

**City of Kelowna
Regular Council Meeting
AGENDA**



Monday, January 25, 2016
1:30 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

This meeting is open to the public and all representations to Council form part of the public record. A live audio feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

2. Confirmation of Minutes

5 - 9

PM Meeting - January 18, 2016

3. Development Application Reports & Related Bylaws

3.1 565 Coronation Avenue, Z15-0025 - Christian Lee Bond

10 - 32

To rezone the subject property to facilitate the development of a Carriage House.

3.2 565 Coronation Avenue, BL11184 (Z15-0025) - Christian Lee Bond

33 - 33

To give Bylaw No. 11184 first reading in order to rezone the subject property to facilitate the development of a carriage house.

3.3 1889 Spall Road, OCP15-0001 & Z15-0002 - Simple Pursuits Inc.

34 - 42

To rezone the subject property and amend the Official Community Plan designation to alter potential tenant mix for an existing commercial building.

3.4 1889 Spall Road, BL11190 (OCP15-0001) - Simple Pursuits Inc.

43 - 43

Requires a majority of all members of Council (5).

To give Bylaw No. 11190 first reading in order to change the Future Land Use Designation of the subject property to alter the potential tenant mix for an existing commercial building.

- 3.5 1889 Spall Road, BL11191 (Z15-0002) - Simple Pursuits Inc.** 44 - 44
- To give Bylaw No. 11191 first reading in order to rezone the subject property to alter the potential tenant mix for an existing commercial building.
- 3.6 145 Dougall Road, Z15-0052 - Narish Kathpal** 45 - 70
- To rezone the subject property to facilitate the construction of a Carwash.
- 3.7 145 Dougall Road, BL11193 (Z15-0052) - Narish Kathpal** 71 - 71
- To give Bylaw No. 11193 first reading in order to rezone the subject property to facilitate the construction of a carwash.
- 3.8 TA15-0015 - Amendments to the RU6 - Two Dwelling Housing Zone** 72 - 79
- To amend the Zoning Bylaw by amending the RU6 - Two Dwelling Housing to allow duplex units with party wall agreements, develop provisions for small lot duplex housing on a pilot project basis and remove mention of the unused RU6h zone.
- 3.9 BL11192 (TA15-0015) - Amendment to Section 13 - Urban Residential Zones - 13.6 RU6 - Two Dwelling Housing Zone** 80 - 84
- To give Bylaw No. 11192 first reading in order to amend Section 13.6 of City of Kelowna Zoning Bylaw No. 8000.
- 3.10 1035 Hollywood Road South, OCP15-0014 & Z15-0043 - Seventh Day Adventist Church (BC Conference)** 85 - 95
- To amend the Official Community Plan to change the Future Land Use designation of the subject property and to rezone the subject property to facilitate a single and two dwelling housing subdivision. To amend the Zoning Bylaw by adding regulations to the RU6 - Two Dwelling Housing zone to facilitate the creation of fee simple lots for semi-detached dwellings.
- 3.11 1035 Hollywood Road South, BL11194 (OCP15-0014) - Seventh-Day Adventist Church (BC Conference)** 96 - 97
- Requires a majority of all members of Council (5).**
- To give Bylaw No. 11194 first reading in order to change the Future Land Use designation of the subject property to facilitate a single and two dwelling housing subdivision.
- 3.12 1035 Hollywood Road South, BL11195 (Z15-0043) - Seventh-Day Adventist Church (BC Conference)** 98 - 99
- To give Bylaw No. 11195 first reading in order to rezone the subject property to facilitate a single and two dwelling housing subdivision.

- 3.13 619 McClure Road, Z15-0061 - Folio Building Group Inc.** 100 - 111
- The applicant is requesting permission to rezone the subject property from RU1 - Large Lot Housing to RU2 - Medium Lot Housing in order to facilitate a subdivision of the parcel into two lots.
- 3.14 619 McClure Road, BL11196 (Z15-0061) - Folio Building Group Inc.** 112 - 112
- To give Bylaw No. 11196 first reading in order to rezone the subject property to facilitate a subdivision of the parcel into two lots.
- 3.15 2075 KLO Road, Z15-0045 & TA15-0010, Supplemental Report - Eva Linttell** 113 - 142
- To amend a condition of adoption of Rezoning Bylaw No. 11189 and to forward the Rezoning and Text Amending Bylaws for reading consideration.
- 3.16 2075 KLO Road, BL11188 (TA15-0010) - Amendment to Section 11 - Agricultural Zone** 143 - 143
- To give Bylaw No. 11188 first reading in order to amend Section 11 of City of Kelowna Zoning Bylaw No. 8000 in order to allow the construction of 10 agri-tourist accommodations on the subject property.
- 3.17 2075 KLO Road, BL11189 (Z15-0045) - Eva Linttell** 144 - 144
- To give Bylaw No. 11189 first reading in order to rezone the subject property to facilitate agri-tourist accommodations.
- 3.18 1280 Glenmore Road, BL11032 (OCP14-0011) - 561655 BC Ltd.** 145 - 146
- Requires a majority of all members of Council (5).**
To adopt Bylaw No. 11032 in order to change the Future Land Use designation of the subject property to facilitate the construction of a freehold five unit townhouse development.
- 3.19 1280 Glenmore Drive, BL11033 (Z14-0026) - 561655 BC Ltd.** 147 - 148
- To adopt Bylaw No. 11033 in order to rezone the subject property to facilitate the construction of a freehold five unit townhouse development.
- 3.20 1280 Glenmore Drive, DP14-0111 - 561655 BC Ltd.** 149 - 178
- To consider the form and character Development Permit for a freehold five unit townhouse development.
- 3.21 BL10998 (TA14-0004) - CD25 - Capri Centre Comprehensive Development Zone** 179 - 200
- To adopt Bylaw No. 10998 in order to amend City of Kelowna Zoning Bylaw No. 8000 to create the CD25 - Capri Centre Comprehensive Development Zone.

3.22 1755 Capri Street, 1835 Gordon Drive & 1171 Harvey Avenue, BL11016 (Z12-0056) - RG Properties Ltd. 201 - 201

To adopt Bylaw No. 11016 in order to rezone the subject properties to accommodate the CD25 development.

3.23 BL10999 - Amendment No. 21 to Sign Bylaw No. 8235 202 - 202

To adopt Bylaw No. 10999 in order to amend Sign Bylaw No. 8235 to accommodate for the creation of the CD25 zone.

3.24 1755 Capri Street, 1835 Gordon Drive & 1171 Harvey Avenue, DP14-0029 - RG Properties Ltd. 203 - 223

To consider the overarching Form and Character Development Permit for the entire CD25 development site.

4. Bylaws for Adoption (Development Related)

4.1 4360-4390 Gallaghers Drive E, BL11066 (OCP14-0026) - GolfBC Holdings Inc. 224 - 225

Requires a majority of all members of Council (5).

To adopt Bylaw No. 11066 in order change the Future Land Use designation of the subject properties to facilitate a three-lot subdivision that separates the recreational, amenity and commercial uses in the Village at Gallagher's Canyon.

5. Non-Development Reports & Related Bylaws

5.1 2185 & 2195 Rutland Road North, Road Closure & Partial Disposition 226 - 228

To facilitate the re-alignment of Rutland Road N. by the Ministry of Transportation and Infrastructure.

5.2 2185 & 2195 Rutland Road N (Portion of Laneway adjacent to), BL11181 - Road Closure Bylaw 229 - 230

To give Bylaw No. 11181 first, second and third readings in order to authorize the City to permanently close and remove the highway dedication of a portion of highway adjacent to Rutland Road North.

6. Mayor and Councillor Items

7. Termination



City of Kelowna Regular Council Meeting Minutes

Date: Monday, January 18, 2016
 Location: Council Chamber
 City Hall, 1435 Water Street

Council Members Present: Mayor Colin Basran and Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben, Mohini Singh and Luke Stack

Staff Present: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Urban Planning Manager, Terry Barton*; Community Planning Department Manager, Ryan Smith*; Utility Planning Manager, Andrew Reeder*; and Legislative Systems Coordinator, Sandi Horning

(* denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:30 p.m.

Mayor Basran advised that the meeting is open to the public and all representations to Council form part of the public record. A live audio feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

2. Confirmation of Minutes

Moved By Councillor Donn/Seconded By Councillor Hodge

R021/16/01/18 THAT the Minutes of the PM Meeting of January 11, 2016 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 160 Gibbs Road West, Z15-0055 - Lance Johnson & Tracey Skulmoski

Staff:

- Displayed a PowerPoint presentation summarizing the application before Council and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor DeHart

R022/16/01/18 THAT Rezoning Application No. Z15-0055 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 4 Section 26 Township 26 ODYD Plan 12452, Located at 160 Gibbs Road W, Kelowna, BC from RU1 - Large Lot Housing zone to RU1c - Large Lot Housing with Carriage House zone, be considered by Council;

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

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

Carried

3.2 160 Gibbs Road West, BL11183 (Z15-0055) - Lance Johnson & Tracey Skulmoski

Moved By Councillor Donn/Seconded By Councillor Given

R023/16/01/18 THAT Bylaw No. 11183 be read a first time.

Carried

City Clerk:

- Advised that the Public Hearing is scheduled for February 2, 2016.

3.3 150 Homer Road, OCP15-0004 & Z15-0018 - The BC Muslim Association

Staff:

- Displayed a PowerPoint presentation summarizing the application before Council and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Sieben

R024/16/01/18 THAT Official Community Plan Amendment No. OCP15-0004 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of portions of Lot 12, Section 27, Township 26, ODYD, Plan 14897 located at 150 Homer Road, Kelowna, BC, from the MRL - Multiple Unit Residential (Low Density) designation to the EDINST - Education/Institutional designation, as shown on Map "A" attached to the Report from the Community Planning Department dated January 18th 2016, be considered by Council;

AND THAT Rezoning Application No. Z15-0018 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot 12, Section 27, Township 26, ODYD, Plan 14897 located at 150 Homer Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the P2 - Education and Minor Institutional zone, as shown

on Map "B" attached to the Report from the Community Planning Department dated January 18th 2016, be considered by Council;

AND THAT the Official Community Plan amending Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Official Community Plan amending Bylaw and Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated June 17th 2015.

Carried

3.4 150 Homer Road, BL11186 (OCP15-0004) - The BC Muslim Association

Moved By Councillor Hodge/Seconded By Councillor Gray

R025/16/01/18 THAT Bylaw No. 11186 be read a first time;

AND THAT the Bylaw has been considered in conjunction with the City's Financial Plan and Waste Management Plan.

Carried

3.5 150 Homer Road, BL11187 (Z15-0018) - The BC Muslim Association

Moved By Councillor Singh/Seconded By Councillor Sieben

R026/16/01/18 THAT Bylaw No. 11187 be read a first time.

Carried

City Clerk:

- Advised that the Public Hearing is scheduled for February 2, 2016.

3.6 1010 Ellis Street, DP15-0266 - Whitworth Holdings Ltd.

Staff:

- Displayed a PowerPoint presentation summarizing the application before Council and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Sieben

R027/16/01/18 THAT Council authorizes the issuance of Development Permit No. DP15-0266 for Lot 1, DL 139 ODYD Plan KAP69068, located at 1010 Ellis St., Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of

the estimated value of the landscaping, as determined by a Registered Landscape Architect.

AND THAT Council's consideration of this Development Permit be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated January 18, 2016;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permits to be issued;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

4. Non-Development Reports & Related Bylaws

4.1 Landfill Sanitary Lift Station - Partnership to Construct Leachate Treatment

Staff:

- Made comment regarding updated funding amounts and how the staff recommendation would change.
- Responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Given

R027/16/01/18 THAT Council receives, for information, the report from the Utilities Planning Manager dated January 11, 2016 regarding the landfill sanitary lift station-partnership to construct leachate treatment;

AND THAT Council authorizes the expenditure of \$336,050 (\$136,050 new funds plus \$200,000 authorized in 2015 for leachate treatment) plus applicable GST from the Glenmore Sanitary Landfill budget for the purpose of entering into a cost sharing agreement with McKinley Hillside Limited to construct a leachate treatment system;

AND FURTHER THAT the 2016 Financial Plan be amended to include this additional \$136,050 plus applicable taxes be funded from the landfill reserve.

Carried

5. Bylaws for Adoption (Non-Development Related)

5.1 BL11177 - Amendment No. 14 to Bylaw Notice Enforcement Bylaw No. 10475

Moved By Councillor Singh/Seconded By Councillor DeHart

R028/16/01/18 THAT Bylaw No. 11177 be adopted.

Carried

6. Mayor and Councillor Items

Councillor Donn:

- Commented on his attendance at the recent Safe Schools Committee meeting.

Mayor Basran:

- Commented on the Annual General Meeting of the Kelowna Cycling Coalition.
- Noted that the Provincial Government is hosting its first BC Tech Summit.

7. Termination

This meeting was declared terminated at 2:17 p.m.

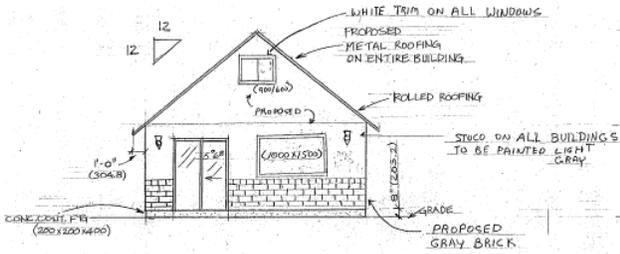
Mayor



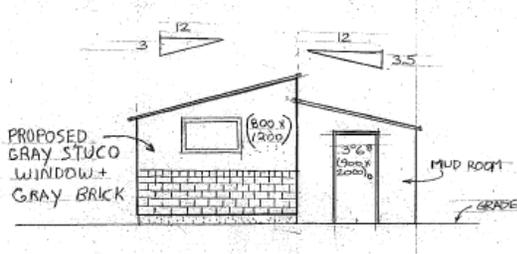
City Clerk

/slh

DRAFT



Primary Dwelling - Front Elevation



Carriage House - Elevation from Lane

The required variance is to reduce both side setbacks of the Carriage House from 2.0 m required to 1.46 m provided on the west side and 1.81 m on the east side. The subject building was constructed on the parcel in 1948 and therefore, does not meet the current side setback requirements. The 2.0 m side setback requirement is the same for a Carriage House as it is for the one storey portion of a primary dwelling. As such, the non-conformity of the building will be reduced on the west side. This is achieved by the removal of a portion of the rear of the existing building to accommodate parking stalls which will be accessed from the rear lane. The side setback is 1.35 m, and will increase to 1.46 m proposed.

As the footprint of the primary dwelling at the front of the parcel will remain unchanged, the west side setback will remain existing non-conforming at 1.41 m.

4.3 Site Context

Adjacent land uses are as follows:

| Orientation | Zoning | Land Use |
|-------------|--------------------------|--------------------------|
| North | RU2 - Medium Lot Housing | Single Detached Dwelling |
| East | RU2 - Medium Lot Housing | Single Detached Dwelling |
| South | RU2 - Medium Lot Housing | Single Detached Dwelling |
| West | RU2 - Medium Lot Housing | Single Detached Dwelling |

Subject Property Map: 565 Coronation Avenue



4.4 Zoning Analysis Table

| Zoning Analysis Table | | |
|---|---------------------------|-------------------------|
| CRITERIA | RU2c ZONE REQUIREMENTS | PROPOSAL |
| Existing Lot/Subdivision Regulations | | |
| Minimum Lot Area | 400 m ² | 380.71 m ² |
| Minimum Lot Width | 13 m | 10.13 m |
| Minimum Lot Depth | 30 m | 37.57 m |
| Development Regulations | | |
| Maximum Site Coverage (buildings) | 40% | 22.38% |
| Maximum Site Coverage (buildings, driveways and parking) | 50% | 39.04% |
| Maximum Height | 9.5 m | 4.87 m |
| Minimum Front Yard | 4.5 m | 6.38 m |
| Minimum Side Yard (east) | 2.3 m | 2.96 m |
| Minimum Side Yard (west) | 2.3 m | 1.41 m |
| Minimum Rear Yard | 7.5 m | 23.57 m |
| Max. Height | 4.8 m | 3.35 m |
| Min. Side Yard (east) | 2.0 m | 1.81 m ● |
| Min. Side Yard (west) | 2.0 m | 1.46 m ● |
| Min. Rear Yard | 0.9 m | 6.18 m |
| Height (carriage house shall not be higher than existing primary dwelling unit) | 2 storey primary dwelling | 1 storey carriage house |
| Other Regulations | | |
| Minimum Parking Requirements | 3 stalls | 3 stalls |
| Minimum Private Open Space | m ² | m ² |

● Indicates a requested variance to the side setback of the carriage house.

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.

5.2 Technical Comments

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).

5.3 Building & Permitting Department

- Full Plan check for Building Code related issues will be done at time of Building Permit applications.
- Please indicate how the requirements of Radon mitigation and NAFS are being applied to this structure at time of permit application.

5.4 Development Engineering Department

- See Attachment 'A'

5.5 Bylaw Services

- Numerous bylaw issues relating to this property; presently a court file summons for 3-cts, Unsightly Premises Bylaw, Zoning Bylaw and Fire and Life Safety Bylaw.

5.6 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 from Coronation. Emergency access is NOT from the lane to the south but form Coronation Ave.

5.7 Real Estate & Building Services Manager

- This is a very high use area relating to parking & there is no guarantee that street parking will always be available (parking variances in this area are not recommended).

6.0 Application Chronology

| | |
|--|-------------------|
| Date of Application Received: | May 21, 2015 |
| Date of latest Drawing Revisions Received: | November 16, 2015 |
| Date Public Consultation Completed: | July 15, 2015 |

Report prepared by:

Lydia Korolchuk, Planner

Reviewed by:

Terry Barton, Urban Planning Manager

Approved for Inclusion:

Ryan Smith, Community Planning Department Manager

Attachments:

- Schedule A: Site Plan & Landscape Plan
- Schedule B: Conceptual Elevations
- Attachment 'A': Development Engineering Memorandum
- Summary of Technical Comments

CITY OF KELOWNA
MEMORANDUM

Date: July 3, 2015
File No.: Z15-0025

To: Community Planning (PM)

From: Development Engineering Manager(SM)

Subject: 565 Coronation Ave Carriage House

Development Engineering has the following comments and requirements associated with this application. The utility upgrading requirements/fees outlined in this report will be a requirement of this development.

1. Domestic Water and Fire Protection

The existing lot is serviced with a small diameter (13-mm) copper water service, which is substandard. Adequate metered water service must be provided to meet current by-law requirements. **The disconnection of the existing small diameter water service and the tie-in of a larger new service can be provided by City forces at the developer's expense. 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. Development Permit and Site Related Issues

Direct the roof drains into on-site rock pits.

Access to this site is permitted from the lane only.

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

CITY OF KELOWNA
MEMORANDUM

Date: July 3, 2015
File No.: DP15-0112
To: Community Planning (PM)
From: Development Engineering Manager (SM)
Subject: 565 Coronation Ave

Development Engineering comments and requirements regarding this development permit application are as follows:

All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z15-0025.

Steve Muenz, P. Eng.
Development Engineering Manager

SS

Public HearingMay 30, 2000

A Public Hearing of the Municipal Council of the City of Kelowna was held in the Council Chamber, 1435 Water Street, Kelowna, B.C., on Tuesday, May 30, 2000.

Council members in attendance were: Mayor Walter Gray, Councillors A.F. Blancheil, R.D. Cannan, B.A. Clark, C.B. Day, B.D. Given, R.D. Hobson, J.D. Nelson and S.A. Shepherd.

Staff members in attendance were: Acting-City Manager/Director of Planning & Development Services, R.L. Mattiussi, Deputy City Clerk, G.D. Matthews; Current Planning Manager, A.V. Bruce; and Council Recording Secretary, B.L. Harder.

1. Mayor Gray called the Hearing to order at 7:00 p.m.
2. Mayor Gray advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "Kelowna Official Community Plan (1994-2013) Bylaw No. 7600" and "Zoning Bylaw No. 8000", and all submissions received, either in writing or verbally, will be taken into consideration when the proposed bylaws are presented for reading at the Regular Council Meeting which follows this Public Hearing.

The Deputy City Clerk advised the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on May 12, 2000, and by being placed in the Kelowna Daily Courier issues of May 23 & 24, 2000 and in the Kelowna Capital News issue of May 21, 2000, and by sending out or otherwise delivering 677 letters to the owners and occupiers of surrounding properties between May 3 & May 12, 2000.

3. INDIVIDUAL BYLAW SUBMISSIONS

- (a) Bylaw No. 8550 (Z00-1005) – Christian Bond – 565 Coronation Avenue - THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 36, D.L. 139, O.D.Y.D., Plan 1303, located on Coronation Avenue, Kelowna, B.C., from the RU2 – Medium Lot Housing zone to the RU2s – Medium Lot Housing with Secondary Suite zone in order to allow development of the site for uses permitted in the RU2s zone.

Staff:

- Reconvened from the May 16, 2000 Public Hearing to give the applicant another opportunity to attend the meeting and respond to questions of Council.
- The accessory building was originally constructed with a valid permit for use as a garage but over the years the garage was converted to a suite without the necessary permits.
- Complaints have been lodged with the City and the applicant is now requesting appropriate zoning to legalize the suite.
- In order to meet parking requirements, the applicant proposes to demolish the rear portion of the principle dwelling and construct an addition to the east side. That would provide room for 3 parking stalls at the rear of the principle dwelling.
- The subject property is approximately 10 m in width.
- There are two other properties in the city of a similar size that have 's' zoning and there are a number of lots on Fuller Avenue, Coronation Avenue and Wilson Avenue of similar and smaller lot sizes and that are zoned RU6 – Two Dwelling Housing.
- Showed pictures of a number of houses built on similar and narrower lot sizes to demonstrate how this size lot can accommodate an attractive dwelling, in some instances with a legal secondary suite.
- The subject property is in a state of disrepair and City Bylaw Enforcement staff are taking measures to correct that.
- City Planning staff view this as an opportunity to clean up the property through the zoning and building permit process and recommend support.

Public HearingMay 30, 2000

The Deputy City Clerk advised that no correspondence or petitions had been received.

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward or any comments from Council.

Council:

- At the May 16th Public Hearing neighbours complained that the subject property is unsightly and referred to the accessory building as a "drug-house".

Christian Bond, applicant:

- The last tenants in the suite in the accessory building were bad and difficult to remove; however, they left several months ago, leaving the place a mess, and the suite has been vacant ever since.
- Intend to move the tenant that is now in the main house into the suite while the house is renovated to achieve the 3 parking stalls at the rear.
- There is a fence between the house at the rear of the site and the accessory building in the front. The tenant in the back looks after her yard. There is no tenant in the garage but when there is, that tenant looks after the front portion of the yard.
- As an absentee landlord, it is difficult to get in to check on the place and keep it maintained while working and operating a business in Beaverdale.
- Intend only to do what has to be done to meet City requirements because this is an investment property and just biding time until the area goes commercial.
- If the zoning is not approved, then the tenant would remain in the principle dwelling and the suite in the garage would be there for personal use while in town.
- Usually the tenants do not have vehicles.

There were no further comments.

- (b) Bylaw No. 8565 (Z00-1011) – University Business Park Ltd. (Protech Consultants Ltd., Grant Maddock) – 149 Commercial Drive - THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of part of Lot 3, Sec. 35, Twp. 26, O.D.Y.D., Plan KAP63658, as shown on Map "A" attached to the report of April 18, 2000, located on Commercial Drive, Kelowna, B.C., from the I2 – General Industrial zone to the I1 – Business Industrial zone in order to allow development of the site for uses permitted in the I1 zone.

Staff:

- The property is currently split-zoned and the intent is to rezone the easterly portion of the property to the same zone as the remainder of the property in order to pursue development of the entire site for clean industrial and office uses.
- No Development Permit is required for property with I1 zoning and therefore with adoption of this bylaw the applicant could pursue a building permit to proceed with development of the property.

The Deputy City Clerk advised that no correspondence or petitions had been received.

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward or any comments from Council.

Grant Maddock, applicant:

- This is a simple rezoning and the processing time could be streamlined and the application fee reduced by eliminating the need for referral to the Advisory Planning Commission and to a Public Hearing.
- Suggested that Council take advantage of a section of the Municipal Act that would allow the City to waive the holding of a Public Hearing on applications for rezoning where the proposal is consistent with the Official Community Plan.

There were no further comments.

Regular MeetingMay 30, 2000

A Regular Meeting of the Municipal Council of the City of Kelowna was held in the Council Chamber, 1435 Water Street, Kelowna, B.C., on Tuesday, May 30, 2000.

Council members in attendance were: Mayor Walter Gray, Councillors A.F. Blanleil, R.D. Cannan, B.A. Clark, C.B. Day, B.D. Given, R.D. Hobson, J.D. Nelson and S.A. Shepherd*.

Staff members in attendance were: Acting-City Manager/Director of Planning & Development Services, R.L. Mattiussi, Deputy City Clerk, G.D. Matthews; Current Planning Manager, A.V. Bruce; and Council Recording Secretary, B.L. Harder.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Gray called the meeting to order at 8:15 p.m.

2. PRAYER

The meeting was opened with a prayer offered by Councillor Given.

3. CONFIRMATION OF MINUTES

Regular Meeting, May 15, 2000

Moved by Councillor Nelson/Seconded by Councillor Blanleil

R493/00/05/30 THAT the minutes of the Regular Meetings of May 15 and May 16, 2000 and the Public Hearing of May 16, 2000 be confirmed as circulated.

Carried

4. Councillor Clark was requested to check the minutes of this meeting.

5. PLANNING BYLAWS CONSIDERED AT PUBLIC HEARING

(BYLAWS PRESENTED FOR SECOND & THIRD READINGS)

5.1 Bylaw No. 8550 (Z00-1005) – Christian Bond – 565 Coronation Avenue

Council:

- Classic absentee landowner allowing property to deteriorate in hopes of future profit brought about by rezoning.

Moved by Councillor Nelson/Seconded by Councillor Cannan

R494/00/05/30 THAT Bylaw No. 8550 be read a second and third time.

DEFEATED UNANIMOUSLY

July 14, 2015

File No.: Z15-0025/DP15-0112/DVP15-0113

Mr. Lee Bond
PO Box 18
Beaverdell, BC
V0H 1A0

Dear Lee Bond:

Re: Circulation Comments – Rezoning Application for 565 Coronation Ave.

Your application has been circulated to various agencies within the City of Kelowna, and I have for you the following comments that we have received;

1. Building and Permitting Department

Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this structure at time of permit application

2. Bylaw Services

There have been numerous bylaw enforcement issues relating to this property; there is presently a court file summons for 3-counts, Unsightly Premises Bylaw, Zoning Bylaw and Fire and Life Safety Bylaw.

3. Development Engineering

The utility upgrading requirements/fees outlined in this report will be a requirement of this development.

1. Domestic Water and Fire Protection

The existing lot is serviced with a small diameter (13-mm) copper water service, which is substandard. Adequate metered water service must be provided to meet current by-law requirements. **The disconnection of the existing small diameter water service and the tie-in of a larger new service can be provided by City forces at the developer's expense. 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. Development Permit and Site Related Issues

Direct the roof drains into on-site rock pits.
Access to this site is permitted from the lane only.

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.

Development Permit application related comments;

All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z15-0025.

Development Variance Permit application related comments;

This development variance permit application to vary the side yard setback does not compromise any municipal services.

However, the parking stall variance does put pressure on the on-street parking which is already difficult in the inner city communities.

4. 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 from Coronation. Emergency access is NOT from the lane to the south but from Coronation Ave.

5. Fortis Energy (Gas) No concerns

6. FortisBC (Electric) No concerns.

7. RCMP No comment

8. Real Estate Services

Please advise applicant that this is a very high use area relating to parking & there is no guarantee that street parking will always be available. (Parking variances in this area are not recommended)

9. Shaw Interests are unaffected

10. Telus No comment.

The above noted input identifies the servicing issues and potential upgrades that are necessary to bring the water, sewer, and other services to the property up to current servicing bylaw standards. Arrangements will have to be made prior to final adoption of the zone amending bylaw for your application.

However, this brings up the next issue regarding the requested parking variance. Both the Development Engineering department as well as the Real Estate Services department (managers of the parking resources throughout the City) **do not support** the requested variance to the parking that is required for your site. Therefore Planning staff cannot support the parking variance. Should you wish to proceed with the parking variance, staff will prepare a report with a negative recommendation for consideration by Council, and you can plead your case to Council.

Then there is the form and character of your development on site. :Your property is located within a "Intensive Residential (Carriage House) Development Permit Area". Going through the review process, your proposal is compared to the Revitalization Development Permit Guidelines section of chapter 14 of the Official Community Plan (attached to this letter), and your proposal is found lacking.

I know from dealing with your application back in 2000, (15 years ago), that Council of the day did not look favourably upon your proposal back then, and there have not been substantive changes since that time that have improved your proposal. Notably, the existing dwelling located at the rear of the property was built to a low standard, and little has been done to improve the situation.

The building near the front of the property that you want to consider as the principal dwelling on the site, was originally constructed as a garage. This building was converted to a residential occupancy without any plans review or issued building permits. This includes the addition of a living area within the upper level roof area. Without issued permits, we have no idea if the building structural system is adequate to support the loads, or if it meets the requirements of the BC Building Code. There is also no record of a plumbing permit, so there is no record tht the plumbing was done to meet BC plumbing code requirements. As well, there has been no review of the construction to ensure that the thermal insulation to the building (and associated ventilation), is adequate to meet current British Columbia Building Code standards.

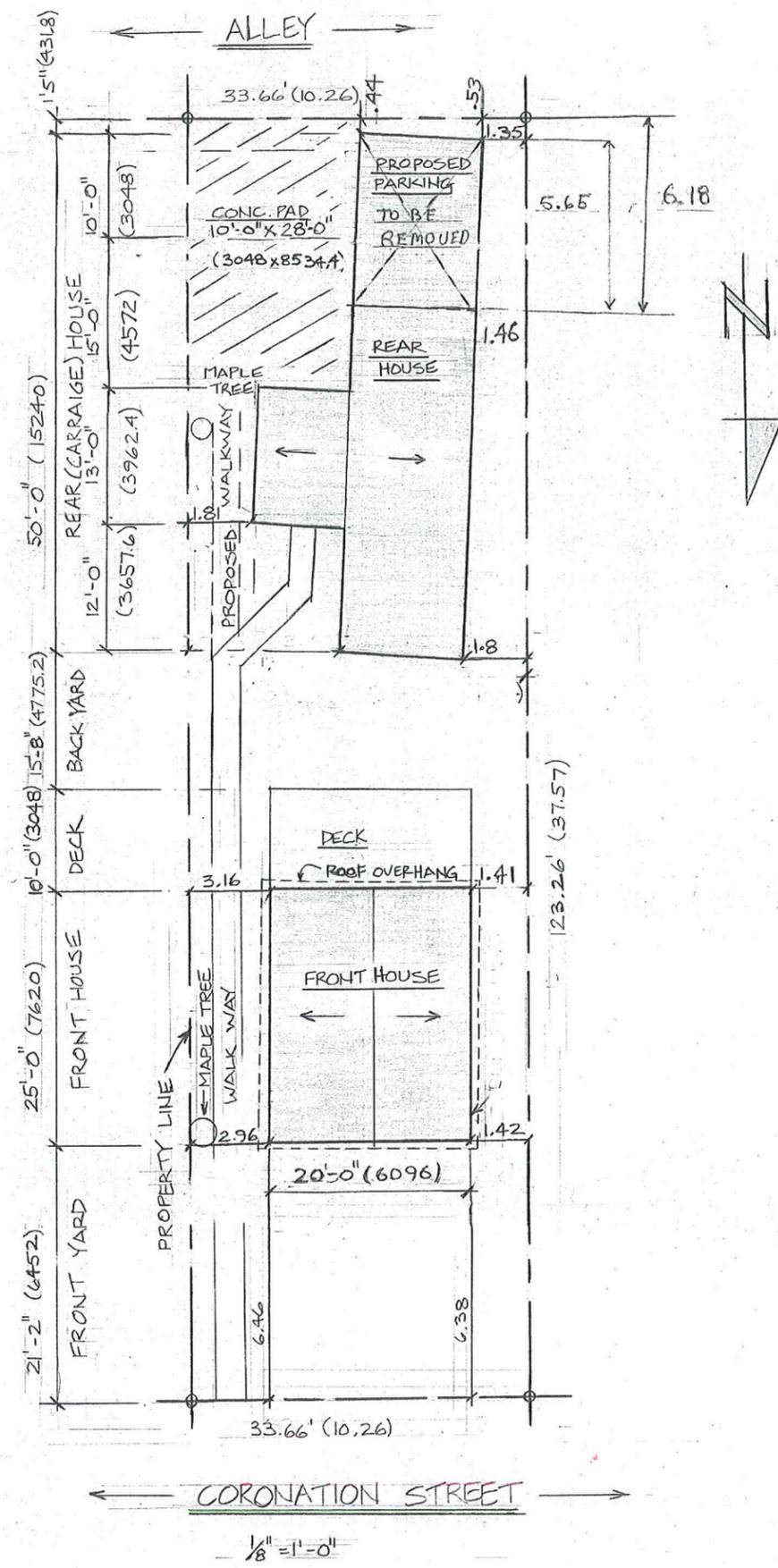
Given this information, I cannot proceed to Council with a positive report recommending support of your application. The only way to turn this around would be to have a major redesign of the site development, with a view to meet a substantial measure of the design guidelines in the Official Community Plan. This revised site development will also have to comply with the zoning bylaw in order to NOT require any variances.

There is a lot of information to consider here. Please get back to me if you have any questions.

Regards,

Paul McVey
Urban Planner
Community Planning Department

Phone 250-469-8582
Email pmcvey@kelowna.ca



LEGAL DESCRIPTION

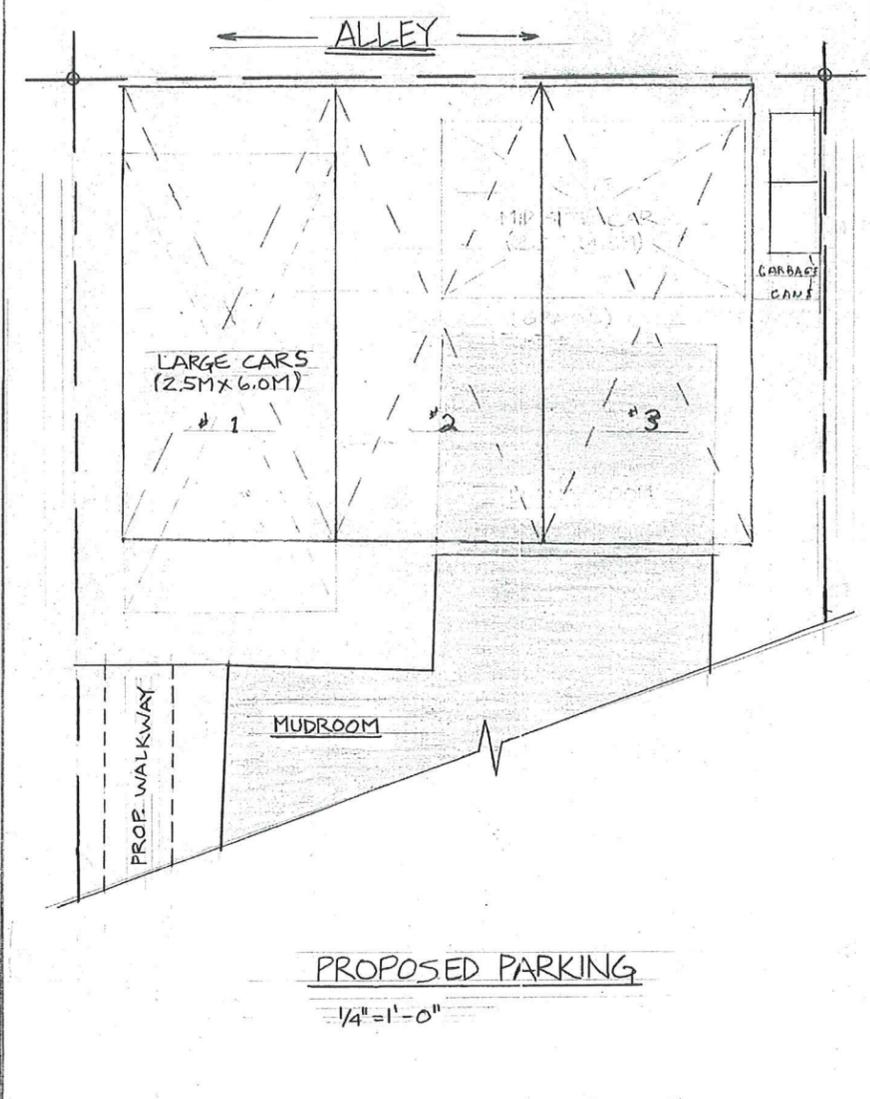
PLAN: KAPI303 LOT: 36 BLK.
 D.L.: 139
 REFERENCE No.
 ZONING:
 P.I.D. 011653591

CIVIC ADDRESS

565 CORONATION ST.
 KELOWNA BC

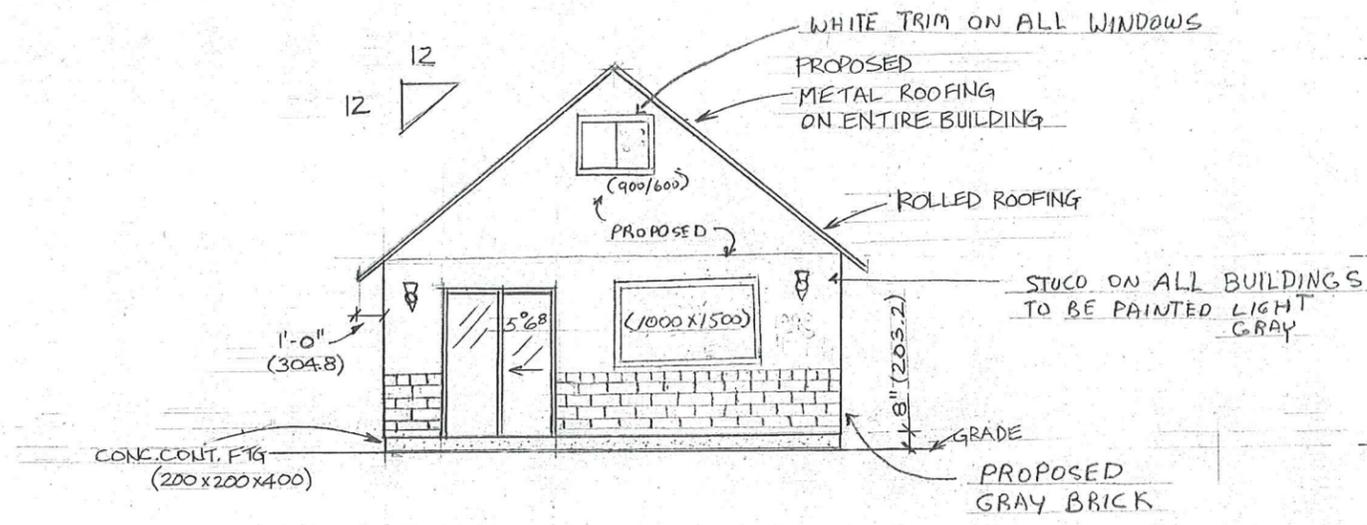
CALCULATIONS

| | |
|---------------|--|
| LOT AREA | 4224 SQ. FT. (392.4096M ²) |
| SITE COVERAGE | ALLOWED 25% 1056 |
| | PROPOSED 1047 |
| F.S.R. | ALLOWED |
| | PROPOSED |
| PARKING REQ'D | REQ'D 3 |
| | PROPOSED 3 |
| DECK RATIO | ALLOWED |
| | PROPOSED |

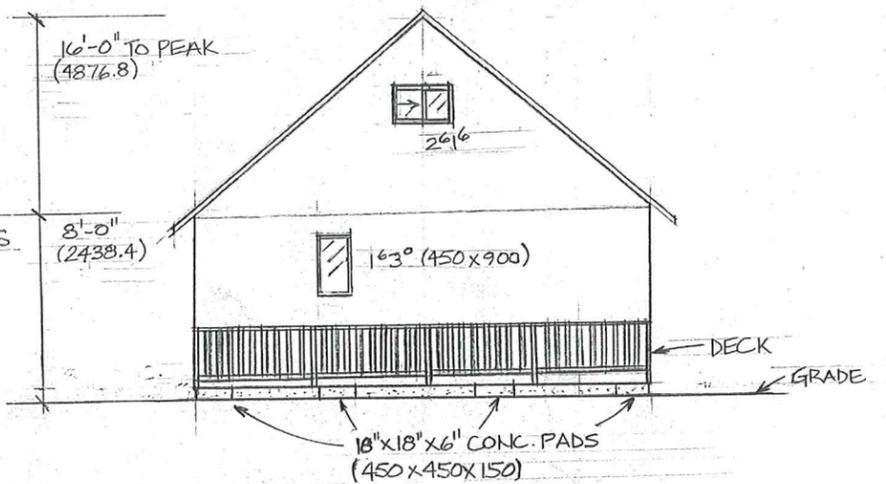


*NOTE: 1/4" = 1'-0" WITH ALSO METRIC

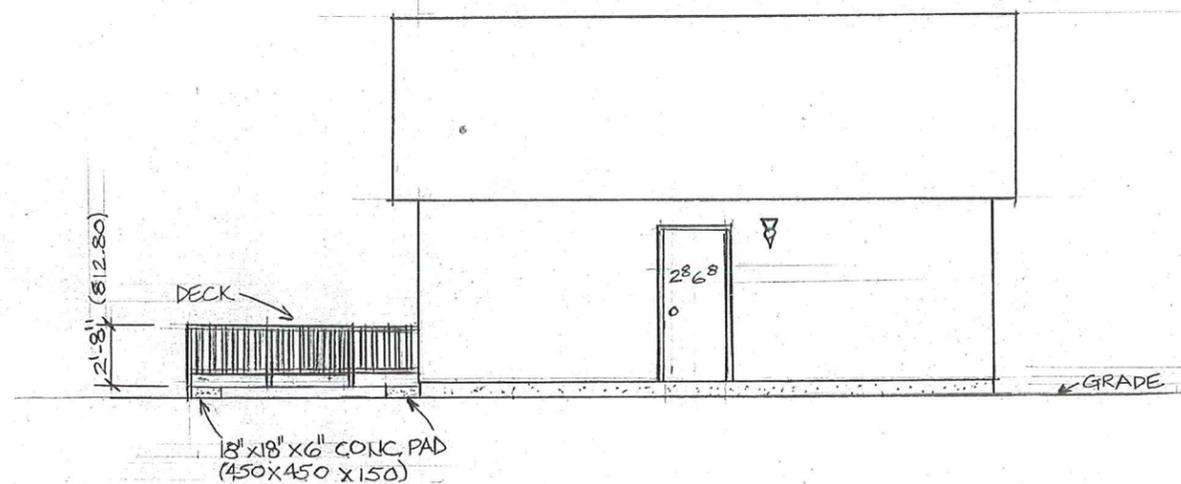
| | | |
|---------------------------|------------------|--------------------------|
| EXISTING HOMES | | |
| SCALE: 1/8" = 1'-0" | APPROVED BY: | DRAWN BY NEIL |
| DATE: NOV 6/15 | PH: 250-484-5321 | REVISED |
| SITE PLAN / PROP. PARKING | | |
| PROPOSAL FOR PERMIT | | DRAWING NO. 26 1 OF 6 |



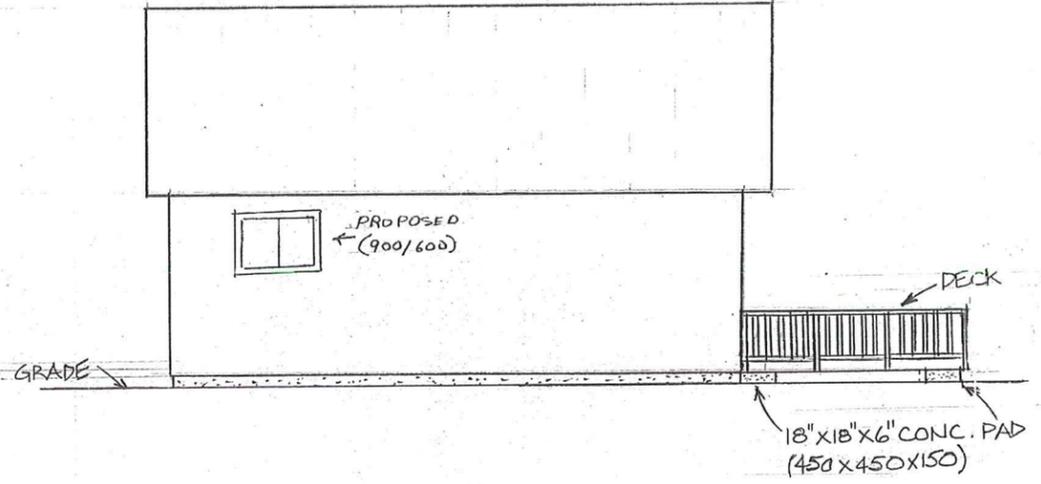
FRONT ELEVATION



REAR ELEVATION



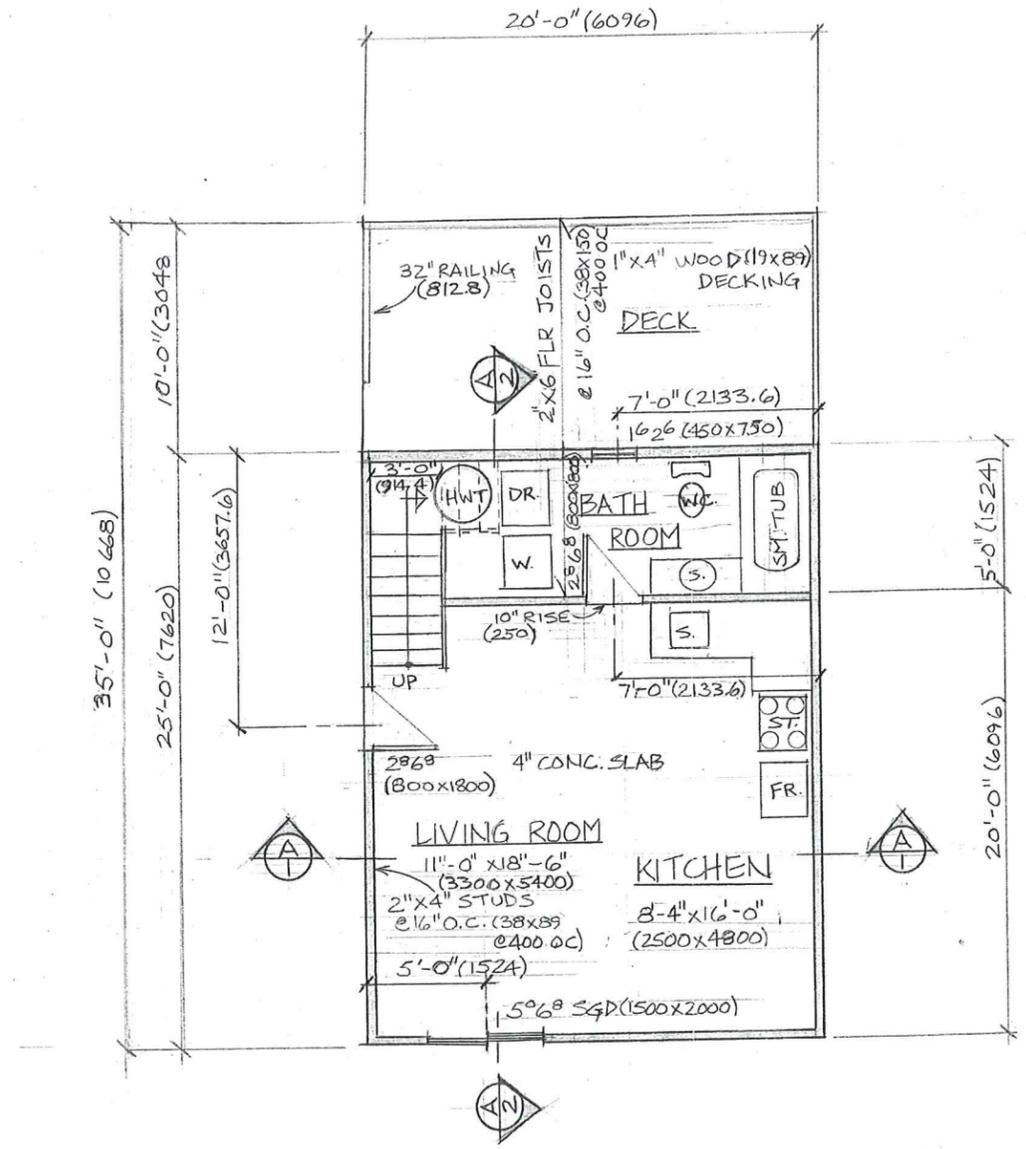
LEFT ELEVATION



RIGHT ELEVATION

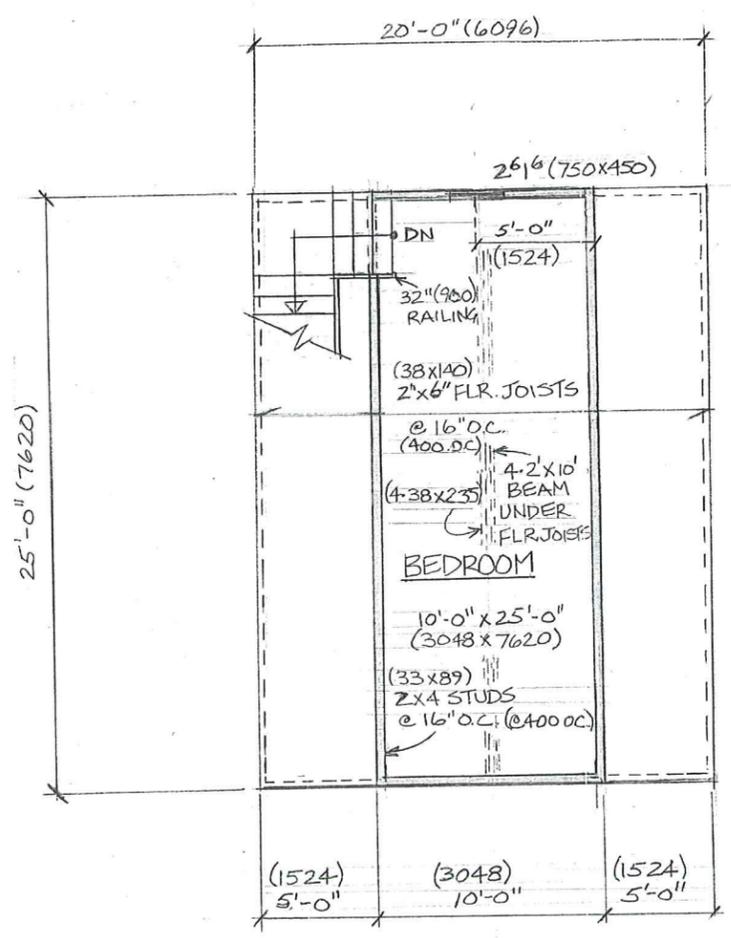
* NOTE: 1/4" = 1'-0" WITH ALSO METRIC

| | | | |
|----------------------|--------------|----------------|------------------------------|
| EXISTING FRONT HOUSE | | | |
| SCALE: 1/4" = 1'-0" | APPROVED BY: | DRAWN BY: NEIL | |
| DATE: NOV 6, 15 | | REVISED | |
| ELEVATIONS | | | |
| | | | DRAWING NUMBER 27 20F6 |



MAIN FLOOR PLAN

450 SQ. FT.
(41.805 M²)



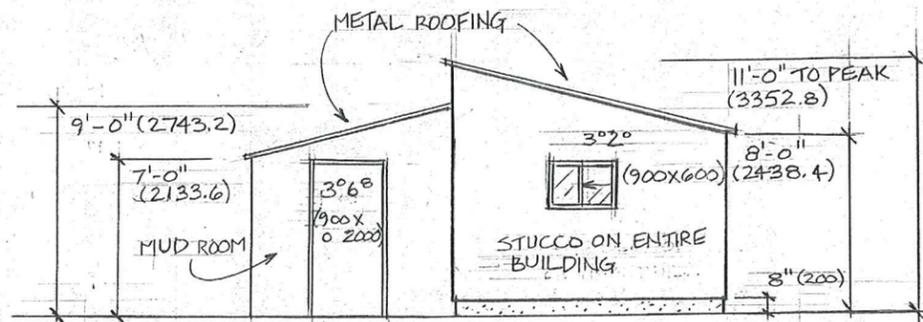
UPPER FLOOR PLAN

250 SQ. FT.
(23.225 M²)

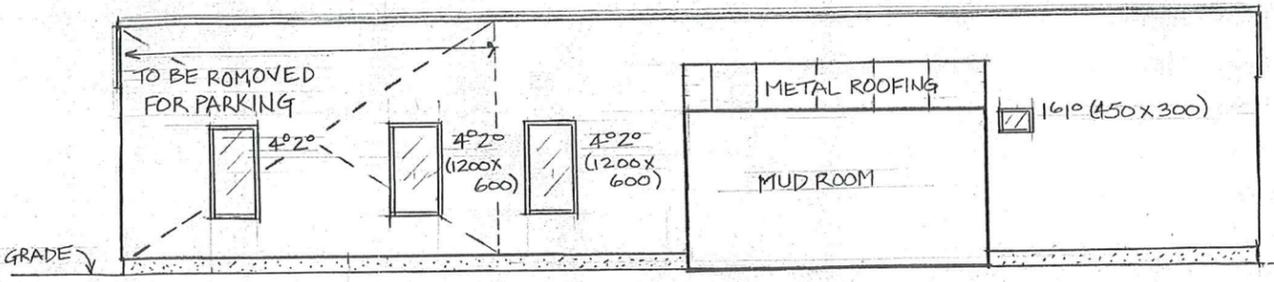
700 SQ. FT. TOTAL
(65.03 M² TOTAL)

* NOTE: 1/4" = 1'-0" WITH ALSO METRIC

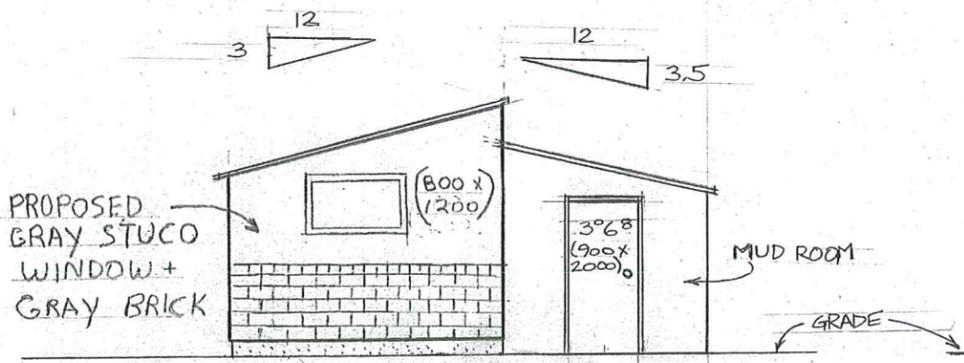
| | | |
|----------------------|--------------------|----------------|
| EXISTING FRONT HOUSE | | |
| SCALE: 1/4" = 1'-0" | APPROVED BY: | DRAWN BY: NEIL |
| DATE: | PH# 1-250-484-5321 | REVISED: |
| FLOOR PLANS | | |
| DRAWING NUMBER | | 28 |
| 3 OF 6 | | |



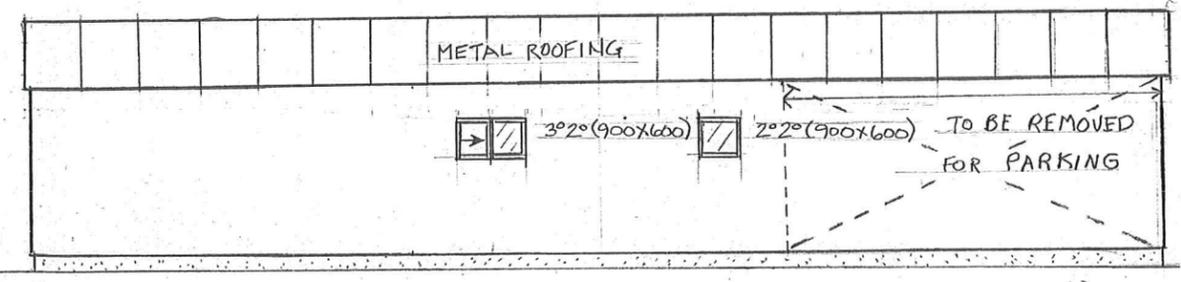
FRONT ELEVATION



LEFT ELEVATION



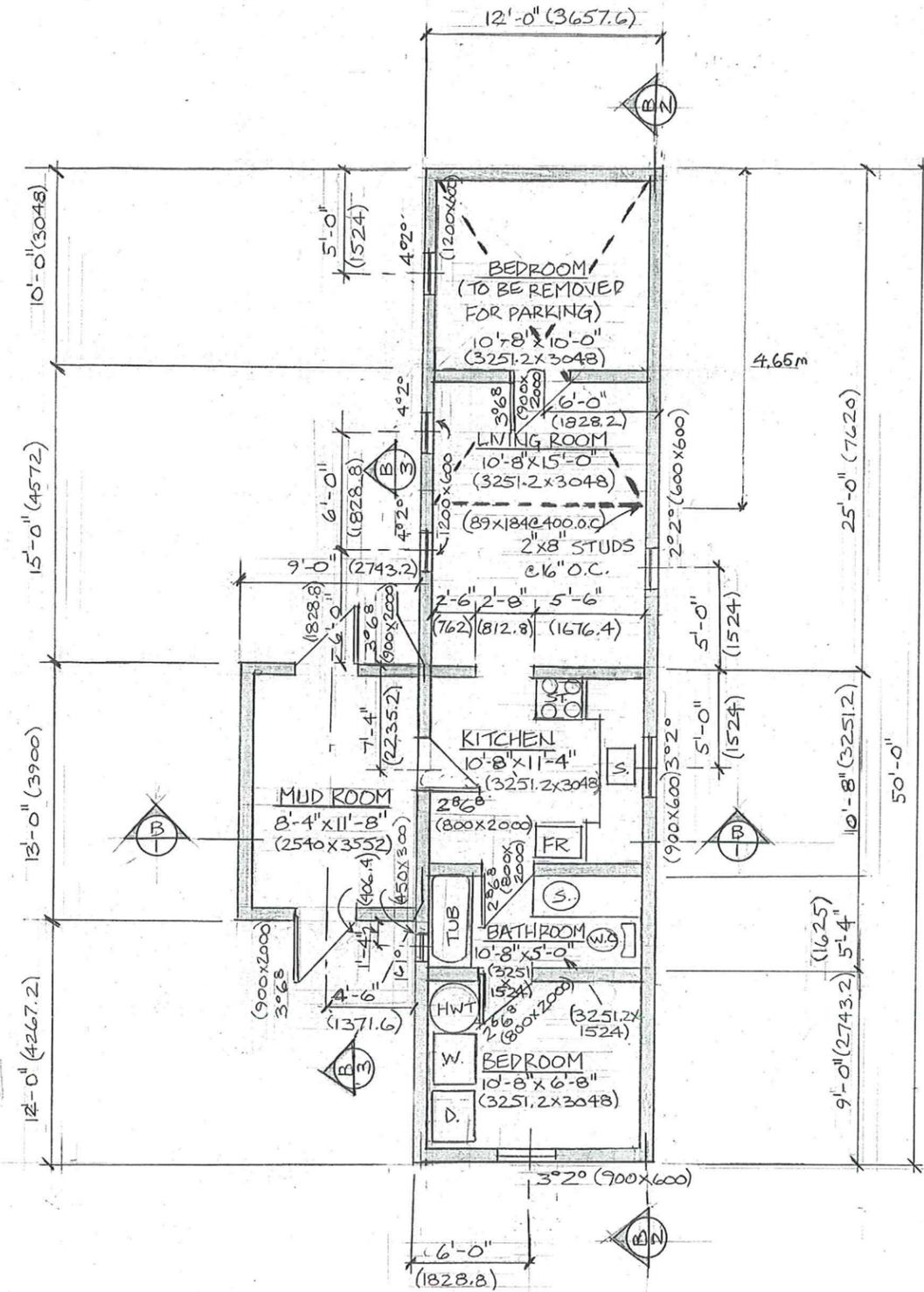
REAR ELEVATION



RIGHT ELEVATION

NOTE: 1/4" = 1'-0" WITH ALSO METRIC

| | | |
|--------------------------------|--------------------------------|---------------|
| EXISTING REAR (CARRIAGE) HOUSE | | |
| SCALE: 1/4" = 1'-0" | APPROVED BY: P.#1-250-484-5321 | DRAWN BY: NEL |
| DATE: FEB 11/15 | | REVISED |
| ELEVATIONS | | |
| DRAWING NUMBER | | 29 |
| | | 4 of 6 |



FLOOR PLAN

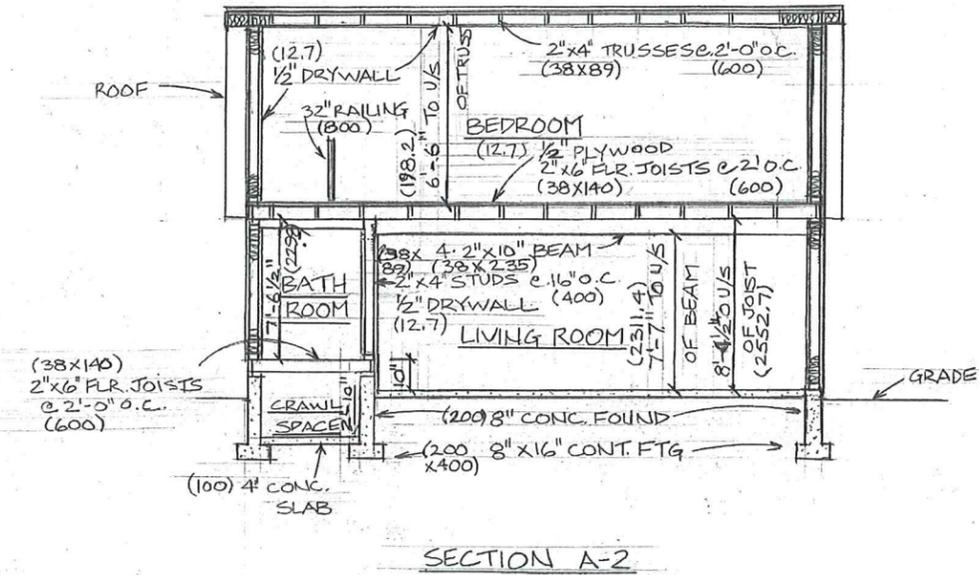
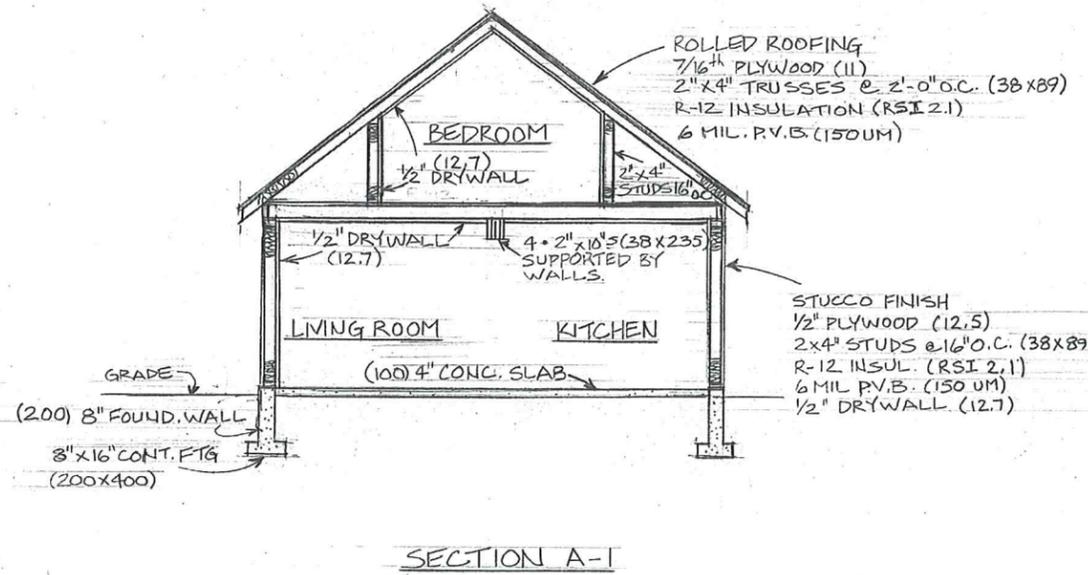
717 SQ. FT.
(66.6093 M²)

