# City of Kelowna Public Hearing AGENDA



Tuesday, June 26, 2018 6:00 pm Council Chamber City Hall, 1435 Water Street

**Pages** 

#### 1. Call to Order

#### THE CHAIR WILL CALL THE HEARING TO ORDER:

- 1. (a) The purpose of this Hearing is to consider certain bylaws which, if adopted, shall amend Kelowna 2030 Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.
- (b) All persons who believe that their interest in property is affected by the proposed bylaws shall be afforded a reason-able opportunity to be heard or to present written submissions respecting matters contained in the bylaws that are the subject of this hearing. This Hearing is open to the public and all representations to Council form part of the public record. A live audio feed may be broadcast and recorded by Castanet.
- (c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after June 13, 2018 (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.
- (d) Council debate on the proposed bylaws is scheduled to take place during the Regular Council meeting after the conclusion of this Hearing. It should be noted, however, that for some items a final decision may not be able to be reached tonight.
- (e) It must be emphasized that Council will not receive any representation from the applicant or members of the public after conclusion of this Public Hearing.

#### Notification of Meeting

The City Clerk will provide information as to how the Hearing was publicized.

#### 3. Individual Bylaw Submissions

3.1 Hwy 33 E 1759, Z17-0065 (BL11625) - Ki-Low-Na Friendship Society, Inc. No. S-10638

4 - 20

To rezone the subject property from RU1 – Large Lot Housing zone and P2 – Educational &Minor Institutional zone to RM3 – Low Density Multiple Housing zone

to facilitate the development of a multi-family complex.

#### 3.2 Abbott St 2195, Z18-0041 (BL11626) - Gordon and Karen Lovegrove

21 - 30

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone to facilitate the development of a carriage house.

#### 3.3 Bach Rd 440, Z18-0020 (BL11627) - Richard Therrien and Daniel Good

31 - 37

To rezone the subject property from RU1 – Large Lot Housing zone to RU1c – Large Lot Housing with Carriage House zone to facilitate the development of a carriage house.

#### 4. Termination

#### 5. Procedure on each Bylaw Submission

- (a) Brief description of the application by City Staff (Land Use Management);
- (b) The Chair will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.
- (c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.
- (d) The Chair will call for representation from the public in attendance as follows:
- (i) The microphone at the public podium has been provided for any person(s) wishing to make representation at the Hearing.
  - (ii) The Chair will recognize ONLY speakers at the podium.
- (iii) Speakers are encouraged to limit their remarks to 5 minutes, however, if they have additional information they may address Council again after all other members of the public have been heard a first time.
- (e) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.
- (f) Questions by staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.
- (g) Final calls for respresentation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

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

# REPORT TO COUNCIL



**Date:** June 28, 2018

**RIM No.** 1250-30

To: City Manager

From: Community Planning Department (TA)

Application: Z17-0065 Owner: Ki-Low-Na Friendship Society,

Inc. No. S-10638

Patrick McCusker

1759 Highway 33 E Address:

Applicant: (Margaret's Landing)

**Subject:** Rezoning Application

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

PARK – Major Park/Open Space (Public)

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RM3 – Low Density Multiple Housing

#### 1.0 Recommendation

THAT Rezoning Application No. Z17-0065 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot B, Section 18, Township 27, ODYD, Plan 29386, located at 1759 Highway 33 E, Kelowna, BC from the RU1 – Large Lot Housing zone and P2 – Educational & Minor Institutional zone to the RM3 – Low Density Multiple Housing zone as shown on Map "A" attached to the Report from the Community Planning Department dated May 28, 2018, be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of an Environmental Development Permit to establish required protection of the environmentally sensitive areas and the SROW for public access;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated May 28, 2018;

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

#### 2.0 Purpose

To rezone the subject property from RU1 – Large Lot Housing zone and P2 – Educational & Minor Institutional zone to RM3 – Low Density Multiple Housing zone to facilitate the development of a multifamily complex.

