City of Kelowna Public Hearing AGENDA



Tuesday, October 20, 2015 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 October 6, 2015 (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

3.1 975 - 985 Academy Way, BL11148 (Z15-0033) - Academy Apartments Ltd. 4 - 15 To rezone the subject property to facilitate a retail liquor store. 3.2 3473 Scott Road, BL11151 (Z15-0040) - Frank & Dawn Filice 16 - 29 To rezone the subject property to facilitate development of a carriage house. 3.3 980 Mayfair Road, BL11152 (Z15-0038) - Justin & Rebecca Bullock 30 - 39 To rezone the subject property to facilitate a future two lot subdivision. 3.4 3461 Scott Road, BL11153 (Z15-0042) - Frank & Dawn Filice 40 - 51 To rezone the subject property to facilitate development of a carriage house. 3.5 2982 Volterra Court, BL11155 (Z15-0039) - Franklin Talbot 52 - 64

4. Termination

5. Procedure on each Bylaw Submission

(a) Brief description of the application by City Staff (Land Use Management);

To rezone the subject property to allow for a secondary suite.

- (b) The Chair will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.
- (c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.
- (d) The Chair will call for representation from the public in attendance as follows:
- (i) The microphone at the public podium has been provided for any person(s) wishing to make representation at the Hearing.
 - (ii) The Chair will recognize ONLY speakers at the podium.
- (iii) Speakers are encouraged to limit their remarks to 5 minutes, however, if they have additional information they may address Council again after all other members of the public have been heard a first time.
- (e) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.
- (f) Questions by staff by members of Council must be asked before the Public

Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.

(g) Final calls for respresentation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

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

REPORT TO COUNCIL



Date: September 28, 2015

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TY)

Application: Z15-0033 **Owner:** Academy Apartments Ltd.

Address: 975 - 985 Academy Way Applicant: Academy Apartments Ltd.

Subject: Rezoning Application

Existing OCP Designation: COMM - Commercial

PARK - Major Park / Open Space (Public)

Existing Zone: C3 - Community Commercial

Proposed Zone: C3rls - Community Commercial (Retail Liquor Sales)

1.0 Recommendation

THAT Rezoning Application No. Z15-0033 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Strata Lot 1 Section 10 Township 23 ODYD Strata Plan EPS1461 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V, located at 975 - 985 Academy Way, Kelowna, BC from the C3 - Community Commercial zone to the C3rls - Community Commercial (Retail Liquor Sales), be considered by Council;

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

2.0 Purpose

To rezone the subject property to facilitate a retail liquor store.

3.0 Community Planning

Community Planning Staff supports the proposed rezoning which will permit a retail liquor store in the University South Village Centre. The proposed retail liquor store meets Council policy 359 as well as Liquor Control And Licensing Branch legislation. Council Policy 359, Liquor Licensing Policy & Procedures provides some guidance related to the location of liquor stores that aims to limit the potential land use conflicts and community disturbance issues related to liquor stores and liquor primary establishments. There are no liquor primary establishments in this area. Space is designated for a food primary licensed restaurant on the subject property which does not have restrictions with regards to proximity to a retail liquor store. The Liquor Regulations require that any new or relocated private liquor store must be a minimum of 1 km from another private liquor

store. The proposed liquor store relocation complies with this regulation as the closest private liquor store, "Public Liquor" is located at 1.8 km away.

The subject property is near educational institutions such as Aberdeen Preparatory School (K-12), UBCO and multiple family residential developments. The subject property is zoned C3 - Community Commercial which aims to connect surrounding residential neighbourhoods with community commercial services. A retail liquor store is recognized as a community commercial use in this zone. The subject property is accessible to neighbouring properties by pedestrian and cycling traffic via a multiple use pathway that runs along the front of the property. The pathway will continue to run adjacent to the future Academy Way extension.

The site currently meets parking requirements for the retail use, and no variances are requested as a result of this rezoning application.

4.0 Proposal

4.1 Background

Currently the subject property contains two four-storey buildings. The first building (Phase I of III), was constructed in 2012 and is a mixed use building with commercial on the first storey and multiple family residential on the upper three storeys. The second building (phase II of III), was constructed in 2013 and is entirely multiple family residential. A third building is planned for this property (Phase III) and is intended as a commercial use. No application has been submitted for development of this building to-date.

4.2 Project Description

The applicant is proposing to rezone the subject property in order to relocate a private liquor store license to the mix-use building (Phase I) on the subject property. The liquor store will be located in vacant space on the ground floor as shown on the attached Conceptual Site Plan. There are no proposed changes to the exterior of the building or parking.

4.3 Site Context

The subject property is located on the north east portion of Academy Way at the corner of Academy Way and John Hindle Drive in the Highway 97 sector of Kelowna. The property is currently zoned C3 and has a Future Land Use of COMM - Commercial and PARK - Major Park / Open Space (Public) and is in the Permanent Growth Boundary.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	CD20	UBCO
East	A1	Farmland & Forest
South	RM4	Multiple Family Residential
West	P2	Aberdeen Hall School

Subject Property Map: 975 - 985 Academy Way



4.4 Zoning Analysis Table of entire subject property

Zoning Analysis Table			
CRITERIA	C3rls ZONE REQUIREMENTS	EXISTING	
Exi	sting Lot/Subdivision Regulatio	ns	
Minimum Lot Area	1,300 m ²	20,633 m ²	
Minimum Lot Width	40.0 m	117 m	
Minimum Lot Depth	30.0 m	163 m	
	Development Regulations		
Maximum Floor Area Ratio	1.0	0.42	
Maximum Site Coverage (buildings)	50%	26 %	
Maximum Height	15 m / 4 storeys	14.8 m / 4 storeys	
Minimum Front Yard	3.0 m	21.1 m	
Minimum Side Yard (south)	2.0 m	8.9 m	
Minimum Side Yard (north)	0.0 m	21.9 m	
Minimum Rear Yard	0.0 m	17.8 m	
Other Regulations			
Minimum Parking Requirements (entire site)	164 stalls	164 stalls	
Minimum Bicycle Parking	Class I - 46stalls	Class I - 47 stalls	
(Building I)	Class II - 22 stalls	Class II - 22 stalls	
Minimum Private Open Space	1,125 m ²	1,655 m ²	
Minimum Loading Space	2 stalls	2 stalls	

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Transportation Networks. Ensure transportation networks support continued success and future expansion of key employment nodes (as indicated with commercial, mixed use, and institutional designations in the OCP). Provide effective and efficient levels of transit service and convenient walking and cycling connections between key employment nodes and surrounding residential areas.

The subject property is a mixed use property with multiple family residential as well and commercial. This property fronts a multiple use pathway was constructed as part of this development which will run parallel with Academy Way extension.

Village Centre (University South) ² A cluster of small-scale, residential, retail, and office uses, which provide for convenience needs of area residents. Village Centres are located along an arterial or collector road and would typically be located more than two kilometres from other City or Town Centre commercial facilities.

The addition of a retail liquor store in the village centre brings this retail need to the multiple family residence.

5.2 Liquor Control & Licensing Branch

Relocate a licensee retail store. It he new location of the licensee retail store is at least 1.0 km from the site of another licensee retail store or liquor store or the proposed location of another store;

6.0 Technical Comments

No Comments

7.0 Application Chronology

Date of Application Received: June 16, 2015
Date Public Consultation Completed: September 9, 2015

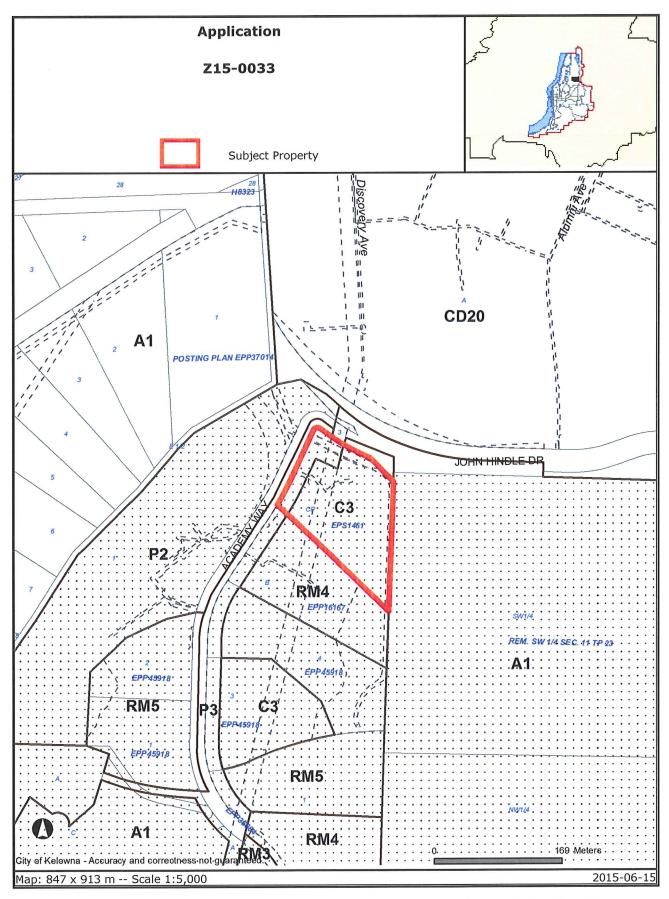
¹ City of Kelowna Official Community Plan, Objective 8.7.2 (Economic Development Chapter).

² City of Kelowna Official Community Plan (Definitions Chapter).

³ Liquor Control And Licensing Regulation, Licensee retail stores, 14.5.a.

