

# City of Kelowna Public Hearing AGENDA



Tuesday, December 9, 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 November 25, 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.

(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. 11025 (Z14-0044) - 1250-1298 Ellis Street, Whitworth Holdings Ltd. 5 - 19

The purpose of the application is to consider a Liquor Primary zone for a property that has a liquor primary license.

- 3.2 Bylaw No. 11026 (TA14-0019) - Proposed Zoning Bylaw Text Amendment, C3, C6 and C10 Zones 20 - 27

To include 'Breweries and Distilleries, minor' as a principal use in the C3, C6 and C10 zones.

- 3.3 Bylaw No. 11027 (OCP14-0019) & Bylaw No. 11028 (Z14-0036) - (W of) Mountainside Drive, Cedar Creek Developments Ltd. 28 - 39

To consider an Official Community Plan Amendment and Rezoning application to amend the Future Land Use designation and rezone portions of the subject property to accomodate the development of a single-family residential subdivision.

- 3.4 Bylaw No. 11029 (OCP14-0021) & Bylaw No. 11030 (Z14-0041) - 5505 Chute Lake Road, Calcan Investments Ltd. 40 - 55

The applicant is proposing to amend the Official Community Plan Future Land Use Designation and to rezone a portion of the subject property in order to accomodate the development of a single-family strata subdivision.

- 3.5 Bylaw No. 11031 (OCP14-0015) - 1501 & 1511 Tower Ranch Drive and 2160 Tower Ranch Boulevard 56 - 73

To amend Map 4.1 - Generalized Future Land Use in the 2030 Official Community Plan for a portion

of the Tower Ranch Development.

3.6 Bylaw No. 11032 (OCP14-0011) & Bylaw No. 11033 (Z14-0026) - 1280 Glenmore Drive, 561655 B.C. Ltd.

74 - 98

To change the Future Land Use Designation of a portion of the subject property from the MRL - Multiple Residential Low Density to S2RES - Single/Two Unit Residential and to rezone the portion of the subject property facing Glenmore Drive to RM2 - Low Density Row Housing in order to develop a freehold five unit townhouse and keep the remainder of the subject property facing Mountainview Street as RU1 - Large Lot Housing.

4. Termination

5. Procedure on each Bylaw Submission

- (a) Brief description of the application by City Staff (Land Use Management);
- (b) The Chair will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.
- (c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.
- (d) The Chair will call for representation from the public in attendance as follows:
  - (i) The microphone at the public podium has been provided for any person(s) wishing to make representation at the Hearing.
  - (ii) The Chair will recognize ONLY speakers at the podium.
  - (iii) Speakers are encouraged to limit their remarks to 5 minutes, however, if they have additional information they may address Council again after all other members of the public have been heard a first time.
- (e) Once the public has had an opportunity to comment, the applicant is given an opportunity to

respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.

(f) Questions by staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.

(g) Final calls for representation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

Note: Any applicant or member of the public may use visual aids (e.g. photographs, sketches, slideshows, etc.) to assist in their presentation or questions. The computer and ELMO document camera at the public podium are available. Please ask staff for assistance prior to your item if required.



# REPORT TO COUNCIL



**Date:** 9/19/2014

**RIM No.** 1250-30

**To:** City Manager

**From:** Urban Planning, Community Planning & Real Estate (AC)

**Application:** Z14-0044 **Owner:** Whitworth Holdings Ltd., Inc  
No. BC0767813

**Address:** 1250-1298 Ellis Street **Applicant:** City of Kelowna

**Subject:** Rezoning Application

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

**Existing Zone:** C10 - Service Commercial

**Proposed Zone:** C10lp - Service Commercial (Liquor Primary)

---

## 1.0 Recommendation

THAT Rezoning Application No. Z14-0044 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for the property legally know as Lot 1, District Lot 139, ODYD, Plan 660, located on 1250 - 1298 Ellis St., Kelowna, BC from the C10 - Service Commercial zone to C10lp - Service Commercial (Liquor Primary) zone be considered by Council;

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

## 2.0 Purpose

The purpose of the application is to consider a Liquor Primary zone for a property that has a liquor primary license.

## 3.0 Urban Planning

Staff support the rezoning and consider it to be "housekeeping" in nature. In 2003, the City of Kelowna created sub zones for "Liquor Primary" (LP) and "Retail Liquor Sales" (RLS). The intent of these designations was to provide Council with greater discretion over the location of liquor service and sales. Flashbacks nightclub is located at 1268 Ellis Street and has a liquor license capacity of 500 people, however, the "Liquor Primary" (LP) zoning designation was never added to the property.

The proposed brew pub is to be located within a vacant unit at the north end of the subject property. A separate report will be provided for the Development Permit in order for Council to

review the form and character of the proposed brew pub and the alterations / revitalization of the heritage building.

A Text Amendment (TA14-0019) application is related to this application. The purpose of TA14-0019 is to clarify that 'breweries and distillers, minor' are a principal use in situations where Liquor Primary Establishments and Food Primary Establishments are principal uses. The Liquor License report will go over the siting details and the guidelines outlined in the Policy 359 (Liquor Licensing Policy & Procedures).

In fulfillment of Council Policy No. 367 respecting public consultation, the neighbours were contacted individually as described in the attached *Schedule 'A'*. No major issues were identified during consultation with neighbours.

## 4.0 Proposal

### 4.1 Background

The nightclub "Flashbacks" was missed during a blanket rezoning process and this rezoning report is correcting that error by adding the LP use that was intended to be added to the subject property. Staff became aware of the error when a new liquor primary proposal for "Chico's Brew Pub" was submitted for a Development Permit and a Liquor License application to the City of Kelowna. Council will be provided with a separate report regarding the Liquor License for the proposed brew pub.

### 4.2 Site Context

The subject property is located on Ellis Street and adjacent to Prospera Place.

Subject Property Map: 1250 Ellis Street



## **5.0 Current Development Policies**

### **5.1 Liquor Licensing Policy & Procedures & Liquor Policy Review Final Report (2011)**

#### **Liquor Primary Establishments.**

In consideration of new, expanded or relocated Liquor Primary Establishments (cabarets/nightclubs, pubs, lounges), the following guidelines should be considered (see table below):

#### **1. Siting/Density Guidelines:**

- a) No establishment with a person capacity greater than 500 persons should be permitted.
- b) Large establishments (with person capacity greater than 249 persons):
  - i) Should only be located within an Urban Centre.
  - ii) Should be located a minimum of 250m from another Large establishment.
  - iii) Should be located a minimum of 100m from a Medium establishment.
  - iv) Should not be located beside a Small establishment.
- c) Medium establishments (with person capacity between 100-249 persons):
  - i) Should only be located within an Urban or Village Centre.
  - ii) Should be located a minimum of 100m from a Large or Medium establishment.
  - iii) Should not be located beside a Small establishment.
- d) Small establishments (with person capacity less than 100 persons):
  - i) Should not be located beside another liquor primary establishment.

## **6.0 Technical Comments**

### **6.1 R.C.M.P. - Liquor License**

The RCMP supports the proposed application provided the licensees are deemed to fit and are proper as determined by the BC Liquor Control and Licensing Branch. The RCMP will not oppose the amended times of this application based on the current business model which is presented as a casual, family friendly, eatery and brew house. Given the number of liquor seats subject of this application, any deviation from the current business model towards a night club will have significant resource implications for the police and will not be supported.

## **7.0 Application Chronology**

Date of Application Received:  
Date of Public consultation:

Sept 19<sup>th</sup> 2014  
Sept 8<sup>th</sup> 2014

**Report prepared by:**

\_\_\_\_\_  
Adam Cseke, Planner

**Reviewed by:**

☐

Ryan Smith, Manager - Urban Planning

**Approved for Inclusion:**

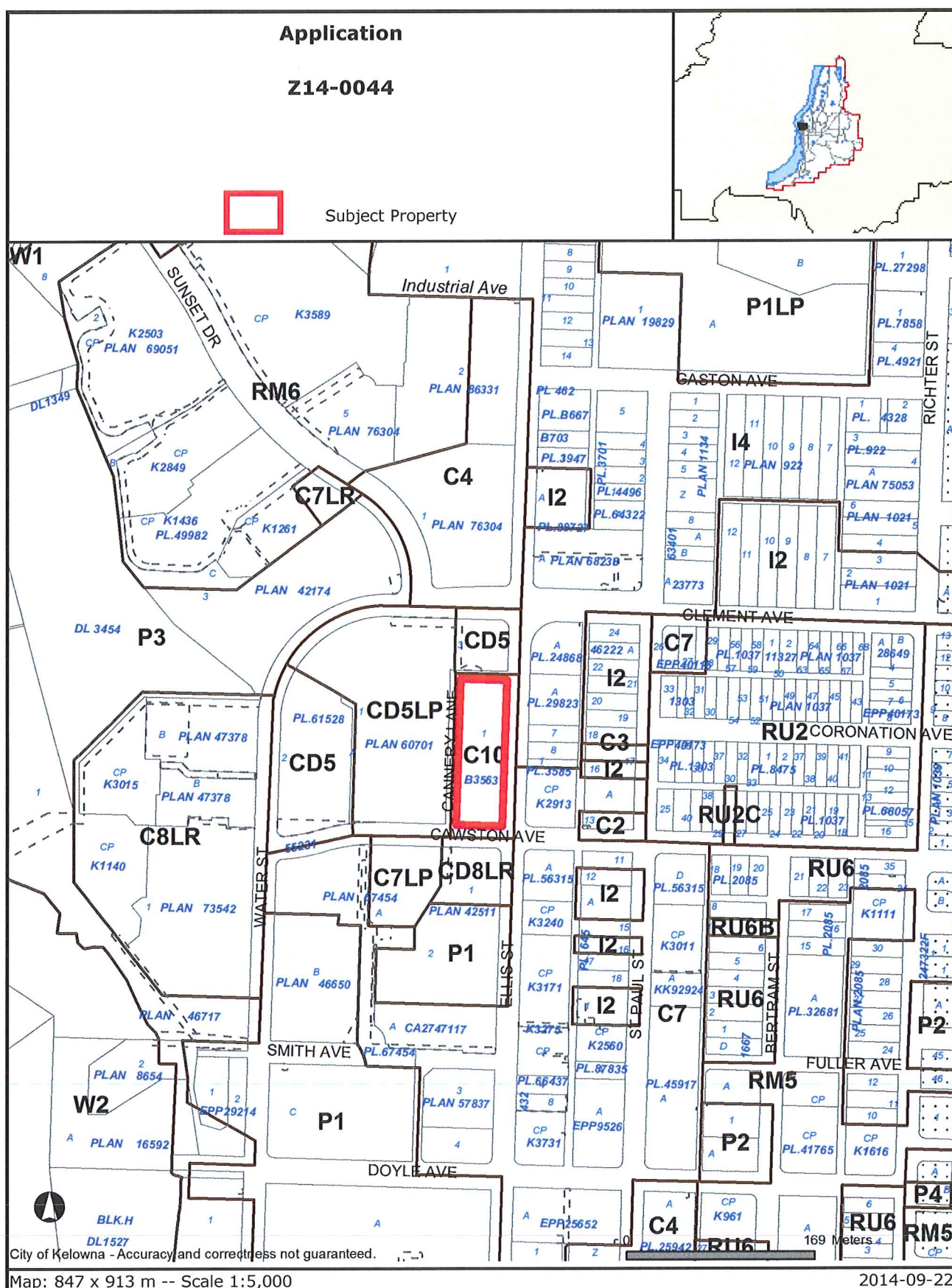
☐

D. Gilchrist, Divisional Director -  
Community Planning & Real Estate

**Attachments:**

Public Consultation





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.



# CHICO'S EATERY & BREW CO.

1250 Ellis

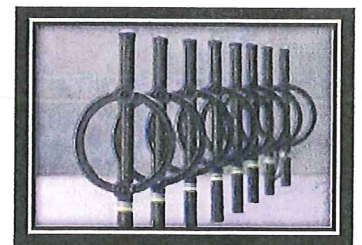
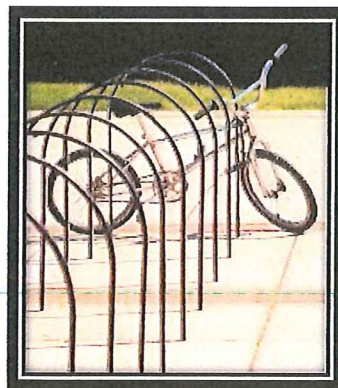
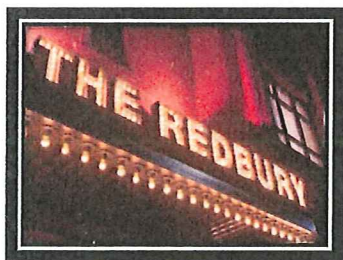
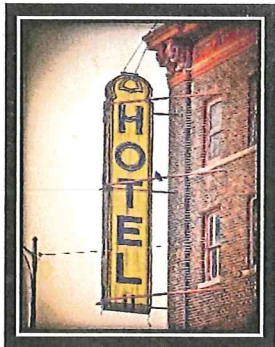
Our intention is to contribute aesthetic enhancement to this block of Ellis in an effort to achieve attractive consistency to the street.

Chico's Eatery & Brew co. will service the downtown community with a lively, comfortable and unique place to enjoy casual and well-made food, house-brewed beer and other BC brewed beer. It's lighthearted sense of hospitality and fun atmosphere will be a draw for people to come and stay downtown. A perfect venue for all of residents of Kelowna to be social!

Chico's core values are: **Be Honest, Be Hospitable, Be Consistent, Be Cool.** This will not only guide us on how we run our future business but also guide us through the process of creating the look and feel of the space inside and out. Timelessness will be our north star. Paying tribute to the building's history will be our inspiration.

As the owners and operators of Chico's, we are committed to establishing a respected business that proudly represents Kelowna and its history.

Kyle and Carolyn Nixon & Nixon Hospitality Group



SCHEDULE 'A'  
This forms part of development  
Permit # 714-0044

Name	Business	Date	Signature
------	----------	------	-----------

	IMPARK LOT 239 <sup>1877 909 6199</sup>		EMAIL ✓ Don. Fogarty/
	MONASHEE		EMAIL ✓ CC. ADAM
Jason Weber - <sup>MANAGER</sup>	FLASHBACKS	<i>Seke</i>	<del>Jason</del> ✓ Flashbacks@telus.net
	MOTOLIDA		EMAILED ✓
	KELOWNA FOOD BANK		info@kcfb.ca ✓
	SECRET HAIL AFFAIR		secret.hail.affair@shaw.ca
	NICOLA'S LASER STUDIO		nicola@shaw.ca ✓
Cystal Russell	CHA: BAGGA		<i>Cystal</i> ✓
	BENCH SITE DESIGN		NEED EMAIL EMAILED
	SATURI & ASSOCIATES		NEED EMAIL EMAILED
	HATCH INTERIOR DESIGN		EMAILED ✓
	LUSHIOUS LASHES		EMAILED ✓
	BLISS BAKERY		EMAIL ✓ CC ADAM
	CANNADY LOFTS <sup>KELOWNA CANNADY</sup>		EMailed ✓ office@kcshtd.ca
	<sup>DIAMOND PARKING</sup> 1888 587 1111		EMAIL ✓ Carleen.dobie@diamondparking.ca
	<sup>DIAMOND PARKING</sup> 491-4949		
	LAUREL PACKINGHOUSE - <sup>KELOWNA</sup> MUSEUMS.		EMAILED ✓
Jason Webshall	SPORTS CARS AND COLLECTABLES	SEPT 2ND.	<i>Jason Webshall</i>
Evernight i	NAGANO SUSHI		<i>CC</i>
	JUSTIN PAUL FASHIONS		EMAIL ✓
TRACY STEWART	HAMILTON GALLERIES		<i>Tracy</i>
Linnea First	SWANIKES.	SEPT 2ND	<i>Linnea</i>
	MONTES GOLF SHOP		CLOSED
	KELOWNA COIN & CURRENCY.		EMAIL ✓ darins@shaw.ca
	GYPSY SOUL.		EMAIL ✓ gypsypsoul.com
	FULL MOON GALLERY		EMAIL ✓
	BIMBELSHOT		EMAIL ✓
Georgette Johnson	TURTLE ISLAND GALLERY	250 717 8235	info@turtleislandgallery.com ✓
	STATE OF THE ART		CLOSED
STACY ZEMAN	NEW WAVE FITNESS	250 826 4348	<i>Stacy</i>

All questions can be directed to:

Kyle Nixon | Owner | 778-215-7883 | [kylenixon@nixonhospitality.com](mailto:kylenixon@nixonhospitality.com)

Carolyn Nixon | Owner | 250-808-8778 | [carolynnixon@nixonhospitality.com](mailto:carolynnixon@nixonhospitality.com)

Adam Cseke | Planner | City of Kelowna | 250 469-8608 | [acseke@kelowna.ca](mailto:acseke@kelowna.ca)

*Darins@shaw.ca.*

SCHEDULE	'A'
This forms part of development	
Permit #	214-0044



# CHICO'S EATERY & BREW CO.

1250 Ellis

Our intention is to contribute aesthetic enhancement to this block of Ellis in an effort to achieve attractive consistency to the street.

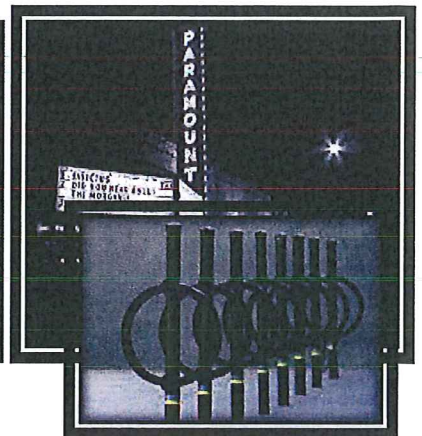
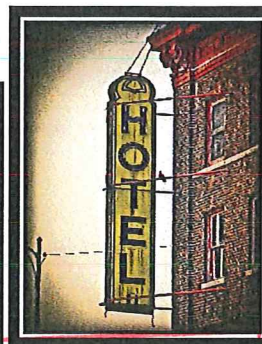
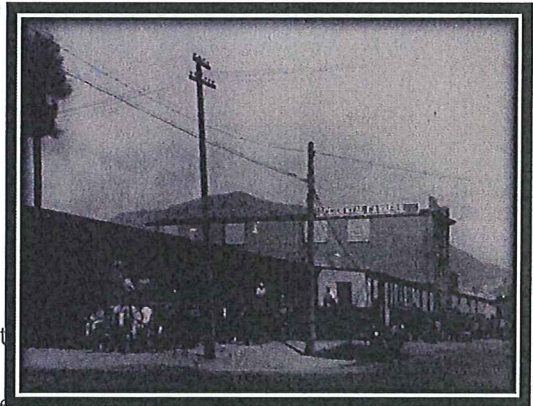
Chico's Eatery & Brew co. will service the downtown community with a lively, comfortable and unique place to enjoy casual and well-made food, house-brewed beer and other BC brewed beer. It's lighthearted sense of hospitality and fun atmosphere will be a draw for people to come and stay downtown. A perfect venue for all of residents of Kelowna to be social!

Chico's core values are: **Be Honest, Be Hospitable, Be Consistent, Be Cool.** This will not only guide us on how we run our future business but also guide us through the process of creating the look and feel of the space inside and out. Timelessness will be our north star. Paying tribute to the building's history will be our inspiration.

To best prepare the building for **revitalization**, we will strip it back to its heritage bones. We will expose the exterior brick via the process of sandblasting then seal the brick for preservation. We will remove the interior drywall, electric heaters hanging from the ceiling and un-original timbers attached to the original solid wood beams. What will be left will be a beautiful heritage canvas ready to be restored. A wide open space full of history ready to be embraced by timeless design.

The interior will feel like Hollywood mixed with Canadian Lodge where guests will have the overwhelming urge to be social and have fun! The exterior will draw people inside from the appealing warmth of the exposed brick walls contrasted with vibrant greenery provided by the trees used to define the exterior flow, use of space as well as interest and shade to the patio. Further definition will be provided by iron fencing, exposed concrete, light poles and concrete pavers to replace asphalt; all of which are inspired by adherence to CPTED. Adherence to CPTED will continue down the side of the building with the use of exterior sconces, trees for definition of space and motion lighting. Lastly, we will restore the windows to be similar in style to the neighboring restored brick gem three doors down.

The signage is inspired by Kelowna's very own Paramount Theater, Seattle's Pike Place Market and a good classic hotel sign from the early 1900s.

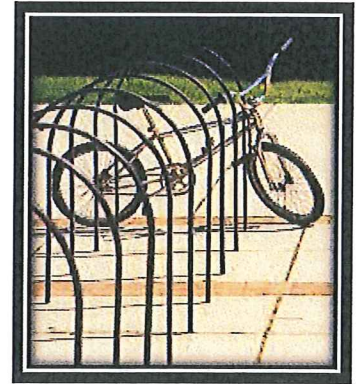


SCHEDULE A'  
This forms part of development  
Permit # 714-0044



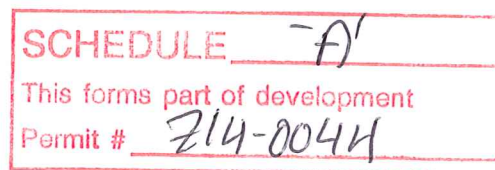
Our proposed site plan hopes to replace the existing four parking stalls in front of the building with interest, character, excitement and ambiance from the street. Life will be added with excess **bike racks** parallel to the ramp. We see the racks being not only extremely useful but also provide artistic interest to the front of the building. We would like to position ourselves in the downtown neighbourhood as a fun destination for a leisurely ride. In fact, we plan to reward guests who visit us by bike! If we find that is this is overly popular, we can add more racks to the side of the building parallel to the lane.

We also plan to investigate the possibility of providing **valet parking** to our guests. This is a service we have been successful with in past experiences. We see this as a service we would offer during times of high business volumes such as event nights at Prospera Place. We also feel fortunate that Chico's is located only meters away from two pay parking lots, two parkades within a two block radius and surrounded by plenty of street parking. Our site plan will maintain the parking stalls in the rear of the building.



As the owners and operators of Chico's, we are committed to establishing a respected business that proudly represents Kelowna and its history.

Kyle and Carolyn Nixon & Nixon Hospitality Group



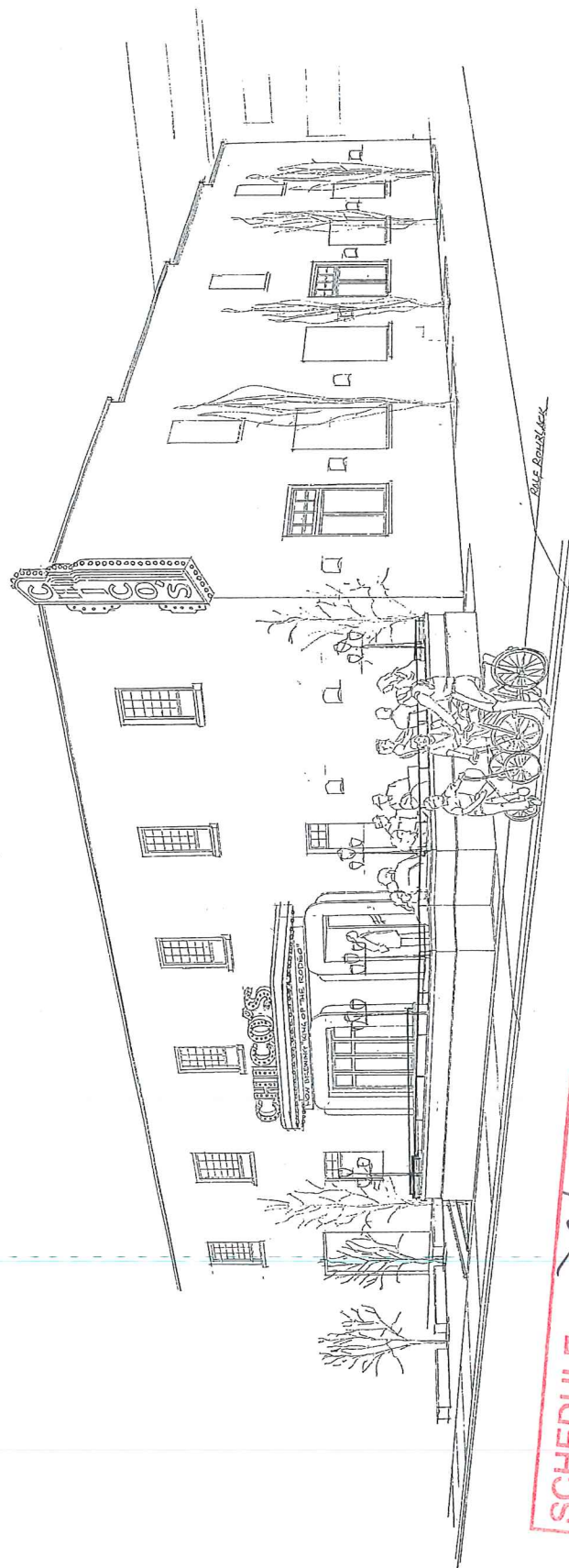


SCHEDULE A  
This forms part of development  
Permit # 214-2044

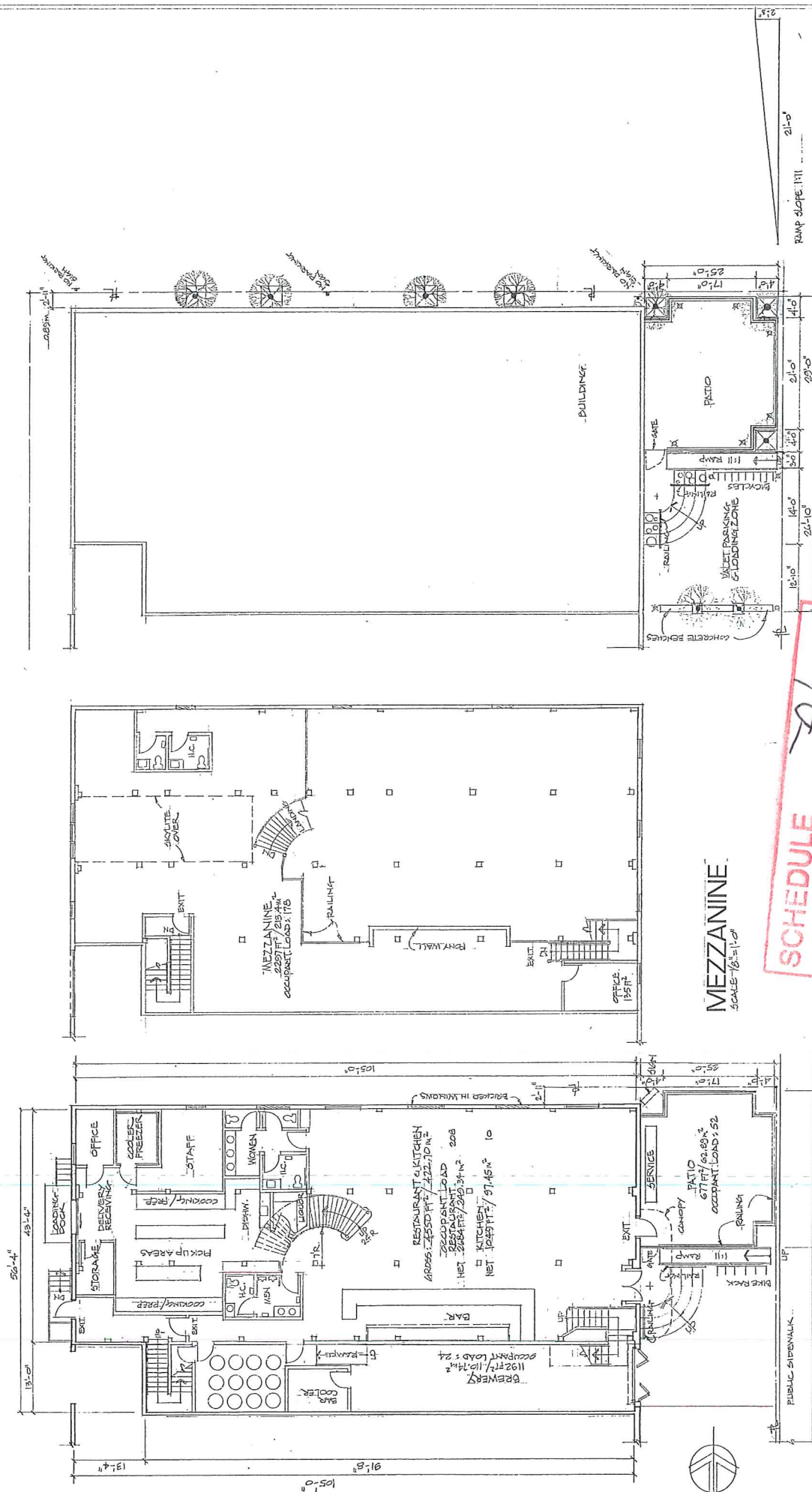
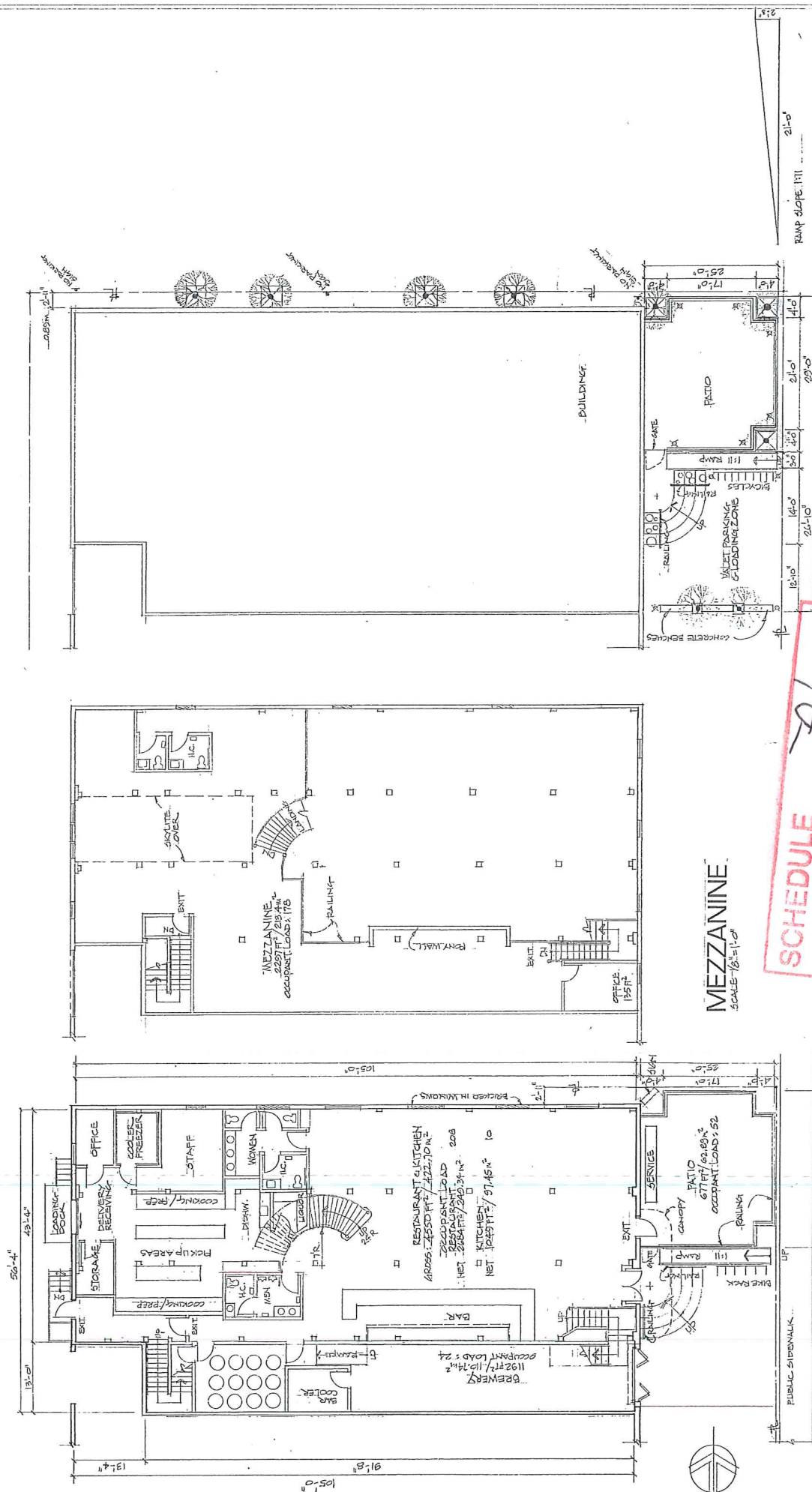


