
CITY OF KELOWNA

MEMORANDUM

Date: December 9, 2008

To: City Manager

From: Community Sustainability Division

APPLICATION NO. OCP08-0025/ Z08-0090

OWNER: Stevenson, Andrew & Carolyn

AT: 718 Paret Road

APPLICANT: Stevenson, Carolyn & Andrew

PURPOSE: TO AMEND THE OFFICAL COMMUNITY PLAN DESIGNATION OF THE SUBJECT PROPERTY FROM SINGLE/TWO UNIT RESIDENTIAL TO EDUCATIONAL/MAJOR INSTITUTIONAL

TO REZONE THE SUBJECT PROPERY FROM THE RU1- LARGE LOT HOUSING ZONE TO THE P2 - EDUCATIONAL AND MINOR INSTITUTIONAL ZONE TO ALLOW FOR THE CREATION OF A PRESCHOOL.

EXISTING OCP DESIGNATION: Single/Two-Unit Residential

PROPOSED OCP DESIGNATION: Educational/ Major Institutional

EXISTING ZONE: RU1 – Large Lot Housing

PROPOSED ZONE: P2 - Educational and Minor Institutional

REPORT PREPARED BY: Birte Decloux

1.0 RECOMMENDATION

THAT OCP Bylaw Amendment No. OCP08-0025 to amend Map 19.1 of the Kelowna 2020 - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of Lot 2, District Lot 357, S.D.Y.D. Plan KAP 86608 located on Paret Road, Kelowna, B.C., from Single/Two-Unit Residential to Educational/ Major Institutional as shown on Map "A" attached to the report of Land Use Management Department, dated December 9, 2008, be considered by Council;

AND THAT Council considers APC public process, to be appropriate consultation for the purpose of section 879 of the *Local Government Act*, as outlined in the report of the Land Use Management Department dated December 9, 2008;

AND THAT Rezoning Application No. Z08-0090 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, District Lot 357, S.D.Y.D., Plan KAP86608, located on Paret Road, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the P2 Educational and Minor Institutional zone be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP08-0025 and zone amending bylaw be forwarded to a Public Hearing for further consideration;

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

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department and Parks Department being completed to their satisfaction, including to secure a restrictive covenant that restricts all access and egress of traffic to forward movements only;

AND THAT final adoption be considered upon securing a restrictive covenant restricting the P2 use to "care centre - major" only, excluding all other P2 uses;

2.0 SUMMARY

The applicant is seeking to rezone this property from the RU1 – Large Lot Housing Zone to the P2 – Educational and Minor Institutional Zone to create a preschool servicing the Mission, Kettle Valley and South Slopes areas. The applicant intends to use the building solely for a pre-school and not inhabit the dwelling. An Official Community Plan amendment is being sought to amend the designation from Single/Two-Unit Residential to Educational/ Major Institutional. A variance to the vehicle loading provisions from 3 required to 1 provided is also being requested and will be considered at a later date.

2.1 Advisory Planning Commission

The above noted applications (OCP08-0025 / Z08-0090) were reviewed by the Advisory Planning Commission at the meeting of November 4, 2008 and the following recommendations were passed:

THAT the Advisory Planning Commission NOT support Official Community Plan Application No. OCP08-0025, for 718 Paret Road; Lot 2, Plan 86608, Sec. 30, Twp. 29, ODYD by A & C Stevenson, to amend the OCP from single/two family residential to educational/minor institutional.

No motions were passed for the other applications due to non-support of the Official Community Plan application.

APC COMMENT:

After consideration of neighbourhood input, the Advisory Planning Commission concluded that this is not a suitable use for this neighborhood given the primary access is off of such a busy arterial road and may create traffic safety concerns. The preschool would only add to the traffic congestion and noted concern for the safety of the children.

3.0 PROPOSAL

The property has recently been subdivided by the City to annex the land adjacent to Bellevue Creek and to the west of the site for a future linear park. The applicant chose this property for the pre-school due to its accessibility to potential clients and the limited pre-schools in the area.

The applicant intends to open a pre-school which will offer up to 4 classes with a maximum of 20 children on various days. The sessions will be 2 ¾ hour in length and the start/finish times will be staggered to facilitate efficient drop-off/pick-up by the participant's parents/caregivers.

A free standing pre-school rather than a single family dwelling with a secondary use of Pre-school is the ideal choice for the applicant, as she would like to customize the facilities to the scale of the users. Her intention is to install small size washroom facilities and to create a number of class room spaces which will be divided into pre-science, pre-number and drama/music areas. The current kitchen will be remodeled to facilitate eating and art. The

The applicant will be managing the facility with 1 employee as per the licensing regulations in the *Community Care Act*. Before purchasing the property the applicant consulted the requirements of the *Community Care Act* to ensure the site fulfilled all the mandatory stipulations.

The proposed application meets the requirements of the P2 - Educational and Minor Institutional:

Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	P2 ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	1091 m ²	660 m ²
Lot Width	37.338 m	18 m
Lot Depth	35.187 m	30 m
Development Regulations		
Site Coverage (buildings)	21.5 %	40 %
Site Coverage (buildings/parking)	45 %	60 %
Height	1 storey	3 storeys / 13.5 m
Front Yard	6.33 m	6.0 m
Side Yard (west)	6.02 m	4.5 m
Side Yard (east)	6.12 m	4.5 m
Rear Yard	7.55 m	7.5 m
Floor Area of Building(s)	235 m ²	
Other Requirements		
Parking Stalls (#)	5 spaces	1 space per 10 children + 1 space per 2 employees Total of 4 spots
Loading Spots	1 ❶	3 loading spaces
Handicapped Parking	1	1 handicapped
Bicycle Parking	0	None Required

❶ A DVP is sought to vary the loading requirements from 3 required to 1 proposed.

