

# City of Kelowna

## Public Hearing

### AGENDA



Tuesday, October 3, 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 September 20, 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

- |            |   |          |
|------------|---|----------|
| <b>3.1</b> | <b>Curlew Area, LUCT17-0001 (BL11455) and Rezoning Z17-0062 (BL11456) - Various Owners</b>  | 4 - 25   |
|            | <p>To consider an application to rezone the subject properties as identified in 'Schedule B: Table 1, 2, 3, 4, 5, and 6', and proceed with the termination of Land Use Contract LUC77-1002 to revert the properties within the South Okanagan Mission Sector to the new underlying RU1 – Large Lot Housing, RR3 – Rural Residential 3, P2 – Educational and Minor Institutional, and P3 – Parks &amp; Open Space zones.</p> |          |
| <b>3.2</b> | <b>521 Curlew Drive, LUC17-0002 (BL11466) and Z17-0049 (BL11467) - Derek L &amp; Tammy L Cartier</b>  | 26 - 36  |
|            | <p>To consider a Land Use Contract discharge and rezoning of the subject property from RR1 – Rural Residential 1 to RU1c – Large Lot Housing with Carriage House.</p>   |          |
| <b>3.3</b> | <b>462 Clifton Rd, Z17-0067 (BL11475) - Lawrence &amp; Mary Berg</b>  | 37 - 44  |
|            | <p>To rezone the subject property to the RU6 – Two Dwelling Housing zone to facilitate construction of a second dwelling.</p>   |          |
| <b>3.4</b> | <b>1561 Mountain Ave, Z17-0042 (BL11476) - Robin and Heather Mercer</b>   | 45 - 54  |
|            | <p>To rezone the subject property from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House to facilitate the construction of a carriage house.</p>  |          |
| <b>3.5</b> | <b>2825 Richter St, Z17-0057 (BL11479) - 1018545 BC Ltd</b>   | 55 - 67  |
|            | <p><b>ITEM TO BE DEFERRED</b></p>   |          |
| <b>3.6</b> | <b>1373 Tanemura Cr, Z17-0046 (BL11480) - Philip Zurrin</b>   | 68 - 76  |
|            | <p>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.</p>   |          |
| <b>3.7</b> | <b>5080 Twinflower Cres, OCP17-0004 (BL11481) and Z17-0015 (BL11482) - Interval Investments Inc</b>   | 77 - 84  |
|            | <p>To amend the Official Community Plan to change the future land use designation and to rezone portions of the subject property to facilitate a three lot subdivision and park dedication.</p>   |          |
| <b>3.8</b> | <b>1915 Enterprise Way, Z17-0001 (BL11487) - Kelowna East Investments Ltd</b>   | 85 - 113 |
|            | <p>To rezone the subject property from C4 – Urban Centre Commercial to CD17 – Mixed</p>   |          |

Use Commercial – High Density to facilitate the future construction of a hotel and a mixed-use building.

**3.9 OCP17-0019 (BL11490) and TA17-0005 (BL11491) - RU7 – Infill Housing Zone Amendments**

114 - 119

To consider text amendments to the Official Community Plan Bylaw No. 10500 and the Zoning Bylaw No. 8000 with regard to the RU7 – Infill Housing zone.

**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:** August 28<sup>th</sup>, 2017

**RIM No.** 1250-40

**To:** City Manager

**From:** Community Planning Department (JR)

**Application:** LUCT 17-0001 /Z17-0062      **Owner:** Multiple Properties

**Address:** Multiple Addresses      **Applicant:** The City of Kelowna

**Affected Streets:** Curlew Drive, Curlew Court, Lark Street, Wren Place, Okaview Road and Stellar Drive

**Subject:** Land Use Contract Termination (LUC 77-1002)

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zones: RR1 – Rural Residential 1 & P3 – Parks and Open Space

Proposed Zones: RU1 – Large Lot Housing, RR3 – Rural Residential 3, P2 – Educational and Minor Institutional, & P3 – Parks and Open Space

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## 1.0 Recommendation

WHEREAS the BC Provincial Government has mandated that all Land Use Contracts under the jurisdiction of a local government and in the Province of British Columbia be terminated by 2024;

AND WHEREAS the BC Provincial Government has provided a legislated process for the early termination of land use contracts when the local government has adopted a zoning bylaw that will apply to the land at the time the termination bylaw comes into force;

THAT Application No. LUCT17-0001 to terminate LUC77-1002 from properties identified in 'Schedule A', located on Curlew Drive, Curlew Court, Lark Street, Wren Place, Okaview Road and Stellar Drive, Kelowna, B.C. be considered by Council;

AND WHEREAS the underlying P3 – Parks & Open Space zone in the City of Kelowna Zoning Bylaw No. 8000 applies to Lot 166 Section 23 Township 28 SDYD Plan KAP32591 located at 5210 Lark Street, Kelowna, BC under Land Use Contract LUC77-1002;

THEREFORE, BE IT RESOLVED THAT as the underlying RR1 – Rural Residential 1 and RR2 – Rural Residential 2 zones for the subject properties under Land Use Contract LUC77-1002 outlined in 'Schedule B: Table 1, 2, 3, 4, 5 and 6' does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

AND THAT Rezoning Application No. Z17-0062 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for properties identified in 'Schedule B: Table 1', located on Curlew Drive,



Curlew Court, Lark Street, Wren Place, Okaview Road, and Stellar Drive Kelowna, BC from the RR1 – Rural Residential 1 zone to RU1 – Large Lot Housing be considered by Council;

AND THAT Rezoning Application No. Z17-0062 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for properties identified in 'Schedule B: Table 2', located on Curlew Drive, Curlew Court, and Stellar Drive Kelowna, BC from the RR1 – Rural Residential 1 zone to RR3 – Rural Residential be considered by Council;

AND THAT Rezoning Application No. Z17-0062 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for properties identified in 'Schedule B: Table 3', located on Bartholomew Court, Kelowna, BC from the RR1 – Rural Residential 1 and RR2 – Rural Residential 2 zone to RU1 – Large Lot Housing be considered by Council;

AND THAT Rezoning Application No. Z17-0062 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for properties identified in 'Schedule B: Table 4', located on Bartholomew Court, Kelowna, BC from the RR1 – Rural Residential 1 and RR2 – Rural Residential 2 zone to RR3 – Rural Residential 3 be considered by Council;

AND THAT Rezoning Application No. Z17-0062 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for properties identified in 'Schedule B: Table 5', located Okaview Road, Kelowna, BC from the RR2 – Rural Residential 2 zone to RU1 – Large Lot Housing be considered by Council;

AND THAT Rezoning Application No. Z17-0062 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for properties identified in 'Schedule B: Table 6', located on Lark Street, Kelowna, BC from the RR1 – Rural Residential 1 zone to P2 – Educational and Minor Institutional be considered by Council;

AND FURTHER THAT the Land Use Contract Termination Bylaw and Rezone Bylaw be forwarded to a Public Hearing for further consideration.

## **2.0 Purpose**

To consider an application to rezone the subject properties as identified in 'Schedule B: Table 1, 2, 3, 4, 5, and 6', and proceed with the termination of Land Use Contract LUC77-1002 to revert the properties within the South Okanagan Mission Sector to the new underlying RU1 – Large Lot Housing, RR3 – Rural Residential 3, P2 – Educational and Minor Institutional, and P3 – Parks & Open Space zones.

## **3.0 Community Planning**

Community Planning Staff is supportive of terminating a Land Use Contract that applies to 167 subject parcels within the South Okanagan Mission Sector, just north of the Kettle Valley Development. A Land Use Contract Discharge application (LUC17-0002) was made to the City to have the LUC discharged from 521 Curlew Drive. As outlined in the Land Use Contract Termination Strategy Report to Council dated September 12, 2016, if an application is made to request a Land Use Contract Discharge from a specific property, Staff will use the opportunity to bring forth the accompanying Termination Report when the land use contract applies to additional properties.

The 167 subject parcels are located on Curlew Drive, Curlew Court, Lark Street, Stellar Drive, Okaview Road and Wren Place. The LUC currently restricts the use to one single family dwelling. The underlying zoning (RR1 – Rural Residential 1 and RR2 – Rural Residential 2) does not fit with the established neighbourhood and is not an appropriate zone for the existing land use. However, the underlying zone, P3 – Parks & Open Space, for one of the properties is an appropriate zone therefore, 166 properties out of the 167 will need to be rezoned. Staff are recommending that properties connected to sanitary sewer be rezoned to RU1 –

Large Lot Housing and properties not connect to sanitary sewer be rezoned to RR<sub>3</sub> – Rural Residential 3. The Land Use Contract rules and regulations are effectively similar to the RU<sub>1</sub> and RR<sub>3</sub> zones. However, the one notable difference is the properties will be allowed to have secondary suites.

There are two properties that used to be a part of the LUC that have the incorrect zoning of RR<sub>1</sub> – Rural Residential 1. Staff have included these two properties in the rezoning portion of this application to provide proper zoning for the properties.

#### **4.0 Proposal**

##### **4.1 Background**

Land Use Contracts were a tool regularly used in the 1970's before it was eliminated on November 15<sup>th</sup> 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

Issues have arisen, specifically with the continued application of land use contracts as they supersede any subsequent bylaw dealing with land use and development including: Zoning Bylaws, Development Cost Charge Bylaws, and Development Permits. The Local Government Act was amended in 2014 stating all land use contracts in the province will be terminated as of June 30<sup>th</sup> 2024. Land use contracts will remain in force until that date unless terminated early by the municipality. By June 20<sup>th</sup> 2022, local governments must have appropriate zoning regulations in place to replace land use contracts upon their termination. However, LUC terminations (unlike LUC discharges) do not apply when Council adopts the bylaw. Terminations require a one-year grace period as outlined by the Local Government Act.

##### **4.2 Notification**

Local governments must provide notice to each owner that the termination of land use contract is occurring and must provide notice of what the new zoning regulations apply to the land. The municipality must send additional letters after the one-year grace period is complete informing the property owners of which land use regulations apply to their properties.

Staff are recommending Council Notification Policy #367 including early notification and development signage be waived for all Land Use Contract terminations. Public consultation in this case is not recommended as the notification policy is a City initiative. Staff are recommending that the standard development notification, as outlined above, be sent to properties affected by the LUC under consideration for termination.

Staff are providing each property owner with an extra notification letter, before first reading, outlining a termination of their Land Use Contract is proposed. If the property does not have the correct underlying zone, then Staff will include the proposed new zone. Property owners under the LUC are able to join the LUC Discharge however, if property owners do not inform the City after a two-week period, then the City anticipates each property will wait the one year until the LUC is terminated.

##### **4.3 Site Context**

The subject 167 properties have a total area of 312,447 m<sup>2</sup> and are located just North of the Kettle Valley development. The properties are designated S2RES – Single / Two Unit Residential, EDINST – Educational / Major Institutional, and PARK – Major Park / Open Space (Public) in the Official Community Plan and the surrounding area is single family residential.

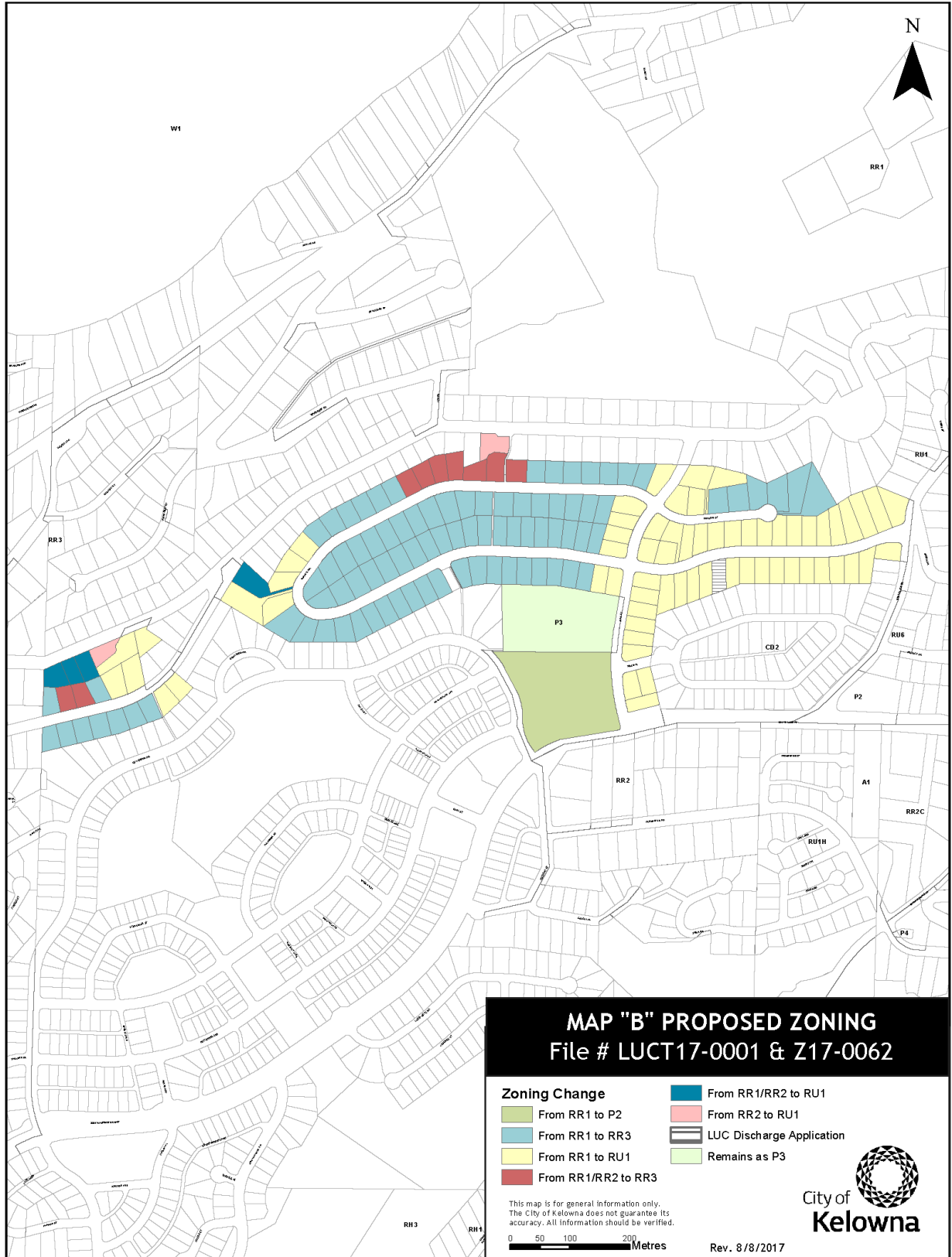
Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR2 – Rural Residential 2	Single Family Dwelling
East	RR2 – Rural Residential 2	Single Family Dwelling
South	CD2 – Kettle Valley RR2 Rural Residential 2 RU1 – Large Lot Housing	Single Family Dwelling
West	RR2 – Rural Residential 2	Single Family Dwelling

**Subject Property Map: South Okanagan Mission Sector**



**Rezoning Map:** South Okanagan Mission Sector



## **5.0 Current Development Policies**

### **5.1 Council Policy No. 282 – Strategy for Elimination of Remaining Land Use Contracts**

**Council Policy No. 282.**<sup>2</sup> Includes the following statement:

That the City of Kelowna initiate proceedings to discharge the contracts subject to consultation with affected owners of the land and subject to prior approval by council with regard to affected contracts

## **6.0 Technical Comments**

### **6.1 Building & Permitting Department**

- No concerns

### **6.2 Development Engineering Department**

- No comment

## **7.0 Application Chronology**

N/A

**Prepared by:** Jenna Ratzlaff, Planner and Adam Cseke, Planner

**Reviewed by:** Terry Barton, Urban Planning Manager

**Reviewed by:** Ryan Smith, Community Planning Department Manager

### **Attachments:**

Schedule 'A' – Land Use Contract Termination LUC77-1002

Schedule 'B: Table 1' – Properties to be Rezoned (RR1 – RU1)

Schedule 'B: Table 2' – Properties to be Rezoned (RR1 – RR3)

Schedule 'B: Table 3' – Properties to be Rezoned (RR1/RR2 – RU1)

Schedule 'B: Table 4' – Properties to be Rezoned (RR1/RR2 – RR3)

Schedule 'B: Table 5' – Properties to be Rezoned (RR2 – RR3)

Schedule 'B: Table 6' – Properties to be Rezoned (RR1 – P2)

Rezoning Map

Schedule A: LUC77-1002						
No.	Legal Description	Address	Parcel Identifier Number	Charge Number	Land Use Contract	Underlying Zone
1	Lot 114 Section 23 Township 28 SDYD Plan 32591	1 453 Curlew Dr	001-995-499	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
2	Lot 111 Section 23 Township 28 SDYD Plan 32591	1 455 Curlew Dr	001-525-034	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
3	Lot 139 Section 23 Township 28 SDYD Plan 32591	351 Curlew Ct	001-995-685	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
4	Lot 140 Section 23 Township 28 SDYD Plan 32591	355 Curlew Ct	001-995-693	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
5	Lot 138 Section 23 Township 28 SDYD Plan 32591	357 Curlew Ct	001-995-677	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
6	Lot 141 Section 24 Township 28 SDYD Plan 32591	359 Curlew Ct	001-995-162	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
7	Lot 2 Section 23 Township 28 SDYD Plan EPP45452	381 Okaview Rd	029-451-566	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
8	Lot 164 Section 23 Township 28 SDYD Plan 32591	383 Okaview Rd	001-645-340	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
9	Lot 161 Section 23 Township 28 SDYD Plan 32591	386 Stellar Dr	001-645-323	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
10	Lot 162 Section 23 Township 28 SDYD Plan 32591	390 Stellar Dr	003-369-544	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
11	Lot 149 Section 23 Township 28 SDYD Plan 32591	399 Stellar Dr	001-995-715	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
12	Lot 46 Section 24 Township 28 SDYD Plan 32591	410 Curlew Dr	001-778-447	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
13	Lot 116 Section 23 Township 28 SDYD Plan 32591	449 Curlew Dr	001-995-511	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
14	Lot 115 Section 23 Township 28 SDYD Plan 32591	451 Curlew Dr	001-995-502	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
15	Lot 90 Section 24 Township 28 SDYD Plan 32591	497 Curlew Dr	001-995-065	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
16	Lot 89 Section 24 Township 28 SDYD Plan 32591	499 Curlew Dr	001-995-057	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
17	Lot 44 Section 24 Township 28 SDYD Plan 32591	500 Curlew Dr	001-994-930	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
18	Lot 43 Section 24 Township 28 SDYD Plan 32591	504 Curlew Dr	001-994-921	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
19	Lot 11 Section 24 Township 28 SDYD Plan 32591	505 Curlew Dr	002-468-972	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
20	Lot 42 Section 24 Township 28 SDYD Plan 32591	506 Curlew Dr	001-994-913	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
21	Lot 4 Section 24 Township 28 SDYD Plan 32591	507 Wren Pl	003-368-971	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
22	Lot 41 Section 24 Township 28 SDYD Plan 32591	508 Curlew Dr	001-730-347	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
23	Lot 12 Section 24 Township 28 SDYD Plan 32591	509 Curlew Dr	001-535-404	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
24	Lot 40 Section 24 Township 28 SDYD Plan 32591	512 Curlew Dr	003-369-374	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
25	Lot 13 Section 24 Township 28 SDYD Plan 32591	513 Curlew Dr	003-369-111	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
26	Lot 47 Section 24 Township 28 SDYD Plan 32591	5136 Lark St	001-778-455	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
27	Lot 87 Section 24 Township 28 SDYD Plan 32591	5142 Lark St	001-995-022	P1861	LUC77-1002	RR1 - Rural Residential 1 zone

28	Lot 45 Section 24 Township 28 SDYD Plan 32591	5145 Lark St	001-994-948	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
29	Lot 88 Section 24 Township 28 SDYD Plan 32591	5154 Lark St	001-995-049	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
30	Lot 39 Section 24 Township 28 SDYD Plan 32591	516 Curlew Dr	001-476-611	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
31	Lot 10 Section 24 Township 28 SDYD Plan 32591	5165 Lark St	003-369-081	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
32	Lot 14 Section 24 Township 28 SDYD Plan 32591	517 Curlew Dr	001-994-794	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
33	Lot 9 Section 24 Township 28 SDYD Plan 32591	5177 Lark St	002-456-231	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
34	Lot 8 Section 24 Township 28 SDYD Plan 32591	5185 Lark St	003-369-048	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
35	Lot 7 Section 24 Township 28 SDYD Plan 32591	5195 Lark St	003-369-030	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
36	Lot 38 Section 24 Township 28 SDYD Plan 32591	520 Curlew Dr	003-369-358	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
37	Lot 6 Section 24 Township 28 SDYD Plan 32591	5201 Lark St	003-369-013	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
38	Lot 5 Section 24 Township 28 SDYD Plan 32591	5213 Lark St	003-368-980	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
39	Lot 3 Section 24 Township 28 SDYD Plan 32591	5225 Lark St	003-368-947	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
40	Lot 2 Section 24 Township 28 SDYD Plan 32591	5235 Lark St	001-994-760	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
41	Lot 37 Section 24 Township 28 SDYD Plan 32591	524 Curlew Dr	003-369-331	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
42	Lot 16 Section 24 Township 28 SDYD Plan 32591	525 Curlew Dr	003-133-508	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
43	Lot 36 Section 24 Township 28 SDYD Plan 32591	528 Curlew Dr	003-369-307	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
44	Lot 17 Section 24 Township 28 SDYD Plan 32591	529 Curlew Dr	003-369-137	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
45	Lot 35 Section 24 Township 28 SDYD Plan 32591	532 Curlew Dr	003-369-285	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
46	Lot 18 Section 24 Township 28 SDYD Plan 32591	533 Curlew Dr	003-369-145	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
47	Lot 34 Section 24 Township 28 SDYD Plan 32591	536 Curlew Dr	003-369-277	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
48	Lot 19 Section 24 Township 28 SDYD Plan 32591	537 Curlew Dr	003-369-161	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
49	Lot 33 Section 24 Township 28 SDYD Plan 32591	540 Curlew Dr	003-369-269	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
50	Lot 20 Section 24 Township 28 SDYD Plan 32591	541 Curlew Dr	001-994-832	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
51	Lot 32 Section 24 Township 28 SDYD Plan 32591	544 Curlew Dr	003-369-251	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
52	Lot 21 Section 24 Township 28 SDYD Plan 32591	545 Curlew Dr	001-841-149	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
53	Lot 31 Section 24 Township 28 SDYD Plan 32591	548 Curlew Dr	003-369-234	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
54	Lot 22 Section 24 Township 28 SDYD Plan 32591	549 Curlew Dr	001-994-841	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
55	Lot 30 Section 24 Township 28 SDYD Plan 32591	550 Curlew Dr	001-994-891	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
56	Lot 29 Section 24 Township 28 SDYD Plan 32591	552 Curlew Dr	003-369-226	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
57	Lot 23 Section 24 Township 28 SDYD Plan 32591	553 Curlew Dr	003-369-170	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
58	Lot 28 Section 24 Township 28 SDYD Plan 32591	556 Curlew Dr	003-369-200	P1861	LUC77-1002	RR1 - Rural Residential 1 zone



59	Lot 24 Section 24 Township 28 SDYD Plan 32591	557 Curlew Dr	002-483-611	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
60	Lot 25 Section 24 Township 28 SDYD Plan 32591	561 Curlew Dr	001-756-109	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
61	Lot 26 Section 24 Township 28 SDYD Plan 32591	565 Curlew Dr	001-994-867	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
62	Lot 100 Section 23 Township 28 SDYD Plan 32591	1 477 Curlew Dr	003-369-463	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
63	Lot 112 Section 23 Township 28 SDYD Plan 32591	2 455 Curlew Dr	001-995-472	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
64	Lot 142 Section 24 Township 28 SDYD Plan 32591	361 Curlew Ct	001-995-171	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
65	Lot 143 Section 24 Township 28 SDYD Plan 32591	365 Curlew Ct	001-995-189	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
66	Lot 157 Section 23 Township 28 SDYD Plan 32591	370 Stellar Dr	001-995-791	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
67	Lot 144 Section 24 Township 28 SDYD Plan 32591	371 Curlew Ct	001-995-197	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
68	Lot 145 Section 24 Township 28 SDYD Plan 32591	373 Curlew Ct	001-995-201	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
69	Lot 146 Section 24 Township 28 SDYD Plan 32591	375 Curlew Ct	001-995-219	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
70	Lot 155 Section 23 Township 28 SDYD Plan 32591	375 Stellar Dr	001-995-774	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
71	Lot 147 Section 24 Township 28 SDYD Plan 32591	379 Curlew Ct	003-369-536	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
72	Lot 154 Section 23 Township 28 SDYD Plan 32591	379 Stellar Dr	001-995-766	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
73	Lot A Section 23 Township 28 SDYD Plan 33792	382 Stellar Dr	001-995-839	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
74	Lot 153 Section 23 Township 28 SDYD Plan 32591	383 Stellar Dr	001-995-758	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
75	Lot 152 Section 23 Township 28 SDYD Plan 32591	387 Stellar Dr	001-995-740	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
76	Lot 151 Section 23 Township 28 SDYD Plan 32591	391 Stellar Dr	001-995-731	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
77	Lot 150 Section 23 Township 28 SDYD Plan 32591	395 Stellar Dr	001-995-723	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
78	Lot 148 Section 23 Township 28 SDYD Plan 32591	403 Stellar Dr	001-995-707	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
79	Lot 137 Section 23 Township 28 SDYD Plan 32591	405 Curlew Dr	001-995-669	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
80	Lot 136 Section 23 Township 28 SDYD Plan 32591	409 Curlew Dr	001-995-651	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
81	Lot 135 Section 24 Township 28 SDYD Plan 32591	411 Curlew Dr	001-995-154	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
82	Lot 134 Section 24 Township 28 SDYD Plan 32591	413 Curlew Dr	001-995-146	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
83	Lot 48 Section 24 Township 28 SDYD Plan 32591	414 Curlew Dr	001-778-463	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
84	Lot 133 Section 24 Township 28 SDYD Plan 32591	415 Curlew Dr	003-369-528	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
85	Lot 49 Section 24 Township 28 SDYD Plan 32591	416 Curlew Dr	001-778-439	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
86	Lot 132 Section 24 Township 28 SDYD Plan 32591	417 Curlew Dr	001-995-138	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
87	Lot 50 Section 24 Township 28 SDYD Plan 32591	418 Curlew Dr	001-778-471	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
88	Lot 131 Section 24 Township 28 SDYD Plan 32591	419 Curlew Dr	001-995-111	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
89	Lot 51 Section 24 Township 28 SDYD Plan 32591	420 Curlew Dr	001-994-956	P1861	LUC77-1002	RR1 - Rural Residential 1 zone

