City of Kelowna Regular Council Meeting AGENDA

Tuesday, June 12, 2018

City Hall, 1435 Water Street

Council Chamber

6:00 pm

FRUITFUL IN UNITY

			Pages
1.	Call to	Order	
2.	Reaffi	rmation of Oath of Office	
	The O	ath of Office will be read by Councillor Singh.	
3.	Confir	mation of Minutes	1 - 10
		Hearing - May 29, 2018 ar Meeting - May 29, 2018	
4.	Bylaw	s Considered at Public Hearing	
	4.1	Holland Rd 3010, Z18-0010 (BL11620) - Scott and Chandra Payer & John and Alexandra Woodfield	11 - 11
		To give Bylaw No. 11620 second and third readings in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling zone.	
	4.2	Pacific Ave 1145, Z17-0118 (BL11621) - Anagram Properties	12 - 12
		To give Bylaw No. 11621 second and third readings in order to rezone the subject property from the RU6 - Two Dwelling Housing zone to the RM5 — Medium Density Multiple Housing zone.	
	4.3	Taylor Cr 2424, Z18-0024 (BL11622) - Kerry and Nicole Begrand Fast	13 - 13
		To give Bylaw No. 11622 second and third readings in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone.	
	4.4	OCP18-0003 (BL11616) - Amendments to Address the Agriculture Plan	14 - 16
		Requires a majority of all members of Council (5). To give Bylaw No. 11616 second and third readings in order to amend the Official Community Plan based on the recommended actions presented in the Agriculture Plan.	

	4.5	TA18-0002 (BL11617) - Agricultural Amendments based on the Agricultural Plan	17 - 21			
		To give Bylaw No. 11617 second and third readings in order to amend the Zoning Bylaw based on the recommended actions presented in the Agriculture Plan.				
	4.6	OCP18-0004 (BL11618) - Amendments to Address the Agriculture Plan	22 - 24			
		Requires a majority of all members of Council (5). To give Bylaw No. 11618 second and third readings in order to amend the Official Community Plan based on the Agriculture Plan recommendations to ensure compliance with provincial standards.				
	4.7	TA18-0003 (BL11619) - Agricultural Amendments based on the Agricultural Plan	25 - 37			
		To give Bylaw No. 11619 second and third readings in order to amend the Zoning Bylaw based on the Agriculture Plan recommendations to update buffer specifications along agricultural properties.				
5.	Notifi	cation of Meeting				
	The C public	ity Clerk will provide information as to how the following items on the Agenda were ized.				
6.	Development Permit and Development Variance Permit Reports					
	6.1	Richter St , Z17-0104 (BL11553) - 1139096 BC Ltd	38 - 38			
		To amend at third reading the legal description and adopt Bylaw No. 11553 in order to rezone the subject property from the RU6 - Two Dwelling Housing zone to the RM5 - Medium Density Multiple Housing zone.				
	6.2	Richter Street 1304 and 1308, DP17-0249 & DVP17-0250 - 1139096 BC Ltd	39 - 77			
		City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.				
		To review the Form &Character Development Permit of a 12-unit townhouse development and to consider variances to the required setbacks.				
	6.3	Stremel Road 730, DVP17-0278 - Goode Properties Inc	78 - 87			
		City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward. To vary the required rear and side yard setbacks to accommodate the proposed industrial development.				

6.4	McInnes Ave 1385 DVP18-0013 - OK Pacific Consulting Services LTD., INC.NO. BC1097988	88 - 101
	City Clerk to state for the record any correspondence received. Mayor to invite	
	anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.	
	To vary the minimum parcel width and the maximum site coverage to facilitate the	
	development of two dwelling housing on the subject property.	
6.5	Union Rd 1931, DP18-0042 * DVP18-0043 - Kirvi Construction Development Company Ltd Inc No BC0640835	102 - 151
	City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.	
	To consider the form and character of a multiple dwelling housing development and	
	to vary the maximum site coverage of buildings, driveways and parking areas from 60	
	% permitted to 69 % proposed.	
6.6	Cross Rd 1981, DVP18-0078 - Suresh Kumar Khurana	152 - 160
	City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.	
	To consider a Development Variance Permit application to vary the minimum lot	
	depth for three lots in a proposed residential subdivision.	

7. Reminders

8. Termination



City of Kelowna Public Hearing Minutes

Tuesday, May 29, 2018 Council Chamber City Hall, 1435 Water Street

Members Present

Date:

Location:

Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge and Mohini Singh

Members Absent

Councillors Brad Sieben and Luke Stack

Staff Present Acting City Manager, Joe Creron; City Clerk, Stephen Fleming; Divisional Director Community Planning & Strategic Investments, Doug Gilchrist*; Suburban & Rural Planning Manager, Dean Strachan; Community Planning Department Manager, Ryan Smith; Planner Specialist, Adam Cseke; Acting Legislative Coordinator (Confidential), Tania Tishenko

1. Call to Order

Mayor Basran called the Hearing to order at 6:01 p.m.

Mayor Basran advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "*Kelowna 2030* - Official Community Plan Bylaw No. 10500" 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.

2. Notification of Meeting

The City Clerk advised that Notice of this Public Hearing was advertised by being posted on the Notice Board of City Hall on Tuesday, May 15, 2018 and by being placed in the Kelowna Daily Courier issues of Friday May 18 and Wednesday May 23, and by sending out or otherwise mailing 83 statutory notices to the owners and occupiers of surrounding properties on Tuesday May 15, 2018.

The correspondence and/or petitions received in response to advertising for the applications on tonight's agenda were arranged and circulated to Council in accordance with Council Policy No. 309.

3. Individual Bylaw Submissions

3.1 Sarsons Road 424, Z18-0013 (BL11613) - JK Quest Ltd., Inc. No. BC1108914

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that no correspondence was received.

The applicant was present and available for questions.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

No one from the gallery came forward.

There were no further comments.

3.2 Dougall Rd N 490, Z17-0101 (BL11614) - Jaspreet Sekhon

Staff:

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

The City Clerk advised that the following correspondence was received.

Letters of Opposition and Concern: Lynda and Robin Lochhead, Dougall Road North

David Bergstad, Leathead Road

Birte Decloux, Urban Options, Applicant,

- Spoke to home based business concerns raised in correspondence.
- Her client is aware of the home based business restrictions on number of customers on site at any one time.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

No one came forward from the gallery.

There were no further comments.

3.3 Hubbard Rd 814, Z18-0014 (BL11615) - James and Robin Wilson

Staff:

- Displayed a PowerPoint Presentation summarizing the application -

The City Clerk advised that the following correspondence was received.

Letter of Opposition and Concern: Bronk Kvapil, Bullock Road

The Applicant was present and available for questions.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Gallery:

Bronk Kvapil, Bullock Road

- Opposed to the application.
- Concerned with the impacts on his privacy and views for himself and his neighbours.

There were no further comments.

4. Termination

The Hearing was declared terminated at 6:16 pm

Mayor Basran

/tt



City of Kelowna Regular Meeting Minutes

Date: Location:	Tuesday, May 29, 2018 Council Chamber City Hall, 1435 Water <mark>Stre</mark> et
Members Present	Mayor Colin Basran, Coun <mark>cill</mark> ors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray <mark>, Ch</mark> arlie Hodge and Mohini Singh
Members Absent	Councillors Brad Sieben and Luke Stack
Staff Present	Acting City Manager, Joe Creron; City Clerk, Stephen Fleming; Divisional Director Community Planning & Strategic Investments, Doug Gilchrist; Suburban & Rural Planning Manager, Dean Strachan; Community Planning Department Manager, Ryan Smith; Planner Specialist, Adam Cseke; Acting Legislative Coordinator (Confidential), Tania Tishenko

(*Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 6:16 pm.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor DeHart

3. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Gray

<u>R554/18/05/29</u> THAT the Minutes of the Public Hearing and Regular Meeting of May 15, 2018 be confirmed as circulated.

Carried

1

4. Bylaws Considered at Public Hearing

4.1 Sarsons Road 424, Z18-0013 (BL11613) - JK Quest Ltd., Inc. No. BC1108914

Moved By Councillor Donn/Seconded By Councillor Hodge

<u>R555/18/05/29</u> THAT Bylaw 11613 be read a 2nd and 3rd time.

Carried

4.2 Dougall Rd N 490, Z17-0101 (BL11614) - Jaspreet Sekhon

Moved By Councillor Hodge/Seconded By Councillor Donn

<u>**R556/18/05/29</u>** THAT Bylaw No. 11614 be read a 2nd and 3rd time.</u>

Carried

4.3 Hubbard Rd 814, Z18-<mark>0014 (BL11615), James a</mark>nd Robin Wilson

Moved By Councillor Singh/Seconded By Councillor DeHart

R557/18/05/29 THAT Bylaw No. 11615 be read a 2nd and 3rd time.

Carried

5. Notification of Meeting

The City Clerk advised that Notice of Council's consideration of these Development Permit and Development Variance Permit Applications was given by sending out or otherwise mailing 41 statutory notices to the owners and occupiers of the surrounding properties on Tuesday May 15, 2018.

The correspondence and/or petitions received in response to advertising for the applications on tonight's Agenda were arranged and circulated to Council in accordance with Council Policy No. 309.

6. Development Permit and Development Variance Permit Reports

6.1 Old Vernon Rd 144 - LUC17-0003 (BL11598) - Serra Holdings (No. 9) Ltd Inc. No BC0950182

Moved By Councillor DeHart/Seconded By Councillor Singh

<u>**R558/18/05/29</u>** THAT Bylaw No. 11598 be adopted.</u>

Carried

6.2 Old Vernon Rd 120 &144, DP17-0223 DVP17-0224 - Serra Holdings (No 9) Ltd Inc. No BC0950182

Staff:

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

The City Clerk advised that no correspondence was received.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Eaman Rezvani, Development Manager, Serracan Properties, Applicant

- Displayed a Powerpoint Presentation.
- Spoke to history of site.
- Spoke to reasons for building location on the consolidated two lots.
- Spoke to proposed vehicular and pedestrian traffic flows
- Confirmed sign does not include a LED display screen
- Spoke to sole occupant McDonalds providing economical benefits to community and involvement in community events.
- Responded to questions from Council.

No one from the gallery came forward.

There were no further comments.

Moved By Councillor Hodge/Seconded By Councillor Donn

<u>R559/18/05/29</u> AND THAT Council authorizes the issuance of Development Permit No. DP17-0223 and DVP17-0224 for Lot 1, Section 2, Township 23, ODYD, Plan 7301 located at 120 Old Vernon Road, Kelowna, BC; and Lot A (X26413), Section 2, Township 23, ODYD, Plan 7301, located at 144 Old Vernon Road, 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 a variance to the following section of Zoning Bylaw No. 8000 be granted:

<u>Section 14.2.6 (g): C2 – Neighbourhood Commercial Other Regulations</u> To permit drive-in food services as a form of development;

AND THAT a variance to the following section of the Sign Bylaw No. 8235 be granted:

Section 6.1: Sign Bylaw - Specific Zone Regulations (C2)

To vary the maximum height of a free-standing sign from 3.0m to 5.0m;

AND THAT the subject properties are required to be consolidated;

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

6.3 Pier Mac Way 1805, 3515 and 3525 Kel Mac Ct, DP18-0009 & DVP18-0010 - The Armstrong Land Corp. Inc. No. BC1113050

Staff:

 Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

The City Clerk advised that no correspondence was received.

Darren Cruikshanks, Krahn Engineering Ltd, Applicant

- Made introductory remarks.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

No one from the gallery came forward.

There were no further comments.

Moved By Councillor DeHart/Seconded By Councillor Singh

<u>R560/18/05/29</u> THAT Council authorize the issuance of Development Permit No. DP18-0009 for:

- Lot 1, Section 14, Township 23, ODYD, Plan EPP56391 located at 1805 Pier Mac Way, Kelowna, BC;
- Lot 2, Section 14, Township 23, ODYD, Plan EPP56391 located at 3515 Kel Mac Ct, Kelowna, BC; &
- Lot 3, Section 14, Township 23, ODYD, Plan EPP56391 located at 3525 Kel Mac Ct, 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 to 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;
- 5. That the applicant consolidates the lots prior to Development Permit issuance and update the legal description of the resulting lot in order for the Development Permit and Development Variance Permit to be registered on the consolidated lot.

AND THAT Council authorize the issuance of Development Variance Permit DVP18-0010 for:

- Lot 1, Section 14, Township 23, ODYD, Plan EPP56391 located at 1805 Pier Mac Way, Kelowna, BC;
- Lot 2, Section 14, Township 23, ODYD, Plan EPP56391 located at 3515 Kel Mac Ct, Kelowna, BC; &
- Lot 3, Section 14, Township 23, ODYD, Plan EPP56391 located at 3525 Kel Mac Ct, Kelowna, BC

AND THAT the variances to the following sections of Zoning Bylaw No. 8000 be granted:

S.8 Table 8.1 Parking Schedule

To vary the minimum number of parking stalls provided from 55 stalls to 20 stalls.

AND THAT the Development Permit and Development Variance Permit is issued subsequent to the outstanding conditions set out in Attachment "A" attached to the Report from the Community Planning Department dated May 7th 2018;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit and Development Variance Permit application in order for the permit to be issued;

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

Carried

6.4 Finns Rd 743-745, DVP18-0069 - Jeffrey and Yvonne Brown

Staff:

- Displayed a PowerPoint Presentation summarizing the application

The City Clerk advised that the following correspondence was received.

<u>Letter of Opposition and Concern:</u> Marian Gruber, Fitzpatrick Road

Birte Decloux, Urban Options, Applicant

- Made brief remarks and was available for questions.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

No one from the gallery came forward.

There were no further comments.

Moved By Councillor Hodge/Seconded By Councillor Given

R561/18/05/29 THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0069 for Lot 1 Section 34 Township 26 Osoyoos Division Yale District Plan 3389, located at 743-745 Finns Road, Kelowna, BC;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted in general accordance with Schedule "A":

Section 15.2.5(d): I2 – General Industrial Development Regulations

To vary the required minimum front yard (north) from 7.5 m permitted to 6.0 m proposed.

Section 15.2.5(d): I2 – General Industrial Development Regulations To vary the required minimum front yard (south) from 7.5 m permitted to 6.0 m proposed.

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

Carried

7. Reminders – Nil.

8. Termination

The meeting was declared terminated at 7:00 p.m.

Mayor Basran

/tt

BYLAW NO. 11620

Z18-0010 3010 Holland 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:

- THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 14 District Lot 131 ODYD Plan 10710, located at Holland Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6- Two Dwelling 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 28th day of May, 2018.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council this

Mayor

BYLAW NO. 11621 Z17-0118 1145 Pacific 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:

- THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1 District Lot 137 ODYD Plan 7833 located on Pacific Avenue, Kelowna, B.C., from the RU6

 Two Dwelling Housing zone to the RM5 – Medium Density Multiple 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 28th day of May, 2018.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

BYLAW NO. 11622 Z18-0024 2424 Taylor Crescent

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:

- THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 17 District Lot 14 ODYD Plan 7336 located on Taylor Crescent, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU1c – Large 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 28th day of May, 2018.

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

BYLAW NO. 11616

Official Community Plan Amendment No. OCP18-0003 Amendments to Address the Agriculture Plan

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 Chapter 5 – Development Process be amended by:

a) **Objective 5.3 Focus development to designated growth areas,** Policy .1 Permanent Growth Boundary be deleted that reads:

"Permanent Growth Boundary. 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."

And replace it with:

"Permanent Growth Boundary. Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. Lands outside the Permanent Growth Boundary will not be supported for urban or intensive uses with the exception of the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500 or, for Agri-Business designated sites. Land outside the Permanent Growth Boundary will not be supported for any further parcelization. The Permanent Growth Boundary may be reviewed as part of the next major OCP update."

- b) **Objective 5.13 Increase local food production**, be amended by adding a new Policy .5 **Urban Agriculture**. with the economic and environmental sustainability icons that reads as follows:
 - "Policy. 5 Urban Agriculture. Expand urban agriculture opportunities as a way to improve food system resiliency and promote social inclusion, such as community gardens or urban farming."
- c) **Objective 5.33 Protect and enhance agriculture**, be amended as follows:
 - i) Policy. 6 Non-farm Uses be deleted that reads:

"Non-farm Uses. Support non-farm use applications on agricultural lands only where approved by the ALC and where the proposed uses:

- are consistent with the Zoning Bylaw and OCP;
- provide significant benefits to local agriculture;
- can be accommodated using existing municipal infrastructure;

- minimize impacts on productive agricultural lands;
- will not preclude future use of the lands for agriculture;
- will not harm adjacent farm operations."

And replace it with:

"Non-farm Uses. Restrict non-farm uses that do not directly benefit agriculture. Support non-farm use applications on agricultural lands only where approved by the ALC and where the proposed uses:

- are consistent with the Zoning Bylaw and OCP;
- provide significant benefits to local agriculture;
- can be accommodated using existing municipal infrastructure;
- minimize impacts on productive agricultural lands;
- will not preclude future use of the lands for agriculture;
- will not harm adjacent farm operations."
- ii) adding a new Policy .9 Limit interface incompatibilities. with the social sustainability icon that reads as follows:
 - "Policy .9 Limit interface incompatibilities. Direct urban uses that accommodate vulnerable populations (e.g. seniors, children, health-challenged) to parcels that are not adjacent to agriculture to limit interface incompatibilities."
- d) Objective 5.34 Preserve productive agricultural land be amended by adding a new Policy .5 Agricultural land designation. with the economic and environmental sustainability icons that reads as follows:
 - "Policy .5 Agricultural land designation. Protect and support the continued designation and use of agricultural land for agricultural purposes regardless of soil types and capabilities. Ensure non-soil based agricultural structures are located to maximize the agricultural potential of prime soil resources. "
- AND THAT Chapter 7 Infrastructure, Objective 7.22 be amended by adding a new Policy .2 Restrict expansion of sewer into agricultural areas. with the economic and environmental sustainability icons that reads as follows;
 - "Policy .2 Restrict expansion of sewer into agricultural areas. Restrict community sewer service expansion into agricultural areas except where infrastructure is needed to address public health issues and protection of natural assets as identified by the City of Kelowna or senior government."
- 3. AND THAT Chapter 15 Farm Protection Development Permit Guidelines be amended by:
 - a) deleting Guideline 1.7 that reads:

"Require statutory covenants on non-agricultural land at subdivision to notify landowners that "normal farm practices" occur in close proximity."

And replace with:

"Require statutory covenants on non-agricultural land through the development process. The covenant shall:

- notify landowners that "normal farm practices" occur in close proximity;
- require the ongoing maintenance of the landscape buffer; and
- restrict the planting of species that potentially host pests."
- b) adding new 1.9 and 1.10 Guidelines that read as follows:
 - "1.9 On agricultural lands, design the residential footprint such that:
 - 1.9.1 The residential footprint is located within 60 meters of the road and/or located to maximize agricultural potential and limit negative impacts on the farm, whether or not the parcel is currently farmed;
 - 1.9.2 All underground residential services are located within the residential footprint;
 - 1.9.3 Only agricultural structures structures exclusively used for agriculture, including greenhouses, farm retail sales stands, and those structures associated with crop storage, on-farm processing, stables, winery, cidery, brewery, distillery, meadery, processing and tasting facility or lounge, and temporary farm worker housing may be located outside the residential footprint.
 - 1.10 On agricultural lands, locate farm retail sales, wineries, cideries, breweries, distilleries, and any other structures and services related to the public that are defined as farm uses under the ALC Act near the road entrance or in a location that minimizes road construction to reduce the footprint and extent of services through the lot with the goal of reducing impact on the agriculture potential."
- 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 28th day of May, 2018.

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

BYLAW NO. 11617

TA18-0002 – Agricultural Amendments based on the Agricultural Plan

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 Section 1 – General Administration, 1.3 Zoning Map be amended by deleting:

Section 11 – Ag	gricultural Zones
A1/A1 c	Agriculture 1/Agriculture 1 with Carriage House

And replace it with:

Section 11 – Agricultural Zones		
Aı	Agriculture 1	

2. AND THAT Section 2.3.3 Interpretation be amended by adding a new definition for IMMEDIATE FAMILY in its appropriate location that reads as follows:

"IMMEDIATE FAMILY means, with respect to an owner, the owner's

- (a) parents, grandparents and great grandparents,
- (b) spouse, parents of spouse and stepparents of spouse,
- (c) brothers and sisters, and
- (d) children or stepchildren, grandchildren and great grandchildren."
- 3. AND THAT Section 9.5b Carriage House Regulation Secondary Suite and Carriage House, be amended by:
 - a) Deleting sub-section **9.5b.2 Development Regulations in Agricultural Zones** that reads:

"9.5b.2 Development Regulations in Agricultural Zones

- (a) The maximum **site coverage** is 90 m2, except it is 100 m2 if a **carriage house** is limited to one **storey**.
- (b) The maximum **net floor area** is the lesser of 90 m2 or 75% of the **net floor area** of the principal **dwelling**.
- (c) The maximum **height** is 6.0 m.
- (d) The minimum **front yard** is 12.0 m except for **double fronting lots**. For d**ouble fronting lots**, a **carriage house** shall be sited in accordance with the regulations for a **single detached house** in that zone.
- (e) The minimum **side yard** is 3.0 m, except it is 4.0 m from a **flanking street**.
- (f) The minimum rear yard is 3.0 m.
- (g) The minimum distance to a principal **dwelling** is 4.5 m and the maximum distance is 10.0 m."

- b) Deleting from sub-section **9.5b.3 Development Regulations in Agricultural Zones** subparagraph (g) that reads:
 - "(g) A mobile home may be considered a carriage house only in agricultural zones where a carriage house is permitted."
- 4. AND THAT **Section 11 Agricultural Zones** be amended by:
 - a) deleting "A1c Agriculture 1 with Carriage House from the title;
 - b) deleting sub-paragraph (c) and (h) in **Section 11.1.3 Secondary Uses** as follows and renumber sub sequential subparagraphs:
 - "(h) carriage house (A1c only)"
 - c) delete in Section 11.1.3 Secondary Uses sub-paragraph (i) that reads:

"(i) Food primary establishment

- Only applies to Lot A, Section 24, Township 26, ODYD, Plan EPP7145 located at 700 Hwy 33 E also known as the "Hillcrest Farm Market Cafe".
 This existing cafe is subject to the Agricultural Land Commission (ALC) Resolution #101/2014 for application #53542 (City of Kelowna File A13-0007) and which conditionally approved this non-farm use on the subject property subject to the following condition:
 - i) The Cafe facility is limited to current size being 25.3m² (272ft²) indoor and 34.6m² (372ft²) outdoor and that there be submission of notification or an application to the ALC should there be plans in the future for any significant changes or plans to expand the current footprint."
- d) Delete in Section 11.1.4 Buildings and Structures Permitted subparagraphs (b) that read:
 - "(b) one **mobile home;**"

And replace with

- "(b) one **mobile home** for **immediate family**;"
- e) delete in Section 11.1.4 Buildings and Structures Permitted subparagraphs (d) and (e) that read:
 - "(d) one carriage house (A1c only);
 - (e) only one secondary dwelling unit is permitted (e.g. secondary suite or carriage house)."
- f) delete in **Section 11.1.5 Subdivision Regulations** sub-paragraph (b) that reads:
 - "(b) The minimum **lot area** is 4.0 ha except the minimum **lot area** is 2.0 ha when located within the **Agricultural Land Reserve**. That Lot B, Section 34, Township 29, ODYD, Plan KAP66973 be exempted from the minimum **lot** area requirements of this zone for a period of 3 years, effective July 30, 2002."

and replace with:

- "(b) The minimum lot area is 4.0 ha."
- g) delete in Section 11.1.6 Development Regulations that reads:
 - "a) The maximum **site coverage** is 10% for residential **development** (inclusive of **agri-tourist accommodation**), and it is 35% for **agricultural structures** except it may be increased to 75% for greenhouses with closed wastewater and storm water management systems.

Site coverage of accessory **buildings** or **structures** and **carriage house** shall not exceed a combined 14%. The maximum floor area of a carriage house shall be 90 m² or 75% of the total floor area of the principal building. The maximum floor area of a carriage house may increase to a maximum of 100 m² only if the carriage house is limited to one (1) storey in height and is less than 75% of the total floor area of the principal building.

- (b) The maximum height is the lesser of 9.5 m or 2¹/₂ storeys, except it is 16.0m for agricultural structures and 6.0m for accessory buildings or structures.
- (c) The minimum **front yard** is 6.0 m.
- (d) The minimum **side yard** is 3.0 m, except it is 4.0 m from a **flanking street**.
- (e) The minimum **rear yard** is 10.0 m, except it is 3.0 m for **accessory buildings** and a **carriage house**. A **carriage house** must be located no closer than 4.5 m to the principal **dwelling** and no further than 10m from the principal **dwelling**.
- (f) Notwithstanding subsections 11.1.6(c) to (e), confined livestock areas and/or buildings housing more than 4 animals, or used for the processing of animal products or for agricultural and garden stands, shall not be located any closer than 15.0 m from any lot line, except where the lot line borders a residential zone, in which case the area, building or stand shall not be located any closer than 30.0 m from the lot line."

and replace with:

- "(a) For lots less than 0.4 ha, the maximum site coverage is 30%, unless section 1.7.1 applies.
- (b) For **lots** 0.4 ha and greater, a **residential footprint** must be registered on title for any residential development triggered by a Farm Protection Develoment Permit. The maximum **residential footprint** is 2,000 m². A second **residential footprint** up to 1,000 m² may be registered for a **mobile home** for **immediate family** where permitted.
- (c) The maximum **site coverage** is 35%. The maximum combined **site coverage** may be increased to 75% for **greenhouses and plant nurseries** with closed wastewater and storm water management systems.
- (d) The maximum height is the lesser of 9.5 m or 2¹/₂ storeys, except it is 16.0m for agricultural structures and 6.0m for accessory buildings or structures.
- (e) The minimum **front yard** is 6.0 m.
- (f) The minimum **side yard** is 3.0 m, except it is 4.0 m from a **flanking street**.
- (g) The minimum **rear yard** is 10.0 m, except it is 3.0 m for **accessory buildings**.

- (h) Notwithstanding subsections 11.1.6(e) to (g), confined livestock areas and/or buildings housing more than 4 animals, or used for the processing of animal products or for agricultural and garden stands, shall not be located any closer than 15.0 m from any lot line, except where the lot line borders a residential zone, in which case the area, building or stand shall not be located any closer than 30.0 m from the lot line."
- h) delete in Section 11.1.7 Other Regulations subparagraph (a) that reads:
 - "(a) Notwithstanding subsection 11.1.4(b), when a **home based business, rural** involves the cutting and wrapping of wild game or any meat, the **lot** must have a minimum lot area greater than 0.33 ha."

And replace with:

- "(a) When a **home based business, rural** involves the cutting and wrapping of wild game or any meat, the **lot** must have a minimum **lot** area greater than 0.33ha."
- i) delete in Section 11.1.7 Other Regulations subparagraph (e) that reads:
 - "(e) A "c" notation shown on Schedule "A" as part of the identified **zone** classification indicates that a **secondary use** in the form of a **carriage house** is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. A "c" zoning classification on a property shall be established by rezoning the subject property to the "c" version of parent **zone**."
- j) Add in its appropriate location a new subparagraph (k) in **Section 11.1.7 Other Regulations** subparagraph (e) that reads:
 - "(k) **Mobile home** for **immediate family,** where permitted, must be located on a nonpermanent foundation without basement excavation. When no longer occupied, the mobile home must be removed from the **lot** within 90 days and the site must be restored to a condition suitable for agricultural use."
- h) add a new Section **11.1.9 Site Specific Uses and Regulations** in its appropriate location that reads as follows:

"11.1.9 Site Specific Uses and Regulations

Uses and regulations apply to the A1 – Agriculture 1 zone on a site specific basis as follows:

	Legal Description	Civic Address	Regulation
1.	Lot A, Section 24, Township 26, ODYD, Plan EPP7145	700 Hwy 33 E	Food primary establishment This existing cafe is subject to the Agricultural Land Commission (ALC) Resolution #101/2014 for application #53542 which approved this non- farm use subject to the following condition: i) The Cafe facility is limited to current size being 25.3m ² (272ft ²) indoor and 34.6m ² (372ft ²) outdoor and that there be submission of notification or an application to the ALC should there be plans in the future for any significant changes or plans to expand the current footprint.

i) Adding a new **Section 11.1.10 Prohibited Uses** in its appropriate location that reads as follows:

"11.1.10 Prohibited Uses

The following uses are specifically prohibited in the A1 – Agriculture Zone, in accordance with the requirements of the **ALC** Regulations to prohibit explicitly:

- (a) agri-tourist accommodation, as defined by the **ALC** Regulation.
- (b) carriage house"
- 5. 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 28th day of May, 2018.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

BYLAW NO. 11618

Official Community Plan Amendment No. OCP18-0004 Amendments to Address the Agriculture Plan

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 Chapter 15 – Farm Protection Development Permit Guidelines, be amended by:

- a) Deleting under **PROPERTIES AFFECTED**, the following:
- "1) Any development located on Agricultural Lands before:
 - a. Subdivision of land;
 - b. A Building Permit, Soil Permit, or alteration of land associated with the following uses:
 - i. agri-tourism;
 - ii. agri-tourist accommodation;
 - iii. agricultural dwellings, additional,
 - iv. secondary suite (within an accessory building or structure);
 - v. utility services, minor impact;
 - vi. wineries and cideries;
 - vii. greenhouses and plant nurseries;
 - viii. agricultural and garden stands;
 - ix. temporary farm worker housing."

And replace it with:

- Any development located on Agricultural Lands before:
 a. Subdivision of land;
 b. A Building Permit, Soil Permit, or alteration of land unless listed in exemptions below."
- b) Deleting under **EXEMPTIONS**, the following:

"Agricultural and garden stands where all of the farm products offered for sale are produced on the farm on which the retail sales are taking place; or"

And replace it with:

"Farm retail sales stands where all of the farm products offered for sale are produced on the farm on which the retail sales are taking place; or"

c) Adding under **EXEMPTIONS**, the following in its appropriate location that reads:

"Agricultural structures used exclusively for agriculture or intensive impact agriculture; or"

d) Deleting under GUIDELINES, the following:

- "1.3 On agricultural and non-agricultural lands, establish and maintain a landscape buffer along the agricultural and/or property boundary, except where development is for a permitted farm use that will not encourage public attendance and does not concern additional residences (including secondary suites), in accordance with the following criteria:
 - 1.3.1 Consistent with guidelines provided by Ministry of Agriculture "Guide to Edge Planning" and the ALC report "Landscape Buffer Specifications" or its replacement;
 - 1.3.2 Incorporate landscaping that reinforces the character of agricultural lands. A majority of plant material selected should include low maintenance, indigenous vegetation;
 - 1.3.3 Preserve all healthy existing mature trees located within the buffer area;
 - 1.3.4 Integrate double rows of trees, including coniferous trees, and dense vegetation into the buffer;
 - 1.3.5 Install and maintain a continuous fence along the edge of agricultural land. A permeable fence which allows for the movement of wildlife (i.e.split rail) in combination with dense and continuous evergreen hedge is preferred. Impermeable fencing will not be permitted;
 - 1.3.6 Utilize where appropriate, roads, topographic features, watercourses, ditching, no-build areas, vegetated and fenced barriers as buffers to preserve larger farm units and areas from the gradual encroachment of non-agricultural uses. Where appropriate use statutory covenants to ensure that buffers are established and maintained.'

And replace with:

- "1.3 Establish landscape buffers around residential and non-farm uses within and adjacent to agricultural lands consistent with guidelines provided by Ministry of Agriculture "Guide to Edge Planning."
- 2. AND THAT **Chapter 17 Definitions,** be amended by deleting the definition for Agricultural Lands that reads:

"Agricultural Lands

Lands considered "agriculture" shall include the following:

- lands classified as farm by the BC Assessment Authority;
- lands less than 30% slope and designated Resource Protection Area in OCP Bylaw 10500 and/or zoned A1 in the Zoning Bylaw;
- lands situated in the Agricultural Land Reserve (ALR)."

And replace with:

"Agricultural Lands

Lands considered "agriculture" shall include the following:

- lands classified as farm by the BC Assessment Authority; or
- lands less than 30% slope and designated Resource Protection Area in OCP Bylaw 10500 and zoned A1 in the Zoning Bylaw; or
- lands situated in the Agricultural Land Reserve (ALR)."
- 3. 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 28^{th} day of May, 2018.

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

BYLAW NO. 11619

TA18-0003 — Agricultural Amendments based on the Agricultural Plan

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 Section 1 – General Administration, 1.8 Undersized Lots, 1.8.3 be deleted that reads:

"Where a **lot** is created with Agricultural Land Commission approval for severance of a home-site or a **lot** to be used in lieu, then the regulations of the RR2 **zone** will apply."

And replace it with:

"Where a **lot** is created with Agricultural Land Commission approval for severance of a home-site or a **lot** to be used in lieu, then the regulations of the RR3 **zone** will apply."

- 2. AND THAT Section 2 Interpretation, 2.3 General Definitions, be amended by:
 - a) deleting the definition for **AGRICULTURE** that reads:

"AGRICULTURE means development or use for the primary production of farm products such as dairy products, poultry products, cattle, hogs, sheep or other animals, wheat or other grains, and vegetables, orchards or other field crops. This use is limited to one dwelling, and the processing and marketing of the products of the farm and those off-farm products permitted by the Agricultural Land Commission."

and replacing it with;

"AGRICULTURE means **development** or **use** for the primary production of farm products such as dairy products, poultry products, apiculture, cattle, hogs, sheep or other animals, wheat or other grains, and vegetables, fruits, or other field crops."

b) deleting the definition for AGRICULTURAL STRUCTURES that reads as follows:

"AGRICULTURAL STRUCTURES are those buildings or structures used for agriculture or intensive impact agriculture."

And replacing it with:

"AGRICULTURAL STRUCTURES are those buildings or structures used for agriculture or intensive impact agriculture, but does not include buildings or structures for alcohol production facilities, home based business (rural), kennels or farm retail sales stands."

c) adding a definition for AGRI-TOURISM that reads:

"AGRI-TOURISM means any agri-tourism activity defined under the Agricultural Land Commission Act and related regulation or policy, as amended from time to time.

d) deleting the definition for **AGRICULTURAL AND GARDEN STANDS** that reads:

"AGRICULTURAL AND GARDEN STANDS means those accessory **buildings** and **structures** for retailing agricultural products on a farm."

e) adding a new definition for **ALCOHOL PRODUCTION FACILITIES** that reads:

"ALCOHOL PRODUCTION FACILITIES, means facilities as defined by breweries and distilleries, wineries and cideries, or meaderies."

f) adding a definition for **FARM RETAIL SALES STANDS** in its appropriate location that reads:

"FARM RETAIL SALES STANDS means those accessory **buildings** and **structures** for retailing agricultural products on a farm."

- g) deleting all references of "AGRICULTURAL AND GARDEN STANDS" and replacing it with "FARM RETAIL SALES STANDS"
- h) deleting the definition for **GREENHOUSES AND PLANT NURSERIES** that reads:

"GREENHOUSES AND PLANT NURSERIES means **development** used primarily for the raising, storage, and sale of produce, bedding, household, ornamental plants and related materials such as tools, soil, and fertilizers."

And replace it with:

"GREENHOUSES AND PLANT NURSERIES means development used primarily for the cultivation, storage and sale of produce, bedding, household and ornamental plants, trees, bushes, sod and related materials and may include the accessory sale of landscaping and gardening products and materials such as tools, soil, and fertilizers. This use does not include landscaping, excavating or soil processing businesses or operations."

i) deleting the definition for KENNELS AND STABLES that reads:

"KENNELS AND STABLES means **premises** used for the breeding, buying, selling or overnight boarding of animals including individual dogs, cats, horses or other domesticated animals excluding livestock other than horses."

j) adding a new definition for **KENNELS** that reads:

***KENNELS** means a **building** used for the breeding, buying, selling or overnight boarding of animals including individual dogs, cats, or other domesticated animals excluding livestock and horses."

k) adding a new definition for **MEADERIES** that reads:

"MEADERIES means a meadery, as applicable, that is licensed under the *Liquor Control and Licensing Act* to produce mead."

I) deleting the definition for **ON-FARM PROCESSING** that reads:

"ON-FARM PROCESSING means the undertaking of processes, including grading, packing, mixing, drying, canning, size reduction, fermentation, heat treatments, cold treatments, chemical treatments, and biological treatments on a **farm unit** to:

• Prepare value added products from farm products to sell, or

• Prepare feed for livestock, poultry, farmed game, located on the farm

But excludes on-farm composting, on-farm soil preparation, and on-farm soilless medium production."

and replacing it with:

"ON-FARM PROCESSING means the undertaking of processes, including grading, packing, mixing, drying, canning, size reduction, fermentation, heat treatments, cold treatments, chemical treatments, biological treatments, climate controlled storage, and storage in association with processing on a **farm unit** to:

- Prepare value added products from farm products to sell, or
- Prepare feed for livestock, poultry, farmed game, located on the farm

But excludes on-farm composting, on-farm soil preparation, and on-farm soilless medium production."

m) adding a new definition for **STABLES** that reads:

"STABLES means a **building** with a maximum of 40 permanent stalls used for horse riding, training and boarding."

n) deleting the definition for **WINERIES AND CIDERIES** that reads:

"WINERIES AND CIDERIES means a farm winery, an estate winery, or an estate cidery which is licensed under the *Liquor Control and Licensing Act*. This also includes a FOOD PRIMARY ESTABLISHMENT when licensed by the Liquor Control and Licensing Branch.'

And replacing it with:

'WINERIES AND CIDERIES means a winery, or a cidery which is licensed under the *Liquor Control and Licensing Act*. This also includes a **FOOD PRIMARY ESTABLISHMENT** when licensed by the Liquor Control and Licensing Branch."

- 3. AND THAT Section 7 Landscaping and Screening, 7.6 Minimum Landscape Buffers, 7.6.1 (e) be amended by deleting the following:
 - "(e) Level 5: a landscape buffer is required for all land abutting ALR land where non-farm uses exist. The minimum buffer shall be 3.0m wide and include an opaque barrier immediately adjacent to the boundary(s) abutting the ALR on the urban side of the property. This standard may be replaced or modified as a result of conditions of a decision by the Agricultural Land Commission. The buffer area shall be in addition to the required setback for Rural and Urban Residential zones."

and replacing it with:

- "(e) Level 5: A landscape buffer is required for all land abutting or adjacent to the ALR, as outlined in Table 7.2. This standard may be replaced or modified as a result of conditions of a decision by the Agricultural Land Commission.
 - (i) For Table 7.2, the minimum setback and buffer requirements shall follow those regulations for the most stringent use, should multiple uses occur on the **lot**.
 - (ii) For **lots** that are **adjacent** to the **ALR** and are separated from the **ALR lot** line by a **street**, the Table 7.2 Area B buffer may be reduced to 8.0 m. Where the **lot** is separated by an arterial or collector **street**, a level 3 landscape buffer is required and may not be reduced under Section 7.6.5.
 - (iii) Where a **lot** has existing vegetation that is equivalent to a level 5 landscape buffer and is protected through a covenant or dedicated as public property, an additional landscape buffer is not required.
 - (iv) The minimum distance between the landscape buffer and a structure is 2.0 m.
 - (v) Fencing along the buffer to be minimum 1.8 m height and maximum 2.4 m (where permitted). Impermeable fencing is not permitted.
 - (vi) The buffer must achieve a 50 per cent canopy porosity with a minimum 10 metre height at tree maturity, and planted according to Diagram 7.7.
 - (vii) Required plantings in Area B of Table 7.2 are in addition to those required plantings for parking lots or other required landscaping according to the zone."
- 4. AND THAT Section 7 Landscaping and Screening be amended by:
 - a) Deleting the following from Table 7.1 Minimum Landscape Buffer Treatment Levels Schedule

All properties	5
abutting	
Agricultural Land	
Commission	

and replacing it with:

All lots abutting or adjacent to the	5
Agriculture Land	
Reserve excluding those zoned for	
agriculture.	

b) deleting the following from Table 7.1 – Minimum Landscape Buffer Treatment Levels Schedule

Agricultural Zones				
A1, A1s	1	1	1	No

c) add in its appropriate location, a new Table 2 – Minimum buffers for non-ALR lots abutting or adjacent to the ALR as attached to and forming part of this bylaw as Schedule A;

- d) delete Minimum Landscape Buffer Treatment ALD – Level 5 Diagram 7.6 and replace it with a new Diagram 7.6 - Buffer (Abutting or Adjacent to the ALR) - Plan Detail as attached to and forming part of this bylaw as Schedule B;
- add a new Diagram 7.7 Agricultural Buffer (Abutting or Adjacent to ALR) Plan Detail e) in its appropriate location as attached to and forming part of this bylaw as Schedule C;
- AND THAT Section 11 Agricultural Zones be amended by: 5.
 - a) adding its appropriate location a new subsection in Section 11.1.2 Principal Uses for "stables";
 - b) deleting sub-paragraph b in Section 11.1.2 Principal Uses that reads:

"(b) animal clinics, major where in existence prior to July 1st, 1998"

- c) deleting Section 11.1.3 Secondary Uses that reads:
 - The secondary uses in this zone are: "11.1.3
 - agricultural dwelling(s) additional (a)
 - agri-tourism (b)
 - [deleted] (c)
 - (d) animal clinics, major
 - (e) animal clinics, minor
 - bed and breakfast homes (f)
 - child care centre, minor
 - (g) (h) [deleted]
 - [deleted] (i)
 - (j) (k) forestry
 - group homes, minor
 - home based businesses, major (I)
 - home based businesses, minor (m)
 - home based businesses, rural (n)
 - kennels and stables (o)
 - secondary suite (p)
 - wineries and cideries" (q)

And replace it with:

"The secondary uses in this zone for lots within the Agriculture Land Reserve are:

- agri-tourism (a)
- (b) alcohol production facilities
- bed and breakfast homes (c)
- (d) child care centre, minor
- farm retail sales stands (e)
- (f) forestry
- (g) (h) group homes, minor
- home based businesses, major
- home based businesses, minor (i)
- home based businesses, rural
- (j) (k) kennels
- (l) mobile home for immediate family
- (m) on-farm processing
- (n) secondary suite
- temporary farm worker housing (0)

The secondary uses in this zone for lots outside of the Agriculture Land Reserve are:

- agri-tourism (a)
- (b) animal clinics, major
- (c) animal clinics, minor
- (d) bed and breakfast homes
- (f) child care centre, minor
- (g) (h) group homes, minor
- home based businesses, major
- (i) home based businesses, minor
- home based businesses, rural
- (j) (k) kennels
- (I) secondary suite
- (m) temporary farm worker housing"
- d) Deleting subparagraph (b) in **Section 11.1.4 Buildings and Structures Permitted** that reads:

"(b) one mobile home for immediate family;"

and replace it with:

"(b) one **mobile home** for **immediate family**, where the **owner** lives on the same **lot**;"

e) Deleting Section 11.1.6 Devlopment Regulations that reads:

"(a) For lots less than 0.4 ha, the maximum site coverage is 30%, unless section 1.7.1 applies.

- (b) For lots 0.4 ha and greater, a residential footprint must be registered on title for any residential development triggered by a Farm Protection Development Permit. The maximum residential footprint is 2,000 m². A second residential footprint up to 1,000 m² may be registered for a **mobile home** for **immediate family** where permitted.
- (c) The maximum site coverage is 35%. The maximum combined site coverage may be increased to 75% for greenhouses and plant nurseries with closed wastewater and storm water management systems.
- (d) The maximum height is the lesser of 9.5 m or 2¹/₂ storeys, except it is 16.0m for agricultural structures and 6.om for accessory buildings or structures.
- (e) The minimum **front yard** is 6.0 m.
- (f) The minimum **side yard** is 3.0 m, except it is 4.0 m from a **flanking street**.
- (q) The minimum rear yard is 10.0 m, except it is 3.0 m for accessory buildings.
- (h) Notwithstanding subsections 11.1.6(e) to (g), confined livestock areas and/or buildings housing more than 4 animals, or used for the processing of animal products or for agricultural and garden stands, shall not be located any closer than 15.0 m from any lot line, except where the lot line borders a residential zone, in which case the area, building or stand shall not be located any closer than 30.0 m from the lot line."

And replacing it with:

- "(a) Development regulations are as per the regulations below and indicated in Table 11.1.
- (b) For lots less than 0.4 ha, the maximum site coverage is 30%, unless section 1.7.1 applies.

- (c) For **lots** 0.4 ha and greater, a **residential footprint** must be registered on title for any residential development triggered by a Farm Protection Develoment Permit. The maximum **residential footprint** is 2,000 m². A second **residential footprint** up to 1,000 m² may be registered for a **mobile home** for **immediate family** where permitted.
- (d) The maximum site coverage is 35%. Site coverage may be increased to 75% for greenhouses and plant nurseries with closed wastewater and storm water management systems.
- (e) Kennels may not exceed **building footprint** of 250m².
- (f) Not withstanding subsections 11.1.6(a), **confined livestock areas** and/or **buildings** housing more than 4 animals, or used for the processing of animal products, shall not be located any closer than 30.0 m from the **lot line** where the **lot line** borders a **residential zone.**"
- f) Adding a new Table 11.1 to **Section 11.1.6 Devlopment Regulations** in its appropriate location that reads as Schedule D as attached to and forming part of this bylaw;
- g) Deleting Section 11.1.7 Other Regulations that reads:
 - "(a) When a **home based business**, rural involves the cutting and wrapping of wild game or any meat, the lot must have a minimum **lot area** greater than 0.33 ha.
 - (b) Major animal clinics or **kennels and stables** shall not be located on parcels less than 2.0 ha.
 - (c) Agricultural and garden stands selling only produce grown on the site or another site operated by the same producer do not have a maximum area. The maximum gross floor area of stands selling produce that is produced off-site shall be 50.0 m². For sites within the Agricultural Land Reserve, the maximum gross floor area of agricultural and garden sales for produce produced off-site or off-farm products shall be the lesser of one-third of the total floor area of the agricultural and garden sales stand or 100.0 m².
 - (d) In addition to the regulations listed above, other regulations may apply, including, but not limited to, other sections of this Zoning Bylaw, and any applicable regulations or requirements of the Land Reserve Commission.
 - (e) [deleted]
 - (f) Outside storage of recreational vehicles is not permitted, other than two (2) recreational vehicles that are registered to the property owner.
 - (g) [deleted]
 - (h) **Intensive Agriculture** uses shall be located only within those areas designated for Intensive Agricultural Use in accordance with Schedule "A" attached to this Bylaw.
 - (i) [deleted]

- (j) Bed and breakfast homes or group homes, minor in combination with a secondary suite shall not be located on parcels less than 2.0 ha in size."
- (k) **Mobile home** for **immediate family,** where permitted, must be located on a nonpermanent foundation without basement excavation. When no longer occupied, the mobile home must be removed from the **lot** within 90 days and the site must be restored to a condition suitable for agricultural use."

And replace it with:

- "(a) When a **home based business, rural** involves the cutting and wrapping of wild game or any meat, the **lot** must have a minimum **lot area** greater than 0.33 ha.
- (b) **Major animal clinics,** where permitted, **kennels** and **stables** shall not be located on parcels less than 2.0 ha.
- (c) [deleted]
- (d) In addition to the regulations listed above, other regulations may apply, including, but not limited to, other sections of this Zoning Bylaw, and any applicable regulations or requirements of the **Agriculture Land Commission**.
- (e) [deleted]
- (f) Outside storage of recreational vehicles is not permitted, other than two (2) recreational vehicles that are registered to the property owner.
- (g) deleted
- (h) **Intensive Agriculture** uses shall be located only within those areas designated for Intensive Agricultural Use in accordance with Schedule "A" attached to this Bylaw.
- (i) [deleted]
- (j) Bed and breakfast homes or group homes, minor in combination with a secondary suite shall not be located on parcels less than 2.0 ha in size.
- (k) **Mobile home** for **immediate family**, where permitted, must be located on a nonpermanent foundation without basement excavation. When no longer occupied by **immediate family**, the **mobile home** must be removed from the **lot** within 90 days and the site must be restored to a condition suitable for agricultural use.
- (I) **Greenhouses and Plant Nurseries** may include the **accessory** sale of landscaping and gardening non-farm products provided that this accessory use is limited to 150 m² on the **lot**.

6. 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 28th day of May, 2018.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

Schedule "A"

Table 7.2

Minimum buffers for non-ALR lots abutting or adjacent to the ALR^a

	AREA A Minimum setback from abutting or adjacent lot line of the ALR lot to on-site structures	AREA B Minimum on-site landscape buffer
Existing Residential Lot <0.4ha	Minimum setback as per zone in addition to Area B	3m
Existing Residential Lot >0.4ha	20M	8m
New Residential Subdivision of existing lot <0.4 ha	Minimum setback as per zone in addition to Area B	3m
New Residential Subdivision of existing lot >0.4 ha	20M	15m
Multi-Unit Residential	20M	15m
Commercial	15m	8m
Industrial	15m	8m
Institutional Refer to Diagrams 7.6 and 7.7 Buffer Plans and Section 7.6.1(e)	90m	15m

Schedule B

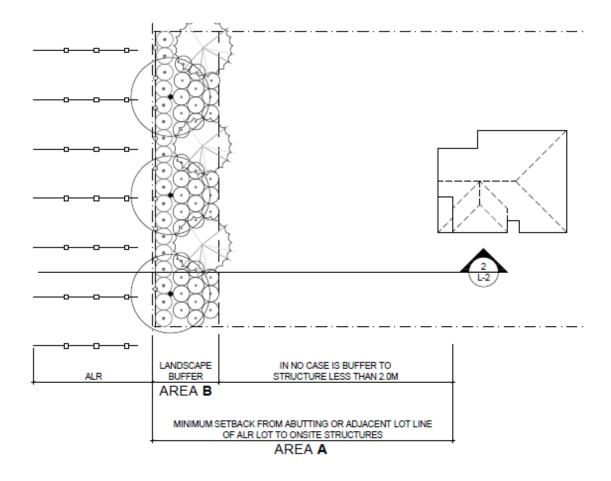


DIAGRAM 7.6 - BUFFER (ABUTTING OR ADJACENT TO THE ALR) - PLAN DETAIL

Schedule C

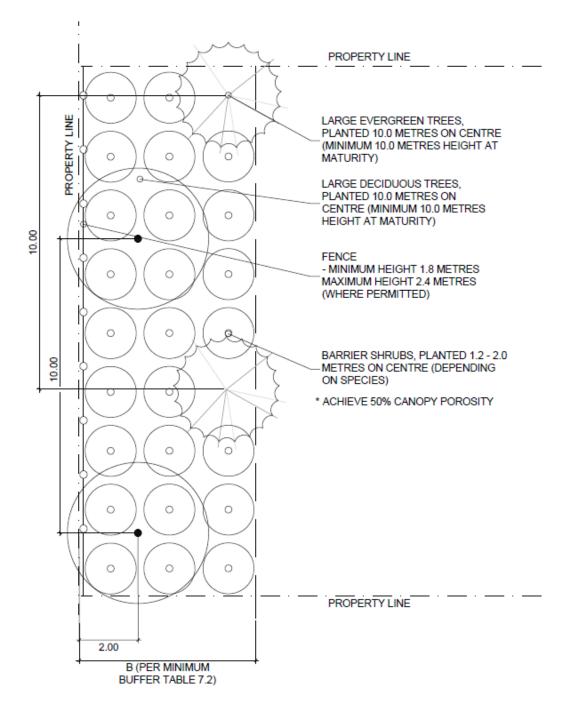


DIAGRAM 7.7 - AGRICULTURAL BUFFER (ABUTTING OR ADJACENT TO ALR) - PLAN DETAIL

Schedule D

Table 11.1 to accompany section 11.1.6 Development Regulations

		Minimum setback distances			
Use	Gross Floor Area	Front Yard and Flanking Street	Side Yard	Rear Yard	Height
Single detached housing on lot s less than 0.4 ha, unless section 1.7.1 applies	see 11.1.6 (c)	6.o m	3.0 M	10.0 M	Lesser of 9.5 m or 2 ½ storeys
Single detached housing on lots 0.4 ha or greater ^a	See 11.1.6 (b)	6.o m	3.0 M	10.0 M	Lesser of 9.5 m or 2 ½ storeys
Accessory Buildings or Structures (including Garage / Carport)	130 M ²	6.o m	3.0 M	3.0 M	6.o m
Mobile Home for Immediate Family , where permitted (ALR only)	300 m², maximum 9 m wide	6.o m	3.0 M	10.0 M	4.8 m
Agricultural Structures	see 11.1.6 (d)	4.5 m	3.0 M	3.0 M	16.0 m
Greenhouses and Plant Nurseries, with closed wastewater and storm water management systems	see 11.1.6 (d)	6.o m	3.0 m	3.0 M	16.0 m
Farm Retail Sales Stands	300 m ^{2 a}	6.o m	3.0 M	3.0 M	6.o m
Kennel	500 m ²	15.0 m	15.0 M	15.0 M	Lesser of 9.5 m or 2 ½ storeys
Stables	see 11.1.6 (d)	15.0 M	15.0 M	15.0 M	16.0 m
On Farm Processing	see 11.1.6 (d)	6.o m	3.0 M	3.0 M	16.0 m
Alcohol production facilities processing facility	Per ALC Regulation	6.0 m	3.0 M	3.0 M	Lesser of 9.5 m or 2 ½ storeys
Alcohol production facilities tasting facility or lounge	Per ALC Regulation	6.o m	6.o m	10.0 M	Lesser of 9.5 m or 2 ½ storeys

^{a)} **Farm Retail Sales Stands,** selling only produce grown on the **site** or another **site** operated by the same producer do not have a maximum area. If non-farm products are being sold, then the total area, both indoors and outdoors, used for retail sales of all products must not exceed 300m² and at least 50 per cent of the that retail sales area must be for the sale of farm products produced on the farm.