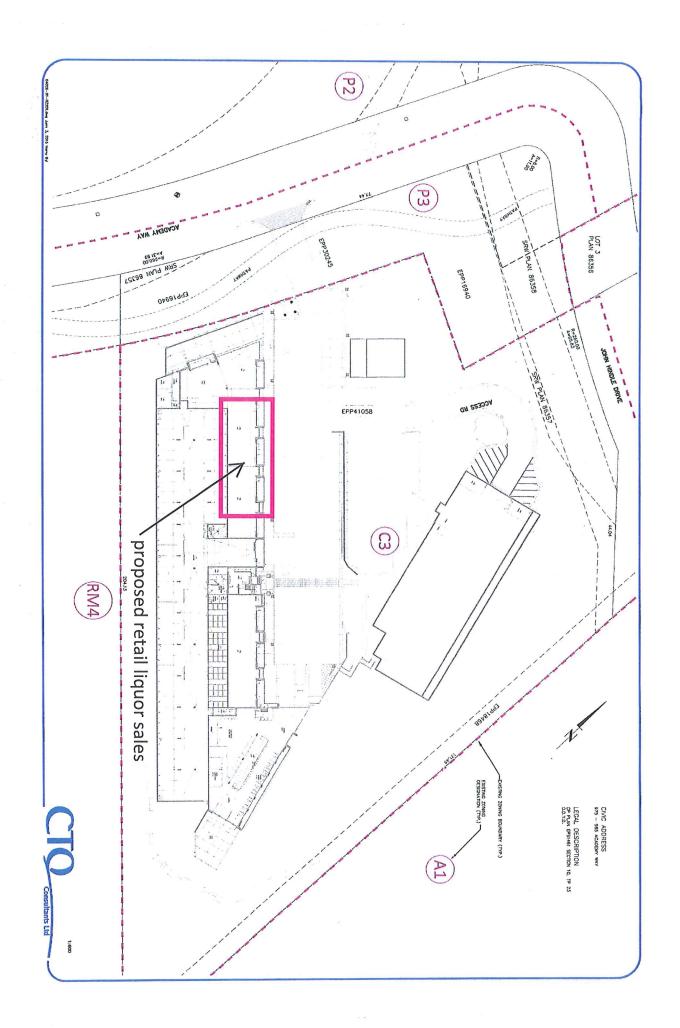
Report prepared by:	
Tracey Yuzik, Planner	
Reviewed by:	Lindsey Ganczar, Planning Supervisor
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager
Attachments:	
Subject Property Map Conceptual Site Plan Conceptual Elevations	

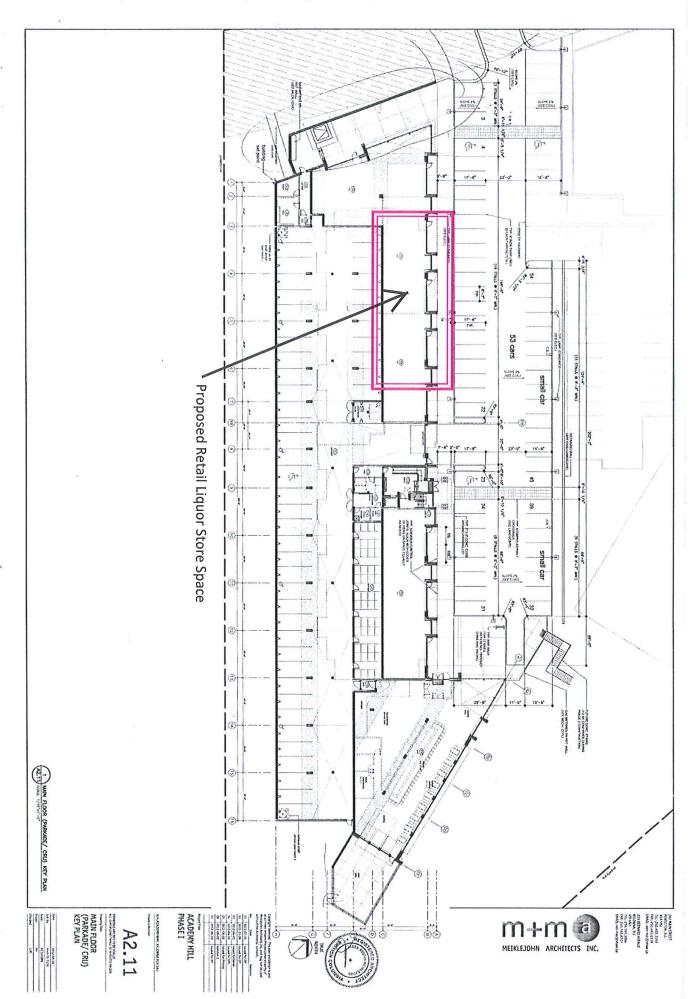
Context/Site Photos

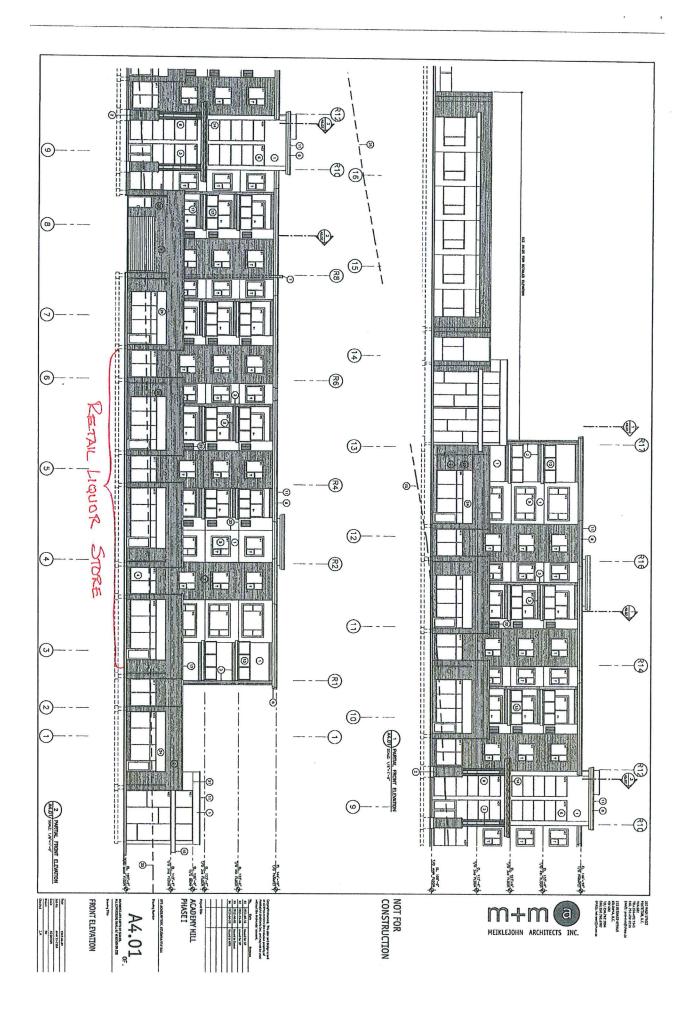


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.

The City of Kelowna does not guarantee its accuracy. All information should be verified.

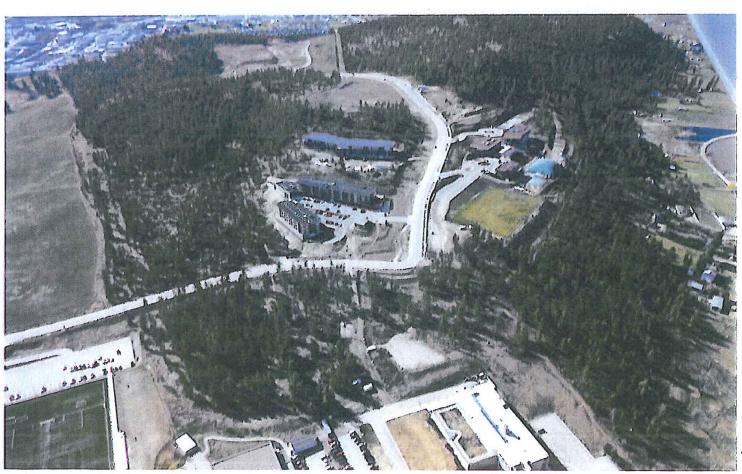
















REPORT TO COUNCIL



Date: October 5, 2015

RIM No. 1250-30

To: City Manager

From: Community Planning Department (LB)

Application: Z15-0040 Owner: Frank John Filice and Dawn

Marie Filice

Address: 3473 Scott Road Applicant: Novation Design Studio

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. Z15-0040 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 21, District Lot 134, ODYD, Plan 3886, located at 3473 Scott Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone, be considered by Council;

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

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated October 5, 2015.

2.0 Purpose

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

3.0 Community Planning

Community Planning Staff supports the request to rezone the subject property from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone to facilitate the development of a carriage house. The existing house has been demolished and a new house and carriage house are to be built on the property. The property is within the South Pandosy Urban Centre and the application is consistent with policies that encourage additional density while maintaining the residential character of the neighbourhood.

It should be noted that the applicant has also submitted a similar Rezoning Application for the adjacent property to the north at 3461 Scott Road.

In accordance with Council Policy No. 367, the applicant completed neighbourhood consultation by contacting neighbouring properties within 50 m. No concerns were identified through this process. At the time of writing, Staff has not been contacted with any questions or concerns.

4.0 Proposal

4.1 Project Description

The applicant intends to redevelop the property with a new single detached house and carriage house. The existing house was demolished in April 2015. In conjunction with the Rezoning application, the applicant submitted a Development Permit application for the form and character of the proposed carriage house. Should Council choose to support the rezoning request, Staff will continue to work with the applicant to issue the Development Permit in accordance with the Intensive Residential - Carriage House / Two Dwelling Housing guidelines.

4.2 Site Context

The subject property is located on the east side of Scott Road, north of Swordy Road in the South Pandosy Urban Centre and the South Pandosy - KLO Sector. The Official Community Plan Future Land Use designation is S2RES - Single / Two Unit Residential and the property is within the Permanent Growth Boundary. The surrounding area is characterized by single dwelling housing with low density multi-unit residential development farther out and Gyro Beach at the west end of Swordy Road at Pandosy Street.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - large Lot Housing	Single dwelling housing
East	RU1 - large Lot Housing	Single dwelling housing
South	RU1 - large Lot Housing	Single dwelling housing
West	RU1 - large Lot Housing	Single dwelling housing

Subject Property Map: 3473 Scott Road





SUBJECT PROPERTY

4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1c ZONE REQUIREMENTS	PROPOSAL
	Existing Lot	
Minimum Lot Area	550 m ²	557.5 m ²
Minimum Lot Width	15.0 m	18.3 m
Minimum Lot Depth	30.0 m	30.5 m
	Development Regulations	
Maximum Site Coverage (buildings)	40%	37%
Maximum Site Coverage (buildings, driveways & parking)	50%	45%
Single Storey	Carriage House Development Re	gulations
Maximum Accessory Site Coverage	20%	16%
Maximum Accessory Building Footprint	130 m² (carriage house + accessory buildings)	87.3 m ²
Maximum Net Floor Area	100 m ²	87.3 m ²
Maximum Net Floor Area to Principal Dwelling	75%	44%
Maximum Height	4.8 m	4.3 m
Minimum Side Yard (south)	2.0 m	4.4 m
Minimum Side Yard (north)	2.0 m	4.4 m
Minimum Rear Yard	0.9 m	1.5 m
Minimum Distance to Principal Dwelling	3.0 m	4.3 m
Other Regulations		
Minimum Parking Requirements	3 stalls	3 stalls
Minimum Private Open Space	30 m² per dwelling	Meets requirements

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Sensitive Infill.² Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

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

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

6.0 Technical Comments

- 6.1 Building & Permitting Department
 - Development Cost Charges (DCCs) are required to be paid prior to issuance of any Building Permits.
 - Full Plan check for Building Code related issues will be done at time of Building Permit applications.
- 6.2 Development Engineering Department
 - See attached memorandum, dated September 2, 2015.
- 6.3 Fire Department
 - Requirements of Section 9.19.19 Smoke Alarms and Carbon Monoxide Alarms of the BC Building Code 2012 are to be met.
 - All units shall have a posted address on Scott Road.
 - Should a gate or fence be installed between the main house and the carriage house the gate it to open without special knowledge and have a clear width of 1,100 m.
 - Emergency access is not from the lane to the east, but from Scott Road.
- 6.4 FortisBC Electric
 - There are primary distribution facilities along Scott Road. The existing house appears to
 be serviced via a secondary line that crosses the corner of the adjacent property to the
 north. The applicant is responsible for costs with changes to the subject property's
 existing service, if any, as well as the provision of appropriate land rights where required.

