

City of Kelowna Public Hearing AGENDA



Tuesday, February 3, 2015
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 January 20, 2015 (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 | 1975 Union Road, BL10996 (TA14-0015) - Amendment to C5 - Transition Commercial Zone | 4 - 18 |
| | <p>To amend the C5 - Transition Commercial zone by replacing the previously recommended "Service Stations, Minor" use with the "Rapid Drive-Through Vehicle Services" use on one explicit legal parcel.</p> | |
| 3.2 | 828, 834, 871 & 877 McCurdy Place, BL11039 (Z14-0045) - Harmony Holdings Limited | 19 - 25 |
| | <p>To consider a Rezoning application to rezone the subject properties from the I1 - Business Industrial zone to the I2 - General Industrial zone.</p> | |
| 3.3 | Kettle Valley, Various Addresses, BL11046 (TA14-0013) - Kettle Valley Development Ltd. | 26 - 32 |
| | <p>To seek approval for changes to the development regulations and housekeeping amendments in the CD2 Comprehensive Zone 2, Kettle Valley Comprehensive Residential Development zone.</p> | |
| 3.4 | 650-652 Wardlaw Avenue, BL11049 (Z14-0055) - Loren & Janette Desautels | 33 - 53 |
| | <p>To rezone the subject property in order to permit a fourplex.</p> | |
| 3.5 | 545 Radant Road, BL11052 (Z14-0053) - Stacey Lynn Fenwick | 54 - 70 |
| | <p>To rezone the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone in order to develop a duplex.</p> | |
| 3.6 | 385 Cadder Avenue, BL11053 (Z14-0056) - Andrew & Lesley Wilson | 71 - 83 |
| | <p>To rezone the subject property from RU1-Large Lot Housing to RU1C-Large Lot Housing with Carriage House in order to develop a carriage house.</p> | |

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: December 15, 2014

RIM No. 1250-30

To: City Manager

From: Urban Planning, Community Planning & Real Estate (LK)

Application: TA14-0015

Owner: 657139 BC Ltd.

Address: 1975 Union Road

Applicant: Dawn Williams (D.E. Pillings
& Associates)

Subject: 2015 01 12 Report TA14-0015 Amended 1975 Union Rd

Existing OCP Designation: Commercial

Existing Zone: C5 - Transition Commercial

1.0 Recommendation

THAT Council receives, for information, the Supplemental Report from the Urban Planning Department dated December 8, 2014 with respect to Text Amendment Application No. TA14-0015;

AND THAT Council rescinds second and third reading given to Bylaw No. 10996;

AND THAT Council directs staff to amend Bylaw No. 10996 at first reading to delete "Service Stations, Minor" and replace it with "Rapid Drive-Through Vehicle Services" as a Principal Use for one explicit legal parcel within the C5 - Transition Commercial zone;

AND THAT Text Amendment Bylaw No. 10996, as amended, be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Text Amendment Bylaw be considered subsequent to the requirements of the Real Estate Department;

AND FURTHER THAT final adoption of the Text Amendment Bylaw be considered in conjunction with Council's consideration of a Development Permit for the subject property.

2.0 Purpose

To amend the C5 - Transition Commercial zone by replacing the previously recommended "Service Stations, Minor" use with the "Rapid Drive-Through Vehicle Services" use on one explicit legal parcel.

3.0 Urban Planning

Urban Planning supports the proposed text amendment to the Zoning Bylaw. Upon further review of the original application, Urban Planning determined that *Rapid Drive-Through Vehicle Services* is the more appropriate use, rather than the previously recommended *Service Stations, Minor* use. As with the previous report, Staff suggests adding *Rapid Drive-Through Vehicle Services* as a permitted use to C5 - Transition Commercial **for this parcel only** (and not as a permitted use in the entire C5 zone).

Service Stations, Minor, which allows for vehicle washing, also allows for servicing and repair of vehicles within a building. These are uses that would not be considered appropriate due to the proximity to adjacent residential and the type of work involved. *Rapid Drive-Through Vehicle Services* specifically indicates coin operated car washes within this use.

4.0 Proposal

4.1 Background

In December, 2013 the applicant submitted a proposal for a car wash on Glenmore Road that was subsequently rejected by Council. Council's decision was based on neighbourhood concerns regarding noise and the proposed location adjacent to a park.

In August, 2014, Staff brought the recommendation of *Service Stations, Minor* before Council. Second and third readings were received on September 9, 2014 after the Public Hearing held on the same date.

The Development Permit and Text Amendment applications have undergone revisions to ensure they meet the intent of the Zoning Bylaw. Through this process, it was determined that *Rapid Drive-Through Vehicle Services* would be the most appropriate use for this site specific application.

4.2 Project Description

Staff received an application for a car wash in this new location along Glenmore Road by the same applicant. The subject site is located at Union Road and is currently zoned C5 - Transition Commercial. Based on the location of the site, C5 is the appropriate zone for this parcel because it is used to provide for limited commercial on the edge of a community or as a transition to residential. However, it does not list *Rapid Drive-Through Vehicle Services* as an allowed use.

The proposed car wash is located on a larger site allowing the developers to provide adequate landscaping and buffering as per the Zoning Bylaw. One site access is proposed off of Union road. These details are currently being determined through the development permit process.

4.3 Site Context

The subject property is located at the south corner of Glenmore Road and Union Road. Neighbouring the site is North Glenmore Elementary School and a vacant lot to the north, a vacant medium density multiple residential lot and small park to the northwest, a single family dwelling on an agriculture lot to the northeast, and low density row housing to the south.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Future Land Use
North	P2 - Education and Minor Institutional	EDINST - Educational / Institutional
West	RM5 - Medium Density Multiple Housing, P3 - Parks and Open Space	MRM - Multiple Unit Residential (Medium Density), PARK - major Park and Open Space

East	A1 - Agriculture 1	REP - Resource Protection Area
South	RM2 - Low Density Row Housing	MRL - Multiple Unit Residential (Low Density)

Subject Property Map: 1975 Union Road



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C5 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Height Max. (To mid-point of roof)	9.50m	8.41m
Front Yard	4.5m	10.67m (Union Rd)
Side Yard (Flanking Street)	4.5m	4.52m (Glenmore Rd)
Rear Yard	6.0m	8.7m
Site Coverage Max.	40.0%	15.6%
Floor Area Ratio Max.	0.4	0.26
Other Regulations		
Min. Parking Requirements	Staff parking = 1 stall	2 stalls provided
Min. Uncovered Space	370m ² / wash bay	282m ² / wash bay ①

Zoning Analysis Table		
CRITERIA	C5 ZONE REQUIREMENTS	PROPOSAL
Upstream Vehicle Storage (Automated)	5/ bay = 10 req.	10 spaces provided
Upstream Vehicle Storage (Manual Wash)	2/ bay = 10 req.	10 spaces provided
① Indicates required variance for uncovered space.		

5.0 Current Development Policies

Recognizing that car washes can be both land consumptive and nuisance generating, the Zoning Bylaw provides specific rules for car wash developments. One of these regulations addresses the proportion of the site covered by buildings by requiring a minimum amount of land area per wash bay that is to remain free of buildings. The requirement is 370m² per wash bay. Contrary to the applicant's original proposal where they were only able to supply 194m² per bay, this proposal is large enough to provide 283m² per bay as well as a wide landscaping buffer from the adjacent residential area. The previous application was not able to provide the appropriate landscape buffer.

Design details and confirmation of required variances will be further explored when the applicants makes their permits applications.

The proposal is also consistent with the Official Community Plan (OCP) future land use designation. The subject parcel is designated Commercial.

Kelowna Official Community Plan (OCP)

Development Process

Retention of Commercial Land.¹ In order to ensure that the City's commercial land supply is not eroded, where the OCP Bylaw 10500 indicated a commercial land use designation for the property, the expectation would be that there be no net loss of commercial space on the site as a result of the redevelopment to include other uses.

6.0 Technical Comments

6.1 Development Engineering Department

- See attached memorandum dated November 12, 2014.

6.2 Fire Department

- Ensure appropriate unobstructed distance to a fire hydrant and proper fire department access. A visible address must be posted as per City of Kelowna By-Laws.

6.3 FortisBC - Electric

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

6.4 Glenmore-Ellison Improvement District

¹ City of Kelowna Official Community Plan, Policy 5.24.2 (Development Process Chapter).

- See attached letter dated October 30, 2014.

6.5 Real Estate and Building Services

- Please work with Real Estate Services for the required SRW for storm on property. Also, please note significant landscaping is proposed over required SRW area.

7.0 Application Chronology

Date of Application Received: June 26, 2014

Report prepared by:

Lydia Korolchuk, Planner

Reviewed by:

☐

Lindsey Ganczar, Urban Planning Supervisor

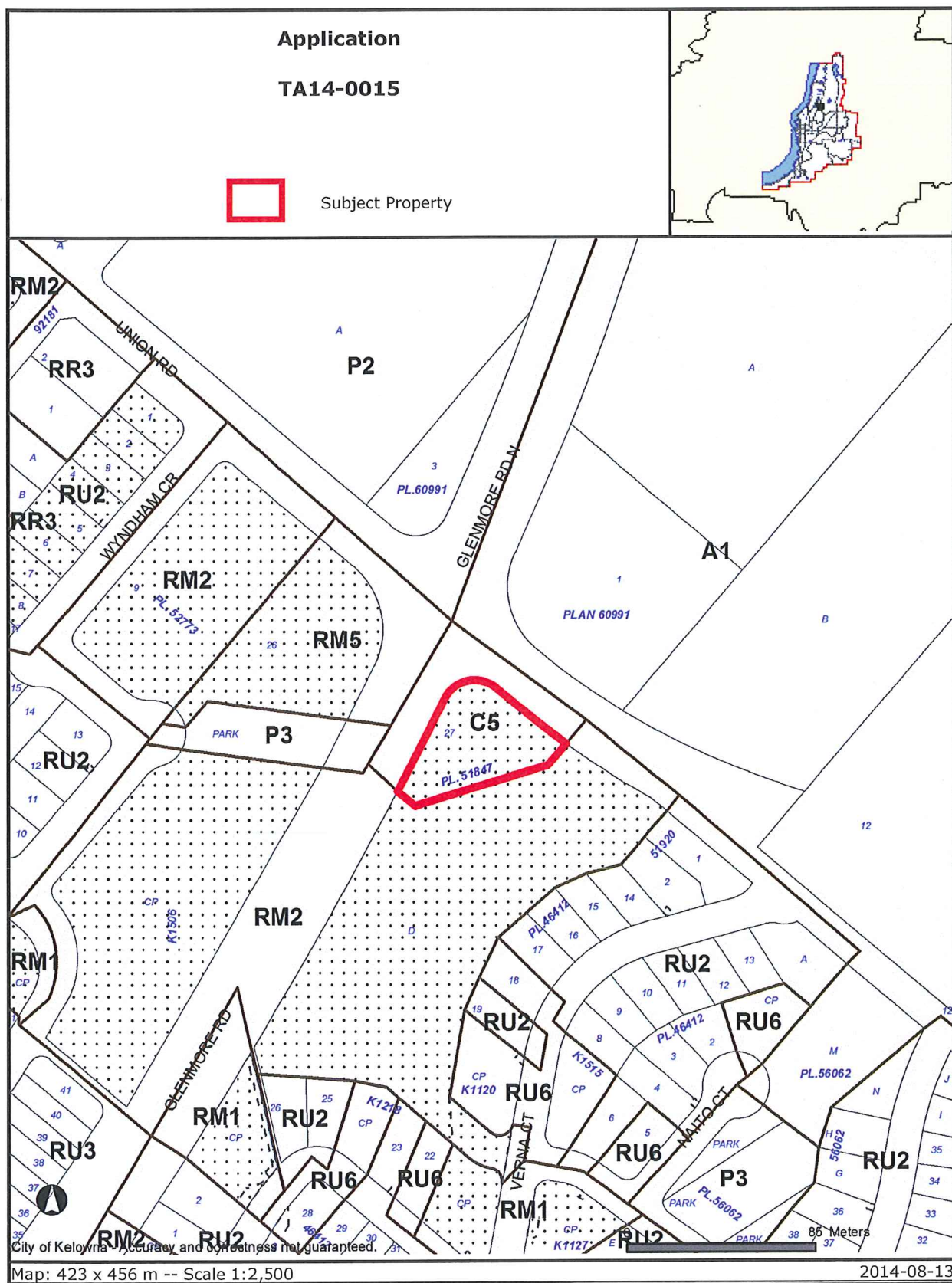
Approved for Inclusion:

☐

Ryan Smith, Urban Planning Manager

Attachments:

Subject Property Map
Schedule 'A' - Proposed Text Amendment
Conceptual Site Plan
Conceptual Elevations
Development Engineering Memorandum
GEID Letter



SCHEDULE 'A' Proposed C5 Text Amendments
TA14-0015

Section	Existing Text	Proposed Text	Rationale
Section 14.5.2 Principal Uses	<p>Principal Uses</p> <p>The principal uses in this zone are:</p> <ul style="list-style-type: none"> (a) boarding or lodging houses (b) child care centre, major (c) commercial schools (d) financial services (e) funeral services (f) government services (g) group homes, major (h) health services (i) offices (j) personal service establishments (k) religious assemblies (l) retail stores, convenience (m) single detached housing (n) temporary shelter services (o) utility services, minor impact 	<p>Principal Uses</p> <p>The principal uses in this zone are:</p> <ul style="list-style-type: none"> (a) boarding or lodging houses (b) child care centre, major (c) commercial schools (d) financial services (e) funeral services (f) government services (g) group homes, major (h) health services (i) offices (j) personal service establishments (k) rapid drive-through vehicle services* (l) religious assemblies (m) retail stores, convenience (n) single detached housing (o) temporary shelter services (p) utility services, minor impact <p>* Applicable only to Lot 27, Section 4, Township 23 ODYD Plan KAP51847 (1975 Union Road).</p>	<p>The subject property is zoned C5 which is the appropriate zone for this parcel. Urban Planning has received a development permit application for a car wash at this site. <i>Rapid Drive-Through Vehicle Services</i> is not a listed use in the C5 zone but staff feels that the use is appropriate on this parcel.</p> <p>Staff does not want to see <i>Rapid Drive-Through Vehicle Services</i> added to the entire C5 zone as car washes would not be appropriate on other parcels zoned C5 in the city.</p>


CITY OF KELOWNA
MEMORANDUM

Date: October 14 2014
File No.: DVP14-0211
To: Land Use Management Department (PMcV)
From: Development Engineering Manager
Subject: 1975 Union Road Glenmore Rd Lot 27 Plan 51847 **Car Wash**

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

1. **General.**

- a) The request the vary site area, site coverage and building height will not compromise municipal servicing requirements.
- b) All the offsite infrastructure and services upgrades are addressed in the Development Engineering Report under file Z14-0028.



Steve Muenz, P. Eng.
Development Engineering Manager

JF



Glenmore-Ellison Improvement District

445 Glenmore Road
Kelowna, BC V1V 1Z6

Email: glenmore.ellison@shaw.ca

Website: www.glenmoreellison.com

Phone: 250-763-6506

Fax: 250-763-5688

October 30, 2014

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

Attention: Deb Champion (via email: dchamplon@kelowna.ca)

Re: City of Kelowna Files DP14-0127 & TA14-0015
1975 Union Rd. – Lot 27, Plan KAP51847
657139 BC Ltd. /D.E. Pilling & Assoc. Ltd.c 0076

GEID provided comments on July 9, 2014 regarding the development (attached) and the further information has been provided by the developer's engineer.

D.E. Pilling will also be supplying GEID with more site servicing details, including expected flows, meter details and an FUS calculation for the facility, at a later date, once application is made for a building permit. Upon receipt and review, as well as payment of the various fees and charges, GEID will be in a position to issue a water letter.

GEID has no concerns regarding this development permit/text amendment file. If you have any questions please do not hesitate to contact me at 250-763-6506.

Yours truly,
GLENMORE-ELLISON
IMPROVEMENT DISTRICT

Darwyn Kutney, R.E.T., CRM
General Manager

c.c. Dawn Williams, D.E. Pilling & Assoc. Ltd. (via email: dawnw@pilling.ca)



Glenmore-Ellison Improvement District

445 Glenmore Road
Kelowna, BC V1V 1Z6

Email: glenmore.ellison@shaw.ca

Website: www.glenmoreellison.com

Fax: 250-763-5688

Phone: 250-763-6506

July 9, 2014

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

Attention: Deb Champion (via email: dchampion@kelowna.ca)

Re: City of Kelowna Files Z14-0028, DP14-0127
1975 Union Rd. – Lot 27, Plan KAP51847
657139 BC Ltd. /D.E. Pilling & Assoc. Ltd.

GEID is in receipt of a referral concerning the rezoning and development for Lot 27, Plan KAP51847 at 1975 Union Rd. to accommodate a car wash facility.

The subject vacant property is within the District's servicing area and is currently classified with 0.578 acres "R" grade (residential). Upon development, the property will be classified as "C" grade (commercial).

Capital Expenditure Charges (CECs)

Payment of Capital Expenditure Charges (CECs) is required for each new parcel or new development connecting to GEID. For the proposed development, CECs are payable for each sprinklered building at a rate of \$4,800 minimum charge for the first 250 m² of each building floor area, and a rate of \$8/ m² for additional floor area over 250 m², and a rate of \$10/m² for buildings without fire sprinkler systems. CECs are payable according to the bylaw in force at time of payment.

Please note that no CECs were paid for the lot when it was subdivided and registered in 1994 therefore no CEC credit is available for this development.

Fireflow Availability and Hydrants

Hydrant spacing and flow rates must conform to City of Kelowna Bylaw # 7900. GEID requires that the developers have hydrant locations and spacing reviewed by the City of Kelowna Fire Department, and that a written response be provided to GEID prior to constructing the proposed water works. In the event that additional hydrants are required by the Kelowna Fire Department, the hydrant purchase, connection, and installation shall be at the applicant's cost.

The developer must submit a New Fire Hydrant Data form, as required by both GEID and the City of Kelowna, for any new hydrant installed as part of this development.

Water Works

No information has been provided regarding expected flows, demands, or the size of the service required for the car wash. We note that there is a water service on Union Rd. for the property. The service was installed at GEID expense during 2009 road construction.

Meters

All water within the property must be metered. As specified in GEID Bylaws #147 and #148, a water meter must be installed on all new water services and **supplied and installed by the applicant** according to manufacturer's directions and GEID standards. At this time, all meters installed within the GEID service area are required to be compatible with the Sensus RadioRead system. The meter shall be installed with adequate clearances to permit repair or replacement, and will be inspected by GEID to meet GEID requirements. A mechanical drawing should be provided showing clearances for the meter.

A three conductor, 22 gauge, solid conductor cable with red, green, and black wire colours is required, and must be installed between the meter and MXU location on the building exterior.

GEID's contractor, CORIX Utilities, will supply and install a remote meter reading device (MXU) compatible with the Sensus RadioRead™ system. The remote MXU will be located outside the building near the entrance door, and shall be in line-of-sight from a publicly accessible roadway servicing at the site. A fee of \$300.00 is charged for the supply and installation of the MXU.

If an irrigation system is proposed, it must be connected to the water system after the main water meter, and be designed to 10 USgpm maximum flow. GEID requires that irrigation system mechanical plans be submitted to review the irrigation flow allotment and cross connection control.

Development Application Fee

A Development Application Fee of \$150.00 is required for staff review of each Subdivision, Rezoning or Development Permit application.

New Account Fees

GEID Bylaw #149 states that all new accounts or transfers of ownership shall pay a fee of \$20.00/parcel. For the proposed development, a \$20.00 fee will be applicable.

Tolls and Taxes

Under Tolls Bylaw #155, a new account will be set up to invoice the car wash at a metered commercial rate. The 2014 monthly minimum rate is \$48.25 for the first 30 m³, with excess water charged at \$0.40/m³.

Under Tax Bylaw #154, the property will be charged at a rate of \$156.00/acre for all "C" Grade lands where a business, institution or commercial enterprise exists. This tax is invoiced annually and will be based on the actual acreage of the property.

The above-noted rates are current to 2014 and according to the bylaw in force.

Summary

GEID is not in a position to issue a water letter for this development until further details are provided to GEID.

File Z14-0028, DP14-0127
1975 Union Rd.

