

City of Kelowna  
Public Hearing  
AGENDA



Tuesday, July 30, 2013  
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 July 16, 2013 (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

- 3.1 Bylaw No. 10864 (OCP13-0013), Bylaw No. 10865 (Z13-0021) & Bylaw No. 10866 (Road Closure) - 459 Groves Avenue and 437 & 442 Newsom Avenue, P218 Enterprises Ltd.

5 - 31

To amend the Official Community Plan (OCP) future land use designation for the subject lands at 459 Groves Avenue and 437 & 442 Newsom Avenue from MRM - Multiple Unit Residential (Medium Density) to MXR - Mixed Use (Residential/Commercial) (per Map A1) and to rezone the subject properties from the RU1 - Large Lot Housing zone to the C4 - Urban Centre Commercial zone (per Map B1) in order to facilitate the development of a surface parking area to serve the mixed-use SOPA Square development located directly east at 2986-3030 Pandosy Street; To close a portion of road (laneway) in the vicinity of 459 Groves Avenue and 437 & 442 Newsom Avenue for sale to, and consolidation with, the adjacent properties;

- 3.2 Bylaw No. 10869 (OCP13-0009), Bylaw No. 10870 (Z13-0015) & Bylaw No. 10845 (Road Closure) - 434, 442 & 458 Royal Avenue, Interior Health Authority

32 - 69

To amend the Official Community Plan Future Land Use Designation from Single/Two Unit Residential to Educational/Major Institutional and to rezone the subject properties from the RU1 - Large Lot Housing zone to the P1 - Major Institutional zone in order to accommodate the proposed surface parking lot in support of the KGH Emergency Centre; The excess closed road is to be consolidated with the properties between 442 Royal Avenue and 458 Royal Avenue in order to consolidate one contiguous parcel consisting of 434, 442 & 458 Royal Avenue, along with the road closure area, for the purpose of a parking lot.

## 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:** July 3, 2013

**RIM No.** 1250-30

**To:** City Manager

**From:** Land Use Management, Community Sustainability (AR)

**Application:** Z13-0021 & OCP13-0013      **Owner:** P 218 Enterprises Ltd.,  
Inc. No. 0852875

**Addresses:** 459 Groves Avenue      **Applicant:** Meiklejohn Architects Inc.  
437 & 442 Newsom Avenue

**Subject:** Rezoning & Official Community Plan Amendment Applications

**Existing OCP Designation:** MRM - Multiple Unit Residential (Medium Density)

**Proposed OCP Designation:** MXR - Mixed Use (Residential/Commercial)

**Existing Zone:** RU1 - Large Lot Housing

**Proposed Zone:** C4 - Urban Centre Commercial

---

## 1.0 Recommendation

That Official Community Plan Bylaw Amendment No. OCP13-0013 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by changing the Future Land Use designation of Lot 14, District Lot 14, ODYD, Plan 3856, except Plan KAP90797, located at 459 Groves Avenue, Kelowna, BC; Lot 11, Block 2, District Lot 14, ODYD, Plan 4743, except Plan KAP90797, located at 437 Newsom Avenue, Kelowna, BC; and Lot 19, District Lot 14, ODYD, Plan 3856, except Plan KAP90797, located at 442 Newsom Avenue, Kelowna, BC from the MRM - Multiple Unit Residential (Medium Density) designation to the MXR - Mixed Use (Residential/Commercial) designation, as shown on Map "A1" attached to the Report of Land Use Management Department dated July 3, 2013, be considered by Council;

AND THAT Rezoning Application No. Z13-0021 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 14, District Lot 14, ODYD, Plan 3856, except Plan KAP90797, located at 459 Groves Avenue, Kelowna, BC; Lot 11, Block 2, District Lot 14, ODYD, Plan 4743, except Plan KAP90797, located at 437 Newsom Avenue, Kelowna, BC; and Lot 19, District Lot 14, ODYD, Plan 3856, except Plan KAP90797, located at 442 Newsom Avenue, Kelowna, BC from the RU1 - Large Lot Housing zone to the C4 - Urban Centre Commercial zone, as shown on Map "B1" attached to the Report of Land Use Management Department dated July 3, 2013, be considered by Council;

AND THAT Council considers the applicant's June 25, 2013, Public Information Session 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 July 3, 2013;

AND THAT the Official Community Plan Bylaw Amendment Bylaw and the 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 Permit and Development Variance Permit for the subject properties;

AND THAT final adoption of the Zone Amending Bylaw be considered following registration of a No Build Section 219 Restrictive Covenant, in favour of the City of Kelowna, against the titles of the subject properties in the Land Titles Office, to restrict the use of the subject properties for an accessory surface parking area to serve the adjacent development at 2986-3030 Pandosy Street;

AND THAT final adoption of the zone amending bylaw be considered subsequent to completion of a Purchase/Sale Agreement with the City, and registration of Road Closure adjacent to Lot 14, District Lot 14, ODYD, Plan 3856, except Plan KAP90797 (459 Groves Avenue); Lot 11, Block 2, District Lot 14, ODYD, Plan 4743, except Plan KAP90797 (437 Newsom Avenue); and Lot 19, District Lot 14, ODYD, Plan 3856, except Plan KAP90797 (442 Newsom Avenue), to the satisfaction of the City of Kelowna, in the Land Titles Office;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Divisional Director of Community Planning and Real Estate for the co-op/car share program, as attached to the Report of the Land Use Management Department dated July 3, 2013, being completed to his satisfaction;

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch, as attached to the Report of the Land Use Management Department dated July 3, 2013, being completed to its satisfaction.

## **2.0 Purpose**

This application seeks to amend the Official Community Plan (OCP) future land use designation for subject lands at 459 Groves Avenue and 437 and 442 Newsom Avenue from MRM - Multiple Unit Residential (Medium Density) to MXR - Mixed Use (Residential/Commercial) (per Map A1) and to rezone them from RU1 - Large Lot Housing to C4 - Urban Centre Commercial (per Map B1), to facilitate the development of a surface parking area to serve the mixed-use SOPA Square development, located directly east at 2986-3030 Pandosy Street.

## **3.0 Land Use Management**

The subject properties are located in the South Pandosy Urban Centre area. The proposal to designate the properties to MXR - Mixed Use (Residential/Commercial), consistent with the SOPA Square development site at 2986-3030 Pandosy Street and the Cedar Avenue parcels located directly to the south, is generally congruent with the intent of the 2030 Official Community Plan (OCP) to encourage vibrant urban centres with a healthy compliment of commercial uses to serve the surrounding broad community. The proposed use of the subject site for accessory parking is

expected to assist with securing and supporting commercial uses in the SOPA Square development and, by extension, in the South Pandosy Urban Centre area as a whole.

The C4 - Urban Centre Commercial zone is considered to be the most appropriate zone for the subject properties, and is likewise consistent with the SOPA Square development site with which the properties will be consolidated should Council grant approval to the proposed applications. As a condition of adoption of the proposed zoning, staff recommend that a no build section 219 restrictive covenant be required to be registered on the title(s) for the subject site, to ensure its use as an accessory parking area serving the adjacent SOPA Square development, and that it does not later become subject to commercial redevelopment.

Under the C4 zone in the South Pandosy Urban Centre, there is opportunity for additional density on a development site, up to 0.84 FAR, where all *required* parking spaces are below natural grade and where there is provision of a co-op/car sharing program. This bonusing provision was applied to the SOPA Square development under the 2008 Development Permit approval. In following through on this obligation, the proponent proposes to allocate two (2) surface parking spaces on the subject site for exclusive co-op/car share use. As a condition of adoption of the proposed zoning, it is recommended that the proponent provide legal confirmation of the provision of at least one (1) co-op/car share vehicle and one (1) parking space for its exclusive use on the subject development site, for a minimum three (3) year period.

To summarize, while from a strictly Planning perspective it is not ideal to need to amend the original approval for the mixed-use development to provide additional surface parking at the rear of the building, thereby exceeding the maximum permitted for commercial parking, the financial and market circumstances specific to this development are nonetheless acknowledged in this unique case. Of key consideration is that the proposal will be delivering on the project's original intent with the provision of a pedestrian-oriented retail mews at the rear laneway, for which there is a high expectation for quality landscaping and finishing (including street trees), as well as the original commitments to green roof and co-op/car share program. Equally important is the proposed, generous landscape buffer of 5.2m-6.5m along the west property line adjacent to the single-family neighbourhood to facilitate the use transition and mitigate impacts.

These key design components —the pedestrian-oriented retail mews framed by storefronts and street trees at the rear lane, and the substantive residential landscape buffer —and their importance to extending and transitioning the mixed-use momentum of the SOPA Square development to the surrounding area are significant reasons in favour of supporting the proposed variances. Should Council approve the proposal at Public Hearing, the details of these key aspects of the proposal will be further refined in the accompanying Development Permit application, presently under review, and advanced for Council consideration in conjunction with the adoption of the zoning and OCP amending bylaws.

## **4.0 Proposal**

### **4.1 Background**

In October 2008, City Council approved Development and Development Variance Permit applications for the SOPA Square development at 2896-3030 Pandosy Street. The approved 16,990 m<sup>2</sup> mixed-use development is comprised of a 2-storey commercial podium at grade, with a 4-storey townhouse component above at the south end of the podium and a 9-storey apartment building component above at the north end. The development anticipates a comprehensive commercial programme with commercial units accessible via street frontages and an extensive internal courtyard area, as well as the extension of commercial units along the rear laneway as a pedestrian-friendly retail mews. As originally approved, all parking for the residential and

commercial components of the development (214 spaces) was to be provided underground, in a parking facility under the subject development and accessed from the rear lane. Additionally, commitments for provision of green roof and a co-op/car share program were secured through certain bonusing provisions of the underlying C4 zone.

A Building Permit was subsequently issued in August 2010 for construction of the 2-storey commercial podium and underground parking, which is presently under construction with tenant improvements underway.

The subject properties at 459 Groves Avenue and 437 and 442 Newsom Avenue are presently being used for construction staging to support construction activities on the east adjacent SOPA Square site, as permitted under Temporary Use Permit TUP10-003 approved by Council in March 2011.

#### 4.2 Project Description

The proponents of the SOPA Square development are proposing to develop a surface parking area on the three subject properties at 459 Groves Avenue and 437 and 442 Newsom Avenue, located immediately west and across the rear lane from the SOPA Square development site at 2986-3030 Pandosy Street, to serve the commercial component of the development, and to address the lease requirements of prospective retail and office tenants. While the originally approved mixed-use development was to provide all parking—for the residential and commercial components—entirely underneath the development, the proponents have subsequently encountered challenges in securing certain commercial tenancies needed to support the viability of the project without the ability to offer a certain quantity of directly accessible surface parking. To facilitate the proposal for accessory surface parking, the Zoning application proposes to rezone the subject properties from RU1 - Large Lot Housing to C4 - Urban Centre Commercial (see Map 'B1'), and the Official Community Plan (OCP) Amendment application proposes to change the future land use designation from MRM - Multiple Unit Residential (Medium Density) to MXR - Mixed Use (Residential/Commercial) (see Map 'A1').

The proposed parking area includes 58 parking spaces (including 2 co-op/car share spaces) with landscape buffers of varying dimension around the perimeter of the subject site. A generous landscape buffer of approximately 5.2m-6.5m is proposed along the west side property line, providing approximately 75%-120% more landscape setback than required under the Zoning Bylaw, adjacent to the existing residential area. This landscape buffer is intended to provide a substantive transition to the adjacent single-family residences, and will include a mix of fencing and landscaping in order to achieve privacy and mitigate potential noise, light, and odour impacts. A modest variance is being sought for the east side landscape buffer (adjacent to the SOPA Square development) to accommodate the present proposal for street trees and landscaping within the rear laneway, as well as to achieve the widened west side landscape area. A variance is also being sought for the rear (south) landscaped buffer.

The proposed 58 surface parking spaces, when added to the existing 101 underground commercial parking spaces, increases the total number of commercial parking spaces for the development to 159 spaces, and requires a variance to the zoning requirement that restricts the maximum number of permitted parking spaces for a use class to 125% of the minimum required. As such, a variance is proposed to allow the provision of 45 additional commercial parking spaces at surface beyond the maximum permitted. The residential parking is provided entirely within the underground parking area, and conforms to minimum and maximum bylaw requirements.

The original vision of the rear laneway area as a “pedestrian-friendly, retail mews” is retained and enhanced under the subject proposal. The laneway will be designed with upgraded paving materials and lined by street trees and landscaping to create an inviting space for pedestrian movement and enjoyment. A substantive landscaped island, or plaza, will also be incorporated opposite the building’s main rear entrance to draw pedestrians into the building’s interior courtyard, and to create a place of pedestrian interest with an attractive seating area. Overall vehicular use of the laneway will be reduced from the original concept, as it will be restricted to the one-way movement of service vehicles only.

A Development Permit (DP) application to amend the original 2008 Development Permit approval for the subject proposal has been received and is presently under review, as is a Development Variance Permit (DVP) application for the previously identified variances. Should Council approve the proposal at Public Hearing, the DP and DVP applications would be subsequently advanced for Council consideration in conjunction with the adoption of the zoning and OCP amending bylaws.

A Road Closure application is also presently being processed concurrently to facilitate the subject proposal, and would see a portion of the rear lane east adjacent to the subject properties closed, as well as the portions of Newsom Avenue and the lane between Newsom and Groves Avenues within the site’s boundaries. Through this process, the necessary agreements will be registered on title to ensure access to underground utilities and public access through the site. To address some neighbour concerns for potential traffic exiting west through the residential neighbourhood, it is proposed to narrow the Newsom Avenue parking area entrance to the minimum dimension of 6m through landscaped “bulb outs” to encourage traffic to exit via the north or south accesses to Pandosy Street.

The project compares to Zoning Bylaw No. 8000 as follows:

Zoning Analysis Table		
CRITERIA	C4 ZONE REQUIREMENTS	PROPOSAL
The following 3 criteria are relative to the proposed, new consolidated lot (i.e., proposed surface parking area):		
Parking Setbacks	Front (North) - 2.0m Rear (South) - 1.5m Side (West) - 1.5m Side (East) - 1.5m	Front (North) - 3.0m Rear (South) - 2.0m Side (West) - 5.2m-6.5m Side (East) - 1.5m
Landscape Buffers	Front (North) - 3.0m Rear (South) - 3.0m or Opaque Fence Side (West) - 3.0m Side (East) - 3.0m	Front (North) - 3.0m Rear (South) - 2.0m● Side (West) - 5.2m-6.5m Side (East) - 2.5m●
Landscape Island Area	120m <sup>2</sup>	Approx. 140m <sup>2</sup>
The following 2 parking criteria are relative to proposed parking for the entire SOPA Square site:		
Parking Spaces	Commercial (1.75 per 100m <sup>2</sup> ): 91 Residential (1 per unit): 99 Total: 190	Commercial: 101 underground & 58 surface Residential: 112 underground Total: 271
Max. Parking Spaces	Commercial (125% x 91 spaces): 114 Residential (125% x 99 spaces): 124	Commercial: 159● Residential: 112



- Vary rear yard landscape buffer from 3.0m required to 2.0m proposed.
- Vary side (east) yard landscape buffer from 3.0m required to 2.5m proposed.
- Vary maximum permitted commercial parking from 114 spaces permitted to 160 proposed.

### *Public Consultation and Feedback*

In fulfillment of *Council Policy #367: Public Consultation and Notification for Development Applications*, the proponent undertook notification of surrounding neighbours and property owners, and hosted a Public Information Meeting on June 25<sup>th</sup>, 2013 (see attached Neighbourhood Consultation Summary Report).

A few concerns have been raised by some local residents through the review process, notably nearby neighbours, regarding the proposed surface parking area, which include:

- increased traffic on Groves and Newsom Avenues, in the intervening residential lane, and on Abbott Street;
- lack of sidewalk along Groves and Newsom Avenues for safe pedestrian movement from Abbott Street; and
- mitigation of noise, light, odour, and safety impacts for adjacent residences.

Notwithstanding the subject proposal, the overall density and commercial floor area approved for the project is not proposed to change, and as such, it is not anticipated that there would be furthered traffic impacts. To address the concern, however, it is proposed that Newsom Avenue be narrowed to the minimum 6m dimension through landscaped “bulb outs” to encourage vehicles to use the parking area’s north and south entries for direct access to Pandosy Street.

Frontage upgrades including sidewalk will be required along Groves Avenue in front of the subject development site. Sidewalks in the surrounding area will be constructed on an incremental basis, as redevelopment for multi-unit residential occurs. Finally, in consideration of a transition to the west adjacent residential area, the proposal includes a sizably increased landscape buffer of 5.2m-6.5m along the west property line. The details will be refined through the corresponding Development Permit application but, in principle, the design of the landscaping and fencing will be expected to mitigate impacts and promote safety for adjacent properties.