#### 3.0 Community Planning

Community Planning supports the proposed rezoning from RU1 – Large Lot Housing zone and P2 – Educational & Minor Institutional zone to RM3 – Low Density Multiple Housing zone as it is consistent with several key Official Community Plan objectives including aligning with the Future Land Use, protection of environmentally sensitive areas (ESA), establishing a section of public trail as part of Gopher Creek Linear Park, and providing affordable housing.

The northern portion of the subject property is predominantly flat and has a Future Land Use of MRL – Multiple Unit Residential (Low Density) which supports RM3 rezoning to allow for townhomes and apartment style housing. The southern portion of the subject property features steep slopes and riparian areas associated with Gopher Creek. This portion has a future land use designation of PARK – Major Park/Open Space (Public) which will remain. An Environmental Development Permit is required to be issued for the subject property which will ensure the necessary Section 219 Restrictive Covenants are put in place to protect the environmentally sensitive steep slopes and riparian areas as determined by a qualified environmental professional (OCP Policy 5.15.7). Along with the protection of the ESAs, the applicant will be required to register a Public Statutory Right-of-Way that allows the public to connect through the subject property as part of the larger Gopher Creek Linear Park Plan (OCP Policy 5.14.2).

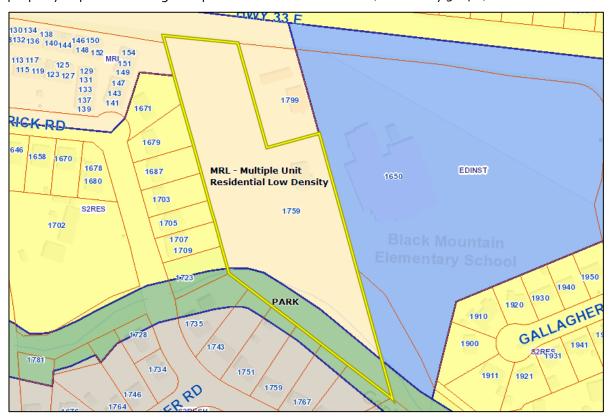


Figure 1: Official Community Plan Future Land Use Designations

The proposed development takes the form of multi-family townhomes and an apartment building for affordable housing as managed through the non-profit Ki-Low-Na Friendship Society. The types of units range from one and two-bedroom apartment units to three and four-bedroom townhomes. The larger units represent family housing stock (OCP Policy 5.22.13) which is currently in low supply in Kelowna as identified in the Housing Needs Assessment. The applicant is considering a future phase on the remainder of the property and in association with the current development proposal which may include a Childhood Education and Care Centre. Should Council support the rezoning, Staff will present a Development Permit and Development Variance Permit to be considered in conjunction with final adoption of the Rezoning Bylaw.



Figure 2: Rendering of proposed development

#### 4.0 Proposal

#### 4.1 <u>Background</u>

The subject property was acquired by the Ki-Low-Na Friendship Society in 2004 and currently has a single family dwelling that was constructed in 1989 with accessory building located on the property which will be removed as a function of this application.

#### 4.2 Project Description

The subject property is currently split zoned between RU1 – Large Lot Housing,  $P_2$  – Educational & Minor Institutional, and  $P_3$  – Parks & Open Space. The applicant has applied to rezone the RU1 and  $P_2$  portions to RM3 – Low Density Multiple Housing to facilitate a multi-family development with future Child Care Centre.