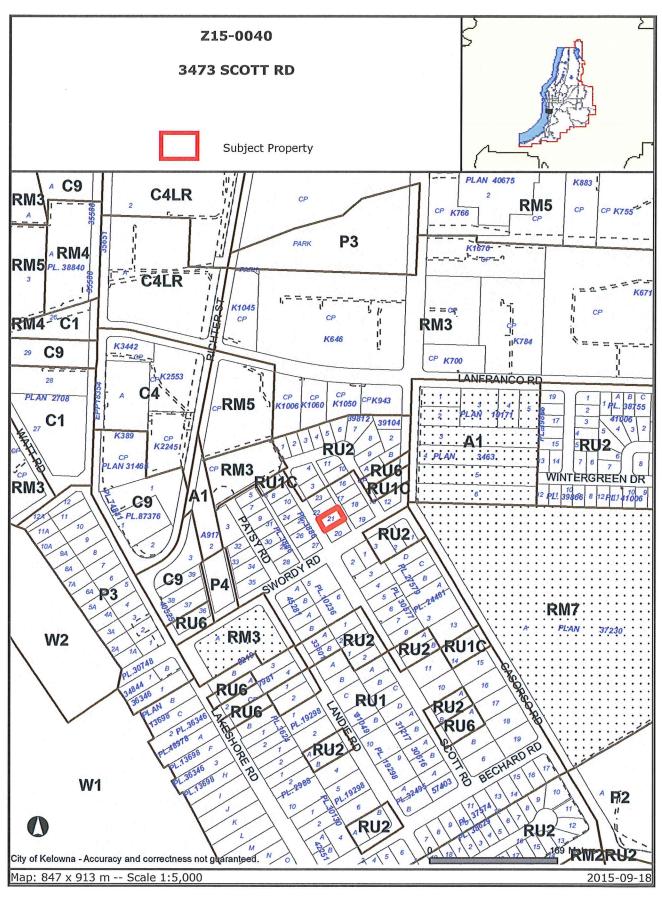
7.0 Application Chronology

Date of Application Received: July 28, 2015
Date Public Consultation Completed: July 28, 2015

Report prepared by:	
Laura Bentley, Planner	
Reviewed by:	Lindsey Ganczar, Planning Supervisor
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager

Attachments:

Subject Property Map Attachment A: City of Kelowna Memorandum Conceptual Site Plan and Drawings Map Output



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

Page 1 of 1

CITY OF KELOWNA

MEMORANDUM

Date:

September 2, 2015

File No.:

Z15-0040

To:

Community Planning (LB)

From:

Development Engineering Manager

Subject:

3473 Scott Road

New SFD & 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. An inspection chamber (IC) complete with brooks box should be installed on the service at the owner's cost. Service upgrades can be provided by the City at the applicant's cost. The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade. For estimate inquiry's please contact Sergio Sartori, by email ssartori@kelowna.ca or phone, 250-469-8589.

3. Development Permit and Site Related Issues

Direct the roof drains onto splash pads. Driveway access will be permitted from the lane only.

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

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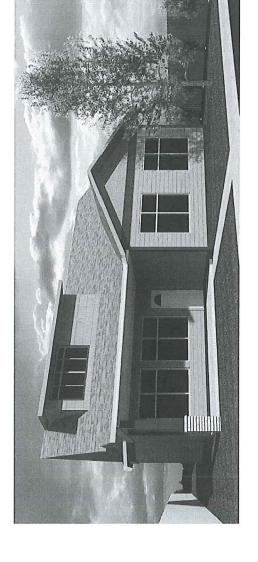


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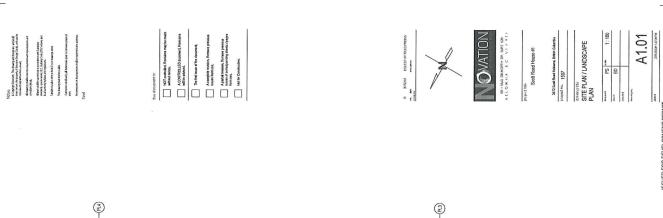
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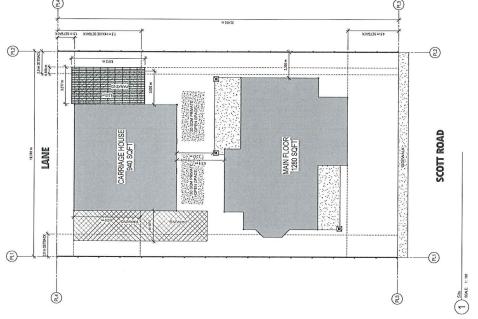
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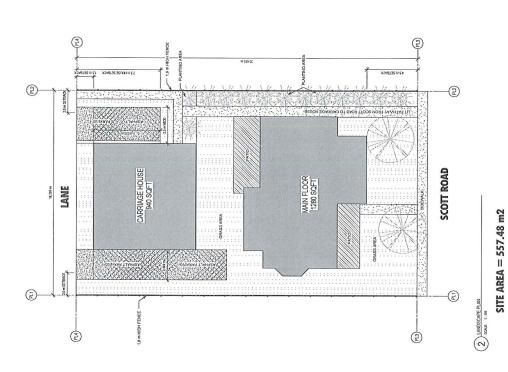
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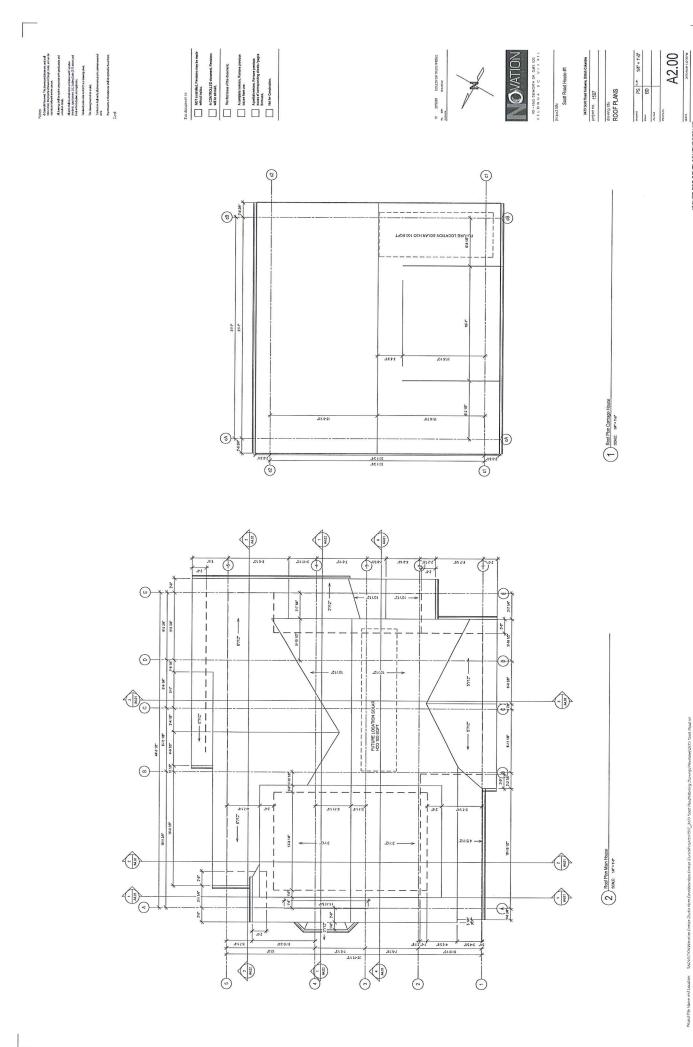