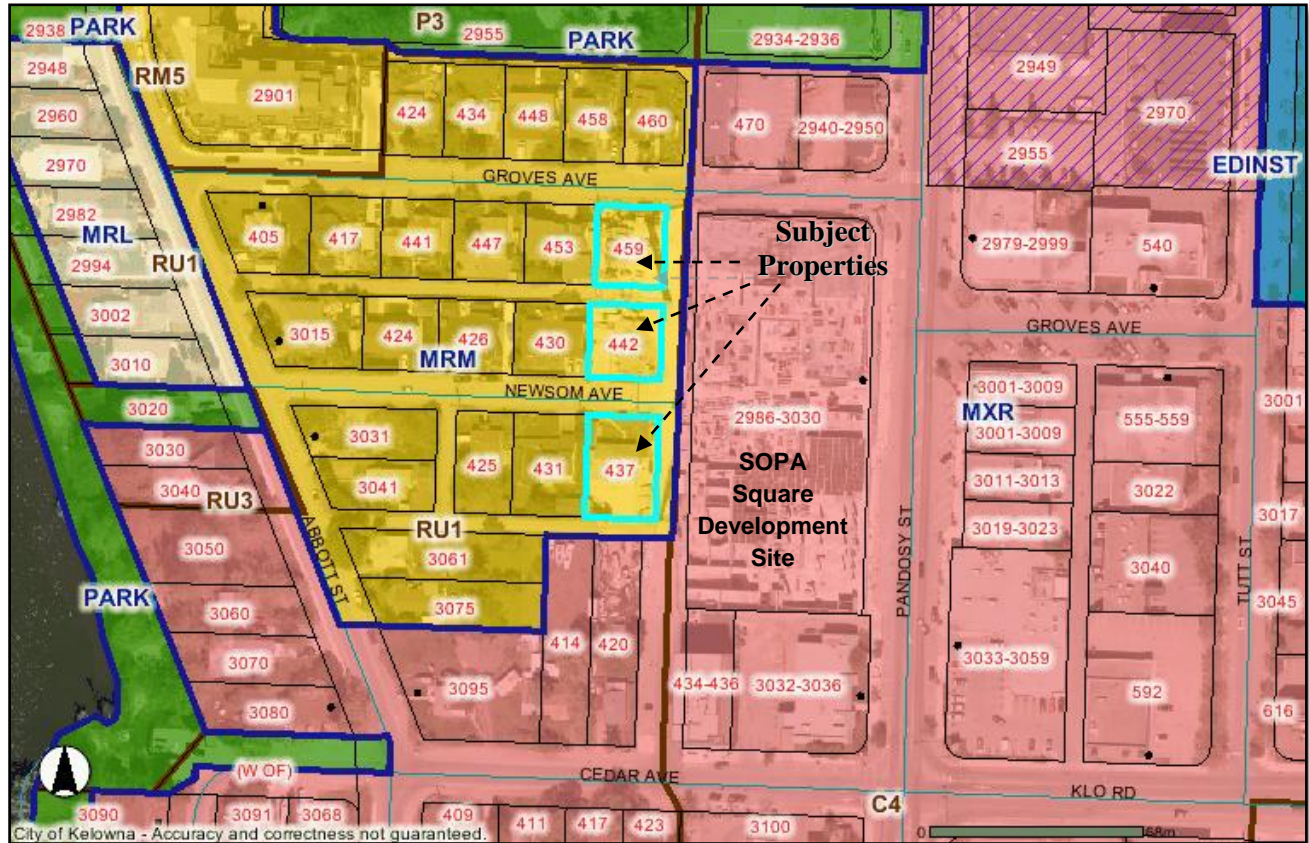
### 4.3 Site Context

The subject site is comprised of three properties at 459 Groves Avenue and 437 and 442 Newsom Avenue and located in the South Pandosy Urban Centre area. Through a Road Closure application, portions of the adjacent laneways and Newsom Avenue are proposed to be closed and consolidated with the three properties. The consolidated site will be hooked to the SOPA Square property located directly east at 2986-3030 Pandosy Street across the rear laneway. The surrounding area to the west is characterized by single-family housing, with future land use designations of MRM - Multiple Unit Residential (Medium Density) and MXR - Mixed Use (Residential/Commercial), per the below included “Subject Property Map”.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Single Family Residential
East	C4- Urban Centre Commercial	Mixed Use & Commercial
South	RU1 - Large Lot Housing	Single Family Residential
West	RU1 - Large Lot Housing	Single Family Residential

Subject Property Map: 459 Groves Avenue and 437 and 442 Newsom Avenue



## 5.0 Current Development Policies

Staff recommends that the applicant’s June 25, 2013 Public Information Session 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 has reviewed this application and it may move forward without affecting either the City’s Financial Plan or Waste Management Plan.

## 5.1 Kelowna Official Community Plan (OCP)

**Policy 5.11.3 Preferred Parking.** Encourage preferred (e.g. close to entrances) or dedicated parking stalls for share cars and/or hybrid vehicles for all developments.

**Policy 5.40.1 Evaluation Checklist.** Evaluate development applications that require an OCP amendment on the basis of the extent to which they comply with underlying OCP objectives, including the following:

- Does the proposed development contribute to preserving lands with slopes greater than 30%? *N/A*
- Does the proposed development respect the OCP Permanent Growth Boundary (OCP Maps 4.1 and 5.2)? *Yes*
- Does the proposed development feature a mix of residential, employment, institutional, and/or recreational uses within individual buildings or larger development projects? *No*
- Is the proposed development located in an Urban Centre? *Yes*
- Does the proposed development increase the supply of affordable (as defined in the OCP) apartments or townhouses? *No*
- Is the property serviced with water and City sanitary sewer at the time of application? *Yes*
- Could the proposed project be built at no financial cost to the City? (This should consider operational and maintenance costs.) *Yes*
- Would the proposed project help decrease the rate of travel by private automobile, especially during peak hours? *No*
- Is there transit service within 400m of non-residential projects or major employment generators (50+ employees)? *N/A*
- Does the proposed project involve redevelopment of currently under-utilized, urbanized land? *No*
- Does the proposed project result in the creation of substantially more public open space than would be available if the development were not to proceed (not including required open space dedications or non-developable areas)? *No*
- Is there a deficiency of properties within the applicable Sector (see Map 5.4) that already have the required OCP designation? *No*
- Does the project avoid negative impacts (shadowing, traffic, etc.) on adjoining properties where those adjoining properties are not slated for land use changes? *Yes*
- Is the project consistent with the height principles established in the OCP? *N/A*
- If the project goes ahead, would surrounding property owners be likely to develop their properties as per OCP Future Land Use and other City policy provisions? *Yes*
- Would the additional density or new land use designation enhance the surrounding neighbourhood in a way that the current land use designation does not? *No*
- Could the project be supported without over-burdening existing park and other community resources or threatening the viability of existing neighbourhood resources? *Yes*

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

No concerns.

### 6.2 Development Engineering Department

See attached.

6.3 Fire Department

Ensure proper Fire Department access per the BC Building Code.

6.4 RCMP

From a Crime Prevention Through Environmental Design (CPTED) perspective, the RCMP supports this application as submitted.

**7.0 Application Chronology**

Date of Application Received: May 22, 2013  
Applicant Hosted Public Information Session: June 25, 2013 (see attached Summary)  
Supplementary/Revised Materials Received: June 11, 2013  
June 28, 2013

**Report prepared by:**

---

Abigail Riley, Land Use Planner

**Reviewed by:**



Danielle Noble, Manager, Urban Planning

**Approved for Inclusion**



Doug Gilchrist, Director, Community Planning & Real Estate

**Attachments:**

- Maps A1 & B1
- Subject Property Map
- Site Plan
- Landscape Plan
- Conceptual Renderings
- Co-op/Car Share Program - Conditions of Final Adoption
- Development Engineering Memorandum
- Neighbourhood Consultation Summary Report

N



434

448

458

460

470

GROVES AVE

447

453

459

**Subject Properties Notes:**

Amend the OCP for the Subject Properties from Multiple Unit Residential (Medium Density) (MRM) to Mixed Use (Residential/Commercial) (MXR).

426

430

442

NEWSOM AVE

2986-3030

PANDOSY ST

425

431

437

3061

3075






414 420

3032-3036

**MAP "A1" OCP AMENDMENT**

**OCP13-0013**

3095

-  Multiple Unit Residential (Medium Density)
-  Mixed Use (Residential / Commercial)
-  Subject Properties
-  MRM to MXR
-  Legal Parcel