RALF ROHRBACK





<b>GREYSTOCK</b> DESIGN LTD.	142 Clifton Road, N Kelowna, BC V1V 1A1 TEL: (250) 860-4411 FAX: (250) 860-4410		ORDER NO.	DATE
	TO: <b>CHLO'S</b>	ORDER NO.	DATE	DATE



**SCHEDULE** A-1  
This forms part of development  
Permit # Z 14-0044

**SITEPLAN**  
SCALE: 1/8" = 1'-0"

<b>GREYSTOKE</b> DESIGN LTD.	142 Clifton Road, N Kelowna, BC V1Y 1A1 Canada		1-800-387-8888 (250)866-0044 (250)866-0910 FAX	
	CHICO'S <sup>of</sup> 142 Clifton Road, N Kelowna, BC V1Y 1A1 Canada		1-800-387-8888 (250)866-0044 (250)866-0910 FAX	





PROJECT TITLE  
**1250 ELLIS STREET:  
CHICO'S RESTAURANT**  
Columbia, DC

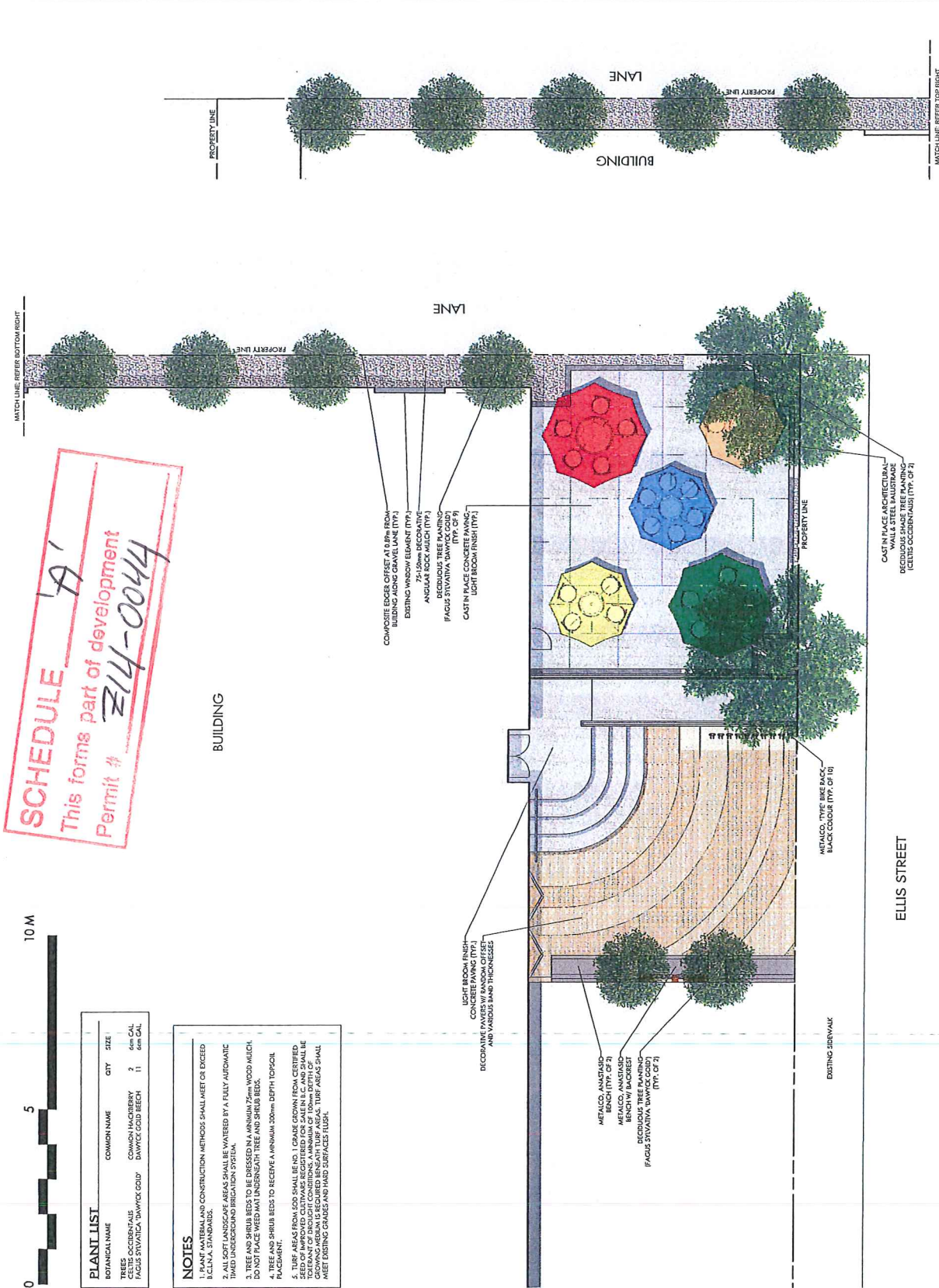
2024/05/15  
**CONCEPTUAL  
LANDSCAPE PLAN**

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	05/15/24
2		
3		
4		

PROJECT NO.	12504
LOCATION	1250 ELLIS STREET
DATE	05/15/24
SCALE	1" = 10'



ISSUED FOR REVIEW ONLY  
This drawing is for review only and is not to be used for construction. It is subject to change without notice.



**PLANT LIST**

BOTANICAL NAME	COMMON NAME	QTY	SIZE
TREES			
ACER PLATANUS	COMMON PLATANUS	2	4-6" CAL
FAGUS SYLVATICA	DWARF GLOBE BEECH	11	6-8" CAL

- NOTES**
1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED B.C.L.A. STANDARDS.
  2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIED UNDERGROUND IRRIGATION SYSTEM.
  3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 75mm WOOD MULCH. DO NOT PLACE WEED MAT UNDERNATH TREE AND SHRUB BEDS.
  4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PACKING.
  5. TURF AREAS SHALL BE NO. 1 GRADE CROWN FROM CERTIFIED TURF. TURF SHALL BE PLANTED IN A MINIMUM 100mm DEPTH OF TOLERANT OF DROUGHT CONDITIONS. A MINIMUM OF 100mm DEPTH OF TOPSOIL SHALL BE PLACED UNDERNATH TURF AREAS. TURF AREAS SHALL MEET EXISTING GRASSES AND HARD SURFACES FLUSH.



OUTLAND DESIGN  
LANDSCAPE ARCHITECTURE

August 8, 2014

1250 Ellis Street: Chico's Restaurant  
PO 29029, RPO Okanagan Mission (OKM)  
Kelowna, BC V1W 4A7  
Attn: Carolyn Nixon

Re: Proposed 1250 Ellis Street Development – Preliminary Cost Estimate for Bonding

Dear Carolyn:

Please be advised of the following preliminary cost estimate for bonding of the proposed landscape works shown in the 1250 Ellis Street conceptual landscape plan dated 14.08.08;

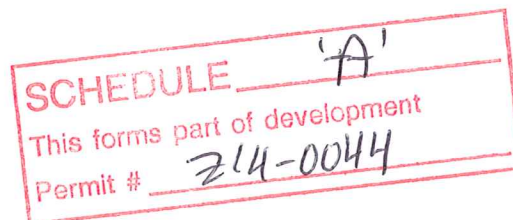
- 37 square metres (# square feet) of improvements = \$6,395.00

This preliminary cost estimate is inclusive of trees, mulch, topsoil & irrigation.

You will be required to submit a performance bond to the City of Kelowna in the amount of 125% of the preliminary cost estimate. Please do not hesitate to contact me with any questions about the landscape plan.

Best regards,

Fiona Barton, MBCSLA, CSLA  
as per  
Outland Design Landscape Architecture





TRUE  
NORTH

No.	Date	Reaction
01.	2013-09-21	Issued to owner
02.	2014-03-25	Issued to owner & review
03.	2014-09-18	update specialist notes

1250 ELLIS STREET KELOWNA V1Y 1Z4  
LOT 1 PLAN 660

Quoting Number

## A2.02

Drawings are not to be scaled.  
All dimensions shall be verified on job.

Grading Title

**SITE PLAN**

## CANNERY LOFT

CAWSTON

ELLIS STREET

CANNERY LANE

SCHEDULE 'F'  
This forms part of development  
Permit # 214-0044

# Report to Council



**Date:** 9/22/2014  
**File:** TA14-0019  
**To:** City Manager  
**From:** Urban Planning, Community Planning & Real Estate (AC)  
**Subject:** Proposed Zoning Bylaw Text Amendment to include 'Breweries and distilleries, minor' as a principal use in the C-3, C-6, and C-10 zones.

---

## 1.0 Recommendation

THAT Zoning Bylaw Text Amendment No. TA14-0019 to amend City of Kelowna Zoning Bylaw No. 8000 by amending Section 14.10.2 C10 - Service Commercial zone, Section 14.6.2 C6 - Regional Commercial, and Section 14.3.2 C3 - Community Commercial, as outlined in Schedule 'A' attached to the Report of the Urban Planning Department dated September 22, 2014, be considered by Council.

AND THAT the Text Amendment Bylaw be forwarded to a Public Hearing for further consideration.

## 2.0 Purpose

To include 'Breweries and distilleries, minor' as a principal use in the C3, C6 and C10 zones.

## 3.0 Urban Planning

"Breweries and distilleries, minor" is a principal use in the C4, C7, I2, I3, and I4 zones. Due to the increase in popularity of brewing or distilling beverages within a restaurant, there has been more demand for this land use. The three zones (C3, C6, & C10) all have 'Liquor Primary Establishment' and 'Food Primary Establishment' as principal uses. Adding the "Breweries and distilleries, minor" use is seen as a housekeeping amendment to clarify that brewing or distilling alcoholic beverages in a restaurant setting is a principal use without going through the rezoning process for every brew pub / restaurant. The total number of parcels affected by this Text Amendment are (see attached maps):

- C3 (Including C3LP and C3LR): 64
- C6 (Including C6LR): 7
- C10(Including C10LP and C10LR): 173



An example is 'Freddy's Brew Pub' which brews their own alcoholic beverages at 948 Mc Curdy Road for sale in the restaurant and for retail sale through their refillable growler system. The zoning on that property is C3LP (Liquor Primary) but does not include 'breweries and distilleries, minor'. Staff are supportive of the proposed Zoning Bylaw Text Amendment (TA14-0019).

#### **4.0 Current Development Policies**

##### **4.1 Kelowna Official Community Plan (OCP)**

Relevant OCP objectives and policies regarding small lot housing are:

##### **8.4 Encourage a positive investment climate:**

- 8.4.3 Service Feedback. Seek business community feedback on services provided with the aim of delivering excellent customer service and streamlined regulatory processes.

##### **4.2 Liquor Policy Review Final Report (February 2011)**

The LCLB conducts on-going consultation with Local Governments to refine the licensing and referral process. Current areas identified for improvement by the LCLB include:

- Lengthy Liquor Primary application
- processing times.
- Inflexible application process for all establishment types.
- Specific criteria required for local government comment.

Staff also note the limitation of the existing Provincial licensing hierarchy, which has only two license categories (Food or Liquor Primary). This may limit the ability for business operators to pursue alternative entertainment options (as opposed to more traditional pub/cabaret models). One such solution could be the potential for "dual licensing", which could allow venues to operate as a Food Primary establishment during daytime/early evening hours, and a Liquor Primary in late-night hours. Staff will continue to provide input to the LCLB regarding the status City of Kelowna's licensed establishments to suggest improvements to Provincial legislation.

#### **5.0 Technical Comments**

##### **5.1 R.C.M.P. - Liquor License**

The RCMP supports proposals for liquor licenses that are deemed to fit as determined by the BC Liquor Control and Licensing Branch. The RCMP have no issue with restaurants brewing or distilling alcohol within the proposed 'C' zones so long as the business models are not based on a nightclub format.

Submitted by:

---

Adam Cseke, Planner

**Reviewed by:**

☐

Ryan Smith, Urban Planning Manager

**Approved for inclusion:**

☐

Doug Gilchrist, Community Planning & Real Estate Div. Dir.

Attachments:

Schedule "A" - Summary of Proposed Text Amendments

C3 Zoned Properties Map 1

C3 Zoned Properties Map 2

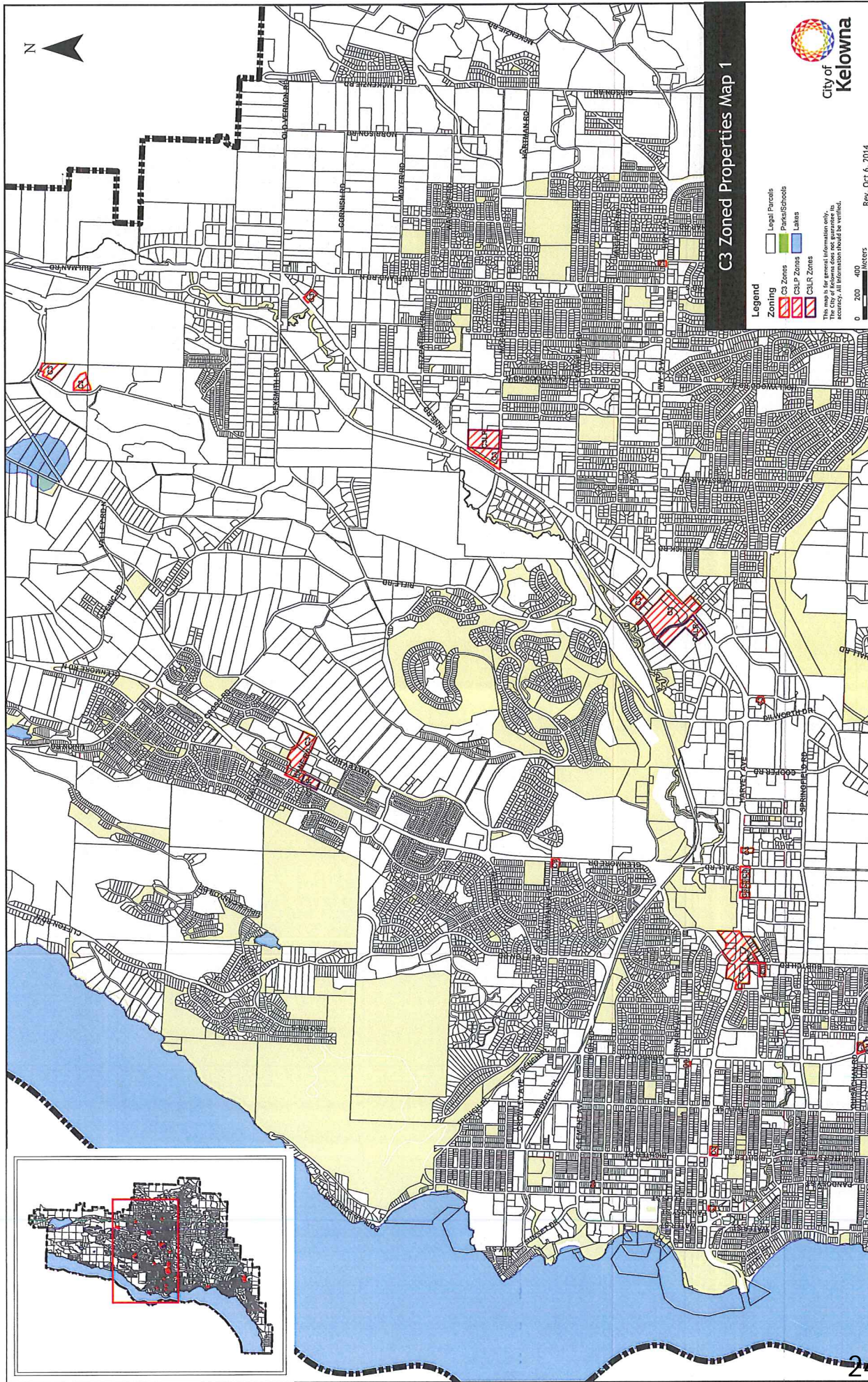
C6 Zoned Properties Map

C10 Zoned Properties Map

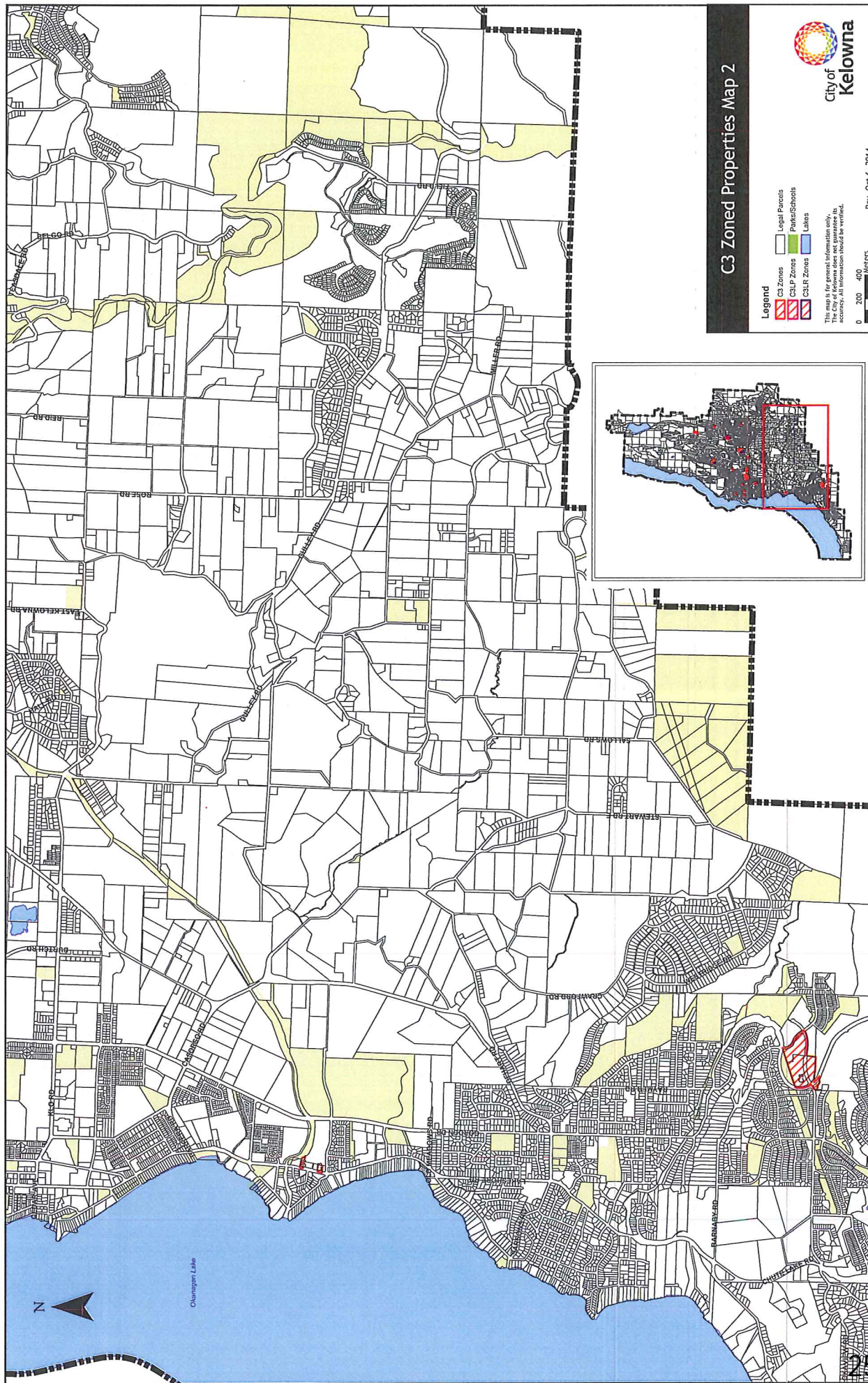
SCHEDULE 'A' Proposed C-10 Text Amendments  
TA14-0019

Zoning Bylaw No. 8000				
No.	Section	Existing Text	Proposed Text	Rationale
1.	Section 14.10.2 Principal Uses  Section 14.3.2 Principal Uses  Section 14.6.2 Principal Uses	See Zoning Bylaw No. 8000	Breweries and distilleries, minor	See TA14-019 for rationale









## C3 Zoned Properties Map 2

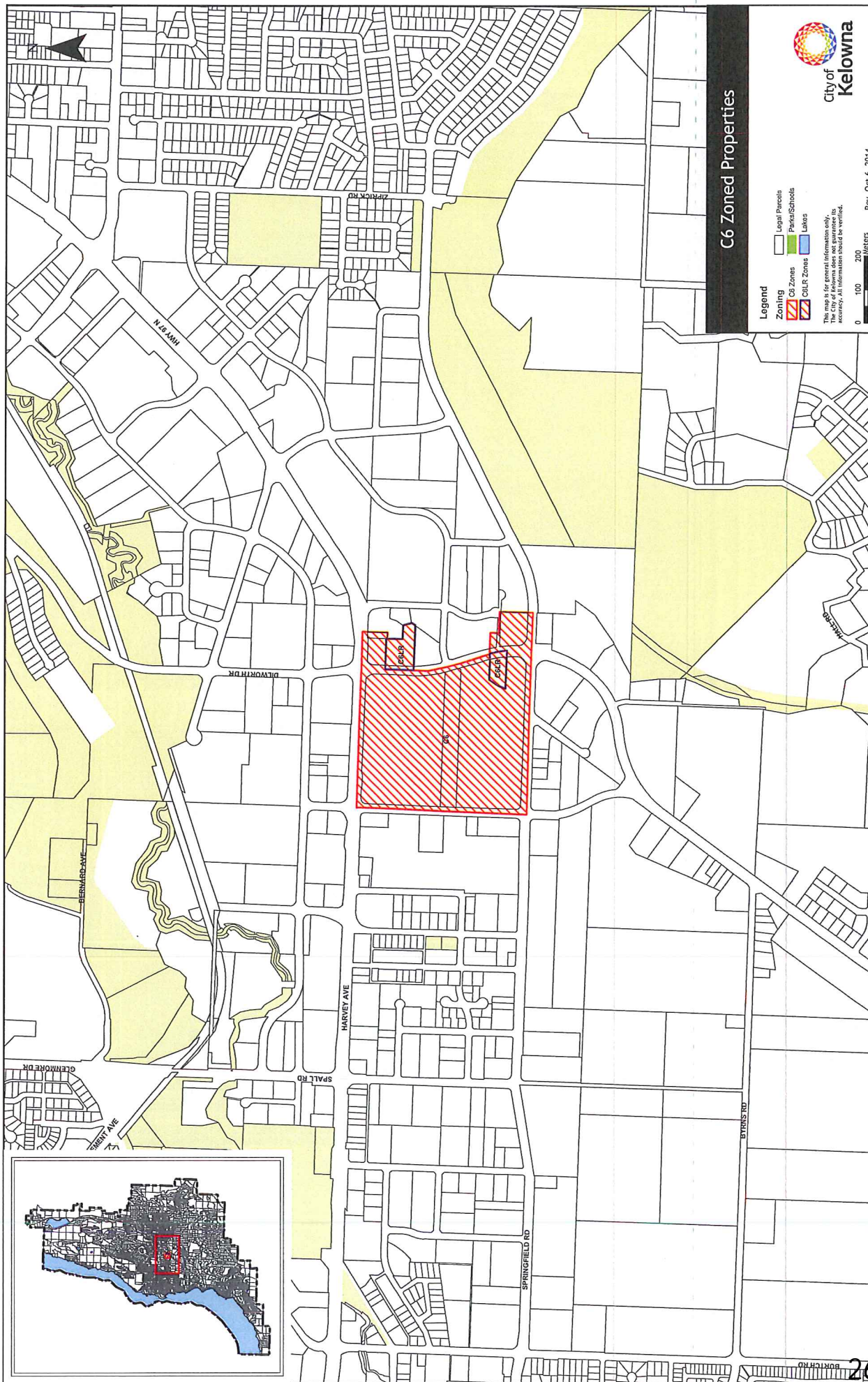
- Legend**
- C3 Zones
  - Legal Parcels
  - CLP Zones
  - Parks/Schools
  - CLLR Zones
  - Lakes

This map is for general information only. It is not intended to be used for legal purposes. For accuracy, all information should be verified.

