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## CITY OF KELOWNA

# MEMORANDUM

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**Date:** April 9, 2003  
**File No.:** (3360-20) **OCP02-0014/Z02-1057**

**To:** City Manager

**From:** Planning & Development Services Department

**Subject:**

APPLICATION NO. OCP02-0014/ Z02-1057      OWNER: CITY OF KELOWNA

AT: 3441 & 3451 LAKESHORE ROAD      APPLICANT: CITY OF KELOWNA – PARKS DIVISION

PURPOSE: TO CHANGE THE OCP FUTURE LAND USE DESIGNATION OF THE SUBJECT PROPERTIES FROM THE EXISTING “COMMERCIAL” DESIGNATION TO THE PROPOSED “MAJOR PARK/OPEN SPACE” DESIGNATION

TO REZONE THE SUBJECT PROPERTIES FROM THE EXISTING RU1 – LARGE LOT HOUSING ZONE TO THE PROPOSED P3 – PARKS AND OPEN SPACE ZONE TO PERMIT THE CONSTRUCTION OF A 26 STALL OVERFLOW PARKING LOT FOR THE ADJACENT GYRO BEACH PARK.

EXISTING ZONE: RU1 – LARGE LOT RESIDENTIAL

PROPOSED ZONE: P3 – PARKS AND OPEN SPACE

REPORT PREPARED BY: PAUL McVEY

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**SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS**

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### 1.0 RECOMMENDATION

THAT OCP Bylaw Amendment No. OCP02-0014 to amend Map 15.1 of the Kelowna Official Community Plan (1994 - 2013) Bylaw No. 7600 by changing the Future Land Use designation of Lot 3, DL 134, O.D.Y.D., Plan 38150 and Lot 39, DL 134, O.D.Y.D., Plan 3886, located on Lakeshore Road, Kelowna, B.C., from the Commercial designation to the Park and Open Space designation be considered by Council;

AND THAT Rezoning Application No. Z02-1057 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3, DL 134, ODYD, Plan 38150 and Lot 39, DL 134, ODYD Plan 3886, located on Lakeshore Road, Kelowna, B.C.

from the RU1 – Large Lot Housing zone to the P3 – Park and Open Space zone be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP02-0014 and zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction.

## 2.0 SUMMARY

The applicants wish to rezone the subject property to the P3 - Parks and Open Space zone in order that the land can be used as an over flow parking lot for the adjacent Gyro Beach Park. As the future land use designation of the subject properties is not consistent with the proposed institutional land use, an application for a OCP Amendment to change the future land use designation from “Commercial” to “Major Park / Open Space” has been made concurrently with the application to rezone.

### 2.1 Advisory Planning Commission

The above noted applications (OCP02-0014/Z02-1057) were reviewed by the Advisory Planning Commission at the meeting of January 14, 2003 and the following recommendation was passed:

THAT the Advisory Planning Commission support application OCP02-0014/Z02-1057 to amend the Official Community Plan Future Land Use designation for the subject property from Commercial to Major Park/Open Space and to rezone the subject property from the RU1-Large Lot Housing zone to the P3-Parks and Open Space zone in order to allow for an overflow parking lot for Gyro Beach.