90	Lot 130 Section 24 Township 28 SDYD Plan 32591	421 Curlew Dr	001-995-103	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
91	Lot 52 Section 24 Township 28 SDYD Plan 32591	422 Curlew Dr	001-994-964	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
92	Lot 53 Sections 23 and 24 Township 28 SDYD Plan 32591	424 Curlew Dr	001-995-804	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
93	Lot 54 Section 23 Township 28 SDYD Plan 32591	426 Curlew Dr	001-995-227	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
94	Lot 55 Section 23 Township 28 SDYD Plan 32591	428 Curlew Dr	001-995-235	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
95	Lot 56 Section 23 Township 28 SDYD Plan 32591	430 Curlew Dr	001-995-243	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
96	Lot 57 Section 23 Township 28 SDYD Plan 32591	432 Curlew Dr	001-995-251	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
97	Lot 58 Section 23 Township 28 SDYD Plan 32591	434 Curlew Dr	001-995-260	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
98	Lot 59 Section 23 Township 28 SDYD Plan 32591	436 Curlew Dr	001-995-278	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
99	Lot 122 Section 23 Township 28 SDYD Plan 32591	437 Curlew Dr	001-995-588	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
100	Lot 60 Section 23 Township 28 SDYD Plan 32591	438 Curlew Dr	001-995-286	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
101	Lot 121 Section 23 Township 28 SDYD Plan 32591	439 Curlew Dr	001-995-570	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
102	Lot 61 Section 23 Township 28 SDYD Plan 32591	440 Curlew Dr	001-995-294	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
103	Lot 120 Section 23 Township 28 SDYD Plan 32591	441 Curlew Dr	001-995-561	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
104	Lot 62 Section 23 Township 28 SDYD Plan 32591	442 Curlew Dr	001-995-308	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
105	Lot 119 Section 23 Township 28 SDYD Plan 32591	443 Curlew Dr	001-995-553	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
106	Lot 63 Section 23 Township 28 SDYD Plan 32591	444 Curlew Dr	001-995-316	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
107	Lot 118 Section 23 Township 28 SDYD Plan 32591	445 Curlew Dr	001-995-537	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
108	Lot 64 Section 23 Township 28 SDYD Plan 32591	446 Curlew Dr	003-369-391	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
109	Lot 117 Section 23 Township 28 SDYD Plan 32591	447 Curlew Dr	001-995-529	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
110	Lot 65 Section 23 Township 28 SDYD Plan 32591	448 Curlew Dr	001-995-324	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
111	Lot 66 Section 23 Township 28 SDYD Plan 32591	450 Curlew Dr	001-674-251	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
112	Lot 67 Section 23 Township 28 SDYD Plan 32591	452 Curlew Dr	001-674-269	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
113	Lot 68 Section 23 Township 28 SDYD Plan 32591	454 Curlew Dr	001-674-277	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
114	Lot 69 Section 23 Township 28 SDYD Plan 32591	456 Curlew Dr	001-674-285	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
115	Lot 110 Section 23 Township 28 SDYD Plan 32591	457 Curlew Dr	001-479-806	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
116	Lot 70 Section 23 Township 28 SDYD Plan 32591	458 Curlew Dr	001-674-293	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
117	Lot 109 Section 23 Township 28 SDYD Plan 32591	459 Curlew Dr	001-479-865	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
118	Lot 71 Section 23 Township 28 SDYD Plan 32591	460 Curlew Dr	001-995-332	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
119	Lot 108 Section 23 Township 28 SDYD Plan 32591	461 Curlew Dr	001-555-804	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
120	Lot 72 Section 23 Township 28 SDYD Plan 32591	462 Curlew Dr	001-995-341	P1861	LUC77-1002	RR1 - Rural Residential 1 zone

121	Lot 107 Section 23 Township 28 SDYD Plan 32591	463 Curlew Dr	003-369-510	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
122	Lot 73 Section 23 Township 28 SDYD Plan 32591	464 Curlew Dr	001-995-359	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
123	Lot 106 Section 23 Township 28 SDYD Plan 32591	465 Curlew Dr	001-479-849	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
124	Lot 74 Section 23 Township 28 SDYD Plan 32591	466 Curlew Dr	001-995-367	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
125	Lot 105 Section 23 Township 28 SDYD Plan 32591	467 Curlew Dr	003-369-501	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
126	Lot 75 Section 23 Township 28 SDYD Plan 32591	468 Curlew Dr	001-995-375	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
127	Lot 104 Section 23 Township 28 SDYD Plan 32591	469 Curlew Dr	001-995-464	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
128	Lot 76 Section 23 Township 28 SDYD Plan 32591	470 Curlew Dr	001-995-383	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
129	Lot 103 Section 23 Township 28 SDYD Plan 32591	471 Curlew Dr	001-972-073	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
130	Lot 77 Section 23 Township 28 SDYD Plan 32591	472 Curlew Dr	001-995-391	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
131	Lot 102 Section 23 Township 28 SDYD Plan 32591	473 Curlew Dr	003-369-498	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
132	Lot 78 Section 23 Township 28 SDYD Plan 32591	474 Curlew Dr	001-995-405	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
133	Lot 101 Section 23 Township 28 SDYD Plan 32591	475 Curlew Dr	003-369-480	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
134	Lot 79 Section 23 Township 28 SDYD Plan 32591	476 Curlew Dr	001-995-413	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
135	Lot 80 Section 23 Township 28 SDYD Plan 32591	478 Curlew Dr	001-995-421	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
136	Lot 1 District Lot 23 Township 28 SDYD Plan KAP56393	479 Curlew Dr	023-336-820	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
137	Lot 81 Sections 23 and 24 Township 28 SDYD Plan 32591	480 Curlew Dr	001-995-812	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
138	Lot 98 Section 23 Township 28 SDYD Plan 32591	481 Curlew Dr	001-995-456	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
139	Lot 82 Section 24 Township 28 SDYD Plan 32591	482 Curlew Dr	001-994-972	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
140	Lot 97 Section 23 Township 28 SDYD Plan 32591	483 Curlew Dr	001-995-448	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
141	Lot 83 Section 24 Township 28 SDYD Plan 32591	484 Curlew Dr	001-994-981	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
142	Lot 96 Section 23 Township 28 SDYD Plan 32591	485 Curlew Dr	001-995-430	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
143	Lot 84 Section 24 Township 28 SDYD Plan 32591	486 Curlew Dr	001-994-999	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
144	Lot 95 Sections 23 and 24 Township 28 SDYD Plan 32591	487 Curlew Dr	001-995-821	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
145	Lot 85 Section 24 Township 28 SDYD Plan 32591	488 Curlew Dr	001-995-006	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
146	Lot 94 Section 24 Township 28 SDYD Plan 32591	489 Curlew Dr	001-995-090	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
147	Lot 86 Section 24 Township 28 SDYD Plan 32591	490 Curlew Dr	001-995-014	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
148	Lot 93 Section 24 Township 28 SDYD Plan 32591	491 Curlew Dr	003-369-439	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
149	Lot 92 Section 24 Township 28 SDYD Plan 32591	493 Curlew Dr	003-369-421	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
150	Lot 91 Section 24 Township 28 SDYD Plan 32591	495 Curlew Dr	003-369-404	P1861	LUC77-1002	RR1 - Rural Residential 1 zone
151	Lot 27 Section 24 Township 28 SDYD Plan 32591	560 Curlew Dr	001-994-875	P1861	LUC77-1002	RR1 - Rural Residential 1 zone

152	Lot D Section 23 Township 28 SDYD Plan 33760	374 Stellar Dr	001-995-855	P1861	LUC77-1002	RR1 - Rural Residential 1 zone /RR2 - Rural Residential 2 zone
153	Lot B Section 23 Township 28 SDYD Plan 33760	375 Okaview Rd	003-086-321	P1861	LUC77-1002	RR1 - Rural Residential 1 zone /RR2 - Rural Residential 2 zone
154	Lot C Section 23 Township 28 SDYD Plan 33760	378 Stellar Dr	001-995-847	P1861	LUC77-1002	RR1 - Rural Residential 1 zone /RR2 - Rural Residential 2 zone
155	Lot 129 Section 23 Township 28 SDYD Plan 32591	423 Curlew Dr	001-995-642	P1861	LUC77-1002	RR1 - Rural Residential 1 zone /RR2 - Rural Residential 2 zone
156	Lot B Section 23 Township 28 SDYD Plan 42729	425 Curlew Dr	015-833-127	P1861	LUC77-1002	RR1 - Rural Residential 1 zone /RR2 - Rural Residential 2 zone
157	Lot 127 Section 23 Township 28 SDYD Plan 32591	427 Curlew Dr	001-995-634	P1861	LUC77-1002	RR1 - Rural Residential 1 zone /RR2 - Rural Residential 2 zone
158	Lot 126 Section 23 Township 28 SDYD Plan 32591	429 Curlew Dr	001-995-626	P1861	LUC77-1002	RR1 - Rural Residential 1 zone /RR2 - Rural Residential 2 zone
159	Lot 125 Section 23 Township 28 SDYD Plan 32591	431 Curlew Dr	001-995-618	P1861	LUC77-1002	RR1 - Rural Residential 1 zone /RR2 - Rural Residential 2 zone
160	Lot 124 Section 23 Township 28 SDYD Plan 32591	433 Curlew Dr	001-995-600	P1861	LUC77-1002	RR1 - Rural Residential 1 zone /RR2 - Rural Residential 2 zone
161	Lot 123 Section 23 Township 28 SDYD Plan 32591	435 Curlew Dr	001-995-596	P1861	LUC77-1002	RR1 - Rural Residential 1 zone /RR2 - Rural Residential 2 zone
162	Lot 113 Section 23 Township 28 SDYD Plan 32591	2 453 Curlew Dr	001-995-481	P1861	LUC77-1002	RR1 - Rural Residential 1 zone /RR2 - Rural Residential 2 zone
163	Lot A Section 23 Township 28 SDYD Plan 33760	373 Okaview Rd	003-086-305	P1861	LUC77-1002	RR1 - Rural Residential 1 zone /RR2 - Rural Residential 2 zone
164	Lot B Section 23 Township 28 SDYD Plan 33792	377 Okaview Rd	003-085-236	P1861	LUC77-1002	RR1 - Rural Residential 1 zone /RR2 - Rural Residential 2 zone
165	Lot A Section 23 Township 28 SDYD Plan 42729	437 Okaview Rd	015-832-741	P1861	LUC77-1002	RR2 - Rural Residential 2 zone
166	Lot 1 Section 23 Township 28 SDYD Plan EPP45452	379 Okaview Rd	029-451-558	P1861	LUC77-1002	RR2 - Rural Residential 2 zone
167	Lot 166 Sections 23 and 24 Township 28 SDYD Plan 32591	5210 Lark St	003-369-552	P1861	LUC77-1002	P3 – Parks & Open Space Zone

Schedule B				
Table 1: RR1 – Rural Residential 1 zone to the RU1 – Large Lot Housing zone				
No.	Legal Description	Address	Current Zone	Proposed Zone
1	Lot 114 Section 23 Township 28 SDYD Plan 32591	1 453 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
2	Lot 111 Section 23 Township 28 SDYD Plan 32591	1 455 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
3	Lot 112 Section 23 Township 28 SDYD Plan 32591	2 455 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
4	Lot 139 Section 23 Township 28 SDYD Plan 32591	351 Curlew Ct	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
5	Lot 140 Section 23 Township 28 SDYD Plan 32591	355 Curlew Ct	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
6	Lot 138 Section 23 Township 28 SDYD Plan 32591	357 Curlew Ct	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
7	Lot 141 Section 24 Township 28 SDYD Plan 32591	359 Curlew Ct	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
8	Lot 1 Section 23 Township 28 SDYD Plan EPP45452	379 Okaview Rd	RR2 – Rural Residential 2 zone	RU1 – Large Lot Housing zone
9	Lot 2 Section 23 Township 28 SDYD Plan EPP45452	381 Okaview Rd	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
10	Lot 164 Section 23 Township 28 SDYD Plan 32591	383 Okaview Rd	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
11	Lot 161 Section 23 Township 28 SDYD Plan 32591	386 Stellar Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
12	Lot 162 Section 23 Township 28 SDYD Plan 32591	390 Stellar Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
13	Lot 149 Section 23 Township 28 SDYD Plan 32591	399 Stellar Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
14	Lot 148 Section 23 Township 28 SDYD Plan 32591	403 Stellar Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
15	Lot 137 Section 23 Township 28 SDYD Plan 32591	405 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
16	Lot 46 Section 24 Township 28 SDYD Plan 32591	410 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
17	Lot 116 Section 23 Township 28 SDYD Plan 32591	449 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
18	Lot 115 Section 23 Township 28 SDYD Plan 32591	451 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
19	Lot 90 Section 24 Township 28 SDYD Plan 32591	497 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
20	Lot 89 Section 24 Township 28 SDYD Plan 32591	499 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
21	Lot 44 Section 24 Township 28 SDYD Plan 32591	500 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
22	Lot 43 Section 24 Township 28 SDYD Plan 32591	504 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
23	Lot 11 Section 24 Township 28 SDYD Plan 32591	505 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
24	Lot 42 Section 24 Township 28 SDYD Plan 32591	506 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
25	Lot 4 Section 24 Township 28 SDYD Plan 32591	507 Wren Pl	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
26	Lot 41 Section 24 Township 28 SDYD Plan 32591	508 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone

27	Lot 12 Section 24 Township 28 SDYD Plan 32591	509 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
28	Lot 40 Section 24 Township 28 SDYD Plan 32591	512 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
29	Lot 13 Section 24 Township 28 SDYD Plan 32591	513 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
30	Lot 47 Section 24 Township 28 SDYD Plan 32591	5136 Lark St	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
31	Lot 87 Section 24 Township 28 SDYD Plan 32591	5142 Lark St	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
32	Lot 45 Section 24 Township 28 SDYD Plan 32591	5145 Lark St	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
33	Lot 88 Section 24 Township 28 SDYD Plan 32591	5154 Lark St	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
34	Lot 39 Section 24 Township 28 SDYD Plan 32591	516 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
35	Lot 10 Section 24 Township 28 SDYD Plan 32591	5165 Lark St	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
36	Lot 14 Section 24 Township 28 SDYD Plan 32591	517 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
37	Lot 9 Section 24 Township 28 SDYD Plan 32591	5177 Lark St	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
38	Lot 8 Section 24 Township 28 SDYD Plan 32591	5185 Lark St	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
39	Lot 7 Section 24 Township 28 SDYD Plan 32591	5195 Lark St	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
40	Lot 38 Section 24 Township 28 SDYD Plan 32591	520 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
41	Lot 6 Section 24 Township 28 SDYD Plan 32591	5201 Lark St	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
42	Lot 5 Section 24 Township 28 SDYD Plan 32591	5213 Lark St	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
43	Lot 3 Section 24 Township 28 SDYD Plan 32591	5225 Lark St	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
44	Lot 2 Section 24 Township 28 SDYD Plan 32591	5235 Lark St	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
45	Lot 37 Section 24 Township 28 SDYD Plan 32591	524 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
46	Lot 16 Section 24 Township 28 SDYD Plan 32591	525 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
47	Lot 36 Section 24 Township 28 SDYD Plan 32591	528 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
48	Lot 17 Section 24 Township 28 SDYD Plan 32591	529 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
49	Lot 35 Section 24 Township 28 SDYD Plan 32591	532 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
50	Lot 18 Section 24 Township 28 SDYD Plan 32591	533 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
51	Lot 34 Section 24 Township 28 SDYD Plan 32591	536 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
52	Lot 19 Section 24 Township 28 SDYD Plan 32591	537 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
53	Lot 33 Section 24 Township 28 SDYD Plan 32591	540 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
54	Lot 20 Section 24 Township 28 SDYD Plan 32591	541 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
55	Lot 32 Section 24 Township 28 SDYD Plan 32591	544 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
56	Lot 21 Section 24 Township 28 SDYD Plan 32591	545 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
57	Lot 31 Section 24 Township 28 SDYD Plan 32591	548 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone

58	Lot 22 Section 24 Township 28 SDYD Plan 32591	549 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
59	Lot 30 Section 24 Township 28 SDYD Plan 32591	550 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
60	Lot 29 Section 24 Township 28 SDYD Plan 32591	552 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
61	Lot 23 Section 24 Township 28 SDYD Plan 32591	553 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
62	Lot 28 Section 24 Township 28 SDYD Plan 32591	556 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
63	Lot 24 Section 24 Township 28 SDYD Plan 32591	557 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
64	Lot 27 Section 24 Township 28 SDYD Plan 32591	560 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
65	Lot 25 Section 24 Township 28 SDYD Plan 32591	561 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone
66	Lot 26 Section 24 Township 28 SDYD Plan 32591	565 Curlew Dr	RR1 - Rural Residential 1 zone	RU1 – Large Lot Housing zone

Schedule B				
Table 2: RR1 – Rural Residential 1 zone to the RR3 – Rural Residential 3 zone				
No.	Legal Description	Address	Underlying Zone	Proposed Zone
1	Lot 100 Section 23 Township 28 SDYD Plan 32591	1 477 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
2	Lot 142 Section 24 Township 28 SDYD Plan 32591	361 Curlew Ct	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
3	Lot 143 Section 24 Township 28 SDYD Plan 32591	365 Curlew Ct	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
4	Lot 157 Section 23 Township 28 SDYD Plan 32591	370 Stellar Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
5	Lot 144 Section 24 Township 28 SDYD Plan 32591	371 Curlew Ct	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
6	Lot 145 Section 24 Township 28 SDYD Plan 32591	373 Curlew Ct	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
7	Lot 146 Section 24 Township 28 SDYD Plan 32591	375 Curlew Ct	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
8	Lot 155 Section 23 Township 28 SDYD Plan 32591	375 Stellar Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
9	Lot 147 Section 24 Township 28 SDYD Plan 32591	379 Curlew Ct	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
10	Lot 154 Section 23 Township 28 SDYD Plan 32591	379 Stellar Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
11	Lot A Section 23 Township 28 SDYD Plan 33792	382 Stellar Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
12	Lot 153 Section 23 Township 28 SDYD Plan 32591	383 Stellar Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
13	Lot 152 Section 23 Township 28 SDYD Plan 32591	387 Stellar Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
14	Lot 151 Section 23 Township 28 SDYD Plan 32591	391 Stellar Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
15	Lot 150 Section 23 Township 28 SDYD Plan 32591	395 Stellar Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
16	Lot 136 Section 23 Township 28 SDYD Plan 32591	409 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
17	Lot 135 Section 24 Township 28 SDYD Plan 32591	411 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
18	Lot 134 Section 24 Township 28 SDYD Plan 32591	413 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
19	Lot 48 Section 24 Township 28 SDYD Plan 32591	414 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
20	Lot 133 Section 24 Township 28 SDYD Plan 32591	415 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
21	Lot 49 Section 24 Township 28 SDYD Plan 32591	416 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
22	Lot 132 Section 24 Township 28 SDYD Plan 32591	417 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
23	Lot 50 Section 24 Township 28 SDYD Plan 32591	418 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
24	Lot 131 Section 24 Township 28 SDYD Plan 32591	419 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
25	Lot 51 Section 24 Township 28 SDYD Plan 32591	420 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
26	Lot 130 Section 24 Township 28 SDYD Plan 32591	421 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone



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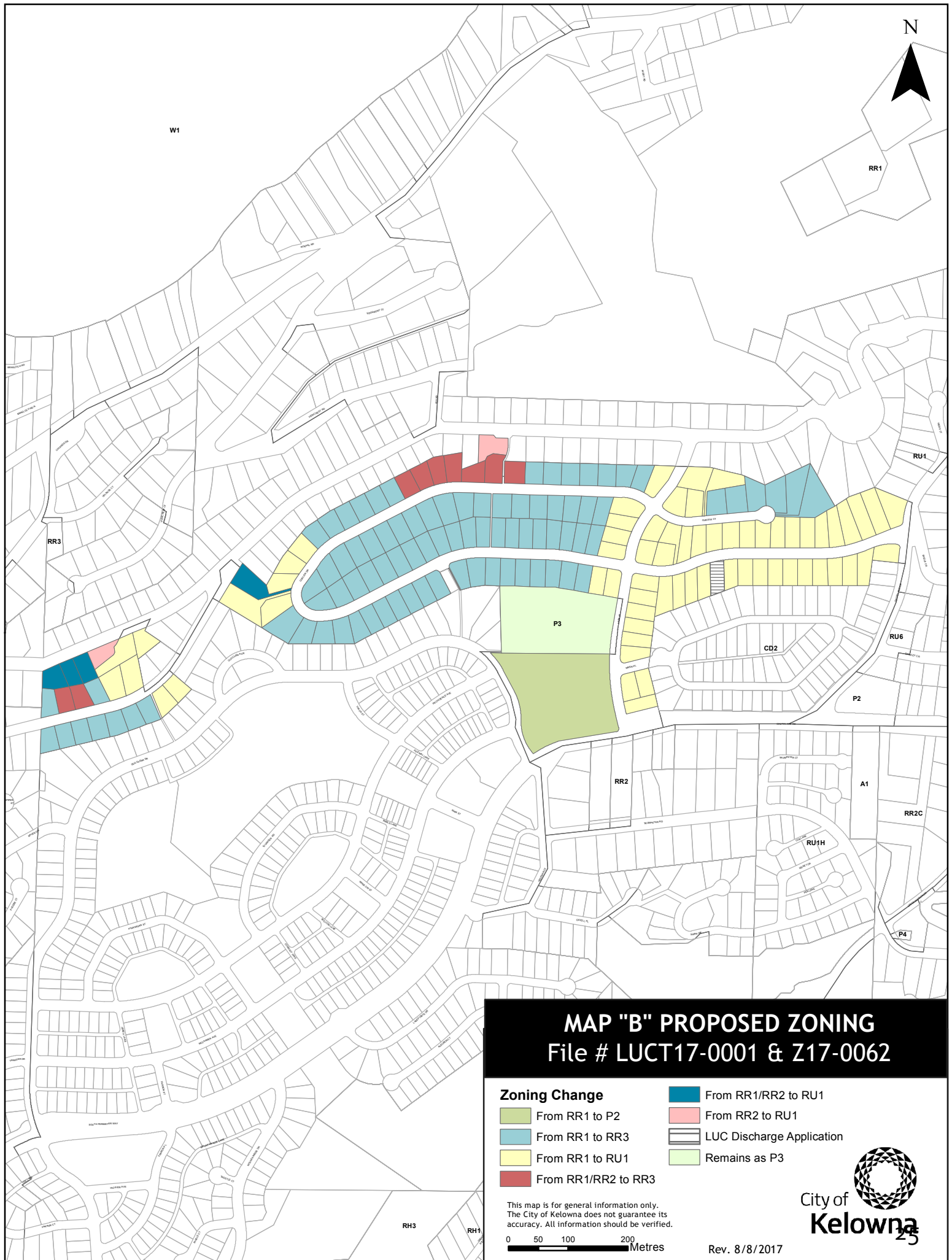
58	Lot 73 Section 23 Township 28 SDYD Plan 32591	464 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
59	Lot 106 Section 23 Township 28 SDYD Plan 32591	465 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
60	Lot 74 Section 23 Township 28 SDYD Plan 32591	466 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
61	Lot 105 Section 23 Township 28 SDYD Plan 32591	467 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
62	Lot 75 Section 23 Township 28 SDYD Plan 32591	468 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
63	Lot 104 Section 23 Township 28 SDYD Plan 32591	469 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
64	Lot 76 Section 23 Township 28 SDYD Plan 32591	470 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
65	Lot 103 Section 23 Township 28 SDYD Plan 32591	471 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
66	Lot 77 Section 23 Township 28 SDYD Plan 32591	472 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
67	Lot 102 Section 23 Township 28 SDYD Plan 32591	473 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
68	Lot 78 Section 23 Township 28 SDYD Plan 32591	474 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
69	Lot 101 Section 23 Township 28 SDYD Plan 32591	475 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
70	Lot 79 Section 23 Township 28 SDYD Plan 32591	476 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
71	Lot 80 Section 23 Township 28 SDYD Plan 32591	478 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
72	Lot 1 District Lot 23 Township 28 SDYD Plan KAP56393	479 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
73	Lot 81 Sections 23 and 24 Township 28 SDYD Plan 32591	480 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
74	Lot 98 Section 23 Township 28 SDYD Plan 32591	481 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
75	Lot 82 Section 24 Township 28 SDYD Plan 32591	482 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
76	Lot 97 Section 23 Township 28 SDYD Plan 32591	483 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
77	Lot 83 Section 24 Township 28 SDYD Plan 32591	484 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
78	Lot 96 Section 23 Township 28 SDYD Plan 32591	485 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
79	Lot 84 Section 24 Township 28 SDYD Plan 32591	486 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
80	Lot 95 Sections 23 and 24 Township 28 SDYD Plan 32591	487 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
81	Lot 85 Section 24 Township 28 SDYD Plan 32591	488 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
82	Lot 94 Section 24 Township 28 SDYD Plan 32591	489 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
83	Lot 86 Section 24 Township 28 SDYD Plan 32591	490 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
84	Lot 93 Section 24 Township 28 SDYD Plan 32591	491 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
85	Lot 92 Section 24 Township 28 SDYD Plan 32591	493 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
86	Lot 91 Section 24 Township 28 SDYD Plan 32591	495 Curlew Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone
87	Lot 156, Section 23, Township 28, SDYD Plan 32591	371 Stellar Dr	RR1 - Rural Residential 1 zone	RR3 - Rural Residential 3 zone

Schedule B				
Table 3: RR1 – Rural Residential 1 zone and RR2 – Rural Residential 2 zone to the RU1 – Large Lot Housing zone				
No.	Legal Description	Address	Underlying Zone	Proposed Zone
1	Lot 113 Section 23 Township 28 SDYD Plan 32591	2 453 Curlew Dr	RR1 - Rural Residential 1/RR2 - Rural Residential 2 zone	RU1 – Large Lot Housing zone
2	Lot A Section 23 Township 28 SDYD Plan 33760	373 Okaview Rd	RR1 - Rural Residential 1/RR2 - Rural Residential 2 zone	RU1 – Large Lot Housing zone
3	Lot B Section 23 Township 28 SDYD Plan 33760	375 Okaview Rd	RR1 - Rural Residential 1/RR2 - Rural Residential 2 zone	RU1 – Large Lot Housing zone
4	Lot B Section 23 Township 28 SDYD Plan 33792	377 Okaview Rd	RR1 - Rural Residential 1/RR2 - Rural Residential 2 zone	RU1 – Large Lot Housing zone

Schedule B				
Table 4: RR1 – Rural Residential 1 zone and RR2 – Rural Residential 2 zone to the RR3 – Rural Residential 3 zone				
No.	Legal Description	Address	Underlying Zone	Proposed Zone
1	Lot D Section 23 Township 28 SDYD Plan 33760	374 Stellar Dr	RR1 - Rural Residential 1/RR2 - Rural Residential 2 zone	RR3 - Rural Residential 3 zone
2	Lot C Section 23 Township 28 SDYD Plan 33760	378 Stellar Dr	RR1 - Rural Residential 1/RR2 - Rural Residential 2 zone	RR3 - Rural Residential 3 zone
3	Lot 129 Section 23 Township 28 SDYD Plan 32591	423 Curlew Dr	RR1 - Rural Residential 1/RR2 - Rural Residential 2 zone	RR3 - Rural Residential 3 zone
4	Lot B Section 23 Township 28 SDYD Plan 42729	425 Curlew Dr	RR1 - Rural Residential 1/RR2 - Rural Residential 2 zone	RR3 - Rural Residential 3 zone
5	Lot 127 Section 23 Township 28 SDYD Plan 32591	427 Curlew Dr	RR1 - Rural Residential 1/RR2 - Rural Residential 2 zone	RR3 - Rural Residential 3 zone
6	Lot 126 Section 23 Township 28 SDYD Plan 32591	429 Curlew Dr	RR1 - Rural Residential 1/RR2 - Rural Residential 2 zone	RR3 - Rural Residential 3 zone
7	Lot 125 Section 23 Township 28 SDYD Plan 32591	431 Curlew Dr	RR1 - Rural Residential 1/RR2 - Rural Residential 2 zone	RR3 - Rural Residential 3 zone
8	Lot 124 Section 23 Township 28 SDYD Plan 32591	433 Curlew Dr	RR1 - Rural Residential 1/RR2 - Rural Residential 2 zone	RR3 - Rural Residential 3 zone
9	Lot 123 Section 23 Township 28 SDYD Plan 32591	435 Curlew Dr	RR1 - Rural Residential 1/RR2 - Rural Residential 2 zone	RR3 - Rural Residential 3 zone

Schedule B				
Table 5: RR2 – Rural Residential 2 zone to the RU1 – Large Lot Housing zone				
No.	Legal Description	Address	Underlying Zone	Proposed Zone
1	Lot A Section 23 Township 28 SDYD Plan 42729	437 Okaview Rd	RR2 - Rural Residential 2 zone	RU1 – Large Lot Housing zone

Schedule B				
Table 6: RR1 – Rural Residential 2 zone to the P2 – Educational & Minor Institutional zone				
No.	Legal Description	Address	Underlying Zone	Proposed Zone
1	Lot B Section 23 and 24 Township 28 SDYD Plan KAP57684	5240 Lark St	RR1- Rural Residential 1 zone	P2 – Educational & Minor Institutional zone



# REPORT TO COUNCIL



**Date:** August 28<sup>th</sup>, 2017

**RIM No.** 1250-40

**To:** City Manager

**From:** Community Planning Department (JR)

**Application:** LUC17-0002/Z17-0049 **Owner:** Derek L & Tammy L Cartier

**Address:** 521 Curlew Drive **Applicant:** Urban Options Planning & Permits

**Subject:** Land Use Contract Discharge and Rezoning Application (LUC 77-1002)

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RR1 – Rural Residential 1

Proposed Zone: RU1c – Large Lot Housing with Carriage House

---

## 1.0 Recommendation

THAT Application No. LUC 17-0002 to discharge LUC77-1002 from Lot 15 Section 24 Township 28 SDYD Plan 32591 located at 521 Curlew Drive, Kelowna, BC, be considered by Council;

AND THAT Rezoning Application No. Z17-0049 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for 521 Curlew Drive, Kelowna, BC from the RR1 – Rural Residential 1 zone to RU1c – Large Lot Housing with Carriage House be considered by Council;

AND FURTHER THAT the Land Use Contract Discharge and Zone Amending Bylaws be forwarded to a Public Hearing for further consideration;

## 2.0 Purpose

To consider a Land Use Contract discharge and rezoning of the subject property from RR1 – Rural Residential 1 to RU1c – Large Lot Housing with Carriage House.