Rev. Oct 6, 2014

0 200 400 Meters







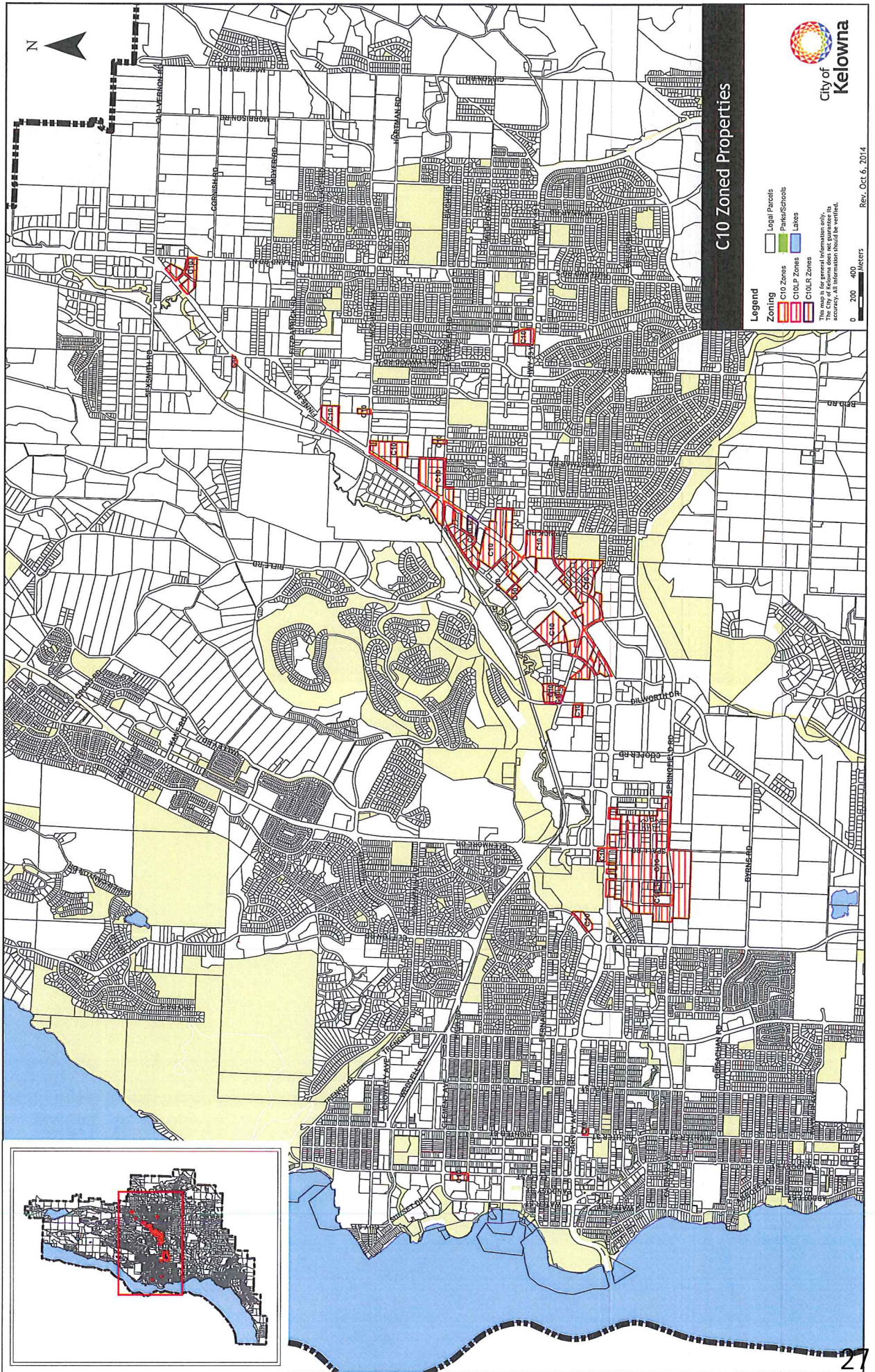
# C10 Zoned Properties

- Legend**
- Legal Parcels
  - Parks/Schools
  - Lakes
  - Zoning
  - C10 Zones
  - C10.P Zones
  - C10.LR Zones

The map is for general information only. Accuracy of information should be verified.

Rev. Oct 6, 2014

0 200 400 METERS





# REPORT TO COUNCIL



**Date:** November 10, 2014

**RIM No.** 1250-30

**To:** City Manager

**From:** Subdivision, Agriculture & Environment, Community Planning & Real Estate (LB)

**Application:** OCP14-0019 / Z14-0036      **Owner:** Cedar Creek Developments Ltd.

**Address:** (W of) Mountainside Drive      **Applicant:** Dave Lange

**Subject:** Official Community Plan Amendment and Rezoning Application

**Existing OCP Designation:** S2RES - Single / Two Unit Residential  
PARK - Major Park / Open Space (public)

**Proposed OCP Designation:** S2RESH - Single / Two Unit Residential - Hillside  
PARK - Major Park / Open Space (public)

**Existing Zone:** RU4 - Low Density Cluster Housing  
P3 - Parks and Open Space

**Proposed Zone:** RU1h - Large Lot Housing (Hillside Area)  
P3 - Parks and Open Space  
CD2 - Kettle Valley Comprehensive Residential Development

---

## 1.0 Recommendation

THAT Official Community Plan Bylaw Amendment No. OCP14-0019 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by changing the Future Land Use designation of part of the Northwest ¼ of Section 14, Township 28, SDYD, Except Plans KAP89467, KAP89468, KAP89849, EPP35362, EPP33759, EPP35140 and EPP38359, located (W of) Mountainside Drive, Kelowna, BC from the Single / Two Unit Residential designation to the Single / Two Unit Residential - Hillside and Major Park / Open Space designations, and from the Major Park / Open Space designation to the Single / Two Unit Residential - Hillside designation, as shown on Map "A" attached to the Report of the Subdivision, Agriculture & Environment Department, dated November 10, 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 Subdivision, Agriculture & Environment Services, dated November 10, 2014;

AND THAT Rezoning Application No. Z14-0036 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of the Northwest ¼ of Section 14, Township 28, SDYD, Except Plans KAP89467, KAP89468, KAP89849, EPP35362, EPP33759, EPP35140 and EPP38359, located (W of) Mountainside Drive, Kelowna, BC from the RU4 - Low Density Cluster Housing zone to the RU1h - Large Lot Housing (Hillside Area), P3 - Parks and Open Space and CD2



- Kettle Valley Comprehensive Residential Development zones, and from the P3 - Parks and Open Space zone to the RU1h - Large Lot Housing (Hillside Area) zone, as shown on Map "B" attached to the Report of the Subdivision, Agriculture & Environment Department, dated November 10, 2014, 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 FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

## **2.0 Purpose**

To consider an Official Community Plan Amendment and Rezoning application to amend the Future Land Use designation and rezone portions of the subject property to accommodate the development of a single family residential subdivision.

## **3.0 Subdivision, Agriculture & Environment**

Staff are supportive of the proposal to amend the Future Land Use designations and rezone portions of the subject property for Phase 3 of The Creeks development. The applicant has submitted a preliminary subdivision layout for review and this application is intended to align the OCP designations and zoning with the proposed lot layout and the environmental conditions in the area. The overall proposal is in general accordance with the previous submissions for The Creeks development.

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbour consultation by contacting the representative for The Highlands at Kettle Valley, which is the only landowner in the consultation area. No concerns were identified during this consultation.

### OCP Amendments

The applicant is proposing to amend the OCP Future Land Use designation on a portion of the subject property from S2RES - Single / Two Unit Residential to S2RESH - Single / Two Unit Residential - Hillside. This amendment reflects the area's hillside conditions and is in keeping with the Future Land Use designation of adjacent residential developments. A small portion of the subject property is proposed to change from S2RES - Single / Two Unit Residential to PARK - Major Park and Open Space, which accounts for the actual top of bank for Lebanon Creek and will connect with the existing PARK - Major Park and Open Space designation to the west. A portion of the property designated PARK - Major Park and Open Space is proposed to be amended to the S2RESH - Single / Two Unit Residential - Hillside designation to align with the proposed lot layout and the top of bank for Lebanon Creek.

### Rezoning

The applicant is seeking approval to rezone a portion of the subject property from RU4 - Low Density Cluster Housing to RU1h - Large Lot Housing (Hillside Area). The type of development will be integrated with the adjacent developments while remaining sensitive to the property's hillside features. Rezoning from RU4 - Low Density Cluster Housing to P3 - Parks and Open Space is proposed on a small portion of the subject property to align with the proposed OCP designation that incorporates the top of bank for Lebanon Creek. Another portion of the subject property is proposed to change from the P3 - Parks and Open Space zone to the RU1h - Large Lot Housing

(Hillside Area) zone to reflect the proposed subdivision layout and the actual top of bank location. In addition, a small portion of the property is proposed to be rezoned from RU4 - Low Density Cluster Housing to CD2 - Kettle Valley Comprehensive Residential Development to complete the lot consolidation in the adjacent Kettle Valley development.

#### 4.0 Proposal

##### 4.1 Project Description

The Creeks is a single family residential development in the southwest portion of the City, adjacent to Kettle Valley. Phase 1 is located north of Cedar Creek along Farron Court, and Phase 2 is south of Cedar Creek along Mountainside Drive and Angler Court. Phase 3 will be developed on the subject portion of the property, immediately south of Phase 2, and represents the final phase of residential development at The Creeks. This area will connect to Phase 2 of The Creeks and The Highlands at Kettle Valley currently under development to the north and east, respectively.

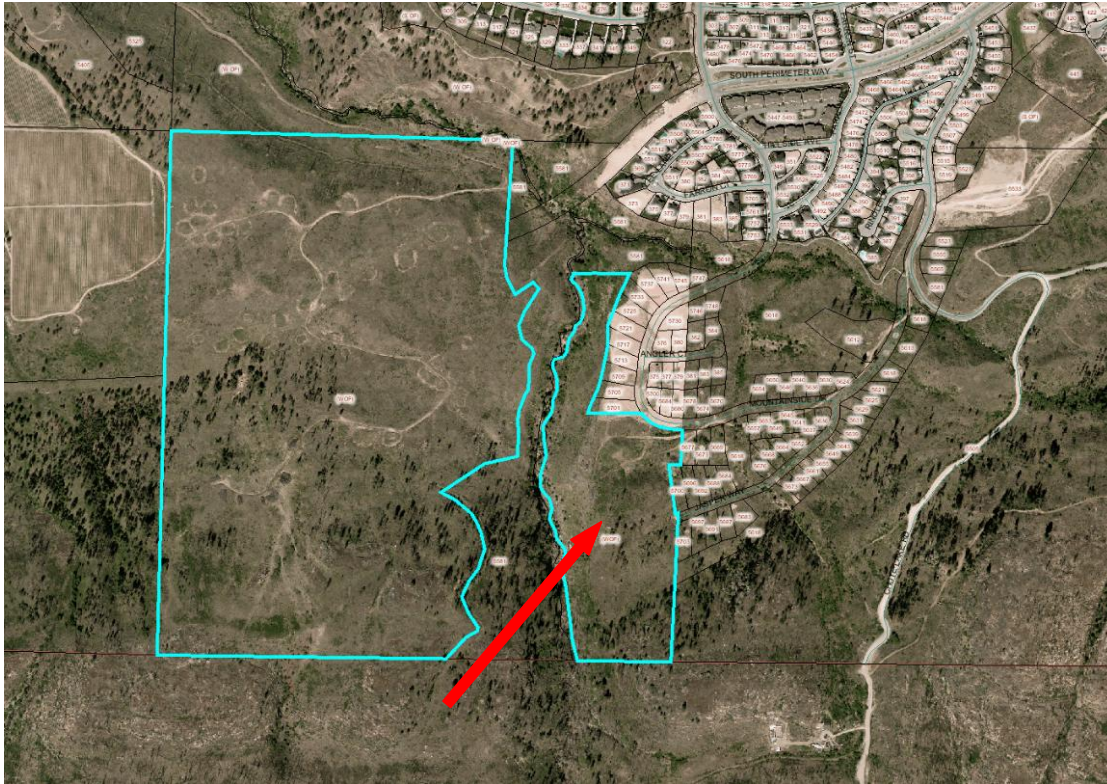
##### 4.2 Site Context

The subject portion of the property is located in the City's Southwest Mission Sector, south of The Creeks Phase 2 development and west of The Highlands at Kettle Valley. The remainder of the subject property extends west of Lebanon Creek and south to the City boundary.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1h - Large Lot Housing (Hillside Area)	The Creeks Phase 2 (Single family dwellings)
East	CD2 - Kettle Valley Comprehensive Residential Development	The Highlands at Kettle Valley (Single family dwellings)
South	P3 - Parks and Open Space	Open space
West	P3 - Parks and Open Space	Open space, Lebanon Creek

**Subject Property Map: (W of) Mountainside Drive**



## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Future Land Use

**Single / Two Unit Residential - Hillside (S2RESH).**<sup>1</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, and those complementary uses (i.e. minor care centres, minor public services / utilities, and neighbourhood parks), which are integral components of urban neighbourhoods. This designation applies to suburban hillside areas where slopes are over 20%. Subdivisions on hillsides over 20% slope will be required to rezone to a hillside zone.

#### Development Process

**Environmentally Sensitive Area Linkages.**<sup>2</sup> Ensure that development activity does not compromise the ecological function of environmentally sensitive areas and maintains the integrity of plant and wildlife corridors.

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

<sup>1</sup> City of Kelowna Official Community Plan, Future Land Use Chapter.

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.15.3 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

## **6.0 Technical Comments**

### **6.1 Development Engineering Department**

- See attached memorandum, dated October 9, 2014.

## **7.0 Application Chronology**

Date of Application Received: September 4, 2014  
Date Public Consultation Received: October 23, 2014

**Report prepared by:**

---

Laura Bentley, Planner

**Approved for Inclusion:**



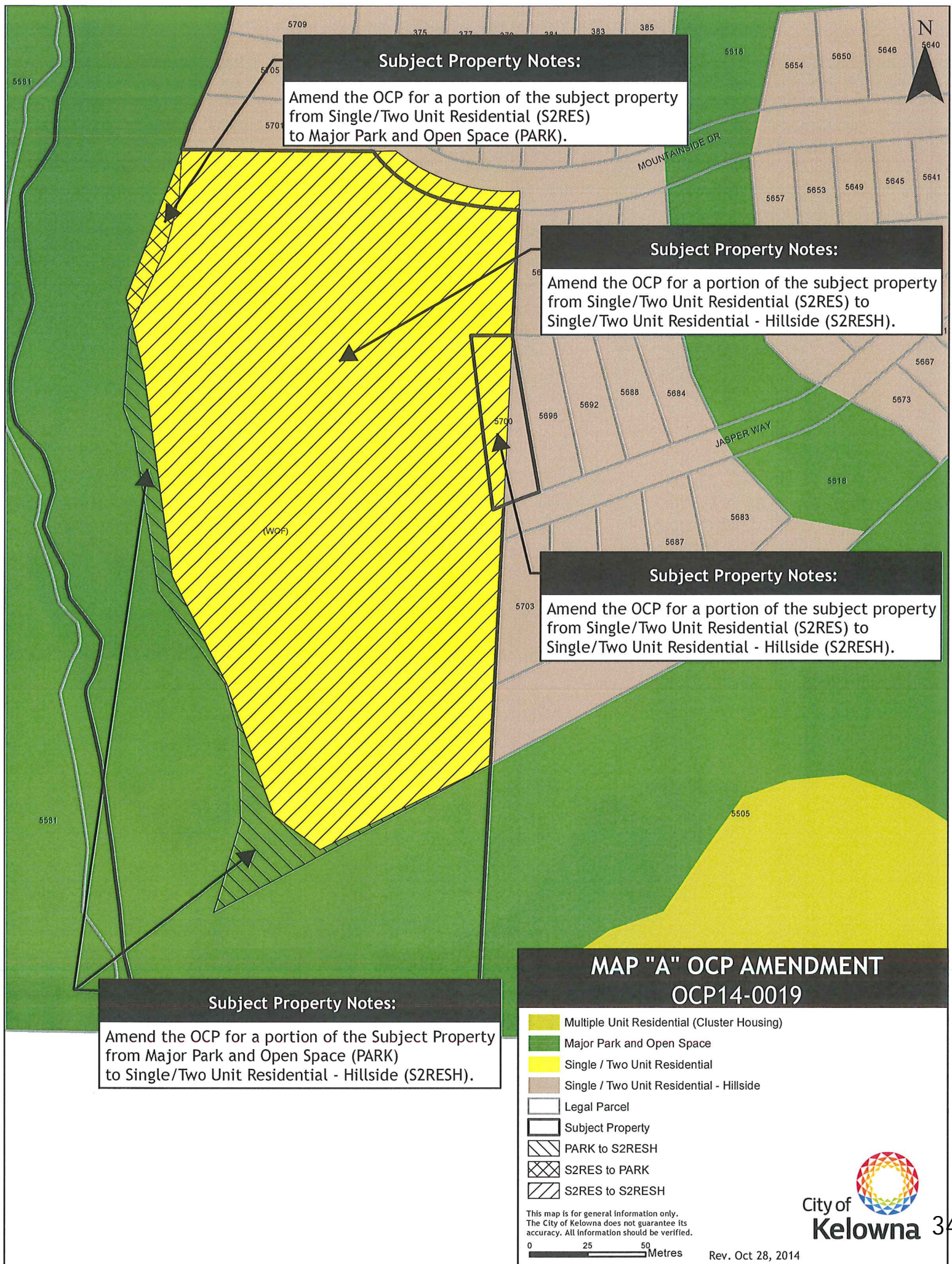
Shelley Gambacort, Director, Subdivision, Agriculture & Environment

### **Attachments:**

Subject Property Map  
Map "A"  
Map "B"  
Development Engineering Memorandum









**Subject Property Notes:**

Rezone a portion of the subject property from RU4 Low Density Cluster Housing to P3 Parks and Open Space.

MOUNTAINSIDE DR

CD2

RU4

**Subject Property Notes:**

Rezone a portion of the subject property from RU4 Low Density Cluster Housing to CD2 Kettle Valley Comprehensive Residential Development.

P3

**Subject Property Notes:**

Rezone a portion of the subject property from RU4 Low Density Cluster Housing to RU1H Large Lot Housing (Hillside Area).

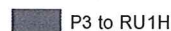


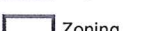


RH1

**Subject Property Notes:**

Rezone a portion of the subject property from P3 Parks and Open Space to RU1H Large Lot Housing (Hillside Area).

**MAP "B" PROPOSED ZONING**

File #Z14-0036

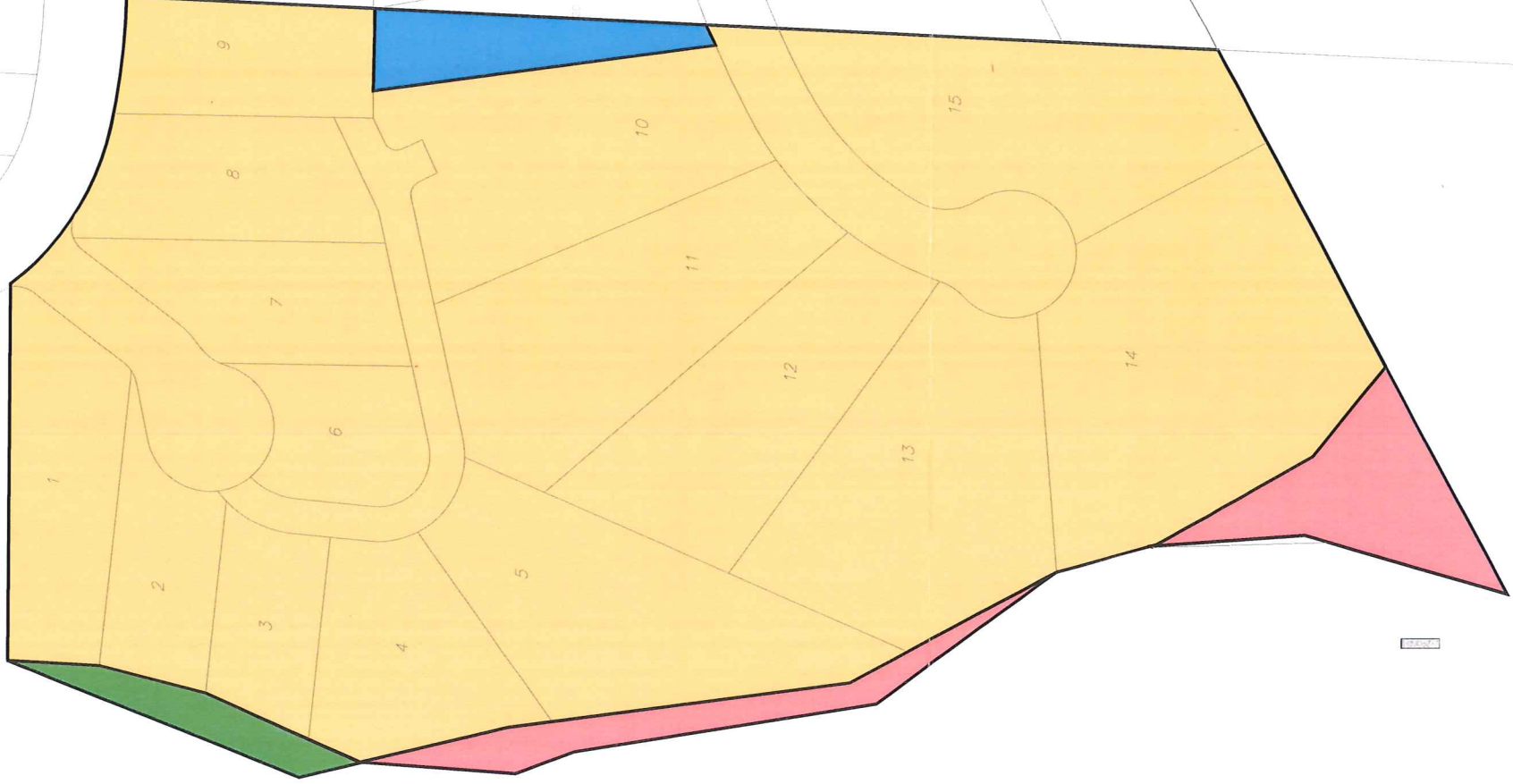
	P3 to RU1H		Legal Parcel
	RU4 to CD2		Zoning
	RU4 to P3		
	RU4 to RU1H		

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

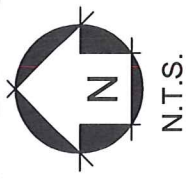
0 25 50 Metres

Rev. Oct 28, 2014

NW 1/4 SEC. 14



- FROM RU4 TO RU1H
- FROM P3 TO RU1H
- FROM RU4 TO P3
- FROM RU4 TO CD2



## THE CREEKS PROPOSED REZONING



ECORA ENGINEERING LTD.  
579 Lawrence Ave, KELOWNA, B.C. V1Y 6L8  
TEL/FAX: 250.469.9757

EK-12-014-RZ



---

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

---

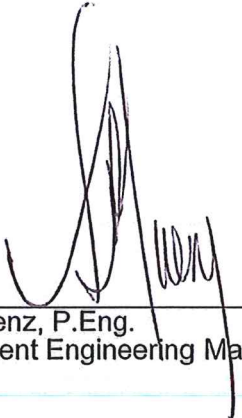
**Date:** October 9, 2014  
**File No.:** OCP14-0019  
**To:** Land Use Management Department (DB)  
**From:** Development Engineering Manager (SM)  
**Subject:** West of Mountainside Dr Plan 89467, 89468 Cedar Creek Developments

---

The Development Engineering Branch comments and requirements regarding this application to adjust zoning boundaries to compliment adjacent land use and make adjustments to meet the refined surveying of top of banks and setbacks are as follows:

**General**

- a) Refer to our comments under file OCP08-0017.
- b) This application will not compromise our serving requirements and will not trigger any additional offsite upgrades.



---

Steve Muenz, P.Eng.  
Development Engineering Manager

JF

---

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

---

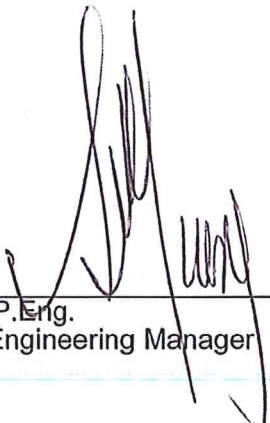
**Date:** October 9, 2014  
**File No.:** Z14-0036  
**To:** Land Use Management Department (DB)  
**From:** Development Engineering Manager (SM)  
**Subject:** West of Mountainside Dr Plan 89467, 89468 Cedar Creek Developments

---

The Development Engineering Branch comments and requirements regarding this application to adjust zoning boundaries to compliment adjacent land use and make adjustments to meet the refined surveying of top of banks and setbacks are as follows:

**General**

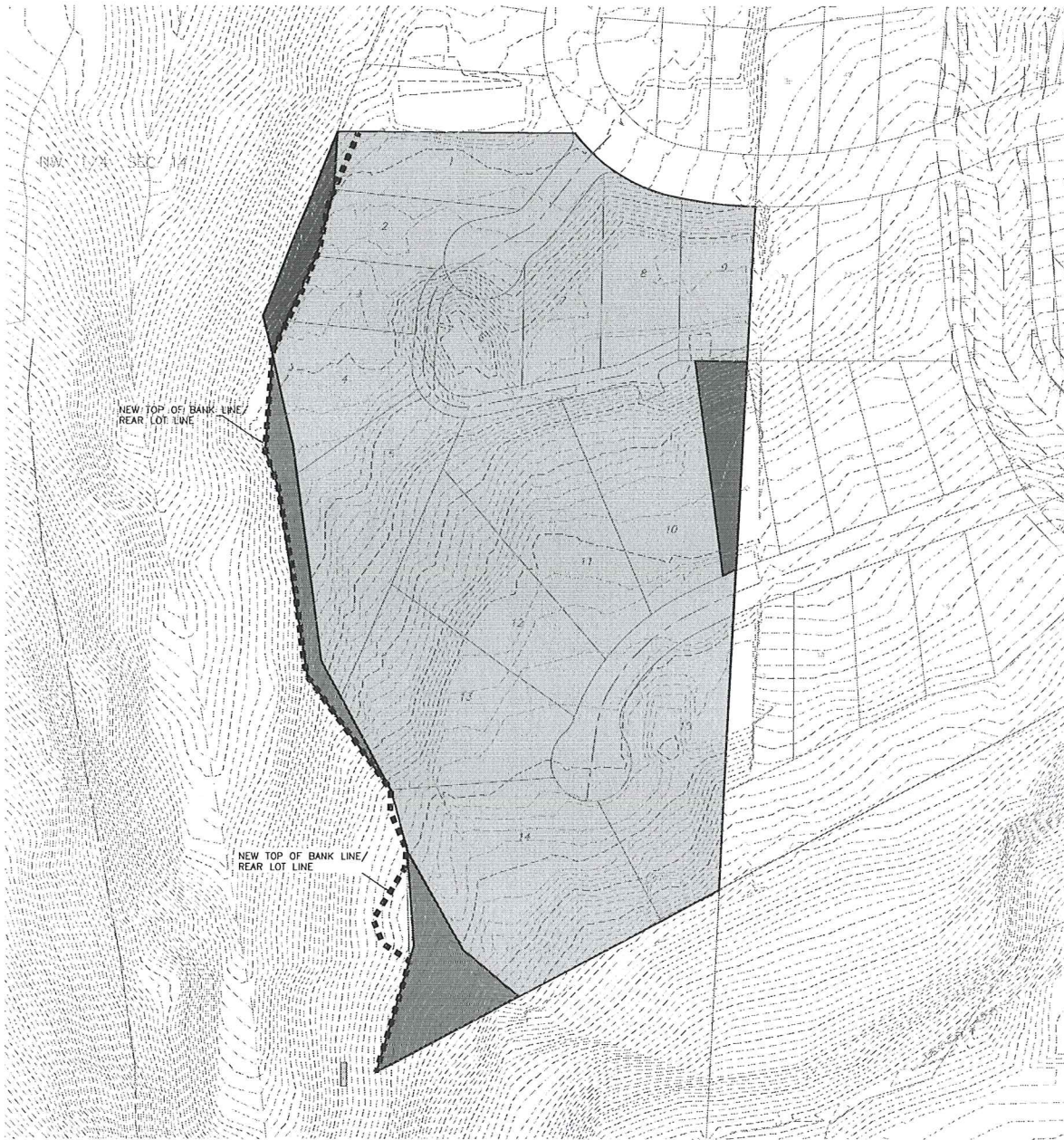
- a) Refer to our comments under file Z07-0083.
- b) This application will not compromise our serving requirements and will not trigger any additional offsite upgrades.







