING 03 AND 04
SCALE: 1/8" = 1'-0"

04 ROOF - BUILDING 03 AND 04
SCALE: 1/8" = 1'-0"



01 LEVEL 01 - BUILDING 03 AND 04
SCALE: 1/8" = 1'-0"

03 LEVEL 03 - BUILDING 03 AND 04
SCALE: 1/8" = 1'-0"

FOOTPRINT AREA (FOR SITE COVERAGE CALCULATIONS): 3706.5 SQ. FT.

NOTES:
1. The drawings are prepared in accordance with the requirements of the International Building Code (IBC) and the International Residential Code (IRC).
2. The drawings are prepared in accordance with the requirements of the International Building Code (IBC) and the International Residential Code (IRC).
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10. The drawings are prepared in accordance with the requirements of the International Building Code (IBC) and the International Residential Code (IRC).

Sheet

01 2017.05.30 Released to GP
02 2017.05.30 Released to GP
03 2017.05.30 Released to GP
04 2017.05.30 Released to GP
No. Date Description

Revisions

PM A

PATRICK MCKUSKER
ARCHITECTURE - INC.
AAA MAEC MRAIC
3430 BENVOLUNT ROAD
KELSO WA 98926
PHONE 779-444-3222
P@pmckusker.com
WWW.PMCKUSKER.COM

PROJECT NO.
FINDLAY ROAD
MULTIFAMILY

PROJECT NO. 3352

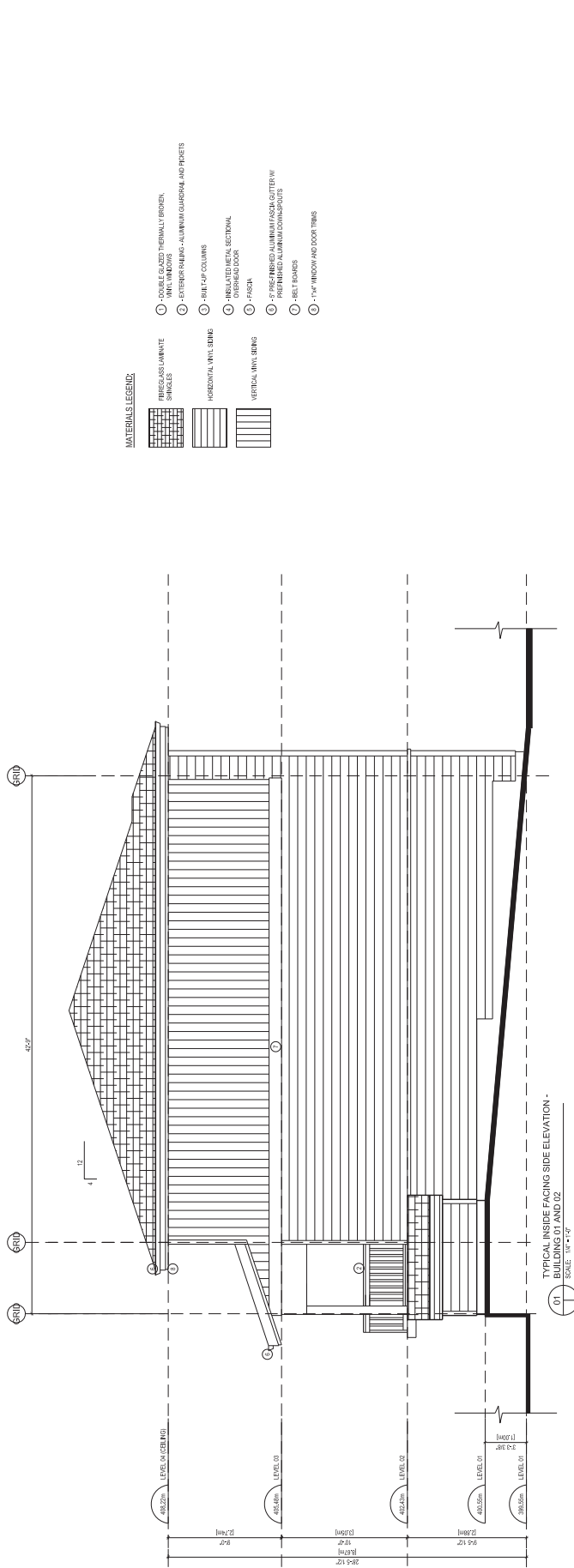
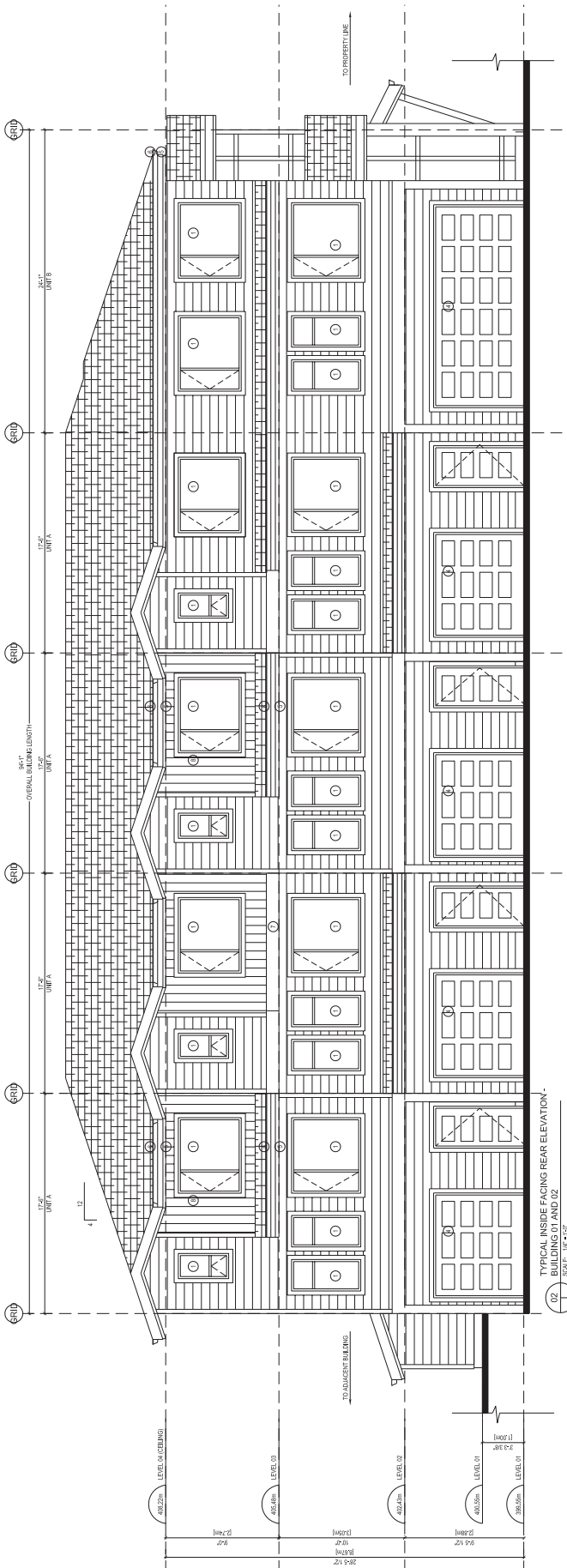
OWNER: BIR
BLOCK PLANS
BUILDING 03 AND 04

DATE	1/4" = 1'-0"
BY	JB
CHECKED	PNC
DATE	05/25/2017

DP2.02
May 25, 2017 02:55 PM

NOTES:
1. ELEVATIONS SHOWN ARE FOR THE BUILDING AS SHOWN.
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01 2017.03.30 Released for GP
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07 2017.03.30 Released for GP
08 2017.03.30 Released for GP
09 2017.03.30 Released for GP
10 2017.03.30 Released for GP

PM

A

PATRICK MCGUSKER
ARCHITECTURE INC.
AVA MAEC MRAIC
3130 BENVOLUNT ROAD
KELSO WA 98626
PHONE 360-444-3321
P.M. @ P.M.C.A.R.C.H.I.T.E.C.T.S
WWW.P.M.C.A.R.C.H.I.T.E.C.T.S

PROJECT
FINDLAY ROAD
MULTIFAMILY

PROJECT NO. 3352

OWNER SHI

ELEVATIONS
BUILDING 01 AND 02

DATE 1/4/17

BY JB

REVIEWED PNC

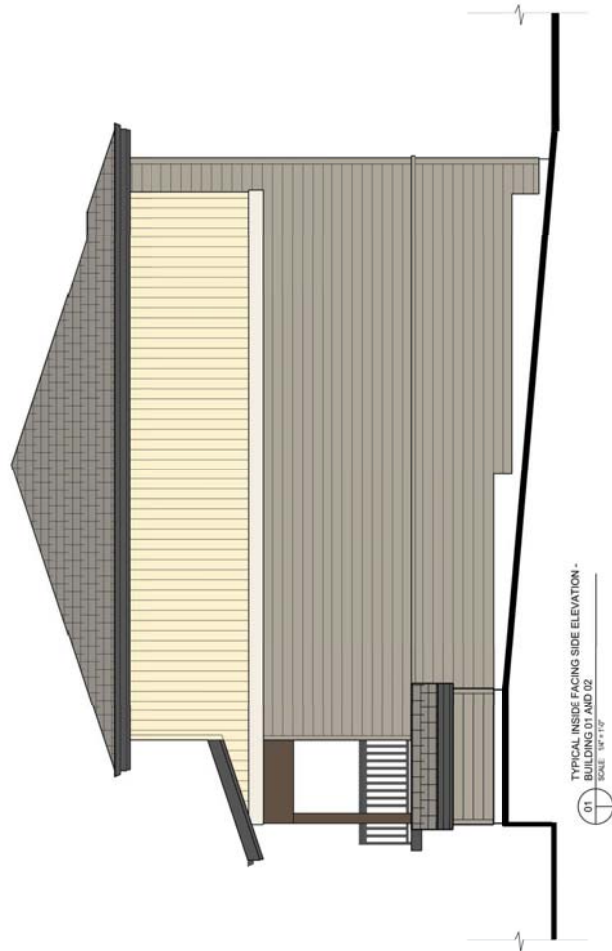
DATE 1/4/17

DP3.01
May 29, 2017 04:28 PM

96

Notes:
 1. All elevations are shown in perspective view and are not to scale.
 2. All elevations are shown in perspective view and are not to scale.
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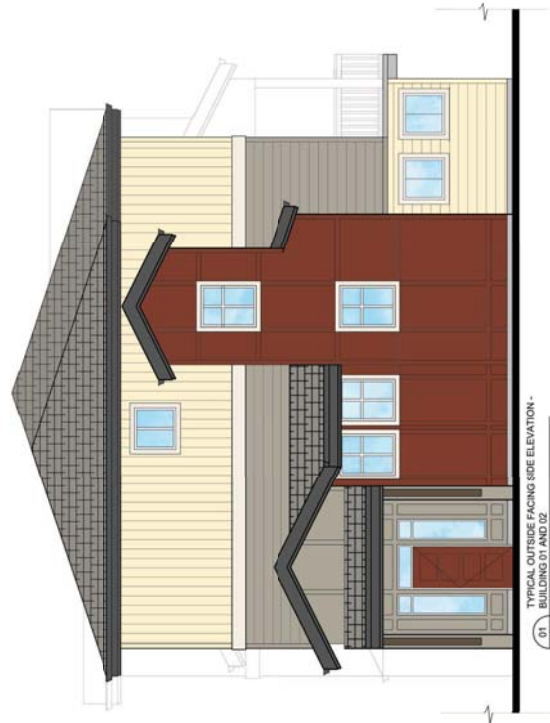
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 - 2. EXTENDED PAINTING ALUMINUM CLIP-ON GLAZING SYSTEM
 - 3. BUILT-UP COLUMNS
 - 4. INSULATED METAL SECTIONAL GLAZING DOOR
 - 5. FACIA
 - 6. 1/2\"/>
- COLOR LEGEND:**
- A. HEATHER GREY (BENJAMIN MOORE)
 - B. VINTAGE CREAM (BENJAMIN MOORE)
 - C. RED (BENJAMIN MOORE)
 - D. RED (BENJAMIN MOORE)

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 10. The drawings are the property of PM A and are not to be reproduced or used in any way without the written consent of PM A.

Sheet



02
 TYPICAL OUTSIDE FACING FRONT ELEVATION -
 BUILDING 01 AND 02
 SCALE: 1/4\"/>



01
 TYPICAL OUTSIDE FACING SIDE ELEVATION -
 BUILDING 01 AND 02
 SCALE: 1/4\"/>

03 2017.05. Reissued for GP
 02 2017.03.28 Reissued for GP
 01 2017.01.15 Reissued for GP
 04 2017.01.15 Reissued for GP
 05 2017.01.15 Reissued for GP

PM A

PATRICK M. CUSKER
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 AAA MAISC MRAIC
 444 BAYVIEW RD. #100
 SCARBOROUGH, ONT. M1S 1B5
 TEL: (416) 291-1111
 FAX: (416) 291-1112
 WWW.PATRICKMUSKER.COM

Project Name
 FINDLAY ROAD
 MULTI-FAMILY

Project No. 3352
 Drawing Title
 ELEVATIONS (COLOURED)
 BUILDING 01 AND 02

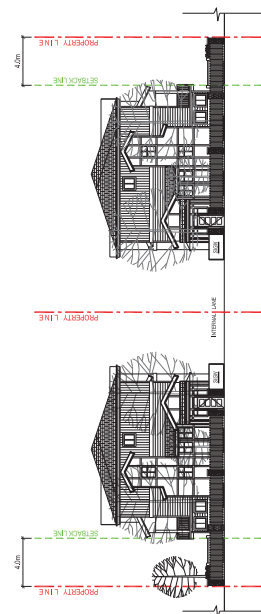
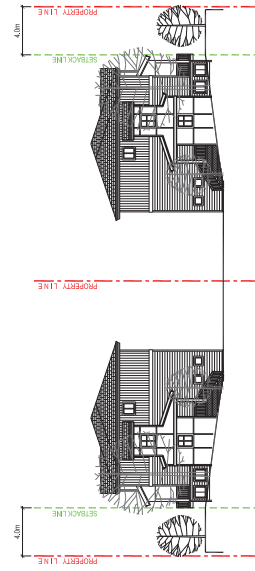
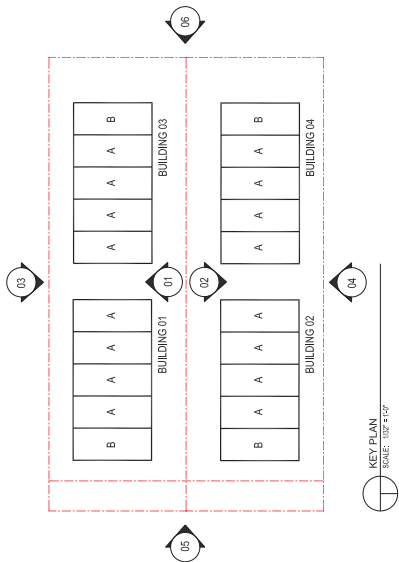
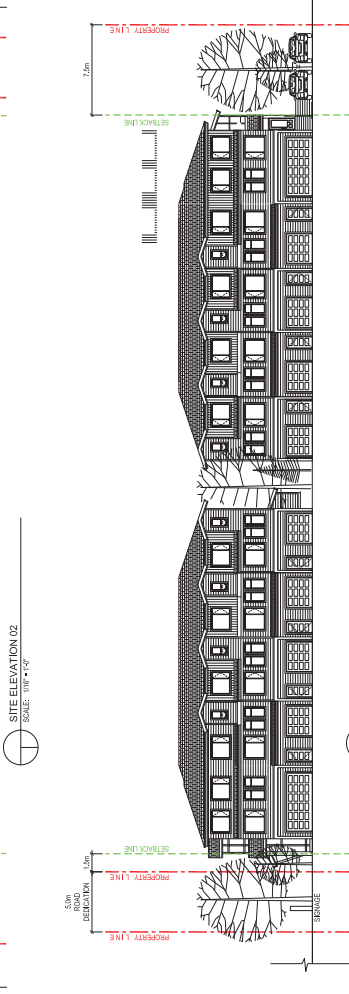
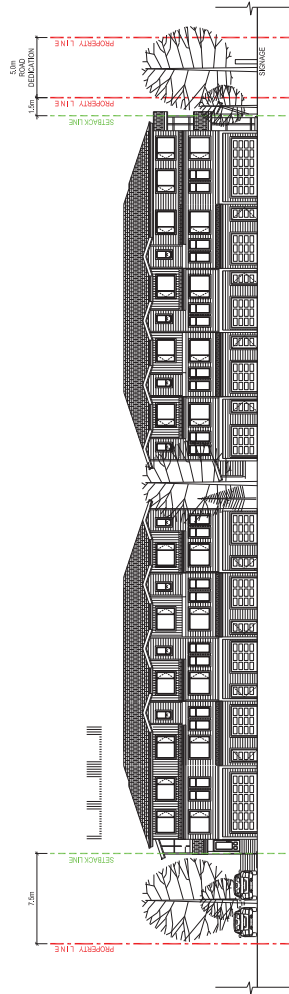
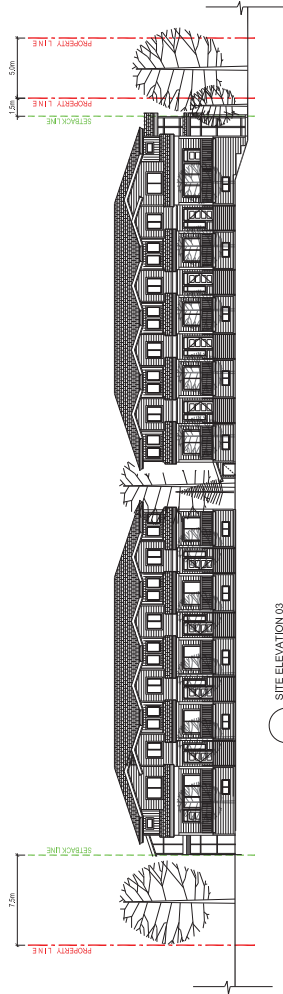
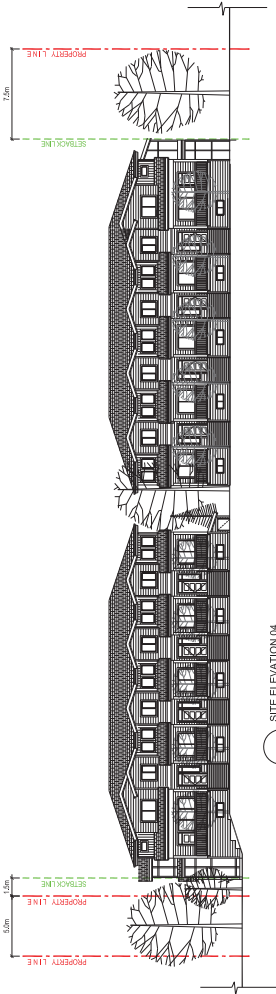
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Client	JB		
Architect	PMC		
Engineer			