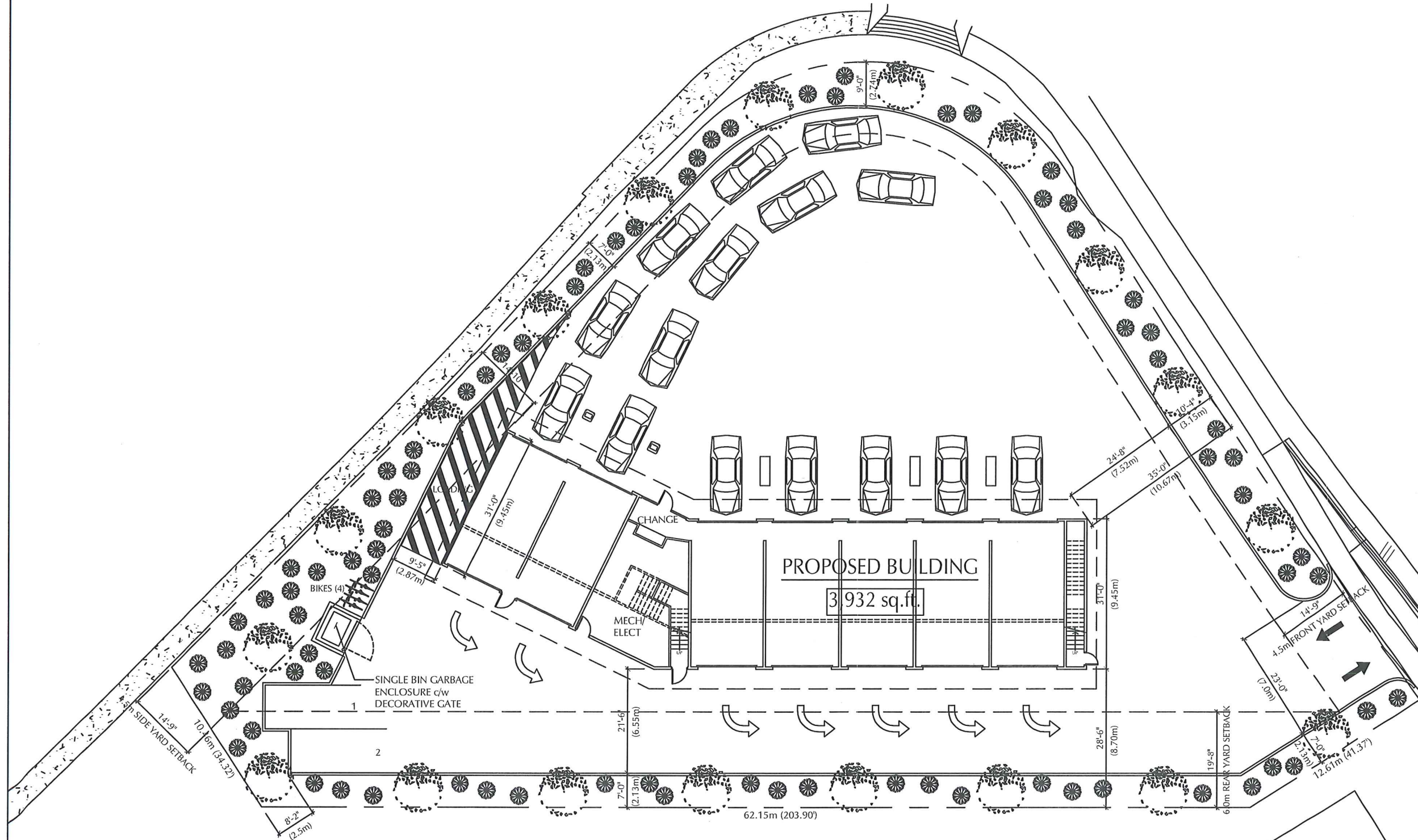
If you have any questions please do not hesitate to contact me at 250-763-6506.

Yours truly,
GLENMORE-ELLISON
IMPROVEMENT DISTRICT

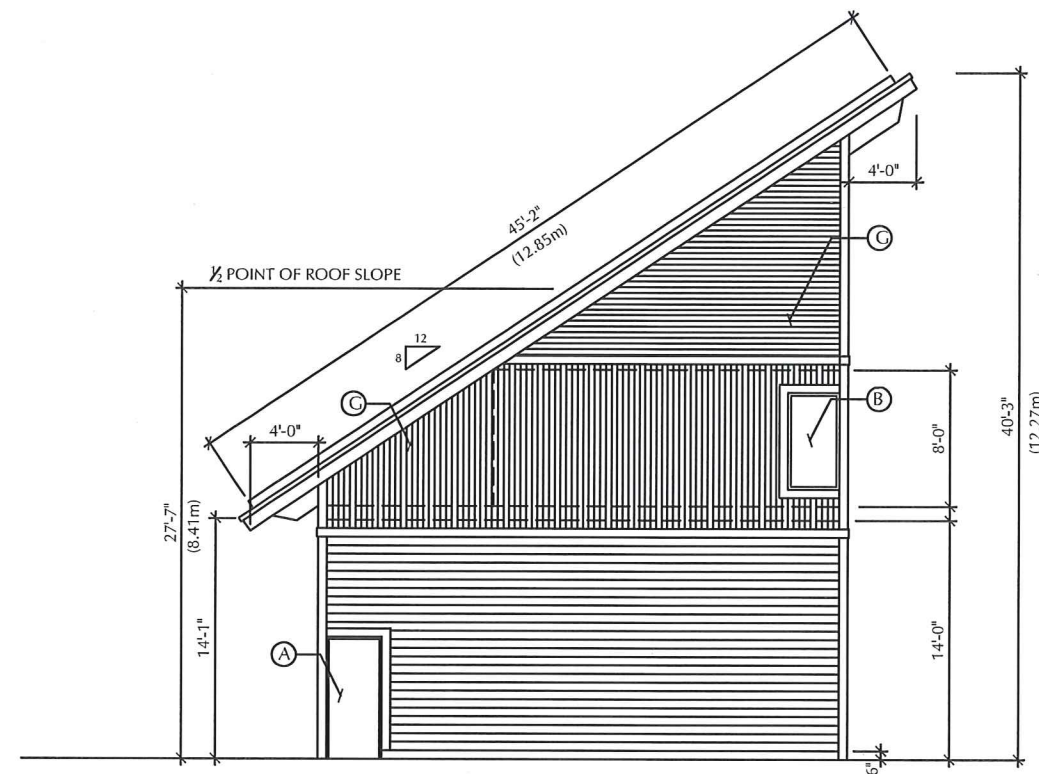


Darwyn Kutney, R.E.T., CRM
General Manager

c.c. Dawn Williams, D.E.Pilling & Assoc. Ltd. (via email: dawmw@pilling.ca)

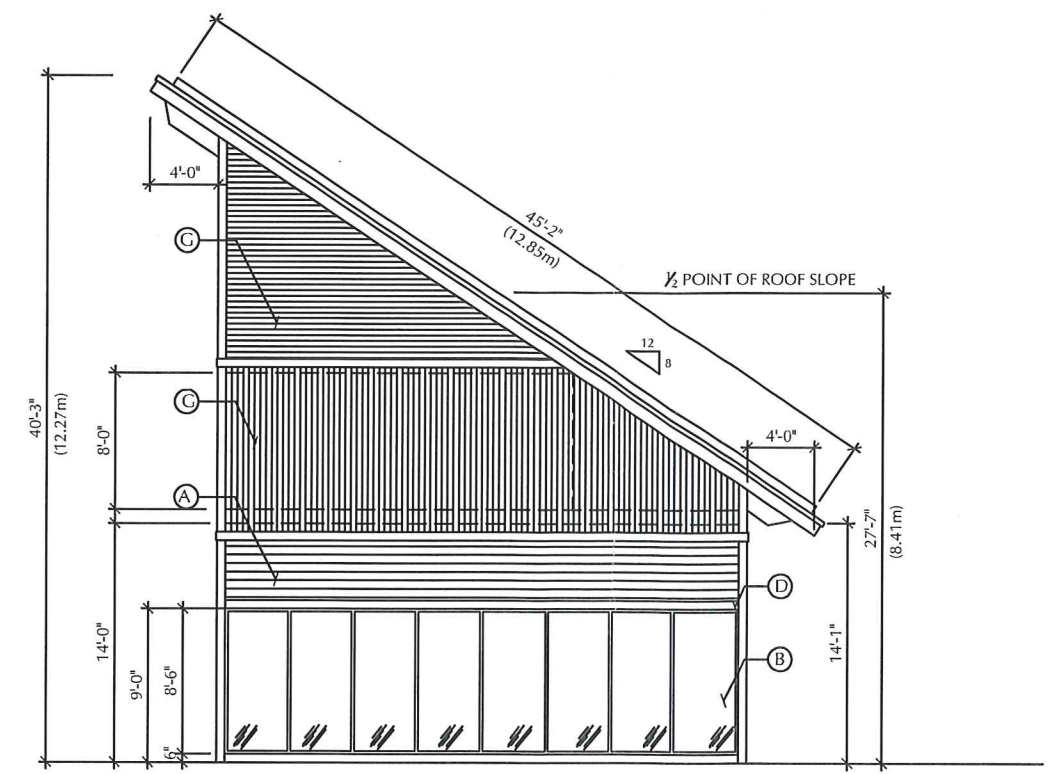


PROJECT DATA		
CIVIC ADDRESS:	1975 UNION ROAD, KELOWNA B.C.	
LEGAL DESCRIPTION:	LOT 27, SEC 4, TWP 23, O.D.Y.D., PLAN KAP51847	
CURRENT ZONING:	C5 - TRANSITION COMMERCIAL	
ZONING BYLAW REQUIREMENTS		
SITE AREA = 25,231 SQ.FT. (2,344 SQ.M.)		
BUILDING AREA:		
	MAIN FLOOR = 3,932 SQ.FT. (365.3 SQ.M.)	
	UPPER FLOOR = 2,505 SQ.FT. (232.7 SQ.M.)	
	TOTAL = 6,437 SQ.FT. (598.0 SQ.M.)	
	<u>REQUIRED</u>	<u>PROPOSED</u>
LOT WIDTH	40.0m	40.0m
LOT DEPTH	35.0m	43.9m
LOT AREA	1,300 sq.m.	2,344 sq.m.
COMMERCIAL FLOOR AREA RATIO (FAR)	0.4 (937.6 SQ.M.)	0.26 (598.0 SQ.M.)
SITE COVERAGE	40% (937.6 SQ.M.)	15.6% (365.3 SQ.M.)
HEIGHT (m)/STOREYS (#)	9.3 m / 2 1/2 STOREYS	8.41 m/2 STOREYS
<u>SETBACKS (m)</u>		
FRONT (UNION ROAD)	4.5 m	8.90 m
REAR (SOUTH)	6.0 m	6.70 m
SIDE (FLANKING- GLENMORE ROAD)	4.5 m	4.50 m
SIDE	4.5 m	13.80 m
<u>PARKING</u>		
CAR WASH 2-SERVICE BAY x 2 AUTO SERVICE BAYS	4 STALLS	1 STALL *
1/2 EMPLOYEES + CARETAKER	1 STALL	1 STALL
LOADING @ 1/1,900 sq.m. CFA =	1 STALL	1 STALL
BICYCLE (CLASS I) @ 2/100 sq.m. GFA =	2 SPACES	2 SPACES
BICYCLE (CLASS II) @ 6/100 sq.m. GFA =	4 SPACES	4 SPACES
<u>LANDSCAPE BUFFERS (m)</u>		
FRONT (UNION ROAD)	2.0 m	2.13 m
REAR (SOUTH)	3.0 m	2.13 m*
SIDE (FLANKING - GLENMORE ROAD)	3.0 m	2.13 m*
SIDE	3.0 m	2.13 m*
<u>LANDSCAPE TREATMENT LEVELS</u>		
FRONT (UNION ROAD)	2	2
REAR (SOUTH)	3	3
SIDE (FLANKING - GLENMORE ROAD)	3	3
SIDE (SOUTH)	3	3
<u>CARWASH REQUIREMENTS</u>		
VEHICLE UPSTREAM STORAGE (AUTOMATED)	5	5
VEHICLE UPSTREAM STORAGE (MANUAL)	2	2
		(INCL. INSIDE BAY)
OPEN SITE AREA @ 370 sq.m/ BAY x 7 BAYS =	2,590 sq.m.	1,446 sq.m. *
* VARIANCE REQUIRED		

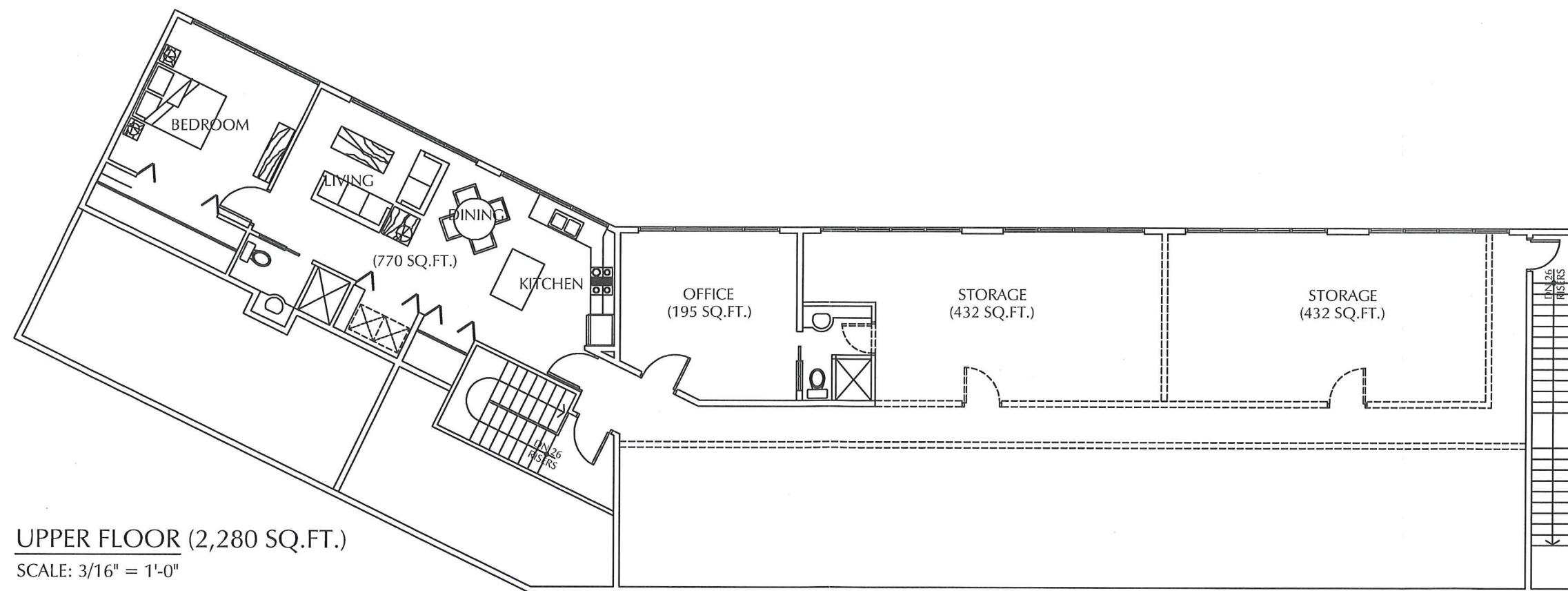


SIDE (EAST) ELEVATION
SCALE: 3/16" = 1'-0"

LEGEND	
(A)	FIBER-CEMENT SIDING
(B)	PRE-FINISHED ALUMINUM STOREFRONT WINDOW
(C)	CULTURED STONE CLADDING
(D)	FIBER-CEMENT TRIM BOARDS
(E)	PRE-FINISHED METAL FLASHING
(F)	SOLAR PANEL ROOF
(G)	GALVALUME ARCHITECTURAL METAL CLADDING



SIDE (WEST) ELEVATION
SCALE: 3/16" = 1'-0"



UPPER FLOOR (2,280 SQ.FT.)
SCALE: 3/16" = 1'-0"



HANS P. NEUMANN ARCHITECT INC.

1520 HIGHLAND DRIVE NORTH, KELOWNA, B.C. V1Y 4K5 PHONE (250) 868-0878 FAX (250) 868-0837



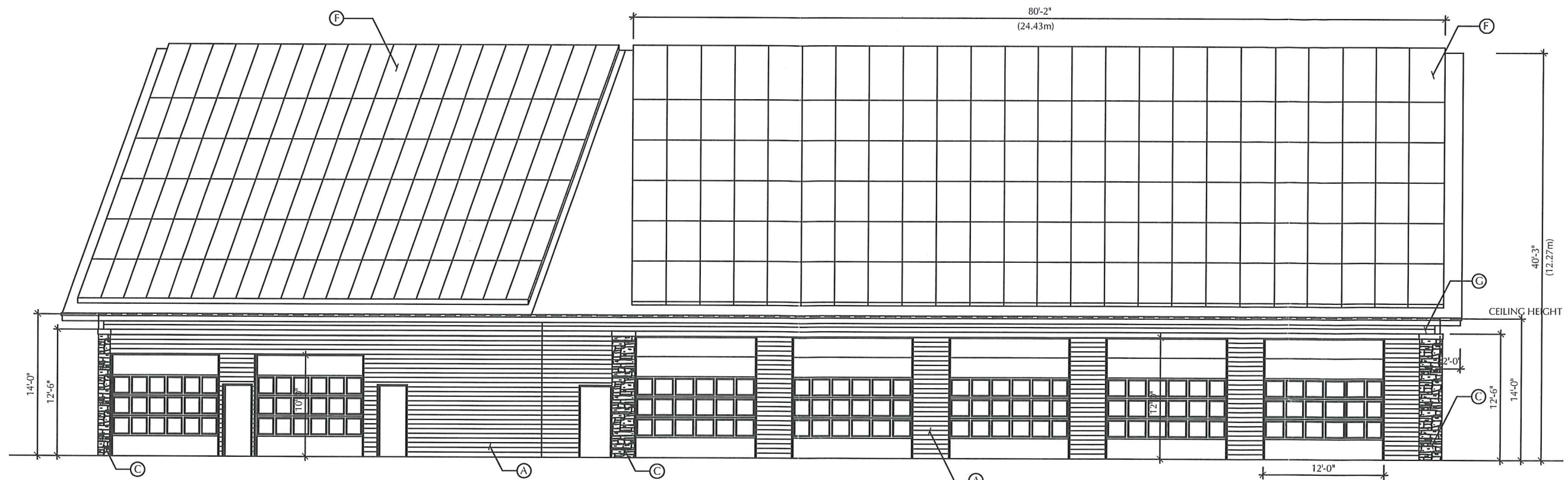
PROJECT

PROPOSED CARWASH DEVELOPMENT
1975 UNION ROAD
KELOWNA, BC

DRAWING TITLE

UPPER FLOOR PLAN/ BUILDING ELEVATIONS

No.	DATE	DESCRIPTION	SCALE: 3/16" = 1'-0"
1	OCT 31/14	ISSUED FOR DEVELOPMENT PERMIT	DATE: SEPTEMBER 22, 2014
			DRAWN: HPN
			Drawing No.
			DP3
			REVISION No.:



EXIT (SOUTH) ELEVATION
SCALE: 3/16" = 1'-0"

LEGEND	
(A)	FIBER-CEMENT SIDING
(B)	PRE-FINISHED ALUMINUM STOREFRONT WINDOW
(C)	CULTURED STONE CLADDING
(D)	FIBER-CEMENT TRIM BOARDS
(E)	PRE-FINISHED METAL FLASHING
(F)	SOLAR PANEL ROOF
(G)	GALVALUME ARCHITECTURAL METAL CLADDING



ENTRANCE (NORTH) ELEVATION
SCALE: 3/16" = 1'-0"

HANS P. NEUMANN ARCHITECT INC.

1520 HIGHLAND DRIVE NORTH, KELOWNA, B.C. V1Y 4K5 PHONE (250) 868-0878 FAX (250) 868-0837



PROJECT

PROPOSED CARWASH DEVELOPMENT
1975 UNION ROAD
KELOWNA, BC

DRAWING TITLE

BUILDING ELEVATIONS

No.	DATE	DESCRIPTION	SCALE: 3/16" = 1'-0"
	OCT 31/14	ISSUED FOR DEVELOPMENT PERMIT	DATE: SEPTEMBER 22, 2014
			DRAWN: HPN
			Drawing No.
			DP2
			REVISION No.:

REPORT TO COUNCIL



Date: November 26, 2014

RIM No. 1250-30

To: City Manager

From: Urban Planning, Community Planning & Real Estate (LB)

Application: Z14-0045 **Owner:** Harmony Holdings Limited,
Inc. No. 78095

Address: 828, 834, 871 and 877 McCurdy Place **Applicant:** DTZ Barnicke Vancouver
Limited (Murray Wills)

Subject: 2014 12 08 Report Z14-0045 828 834 871 877 McCurdy Pl

Existing OCP Designation: IND - Industrial

Existing Zone: I1 - Business Industrial

Proposed Zone: I2 - General Industrial

1.0 Recommendation

THAT Rezoning Application No. Z14-0045 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Strata Lot 24, 26, 27, and 29, District Lot 124, ODYD, Strata Plan KAS3323 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V located on 828, 834, 871 and 877 McCurdy Place, Kelowna, BC from the I1 - Business Industrial zone to the I2 - General Industrial zone as shown on Map "A" attached to the Report of the Urban Planning Department dated November 26, 2014, be considered by Council;

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

2.0 Purpose

To consider a Rezoning application to rezone the subject properties from the I1 - Business Industrial zone to the I2 - General Industrial zone.

3.0 Urban Planning

Urban Planning staff supports the rezoning request to the I2 zone to allow general industrial uses on the subject properties. The Official Community Plan supports more intensive use of under-utilized industrial sites, and encourages protection of existing industrial land. Currently, only one of the 11 inner lots zoned I1 has been developed with two multi-unit warehouse buildings, and several units remain vacant. There has been little interest in developing other lots under the I1

zone. Several of the outer lots zoned I2 have been developed and others have been sold for future development. Rezoning the subject properties to the I2 zone protects the industrial land supply and supports more efficient use of industrial sites in this area.

The main differences between the I1 and I2 zones are the permitted uses and regulations regarding outdoor storage. The I1 zone allows some light industrial and office uses, with very limited outdoor storage. The I2 zone permits a greater range of industrial uses and fewer restrictions on outdoor storage. Offices are not a permitted use in the I2 zone. Should Council support the rezoning request, applicants will need to demonstrate appropriate buffers between the subject properties and adjacent properties through the Development Permit application process to minimize potential conflicts between uses. At time of site development, Development Permit applications to review the proposed form and character will be required.

It is important to note that a similar rezoning application has been made for 822 McCurdy Place, which is immediately north of 828 McCurdy Place. The applicant has also requested to rezone from the I1 to the I2 zone.

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbour consultation by individually contacting the neighbours. The Marshall Business Centre Strata has expressed support for the proposed rezoning. To date, staff have not been contacted with any questions or concerns.