## 3.0 BACKGROUND

### 3.1 The Proposal

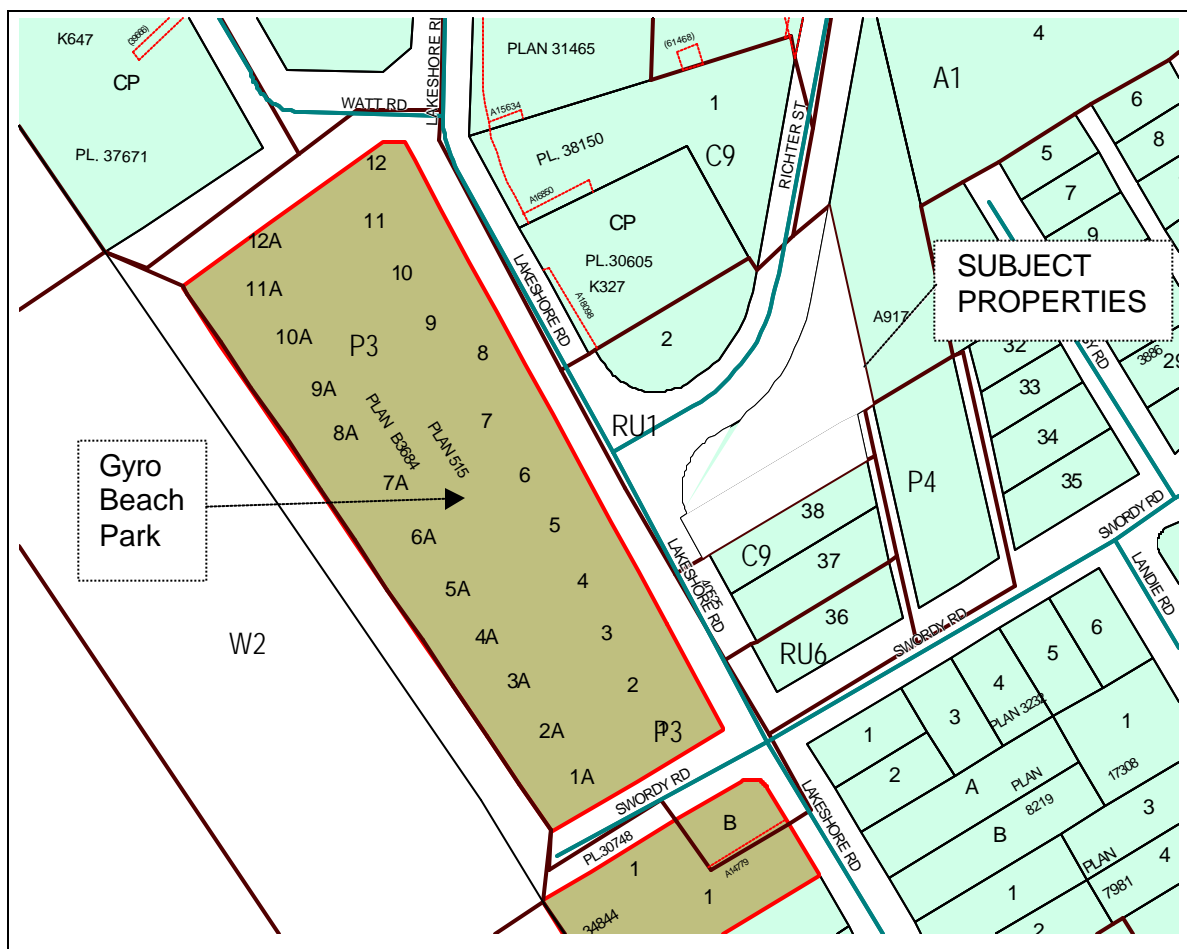
The City of Kelowna has owned lot 3 plan 38150 since 1987 and lot 39 plan 3886 since 1994. The lots were acquired to facilitate changes in the geometry of the Richter Street / Lakeshore Road intersection that are anticipated to be necessary in the future when the one-way couplet road network is established. As this proposed road change is currently under review, it is not know at this time when this will occur.

This current application proposes to convert the two City owned lots into an over-flow parking lot for the near-by Gyro Beach Park. The proposed site development is designed to create a 26 stall parking lot, with access from Richter Street taken adjacent to the east end of the lot, next to the Aquila Networks power right of way. The applicant also proposes to add landscaping to the site by creating a landscaped berm at the east end of the property adjacent to Lakeshore Road. It is also proposed to plant a number of trees adjacent to the road frontages and along the south property line. The island in the centre of the proposed parking lot is proposed to be planted with grass.