## 3.0 Community Planning

The applicant is proposing to rezone the subject property to facilitate the construct of a carriage house. However, the parcel is currently under the regulation of a Land Use Contract (LUC) which does not permit the construction of a carriage house and so the LUC needs to be discharged. The LUC (LUC77-1022) was created in 1978 and permitted 168 total residential parcels in the neighbourhood. Further, the LUC stipulates that the provisions of Zoning Bylaw No. 4500 A4 – Rural Residential regulations apply to the development of the land whereby carriage houses are not permitted. Community Planning staff supports

the request to discharge the LUC and rezone the property as the underlying RR1 zone is not appropriate. Rezoning will provide the property with an appropriate zone and will facilitate the construction the proposed carriage house. The LUC will be discharged in accordance with Council Policy No. 282 (Strategy for Elimination of Remaining Land Use Contracts).

In conformance with Council Policy No. 282, Staff will bring a bylaw terminating the Land Use Contract from the remainder 167 parcels within the Upper Mission Area of Kelowna. This is a separate process from the discharge of an LUC, as termination eliminates the LUC one year after Council adoption (whereas a discharge is immediate).

#### **4.0 Proposal**

##### **4.1 Background**

The Province first experimented with contract zoning in 1971. The Land Use Contract was a tool that entered into use in the 1970's before it was eliminated on November 15<sup>th</sup> 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

However, issues have arisen, specifically with the continued application of land use contracts as they supersede any subsequent bylaw dealing with land use and development including: Zoning Bylaws, Development Cost Charge Bylaws, and Development Permits. From 1978 to 2014, municipalities or the owners of the land could not unilaterally discharge, cancel, or modify the land use contract without the other party's consent. The Local Government Act was amended in 2014 stating all land use contracts in the province need to be terminated as of June 30<sup>th</sup> 2024. This provides property owners with ten years to complete any development authorized by their land use contract unless the LUC is terminated prior to that date. By June 20<sup>th</sup> 2022, local governments must have appropriate zoning regulations in place to replace land use contracts upon their termination. However, due to this requirement of the Local Government Act, staff are recommending whenever a property owner applies to change land uses within an LUC, that staff initiate the process to eliminate the whole LUC. This approach will help alleviate the future work load of eliminating and rezoning all LUC's at one time.

In addition, local governments must provide notice to each owner that the termination of land use contract is occurring 1 year after adoption and must provide notice of what the new zoning regulations are that apply to the land.

##### **4.2 Project Description**

The applicant is proposing to rezone the subject property to RU1c – Large Lot Housing with Carriage House to facilitate the construction of a carriage house. The existing LUC needs to be discharged prior to supporting the rezoning and construction of the carriage house.

##### **4.3 Site Context**

The subject property has a total area of 1255 m<sup>2</sup> and is located on Curlew Drive, and is connected to community sewer. The property and the surrounding area is designated S2RES – Single / Two Unit Residential in the Official Community Plan. The LUC applies to 168 parcels which front onto Curlew Drive, Curlew Court, Lark St, Wren Place, and Stellar Drive.





## 5.2 Council Policy No. 282 – Strategy for Elimination of Remaining Land Use Contracts

**Council Policy No. 282.**<sup>2</sup> Includes the following statement:

That the City of Kelowna initiate proceedings to discharge the contracts subject to consultation with affected owners of the land and subject to prior approval by council with regard to affected contracts;

## 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.
- A third party work order may be required with the Development Engineering Department for an upgraded water line and sewage connection. These requirements are to be resolved prior to issuance of the Building Permit.
- HPO (Home Protection Office) approval or release is required at time of Building Permit application.
- At time of Building Permit application, the spatial calculations are to be provided from the designer.
- 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 complex at time of permit application.

### 6.2 Bylaw Services

- No concerns

### 6.3 Development Engineering Department

- See Schedule A

### 6.4 Interior Health

- No concerns

### 6.5 Fire Department

- No concerns with LUC Discharge and Zoning
- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- All units shall have a posted address on Curlew Drive
- If a fence is ever constructed between the units a clear width of 1100mm is required to be maintained for access
- Maintain access to the carriage house from Curlew Dr

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<sup>2</sup> City of Kelowna Council Policy 282 Strategy for Elimination of Remaining Land Use Contracts.

## **7.0 Application Chronology**

Date of Application Received: May 29, 2017  
Date of Public Consultation Completed: July 3, 2017

**Prepared by:** Jenna Ratzlaff, Planner

**Reviewed by:** Terry Barton, Urban Planning Manager

**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

### **Attachments:**

Schedule 'A': Development Engineering Memo

Schedule 'B': Plans

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## CITY OF KELOWNA

# MEMORANDUM

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**Date:** July 12, 2017  
**File No.:** Z17-0049  
**To:** Land Use Management Department (JR)  
**From:** Development Engineering Manager  
**Subject:** 521 Curlew Drive Lot 15 Plan 32591 RU1c Carriage House

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Development Engineering has the following requirements associated with this application.

1. Domestic Water and Sanitary Sewer

This property is currently serviced with a 19mm-diameter water service. The service will be adequate for this application. One metered water service will supply both the main residence and the suite.

The property is within Water Extended Service Area 14. An additional \$2,014.50 ( 0.5 of \$ 4,029.00 ESA 14 charge ) is required. Valid until 29-09-2017

2. Sanitary Sewer

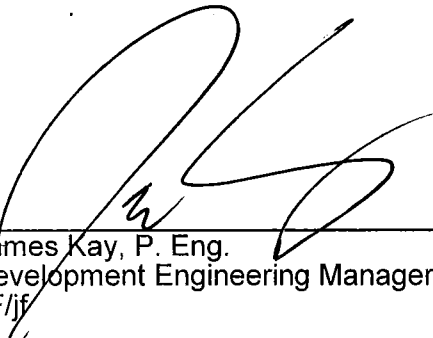
Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service complete with inspection chamber (IC). No service upgrades are required for this application.

3. 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.

4. Access and Parking Requirements

The proposed parking module location for the Carriage House must meet bylaw requirements.

  
\_\_\_\_\_  
James Kay, P. Eng.  
Development Engineering Manager  
JF/jf

<b>SCHEDULE</b>	<b>A</b>
This forms part of application # <b>LUC17-0002</b> <b>Z17-0049</b>	
Planner Initials	<div style="border: 1px solid black; padding: 2px; display: inline-block;">JR</div>
<div style="text-align: right;"> <b>City of Kelowna</b> <small>COMMUNITY PLANNING</small></div>	





# SCHEDULE **B**

This forms part of application

# LUC17-0002

Z17-00049

Planner  
Initials

JR

City of  
**Kelowna**  
COMMUNITY PLANNING



521 Curlew Drive, Kelowna BC



Location of carriage house parking

Front view of the subject property.



View from proposed carriage house  
to principal dwelling



Planned location for the carriage house. Existing pool  
shed with be removed. Mechanical will be relocated into  
new storage shed.















# REPORT TO COUNCIL



**Date:** September 11, 2017

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (LB)

**Application:** Z17-0067 **Owner:** Lawrence & Mary Berg

**Address:** 462 Clifton Road **Applicant:** Urban Options Planning & Permits

**Subject:** Rezoning Application

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: A1 – Agriculture 1

Proposed Zone: RU6 – Two Dwelling Housing

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## 1.0 Recommendation

THAT Rezoning Application No. Z17-0067 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 10 Section 31 Township 26 ODYD Plan 17113, located at 462 Clifton Road, Kelowna, BC, from the A1 – Agriculture 1 zone to the RU6 – Two Dwelling Housing zone be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report of the Community Planning Department dated September 11, 2017.

## 2.0 Purpose

To rezone the subject property to the RU6 – Two Dwelling Housing zone to facilitate construction of a second dwelling.

## 3.0 Community Planning

Staff support the application to rezone from the A1 – Agriculture zone to the RU6 – Two Dwelling Housing zone to allow a second house to be built on the subject property. The RU6 zone complies with the existing future land use designation of S2RES – Single / Two Unit Residential. The property is well in excess of the minimum lot dimensions required for two dwelling housing and the development can be achieved without variances.

The application meets the intent of several Official Community Plan (OCP) goals and policies related to containing growth within developed areas and providing for additional housing options. Full infrastructure servicing is available along Clifton Road in this area. Should Council support the rezoning, the applicant will be required to connect to the sanitary service along Clifton Road, in addition to payment of service fees and frontage improvements.

As staff understand it, the applicant completed neighbourhood consultation in accordance with Council Policy No. 367. At the time of writing staff have not been contacted by area residents about the application.

#### 4.0 Proposal

##### 4.1 Project Description

The proposal is to rezone the subject property to construct a second dwelling. The intent is to retain the existing house and build a second house toward the front of the property. The conceptual plan shows a 1,250 sq ft single storey house with a carport that is accessed off the existing driveway. It is designed to be fully accessible to accommodate a family member with mobility needs. No variances are being requested.

##### 4.2 Site Context

The subject property is located on the west side of Clifton Road between Cara Glen Way and Rio Drive, within the City's Glenmore – Clifton – Dilworth Sector. It is approximately 0.21 ha (0.52 ac) in area and currently has one single detached house. The subject property and surrounding properties have a future land use designation of S2RES – Single / Two Unit Residential and are within the Permanent Growth Boundary.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 – Agriculture 1	Single dwelling housing
East	RR3 – Rural Residential 3	Single dwelling housing
South	A1 – Agriculture 1	Single dwelling housing
West	A1 – Agriculture 1	Single dwelling housing

#### Subject Property Map



## 4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	700 m <sup>2</sup>	2,104 m <sup>2</sup>
Minimum Lot Width	18.0 m	22.9 m
Minimum Lot Depth	30.0 m	94.4 m
Development Regulations		
Maximum Site Coverage	40%	12%
Maximum Site Coverage (buildings, driveways & parking)	50%	23%
Maximum Height	9.5 m or 2 ½ storeys	1 storey
Minimum Front Yard	4.5 m	8.0 m
Minimum Side Yard (north)	2.0 m (single storey)	6.3 m
Minimum Side Yard (south)	2.0 m (single storey)	2.9 m
Minimum Rear Yard	7.5 m	> 5.0 m
Other Regulations		
Minimum Parking Requirements	4 stalls	4 stalls
Private Open Space	60 m <sup>2</sup>	Exceeds requirements

## 5.0 Current Development Policies

## 5.1 Kelowna Official Community Plan (OCP)

## Chapter 1: Introduction

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

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

## Chapter 5: Development Process

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

**Policy 5.3.2 Compact Urban Form.** Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs 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.

**Policy 5.22.6 Sensitive Infill.** Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

**Policy 5.22.7 Healthy Communities.** 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.

**Policy 5.22.10 Adaptable Housing.** Encourage the use of adaptable design to increase flexibility of housing by referring developers to adaptable design guidelines.

## **6.0 Technical Comments**

### **6.1 Development Engineering Department**

- See attached memorandum (Schedule "A").

## **7.0 Application Chronology**

Date of Application Received: July 13, 2017

Date Public Consultation Completed: August 12-13, 2017

**Report Prepared by:** Laura Bentley, Planner II

**Reviewed by:** Todd Cashin, Subdivision, Suburban and Rural Planning Manager

**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

### **Attachments:**

Attachment 1: Schedule "A"

Attachment 2: Conceptual Site Plan & Elevations

# CITY OF KELOWNA MEMORANDUM

**Date:** July 17, 2017  
**File No.:** Z17-0067  
**To:** Community Planning (LB)  
**From:** Development Engineering Manager(JK)  
**Subject:** 462 Clifton Road Lot 10 Plan 17113 A1 to RU6 Second Dwelling

**ATTACHMENT 1**

This forms part of application  
# **Z17-0067**

Planner Initials **LB**

City of Kelowna  
COMMUNITY PLANNING



**SCHEDULE A**

This forms part of application  
# **Z17-0067**

Planner Initials **LB**

City of Kelowna  
COMMUNITY PLANNING



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.

The property is within the Grainger Reservoir Exp. ESA 12 and is subject to associated fees. The current rate is \$895.00 per unit and carriage home are 0.5 of a unit at **\$722.50**

2. Sanitary Sewer

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

The Connection Area #1 charge is currently set by Bylaw at per Single Family Equivalent (SFE). Fees to join Connection spec area1 is **\$700.00**

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.

5. Road

- (a) Clifton Road fronting this development will be in future construction and upgraded to an urban standard SS-R16 (22m) right of way including curb and gutter, sidewalk, storm drainage system, pavement widening.  
Clifton road frontage requirements for cash in lieu of **\$23,907.50**

  
James Kay, P. Eng.  
Development Engineering Manager

RO



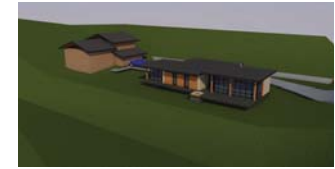
1 View from SW



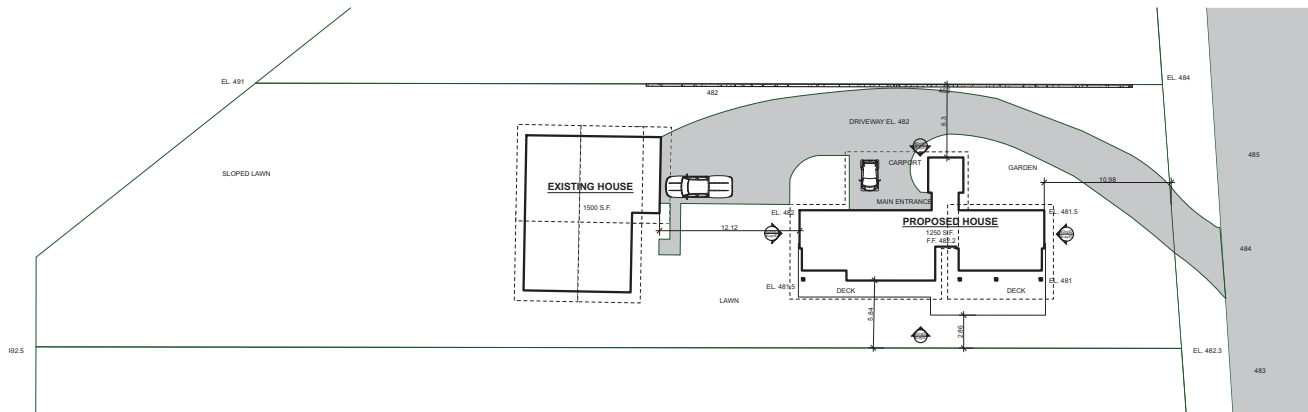
2 View from South



3 View From SE



4 Aerial View



5 Site Plan  
SCALE: 1:200



#### Zoning Analysis Table

Address: 462 Clifton Avenue, Kelowna  
Zone: RUG - Two Dwelling Housing - second dwelling

Subdivision Regulations	Bylaw requirements	Proposal
<b>Site Details:</b>		
Site Area (m <sup>2</sup> ) for single detached housing	700 m <sup>2</sup>	2,104m <sup>2</sup>
Site Width	18.0 m	22.905m
Site Depth	30.0 m	75.53 - 96.18m
Site Coverage of Building(s) (area/%)	40%	12%
Site Coverage Building(s), Driveway(s) and parking (%)	50%	23%
<b>Development Regulations (existing dwelling)</b>		
<b>Building's Setbacks:</b>		
Front yard	4.5m	10.98m (from road dedication)
Rear yard	6.0 m for 1 - 1 1/2 storey or 7.5 m for 2 - 2 1/2 storey	42m to existing home
Side yards	2.0 m for 1 - 1 1/2 storey portion or 2.3m for 2 storey portion	Existing: N:3.83m / S:4.79m Proposed: N: 6.3m / S: 2.86m
Building Height (m)	9.5m or 2 1/2 storeys	Existing: 1 1/2 storeys Proposed: 1 storey
Number of parking stalls	2	Existing: 2 in attached garage Proposed: 2 in attached carport
Required Private open space	30m <sup>2</sup>	>30m <sup>2</sup> for each
<b>Development Regulations (proposed garage)</b>		
Distance between dwellings	4.5m	12.12m

6 Zoning Analysis Table

## ATTACHMENT 2

This forms part of application  
# **Z17-0067**

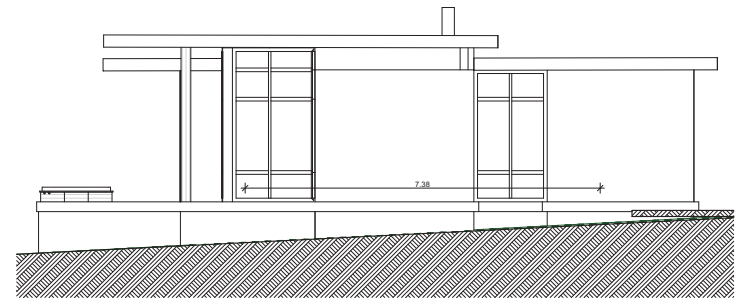
Planner Initials

LB

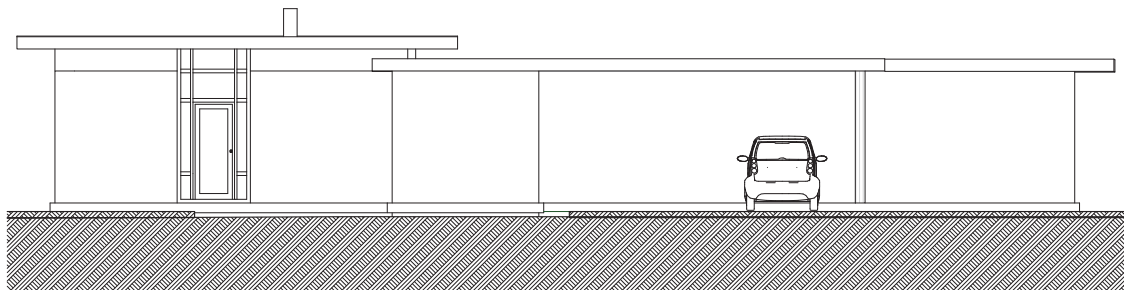
**City of Kelowna**  
COMMUNITY PLANNING



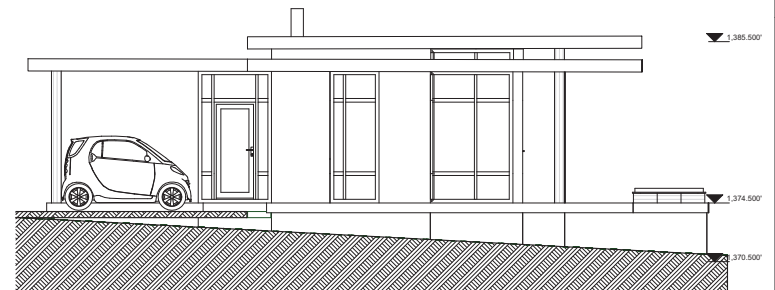
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3 East Elevation  
SCALE: 1/4" = 1'-0"



2 North Elevation  
SCALE: 1/4" = 1'-0"



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





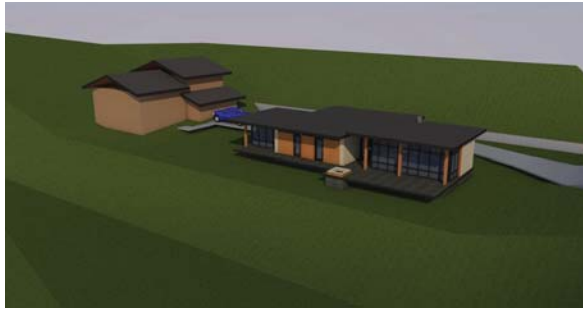
1 View From SW



2 View From South



3 View From SE



4 Aerial View



5 View From NE



6 View From NW



# REPORT TO COUNCIL



**Date:** September 11, 2017

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (EW)

**Application:** Z17-0042

**Owner:** Robin Daniel Mercer & Heather  
Anne Mercer

**Address:** 1561 Mountain Ave

**Applicant:** Heather Mercer

**Subject:** Rezoning Application

Existing OCP Designation: SRES – Single/Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1c – Large Lot Housing with Carriage House

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## 1.0 Recommendation

THAT Rezoning Application No. Z17-0042 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 5 Section 29 Township 26 ODYD Plan 9247, located at 1561 Mountain 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 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 September 11, 2017.

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

## 2.0 Purpose

To rezone the subject property from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House to facilitate the 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, concentrating growth with the Permanent Growth Boundary and achieving density through sensitive infill. The proposed rezoning is also consistent with the property's future land use designation and the property is connected to City sanitary sewer.

To fulfill Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form to staff on May 23<sup>rd</sup>, 2017, outlining that the neighbours within 50 m of the subject property were notified.

#### 4.0 Proposal

##### 4.1 Project Description

The applicant would like to construct a single storey carriage house by converting the existing detached garage on the subject property. The subject property is connected to City sanitary sewer and is near bus stops and schools. The proposed rezoning is consistent with the property's S2RES – Single/Two Unit Residential Future Land Use in the OCP.

The existing accessory structure is a two-car garage and would be renovated to create a 41m<sup>2</sup> suite. The existing gray stucco walls would be painted beige and cedar trim added to match the principal dwelling (Attachments A & B). The applicant intends on replacing the garage doors with barn-style doors. The three required parking spaces can be provided on the driveway. Should the rezoning application be supported, a Development Variance Permit will be considered by Council at a future meeting. At this time staff are



tracking two variances.

*Figure 1. View from Mountain Ave of the existing single family dwelling and the detached garage which would be converted to a carriage house.*

##### 4.2 Variances

To convert the existing garage to a carriage house, two variances to Zoning No. 8000:<sup>1</sup> will be required:

Variance 1: *s.9.5b.14 The minimum side yard setback for carriage houses is 2.0 metres except it is 4.5 metres from a flanking street.* The existing side yard setback (east) from the detached garage structure is 1.5m.

<sup>1</sup> TA15-0008 (BL11369) to harmonize carriage house and accessory building regulations is scheduled for Public Hearing at the September 12<sup>th</sup>, 2017 meeting. If approved, the carriage house regulations will be assigned new section numbers. The existing section numbers are referenced in this report.

Variance 2: *s.13.1.7(c) A carriage house must not be closer than 3.0m to an existing principal building.* The existing setback from the detached garage structure to the principal dwelling is 1.8m.

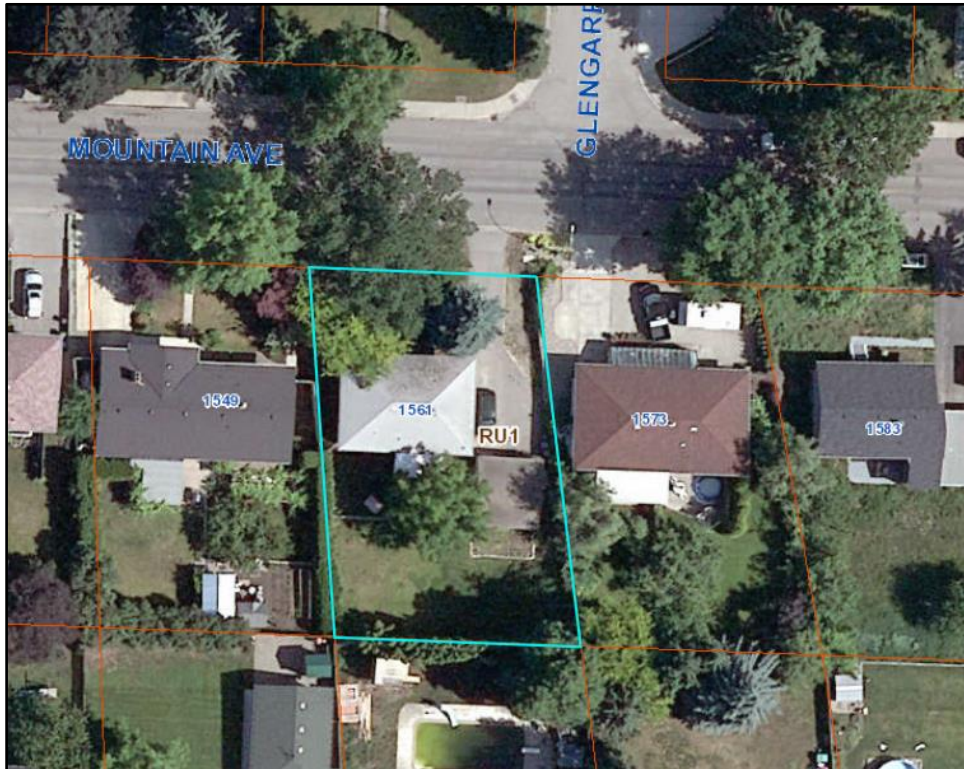
#### 4.3 Site Context

The subject property is located in the Glenmore – Clifton – Dilworth City Sector, east of Clifton Rd on the south side of Mountain Ave.

Specifically, adjacent land uses are as follows:

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

**Subject Property Map: 1561 Mountain Ave**



#### 4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	550 m <sup>2</sup>	890 m <sup>2</sup>
Minimum Lot Width	16.5 m	22.9 m
Minimum Lot Depth	30.0 m	36.9 m
Development Regulations		

Max. Site Coverage (buildings)	40%	23.9%
Max. Site Coverage (buildings, driveways, and parking)	50%	34.6%
Single Storey Carriage House Regulations		
Max. Accessory Site Coverage	20%	4.6%
Max. Accessory Building Footprint	130 m <sup>2</sup>	40.9 m <sup>2</sup>
Max. Net Floor Area	100 m <sup>2</sup>	40.9 m <sup>2</sup>
Max. Net Floor Area to Principal Building	75%	24.5%
Maximum Height (to mid-point)	4.8 m	3.5 m
Maximum Height (to peak)	Peak of principal building	4.3 m
Minimum Side Yard (east)	2.0 m	1.5 m <sup>①</sup>
Minimum Side Yard (west)	2.0 m	17.0 m
Minimum Rear Yard	2.0 m	11.7 m
Min. Distance to Principal Building	3.0 m	1.8 m <sup>②</sup>
Other Regulations		
Minimum Parking Requirements	3 spaces	3 spaces
Minimum Private Open Space	30 m <sup>2</sup>	> 30m <sup>2</sup>
<sup>①</sup> Indicates a variance to the side yard setback from 2.0m to 1.5m. <sup>②</sup> Indicates a variance to required distance to the principal building from 3.0m to 1.8m.		

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Compact Urban Form.**<sup>2</sup> 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.**<sup>3</sup> 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.

**Carriage Houses & Accessory Apartments**<sup>4</sup>. Support carriage houses and accessory apartments through appropriate zoning regulations.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

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

- No concerns with the proposed land use change.

6.2 Development Engineering Department

- See Attachment 'A' – Development Engineering Memorandum dated May 25, 2017.

6.3 Fire Department

- No concerns with the proposed land use change.

7.0 **Application Chronology**

Date of Application Received: April 28, 2017

Date Public Consultation Completed: May 23, 2017

**Report prepared by:** Emily Williamson, Planner

**Reviewed by:** Terry Barton, Urban Planning Manager

**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

**Attachments:**

Schedule 'A' – Development Engineering Memorandum dated July 10, 2017

Attachment 'A' – Applicant's Rationale

Attachment 'B' – Carriage House Plans

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## CITY OF KELOWNA

# MEMORANDUM

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**Date:** May 25, 2017  
**File No.:** Z17-0042

**To:** Suburban and Rural Planning (EW)

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

**Subject:** 1561 Mountain Ave Lot A Plan EPP67922 RU1 to RU1c Carriage House

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Development Engineering has the following requirements associated with this application.

1. Domestic Water and Sanitary Sewer

This property is currently serviced with a 19mm-diameter water service. The service will be adequate for this application. One metered water service will supply both the main residence and the carriage house.

2. Sanitary Sewer

- a. Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. An inspection chamber (IC) complete with brooks box must be installed on the service at the owner's cost. Service upgrades can be provided by the City at the applicant's cost. **The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade.** For estimate inquiry's please contact Jason Angus, by email [jangus@kelowna.ca](mailto:jangus@kelowna.ca) or phone, 250-469-8783.