DP3.12
 May 25, 2017 09:30 AM

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 - 2. EXTERIOR PAINTING - ALUMINUM CLIP-ON GLAZING SYSTEM
 - 3. BUILT-UP COLUMNS
 - 4. INSULATED METAL SECTIONAL GLAZING DOOR
 - 5. FASCIA
 - 6. 2\"/>
- COLOR LEGEND:**
- A. HEATHER GREY (BENJAMIN MOORE)
 - B. VINTAGE CREAM (BENJAMIN MOORE)
 - C. VINTAGE CREAM (BENJAMIN MOORE)
 - D. RED (BENJAMIN MOORE)

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 02 2017.03.30 Released for GP
 01 2017.03.30 Released for GP
 No. Date Description
 Revisions

PM

PATRICK MCCUSKER
 ARCHITECTURE INC.
 AXA MAREC
 3130 BENVOLIN ROAD
 K E L U A R A S E N T R A L M S
 P H O N E 778-444-0222
 P A T @ P M C A R C H . C O M
 P A T . M C C U S K E R . A R C H

PROJECT 001
FINDLAY ROAD
 MULTIFAMILY

PROJECT NO. 3352
 DRAWING 001
ELEVATIONS - SITE

DATE	11/05/17
BY	JB
CHECKED	PNC
DATE	11/05/17

DP3.21
 May 29, 2017 04:45 PM



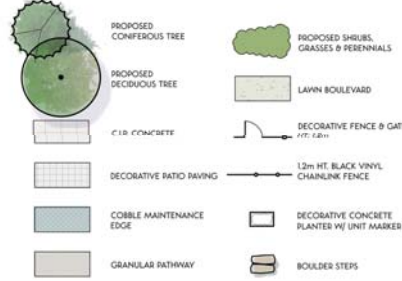
DEVELOPMENT PERMIT NOTES:

- F** PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO MINIMUM STANDARDS ESTABLISHED IN THE LATEST EDITION OF THE B.C. LANDSCAPE STANDARDS, PUBLISHED BY B.C.L.N.A. AND B.C.S.L.A. AS WELL AS THE CITY OF KELLOWAN LANDSCAPE STANDARDS IN BYLAWS 790.
- G** THE LANDSCAPE DESIGN DESIGNATED HEREIN IS CONCEPTUAL BUT REFLECTS THE MINIMUM CITY OF KELLOWAN FORM AND CHARACTER REQUIREMENTS. THE SELECTION OF FINAL PLANTING SELECTIONS MAY VARY DEPENDING UPON AVAILABILITY AT THE TIME OF CONSTRUCTION.
- H** THE PLANTING SPECIFICATIONS SHALL BE BASED ON THE FOLLOWING CRITERIA: ADEQUATE SOIL VOLUME SHALL BE PROVIDED BASED ON THE SPECIFIED TREE SPECIES AND LOCATION. ORNAMENTAL SHRUB, GERM AND PERENNIAL CLUSTERS ARE TO BE PLACED WITHIN DEFINED PLANTING AREAS. PLANTING AREAS SHALL BE 150mm (6") MINIMUM DEPTH AND 150mm (6") MINIMUM WIDTH (25mm (1") OF COMPOSTED MULCH OR APPROVED EQUIV.)
- I** DECORATIVE ROCK AREAS SHALL HAVE A MIN. OF 75mm (3") OF 20mm DIA. DECORATIVE ROUND GRAVEL. DECORATIVE ROCK AREAS SHALL BE 150mm (6") MINIMUM DEPTH AND 150mm (6") MINIMUM WIDTH.
- J** LANDSCAPE FABRIC SHALL BE NILEX 450 OR APPROVED EQUIV.
- K** TURF AREAS SHALL BE LOW WATER USAGE 10 PERMANENT SOIL WITH A MIN. OF 150mm (6")
- L** A HIGH EFFICIENCY IRRIGATION SYSTEM SHALL BE INSTALLED FOR ALL ORNAMENTAL LANDSCAPE AREAS AND SHALL CONFORM TO THE CITY OF KELLOWAN IRRIGATION STANDARDS IN BYLAWS 790.

PLANT LIST:

[illegible]

LEGEND



NOT FOR CONSTRUCTION



DISPATCHED BY: THE GENERAL INVESTIGATIVE DIVISION OF THE NEW YORK STATE DEPARTMENT OF SOCIAL SERVICES AND JUDICIAL SERVICES TO THE COUNTY OF WESTCHESTER

REVISIONS / ISSUES	
6	DEC 8 11:18 AM RE-ISSUED FOR DP
5	SEP 27 10:10 AM ISSUED FOR DP
4	AUG 17 12:18 PM ISSUED FOR REVIEW
3	AUG 17 6:16 PM ISSUED FOR REVIEW
2	AUG 16 8:16 AM ISSUED FOR REVIEW
1	AUG 17 2:10 PM ISSUED FOR REVIEW
NO.	DATE DESCRIPTION



BENCH
SITE DESIGN
1288 Wilts Street, Melbourne VIC 3006
03 9412 1234

CLIENT:

0725353 BC LTD
KELOWNA, B.C.

PROJECT:

1297 FINDLAY ROAD
KELOWNA, B.C.

SHEET TITLE
LANDS
PLAN

DESIGN BY	SD
DRAWN BY	SD
CHECKED BY	SN
PROJECT NO.	16-024
SCALE	1:125

12-00000

L-1



CITY OF KELOWNA

MEMORANDUM

Date: January 18, 2017
File No.: Z16-0083
To: Urban Planning Management (TB)
From: Development Engineering Manager (SM)
Subject: 1287 and 1297 Findlay Road RU1 to RM3

The Development Engineering Department has the following comments and requirements associated with this rezoning application for the properties at 1287 and 1297 Findlay Road to accommodate development of a 20-unit townhome complex. The road and utility upgrading requirements outlined in this report will be requirements of this development.

The Development Engineering Technologist for this project is Jason Ough

1. **General**

These Development Engineering comments and requirements are subject to review and or revision for approval by the Ministry of Transportation (MOTI) Infrastructure.

2. **Domestic Water and Fire Protection**

- a) This development is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with the BMID for these items. All charges for service connection and upgrading costs, as well as any costs to decommission existing services are to be paid directly to BMID.
- b) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures.

3. **Sanitary Sewer**

- a) The subject property is currently within the sanitary Sewer Specified Area # 20 and is serviced by the municipal sanitary sewer collection system. The developer will be responsible to cash commute the specified area charges for this development. The charge is currently set at \$ 2,458.33 per Equivalent Dwelling Unit (EDU). The total charge is \$24,583.30 (20 x 0.50 = 10 EDU x \$ 2,458.33).
- b) Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. The applicant's consulting mechanical engineer will determine the requirements of the proposed development and establish the service needs. Only one service per lot will be permitted for this development. If required, the applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service at the applicants cost. Contact Jason Ough (250 469 4519) for service work estimate.

4. **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 Subdivision Development and Servicing Bylaw 7900. 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) The subject development must include the design of a piped drainage system for Findlay Road fronting the subject lots and the lane, including road improvement construction. The cost of the work is included in the road design calculations.

5. **Road Improvements**

- a) Findlay Road is identified in the 2030 OCP Transportation Servicing Plan as the future Hollywood Road active transportation corridor.
- b) Findlay 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 and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. Estimate provided as cash in lieu levy for frontage improvements.

6. **Subdivision and Dedication**

- a) The developer is required to consolidate the two subject properties.
- b) Dedicate 5m width along the full frontage of Findlay Road to match the property line north of 1297 Findlay Road.
- 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. **Development Permit and Site Related Issues**

- a) Direct the roof drains into on-site rock pits or splash pads.
- b) An MSU standard size vehicle must be able to manoeuvre onto and off the site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles movements should also be illustrated on the site plan.

8. **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.



respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.


9. Bonding and Levy Summary

a)	<u>Cash in Lieu:</u> future road improvement project	
	Storm Drainage	\$ 9,238.00
	Roadway Frontage Improvements	\$ 8,970.00
	Sidewalk	\$ 5,750.00
	Curb and gutter	\$ 4,600.00
	Boulevard Landscape	\$ 2,300.00
	Street Lighting	\$ 1,553.00
	Total frontage improvement Levy:	<u>\$ 32,411.00</u>
b)	<u>Sewer Specified Area # 20 fee:</u>	<u>\$ 24,583.30</u>

10. 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 piezometers 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.
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- (e) Additional geotechnical survey may be necessary for building foundations, etc.


Steve Muenz, P. Eng.
Development Engineering Manager

jo

REPORT TO COUNCIL



Date: June 26, 2017

RIM No. 1250-30

To: City Manager

From: Community Planning Department (MS)

Application: Z16-0086 **Owner:** Michael Hiebert
Edgar Hiebert

Address: 540 Jaginder Lane **Applicant:** Urban Options Planning

Subject: Rezoning from A1 to RR3c to facilitate a Carriage House

Existing OCP Designation: Resource Protection Area

Existing Zone: A1 – Agriculture 1

Proposed Zone: RR3c – Rural Residential 3 with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z16-0086 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of *Lot A Section 24 TWP 26 ODYD Plan 19310 Except Plan KAP88059*, located at 540 Jaginder Lane, Kelowna, BC from the A1 - Agriculture zone to the RR3c – Rural Residential 3 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 June 26, 2017;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Farm Protection Development Permit, that includes a vegetated and fenced buffer to the agricultural property to the east;

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

2.0 Purpose

To rezone the subject property to permit a carriage house in addition to the primary residence.

3.0 Community Planning

Community Planning supports the proposed rezoning due to the unique location immediately adjacent to the Hwy 33 corridor, its location not in the Agricultural Land Reserve (ALR) and its close proximity to amenities in the Rutland neighbourhood (i.e. transit, schools, and parks). Also, the small property size at 2885 m² benefits from an existing sanitary sewer connection that was installed as part of the recent Highway 33 upgrades.

4.0 Proposal

4.1 Background

The property was originally part of a larger agriculture parcel. In 1984, this parcel was subdivided from the parcel to the north, 528 Jaginder Lane. In 2009, Jaginder Lane was dedicated, and the formal access to the property transferred from Highway 33 to Jaginder Lane.

Given that the property was subdivided from the original farm, and that it's size corresponds with the size of a Rural Residential 3 zone, rezoning the parcel to a rural residential zone is appropriate.

In 1996, the current primary residence was built. At the time, the owner signed a covenant that permitted the original farmhouse to be occupied by a long time farm worker and their family.

Since 1996, the City has permitted carriage houses in the rural residential zones. In addition, when the improvements through the widening of Highway 33 and corresponding sewer occurred from 2009 through 2011, sewer connections were installed to both dwellings.

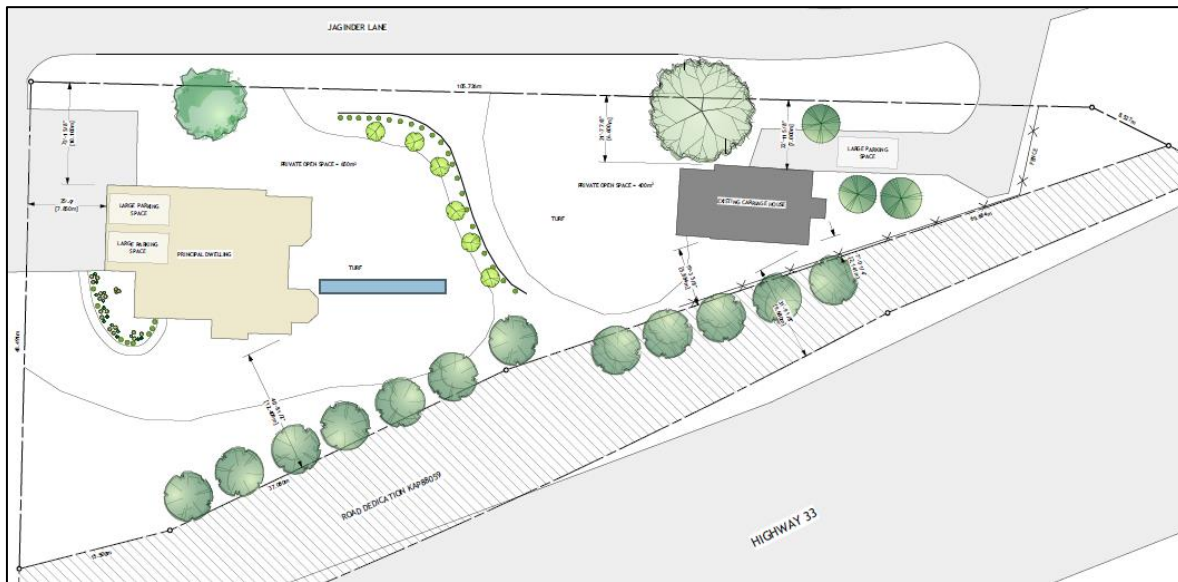
4.2 Project Description

The applicant is requesting that the property be rezoned from A1 – Agriculture 1 to RR3c – Rural Residential 3 with Carriage House, to authorize the existing old farmhouse on the property to be used as a carriage house. Two dwellings are permitted in the Rural Residential 3 with Carriage House zone. The primary residence does not have a suite. The original farmhouse conforms to the carriage house regulations.