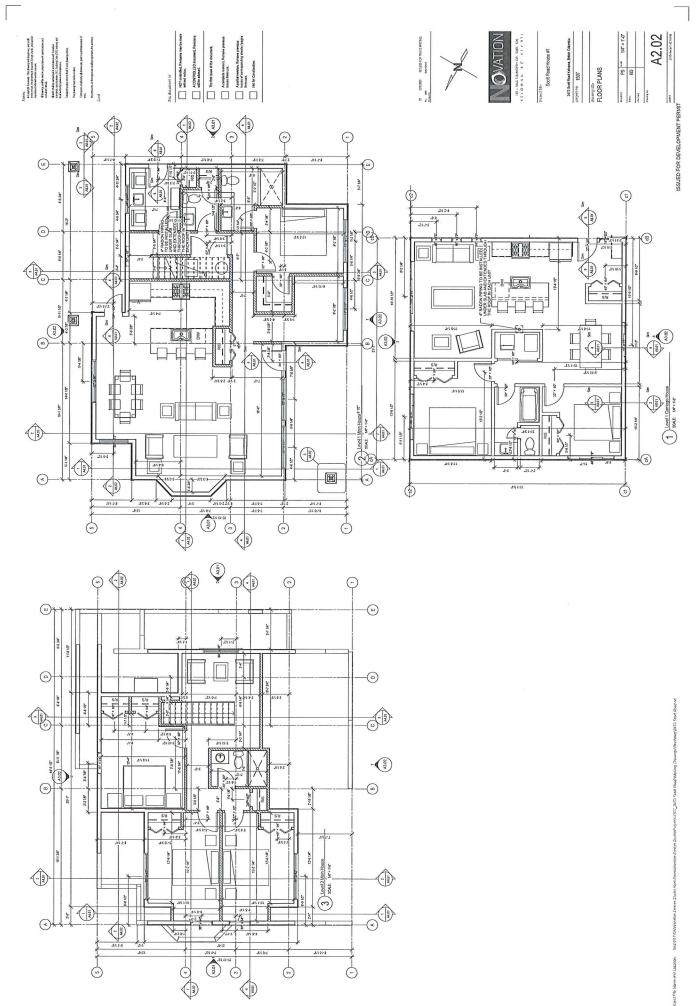


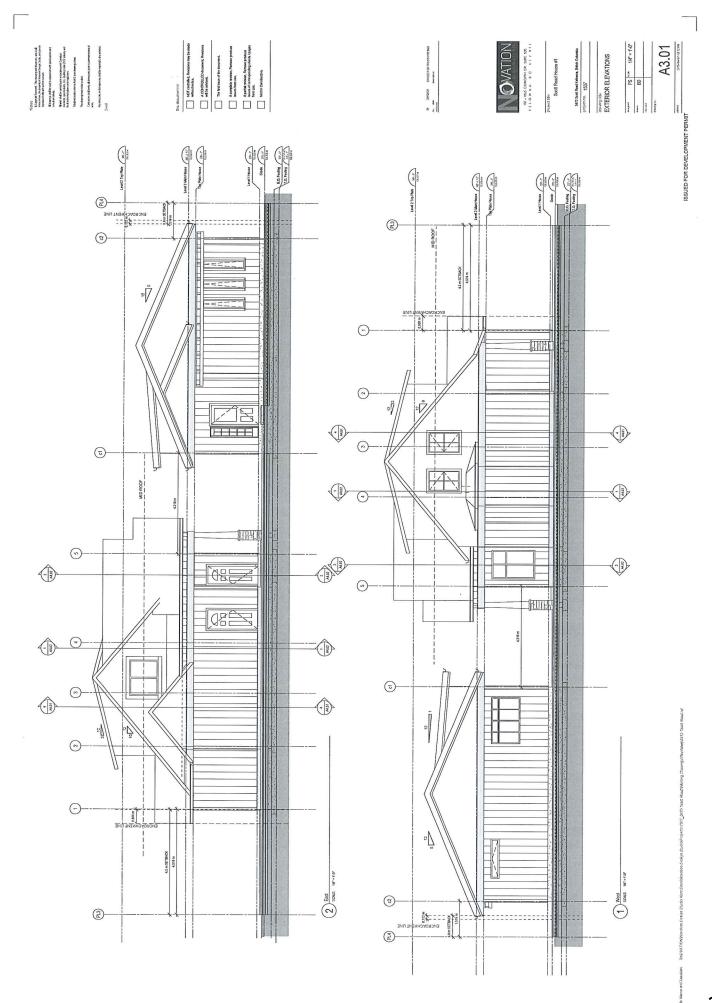


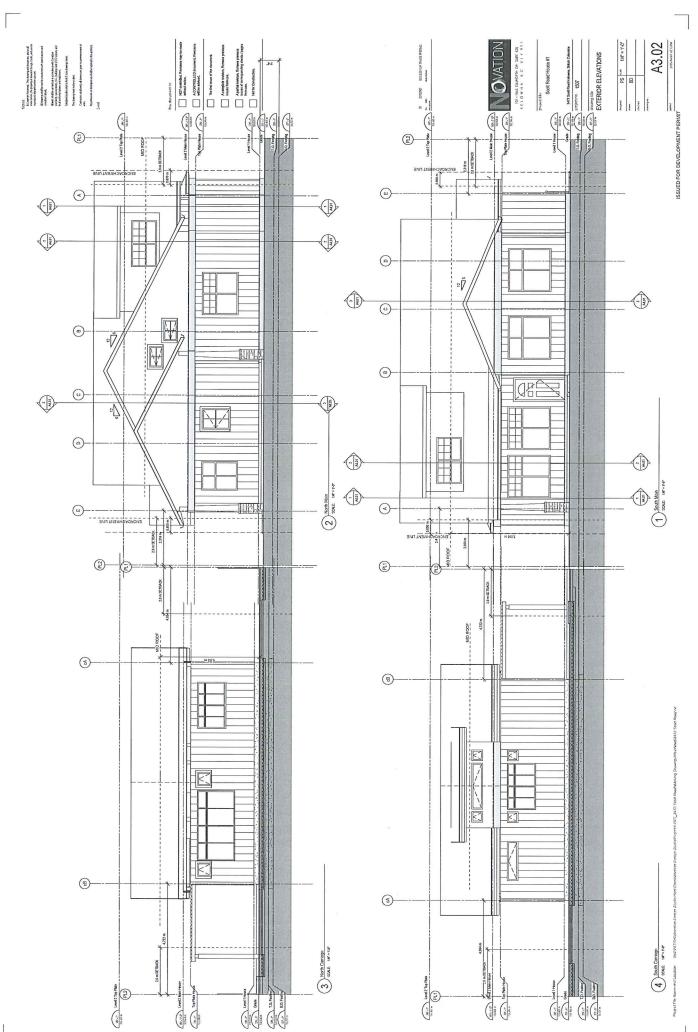
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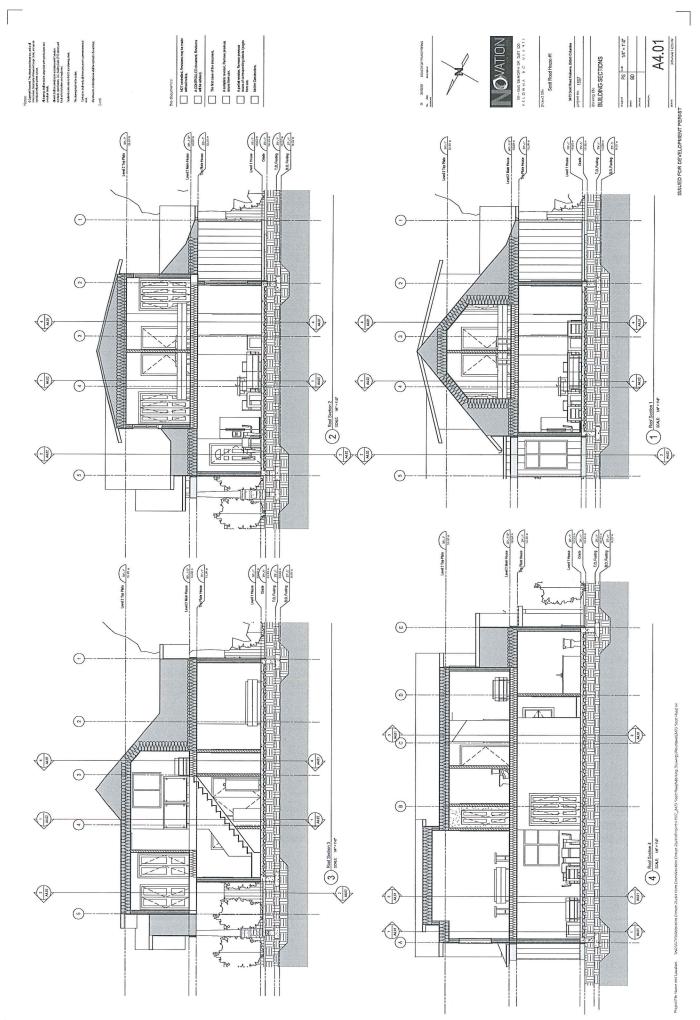
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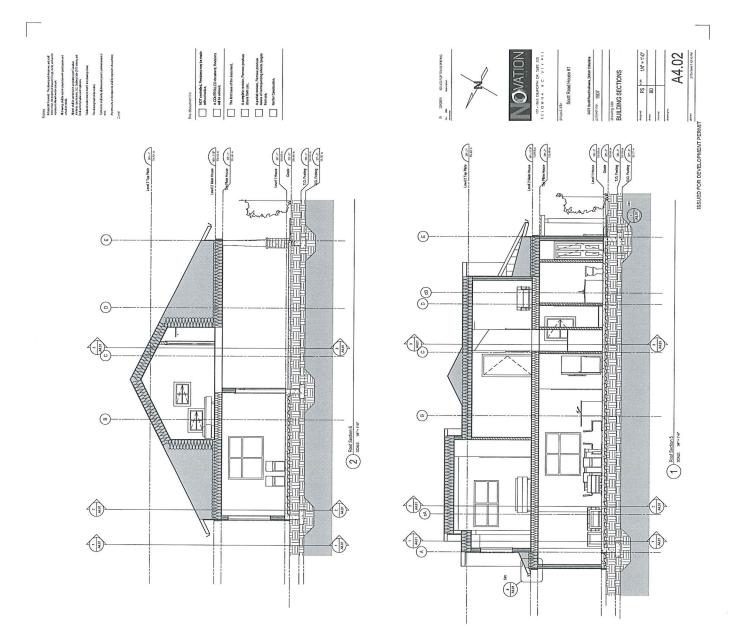












REPORT TO COUNCIL



Date: October 5, 2015

RIM No. 1250-30

To: City Manager

From: Community Planning Department (LK)

Address: 980 Mayfair Road Applicant: Justin Bullock

Subject: Rezoning Application

Existing OCP Designation: S2RES - Single / Two Unit Residential

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU6 - Two Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z15-0038 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 143 ODYD Plan 22053, located at 980 Mayfair Rd, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone, be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated October 5, 2015;

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

2.0 Purpose

To rezone the subject property to facilitate a future two lot subdivision.

3.0 Community Planning

Community Planning Staff supports the proposal to rezone the subject property from RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone. The subject property is within the Permanent Growth Boundary and has a Future Land Use Designation of S2RES - Single / Two Unit Residential; therefore the application to rezone the parcel meets the guidelines of the OCP. The OCP supports the densification of neighbourhoods through appropriate infill development and utilization of existing infrastructure.

4.0 Proposal

4.1 Background

The subject parcel is located at the intersection of McCurdy Road and Mayfair Road and is currently zoned RU1 - Large Lot Housing. The parcel has two existing non-conforming Single Detached Dwellings that both front onto Mayfair Road. In reviewing the parcel history, the origin of the northernmost house cannot be found. It is addressed as 825 McCurdy Road. In 1959, a building permit was approved to allow the addition of the single car garage on the south side of the existing dwelling. The house on the south half of the parcel was constructed in the early 1970's and is addressed as 980 Mayfair Road.

4.2 Project Description

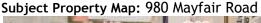
The rezoning of the parcel will accomplish two things. By rezoning to RU6 - Two Dwelling Housing, it will eliminate the existing non-conformity of two dwellings on one parcel and it will allow for the future subdivision of the parcel into two RU6 - Two Dwelling Housing lots. The new parcels are well over the minimum lot sizes of 700m^2 and 800m^2 for a corner site. This will allow each parcel to be further developed to accommodate two dwellings.

4.3 Site Context

The subject parcel is a corner lot at the intersection of McCurdy Road and Mayfair Road and is located within the Rutland area of Kelowna.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I2 - General Industrial	Storage & Warehousing
East	RU1 - Large Lot Housing	Single Family Dwelling
South	RU1c - Large Lot Housing with Carriage House	Single Family Dwelling
West	A1 - Agriculture 1 (LUC 77-1045)	Storage & Warehousing





4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Exi	sting Lot/Subdivision Regulatio	ns
Minimum Lot Area	800 m ²	2467 m ²
Minimum Lot Width	15 m	45 m
Minimum Lot Depth	30 m	45.42 m
Development Regulations		
Maximum Site Coverage (buildings)	40%	9.54%
Minimum Front Yard	4.5 m	To north dwelling 7.98 m To south dwelling 8.71 m
Minimum Side Yard (south)	2.0 m	2.29 m
Minimum Side Yard (north)	2.0 m	9.55 m
Minimum Rear Yard	6.0 m	To north dwelling 33.248 m To south dwelling 30.30 m
Other Regulations		
Minimum Parking Requirements	4 stalls	4 stalls
Minimum Private Open Space	30 m²/ dwelling	+30m² /dwelling

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 Infill² 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.