* WITH BEDROOM REMOVED
597 SQ. FT.
(55.4613 M²)

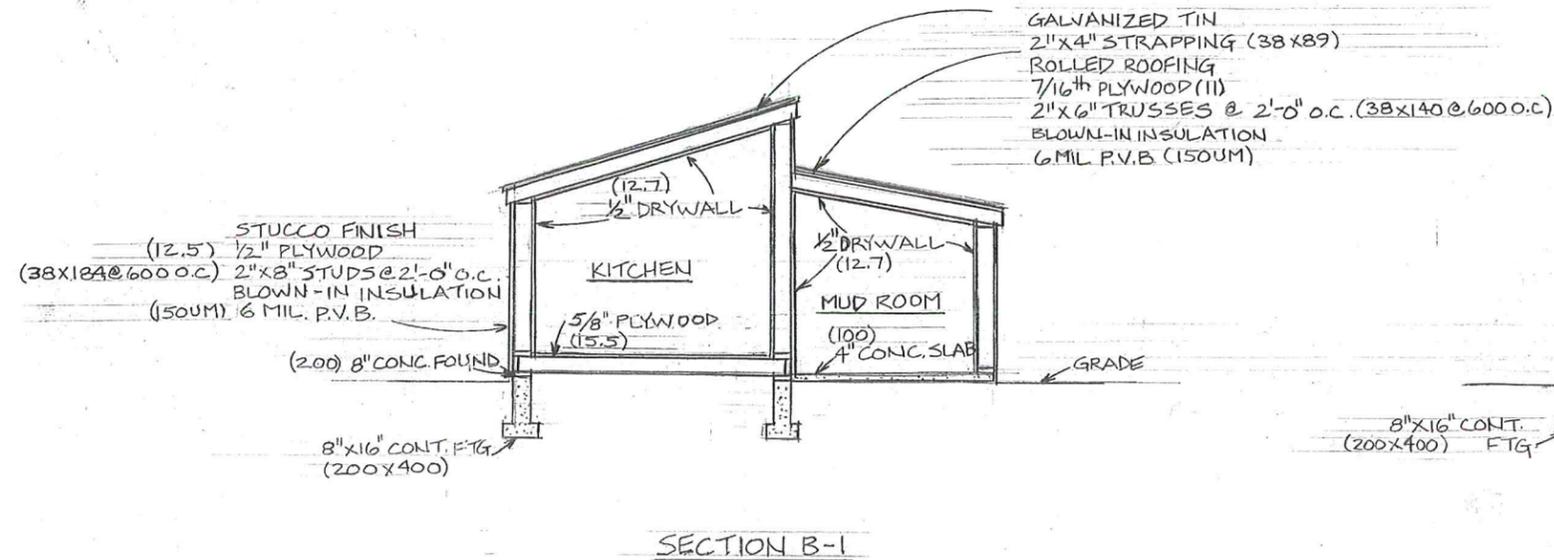
* NOTE: 1/4" = 1'-0" WITH ALSO METRIC

| | |
|--------------------------------|------------------------|
| EXISTING REAR (CARRIAGE) HOUSE | |
| SCALE: 1/4" = 1'-0" | APPROVED BY: |
| DATE: FEB 11/15 | PROJECT: 1-250-484-532 |
| DRAWN BY: NEIL | |
| REVISOR: | |
| FLOOR PLAN | |
| DRAWING NUMBER: 5016 | |

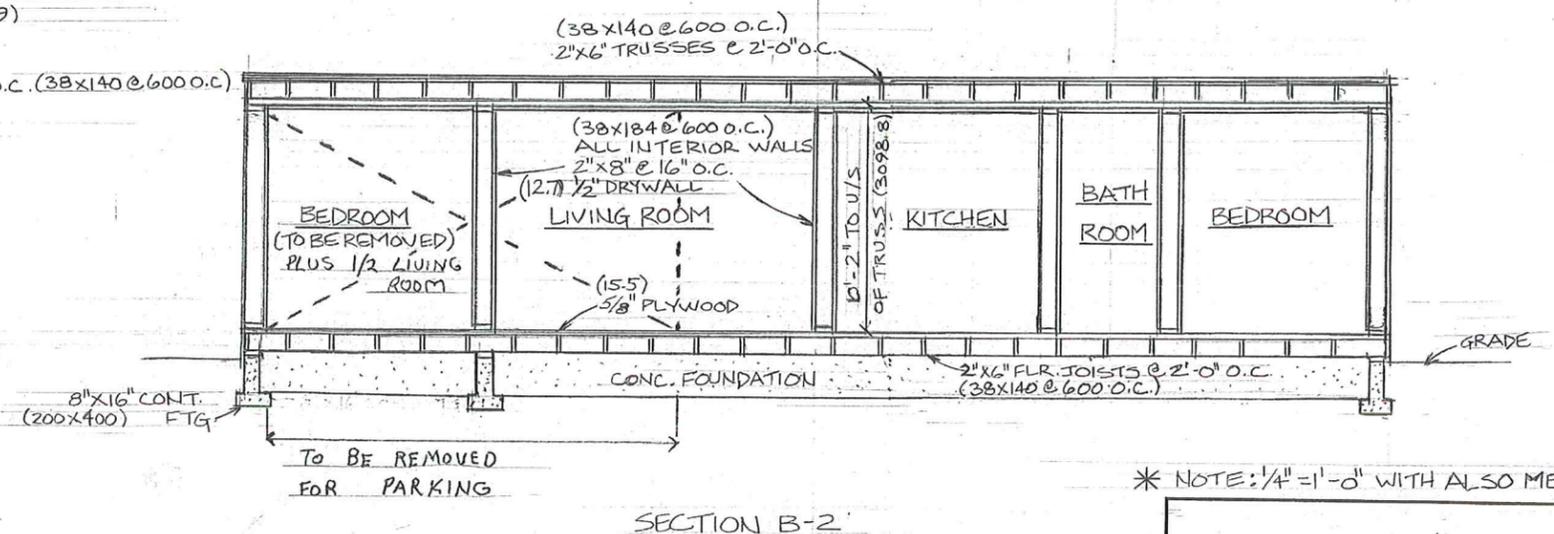
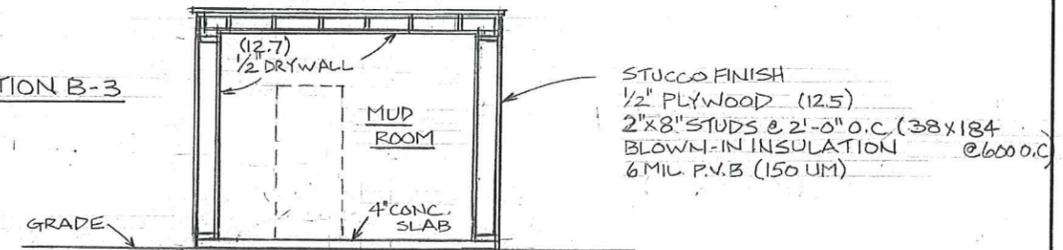
FRONT HOUSE



REAR HOUSE



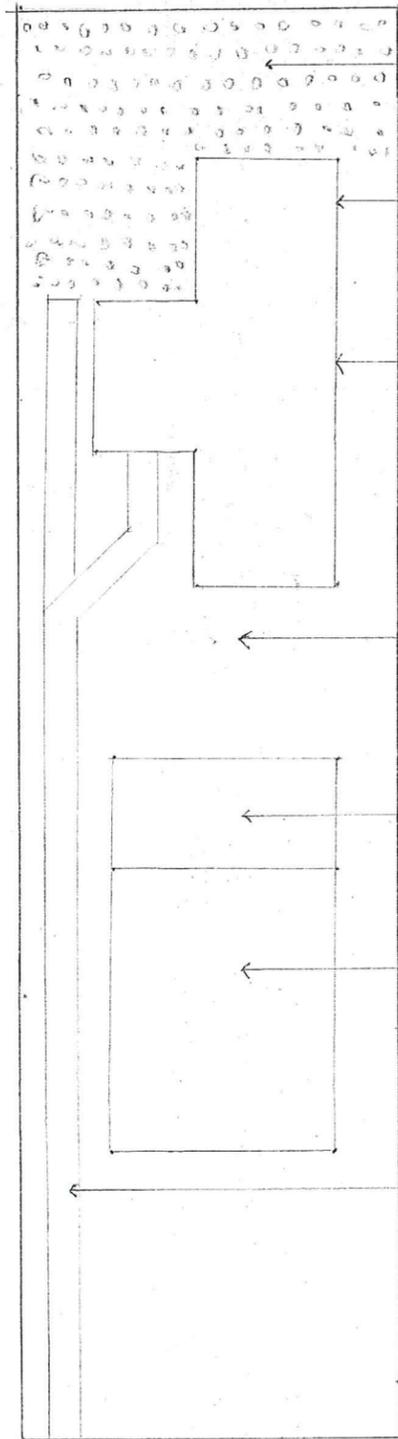
SECTION B-3



* NOTE: 1/4" = 1'-0" WITH ALSO METRIC

| | | |
|---------------------|-----------------|-----------------------|
| SCALE: 1/4" = 1'-0" | APPROVED BY: | DRAWN BY NEIL |
| DATE: MAR 13/15 | PH 250-484-5321 | REVISED |
| CROSS SECTIONS | | |
| | | 31 |
| | | DRAWING NUMBER 6 OF 8 |

← ALLEY →



NEW GRAVEL

NEW GRAY PAINT
ON BOTH BUILDINGS

NEW WHITE PAINT
ON ALL TRIM
ON BOTH BUILDINGS

NEW LAWN

NEW DECK

NEW TIN ROOF
ON BOTH BUILDINGS

NEW CEMENT
SIDE WALK

NEW BROWN PAINT
ON COMPLETELY REPAIRED
FENCING

← CORONATION STREET →

| | | |
|---------------------|--------------|-------------------|
| SCALE: | APPROVED BY: | DRAWN BY: |
| DATE: | | REVISED: |
| SITE PLAN | | |
| PROPOSAL FOR PERMIT | | DRAWING NUMBER 32 |

CITY OF KELOWNA
BYLAW NO. 11484
Z15-0025 - Christian Lee Bond
565 Coronation Avenue

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 36, District Lot 139, ODYD, Plan 1303, located on Coronation Avenue, Kelowna, B.C., from the RU2 - Medium Lot Housing zone to the RU2c - Medium Lot Housing with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

2.0 Purpose

To rezone the subject property and amend the Official Community Plan designation to alter potential tenant mix for an existing commercial building.

3.0 Community Planning

This project is not supported by OCP policies. The OCP generally supports protecting Service Commercially zoned land outside of the Urban Centers, and does not support the expansion of the C4 - Urban Center Commercial zone outside of the Urban Centers.

However, after reviewing the application within the neighbourhood context, the current structure and the expected long term use of the structure, staff are recommending that the rezoning and Official Community Plan Amendments be given initial consideration. The structure has already been constructed and has a remaining operational life expectancy of more than 30 years. Rezoning the property is unlikely to precipitate new development, but rather allow the building owner to have more flexibility within the existing space, and make better use of an already developed parcel.

The property is part of a small salient of land between the Capri-Landmark and Midtown Urban Centers. The Capri Landmark Urban Center is directly across the road from the parcel.

Because of the unique context, an existing building with no mid-term redevelopment plans, Community Planning staff are not concerned that this rezoning would lead to erosion of the Service Commercial land base.

4.0 Proposal

4.1 Background

The building at 1889 Spall Road was constructed approximately 12 years ago. It has been home to several significant tenants, and currently houses a Quality Greens grocery store and T-Bones Butcher shop.

The C10 - Service Commercial zone is intended for a range of commercial activities, including vehicular oriented activities such as automotive dealerships or vehicle servicing centers. It allows limited office use, allowing only offices intended for developers or construction companies, and "service commercial retail use".

The applicant feels that the land use and building on the site is more closely aligned with the C4 - Urban Center Commercial zone, which allows additional retail and office uses. The applicant has applied for the zoning bylaw amendment to allow greater flexibility in renting second floor space to office or personal service clients, rather than being limited solely to developers or construction companies.

The applicant is not proposing any physical, servicing or infrastructure changes to the existing building. In the near term, the land use change would only alter the tenants that can use the offices on the second floor.



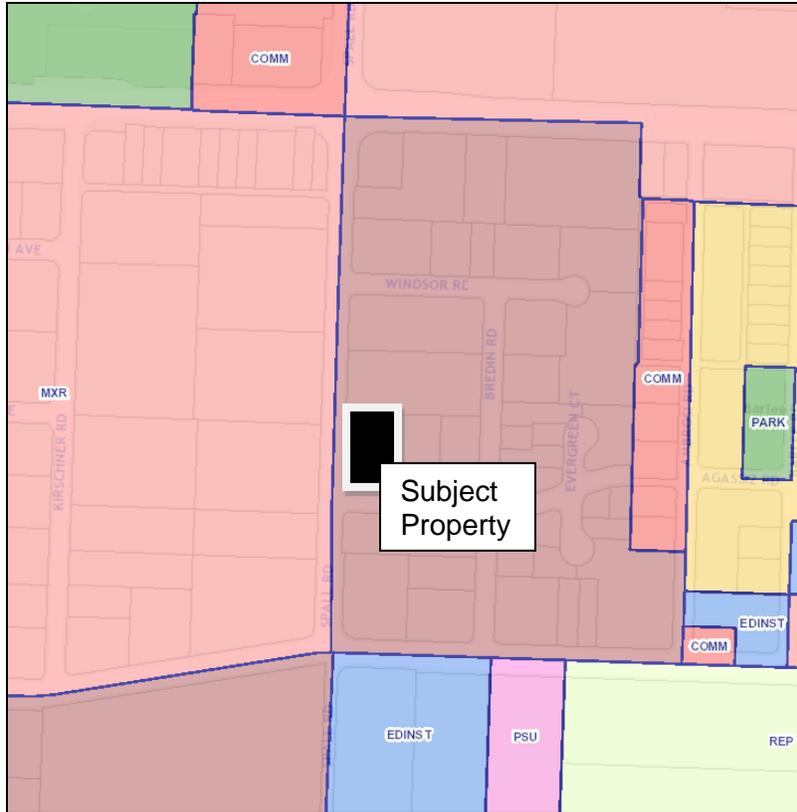
Subject property



Across street



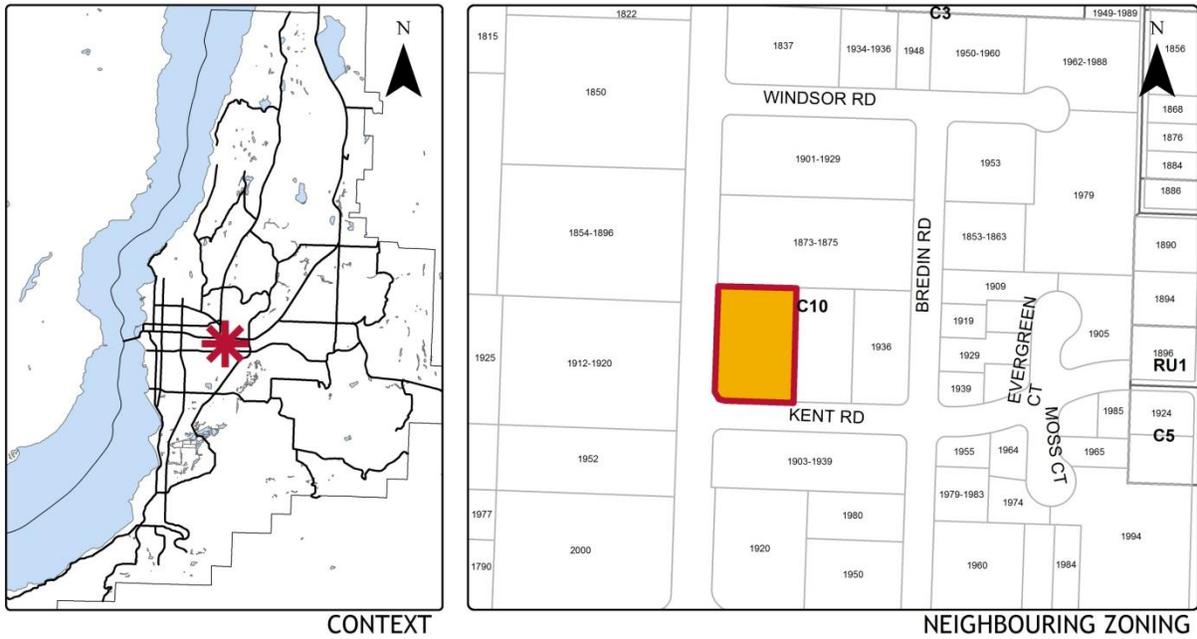
The site sits between two Urban Centers, the Capri Landmark Urban Center and the Midtown Urban Center. The property is designated for future Service Commercial use, while the properties directly across Spall are designated for future Mixed Use Residential use.



Adjacent land uses are as follows:

| Orientation | Zoning | Land Use |
|-------------|--------------------------|---------------------------------------|
| North | C10 - Service Commercial | Business Park |
| East | C10 - Service Commercial | Retail / Office Rental |
| South | C10 - Service Commercial | Business Park |
| West | C10 - Service Commercial | Furniture Retailer / Commercial Plaza |

Subject Property Map:



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Ensure that Urban Centres develop as vibrant commercial nodes.

Conversion of C10. Discourage the conversion of C10 Service Commercial zoned areas to C3, C4 or C7 zoning, outside of Urban Centres. The City, depending on site-specific circumstances, may support the conversion of C10 Service Commercial zoned sites to C3, C4 or C7, within Urban Centres. and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

6.0 Technical Comments

6.1 Building & Permitting Department

The Building and Permitting Department has no concerns with the application.

6.2 Development Engineering Department

See attached memorandum dated February 2, 2015.

6.3 Fire Department

The Fire Department has no issues with the rezoning of this area.

7.0 Application Chronology

Date of Application Received: January 19, 2015

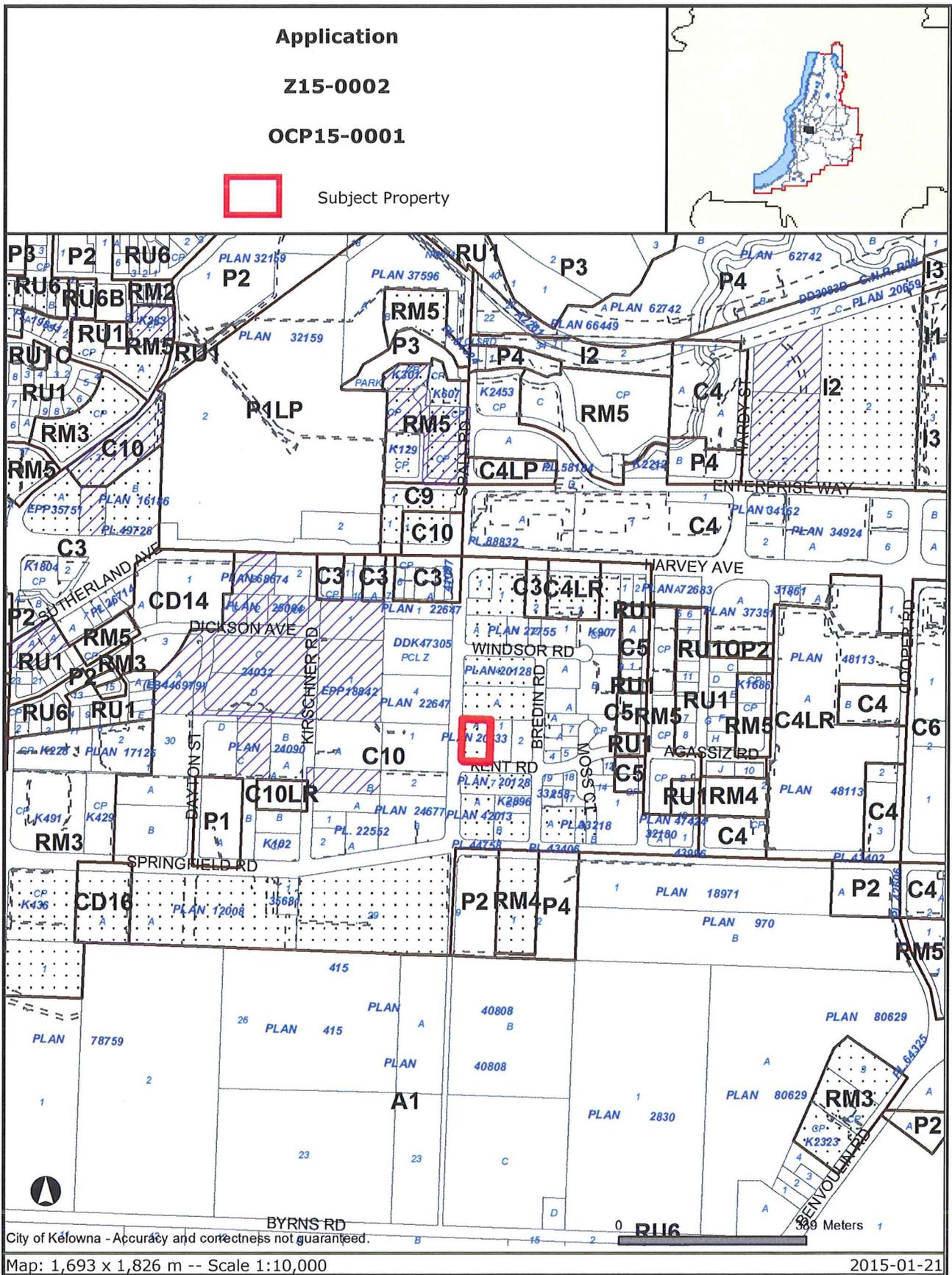
Report prepared by:

Ryan Roycroft, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

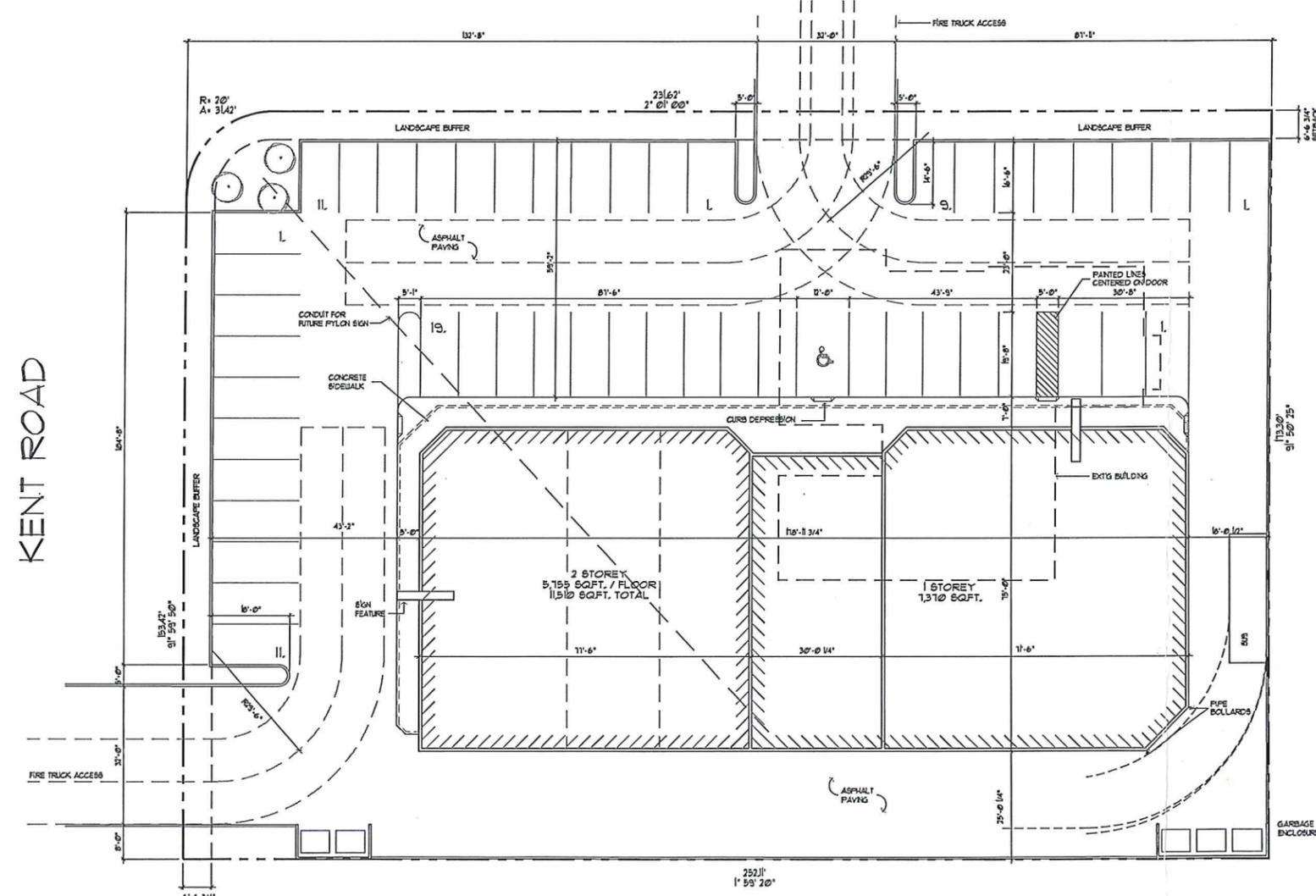
Attachments:



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.



SPALL ROAD



PLAN 20633
D.L. 03 O.D.Y.D.
LOT A

SURVEY INFORMATION TAKEN FROM
SURVEY BY D.A. GODDARD LAND SURVEYING INC.
DATED APRIL 26, 2001
FILE No. 01-10605

B.C. Building Code (1990) Analysis for Spall Road Commercial Building, Kelowna

- OCCUPANCY CLASSIFICATION 312**
Office, Group E
Mercantile, Group E
Low Hazard Industrial, Group F3
- NUMBER OF STREETS FACED: 32210**
Two (2)
- BUILDING AREA: 1132**
1220 sqm (10,75 sqft)
- BUILDING HEIGHT: 322**
2 storeys
- SIZE & OCCUPANCY REQUIREMENTS (Most Restrictive)**
3225A, Group E, up to 3 Storeys, Unsprinkled
Maximum Area: 1000 sqm (10,76 sqft)
- CONSTRUCTION REQUIREMENTS:**
Combustible or Non-combustible construction
Floor assemblies as fire separations with 45min FRR
Mass walls shall have 45min FRR if combustible
Roof assemblies shall have 45min FRR
Loadbearing walls, columns and arches require a FRR, not less than 45min or be non-combustible construction
Roof with occupancy shall be fire separation with 45min FRR as per 3223
- SPATIAL SEPARATION & EXPOSURE PROTECTION**
Table 323.1B (Group E)
North Facade
Wall area 153 sqm
L/A ratio 23.2m + 6.7m (31.0)
Distance to Property Line 6.3m (20'-11")
Limiting Distance for 0% unprotected openings + 0m (0'-0")
Limiting Distance for 10% unprotected openings + 5.0m (16'-5")
Limiting Distance for 25% unprotected openings + 5.0m (16'-5")
Limiting Distance for 100% unprotected openings + 2.0m (6'-7")
Construction of exposing building face to have 2 hr. FRR with non-combustible cladding as per 323.1.6.1
South Facade
Wall area 174 sqm
L/A ratio 23.2m + 6.7m (31.0)
Distance to Property Line 6.3m (20'-11")
Unlimited unprotected openings as per 323.1.7.2 and no construction requirements for exposing building face.
West Facade (North)
Wall area 151 sqm
L/A ratio 30.5m + 6.7m (44.0)
Distance to Property Line 23.3m (76'-7")
Unlimited unprotected openings as per 323.1.7.2 and no construction requirements for exposing building face.
West Facade (South)
Wall area 160 sqm
L/A ratio 23.2m + 6.7m (31.0)
Distance to Property Line 23.3m (76'-7")
Unlimited unprotected openings as per 323.1.7.2 and no construction requirements for exposing building face.
East Facade (North)
Wall area 151 sqm
L/A ratio 30.5m + 6.7m (44.0)
Distance to Property Line 6.3m (20'-11")
Limiting Distance for 0% unprotected openings + 0m (0'-0")
Limiting Distance for 10% unprotected openings + 5.0m (16'-5")
Limiting Distance for 25% unprotected openings + 5.0m (16'-5")
Limiting Distance for 100% unprotected openings + 2.0m (6'-7")
Construction of exposing building face to have 2 hr. FRR with non-combustible cladding as per 323.1.6.1
East Facade (South Lower)
Wall area 30 sqm (3 compartments)
L/A ratio 1.3m + 2.3 (3.0)
Distance to Property Line 6.3m (20'-11")
Limiting Distance for 0% unprotected openings + 0m (0'-0")
Limiting Distance for 10% unprotected openings + 2.6m (8'-6")
Limiting Distance for 25% unprotected openings + 4.5m (14'-8")
Limiting Distance for 100% unprotected openings + 5.0m (16'-5")
Construction of exposing building face to have 1 hr. FRR with non-combustible cladding as per 323.1.6.1
East Facade (South Upper)
Table 323.1A (Group D)
Wall area 832 sqm
L/A ratio 23.2m + 3.6 (6.4)
Distance to Property Line 6.3m (20'-11")
Limiting Distance for 0% unprotected openings + 0m (0'-0")
Limiting Distance for 10% unprotected openings + 2.6m (8'-6")
Limiting Distance for 25% unprotected openings + 3.0m (9'-8")
Limiting Distance for 100% unprotected openings + 10.3m (34'-0")
Construction of exposing building face to have 45 min. FRR with non-combustible cladding as per 323.1.7.3

- OCCUPANT LOADS**
Ground Floor (South)
Mercantile # 535 sqm (5,759 sqft) x 3.1 sqm/person = 144 persons
Ground Floor (North)
Mercantile # 685 sqm (7,374 sqft) x 3.1 sqm/person = 165 persons
Second Floor
Office # 535 sqm (5,759 sqft) x 3.3 sqm/person = 58 persons
TOTAL OCCUPANT LOAD = 367 persons
- FIRE ALARM & DETECTION SYSTEM**
Required as per 324.1.2.1(d)
- PROVISIONS FOR FIRE-FIGHTING & ACCESS**
Designated principle entrance is on the east side of the building off of Spall Road, which is located within 10m (49'-2") of a street.
Annunciator panel required as per 324.1.11
- STANDPIPE & HOSE SYSTEM**
Not required as per 325.8.
- EMERGENCY LIGHTING & POWER: 327.4**
Emergency lighting & power will be provided within all exits, public corridors and principle routes providing access to exit.
Emergency power will be applied to the fire alarm and detection systems, emergency lighting and exit signs. Power supply will be a battery-powered system capable of providing supervisory power for 24 hours and emergency power under full load for a minimum period of 90 minutes, as per 327.4.3.1
- EXIT & EGRESS SYSTEMS**
Travel distance max 10m (49'-2") as per 331.6.
Dead-end corridors limited to maximum 10m (32'-6") in length or be entirely within the suite as per 331.5.1.1
Rooms and suites with occupant load greater than 60 persons are provided with at least 2 means of egress.
- SAFETY REQUIREMENTS WITHIN FLOOR AREAS**
Minimum headroom requirements in access to exits:
Exits +2.0m (6'-7")
Stairways +2.0m (6'-7")
Doorways +2.0m (6'-7")
Devices +1.9m (6'-3")
Minimum clear opening for exit doors is 1900mm, which requires the use of 810mm (2'-8") doors
Minimum exit width is 1000mm (3'-3") for corridors, passageways and stairs
- HEALTH REQUIREMENTS**
Number of water closets is based on 3.1.4.2 and Table 3.1.4.2.B for office occupancies, and 3.1.4.2.1 for mercantile occupancies. Provision for 38 persons in mercantile occupancies, with an equal division between males and females, i.e. 19 males and 19 females, and for 58 persons in business/office occupancies, with an equal division between males and females, i.e. 29 males and 29 females.
Waterroom requirements are:
Mercantile occupancies 2 female water closets with 1 sink
1 male water closet with 1 sink
Office occupancies 2 female water closets with 1 sink
2 male water closets with 1 sink
- REQUIREMENTS FOR EXITS**
Every floor area is served by not less than 2 exits
The minimum distance between exits is one-half the maximum diagonal dimension of the floor area on the ground floor as per 342.3.1(xb) and 3.0m (9'-8") as per 342.3.1(xa) for the upper floor.
No exit shall contribute more than 1/3 of the required exit width as per 342.5.2.3
Required width of exits as per 343.4, based on Occupant Load 16.8/m² person for doorways, corridors and passageway
8.0/m² person for stairs
Exit width reduction shall conform to 343.5.
Required exit capacity is 6.8m²/person x 58 persons = 354m² exit
Provided exit capacity is 2 doors x 190m² = 380m²
- REQUIRED FIRE SEPARATIONS**
Exits +45min fire separation 344.1.1
Public Corridors +45min fire separation 332.5.7.1 + 331.4.7.1
Stairways +45min fire separation 331.7.2
Storage Rooms +45min fire separation 334.3.7.2
Janitor Rooms +45min fire separation 331.7.2.2
Service Rooms (with fuel-fired appliances) +45min fire separation 362.1.1(xb)
Vertical Service Shafts +45min fire separation 363.3
- REQUIREMENTS FOR PERSONS WITH DISABILITIES**
Access shall be provided to ground floor storey (362.1.1.1) and to all public areas (362.3 + 362.3.1).
Access not required to upper floor storey because the floor area is less than 600 sqm, as permitted by (362.1.2.2.1).
Design Requirements as per 363.

HANS P. NEUMANN ARCHITECT INC.
1520 HIGHLAND DRIVE NORTH
V1Y 4K5
KELOWNA, BC
PHONE: (250) 868-0878 FAX: (250) 868-0837

DESIGN TECH CONSULTANTS
1150 TOOMEY ROAD, KELOWNA, BC V1Y 4R9
PHONE: (250) 491-5885 FAX: (250) 717-9511

COMMERCIAL/OFFICE BUILDING
1889 SPALL ROAD, KELOWNA, BC

CONSULTANT
DRAWING TITLE: SITE PLAN
SCALE: 1/16" = 1'-0"
DATE: MAY 15, 2003
DRAWN: MAC
CHECKED: HPN
Drawing No.
REVISION No.:

| No. | DATE | DESCRIPTION |
|-----|------------|---------------------|
| 1 | MAY 16/03 | ISSUED FOR PERMIT |
| 2 | JUNE 16/03 | REVISED FOR PERMIT |
| 3 | JUNE 21/03 | REVISED FOR CONSTR. |

CITY OF KELOWNA

BYLAW NO. 11190

Official Community Plan Amendment No. OCP15-0001 - Simple Pursuits Inc., Inc. No. BC0449611 1889 Spall Road

A bylaw to amend the "*Kelowna 2030* - Official Community Plan Bylaw No. 10500".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* - Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of Lot A, District Lot 129, ODYD, Plan 20633, located on Spall Road, Kelowna, B.C., from the SC - Service Commercial designation to the MXR - Mixed Use Residential designation;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11191
Z15-0002 - Simple Pursuits Inc., Inc. No. BC0449611
1889 Spall Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, District Lot 129, ODYD, Plan 20633 located on Spall Road, Kelowna, B.C., from the C10 - Service Commercial zone to the C4 - Urban Center Commercial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

3.0 Community Planning

Community Planning Staff supports the proposed rezoning to allow for the construction of a new Carwash with additional secondary commercial units and one residential unit. The layout of the car wash and the area of the parcel is consistent with numerous other existing car washes within Kelowna's commercial districts. The parcel provides plenty of area for vehicle queuing prior to entry into the car wash bays. This is contained on the west side of the parcel, facing the roadway, with an existing commercial building on site that will provide screening visually and acoustically for the residential developments located across the east lane.

The proposal meets the Official Community Plan (OCP) Future Land Use of MXR - Mixed Used (Residential/Commercial) and is located within the Rutland Urban Centre. The project integrates a residential use at the second storey level with ground floor commercial development which is encouraged within Kelowna's various Urban Centres.

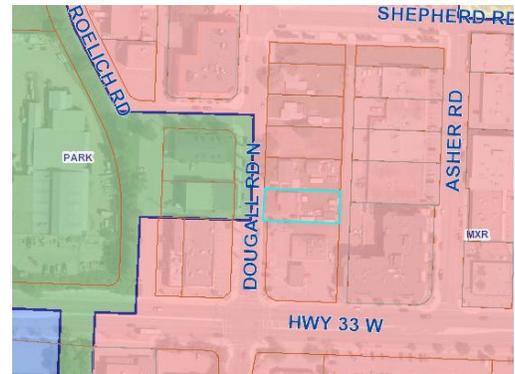
4.0 Proposal

4.1 Background

The corner parcel addressed as 340 Hwy 33 W is zoned C4 - Urban Centre Commercial and currently contains a gas bar, convenience store and restaurant. The subject parcel, 145 Dougall Road, currently has an existing Single Detached Dwelling. The applicant owns both parcels and as part of the Rezoning, is proposing to consolidate the two parcels into one larger commercial lot. Both parcels, along with many of the adjacent parcels, have a Future Land Use (FLU) designation of MXR - Mixed Used (Residential/Commercial) as indicated within the Future Land Use Map of the Official Community Plan (OCP).

The parcel is within both the Rutland Urban Centre Revitalization and Comprehensive Development Permit Areas. The proposed rezoning is consistent with many OCP policies, including:

- Integrating new development with existing site conditions and preserving the character of the surrounding area;
- Promoting a high urban design standard and quality of construction for future development that is coordinated with existing structures;
- Creating open, architecturally-pleasing and accessible building facades to the street.



4.2 Project Description

If the proposed rezoning is approved, the two subject parcels, 145 Dougall Rd and 340 Hwy 33 W will be consolidated into one C4 - Urban Centre Commercial parcel. The existing house will be removed to allow for the construction of a new carwash with one automatic wash bay and seven manual wash bays. With the proximity of the adjacent residential building across the east lane, the hours of operation of the carwash will be limited from 7am - 9pm. To minimize acoustic disturbance, the automatic carwash bay doors must be closed for the wash cycle to start and the manual wash bays will have auto close access doors for both the entry and exit at each end of the building. The concrete construction of the walls and ceiling has been designed to meet industry sound emission standards.

The proposal will require two variances, one for the rear setback of the building and the second variance is for the side setback landscape buffers. The first variance is to reduce the required rear setback from 6.0 m when adjacent to residential to 0.20 m. The adjacent parcels to the north are currently single dwelling housing uses, but have the same OCP future land use of MXR - Mixed Use (Residential/ Commercial) as the subject parcel. As the parcels redevelop from Highway 33 to the north, the adjacent parcel will likely be rezoned to Commercial zones as well, in which case, the required rear and side setbacks would be reduced to zero.

The second variance is for both the east and west 3.0 m landscape buffer requirement. The east side of the parcel backs onto a lane. The existing parking stalls for the commercial units are located along this setback and will remain unchanged. The new development area cannot provide the landscape buffer as it is used for vehicle access to the lane.

An existing retaining wall currently exists on City of Kelowna road widening area. This retaining wall will be removed and a new one constructed along the west property line. A roadway dedication will be taken from 145 Dougall Road N to ensure the west property line is consistent along the parcel length. This taking has narrowed the landscaping that is currently provided along the length of corner parcel. As the existing commercial portion is not being redeveloped, the landscaping that is proposed will match what currently exists on site.

Along the Dougall Street frontage will be three retail/office units with one residential unit located above. The residential unit is accessed via a door to a private stairwell. Private open space is provided with two balconies facing each street.



The site access along Hwy 33 W will remain unchanged. Dougall Road will be modified with painted lines to indicate a left turn lane. This will require the site access from Dougall

Road to be modified to right turn in and out access only. Signage will be erected at the parcel exit and paint lines and signage will be added to Dougall Road.

To access the carwash, vehicles will queue along the west side of the existing building. The Zoning Bylaw requirements for upstream vehicle storage have been met for both the auto wash and manual wash bays. Upon exiting the carwash, vehicles will be directed to the east side lane to exit the parcel. All traffic will be one way along the side and rear of the existing building to provide an escape lane for customers who may choose to forgo use of the carwash.

4.3 Site Context

The subject site is located at the intersection of Dougall Rd N and Hwy 33 W.

Adjacent land uses are as follows:

| Orientation | Zoning | Land Use |
|-------------|------------------------------|---|
| North | RU1 - Large Lot Housing | Single Family Dwelling |
| East | C4 - Urban Centre Commercial | Retail Commercial (Strip Mall) Apartment Housing/Retail Commercial |
| South | C4 - Urban Centre Commercial | Gas Bar |
| West | C4 - Urban Centre Commercial | Retail Commercial (Strip Mall) |

Subject Property Map: 145 Dougall Rd



4.4 Zoning Analysis Table

| Zoning Analysis Table | | |
|--------------------------------------|---|-----------------------|
| CRITERIA | C4 ZONE REQUIREMENTS | PROPOSAL |
| Existing Lot/Subdivision Regulations | | |
| Minimum Lot Area | 460 m ² | 815.05 m ² |
| Minimum Lot Width | 13 m | 18.44 m |
| Minimum Lot Depth | 30 m | 44.20 m |
| Development Regulations | | |
| Maximum Floor Area Ratio | 1.3 | 0.33 |
| Maximum Site Coverage | 75% | 33% |
| Maximum Height (lessor of) | 15.0m or 4 storeys | 6.5 m & 2 storeys |
| Minimum Front Yard (south) | 0.0 m | 8.58 m |
| Minimum Side Yard (east) | 0.0 m | 1.0 m |
| Minimum Side Yard (west) | 0.0 m | 0.0 m |
| Minimum Rear Yard | 0.0 m, except 6.0 m (when abutting residential) | 0.20 m ● |
| Other Regulations | | |
| Minimum Parking Requirements | 16 stalls | 16 stalls |
| Minimum Bicycle Parking | 2 | 4 |
| Minimum Private Open Space | 15 m ² | 24 m ² |
| Minimum Loading Space | 1 space | 1 space |
| Minimum Landscape Buffer | east | 3.0 m |
| | west | 3.0 m |
| | | 0.0 m ● |
| | | 1.3 m ● |

● Indicates a requested variance to the rear setback.
 ● Indicates a requested variance to the landscape buffer for the side yard.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Context.¹ Address phasing when the area is designated for more intensive development and the development proposes to deviate from existing form and character (e.g. blank firewalls should be adequately detailed to provide visual interest in the interim).

Relationship to the Street.² Develop visual and physical connections between the Public Street and private buildings (e.g. patios and spill-out activity, views to and from active interior spaces, awnings and canopies).

Relationship to the Neighbourhood.³ Maintain the established or envisioned architectural character of the block or neighbourhood.

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)
- Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
- A Hoarding permit may be required and protection of the public from the staging area and the new building area during construction. Location of the staging area and location of any cranes should be established at time of DP
- A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):
 - Any security system that limits access to exiting needs to be addressed in the code analysis by the architect. An application for an alternative solution will be required if the security system is not prescriptive to code.
 - Access to the roof is required per NFPA and guard rails may be required and should be reflected in the plans if required.
- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- Fire resistance ratings are required for storage, janitor and/or garbage enclosure room(s). The drawings submitted for building permit is to clearly identify how this rating will be achieved and where these area(s) are located.
- Size and location of all signage to be clearly defined as part of the development permit. This should include the signage required for the building addressing to be defined on the drawings per the bylaws on the permit application drawings.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation are being applied to this structure.

¹ City of Kelowna Official Community Plan, Policy 14.3.2.2 (Urban Design DP Areas Chapter).

² City of Kelowna Official Community Plan, Policy 14.4.3.2 (Urban Design DP Areas Chapter).

³ City of Kelowna Official Community Plan, Policy 14.15.1.1 (Urban Design DP Areas Chapter).

6.2 Development Engineering Department

- See Attachment 'A'.

6.3 Rutland Waterworks District

- See Attachment 'B'

6.4 Fire Department

- Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required. Template available online at Kelowna.ca
- Engineered Fire Flow calculations are required to determine Fire Hydrant requirements as per the City of Kelowna Subdivision Bylaw #7900. A minimum of 150litres/sec is required. If a hydrant is required on this property it shall be deemed private and shall be operational prior to the start of construction.
- Fire Department access is to be met as per BCBC 3.2.5.6
- A visible address must be posted as per City of Kelowna By-Laws
- Should a fire alarm be required, A fire safety plan as per section 2.8 BCFC is required at occupancy. The fire safety plan and floor plans are to be submitted for approval in AutoCAD Drawing format on a CD and an Approved Fire Department steel lock box or key tube acceptable to the fire dept. is required by the fire dept. entrance.
- All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met.
- Contact Fire Prevention Branch for fire extinguisher requirements and placement.
- Dumpster/refuse container must be 3 meters from structures or overhangs

7.0 Application Chronology

| | |
|-------------------------------------|--------------------|
| Date of Application Received: | September 28, 2015 |
| Date Public Consultation Completed: | October 18, 2015 |
| Date Amended Plans Received: | October 19, 2015 |

Report prepared by:

Lydia Korolchuk, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

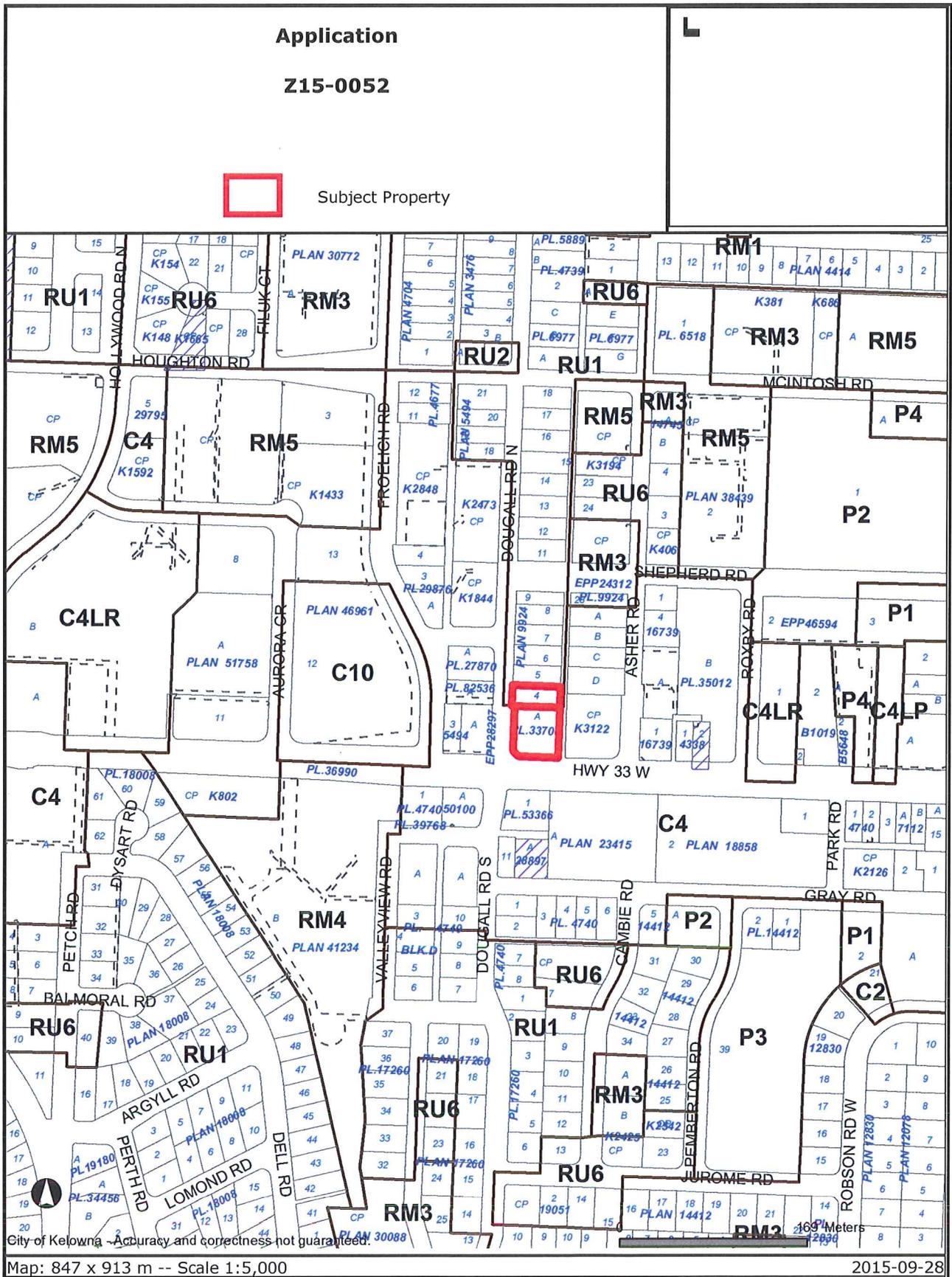
Attachments:

- Site Context Plan
- Site Plan
- Conceptual Elevations

Landscape Plan

Attachment A: Development Engineering Memorandum dated November 12, 2015

Attachment B: Rutland Waterworks District Memorandum dated December 15, 2015



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 12, 2015 (Revised – access, signage, road reserve)
File No.: Z15-0052
To: Urban Planning Department (LK)
From: Development Engineering Manager (SM)
Subject: 340 Hwy 33 W and 145 Dougall Rd N RU1 to C4

The Development Engineering Department has the following comments and requirements associated with this application to rezone the property at 145 Dougall Rd N from RU1 to C4 and consolidate with 340 Highway 33 W to accommodate a proposed car wash.

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 Jason Ough

1. General

These are Development Engineering comments/requirements and are subject to the review and requirements from the Ministry of Transportation (MOTI) Infrastructure Branch.

2. Domestic Water and Fire Protection

- (a) The property is located within the Rutland Water District (RWD) service area. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. The developer is responsible, if necessary, to arrange with RWD staff for any service improvements and the decommissioning of existing services. Only one water service will be permitted to a consolidated lot.
- (b) A water meter is mandatory for each property and must be installed inside the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost. Boulevard landscaping, complete with underground irrigation system, must be integrated with the on-site irrigation system.

3. Sanitary Sewer

The developer's consulting mechanical engineer will determine the development requirements of the proposed development and establish the service needs. The existing lot at 145 Dougall Road is serviced with a 100mm diameter sanitary service. Only one service per lot will be permitted for this development. The applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service, if required, at the applicants cost.

4. Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of a lot grading plan, identify minimum basement elevation (MBE), overland drainage routes, floodplain elevations and setbacks, and provision of a storm drainage service for the lot and /or recommendations for onsite drainage containment and disposal systems. The on-site drainage systems may be connected to the existing municipal drainage system in Highway 33 with an overflow service.
- (b) Storm drainage systems, oil and grit separator and overflow service(s) for the site will be reviewed and approved by Engineering when site servicing designs are submitted.

5. Road Improvements

- (a) The Developer is required to add a left turn lane to southbound Dougall Road N at the Highway 33 intersection. Turning bay must be minimum 25m including taper and painted lane delineation.
- (b) Access to property from Dougall Road North will be restricted to right in - right out with appropriate signage installed.
- (c) Access to the public lane on the east property line must be modified to meet the required 9m maximum. This space must be defined with curbing.
- (d) The estimated cost of required road improvement works, for bonding purpose, must be determined based upon a design provided by the developer to be reviewed by the City of Kelowna and MOTI.

6. Road Dedication and Subdivision Requirements

- (a) The developer is required to consolidate the two subject properties.
- (b) The developer is required dedicate roadway fronting 145 Dougall Road North to align with the property line at 340 Highway 33 to achieve the standard minor collector Right Of Way width.
- (c) The developer is required to provide 0.8m road reserve along the east property line to meet the minimum lane width for commercial property.
- (d) Grant Statutory Rights Of Way if required for utility services.
- (e) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.

7. Electric Power and Telecommunication Services

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

8. Design and Construction

- (a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- (b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- (c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- (d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- (e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

9. Survey Monuments and Iron Pins

If any legal survey monuments or property iron pins are removed or disturbed during construction, the developer will be invoiced a flat sum of \$1,200.00 per incident to cover the cost of replacement and legal registration. Security bonding will not be released until restitution is made.

10. Other Engineering Comments

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

11. Development Permit and Site Related Issues

(a) Access and Manoeuvrability

- (i) An SU-9 standard size vehicle must be able to manoeuvre onto and off the site without requiring a reverse movement onto public roadways.
- (ii) Indicate on the site, the locations of loading bays as well as the garbage and recycle bins.

14. Administration Charge

An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as (3% of Total Off-Site Construction Cost plus GST)

Steve Muenz, P. Eng.
Development Engineering Manager

jo



Rutland
WATERWORKS DISTRICT

106 – 200 Dougall Road North
Kelowna, BC V1X 3K5
www.rutlandwaterworks.com

p: (250) 765-5218
f: (250) 765-7765
e: info@rutlandwaterworks.com

December 15, 2015

Urban Options Planning & Permits
287 Rialto Drive
Kelowna BC V1V 1E9

RE: Lot A, Plan 33700 – 340 Hwy 33 – 145 Dougall Rd File # DP 15-0235 RWD File 15/13

In response to City of Kelowna request for comment the following is a summary of Rutland Waterworks District requirements:

- | | |
|---|---------------------------|
| 1. Capital Expenditure Charges | <u>\$9,820.00</u> |
| Please pay by separate cheque, noting file # 15/13/CEC | |
| 2. Additional Costs: | |
| 2 Service Removals, New 50 mm Service (to property line) (Materials and Installation only) | \$ 1,400.00 |
| 38 mm Positive Displacement Water Meter | 752.27 |
| District Inspection Fee (6.5% of Est. Cost below) | 650.00 |
| 3. Estimated Costs of Required Works (for bonding purposes): | <u>\$10,000.00</u> |
| Please pay by separate cheque, noting file # 15/13 (works/bonding) | <u>\$12802.27</u> |

... 2

December 15, 2015
Urban Options Planning & Permits
Page 2

Further, as noted in Mould's letter should any changes be made to the building design, a revised set of plans must be provided to the District to confirm the above calculations.

Upon receipt of above noted fees a water certificate will be issued.

Should you have any questions or require further information, please contact the undersigned.

Sincerely,

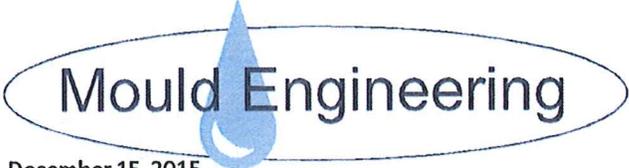


Pete Preston
General Manager

Encl.

- c. Mould Engineering
City of Kelowna (Planning Department)

PP/clp



Mould Engineering

December 15, 2015

Rutland Waterworks District
106 – 200 Dougall Road N
Kelowna, BC V1X 3K5

ATTN: Pete Preston

Dear Pete:

**Re: 340 Highway 33 – Lot A, Plan 33700; 145 Dougall Road – Lot 4, Plan 9924
Rezoning, Development and Development Variance Permit Application
Z15-0052, DP15-0235, DVP15-0236**

As requested, we have examined the water supply considerations and fire flow requirements for the above-noted development permit application. The following analysis is based on the information provided in the City of Kelowna application package. Our comments are as follows:

1. The development is located at the intersection of Highway 33 and Dougall Road, as shown on the attached map. There are two properties involved as follows: Lot A, Plan 33700, (southern lot) which is currently zoned C4 (Urban Centre Commercial) and Lot 4, Plan 9924, (northern lot) which is currently zoned RU1 (Large Lot Housing). The southern lot is the current site of the Centex gas station and the existing structures are to remain. The application includes rezoning the northern lot to C4 and constructing a new building, with a mixed use of commercial space, a car wash and a residential unit. It appears that the two lots will be amalgamated; however, no information was provided regarding this amalgamation. The new building will not have an automatic sprinkler system.
2. The existing maximum daily flow requirement for the properties is 0.076 lps (1.0 lpgm) for the northern property and 0.51 lps (6.8 lpgm) for the southern property. The additional demand for the proposed new building on the northern property is estimated at 2.27 lps (30 lpgm). The water use for the southern property will not change. The computer model of the distribution system has been analyzed, and the water system is able to supply the increase in maximum daily and peak hourly demand.
3. The District currently supplies the lots with a small diameter service each, both from the 150 mm AC watermain along the alley to the east of the properties. These existing services must be removed and the corporation stop shut off at the main. A new 50mm service is required to supply the increased demand and should be installed off the 200mm PVC watermain on Dougall Road, as shown on the attached map. Also, a new 38mm meter is required to service the building. Drawings need to be provided to the District for review and approval of the final design of the meter and backflow prevention installation.
4. The estimated fire flow requirements for the proposed building governs, and equate to 8,000 lpm (1,760 lpgm) for a 2.0 hour duration, in accordance with the Fire Underwriters Survey

Guidelines (see attached sheet). Two hydrants are necessary to disperse this flow and there are two existing hydrants within 90 m of the building, one to the north on the east side of Dougall Road, and one to the south, also on Dougall Road, fronting the property. The water distribution system is capable of supplying the required fire flows

5. The Capital Expenditure Charge (CEC) estimate for this development is as follows:

Residential Unit, Commercial Building without Sprinkler System:

| | |
|--|-----------------|
| 1. Credit for 1 Existing Single-Family Service | \$ (2,700) |
| 2. Proposed Building: | |
| 1 Single-Family Unit @ \$2,700 /unit | \$ 2,700 |
| Commercial Space (706 m ²), First 350 m ² (min. charge) | \$ 2,700 |
| Additional 356 m ² @ \$20/m ² | \$ 7,120 |
| Total CEC | \$ 9,820 |

Plus Additional Costs:

| | |
|---|-------------|
| 3. 2 Service Removals, New 50mm Service (to Property Line) (Materials and Installation only) | \$ 1,400.00 |
| 4. 38mm Positive Displacement Water Meter | \$ 752.27 |
| 5. District Inspection Fee (6.5% of Est. Cost below) | \$ 650.00 |

Items 1-5 above should be collected by the District **\$ 12,622.27**

Estimated Cost of Required Works (for Bonding Purposes):

| | |
|--|----------|
| 6. Removal of 2 Existing Services (Excavation and Backfill) | \$ 5,000 |
| 7. New 50mm Service, (to Property Line) (Excavation and Backfill) | \$ 5,000 |

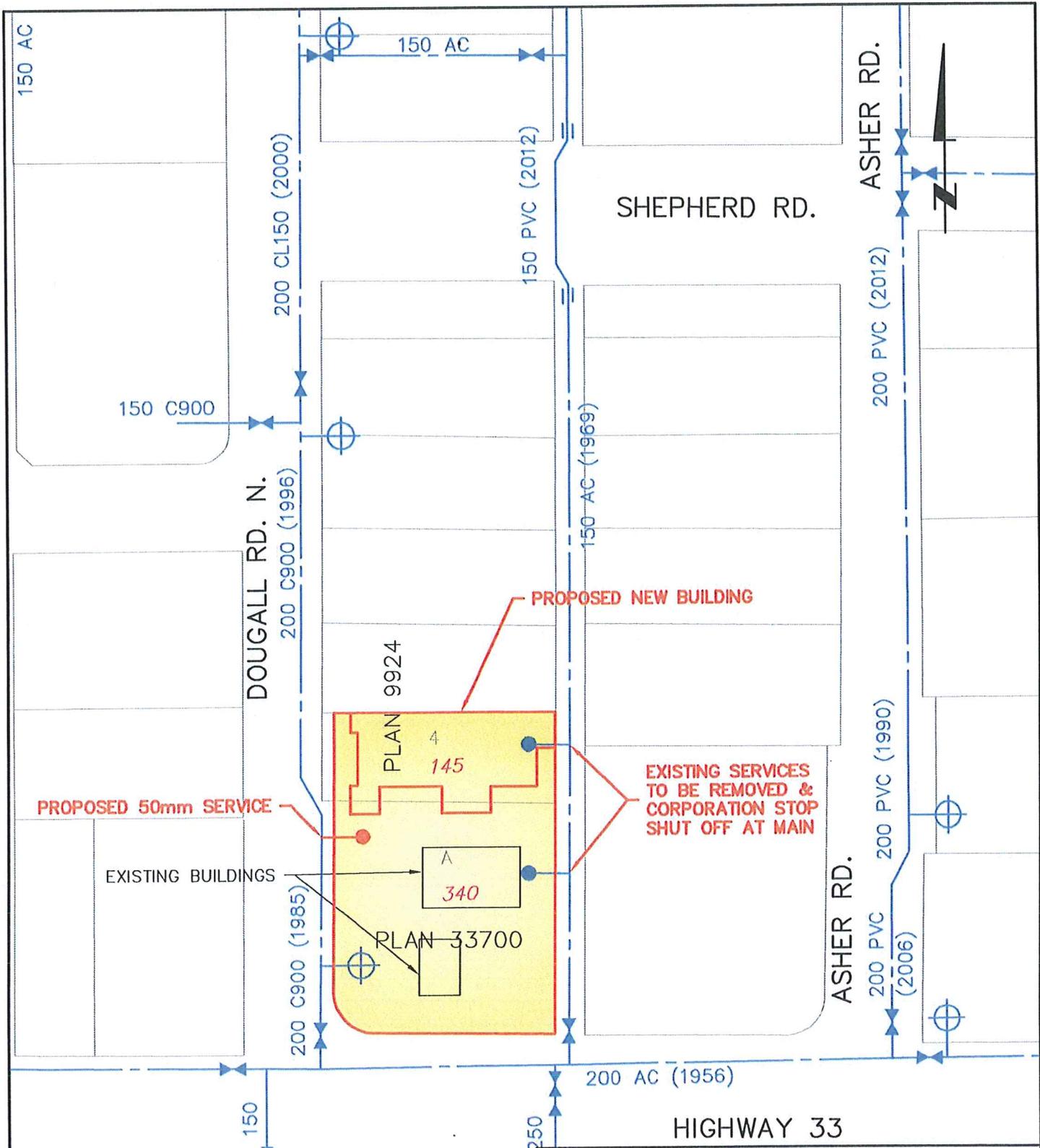
Total Bonding Required **\$ 10,000**

The District should not have any concerns with the development permit application, subject to the above charges being addressed. If any changes are made to the building design, a revised set of plans must be provided to the District to confirm the above calculations. If you need more information, please contact our office at (250) 868-2072.