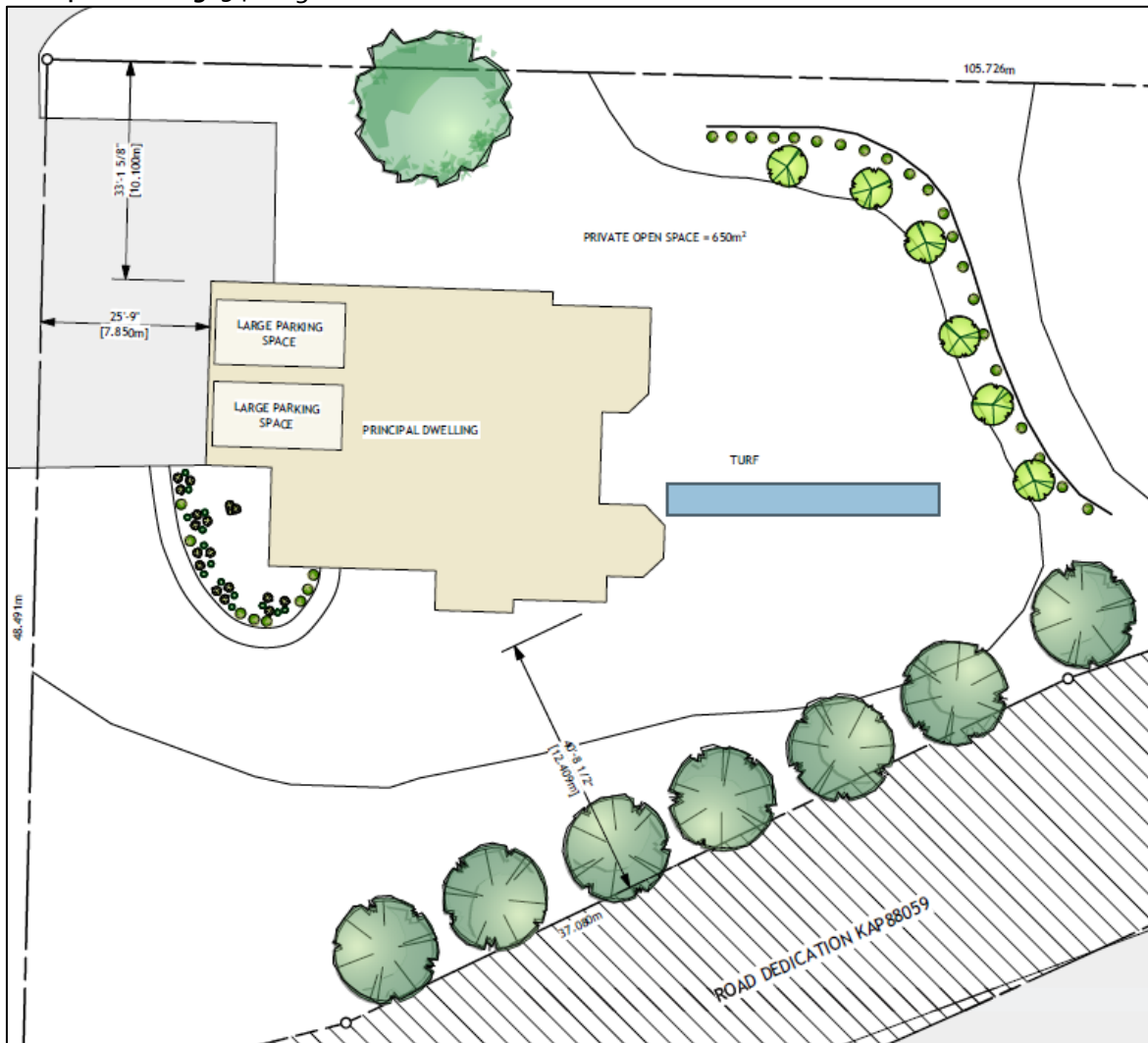
Staff are recommending two conditions prior to adoption:

- Connection of both the primary dwelling and the carriage house to sanitary sewer; and
- Issuance of a Farm Protection Development Permit, to address a vegetated buffer and fence to buffer potential agricultural/residential conflicts with the agricultural operation to the east.

Site Plan: 540 Jaginder Lane



Principal Dwelling: 540 Jaginder Lane



Proposed Carriage House: 540 Jaginder Lane



4.3 Site Context

The property lies within the Rutland Sector of the City, according to the Official Community Plan. The property is adjacent Highway 33 E, but is accessed from Jaginder Lane. It is outside the Permanent Growth Boundary, which lies on the other side of Highway 33 from the property.

The property is not within the Agricultural Land Reserve (ALR), but the ALR is adjacent to the east.

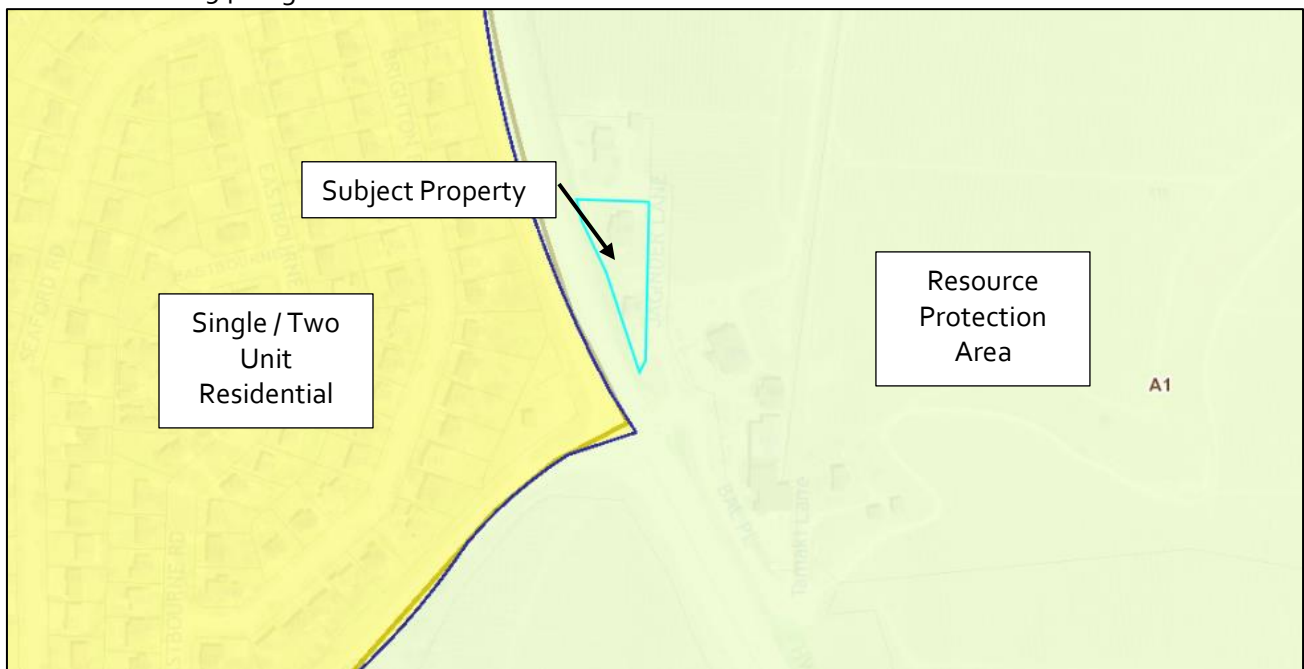
Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 – Agriculture 1	Rural Residential
East	A1 – Agriculture 1 (ALR)	Agriculture
South	A1 – Agriculture 1 (ALR)	Agriculture
West	RU1 – Large Lot Residential	Urban Residential

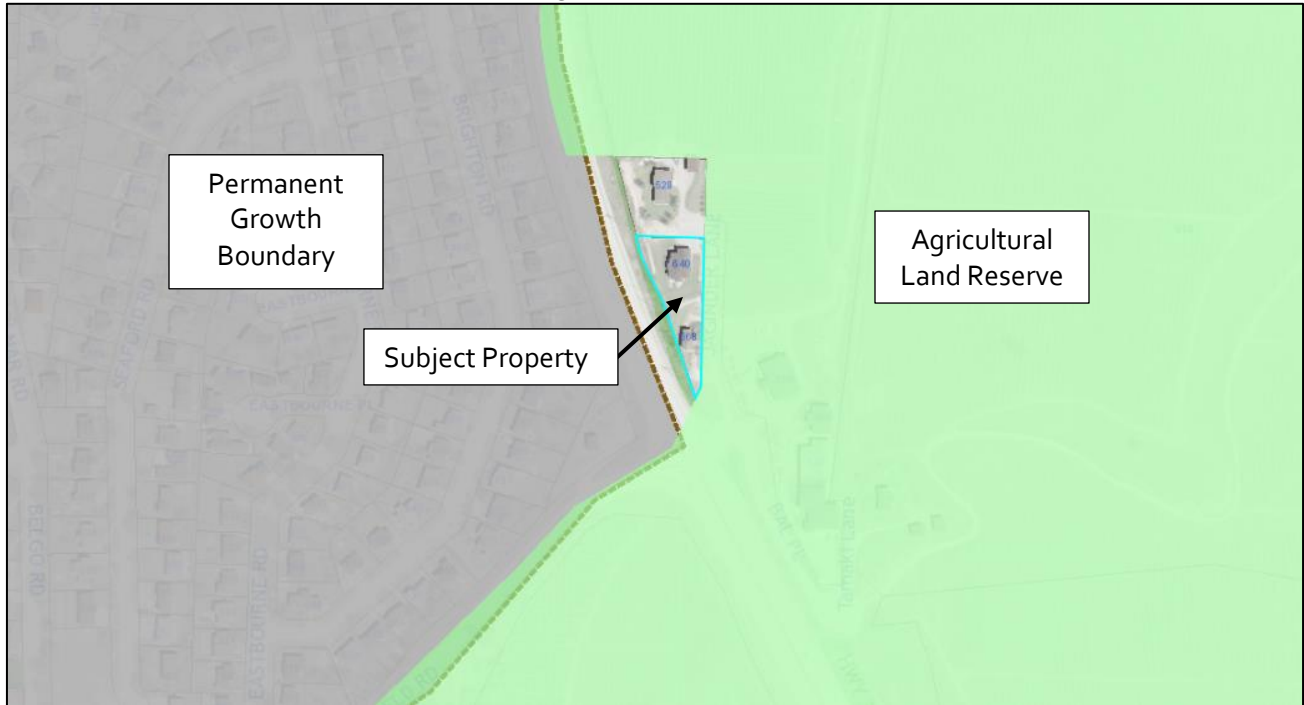
Neighbourhood Map: 540 Jaginder Lane



Future Land Use: 540 Jaginder Lane



Permanent Growth Boundary / ALR Map: 540 Jaginder Lane



Subject Property Map: 540 Jaginder Lane

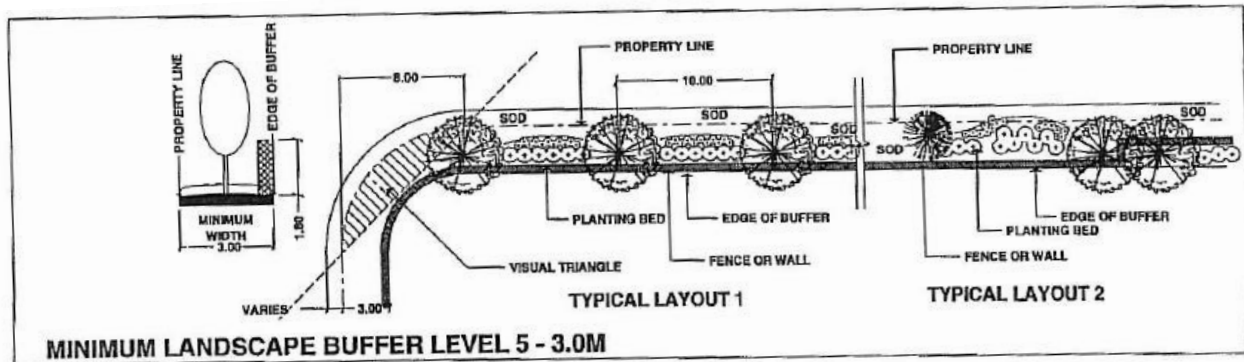


4.4 Zoning Analysis Table

Applicable zoning requirements as it relates to the subject property for the Rural Residential 3 with Carriage House zone is outlined below.

Zoning Analysis Table		
CRITERIA	RR3c ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	1660 m ²	2885 m ²
Lot Width	18 m	70 m (average)
Lot Depth	30 m	31.5 m (average)
Development Regulations – Principal Dwelling		
Height	9.5 m	7 m
Front Yard	6 m	10.1 m
Side Yard (south)	2 m	76 m
Side Yard (north)	2 m	7.85 m
Rear Yard	7.5 m	26 m (average)
Development Regulations – Carriage House ¹		
Height	4.8 m	4.8 m
Front Yard	6 m	6.6 m
Side Yard (south)	4.5 m (flanking)	38.5
Side Yard (north)	2 m	64.9 m
Rear Yard	2 m (See note ²)	2.14 m
Other Regulations		
Minimum Parking Requirements	3 stalls	2 Principal Dwelling / 1 Carriage House
Peak Height Comparison	Carriage House not to exceed	Principal 7 m / Carriage House
Private Open Space	30 m ²	Carriage House: 400m ² Principal Dwelling: 650m ²
Carriage Floor Area	75% of the principal dwelling to a maximum of 90m ²	principal dwelling: 390.9 m ² carriage house: 72m ² 18.4%
Maximum footprint of all accessory buildings	Lesser of 90m ² or 14% is permitted except when 1 storey in height then 100m ²	96.6m ² or 3.3%
¹ Per Bylaw 8000, Section 9.5b.1(c) on double fronting lots, the carriage house should be sited in accordance with the regulations for a single detached dwelling. ² Per Bylaw 8000, Section 9.5b.15 Rear yard setback for a carriage house is 2.0 metres, and also Section 1.8.1, where a property has been reduced in size due to a city or provincial road taking, the distance of the original property line will be considered.		

4.5 Landscape Buffer Treatment – Level 5 – ALR Buffer



5.0 **Development Policies**

Kelowna Official Community Plan (OCP)

Carriage Houses & Accessory Apartments¹. Support carriage houses and accessory apartments through appropriate zoning regulations.

Family Housing². 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).

Farm Protection Development Permit Objectives³.

- Protect farm land and farm operations;
- Minimize the impact of urban encroachment and land use conflicts on agricultural land; and
- Minimize conflicts created by activities designated as farm use by ALC regulation and non-farm uses within agricultural areas.

6.0 **Technical Comments**

6.1 Development Engineering Department

- Refer to Attachment 'A'.

6.2 Fire Department

The Fire Department has no issues with the zoning application. We note that:

- the requirements of Section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met; and
- all units shall have a posted address on Javinder Lane for emergency services.

¹ City of Kelowna Official Community Plan, Policy 5.22.12 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.22.13 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Chapter 15 (Farm Protection Development Permit Chapter).

6.3 Black Mountain Irrigation District

This re-zoning application will not affect the BMID system as the structures and services are in place. Our record drawings show 3 domestic services to the property and our model has 2 SFU already at this location. Nothing will change in terms of water supply if the re-zoning is approved.

The only concern is that there are no hydrants in this area and current water supply is through a 50 mm diam. main on Springfield Road. This issue was identified when analyzing the system capacity for 700 Hwy 33 East. However, this is an issue with the existing system that is not changing due to the proposed re-zoning.

6.4 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.

7.0 **Application Chronology**

Date of Application Received:	December 12, 2016
Date Public Consultation Completed:	February 22, 2017
Date Circulation Comments Completed:	March 6, 2017
Agricultural Advisory Committee	June 8, 2017

Moved by Tarsem Goraya/Seconded by Pete Spencer

THAT the Agricultural Advisory Committee recommends that Council support Rezoning Application No. Z16-0086 for the property located at 540 Jaginder Lane, Kelowna, BC in order to rezone the subject property to permit a carriage house, in addition to the primary residence, adjacent to the farm operation in the Agricultural Land Reserve.

Carried

Report prepared by:	Melanie Steppuhn, Land Use 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:

Development Engineering Services Memo
Site Plan
Site Photos

CITY OF KELOWNA

MEMORANDUM

Date: January 18, 2017
File No.: Z16-0086
To: Suburban and Rural Planning (MS)
From: Development Engineering Manager (SM)
Subject: 540 Jaginder Lane

The Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to A1c (carriage) are as follows:

1. General

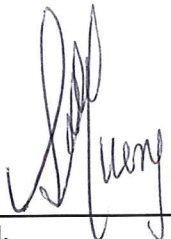
- a) Provide easements as required.
- b) This application does not trigger any offsite improvements.

