

# City of Kelowna Public Hearing AGENDA



Tuesday, November 5, 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 October 22, 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. 10891 (Z13-0032) - 325 Hartman Road, Gary Martin Lupul 4 - 25

To rezone the subject property from the RU1 - Large Lot Housing Zone to the RU6 - Two Dwelling Housing Zone to allow the construction of a second single family dwelling.

3.2 Bylaw No. 10892 (Z13-0035) - 341 Clifton Road, Adrian Hazzi & Mandi Moore 26 - 40

The application proposes a rezoning of the subject property from the A1 - Agriculture 1 zone to the RU1 - Large Lot Housing zone. The rezoning is required to facilitate the subdivision of the existing 1.0 hectare property into 13 medium and large urban residential lots.

## 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.





The subject property is located within the Permanent Growth Boundary. Policies within the Official Community Plan support the sensitive integration into existing neighbourhoods, where services are already in place and densification can easily be accommodated. The subject property is in close proximity to parks, schools, transit and recreational opportunities.

Should the land use be supported by Council, a Development Permit executed at a staff level will be required for the building placement.

## 4.0 Proposal

### 4.1 Project Description

The applicant seeks to rezone the site to allow two single family dwellings on the subject property. The proposal seeks to demolish two existing out-buildings fronting Solly Court and relocate a house from Knowles Road onto the property. The relocated dwelling will be placed on a new basement level which incorporates a double garage and living space. Construction of a new two car garage supplying parking for the existing dwelling is planned. The site will be serviced with a single driveway located on the south side of the property.

The area is characterized by a mixture of housing styles including typical 1970 bi-level homes and older one storey dwellings on Solly Court, and comparatively larger stucco clad buildings constructed in the late 1990's on the Hartman Road. The addition of a second dwelling meets the established street rhythm on both street frontages. The relocated building is proposed at 1.5 storeys in height and has a similar foot print to the homes across the street. Improvements to the existing dwelling include adding decks to the front and rear elevations. The mature trees and shrubs are anticipated to be retained.

As required by Policy 367 - "Public Notification & Consultation" the applicant contacted all neighbours within a 50m radius. A total of 10 properties out of the 13 required provided no concern with the development. The neighbour directly adjacent to the project expressed some concern as the driveway is located parallel to his property.

### 4.2 Site Context

The subject property is located on the south side of Hartman Road on the corner of Solly Court in Rutland. Recreational amenities, schools, shopping and transit are all in close proximity to the site. The subject property is designated as Single/Two Unit Residential in the Official Community Plan.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 - Two Dwelling Housing RU1- Large Lot Housing	Single Family Dwelling
East	P5LP - Municipal District Park	YMCA / Kelowna Gymnastics Centre
South	RU1- Large Lot Housing	Single Family Dwelling
West	RU1- Large Lot Housing	Single Family Dwelling

4.3 Subject Property Map: 325 Hartman Road



4.4 Zoning Analysis Table

The proposed application meets the requirements of RU6 - Two Dwelling Housing zone as follows:

Zoning Analysis Table		
CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS (for two principal dwellings)
Subdivision Regulations		
Lot Area	1,018 m <sup>2</sup>	700 m <sup>2</sup> or 800 m <sup>2</sup> for a corner lot
Lot Width	18.3 - 24.38 m	18.0 m
Lot Depth	35.97 - 42.1 m	30.0 m
Development Regulations		
Site Coverage (buildings)	24 %	40%
Site Coverage (buildings/parking)	45.17 %	50%
Relocated Dwelling (Front)		
Height	1.5 storeys/ 5.28 m	2 ½ storeys / 9.5 m
Front Yard	4.5 m	4.5 m
Side Yard (n)	4.5 m	4.5 m from a flanking street unless there is a garage accessed from the flanking street, it is 6.0m
Side Yard (s)	5.35 m	2.3 m (2 - 2 ½ storey)

Separation (Distance between Houses)	4.95 m	4.5m
Existing Dwelling (Rear)		
Height	1 storey / 4.75 m	2 ½ storeys / 9.5 m
Side Yard (n)	8.26 m	4.5 m from a flanking street unless there is a garage accessed from the flanking street, it is 6.0m
Side Yard (s)	5.5 m	2.3 m (2 - 2 ½ storey)
Rear yard	6.7 m	7.5m for a 2 storey portion and 6.0m for 1 - 1.5 storey building
Other Requirements		
Parking Stalls (#)	2 spaces in proposed garage for existing dwelling 2 in the garage for the proposed dwelling Total: 4	2 spaces for each principal Total 4
Private Open Space	meets requirements	30 m <sup>2</sup> of private open space per dwelling

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Policy 5.2.3 Complete Suburbs.**<sup>1</sup> Support a mix of uses within Kelowna's suburbs (see Map 5.1 - Urban Core Area), in accordance with "Smart Growth" principles to ensure complete communities. Uses that should be present in all areas of the City (consistent with Map 4.1 - Future Land Use Map), at appropriate locations, include: commercial, institutional, and all types of residential uses (including affordable and special needs housing) at densities appropriate to their context.

**Policy 5.3.2 Compact Urban Form.**<sup>2</sup> Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

**Policy 5.22.6 Sensitive Infill**<sup>3</sup> Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting.

<sup>1</sup> Official Community Plan Objective 5.2 Community Sustainability

<sup>2</sup> Official Community Plan Objective 5.3 Focus development to designated growth areas.

<sup>3</sup> & <sup>4</sup> Official Community Plan Objective 5.22 Residential Land Use Policies.

Policy 5.22.7 Healthy Communities<sup>4</sup> Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

**6.0 Technical Comments**

**6.1 Development Services Department**

- 1) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- 2) Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- 3) Engineering required for foundations of house that is going to be moved on.
- 4) Full Plan check for Building Code related issues will be done at time of Building Permit applications.

**6.2 Development Engineering Department**

See Attached.

**6.3 Fortis Electrical**

There are primary distribution facilities within Hartman Road and Solly Court. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

Otherwise, FortisBC Inc. (Electric) has no concerns with this circulation.

**7.0 Application Chronology**

Date of Application Received: August 8, 2013

Public Notification and Consultation received: September 9, 2013

**Report prepared by:**

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Birte Decloux, Urban Planner

**Reviewed by:**

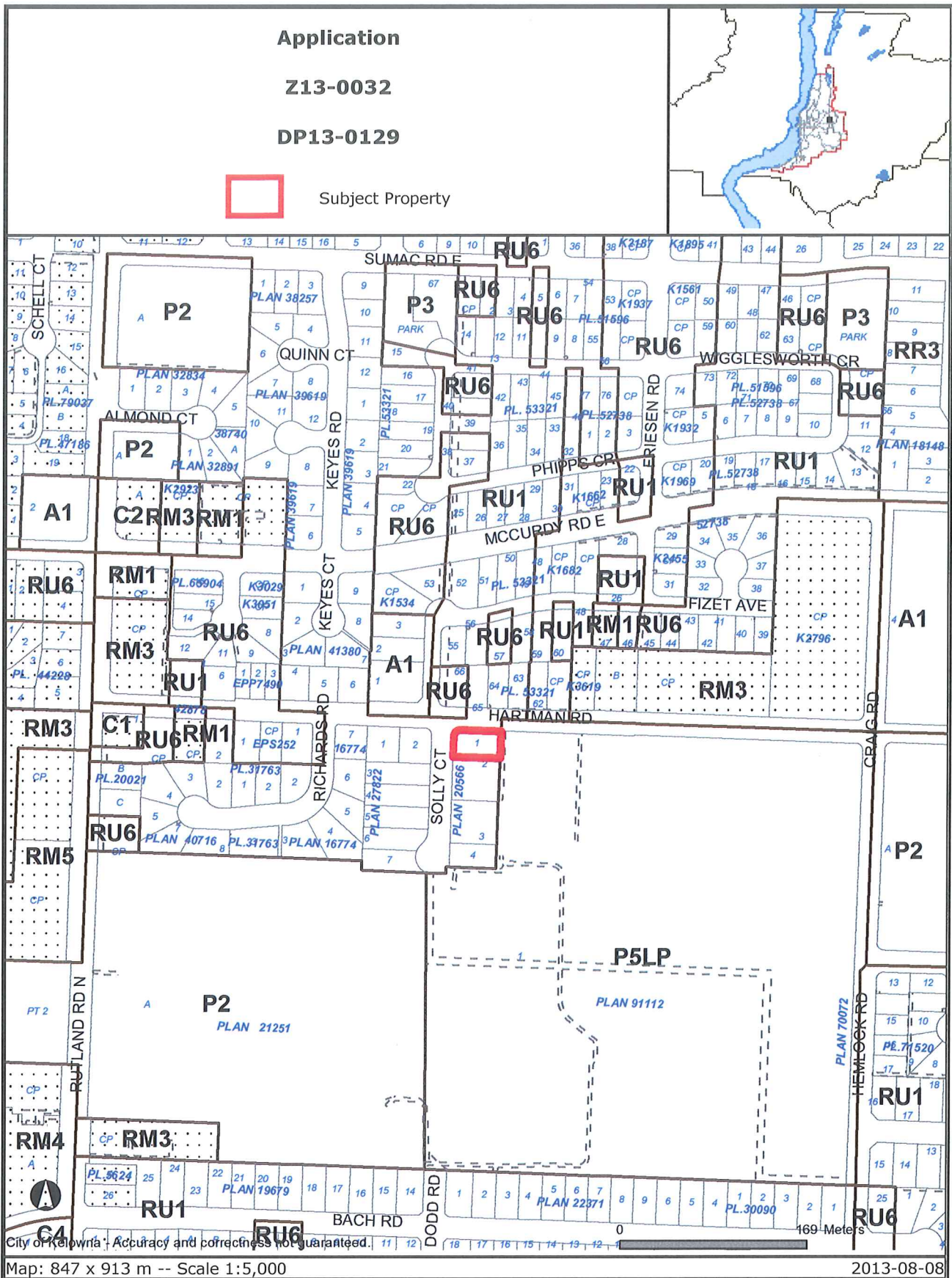
Danielle Noble-Brandt, Urban Planning Manager