3.1 Site Context

The subject property is located on the north side of Paret Road, in North Mission. The subject property is relatively flat on the new extension of Gordon Drive with Bellevue Creek running through the property behind it. Currently, the building on the site is rented as a single family dwelling.

More specifically, the adjacent land uses are as follows:

- North – RU1 – Large Lot Housing
- South – RU1 - Large Lot Housing and RR1 – Rural Residential 1
- East – RU1 – Large Lot Housing
- West - RU1 - Large Lot Housing

3.2 Subject Property: 718 Paret Road



4.0 CURRENT DEVELOPMENT POLICY

Staff recommends that the Advisory Planning Commission public process should be considered appropriate consultation for the purpose of Section 879 of the *Local Government Act*, and that the process is sufficiently early and does not need to be further ongoing in this case. Furthermore, additional consultation with the Regional District of Central Okanagan, other boards, councils or agencies listed in Section 879, is not required in this case.

Staff have reviewed this application, and it may move forward without affecting either the City's financial plan or waste management plan.

The key policies applicable to the proposed development are:

Kelowna 2020 – Official Community Plan

The social needs assessment conducted by the City in 1993 identified child care facilities as a perceived and actual community need. A conscious effort was made to allow a child care centre wherever it is a workable use with the potential to address local need.

Section 17.2.8 Co-ordination.

Support the efforts of the Kelowna and District Child Care Committee to provide a co-ordinated and efficient approach to the provision of child care in the City;

Section 17.2.12 Zoning. Continue to monitor the zoning bylaw to ensure that there is maximum potential for the provision of child care facilities;

4.0 TECHNICAL COMMENTS

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

4.1 Works and Utilities

See Attached

4.2 Inspections Services

Building permit and code analysis required for change of occupancy use of existing residence (group C) to proposed pre-school (group A-2). New floor plan required for proposed use. Parking does not meet requirements of zoning bylaw. Ensure accessibility issues addressed for proposed use.

The applicant has revised the parking count and configuration on the site to meet the requirements of the zoning bylaw.

4.3 Fire Department

Check with the building department as to the occupancy classification change (A-2) pre-school; code analysis and variances, if any, are required. Interior Heath requires two exits from the building; exit into the car port to be free of any and all flammable and combustible liquids while children are in attendance this includes the car.

4.4 Parks Department

To prevent private/public encroachment from the proposed parking area on the subject property, the applicant will be required to extend the fence along the property line to Gordon Drive. The type of fence will be 1.2 m high (4') black vinyl chain link fence with black powder_coated posts, rails and hardware located 150 mm (6') within the subject property.

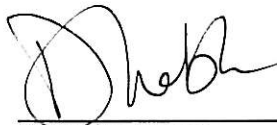
5.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

Given that care centre could be considered an appropriate use in a residential context (depending on scale) this use would not be out of character with the neighbourhood as the intention is to utilize the existing residence. The existing building is one storey on slab, thus the required retrofit to institutional per the Building Code is not overly costly or difficult.

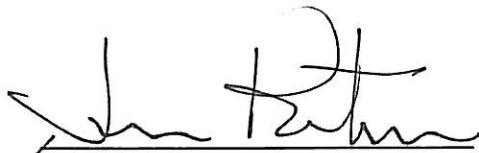
Currently there are three pre-schools in the Mission: Montessori, 1st Lutheran, and Waldorf that each cater to a very specific segment of the population. A generic type of pre-school may meet the needs of a greater cross section of the population of the area. At request of the applicant, the Superintendent of Schools for School District #23 provided the current number of kindergarten class rooms in the South Mission region totaling 6 classes (representing 109 students). The projections for 2009 indicate that an additional kindergarten class may be triggered, demonstrating a considerable demographic of children in this area that could benefit from this preschool use.

At the APC meeting, the neighbourhood voiced concerns regarding the drop off and pick up access of the pre-school participants and requested that 10 parking sites be located on the subject property. The zoning bylaw limits the maximum parking spaces (permitted to 125% of the minimum number required) which in this case results in five parking stalls. The applicant has amended the site plan to demonstrate to Staff's satisfaction that the provided maximum number of spaces and radius for vehicles to turn around on site can accommodate the anticipated traffic.

A minor variance to the loading bay requirements is not considered significant and could be supported.



