
**CITY OF KELOWNA
MEMORANDUM**

Date: January 19, 2009
To: City Manager
From: Community Sustainability Division
APPLICATION NO. OCP08-0029 / Z08-0105 **OWNER:** City of Kelowna
AT: 3694 & 3696 Lakeshore Rd **APPLICANT:** City of Kelowna (Barb Davidson)

PURPOSE: TO AMEND THE OCP FUTURE LAND USE DESIGNATION OF THE SUBJECT PROPERTIES FROM SINGLE/TWO UNIT RESIDENTIAL TO MAJOR PARK/OPEN SPACE.

TO REZONE THE SUBJECT PROPERTIES FROM THE RU1- LARGE LOT HOUSING ZONE TO THE P3 – PARKS AND OPEN SPACE ZONE TO ALLOW FOR THE EXPANSION OF ROTARY BEACH PARK.

EXISTING OCP DESIGNATION: Single/Two Unit Residential

PROPOSED OCP DESIGNATION: Major Park/Open Space

EXISTING ZONE: RU1 – Large Lot Housing

PROPOSED ZONE: P3 – Parks and Open Space

REPORT PREPARED BY: Andrew Browne

1.0 RECOMMENDATION

THAT OCP Bylaw Amendment No. OCP08-0029 to amend Map 19.1 of the *Kelowna 2020 - Official Community Plan* Bylaw No. 7600 by changing the Future Land Use designation of Amended Lot 23A & Amended Lot 24A, Block 4, District Lot 134, ODYD, Plan 515, located at 3694 & 3696 Lakeshore Road, respectively, Kelowna, BC, from the Single/Two Unit Residential designation to Major Park/Open Space designation, as shown on Map "A" attached to the report of Land Use Management Department, dated January 19, 2009, be considered by Council;

THAT Rezoning Application No. Z08-0105 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Amended Lot 23A & Amended Lot 24A, Block 4, District Lot 134, ODYD, Plan 515, located at 3694 & 3696 Lakeshore Road, respectively, Kelowna, BC, from the RU1 – Large Lot Housing zone to the P3 – Parks and Open Space zone be considered by Council;

THAT Council considers the 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 January 19, 2009;

THAT the OCP Bylaw Amendment No. OCP08-0029 bylaw and the zone amending bylaw be forwarded to a Public Hearing for further consideration;

2.0 ADVISORY PLANNING COMMISSION

At the December 16, 2008 meeting of the Advisory Planning Commission, the following resolutions were adopted:

THAT the Advisory Planning Commission support Official Community Plan Application No. OCP08-0029, for 3694 & 3696 Lakeshore Road; Lot 23A, Plan B5675, Sec 12 Twp 25, ODYD & Lot 24A Plan B5675, Sec 7, Twp 26, ODYD by the City of Kelowna, to amend the OCP future land use designation of the subject property from Single/Two Family Residential to Major Park/Open Space.

THAT the Advisory Planning Commission support Rezoning Application No. Z08-0105, for 3694 & 3696 Lakeshore Road; Lot 23A, Plan B5675, Sec 12 Twp 25, ODYD & Lot 24A Plan B5675, Sec 7, Twp 26, ODYD by the City of Kelowna, to rezone the subject property from the RU1 – Large Lot Housing zone to the P3-Parks and Open Space zone to allow for the expansion of Rotary Beach Park.

3.0 SUMMARY

Two lakeshore properties adjacent to Rotary Beach Park have been acquired by the City with the goal of enhancing public access to the lake. Official Community Plan and Zoning Bylaw amendments are necessary in order to integrate the lands for public park use as part of Rotary Beach Park.

4.0 PROPOSAL

Recent acquisitions by the City of Kelowna of 3694 & 3696 Lakeshore Road are complete. Preliminary site preparation and demolition of dwellings is in progress, with the intention of expanding the adjacent Rotary Beach Park to enhance public access to the lake.

At this time, the City is not contemplating large-scale changes to Rotary Beach Park. Rather, the subject properties are to be integrated into the existing park with the addition of irrigated turf and new shade trees. The two existing docks are to be removed and public access to the beach is to be extended into the subject properties.

The application compares with the requirements of the P3 – Parks and Open Space zone as shown in the following table. Setback and lot coverage compliance are not shown as no structures are proposed on the subject properties.