Yours truly,
MOULD ENGINEERING



Jason Beath
JB/jb
Enclosures



RUTLAND WATERWORKS DISTRICT
 340 HWY33 W & 145 DOUGALL RD N
 DEVELOPMENT PERMIT APPLICATION
 Z15-0052, DP15-0235 DVP15-0236
 SCALE: 1:1000 DEC. 2015

Mould Engineering

Fire Flow Estimate (in accordance with Fire Underwriters Survey Guidelines)

District: Rutland Waterworks District **Date:** December 15, 2015

Address: 340 Highway 33 (Lot A, Plan 3370)
145 Dougall Road (Lot 4, Plan 9924)

Description: Existing Centex Gas Station, Proposed Car Wash, Retail Space, Residential Unit
Fire Flow Required as per drawings

1. Type of Construction: Wood Frame C = 1.0

Ground Floor Area: 706 m² No. of Stories: 1
Floor Area Note: Taken From Architectural Drawings

Total Floor Area: 706 m²

Fire Flow (F) from Table: $F = 220 \times C \sqrt{\text{Area}}$
 $F = 5,846$ lpm ⇒ Use: 6,000 lpm **(A)**

2. Occupancy: Non-Combustible (Low Hazard) Add/Subtract -25% -1,500 lpm

Sub-Total 4,500 lpm **(B)**

3. Automatic Sprinklers: No Add/Subtract 0% 0 lpm

4. Exposure:

| | Distance | | Add | |
|-----------------|----------|---|--------------|---|
| 1. Front (West) | 18 | m | 15% | (Dougall Road, Commercial Bldg) |
| 2. Side (North) | 0 | m | 25% | (Existing Residential, Future Commercial) |
| 3. Side (South) | 6 | m | 20% | (Existing Gas Station Bldg) |
| 4. Rear (East) | 6 | m | 20% | (Lane, Existing Bldg) |
| Total | | | 80% | x (B) 3,600 lpm |
| | | | Total | 8,100 lpm |

Total Fire Flow Required **8,000** lpm
 1,760 Imp gpm
 2,114 USgpm

5. Fire Flow Duration: 2 hours

Notes: - Exposures estimated from Site Plan and City of Kelowna aerial photographs



PROJECT TITLE
340 HIGHWAY 33 W

LOCATION, BC

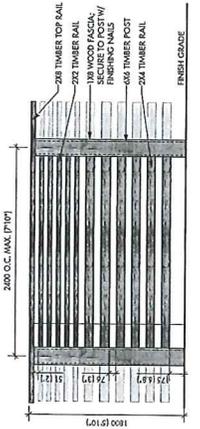
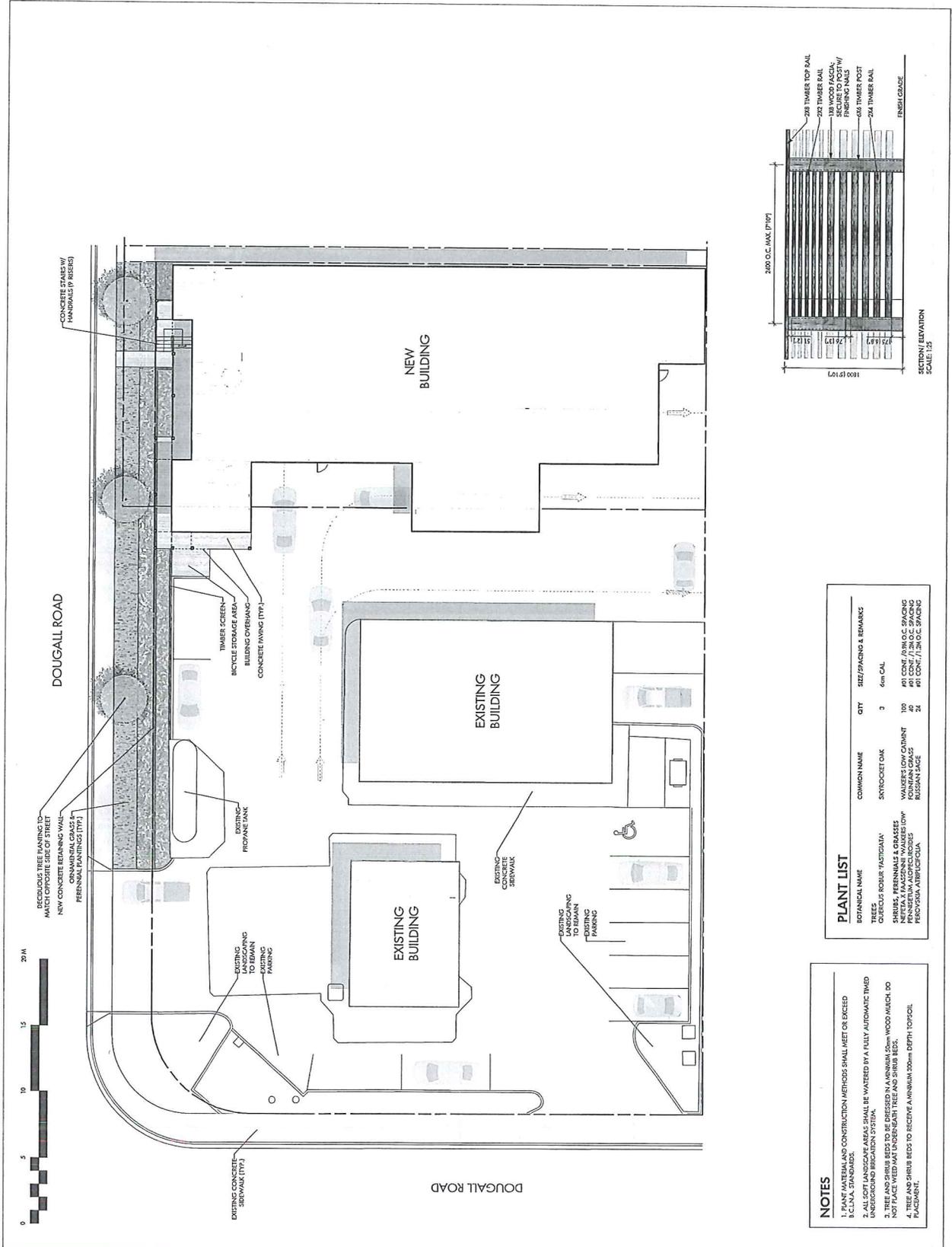
DRAWING TITLE
**CONCEPTUAL
LANDSCAPE PLAN**

| NO. | REVISION | DATE | BY | CHKD. |
|-----|--------------------|------|----|-------|
| 1 | Development Permit | | | |
| 2 | | | | |
| 3 | | | | |
| 4 | | | | |
| 5 | | | | |

| NO. | REVISION | DATE | BY | CHKD. |
|-----|--------------------|------|----|-------|
| 1 | Development Permit | | | |
| 2 | | | | |
| 3 | | | | |
| 4 | | | | |
| 5 | | | | |



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PLANT LIST

| BOTANICAL NAME | COMMON NAME | QTY | SIZE/SPACING & REMARKS |
|-----------------------------------|--------------------|-----|-----------------------------|
| TREES | | | |
| QUERCUS ROBUR 'ASTICATA' | SKYPOCKET OAK | 3 | 4m CAL |
| SHRUBS, PERENNIALS & GRASSES | | | |
| NERITA F. MAZDANINI 'WALKERS LOW' | WALKERS LOW QUINCE | 100 | P1 CONT./10 IN O.C. SPACING |
| PEROVSKIA ATROPURPUREA | RUSSIAN SAGE | 24 | P1 CONT./12 IN O.C. SPACING |
| PEROVSKIA ATROPURPUREA | RUSSIAN SAGE | 24 | P1 CONT./12 IN O.C. SPACING |

- NOTES**
1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED B.C.L.A. STANDARDS.
 2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIED SYSTEM.
 3. TREE AND SHRUB BEDS TO BE RECESSED IN A MINIMUM 15cm WOOD MULCH. DO NOT FACE WEED MAT UNDER/EARTH TREE AND SHRUB BEDS.
 4. TREE AND SHRUB BEDS TO RECEIVE ANNUAL 20cm DEPTH TOPSOIL PLACEMENT.



PROJECT TITLE
340 HIGHWAY 33 W

ADDRESS, BC
 Kelowna, BC

**WATER CONSERVATION
& IRRIGATION PLAN**

| NO. | DESCRIPTION | DATE |
|-----|-------------|--------------------|
| 1 | 15.11.26 | Development Permit |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |

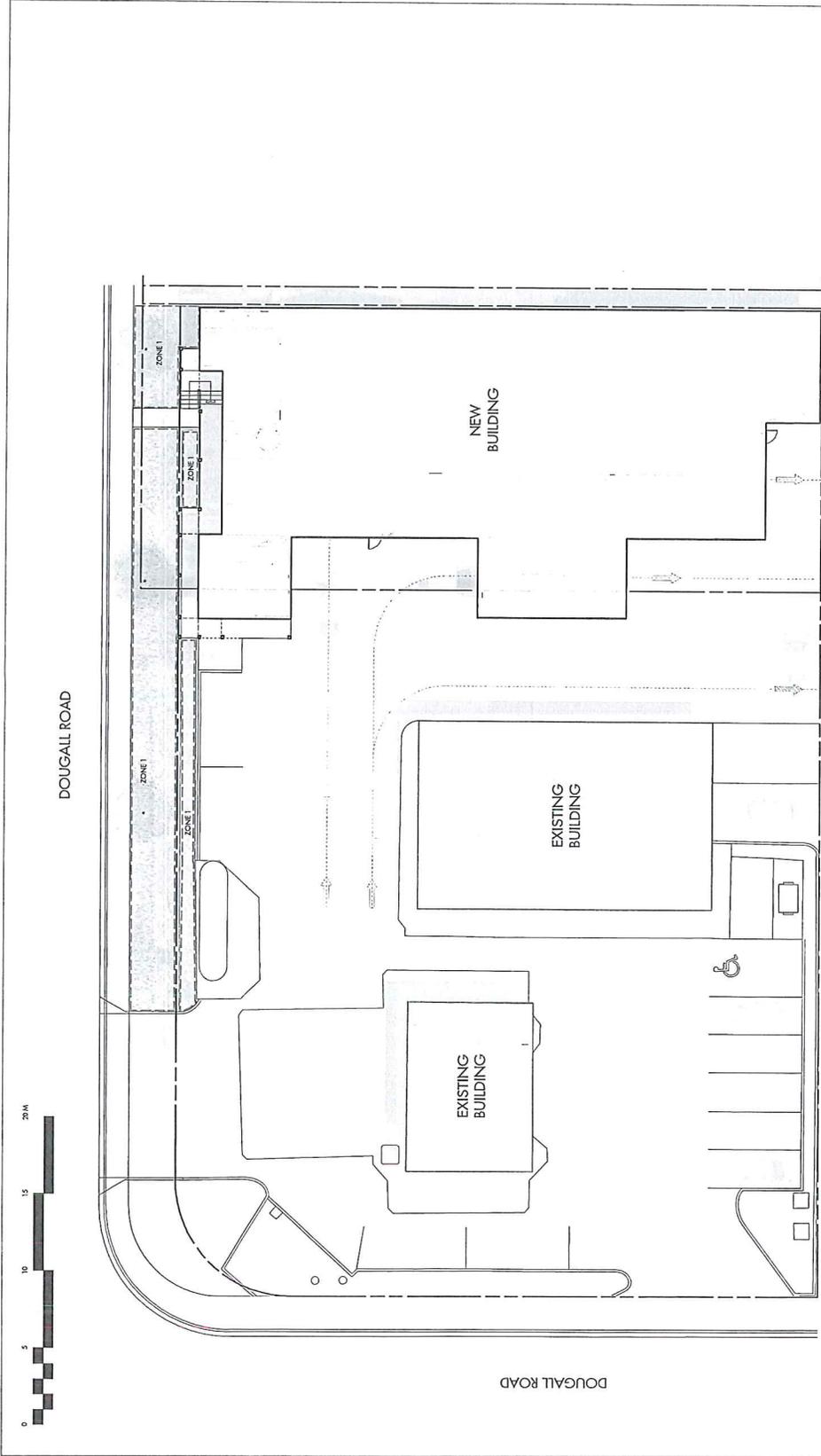
| | |
|-------------|--------------|
| PROJECT NO. | D56P |
| CLIENT | SP |
| DESIGNER | OC |
| DATE | MAR 26, 2013 |
| SCALE | 1:100 |

SEA



L2/2

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IRRIGATION NOTES

- IRRIGATION PRODUCTS AND INSTALLATION METHODS SHALL MEET OR EXCEED THE REQUIREMENTS OF THE IRRIGATION SYSTEMS AND EQUIPMENT SPECIFICATIONS AND THE SUPPLEMENTARY SPECIFICATIONS IN THE CITY OF KILGORNIE BYWAY 700 (PART 6, SCHEDULE 6) AND THE SUPPLEMENTARY SPECIFICATIONS IN THE CITY OF KILGORNIE BYWAY 700 (PART 6, SCHEDULE 6).
- THE IRRIGATION SYSTEM SHALL MEET THE REQUIREMENTS, REGULATIONS, AND BYLAWS OF THE WATER PURVEYOR.
- THE IRRIGATION SYSTEM SHALL BE EQUIPPED WITH AN APPROVED BACKFLOW PREVENTION DEVICE, WATER METER, AND SHUT OFF VALVE LOCATED OUTSIDE THE BUILDING ACCESSIBLE TO THE CITY.
- AN APPROVED SMART CONTROLLER SHALL BE INSTALLED. THE IRRIGATION SCHEDULING TIMES SHALL UTILIZE A MAXIMUM VALUE OF 77 MONTH (BETWEEN JULY 1ST TILLING INTO CONSIDERATION SOIL TYPE, 70% HUMUS/ORGANIC).
- DROP LINE AND DIRTIES SHALL INCORPORATE TECHNOLOGY TO LIMIT ROOT INTERUSION.
- IRRIGATION SLEEVES SHALL BE INSTALLED TO ROUTE IRRIGATION LINES UNDER PAVED SURFACES AND DRIVEWAYS.
- IRRIGATION PIPE SHALL BE SIZED TO ALLOW FOR A MAXIMUM FLOW OF 1.5m³/SEC.
- A FLOW SENSOR AND MASTER VALVE SHALL BE CONNECTED TO THE CONTROLLER AND PROGRAMMED TO STOP FLOW TO THE SYSTEM IN CASE OF AN IRRIGATION WATER LEAK.

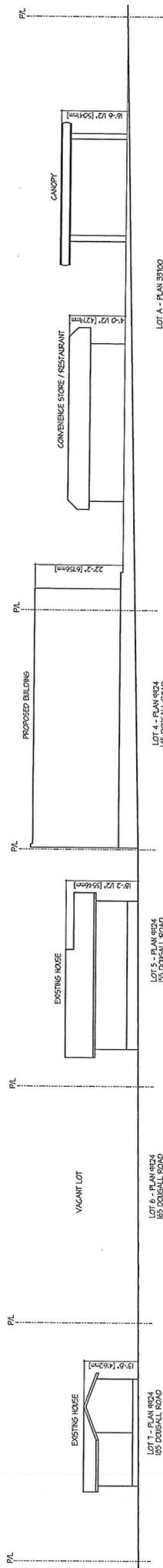
IRRIGATION LEGEND

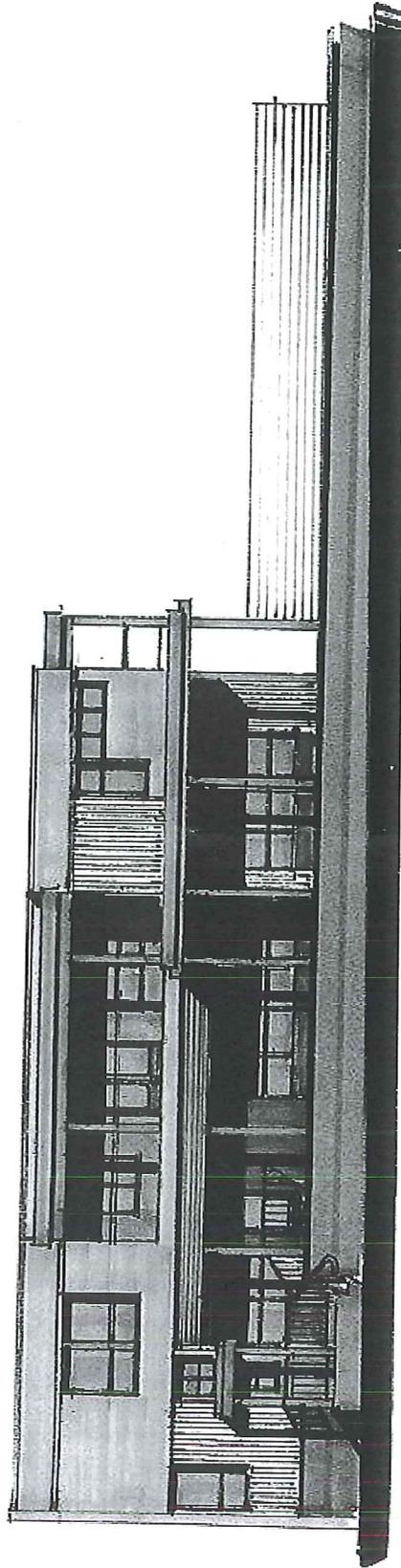
ZONE #1: HIGH EFFICIENCY SURFACE Drip IRRIGATION FOR MODERATE
 TOTAL AREA: 144 m².
 ESTIMATED ANNUAL WATER USE: 11,000 L.
 PARTIALLY SHADDED BY TREES & WALL
 ESTIMATED ANNUAL WATER USE: 31,000 L.

WATER CONSERVATION CALCULATIONS

HANCOCK RE HANCOCK WATER SUBJECT PERIOD: 144 m² / year
 ESTIMATED HANCOCK WATER USE (H2O) = 11,000 L / year
 WATER BALANCE = 73 m³ / year
 *REFER ATTACHED IRRIGATION APPLICATION FOR DETAILED CALCULATIONS

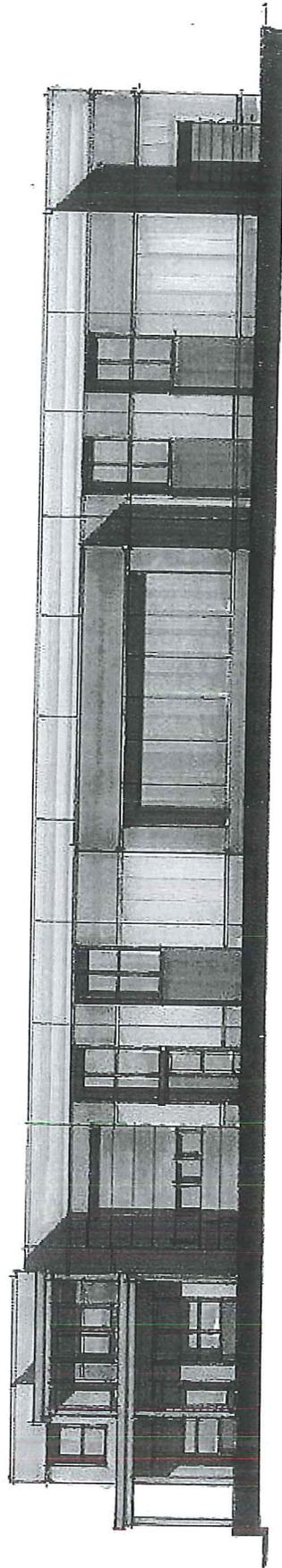
PROPOSED CARWASH ADDITION
 CENTEX PETROLEUM
 340 HWY 33 W





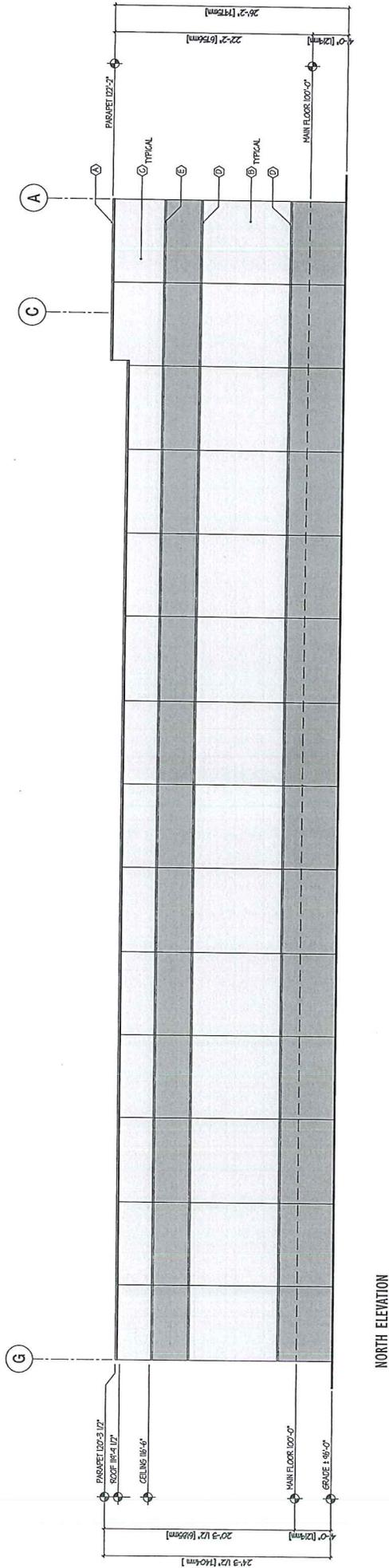
WEST ELEVATION

PROPOSED CARWASH ADDITION
CENTEX PETROLEUM
340 HWY 34 W



SOUTH ELEVATION

PROPOSED CARWASH ADDITION
CENTEX PETROLEUM
340 HWY 33W



PROPOSED CARWASH ADDITION
 CENTEX PETROLEUM
 340 HWY 33 W

CITY OF KELOWNA
BYLAW NO. 11193
Z15-0052 - Narish Kathpal
145 Dougall Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 4, Section 26, Township 26, ODYD, Plan 9924 located on Dougall Road, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the C4 - Urban Center Commercial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: January 25, 2016
File: 1250-04
To: City Manager
From: Ryan Roycroft, Planner
Subject: Amendments to the RU6 - TA15-0015

Recommendation:

THAT Zoning Bylaw Text Amendment Application No. TA15-0015 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Community Planning Department dated January 25, 2016 to amend the RU6 - Two Dwelling Housing zone be considered by Council;

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

Purpose:

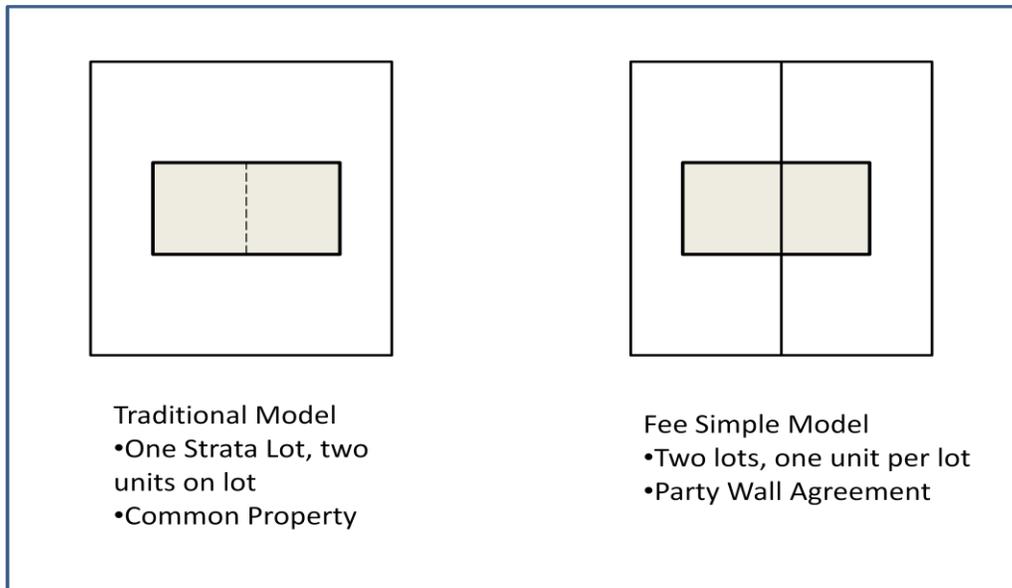
To amend the Zoning Bylaw by amending the RU6 - Two Dwelling Housing to allow duplex units with party wall agreements, develop provisions for small lot duplex housing on a pilot project basis and remove mention of the unused RU6h zone.

Amendments for Fee Simple Duplexes:

Staff are proposing three amendments to the RU6 - Two Dwelling Housing regulations in the Zoning Bylaw.

The first amendment is the result of interest from several members of the development community, and would amend the bylaw by allowing the construction of duplexes on fee simple lots joined by a party wall.

Traditionally, duplex lots in Kelowna have been constructed on a single lot, which is then strata titled to create two lots. This process requires the establishment of a small strata corporation to administer the common property and the common structure.



The bylaw amendments would allow duplexes to be built across lot lines. Each owner would own a single lot in fee simple, and no strata corporation would be created. Rather, the relationship would be regulated with a party wall agreement registered on title.

This is a more contemporary form of duplex construction, common in Eastern Canada, and growing in popularity in BC. Municipalities in the Lower Mainland and Vancouver Island make extensive use of this form of housing.

Similar provisions already exist in the RM2 and RM3 zones allowing for this form of development in row housing.

The bylaw amendments would allow for the creation of two half-sized duplex lots, which, when joined by a party wall agreement, would be as large as a regular duplex lot. The bylaw amendments would not preclude traditional strata duplex development but would rather offer another alternative.

Amendments for Small Lot Duplexes:

The Infill Challenge is a program being developed within the Community Planning and Real Estate Division intended to expand options for infill housing in the City. The program's key goals are:

- Introduce new forms of infill housing not presently permitted in Kelowna
- Providing area residents with on-the-ground examples of how infill housing can improve their neighbourhoods
- Expand the supply and diversity of housing in Kelowna's urban core area
- Build more complete neighbourhoods
- Reinforce positive relationships between the City, the development and home building community, and area residents

As part of this project, City staff have worked with a developer to create a small lot duplex concept. This concept, which be controlled through the Development Permit process and will allow for a duplex to be developed on a smaller lot than traditionally allowed.

The proposed bylaw amendments will amend the RU6 zone to allow Narrow Duplex on a single lot on a pilot project basis. If Council is satisfied with the development, the bylaw can be further amended to allow similar projects in the city's core areas. This would likely occur at the same time as amendments resulting from the City's infill challenge.

If Council is unsatisfied, they can be excised from the bylaw without risk of impacting other properties.

Removal of mention of the RU6h zone:

The RU6h zoning designation was intended for duplex lots in hillside areas. However, the zone has been supplanted by the more modern RH2 zone, and is no longer required.

No properties are zoned RU6h, and removing the mention of the zone from the bylaw will not impact any property owners in the City.

This is a housekeeping amendment solely intended to remove clutter from the bylaw.

Legal/Statutory Authority:

All amendments to the Zoning Bylaw are permitted under Section 903 of the *Local Government Act*.

Legal/Statutory Procedural Requirements:

If initial consideration is given to the bylaws, a public hearing will be required to amend the Zoning Bylaw.

Existing Policy:

Currently, the RU6 - Two Dwelling Housing zone does not allow duplexes to straddle property lines. These amendments would remove that restriction where a party wall agreement is in place.

The Zoning Bylaw has provisions for the RU6h zone. However, no lots in the city are zoned RU6h.

Considerations not applicable to this report:

- Internal Circulation
- Financial/Budgetary Considerations
- Personnel Implications
- External Agency/Public Comments
- Communications Comments

Submitted by:

R Roycroft, Planner

Approved for inclusion:



Ryan Smith, Department Manager, Community Planning

Attachment

cc: Policy Planning

13.6 RU6 – Two Dwelling Housing RU6b – Two Dwelling Housing with Boarding or Lodging House

13.6.1 Purpose

The purpose is to provide a **zone** for development of a maximum of two **dwelling** units per lot.

13.6.2 Permitted Uses

The permitted **principal uses** in this **zone** are:

- (a) **agriculture, urban**
- (b) **community garden**
- (c) **single dwelling housing**
- (d) **two dwelling housing**

13.6.3 Secondary Uses

The permitted **secondary uses** in this **zone** are:

- (a) **bed and breakfast homes**
- (b) **boarding or lodging houses (RU6b only)**
- (c) **child care centre, minor**
- (d) **carriage house**
- (e) **group homes, minor**
- (f) **home based businesses, major**
- (g) **home based businesses, minor**
- (h) **secondary suite**

13.6.4 Buildings and Structures Permitted

- (a) **one single detached house** which may contain a **secondary suite**
- (b) **duplex housing***
- (c) **semi-detached housing***
- (d) **two single detached houses** which may not contain **secondary suites***
- (e) permitted **accessory buildings or structures**
- (f) **carriage house**
- (g) Only one secondary dwelling unit is permitted (e.g. secondary suite or carriage house)

NOTE: **Buildings** or **structures** indicated by an (*) are only permitted on **lots** that meet the **subdivision regulations** for **two dwelling housing**.

13.6.5 Subdivision Regulations

- (a) The minimum **lot width** is 13.0 m for single detached housing, except it is 15.0 m for a corner lot.

- (b) The minimum lot width for two dwelling housing is 18.0 m, except it is 20.0 m for a corner lot.
- i. Where a lot with a developed **semi-detached housing** development is being subdivided along a party wall the minimum **lot width** is 9.0 m, except it is 11.0 m for a **corner lot**, and a **party wall** agreement is registered on the titles of both **lots**.
- (c) The minimum lot depth is 30.0 m.
- (d) The minimum lot area is 400 m² for single detached housing, but 440 m² for a corner lot. It is 700 m² for a site, but 800 m² for a corner site, with semi-detached or duplex housing.
- i. Where a lot with a developed semi-detached housing development is being subdivided along a party wall, the minimum lot areas is 400 m², but 440 m² for a corner lot.

13.6.6 Development Regulations

- (a) The maximum site coverage is 40% and together with driveways and parking areas, shall not exceed 50%.
- (b) For all accessory buildings or structures and carriage houses:
- The maximum combined lot coverage of all accessory **buildings** or **structures** and **carriage houses** shall not exceed 14%.
 - The maximum combined area of all accessory **buildings / structures** and **carriage houses** (e.g. footprint size) shall not exceed 90 m².
 - The maximum net floor area of a carriage house shall not exceed 90 m².
 - The maximum net floor area of all carriage houses (including 1 storey carriage houses) shall not exceed 75% of the total net floor area of the principal building.
 - If a development contains a carriage house and if the height of all the accessory buildings / structures, and carriage house are limited to one (1) storey then the following bonus applies:
 - The maximum combined lot coverage of all accessory **buildings /structures** and **carriage houses** may be increased to a maximum of 20%
 - The maximum combined area of all accessory **buildings /structures** and **carriage houses** (e.g. footprint size) may be increased to a maximum of 130 m² subject to:
 - The maximum area (e.g. footprint size) of a carriage house shall not exceed 100 m².
 - The maximum area (e.g. footprint size) of all accessory buildings / structures (including garages) shall not exceed 50m².
- (c) The maximum height for principal buildings is the lesser of 9.5m or 2 ½ storeys.

- (d) The maximum height for accessory buildings / structures is 4.5m.
- (e) The maximum height for carriage houses is 4.8m.
- (f) The minimum site front yard is 4.5 m, except it is 6.0 from a garage or carport.
- (g) The minimum site side yard is 2.0 m for a 1 or 1½ storey portion of a building and 2.3 m for a 2 storey portion of a building, except it is 4.5 m from a flanking street.
 - i. Where there is a garage accessed from the flanking street, it is 6.0m.
 - ii. Where there is no lane abutting the site, one side yard must be a least 3.0m for vehicular access, unless there is an attached garage or carport which is an integral part of the dwelling.
 - iii. **Side yards** are not required for **semi-detached housing** on a **lot line** that has a **party wall**.
- (h) The minimum site rear yard is 7.5 m, except it is 1.5 m for accessory buildings. Where the lot width exceeds the lot depth, the minimum rear yard is 4.5 m provided that one side yard shall have a minimum width of 4.5 m.
- (i) Semi-detached and duplex housing shall provide a minimum area of 30 m² of private open space per dwelling and group homes, minor and boarding or lodging houses shall provide a minimum area of 7.5 m² of private open space per bedroom in addition to the principal dwelling. This may be in required side or rear yards provided the minimum dimension of the space is 4.5 m.
- (j) A site may be developed with a maximum of two single detached housing units where all the requirements for duplex housing have been met. The two single detached housing units must be separated by a minimum distance of 4.5 metres.

13.6.7 Small Lot Semi-Detached Housing Development Regulations

On Lot 16, District Lot 138, ODYD Plan 3707, the Small Lot Semi-Detached Housing Development Regulations apply.

- (a) The maximum site coverage is 50% and together with driveways and parking areas, shall not exceed 60%.
- (b) The maximum **height** is the lesser of 8.3 m or 2 storeys.
- (c) The minimum **front yard** setback is 3.0 m.
- (d) The minimum **side yard** setback is 1.5 m.
- (e) The minimum **rear yard** setback is 7.5 m.

13.6.8 Other Regulations

- (a) A "b" notation shown on Schedule "A" as part of the identified zone classification indicates that a secondary use in the form of a Boarding or Lodging House is permitted on the properties so designated, subject to meeting the conditions of use of the zone.

- (b) A carriage house must not be closer than 3.0m to an existing principal building.
- (c) All semi-detached and duplex housing shall be designed so there is driveway access for each dwelling.
- (d) Bed and breakfast homes and minor group homes are only permitted in single detached housing.
- (e) Where the site has access to a lane, vehicular access to the site is only permitted from the lane.
- (f) Boarding or lodging houses are only permitted in single detached housing and are limited to a maximum of 10 residents.
- (g) In addition to the regulations listed above, other regulations may apply. These include the general development regulations of Section 6 (accessory development, yards, projections into yards, lighting, stream protection, etc.), the landscaping and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific use regulations of Section 9.

CITY OF KELOWNA
BYLAW NO. 11192
Amendment to Section 13 - Urban Residential Zones -
13.6 RU6 - Two Dwelling Housing

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000, **Section 13 - Urban Residential Zones be amended by deleting Section 13.6 RU6 - Two Dwelling Housing/RU6b - Two Dwelling Housing with Boarding or Lodging House/RU6h - Two Dwelling Housing (Hillside Area)** and replacing it with a new **Section 13.6 RU6 - Two Dwelling Housing/RU6b - Two Dwelling Housing with Boarding or Lodging House Zone** as attached to and forming part of this bylaw;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

13.6 RU6 – Two Dwelling Housing RU6b – Two Dwelling Housing with Boarding or Lodging House

13.6.1 Purpose

The purpose is to provide a **zone** for development of a maximum of two **dwelling** units per lot.

13.6.2 Permitted Uses

The permitted **principal uses** in this **zone** are:

- (a) **agriculture, urban**
- (b) **community garden**
- (c) **single dwelling housing**
- (d) **two dwelling housing**

13.6.3 Secondary Uses

The permitted **secondary uses** in this **zone** are:

- (a) **bed and breakfast homes**
- (b) **boarding or lodging houses (RU6b only)**
- (c) **child care centre, minor**
- (d) **carriage house**
- (e) **group homes, minor**
- (f) **home based businesses, major**
- (g) **home based businesses, minor**
- (h) **secondary suite**

13.6.4 Buildings and Structures Permitted

- (a) **one single detached house** which may contain a **secondary suite**
- (b) **duplex housing***
- (c) **semi-detached housing***
- (d) **two single detached houses** which may not contain **secondary suites***
- (e) permitted **accessory buildings or structures**
- (f) **carriage house**
- (g) Only one secondary dwelling unit is permitted (e.g. secondary suite or carriage house)

NOTE: **Buildings** or **structures** indicated by an (*) are only permitted on **lots** that meet the **subdivision regulations** for **two dwelling housing**.

13.6.5 Subdivision Regulations

- (a) The minimum **lot width** is 13.0 m for single detached housing, except it is 15.0 m for a corner lot.

- (b) The minimum lot width for two dwelling housing is 18.0 m, except it is 20.0 m for a corner lot.
- i. Where a lot with a developed **semi-detached housing** development is being subdivided along a party wall the minimum **lot width** is 9.0 m, except it is 11.0 m for a **corner lot**, and a **party wall** agreement is registered on the titles of both **lots**.
- (c) The minimum lot depth is 30.0 m.
- (d) The minimum lot area is 400 m² for single detached housing, but 440 m² for a corner lot. It is 700 m² for a site, but 800 m² for a corner site, with semi-detached or duplex housing.
- i. Where a lot with a developed semi-detached housing development is being subdivided along a party wall, the minimum lot areas is 400 m², but 440 m² for a corner lot.

13.6.6 Development Regulations

- (a) The maximum site coverage is 40% and together with driveways and parking areas, shall not exceed 50%.
- (b) For all accessory buildings or structures and carriage houses:
- The maximum combined lot coverage of all accessory **buildings** or **structures** and **carriage houses** shall not exceed 14%.
 - The maximum combined area of all accessory **buildings / structures** and **carriage houses** (e.g. footprint size) shall not exceed 90 m².
 - The maximum net floor area of a carriage house shall not exceed 90 m².
 - The maximum net floor area of all carriage houses (including 1 storey carriage houses) shall not exceed 75% of the total net floor area of the principal building.
 - If a development contains a carriage house and if the height of all the accessory buildings / structures, and carriage house are limited to one (1) storey then the following bonus applies:
 - The maximum combined lot coverage of all accessory **buildings /structures** and **carriage houses** may be increased to a maximum of 20%
 - The maximum combined area of all accessory **buildings /structures** and **carriage houses** (e.g. footprint size) may be increased to a maximum of 130 m² subject to:
 - The maximum area (e.g. footprint size) of a carriage house shall not exceed 100 m².
 - The maximum area (e.g. footprint size) of all accessory buildings / structures (including garages) shall not exceed 50m².
- (c) The maximum height for principal buildings is the lesser of 9.5m or 2 ½ storeys.

- (d) The maximum height for accessory buildings / structures is 4.5m.
- (e) The maximum height for carriage houses is 4.8m.
- (f) The minimum site front yard is 4.5 m, except it is 6.0 from a garage or carport.
- (g) The minimum site side yard is 2.0 m for a 1 or 1½ storey portion of a building and 2.3 m for a 2 storey portion of a building, except it is 4.5 m from a flanking street.
 - i. Where there is a garage accessed from the flanking street, it is 6.0m.
 - ii. Where there is no lane abutting the site, one side yard must be a least 3.0m for vehicular access, unless there is an attached garage or carport which is an integral part of the dwelling.
 - iii. **Side yards** are not required for **semi-detached housing** on a **lot line** that has a **party wall**.
- (h) The minimum site rear yard is 7.5 m, except it is 1.5 m for accessory buildings. Where the lot width exceeds the lot depth, the minimum rear yard is 4.5 m provided that one side yard shall have a minimum width of 4.5 m.
- (i) Semi-detached and duplex housing shall provide a minimum area of 30 m² of private open space per dwelling and group homes, minor and boarding or lodging houses shall provide a minimum area of 7.5 m² of private open space per bedroom in addition to the principal dwelling. This may be in required side or rear yards provided the minimum dimension of the space is 4.5 m.
- (j) A site may be developed with a maximum of two single detached housing units where all the requirements for duplex housing have been met. The two single detached housing units must be separated by a minimum distance of 4.5 metres.

13.6.7 Small Lot Semi-Detached Housing Development Regulations

On Lot 16, District Lot 138, ODYD Plan 3707, the Small Lot Semi-Detached Housing Development Regulations apply.

- (a) The maximum site coverage is 50% and together with driveways and parking areas, shall not exceed 60%.
- (b) The maximum **height** is the lesser of 8.3 m or 2 storeys.
- (c) The minimum **front yard** setback is 3.0 m.
- (d) The minimum **side yard** setback is 1.5 m.
- (e) The minimum **rear yard** setback is 7.5 m.

13.6.8 Other Regulations

- (a) A "b" notation shown on Schedule "A" as part of the identified zone classification indicates that a secondary use in the form of a Boarding or Lodging House is

permitted on the properties so designated, subject to meeting the conditions of use of the zone.

- (b) A carriage house must not be closer than 3.0m to an existing principal building.
- (c) All semi-detached and duplex housing shall be designed so there is driveway access for each dwelling.
- (d) Bed and breakfast homes and minor group homes are only permitted in single detached housing.
- (e) Where the site has access to a lane, vehicular access to the site is only permitted from the lane.
- (f) Boarding or lodging houses are only permitted in single detached housing and are limited to a maximum of 10 residents.
- (g) In addition to the regulations listed above, other regulations may apply. These include the general development regulations of Section 6 (accessory development, yards, projections into yards, lighting, stream protection, etc.), the landscaping and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific use regulations of Section 9.

REPORT TO COUNCIL



Date: January 25, 2016

RIM No. 1250-20

To: City Manager

From: Community Planning Department (RR)

Application: OCP15-0014 / Z15-0043 **Owner:** Seventh-Day Adventist Church (British Columbia Conference)

Address: 1035 Hollywood Road South **Applicant:** Protech Consulting 2012

Subject: Official Community Plan Amendment, Rezoning and Text Amendment Applications

Existing OCP Designation: EDINST - Educational / Major Institutional

Proposed OCP Designation: S2RES - Single / Two Unit Residential

Existing Zone: P2 - Education and Minor Institutional

Proposed Zone: RU2 - Medium Lot Housing
RU6 - Two Dwelling Housing

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP15-0014 to amend Map 4.1 in the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of a portion of Lot 2, Section 23, Township 26, ODYD, Plan 3849 except Plan 16489 located at 1035 Hollywood Road South, Kelowna, BC from the EDINST - Educational / Major Institutional designation to the S2RES - Single / Two Unit Residential designation, as shown on Map "A" attached to the Report from the Community Planning Department dated January 25, 2016, be considered by Council;

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

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the purpose of Section 879 of the *Local Government Act*, as outlined in the Report from the Community Planning Department dated January 25, 2016;

AND THAT Rezoning Application No. Z15-0043 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portions of Lot 2, Plan 3849 located at 1035 Hollywood Road South, Kelowna, BC from the P2 - Education and Minor Institutional zone to the RU1 - Large Lot Housing zone, the RU2 - Medium Lot Housing zone and the RU6 - Two Dwelling Housing zone, as shown on Map "B" attached to the Report from the Community Planning Department dated January 25, 2016, be considered by Council;

AND THAT Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

2.0 Purpose

To amend the Official Community Plan to change the Future Land Use designation of the subject property and to rezone the subject property to facilitate a single and two dwelling housing subdivision. To amend the Zoning Bylaw by adding regulations to the RU6 - Two Dwelling Housing zone to facilitate the creation of fee simple lots for semi-detached dwellings.

3.0 Community Planning

Community Planning recommends that Council support the bylaw. The style of development, a mixture of single family and semi-detached dwellings, will fit into the single family character of the neighborhood. This pattern of development will preclude future higher intensity development applications in the area which may be more disruptive to the neighbourhood.

The semi-detached units will be built as fee simple, rather than the more traditional strata titled semi-detached dwellings. This configuration is growing in popularity as developers and buyers look for alternatives to strata titled property. Each unit of the semi-detached dwellings will occupy a fee simple lot, with a party wall agreement registered on title with the adjoining unit.

4.0 Proposal

4.1 Background

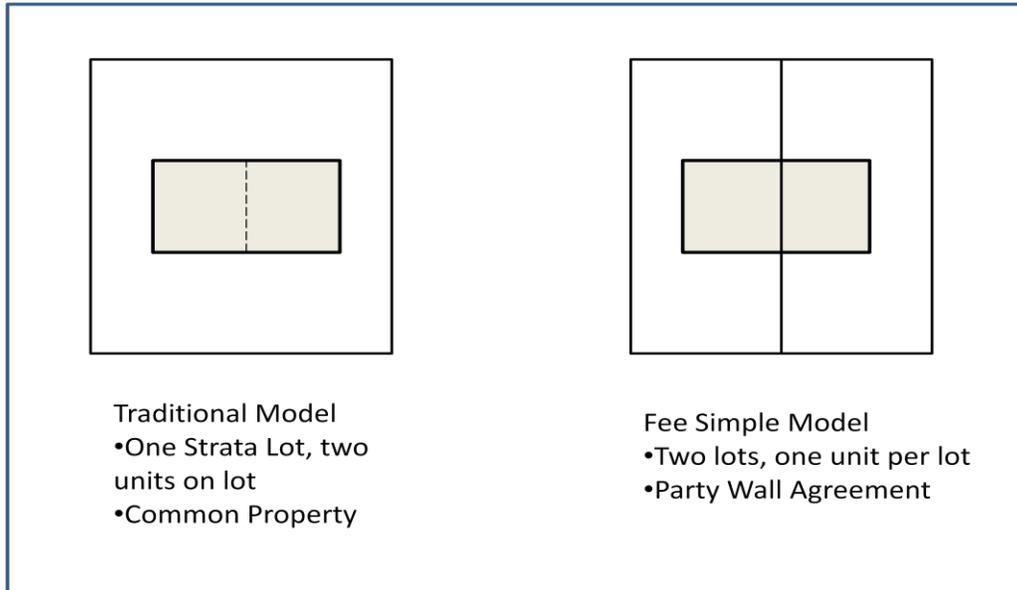
The 2.49 ha (6.15 ac) property has recently been subdivided from the Okanagan Adventist Academy to the west. It is a flat field without significant physical constraints or obstacles. Vehicular access is from Juniper Road to the north.

4.2 Project Description

The proposed bylaw amendments would first change the designation of the property in the OCP from EDINST - Educational / Major Institutional to S2RES - Single / Two Unit Residential. The Zoning Bylaw amendment would rezone the property from P2 - Education and Minor Institutional to RU1 - Large Lot Housing, RU2 - Medium Lot Housing and RU6 - Two Dwelling Housing. The text amendment would allow semi-detached dwellings to be subdivided into two fee simple lots under the RU6 zone classification.

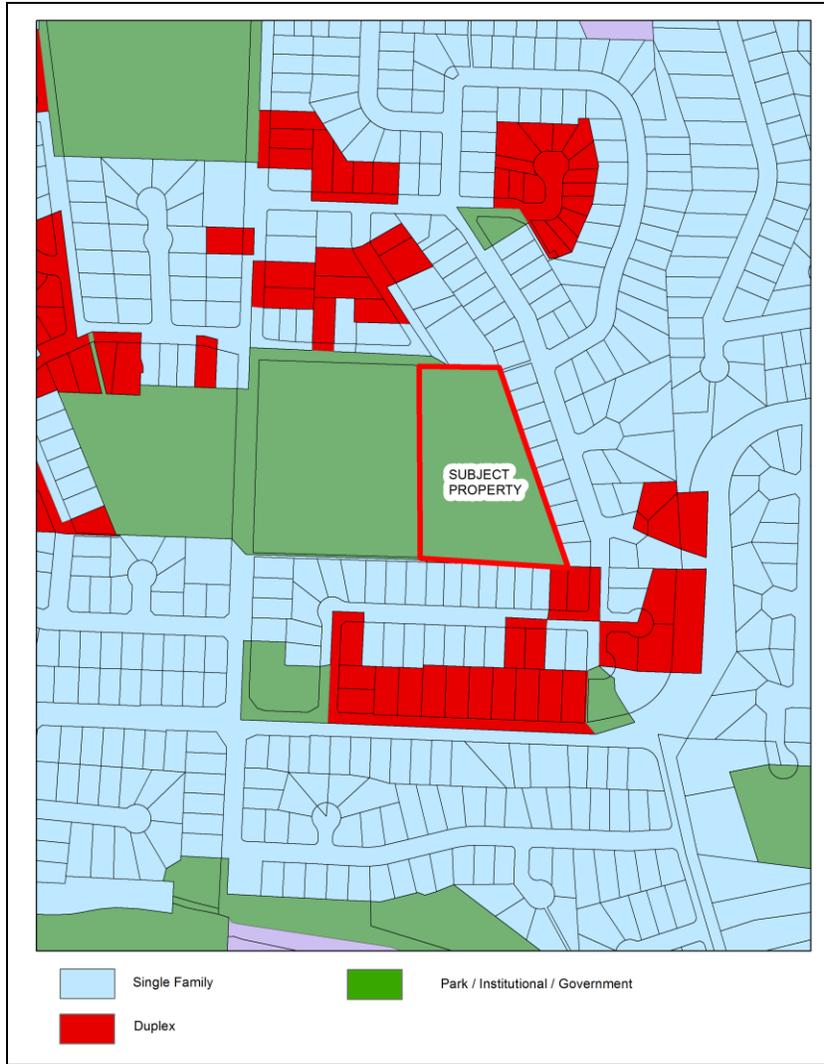
The intent of these bylaw amendments is to allow the creation of a 37 lot subdivision with 21 single detached lots and 16 semi-detached lots for a total of 37 units. Pedestrian connectivity will be required as part of the development to maintain the pedestrian pathway running from Juniper Road to Cactus Road.

The text amendments to the RU6 zone will be considered as part of a separate report and bylaw.



4.4 Site Context

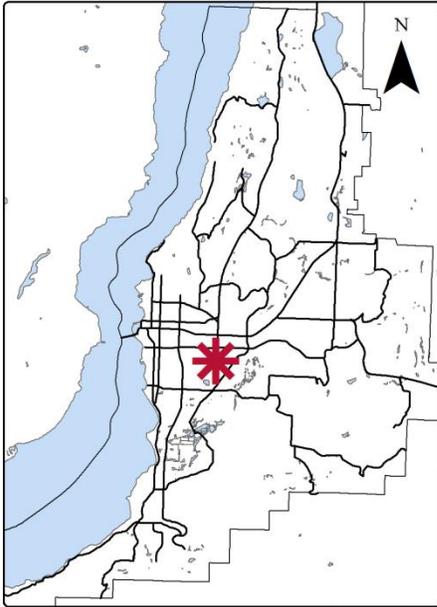
The subject property is southeast of the intersection of Hollywood Road South and Juniper Road in the City's Rutland Sector. It is within the Permanent Growth Boundary and is in the midst of a largely single family suburban area of Kelowna. The neighbouring properties are largely single detached or semi-detached dwellings and the Okanagan Adventist Academy is directly adjacent to the west.



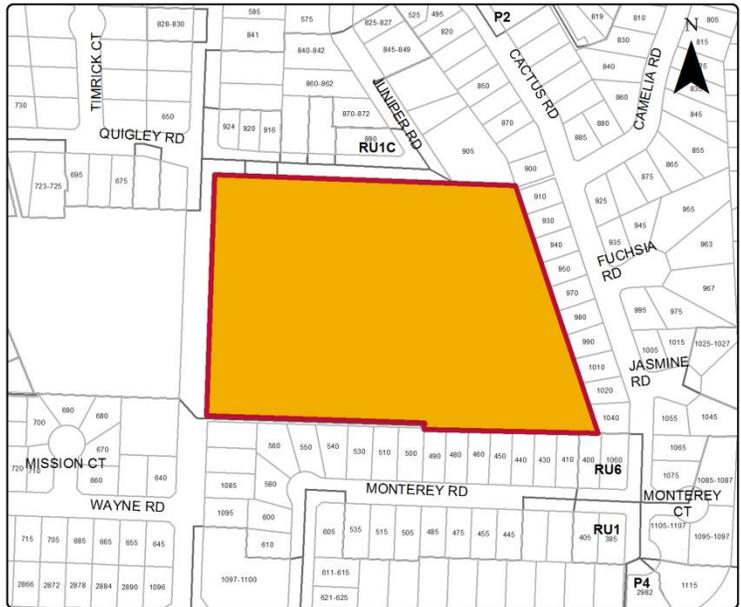
Adjacent land uses are as follows:

| Orientation | Zoning | Land Use |
|-------------|---|--|
| North | RU1 - Large Lot Housing RU1c - Large Lot Housing with Carriage House | Single dwelling housing Single dwelling housing, carriage house |
| East | RU1 - Large Lot Housing | Single dwelling housing |
| South | RU1 - Large Lot Housing RU6 - Two Dwelling Housing | Single dwelling housing |
| West | P2 - Education and Minor Institutional | Private education services |

Subject Property Map:



CONTEXT



NEIGHBOURING ZONING



SUBJECT PROPERTY

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Single / Two Unit Residential (S2RES)

Single detached homes for occupancy by one family, single detached homes with a secondary suite or carriage house, semi-detached buildings used for two dwelling units, modular homes, bareland strata, and those complementary uses (i.e. minor care centres, minor public services/utilities, convenience facility and neighbourhood parks), which are integral components of urban neighbourhoods. Suitability of non-residential developments within the neighbourhood environment will be determined on a site-specific basis. Non-residential developments causing increases in traffic, parking demands or noise in excess of what would typically be experienced in a low density neighbourhood would not be considered suitable.

Development Process

Sensitive Infill.¹ 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.

Healthy Communities.² Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

Housing Mix.³ Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

Family Housing.⁴ Support housing alternatives for families when single detached housing is too costly, including features that are important to families such as: outdoor space, direct access to grade, workshop space, larger units, safe design, and neighbourhood characteristics (e.g., location and amenities).

Staff have reviewed this application, and it may move forward without affecting either the City's Financial Plan or Waste Management Plan.

6.0 Technical Comments

6.1 Building & Permitting Department

- No comments.

6.2 Development Engineering Department

- See attached memorandum, dated August 21, 2015.

6.3 Fire Department

- The Fire Department has no concerns with this zoning.
- Fire Department access is to be met as per BCBC 3.2.5 (6 m clear width of internal roadway, have turnaround facilities for any dead-end portion of access route and be connected with a public thoroughfare, 12 m turning radius, etc.). Access from a laneway is not acceptable unless visible name and above requirements are met.

¹ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.22.7 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.22.11 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 5.22.13 (Development Process Chapter).

- Fire flows of 60 litres/sec are required as per the Subdivision, Development and Servicing Bylaw No. 7900. Should a hydrant be required to be installed for this subdivision, it shall be operational prior to the start of construction.
- Requirements of Section 9.10.19 Smoke Alarms and Carbon Monoxide Alarms of the BCBC 2012 are to be met.
- All requirements of the City of Kelowna Fire and Life Safety Bylaw No. 10760 shall be met.

6.4 FortisBC - Electric

- There are primary distribution facilities within Juniper Road. Bringing electrical service to the proposed lots will require substantial extension work, the cost of which may be significant. The applicant is responsible for costs associated with any changes to the proposed lots' existing service, if any, as well as the provision of appropriate land rights where required.

6.5 Interior Health

Interior Health supports the application.

7.0 Application Chronology

Date of Application Received: July 31, 2015
Date Public Consultation Completed: November 26, 2015

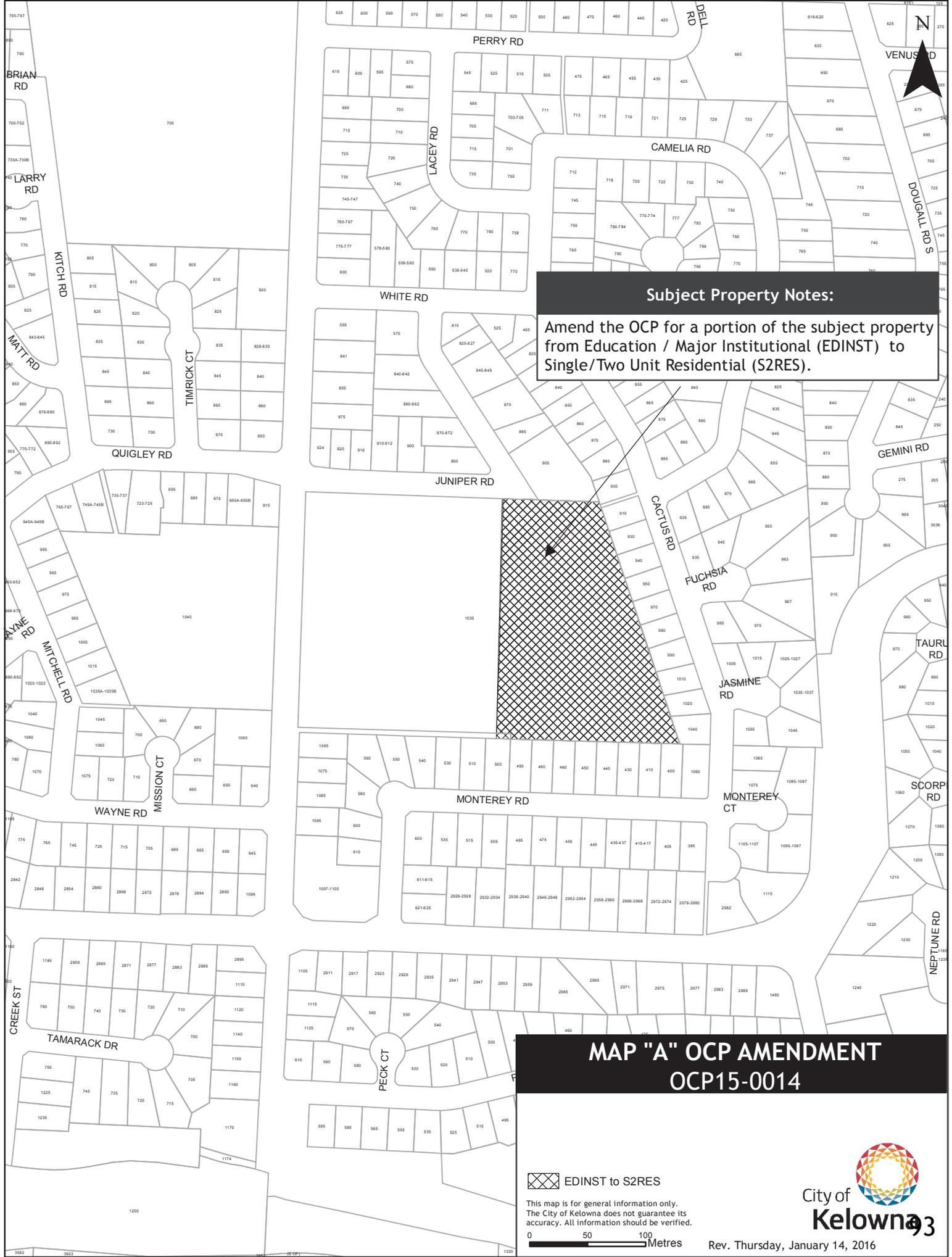
Report prepared by:

Ryan Roycroft, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:



Subject Property Notes:
 Amend the OCP for a portion of the subject property from Education / Major Institutional (EDINST) to Single/Two Unit Residential (S2RES).

**MAP "A" OCP AMENDMENT
 OCP15-0014**

 EDINST to S2RES

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



Rev. Thursday, January 14, 2016



WHITE RD

WHITE CT

P2

CAMELIA RD

CACTUS

Subject Road Right-of-Way Notes:
Rezone a portion of the road right-of-way from P2 Educational and Minor Institutional to RU6 Two Dwelling Housing.

Subject Road Right-of-Way Notes:
Rezone a portion of the road right-of-way from P2 Educational and Minor Institutional to RU2 Medium Lot Housing.

RU1C

JUNIPER RD

QUIGLEY RD

FUCHSIA RD

JASMINE RD

RU6

MONTEREY RD

MONTEREY CT

Subject Road Right-of-Way Notes:
Rezone a portion of the road right-of-way from P2 Educational and Minor Institutional to RU6 Two Dwelling Housing.