Danielle Noble
Urban Land Use Supervisor

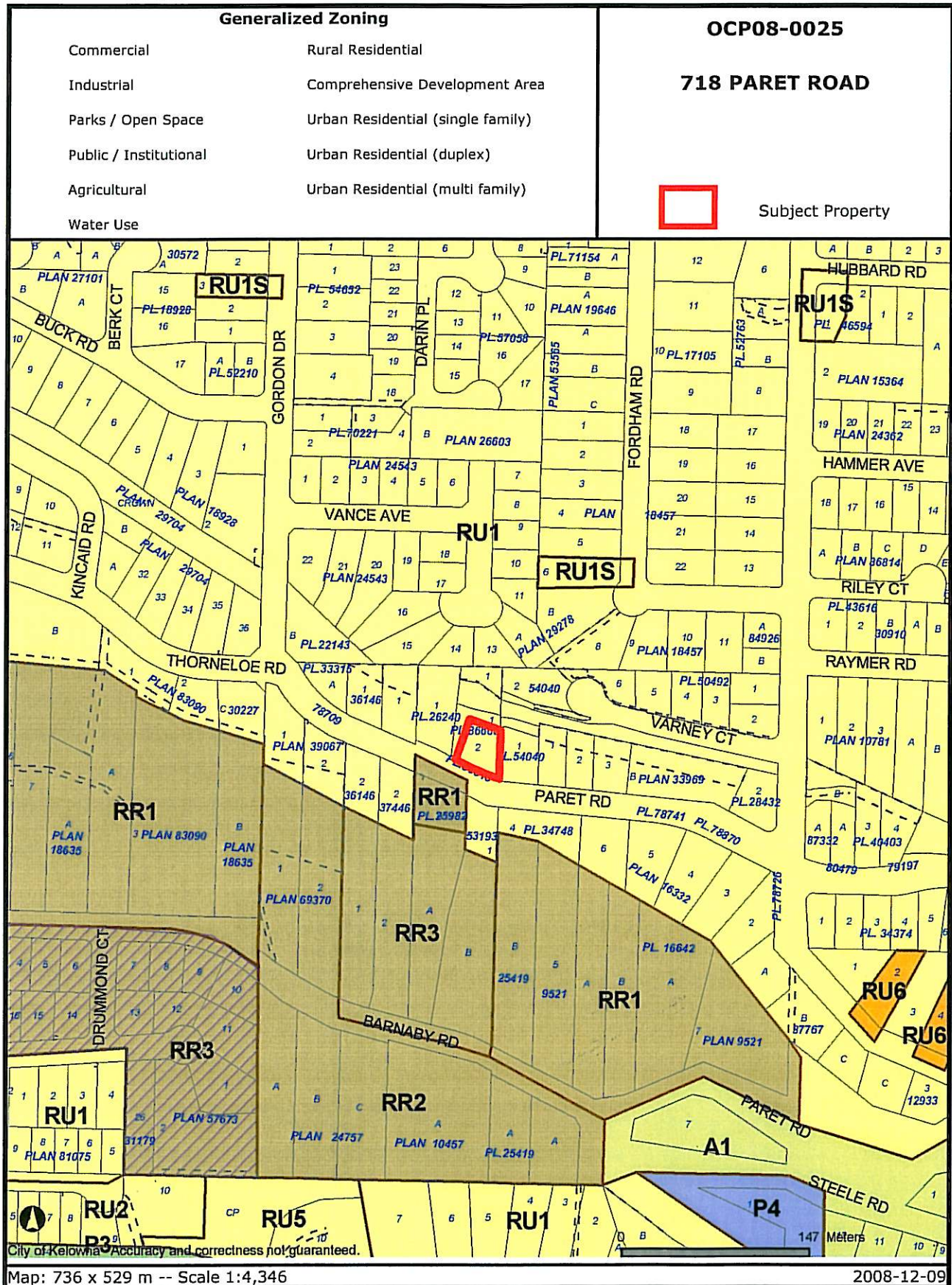


Shelley Gambacort
Director of Land Use Management

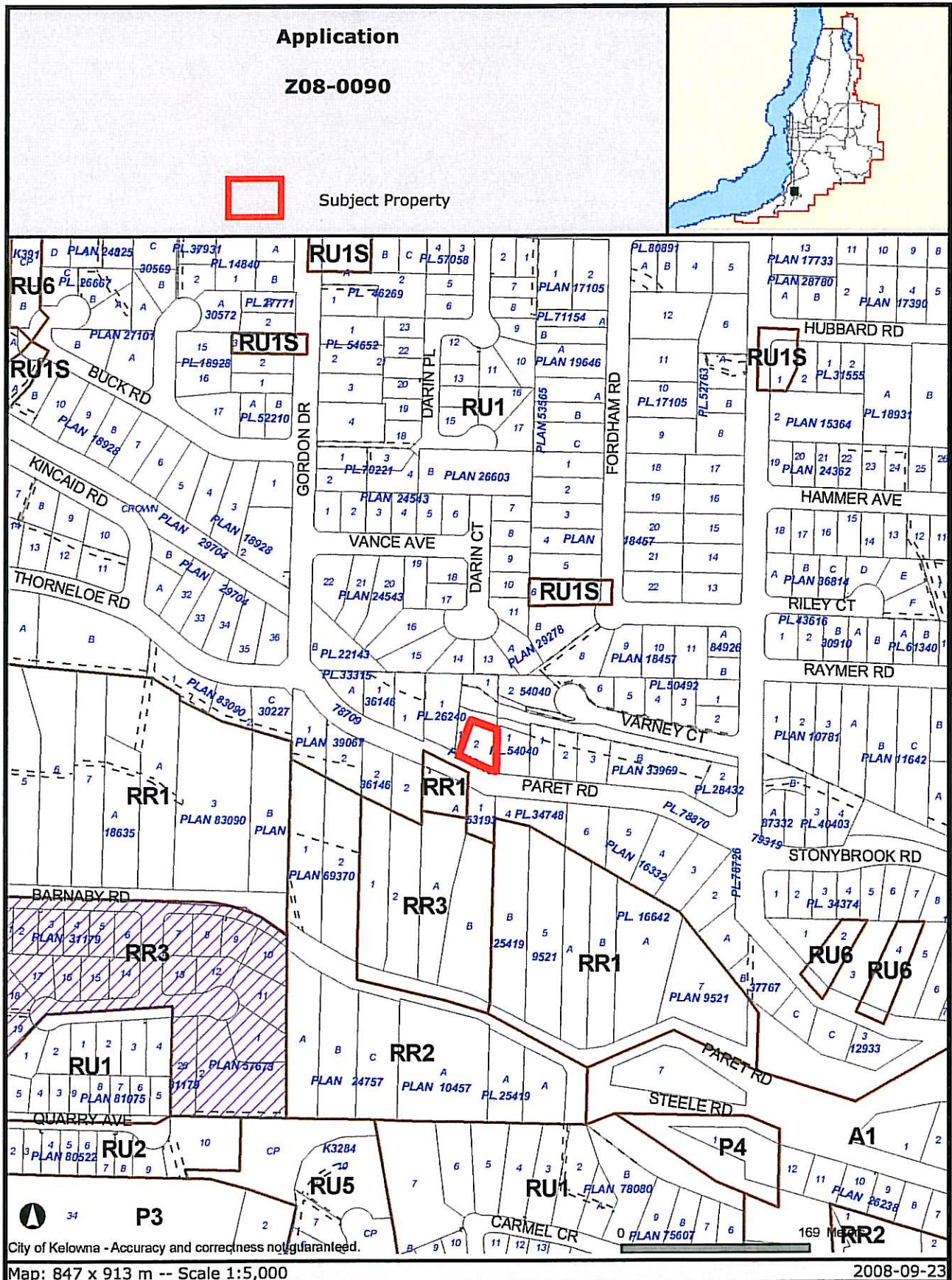
SG/bcd
Attach.

ATTACHMENTS

- OCP Map 'A'
- Location of subject property
- Site plan
- Elevations
- Photos of existing building
- Proposed floor plan
- Landscape drawings