3. Development Permit and Site Related Issues

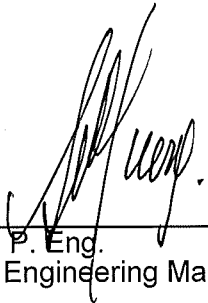
Direct the roof drains onto splash pads.

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.

5. Access and Parking Requirements

The proposed parking module location for the Carriage House must meet bylaw requirements.

  
\_\_\_\_\_  
Steve Muenz, P. Eng.  
Development Engineering Manager  
JA

<b>SCHEDULE</b>		<b>A</b>
This forms part of application # Z17-0042		
Planner Initials	EW	 City of <b>Kelowna</b> COMMUNITY PLANNING



## Design Rationale Statement

Our purpose is to convert an existing free-standing 2-car garage on our property (1561 Mountain Ave) into a carriage house. We will use the existing structure and renovate it to create a 40.9 m<sup>2</sup> suite, connected to city sewage, water and electricity. The proposed carriage house will use its existing gray stucco walls with beige paint and cedar wood trim to match the principal dwelling. The existing roof is tin and will be modified to incorporate appropriate ventilation and insulation. The two garage doors will be replaced with decorative barn-style doors each including a small window. The door to the garage will remain in the same location, and the two existing windows will be enlarged. At least 3 parking spaces for the carriage house already exist in the driveway (the driveway can accommodate 6 vehicles). Behind the proposed carriage house will be designated 105.3 m<sup>2</sup> of private green space, directly behind the garage and separated from the rest of the yard with a row of tall grasses.

Decorative motion-sensing light sconces will be installed on the front and side of the proposed carriage house, but other than these changes, no other obvious changes will be made externally to the property, in keeping with the existing landscaping and design and minimizing disruption to the neighborhood.

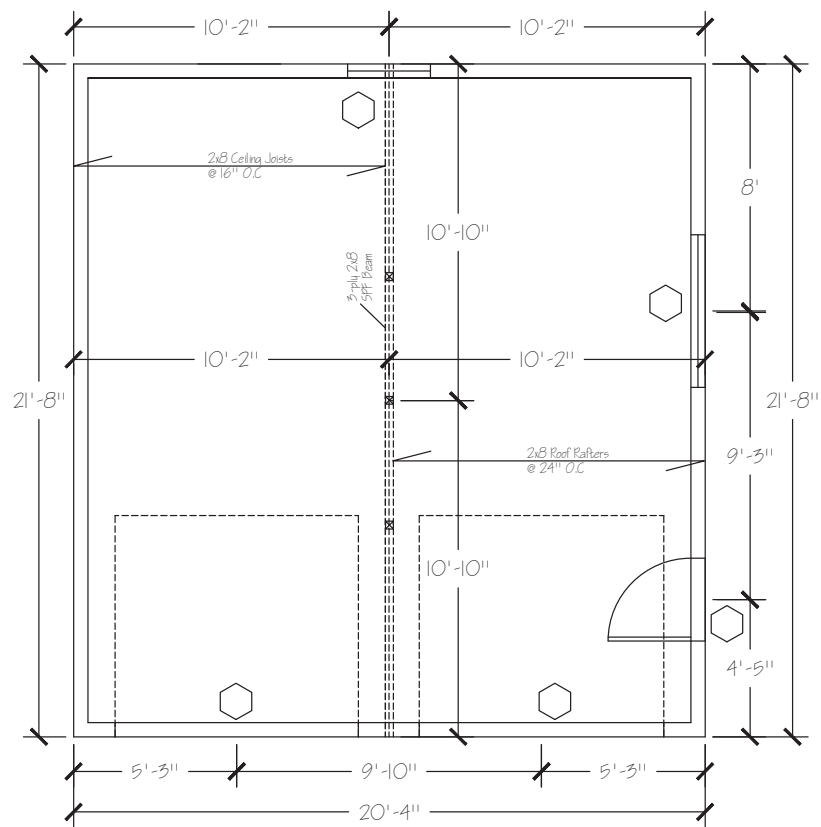
It is our intention to rent out the carriage house as an additional source of income, and to contribute to the city of Kelowna's need for suitable rental homes in urban areas. Since 1561 Mountain Ave is close to bus stops, schools and walking trails, it is ideally situated to provide a secondary dwelling.

The interior of the carriage house will include a full bathroom, full kitchen, and an open living area/bedroom as per attached floor plans. Small dwellings such as this proposed one are ideal because they have a smaller environmental impact, and converting and upgrading the existing structure will minimize the impact to the environment of the building and development process. Because we are proposing to use the existing garage structure, there are several bylaw variances that will need to be taken into consideration, including the distance to the principal dwelling and the east side yard setback. However, the garage structure is already legally existing on the property and would simply be developed and used for a more productive purpose, so we do not feel these variances are insurmountable.

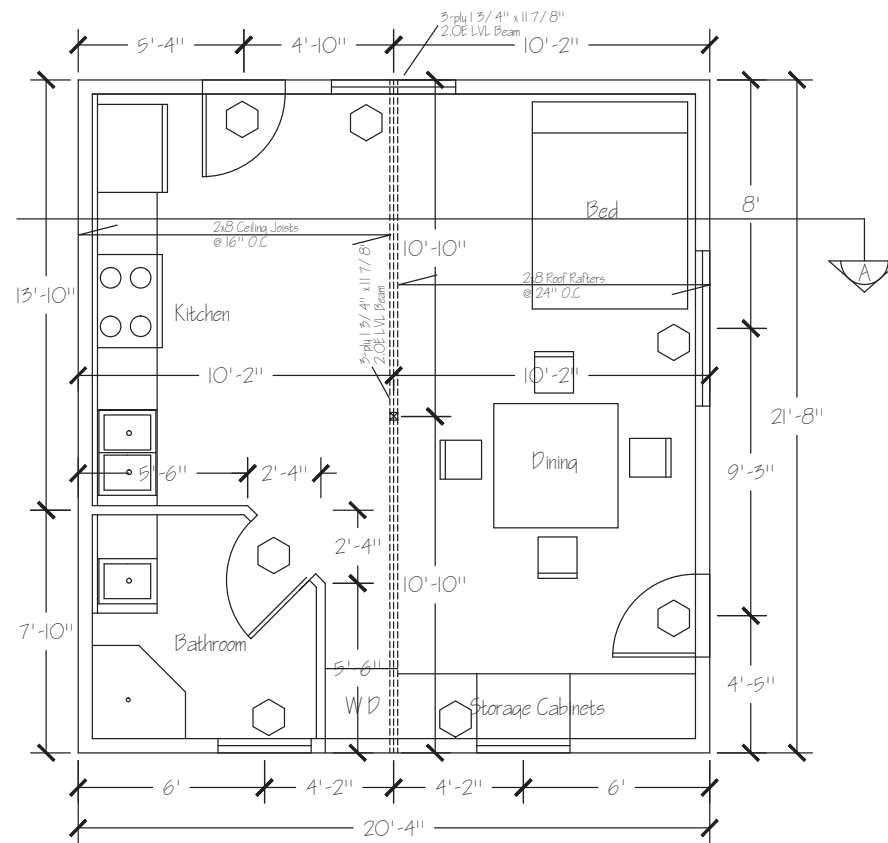
Thank you for your consideration of our project.

Heather and Robin Mercer

<b>ATTACHMENT</b>		<b>A</b>
This forms part of application		
# <b>Z17-0042</b>		
Planner Initials	<b>EW</b>	
		<b>City of Kelowna</b> <small>COMMUNITY PLANNING</small>



Existing Floor Plan



Proposed Main Floor Plan

**ATTACHMENT B**

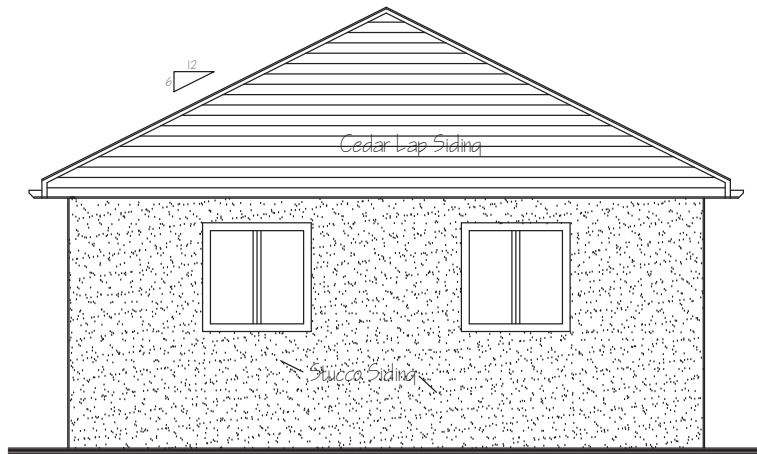
This forms part of application  
# Z17-0042

Planner Initials EW

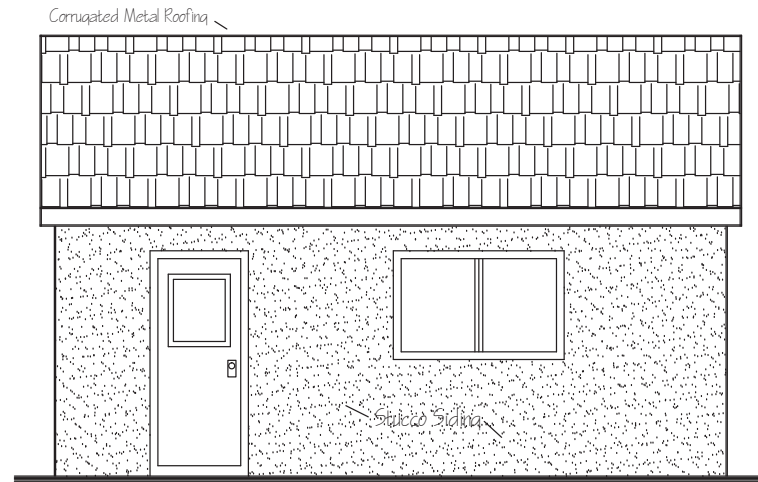
City of Kelowna  
COMMUNITY PLANNING

PROJECT: Mercer Residence Carriage House	
JOB NAME:	MERCER
ADDRESS:	1561 MOUNTAIN AVE.
DRAWN BY: GT	DATE: 6/22/2017
NAME:	
SCALE:	DWG NO:
APPROVED BY:	DWG-1

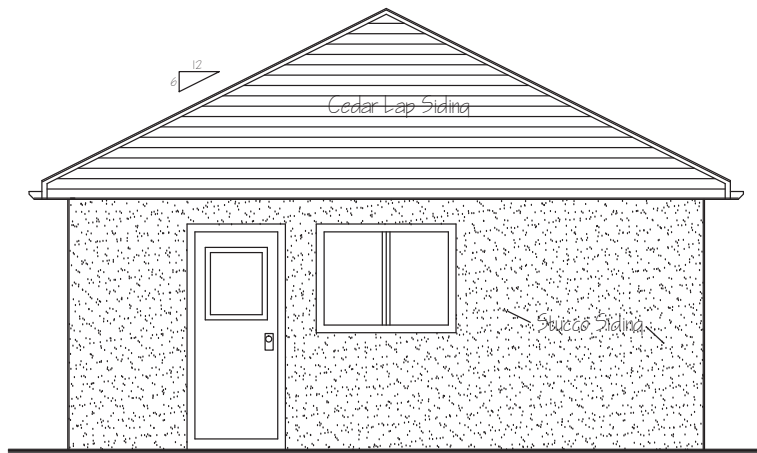




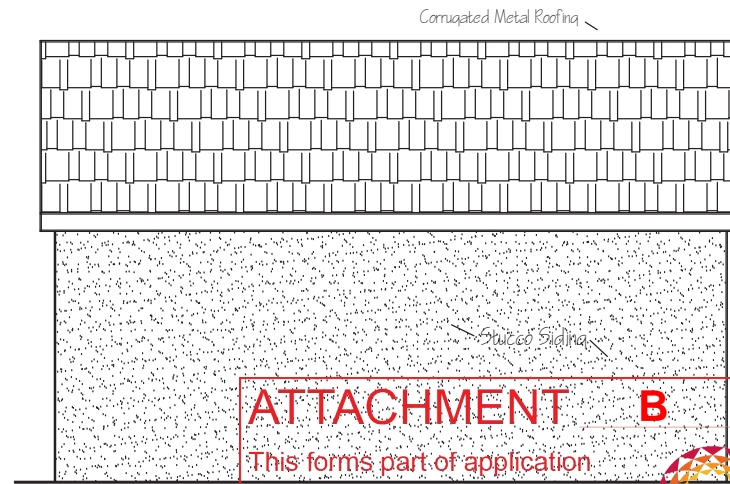
Front Elevation



Right Elevation



Rear Elevation



Left Elevation

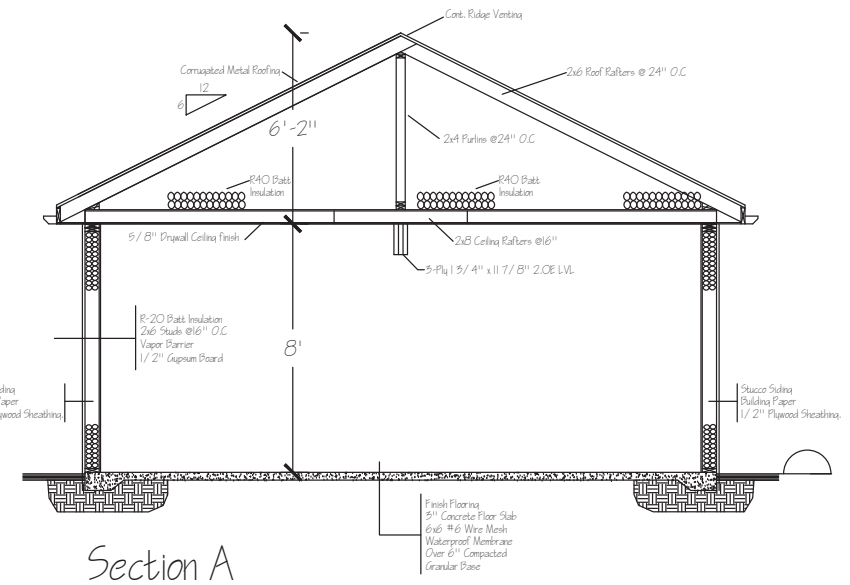
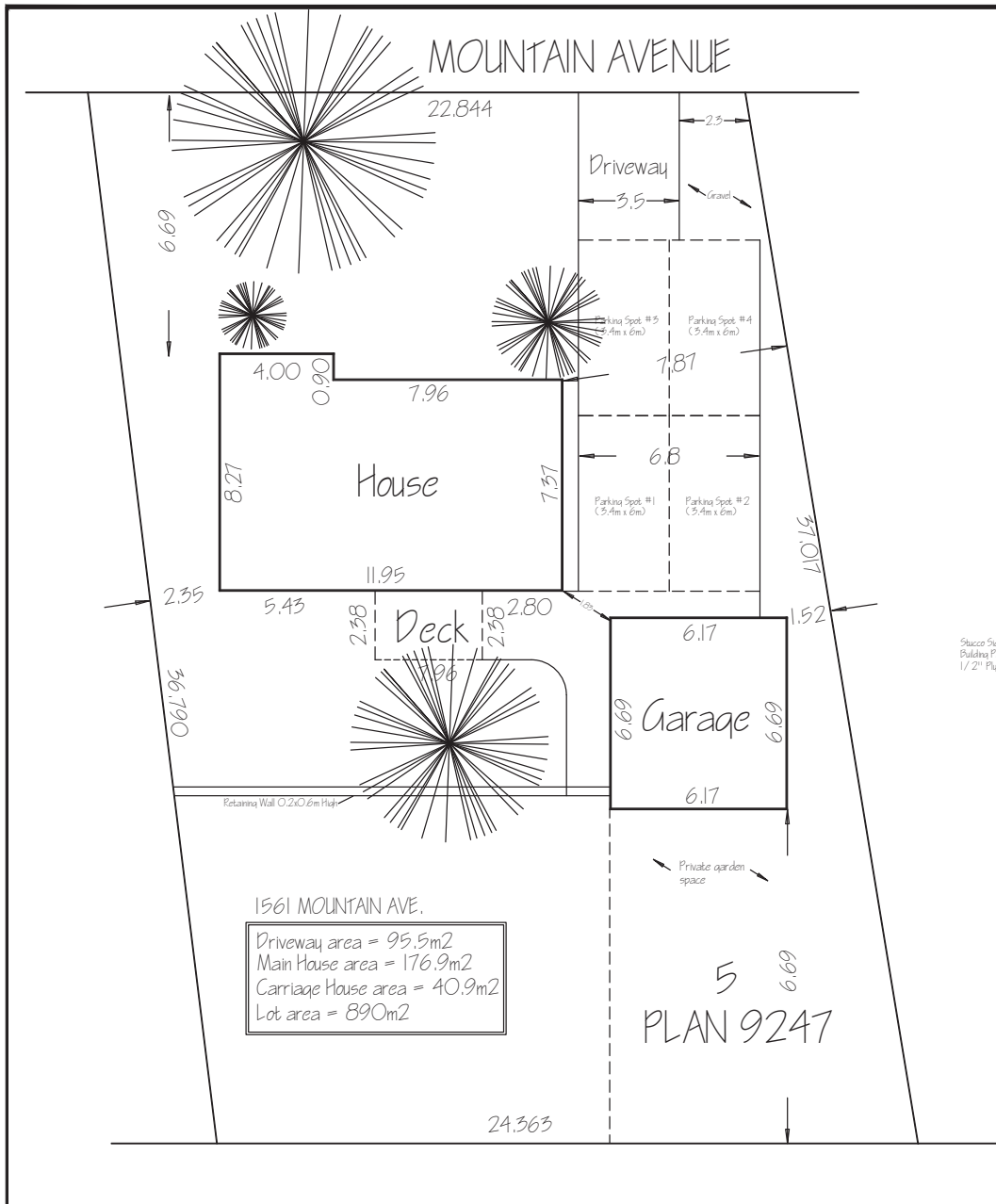
**ATTACHMENT B**

This forms part of application  
# Z17-0042

Planner Initials **EW**

**City of Kelowna**  
COMMUNITY PLANNING

PROJECT: Mercer Residence Carriage House	
JOB NAME:	MERCER
ADDRESS	1561 MOUNTAIN AVE.
DRAWN BY: GT	DATE: 6/22/2017
NAME:	
SCALE:	DWG NO:
APPROVED BY:	DWG-2



**ATTACHMENT B**

This forms part of application  
 # Z17-0042

Planner Initials: EW

City of Kelowna  
 COMMUNITY PLANNING

PROJECT: Mercer Residence Carriage House	
JOB NAME:	MERCER
ADDRESS:	1561 MOUNTAIN AVE.
DRAWN BY: GT	DATE: 6/22/2017
NAME:	
SCALE:	DWG NO: DWG-3
APPROVED BY:	

# REPORT TO COUNCIL



**Date:** August 28, 2017

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (LG)

**Application:** Z17-0057      **Owner:** 1018545 BC LTD. (AJH Developments)

**Address:** 2825 Richter Street      **Applicant:** Kevin Johnson (Bear Land Development Services)

**Subject:** Rezoning Application

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

Existing Zone: RU6 – Two Dwelling Housing

Proposed Zone: RM2 – Low Density Row Housing

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## 1.0 Recommendation

THAT Rezoning Application No. Z17-0057 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 10, District Lot 135, ODYD, Plan 22856 located at 2825 Richter Street, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM2 – Low Density Row 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 July 13, 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 parcel to facilitate the development of a four-unit rowhouse.

## 3.0 Community Planning

Staff supports the proposal to rezone the subject parcel from the RU6 – Two Dwelling Housing zone to the RM2 – Low Density Row Housing zone. The Future Land Use of the parcel is MRL – Multiple Unit

Residential (Low Density), and the RM2 zone is a recommended zone for this designation. It is also the appropriate zone in which to develop row housing. The majority of the properties along the Richter corridor are designated MRL from Harvey Avenue south to Cedar Avenue.

The rezoning proposal is also consistent with OCP policies that support additional residential density and housing form options, particularly in urban centres. Based on the site's close proximity to Pandosy Street, and adjacency to Raymer Elementary School, the applicant has provided at least three bedrooms in all units which is integral to attracting families to consider multi-dwelling housing.

In fulfilment of Council Policy No. 367, the applicant completed public notification and consultation with property owners within 50 metres of the subject property.

#### **4.0 Proposal**

##### **4.1 Project Description**

The applicant is proposing to rezone the subject parcel to RM2 – Low Density Row Housing to enable the development of a four unit rowhouse.

The initial plans submitted by the applicant show row housing oriented towards Richter Street. The southernmost unit on the corner faces Coopland Crescent to maintain the development's street oriented design on both streets. Parking is provided in a detached garage located off of the lane, and in the space between the garage and the residential building. Amenity space for each unit is provided in the form of roof-top terraces on each unit, as well as common outdoor amenity space on top of the garage.

Should the rezoning application be approved, the applicant will be required to apply for a Development Permit and Development Variance Permit which would be considered by Council. Staff anticipates that side yard setback variances will be required for the detached garage; however, variances will be determined at the Development Permit stage of the process.

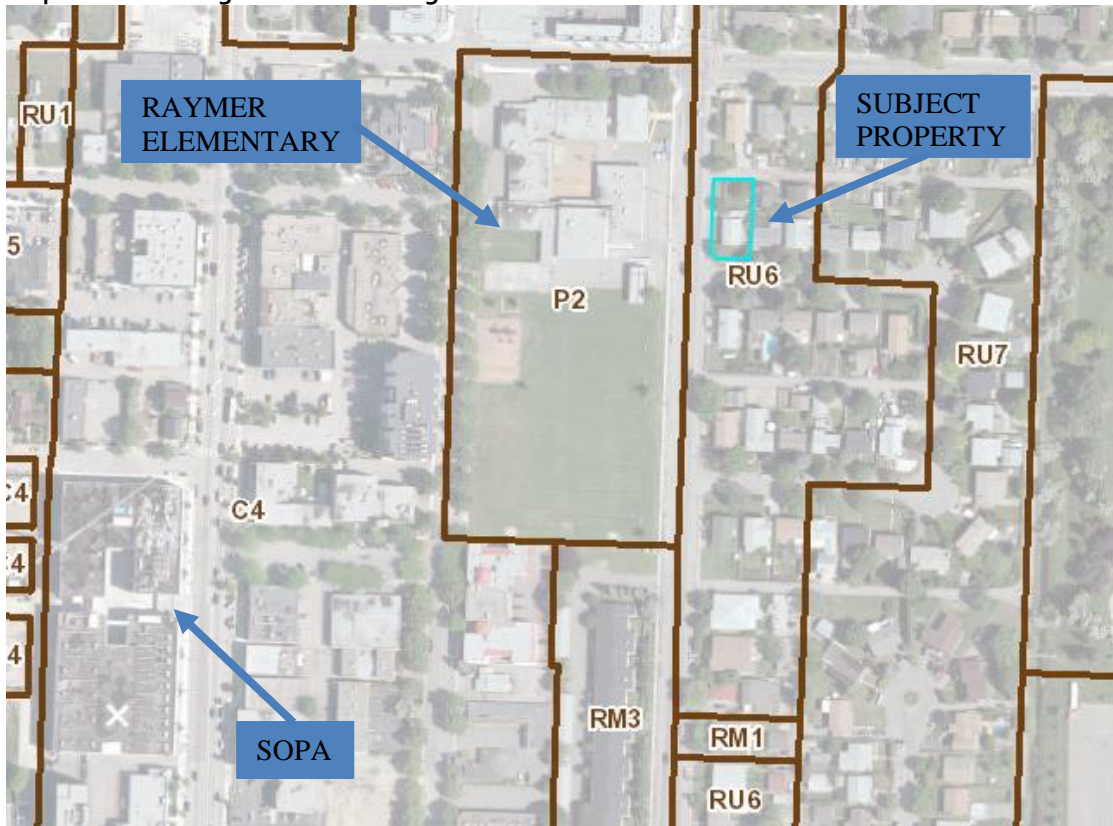
##### **4.2 Site Context**

The subject property is located at the northeast corner of Richter Street and Coopland Crescent, and falls within the City's South Pandosy Urban Centre. The area is characterized primarily by single family dwellings, with Raymer Elementary School directly to the west across Richter Street. The property is less than a 300m (5 minute) walk to Pandosy Street and its many amenities.

Specifically, adjacent land uses are as follows:

<b>Orientation</b>	<b>Zoning</b>	<b>Land Use</b>
North	RU6 – Two Dwelling Housing	MRL – Multiple Unit Residential (Low Density)
East	RU6 – Two Dwelling Housing	MRL – Multiple Unit Residential (Low Density)
South	RU6 – Two Dwelling Housing	MRL – Multiple Unit Residential (Low Density)
West	P2 – Education and Minor Institutional	EDINST – Education / Institutional

Map 1: Surrounding Area and Existing Zone



Map 2: Subject Property



### 4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM2 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Floor Area Ratio	0.8	0.76
Max. Height	9.5m or 2.5 storeys	7.9m
Min. Front Yard	1.5m	1.5m
Min. Side Yard (east)	4.0m	4.0m
Min. Side Yard (east)(garage)	6.0m	4.0m <sup>❶</sup>
Min. Side Yard (west)	1.5m	2.4m
Min. Side Yard (west)(garage)	6.0m	1.5m <sup>❶</sup>
Min. Rear Yard	7.5m	12.5m
Min. Rear Yard (garage)	1.5m	1.5m
Other Regulations		
Min. Vehicle Parking	8 stalls	8 stalls
Min. Bicycle Parking	0 stalls	8 stalls
Private Open Space	100m <sup>2</sup>	144m <sup>2</sup>
❶ Indicates requested variances to the side yard setbacks for a detached garage (as per initial Development Permit plans).		

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Compact Urban Form.**<sup>1</sup> 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.

**Housing Mix.**<sup>2</sup> Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

**Family Housing.**<sup>3</sup> Support housing alternatives for families when single detached housing is too costly, including features that are important to families such as: outdoor space, direct access to grade, workshop space, larger units, safe design, and neighborhood characteristics (e.g.: location and amenities).

**Ground-Oriented Housing.**<sup>4</sup> Encourage all multiple-unit residential buildings in neighbourhoods with schools and parks to contain ground-oriented units with 2 or more bedrooms so as to provide a family housing choice within the multi-unit rental or ownership markets.

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

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.22.11 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.22.13 (Development Process Chapter).

<sup>4</sup> City of Kelowna Official Community Plan, Policy 5.23.1 (Development Process Chapter).

## **6.0 Technical Comments**

### **6.1 Building & Permitting Department**

No concerns with rezoning. Additional comments provided for Development Permit and Development Variance Permit applications.

### **6.2 Development Engineering Department**

See attached memo dated July 13, 2017.

### **6.3 Fortis BC (Electric)**

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Richter Street and Coopland Crescent. Based on the plans submitted, it is unclear whether adequate space has been provided to accommodate the transformation required to service the proposed development. It is recommended that FBC(E) be contacted as soon as possible to determine servicing and land rights requirements for the proposed design. 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.