4.0 Proposal

4.1 Background

The Marshall Business Centre was created as a bareland strata industrial park in 2007 through rezoning and subdivision of a former feedlot. The lots on the outside of McCurdy Place are zoned I2 and the inside lots are zoned I1 and are intended for light industrial and office uses with limited outdoor storage. Several of the outer lots zoned I2 have been purchased and developed with various general industrial uses, including automotive, motorcycle and minor recreational vehicle retailers, manufacturing, and equipment sales and rentals. The majority of these uses involve some outdoor storage on the property.

One inner lot zoned I1 was developed in 2012 with two multi-unit buildings, on 840-842 McCurdy Place. Some units are occupied while others remain vacant, and there has been no interest in other lots zoned I1.

4.2 Site Context

The subject properties are located within the Marshall Business Centre, southwest of the intersection of McCurdy Road and Highway 97 in the City's Highway 97 Sector. The properties are designated IND - Industrial in the Official Community Plan and are within the Permanent Growth Boundary. The area surrounding the properties is industrial.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I1 - Business Industrial (Rezoning application Z14-0046 to rezone from I1 to I2)	Industrial (vacant)
East	I2 - General Industrial	Industrial
South	I1 - Business Industrial	Industrial (multi-unit buildings, some vacant)
West	I2 - General Industrial	Industrial

Subject Property Map: 828, 834, 871 and 877 McCurdy Place



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Industrial Land Use Intensification.¹ Encourage more intensive industrial use of currently under-utilized industrial sites during site redevelopment or by permitting lot subdivision where new lots can meet the minimum lot size requirements of the Zoning Bylaw.

Industrial Supply Protection.² Protect existing industrial lands from conversion to other land uses by not supporting the rezoning of industrial land to preclude industrial activities unless there are environmental reasons for encouraging a change of use.

Discourage I1 Zoning.³ Discourage properties from being rezoned to I1 Business Industrial. Instead, applicants should be encouraged to pursue a new industrial zone which would be based on the I1 Zone, but would preclude “offices” as a permitted use.

6.0 Technical Comments

6.1 Building & Permitting Department

- No comments.

¹ City of Kelowna Official Community Plan, Policy 5.29.1 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.30.1 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.30.2 (Development Process Chapter).

6.2 Development Engineering Department

- See attached memorandum, dated October 21, 2014.

6.3 Fortis BC - Electric

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

7.0 Application Chronology

Date of Application Received: September 23, 2014

Date Public Consultation Completed: September 15, 2014

Report prepared by:

Laura Bentley, Planner

Reviewed by:



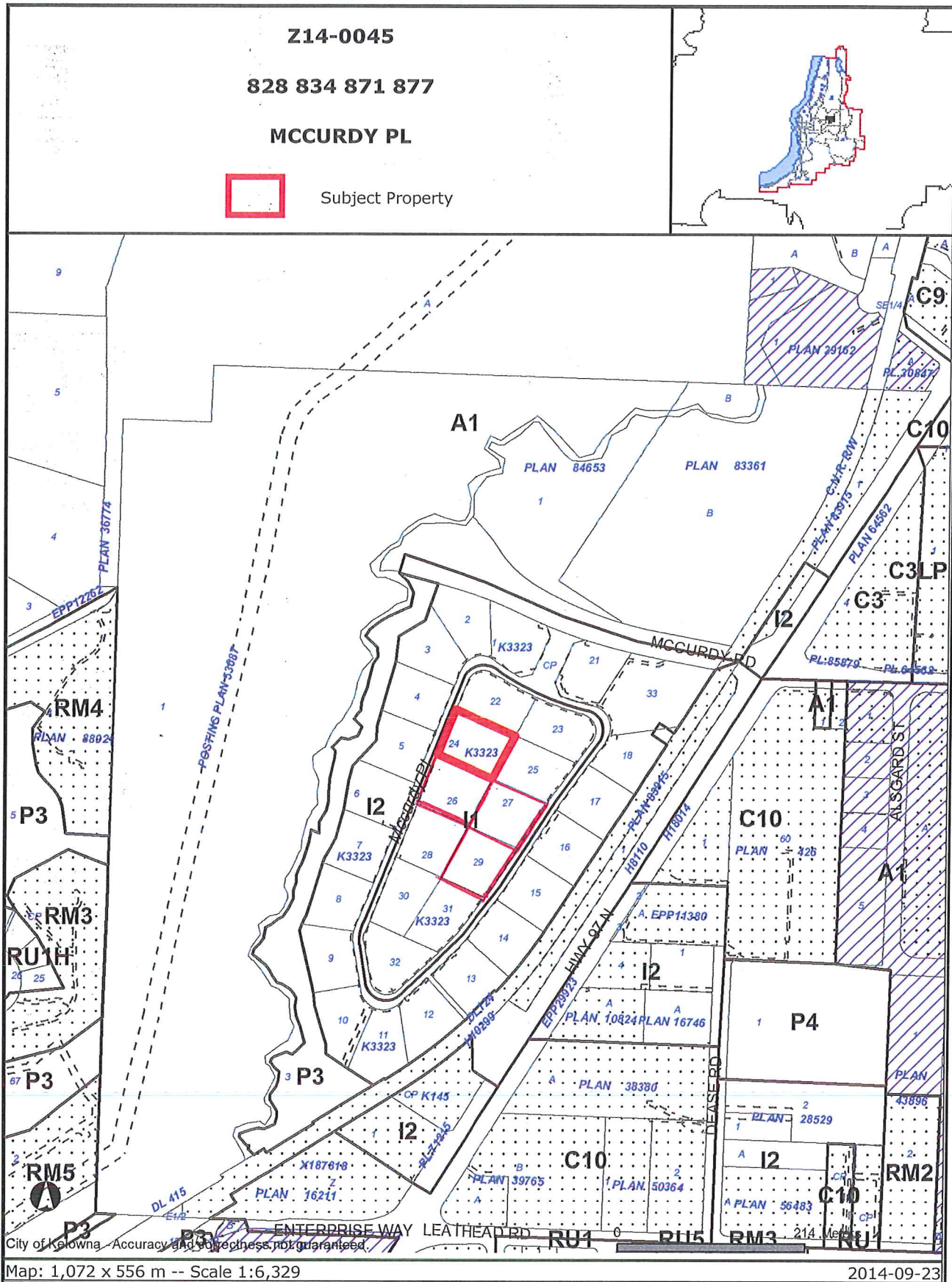
Ryan Smith, Urban Planning Manager

Attachments:

Subject Property Map

Map "A"

Development Engineering Memorandum



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.

P3

2691

825

821

819

819-892

892

N

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Subject Properties Notes:

Rezone the subject properties from I1 Business Industrial to I2 General Industrial.

883

884

837

834

I1

877

MCCURDY PL

880

I2

841

840-842

876

871

846

872

(W OF)

863

868

852

864

MAP "A" PROPOSED ZONING File #Z14-0045

- Zoning
- Legal Parcel
- Subject Properties
- I1 to I2

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

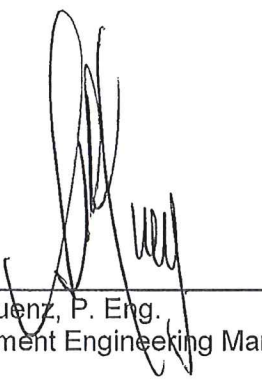
Rev. Oct 31, 2014

CITY OF KELOWNA
MEMORANDUM

Date: October 21, 2014
File No.: Z14-0045
To: Urban Planning Services (LB)
From: Development Engineer Manager (SM)
Subject: 828-834-877 and 871, McCurdy Pl. Lots 24, 26, 27 and 29, Plan K3323, DL124, ODYD

The Developments Engineering comments and requirements regarding this application to rezone the subject property are as follows

1. General.
 - a) This development is within a strata industrial park. All Municipal services have been provided to the property line.
 - b) This application does not trigger any offsite upgrades.



Steve Muenz, P. Eng.
Development Engineering Manager

B²

REPORT TO COUNCIL



Date: November 26, 2014
RIM No. 1250-30
To: City Manager
From: Urban Planning Department

Application: TA14-0013
Applicant: Stephen Wells, Kettle Valley Development Ltd.

Subject Address: Multiple
Owner: Multiple

Title: 2014 12 15 Report TA14-0013 CD2

Existing Zone: CD2 - Kettle Valley Comprehensive Residential Development

1.0 Recommendation

THAT Zoning Bylaw Text Amendment No. TA13-0013 to amend Section 18, Schedule B CD2 - Kettle Valley Comprehensive Residential Development Zone of City of Kelowna Zoning Bylaw No. 8000 as outlined in the report from Urban Planning dated December 8, 2014 be considered by Council.

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

AND THAT final adoption of the Text Amendment Bylaw be considered subsequent to the review and approval of the Ministry of Transportation and Infrastructure;

2.0 Purpose

To seek approval for changes to the development regulations and housekeeping amendments in the CD2 Comprehensive Zone 2, Kettle Valley Comprehensive Residential Development zone.

3.0 Urban Planning

The proposed text amendment to the CD2 zone is a result of the current Type I, "Hillside Single Family" setbacks being too restrictive to implement for hillside development as they the size of the building envelope area. When the CD2 zone was first adopted in the mid 1990's the City had little experience using specific setback requirements for hillside development. In the last few years greater consideration has been given to the impact the setback requirements have on development in the hillside areas and having reduced setbacks has resulted in more suitable building envelopes. For comparison, parcels designated Type 1 in the CD2 zone require a 6.0 m front yard setback whereas the front yard setback requirement in the RU1h - Large Lot Housing

(Hillside Area) zone is 3.0 m, except for a garage which is 6.0 m measured from the back of curb. Therefore, the proposed amendments will provide greater clarity and consistency with other hillside zone setbacks.

In addition to the proposed revisions to the setback requirements, the text amendment application proposes to replace the original CD2 illustrations, which detail the development design rules for the specific development "Type", with a table which will correspond to a revised Map 1 - Overview Map. The table is being introduced for ease of interpretation and implementation.

The Urban Planning Department supports the proposed text amendments to the CD2 Zone a summary of which is:

- Map 1 has been amended so that parcels previously designated under Type I, "Hillside Single Family" will be re-designated Type III "Village/Park Single Family"
- removing Type I "Hillside Single Family" from the CD2 zone
- Map 1 has been amended so that parcels previously designated under Type VII "Cluster Estate" will be re-designated Type III "Village/Park Single Family".
- amendments to the development regulations for Type III "Village/Park Single Family type"
- replacing illustrations (Map pages 2 - 17) detailing with a table which coordinates with Map 1

These changes will improve the clarity and implementation of the CD2 regulations.

4.0 Application Chronology

Date of Application Received: July 30, 2014

Report prepared by:

Lauren Morhart, Urban Planner

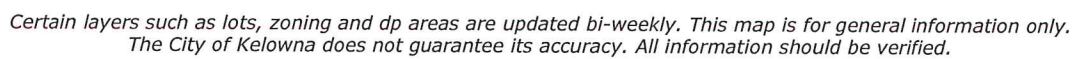
Approved for Inclusion:



Ryan Smith, Urban Planning Manager

Attachments:

Schedule 'A' - Proposed Text Amendment
 Schedule 'B' - Subject Property Map
 Schedule 'B' - Map 1 showing proposed changes
 Schedule 'C' - Final Map 1
 Schedule 'D' - Table



SCHEDULE 'A' Text amendments to Comprehensive Development 2 Zone
TA14-0013

Zoning Bylaw No. 8000			
No.	Section	Existing Text	Proposed Text
1	Schedule B Comprehensive Development Zones CD2 Kettle Valley Comprehensive Residential District 1.4 Development Regulations	(c) The maximum site coverage shall be in accordance with the plans of the Comprehensive Development Project, as approved and incorporated as CD2, Map 1.	(c) The maximum site coverage shall be in accordance with the Table of the Comprehensive Development Project, as approved and incorporated as CD2, Map 1. <i>References the new Table instead of the plans</i>
2	Schedule B Comprehensive Development Zones CD2 Kettle Valley Comprehensive Residential District 1.4 Development Regulations	(d) The maximum height for buildings and structures within the CD2 zone shall be as follows: Single detached housing, semi-detached housing and row housing (Types I-VII CD2 Map 1): 9.5 m Townhouse Village Centre and apartment housing (Type VIII - CD2, Map 1): 16 m Mixed Use Village Centre (Type IX - CD2, Map 1): 16 m excluding accessory structures Village Centre Commercial (Type X - CD2, Map 1): 13 m	d) The maximum height for buildings and structures within the CD2 zone shall be as follows: Single detached housing, semi-detached housing and row housing (Types II-VII CD2 Map 1): 9.5 m Townhouse Village Centre and apartment housing (Type VIII - CD2, Map 1): 16 m Mixed Use Village Centre (Type IX - CD2, Map 1): 16 m excluding accessory structures Village Centre Commercial (Type X - CD2, Map 1): 13 m <i>Delete reference to Type 1</i>
3	Schedule B Comprehensive Development Zones CD2 Kettle Valley Comprehensive Residential District 1.4 Development Regulations	(e) The siting of buildings shall be in accordance with the plans of the Comprehensive Development Project as approved and incorporated as CD2, Map 1, attached to this bylaw.	None <i>Removed plans which showed siting of buildings and replaced with Table which clearly displays setbacks</i>
4	Schedule B Comprehensive	(f) The following features may be permitted to	(f) The following features may be permitted

Zoning Bylaw No. 8000			
No.	Section	Existing Text	Proposed Text
	Development Zones CD2 Kettle Valley Comprehensive Residential District 1.4 Development Regulations	project into the front and flanking yards as provided for below: (i) architectural features (ii) unenclosed porch and deck areas; and (iii) unenclosed balconies and canopies. The amount of the projection shall be in accordance with the plans of the Comprehensive Development Project, as approved and incorporated as CD2, Map 1, attached to this bylaw.	to project into encroachment areas, which run the perimeter of the front and street flanking yards, as provided for below: (i) architectural features (ii) unenclosed porch and deck areas; and (iii) unenclosed balconies and canopies. The size of the encroachment area shall be in accordance with the Table, as approved and incorporated as CD2, Map 1, attached to this bylaw.
5	18- Schedule B Comprehensive Development Zones (CD2) 1.5 Other Regulations	(g) The minimum required landscape buffer level is Level 1 for all required yards for residential housing Types I through VIII inclusive	<i>References new Table instead of the plans</i> (g) The minimum required landscape buffer level is Level 1 for all required yards for residential housing Types II through VIII inclusive <i>Delete reference to Type 1</i>
6	18 - Schedule B Comprehensive Development Zones (CD2) 1.5 Other Regulations	(i) Signs for residential housing Types I through VIII inclusive shall be regulated as if the site is in an RU1 zone.	(i) Signs for residential housing Types II through VIII inclusive shall be regulated as if the site is in an RU1 zone <i>Delete reference to Type 1</i>
	18 - Schedule B Comprehensive Development Zones (CD2) 1.5 Other Regulations	None	(o) For Type IX, Mixed Use Village Centre, all buildings shall be oriented facing a street with the Commercial/Apartment buildings orientated facing Main Street <i>Added to Other Regulations as rule will be lost when Table replaces plans</i>
	18 - Schedule B Comprehensive Development Zones (CD2)	None	(p) For Type X, Village Centre Commercial, street oriented retail/office buildings shall be oriented facing towards Main Street and one storey retail buildings shall be oriented facing

Zoning Bylaw No. 8000

No.	Section	Existing Text	Proposed Text
	1.5 Other Regulations		Chute Lake Road. Added to Other Regulations as rule will be lost when Table replaces plans
7	18 - Schedule B Comprehensive Development Zones (CD2) Map 1 of 17		Amended to remove "Type I" area, and change those designated Type I to Type III, change one instance of Type VII (approx 9 parcels) to Type III
8	Map 1 pages 2-17	Plans	Replaced by table

CD-2 - Kettle Valley Comprehensive Development Zones
Table - Kettle Valley Regulating Plan
CD2 Map 1

Map Color Code	Lot Type	Dwelling Style:	Minimum Lot Area	Minimum Parcel Width	Average Parcel Depth	Maximum Lot Coverage	Maximum Floor Area Ration (FAR)	Net Density (units per hectare)	Vehicle Access	Maximum Building Height	Primary Dwelling Front Yard Setback	Accessory Building Front Yard Setback	Side Yard Setback (all buildings)	Setbacks From Property Line Flanking A Street	Principle Dwelling Rear Yard Setback	Accessory Building Rear Yard Setback
	Type II - Estate Single Family	Single Family	700 m2	20 m	35 m	35%	NA	NA	Street	9.5m	4m Enroachment Line: 2m	6m	1.5m	4 m Enroachment Line: 2m	7.5m	Access from street: 7.5m Access from lane: 1.5m
	Type III or IV - Village - Park Single Family	Single Family/Hillside Single Family	455 m2	13 m	35 m	40%	NA	NA	Street/ Lane	9.5m	4 m Enroachment Line: 2m	Access from street: 6m Access from lane: 12m	1.5m	4m Enroachment Line: 2m	6m	Access from street: 7.5m Access from lane: 1.5m
	Type V - Village Single Family - Multi-Family	Row Houses and/or Narrow Single Family	245 m2 per dwelling unit	9.4 m	35 m	50%	NA	NA	Lane	9.5m	4m	12m	Between unattached dwellings: 3m	4m	6m	1.5m
	Type VI - Village Multi-Family	Row Houses	5000m2	100 m	25 m	45%	NA	35	Lane	9.5m	4m Enroachment Line: 2m	12m	Between unattached dwellings: 3m	4m Enroachment Line: 2m	6m	1.5m
	Type VII - Cluster estate	Single Family, Semi-detached Dwellings up to 4 dwelling units per building	Parcel: 5000m2 Bareland Strata Lot: 225m2	9 m	NA	Parcel = 35% Bareland Strata Lot = 60%	NA	15	Street	9.5m	4 m Enroachment Line = 2 m	12m	Cluster Estate: 3m between unattached dwellings Estate: 1.5m	4 m Enroachment Line: 2m	Cluster Estate: 6.0m Estate: 7.5m	Cluster Estate: NA Estate: 7.5m
	Type VIIa - Cluster Estate/Estate	Single Family, Semi-detached Dwellings up to 4 dwelling units per building	Parcel: 5000m2 Bareland Strata Lot: 225m2	9 m	NA	Parcel = 35% Bareland Strata Lot = 60%	NA	20	Street	9.5m	4 m Enroachment Line = 2 m	12m	Cluster Estate: 3m between unattached dwellings Estate: 1.5m	4m Enroachment Line: 2m	Cluster Estate: 6.0m Estate: 7.5m	Cluster Estate: NA Estate: 7.5 m
Town House/Mixed Use/ Commercial																
	Type VIII - Townhouse Village Centre	Townhouses	4000m2	NA	NA	40%	1	Maximum of 21 Self contained suites	Internal Lane	16m	4 m	NA	4 m	4m	Varies (parking at rear)	NA
	Type IX - Mixed Use Village Centre	Mixed use Building(Commercial, Apartments) & Townhomes	4000m2	NA	NA	50%	1 (0.2 FAR bonus for under ground parking for a total FAR of 1.2)	107	Strata/Off Street Parking	16m	4.5 m Enroachment Line: Apartments= 1.2m for balconies Townhomes = 2.0m Commercial = 2.4m for awnings	NA	1.2 m	4.5m Enroachment Line: Apartments= 1.2m for balconies only; Townhomes = 2.0m; Commercial = 2.4m for awnings only	Townhomes: 30m (parking at rear)	NA
	Type X - Commercial Village Centre	Commercial	4000m2	NA	NA	50%	0.7	NA	Strata/ Off Street Parking Lot	13m	4.5 m Enroachment Line: Awnings = 1.2 m All other encroachments = 2.4m	NA	Between unattached buildings = 6 m	4.5 m Enroachment Line: 2.4m; 1.2m for awnings	30m (parking at rear)	NA

REPORT TO COUNCIL



Date: December 1, 2014

RIM No. 0940-50

To: City Manager

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

Application: Z14-0055 **Owner:** Loren & Janette Desautels

Address: 650-652 Wardlaw Ave **Applicant:** Mark Ameerali

Subject: Rezoning

Existing OCP Designation: MRL - Multiple Unit Residential (Low Density)

Existing Zone: RU6 - Two Dwelling Housing

Proposed Zone: RM1 - Four Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z14-0055 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Strata Lot 1 & 2, District Lot 14, ODYD, Strata Plan KAS3613 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V, located at 650-652 Wardlaw Avenue, Kelowna, BC from the RU6 - Two Dwelling Housing zone to the RM1 - Four Dwelling Housing zone be considered by Council;

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

AND THAT a section 219 covenant be registered on title stating that the land and any buildings shall not be used or occupied until such time as a occupancy permit can be issued by the city and that the occupancy permit must be obtained by the owner no later than 120 days after the issuance of the Building Permit. Further, that the covenant require the owner to submit a building permit no later than 30 days after the date of adoption of the rezoning bylaw.

2.0 Purpose

To rezone the subject property in order to permit a fourplex.

3.0 Urban Planning

Staff support the proposed rezoning proposal to allow for the Four Dwelling Housing use (RM1).

The Multiple Residential Low Density (MRL) land use designation permits the proposed RM1 - Four Dwelling Housing zone. Several nearby properties have successfully rezoned to the RM1 zone. The proposed multi-family use is consistent with the Future Land Use designation (Objective 5.22, Policy .5 - Multi Unit in Character Areas) and redevelopment to a fourplex would be

consistent with the existing transition character of the neighbourhood (Objective 5.22, Policy .6 - Sensitive Infill).

Staff are recommending a Section 219 restrictive covenant be registered on title outlining that the building must meet the minimum safety standards for a multi-family building as outlined in the BC Building Code and further restricts the use and occupancy of the property until such time as the necessary renovations can be completed.