ZONING BYLAW NO. 8000			
Criteria	3694 Lakeshore Rd	3696 Lakeshore Rd	P3 Zone Requirements
Lot Area	1816 m ²	1704 m ²	No requirement
Lot Width	22.18 m	22.18 m	No requirement
Lot Depth	90.14 m	85.07 m	No requirement

4.1 Site Context

The subject properties are located adjacent to Rotary Beach Park on the west side of Lakeshore Road in South Pandosy, between Bechard Road and Barrera Road. Zoning and land use in the immediate vicinity is almost exclusively residential and public park. A large mobile home park is located to the east and various commercial land uses exist about 400m to the south. Specifically, the adjacent land uses are as follows:

- North RU1 – Large Lot Housing
- South P3 – Parks and Open Space & W2 – Intensive Water Use
- East RU1 – Large Lot Housing & RM2 – Low Density Row Housing
- West W1 – Recreational Water Use



5.0 **CURRENT DEVELOPMENT POLICY**

5.1 **Public Process**

Staff recommends that APC 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.

5.2 **Kelowna 2020 Official Community Plan**

The following Parks and Leisure objectives and policies of the OCP apply:

Urban Centres – Parks. Provide, within the City, Highway, and Town Centres, parks and open spaces for public enjoyment.

Parks and Leisure – Parks and Open Space. Endeavour to provide a variety of parks and open spaces to meet the diverse needs of the community.

Parks and Leisure – Waterfront Trails. Provide waterfront trails to connect major City beaches and waterfront parks.

Parks and Leisure – Function of Access Points. Continue to use street end beach access points to enhance public foreshore access and to serve as small beaches / neighbourhood parks for residents of surrounding neighbourhoods.

5.3 **City of Kelowna Strategic Plan**

Provide infrastructure (utilities, transportation, parks facilities) that keeps pace with population growth and evolving opportunities.

6.0 **TECHNICAL COMMENTS**

6.1 **Fire Department**

Emergency vehicle access to be maintained.

6.2 **Inspection Services Department**

No concerns.

6.4 **Development Engineering Branch**

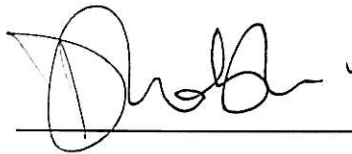
See attached memorandum dated November 28, 2008.

7.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

At present, no significant changes are proposed to Rotary Beach Park. Only an extension of the park and beach into the acquired parcels is contemplated at this time.

Options for future lot consolidation are being considered and will take place in conjunction with any future large scale park overhaul. Barrera Road west of Lakeshore Road, though legally dedicated as road, has not been used as a roadway in some time and effectively forms part of the park. This portion of road will be formally closed in future and all lots should be consolidated to form a single parcel. The Parks Department has been made aware of the requirements of the Development Engineering Branch, to be triggered in future.

Land Use Management and Policy & Planning staff recommend support for the proposed OCP amendment and rezoning given that there has been strong and consistent support from the public, staff and Council with respect to additional access to and acquisition of beach parks on Okanagan Lake. Staff further support the efforts of Parks and Leisure toward the objective of securing high-quality public park space at highly sought-after locations such as the lakefront.