5.2 Technical Comments

5.3 Development Engineering Department

See attached Schedule "A"

6.0 Application Chronology

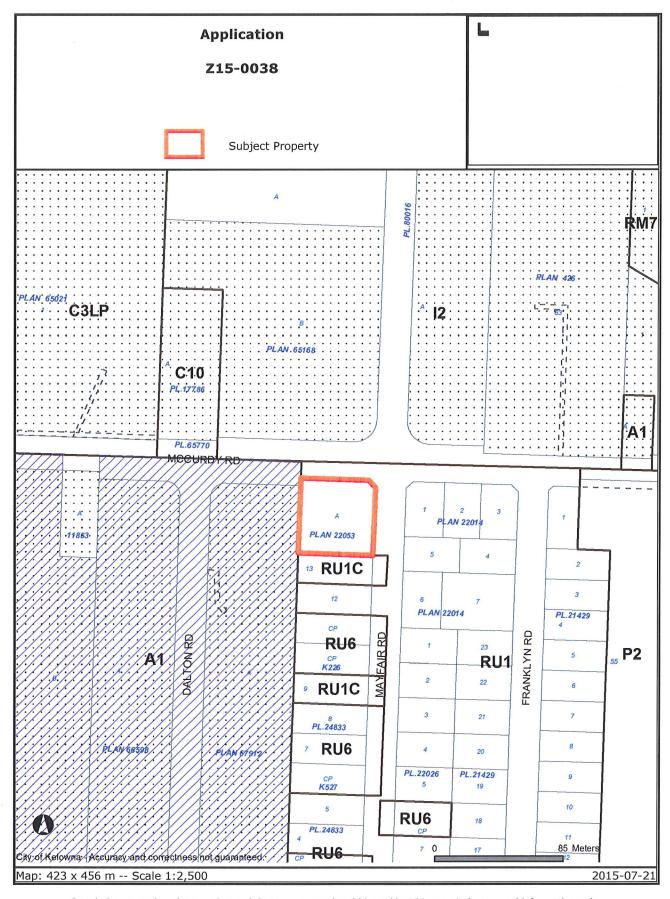
Date of Application Received: July 21, 2015

Date Public Consultation Completed: September 10, 2015

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).

Report prepared by:	
Lydia Korolchuk, Planner	
Reviewed by:	Lindsey Ganczar, Planning Supervisor
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager
Attachments: Site Context Map Site Surveys Schedule "A" - Developme	nt Engineering Memorandum dated August 13, 2015



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.

The City of Kelowna does not guarantee its accuracy. All information should be verified.

CITY OF KELOWNA

MEMORANDUM

Date:

August 13, 2015 (revision 1- remove references to subdivision requirements)

File No .:

Z15-0038

To:

Urban Planning (LK)

From:

Development Engineering Manager (SM)

Subject:

980 Mayfair Road - Lot A, Plan 22053, D.L. 143, ODYD

The Development Services Branch comments and requirements regarding this application to rezone the subject property from RU1 to RU6 are as follows:

.1) General

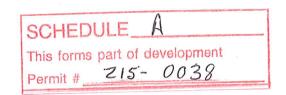
- a) Dedicate Approximately 5.0 m. along the frontage of McCurdy Road for the ultimate 30.00m. Road right of Way.
- b) Provide a 6.0 m. corner radius at the intersection of McCurdy Road and Mayfair Road.

.2) Geotechnical report.

We recommend that a comprehensive geotechnical study be undertaken over the proposed building site. The geotechnical study should be undertaken by a Professional Engineer or a Geoscientist competent in this field. This study should analyse the soil characteristics and suitability for development of the requested subdivision. As well, the study should address drainage patterns including the identification of ground water and the presence of any springs and the suitability of the lands for disposal of site generated storm drainage. In addition this study must describe soil sulphate contents, the presence or absence of swelling clays and the recommendation for foundations and construction over the decommissioned sewage disposal field.

.3) Water

- a) The property is located within the Black Mountain Irrigation District (BMID) service area.
- b) Arrange for individual lot connections before submission of the subdivision plan; including payment of connection fees (provide copy of receipt).
- c) Duplex lots require two services in accordance with the City of Kelowna domestic water servicing requirements.



.../2

.4) Sanitary Sewer

a) The subject property is serviced by the Municipal Wastewater system and is located within the Specified Area #20; two (2) Single Family Equivalent (SFE) were paid out in 2005, This rezoning application does not trigger any additional Specified Area charges.

.5) Drainage

The Subdivision, Development and Servicing Bylaw requires that each lot be provided with an individual connection; however, due to the lack of municipal storm sewer an individual ground water disposal system is acceptable.

.6) Roads

Mayfair Road must be upgraded to a full urban standard (SS-R5) including sidewalk, curb and gutter, piped storm drainage system, fillet pavement, boulevard grading, street lights, and adjustment and/or re-location of existing utility appurtenances, if required, to accommodate this construction. The cost of this frontage upgrade is estimated at \$36,100.00 and is inclusive of a bonding escalation.

.7) Power and Telecommunication Services and Street Lights

It is recommended that all the services to the subject property be installed underground. The services to the existing dwelling (if not relocated) may remain overhead as long as there is no trespass on any portion of the potentially subdivided lots. The service to the new dwellings must be installed underground. It is the developer's responsibility to make a servicing application with the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works within the public right of way.

.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 (refer to Part 5 and Schedule 3).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

.../3

.9) Servicing Agreements for Works and Services

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

.10) Other Engineering Comments

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

.11) Bonding and Levies Summary.

a) Performance security

Mayfair Road frontage upgrade

\$36,1000.00

Note that the applicant is not required to do the construction. The construction can be deferred and the City will initiate the work later at its own construction schedule, the cost would be reduced to \$22,823.00 and the 3% Engineering & Admin. fee would be waived.

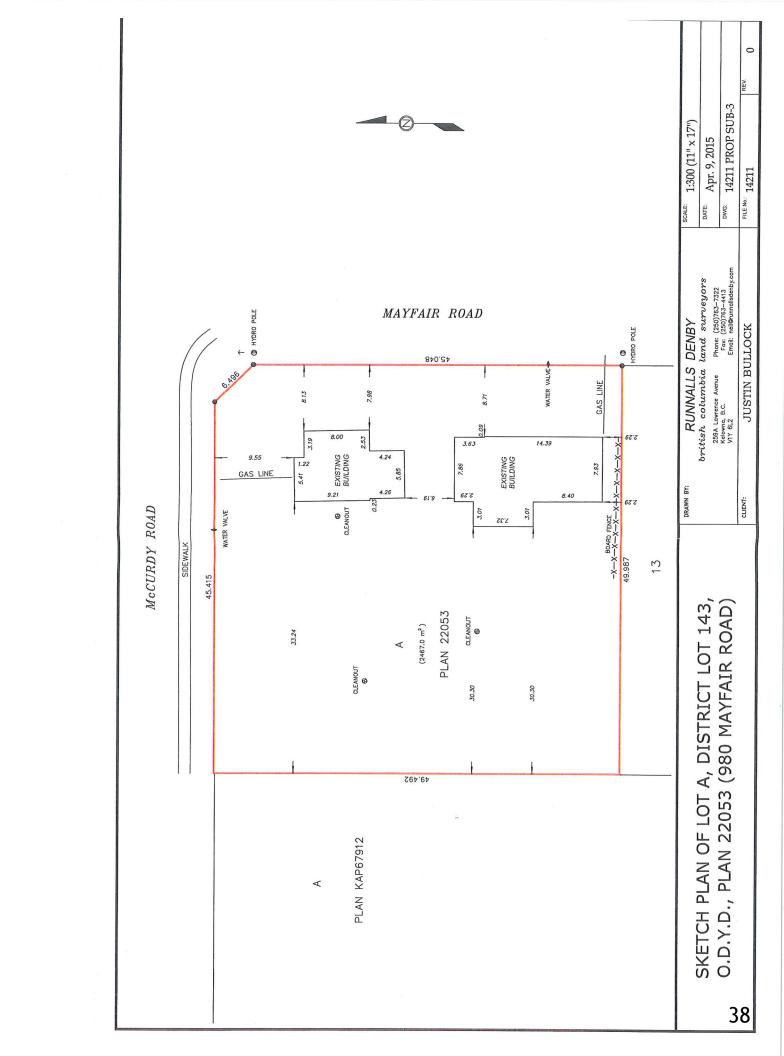
b) levies

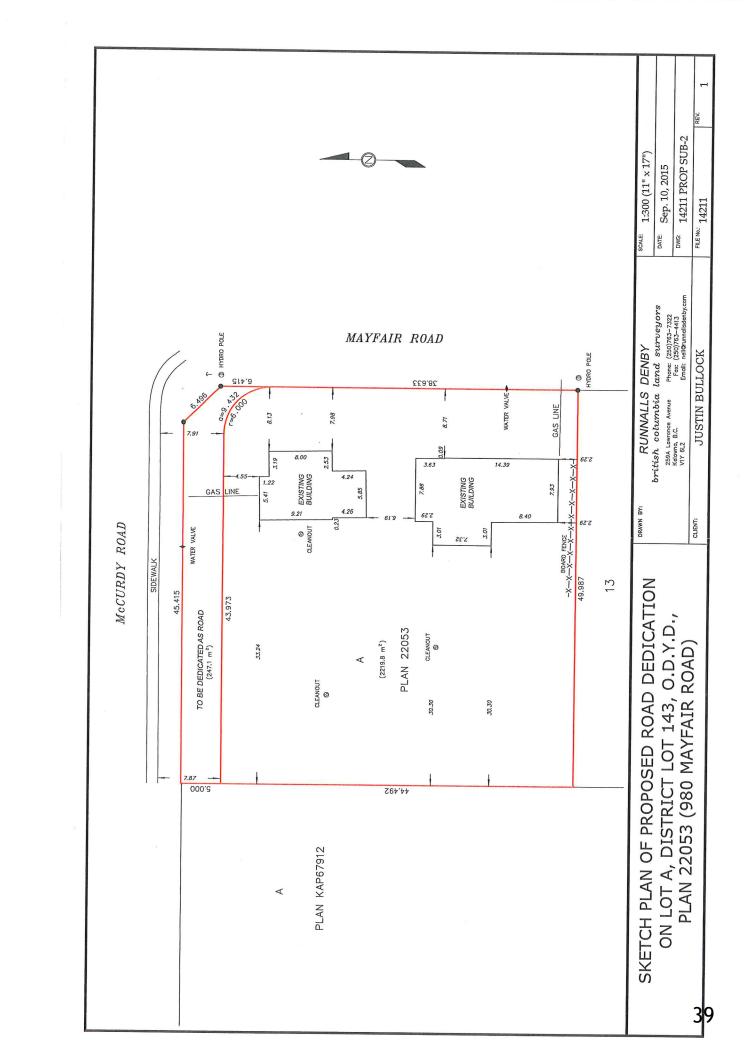
N/A

Steve Muenz, P.Engl Development Engine

Development Engineering Manager

 B^2





REPORT TO COUNCIL



Date: October 5, 2015

RIM No. 1250-30

To: City Manager

From: Community Planning Department (LB)

Application: Z15-0042 Owner: Frank John Filice and Dawn

Marie Filice

Address: 3461 Scott Road Applicant: Novation Design Studio

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. Z15-0042 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 22, District Lots 134 and 135, ODYD, Plan 3886, located at 3461 Scott Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone, be considered by Council;

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

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval set out in Attachment "A" attached to the Report from the Community Planning Department dated October 5, 2015.