To address Council Policy No. 367 with respect to public consultation, the applicant has undertaken neighbour consultation by individually contacting the adjacent neighbours as described in the attached *Schedule 'A'*. No major issues were identified during the initial consultation with neighbouring parcels.

4.0 Proposal

4.1 Background

In 2007, a Development Permit was reviewed and approved for a duplex house. In 2013, bylaw enforcement action was taken on the subject property after the investigation confirmed the duplex was being used as a fourplex. The conversion to a fourplex was done without proper permits and the owner was given the option to decommission the additional units or to legalize the fourplex.

4.2 Project Description

The subject property has a land use designation of MRL - Multiple Unit Residential (Low Density) in the Official Community Plan (OCP) and is currently zoned RU6 (Two Dwelling Housing). The subject property is within a Character Neighbourhood Development Permit Area which requires that all multi-family developments acquire a Comprehensive Development Permit to review the form and character of the proposed development prior to the building permit.

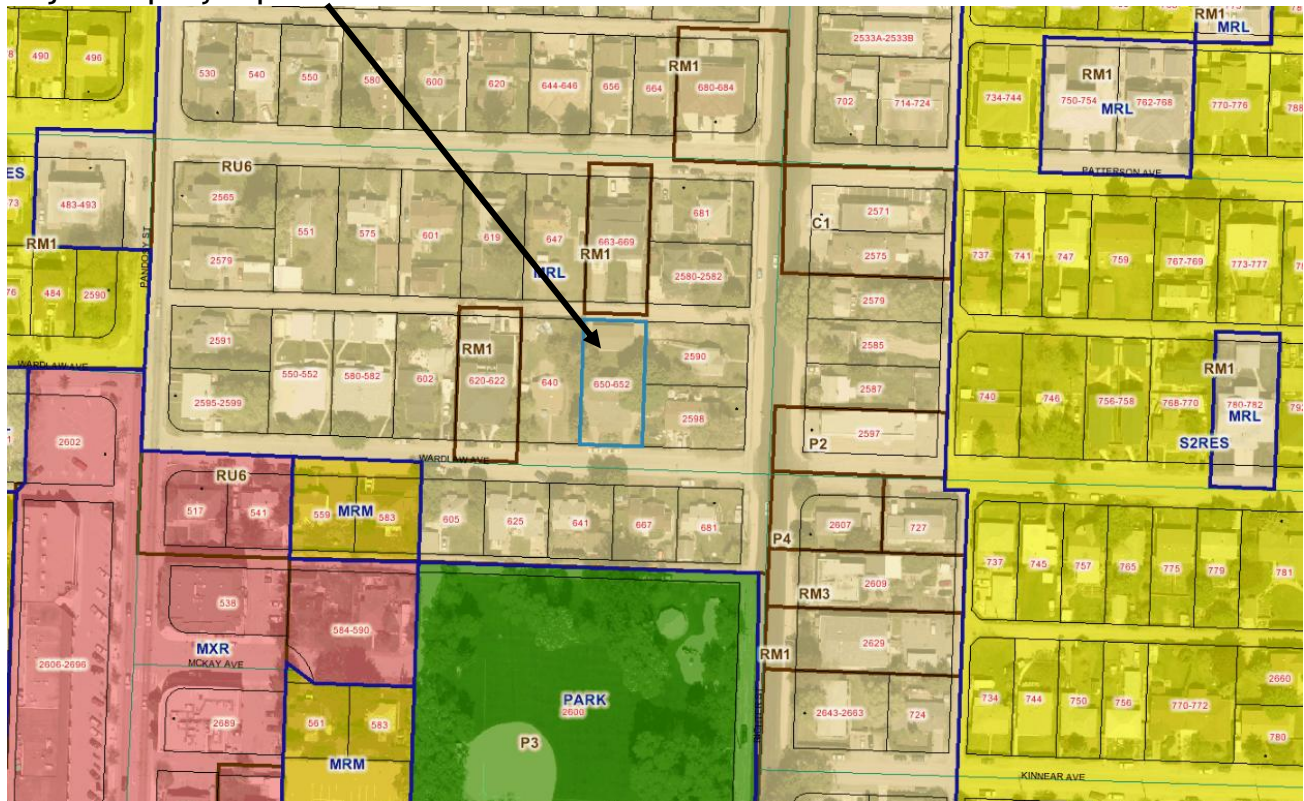
The current building meets all the setback and parking requirements for a duplex in the RU6 - Two Dwelling Housing zone. However, after rezoning to allow for a fourplex, the RM1 - Four Dwelling Housing zone has increased side yard setback requirements (up from 2.3 metres to 2.5 metres). One side of the building would not meet the 2.5 metre setback requirement, however, no variance would be required because the new zone (if approved) grants existing non-conforming status to the building. Additionally, section 8.1.9 of Zoning Bylaw no. 8000 states: "except for developments with 2 or less dwelling units, no off-street parking shall be located within 1.5 metres of any side or rear property line." The applicant will need a variance for this parking setback rule as the minimum parking for their four dwelling units is six parking stalls and this can only be arranged along the rear property line with 0.5 metres as the setback distance.

4.3 Site Context

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 - Two Dwelling Housing & RM1 - Four Dwelling Housing	Residential
East	RU6 - Two Dwelling Housing	Residential
South	RU6 - Two Dwelling Housing & P3 - Parks and Open Space	Residential Park
West	RU6 - Two Dwelling Housing & RM1 - Four Dwelling Housing	Residential

Subject Property Map: 650-652 Wardlaw Ave



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM1 ZONE REQUIREMENTS	PROPOSAL
Site Details		
Lot Area	700 m ²	910.4 m ²
Lot Width	20 m	21.3 m
Lot Depth	30 m	42.7 m
Site Coverage Buildings	Max 40 %	34.9 %
Site Coverage Buildings, Driveways and parking	Max 50 %	40.0 %
Front Yard	Min 4.5 m	4.5 m
Side Yard (east)	Min 2.5 m	2.8 m
Side Yard (west)	Min 2.5 m	2.3 m ❶
Rear Yard	Min 7.5 m	7.5 m
Height of buildings/number of storeys	Max 9.5m / 2½ Storeys	7.3 m / 2 stories
Floor Area Ratio	Max 0.6	0.252
Number of on-site parking stalls	Min 6	Min 6
Setbacks from lot line to parking	Min 1.5m	0.5 m ❷
Private Open Space	Min 75 m ²	Min 87.8 m ²
❶ Variance not needed as building will get non-conforming siting protection if zoning is approved.		
❷ A variance will be required and will be considered at Development Permit stage if zoning is approved.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ 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.² 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.

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

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

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 Permit(s).
- A central water service is required to a common mechanical room well as separate heating systems for each unit. An upgrade of the water piping system to the house as well as the distribution system with the house may be required.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

See Attached

7.0 Application Chronology

Date of Application Received: November 13th 2014
Date of Public Consultation: November 24th 2014

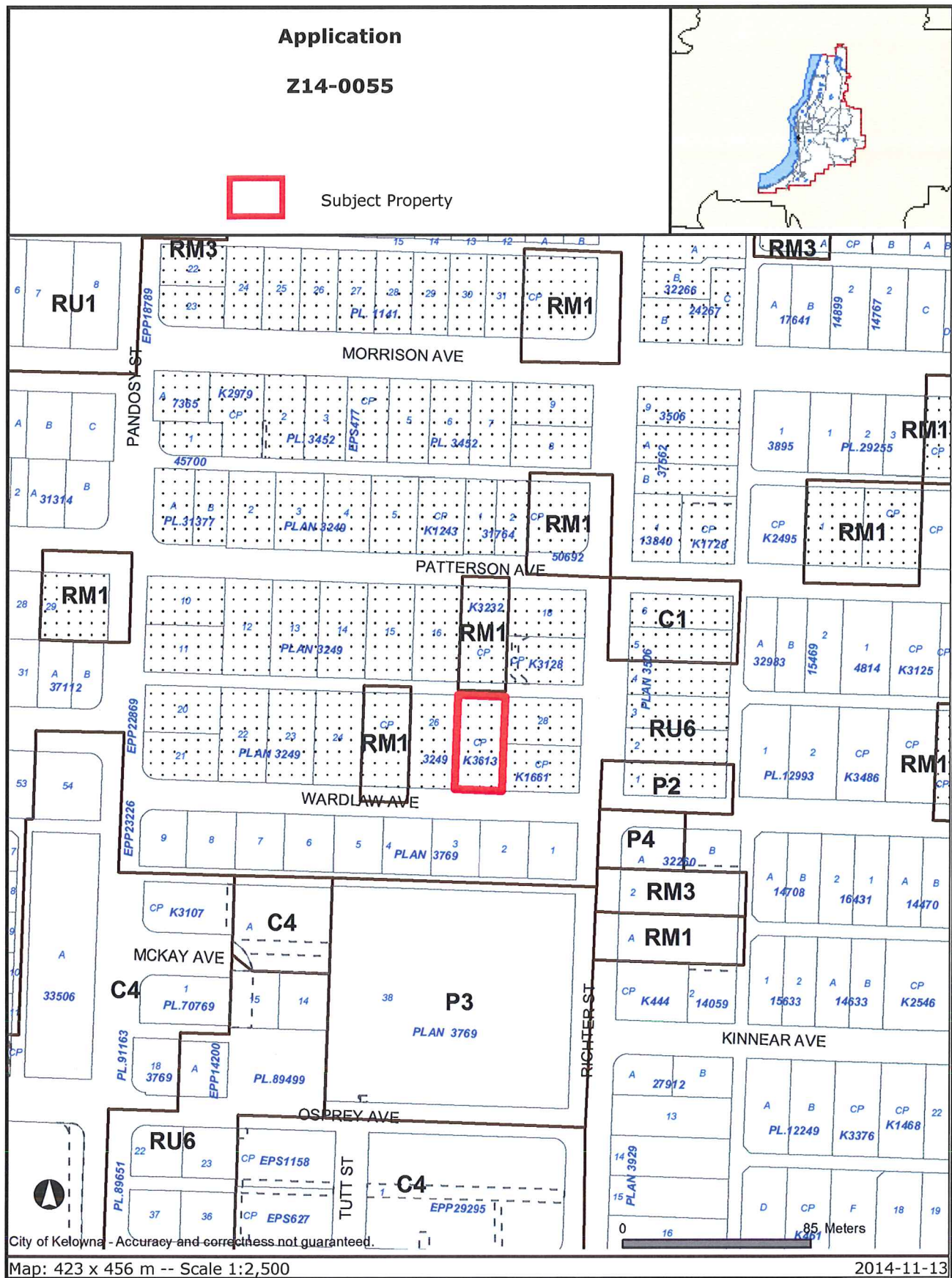
Report prepared by:

Adam Cseke, Urban Planner

Approved for Inclusion: ☐ Ryan Smith, Urban Planning Manager

Attachments:

Subject Property Map
Development Engineering Memo
Site Plan
Floor Plans
Conceptual Elevations
Context/Site Photos
Draft Covenant



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

CITY OF KELOWNA
MEMORANDUM

Date: November 19, 2014
File No.: Z14-0055

To: Urban Planning Department (AC)

From: Development Engineering Manager

Subject: 650-652 Wardlaw Ave RU6 to RM1

The Development Engineering Department has the following comments and requirements associated with this rezoning application. The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technologist for this project is Sergio Sartori

1. Domestic Water and Fire Protection

The subject property is currently serviced with two (2) - 19mm water services. The developer will need to determine the domestic and fire protection requirements of this proposed development. Only one service/lot will be permitted for this development. The applicant, at his cost, will arrange for the disconnection of existing service and the installation of a new service. **The disconnection of the existing small diameter water services and the tie-in of a larger new service can be provided by City forces at the developer's expense.** One metered water service will supply the development. **The applicant will be required to sign a Third Party Work Order for the cost of the water service upgrades.** For estimate inquiry's please contact Sergio Sartori, by email ssartori@kelowna.ca or phone, 250-469-8589.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. An inspection chamber (IC) complete with brooks box should be installed on the service at the owner's cost. Service upgrades can be provided by the City at the applicant's cost. **The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade.** For estimate inquiry's please contact Sergio Sartori, by email ssartori@kelowna.ca or phone, 250-469-8589.

3. Road Improvements

- (a) Wardlaw Ave must be upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, sidewalk, drainage system including catch basins, manholes and pavement removal and replacement, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. A one-time cash payment in lieu of construction must be collected from the applicant for future construction by the City. The cash-in-lieu amount is determined to be **\$11,400.00** not including utility service cost

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

Wardlaw Ave

Item	Cost
Drainage	\$3,396.00
Curb &Gutter	\$1,867.00
Sidewalk	\$2,668.00
Street Lighting	\$ 720.00
Landscape Boulevard	\$ 800.00
Road Fillet	\$1,921.00
Total	\$11,400.00

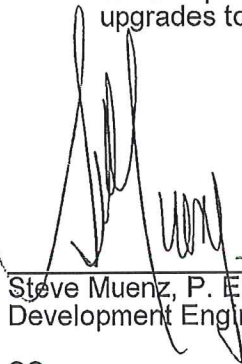
4. Development Permit and Site Related Issues

Direct the roof drains into on-site rock pits.

Driveway access is permitted from the lane only.

5. Electric Power and Telecommunication Services

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.



Steve Muenz, P. Eng.
Development Engineering Manager

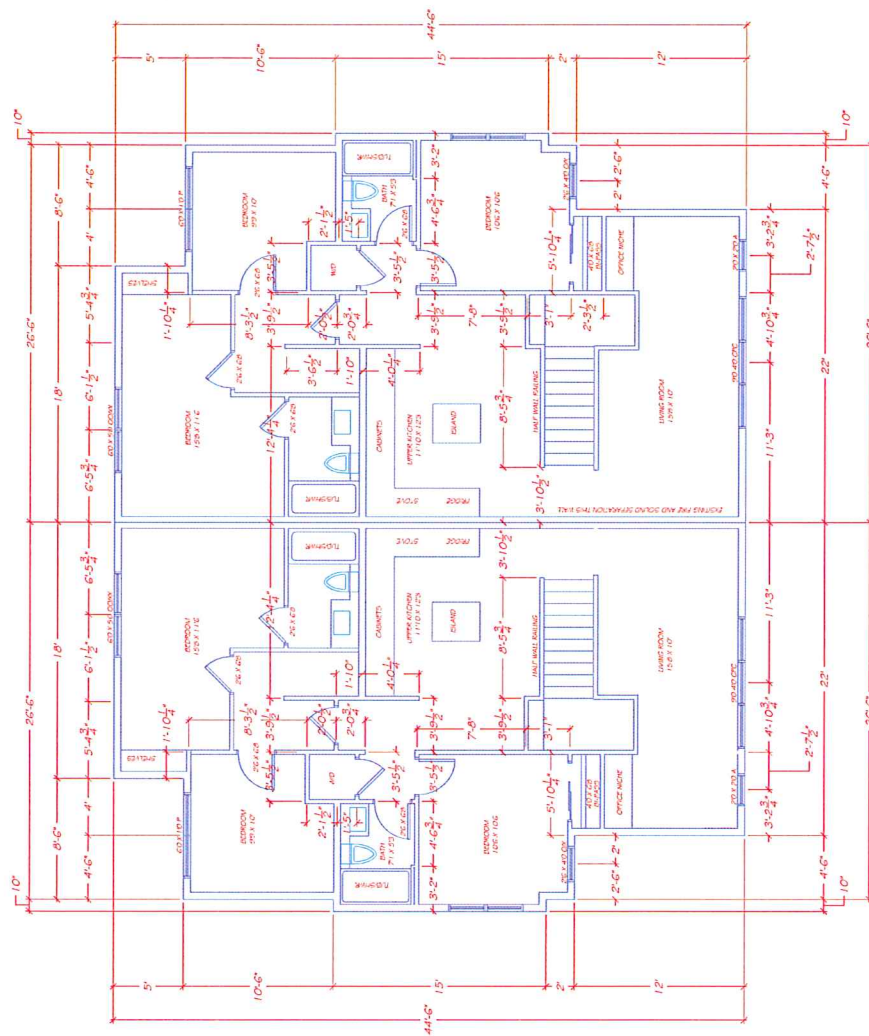
SS



NOTE: ALL SITE DRAWINGS WERE OBTAINED FROM FIELD STUDY, AND ARE NOT DEEMED ACCURATE. GENERAL CONTRACTOR SHOULD ENSURE THAT PROPER DIMENSIONS ARE TAKEN AND DISTINGUISH ARE MAINTAINED.

CLIENT: MARK AMEERALI

650 WARDLAW AVE.



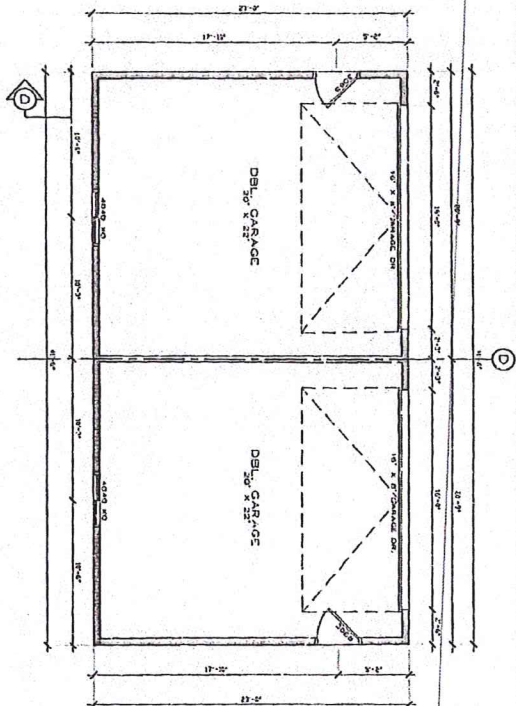
GENERAL NOTES:
1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CORRECTNESS OF THE DIMENSIONS AND SPECIFICATIONS OF THE STRUCTURE, MATERIALS AND FINISHES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CORRECTNESS OF THE DIMENSIONS AND SPECIFICATIONS OF THE STRUCTURE, MATERIALS AND FINISHES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CORRECTNESS OF THE DIMENSIONS AND SPECIFICATIONS OF THE STRUCTURE, MATERIALS AND FINISHES.

ALL WORK SHALL BE PERFORMED WITHIN THE SPECIFIED TIME FRAME.
THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CORRECTNESS OF THE DIMENSIONS AND SPECIFICATIONS OF THE STRUCTURE, MATERIALS AND FINISHES.
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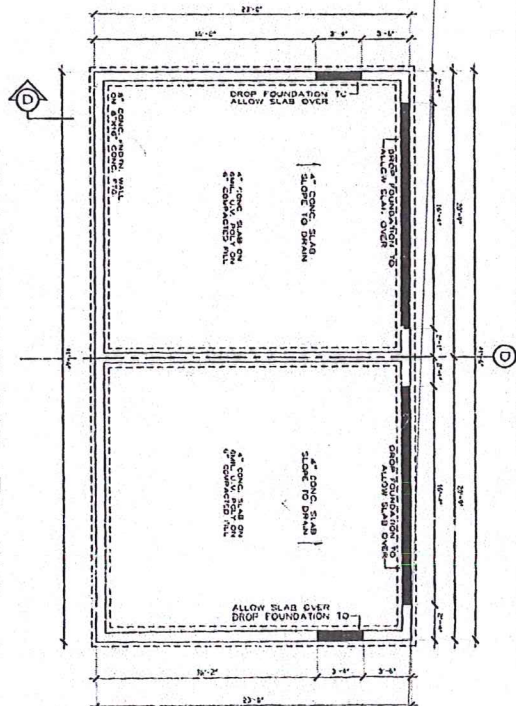
THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CORRECTNESS OF THE DIMENSIONS AND SPECIFICATIONS OF THE STRUCTURE, MATERIALS AND FINISHES.
THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CORRECTNESS OF THE DIMENSIONS AND SPECIFICATIONS OF THE STRUCTURE, MATERIALS AND FINISHES.

650 WARDLAW AVE.	CLIENT: MARK AMERALLI	SCALE: 1/4" = 1'
	550 WARDLAW AVE., KILGORE, NC	DATE: OCT 01/2014
	LOT 27	DRAWING: UPPER FLOOR PLAN
	PLAN 5249, D.L. 14 O.D.V.D.	FILE NO.: REV. 2

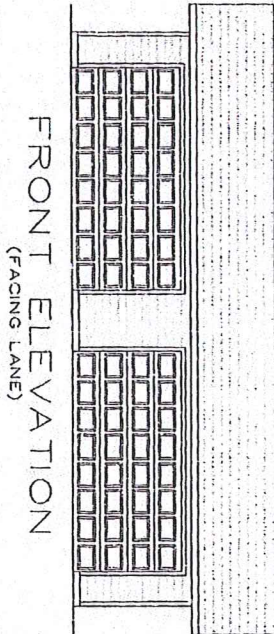


GARAGE PLAN

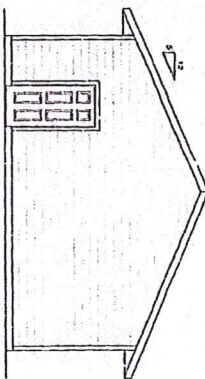
EACH SIDE: 483 SQ. FT.