**Approved for Inclusion:**

Doug Gilchrist, Divisional Director, Community Planning and Real Estate

**Attachments:**

- Site/Landscape Plan
  - Proposed Front Dwelling
    - Conceptual Elevations
  - Existing Dwelling
    - Conceptual Elevations
  - Site/Dwelling Photos
  - Technical Comments
-



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.

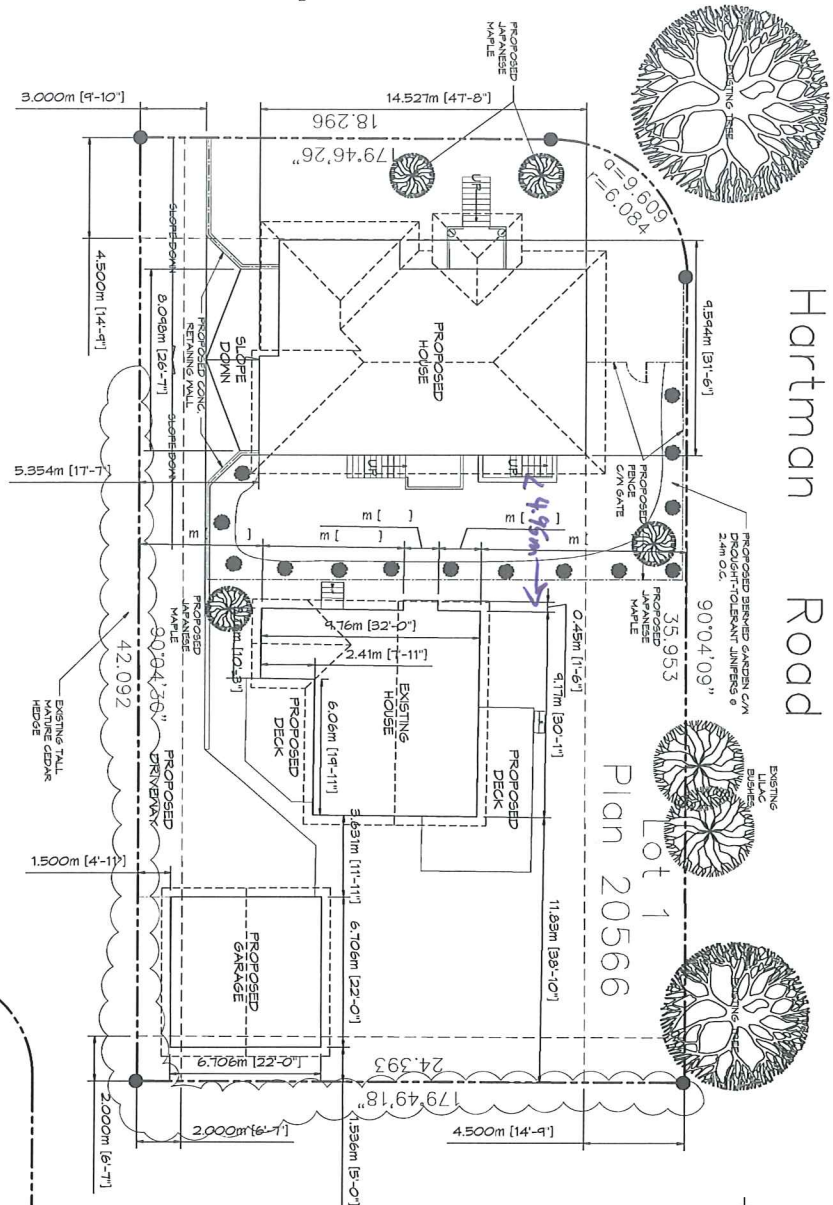


# Solly Court

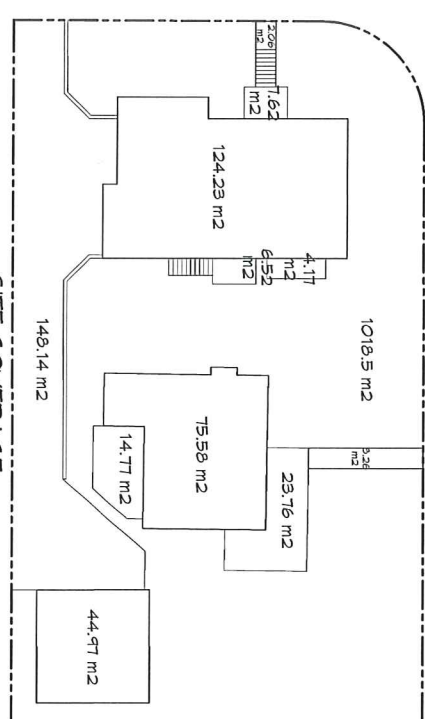
Hartman Road

EXISTING BLUAC BLOCK LOT 1  
Plan 20566

SITE PLAN  
SCALE: 1:100



SITE COVERAGE  
SCALE: 1:75

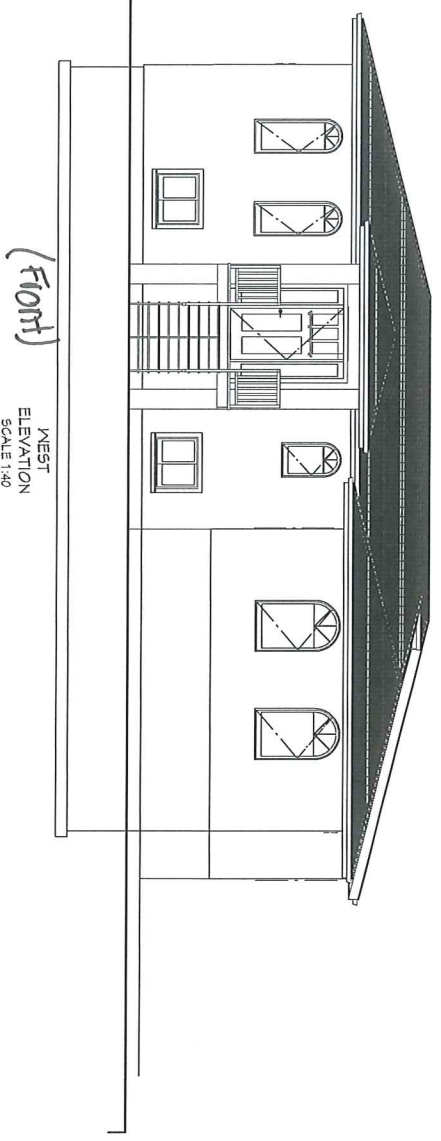


TOTAL SITE AREA: 1018.5 m<sup>2</sup>  
TOTAL SITE COVERAGE: 460.08 m<sup>2</sup>  
SITE COVERAGE (%): 45.17%  
ALLOWABLE SITE COVERAGE (%): 50%

NO. REVISIONS	DATE
DRAWING TITLE	
SITE PLAN AND SITE COVERAGE	
JOB TITLE	
DEVELOPMENT PROPOSAL AT 325 HARTMAN RD.	
DATE	
JULY 10/2013	
DRAWN BY	D.P.
JOB NO.	WCS 05-13
SCALE	1:100
DRAWING NO.	
<b>A1</b>	

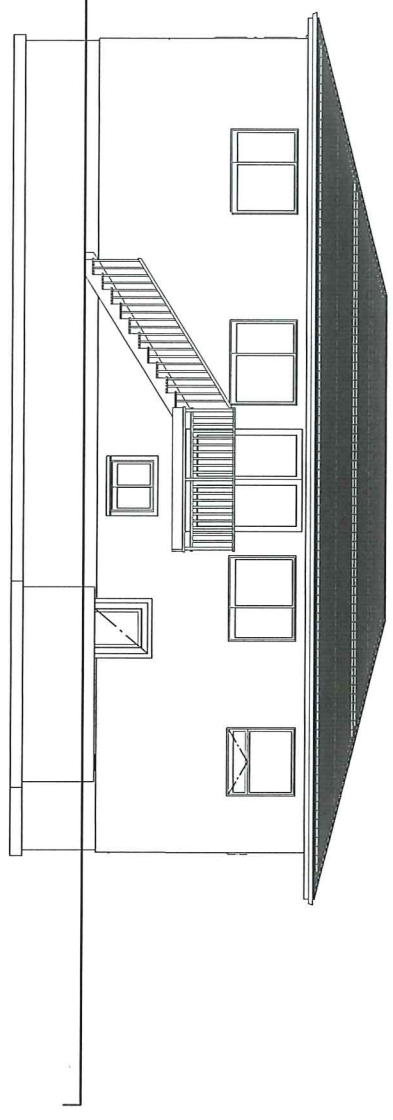
**Willow**  
CADD SERVICES  
2411 Avenue 66 East, Suite 100  
Ft. Collins, CO 80526  
Tel: 970.470-0400

Dwelling facing 50114 Ct.