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

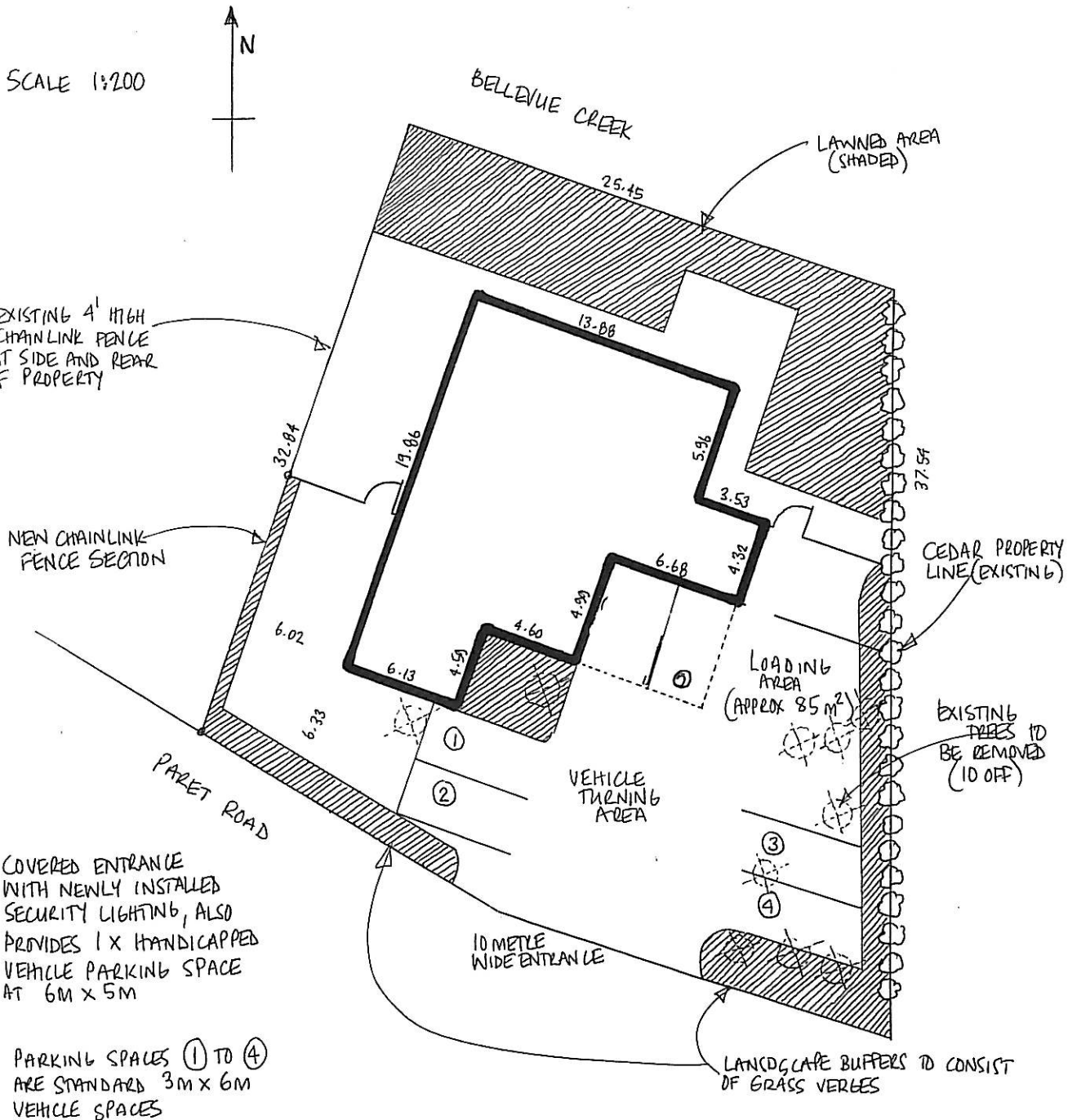


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SITE PLAN AND PARKING FACILITIES - 718 PARET ROAD, KEL. BC

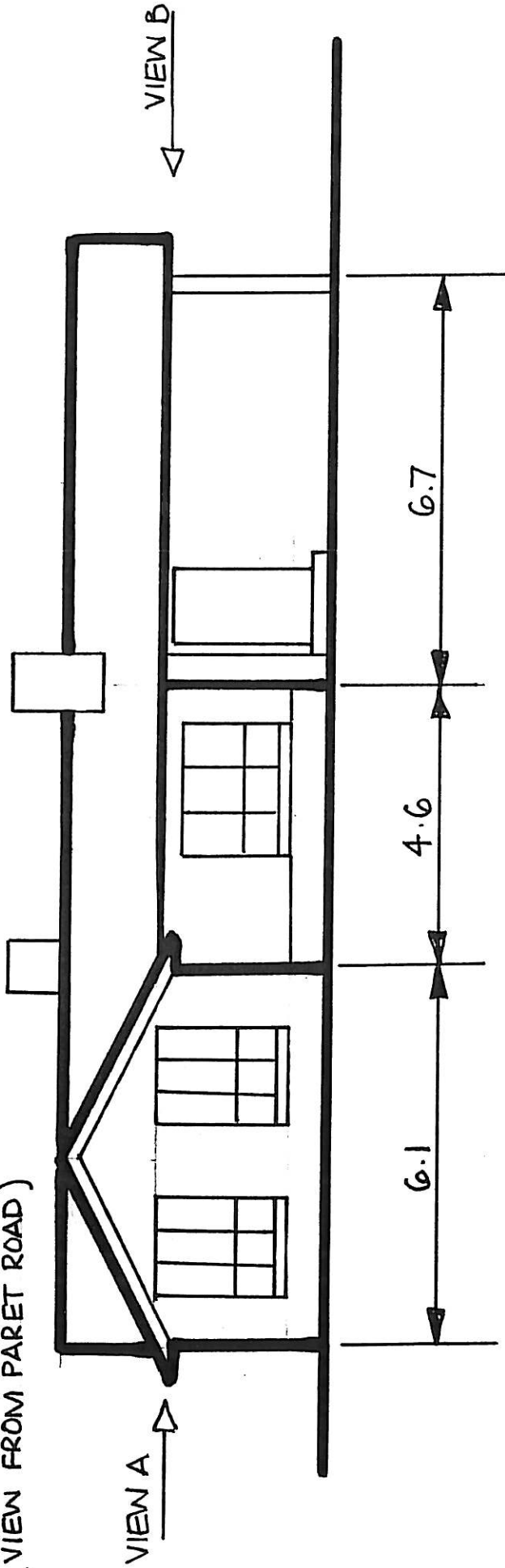