CITY OF KELOWNA

BYLAW NO. 11553 Z17-0104 – Richter Street

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:

- THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A District Lot 139 ODYD Plan EPP81393, located at Richter St, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple 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 19th day of February, 2018.

Considered at a Public Hearing on the 6th day of March, 2018.

Read a second and third time by the Municipal Council this 6th day of March, 2018.

Amended at third reading and adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date:	June 12, 2018			Kelown
RIM No.	0940-00			
То:	City Manager	City Manager		
From:	Community Planning Department (AW)			
Application:	DP17-0249 & DVP17-0250		Owner:	1139096 BC Ltd
Address:	1304 & 1308 Richter Street		Applicant:	Dwayne McLean
Subject:	Development Permit and Development		t Variance Perr	nit
Existing OCP De	signation:	MRM – Multiple Unit Residential (Medium D		edium Density)
Existing Zone:	RU6 – Two Dwelling H		lousing	
Proposed Zone:	e: RM5 – Medium Densi		ty Multiple Hou	using

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11553 (Z17-0104) be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP17-0249 for Lot A District Lot 139 ODYD Plan EPP81393, located at 1308 and 1304 Richter 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 authorize the issuance of Development Variance Permit DVP17-0250 Lot A District Lot 139 ODYD Plan EPP81393, located at 1308 and 1304 Richter St, Kelowna, BC;

Section 13.11.6 (d) Development Regulations – Front Yard Setback

To vary the front yard setback for a portion of the building above 2 ¹/₂ storeys (3rd storey) from 6.om required to 4.18m proposed.

Section 13.11.6 (e) Development Regulations – Side Yard Setback (South)

To vary the side yard setback for portions of the building below 2 ¹/₂ storeys from 4.5 m required to 2.76 m proposed.

To vary the side yard setback for portions of the building above $2\frac{1}{2}$ storeys from 7.0 m required to 2.7 m for the 3^{rd} storey and 4.05 m for the 4^{th} storey.

Section 13.11.6 (e) Development Regulations – Side Yard Setback (North)

To vary the side yard setback for portions of the building below 2 ½ storeys from 1.5 m required to 0.47 m proposed.

To vary the side yard setback for portions of the building above $2\frac{1}{2}$ storeys from 6.0 m required to 0.47 m for the 3^{rd} and 4^{th} storeys.

Section 13.11.6 (f) Development Regulations – Rear Yard Setback

To vary the rear yard setback from 7.0m required to 1.19m proposed.

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

2.0 Purpose

To review the Form & Character Development Permit of a 12-unit townhouse development and to consider variances to the required setbacks.

3.0 Community Planning

Community Planning Staff support the Development Permit and associated Development Variance Permit for the proposed twelve-unit ground oriented townhouse development. The form and character is in general accordance with the relevant Development Permit objectives and guidelines as specified in the Official Community Plan (OCP), including providing visually prominent and recognizable entrances as well as the variation in both materials and building form. Architectural elements are used to create visual interest.

OCP Policy 5.22.6 (Sensitive Infill) is achieved by keeping the height of the proposed development at 4 stories with rooftop access for private open space. This provides an appropriate transition from the existing apartment building to the south and the anticipated future redevelopment of the surrounding area. The applicant has proposed two bedroom units. The subject properties are located within the 'City Centre' Urban Centre at the intersection of Cawston Ave and Richter St. The subject properties are in close proximity to downtown and is well served by nearby amenities including parks, restaurants, and shops. The properties also front the Cawston Ave multi-use corridor with good cycling connectivity to downtown, the Ethel St multi-use corridor, and Rails with Trails. The Official Community Plan Future Land Use designation for the properties is MRM – Multiple Unit Residential (Medium Density). The properties' Walk Score is 88 (Very Walkable – most errands can be accomplished on foot). As a result, staff are supportive of the proposed rezoning to RM5 – Medium Density Multiple Housing in order to facilitate the development of row housing.

To fulfill Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form to staff on January 11, 2018, documenting that neighbours within 50m of the subject properties were notified.

4.0 Proposal

4.1 Project Description

The applicant is proposing to construct twelve, two-bedroom row houses on the subject properties. The subject properties' current land use designation of MRM – Multiple Unit Residential (Medium Density) is consistent with the proposed RM_5 – Medium Density Multiple Housing zone. The RM_5 zone allows for apartment housing and row housing with a maximum floor area ratio of 1.4 and a maximum height of 18.0m/4.5 storeys.

4.2 Site Context

Subject Property Map: 1304 & 1308 Richter St



The subject properties are in the 'City Centre' Urban Centre at the corner of Cawston Ave and Richter St. The two lots have a combined area of 1,202m2 in a primarily residential neighbourhood.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU2 – Medium Lot Housing	Single Dwelling Housing
East	RU6 – Two Dwelling Housing	Single Dwelling Housing
South	RM5 – Medium Density Multiple Housing	Apartment Housing
West	RU6 – Two Dwelling Housing	Single Dwelling Housing

Zoning Analysis Table				
CRITERIA		RM5 ZONE REQUIREMENTS	PROPOSAL	
		Development Regulations		
Floor Ar	ea Ratio	1.4	1.37	
Site Co	overage	70%	70%	
Hei	ght	18 m / 4.5 storeys	13 m / 4 storeys	
Front Yard	0-2 ½ storeys	1.5 M	1.5 m	
FIONUTATO	> 2 ½ storeys	6.om	3 rd storey - 4.18 m* / 4 th storey – 9.0 m	
Cide Vard (C)	0-2 ½ storeys	4.5 m	2.76 m*	
Side Yard (S)	> 2 ½ storeys	7.0 M	3 rd storey - 2.7 m* / 4 th storey – 4.05 m*	
Side Yard (N)	0-2 ½ storeys	1.5 M	0.47 m*	
Flanking St.	> 2 ½ storeys	6.o m	3 rd storey – 0.47 m* / 4 th storey – 0.47 m*	
Rear	Yard	7.0 M	1.19 m *	
		Other Regulations		
Minimum Parking Requirements		18 stalls	24 stalls	
Bicycle Parking		Class I: 6	Class I: 24	
		Class II: 3	Class II: 10	
Private Open Space		300 m ²	561 m²	
+ Van the front used asthall for a notion of the building above a 16 storays (and storay) from 6 and required to 4 and proposed				

4.3 Zoning Analysis Table

* Vary the front yard setback for a portion of the building above 2 ¹/₂ storeys (3rd storey) from 6.0m required to 4.18m proposed.

* Vary the side yard setback (South) for portions of the building below 2 ½ storeys from 4.5 m required to 2.76 m proposed.

* Vary the side yard setback (South) for portions of the building above 2 ½ storeys from 7.0 m required to 2.7 m for the 3rd storey and 4.05 m for the 4th storey.

* Vary the side yard setback (North) for portions of the building below 2 ½ storeys from 1.5 m required to 0.47 m proposed.

* Vary the side yard setback (North) for portions of the building above 2 ½ storeys from 6.0 m required to 0.47 m for the 3rd and 4th storeys.

* Vary the rear yard setback from 7.0m required to 1.19m proposed.

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.

Contain Urban Growth.³ Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Housing Mix.⁴ Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

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).

³ City of Kelowna Official Community Plan, Goals for a Sustainable Future, Objective 1 (Chapter 1 Introduction)

⁴ City of Kelowna Official Community Plan, Policy 5.27.11 (Development Process Chapter)

Chapter 4: Land Use Designation Massing and Height.3

- Mitigate the actual and perceived bulk of buildings by utilizing appropriate massing, including:
- Architectural elements (e.g. balconies, bay windows, cantilevered floors, cupolas, dormers);
- Visually-interesting rooflines (e.g. variations in cornice lines and roof slopes);
- Step back upper floors to reduce visual impact;
- Detailing that creates a rhythm and visual interest along the line of the building;
- Wall projections and indentations, windows and siding treatments as well as varied material textures should be utilized to create visual interest and to articulate building facades;
- Building frontages that vary architectural treatment in regular intervals in order to maintain diverse and aesthetically appealing streets.

6.o 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).
 - Demolition Permit required for any existing structures
 - Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these trailers are to be shown at time of development permit application.
 - HPO (Home Protection Office) approval or release is required at time of Building Permit application.
 - A Hoarding permit is required and protection of the public from the staging area and the new building area during construction.
 - 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 alternative solution must be accepted by the Chief Building Inspector prior to the release of the Building Permit.
 - $\circ~$ Location, Heights, Colors of mechanical systems and the required screening are to be determined at time of DP
 - Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
 - Access to the roofs are required per NFPA and guard rails may be required and should be reflected in the plans if required.
 - Vestibules are required between suites and parking areas and are to be air pressurized spaces which may require a rated horizontal shaft. BCBC 3.3.5.7. (4). This may affect the unit layouts or parking areas.
 - The second floor terrace / roof top areas require a secondary means of egress as per BCBC 3.3.1.3. (2)
 - Mechanical Ventilation inlet and exhausts vents are not clearly defined in these drawings since elevations were not provided. It appears that the parking garage vents below the exit stairs and may exhaust against the side wall of a unit.
 - The winders on the unit stairs do not appear to meet the requirements of BCBC code articles within 9.8.4.5. which may affect the unit layouts.
 - Distance from the building to the outside garbage & recycling collection area is to be reviewed with the Fire Department for compliance.
 - Fire resistance ratings are required for garbage enclosure room(s) / area(s) in the parkade. The drawings submitted for building permit are to clearly identify how this rating will be achieved and where these area(s) are located.

- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application. Minimum building elevations are required to be established prior to the release of the Development Permit. If a soil removal or deposit permit is required, this must be provided at time of Development Permit application.
- We strongly recommend that the developer have his professional consultants review and prepare solutions for potential impact of this development on adjacent properties. Any damage to adjacent properties is a civil action which does not involve the city directly. The items of potential damage claims by adjacent properties are items like settlement of foundations (preload), damage to the structure during construction, undermining & underpinning of existing foundation, additional snow drift on neighbour roofs, excessive noise from mechanical units, vibration damage during foundation preparation work, water infiltration systems, etc.
- 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 complex at time of permit application
- 6.2 Development Engineering Department

Development Engineering requirements satisfied with rezoning application.

- 6.3 Fire Department
 - Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required.
 - the building shall be addressed off of road it is accessed from Richter
 - Fire Department access is to be met as per BCBC 3.2.5. and accommodate the largest apparatus. Lane access is not considered access to the west side of the building. Will travel distance to the west units meet code requirements due to access being upstairs and down a hallway?
 - 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 as well as a fire pre-plan as per bylaw 10760
 - Approved Fire Department steel lock box acceptable to the fire dept. is required by the fire dept.
 - All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met for communications
 - the fire alarm system is to be monitored by an agency meeting the CAN/ULC S561 Standard
 - sprinkler zone valves shall be accessible as per fire prevention bylaw (10760) less than 7 feet in height
 - Fire department connection is to be within 45M of a fire hydrant unobstructed.
 - o ensure FD connection is clearly marked and visible from the street
 - Upon completion an owners certificate and copy of NFPA 25 shall be provided for the sprinkler system.
 - Upon completion, a certificate is required to verify CANULC 561 Compliance
 - o dumpster/refuse container must be 3 meters from structures or overhangs

7.0 Application Chronology

Date of Application Received:	November 7, 2017
Date Public Consultation Completed:	January 11, 2018
Date of Public Hearing:	March 6, 2018

Report prepared by: Reviewed by: Approved for Inclusion: Alec Warrender, Property Officer Specialist Terry Barton, Urban Planning Manager Ryan Smith, Community Planning Department Manager

Attachments:

Applicant's Letter of Rationale DP17-0249 & DVP17-0250



Revised October 30, 2017 Proposal for Rezoning & Development Permit Existing Zone: RU6 Proposed Zone: RM5 Legal Description: Lots 34 & 35 D.L. 139 ODYD Plan 2085 1304 & 1308 Richter Street Kelowna, BC

Introduction

This is an application for both a rezoning and a development permit to accommodate a 12 unit multi-unit building located at 1304 & 1308 Richter Street. The proposed building consists of 12 ground orientated townhouse units. These applications are being submitted concurrently, with the intent that they will be processed together.

Site Context

The subject site consists of 2 lots that total approximately 1200.59 SM and is prominently located at the SW corner of the intersection of Richter Street and Cawston Ave.

The proposed revised zoning classification is RM5 with minor variances proposed in support of this unique project.

Coronation Ave Cowston Ave Comparison C

The property is currently zoned RU6, Two Dwelling Housing.

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Overview

This proposed infill development is located on an underutilized property bordered on 1 side by an existing multifamily building which also falls under RM5 zoning guidelines. Two single family homes are currently situated on the property. The two lots are "orphaned" by the adjacent multifamily higher density development.

The site is well positioned near the rapid transit bus route system. It is also located on the Cawston community system bike path which is part of the overall Active Transportation Corridor. The increasing number of jobs and overall activity in Downtown Kelowna has inspired us to look at a higher density project to meet the growing demand for well conceived downtown housing. In support of this higher density project, rezoning will be required together with minor variances. A development permit will also be required. We have contemplated RM5 Guidelines with specific variance approvals in support of our rezoning application.

Cawston Avenue is a prominent downtown street with the improved bike lane. Our primary design objective has been to create curb appeal, street presence, and separate street and ground oriented townhouse entrances for all units.

In support of this application, both properties fall within the Multiple Unit Residential (Medium Density) land use designation as prescribed by the City of Kelowna's Official Community Plan. We are proposing that the site be rezoned to RM5 to accommodate 12 ground oriented townhouse units. Variances that are required to facilitate this design are detailed in an attached schedule.

The parking structure roof slab is used as a base for the townhouse "mews" style units as well as an elevated pedestrian park environment providing direct access to the main living floor of each unit. In addition each unit has direct access to grade on each of the side yards which are also richly landscaped. All units are two bedroom with upper level dens (potential 3rd bedroom) and private rooftop patios. Each unit is provided with two indoor parking stalls with immediate and direct access for residents to their own unit.

It is important to know that the builder has to contend with a high water table. The high water table prohibits development of a sub-grade parking structure. Accordingly, the parking structure is proposed to be developed at grade. In order to facilitate street oriented unit design, variances are proposed to some bylaw site setback requirements. These are detailed in the attached schedules. It is important to note that the need for variance approvals is almost wholly driven by the high water table and the resultant need to locate the parking structure at grade.

Variances Requested

The site layout substantially fits within the prescribed guidelines of the RM5 zone and the proposed rezoning is consistent with the Future Land Use prescribed in the Official Community Plan.

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Bylaw Summary: RM5 Guidelines (Revised Oct 30/17)

Criteria Item	Regulation	Proposed	Variance
Min Site Area	1400 SM	1200.59 SM	Required
Min Lot Width	30 M	26.29 M	Required
Min Lot Depth	35 M	45.70 M	N/A
Maximum FAR (not including covered parking)	1.4 F.A.R.	1644.81 SM	
1,680.83 SM (Max)	(1.2 + 0.2)	1.37 F.A.R.	N/A
Max Site Coverage: 840.4 SM	70%	70%	
(Building, Parking & Paving)	(50% + 20%)	840 SM	N/A
Maximum Height	4.5 Storeys 18 M	4 Storeys/12.548	N/A
Net Unit Area	(1.4 x 1200.59 SM)		
	1680.83 SM	1644.81 SM	N/A
Front Yard (at Richter St.) under 2 ½ storeys			
@ Ground Floor & 2 nd Floor	1.5 M	1.5 M	N/A
Front Yard (at Richter St.) over 2 ½ storeys			
@ 3 rd Floor	6.0 M	4.181 M	1.819 M
@ 4 th Floor	6.0 M	9 M	N/A
North Side Yard (at Cawston) under 2 ½ storeys			
@ Ground Floor	1.5 M	0.928 M	0.572 M
@ 2 nd Floor	1.5 M	0.470 M	1.03 M
North Side Yard (at Cawston) over 2 ½ storeys			
@ 3 rd Floor	6.0 M	0.470 M	5.53 M
@ 4 th Floor	6.0 M	3.170 M	2.83 M
South Side Yard (joint P.L.) under 2 ½ storeys			
@ Ground Floor	4.5 M	2.760 M	1.749 M
South Side Yard (joint P.L.) over 2 ½ storeys			
@ 3 rd Floor	7.0 M	2.7 M	4.3 M
@ 4 th Floor	7.0 M	4.056 M	2.944 M
Rear Yard (at lane) @ Car Port Structure at grade	1.5 M	1.190 M	0.310 M
@ 2^{nd} , 3^{rd} and 4^{th} Floors	6.0 M	6.0 M	N/A
(See shared 2 nd floor shared garden areas and	See Bylaw		See Bylaw
shared green roof areas on plans)	#13.11.6.h		#13.11.6.h

Please see attached Setback Plans attached in this package for your reference.



Criteria Item	Regulation	Proposed	Variance
Parking Stalls	18 (150%)	24 (200%)	N/A
Bicycle Parking	6 Class 1 & 3	Class 1 = 24 (2 per unit)	
	Class 2	Class 2 = 10	N/A
Private Amenity Space		Balconies, Patios & Decks - 359.96 SM	
(25 SM x 12)	300 SM	Passive Private Space – 74.72 SM	
		Extensive Green Roof - 137.89 SM	
		Total Amenity Space – 572.57 SM	N/A

RESIDENTIAL AREA SUMMARY BY UNIT (NOT INCLUDING PARKING)

UNIT TYPE	TOTAL UNIT AREA	# OF UNITS	TOTAL NEW UNIT AREAS
UNIT A	147.78 SM	X 1	147.78 SM
UNIT B	148.18 SM	X 3	444.54 SM
UNIT C	148.35 SM	X 1	145.35 SM
UNIT D	145.17 SM	X 1	145.17 SM
UNIT E	144.96 SM	X 3	434.88 SM
UNIT F	145.12 SM	X 1	145.12 SM
UNIT G	136.27 SM	X 2	272.54 SM
TOTAL NET RESIDENTAL			RESIDENTAL AREA
UNIT AREA		12 UNITS	1,738.38 SM

RESIDENTIAL AREA SUMMARY BY FLOOR (NOT INCLUDING PARKING)

GROUND FLOOR	195.19 SM
SECOND FLOOR	636.26 SM
THIRD FLOOR	586.83 SM
FOURTH FLOOR	320.10 SM
TOTAL RESIDENTIAL FLOOR AREA	1,738.38 SM

F.A.R CALCULATION

SITE AREA	1200.59 SM
REGULATION F.A.R.	1.4 OF SITE AREA
REGULATION MAX UNIT AREA	(1.4 X 1200.59 SM) = 1,680.82 SM
ACTUAL RESIDENTIAL AREA (FROM ABOVE)	1,738.38 SM
DEDUCT 50% OF EACH INTERIOR STAIR AREA IN EACH UNIT	
ON EACH FLOOR OF EACH UNIT	= 92.52 SM NET DEDUCTIBLE
NET RESIDENTIAL AREA (1,738.38 SM LESS 92.52 SM)	= 1,645.86 NET
F.A.R. PROPOSED 1,645.86 SM / 1,200.59 SM	1.370 F.A.R.
CONCLUSION F.A.R. PROVIDED AND NO VARIANCE REQ'D	0.03 LESS THAN MAX ALLOWABLE

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As previously stated, the exceptionally high water table on this site has prevented construction of a subgrade parking structure leaving the builder no choice but to develop the parking structure at grade. In developing the parking structure at grade and clear of the water table, the above variances are required for a functional and working project. Having said that, it should be noted that the above grade density (F.A.R.) and site coverage proposed are both bylaw compliant with no variance required to render this project functional.

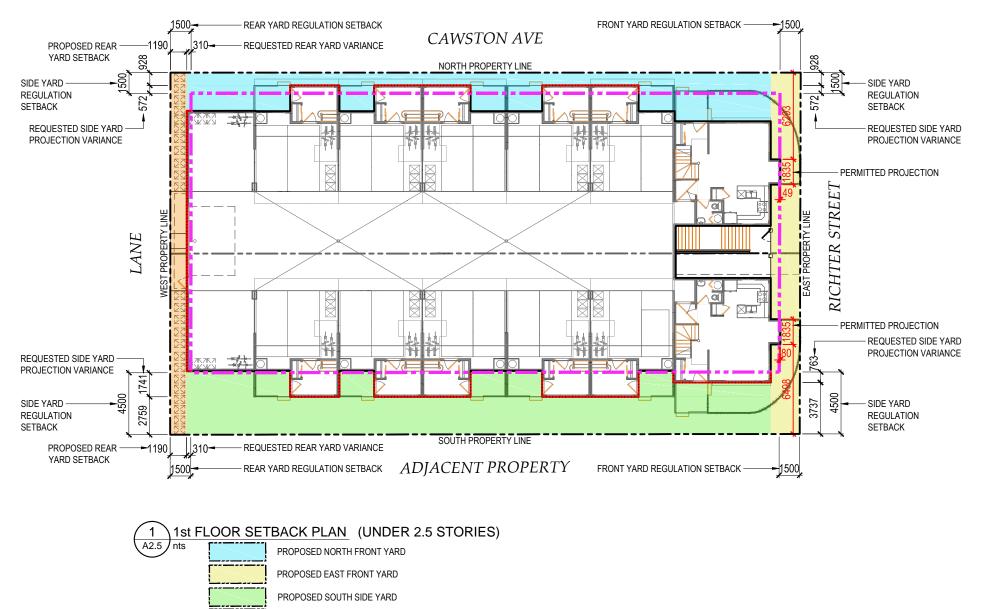
We have also had productive consultation with our neighbors to the South living in "The Cambridge." Their basic concerns of life safety (fire spread) have been addressed two fold. Once by decreasing the proposed setback variances on our joint property line and again by proposing that the construction of our South exterior wall be constructed as wall assembly with a 2 hour fire resistance rating compliant with the current BC Building Code. The combination of these two measures provide the added assurance and exceed the applicable Building Code requirements by a considerable margin.

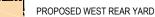
Conclusion

Maximizing the efficiency of infill development has been identified by the City of Kelowna as a priority to help avoid urban sprawl. This project strives to help fulfill that goal while promoting an active lifestyle for residents. A priority is also given by the architect to ground and street orientation and pedestrian relevant design in this project on multiple levels. The applicant seeks support from staff and council for this rezoning and development permit application complete with all required variances.

Best Regards, DW Architecture

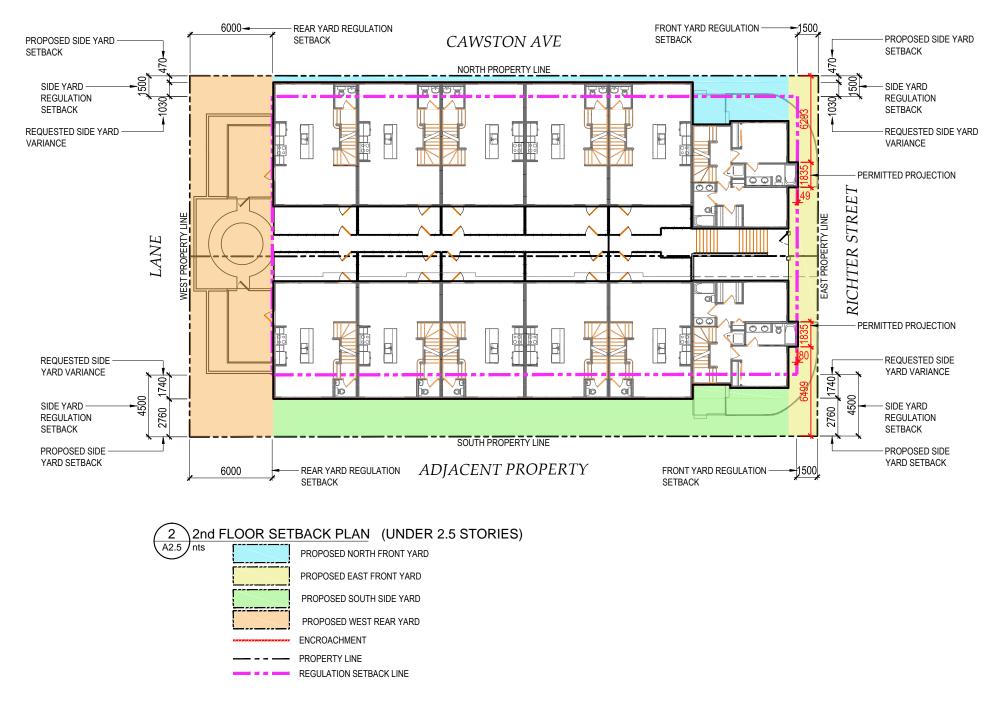
David Watkin DW/ta

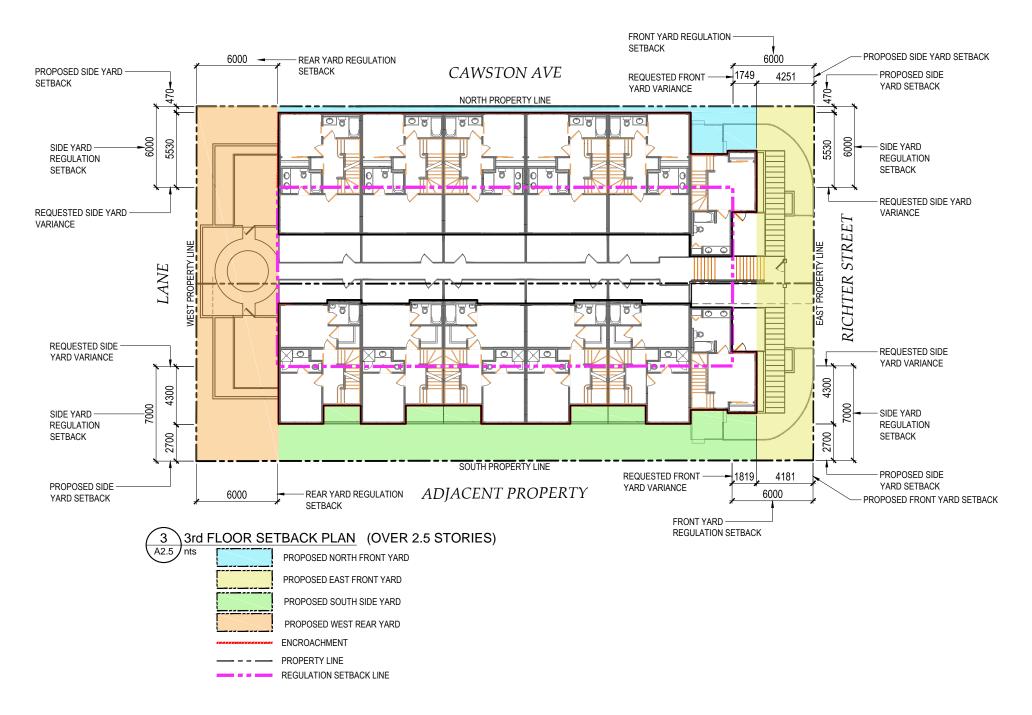


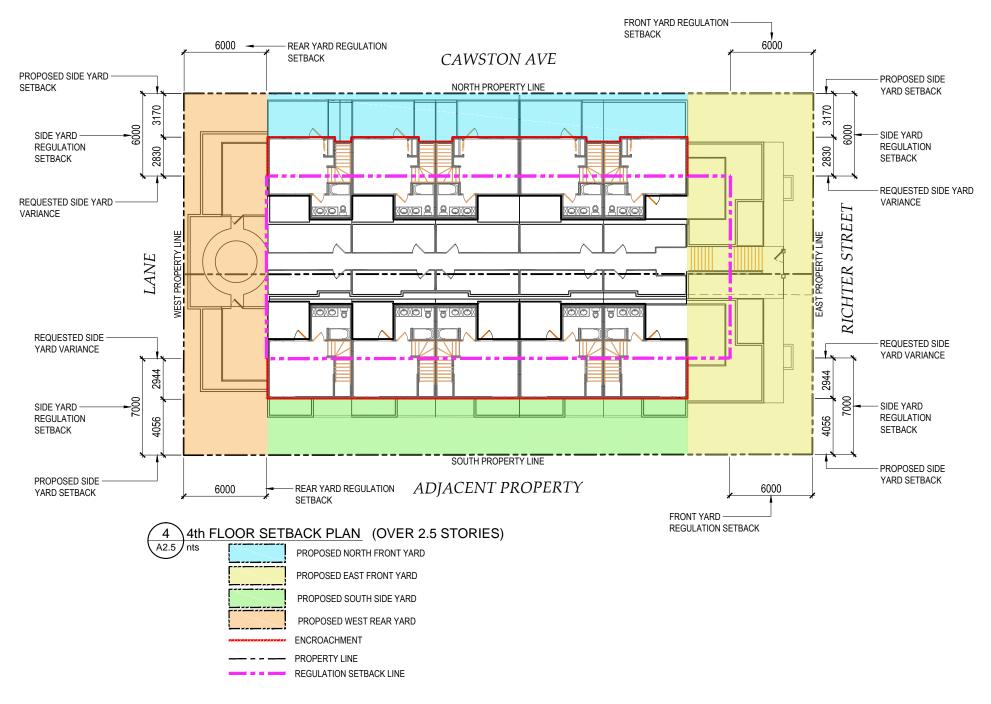




PROPERTY LINE









This permit relates to land in the City of Kelowna municipally known as

1304 & 1308 Richter Street

and legally known as

Lot A District Lot 139 ODYD Plan EPP81393

The development has been approved subject to any attached terms and conditions, and to full compliance with the approved plans bearing the stamp of approval and the above described development permit number.

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

June 12, 2018
CITY COUNCIL
ТВО
Comprehensive Development Permit Area
Alec Warrender

This permit will not be valid if development has not commenced by June 12, 2020.

Existing Zone: RM5 – Medium Density Multiple Housing Future Land Use Designation: Multiple Unit Residential (Medium Density)

This is NOT a Building Permit.

In addition to your Development & Development Variance Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner:1139096 BC LtdAddress:1593 Klein RoadCity:West Kelowna, BC

Ryan Smith, Community Planning Department Manager Community Planning & Strategic Investments Date

1. SCOPE OF APPROVAL

This Development 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 Development 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 Development 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.

2. CONDITIONS OF APPROVAL

- 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"; and
- 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.
- e) Council approved variances:

Section 13.11.6 (d) Development Regulations – Front Yard Setback

To vary the front yard setback for a portion of the building above 2 ½ storeys (3rd storey) from 6.om required to 4.18m proposed.

Section 13.11.6 (e) Development Regulations – Side Yard Setback (South)

To vary the side yard setback for portions of the building below 2 ½ storeys from 4.5 m required to 2.76 m proposed.

To vary the side yard setback for portions of the building above $2\frac{1}{2}$ storeys from 7.0 m required to 2.7 m for the 3^{rd} storey and 4.05 m for the 4^{th} storey.

Section 13.11.6 (e) Development Regulations – Side Yard Setback (North)

To vary the side yard setback for portions of the building below 2¹/₂ storeys from 1.5 m required to 0.47 m proposed.

To vary the side yard setback for portions of the building above 2 ½ storeys from 6.0 m required to 0.47 m for the 3rd and 4th storeys.

Section 13.11.6 (f) Development Regulations – Rear Yard Setback

To vary the rear yard setback from 7.0m required to 1.19m proposed.

This Development Permit and Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

3. 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 Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer 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 enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property own of the day. Should the Developer carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Developer or his or her designate. There is filed accordingly:

a) A Certified Cheque in the amount of TBD.

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.

4. Indemnification

Upon commencement of the works authorized by this Permit the Developer covenants and agrees 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 said Permit.

All costs, expenses, claims that may be incurred by the Municipality where the construction, 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.

The PERMIT HOLDER is the <u>CURRENT LAND OWNER</u> .
Security shall <u>ONLY</u> be returned to the signatory of the
Landscape Agreement or their designates.



DRAWING LIST

- ARCHITECTURAL:
- A1 SITE PLAN
- A2 PARKING/MAIN FLOOR PLAN
- A2.1 SECOND FLOOR PLAN
- A2.2 THIRD FLOOR PLAN A2.3 FOURTH FLOOR PLAN
- A2.4 ROOF PLAN
- A2.5 SETBACK PLAN
- A3 UNIT TYPE A FLOOR PLANS
- A3.1 UNIT TYPE B FLOOR PLANS A3.2 - UNIT TYPE C FLOOR PLANS
- A3.3 UNIT TYPE D FLOOR PLANS
- A3.4 UNIT TYPE E FLOOR PLANS
- A3.5 UNIT TYPE F FLOOR PLANS
- A3.6 UNIT TYPE G FLOOR PLANS A4 - ELEVATIONS
- A4.1 ELEVATIONS
- A4.2 SECTIONS
- A4.3 RENDERINGS

UNIT D

UNIT E

UNIT F

UNIT G

145.17 m²

144.96 m²

145.12 m²

136.27 m²

TOTAL NET UNIT AREA

LANDSCAPE:

L1 / 2 - CONCEPTUAL LANDSCAPE PLAN L2 / 2 - WATER CONSERVATION & IRRIGATION PLAN

F.A.R. CALCULATION	
REGULATION MAXIMUM	1.4
NET FLOOR AREA	1,738.38 m²
ALLOWABLE DEDUCTABLE (50% Stair Area)	92.52 m²
NET FLOOR AREA	1,645.86 m²
SITE AREA	1,200.59 m²
PROPOSED F.A.R.	1.37



- 1						_			
	BYLAW SUMMARY: RM5 GUIDELINES								
	CRITERIA				REGULATION		PROPOSED	VARIANC	E
	SITE AREA:				1,400 m²		1,200.59 m ²	Required	
	LOT WIDTH:				30 m		26.29 m	Required	
	LOT DEPTH:				35 m		45.70 m	N/A	
	MAXIMUM FA	R: (not including covered	parking)		1.4		1.37	N/A	
	MAXIMUM SI	TE COVERAGE: (Building	, Parking & Pa	aving)	70%		70%	N/A	
	MAXIMUM HE	EIGHT:			4.5 Storeys/18 m		4 Storeys/12.5 m	N/A	
	FRONT YARD): (Richter St.)			1.5 m & 6 m		1.5 m & 4.1 m	Required	
	SIDE YARD: (South) Shared property lir	ne		4.5 m & 7 m		2.7 m & 2.7m	Required	
	SIDE YARD: (Cawston Ave.)			1.5 m & 6 m		1.5 m - Varies 0.47 m - 3.17 m	Required	
	REAR YARD:	(West) Laneway			1.5 m & 6 m		1.19 m at grade 6 m (Above Parkade)	Required	
	PARKING ST	ALLS:			18 (150%)		24 (200%)	N/A	
	BICYCLE PAF	RKING:			6 Class 1 & 3 Class	32	24 Class 1(2 per unit) & 10 Class 2	N/A	
	PRIVATE AM	ENITY SPACE: (25 sq.m »	k 12)		300 m ²		359.96 m ² Balconies, Patios & Decks	N/A	
							74.72 m ² Passive Private Space		
							137.89 m ² Extensive Green Roof		
							572.57 m ² Total Private Space		
	UNIT & AREA	SCHEDULE				I	NET AREA SUMARY		
	UNIT TYPE	TOTAL UNIT AREA	# OF UNITS	TOTAL	NET UNIT AREAS		GROUND FLOOR - Residential Net Area	1	195.19 m ²
	UNIT A	147.78 m²	x 1	147.78	m²		SECOND FLOOR - Residential Net Area		636.26 m ²
	UNIT B	148.18 m²	x 3	444.54	m²		THIRD FLOOR - Residential Net Area		586.83 m²
	UNIT C	148.35 m ²	x 1	148.35	m²		FOURTH FLOOR - Residential Net Area		320.10 m ²

NET FLOOR AREA

1,738.38 m²

x¹ 145.17 m²

12 Units 1,738.38 m²

434.88 m²

145.12 m²

272.54 m²

х З

x 1

х 2

1304 & 1308 Richter Street



SCALE: NTS





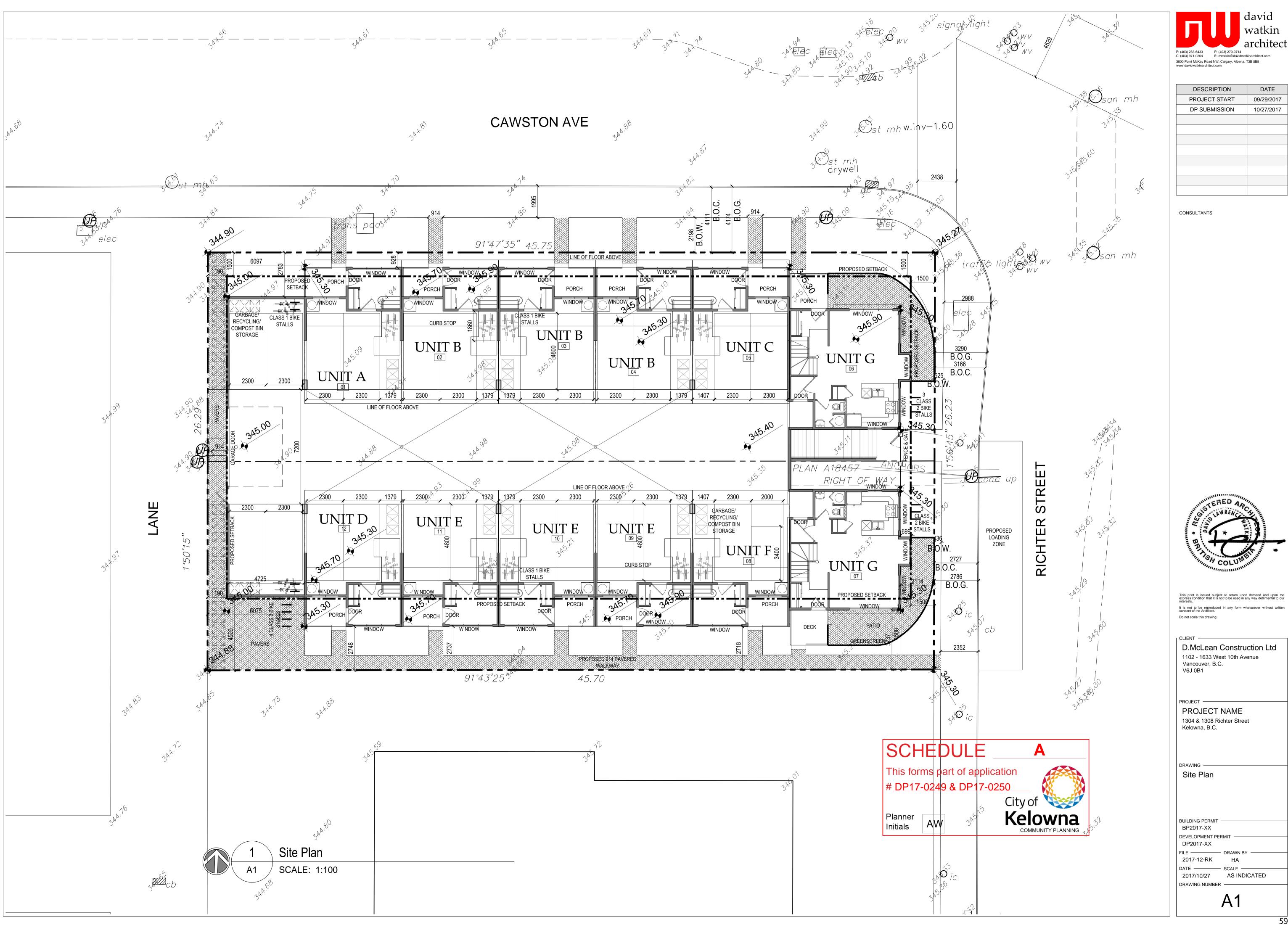
A0 SCALE: NTS

🔨 5 🔿 NORTH ADJACENT PROPI A0 SCALE: NTS

2 CEAST ADJACENT PROPERTY A0 SCALE: NTS

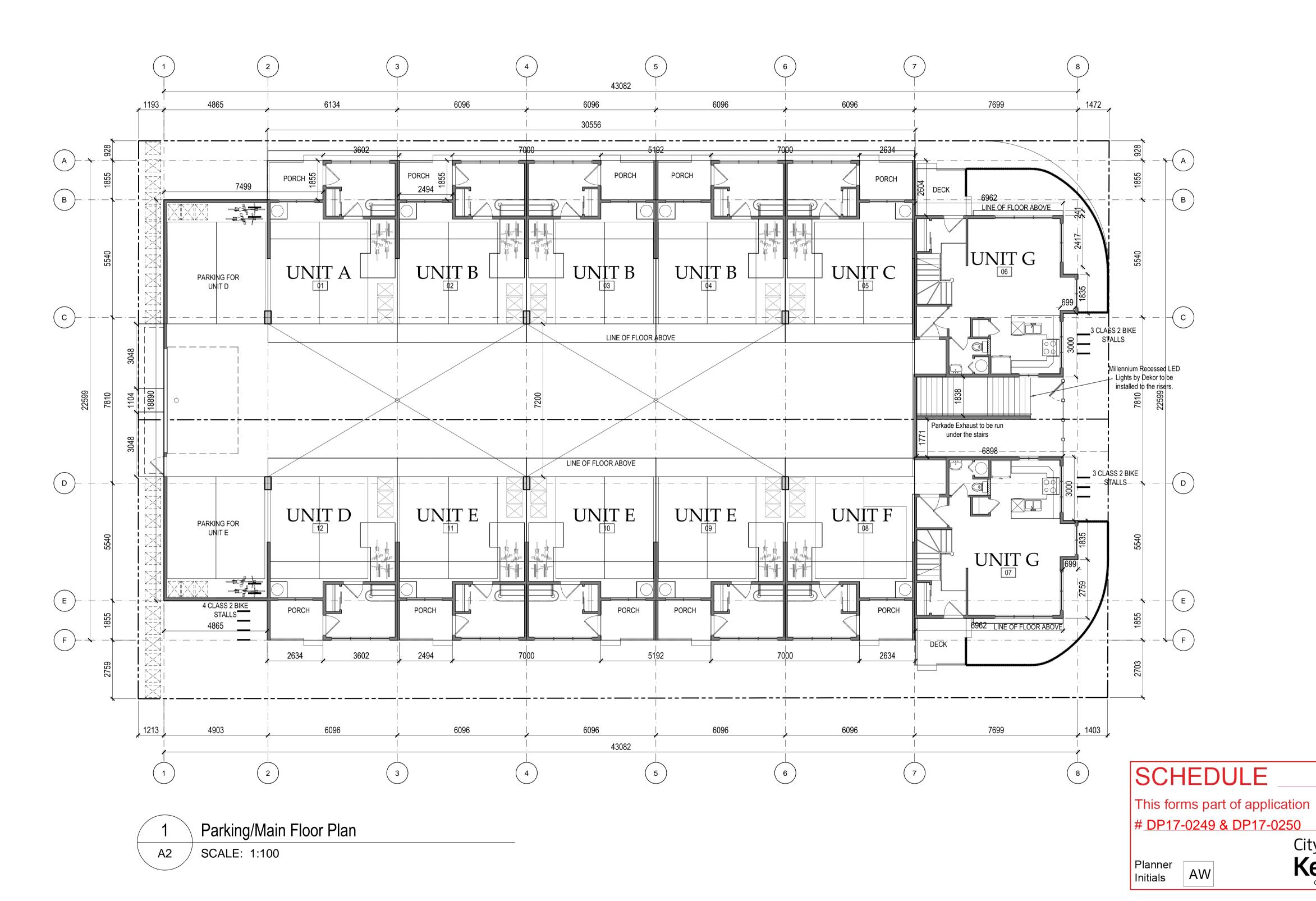


	P: (403) 283-6433 F: (403) 270-0714 C: (403) 971-0254 E: dwatkin@davidwatkinarchitect.com 3800 Point McKay Road NW, Calgary, Alberta, T3B 5B8 www.davidwatkinarchitect.com
	DESCRIPTION DATE PROJECT START 09/29/2017 DP SUBMISSION 10/27/2017 Image: Consultants Image: Consultants
SCHEDULE A This forms part of application # DP17-0249 & DP17-0250 City of Planner Initials AW	V PLANNING
	BBANK COLUMBINI
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RTY	DRAWING Cover Sheet
	BUILDING PERMIT BP2017-XX DEVELOPMENT PERMIT DP2017-XX FILE DRAWN BY 2017-12-RK HA DATE SCALE 2017/10/27 AS INDICATED DRAWING NUMBER AS INDICATED



DESCRIPTION	DATE
PROJECT START	09/29/2017
DP SUBMISSION	10/27/2017

D.MCLean Construction Ltd 1102 - 1633 West 10th Avenue Vancouver, B.C. V6J 0B1
PROJECT PROJECT NAME 1304 & 1308 Richter Street Kelowna, B.C.
DRAWING
BUILDING PERMIT
FILE DRAWN BY 2017-12-RK HA
DATE SCALE 2017/10/27 AS INDICATED DRAWING NUMBER
A1



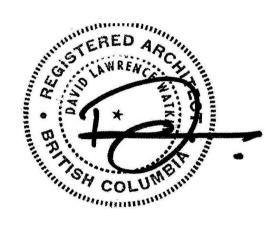
1645.86/1200.59 = 1.37 F.A.R.

SITE COVERAGE CALCULATION SITE AREA: 1,200.59 m² Main Floor Area: 842.73 m² 842.73 / 1200.59 = 0.70 x 100 = 70%



DESCRIPTION	DATE
PROJECT START	09/29/2017
DP SUBMISSION	10/27/2017

CONSULTANTS



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CLIENT
D.McLean Construction Ltd
1102 - 1633 West 10th Avenue
Vancouver, B.C.
V6J 0B1
Vancouver, B.C.

PROJECT — PROJECT NAME 1304 & 1308 Richter Street Kelowna, B.C.

Α

City of

Kelowna COMMUNITY PLANNING

DRAWING · Parking/Main Floor Plan

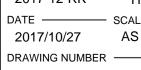
BUILDING PERMIT - BP2017-XX	
DEVELOPMENT PER DP2017-XX	MIT
FILE	DRAWN BY – HA

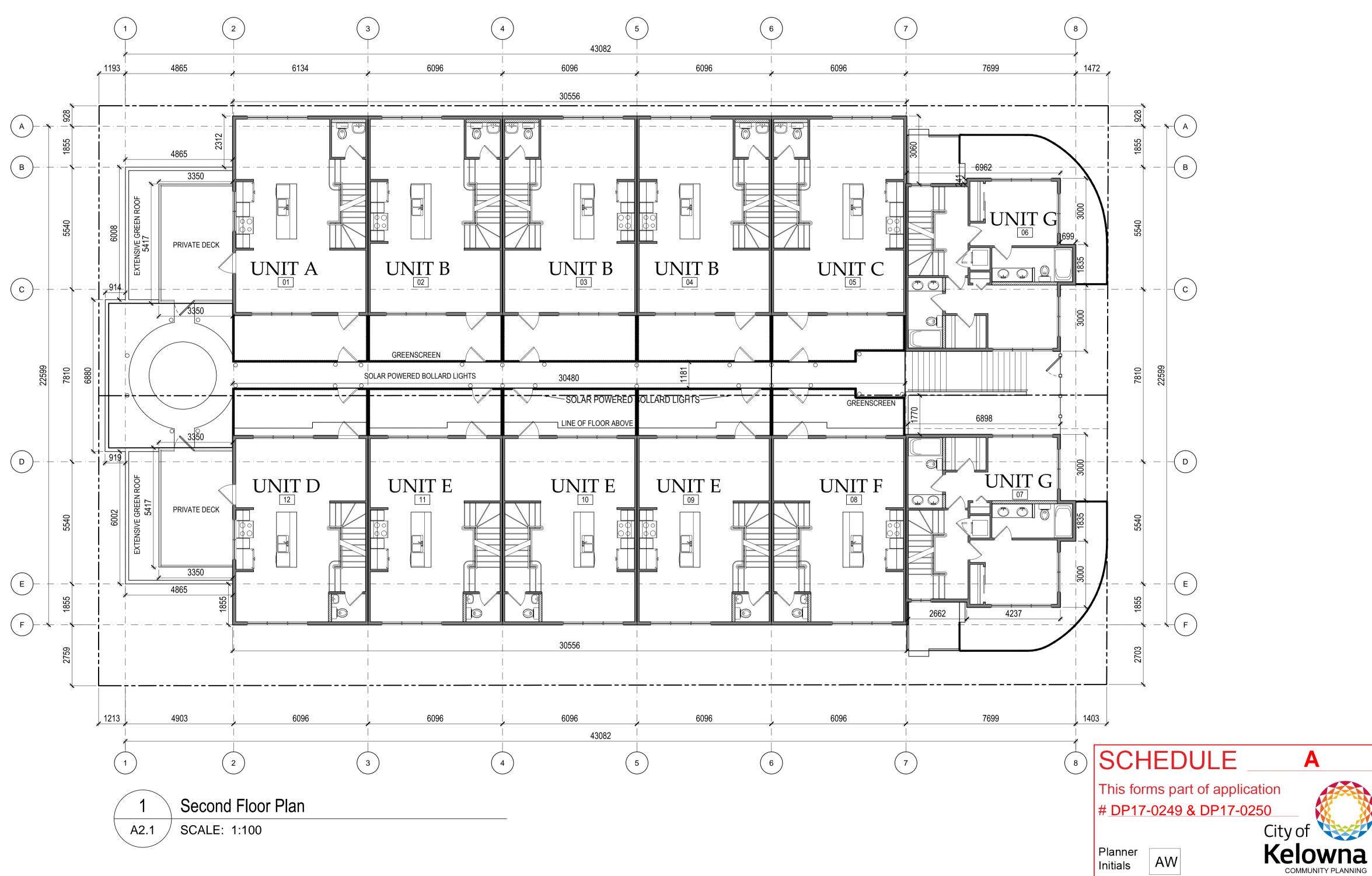
2017/10/27 AS INDICATED

A2

DATE ------ SCALE -





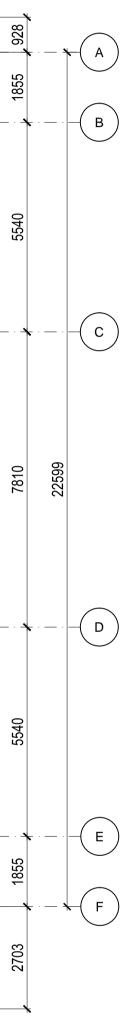


1645.86/1200.59 = 1.37 F.A.R.