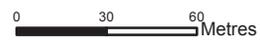
RU1

WAYNE RD

MAP "B" PROPOSED ZONING
File Z15-0043

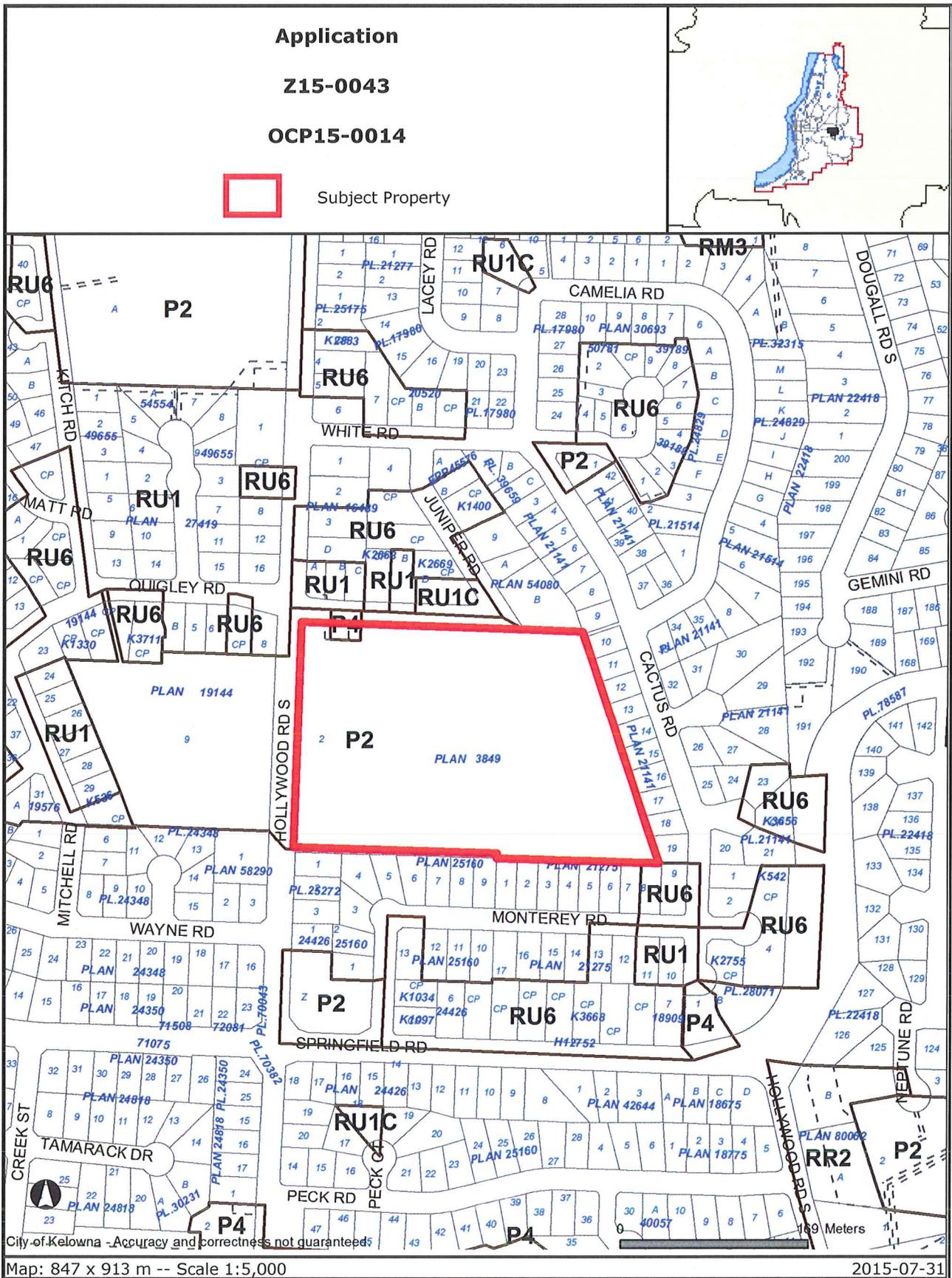
-  P2 to RU2
-  P2 to RU6

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



City of **Kelowna** 4

Rev. Thursday, January 14, 2016



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

BYLAW NO. 11194

Official Community Plan Amendment No. OCP15-0014 - Seventh-Day Adventist Church (British Columbia Conference) 1035 Hollywood Road South

A bylaw to amend the "Kelowna 2030 - Official Community Plan Bylaw No. 10500".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "Kelowna 2030 - Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of a portion of Lot 2, Section 23, Township 26, ODYD, Plan 3849, Except Plan 16489, located on Hollywood Road South, Kelowna, B.C., from the EDINST - Educational / Major Institutional designation to the S2RES - Single / Two Unit Residential designation as per Map "A" attached to and forming part of this bylaw;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

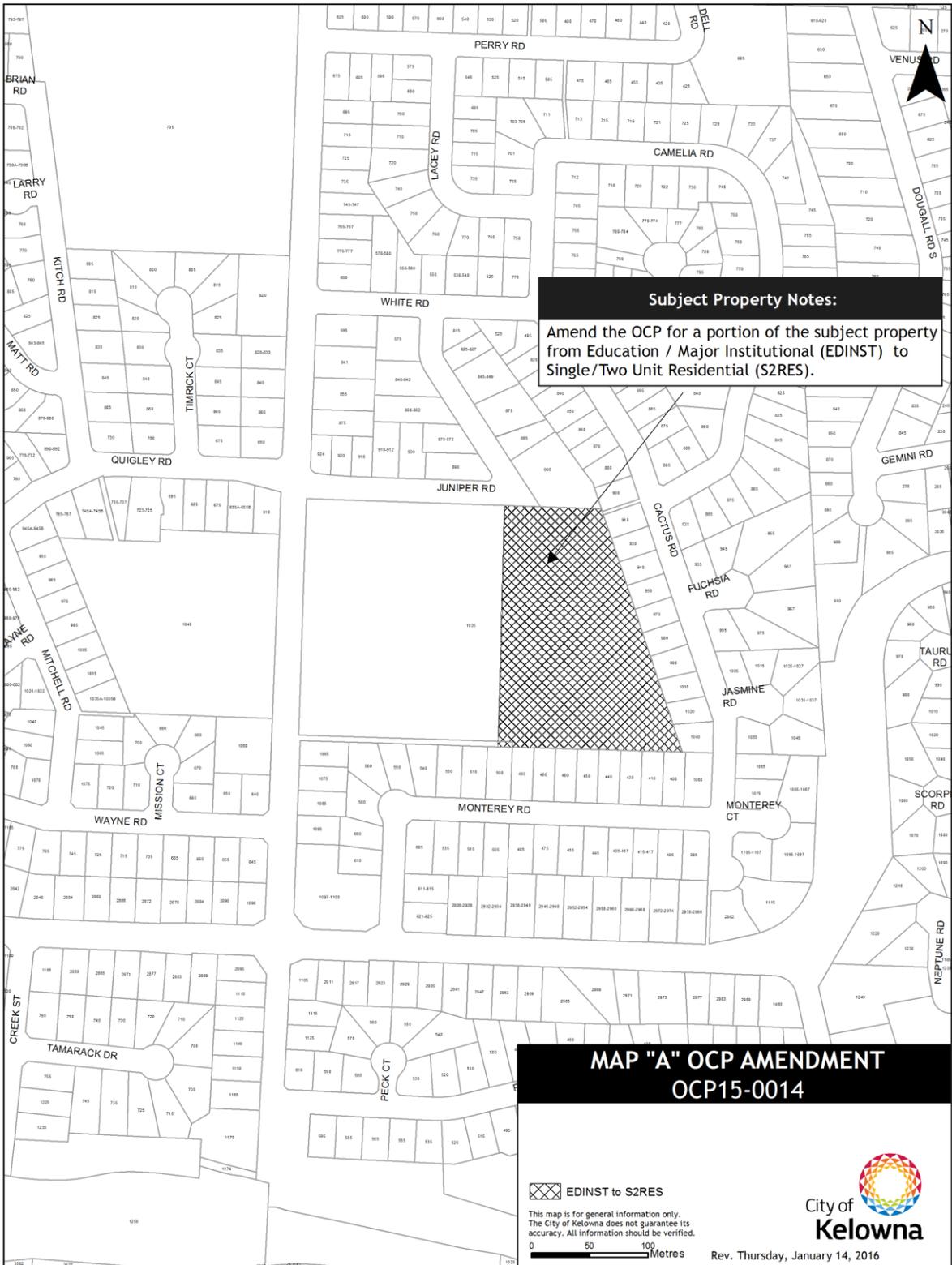
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA
BYLAW NO. 11195
Z15-0043 - Seventh-Day Adventist Church (British Columbia
Conference)
1035 Hollywood Road South

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of portions of Lot 2, Section 23, Township 26, ODYD, Plan 3849, Except Plan 16489, located on Hollywood Road South, Kelowna, B.C., from the P2 - Education and Minor Institutional zone to the RU2 - Medium Lot Housing zone and the RU6 - Two Dwelling Housing zone as per Map "B" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

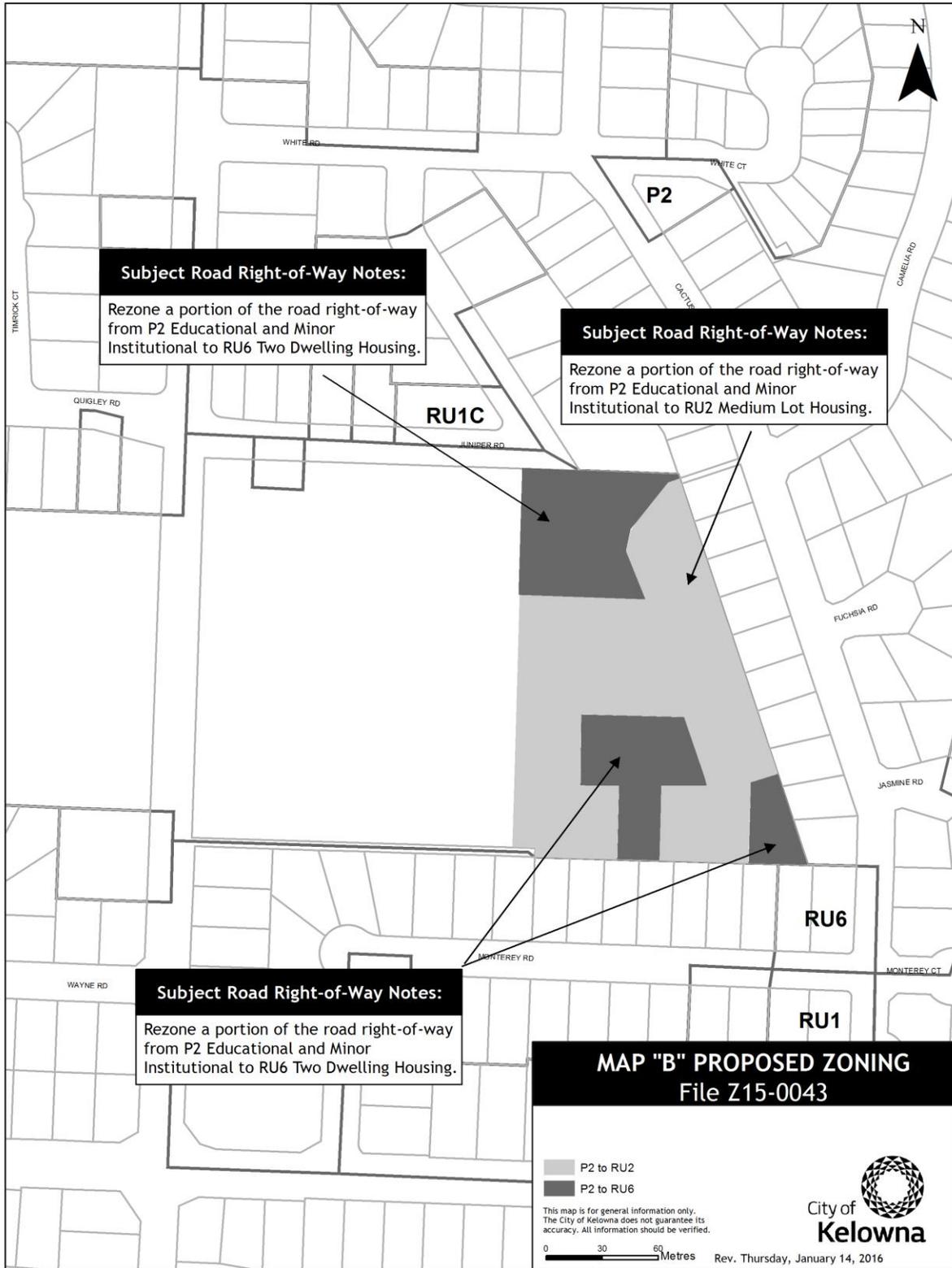
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



REPORT TO COUNCIL



Date: 1/25/2016
RIM No. 1250-30
To: City Manager
From: Community Planning (DB)
Application: Z15-0061
Address: 619 McClure Road
Subject: Rezoning a lot from RU1 to RU2 to facilitate a 2 lot subdivision
Existing OCP Designation: S2RES - Single/Two Unit Residential
Existing Zone: RU1- Large Lot Housing
Proposed Zone: RU2 - Medium Lot Housing

Owners: Folio Building Group Inc.
Inc.No. BC1043118
Applicant: Shane Styles

1.0 Recommendation

THAT Rezoning Application No. Z15-0061 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of *Lot A, District Lot 357, SDYD, Plan 13545*, located on *619 McClure Road*, Kelowna, BC from the RU1 zone to the RU2 zone be considered by Council;

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

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

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated January 25, 2016;

2.0 Purpose

The applicant is requesting permission to rezone the subject property from RU1 - Large Lot Housing to RU2 - Medium Lot Housing in order to facilitate a subdivision of the parcel into two lots.

3.0 Community Planning

The subject property is within the Okanagan Mission Sector of Kelowna. It is designated as S2RES - Single/Two Unit Residential in the OCP and as such the application to rezone to RU2 to facilitate a 2 lot subdivision is in compliance with the designated future land use. In addition, the OCP generally supports the densification of neighbourhoods through appropriate infill development, including the use of smaller lots.

The proposed lots meet or exceed the zoning criteria standards for the RU2 - Medium Lot Housing zone. The property is serviced by City of Kelowna water and sanitary sewer.

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

4.0 Proposal

4.1 Background / Project Description

The applicant is requesting permission to subdivide the existing 2104 m² (0.52 ac) parcel into two equal parcels.

4.2 Site Context

The subject property is located in the Okanagan Mission Sector of Kelowna (see Map 1 - Subject Property, below). The property currently has a single family dwelling. In order to create the subdivision, the house will need to be demolished.

The surrounding area is characterized by single family dwellings.

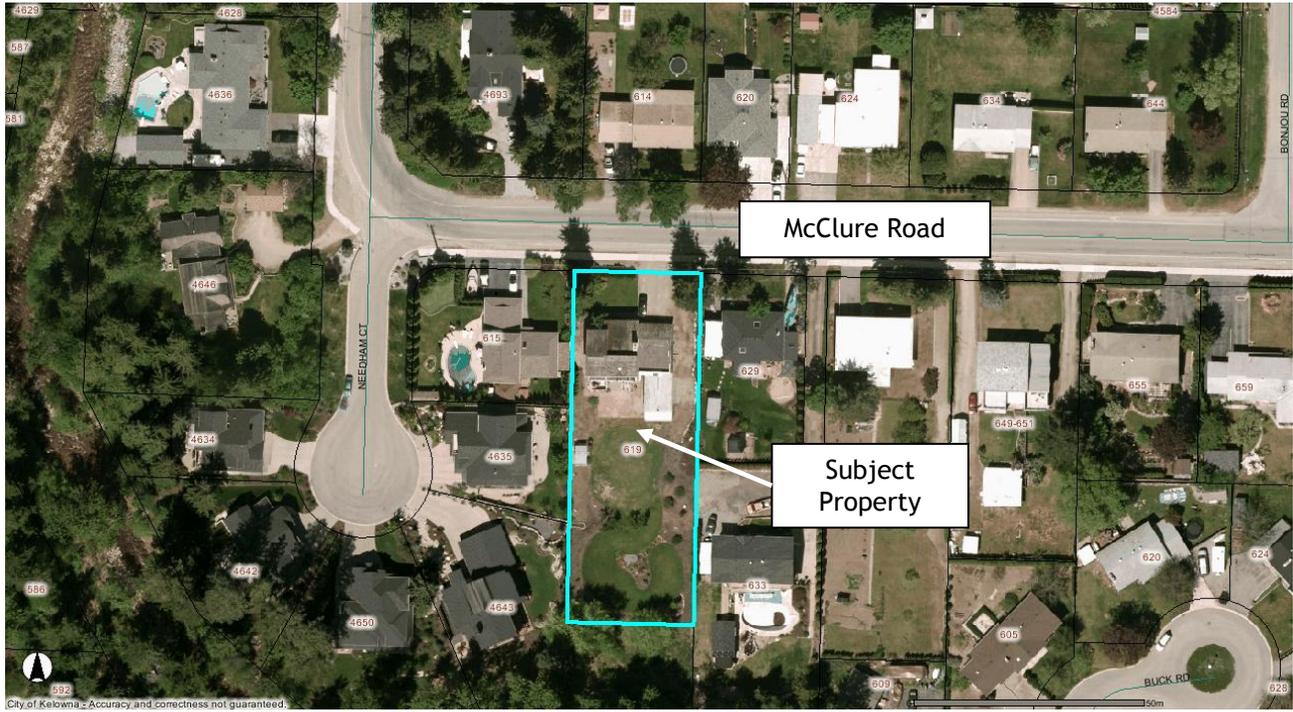
4.3 Zoning of Adjacent Property

Zoning for adjacent properties is outlined in the following table:

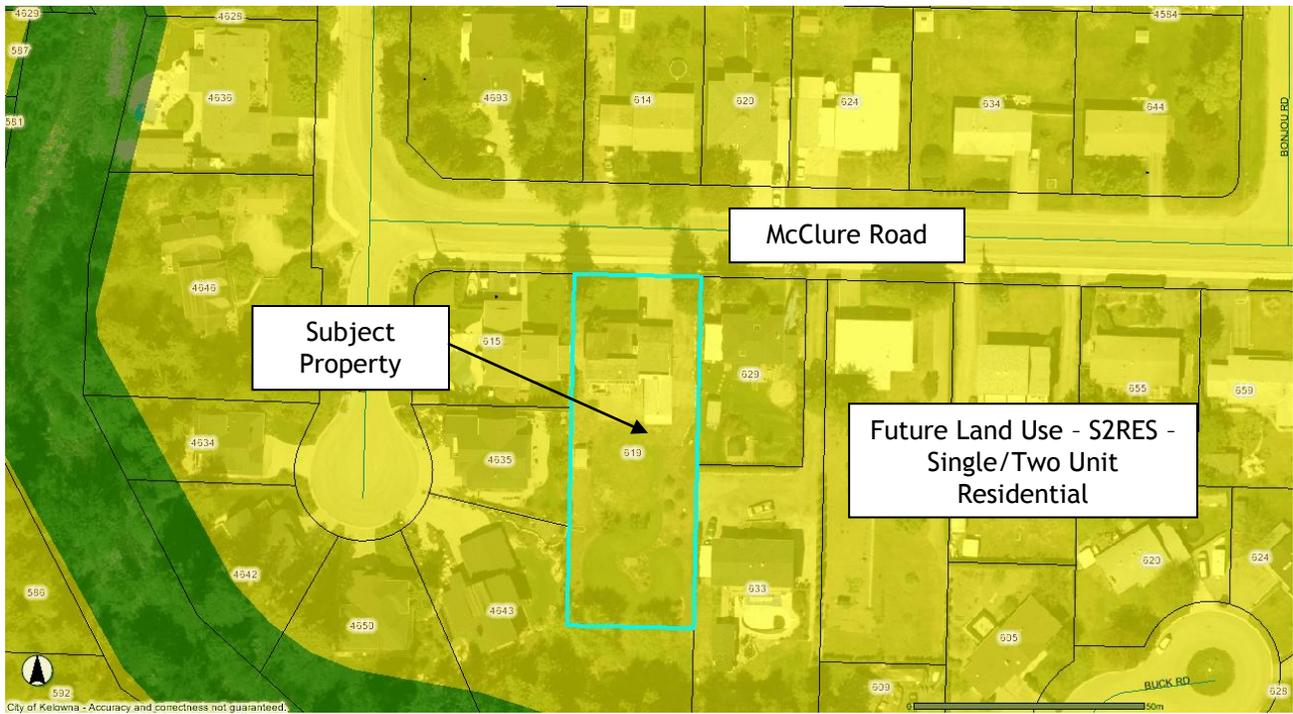
Table 1: Zoning of Adjacent Property

| <i>Direction</i> | <i>Zoning Designation</i> | <i>Land Use</i> |
|------------------|---------------------------|------------------------|
| North | RU-1 Large Lot Housing | Single Family Dwelling |
| East | RU-1 Large Lot Housing | Single Family Dwelling |
| South | RU-1 Large Lot Housing | Single Family Dwelling |
| West | RU-1 Large Lot Housing | Single Family Dwelling |

Map 1: Subject Property - 619 McClure Road



Map 2: Neighbourhood Future Land Use - 619 McClure Road



4.4 Transit

McClure Road is currently serviced by the Southridge Bus Transit Route. The nearest bus stop is approximately 350 m east of the subject property.

4.5 Servicing

The area is currently serviced by City of Kelowna water and sanitary sewer.

4.6 Subdivision and Development Criteria

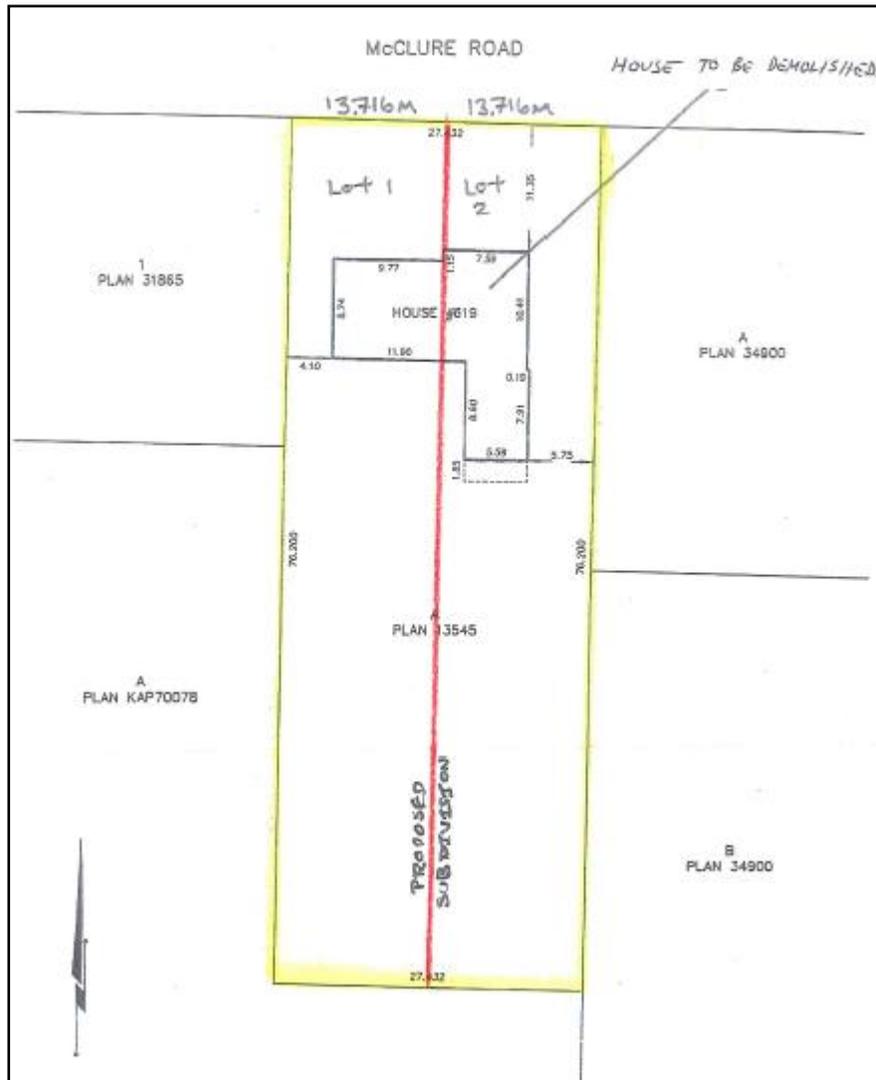
The proposed lot configuration conforms to the requirements of the RU2 - Medium Lot Housing zone requirements. Subdivision and development criteria for the RU2 zone are shown in the Table 1 below.

Table 2: RU2 Zoning Criteria

| Criteria | RU2 - Medium Lot Housing | Proposed Lots |
|-------------------|---------------------------------|----------------------|
| Minimum Lot Area | 400 m ² | 1052 m ² |
| Minimum Lot Width | 13.0 m | 13.7 m |
| Minimum Lot Depth | 30.0 m | 76.2 m |

No variances are required for this subdivision at this time.

Map 3: Proposed Subdivision Layout



5.0 Current Development Policies

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

5.1 Kelowna 2020 - Official Community Plan - General Policies¹

Focus development to designated growth areas

Compact Urban Form. Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs per ha located within a 400 metre walking distance of transit stops is required to support the level of transit service)

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

through development, conversion, and re-development within Urban Centres in particular and existing areas as per the provisions of the Generalized Future Land Use Map.

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

Ensure context sensitive housing development³

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

Healthy Communities. Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

6.0 Technical Comments

6.1 Development Services Department

See attached memorandum dated January 8, 2016.

7.0 Application Chronology

| | |
|-------------------------------|-------------------|
| Date of Application Received: | November 26, 2015 |
| Public Consultation Received: | January 7, 2016 |

Report prepared by:

Damien Burggraeve, Land Use Planner

Approved for Inclusion: Ryan Smith, Manager, Community Planning

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

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

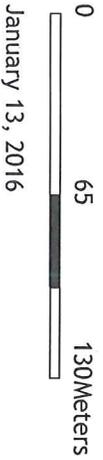
Attachments:

Subject Property Map

Site Plan - Proposed Subdivision Layout

Development Engineering Memorandum

Public Notification



January 13, 2016

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



Legend

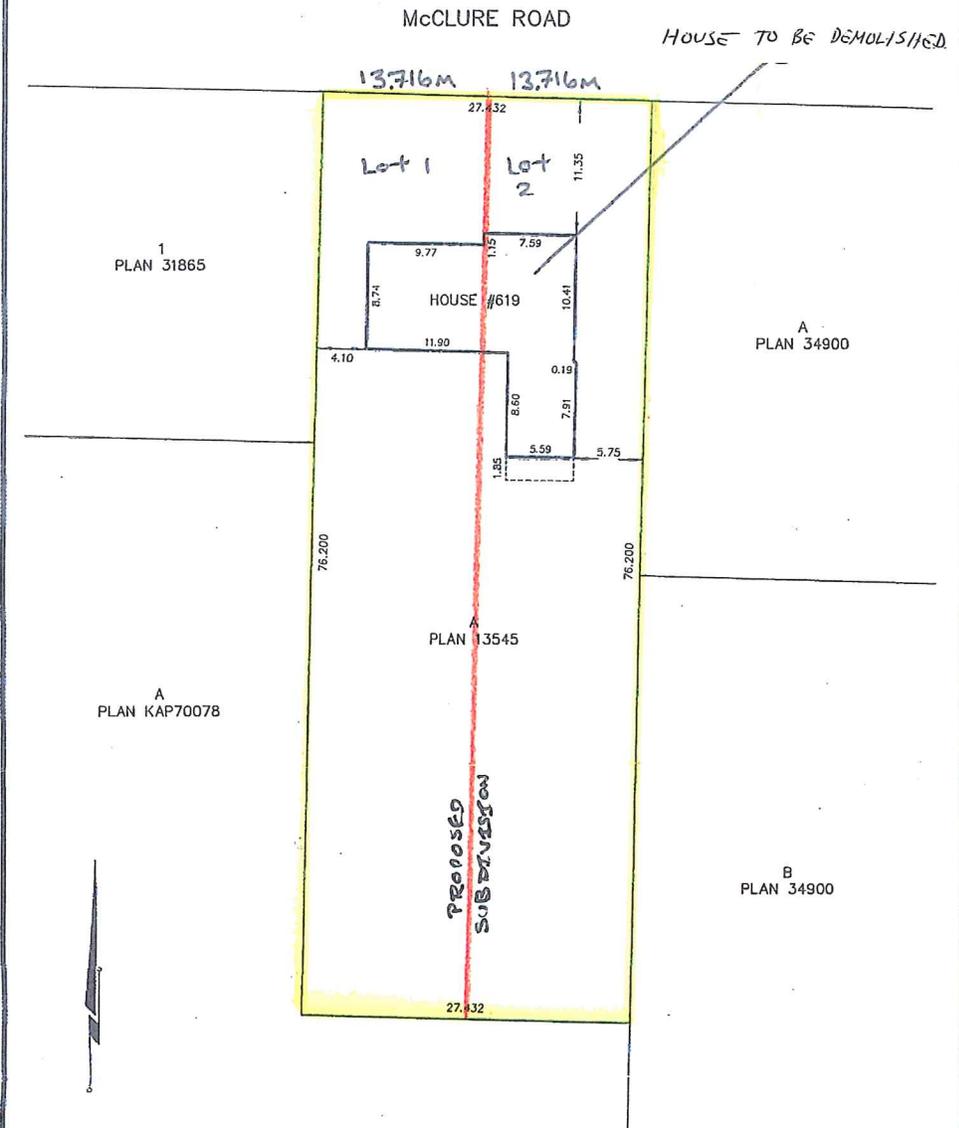
Notes



B.C. LAND SURVEYOR'S CERTIFICATE

ON LOT A, PLAN 13545,
DISTRICT LOT 357, S.D.Y.D.

SCALE 1:400 All distances are in metres.



Certified correct this 18th day of November, 2003.

N.R. Denby
NEIL R. DENBY B.C.L.S.
RUNNALLS DENBY

british columbia land surveyors

2- 1470 Water Street Phone (250) 763-7322
Kelowna, B.C. V1Y 1J5 Fax (250) 763-4413
email: denby@telus.net

CLIENT: BAILEY, MORRISON & KINGSTON
FILE No: 2003-120
FB/PG: 343,70

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THE DIMENSIONS SHOWN ON THIS CERTIFICATE ARE NOT TO BE USED TO DEFINE PROPERTY BOUNDARIES.

CITY OF KELOWNA
MEMORANDUM

Date: January 8, 2016
File No.: Z15-0061

To: Community Planning (DB)

From: Development Engineering Manager (SM)

Subject: 619 McClure Road RU1 to RU2

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

1. General

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

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

Steve Muenz, P. Eng.
Development Engineering Manager

SS

January 6, 2016

Dear Neighbour,

Re: 619 McClure Road - Rezoning & Subdivision application (Z15-0061 & S15-0095)

Dear Neighbour,

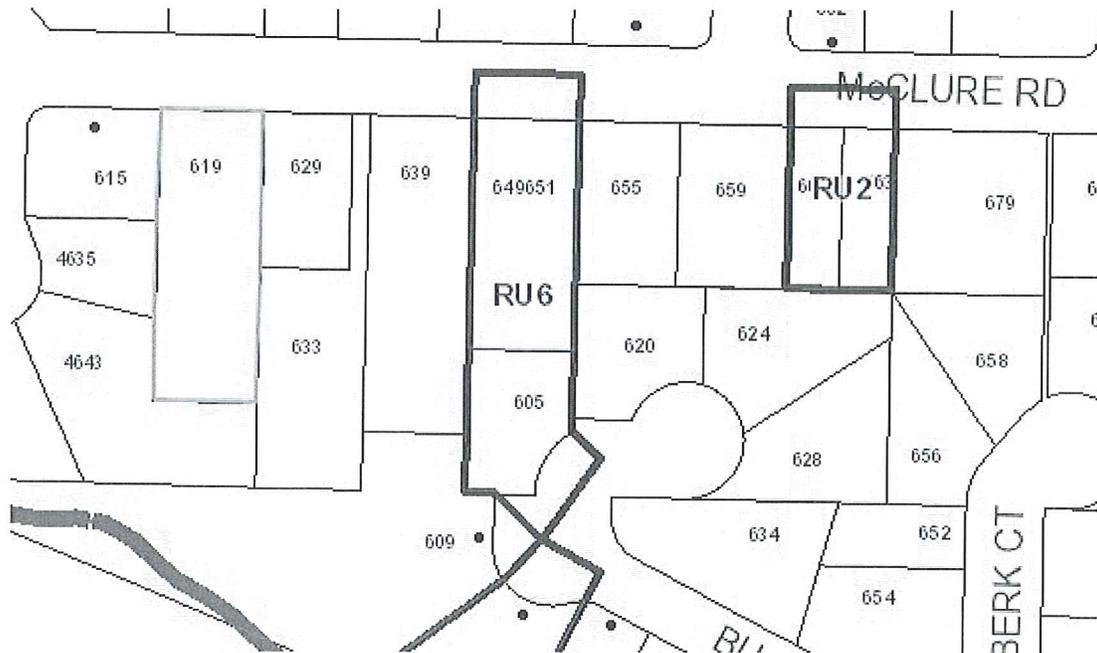
As part of our application for rezoning and subdivision of 619 McClure Road I am writing you to share our rationale for this property.

Subdivision & Rezoning

This property, as it currently exists, is very large. The width of 27.432 meters (90 feet) and depth of over 76 meters (255 feet) is over ½ an acre and currently accommodates one single family home. The current home is in substantial disrepair and renovation would prove unrealistic and unfeasible. We propose subdividing the existing property in two equal parts, down the middle, and subsequently rezoning the property from RU1 to RU2 in order to facilitate two single family home lots. The lot abides by all the minimum requirements in order to accommodate RU2 zoning. Furthermore, there are other RU2 zoning precedents only six lots eastward on the same street. (new homes built at 661 & 663 McClure Road - see map below)

| RU2 Zoning Requirements | 619 McClure Proposed (per lot) |
|--------------------------------|---------------------------------------|
| ● Minimum Lot Width: 13m | ● 13.716m |
| ● Minimum Lot Depth: 30m | ● 76.2m |
| ● Minimum Lot Area: 400 sq. m | ● 1045.16 sq. m |

McClure Road Neighbourhood Zoning Map



Feedback/Comments

We appreciate and respect any feedback, ideas or comments you may have with regarding this project and our proposal. Please contact me directly via the following with any questions etc.:

Shane Styles - Owner/Applicant

- cell: 250-808-7998 (call or text)
- email: shane@folioliving.com
- mail: 441 Christleton Avenue, Kelowna BC, V1Y 5H9

Additionally, if you wish to speak with the city directly regarding this proposal please contact:

Damien Burggraeve - Planner II | Deputy Approving Officer - City of Kelowna

- phone: 250 469-8473
- email: dburggraeve@kelowna.ca

I trust you find this information helpful in reviewing this proposal. Please do not hesitate to contact me directly to help provide clarity or to answer any additional questions as they arise.

Kind Regards,

Shane Styles

CITY OF KELOWNA
BYLAW NO. 11196
Z15-0061 - Folio Building Group Inc., Inc. No. BC1043118
619 McClure Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, District Lot 357, SDYD, Plan 13545, located on McClure Road, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: January 25, 2016
RIM No. 1250-01
To: City Manager
From: Community Planning Department (TY)
Application: Z15-0045 & TA15-0010 **Owner:** Eva Linttell
Address: 2075 KLO Road **Applicant:** Tyler Linttell
Subject: Rezoning Application & Text Amendment Application - Supplemental Report
Existing OCP Designation: REP - Resource Protection Area (ALR)
Existing Zone: A1 - Agriculture 1
Proposed Zone: A1t - Agriculture 1 with Agri-tourist Accommodation

1.0 Recommendation

THAT Council receives, for information, the Supplemental Report from the Community Planning Department dated January 25, 2016 with respect to Rezoning Bylaw No. 11189 (Z15-0045) & Text Amending Bylaw No. 11188 (TA15-0010) for the property located at 2075 KLO Road;

AND THAT Rezoning Bylaw No. 11189 and Text Amending Bylaw No.11188 be forwarded to the February 16, 2016 Public Hearing for further consideration;

AND FURTHER THAT Council amends the adoption requirement for the Rezoning Bylaw of "issuance of an Agri-tourist Accommodation Business Licence" to "submission of a Business Licence Application".

2.0 Purpose

To amend a condition of adoption of Rezoning Bylaw No. 11189 and to forward the Rezoning and Text Amending Bylaws for reading consideration.

3.0 Community Planning

On January 11, 2016, Community Planning presented a non-support recommendation to Council for the above noted application located at 2075 KLO Road. Council supported the alternate recommendation in this report to be forwarded to Public Hearing which is being given Initial Consideration on January 25, 2016.

Staff noted that an Agri-tourist Accommodation Business Licence cannot be issued prior to final rezoning and are requesting that Council remove this recommendation from Bylaw No. 11189.

Report prepared by:

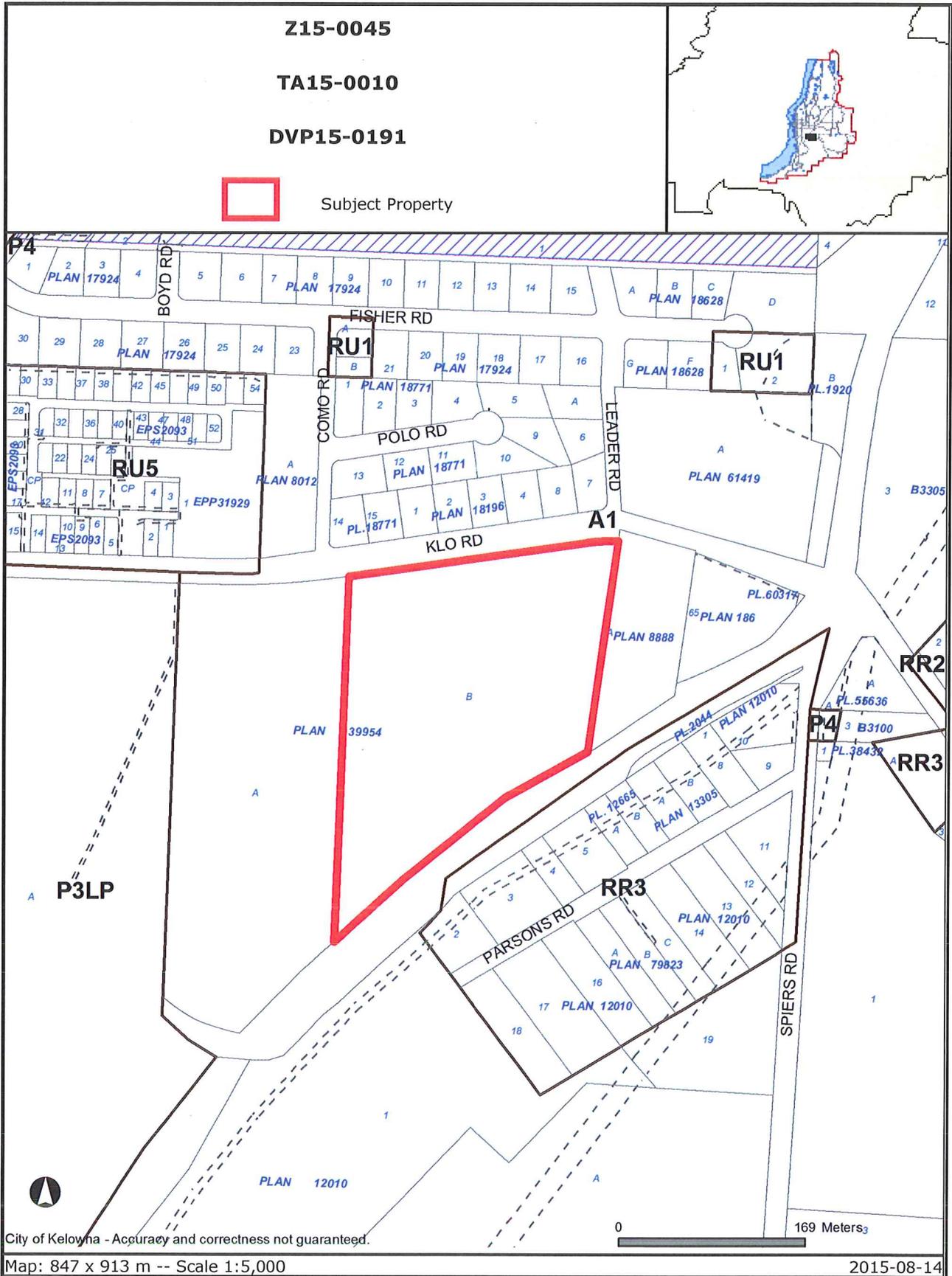
Tracey Yuzik, Planner

Reviewed by:

Todd Cashin, Subdivision, Suburban and Rural Planning
Manager

**Reviewed by
Approved for Inclusion:**

Ryan Smith, Community Planning Department Manager



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: October 1, 2015
File No.: Z15-0045

To: Community Planning (TY)

From: Development Engineering Manager

Subject: 2075 KLO Rd - Revised A1 to A1t

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 a 25mm water service. The developer will need to determine the domestic and fire protection requirements of this proposed development. Only one service will be permitted for this development. The applicant 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.

This property is within the Water Specified Area #26 requiring a fee of \$3,799.45/EDU (equivalent dwelling unit) therefore for 10 RV pads the conversion is 4.0 EDUs. The required charges is $4.0 \times \$3,799.45 = \$15,197.80$.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. Only one service will be permitted for this development. . 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.

This property is within the Sewer Specified Area #26 requiring a fee of \$5,170.33/EDU (equivalent dwelling unit) therefore for 10 RV pads the conversion is 4.0 EDUs. The required charges is $4.0 \times \$5,170.33 = \$20,681.32$.

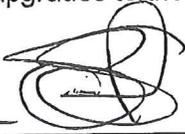
3. Development Permit and Site Related Issues

Direct the roof drains into on-site rock pits or splash pads.

A sight line issue at the current driveway due to road curve as well as vegetation has been identified. With more, large, slow moving vehicles this could become a safety concern.

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.

FOR 

Steve Muenz, P. Eng.
Development Engineering Manager

SS

SCHEDULE B
 This forms part of development
 Permit # 215.0046 TAB0610

SUMMARY OF PROPOSED TEXT AMENDMENT
 January 11, 2016

Zoning Bylaw No. 8000

Existing Text

Section 11 - Agricultural Zones

11.1.8(e) Maximum number of agri-tourist accommodation units permitted

For lots larger than or equal to 4.0 ha in size, agri-tourist accommodation shall be permitted according to the following table:

| Lot Size (hectares) | < 4.0 | 4.00 to 5.99 | 6.00 to 6.99 | 7.00 to 7.99 | 8.00 to 8.99 | 9.00 to 9.99 | ≥10.00 |
|------------------------------------|-------|--------------|--------------|--------------|--------------|--------------|----------|
| Agri-tourist accommodation units * | X | 5 units | 6 units | 7 units | 8 units | 9 units | 10 units |
| *See Section 11.1.8(g) | | | | | | | |

Proposed Text

Section 11 - Agricultural Zones

11.1.8(e) Maximum number of agri-tourist accommodation units permitted

For lots larger than or equal to 4.0 ha in size, agri-tourist accommodation shall be permitted according to the following table:

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|------------------------------------|-------|--------------|--------------|--------------|--------------|--------------|----------|
| Agri-tourist accommodation units * | X | 5 units | 6 units | 7 units | 8 units | 9 units | 10 units |
| *See Section 11.1.8(g) | | | | | | | |

This table 11.1.8(e) does not apply to Lot B District Lot 131 ODYD Plan 39954 (2075 KLO Rd), where a maximum of 10 agri-tourist accommodation units are permitted.



- COMMUNITY PLANNING NOTES**
1. INDIVIDUAL WATER AND SEWER HOOKUPS ARE NOT PERMITTED. ONE SINGLE SANI-DUMP IS PERMITTED
 2. NO ADDITIONAL HARD SURFACE PAVING IS PERMITTED.

Land Capability = Brown/ Soil Class = Green

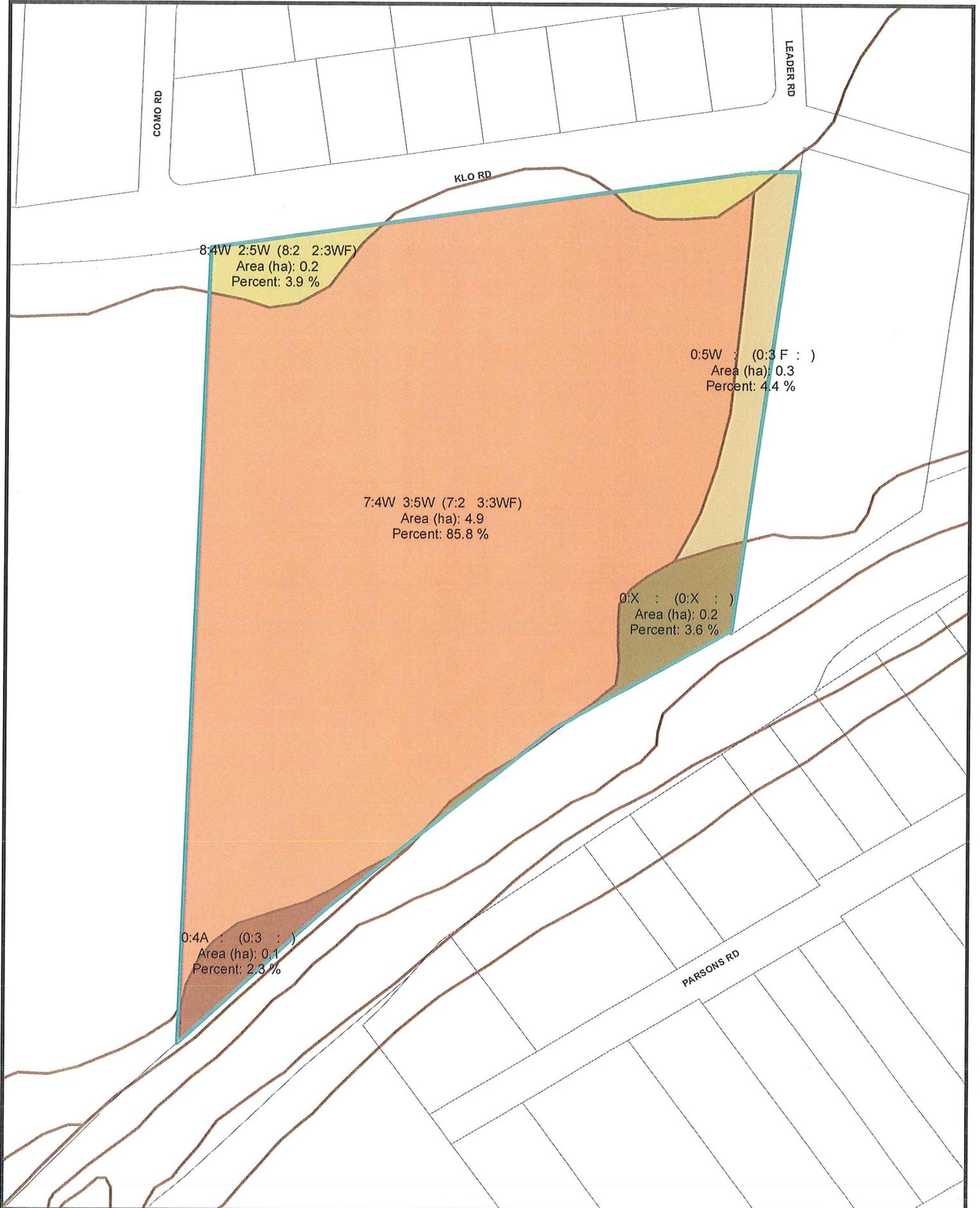


Soil Classification 2075 KLO Rd

The soil classification for the subject property is as defined below

| Portion of site | Soil Type | Description |
|--|-----------|--|
| 4.9 hectares are 70% GN & 30% TA | | |
| 70% | GN - | Land: nearly level to gently sloping fluvial deposits Texture: 30 - 100 cm depth of medium textured, stone free veneer, which overlies gravelly fluvial fan and deltaic deposits. Drainage: poorly drained, moderately pervious, and have high water storage capacity. Groundwater is near the surface during winter and spring and recedes by autumn. Classification: Orthic Humic Gleysols. |
| 30% | TA - | Land: nearly level to gently sloping fluvial deposits. Texture: sandy loam to silt loam, with subsoil textures that are sandy loam or gravelly dandy loam. Drainage: poorly drained, moderately pervious, and have high water storage capacity. Groundwater fluctuates between the surface and 1.5 metre depth. Depressions are subject to flooding. Classification: Rego Humic Gleysols. |
| 0.3 hectares are 100% MLD | | |
| 100% | TA - | Land: nearly level to gently sloping fluvial deposits. Texture: sandy loam to silt loam, with subsoil textures that are sandy loam or gravelly dandy loam. Drainage: poorly drained, moderately pervious, and have high water storage capacity. Groundwater fluctuates between the surface and 1.5 metre depth. Depressions are subject to flooding. Classification: Rego Humic Gleysols. |
| 0.2 hectares are 80% GN & 20% TA | | |
| 80% | GN- | Land: nearly level to gently sloping fluvial deposits Texture: 30 - 100 cm depth of medium textured, stone free veneer, which overlies gravelly fluvial fan and deltaic deposits. Drainage: poorly drained, moderately pervious, and have high water storage capacity. Groundwater is near the surface during winter and spring and recedes by autumn. Classification: Orthic Humic Gleysols. |
| 20% | TA - | Land: nearly level to gently sloping fluvial deposits. Texture: sandy loam to silt loam, with subsoil textures that are sandy loam or gravelly dandy loam. Drainage: poorly drained, moderately pervious, and have high water storage capacity. Groundwater fluctuates between the surface and 1.5 metre depth. Depressions are subject to flooding. Classification: Rego Humic Gleysols. |
| 0.2 hectares are 100% MLD - Dykes | | |
| 100% | MLD - | Land: not considered to be "soil" Texture: gravel to large rock |
| 0.1 hectares are 100% CN - Cameron Lake Soils | | |
| 100% | CN | Land: nearly level, very gentle sloping fluvial fan deposits. Texture: sandy loam or loamy sand textures. Drainage: imperfect to moderately pervious. Classification: Gleyed Regosol |

Land Capability = Brown/ Soil Class = Green



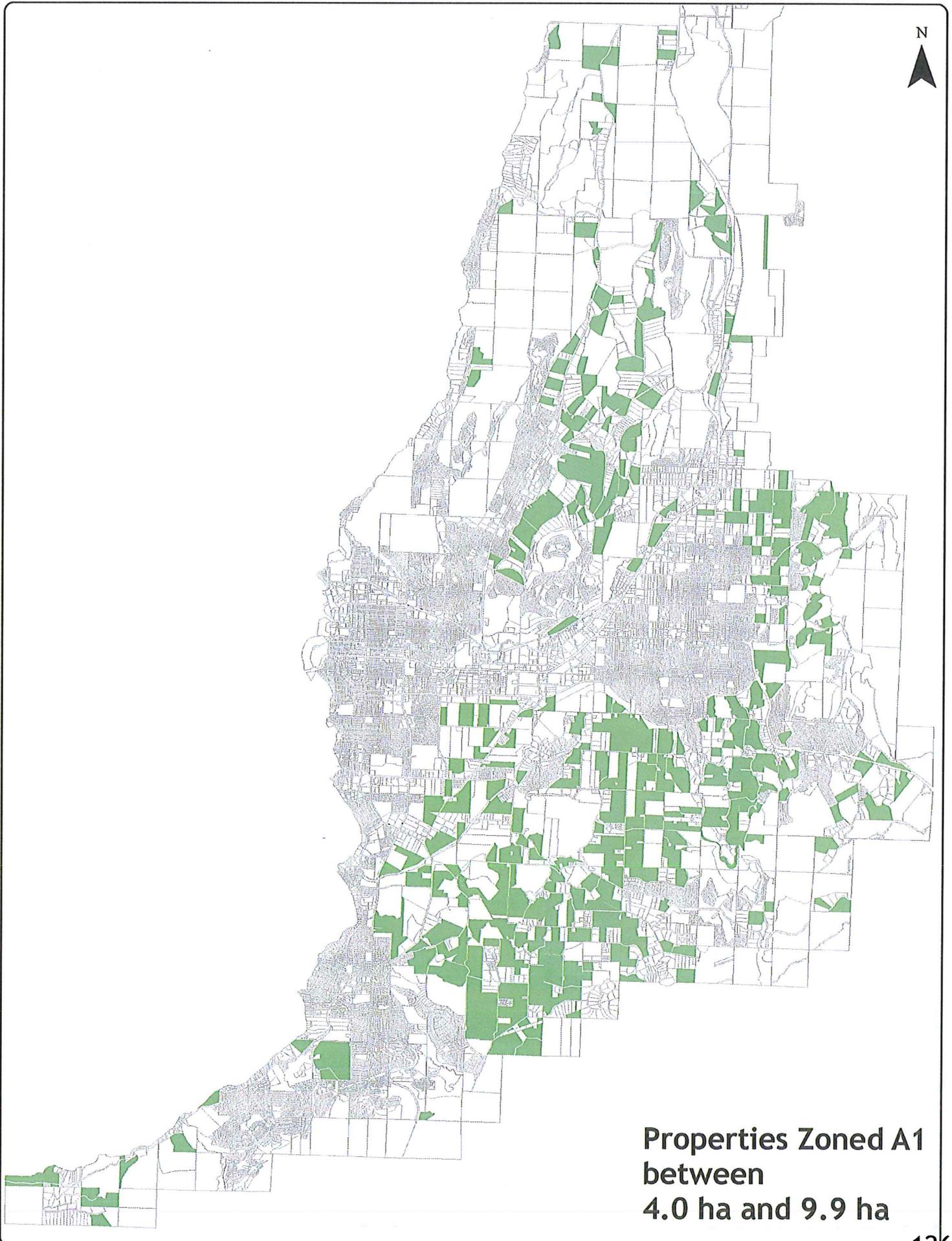
BCLI Land Capability - Legend

| | |
|---|---|
| 1 | Land in this Class has no or only very slight limitations that restrict its use for the production of common agricultural crops. Land in Class 1 is level or nearly level. The soils are deep, well to imperfectly drained under natural conditions, or have good artificial water table control, and hold moisture well. They can be managed and cropped without difficulty. Productivity is easily maintained for a wide range of field crops. |
| 2 | Land in this Class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both. Land in Class 2 has limitations which constitute a continuous minor management problem or may cause lower crop yields compared to Class 1 land but which do not pose a threat of crop loss under good management. The soils in Class 2 are deep, hold moisture well and can be managed and cropped with little difficulty. |
| 3 | Land in this Class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both. The limitations are more severe than for Class 2 land and management practices are more difficult to apply and maintain. The limitations may restrict the choice of suitable crops or affect one or more of the following practices: timing and ease of tillage, planting and harvesting, and methods of soil conservation. |
| 4 | Land in this Class has limitations that require special management practices or severely restrict the range of crops, or both. Land in Class 4 has limitations which make it suitable for only a few crops, or the yield for a wide range of crops is low, or the risk of crop failure is high, or soil conditions are such that special development and management practices are required. The limitations may seriously affect one or more of the following practices: timing and ease of tillage, planting and harvesting, and methods of soil conservation. |
| 5 | Land in this Class has limitations which restricts its capability to producing perennial forage crops or other specially adapted crops. Land in Class 5 is generally limited to the production of perennial forage crops or other specially adapted crops. Productivity of these suited crops may be high. Class 5 lands can be cultivated and some may be used for cultivated field crops provided unusually intensive management is employed and/or the crop is particularly adapted to the conditions peculiar to these lands. Cultivated field crops may be grown on some Class 5 land where adverse climate is the main limitation, but crop failure can be expected under average conditions. |
| 6 | Land in this Class is non-arable but capable of producing native and/or uncultivated perennial forage crops. Land in Class 6 provides sustained natural grazing for domestic livestock and is not arable in its present condition. Land is placed in this class because of severe climate, or the terrain is unsuitable for cultivation or use of farm machinery, or the soils do not respond to intensive improvement practices. Some unimproved Class 6 lands can be improved by draining, diking and/or irrigation. |
| 7 | Land in this Class has no capability for arable agriculture or sustained natural grazing. All classified areas not included in Classes 1 to 6 inclusive are placed in this class. Class 7 land may have limitations equivalent to Class 6 land but does not provide natural sustained grazing for domestic livestock due to unsuited natural vegetation. Also included are rock land, other non-soil areas, and small water bodies not shown on the maps. Some unimproved Class 7 land can be improved by draining, diking, irrigation, and/or levelling. |

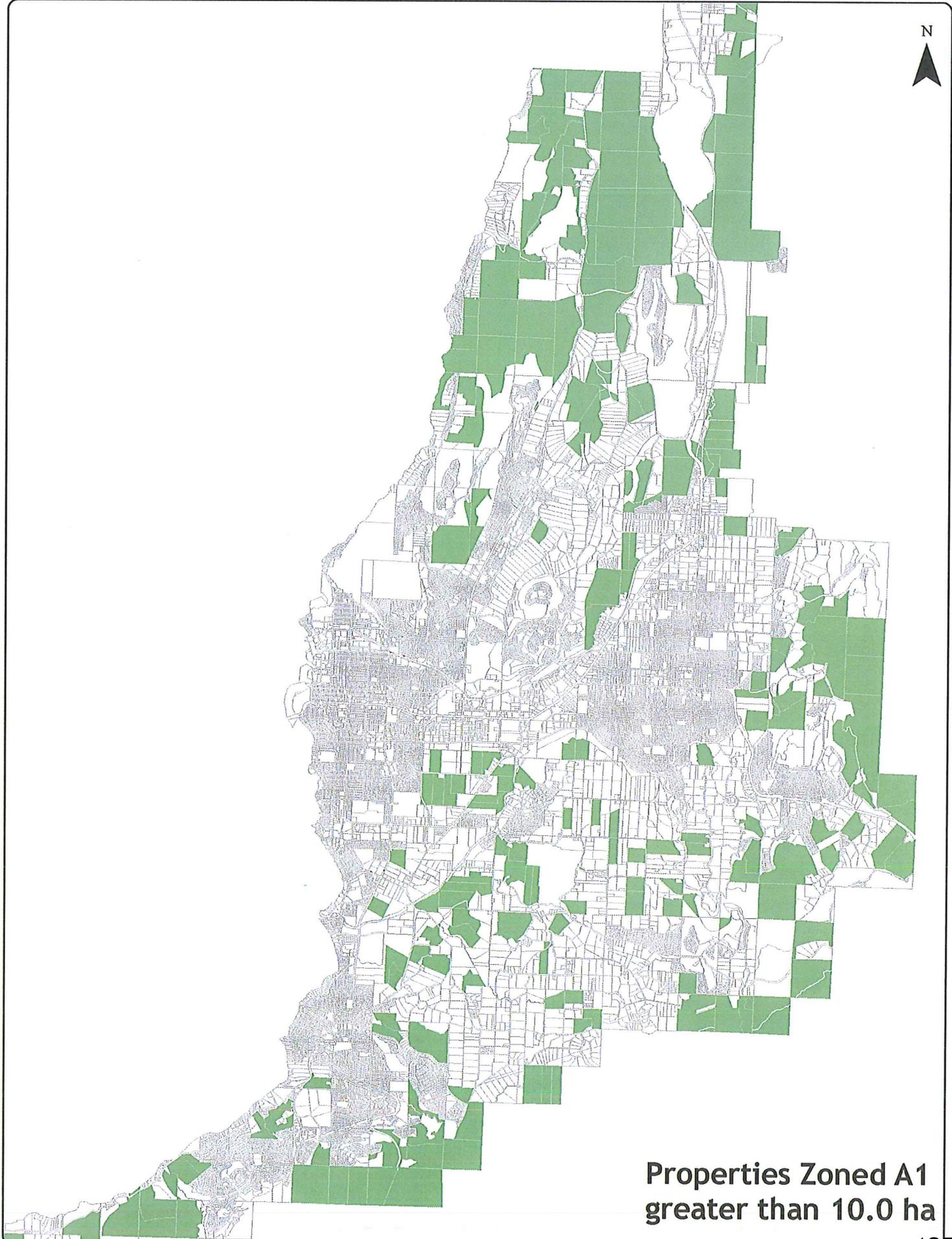
BCLI Land Capability 2075 KLO Rd

| Portion of Site | Land Capability Rating, Unimproved | Land Capability Rating, With Improvements |
|---|---|--|
| 4.9 hectares are 70% Class 4W (Excess Water Limitations) and 30% Class 5W (Excess Water limitations) | | |
| 70% | Class 4W are lands that require special management practices. The 'W' class indicates the occurrence of excess water during the growing period. Improvements are typically ditching to manage excess water. | Class 2 have minor limitations that require good ongoing management practices. The soils in Class 2 are deep, hold moisture well and can be managed and cropped with little difficulty. |
| 30% | Class 5W are lands that require perennial forage crops or other specially adapted crops. The 'W' class indicates the occurrence of excess water during the growing period. Improvements are typically ditching to manage excess water. | Class 3WF are lands that require moderately intensive management practices. The 'W' class indicates occasional occurrence of excess water during the growing period causing minor crop damage, but no crop loss, or the occurrence of excess water during the winter months adversely affecting perennial crops. Improvements are typically ditching to manage excess water. The 'F' classification includes soils with moderate nutrient holding ability, high acidity or alkalinity and/or high levels of carbonates. Fertility status does not restrict the range of crops. Moderate, ongoing additions of fertilizer and/or other soil amendments are required to maintain productivity for a wide range of crops. |
| 0.3 hectares are 100% Class 5W (Excess Water limitations) | | |
| 100% | Class 5W are lands that require perennial forage crops or other specially adapted crops. The 'W' class indicates the occurrence of excess water during the growing period. Improvements are typically ditching to manage excess water. | Class 3F are lands that require moderately intensive management practices. The 'F' classification includes soils with moderate nutrient holding ability, high acidity or alkalinity and/or high levels of carbonates. Fertility status does not restrict the range of crops. Moderate, ongoing additions of fertilizer and/or other soil amendments are required to maintain productivity for a wide range of crops. |
| 0.2 hectares are 80% class 4W (Excess Water Limitations) & 20% class 5W (Excess Water Limitations) | | |

| | | |
|---|--|---|
| 80% | <p>Class 4W are lands that require special management practices. The 'W' class indicates the occurrence of excess water during the growing period.</p> <p>Improvements are typically ditching to manage excess water.</p> | <p>Class 2 have minor limitations that require good ongoing management practices. The soils in Class 2 are deep, hold moisture well and can be managed and cropped with little difficulty.</p> |
| 20% | <p>Class 5W are lands that require perennial forage crops or other specially adapted crops. The 'W' class indicates the occurrence of excess water during the growing period.</p> <p>Improvements are typically ditching to manage excess water.</p> | <p>Class 3WF are lands that require moderately intensive management practices.</p> <p>The 'W' class indicates occasional occurrence of excess water during the growing period causing minor crop damage, but no crop loss, or the occurrence of excess water during the winter months adversely affecting perennial crops.</p> <p>Improvements are typically ditching to manage excess water.</p> <p>The 'F' classification includes soils with moderate nutrient holding ability, high acidity or alkalinity and/or high levels of carbonates. Fertility status does not restrict the range of crops.</p> <p>Moderate, ongoing additions of fertilizer and/or other soil amendments are required to maintain productivity for a wide range of crops.</p> |
| 0.2 hectares are 100% X | | |
| 100% | <p>Class X are considered to be adversely affected by two or more limitations, unfavourable for any agriculture.</p> | No improvements |
| 0.1 hectares are class 4A (Droughtiness Limitations) | | |
| 100% | <p>Class 4A are lands that require special management practices. The 'A' class indicates the insufficient precipitation or low water holding capacity of the soil.</p> <p>Improvements are typically irrigation to improve soil moisture.</p> | <p>Class 3 are lands that require moderately intensive management practices.</p> |



**Properties Zoned A1
between
4.0 ha and 9.9 ha**



**Properties Zoned A1
greater than 10.0 ha**

Executive Summary
Rezoning Application for Agri-tourist Accommodation
Z15-0045&TA15-0010 Applicant: Linttell Family

Rezone: A1-Agriculture 1 Zone to the A1t- Agriculture with Agri-tourist Accommodation Zone for Lot B District Lot 131 ODYD Plan 39954, located at 2075 KLO Road, Kelowna. Parcel is 5.762 hectares.

This site, with its proximity to tourist amenities, its outdoor natural setting, the agri-tourist farm enhancements and the addition of ten much needed first-class RV sites in Kelowna, should qualify as an ideal A1t land parcel that demonstrates how RV Sites can be added with low impact to the land, least suited to agriculture and increased farm production on the best land.

Rezoning would be in compliance with ALC regulations and City Bylaws with the exception of one Site Specific Text Amendment and one Variance.

- 1.) Add 5 more sites to be an economically viable operation within ALC regulations.
- 2.) Allow the location of the RV site to be greater than 30m from main road and/or primary residence due to existing home plating layout.

Considerations for Rezoning:

- Demand greatly exceeds supply for RV sites in Kelowna area.
- RV sites would not exceed 5% of the total property as per ALC regulations.
- Development would be compatible with existing adjacent land use.
- Neighbours approve the Rezoning Application.
- Optimal location on a bus route, adjacent to the greenway and golf courses, with H₂O Center, market gardens, retail services, wineries and beach nearby.
- RV site exceeds buffering in all directions with no negative visual or noise impact.
- Secure, quiet, set back from traffic, surrounded by a natural and farm environment.
- Existing one point access off KLO Road. Existing farm road to be extended to RV site.
- City domestic water and sanitary sewer to be extended for full service RV hook-ups.
- Apiary, market garden and chicken farming enhance and intensify the current extent of the farm production with more diverse agricultural use while adding Agri-tourism potential.
- A1t use is subordinate / secondary to the primary agriculture in area and income.
- Creating a first class inspected Tourism BC Approved Accommodation.
- Target high-end RV motor home market. No tenters, long-term renters or squatters.
- Proposed budget to create first class RV tourist facility is approximately \$150,000 plus the utility costs which cannot be ratified until all engineering is complete.
- Surrounded and encroached by development, the ALR landowner needs to be able to diversify with an acceptably approved agricultural and agri-tourism strategy.
- **To be economically viable, the ten approved sites are necessary.**
- **Approval in 2015 allows for winter start of RV site infrastructure and spring soil preparation and planting.**



WAY MORE
THAN DELICIOUS.

Kelly Berringer,
Field Services,
BC Tree Fruit Cooperative

02/11/15

Orchard Feasibility Assessment 2075 KLO Road

Attention Tyler Lintell:

BC Tree Fruits works with newly planted and established commercial orchardists to improve horticultural practices our member orchards.

Having viewed your property in conjunction with your Agri-tourism Proposal for a small orchard on your property at 2075 KLO Road, I offer the following assessment, considerations and answers to the questions raised in our discussion.

1. **Soils Classification:** The Class 4 and 5 soils comprising your land parcel would support fruit growing, if all other conditions were favorable.
2. **Climate:** The entire parcel is low-lying land adjacent Mission Creek which is part of a microclimate that tends to draw cooler air down the creek valley. Stone fruits therefore would not be suitable orchard as spring blossoms would likely be frost-damaged. The fruit best suited to this cooler low-lying land would be pears or apples on a larger rootstock at a medium density planting.
3. **Considerations for a Pear Orchard:**
Pears reach maturity in 8-10 years; successful pear plantings pay themselves off year 9-10.
4. **Commercial Viability:**
For commercial / contract viability, an orchard should be at least 4 acres of one commodity. An orchard is labor intensive and requires a major investment in equipment: orchard tractor, sprayer, ladders, bins and a storage facility (if you will be marketing your own produce). The investment in planting a modern higher density orchard is substantial, averaging \$20,000 per acre.
5. **Orchard Proximity to Livestock and Poultry:**
Both livestock and poultry should be removed from an area while pesticides are applied. All conventional and organic pesticides indicate a safe timeframe for re-entry after applications.