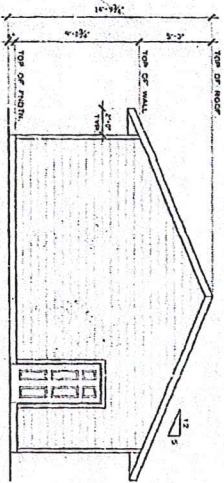
FOUNDATION PLAN



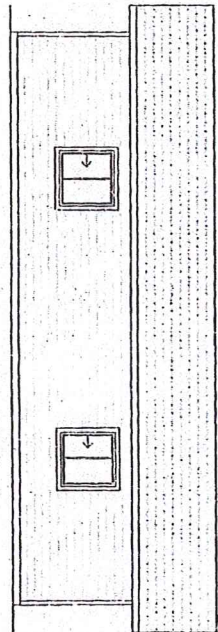
FRONT ELEVATION
(FACING LANE)



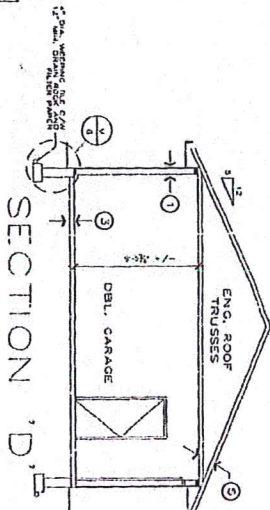
RIGHT ELEVATION



LEFT ELEVATION



REAR ELEVATION



SECTION 'D'

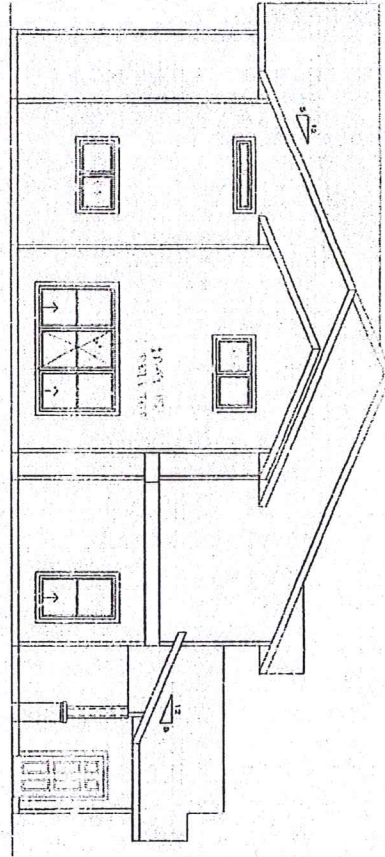
GARAGE PLAN

650 WARDLAW AVE.

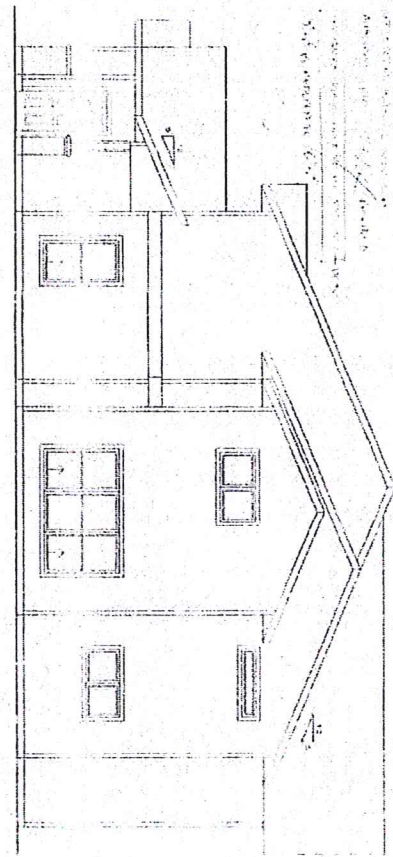
KELOWNA, BC.

PROJ. NO. 123
KELOWNA, BC

7 OF 7



LEFT ELEVATION



RIGHT ELEVATION

ELEVATION

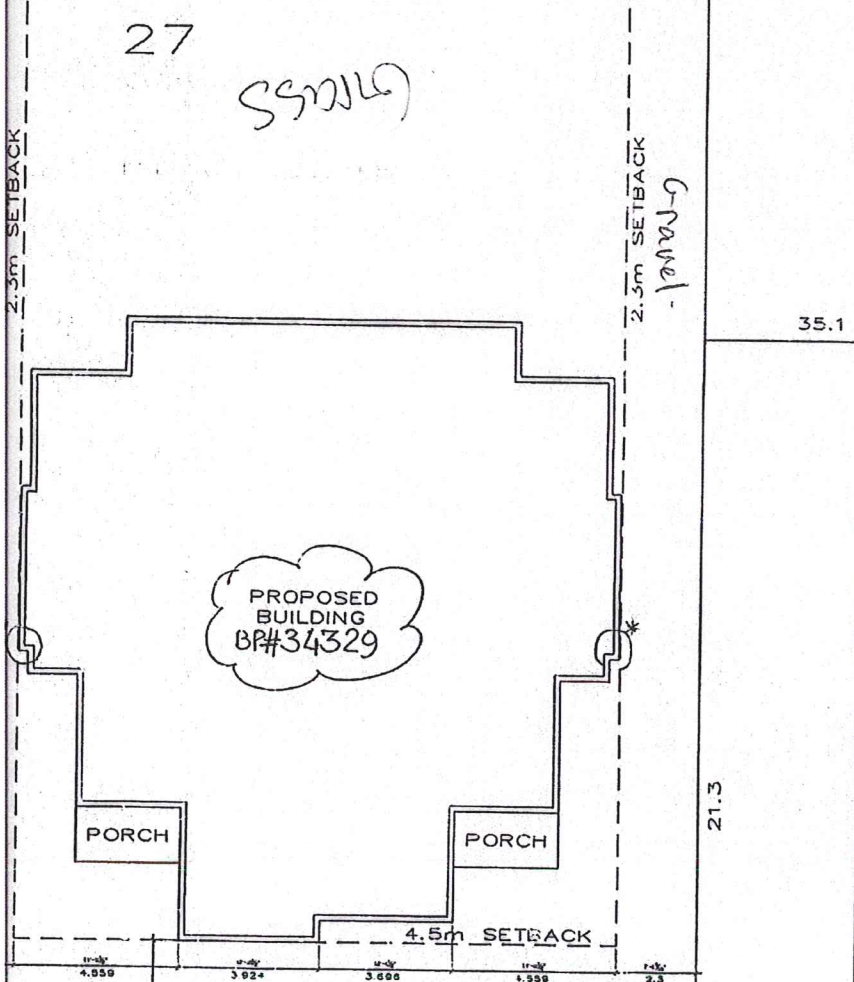
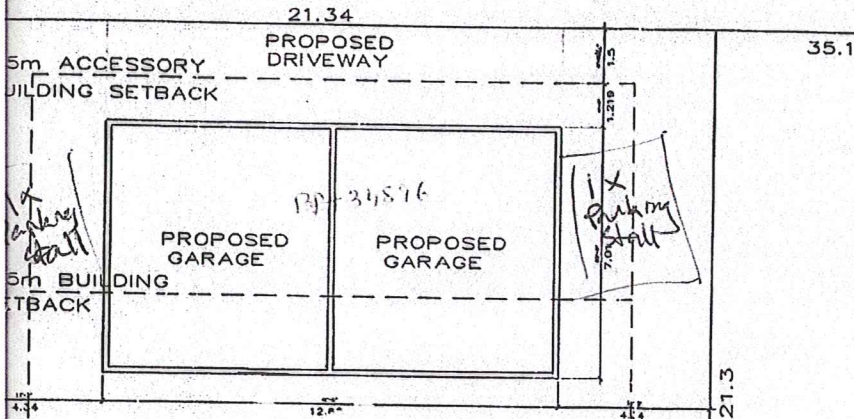
650 WARDLAW AVE.

KELLOWA, BC.

650 WARDLAW AVE.
KELLOWA, BC.



LANE



REVIEWED BY CITY OF KELOWNA INSPECTIONS SERVICES
FORMING PART OF BUILDING PERMIT # 34329 THESE
DRAWINGS SHALL REMAIN ON SITE AVAILABLE TO CITY BUILDING
INSPECTIONS
DATE AUG 14/07 PLAN CHECKER TAHER

DESIGN CRITERIA:

AREAS: 650 WARDLAW AVE.

SITE AREA = 9800 SQ.FT. (910)
BUILDING AREA =
PROPOSED RES: 2466 SQ.FT. (229)
PROPOSED GARAGE: 955 SQ.FT. (887)

SITE COVERAGE = 34.9%

SITE INFORMATION:

ZONING:

SETBACKS:

FRONT - 4.5m (14.76')
SIDE - 2.3m (7.55')
REAR - 7.5m (24.61')

WARDLAW AVE

SCALE: 1/8" = 1'

*ELIMINATE 10' TIG
AND MOVE THE
BLDG 10' TOWARDS
LEFT. REQ SIDE
SETBACK 2.3m TO
BE MAINTAINED

21.34

21.34

1.5m ACCESSORY
BUILDING SETBACK

PROPOSED
DRIVEWAY

35.1

7.5m BUILDING
SETBACK

PROPOSED
GARAGE

PROPOSED
GARAGE

27

SSM10

REVIEW
FOR
DRAWING
INSPEC
DATE 1

Gravel 2.3m SETBACK

42.67

6-ravel -
2.3m SETBACK

35.1

21.3

PROPOSED
BUILDING
BP#34329

PORCH

PORCH

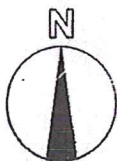
4.5m SETBACK

21.34

21.34

35.1

* ELIMINATE 10" TIC
AND MOVE THE
BLDG 10' TOWARDS
LEFT. REQ SIDE
SETBACK 2.3 M TO
RG MAINTAINED



WARDLAW AVE

SCALE: 1/8" = 1'





TERMS OF INSTRUMENT – PART 2

SECTION 219 COVENANT

THIS AGREEMENT dated for reference _____, 2014 is

BETWEEN:

Name
Address

(the "Owner")

AND:

CITY OF KELOWNA
1435 Water Street
Kelowna, BC V1Y 1J4

(the "City")

GIVEN THAT:

- A. The Owner is the registered owner in fee simple of the lands and improvements at [civic address], which land is legally described as:
- [PID]
[Legal description]
- (the "Land")
- B. Section 219 of the *Land Title Act* permits the registration of a covenant of a positive or negative nature in favour of the City in respect of the use of land or building or construction on land.
- C. The Owner has made application to the City to rezone the Land to _____ [specify requested zoning district] to allow the Owner to construct and/or modify the existing building on the Land and to allow the modified building to be used as _____ [i.e. a boarding or lodging house].
- D. The Owner is unable to secure financing for the proposed construction/modification unless the City adopts a bylaw rezoning the Land to _____ [again reference requested zoning district].
- E. The City considers it would not be in the public interest to rezone the Land to _____, except on condition that the Owner enter into this Agreement.

THIS AGREEMENT IS EVIDENCE that in consideration of \$1.00 paid by the City to the Owner (the receipt of which is acknowledged by the Owner), the Owner covenants and agrees with the City, in accordance with section 219 of the *Land Title Act*, as follows:

1. As soon as practicable after the adoption by the Council of the City of a bylaw rezoning the Land to _____, and in any event no later than 30 days after the date of adoption of the rezoning bylaw, the Owner must submit a complete application for a building permit to the City, together with all required fees and charges, for the new or modified building on the Land intended to be used in conformance with the _____ zoning.

Owner to Diligently Prosecute Construction

2. Forthwith upon the issuance of the building permit, (and any other associated permits required to enable the construction, (collectively the "Building Permit) contemplated by the application referred to in section 1, the Owner must diligently and without delay undertake the construction authorized by the building permit and pursue it continuously until an occupancy permit for the building has been issued by the City.

No Use of Occupancy Without Completion by Specified Date

3. The Land and any buildings thereon may not be used or occupied unless and until an occupancy permit has been issued by the City for the building and construction specified in the Building Permit. The occupancy permit must be obtained by the Owner no later than _____ (120?) days after the issuance of the Building Permit.

Discharge of Covenant Upon Completion

4. The City agrees to release this Agreement from the title to the Land upon the Owner complying with sections 1 to 3 of this Agreement.

Runs with the Land

5. Every obligation and covenant of the Owner in this agreement constitutes both a contractual obligation and a covenant granted under section 219 of the *Land Title Act* in respect of the Land. This agreement burdens and runs with, and binds the successors in title to, the Land and each and every part into which the Land may be subdivided or consolidated by any means.

Compliance with Laws

6. The Owner must, in performing its obligations under this Agreement, at all times comply with all enactments applicable to the Land or the Building, including City bylaws, the *Community Charter* and the *Local Government Act* and must obtain all permits, licences and authorizations required by law to enable the Owner to perform any work contemplated by this Agreement and any other obligations under this Agreement, including those required by City bylaws.

Owner's Expense

7. The Owner will perform all of its obligations under this Agreement at its own expense.

Specific Relief

8. Because of the public interest in ensuring that all of the matters described in this Agreement, and the provisions of all applicable laws, are complied with, the public interest strongly favours the award of a prohibitory or mandatory injunction, or an order for specific performance or other specific relief, by the British Columbia Supreme Court at the instance of the City, in the event of an actual or threatened breach of this Agreement.

No Effect on Powers

9. Except as expressly provided under the *Community Charter* or *Local Government Act*, this Agreement does not:
 - a. affect or limit the discretion, rights or powers of the City under any enactment;
 - b. affect or limit any enactment applying to the Land; or
 - c. relieve the Owner from complying with any enactment, including in relation to the use or subdivision of the Land.

Discretion

10. Wherever in this Agreement the approval of the City is required, some act or thing is to be done to the City's satisfaction, the City is entitled to form an opinion, or the City is given a sole discretion:
 - a. the relevant provision is not to be considered fulfilled or waived unless the approval, opinion or expression of satisfaction is in writing signed by the City's Urban Planning Manager (the "City Representative");
 - b. the approval, opinion or satisfaction is in the discretion of the City Representative acting reasonably in accordance with municipal engineering practice; and
 - c. any discretion of the City is deemed to be the sole, absolute and unfettered discretion of the City.

No Public Law Duty

11. Where the City is required or permitted by this agreement to form an opinion, exercise its discretion, express satisfaction, make a determination or give its consent, the City is under no public law duty of fairness or natural justice in that regard and the City may do any of those things in the same manner as if it were a private entity and not a public body.

Indemnity

12. The Owner hereby releases the City, and indemnifies and saves the City harmless, from and against any and all actions, causes of actions, suits, claims, expenses (including legal fees and disbursements), losses (including economic loss), debts, demands and liabilities of whatsoever kind that the City is or may become liable for, incur or suffer arising out of or in any way

connected or related to the granting or existence of this Agreement, the restrictions or obligations contained in this Agreement or the performance or non-performance by the Owner of this Agreement.

Joint and Several

13. If at any time more than one person (as defined in the *Interpretation Act* (British Columbia)) owns the Land, each of those persons will be jointly and severally liable for all of the obligations of the Owner under this Agreement.

Notice

14. Any notice to be given pursuant to this Agreement must be in writing and must be delivered personally or sent by registered or express mail. The addresses of the parties for the purpose of notice are the addresses on the first page of this Agreement and in the case of any subsequent owner of the Land, the address will be the address shown on the title to the Land in the land title office. If notice is delivered personally, it may be left at the relevant address in the same manner as ordinary mail is left by Canada Post and is deemed given when delivered. If notice is sent by registered or express mail, it is to be deemed given 3 days after mailing by deposit at a Canada Post office. In the case of any strike or other event causing disruption of ordinary Canada Post operations, notices must be delivered personally. A party may change its address for delivery by giving notice of the new address in accordance with this section.

Waiver

15. An alleged waiver of any breach of this agreement is effective only if it is an express waiver in writing of the breach in respect of which the waiver is asserted. A waiver of a breach of this Agreement does not operate as a waiver of any other breach or continuing breach of this Agreement.

Priority

16. The Owner will, at the Owner's expense, do or cause to be done all acts reasonably necessary to obtain priority for this Agreement over all financial charges, liens and encumbrances registered, or pending registration, at the time of application for filing of a notice of this Agreement against the title to the Land in the appropriate land title office.

Interpretation

17. In this Agreement:
 - a. reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
 - b. article and section headings have been inserted for ease of reference only and are not to be used in interpreting this agreement;
 - c. the term "enactment" has the meaning given to it under the Interpretation Act (British Columbia) on the reference date of this agreement;

- d. reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
- e. reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided;
- f. reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this agreement and any Schedules to this agreement form part of this agreement; and
- g. time is of the essence.

Further Assurances

- 18. The Owner must do and cause to be done all things and execute all documents necessary to give effect to the intention of this Agreement.

Severance

- 19. If any part of this Agreement is for any reason held to be invalid by a decision of a court with the jurisdiction to do so, the invalid portion is to be considered severed from the rest of this Agreement and the decision that it is invalid does not affect the validity of the remainder of this Agreement.

Governing Law

- 20. This Agreement shall be governed by and construed in accordance with the laws of the Province of British Columbia which is deemed to be the proper law thereof.

Enurement

- 21. This Agreement and each and every provision hereof shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns, as the case may be.

Entire Agreement

- 22. This agreement is the entire agreement between the parties regarding its subject.

Contract and Deed

- 23. By executing and delivering this Agreement, each of the parties intends to create both a contract and a deed executed and delivered under seal.

As evidence of their agreement to be bound by the terms of this instrument, the parties hereto have executed the Land Title Office Form C which is attached hereto and forms part of this Agreement.

REPORT TO COUNCIL



Date: December 22, 2014

RIM No. 1250-30

To: City Manager

From: Urban Planning, Community Planning & Real Estate (TY)

Application: Z14-0053

Owner: Stacey Lynn Fenwick

Address: 545 Radant Road

Applicant: Stacey Lynn Fenwick

Subject: Rezoning Application

Existing OCP Designation: S2RES - Single/Two Unit Residential

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU6 - Two Dwelling Housing

1.0 Recommendation

That Rezoning Application No. Z14-0053 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3 Section 1 Township 25 ODYD Plan 8768, located on 545 Radant Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone be considered by Council.

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

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

2.0 Purpose

To rezone the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone in order to develop a duplex.

3.0 Urban Planning

Urban Planning supports the proposed rezoning application on the subject property. The property is designated in Kelowna's Official Community Plan as S2RES - Single/Two Unit Residential and as such the application to rezone the property to RU6 to facilitate a duplex is in compliance with the designated future land use. The proposed rezoning would allow construction of a duplex and would be the first of its kind on Radant Road. City staff would like to see a development design that sets a high standard for this neighbourhood in the beginning stages of its revitalization. The proposed design put forth by the applicant shows a commitment to quality design and materials, and does not require any variances to the Zoning Bylaw.

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbour consultation by individually contacting the neighbours. To date staff has not received any comments.

The OCP supports the densification of neighbourhoods through appropriate infill development and utilization of existing infrastructure such as the development of two dwelling housing. Overall, the proposed rezoning fits with what Staff foresee happening along Radant Road.

4.0 Proposal

4.1 Project Description

The subject property currently contains a 1950's single family home that will be demolished. The proposed RU6 zoning will allow for the construction of a two storey duplex. The duplex proposed for the site includes private open space in the form of rooftop patios for each dwelling. New construction in this area must adhere to the minimum floor elevations for Okanagan floodplain areas. As a result, many homes in this neighbourhood average two storeys as basements are not viable. This proposed duplex will need to meet requirements for this minimum elevation prior to Building Permit issuance. Privacy of private open space of the neighbouring properties will need to be addressed during the Development Permit application. The applicant will be required to demonstrate that the proposed rooftop patios do not allow sightlines into the private open space of the adjacent properties.

4.2 Site Context

The subject property is located on Radant Road in the Mission Sector of Kelowna. This property is near Mission Creek however it is not within the natural environmental DP area of the creek. The property is currently zoned RU1, identified in Kelowna's OCP as single / two unit residential, and is within the permanent growth boundary.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1	Single Family Dwelling
East	RU1	Single Family Dwelling
South	RU1	Single Family Dwelling
West	RU1	Single Family Dwelling

56

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ 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 Infill² Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting.

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.
- Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

- See attached Memorandum dated November 19, 2014

6.3 Fire Department

- Requirements of section 9.10.19 Smoke Alarms of the BCBC 2012 are to be met. Ensure separate addressing for each unit is off of Radant Rd.