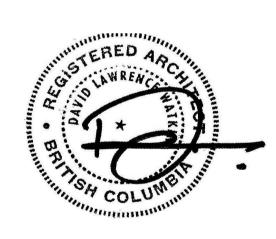
DESCRIPTION	DATE
PROJECT START	09/29/2017
DP SUBMISSION	10/27/2017

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SITE COVERAGE CALCULATION SITE AREA: 1,200.59 m² Main Floor Area: 842.73 m² 842.73 / 1200.59 = 0.70 x 100 = 70%



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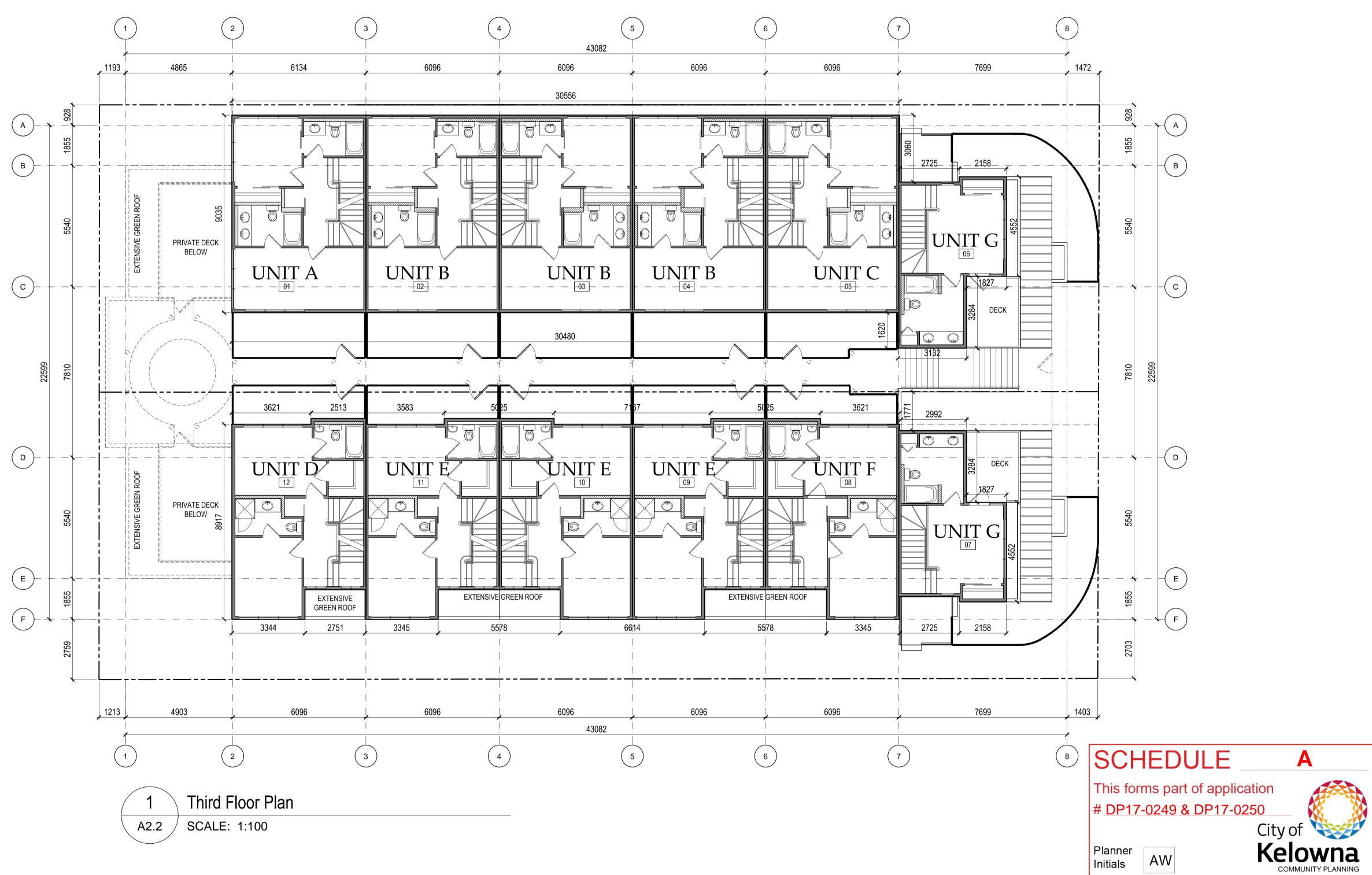
PROJECT -----PROJECT NAME 1304 & 1308 Richter Street Kelowna, B.C.

DRAWING Second Floor Plan

BUILDING PERMIT -BP2017-XX DEVELOPMENT PERMIT -DP2017-XX FILE -----— DRAWN BY – 2017-12-RK HA

DATE ------- SCALE --2017/10/27 AS INDICATED DRAWING NUMBER

A2.1



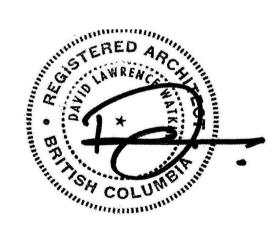
1645.86/1200.59 = 1.37 F.A.R.



DESCRIPTION	DATE
PROJECT START	09/29/2017
DP SUBMISSION	10/27/2017

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SITE COVERAGE CALCULATION SITE AREA: 1,200.59 m² Main Floor Area: 842.73 m² 842.73 / 1200.59 = 0.70 x 100 = 70%



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CLIENT ----D.McLean Construction Ltd 1102 - 1633 West 10th Avenue Vancouver, B.C. V6J 0B1

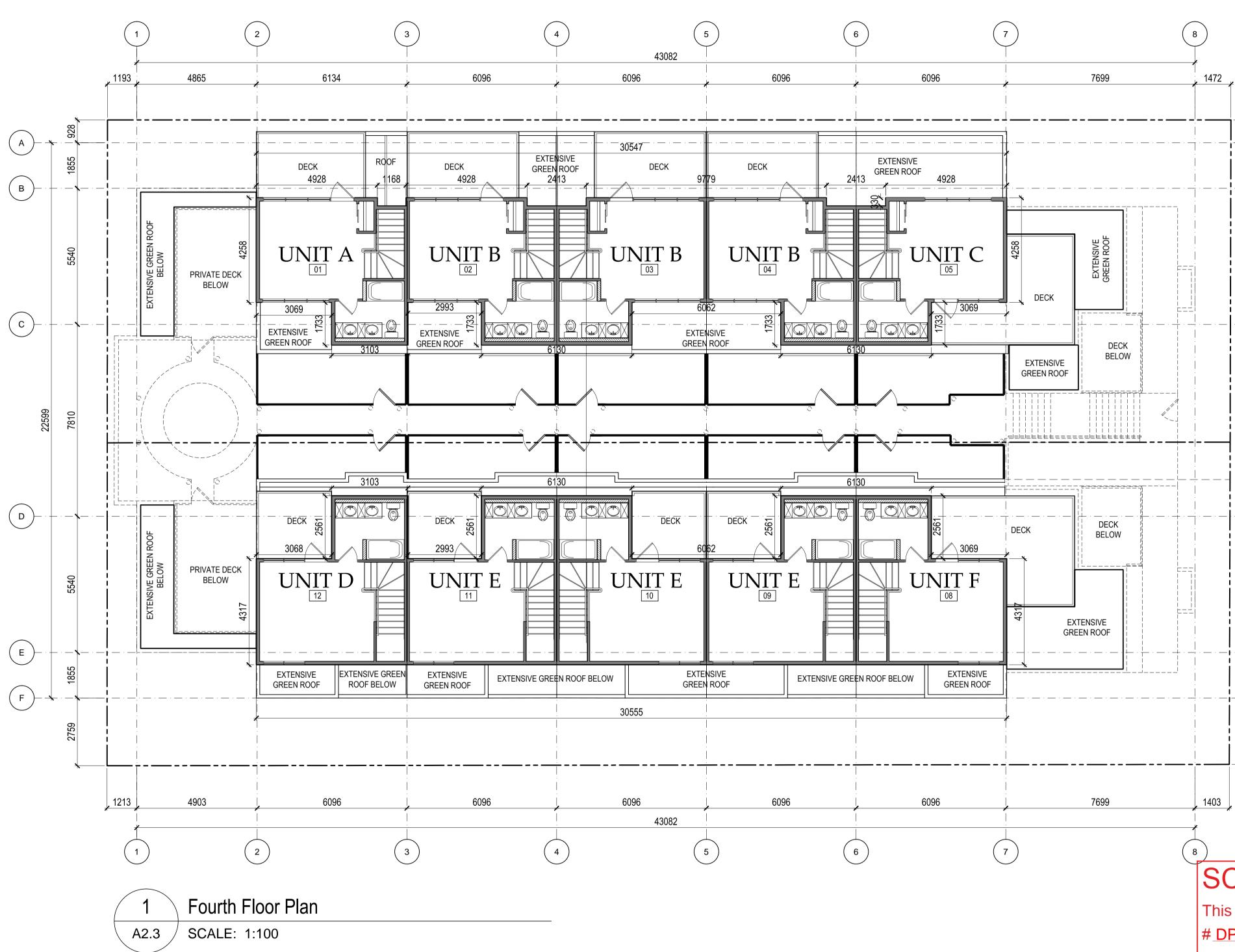
PROJECT — PROJECT NAME 1304 & 1308 Richter Street Kelowna, B.C.

DRAWING Third Floor Plan

BUILDING PERMIT -BP2017-XX DEVELOPMENT PERMIT -DP2017-XX FILE -----— DRAWN BY –

2017-12-RK HA DATE ------- SCALE ---2017/10/27 AS INDICATED DRAWING NUMBER -

A2.2



1645.86/1200.59 = 1.37 F.A.R.

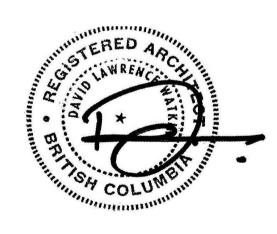


DESCRIPTION	DATE
PROJECT START	09/29/2017
DP SUBMISSION	10/27/2017

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SITE COVERAGE CALCULATION SITE AREA: 1,200.59 m² Main Floor Area: 842.73 m² 842.73 / 1200.59 = 0.70 x 100 = 70% CONSULTANTS



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CLIENT -D.McLean Construction Ltd 1102 - 1633 West 10th Avenue Vancouver, B.C. V6J 0B1

PROJECT -PROJECT NAME 1304 & 1308 Richter Street Kelowna, B.C.

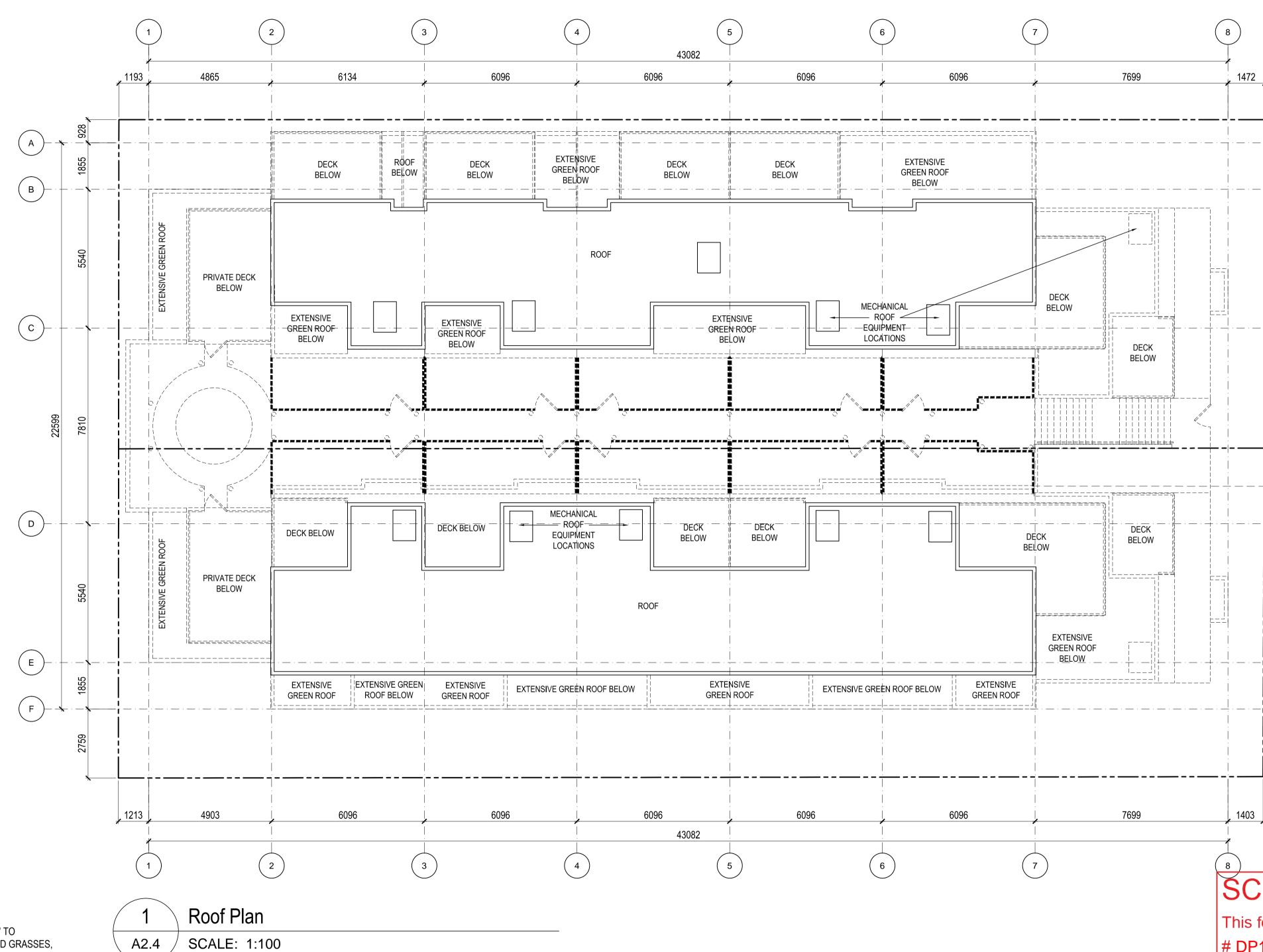
DRAWING Fourth Floor Plan

BUILDING PERMIT BP2017-XX DEVELOPMENT PERMIT DP2017-XX FILE ------- DRAWN BY

2017-12-RK HA DATE ------ SCALE --2017/10/27 AS INDICATED

DRAWING NUMBER -

A2.3



EXTENSIVE GREEN ROOF:

-MAXIMUM SOIL DEPTH WOULD BE 6" BUT LIKELY AVERAGE 3" - 4" TO ACCOMMODATE PLANTS, DROUGHT TOLERANT SUCCULENTS AND GRASSES, SUCH AS SEDUMS (ANGELINA), LAVENDER (BLUE CUSHION), CACTI, AND BLUEBUNCH WHEAT GRASS, WHICH DO NOT REQUIRE WATERING ONCE ESTABLISHED.

VEGETATION - SEE ABOVE

IRRIGATION - DURING PLANT ESTABLISHMENT ONLY ACCESS - TENANT CANNOT BE REQUESTED TO MAINTAIN ADJACENT AREAS OF GREEN ROOF, SO MAINTENANCE COULD BE PERFORMED, BI-ANNUALLY, DURING SPRING AND FALL WINDOW WASHING, USING A GENIE LIFT, FOR THE BUILDING PERIMETER. INTERIOR ROOF AND FOURTH FLOOR GREEN ROOF AREAS COULD BE SERVICED BY ACCESS LADDERS EXTENDING DOWN FROM THE ROOF ABOVE. ROOF TOP ANCHORS SHOULD BE PROVIDED FOR ANCHORAGE OF ROPES. DRAINAGE

- ASSEMBLY WILL GENERALLY BE CONSTRUCTED AS FOLLOWS: PLANTS/GROUNDCOVER

TOPSOIL ROOT BARRIER FILTER CLOTH DRAIN SHEET/DIMPLE-BOARD 2 PLY ROOFING MEMBRANE

ROOF DRAINS TO BE WATTS TYPE ROOF DRAINS W/ FILTER BASKET

FAR CALCULATIONSITE AREA: 1,200.59 m²Main Floor Area: 195.19 m²2nd Floor Area: 636.26 m²3rd Floor Area: 586.83 m²4th Floor Area: 320.10 m²Total Net Floor Area: 1738.38 m²Allowable Deductible (50% of stairs): 92.52 m²Total Net Floor Area - Deductible = 1645.86

Initials

1645.86/1200.59 = 1.37 F.A.R.

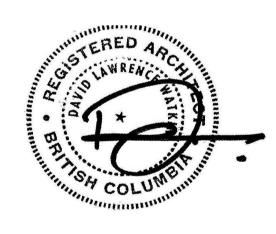


DESCRIPTION	DATE
PROJECT START	09/29/2017
DP SUBMISSION	10/27/2017

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SITE COVERAGE CALCULATION SITE AREA: 1,200.59 m² Main Floor Area: 842.73 m² 842.73 / 1200.59 = 0.70 x 100 = 70% CONSULTANTS



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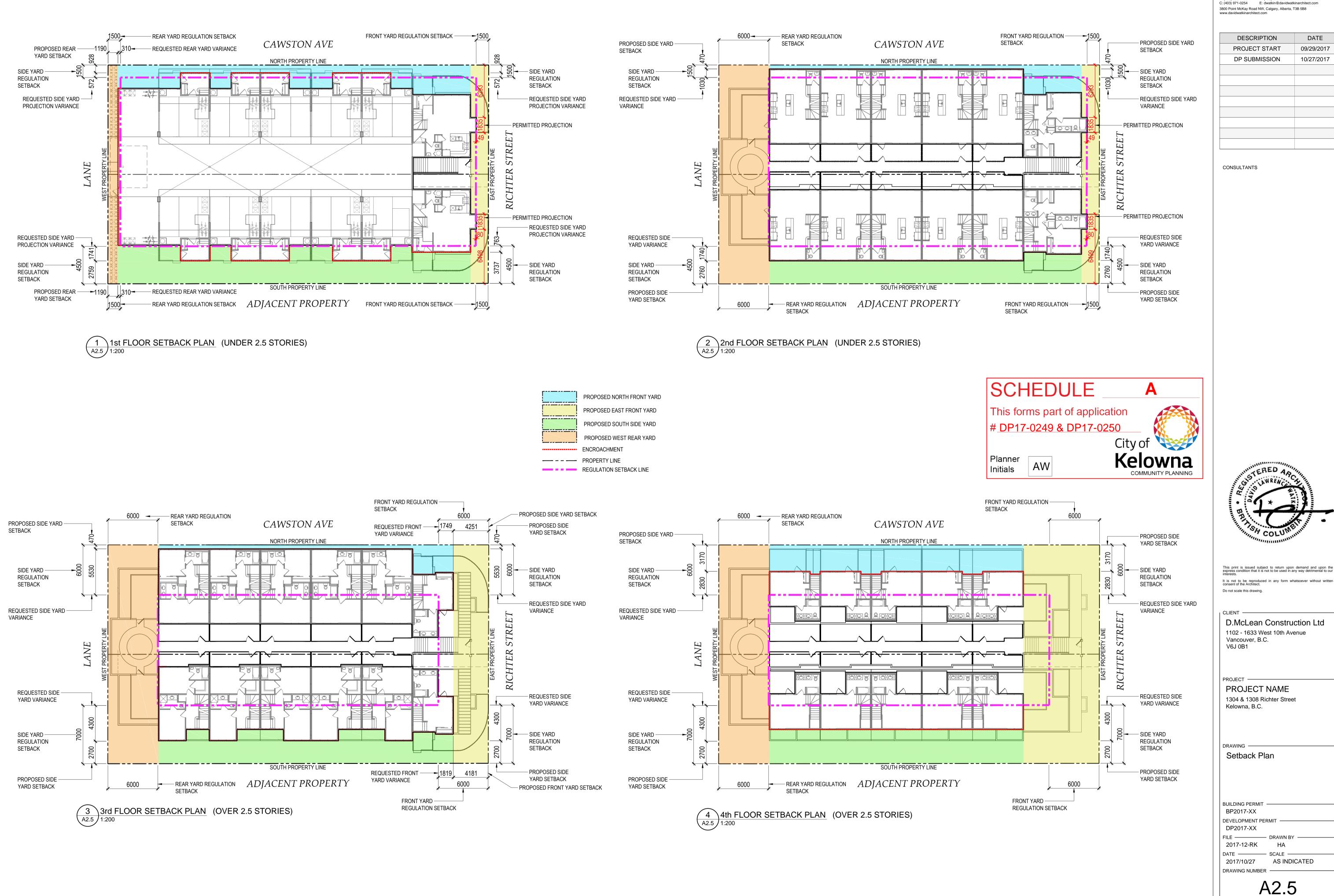
CLIENT D.McLean Construction Ltd 1102 - 1633 West 10th Avenue Vancouver, B.C. V6J 0B1

PROJECT PROJECT NAME 1304 & 1308 Richter Street Kelowna, B.C.

Roof Plan

DATE _____ SCALE _____ 2017/10/27 AS INDICATED DRAWING NUMBER _____

A2.4

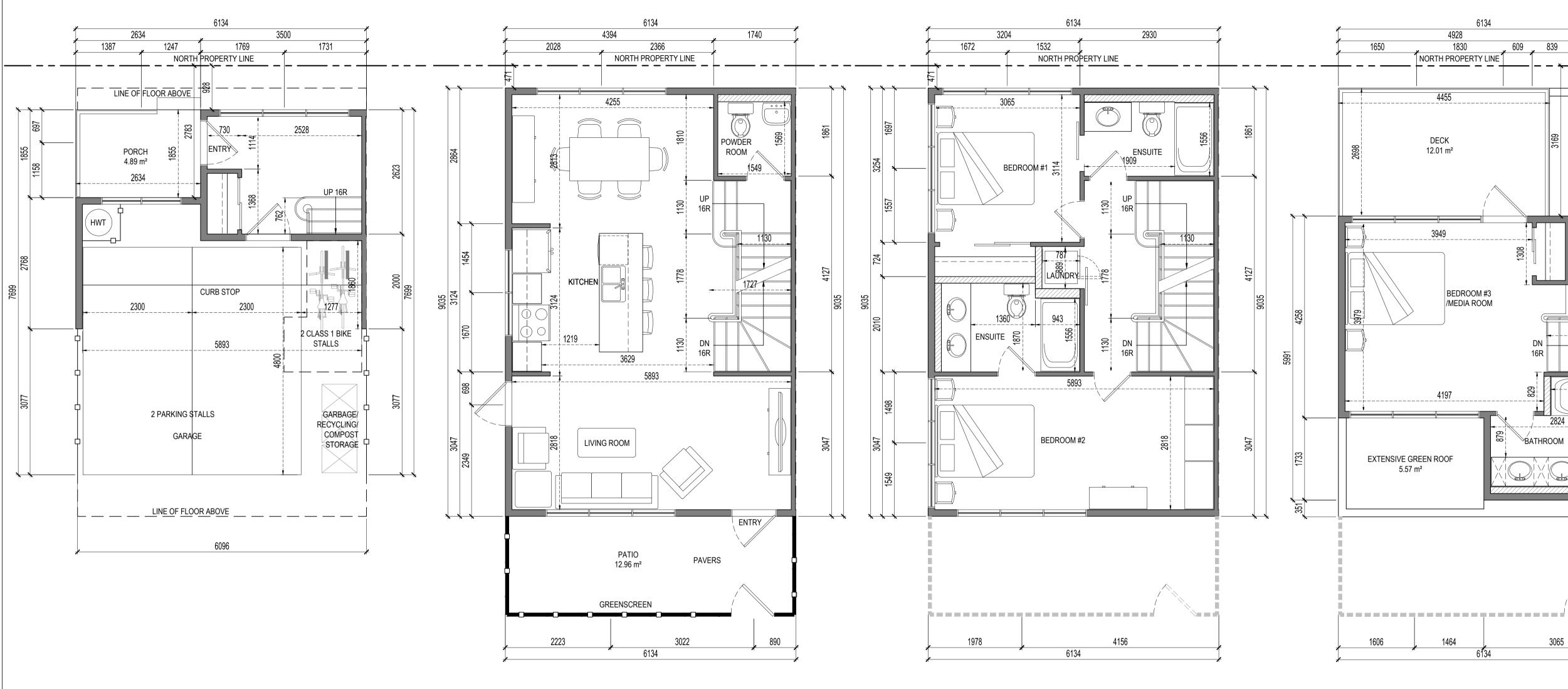


david

P: (403) 283-6433 F: (403) 270-0714

watkin

architect





2 Unit A - Second Floor Plan A3.0 SCALE: 1:50

Total Unit A Area: 147.78 m²







Kelowna COMMUNITY PLANNING

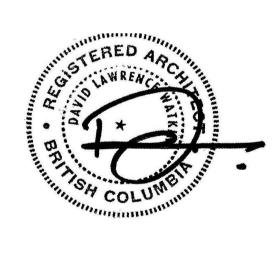
Planner Initials



DESCRIPTION	DATE
PROJECT START	09/29/2017
DP SUBMISSION	10/27/2017

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CLIENT -----D.McLean Construction Ltd 1102 - 1633 West 10th Avenue Vancouver, B.C. V6J 0B1

PROJECT ------PROJECT NAME 1304 & 1308 Richter Street Kelowna, B.C.

DRAWING -Unit Type A Floor Plans

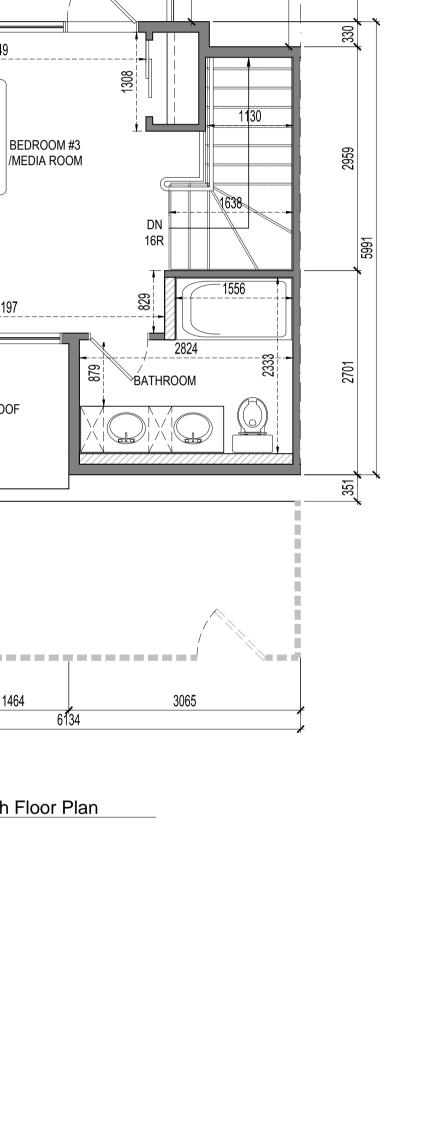
BUILDING PERMIT -BP2017-XX DEVELOPMENT PERMIT -

DP2017-XX FILE ----- DRAWN BY ---2017-12-RK HA

DRAWING NUMBER -

2017/10/27 AS INDICATED

A3.0



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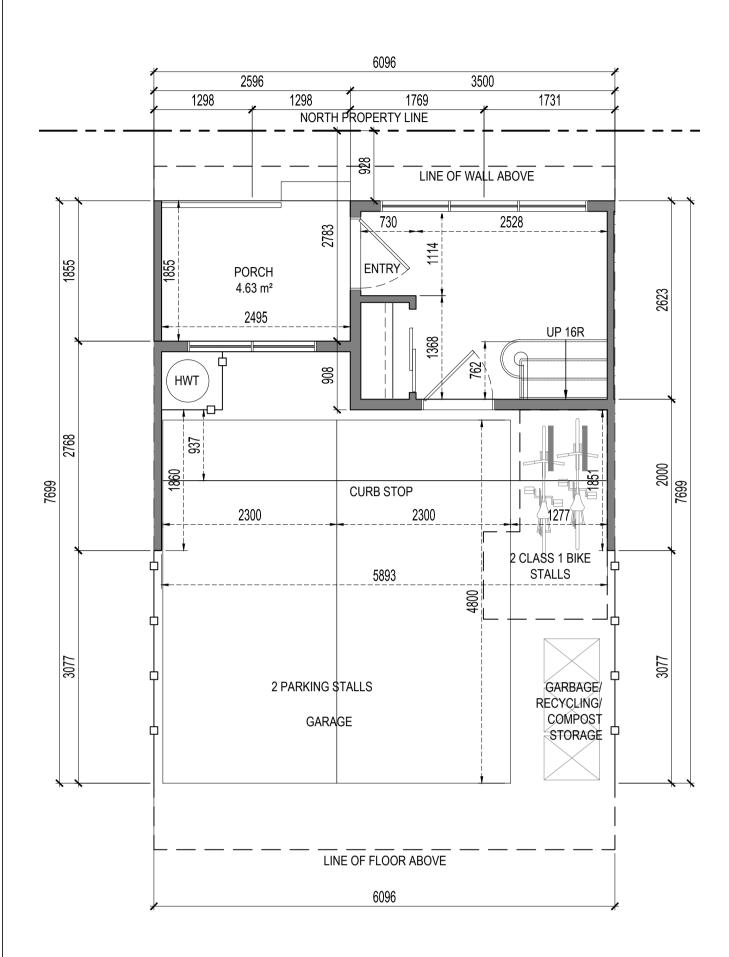
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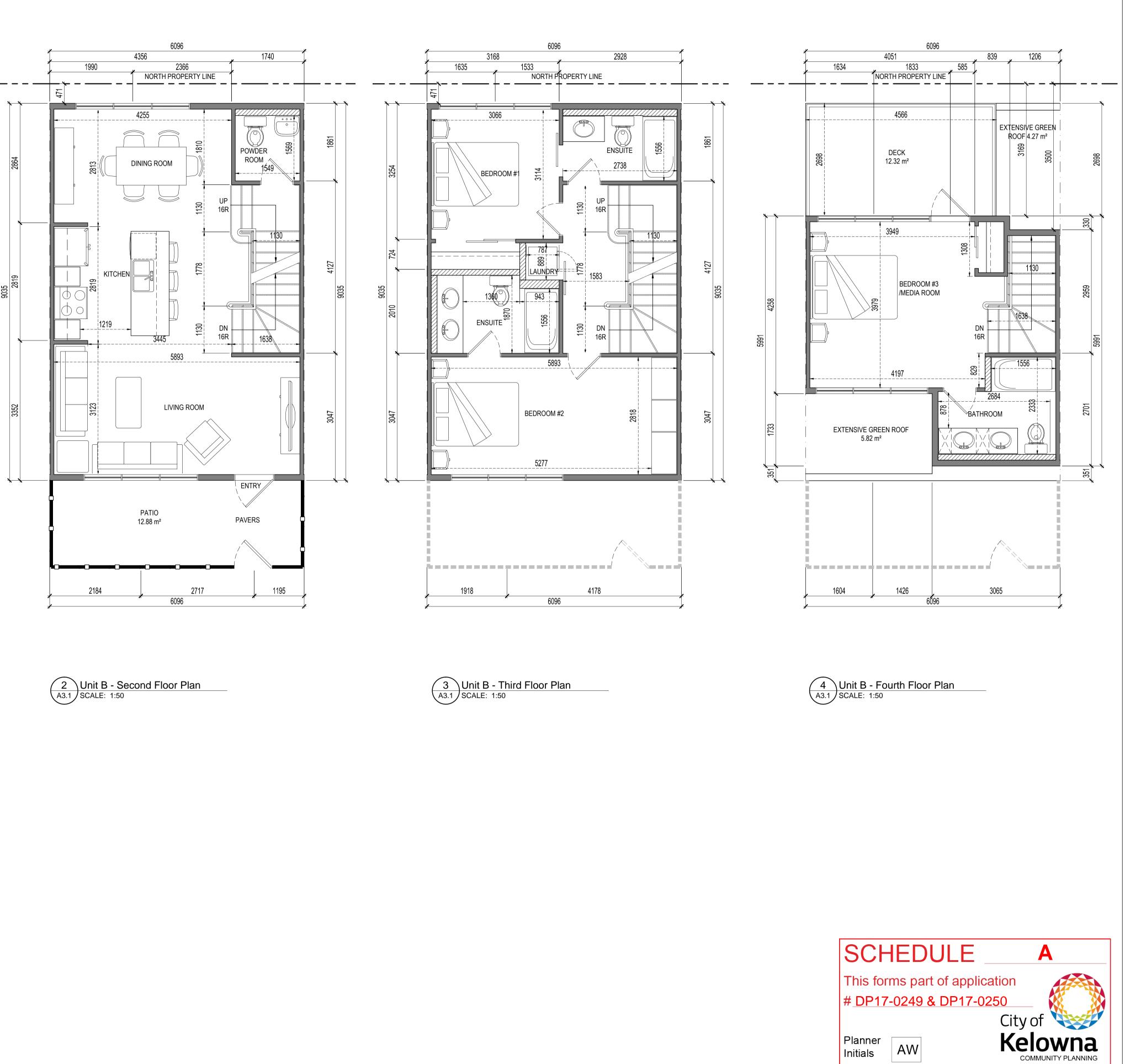
ROOF

839

609

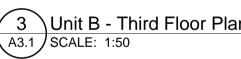


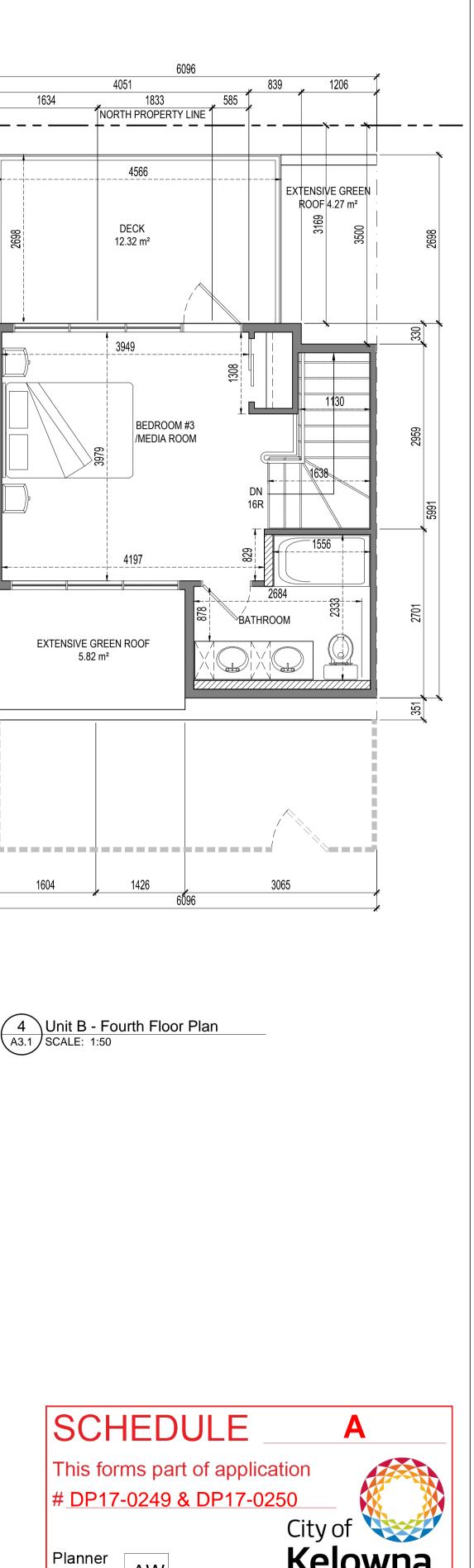


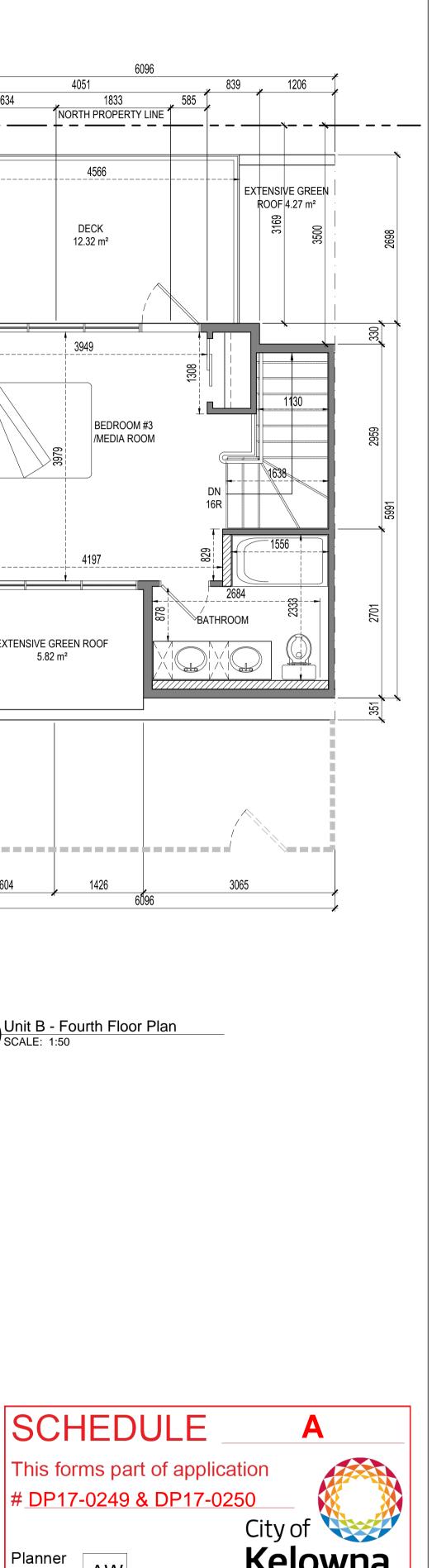


1 Unit B - Main Floor/Parking Plan A3.1 SCALE: 1:50

Total Unit B Area: 148.18 m²







Initials



DESCRIPTION	DATE
PROJECT START	09/29/2017
DP SUBMISSION	10/27/2017

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CLIENT -----D.McLean Construction Ltd 1102 - 1633 West 10th Avenue Vancouver, B.C. V6J 0B1

PROJECT ------PROJECT NAME 1304 & 1308 Richter Street Kelowna, B.C.

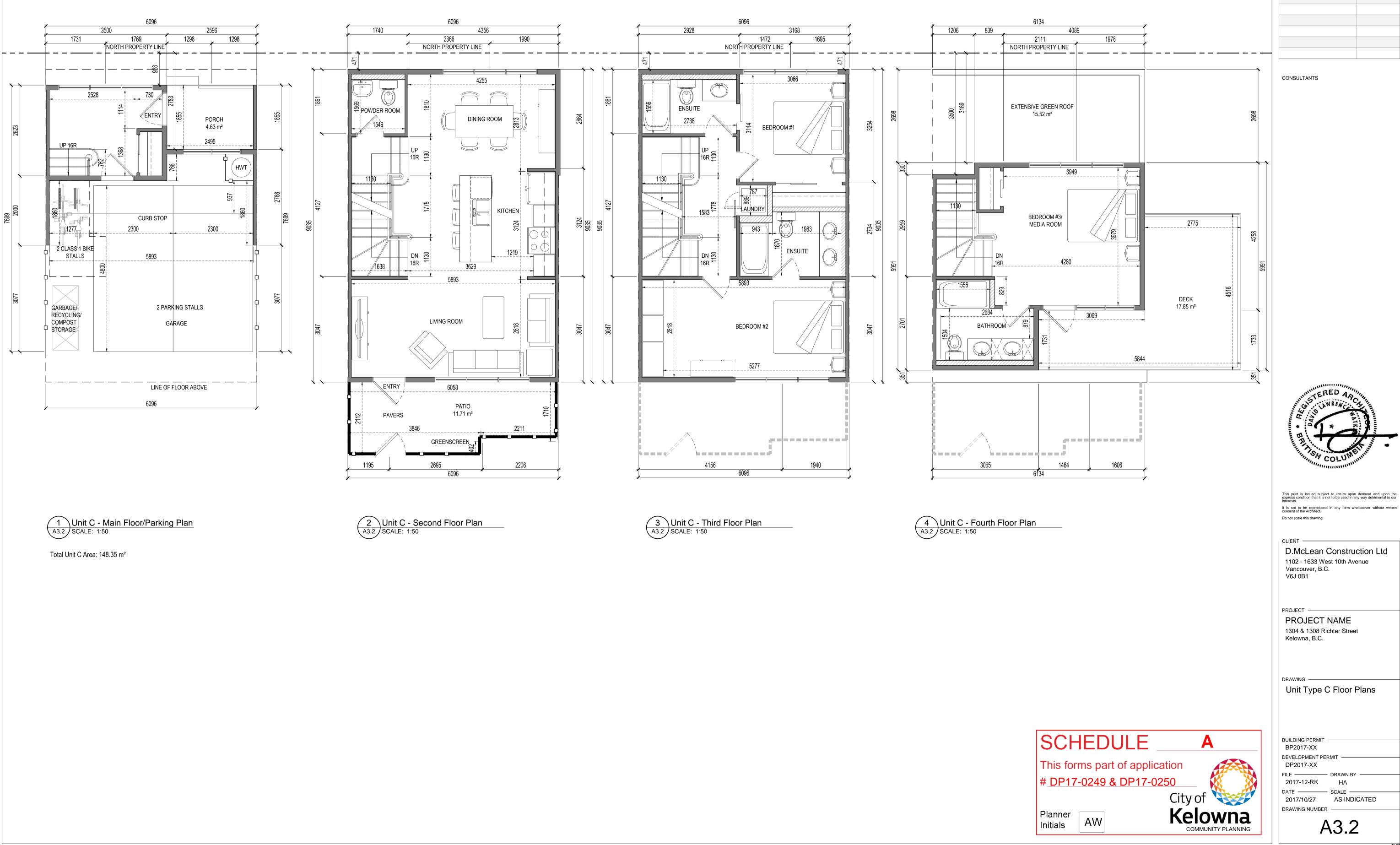
DRAWING -Unit Type B Floor Plans

BUILDING PERMIT — BP2017-XX DEVELOPMENT PERMIT -

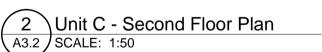
DP2017-XX FILE ----- DRAWN BY ---2017-12-RK HA

2017/10/27 AS INDICATED DRAWING NUMBER -

A3.1







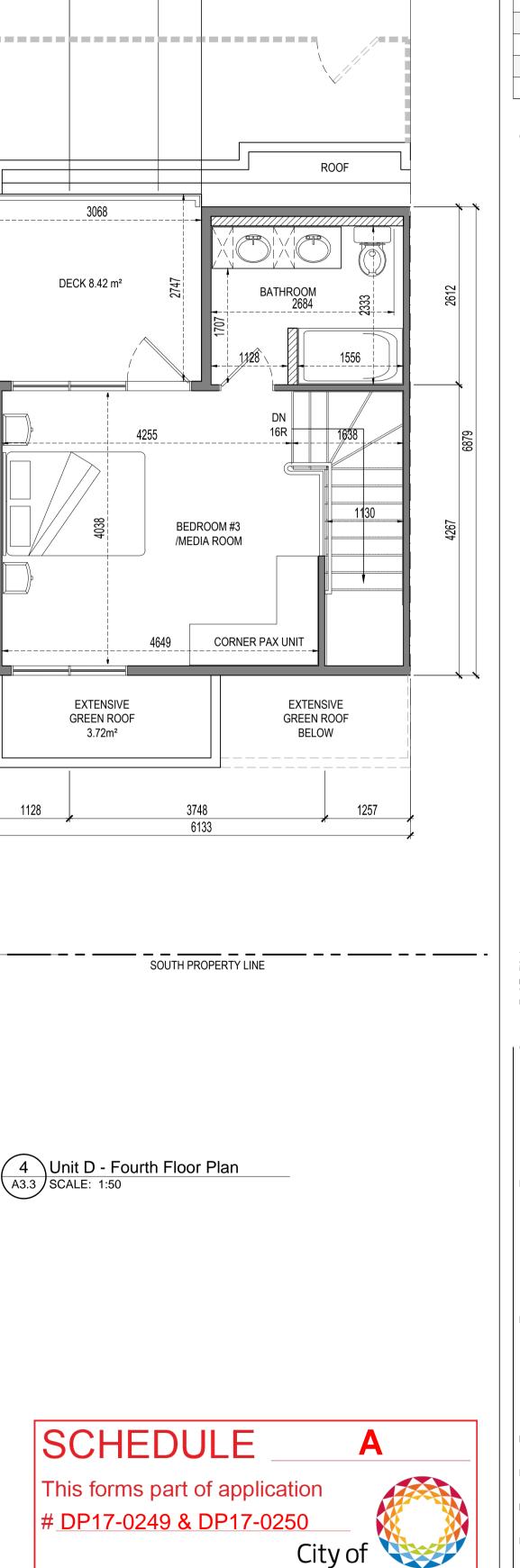


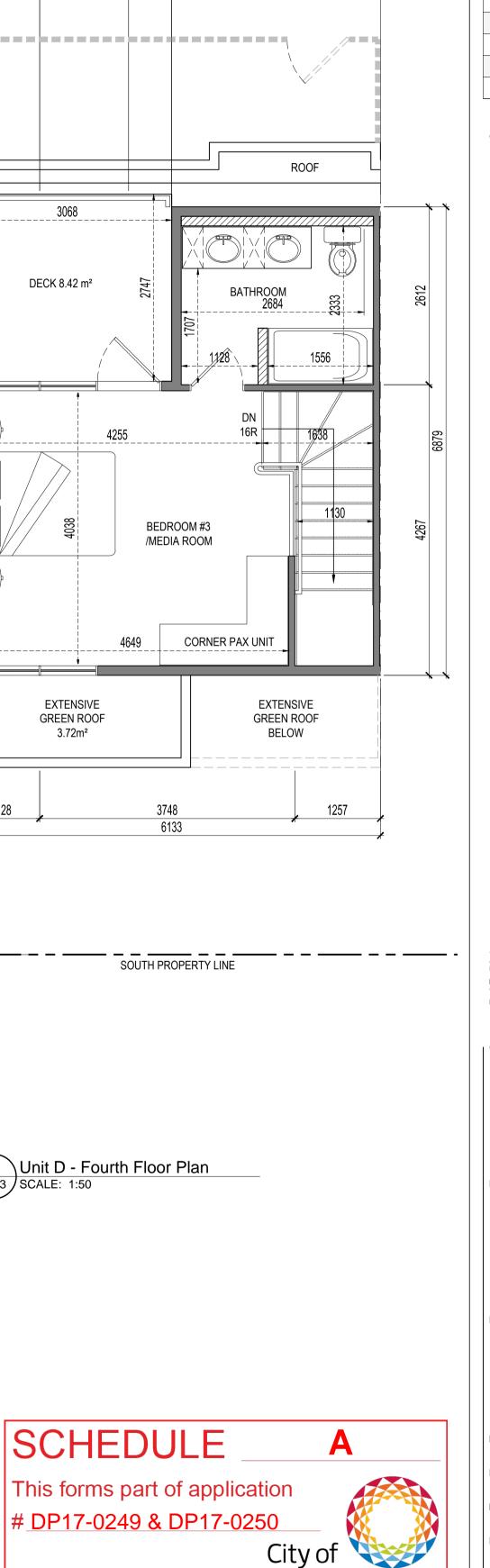


DESCRIPTION	DATE
PROJECT START	09/29/2017
DP SUBMISSION	10/27/2017

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Planner Initials



DESCRIPTION	DATE
PROJECT START	09/29/2017
DP SUBMISSION	10/27/2017

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CLIENT -----D.McLean Construction Ltd 1102 - 1633 West 10th Avenue Vancouver, B.C. V6J 0B1

PROJECT -----PROJECT NAME 1304 & 1308 Richter Street Kelowna, B.C.

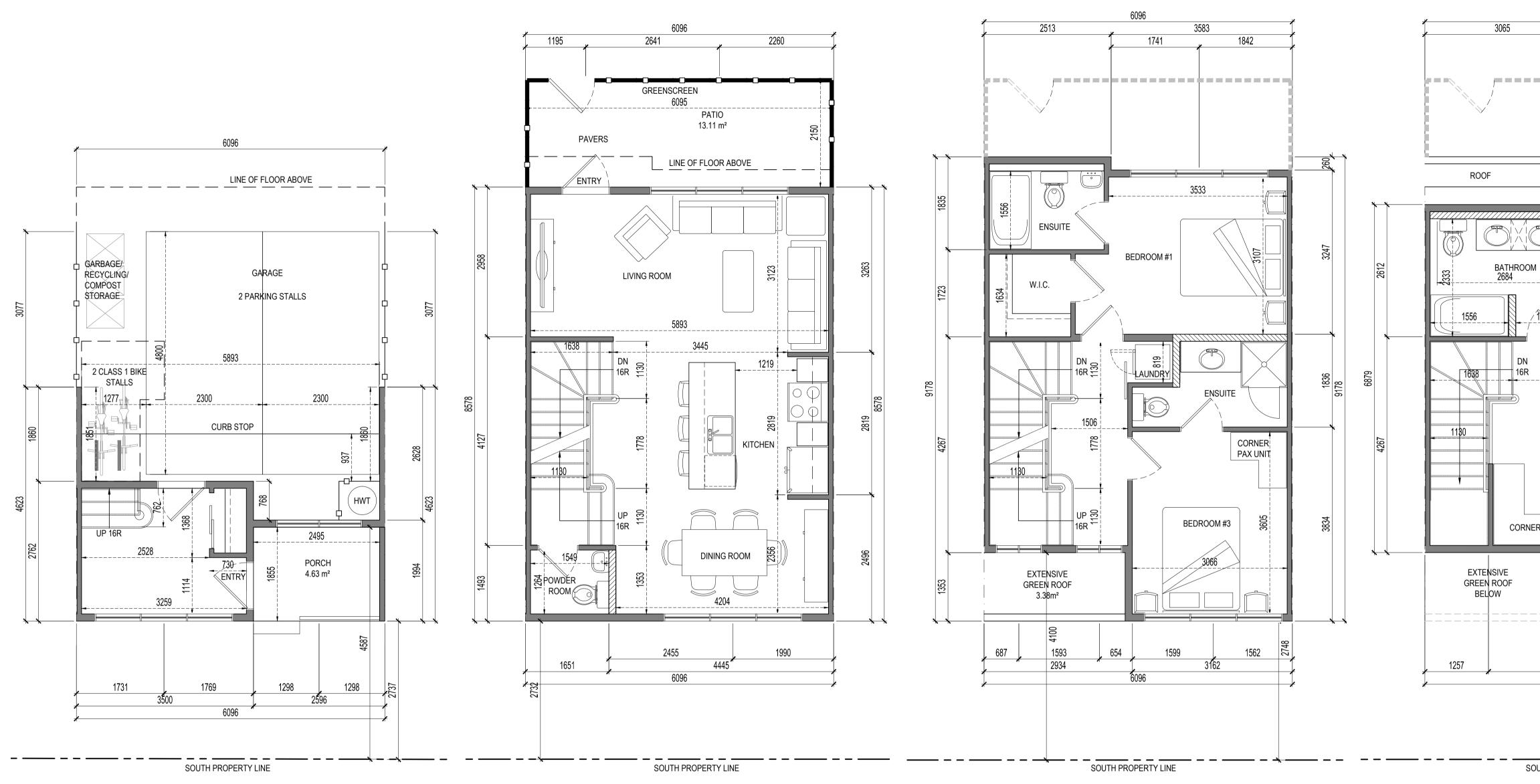
DRAWING · Unit Type D Floor Plans

BUILDING PERMIT -BP2017-XX DEVELOPMENT PERMIT -DP2017-XX

FILE ---------- DRAWN BY --2017-12-RK HA

DATE _____ SCALE _____ 2017/10/27 AS INDICATED DRAWING NUMBER -

A3.3

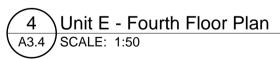


1 Unit E - Main Floor/Parking Plan A3.4 SCALE: 1:50

2 Unit E - Second Floor Plan A3.4 SCALE: 1:50

Total Unit E Area: 147.37 m²

3 Unit E - Third Floor Plan A3.4 SCALE: 1:50



Planner Initials

AW



DESCRIPTION	DATE
PROJECT START	09/29/2017
DP SUBMISSION	10/27/2017

CONSULTANTS



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CLIENT
D Malaan Oanatmustian I tal
D.McLean Construction Ltd
1102 - 1633 West 10th Avenue
Vancouver, B.C.
V6J 0B1

PROJECT -----PROJECT NAME 1304 & 1308 Richter Street Kelowna, B.C.