(Front)

WEST  
ELEVATION  
SCALE 1:40



EAST  
ELEVATION  
SCALE 1:40

Rear



No.	REVISIONS	DATE

JOB TITLE

DEVELOPMENT  
PROPOSAL AT  
325 HARTMAN  
RD.

DRAWING TITLE

WEST AND EAST  
ELEVATIONS

DATE

JULY 10/2013

DRAW BY

D.P.

JOB NO.

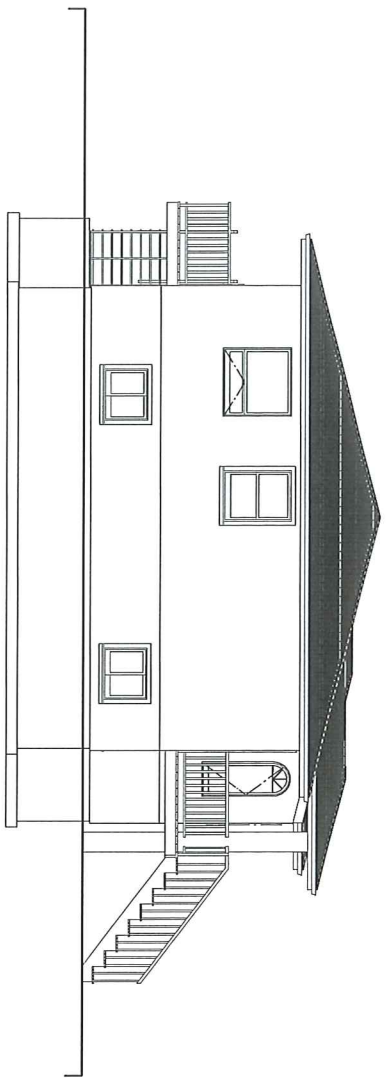
WCS 05-13

SCALE

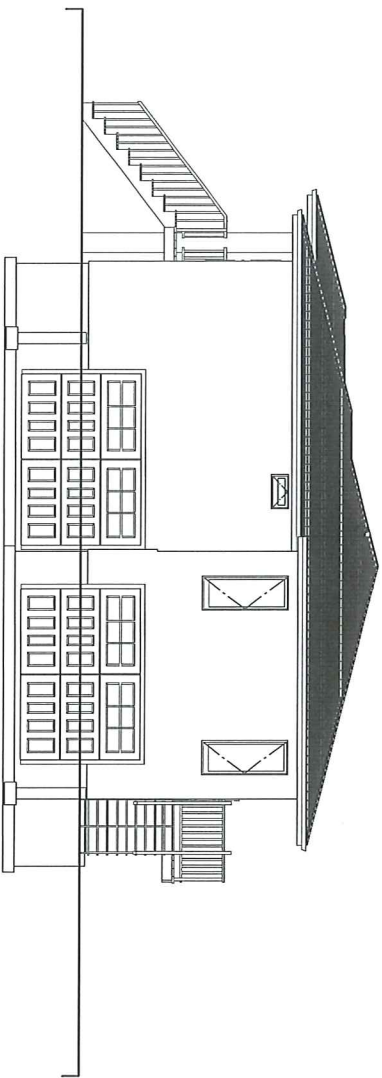
1:40

DRAWING NO.

A4



NORTH  
ELEVATION  
SCALE 1:40



SOUTH  
ELEVATION  
SCALE 1:40



No.	REVISIONS	DATE

JOB TITLE

DEVELOPMENT  
PROPOSAL AT  
325 HARTMAN  
RD.

DRAWING TITLE

NORTH AND  
SOUTH  
ELEVATIONS

DATE

JULY 10/2013

DRAW BY

D.P.

JOB No.

WCS 05-13

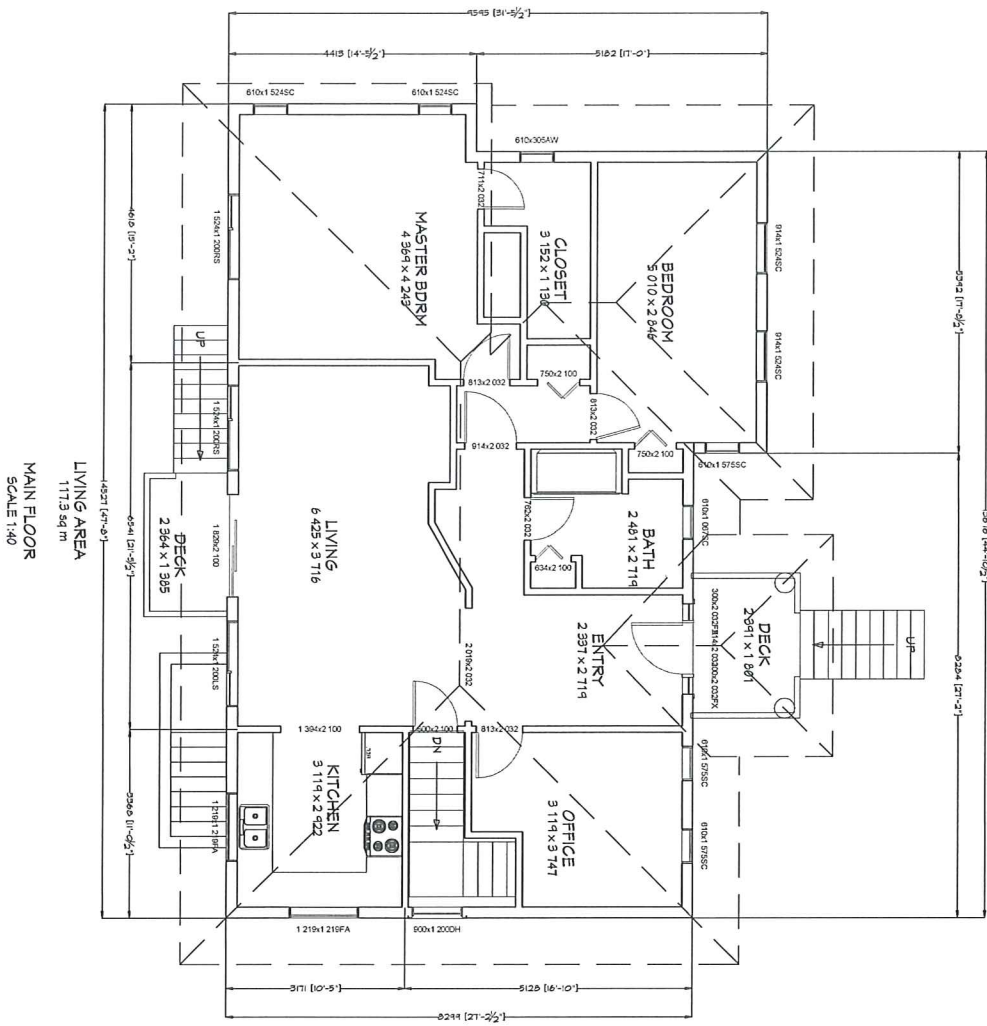
SCALE

1:40

DRAWING No.