6.4 FortisBC Inc - Electric

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

6.5 Telus

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

7.0 Application Chronology

Date of Application Received:	November 10, 2014
Date Public Consultation Completed:	December 16, 2014

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

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

Report prepared by:

Tracey Yuzik, Planner

Reviewed by:

☐

Lindsey Ganczar, Urban Planning Supervisor

Approved for Inclusion:

☐

Ryan Smith, Urban Planning Manager

Attachments:

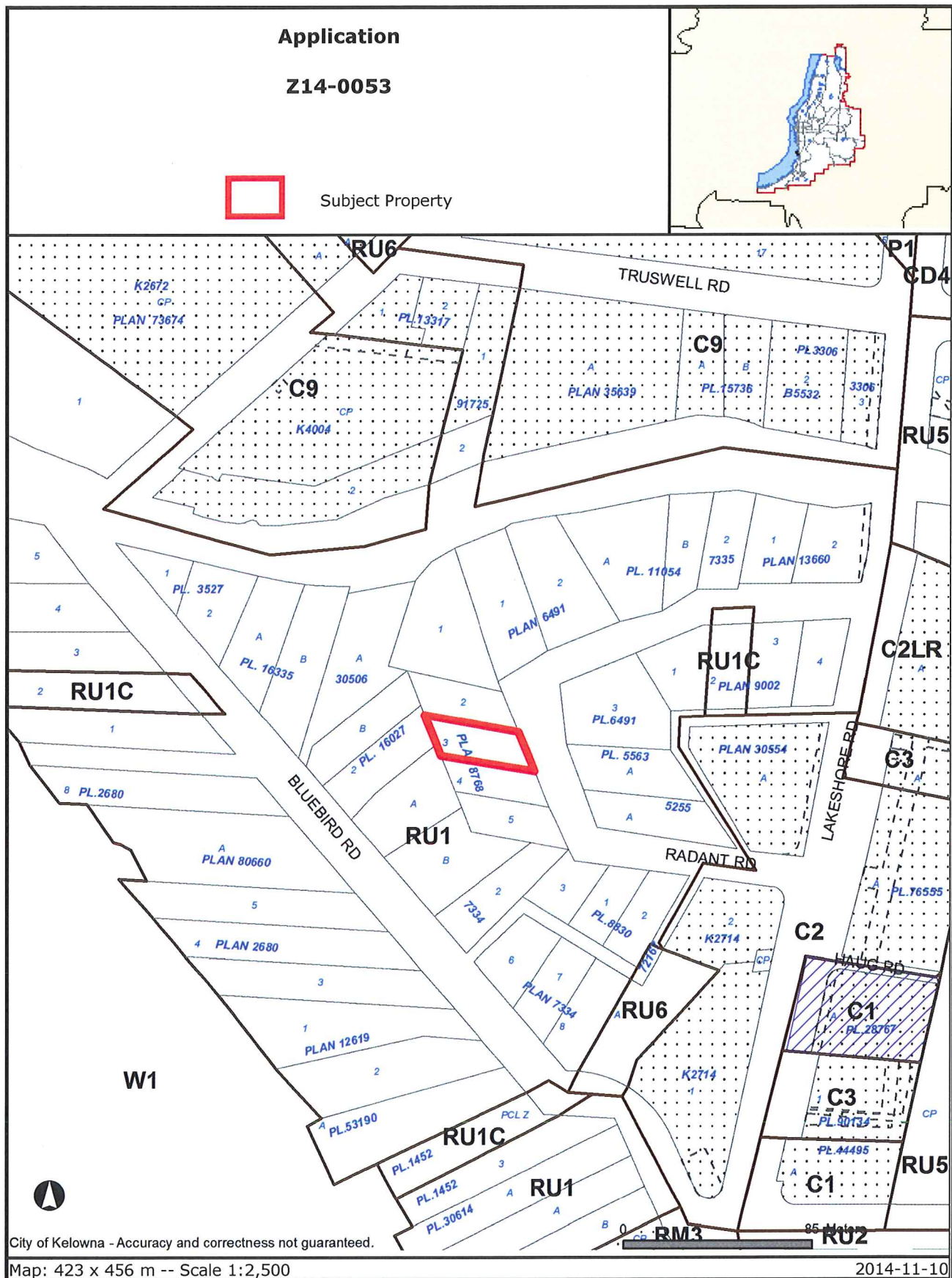
Subject Property Map

Schedule "A" - Conceptual Site Plan

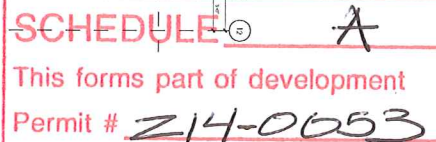
Schedule "B" - Conceptual Elevations

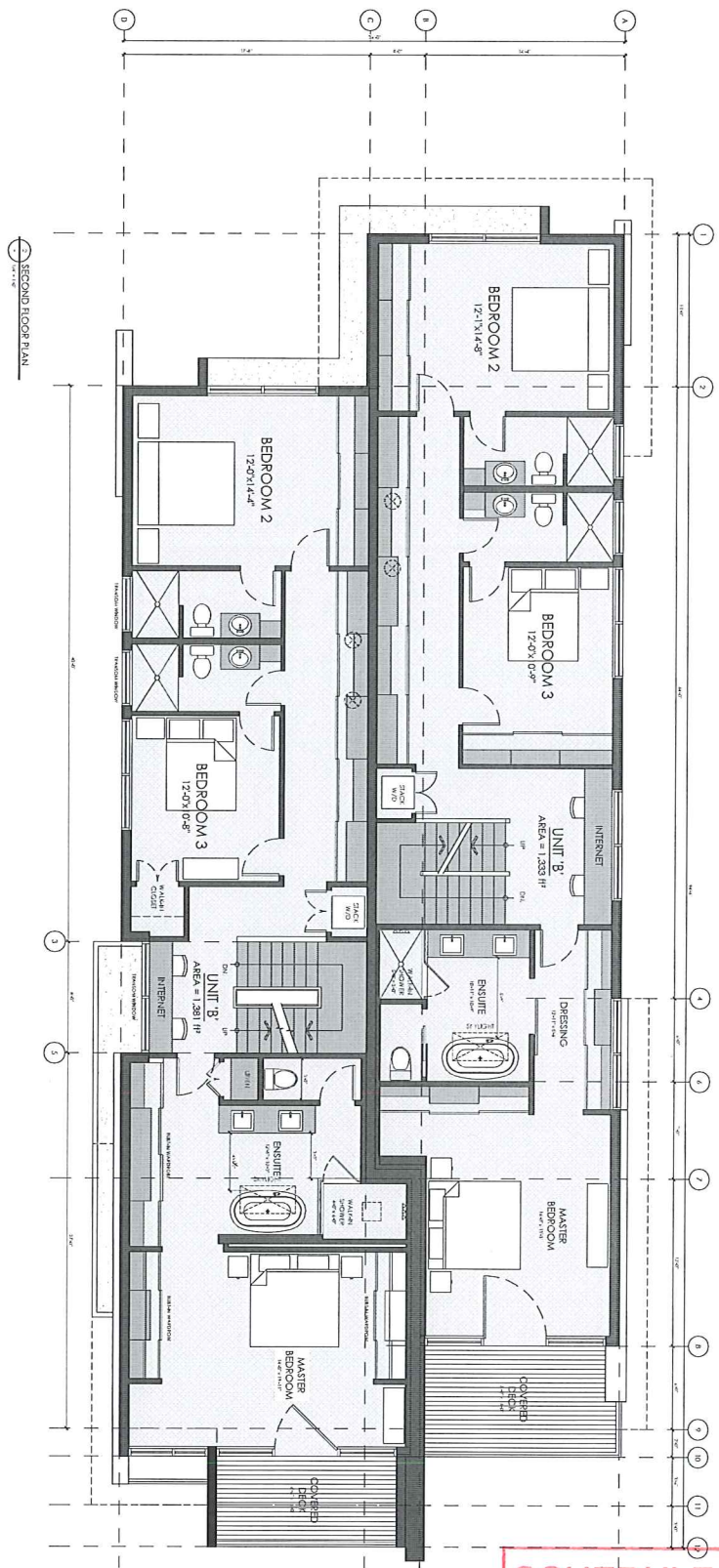
Context/Site Photos

Development Engineering Memorandum



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.

[illegible]

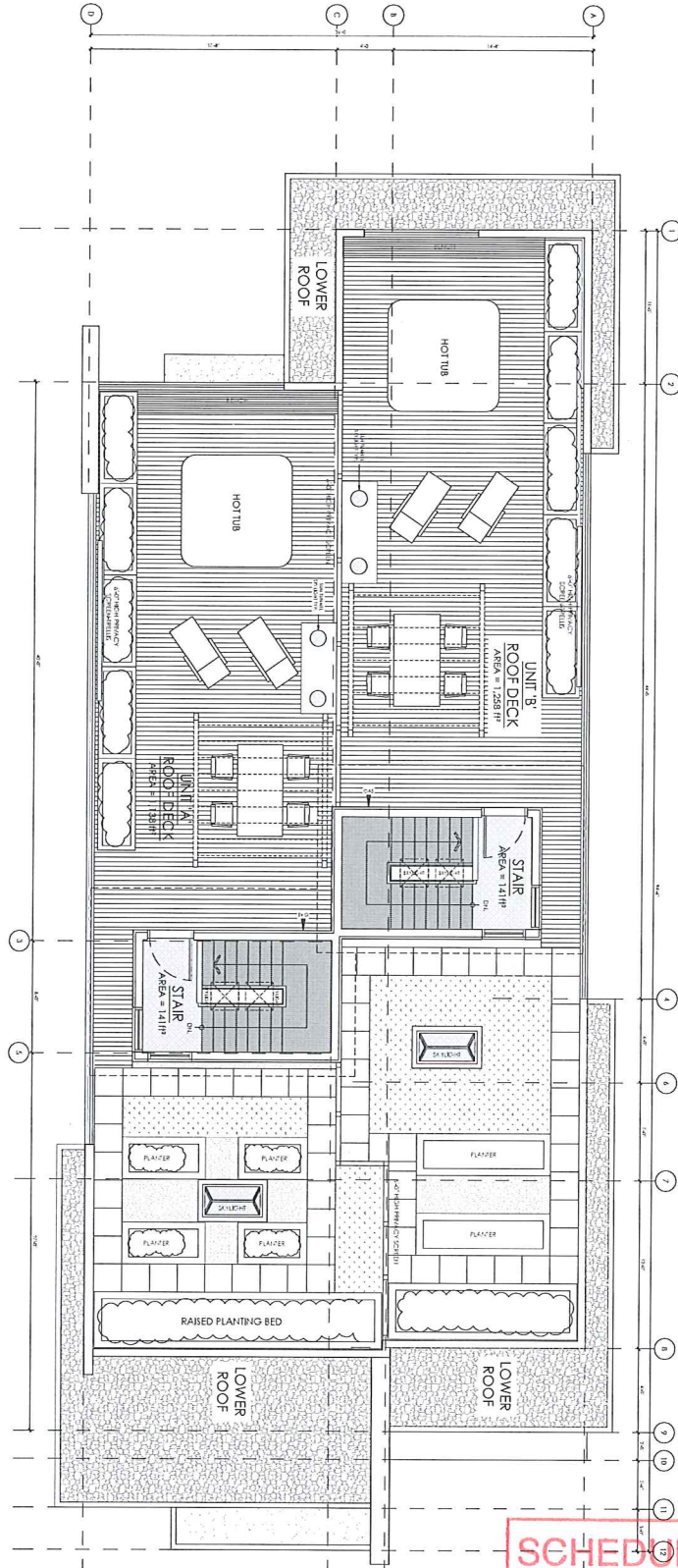


SCHEDULE A

This forms part of development

Permit # **214-0053**

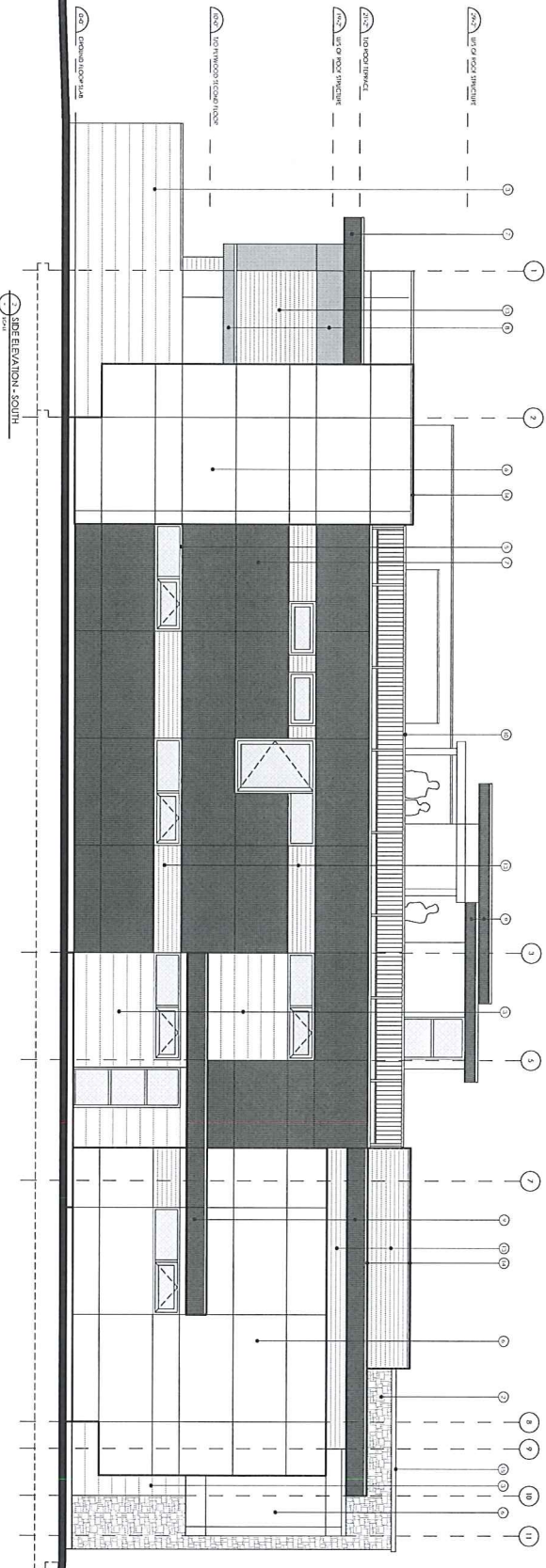
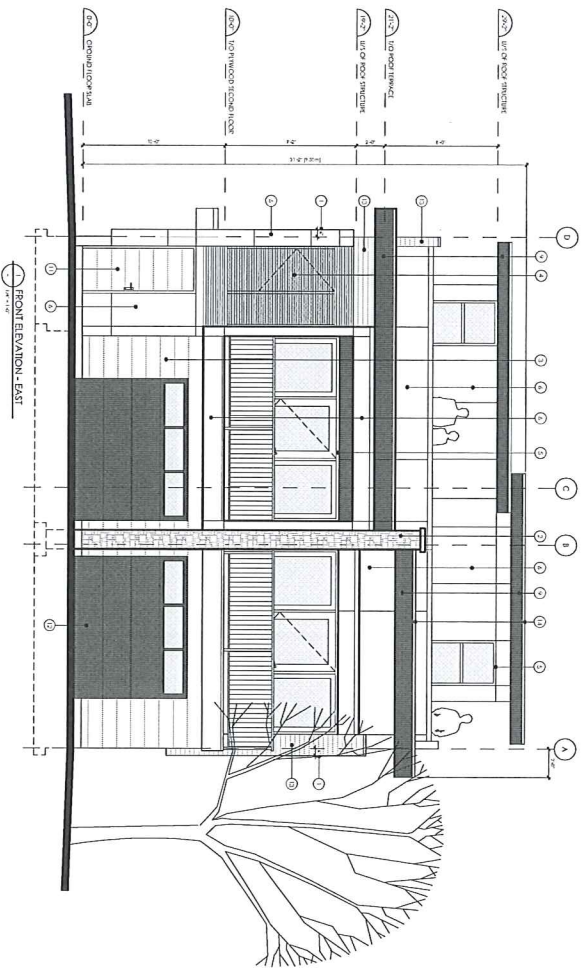
STICKS+STONES design group inc. CANMORE, KENTONIA	
PROJECT: PROPOSED RAMPART ROAD DUPLEX ADDRESS: 1000 RAMPART ROAD CANMORE, AB T0C 1S0 SHEET: 1 SCALE: 1/8" = 1'-0"	DRAWING TITLE: SECOND LEVEL FLOOR PLAN R1 SHEET NO: A2.2



ROOF DECK PLAN

SCHEDULE A
This forms part of development
Permit # **Z14-0053**

STICKS+STONES design group Inc. www.sticksandstones.ca CANMORE, KETLOWNA		CLIENT: [REDACTED] PROJECT: [REDACTED] DESIGNER: [REDACTED] DATE: [REDACTED]	
PROJECT: [REDACTED] PROPOSED: [REDACTED] RADAMANT ROAD BUTTER		ARCHITECT: [REDACTED] SCALE: 1/8" = 1'-0" DATE: [REDACTED]	
DRAWING TITLE: [REDACTED] ROOF DECK PLAN		SHEET NO.: [REDACTED] TOTAL SHEETS: [REDACTED]	
R1		A2.3	



STICKS+STONES

design group inc.

www.sticksstones.ca

CANMORE - FETLOWLAND

CLIPPING DATE:

4 MAY 2012

4:00 PM - 5:00 PM

1. **ADDRESS:**

2. **PHONE:**

3. **FAX:**

4. **E-MAIL:**

5. **WEBSITE:**

6. **CONTACT PERSON:**

7. **CONTACT PHONE:**

8. **CONTACT E-MAIL:**

9. **CONTACT ADDRESS:**

10. **CONTACT CITY:**

11. **CONTACT PROVINCE:**

12. **CONTACT COUNTRY:**

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60. **CONTACT PROVINCE:**

61. **CONTACT COUNTRY:**

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65. **CONTACT ADDRESS:**

66. **CONTACT CITY:**

67. **CONTACT PROVINCE:**

68. **CONTACT COUNTRY:**

69. **CONTACT ZIP:**

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SCHEDULE B

This forms part of development

Permit # 214-0053

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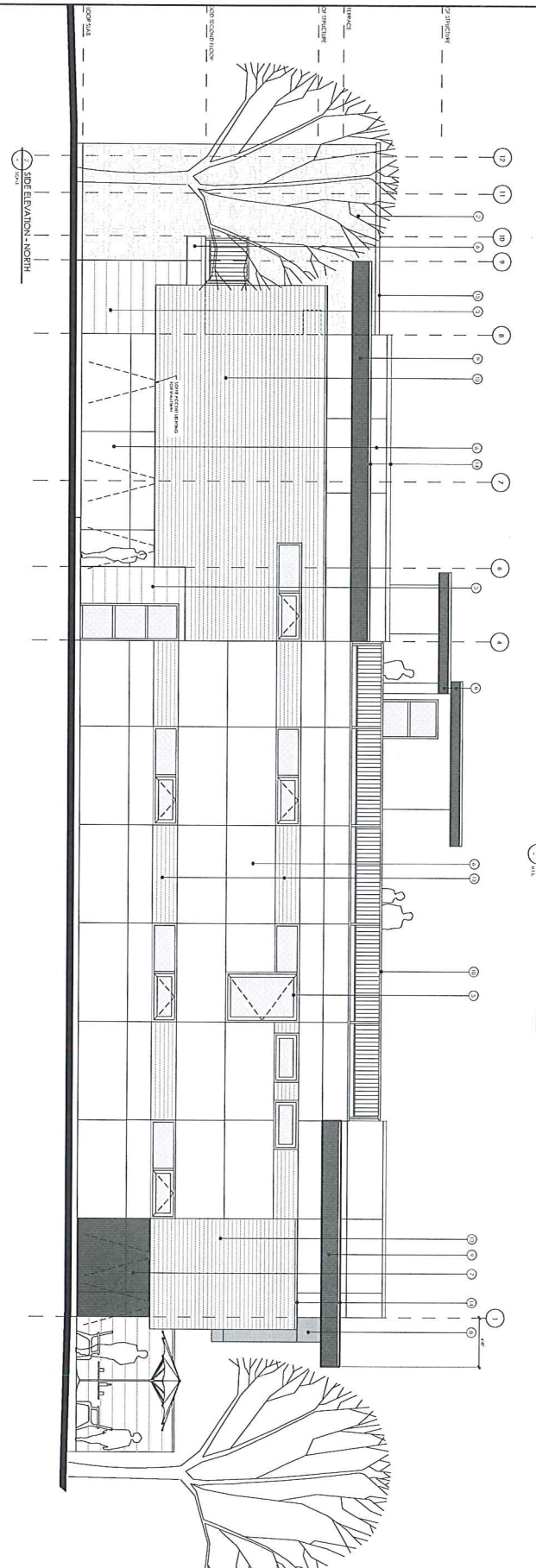
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design group inc.

www.sticksandstones.ca

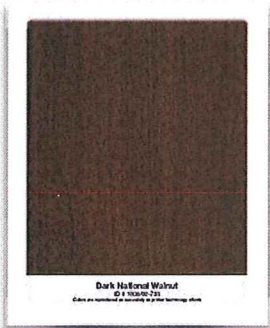
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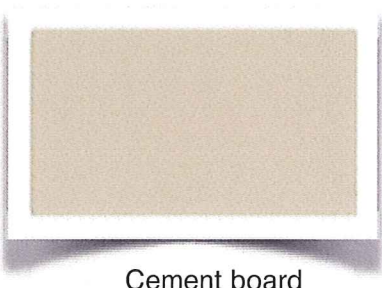
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545 Radant Road - Colour Board

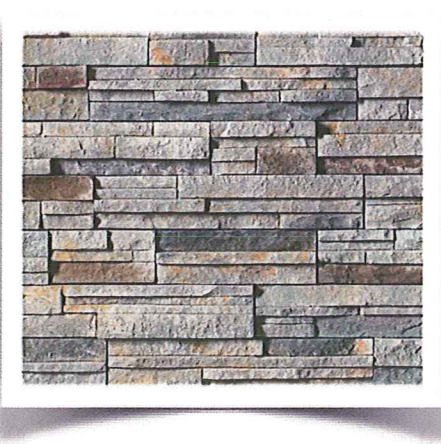


Wood accents will be a stained pine or an aluminum panel as shown

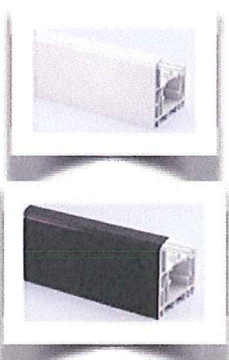
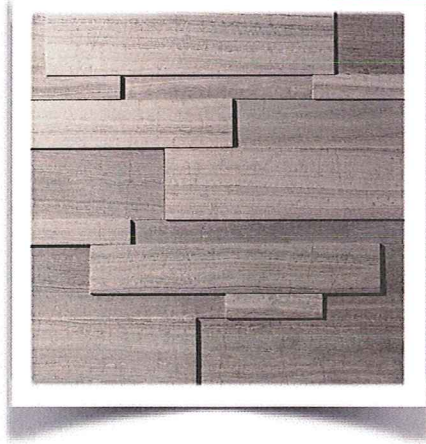