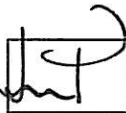


Danielle Noble
Urban Land Use Manager

Approved for inclusion
Shelley Gambacort
Director of Land Use Management

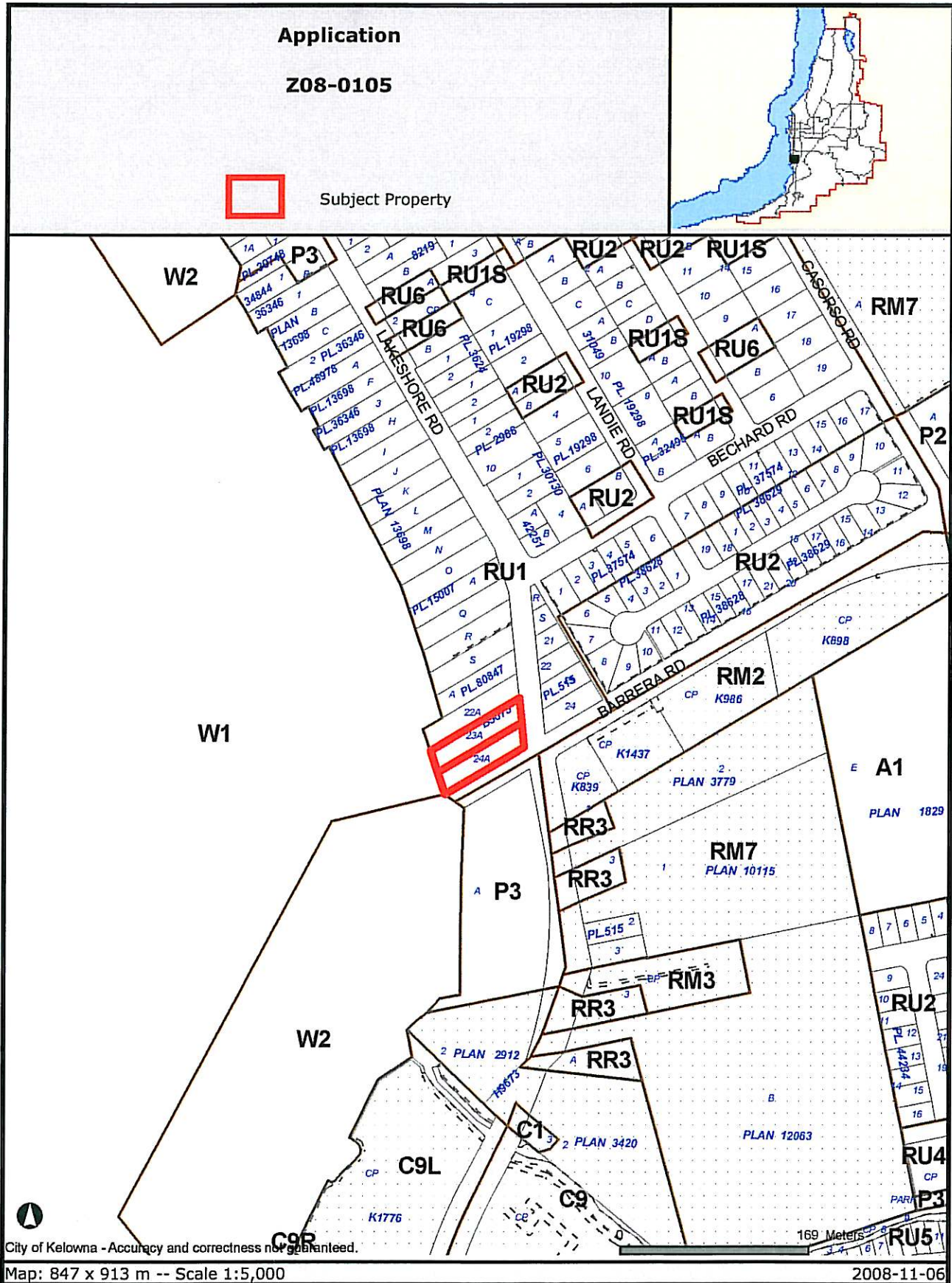


Approved for inclusion
Jim Paterson
General Manager, Community Sustainability



Attachments

- Location and zoning map
- OCP future land use designation map
- Proposed site plan
- Map 'A'
- Works & Utilities Department technical comments (2 pages)



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

CITY OF KELOWNA
MEMORANDUM

Date: November 28, 2008
File No.: Z08-0105

To: Planning and Development Officer (AB)

From: Development Engineering Manager (SM)

Subject: 3694 3696 Lakeshore Rd Rotary Park Future Expansion

Development Engineering comments and requirements regarding this application to rezone the subject properties to P3 are as follows:

The Development Engineering Technologist for this project is John Filipenko. AScT

1. General Note:

The Works & Utilities Department have the following requirements associated with this rezoning application. The road and utility upgrading requirements outlined in this report are provided for information purposes. Typically, off-site roads and utilities upgrading requirements for the private sector development community would be identified in the rezoning application and made a requirement of the issuance of a building permit or subdivision approval, if applicable. In the case of a City of Kelowna application, there may be some leeway in this process. However, it has been the consensus of all the City of Kelowna departments involved that the City Parks Department will voluntarily budget for the required offsite road and utility upgrading identified in this report.