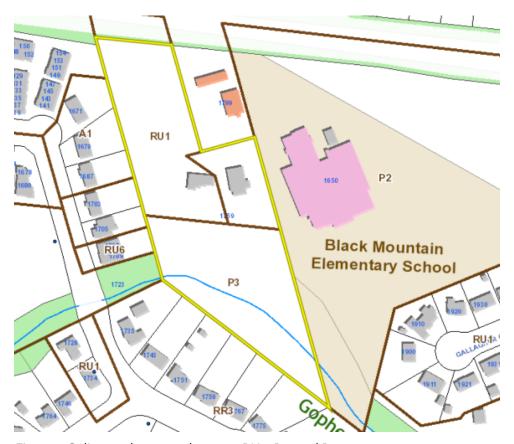


Figure 3: Split zoned property between RU1, P2, and P3

The portion of the property that is zoned P3 will remain and will have a Public Statutory Right-of-Way registered over it to allow for the public to access the Gopher Creek Linear Park. An Environmental Development Permit will be required to establish a "Do Not Disturb" 219 Restrictive Covenant over the steep slopes and riparian areas on the southern portion of the site to provide long term protection for the ESAs. An additional "Do Not Build" 219 Restrictive Covenant will be registered along the top of the steep slopes for a geotechnical setback to the proposed structures. Staff have worked with the applicant and their environmental consultant to determine the specific locations of these setbacks and are confident the Environmental Development Permit will reflect appropriate preservation of the steep slopes and riparian areas.

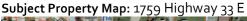
The applicant has proposed a total of 14 townhomes featuring 3 and 4 bedrooms with two car tandem garages. A 35-unit apartment building will consist of one and two-bedroom units with surface parking. The applicant has identified one variance to absolute height on the apartment building as the design attempts to work with the changing grades on the subject property. Access to the site is from Highway 33 E, and the Ministry of Transportation and Infrastructure has provided preliminary approval for the rezoning. Should Council support the rezoning, Staff will bring forward a Development Permit and Development Variance Permit for Council Consideration.

#### 4.3 Site Context

The subject property is located in the Black Mountain Village Centre on the south side of Highway 33 E. It is located on a bench above Gopher Creek and adjacent to Black Mountain Elementary School. There is a series of single family dwelling homes to the west which are located at a lower elevation than the proposed development.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 - Agriculture	Residential
East	A1 – Agriculture	Gas Bar
EdSt	P2 – Educational & Minor Institutional	Public School
South	RR3 – Rural Residential 3	Residential
	A1 – Agriculture	
West	RU1 – Large Lot Housing	Residential
	RU6 – Two Dwelling Housing	





#### 5.0 Current Development Policies

#### 5.1 <u>Kelowna Official Community Plan (OCP)</u>

#### **Development Process**

Policy 5.2.3: Complete Suburbs. 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.

**Policy 5.14.2: Dedication of Linear Parks**. At subdivision and rezoning for all development types secure a minimum 10-metre wide linear corridor for public access as included in Table 5.1 Linear Park – Public Access and/or are shown on Map 5.9 – Linear Corridors / Paths. The 10-metre wide corridor may be in addition to, and outside, any riparian management area requirements imposed through the Environmental Development Permit (see Chapter 12) requirements of the OCP. On the

private property side of the public access corridor, the City may, as necessary, consider stipulating additional "no disturb" zones. Lot line adjustments or other subdivision applications not resulting in the creation of new lots suitable for the construction of buildings permitted under the applicable zoning will be considered exempt from this policy. Linear trail corridors can have the following tenure which will be determined by staff at the time of subdivision or rezoning:

- Titled property in the name of the city as a park, protected area, or
- Road reserve right of way; or
- Statutory right of way.

**Policy 5.15.7: Protection Measures.** Protect and preserve environmentally sensitive areas using one or more of the following measures, depending on which measures are appropriate to a given situation:

- Dedication as a City park or trail where the area complements the goals and objectives of sustainable development. ESA's acquired as parks or trails will be managed to protect their sensitive features in balance with public use;
- Ensure setbacks on adjacent developments are adequate to maintain the integrity of the ESA and to minimize hazards created at the interface between natural areas and development. For example, ensure housing is setback an adequate distance adjacent to an interface area with potential tree, rockfall, flooding or fire hazards;

**Policy 5.22.11: Housing Mix**. Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

**Policy 5.22.13: 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 neighborhood characteristics (e.g.: location and amenities).

#### 6.0 Technical Comments

#### 6.1 Building & Permitting Department

Full plan check review will be included with Development Permit.

#### 6.2 <u>Development Engineering Department</u>

Please see the attached memorandum dated August 27, 2017.

#### 6.3 Bylaw Services

Currently there are no outstanding/open Bylaw enforcement files pertaining to property location: 1759 Highway 33 E.

