

**Date:** June 30, 2006  
**To:** City Manager  
**From:** Planning & Development Services Department  
**Subject:**

<b>AT:</b>	<b>OWNERS:</b>
1459 K.L.O. Road (Lot 1 Plan 13798)	Witmar Developments Ltd.
1469 K.L.O. Road (Lot 2 Plan 13798)	Witmar Developments Ltd.

## TO REZONE THE SUBJECT PROPERTY FROM A1 – AGRICULTURE 1 TO RM5 – MEDIUM DENSITY MULTIPLE HOUSING

**PROPOSED ZONE** RM5 – MEDIUM DENSITY MULTIPLE UNIT

**REPORT PREPARED BY:** NELSON WIGHT

THAT OCP Bylaw Amendment No. OCP05-0015 to amend Map 19.1 of the Kelowna 2020 - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of Lot 1, District Lot 131, Plan 13798, O.D.Y.D. except Plan KAP79224, and Lot 2, District Lot 131, O.D.Y.D. Plan 13798 except Plan KAP79225, located on K.L.O. Road, Kelowna, B.C., from the multiple unit residential (low density) designation to the multiple unit residential (medium density) designation, as shown on Map "A" attached to the report of Planning & Development Services Department, dated June 30, 2006, NOT be considered by Council;

AND THAT Rezoning Application No. Z05-0066 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, District Lot 131, Plan 13798, O.D.Y.D. except Plan KAP79224, and Lot 2, District Lot 131, O.D.Y.D. Plan 13798 except Plan KAP79225, located on K.L.O. Road, Kelowna, B.C., from the A1 – Agriculture 1 zone to the RM5 – Medium Density Multiple Housing zone NOT be considered by Council;

These applications seek to allow for the development of the property for a medium density multiple unit residential project. The proposal contemplates the construction of four 4-storey buildings above one level of underground parking, accommodating 224 units in total (56 units per building). 12 units out of the 224 units are intended to be marketed as “affordable housing” units.

An OCP amendment application is required, because the Applicants wish to develop the property to a higher density than what the property is designated in the OCP Future Land Use

Designation. The Applicants are seeking to rezone from the A1 – Agriculture 1 zone to the RM5 – Medium Density Multiple Housing zone.

### 3.0 ADVISORY PLANNING COMMISSION

At a meeting held on November 22, 2005, the APC passed the following motion:

THAT the Advisory Planning Commission supports Official Community Plan Application No. OCP05-0015, for 459 & 1469 KLO Road, Lots 1 & 2, Plan 13798, Sec. 18, Twp. 26, ODYD, by Witmar Holdings Ltd. (Walter Weisstock), to amend the Official Community Plan Future Land Use designation from Multiple Unit Residential (Low Density) to Multiple Unit Residential (Medium Density);

CARRIED

Opposed: J. Welder

THAT the Advisory Planning Commission supports Rezoning Application No. Z05-0066, for 459 & 1469 KLO Road, Lots 1 & 2, Plan 13798, Sec. 18, Twp. 26, ODYD, by Witmar Holdings Ltd. (Walter Weisstock), to rezone from the A1-Agriculture 1 zone to the RM5-Medium Density Multiple Housing zone in order to construct four, 4 storey buildings having a combined total of 224 units;

CARRIED

Opposed: J. Digby, D. McConachie, J. Welder

**NOTE: For additional comment on these applications from the APC, please refer to the minutes of that meeting, which are attached to this report.**

### 4.0 BACKGROUND

#### 4.1 The Proposal

Construction of four, 4-storey apartment buildings are proposed for the subject property. For each building, there are to be 56 dwelling units above an underground parking structure having 69 parking stalls. There are to be 49 two-bedroom units and seven (7) one-bedroom units in each of the four apartment buildings. The Applicants are also proposing to set aside 12 units out of the 224 total unit count as affordable housing units, protected through a housing agreement.