This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

0 10 20 Metres

Rev. Jun 21, 2013

CEDAR AVE

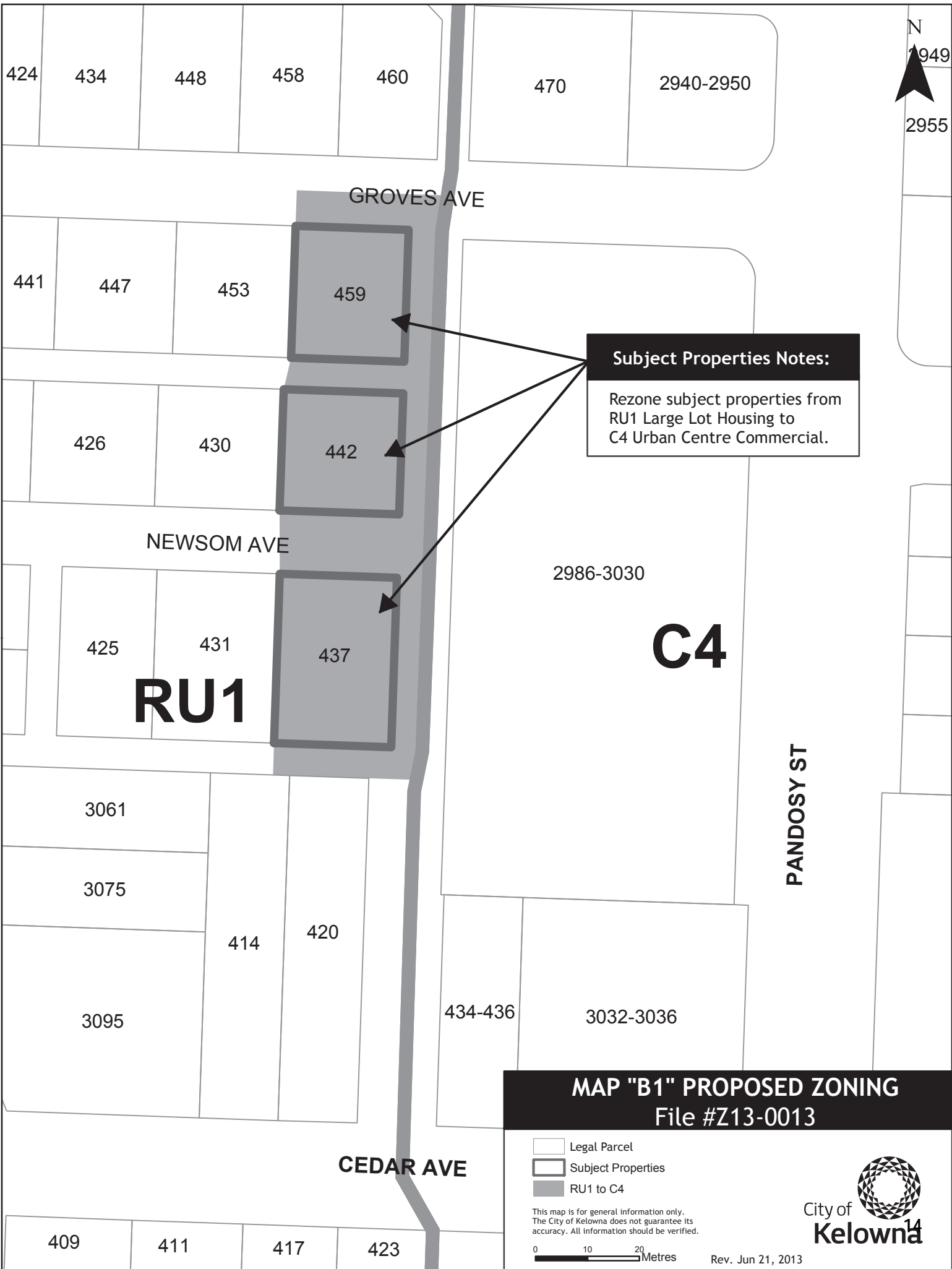
409

411

417

423





424 434 448 458 460

470 2940-2950

441 447 453

459

426 430

442

NEWSOM AVE  
 425 431  
**RU1**

437

2986-3030

**C4**

PANDOSY ST

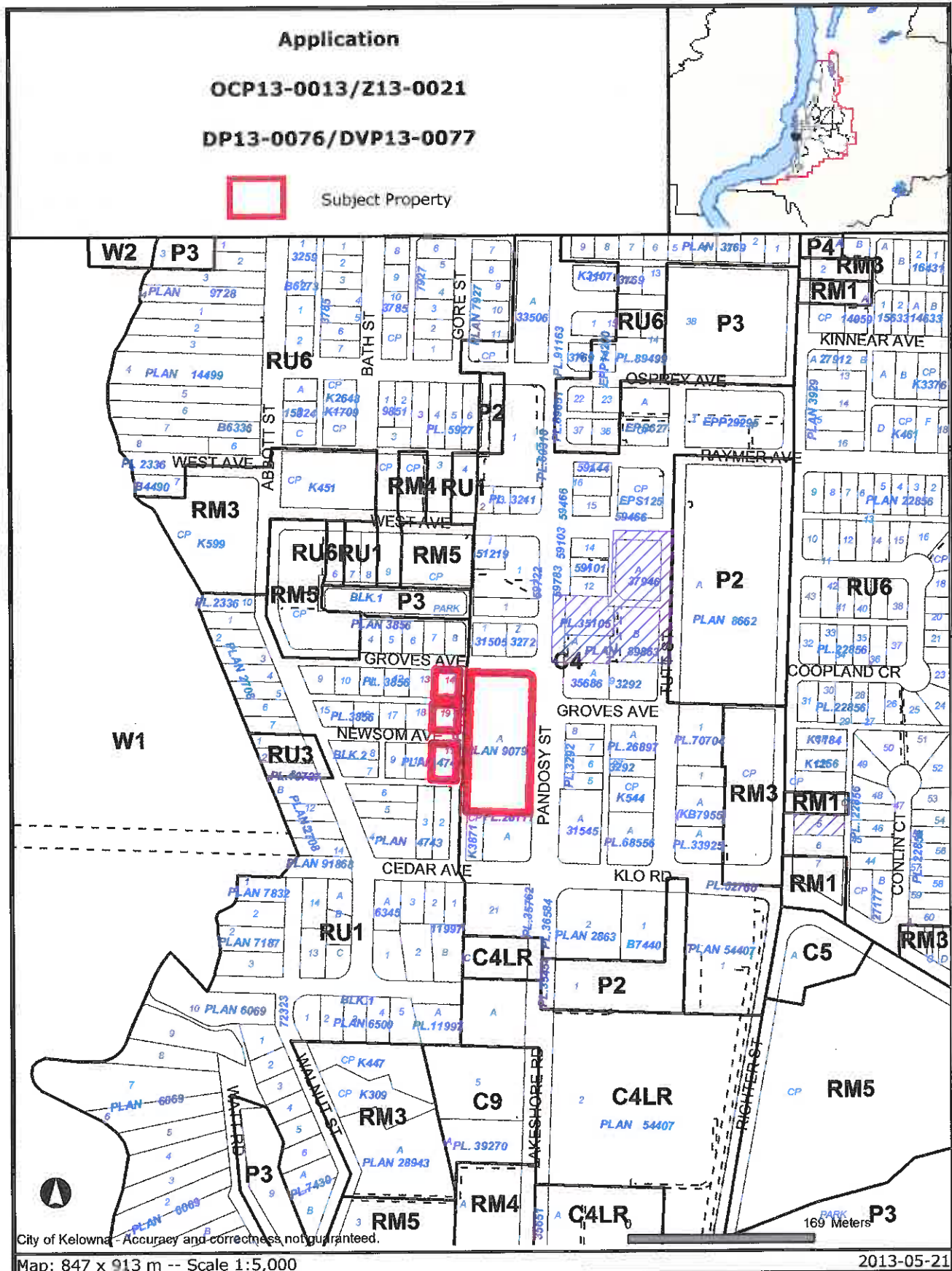
3061  
 3075  
 3095

414 420

434-436 3032-3036

409 411 417 423

CEDAR AVE

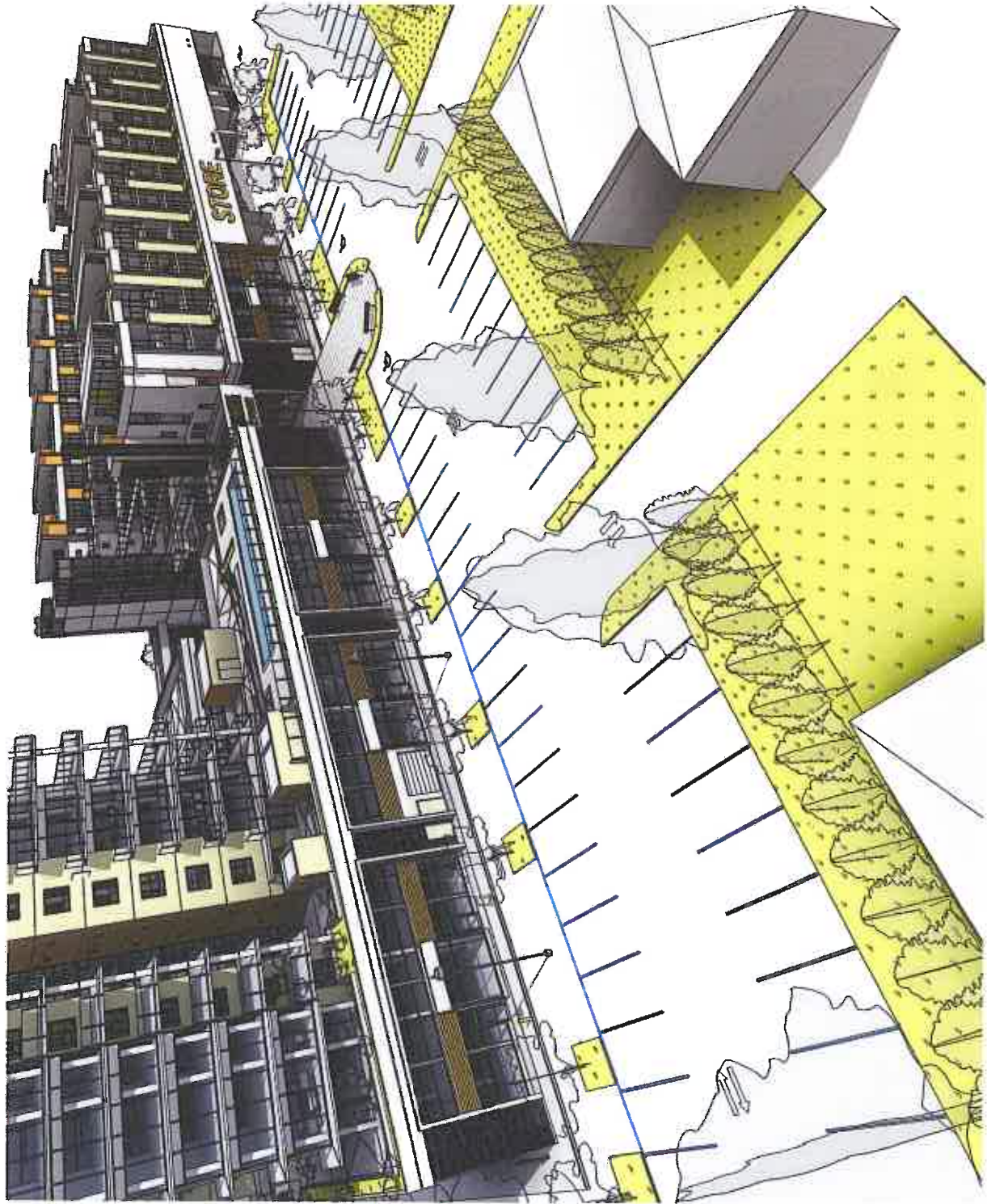


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
 The City of Kelowna does not guarantee its accuracy. All information should be verified.









CONCEPTUAL RENDERING.



CONCEPTUAL RENDERING.

**Co-op/Car Share Program -  
Conditions of Final Adoption of the Zone Amending Bylaw**

That final adoption of the Zone Amending Bylaw be considered subsequent to the registered owner on the terms and conditions satisfactory to the Divisional Director of Community Planning and Real Estate, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Provision, operation, and maintenance of minimum one (1) co-op/car share vehicle, and the provision and maintenance of minimum one (1) co-op/car share vehicle space for use exclusively by such co-op/car share vehicle, for a minimum period of three (3) years, under the conditions outlined below:

1. a professional shared vehicle organization, satisfactory to the Director of Community Planning and Real Estate, is to manage the shared vehicle(s);
2. the provision of legal confirmation of an agreement between the owner/developer and the professional shared vehicle organization ensuring the provision, operation, and maintenance of the co-op/car share vehicle(s), and provision and maintenance of the co-op/car share vehicle space(s) for exclusive use by such co-op/car share vehicle(s), for a minimum period of three (3) years;
3. the registration against the title to the development, with such priority as the Subdivision Approval Officer may require, and in form and substance satisfactory to the Subdivision Approval Officer, of a covenant under section 219 of the Land Title Act of British Columbia, a statutory right of way, or other instrument satisfactory to the Subdivision Approval Officer, providing that the co-op/car share vehicle space(s) on the development site must be accessible to the members of the car sharing organization including those who do not reside in the development; and
4. the provision of, prior to issuance of any development permit, details on arrangements that will allow members of the shared vehicle organization access to the car share parking spaces.

---

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

---

**Date:** June 25, 2013  
**File No.:** Z13-0021  
**To:** Planning & Development Services Department (AR)  
**From:** Development Engineering Manager  
**Subject:** 459 Groves Ave 437 & 442 Newsom Ave Proposed Surface Parking Sopa

---

The Development Engineering Branch comments and requirements regarding this application are as follows:

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

1. Domestic Water and Fire Protection

- (a) Our records indicate that the subject properties are currently serviced with 19mm diameter copper services. The developer's consulting mechanical engineer will determine the requirements of this proposed development and establish the service needs.
- (b) Only one service will be permitted. The applicant, at his cost, will arrange for the disconnection of existing unused services at the mains and the installation of one new larger metered water service as determined by the consulting engineer.
- (c) The estimated cost of this construction for bonding purposes is **\$20,000.00**

2. Sanitary Sewer

- (a) Our records indicate that the the subject properties are connected with small diameter sewer services. The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs.

The applicant, at his cost, will arrange for the capping of all existing unused services at the mains. The estimated cost of construction for bonding purposes is **\$10,000.00**

### 3. Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan for this development 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 plan, and recommendations for onsite drainage containment and disposal systems. The on-site drainage system may be connected to an existing or proposed drainage system with an overflow service.
- (b) Provide a Storm Management and Lot-Grading Plan.

### 4. Road Improvements

- (a) Groves Avenue frontage will require fully urbanization (match the proposed road frontage to the east). Dedicate and construct a barrier curb and gutter, driveway letdown, sidewalk, street trees with irrigation, fillet pavement, drainage system including a modified catch-basin and the re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The estimated cost of this construction for bonding purposes is **\$25,000.00** (not including the cost of relocating or adjusting of utility poles and other appurtenances)
- (b) Newsom Ave: At the approach to the parking area from Newsom Ave, provide curbed bulb outs that will reduce the drive isle width to 6.0m. The estimated cost of this construction for bonding purposes is **\$5,000.00**
- (c) Public Lane: The proposed lane width will be reduced to 7.0m. The applicant has indicated his intentions of constructing the lane with a pedestrian friendly mews consisting of bollards, a 5.0m wide decorative concrete surface that will support heavier weight service vehicles. Also included within the lane alongside the proposed parking area is a 2m wide landscape buffer consisting of small species trees. A 1.5m separation is required between the trees and existing deep utilities within the lane. The City has in place bonding for the construction of the lane under file Z07-0091
- (d) The associated landscape buffer and laneway to be treated as "boulevard" as such the owner shall be responsible for irrigation and maintenance. No street light bases will be allowed within this lane or proposed utility statutory right-of-ways.

### 5. Road Dedication and Subdivision Requirements

- (a) Dedicate a highway allowance widening of 1.5m for the Groves Avenue frontage of Lot 14 Plan 3856.
- (b) Lane right-of-way width adjacent to Lots 14, 19 Plan 3856 and Lot 11 Plan 4743 is indicated as being reduced to 7.0m. This will require a 3.5m lane closure.
- (c) Lane right-of-way is indicated as being closed between Lots 14 and 19 Plan 3856
- (d) Newsom Road right-of-way is indicated as being closed between Lots 19 Plan 3856 and Lot 11 Plan 4743

- (e) The entire road closure area will be fully encumbered by statutory right of ways to protect any City or private utilities in the road closure area.
- (f) In addition to the utility SRW, the City will obtain a public access statutory right of way over a portion of the closed road as well as a portion of lots 14, 19 Plan 3856 and Lot 11 Plan 4743. The purpose of this SRW is to ensure that public access/egress through the future parking lot is maintained.
- (g) Transferring of various ownerships is to be dealt with by the City Real Estate Manager.
- (h) If any road dedication or closer affects lands encumbered by a Utility right-of-way (such as Gas, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication or closer must be incorporated in the construction drawings submitted to the City's Development Manager.
- (i) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- (j) Lot consolidation

6. Electric Power and Telecommunication Services

The electrical and telecommunication services to this development site 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.

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. Survey Monuments and Iron 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.

9. Bonding and Levy Summary(a) Bonding

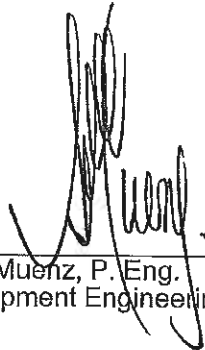
Water servicing and disconnects	\$ 20,000.00
Sanitary service disconnects	\$ 10,000.00
Groves Avenue frontage improvements	\$ 25,000.00
Newsom Avenue Bulb-outs	\$ 5,000.00

Total Bonding **\$ 60,000.00**

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 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.

10. 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 Total Off-Site Construction Cost plus GST) **\$1,349.25** (\$ 1,285.00 + 64.25 GST )



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



**Summary Report of Neighborhood Consultation  
Proposed Rezoning and OCP Amendments for  
459 Groves Avenue and 422 & 437 Newsome Avenue**

June 26, 2013

To: Abigail Riley, LUM, City of Kelowna Planning Department

From: Okanagan Valley Asset Management, Authorized Agent for the Owners

Prepared by: Robert Tissington

Our information session was held at the SOPA Square Discovery Centre, 3013 South Pandosy Street from 7:00 to 9:00 PM, Tuesday, June 25. The session ran for the duration of that period with about 15 residents attending.

As requested by the City, flyers were distributed to invite and inform both the businesses and residents within the 50 metre distance to the site – as well as beyond that distance outlined on the map and chart given to us by the city. These flyers went out door to door roughly 2 weeks before the Open House.

2 signs went up informing the public of the application, and advertising the Public Open House, 2 weeks prior to the date of the Open House.

We placed ads consecutively over the 2 week period prior to the Open House in The Kelowna Daily Courier.

At the Open House we provided all information pertaining to the application including a landscaped rendering of the parking lot and, of the parking lot and building together. We provided an aerial overview of the area with SOPA Square and the parking lot overlaid onto that image. We provided a rendering of the parkade parking. Additional copies of the flyers were provided, a sign in sheet and comment sheet.

The session was overall very positive and supportive of the proposed land use changes with some issues expressed by residents living adjacent to the proposed parking lot.

- Access to parking from Newsom was a concern and residents expressed a desire to see that access be pedestrian and emergency only using bollards.
- A sound wall along the back of the parking lot was the desired shield for sound elimination as well as light coming from the parking lot.
- Speed bumps were suggested on Abbott street to slow traffic that would be exiting the parking lot in that direction to avoid Pandosy Street congestion.

It is our belief as the Owner's Agent that the required and appropriate efforts were made to inform the public, and to listen to their concerns.

# Report to Council



**Date:** July 5, 2013  
**Rim:** 1110-61-015  
**To:** City Manager  
**From:** Derek Edstrom, A. Director, Real Estate & Property Services  
**Subject:** Road Closure and Sale Adjacent to 459 Groves Ave & 437/442 Newsom Ave  
Report Prepared by: Johannes Saufferer, Property Officer

---

## **Recommendation:**

THAT Council receives, for information, the Report from the Acting Director, Real Estate & Property Services dated July 5, 2013, recommending that Council adopt the proposed closure of a portion of 459 Groves Avenue and 437/442 Newsom Avenue;

AND THAT Bylaw No. 10866, being proposed road closure of a portion of Groves Avenue and Newsom Avenue, be forwarded for reading consideration.

## **Purpose:**

To close a portion of road (laneway) in the vicinity of 459 Groves Avenue and 437/442 Newsom Avenue for sale to, and consolidation with, the adjacent properties.

## **Background:**

The proposed road closure will be consolidated with the adjacent properties to facilitate the development of an at-grade surface parking lot.

City of Kelowna and various third-party utilities within the road closure area will be protected by Statutory Right of Way as part of the road closure.

## **Legal/Statutory Authority:**

Section 26 and 40, Community Charter

## **Considerations not applicable to this report:**

Internal Circulation:

Legal/Statutory Procedural Requirements:

Existing Policy:

Personnel Implications:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:  
Alternate Recommendation:

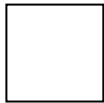
In light of the above, the Real Estate & Property Services department request Council's support of this road closure.

Submitted by:

---

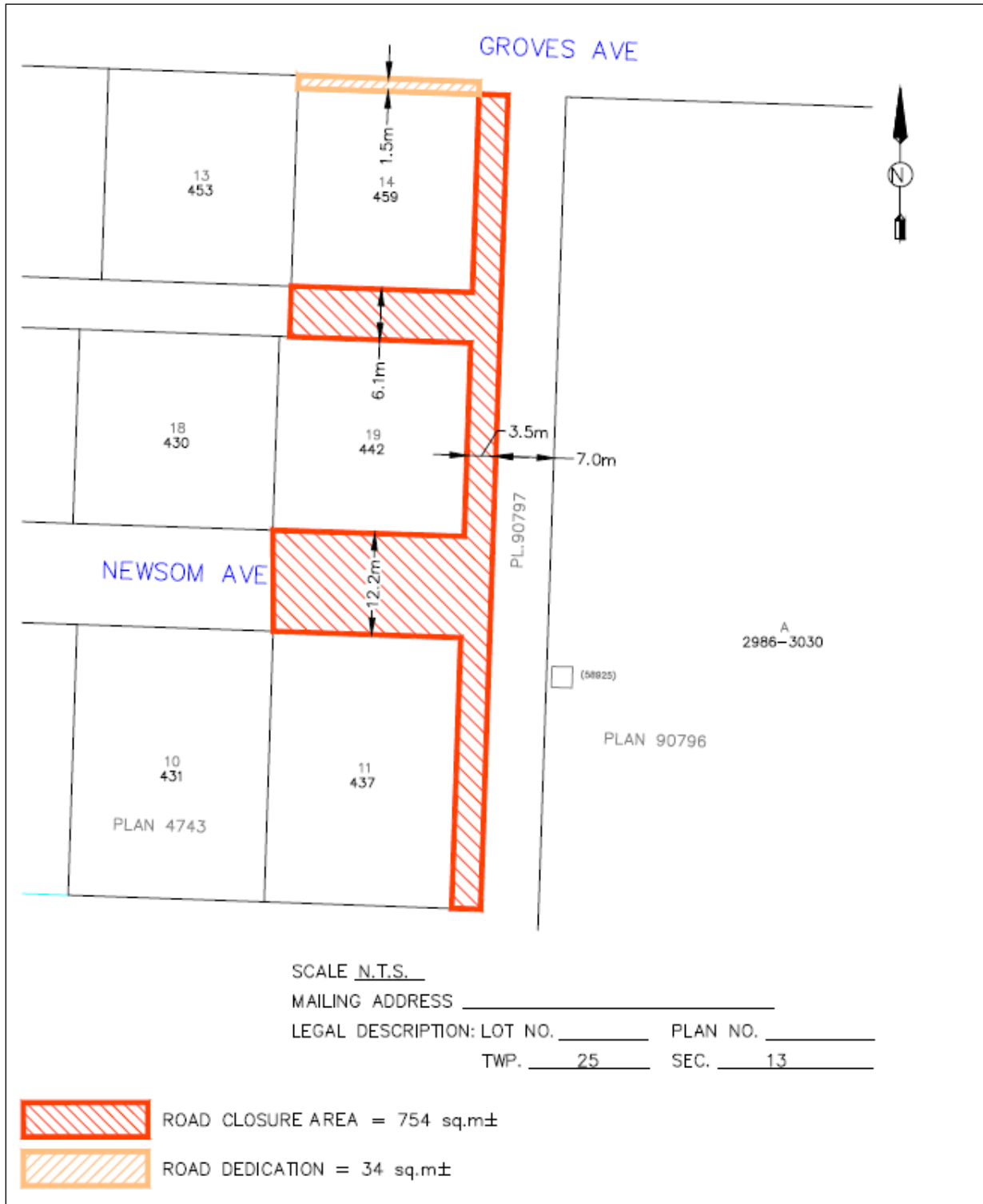
D. Edstrom, A. Director  
Real Estate & Property Services

Approved for inclusion:



M. Bayat, Director, Development Services for  
D. Gilchrist, Divisional Director, Community Planning &  
Real Estate

**Schedule 'A'**



**REFERENCE PLAN TO ACCOMPANY BYLAW NO. 10866 (CITY OF KELOWNA)  
TO CLOSE ROAD DEDICATED ON PLANS 3856, 4743 AND KAP90797,  
DISTRICT LOT 14, OSOYOOS DIVISION YALE DISTRICT**

**PLAN EPP32651**

PURSUANT TO SECTION 120 OF THE LAND TITLE ACT AND SECTION 40 OF THE COMMUNITY CHARTER

BCGS 82E.083



The intended plot size of this plan is 300mm in width by 430mm in height (C size) when printed at a scale of 1:500  
( All distances are in metres )

**LEGEND**

- Denotes Standard iron post (Type 2) found
- Denotes Standard iron post (Type 3) placed
- ⊙ Denotes Non-Standard post found
- ⊕ Denotes Control Monument found
- ⊖ Denotes nothing found
- NF Denotes witness

Note: This plan shows one or more witness posts which are not set on the true corner(s).