## **7.0 Application Chronology**

Date of Application Received:	May 19, 2017
Date Public Consultation Completed:	August 23, 2017
Initial Consideration:	September 11, 2017

<b>Report prepared by:</b>	Lindsey Ganczar, Community Planning Supervisor
<b>Reviewed and Approved for Inclusion by:</b>	Ryan Smith, Community Planning Department Manager

### **Attachments:**

Schedule A – Development Engineering Memo  
Proposed Site Plan and Rendering  
Conceptual Elevations



# 2825 RICHTER STREET, KELOWNA, BC



## DRAWINGS:

### ARCHITECTURAL:

A-001 PROJECT & SITE INFORMATION  
A-100 BUILDING PLANS  
A-101 BUILDING PLANS  
A-200 ELEVATIONS  
A-201 ELEVATIONS

LANDSCAPE: LANDSCAPE CONCEPT PLAN

CIVIL: SITE SERVICING CONCEPT PLAN

## PROPERTY DESCRIPTION

CIMC: 2825 Richter Street, Kelowna, BC

LEGAL: PLAN 22856, LOT #10, 210777 KID

## ZONING CALCULATIONS:

CURRENT: City of Kelowna RU6 Zoning  
PROPOED: City of Kelowna, RM2 Zoning

## SITE INFORMATION:

Gross Site Area =	7,150 sf (664 sm)	Allowed	Proposed
Allowable Site Coverage =		50% (3,575sf/332.1sm)	47% (3,358 sf/312sm)
Coverage + Hardscaping =		55% (3,932sf/365.3sm)	51% (3,678 sf/341.7sm)

F.A.R. = .65 + .05 + .1 = .8 .76 (5,443sf)

### Unit Area Calculations:

Unit 1 1,433sf  
Unit 2 1,291sf  
Unit 3 1,289sf  
Unit 4 1,430sf

	Allowed	Proposed
Max. Height =	9.5m (42.7 ft) or 2-1/2 storeys	7.9m (2-1/2 storeys)

Yard setbacks:		
front yard -	1.5m Ground Oriented Entry	1.5m
side yard -	1.5m Ground Oriented Entry; 4.0m	1.5m/4.0m

side yard (accessory)-	4.0m	1.5m (to match ground oriented building)	VARIANCE
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rear yard -	7.5m/1.5m to Accessory Structure	7.5m 1.5m to Garage
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### Parking Calculations:

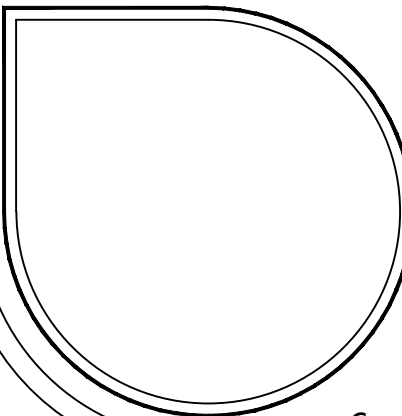
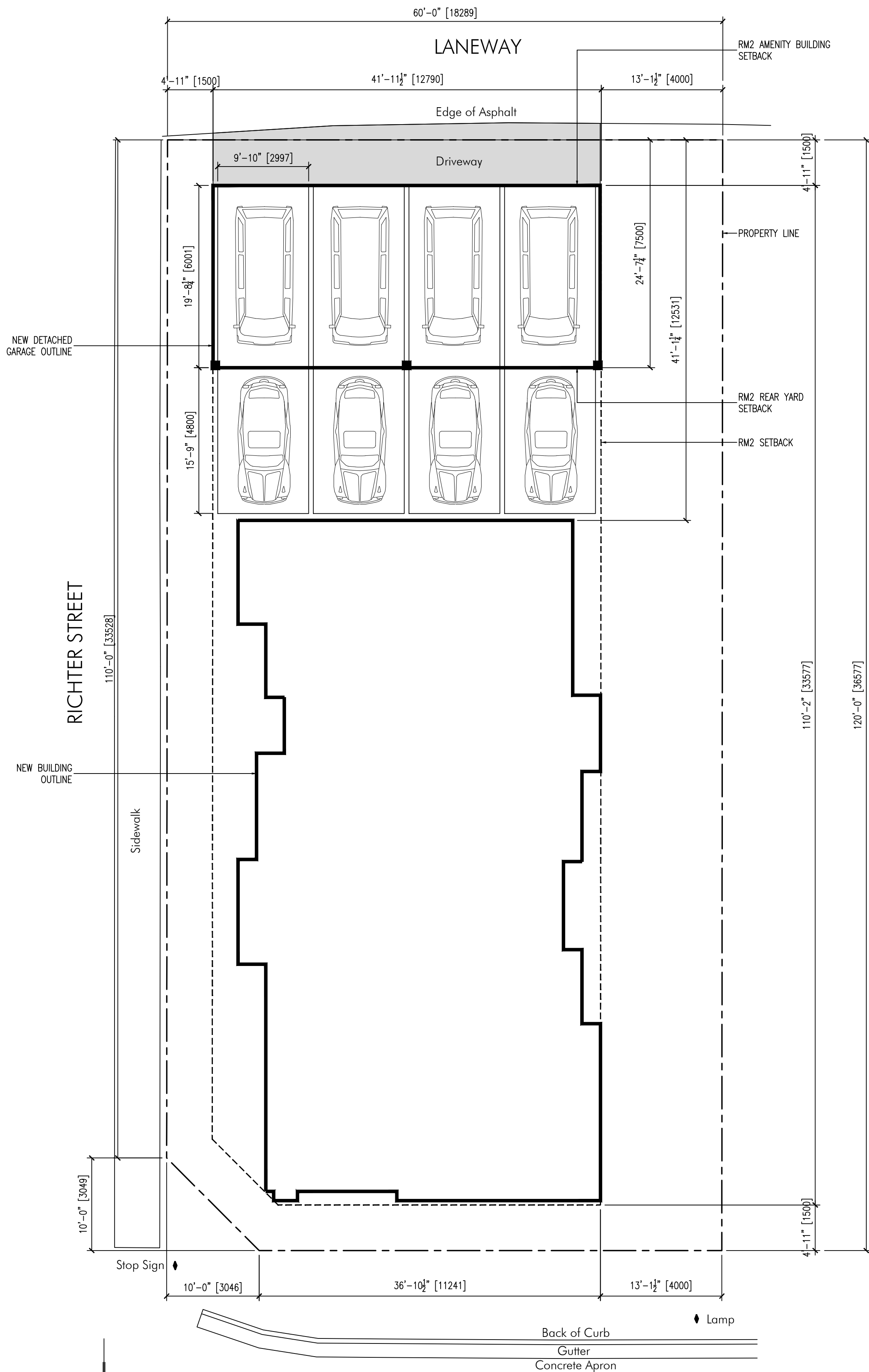
2 per /3 bedroom =	2X4=8 (Required)	8
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### Bicycle Storage:

Class I, .5/unit	.5X4=2 (Required)	4 (garage storage)
Class II, .1/unit	.1X4=.4 (1) (Required)	4

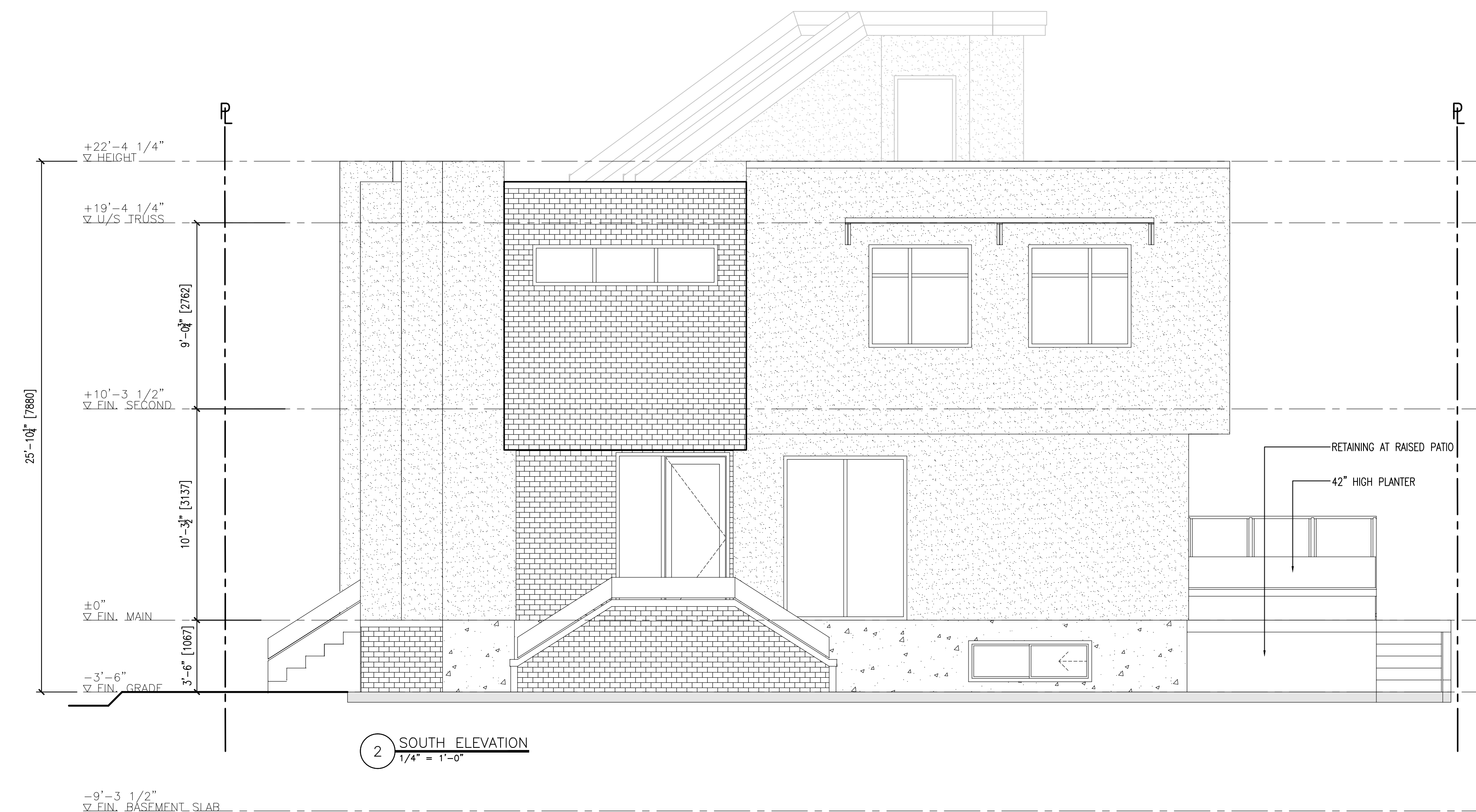
## PROJECT MATERIALS:

PRE-FINISHED METAL WOOD GRAIN PANEL:	GUNSTOCK BY FX ALUMINUM OR KNOTTY EBONY BY LUX OR APPROVED EQUAL
BRICK VENEER:	TUNDRA, ASHLAND BY ELDORADO STONE OR CORAL CREEK BY MUTUAL MATERIALS OR APPROVED EQUAL
CAPS/EXTERIOR STAIRS:	NATURAL CONCRETE
ACRYLIC STUCCO: DARK:	PM-8, CHARCOAL SLATE BY BENJAMIN MOORE
LIGHT:	PM-3, DECORATORS WHITE BY BENJAMIN MOORE
WINDOWS: ALUMINUM HANDRAILS:	BLACK BLACK
PREFINISHED ALUMINUM CAP FLASHING:	MATCH MATERIAL (BLACK AT BRICK)
STAINED FIBERGLASS ENTRY DOOR:	ESPRESSO
ASPHALT SHINGLES:	ARCHITECTURAL, DUAL BLACK BY IKO OR APPROVED EQUAL



FOR DVP





**MATERIAL LEGEND:**

1. PRE-FIN. METAL/ALUMINUM WOOD SERIES PANELS
2. BRICK VENEER
3. ACRYLIC STUCCO
4. METAL CLAD WINDOWS (BLACK)
5. FIBREGLASS EXTERIOR DOOR (STAIN GRADE)
6. PRE-FIN. METAL CAP FLASHING
7. BLACK ALUMINUM RAILING SYSTEM
8. ROOF ACCESS (STUCCO/SLOPED CHARCOAL ASPHALT SHINGLES/PAINTED SMART BOARD FASCIA)

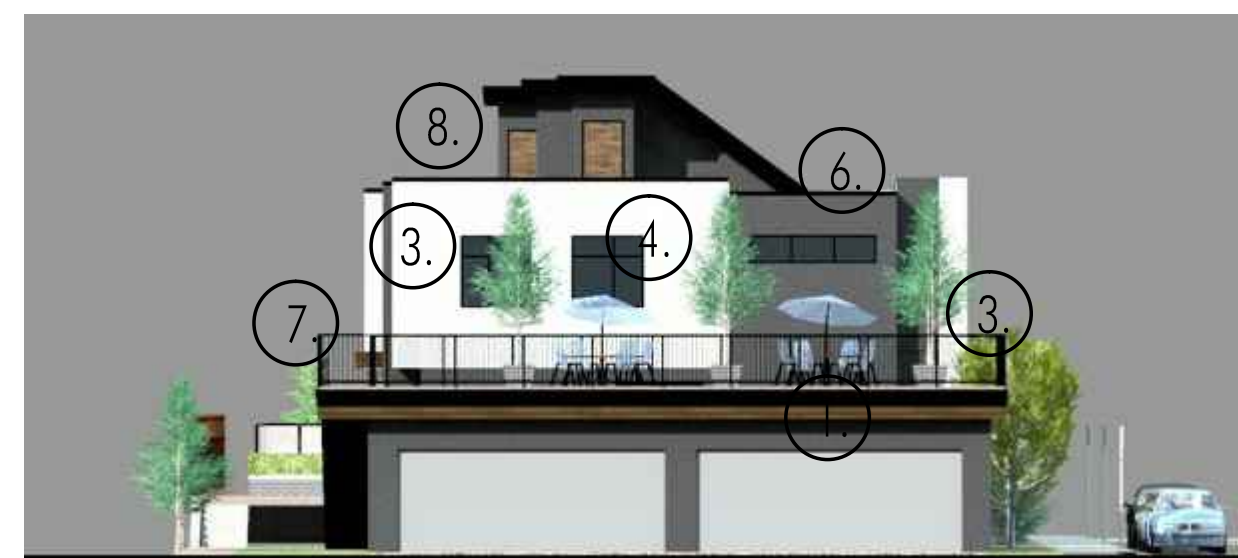
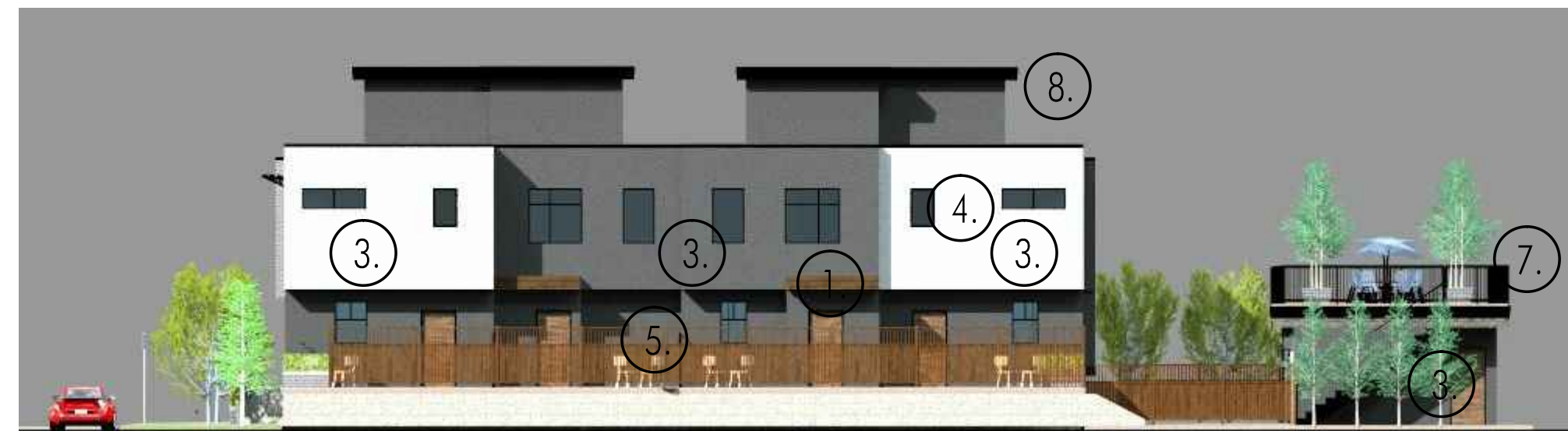
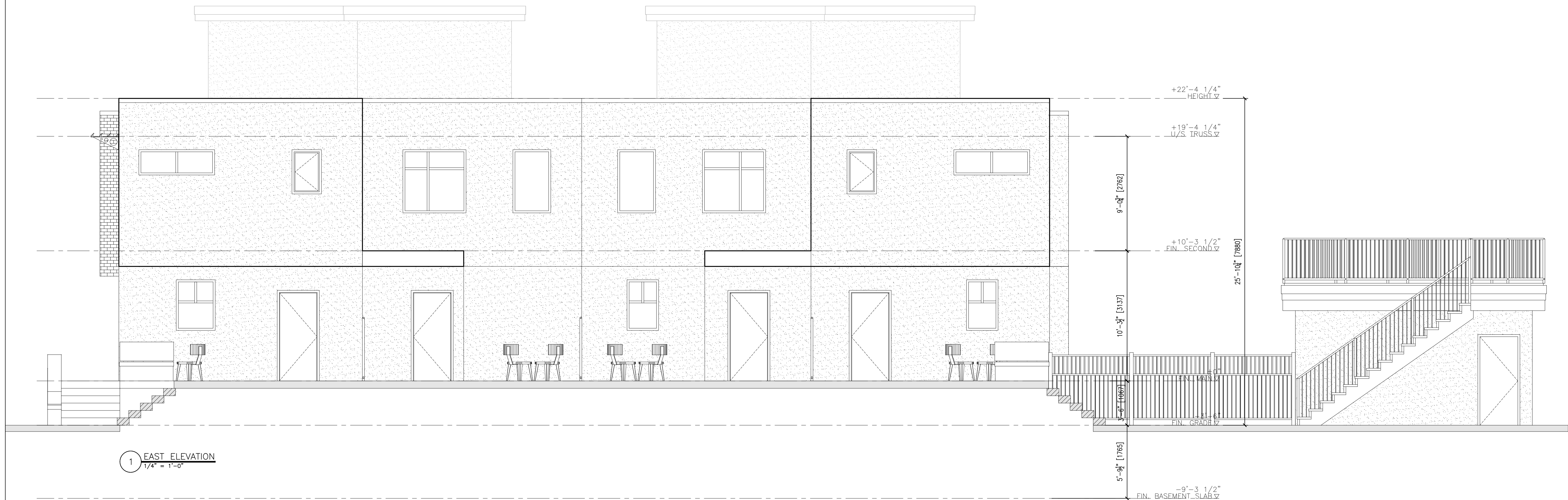
Revision No., Date and Description
03.24.17-PROGRESS DWGS
04.03.17-PROGRESS REVS
04.23.17-DP REVIEW

Plot Date	Drawing No.
8-May-17	A-200

PROJECT
2825 RICHTER STREET
----
DRAWING TITLE
ELEVATIONS

FOR DP





**MATERIAL LEGEND:**

1. PRE-FIN. METAL/ALUMINUM WOOD SERIES PANELS
2. BRICK VENEER
3. ACRYLIC STUCCO
4. METAL CLAD WINDOWS (BLACK)
5. FIBREGLASS EXTERIOR DOOR (STAIN GRADE)
6. PRE-FIN. METAL CAP FLASHING
7. BLACK ALUMINUM RAILING SYSTEM
8. ROOF ACCESS (STUCCO/SLOPED CHARCOAL ASPHALT SHINGLES/PAINTED SMART BOARD FASCIA)

Revision No., Date and Description
04.23.17-DP REVIEW
05.08.17-FOR DP

Plot Date	Drawing No.
8-May-17	A-201

PROJECT
2825 RICHTER STREET
----
DRAWING TITLE
ELEVATIONS

FOR DP



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## CITY OF KELOWNA

# MEMORANDUM

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**Date:** August 29, 2017  
**File No.:** Z17-0057

**To:** Urban Planning (LG)

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

**Subject:** 2825 Richter Street *REVISED*  
to RM2

RU6

---

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

The Development Engineering Technologist for this project is Jason Angus.

1. Domestic Water and Fire Protection

- (a) The existing lot is serviced with 19mm diameter water service. The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The estimated cost of this construction for bonding purposes is **\$8,000.00**
- (b) The applicant, at his cost, will arrange for the removal of the existing service on Coopland Crescent and the installation of one new larger metered water service.
- ~~(c) The applicant at his cost, will arrange for the installation of a new hydrant on Richter Street. The estimated cost of this construction for bonding purposes is **\$10,500.00**~~
- (d) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures. The City of Kelowna water meter contractor must salvage existing water meters, prior to building demolition. If water meters are not salvaged, the developer will be invoiced for the meters.

2. Sanitary Sewer

- (a) The existing lot is serviced with a 100mm diameter sanitary service. The developer's consulting mechanical engineer will determine the requirements of this proposed development and establish the required size and preferred location of the new service. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal of the existing small diameter service and the installation of a new larger service. The estimated cost of this construction for bonding purposes is **\$4,000.00**

3. Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan for this site which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems.
- (b) Only one service will be permitted for this development. The applicant, at his cost, will arrange for the installation of one new overflow service. The estimated cost of this construction for bonding purposes is **\$5,000.00**

4. Road Improvements

- (a) Richter Street must be upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, sidewalk, landscaped boulevard complete with street trees drainage system including catch basins, manholes and pavement removal and replacement, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The estimated cost of this construction for bonding purposes is **\$31,700.00**
- (b) Coopland Crescent must be upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, sidewalk, landscaped boulevard complete with street trees drainage system including catch basins, manholes and pavement removal and replacement, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The estimated cost of this construction for bonding purposes is **\$12,400.00**
- (c) Lane must be upgraded along the full frontage of this proposed development including pavement removal and replacement, manhole in Richter Street, extension of storm main, catch basin and concrete sidewalk thru the lane. The estimated cost of this construction for bonding purposes is **\$12,400.00**

5. Subdivision

- (a) Grant Statutory Rights Of Way if required for utility services.
- (b) Dedicate a 6.0m corner rounding at the intersection of Richter Street and Coopland Crescent.
- (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.

6. Electric Power and Telecommunication Services

- a) All proposed distribution and service connections are to be installed underground.
- b) Streetlights must be installed St Paul Street if needed.



- c) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- d) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

7. Engineering

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

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.

10. Servicing Agreements for Works and Services

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

11. Geotechnical Report

*This requirement can be deferred to DP/BP but must be provided by the owner by means of 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.

12. Bonding and Levy Summary(a) Bonding

## (i) General Requirements

(1) Water Upgrades	\$ 8,000.00
(2) Sanitary Sewer upgrades	\$ 4,000.00
(3) Storm Drainage Service Upgrades	\$ 5,000.00

(ii) Richter Street Improvements	\$31,700.00
(iii) Coopland Crescent Improvements	\$10,100.00
(iv) Lane Improvements	\$12,400.00

**Total Bonding** **\$71,200.00**

- (b) The City wishes to defer the sidewalk upgrades to Coopland Crescent fronting this development. Therefore, cash-in-lieu of immediate construction is required and the City will initiate the work later, on its own construction schedule.

Coopland Crescent Sidewalk (Southside) \$ 2,300.00

**Total Cash-in-lieu** **\$2,300.00**

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

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

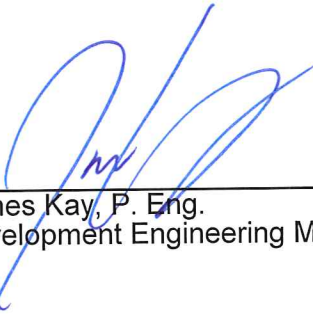
12. Development Permit and Site Related Issues

Access and Manoeuvrability

- (i) The access to the site should be from the lane only.
- (ii) Indicate on the site, the locations of loading bays as well as the garbage and recycle bins.

13. Administration Charge

An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as (3.5% of Total Off-Site Construction Cost plus GST)



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James Kay, P. Eng.  
Development Engineering Manager  
JA

# REPORT TO COUNCIL



**Date:** September 11, 2017

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (EW)

**Application:** Z17-0046

**Owner:** Philip Bernhard Zurrin

**Address:** 1373 Tanemura Cr

**Applicant:** Urban Options Planning & Permits

**Subject:** Rezoning Application

Existing OCP Designation: SRES – Single/Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1c – Large Lot Housing with Carriage House

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## 1.0 Recommendation

THAT Rezoning Application No. Z17-0046 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 Section 13 Township 26 ODYD Plan KAP86150, located at 1373 Tanemura Cr, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone, be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule 'A' attached to the Report from the Community Planning Department dated September 11, 2017.

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

## 2.0 Purpose

To rezone the subject property 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 the property is connected to City sanitary sewer.

To fulfill Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form to staff on July 11, 2017, outlining that the neighbours within 50 m of the subject property were notified.

#### 4.0 Proposal

##### 4.1 Project Description

The applicant would like to add the 'c' designation to the subject property to construct a future carriage house. The subject property is serviced by sanitary sewer. The rear of the property slopes down to Hwy 33 and the owner wants to retain the mature evergreen trees on site. The proposed location of the carriage house is designed into the slope at the rear of the property. The carriage house plans show a two-car garage and a two-bedroom suite where the garage is accessed from grade and the suite is a walkout under the garage (Attachment A).

Should the rezoning application be supported, two variances will be required to facilitate the unique design of the walkout carriage house. A Development Variance Permit will be considered by Council at a future meeting.

##### 4.2 Variances

The proposed carriage house will require two variances to Zoning Bylaw No. 8000:<sup>1</sup>

Variance 1: *s.9.5b.1(f) The maximum upper storey floor area is 75% of the carriage house footprint area.* Due to the carriage house design in which the garage is situated above the living space, the upper storey is 87% of the carriage house footprint.

Variance 2: *s.9.5b.1(g) The maximum height is the lesser of 4.8m of the height of the principal dwelling, as measured to the midpoint. As per the Zoning Bylaw interpretation of height and building grade, the height of the carriage house is measured from the low side (the walkout side facing Hwy 33). The height variance would be 4.8m to 8.05m.*

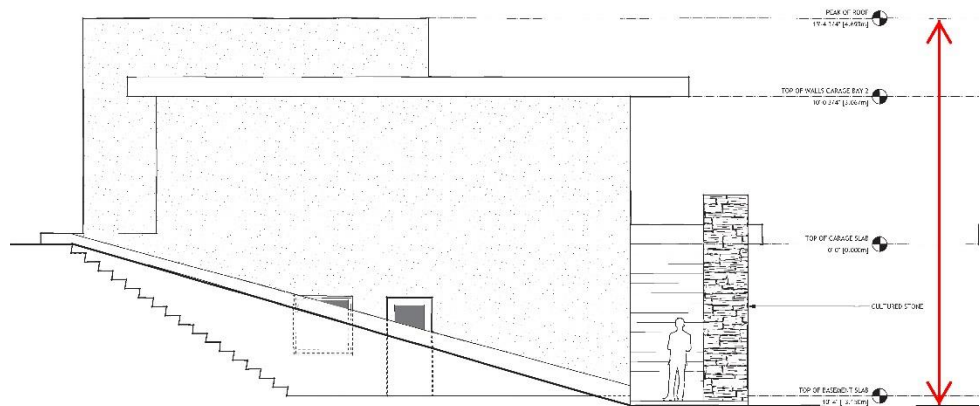


Figure 1. Cross Section of Proposed Carriage House showing where the 8.05m height measurement is taken; on the walkout side.

<sup>1</sup> TA15-0008 (BL11369) to harmonize carriage house and accessory building regulations is scheduled for Public Hearing at the September 12<sup>th</sup>, 2017 meeting. If approved, the carriage house regulations will be assigned new section numbers. These new section numbers are referenced in this report.

#### 4.3 Site Context

The subject property is located in the Belgo – Black Mountain north of Hwy 33 E. The subject property is a large RU1 lot at 1971 m<sup>2</sup>.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Residential
East	RU1 – Large Lot Housing	Residential
South (across Hwy 33 E)	A1 – Agricultural 1	Residential/ Agriculture
West	RU1 – Large Lot Housing	Residential

#### Subject Property Map: 1373 Tanemura Cr



#### 4.4 Zoning Analysis Table

Zoning Analysis Table		
	RU1 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	550 m <sup>2</sup>	1971 m <sup>2</sup>
Minimum Lot Width	16.5 m	46 m
Minimum Lot Depth	30.0 m	47 m

Development Regulations		
Max. Site Coverage (buildings)	40%	17%
Max. Site Coverage (buildings, driveways, and parking)	50%	17%
Carriage House Regulations		
Max. Accessory Site Coverage	14%	5%
Max. Accessory Building Footprint	90 m <sup>2</sup>	89.9 m <sup>2</sup>
Max. Net Floor Area	90 m <sup>2</sup>	89.9 m <sup>2</sup>
Max. Upper Storey to Building Footprint	75%	87% <sup>❶</sup>
Max. Net Floor Area to Principal Building	75%	45%
Maximum Height (to mid-point)	4.8 m	8.05m <sup>❷</sup>
Maximum Height (to peak)	7.9 m	4.7 m
Minimum Side Yard (east)	2.0 m	16.8 m
Minimum Side Yard (west)	2.0 m	4.4 m
Minimum Rear Yard	2.0 m	8.9 m
Min. Distance to Principal Building	3.0 m	14 m
Other Regulations		
Minimum Parking Requirements	3 stalls	4 stalls
Minimum Private Open Space	30 m <sup>2</sup>	30 m <sup>2</sup>
❶ Indicates a variance to upper storey to carriage house footprint from 75% to 87%.		
❷ Indicates a variance to height from 4.8m to 8.05m.		