DRAWING -Unit Type E Floor Plans

BUILDING PERMIT BP2017-XX DEVELOPMENT PERMIT -

DP2017-XX FILE ------ DRAWN BY 2017-12-RK HA

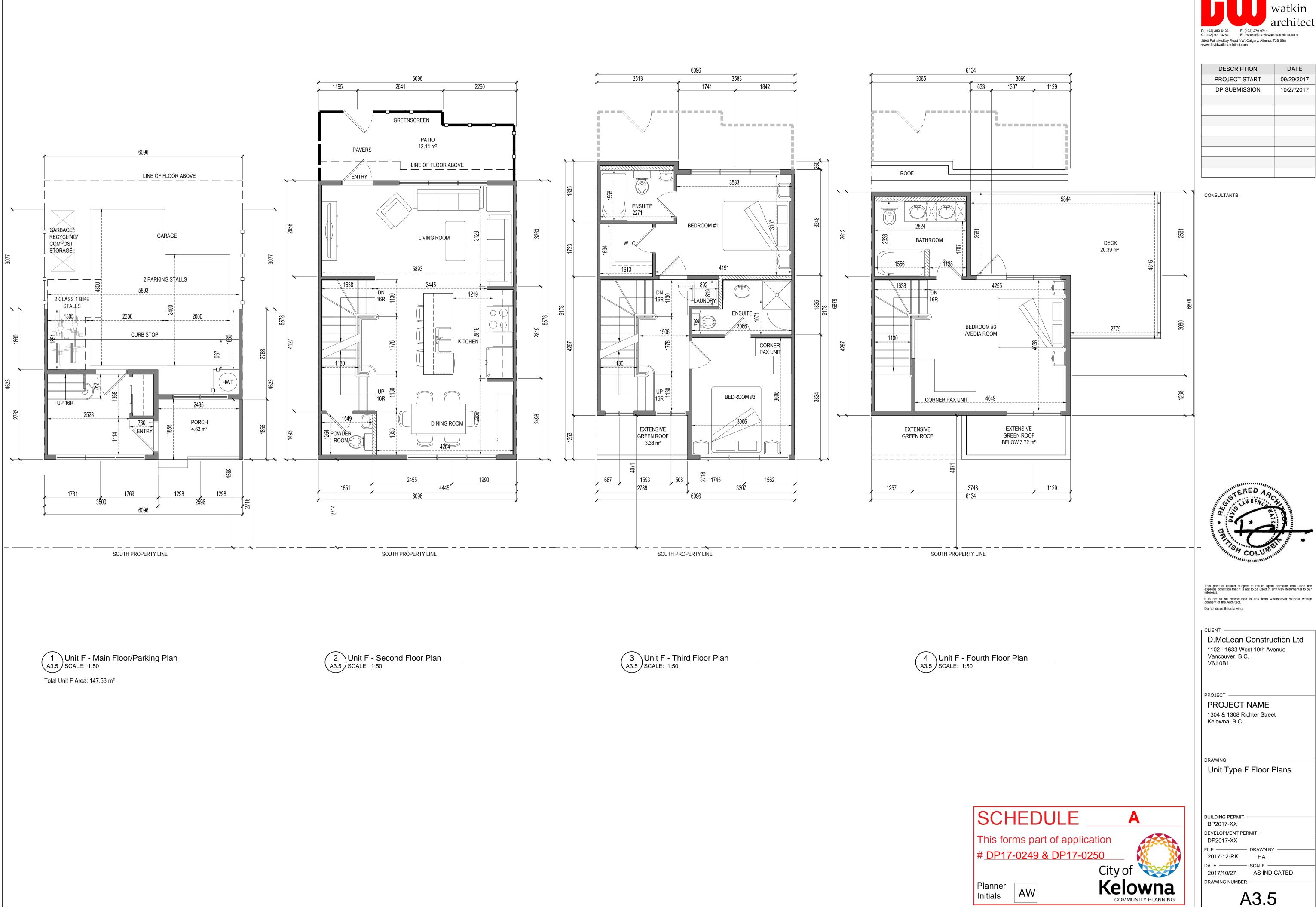
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A3.4

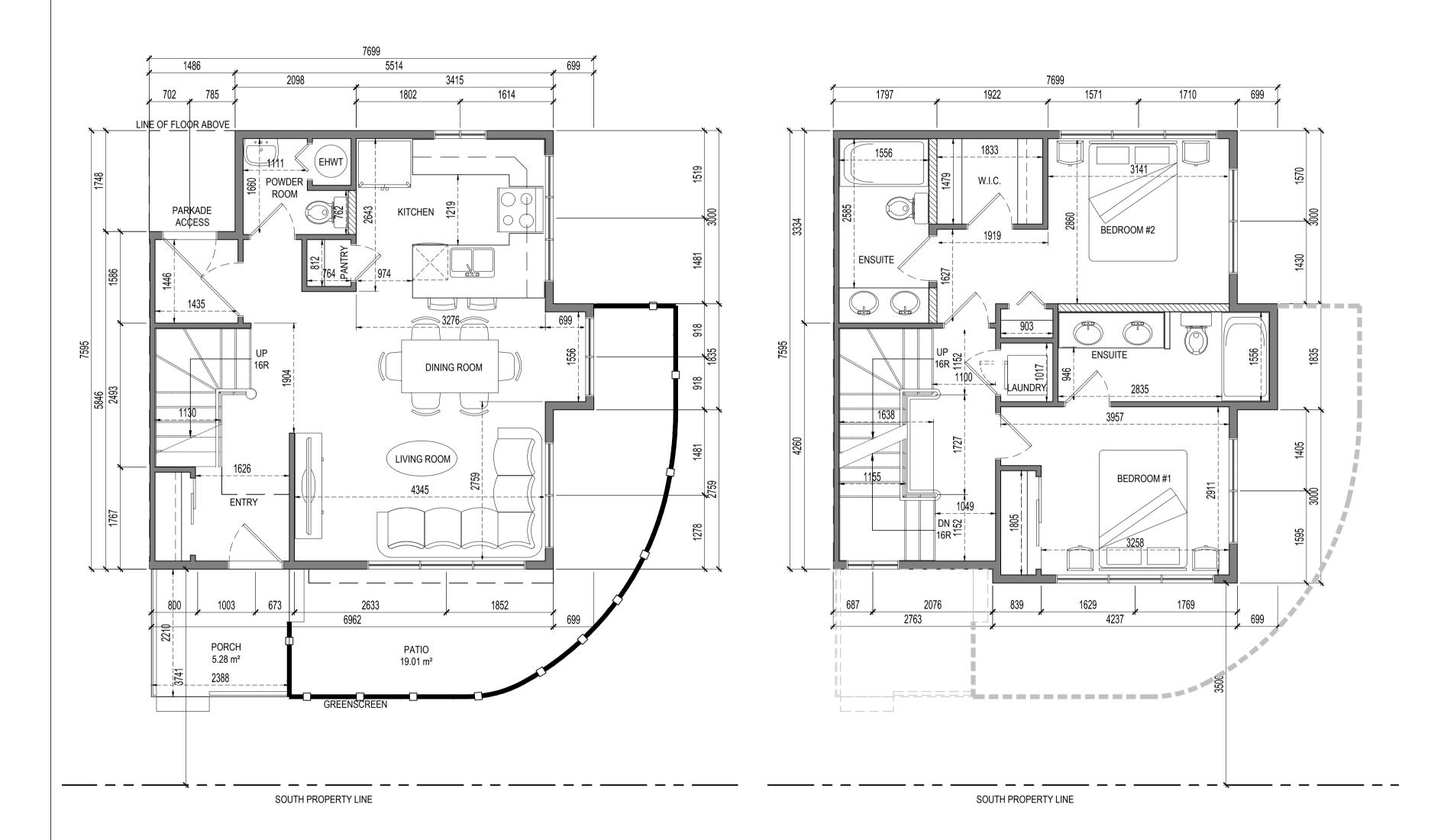
3031 633 1307 1091 _____ P DECK 8.32 m² 2561 17428 4255 BEDROOM #3 /MEDIA ROOM 4317 CORNER PAX UNIT EXTENSIVE **GREEN ROOF** 3.84 m² 3748 1091 6096 - _ _ _ _ _ _ _ _ ___ \_____ SOUTH PROPERTY LINE SCHEDULE Α

6096





david

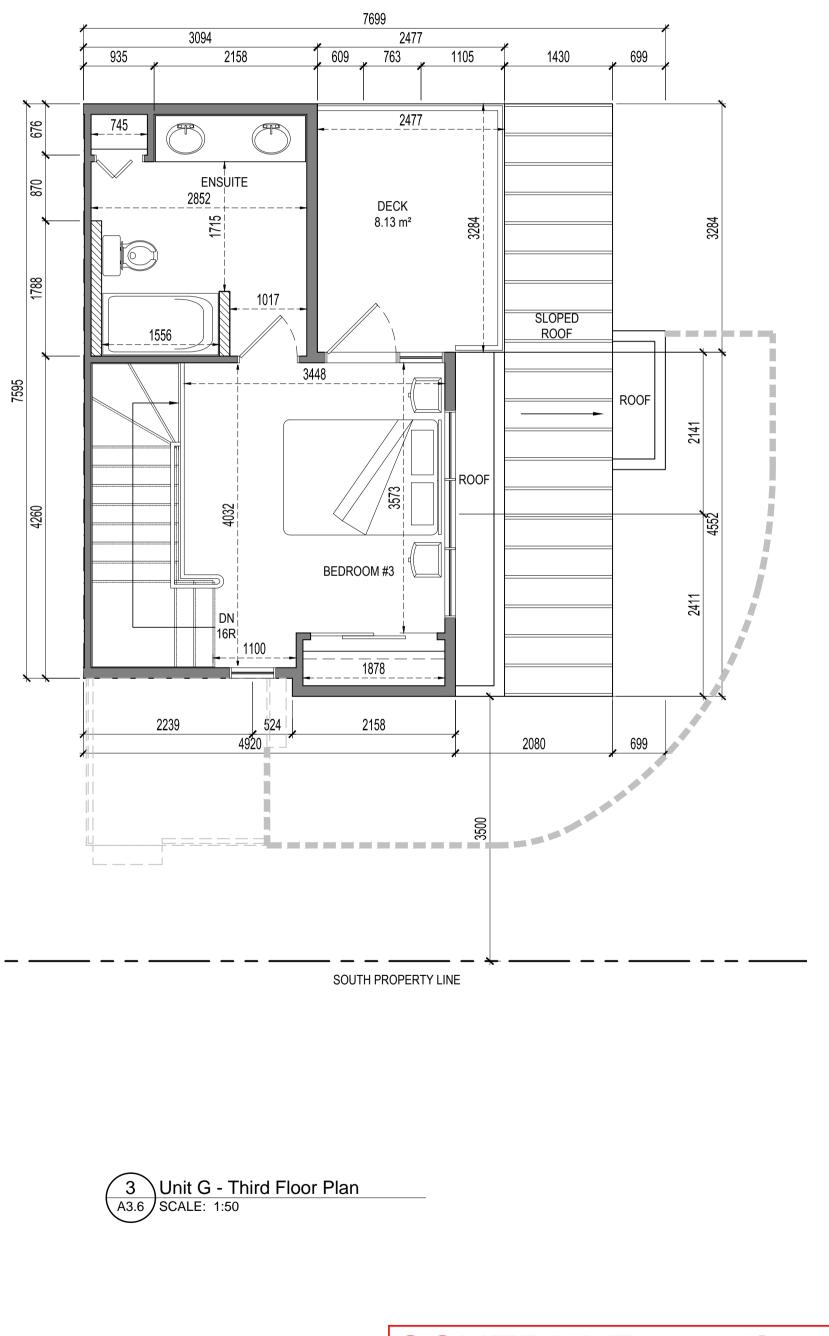






Total Unit G Area: 139.18 m²

2 Unit G - Second Floor Plan A3.6 SCALE: 1:50







Planner Initials

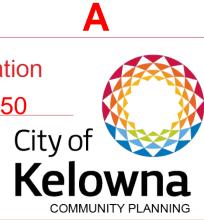
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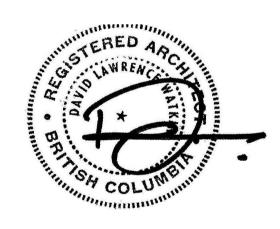


DESCRIPTION	DATE
PROJECT START	09/29/2017
DP SUBMISSION	10/27/2017

CONSULTANTS

This forms part of application





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CLIENT -----D.McLean Construction Ltd 1102 - 1633 West 10th Avenue Vancouver, B.C. V6J 0B1

PROJECT -----PROJECT NAME 1304 & 1308 Richter Street Kelowna, B.C.

DRAWING -Unit Type G Floor Plans

BUILDING PERMIT -BP2017-XX DEVELOPMENT PERMIT -DP2017-XX

FILE ------ DRAWN BY --2017-12-RK HA DATE ------ SCALE ---

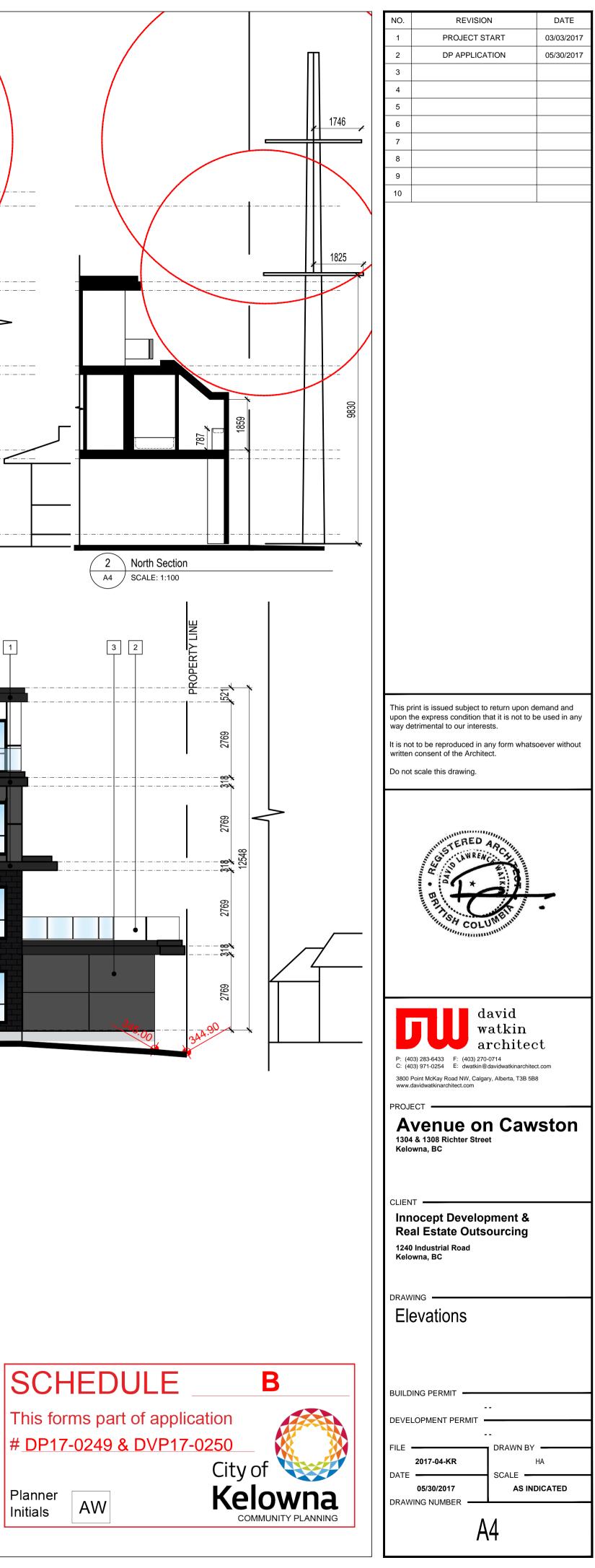
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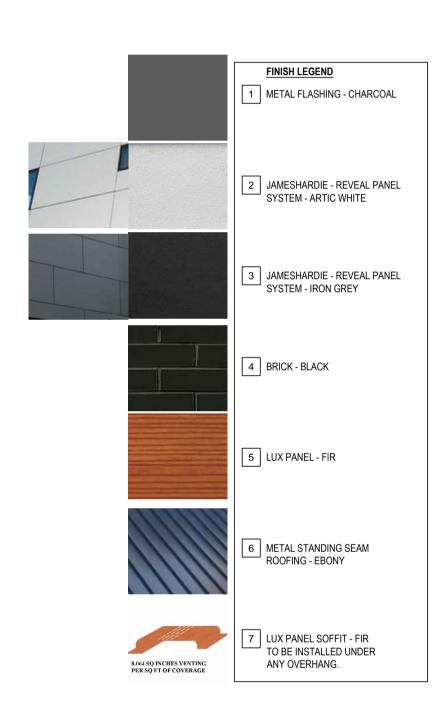
A3.6

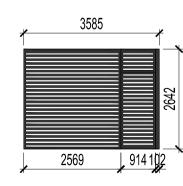






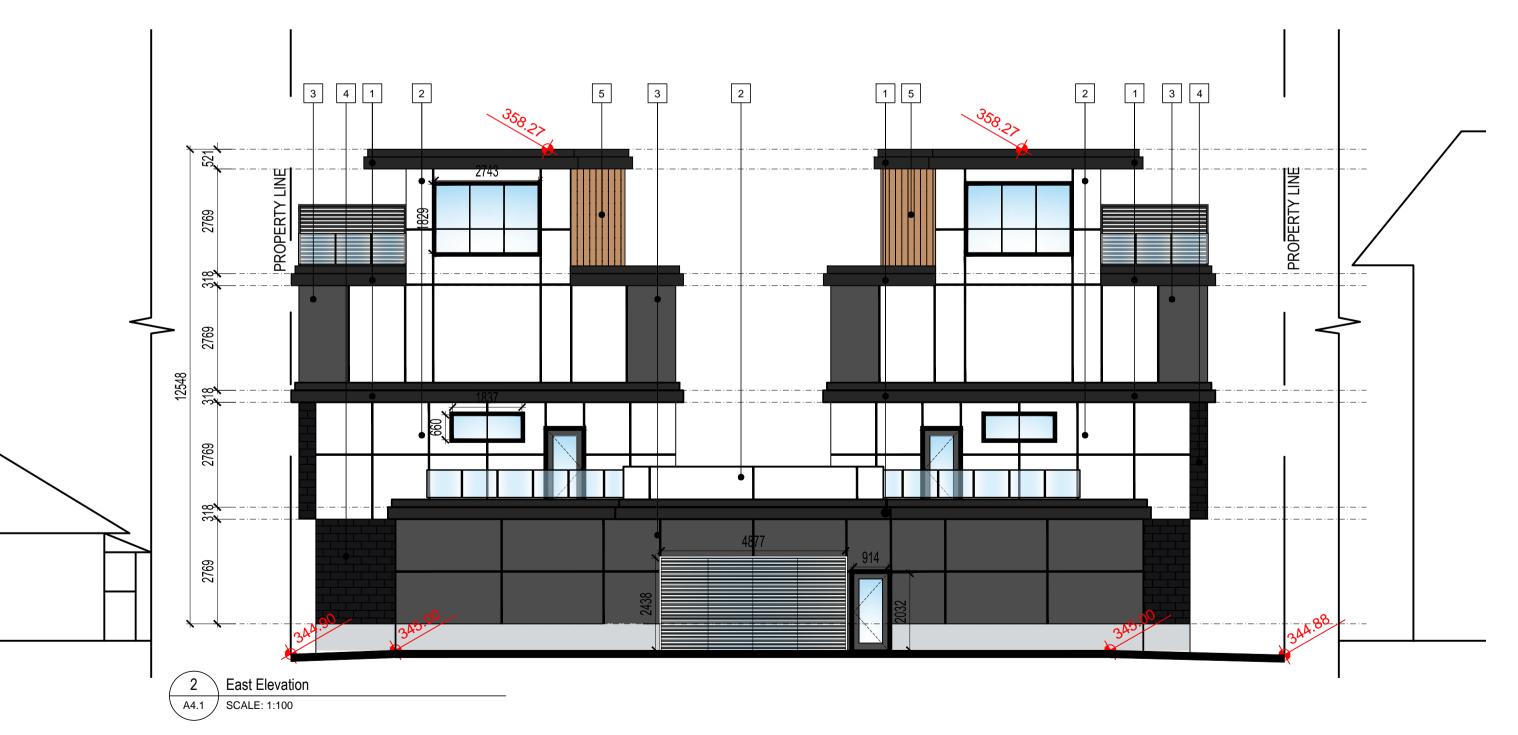




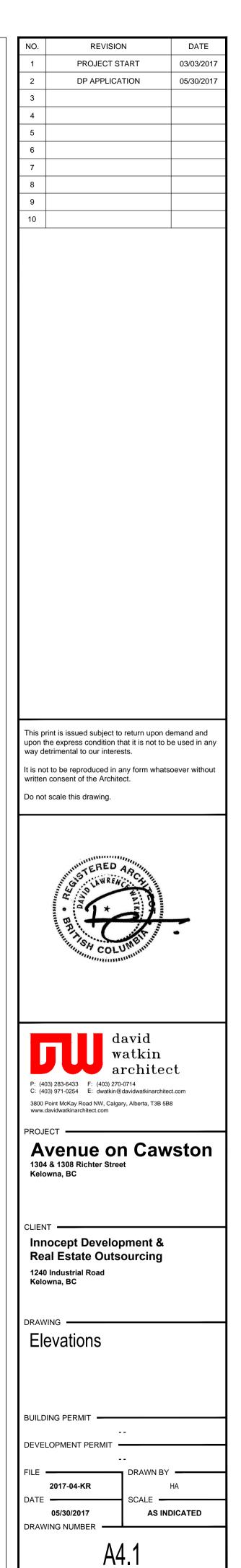


3 Fence & Gate Elevation A4.1 SCALE: 1:100





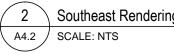


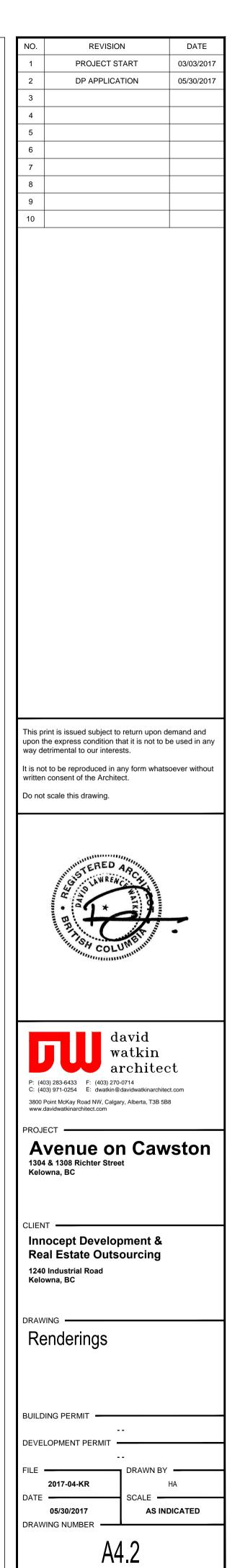


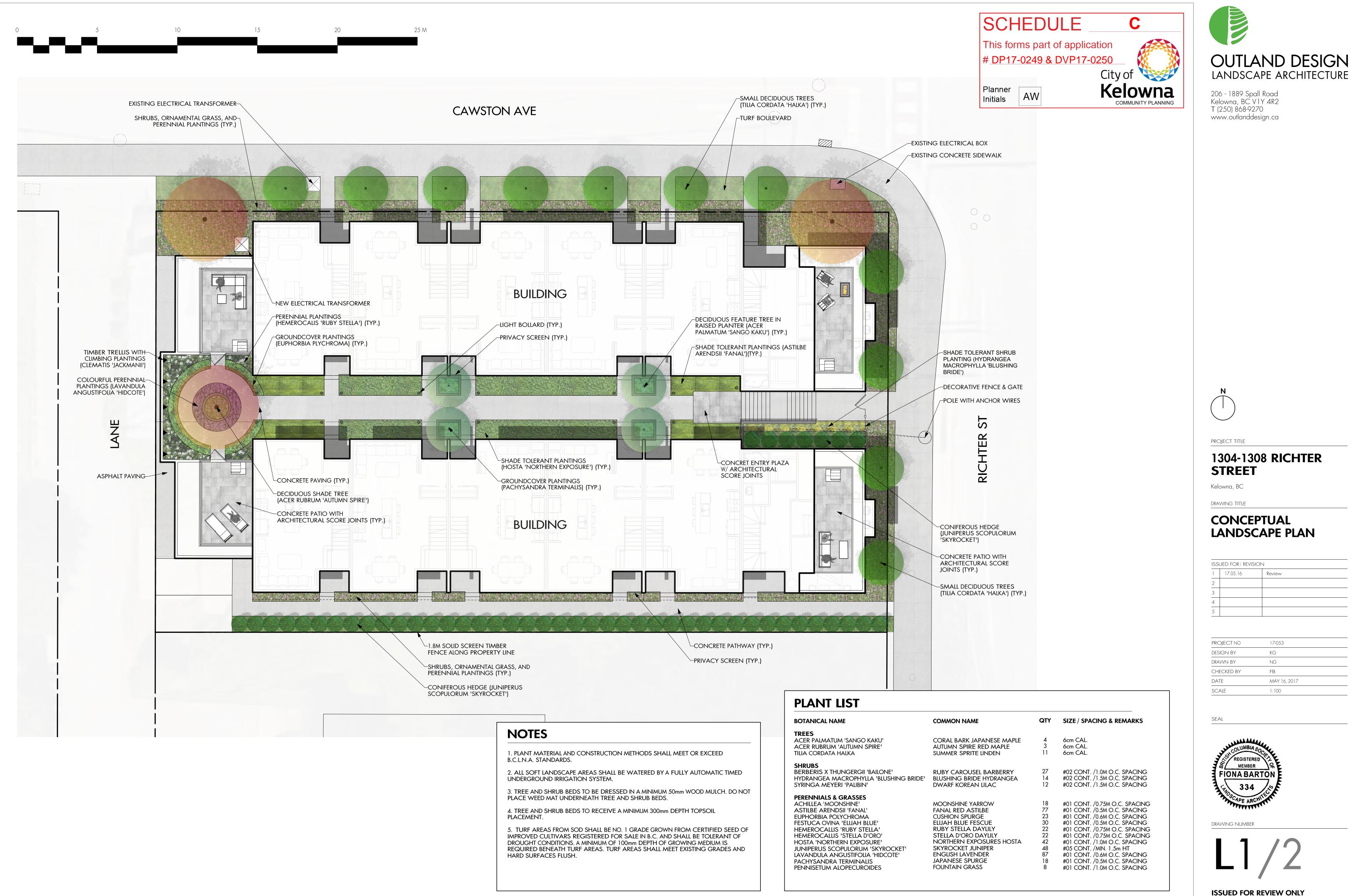


1 Southwest Rendering A4.2 SCALE: NTS





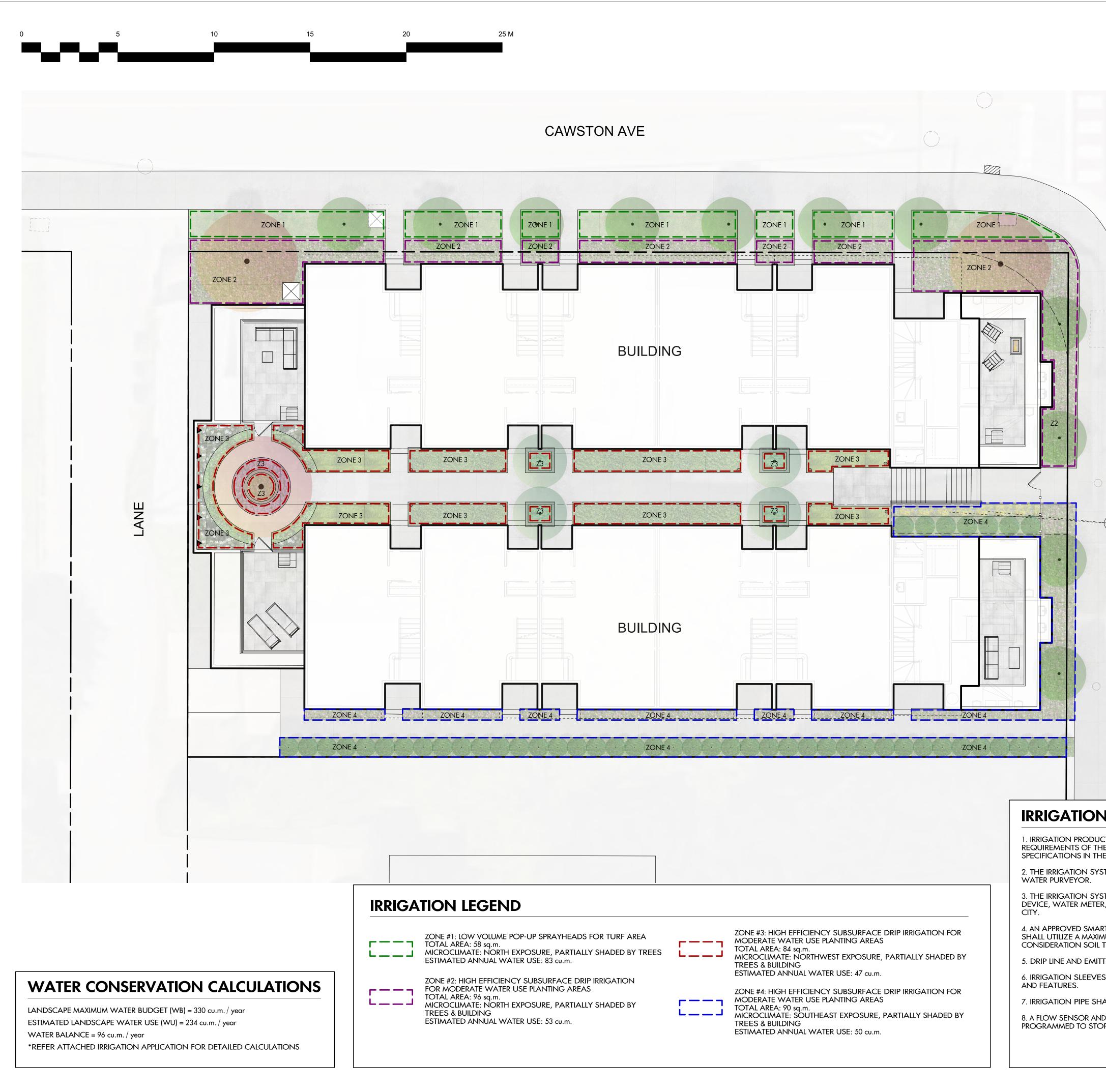




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resold, or tendered without permission.



4. AN APPROVED SMART CONTROLLER SHALL BE INSTALLED. THE IRRIGATION SCHEDULING TIMES SHALL UTILIZE A MAXIMUM ET VALUE OF 7" / MONTH (KELOWNA JULY ET), TAKING INTO CONSIDERATION SOIL TYPE, SLOPE, AND MICROCLIMATE. 5. DRIP LINE AND EMITTERS SHALL INCORPORATE TECHNOLOGY TO LIMIT ROOT INTRUSION. 6. IRRIGATION SLEEVES SHALL BE INSTALLED TO ROUTE IRRIGATION LINES UNDER HARD SURFACES 7. IRRIGATION PIPE SHALL BE SIZED TO ALLOW FOR A MAXIMUM FLOW OF 1.5m /SEC. 8. 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.

SCHEDUL This forms part of a # DP17-0249 & D	application	OUTLAND DESIGN LANDSCAPE ARCHITECTUR
Planner Initials AW	Kelowna COMMUNITY PLANNING	206 - 1889 Spall Road Kelowna, BC V1Y 4R2 T (250) 868-9270 www.outlanddesign.ca
BICHTER ST		N VEOJECT TITLE TSOUGHANDER TROUMER AND REINANCE TITLE TRAVING TITLE
		ISSUED FOR/REVISION 1 17.05.16 Review 2
S AND INSTALLATION METHODS SHALL MEI WATER USE REGULATION BYLAW NO. 1048 CITY OF KELOWNA BYLAW 7900 (PART 6, SC) AND THE SUPPLEMENTARY	DATE MAY 16, 2017 SCALE 1:100
EM SHALL MEET THE REQUIREMENTS, REG		SEAL

S MEMBER S **FIONA BARTON** 334

DRAWING NUMBER



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REPORT	ТО СО	UNCIL		City of
Date:	June 12, 2018			Kelowna
RIM No.	0940-40			
То:	City Manager			
From:	Community Pla	anning Department (AW	()	
Application:	DVP17-0278		Owner:	Goode Properties Inc.
Address:	730 Stremel Ro	ad	Applicant:	Urban Options Planning & Permits
Subject:	Development \	/ariance Permit		
Existing OCP De	signation:	Industrial		
Existing Zone:		l2 – General Industrial		

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP17-0278 for Lot 1 Section 34 Township 26 ODYD Plan KAP88474 located at 730 Stremel Road, Kelowna, BC, subject to the following:

- 1. The dimensions and siting of the buildings to be constructed on the land be in general accordance with Schedule "A";
- 2. The project meets the minimum landscaping requirements for portions of the property where the proposed buildings aren't located;
- 3. The Statutory Right of Way (LB39142) along Francis Brook in favour of the City of Kelowna, as shown on Plan KAP83571, be dedicated, at no cost to the City, as a titled fee simple parcel prior to issuance of the Development Variance Permit;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 15.2.5 (e): Development Regulations

To vary the eastern side yard setback from 4.5m required to o.om proposed.

Section 15.2.5 (f): Development Regulations

To vary the rear yard from 6.0m required to 0.0m proposed.

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

2.0 Purpose

To vary the required rear and side yard setbacks to accommodate the proposed industrial development.

3.0 Community Planning

Community Planning staff recommend support for the requested variances. The sitting of the proposed industrial building is consistent with staff expectations and other industrial developments throughout the City. The proposed variances are only necessary because the adjacent parcels are currently zoned RU1 – Large Lot Housing and A1 – Agricultural 1. If the neighbouring properties had commercial and / or industrial zones the required setbacks would be o.om and the project would confirm to the Zoning Bylaw. All of the neighbouring properties have Industrial Future Land Use Designations in the Official Community Plan and the larger area is anticipated to transition to industrial uses.

As such, staff are supportive of the subject property reaching its full development potential in line with its existing zoning and the Future Land Use designation of the larger area. The applicant has also completed the required neighbourhood consultation without any concerns being brought forward from neighbouring property owners.

4.0 Proposal

4.1 Project Description

Phase I development of the subject property was completed a few years ago and the owners plan on proceeding with Phase II, which will mirror the Phase I design on the vacant portion of the property.

4.2 <u>Site Context</u>

Subject Property Map: 730 Stremel Road



Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 – Agricultural 1 & RU1 – Large Lot Housing	Vacant / Industrial
East	Ru1 – Large Lot Housing & I1 – Business Industrial	Residential / Industrial
South	I2 – General Industrial	Industrial
West	Ru1 – Large Lot Housing	Residential

4.3 Zoning Analysis Table

Zoning Analysis Table			
CRITERIA I2 ZONE REQUIREMENTS PROPOSAL			
Development Regulations			
Front Yard	7.5M	19.0M	
Side Yard (east)	4.5m	o.om*	
Side Yard (west)	4.5m	11.5M	
Rear Yard	6.om	o.om*	
Other Regulations			
* vary the eastern side yard setback from 4.5m required to o.om proposed.			

* vary the rear yard from 6.om required to o.om proposed.

5.0 Technical Comments

5.1 Building & Permitting Department

No Comment

5.2 <u>Development Engineering Department</u>

<u>General</u>

The requested variance to reduce the East and West setback to o.o m. does not compromise any Municipal infrastructure or services.

The 2030 OCP identifies a linear park that follow Francis Brook. Development Engineering would request that the current SRW in the NE corner of the property, over Francis Brook, be dedicated.

Domestic Water and Fire Protection

This development is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with BMID for these items. All charges for service connection and upgrading costs, as well as any costs to decommission existing services are to be paid directly to BMID.

5.3 Fire Department

No Concerns

6.0 Application Chronology

Date of Application Received:December 12, 2018Date Public Consultation Completed:January 11, 2018

Report prepared by:	Alec Warrender, Property Officer Specialist
Approved for Inclusion:	Terry Barton, Urban Planning Manager
	Ryan Smith, Community Planning Department Manager

Attachments:

Applicant's Letter of Rationale Draft Development Variance Permit DVP17-0278 Schedule "A": Siting and Dimensions



November 24, 2017

City of Kelowna **Planning Department** 1435 Water Street Kelowna, BC

RE: Variance at 730 Stremel Road

Dear Planning Staff:

With this application we are seeking a variance to the east and north lot lines to facilitate the future construction of a second industrial building at this site. There is a 3,328m² building located on the western portion of the site and a large vacant area to the west of the entrance driveway. Plans for the new building have not been developed, but the land owner is seeking a 0.0m setback to east yard set back allow maximum flexibility. A second variance seeks to remove the requirement for a landscape buffer for the north and east property lines.

The subject property and all surrounding sites share the same future land use designation of 'industrial' or 'industrial – transitional'. All the properties that abut the subject property to the east are currently zoned RU1- Large Lot Housing except the neighbour at 1292 Findlay which has the I1 – Industrial Zone. The properties to the north are zoned A1 – Agriculture. As the demand for Industrial zoned property increases, it is expected that all the neighbouring parcels will be zoned industrial and no side yard setback would be required. The parcel to the west is in the process of rezoning to the I2 zone, therefore we were advised by Staff that no variance is needed on that lot line.

The immediate area has seen much growth in the past 5 years with the re-alignment of the street network, development of car dealerships along the highway, and upgrades to neighbouring businesses. There has been an increased demand for industrial buildings and the land owner would like to be prepared to move forward with development plans.

Further, prior to making this application the landowner spoke with the immediate neighbours affected by the proposed side yard setback reduction, and all are in favor of it. It was noted that they like the idea that a building will abut their properties and shield them from any of the onsite traffic. For these reasons, we ask that you support the request to vary the east and north set backs and associated landscape buffers.

Sincerely yours,

Birte Decloux for Tim Goode



733 Stremel Road - existing site conditions. Pictures at the top show the current building and the west lot line. Pictures below show the north lot line. Note: there is a statutory right of way north of the pavement and curb.











Pictures of the neighbouring properties to the east of 730 Stremel Road.







Development Variance Permit



This permit relates to land in the City of Kelowna municipally known as

730 Stremel Rd

and legally known as

Lot 1 Section 34 Township 26 ODYD Plan KAP88474

and permits the land to be used for the following development:

General Industrial Uses

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

Date of Decision:

Decision By: CITY COUNCIL

Issued Date:

This permit will not be valid if development has not commenced by June 12, 2020.

Existing Zone: I2 – General Industrial Future Land Use Designation: Industrial

This is NOT a Building Permit.

In addition to your Development Variance Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner: Goode Properties Inc., Inc.No. BC1050590

Applicant: Urban Options Planning & Permits

Ryan Smith Community Planning Department Manager

Date

1. SCOPE OF APPROVAL

This Development 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 Development 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 Development 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.

2. CONDITIONS OF APPROVAL

a) The siting of the building to be constructed on the land be in accordance with Schedule "A";

This Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

3. PERFORMANCE SECURITY

None required.

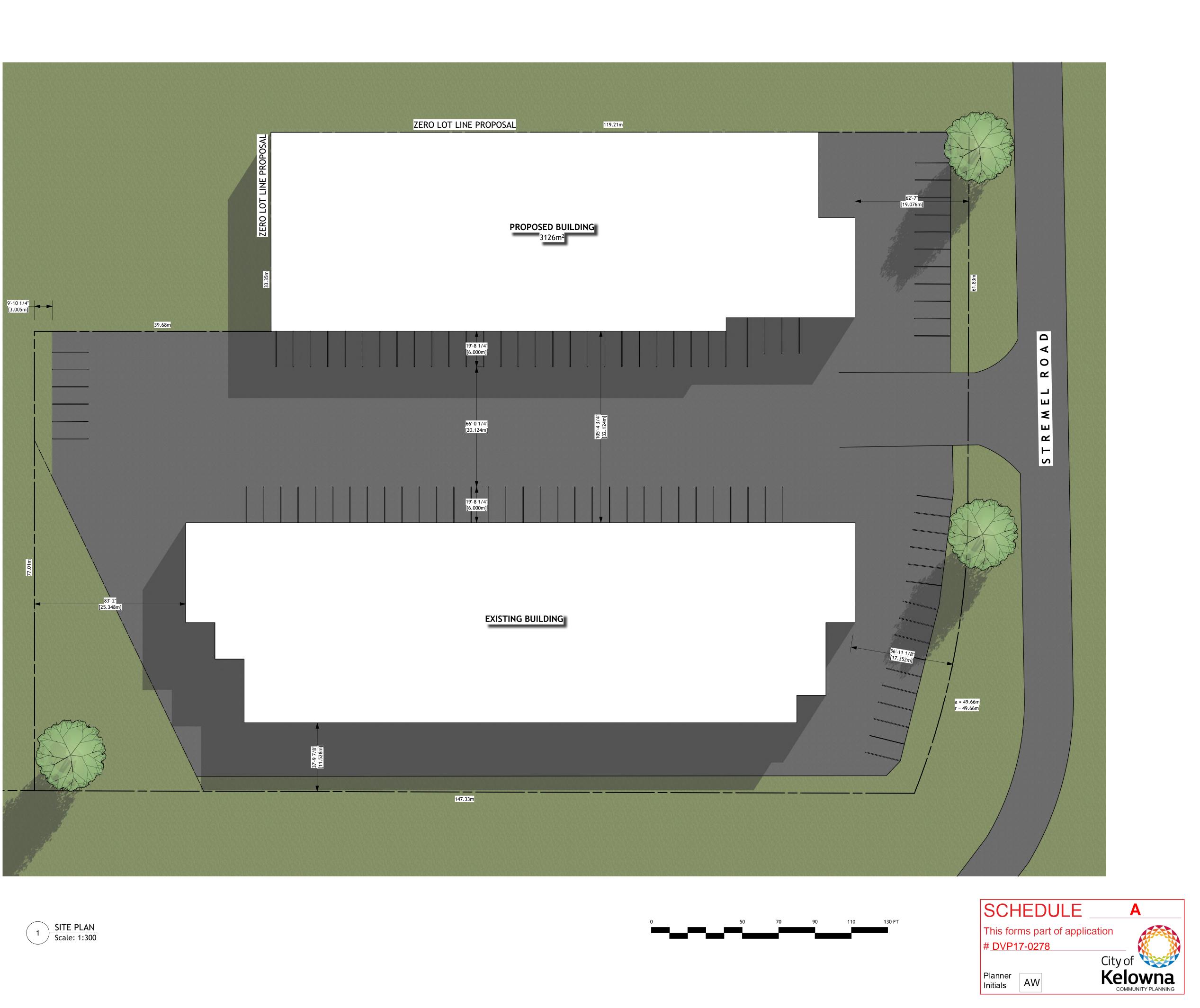
4. INDEMNIFICATION

Upon commencement of the works authorized by this Permit the Developer covenants and agrees 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 said Permit.

All costs, expenses, claims that may be incurred by the Municipality where the construction, 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.

The PERMIT HOLDER is the CURRENT LAND OWNER.







<image/> <image/> <text><text><text></text></text></text>			
REVISION	DATE	DISCRIPTION	
PROJECT			
COMMERCIAL DEVELOPMENT 730 STREMEL ROAD KELOWNA, BC V1X 5E7 LOT 1 PLAN KAP88474			
DRAWING TITLE			
DATE		MAY 3, 2018	
DRAWING N			
1 of 1			

REPORT TO COUNCIL



Date:	June 12, 2018			NEIUWIIA
RIM No.	0940-50			
То:	City Manager			
From:	Community Pla	anning Department (LK)		
Application:	DVP18-0013		Owner:	OK-Pacific Consulting Services Ltd., Inc. No. BC1097988
Address:	1385 McInnes A	Avenue	Applicant:	Cannan Consulting Corp.
Subject:	Development \	/ariance Permit		
Existing OCP De	signation:	S2RES — Single/Two Ur	nit Residential	
Existing Zone:		RU6 – Two Dwelling Ho	ousing	

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0013 for Lot 7 District Lot 137 ODYD Plan 3317, located at 1385 McInnes Avenue, Kelowna, BC;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 13.6.5(b)]: RU6 – Two Dwelling Housing Subdivision Regulations

To vary the required minimum parcel width from 18.0 m permitted to 15.61 m proposed;

Section 13.6.6(a)]: RU6 – Two Dwelling Housing Development Regulations

To vary the maximum site coverage from 50% permitted to 58.24% proposed.

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

2.0 Purpose

To vary the minimum parcel width and the maximum site coverage to facilitate the development of two dwelling housing on the subject property.

3.0 Community Planning

Community Planning Staff supports the requested variances to facilitate the development of a semidetached dwelling on the subject property. Subdivision regulations have a minimum width, depth and area for a parcel containing two dwellings. The subject parcel requires a variance to the minimum width, but meets the minimum required parcel area and the minimum lot depth of 30 m is far surpassed with a 46.51m depth. The second variance is for the maximum site coverage of building, driveway and parking area of the site. The site coverage maximum ensures that parcels provide a sufficient amount of permeable surface on the site for rainwater management. While adding more hard surfacing, the applicant has somewhat mitigated the permeability issue with the use of paving stones for the driveway and parking area. The increased amount of hard surfacing is due to the parking being oriented to the middle of the site. This orientation ensures the parking is screened from the street and provides a more appealing streetscape that is not dominated by parking.

Council Policy No. 367 with respect to public consultation was undertaken by the applicant and all neighbours within 50 m radius of the subject property.

4.0 Proposal

4.1 Project Description

The subject property on McInnes Avenue proposes to construct a semi-detached dwelling with the unit configuration being one unit in front of the other, attached via a shared party wall. The applicant has brought forth a design that will see the parking located in garages that are oriented towards the interior of the site. This increases the street appeal of the project and lessens the impact of the otherwise car and parking dominated frontages. The shared driveway is located on the west side of the parcel which leads to a courtyard area with access to each units' double car garage. A turnaround stall has been included to ensure the vehicles enter McInnes Avenue in a forward motion rather than backing out onto the street.

Consequently, a site coverage variance has been requested from 50% maximum to 58.64% proposed. The total site coverage includes the building, driveway and parking area. While there is an increase to the amount of hard surface utilized, the applicant is proposing to use paver stones to create a more water permeable surface. The addition of drought tolerant trees and shrubs have been added to aid in the greening of the site.

The second requested variance is to reduce the required parcel width from 18.0 m minimum to 15.67 m proposed. Staff is supportive of this variance as the parcel depth and area meet and surpass the minimum zoning bylaw requirements. The application meets all other zoning bylaw requirements and provides an outdoor amenity space for each of the units. The parking requirements have been met through a design that screens the parking from being visible from the street.

4.2 Site Context

The subject property is located in the Capril Landmark Urban Centre. The parcel is on the south side of McInnes Avenue and is bordered by existing RU6 - Two Dwelling Housing to the east and west, RM1 – Four Dwelling Housing to the north and RU1 – Large Lot Housing to the south.

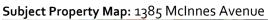
Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing	Semi-Detached Housing
East	RU6 – Two Dwelling Housing	Semi-Detached Housing
South	RU1 — Large Lot Housing	Single Dwelling Housing
West	RU6 – Two Dwelling Housing	Semi-Detached Housing

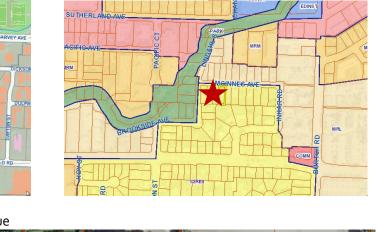
Specifically, adjacent land uses are as follows:

Future Land Use











4.3 Zoning Analysis Table

Zoning Analysis Table			
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL	
Existing Lot/Subdivision Regulations			
Lot Area	700 m²	728.81 m ²	
Lot Width	18.0 m	15.67 m 0	
Lot Depth	30.0 M	46.51 m	
Development Regulations			
Site Coverage (building)	40%	39.89%	
Site Coverage (building, driveway & parking)	50%	58.24% 0	

Height	9.5 m or 2 ½ storeys	7.74 m & 2 storeys
Front Yard	4.5 m	4.67 m
Side Yard (east)	2.3 M	2.3 M
Side Yard (west)	3.0 m	3.14m
Rear Yard	7.5 m	7.63 m
	Other Regulations	
Minimum Parking Requirements	4 stalls	4 stalls
Private Open Space	30 m²	+30 m ²

• Indicates a requested variance to the minimum parcel width from 18.0 m required to 15.61 m proposed.

lndicates a requested variance to the site coverage of building, driveway & parking from 50% maximum to 58.24% proposed.

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.

Healthy Communities.³ 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.o Technical Comments

- 6.1 Building & Permitting Department
 - 1) Demolition Permits required for any existing structures.
 - 2) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
 - 3) A third party work order may be required with the Development Engineering Department for an upgraded water line and sewage connection. These requirements are to be resolved prior to issuance of the Building Permit.
 - 4) Separate and independent heating systems are required for each unit. These heating units may be required to vent thru the roof depending on distances to windows and air inlets to the building. We recommend that the location of any air conditioners are to be established at this time due to setback limitations.

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).

³ City of Kelowna Official Community Plan, Policy 5.22.7 (Development Process Chapter).

- 5) This property falls within a defined flood plain area and compliance is required to Mill Creek Bylaw No. 10248 or alternative approval from the subdivision approving officer as per section 5.3 of the bylaw is required prior to issuance of any building permits
- 6) HPO (Home Protection Office) approval or release is required at time of Building Permit application.
- 7) The drawings submitted for Building Permit application are to indicate the method of fire separation between the units.
- 8) Hard surface path required to the front entrances of the Duplex units.
- 9) 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 complex at time of permit application
- 6.2 Development Engineering Department
 - Refer to attached Development Engineering Memorandum dated January 17, 2018.

7.0 Application Chronology

Date of Application Received:	December 19, 2017
Date Public Consultation Completed:	December 31, 2017

Report Prepared by:	Lydia Korolchuk, Planner
Reviewed by:	Terry Barton, Urban Planning Manager
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A: Development Engineering Memorandum dated January 17, 2018 Attachment B: Draft Development Variance Permit - DVP18-0013 Schedule A: Site Plan Schedule B: Conceptual Elevations Schedule C: Landscape Plan

CITY OF KELOWNA

ATTACHMENT

DVP18-0013

LK

Planner

Initials

This forms part of application

Α

OMMUNITY F

<u>City of</u>

Kelo

MEMORANDUM

Date: January 17, 2018

File No.: DVP18-0013

To: Community Planning (LK)

From: Development Engineering Manager (JK)

Subject: 1385 McInnes Ave

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

This development variance permit application to vary the minimum parcel width from 18.0m required to 15.67m proposed and to the site coverage of buildings, driveways and parking from 50% maximum to 58.24% proposed to facilitate the development of two dwelling housing on the subject property does not compromise any municipal services.

Jamés Kay, P. Eng. Dévelopment Engineering Manager

JA



This permit relates to land in the City of Kelowna municipally known as

1385 McInnes Avenue

and legally known as

Lot 7 District Lot 137 ODYD Plan 3317

and permits the land to be used for the following development:

Two Dwelling Housing

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

Date of Decision: June 12, 2018

Decision By: CITY COUNCIL

Development Permit Area: Revitalization

This permit will not be valid if development has not commenced by June 12, 2020.

Existing Zone: RU6 Future Land Use Designation: S2RES

This is NOT a Building Permit.

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner:

Applicant:

Ryan Smith Community Planning Department Manager Community Planning & Strategic Investments Date

1. SCOPE OF APPROVAL

This Development Variance 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 Development Variance 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 Development 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.

2. CONDITIONS OF APPROVAL

Variances to the following sections of Zoning Bylaw No. 8000 be granted, as shown on Schedule "A":

Section 13.6.5(b)]: RU6 – Two Dwelling Housing Subdivision Regulations

To vary the required minimum parcel width from 18.0 m permitted to 15.61 m proposed;

Section 13.6.6(a)]: RU6 - Two Dwelling Housing Development Regulations

To vary the maximum site coverage from 50% permitted to 58.24% proposed.

This Development Permit is valid for two (2) years from the date of May 1, 2020 approval, with no opportunity to extend.

