City of Kelowna Public Hearing AGENDA



Tuesday, May 13, 2014 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 April 29, 2014 (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.

	any r	It must be emphasized that Council will not receive epresentation from the applicant or members of the c after conclusion of this Public Hearing.	
2.	Notif	ication of Meeting	
		City Clerk will provide information as to how the ing was publicized.	
3.	Indiv	idual Bylaw Submissions	
	3.1	Bylaw No. 10947 (OCP14-0004) - Amendment to OCP 2030 Bylaw No. 10500, City of Kelowna	5 - 9
		To amend the Official Community Plan by replacing Map 4.1 - Generalized Future Land Use Map in order to change the designatino from S2RES - Single/Two Unit Residential to MRL - Multiple Unit Residential (Low Density).	
	3.2	Bylaw No. 10955 (Z13-0041) - 979 & 989 Laurier Avenue, AJ Weins Development Group Ltd.	10 - 27
		To consider a proposal to rezone the subject properties from the RU6 - Two Dwelling Housing zone to the RM2 - Low Density Housing zone in order to permit the development of two 3-unit rowhouse developments, for a total of 6 dwelling units.	
	3.3	Bylaw No. 10953 (Z14-0012) - 1370 Water Street, Kelowna Yacht Club	28 - 37
		To consider a proposal to rezone the subject property from the P1 - Major Institutional and P3 - Parks and Open Space zones to the P1Ip - Major Institutional (Liquor Primary) zone.	
	3.4	TO BE DEFERRED - Bylaw No. 10956 (OCP14-0001) and Bylaw No. 10957 (Z14-0001) - Various Addresses on Clement Avenue, St. Paul Street and Richter Street, City of Kelowna & Miles Vucicevic	38 - 54
		This application is to be deferred to the May 27, 2014 Public Hearing. A Resolution will be passed by Council during the Regular Meeting portion. To amend the Official Community Plan in order to change the future land use designations of the subject properties from the COMM-Commercial designation to the EDINST - Educational/Institutional designation and to rezone	

portions of the subject properties from the I2 -General Industrial and I4 - Central Industrial zones to the P1 - Major Institutional zone in order to permit the development of the Kelowna Police Services Buidling.

3.5 Bylaw No. 10954 (Z14-0009) - 1470 Guisachan Place, Sohayl & Sholen Ghadirian

> To consider a proposal to rezone the subject property from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing and RU6 - Two Dwelling Housing zones to facilitate a two lot subdivision.

- 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

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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 respresentation (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:	April 4, 2014 Keiowna
RIM No.	1250-20
То:	City Manager
From:	Urban Planning Department, Community Planning and Real Estate (AR)
Application:	OCP14-0004
Subject:	OCP 2030 Bylaw 10500 - Amendment to Map 4.1 - Generalized Future Land Use

1.0 Recommendation

That OCP Bylaw Amendment No. OCP14-0004 to amend Kelowna 2030 - Official Community Plan Bylaw No. 10500 by amending Map 4.1 - Generalized Future Land Use to change the designation of the area bound by Ethel Street to the west, Bordon Avenue to the south, Bowes Street to the east, and the rear lane north of Laurier Avenue from S2RES - Single/Two Unit Residential to MRL -Multiple Unit Residential (Low Density), in accordance with Map "A" attached to the Staff Report dated April 4, 2014, be considered by Council;

AND THAT Council considers the public process outlined in the Staff Report dated April 4, 2014 to be appropriate consultation for the purpose of Section 879 of the Local Government Act;

AND THAT Amendment Bylaw No. 10947, being an amendment to Bylaw No. 10500 Kelowna 2030 - Official Community Plan, be forwarded to a Public Hearing;

AND FURTHER THAT Council direct staff to provide notice to owners of the subject properties, and owners of the immediately adjacent properties designated S2RES - Single/Two Unit Residential, as identified on Map "A".

2.0 Purpose

To amend Map 4.1 - Generalized Future Land Use in the 2030 Official Community Plan.

3.0 Background

Prior to the current OCP (approved in May 2011), the land use designation for the subject area was MRL - Multiple Unit Residential (Low Density). In 2011 this designation was changed in the current OCP to S2RES - Single/Two Unit Residential in favour of more dense development intended within the commercial core areas. Since this time, there has been interest from owners and developers in this area to revert to the MRL designation to facilitate conversion of existing housing and to develop new multiple unit residential housing (e.g., fourplex and townhouse).

Under the subject application, staff is advancing a City-initiated amendment to the OCP to designate the area bound by Ethel Street to the west, Borden Avenue to the south, Bowes Street to the east, and the rear lane north of Laurier Avenue back to the MRL designation. In light of interest in creating more ground-oriented housing in urban core areas, staff feels that this is an appropriate designation for the area given that it would enable a transition from the higher

density areas to the north adjacent to Highway 97 and the Capri Landmark Urban Centre to the east. Further, the larger lot sizes found in this area are generally more conducive to accommodating multi-family development, and would enable redevelopment in this area for potentially more affordable housing forms close to downtown and to transit.

4.0 Internal Circulation

Manager, Long Range Planning

5.0 Legal / Statutory Authority

Local Government Act Part 26: Division 2 - Official Community Plans, Sections 875-882

6.0 Legal / Statutory Procedural Requirements

Local Government Act Section 882(3) specifies that after First Reading (and prior to Public Hearing) of an OCP bylaw the local government must, in sequence, consider the plan in conjunction with its financial plan and waste management plan applicable. The local government must also refer the plan to the Agricultural Land Commission (ALC) for comment if the plan applies to land in an agricultural land reserve established under the Agricultural Land Commission Act. The proposed amendment does not affect lands within an agricultural land reserve.

7.0 Legal / Statutory Procedural Requirements

Local Government Act Section 879(1) specifies that a local government must, during the development, repeal or amendment of an OCP, provide one or more opportunities it considers appropriate for consultation with persons, organizations, and authorities it considers will be affected. This consultation is in addition to the required Public Hearing.

The Local Government Act Section 879(1) requirement for consultation was addressed through a letter mail-out to all property owners within the affected area (see Map "A") in February 2014 notifying of the proposed change in designation, and with contact information for the File Manager to field any inquiries and comments. The File Manager has subsequently been contacted by one property owner only who wished to have more information on possible development potential under the proposed MRL land use designation.

8.0 Existing Policy

Kelowna OCP 2030 Bylaw 10500

9.0 Considerations Not Applicable to this Report

Financial/Budgetary Considerations Communications Comments Personnel Implications Alternative Recommendation

Report prepared by:

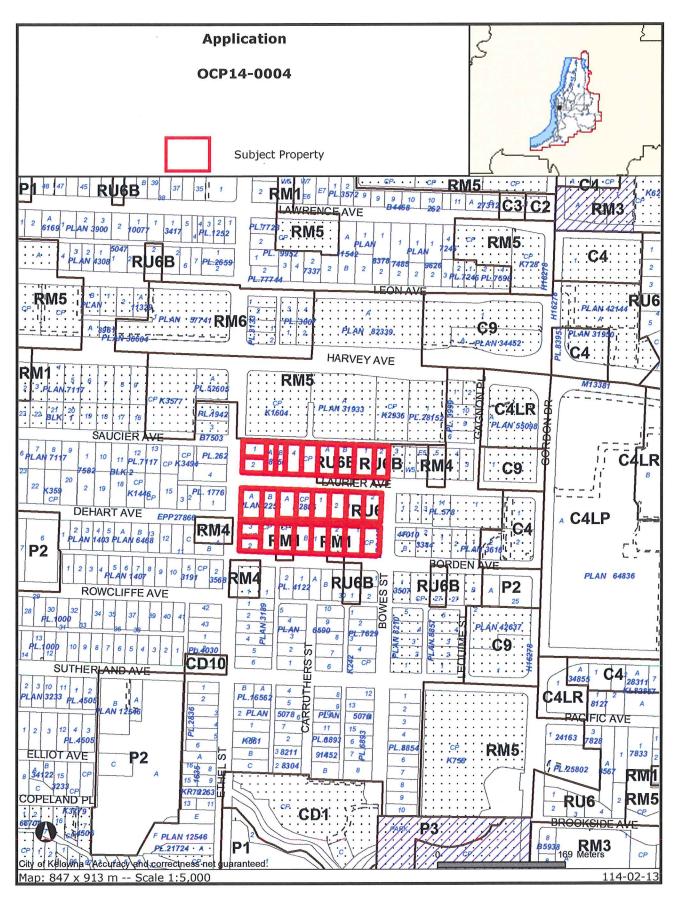
Abigail Riley, Planner/File Manager Urban Planning



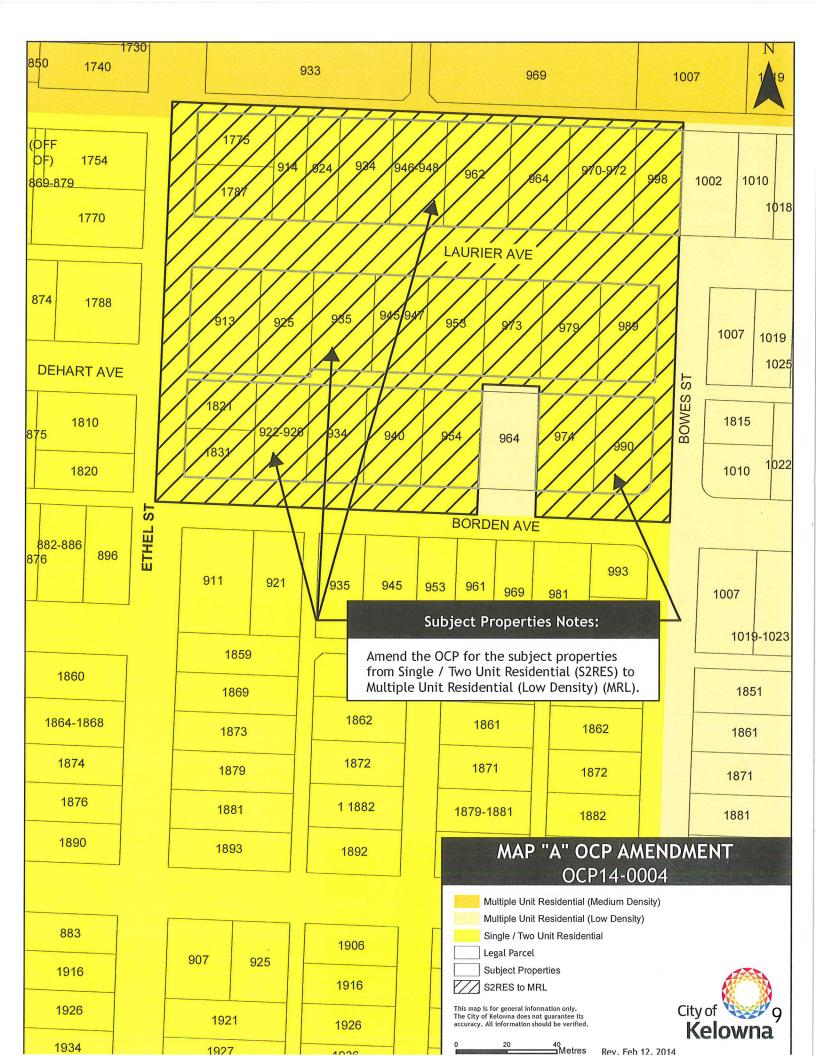
cc: Manager, Long Range Planning

Attachments:

Subject Properties Map Map "A" OCP Amendment



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.



REPORT TO COUNCIL



Date:	April 4, 2014			Kelowr
RIM No.	1250-30			
То:	City Manager			
From:	Urban Plann	ing Department, Comr	nunity Plannir	ng and Real Estate (AR)
Application:	Z13-0041		Owner:	AJ Weins Development Group Ltd., Inc. No. BC0798391
Address:	979 & 989 La	urier Avenue	Applicant:	HIS Design (Chris Vickery)
Subject:	Rezoning App	olication		
Existing OCP Designation:		S2RES - Single/Two I	Unit Residenti	al
Existing Zone:		RU6 - Two Dwelling	Housing	
Proposed Zone:		RM2 -Low Density Rc	w Housing	

1.0 Recommendation

THAT Rezoning Application No. Z13-0041 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots 1 & 2, District Lot 138, ODYD, Plan 6809, located at 979 & 989 Laurier Avenue, Kelowna, BC from the RU6 - Two Dwelling Housing zone to the RM2 -Low Density Row Housing zone, 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 final adoption of Amendment Bylaw No. 10947 for OCP Amendment application OCP14-0004;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the registration of a plan of subdivision to consolidate the two properties into one title;

AND THAT final adoption of the Zone Amending Bylaw be considered in conjunction with Council's consideration of a Development Permit for the subject properties;

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

2.0 Purpose

This application seeks to rezone the subject site from RU6 - Two Dwelling Housing zone to RM2 - Low Density Row Housing zone, to permit the development of two 3-unit rowhouse developments, for a total of 6 dwelling units.