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Sensitive Infill.**<sup>2</sup> 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.

**Carriage Houses & Accessory Apartments**<sup>3</sup>. Support carriage houses and accessory apartments through appropriate zoning regulations.

## 6.0 Technical Comments

### 6.1 Building Department

- A third party work order may be required with the Development Engineering Department for an upgraded water line and sewage connection. These requirements are to be resolved prior to issuance of the Building Permit.

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

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.22.12 (Development Process Chapter).

- HPO (Home Protection Office) approval or release is required at time of Building Permit application.

6.2 Development Engineering Department

- See Schedule 'A' – Development Engineering Memorandum dated July 10, 2017.

6.3 Fire Department

- Maintain access to the carriage house from Tanemura Cr.

7.0 **Application Chronology**

Date Complete Application Received: May 26, 2017  
Date Public Consultation Completed: July 11, 2017

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

**Attachments:**

Schedule 'A' – Development Engineering Memorandum dated July 10, 2017.  
Attachment 'A' – Applicant's Rationale  
Attachment 'B' – Conceptual Carriage House Plans

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## CITY OF KELOWNA

# MEMORANDUM

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**Date:** July 10, 2017  
**File No.:** Z17-0046  
**To:** Suburban and Rural Planning (EW)  
**From:** Development Engineering Manager (JK)  
**Subject:** 1373 Tanemura Cr RU1 to RU1C

---

The Development Engineering Department has the following comments and requirements associated with this rezoning application to rezone the subject property to facilitate the construction of a Carraige House.

**1. Domestic Water and Fire Protection**

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.

**2. Sanitary Sewer**

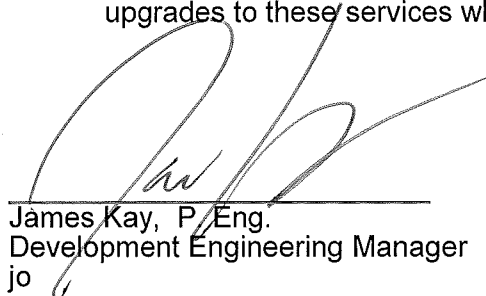
Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service which is adequate for this application.


**3. Access and Site Related Issues**

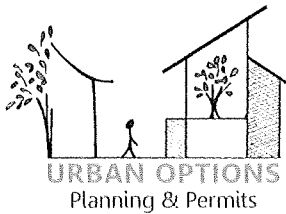
- a) Direct the roof drains into on-site rock pits or splash pads.
- b) Provide a dust free surface for access to Tanemura Cr
- c) Provide a lot grading plan.

**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.

  
James Kay, P. Eng.  
Development Engineering Manager  
jo

<b>SCHEDULE</b>		<b>A</b>
This forms part of application # Z17-0046		
Planner Initials	<div style="border: 1px solid black; padding: 2px; display: inline-block;">EW</div>	 <b>City of Kelowna</b> <small>COMMUNITY PLANNING</small>



April 28, 2017

City of Kelowna  
**Urban Planning Department**  
1435 Water Street  
Kelowna, BC



Re: Rezoning to facilitate a Carriage House at 1373 Tanemura Crescent

Dear Planning Staff

This application is to rezone the property at 1373 Tanemura Crescent to the RU1c – Large Lot Housing with Carriage House zone to allow the construction of a carriage house. The property is unique as it is the remnant parcel from the subdivision that has grown around it and is home to the original 1950's dwelling. The lot is spacious and slopes down to Highway 33 in the rear. The state of title notes a number of Statutory Right of Ways that were required for the subdivision and have no bearing on the site.

The location of the carriage house was carefully considered. The client would like to ensure that the mature evergreen trees on the site are preserved. It became obvious that the carriage house would need to be incorporated into the slope of the site. The proposed carriage house is one storey in height for the garage and the dwelling unit is located in the walk out portion below the garage. From the street level the building looks like a modern garage. The living space is accessed via a staircase that leads directly into the living space. A large patio is located adjacent to the living area so that the view to Kelowna may be enjoyed. The building has a two-vehicle garage with space for storage.

A landscape plan has been submitted as part of the package as an overall upgrade to the site and road frontage is being proposed. The carriage house is being planned for a family member to allow support close by.

The property has easy access to schools, parks, transit and other natural amenities. The proposal is anticipated to be good infill development that is easily integrated into the existing form of the neighbourhood, adding quality housing stock to the area.

Regards,

Birte Decloux



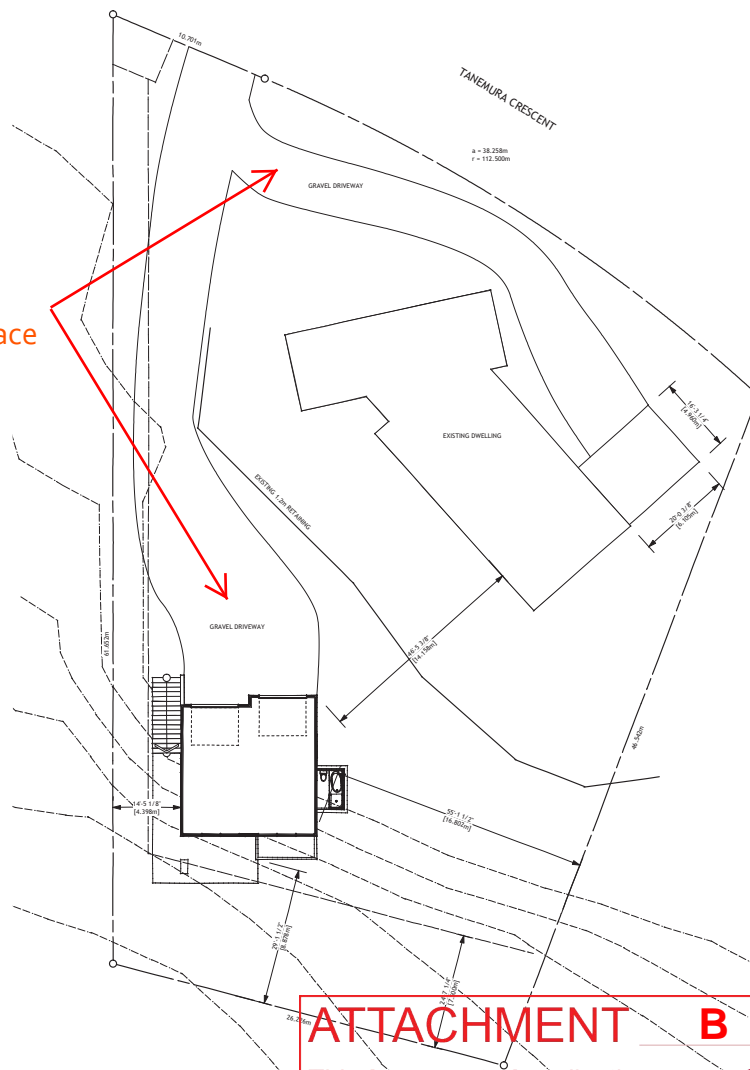
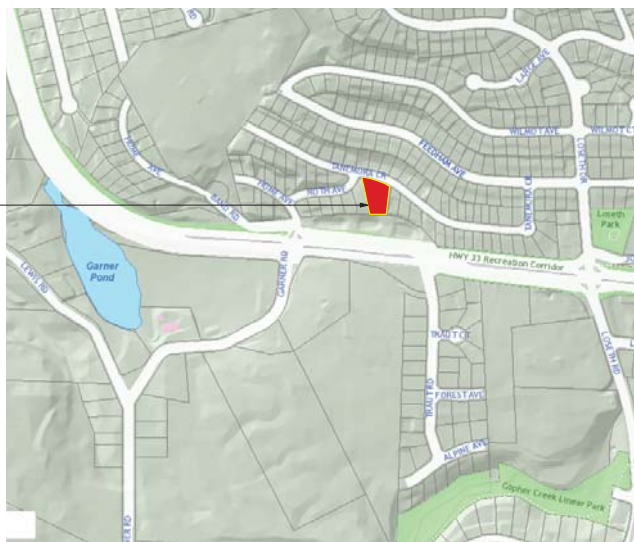
PROJECT DATA: CIVIC ADDRESS  
 LEGAL ADDRESS  
 CURRENT ZONING  
 PROPOSED ZONING  
 FUTURE LAND USE

1373 TANEMURA CRESCENT  
 KELOWNA, BC V1P 1R5  
 LOT 1 PLAN KAP86150  
 RU1C - LARGE LOT HOUSING WITH CARRIAGE HOUSE  
 S2RES - SINGLE/TWO FAMILY RESIDENTIAL

#### ZONING ANALYSIS

	RU1-C ZONE STANDARDS	PROPOSED
SITE AREA	550.00m <sup>2</sup>	1970.00m <sup>2</sup>
EXISTING BUILDING FOOTPRINT AT GRADE		228.71m <sup>2</sup>
EXISTING BUILDING TOTAL FINISHED FLOOR AREA		199.23m <sup>2</sup>
PROPOSED CARRIAGE HOUSE FOOTPRINT		89.86m <sup>2</sup>
PROPOSED CARRIAGE HOUSE FINISHED FLOOR AREA		89.86m <sup>2</sup>
PROPOSED CARRIAGE COVERED PATIO		11.90m <sup>2</sup>
PROPOSED DRIVEWAY AREA (CONCRETE)		0.00m <sup>2</sup>
ACCESSORY BUILDING SITE COVERAGE	14%	5.2%
SUITE AREA TO MAIN DWELLING AREA	75%	45.1%
SITE COVERAGE	40.0%	16.8%
SITE COVERAGE INCLUDING HARD SURFACES	50.0%	16.8%
BUILDING HEIGHT OF EXISTING HOUSE	9.5m/2 1/2 STOREYS	6.870m/1 1/2 STOREYS
BUILDING HEIGHT OF PROPOSED CARRIAGE HOUSE	4.8m/1 1/2 STOREYS	4.693m/1 STOREY
PEAK OF CARRIAGE HOUSE ROOF		4.693m
PEAK OF EXISTING DWELLING ROOF		7.921m
PARKING STALLS PROVIDED	3	4
PRIVATE OPEN SPACE CARRIAGE HOUSE	30.00m <sup>2</sup>	60.00m <sup>2</sup>
SETBACK TO PRINCIPLE BUILDING	3.000m	14.158m
REAR (SOUTH) YARD SETBACK	2.000m	8.878m
SIDE (EAST) YARD SETBACK	2.000m	16.802m
SIDE (WEST) YARD SETBACK	2.000m	4.398m
1 IN 200 YEAR FLOOD CONSTRUCTION LEVEL	343.660m	575.000m

Hard, dust-free surface



**ATTACHMENT B**

This forms part of application  
 # Z17-0046

Planner  
 Initials EW

City of  
**Kelowna**  
 COMMUNITY PLANNING



IHS DESIGN  
 1392 MINE HILL DRIVE  
 KELOWNA, BC V1P 1S5  
 www.ihsdesign.com  
 (250) 212-7938

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



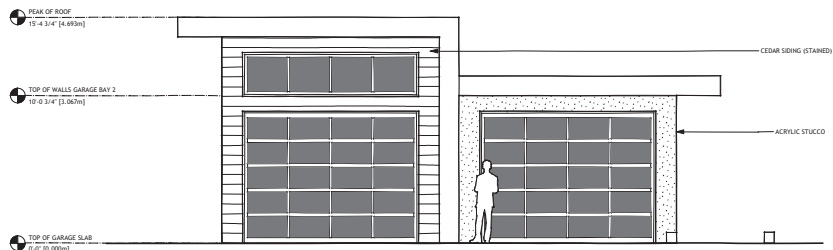
REVISION	DATE	DISCUSSION

PROJECT  
 CARRIAGE HOUSE DEVELOPMENT  
 1373 TANEMURA CRESCENT  
 KELOWNA, BC V1P 1R5  
 LOT 1 PLAN KAP86150

DRAWING TITLE  
 SITE PLAN

DATE  
 APRIL 26, 2017

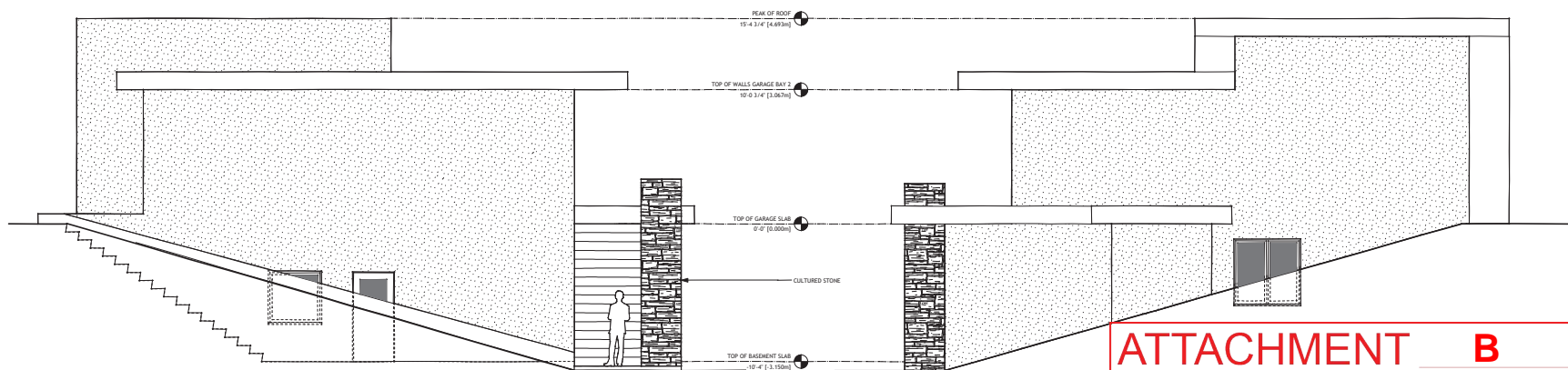
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 1  
 of  
 4



1 NORTH ELEVATION  
Scale: 1/4" = 1'-0"



2 SOUTH ELEVATION  
Scale: 1/4" = 1'-0"



3 WEST ELEVATION  
Scale: 1/4" = 1'-0"

4 EAST ELEVATION  
Scale: 1/4" = 1'-0"



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www.ihsdesign.com  
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PROJECT NORTH

REVISION	DATE	DESCRIPTION

PROJECT  
CARRIAGE HOUSE DEVELOPMENT  
1373 TANEMURA CRESCENT  
KELOWNA, BC V1P 1R5  
LOT 1 PLAN KAP86150

DRAWING TITLE  
ELEVATIONS

DATE  
APRIL 26, 2017

DRAWING NUMBER  
2  
of  
4

**ATTACHMENT B**

This forms part of application  
# Z17-0046

Planner  
Initials EW





# REPORT TO COUNCIL



**Date:** September 11, 2017

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (LB)

**Application:** OCP17-0004 / Z17-0015

**Owner:** Interval Investment Inc.,  
Inc.No. 196442

**Address:** 5080 Twinflower Crescent

**Applicant:** Arthon Industries Ltd.

**Subject:** OCP Amendment & Rezoning Application

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

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

Existing Zone: A1 – Agriculture 1  
P3 – Parks and Open Space

Proposed Zone: A1 – Agriculture 1  
P3 – Parks and Open Space  
RU2h – Medium Lot Housing (Hillside Area)

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## 1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP17-0004 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 25 Section 29 Township 29 SDYD Plan EPP31797, located at 5080 Twinflower Crescent, Kelowna, BC:

- from the PARK – Major Park / Open Space (Public) designation to the S2RESH – Single / Two Unit Residential – Hillside designation; and
- from the S2RESH – Single / Two Unit Residential – Hillside 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 September 11, 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 notification 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 September, 2017;

AND THAT Rezoning Application No. Z17-0015 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot 25 Section 29 Township 29 SDYD Plan EPP31797, located at 5080 Twinflower Crescent, Kelowna, BC:

- from the A1 – Agriculture 1 zone to the P3 – Parks and Open Space zone;
- from the A1 – Agriculture 1 zone to the RU2h – Medium Lot Housing (Hillside Area) zone; and
- from the P3 – Parks and Open Space zone to the RU2h – Medium Lot Housing (Hillside Area) zone

as shown on Map “B” attached to the Report from the Community Planning Department dated September, 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 the issuance of a Preliminary Layout Review Letter by the Approving Officer.

## **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 a three lot subdivision and park dedication.

## **3.0 Community Planning**

Staff support the proposed Official Community Plan (OCP) amendments and rezoning to facilitate a three lot residential subdivision. The proposal generally continues the development pattern established through the development to the west, with somewhat larger lots that access from the fronting street as opposed to a rear lane. The lot dimensions exceed the minimum requirements in the RU2h zone and are more appropriate than the RU3 zone in this hillside area to limit the need for grading and impacts to slopes.

To achieve a more regular lot configuration without a panhandle lot, the applicant proposes to amend the future land use designation for portions of the property, effectively switching designations from the front to the back of proposed lot 3. This results in a net increase of 60.5 m<sup>2</sup> as area designated PARK – Major Park / Open Space (Public). This change both improves the streetscape by creating a more regular rhythm and reduces impacts on the slope in the southeast portion of the property.

As staff understand it, the applicant completed neighbour consultation in accordance with Council Policy No. 367, and some residents had questions and concerns about the development. At the time of writing, staff have not been contacted directly by members of the public about the 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**

In 2013, Council adopted Bylaws No. 10793 and 10794 to amend the OCP future land use designation and rezone portions of the subject property and the area west of the subject property for residential development and parkland. Through those applications, a small natural drainage feature was identified and dedicated to the City as parkland (now 5060 Twinflower Crescent). The adjacent steeper areas on the subject property were also designated as PARK and protected with a no build covenant. The portion of the subject property designated S2RESH was not part of the rezoning or subdivision application at that time.

#### 4.2 Project Description

This OCP Amendment and Rezoning application is for a three lot subdivision within The Ponds development, under the RU2h zone. The lots range from 543 m<sup>2</sup> to 835.5 m<sup>2</sup> in area and exceed minimum lot dimension requirements for the RU2h zone. In conjunction with the three lot subdivision, the applicant is proposing adjustments to the boundaries of the area designated as PARK, resulting in a total net gain of 60.5 m<sup>2</sup> of land with the PARK future land use designation.

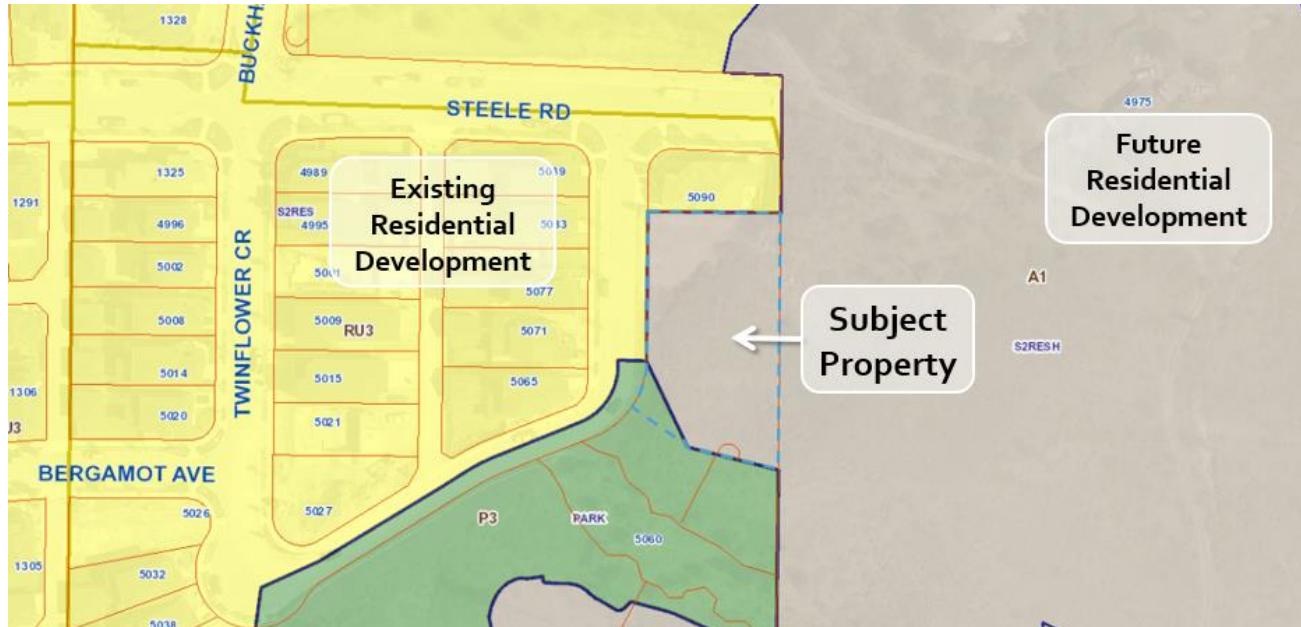
#### 4.3 Site Context

The subject property is located in the City's South Okanagan Mission Sector, east of the intersection of Gordon Drive and Frost Road, and is within the Permanent Growth Boundary. It is within the Neighbourhood 3 Area Structure Plan area in the development known as The Ponds. The property generally slopes upward from the street to the higher portion in the southeast corner.

The surrounding area is characterized by small lot single detached housing, natural open space, and future residential development. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU <sub>3</sub> – Small Lot Housing	Single dwelling housing
East	A <sub>1</sub> – Agriculture 1	Vacant land / open space (future development area)
South	P <sub>3</sub> – Parks and Open Space	Natural open space
West	RU <sub>3</sub> – Small Lot Housing	Single dwelling housing

**Map 1: Surrounding Context – Future Land Use Designations & Zoning**



## Map 2: Subject Property



### 4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU2h ZONE REQUIREMENTS	PROPOSAL
Subdivision Regulations		
Minimum Lot Area	400 m <sup>2</sup>	543 m <sup>2</sup> to 835.5 m <sup>2</sup>
Minimum Lot Width	13.0 m	16.0 m to 17.2 m
Minimum Lot Depth	30.0 m	33.95 m

## 5.0 Current Development Policies

### 5.1 Neighbourhood 3 Area Structure Plan

#### Objectives

2. To identify and respect attributes of the natural environment, such as areas sensitive to development, for both their intrinsic and community values.
3. To provide a mix of housing types and densities suitable for a variety of households, age groups, income levels, and preferences.

5.2 Official Community Plan

**Chapter 1: Introduction**

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

**Chapter 7: Infrastructure**

**Objective 7.12** Provide active and passive parks for a diversity of people and a variety of uses.

**6.0 Technical Comments**

6.1 Development Engineering Department

- Servicing requirements will be addressed at time of subdivision.

6.2 Parks & Buildings Planning

- No concerns with the proposed realignment of parkland.

**7.0 Application Chronology**

Date of Application Received: February 16, 2017

Date Public Consultation Completed: August 3, 2017

**Report prepared by:** Laura Bentley, Planner II

**Reviewed by:** Todd Cashin, Suburban and Rural Planning Manager

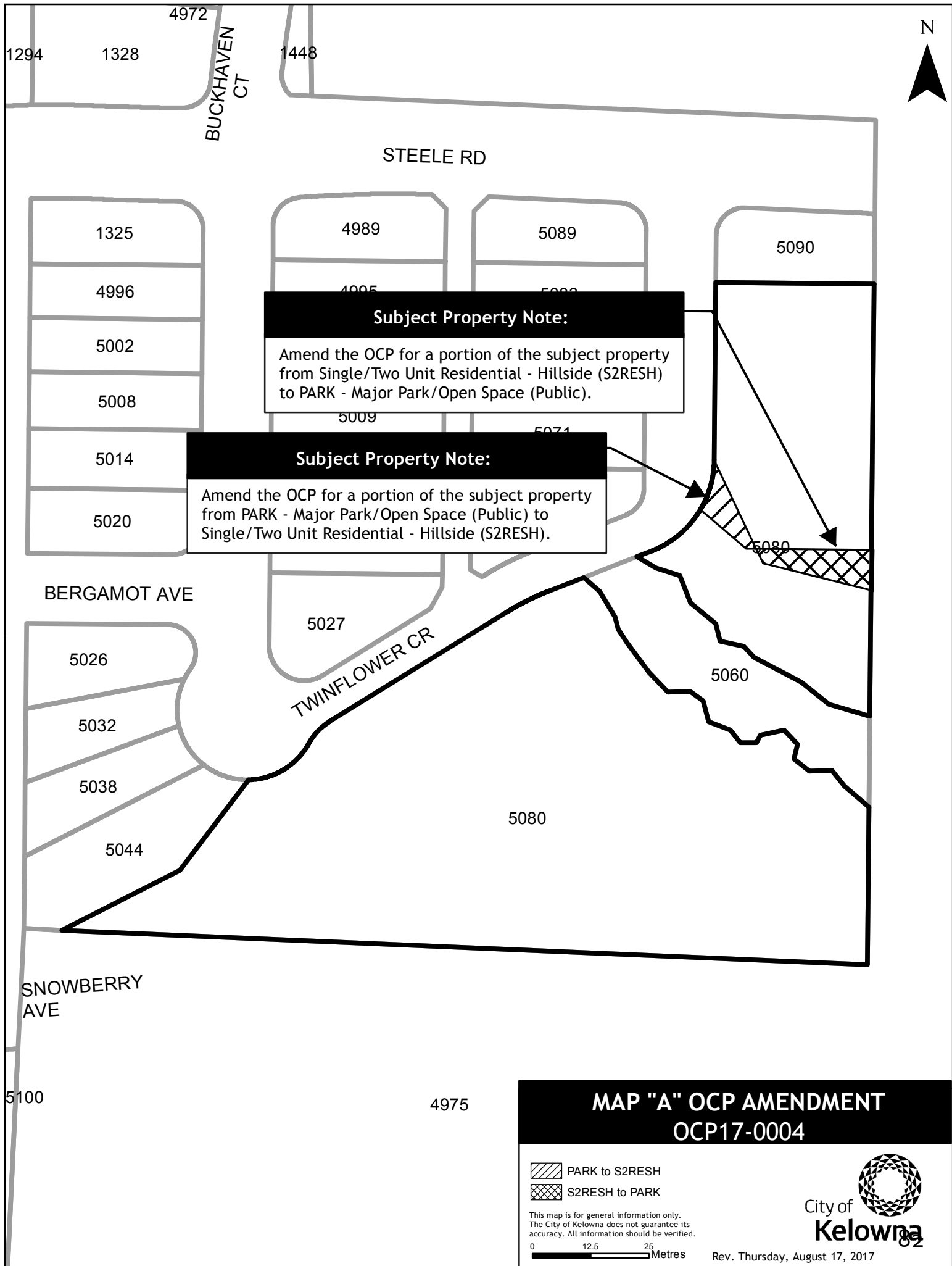
**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