3. PERFORMANCE SECURITY

N/A

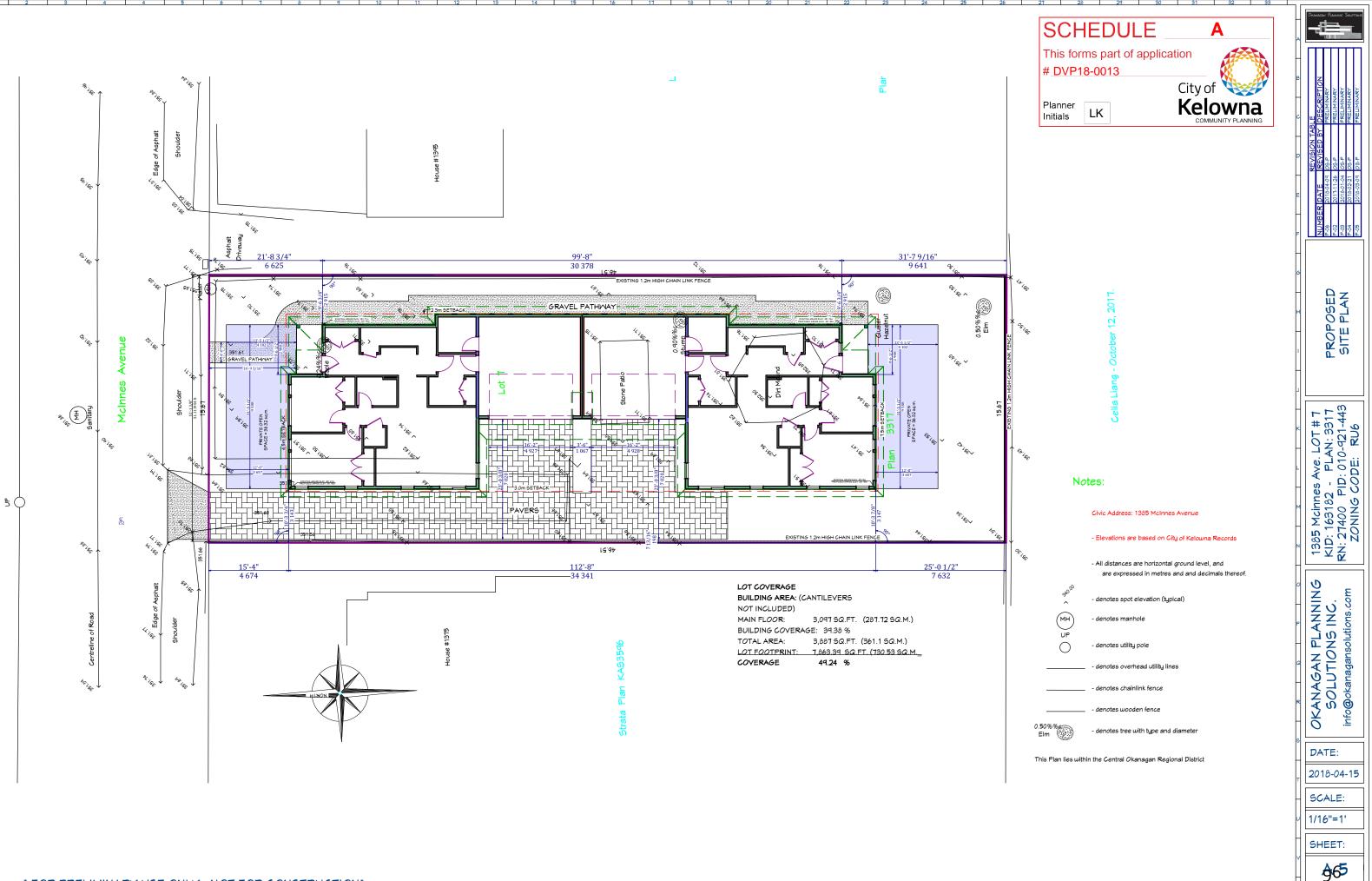
4. INDEMNIFICATION

Upon commencement of the works authorized by this Permit the Developer covenants and agrees 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 said Permit.

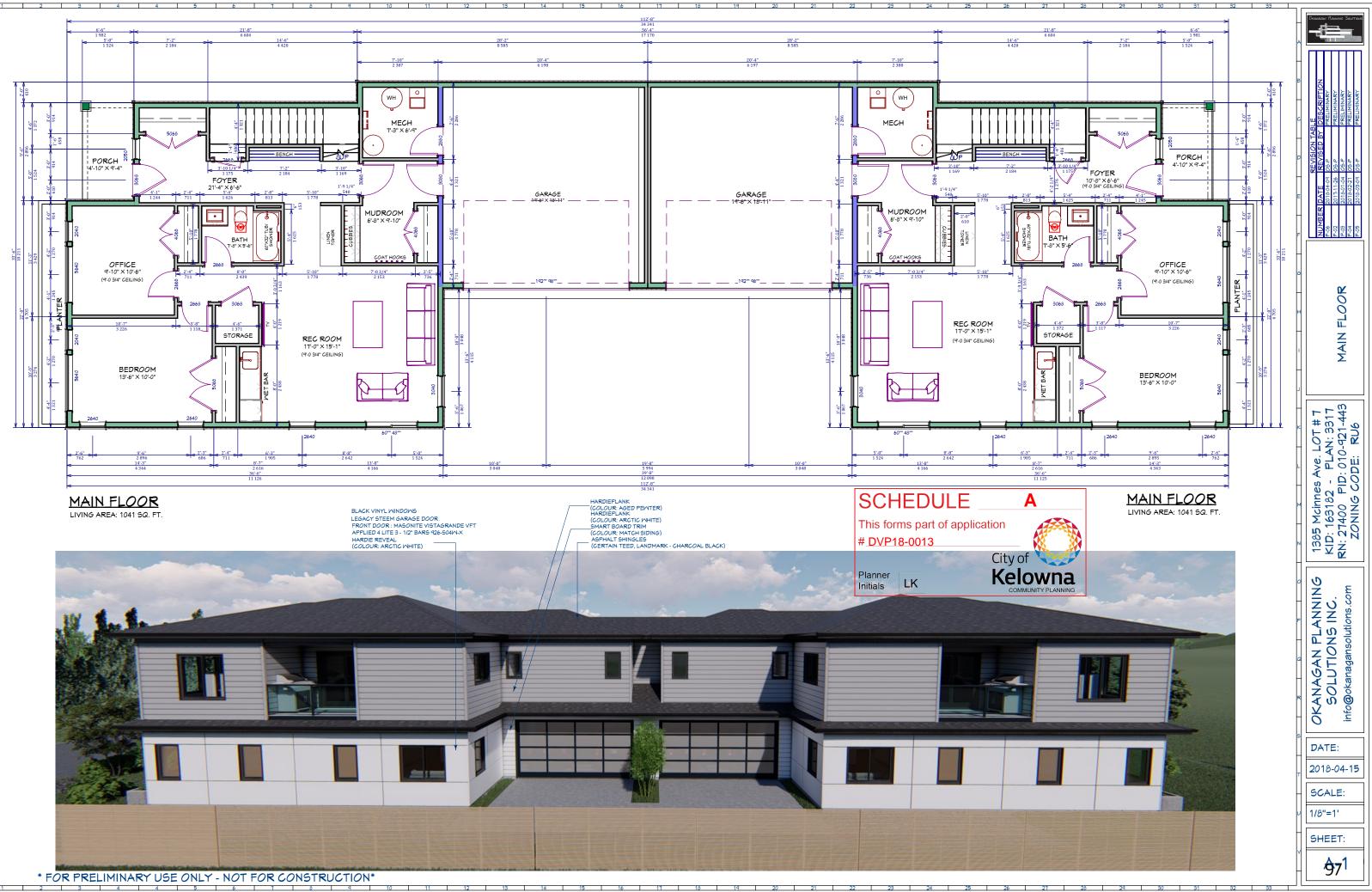
All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

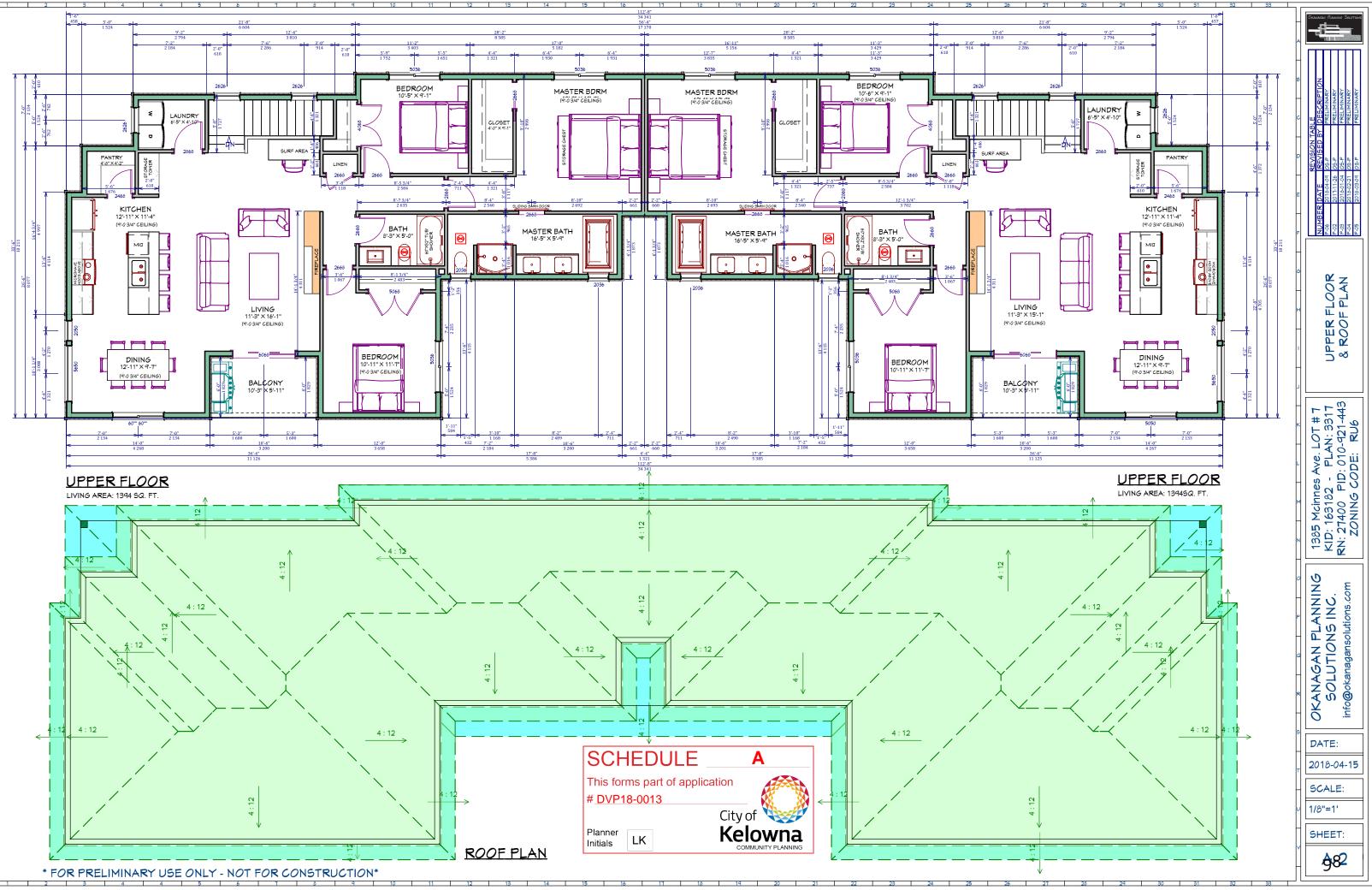
The PERMIT HOLDER is the <u>CURRENT LAND OWNER</u>. Security shall <u>ONLY</u> be returned to the signatory of the Landscape Agreement or their designates.

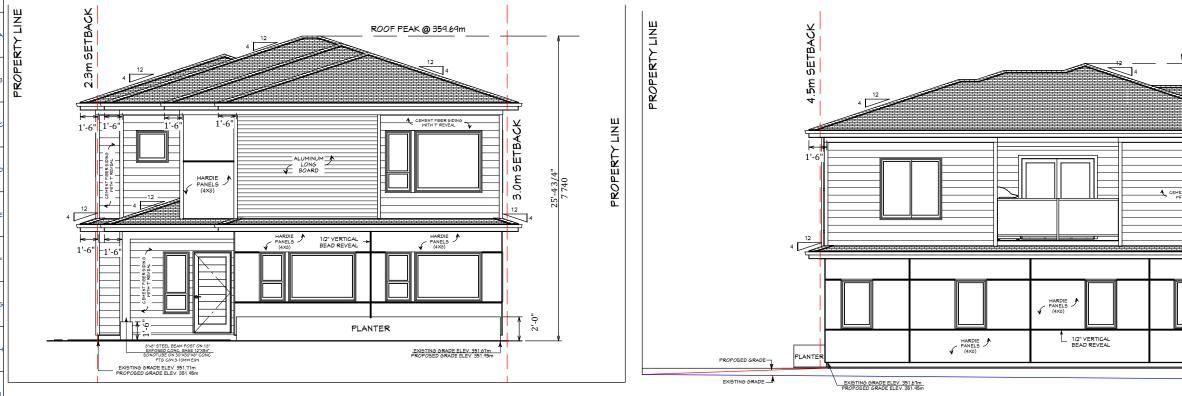


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4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21







FRONT ELEVATION

GENERAL NOTES:

WRITTEN DIMENSIONS AND SPECIFIC NOTES SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND GENERAL NOTES. THE ENGINEER AND/OR DESIGNER SHALL BE CONSULTED FOR CLARIFICATION IF SITE CONDITIONS ARE ENCOUNTERED THAT ARE DIFFERENT THAN SHOWN, IF DISCREPANCIES ARE FOUND IN THE PLANS OR NOTES, OR IF A QUESTION ARISES OVER THE INTENT OF THE PLANS OR NOTES. CONTRACTOR SHALL VERIFY AND IS RESPONSIBLE FOR ALL DIMENSIONS (INCLUDING ROUGH OPENINGS).

THE BUILDER SHALL VERIFY THAT SITE CONDITIONS ARE CONSISTENT WITH THESE PLANS BEFORE STARTING WORK. WORK NOT SPECIFICALLY DETAILED SHALL BE CONSTRUCTED TO THE SAME QUALITY AS SIMILAR WORK THAT IS DETAILED. ALL WORK SHALL BE DONE IN ACCORDANCE WITH NATIONAL BUILDING CODE OF CANADA, B.C. BUILDING CODE AND LOCAL LAWS AND BYLAWS.

WINDOWS SPECIFICATIONS TO BE CONFIRMED BY OWNER/BUILDER PRIOR ORDERING TO ENSURE PROPER VENTING AND EGRESS.

PLEASE SEE ADDITIONAL NOTES CALLED OUT ON OTHER SHEETS.

BUILDING PERFORMANCE:

HEAT LOSS CALCULATIONS SHALL COMPLY WITH THE REQUIREMENTS OF REGIONAL AND LOCAL CODES. SEE CALCULATIONS, PORCHES, DECKS, FOUNDATION, FIREPLACE ENCLOSURES, AND GARAGE AREAS NOT INCLUDED IN LIVING AREA. ALL EXHAUST FANS TO BE VENTED DIRECTLY TO THE EXTERIOR. ALL PENETRATIONS OF THE BUILDING ENVELOPE SHALL BE SEALED WITH CAULK OR FOAM

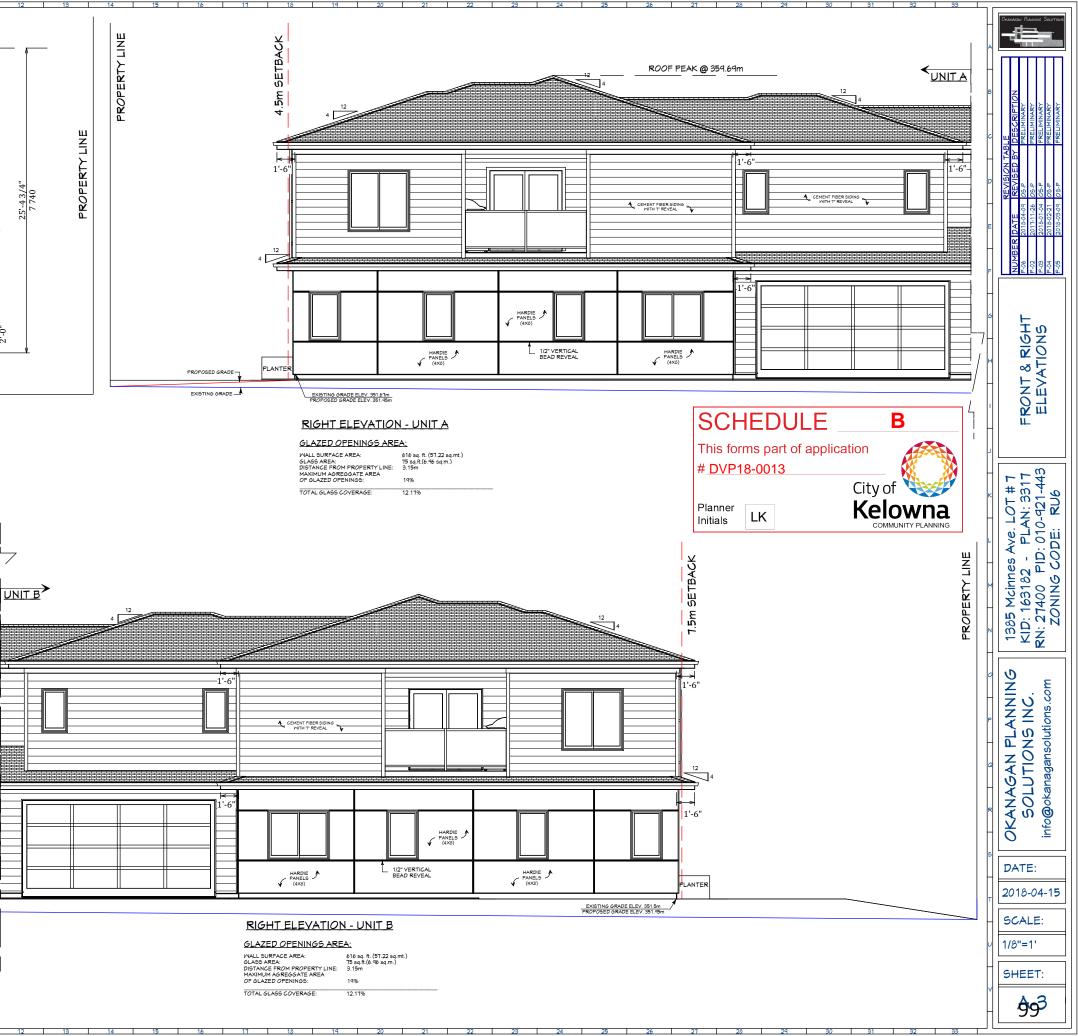
FINISH NOTES:

RENDERINGS ARE NOT TO SCALE; ALL RENDERINGS ARE FOR ARTISTIC DEPICTION ONLY. PLAN UPDATES MAY NOT BE REFLECTED IN RENDERINGS. RENDERINGS SHALL NOT BE USED FOR CONSTRUCTION.

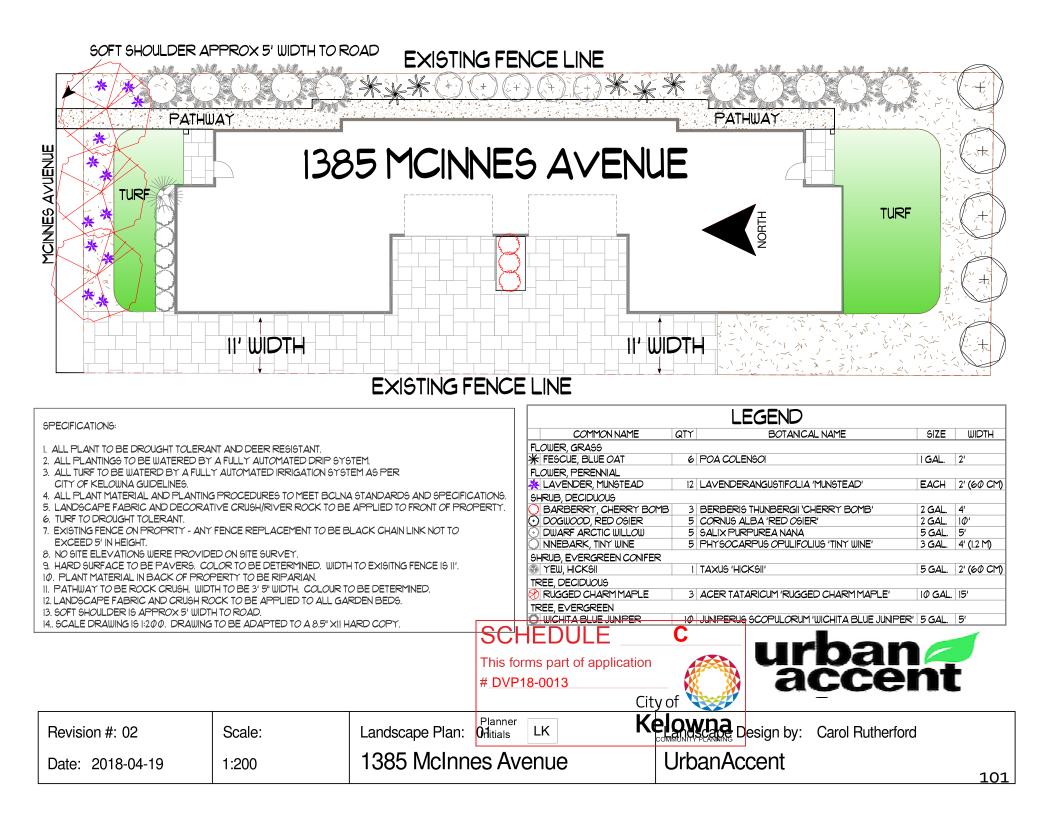
BASE BOARDS SHALL BE 6" IN ALL ROOMS, UNO. FINAL FINISHES SHALL BE CONFIRMED WITH THE HOME OWNER PRIOR TO APPLICATION.



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REPORT TO COUNCIL



Date:	June 12, 2018			NEIUWIIA
RIM No.	0940-00			
То:	City Manager			
From:	Community Pla	anning Department (KB)		
Application:	DP18-0042 & D	VP18-0043	Owner:	Kirvi Construction Development Company Ltd., Inc.No. BCo640835
Address:	1931 Union Roa	ad	Applicant:	Patrick McCusker Architecture Inc.
Subject:	Development F	Permit and Development	t Variance Pern	nit
Existing OCP De	signation:	MRL – Multiple Unit Re	sidential (Low	Density)
Existing Zone:		RM2 – Low Density Roy	w Housing	

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP18-0042 and Development Variance Permit No. DVP18-0043 for Lot 9 Section 4 Township 23 Osoyoos Division Yale District Plan KAP52773, located at 1931 Union Road, 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 variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 13.8.6(b): RM2 – Low Density Row Housing Housing Development Regulations

To vary the required maximum site coverage of buildings, driveways and parking areas from 60 % permitted to 69 % proposed.

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

2.0 Purpose

To consider the form and character of a multiple dwelling housing development and to vary the maximum site coverage of buildings, driveways and parking areas from 60 % permitted to 69 % proposed.

3.0 Community Planning

Community Planning supports the Development Permit for form and character of a 29 unit row housing development on the subject property. The development is in general accordance with the Urban Design Guidelines in the Official Community Plan (OCP), as outlined in the attached checklist. Further, the application meets many of the OCP's Urban Infill objectives with respect to Sensitive Infill and Family Housing.

The proposal includes ground-oriented units which front on both Union Road and Wyndham Crescent. Eighteen of the units face either Union Road or Wyndham Crescent, and eleven units face the internal property line on the east side of the lot, and can be accessed by a path leading to the front doors, adjacent to the east property line. This meets the OCP's objective with respect to Ground-Oriented Housing.

Staff worked with the applicant on the form and character of the development, in particular the elevations facing public roads. The end units facing either Union Road and Wyndham Crescent have articulated facades which help to create visual interest and prominent entrances.

The property is currently zoned RM₂ and has a Future Land Use designation of MRL – Multiple Unit Residential (Low Density). The purpose of the RM₂ – Low Density Row Housing Zone is to provide for low density row housing with urban services. The proposal is consistent with the RM₂ zone and Future Land Use designation.

<u>Variance</u>

The applicant is seeking a variance for maximum site coverage with buildings, driveways and parking areas from 60 % permitted to 69 % proposed. Permeable surfaces are proposed to be used for the driveway aprons and visitor parking stalls, which allows a slightly higher maximum site coverage with buildings, driveways and parking areas (an increase from 55% to 60%), however a variance is still required. Staff recommend support for this variance as the development achieves many of the OCP's design guidelines, and the variance is largely due to the 7.0 m wide internal drive aisle.

In fulfilment of Council Policy No. 367, the applicant completed public notification and consultation with property owners within 50 metres of the subject property.

4.0 Proposal

4.1 Background

There was an existing single family dwelling on the subject property. A demolition permit was issued on May 29, 2017 and it passed final inspection on October 18, 2017.

4.2 Project Description

The proposed development features 29 row houses with attached double wide garages. The development includes a total of five buildings: two four-unit buildings and three seven-unit buildings. All units have ground-level front doors. Ranging in size from approximately 1,530 ft² to 1,650 ft², each unit has three bedrooms.

The row houses are arranged on either side of a 7.0 m wide internal lane and all units have enclosed garages. All vehicular access for the development is provided through these internal lanes, with two access

points off Wyndham Crescent. Six visitor parking stalls are provided and are located throughout the development site.

The exterior materials include Hardie siding and laminated fibreglass roof shingles. The proposed colour scheme for the Hardie siding is Timber Bark, Cobble Stone and Arctic White, as shown in Schedule "B".

Image 1 – Front elevation of Building 1 (7-plex, units facing Union Road), shown with optional second floor decks



As the interior units in proposed Building 1 do not have 25 m² of private open space in their fenced front yard, an additional 44 m² of community private open space was added in the northeast corner of the subject property. As shown in Schedule C, this area is proposed to be a small play space.

The project as proposed meets the RM₂ – Low Density Row Housing regulations, with one requested variance to maximum site coverage with buildings, driveways and parking areas.

4.3 Site Context

The subject property is located at the corner of Wyndham Crescent and Union Road in the City's Glenmore – Clifton – Dilworth Sector and is within the Permanent Growth Boundary. It is approximately 1.5 acres (6,046 m²) in size. North Glenmore Elementary School is on the opposite side of Union Road, and it is in close proximity to Dr. Knox Middle School. It is approximately 1.5 km from the commercial area in the Glenmore Village Centre.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P2 – Education and Minor Institutional	Public Education Services
East	RM5 – Medium Density Multiple Housing	Vacant – Future Multiple Dwelling Housing
South	RU2 – Medium Lot Housing	Single Dwelling Housing
West	RU2 – Medium Lot Housing	Single Dwelling Housing



Subject Property Map: 1931 Union Road

4.4 Zoning Analysis Table

Zoning Analysis Table			
CRITERIA	RM2 ZONE REQUIREMENTS	PROPOSAL	
Development Regulations			
Floor Area Ratio	0.7	0.69	
Site Coverage	50 %	46 %	
Site Coverage of buildings, driveways and parking areas	60 %	69 % 🛛	
Height	9.5 m / 2 ½ storeys	< 9.5 m / 2 ½ storeys	
Front Yard (west – Wyndham Cr)	1.5 M	3.0 M	
Flanking Side Yard (north – Union Rd)	1.5 M	3.0 m	
Flanking Side Yard (south – Wyndham Cr)	1.5 M	1.5 M	
Rear Yard (east)	7.5 M	7.5 M	
Minimum distance between principal buildings	3.0 m	4.48 m	
	Other Regulations		
Minimum Parking Requirements	58 Residential stalls 5 Visitor stalls 63 Total stalls	58 Residential stalls 6 Visitor stalls 64Total stalls	
Minimum Private Open Space	725 m ²	> 725 m ²	
Minimum Two Way Drive Aisle Width	7.0 M	7.0 M	
Setbacks to Surface Parking – Front	3.0 m	3.0 M	
Setbacks to Surface Parking – Rear	1.5 M	1.5 M	
Setbacks to Surface Parking – Flanking Side	3.0 m	3.0 M	
• Indicates a requested variance to the maximum site cov	verage of buildings, driveways and parking areas		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 14 – Urban Design DP Guidelines

Chapter 5 - Development Process

Objective 5.3 Focus development to designated growth areas

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

Objective 5.22 Ensure context sensitive housing development

Policy .6 Sensitive Infill. 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.

Policy .7 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.

Policy .13 Family Housing. 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).

Objective 5.23 Address the needs of families with children through the provision of appropriate familyoriented housing

Policy .1 Ground-Oriented Housing. 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.o Technical Comments

6.1 <u>Development Engineering Department</u>

• This application does not compromise any City of Kelowna municipal infrastructure.

7.0 Application Chronology

Date of Application Received:	February 7, 2018
Date Public Consultation Completed:	March 26, 2018

Report prepared by:	Kimberly Brunet, Planner
Reviewed by:	Terry Barton, Urban Planning Manager
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager

Attachments:

Draft Development Permit and Development Variance Permit No. DP18-0042/DVP18-0043 Comprehensive Development Permit Guidelines Checklist Schedule A - Site Statistics Table, Site Plan Schedule B - Floor Plans and Elevations Schedule C - Landscape, Water Conservation and Irrigation Plans

Development Permit & Development Variance Permit DP18-0042/DVP18-0043



This permit relates to land in the City of Kelowna municipally known as

1931 Union Road

and legally known as

Lot 9 Section 4 Township 23 Osoyoos Division Yale District Plan KAP52773

and permits the land to be used for the following development:

Multiple Dwelling Housing

With variances to the following section of Zoning Bylaw No. 8000

Section 13.8.6(b): RM2 – Low Density Row Housing Housing Development Regulations

To vary the required maximum site coverage of buildings, driveways and parking areas from 60 % permitted to 69 % proposed.

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

This permit will not be valid if de	evelopment has not commenced by June 12, 2020
Development Permit Area:	Comprehensive Development Permit Area
Issued Date:	June 12, 2018
Decision By:	City Council
Date of Decision:	June 12, 2018

Existing Zone: RM2 – Low Density Row Housing Future Land Use Designation: MRL – Multiple Unit Residential (Low Density)

This is NOT a Building Permit.

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner: Kirvi Construction Development Company Ltd., Inc.No. BCo640835

Applicant: Patrick McCusker Architecture Inc.

Ryan Smith

Date

Community Planning Department Manager Community Planning & Strategic Investments

1. SCOPE OF APPROVAL

This Development 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 Development 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 Development 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.

2. CONDITIONS OF APPROVAL

- 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"; and
- 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.

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

3. 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 Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer 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 enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property own of the day. Should the Developer carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Developer or his or her designate. There is filed accordingly:

a) An Irrevocable Letter of Credit in the amount of **\$TBD**

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.

4. INDEMNIFICATION

Upon commencement of the works authorized by this Permit the Developer covenants and agrees 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 said Permit.

All costs, expenses, claims that may be incurred by the Municipality where the construction, 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.

The PERMIT HOLDER is the <u>CURRENT LAND OWNER</u>. Security shall <u>ONLY</u> be returned to the signatory of the Landscape Agreement or their designates.

DEVELOPMENT PERMIT GUIDELINES

Comprehensive Development Permit Area

Consideration has been given to the following guidelines as identified in Section 14.A. of the City of Kelowna Official Community Plan relating to Comprehensive Development Permit Areas:

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Authenticity and Regional Expression			
Do landscaping and building form convey a character that is distinct to Kelowna and the Central Okanagan?	\checkmark		
Are materials in keeping with the character of the region?	\checkmark		
Are colours used common in the region's natural landscape?		\checkmark	
Does the design provide for a transition between the indoors and outdoors?	\checkmark		
Context			
Does the proposal maintain the established or envisioned architectural character of the neighbourhood?	\checkmark		
Does interim development consider neighbouring properties designated for more intensive development?			\checkmark
Are façade treatments facing residential areas attractive and context sensitive?	\checkmark		
Are architectural elements aligned from one building to the next?	\checkmark		
For exterior changes, is the original character of the building respected and enhanced?			\checkmark
Is the design unique without visually dominating neighbouring buildings?	\checkmark		
For developments with multiple buildings, is there a sense of architectural unity and cohesiveness?	\checkmark		
Relationship to the Street			
Do buildings create the desired streetscape rhythm?	\checkmark		
Are parkade entrances located at grade?	\checkmark		
For buildings with multiple street frontages, is equal emphasis given to each frontage?	\checkmark		
Massing and Height			
Does the design mitigate the actual and perceived mass of buildings?	\checkmark		
Does the height consider shading and view impacts for neighbouring properties and transition to less intensive areas?	\checkmark		
Human Scale			
Are architectural elements scaled for pedestrians?	\checkmark		
Are façades articulated with indentations and projections?	\checkmark		

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Are top, middle and bottom building elements distinguished?	\checkmark		
Do proposed buildings have an identifiable base, middle and top?	\checkmark		
Are building facades designed with a balance of vertical and horizontal proportions?	\checkmark		
Are horizontal glazed areas divided into vertically proportioned windows separated by mullions or building structures?	\checkmark		
Does the design incorporate roof overhangs and the use of awnings, louvers, canopies and other window screening techniques?	\checkmark		
Is the visual impact of enclosed elevator shafts reduced through architectural treatments?			\checkmark
Exterior Elevations and Materials			
Are buildings finished with materials that are natural, local, durable and appropriate to the character of the development?	\checkmark		
Are entrances visually prominent, accessible and recognizable?	\checkmark		
Are higher quality materials continued around building corners or edges that are visible to the public?	\checkmark		
Are a variety of materials used to create contrast, enhance the pedestrian environment and reduce the apparent mass of a building?		\checkmark	
Are elements other than colour used as the dominant feature of a building?	\checkmark		
Public and Private Open Space		I	
Does public open space promote interaction and movement through the site?			\checkmark
Are public and private open spaces oriented to take advantage of and protect from the elements?		\checkmark	
Is there an appropriate transition between public and private open spaces?	\checkmark		
Are amenities such as benches, garbage receptacles, bicycle stands and community notice boards included on site?	\checkmark		
Site Access			
Is the safe and convenient movement of pedestrians prioritized?	\checkmark		
Are alternative and active modes of transportation supported through the site design?	\checkmark		
Are identifiable and well-lit pathways provided to front entrances?	\checkmark		
Do paved surfaces provide visual interest?	\checkmark		
Is parking located behind or inside buildings, or below grade?	\checkmark		
Are large expanses of parking separated by landscaping or buildings?			\checkmark
Are vehicle and service accesses from lower order roads or lanes?	\checkmark		

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Do vehicle and service accesses have minimal impact on the streetscape and public views?			\checkmark
Is visible and secure bicycle parking provided in new parking structures and parking lots?			\checkmark
Environmental Design and Green Building			
Does the proposal consider solar gain and exposure?			\checkmark
Are green walls or shade trees incorporated in the design?			\checkmark
Does the site layout minimize stormwater runoff?			\checkmark
Are sustainable construction methods and materials used in the project?			\checkmark
Are green building strategies incorporated into the design?			\checkmark
Decks, Balconies, Rooftops and Common Outdoor Amenity Space			
Are decks, balconies or common outdoor amenity spaces provided?	\checkmark		
Does hard and soft landscaping enhance the usability of decks, balconies and outdoor amenity spaces?	\checkmark		
Are large flat expanses of roof enhanced with texture, colour or landscaping where they are visible from above or adjacent properties?			\checkmark
Amenities, Ancillary Services and Utilities			
Are loading, garage, storage, utility and other ancillary services located away from public view?			\checkmark
Are vents, mechanical rooms / equipment and elevator penthouses integrated with the roof or screened with finishes compatible with the building's design?			\checkmark
Landscape Development and Irrigation Water Conservation			
Does landscaping:	-	-	-
 Compliment and soften the building's architectural features and mitigate undesirable elements? 	\checkmark		
 Maintain the dominant pattern of landscaping along the street and surrounding properties? 	\checkmark		
Enhance the pedestrian environment and the sense of personal safety?	\checkmark		
 Screen parking areas, mechanical functions, and garbage and recycling areas? 	\checkmark		
 Respect required sightlines from roadways and enhance public views? 	\checkmark		
Retain existing healthy mature trees and vegetation?			\checkmark
• Use native plants that are drought tolerant?	\checkmark		
• Define distinct private outdoor space for all ground-level dwellings?	\checkmark		
Do any fences and retaining walls create visual interest and enhance the pedestrian environment?	\checkmark		

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Do parking lots have one shade tree per four parking stalls?			\checkmark
Does the Landscape Architect's Landscape Water Conservation Report:	-	-	-
 Meet the requirements for Landscape Water Budget calculations for the landscaped area? 	\checkmark		
 Indicate how the development complies with or varies from the Landscape Water Conservation Guidelines? 	\checkmark		
Landscape Water Conservation Guidelines			
Are plants grouped into "hydro-zones" of high, medium and low or unirrigated / unwatered areas?	\checkmark		
Does at least 25% of the total landscaped area require no irrigation / watering?		\checkmark	
Does at least 25% of the total landscaped area require low water use?	\checkmark		
Does at most 50% of the total landscaped area require medium or high water use?	\checkmark		
Is mulch cover provided for shrubs and groundcover to reduce soil evaporation?	\checkmark		
Do water features such as pools and fountains use recirculated water systems?			\checkmark
Do landscape installation standards meet the requirements of the BC Landscape Standard and / or the Master Municipal Construction Document?	\checkmark		
Are the required written declarations signed by a qualified Landscape Architect?	\checkmark		
Irrigation System Guidelines		1	
Is the Irrigation Plan prepared by a Qualified Professional?	\checkmark		
Are irrigation circuits grouped into "hydro-zones" of high, medium and low or unirrigated / unwatered areas consistent with the landscaping plan?	\checkmark		
Is drip or low volume irrigation used?	\checkmark		
Are the required written declarations signed by a qualified Certified Irrigation Designer?	\checkmark		
Crime prevention			
Are CPTED practices as related to landscaping, siting, form and exterior design included in the design?	\checkmark		
Are building materials vandalism resistant?	\checkmark		
Universal Accessible Design		L	1
Is access for persons with disabilities integrated into the overall site plan and clearly visible from the principal entrance?			\checkmark
Are the site layout, services and amenities easy to understand and navigate?			\checkmark
Lakeside Development			
Are lakeside open spaces provided or enhanced?			\checkmark

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Are lake views protected?			\checkmark
Does lakeside development act as a transition between the lake and inland development?			\checkmark
Signs			-
Do signs contribute to the overall quality and character of the development?			\checkmark
Is signage design consistent with the appearance and scale of the building?			\checkmark
Are signs located and scaled to be easily read by pedestrians?			\checkmark
For culturally significant buildings, is the signage inspired by historical influences?			\checkmark
Lighting			
Does lighting enhance public safety?	\checkmark		
Is "light trespass" onto adjacent residential areas minimized?	\checkmark		
Does lighting consider the effect on the façade, neighbouring buildings and open spaces?			\checkmark
Is suitably scaled pedestrian lighting provided?			\checkmark
Does exterior street lighting follow the International Dark Sky Model to limit light pollution?			\checkmark



PROJECT STATISTICS:

<u>Civic Address:</u> Legal Description: Permitted Zoning:

Permitted Use:

Site Area:

<u>Min. Site Area:</u> Lot Area: Lot Width: Lot Depth:

Min. Yard Setb

Site Coverage (Footprint of Build

Floor Area Rati (Buildings)

Floor Area Rati (Units)

1931	Union Road, Kelowna B.C.
Lot 9	, Plan 52773, O.D.Y.D.
RM2	- Low Density Row Housing Zone
(City	of Kelowna Zoning By Law No. 8000
Row	Housing

	6,046.70	sq.m.			
	65,088.29	sq.ft.			
	0.605	ha.			
	Minister Allered		D		
ea:	Minimum Allowed		Propos	1	
	1000.00	sq. m.	6046.70	sq. m.	
	30.00	m.	56.50	m.	
	30.00	m.	108.69	m.	
etbacks:	Allowed		Propos	ed	
	Front Yard	1.5 m	3.0		
	Interior Side Yard	4.0 m	4.0	m	
	Flanking Side Yard	1.5 m	3.0	m	
	Rear Yard	7.5 m	7.5	i m	
ge:	Building Type	# of Bldg's	Area/Bldg (Coverage)	Total Cover/Bldg's	
uildings)	Building 1 (7 Plex)	1	7,415	7,415	sq.ft.
	Buildings 2 & 5 (4 Plex)	2	4,155	8,310	sq.ft.
	Buildings 3 & 4 (7 Plex)	2	7,344	14,688	sq.ft.
	TOTAL	5		30,413	sq.ft.
atio Breakdown:	Building Type	# of Bldg's	Area/Bldg (for FAR)	Total FAR/Bldg's	
	Building 1 (7 Plex)	1	11,025	11,025	sq.ft.
	Buildings 2 & 5 (4 Plex)	2	6,162	12,324	sq.ft.
	Buildings 3 & 4 (7 Plex)	2	10,907	21,814	sq.ft.
	TOTAL	5		45,163.20	sq.ft.
atio Breakdown:	Units	# of units	Area/Unit (for FAR)	FAR	
	Unit A	6	1,535	9,210.00	sq.ft.
	Unit B, B1 & B2 (sq. ft. average	19	1,544	29,341.20	sq.ft.
	Unit C	4	1,653	6,612.00	sq.ft.
	TOTAL	29		45,163.20	sq.ft.

		Allo	wed
Site Coverage:	Maximum 50% (Building Footprint)	3,023.35	sq.m.
30		32,544.15	sq.ft.
		Allo	wed
Total Coverage:	Maximum 60% (Buildings + Driveways +	3,628.02	sq.m.
<u>Total ooverage.</u>	Parking)	39,052.97	1.1.1
			wed
Floor Area Ratio:	Maximum 0.70 FAR	4,232.69	sq.m.
	(Addition of 0.05 for Parking)	45,561.80	sq.ft.
		Allo	wed
Max. Bldg Height:	2 1/2 storey's	9.50	m.
		31.17	ft.
Private open space:	Min. 25 sq.m. / 3 Bdrm Unit	Reg	iured
The open space.	(Community Pvt Open Space Area of	Regiured 725 sg.m	
	45 sq. m has been included)	125	54.111.
Parking:		Reg	uired
	Units - 2 stalls / 3 Bdrm Unit	58	
	Visitor - 1 vistor stall / 7 Units	5	
	23 Medium car stalls	Total Req'd =	
	39 Full size car stalls		
Bicycle:	Class II - Provide 0.1 / Unit	Required	
21010101			3

CONSULTANTS:

ARCHITECTURAL: PATRICK McCUSKER ARCHITECTURE INC. 3430 BENVOULIN ROAD, KELOWNA, B.C. VIW 4M5 CONTACT: PATRICK McCUSKER AIBC, AAA, MRAIC TEL: 778.484.0223 e-mail: pat@pmccarch.com
LANDSCAPE ARCHITECT: OUTLAND DESIGN LANDSCAPE ARCHITECTURE 206-1889 SPALL ROAD KELOWNA, B.C. VIY 4R2 CONTACT: FIONA BARTON TEL: 250.868.9270 e-mail: fiona@outlanddesign.ca
CIVIL ENGINEER: APLIN MARTIN CONSULTANTS LTD. 454 LEON AVENUE KELOWNA, B.C. V1Y 6J3 CONTACT: CORY BARKER P. Eng. TEL: 250.448.0157 e-mail: kelowna@aplinmartin.com

DRAWING INDEX:

	ARCHITECTURAL:		
DWG. No.	DRAWING NAME		
DP_A 0.00	COVER SHEET	DP_A3.00	BUILDING 1 (7-PLEX) FRONT ELEVATION
		DP_A3.01	BUILDING 1 (7-PLEX) REAR ELEVATION
DP_A1.00	TOPOGRAPHIC SURVEY SITE PLAN	DP_A3.02	BUILDING 1 (7-PLEX) RIGHT & LEFT SIDE ELEVATIO
DP_A1.01	SITE PLAN	DP_A3.03	BUILDING 1 (7-PLEX) FRONT ELEVATION (COLOURE
		DP_A3.04	BUILDING 1 (7-PLEX) REAR ELEVATION (COLOURED
DP_A2.00	BUILDING 1 (7-PLEX) PARTIAL MAIN FLOOR PLAN	DP_A3.05	BUILDING 1 (7-PLEX) RIGHT & LEFT SIDE ELEVATIO
DP_A2.01	BUILDING 1 (7-PLEX) PARTIAL MAIN FLOOR PLAN		
DP_A2.02	BUILDING 1 (7-PLEX) PARTIAL UPPER FLOOR PLAN	DP_A3.06	BUILDINGS 2 & 5 (4-PLEX) FRONT & RIGHT SIDE ELE
DP_A2.03	BUILDING 1 (7-PLEX) PARTIAL UPPER FLOOR PLAN	DP_A3.07	BUILDINGS 2 & 5 (4-PLEX) REAR & LEFT SIDE ELEVA
DP_A2.04	BUILDING 1 (7-PLEX) PARTIAL ROOF PLAN	DP_A3.08	BUILDINGS 2 & 5 (4-PLEX) FRONT & RIGHT SIDE ELE
DP_A2.05	BUILDING 1 (7-PLEX) PARTIAL ROOF PLAN	DP_A3.09	BUILDINGS 2 & 5 (4-PLEX) REAR & LEFT SIDE ELEVA
DP_A2.06	BUILDINGS 2 & 5 1 (4-PLEX) MAIN FLOOR PLAN	DP_A3.10	BUILDINGS 3 & 4 (7-PLEX) FRONT ELEVATION
DP_A2.07	BUILDINGS 2 & 5 1 (4-PLEX) UPPER FLOOR PLAN	DP_A3.11	BUILDINGS 3 & 4 (7-PLEX) REAR ELEVATION
DP_A2.08	BUILDINGS 2 & 5 1 (4-PLEX) ROOF PLAN	DP_A3.12	BUILDINGS 3 & 4 (7-PLEX) RIGHT & LEFT SIDE ELEV.
DP_A2.09	BUILDINGS 3 & 4 (7-PLEX) PARTIAL MAIN FLOOR PLAN	DP_A3.20	BUILDINGS 1,2 & 3 ELEVATIONS (STREETSCAPE)
DP_A2.10	BUILDINGS 3 & 4 (7-PLEX) PARTIAL MAIN FLOOR PLAN		
DP_A2.11	BUILDINGS 3 & 4 (7-PLEX) PARTIAL UPPER FLOOR PLAN	DP_A4.00	BUILDING SECTIONS (TYPICAL)
DP_A2.12	BUILDINGS 3 & 4 (7-PLEX) PARTIAL UPPER FLOOR PLAN		
DP_A2.13	BUILDINGS 3 & 4 (7-PLEX) PARTIAL ROOF PLAN	DP_A8.00	MISC. EXTERIOR DETAILS
DP_A2.14	BUILDINGS 3 & 4 (7-PLEX) PARTIAL ROOF PLAN		

UNION ROAD

	Prop	osed	
	2,825.37	sq.m.	
	30,413.00	sq.ft.	
	Proposed	Variance	
	4,168.42	sq.m.	
	44,870.00	sq.ft.	
	Prop	osed	
	4,195.66	sq.m.	
	45,163.20	sq.ft.	
	Prop	osed	
۱.	8.19	m.	
	26.86	ft.	
	Proposed		
	1,304	sq m	
	Prop	osed	
	58	spaces	
	6	spaces	
63	64	spaces	
	Prop	osed	
	4	spaces	

GHT & LEFT SIDE ELEVATIONS ONT ELEVATION (COLOURED) AR ELEVATION (COLOURED) GHT & LEFT SIDE ELEVATIONS (COLOURED)

Total Req'd = 3 4 spaces

() FRONT & RIGHT SIDE ELEVATIONS () REAR & LEFT SIDE ELEVATIONS () FRONT & RIGHT SIDE ELEVATIONS (COLOURED) X) REAR & LEFT SIDE ELEVATIONS (COLOURED)

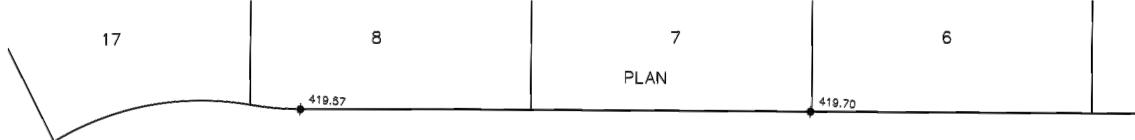
() RIGHT & LEFT SIDE ELEVATIONS

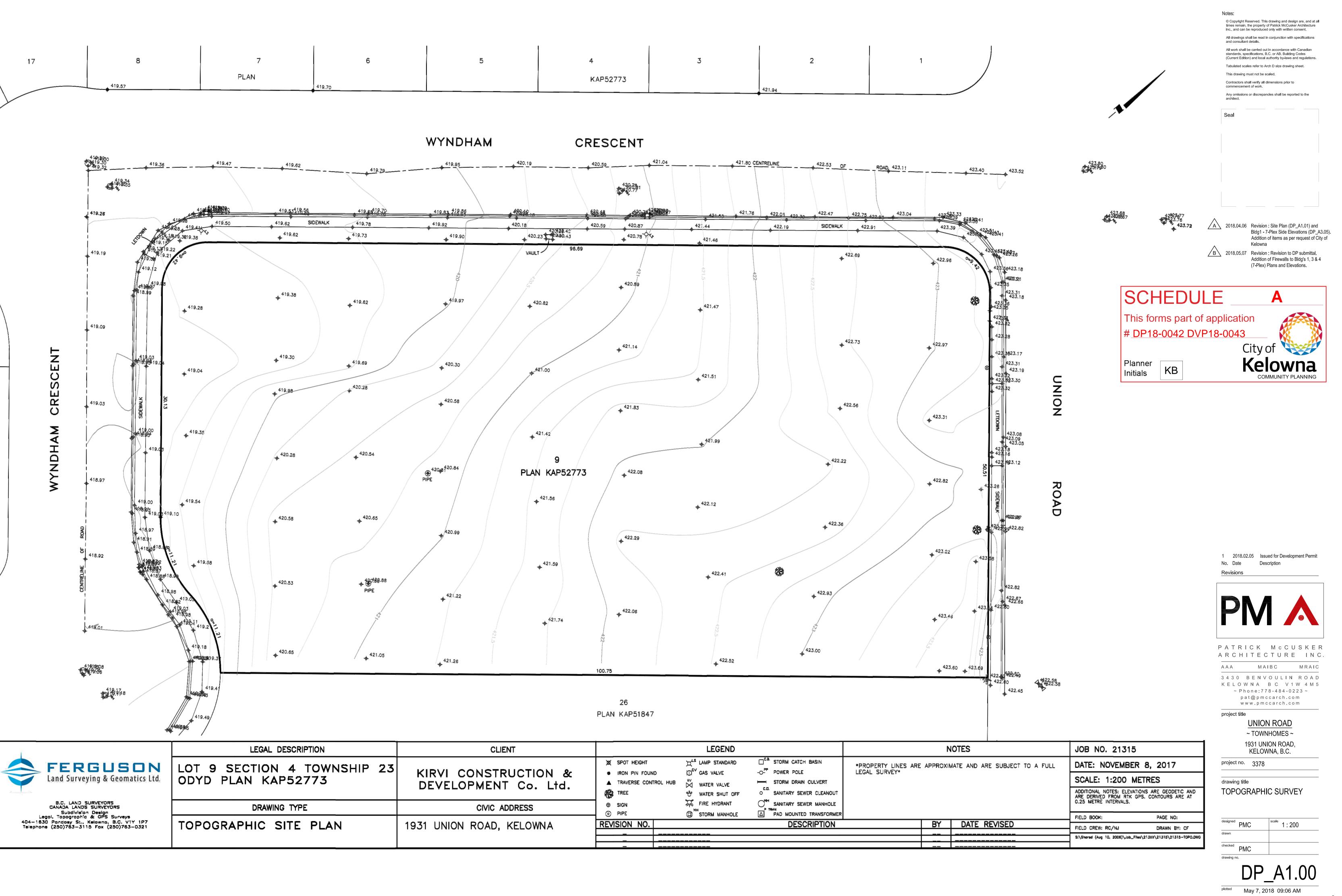


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		<u>B</u> 2018.05.07 Revision : Revision to DP submittal. Addition of Firewalls to Bldg's 1, 3 & 4 (7-Plex) Plans and Elevations.
	SCHEDUL	_E <u>A</u>
	This forms part of a	application
	# DP18-0042 DVP	
		City of Kelowna
	Plannor	Kalaura
	Planner Initials KB	KEIOWNA COMMUNITY PLANNING