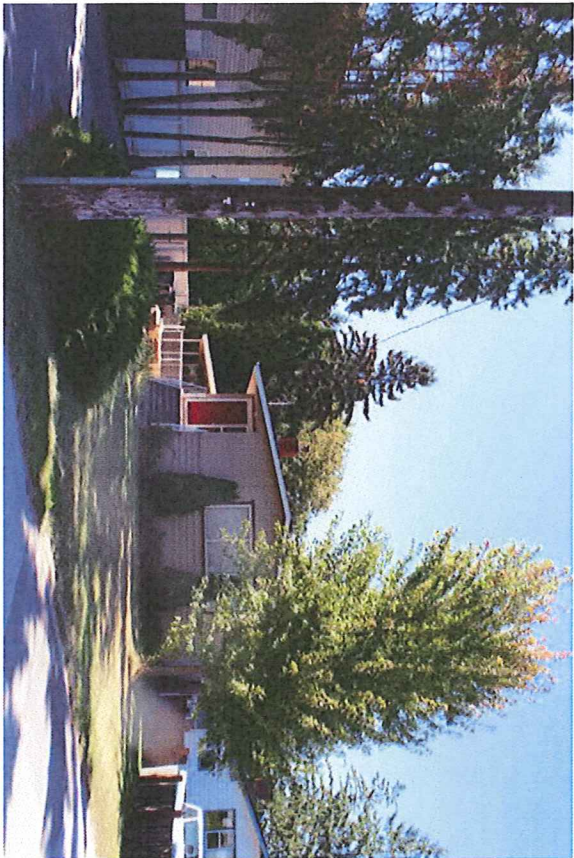
Cement board panelling

SCHEDULE B
This forms part of development
Permit # 214-0053
Window trim will be white or black

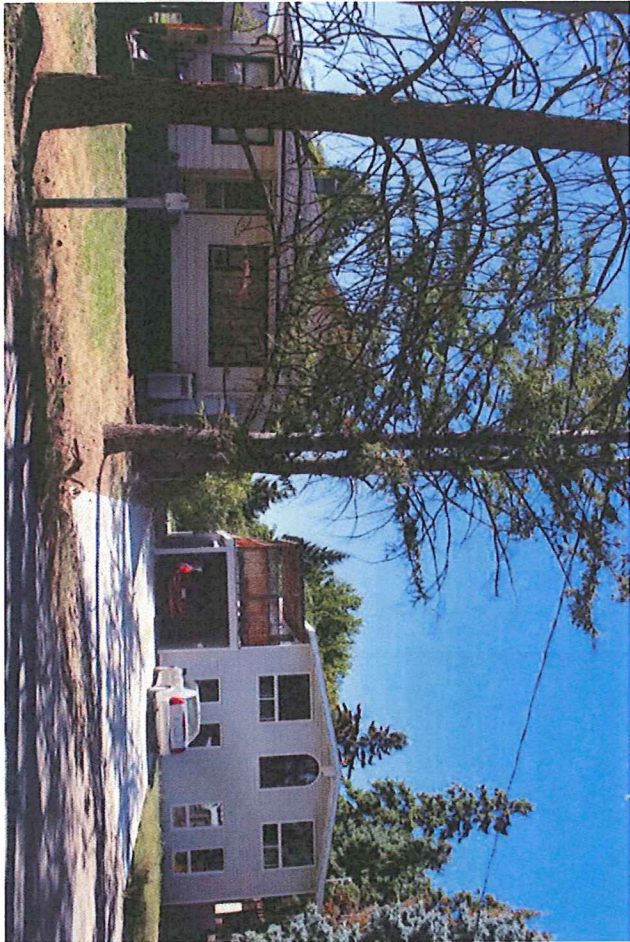


Stone or stone copy will be a choice of samples shown here





Subject Property - 545 Radant Road



533 Radant Road

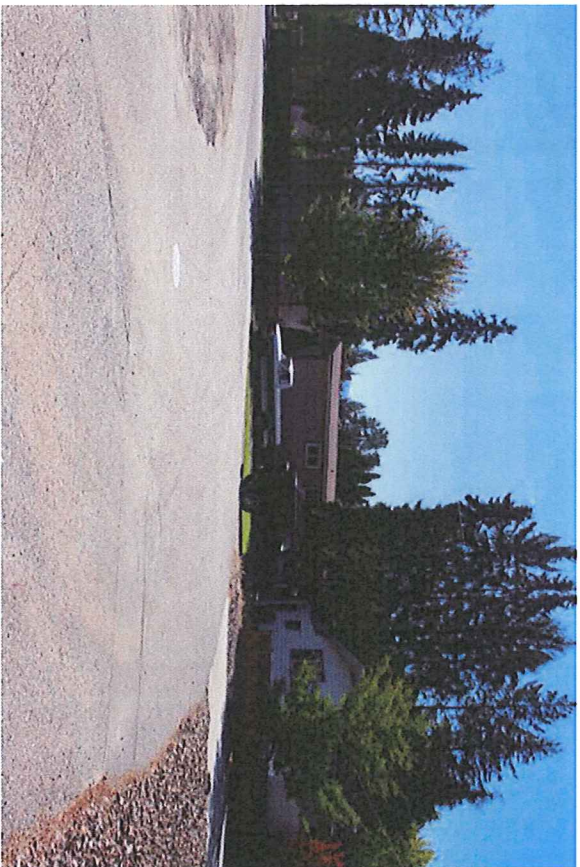
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539 Radant Road

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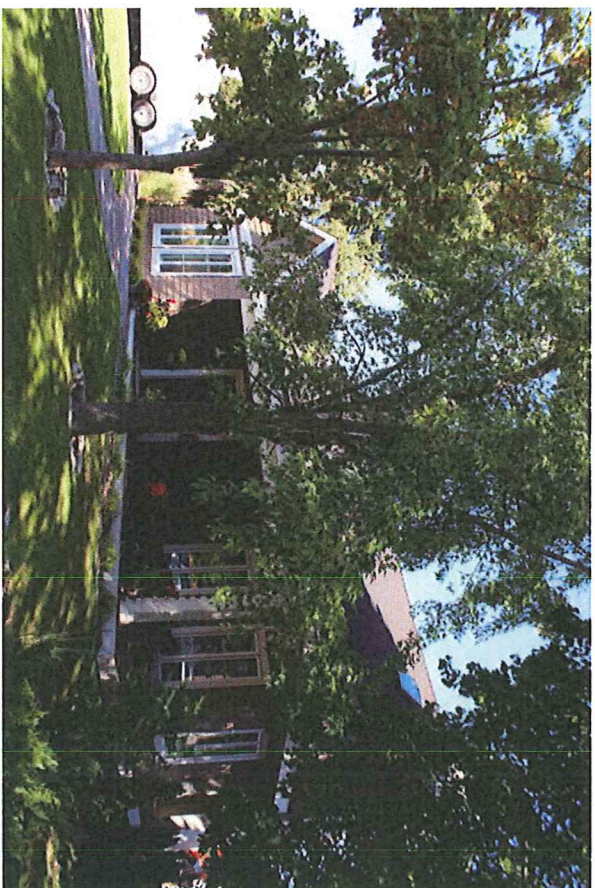
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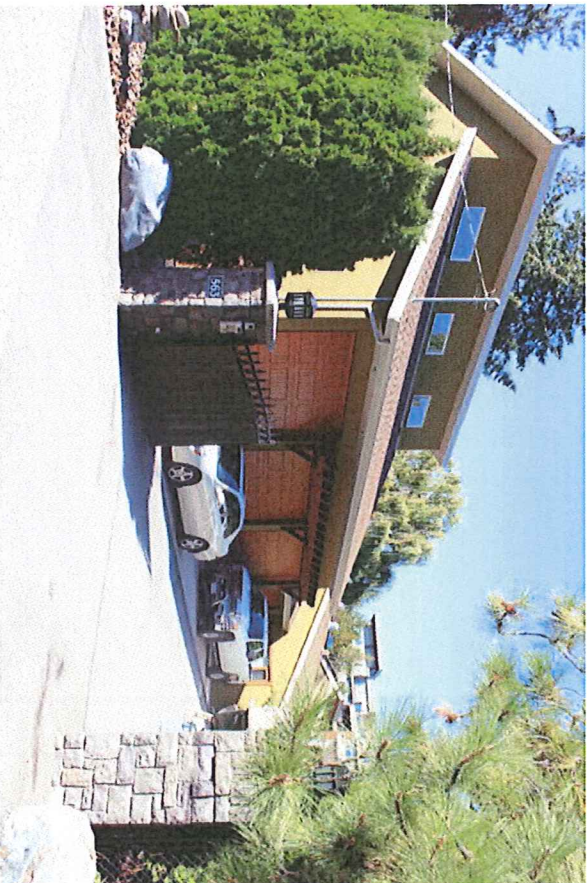


545 Radant Road

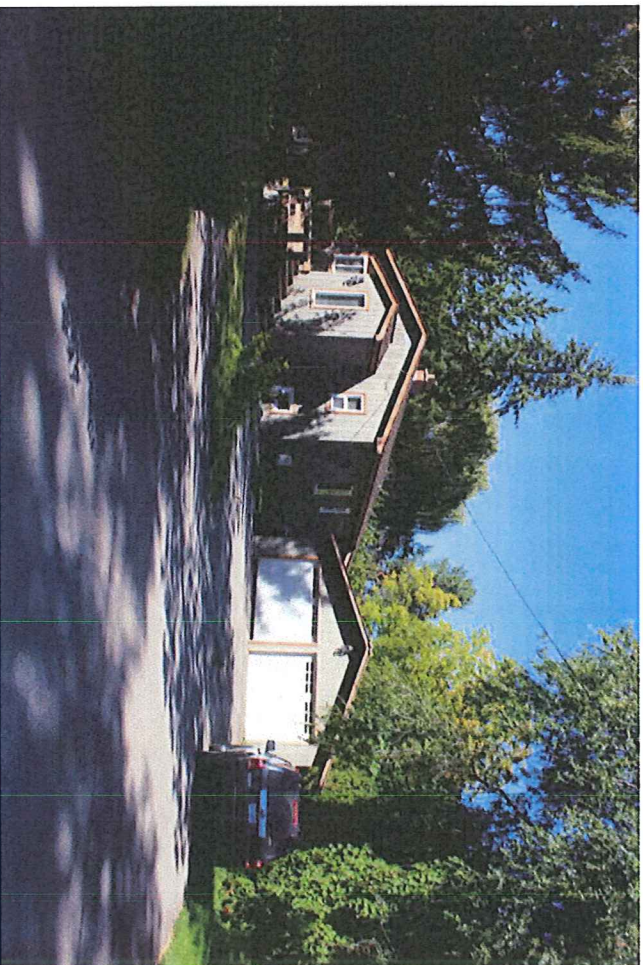
551 Radant Road



Directly across the street from subject property



563 Radant Road



569 Radant Road

CITY OF KELOWNA
MEMORANDUM

Date: November 19, 2014
File No.: Z14-0052

To: Urban Planning Department (TY)

From: Development Engineering Manager

Subject: 545 Radant Road RU1 to RU6

The Development Engineering Department has the following comments and requirements associated with this rezoning application. The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technologist for this project is Sergio Sartori

1. Domestic Water and Fire Protection

This property is currently serviced with a 19mm-diameter copper water service. Two 19mm water services are required to meet current by-law requirements. One new 19mm service can be provided by the City at the owner's cost. The applicant will be required to sign a Third Party Work Order for the cost of the water service upgrades. For estimate inquiry's please contact Sergio Sartori, by email ssartori@kelowna.ca or phone, 250-469-8589.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service complete with inspection chamber (IC) which is adequate for this application.

3. Road Improvements

- (a) Radant Road must be upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, sidewalk, drainage system including catch basins, manholes and pavement removal and replacement, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. A one-time cash payment in lieu of construction must be collected from the applicant for future construction by the City. The cash-in-lieu amount is determined to be **\$10,200.00** not including utility service cost

- b) Only the service upgrades must be completed at this time. The City wishes to defer the upgrades to Radant Road fronting this development. Therefore, cash-in-lieu of immediate construction is required and the City will initiate the work later, on its own construction schedule.

Radant Road

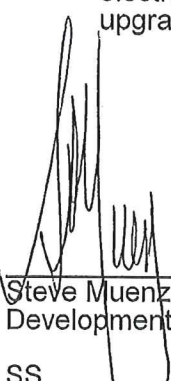
Item	Cost
Drainage	\$3,138.00
Curb &Gutter	\$1,663.00
Sidewalk	\$2,375.00
Street Lighting	\$ 713.00
Landscape Boulevard	\$ 641.00
Road Fillet	\$1,710.00
Total	\$10,200.00

4. Development Permit and Site Related Issues

Direct the roof drains into on-site rock pits.

5. Electric Power and Telecommunication Services

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.



Steve Muenz, P. Eng.
Development Engineering Manager

SS

REPORT TO COUNCIL



Date: December 17, 2014

RIM No. 1250-30

To: City Manager

From: Urban Planning, Community Planning & Real Estate (TY)

Application: Z14-0056 **Owner:** Andrew & Lesley Wilson

Address: 385 Cadder Avenue **Applicant:** Lesley Wilson

Subject: Rezoning Application

Existing OCP Designation: S2RES - Single/Two Unit Residential

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU1C - Large Lot Housing With Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z14-0056 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, District Lot 14, ODYD Plan 3305, located on 385 Cadder Avenue, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU1C - Large Lot Housing with Carriage House zone be considered by Council.

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

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

2.0 Purpose

To rezone the subject property from RU1-Large Lot Housing to RU1C-Large Lot Housing with Carriage House in order to develop a carriage house.

3.0 Urban Planning

Urban Planning supports the proposed rezoning application on the subject property. The property is designated in Kelowna's Official Community Plan as S2RES - Single/Two Unit Residential and, as such, the application to rezone the property to RU1C to facilitate a carriage house is in compliance with the designated future land use. In addition, the OCP supports the densification of neighbourhoods through appropriate infill development and utilization of existing infrastructure such as the development of carriage housing.

A two storey home and detached two storey garage are currently being constructed on the subject property. The applicant has received a Heritage Alteration Permit as well as a Building

Permit for both structures. The applicant is now seeking to add a dwelling in the second storey of the detached garage. The siting and exterior design of the detached garage is unchanged, still adhering to the Heritage Alteration Permit granted when the second storey was designed as a bonus room. The proposed dwelling above the detached garage meets the zoning requirements for a carriage house in an RU1C zone. Overall the proposed rezoning fits with what Staff foresee happening on this neighbourhood. Staff recommends the rezoning application.

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbour consultation by contacting the neighbours in person.

4.0 Proposal

4.1 Project Description

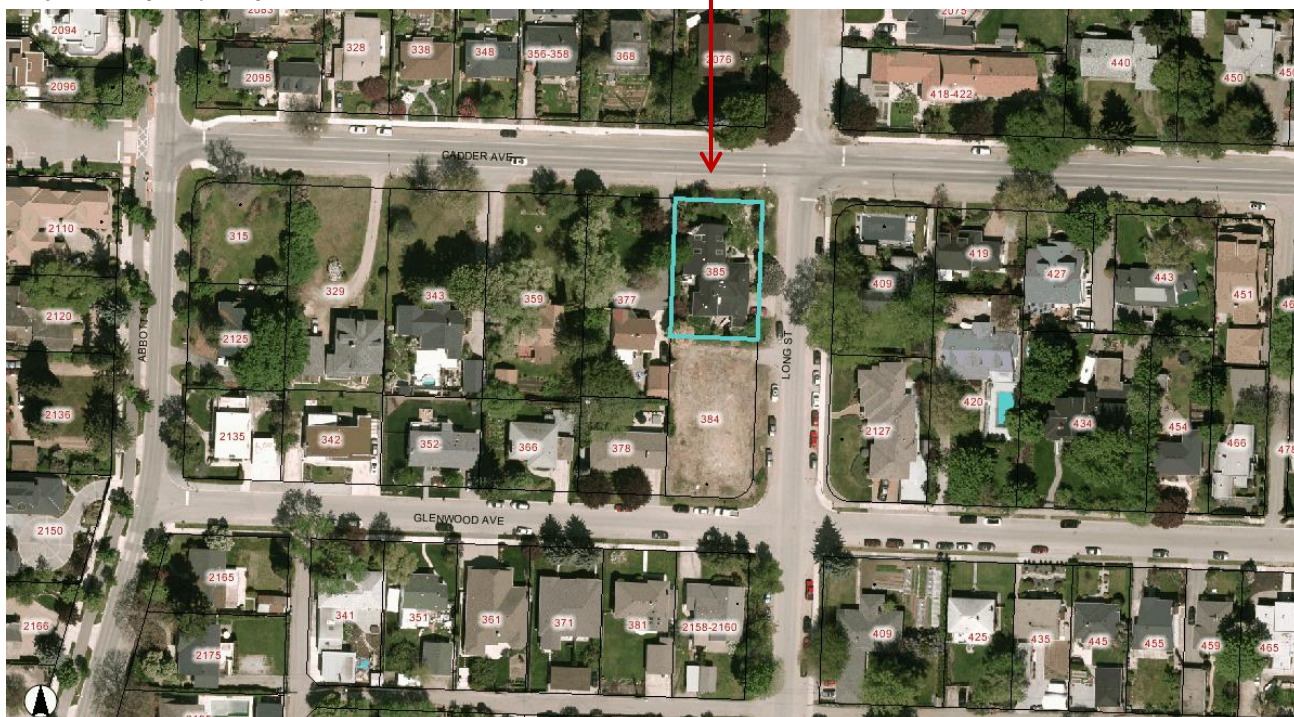
The applicant is proposing to rezone the property to RU1C in order to allow a dwelling above the detached garage. The dwelling unit will require a building permit and the detached garage will require a new building permit to review the living space. Both the principal dwelling and carriage house on the subject property are designed with an Arts and Crafts architectural style which fits in with the neighbouring style. No variances are required, and parking and private open space is accommodated for on site.

4.2 Site Context

The subject property is located on the corner of Cadder Avenue and Long Street in the Pandosy sector of Kelowna. The property is currently zoned RU1, identified in Kelowna's OCP as Single/Two Unit Residential, and is within the Permanent Growth Boundary. Surrounding properties are predominantly zoned RU1 with RU6 and RU1C zones throughout the neighbourhood.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1	Single Family Dwelling
East	RU1	Single Family Dwelling
South	RU6	Empty Lot
West	RU1	Single Family Dwelling



Zoning Analysis Table		
CRITERIA	RU1C ZONE Carriage House REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	550m ²	880m ²
Lot Width	17.0m	23.6m
Lot Depth	30.0m	37.2m
Development Regulations		
Site Coverage: Buildings	40%	40%
Site Coverage: Buildings, Driveways & Parking	50%	46%
Lot coverage: accessory buildings or structures and carriage house	14%	7.5%
Area of accessory buildings, structures and carriage house	90m ²	56m ²
Maximum net floor area to total net floor area of principal building	75%	46%
Height	4.8m	9.5m
Setback from Principal Dwelling	3.0m	3.0m
Side Yard (west)	2.3m	8.0m
Side Yard (east)	6.0m	6.0m
Rear Yard	1.5m	2.1m
Other Regulations		
Minimum Parking Requirements	(2 principal)1 carriage	5
Private Open Space	30m ² each dwelling	93m ² each dwelling

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ 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 Infill² Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting.

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.
- Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- Provide the City of Kelowna Bulletin #88-02 (Secondary Suites Requirements in a single family dwelling) for minimum requirements. The drawings submitted for Building Permit application is to indicate the method of fire separation between the suite and the main dwelling.
- Range hood above the stove and the washroom to vent separately to the exterior of the building. The size of the penetration for this duct thru a fire separation is restricted by BCBC 12, so provide size of ducts and fire separation details at time of Building Permit Applications.
- A fire rated exit stairwell may be required from the suite to the exterior. Please provide these details on the building permit drawing sets.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications

6.2 Development Engineering Department

- See the attached memorandum dated November 19, 2014

6.3 Fire Department

- Requirements of section 9.10.19 Smoke Alarms of the BCBC 2012 are to be met.
- If a fence is ever constructed between the dwellings a gate with a clear width of 1100mm is required. Any gate is to open without special knowledge.
- Additional visible address is required to be viewable from Cadder Ave.