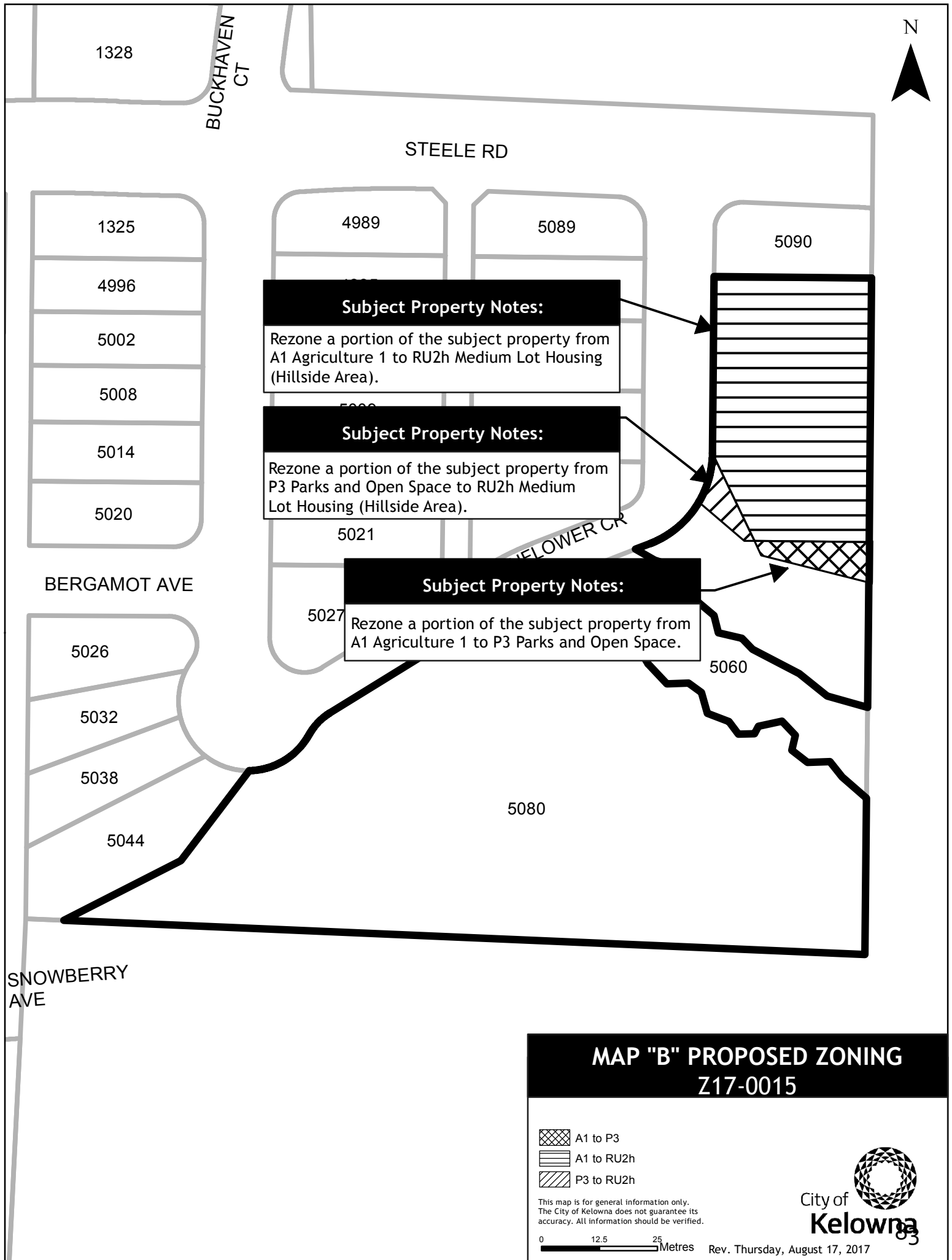
**Attachments:**

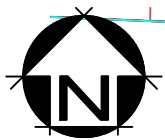
Map "A" OCP Amendments

Map "B" Rezoning

Proposed Rezoning & Subdivision Plan





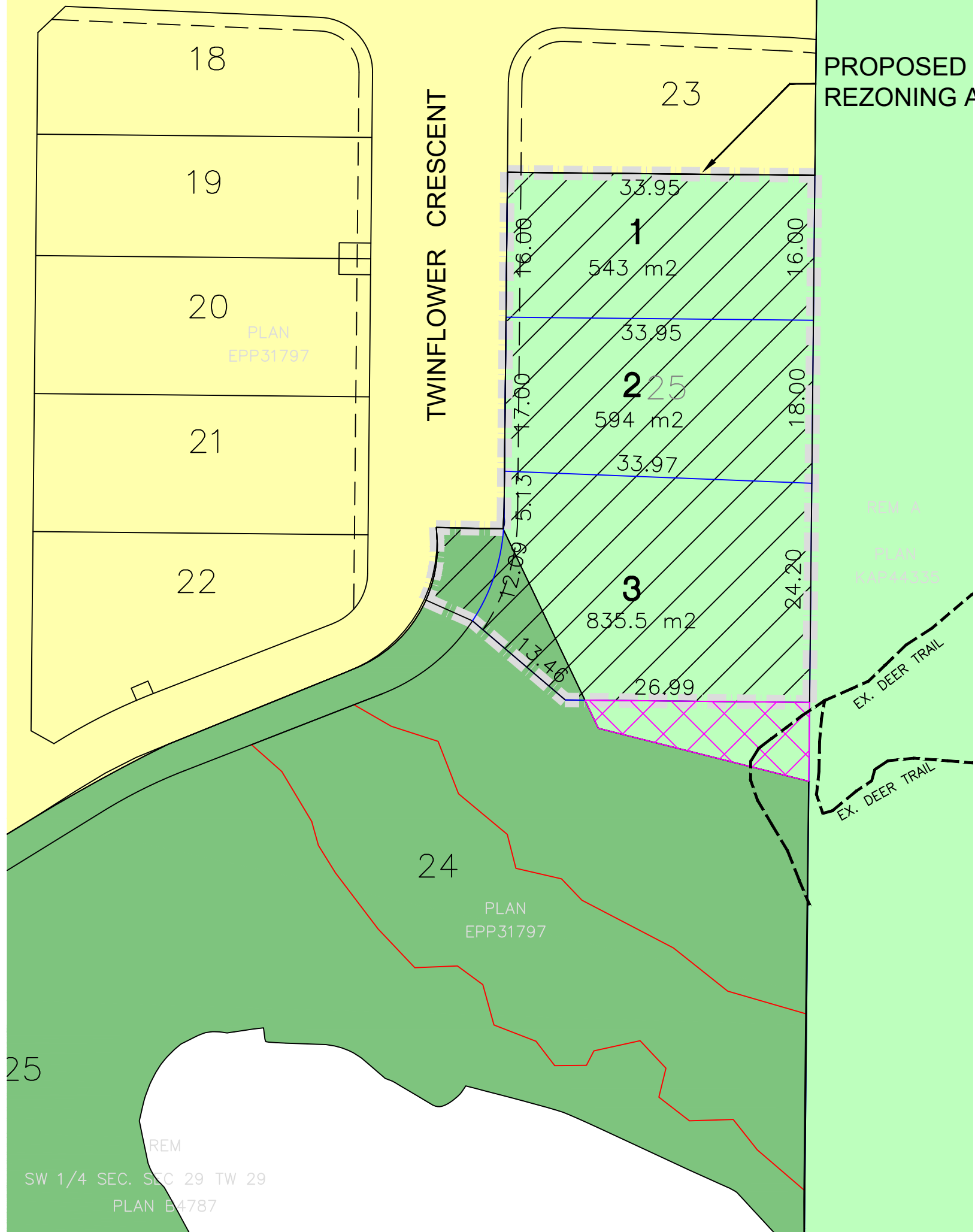


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STEELE ROAD

TWINFLOWER CRESCENT







PROPOSED  
REZONING AREA



**ecora**<sup>TM</sup>

ECORA ENGINEERING & RESOURCE GROUP LTD.  
579 LAWRENCE AVE. KELOWNA, B.C. V1Y 6L8  
Phone: 250-469-9757  
Web: www.ecora.ca

INTERVAL LANDS  
LOT 25 EPP31797 REZONING  
5080 TWINFLOWER CRESCENT

- |   |                       |   |                         |
|---|-----------------------|---|-------------------------|
|  | RU3 ZONING            |  | PROPOSED<br>RU2h ZONING |
|  | A1 ZONING             |  | P3 ZONING               |
|  | PROPOSED<br>P3 ZONING |  | 1.0m CONTOURS           |
- CK-16-613-BAS-RZ



# REPORT TO COUNCIL



**Date:** September 18, 2017

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (EW)

**Application:** Z17-0001

**Owner:**

Kelowna East Investments Ltd.,  
Inc.No. BC1084469

**Address:** 1915 Enterprise Way

**Applicant:**

Mara + Natha Architecture Ltd.

**Subject:** Rezoning Application

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

Existing Zone: C4 – Urban Centre Commercial

Proposed Zone: CD17 – Mixed Use Commercial – High Density

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## 1.0 Recommendation

THAT Rezoning Application No. Z17-0001 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 140 ODYD Plan KAP58184, located at 1915 Enterprise Way, Kelowna, BC from the C4 – Urban Centre Commercial zone to the CD17 – Mixed Use Commercial High Density 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 September 18, 2017;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the registration of a height restriction covenant to a maximum of six storeys on the subject property;

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

## 2.0 Purpose

To rezone the subject property from C4 – Urban Centre Commercial to CD17 – Mixed Use Commercial – High Density to facilitate the future construction of a hotel and a mixed-use building.

### 3.0 Community Planning

The subject property is currently vacant and underutilized. It is located in a strategic position within the Mid-town Urban Centre at the intersection of two busy roads serviced by the nearby rapid transit network. The subject property is also well served by nearby shopping plazas, a recreation centre, multi-use trails, and the Landmark employment hub. The Official Community Plan Future Land Use designation for the property is MXR – Mixed Use Residential/Commercial. The property's Walk Score is 74 (most errands can be accomplished on foot). As a result, staff are supportive of the proposed rezoning to the CD17- Mixed Use Commercial – High Density zone in order to facilitate the development of a major hotel and mixed-use (commercial & residential) building.

To fulfill Council Policy No. 367 for 'Zoning Major' applications, the applicant held a public information session on February 25<sup>th</sup>, 2017 at the Sandman Hotel from 11am to 3pm. The public information session was advertised in the Daily Courier two weeks prior to the meeting and 22 people attended the session. Neighbours within 50m of the subject property were also notified.

### 4.0 Proposal

#### 4.1 Background

The applicant submitted their initial application in September 2016. At which time it was identified that the project exceed the maximum floor area ratio permitted in the C<sub>4</sub>- Urban Centre Commercial zone. The project's proposed floor area ratio is 1.72 and the C<sub>4</sub> maximum floor area ratio is 1.0 for the hotel use and 1.3 for the mixed-use building. Since density (floor area ratio) cannot be varied as per the *Local Government Act*, rezoning to an applicable zone is required. The proposed CD17- Mixed Use Commercial – High Density zone is consistent with the subject property's current land use designation of Mixed Use (Residential/Commercial) (MXR) and is also consistent with the project's height and floor area ratio.

A text amendment (TA12-0014) to the C<sub>4</sub> zone to increase height and floor area ratio had been initiated prior to this application but at the time of application Staff were not in a position to bring the text amendments to Council for initial consideration, which would allow the project to proceed under the current zone.

Staff agree that the current zoning of C<sub>4</sub> is most appropriate for the proposed project and would prefer the project proceed under the C<sub>4</sub> zone once amended. However, the proposed project is time sensitive as the applicant has a contract with Hyatt Hotels that requires construction begin in the spring of 2018.

Staff plan on bringing the C<sub>4</sub> text amendments to Council for initial consideration later this fall. In the event that the text amendments proceed in a timely fashion this project could theoretically proceed under the amended C<sub>4</sub> zone and would proceed to Development Variance Permit and Development Permit (the CD17 rezoning would not be adopted). However, the proposed rezoning to CD17 is still consistent with the OCP Future Land Use Designation and would allow the project to proceed should adoption of the C<sub>4</sub> amendments carry over to 2018.

#### 4.2 Project Description

##### 4.2.1 Proposal

The applicant is proposing the construction of a six-storey hotel and a six-storey mixed use building on the subject property (Attachment A). The project's proposed floor area ratio of 1.72 exceeds the current C<sub>4</sub> – Urban Centre Commercial zone floor area of 1.0 for hotels and 1.3 for mixed-use

buildings. In order to proceed with the proposed development rezoning to the CD17- Mixed Use Commercial – High Density zone is required. The subject property's current land use designation of Mixed Use (Residential/Commercial) (MXR) is consistent with the proposed CD17 zone. The CD17 zone allows for hotels, apartment housing, and general retail stores uses with a maximum floor area ratio of 2.0 and a maximum height of 55.0m or 16 storeys.

While the floor area ratio is suitable for the project the maximum height of 55.0m or 16 storeys permitted in the CD17 zone is not. Prior to final adoption, the registration of a height restricting covenant to six (6) storeys would be required.

#### 4.2.2 Traffic Impact Study

A joint Traffic Impact Study with the City and the Ministry of Transportation and Infrastructure (MoTI) was triggered as part of rezoning. The applicant's Transportation Engineer has submitted a Traffic Impact Study that has been accepted by both the City and MoTI. The report finds that anticipated traffic for the Highway 97 and Enterprise Way corridors has a marked decrease in the overall system performance and that the Highway 97 Spall Road intersection operates below acceptable operational capacity. Specific to the development, the report finds that the development will have a minor impact on the overall area operation. Requirements of the development would include the addition of left-hand turn bays on to Enterprise Way.

#### 4.3 Site Context

The subject property is located in the Midtown City Centre at the corner of Enterprise Way and Spall Rd. The lot is 7,191 m<sup>2</sup> and in a commercial/residential neighbourhood.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C4 – Urban Centre Commercial RM5 – Medium Density Multiple Housing	Commercial Vacant/ Proposed Residential
East	C4 – Urban Centre Commercial	Vacant/ Proposed Commercial
South	C4lp – Urban Centre Commercial (Liquor Primary)	Commercial
West	RM5 – Medium Density Multiple Housing	Residential

**Subject Property Map: 1915 Enterprise Way**



## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Future Land Use

##### **Mixed Use (Residential / Commercial) (MXR)<sup>1</sup>**

Developments that provide for commercial floor space on the ground floor or above, with additional potential for residential units above the ground floor. For Urban Centres other than the City Centre, building densities should decrease as the distance from the core of the Urban Centre increases. Other relevant policies include Policy 5.5.1 Building Height and Chapter 17 – Urban Centre definition. Maximum density at the centre of the core would be consistent with zoning as follows: City Centre – C7 zone; Rutland – C7 zone; Pandosy – C4 zone; Midtown – C6 zone; Capri/Landmark – C4 zone.

#### Development Process

**Compact Urban Form.<sup>2</sup>** 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

<sup>1</sup> City of Kelowna Official Community Plan, Future Land Use Designations (Chapter 4).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter 5).

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

6.2 Development Engineering Department

- See 'Schedule A' – Development Engineering Memorandum dated January 31, 2017.

6.3 Fire Department

- The Fire Department has no issues with the zoning. Access on and off of the very busy Enterprise Way can be difficult.

**7.0 Application Chronology**

Date Complete Application Received: January 12, 2017

Date Public Consultation Completed: February 25, 2017

**Report prepared by:** Emily Williamson, Planner

**Reviewed by:** Terry Barton, Urban Planning Manager

**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

**Attachments:**

Schedule 'A' – Development Engineering Memorandum dated January 31, 2017

Attachment 'A' – Conceptual Renderings and Site Plan

Attachment 'B' – Traffic Impact Study dated June 28, 2017

**CITY OF KELOWNA**  
**MEMORANDUM**

**SCHEDULE A**

**Date:** January 31, 2017  
**File No.:** Z17-0001  
**To:** Community Planning (EW)  
**From:** Development Engineering Manager (SM)  
**Subject:** 1915 Enterprise Way Development

This forms part of application  
# Z17-0001

Planner  
Initials

EW



C4 to CD17

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

General

- a) The proposed hotel and multi-family development triggers a traffic impact assessment (TIA). The City Transportation & Mobility department will review and provide the approval of the terms of reference (TOR) & traffic impact assessment (TIA). Recommendations from the Traffic Impact Analysis (TIA) will become requirements of rezoning.
- b) These Development Engineering comments/requirements are subject to the review and requirements from the Ministry of Transportation & Infrastructure (MOTI).

1. Domestic Water and Fire Protection

- (a) This lot is serviced with a 150 mm-diameter water service. The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs.
- (b) The applicant, at his cost, will arrange for the removal of all existing unused services and the installation of an additional fire hydrant, if required, and one new larger metered water service. The estimated cost of this construction for bonding purposes is **\$28,000.00**. If it is determined that upgrades to the existing water distribution system must be made to achieve the required fire flows, additional bonding will be required.
- (c) A water meter is mandatory for this development and must be installed inside the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost. Boulevard landscaping, complete with underground irrigation system, must be integrated with the on-site irrigation system.

- (d) A water meter is mandatory for this development and must be installed inside the buildings on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost. Boulevard landscaping, complete with underground irrigation system, must be integrated with the on-site irrigation system.

2. Sanitary Sewer

- (a) This lot is serviced with a 150mm-diameter sanitary sewer service. The developer's consulting mechanical engineer will determine the requirements of this proposed development and establish the required size of the new service. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal of all existing small diameter services and the installation of a new larger service.
- (b) The applicant, at his cost, will arrange for the installation of one larger service, as well as the removal of all existing unused services. Only one service will be permitted for this development. The estimated cost for construction for bonding purposes is **\$16,800.00**
- (c) A downstream flow analysis check is required by a consulting civil engineer to determine the impact of additional flow contributions on the existing pipe system. If it is determined that upgrades to the existing facilities must be made, additional bonding will be required.

3. Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the 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.
- (b) This lot has been pre-serviced with a 150mm-diameter overflow storm sewer service. Only one service will be permitted for this development.
- (c) Storm drainage systems for the site will be reviewed and approved by Engineering when design drawings are submitted.

4. Road Improvements

Spall Road and Enterprise Way fronting this development are urbanized. Frontage modifications and improvements required at this time are as follows:

- (a) The existing driveway access to Spall Road will need to be removed. This work will require curb let down and asphalt driveway removal and barrier curb replacement.
- (b) The existing access on Enterprise Way will be permitted as a right in right out only driveway access. Access channelization modifications are required.
- (c) The new access proposed on Enterprise Way will be permitted as a right in right out and left in only. This will require pavement marking signage modifications.
- (d) Provide a Traffic Signs/Pavement Marking design drawing.

- (e) Boulevard landscaping complete with street trees is required on Enterprise Way and Spall Road complete with underground irrigation systems. A landscape & irrigation design drawing for approval is required.
- (f) Service upgrades will require road cuts and pavement restoration work within Spall Road and Enterprise Way.
- (g) The estimated cost of this construction for bonding purposes is **\$64,400.00**

Protect existing curb and sidewalks during construction. Replacement of damaged works and restoration will be at the developer's expense. The extent of the restoration works will be determined by the City Engineer once construction is completed.

5. Subdivision

By registered plan to provide the following:

- (a) Grant statutory rights-of-way if required for utility services.

6. Electric Power and Telecommunication Services

- a) The electrical services to this development must be installed in an underground duct system, and the building must be connected by an underground service. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground as this site is located within the Midtown urban town centre.
- b) 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.

7. Engineering

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

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.

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 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. 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.

12. Development Permit and Site Related Issues

Access and Manoeuvrability

- (i) A 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. Indicate on the site plan, the locations of the garbage and recycle bins.
- (ii) Perimeter access must comply with the BC Building Code. Fire Truck access designs and proposed hydrant locations will be reviewed by the Fire Protection Officer.

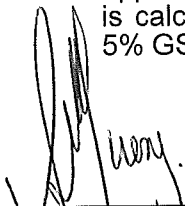
13. Bonding and Fee Summary(h) Bonding

Enterprise Way, Spall Rd frontage improvements	\$ 64,400.00
Service upgrades	\$ 44,800.00
<b>Total Bonding</b>	<b>\$109,200.00</b>

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

The owner must also enter into a servicing agreement in a form provided by the City prior to 4<sup>th</sup> reading of the zone amending bylaw.

An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as 3.5% of the total off-site construction costs, not including design, plus 5% GST will be added.

  
\_\_\_\_\_  
Steve Muenz, P. Eng.  
Development Engineering Manager

SS

# PROPOSED 6-STOREY HOTEL & 6-STOREY MIXED USE DEVELOPEMENT AT 1915 ENTERPRISE WAY, KELOWNA, B.C.



**ATTACHMENT A**

This forms part of application  
# Z17-0001

Planner  
Initials

EW

City of  
**Kelowna**  
COMMUNITY PLANNING



24			19		8	ISSUED FOR DP 6	DEC 23 2016	Project Name	Project Address	Sheet Name	Sheet 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**ATTACHMENT A**  
This forms part of application  
# 217-6003

Planner  
Initials **EW**



24				8	ISSUED FOR DP 6	DEC 23 2016	Project Name	Project Address	Sheet Name	Sheet No.	<div><div><div><div><div><div></div><div>MARA + NATHA</div><div>ARCHITECTURE LTD</div></div><div>285 - 9600 Cameron Street Burnaby B.C. V3J 7N3</div><div>O: 604. 420-2233</div><div>C: 604. 970-8413</div><div>Email: rob@maranarch.com</div><div>Web: www.maranarch.com</div><div>AIBC, AAA, SAA</div></div></div><div><p>These plans are <b>COPYRIGHTED</b> and <b>ALL RIGHTS ARE RESERVED</b>. The reproduction of these plans in any form, in part or as a whole is strictly prohibited. This plan and design are, and all items herein, the exclusive property of <b>MARA + NATHA ARCHITECTURE LTD.</b>, and may not be reproduced without written consent.</p><p>It is the responsibility of the Owner and General Contractor to verify all dimensions and site conditions prior to commencement of work and they shall notify the architect of any errors, omissions or discrepancies. Any work completed without architect's knowledge will be the full responsibility of the Owner and General Contractor.</p></div><div>SIGN &amp; SEAL</div></div></div>		
23				7	ISSUED FOR DP 5	DEC 13 2016	KELOWNA 6-STORY HOTEL & 6-STORY MIXED USE BUILDING DEVELOPMENT	1915 ENTERPRISE WAY KELOWNA, B.C.	3D PERSPECTIVE VIEWS	A002			
22				6	ISSUED FOR DP 4	NOV 29 2016				Project No.		21101	
21				5	ISSUED FOR DP 3	NOV 18 2016				Start of Project		JUN, 2016	
20				4	ISSUED FOR DP 2	OCT 26 2016							
19				3	ISSUED FOR DP 1	SEP 02 2016							
18				2	ISSUED FOR FINAL REVIEW	AUG 15 2016							
17				1	ISSUED FOR PRELIM PLAN	JULY 27 2016							
				9	ISSUED FOR ADT RESPONSE	FEB 22 2017							

97



COST

TIME

QUALITY

June 28, 2017

Project No.: 17018

West Fraser Developments Ltd.  
13070 115 Avenue  
Surrey, BC V3R 2T9

Attention: Mr. Navi Sandhu



Re: 1915 Enterprise Way Hotel, Kelowna, BC  
Transportation Impact Study

We are pleased to provide the following review of the anticipated traffic generated by the proposed mixed-use Hotel and Residential site on the south-east corner of Spall Road and Enterprise Way, located at 1915 Enterprise Way. This review has been completed to reflect comments received from the Ministry of Transportation and Infrastructure and the City of Kelowna, based on the May 2017 Terms of Reference prepared by CTQ Consultants Ltd. (CTQ), and our work on previous submissions.

### Executive Summary

The Transportation Impact Study has been prepared to determine the effect the proposed mixed-use Hotel and Residential development, combined with the anticipated community growth, will have on the adjacent Highway 97, and City of Kelowna roadway infrastructure. This report addresses the off-site planning, traffic generation and distribution, traffic analysis, and recommendations for street improvements.

The development consists of a mix of 161 room hotel, 54 residential units and ground floor commercial.

The full build out of the site is anticipated to generate the following off-site peak hour traffic volumes:

- Full Build Out of Development:
  - AM Peak Hour 143 trips, 79 entering, 64 exiting; and,
  - PM Peak Hour 256 trips, 128 entering, 128 exiting.

The background traffic on; and adjacent to Highway 97 is anticipated to grow at a rate of 2% per year. The background traffic on the adjacent local street network is anticipated to grow at a similar rate.

With the anticipated growth in traffic for the Highway 97 and Enterprise Way corridors, there is a marked decrease in the overall system performance. The Highway 97 Spall Road intersection operates below acceptable operational capacity.

The site is proposing to have two points of all moves access to the site from Enterprise Way, one at the center of the site and on at the east end of the site.

The addition of the site traffic has a minor impact on the overall area operation.

#### A) SITE CONTEXT

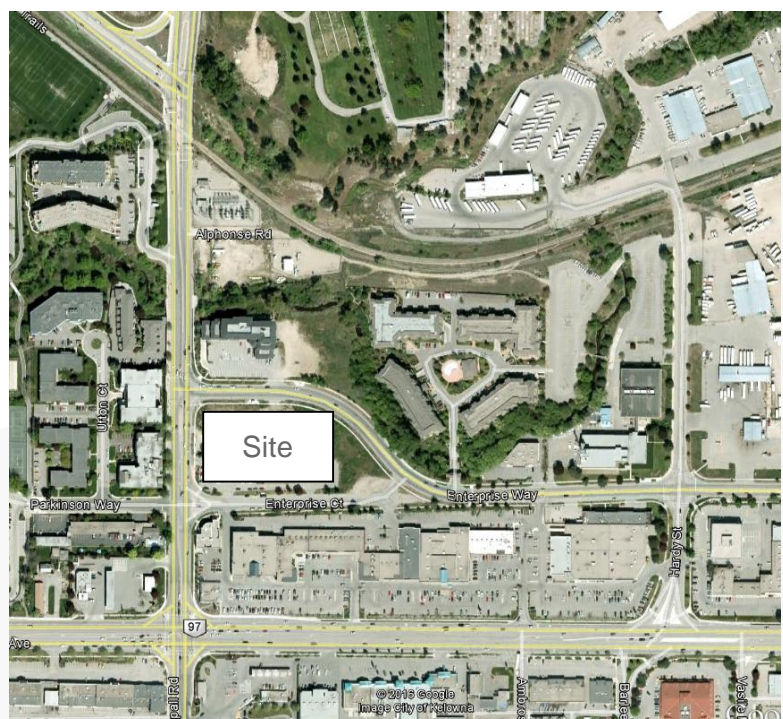
The site is located on the south side of Enterprise Way, and east side of Spall Road. The site is currently vacant. The Mill Creek Crossing mixed use commercial developments is on the north side of Enterprise Way. The multi-family residential units on the west side of Spall Road do not have any access to Spall Road.

The site is currently zoned C4 - Commercial with the proposed development rezoning to a CD Zone with a mix of Hotel, Commercial and Residential.

The geographic scope of the study area is the Highway 97 and Spall Road commercial area, with the adjacent Enterprise Way to the east.

The overall area is shown on Figure 1.

Figure 1 - Aerial View of the Study Area



## B) BACKGROUND INFORMATION

Traffic counts have been completed in the area as follows:

- The City of Kelowna has completed traffic counts for the following intersections:
  - Spall Road and Parkinson Way (2016);
  - Spall Road and Enterprise Way (2015);
  - Spall Road and Clement Avenue (2015); and
  - Enterprise Way and Hardy Street (2015).
- MoTI provided the November 2014 signal download for the Highway 97 and Spall Road intersection.

The traffic count information was used to develop the 2017 background AM and PM Peak Hour volumes. The resulting 2017 background AM Peak Hour and 2017 PM Peak Hour Traffic volumes are presented in Figure 2 and Figure 3 below.

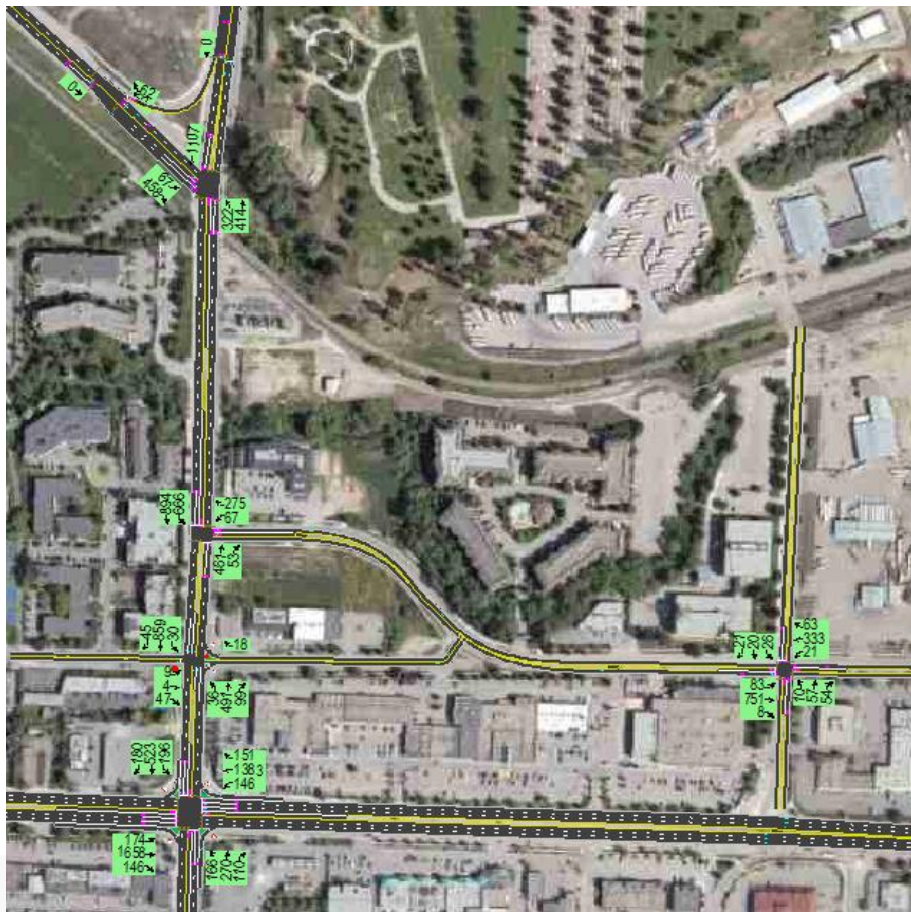


Figure 2 - 2017 Background AM Peak Hour Traffic





Figure 3 - 2017 Background PM Peak Hour Traffic

The anticipated 2% growth in the Highway 97, and City of Kelowna Roadways to 2027 for the AM and PM Peak Hour are presented in Figure 4 and Figure 5 below.