2. Domestic water and fire protection.

This development is within the service area of the Black Mountain Irrigation District (BMID). All the fees and charges are to be paid directly to BMID.

3. Sanitary Sewer.

The subject property is located within the Local Area Service (LAS) #1. This application does not trigger any Specified Area charges.



Steve Muenz, P.Eng.
Development Engineering Manager

jo



THESE DRAWINGS ARE THE EXCLUSIVE PROPERTY OF IHS
DESIGN AND MAY NOT BE REPRODUCED OR USED WITHOUT
EXPRESSED WRITTEN PERMISSION FROM THE SAME.



PROJECT

RESIDENTIAL DEVELOPMENT

540 JAGINDER LANE

KELOWNA, BC V1X 8E9

LOT A PLAN KAP19310

DATE DECEMBER 5, 2016

DRAWING NUMBER	
1	of
1	



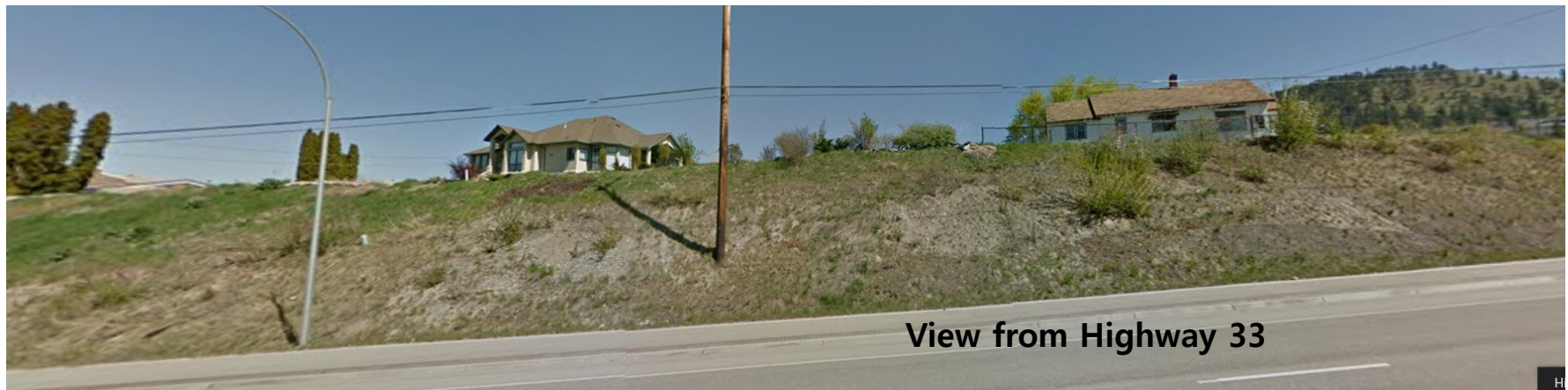


View from Jaginder lane

540 Jaginder Lane, Kelowna Site Context



View looking south on property



View from Highway 33



Front



Rear

Existing farm house (carriage house) elevations



West



East



Principal Dwelling Elevations



REPORT TO COUNCIL



Date: June 26, 2017

RIM No. 1250-30

To: City Manager

From: Community Planning Department (EW)

Application: Z17-0031

Owners: Lindsay Smith Gibson &
Meghan Tenille Wise

Address: 454 Glenwood Ave

Applicant: Lindsay Gibson

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. 17-0031 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Parcel A (DD 143142F and Plan B6681) of Lot 3 District Lot 14 ODYD Plan 3910, located at 454 Glenwood Ave, 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.

2.0 Purpose

To rezone 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. Rezoning the subject property to add the 'c' designation meets several City policy objectives including fostering a mix of housing forms and concentrating growth with the Permanent Growth Boundary. The proposed rezoning is also consistent with the property's future land use designation and there are a number of properties in the neighbourhood currently zoned RU1c.

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

4.0 Proposal

4.1 Project Description

The applicant is proposing a single storey, two-bedroom carriage house in the northwest corner of the lot. The property has no rear lane and access to the proposed carriage house will be through the existing driveway along the west side of the property. Three parking spaces are provided and no variances are anticipated. As the property is within the Abbott Street Heritage Conservation Area, an issued Heritage Alternation Permit will be required prior to Building Permit. The applicant's development proposal and the proposed plans are attached for review.



Figure 1. Conceptual Rendering of Proposed Single Storey Carriage House.

4.2 Site Context

The parcel is located in the Central City sector, within the Permanent Growth Boundary and the Abbott Street Heritage Conservation Area. The subject property is 809 m².

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	RU6B – Two Dwelling Housing with Boarding/ Lodging House	Residential

Subject Property Map: 454 Glenwood Ave



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1C ZONE REQUIREMENTS	PROPOSAL
Existing Lot		
Minimum Lot Area	550m ²	809m ²
Minimum Lot Width	16.5m	16.76m
Minimum Lot Depth	30.0m	47.95m
Development Regulations		
Max. Site Coverage (buildings)	40%	21.6%
Max. Site Coverage (buildings, driveways, and parking)	50%	40%
Single Storey Carriage House Regulations		
Max. Accessory Site Coverage	20%	9.2%
Max. Accessory Building Footprint	130m ²	74.3m ²
Max. Net Floor Area	100m ²	74.3m ²
Max. Net Floor Area to Principal Building	75%	37.3%
Maximum Height (to mid-point)	4.8 m	3.73m
Maximum Height (to peak)	5.09 m	4.06m
Minimum Side Yard (east)	2.0 m	7.01m
Minimum Side Yard (west)	2.0 m	2.13m
Minimum Rear Yard	2.0m	2.44m

Min. Distance to Principal Building	3.0m	11.64m
Other Regulations		
Minimum Parking Requirements	3 stalls	3 stalls
Minimum Private Open Space	30m ²	> 30m 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 neighborhood with respect to building design, height and siting.

Healthy Communities.³ Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

Carriage Houses & Accessory Apartments⁴. Support carriage houses and accessory apartments through appropriate zoning regulations.

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

6.2 Development Engineering Department

- See 'Attachment A'; memorandum dated April 27, 2017.

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).

³ City of Kelowna Official Community Plan, Policy 5.22.7 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 5.22.12 (Development Process Chapter).

6.3 Fire Department

- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- Both dwellings shall have a posted address on Glenwood Ave.
- Maintain access to both units from Glenwood Ave.

6.4 FortisBC – Electric

- There are no FortisBC Inc (Electric) primary distribution facilities adjacent to the subject property. The current structure appears to be serviced via secondary underground. Based on the preceding, the cost to extend service to the proposed carriage house will likely 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.
- Otherwise, FortisBC - Electric has no concerns with this circulation.

7.0 **Application Chronology**

Date of Application Received: March 17, 2017
Date Public Consultation Completed: May 10, 2017

Report prepared by: Emily Williamson, Planner
Reviewed by: Terry Barton, Urban Planning Manager
Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment "A" – Development Engineering Memorandum dated March 9, 2017
Attachment "B" – Applicant's Development Proposal
Attachment "C" – Proposed Carriage House Plans

CITY OF KELOWNA

MEMORANDUM

Date: April 27, 2017
File No.: Z17-0031

To: Community Planning (EW)

From: Development Engineering Manager(SM)

Subject: 454 Glenwood Ave

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.

2. Sanitary Sewer

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

3. 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. 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

SS

ATTACHMENT A

This forms part of application

Z17-0031

Planner
Initials

EW

City of
Kelowna
COMMUNITY PLANNING



March 16, 2017

ATTACHMENT B	
This forms part of application # Z17-0031	
Planner Initials	EW
City of Kelowna COMMUNITY PLANNING	

Development Proposal Rationale for 454 Glenwood Ave

We are proposing to build a 74.3 m² (800 square feet) single storey carriage house in the back left part of the property (northwest corner) at 454 Glenwood Ave. The carriage house is being built for co-owner Meghan Wise's parents as Meghan's father has a chronic health condition and requires regular access to the Kelowna General Hospital.

We feel that the proposed carriage house meets all of the objectives of the Abbott Street Heritage Conservation Area outlined in the City of Kelowna Official Community Plan. This includes: maintaining the residential and historical character of the Abbott Street Conservation Area; encouraging new development, additions and renovations to existing development which are compatible with the form and character of the existing context; and, ensuring that change to buildings and streetscapes will be undertaken in ways which offer continuity in the "sense of place" for neighbours and the broader community. Furthermore the building of a carriage house will increase urban density of Kelowna while also preserving the character of the neighbourhood.

We feel that the proposed design meets the landscape and architectural guidelines established in Chapter 16 of the City of Kelowna Official Community Plan. The building of the carriage house will not impact the established front yard setback on Glenwood Avenue. There has been a driveway at 454 Glenwood Avenue since it was built in 1950 and no changes are being made to the driveway or the front of the property. As there is no back lane access, three uncovered parking spaces have been provided on the property. The current spacing between the buildings on each side of 454 Glenwood Avenue have been retained and the minimum setbacks on the sides and rear of the property have been met.

The architectural design featured in the carriage house is similar to the principle residence, which is an early suburban bungalow. The main dwelling on the property was built in 1950 and is a single storey on a raised basement and features white stucco siding. The main floor is approximately 1.58 metres (5 feet 6 inches) above grade. The proposed carriage house is also a single-storey on grade design and will feature white stucco siding with wood accents. Although the carriage house features a sloped shed roof that is a different design than the main house, the carriage house will not be as tall as the main house. The eaves of the current house are 3.76 metres above grade, whereas the carriage house is 3.37 metres to finished grade at its lowest point, and 3.78 metres to the eaves and 4.06 metres to finished grade at its highest point, which is well below the height of the peak of the main house. Furthermore, the carriage house does not reduce or threaten the established massing of the streetscape. The carriage house will sit in the back left (northwest) corner of the lot and it will be difficult to see the carriage house from the front of the street because it is much smaller than the principle dwelling and the number of mature trees and foliage on the property.

The proposed carriage house fits with the established architectural pattern already featured in the Abbott Street Conservation Area. There are a variety of architectural designs and patterns for homes in the Abbott Street Conservation Area, and a flat roof or shed style roof is common among many of the homes built between 1950 and 1970. There are currently four principle dwellings on our block of Glenwood Avenue that feature flat roofs and are similar in

design to the proposed carriage house. Additionally, the window and door placement, shape, style, and design are similar to the principle dwelling on the property and the established architectural style in the neighbourhood.

Sight lines to the front yard and residence from the front street will remain the same, and only one mature tree from the rear of the property will be removed to build the carriage house. The rest of the historic trees on the property will remain which will preserve the visual style of the property. Due to the single-storey design of the carriage house there will not be any significant change to the casting of shadows on adjacent yards and buildings.

In conclusion, we feel that the proposed carriage house at 454 Glenwood Ave meets all of the objectives of the Abbott Street Heritage Conservation Area outlined in the City of Kelowna Official Community Plan, more specifically the landscape and architectural guidelines established in Chapter 16.

Sincerely,



Lindsay Smith Gibson

ATTACHMENT		B
This forms part of application		
# Z17-0031		
Planner Initials	EW	 City of Kelowna COMMUNITY PLANNING



2 PLY SBS ROOFING



WOOD SIDING



ARCTIC WHITE

HARDIETRIM COLOUR

STUCCO AND
FLASHING TO MATCH



ATTACHMENT C

This forms part of application

Z17-0031

Planner
Initials

EW



City of
Kelowna
COMMUNITY PLANNING

GIBSON WISE CARRIAGE HOME

454 GLENWOOD AVE.
KELOWNA, B.C.

Calder
Design Inc.

1787 Keloka Drive,
West Kelowna, BC V1Z 2Y3
Tel: 250-769-4882

DATE MAR. 13, 2017

ATTACHMENT C

This forms part of application
Z17-0031



City of
Kelowna
COMMUNITY PLANNING

Planner
Initials
MIN. SIDE
YARD SETBACK

Property Information
KID: 238547

Legal Description:
Parcel A of Lot 3, Plan KAP3910,
District Lot 14
Osoyoos Division of
Yale Land District,
(DD 143142F and Plan B6681)

Parcel Identifier Number:
010-699-511

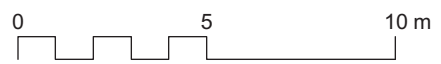
Lot Size: 0.2 Acres
804.1 m²

Site Coverage = 21.6%

EXISTING ZONING: RU 1

REQUIRED ZONING: RU 1 C

SITE AND LANDSCAPE PLAN



GIBSON WISE CARRIAGE HOME

454 GLENWOOD AVE.
KELOWNA, B.C.

Calder
Design Inc.

1787 Keloka Drive,
West Kelowna, BC, V1Z 2Y3
Tel. 250-769-4882

DATE MAR. 13, 2017

1302

remove existing
18" diameter
Douglas Fir
(note: tree has
been topped)

PROPOSED
74.3 M²
(800 SQ. FT.)
CARRIAGE
HOME

DEMOLISH
GARAGE
SHOWN
DOTTED

MIN. SIDE
YARD SETBACK
TO CARRIAGE
HOME

PRECAST PERMEABLE
PAVING UNITS

MIN. SIDE
YARD SETBACK
TO PRINCIPAL
DWELLING

LIT PATHWAY
TO CARRIAGE
HOME

ADDRESS SIGN
FOR CARRIAGE
HOME

16.76 M
existing 1650 fence

existing 2000
fence

EL. 344.2 M

2.5 x 6m
FULL
SIZE CAR

PATIO

7.62

7.01

MED. SIZE CAR

MED. SIZE CAR
4.8

LAWN

CONCRETE
BRICK
PAVERS

existing
garden
boxes

existing 1950
fence

48.01 M

47.95 M

existing asphalt
driveway

existing
deck + stairs

existing
Residence
99.6 m²

+/- 11.65

existing fence

existing asphalt
driveway

existing fence

16.76 M

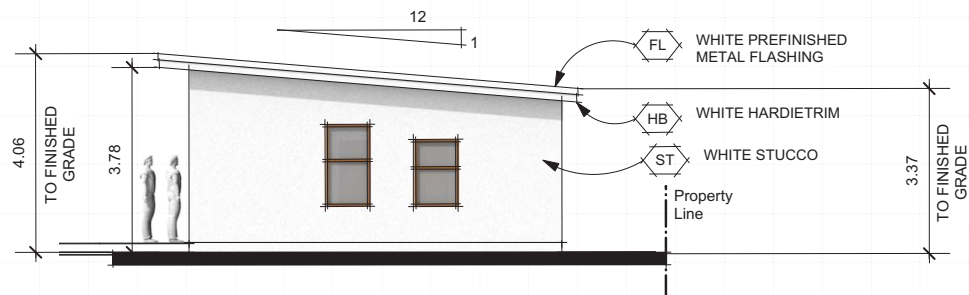
+/- 3.51

existing public sidewalk

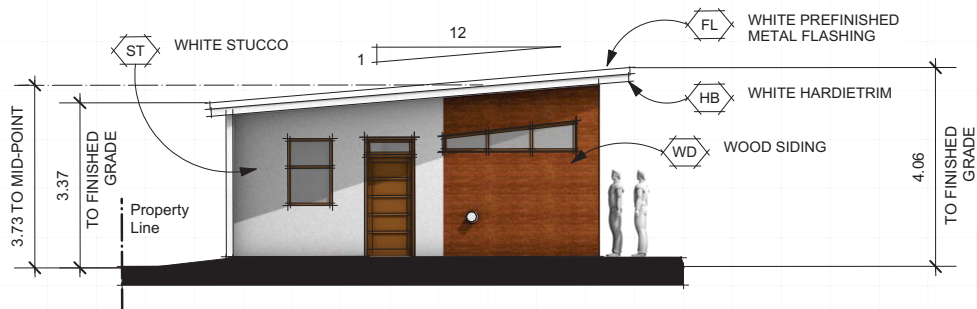
existing back of curb

existing curb cut

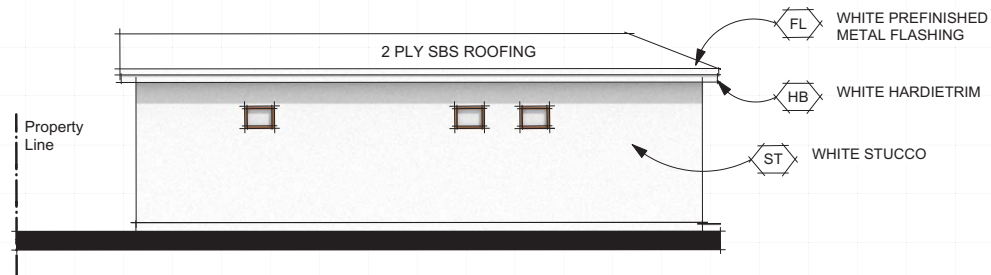
GLENWOOD AVENUE



NORTH ELEVATION



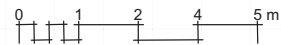
SOUTH ELEVATION



WEST ELEVATION



EAST ELEVATION



ATTACHMENT C

This forms part of application

Z17-0031

Planner
Initials

EW

City of
Kelowna
COMMUNITY PLANNING

**GIBSON WISE
CARRIAGE HOME**

454 GLENWOOD AVE.
KELOWNA, B.C.

Calder
Design Inc.