A5





LIVING AREA  
1173 sq.m  
MAIN FLOOR  
SCALE 1:40

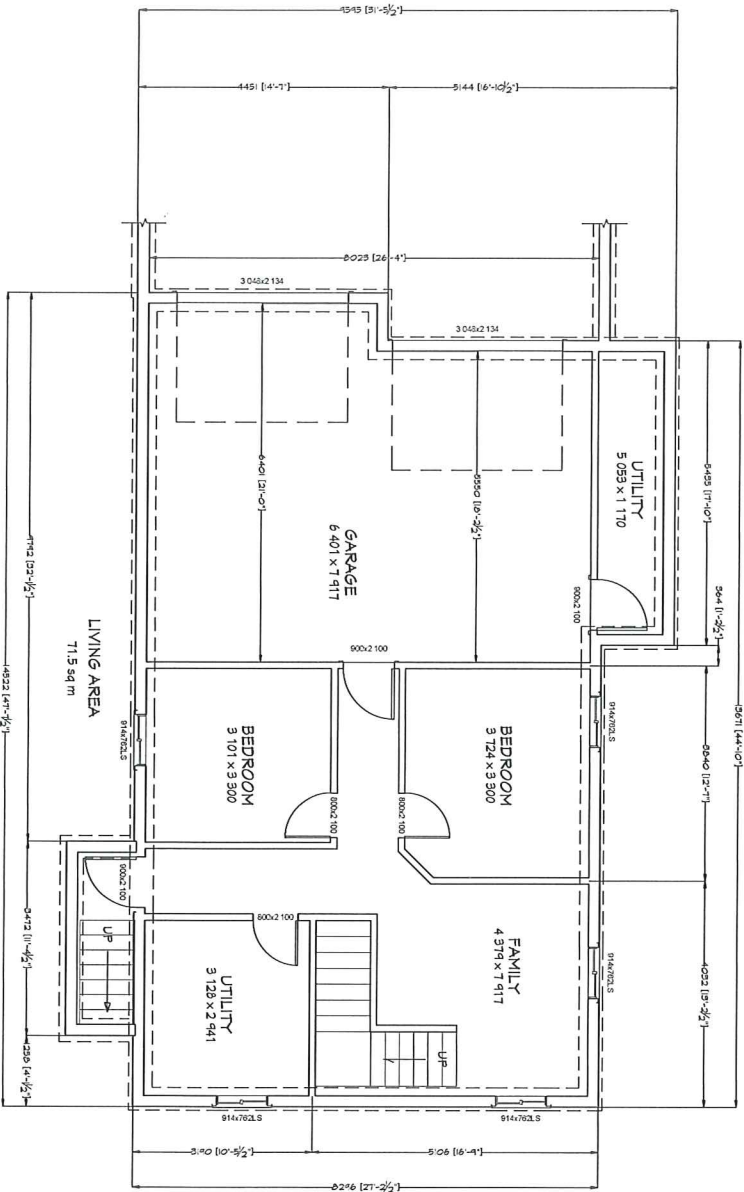
NO.	REVISIONS	DATE

JOB TITLE	DEVELOPMENT PROPOSAL AT 325 HARTMAN RD.
DRAWING TITLE	MAIN FLOOR PLAN FOR PROPOSED "MOVE-ON" HOUSE
DATE	JULY 10/2013
DRAWN BY	D.P.
JOB NO.	WC5 05-13
SCALE	1:40
DRAWING NO.	

A2



No.	REVISIONS	DATE

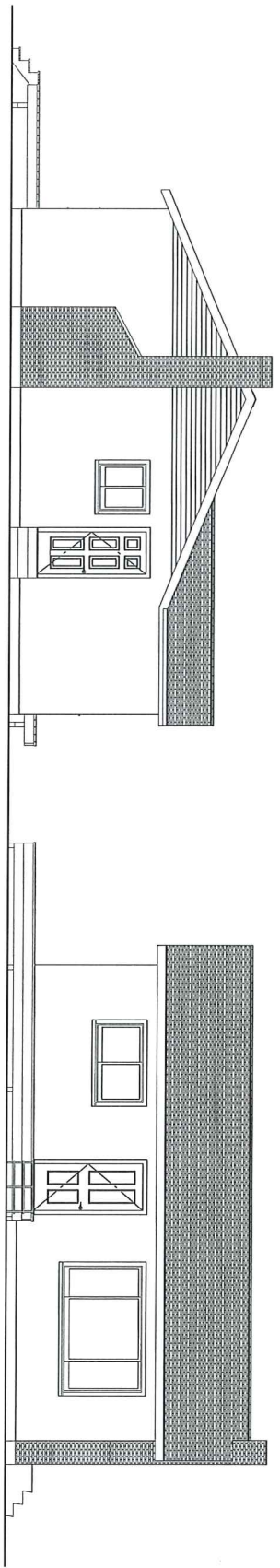
  

JOB TITLE	DEVELOPMENT PROPOSAL AT 325 HARTMAN RD.
DRAWING TITLE	BASEMENT PLAN FOR PROPOSED "MOVE-ON" HOUSE
DATE	JULY 10/2013
DRAWN BY	D.P.
JOB No.	WCS 05-13
SCALE	1:40
DRAWING No.	

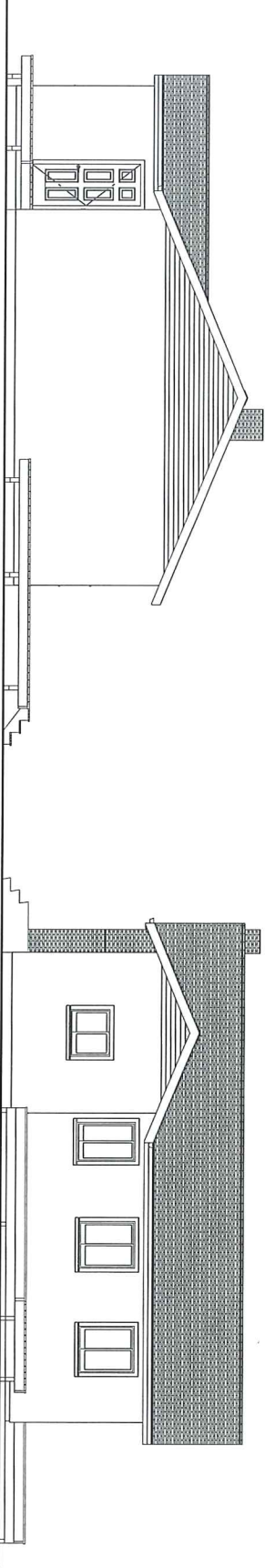
**A3**



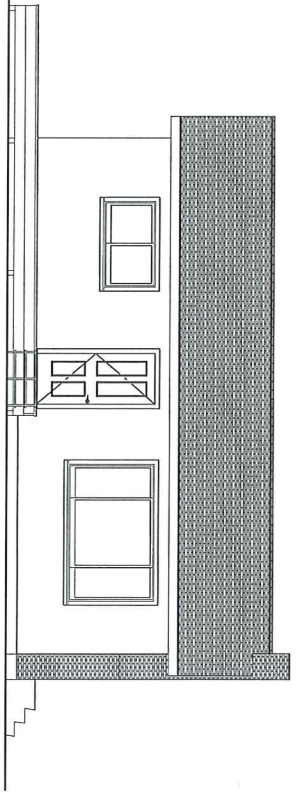
# Dwelling facing Hartman Rd



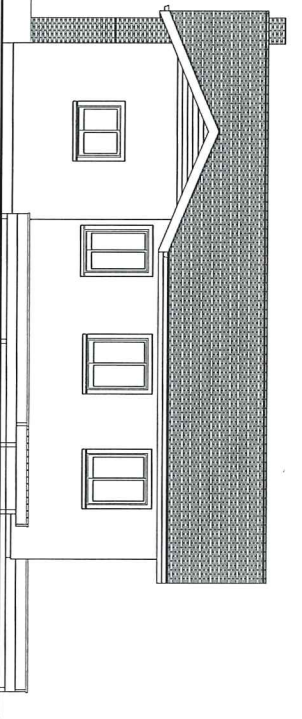
WEST ELEVATION  
SCALE 1:40



EAST ELEVATION  
SCALE 1:40



NORTH ELEVATION  
SCALE 1:40  
*(Front)*



SOUTH ELEVATION  
SCALE 1:40



No.	REVISIONS	DATE

JOB TITLE

DEVELOPMENT PROPOSAL AT 325 HARTMAN RD.

DRAWING TITLE  
EXISTING HOUSE ELEVATIONS

DATE: JULY 10/2013  
 DRAWN BY: D.P.  
 JOB No. W05 05-13  
 SCALE 1:40  
 DRAWING No.