---

Steve Muenz, P.Eng.  
Development Engineering Manager

JF



-  FROM RU4 TO RU1H
-  FROM P3 TO RU1H
-  FROM RU4 TO P3
-  FROM RU4 TO CD2



## THE CREEKS PROPOSED REZONING



ECORA ENGINEERING LTD.  
579 Lawrence Ave., KELOWNA, B.C. V1Y 6L8  
TEL: 250.469.9757 [www.ecora.co](http://www.ecora.co)

REVISED 10 07 14

EK-12-014-RZ



# REPORT TO COUNCIL



**Date:** October 29, 2014

**RIM No.** 1250-30

**To:** City Manager

**From:** Subdivision, Agriculture & Environment Department, Community Planning and Real Estate (DB)

**Application:** OCP14-0021/ Z14-0041      **Owner:** Calcan Investment Inc.

**Address:** 5505 Chute Lake Road      **Applicant:** Calcan Investment Inc.

**Subject:** Report Z14-0041 OCP14-0021

**Existing OCP Designation:** Multiple Unit Residential - Cluster Housing / Single / Two Unit Residential, Single / Two Unit Residential - Hillside / Major Park & Open Space

**Proposed OCP Designation:** Multiple Unit Residential - Cluster Housing / Single / Two Unit Residential - Hillside / Major Park & Open Space

**Existing Zones:** P3- Parks and Open Spaces, RH1- RH3

**Proposed Zones:** RH1 - Hillside Large Lot residential, RH3 - Hillside Cluster Housing, P3- Parks and Open Spaces

---

## 1.0 Recommendation

THAT Official Community Plan Bylaw Amendment No. OCP14-0021 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of part of the North East ¼, Section 14, Township 28, SDYD, Except Plan KAP57304 located at 5505 Chute Lake Road from the Major Park & Open Space (PARK) to Single/Two Unit Residential Hillside (S2RESH), from Single/Two Unit Residential (S2RES) to Major Park & Open Space (PARK), from Multiple Unit Residential (Cluster Housing) (MRC) to Single/Two Unit Residential - Hillside (S2RESH), from Multiple Unit Residential (Cluster Housing) (MRC) to Major Park and Open Space (PARK) and from Single/Two Unit Residential (S2RES) to Single/Two Unit Residential - Hillside (S2RESH) as shown Map "A1" and MAP "A2" attached to the report of Subdivision, Agriculture & Environment Department, dated October 29, 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 Subdivision, Agriculture & Environment Department, dated October 29, 2014;

AND THAT Rezoning Application No. Z14-0041 to amend the City of Kelowna Zoning Bylaw No.

8000 by changing the zoning classification of part of the North East ¼, section 14, Township 28, SDYD, Except Plan KAP57304 located at 5505 Chute Lake Road from the P3 -Parks and Open Spaces to RH1 - Hillside Large Lot Residential, from RH1 - Hillside Large Lot Residential to P3 - Parks and Open Spaces, from RH3 - Hillside Cluster Housing to RH1 - Hillside Large Lot Residential, from RH3 - Hillside Cluster Housing to P3 - Parks and Open Space and from RH1 - Hillside Large Lot Residential to RH3 - Hillside Cluster Housing, as shown Map "B1", Map "B2" and Map "B3" attached to the report of Subdivision, Agriculture & Environment Department, dated October 29, 2014, be considered by Council;

AND THAT the Official Community Plan Bylaw Amendment and the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration;

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

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the issuance of a Preliminary Layout Review by the City of Kelowna's Subdivision Approving Officer.

## **2.0 Purpose**

The applicant is proposing to amend the Official Community Plan Future Land Use Designation and to rezone a portion of the subject property in order to accommodate the development of a single family strata subdivision as discussed above.

## **3.0 Subdivision, Agriculture and Environment Department comments**

The applicant is proposing to develop a new 16 large-lot bareland strata residential neighborhood adjacent to the Creeks and the Village of Kettle Valley. The applicant is requesting approval to amend the OCP future land use designation and rezone portions of the "Trestle Ridge" property (formerly known as Calcan). Upon discussions between the developer and City of Kelowna Parks staff, it was determined that the narrow sliver of land located between the future Upper Mission Drive alignment and the proposed Strata road (Road A as shown on the attached plan), currently designated as Major Park & Open Space Area in OCP, will not be required as part of the City of Kelowna Parks network. Park staff advised that they are not interested in acquiring that narrow strip of land for open space given the associated maintenance challenges and costs.

Subsequently, the developer has expressed interest in amending the OCP designation and zoning for that section of land to expand the proposed bareland strata lot sizes (no increase in the number of lots). The developer's vision is to hook the strata lots across the proposed strata road in order to provide the potential for accessory buildings.

Some of the 16 strata lots (depending on topography) will offer this unique opportunity to store additional cars, recreational vehicles and boats within a detached structure that would complement the quality and style of the principle building. The applicant will be pursuing a Development Variance Permit to enlarge the maximum area for an accessory building on the hooked area of strata lots (south of the strata road) to 140m<sup>2</sup> (from the 90m<sup>2</sup> maximum allowed under zoning bylaw 8000). The proposed accessory buildings would also allow for additional recreational and entertainment space above the garage. The recreational and entertainment space above the garage could include game rooms, personal exercise/yoga studios, indoor sport courts (i.e. squash), wine cellars, media rooms, libraries, sunrooms and conservatories, etc...

Staff expressed concerns with the potential for conversion of these accessory buildings into carriage houses. In order to alleviate staff concerns, the applicant is proposing to register a section 219 covenant against all titles in the development prohibiting suites within the accessory buildings.

Staff realize that this project is unique and will be a first in the Okanagan. However, given the somewhat isolated and hidden location, Staff generally support the proposal and feel the location will be an excellent trial for this type of development.

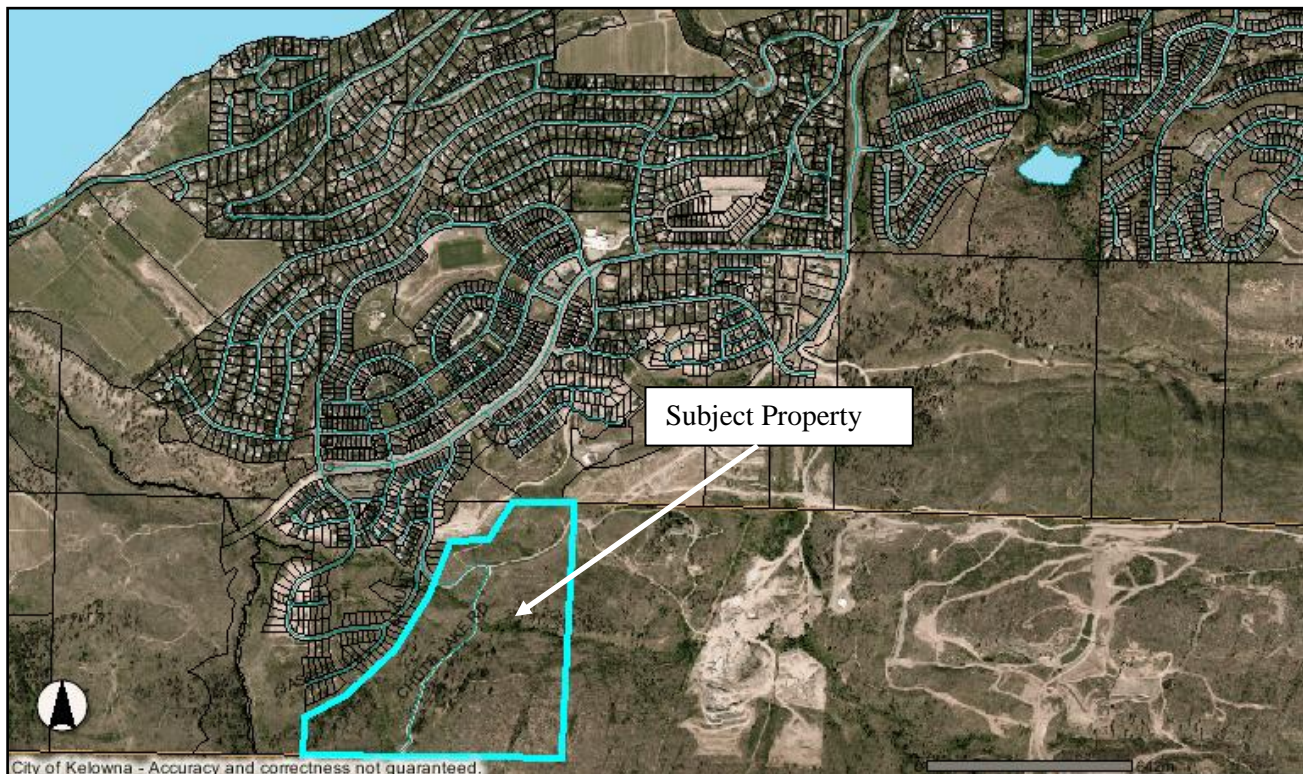
## 4.0 Proposal

### 4.1 Project Description

The applicant is proposing to amend the Official Community Plan Future Land Use Designation and to rezone a portion of the subject property in order to accommodate the development of a single family strata subdivision as discussed above.

### 4.2 Site Context

#### Subject Properties Map:





The subject property is located at the Northwest of town in a predominantly single family neighbourhood. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P3 - Parks and Open Space	Resource Protection
East	Outside of city boundary	Undeveloped
South	Outside of city boundary	Undeveloped
West	CD2 - Kettle Valley Comprehensive Development Zones	Single Family Housing

### 3.0 Current Development Policies

#### 3.1 Kelowna Official Community Plan (OCP)

##### Future Land Use

**Single/Two Unit Residential (S2RES)<sup>1</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. 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.

### 5.0 Technical Comments

#### Development Engineering Department

Attached.

#### Infrastructure Planning and parks

1. All parkland to be dedicated to the City at time of subdivision as titled property with P3 zoning.
2. No disturbance to parkland is permissible except as authorized by the City of Kelowna.
3. Vertical barrier curbs within the roadway to be provided along all park road frontages.
4. Applicant to provide fencing plan to delineate private / public interface and prevent encroachment and trespass.
5. SROW for public access required over strata road through / adjacent to parkland.
6. Sidewalk to be constructed along Chute Lake Road to connect proposed off-road Cedar Creek Linear Park with the existing section of trail that has already been constructed to the north on the Kettle Valley properties.
7. Pedestrian Crossing to be provided across Upper Mission Drive to connect both section of Cedar Creek Linear Park.

<sup>1</sup> City of Kelowna Official Community Plan - Future Land Use Chapter.

7. Emergency Access route must be located in such a way that it does not cross over Lebanon Creek Watercourse or encroach into the Lebanon Creek riparian management area.
8. Any stormwater detention facilities should be located outside of titled parkland.

#### **Application Chronology**

Date of Application Received:	September 17, 2014
Public Notification Received:	October 22, 2014

#### **Report prepared by:**

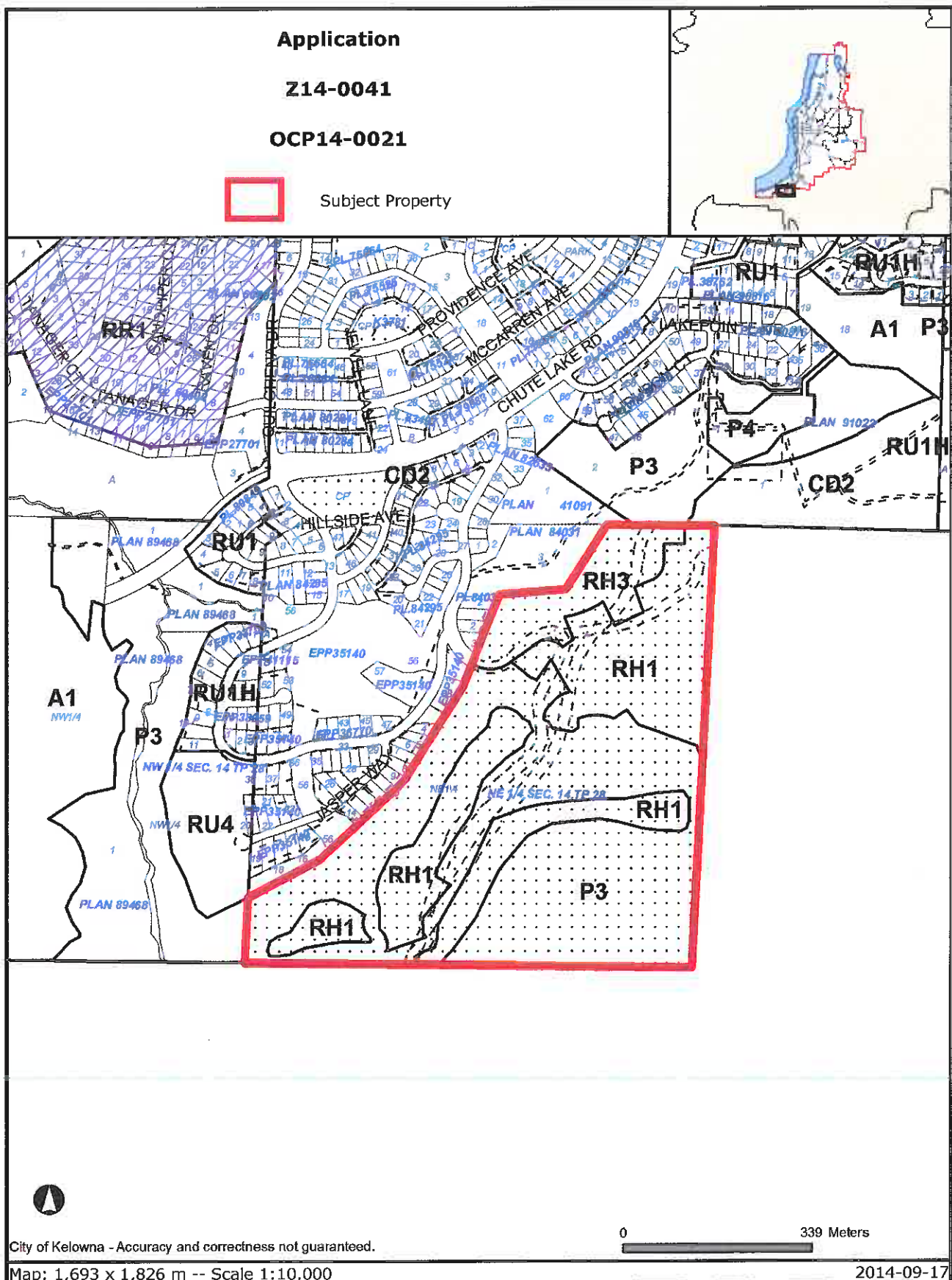
---

Damien Burggraave, Land Use Planner

**Approved for Inclusion:** ☐ Shelley Gambacort, Subdivision, Agriculture & Environment

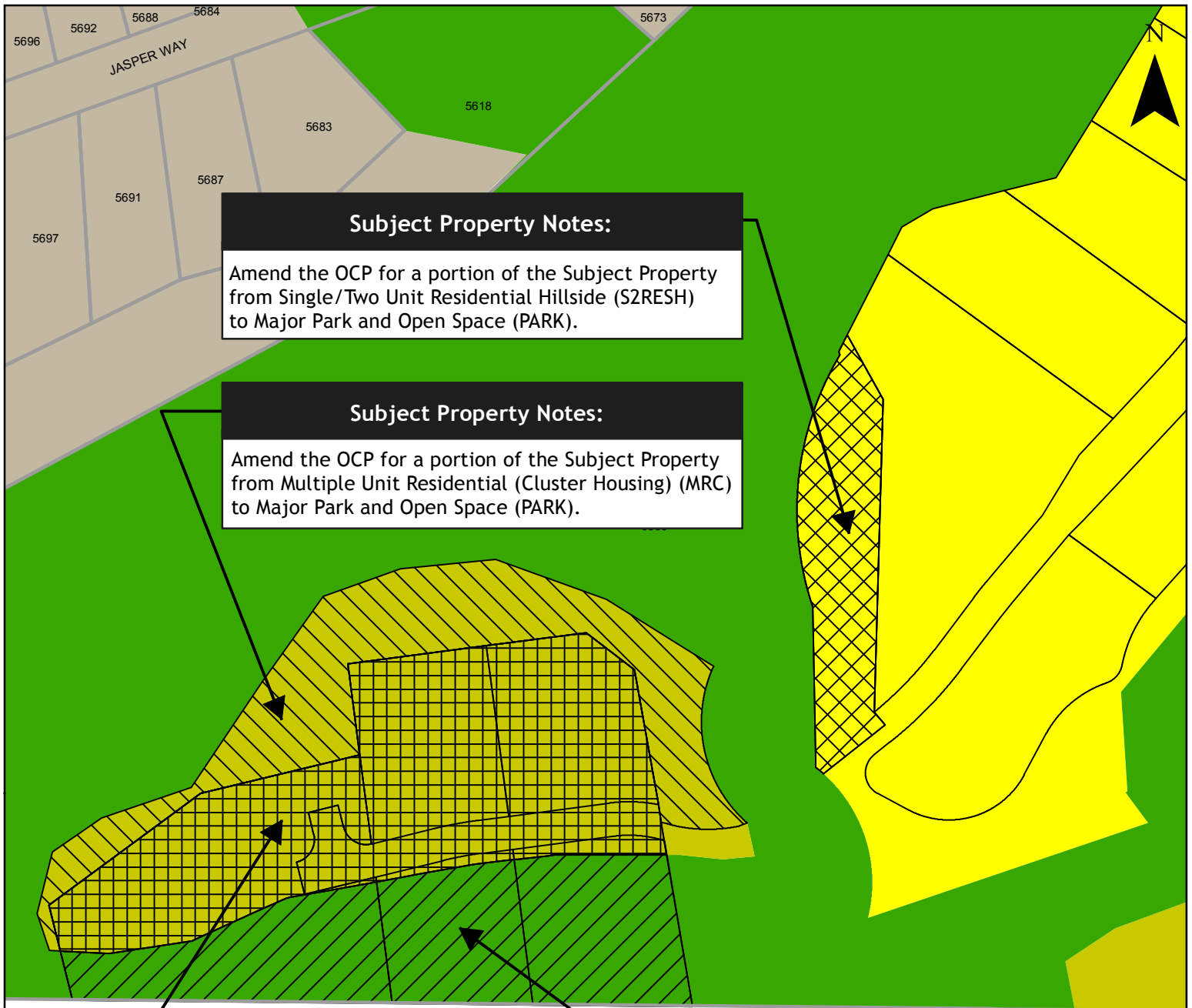
#### **Attachments:**

Map A  
Map B  
Subject Property Map  
Subdivision Layout  
Development Engineering Requirements  
Public Consultation



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.





**Subject Property Notes:**

Amend the OCP for a portion of the Subject Property from Single/Two Unit Residential Hillside (S2RESH) to Major Park and Open Space (PARK).

**Subject Property Notes:**

Amend the OCP for a portion of the Subject Property from Multiple Unit Residential (Cluster Housing) (MRC) to Major Park and Open Space (PARK).

**Subject Property Notes:**

Amend the OCP for a portion of the Subject Property from Major Park and Open Space (PARK) to Single/Two Unit Residential - Hillside (S2RESH).

**Subject Property Notes:**

Amend the OCP for a portion of the Subject Property from Multiple Unit Residential (Cluster Housing) (MRC) to Single/Two Unit Residential - Hillside (S2RESH).

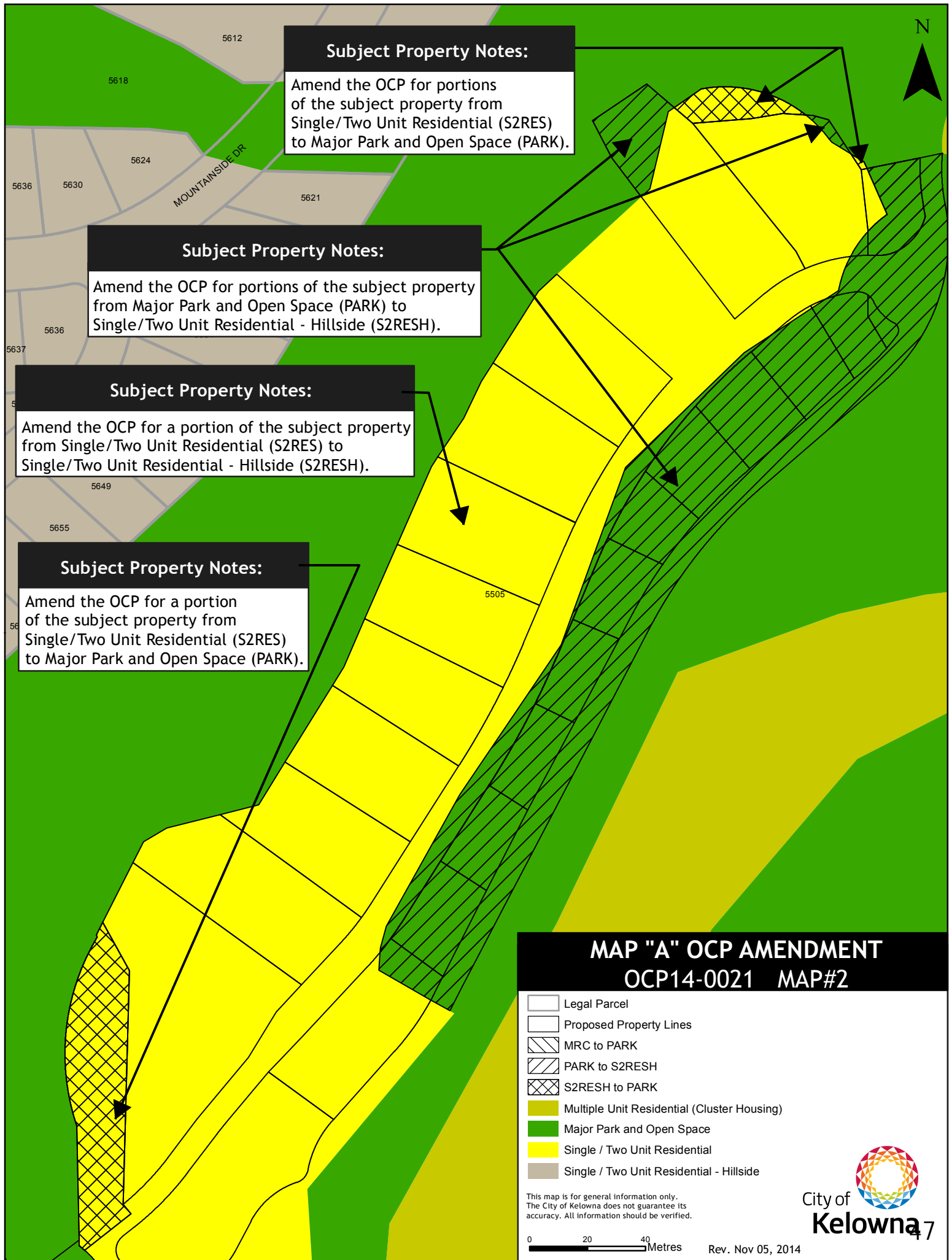
**MAP "A" OCP AMENDMENT  
OCP14-0021 MAP#1**

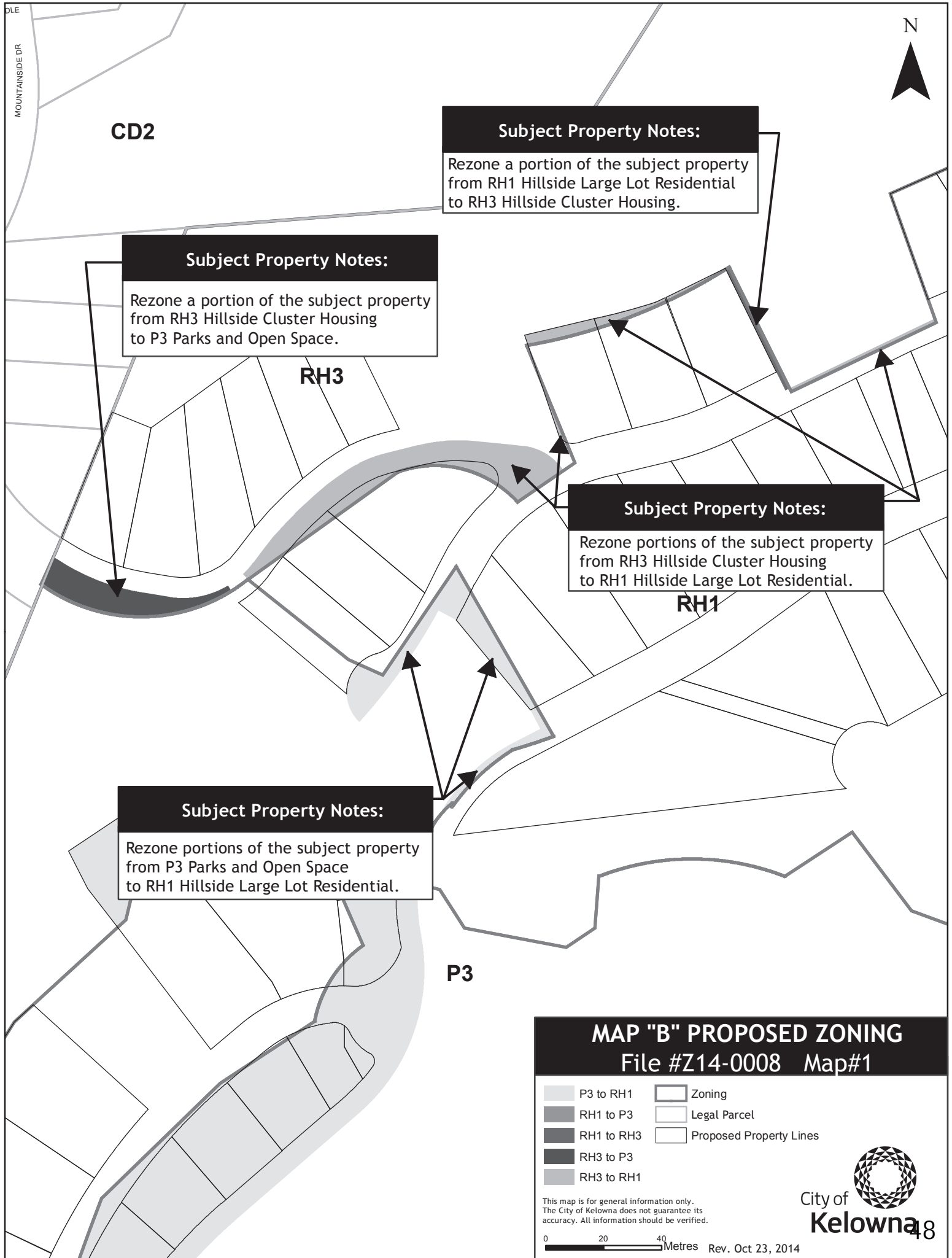
- Proposed Property Lines
- MRC to PARK
- MRC to S2RESH
- PARK to S2RESH
- S2RESH to PARK
- Multiple Unit Residential (Cluster Housing)
- Major Park and Open Space
- Single / Two Unit Residential
- Single / Two Unit Residential - Hillside

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

0 20 40 Metres

Rev. Oct 23, 2014







N

**Subject Property Notes:**

Rezone portions of the subject property from RH1 Hillside Large Lot Residential to P3 Parks and Open Space.

**Subject Property Notes:**

Rezone portions of the subject property from P3 Parks and Open Space to RH1 Hillside Large Lot Residential.