1787 Keloka Drive,
West Kelowna, BC V1Z 2Y3
Tel. 250-769-4882

DATE MAR. 13, 2017

4

REPORT TO COUNCIL



Date: June 26, 2017

RIM No. 1250-30

To: City Manager

From: Community Planning Department (LB)

Application: OCP17-0009 / Z17-0024 **Owner:** Kirschner Mountain Estates Ltd., Inc. No. 665480
Donald & Amy Kirschner

Address: 2045 Loseth Road **Applicant:** Kirschner Mountain Joint Venture
1261 Kloppenburg Road

Subject: OCP Amendment and Rezoning Application

Existing OCP Designation: S2RESH – Single / Two Unit Residential – Hillside
MRL – Multiple Unit Residential (Low Density)
PARK – Major Park / Open Space (Public)

Proposed OCP Designation: S2RESH – Single / Two Unit Residential – Hillside
MRL – Multiple Unit Residential (Low Density)
PARK – Major Park / Open Space (Public)

Existing Zone: A1 – Agriculture 1
P3 – Parks and Open Space
RU1h – Large Lot Housing (Hillside Area)
RU4h – Low Density Cluster Housing (Hillside Area)
RM3h – Low Density Multiple Housing (Hillside Area)

Proposed Zone: A1 – Agriculture 1
P3 – Parks and Open Space
RU1h – Large Lot Housing (Hillside Area)
RU4h – Low Density Cluster Housing (Hillside Area)
RM3 – Low Density Multiple Housing

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP17-0009 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of:

- portions of Lot 3 Section 13 Township 26 ODYD Plan KAP86315, located at 2045 Loseth Road, Kelowna, BC from the S2RESH – Single / Two Unit Residential – Hillside designation to the PARK – Major Park / Open Space (Public) designation, and from the PARK – Major Park / Open Space (Public) designation to the S2RESH – Single / Two Unit Residential – Hillside designation; and

- portions of Lot 2 Section 13 Township 26 ODYD Plan KAP86315, located at 1261 Kloppenburg Road, Kelowna, BC from the MRL – Multiple Unit Residential (Low Density) designation to the PARK – Major Park / Open Space (Public) designation

as shown on Map “A” attached to the Report from the Community Planning Department dated June 19, 2017 be considered by Council;

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

AND THAT Council considers the Public Hearing process to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*, as outlined in the Report from the Community Planning Department dated June 26, 2017;

AND THAT Rezoning Application No. Z17-0024 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of:

- portions of Lot 3 Section 13 Township 26 ODYD Plan KAP86315, located at 2045 Loseth Road, Kelowna, BC from the RU4h – Low Density Cluster Housing (Hillside Area) zone to the P3 – Parks and Open Space zone, and from the P3 – Parks and Open Space zone to the RU1h – Large Lot Housing (Hillside Area) zone; and
- portions of Lot 2 Section 13 Township 26 ODYD Plan KAP86315, located at 1261 Kloppenburg Road, Kelowna, BC from the RM3h – Low Density Multiple Housing (Hillside Area) zone to the RM3 – Low Density Multiple Housing zone, and from the A1 – Agriculture 1 zone to the P3 – Parks and Open Space zone

as shown on Map “B” attached to the Report from the Community Planning Department dated June 26, 2017, be considered by Council;

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

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

2.0 Purpose

To amend the Official Community Plan to change the Future Land Use designation and to rezone portions of the subject property to facilitate the creation of residential development parcels and park dedication.

3.0 Community Planning

Staff support the proposed OCP amendments and rezoning, consistent with the proposed subdivision of the subject site at this pre-development stage. The proposal would allow for dedication of a trail corridor, add to an existing park and open space area, facilitate a lot line adjustment, and support future development on the site.

An informal trail with an access easement granting access between properties currently runs through the centre of the site and connects to a pedestrian walkway at the end of Kloppenburg Court. A trail through the site was identified in the Kirschner Mountain Area Structure Plan (ASP) and subsequently in the City’s Linear Park Master Plan, and this proposal would see the trail dedicated to the City. This supports the intent of these plans as well as policy objectives for pedestrian connectivity through a development area.

In the east portion of the site, the applicant proposes to change approximately 500 m² of park and open space to residential to be added the existing single dwelling housing lot at 2001 Kloppenburg Court. No

further development is proposed for this area and Parks Planning staff did not have concerns with this change since it is a small piece of land between a BMID booster pump station and the pedestrian trail. The applicant proposes expanding the park and open space corridor north of the existing trail.

The RM3h – Low Density Multiple Housing (Hillside Area) zone was contemplated prior to the City adopting new hillside development guidelines and developing new residential hillside zones. Hillside development must now comply with the requirements of the Hillside Development Permit Guidelines, and the RM3h zone was since removed from the Zoning Bylaw. Furthermore, the majority of the area zoned RM3h has slopes of less than 20%. As such, staff directed the applicant to rezone from the RM3h zone to the RM3 zone. Future development would be subject to the regulations of the RM3 zone, and an Urban Design Development Permit would be required to review the proposed project against the applicable Comprehensive and Hillside Development Permit Guidelines. Development Permits for multiple family residential development would be brought forward for Council's consideration.

As part of the subdivision application, the City sent notices of the proposal to 17 nearby properties in April 2016. In this instance, staff considered this appropriate notification for the purposes of Council Policy No. 367 and did not require further notification for the OCP amendment and rezoning application.

Staff have reviewed this application and it may move forward without affecting either the City's Financial Plan or Waste Management Plan.

4.0 Proposal

4.1 Background

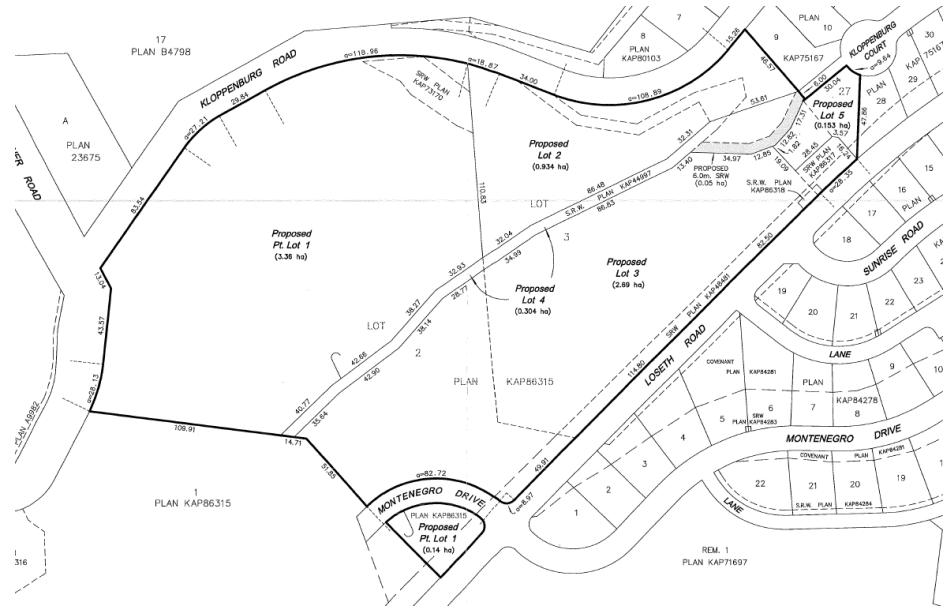
The subject site forms the northwest part of the Kirschner Mountain ASP area, endorsed by Council in 2002. The ASP expects a total of approximately 700 residential units across the entire ASP area, and identifies the subject site for single / two unit residential, multiple unit residential – low density, and major park / open space, with pedestrian links through the site.

Following preparation of the ASP, the applicant refined the development plan based on more detailed site investigations and correspondence with City staff regarding trail connections. OCP Amendment and Rezoning Bylaws adopted in 2006 and 2010 reconfigured the location of land uses on the site to better reflect the site topography, improve trail connections, and create more integrated development while maintaining the general vision of the ASP. The site is currently designated and zoned for single unit housing, single and two unit cluster housing, low density multiple unit housing, and park and open space.

4.2 Project Description

In 2016, the applicant submitted a subdivision application to create large development parcels that are better aligned with the existing residential zoning, and to dedicate a trail corridor through the centre of the site. A Preliminary Layout Review letter was issued on June 28, 2016 outlining the conditions of subdivision approval, one of which is OCP amendments and rezoning to reflect the proposed subdivision, particularly as it relates to the trail corridor.

The proposed OCP amendments and rezoning include extending the park and open space areas in the west and northeast portions of the site for the trail corridor, changing a small portion in the east to residential use to combine with an existing lot, and removing the hillside subzone from the low density multiple unit residential portion of the site. These changes align with the proposed subdivision plan shown to the right. The outcome of the OCP amendments, rezoning and subdivision would be three development parcels (two of which would be zoned RU₄h, and one of which would have a combination of A₁, P₃, RU₁h and RM₃ zoning for future development), one park parcel, and a lot line adjustment for an existing single family residential lot off Kloppenburg Court.



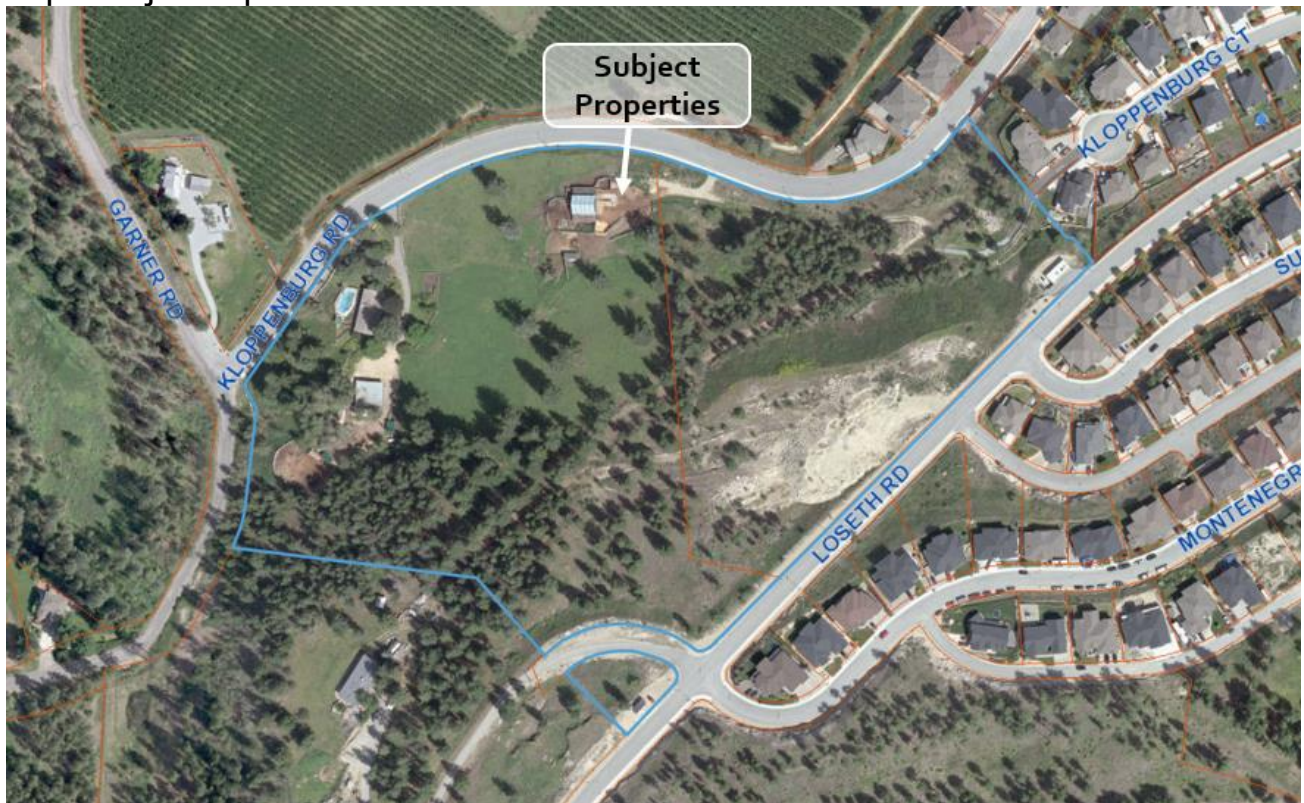
4.3 Site Context

The subject properties are located between Kloppenburg Road and Loseth Road in the City's Belgo – Black Mountain Sector. The surrounding area is characterized by single family residential neighbourhoods, vacant land / open space, and agricultural land. Future development is expected in the Kirschner Mountain area south of the subject site. Gopher Creek Linear Park is nearby, terminating north of the subject site.

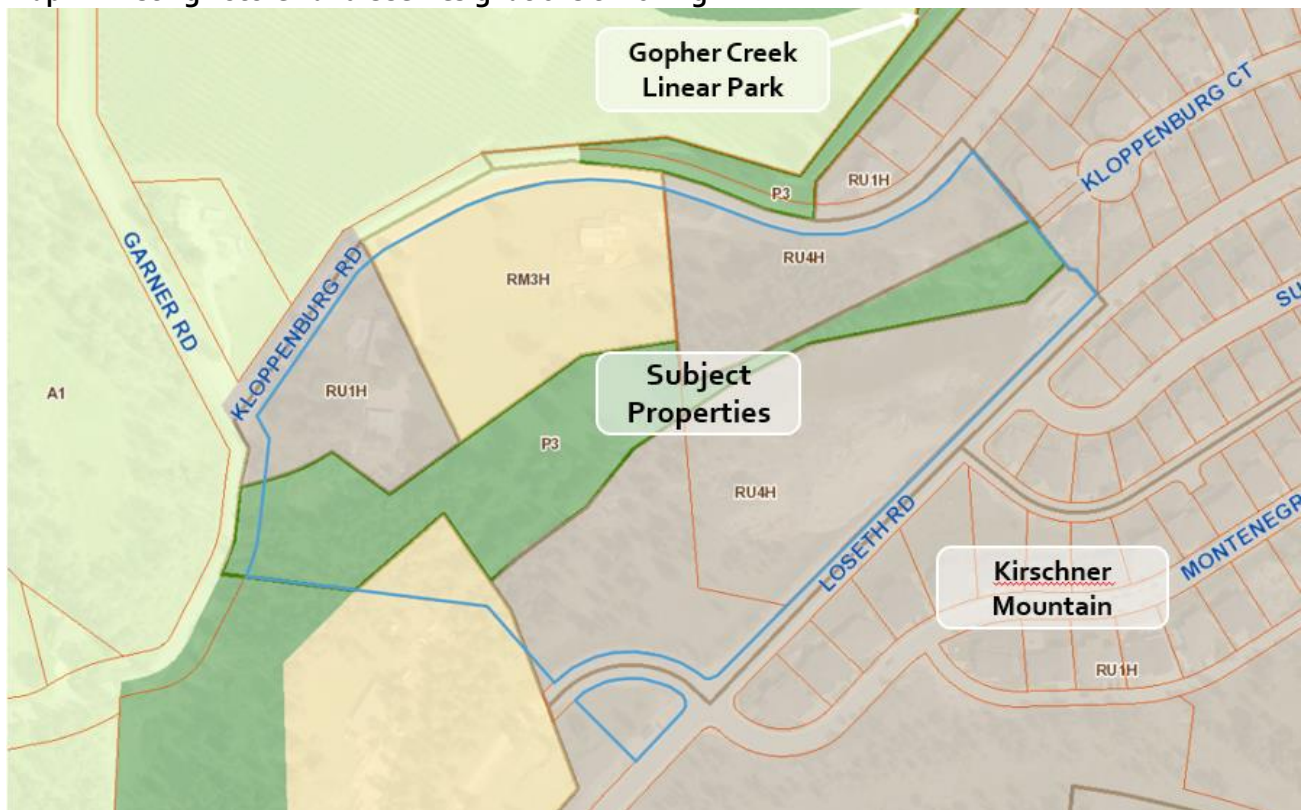
Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A ₁ – Agriculture 1 P ₃ – Parks and Open Space RU ₁ h – Large Lot Housing (Hillside Area)	Agriculture & farm residential Public park (Gopher Creek Linear Park) Single dwelling housing
East	RU ₁ h – Large Lot Housing (Hillside Area)	Single dwelling housing
South	RU ₁ h – Large Lot Housing (Hillside Area)	Single dwelling housing
West	A ₁ – Agriculture 1	Agriculture & farm residential

Map 1: Subject Properties



Map 2: Existing Future Land Use Designations & Zoning



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Policy 5.10.1 Maximize Pedestrian / Cycling Connectivity. Require that pedestrian and cyclist movement and infrastructure be addressed in the review and approval of all City and private sector developments, including provision of sidewalks and trails and recognition of frequently used connections and informal pedestrian routes. With new developments, require dedication of on-site walking and cycling paths where necessary to provide links to adjacent parks, schools, transit stops, recreation facilities, employment nodes, cul-de-sacs and large activity areas.