WAY MORE
THAN DELICIOUS.

6. Livestock Interface:

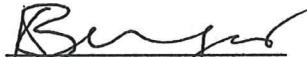
If you are planning on selling your produce commercially you will need to be certified by a food safety program. Different programs have different regulations about grazing livestock within a productive orchard and how long livestock can be present in the orchard before harvest. You should contact Canada GAP and/or Global GAP and if you are thinking about organic production contact The Certified Organics Association of BC as well as The Pacific Agriculture Certification Society. Also note that the organic regulations are being reviewed this calendar year.

7. Additional Considerations:

Your site would be best suited to a modern commercial pear orchard; if you are not prepared for the investment then you may wish to look at a market garden. A valuable information source for a new grower is The Young Agrarians Association.

It is my opinion that you could have a successful pear orchard on your property but you must be willing to invest both time and money. It is possible for you to increase your agricultural productivity sooner with a market garden but I would seek out the advice of a professional in that area.

I trust this is the information you need for presentation to the City of Kelowna Agricultural Advisory Committee.


Kelly Berringer, BSc. AAg.

John Hofer, Owner/Operator
Wise Earth Farm
2071 Fisher Road
Kelowna, B.C. V1W 2H4

November 11, 2015

Agricultural Partnership for 2016

Attention Tyler Linttell:

As follow up to our meeting yesterday, I should like to confirm that Wise Earth Farm will partner with you beginning in the 2016 farm year to commence sustainable agriculture on your property (2075 KLO Road) across the road from our farm.

It is our intention to establish bio-intensive farming on both the 0.3 acre cultivated piece on the front of the property and the soon to be worked 7 acre piece to the south and west.

The far back south corner of the property which is too shaded and not suitable for a vegetable garden will be excluded from the cultivated area and be used by you.

As discussed, the large parcel should be ploughed, disked and rototilled by spring at which time we will commence soil enrichment and weed control for the 2016 season. A forty-foot perimeter strip will remain in grass as preparation for raspberry and blackberry planting. The berries can be planted this coming spring and we will most likely be planting corn, winter squash, broccoli on the large area as a first year crop with the intention to grow high density in the future years, the same as we are currently doing across the road.

We confirmed that water for irrigation is available and we are most definitely interested in using the bottom-fed pond as a non-chlorinated water source for our organic crops.

Our farm is as much of a closed loop farming system as we can manage so there will be no trash disposal required on your site, but we can work with you on a collective compost operation.

The proximity of your land to our existing farm plot is ideal. We know the soil capability in this area and are excited to move forward with you in this venture.

I understand that you need this letter to go forward to the Agricultural Advisory Committee on Thursday for your approvals. Good Luck with that.

Any inquiries into our operation can be seen at wiseearthfarm.com, or call me at 250 869 6539

Sincerely,

John Hofer



Mark McPhail
Beekeeper
McPhail Enterprises
680 Elm Rd.
Kelowna, BC V1W 1T8
250-718-3028

October 15, 2015

Introductory Apiary at 2075 KLO Road

Attention Tyler Lintell:

As follow up to our site meeting yesterday, I hereby confirm our intention to place eight colonies of bees on your property at 2075 KLO Road in the spring of 2016. This will occur at the end of April subject to weather conditions.

The site is ideal for an apiary with a) the existing and proposed agriculture to serve as foraging habitat, b) the existing water feature pond and the nearby Mission Creek providing the necessary fresh water source. We will enclose the hives with adequate fencing to prevent any possible damage by wildlife. There should be no interface problems between the bees and people. Before placement, we can together determine the exact location for the hives giving consideration to the RVs, the home site, neighbouring properties and of course the ideal bee habitat. As discussed, we will evaluate the first year operation before adding additional colonies; but given what I saw yesterday, everything looks very promising.

Thank you for this opportunity. I look forward to working with you.

McPhail Enterprises,

Mark McPhail

A handwritten signature in black ink, appearing to read 'Mark McPhail', with a long horizontal line extending to the right.

Anne Dyck
1979 KLO Road
Kelowna, BC
V1W 2H8
250-861-8456

August 5, 2015

City of Kelowna
1435 Water Street
Kelowna, BC
V1Y 1J4
250-469-8500

To Whom It May Concern:

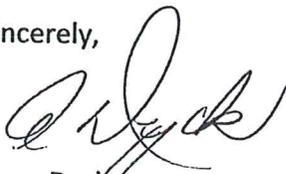
RE: Rezoning Application for Agri-tourism Accommodation
Applicant: Eva Linttell (Scott & Tyler Linttell)

The Linttell family has been a good neighbour of mine for the past 12 years and they have shared with me their intentions to rezone their property from A1-Agriculture to A1t- Agriculture with Agri-tourism Accommodation for their property located at 2075 KLO Road, Kelowna, BC. Their property borders my property to the east.

I have reviewed their proposal and agri-tourism site plan. They are asking for a variance to allow five more RV sites for a total of 10. These extra RV sites are needed in order to be an economically viable agri-tourism operation. They are also asking to allow the location of the RV sites to be greater than 30 m from KLO road. I am writing this letter to give my support for both of these variances.

I give my full endorsement to this project as I know Eva, Scott and Tyler Linttell will ensure a first class operation. If you have any questions or concerns, please don't hesitate to contact me. I can be reached at 250-861-8456.

Sincerely,



Anne Dyck

Paul & Natalie Robinson
2085B KLO Road
Kelowna, BC
V1W 2H9

August 6, 2015

City of Kelowna
1435 Water Street
Kelowna, BC
V1Y 1J4
250-469-8500

To Whom It May Concern:

RE: Rezoning of Lintell Farm at 2075 KLO Road

The Lintell farm borders our property to the west. We have enjoyed a good relationship for the past 11 years as neighbours. They have recently submitted application to the City of Kelowna to rezone their property from A1 to A1t in the hopes of being allowed to build 10 RV sites as part of the Agricultural Tourism proposal. We have discussed and viewed the plan proposed and feel the variance requested to increase the RV sites from 5 to 10 is needed in order to encourage the increase in agriculture on their property. Without 10 RV sites, the plan is not viable.

We are writing this letter to the City of Kelowna to offer our support of the proposed 10 RV sites as well as to allow the RV sites to be located at the back of their property rather than within 30 m of KLO road, as this is a better location for everyone involved.

We feel confident that Scott and Eva (with the assistance of their son, Tyler) will ensure the project be completed well with the least amount of disruption to their farm and their neighbours.

We can be reached at 250-860-1558 to discuss our view of this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul Robinson', written over a horizontal line.

Paul Robinson

MARTIN COLLINS

From: Martin.Collins@gov.bc.ca
To: tylerlntell@hotmail.com
Subject: RE: Meeting Request
Date: Mon, 14 Sep 2015 22:28:41 +0000
No it does not.

M.

From: tyler lntell [<mailto:tylerlntell@hotmail.com>]
Sent: Monday, September 14, 2015 3:27 PM
To: Collins, Martin J ALC:EX
Cc: Eva Lintell; ICE2 Scott Lintell
Subject: Re: Meeting Request

Hi Martin,

Does the ALC legislation require that a farm must produce more in agricultural revenue than it is projected to make in RV revenue before RV sites can be allowed?

Tyler

Sent from my iPhone

2015-11-11

MARTIN COLLINS

Tyler

Sent from my iPhone

On Sep 14, 2015, at 4:07 PM, Collins, Martin J ALC:EX <Martin.Collins@gov.bc.ca> wrote:

I don't believe so, provided you are also compliant with the local government regulations. I know that Kelowna has a minimum parcel size for agri-tourist accommodation. The most restrictive rule applies. If the local government has regulations that are more restrictive than ALR regulations for permitted non-farm uses, these supercede the ALC's restrictions.

I don't know if any other local governments have more restrictive regulations about agri-tourist accommodations.

Regards

Martin Collins
Regional Planner
Agricultural Land Commission
#133 4940 Canada Way
Burnaby, BC, V5G 4K6
martin.collins@gov.bc.ca
604-660-7021

From: tyler lintell [<mailto:tylerlintell@hotmail.com>]
Sent: Monday, September 14, 2015 4:02 PM
To: Collins, Martin J ALC:EX
Subject: RE: Meeting Request

Also,

To our understanding, as long as we maintain farm status, use no more than 5% of the parcel for RV sites and have no more than 10 RV sites, we are in compliance and would likely be supported by the ALC. Have I missed anything?

Thanks,
Tyler

From: Martin.Collins@gov.bc.ca
To: tylerlintell@hotmail.com
Subject: RE: Meeting Request
Date: Mon, 14 Sep 2015 22:28:41 +0000
No it does not.

M.

From: tyler lintell [<mailto:tylerlintell@hotmail.com>]
Sent: Monday, September 14, 2015 3:27 PM

2015-11-11



British Columbia
Lodging and
Campgrounds
Association

Suite 209, 3003 St. John's Street, Port Moody, BC V3H 2C4
Phone: 778-383-1037 Fax: 604.945.7606
Toll Free: 1.888.923.4678
Info@bclca.com www.travel-british-columbia.com

September 8, 2015

Colleen Lintell, C.C.I.D.
Lintell Projects Inc.
Kelowna, B.C. Email: clintell@shaw.ca

Dear Ms. Lintell:

I understand that you are proposing to build a 10 site RV Park on agricultural land and are compliant with permitted use in the ALR, but not in compliant with all City of Kelowna regulations for an RV Park as they require one unit per hectare in the bylaw. As you probably know, a hectare is 100 square meters and campgrounds developed on private land typically would have densities of 10 or more RV sites in that space. This allows for roads and landscaping. The one unit per hectare seems extremely restrictive and is not economically workable from a private campground operator's perspective.

I can confirm that BC Lodging and Campgrounds Association has been monitoring the decrease in the number of RV Parks offering overnight RV campsites in the province of BC for various reasons as outlined in the report entitled "Recommendations for Recreation Vehicle Park Development in British Columbia". The report co-chaired by the BC Lodging and Campgrounds Association Executive Director, Joss Penny, discusses the need to develop and expand RV Parks.

At the same time Destination BC's marketing budget has doubled since the report was published and there has been an increase, at municipal levels, in the collection of the additional 2% and now up to 3% Municipal Hotel Room Tax to market destinations. The Premier of British Columbia and municipal councils are obviously looking to grow tourism, yet RV Parks, an important product sector, are still declining.

The Canadian Camping and RV Council 2015 Economic Study shows that in 2014 there were 662,260 adult campers in British Columbia and that the GDP for BC was \$606 million. Go RVing Canada research shows:

- 14% of Canadian households own an RV
- There are over 1,000,000 RVs on the road in Canada
- 67% of RV owners are under the age of 55.
- 40% of RV families have children

British Columbians have a higher RV ownership at 17%. Overall, about 45% of all camping in the province utilize RV's (as opposed to tents). The problem here is that demand is not decreasing but overnight supply is declining.

"Working Together For Your Success"



**British Columbia
Lodging and
Campgrounds
Association**

Suite 209, 3003 St. John's Street, Port Moody, BC V3H 2C4
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Municipalities marketing themselves as destinations need to ensure that they have the right mix of accommodation. Declining RV spaces create a problem in that RVers are forced to move on to a more RV friendly locale or to camp in shopping malls or parking lots (this creates no tax revenue, no additional employment and a dubious camping experience for the RVer).

So why are RV Parks disappearing? In short, land values have increased, creating pressure on owners to sell and redevelop. The decision to sell is in part due to property tax increases outstripping the ability to increase overnight camping rates to meet revenue needs and in part due to developers targeting campgrounds located in prime areas to satisfy condo or bare strata development fueled by a growing number of investors.

The BC Lodging and Campgrounds Association supports keeping RV Parks engaged in the tourism industry by providing a mix of overnight campsites, seasonal stays and long term rentals. As such we are working with the existing operators and new RV Park developers to try and make RV Parks more profitable so that the resource remains. Some of the solutions require the support of municipalities through initiatives such as:

- Removing restrictions on length of continuous stay
- Enforcing "no overnight parking" bylaws
- Allowing the expansion of existing campgrounds to include overnight and seasonal RV campsites
- Supporting existing campgrounds through revitalization tax exemptions
- Allowing the supply of new overnight RV campsites through new development

In closing, please feel free to share this letter, the contents of the report and voice our support for the development of new RV campsites that enhance our tourism product throughout the province.

Yours truly,

Jim Humphrey
President

Enc.

"Working Together For Your Success"



CANADIAN CAMPING AND RV COUNCIL
CONSEIL CANADIEN DU CAMPING ET DU VR

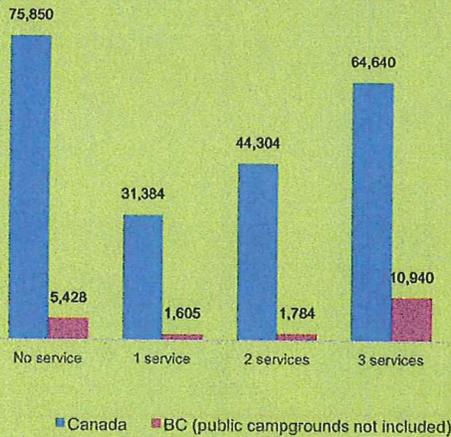


CAMPING INDUSTRY PORTRAIT IN CANADA AND BRITISH COLUMBIA

CAMPGROUND MARKET



Total number of campsites by level of service for overnight campers



Most common infrastructure in campgrounds

| Infrastructure | Canada (%) | BC (%) |
|-----------------------------|------------|--------|
| Children's playground | 78 | 54↓ |
| Community shelter | 64 | 44↓ |
| Snack bar/Convenience store | 49 | 44 |
| Beach | 43 | 31↓ |
| Basketball court | 29 | 13↓ |
| Pool | 28 | 12↓ |

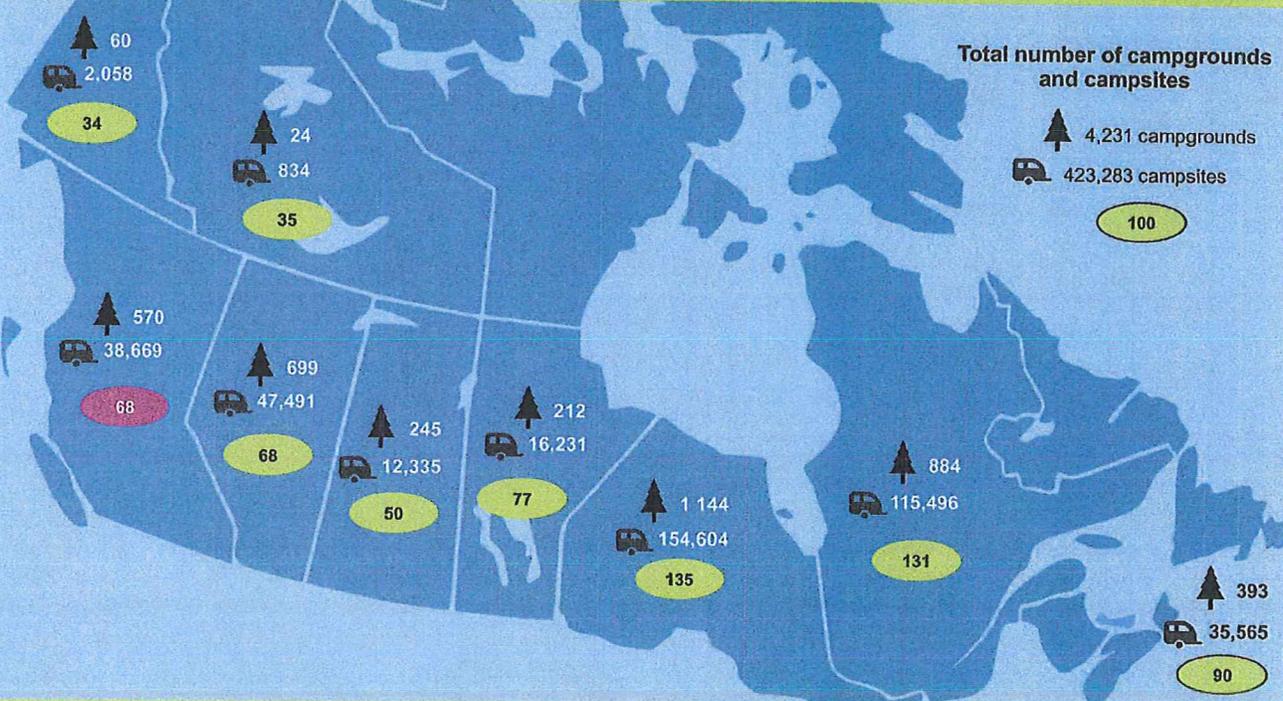
↓ British Columbia campgrounds stand out with less infrastructure.

Most requested new services in Canadian campgrounds



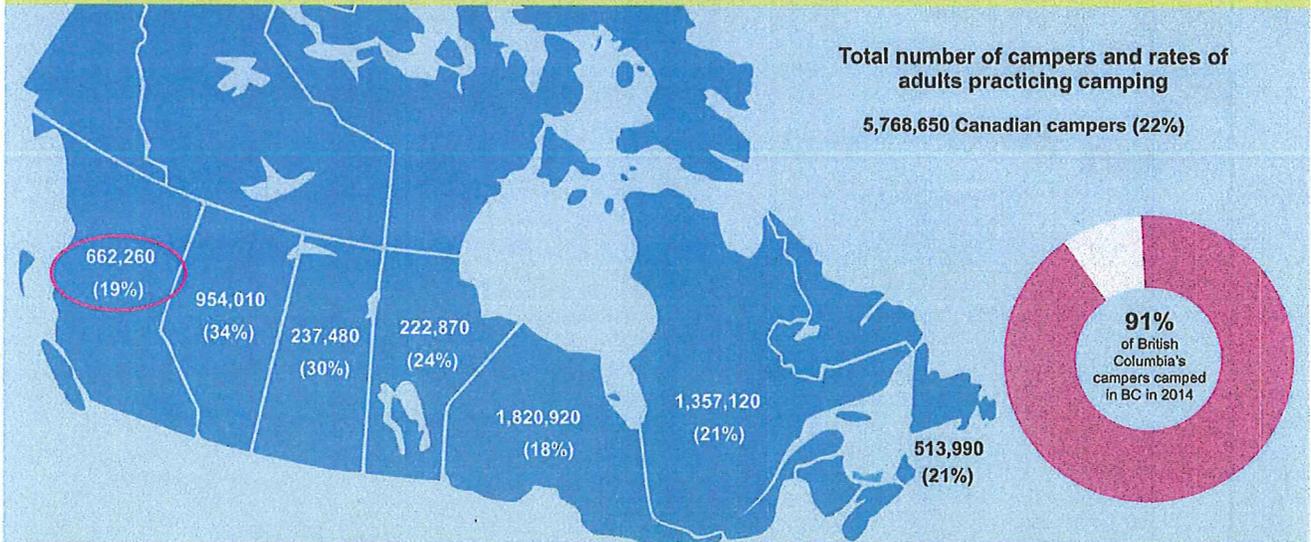
Total number of campgrounds and campsites

4,231 campgrounds
423,283 campsites
100

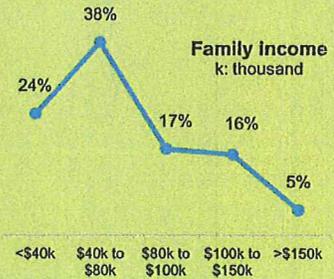
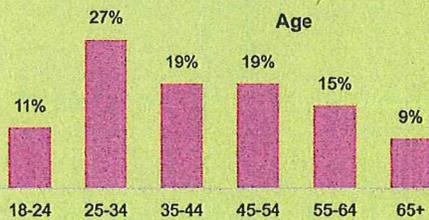
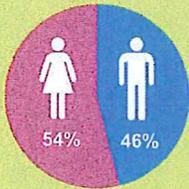


Campgrounds
 Campsites
 Average number of campsites per campground

CAMPER MARKET



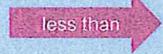
Canadian camper profile



4 camping trips per year on average



3 different campgrounds on average



300 km from home (73%)

Why do Canadians camp?

Independence
Enjoying nature
Social aspect

Freedom sensation
Vacation, rest
Costs
Discovering a region

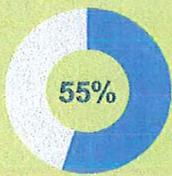
Type of campground visited in 2014



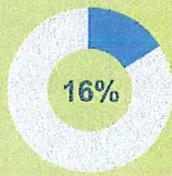
Most popular camping activities



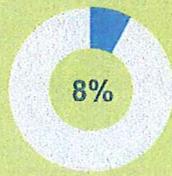
Type of equipment mostly used in 2014 by Canadian campers



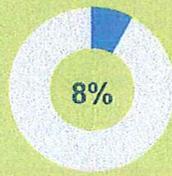
Tent
(55% in BC)



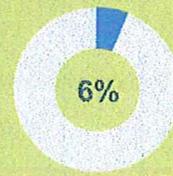
Trailer
(9% in BC)



Tent-trailer
(6% in BC)



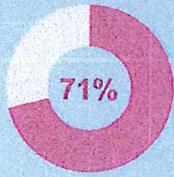
Fifth wheel
(9% in BC)



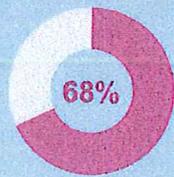
Motorhome
(11% in BC)

CAMPER MARKET

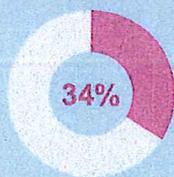
Services Canadian campers expect directly on their campsite



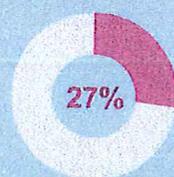
Drinkable water
(81% in BC)



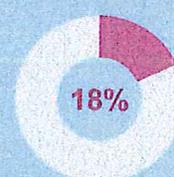
Electricity
(76% in BC)



Sewer
(40% in BC)

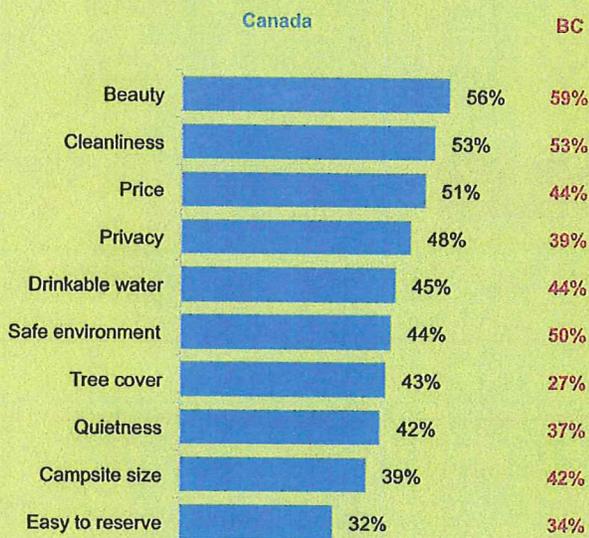


Wi-Fi
(43% in BC)



None
(13% in BC)

10 most important criteria used to select a campground



Preferred channels for making reservations



Telephone
(39% in BC)

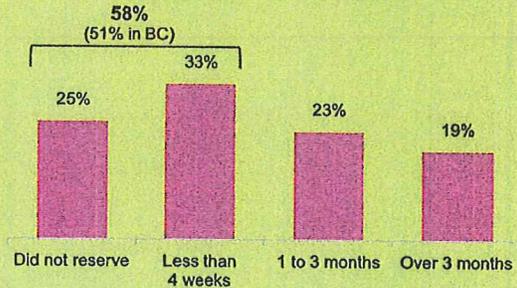


Campground website
(49% in BC)

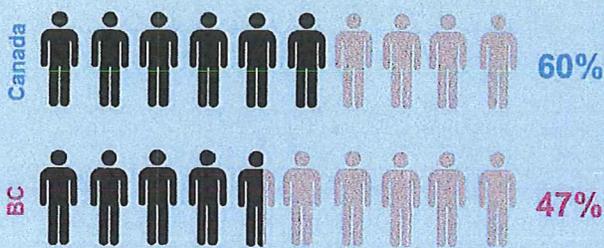


Email
(8% in BC)

Timelines for reservation



Using the web to plan a stay



For how many more years do you think you will be camping?
Average in years

21.4 **19.0**
Canada BC

Type of website used to select a campground

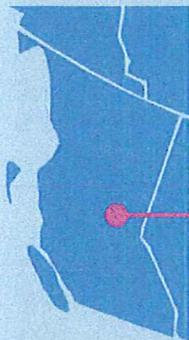
| | Canada (%) | BC (%) |
|---|------------|--------|
| Provincial park | 57 | 77 |
| Federal park | 30 | 18 |
| Campground directories other than PCA | 22 | 12 |
| Provincial campground association (PCA) | 19 | 21 |
| TripAdvisor | 13 | 30 |
| Social media | 6 | 13 |
| Campground website | 2 | 5 |
| Search engine | 1 | 2 |
| None | 8 | 2 |

\$ ECONOMIC IMPACT

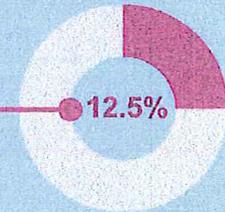
| Indicators* | RV Retail | RV Manufacturing | Travel Expenditures | Other expenses | Total Canada |
|---|-----------|------------------|---------------------|----------------|----------------|
| Initial Expenditures Campers direct and indirect expenses, RV dealers' profit margin, RV manufacturing sales. | 762 M\$ | 310 M\$ | 2.0 G\$ | 848 M\$ | 3.9 G\$ |
| Gross Output Gross expenses of all product and service providers, expenses incurred due to increase of economic activity. | 1.6 G\$ | 638 M\$ | 4.0 G\$ | 1.8 G\$ | 8.1 G\$ |
| Wages and Salaries Workforce salaries and social benefits. | 645 M\$ | 265 M\$ | 1.4 G\$ | 633 M\$ | 2.9 G\$ |
| Jobs Total number of employees, based on a full time week of 40 hours over a one year period (FTE). | 11,550 | 3,290 | 31,800 | 13,780 | 60,420 |
| Tax Income Sales taxes and income taxes. | 233 M\$ | 61 M\$ | 501 M\$ | 241 M\$ | 1.0 G\$ |
| GDP Basic Price | 977 M\$ | 264 M\$ | 2.4 G\$ | 1.0 G\$ | 4.7 G\$ |

*Numbers were rounded.

M : Million – G : Billion



| Indicators | BC |
|----------------------|--------|
| Initial Expenditures | \$492M |
| Gross Output | \$1.0G |
| Wages and Salaries | \$351M |
| Jobs | 7,524 |
| Tax Income | \$137M |
| GDP Basic Price | \$606M |



British Columbia provides 12.5% of the Canadian camping industry jobs.

« In BC, the camping industry contributes around \$600 million dollars to the GDP. »»

METHODOLOGY

Campground Market

- Campground census based on available data (Provincial campground associations database, provincial tourism guides, online campground directories).
- Telephone survey with owners and managers of 498 privately owned campgrounds, not-for-profit campgrounds and campgrounds owned by municipalities.
- Email survey with Parks Canada, provincial agencies and provincial government ministries that manage publicly owned campgrounds.

Camper Market

- Canada-wide web panel survey with 1,047 campers.

Economic Impact

- Camper survey data.
- Statistics Canada data (RV sales and manufacturer revenues).
- Economic impact analysis based on the Statistics Canada Input/Output model.

BACKGROUND



www.ccrvc.ca

The Canadian Camping and RV Council (CCRVC) represents the Canadian RV Manufacturers Association (CRVA), the RV Dealers Association of Canada (RVDA of Canada) and provincial campground owners' associations in Canada. CCRVC's mission is to support Canada's camping and RV industries, foster projects that enhance the camping experience for Canadian and international visitors and work with federal decision makers to ensure a thriving Canadian tourism sector. The economic impact study, sponsored by CCRVC, will be made available at www.ccrvc.ca.

SOM is a market research company, specializing in data collection and analysis. SOM was responsible for coordinating the study, collecting data and analyzing campground and camper surveys.

WSP is an international consulting group. In this study WSP was responsible for the estimation of the economic impact of the Canadian camping industry.

CITY OF KELOWNA
BYLAW NO. 11189
Z15-0045 - Eva Linttell
2075 KLO Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot B, District Lot 131, ODYD, Plan 39954 located on KLO Road, Kelowna, B.C., from the A1 - Agriculture 1 zone to the A1t - Agriculture 1 with Agri-tourist Accommodation zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

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Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 11032

Official Community Plan Amendment No. OCP14-0011 - 561655 BC Ltd. 1280 Glenmore Drive

A bylaw to amend the "*Kelowna 2030 - Official Community Plan Bylaw No. 10500*".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030 - Official Community Plan Bylaw No. 10500*" be amended by changing the Generalized Future Land Use designation of a portion of Lot 1, Section 29, Township 26, ODYD, Plan 29608, located on Glenmore Drive, Kelowna, B.C., from the MRL - Multiple Residential Low Density designation to the S2RES - Single/Two Unit Residential designation as per Map "A" attached to and forming part of this bylaw;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 10th day of November, 2014.

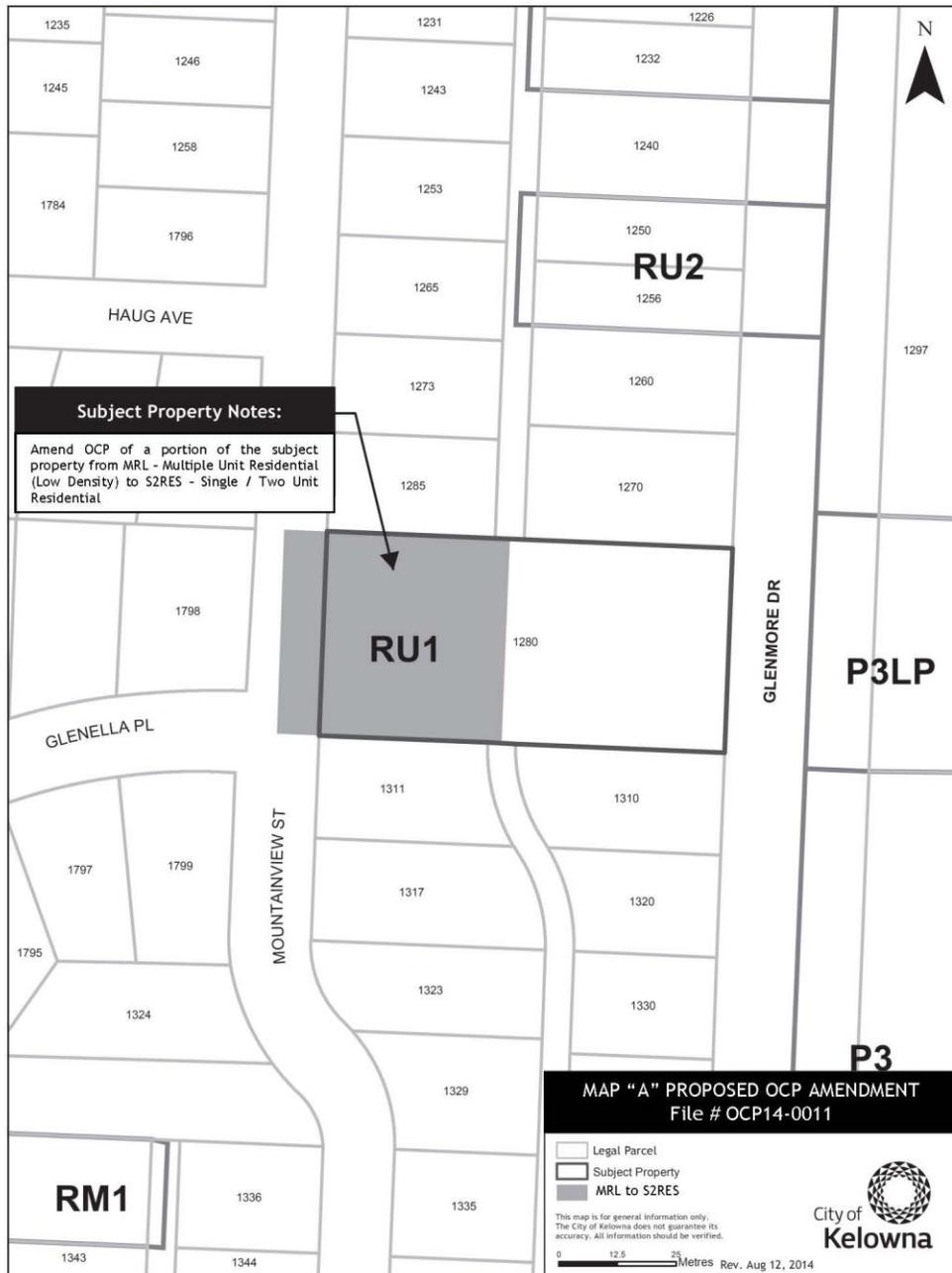
Considered at a Public Hearing on the 9th day of December, 2014.

Read a second and third time by the Municipal Council this 9th day of December, 2014.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA
BYLAW NO. 11033
Z14-0026 - 561655 BC Ltd.
1280 Glenmore Drive

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of a portion of Lot 1, Section 29, Township 26, ODYD, Plan 29608, located on Glenmore Drive, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the RM2 - Low Density Row Housing zone as per Map "B" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 10th day of November, 2014.

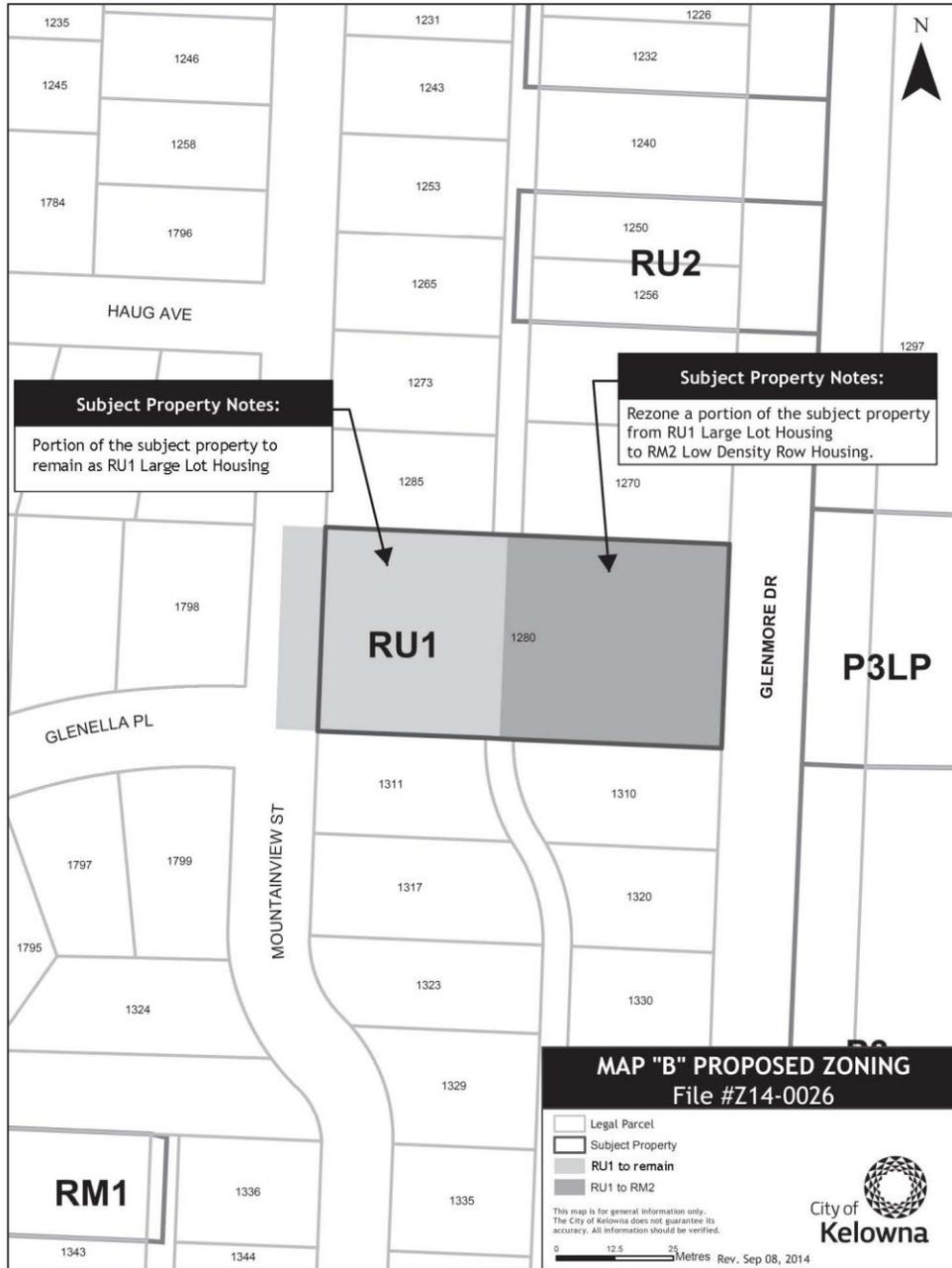
Considered at a Public Hearing on the 9th day of December, 2014.

Read a second and third time by the Municipal Council this 9th day of December, 2014.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



REPORT TO COUNCIL



Date: 1/25/2016
RIM No. 1250-30
To: City Manager
From: Community Planning Department (AC)
Application: DP14-0111 & Z14-0026 **Owner:** 561655 BC LTD., INC. NO. BC0561655
Address: 1280 Glenmore Dr **Applicant:** Randy Therrien
Subject: Rezoning Application
Existing OCP Designation: MRL - Multiple Unit Residential, Low-Density
Existing Zone: RU1 - Large Lot Housing
Proposed Zone: RM2 - Low Density Row Housing

1.0 Recommendation

THAT Council waives the conditions for adoption of Rezoning Bylaw No. 11033 as set out in the Report from the Community Planning Department dated January 25, 2016 with respect to Rezoning Application No. Z14-0026 for the property located at 1280 Glenmore Drive;

AND THAT Final Adoption of OCP Amending Bylaw No. 11032 Rezoning Bylaw No. 11033 be considered by Council;

AND THAT Council authorize the issuance of Development Permit DP14-0111 for Lot 1, Section 29, Township 26, ODYD, Plan 29608, located on 1280 Glenmore Drive, Kelowna, BC, subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";
4. That the applicant be required to post with the City, a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permit to be issued.

AND FURTHER THAT this Development Permit be valid for two (2) years from the date of Council approval, with no opportunity to extend.

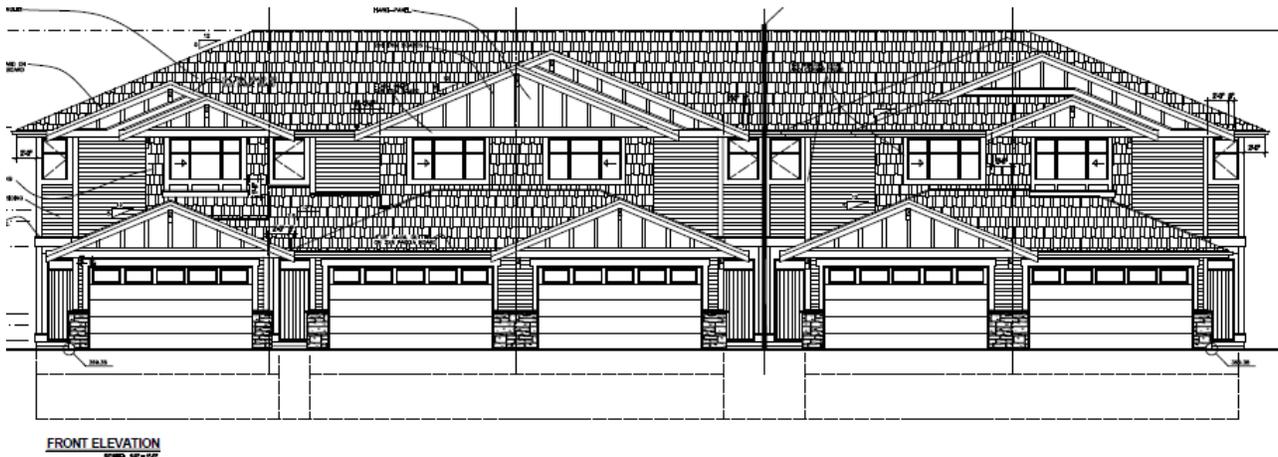
2.0 Purpose

To review the form and character Development Permit for a freehold five unit townhouse development.

3.0 Community Planning

Community Planning Staff are supportive of the application as the project is generally consistent with the urban design guidelines outlined in the Official Community Plan (OCP). This proposal is also consistent with the OCP Future Land Use designation for the area. This proposal does not need any variances and has provided the required number of off-street parking stalls.

The building design is a traditional craftsman style with wood brackets and selectively stacked stone detailing. The traditional architectural style with gable roofing fits in with the style of homes located within the surrounding neighbourhood. A single fire wall (rated for two hour minimum) is located between unit three and unit four as this is a building code requirement (see image below). Each unit will have a private patio separated with screening and a small lawn facing onto Glenmore Drive. The landscape plan and the private patios do an adequate job in providing a transitional space between the busy arterial Glenmore Drive and the private space within the homes. The freehold townhouses meet OCP policy by developing alternative housing solutions and providing a diversity of housing stock and tenure. Further, the owners of each unit will not have to worry about strata council meetings and the restrictions their neighbours could impose on their building and/or landscaping.



3.1 Public Notification

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbour consultation for the rezoning application by individually contacting the neighbours as described in the original zoning report. Development Permits are not required to perform any public notification.

3.2 Conditions of Rezoning

Staff are recommending the conditions of rezoning be waived due to the approval timing issues with freehold subdivisions. The City's standard process for multi-family buildings is to complete the conditions of rezoning prior to final adoption but this does not work in a freehold situation

for a number of reasons. In order to complete the final conditions a subdivision creating each freehold lot would have to occur but without adopting the zoning first these lots would not meet the minimum lot size. This applies to the engineering requirements as well. If the engineering requirements were completed prior to rezoning only one service would be installed to the lot but the freehold situation requires five services, therefore, the zoning needs to be adopted first in order to create the lots. All of the conditions outlined below and within the original rezoning report will be postponed to final subdivision approval stage:

1. Requirements of Development Engineering Branch being completed to their satisfaction;
2. Subdivision delineating the nine properties;
3. Dedicate a lane right-of-way and install a lane access to Mountainview Street;
4. A Party Wall Agreement is registered on title; AND
5. A Section 219 Building Use covenant be registered on each of the nine parcels restricting each parcel to one dwelling unit in order to prevent any additional dwelling units to be developed within each townhome.

4.0 Proposal

4.1 Background

The application went through multiple Council meetings at the end of 2014. In the end Council supported the rezoning application subject to a few conditions including a new lane connection to Mountainview Street.

4.2 Project Description

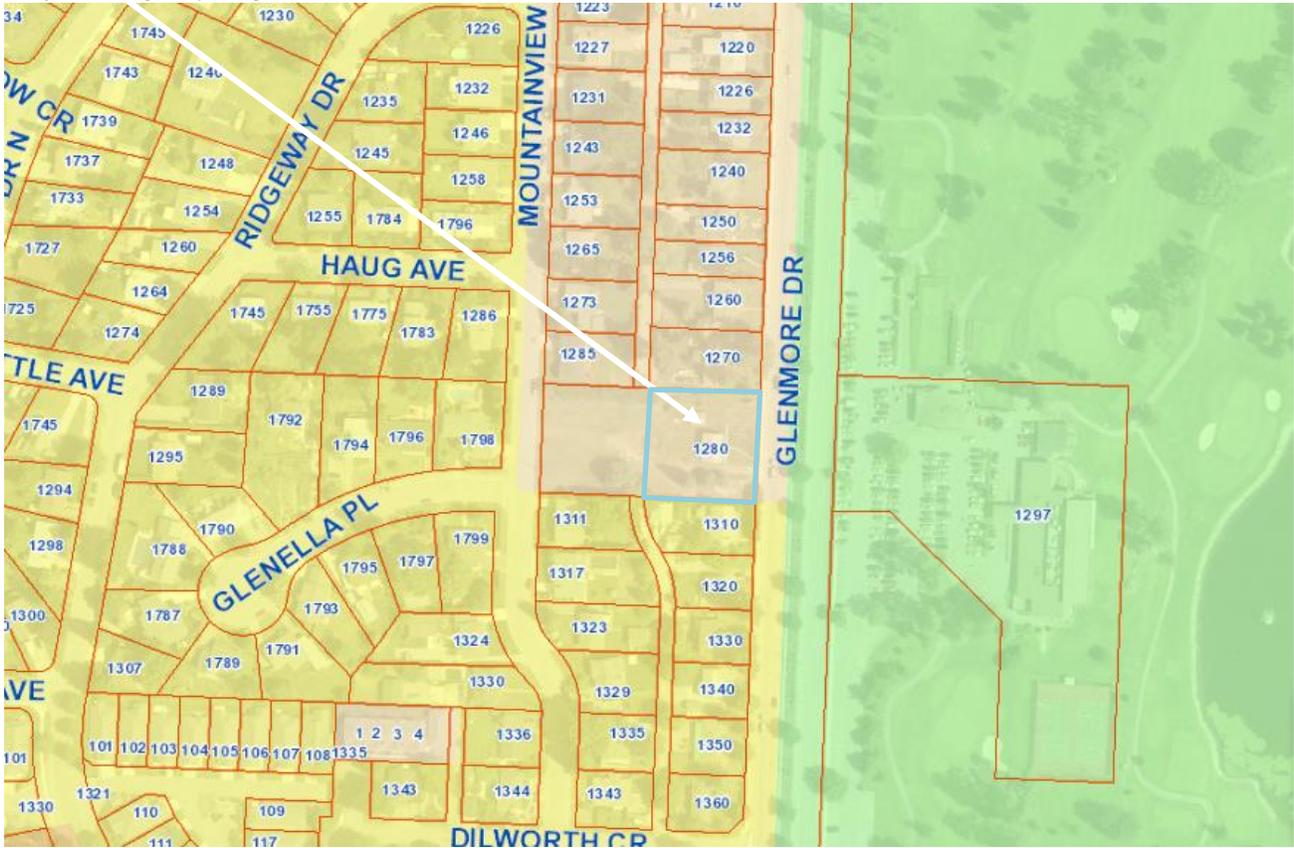
The subject property is currently vacant and is proposed to be replaced with a five unit townhouse development. Vehicular access to the townhouses will be from the lane with pedestrian connection to Glenmore Drive.

4.3 Site Context

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

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

Subject Property Map: 1280 Glenmore Drive



4.4 Zoning Analysis Table

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

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.

Housing Mix.³ Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

Family Housing.⁴ Support housing alternatives for families when single detached housing is too costly, including features that are important to families such as: outdoor space, direct access to grade, workshop space, larger units, safe design, and neighborhood characteristics (e.g.: location and amenities).

Ground-Oriented Housing.⁵ Encourage all multiple-unit residential buildings in neighbourhoods with schools and parks to contain ground-oriented units with 2 or more bedrooms so as to provide a family housing choice within the multi-unit rental or ownership markets. High density residential projects in the Downtown area are encouraged to include a ground-oriented housing component, especially where such can be provided on non-arterial and non-collector streets.

6.0 Technical Comments

6.1 Building & Permitting Department

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

6.2 Development Engineering Department

- See attached

6.3 Fire Department

- No concerns with the concept but a lane cannot be considered as access for the fire department.

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

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

³ City of Kelowna Official Community Plan, Policy 5.22.11 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 5.22.14 (Development Process Chapter).

⁵ City of Kelowna Official Community Plan, Policy 5.23.1 (Development Process Chapter).

7.0 Application Chronology

Date of Application Received: June 5th 2014
Date of Public consultation: July 7th 2014
Date of First Reading: August 11th 2014 (rescinded October 6th 2014)
Date of First Reading: October 6th 2014
Date of Public Hearing: Defeated at 2nd reading October 22th 2014
Date of First Reading: November 10th 2014
Date of Public Hearing: December 9th 2014

Report prepared by:

Adam Cseke, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Manager.

Attachments:

- Subject Property Map
- Development Engineering Memo
- Development Permit
 - Schedule 'A'
 - Site Plan
 - Floor Plan
 - Schedule 'B'
 - Elevations
 - Colour Board
 - Schedule 'C'
 - Landscape Plan

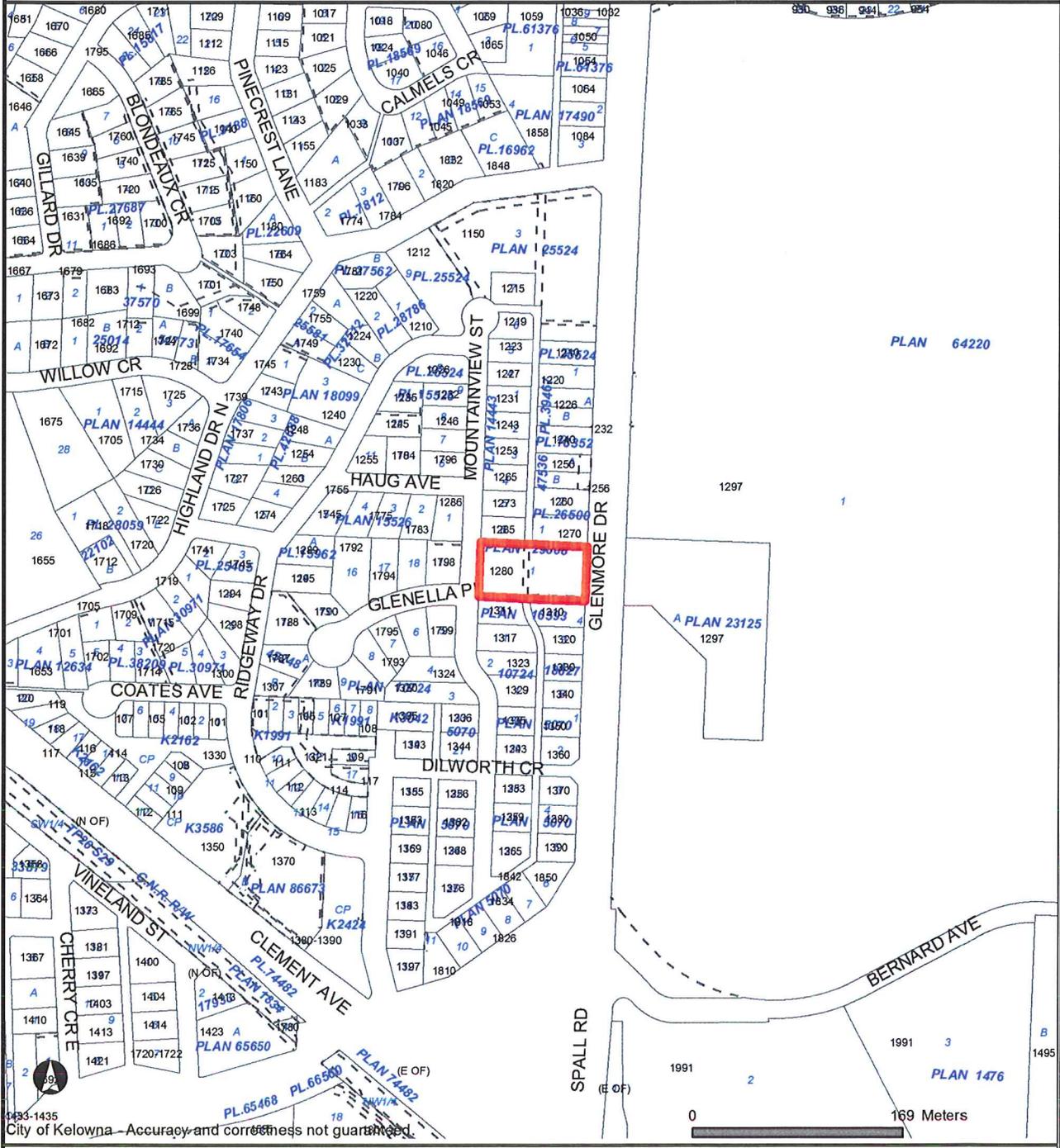
ADDRESS

Z14-0026

DP14-0111



Subject Property



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: July 21, 2014
File No.: Z14-0026

To: Urban Planning (AC)

From: Development Engineering Manager (SM)

Subject: 1280 Glenmore Drive *REVISED* RU1 to RM2

Development Engineering Department have the following comments and requirements associated with this application. The road and utility upgrading requirements outlined in this report will be a requirement of this development.

The Development Engineering Technologist for this project is Sergio Sartori

General

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

1. Domestic Water and Fire Protection

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

2. Sanitary Sewer

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

3. Storm Drainage

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

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

4. Road Improvements

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

5. Subdivision

By registered plan to provide the following:

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

6. Electric Power and Telecommunication Services

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

7. Street Lighting

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

8. Engineering

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

9. Design and Construction

- (a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- (b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.

- (c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- (d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- (e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

10. Servicing Agreements for Works and Services

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

11. Geotechnical Report

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

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

Steve Muenz, P. Eng.
Development Engineering Manager
SS

DEVELOPMENT PERMIT



APPROVED ISSUANCE OF DEVELOPMENT PERMIT

File Number DP14-0111
Issued To: Simple Pursuits Ltd.
Site Address: 1280 Glenmore Drive
Legal Description: Lot 1, Section 29, Township 26, ODYD, Plan 26908
Zoning Classification: C2 - Neighbourhood Commercial
Development Permit Area: Comprehensive Development Permit Area

SCOPE OF APPROVAL

This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.

The issuance of a Permit limits the Permit Holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

1. TERMS AND CONDITIONS

THAT Development Permit No. DP14-0111 for Lot 1, Section 29, Township 26, ODYD, Plan 26908, located at 1280 Glenmore Drive, Kelowna, BC to allow the construction of a single storey commercial building to be approved subject to the following:

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
- c) Landscaping to be provided on the land be in accordance with Schedule "C";
- d) The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permit Holder and be paid to the Permit Holder if the security is returned. The condition of the posting of the security is that should the Permit Holder fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Permit Holder, or should the Permit Holder carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Permit Holder. There is filed accordingly:

- a) Cash in the amount of \$ \$48,593.75 OR
- b) A Certified Cheque in the amount of \$ \$48,593.75 OR
- c) An Irrevocable Letter of Credit in the amount of \$ \$48,593.75 .

Before any bond or security required under this Permit is reduced or released, the Developer will provide the City with a statutory declaration certifying that all labour, material, workers' compensation and other taxes and costs have been paid.

3. DEVELOPMENT

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit that shall form a part hereof.

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit IS NOT a Building Permit.

4. APPLICANT'S AGREEMENT

I hereby declare that all of the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality granting to me the said Permit.
- b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

I further covenant and agree that should I be granted a Development Permit and/or Development Variance Permit, the Municipality may withhold the granting of any Occupancy Permit for the occupancy and / or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Divisional Director of Community Planning & Real Estate.

SCHEDULE A
This forms part of development
Permit # **DP14-011**

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CONSULTANT
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WWW.FINISHARCHITECTURE.COM

| DATE | REVISION |
|------|------------|
| 1 | 2015.05.08 |
| 2 | 2015.05.08 |
| 3 | 2015.05.08 |
| 4 | 2015.05.08 |

THE MANORS AT MOUNTAIN VIEW
5 PLEX DEVELOPMENT
1280 GLENMORE DRIVE
KELOWNA, B.C.

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TITLE SHEET

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|-------------|-------------------|
| JOB NO. | VA919 |
| FILE NO. | VA919-01 |
| DATE | DECEMBER 02, 2015 |
| DESIGNED BY | WTS |
| DRAWN BY | WTS |
| CHECKED BY | WTS |
| DRAWING NO. | A0.1 R4 |

PROJECT INFO:
CIVIC ADDRESS: 1280 GLENMORE DRIVE, KELOWNA, B.C.
LEGAL ADDRESS: 1280 GLENMORE DRIVE, KELOWNA, B.C.
LOT: 15, SECTION 28, TOWNSHIP 28, COYO, PLAN 2088

ZONING: R1

SITE AREA: 37,757 m² (3,179' x 4,961' / 10,306')

GROSS FLOOR AREA (SF (m²)):

| | | |
|--------------------------|-----------|-------------------------|
| BASMENT FLOOR | 4,230.54 | (391.5m ²) |
| MAIN FLOOR - LIVING AREA | 4,588.54 | (424.4m ²) |
| MAIN FLOOR - GARAGE | 2,127.44 | (197.2m ²) |
| SECOND FLOOR | 5,185.14 | (482.5m ²) |
| TOTAL GFA | 16,131.66 | (1493.6m ²) |

CITY OF KELOWNA ZONING BY-LAW (No. 8000) ANALYSIS:

SECTION 15.2: GENERAL INDUSTRIAL

REQUIRED:

- 15.2.1 PURPOSE: GENERAL INDUSTRIAL USE
- 15.2.2 PRINCIPAL USES: GENERAL INDUSTRIAL USES
- 15.2.3 SECONDARY USES: NA
- 15.2.4 SUBDIVISION REGULATIONS:
 - a) MIN. LOT WIDTH: 30m
 - b) MIN. LOT AREA: 4000m²
 - c) MIN. LOT AREA IF CONNECTED TO CITY OF KELOWNA SEWER SYSTEM IS 1000m²
- 15.2.5 DEVELOPMENT REGULATIONS:
 - a) MAX. SITE COVERAGE: 12%
 - b) MAX. HEIGHT: 12m
 - c) MAX. FRONT YARD: 7.5m
 - d) MIN. FRONT YARD: 2.1m
 - e) MIN. REAR YARD: 8.0m
 - f) MIN. SIDE YARD: 1.5m
- 15.2.6 OTHER REGULATIONS:
 - a) NA
 - b) NA
 - c) NA
 - d) SECTION 7, 8 AND 9
 - e) NA
 - f) NA

SECTION 7: LANDSCAPING AND SCREENING

REFER TO LANDSCAPE DRAWINGS AND SITE PLAN

SECTION 8: PARKING AND LOADING

REFER TO SITE PLAN

SECTION 9: SPECIFIC USE REGULATIONS

NA

BC BUILDING CODE (2009) ANALYSIS:

MAJOR OCCUPANCY CLASSIFICATION: GROUP C PART 9

GOVERNING CODE PART: 4, 102-24 (281.1mm) BUILDING #1

BUILDING #2: 4, 102-24 (281.1mm) BUILDING #2

SPRINKLER #2: 4, 102-24 (281.1mm) BUILDING #2

FACING NO. OF STREETS: 2

PROPOSED:

3.2.2.2.2. GROUP C, UP TO 3 STOREYS PART 9

1) A BUILDING CLASSIFIED AS GROUP C IS PERMITTED TO CONFORM TO SENTENCE 2 PROVIDED:

- a) NOT MORE THAN 3 STOREYS
- b) MAX. HEIGHT 10.7m
- c) AS STOREY BUILDING 600mm

2) PERMITTED TO BE COMBUSTIBLE OR NON-COMBUSTIBLE CONSTRUCTION

- a) FLOOR ASSEMBLIES TO HAVE A 45 MIN. FRR
- b) MEZZANINE NA
- c) FLOORS OVER A BASEMENT 0 FRR
- d) FLOORS OVER A BASEMENT 0 FRR
- e) FLOORS OVER A BASEMENT 0 FRR

3) FLOOR ASSEMBLIES OVER THE BASEMENT SHALL HAVE A FRR OF 45 MIN BUT NEED NOT BE CONSTRUCTED AS A FIRE SEPARATION

4) FIRE FLOOR ASSEMBLIES WITHIN THE DWELLING IS WAVED

5) FLOOR ASSEMBLY PARTING ARE WAVED

6) FLOOR ASSEMBLY PARTING ARE WAVED

3.2.3.3.3. CONSTRUCTION OF EXPOSING FACE NORTH AND SOUTH ELEVATIONS

UNPROTECTED OPENING SHALL BE PROVIDED WITH A FIRE RESISTANT WALL CONSTRUCTION COMPLYING WITH A FIRE RESISTANT RATING OF 120 MINUTES

WALLS B

WALLS B (1.52m FROM PROPERTY LINE)
TOTAL WALL AREA EXPOSED = 15.0m² (15.2m²)
WALL RATIO IS 0.2

UNPROTECTED OPENING SHALL BE PROVIDED WITH A FIRE RESISTANT WALL CONSTRUCTION COMPLYING WITH A FIRE RESISTANT RATING OF 120 MINUTES

WALLS C

WALLS C (1.52m FROM PROPERTY LINE)
TOTAL WALL AREA EXPOSED = 20.0m² (20.0m²)
WALL RATIO IS 0.5

UNPROTECTED OPENING SHALL BE PROVIDED WITH A FIRE RESISTANT WALL CONSTRUCTION COMPLYING WITH A FIRE RESISTANT RATING OF 120 MINUTES

THE MANORS AT MOUNTAINVIEW
1280 GLENMORE DRIVE
KELOWNA, B.C.



LOCATION MAP

CONSULTANTS:

| | | | | |
|---|--|-------------------------------------|---|--|
| ARCHITECTURAL: trta Architecture Ltd. 3001 - 30TH ST. VANCOUVER, BC V6L 2T7 PHONE: (604) 273-1127 FAX: (604) 273-1128 EMAIL: info@trta.com | STRUCTURAL: PROBING STRUCTURAL DESIGN LTD. 1000 WEST 10TH ST. #100 PORT COQUITLAM, B.C. V3C 8R7 PHONE: (604) 944-4624 FAX: (604) 944-4624 EMAIL: info@psd.com | ELECTRICAL: BIV SUBTRADES | SURVEYOR: INTERIOR TESTING LTD. 1-1866 KORSINGER ROAD KELOWNA, B.C. V1Y 1P7 PHONE: (250) 865-5027 FAX: (250) 865-5027 EMAIL: jerry@interiortesting.com | CIVIL: CTO CONSULTING CONTACT: MURRAY NIBLE 1100 WEST 10TH ST. KELOWNA, B.C. V1Y 2E1 PHONE: (250) 879-4221, FAX: EMAIL: murray@cticonsultants.com |
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LIST OF DRAWINGS:

| | | |
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| ARCHITECTURAL: A0.1 TITLESHEET A0.2 BUILDING ENVELOPE NOTES A0.3 GENERAL NOTES A0.4 LOWER FLOOR PLAN A0.5 MAIN FLOOR PLAN A0.6 UPPER FLOOR PLAN A0.7 UNDERSLAB RADON GAS PIPING A0.8 ELEVATIONS A0.9 UNIT PLANS A0.10 GENERAL BUILDING SECTIONS A0.11 DETAILS A0.12 WINDOW DETAILS A0.13 SPECIFICATIONS | STRUCTURAL: S1 FRAMING PLAN S2 FOUNDATION PLAN S3 FRAMING PLAN S4 FRAMING PLAN S5 FRAMING PLAN S6 FRAMING PLAN S7 FRAMING PLAN | CIVIL: C1 SITE SERVICE PLAN C2 LANE PLANT PROFILE C3 SITE GRADING PLAN C4 MANAGEMENT PLAN C5 |
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 450, 2ND FL. - 25 AVENUE
 TORONTO, ONT. M5T 1A7
 TEL: (416) 593-8888
 WWW.TRIAA.COM



CONSULTANT

| DATE | REVISION |
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| 1 | APPROX 14 |
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THE MANORS AT MOUNTAIN VIEW
 5 PLEX DEVELOPMENT
 1280 GLENMORE DRIVE
 KELOWNA, B.C.