APPLICATION NO. OCP 08-0025 / Z08-0090

LOT 2, PLAN KAP 54041, FILE NO 12622 SC.

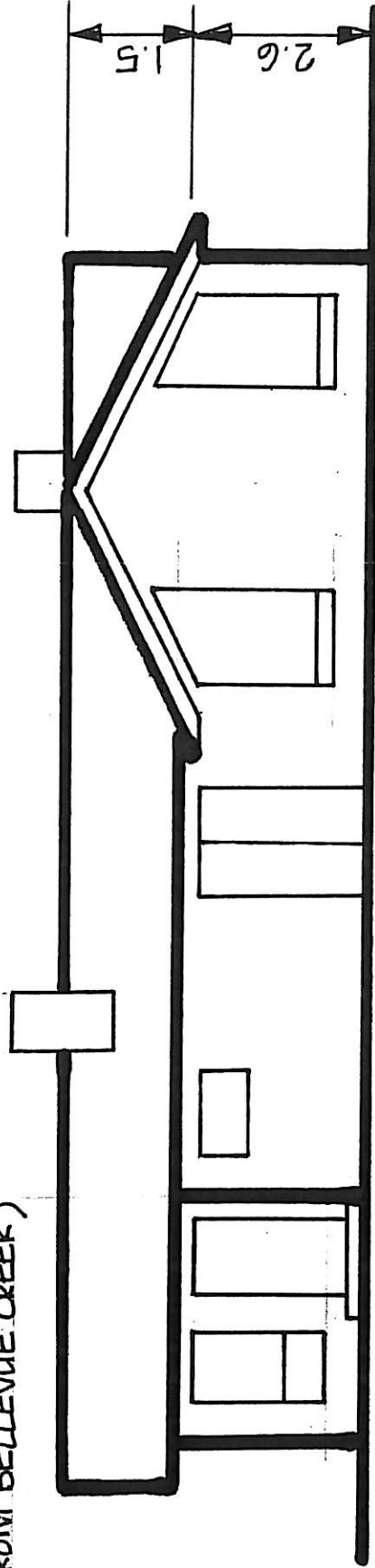


PARKING HAS BEEN DESIGNED SO THAT ALL VEHICLES USING THE FACILITY WILL BE ABLE TO ENTER AND EXIT IN A FORWARDS DIRECTION - USING THE LARGE TURNING AREA PROVIDED