Policy 5.14.2 Dedication of Linear Parks. At subdivision and rezoning for all development types secure a minimum 10-metre wide linear corridor for public access as included in Table 5.1 Linear Park – Public Access and/or are shown in Map 5.9 – Linear Corridors / Paths. The 10-metre wide corridor may be in addition to, and outside, any riparian management area requirements imposed through the Environmental Development Permit (see Chapter 12) requirements of the OCP. On the private property side of the public access corridor, the City may, as necessary, consider stipulating additional “no disturb” zones. Lot line adjustments or other subdivision applications not resulting in the creation of new lots suitable for the construction of buildings permitted under the applicable zoning will be considered exempt from this policy. Linear trail corridors can have the following tenure which will be determined by staff at the time of subdivision or rezoning:

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

5.2 Kirschner Mountain Area Structure Plan (ASP)

- Active and passive open space, with significant inter-connected pedestrian access, will help create an integrated and cohesive community.
- Pedestrian links and open space will be emphasized.

6.0 Technical Comments

6.1 Development Engineering Department

- All offsite infrastructure and servicing requirements are addressed in the PLR under S16-0041.

6.2 Fire Department

- No issues with the zoning change.

6.3 Ministry of Transportation & Infrastructure

- Preliminary approval is granted for the rezoning for one year pursuant to Section 52(3)(a) of the *Transportation Act*.

6.4 Parks & Buildings Planning

- Satisfied with the proposed rezoning and OCP amendments.

7.0 Application Chronology

Date Public Consultation Completed:	April 26, 2016
Date of Preliminary Layout Review Letter Issued:	June 28, 2016
Date of Application Received:	March 14, 2017

Report prepared by: Laura Bentley, Planner II

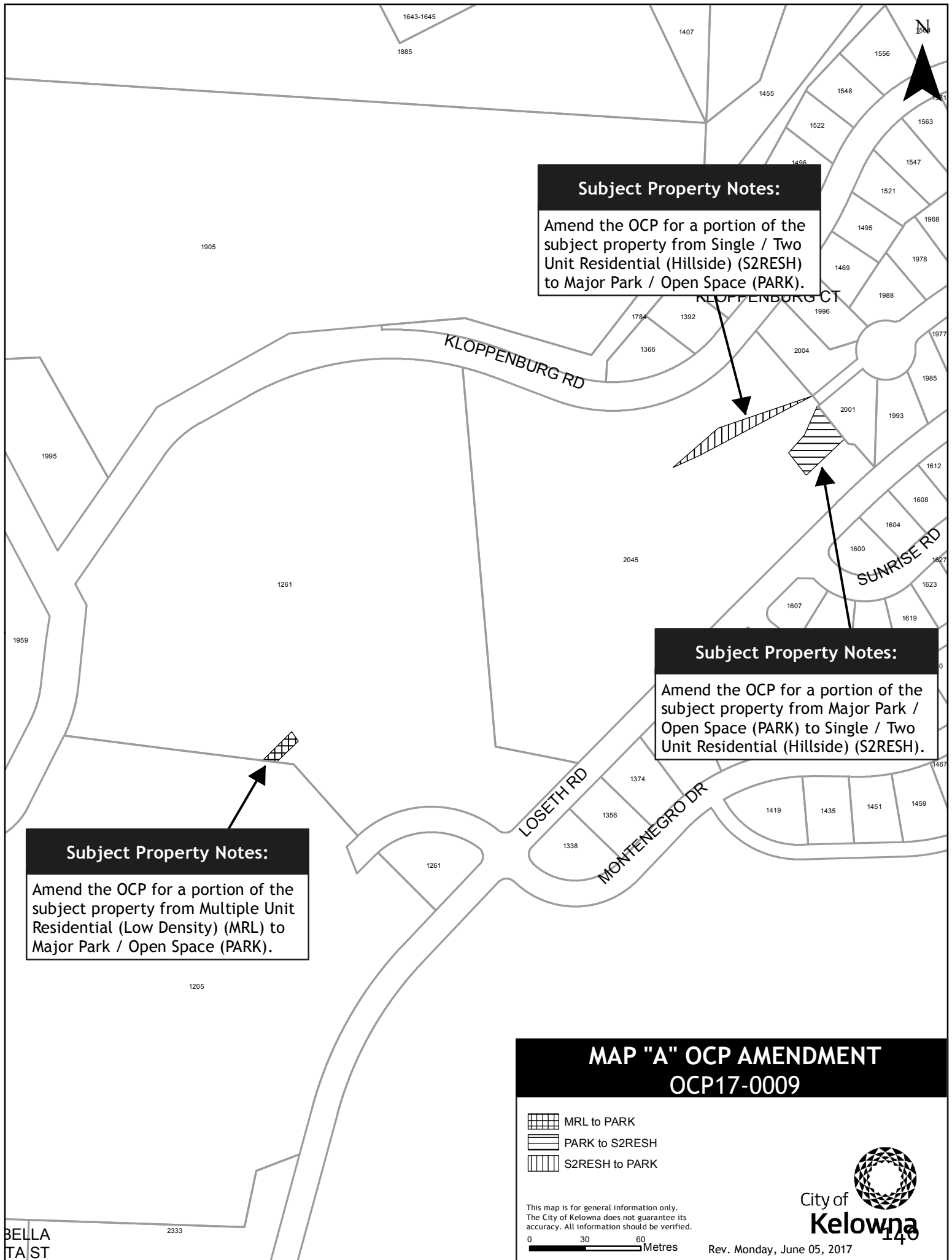
Reviewed & Approved by: Ryan Smith, Community Planning Department Manager

Attachments:

Map "A"

Map "B"

Proposed Subdivision Plan



Subject Property Notes:

Rezone a portion of the subject property from RM3h Low Density Multiple Housing (Hillside Area) to RM3 Low Density Multiple Housing.

Subject Property Notes:

Rezone a portion of the subject property from RU4h Low Density Cluster Housing (Hillside Area) to P3 Parks and Open Space.





Subject Property Notes:

Rezone a portion of the subject property from P3 Parks and Open Space to RU1h Large Lot Housing (Hillside Area).

Subject Property Notes:

Rezone a portion of the subject property from A1 Agriculture 1 to P3 Parks and Open Space.

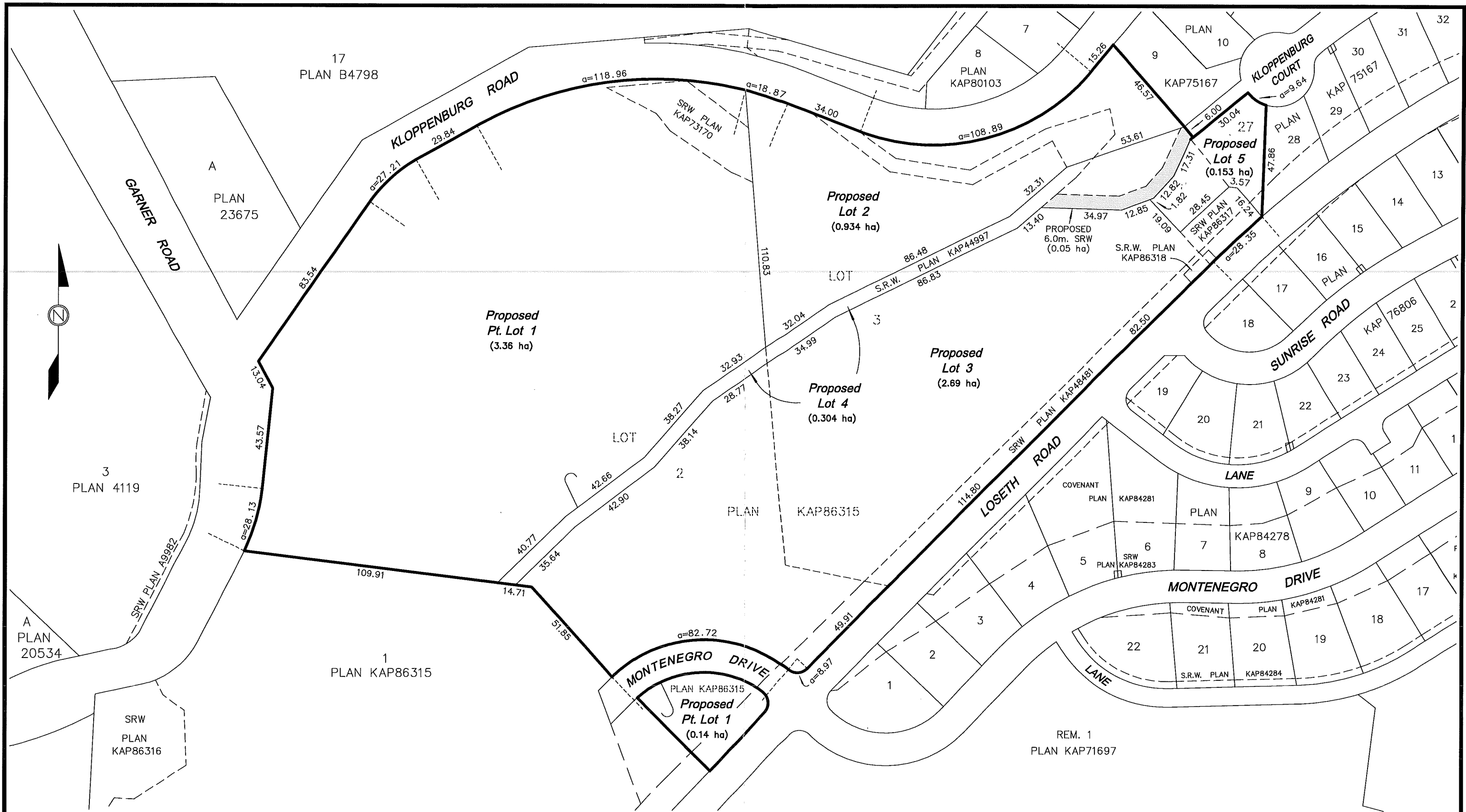
**MAP "B" PROPOSED ZONING
Z17-0024**

-  A1 to P3
-  P3 to RU1h
-  RM3h to RM3
-  RU4h to P3

This map is for general information only.
The City of Kelowna does not guarantee its
accuracy. All information should be verified.

0 30 60 Metres

Rev. Monday, June 05, 2017



TITLE: SKETCH PLAN SHOWING PROPOSED SUBDIVISION OF LOTS 2 AND 3, PLAN KAP86315 AND LOT 27, PLAN KAP75167, ALL SECTION 13, TOWNSHIP 26, O.D.Y.D.

DRAWN BY: **RUNNALLS DENBY**
british columbia land surveyors
 259A Lawrence Avenue Kelowna, B.C. V1Y 6L2
 Phone: (250)763-7322 Fax: (250)763-4413 Email: nell@runnallsdenby.com

CLIENT: **KIRSCHNER MOUNTAIN**

SCALE: 1:1500 (11"x17")
 DATE: March 3rd, 2016
 DWG: 14422 Proposed Sub 2
 FILE No.: 14422 REV. 0

REPORT TO COUNCIL



Date: June 26, 2017

RIM No. 1250-20

To: City Manager

From: Community Planning Department (LK)

Application: OCP17-0001
TA17-0002

Owner: 1104053 BC LTD

Address: 5317 Chute Lake Road

Applicant: Urban Options

Subject: Official Community Plan Amendment & Text Amendment Applications

Existing OCP Designation: PARK – Major Park/ Open Space

Proposed OCP Designation: S2RES – Single/ Two Unit Residential

Existing Zone: CD2 – Kettle Valley Comprehensive Residential Development

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP17-0001 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 20 Sections 23 and 24 Township 28 SDYD KAP74693, located at 5317 Chute Lake Road, Kelowna, BC from the PARK – Major Park – Open Space designation to the S2RES – Single/ Two Unit Residential designation, as shown on Map “A” attached to the Report from the Community Planning Department dated June 26, 2017, be considered by Council;

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

AND THAT the requirement to hold a Public Information Session prior to the Official Community Plan Map Amending Bylaw receiving first reading, in accordance with the *Local Government Act*, and the City of Kelowna’s Development Applications Procedures Bylaw No. 10540, be waived;

AND THAT Zoning Bylaw Text Amendment Application No. TA17-0002 to amend the City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Community Planning Department dated June 26, 2017 for Lot 20 Sections 23 and 24 Township 28 SDYD KAP74693, located at 5317 Chute Lake Road, Kelowna, BC be considered by Council;

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

AND THAT final adoption of the Official Community Plan Map amending Bylaw and the Zoning Bylaw Text 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 June 26, 2017.

2.0 Purpose

To amend the Official Community Plan to change the future land use designation of the subject property and to amend the Kettle Valley Comprehensive Development Zone (CD2) to facilitate a two lot residential subdivision.

3.0 Community Planning

Staff are supportive of the proposed OCP Amendment and Text Amendment application to facilitate the two lot residential subdivision of the subject property. The property was designated as private open space to act as a gateway in the original Kettle Valley Master Plan (1996). The property was damaged in the 2003 fires and the mature vegetation destroyed. Since then, minor changes to the local road system has further reduced the size of the parcel and the need for a gateway into Kettle Valley has lessened. For these reasons, together with the fact that the master developer has constructed less density than originally planned and this proposal represents a modest way to increase it, Planning is recommending the change in land use to permit the two residential lots.

Should the OCP Amendment and Text Amendment be supported by Council, the applicant will proceed with a two lot subdivision application.

Consideration has been given to the 20 Year Servicing Plan and Financing Strategy. It is deemed that this application will not trigger an impact study.

4.0 Proposal

4.1 Background

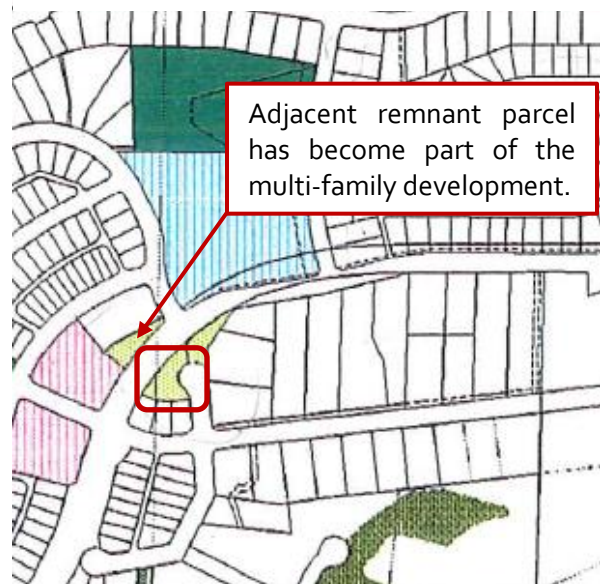
As part of the Kettle Valley Community Master Plan approvals in 1996, the subject property was designated as Private Open Space. The master plan was created to provide an overall vision for the development of the subdivision, which envisioned the community to be built and developed in a park-like setting.