3.0 Urban Planning Department

In tandem with the subject Rezoning application, staff are advancing an amendment to the Kelowna 2030 Official Community Plan (OCP), under OCP Amendment application OCP14-0004, to designate the area bound by Ethel Street to the west, Borden Avenue to the south, Bowes Street to the east, and the rear lane north of Laurier Avenue as MRL - Multiple Unit Residential (Low Density). (See the Background section below for more information). The proposal to rezone the subject properties from the existing RU6 - Two Dwelling Housing to the RM2 Low Density Row Housing is consistent with the MRL future land use designation.

The proposed rezoning will enable the subject properties to be developed with ground-oriented rowhouse development that is compatible with and appropriate for this transitional residential area south of Highway 97 and west of the Capri/Landmark Urban Centre. Further, it is supportive of City policies encouraging housing intensification and diversification in the City's urban core area, and near services and transit. Should Council give favourable consideration to this application, the Development Permit for form and character would be brought forward for consideration at a later meeting with a more detailed analysis.

In accordance with Council Policy No. 367, the applicant has been proactive in engaging with surrounding land owners and residents within 50 m of the subject property. To date, staff has received only one response from a neighbour, noting concerns about the construction of the new rear lane.

4.0 Proposal

4.1 Background

In the last OCP update, resulting in the current Kelowna 2030 OCP, the land use designation for the subject site and for the immediately surrounding area was changed from MRL - Multiple Unit Residential (Low Density) to S2RES - Single/Two Unit Residential, in favour of more dense development intended within the commercial core areas.

However, in tandem with the subject Rezoning application, staff is advancing a City-initiated amendment to the OCP (under OCP Amendment application OCP14-0004) to designate the area bound by Ethel Street to the west, Borden Avenue to the south, Bowes Street to the east, and the rear lane north of Laurier Avenue back to the MRL designation. In light of interest in creating more ground-oriented housing in urban core areas, staff feels that this is an appropriate designation for the area given that it would enable a transition from the higher density areas to the north adjacent to Highway 97 and the Capri Landmark Urban Centre to the east, and would enable the redevelopment of the larger lots found in this area to more affordable housing forms close to downtown and to transit.

4.2 Project Description

The purpose of this application is to rezone the two subject properties at 979 and 989 Laurier Avenue from RU6 - Two Dwelling Housing zone to RM2 - Low Density Row Housing zone, to allow the development of two 3-unit rowhouse development on the consolidated site, for a total of 6 dwelling units. A portion of the presently undeveloped rear lane would be developed at this time to serve the subject site, and all vehicular access and parking for the subject development would be taken from the lane only.

The proposal contemplates street-fronting units with main entries and porches along Laurier Avenue, creating a strong pedestrian orientation. An enhanced frontage and landscaping along Bowes Street is also anticipated. While 2 storeys in height, the second storey along the front elevation is proposed to be contained largely within a steep sloped roof with dormers. The proposed overall design aesthetic is of a traditional residential form, with steeply pitched roofs, overhangs, and half-timbering detail.

4.3 Site Context

The subject site is comprised of two, larger single family properties on the south side of Laurier Avenue at Bowes Street. It is located approximately midway between Ethel Street to the west and Gordon Drive and the Capri Shopping Mall to the east. The properties are presently zoned RU6 - Large Lot Housing, and designated as S2RES - Single/Two Unit Residential in the current OCP. Under the concurrent, City-initiated OCP Amendment application OCP14-0004, it is proposed that the future land use designation for the site and adjacent properties to the west and south be amended to MRL - Multiple Unit Residential (Low Density).

The area east of Bowes Street is currently designated MRL - Multiple Unit Residential (Low Density), and north of the rear lane north of Laurier Avenue is designated MRM - Multiple Unit Residential (Medium Density). In July 2013, the designation for the south adjacent property at 964 Borden Avenue was amended to MRL - Multiple Unit Residential (Low Density) to facilitate the legalization of a fourplex development.

Orientation	Zoning	Land Use		
RU6 - Two Dwelling HousingNorthRU6B - Two Dwelling Housing (Boarding House)		Single and Two Family Dwellings and Boarding Houses		
East RU6 - Two Dwelling Housing		Single and Two Family Dwellings		
South	RU6 - Two Dwelling Housing RM1 - Four Dwelling Housing	Single Family Dwellings and Fourplex		
West	RU6 - Two Dwelling Housing	Single and Two Family Dwellings		

Specifically, adjacent land uses are as follows:



Subject Property Map: 979 & 989 Laurier Avenue

4.4 Zoning Analysis

The conceptual proposal compares to the proposed RM2 zone requirements as follows:

Zoning Analysis Table						
CRITERIA	RM2 ZONE REQUIREMENTS	PROPOSAL (consolidated lots)				
	Existing Lot/Subdivision Regulatio	ns				
Lot Area	1,000 m ²	1,780 m ²				
Lot Width	30.0 m	46.0 m				
Lot Depth	38.7 m					
Development Regulations						
Floor Area Ratio	0.63					
Site Coverage	50% (buildings) 55% (buildings, parking & driveways)	40% 48%				
Height	9.5 m / 2.5 storeys	7.6 m / 2 storeys				
Front Yard	1.5 m	4.5 m				
Side Yard (west)	4.0 m	4.0 m				
Side Yard (east)	4.5 m	4.5 m				
Rear Yard	7.5 m dwelling / 1.5 m garage	18.8 m dwelling / 2.1 m garage				
Building Separation	Building Separation 3.0 m 3.0 m					

Zoning Analysis Table (continued)						
CRITERIA RM2 ZONE REQUIREMENTS PROPOSA (consolidated)						
Other Regulations						
Min. Parking Requirements	2 spaces/unit @ 6 units	12 spaces				
Bicycle Parking	Class I - 0.5/unit Class II - 0.1/unit	Meets requirements				
Private Open Space	25 m ²	49 m ² - 69 m ² , per unit				

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5 - Development Process

Policy 5.2.3 - Compact Urban Form. 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 5.23.1 - Ground-Oriented Housing. Encourage all multi-unit residential buildings in neighbourhoods with schools and parks to contain ground-oriented units with 2 or more bedrooms to provide a family housing choice within multi-unit rental or ownership markets. High density residential projects in the Downtown area are encouraged to include a ground-oriented housing component, especially where such can be provided on non-arterial and non-collector streets.

Chapter 14 - Urban Design Guidelines

Comprehensive Development Permit Objectives:

- Convey a strong sense of authenticity through urban design that is distinctive for Kelowna;
- Promote a high urban design standard and quality of construction for future development that is coordinated with existing structures;
- Integrate new development with existing site conditions and preserve the character amenities of the surrounding area;
- Promote interesting, pedestrian friendly streetscape design and pedestrian linkages;
- Provide for a scale and massing of commercial buildings that promotes a safe, enjoyable living, pedestrian, working, shopping and service experience;
- Incorporate architectural features and detailing of buildings and landscapes that define an area's character;
- Promote alternative transportation with enhanced streetscapes and multimodal linkages;
- Protect and restore the urban ecology (i.e. architectural and site consideration with respect to the ecological impact on urban design).
- Moderate urban water demand in the City so that adequate water supply is reserved for agriculture and for natural ecosystem processes.
- Reduce outdoor water use in new or renovated landscape areas in the Cit by a target of 30%, when compared to 2007.

6.0 Technical Comments

- 6.1 Building & Permitting Department
- 1. Development Cost Charges (DCCs) 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. This property falls within the Mill Creek flood plain bylaw area and compliance is required. Minimum building elevations are required to be established prior to the release of the Development Permit. This building may be designed to low, which may affect the form and character of the building.
- 4. Full Plan check for Building Code related issues will be done at time of Building Permit applications.
- 6.2 Development Engineering Department

Refer to Development Engineering Department Memorandum, dated December 16, 2013.

6.3 Fire Department

- 1. Requirements of section 9.10.19 Smoke Alarms of the BCBC 2012 are to be met.
- 2. Emergency access is from the main roadway and not the lane behind.
- 3. Fire department access, fire flows, and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw #7900. The Subdivision Bylaw #7900 requires a minimum of 90ltr/sec fire flows.

6.4 Interior Health

Provided that all development on the subject property is to be serviced by community sanitary sewer and community water systems this office has no concern or objection to approval of the application(s) as submitted.

6.5 FortisBC (Electric)

There are primary distribution facilities within Laurier Avenue. The applicant is responsible for costs associated with any change to the subject lots' 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.

6.6 FortisBC (Gas)

No comments provided.

6.7 Shaw Cable

Owner / developer to supply and install an underground conduit system per Shaw Cable drawings and specifications.

6.8 TELUS

TELUS will provide underground facilities to this development. Developer will be required to supply and install conduit as per TELUS policy.

7.0 Application Chronology

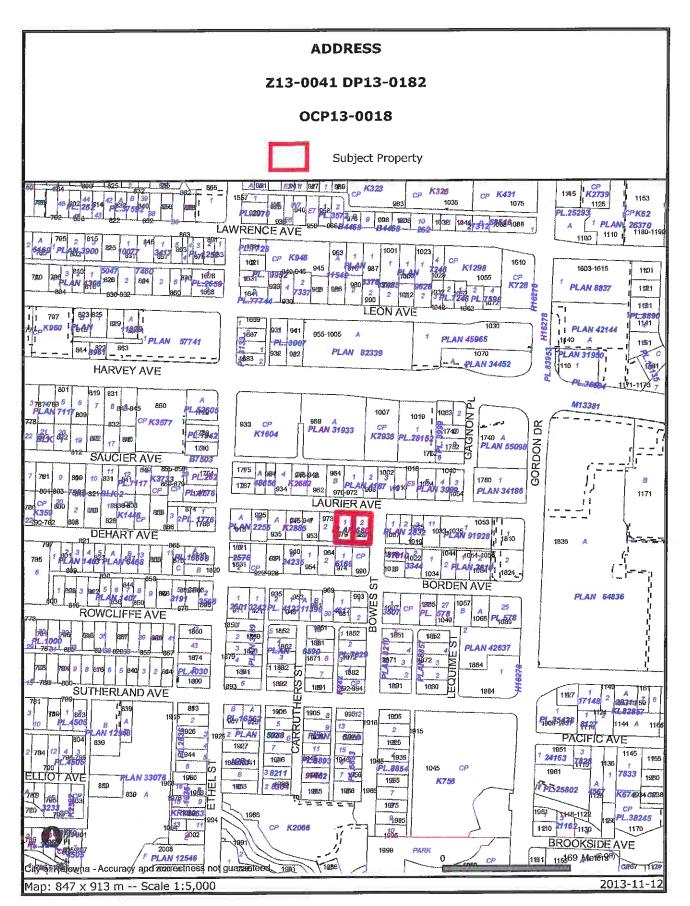
Date Rezoning Application Received: Date Applicant's Public Consultation Summary Report Received: Date Revised Plan Submission Received: November 12, 2013 March 20, 2014 April 3, 2014

Report prepared by:

Abigail Riley, Planner	
Reviewed by:	Ryan Smith, Manager, Urban Planning
Approved for Inclusion:	Doug Gilchrist, Divisional Director of Community Planning & Real Estate
Attachments:	
Subject Property Map	
Site Plan	
Conceptual Elevations	
Conceptual Landscape Plan	