The table below shows this application's compliance/non-compliance with the RM5 – Medium Density Multiple Unit zone:

Project details	Site area: 26,379 m <sup>2</sup> (6.51 ac)	
	Residential Floor Area: 27,712 m <sup>2</sup>	
	Units: 196 two-bedroom units	
	<u>28 one-bedroom units</u>	
	<b>224 total</b>	
CRITERIA	PROPOSAL	RM5 ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	26,379 m <sup>2</sup> (6.51 ac)	1,400 m <sup>2</sup>

Lot Width	82.81 m	30.0 m
Lot Depth	44.52 m <sup>2</sup>	35.0 m
Development Regulations		
Floor Area Ratio	1.05	1.1, except it is 1.2 with a housing agreement plus up to 0.2 bonus for underground parking
Site Coverage	30%	40%
Site Coverage (plus parking and driveways)	50%	60%
Height	12.5 m	16.5 m or 4 storeys
Front Yard (K.L.O. Rd)	6.0 m	6.0 m
Side Yard (east)	7.5 m	4.5 m up to 2.5 storeys 7.5 m for over 2.5 storeys or to a flanking street
Side Yard (west)	7.5 m	4.5 m up to 2.5 storeys 7.5 m for over 2.5 storeys or to a flanking street
Front Yard (Bothe Rd)	9.0 m	6.0 m
Other Regulations		
Minimum Parking Requirements	276 below ground <u>60 surface parking</u> Total: 336	1.25 per 1 bedroom unit (28 x 1.25 = 35 stalls), 1.5 per 2 dwelling unit (196 x 1.5 = 294 stalls) Total: <b>329</b> stalls (small car cannot exceed 40% of required, or 132 stalls)
Bicycle Parking	112 <sup>A</sup>	<u>Residential</u> Class I: 0.5/unit = 112 Class II: 0.1/unit = 23
Private Open Space	12,992 m <sup>2</sup> of open space provided, according to site calculations by Applicant	15 m <sup>2</sup> per one-dwelling bedroom; 25 m <sup>2</sup> per two-bedroom dwelling, 15 m <sup>2</sup> x 28 units = <b>420 m<sup>2</sup></b> 25 m <sup>2</sup> x 208 = <b>5,200 m<sup>2</sup></b>

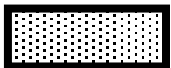
<sup>A</sup> The Applicant will be required to meet the requirements for bicycle parking onsite or apply for a variance.