Twenty years later, the Kettle Valley neighbourhood has been developed with a significant park and open space network (over 17 acres) that goes beyond the City's minimum standards due in large part to the successful



Figure 1 – Aerial of the subject parcel show the existing mature trees prior to the 2003 fires.

Figure 2 – Excerpt from Kettle Valley Parks & Open Space Master Plan (note: road alignments have been modified from this initial plan). Subject property indicated outlined in red. See Attachment C for complete map.



partnership agreements with the Kettle Valley Developer over the past two decades.

The subject parcel is a remnant lot that was never intended to be included in the City Owned parks portfolio and has remained under private ownership. As indicated in Figure 1, across the street from the subject property, a second remnant parcel existed which has since been consolidated into the existing multi-family development.

4.2 Project Description

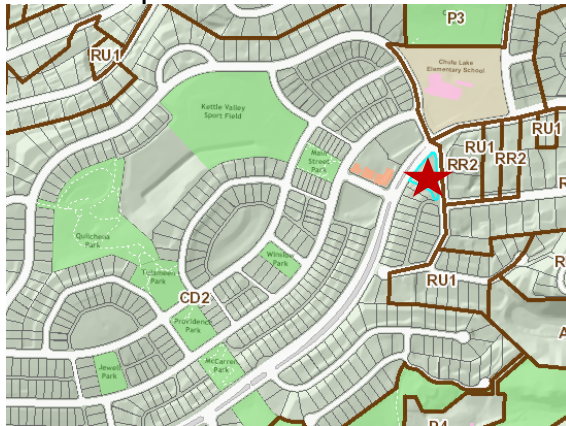
The applicant is seeking an OCP amendment and rezoning of the subject parcel to facilitate the subdivision of the land into two parcels for single dwelling housing development. The OCP would amend the future land use of the parcel from Park - Major Park to S2RES – Single/Two Unit Residential and the land use would be amended to the CD2 – Kettle Valley Comprehensive Development Zone. It would further be restricted to development under the regulations for Type III or IV - Village Park Single Family as indicated on Maps B & C attached to this report.

4.3 Site Context

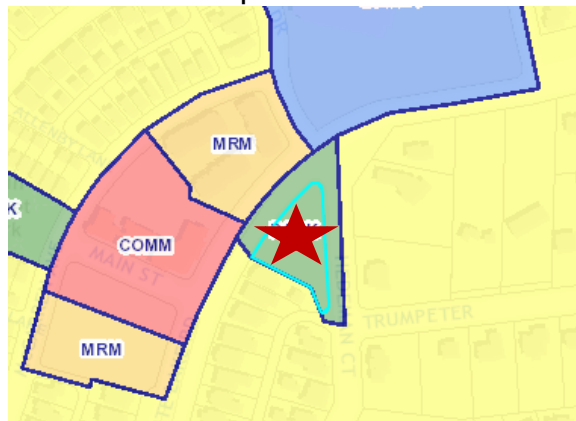
Specifically, adjacent land uses are as follows:

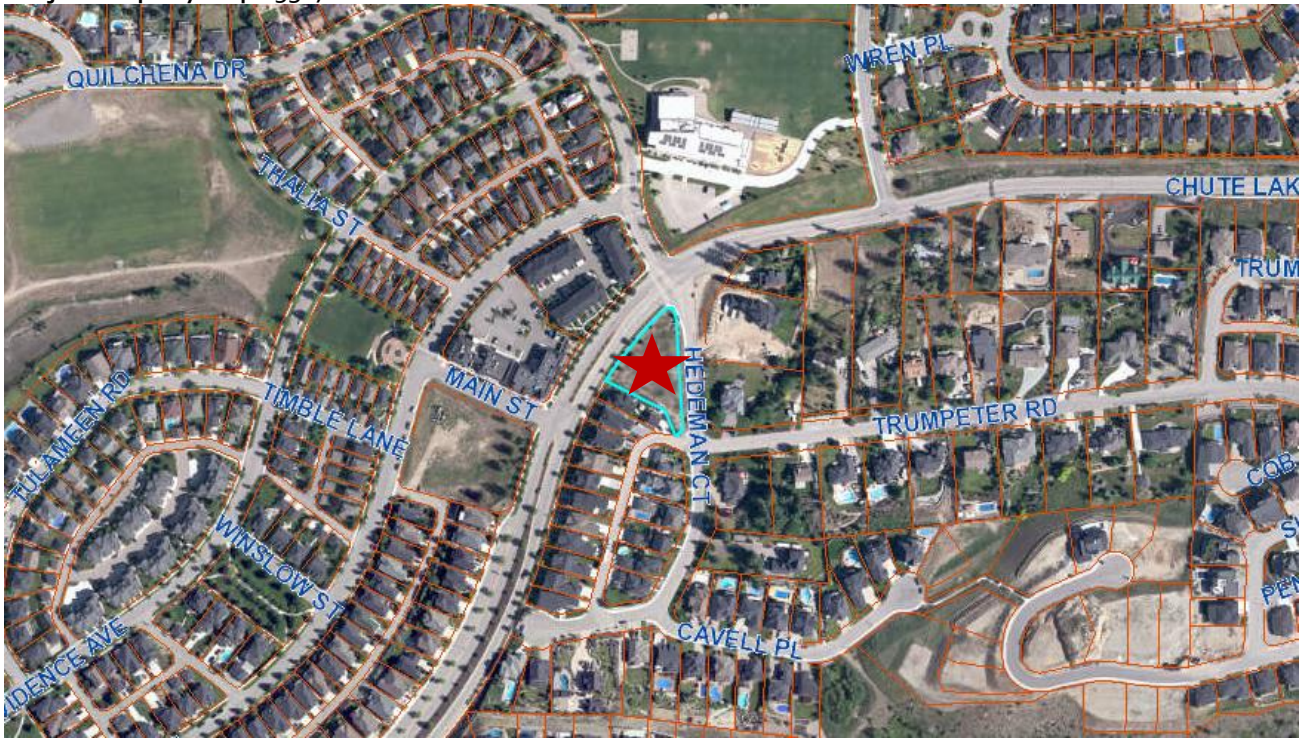
Orientation	Zoning	Land Use
North	RR1 – Rural Residential 1	Elementary School
East	RR2 – Rural Residential 2	Single Detached Dwelling
South	CD2 – Kettle Valley Comprehensive Residential Development	Single Detached Dwelling
West	CD2 – Kettle Valley Comprehensive Residential Development	Commercial Multiple Dwelling Housing

Context Map:



Future Land Use Map:



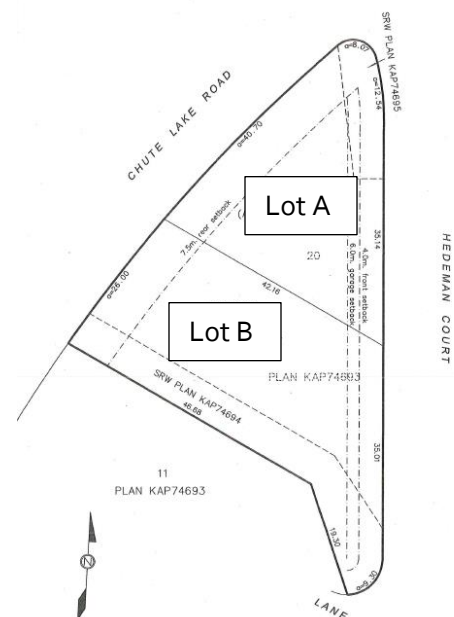
Subject Property Map: 5317 Chute Lake Road**4.4 Zoning Analysis Table**

CD2 – Kettle Valley Comprehensive Residential Development: Type III or IV

Zoning Analysis Table		
CRITERIA	CD2 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	455 m ²	Lot A: 1035 m ² Lot B: 1441 m ²
Lot Width	13 m	Lot A: 26 m Lot B: +35 m
Lot Depth	35 m	Lot A: 19.9 m Lot B: 42.16 m

4.5 Subdivision Plan

Should the OCP Amendment and Rezoning applications be supported by Council, the applicant would proceed with the Subdivision Application to facilitate the creation of two residential lots.



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.

Neighbourhood Impact.³ 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.

Evaluation Checklist.⁴ 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?

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).

³ City of Kelowna Official Community Plan, Policy 5.22.9 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 5.39.1 (Development Process Chapter).

- Could the proposed project be built at minimal (<\$) cost to the City? (This should consider operational and maintenance costs.)

Servicing Plan.⁵ The 20 Year Servicing Plan and Financing Strategy has been developed assuming that growth will occur as noted in this Official Community Plan. Development in locations or of types not anticipated in this plan may trigger a requirement for an impact study to be prepared at developer expense so that impacts on the 20 Year Servicing Plan and Financing Strategy can be identified and addressed. The impact studies, may include, but will not necessarily be limited to preparation of advance road plans that identify all vehicle, transit, cycle route, and trail linkages and provide a mix of trail, local, collector and major roads necessary to create a balanced road system on and off-site.

6.0 Technical Comments

6.1 Development Engineering Department

- Refer to Attachment A.

7.0 Application Chronology

Date of Application Received: February 1, 2017
Date Public Consultation Completed: February 23, 2017

Report prepared by: Lydia Korolchuk, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Reviewed by: Ryan Smith, Community Planning Department Manager

Approved for Inclusion: Doug Gilchrist, Divisional Director, Community Planning and Strategic Investments

Attachments:

Attachment A: Development Engineering Memorandum dated April 12, 2017

Attachment B: Subdivision Plan

Attachment C: Kettle Valley Parks and Open Space Master Plan (Excerpt)

Schedule A: OCP Amendment – Map 4.1 Generalized Future Land Use

Schedule B: Kettle Valley Proposed Regulating Plan Map

Schedule C: Type III or IV – Village Park Single Family Housing Map

⁵ City of Kelowna Official Community Plan, Policy 5.39.2 (Development Process Chapter).



CITY OF KELOWNA

MEMORANDUM

Date: April 12, 2017
File No.: OCP17-0001
To: Land Use Management Department (LK)
From: Development Engineering Manager
Subject: 5317 Chute Lake Rd Lot 20 Plan KAP74693 Park to S2RES

The Development Engineering Branch comments and requirements regarding this application for a OCP Amendment to change the future land use designation from Park to S2RES are as follows:

The Development Engineering Technologist for this project is John Filipenko. ASCT

All requirements associated with this application will be addressed in the pending subdivision application.

Steve Muenz, P. Eng.
Development Engineering Manager

JF

CITY OF KELOWNA
MEMORANDUM

ATTACHMENT A

This forms part of application

OCP17-0001

TA17-0002

Planner
Initials

LK



Date: April 12, 2017
File No.: TA17-0002
To: Land Use Management Department (LK)
From: Development Engineering Manager
Subject: 5317 Chute Lake Rd Lot 20 Plan KAP74693

The Development Engineering Branch comments and requirements regarding this application for a Text Amendment to CD2 zone to permit the development of Type III or IV Village / Park Single Family on the subject property are as follows:

The Development Engineering Technologist for this project is John Filipenko. AScT

All requirements associated with this application will be addressed in the pending subdivision application.

Steve Muenz, P. Eng.
Development Engineering Manager

JF

ATTACHMENT B

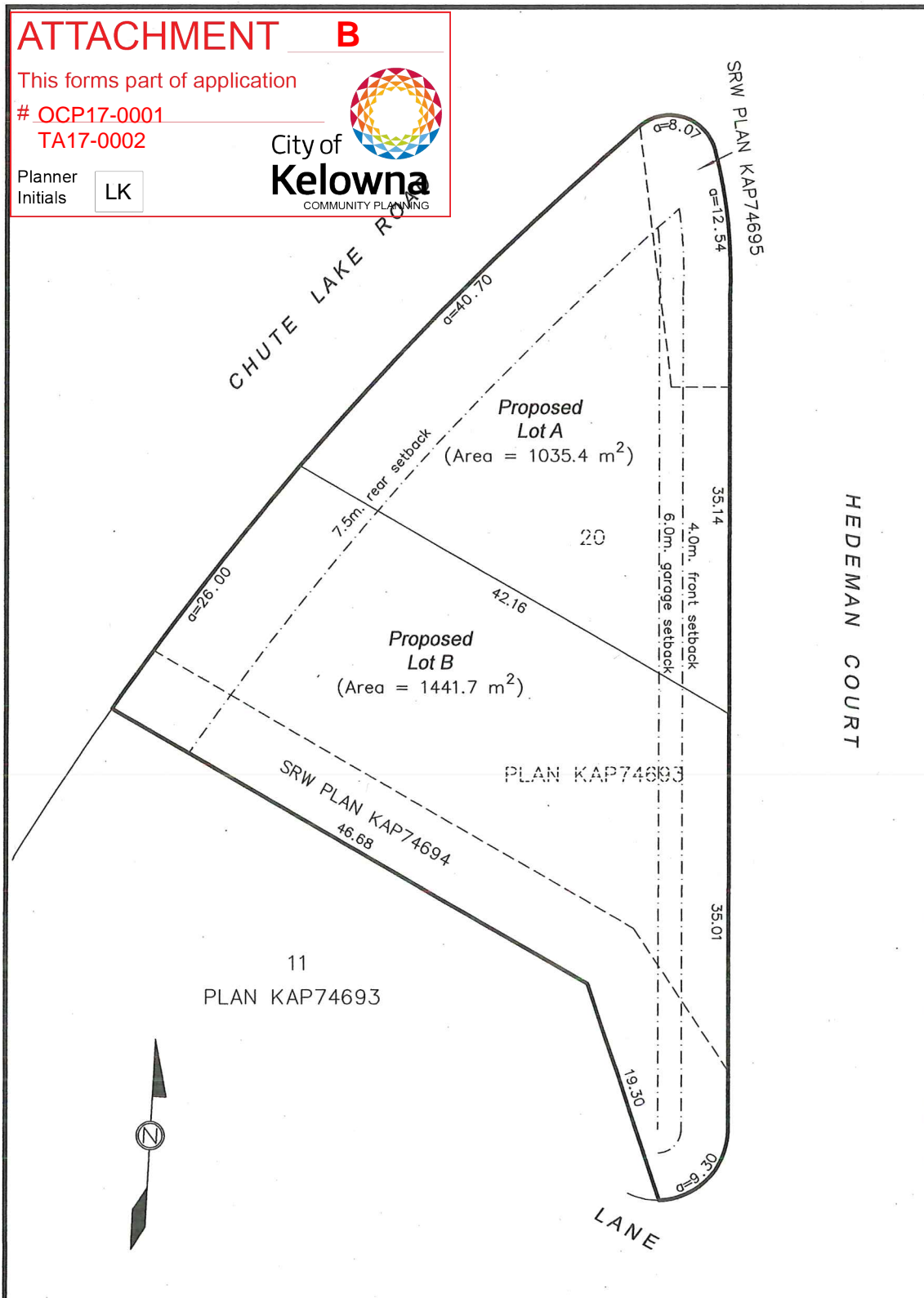
This forms part of application

OCP17-0001

TA17-0002

Planner
Initials **LK**

City of
Kelowna
COMMUNITY PLANNING



TITLE: SKETCH PLAN SHOWING PROPOSED SUBDIVISION OF LOT 20, SECTIONS 23 AND 24, TOWNSHIP 28, S.D.Y.D., PLAN KAP74693 (5317 CHUTE LAKE ROAD, KELOWNA)			
DRAWN BY: RUNNALLS DENBY <i>british columbia land surveyors</i> 259A Lawrence Avenue Kelowna, B.C. V1Y 6L2 Email: neil@runnallsdenby.com	SCALE: 1:400 (8½" x 14")		
	DATE: January 12, 2017		
	DWG: 14742 PRO SUB		
CLIENT: JUSTIN BULLOCK	FILE No: 14742	REV. 0	

ATTACHMENT **C**

This forms part of application

OCP17-0001
TA17-0002

Planner
Initials

LK

City of
Kelowna
COMMUNITY PLANNING



LAND USE

0405-65

Kettle Valley Parks and Open Sapce Master Plan

INFORMATION RESOURCES

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000226219

Kettle Valley Parks and Open Space Master Plan

Mission Hill Management Inc.