2.0 Purpose

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

3.0 Community Planning

Community Planning Staff supports the request to rezone the subject property from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone to facilitate the development of a carriage house. The existing house will be demolished and a new house and carriage house are to be built on the property. The property is within the South Pandosy Urban Centre and the application is consistent with policies that encourage additional density while maintaining the residential character of the neighbourhood.

It should be noted that the applicant has also submitted a similar Rezoning Application for the adjacent property to the south at 3473 Scott Road.

In accordance with Council Policy No. 367, the applicant completed neighbourhood consultation by contacting neighbouring properties within 50 m. No concerns were identified through this process. At the time of writing, Staff has not been contacted with any questions or concerns.

4.0 Proposal

4.1 Project Description

The applicant intends to redevelop the property with a new single detached house and carriage house. The existing house will be demolished should the rezoning be supported. In conjunction with the Rezoning application, the applicant submitted a Development Permit application for the form and character of the proposed carriage house. Should Council choose to support the rezoning request, Staff will continue to work with the applicant to issue the Development Permit in accordance with the Intensive Residential - Carriage House / Two Dwelling Housing guidelines.

4.2 Site Context

The subject property is located on the east side of Scott Road, north of Swordy Road in the South Pandosy Urban Centre and the South Pandosy - KLO Sector. The Official Community Plan Future Land Use designation is S2RES - Single / Two Unit Residential and the property is within the Permanent Growth Boundary. The surrounding area is characterized by single dwelling housing with low density multi-unit residential development farther out and Gyro Beach at the west end of Swordy Road at Pandosy Street.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - large Lot Housing	Single dwelling housing
East	RU1 - large Lot Housing	Single dwelling housing
South	RU1 - large Lot Housing	Single dwelling housing
West	RU1 - large Lot Housing	Single dwelling housing

Subject Property Map: 3461 Scott Road



4.3 Zoning Analysis Table

Zoning Analysis Table						
CRITERIA	RU1c ZONE REQUIREMENTS	PROPOSAL				
Existing Lot						
Minimum Lot Area	550 m ²	464.5 m ²				
Minimum Lot Width	15.0 m	15.2 m				
Minimum Lot Depth	30.0 m	30.5 m				
	Development Regulations					
Maximum Site Coverage (buildings)	40%	40%				
Maximum Site Coverage (buildings, driveways & parking)	50%	50%				
Single Storey	Carriage House Development Re	gulations				
Maximum Accessory Site Coverage	20%	18.3%				
Maximum Accessory Building Footprint	130 m² (carriage house + accessory buildings)	85.2 m ²				
Maximum Net Floor Area	100 m ²	85.2 m ²				
Maximum Net Floor Area to Principal Dwelling	75%	50%				
Maximum Height	4.8 m	4.3 m				
Minimum Side Yard (south)	2.0 m	3.0 m				
Minimum Side Yard (north)	2.0 m	3.0 m				
Minimum Rear Yard	0.9 m	1.5 m				
Minimum Distance to Principal Dwelling	3.0 m	3.3 m				
Other Regulations						
Minimum Parking Requirements	3 stalls	3 stalls				
Minimum Private Open Space	30 m² per dwelling	Meets requirements				

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Sensitive Infill.² Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

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

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

6.0 Technical Comments

- 6.1 Building & Permitting Department
 - Development Cost Charges (DCCs) are required to be paid prior to issuance of any Building Permits.
 - Full Plan check for Building Code related issues will be done at time of Building Permit applications.
- 6.2 Development Engineering Department
 - See attached memorandum, dated September 3, 2015.
- 6.3 Fire Department
 - Requirements of Section 9.19.19 Smoke Alarms and Carbon Monoxide Alarms of the BC Building Code 2012 are to be met.
 - All units shall have a posted address on Scott Road.
 - Should a gate or fence be installed between the main house and the carriage house the gate it to open without special knowledge and have a clear width of 1,100 m.
 - Emergency access is not from the lane to the east, but from Scott Road.

6.4 FortisBC - Electric

There are primary distribution facilities along Scott Road. There is a secondary overhead line crossing the southwest corner of the property that provides service to the adjacent property to the south. The applicant may either provide appropriate land rights or assume responsibility for the cost of realigning this service. The applicant is responsible for costs associated with changes to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

7.0 Application Chronology

Subject Property Map

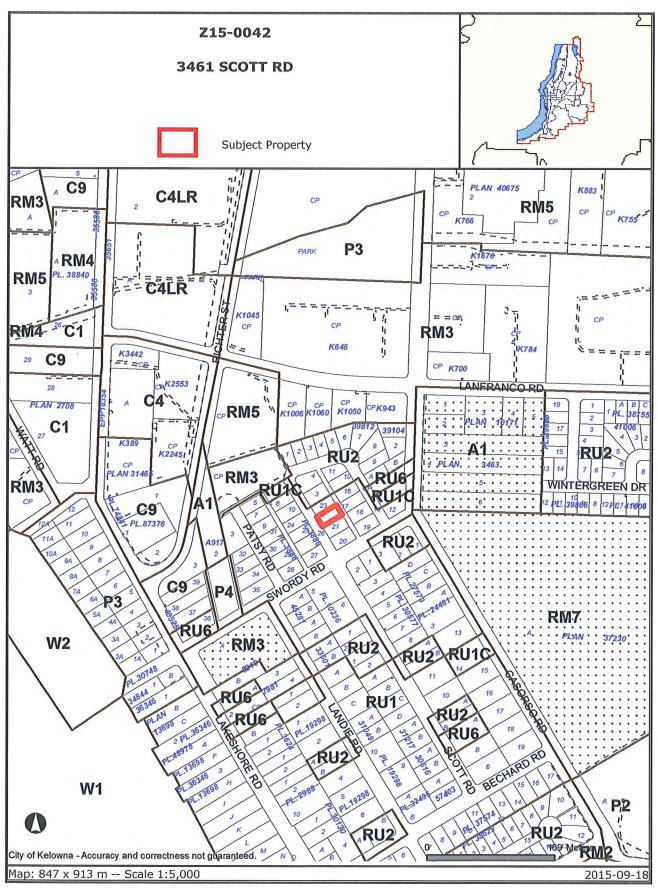
Attachment A: City of Kelowna Memorandum

Conceptual Site Plan and Drawings

Date of Application Received: July 30, 2015
Date Public Consultation Completed: July 30, 2015

Report prepared by:	
Laura Bentley, Planner	<u> </u>
Reviewed by:	Lindsey Ganczar, Planning Supervisor
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager
Attachments:	

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Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.

The City of Kelowna does not guarantee its accuracy. All information should be verified.

CITY OF KELOWNA

MEMORANDUM

Date:

September 3, 2015

File No.:

Z15-0042

To:

Community Planning (LB)

From:

Development Engineering Manager

Subject:

3461 Scott Road

New SFD & 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. An inspection chamber (IC) complete with brooks box should be installed on the service at the owner's cost. Service upgrades can be provided by the City at the applicant's cost. The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade. For estimate inquiry's please contact Sergio Sartori, by email ssartori@kelowna.ca or phone, 250-469-8589.

3. Development Permit and Site Related Issues

Direct the roof drains onto splash pads. Driveway access will be permitted from the lane only.

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

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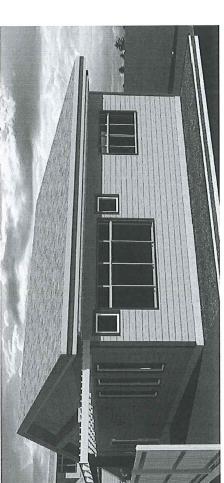
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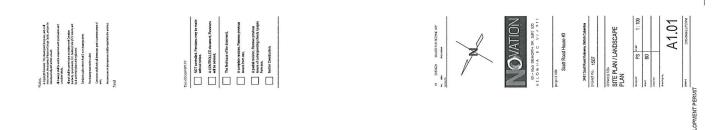


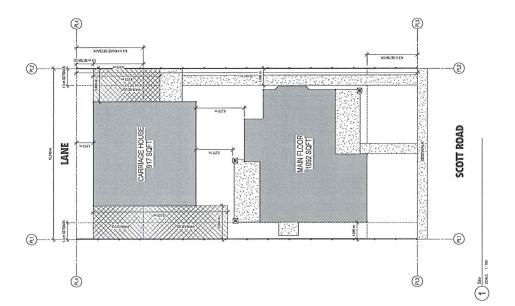
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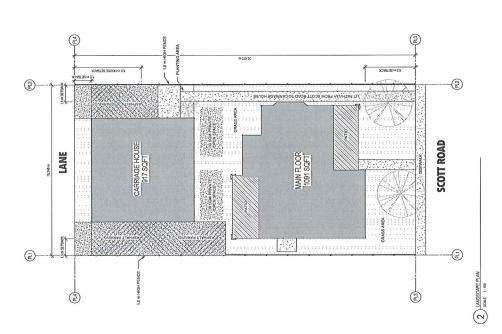
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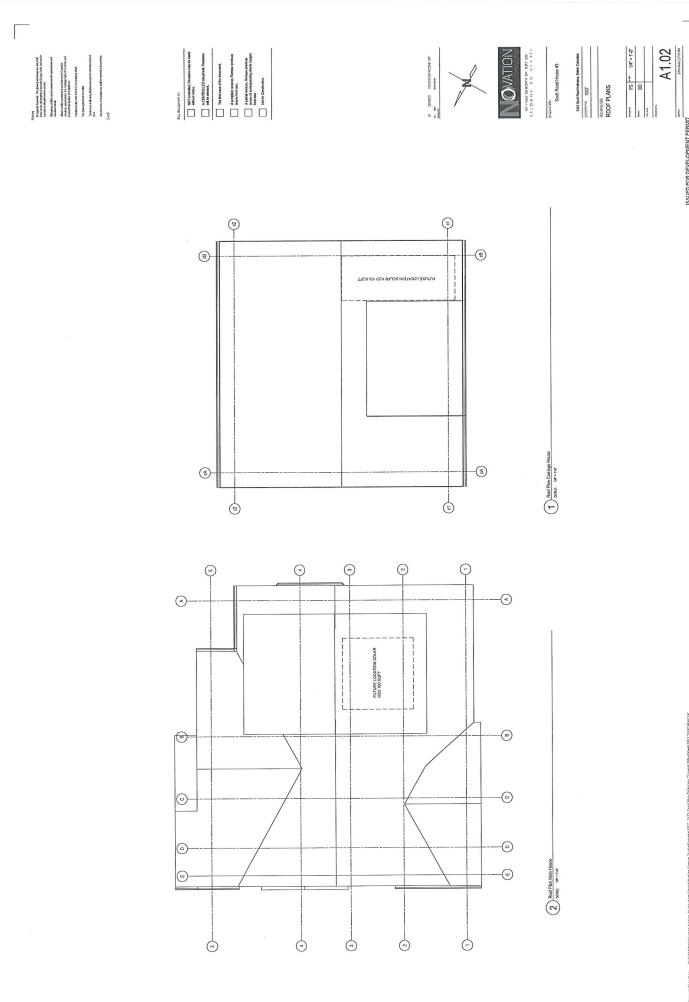