Integrated Survey Area No. 4, City of Kelowna, N40B3 (CSRS)

Grid bearings are derived from geodetic control monuments

This plan shows horizontal ground-level distance unless otherwise specified. To compute grid distances, multiply ground-level distances by the average convergency factor of 0.000433 which has been derived from 75N2513 and 78H9941.

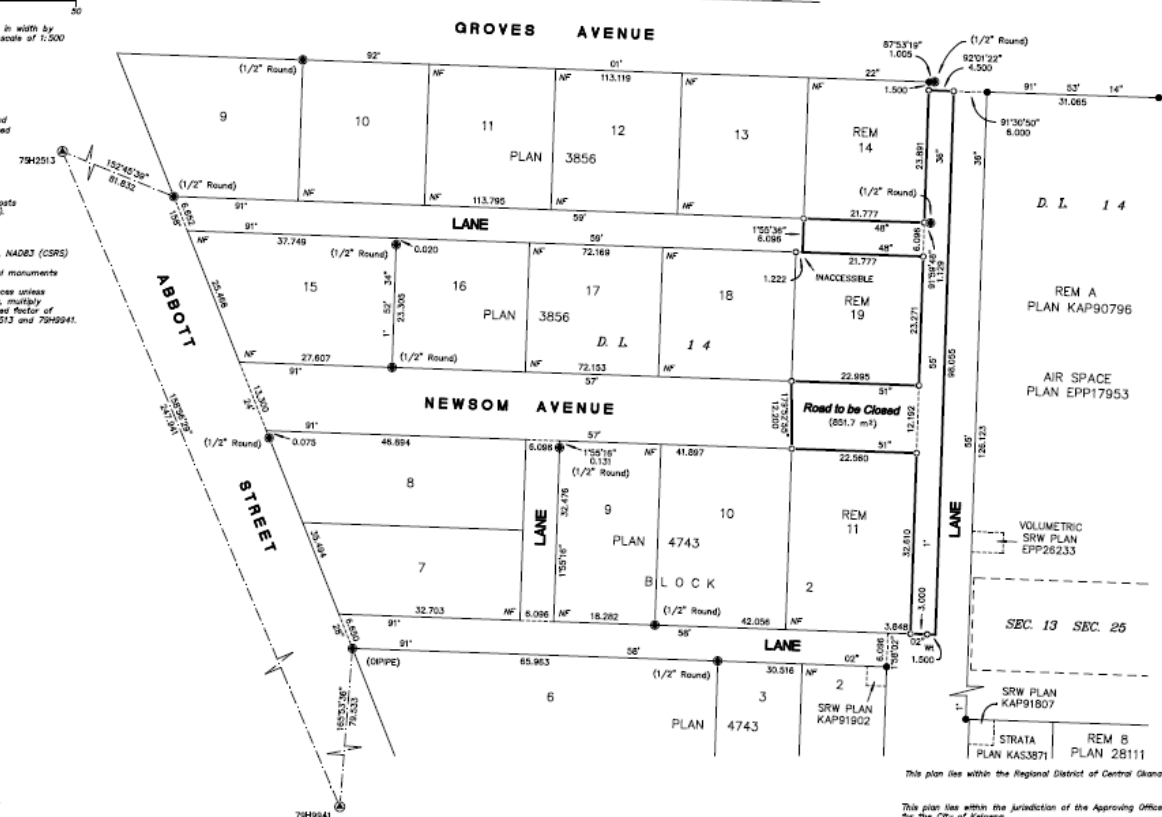
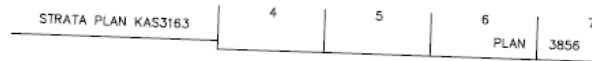


**RUNNALLS DENBY**

british columbia land surveyors

299A Lawrence Avenue Phone: (250)763-7322  
Kelowna, B.C. Fax: (250)762-4413  
V1Y 1L2 Email: rdn@runnallsdenby.com

DWG. No.: 12987 CLOSED ROAD FILE: 12987



This plan lies within the Regional District of Central Okanagan.

This plan lies within the jurisdiction of the Approving Officer for the City of Kelowna

The field survey represented by this plan was completed on the 5th day of July, 2013  
Neil Raymond Denby, BCLS (785)



# REPORT TO COUNCIL



**Date:** June 28<sup>th</sup>, 2013  
**RIM No.** 1250-30  
**To:** City Manager  
**From:** Land Use Management, Community Sustainability (AW)  
**Application:** OCP13-0009 / Z13-0015      **Owner:** Interior Health Authority  
**Address:** 434, 442, 458 Royal Avenue      **Applicant:** Interior Health Authority  
**Subject:** OCP Amendment, Rezoning & Heritage Alteration Permit Applications  
**Existing OCP Designation:** Single / Two Unit Residential  
**Proposed OCP Designation:** Educational / Major Institutional  
**Existing Zone:** RU1 - Large Lot Housing  
**Proposed Zone:** P1 - Major Institutional

---

## 1.0 Recommendation

THAT Official Community Plan Bylaw Amendment No. OCP13-0009 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot A, D.L. 14, ODYD, District Plan 5742, located at 434 Royal Avenue, Lot 26, D.L. 14, ODYD, District Plan 3393, located at 442 Royal Avenue and Lot 1, D.L. 14, ODYD, District Plan 7535, located at 458 Royal Avenue from Single / Two Unit Residential to Educational / Major Institutional, as shown on Map "A" attached to the Report of the Land Use Management Department dated June 28th, 2013, be considered by Council;

AND THAT Council considers the applicant's May 30th, 2013 Public Information Meeting 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 June 28th, 2013;

AND THAT Rezoning Application No. Z13-0015 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, D.L. 14, ODYD, District Plan 5742, located at 434 Royal Avenue, Lot 26, D.L. 14, ODYD, District Plan 3393, located at 442 Royal Avenue and Lot 1, D.L. 14, ODYD, District Plan 7535, located at 458 Royal Avenue from RU1 - Large Lot Housing to P1 - Major Institutional be considered by Council;

AND THAT the Official Community Plan Bylaw Amendment and the 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 Heritage Alteration Permit on the subject properties;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to completion of a Purchase / Sale Agreement with the City for the lane that runs N/S between 458 and 442 Royal Avenue;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the submission of a plan of subdivision to consolidate the properties;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the registration of a No-Build covenant on the subject properties;

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the satisfaction of Fortis BC's request for a Statutory Right of Way.

## **2.0 Purpose**

To amend the Official Community Plan Future Land Use Designation from Single / Two Unit Residential to Educational / Major Institutional and to rezone the subject properties from RU1 - Large Lot Housing to the P1 - Major Institutional zone to accommodate the proposed surface parking lot in support of the KGH Emergency Centre.

## **3.0 Land Use Management**

The subject properties are located within the Abbott Street Heritage Conservation area and the property located at 434 Royal Avenue is listed on the City's Heritage Register (see attached Heritage Register information). The 2030 Official Community Plan specifically designated a Health District Area across Pandosy Street from the Kelowna General Hospital to accommodate hospital related uses. The intent was to allow health services adjacent to the hospital but it was clear that they were not meant to encroach into the Heritage Conservation Area. However, when the Centennial Building was designed the Emergency Department was located directly on Royal Avenue without providing sufficient parking. The building's significant massing and limited setback along Royal Avenue also created a difficult transition to the single family dwellings located on the north side of Royal Avenue directly across from the hospital. These two factors have put pressure on the subject properties and from a strict policy perspective, parking outside of the KGH campus and within the Heritage Conservation Area does not align with current the policy framework. There is also concern that encroaching into the existing single family neighbourhood may lead to further development speculation along Royal Avenue.

However, the Interior Health Authority has made it clear that in order for the Emergency Department to function as designed, additional parking is required. It is also important to recognize that the KGH campus is a regional health facility that provides critical health services and it is crucial that all facets of the hospital operate at full capacity. Additionally, providing a surface parking lot in support of the Emergency Department may help alleviate some of the parking spill-over that continues to create challenges in the surrounding neighborhood.



Staff has encouraged the applicant to consider undertaking a Heritage Revitalization Agreement to preserve the remaining heritage register listed home in exchange for allowing the building to be used for Health Services. The applicant has indicated that the properties were purchased in an attempt to provide additional parking and that the building will be relocated if possible or demolished (see applicant's Heritage Alteration Permit rationale). From a design perspective Staff has indicated that a very high design standard is expected in order to provide as sensitive a transition as possible to the abutting residential neighbourhood. This would include very high quality finishing materials including lighting, fencing, landscape buffering and a surface treatment that is not a conventional asphalt surface parking lot. Accordingly, Staff will be hesitant supporting any variances to the landscaping requirements and will continue to work with the Interior Health Authority on these details. The total number of parking stalls proposed may need to be reduced in order to achieve the landscaping and design quality expected of the proposal.

In summary, although Staff is supportive of ensuring the successful operation of KHG, the Hospital Campus should have been comprehensively planned so that the adjacent residential properties and Heritage Conservation Area were not negatively impacted. However, it is recognized that the hospital is an important regional facility and an efficient emergency centre is a crucial regional planning objective. As part of this process a No Build covenant will be registered against the subject properties to ensure that no further hospital building expansion occurs outside of the KGH campus.

## **4.0 Proposal**

### **4.1 Project Description**

The Interior Health Authority has purchased the three subject properties with the intent of building a surface parking lot in support of the Kelowna General Hospital Campus. The proposal shows a total of 91 surface parking stalls with landscape buffers of varying widths around the perimeter of the property. It is important to note that the east, west and north landscape buffers conform to the Zoning Bylaw landscape buffer requirements but that the southern buffer adjacent to Royal Avenue is only 0.3m where 3.0m is required.

The site will be hooked across the street with the KGH campus, although the KGH campus is zoned HD1-Kelowna General Hospital the proposed parking lot will be zoned P1 - Major Institutional as it is a major government use that isn't intended to accommodate any further KGH expansion beyond the proposed surface parking. The Interior Health Authority undertook an extensive public consultation process to engage and better understand the neighbourhood's position towards to the parking lot expansion, a summary of this process is attached at the end of this report. As part of the application process, the Community Heritage Committee reviewed the application and were concerned that the proposal is "fundamentally in conflict with the basic principles of a heritage conservation area and in particular with the development guidelines for this Heritage Conservation Area."

If supported by Council, IHA will be urbanizing the north side of Royal Avenue from Long Street to Pandosy Street which is a previous commitment that will be brought forward with this project. Additionally, the existing lane that runs N/S between 458 and 442 Royal Avenue would be closed, sold to IHA and consolidated with the subject properties.

The project compares to Zoning Bylaw No. 8000 as follows:

Zoning Analysis Table		
CRITERIA	P1 ZONE REQUIREMENTS	PROPOSAL
Parking setbacks	North - 2.0m South - 1.5m East - 1.5m West - 1.5m	North - 2.01m South - 0.3m* East - 3.0m West - 3.0m
Landscape Buffers	North - 3.0m or Opaque Fence South - 3.0m East - 3.0m West - 3.0m	North - 2.01m & Opaque Fence South - 0.3m* East - 3.0m West - 3.0m
Landscape Island Area	182m <sup>2</sup>	38.66m <sup>2</sup> *
Fence Height	2.0m	3.1m*
* Vary required front yard parking setback from 2.0m required to 0.3m proposed. * Vary front yard landscape buffer from 3.0m required to 0.3m proposed. * Vary landscape island area from 182m <sup>2</sup> required to 38.66m <sup>2</sup> proposed. * Vary the height of the proposed fence from 2.0m permitted to 3.1m proposed.		

#### 4.2 Site Context

The subject properties are located along Royal Avenue in the Heritage Conservation area directly across from the Kelowna General Hospital.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Residential
East	RU1 - Large Lot Housing	Residential
South	HD1 - Kelowna General Hospital	Kelowna General Hospital
West	RU1 - Large Lot Housing	Residential

#### Subject Property Map:



## 5.0 Current Development Policies

Staff recommends that the applicant's April 16<sup>th</sup>, May 16<sup>th</sup> and May 30<sup>th</sup>, 2013 Public Information Meetings 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 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.

### 5.1 Kelowna Official Community Plan 2030 (OCP)

#### 5.1.1 Heritage Conservation Area Guidelines (Chapter 18)<sup>1</sup>

- Maintain the residential and historical character of the Marshall Street and the Abbott Street Heritage Conservation Areas;
- Encourage new development, additions and renovations to existing development which are compatible with the form and character of the existing context;
- Ensure that change to buildings and streetscapes will be undertaken in ways which offer continuity of the 'sense-of-place' for neighbours, the broader community; and
- Provide historical interest for visitors through context sensitive development.

**Objective 5.32 Ensure the development of institutional facilities meets the needs of residents.**

*Policy .9 Health Care Facilities.* Support the extension of services and appropriate building expansions of the Kelowna General Hospital and other health care facilities, as provided for on the Generalized Future Land Use Map 4.1. The form and character of future expansions should be compatible with the surrounding neighbourhood context.

**Objective 5.40 Ensure all development is consistent with the vision, goals and objectives of the OCP.**

*Policy 1 Evaluation Checklist.* Evaluate development applications that require an OCP amendment on the basis of the extent to which they comply with underlying OCP objectives, including the following:

- Does the proposed development contribute to preserving lands with slopes greater than 30%? *N/A*
- Does the proposed development respect the OCP Permanent Growth Boundary (OCP Map 4.1 and 5.2)? *Yes*
- Does the proposed development feature a mix of residential, employment, institutional, and/or recreational uses within individual buildings or larger development projects?
- Is the proposed development located in an Urban Centre? *No*
- Does the proposed development increase the supply of affordable (as defined in the OCP) apartments or townhouses? *No*
- Is the property serviced with water and City sanitary sewer at the time of application? *Yes*
- Could the proposed project be built at no financial cost to the City? (This should consider operational and maintenance costs.) *Yes*

<sup>1</sup> City of Kelowna Official Community Plan, Chapter 16

- Would the proposed project help decrease the rate of travel by private automobile, especially during peak hours? *No*
- Is there transit service within 400 metres of non-residential projects or major employment generators (50+ employees)? *Yes*
- Does the proposed project involve redevelopment of currently under-utilized, urbanized land? *No*
- Does the proposed project result in the creation of substantially more public open space than would be available if the development were not to proceed (not including required open space dedications or non-developable areas)? *No*
- Is there a deficiency of properties within the applicable Sector (see Map 5.4) that already have the required OCP designation? *No*
- Does the project avoid negative impacts (shadowing, traffic, etc.) on adjoining properties where those adjoining properties are not slated for land use changes? *No*
- Is the project consistent with the height principles established in the OCP? *N/A*
- If the project goes ahead, would surrounding property owners be likely to develop their properties as per OCP Future Land Use and other City policy provisions? *TBD*
- Would the additional density or new land use designation enhance the surrounding neighbourhood in a way that the current land use designation does not? *No*
- Could the project be supported without over-burdening existing park and other community resources or threatening the viability of existing neighbourhood resources? *Yes*

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

Building Permit required for a parking lot, Civil drawings providing drainage requirements required at time of permit application

### 6.2 Development Engineering Department

See Attached.