**OFFICE COPY
DO NOT REMOVE FROM LUM LIBRARY**

June 13, 1996

URBANSYSTEMS

104A - 1815 Kirschner Street
Kelowna, B.C. V1Y 4N7
1142510.1

1.0 Introduction

The over-riding vision for the Parks and Open Space Master Plan of Kettle Valley is the development of a community which appears and functions as though it has been built into a park-like setting. This approach is intended to be contrary to the apparent addition of park spaces within a contemporary subdivision, where non-park parameters are the primary determinants of community form and function. In Kettle Valley, the parks and open space system was a key determinant of urban form and function.

The goals of the Parks and Open Space Master Plan are five-fold:

1. To maintain environmental quality and protect the most sensitive aspects of the natural environment;
2. To define and enhance the neo-traditional urban character of the Kettle Valley community;
3. To realize opportunities that will make Kettle Valley a more sustainable community;
4. To provide opportunity for a range of recreation opportunities for people of all ages and ability levels; and
5. To make a significant positive contribution to the parks and open space system of the city as a whole.

2.0 Values and Requirements

There are several key values and requirements for parks and open spaces that are addressed in the Master Plan. These are based on the direction of the Official Community Plan, the influence of the physical conditions of the site and on specific opportunities for urban design and market potential. The key values and requirements that guide preparation of the Parks and Open Space Master Plan are as follows:

2.1 Environmental Quality

Environmental quality is a very important attribute of Kettle Valley and the surrounding area.

Therefore parks, conservation areas and covenant areas on public and private lands are used to help achieve a community with a sustainable environment. Special habitats and features are dealt with according to their sensitivity and function; generally speaking by preservation, retention or management.

2.2 Pedestrian Orientation

Sustainability and community wholeness is built in large part on the pedestrian system. Such a system is extensive; it provides efficient and widespread pedestrian access, across the entire community and at the site specific level.

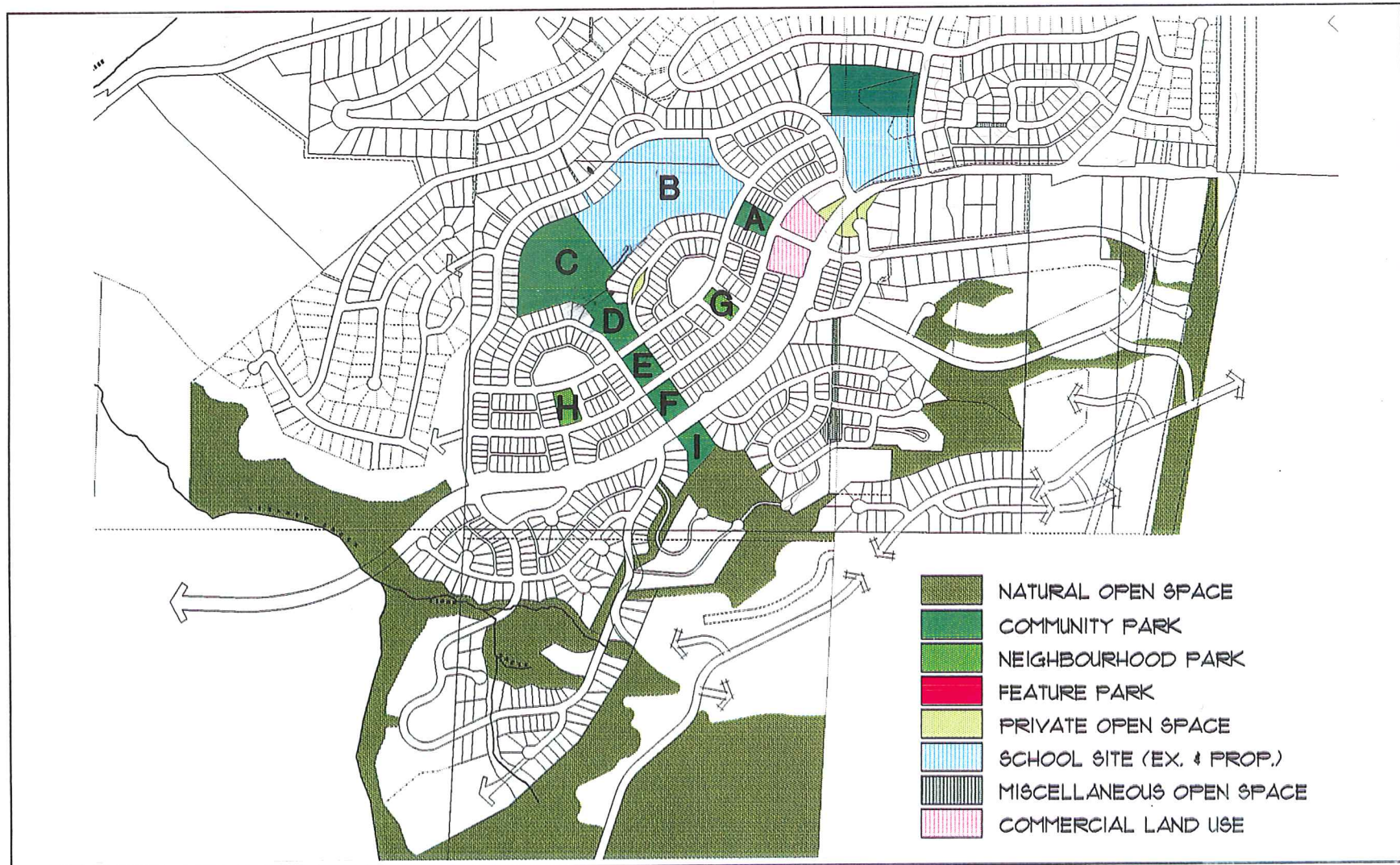
3.0 Master Plan Description

The backbone of the park and open space system is comprised of six inter-related components or building blocks. Each component fulfills a specific role in the neighbourhood or community. Together the components provide a cohesive system of parks and open spaces that reflects the values and requirements described in the previous section.

The building blocks of the parks and open space system for Kettle Valley are:

- Natural Open Spaces
- Community Parks (and Schools)
- Neighbourhood Parks
- Private Open Spaces
- Streetscapes
- Pedestrianism

The Parks and Open Space Master Plan (Map 1), illustrates the distribution and types of these parks and open spaces in Kettle Valley. The role of the public spaces of this system in the community, and the development proposed for each, is provided in this section.



Map 1 - Parks and Open Space Master Plan

3.4 Private Open Spaces

Private open spaces are parks that are not owned or maintained by the City or School District, and are not included in the calculations or inventory of park space. Though they have a role in the parks and open space system, they do not serve the public in the same way as natural open spaces, community parks or neighbourhood parks. Private open spaces in Kettle Valley, illustrated in Map 1, include non-standard open spaces, central boulevards, commercial plazas, internal multi-family courtyards and subdivision entrance features.

Private open spaces are constructed by the developer and maintained by the developer, private landowner(s) or local association.

3.5 Streetscapes

Though streetscapes are comprised of conventional vehicular roads, for Kettle Valley they are important components of the parks and open space system. They are an extension of the park system, providing community linkages and pedestrian circulation and enjoyment in a park-like setting (e.g., through the provision of substantial tree-lined grass boulevards). The pedestrian streetscapes of Kettle Valley contribute to social interaction and neighbourhood character. They are characterized by sidewalks and grass boulevards, from 3.0 to over 5.0 metres in total width, on one or both sides of the roadway. Street trees, special street lighting and signage are provided in the boulevards. Wherever possible, driveways have been located off back lanes so that the sidewalk/boulevard realm is unbroken.

The Street Tree Plan (Map 2) describes the street tree plantings proposed for each street in Kettle Valley. The species and spacing of street trees vary according to the streetscape character that is desired for each roadway.

SCHEDULE

A

This forms part of application

OCP17-0001

TA17-0002

5240

Planner
Initials

LK

City of

Kelowna

COMMUNITY PLANNING



N

Subject Properties Notes:

Amend the OCP for the Subject Property from Major Park and Open Space (PARK) to Single/Two Unit Residential (S2RES).

433

5305-5315

5317

5321

5325

5329

5333

5337

5341

5345

5332

5291

5299

434

TRUMPETER RD

HEDENHALL CT

QUILCHENA DR

MCCARREN AVE

MAIN ST

MAP "A" OCP AMENDMENT OCP17-0001



PARK to S2RES

This map is for general information only.
The City of Kelowna does not guarantee its
accuracy. All information should be verified.

0 10 20 Metres

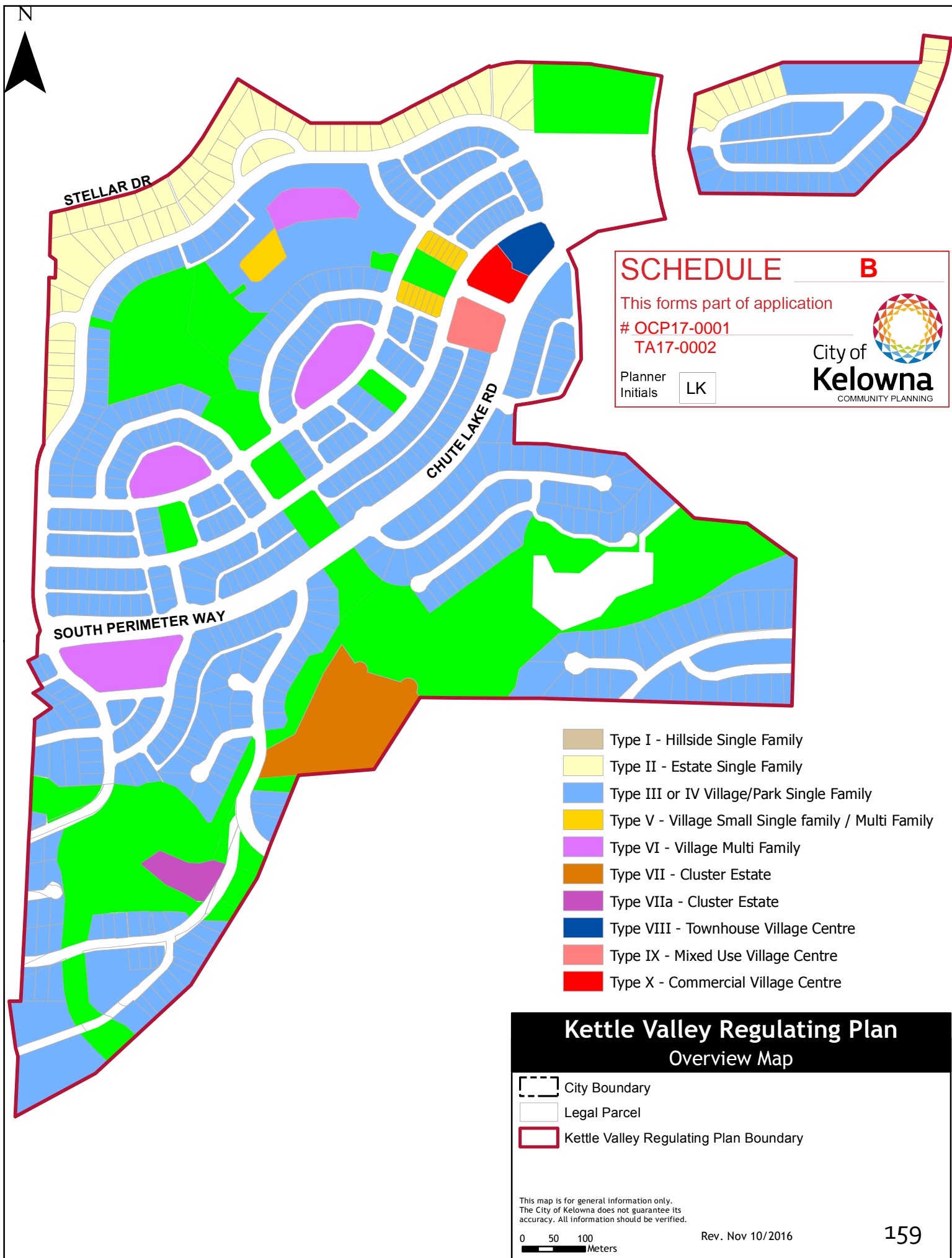


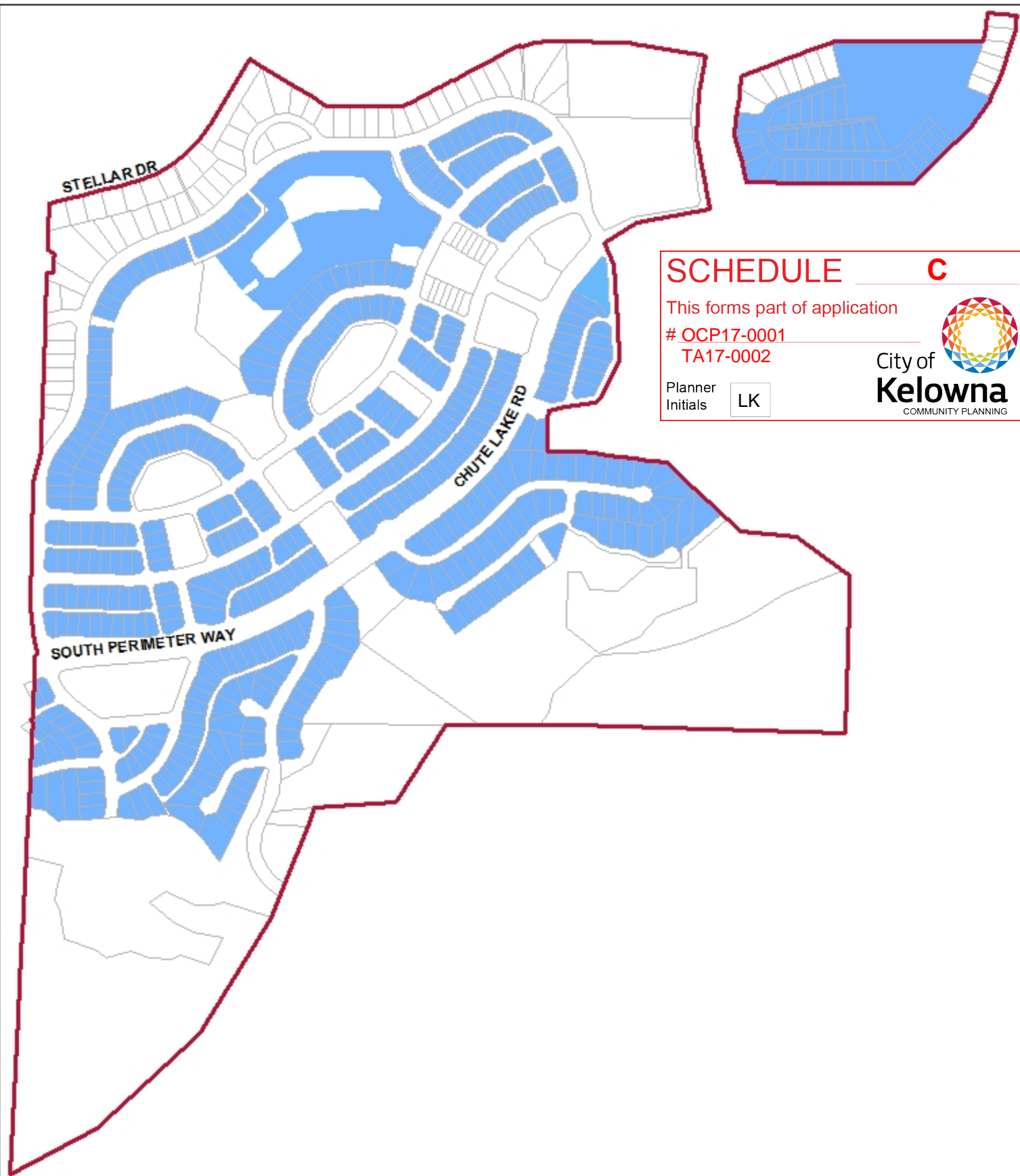
City of

Kelowna

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Rev. Friday, June 02, 2017





SCHEDULE C

This forms part of application
OCP17-0001
TA17-0002

Planner Initials **LK**

City of **Kelowna**
COMMUNITY PLANNING