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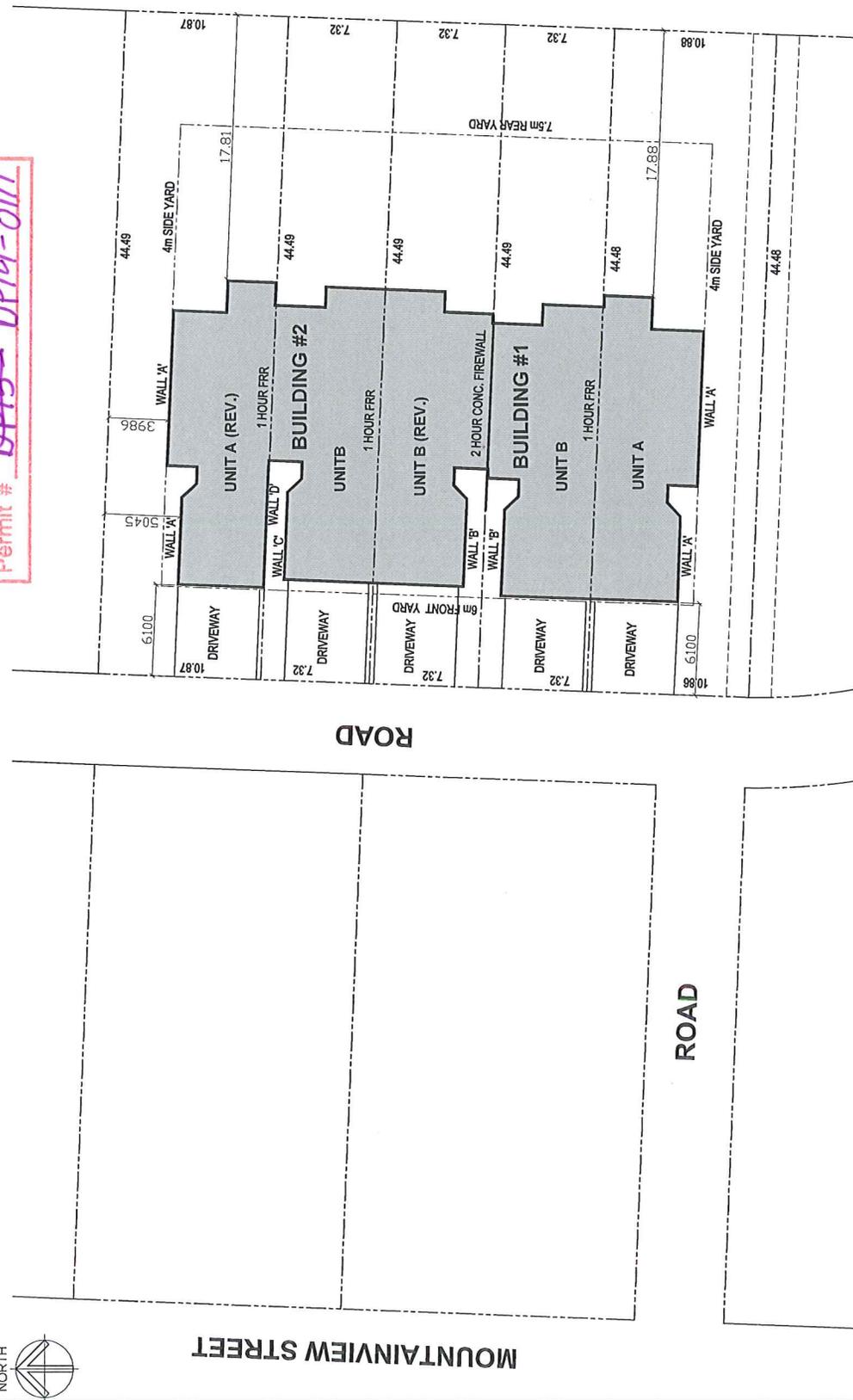


SITE PLAN

| | |
|-------------|-------------------|
| JOB NO. | WANTS |
| FILE NO. | WASTEWATER |
| DATE | DECEMBER 10, 2015 |
| SCALE | 1:100 |
| DRAWN BY | MS |
| CHECKED BY | - |
| DRAWING NO. | - |

A1.1 R4

SCHEDULE A
 This forms part of development
 Permit # **0915-0914-0111**



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 WWW.TRIAFIRM.COM



| DATE | REVISION |
|------------|-------------------|
| 2015.11.10 | ISSUED FOR PERMIT |
| 2015.10.20 | REVISED PERMIT |
| 2015.10.15 | REVISED PERMIT |
| 2015.10.10 | REVISED PERMIT |

THE MANORS AT MOUNTAIN VIEW
5 PLEX DEVELOPMENT
1280 GLENMORE DRIVE
KELOWNA, B.C.

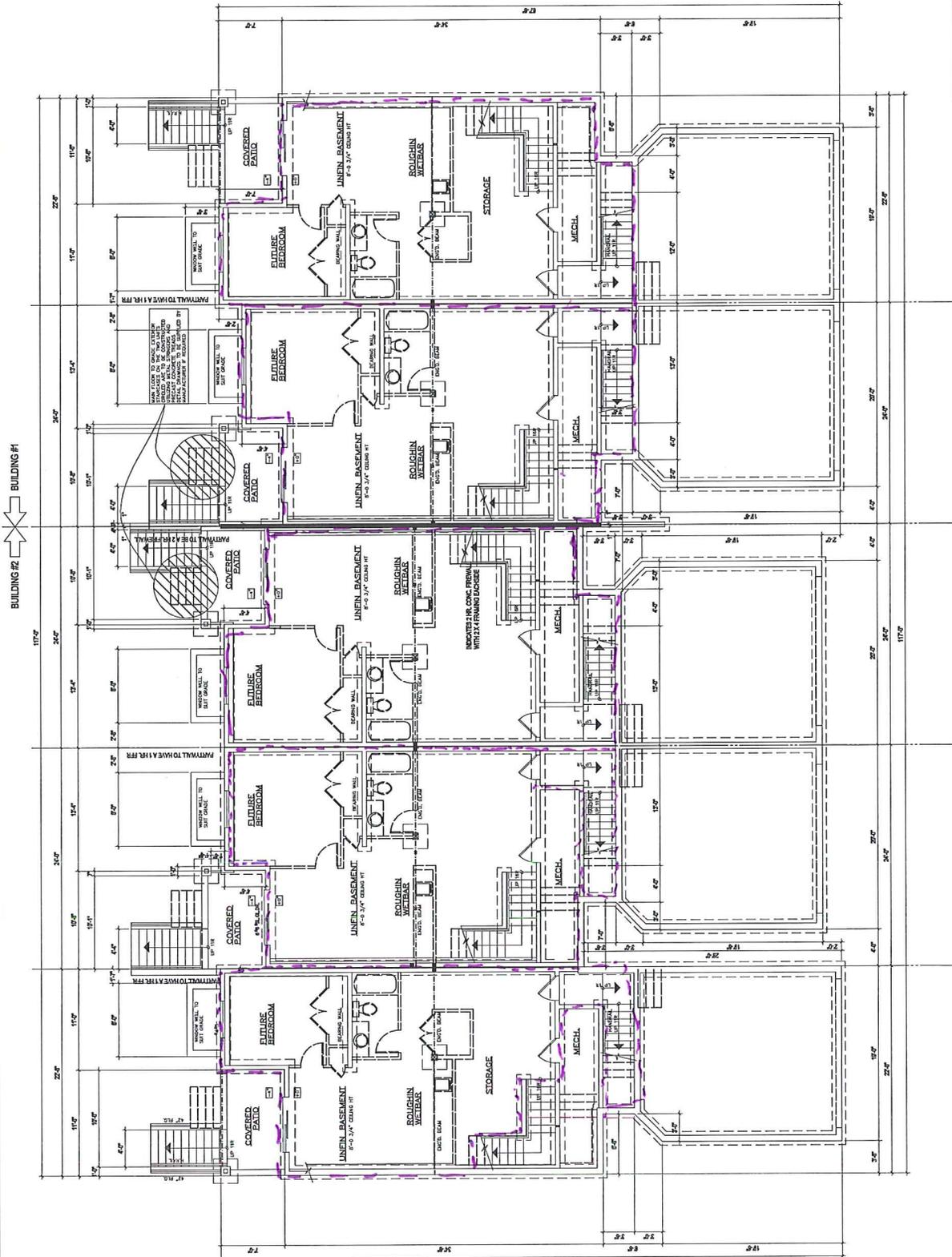
ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE
 BC BUILDING ACT AND THE BC BUILDING REGULATIONS
 UNLESS OTHERWISE SPECIFIED IN THE PERMITTING
 DOCUMENTS.
 This drawing is an instrument of service and the
 architect's liability is limited to the scope of the
 services specified in the contract documents.
 No part of this drawing shall be reproduced or
 transmitted in any form or by any means
 without the prior written permission of the
 architect.



LOWER FLOOR

| | |
|------------|-------------------|
| JOB NO. | VA1619 |
| FILE NO. | VA1619A2 |
| DATE | DECEMBER 10, 2015 |
| SCALE | N.T.S. |
| DRAWN BY | |
| CHECKED BY | |
| DATE | |

A2.1 R3



NOTE:
 ALL WORKER PARTY WALLS
 MUST HAVE A H.R. FR.
 PARTIALLY TO BE A H.R. FR.
 PARTIALLY TO BE A H.R. FR.
 PARTIALLY TO BE A H.R. FR.

UNIT "A" - REVERSE END UNIT UNIT "B" - UNIT UNIT "B" - REVERSE UNIT UNIT "A" - END UNIT

SCHEDULE A
 This forms part of development
 Permit # **DPI4-0111**

Cannot be used as a secondary suite

TRIA
ARCHITECTURAL
1801 24th Street
Kelowna, BC V1Y 9V6
Tel: 250.860.1127
www.triaarchitect.com



| DATE | REVISION |
|------|--------------------|
| 1 | REVISED FOR PERMIT |
| 2 | REVISED FOR PERMIT |
| 3 | REVISED FOR PERMIT |
| 4 | REVISED FOR PERMIT |

THE MANORS AT MOUNTAIN VIEW
5 PLEX DEVELOPMENT
1280 GLENMORE DRIVE
KELOWNA, B.C.

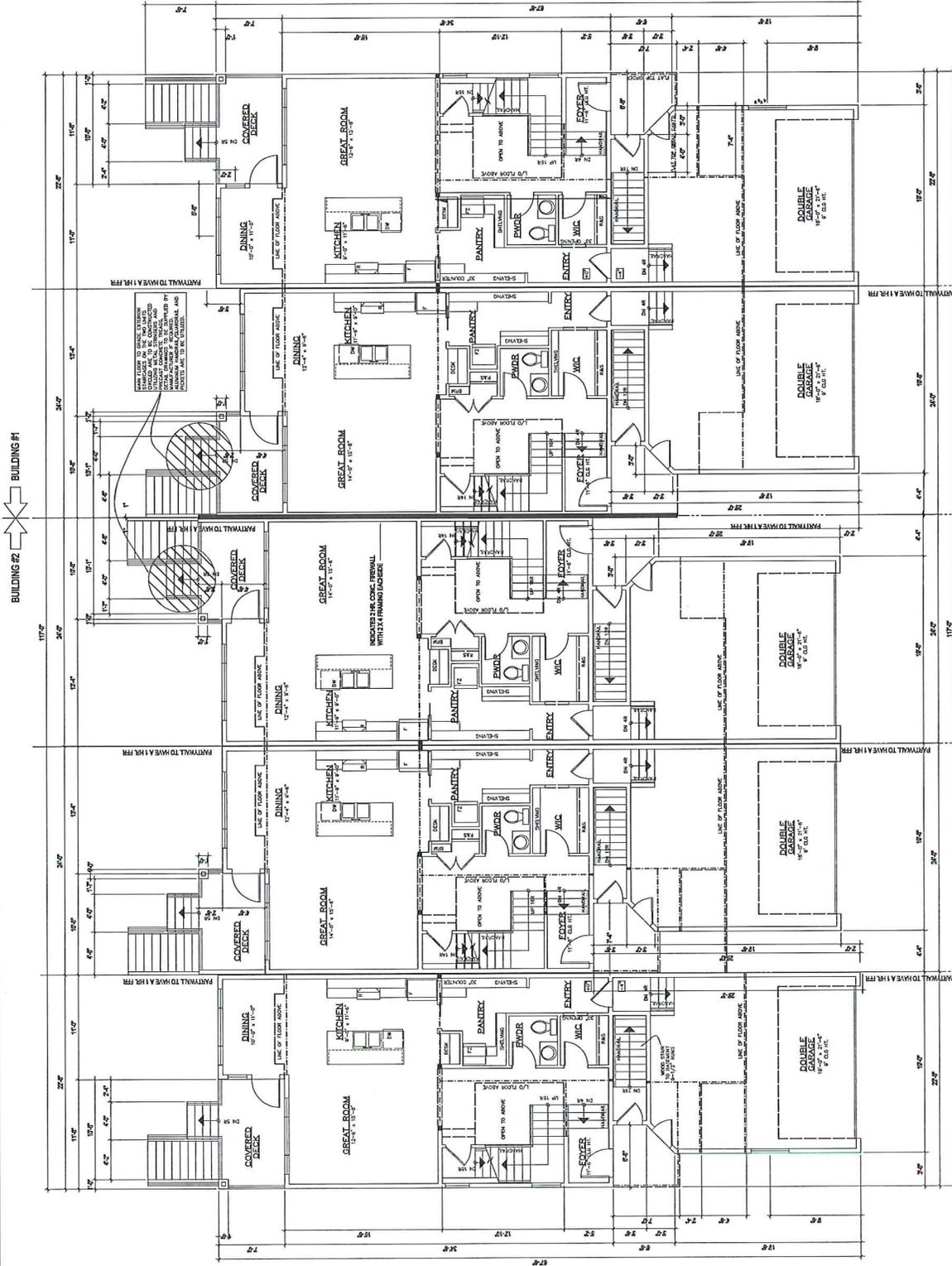
ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE BC BUILDING DEPARTMENT REGULATIONS AND THE BC BUILDING CODE. THIS DRAWING IS THE PROPERTY OF TRIA ARCHITECTURAL. THIS DRAWING IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR CONSTRUCTION. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT. TRIA ARCHITECTURAL SHALL NOT BE RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR DAMAGES. USE OF THIS DRAWING FOR ANY OTHER PURPOSE IS STRICTLY PROHIBITED.



MAIN FLOOR

| | |
|------------|-------------------|
| JOB NO. | VA1519 |
| FILE NO. | VA1519A2 |
| DATE | DECEMBER 01, 2015 |
| SCALE | N.T.S. |
| DRAWN BY | |
| CHECKED BY | |

A2.2 R2



NOTE: ALL WORK SHALL BE IN ACCORDANCE WITH THE BC BUILDING DEPARTMENT REGULATIONS AND THE BC BUILDING CODE.

UNIT "A" - END UNIT

UNIT "B" - UNIT

UNIT "B" - REVERSE UNIT

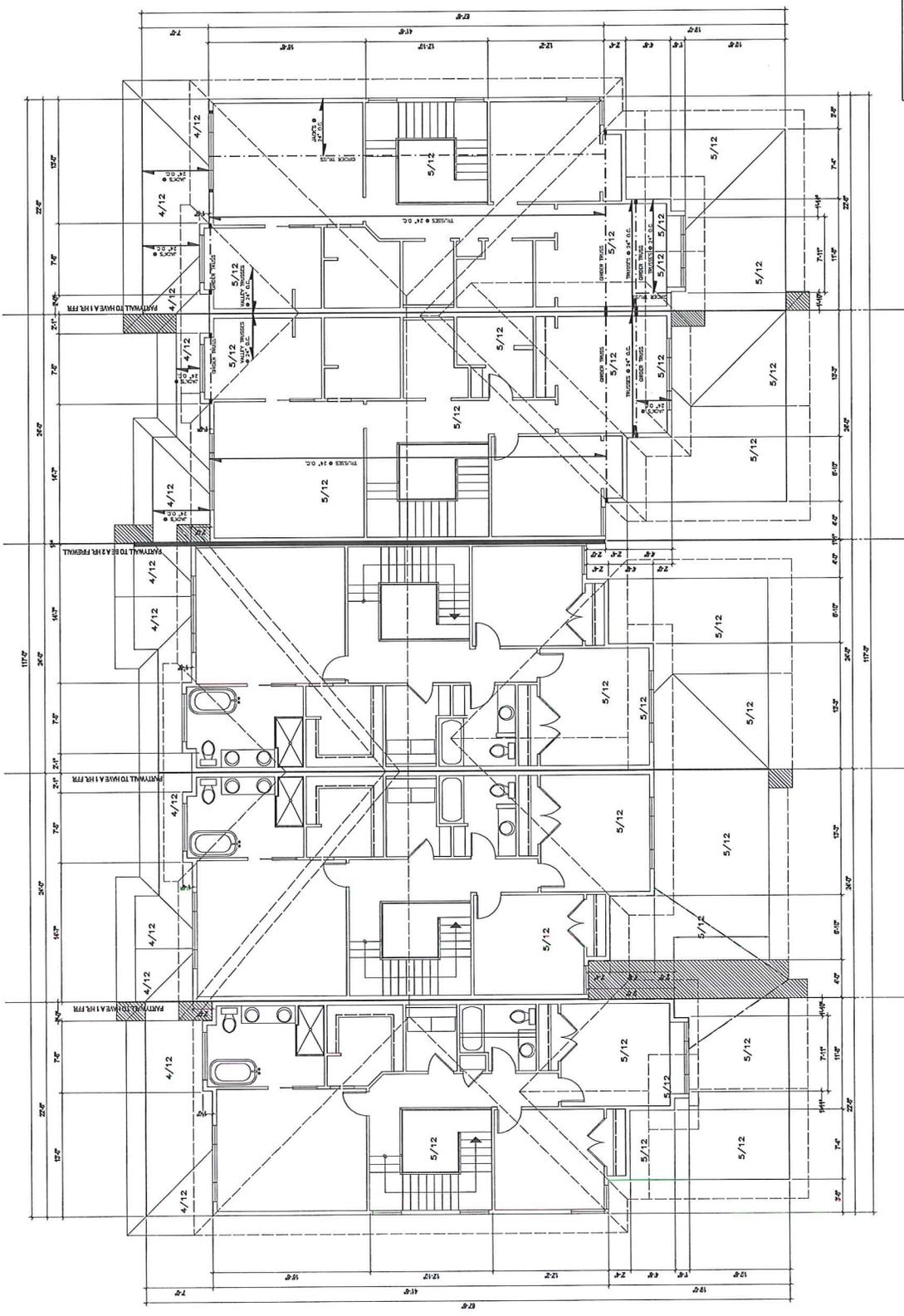
UNIT "B" - UNIT

UNIT "A" - REVERSE END UNIT

SCHEDULE A
This forms part of development
Permit # **DP14-011**

SCHEDULE A
 This forms part of development
 Permit # **DP14-0111**

AREAS ON THE ASSOCIATED ROOF PLAN
 WHICH ARE SHOWN AS PER ATTACHED
 COVERAGES ARE TO BE REINFORCED
 SOFFIT SECTION DETAIL ON DRAWING A6.2



NOTE
 ALL EXTERIOR PARTY WALLS
 INCLUDING GARAGE WALLS
 INCLUDING GARAGE WALLS

UNIT "A" - END UNIT

UNIT "B" - UNIT

UNIT "B" - REVERSE UNIT

UNIT "B" - UNIT

UNIT "A" - REVERSE END UNIT

TRIA
 ARCHITECTURE LTD.
 4911, 2901 - 30 AVENUE
 SUITE 100
 MISSISSAUGA, ONT. L4V 1V7
 TEL: 905-876-1127
 FAX: 905-876-1128
 WWW.TRIAARCHITECTURE.COM

CONSULTANT
ASHISH
 1000 PRINCE
 ALEXANDER BLVD. UNIT 100
 MISSISSAUGA, ONT. L4Y 4G2
 TEL: 905-276-1000
 FAX: 905-276-1004-1023

| DATE | REVISION |
|------|-------------------|
| 1 | ISSUED FOR PERMIT |
| 2 | ISSUED FOR PERMIT |
| 3 | ISSUED FOR PERMIT |

THE MANORS AT MOUNTAIN VIEW
5 PLEX DEVELOPMENT
 1280 GLENMORE DRIVE
 KELOWNA, B.C.

THE CONTRACTOR SHALL BE RESPONSIBLE TO VERIFY THE
 DIMENSIONS AND SUPPLY THEIR PRODUCTS IN
 ACCORDANCE WITH THE REQUIREMENTS OF THE
 CODE OF THE PROVINCE OF BRITISH COLUMBIA
 (PARTICULARLY THE REQUIREMENTS OF THE
 BRITISH COLUMBIA BUILDING CODE, THE
 BRITISH COLUMBIA FIRE CODE AND THE
 BRITISH COLUMBIA ELECTRICAL CODE).
 The contractor shall be responsible for
 verifying all dimensions and materials prior to
 construction.
 Material shall be used in accordance with the
 drawings.



UPPER FLOOR

| | |
|-------------|-------------------|
| JOB NO. | 14019 |
| DATE | DECEMBER 01, 2015 |
| DESIGNED BY | RTS |
| CHECKED BY | |
| DRAWING NO. | |

A2.3 R3

T.R.T.A.
 ARCHITECTS
 4151 29th St. #200
 Fort Lauderdale, FL 33309
 TEL: 754.561.1237
 FAX: 754.561.1238
 WWW.TRTAFL.COM

CONSULTANT

 MIST CONSULTANTS
 200 N. GARDNER BLVD.
 SUITE 1000
 FT. LAUDERDALE, FL 33301
 TEL: 754.468-4333

| DATE | REVISION |
|------|---|
| 1 | 2/20/12 4/12 RELEASE POINT AND PERMANENT OVERHANG |
| 2 | 2/27/12 2/27/12 PERMANENT OVERHANG |
| 3 | 3/26/12 3/26/12 PERMANENT OVERHANG |

THE MANORS AT MOUNTAIN VIEW
5 PLEX DEVELOPMENT
 1280 GLENMORE DRIVE
 KELOWNA, B.C.

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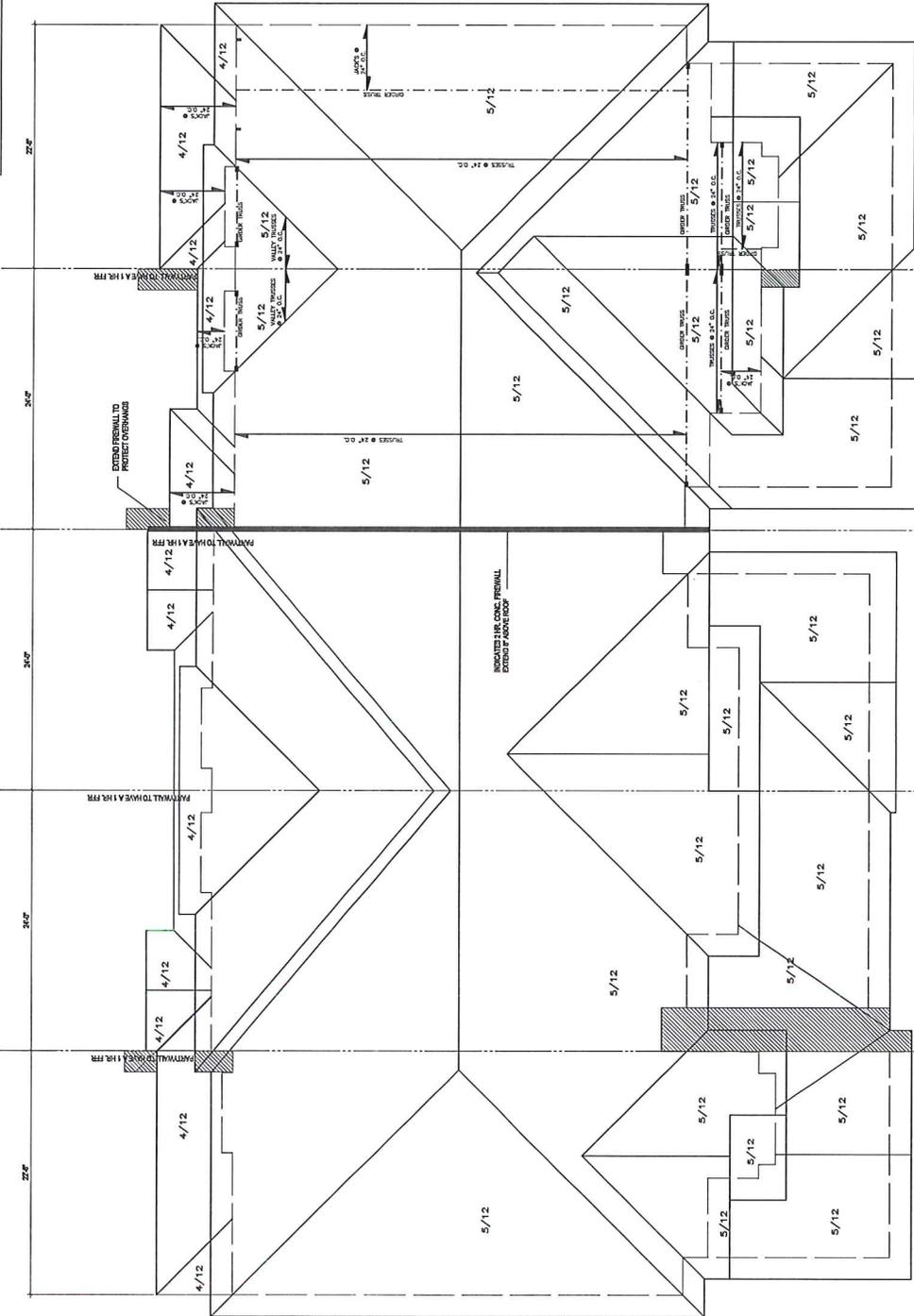
ROOF

| | |
|------------|-------------------|
| JOB NO. | VA1501A2 |
| FILE NO. | VA1501A2 |
| DATE | DECEMBER 11, 2015 |
| SCALE | 1/8" = 1'-0" |
| DRAWN BY | |
| CHECKED BY | |
| DATE | |

A2.4 R3

AREAS ON THE ASSOCIATED ROOF PLAN OR OVERHANGS REPORTED AS PER ATTACHED SOFFIT SECTION DETAIL ON DRAWING A6.2

BUILDING #1



SCHEDULE A
 This forms part of development
 Permit # **DP14-0111**

T.R.T.A.
ARCHITECTURE LTD.
4811 20th - 2A AVENUE
VANCOUVER, BC V6M 2T7
TEL: 604-271-1237
WWW.TRTAARCHITECTURE.COM

CONSULTANT



| DATE | REVISION |
|------|-------------------|
| 1 | ISSUED FOR PERMIT |
| 2 | ISSUED FOR PERMIT |
| 3 | ISSUED FOR PERMIT |

THE MANORS AT MOUNTAIN VIEW
5 PLEX DEVELOPMENT
1280 GLENMORE DRIVE
KELOWNA, B.C.

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Verify all dimensions and materials prior to construction.

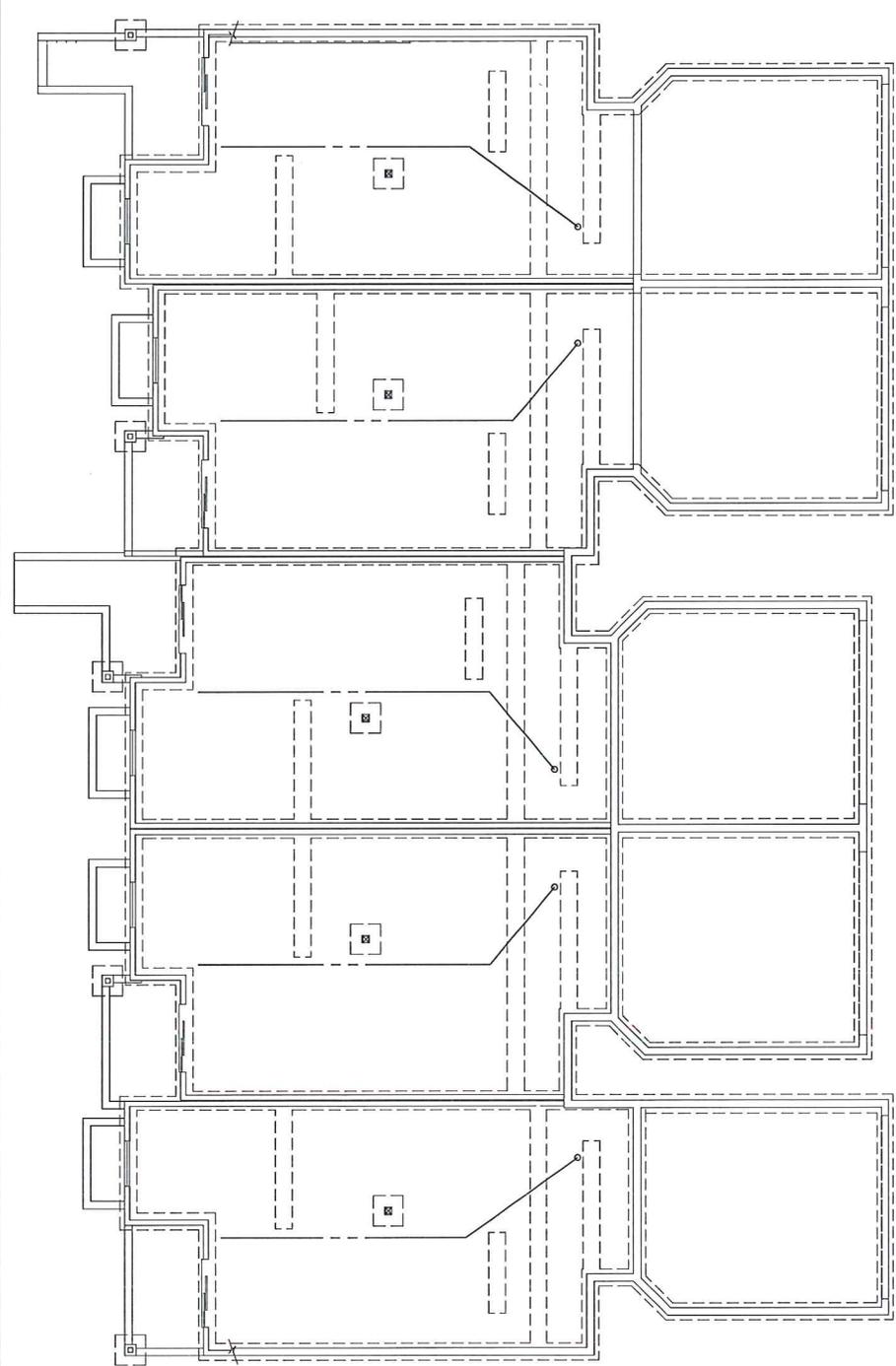
Respect all easements and setbacks prior to construction.



UNDERSLAB RADON GAS PIPING

| JOB NO. | DATE |
|---------|-------------------|
| 12345 | DECEMBER 10, 2015 |
| 12345 | REVISED |
| 12345 | DATE |
| 12345 | DATE |
| 12345 | DATE |
| 12345 | DATE |

A2.5 R3



UNIT "A" - END UNIT UNIT "B" - UNIT UNIT "B" - REVERSE UNIT UNIT "B" - UNIT UNIT "A" - REVERSE END UNIT

INSTALLATION OF UNDERSLAB RADON GAS PIPING AND PROCEDURES

1. INSTALLATION OF UNDERSLAB RADON GAS PIPING SHALL BE IN ACCORDANCE WITH THE FOLLOWING:

- UNDERSLAB RADON GAS PIPING SHALL BE INSTALLED PER THE MANUFACTURER'S INSTRUCTIONS.
- UNDERSLAB RADON GAS PIPING SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.
- UNDERSLAB RADON GAS PIPING SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.
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- UNDERSLAB RADON GAS PIPING SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.
- UNDERSLAB RADON GAS PIPING SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.

SCHEDULE A
This forms part of development
Permit # **DP14-011**

SCHEDULE B
 This forms part of development
 Permit # **DP14-0111**

T.R.T.A
 ARCHITECTURAL LTD.
 4541-2962 - 55 AVENUE
 7 - SUITE 200
 VANCOUVER, B.C. V6N 1C1
 TEL: 604-271-1111
 WWW.TRTAARCHITECT.COM

CONSULTANT
GENSLER
 ARCHITECTURE
 1000 - 1500 AVENUE
 VANCOUVER, B.C. V6Z 2R6
 TEL: 604-681-8833

| DATE | REVISION |
|------|-----------------------------------|
| 1 | DATE OF ISSUE FOR BUILDING PERMIT |
| 2 | DATE OF REVISION FOR PERMIT |
| 3 | DATE OF REVISION FOR PERMIT |

THE MANORS AT MOUNTAIN VIEW
5 PLEX DEVELOPMENT
1280 GLENMORE DRIVE
KELOWNA, B.C.

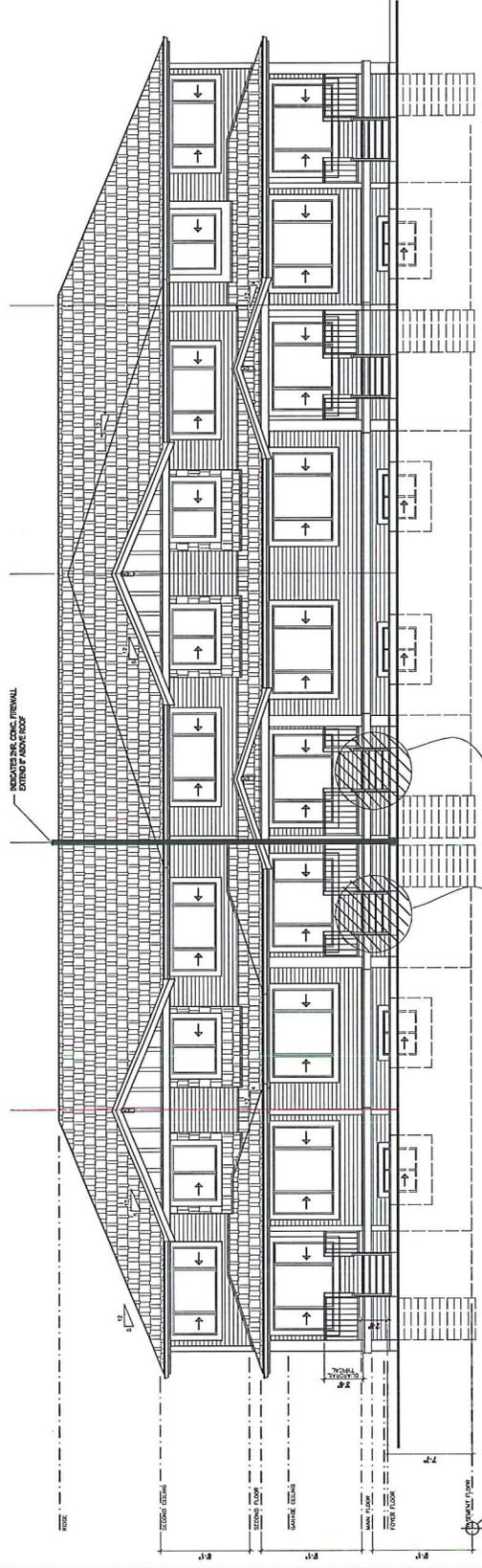
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ELEVATIONS

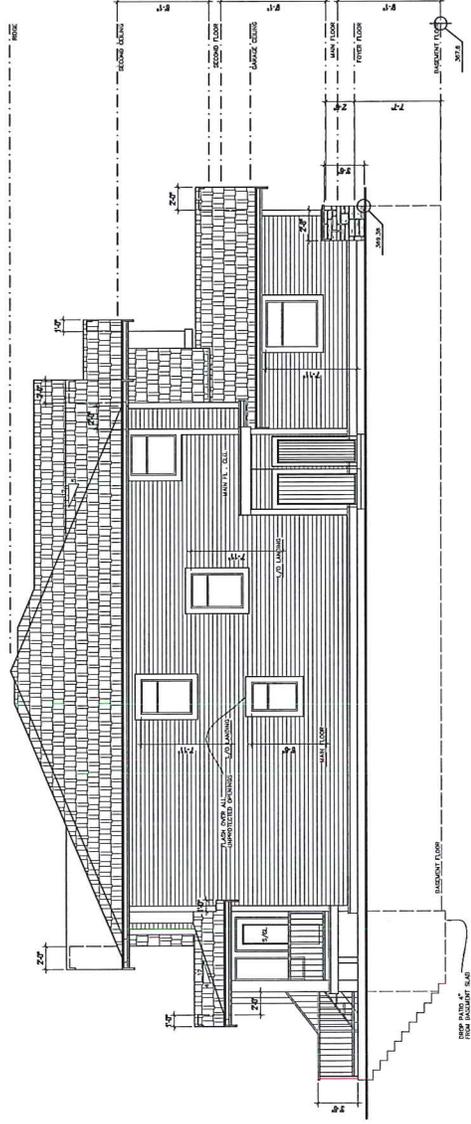
| JOB NO. | VARIES |
|---------------------------------|-------------------|
| FILE NO. <th>VARIES</th> | VARIES |
| DATE <td>DECEMBER 01, 2015</td> | DECEMBER 01, 2015 |
| DRAWN BY <td>NTS</td> | NTS |
| CHECKED BY <td>-</td> | - |
| DRAWING NO. <td>A3.2 R3</td> | A3.2 R3 |

BUILDING #1 [] BUILDING #2 [X]



REAR ELEVATION
 SCALE 3/8" = 1'-0"

BRICKWORK TO BE REPLACED WITH A DIFFERENT MATERIAL. THIS WORK IS TO BE COMPLETED BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.



LEFT ELEVATION
 SCALE 3/8" = 1'-0"

T.R.T.A.
ARCHITECTURE LTD.
 4801, 2300 - 23 AVENUE
 12TH FLOOR, SUITE 1207
 1200 GLENMORE DRIVE
 WEST, CALGARY, ALBERTA
 T2C 1G5

CONSULT UNIT
ARCHITECTURE LTD.
 4801, 2300 - 23 AVENUE
 12TH FLOOR, SUITE 1207
 1200 GLENMORE DRIVE
 WEST, CALGARY, ALBERTA
 T2C 1G5

| DATE | REVISION |
|------|----------|
| 1 | 2015 |
| 2 | 2015 |
| 3 | 2015 |

THE MANORS AT MOUNTAIN VIEW
5 PLEX DEVELOPMENT
 1280 GLENMORE DRIVE
 KELOWNA, B.C.

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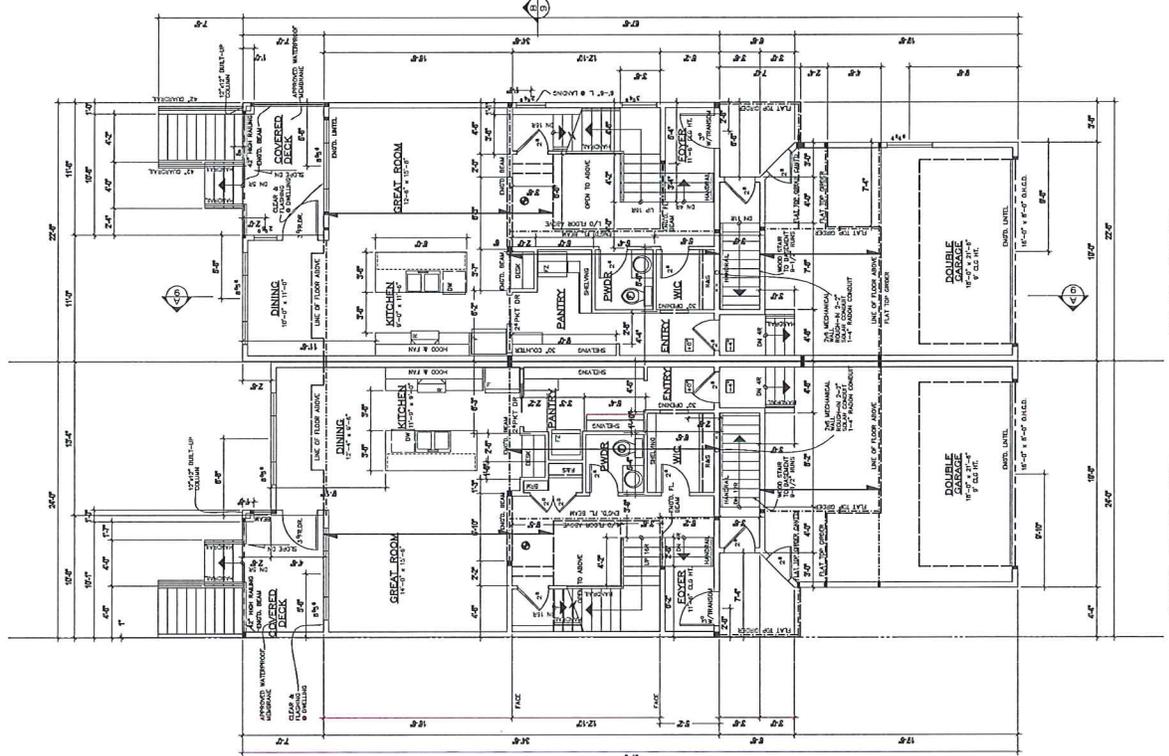


UNIT PLANS

| JOB NO. | UNIT NO. |
|---------|----------|
| 1280 | 101 |
| 1280 | 102 |
| 1280 | 103 |
| 1280 | 104 |
| 1280 | 105 |
| 1280 | 106 |
| 1280 | 107 |
| 1280 | 108 |
| 1280 | 109 |
| 1280 | 110 |

A4.2 R3

NOTE
 REFER TO DRAWINGS FOR THE
 LOCATION OF A FIRE BREAK
 THAT IS REQUIRED



UNIT 'A' - END UNIT
MAIN FLOOR
 SCALE: 1/8" = 1'-0"

UNIT 'B' - INTERIOR UNIT
MAIN FLOOR
 SCALE: 1/8" = 1'-0"

SCHEDULE A
 This forms part of development
 Permit # **DP14-0111**

T.R.T.A.
ARCHITECTURE LTD.
4141 28th St. #100
Vancouver, BC V6L 2T7
Tel: 604-271-1237
Fax: 604-271-1238
www.trta.ca

CONSULTANT



| DATE | REVISION |
|--------------|-------------------------|
| 1 2015-04-14 | 1.00 PRELIMINARY PERMIT |
| 2 2015-04-14 | 2.00 PRELIMINARY PERMIT |
| 3 2015-04-14 | 3.00 PRELIMINARY PERMIT |

THE MANORS AT MOUNTAIN VIEW
5 PLEX DEVELOPMENT
1280 GLENMORE DRIVE
KELOWNA, B.C.

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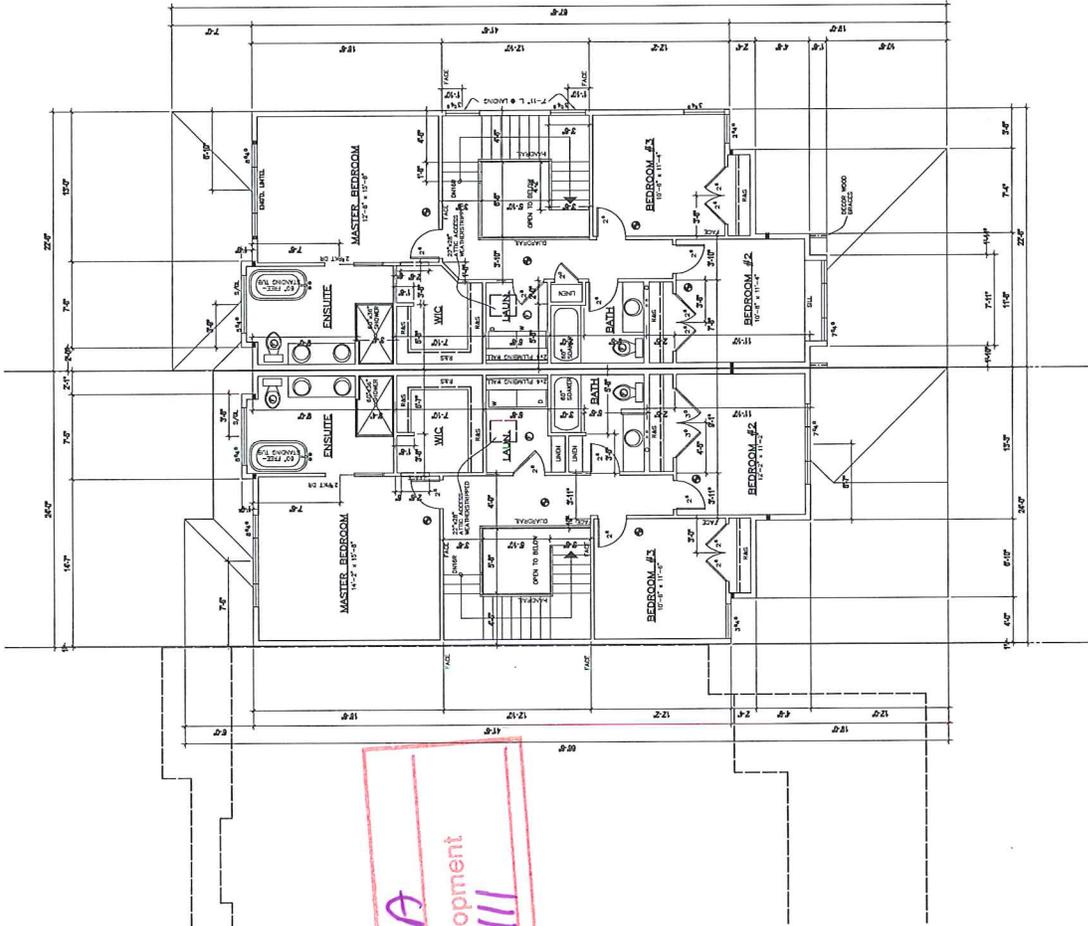


UNIT PLANS

| | |
|-------------|-------------------|
| JOB NO. | 141515 |
| FILE NO. | 141515 |
| DATE | DECEMBER 01, 2015 |
| SCALE | N.T.S. |
| DESIGNED BY | - |
| CHECKED BY | - |
| DRAWING NO. | - |

A4.3 R3

NOTE
REFER TO DIMENSIONS FOR THE LOCATION OF ALL FIRE SEPARATION WALLS AND DOORS.



SCHEDULE A
This forms part of development
Permit # **DP14-011**

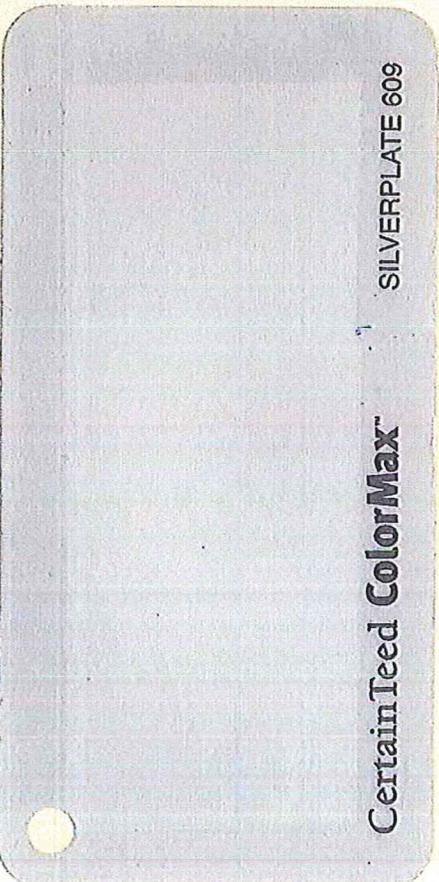
UNIT 'A' - END UNIT
SECOND FLOOR
SCALE: 1/8" = 1'-0"

UNIT 'B' - INTERIOR UNIT
SECOND FLOOR
SCALE: 1/8" = 1'-0"

1280 GIENMORE DRIVE - MULTI FAMILY PROJECT

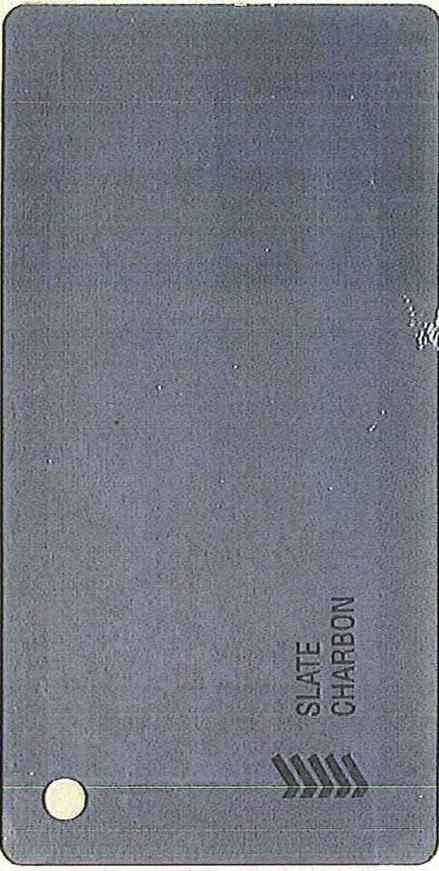
Smart Trim
 Corner/Window Trim - Cable Ends - Seats/Leathers.
 Downspouts.

Main Siding Colour



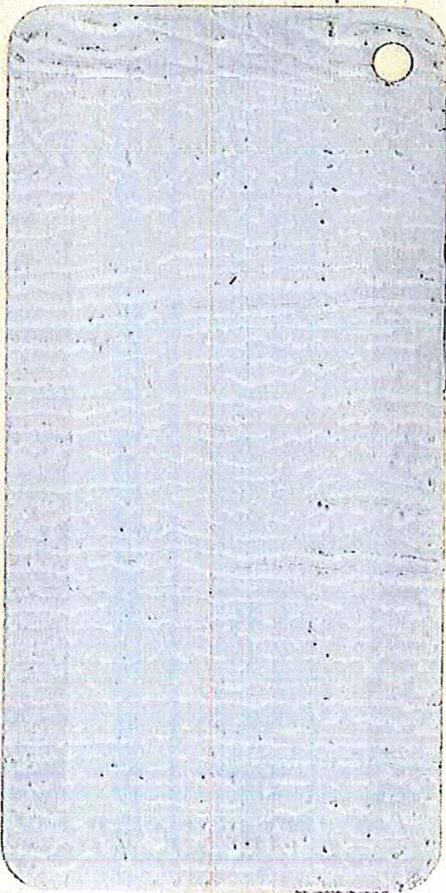
CertainTeed ColorMax™

SILVERPLATE 609

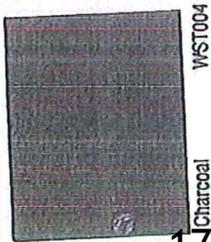


SLATE
 CHARBON

Garage Door Colour & material



Wood Brackets
 + Details - Cabos
 Weather one Semi
 transparent stain.



Charcoal

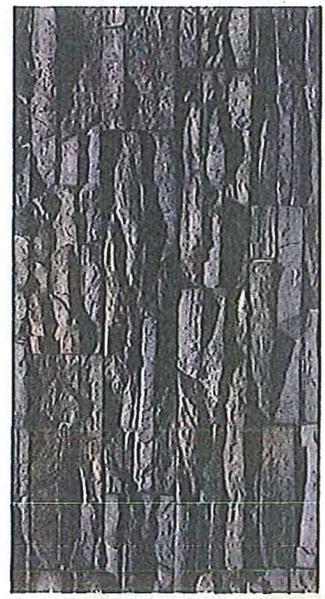
WST004

Placement
 AS per Plans



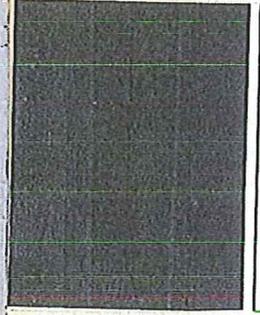
ELDORADO STONE

Stacked Stone



Black River Stacked Stone

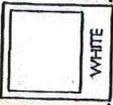
Roofing
 Shingles.



Onyx Black



VINYL



WHITE

SCHEDULE B
 This forms part of development
 Permit # DP14-0111



Project No: 14036

SCHEDULE C
 This forms part of development
 Permit # DP14-0111

Dec.16.2015

Attention: Mr. Ernie Therrien
 Development Manager - Candel Custom Homes Ltd.

Dear Sir:

Re: **1280 Glenmore Road Landscape**

Please find below, our preliminary landscape cost estimate for the proposed residential development at 1280 Glenmore Road, based on the Landscape Concept Plans, prepared by CTQ Consultants Ltd.

| Description | Units | Quantity | Unit Price | Amount |
|---|-------|----------|------------|-------------|
| Trees – deciduous 75mm cal | Each | 8 | \$ 500.00 | \$ 4,000.00 |
| Trees – deciduous 60mm cal | Each | 5 | \$ 425.00 | \$ 2,125.00 |
| Trees - coniferous 2400mm HT | Each | 11 | \$ 375.00 | \$ 4,125.00 |
| Massed shrubs (inc 450mm topsoil & mulch) | Sq.m | 250 | \$ 60.00 | \$15,000.00 |
| Sod (inc 150mm topsoil) | Sq m | 475 | \$ 15.00 | \$ 7,125.00 |
| Irrigation | LS | 1 | \$6,500.00 | \$ 6,500.00 |

Total \$38,875.00

Should you have any questions regarding the foregoing, or require additional information, please contact the undersigned.

CTQ CONSULTANTS LTD.

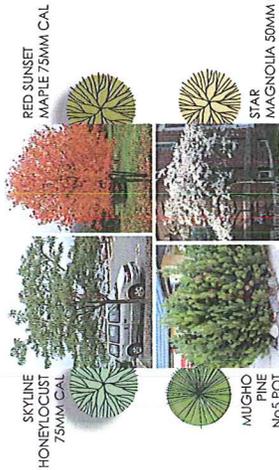
 Frank Pohland, BES
 Designer

SCHEDULE C

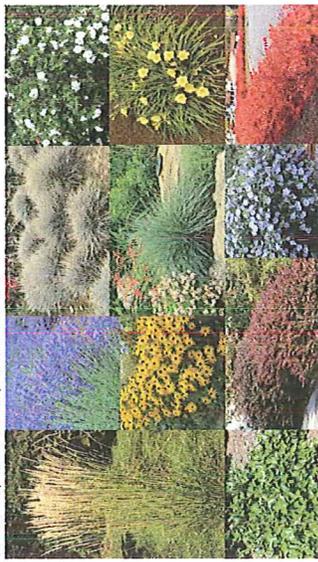
This forms part of development permit # 2014-0111

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

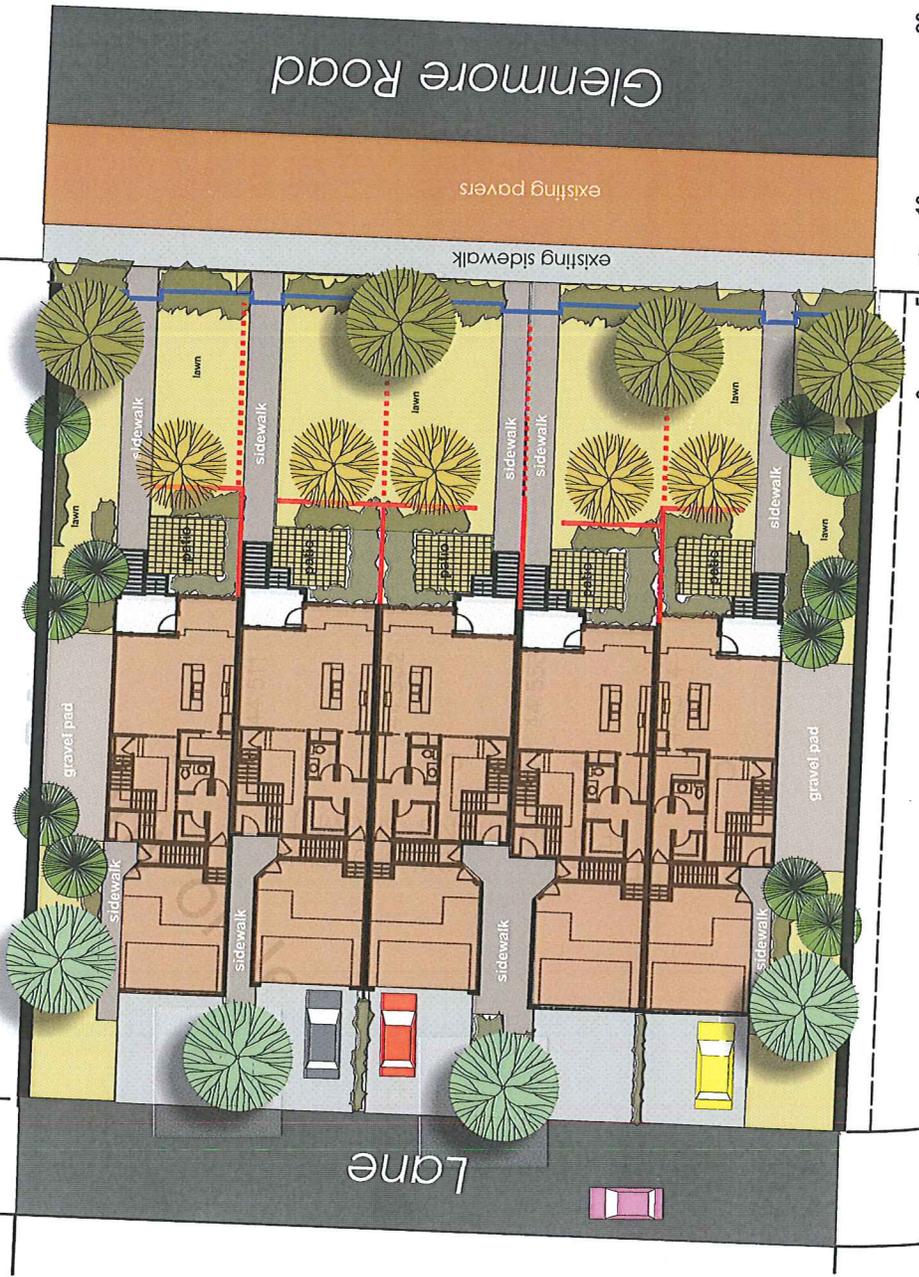
Notes



SHRUBS, GRASSES, PERENNIALS MIN # 2 POT



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



ENGINEERING PLANNING URBAN DESIGN

1280 GLENMORE ROAD

Conceptual Landscape Plan



1280 GLENMORE ROAD - PROPOSED DEVELOPMENT AND NEIGHBOURHOOD CONTEXT

Conceptual Landscape Plan

ENGINEERING PLANNING URBAN DESIGN

SCHEDULE C
 This forms part of development
 Permit # **DP14-011**

CITY OF KELOWNA
BYLAW NO. 10998
TA14-0004 -
CD25 - Capri Centre Comprehensive Development Zone

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that City of Kelowna Zoning Bylaw No. 8000 be amended as follows:

1. THAT **Section 1 - General Administration, 1.3 Zoning Map, 1.3.1** be amended by adding to the end of **Section 18 - Comprehensive Development Zones** the following:

| | |
|------|---|
| CD25 | Capri Centre Comprehensive Development Zone |
|------|---|

2. AND THAT **Section 7 - Landscaping and Screening, Table 7.1 - Minimum Landscape Buffer Treatment Levels Schedule, Commercial Zones** be amended by adding to the end of the list "CD25";
3. AND THAT a new **CD25 - Capri Centre Comprehensive Development Zone** be added to **Section 18 - Schedule B - Comprehensive Development Zones** as attached outlined in Schedule "A" attached;
4. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 6th day of October, 2014.

Considered at a Public Hearing on the 22nd day of October, 2014.

Read a second and third time by the Municipal Council this 22nd day of October, 2014.

Approved under the Transportation Act this 7th day of January, 2016.

Blaine Garrison
(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Schedule 'B' - Comprehensive Development Zones

CD25 – Capri Centre Comprehensive Development Zone

1.1 Purpose

The purpose is to provide the framework for the existing uses and for the redevelopment and use of the Capri Centre in stages, over time, with a mixture of commercial and residential uses that serve more than one neighbourhood.

1.2 Capri Centre Lands

The Capri Centre Lands consist of 3 legal lots as shown in Figure 1.2. Character-area designations indicated in Annexure “1” are for the purpose of the application of guidelines only. The application of the zoning regulations applies for all areas within the Capri Centre Lands irrespective of character area.



Figure 1.2: Capri Centre Lands

1.3 Design Guidelines

The CD 25 - Capri Comprehensive Development 25 Zone has been designated as a Development Permit Area by “Kelowna 2030 – Official Community Plan Bylaw No. 10500” for the purpose of guiding the form and character of development. The guidelines applicable to the CD 25 - Capri Comprehensive Development 25 Zone are annexed to this Bylaw as Annexure “1” and entitled “CD 25 Development Area Guidelines.”

1.4 Principal Uses

Principal uses in this zone are:

- (a) amusement arcades, major
- (b) animal clinics, minor
- (c) apartment hotels
- (d) apartment housing
- (e) boarding or lodging houses
- (f) business support services
- (g) care centres, major
- (h) Child Care
- (i) commercial schools
- (j) commercial use
- (k) congregate housing
- (l) emergency and protective services
- (m) financial services
- (n) food primary establishment
- (o) gas bars
- (p) government services
- (q) group homes, major
- (r) health services
- (s) hotels
- (t) insurance services
- (u) liquor primary establishment, major
- (v) liquor primary establishment, minor
- (w) non-accessory parking
- (x) offices
- (y) participant recreation services, indoor
- (z) personal service establishments
- (aa) private clubs
- (bb) public education services
- (cc) public libraries and cultural exhibits
- (dd) recycled materials drop-off centres
- (ee) religious assemblies
- (ff) retail liquor sales establishment
- (gg) retail stores, convenience
- (hh) retail stores , health products
- (ii) retail stores, general
- (jj) shopping centre
- (kk) spectator entertainment establishments
- (ll) supportive housing

- (mm) temporary shelter services
- (nn) utility services, minor impact
- (oo) rowhousing
- (pp) townhouses

1.5 Secondary Uses

The secondary uses in this zone are:

- (a) amusement arcades, minor
- (b) care centres, minor
- (c) home based businesses, minor

1.6 Conditional Uses

The following uses are permitted subject to being located within 40m of Harvey Road:

- (a) drive-in food services

1.7 Subdivision Regulations

- (a) The minimum **lot width** is 13.0 m.
- (b) The minimum **lot depth** is 30.0 m.
- (c) The minimum **lot area** is 460 m².
- (d) **air space parcels** will be allowed where appropriate

1.8 Density

- (a) The maximum allowable built area of **buildings** in this Capri Centre Zone is 205,807m² (2,215,287 ft²) or 2.60 FAR.
- (b) The maximum **site coverage** is 75% to be calculated on a net basis on the Capri Centre Lands
- (c) The minimum commercial area (to be calculated by combining the total commercial area constructed plus commercial area under approved permit) is 18,581 m² (200,000 ft²) net floor area.

1.9 Height

Height requirements are as indicated in Figure 1.9 and as described below:

- (a) In the area located within 40m of the property line abutting Harvey Avenue and in all areas east of Capri Street the maximum **height** of all **buildings** and **structures** shall be 6 storeys or 22m.
- (b) In the area located beyond 40m of Harvey Avenue the maximum height of all **buildings** and structures shall be 22 storeys or 70m with one exception as described in 1.9(c)
- (c) In the area located beyond 40m of Harvey Avenue the maximum **height** of one landmark **building** or **structure** shall be 26 storeys or 82m.