Figure 4 - 2027 Background AM Peak Hour Traffic





Figure 5 - 2027 Background PM Peak Hour Traffic

### C) TRAFFIC GENERATION and DISTRIBUTION

#### Development Traffic

The analysis period used in this study are the weekday AM and PM peak hour that coincide with the peak hour periods on the adjacent streets. The basis of traffic generation data used for the study is the Institute of Transportation Engineers (ITE) 9th Edition Trip Generation Rates Manual. The AM and PM Peak Hour Rates used to determine the development traffic generations are as per the ITE 9th Edition Trip Generation Rates Manual.

The *Institute of Transportation Engineers Trip Generation 9<sup>th</sup> Edition Manual* is used as an industry standard to provide estimates of vehicle trips for specific developments. The rates are based on information collated from actual traffic studies, and presented for the average weekday Peak Hour volumes the specific land use will generate, during normal operations.

We anticipate the attached development plan will generate traffic of a similar proportion and distribution to the *Institute of Transportation Engineers Trip Generation 9<sup>th</sup> Edition Manual* for the following ITE Land Use Codes:

- Shopping Center land use code 820;
- Apartment land use code 220;
- Hotel land use code 310.

The ITE trip generation rates and anticipated AM and PM traffic volumes are presented in Table 1 below.

Description /ITE Code	Units	ITE Vehicle Trip Generation Rates								Expected Units	Total Generated			Total Distribution of Generated Trips					
		Weekday	AM	PM	Pass-By	AM In	AM Out	PM In	PM Out		Daily	AM Hour	PM Hour	AM In	AM Out	Pass-By	PM In	PM Out	Pass-By
Shopping Center 820 (Equation)	KSF <sup>2</sup>	Equations			34%	62%	38%	48%	52%	11.1	1,627	41	137	17	10	14	44	47	47
Apartment 220	DU	6.65	0.51	0.62		20%	80%	65%	35%	56	372	29	35	6	23	0	23	12	0
Hotel 310	Rooms	8.17	0.53	0.60		59%	41%	51%	49%	161.0	1,315	85	97	50	35	0	49	47	0
											3,315	155	269	73	68	14	115	107	47

Table 1 – Development Traffic

For most developments, there are four types of trips generated by a development:

- Primary trips;
- Diverted link trips;
- Pass-by trips, and;
- Internal trips.

Primary trips are trips completely devoted to the proposed development and only result because of the development. These are primarily home-based trips. Diverted link trips are made by vehicles already on the road network, but are diverting from their travel pattern to access the development. Pass-by trips are trips to the development that are caused by vehicles on the road network that pass by the development and decide to enter. For both the pass-by trip and the diverted link trip, the vehicles are on the roadway for final destinations other than the proposed development. We have taken the conservative approach that all the site generated trips are primary in nature.

Based on the above, the full build out of the site is anticipated to generate an average of 155 two-way vehicle trips during the AM Peak Hour (80 entering, and 75 exiting) and 269 two-way vehicle trips during the PM Peak Hour (138 entering, and 131 exiting).

The site is proposed with two all moves points of access onto Enterprise Way. One at the center of the site and one at the eastern end of the site.

The following Figures 6 and 7 show the anticipated site generated AM and PM traffic and the distribution onto the adjacent street network.



Figure 6 – Site Traffic Distribution AM





Figure 7 – Site Traffic Distribution PM

#### D) TRAFFIC ANALYSIS

The operation of the intersections has been analyzed utilizing Highway Capacity Manual Synchro 9 software for signalized and unsignalized intersections. An operational level of service is determined for each movement based upon the calculated delay.

The Levels of Service (LoS) for signalized intersections are as follows:

- LoS A represents less than 10 seconds of average delay and is considered a good operating condition.
- LoS B represents greater than 10 seconds and less than 20 seconds of average delay and is considered a good operating condition.
- LoS C represents greater than 20 seconds and less than 35 seconds of average delay and is considered a fair operating condition.
- LoS D represents greater than 35 seconds and less than 55 seconds of average delay and is considered a fair operating condition.
- LoS E represents greater than 55 seconds and less than 80 seconds of average delay and is considered a poor operating condition.
- LoS F represents more than 80 seconds of average delay and is considered a failed operating condition.

The LoS for unsignalized intersections are as follows:

- LoS A represents less than 10 seconds of average delay and is considered a good operating condition.
- LoS B represents greater than 10 seconds and less than 15 seconds of average delay and is considered a good operating condition.
- LoS C represents greater than 15 seconds and less than 25 seconds of average delay and is considered a fair operating condition.
- LoS D represents greater than 25 seconds and less than 35 seconds of average delay and is considered a fair operating condition.
- LoS E represents greater than 35 seconds and less than 50 seconds of average delay and is considered a poor operating condition.
- LoS F represents more than 50 seconds of average delay and is considered a failed operating condition.

Generally, and in accordance with the *Ministry of Transportation Site Impact Analysis Requirements Manual*, in urban areas, improvements are considered when the overall intersection performance nears LoS E. For arterial streets, through traffic improvements are to be considered when the performance nears LoS D.

The Background traffic was analyzed for the Weekday PM Peak Hour traffic for the 2017, and 2027 horizon years. The Background Traffic Synchro 9 analysis results are provided in the Tables 2, 3, 4, and 5. The 95th percentile queue lengths are identified for critical movements. The Synchro summary sheets for each intersection are included in the appendix.

	Control	Period	Critical V/C	Delay (Sec)	Overall LOS	Queue Length	Comment
Spall Road & Highway 97	Signal	AM	0.87	35	C	WB left – 43m EB left – 50m NB left – 46m SB left – 54m	WB left LoS 'D' NB left LoS 'D'
Spall Road & Enterprise Court	Stop Sign	AM	0.37	1	A		
Spall Road & Enterprise Way	Signal	AM	0.93	21	C	SB left – 150m WB left – 19m	NB thru LoS 'D' SB left LoS 'D'
Spall Road & Clement Ave.	Signal	AM	0.84	26	C	NB left – 74m EB right – 54m	
Enterprise Way & Hardy Street	Signal	AM	0.84	16	B		

Table 2 - 2017 Background AM Peak Hour Intersection Performance



	Control	Period	Critical V/C	Delay (Sec)	Overall LOS	Queue Length	Comment
Spall Road & Highway 97	Signal	PM	0.98	47	D	WB left – 75m EB left – 116m NB left – 103m SB left – 78m	NB left LoS 'F' SB left LoS 'E' EB left LoS 'E' WB left LoS 'E'
Spall Road & Enterprise Court	Stop Sign	PM	0.37	2	A		
Spall Road & Enterprise Way	Signal	PM	1.00	40	D	SB left – 133m WB left – 49m	NB thru LoS 'E'
Spall Road & Clement Ave.	Signal	PM	0.99	34	C	NB left – 165m EB right – 82m	NB left LoS 'E' EB right LoS 'E'
Enterprise Way & Hardy Street	Signal	PM	0.91	23	C		

Table 3 – 2017 Background PM Peak Hour Intersection Performance

	Control	Period	Critical V/C	Delay (Sec)	Overall LOS	Queue Length	Comment
Spall Road & Highway 97	Signal	AM	0.96	42	D	WB left – 72m EB left – 73m NB left – 81m SB left – 66m	WB left LoS 'E' NB left LoS 'E'
Spall Road & Enterprise Court	Stop Sign	AM	0.46	1	A		
Spall Road & Enterprise Way	Signal	AM	1.02	29	C	SB left – 187m WB left – 26m	NB thru LoS 'D' SB left LoS 'D'
Spall Road & Clement Ave.	Signal	AM	0.99	44	D	NB left – 96m EB right – 96m	NB left LoS 'E' SB right LoS 'E'
Enterprise Way & Hardy Street	Signal	AM	0.90	19	B		

Table 4 - 2027 Background AM Peak Hour Intersection Performance

	Control	Period	Critical V/C	Delay (Sec)	Overall LOS	Queue Length	Comment
Spall Road & Highway 97	Signal	PM	1.20	92	F	WB left – 122m EB left – 187m NB left – 166m SB left – 129m	NB left LoS 'F' SB left LoS 'F' EB left LoS 'F' WB left LoS 'F'
Spall Road & Enterprise Court	Stop Sign	PM	0.54	2	A		EB LoS 'E'
Spall Road & Enterprise Way	Signal	PM	1.16	73	E	SB left – 250m WB left – 109m	NB thru LoS 'F' SB left LoS 'F'
Spall Road & Clement Ave.	Signal	PM	1.20	68	E	NB left – 265m EB right – 127m	NB left LoS 'F' EB right LoS 'F'
Enterprise Way & Hardy Street	Signal	PM	0.92	23	C	NB left – 29m SB left – 40m	NB left LoS 'D' SB left LoS 'D'

Table 5 – 2027 Background PM Peak Hour Intersection Performance

For the Background PM Peak Hour traffic:

- 2017
  - the Highway 97 and Spall Road intersection reaches its operational limit by 2017 with the northbound left turn operating at a LoS 'F', and all other left turn operating at a LoS 'E'; and;
  - the Spall Road and Enterprise Way intersection reaches its operational limit with the northbound left turn operating at a LoS 'E'.
- 2027
  - the Highway 97 and Spall Road intersection is beyond its operational limit with all left turns operating at a LoS 'F', and the east west and northbound thru movements operating at LoS 'F', and a maximum V/C ratio of 1.20;
  - the Spall Road and Enterprise Way intersection is beyond its operational limit with the southbound left turn operating at a LoS 'F'; and northbound thru operating at a LoS 'F', and a maximum V/C ratio of 1.16; and;
  - the Spall Road and Clement Avenue intersection is beyond its operational limit with the northbound left turn operating at a LoS 'F'; and eastbound right operating at a LoS 'F', and a maximum V/C ratio of 1.20.

The City of Kelowna 2030 DCC Roads plan identifies the Clement Avenue Extension, from Spall Road to Highway 33, as a four-lane arterial, being completed in the 2025 to 2030 planning horizon. It is anticipated the Clement Extension will alleviate the anticipated operational delays forecast at the Spall Road and Enterprise Way and Spall Road and Clement Avenue intersections. The Clement Extension may also draw some of the traffic from the Highway 97 corridor. Analysis of the effect of the Clement Extension on the Highway 97 and City of Kelowna infrastructure is beyond the scope of this analysis.

The Background plus Development traffic was analyzed for the Weekday PM Peak Hour traffic for the 2017, and 2027 horizon years. The two site accesses have also been included in the analysis. The Background plus development traffic Synchro 9 analysis results are provided in Tables 6 and 7.

	Control	Period	Critical V/C	Delay (Sec)	Overall LOS	Queue Length	Comment
Spall Road & Highway 97	Signal	AM	0.87	36	D	WB left – 42m EB left – 61m NB left – 46m SB left – 54m	EB left LoS 'D' WB left LoS 'D' NB left LoS 'D'
Spall Road & Enterprise Court	Stop Sign	AM	0.38	1	A		
Spall Road & Enterprise Way	Signal	AM	0.93	23	C	SB left – 158m WB left – 27m	NB thru LoS 'D' SB left LoS 'D'
Spall Road & Clement Ave.	Signal	AM	0.85	26	C	NB left – 74m EB right – 54m	NB thru LoS 'D'
Enterprise Way & Hardy Street	Signal	AM	0.71	12	B		
Enterprise Way & Main Access	Stop Sign	AM	0.49	1	A	NB – 16m	
Enterprise Way & East Access	Stop Sign	AM	0.48	1	A	NB – 15m	

Table 6 - 2017 Background plus Development AM Peak Hour Intersection Performance

	Control	Period	Critical V/C	Delay (Sec)	Overall LOS	Queue Length	Comment
Spall Road & Highway 97	Signal	PM	1.02	51	D	WB left – 75m EB left – 133m NB left – 103m SB left – 76m	NB left LoS 'F' SB left LoS 'E' EB left LoS 'F' WB left LoS 'E'
Spall Road & Enterprise Court	Stop Sign	PM	0.40	2	A		
Spall Road & Enterprise Way	Signal	PM	0.99	44	D	SB left – 180m WB left – 99m	WB thru LoS 'E'
Spall Road & Clement Ave.	Signal	PM	1.00	35	D	NB left – 169m EB right – 84m	NB left LoS 'E' EB right LoS 'E'
Enterprise Way & Hardy Street	Signal	PM	0.93	25	C		
Enterprise Way & Main Access	Stop Sign	AM	0.63	1	A	NB – 9m	
Enterprise Way & East Access	Stop Sign	AM	0.62	1	A	NB – 6m	

Table 7 – 2017 Background plus Development PM Peak Hour Intersection Performance

	Control	Period	Critical V/C	Delay (Sec)	Overall LOS	Queue Length	Comment
Spall Road & Highway 97	Signal	AM	0.97	36	D	WB left – 55m EB left – 73m NB left – 61m SB left – 60m	WB left LoS 'E' EB left LoS 'E' NB left LoS 'E'
Spall Road & Enterprise Court	Stop Sign	AM	0.47	1	A		
Spall Road & Enterprise Way	Signal	AM	1.03	35	C	SB left – 191m WB left – 34m	NB thru LoS 'E' SB left LoS 'D'
Spall Road & Clement Ave.	Signal	AM	1.00	46	D	NB left – 90m EB right – 98m	NB left LoS 'E' SB right LoS 'E'
Enterprise Way & Hardy Street	Signal	AM	0.92	20	C		
Enterprise Way & Main Access	Stop Sign	AM	0.59	1	A	NB – 6m	
Enterprise Way & East Access	Stop Sign	AM	0.58	1	A	NB – 6m	

Table 8 - 2027 Background plus Development AM Peak Hour Intersection Performance

	Control	Period	Critical V/C	Delay (Sec)	Overall LOS	Queue Length	Comment
Spall Road & Highway 97	Signal	PM	1.28	97	F	WB left – 122m EB left – 201m NB left – 162m SB left – 125m	NB left LoS 'F' SB left LoS 'F' EB left LoS 'F' WB left LoS 'F'
Spall Road & Enterprise Court	Stop Sign	PM	0.54	2	A		EB LoS 'F'
Spall Road & Enterprise Way	Signal	PM	1.26	103	F	SB left – 304m WB left – 104m	NB thru LoS 'F' SB left LoS 'F'
Spall Road & Clement Ave.	Signal	PM	1.22	68	E	NB left – 270m EB right – 131m	NB left LoS 'F' EB right LoS 'F'
Enterprise Way & Hardy Street	Signal	PM	0.94	25	C	NB left – 35m SB left – 40m	NB left LoS 'D' SB left LoS 'D'
Enterprise Way & Main Access	Stop Sign	AM	0.76	1	A	NB – 13m	NB LoS 'D'
Enterprise Way & East Access	Stop Sign	AM	0.75	1	A	NB – 6m	NB LoS 'C'

Table 9 – 2027 Background plus Development PM Peak Hour Intersection Performance

For the Background plus development PM Peak Hour traffic the results are consistent with the background traffic analysis results:

- 2017
  - the Highway 97 and Spall Road intersection reaches its operational limit by 2017 with the north and eastbound left turns operating at a LoS 'F', and all other left turn operating at a LoS 'E'; and;
  - the Spall Road and Enterprise Way intersection reaches its operational limit with the westbound left turn operating at a LoS 'E'.
- 2027
  - the Highway 97 and Spall Road intersection is beyond its operational limit with all left turns operating at a LoS 'F', and the east west and northbound thru movements operating at LoS 'F', and a maximum V/C ratio of 1.28;
  - the Spall Road and Enterprise Way intersection is beyond its operational limit with the southbound left turn operating at a LoS 'F'; and northbound thru operating at a LoS 'F', and a maximum V/C ratio of 1.26; and;
  - the Spall Road and Clement Avenue intersection is beyond its operational limit with the northbound left turn operating at a LoS 'F'; and eastbound right operating at a LoS 'F', and a maximum V/C ratio of 1.22.

The City of Kelowna 2030 DCC Roads plan identifies the Clement Avenue Extension, from Spall Road to Highway 33, as a four-lane arterial, being completed in the 2025 to 2030 planning horizon. It is anticipated the Clement Extension will alleviate the anticipated operational delays forecast at the Spall Road and Enterprise Way and Spall Road and Clement Avenue intersections. The Clement Extension may also draw some of the traffic from the Highway 97 corridor. Analysis of the effect of the Clement Extension on the Highway 97 and City of Kelowna infrastructure is beyond the scope of this analysis.

#### Infrastructure Requirements

Improvements to the Highway 97 and Spall Road intersection have not been identified as part of the 2030 Official Community Plan Development Cost Charge program (nor has the Ministry of Transportation and Infrastructure identified any future upgrades) and should form part of a review of the system wide requirements to support the growth planned within the 2030 Official Community Plan.

The access points to the site will require addition of left turn bays to the existing Enterprise Way. There is sufficient pavement width to add the left turn bays while retaining the bike lanes. There is an existing curb let down in the location of the main access point to the site.

An additional curb letdown and replacement of the sidewalk will be required for the eastern access to the site. The existing bus stops on Enterprise Way adjacent to the main access should be able to remain in their existing locations.

Both the Spall Road and Enterprise Way frontage adjacent to the site have a full urban cross-section with sidewalks, boulevards and medians. All other roadway elements in the study area have sidewalks. Spall Road and Enterprise Way have dedicated bike lanes in both directions. The bike lanes on Spall Road lead to the rails with trails route following the rail line corridor.

The area is extremely well served by Kelowna Transit with the following existing routes:

- #7 route to Glenmore via Spall Road and Enterprise Way;
- #9 route Downtown to Orchard Park via Spall Road;
- #10 route to Rutland via Spall Road and Enterprise Way; and
- #97 the rapid bus route on Highway 97, from West Kelowna to UBC Okanagan, with a stop adjacent to Parkinson Recreation Centre just to the west of the site.

No other roadway infrastructure system improvements are required to support the development of the 1915 Enterprise Way Hotel site.

We would be pleased to meet and discuss the findings presented above.

Sincerely,

CTQ CONSULTANTS LTD.

Per:



Mr. David D. Cullen, P.Eng.  
Transportation Engineer  
DDC: ddc



# REPORT TO COUNCIL



**Date:** August 28, 2017  
**RIM No.** 1200-30/1250-04  
**To:** City Manager  
**From:** Lindsey Ganczar, Community Planning Supervisor  
**Application:** TA17-0005  
**Subject:** RU7 – Infill Housing Zone Amendments

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## **1.0 Recommendation**

THAT Official Community Plan Text Amendment Application No. OCP17-0019 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 as outlined in Schedule "A" attached to the Report from the Community Planning Department dated August 28, 2017, be considered by Council;

AND THAT Zoning Bylaw Text Amendment Application No. TA17-0005 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule "B" attached to the Report from the Community Planning Department dated August 28, 2017 be considered by Council;

AND THAT the Text Amending Bylaws be forwarded to a Public Hearing for further consideration.

## **2.0 Purpose**

To consider text amendments to the Official Community Plan Bylaw No. 10500 and the Zoning Bylaw No. 8000 with regard to the RU7 – Infill Housing zone.

## **3.0 Community Planning**

In January 2017, City Council adopted the RU7 – Infill Housing zone with the purpose of creating an inner city zone that would facilitate infill residential development. The RU7 zone is the implementation tool for the Infill Challenge project. During the approval process, Staff agreed to bring the RU7 zone back to Council for updates and a review to ensure the zone was being implemented in the way Council and Staff had intended. After reviewing various applications for RU7 projects, it has become evident to Staff that a few housekeeping amendments are necessary to smoothly enforce the RU7 regulations.

Most of the amendments are required to clarify language in the zone and to avoid misinterpretation, however, there are also two significant regulation changes that are required.

The first regulation amendment is to clarify how existing secondary suites are considered in the RU7 zone. Secondary suites do not require any servicing upgrades, such as water and sewer, because they are a secondary use to the principal dwelling.

Currently, secondary suites are only allowed:

- a) In single dwelling housing zones with a maximum of two dwelling units per site, or

- b) In single dwelling housing in zones where multiple housing is permitted on site, and as such, where utility capacity has been upgraded.

When the RU7 zone was adopted, it was the first time secondary suites were introduced to a low-density residential zone where multiple housing is permitted. Consequently, some sites may not have utility capacity to develop more than two units. As a way to regulate this, Staff is proposing to grandfather all legally existing secondary suites in the RU7 zone (recognizing that a third unit will trigger utility upgrades), and remove them as a permitted use for all future development. Any future proposals for two dwelling housing would have to be in the form of a semi-detached or duplex house. This regulation also ensures that two single family dwellings are not developed with secondary suites where development cost charges (DCCs) would be avoided on half of the units.

The second regulation amendment is to clarify the unique use of floor area ratio (FAR) in a low-density residential zone. Where FAR is normally used to regulate density in high-density residential, commercial, and other similar zones, it was added to the RU7 zone as a means of regulating habitable space on relatively small urban lots. FAR calculations typically include various exclusions such as stairwells, attached garages, and corridors, but in order to achieve the intent of regulating habitable space in the RU7 zone, accessory buildings and structures, and detached garages must also be excluded.

**Figure 1: Properties Affected**



#### 4.0 Current Development Policies

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

###### Chapter 5: Development Process

**Compact Urban Form.**<sup>1</sup> 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.**<sup>2</sup> 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.

**Contain Urban Growth.**<sup>3</sup> Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres

#### 5.0 Technical Comments

Not applicable.

#### 6.0 Application Chronology

Not applicable.

Report prepared by:

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Lindsey Ganczar, Community Planning Supervisor

Reviewed by:

☐

Ryan Smith, Community Planning Department Manager

☐

Doug Gilchrist, Community Planning & Strategic Investments  
Divisional Director

#### Attachments:

Schedule 'A' – Summary table of proposed text amendments to Official Community Plan Bylaw 10500

Schedule 'B' – Summary table of proposed text amendments to Zoning Bylaw 8000

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

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

<sup>3</sup> City of Kelowna Official Community Plan, Goals for a Sustainable Future, Objective 1 (Chapter 1 Introduction)

SCHEDULE 'A' - Amendments to Kelowna 2030 - Official Community Plan Bylaw No. 10500  
OCP17-0019

Zoning Bylaw No. 8000				
No.	Section	Existing Text	Proposed Text	Rationale
1.	Chapter 14 (E.) Infill Neighbourhood Design Guidelines – Properties Affected	<p>Unless exempted (see Exemptions Section below) a development permit addressing design guidelines (see Guidelines Section below) must be approved for all properties that are located within the Infill Neighbourhood areas as shown on Map 5.8, before:</p> <ul style="list-style-type: none"> <li>• Construction of, addition to, or alteration of two or more dwelling units, exclusive of secondary suites, or of a second, third or fourth dwelling unit on a property.</li> <li>• Subdivision of land.</li> </ul>	<p>Unless exempted (see Exemptions Section below) a development permit addressing design guidelines (see Guidelines Section below) must be approved for all properties that are located within the Infill Neighbourhood areas as shown on Map 5.8, before:</p> <ul style="list-style-type: none"> <li>• A building permit allowing the construction of, addition to, or alteration of three or more dwelling units (exclusive of secondary suites) on a property can be issued.</li> <li>• Subdivision of land.</li> </ul>	Clarifying that an approved development permit must be issued before a building permit can be issued for a particular development.

SCHEDULE 'B' - Amendments to Zoning Bylaw No. 8000  
TA17-0005

Zoning Bylaw No. 8000				
No.	Section	Existing Text	Proposed Text	Rationale
1	RU7 - Section 13.17.4	<p><b>1.4 Buildings and Structures Permitted</b></p> <p>(a) <b>one</b> single detached house which may contain a secondary suite</p> <p>(b) duplex housing</p> <p>(c) semi-detached housing</p> <p>(d) <b>two single detached houses which may contain secondary suites</b></p> <p>(e) three-plex housing</p> <p>(f) four-plex housing</p> <p>(g) permitted accessory buildings or structures</p> <p>NOTE: A maximum of four dwelling units <b>are</b> permitted, as allowed by Section 1.7 Density Regulations.</p>	<p><b>1.4 Buildings and Structures Permitted</b></p> <p>(a) single detached house which may contain a secondary suite <b>if the secondary suite was legally in existence prior to (date subject Bylaw is adopted).</b></p> <p>(b) duplex housing</p> <p>(c) semi-detached housing</p> <p>(d) three-plex housing</p> <p>(e) four-plex housing</p> <p>(f) permitted accessory buildings or structures</p> <p>NOTE: A maximum of four dwelling units <b>is</b> permitted, as allowed by Section 13.17.7 Density Regulations.</p>	The intent of the RU7 zone is to allow for up to four units maximum. If secondary suites were to be considered in addition to the maximum, the RU7 zone would then have densities similar to the RM (medium-density residential) zones in the Zoning Bylaw, and would therefore be redundant. Properties that are zoned RU7 would also contravene their Future Land Use in the OCP.
2	RU7 - Section 13.17.5 (b) – Subdivision Regulations	(b) The minimum lot depth is <b>37.0 m.</b>	(b) The minimum lot depth is <b>30.0 m.</b>	A 30.0 m minimum lot depth is consistent with all other low-density residential zones in the Zoning Bylaw. This shallower lot depth continues to allow a lot with the minimum area to be subdivided.
3	RU7 - Section 13.17.6 (a) – Development Regulations	(a) The maximum site coverage is <b>45% and together with accessory buildings, driveways and parking areas, shall not exceed 55%.</b>	(a) The maximum site coverage is 55%.	The definition of site coverage already includes accessory buildings and parking areas.
4	RU7 - Section 13.17.6 (b) – Development Regulations	(b) The maximum floor area ratio is 0.8.	(b) The maximum floor area ratio is 0.8. <b>For the purpose of calculating floor area ratio in the RU7 zone, detached garage floor area and accessory building and structure floor area shall be excluded from the net floor area.</b>	The purpose of introducing a maximum FAR in the RU7 zone was to regulate habitable space, not net floor area.

**Zoning Bylaw No. 8000**

No.	Section	Existing Text	Proposed Text	Rationale
5	<b>RU7 – Section 13.17.7</b>	<p><b>1.7 Density Regulations</b></p> <p>(a) Residential density shall be based on the width of the lot.</p> <p>(b) For lots narrower than 13.5 m in width, up to two dwellings are permitted.</p> <p>(c) For lots between 13.5 m and 15.0 m in width, up to three dwellings are permitted.</p> <p>(d) For lots greater than 15.0 m wide, four dwellings are permitted.</p>	<p><b>1.7 Density Regulations</b></p> <p>Residential density shall be based on the width of the lot.</p> <p>(a) For lots narrower than 13.5 m in width, up to two dwellings are permitted.</p> <p>(b) For lots from 13.5 m to 15.0 m wide, up to three dwellings are permitted.</p> <p>(c) For lots greater than 15.0 m wide, up to four dwellings are permitted.</p>	Clarifying the language of this section.
6	<b>RU7 – Section 13.17.8 (a) – Other Regulations</b>	(a) Minor group homes are only permitted in single detached housing.	(a) Minor group homes are only permitted in single dwelling housing.	The rule should apply to the use, not the building type.
7	<b>RU7 – Section 13.17.8 (b) – Other Regulations</b>	(b) Vehicular access is only permitted from the lane, except for where a property has two street frontages, where access may be taken from the street frontage which is not the front yard.	(b) Where a site has access to a lane, vehicular access is only permitted from the lane. Otherwise, vehicular access may be taken from the front yard, or where a property has two street frontages, access shall be taken from the street frontage which is not the front yard.	Clarifying the language of this section.