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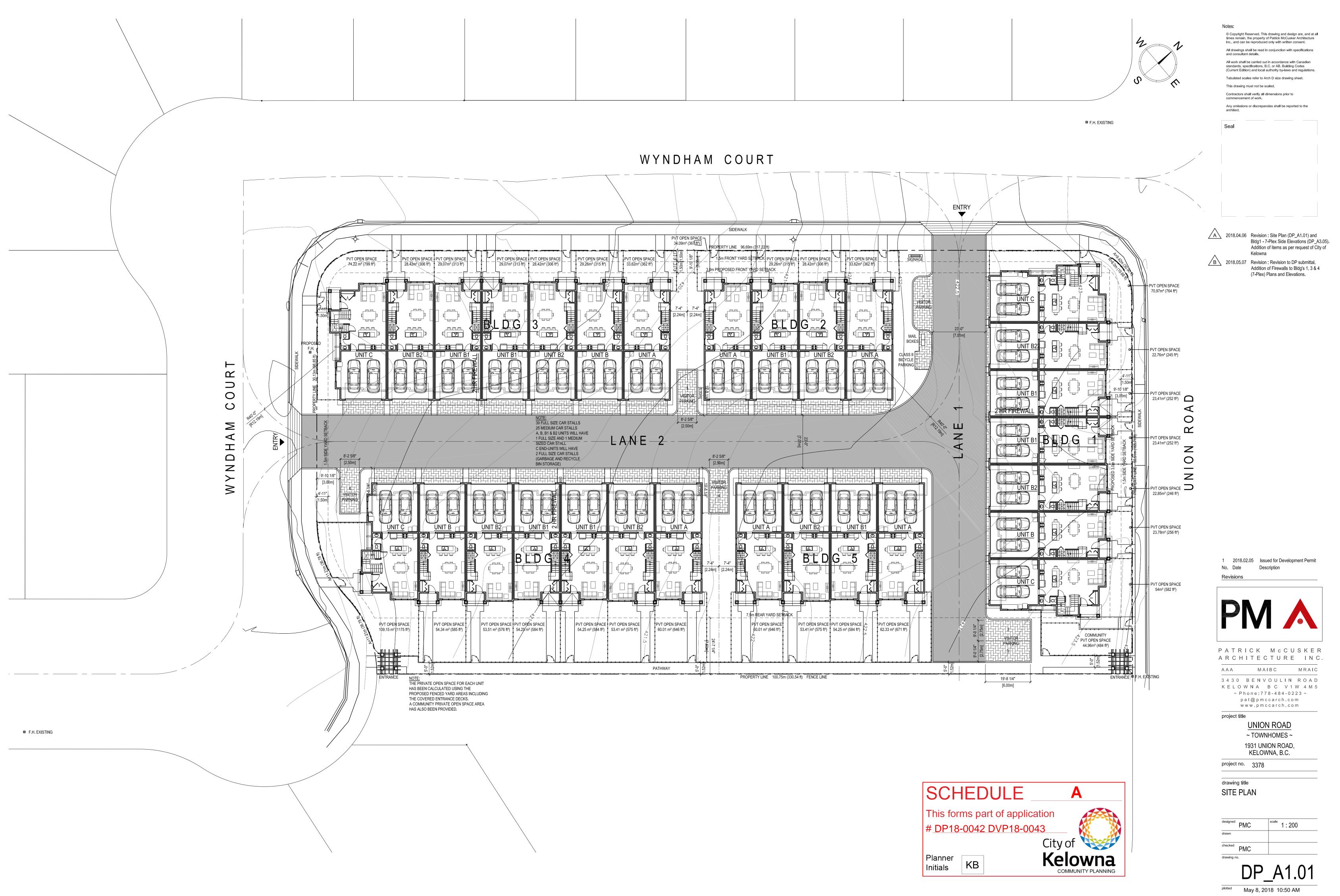
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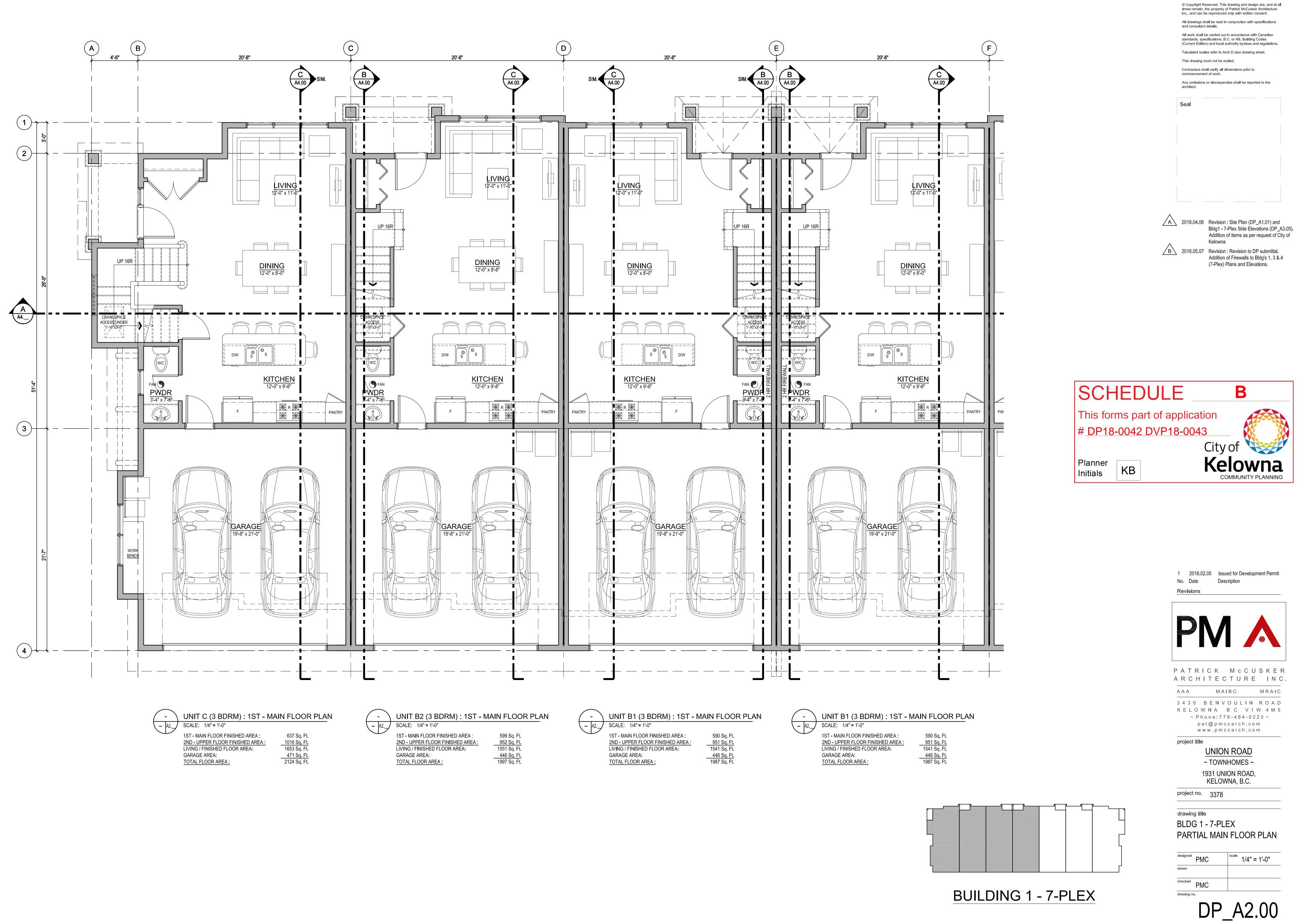




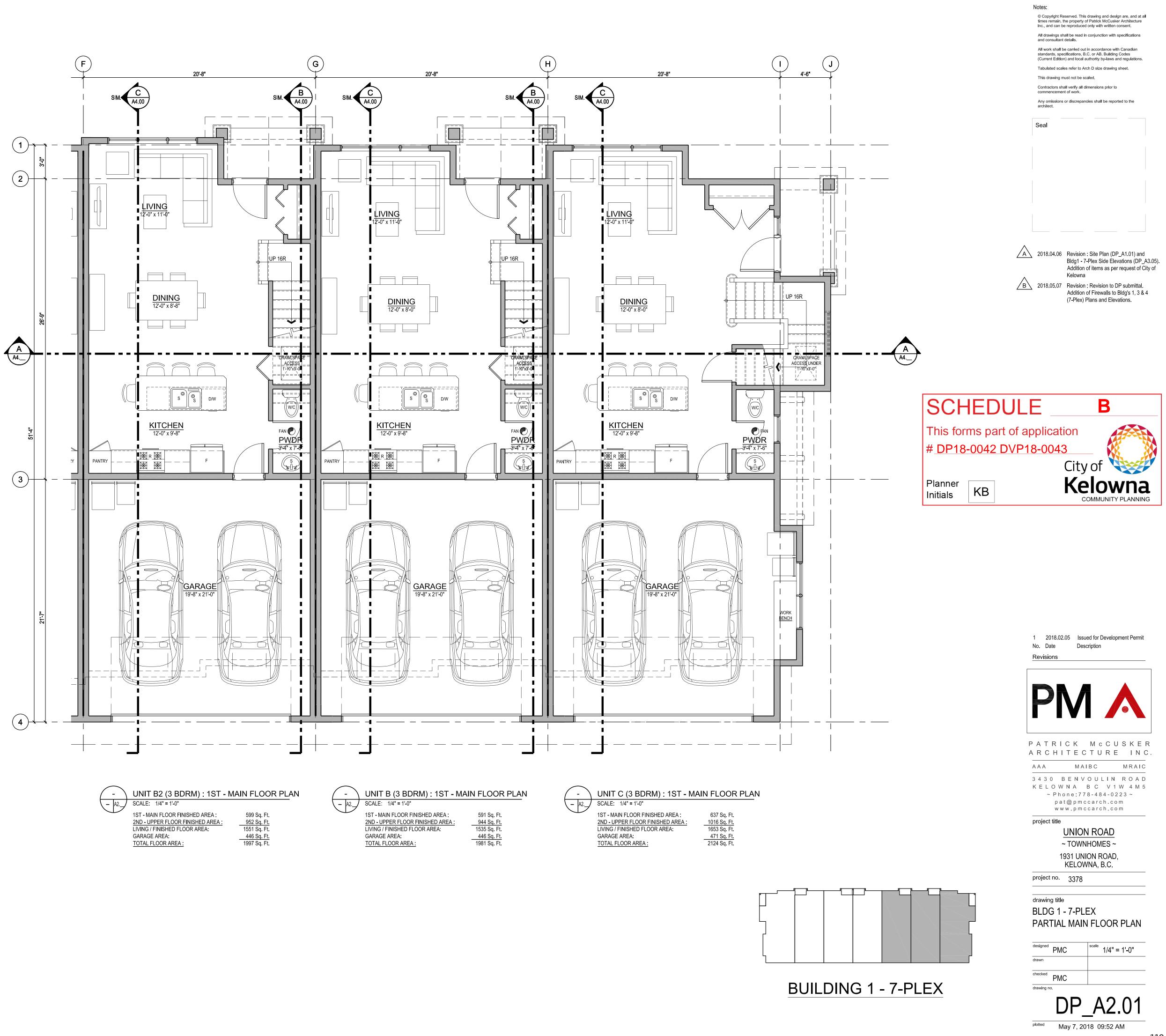
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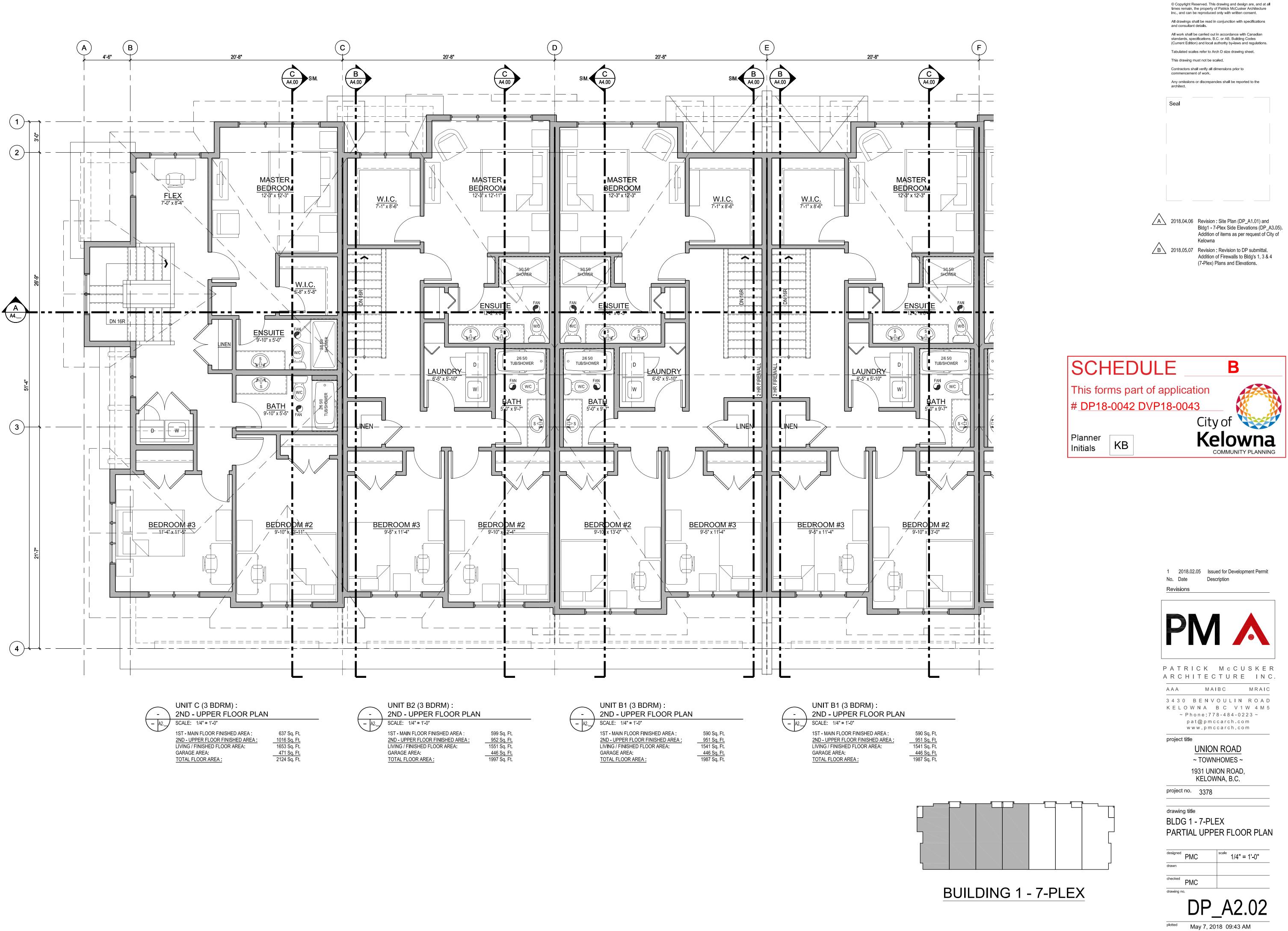
CLIENT	LEGEND	
VI CONSTRUCTION & ELOPMENT Co. Ltd.	X SPOT HEIGHT X ^{LS} LAMP STANDARD □ ^{C.B.} STORM CATCH BASIN ● IRON PIN FOUND □ ^{CV} GAS VALVE -○ ^{PP} POWER POLE ▲ TRAVERSE CONTROL HUB WV W WATER VALVE Image: STORM DRAIN CULVERT W TREE W WATER SHUT OFF ○ ^{C.D.} SANITARY SEWER CLEANOUT	*PROPERTY LINES ARE AP LEGAL SURVEY*
CIVIC ADDRESS	⊕ SIGN	
NION ROAD, KELOWNA	REVISION NO. DESCRIPTION	

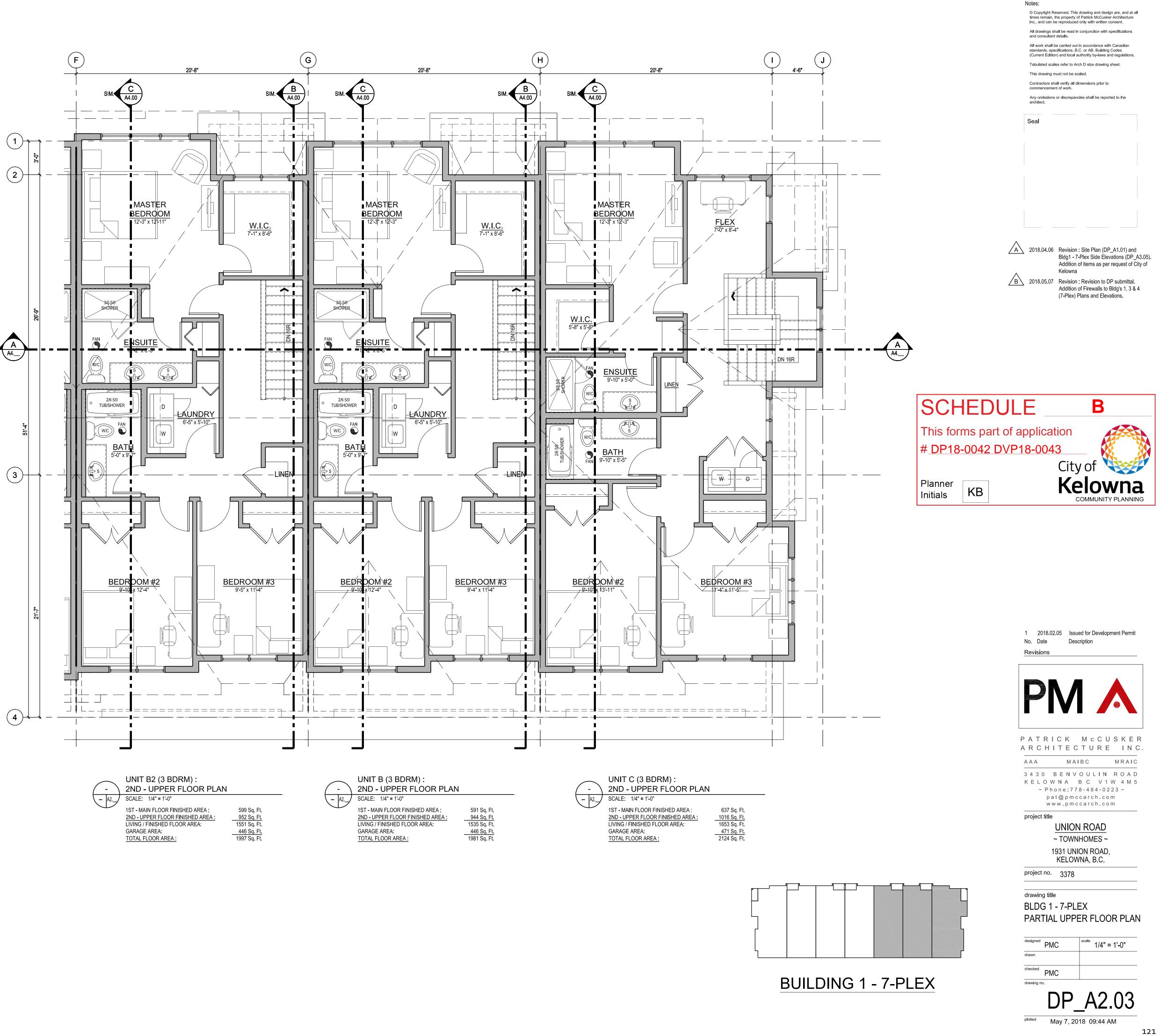


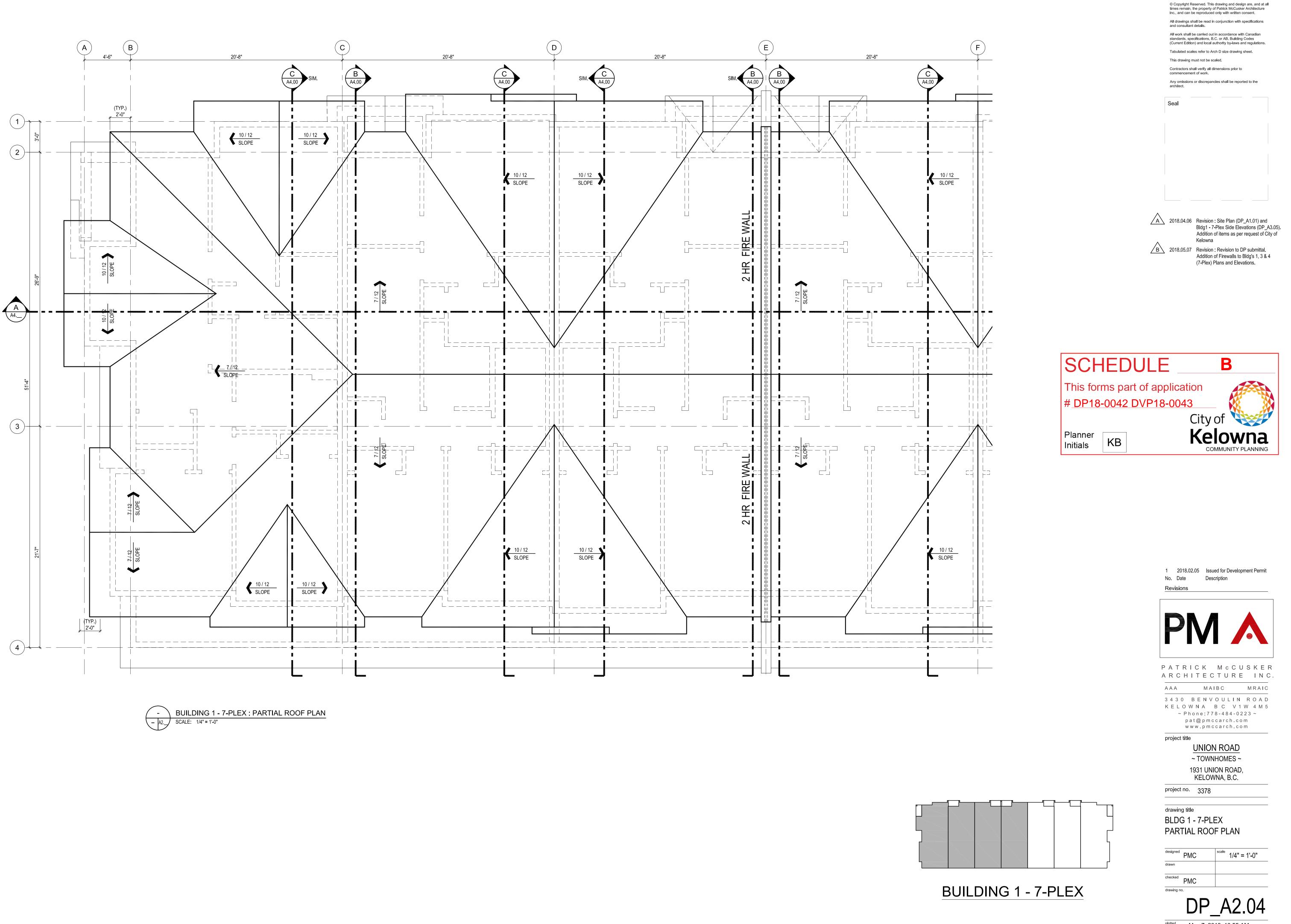


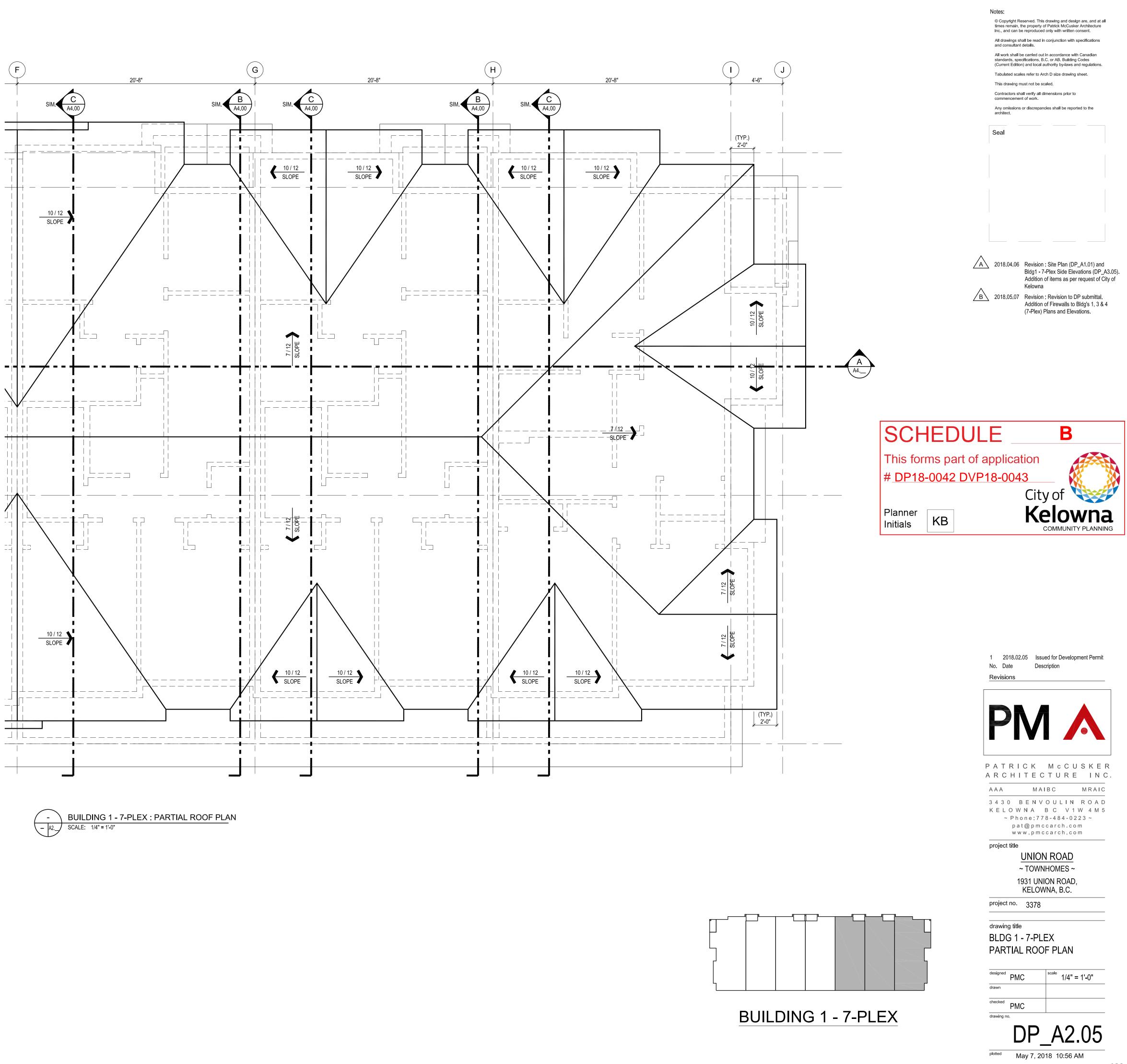
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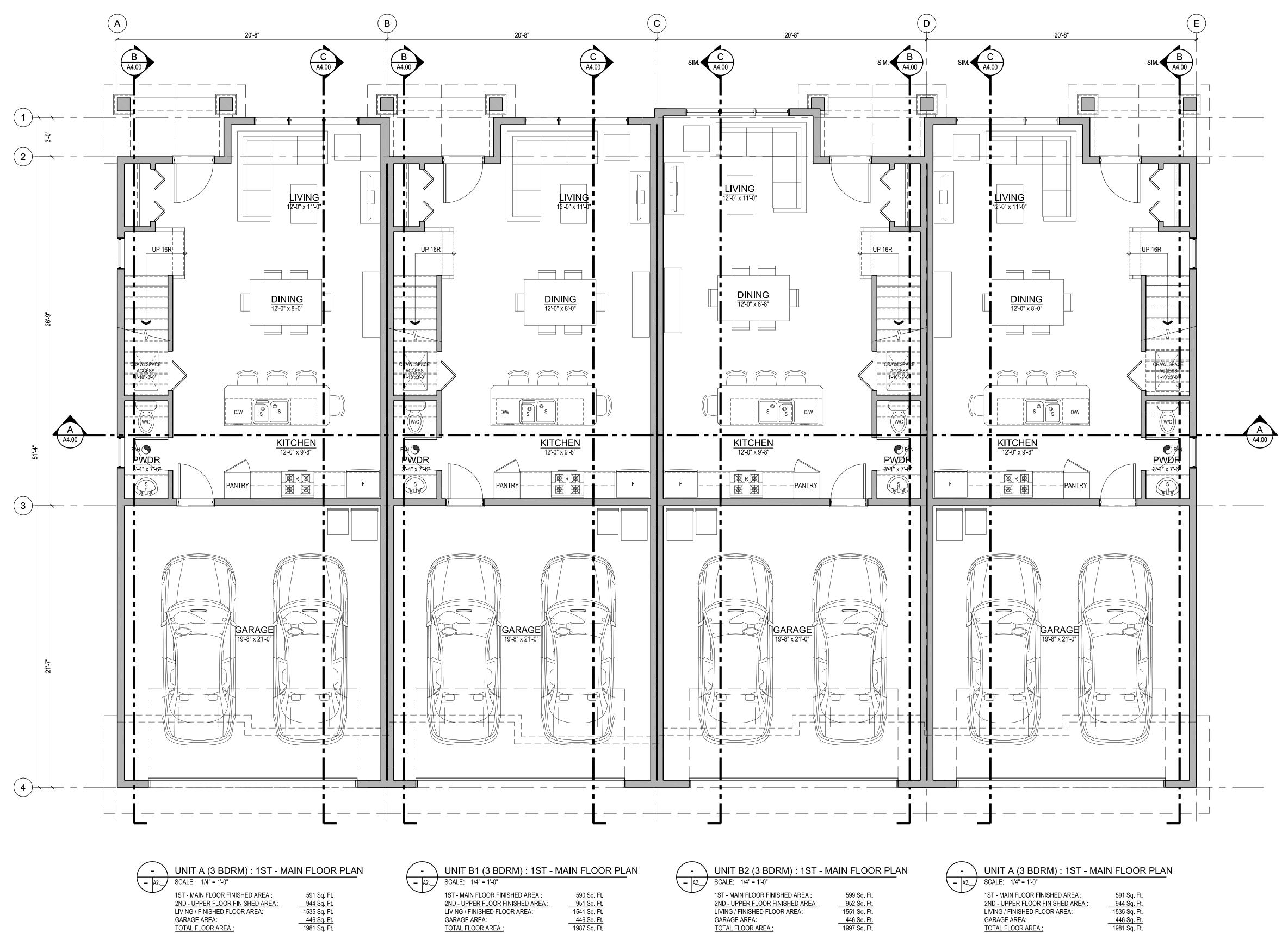










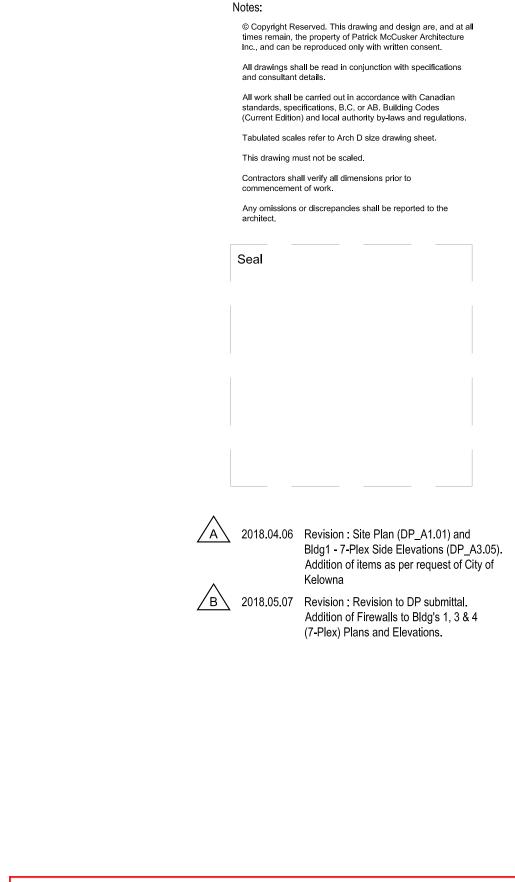


446 Sq. Ft. 1987 Sq. Ft.

TOTAL FLOOR AREA :

TOTAL FLOOR AREA :

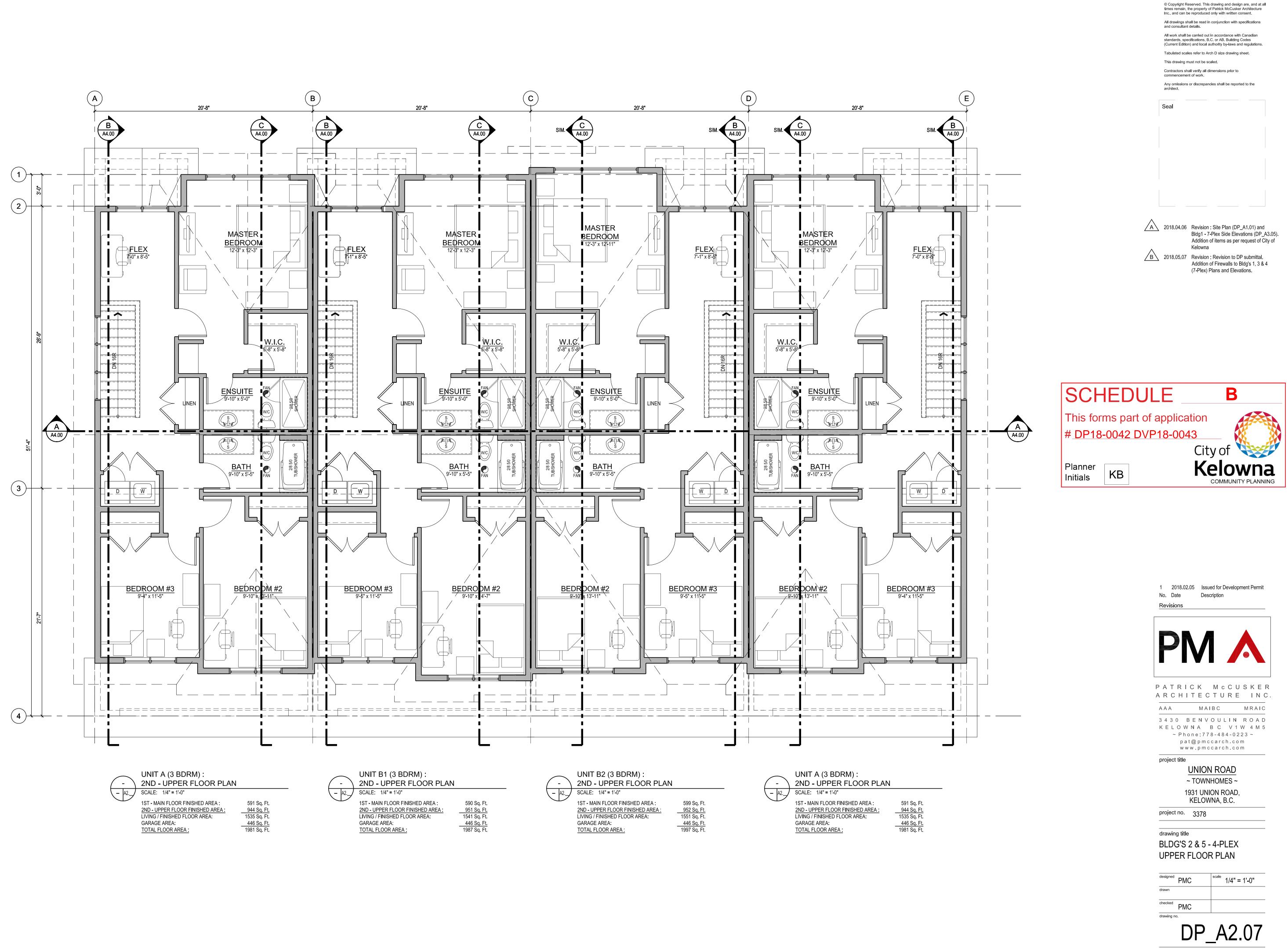
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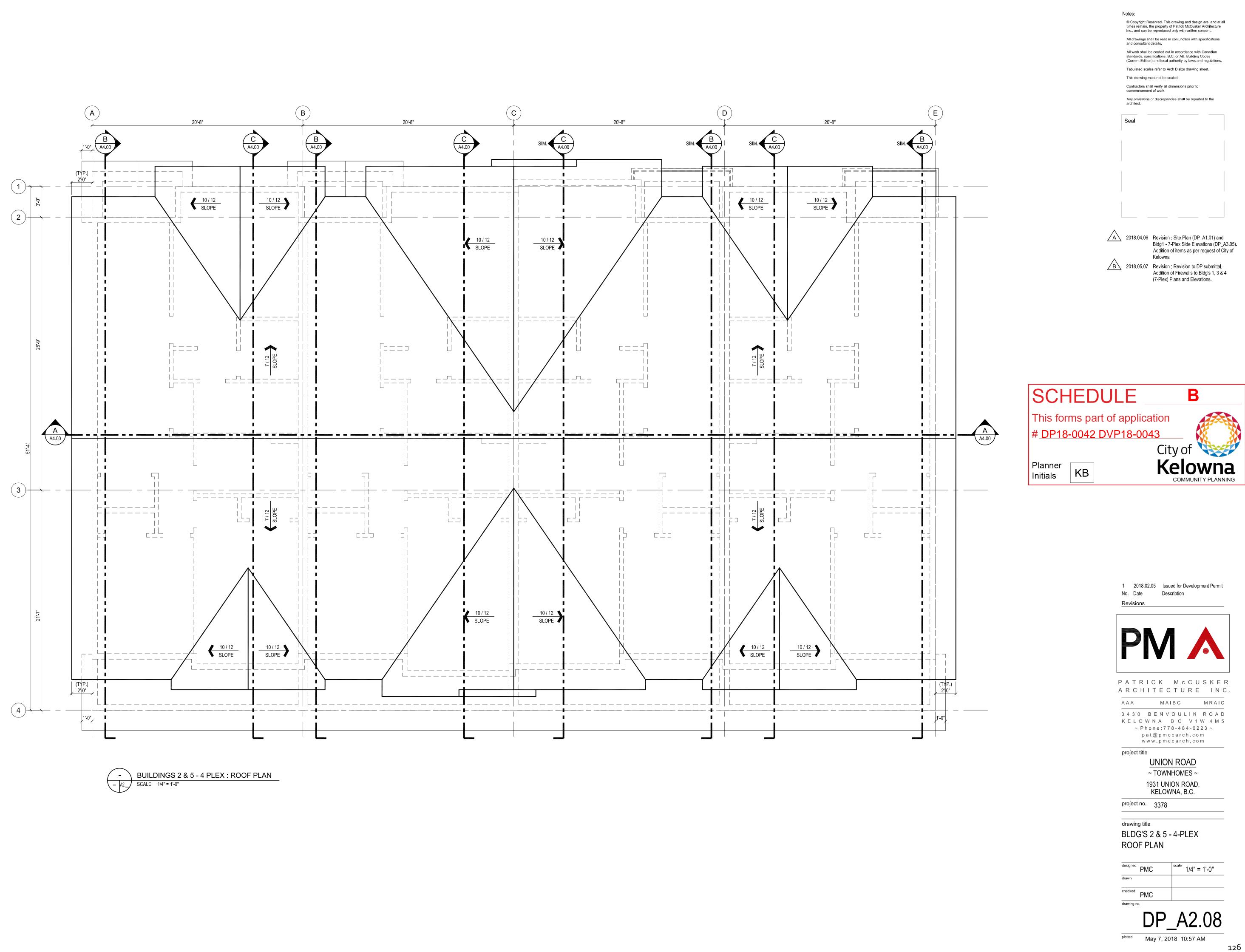


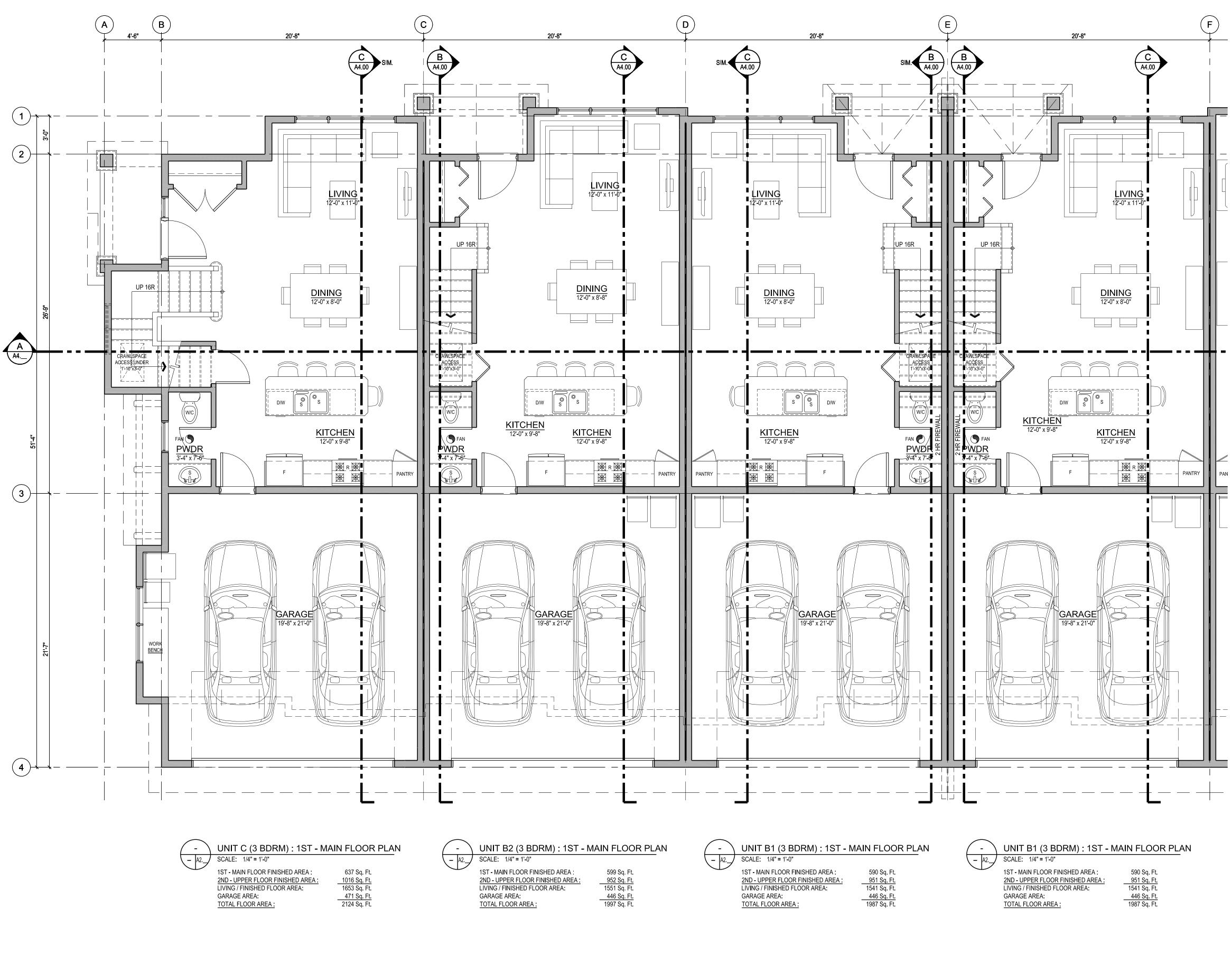
1ST - MAIN FLOOR FINISHED AREA : 2ND - UPPER FLOOR FINISHED AREA :	591 Sq. Ft. 944 Sq. Ft.
LIVING / FINISHED FLOOR AREA:	1535 Sq. Ft.
GARAGE AREA:	446 Sq. Ft.
TOTAL FLOOR AREA :	1981 Sq. Ft.

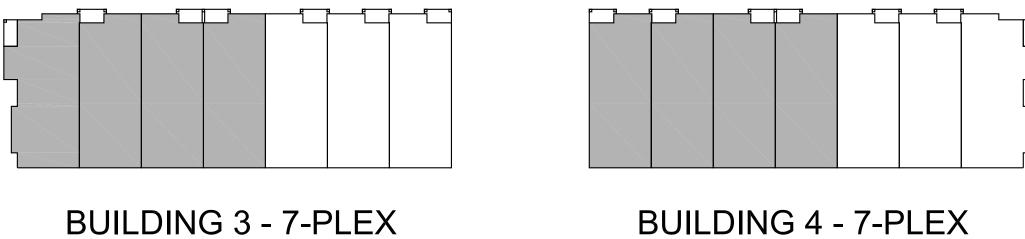


ND - UPPER FLOOR PLAN
CALE: 1/4" = 1'-0"
ST - MAIN FLOOR FINISHED AREA :
ND - UPPER FLOOR FINISHED AREA :
IVING / FINISHED FLOOR AREA:

NISHED AREA :	590 Sq.
FINISHED AREA :	951 Sq.
OOR AREA:	1541 Sq.
	446 Sq.
<u>:</u>	1987 Sq.







BUILDING 3 - 7-PLEX

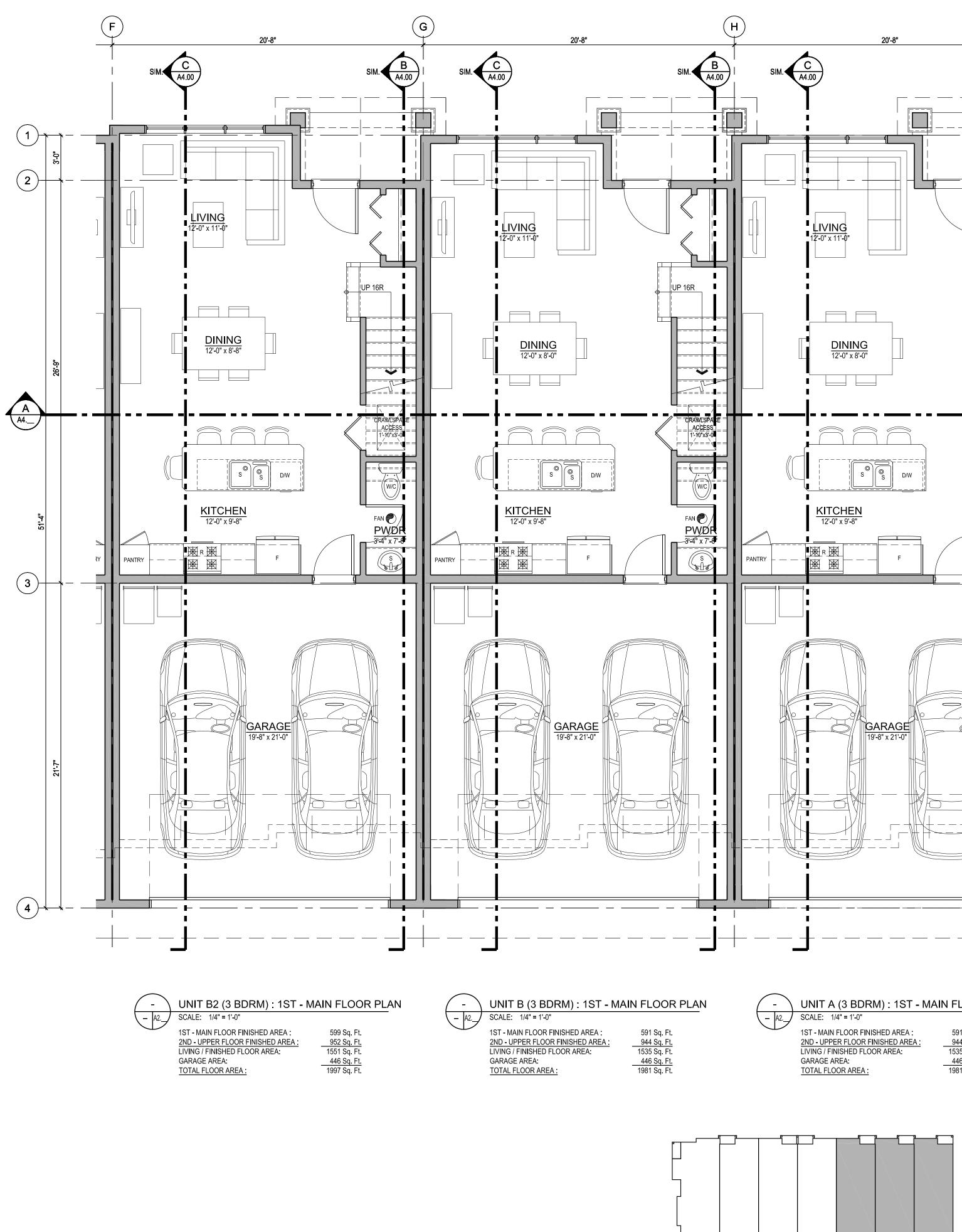
INISHED AREA :	590 So
R FINISHED AREA :	951 Sc
LOOR AREA:	1541 Sc
	446 So
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	times remain, th	served. This drawing and design are, and at all ne property of Patrick McCusker Architecture e reproduced only with written consent.		
	All drawings shall be read in conjunction with specifications and consultant details. All work shall be carried out in accordance with Canadian standards, specifications, B.C. or AB. Building Codes (Current Edition) and local authority by-laws and regulations.			
	Tabulated scales refer to Arch D size drawing sheet. This drawing must not be scaled.			
	Contractors shall verify all dimensions prior to commencement of work.			
	Any omissions or discrepancies shall be reported to the architect.			
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\wedge				
	2018.04.06	Revision : Site Plan (DP_A1.01) and Bldg1 - 7-Plex Side Elevations (DP_A3.05). Addition of items as per request of City of Kelowna		
B	2018.05.07	Revision : Revision to DP submittal. Addition of Firewalls to Bldg's 1, 3 & 4 (7-Plex) Plans and Elevations.		