2. Domestic Water and Fire Protection

- (a) The existing lots are currently serviced with 19mm diameter water services.
- (b) The applicant, at his cost, will arrange for the disconnection of the existing 19mm diameter services at the main.
- (c) 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 applicant will be invoiced for the meters.

3. Sanitary Sewer

- (a) Our records indicate the existing lots are serviced with 100mm diameter sewer services.
- (b) The applicant, at his cost, will arrange for the disconnection and capping of the existing 100mm diameter services at the main.

4. Storm Drainage

- (a) It will be necessary for the applicant to install a storm drainage collection system in Lakeshore Road. The cost of these works is included in the road upgrading cost estimates.

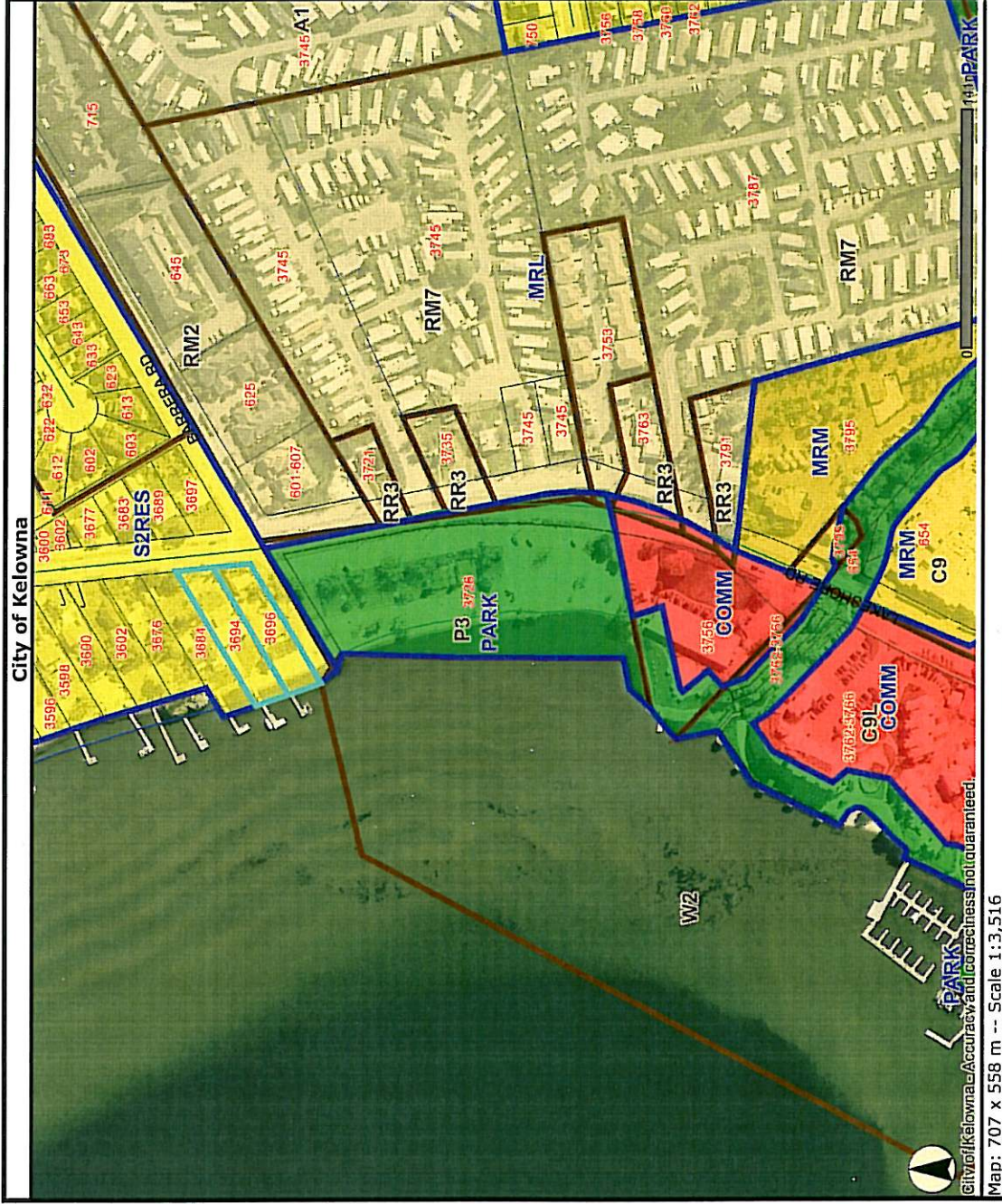
5. Road Improvements

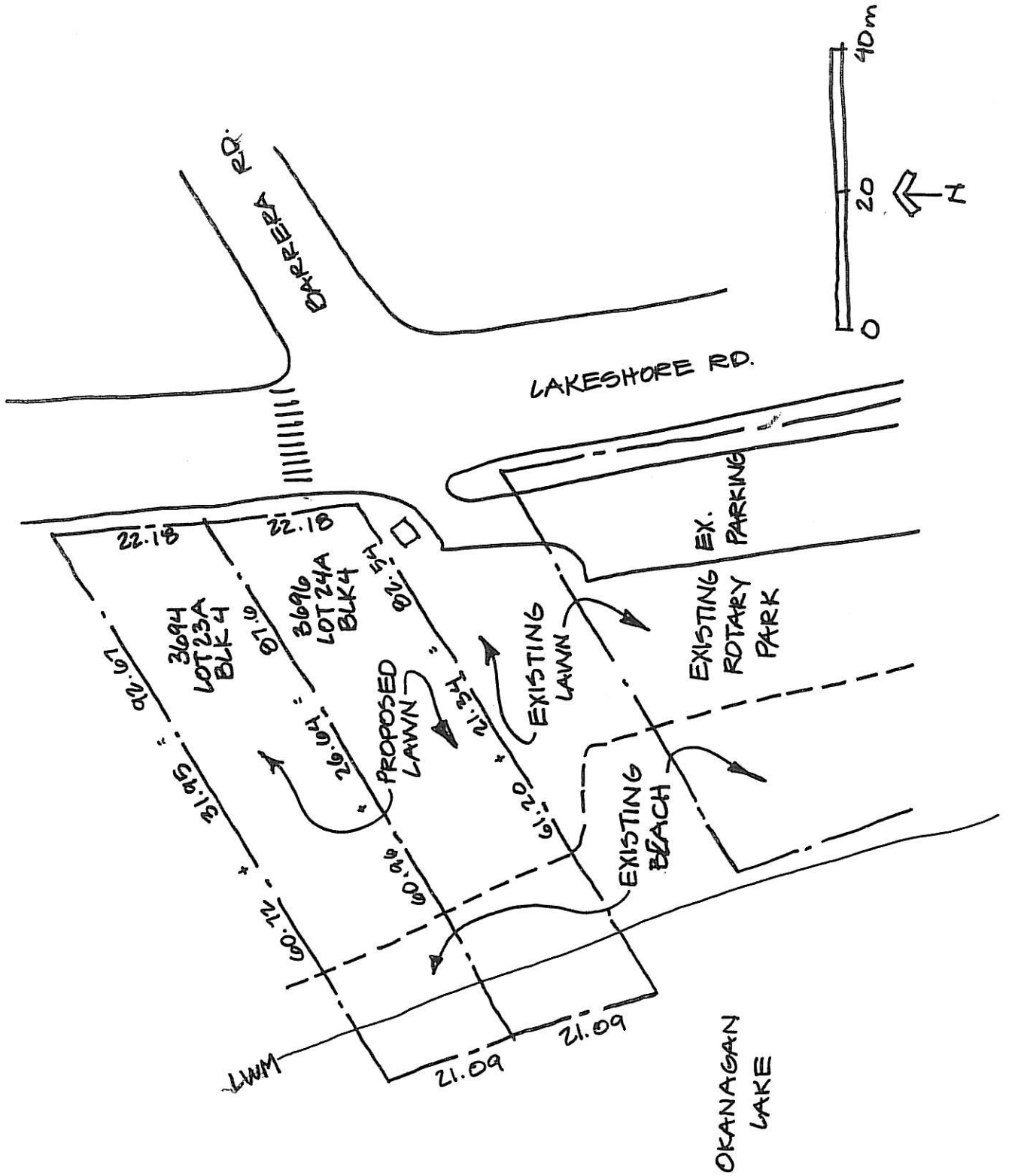
- (a) Lakeshore Road fronting this development must be upgraded to a full urban standard including sidewalk, curb and gutter, piped storm drainage system, pavement widening, landscaped boulevard, and re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction.
- (b) The frontage improvement construction requirements can be deferred to a latter date when the Rotary Park redevelopment, occurs.