### 6.3 Fire Department

No comment provided.

### 6.4 Fortis BC - Gas

See Attached.

## 7.0 Application Chronology

Date of Application Received: March 20<sup>th</sup>, 2013

Community Heritage Committee: May 2<sup>nd</sup>, 2013

The following motion was passed by the Community Heritage Committee:

THAT the Community Heritage Committee considers that this proposal to demolish residential heritage houses, consolidate the lots, and change the usage of land from residential to commercial is fundamentally in conflict with the basic principles of a heritage conservation area and in particular with the development guidelines for this Heritage Conservation Area;

AND THAT the Community Heritage Committee is aware that Council have already recognized that there are special circumstances on the east end of Royal Avenue which is in effect a transition zone between the Hospital Campus and the Heritage Conservation Area and have instructed staff to investigate;

AND FURTHER THAT the Community Heritage Committee declines to make a formal recommendation at this time and defers this application to Council.

Public Information Meetings: April 16<sup>th</sup>, 2013, May 15<sup>th</sup>, 2013 & May 30<sup>th</sup>, 2013

**Report prepared by:**

---

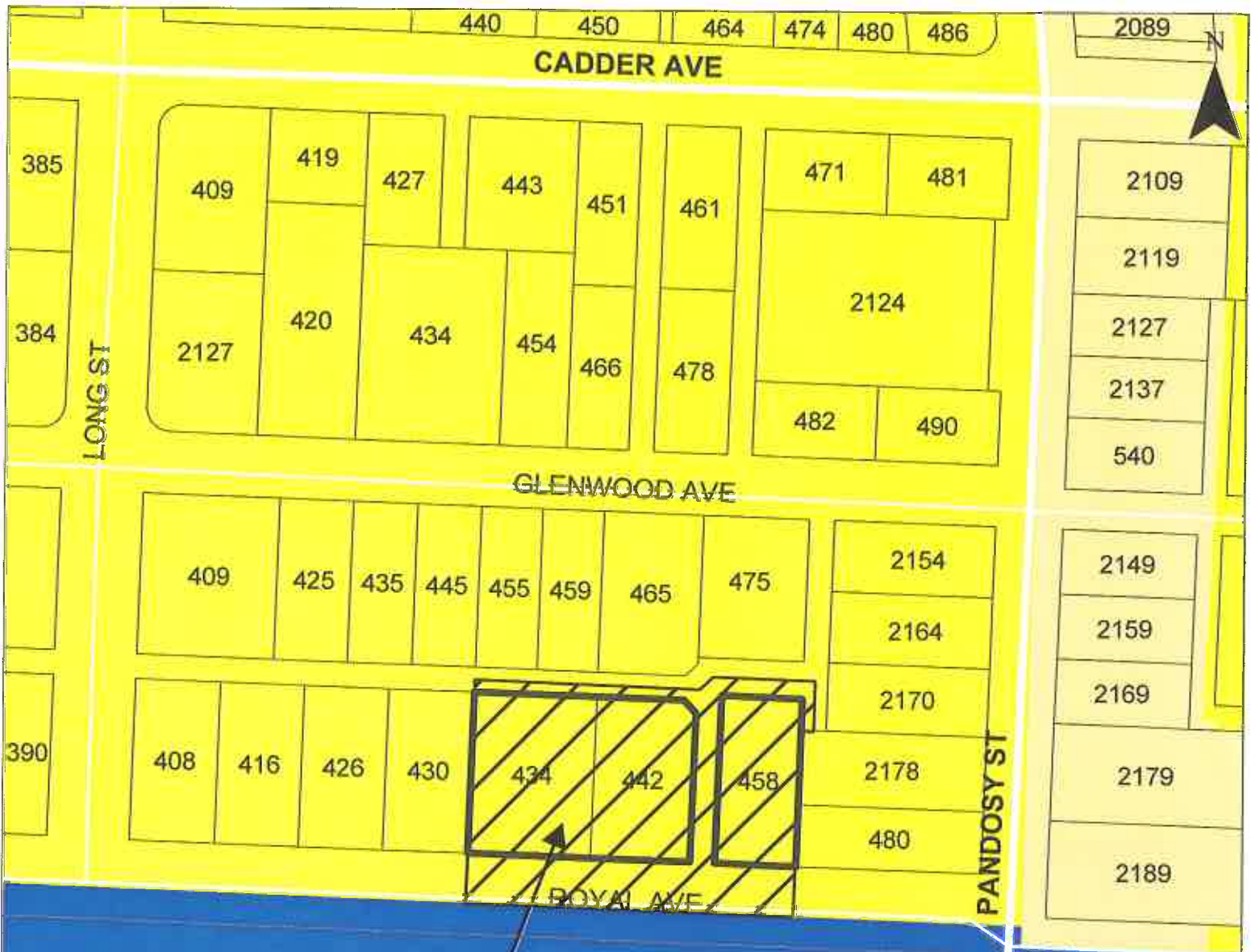
Alec Warrender, Land Use Planner

**Reviewed by:**  Danielle Noble, Manager, Urban Land Use

**Approved Inclusion:**  D. Gilchrist, Community Planning & Real Estate Divisional Director

**Attachments:**

- Map A
- Subject Property Map
- Site Plan
- Landscape Plans
- Heritage Register Information
- Images - 434 Royal Avenue
- Interior Health HAP Rationale
- Development Engineering Requirements
- Neighbourhood Consultation Summary



**Subject Properties Note:**

Amend the OCP for the Subject Properties from Single / Two Unit Residential (S2RES) to Educational / Institutional (EDINST).

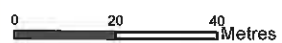
2251-2312

2251-2312

**MAP "A" OCP AMENDMENT**  
**OCP13-0009**

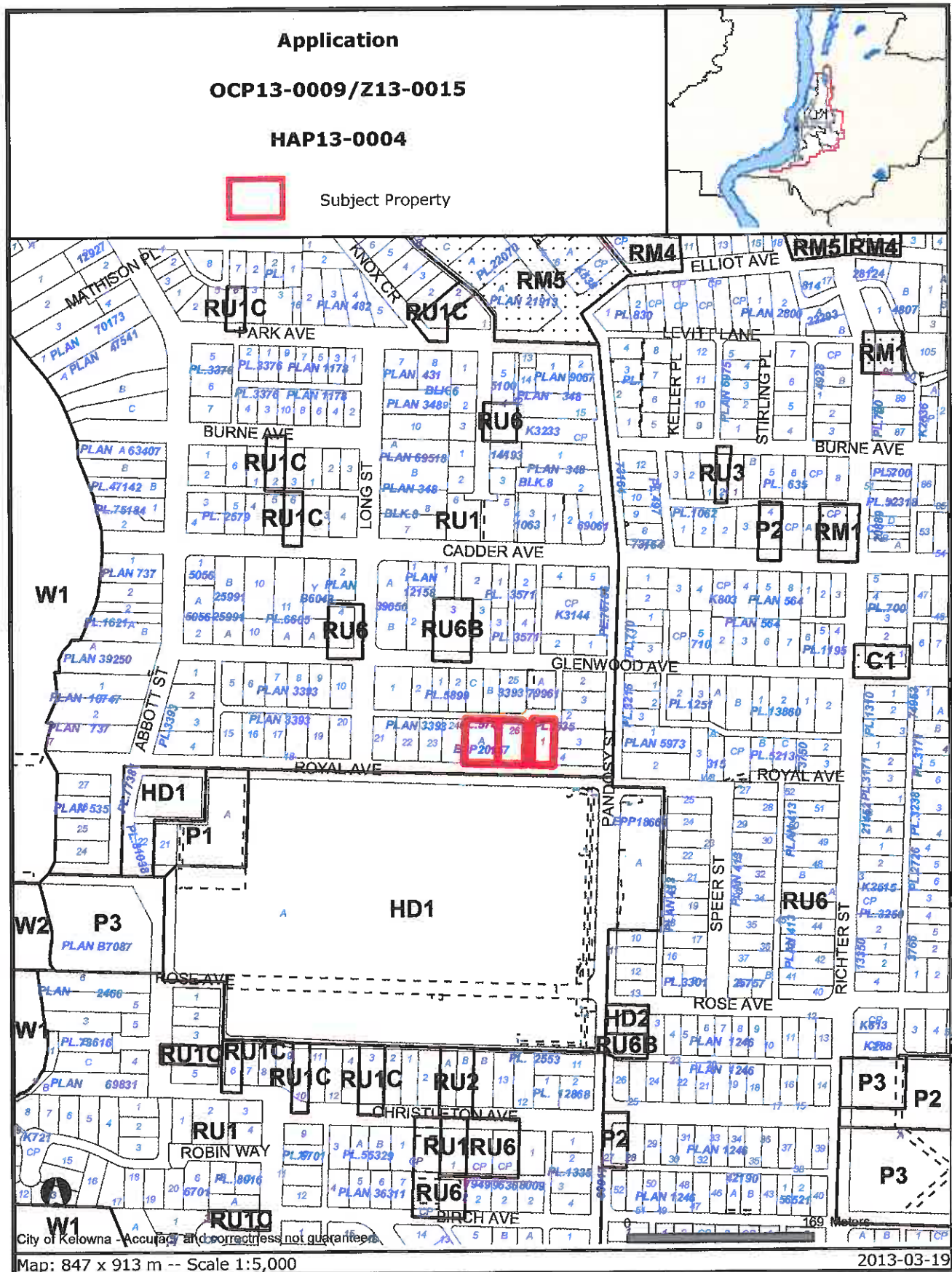
- Education / Institutional
- Health District
- Multiple Unit Residential (Low Density)
- Single / Two Unit Residential
- S2RES to EDINST
- Subject Properties
- Legal Parcel

This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.



Rev. Jun 13, 2013





City of Kelowna - Accuracy and correctness not guaranteed.

Map: 847 x 913 m -- Scale 1:5,000

2013-03-19

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.



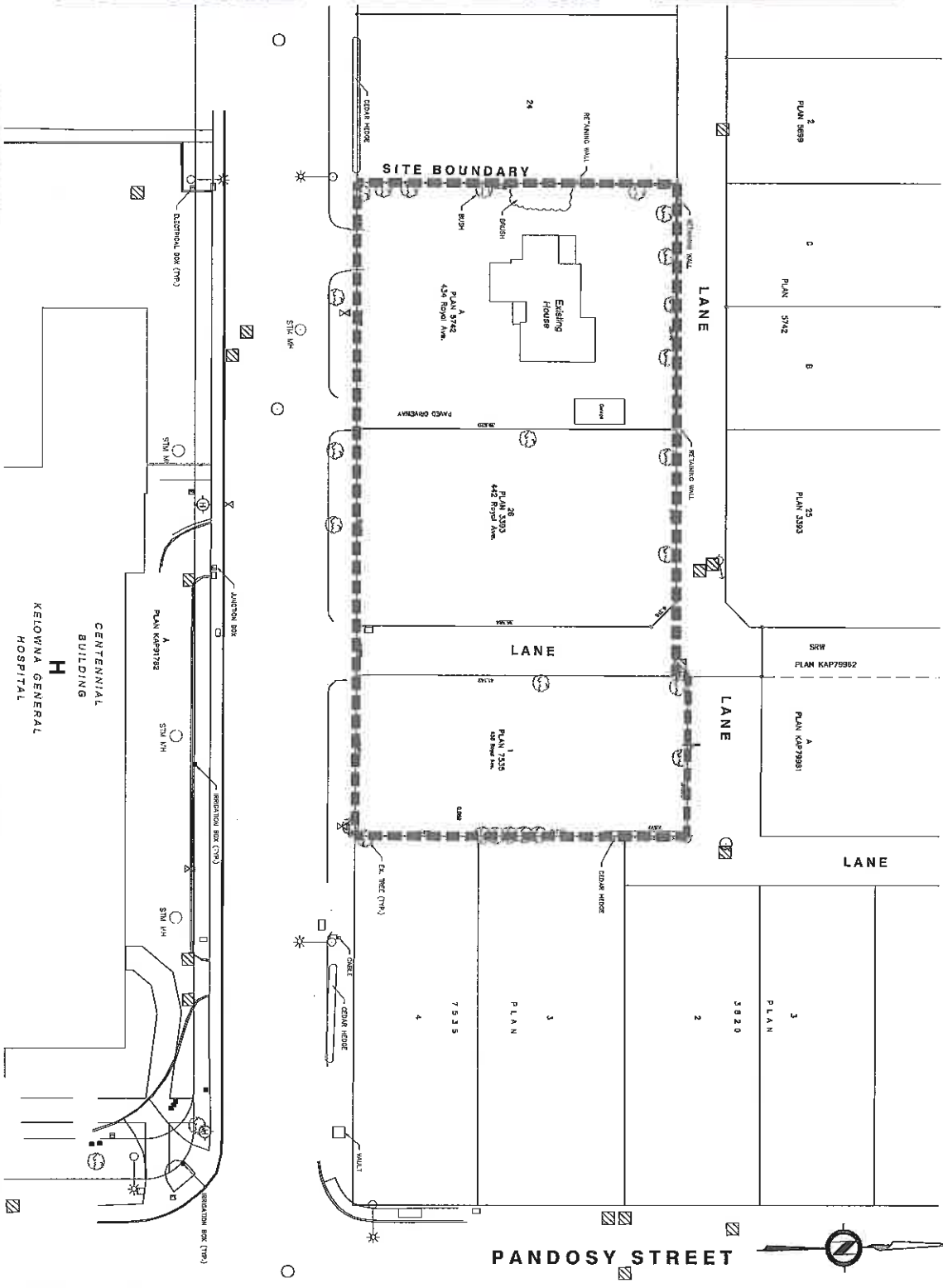
#458 ROYAL AVENUE



#442 ROYAL AVENUE



#434 ROYAL AVENUE



PANDOSY STREET

LEGAL DESCRIPTION: Lot 4, Plan 5742 / Lot 56, Plan 3393 / Lot 1, Plan 7335 /
DATE: 15-MAR-2013 10:38 AM
PROJECT: Interior Health - Capital Planning and Projects
PROJECT NO: 15-910
SHEET NO: 6 OF 6
REV: 0

**APPLIN MARTIN CONSULTANTS LTD.**  
 641 Lower Avenue, Kelowna, B.C. Canada V1Y5S3  
 Tel: (250) 860-7171 Fax: (250) 860-2924 E-mail: pm@applinmartin.com