# A7



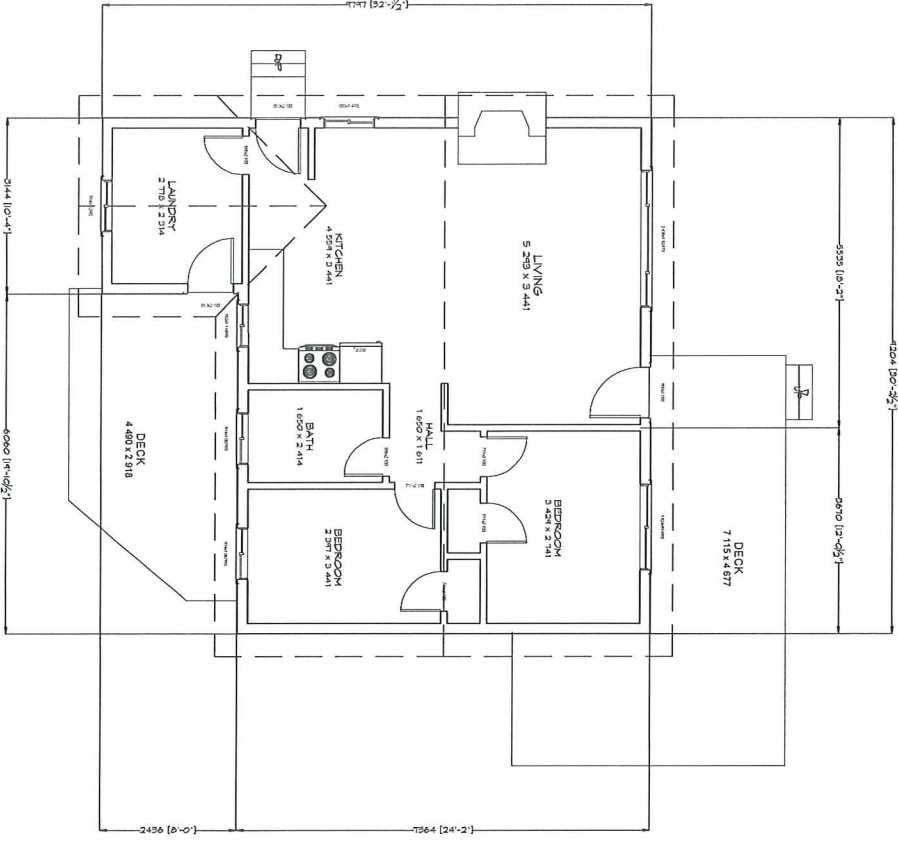
NO.	REVISIONS	DATE

JOB TITLE
DEVELOPMENT PROPOSAL AT 325 HARTMAN RD.

DRAWING TITLE  
 MAIN FLOOR PLAN  
 FOR EXISTING  
 HOUSE

DATE JULY 10/2013  
 DRAW BY D.P.  
 JOB NO. WCS 05-13  
 SCALE 1:40  
 DRAWING NO.

**A6**



LIVING AREA  
 73,284 sq ft  
 MAIN FLOOR  
 SCALE 1:40





Subject Property - 325 Hartman  
Out building to be Demolished





Subject property - 325 Hartman Rd





House to be moved from 407 Knowles Rd  
to 325 Hartman Rd.

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## CITY OF KELOWNA

### MEMORANDUM

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**Date:** September 3, 2013  
**File No.:** Z13-0032  
**To:** Planning & Development Services Department (BD)  
**From:** Development Engineer Manager (SM)  
**Subject:** 325 Hartman Road – Lot 1, Plan 20566, Sec. 26, Twp. 26, ODYD

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Development Engineering comments and requirements regarding this application to rezone from RU1 to RU6 are as follows:

1. Subdivision

Provide easements as may be required

2. Geotechnical Study.

We recommend that a comprehensive geotechnical study be undertaken over the proposed building site. The geotechnical study should be undertaken by a Professional Engineer or a Geoscientist competent in this field. This study should analyse the soil characteristics and suitability for development of the requested zone. As well, the study should address drainage patterns including the identification of ground water and the presence of any springs and the suitability of the lands for disposal of site generated storm drainage. In addition this study must describe soil sulphate contents, the presence or absence of swelling clays.

3. Domestic water and fire protection.

This development is within the service area of the Black Mountain Irrigation District (BMID). A second service is required in order to meet current policies. The developer is required to make satisfactory arrangements with the BMID for these items. All charges for service connection and upgrading costs are to be paid directly to the BMID. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with current requirements. A second service is required to meet current policy for RU6 Duplex properties.

4. Sanitary Sewer.

- a) The property is located within Specified Area # 20 and in accordance with the City of Kelowna current policy, the specified charges for the proposed RU6 development will have to be cash commuted. There are no credits for the existing RU1 property since it was not previously cash commuted. The current cash commuting rate is \$3,530.47 per Single Family Equivalent (SFE); the payout amount for RU6 is 2.0 SFE in the amount of **\$7,060.94** (valid until March 31, 2014).
- b) The existing 100 mm. service is adequate and meets current regulations for the requested zone.

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5. Drainage.

- a) The property does not have a storm water service to the property line. Should the owner require a storm service then it must be installed at the owner's cost. The owner will be required to sign a Third Party Work Order for the cost of the service installation. For estimate inquiry, please contact Bernard Burgat by email [bburgat@kelowna.ca](mailto:bburgat@kelowna.ca) or by phone at 250 469-8590.
- b) The minimum basement elevation should be no less than 600 mm. above the existing pipe Hydraulic Grade Line.

6. Road improvements.

- a) Hartman Road must be upgraded to a full urban standard including curb and gutter in the front of the existing sidewalk, storm drainage, fillet pavement, street lights, and adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction. The cost of this frontage upgrade is estimated at **\$10,700.00** and is inclusive of a bonding escalation.
- b) Solly Court must be upgraded to a full urban standard including curb and gutter, sidewalk, storm drainage system, fillet pavement, street lights, adjustment and/or re-location of existing utility appurtenances (if required) to accommodate this construction. The cost is estimated at **\$9,200.00** and is inclusive of a bonding escalation.

7. Power and Telecommunication Services.

It is recommended that all the services to the subject property be installed underground. The services to the existing dwelling may remain overhead as long as there is no trespass on any portion of potentially created strata lots. The service to the new dwelling must be installed underground. It is the developer's responsibility to make a servicing application with the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works within the public right of way

8. Engineering.

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.

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).

.../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. Bonding and Levies Summary.

a) Performance Bonding

Hartman Road frontage upgrade	<u>\$10,700.00</u>
Solly Court frontage upgrade	<u>\$9,200.00</u>

Note that the applicant is not required to do the construction. The construction can be deferred and the City will initiate the work later at its own construction schedule, the cost would be reduced to **\$17,300.00**. (\$9,300.00 and \$8,000 respectively) and the 3% Engineering & Admin. fee would be waived.

b) levies

Specified Area charges	<u>\$7,060.94</u> (valid until March 31, 2014)
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Steve Muenz, P.Eng.  
Development Engineering Manager

B<sup>2</sup>





October 3, 2013

City of Kelowna  
Urban Planning Dept.  
Community Planning & Real Estate  
1435 Water St  
Kelowna, BC V1Y 1J4

Attention: Birte Decloux

Dear Birte:

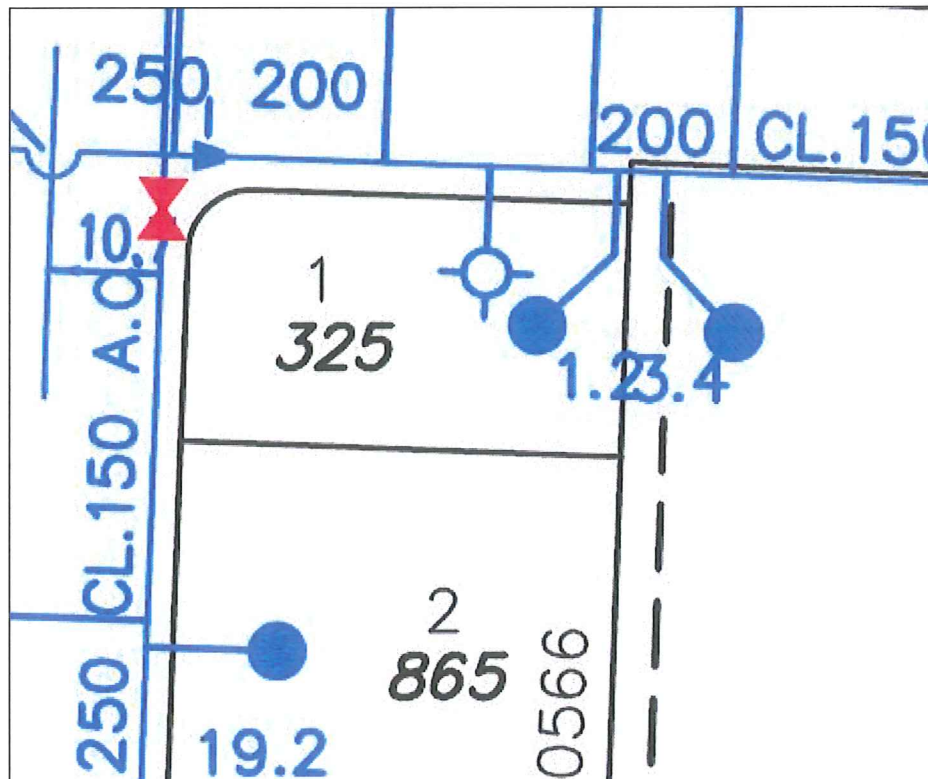
**RE: Water Service Requirements  
Second Dwelling on Lot 1, Plan 20566  
325 Hartman Road**

This letter sets out our requirements for water supply related to the proposed addition of a second residence on Lot 1, Plan 20566, which has a civic address of 325 Hartman Road.

**1.0 PROPOSED DEVELOPMENT:**

The existing water supply to the subject property is through a single 19mm domestic service in the location as illustrated in Figure 1-1.