## 4.2 Site Context

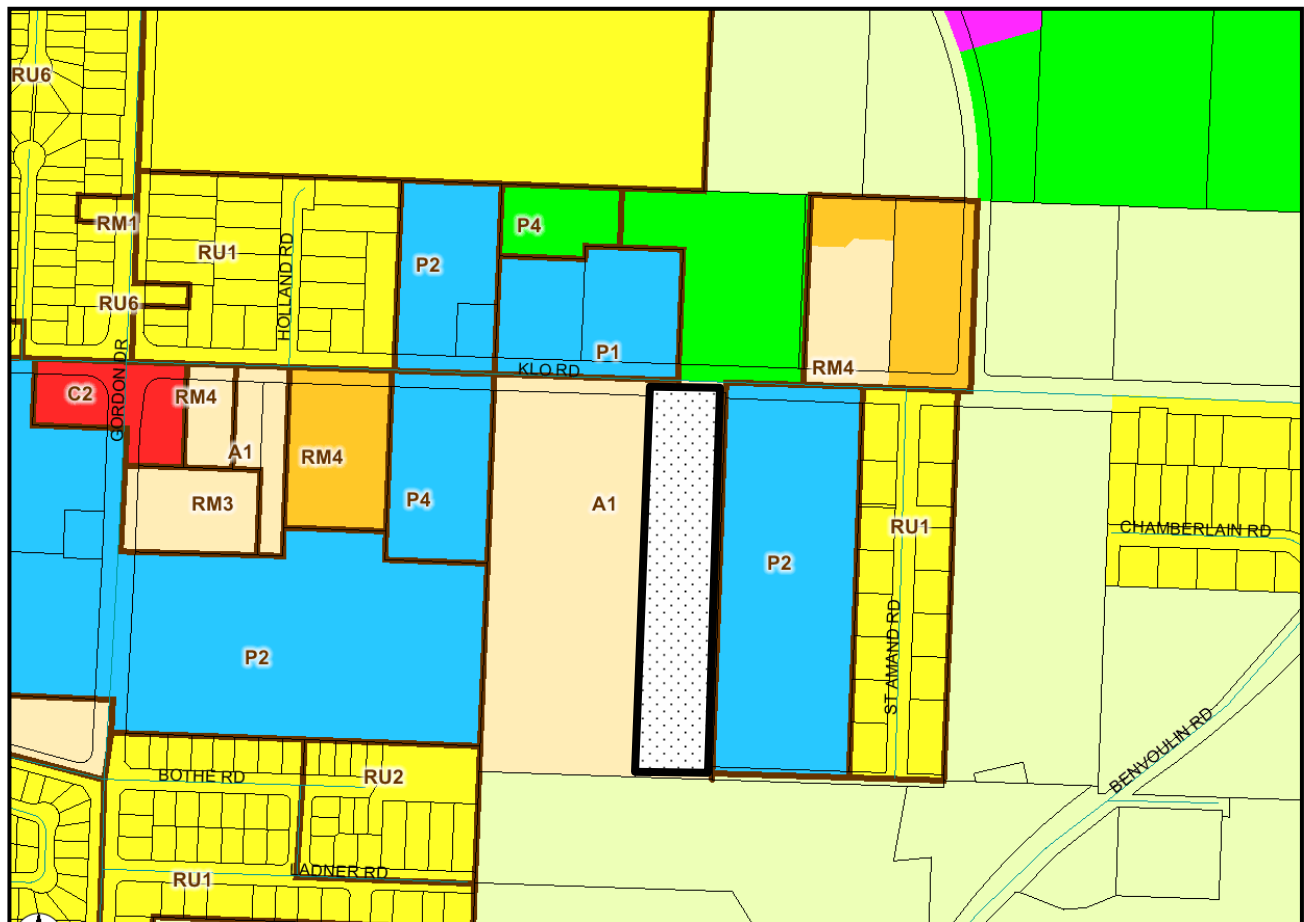
The subject property is located on the south side of K.L.O. Road, just west of Immaculata Regional High School. The adjacent land uses are as follows:

North-	P1 – Major Institutional
	A1 – Agriculture 1
East	P2 - Education and Minor Institutional
South	A1 – Agriculture 1
West	A1 – Agriculture 1 (this property is currently under application for residential development)

#### Site Location Map



Subject properties: 1459 and 1469 K.L.O. Road



## 5.0 TECHNICAL COMMENTS

### Fire Department

Fire department access and hydrants as per BC Building Code and City of Kelowna Subdivision Bylaw. Engineered fire flows should determine fire hydrant requirements and locations.

FortisBC

Will provide underground electrical services.

Inspections Department

Dead end corridor is shown and main floor layout is to be redesigned as per requirement of BCBC. No structure to encroach into the sideyard setback. A detailed BCBC code analysis to be provided for each building..

Ministry of Transportation

No objection.

Parks Department

The Parks Division encourages the Applicant to consider the planting of street trees along KLO Road consistent with the City of Kelowna's Urban Forestry Tree Planting Guide (available at the Parks Division).

All proposed plant material (trees, shrubs, ground covers and sod) for the boulevard to be reviewed and approved by Parks Staff prior to application approval.

School District #23

No response.

Shaw Cable

Owner/developer to install an underground conduit system.

Telus

Will provide underground facilities. Developer will be required to supply and install conduit.

Terason

No comment.

Works and Utilities Department

The Works & Utilities Department has the following requirements associated with this development application. The road and utility upgrading requirements outlined in this report will be a requirement of the issuance of a building permit, but are outlined in this report for information only:

Domestic Water and Fire Protection

(a) The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant locations and service needs.

(b) This development site has been provided with a new 250mm diameter water service.

(c) A water meter is mandatory for this development and must be installed inside a 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.

(d) An approved backflow protection device must also be installed on site as required by the City Plumbing Regulation and Water Regulation bylaws.

(e) The boulevard landscape irrigation system is to be connected to the on the site irrigation system.

(f) Site servicing issues will be reviewed and comments related to site servicing and hydrant spacing will be addressed when a detailed site plan is received.