CD2

MOUNTAIN SIDE DR

P3

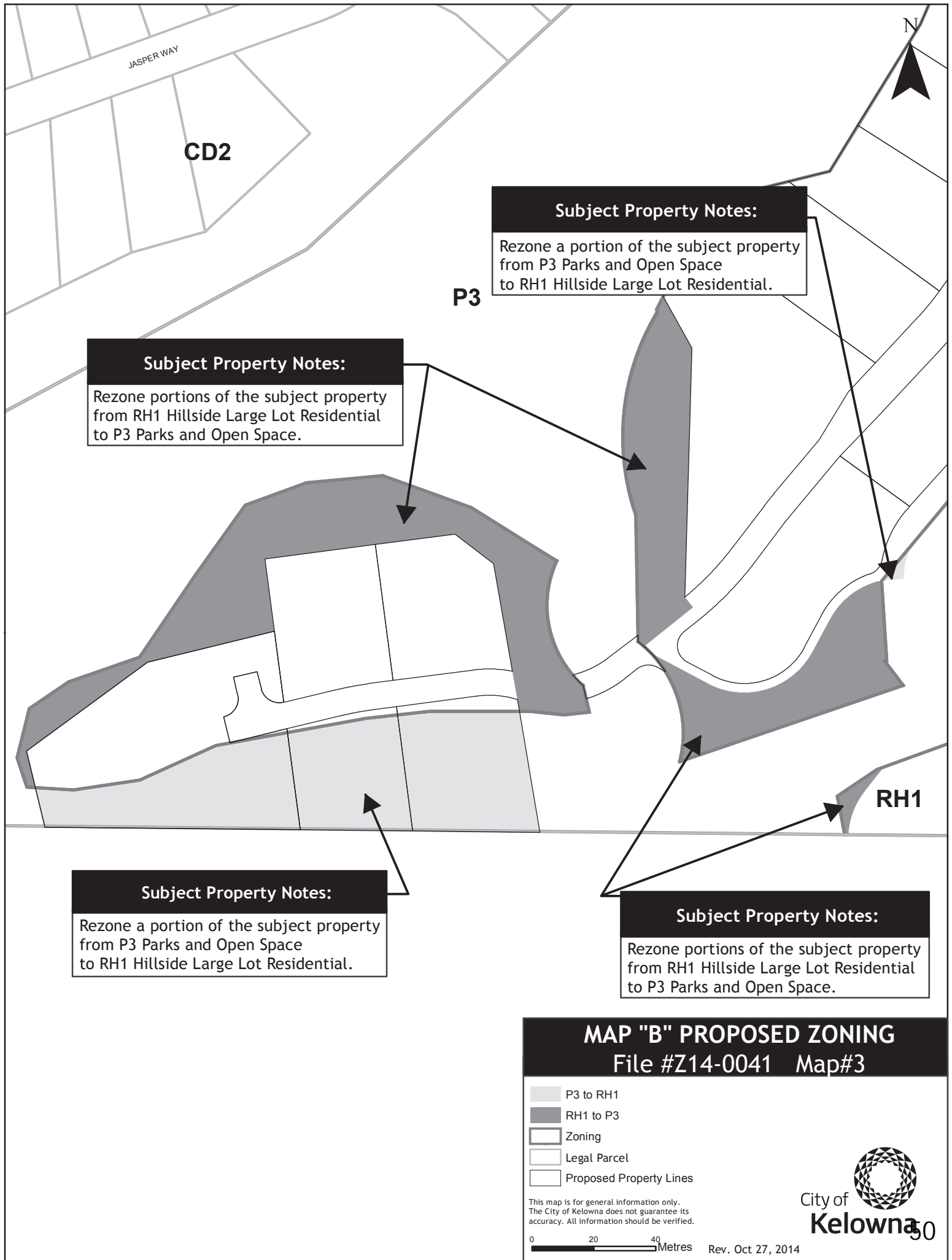
RH1

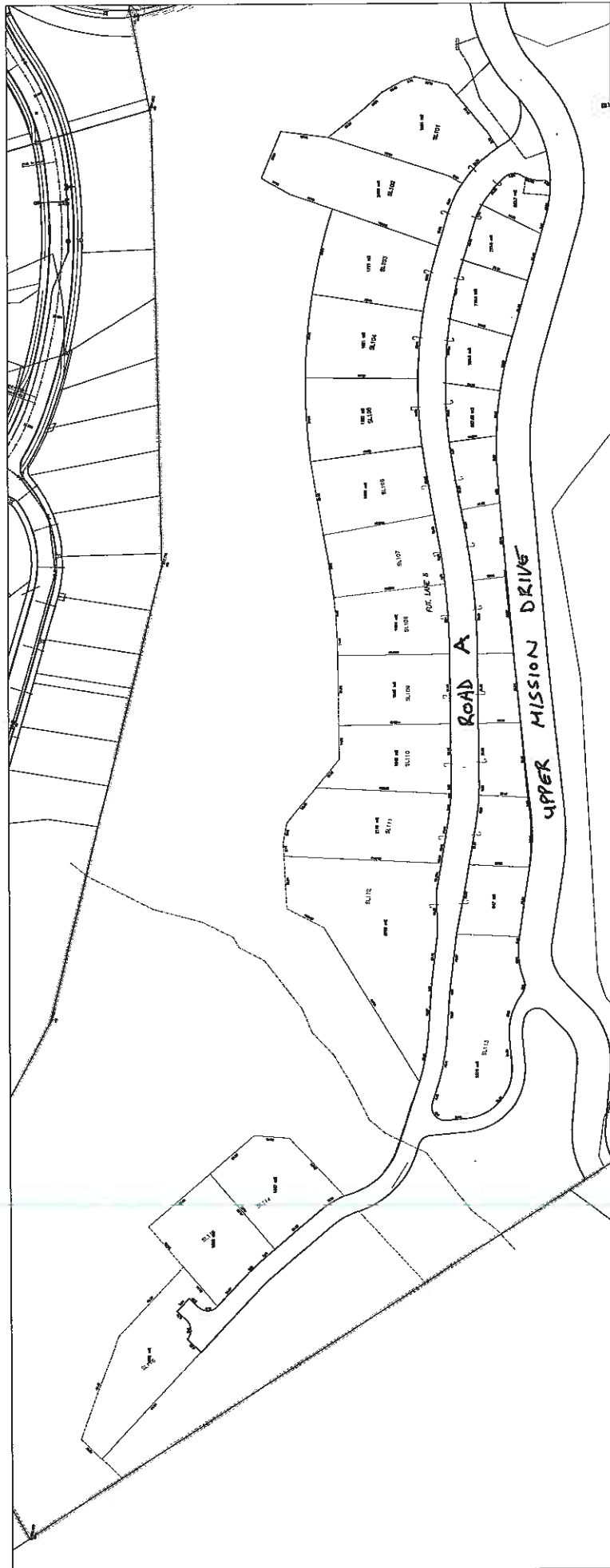
**MAP "B" PROPOSED ZONING**  
File #Z14-0041 Map#2

-  P3 to RH1
-  RH1 to P3
-  Zoning
-  Legal Parcel
-  Proposed Property Lines

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

0 15 30 Metres Rev. Oct 23, 2014







---

**CITY OF KELOWNA**

**MEMORANDUM**

---

**Date:** October 16, 2014  
**File No.:** Z14-0041  
**To:** Urban Planning (DB)  
**From:** Development Engineer Manager (SM)  
**Subject:** 5505 Chute Lake Rd

---

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 S14-0034.

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

SS

## Calcan / Trestle Ridge Phase 1 – Proposed RH1 Hillside Large Lot Residential Development

Calcan Investments Inc. is proposing to refine the existing Future Land Use Designation and Zoning of the first phase of their Trestle Ridge Neighborhood at 5505 Chute lake Road in Kelowna (see context plan attached). Zoning for the neighbourhood was adopted by Council earlier this year. However refinement to the zoning boundary is being proposed to a small portion of the property adjacent to the southernmost portion future Upper Mission Drive that the Parks Department deems not desirable and has declined dedication as park. As a result, Calcan Investments is proposing to consolidate this area into a proposed single family strata site where future residents will be maintain the area. In addition to the above, adjustments to the current Future Land Use Plan and Zoning Plans are being proposed to increase Park and Major Open Space dedication adjacent to creek corridors. Finally a small adjustment from RH3 to RH1 is being proposed as a result of a refinement to a road alignment.

The Site Context, Proposed Future Land Use and Rezoning plans are attached indicating the adjustments proposed.

You will be provided with a personal visitation to discuss and comment these changes directly but should you wish to contact us with further thoughts, please feel free to contact us directly at:

Dave Lange, Land Manager - Trestle Ridge

Office: (250) 764-4694      Mobile: (250) 863-7887

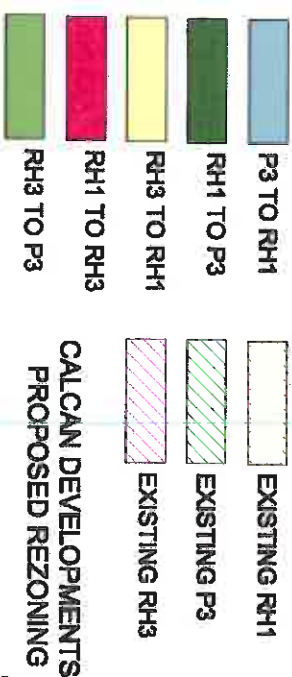
Or, provide us with your comments at: [dave@trestleridge.ca](mailto:dave@trestleridge.ca)

Damien Burggraeve, City of Kelowna Community Planning

(250) 469-8473

[dburggraeve@kelowna.ca](mailto:dburggraeve@kelowna.ca)









# REPORT TO COUNCIL



**Date:** 11/10/2014

**RIM No.** 1250-20

**To:** City Manager

**From:** Subdivision, Agriculture & Environment Services (MS)

**Application:** OCP14-0015  
**Owners:** Parkbridge Lifestyle Communities Inc.  
City of Kelowna  
0977415 B.C. LTD.,  
INC. No. BC0977415

**Addresses:** 1511 Tower Ranch Drive  
2160 Tower Ranch Boulevard  
1501 Tower Ranch Drive  
**Applicants:** MMM Group  
City of Kelowna

**Subject:** OCP Amendment

**Existing OCP Designation:** MRL - Multiple Unit Residential (Low Density)  
S2RES - Single / Two Unit Residential  
S2RESH - Single / Two Unit Residential - Hillside  
PARK - Major Park and Open Space (public)

**Proposed OCP Designation:** S2RES - Single / Two Unit Residential  
S2RESH - Single / Two Unit Residential - Hillside  
MRL - Multiple Unit Residential (Low Density)  
PARK - Major Park and Open Space (public)  
PSU - Public Services / Utilities

---

## 1.0 Recommendation

THAT OCP Bylaw Amendment No. OCP14-00015 to amend Kelowna 2030 - Official Community Plan Bylaw No. 10500 by amending Map 4.1 - Generalized Future Land Use to change a portion of Lot 3, Plan KAP80993, Section 31, TWP 27, ODYD, located at 1511 Tower Ranch Drive, from MRL - Multiple Unit Residential (Low Density) to S2RES - Single/Two Unit Residential; PARK - Park and Open Space (public) to S2RES - Single / Two Unit Residential; S2RESH - Single/Two Unit Residential- Hillside to MRL - Multiple Unit Residential (Low Density); S2RESH - Single/Two Unit Residential- Hillside to PARK - Major Park and Open Space (public); and PARK - Park and Open Space (public) to S2RESH - Single / Two Unit Residential - Hillside; from S2RES - Single/Two Unit Residential to PARK - Park and Open Space (public); from PARK - Park and Open Space (public) to S2RES - Single/Two Unit Residential; from S2RES - Single/Two Unit Residential to S2RESH - Single/Two Unit Residential - Hillside; from S2RESH - Single/Two Unit Residential - Hillside to S2RESH - Single/Two Unit Residential, in accordance with Map "A - #3" and Map "A - #4" attached to the Staff Report dated November 10, 2014, be considered by Council;

AND THAT OCP Bylaw Amendment No. OCP14-00015 to amend Kelowna 2030 - Official Community Plan Bylaw No. 10500 by amending Map 4.1 - Generalized Future Land Use to change a portion of

Lot 4, Plan KAP80993, Section 31, TWP 27, ODYD, located at 2160 Tower Ranch Boulevard, from S2RESH - Single/Two Unit Residential - Hillside to REC - Private Recreation (private); from REC - Private Recreation (private) to S2RESH - Single/Two Unit Residential - Hillside; from S2RESH - Single/Two Unit Residential - Hillside to PARK - Major Park and Open Space (public); from S2RESH - Single/Two Unit Residential - Hillside to- PSU - Public Services / Utilities; from Private Recreation (private) to- PSU - Public Services / Utilities; in accordance with Map "A - #1" and Map "A - #2" attached to the Staff Report dated November 10, 2014, be considered by Council;

AND THAT OCP Bylaw Amendment No. OCP14-00015 to amend Kelowna 2030 - Official Community Plan Bylaw No. 10500 by amending Map 4.1 - Generalized Future Land Use to change a portion of Lot 5 KAP80993, Section 31, TWP 27, ODYD, located at 1501 Tower Ranch Drive, from PARK - Major Park and Open Space (public) to S2RESH - Single/Two Unit Residential - Hillside; and from PARK - Major Park and Open Space (public) to S2RES - Single/Two Unit Residential, in accordance with Map "A - #4" attached to the Staff Report dated November 10, 2014, be considered by Council;

AND THAT OCP Bylaw Amendment No. OCP14-00015 to amend Kelowna 2030 - Official Community Plan Bylaw No. 10500 by amending Map 4.1 - Generalized Future Land Use to change a portion of part of Tower Ranch Drive, located south of 1511 Tower Ranch Drive, being approximately 520 m<sup>2</sup>, from Public Service Utilities (PSU) to Single/Two Unit Residential - Hillside (S2RESH); and from Resource Protection Area (REP) to Single/Two Unit Residential - Hillside (S2RESH), in accordance with Map "A - #5" attached to the Staff Report dated November 10, 2014, be considered by Council;

AND THAT Council considers the public process outlined in the Staff Report dated November 10, 2014 to be appropriate consultation for the purpose of Section 879 of the Local Government Act;

AND THAT the OCP Amending Bylaw 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, A-1 Agriculture 1 and CD6 - Comprehensive Residential Golf Course, as identified on Map "A".

## **2.0 Purpose**

To amend Map 4.1 - Generalized Future Land Use in the 2030 Official Community Plan for a portion of the Tower Ranch Development.

## **3.0 Subdivision, Agriculture & Environment**

The Subdivision, Agriculture & Environment department have been working with the applicant to avoid and mitigate impacts to the natural environment and hazardous condition areas. Of note with respect to the OCP Amendment are two areas:

- Proposed property transfers and OCP Amendments to divide the Tower Ranch Lot 3 property from Tower Ranch Mountain Park along the centre line of Industry Brook; and
- The proposed OCP amendment from S2RESH - Single / Two Unit Residential to PARK - Major Park and Open Space (Public) along the southwest portion of Lot 3 along Industry Brook, including a knoll of natural bluebunch wheatgrass / Idaho fescue grassland as well as an aspen copse along Industry Brook.



The applicant will be required to acquire a Natural Environment / Hazardous Conditions Development Permit at each phase of development for the area. A No-Build / No-Disturb Restrictive Covenant will be required prior to subdivision for natural and hazardous condition areas.

The existing Official Community Plan land use designations were prepared as a response to conceptual planning conducted by a previous owner and developer. The applicant has brought forth a revised concept for 1511 Tower Ranch Drive and 2160 Tower Ranch Boulevard. Staff have worked with the applicant to accommodate the new concept plan as well as achieve objectives of the Official Community Plan, including:

- Public space
- Retention of natural areas
- Linear Parks
- Pedestrian linkages

Staff notes that the amendment adjusts the future land use along the boundary of the City owned Tower Ranch Mountain Park to align with the centre line of Industry Brook. To this end, the lands to the south of Industry Brook are proposed to be amended to PARK - Major Park and Open Space (public), while the lands to the north of Industry Brook are proposed to be designated as to S2RESH - Single/Two Unit Residential - Hillside, and S2RES - Single/Two Unit Residential. Staff notes that these are minor adjustments to the PARK designation, and are proposed as the centre line of the creek is a logical the boundary between of the land uses.

## **4.0 Proposal**

### **4.1 Background**

At the time of current OCP (approved in May 2011), the subject properties were owned by a previous developer. The configuration of future land use designations was designed in accordance with their concept plan.

In 2012, Tower Ranch Lots 3, 4 and 6 were purchased by Parksbridge Lifestyle Communities Inc. (Parksbridge). Parksbridge develop communities based on a life lease concept, whereby the owner developer maintains ownership and management through the life of the development. The future land use was planned by a previous developer, and Parksbridge has an interest in amending the configuration of the future land uses to better suit their concept and target market. The proposed OCP Amendment has been designed in accordance with their concept plan, as well as geotechnical and environmental assessments.

The Agricultural Land Commission allowed the golf course and associated development within Tower Ranch through a number of resolutions, the most recent of which was Resolution #498/2006.

### **4.2 Project Description**

The amendment relocates an area of MRL - Multiple Unit Residential (Low Density) from the north of Lot 3 to the centre of Lot 3. In addition, the amendment includes changing an area of S2RESH - Single / Two Unit Residential - Hillside to PSU - Public Services / Utilities, in order to accommodate an existing Black Mountain Irrigation District (BMID) reservoir.

It also includes moving a single area of PARK - Major Park and Open Space (PARK) from Lot 3 to two smaller areas of PARK on Lot 4. In addition, a portion of riparian area along Industry Brook

has been designated PARK, which includes an aspen grove, as well as knoll of intact indigenous grassland and a significant veteran ponderosa pine.

Staff have worked with the applicant to relocate the PARK - Major Park and Open Space areas for the development.

See Map A, attached.

#### 4.3 Site Context

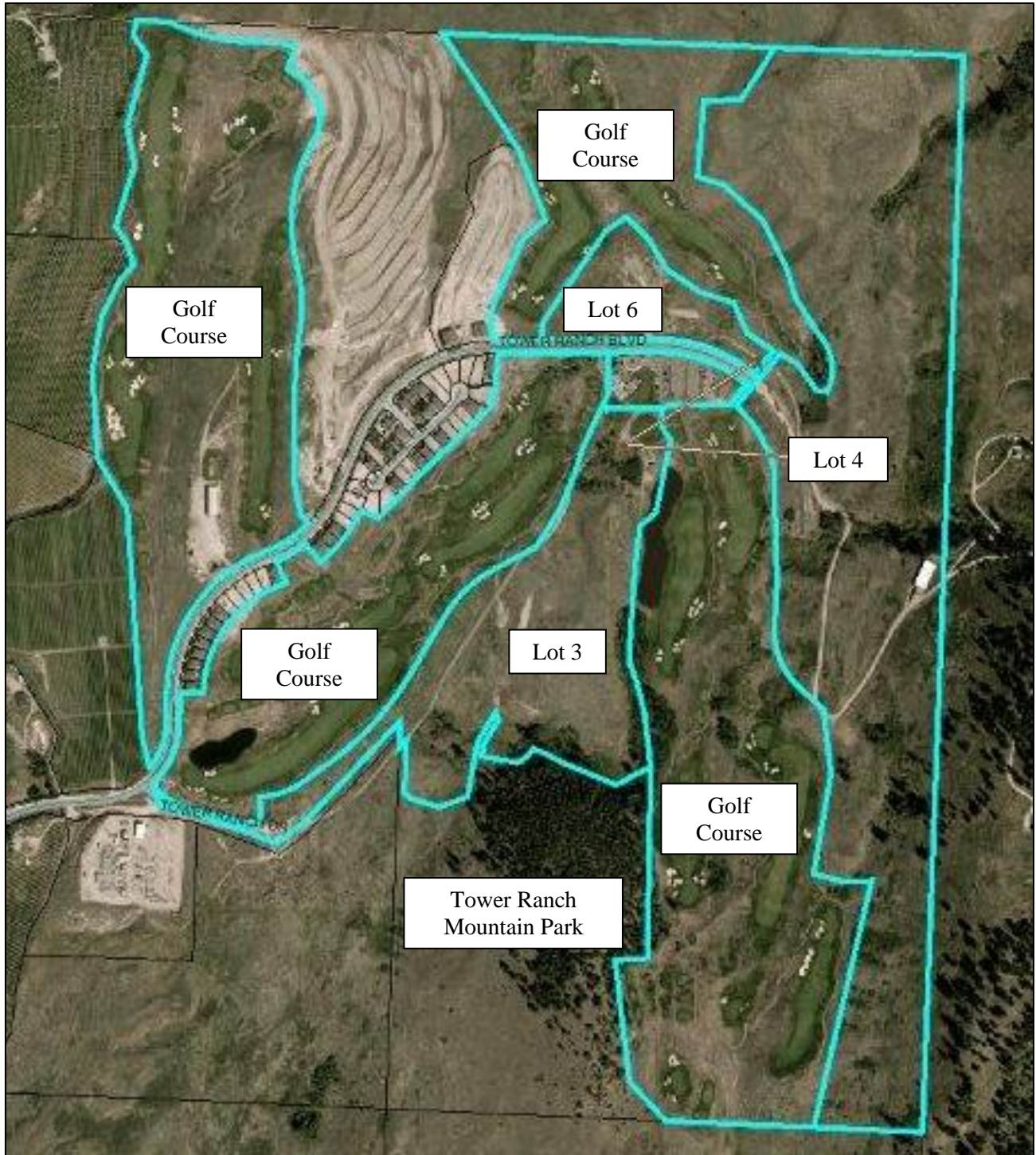
The site is located on the upper McCurdy Bench in the Rutland Sector. Agricultural properties within the Regional District of the Central Okanagan (RDCO) lie to the east of Lot 4. The Tower Ranch Golf Course lies in between Lots 3 and 4 and to the west of Lot 3 and the north of Lot 6. The Clubhouse property is a strata lot to which Parksbridge is a part of, and lies in between Lots 3 and Lot 6.

Tower Ranch Mountain Park lies to the south of Lot 3. Residential properties are further to the west and line Tower Ranch Boulevard and Split Rail Place, and more residences are being developed to the north of Tower Ranch Boulevard.

Specifically, adjacent land uses are as follows:

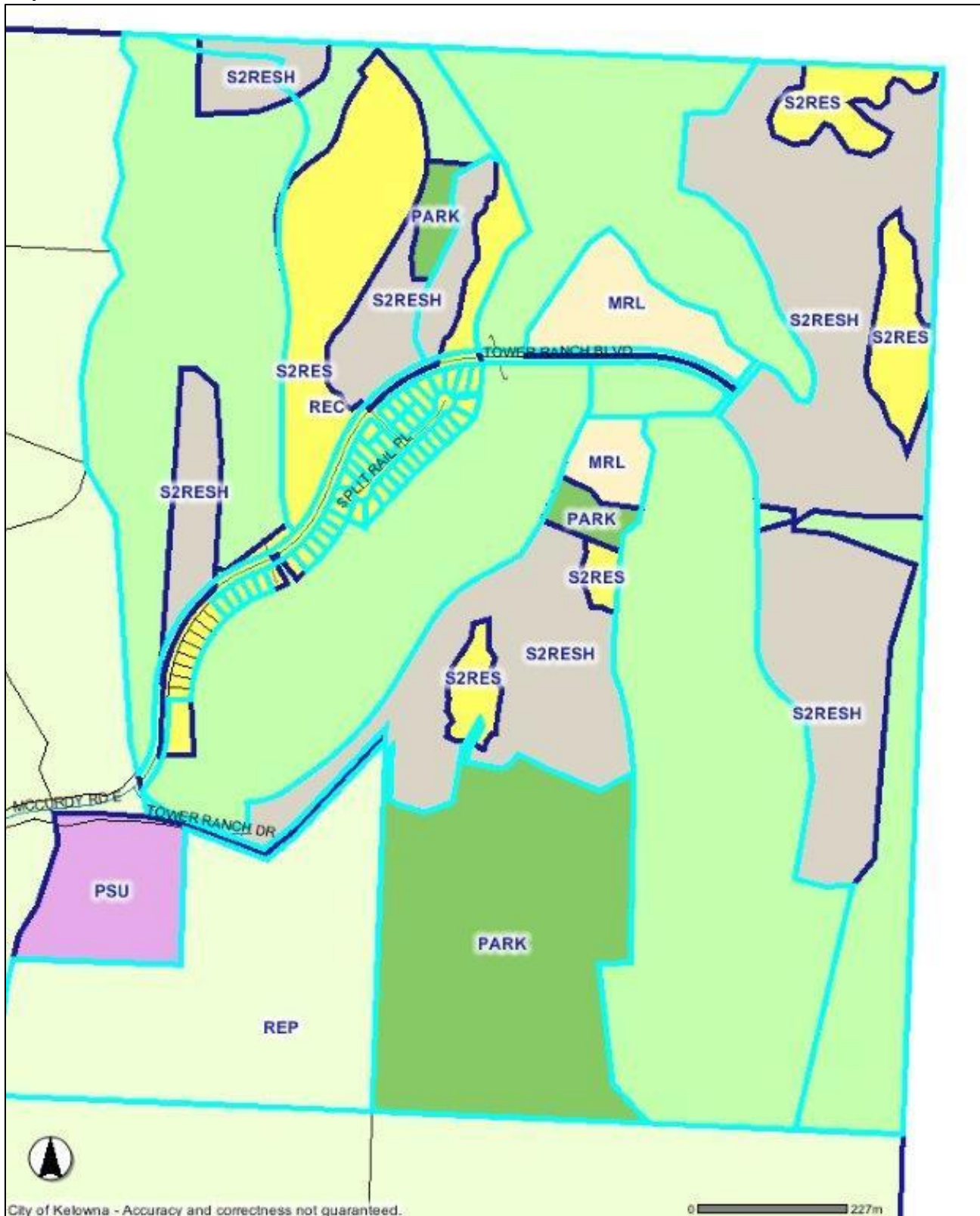
Orientation	Zoning	Land Use
North	CD6 - Comprehensive Residential Golf Course / CD6 LP - Comprehensive Residential Golf Course (Liquor Primary)	Golf Course / Clubhouse
East	CD6 - Comprehensive Residential Golf Course	Golf Course
South	A1 - Agriculture 1 / P3 - Park & Open Space	Rural Residential / Park / Hydro Transfer Station
West	CD6 - Comprehensive Residential Golf Course	Golf Course

Map 1. Tower Ranch Subject Area





Map 2. Tower Ranch - Current Future Land Use



## 5.0 Public Notification

The applicant has undertaken public notification / consultation. This has included delivering a letter, including a map of the proposed OCP Amendments to the residents and property owners along Tower Ranch Boulevard and Split Rail Place. (See attached letter, map and notification area).

## 6.0 Current Development Policies

### 6.1 Kelowna OCP 2030 Bylaw 10500

#### Development Process

**Steep Slopes.**<sup>1</sup> Prohibit development on steep slopes (+30% or greater for a minimum distance of 10 metres) except where provided for in ASPs adopted or subdivisions approved prior to adoption of OCP Bylaw 10500.

**Cluster Housing.**<sup>2</sup> Require new residential development to be in the form of cluster housing on / or near environmentally sensitive areas and areas of steeper slopes to lessen site disturbance and environmental impact on those areas identified on the Future Land Use Map 4.1 as single-two unit residential hillside. Steeply sloped areas should be retained as natural open space, public or private. The intent of the clustering would be to preserve features identified through the Development Permit process that otherwise might be developed and to maximize open space in order to:

- a. Protect environmentally sensitive areas of a development site and preserve them on a permanent basis utilizing the most appropriate tools available;
- b. Facilitate creative and flexible site design that is sensitive to the land's natural features and adaptive to the natural topography;
- c. Decrease or minimize non-point source (i.e. asphalt roofs, driveways and parking) pollution impacts by reducing the amount of impervious surfaces in site development;
- d. Promote overall cost savings on infrastructure installation and maintenance; and
- e. Provide opportunities for social interaction, walking and hiking in open space areas.

**Ground-Oriented Housing.**<sup>3</sup> Encourage all multiple-unit residential buildings in neighbourhoods with schools and parks to contain ground-oriented units with 2 or more bedrooms so as to provide a family housing choice within the multi-unit rental or ownership markets.

**Pedestrian Connectivity.**<sup>4</sup> Improve the permeability of strata developments by ensuring that active transportation connections are facilitated where possible.

**Design for People and Nature.**<sup>5</sup> Structure new neighbourhoods around parks, pedestrian and bike routes, open spaces, and environmental areas, rather than around roadways and cars.

## 7.0 Legal / Statutory Authority

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

## 8.0 Legal / Statutory Procedural Requirements

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

<sup>4</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

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

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 affects lands under the Resolution # 498/2006.**

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 will be addressed through a letter mail-out to all property owners within the affected area (see Map "A") notifying of the proposed change in designation, and with contact information for the File Manager to field any inquiries and comments. This will be done in accordance with Council Policy #367 - Public Notification & Consultation for Development Applications.

## 9.0 Technical Comments

The OCP amendment was circulated to Building & Permitting, Development Engineering Branch, Infrastructure Planning - Parks & Public Spaces, the Black Mountain Irrigation District, and Policy & Planning. The responses received are below.

### 9.1 Building & Permitting Department

No comments.

### 9.2 Development Engineering Department

This application has no requirements, and does not trigger any off-site upgrades.

### 9.3 Infrastructure Planning - Parks & Public Spaces

Infrastructure Planning - Parks & Public Spaces, have worked with the applicant to achieve the relocation of the designated PARK space from Lot 3 to two locations on Lot 4 (see Map 'A') as well as add a portion of PARK along the Industry Brook riparian area, also capturing a grassland knoll.

### 9.4 Irrigation District

No comments received.