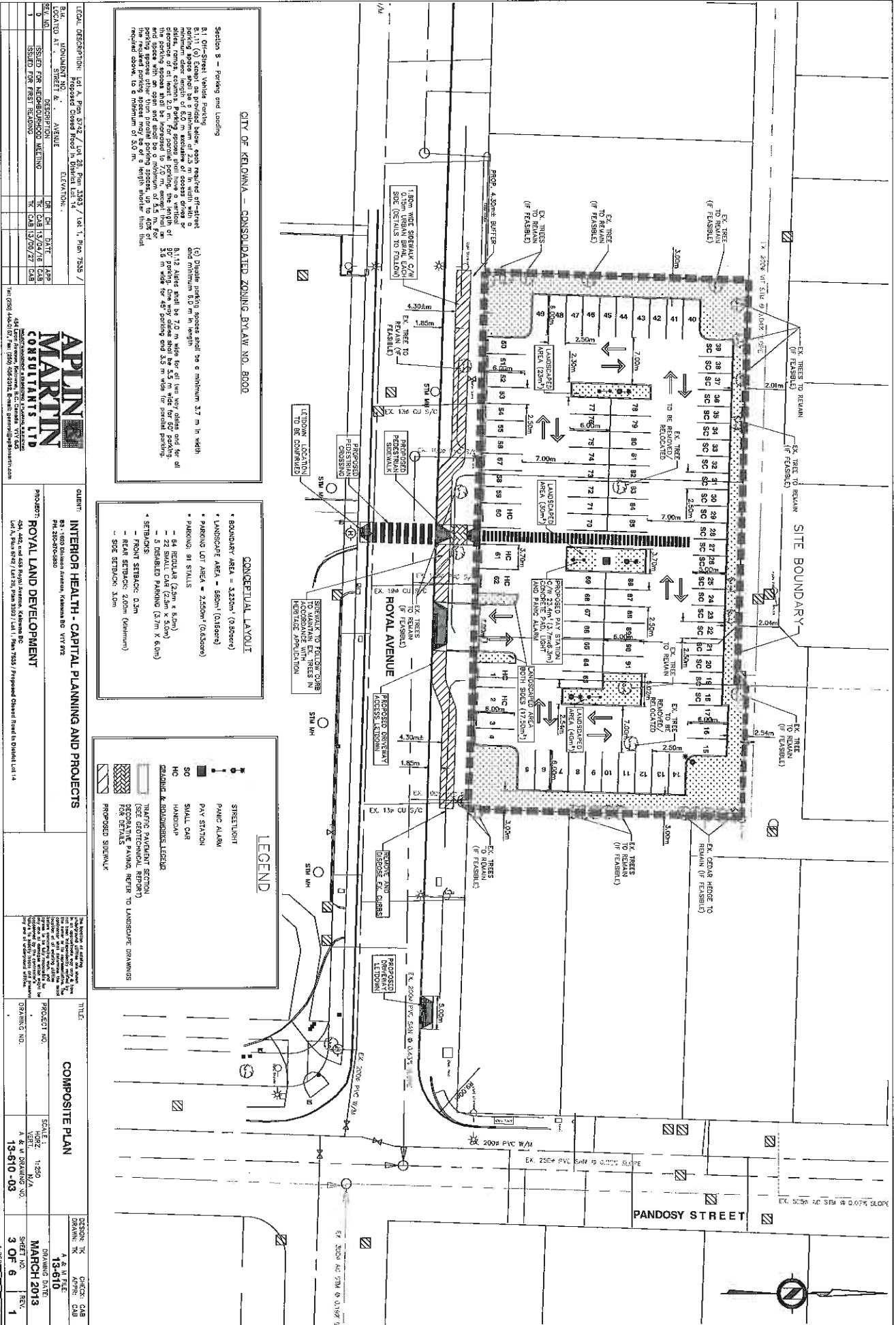
**CLIENT:** INTERIOR HEALTH - CAPITAL PLANNING AND PROJECTS  
 65 - 1400 Oakes Avenue, Kelowna BC V1Y 5V2  
 TEL: 250-860-9388

**PROJECT:** ROYAL LAND DEVELOPMENT  
 104 A, Pandosy Street, Kelowna BC V1Y 5V2  
 Tel: 250-860-9388

TITLE: EXISTING SITE PLAN	DESIGN: TK	CHECK: CHB
PROJECT NO: 15-910	DATE: 15-MAR-2013	SCALE: 1/250
DRAWN: TK	DATE: 15-MAR-2013	SCALE: 1/250
PROJECT NO: 15-910	DATE: 15-MAR-2013	SCALE: 1/250
DRAWN: TK	DATE: 15-MAR-2013	SCALE: 1/250
PROJECT NO: 15-910	DATE: 15-MAR-2013	SCALE: 1/250
DRAWN: TK	DATE: 15-MAR-2013	SCALE: 1/250

1:250 15-MAR-2013





**CITY OF KENILWORTH - CONSOLIDATED ZONING BYLAW NO. 8000**

Section 8 - Parking and Landscaping

8.1.1 (c) Street parking spaces shall be a minimum of 2.3 m in width with a minimum of 0.9 m in depth. The length of the parking space shall be a minimum of 5.0 m in length.

8.1.1.2 (d) Single parking spaces shall be a minimum 3.7 m in width and a minimum 5.0 m in length.

8.1.1.2 (e) For parallel parking, the length of the parking space shall be a minimum of 4.5 m in width for parallel parking and a minimum of 5.0 m in width for perpendicular parking. The length of the parking space shall be a minimum of 5.0 m in length for parallel parking and a minimum of 5.0 m in length for perpendicular parking.

**CONCEPTUAL LAYOUT**

- BOUNDARY AREA = 4330m<sup>2</sup> (0.8 acres)
- LANDSCAPE AREA = 2250m<sup>2</sup> (0.5 acres)
- PARKING LOT AREA = 2250m<sup>2</sup> (0.5 acres)
- PARKING SPACES
- 64 REGULAR (2.5m x 5.0m)
- 22 SMALL CAR (2.5m x 4.0m)
- 5 DISABLED PARKING (2.7m x 6.0m)

**SETBACKS:**

- FRONT SETBACK: 0.3m
- REAR SETBACK: 2.0m (Minimum)
- SIDE SETBACK: 3.0m

**LEGEND**

- STREETLIGHT
- PARK ALARM
- PAY STATION
- SMALL CAR
- HC
- HANDICAP
- TRAFFIC PAVEMENT SECTION (SEE GEOTECHNICAL REPORT)
- PROPOSED PARKING, REFER TO LANDSCAPE DRAWINGS FOR DETAILS
- PROPOSED SUBWAY

LEGAL DESCRIPTION: Lot 1, Plan 3393 / Lot 1, Plan 7535 /					
LOCATED AT: TONGUE STREET & AVENUE					
ELEVATION: 14					
REG. NO. 1	ISSUED FOR INTERIM DEVELOPMENT	DATE: 19/09/16	APP. NO. 1	ISSUED FOR INTERIM DEVELOPMENT	DATE: 19/09/16

**APPLIN MARTIN CONSULTANTS LTD**

444 West Avenue, Toronto, ON M6P 2V6

444 West Avenue, Toronto, ON M6P 2V6

444 West Avenue, Toronto, ON M6P 2V6

**INTERIOR HEALTH - CAPITAL PLANNING AND PROJECTS**

800-387-0000

800-387-0000

800-387-0000

TITLE: COMPOSITE PLAN	DESIGNER: JK	CHECKER: CAB
PROJECT NO: 13-610	DRAWN: JK	DATE: 13-6-10
SCALE: 1:250	HORIZ: 1:250	VERT: 1:250
DATE: 13-6-10	DATE: 13-6-10	DATE: 13-6-10
PROJECT NO: 13-610-03	DRAWING NO: 3 OF 6	REV: 1





**CONCEPTUAL RENDERING**



**10' HEIGHT WOOD PERIMETER FENCE**



**10' HEIGHT WOOD & MASONRY PERIMETER FENCE**



NO.	DATE	DESCRIPTION
4	2018	FINAL DESIGN REVIEW
3	2018	REVISIONS FOR DESIGN
2	2018	REVISIONS FOR COMMENTS
1	2018	REVISIONS FOR COMMENTS
NO.	DATE	DESCRIPTION



**BENCH**  
1100 North 1st Street, Suite 100  
Tampa, FL 33602

**CONSULTANT**  
APRIL & MARTIN  
CONSULTANTS LTD.  
TAMPA, FL

**CLIENT**  
HNA CAPITAL PLANNING  
AND DEVELOPMENT  
MEMPHIS, TN

**PROJECT**  
ROYAL LAND  
DEVELOPMENT  
MEMPHIS, TN

**SHEET TITLE**  
CONCEPTUAL RENDERINGS

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	10/15/2018
2	ISSUED FOR PERMIT	10/15/2018
3	ISSUED FOR PERMIT	10/15/2018

L-2







1. 1.8m Ht. Fence w/ .6m Ht. Arbour Detailing



2. 1.2m Ht. Concrete Wall w/ 1.2m Ht. Cedar Fence or 1.2m Ht. 'Heritage Style' Brick Wall w/ 1.2m Ht. Vertical Cedar Fence



3. 2.4m Ht. Decorative Cedar Fence



4. 2.4m Ht. Rock Columns w/ 2.1m Ht. Vertical Cedar Fence or 2.4m Ht. 'Heritage Style' Brick Columns w/ 2.1m Ht. Vertical Cedar Fence

ROYAL AVENUE DEVELOPMENT

KELOWNA, BRITISH COLUMBIA

fencing examples

April 19, 2013

BENCH



HOME Search

## Heritage Building

### Heritage Building Information



**Kid:** [270292](#) **Plan:** 5742 **Lot:** A **Block:**  
[Map](#)  
**Civic Address:** 434 Royal Ave  
**Neighbourhood:** South Central  
**Building Name:** Wasson House  
**Conservation Area:** Abbott Street  
**Date Built:** 1939  
**Status:** Active

#### Historical Significance:

Associated through its various occupants/owners with the provincial government services and with health care.

#### History:

Built in 1939 for Frederick C. Wasson, a B.C. Government dairy instructor. It is interesting that at least three of the owners since the original have been medical practitioners: John T. Cruise (Eye, Ear, Nose & Throat Specialist), Allyn W. Brown (physician), and Ronald D. Ellis (physician).

#### Architectural Significance:

A very good example of a 1930s Tudor residence, with some historic details. Designed by CBK Van Norman, a Vancouver-based leader in the modern movement.

#### Style / Character:

Simplified Tudor Revival interpretation with large expanses of plain stucco which show influence of modernism.

#### Design Features:

Broad asymmetrical massing, with cross-gables projecting forward at LH side. Half-timbering in selected areas such as the gable ends and entry.

#### Architect:

C.B.K. Van Norman

#### Builder:

J.M. Gagnon

#### Building Construction:

wood frame

#### Foundation Construction:

concrete

#### Stories:

1.5

#### Roof Type:

gable over main building, gable over front projection, shed roof over rear entry and dormer

#### Window types:

some DH, but most are casement

#### Exterior Wall Material:

stucco

#### Original Wall Material:

presumed same

#### Exterior Wall Color:

white w. brown trim

#### Landscape Features:

Mature trees behind split rail fence

#### Associated Buildings:

small detached garage

#### Alterations Documented:

1944 chicken house; 1949 addition (roof--3' at rear) [STREET FILES]

#### Alterations Observed:

#### Site Context:

#### Source:

STREET FILES; SUN 1936-47; KEL CITY DIR 1948, 56, 71.

#### Additional Notes and Comments:

**Updates:**

**History Recorder Name:**

David Dendy

**Date Recorded:**

1997-09-03

**Field Recorder Name:**

Leigh-Ann Carter

**Date Recorded:**

1997-08-18

**Photographer:**

Leigh-Ann Carter

**Date Photographed:**

1997-08-18

**Photo Reference:**

CD6.72-73

**Main Photo File:**



**Additional Photos:**



**CRHP Inventory:**

[Click Here](#)





## 434 Royal Avenue



**Photo 1:** Site – photo taken from Royal Avenue facing north.

## Heritage Alternation Permit Application - 434 Royal Avenue

Prepared for: Community Heritage Commission

Date: April 15, 2013

### Purpose of Application

To seek approval to move/relocate or, alternatively, to demolish the house at 434 Royal Avenue. If Interior Health (IH) is successful in securing a Heritage Alteration Permit (HAP) for 434 Royal Avenue and when the purchase of the Closed Lane, re-zoning approvals and Development Permit approvals can be secured, the parking lot development proposed for the Kelowna General Hospital (KGH) lands located on Royal Avenue will be a major attribute for the ongoing redevelopment and operation of KGH.

### Background & Proposed Development

IH recently acquired three properties at 434 Royal, 442 Royal and 458 Royal Avenue for the purpose of constructing a surface parking lot to primarily service the new larger Emergency Department at KGH. The attached Sketch O-1 demonstrates the proposed consolidation of these three residential lots together with the proposed Closed Lane needed to create a single 0.80 acre lot. IH is currently in the process of acquiring the future Closed Lane, located between 442 and 458 Royal Avenue, from the City of Kelowna.

IH plans to consolidate the three legal lots and to re-zone these lands to the P1 Zone. Subject to securing future re-zoning and Development Permit approvals, IH intends to construct a surface parking lot on these lands.

### The Challenge

The KGH Master Site Plan 2012 projects a shortage of 475 parking stalls through 2025. The current shortage is 325 stalls. With the 63 stall parking lot that was just constructed and opened in December 2012 at the corner of Abbott Street and Royal Avenue, these parking shortage numbers are revised to 412 and 262 stalls respectively. The future KGH parking shortage of 412 stalls will be generally addressed as follows:

- 90 stalls anticipated for the 0.80 acres;
- 75 stalls through reconfiguration of the hospital campus; and
- Approx. 247 stalls at an as yet undetermined future off-site location(s).

Specifically, there is a critical need to supply some of this parking in a location that is reasonably convenient to the new Emergency Department. The options to solve this issue are very limited.

### Description of Subject Property (434 Royal Avenue)

This property is located directly opposite the new Emergency Department at KGH. The property is listed on the City of Kelowna Heritage Conservation Area Register. The property includes a 74 year old (1939), two story with basement, four bedroom house and detached garage. See attached Sheet A and Photos 1 & 2.

### Functional Deficiencies of the Property and House

The house is in poor condition with original galvanized water pipes throughout the house that are extensively corroded. The furnace does not function and contains asbestos inside and out. In our opinion, the cost to upgrade the functional aspects of exterior and interior of the house, including the replacement of all indoor galvanized plumbing pipes, windows, new furnace, new electrical panels and

wiring, roofing, exterior walls, etc., would likely cost a minimum of \$170,000. This estimate does not include any aesthetical upgrading or to make good any destruction due to HAZMAT remediation.

### **Hazardous Building Materials (HAZMAT)**

The three levels of this house have an variety of asbestos-containing materials. The costs to remove all these asbestos-containing materials & ductwork. in the entire house and to then repair or replace ducts, drywall, flooring and painting, etc, plus the cost for HAZMAT consulting/lab tests, would be approximately \$80,000 to \$100,000

**Aesthetical Upgrading** The 1939 house has never been significantly upgraded. An estimate to replace carpets, refinish floors, add new cabinets/counters, new plumbing & lighting fixtures, add some new doors and hardware, to very moderate standard, would be approximately \$100,000.

### **Relocation or Demolition of House**

Pursuant to the terms of a HAP, IH plans to issue a Request for Proposal (RFP), advertised in local newspapers, to hopefully solicit proposals to salvaged and move/relocate the house. If a firm proposal to move the house is not received, IH would then apply to secure a Demolition Permit.

IH has obtained an evaluation for the potential to move the building within 1km of its current location. The cost estimates, depending on the move route and many other factors, is likely a minimum of \$60,000 to over \$100,000, depending on numerous off-site and transportation route factors. Moving the house a greater distance would further increase these costs.

IH will assist in the pre-move preparation by coordinating and paying for a full hazardous materials assessment, and for the removal of asbestos containing materials in only the basement of the house. This will allow the house to be prepared for relocation in a safe manner and will provide the new owner with relevant information needed for the remediation of all asbestos containing materials following relocation.

### **Proposed Parking Development and Design**

Subject to securing HAP approval, the following considerations will be incorporated into the project plan:

- The house at 434 Royal Avenue would be removed or demolished, including any potential salvage of material and fixtures where appropriate;
- IH's consultant team for the future development would include civil engineer, electrical engineer, and landscape architect;
- IH recognizes the importance of good design, particularly for 'perimeter' surface parking facilities on campus;
- Details not confirmed at this time but generally IH is looking at a parking concept that follows best practices for parking design together with incorporating the relevant elements of the Design Guidelines adopted by Council as part of the HD1 Zone (excerpts attached), and that include heritage features, where available;
- Approximately five (5) significant trees and some bushes that are on or adjacent to the 434 Royal Avenue property will be retained, subject to final design details;
- The 442 and 458 Royal Avenue properties include approximately 12 trees and approximately 8 mature junipers in the NE corner of 458 Royal Avenue, some of which will be retained where possible, subject to final design details;
- The development schedule for a parking facility tentatively provides for the relocation of the house or demolition by approximately August 31, 2013, followed by construction commencing in September 2013;
- As part of a previous commitment to the City, IH will also be upgrading the north-half of Royal Avenue between Pandosy Street and Abbott Street with the addition of new curb/gutter, roadway storm drains, additional roadway pavement (ie. currently gravel shoulder) and new sidewalk;

- Design attributes would typically include the following:
  - Appropriate drainage into City storm water system and/or retained on-site;
  - Lighting design consistent with City street lighting in the Abbott corridor;
  - Landscaping complying with zoning bylaw for setbacks and landscape buffering
  - Irrigation but with minimal usage requirement;
  - Signage – consistent with the bylaw and design guidelines to ensure efficient traffic flow, access and egress; and
  - Screening – employed in conjunction with landscaping.

**Consultation with Neighbours**

Pursuant to the requirements in both the forthcoming OCP amendment, re-zoning and Development Permit processes, neighbours (via KSAN) will be invited to provide input into the process and design elements of the project. One such consultation has already occurred (April 16/13) and others are planned.