Context/Site Photos

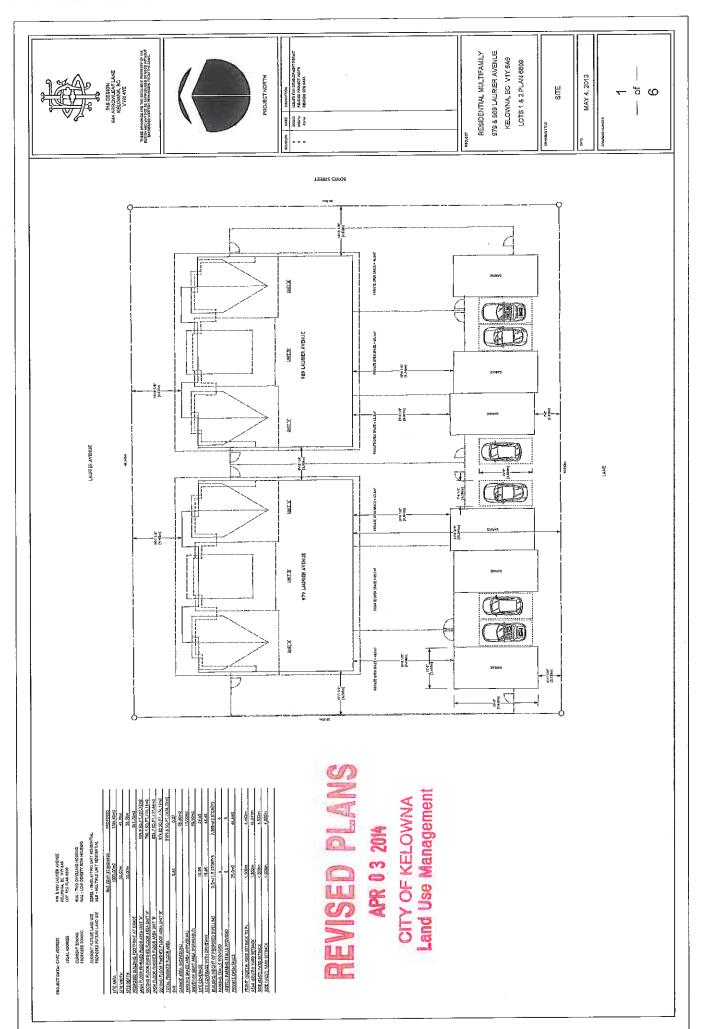
Development Engineering Department Memorandum (Revised), dated April 4, 2014

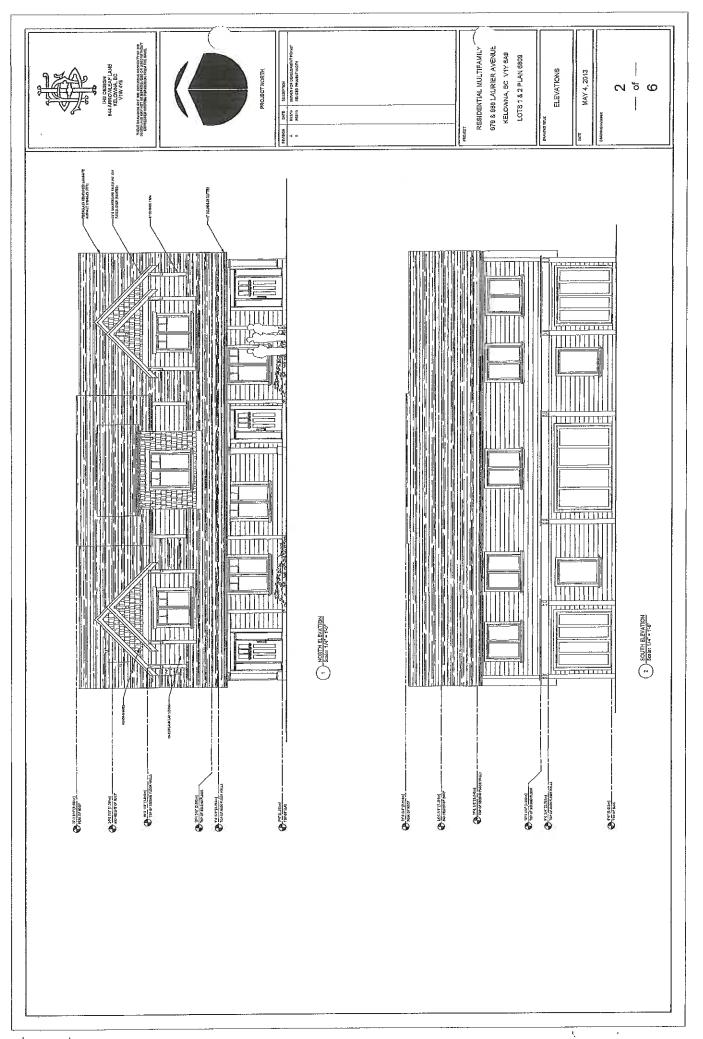


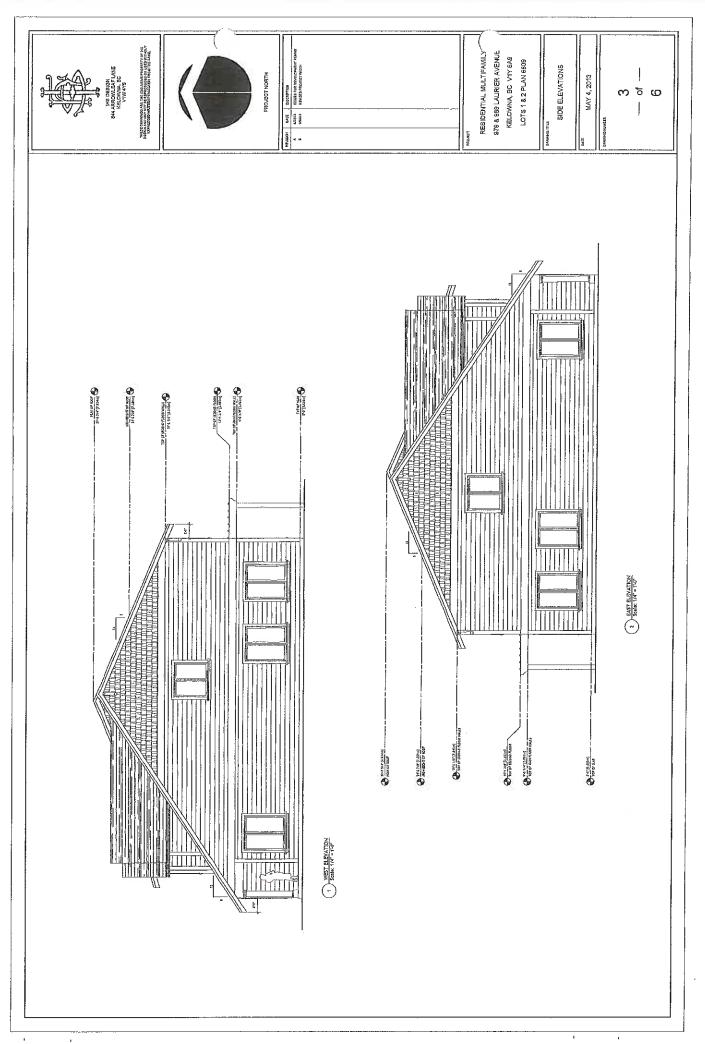
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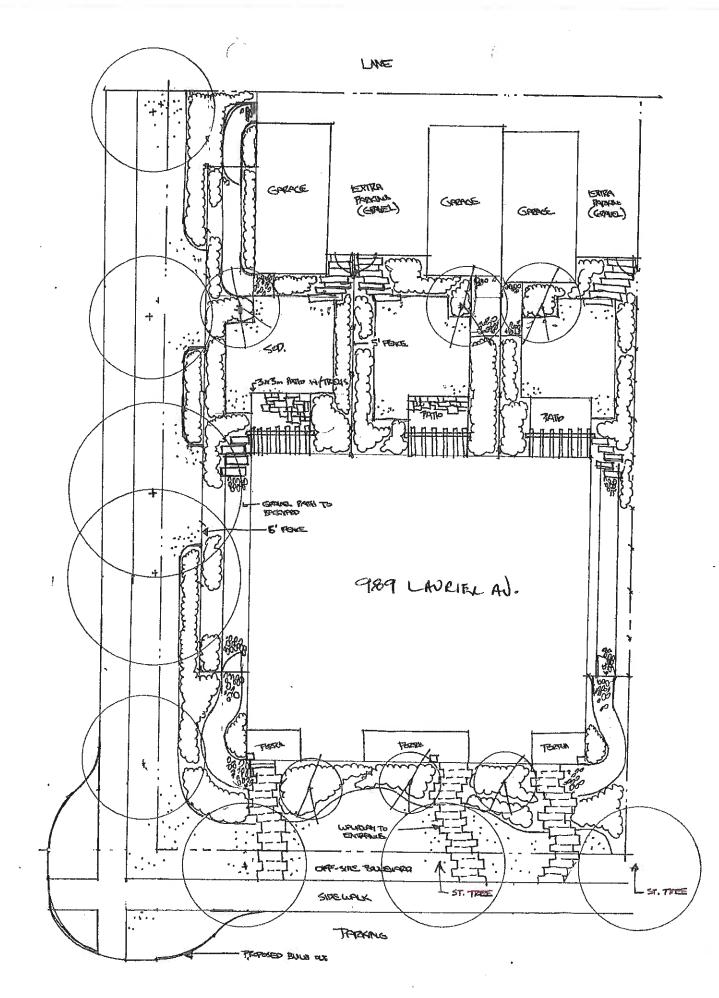
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L'ANDSCAPE CANOBET - LAURDE DP OCT 16/0013 - BURKER (MMH) SCALE 1100



979 Laurier Ave.

Image capture: Jul 2012 Laurier Avenue © 2014 Google



989 Laurier Ave.

Image capture: Jul 2012 Laurier Avenue © 2014 Google

CITY OF KELOWNA

MEMORANDUM

 Date:
 April 4, 2014

 File No.:
 Z13-0041

To: Urban Planning Department (AR)

From: Development Engineering Manager

Subject: 979 & 989 Laurier Ave *REVISED*

RU6 to RM2

The Development Engineering Department has the following comments and requirements associated with this rezoning application. 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. <u>Domestic Water and Fire Protection</u>

(a) The subject properties are each currently serviced with one water service (38mm). The developer will need to determine the domestic and fire protection requirements of this proposed development. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the disconnection of existing services and the installation of a new service if necessary.

2. Sanitary Sewer

(a) The subject properties are each currently serviced with a 100mm sanitary service. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the disconnection of existing services and the installation of a new service if necessary.

3. <u>Road Improvements</u>

- (a) Laurier Ave must be upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, sidewalk, drainage system including catch basins, manholes and pavement removal and replacement, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. A one-time cash payment in lieu of construction must be collected from the applicant for future construction by the City. The cash-in-lieu amount is determined to be \$19,758.00 not including utility service cost
- (b) Bowes Street must be upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, sidewalk, drainage system including catch basins, manholes, landscaped boulevard and pavement fillet, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. A one-time cash payment in lieu of construction must be collected from the applicant for future construction by the City. The cash-in-lieu amount is determined to be \$15,982.00 not including utility service cost.

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(c) Public Lane must be constructed to a paved standard complete with a catch basin and drywell from the westerly property boundary, to the Bowes Avenue pavement edge. The estimated cost for bonding purposes is **\$18,000**.

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d) Only the service upgrades and lane construction must be completed at this time. The City wishes to defer the remainder of the upgrades to Laurier Ave & Bowes Street fronting this development. Therefore, cash-in-lieu of immediate construction is required and the City will initiate the work later, on its own construction schedule.

<u>Laurier Ave</u>	
Item	Cost
Drainage	\$7,050.00
Curb &Gutter	\$4,025.00
Sidewalk	\$3,508.00
Street Lighting	\$ O
Landscape Boulevard	\$1,725.00
Road Fillet	\$3,450.00
Total	\$19,758.00
Bowes Street	
<u>Bowes Street</u> Item	Cost
	Cost \$5,291.00
Item	-
Item Drainage	\$5,291.00
Item Drainage Curb &Gutter	\$5,291.00 \$3,386.00
Item Drainage Curb &Gutter Sidewalk	\$5,291.00 \$3,386.00 \$2,951.00
Item Drainage Curb &Gutter Sidewalk Street Lighting	\$5,291.00 \$3,386.00 \$2,951.00 \$ 0

4. 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.

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- (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 Development Engineering 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.

5. Servicing Agreements for Works and Services

- (a) A Servicing Agreement is required for all offsite 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.

6. Road Dedication and Subdivision Requirements

By registered plan to provide the following:

- (a) Grant Statutory Rights Of Way if required for utility services.
- (b) Lot consolidation.
- (c) Dedicate a corner rounding of a 6.0m radius at the Laurier Ave and Bowes Street intersection.
- (d) If any road dedication or closure affects lands encumbered by a Utility right-ofway (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.

7. <u>Electric Power and Telecommunication Services and Street Lights</u>

a) 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.

8. Development Permit and Site Related Issues

(a) The development will be required to contain and dispose of site generated storm water on the site by installing a ground recharge system consisting of drywells and rock pits.

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9. Bonding and Levy Summary

(a) <u>Bonding</u>

Service Upgrades	\$ TBI	D
Lane Construction	\$ 18,	000.00

Total

\$ 18,000.00

NOTE: The bonding amount 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.