**Figure 1-1 Present Water Services**





Lot 67, Plan 22239  
445 Pearson Rd – 2<sup>nd</sup> Dwelling  
March 30, 2011

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## 2.0 SERVICE REQUIREMENTS

The connection fee is **\$300.00** for a standard 19mm single family residential unit as prescribed in Bylaw No. 667. Corix Utilities is outsourced for the installation of domestic water meters within BMID. The standard cost associated with a new domestic meter is \$383.55; with BMID requiring meters for both houses this totals **\$767.10** (2 @ \$383.55).

For construction of a second dwelling on the property, each residence must have a separate water service. In this case, a new service is required to service the second dwelling. Fortunately the watermain is located on the near side of the road and a road crossing is not necessary. The owner should budget for approximately \$2,500 to \$3,000 for the new service install, and the work is to be done by BMID. A work order will be issued when the owner or agent comes in to our office. Costs for the new service install will be invoiced after the work has been completed and will be based on actual costs for labour, materials and equipment. Please note that the owner is responsible to install the water service line from the property line to the building.


## 3.0 CAPITAL CHARGES

In accordance with BMID Bylaw No. 678, a capital charge of **\$3,600** applies when a single family dwelling is added to a property on which a residence already exists. This money is to fund water source development and larger supply transmission mains as identified in the BMID Capital Plan. Capital charges are payable prior to construction of the second residence.

The authorized signatory (owner) must come in to our office to complete a *BMID Application for Building* form and pay the required fees. A *BMID Work Order*, authorizing the installation of the new service will also be required at that time. Once we have this information and payment is received, a *Water Certificate* can be issued for submission to the City of Kelowna.

Please review this information and call us if you have questions. Additional information on the development process can be found at our website at [www.bmid.ca](http://www.bmid.ca).

Yours truly,  
**Black Mountain Irrigation District**



Robert Hrasko, P.Eng.  
Administrator

cc: Gary M. Lupul, 4377 Kensington Dr., Kelowna, BC V1W 2L8

# REPORT TO COUNCIL



**Date:** October 3, 2013

**RIM No.** 1250-30

**To:** City Manager

**From:** Subdivision, Agriculture & Environment Services

**Application:** Z13-0035 **Owner:** Adrian Hazzi  
Mandi Moore

**Address:** 341 Clifton Road **Applicant:** CTQ Consultants Ltd.  
(Kevin Johnson)

**Subject:** 2013-10-21 Report Z13-0035 341 Clifton Rd

**Existing OCP Designation:** Single/Two Unit Residential

**Existing Zone:** A1 - Agriculture

**Proposed Zone:** RU1 - Large Lot Housing  
RU2 - Medium Lot Housing

## 1.0 Recommendation

THAT Rezoning Application No. Z13-0035 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 5 Section 31 Township 26 Osoyoos Division Yale District Plan 10686, located at 341 Clifton Road, Kelowna, BC, from the A1 zone to the RU1 - Large Lot Housing and RU2 - Large Lot Housing as shown on Map "A" attached to the Report of the Subdivision, Agriculture & Environment Services Branch dated October 3, 2013, be considered by Council;

AND THAT the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration;

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

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer;

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered following the staff issuance of a Natural Environment Development Permit for the subject property.

## 2.0 Purpose

The application proposes a rezoning of the subject property from A1 - Agriculture 1 to RU1 - Large Lot Housing and RU2 - Medium Lot Housing. The rezoning is required to facilitate the subdivision of the existing 1.0 hectare property into 13 medium and large urban residential lots.

## 3.0 Subdivision, Agriculture and Environment Services Comments

City staff are supportive of the proposal which is consistent with the land use and densities that were identified for this parcel via the Official Community Plan (OCP). Both the RU1 - Large Lot Housing and RU2 - Medium Lot Housing zones are consistent with the Single/Two Unit Residential (S2RES) land use designation.

The proposed 13 lots of single detached housing are seen to be an appropriate development on an existing non-conforming<sup>1</sup> agricultural parcel. The proposed development is also consistent with policies which encourage "sensitive infill" and a greater "housing mix" (see Section 5 below) the latter of which is achieved with large and medium lot sizes.

The development site is in close proximity to recreation options and exceptional natural environment options, but scores poorly in terms of walkability to commercial services and employment. The development site is well connected with the urban core and urban services with an arterial road (i.e. Clifton Road) at the current frontage. The development is not however serviced by transit at this time.

In terms of the future road network within the development, the applicant group has proposed a "Green" street as an alternative to current City standards. The City's Subdivision Development & Servicing Bylaw requires a 15.0 metre right of way<sup>2</sup>. The standard provides for an asphalt carriage way for vehicles and bicycles and parking on both sides of the street.

The proponents are proposing a 15.0 metre road right of way, though the programming within the right of way is not consistent with current technical requirements as proposed. The alternate road design provides a number of potential benefits with storm water management among the greatest. The proposed green street would reduce the amount of asphalt required for parking using this area to store and treat rainwater. The proposed green street also provides a slight meander of the road which can provide visual interest (in conjunction with landscaping) and can serve as a traffic calming element.

The proposed green street design is consistent with principles of Low Impact Development (LID)<sup>3</sup>, which is a form of development that seeks to work with nature to manage stormwater as close to its source as possible.

City staff are committed to working with the applicant group to determine the appropriateness of this form of alternative development within a public road right of way. Given the relatively short length of this road, the development may serve as a useful pilot project for Kelowna. The feasibility of this road cross-section is a technical requirement which will be dealt with through the future subdivision.

<sup>1</sup> The minimum parcel size for A1 zoned parcels which are not located in the ALR is 4.0 hectares.

<sup>2</sup> The new road is expected to meet the "Local - Class 2" roadway standard.

<sup>3</sup> The US Environmental Protection Agency notes that "LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat stormwater as a resource rather than a waste product. There are many practices that have been used to adhere to these principles such as bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements. By implementing LID principles and practices, water can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within an ecosystem or watershed. Applied on a broad scale, LID can maintain or restore a watershed's hydrologic and ecological functions". Retrieved September 23, 2013 from the World Wide Web: <http://water.epa.gov/polwaste/green/>

Finally, a Natural Environment Development Permit will be required prior to final adoption of the zone amending bylaw. Staff will work with the applicant group to ensure that natural environment features such as Blair Pond and the steeper hillside areas are adequately protected and the new properties also protected from future issues. A “Form & Character Development Permit” is not a requirement of this application which proposes low density detached dwellings.

## 4.0 Proposal

### 4.1 Background/Project Description

The purpose of this application is to rezone the subject property from A1 - Agriculture 1 to RU1 - Large Lot Housing and RU2 - Medium Lot Housing to allow the site to be subdivided into 13 lots for single detached housing.

With the subject property abutting a City of Kelowna Park (Blair Pond Park), the proposed development will have six of its thirteen lots backing onto the park. The private and public spaces will be delineated using a 1.2 metre high chain link fence which will be established along the northern edge of the subject property.

Residents of the new development will have direct access to Blair Pond Park via a dedicated pathway located near the midpoint of the development.

The subject property at 1.0 hectare will require just one road to service this new development with all lot fronts off of this new road. The road will have a cul-de-sac ending allowing turning movements for residents, visitors and service vehicles.

As discussed above, the applicants are proposing an alternative street design (e.g. “Green” street) within the public road right of way.

### 4.2 Site Context

This 1.00 hectare site is located on the west side of Clifton Road in the Glenmore-Clifton-Dilworth Sector. The subject property has an OCP future land use designation of Single/Two Unit Residential.

The subject property is mostly flat, with the exception of the eastern portion which has a relatively steep slope. An existing dwelling is located in the eastern portion which the applicant/owners are hoping to retain on one of the largest of the proposed lots.

The property borders Blair Pond Park, a “Community Park” designed to serve 12,000 people within a radius of approximately 3 kilometres, on the northern edge. The eastern property line abuts a large City of Kelowna holding which is alternately referred to as Knox Mountain Park East, or the Grainger Road properties.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P3 - Parks & Open Space	Blair Pond Neighbourhood Park
East	A1 - Agriculture	Open Space and Water Distribution
South	A1c - Agriculture 1 with Carriage House	Rural Residential
West	A1 - Agriculture	Rural Residential



Subject Property Map: 341 Clifton Road



4.3 Subdivision/Zoning Analysis

The proposed development compares to RU1 and RU2 zone requirements as follows:

Subdivision & Zoning Analysis Table		
CRITERIA	RU1 ZONE REQUIREMENTS	PROPOSAL
Subdivision Regulations		
Lot Area	550 m <sup>2</sup>	Min 738 m <sup>2</sup>
Lot Width	16.5 m	6.0 m ❶
Lot Depth	30 m	> 30.0 m
CRITERIA	RU2 ZONE REQUIREMENTS	PROPOSAL
Subdivision Regulations		
Lot Area	400 m <sup>2</sup>	Min 470 m <sup>2</sup>
Lot Width	13 m - Corner lot = 15 m	>13.0 m
Lot Depth	30 m	22.91 m ❷
❶ Indicates a variance to lot width will be necessary for one lot.		
❷ Indicates a variance to lot depth will be necessary for two lots.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Future Land Use

**Single/Two Unit Residential (S2RES)<sup>4</sup>:** Single detached homes for occupancy by one family, single detached homes with a secondary suite or carriage house, semi-detached buildings used for two dwelling units, modular homes, bareland strata, and those complementary uses (i.e. minor care centres, minor public services/utilities, convenience facility and neighbourhood parks), which are integral components of urban neighbourhoods. Suitability of non-residential developments within the neighbourhood environment will be determined on a site-specific basis.