### 9.5 Policy & Planning

There are no significant departures from the current FLU. Therefore, this application is consistent with the intent of the current OCP.

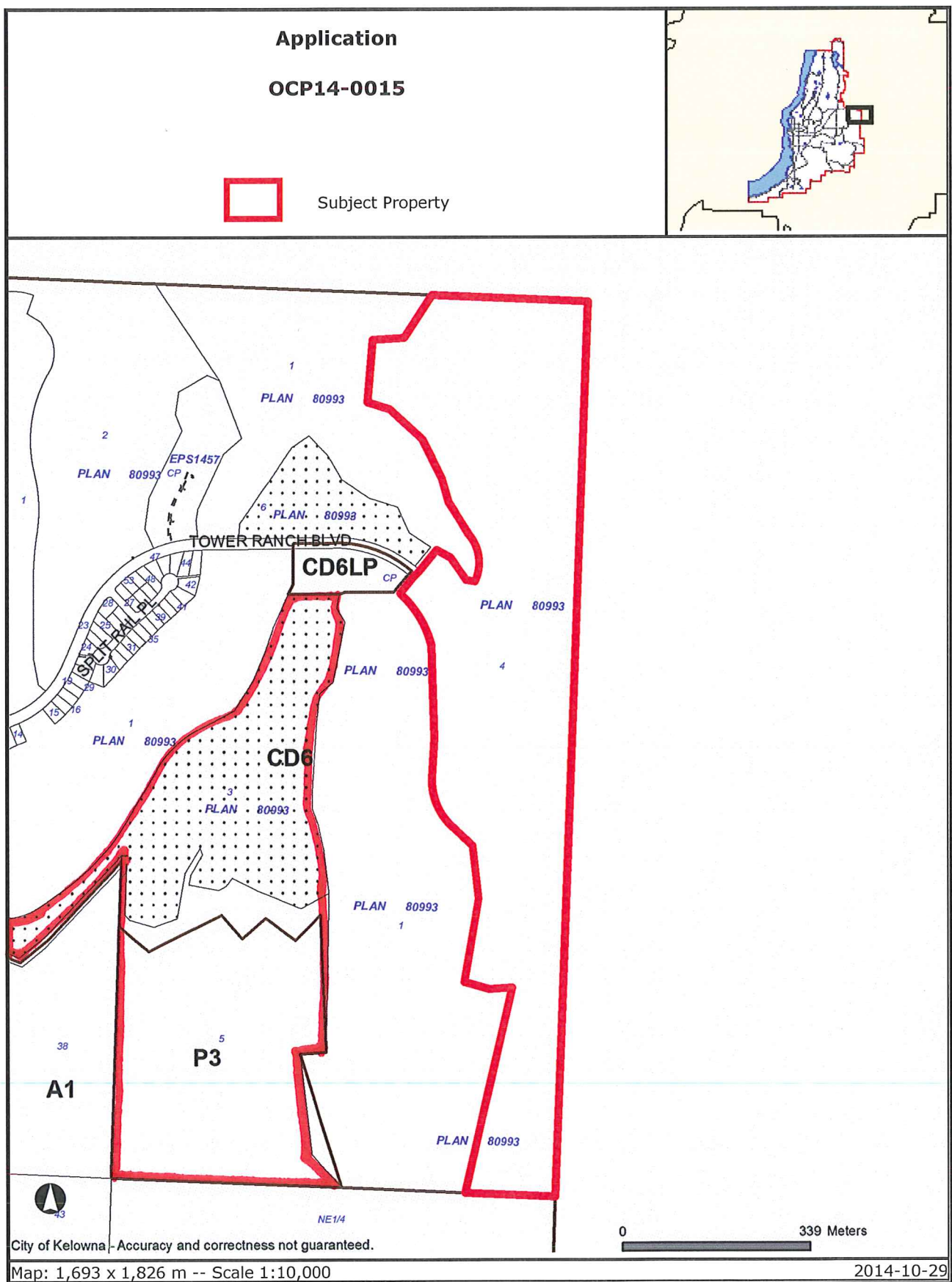
## 10.0 Application Chronology

Date of Application Received: January 16, 2014

Revised OCP Amendment Map (Rev. 1) Received: September 9, 2014







*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.*





**Subject Property Notes:**

Amend the OCP for a portion of the subject property from Single/Two Unit Residential - Hillside (S2RESH) to Major Park and Open Space (PARK).

**Subject Property Notes:**

Amend the OCP for portions of the subject property from Single/Two Unit Residential - Hillside (S2RESH) to Private Recreational (REC).

**MAP "A" OCP AMENDMENT**  
**OCP14-0015 Map# 1**

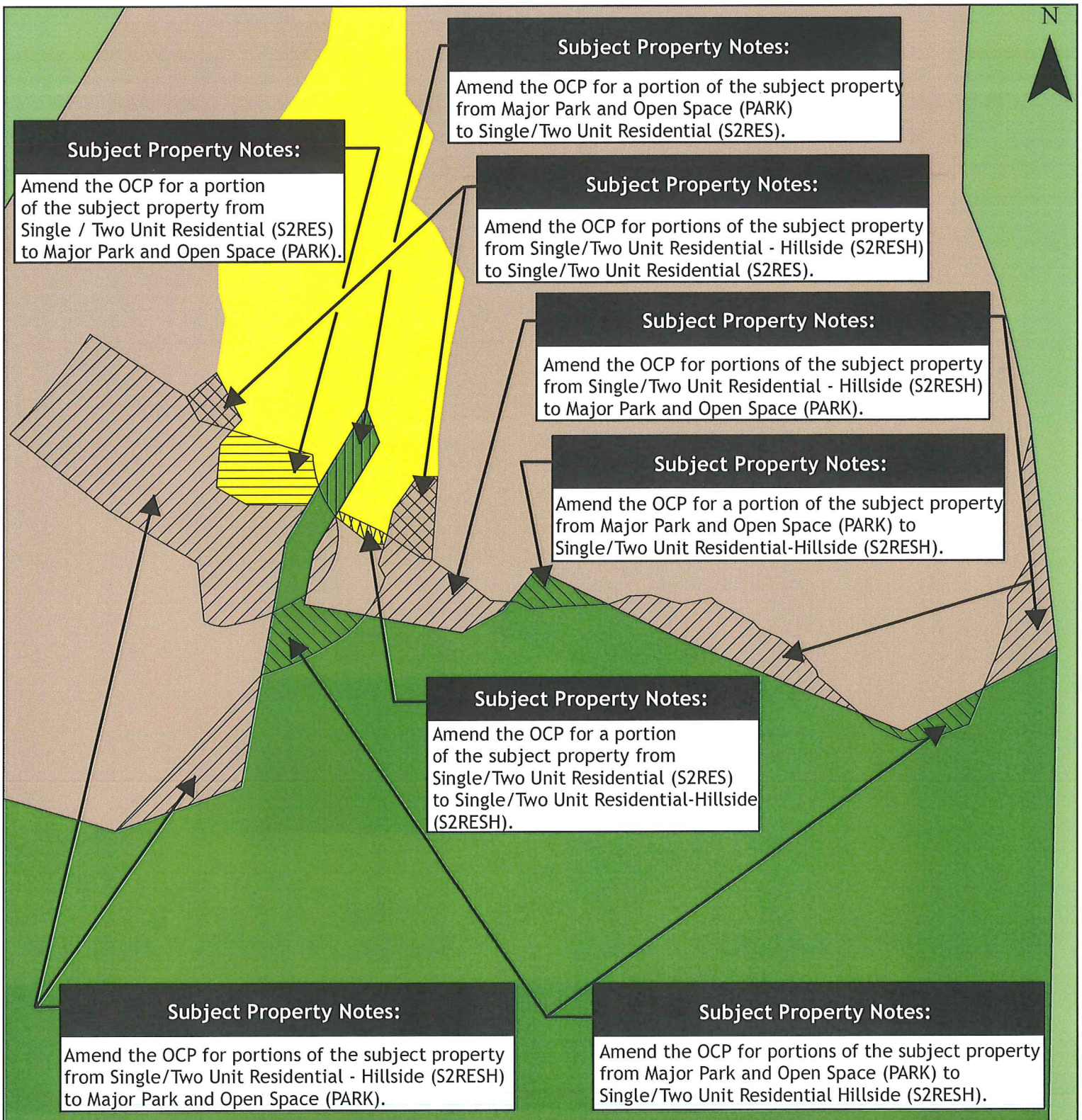
- |  |                |
|--|----------------|
| Multiple Unit Residential (Low Density)  | S2RESH to PARK |
| Private Recreational                     | S2RESH to REC  |
| Single / Two Unit Residential            | Legal Parcel   |
| Single / Two Unit Residential - Hillside |                |

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

0 25 50 Metres

Rev. Oct 28, 2014





## MAP "A" OCP AMENDMENT

### OCP14-0015 Map# 4

	PARK to S2RES		Major Park and Open Space
	PARK to S2RESH		Private Recreational
	S2RES to PARK		Single / Two Unit Residential
	S2RES to S2RESH		Single / Two Unit Residential - Hillside
	S2RESH to PARK		Legal Parcel
	S2RESH to S2RES		

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

0 20 40 Metres

Rev. Oct 29, 2014

**City of Kelowna**

67





### Subject Property Notes:

Amend the OCP for portions of the subject property from Private Recreational (REC) to Single/Two Unit Residential - Hillside (S2RESH).

### Subject Property Notes:

Amend the OCP for a portion of the subject property from Single/Two Unit Residential - Hillside (S2RESH) to Private Recreational (REC).

### Subject Property Notes:

Amend the OCP for a portion of the subject property from Single/Two Unit Residential - Hillside (S2RESH) to Major Park and Open Space (PARK).

### Subject Property Notes:

Amend the OCP for a portion of the subject property from Single/Two Unit Residential - Hillside (S2RESH) to Public Service Utilities (PSU).

### Subject Property Notes:

Amend the OCP for a portion of the subject property from Single/Two Unit Residential - Hillside (S2RESH) to Private Recreational (REC).

### Subject Property Notes:

Amend the OCP for a portion of the subject property from Private Recreational (REC) to Public Service Utilities (PSU).

## MAP "A" OCP AMENDMENT OCP14-0015 Map# 2

	REC to PSU		Private Recreational
	REC to S2RESH		Single / Two Unit Residential - Hillside
	S2RESH to PARK		Legal Parcel
	S2RESH to PSU		
	S2RESH to REC		

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

0 20 40 Metres

Rev. Oct 29, 2014





**Subject Property Notes:**




Amend the OCP for a portion of the road right of way from Resource Protection (REP) to Single/Two Unit Residential - Hillside (S2RESH).

**Subject Property Notes:**

Amend the OCP for a portion of the road right of way from Public Service Utilities (PSU) to Single/Two Unit Residential - Hillside (S2RESH).

**MAP "A" OCP AMENDMENT**  
**OCP14-0015 Map# 5**

-  Major Park and Open Space
-  Public Service Utilities
-  Private Recreational
-  Resource Protection
-  Single / Two Unit Residential
-  Single / Two Unit Residential - Hillside

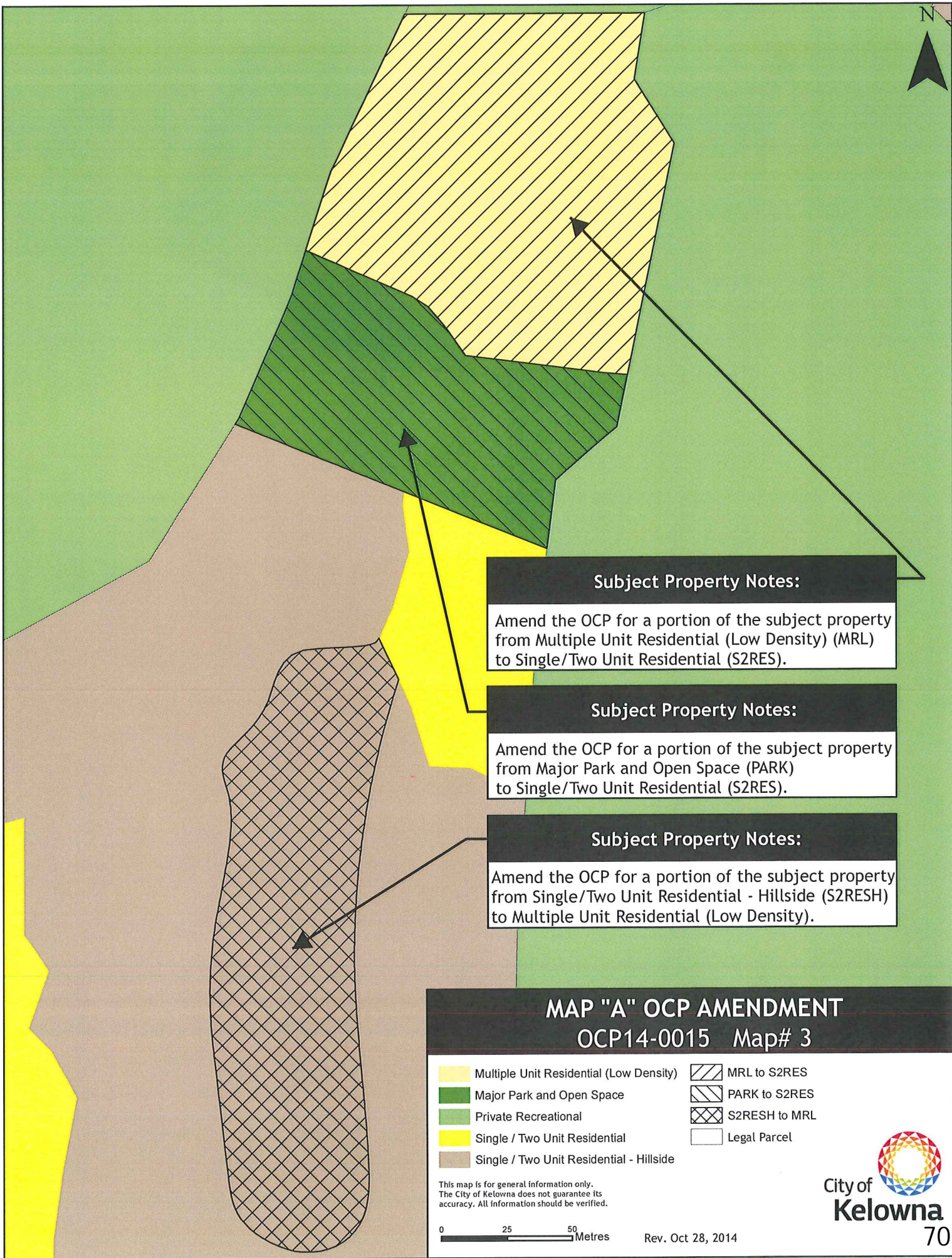
-  Legal Parcel
-  PSU to S2RESH
-  REP to S2RESH

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

0 25 50 Metres

Rev. Oct 29, 2014





**Subject Property Notes:**

Amend the OCP for a portion of the subject property from Multiple Unit Residential (Low Density) (MRL) to Single/Two Unit Residential (S2RES).

**Subject Property Notes:**

Amend the OCP for a portion of the subject property from Major Park and Open Space (PARK) to Single/Two Unit Residential (S2RES).

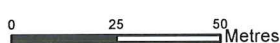
**Subject Property Notes:**

Amend the OCP for a portion of the subject property from Single/Two Unit Residential - Hillside (S2RESH) to Multiple Unit Residential (Low Density).

**MAP "A" OCP AMENDMENT  
OCP14-0015 Map# 3**

- |  |               |
|--|---------------|
| Multiple Unit Residential (Low Density)  | MRL to S2RES  |
| Major Park and Open Space                | PARK to S2RES |
| Private Recreational                     | S2RESH to MRL |
| Single / Two Unit Residential            | Legal Parcel  |
| Single / Two Unit Residential - Hillside |               |

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



Rev. Oct 28, 2014



October 28, 2014

Dear Resident / Landowner,

**Re: Official Community Plan Map Amendment**

Parkbridge Lifestyle Communities Inc. (Parkbridge) has submitted an application to the City of Kelowna to amend the Official Community Plan, Bylaw No. 10500 (OCP) map. The subject application is deemed a 'minor' OCP amendment. The application proposes to shift the OCP's Future Land Use classifications to facilitate a single family housing development on lands legally described as:

Lot 3, Section 31, Township 27, Osoyoos Division Yale District, Plan KAP80993

Lot 4, Section 31, Township 27, Osoyoos Division Yale District, Plan KAP80993

Note, the Future Land Use classification, as designated within the City of Kelowna's OCP, will not be changed or intensified, but rather relocated. In addition, the amendment seeks to better communicate the location of the 'Public Service Utility' and 'Private Recreational' future land use.

A map visually identifying the location of Lot 3 and the proposed OCP map changes can be found on the reverse page. For comparison purposes, the City of Kelowna's current OCP Future Land Use map can be found on the City of Kelowna website at the following address:

<http://www.kelowna.ca/CityPage/Docs/PDFs/%5CBylaws%5COfficial%20Community%20Plan%202030%20Bylaw%20No.%2010500/Map%204.1%20Generalized%20Future%20Land%20Use.pdf>

Should you have any questions regarding this application, please feel free to contact:

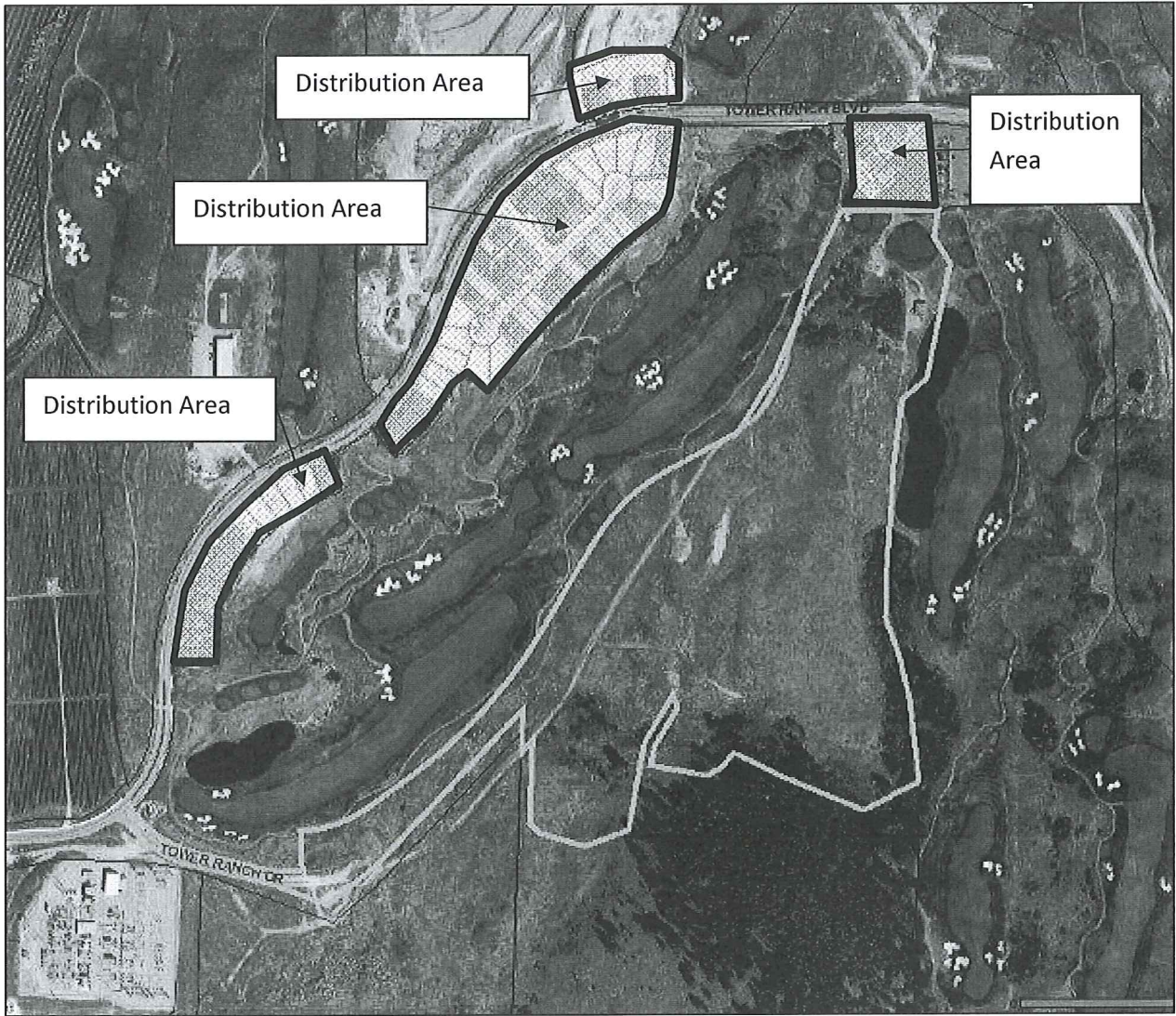
Parkbridge's agent:  
MMM Group Limited  
Davin A. Shillong, MCIP, RPP  
Project Manager  
[ShillongD@mmm.ca](mailto:ShillongD@mmm.ca)

or City of Kelowna:  
Melanie Steppuhn  
Land Use Planner  
[MSteppuhn@kelowna.ca](mailto:MSteppuhn@kelowna.ca)





Distribution Map - Public Notification



# REPORT TO COUNCIL



**Date:** 10/27/2014  
**RIM No.** 1250-30  
**To:** City Manager  
**From:** Urban Planning, Community Planning & Real Estate (AC)  
**Application:** OCP14-0011  
Z14-0026  
**Owner:** 561655 BC LTD., INC. NO.  
BC0561655  
**Address:** 1280 Glenmore Dr  
**Applicant:** Randy Therrien  
**Subject:** Rezoning Application  
**Existing OCP Designation:** MRL - Multiple Unit Residential, Low-Density  
**Proposed OCP Designation** S2RES - Single / Two Unit Residential  
**Existing Zone:** RU1 - Large Lot Housing  
**Proposed Zone:** RM2 - Low Density Row Housing

---

## 1.0 Recommendation

THAT Official Community Plan amendment application No. OCP14-0011 to amend the City of Kelowna Official Community Plan Bylaw No. 10500 by changing the OCP classification of a portion of Lot 1, Section 29, Township 26, ODYD, Plan 29608, located on 1280 Glenmore Drive, Kelowna, BC from the MRL - Multiple Residential Low Density designation to the S2RES - Single / Two Unit Residential designation as shown on Map "A" attached to the report from Urban Planning Department dated October 27<sup>th</sup> 2014, be considered by Council;

AND THAT Rezoning Application No. Z14-0026 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portion of Lot 1, Section 29, Township 26, ODYD, Plan 29608, located on 1280 Glenmore Drive, Kelowna, BC from the RU1 - Large Lot Housing zone to the RM2 - Low Density Row Housing zone as shown on Map "B" attached to the report from Urban Planning Department dated October 27<sup>th</sup> 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 subsequent to the following:

1. Requirements of Development Engineering Branch being completed to their satisfaction;
2. Subdivision delineating the five RM2 lots;
3. Dedicate a lane right-of-way and install a lane access to Mountainview Street;

4. A Party Wall Agreement is registered on title;
5. AND FURTHER THAT a Section 219 Building Use covenant be registered on each of the nine parcels restricting each parcel to one dwelling unit in order to prevent any additional dwelling units to be developed within each townhome.

## 2.0 Purpose

To rezone the portion of the subject property facing Glenmore Drive to RM2 - Low Density Row Housing in order to develop a freehold five unit townhouse and keep the remainder of the subject property facing Mountainview Street as RU1 - Large Lot Housing.

## 3.0 Urban Planning

Staff support the proposed rezoning to allow a freehold five unit townhouse development on the subject property in conjunction with two single family dwellings. Although inconsistent with the Official Community Plan, this proposal was the compromised result of two public hearings as directed by Council.

## 4.0 Proposal

### 4.1 Background

At the Council meeting on October 22<sup>nd</sup> 2014 Council directed Staff and the applicant in regards to what form of development would be acceptable in this area which was a five unit townhouse facing Glenmore Drive and two single family dwellings with a lane connecting through to Mountainview street. The OCP amendment is necessary as single family development does not fit the MRL designation therefore requiring a less dense land use designation on the portion of the lot facing Mountainview Street.

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbour consultation by individually contacting the neighbours as described in the attached *Schedule 'A'*.

### 4.2 Project Description

The subject property currently contains one single detached dwelling that will be demolished and is proposed to be replaced with a five unit townhouse development on the eastern portion of the subject property. The western portion of the subject property is proposed to be developed according to the RU1 zone which will only permit two single family dwellings once the lane is provided.

### 4.3 Site Context

The site area is approximately 1,942 m<sup>2</sup> and is located within a well established residential neighbourhood. The Kelowna Golf and Country Club is located to the east directly across Glenmore Drive. The subject property is designated MRL (Multiple Residential - Low Density) and the lot is within the Permanent Growth Boundary. Specifically, the adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing RU2 - Medium Lot Housing	Residential
East	P3LP - Parks and Open Space (Liquor Primary)	Golf Course
South	RU1 - Large Lot Housing	Residential
West	RU1 - Large Lot Housing	Residential



## Subject Property Map: 1280 Glenmore Drive



## 4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM2 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
	Principal Bldg	Principal Bldg
Height	9.5 m (2.5 storeys) To the midpoint of the roof	9.5 m (2.5 stories) to the Peak
Front Yard	4.5 m	> 4.5 m
Side Yard	4.0 m	4.0 m
Flanking Side Yard	0.0 m with party wall agreement	0.0 m with party wall agreement
Rear Yard	n/a	n/a
	6.0 m for 1 or 1 ½ storeys 7.5 m for 2 or 2 ½ storeys	7.5 m
Site coverage of buildings	50 %	35.9 %
Site coverage of buildings, driveways & parking	55 %	46.8 %
Other Regulations		
Minimum Parking Requirements	2 / dwelling unit = 10 parking stalls	10
Private Open Space	25 m <sup>2</sup> / dwelling unit	Greater than 25 m <sup>2</sup> / dwelling unit

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Compact Urban Form.**<sup>1</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>2</sup> Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height, and siting.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.
- The original set of drawings clearly showed this as a 4 plex, the current basement floor plan is easily converted to the original 4 plex arrangement with little effort.

### 6.2 Development Engineering Department

- See attached

### 6.3 Fire Department

- No concerns with the concept but a lane cannot be considered as access for the fire department. There appears to be no access from the front on Glenmore.

## 7.0 Application Chronology

Date of Application Received:	June 5 <sup>th</sup> 2014
Date of Public consultation:	July 7 <sup>th</sup> 2014
Date of First Public Hearing:	Sept 26 <sup>th</sup> 2014
Date of Second Public Hearing:	Oct 22 <sup>nd</sup> 2014

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

**Report prepared by:**

---

Adam Cseke, Planner

**Reviewed by:**

☐

Ryan Smith, Urban Planning Manager

**Approved for Inclusion:**

☐

Doug Gilchrist, Community Planning & Real Estate Div. Dir.