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Steve Muenz, P. Eng. Development Engineering Manager

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REPORT TO COUNCIL



Date:	April 14,2014			Kelow
RIM No.	1250-30			
То:	City Manager			
From:	Urban Plannin	ng, Community Plannin	ng & Real Esta	te (PMc)
Application:	Z14-0012		Owner:	Kelowna Yacht Club (Inc. No. S-0003099)
Address:	1370 Water St		Applicant:	Kelowna Yacht Club
Subject:	Rezoning App	lication		
Existing OCP De	esignation:	Major Park/Open Spa	ce (public)	
Existing Zones:		P1 - Major Institution	al and P3 - Pa	arks and Open Space
Proposed Zone:		P1lp - Major Institutio	onal(Liquor Pr	imary)

1.0 Recommendation

THAT Rezoning Application No. Z14-0012 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, DL 139 & 4083, O.D.Y.D., Plan EPP29214, located on 1370 Water St., Kelowna, BC from the P1 - Major Institutional and P3 - Parks and Open Space zones to the P1lp - Major Institutional (Liquor Primary) zone, as shown on Map "A" attached to the Report of the Urban Planning Department dated April 14, 2014, 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 in conjunction with Council's consideration of a Liquor License Application for the subject property;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the *Ministry of Transportation and Infrastructure* being completed to their satisfaction.

2.0 Purpose

The applicant is proposing to rezone the subject property to add the "Liquor Primary - lp" designation to the existing P1 - Major Institutional zoned property. This will allow the relocation of an existing LP license for the Yacht Club, and an increase the occupancy load from 375 persons at the current location to a new capacity of 474 persons within the new building. A further proposed amendment to the liquor primary license would add 150 persons to a patio area associated with the new development.

3.0 Urban Planning Department

Staff supports this application, which has been made to add the liquor primary "LP" designation to the existing P1 - Major Institutional zone to the subject property. This application has been made to correct an oversight that occurred through the original redevelopment process for the new Kelowna Yacht Club facility. The original location for the Yacht Club should have been zoned the P1lp - Major Institutional (Liquor Primary) zone, when the Liquor Primary designation was introduced to Zoning Bylaw 8000 in 2003. This error was overlooked when the development application review was done for the new Yacht Club location. As the relocation of the Liquor Primary license is required to have a Council Resolution by the Liquor Control and Licensing Branch, this opportunity was taken to correct the incorrect zoning for the subject property. This opportunity is also being taken to correct the location for the P1 zone boundary to have it coincide with the property lines for the new yacht club location.

The review process for the development proposal for the new Yacht Club was before Council for the consideration of the Development Permit and Development Variance Permit applications. Staff are considering this public process as adequate to meet the requirements of the Public Notification policy 367, as is required in the Development Applications procedures bylaw.

The current Official Community Plan (OCP) Future Land Designation for the subject property is "Major Park/Open Space (public)". The subject property is currently zoned P1 - Major Institutional, and the proposed application seeks only to amend the zoning boundaries to coincide with the property boundaries, and to add the LP-Liquor Primary designation to the property to allow the transfer of the liquor license to the new Yacht Club location. The addition of the LP designation and associated liquor primary license will not add floor space to the proposed building or change the form and character of the development.

4.0 Proposal

4.1 Background

The new yacht club building was authorized through Development Permit DP12-0008 for the form and character of the new building, and DVP12-0009 to address building setbacks, site coverage, parking stalls, and loading stalls. The development permit and development variance permit were considered at a Public Council Meeting held on June 26, 2012. The permits were issued April 30, 2013, and construction commenced in June 2013.

4.2 Project Description

To transfer a liquor license, the provincial Liquor Control Licensing Branch requires both public consultation and a Council resolution. During staff review for the relocation application, it was discovered that owing to the size of the Liquor Primary license under consideration, this use would fall under the "Liquor Primary Establishment, major" definition, and that the property would have to be rezoned to add the "LP" designation on the existing P1 - major Institutional zone. It was also discovered that there was a discrepancy between the line work for the zoning boundary in relation to the subdivision property line. This opportunity was considered appropriate to correct both issues.

This application to rezone has been made in conjunction with the Liquor License application to the Liquor Control and Licensing Branch to relocate the liquor license from the old location to the new location currently under construction and located approximately 40 metres north of the existing location.

The proposed occupancy of 474 persons is considered a large liquor primary establishment. Council Policy 359 - Liquor Licensing Policy and Procedures requires this form of establishment to be located within an Urban Centre. As the subject property is located within the Downtown Urban Centre, this condition is met.

The rezoning to add the LP designation to the property and the associated liquor license application will not change the form and character of the development, nor change the use, as the development plans always indicated that there was to be a substantial licensed area within the building, as well as a public restaurant on the ground floor.

Capacity

First Floor boardroom	50 persons
Second Floor (limited by building design)	424 persons
Adjacent outdoor patio area	150 persons
Total proposed Capacity	624 persons

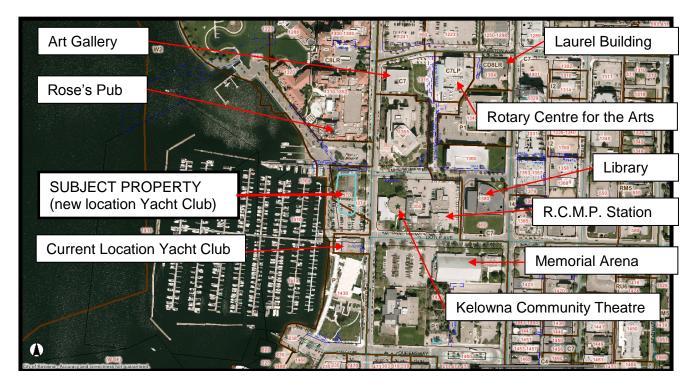
Hours of Operation requested

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
11:00 am	9:00 am	9:00 am	9:00 am	9:00 am	9:00 am	9:00 am
2:00 am	2:00 am	2:00 am	2:00 am	2:00 am	2:00 am	2:00 am

4.3 Site Context

Subject Property Map:

1370 Water Street



The subject property is currently under construction with the new 2 storey yacht Club building Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P3 - Parks and Open Space	boat launch
East	P1 - Major Institutional	community theatre
South	P3 - Parks and Open Space	parking lot
West	W2 - Intensive water use	yacht club docks

4.4 Council Policy #359 - Liquor Licensing Policy & Procedures

The following sections of Policy #359 are applicable to this application:

- Large establishments (with person capacity greater than 249 persons):
 - Should only be located within an Urban Centre. (Meets this criteria)
 - Should be located a minimum of 250m from another Large establishment. (not-Satisfied - see comment below)
 - Should be located a minimum of 100m from a Medium establishment. (Satisfied)
 - Should not be located beside a Small establishment. (Satisfied)
- Where appropriate, support alternative entertainment options, and/or establishments which are less focused on alcohol consumption (including event-driven establishments, and Food Primary establishments with the Patron Participation Entertainment Endorsement) to add a mix of entertainment options in Urban Centres. Consider limiting potential community impacts via license terms and conditions (hours, capacity, etc)

It should be noted that this application deals with the relocation of an existing liquor primary establishment, that has been located on the current site since the 1960's. There are other establishments that are classified under the "Large Establishment" category which are located within the 250m separation to the existing Yacht Club facility. The move of the facility to the subject property would not worsen this inconsistency with policy, as the new location is located within 60m of the existing facility.

Parking for the Yacht Club will not change with the transfer of the Liquor License to the new location. Off-Street Parking as required was addressed through the development review process for the issued development permit (DP12-0008 and DVP12-0009) for the resulting development.

5.0 Technical Comments

5.1 Building & Permitting Department

No Comment

5.2 Development Engineering Department

Servicing was addressed through Development Permit application DP12-0008

5.3 Bylaw Services

No Comment

5.4 Fire Department

No Concerns

- 5.5 Interior Health AuthoritySubject to Health permit approval in new location, will require food safety and sanitation plan.
- 5.6 R.C.M.P.

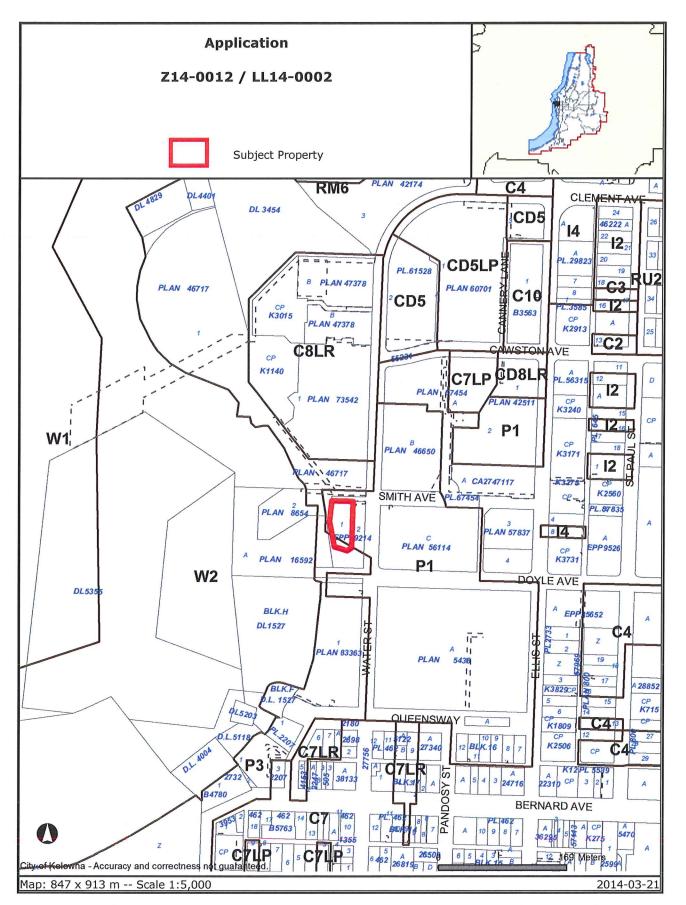
The RCMP have no concerns regarding this application.

6.0 Application Chronology

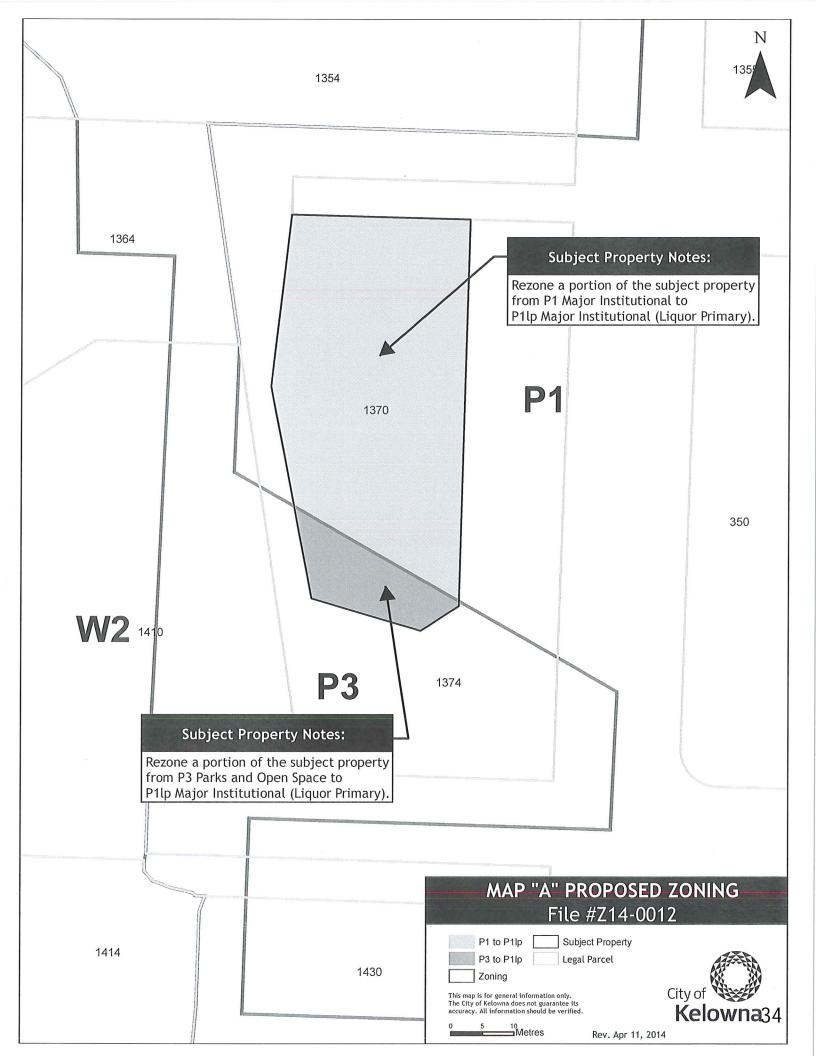
Date of Application Received: March 21, 2014