(g) Construct a watermain system on Bothe Road fronting this development.

The estimated cost of this construction for bonding purposes is \$27,200.00..

#### Sanitary Sewer

(a) The developer's consulting mechanical engineer will determine the servicing requirements of this proposed development.

The downstream sanitary sewer main in KLO Road (between Gordon Drive and Lowe Court.) is limited in capacity.

(b) A new 200mm diameter sanitary sewer service has been provided to this development site from a sanitary sewer main on KLO Road.

(c) Site servicing issues will be reviewed and comments related to site servicing will be addressed when a detailed site plan is provided.

(d) Extend the existing sanitary main on Bothe Road and construct the main for the full frontage of this development. The estimated cost of this construction for bonding purposes is \$125,000.00.

(e) The property must join the St Amand Sewer Service Area and an amendment to the connection area bylaw will be required. The developer's contribution is estimated to be \$960.00 per unit. The proposed sewer main construction is eligible to receive a credit. The amount of the credit will be determined when the design engineer has submitted actual construction tender costs.

#### Storm Drainage

(a) Construct a storm drainage facility on KLO Road fronting this development. Road right-of-way widening is necessary on the subject property for construction of the storm drainage facility. The cost for frontage drainage facility improvements have been budgeted by the City and the work is in progress at this time.

(b) A 250mm diameter storm overflow service has been provided to this development site from a storm sewer main on KLO Road.

(c) Construct storm drainage facilities on Bothe Road fronting this development. The estimated cost for frontage drainage facility improvements for bonding purposes is included in the road upgrading cost estimates.

(d) The developer must engage a consulting civil engineer to provide a storm water management plan for the 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 a lot grading plan, identify minimum basement elevation (MBE), overland drainage routes, floodplain elevations and setbacks, and provision of storm drainage overflow services for the lot and recommendations for onsite drainage containment, treatment and disposal systems. A direct pipe discharge to the creek is not permitted

Road Improvements

- (a) KLO Road must be upgraded to a full urban standard including the construction of the curb and gutter and a separate sidewalk, a driveway letdown, a piped storm drainage system, fillet pavement, street lights, and adjustment and/or re-location of existing utility poles and appurtenance to accommodate this construction.
- (b) KLO Road construction costs have been budgeted by the City and the work is in progress at this time.
- (c) The developer will be required to construct a driveway access that, in the future, will be converted to emergency access only. The estimated cost of this construction for bonding purposes is \$15,000.00.
- (d) Bothe Road fronting this development must be constructed to a modified standard (SS-R5 with a minimum 8.5m pavement width) including curb and gutter, monolithic sidewalk north side, gravel shoulder south side, a storm drainage system, curb letdown, landscaped boulevard complete with underground irrigation system, street lights, and adjustment and/or re-location of existing utility appurtenance if required to accommodate this construction.

There are creek setback requirements that may be triggered by this proposed development. The anticipated road ROW may be within the required 15-m stream setback which will trigger a Riparian Areas Regulation (RAR) review/assessment, as well as, Environmental DP mitigation requirements. The RAR assessment methodology requires a 30-m wide assessment area. The proponent needs to ensure the proposed road alignment is achievable and can be authorized by the senior agency; essentially, “prove out” the feasibility of the project prior to the City committing itself to final development design. This means hiring a Qualified Environmental Professional to undertake the RAR assessment and mitigation plan.

The assessment must at a minimum include any areas of the stream that will be adjacent to the future Bothe Road right-of-way. The City is prepared to share on an equal basis with the developer the costs of the study to determine the RAR and the associated mitigation/remediation measures.

NOTE: The City and the Applicant have jointly hired a consultant to conduct this assessment. The initial work completed by the consultant demonstrates that this project allows for a road
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alignment of Bothe Road that does not directly affect Fascieux Creek at this location.
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- (e) A one-time cash payment in lieu of construction must be collected from the applicant for future construction on Bothe Road by the City.