**Proposed Approach**

- IH to issue Expression of Interest, or Request for Proposal, to find a buyer to move the house – details to be advertised in local newspapers;
- IH will give preference to proposals where the house would be removed and relocated within the Heritage Conservation Area;
- IH will enter into a Contract with successful proponent/purchaser, including project scope for house relocation;
- IH will provide the results of the EOI to the Community Heritage Committee, before proceeding with next steps;
- If no successful bidder/purchaser is identified, IH will undertake salvage and demolition of the house and improvements.

**Prepared by:** Doug Levell, Manager, Real Estate Services

**Enclosures:** HD1 Design Guidelines Excerpts, Sketch O-1, Sheet A, Photos 1 & 2

## **Excerpts from KGH Design Guidelines adopted by City Council for HD1 Zone – February 2011**

### **3.14 LANDSCAPE**

The landscape should contribute to the creation of a livable, healthy and environmentally responsive community. The landscape should extend the color, texture and pattern of the surrounding residential areas. Within the KGH site, the landscape program should be designed to provide access to restorative and therapeutic gardens with seasonal sun and shade to provide outdoor comfort for families, patients, caregivers and neighbours.

Consider use of:

- a. Large caliper trees - coniferous and deciduous;
- b. Use of indigenous flora should be considered a priority, both in terms of lowering maintenance needs and also in promoting natural habitat;
- c. A variety of plant material should be used to reflect seasonal change;
- d. On sites to be developed for open space, retention of existing trees should be maximized. On sites for development, opportunities for retention of significant trees should be considered;
- e. Open space should be fashioned to minimize water, chemical and fossil fuel use for routine maintenance and should promote a healthy local ecosystem;
- f. Permeable surface materials should be incorporated into open space development proposals, and opportunities for retention of surface storm water on site should be considered;
- g. Senses of sight, smell and touch should be stimulated by providing elements of healing gardens.

### **3.15 SIGNAGE**

Develop a comprehensive and cohesive sign hierarchy for wayfinding.

- a. Hierarchy should include arrival signage, directional signage, and instructional signage; and
- b. To limit the number of signs, vehicular and pedestrian signage should be integrated where possible.

### **3.16 LIGHTING**

- a. All exterior lighting should follow the International Dark Sky Model code in order to limit light pollution and to conserve energy;
- b. Particular attention should be given to the lighting of public outdoor spaces and the adjacent private property to create an unobtrusive, human scale lighting concept, with a hierarchy of fixture types designed according to functional and security needs, and reflecting the hierarchy of pedestrian corridors;
- c. Light fixtures within the reach of pedestrians should be vandal proof;
- d. Lighting on pedestrian paths should illuminate not just the path but the surrounding area adjacent to the path, particularly en route to transit connections;
- e. Shielded lighting to limit light effects on adjacent properties along driveways, surface parking and garage areas; and
- f. Reduce the amount of light exiting through glazing between 11:00 PM and 5:00 AM. The lighting must either be dimmed or shut off automatically during these hours, or automatic shades or blinds must be used to block light leaving the building.

### **3.18 SCREENING**

Landscaping, fencing and walls can serve as screens to block views of the hospital campus buildings, of loading and utility areas, lighting, parking and functional hospital components. Walls can be used to control sound. The appearance of walls should be softened with plantings.

Consider use of:

- a. Planted visual screens;
- b. Barrier walls to reduce noise impacts on adjacent residential neighbours;
- c. Plantings to screen areas of greater noise activity; and
- d. Semi-transparent wall systems to minimize screen wall mass, in combination with plantings.

**SKETCH PLAN OF LOT A, PLAN 5742,  
LOT 26, PLAN 3393 AND LOT 1, PLAN  
7535, ALL DISTRICT LOT 14, O.D.Y.D**

SCALE 1:500

**SKETCH O-1 "Future - Proposed Consolidation of Lots A/26/1  
and Proposed Closed Road"**

DATE: JUNE 14th, 2012

**LEGEND**

- Denotes Standard Iron post
- ⊙ Denotes Non-Standard Post
- NF Denotes Nothing Found

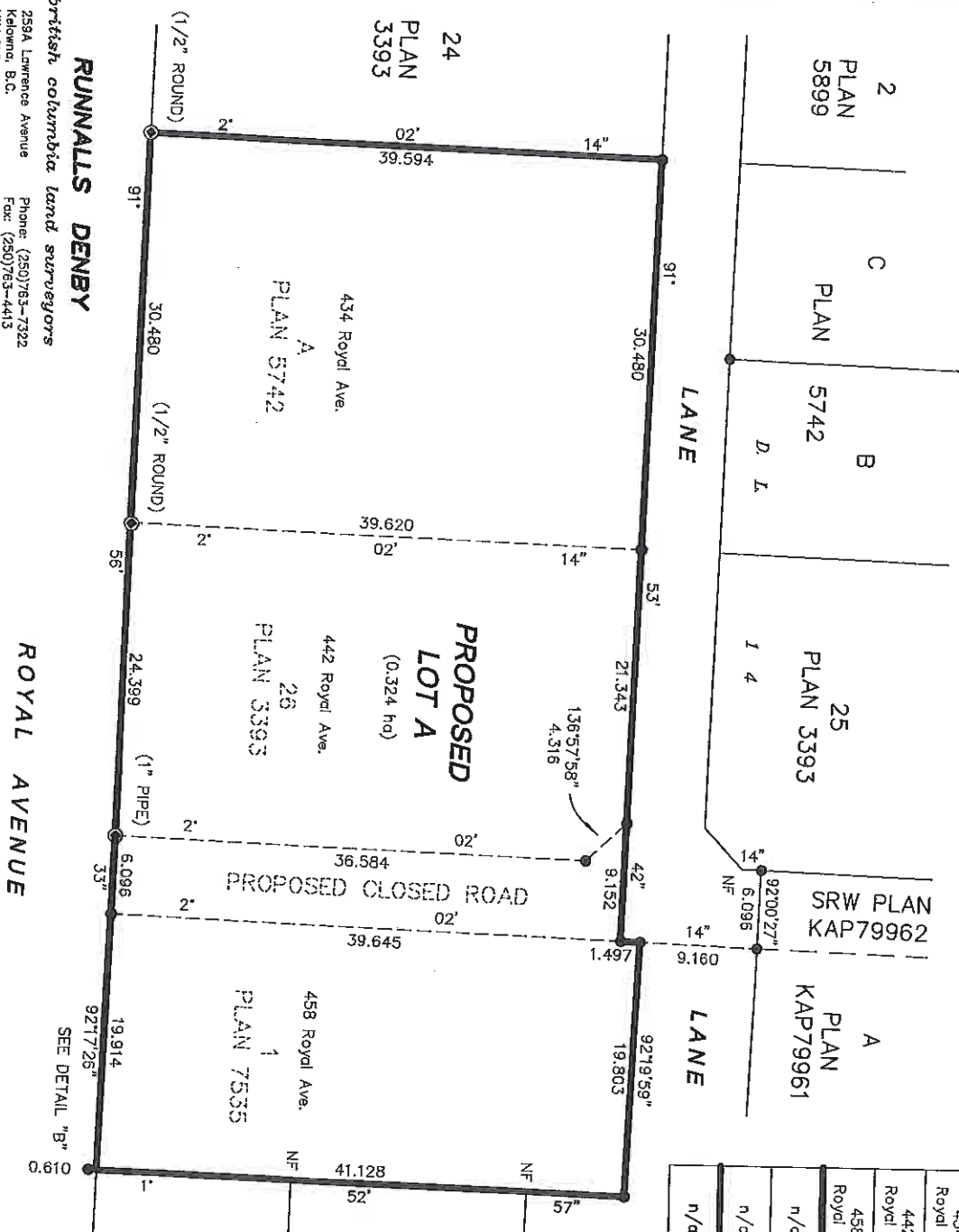
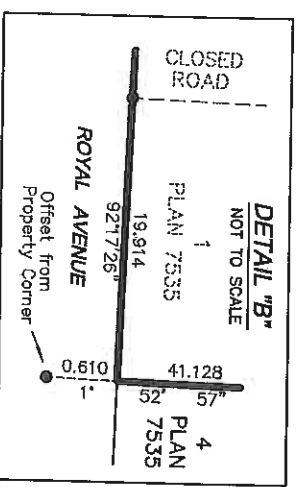


Table of Areas				
Civic Address	Parcel	Area (Acres)	Area (ha)	
434 Royal Ave.	LOT A, PLAN 5742	0.298	0.121	
442 Royal Ave.	LOT 26, PLAN 3393	0.238	0.096	
458 Royal Ave.	LOT 1, PLAN 7535	0.202	0.082	
	Subtotal	0.738	0.299	
	Proposed Closed Road	0.061	0.025	
	Proposed Total	0.799	0.324	



**RUNNALLS DENBY**  
*british columbian land surveyors*  
 259A Lawrence Avenue  
 Kelowna, B.C.  
 V1Y 6L2  
 Phone: (250)763-7322  
 Fax: (250)763-4413  
 Email: [re@runnallsdenby.com](mailto:re@runnallsdenby.com)  
 FILE: 13585  
 DWG. No.: 13585 SKETCH O-1  
 Revision: 0

AW

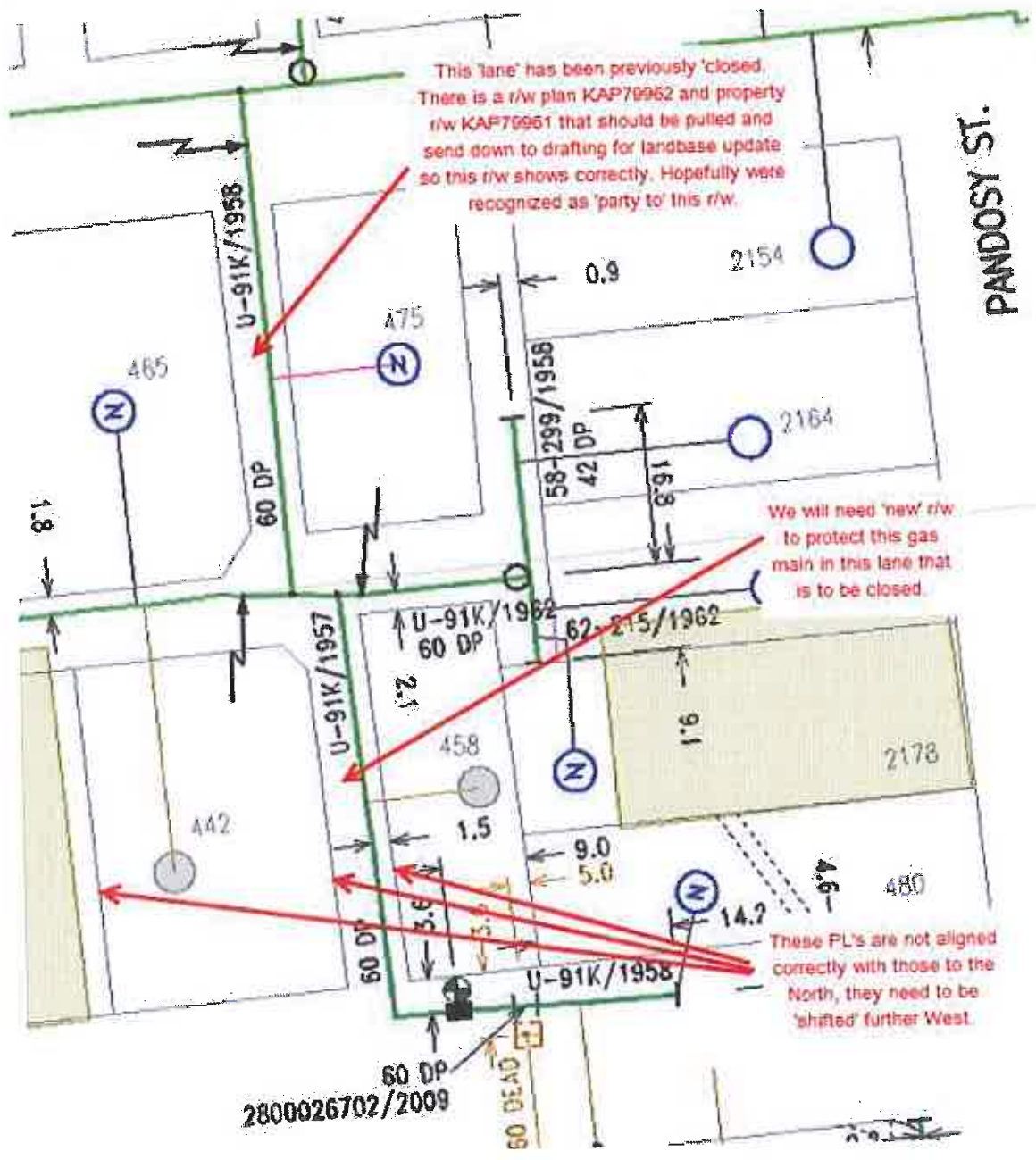
**Heather Benmore**

**From:** Corscadden, Alisa [Alisa.Corscadden@fortisbc.com]  
**Sent:** Tuesday, April 16, 2013 2:47 PM  
**To:** Heather Benmore  
**Subject:** Z13-0015, OCP13-0009 & HAP13-0004 - 434, 442 & 458 Royal Ave

**FILE COPY**

Heather,

Please be advised FortisBC gas division has reviewed the above mentioned referral. Gary Rahier, Planning and Design Technologist has advised that FortisBC will require a Statutory Right of Way to protect our existing 60 DP main through that location that is going to be a 'road closure'. Our AM/FM landbase records are a little bit 'off' at this location, although I don't see this having any bearing on what we need here. Also see my other comments on the sketch below.



**SKETCH PLAN OF LOT A, PLAN 5742,  
LOT 26, PLAN 3393 AND LOT 1, PLAN  
7535, ALL DISTRICT LOT 14, O.D.Y.D**

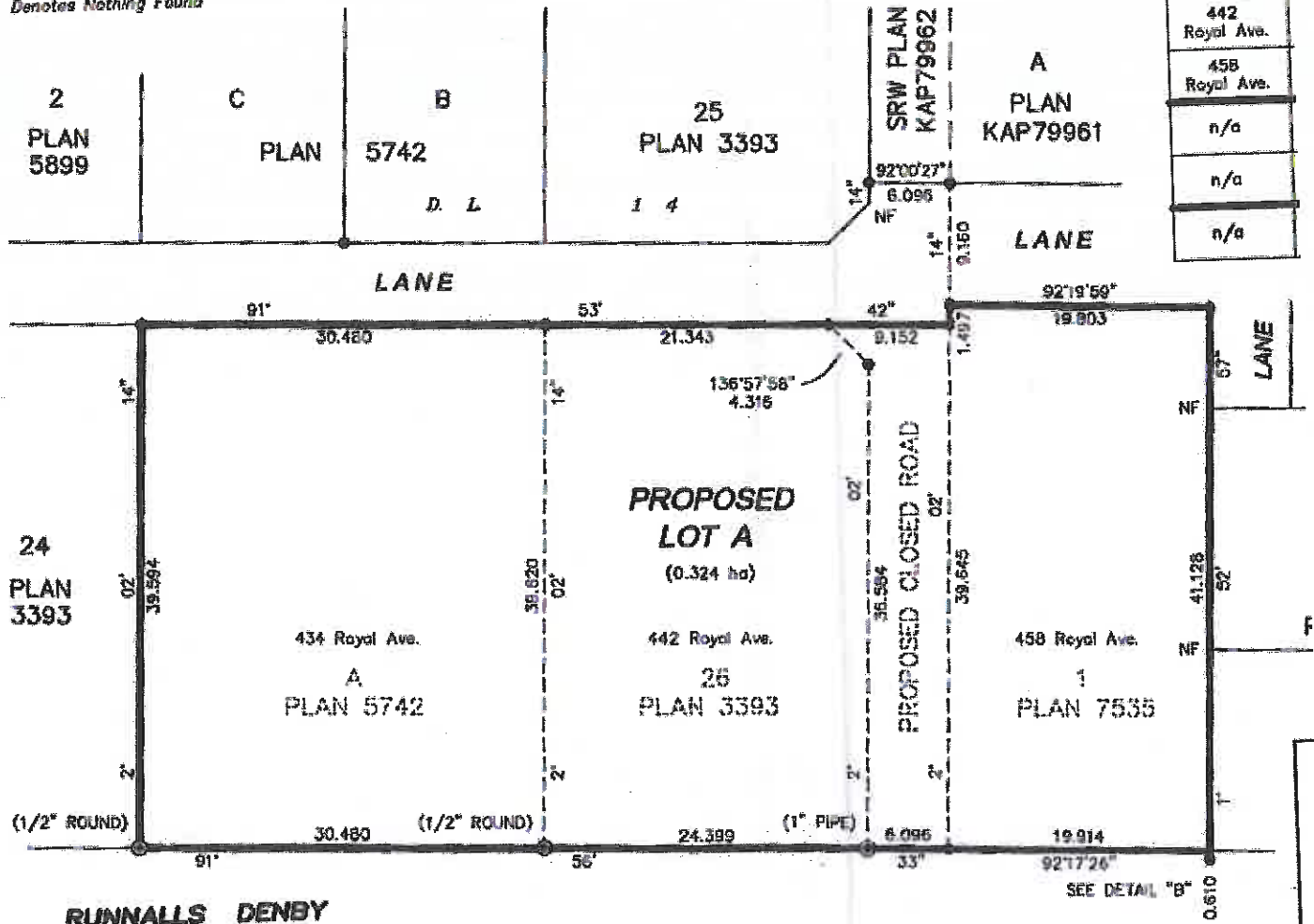
**SKETCH O-1 "Future - Proposed  
and Prop**

SCALE 1:500

**LEGEND**

- Denotes Standard Iron post
- ⊙ Denotes Non-Standard Post
- NF Denotes Nothing Found

Civic Address
434 Royal Ave.
442 Royal Ave.
458 Royal Ave.
n/a
n/a
n/a



**RUNNALLS DENBY**

british columbia land surveyors  
 250A Lawrence Avenue  
 Kelowna, B.C.  
 V1Y 6L2  
 Phone: (250)763-7322  
 Fax: (250)763-4413  
 Email: nell@runnallsdenby.com  
 FILE: 13585

DWG. No.: 13585 SKETCH O-1  
 Revision: 0

Alisa Corscadden | Property Services.  
 Land Administrator  
 16705 Fraser Highway | Surrey BC V4N 0E8  
 P: 604.576-7091 | F: 604-592-7658 | [alisa.corscadden@fortisbc.com](mailto:alisa.corscadden@fortisbc.com)





---

This e-mail is the property of FortisBC Holdings Inc. and/or its affiliates in British Columbia and may contain confidential material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. FortisBC Holdings Inc. and its affiliates do not accept liability for any errors or omissions which arise as a result of e-mail transmission. If you are not the intended recipient, please contact the sender immediately and delete all copies of the message including removal from your hard drive. Thank you.