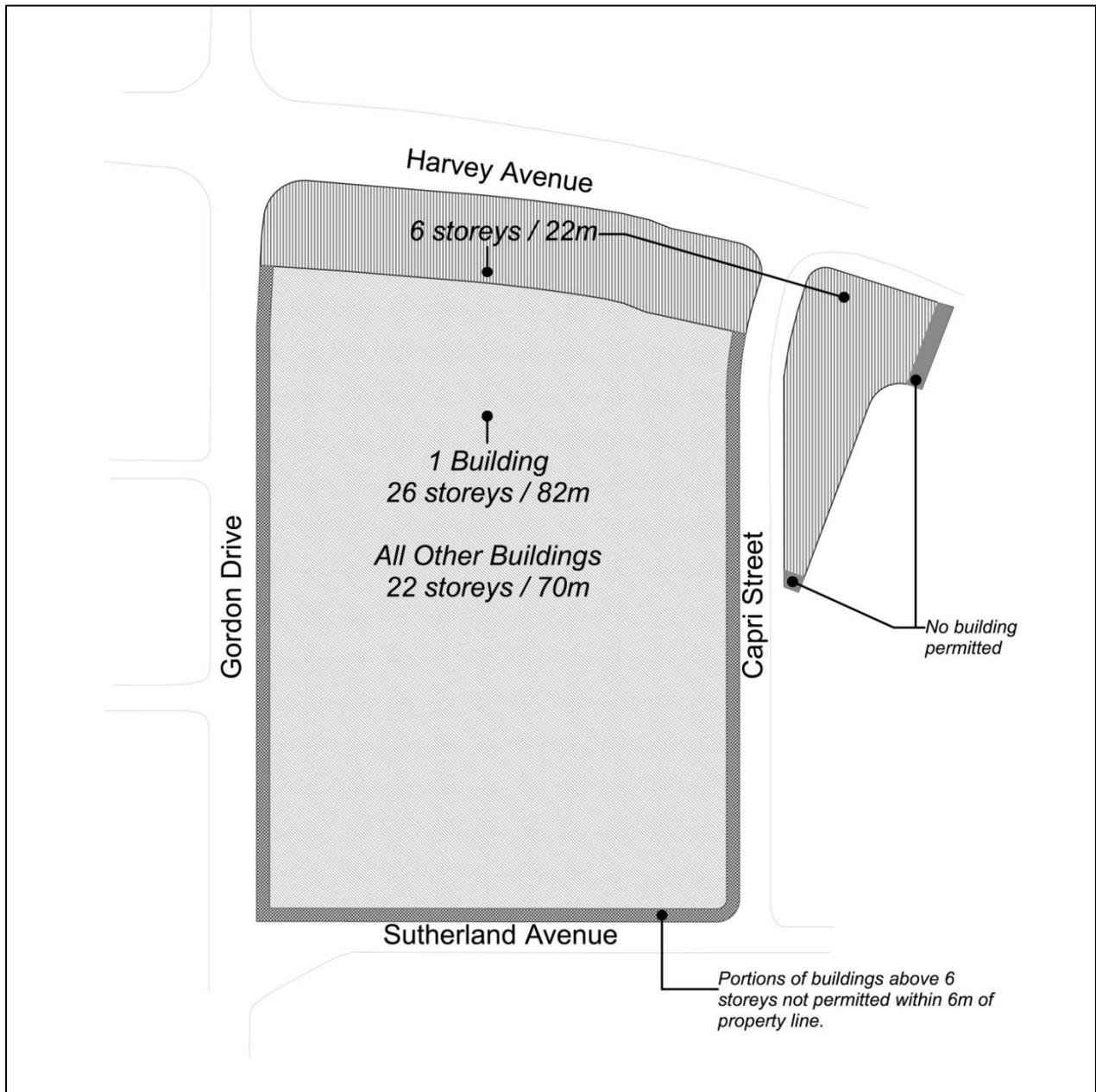


Figure 1.9: Height

1.10 Setbacks

- (a) The minimum **setback** to Harvey Road is 4.5 m
- (b) The minimum **setback** to Gordon Drive for all **buildings** or portions of the building located within 40m of Harvey Avenue is 0.0 m.
- (c) The minimum **setback** to Gordon Drive for all **buildings** or portions of the building located beyond 40m of Harvey Avenue is 3.0 m, excluding decks and patios.
- (d) The minimum **setback** to Capri Street for all **buildings** or portions of the building located within 40m of Harvey Avenue is 0.0 m.
- (e) The minimum **setback** to Capri Street for all buildings or portions of the building located beyond 40m of Harvey Avenue is 3.0 m, excluding decks and patios.
- (f) The minimum **setback** to Sutherland Drive is 3.0 m, excluding decks and patios.
- (g) All portions of buildings above 6 storeys shall be setback a minimum of 6m from Gordon Drive, Sutherland Avenue, and Capri Street.
- (h) The minimum **setback** to lands abutting the Capri Centre Lands is 7.5m.

1.11 Tall Buildings

- (a) The minimum separation distance between portions of **buildings** above 12 storeys is 30m.
- (b) The maximum floor plate for portions of **buildings** above 12 storeys is 650 m² (7,000 ft²) with one exception as described in 1.11(c)
- (c) The maximum floor plate for portions of one landmark building above 12 storeys is 696 m² (7,500 ft²)

1.12 Public Open Space

- (a) A minimum of 1.5 acres of publicly accessible open space shall be provided.

1.13 Amenities

Amenities shall be phased and provided concurrent with substantial new construction in a development stage and will be secured via Statutory Right of Way being registered on title securing public access. Amenities are:

Within Amenity Area A

- (a) one north-south pathway linkage extending from Harvey Road to the north face of the existing hotel;
- (b) an additional north-south pathway linkage located approximately near the bus station extending from Harvey Avenue to an internal drive aisle;
- (c) a surface parking area that includes landscape elements, trees, and electric hook-ups for occasional events.
- (d) all surface treatments pertaining to drive aisles, sidewalks, and landscape areas.

Within Amenity Area B

- (e) one north- south pathway linkage extending the full length of Amenity Area B, ensuring that the site is accessible for pedestrians and cyclists and connects the private drive aisle with Harvey Road;
- (f) all surface treatments pertaining to private drive aisles, sidewalks, and landscape areas.

Within Amenity Area C

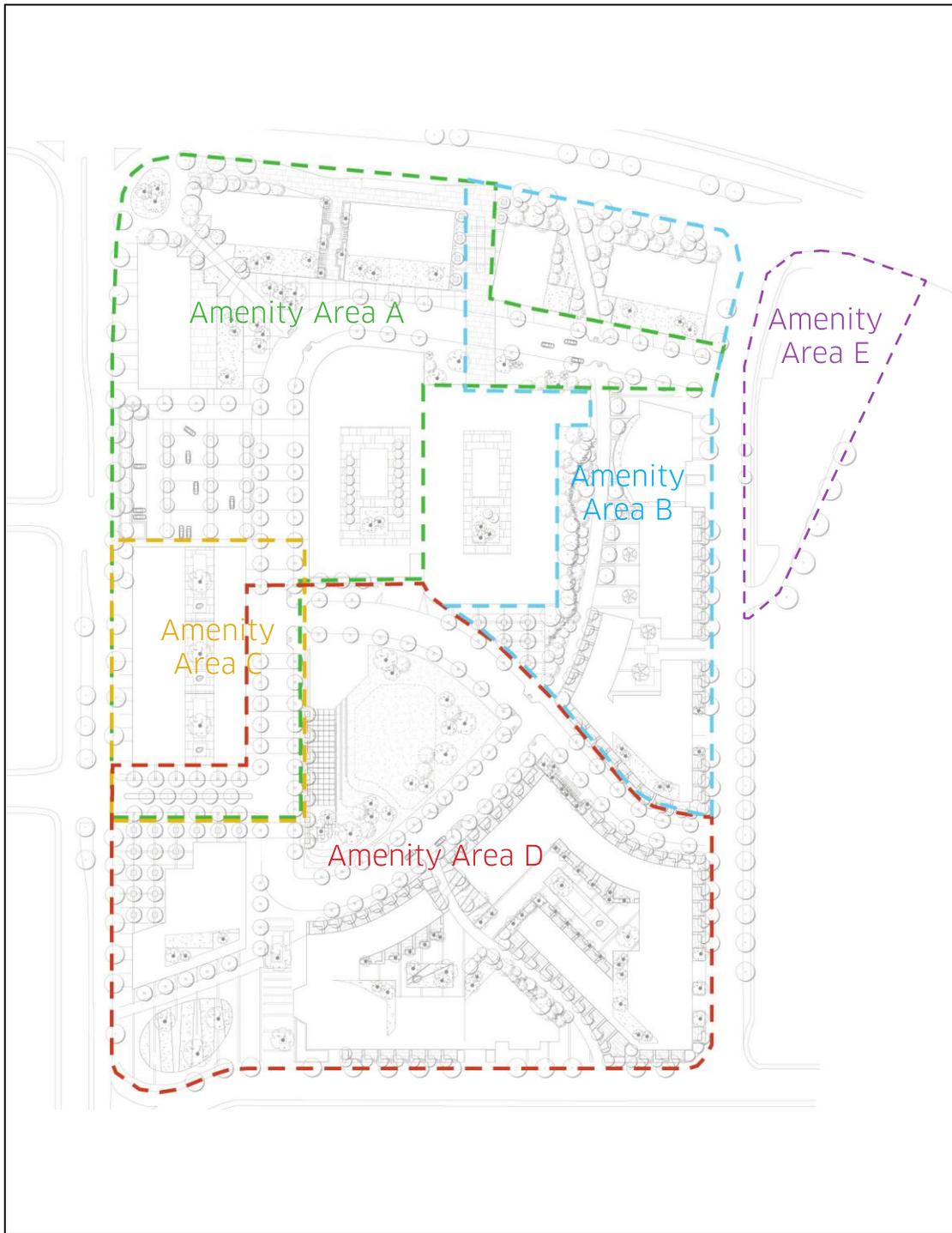
- (g) all surface treatments pertaining to private drive aisles, sidewalks, and landscape areas.

Within Amenity Area D

- (h) one publicly accessible open space that is flanked on at least one side by an internal drive aisle for a distance no less than 20m and has an area of 5,000 m² and includes an outdoor ice surface that is convertible to other uses outside of winter
- (i) in addition to the accessible open space identified in 1.11(h), one publicly accessible open space that is flanked on at least one side by an internal drive aisle or public street for a distance no less than 20m and has an area of 1,250 m²
- (j) two pathway linkages, ensuring that the site is accessible for pedestrians and cyclists and connects well with the surrounding community
- (k) all surface treatments pertaining to drive aisles, sidewalks, and landscape areas.

Within Amenity Area E

- (l) none



1.14 Parking and Loading

- (a) Parking spaces shall be designed in accordance with the parking regulations of **Section 8 – Parking and Loading** of this bylaw, with the exception that the minimum number of parking spaces required must be in accordance with Table 1.14.1 of this CD25 Zone.
- (b) Loading facilities shall be designed in accordance with the loading regulations of **Section 8 – Parking and Loading** of this bylaw, with the exception that the minimum number of parking spaces required must be in accordance with Table 1.14.2 of this CD25 Zone.
- (c) Bicycle parking shall be provided in accordance with the bicycle parking regulations of **Section 8 – Parking and Loading** of this bylaw.

Table 1.14.1: Parking Requirements

| Residential Uses | |
|-------------------------|--|
| Residential | 1.0 space per 1 dwelling unit |
| Visitor | Of the required parking for residential uses, 1.0 space per 7 dwelling units |
| Commercial Uses | |
| Commercial Uses | 1.75 parking spaces per 100m ² GFA |
| Hotel Uses | |
| Hotel | 1.0 space per 1 sleeping unit |

Table 1.14.2: Loading Requirements

| Commercial Uses | |
|--|---|
| Commercial Uses, excluding retail liquor sales establishments and grocery stores exceeding 1,858m ² (20,000 ft ²) | 1.0 space per building with a commercial use |
| Retail liquor sales establishment | 1.0 space per retail liquor sales establishment |
| Grocery store exceeding 1,858m ² (20,000 ft ²) | 2.0 spaces per grocery store exceeding 20,000 ft ² |
| Hotel Uses | |
| Hotel | 2.0 spaces per hotel |

1.15 Other Regulations

- (a) Apartment housing and major group homes require access to grade separate from the commercial uses. In the case of elevator equipped buildings, uses can share elevators provided security measures are in place to restrict access to residential areas.
- (b) A minimum area of 6.0 m² of **private open space** shall be provided per **bachelor dwelling**, 10.0 m² of **private open space** shall be provided per 1 **bedroom dwelling**, and 15.0 m² of **private open space** shall be provided per **dwelling** with more than 1 **bedroom**.
- (c) The development of new **drive-in food services** is not a permitted form of development in this zone in areas located more than 40m from Harvey Avenue.
- (d) In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 6 (accessory **development**, **yards**, projections

into **yards**, accessory **development**, lighting, stream protection, etc.), the **landscaping** and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific **use** regulations of Section 9.

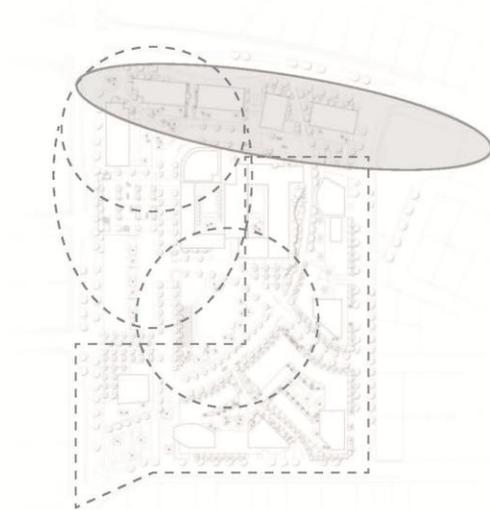
- (e) **Financial services** shall have a maximum total **gross floor area** of 500 m² unless a larger branch of the **financial services** establishment is located within the Downtown Urban Centre.

Capri Centre Design Guidelines

Annexure 1
CD 25 Development Area Guidelines



Harvey Avenue Urban Edge



The above sketch indicates the general location of the "Harvey Avenue Urban Edge" area. The 3D view provides an illustrative example of where - based on this concept plan - the Harvey Avenue Urban Edge guidelines would apply. The actual boundary may vary by 20 to 30m but should include all buildings immediately adjacent to Harvey Avenue.

The "Harvey Avenue Urban Edge" character area creates an important urban interface between the Capri Centre and Harvey Avenue. A continuous streetwall condition will provide an edge to Harvey Avenue, helping to create a sense of enclosure along this broadly dimensioned corridor and define the public space. This character area will include lower form buildings and a range of retail, office, and residential uses. A portion of this area overlaps with the "Transit-Oriented Commercial Focus" character area.

DESIGN GUIDELINES

Public Realm

- 1 The Harvey Avenue streetscape should be defined by generous sidewalks (approximately 3m) and broad landscape areas (approximately 5m - 8m).
- 2 North / south pedestrian connections shall be provided between buildings to provide visual and physical connections between Harvey Road and the interior portions of the site. Particular emphasis should be placed on a connection located approximately mid-block that provides a direct link to the entry of the hotel. Connections located closer to Gordon Drive should emphasize ease of pedestrian movement, anticipating high pedestrian volumes moving between transit services. Connections located further east on the site closer to Capri Street should emphasize landscape elements and serve as an initial component of a green link towards the Central Park.

- 3 Parking shall be located underground and driveway access shall be located off of an internal street (not Harvey Road) and care should be taken to minimize the visual impact of access points from the public realm.

Occupancies

- 4 Street level and second level units should include commercial uses such as retail or office. An emphasis should be placed on providing retail at street level to contribute to a more interesting streetscape. Above level 2, buildings may include office or residential uses.

Buildings' Relationship to the Street

- 5 All buildings should emphasize a high level of transparency at ground level achieved through extensive use of windows. Facades should incorporate - through articulation or change in materials - vertical delineation every 8m to 12m in order to facilitate the inclusion of small-scale retail tenants. Residential entries should be lit and well-signed.
- 6 Weather protection shall be provided along the face of buildings where retail is present. This cover may take the form of fabric awnings or fixed, metal and glass canopies. The minimum width of weather protection should be 1.5 to 2.0 metres with a ground clearance of 2.75 metres to the underside of the structure.

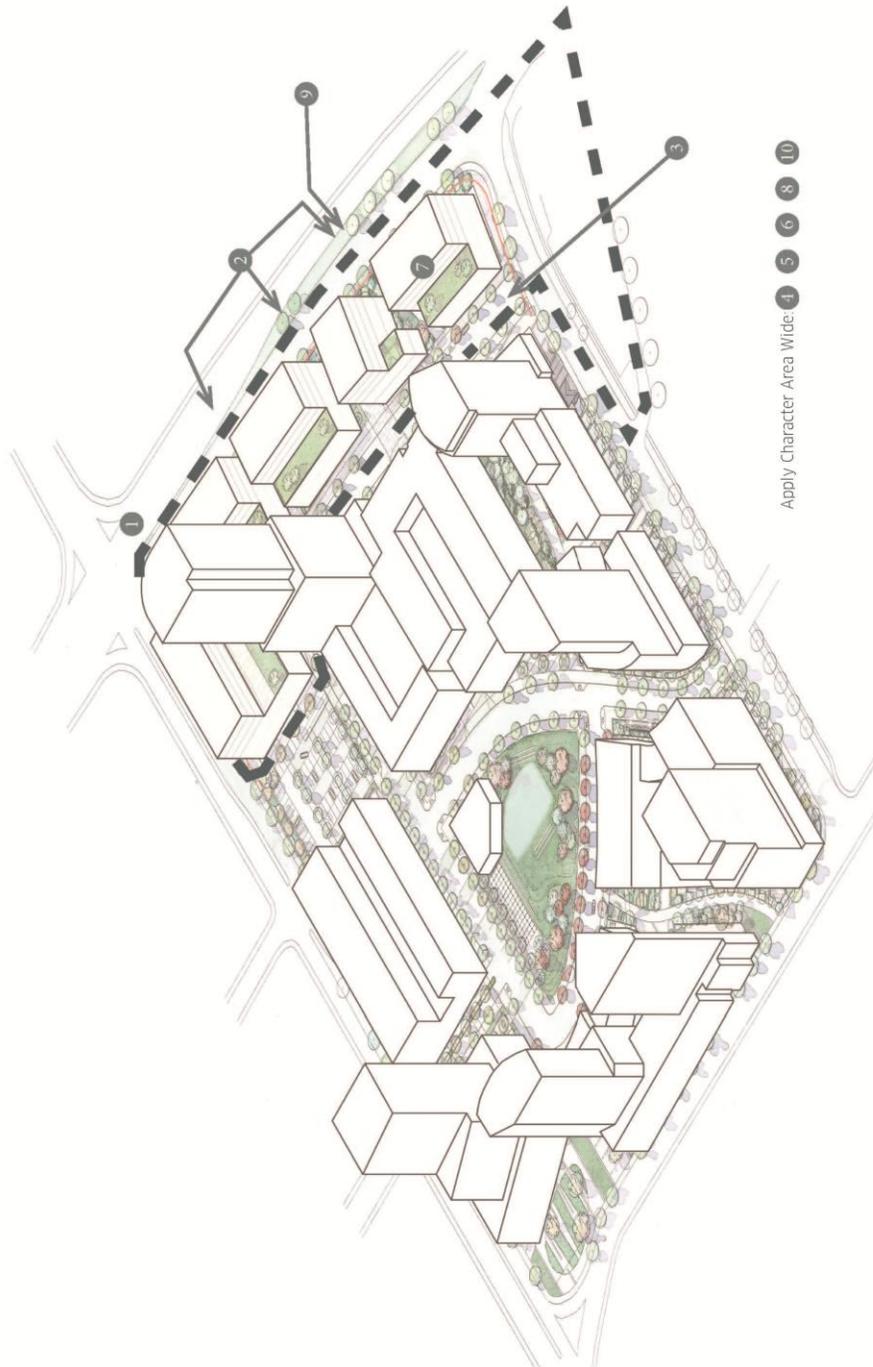
Building Massing

- 7 Buildings up to 6 stories are anticipated in this character area. To create a strong streetwall condition, upper level step backs are not required on the north-side of the buildings, though buildings should incorporate some articulation or texture through the use of recessed patios, balconies, vertical articulation of the facade. Upper level step backs are encouraged on the south side of the building providing an opportunity for rooftop access and open space.

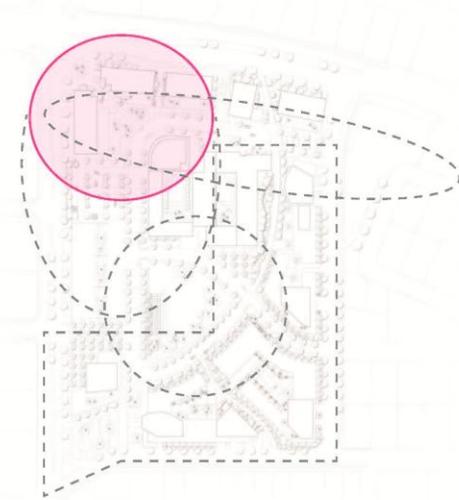
Landscape

- 8 Landscape design in this area should recognize the high volumes of pedestrian circulation. A range of surface materials may be deployed to signal traffic calm areas internal to the site where pedestrian and vehicle movements occur in close proximity. Sight lines between Harvey Avenue and the hotel as well as between Harvey Avenue and the proposed landmark tower should be retained, if possible, through the use of low-level landscaping or columnar - rather than large canopy - trees.
- 9 The pedestrian pathway linking Harvey Road to the "Central Park" along the crescent should include landscape elements that unite the park space with the crescent throughout the neighbourhood. Fruit trees are suggested.
- 10 Continuous street tree planting shall be provided.

Harvey Avenue Urban Edge



Transit-Oriented Commercial Focus



The above sketch indicates the general location of the “Transit-Oriented Commercial Focus” area. The 3D view provides an illustrative example of where – based on this concept plan – the Transit-Oriented Commercial Focus guidelines would apply. The actual boundary may vary by 20 to 30m

The “Transit-Oriented Commercial Focus” character area overlaps with both the Harvey Avenue Urban Edge and the “Commercial Core” areas. The guidelines outlined in each of those character areas apply but these additional guidelines are meant to encourage finer grained retail and enhanced pedestrian circulation at a level commensurate with being a transit interchange between two significant bus / bus rapid transit routes. In the case of conflict between guidelines, these guidelines supersede.

DESIGN GUIDELINES

Public Realm

- 1 The Harvey Avenue and Gordon Drive streetscape should be defined by generous sidewalks capable of handling both pedestrian movements and transit stations (approximately 4m to 5m). Broad landscape areas are proposed further east along Harvey Avenue, but are of secondary importance within this area. Maintaining ease of pedestrian movement - both connecting transit riders, local residents, employees, and shoppers - is of primary importance. Consequently, large areas of hard surfaces (such as stone, concrete pavers or concrete) are anticipated, punctuated by landscape elements.
- 2 The prominence of the Harvey and Gordon intersection may warrant the placement of public art in this high visibility location.
- 3 Notwithstanding prioritizing pedestrian movements, space allocated adjacent to storefronts for the outdoor display of commercial products is encouraged.

- 4 The generous provision of seating areas - either as informal seating such as a planter box edges or through the provision of specific street furnishings - is encouraged.
- 5 Pedestrian pathways connecting Gordon Drive or Harvey Avenue to the interior of the site should be designed to have clear site lines and meet CPTED guidelines in terms of lighting.

Occupancies

- 6 Street level and second level units should include commercial uses such as retail or office. An emphasis should be placed on providing retail at street level and office above to contribute to a more interesting streetscape. Above level 2, buildings may include office or residential uses.

Buildings’ Relationship to the Street

- 7 All buildings should emphasize a high level of transparency at ground level achieved through extensive use of windows. Facades should incorporate - through articulation or change in materials - vertical delineation every 8m to 12m in order to facilitate the inclusion of small-scale retail tenants. Residential entries should be lit and well-signed.
- 8 Robust weather protection shall be provided along building facades facing Harvey Avenue and Gordon Drive.
- 9 In this area, particular care should be given to contribute to a high level of transparency on all sides of buildings.

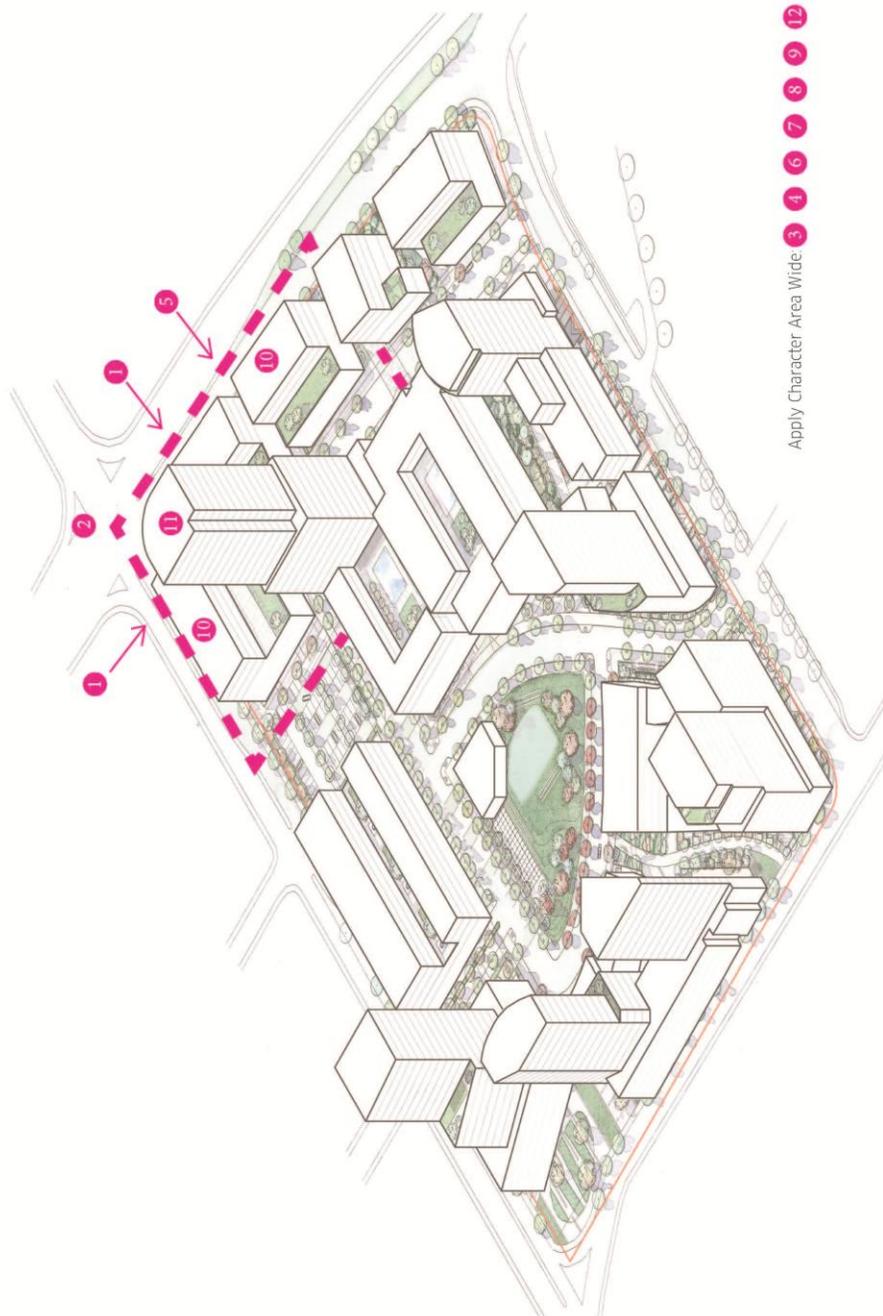
Building Massing

- 10 Buildings up to 6 stories are anticipated in this character area. To create a strong streetwall condition, upper level step backs are not required on the north-side of the buildings, though buildings should incorporate some articulation or texture through the use of recessed patios, balconies, vertical articulation of the facade. Upper level step backs are encouraged on the south side of the building providing an opportunity for rooftop access and open space.
- 11 One “landmark” tower of up to 26 storeys may be located in this area. The tower should have a strong vertical expression at the upper levels to provide design interest and, given its visual prominence, should include a distinctive “crown”.

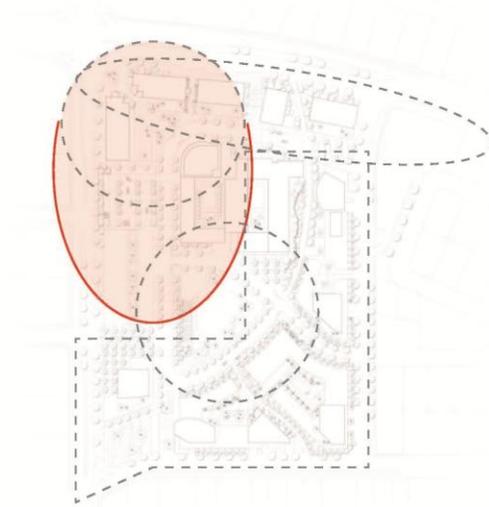
Landscape

- 12 Continuous street tree planting shall be provided.

Transit-Oriented Commercial Focus



Commercial Core



The above sketch indicates the general location of the "Commercial Core" area. The 3D view provides an illustrative example of where - based on this concept plan - the Commercial Core guidelines would apply. The actual boundary may vary by 20 to 30m.

The "Commercial Core" character area is the primary location for commercial shops and services at the Capri Centre. Commercial units ranging in size from supermarket to small-scale retail may be accommodated. Residential uses will also be present in this character area but, given the emphasis of commercial uses at street level, will largely be located at upper levels only. A portion of this area overlaps with the "Transit-Oriented Commercial Focus" character area.

DESIGN GUIDELINES

Public Realm

- 1 Continuous street tree planting and generous sidewalk space should characterize the public realm. To provide adequate space for sidewalk cafe seating, the outdoor display of commercial goods, and higher volumes of pedestrian traffic, trees may be planted in tree wells and grates rather than boulevards.
- 2 Sidewalk corner bulges, clearly demarcated crosswalks, and other pedestrian safety measures shall be incorporated to contribute to ease of movement for all ages and abilities.
- 3 Parking shall be located underground and driveway access shall be located off of an internal streets (not off of Harvey Road or Gordon Drive). Care should be taken to minimize the visual impact of parkade access points from the public realm.

- 4 Serving a large grocer, the inclusion of one surface parking lot is anticipated in this area. The surface parking lot shall be treed. The use of special materials such as concrete pavers (rather than asphalt) is encouraged. To facilitate the transformation of the space into a weekend or evening public market, electric outlets shall be prevalent.

Occupancies

- 5 Street level or second level units should include commercial uses such as retail or office. An emphasis should be placed on providing retail rather than office at street level to a more interesting streetscape. Above level 2, buildings may include office or residential uses. For buildings located greater than 60m from Harvey Avenue, street level residential uses are acceptable.

Buildings' Relationship to the Street

- 6 All buildings should emphasize a high level of transparency at ground level achieved through extensive use of windows. Facades should incorporate - through articulation or change in materials - vertical delineation every 8m to 12m in order to facilitate the inclusion of small-scale retail tenants. Common residential entries should be lit and well-signed. Private residential entries (street level townhouses, for example) should be 3 to 5m away from the sidewalk to allow for patio space or landscape area and 0.75m to 1.25 m above street level.
- 7 Weather protection shall be provided along the face of buildings where retail is present. This cover may take the form of fabric awnings or fixed, metal and glass canopies. The minimum width of weather protection should be 1.5 to 2.0 metres with a ground clearance of 2.75 metres to the underside of the structure.
- 8 Buildings should be oriented towards the street and be located no more than 5m from the street edge to frame the public space and, in particular, create a sense of enclosure around the "market square" and "central park."

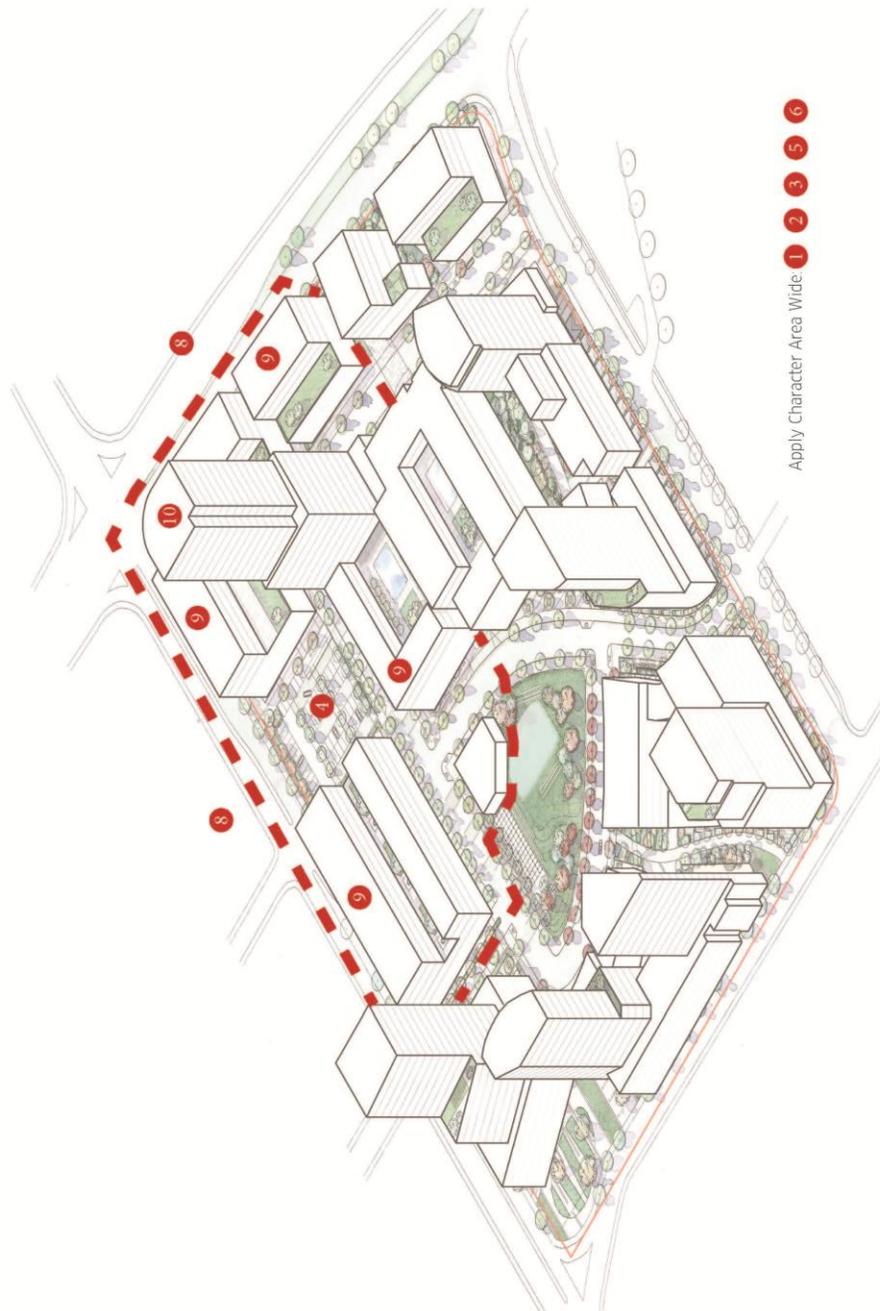
Building Massing

- 9 Buildings up to 6 stories are anticipated in this character area. To create a strong streetwall condition, upper level step backs are not required on the north-side of the buildings, though buildings should incorporate some of articulation or texture through the use of recessed patios, balconies, vertical articulation of the facade. Upper level step backs are encouraged on the south side of the building providing an opportunity for rooftop access and open space.
- 10 One "landmark" tower of up to 26 storeys may be located in this area, preferably in the overlap area with the "Transit-Oriented Commercial Focus." The tower should have a strong vertical expression at the upper levels to provide design interest and, given its visual prominence, should include a distinctive "crown". An additional tower - lower in height - may also be located in this character area away from Harvey Road.

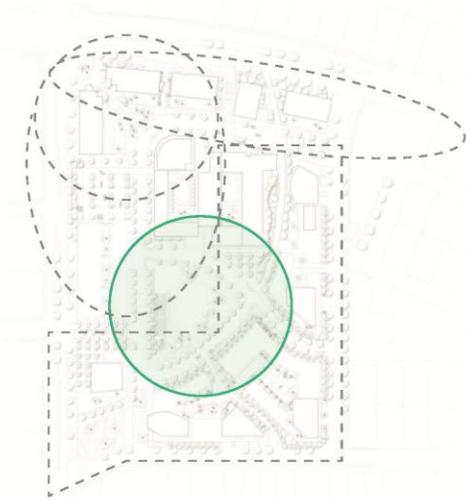
Landscape

- 11 Landscape design in this area should recognize the high volumes of pedestrian circulation. A range of surface materials may be deployed to traffic calm areas internal to the site where pedestrian and vehicle movements occur in close proximity. Sight lines between Harvey Avenue and the interior portion of the site should be retained, if possible, through the use of low-level landscaping or columnar - as opposed to large canopy - trees.

Commercial Core



Capri Central Park



The above sketch indicates the general location of the “Capri Central Park” area. The 3D view provides an illustrative example of where - based on this concept plan - the Capri Central Park guidelines would apply. The actual boundary may vary by 20 to 30m but should include the central park space, portions of the “Crescent” pedestrian linkage, and the front elevation of all podium elements of buildings that face onto the park.

The “Capri Central Park” character area is the proposed approximate location for a community open space to be used for gatherings and public events at all times of the year.

DESIGN GUIDELINES

Public Realm

- 1 The public realm should be characterized by high quality and abundant landscape elements included in the park and ample pedestrian access.
- 2 The park space shall be designed to accommodate a variety of passive and active uses and give consideration to encouraging use at all times of year. An outdoor ice rink (winter) that doubles as an amphitheatre (summer) or performance space shall be constructed.
- 3 Though the site is currently relatively flat, subtle contours or mounds may be introduced to provide dimension to the space and create informal seating or play spaces.
- 4 The park shall be adjacent to the street on at least two sides to contribute to public access and high visibility.

- 5 A “Crescent” pedestrian linkage, incorporating similar landscape elements such as paving materials, street furnishing, and street trees, should extend from the Central Park north towards Harvey Avenue. Additional visual and pedestrian links will extend to nearby Capri Street, Sutherland Avenue, and Gordon Drive.

Occupancies

- 6 The “Central Park” area is a neighbourhood scale public space to be used by both residents and visitors to the Capri Centre. As it is expected to be generally surrounded by residential uses, the inclusion of a small-scale commercial retail or community building is encouraged.

Building’s Relationship to the Street

- 7 The only building envisioned entirely within this area is a small scale commercial and / or community building. The primary orientation of the building shall be to the park space, though care should be taken to contribute to an interesting streetscape by minimizing the length of blank walls facing the streets and by providing a main entrance, well-lit and prominently addressed, towards one of the streets. Garbage and recycling facilities should be shared with a nearby building, if possible.
- 8 Residential buildings should be directly oriented to the park. This means that all ground level units should have direct access to the street. Balconies or Juliet balconies are strongly encouraged along all podium elements of buildings that face the park.

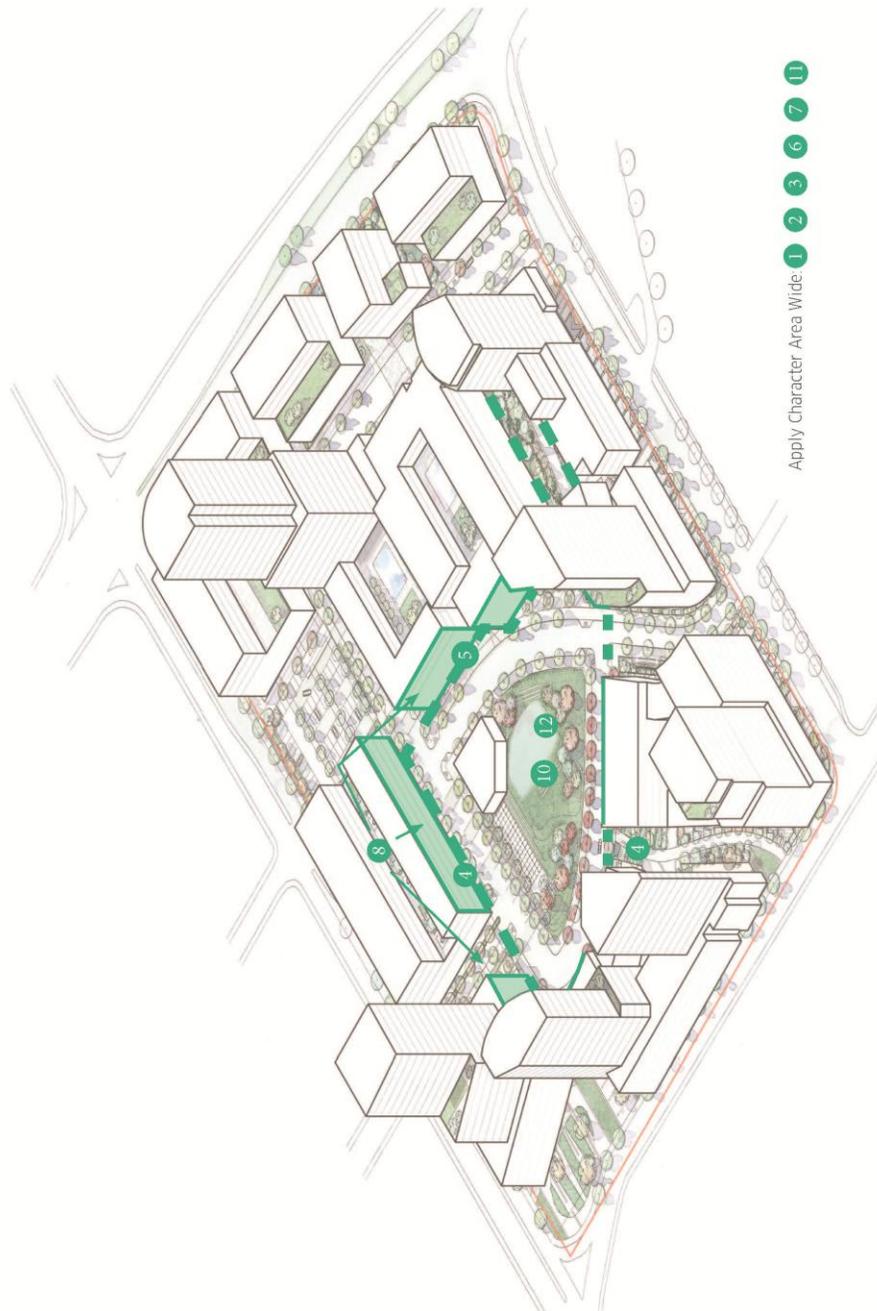
Building Massing

- 9 The community building within the park shall be no higher than two stories. In a two storey building, a portion of the second storey should be reserved as an outdoor patio.

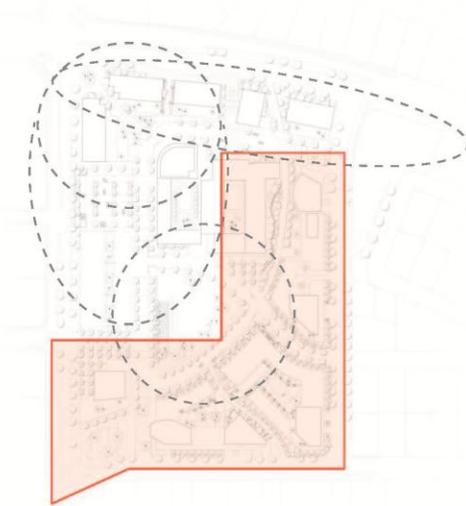
Landscape

- 10 Landscape should reinforce the role of the central park as a neighbourhood gathering space expected to attract people year round. Seasonal interest shall be considered in plant selection including fruit trees and plants with showy fall foliage. A selection of evergreen plants or plants with winter interest (bold branch structure, striking bark, or winter berries) shall also be incorporated.
- 11 Drought tolerant species are encouraged.
- 12 Though some hard surface areas are expected to facilitate outdoor seating, event space, or the ice rink, the emphasis on the park space should be on lush landscaping.

Capri Central Park



Residential Focus



The above sketch indicates the general location of the "Residential Focus" area. The 3D view provides an illustrative example of where - based on this concept plan - the Residential Focus guidelines would apply. The actual boundary may vary by 20 to 30m but is generally those portions of the Capri Centre flanking Sutherland Avenue and Capri Street but excluding those developments adjacent to Harvey Avenue.

The "Residential Focus" character area is the primary location for residential-only development at the Capri Centre. In all cases commercial uses are permitted as part of a mixed-use development, but given the commercial focus at Gordon Drive and Harvey Avenue and the surrounding residential uses, this character area is envisioned as having a strong residential quality.

DESIGN GUIDELINES

Public Realm

- 1 Continuous street tree planting and landscaped boulevards should characterize the public realm.
- 2 Additional landscape areas between the sidewalk and building faces shall be provided.
- 3 Through-block pedestrian connections from Sutherland Avenue and Capri Street should have clear sight lines and visual access into the internal areas of the Capri Neighbourhood, particularly towards the park.
- 4 Additional consideration should be given to incorporating bicycle infrastructure along Sutherland Avenue.

Occupancies

- 5 The majority of space in this area will be for residential uses including street-level "townhouse" style housing and condominium use in podium and tower forms. Allowance for small-scale neighbourhood serving retail along Sutherland Avenue is acceptable.

Building's Relationship to the Street

- 6 All buildings should emphasize a high level of transparency at ground level achieved through extensive use of windows. Facades should incorporate - through articulation or change in materials - vertical delineation every 8m to 12m in order to facilitate the inclusion of small-scale retail tenants. Common residential entries should be lit and well-signed. Private residential (street level townhouses, for example) entries should be 3 to 5m away from the sidewalk to allow for patio space or landscape area and 0.75m to 1.25 m above street level.
- 7 Weather protection shall be provided along the face of buildings where retail is present. This cover may take the form of fabric awnings or fixed, metal and glass canopies. The minimum width of weather protection should be 1.5 to 2.0 metres with a ground clearance of 2.75 metres to the underside of the structure.
- 8 Buildings should be oriented towards the street and be located no more than 5m from the street edge to frame the public space and, in particular, create a sense of enclosure around the "market square" and "central park."

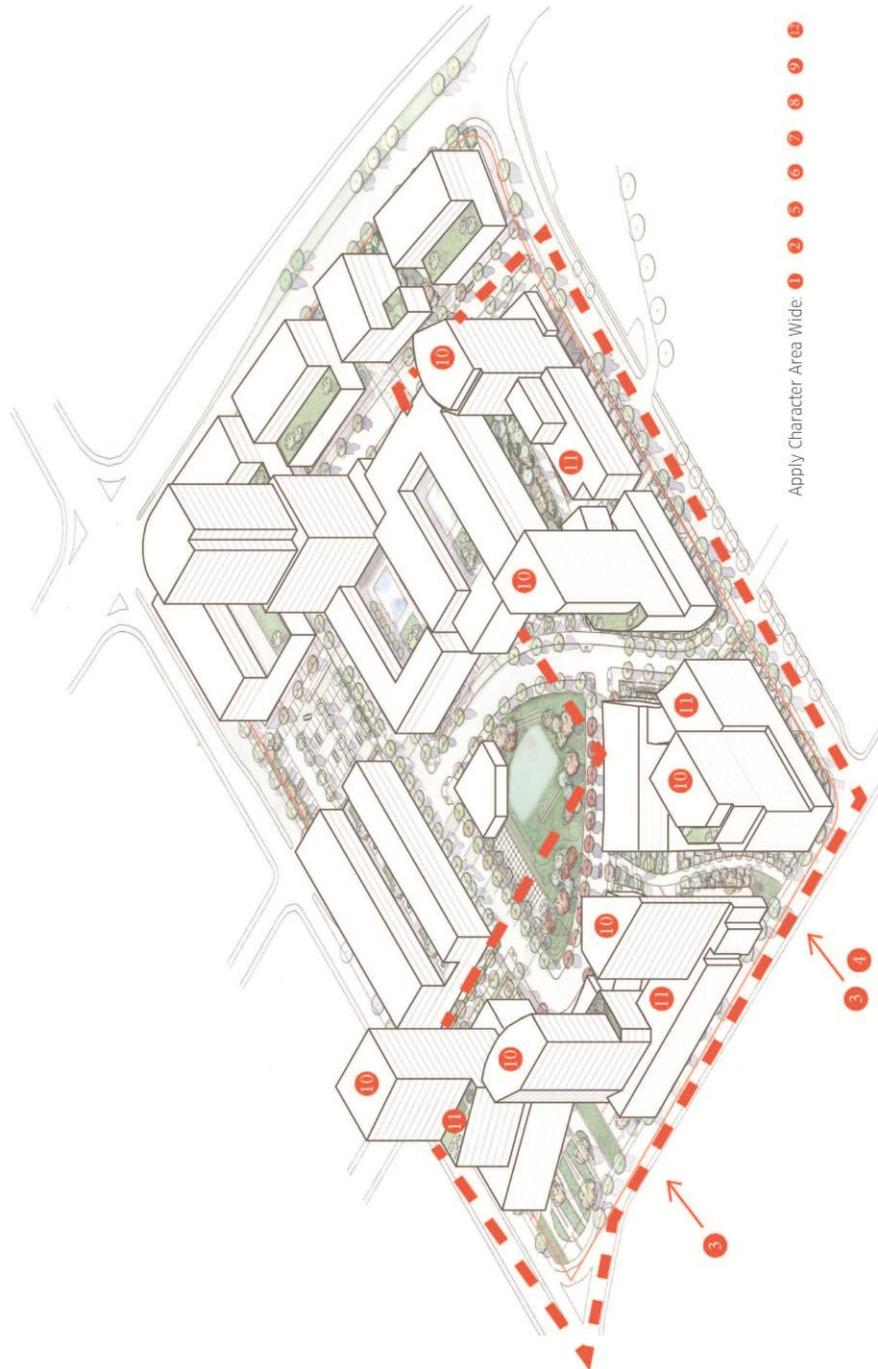
Building Massing and Design

- 9 Smaller-scaled figurative elements shall be used at lower-levels to break up the massing of the building. Tower forms should have strong vertical elements to define upper levels and extensive glazing. Solar shading devices are acceptable.
- 10 Tower heights should range from 14 to 22 storeys while podium elements will range from 4 to 8 storeys.
- 11 Rooftop spaces of podium elements (less than 14 storeys) shall not be left bare but should be utilized as amenity space for residents of each building or should incorporate a green roof.

Landscape

- 12 Landscape design in this area should employ a narrow range of species in order to unify the character area as a whole.

Residential Focus



CITY OF KELOWNA
BYLAW NO. 11016
Z12-0056 - RG Properties Ltd.
1755 Capri Street, 1835 Gordon Drive and 1171 Harvey
Avenue

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, District Lot 137, ODYD, Plan KAP64836, located on Gordon Drive, Lot B, District Lot 137, ODYD, Plan KAP64836, located on Harvey Avenue and Lot C, District Lot 137, ODYD, Plan KAP64836, located on Capri Street, Kelowna, B.C., from the C4 - Urban Centre Commercial zone, the C4rls - Urban Centre Commercial (Retail Liquor Sales) zone and the C4lp - Urban Centre Commercial (Liquor Primary) zone to the CD25 - Capri Centre Comprehensive Development zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 6th day of October, 2014.

Considered at a Public Hearing on the 22nd day of October, 2014.

Read a second and third time by the Municipal Council this 22nd day of October, 2014.

Approved under the Transportation Act 12th day of January, 2016.

Blaine Garrison
(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 10999

Amendment No. 22 to Sign Bylaw No. 8235

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Sign Bylaw No. 8235 be amended as follows:

1. THAT SECTION 6 - SPECIFIC ZONE REGULATIONS, sub- section 6.1, be amended by deleting "Major Commercial (C3, C4, C6, C7, C8 and CD22 Sub-Areas A&B)*" and replacing it with "Major Commercial (C3, C4, C6, C7, C8, CD22 Sub-Areas A&B and CD24 Sub Area A, CD25)*"
2. This bylaw may be cited as "Bylaw No. 10813, being Amendment No. 22 to the Sign Bylaw No. 8235".

Read a first, second and third time by the Municipal Council this 6th day of October, 2014.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

3.0 Community Planning

Community Planning staff are supportive of the proposed Development Permit and Text Amendment Bylaw. The benefits of the project include; the comprehensive planning of the subject properties, a range of housing options for the Kelowna marketplace, maintaining the existing commercial areas at a minimum, the creation of a Transit Oriented Development, and a public amenity feature in the form of an outdoor skating rink. The components that do not fit within the current policy and regulatory framework are related to the increased height and densities being requested by the applicant. On balance, Staff are supportive of the proposed development concept as it fulfills the City's Urban Centre objectives and creates a Transit Oriented Development (TOD). The CD25 zone has the design guidelines referenced to the zone, making them an integral component of the policy direction for the site. These Guidelines describe the elements of urban form that will be addressed in the ongoing redevelopment of the Capri Mall, the purpose of the design guidelines are twofold:

- i. To provide prospective designers with a checklist of issues that must be addressed in their development proposals to be in concert with or add to the Vision; and
- ii. To provide an overall conceptual approach and consistent basis for the evaluation of development proposals by the City of Kelowna.

Overarching Site Development Permit - Form & Character

The applicant has proposed underground parking for a significant portion of the development. While underground parking in Kelowna can be challenging, the applicant has indicated that the scale of the project will make it a feasible and an important component of the project from an urban design perspective. The design guidelines have been created to provide assurance that the objectives and principles of the development will be incorporated, while allowing flexibility for viable and innovative development proposals. By adhering to this framework, the development team will create proposals that are consistent with the vision for the redevelopment of the 'Capri Mall' properties.

Height

The main impact of the proposal is an overall increase in density and height over the balance of the site. The OCP supports structures up to 12 stories in height upon consideration of a comprehensive development plan. The development scheme results in a height transition from 6 stories at Harvey Avenue stepping up to 22 stories adjacent to Sutherland Avenue at the south end of the site. The tallest building will be 26 stories which is shown at the centre of the site. While height has persisted a principle discussion item, the evolution of the development concept has successfully addressed the transition of height from north to south with the tallest structure in the core of the property mitigating the impact to the surrounding neighbourhood. The proposed height is higher than anticipated but by allowing higher structures more publicly accessible open space can be created at grade.

Density

Under the C4 zone the subject properties could be built out with an FAR of 2.35 with underground parking, at grade plaza space & green roofs. The proposal contemplates FAR of 2.60 and is requesting a 0.25 FAR bonus. This equals approximately 19,788m² of additional

developable floor area. In total, the applicant anticipates building approximately 179,817m², with 22,297m² of commercial space and 157,520m² of residential space.

Transit & Transportation Details

The applicant worked with BC Transit and City Staff to secure land for the Rapid Bus Transit station along Harvey Avenue. This will help the Capri become a transit oriented form of development with connections to the Transit network and the new Gordon Drive Rapid Bus network, which will have a Capri Mall stop with a pull out on Gordon Drive near Harvey Avenue. The subject properties also front onto the future Sutherland Avenue multi-modal corridor. The applicant will be dedicating land and building a portion of this future corridor from Gordon Drive to Burtch Road along their property frontage.

Open Space

The entire internal road network will be maintained by the developer and they have committed to creating high quality pedestrian streetscapes throughout the project. They will be securing various types of open space during different phases of the project. In the end, the applicant has committed to creating a pedestrian oriented connection between the Harvey Avenue BRT Station and the Gordon Drive Rapid bus stop. The main public open space (5,000m²) will be located in the core of the property and will include an outdoor skating rink which can be converted to other uses outside of winter. A pocket park is also planned for the corner of Gordon Drive & Sutherland Avenue. Public Access to these developments will be secured via Statutory Right of Way as they are built, as such the applicant will also be responsible for maintenance of these open spaces.

In summary, while the proposed height and form of density is a departure from the vision of OCP for this Urban Centre location, there are merits to the long-term comprehensive plan of this significant land assembly. The subject property is currently zoned C4 - Urban Centre Commercial and the City has always anticipated a comprehensive redevelopment of the Capri Mall properties. By providing a comprehensively planned development proposal there is vision for how the project will achieve full build-out in the future. Each street frontage is envisioned to become an animated and active streetscape, while the property will have a north to south height profile. The proposed housing mix will provide a variety of options for a wide demographic profile and the boutique hotel will continue to anchor the Urban Centre. Schematically, the applicant has proposed a total of 15 buildings ranging from 6 to 26 storeys in height. In exchange for the increase in both density and height, the applicant will provide a variety of publicly accessible open spaces throughout the project. With the landmark feature being an urban square that will be operated as an ice rink during winter months. Public access to these amenities will be secured through a Statutory Right of Way. The applicant has worked with Staff to reduce the negative impacts associated with the proposal and has created a development concept that will satisfy the overall Urban Centre objectives outlined in the OCP. As such, Staff are recommending positive consideration of the proposed comprehensive development.

4.0 Proposal

The overarching Form and Character Development Permit applies to the entire development site. The objective of the broad DP is to provide certainty regarding the main objectives and principles of the development. By adhering to this framework, the development team will create proposals that are consistent with the vision for the comprehensively planned site. Separate Development Permits will be required for each stage of development to ensure that Staff and Council are satisfied with the final detail of each phase.

Project Overview

Redevelopment of the Capri Mall presents a noteworthy opportunity to revitalize this important Urban Centre. The main objective of the project is to transform the suburban shopping centre into a vibrant and interesting hub of activity. To satisfy this objective the project proposes a distinctive neighbourhood with connected open space, considers pedestrians as a priority, provides street level retail and includes a diversity of housing and commercial space while maintaining the existing hotel. As noted in the applicant's attached rationale the main components of the project are as follows:

Market Square

Anchored by a food store and enhanced by street related retail on two sides. The square will be open to Gordon Drive, providing an attractive location for community events such as a farmer's market. It will be distinguished by quality pavers and pedestrian-scale lights. On non-event days, the square will provide ample surface parking for surrounding retail and other neighbourhood attractions.

A Crescent on the Park

A residential neighbourhood that includes street-oriented townhouses with front and rear-yards, city-homes, and apartments. This residential area is focused around the neighbourhood park along an elegant crescent shaped street, creating a memorable residential address as well as fostering a strong connection between residents and the community park.

A Community Park

With both seasonal and year round events and activities for the public to enjoy. Opportunities include an informal summertime play space that becomes a community ice rink during the winter. The park is accented by a small retail building, which may become a cafe or restaurant.

An Urban Edge to Harvey Avenue

The new Capri Centre envisions commercial / office buildings along Harvey Avenue, with six a storey massing contemplated. These buildings will create a strong street-wall condition along Harvey Avenue, helping to define Kelowna's main thoroughfare. The Capri Centre's other edges will also contribute to a higher quality public realm through a strong street relationship and a land-use plan that fits the local context. For example, mixed-use buildings along Gordon Drive will have a similar effect on the Gordon Drive streetscape. On Capri Street, residential uses will transition to the residential neighbourhood directly to the east of the centre.

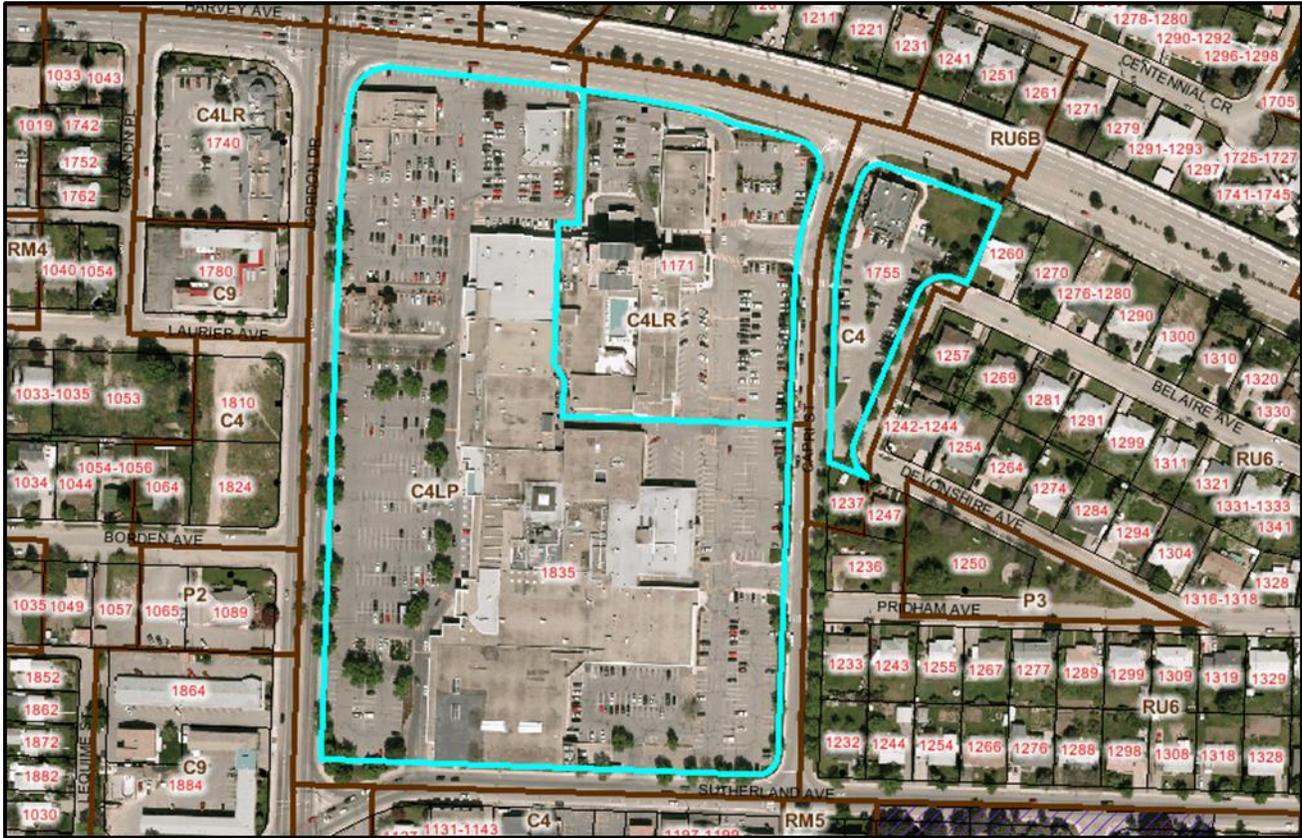
A People Friendly Place

The concept for the Capri Centre includes numerous pedestrian linkages and pedestrian / cyclist only pathways, helping to enhance the quality of public life for residents and visitors to this new village centre.

A Mixed-use Neighbourhood Village Centre

Although new land-uses and community amenities are contemplated for the Capri Centre, commercial uses will remain an important component of the vision. In fact, this development includes the possibility of keeping the current hotel intact and, in a phased manner, redevelop the mall and other on-site commercial uses. Phasing the development will accommodate current tenants by allowing them to stay open during construction and move into their new locations as they are built, with minimal disruption to current business.

4.1 Site Context



Adjacent land uses are as follows:

| Orientation | Zoning | Land Use |
|-------------|------------------------------|------------------------|
| North | N/A | Harvey Avenue (Hwy 97) |
| East | Ru6 - Two Dwelling Housing | Residential |
| South | C4 - Urban Centre Commercial | Commercial |
| West | C4, C9, P2 | Various |

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

5.1.1 Development Process (Chapter 5) - Considerations in Reviewing Development Applications

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.

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

Objective 5.5. Ensure appropriate and context sensitive built form

Building Height (Policy .1). Locate taller buildings in the geographic centre of Urban Centres and generally decrease height moving away from the centre, to a maximum of 4 storey's at the periphery of the Urban Centres, where adjoining land is designated for single/two unit housing.