FRONT ELEVATION
(VIEW FROM PARET ROAD)

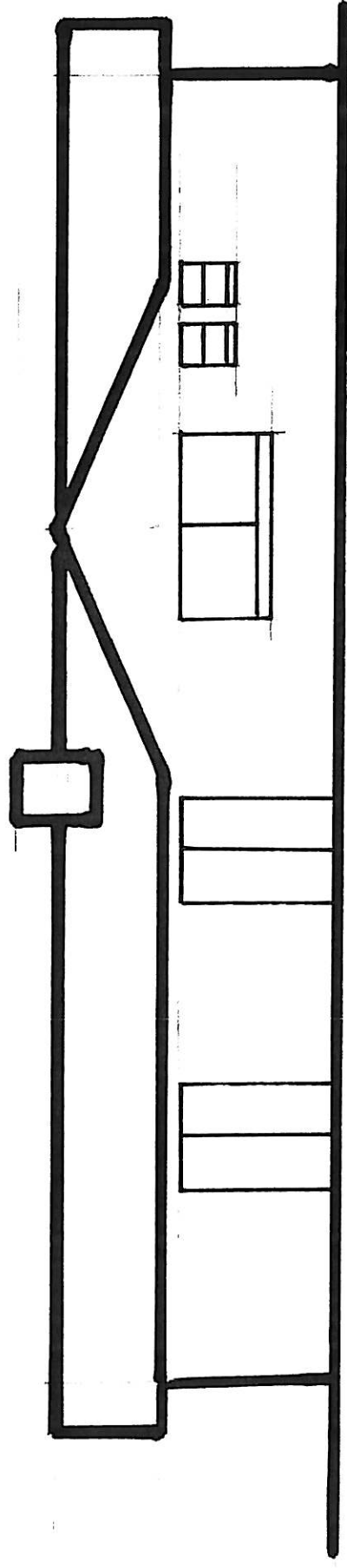
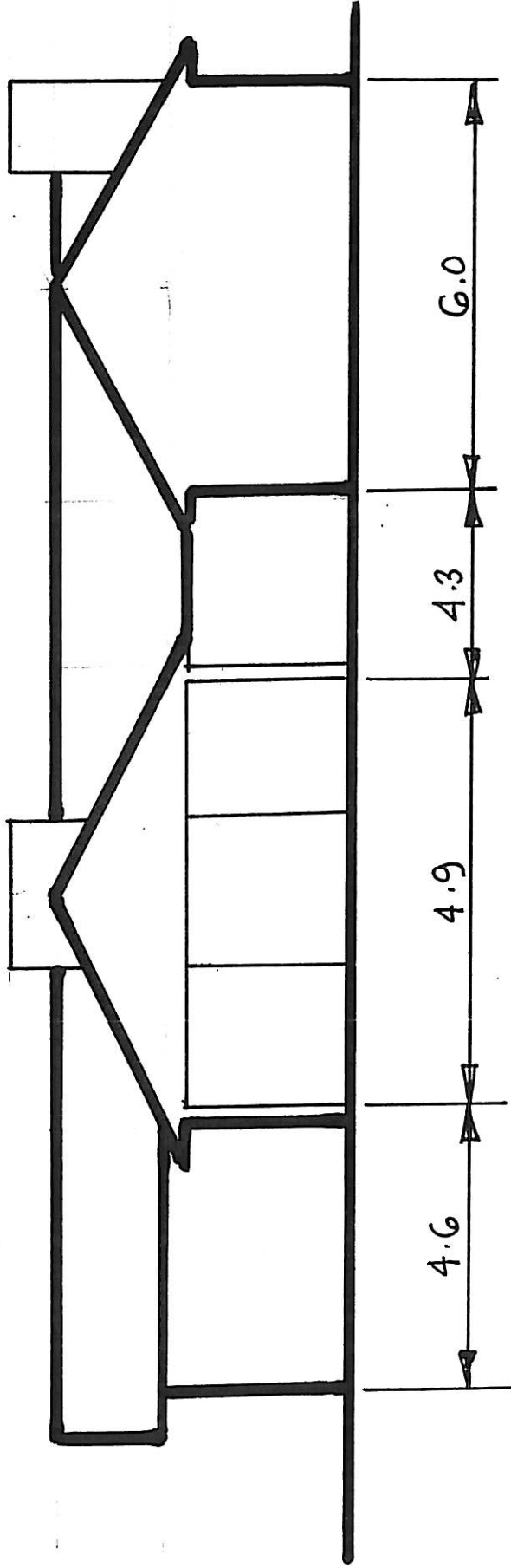