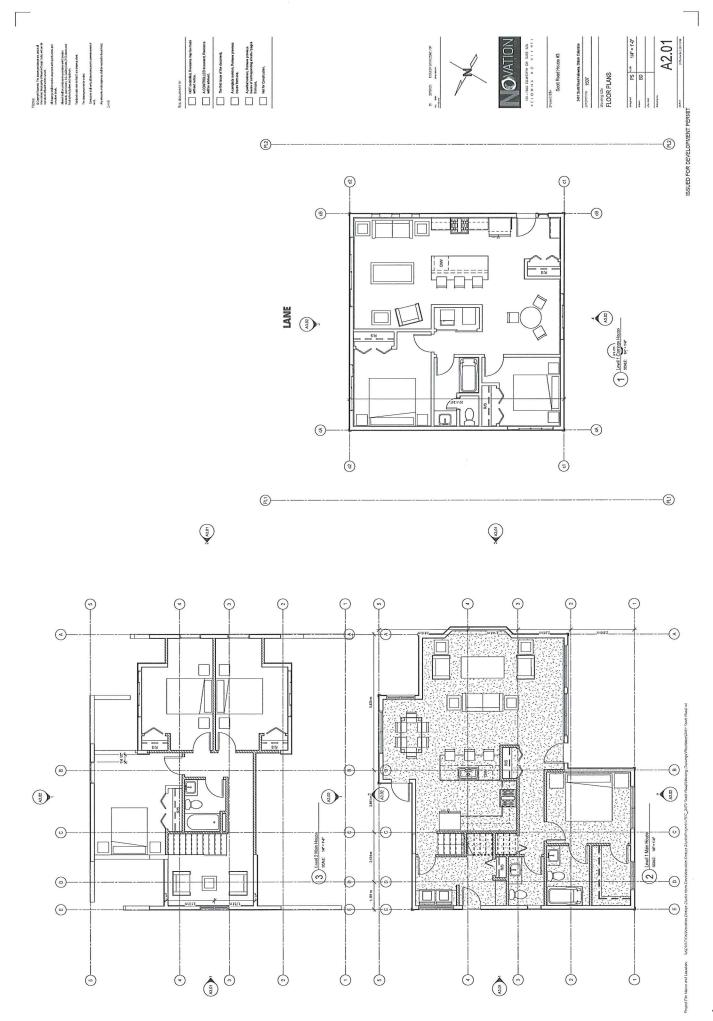


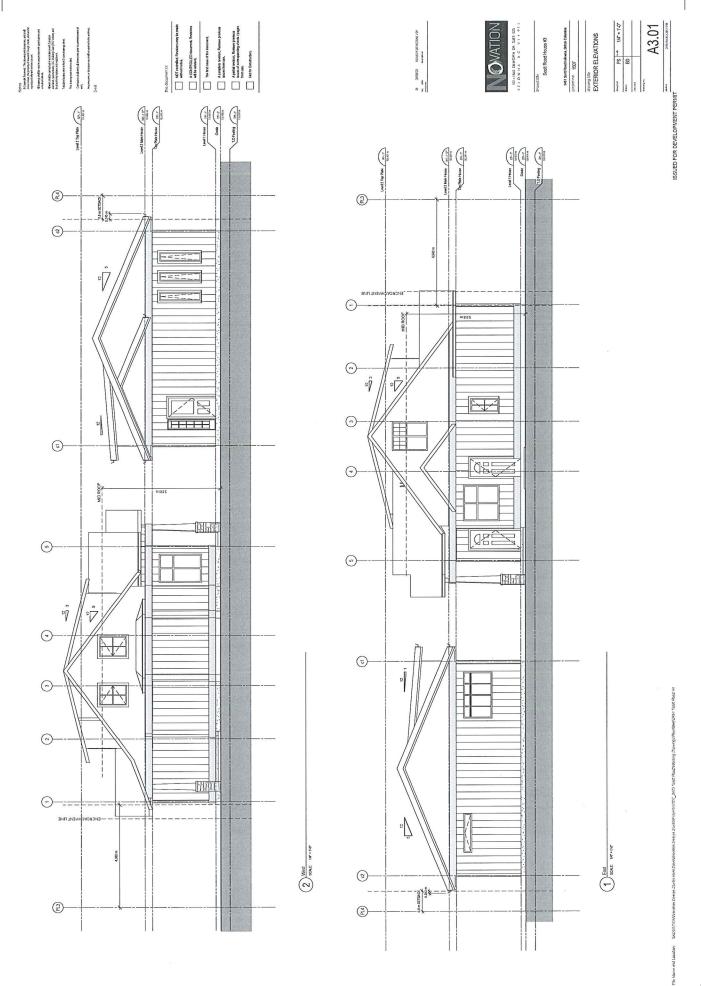


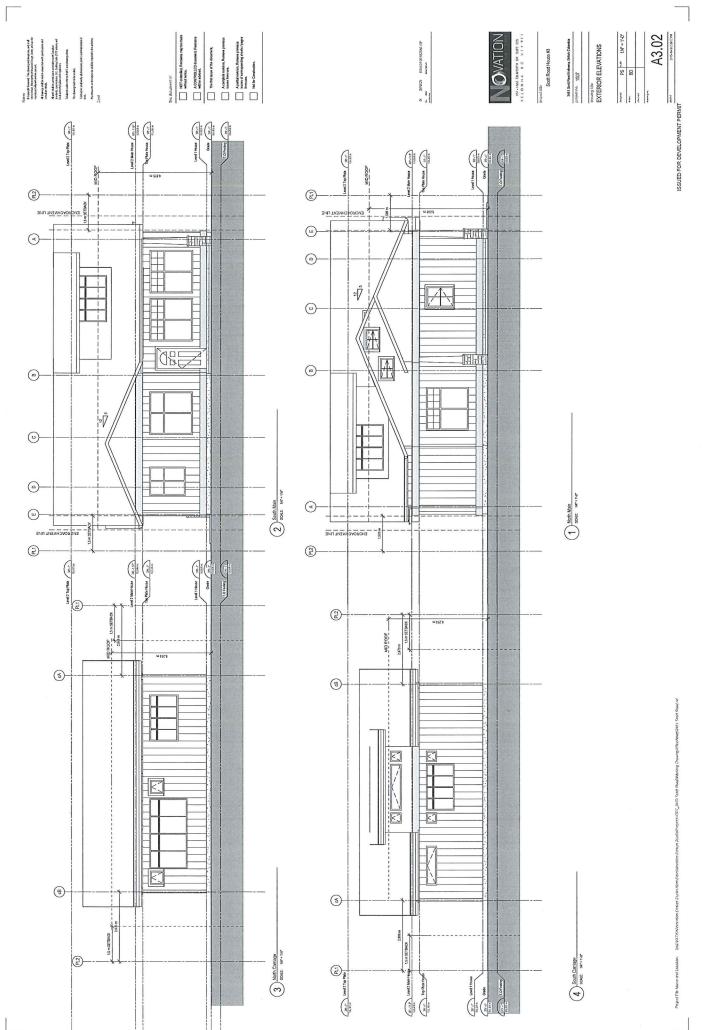
SITE AREA = 464.52 m2

Lot 21, PLAN 3886, TWP 26, ODYD









REPORT TO COUNCIL



Date: 9/14/2015

RIM No. 1250-30

To: City Manager

From: Community Planning Department (AC)

Address: 2982 Volterra Ct. Applicant: Franklin Talbot

Subject: Rezoning Application

Existing OCP Designation: S2RES - Single / Two Unit Residential

Existing Zone: CD-6

Proposed Zone: RU1 - Large Lot Housing

1.0 Recommendation

That Rezoning Application No. Z15-0039 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 20, Section 22, Township 23, ODYD, Plan KAP70243, located on 2982 Volterra Court, Kelowna, BC from the CD6 - Comprehensive Residential Golf Resort to RU1 - Large Lot Housing zone be considered by Council;

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

2.0 Purpose

To rezone the subject property to allow for a secondary suite.

3.0 Community Planning

Staff are supportive of the proposed rezoning to allow a secondary suite on the subject property as it is consistent with the policies and designation of the Official Community Plan (OCP). The Quail Ridge area was developed under a comprehensive development zone (CD6) which attempted to coordinate residential and commercial uses in association with a golf course. The CD-6 zone also applies to Tower Ranch and Gallaghers Canyon. The original purpose of the CD-6 zone was to set up a zone which mimicked the underlying zones (RU1, RM3, RM5, C-2, C-9, P-3) but retained an overall density limit to match the infrastructure capacity (water and sewer). Quail Ridge has been built to capacity with the exception of a six lot subdivision currently being processed and the southernmost knoll (designed MRL and is anticipated to have 110 residential units). The Development Engineering Branch has stated that permitting secondary suites in single family dwellings would not impact the infrastructure capacity within Quail Ridge and Tower Ranch areas.

Council approved a similar rezoning request (from CD-6 to RU1) at 1781 Capistrano Drive (Z14-0018) on August 12th 2014. Staff supports any rezoning in the area to the RU1 zone as secondary suites are allowed in every other single family zone in Kelowna and there are no infrastructure challenges limiting them in the Quail Ridge neighbourhood.

In fulfillment of Council Policy No. 367 respecting public notification, the applicant undertook neighbour notification by individually contacting the neighbours as described in the attachments. Staff has received concerned correspondence from neighbours.