#### 7.0 Application Chronology

Date of Application Received: June 21, 2017
Date Public Consultation Completed: April 25, 2018

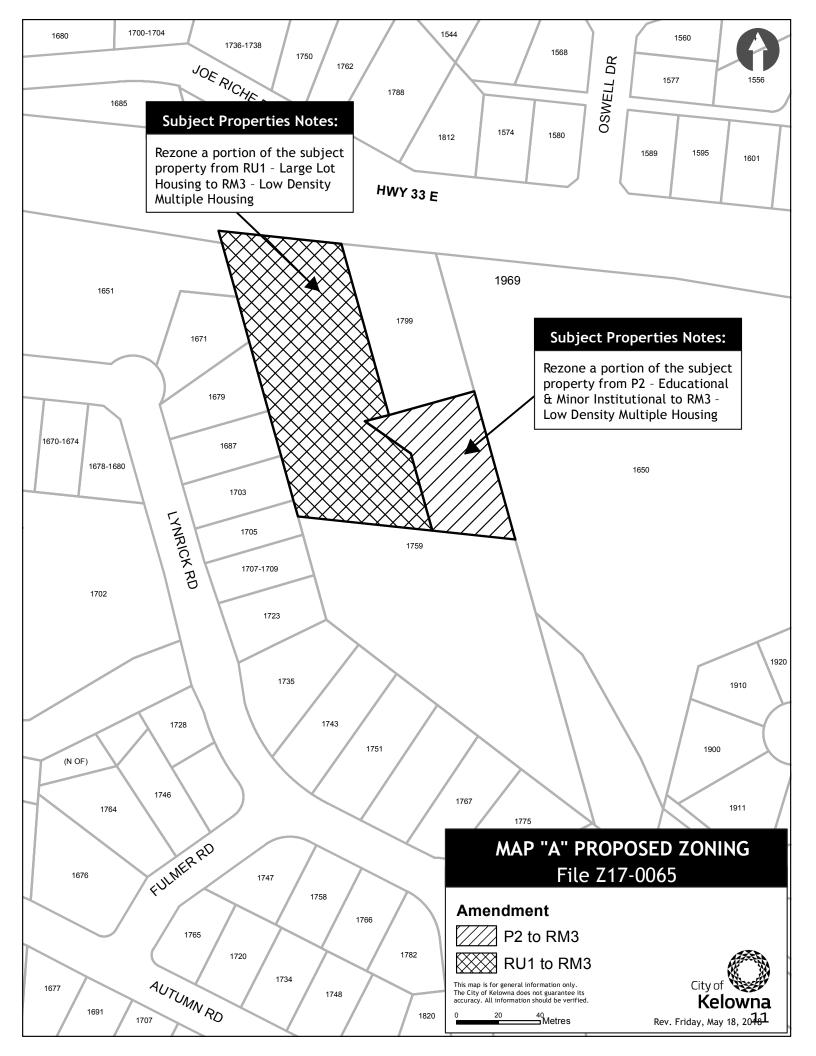
Report prepared by: Trisa Atwood, Planner II

**Reviewed by:** Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

#### Attachments:

Map "A": Proposed Zoning Schedule "A": Development Engineering Memorandum Applicant's Letter of Rationale Proposed Site Plan Context/Site Photos Sustainability Checklist



# MEMORANDUM

**Date:** August 23, 2017

**File No.:** Z17-0065

To: Urban Planning Management (TB)

From: Development Engineering Manager (JK)

Subject: 1759 Hwy 33 E RU1 to RM3

The Development Engineering Department has the following comments and requirements associated with this application to rezone a portion of the subject property from RU1 to RM3 to facilitate a multi-family development.

The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technologist for this project is Andy Marshall.

#### 1. General

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

#### 2. Domestic Water and Fire Protection

- a) This development is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with the 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.
- b) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures.

#### 3. Sanitary Sewer

This property is currently serviced with 100mm sanitary services. The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal and disconnection of the existing services and the installation of one new larger service if necessary. Any service improvement and decommissioning works may be included in an offsite servicing design package submission including an estimate for bonding purposes.