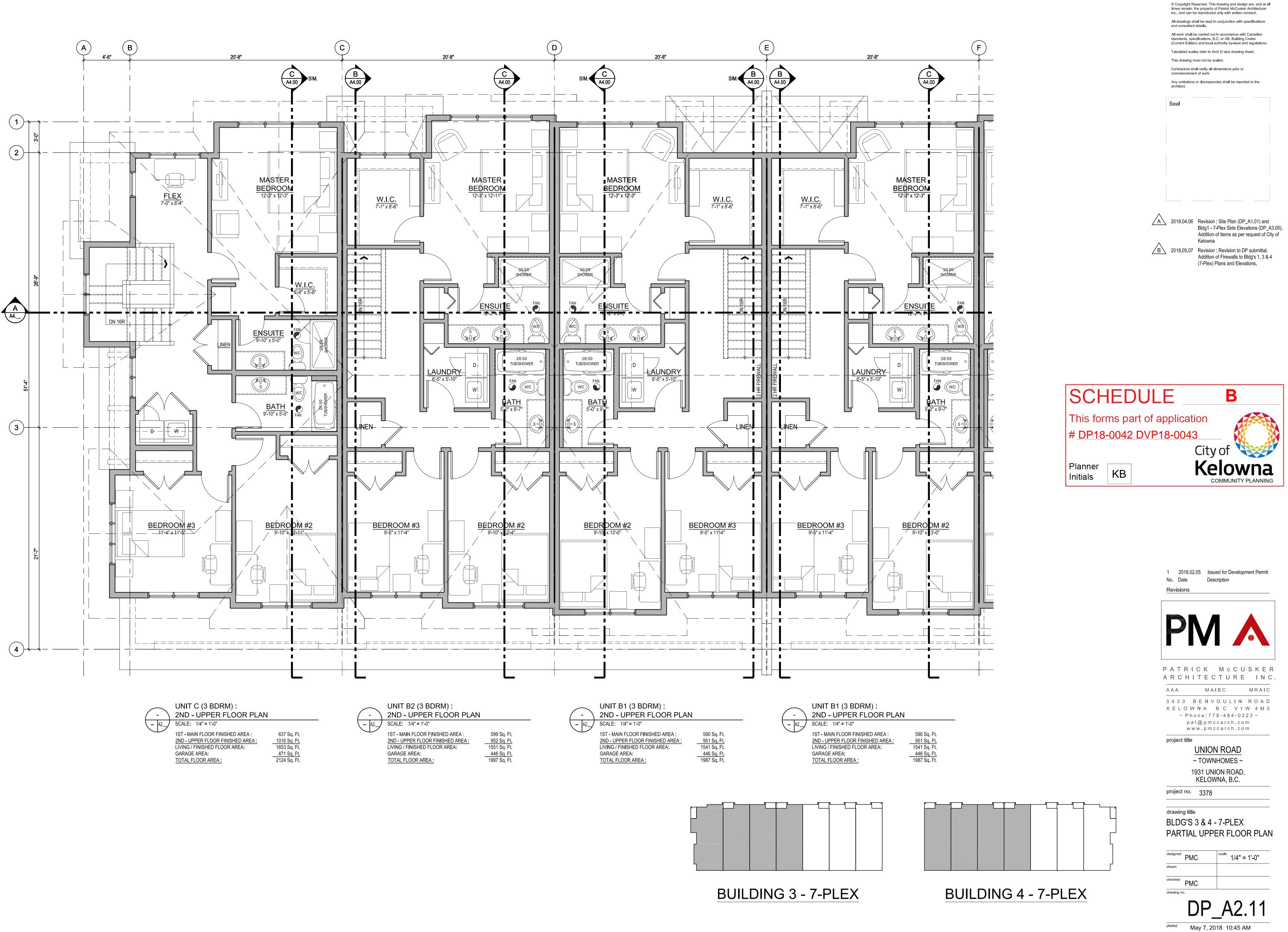


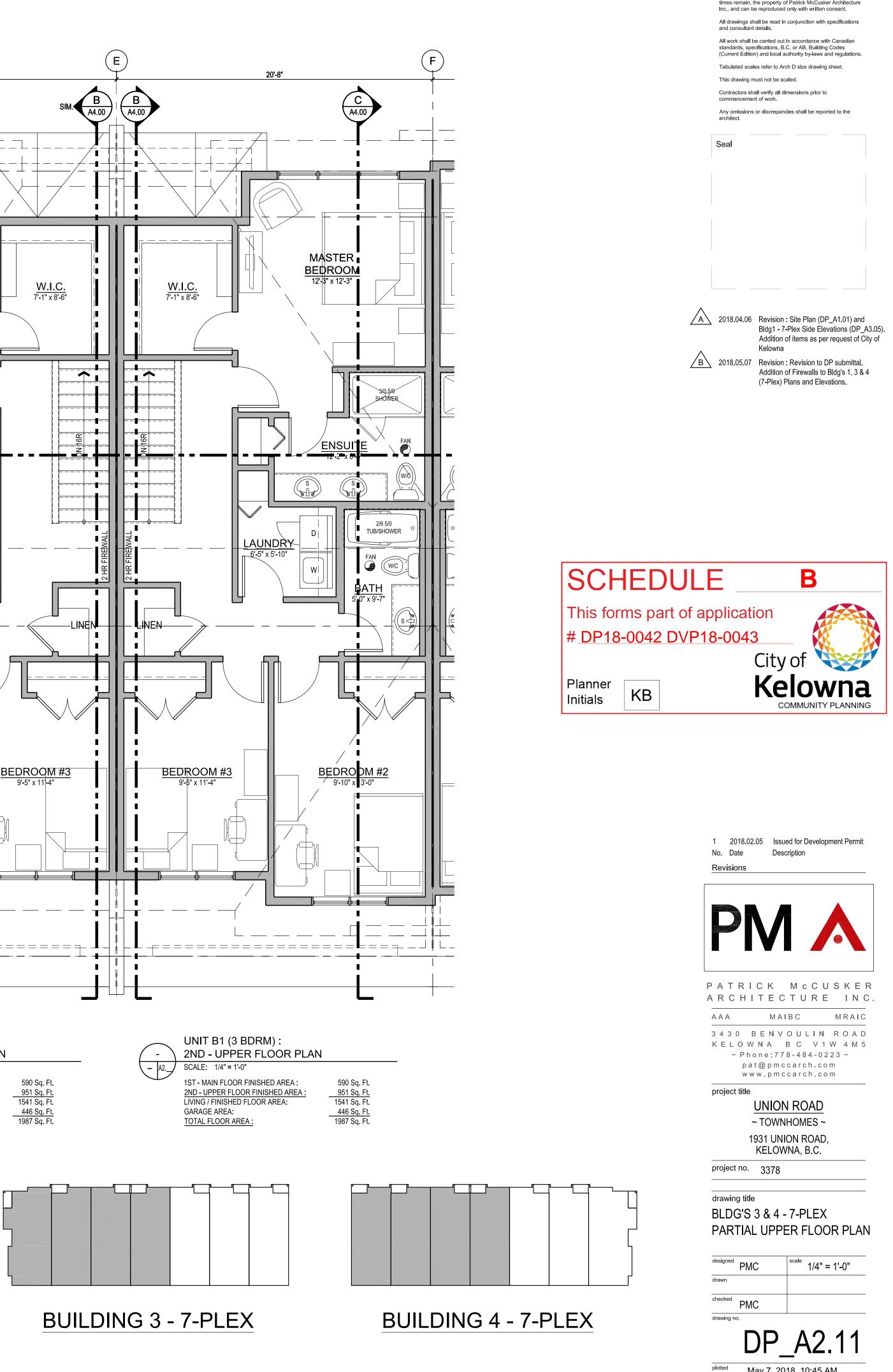
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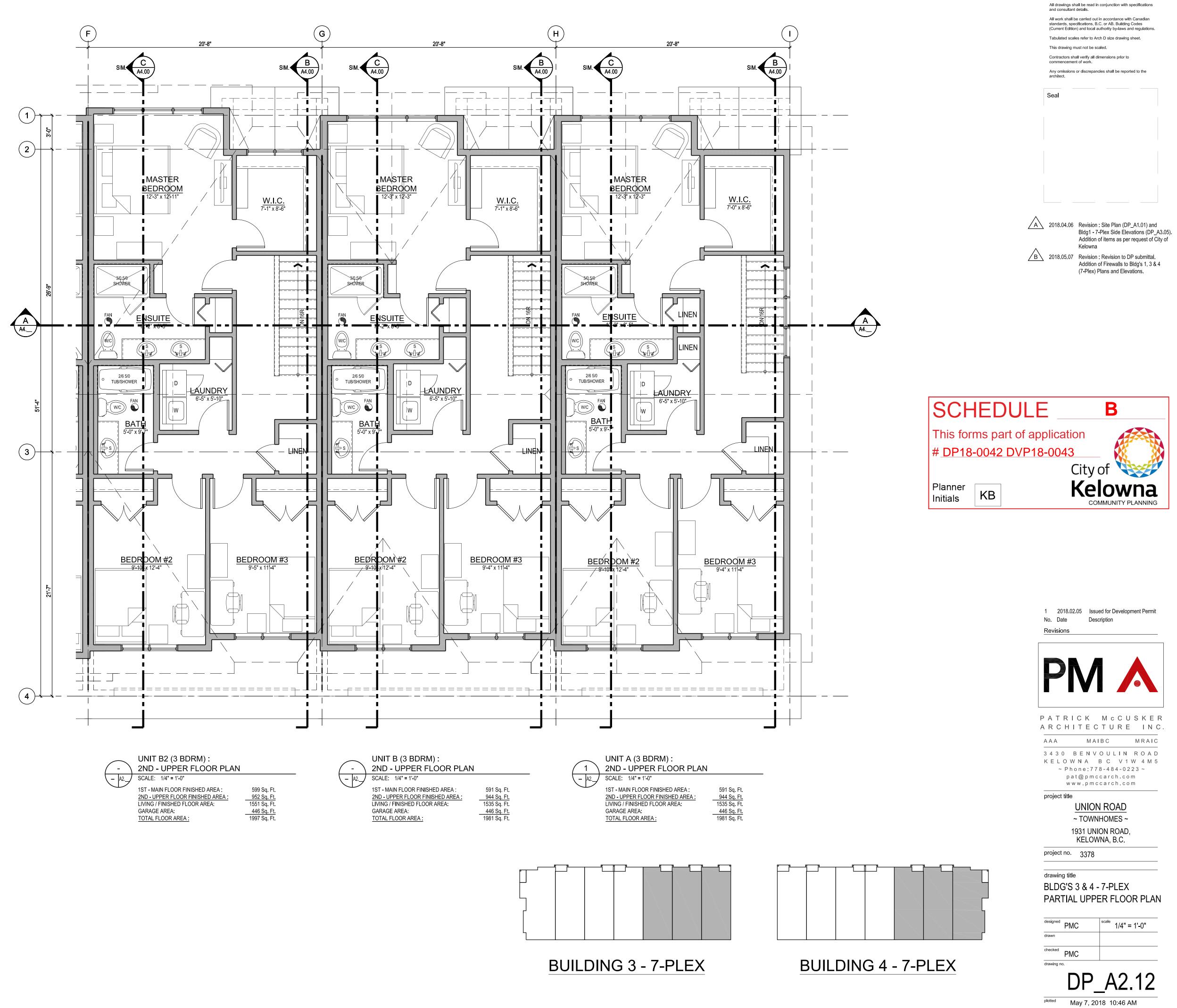
BUILDING 3 - 7-PLEX

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	SCHEDULE B This forms part of application (DP18-0042 DVP18-0043) City of City of
	1 2018.02.05 Issued for Development Permit No. Date Description Revisions
MAIN FLOOR PLAN 591 Sq. Ft. 944 Sq. Ft. 1535 Sq. Ft. 446 Sq. Ft.	PATRICK MCCUSKER ARCHITECTURE INC. AAA MAIBC MRAIC 3430 BENVOULIN ROAD KELOWNA BC V1W4M5 ~Phone:778-484-0223~ pat@pmccarch.com www.pmccarch.com project title
1981 Sq. Ft.	~ TOWNHOMES ~ 1931 UNION ROAD, KELOWNA, B.C. project no. 3378 drawing title BLDG'S 3 & 4 - 7-PLEX PARTIAL MAIN FLOOR PLAN $\frac{\text{designed}}{\text{PMC}} \frac{\text{scale}}{1/4"} = 1'-0"$
BUILDING 4 - 7-PLE	checked PMC



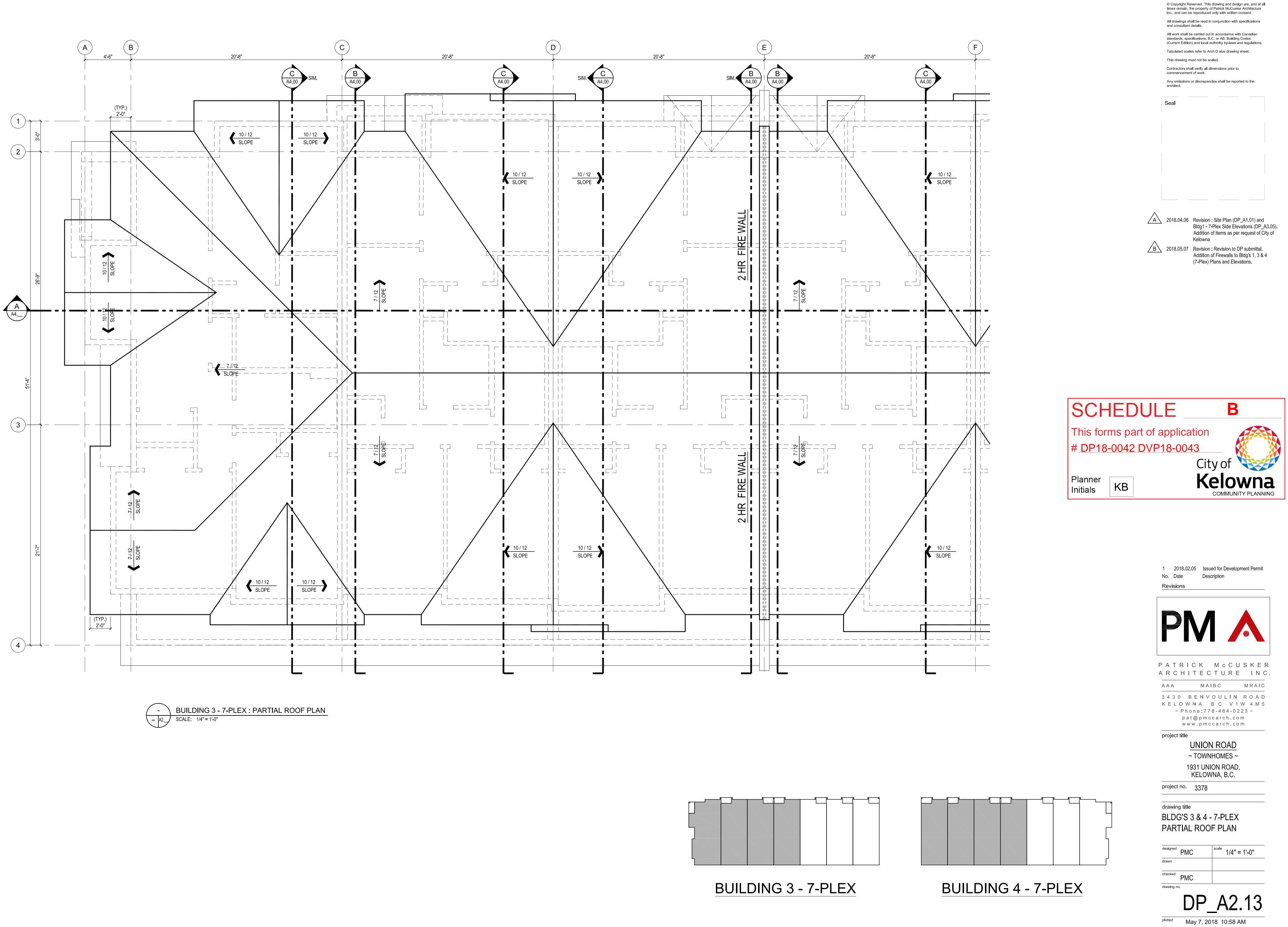


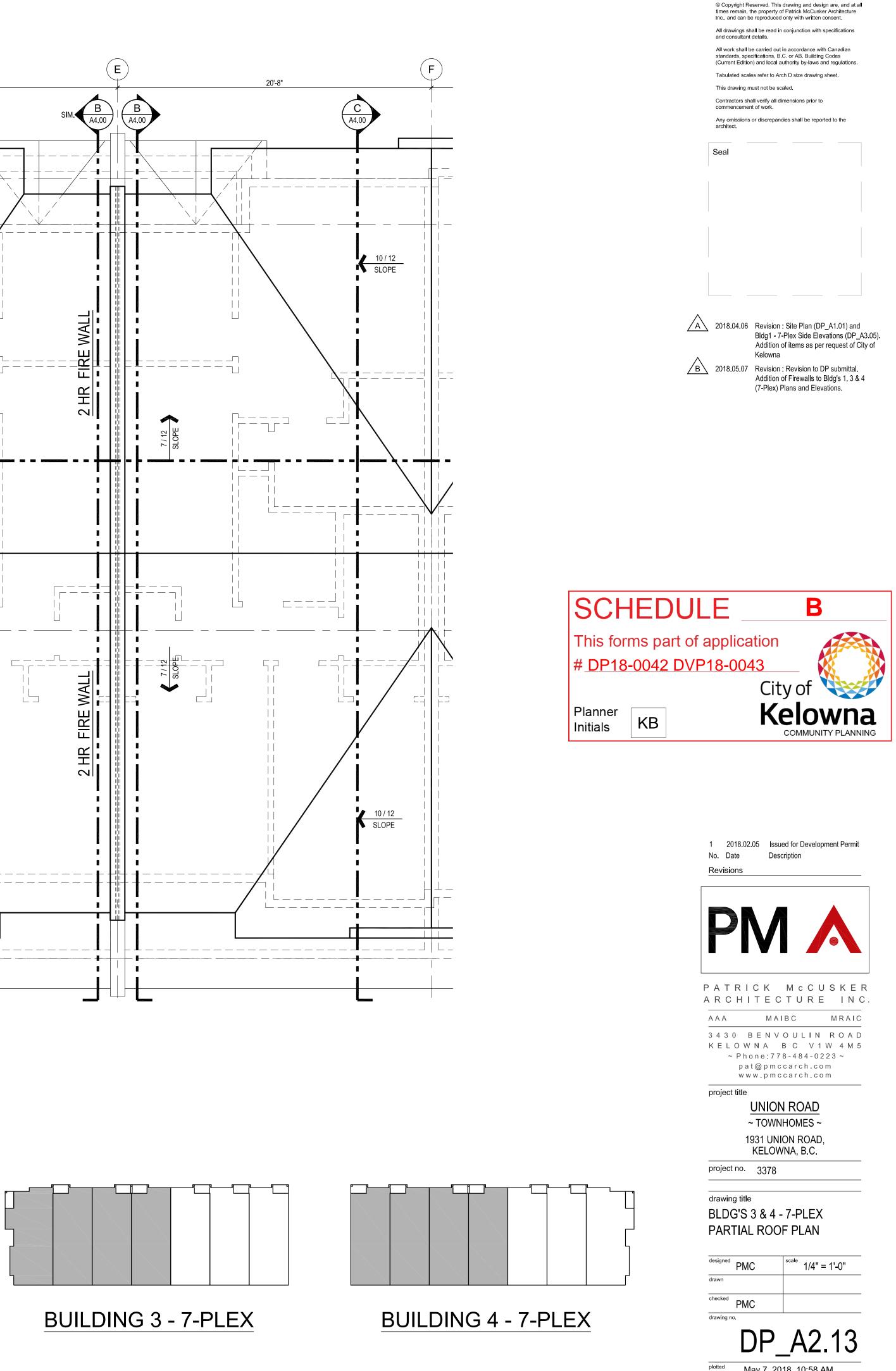
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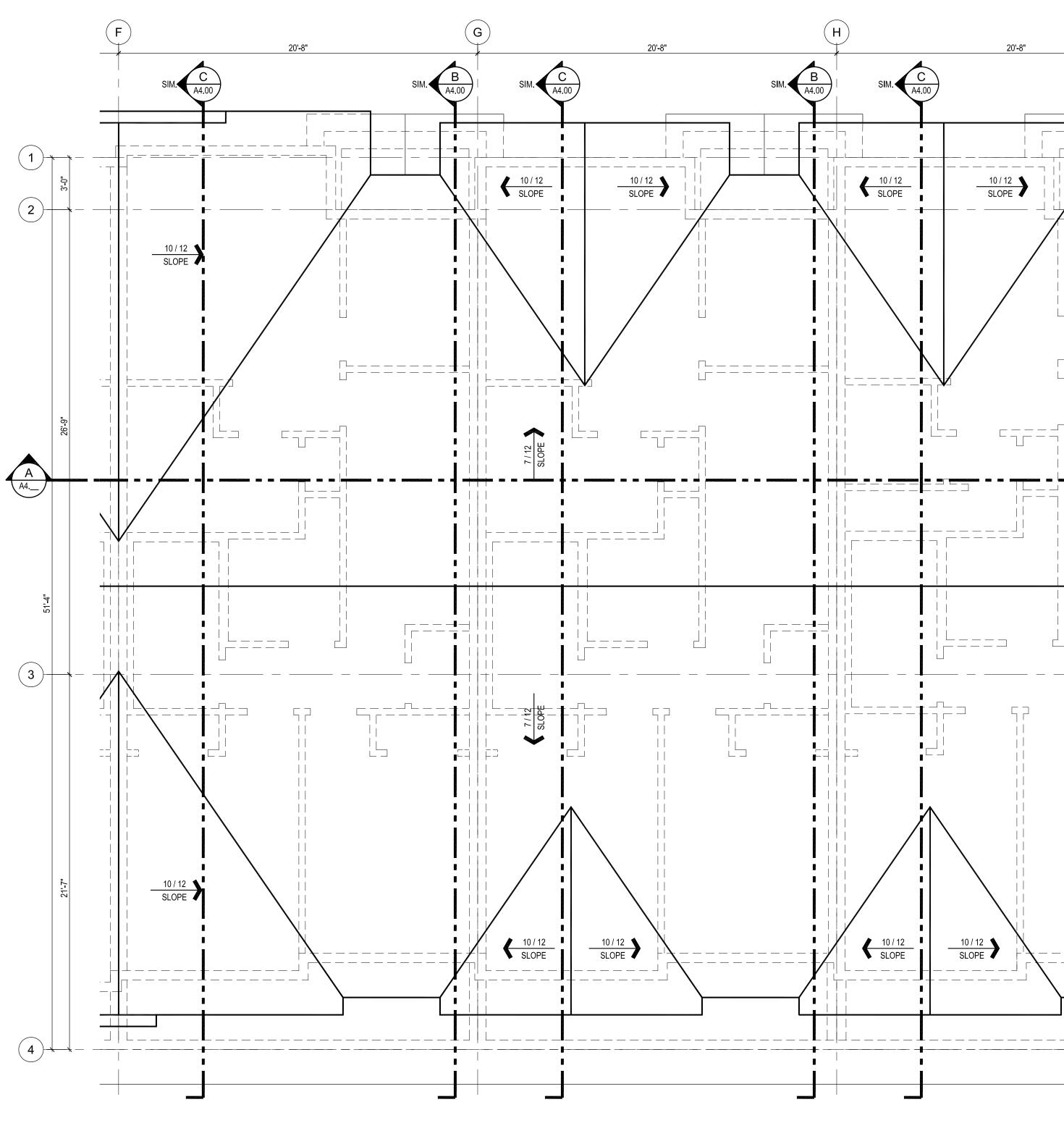




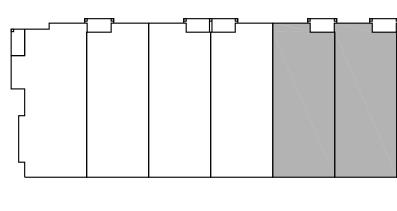
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- BUILDING 3 - 7-PLEX : PARTIAL ROOF PLAN - A2. SCALE: 1/4" = 1'-0"



BUILDING 3 - 7-PLEX

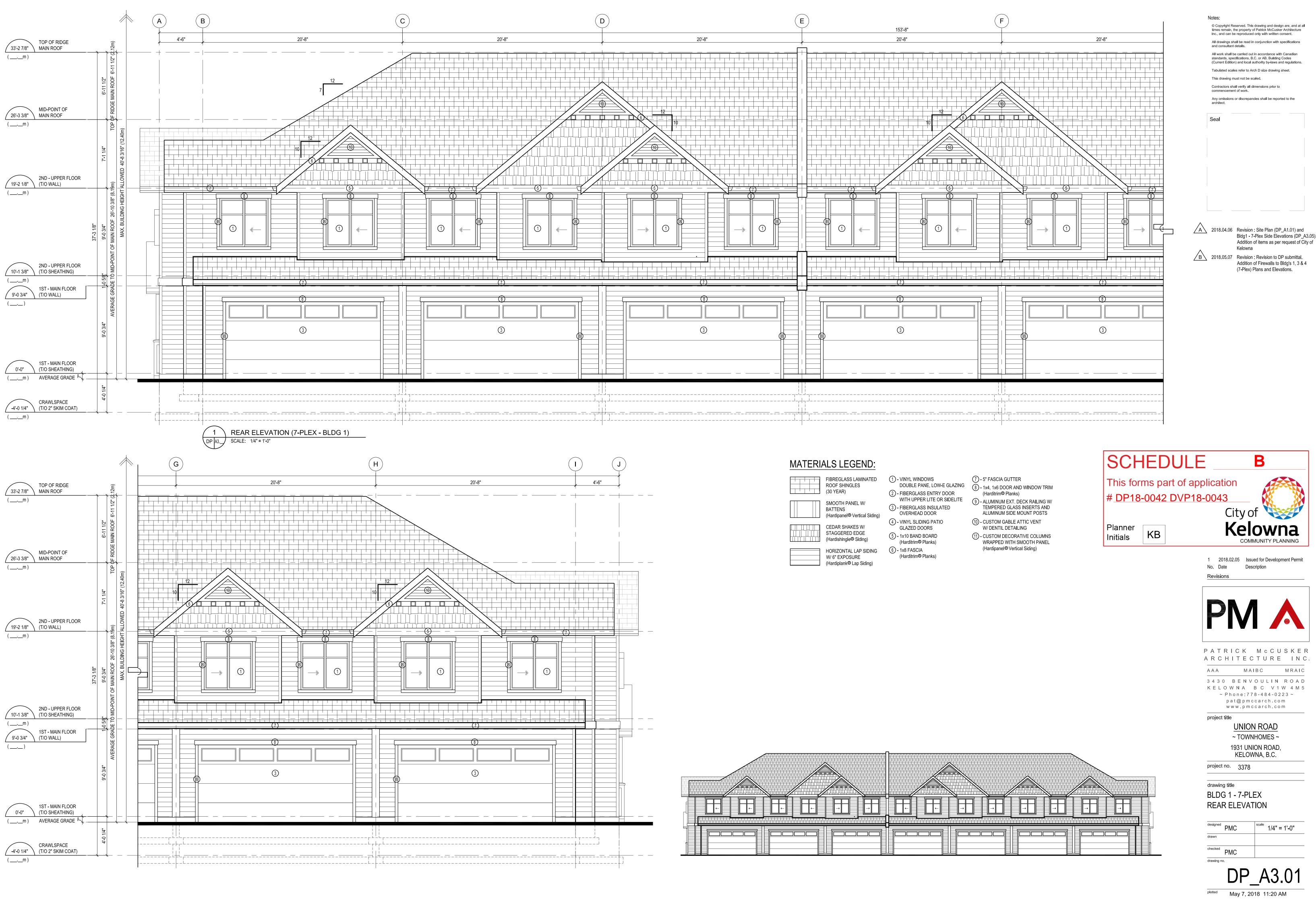
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		Seal 2018.04.06 Revision : Site Plan (DP_A1.01) and Bldg1 - 7-Plex Side Elevations (DP_A3.05). Addition of items as per request of City of Kelowna 2018.05.07 Revision : Revision to DP submittal. Addition of Firewalls to Bldg's 1, 3 & 4 (7-Plex) Plans and Elevations.
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	BUILDING 4 - 7-PLEX	DP_A2.14

Notes:

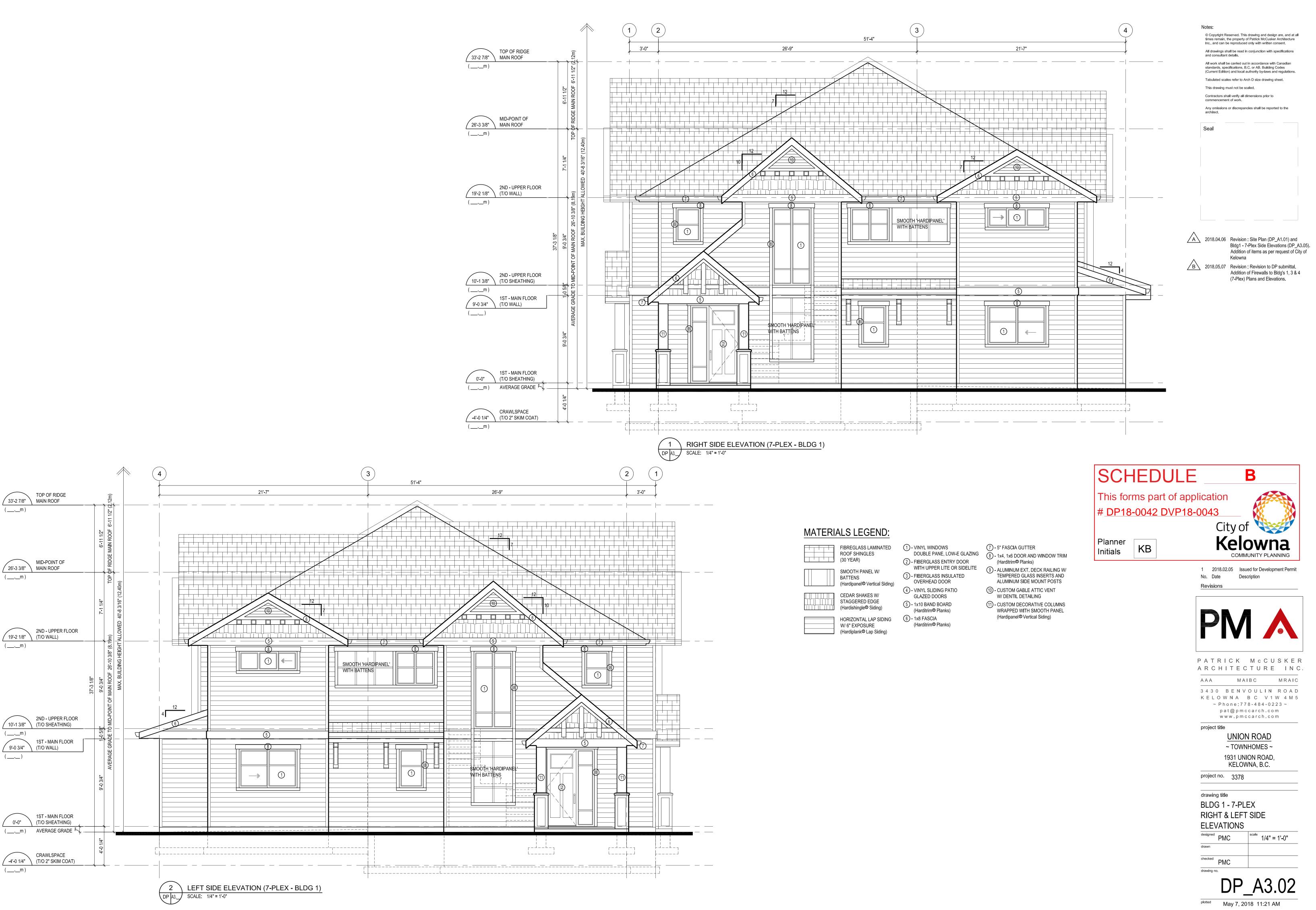
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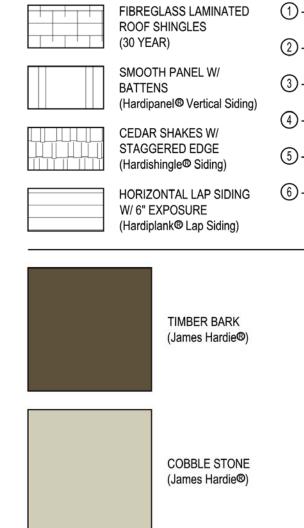
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DP A3. SCALE: 1/4" = 1'-0"



MATERIALS LEGEND:

FIBREGLASS LAMINATED ROOF SHINGLES (30 YEAR)
SMOOTH PANEL W/ BATTENS (Hardipanel® Vertical Siding)
CEDAR SHAKES W/ STAGGERED EDGE (Hardishingle® Siding)
HORIZONTAL LAP SIDING W/ 6" EXPOSURE

(Hardishingle® Siding) HORIZONTAL LAP SIDING W/ 6" EXPOSURE (Hardiplank® Lap Siding)





1	Notes:	
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	standards, spe	e carried out in accordance with Canadian cifications, B.C. or AB. Building Codes n) and local authority by-laws and regulations.
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	Any omissions architect.	or discrepancies shall be reported to the
•		
	2018.04.06	Revision : Site Plan (DP_A1.01) and Bldg1 - 7-Plex Side Elevations (DP_A3.05). Addition of items as per request of City of Kelowna
B	2018.05.07	Revision : Revision to DP submittal. Addition of Firewalls to Bldg's 1, 3 & 4

(7-Plex) Plans and Elevations.

- ① VINYL WINDOWS
 ⑦ 5" FASCIA GUTTER

 DOUBLE PANE, LOW-E GLAZING
 ⑧ 1x4, 1x6 DOOR AND WINDOW TRIM

 2 - FIBERGLASS ENTRY DOOR WITH UPPER LITE OR SIDELITE 3 - FIBERGLASS INSULATED OVERHEAD DOOR 4 - VINYL SLIDING PATIO GLAZED DOORS
- 5 1x10 BAND BOARD (Harditrim® Planks)
- 6 1x8 FASCIA (Harditrim® Planks)
- (Harditrim® Planks)
- () ALUMINUM EXT. DECK RAILING W/ TEMPERED GLASS INSERTS AND ALUMINUM SIDE MOUNT POSTS
- 10 CUSTOM GABLE ATTIC VENT W/ DENTIL DETAILING

ARCTIC WHITE

(James Hardie®)

LAMINATED FIBREGLASS

ROOF SHINGLES

- 1 CUSTOM DECORATIVE COLUMNS WRAPPED WITH SMOOTH PANEL (Hardipanel® Vertical Siding)
- This forms part of application # DP18-0042 DVP18-0043

SCHEDULE

Planner KB Initials



Β

1 2018.02.05 Issued for Development Permit No. Date Description Revisions



PATRICK MCCUSKER ARCHITECTURE INC. AAA MAIBC MRAIC 3430 BENVOULIN ROAD

KELOWNA BC V1W 4M5 ~ Phone: 778-484-0223 ~ pat@pmccarch.com www.pmccarch.com

project title UNION ROAD ~ TOWNHOMES ~

1931 UNION ROAD, KELOWNA, B.C.

project no. 3378

_____ drawing title BLDG 1 - 7-PLEX REAR ELEVATION (COLOURED) designed PMC ^{scale} 1/4" = 1'-0" drawn

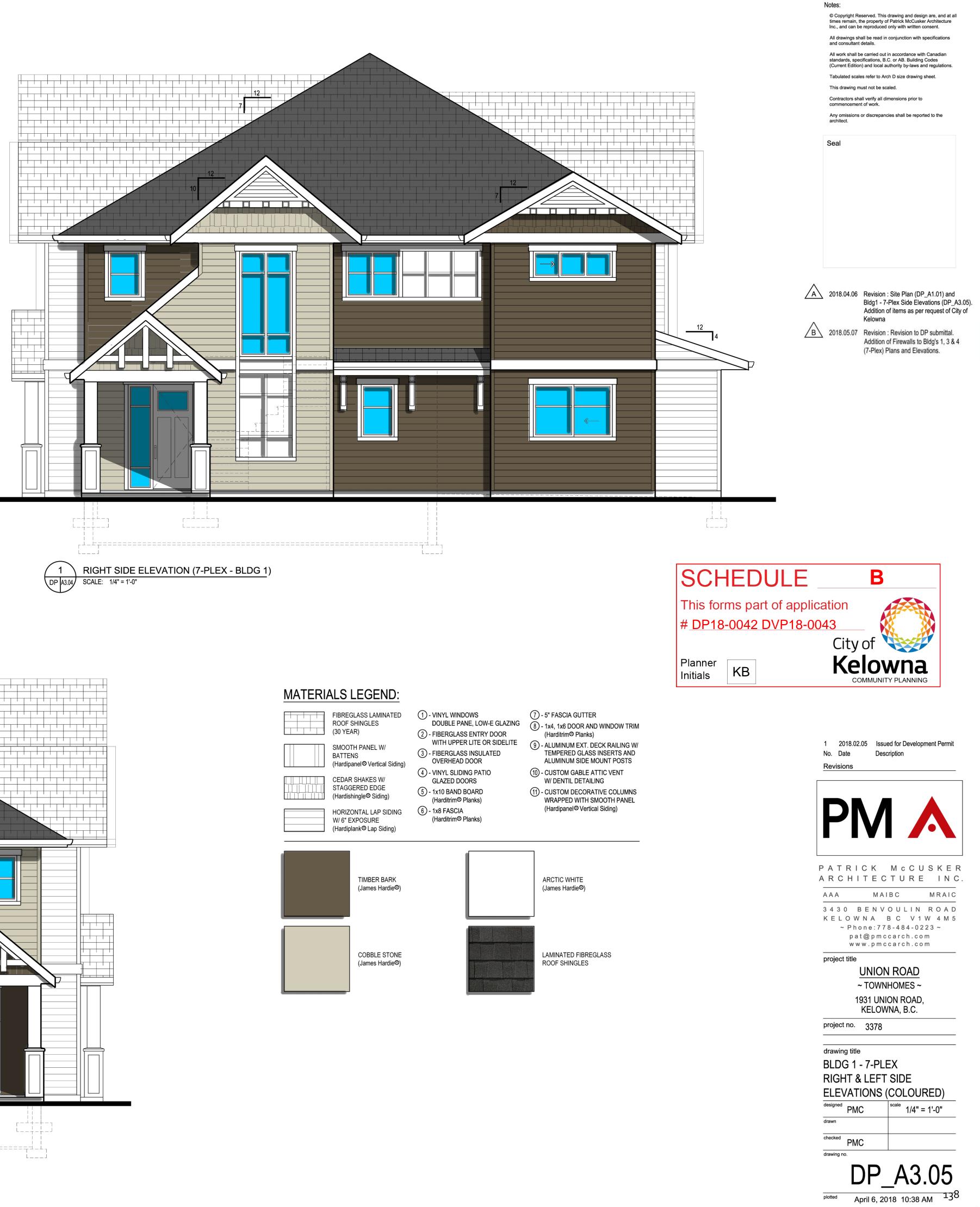
checked PMC drawing no.

DP_A3.04 May 10, 2018 11:02 AM





DP A3.04 SCALE: 1/4" = 1'-0"



FIBREGLASS LAMINATED ROOF SHINGLES (30 YEAR)	()-\ [(2-F
SMOOTH PANEL W/ BATTENS (Hardipanel® Vertical Siding)	(3)-1 (0)
CEDAR SHAKES W/ STAGGERED EDGE (Hardishingle [®] Siding)	(4) - (((5) - 1) (
HORIZONTAL LAP SIDING W/ 6" EXPOSURE (Hardiplank® Lap Siding)	6)- (





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	standards, spec	e carried out in accordance with Canadian cifications, B.C. or AB. Building Codes n) and local authority by-laws and regulations.	
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∕в∖	2018.05.07	Revision : Revision to DP submittal. Addition of Firewalls to Bldg's 1, 3 & 4	

(7-Plex) Plans and Elevations.

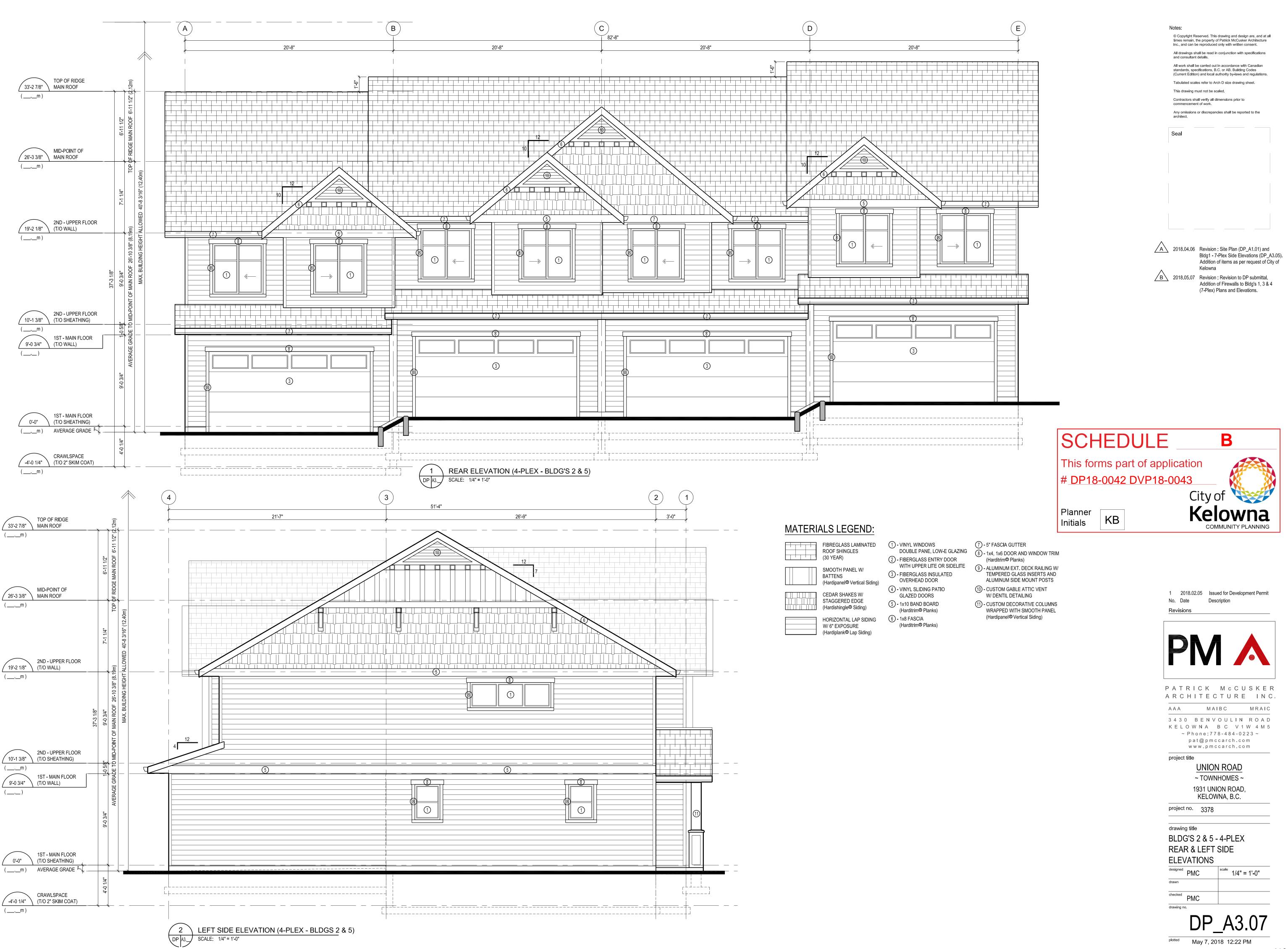


1 No.	2018.02.05 Date		ed for Develop ription	ment Permit
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proj	ect no 33	378		
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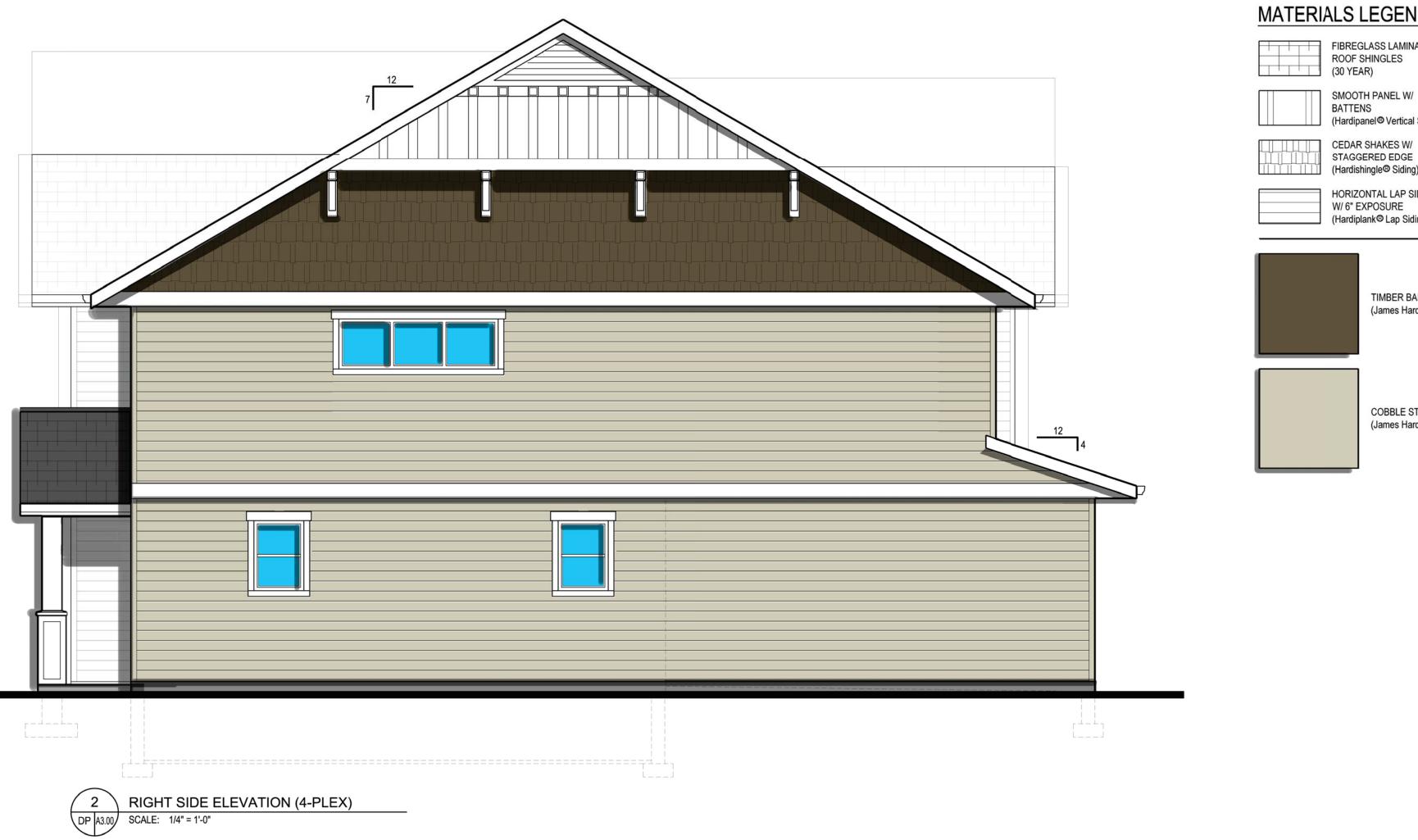


- - (Hardipanel® Vertical Siding)

- 1) CUSTOM DECORATIVE COLUMNS WRAPPED WITH SMOOTH PANEL







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				 2018.04.06 Revision : Site Plan (DP_A1.01) and Bldg1 - 7-Plex Side Elevations (DP_A3.05). Addition of items as per request of City of Kelowna 2018.05.07 Revision : Revision to DP submittal. Addition of Firewalls to Bldg's 1, 3 & 4 (7-Plex) Plans and Elevations.
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				project no. 3378 drawing title

Notes:

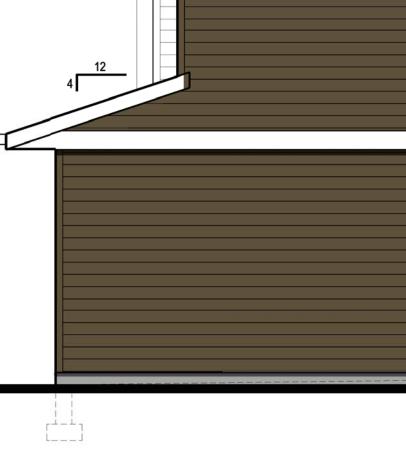
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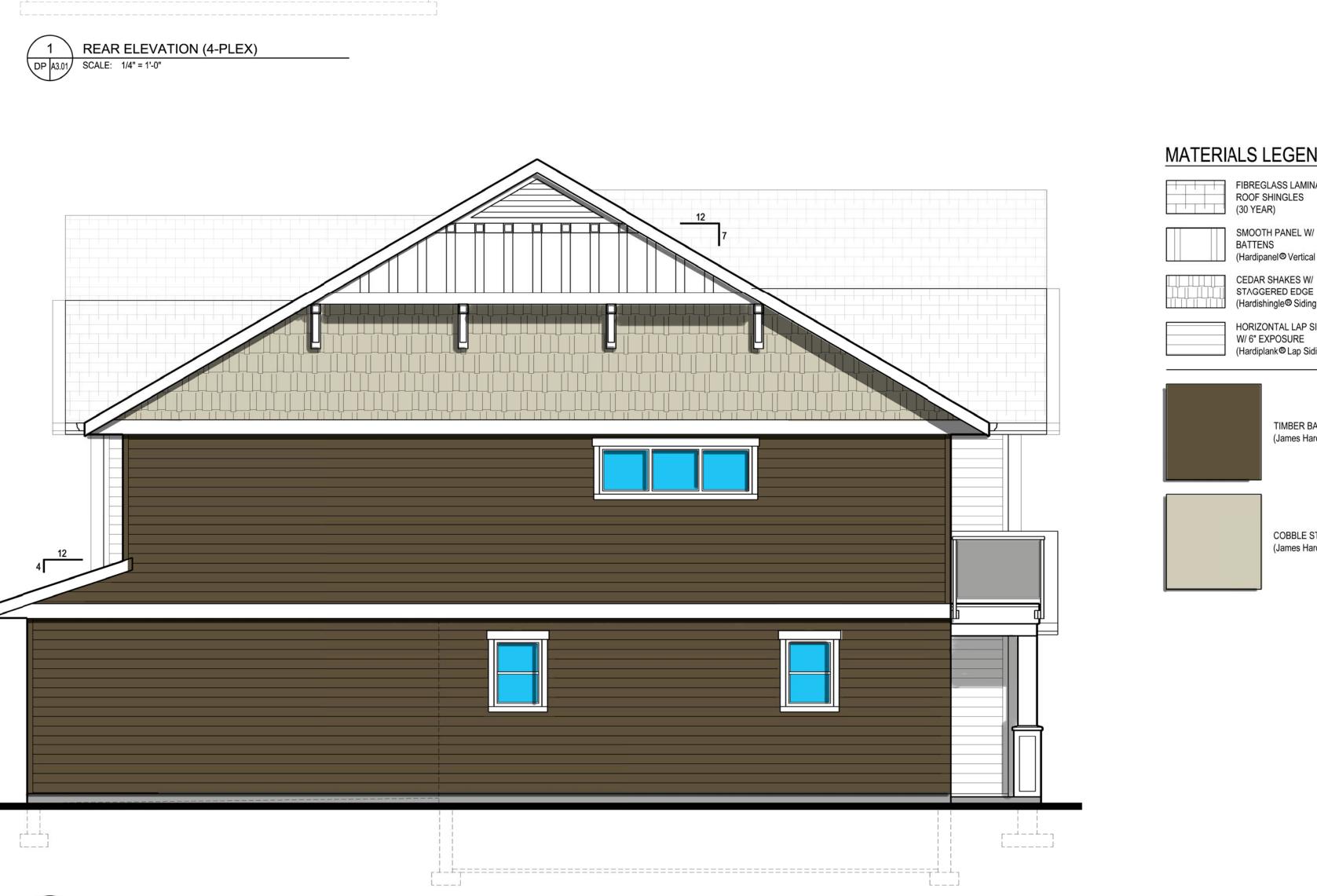
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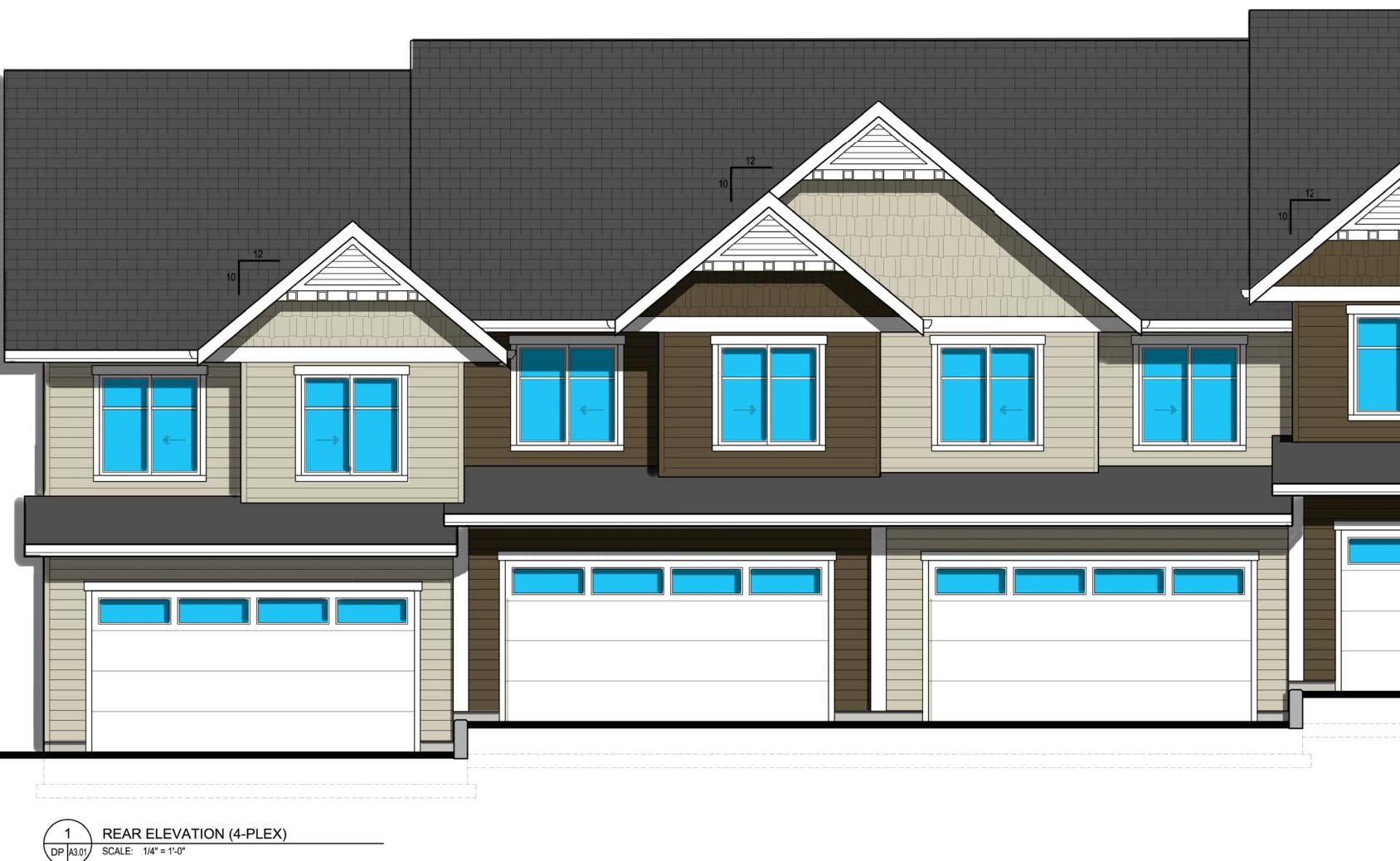