4.0 **Proposal**

4.1 **Project Description**

The subject property presently contains a single family dwelling and the applicant is applying to be permitted to have a secondary suite. The proposal adheres to all the requirements within the zoning bylaw.

4.2 Site Context

The subject property and all the surrounding properties are zoned CD-6. The subject property is approximately 0.56 acres in area and is located within the permanent growth boundary.





5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Sensitive Infill.² Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height, and siting.

6.0 Technical Comments

6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- Provide the City of Kelowna Bulletin #88-02 (Secondary Suites Requirements in a single family dwelling) for minimum requirements. The drawings submitted for Building Permit application is to indicate the method of fire separation between the suite and the main dwelling.
- Range hood above the stove and the washroom to vent separately to the exterior of the building. The size of the penetration for this duct thru a fire separation is restricted by BCBC 06, so provide size of ducts and fire separation details at time of Building Permit Applications.
- The Building Code only allows for a secondary suite to be 40% of the main residence to a maximum of 90 sq. meters.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Engineering Department

See Development Engineering Memo dated August 11th 2015.

6.3 Bylaw Services

 Officer attended and spoke to the property owner advising of the complaint. The property owner confirms he has a separate suite downstairs with full cooking facilities. Owner was advised that suites are not permitted in the CD-6 zone but he could try to apply for rezoning to allow for the suite. A letter was sent to owner outlining their options (decommissioning or rezoning).

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

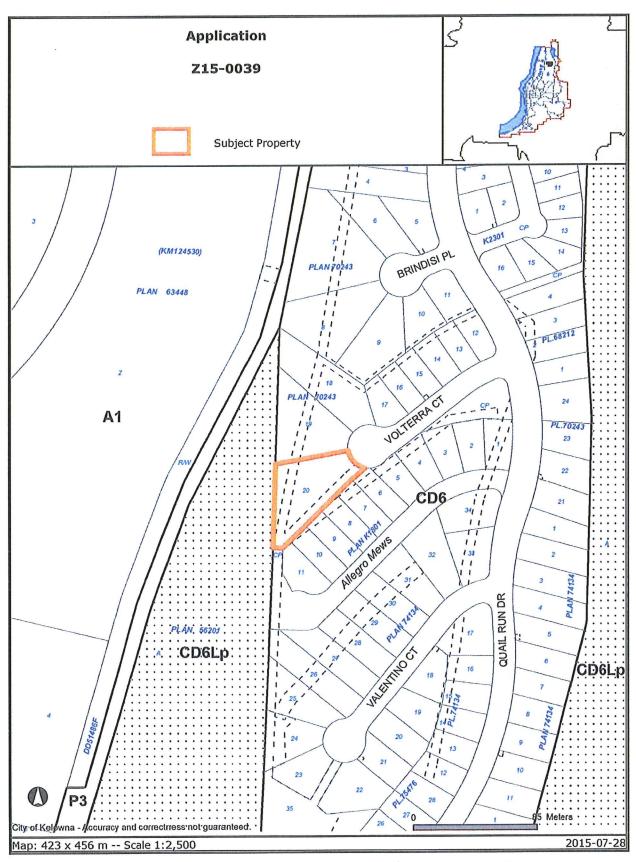
² City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

7.0 Application Chronology

Date of Application Received: July 28th 2015
Date of Public Consultation Received: August 11th 2015

Report prepared	by:
Adam Cseke, Plar	iner 2
Reviewed by:	Ryan Smith, Community Planning Manager
Attachments:	

Site Plan Development Engineering Comments Public Notification Applicant Drawings



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.

The City of Kelowna does not guarantee its accuracy. All information should be verified.

CITY OF KELOWNA

MEMORANDUM

Date:

August 11, 2015

File No.:

Z15-0039

To:

Urban Planning (AC)

From:

Development Engineer Manager (SM)

Subject:

2982 Volterra Court - Lot 20, Plan KAP70243, Sec. 22, Twp. 23, ODYD

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

1. General.

- a) The property is fully serviced; this application does not trigger any offsite infrastructure upgrades.
- b) The proposed rezoning application to legalize the suite will add a unit to the overall approved Quail Ridge development and may limit the amount of units available for the ultimate phases on the remaining developable lands.

Steve Muenz, P.Eng. Development Engineering Manager

 B^2

Neighbour Consultation Form (Council Policy No.367)

addresses that were consulted.



A summary of neighborhood consultation efforts, feedback and response must be provided to City staff, identifying how the efforts meet the objectives of this Policy. This form must be filled out and submitted to the File Manager a minimum of 20 days prior to initial consideration by Council.

I, Frank Talbot, the applicant for Application No
for the Porpose of Legalizing a Basement suite (brief description of proposal)
at 2982 VOLTERRA CRT. have conducted the required neighbour (address) consultation in accordance with Council Policy No. 367.
My parcel is located outside of the Permanent Growth Boundary and I have consulted all owners & occupants within a 300m radius My parcel is located inside of the Permanent Growth Boundary and I have consulted all owners & occupants within a 50m radius
I have consulted property owners and occupants by doing the following: Going Doot
TO DOOF OF all neighboots on volterra CRT and Allegro mewsexplaining our intentions on conversation + a Letter.
Please initial the following to confirm it has been included as part of the neighbour consultation:
Location of the proposal; FY Detailed description of the proposal, including the specific changes proposed; FY Visual rendering and/or site plan of the proposal; FY Contact information for the applicant or authorized agent; FY Contact information for the appropriate City department;
FT Contact information for the appropriate only appropria
Please return this form, along with any feedback, comments, or signatures to the File Manager 20 days prior to the anticipated initial consideration by Council date. On the back of this form please list those

City of Kelowna 1435 Water Street Kelowna, BC V1Y 1J4 TEL 250 469-8600 FAX 250 862-3330 kelowna.ca Frank & Eyrin Talbot 2982 Volterra Ct Kelowna, BC V1V2N5

August 7, 2015

Dear Neighbour,

Please accept this letter as notification of our intention to legalize our current in-law suite.

The suite was constructed when the home was built and there will be no renovations or construction on the suite, exclusive of any changes needed for the legalization process.

The intended use for the suite is to house our aging elderly parents and potentially a mature professional/couple in the interim. The suite has a maximum occupancy of 2 residents.

We very much value and appreciate the quiet peacefulness of our neighbourhood and as such we intend to rent to individuals that share and respect those values.

If you have any questions about this letter please do not hesitate to contact Frank at 250-575-5422 or City of Kelowna at 250-469-8608.

Sincerely,

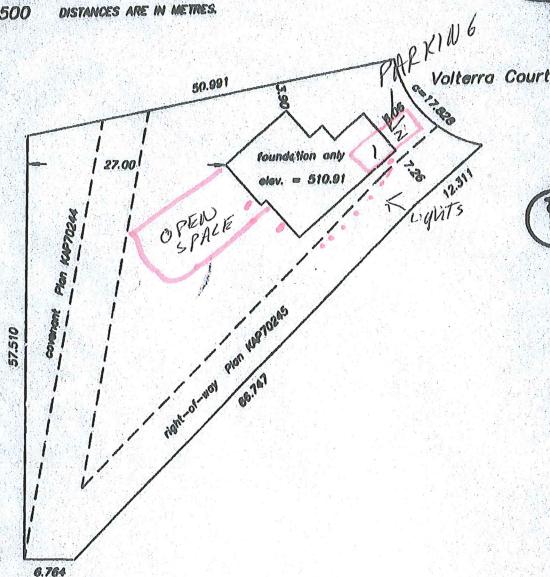
Frank Talbot

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3000 VOLTERRA CRT	V	<u></u>	JULY 9 2015
3004 VOLTERRA CRT		W	JULY 9 2015
3008 VOLTERRA CRT	<u> </u>	L	JULY 8 2015
3012 UOLTERRA CRT		I-	JULY 8 2015
3016 UOLTERRACET		-	JULY 9 2015
3020 VOLTERRA CRT		- L	JULY 9 2015
3002 ALLEGRO MEWS	L	<u></u>	JULY 8 2015
3006 ALLEGED MEWS		-	JULY 8 7016
3010 ALLEGRO MEWS	V	\ \ \ \ \	JULY 8 2015
3014 ALLEGRO MEUS	V V	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	JULY 8 2015
3018 ALLEGRO MEWS		<u> </u>	JULY 8 2015
3022 ALLEGRO MENS		V	JULY 9 7015
3026 ALLEGRO MEWS		<u></u>	JULY 9 2015
3036 ALLEGRO MEWS	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	L	JULY 9 2015
3034 ALLEGRO MEWS		V	JULY 9 2015
3038 ALLEGRO MEWS	1	V	JULY 8 2015
3042 ALLEGRO MEWS			
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P. 1931			

B.C. LAND SURVEYOR'S CERTIFICATE OF LOCATION OF BUILDING ON LOT 20 PLAN KAP70243 SEC. 22 TP. 23 O.D.Y.D.

SCALE 1:500

DISTANCES ARE IN METRES.



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D.A. Goddard

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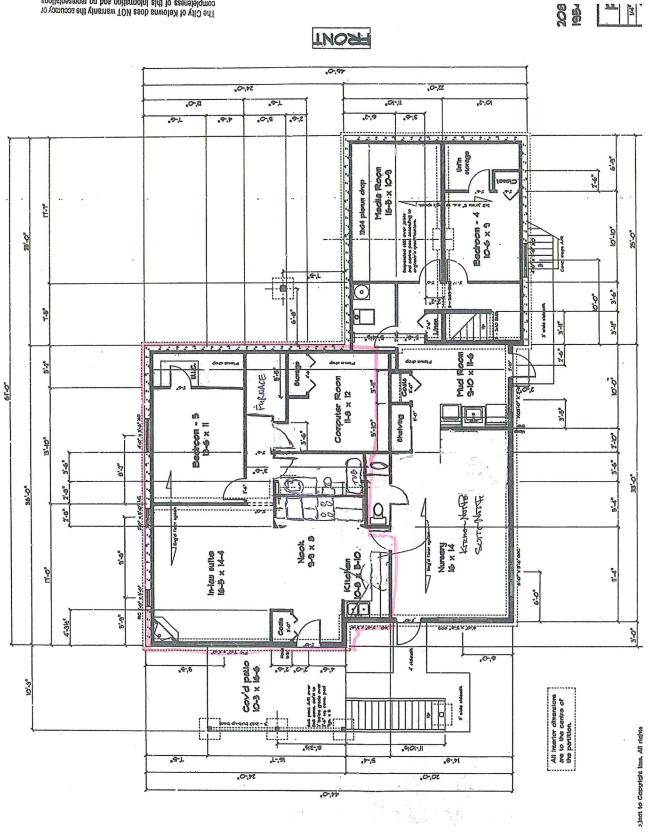
FILE 11390 FB 244

RE: Sunrise Construction

D.A. Goddard Land Surveying Inc 200-1449 ST. PAUL STREET KELOWNA



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