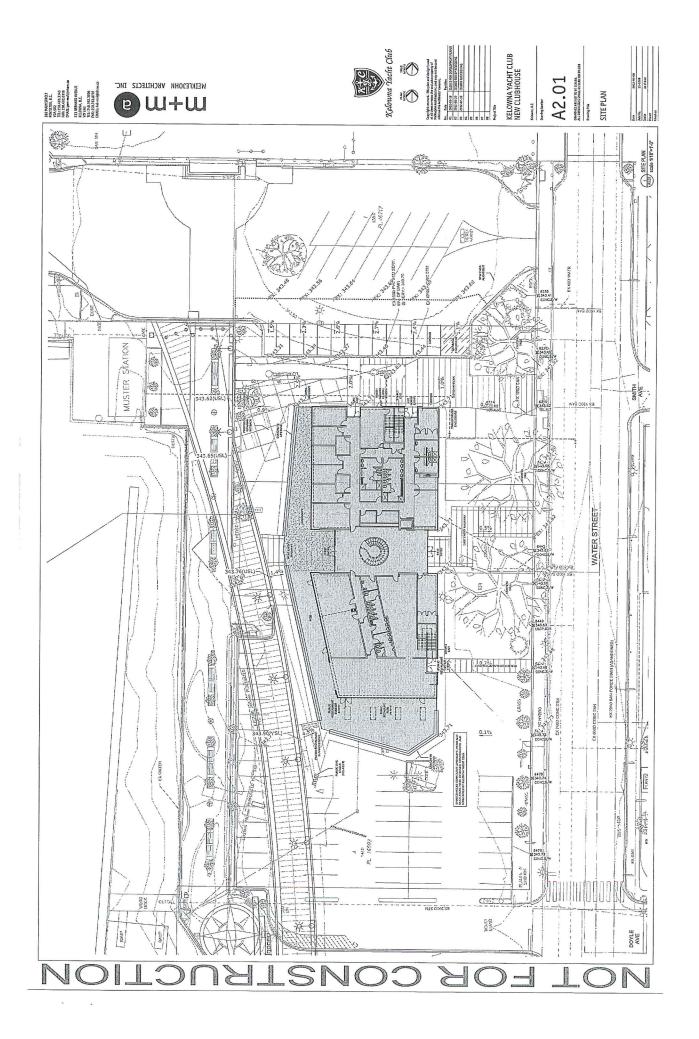
Report prepared by:

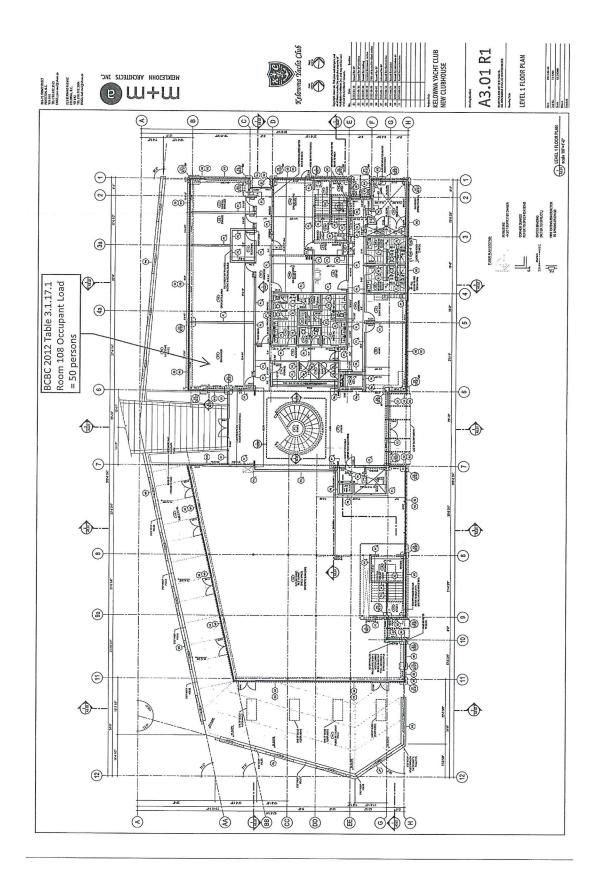
Paul McVey, Planner II	
Reviewed by:	Ryan Smith, Urban Planning Manager
Approved for Inclusion:	D. Gilchrist, Div. Dir. Of Community Planning & Real Estate
Attachments:	
Subject Property map Map "A" proposed zoning Site Plan Floor Plans	

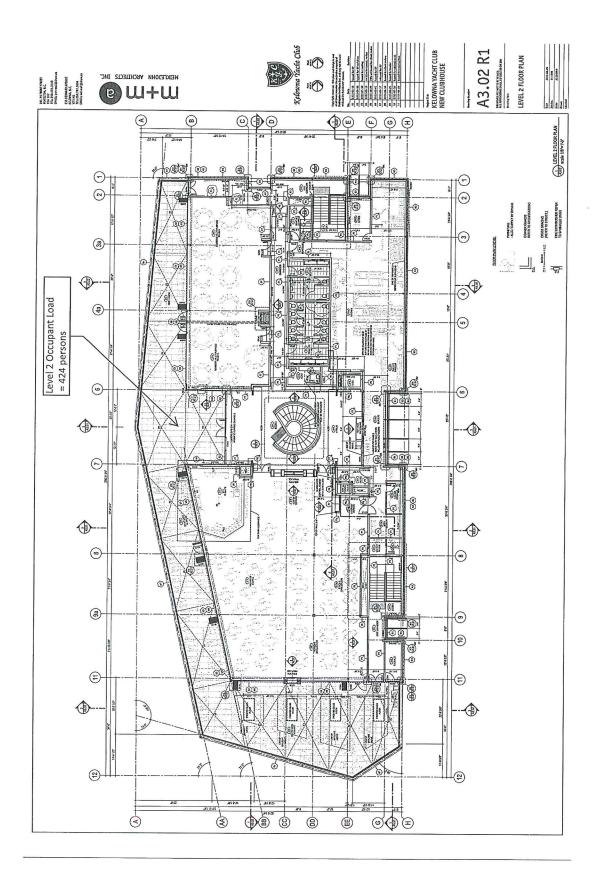


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.









REPORT TO COUNCIL



Date:	April 28, 2014	4		Kelowna
RIM No.	1250-30			
То:	City Manager			
From:	Urban Planni	ng, Community Planning & Rea	al Estate (JM)	
Application:	OCP14-0001	′ Z14-0001	Owner:	City of Kelowna (13 lots) & Miles Vucicevic (1 lot)
	576, 630, 690) Clement Ave		
Address:	1175, 1185 St	. Paul St	Applicant:	City of Kelowna
	1170, 1166, 1	160, 1156, 1150 Richter St		
Subject:	Official Community Plan Amendment and Rezonin		ezoning Appl	ication
Existing OCP Designation:		EDINST - Educational/Institutional COMM - Commercial		
Proposed OCP Designation:		EDINST - Educational/Institutional		
Existing Zone:		12 - General Industrial 14 - Central Industrial		
Proposed Zone:		P1 - Major Institutional		

1.0 Recommendation

THAT Official Community Plan Bylaw Amendment No. OCP14-0001 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by changing the Future Land Use designation of:

- 1. Lot 4, District Lot 139, ODYD, Plan 1021, located on 1160 Richter Street, Kelowna, BC
- 2. Lot 5, District Lot 139, ODYD, Plan 1021, located on 1156 Richter Street, Kelowna, BC
- 3. Lot 6, District Lot 139, ODYD, Plan 1021, located on 1150 Richter Street, Kelowna, BC

from the COMM - Commercial designation to the EDINST - Educational/Institutional designation, as shown on Map "A" attached to the Report of Land Use Management Department dated April 28, 2014, be considered by Council;

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the purpose of Section 879 of the *Local Government Act*, as outlined in the Report of the Land Use Management Department dated April 28, 2014;

THAT Rezoning Application No. Z14-0001 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of:

- 1. Lot A, District Lot 139, ODYD, Plan KAP63401, located on 1175 St. Paul Street, Kelowna, BC
- 2. Lot B, District Lot 139, ODYD, Plan KAP63401, located on 1185 St. Paul Street, Kelowna, BC
- 3. Lot 1, District Lot 139, ODYD, Plan 1021, located on 690 Clement Avenue, Kelowna, BC
- 4. Lot 2, District Lot 139, ODYD, Plan 1021, located on 1170 Richter Street, Kelowna, BC
- 5. Lot 3, District Lot 139, ODYD, Plan 1021, located on 1166 Richter Street, Kelowna, BC
- 6. Lot 4, District Lot 139, ODYD, Plan 1021, located on 1160 Richter Street, Kelowna, BC
- 7. Lot 5, District Lot 139, ODYD, Plan 1021, located on 1156 Richter Street, Kelowna, BC
- 8. Lot 6, District Lot 139, ODYD, Plan 1021, located on 1150 Richter Street, Kelowna, BC
- 9. Lot 7, District Lot 139, ODYD, Plan 1021, located on 630 Clement Avenue, Kelowna, BC
- 10. Lot 8, District Lot 139, ODYD, Plan 1021, located on 630 Clement Avenue, Kelowna, BC
- 11. Lot 9, District Lot 139, ODYD, Plan 1021, located on 630 Clement Avenue, Kelowna, BC
- 12. Lot 10, District Lot 139, ODYD, Plan 1021, located on 576 Clement Avenue, Kelowna, BC
- 13. Lot 11, District Lot 139, ODYD, Plan 1021, located on 576 Clement Avenue, Kelowna, BC
- 14. Lot 12, District Lot 139, ODYD, Plan 1021, located on 576 Clement Avenue, Kelowna, BC

from the I2 - General Industrial and I4 - Central Industrial zones to the P1 - Major Institutional zone, be considered by Council;

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 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 registration at the Land Titles Office of a plan of consolidation.

2.0 Purpose

To consider a proposal to amend the Official Community Plan (OCP) Future Land Use designation and to Rezone the subject properties in order to permit the development of the Kelowna Police Services Building.

3.0 Urban Planning Department

Urban Planning staff are supportive of the proposed OCP amendment and Rezoning to facilitate the development of the Kelowna Police Services Building on the subject site. The proposal is consistent with the overall objectives and policies of the OCP and with the priorities of Council for 2014. As a critical civic facility in Kelowna working to ensure the security of residents, the proposed Kelowna Police Services Building will contribute positively to the future of the city. It follows that the architecture and site design must reflect the importance of the institution in the community by balancing the need for a secure facility with the broader demand for a contextsensitive design that demonstrates a strong relationship to the public realm. While the process followed to date has varied from the City's preferred approach where Zoning and Development Permit applications are processed concurrently, staff feel that the design requirements laid out through the Design-Build procurement methodology provide sufficient confidence to proceed through rezoning without a Development Permit. Under this scenario, should rezoning be granted, a Development Permit and Development Variance Permit will be required prior to obtaining a Building Permit for the project.

4.0 Proposal

4.1 Background

To meet the current and future needs of the Royal Canadian Mounted Police (RCMP), the City intends to construct a new Kelowna Police Services Building. This high-profile civic facility will serve as the RCMP's headquarters and will be a welcoming space for the community.

At its Regular Meeting of December 2, 2013, Council directed staff to undertake the necessary Rezoning process to prepare for the development of the Kelowna Police Services Building. The Alternative Approval Process (AAP) conducted in order to proceed with the funding for the project has concluded successfully, and the project has a maximum budget allowance of \$48M. Now that funding is secured, a Rezoning and OCP amendment is required in order to permit future development on the site.

The project is proceeding using the Design-Build procurement method, and it is expected that the contract for construction will be awarded by December, 2014. As a key component of the Design-Build process, the City sets the key criteria that inform the eventual development on the site. Urban Planning staff have been involved since the early stages of the project in the development of the criteria. Having secured key design criteria through this process, staff are comfortable in allowing the Rezoning to proceed to final adoption without the need for a Development Permit. This is a unique approach to City projects that balances the high expectations for design from the City with the need for security of land use for proponents. A full Development Permit will be required prior to obtaining a Building Permit.

In accordance with Council Policy No. 367, the applicant has held two public information sessions jointly with the Alternative Approval Process (AAP). These were held on March 6th and 10th, 2014, and just over 100 people attended. The focus of these information sessions was on the AAP process, but information respecting the zoning and OCP changes was displayed as well. Overall, the response from the public has been very positive. Of those 37 who submitted comments at the information sessions, only three were opposed. The three in opposition were related to the financing of the project.