REAR ELEVATION
(VIEW FROM BELLEVUE CREEK)



FRONT AND REAR ELEVATIONS
718 PARET ROAD, KELOWNA, BC, VIW 4P4
SCALE 1:100 EXTERIOR FINISH - CEDAR SIDING

SIDE ELEVATION
(VIEW B)



SIDE ELEVATION
(VIEW A)

SIDE ELEVATIONS

718 PARET ROAD, KELOWNA, BC, V1W4P4

SCALE 1:100 EXTERIOR FINISH - CEDAR

718 PARET ROAD, KELONNA, BC VIN 4A P



REAR VIEW FROM BELVIEW CREEK



SIDE VIEW (VIEW B)



FRONT VIEW (FROM PARET ROAD)



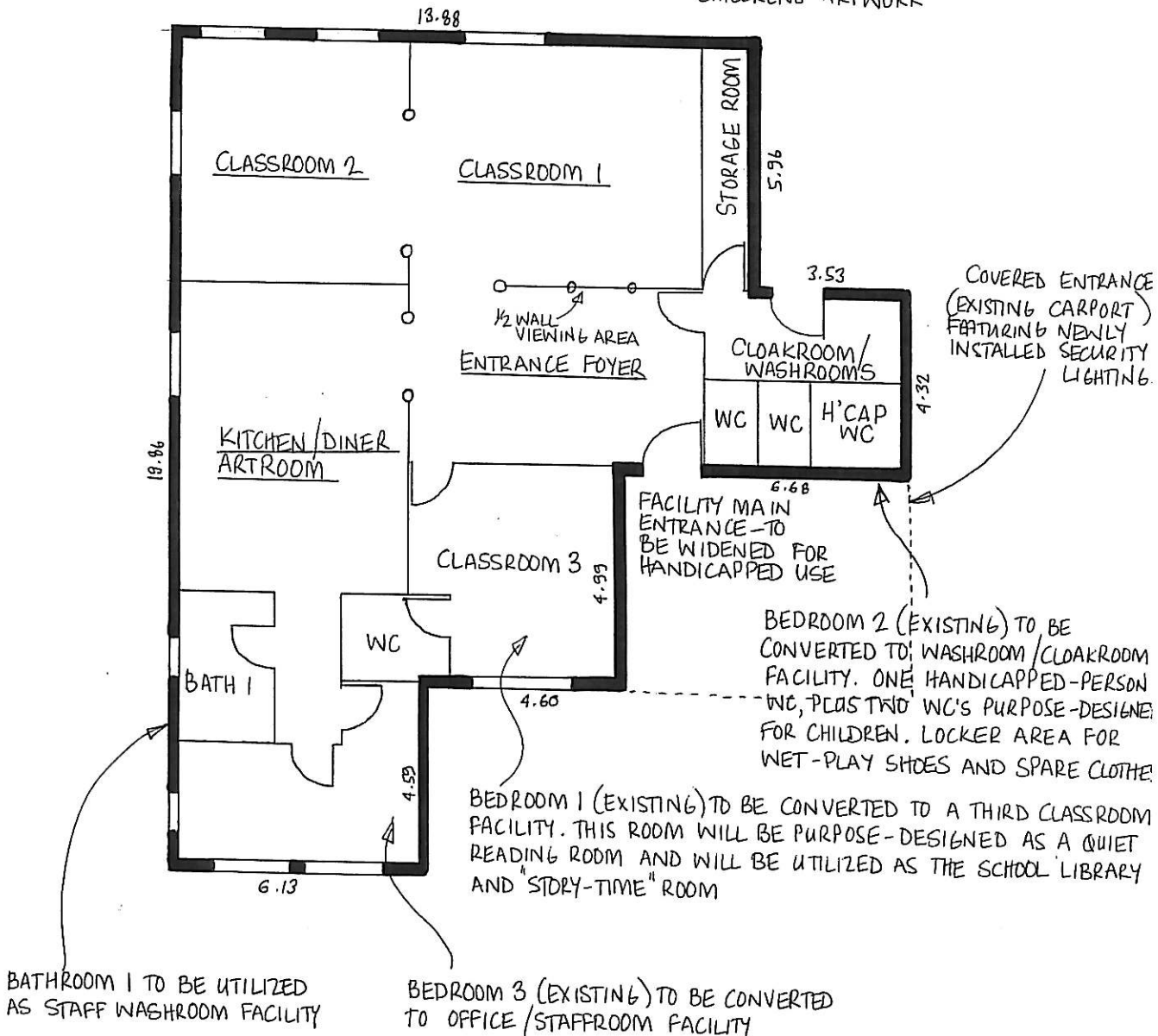
REAR VIEW

PROPOSED FLOOR PLAN

CLASSROOM 1 AND CLASSROOM 2 WILL BE THE PRINCIPLE PRE-SCHOOL LEARNING AREAS. THE SPACE WILL BE DIVIDED INTO SEPARATE 'ZONES' INCLUDING PRE-SCIENCE, PRE-NUMBER AND A DRAMA/MUSIC 'STAGE' FOR SCHOOL PRODUCTIONS