<sup>4</sup> City of Kelowna Official Community Plan - Future Land Use Chapter.

Nonresidential developments causing increases in traffic, parking demands or noise in excess of what would typically be experienced in a low density neighbourhood would not be considered suitable.

### **Development Process**

**Compact Urban Form.**<sup>5</sup> Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

**Sensitive Infill.**<sup>6</sup> Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting.

**Housing Mix.**<sup>7</sup> Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

## **5.2 Council Policy 196 - Panhandle Lot Policy**

### **A. Urban Lots**

#### **Residential Subdivisions**

Panhandle lots may be considered by the Approving Officer under the following conditions:

1. Where topographical or other severe physical constraints prevent conventional subdivision and the panhandle lot appears the best solution to possible further subdivision of lands in order to provide physical access.

## **6.0 Technical Comments**

### **6.1 Building & Permitting Department**

None.

### **6.2 Infrastructure Planning (Parks & Public Spaces)**

1. The City is not interested in acquiring the steep hillside in the southeast of the property as park. A "No Disturb" covenant should be registered on this area however.
2. The proposed trail connection to Blair Pond Park should be located between lots 4 and 5 in order to avoid disturbance to existing mature trees and to extend to an existing gravel path in Blair Pond Park.
3. Black vinyl coated chain link fencing to City standards that is 1.2 m high should be installed 6" inside the north (Blair Pond Park) and east (Grainger Road natural area park) subdivision property lines.

## **7.0 Application Chronology**

Date of Application Received: August 26, 2013

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<sup>5</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

<sup>6</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

<sup>7</sup> City of Kelowna Official Community Plan, Policy 5.22.11 (Development Process Chapter).

**Report prepared by:**

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Greg Sauer - Land Use Planner, Subdivision, Agriculture and Environment Services

**Reviewed by:**

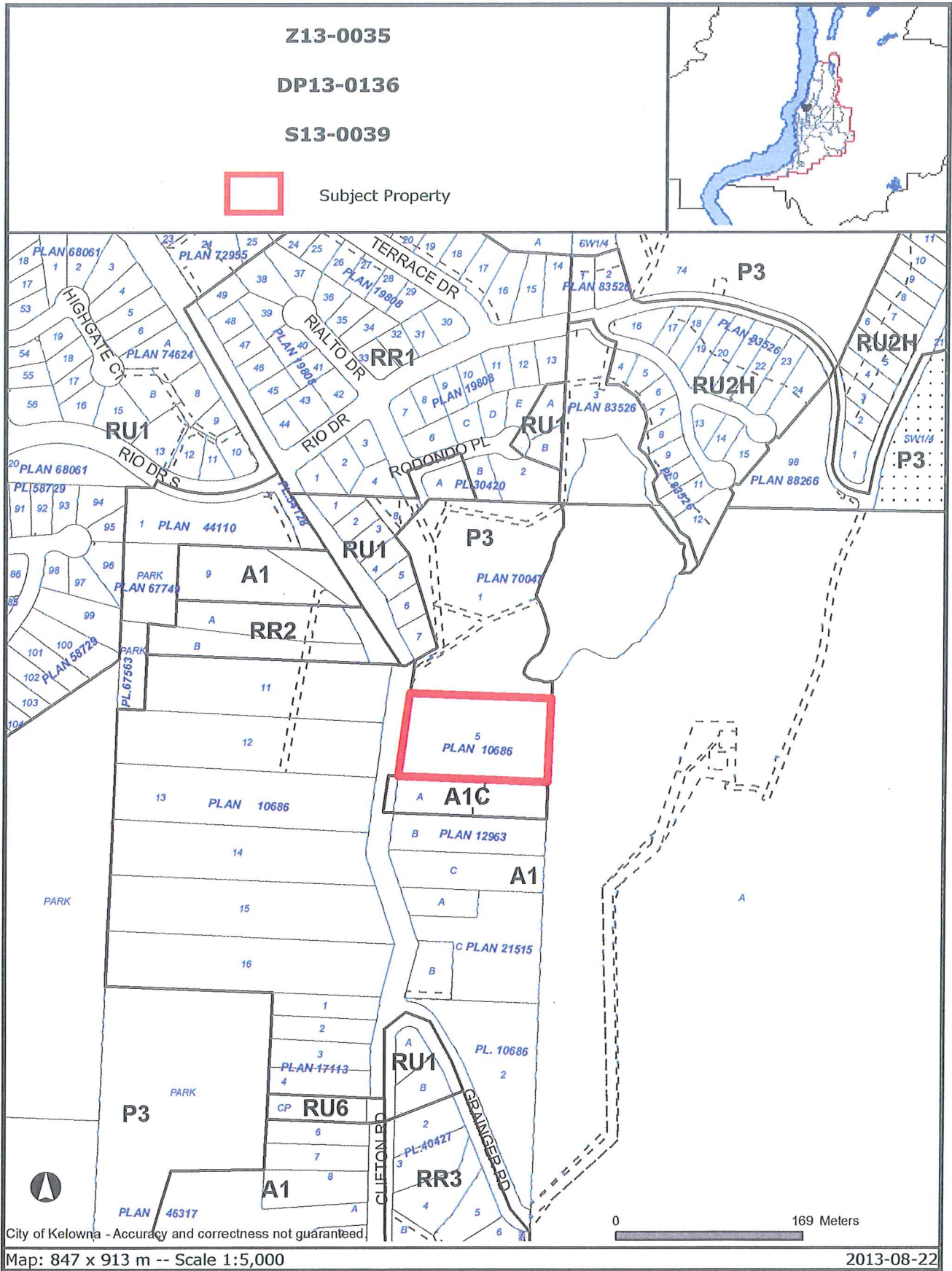
Todd Cashin - Manager, Subdivision, Agriculture and Environment Services

**Approved for Inclusion:**

Shelley Gambacort - Director, Subdivision, Agriculture and Environment Services

**Attachments:**

Subject Property Map  
Site Photos (3 pages)  
Zoning Plan  
Preliminary Lot Layout  
Map "A" - Zoning Amendment  
Proposed Green Street Concept  
Green Street Examples



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.