The proposal as compared to the P3 zone requirements is as follows:

| CRITERIA                           | PROPOSAL           | P3 ZONE REQUIREMENTS |
|------------------------------------|--------------------|----------------------|
| Site Area (m <sup>2</sup> )        | 3035m <sup>2</sup> | N/A                  |
| Site Width (m)                     | 30 M               | N/A                  |
| Site Coverage (%)                  | N/A                | N/A                  |
| Total Floor Area (m <sup>2</sup> ) | N/A                | N/A                  |
| F.A.R.                             | N/A                | Max FAR = 1.0        |
| Storeys (#)                        | N/A                | 10.0 m max           |
| Setbacks (m)                       |                    |                      |
| - Front (Lakeshore Rd.)            | N/A                | 6.0 m                |
| - Rear                             | N/A                | 3.0 m                |
| - South Side                       | N/A                | 3.0 m                |
| - North Side (flanking)            | N/A                | 4.5 m                |
| Parking Stalls (#)                 |                    |                      |

Subject Property Map



### 3.2 Site Context

The subject properties are generally flat and vacant. The City of Kelowna owns the subject properties in anticipation of changes to the alignment of the Richter Street/Lakeshore Road intersection at some time in the future.

Adjacent zones and uses are, to the:

- North - RU1 – Large Lot Housing/ Richter Street, vacant
- East - A1 – Agricultural 1/vacant  
P4 – Utilities/ Aquila Networks substation
- South - C9 – Tourist Commercial/older motel development
- West - P3 – Parks and Open Space/Lakeshore Rd, Gyro Beach Park

### 3.3 Existing Development Potential

The existing zone of RU1 – Large Lot Housing permits single detached housing as the principal use, and bed and breakfast homes, care centres minor, group homes minor, home based business major and minor, and secondary suites and secondary uses.

### 3.4 Current Development Policy

#### 3.4.1 Kelowna Official Community Plan

The Kelowna Official Community Plan designates the subject properties as a future “Commercial” land use. An application has been made to change the future land use designation to “Park and Open Space”.

#### 3.4.2 City of Kelowna Strategic Plan (1992)

The City of Kelowna Strategic Plan states as Objective 4.1 “In the development of the City’s park system, to stress a balanced approach to the acquisition and development of parkland including the acquisition and development of:

- community wide parks including the waterfront,
- larger passive park areas,
- linear park network,
- the acquisition of land for neighbourhood and district parks

#### 3.4.3 South Pandosy/KLO Sector Plan

The South Pandosy/KLO Sector Plan designates the subject properties as a future “Commercial” land use.

### 4.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City departments and the following relevant comments have been submitted:

#### 4.1 Aquila Networks Canada

Aquila will provide underground electrical service from Lakeshore Road.

4.2 Fire Department

No Objections.

4.3 Inspection Services Department

No Concerns.

4.4 Land Agent

Improvements are temporary - these properties were acquired for proposed one way couplet system.

4.5 Parks Manager

No response, assumed, No Comment.

4.6 Works and Utilities Department

The Works & utilities Department has the following comments and requirements associated with this application to rezone from RU-1 to P3.

1. General

The proposed rezoning application does not compromise Works and Utilities requirements.

2. Domestic water and fire protection

This development is within the City service area. One of the existing 2 lots is serviced with a water service. The 19mm-diameter copper water service to existing lot 39 may be retained for use by this application.

3. Sanitary Sewer

The existing 2 lots are serviced with 100mm-diameter sanitary sewer services, which are not required for the proposed application. Removal and capping of existing unused sanitary services by City crews will be at the applicant's cost.

4. Road Works

Lakeshore Road must be upgraded to a full urban standard including curb and gutter, sidewalk, piped storm drainage system, fillet pavement, irrigated landscaped boulevard, street lights, and adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction. A pedestrian crossing will be required as well as construction of ramps on the traffic islands.

Richter Street must be upgraded to a full urban standard including a concrete sidewalk, irrigated landscaped boulevard and street lights, and adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction.

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.

#### 5. Road Dedication and Subdivision Requirements

By registered plan to provide the following:

Lot consolidation of Lot 3 Plan 38150 and Lot 39 Plan 3886

Close lane at rear of Lot 39 Plan 38150

Provide an additional highway allowance widening on Lot 39 Plan 38150 of 2.6m for the widening of Lakeshore Road.

#### 6. Site Related Issues

The development will be required to contain and dispose of all site generated storm water on the site by installing a ground recharge system consisting of drywells and perforated pipe bedded in drain rock.