**Attachments:**

Map "A"

Map "B"

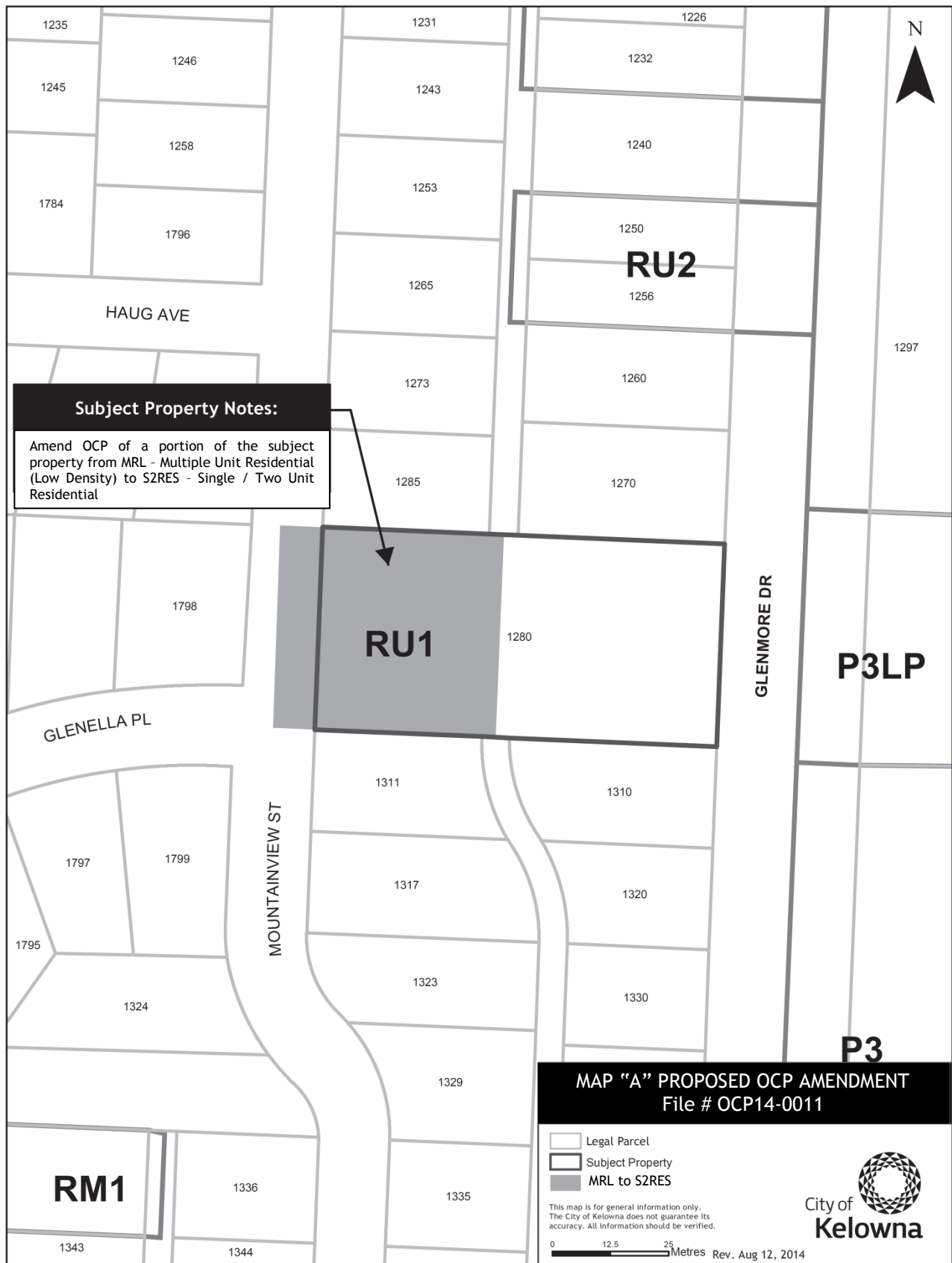
Site Plan / Landscape Plan

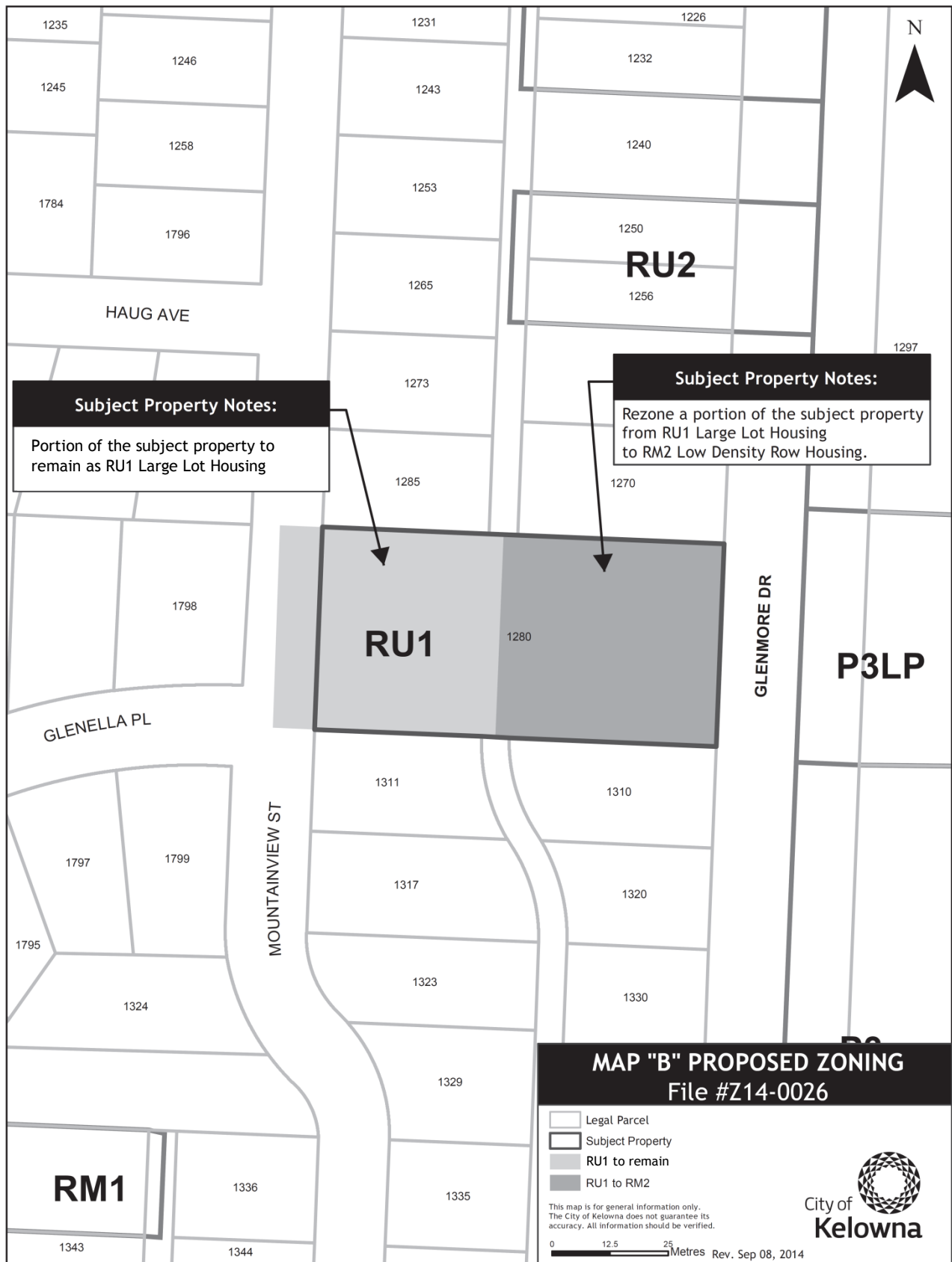
Colour Board

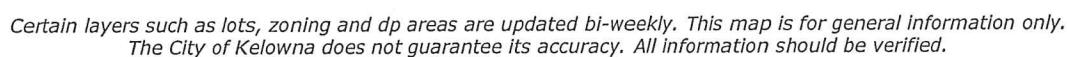
Conceptual Elevations

Development Engineering Comments

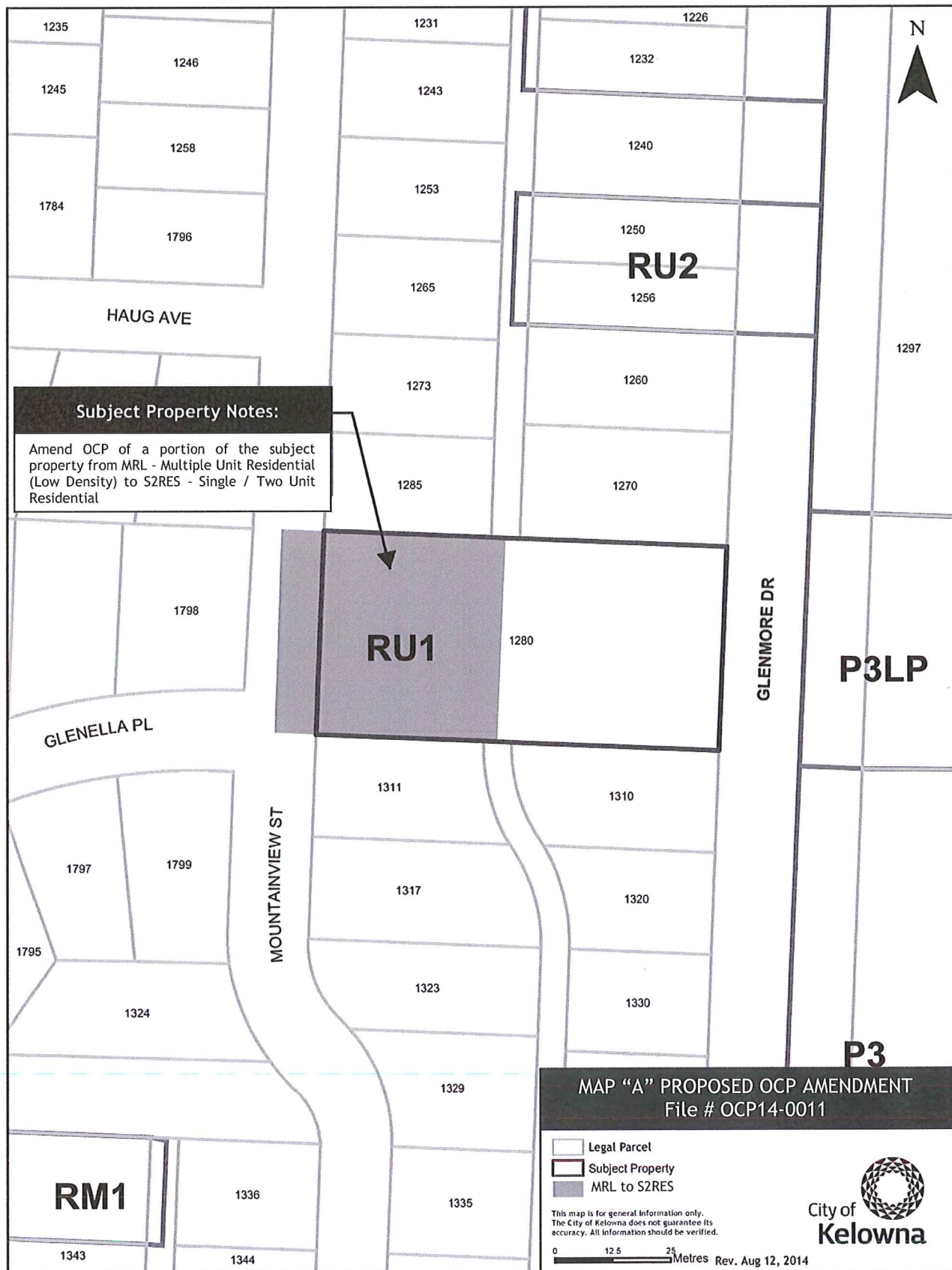


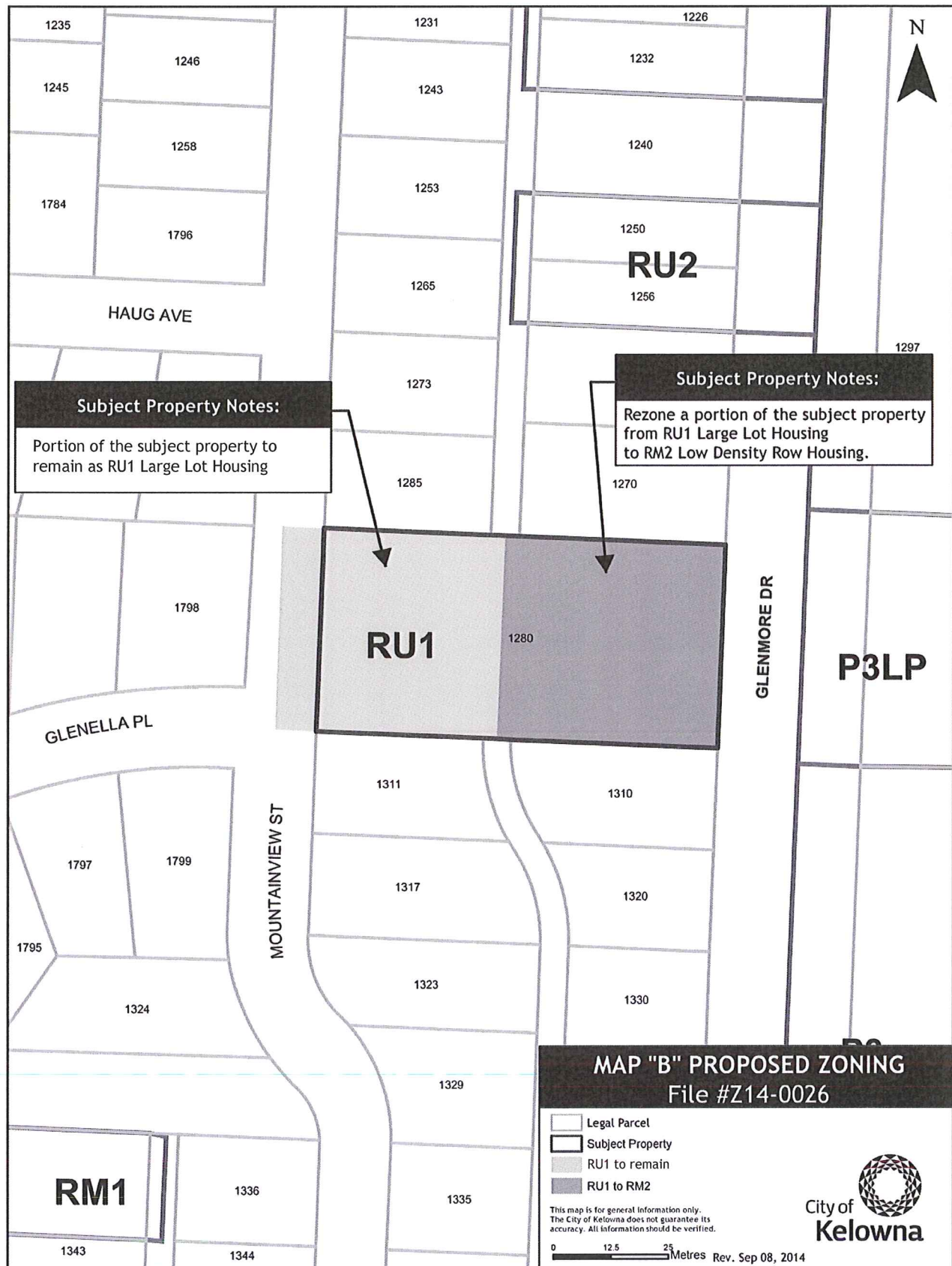












---

## CITY OF KELOWNA

# MEMORANDUM

---

**Date:** July 2, 2014  
**File No.:** Z14-0026

**To:** Urban Planning (AC)

**From:** Development Engineering Manager (SM)

**Subject:** 1280 Glenmore Drive

RU1 to RM2

---

Development Engineering Department have the following comments and requirements associated with this 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

General

- a) Requirements of the subdivision application no. S14-0023 must be satisfied before bylaw adoption.
- b) Provide easements as may be required.

1. Domestic Water and Fire Protection

- (a) The existing lot is serviced with two (2) 19mm diameter water service. The developer's consulting engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. Only one service will be permitted for this development.
- (b) If it is determined that upgrades to the remaining water/hydrant distribution system must be made to achieve the required fire flows, additional bonding will be required.

2. Sanitary Sewer

- (a) The existing lot is serviced with two (2) 100mm diameter sanitary services. The developer's consulting engineer will confirm the requirements of this proposed development. Only one service will be permitted for this development.

3. Storm Drainage

- (a) The property is located within the City of Kelowna drainage service area. The Subdivision, Development and Servicing Bylaw requires that each lot be provided with an individual connection; however, the City Engineer may permit use of individual ground water disposal systems, where soils are suitable. For on-site disposal of drainage water, a hydro geotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems for each lot.



- (b) The development is required to contain and dispose of site generated storm drainage on the site by installing a ground recharge system designed by the consulting civil engineer. The existing lot does not presently have a storm drainage service.

4. Road Improvements

- (a) Glenmore Drive is upgraded to a full urban standard including curb & gutter, sidewalk; therefore no further upgrades are required with the exception of the driveway access removal. Access will be from the lane.
- b) Lane must be constructed and paved to the City standard SS-R2.

5. Subdivision

By registered plan to provide the following:

- (a) Dedicate a 6m lane thru the site as part of subdivision application S14-0023.
- (b) Grant statutory rights-of-way if required for utility services.

6. Electric Power and Telecommunication Services

The electrical services to this development must be installed in an underground duct system, and the building must be connected by an underground service. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services which would be at the applicant's cost.

7. Street Lighting

Street lighting including underground ducts have been installed on all roads fronting on the proposed development but must be reviewed to determine if current standards have been met.

8. Engineering

Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the city engineering department for review and marked "issued for construction" by the city engineer before construction may begin.

9. Design and Construction

- (a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- (b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- (c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).

- (d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- (e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

10. Servicing Agreements for Works and Services

- (a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- (b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

11. Geotechnical Report

As a requirement of this application the owner must provide a geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

- (a) Area ground water characteristics.
- (b) Site suitability for development, unstable soils, etc.
- (c) Drill and / or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, Identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- (e) Additional geotechnical survey may be necessary for building foundations, etc.

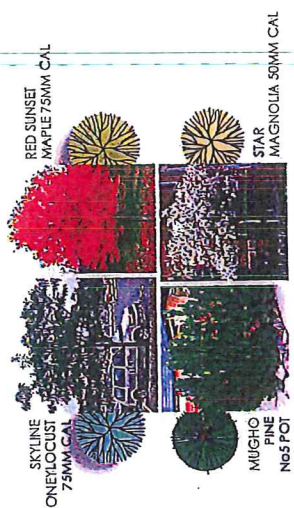
---

Steve Muenz, P. Eng.  
Development Engineering Manager  
SS

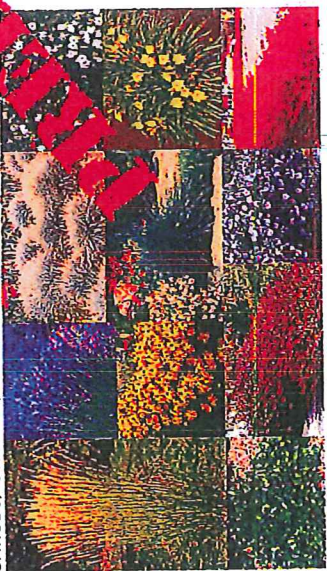


1. All plants, material and planting practices to conform to the BCNA "BC Landscape Standard" - 7th Edition
2. Contractor to provide a warranty and maintenance period of 1 year on all plants and materials. Plants and materials that fail before end of the warranty period shall be replaced by the contractor.
3. Contractor to verify the location of all existing utilities on the site.
4. All planting areas to receive 450mm of topsoil.
5. All planting beds to be crowned with 1 in 10 slope to avoid flat appearance.
6. Prior to delivery to site, a representative sample and test results of topsoil should be made available to the consultant for approval.
7. No plant species substitution will be accepted without the written consent of the consultant.
8. All planting beds to receive 75 mm depth of Ogo - Grow mulch.

# Notes



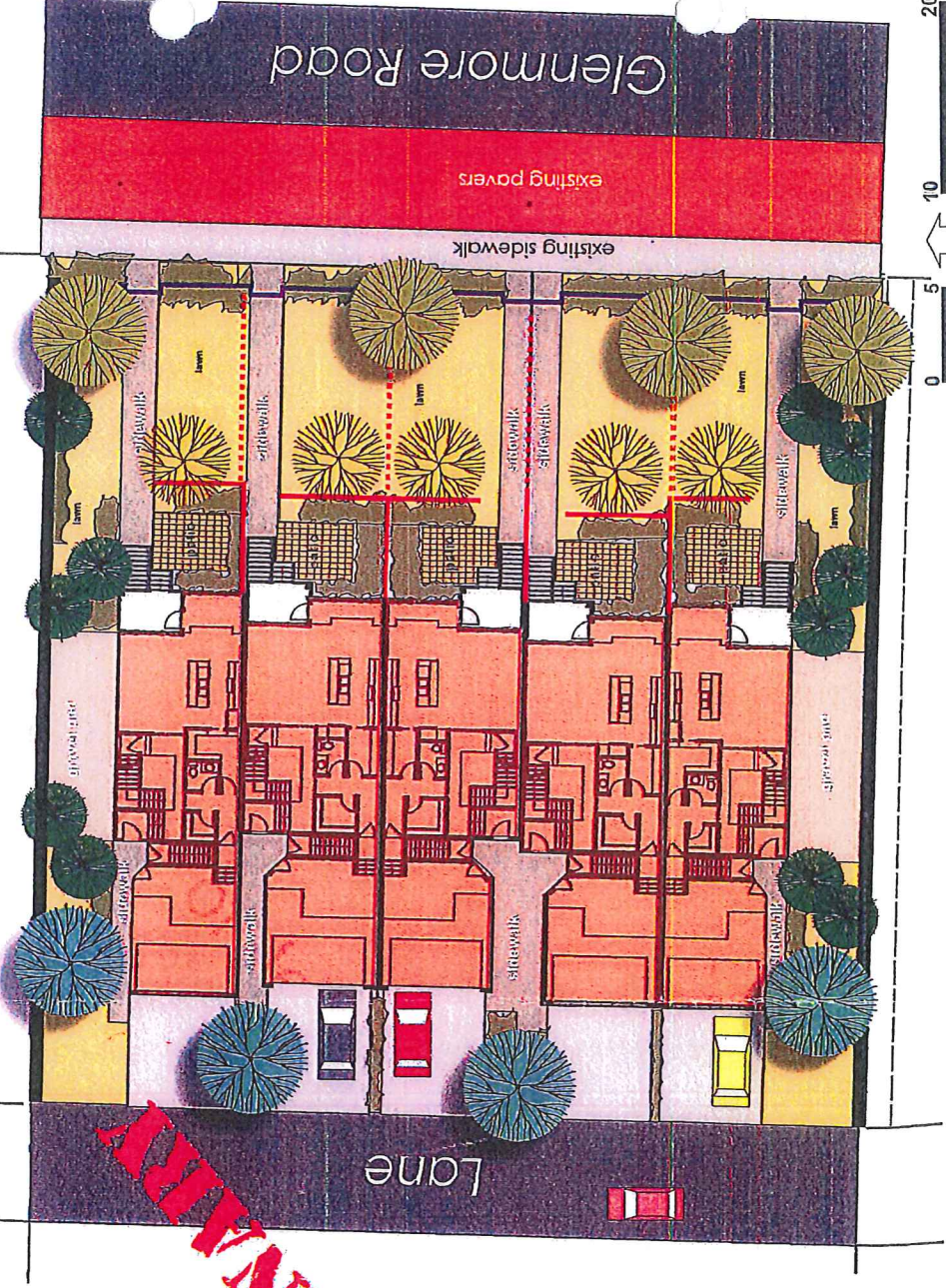
SHRUBS, GRASSES, PERENNIALS MIN # 2 POT



REED GRASS  
LAVENDER  
BLUE FESCUE  
BLUE OAT GRASS  
DAYLILY  
RUDBECKIA  
ROSE  
OREGON GRAPE  
BARBERRY  
ROSE OF SHARON  
DWARF BURNING BUSH

## 1280 GLENMORE ROAD

# Conceptual Landscape Plan



0 5 10 20  
METERS  
CIO  
ENGINEERING PLANNING URBAN DESIGN





# 1280 GLENMORE ROAD - PROPOSED DEVELOPMENT AND NEIGHBOURHOOD CONTEXT

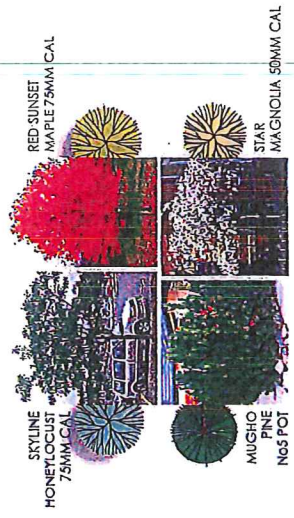
## Conceptual Landscape Plan CIO

ENGINEERING PLANNING URBAN DESIGN

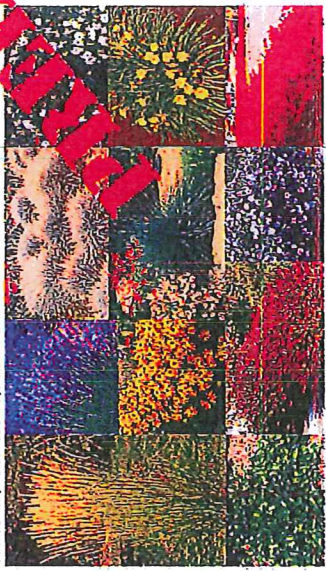


1. All plants, material and planting practices to conform to the BCMA '9C Landscape Standard' - 7th Edition
2. Contractor to provide a warranty and maintenance period of 1 year on all plants and materials. Plants and materials that fail before end of the warranty period shall be replaced by the contractor.
3. Contractor to verify the location of all existing utilities on the site.
4. All planting areas to receive 450mm of topsoil.
5. All planting beds to be crowned with 1 in 10 slope to avoid flat appearance.
6. Prior to delivery to site, a representative sample and test results of topsoil should be made available to the consultant for approval.
7. No plant species substitution will be accepted without the written consent of the consultant.
8. All planting beds to receive 75 mm depth of Ogo - Grow mulch.