SITE PHOTOS

BLAIR POND PARK



CLIFTON ROAD FRONTAGE - SOUTH



VIEW FROM CLIFTON ROAD - EAST



VIEW FROM CLIFTON ROAD - NORTHEAST



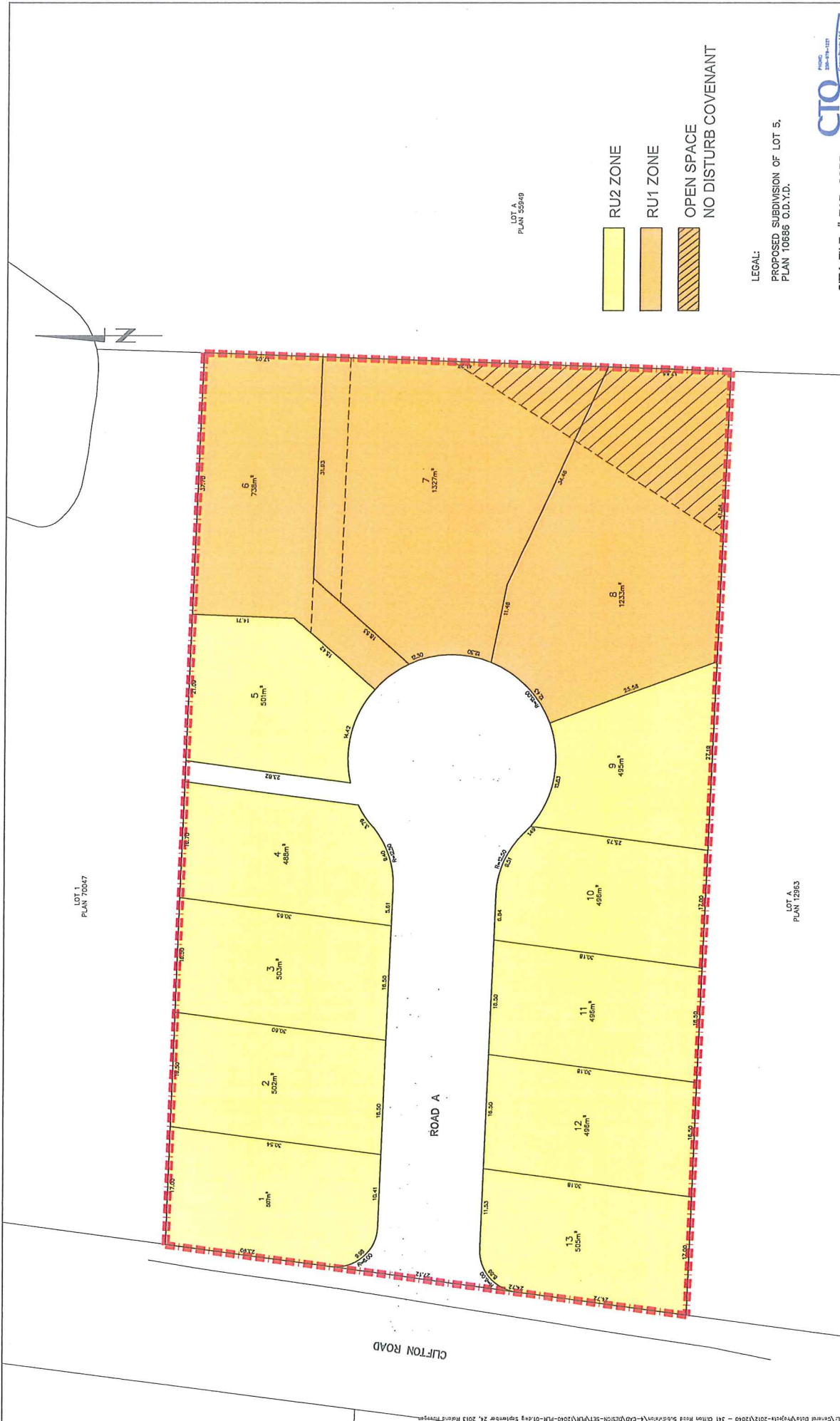


NORTH PROPERTY LINE



NORTH PROPERTY LINE





LOT A  
PLAN 55949

- RU2 ZONE
- RU1 ZONE
- OPEN SPACE  
NO DISTURB COVENANT

LEGAL:  
PROPOSED SUBDIVISION OF LOT 5,  
PLAN 10666 O.D.Y.D.



CITY FILE # Z13-0035 12010  
THE CITY OF KELOWNA  
ENGINEERING DEPARTMENT

Division	MUNICIPAL
Drawing No.	Z-01
Rev. No.	0

Drawn	TF
Design	KJ/TF
Approved	
Date	SEPTEMBER 2013
Scale	1:250

Legend	existing	Proposed	Legend	existing	Proposed	Legend	existing	Proposed	Legend	existing	Proposed
Water	—	—	Design Invert of Sewer	—	—	Design Invert of Sewer	—	—	Design Invert of Sewer	—	—
Sanitary	—	—	Service at property line	—	—	Service at property line	—	—	Service at property line	—	—
Storm Sewer	—	—	Service at property line	—	—	Service at property line	—	—	Service at property line	—	—
U.S. Telephone	—	—	Design Invert of Sewer	—	—	Design Invert of Sewer	—	—	Design Invert of Sewer	—	—
U.S. Cable TV	—	—	Service at property line	—	—	Service at property line	—	—	Service at property line	—	—
Hydroline	—	—	Service at property line	—	—	Service at property line	—	—	Service at property line	—	—
Power Lines	—	—	Service at property line	—	—	Service at property line	—	—	Service at property line	—	—





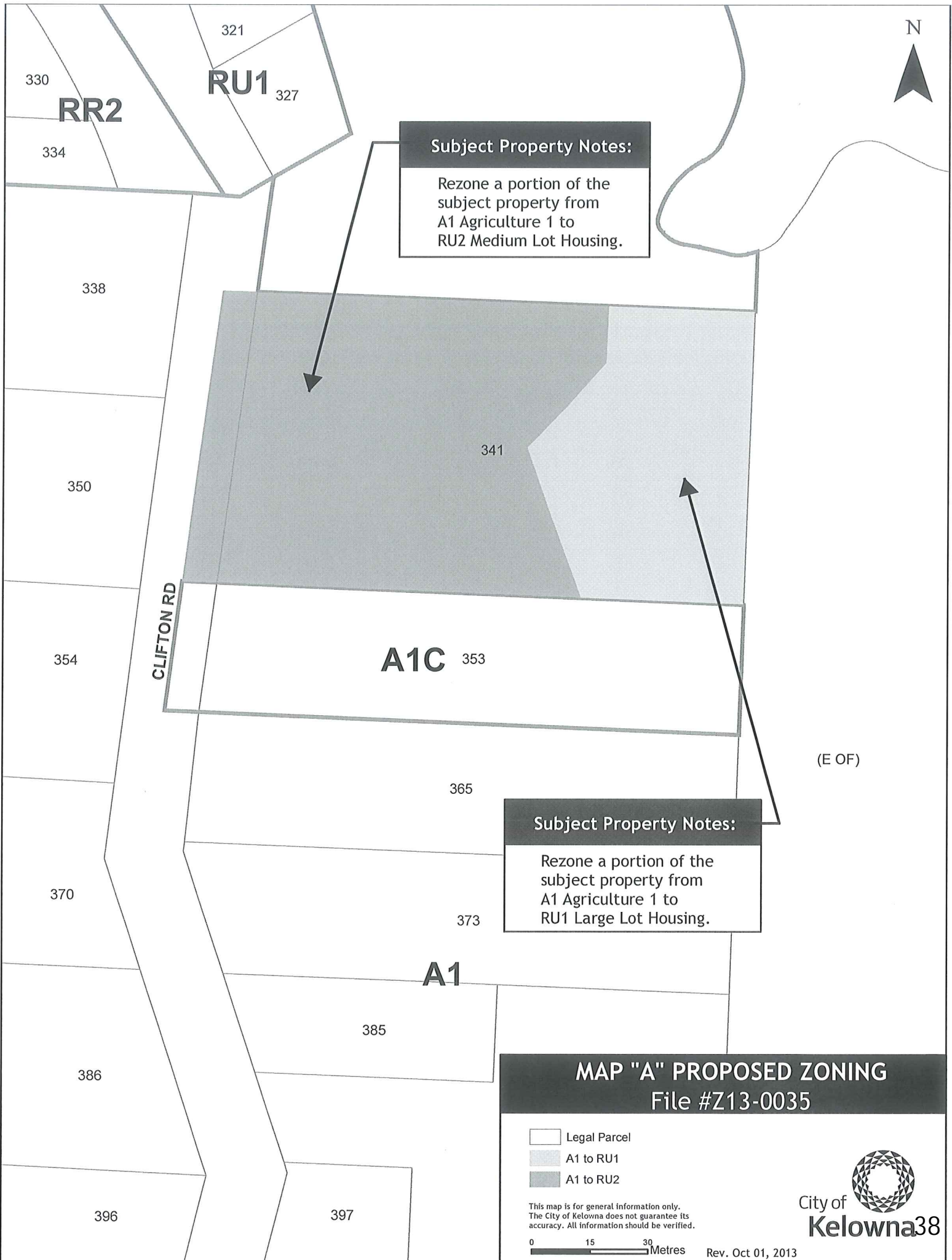
**LOT VARIANCE TABLE**

LOT NUMBER	REQUIRED DEPTH	PROPOSED LOT DEPTH
5	30m	24.19m
9	30m	22.91m

NOTE:  
LOT DEPTH REFER TO THE HORIZONTAL DISTANCE BETWEEN THE  
MID-POINTS OF THE FRONT AND REAR LOT LINES.

LEGAL:  
PROPOSED SUBDIVISION OF LOT 5,  
PLAN 10686 O.D.Y.D.

City of Kelowna		Planning Department	
City File #	District	Drawing No.	Rev. No.
Z13-0035	MUNICIPAL	PLR-01	0
341 CLIFTON ROAD	Preliminary Layout Review		
Submitted:	Approved:	Date:	Scale:
		SEPTEMBER 2013	1:250
Submitted By:	Approved By:	Date:	Date:



**Subject Property Notes:**  
 Rezone a portion of the subject property from A1 Agriculture 1 to RU2 Medium Lot Housing.

**Subject Property Notes:**  
 Rezone a portion of the subject property from A1 Agriculture 1 to RU1 Large Lot Housing.

**MAP "A" PROPOSED ZONING**  
 File #Z13-0035

-  Legal Parcel
-  A1 to RU1
-  A1 to RU2

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



Rev. Oct 01, 2013



**PRELIMINARY  
ONLY**

LEGAL:

LOT 5, PLAN 10686 O.D.Y.D.

AJH DEVELOPMENTS  
341 CLIFTON ROAD  
PRELIMINARY

GREEN STREET CONCEPT

12040

SCALE 1:500  
June 14, 2013

**CTO**  
Consultants Ltd





CROWN STREET VANCOUVER