---

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

**FILE COPY**

---

**Date:** April 17, 2013  
**File No.:** Z13-0015  
**To:** Land Use Management (AW)  
**From:** Development Engineering Manager (SM)  
**Subject:** 434,442 & 458 Royal Ave – Hospital Parking RU1 to HD1

---

The Development Engineering Department has the following comments and requirements associated with this application to rezone from RU1 to HD1. 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.

1. Geotechnical Report

- a) Provide a comprehensive geotechnical report 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.**

- Overall site suitability for development.
- Presence of ground water and/or springs.
- Presence of fill areas.
- Presence of swelling clays.
- Presence of sulphates.
- Potential site erosion.
- Provide specific requirements for footings and foundation construction.
- Provide specific construction design sections for roads and utilities over and above the City's current construction standards

2. Domestic Water and Fire Protection

- (a) The existing three lots are serviced with small -diameter copper water services (3). Only one service will be permitted to the site. The applicant, at his cost, will arrange for the removal of all existing services and the installation of one new larger metered water service. The estimated cost of this construction for bonding purposes is \$20,000.00
- (b) A water meter is mandatory for this development and must be installed 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.

3. Sanitary Sewer

- (a) The existing three lots are connected with sewer services (5). The developer's consulting engineer will determine the requirements of the proposed development and establish the service needs. Only one service will be permitted to the site. The applicant, at their cost, will arrange for the capping of all existing unused services at the main. Any upgrades required will be at the developer's expense. The estimated cost of this construction for bonding purposes is **\$8,000.00**

4. Storm Drainage

- (a) It will be necessary for the developer to construct storm drainage facilities on Royal Ave to accommodate road drainage fronting the proposed development. The cost is included in the Road upgrading item.
- (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 City Storm Water Management Policy and Design Manual. 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 lot and /or recommendations for onsite drainage containment and disposal systems.
- (b) The on-site drainage system may be connected to an existing or proposed drainage system with an overflow service. The estimated cost of this construction for bonding purposes is **\$6,000.00**
- (b) Provide a lot-grading plan.

5. Road Improvements

- (a) Royal Avenue fronting this development must be upgraded to an urban standard (City Standard SS-R5) including barrier curb and monolithic sidewalk, piped storm drainage system, fillet pavement, landscaped boulevard complete with underground irrigation system, and re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading. The estimated cost of this construction for bonding purposes is **\$40,000.00**.
- (b) Service upgrades will require road cuts and pavement restoration work within City road ways. The work must be approved by the City and constructed to City Standards.
- (c) Relocate existing poles and utilities, where necessary.

6. Road Dedication and Subdivision Requirements

- (a) Lot consolidation
- (b) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.

7. Electric Power and Telecommunication Services and Street Lights

- (a) The development electrical and telecommunication services to this site 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.
- (b) 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.
- (c) Remove aerial trespass(es)

8. 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.

9. 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. Survey Monuments and Iron 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.

12. Bonding and Levy Summary

(a) Bonding

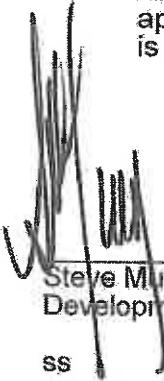
Water service upgrades	\$ 20,000
Sanitary sewer service upgrades	\$ 8,000
Storm overflow services	\$ 6,000
Royal Ave frontage improvements	\$ 40,000
<b>Total Bonding</b>	<b>\$74,000.00</b>
<b>Deferred Revenue (see note below)</b>	<b>\$ 5,841.90</b>
<b>Total Bonding Required</b>	<b>\$68,158.10</b>

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 and may be in the form of cash or an irrevocable letter of credit, in an approved format. The City of Kelowna is holding \$5,841.90 in deferred revenue from application HAP12-0006 for disconnection of the water and sanitary services to the demolished homes. These funds will be returned to the applicant once the work has been completed by the applicant.

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

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% of the total off-site construction costs plus GST



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

ss

**ROYAL AVENUE OCP AMEMDMENT, REZONING  
& PROPOSED PARKING LOT  
APPLICATIONS - OCP13-0009, Z13-00015, HAP13-0004**

**SUMMARY OF COMMUNITY CONSULTATION**

Consultation Dates: April 16, May 16 and May 30, 2013

Total Number of Attendees: 46

Total Number of Comment Sheets completed: 23

**Process:**

Interior Health conducted three consultation sessions to-date for the proposed rezoning of the property at 434/442/458 Royal Avenue. All sessions were held in the Centennial Building 1<sup>st</sup> Floor Conference Room at KGH, a location that has been used previously for similar community meetings. Several IH representatives were on hand for all sessions (including staff from Capital Planning & Projects, Real Estate Services, Communications, and Hospital Administration) as well as a representative from Aplin & Martin Consultants.

Neighbourhood Consultation Meetings

Two sessions, held on April 16, 2013 and May 16, 2013, focused on the participation by those neighbours who were deemed to be most impacted by the proposed development. Approximately 25 notices were sent to property owners by email and/or direct notice delivery. Representatives of the Kelowna South Central Association of Neighbourhoods (KSAN), and The Friends and Residents of the Abbott Street Heritage Conservation Area Society (FRAHCAS) were also invited to participate. The two sessions were attended by 13 residents, and 20 residents, respectively.

A combination of 24x30 inch poster boards and an interactive PowerPoint presentation portraying different elements of the proposal were utilized for these sessions. Attendees were greeted when they arrived and were asked to sign an attendance register. The presentation was facilitated by Doug Levell, Manager of Real Estate Services, David Fowler, Senior Project Manager and Cory Barker, PEng with Aplin & Martin. Comments and questions were invited and addressed throughout the presentation. Notes were taken for both meetings and distributed to all attendees.

Community Information Meeting

The third meeting was a Community information Session, intended for the local neighbourhood as well as the broader community. Approximately 45 property owners in the vicinity of the subject area were invited via email and direct notice delivery. In addition advertising for the Information Session was placed in both the Kelowna Daily Courier and the Capital News. The session was attended by 23 residents.

The presentation consisted of ten 24x26 inch poster boards arranged throughout the room. Attendees were greeted when they arrived and asked to sign an attendance register. Representatives from IH and Aplin & Martin guided attendees through the presentation and questions were addressed as needed.

All presentations highlighted the current status of the proposed OCP and zoning amendments and addressed the parking layout and landscape plan. Successive sessions included revised landscape plans, based, in part, on feedback received at previous sessions. Attendees at all sessions were provided with a Comment Sheet and encouraged to provide feedback on the proposal. The aggregate results of the three consultation sessions follows:

**Results of Consultation Surveys:**

Questions	Strongly Support	Support	Neutral	Do Not Support	Strongly Do Not Support
1. Do you support the overall proposal to rezone the Royal Avenue Lands?				1	8
2. Do you support the overall design concepts proposed for the subject parking project?	2			3	6
3. Do you support the landscape concepts proposed for the subject parking project?	2		1	6	9
4. Do you support the lighting concepts proposed for the subject parking project?	3	1	2	3	9
5. Do you support the setbacks proposed for the subject parking project?	1	1	2	4	8

**Question 1 Comments:**

- Not supporting the rezoning – necessitates that I strongly do not support the design because these lots should not be rezoned.
- Do not want parking lot in our heritage area (on north side of Royal).
- I am opposed to changing these lots into a parking lot. I am opposed to removing the beautiful heritage Tudor house from the neighbourhood.
- Do not support parking lot in our heritage area
- Rezoning is not in line with OCP or Heritage Area or existing bylaws.

**Question 2 Comments:**

- More landscape buffer; more trees; bushes,/grasses not big enough
- Add pedestrian walkways to SE & SW corners
- No to 10' fence; no to removing Nome from HCA
- Do not support in current state
- I do not support the parking lot & therefore cannot support/accept the plans

**Question 3 Comments:**

- Fence should have heritage design/look and outside 3 sides should have tall trees, not just grasses.
- Evergreen trees (don't lose their leaves); big bushy trees
- Need 4 season landscaping
- Do not support unless there are no deciduous trees, only evergreen: there are several drought tolerant evergreens natural to the Okanagan
- Four season landscaping; trees that don't lose their leaves along lane

**Question 4 Comments:**

- Lights should have a heritage style to better fit into the neighbourhood.

**Question 5 Comments:**

- Big trees
- Need more buffer/transition

**Summary of comments related to the concept plans:**

- More trees along north side of parking lot
- 4 season landscaping
- More set back
- Greater green space
- More evergreen trees
- Pedestrian/bikeway connection to lane north
- Turnarounds create noise, dust, water/mud nuisance-lane north side strip to Abbott
- Do not support heritage style lighting unless the rest of the street has it – will look out of place. Prefer the other lighting – less conspicuous
- Cement block fence with Jacob's ladder vines and Ivy

**Summary of General comments:**

- Do not support
- This proposal is not in keeping with our neighbourhood and should not occur
- Conflict with heritage commitment
- Indeed, it is a shame that the City and IHA did not have the foresight to recognize the impact (potential and real) of the Emergency Entrance. This could somewhat relieve some parking on the street, ie. Glenwood is and has been a secondary parking lot
- I believe IHA is wrong to encroach into the heritage zone and into the residential areas. Once you get your zoning you will slowly encroach further into the neighbourhood
- I do not support the landscape proposal because I do not support the rezoning
- What I support is a class action lawsuit against IHA and City for loss of property values
- This is a heritage area – respect it. This will not solve traffic problems – improve transit, bike and walk.
- You (KGH/IHA) have a TDM plan – use it – where is it?
- Nothing about parking lot appeals to me
- This is a heritage community – respect us and rebuild as heritage homes.
- Expand the HD2 zone
- This parking lot should not be allowed at this location
- Where will the erosion of our neighbourhood stop?
- Not allowing the neighbourhood input into the design of the Emergency Dept has resulted in further destruction of the KGH neighbourhood
- Get a bike rack in the front of Centennial Bldg-was to be on order 2 years ago
- Comment about helicopter flight path
- Support no IH projects north of Royal
- To comment on design is impossible if one feels that the zoning application should not move forward.
- I do not support moving the heritage [house] or demolishing the heritage house. I do not support building a parking lot in the heritage area. Stay within the OCP plan for IH property.
- I am adjacent to the proposed parking lot and my home is 2 storeys, unlike most of the other homes. I definitely do not want a walkway from Royal through the parking lot to the back lane; our alleyway. Solid fencing to keep noise contained in the parking lot. I definitely do not want in later years that this parking lot to be a parkade! 92 parking stalls is just too



humungous!! It is ridiculous. The lighting proposal should not be too high that it shines over the solid wall Please do not take away the Japanese Red Maple tree. I suggest that "yew" trees be planted behind the back of the solid wall on the lane side.

- Would like to see other fencing options besides cedar; consider concrete
- Looks good; Good for you for braving through these public consultations
- Save the heritage home; make it a doctor's office
- Remove grasses on North side of fence; and move fence closer to laneway – more room for trees then
- Do not build parking lots on the north side of Royal in Heritage area
- I support Pandosy to Long, on Royal Ave, to be removed from Heritage zoning
- Proposal is not of benefit to the residential area; other development by some party other than IH, or IH if they were to propose a development that accentuates our neighborhood would be welcome
- Concern that Heritage area is being compromised
- Do long term planning. Proposal is 1<sup>st</sup> step in taking in all of Royal and Glenwood

#### Additional information pursuant to City of Kelowna Council Policy 367

1. At what time and for what duration was the information session held?
  - Two sessions began at 5:30 pm and ran for 90 minutes; the community information session began at 5:00 and ran for 2 hours.
2. How many people attended the information session?
  - Session #1 – 13; Session #2 – 20, and Session #3 – 23
3. How was the information session advertised (include copies of all advertising)? How were affected property owners notified of the information session?
  - For the Community Information Session (Session #3), Email contact via a distribution list maintained by KGH administration, hand deliver of notices and newspaper advertising in the Kelowna Daily Courier (May 17, 2013) and Capital News (May 17, 2013). For the two Neighbourhood consultation session (Session #1 and #2, affected property owners were contacted by email and hand delivered notices.
4. How was the input received at the information session used?
  - Information and feedback provided by attendees was reviewed with the consultants, incorporated into successive iterations of the plan where feasible, and presented at the next session.
5. Was the information session organized and conducted in a manner consistent with the Objective of this policy?
  - All requirements of Council Policy 367, and specifically the Objective "To ensure that those parties affected by an application made pursuant to this policy are given adequate notice and one or more meaningful opportunities to provide input, where appropriate and in keeping with the nature and scale of the application." were fulfilled.

Prepared by: Doug Levell, Manager of Real Estate Services

Date: June 12, 2013

# Report to Council



**Date:** July 5, 2013  
**Rim No.:** 0913-20-128  
**To:** City Manager  
**From:** D. Edstrom, Acting Director, Real Estate & Property Services  
**Subject:** Proposed Royal Avenue Road Closure and Transfer to Interior Health Authority

---

## **Recommendation:**

THAT Council receives for information, the Report from the Acting Director, Real Estate & Property Services dated July 5, 2013, recommending that Council adopt the proposed road closure of a portion of road between 442 Royal Avenue and 458 Royal Avenue (Schedule 'A');

AND THAT Bylaw No. 10845, being proposed road closure of a portion of road between 442 Royal Avenue and 458 Royal Avenue, be given reading consideration.

## **Purpose:**

The excess closed road is to be consolidated with the properties between 442 Royal Avenue and 458 Royal Avenue to consolidate into one contiguous parcel consisting of 434, 442 and 458 Royal Avenue, along with the road closure area, for the purpose of a parking lot.

## **Background:**

With the completion of the Kelowna General Hospital expansion, the Interior Health Authority wishes to construct a paved parking lot opposite the Emergency Ward located on Royal Avenue. The properties at 434, 442 and 458 Royal Avenue were purchased by the Interior Health Authority to facilitate the development of the parking lot; the proposed road closure, which runs between 442 Royal Avenue and 458 Royal Avenue, is necessary to create one contiguous parcel (as shown in Schedule 'A').

## **Legal/Statutory Authority:**

Section 26 and 40, Community Charter

## **Considerations not applicable to this report:**

Internal Circulation:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Personnel Implications:  
External Agency/Public Comments:  
Communications Comments:  
Alternate Recommendation:

Submitted by:

---

Derek Edstrom, Acting Director,  
Real Estate & Property Services

Approved for inclusion:



M. Bayat, Director, Development Services for  
D. Gilchrist, Divisional Director, Community Planning &  
Real Estate

Schedule 'A'