Capri/Landmark: Generally, 4 storeys. Greater height (up to 12 storeys) may be supported on the Capri Shopping Centre site and in the area bordered by Dickson Avenue, Dayton Avenue, Springfield Road and Kirschner Road upon approval of a Council endorsed comprehensive development plan for the site that provides for a variety of housing types (including but not limited to ground-oriented and rental apartment housing) and the provision of commercial space that is of an amount that, at minimum, equals that which existed in 2010.

Objective 5.8. Achieve high quality urban design.

Streetscaping (Policy 2). Urban Centre roads should be considered as part of the public space and streetscaped with full amenities (i.e. sidewalks, trees and other planting, furniture, bike facilities, boulevards, etc.).

Objective 5.10. Ensure opportunities are available for greater use of active transportation and transit to: improve community health; reduce greenhouse gas emissions; and increase resilience in the face of higher energy prices

Maximize Pedestrian / Cycling Connectivity. Require that pedestrian and cyclist movement and infrastructure be addressed in the review and approval of all City and private sector

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

² City of Kelowna Official Community Plan, Policy 5.23.1 (Development Process Chapter).

developments, including provision of sidewalks and trails and recognition of frequently used connections and informal pedestrian routes.

Transit Infrastructure. Require that transit service needs to be integrated into community designs and development proposals to optimize access to transit service and incorporate essential infrastructure on transit routes identified.

Active Transportation Networks. As redevelopment occurs within and around Urban Centres, seek public pathways that would complement linear parks, multi-use trails, parks, plazas, greenways or sidewalks to form continuous pedestrian and bicycle networks and/or connections between centres where possible.

6.0 Technical Comments

6.1 Building & Permitting Department

This property falls within the Mill Creek flood plain bylaw area and compliance is required. Alternative solutions to allow underground parking may be achieved through the use of a restrictive covenant and minimizing the amount of mechanical/electrical equipment located below the floodplain level.

6.2 Development Engineering Department

Addressed as part of Z12-0056.

6.3 Fire Department

Fire department access, fire flows, and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw #7900. The Subdivision Bylaw requires a minimum of 150ltr/sec flow. Access to all commercial premises is not available through the required access roads. A 3-15m access to all major buildings is required as per the BC Building Code. Additional comments will be required at the building permit application.

6.4 Fortis BC (Gas)

FortisBC operates and maintains several gas mains and one gas header on the subject land that will be in the way of the new building. We have existing Rights of Way in place (plans KAP52247, KAP52248 and KAP64840) that the developer can plan around or FortisBC can relocate the highlighted sections of main as necessary at their cost.

7.0 Application Chronology

Date of Application Received: July 25th, 2012
Public Information Meeting: November 13th, 2013
TIA Endorsed by MOT: September 19th, 2014
Rezoning Public Hearing: October 22nd, 2014
Zoning requirements satisfied: December 7th, 2015

Report prepared by:

Alec Warrender, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved by: Ryan Smith, Manager, Community Planning Manager

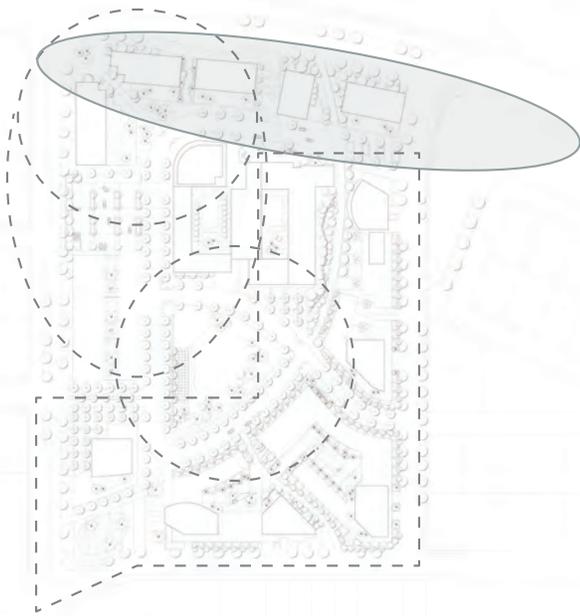
Attachments:

Schedule 'A' - CD25 - Development Area Guidelines
Schedule 'B' - Project Rationale

Schedule 'A'
CD 25 Development Area Guidelines



Harvey Avenue Urban Edge



The above sketch indicates the general location of the “Harvey Avenue Urban Edge” area. The 3D view provides an illustrative example of where - based on this concept plan - the Harvey Avenue Urban Edge guidelines would apply. The actual boundary may vary by 20 to 30m but should include all buildings immediately adjacent to Harvey Avenue.

The “Harvey Avenue Urban Edge” character area creates an important urban interface between the Capri Centre and Harvey Avenue. A continuous streetwall condition will provide an edge to Harvey Avenue, helping to create a sense of enclosure along this broadly dimensioned corridor and define the public space. This character area will include lower form buildings and a range of retail, office, and residential uses. A portion of this area overlaps with the “Transit-Oriented Commercial Focus” character area.

DESIGN GUIDELINES

Public Realm

- 1 The Harvey Avenue streetscape should be defined by generous sidewalks (approximately 3m) and broad landscape areas (approximately 5m - 8m).
- 2 North / south pedestrian connections shall be provided between buildings to provide visual and physical connections between Harvey Road and the interior portions of the site. Particular emphasis should be placed on a connection located approximately mid-block that provides a direct link to the entry of the hotel. Connections located closer to Gordon Drive should emphasize ease of pedestrian movement, anticipating high pedestrian volumes moving between transit services. Connections located further east on the site closer to Capri Street should emphasize landscape elements and serve as an initial component of a green link towards the Central Park.

- 3 Parking shall be located underground and driveway access shall be located off of an internal street (not Harvey Road) and care should be taken to minimize the visual impact of access points from the public realm.

Occupancies

- 4 Street level and second level units should include commercial uses such as retail or office. An emphasis should be placed on providing retail at street level to contribute to a more interesting streetscape. Above level 2, buildings may include office or residential uses.

Buildings' Relationship to the Street

- 5 All buildings should emphasize a high level of transparency at ground level achieved through extensive use of windows. Facades should incorporate - through articulation or change in materials - vertical delineation every 8m to 12m in order to facilitate the inclusion of small-scale retail tenants. Residential entries should be lit and well-signed.
- 6 Weather protection shall be provided along the face of buildings where retail is present. This cover may take the form of fabric awnings or fixed, metal and glass canopies. The minimum width of weather protection should be 1.5 to 2.0 metres with a ground clearance of 2.75 metres to the underside of the structure.

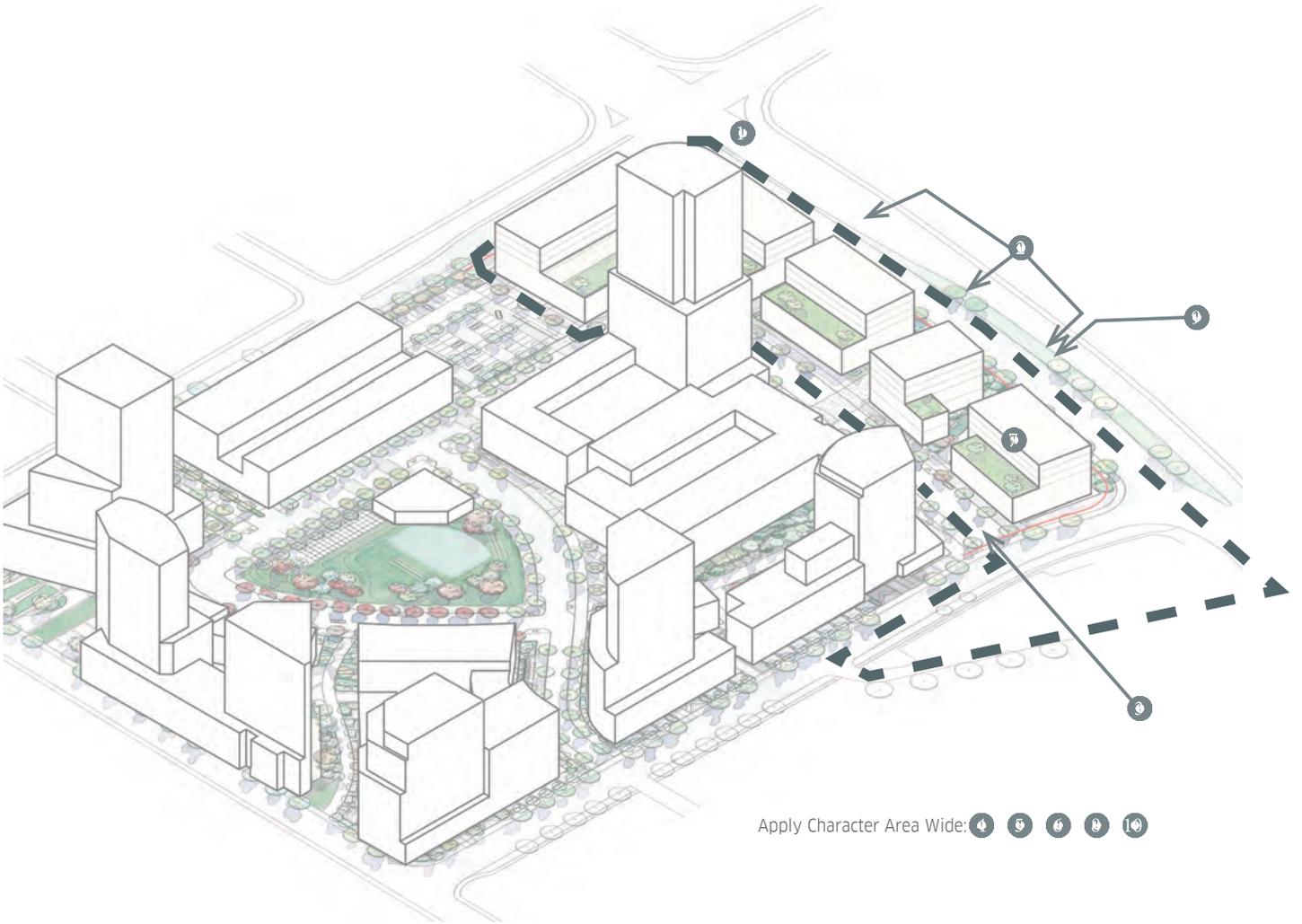
Building Massing

- 7 Buildings up to 6 stories are anticipated in this character area. To create a strong streetwall condition, upper level step backs are not required on the north-side of the buildings, though buildings should incorporate some articulation or texture through the use of recessed patios, balconies, vertical articulation of the facade. Upper level step backs are encouraged on the south side of the building providing an opportunity for rooftop access and open space.

Landscape

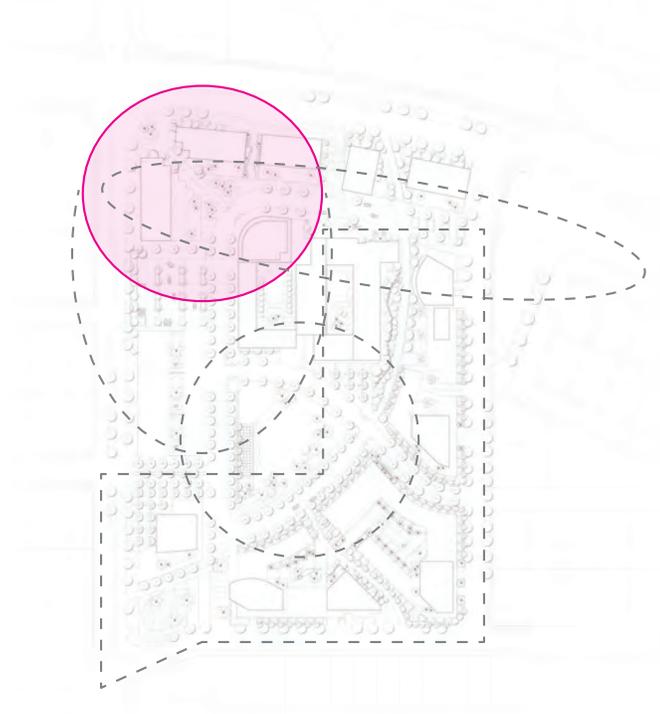
- 8 Landscape design in this area should recognize the high volumes of pedestrian circulation. A range of surface materials may be deployed to signal traffic calm areas internal to the site where pedestrian and vehicle movements occur in close proximity. Sight lines between Harvey Avenue and the hotel as well as between Harvey Avenue and the proposed landmark tower should be retained, if possible, through the use of low-level landscaping or columnar - rather than large canopy - trees.
- 9 The pedestrian pathway linking Harvey Road to the “Central Park” along the crescent should include landscape elements that unite the park space with the crescent throughout the neighbourhood. Fruit trees are suggested.
- 10 Continuous street tree planting shall be provided.

Harvey Avenue Urban Edge



Apply Character Area Wide: 1 2 3 4 5

Transit-Oriented Commercial Focus



The above sketch indicates the general location of the “Transit-Oriented Commercial Focus” area. The 3D view provides an illustrative example of where - based on this concept plan - the Transit-Oriented Commercial Focus guidelines would apply. The actual boundary may vary by 20 to 30m

The “Transit-Oriented Commercial Focus” character area overlaps with both the Harvey Avenue Urban Edge and the “Commercial Core” areas. The guidelines outlined in each of those character areas apply but these additional guidelines are meant to encourage finer grained retail and enhanced pedestrian circulation at a level commensurate with being a transit interchange between two significant bus / bus rapid transit routes. In the case of conflict between guidelines, these guidelines supersede.

DESIGN GUIDELINES

Public Realm

- 1 The Harvey Avenue and Gordon Drive streetscape should be defined by generous sidewalks capable of handling both pedestrian movements and transit stations (approximately 4m to 5m). Broad landscape areas are proposed further east along Harvey Avenue, but are of secondary importance within this area. Maintaining ease of pedestrian movement - both connecting transit riders, local residents, employees, and shoppers - is of primary importance. Consequently, large areas of hard surfaces (such as stone, concrete pavers or concrete) are anticipated, punctuated by landscape elements.
- 2 The prominence of the Harvey and Gordon intersection may warrant the placement of public art in this high visibility location.
- 3 Notwithstanding prioritizing pedestrian movements, space allocated adjacent to storefronts for the outdoor display of commercial products is encouraged.

- 4 The generous provision of seating areas - either as informal seating such as a planter box edges or through the provision of specific street furnishings - is encouraged.
- 5 Pedestrian pathways connecting Gordon Drive or Harvey Avenue to the interior of the site should be designed to have clear site lines and meet CPTED guidelines in terms of lighting.

Occupancies

- 6 Street level and second level units should include commercial uses such as retail or office. An emphasis should be placed on providing retail at street level and office above to contribute to a more interesting streetscape. Above level 2, buildings may include office or residential uses.

Buildings' Relationship to the Street

- 7 All buildings should emphasize a high level of transparency at ground level achieved through extensive use of windows. Facades should incorporate - through articulation or change in materials - vertical delineation every 8m to 12m in order to facilitate the inclusion of small-scale retail tenants. Residential entries should be lit and well-signed.
- 8 Robust weather protection shall be provided along building facades facing Harvey Avenue and Gordon Drive.
- 9 In this area, particular care should be given to contribute to a high level of transparency on all sides of buildings.

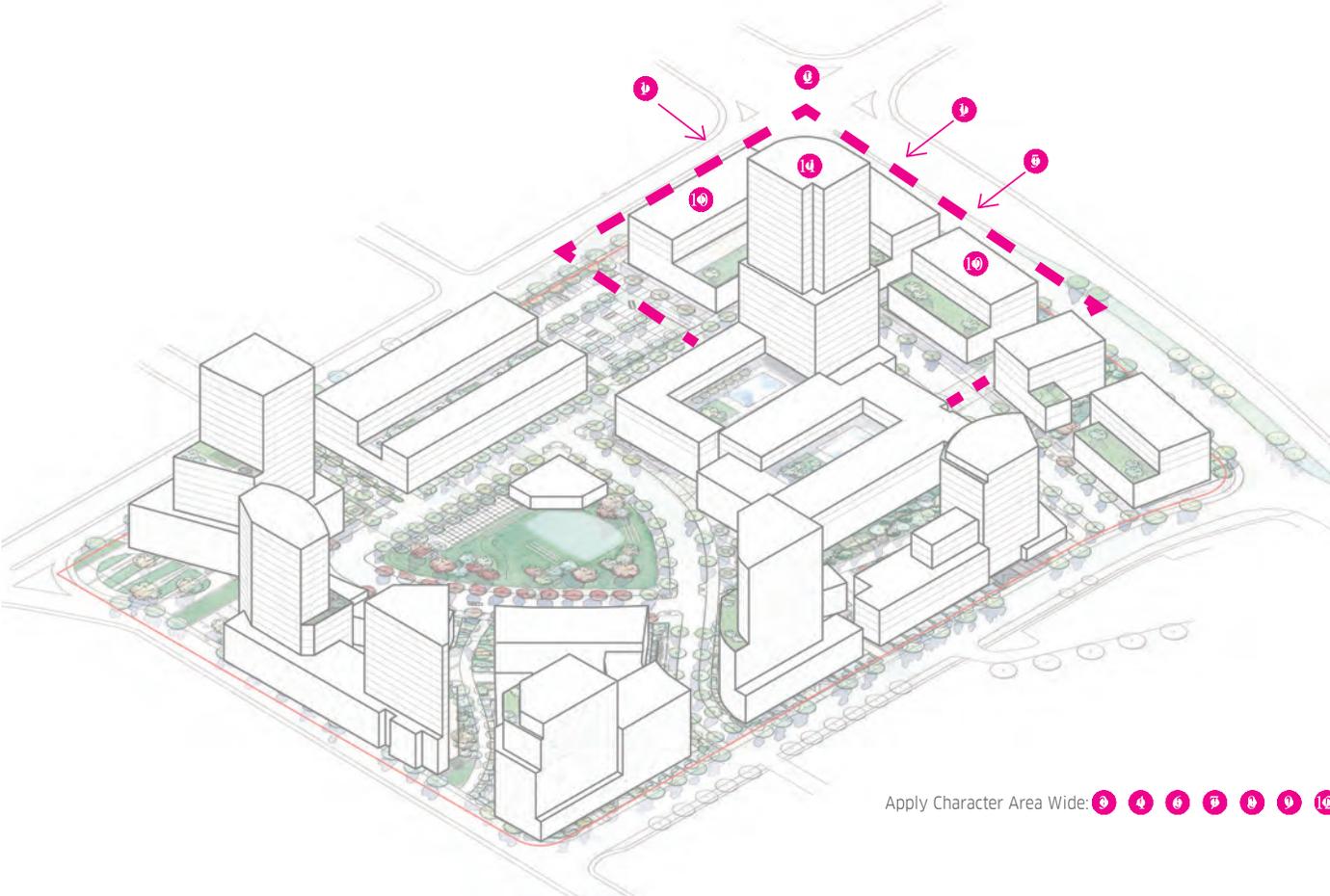
Building Massing

- 10 Buildings up to 6 stories are anticipated in this character area. To create a strong streetwall condition, upper level step backs are not required on the north-side of the buildings, though buildings should incorporate some articulation or texture through the use of recessed patios, balconies, vertical articulation of the facade. Upper level step backs are encouraged on the south side of the building providing an opportunity for rooftop access and open space.
- 11 One “landmark” tower of up to 26 storeys may be located in this area. The tower should have a strong vertical expression at the upper levels to provide design interest and, given its visual prominence, should include a distinctive “crown”.

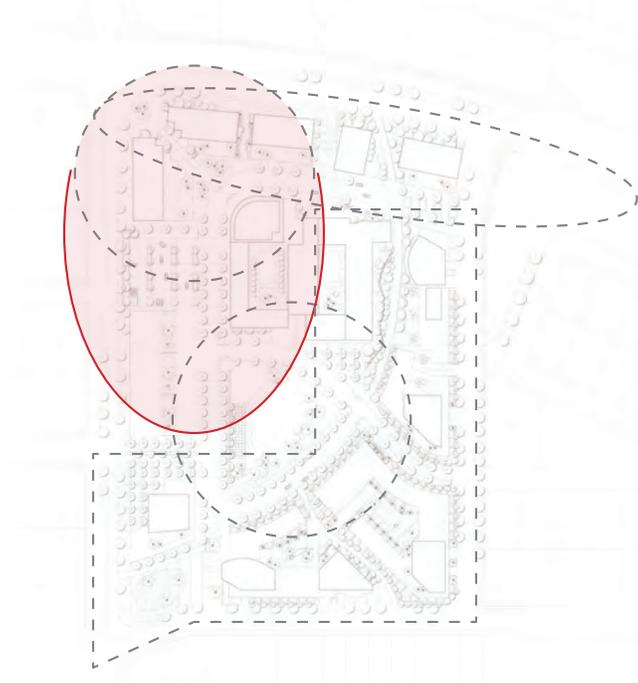
Landscape

- 12 Continuous street tree planting shall be provided.

Transit-Oriented Commercial Focus



Commercial Core



The above sketch indicates the general location of the “Commercial Core” area. The 3D view provides an illustrative example of where - based on this concept plan - the Commercial Core guidelines would apply. The actual boundary may vary by 20 to 30m.

The “Commercial Core” character area is the primary location for commercial shops and services at the Capri Centre. Commercial units ranging in size from supermarkets to small-scale retail may be accommodated. Residential uses will also be present in this character area but, given the emphasis of commercial uses at street level, will largely be located at upper levels only. A portion of this area overlaps with the “Transit-Oriented Commercial Focus” character area.

DESIGN GUIDELINES

Public Realm

- 1 Continuous street tree planting and generous sidewalk space should characterize the public realm. To provide adequate space for sidewalk cafe seating, the outdoor display of commercial goods, and higher volumes of pedestrian traffic, trees may be planted in tree wells and grates rather than boulevards.
- 2 Sidewalk corner bulges, clearly demarcated crosswalks, and other pedestrian safety measures shall be incorporated to contribute to ease of movement for all ages and abilities.
- 3 Parking shall be located underground and driveway access shall be located off of an internal streets (not off of Harvey Road or Gordon Drive). Care should be taken to minimize the visual impact of parkade access points from the public realm.

- 4 Serving a large grocer, the inclusion of one surface parking lot is anticipated in this area. The surface parking lot shall be treed. The use of special materials such as concrete pavers (rather than asphalt) is encouraged. To facilitate the transformation of the space into a weekend or evening public market, electric outlets shall be prevalent.

Occupancies

- 5 Street level or second level units should include commercial uses such as retail or office. An emphasis should be placed on providing retail rather than office at street level to a more interesting streetscape. Above level 2, buildings may include office or residential uses. For buildings located greater than 60m from Harvey Avenue, street level residential uses are acceptable.

Buildings’ Relationship to the Street

- 6 All buildings should emphasize a high level of transparency at ground level achieved through extensive use of windows. Facades should incorporate- through articulation or change in materials- vertical delineation every 8m to 12m in order to facilitate the inclusion of small-scale retail tenants. Common residential entries should be lit and well-signed. Private residential entries (street level townhouses, for example) should be 3 to 5m away from the sidewalk to allow for patio space or landscape area and 0.75m to 1.25 m above street level.
- 7 Weather protection shall be provided along the face of buildings where retail is present. This cover may take the form of fabric awnings or fixed, metal and glass canopies. The minimum width of weather protection should be 1.5 to 2.0 metres with a ground clearance of 2.75 metres to the underside of the structure.
- 8 Buildings should be oriented towards the street and be located no more than 5m from the street edge to frame the public space and, in particular, create a sense of enclosure around the “market square” and “central park.”

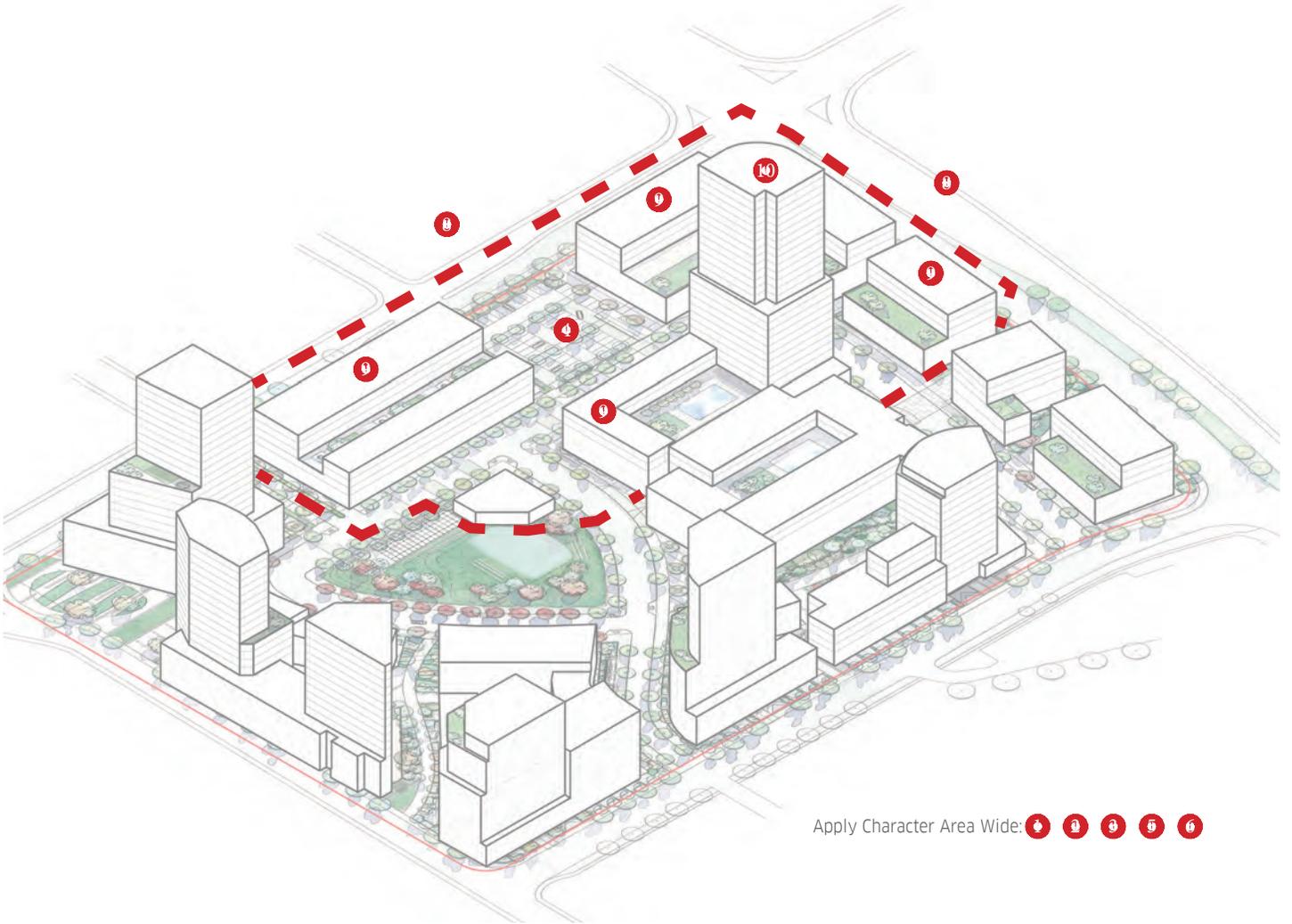
Building Massing

- 9 Buildings up to 6 stories are anticipated in this character area. To create a strong streetwall condition, upper level step backs are not required on the north-side of the buildings, though buildings should incorporate some of articulation or texture through the use of recessed patios, balconies, vertical articulation of the facade. Upper level step backs are encouraged on the south side of the building providing an opportunity for rooftop access and open space.
- 10 One “landmark” tower of up to 26 storeys may be located in this area, preferably in the overlap area with the “Transit-Oriented Commercial Focus.” The tower should have a strong vertical expression at the upper levels to provide design interest and, given its visual prominence, should include a distinctive “crown”. An additional tower - lower in height - may also be located in this character area away from Harvey Road.

Landscape

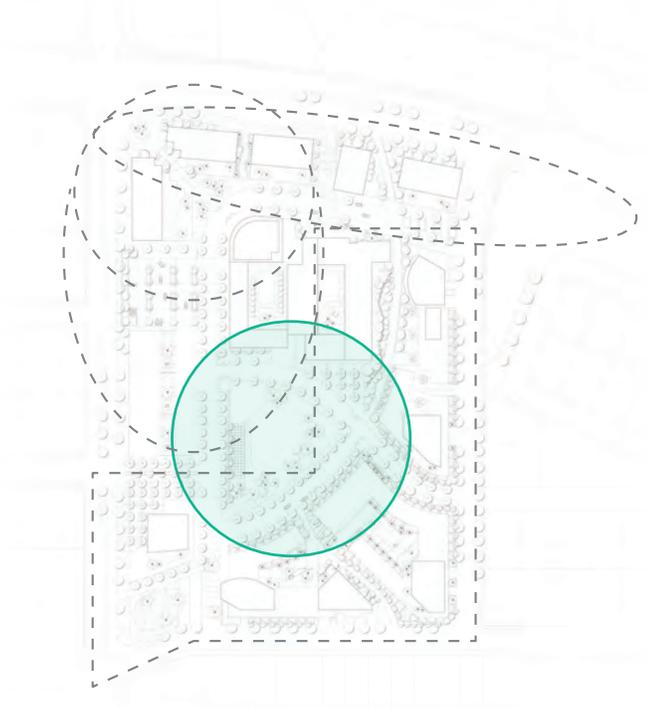
- 11 Landscape design in this area should recognize the high volumes of pedestrian circulation. A range of surface materials may be deployed to traffic calm areas internal to the site where pedestrian and vehicle movements occur in close proximity. Sight lines between Harvey Avenue and the interior portion of the site should be retained, if possible, through the use of low-level landscaping or columnar - as opposed to large canopy - trees.

Commercial Core



Apply Character Area Wide: 1 2 3 4 5 6

Capri Central Park



The above sketch indicates the general location of the “Capri Central Park” area. The 3D view provides an illustrative example of where - based on this concept plan - the Capri Central Park guidelines would apply. The actual boundary may vary by 20 to 30m but should include the central park space, portions of the “Crescent” pedestrian linkage, and the front elevation of all podium elements of buildings that face onto the park.

The “Capri Central Park” character area is the proposed approximate location for a community open space to be used for gatherings and public events at all times of the year.

DESIGN GUIDELINES

Public Realm

- 1 The public realm should be characterized by high quality and abundant landscape elements included in the park and ample pedestrian access.
- 2 The park space shall be designed to accommodate a variety of passive and active uses and give consideration to encouraging use at all times of year. An outdoor ice rink (winter) that doubles as an amphitheatre (summer) or performance space shall be constructed.
- 3 Though the site is currently relatively flat, subtle contours or mounds may be introduced to provide dimension to the space and create informal seating or play spaces.
- 4 The park shall be adjacent to the street on at least two sides to contribute to public access and high visibility.

- 5 A “Crescent” pedestrian linkage, incorporating similar landscape elements such as paving materials, street furnishing, and street trees, should extend from the Central Park north towards Harvey Avenue. Additional visual and pedestrian links will extend to nearby Capri Street, Sutherland Avenue, and Gordon Drive.

Occupancies

- 6 The “Central Park” area is a neighbourhood scale public space to be used by both residents and visitors to the Capri Centre. As it is expected to be generally surrounded by residential uses, the inclusion of a small-scale commercial retail or community building is encouraged.

Building's Relationship to the Street

- 7 The only building envisioned entirely within this area is a small scale commercial and / or community building. The primary orientation of the building shall be to the park space, though care should be taken to contribute to an interesting streetscape by minimizing the length of blank walls facing the streets and by providing a main entrance, well-lit and prominently addressed, towards one of the streets. Garbage and recycling facilities should be shared with a nearby building, if possible.
- 8 Residential buildings should be directly oriented to the park. This means that all ground level units should have direct access to the street. Balconies or Juliet balconies are strongly encouraged along all podium elements of buildings that face the park.

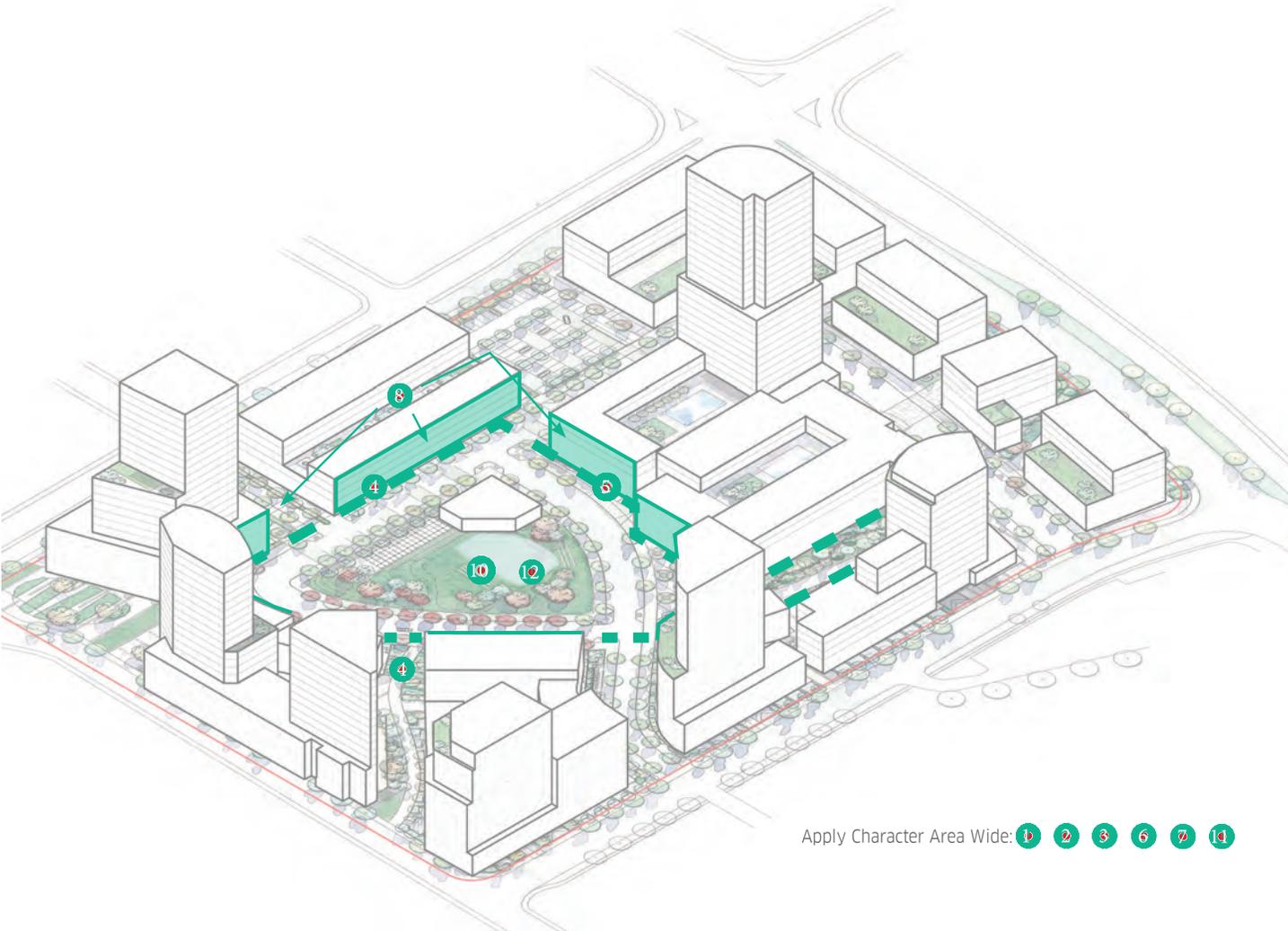
Building Massing

- 9 The community building within the park shall be no higher than two stories. In a two storey building, a portion of the second storey should be reserved as an outdoor patio.

Landscape

- 10 Landscape should reinforce the role of the central park as a neighbourhood gathering space expected to attract people year round. Seasonal interest shall be considered in plant selection including fruit trees and plants with showy fall foliage. A selection of evergreen plants or plants with winter interest (bold branch structure, striking bark, or winter berries) shall also be incorporated.
- 11 Drought tolerant species are encouraged.
- 12 Though some hard surface areas are expected to facilitate outdoor seating, event space, or the ice rink, the emphasis on the park space should be on lush landscaping.

Capri Central Park



Residential Focus



The above sketch indicates the general location of the “Residential Focus” area. The 3D view provides an illustrative example of where - based on this concept plan - the Residential Focus guidelines would apply. The actual boundary may vary by 20 to 30m but is generally those portions of the Capri Centre flanking Sutherland Avenue and Capri Street but excluding those developments adjacent to Harvey Avenue.

The “Residential Focus” character area is the primary location for residential-only development at the Capri Centre. In all cases commercial uses are permitted as part of a mixed-use development, but given the commercial focus at Gordon Drive and Harvey Avenue and the surrounding residential uses, this character area is envisioned as having a strong residential quality.

DESIGN GUIDELINES

Public Realm

- 1. Continuous street tree planting and landscaped boulevards should characterize the public realm.
- 2. Additional landscape areas between the sidewalk and building faces shall be provided.
- 3. Through-block pedestrian connections from Sutherland Avenue and Capri Street should have clear sight lines and visual access into the internal areas of the Capri Neighbourhood, particularly towards the park.
- 4. Additional consideration should be given to incorporating bicycle infrastructure along Sutherland Avenue.

Occupancies

- 5. The majority of space in this area will be for residential uses including street-level “townhouse” style housing and condominium use in podium and tower forms. Allowance for small-scale neighbourhood serving retail along Sutherland Avenue is acceptable.

Building’s Relationship to the Street

- 6. All buildings should emphasize a high level of transparency at ground level achieved through extensive use of windows. Facades should incorporate- through articulation or change in materials- vertical delineation every 8m to 12m in order to facilitate the inclusion of small-scale retail tenants. Common residential entries should be lit and well-signed. Private residential (street level townhouses, for example) entries should be 3 to 5m away from the sidewalk to allow for patio space or landscape area and 0.75m to 1.25 m above street level.
- 7. Weather protection shall be provided along the face of buildings where retail is present. This cover may take the form of fabric awnings or fixed, metal and glass canopies. The minimum width of weather protection should be 1.5 to 2.0 metres with a ground clearance of 2.75 metres to the underside of the structure.
- 8. Buildings should be oriented towards the street and be located no more than 5m from the street edge to frame the public space and, in particular, create a sense of enclosure around the “market square” and “central park.”

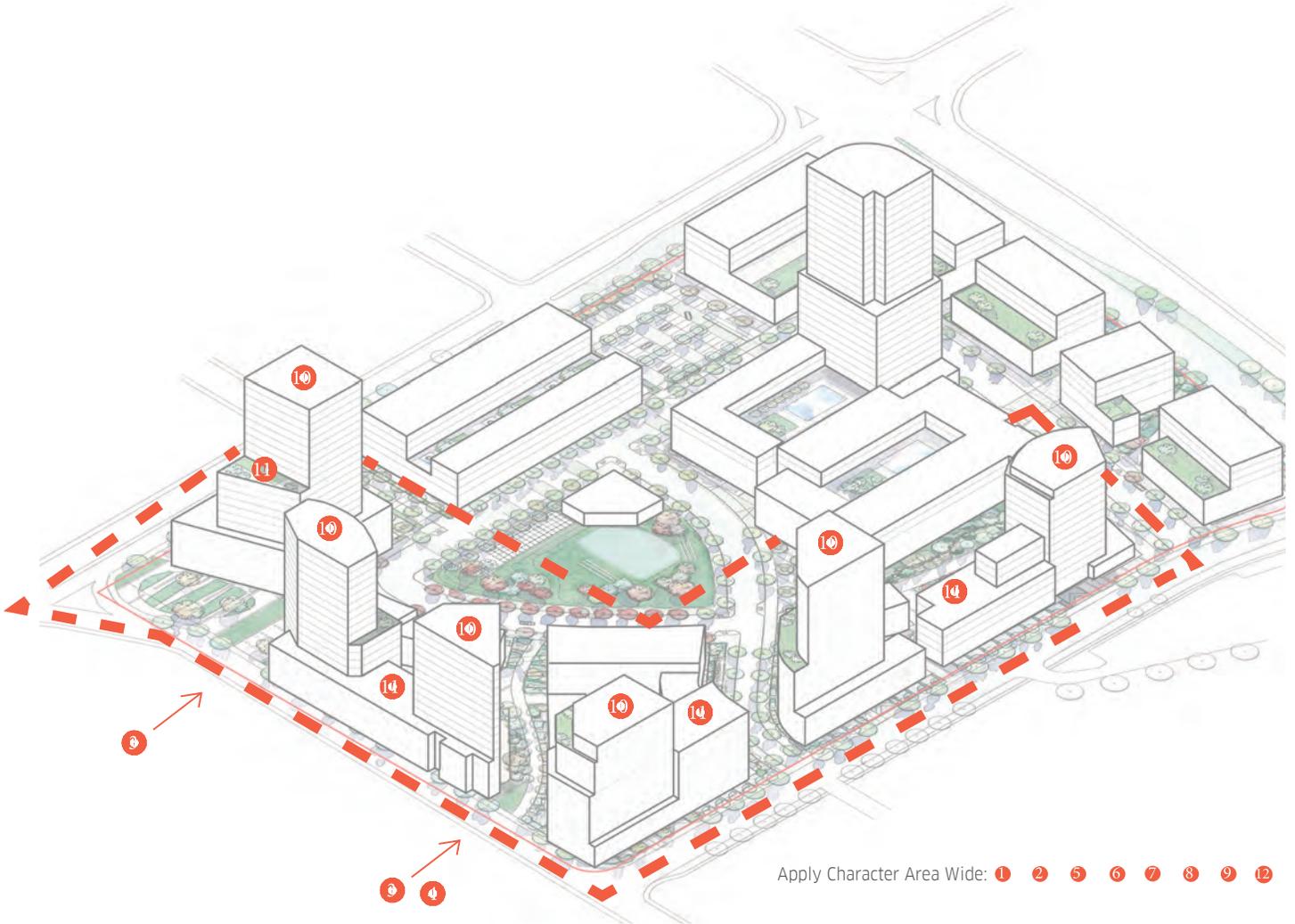
Building Massing and Design

- 9. Smaller-scaled figurative elements shall be used at lower-levels to break up the massing of the building. Tower forms should have strong vertical elements to define upper levels and extensive glazing. Solar shading devices are acceptable.
- 10. Tower heights should range from 14 to 22 storeys while podium elements will range from 4 to 8 storeys.
- 11. Rooftop spaces of podium elements (less than 14 storeys) shall not be left bare but should be utilized as amenity space for residents of each building or should incorporate a green roof.

Landscape

- 12. Landscape design in this area should employ a narrow range of species in order to unify the character area as a whole.

Residential Focus



Rationale

CAPRI CENTRE ZONING A UNIQUE OPPORTUNITY

Located at Harvey Road and Gordon Drive in Kelowna's City Centre District, the Capri Centre represents a noteworthy opportunity to help re-vitalize downtown Kelowna by offering the opportunity to create a vibrant and exciting new mixed-use village centre.

The Capri Centre site represents a major opportunity for Kelowna to develop a livable, amenity rich, compact, mixed-use community as envisioned in Kelowna's OCP. The site poses challenges, however, in that the transition from regional shopping centre to urban village requires careful attention to complex phasing arrangements involving multiple tenants, building demolition, and parking redistribution. In order to benefit from this unique opportunity, it will be necessary to take an enlightened approach to the re-zoning process to enable this opportunity to come to fruition.

Historic Background

- (a) The existing hotel and retail components of Capri Centre have grown and evolved incrementally over the years from the days when the Centre was first developed by Cap Capozzi and his family. As a result, the existing Centre is comprised of three separate legal parcels, each of which is subject to lease agreements and are independently financed. While this situation is acceptable for the existing businesses of Capri Centre, when one looks at the future ongoing revitalization of Capri Centre these historic circumstances become quite problematic.
- (b) A project of this size must develop organically, over time, in increments, based on the market demands and economics of the time.
- (c) Any new development will cross existing lot, lease, and financing lines and the redevelopment will disrupt the economic position of the Centre.
- (d) Each new phase will have to be freed from the existing legal and financial constraints and made available on a new stand-alone lot to allow for new financing for its construction.
- (e) In the absence of a new comprehensive yet flexible zoning bylaw, the owner will be hesitant to interfere with the existing cash flow and value unless the extent of allowable development is certain. Given the time frames necessary to implement the various components and changing market conditions, it is not possible to pre-plan the whole site at this time. Rather the way to achieve this unique opportunity in accordance with the "Vision for Capri Centre" is to enact zoning now which allows incremental development based on the assurance that once the first stage commences the opportunity exists for the remaining stages to be built and integrated into the existing Vision.

There Is A Solution

Fortunately, there is a way to achieve the enhancement of Capri Centre. There is an old adage which says "It is folly to start a project unless you know you can finish." That is especially true as it relates to Capri Centre. The key to providing the flexibility and certainty necessary for a refurbishment and rebirth of Capri Centre to occur is for the zoning to be clear as to the scope of development which will be permitted, to allow the owner the flexibility of allocating that development around the various portions of the Centre at times which are appropriate given market conditions, while at the same time provide assurance to the City of Kelowna that the refurbished Capri Centre will fulfill all of our expectations with respect to this unique opportunity.

Object of Rezoning

In summary, the object of the rezoning would be as follows:

1. **Maximum Capri Centre Density-** Establish a maximum built density for the whole of Capri Centre at a level acceptable to the City of Kelowna and then to allow the owner, over time, to allocate that density in such locations as market conditions determine are appropriate on the clear understanding that the more density allocated to early stages the less density will be available for later stages because of the overall density cap.

2. **Development Permits Required For Each Stage-** Require a separate development permit for each stage to ensure that the City of Kelowna's professional staff and political leaders are satisfied on a stage by stage basis that the form of development is in accordance with this Vision.
3. **Design Guidelines To Be Incorporated-** Incorporate design guidelines into the zoning bylaw to provide direction both to the owner and its architects and to the City, and its professional staff and elected officials, to measure and ensure that each incremental stage of development is consistent with respective goals of the parties.
4. **Provision Of Features, Benefits and Amenities-** Mandate that certain features, benefits and amenities will be contained in the development. These could include the following:
 - A market square in the mid portion of Capri Centre;
 - A crescent on the park being a residential neighbourhood that includes street-oriented townhouses, front and rear yards, city homes, and apartments;
 - A community park in a certain designated area;
 - An urban edge to Harvey Avenue to create a strong streetwall condition along Harvey Avenue, helping to define Kelowna's main thoroughfare.
 - A people-friendly place offering numerous pedestrian linkages, pedestrian/cyclist pathways.
5. **Calculate FSR On The Whole Centre-** Allow flexibility in the actual lot by lot FSR.
6. **Maximum Height-** Establish a maximum height for Capri Centre knowing that the overall density limit will restrict the buildings which can achieve this height.
7. **Parking-** Allow for the planning, construction and integration of parking for Capri Centre as a whole without the necessity of each individual stage or building standing on its own as long as the overall site requirements are met and are protected and preserved in perpetuity in an appropriate way.

New Zoning Bylaw

Included as Part 2, IV is a suggested form of Capri Centre Zoning Bylaw which will facilitate and in fact enhance the opportunity for the revitalization of Capri Centre. It provides an assurance of allowable density but also provides guidelines and protections necessary to protect the interests of the City of Kelowna. Ongoing public input procedures could be provided by way of the development permit approval process and compliance with the zoning bylaw and design guidelines in respect of each portion.

Examples of the Capri Centre Vision

Included in Part 3: "Vision for Capri Centre" is an illustrative concept plan as well as three design alternatives which show the type of development that would be possible under the new Capri Centre Zoning. These visions are for illustrative purposes only but they give examples of what Capri Centre could become in the future given the creativity of the owner and his architects. The ability to achieve this quality of development will be lost in the absence of zoning which is conducive to and acts as a catalyst for achieving the Capri Centre vision.

CITY OF KELOWNA

BYLAW NO. 11066

Official Community Plan Amendment No. OCP14-0026 - GolfBC Holdings Inc., Inc. No. 639821 4360-4390 Gallaghers Drive E

A bylaw to amend the "*Kelowna 2030* - Official Community Plan Bylaw No. 10500".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* - Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of a portion of Lot C and an Undivided 1/6 Share in Lot G, Section 2, Township 26, ODYD, Plan KAP53116 (see plan as to limited access), located on Gallaghers Drive E, Kelowna, B.C., from the COMM - Commercial designation to the REC - Private Recreation and S2RES - Single/Two Unit Residentials designations as per Map "A" attached to and forming part of this bylaw;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 9th day of March, 2015.

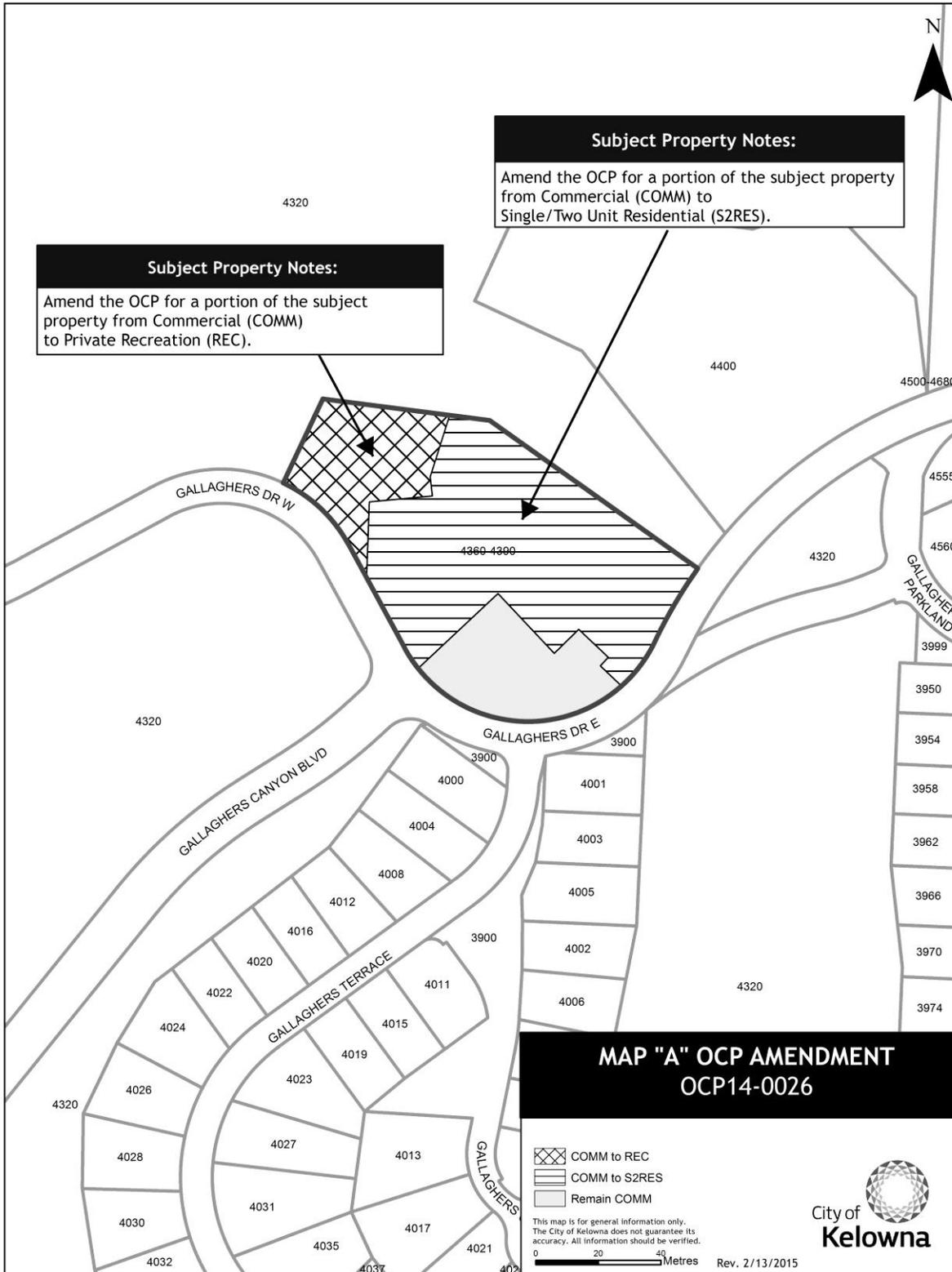
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



Report to Council



Date: 1/25/2016
File: 1125-31-014-001
To: City Manager
From: J. Säufferer, Manager, Real Estate Services
Subject: Road Closure & Partial Disposition - 2185 and 2195 Rutland Road North
Report Prepared by: A. Warrender, Property Officer Specialist

Recommendation:

THAT Council receives for information, the Report from the Manager, Real Estate Services dated January 25, 2016, recommending that Council adopt the proposed road closure for the laneway adjacent to 2185 and 2195 Rutland Road N;

AND THAT Bylaw No. 11181, being proposed road closure for the laneway adjacent to 2185 and 2195 Rutland Road N, be forwarded for reading consideration.

Purpose:

To facilitate the re-alignment of Rutland Road N. by the Ministry of Transportation and Infrastructure.

Background:

As part of the Ministry of Transportation and Infrastructure's ("MOTI") 6-laning of Highway 97 from Highway 33 to Edwards Road, a re-alignment of Rutland Rd N. has been deemed necessary in order correct the existing road network configuration at Reeds Corner. In order to accommodate the realignment, a portion of City-owned laneway adjacent to 2185 and 2195 Rutland Road N. will be closed.

Internal Circulation:

Manager, Transportation & Mobility
Manager, Development Engineering
Manager, Urban Planning
Project Manager

Considerations not applicable to this report:

Legal/Statutory Authority:
Legal/Statutory Procedural Requirements:
Financial/Budgetary Considerations:
Existing Policy:

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

Submitted by: J. Säufferer, Manager, Real Estate Services

Approved for inclusion: D. Edstrom, Director, Real Estate

Attachments: Schedule A - Road Closure Area

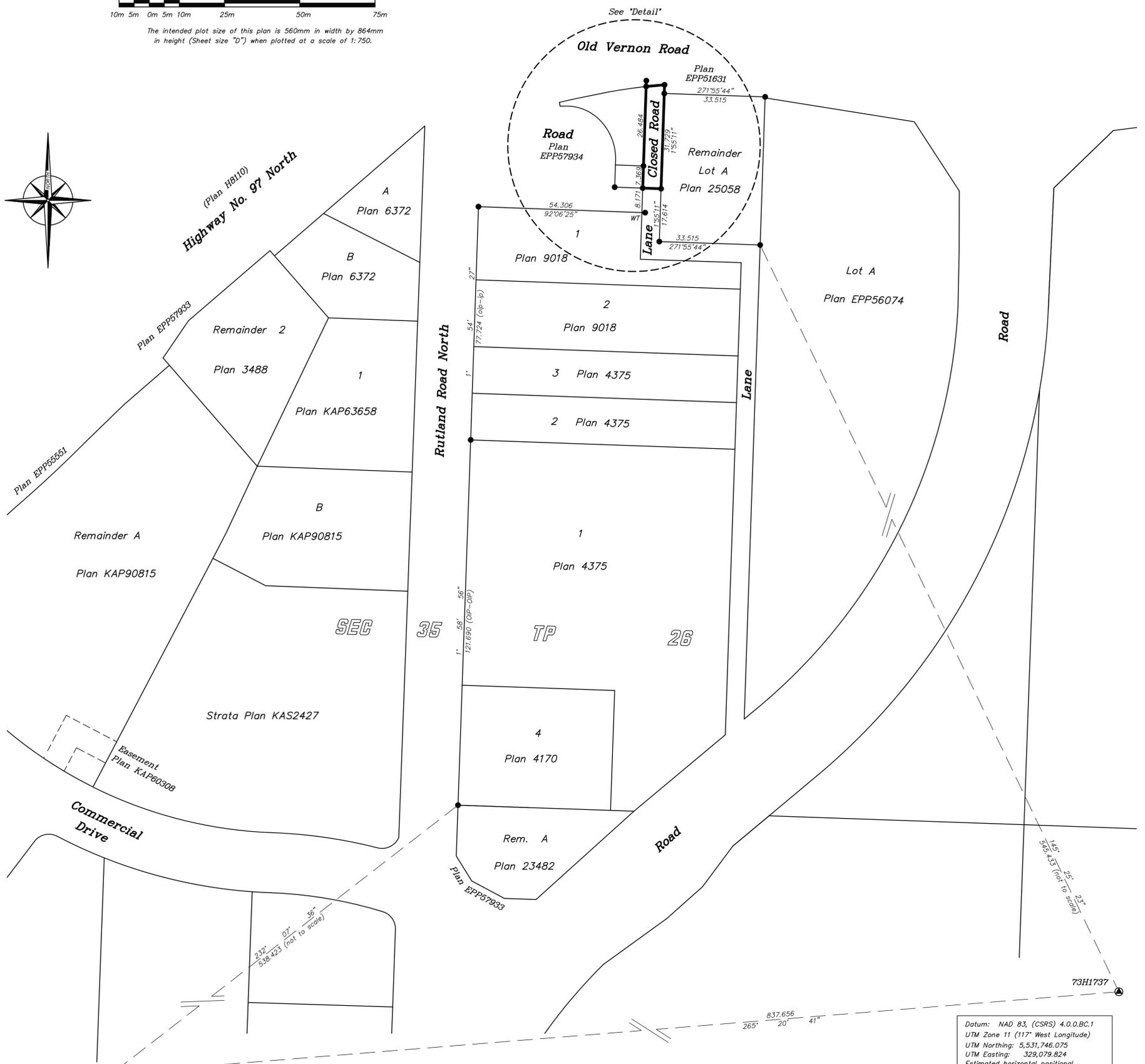
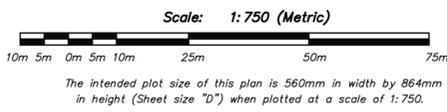
cc: S. Muenz, Manager, Development Engineering
M. Hasan, Manager, Transportation & Mobility
T. Barton, Manager, Urban Planning
A. Albiston, Project Manager

**REFERENCE PLAN TO ACCOMPANY CITY OF KELOWNA ROAD CLOSURE BY-LAW No.1181,
FOR CLOSURE AND REMOVAL OF ROAD DEDICATED ON PLAN 4735, SEC 35, TP 26, ODYD.**

PLAN EPP57935

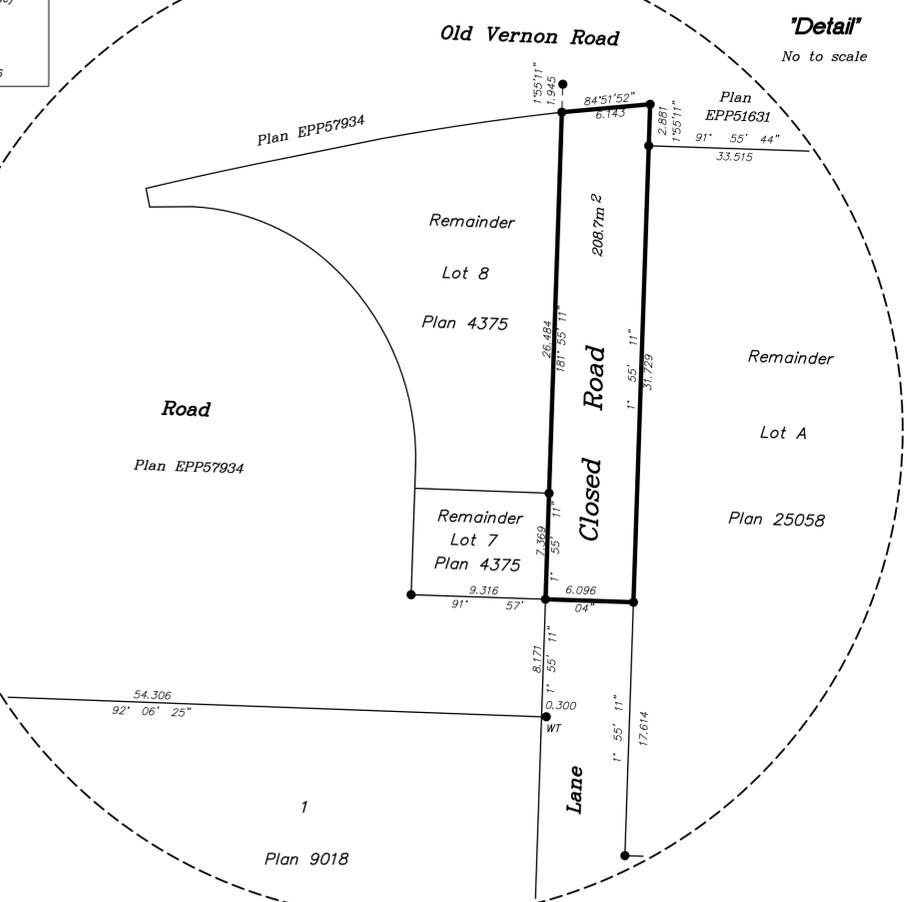
Pursuant to Section 120 of the Land Title Act and Section 40 of the Community Charter.

BCGS 82E.094



Datum: NAD 83, (CSRS) 4.0.0.BC.1
UTM Zone 11 (117° West Longitude)
UTM Northing: 5,531,678.096
UTM Easting: 328,245.015
Estimated horizontal positional accuracy = 0.01 metres
Point combined factor 0.9999016

Datum: NAD 83, (CSRS) 4.0.0.BC.1
UTM Zone 11 (117° West Longitude)
UTM Northing: 5,531,746.075
UTM Easting: 329,079.824
Estimated horizontal positional accuracy = 0.01 metres
Point combined factor 0.9998977



Legend:
Grid Bearings are derived from observations between Geodetic Control Monuments 73H1742 and 73H1737.
Integrated Survey Area No. 4, City of Kelowna, NAD83, (CSRS), 4.0.0.BC.1.

This Plan shows horizontal ground-level distances, except where otherwise specified. To compute grid distances, multiply ground-level distances by the averaged combined factor, 0.9998965, which has been derived from Control Monuments 73H1742 and 73H1737.

- All distances are expressed in metres and decimals thereof.
- - denotes standard iron post placed
- - denotes standard iron post found
- ⊙ - denotes control monument found

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

This Plan lies within the Central Okanagan Regional District.

This Plan lies within the jurisdiction of the approving officers for the City of Kelowna and the Ministry of Transportation and Infrastructure.

The field survey represented by this plan was completed on the 11th, day of December, 2015.
H.G. van Gorp, BCLS #696

VAN GURP & COMPANY
land surveyors
201-1470 St. Paul Street,
Kelowna, B.C. 250-763-5711

CITY OF KELOWNA

BYLAW NO. 11181

**Road Closure and Removal of Highway Dedication Bylaw
(Portion of laneway Adjacent to Rutland Road North)**

A bylaw pursuant to Section 40 of the Community Charter to authorize the City to permanently close and remove the highway dedication of a portion of highway adjacent to Rutland Road North

NOW THEREFORE, the Municipal Council of the City of Kelowna, in open meeting assembled, hereby enacts as follows:

1. That portion of highway attached as Schedule "A" comprising 208.7m² shown in bold black as Closed Road on the Reference Plan prepared by H.G van Gurp, B.C.L.S., is hereby stopped up and closed to traffic and the highway dedication removed.
2. The Mayor and City Clerk of the City of Kelowna are hereby authorized to execute such conveyances, titles, survey plans, forms and other documents on behalf of the said City as may be necessary for the purposes aforesaid.

Read a first, second and third time by the Municipal Council this

Approved Pursuant to Section 41(3) of the Community Charter this

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Schedule "A"