The cash-in-lieu amount is determined to be \$49,300.00  
Engineering

#### Road Dedication and Subdivision Requirements

By registered plan to provide the following:

- (a) Provide an additional highway allowance widening for the frontage of KLO Rd to achieve a full right-of-way width of 30.0 m.
- (b) Dedicate a road allowance widening of 14.2m for the future construction of Bothe Rd.
- (c) A “Riparian Management Area (RMA)” is required adjacent to Fascieux Creek along the rear lot boundary of this property. This RMA shall be registered as a road right-of-way and will provide a total right-of-way width.
- (d) Lot Consolidation
- (e) Grant Statutory Rights Of Way if required for utility services:

#### Electric Power and Telecommunication Services

The electrical and telecommunication services to this development must be installed in an underground duct system. 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.

#### Street Lighting

Street lighting including underground ducts must be installed on all roads fronting this proposed development. The cost of this requirement is included in the roads upgrading item

#### Engineering

- (a) Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site drainage collection and disposal systems and lot grading, 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.
- (b) A lot-grading plan is to be submitted prior to construction and adhered to during the construction of this development. The Bothe Road grade fronting this development will need to be established by the developer's civil consulting engineer to set the sidewalk and driveway access elevations.
- (c) We recommend that a Traffic Impact Study not be required for this new development, on the conditions that:

- (i) The developer agree, and a covenant be registered that ultimate access to KLO will be for emergency vehicles only.
- (ii) The developer agree, that the primary ultimate site access be from Bothe Road on the south edge of the site;
- (iii) The developer agree, that until the final development of the Bothe Road, that initial primary site access will be from KLO road;
- (iv) The developer agrees to provide the City of Kelowna Fire Department an emergency access to the southern end of the site. This will include the construction of a minimum 6.00 meter wide hard surface access link to Saint Amand Road.
- (v) The developer agrees to contribute 10% of the cost of a new traffic signal at Bothe Rd. and Gordon Drive. The full cost of a signal is determined to be \$137,500.00.

Latecomer Protection

Watermain construction on Bothe Road

Sanitary main construction on Bothe Road

Geotechnical Report

Provide a comprehensive geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed development

The Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

- (i) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- (ii) Site suitability for development. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- (iii) Any special requirements for construction of roads, utilities and building structures.
- (iv) Suitability of on-site disposal of storm water and sanitary waste, including effects upon adjoining lands in accordance with the Subdivision, Development and Servicing Bylaw, Schedule 4 Sanitary Item 2.18.

viii) Top of bank assessment and location including recommendations for property line locations, septic field locations, building setbacks, and ground water disposal locations.

ix) Recommendations for items that should be included in a Restrictive Covenant.

x) Any items required in other sections of this document.

xi) Recommendations for erosion and sedimentation controls for water and wind.

xii) Recommendations for roof drains and perimeter drains

#### Survey Monuments and Pins

If any legal survey monuments or property iron pins are removed or disturbed during construction, the developer will be invoiced a flat sum of \$1,200.00 per incident to cover the cost of replacement and legal registration. Security bonding will not be released until restitution is made.

#### Bonding and Levy Summary

##### (a) Bonding

Watermain	Bothe	\$27,200.00
Sanitary Main	Bothe	\$125,000.00
Future road access conversion		\$15,000.00
Road and drainage works	Bothe	\$49,300.00
Access link to Saint Amand Road.		\$11,000.00

Total Bonding \$227,500.00

##### (b) Cash Levy

Traffic signal contribution Bothe, Gordon \$13,750.00

St Amand Sewer Service Area \$960.00 per unit.

1. Total Levies to be determined  
Development Permit and Site Related Issues

(a) The development will be required to contain, treat and dispose of site generated storm water on the site.

(b) A lot-grading plan, erosion and sediment control plan are to be submitted prior to construction and adhered to during the construction of this development.

##### (c) Access and Manoeuvrability

The site plan should illustrate the ability of an SU-9 standard size vehicle to manoeuvre onto and off the site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles, the site plan should be modified and illustrated accordingly.

KLO Road driveway access will ultimately be restricted to an emergency only access and the future access will be provided to Bothe Road when the road link is complete.

Revised site access and egress designs onto Bothe and KLO Roads must be submitted for approval by the City Works & Utilities Department. This is required to guarantee that the requirements and the limitations of access and egress required by the City have been addressed to the City's satisfaction.