In addition, neighbours within a $\frac{1}{2}$ block radius (70 letters) were sent notification of the proposed OCP amendment and Rezoning by mail. After two weeks, only two requests were received. The first requested clarification, but had no concerns, while the second had concerns about the truck turning radii in the lane at the north of the site. Staff are working to address this issue.

4.2 Project Description

The City of Kelowna is seeking to amend the OCP and to Rezone the subject properties in order to allow for the development of the proposed Kelowna Police Services building. While the detailed design and site layout for the building has not been completed, there are several key features and requirements as follows:

- The main public entrance will be located at the corner of Richter St. & Clement Ave.
- The Building will be sited towards the southeast corner of the site
- The Building will be approximately 8,361m2 (90,000 ft2)

- The Building will likely be between 2-3 storeys in height
- Surface parking will be provided for the public, staff, and for fleet vehicles
- Staff surface parking will be made available to the public outside of regular business hours
- Public parking will be accessed from Richter Street
- Staff parking access will be accessed from St. Paul Street
- Site design is focused on landscape and public realm interface along Clement Ave. & Richter St.

As part of the City's effort to set the parameters of the development and to anticipate likely development scenarios, including security needs, staff expect several variances to come forward alongside the final building design proposal. Staff anticipate that the variances will be primarily for vehicle parking, recognizing the very unique parking demands of the Kelowna Police Services building.

4.3 Site Context

The 14 subject properties make up an area of approximately 1.64ha and are all located on the north side of Clement Avenue, between Richter and St. Paul Streets. The City presently owns 13 of the 14 properties, with the property at 1150 Richter Street being privately owned. The City is in negotiations for ownership of the final lot and has authorization from the current owner to proceed with this application.

At present, the lots exhibit little or no development. Some of the staging for the Bernard Avenue project was conducted on the site. The two sites fronting St. Paul Street contain some outdoor vehicle storage. The lots fronting Richter contain a mix of industrial uses and automotive sales, principally conducted outdoors.

The lots are located in the Central City sector of Kelowna within a stretch of lands that act as a transition from the primarily residential development to the south, and the Downtown urban centre context to the west through to the industrial development to the north. Clement Avenue has become a critical transportation corridor both for downtown and for businesses in the north end of the city. As such, properties fronting Clement Avenue are slowly redeveloping.

Orientation	Zoning	Land Use
North	14 - Central Industrial	Various small industrial uses
East	I 2 - General Industrial	BC Tree Fruits, various warehousing
EdSL	14 - Central Industrial	industrial uses
South	RU2 - Medium Lot Housing	Single detached development
West	14 - Central Industrial	Train Station Pub, various industrial uses

Specifically, adjacent land uses are as follows:

Subject Property Map: Subject Properties



4.4 Zoning Analysis Table

Zoning Analysis Table			
CRITERIA	P1 ZONE REQUIREMENTS	PROPOSAL	
Exi	sting Lot/Subdivision Regulatio	ns	
Lot Area	460 m ²	1.64 ha	
Lot Width	13.0 m	exceeds	
Lot Depth	30.0 m	exceeds	
	Development Regulations		
Floor Area Ratio	2.0	TBD	
Site Coverage	50%	TBD	
Height	22.0 m or 6 storeys	TBD	
Front Yard (south)	6.0 m	TBD	
Side Yard (east)	4.5 m or 6.0 m for a flanking	ТВD	
	street	100	
Side Yard (west)	4.5 m or 6.0 m for a flanking	TBD	
	street		
Rear Yard (north)	7.5 m	TBD	
	Other Regulations		
Minimum Parking Requirements	10 per 100 m ² GFA	TBD	
Bicycle Parking	Class 1: 1 per 25 employees	TBD	
	Class 2: 1 per public entrance		
Loading Space	1 per 2,800m2 GFA	TBD	
Landscaping Requirements:			
Front	Level 2	TBD	
Side	Level 3	100	
Rear	Level 3		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

The Future Land Use map of the OCP (Map 4.1) anticipates the development of the Kelowna Police Services Building on the subject lands, therefore all but three of the subject properties are designated Educational/Institutional.

Staff have reviewed this application, and it may move forward without affecting either the City's Financial Plan or Waste Management Plan. Funding for the project has been secured through the Alternative Approval Process. This process concluded on March 28, 2014. Council received the Certificate of Sufficiency for the borrowing on Monday, March 31, 2014 at its Regular Meeting and granted approval for the project to proceed.

5.2 2014: Moving Opportunities Forward

Advance the Police Services Building project.

6.0 Technical Comments

6.1 Building & Permitting Department

No comment. Comments will be provided at Development Permit stage.

6.2 Development Engineering Department

See attached Memoranda, dated February 25, 2014.

6.3 Fire Department

No concerns.

6.4 Interior Health Authority

Provided that these lots are serviced by Community Sanitary sewer and water, this office has no concerns with liquid waste and drinking water.

Interior Health is in support of this application.

6.5 RCMP

No concerns.

6.6 Shaw Cable

Shaw Communications' interests are unaffected. The applicant should contact Shaw regarding future cable services.

6.7 TELUS

TELUS will provide underground facilities to this development. Developer will be required to supply and install conduit as per TELUS policy.

6.8 FortisBC (electric)

There are primary distribution facilities within Clement Avenue and to the proposed consolidated lot's northwest corner. The applicant is responsible for costs associated with any change to the

subjects' 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

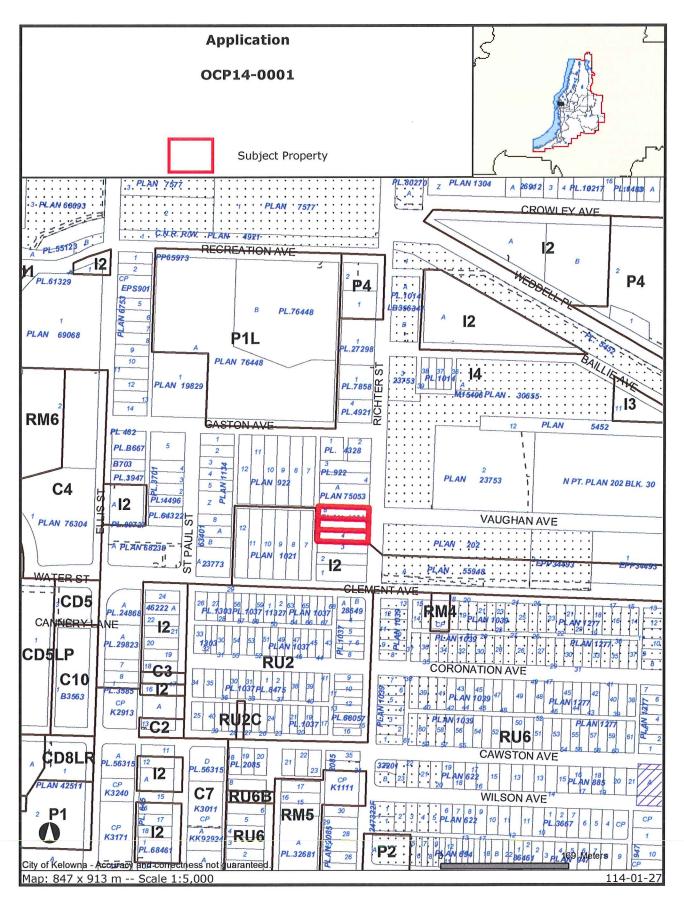
7.0 Application Chronology

Date of Application Received:	January 10, 2014
Public Information Sessions:	March 6 & 10, 2014
Neighbourhood Mailout:	April 1-15, 2014

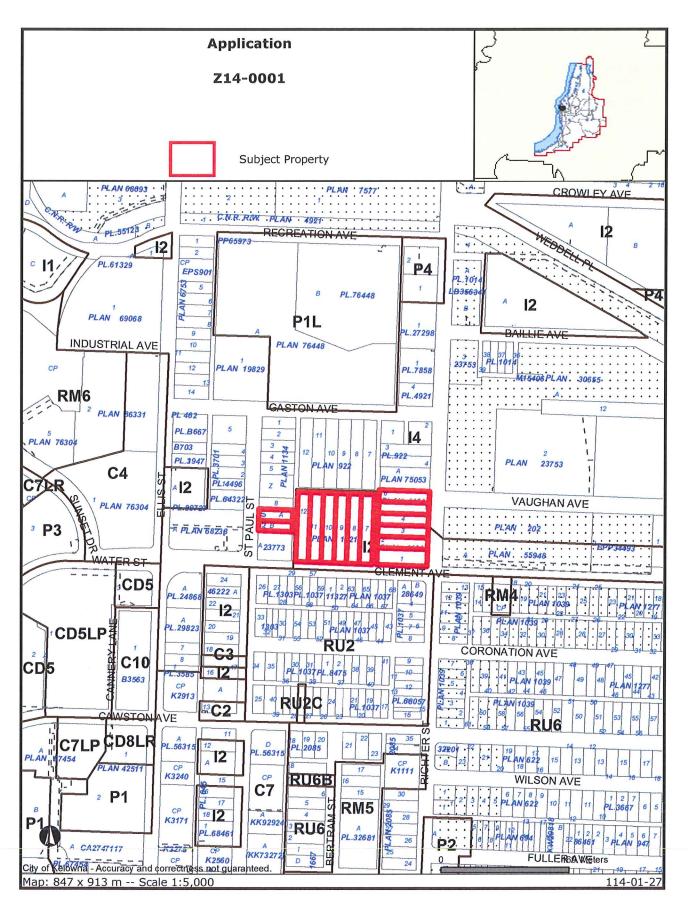
Development Engineering Memoranda, dated February 25, 2014

Report prepared by:

James Moore, Planner II	
Reviewed by:	Ryan Smith, Urban Planning Manager
Approved for Inclusion:	D. Gilchrist, Div. Dir. of Community Planning & Real Estate
Attachments: Subject Property Map	
Conceptual Site Plan Context/Site Photos	



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

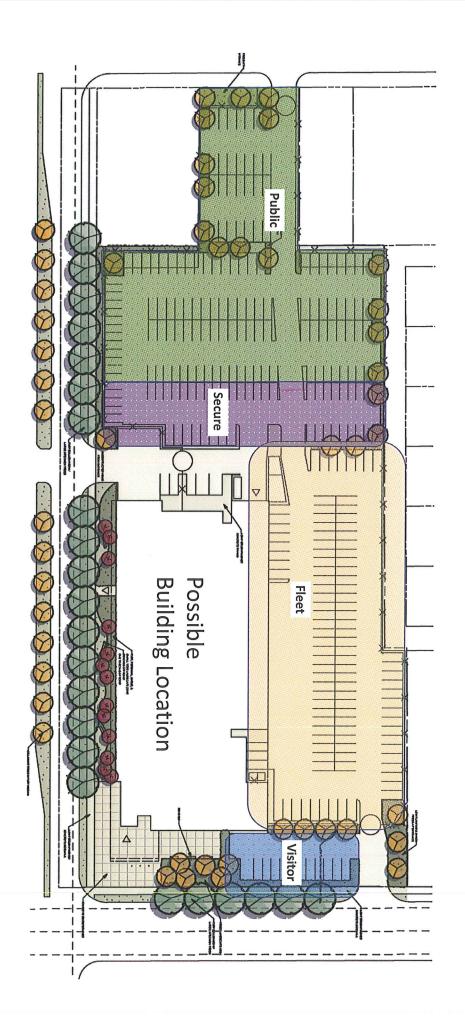


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Elector Approval Open House Police Services Building Project

March 6 & 10, 2014



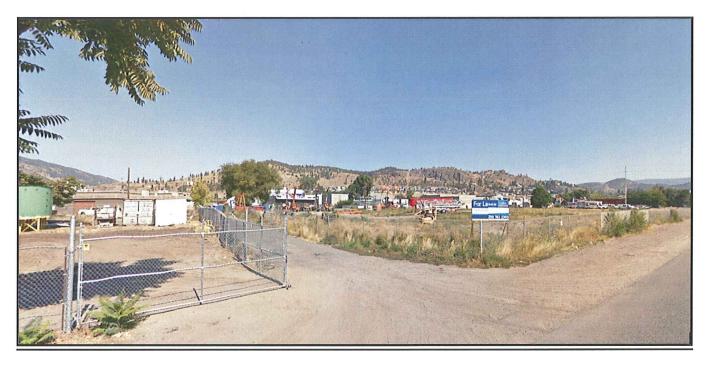


ROAD IMPROVEMENTS

POSSIBLE SITE LAYOUT

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Site Context Photos



View of the site looking northeast from the corner of Clement Avenue and St. Paul Street



View of the site looking northwest from the corner of Clement Avenue and Richter Street

CITY OF KELOWNA

MEMORANDUM

Date: March 4, 2014

File No.: OCP14-0001

To: Urban Planning (JM)

From: Development Engineer Manager (SM)

Clement Ave & Richter St Subject:

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

1. General.

a) All the offsite infrastructure and services upgrades are addressed in the Development Engineering Report under file Z14-0001.