6. Road Dedication and Subdivision Requirements

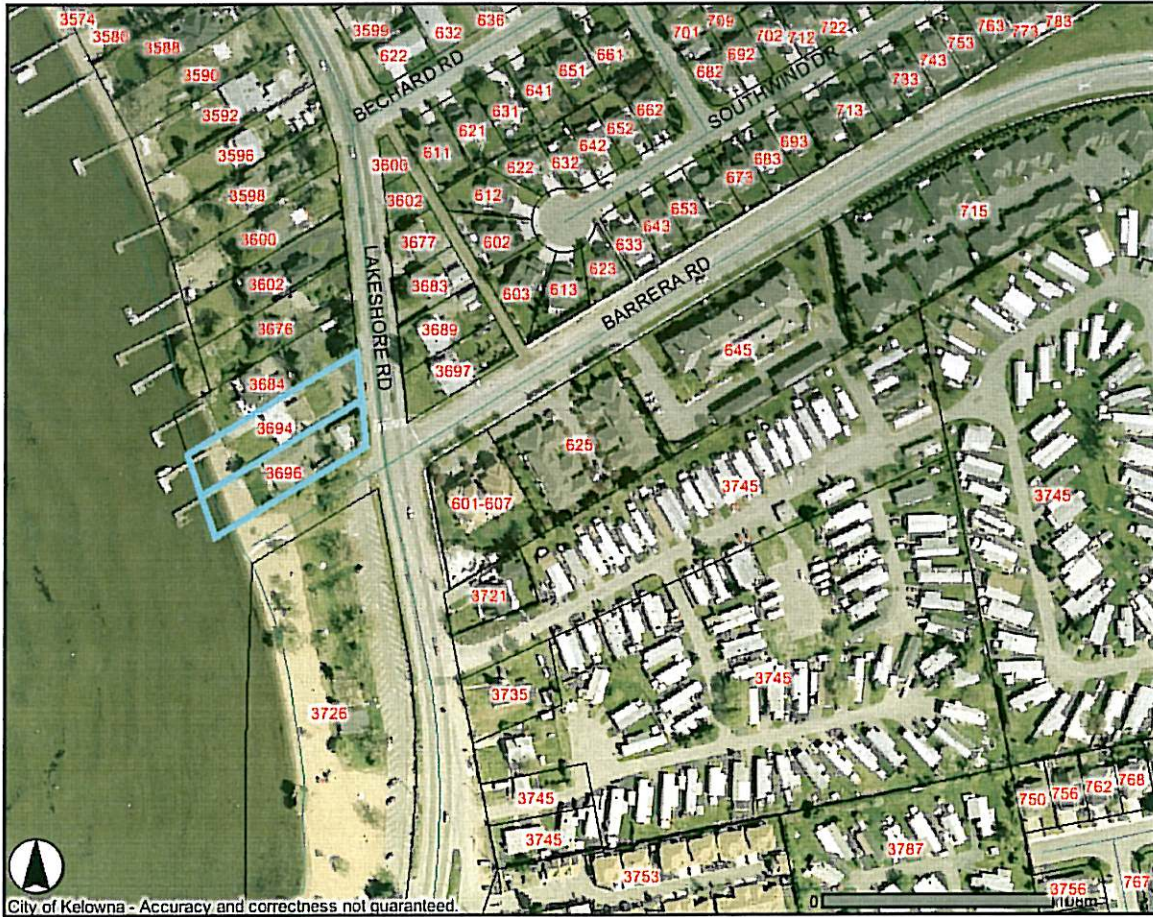
- (a) Lot consolidation
- (b) A subdivision application for Rotary Park would trigger a highway allowance widening along the frontage of Lakeshore Road to provide a 30.0m road width.
- (c) Road Closure of Barrera Road
- (d) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- (e) If lot consolidation is not achieved, a series of cross access agreements are required.

Steve Muenz, P. Eng.
Development Engineering Manager
JF/jf





Map "A"



Subject properties to have Future Land Use designation changed from "SINGLE/TWO UNIT RESIDENTIAL" to "MAJOR PARK/OPEN SPACE"