Notes



SHRUBS, GRASSES, PERENNIALS MIN # 2 POT



REED GRASS  
LAVENDER  
BLUE FESCUE  
BLUE OAT GRASS  
DAYLILY  
RUDBECKIA  
ROSE  
OREGON GRAPE  
BARBERRY  
ROSE OF SHARON  
DWARF BURNING BUSH



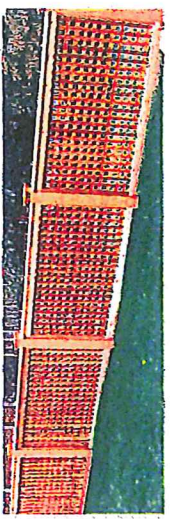
1.8M HT FRONT FENCE  
ALONG GLENMORE



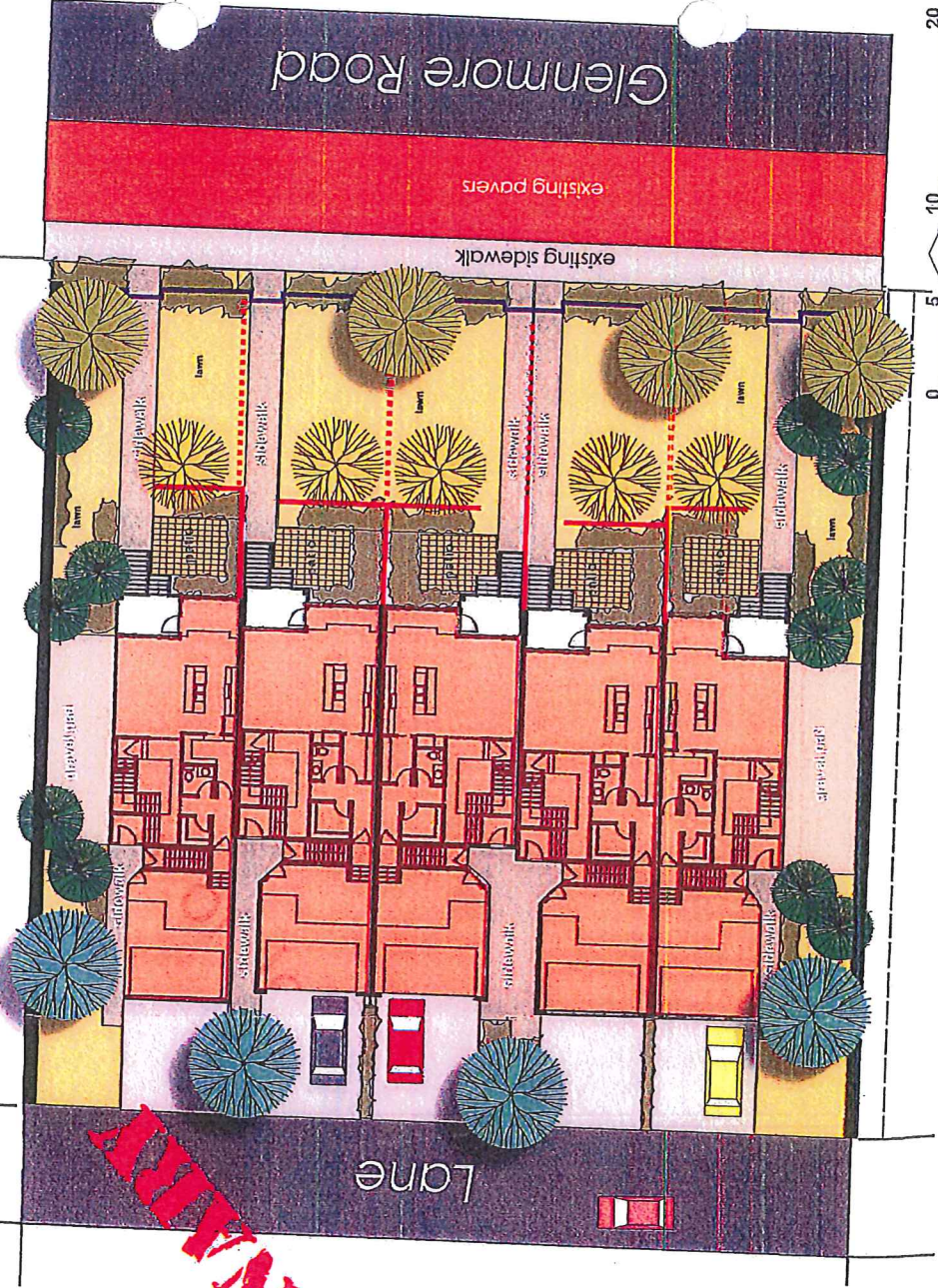
1.0M HT SCREEN FENCE  
ADJACENT FRONT PATIOS



1.8M HT SIDEYARD SCREEN FENCE  
ALONG NORTH AND SOUTH PROPERTY LINES



1.2M HT FENCE  
BETWEEN FRONT YARDS



ENTERTAINING PLANNING URBAN DESIGN

1280 GLENMORE ROAD

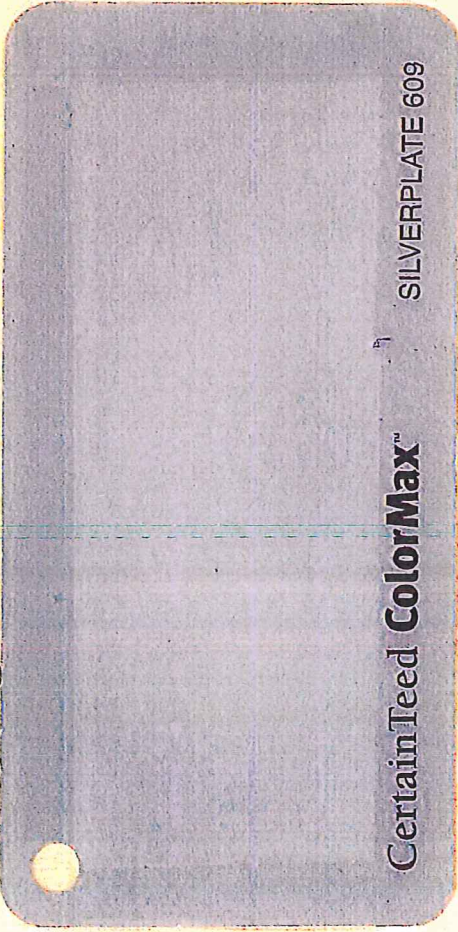
# Conceptual Landscape Plan



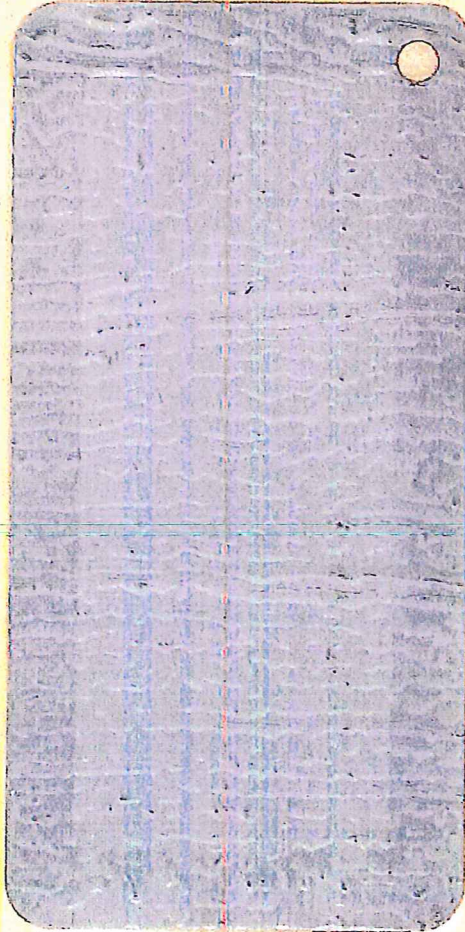
1280 GLENMORE DRIVE

- MULTI FAMILY PROJECT

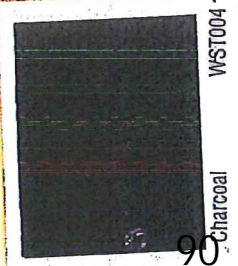
Main Siding Colour



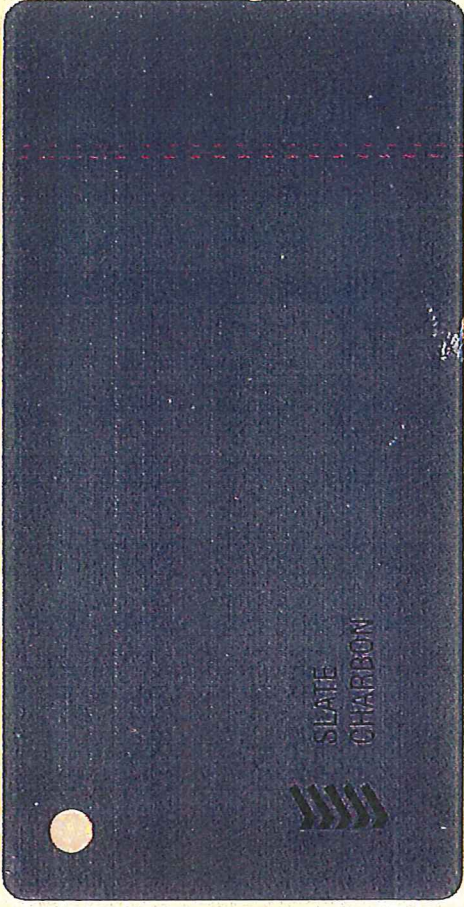
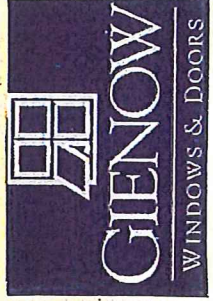
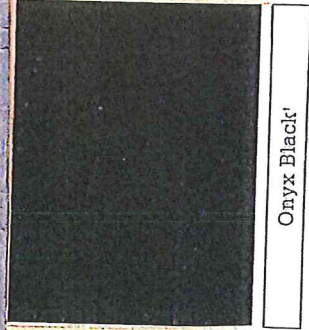
Garage Door Colour & material



Wood Brackets  
& Details - Cedar  
Weather one Semi  
transparent stain.



Roofing  
Shingles.



Smart Trim  
Corner/Window Trim - Cable Ends - Soffits/Ceaters.  
Downspouts.

Placement  
AS per Plans



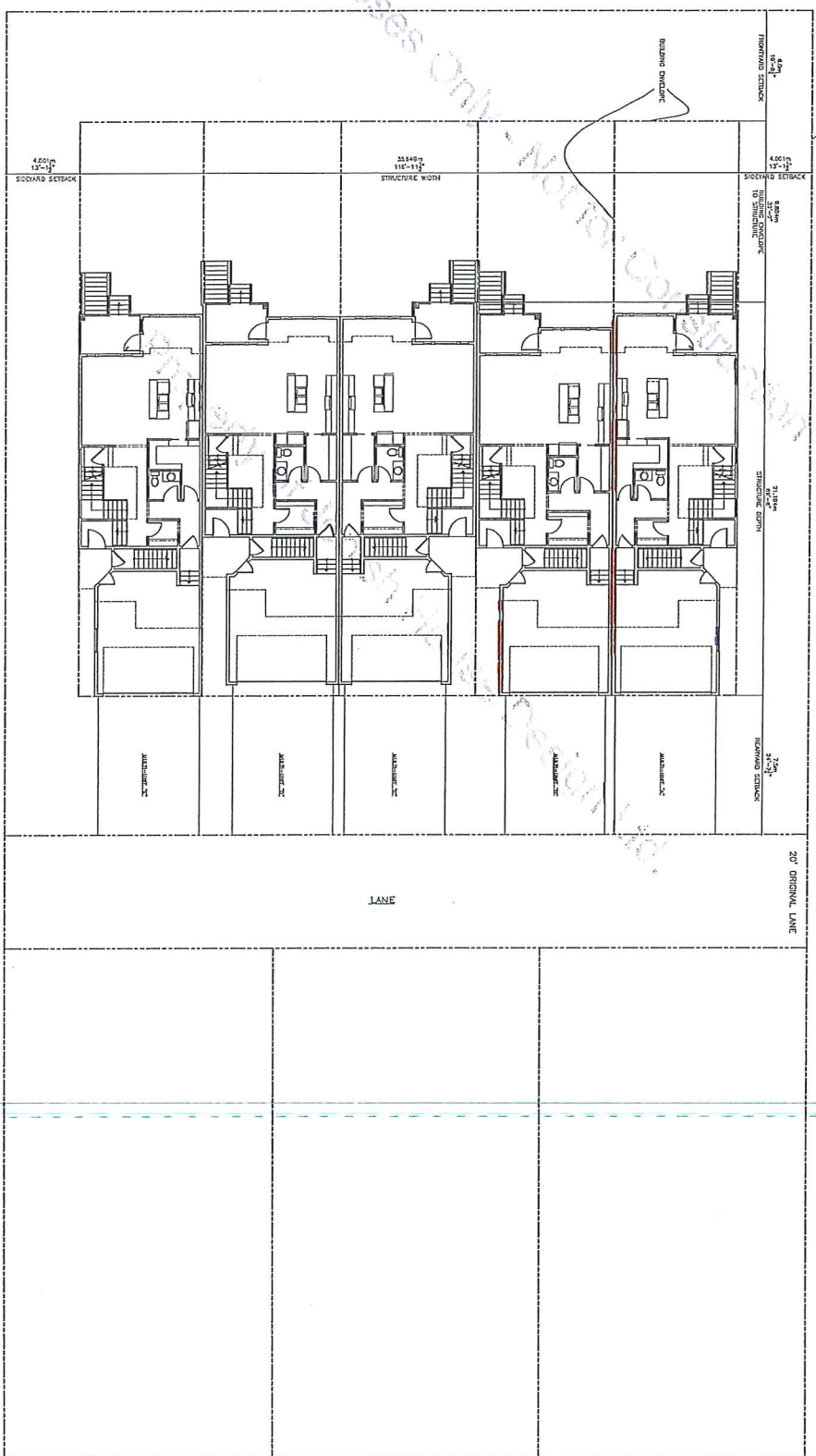
Stacked Stone



Black River Stacked Stone



For Approval Purposes Only - Not for Construction



# REVISED PLANS

JUL 15 2014

CITY OF KELOWNA  
Land Use Management

REVISIONS	DATE	BY	APP'D
1	JUL 2014	JENISH	JENISH
2	JUL 2014	JENISH	JENISH
3	JUL 2014	JENISH	JENISH
4	JUL 2014	JENISH	JENISH
5	JUL 2014	JENISH	JENISH
6	JUL 2014	JENISH	JENISH
7	JUL 2014	JENISH	JENISH
8	JUL 2014	JENISH	JENISH
9	JUL 2014	JENISH	JENISH
10	JUL 2014	JENISH	JENISH



**JENISH HOUSE DESIGN LIMITED**

1460 6TH AVE  
333-151 (DOWNSIDE) BLDG  
KELOWNA, B.C. V1Y 1A1  
(250) 733-8132  
FAX: (250) 733-8133

JUL 15 2014

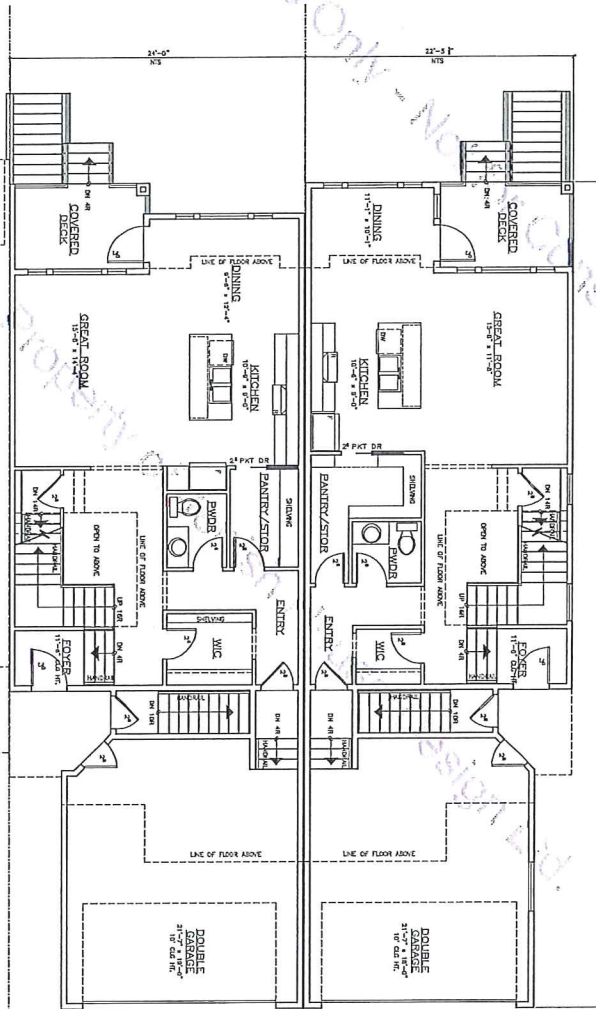
**CITY OF KELOWNA  
Land Use Management**

UNIT "A" - END UNIT  
LOWER FLOOR PLAN  
AREA = 849.5 SQ. FT.  
8'-0 3/4" CEILING HEIGHT

UNIT "B" - INTERIOR UNIT  
LOWER FLOOR PLAN  
AREA = 880.1 SQ. FT.  
8'-0 3/4" CEILING HEIGHT

MULTI-UNIT DEV.  
LOWER FLOOR PLAN

For Approval purposes Only - Not for Construction



# REVISED PLANS

JUL 15 2014

CITY OF KELLOWNA  
Land Use Management

MULTI-UNIT DEV.  
MAIN FLOOR PLAN

UNIT "A" - END UNIT  
MAIN FLOOR PLAN  
AREA = 940.5 SQ. FT.  
GARAGE AREA = 442 SQ. FT.  
9'-0 3/4" CEILING HEIGHT

UNIT "B" - INTERIOR UNIT  
MAIN FLOOR PLAN  
AREA = 933.1 SQ. FT.  
GARAGE AREA = 442 SQ. FT.  
9'-0 3/4" CEILING HEIGHT

JENISH HOUSE DESIGN LIMITED



HEAD OFFICE  
131-131 CONCORD DRIVE  
KELLOWNA, B.C. V1X 7X2  
TEL: 250-860-1111  
FAX: 250-860-1112



Architectural floor plan of a four-bedroom house. The layout is symmetrical around a central hallway. The plan includes:

- Master Bedroom #1:** 13'-0" x 12'-0", featuring an ensuite bathroom, a walk-in closet (WIC), and a bay window.
- Bedroom #2:** 12'-0" x 10'-0", featuring a bay window and a closet.
- Bedroom #3:** 11'-0" x 10'-0", featuring a bay window and a closet.
- Bedroom #4:** 11'-0" x 9'-0", featuring a bay window and a closet.
- Bathrooms:** Two full bathrooms, each with a toilet, sink, and bathtub/shower area.
- Kitchen:** Located in the center, featuring a sink, stove, and refrigerator area.
- Dining Area:** Adjacent to the kitchen, featuring a table and chairs.
- Living Area:** Located at the front of the house, featuring a fireplace and a large window.
- Hallway:** A central hallway connecting all rooms, with multiple closets and storage areas.
- Entrance:** A front entrance with a small porch and a set of stairs leading to the living area.

## SECOND FLOOR PLAN

AREA = 998.7 SQ. FT.

8'-0 3/4" CEILING HEIGHT

**SECOND FLOOR PLAN**

AREA = 1080.1 SQ. FT.

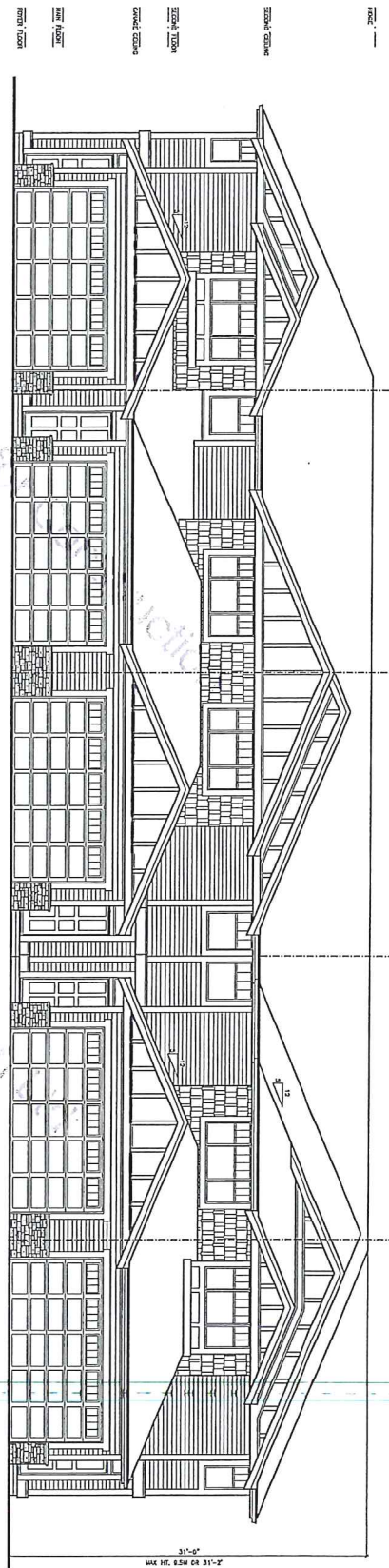
AREA = 1080.1 SQ. FT.

8'-0 3/4" CEILING HEIGHT

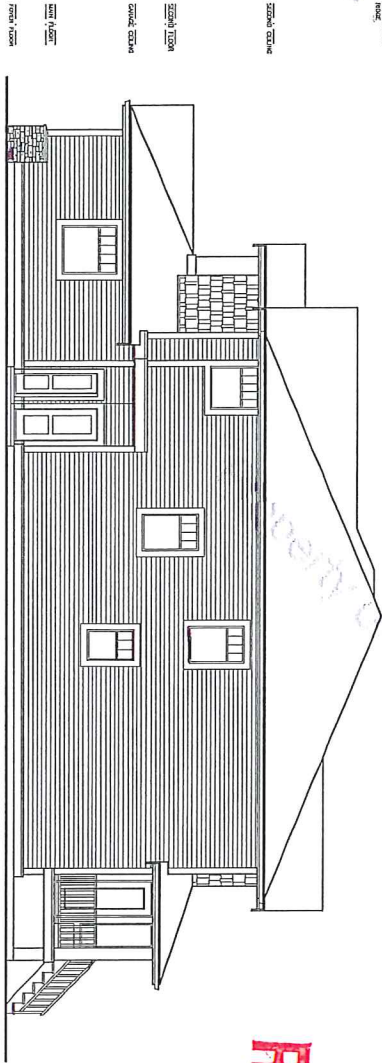
JUL 15 2014

**CITY OF KELLOWNA**  
**Land Use Management**

MULTI-UNIT DEV.  
SECOND FLOOR PLAN



FRONT ELEVATION

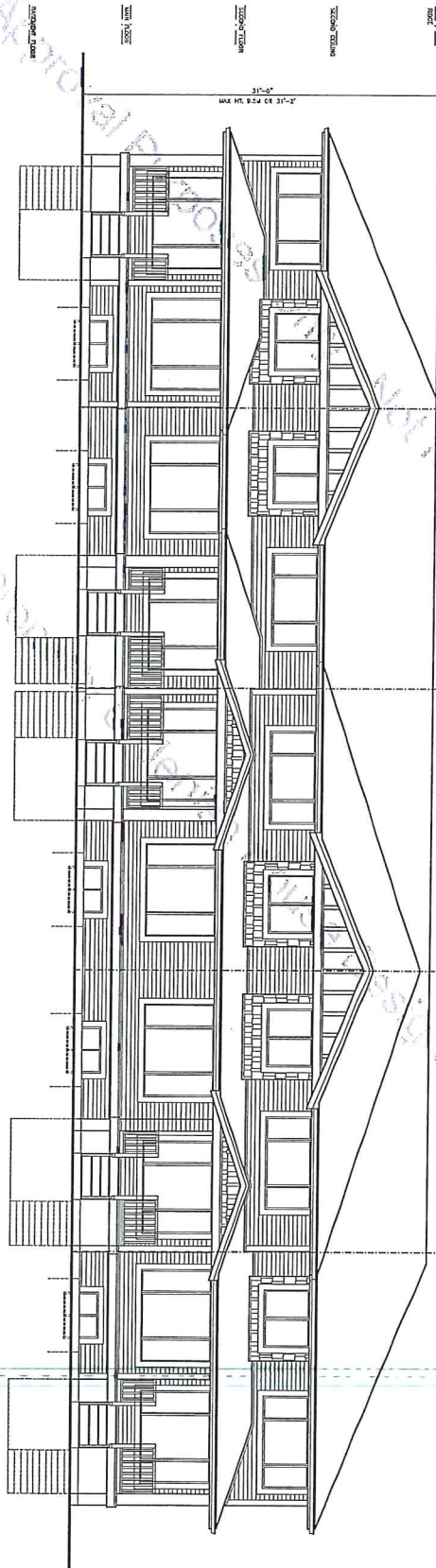


SIDE ELEVATION

**REVISED**  
**JUL 15 2014**  
**CITY OF KELOWNA**  
**Land Use Management**

MULTI FAMILY

REAR ELEVATION



REVISED PLANS

JUL 15 2014

MULTI FAMILY

CITY OF

Land Use Planning

JENISH HOUSE DESIGN LIMITED

1510 CITIES  
201-111 EDWARDS DRIVE  
KITCHEN, ONT. L3H 1Y6  
(778) 220-4122  
TOLL FREE 1-800-456-4122



1510 CITIES  
201-111 EDWARDS DRIVE  
KITCHEN, ONT. L3H 1Y6  
(778) 220-4122  
TOLL FREE 1-800-456-4122

REVISIONS	DATE
1	10/1/14
2	10/1/14
3	10/1/14
4	10/1/14
5	10/1/14
6	10/1/14
7	10/1/14
8	10/1/14
9	10/1/14
10	10/1/14
11	10/1/14
12	10/1/14
13	10/1/14
14	10/1/14
15	10/1/14
16	10/1/14
17	10/1/14
18	10/1/14
19	10/1/14
20	10/1/14
21	10/1/14
22	10/1/14
23	10/1/14
24	10/1/14
25	10/1/14
26	10/1/14
27	10/1/14
28	10/1/14
29	10/1/14
30	10/1/14
31	10/1/14
32	10/1/14
33	10/1/14
34	10/1/14
35	10/1/14
36	10/1/14
37	10/1/14
38	10/1/14
39	10/1/14
40	10/1/14
41	10/1/14
42	10/1/14
43	10/1/14
44	10/1/14
45	10/1/14
46	10/1/14
47	10/1/14
48	10/1/14
49	10/1/14
50	10/1/14
51	10/1/14
52	10/1/14
53	10/1/14
54	10/1/14
55	10/1/14
56	10/1/14
57	10/1/14
58	10/1/14
59	10/1/14
60	10/1/14
61	10/1/14
62	10/1/14
63	10/1/14
64	10/1/14
65	10/1/14
66	10/1/14
67	10/1/14
68	10/1/14
69	10/1/14
70	10/1/14
71	10/1/14
72	10/1/14
73	10/1/14
74	10/1/14
75	10/1/14
76	10/1/14
77	10/1/14
78	10/1/14
79	10/1/14
80	10/1/14
81	10/1/14
82	10/1/14
83	10/1/14
84	10/1/14
85	10/1/14
86	10/1/14
87	10/1/14
88	10/1/14
89	10/1/14
90	10/1/14
91	10/1/14
92	10/1/14
93	10/1/14
94	10/1/14
95	10/1/14
96	10/1/14
97	10/1/14
98	10/1/14
99	10/1/14
100	10/1/14



This architectural floor plan depicts a three-story building with a symmetrical layout. The plan includes numerous rooms, each labeled with a roof pitch of 5/12, and several stairwells. A prominent feature is a hatched area on the second floor roof, which is labeled with a 4/12 pitch. A callout line points to this area with the text: "HATCHED AREA ON SECOND FLOOR ROOF DENOTES 4/12 PITCH". The drawing uses standard architectural symbols for doors, windows, and stairs, and includes a north arrow in the upper right corner.

MULTI-UNIT DEV.  
ROOF LAYOUT

CITY OF KELOWNA

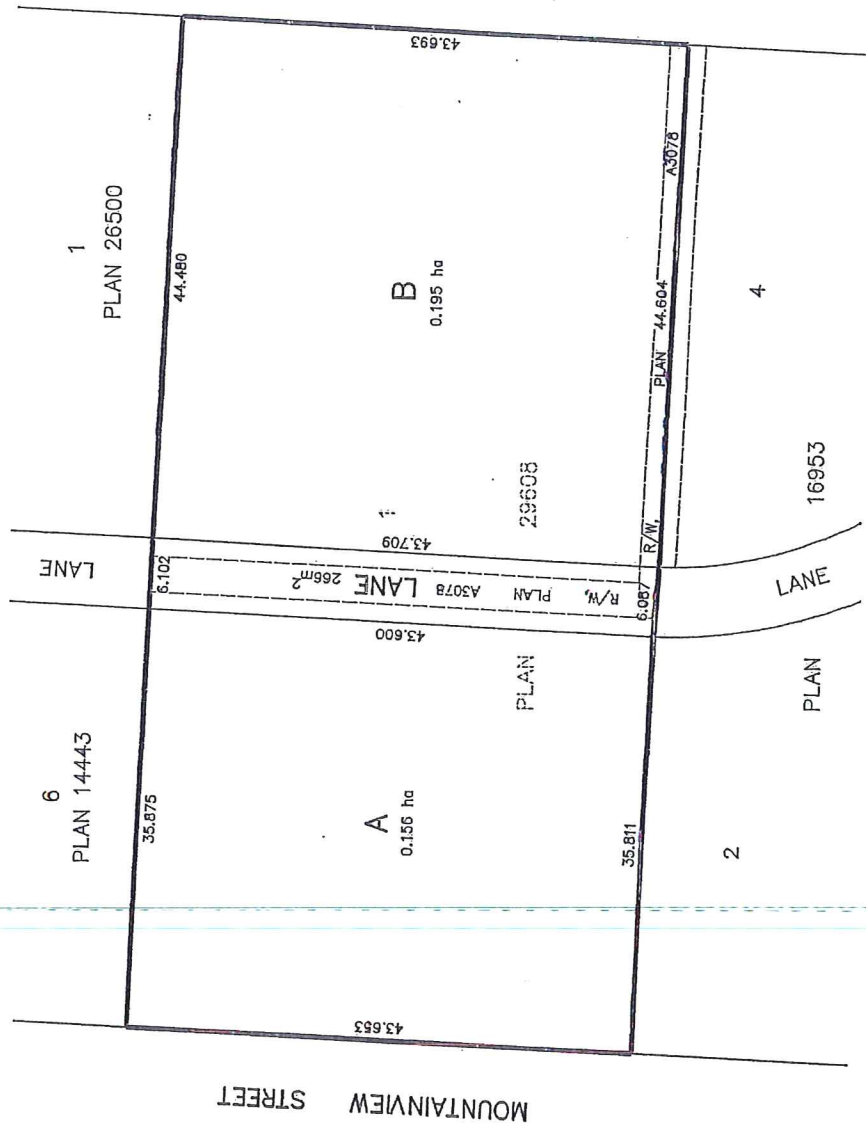
## Land Use Management

# PLAN OF PROPOSED SUBDIVISION OF LOT 1 SECTION 29 TOWNSHIP 26 ODYD. PLAN 29608

SCALE: 1:400 METRES



1280 GLENMORE DRIVE  
PID: 004-249-437



DATE: MAY 12, 2014

Ferguson Land Surveying & Geomatics Ltd.  
B.C. AND CANADA LAND SURVEYORS  
404-1630 PANDOSTY STREET, KELOWNA, B.C.  
TELEPHONE (250) 763-3115 FAX (250) 763-0321

JOB No 19875-PROP-SUB

S:\Shared (Aug 10, 2009)\job\_files\19875\19875-PROP-SUB.DWG  
INSTR: DT: GP