Steve Muenz P. Ehg. Development Engineering Manager

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CITY OF KELOWNA

MEMORANDUM

Date: File No.:	February 25, 2014 Z14-0001
То:	City of Kelowna – Infrastructure Planning (BD)
From:	Development Engineering Manager (SM)
Subject:	Clement Av & Richter Street - RCMP Rezoning

I2 & I4 to P1 - Public Institutional

The Development Engineering Branch comments and requirements regarding an application to rezone from I2/I4 to Public Institutional (P1) zone would be as follows:

- .1) General
 - a) Where there is a possibility of a high water table or surcharging of storm drains during major storm events, non-basement buildings may be required. This must be determined by the engineer and detailed on the Lot Grading Plan required in the drainage section.
 - b) Provide easements as may be required.
 - c) The proposed RCMP station triggers a traffic impact assessment. The applicant's transportation engineer shall contact the City's Transportation & Mobility group who will determine the terms of reference for the study. Recommendations from the Traffic Impact Analysis (TIA) will become requirements of rezoning.

.2) Road Dedication and Subdivision Requirements

- a) On the Clement Ave frontage, provide a 10m dedication for a roadway allowance totalling 30m road right of way.
- b) Provide corner rounding or truncation dedication of 10m radius at Clement Ave and Richter Street.
- c) On the Richter Street frontage, provide a ~2m dedication for a roadway allowance totalling 22m road right of way.
- d) Lot consolidation.

.3) Geotechnical Study.

A comprehensive Geotechnical Study is required, which is to be prepared by a Professional Engineer competent in the field of geotechnical engineering, the study is to address the following:

- 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

.4) Water

- a) The properties are located within the City of Kelowna service area. The existing lots are serviced with small -diameter copper water services (5). Only one service will be permitted to the site or per property. The applicant, at his cost, will arrange for the removal of all existing services and the installation of one new larger metered water service.
- b) The developer's consulting engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The bylaw requirement for Institutional zoning is 150l/s and is available at the site. If it is determined that upgrades to any other existing water distribution system must be made to achieve the required fire flows, additional bonding will be required.

.5) Sanitary Sewer

a) The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs.
 Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal and disconnection of the existing services (3) and the installation of one new larger service. A new service (150 mm) will be required to service the proposed development and

services (3) and the installation of one new larger service. A new service (150 mm) will be required to service the proposed development and should be tied into an existing manhole, as per Bylaw 7900. The existing manhole cover and lid must be upgraded to current standards.

.6) Drainage

- 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 development and / or recommendations for onsite drainage containment and disposal systems.
- b) It will be necessary for the developer to construct storm drainage facilities on Clement Ave and Richter Street to accommodate road drainage fronting the proposed development.

Z14-0001 Clement Av & Richter St/RCMP Page 3 of 5

- c) Provide a detailed Stormwater Management Plan for this development as per the Subdivision, Development and Servicing Bylaw #7900.
- d) There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.

.7) Transportation.

- The proposed RCMP station triggers a traffic impact assessment. The applicant's transportation engineer shall contact the City's Transportation & Mobility group who will determine the terms of reference for the study.
- b) Recommendations from the Traffic Impact Analysis (TIA) will become requirements of rezoning.
- .8) Roads
 - a) Clement Ave is designated an urban arterial road. Frontage improvements required include curb and gutter, separate sidewalk, piped storm drainage system, road works, landscaped boulevard complete with underground irrigation system, and street lights.
 - b) Richter Street is designated an urban collector road. Frontage improvements required include curb and gutter, separate sidewalk, piped storm drainage system, road works, left turn bays, landscaped boulevard complete with underground irrigation system, and street lights, possible traffic signal upgrades and re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading.
 - c) St. Paul Street is designated an urban local road. Frontage improvements required include sidewalk, piped storm drainage system, landscaped boulevard complete with underground irrigation system.
 - d) Provide a Street Sign, Markings and Traffic Control Devices design drawing.
 - e) Landscaped boulevards, complete with underground irrigation design drawing as per bylaw, is required on Clement Ave & Richter Street.

.9) Power and Telecommunication Services and Street Lights

- a) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground as the subject properties are within the "City Center Urban Center".
- b) Streetlights must be installed on all roads.
- c) 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.
- d) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

.10) 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 Development Engineering 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.

.11) Other Engineering Comments

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, 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 must be incorporated in the construction drawings submitted to the City's Development Manager.

.12) Servicing Agreements for Works and Services

- b) 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.
- c) 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.

.13) **Charges and Fees**

- a) Development Cost Charges (DCC's) are payable
- b) Fees per the "Development Application Fees Bylaw" include:
 - i) Street/Traffic Sign Fees: at cost if required (to be determined after
 - ii)
 - design). Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) only if disturbed. Engineering and Inspection Fee: 3% of construction value (plus GST). iii)

Steve Muenz, P.Eng. Development Engineering Manager

SS

REPORT TO COUNCIL



Date:	4/16/2014			Kelowna
RIM No.	1250-30			
То:	City Manager	City Manager		
From:	Subdivision, Agriculture & Environm		nent Services	(MS)
Application:	Z14-0009		Owners:	Sohayl and Sholen Ghadirian
Address:	1470 Guisach	an Pl	Applicant:	Sohayl Ghadirian
Subject:	To Rezone portions of the subject pr zone to the RU6 - Two Dwelling Hous Housing to facilitate a two lot subdiv		using zone and	
Existing OCP Designation:		S2RES - Single/Two Unit Residential		
Existing Zone:		RU1- Large Lot Housing		
Proposed Zone:		RU2 - Medium Lot Ho RU6 - Two Dwelling H	•	

1.0 Recommendation

THAT Rezoning Application No. Z14-0009 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot 3, District Lot 136, ODYD, Plan 9353 from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone and from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing zone as shown on Map "A" attached to the report of Subdivision, Agriculture & Environment Services, dated April 16, 2014, 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 issuance of a Preliminary Layout Review Letter by the Approving Officer;

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.

2.0 Purpose

The applicant is requesting permission to rezone portion of the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone to the RU2 - Medium Lot Housing zone to facilitate a two lot subdivision.

3.0 Subdivision, Agriculture and Environment Services

The subject property is located within the Central City Sector of Kelowna. It is designated as a S2RES - Single/Two Unit Residential in the Official Community Plan and as such the application to rezone to RU6 and RU2 to facilitate a 2 lot subdivision is in compliance with the designated future land use. In addition, the OCP generally supports the densification of neighborhoods through appropriate infill development, including the use of two dwelling housing and or medium lot housing.

The proposed lots far exceed (more than double) the zoning criteria for the RU6 - Two Dwelling Housing zone and the RU2 - Medium Lot Housing. The proposed RU6 lot will be approximately 1470 m^2 (minimum required is 700m²) and the propose RU2 lot will be approximately 830m² (minimum required is 400m²). The property is serviced by City of Kelowna water and sanitary sewer.

A comprehensive "Form and Character" Development Permit will be required for the development of the proposed RU6 lot to ensure the dwellings are sensitively integrated in the existing establish neighborhood.

Based on current City policy and services available, City staff supports this application.

4.0 Proposal

4.1 Background / Project Description

The applicant is seeking permission to rezone the subject property to facilitate a two lot subdivision. The proposal involves rezoning portions of the subject property to the RU2 - Medium Lot Housing zone and the balance to the RU6 - Two Dwelling Housing zone from the existing RU1 - Large Lot Housing zone.

The applicant is proposing to remove the existing accessory building as well as a portion of the existing building to facilitate the proposed subdivision (as shown in red on the attached subdivision plan). The proposed RU2 - Medium Lot Housing lot will be approximately 833 m² with a depth of 63m and a width of 13m. The proposed RU6-Two Dwelling Housing lot will be approximately 1470m² with a depth of 63, and with of 23.3m (As shown on the attached subdivision plan).

The applicant will be constructing an additional single family dwelling on the proposed RU6 lot (as conceptually shown in blue on the attached subdivision plan) and then proposes to stratify the property. The Proposed RU2 lot will be developed in accordance with the zone requirements.

4.2 Site Context

The subject property is located in the North Central City Sector of Kelowna (see Map 1 - Subject Property, below). The property is relatively flat fluctuating by less than one metre in elevation. The property currently has a single family dwelling and accessory building as shown on Map 1. In order to create the subdivision, a portion of the house will need to be demolished.

The surrounding area is characterized by single family dwellings.

Parcel Summary:

Parcel Size:	2300 m ² (0.57 ac)
Elevation:	352 masl
Gradient:	approximately 1-2% sloping down towards the northwest

4.4 Zoning of Adjacent Property

Zoning for adjacent properties is outlined in the following table:

Table 1: Zoning of Adjacent Property

Direction	Zoning Designation	Land Use
North	RU2 - Large Lot Housing	Single Family Dwelling
East	RU1 - Large Lot Housing	Single Family Dwelling
South	RU5 - Large Lot Housing	Bareland Strata Housing
West	RU6 - Two Dwelling Housing	Single Family Dwelling

Map 1: Subject Property - 1470 Guisachan Pl



5.0 Technical Comments

Table 1: RU2 Zoning Criteria

CRITERIA	RU2 - MEDIUM LOT HOUSING - ZONE REQUIREMENTS
Subdivision Regulations	
Minimum Lot Area	400 m ²
Minimum Lot Width	13.0 m
Minimum Lot Depth	30.0 m
Minimum Front Yard	4.5 m (6.0 m from a garage or carport)
	1.5 m (for up to 1 $\frac{1}{2}$ storey portion of building)
Minimum Side Yard	1.8 m (for up to 2 $\frac{1}{2}$ storey portion of building)
	3.0 m (if there is no garage or carport from the front)
Minimum Rear Yard	6.0 m (for up to 1 $\frac{1}{2}$ storey portion of building)
	7.5 m (for up to 2 $\frac{1}{2}$ storey portion of building)
Maximum Site Coverage	40% (50% including driveways and parking areas)

Table 2: RU6 Zoning Criteria

CRITERIA	RU6 - TWO DWELLING HOUSING - ZONE REQUIREMENTS		
Subdivision Regulations	Subdivision Regulations		
Minimum Lot Area	700 m ² (800m ² for corner lot)		
Minimum Lot Width	18.0 m		
Minimum Lot Depth	30.0 m		
Minimum Front Yard	4.5 m (6.0 m from a garage or carport)		
Minimum Side Yard	2.0 m (for up to 1 $\frac{1}{2}$ storey portion of building)		
	2.3 m (for up to 2 $\frac{1}{2}$ storey portion of building)		
Minimum Rear Yard	6.0 m (for up to 1 $\frac{1}{2}$ storey portion of building)		
	7.5 m (for up to 2 $\frac{1}{2}$ storey portion of building)		
Maximum Site Coverage	40% (50% including driveways and parking areas)		

6.0 Current Development Policies

Current development policies that relate to the application are included in the section below.

6.1 Kelowna 2020 - Official Community Plan - General Policies¹

Focus development to designated growth areas

Compact Urban Form. 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 per ha 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 in particular and existing areas as per the provisions of the Generalized Future Land Use Map.

Permanent Growth Boundary.² Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of property outside the Permanent Growth Boundary for more intensive use only to the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except for Agri-Business designated sites or as per Council's specific amendment of this policy. The Permanent Growth Boundary may be reviewed as part of the next major OCP update.

Ensure context sensitive housing development³

Sensitive Infill. 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.

Healthy Communities. 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.

7.0 Technical Comments

7.1 Development Services

Development Services has provided comments for the application, summarized below (memo attached).

Road frontage improvements are triggered by this rezoning application. The requirements include curb and gutter, storm drainage system and pavement widening. Also required is a landscaped boulevard, street lighting and the re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The cost of this construction is at the applicant's expense.

The proposed redevelopment includes the subject parcel being subdivided into two lots. A subdivision application will require service upgrades that include the installation of additional services. The work will require road cuts and boulevard and pavement restoration. Development Engineering is prepared to defer the requirements of the rezoning to the subdivision stage.

¹ City of Kelowna Official Community Plan - Development Process; p. 5.3

² City of Kelowna Official Community Plan, Policy 5.3.1 (Development Process Chapter).