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

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

7.0 Application Chronology

Date of Application Received: November 13, 2014
Date Public Consultation Completed: April 14, 2014

Report prepared by:

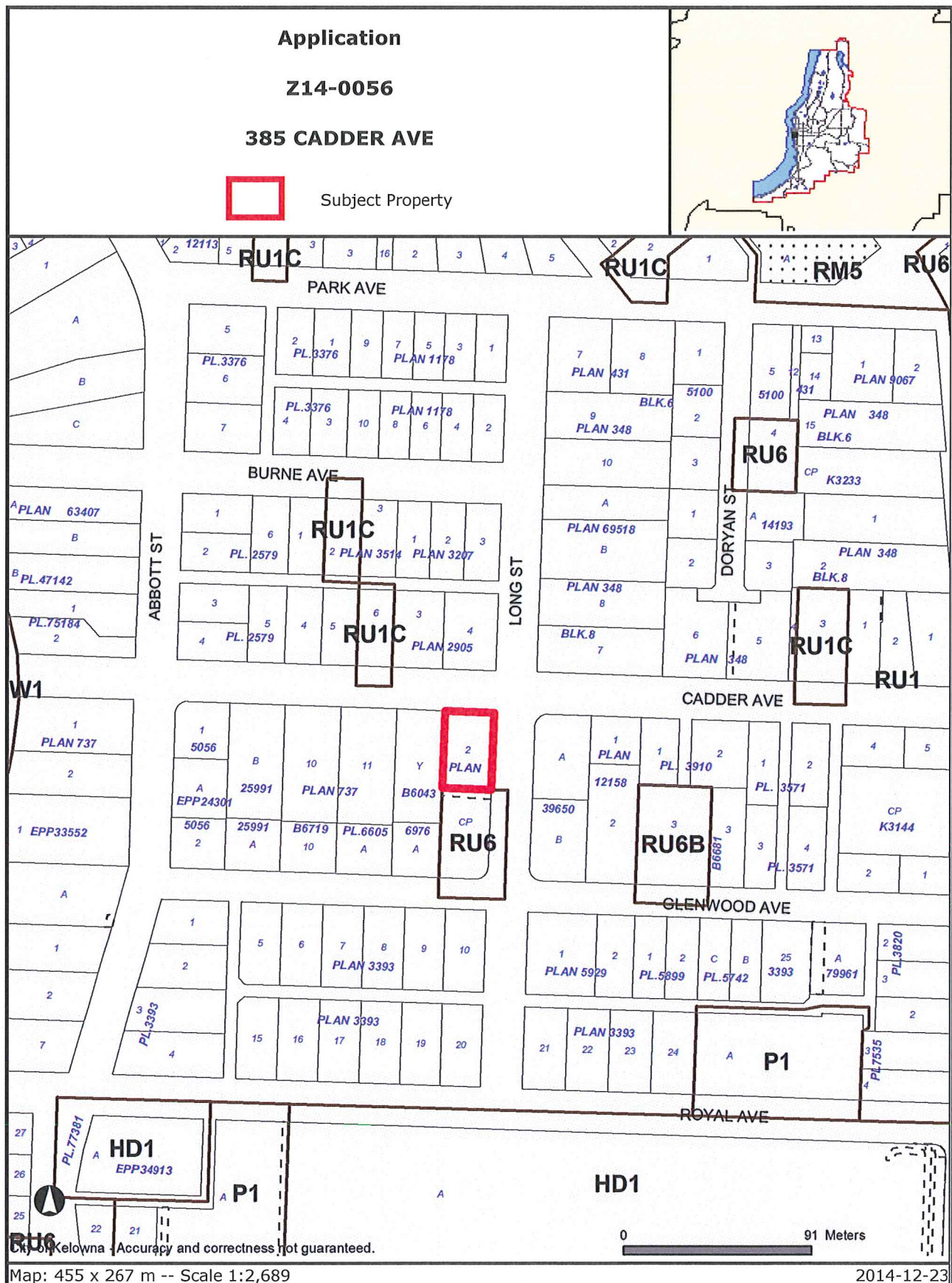
Tracey Yuzik, Planner

Reviewed by: ☐ Lindsey Ganczar, Urban Planning Supervisor

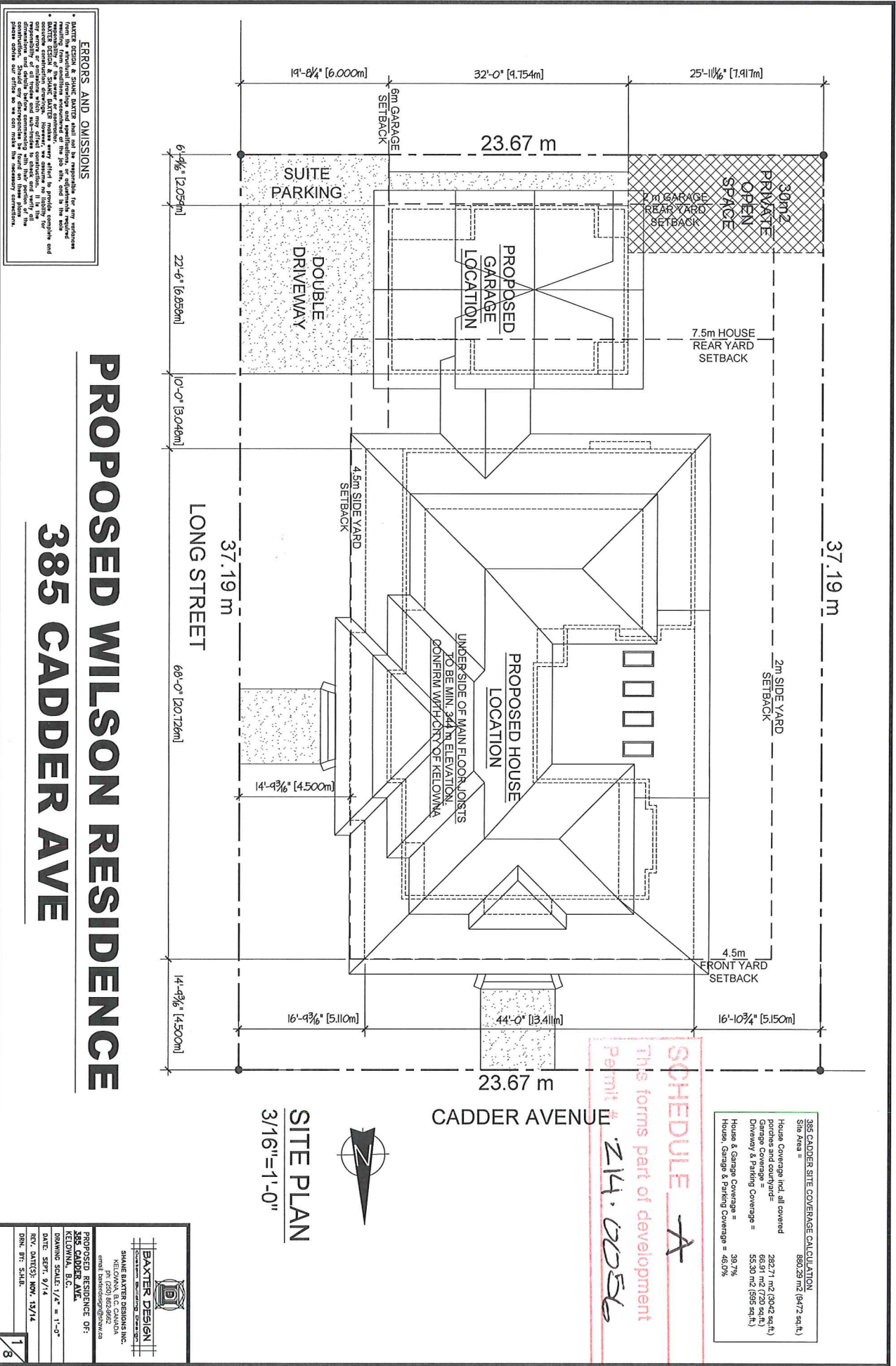
Approved for Inclusion ☐ Ryan Smith, Urban Planning Manager

Attachments:

Subject Property Map
Schedule "A" Site Plan
Schedule "B" Elevations
Development Engineering Memorandum




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.



ERRORS AND OMISSIONS

THESE ARE THE DESIGN AND CONSTRUCTION OF THE PROPOSED RESIDENCE. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS.



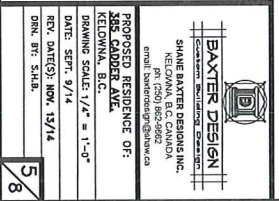
BAXTER DESIGN
Custom Building Design

SHANE BAXTER DESIGNS INC.
TEL: (416) 850-8822
email: shanebaxterdesign@shaw.ca

PROPOSED RESIDENCE OF:
385 CADDER AVE.
KILGORE, B.C.

DRAWING SCALE: 1/4" = 1'-0"
DATE: SEPT. 9/14
REV. DATE(S): NOV. 13/14
DIN. BY: SHAB.

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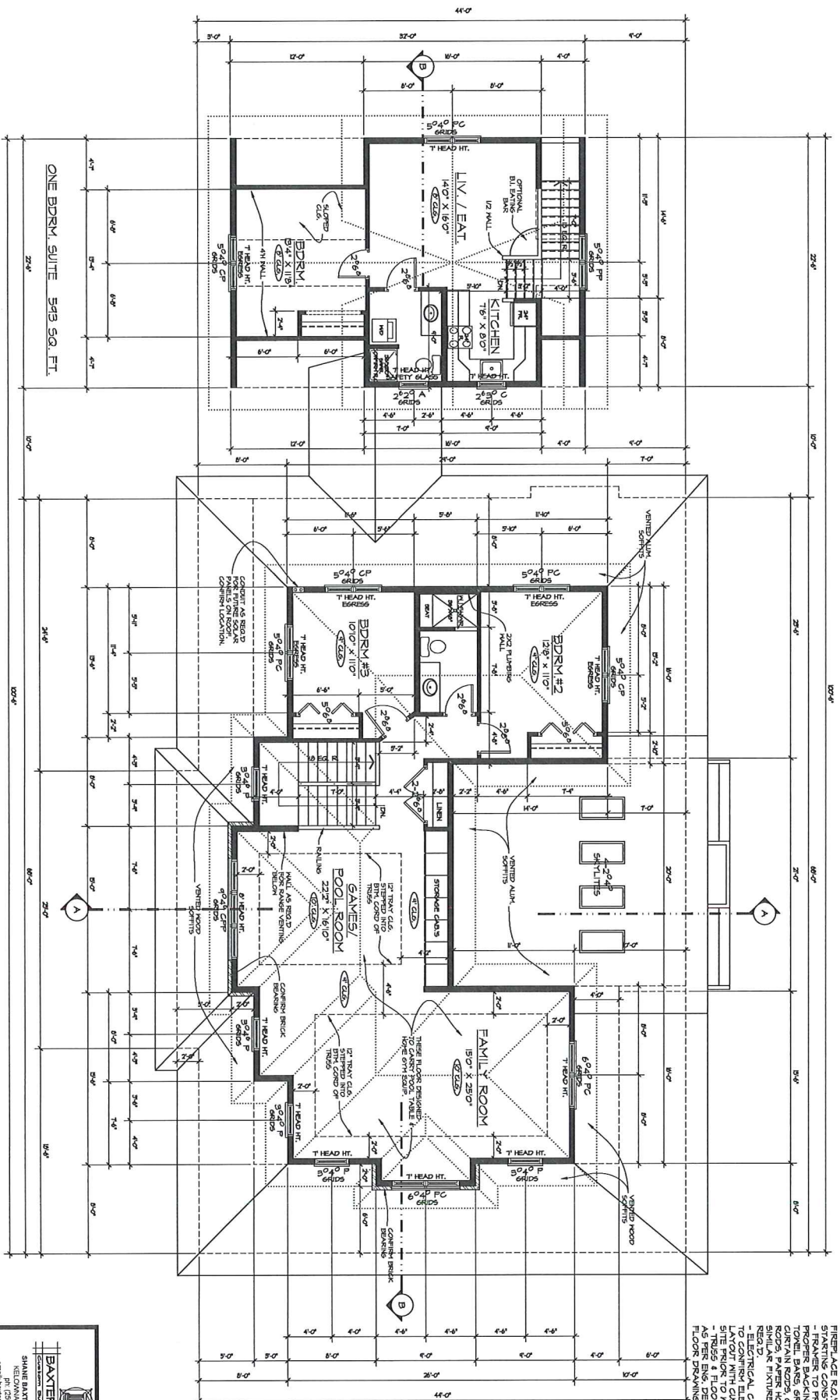


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This forms part of development

Permit # 214-0056

- FRAMER TO CONFIRM ALL PLUMBING FIXTURE & REPLACE R.O.'S PRIOR TO STARTING CONSTRUCTION.
- FRAMER TO PROVIDE PROPER BACKING FOR TONEL BARS, GRAB BARS, CURTAIN RODS, CLOSET RODS, PAPER HOLDERS, AND SIMILAR FIXTURES AS REQ'D.
- ELECTRICAL CONTRACTOR TO CONFIRM ELECTRICAL LAYOUT WITH CUSTOMER ON SITE PRIOR TO WIRING.
- TRUSS & FLOOR LAYOUT AS PER ENG. DES. TRUSS & FLOOR DRAWINGS.



ERRORS AND OMISSIONS

UPPER FLOOR PLAN 1321 SQ. FT.

NOTE: ALL EXTENSION DOOR AND WINDOW SIZES, PATTERNS, COMBINATIONS, CONFIGURATIONS AND SEPARATIONS TO BE COMPLETED BY WINDOW MANUFACTURER TO ENSURE MEETS NORTH AMERICAN FENESTRATION STANDARD COMPLIANCE. WHAT'S SHOWN ON THE PLANS IS JUST A REPRESENTATION OF THE LOOK AND FEEL INTENDED BY THE DESIGNER. THE TYPE OF WINDOW USED AND MANUFACTURER SPEC'S MAY VARY AND THEREFORE NEED TO BE CONFIRMED PRIOR TO CONSTRUCTION.

BAXTER DESIGN
CREATION BUILDING DESIGN INC.
SHANE BAXTER DESIGNS INC.
1000
N. HWY. 100
PR. (251) 862-2802
email: baxterdesign@baxterdesign.com
KELMUNA, B.C.

PROPOSED RESIDENCE OF:
MRS. CANDICE AYES
RELKUNA, B.C.

DRAWING SCALE: 1/4" = 1'-0"

DATE: SEPT. 9/14

REV. DATE(S): NOV. 15/14

DRAWN BY: S.H.B.


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Permit # 214.0056

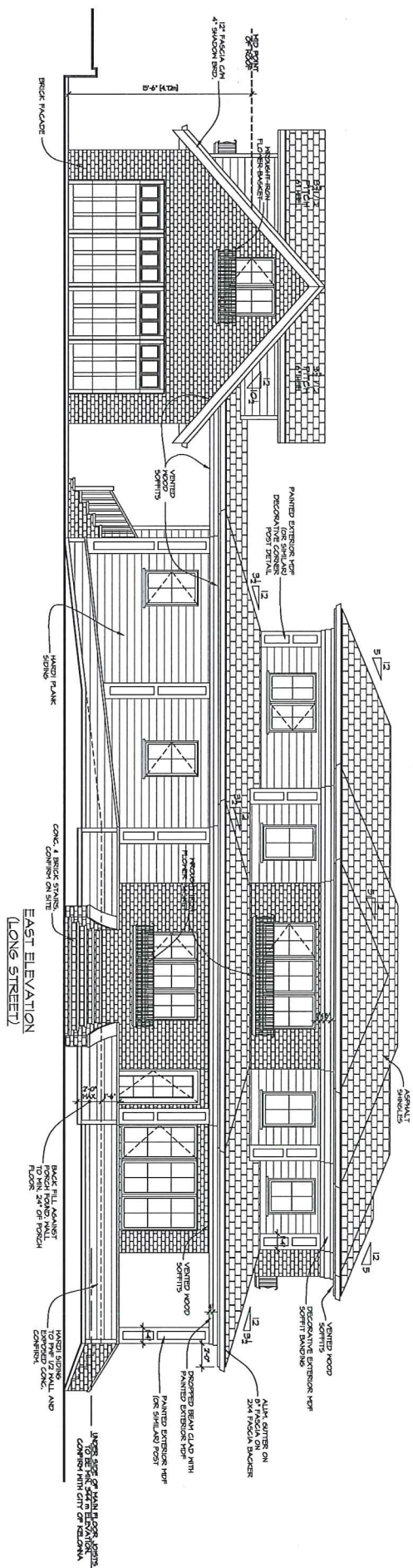


• **BATYER DESIGN & SHANE BATYER** shall and be responsible for any work done on a current design or specifications, or any amendments required resulting from conditions encountered at the job site, and is the sole responsibility of the owner or contractor.

• **BATYER DESIGN & SHANE BATYER** makes every effort to provide complete and accurate construction drawings. However, we disclaim no liability for any errors or omissions that may occur. It is the responsibility of the owner or contractor to verify all dimensions and details before commencing with their portion of the construction. Should any discrepancies be found on these plans, please advise our office so we can make the necessary correction.

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SHANE BAXTER DESIGN INC.
KELLOWNA, B.C. CANADA
ph (250) 868-9892
email shane@baxterdesign.ca
**PROPOSED RESIDE OF:
385 CADDIE AVE.
KELLOWNA, B.C.**
DRAWING SCALE: 1/4" = 1'-0"
DATE: SEP. 9/14
REV. DATE(S): NOV. 13/14
DRL. BY: S.A.B.

7/8



ERRORS AND OMISSIONS

It is the responsibility of the architect to provide a complete and accurate set of drawings for the construction of the building. The architect shall be responsible for any errors and omissions in the drawings, and shall be liable for any damages resulting therefrom. The architect shall not be responsible for any errors and omissions in the drawings made by the contractor or any other party.

NOTE

ALL EXTERIOR DOOR AND WINDOW SIZES, FINISHES, AND MATERIALS TO BE CONFIRMED BY WINDOW MANUFACTURER TO MATCH DRAWING. ALL MATERIALS TO BE USED IN CONSTRUCTION SHALL BE APPROVED BY THE ARCHITECT PRIOR TO CONSTRUCTION. ALL MATERIALS TO BE USED IN CONSTRUCTION SHALL BE APPROVED BY THE ARCHITECT PRIOR TO CONSTRUCTION.

PROPOSED RESIDENCE OF:

285 CADDIS AVE.

RENOVATION, B.C.

DATE: SEPT. 9/14

REV. DATE: NOV. 13/14

DRN. BY: S.H.B.

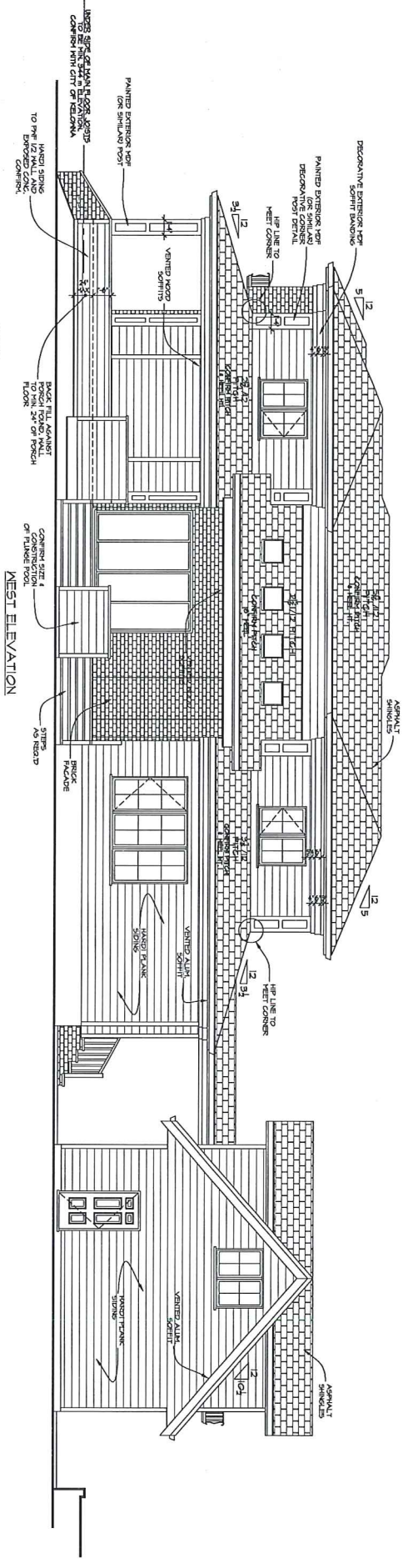
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SCHEDULE

JB

This forms part of development

Permit # 214.0056



SOUTH ELEVATION
CUT THROUGH
BREEZEWAY

SOUTH ELEVATION

ERRORS AND OMISSIONS

THESE DRAWINGS ARE PREPARED BY THE ARCHITECT FOR THE CLIENT'S USE. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT OR FOR THE RESULTS OF ANY CONSTRUCTION BASED ON THESE DRAWINGS. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING AS SHOWN ON THESE DRAWINGS. THE ARCHITECT DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT OR FOR THE RESULTS OF ANY CONSTRUCTION BASED ON THESE DRAWINGS. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING AS SHOWN ON THESE DRAWINGS.

NOTE: ALL EXTERIOR DOOR AND WINDOW SETS, INCLUDING, BUT NOT LIMITED TO, DOOR AND WINDOW SETS, SHALL BE SUPPLIED BY THE MANUFACTURER OF THE BUILDING. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT OR FOR THE RESULTS OF ANY CONSTRUCTION BASED ON THESE DRAWINGS. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING AS SHOWN ON THESE DRAWINGS.

BAXTER DESIGN
SHANE BAXTER DESIGNS INC.
KELLOWAY, B.C.
email: baxterdesign@shaw.ca

PROPOSED RESIDENCE OF:
385 CLOVER AVE.
KELLOWAY, B.C.
DATE: SEPT. 9/14
REV. DATE: NOV. 19/14
DRN. BY: S.H.B.

3/8

CITY OF KELOWNA
MEMORANDUM

Date: November 19, 2014
File No.: Z14-0056
To: Urban Planning (TY)
From: Development Engineering Manager
Subject: 385 Cadder Avenue

RU1c

Development Engineering has the following comments and requirements associated with this application to rezone from RU1 to RU1c.

1. Domestic Water and Fire Protection

Our records indicate this property is currently serviced with a 19mm-diameter water service. . The service is adequate for the proposed application.

2. Sanitary Sewer

Our records indicate that this property is serviced with a 100mm-diameter sanitary sewer service complete with inspection chamber. The service is adequate for the proposed application.

3. Road Dedication and Subdivision Requirements

Dedicate a 6.0m radius corner rounding at the Cadder Ave & Long Street corner.

3. Access, Manoeuvrability and Parking Requirements

No driveway access to Cadder Ave will be permitted.

4. Electric Power and Telecommunication Services

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.



Steve Muenz, P. Eng.
Development Engineering Manager

SS