## 2. 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% of the total off-site construction costs, not including design. 7% GST will be added.

### 5.1 **Existing Development Potential**

The purpose is to provide a zone primarily for medium density apartments.

### 5.2 **Current Development Policy**

#### 5.2.1 City of Kelowna Strategic Plan (2004)

Goal #1 – To maintain, respect, and enhance our natural environment.

Goal #2 – To foster a strong, stable, and expanding economy.

Goal #3 – To foster the social and physical well-being of residents and visitors.

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

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

#### **Future Land Use**

The subject properties are designated as "multiple unit residential – low density" in the OCP. Consequently, the proposal to rezone to the RM5 – Medium Density zone is inconsistent with that designation.

- Multiple Unit Residential (Low Density) Townhouses, garden apartments, apartments, buildings containing three or more residential units, and cluster forms of housing.

#### **Growth Management Policies**

- 5.1.10 Develop a Compact Urban Form. Develop a more compact urban form that maximizes the use of existing infrastructure, by increasing densities through development, conversion, and re-development within existing areas, particularly in designated Urban Centres, and by providing for higher densities within future urban areas. Encourage development to proceed in a logical, sequential order, concurrently with availability of required urban services.

#### **Urban Centres**

- 6.1.25 Building Height and Density. Encourage a general decrease in building height and density as the distance from the Urban Centre core increases;

#### **Agriculture**

- 11.1.19 Buffers. Provide for distinct boundaries that separate urban and rural uses by utilizing, where appropriate, roads, topographic features, watercourses, ditching, fencing, or small lot rural transition areas, as buffers to preserve larger farm units and areas;
- 11.1.20 Buffering. Require that new developments adjacent to or abutting agricultural areas provide sufficient setbacks, on-site fencing and vegetative buffering to mitigate potential conflicts. (please refer to Zoning Bylaw and appropriate provincial ministry or agency specifications for information on minimum landscape buffers);

**Housing Policies:**

- 8.1.18 Housing Agreements: Support the use of housing agreements to assist in creating affordable and special needs housing;
- 8.1.25 Affordable and Special Needs Housing: Encourage the private sector to provide housing that is innovative and affordable and that is targeted to groups identified in the Housing Study, a Housing Reserve Fund Bylaw, or a list published by the City;
- 8.1.31 Rezoning to Higher Densities. Consider supporting an OCP amendment and rezoning application for residential densities greater than those provided for on the Generalized Future Land Use Map 19.1 in those cases where:
  - a portion of the proposed units are available for affordable, special needs or rental housing identified to be in short supply (guaranteed through a Housing Agreement); and
  - appropriately designated sites can be proven to be functionally unsuitable for the proposed housing; and
  - supporting infrastructure is sufficient to accommodate the proposed development (or the developer is prepared to upgrade the necessary infrastructure); and
  - the proposed densities do not exceed the densities provided for on Map 19.1 by more than one increment (e.g. medium density multiple units might be entertained where low-density has been provided for, and low-density multiple units might be entertained where single/two unit residential densities have been provided for); and
  - the project can be sensitively integrated into the surrounding neighbourhood, with no more than a one-storey height gain between the proposed development and the height permitted within land uses assigned to adjacent parcels (Where the property being proposed for redevelopment is large, consideration may be given to providing greater heights at the centre of the property provided that the new building is sensitively integrated with the surrounding neighbourhood); and
  - approval of the project will not destabilize the surrounding neighbourhood or threaten viability of existing neighbourhood facilities (e.g. schools, commercial operations etc.).

- 8.1.32 Density Profile. Support a land use approach where residential densities increase as proximity to the core of Urban Centres increases, as shown on Future Land Use Map 19.1;
- 8.1.37 Ground-Oriented Housing. Encourage the development of ground-oriented multiple unit housing as an affordable housing choice for the rental or ownership markets, including families with children, in those areas where Map 19.1 indicates necessary densities as being appropriate. Ground oriented housing is defined as housing where each dwelling unit has direct access to the unit and private open space at grade level;
- 8.1.51 “Walled Communities”. Discourage the creation of developments enclosed on all sides with walls or other physical or visual barriers to access if such developments compromise the principles embedded in the “Crime Prevention Through Environmental Design” guidelines and hinder efforts to create more pedestrian, bicycle and transit-friendly communities or inhibit the efficient use of infrastructure;

## **6.0 PLANNING AND CORPORATE SERVICES DEPARTMENT COMMENTS**

There is specific policy direction within the Official Community Plan that conflicts with the density proposed by this application. For that reason, Staff does not support either the OCP amendment or rezoning applications.