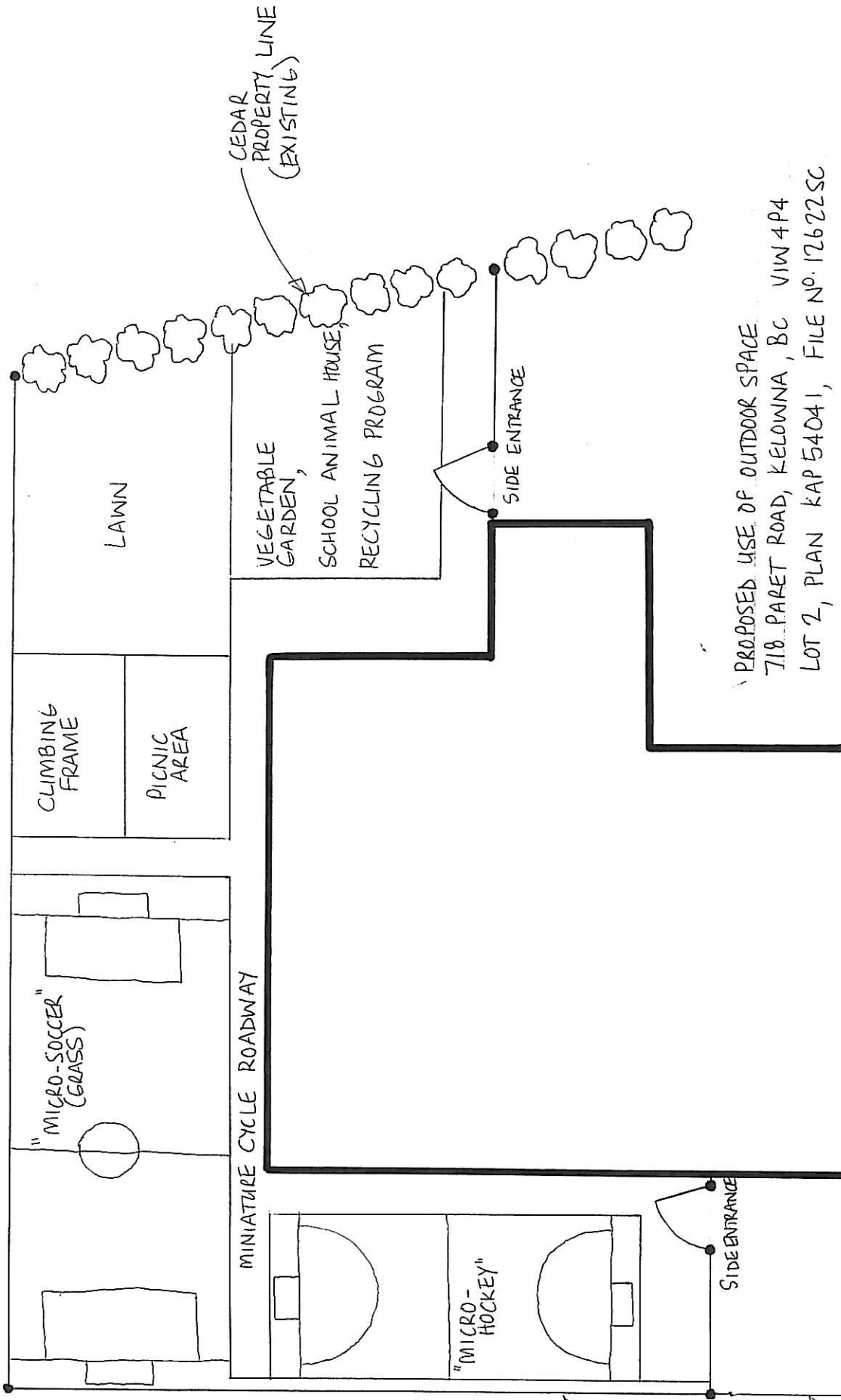
KITCHEN/DINING AREA (EXISTING) TO BE CONVERTED TO PURPOSE-DESIGNED, CHILD-FRIENDLY DINING ROOM WITH FOOD PREP. AREA. THE SPACE WILL ALSO BE UTILIZED AS CLASSROOM # 4, THE 'ARTS AND CRAFTS' ROOM

ENTRANCE FOYER: THIS IS A LIGHT, BRIGHT AREA AND WILL BE USED FOR "MEETING AND GREETING" CHILDREN AND PARENTS TO THE PRESCHOOL. THERE WILL BE A VIEWING AREA WHERE PARENTS CAN SEE INTO THE CLASSROOMS. LARGE DISPLAY BOARDS WILL COVER THE WALLS WITH CHILDRENS ARTWORK



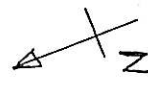
718 PARET ROAD, KELOWNA, B.C. V1W 4P4
 PROPOSAL FOR RE-ZONING FOR PRE-SCHOOL PURPOSE
 LOT 2, PLAN KAP 54041 FILE NO. 12622SC

APPLICATION NO OCP 08-0075/700 0000



PROPOSED USE OF OUTDOOR SPACE
 718 PARET ROAD, KELOWNA, BC V1W 4P4
 LOT 2, PLAN KAP 54041, FILE NO. 12622SC

APPLICATION NO. OCP 08 - 0025 / Z08 - 0090
 SCALE 1:100



EXISTING 4' CHAIN LINK FENCE

NEW SECTION 4' CHAIN LINK FENCE