To avoid driver sight-line obstruction of the proposed pedestrian crosswalk, the proposed landscaped berm and foliage planted along the frontage of Lakeshore Road should be no higher than 0.5m within the first 3.0m from the back of walk.

Parking stalls shown on True Engineering Drawing should be 2.6m wide and 5.7m deep. This will increase the aisle width to 4.2m. Although the outside turning radius for curve 5 meets the minimum requirements for passenger vehicles a larger turning radius is recommended.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The Planning and Development Services Department does not have concerns with this application to use the subject properties for an overflow parking lot use for the adjacent Gyro Beach Park.

The use of the properties for a parking lot is a reasonable interim use of the City owned properties until the final design work for the Richter Street and Lakeshore Road intersection is completed.

In light of the above, the Planning and Development Services Department supports this application and recommends for positive consideration by Council.

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Andrew Bruce  
Current Planning Manager

Approved for inclusion

R.L. (Ron) Mattiussi, ACP, MCIP  
Director of Planning & Development Services

PMc/pmc  
Attach.

**FACT SHEET**

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| <b>1. APPLICATION NO.:</b>                  | OCP02-0014/Z02-1057  |
| <b>2. APPLICATION TYPE:</b>                 | OCP Amendment/Rezoning   |
| <b>3. OWNER:</b>                            | City of Kelowna  |
| . ADDRESS                                   | 1435 Water Street  |
| . CITY                                      | Kelowna, BC  |
| . POSTAL CODE                               | V1Y 1J4  |
| <b>4. APPLICANT/CONTACT PERSON:</b>         | City of Kelowna – Parks Division   |
| . ADDRESS                                   | Lorna Rowland  |
| . CITY                                      | 1359 KLO Road  |
| . POSTAL CODE                               | Kelowna, BC  |
| . TELEPHONE/FAX NO.:                        | V1W 3N8<br>/861-8793   |
| <b>5. APPLICATION PROGRESS:</b>             |  |
| Date of Application:                        | November 18, 2002  |
| Date Application Complete:                  | November 19, 2002  |
| Servicing Agreement Forwarded to Applicant: | N/A  |
| Servicing Agreement Concluded:              | N/A  |
| Staff Report to Council:                    | April 9, 2003  |
| <b>6. LEGAL DESCRIPTION:</b>                | Lot 3, DL 134, O.D.Y.D., Plan 38150<br>Lot 39, DL 134, O.D.Y.D., Plan 3886 |
| <b>7. SITE LOCATION:</b>                    | Southeast Corner of Lakeshore Road<br>and Richter Street                   |
| <b>8. CIVIC ADDRESS:</b>                    | 3441 & 3451 Lakeshore Road   |
| <b>9. AREA OF SUBJECT PROPERTY:</b>         | 3035 m <sup>2</sup>  |
| <b>10. AREA OF PROPOSED REZONING:</b>       | 3035 m <sup>2</sup>  |
| <b>11. EXISTING ZONE CATEGORY:</b>          | RU1 – Large Lot Housing  |
| <b>12. PROPOSED ZONE:</b>                   | P3 – Parks and Open Space  |



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| <b>13. PURPOSE OF THE APPLICATION:</b>   | <p>To Change The OCP Future Land Use Designation Of The Subject Properties From The Existing “Commercial” Designation To The Proposed “Major Park/Open Space” Designation</p> <p>To Rezone The Subject Properties From The Existing RU1 – Large Lot Housing Zone To The Proposed P3 – Parks And Open Space Zone To Permit The Construction Of A 26 Stall Overflow Parking Lot For The Adjacent Gyro Beach Park.</p> |
| <b>14. MIN. OF TRANS./HIGHWAYS FILES NO.:<br/>NOTE: IF LANDS ARE WITHIN 800 m OF A<br/>CONTROLLED ACCESS HIGHWAY</b> | N/A   |
| <b>15. DEVELOPMENT PERMIT MAP 13.2<br/>IMPLICATIONS</b>  | N/A   |

Attachments

Subject Property Map

5 pages of site plan, landscape diagrams