In addition to the density issue, Staff has concerns with the form of the proposed development for this site. Specifically, the items listed below require further review:

- Site Grading – Due to the high ground water, the parking structure will extend above the existing grade. The proposal contemplates disguising the parking structure with backfill material, where appropriate. Although this can be accomplished where adequate distance from the neighbouring properties exists (i.e.: on the west side), the transition to the east (next to the Immaculata High School site) presents significant challenges. At its worst, the grade difference would be approximately 1.8 m (6 feet) in rise, with approximately 2.4 m (8 feet) of run. Despite the Applicants’ desire to further screen this earth berm with fencing and vegetation, Staff does not consider this an appropriate response to the physical context. Not only would there be a significant rise in the finished grade from the neighbouring properties, but a further four storeys would rest on top of this parking structure.
- Parking Structure – In addition to the problems identified in the above section, another problem with this parking structure relates to the vegetative elements which are proposed to be planted above it. It is difficult (in places impossible) to establish larger vegetative elements that might help to soften the mass of the structure, due to the limited soil medium available.
- Building Form –
  - Staff considers that a better approach to this site would be to design a project consistent with the RM3 – Low Density Multiple Housing zone, particularly one that is ground oriented. See especially, OCP policy 8.1.37, detailed in the policy section above.

- Walled Development – pursuant to OCP policy 8.1.51, Staff discourage the creation of developments enclosed on all sides with walls or other physical or visual barriers to access if such developments compromise the principles embedded in the “Crime Prevention Through Environmental Design” guidelines and hinder efforts to create more pedestrian, bicycle and transit-friendly communities or inhibit the efficient use of infrastructure. The proposed development shows little integration to the surrounding community, due to the lack of pedestrian connections between developments to the east or west sides of the project. Staff encourage a more outward-looking form of development, and one that allows through-connections for pedestrians and bicycles.

## 7.0 ALTERNATE RECOMMENDATION

THAT OCP Bylaw Amendment No. OCP05-0015 to amend Map 19.1 of the Kelowna 2020 - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of Lot 1, District Lot 131, Plan 13798, O.D.Y.D. except Plan KAP79224, and Lot 2, District Lot 131, O.D.Y.D. Plan 13798 except Plan KAP79225, located on K.L.O. Road, Kelowna, B.C., from the multiple unit residential (low density) designation to the multiple unit residential (medium density) designation, as shown on Map “A” attached to the report of Planning & Development Services Department, dated June 30, 2006, be considered by Council;

AND THAT Rezoning Application No. Z05-0066 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, District Lot 131, Plan 13798, O.D.Y.D. except Plan KAP79224, and Lot 2, District Lot 131, O.D.Y.D. Plan 13798 except Plan KAP79225, located on K.L.O. Road, Kelowna, B.C., from the A1 – Agriculture 1 zone to the RM5 – Medium Density Multiple Housing zone be considered by Council;

AND THAT the OCP amending bylaw and zone amending bylaw be forwarded to a Public Hearing for further consideration;

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

AND THAT final adoption of the OCP amending bylaw and zone amending bylaw be considered in conjunction with Council's consideration of a Development Permit on the subject property.

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Shelley Gambacort  
Current Planning Supervisor  
Acting Manager of Development Services

Approved for inclusion

Signe K. Bagh, MCIP  
Manager, Policy, Research & Strategic Planning  
Acting Director Planning and Development Services

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**ATTACHMENTS (15 pages)**

**Location of subject property**

**Site Plan**

**Elevations (2 pages)**

**Cross Sections (3 pages)**

**Artist's Rendering (2 pages)**

**APC Minutes from November 22, 2005 Meeting (6 pages)**

**Map "A"**