³ City of Kelowna Official Community Plan - Development Process; p. 5.27

7.2 Policy and Planning

The subject property is designated as Single / Two Unit Residential (S2RES) in the OCP and as such this proposed rezoning and subdivision would be in compliance with OCP policy and objectives and could be supported.

7.3 Shaw Cable / Telus

Shaw Cable and Telus approve this proposed rezoning application to accommodate a 2 lot subdivision. Owner / developer is to supply and install an underground conduit system per Shaw Cable/Telus drawings and specifications.

8.0 Application Chronology

Date of Application Received:	February 26, 2014
Agency Comments Received:	March 26, 2014
Public Consultation Summary Received:	April 15, 2014

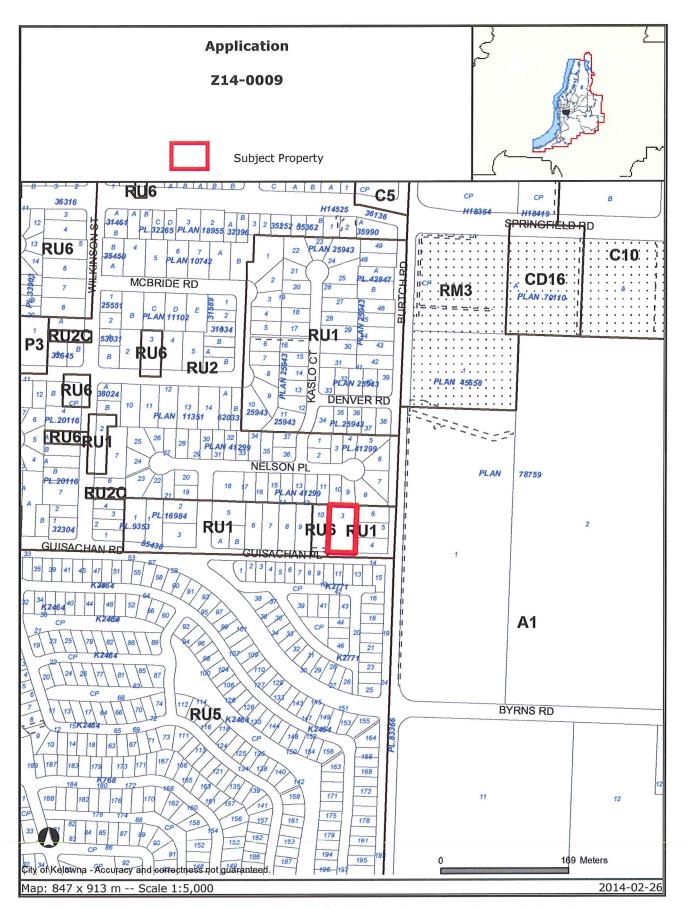
Report prepared by:

Damien Burggraeve, RPP, MCIP

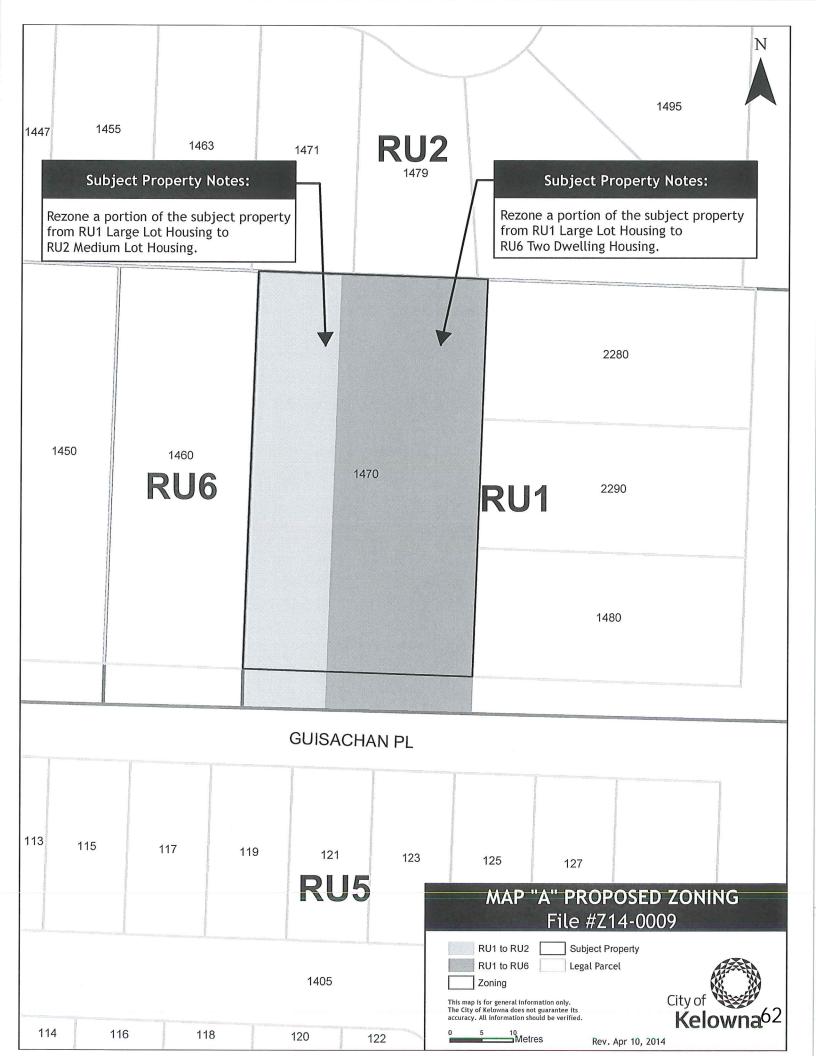
Approved for Inclusion: _____ Shelley Gambacort, Director, Land Use Management

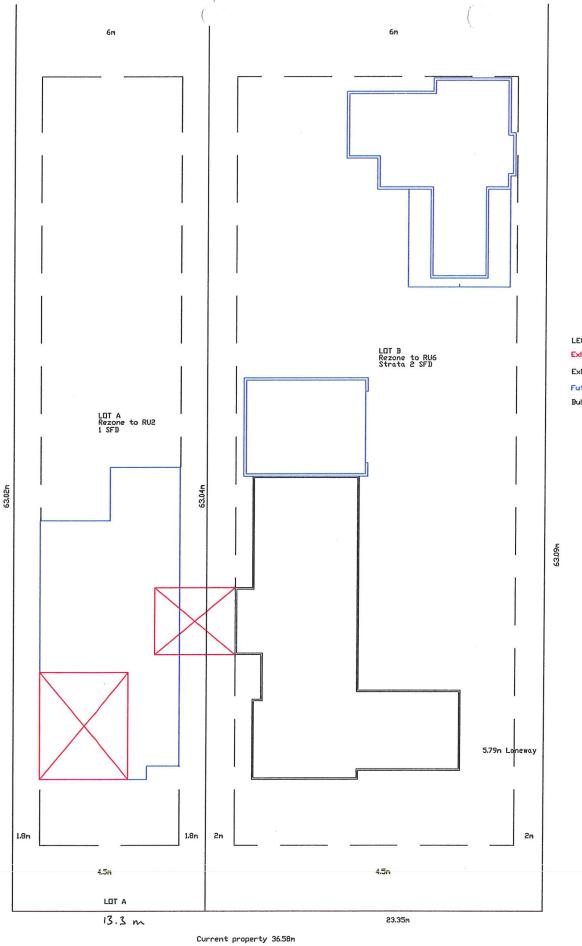
Attachments:

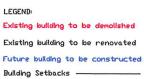
Subject Property Map Map A - Proposed Rezoning Site Plan - Proposed Subdivision Layout Development Engineering Memorandum Public Notification - Letter and Summary Map Output



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







CITY OF KELOWNA

MEMORANDUM

Date: File No.:	March 5, 2014 Z14-0009		
То:	Urban Planning (DB)		
From:	Development Engineering Manager (SM)		
Subject:	1470 Guisachan Place, Lot 3 Plan 9353	RU1 to	RU2/RU6

Development Engineering has the following comments and requirements associated with this application.

1. <u>General</u>

Road frontage improvements are triggered by this rezoning application. The requirements include curb and gutter, storm drainage system and pavement widening. Also required is a landscaped boulevard, street lighting and the re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The cost of this construction is at the applicant's expense.

The proposed redevelopment includes the subject parcel being subdivided into two lots. A subdivision application will require service upgrades that include the installation of additional services. The work will require road cuts and boulevard and pavement restoration. Development Engineering is prepared to defer the requirements of the rezoning to the subdivision stage.

Steve Muenz, P. Eng. Development Engineering Manager

SS

April 14, 2014

Dear Neighbour,

We are excited to inform you of our intention to apply for re-zoning and subdivision of our new home at 1470 Guisachan Place. Currently, we are in the process of renovating the original house on this property but given the large size of the lot our plan is to rezone and subdivide the property into two lots. This would allow for a separate subdivided lot with a single family dwelling as well as a third single family dwelling behind the current house which is being renovated. There will not be a duplex or other multiplex type buildings, only two more beautiful homes!

We have attached a copy of the site plan with the new proposed property lines as well as the locations of the new homes. Please feel free to contact us by email or telephone if you have any questions or concerns. We look forward to getting to know you better and being part of the neighbourhood!

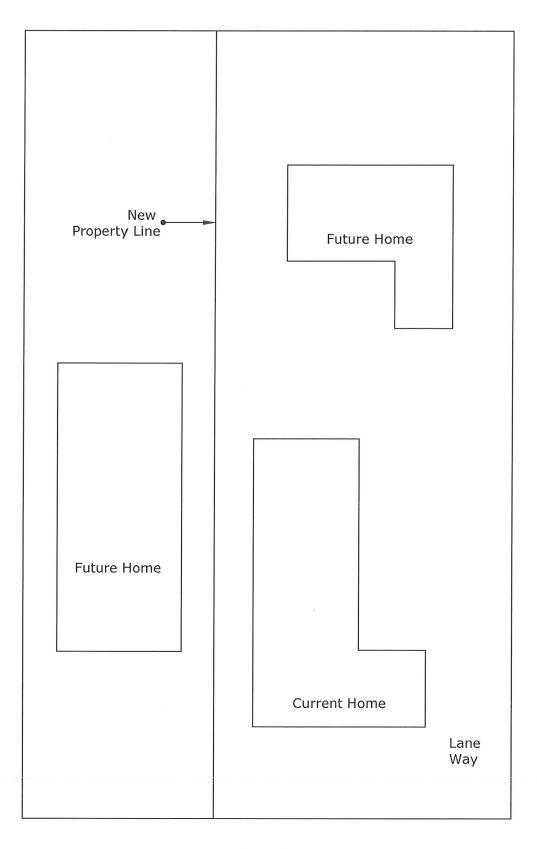
Thank you for your time,

Sohayl and Sholeh Ghadirian

sohayl@gmail.com

778-363-0275

Proposed Changes to 1470 Guisachan Place



Guisachan Place

Regarding our application for re-zoning and subdivision of the property at 1470 Guisachan place, this letter is to outline our recent efforts to inform nearby residents of our intentions with the application. On April 12-14, 2014, 23 of the surrounding homes were visited to distribute a letter outlining our plans with an attached site plan of the proposed changes. Where possible we were able to do this in person and answer any questions as well.

The address of the homes visited were as follows

Adddress	
1440 Guisachan place	Spoke with resident
1450 Guisachan place	Resident not home, letter left
1460 Guisachan place	Spoke with resident
1480 Guisachan place	Spoke with resident
2290 Burtch rd	Spoke with resident
2280 Burtch rd	Spoke with resident
1447 Nelson place	Resident not home, letter left
1455 Nelson place	Resident not home, letter left
1463 Nelson place	Resident not home, letter left
1471 Nelson place	Spoke with resident
1479 Nelson place	Spoke with resident
1487 Nelson place	Spoke with resident
1495 Nelson place	Resident not home, letter left
1405 Guisachan place:	
-Unit 111	Resident not home, letter left
-Unit 113	Resident not home, letter left
-Unit 115	Spoke with resident
-Unit 117	Spoke with resident
-Unit 119	Resident not home, letter left
-Unit 121	Resident not home, letter left
-Unit 123	Resident not home, letter left
-Unit125	Resident not home, letter left
-Unit127	Resident not home, letter left
-Unit 129	Resident not home, letter left

All of the residents that we were able to meet were very supportive of our plan, and in most cases expressed that they had expected such a proposal to be put forth given the size of the property. One resident at 1479 Nelson place did have some concerns around privacy as her property sits directly behind ours. We were able to show her that the rear setback of any new home would be at least 6m from our shared property line and this seemed to address her concern.

We have attached both the letter that was distributed as well as the simplified site plan.

Sohayl and Sholeh Ghadirian