2 LEFT SIDE ELEVATION (4-PLEX) DP A3.01 SCALE: 1/4" = 1'-0"







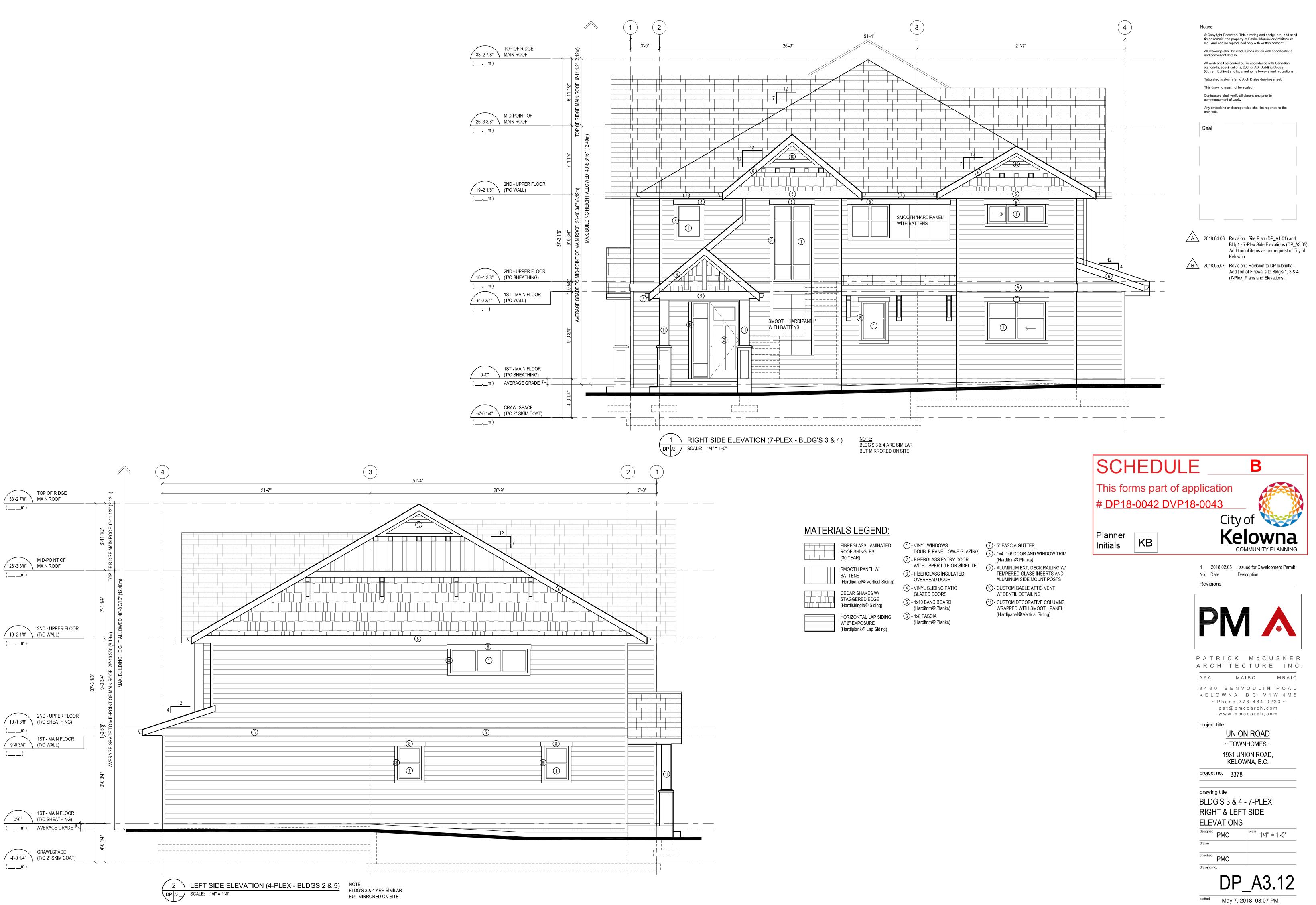


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ND: INATED (1 - VINYL WINDOWS	(1) - 5" FASCIA GUTTER	SCHEDU This forms part of # DP18-0042 DV Planner Initials	application
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E STONE Hardie®)			State Benvoul in Road Relowna BC viw 4M5 Phone: 778-484-0223 ~ pat@pmccarch.com ww.pmccarch.com project title UNION ROAD ~ TOWNHOMES ~ 1931 UNION ROAD, KELOWNA, B.C. project no: 3378 drawing title BLDG'S 2 & 5 - 4 - PLEX REAR & LEFT SIDE LEVATIONS (COLOURED) drawing title BLDG'S 2 & 5 - 4 - PLEX REAR & LEFT SIDE LEVATIONS (COLOURED) drawing title BLDG'S 2 & 5 - 4 - PLEX REAR & LEFT SIDE LEVATIONS (COLOURED) drawing title BLDG'S 2 & 5 - 4 - PLEX REAR & LEFT SIDE LEVATIONS (COLOURED) drawing title BLDG'S 2 & 5 - 4 - PLEX REAR & LEFT SIDE LEVATIONS (COLOURED) drawing title BLDG'S 2 & 5 - 4 - PLEX REAR & LEFT SIDE LEVATIONS (COLOURED) drawing title BLDG'S 2 & 5 - 4 - PLEX REAR & LEFT SIDE LEVATIONS (COLOURED) drawing title BLDG'S 2 & 5 - 4 - PLEX REAR & LEFT SIDE DPL_ABABABABABABABABABABABABABABABABABABAB



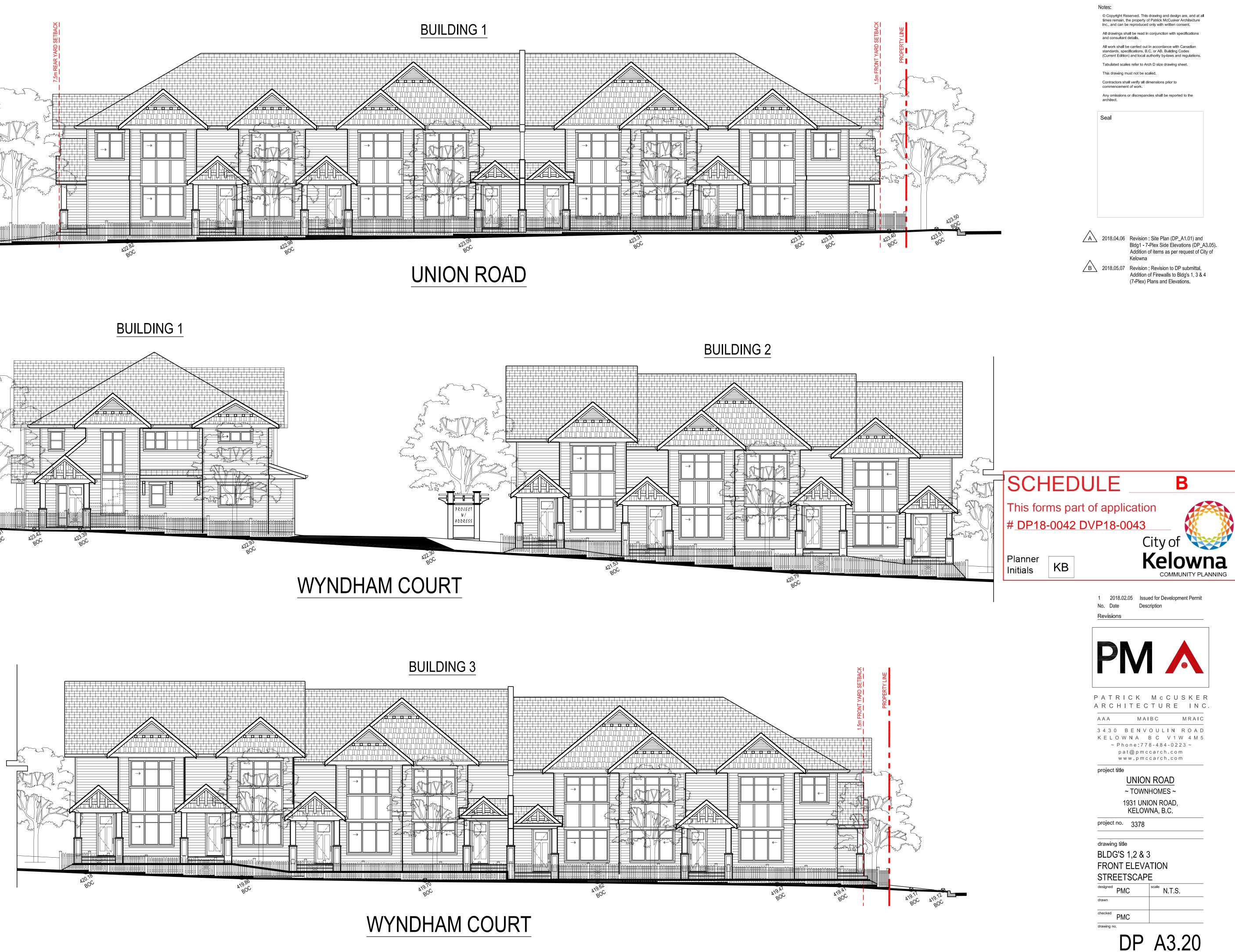
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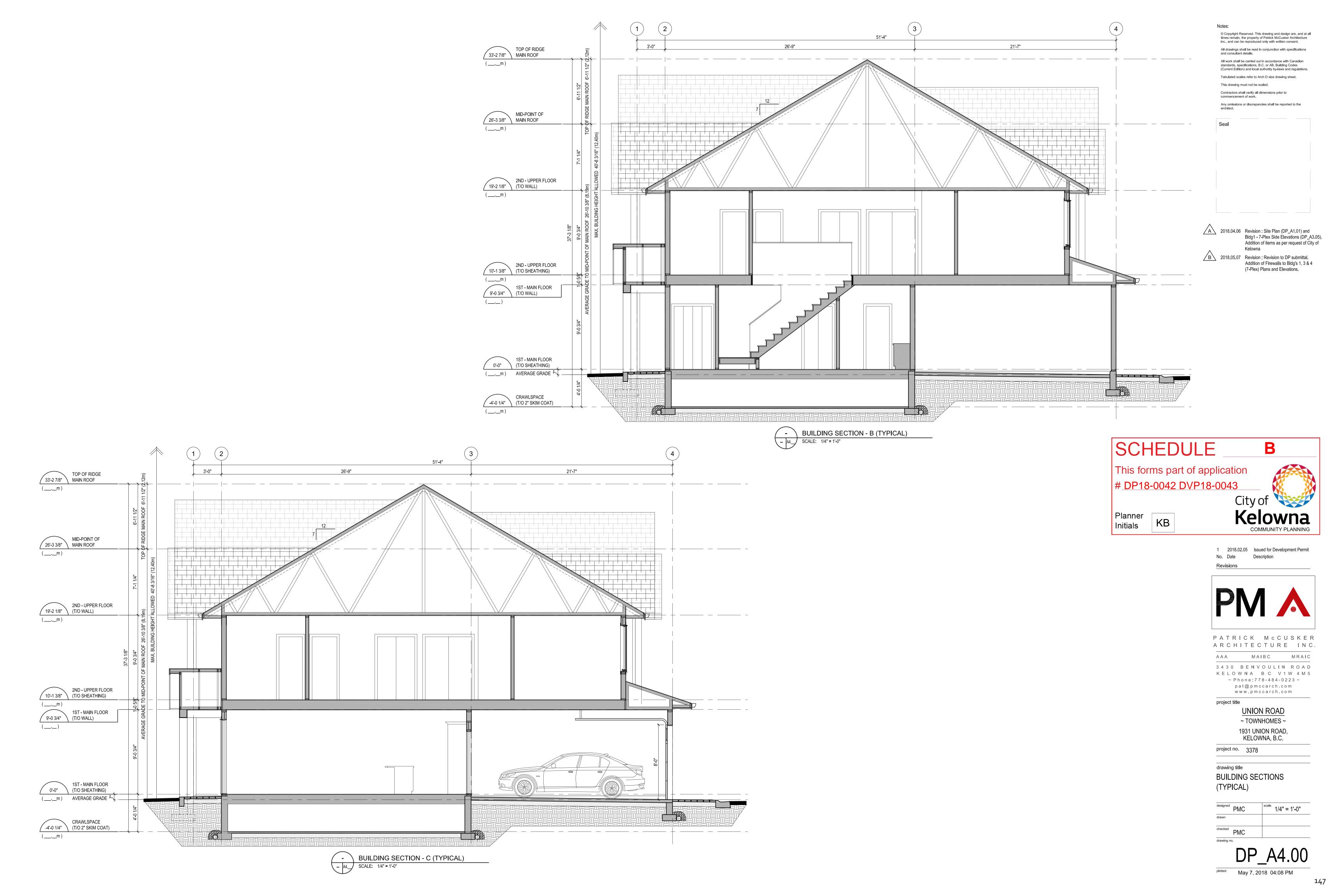


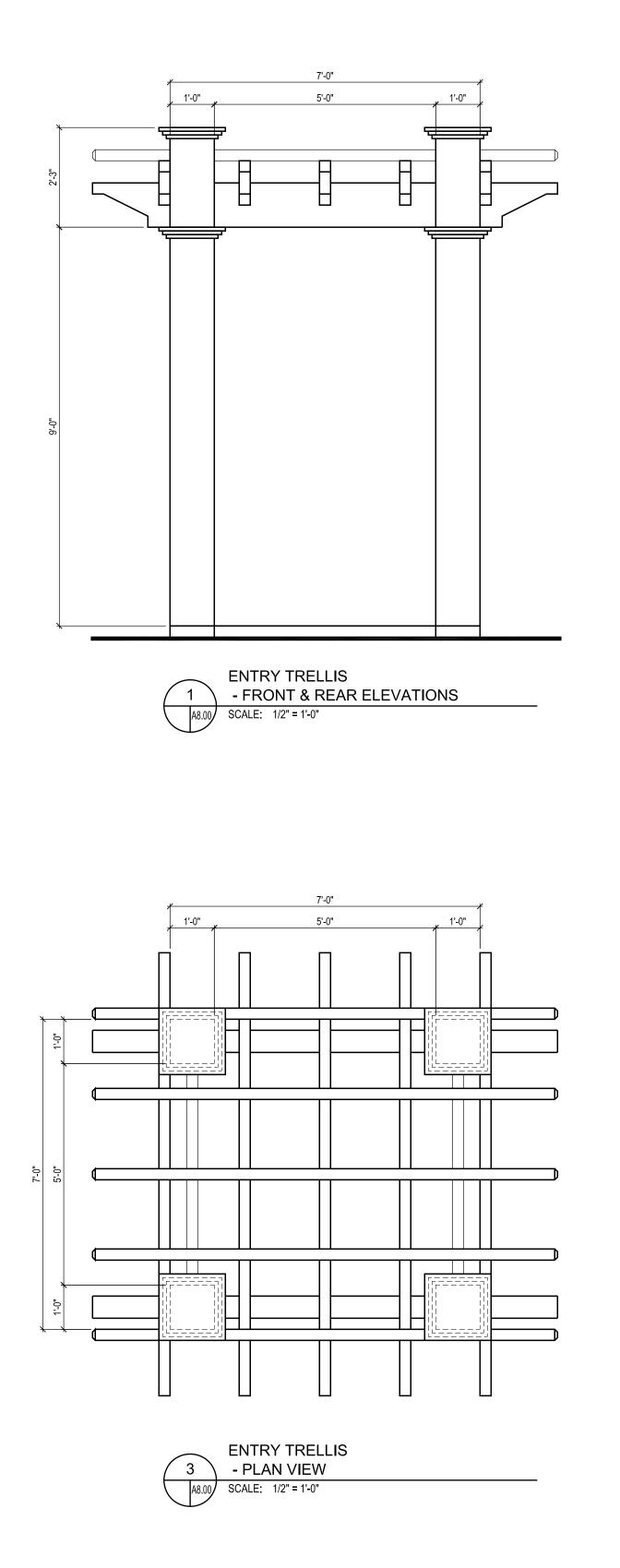


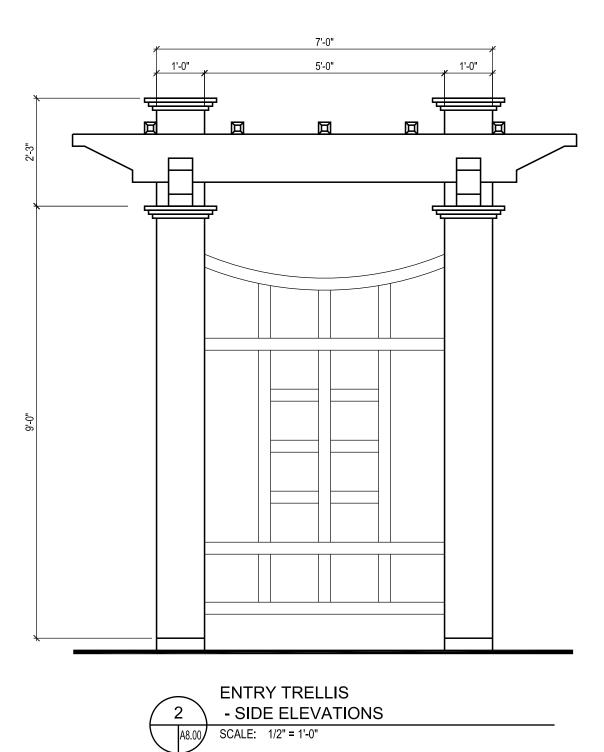




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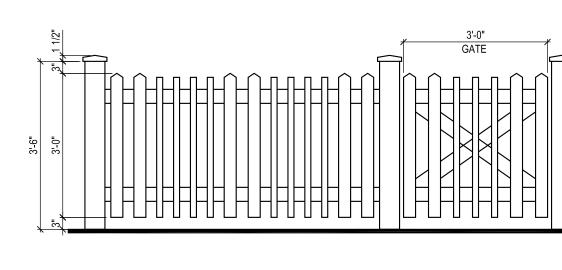


3'-0" GATE

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4 PICKET FENCE - ELEVATION A8.00 SCALE: 1/2" = 1'-0"

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NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED C.N.L.A. STANDARDS.

2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.

3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 50mm DOUGLAS RED FIR MULCH OR ROCK MULCH, AS SHOWN IN PLANS. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.

4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.

5. TURF AREAS FROM SOD SHALL BE NO. 1 GRADE GROWN FROM CERTIFIED SEED OF IMPROVED CULTIVARS REGISTERED FOR SALE IN B.C. AND SHALL BE TOLERANT OF DROUGHT CONDITIONS. A MINIMUM OF 100mm DEPTH OF GROWING MEDIUM IS REQUIRED BENEATH TURF AREAS. TURF AREAS SHALL MEET EXISTING GRADES AND HARD SURFACES FLUSH.

TREES

AMELANCHIER ALNIFOLIA 'OBELISK' GLEDITISA TRIACANTHOS 'SKYLINE' LIRIODENDRON TULIPIFERA

SHRUBS

CORNUS STOLONIFERA 'FARROW' EUONYMOUS ALATUS 'COMPACTA' HYDRANGEA PANICULATA 'JAN' PICEA PUNGENS 'GLOBOSA' ROSA 'MORDEN FIREGLOW' SYRINGA MEYERI 'PALIBIN'

PERENNIALS & GRASSES Achillea 'Paprika'

CALAMAGROSTIS ACUTIFLORA 'KARL FOERSTER' ECHINACEA PUPUREA 'MAGNUS' GALLARDIA GRADIFLORA 'BURGUNDY' HEMEROCALLIS 'RUBY STELLA' HOSTA 'NORTHERN EXPOSURE' IRIS GERMANICA 'BREAKERS' LAVANDULA ANGUSTIFOLIA 'HIDCOTE' PENNISETUM ALOPECUROIDES

COMMON NAME	QTY	SIZE/SPACING & REMARKS
OBELISH SASKATOON SKYLINE HONEYLOCUST	18 18	4cm CAL. 6cm CAL.
TULIP TREE	4	6cm CAL.
ARCTIC FIRE DOGWOOD	73	#01 CONT. /1.0M O.C. SPACING
DWARF WINGED BURNING BUSH	23	#01 CONT. /1.75M O.C. SPACING
	32	#01 CONT. /1.5M O.C. SPACING
DWARF GLOBE BLUE SPRUCE MODEN FIREGLOW ROSE	18 73	#01 CONT. /2.0M O.C. SPACING #01 CONT. /1.0M O.C. SPACING
DWARF KOREA LILAC	32	#01 CONT. / 1.5M O.C. SPACING #01 CONT. / 1.5M O.C. SPACING
PAPRICA YARROW	58	#01 CONT. /0.6M O.C. SPACING
KARL FOERSTER FEATHER REED GRASS	38	#01 CONT. /0.75M O.C. SPACING
PURPLE CONEFLOWER	78	#01 CONT. /0.6M O.C. SPACING
BURGUNDY BLANKET FLOWER	84	#01 CONT. /0.5M O.C. SPACING
	58	#01 CONT. /0.6M O.C. SPACING
NORTHERN EXPOSURE HOSTA BLUE BEARDED IRIS	15 58	#01 CONT. /1.2M O.C. SPACING #01 CONT. /0.6M O.C. SPACING
HIDCOTE ENGLISH LAVENDER	58	#01 CONT. /0.6M O.C. SPACING #01 CONT. /0.6M O.C. SPACING
FOUNTAIN GRASS	21	#01 CONT. /1.0M O.C. SPACING





303-590 KLO Road Kelowna, BC V1Y 7S2 T (250) 868-9270 www.outlanddesign.ca

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PROJECT TITLE

1931 UNION ROAD

Kelowna, BC

DRAWING TITLE

CONCEPTUAL LANDSCAPE PLAN

ISSUED FOR / REVISION

1	18.05.15	Review
2		
3		
4		
5		

PROJECT NO	17-147
DESIGN BY	FB
DRAVVN BY	NG
CHECKED BY	FB
DATE	MAY 15, 2018
SCALE	1:200

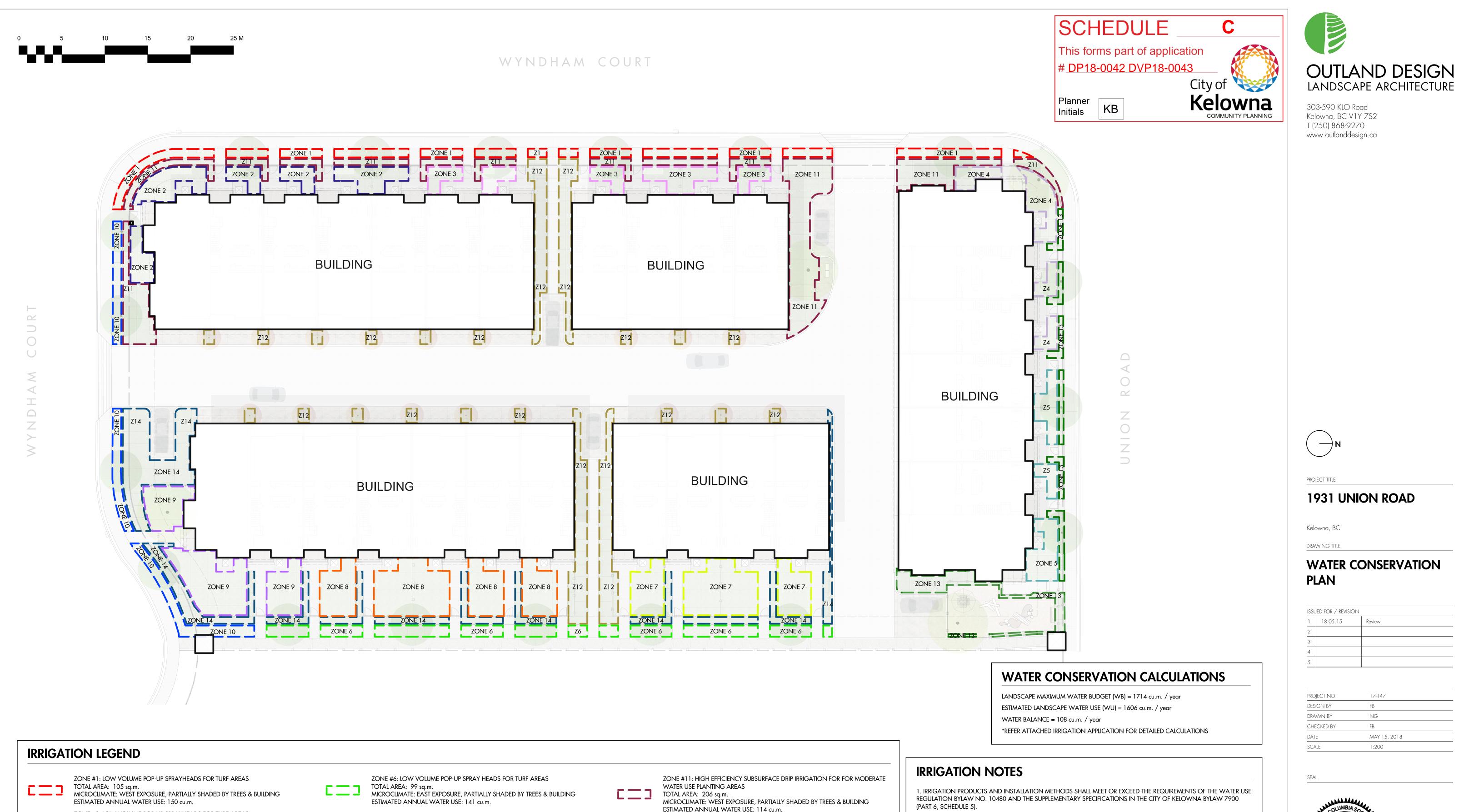
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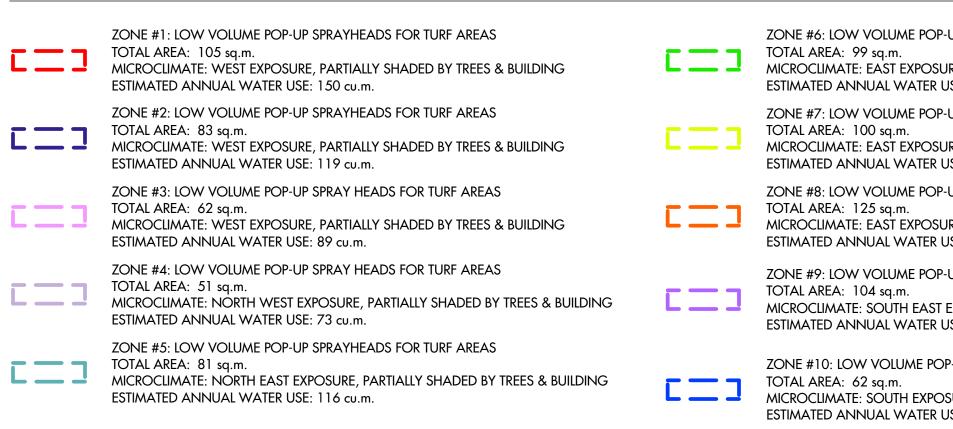


DRAWING NUMBER



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SURE, PARTIALLY SHADED BY TREES & BUILDING R USE: 141 cu.m.	WATER USE PLANTING AREAS TOTAL AREA: 206 sq.m. MICROCLIMATE: WEST EXPOSURE, PARTIALLY SHADED BY TREES & BUILDING	1. IRRIGATION PF REGULATION BYI (PART 6, SCHEDU
OP-UP SPRAY HEADS FOR TURF AREAS SURE, PARTIALLY SHADED BY TREES & BUILDING R USE: 143 cu.m. OP-UP SPRAYHEADS FOR TURF AREAS	ESTIMATED ANNUAL WATER USE: 114 cu.m. ZONE #12: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR FOR MODERATE WATER USE PLANTING AREAS TOTAL AREA: 196 sq.m. MICROCLIMATE: SOUTH EXPOSURE, PARTIALLY SHADED BY TREES & BUILDING ESTIMATED ANNUAL WATER USE: 109 cu.m.	2. THE IRRIGATIC 3. THE IRRIGATIC AND SHUT OFF V 4. AN APPROVED
SURE, PARTIALLY SHADED BY TREES & BUILDING R USE: 179 cu.m. OP-UP SPRAY HEADS FOR TURF AREAS RT EXPOSURE, PARTIALLY SHADED BY TREES & BUILDING R USE: 149 cu.m.	ZONE #13: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR FOR MODERATE WATER USE PLANTING AREAS TOTAL AREA: 81 sq.m. MICROCLIMATE: NORTH EXPOSURE, PARTIALLY SHADED BY TREES ESTIMATED ANNUAL WATER USE: 45 cu.m.	MAXIMUM ET VA MICROCLIMATE. 5. DRIP LINE ANE 6. IRRIGATION SI
OP-UP SPRAY HEADS FOR TURF AREAS OSURE, PARTIALLY SHADED BY TREES & USE: 89 cu.m.	ZONE #14: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR FOR MODERATE WATER USE PLANTING AREAS TOTAL AREA: 192 sq.m. MICROCLIMATE: SOUTH EAST EXPOSURE, PARTIALLY SHADED BY TREES & BUILDING ESTIMATED ANNUAL WATER USE: 107 cu.m.	7. IRRIGATION PI 8. A FLOW SENS TO THE SYSTEM I

TION SYSTEM SHALL MEET THE REQUIREMENTS, REGULATIONS, AND BYLAWS OF THE WATER PURVEYOR. TION SYSTEM SHALL BE EQUIPPED WITH AN APPROVED BACKFLOW PREVENTION DEVICE, WATER METER, F VALVE LOCATED OUTSIDE THE BUILDING ACCESSIBLE TO THE CITY.

VED SMART CONTROLLER SHALL BE INSTALLED. THE IRRIGATION SCHEDULING TIMES SHALL UTILIZE A VALUE OF 7" / MONTH (KELOWNA JULY ET), TAKING INTO CONSIDERATION SOIL TYPE, SLOPE, AND

ND EMITTERS SHALL INCORPORATE TECHNOLOGY TO LIMIT ROOT INTRUSION.

I SLEEVES SHALL BE INSTALLED TO ROUTE IRRIGATION LINES UNDER HARD SURFACES AND FEATURES.

PIPE SHALL BE SIZED TO ALLOW FOR A MAXIMUM FLOW OF 1.5m /SEC.

ENSOR AND MASTER VALVE SHALL BE CONNECTED TO THE CONTROLLER AND PROGRAMMED TO STOP FLOW EM IN CASE OF AN IRRIGATION WATER LEAK.

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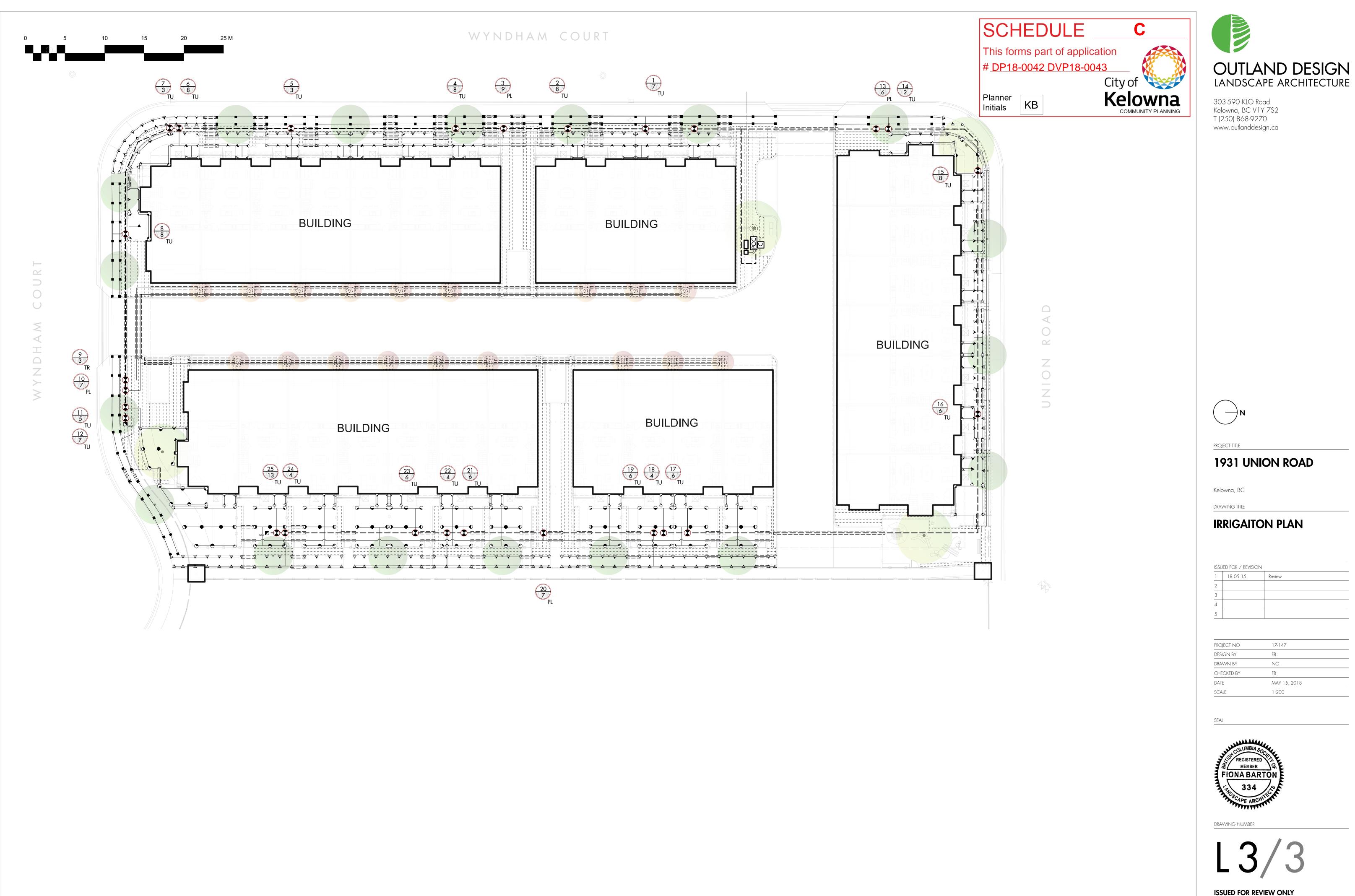
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DRAWING NUMBER



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Date:	May 17, 2018			Kelowna
RIM No.	0940-50			
То:	City Manager			
From:	Community Pl	anning Department (SS)	1	
Application:	DVP18-0078		Owner:	Suresh Kumar Khurana
Address:	1981 Cross Roa	ad	Applicant:	Aplin Martin Consultants Ltd
Subject:	Development	Variance Permit		
Existing OCP De	esignation:	S2RES – Single/Two U	nit Residential	
Existing Zone:		RU2 – Medium Lot Hou	using	

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0078 for Lot 2 Section 4 Township 23 ODYD Plan 10134 Except Plan H8323, located at 1981 Cross Road, Kelowna, BC;

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted:

Section 13.2.5 (b): RU2 - Medium Lot Housing Subdivision Regulations

To vary the required minimum lot depth from 30.0 m permitted to 28.5 m (for future Lot 7) and 25.0 m (for future Lot 8) and 27.3 m (for future Lot 10) proposed, as shown on the attached Schedule A.

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

2.0 Purpose

To consider a Development Variance Permit application to vary the minimum lot depth for three lots in a proposed residential subdivision.

3.0 Community Planning

Staff support the requested variance to reduce the minimum lot depth on proposed Lot 7, Lot 8 and Lot 10 from a minimum of 30 m permitted to 28.5 m, 25.0 m and 27.3 m, respectively. The variance is being requested in order to accommodate a required City standard cul-de-sac along proposed Road A, the cul-de-sac portion of the new road limits the lot depths achievable for the proposed new lots. Staff do not anticipate any impacts of the lot depth variances outside the subject subdivision. Within the subdivision, Lots 7, 8 and 10 do not disrupt the RU2 zone streetscape as the <u>lot width</u> (frontage) meets the minimum required width. These three lots also meet or exceed the minimum required lot area for the RU2 zone.

Overall, the proposed subdivision meets Kelowna's Official Community Plan goals of completing suburbs, increasing pedestrian connectivity within neighbourhoods and provides a safe vehicle connection for future development of adjacent parcels in the area.

3.1 Public Consultation

The applicant undertook neighbour consultation by individually contacting neighbouring properties within 50 m. This notification and consultation identified the rezoning and variances required for the 12 lot subdivision and received the following feedback:

- Concerns regarding safety of the proposed road alignment were brought up during the Public Hearing of the rezoning application to the RU2 zone. These concerns were addressed during the hearing, identifying the location of the new Class 2 road connecting to Hemmerling Court, the lesser classification of road instead of Cross Road is the safest approach to access this property.
- No concerns regarding the lot depth variances were identified during this notification and consultation process.

Subject Property Map: 1981 Cross Road



4.0 Proposal

4.1 Background

The subject property was rezoned (Z15-0030) from the A1 – Agriculture 1 zone to the RU2 – Medium Lot Housing zone to facilitate a 12 lot subdivision for single detached housing. A Preliminary Layout Review (PLR) was issued on December 21^{st} , 2015. The applicant is currently working to complete all the outstanding PLR requirements; this Development Variance Permit is one such requirement. This variance was approved previously (DVP15-0126) although the permit has expired.

4.2 Project Description

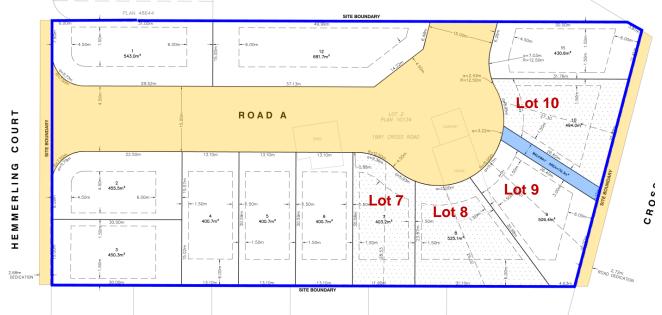
The attached Site Plan identifies the proposed subdivision of the property into twelve lots with road dedication identified in yellow, and park dedication identified in blue. The applicant is proposing to create

12 RU2 zone single family residential lots, accessed by a 15.0 m wide right of way City standard road. This road begins at Hemmerling Court and ends on the northwest end of the subject property. The road will serve as the future access to the adjacent property to the north to eliminate the need for the adjacent property to gain access from Cross Road. Three of the RU2 residential lots require a variance for lot depth as shown in the Zoning Analysis Table in this report.

Lots fronting Hemmerling Court are oriented in such a way that continues the established streetscape of the existing single family homes. Public pedestrian access is also incorporated in the subdivision design, a 3.0 m wide asphalt pathway will be dedicated and constructed between lots 9 and 10 (shown in blue). This public path will provide pedestrian and bicycle traffic access from Cross Road to the proposed lots as well as existing homes along Hemmerling Court. A 1.2 m high black vinyl chain link fence will be installed along both sides of this walkway by the applicant 15cm inside each private property line.

<u>Variance</u>

The proposed variance is to permit a reduction in lot depth for proposed Lots 7, 8 and 10 shown below. Subdivision requirements such as <u>lot width</u> and <u>lot area</u> are met. The requested variance seeks to permit lot depths of 28.5 m, 25.0 m and 27.3 m, respectively. Along 'Road A' the variance requested will not create a noticeable variation from the other proposed RU2 lots. The variance does not affect the minimum lot size required as Lot 7 meets the minimum lot area, Lots 8 and 10 exceed the minimum lot area required in the RU2 zone.



Proposed Lot Layout Map: 1981 Cross Road

The proposed design including the variances to three of the twelve lots meets OCP goals such as:

- Respecting the established streetscape of the surrounding neighbourhood.
 - This OCP goal is specifically targeted for the Comprehensive Development Permit areas however it is respected on this subject property. The three single family lots that are adjacent to Hemmerling Court are designed to have front doors oriented along the existing road to follow the established streetscape.
- Maximize Pedestrian / Cycling Connectivity.

• A 3.0 m wide public pedestrian walkway is being dedicated to enhance pedestrian linkage from school, park and other residential areas north of Cross Road. A new Class 2 road will be constructed complete with a sidewalk.

Housing

- The creation of a total of 12 traditional single detached dwelling on a medium size lot increases affordability of each single family dwelling as the size of the lot and dwelling is less than that of the typical RU1 Large Lot Housing zone.
- The residential density is appropriate to the neighbourhood context. The orientation of each lot also respects adjacent residential lots, aligning side yards with side yards and rear yards with rear yards.
- Zoning Analysis Table

Zoning Analysis Table RU2 ZONE REQUIREMENTS						
CRITERIA	CRITERIA					
	SUBDIVISION REG	ULATIONS				
Minimum Lot Area	Minimum Lot Area 400 m ²					
Minimum Lot Width		13.0 m 15.0 m (Corner Lot)				
Minimum Lot Depth		30.0 M				
Minimum Road Right of Way		15.0 M				
PROPOSED						
	Lot Area	Lot Width	Lot Depth			
Existing Lot	8,094.0 m²	60.1 m	120.6 m			
Proposed Lot 1 (corner lot)	543.0 m ²	15.0 M	31.0 M			
Proposed Lot 2 (corner lot)	455.5 m ²	15.6 m	30.0 M			
Proposed Lot 3	450.3 m ²	15.0 M	30.0 M			
Proposed Lot 4	400.7 m ²	13.1 M	30.6 m			
Proposed Lot 5	400.7 m ²	13.1 M	30.6 m			
Proposed Lot 6	400.7 m ²	13.1 M	30.6 m			
Proposed Lot 7	403.2 m ²	16.2 m	28.5 m 🚺			
Proposed Lot 8	525.1 m ²	16.6 m	25.0 m 2			
Proposed Lot 9	509.4 m ²	13.1 M	30.0 m			
Proposed Lot 10	494.0 m ²	13.9 M	27.3 m 🕄			
Proposed Lot 11	430.6 m ²	13.3 M	31.76 m			
Proposed Lot 12 (corner lot)	681.7 m ²	15.0 M	37.1 M			
Minimum Road Right of Way		15.0 M				
	Variance Rev	view				
● ❷ ● Indicates requested variance to Minimum Lot Depth for an RU2 Lot.						

- Site Context
- The subject property is located between Cross Road and Hemmerling Court in the Glenmore Dilworth – Clifton Sector of Kelowna. The property is currently zoned RU₂ – Medium Lot Residential, identified in Kelowna's OCP as S2RES – Single/Two Unit Residential, and is within the Permanent Growth Boundary. Neighbouring properties are zoned RU₁ – Large Lot Housing and RM₂ – Low Density Row Housing, and have future land uses of S2RES and MRL.
- Adjacent land uses are as follows:

Orientation	Zoning	Land Use	
North	RM2	Multiple Family Row Housing	
NOTUT	RM3	Being Developed	
East	RU1	Single Family Dwellings	
South	RU1	Single Family Dwellings	
West	RU1	Single Family Dwellings	
vvest	Aı	Vacant Land	

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Housing.¹ From a housing perspective the City of Kelowna projects the need for approximately 20,100 units by the year 2030 to accommodate the projected growth within the City. Those housing units encompass a range of housing options from low density traditional single detached neighbourhoods to secondary suites/carriage houses, attached homes, town housing as infill and

apartments from traditional 4 storey walk-ups to high rise condominiums, including mixed use commercial – residential development in urban centres.

Complete Suburbs.² Support a mix of uses within Kelowna's suburbs (see Map 5.1 - Urban Core Area), in accordance with "Smart Growth" principles to ensure complete communities. Uses that should be present in all areas of the City (consistent with Map 4.1 - Future Land Use Map), at appropriate locations, include: commercial, institutional, and all types of residential uses (including affordable and special needs housing) at densities appropriate to their context.

Building heights in excess of four storeys will not be supported within the suburban areas, unless provided for by zoning existing prior to adoption of OCP Bylaw 10500.

Maximize Pedestrian / Cycling Connectivity.³ Require that pedestrian and cyclist movement and infrastructure be addressed in the review and approval of all City and private sector developments, including provision of sidewalks and trails and recognition of frequently used connections and informal pedestrian routes. With new developments, require dedication of on-site walking and cycling paths where necessary to provide links to adjacent parks, schools, transit stops, recreation facilities, employment nodes, cul-de-sacs and large activity areas.

¹ City of Kelowna Official Community Plan (Regional Context Chapter).

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

³ City of Kelowna Official Community Plan, Policy 5.10.1 (Development Process Chapter).

6.o Technical Comments

6.1 Development Engineering Department

All Development Engineering requirements regarding the 12 lot subdivision and proposed Road A

are to be addressed in the Preliminary Layout Review agreement.

7.0 Application Chronology

Date of Application Received:	April 6 th , 2018
Referral Comments Received:	July 16 th , 2015
Date Public Consultation Completed:	May 4 th , 2018
Date of Final Rezoning Adoption	February 15 th , 2016

Report prepared by:

Sergio Sartori, Development Technician

Reviewed by:	Dean Strachan, Subdivision, Suburban and Rural Planning Manager
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager

Attachments:

Site Plan Draft Development Variance Permit DVP18-0078



This permit relates to land in the City of Kelowna municipally known as

1981 Cross Road

and legally known as

LOT 2 SECTION 4 TOWNSHIP 23 OSOYOOS DIVISION YALE DISTRICT PLAN 10134 EXCEPT PLAN H8323

and permits the land to be used for the development with variances to the following section of the Zoning Bylaw 8000:

S.13.2.5 (b) RU2-Medium Lot Housing Minimum Lot Depth

To vary the required minimum lot depth from 30.0m permitted to 28.5 m (for future Lot 7) and 25.0 m (for future Lot 8) and 27.3 m (for future Lot 10) proposed, as shown on the attached Schedule A.

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

Date of Decision:	June 12, 2018
Decision By:	CITY COUNCIL
Issued Date:	DATE
Development Permit Area:	N/A
<u>File Manager:</u>	SS

This permit will not be valid if development has not commenced within 2 years of the council approved Date of Decision.

Existing Zone: RU2- Medium Lot Housing

Future Land Use Designation: S2RES – Single Two Unit Residential

This is NOT a Building Permit.

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner: Suresh Kumar Khurana

Applicant: Aplin Martin Consultants Ltd.

Ryan Smith

Community Planning Department Manager Community Planning & Strategic Investments Date

1. SCOPE OF APPROVAL

This Development 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 Development 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 Development 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.

2. CONDITIONS OF APPROVAL

- 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"; and
- 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.

This Development Permit is valid for two (2) years from the date of June 12, 2018 approval, with no opportunity to extend.

3. 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 Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer 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 enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property own of the day. Should the Developer carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Developer or his or her designate. There is filed accordingly:

a) An Irrevocable Letter of Credit in the amount of (n/a)

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.

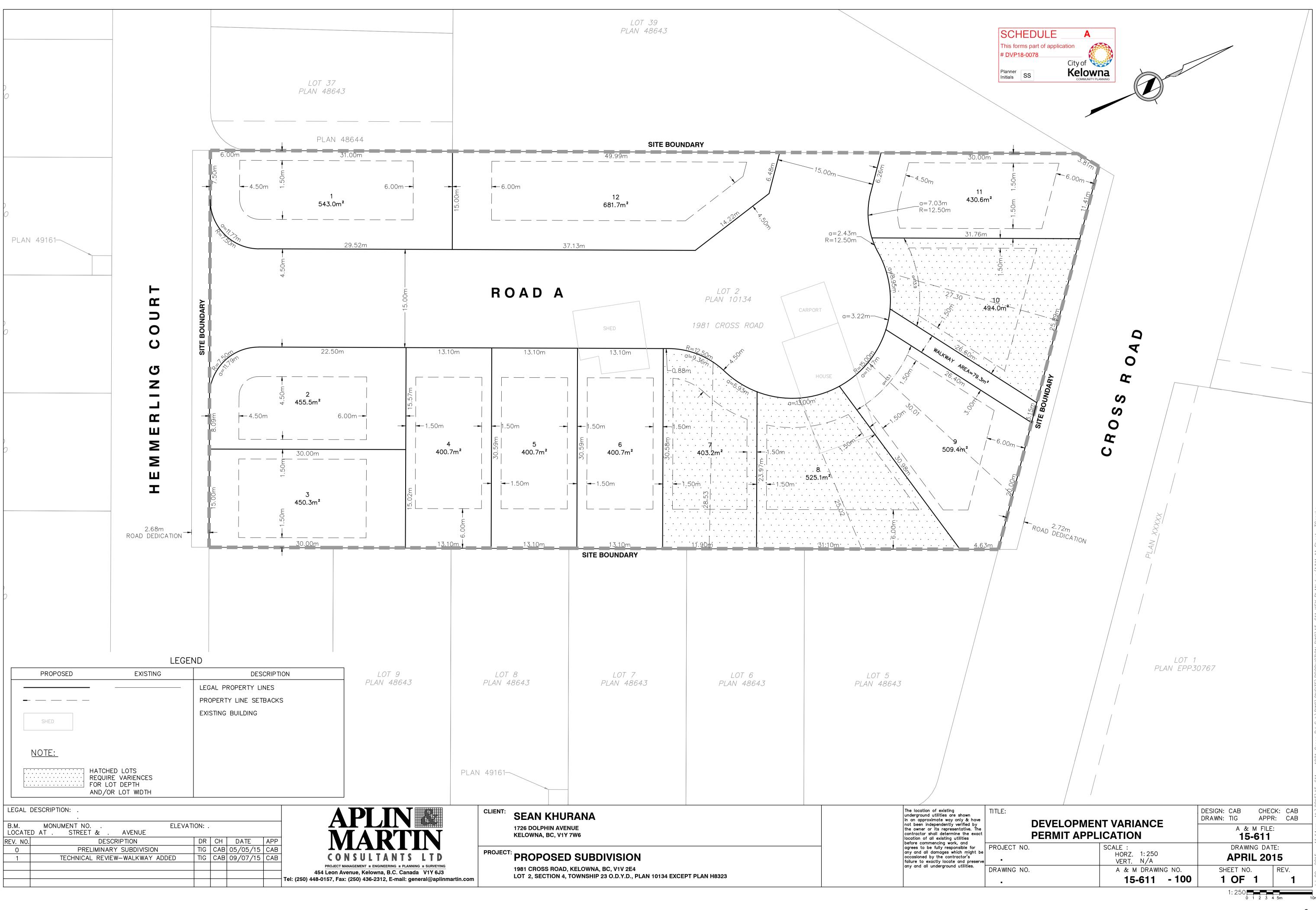
4. INDEMNIFICATION

Upon commencement of the works authorized by this Permit the Developer covenants and agrees 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 said Permit.

All costs, expenses, claims that may be incurred by the Municipality where the construction, 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.

The PERMIT HOLDER is the <u>CURRENT LAND OWNER</u>. Security shall <u>ONLY</u> be returned to the signatory of the Landscape Agreement or their designates.



Jul 09 2015 - 11:14am M: \2015\15-611 - 1981 Cross Rd Sub\DWG\ONSITE\PRODUCTION DWG\15-611 KEY PLAN.dwg/A&M