# This forms part of application? # Z17-0065 City of Planner TA Kelowna Initials TA COMMUNITY PLANNING

#### 4. Storm Drainage

The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the Subdivision, Development and Servicing Bylaw No. 7900. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems. Only one service will be permitted for this development. The applicant, at his cost, will arrange the installation of one overflow service if required.

#### 5. Road Dedication and Subdivision Requirements

- a) Provide ROW access agreement for a public walkway (Gopher Creek Linear Park) through this development. This public access walkway must remain unobstructed. City staff will determine the limits of this dedication.
- b) Grant statutory rights-of-way if required for utility services.

#### 6. <u>Electric Power and Telecommunication Services</u>

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

#### 7. Other Engineering Comments

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

#### 8. Geotechnical Report

- a) Provide a comprehensive geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed development.
  - Overall site suitability for development.
  - Presence of ground water and/or springs.
  - Presence of fill areas.
  - Presence of swelling clays.
  - Presence of sulphates.
  - Potential site erosion.
  - Provide specific requirements for footings and foundation construction.
  - Provide specific construction design sections for roads and utilities over and above the City's current construction standards

SCHEDULE	Α
This forms part of applic	cation <sup>3</sup>
# <u>Z17-0065</u>	🗱 📆
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Planner Initials TA	Kelowna COMMUNITY PLANNING

#### 9. **Development Permit and Site Related Issues**

Access and Manoeuvrability

- (i) (ii) Ensure acceptable turning movements onsite for MSU design vehicle.
- Any bicycle racks included with this development shall be onsite.

#### 10. **Charges and Fees**

- a) Development Cost Charges (DCC's) are payable.
- b) Fees per the "Development Application Fees Bylaw" include:
  - Street/Traffic Sign Fees: at cost if required (to be determined after design). Survey Monument Fee: \$50.00 per newly created lot (GST exempt). i)
  - ii)
  - iii) Engineering and Inspection Fee: 3.5% of construction value (plus GST).

Jason Ough Development Engineering Technologist	
	Development Engineering Manage (initials)



June 19, 2017 City of Kelowna 1435 Water Street Kelowna, BC V1Y 1J4

Attention: Land Use Management Department | City of Kelowna

Re: Rezoning and Development Permit Application for Lot B, Plan KAP 29386, Section 18,

Township 27, ODYD 1759 Highway 33, Kelowna, B.C.

#### **Project Description**

The proposal is to rezone a 1.98 ha parcel located at 1759 Highway 33 from RU1 large lot single family to RM-3 low density multifamily.

At present the lot is split zoned, RU1 and P3. the proposed rezoning will be for the RU1 portion only with the P3 to remain for a future early childhood education center.

The future land use as defined in the OCP for this area is for a higher residential density so the proposal conforms to the future land use

In addition to the Rezoning application we will be applying for a development permit concurrently. The DP application will consist of a comprehensive residential rental project consisting of two distinct residential building types. The first building type will be 14 side by side three and four bedroom townhouses with tandem parking. The second will be a three story 35-unit apartment building consisting of one and two bed room units

Parking for the apartment on grade with access to the site by way of an existing access off Highway 33 There is at present existing house and out building which will be removed at construction

#### **Design Rationale**

The objective of the project is to provide affordable rental accommodation to a wide demographic including singles, families and seniors. To achieve this, the project will provide a diverse unit mix ranging from one and two bedroom apartments to 3 to 4 bedroom townhouses. In addition, three two -bedroom units will be suitable for people with disabilities.

Because of the size and semi -rural nature of the site The project will have the opportunity to create its own mini-community with some unique natural amenities such as an existing wetland at the southern end of the site and access to the Gopher Creek linear park

The Margret's Landing will provide a catalyst to create a new neighborhood while also creating much need affordable rental units for both families and elders

#### Sustainability

Smart urban growth prescribes higher residential density within appropriate areas that provide the necessary amenities for people to live, work and play without the need of cars. Higher density is also a sustainable solution since it allows the reduction or elimination of new infrastructure, including roads, utility services and the additional energy consumption associated with it. In addition to this the project would will be built to Leed Certified standards and provide a significant economic and sustainable benefit to the area by:

- 1) helping to fulfill the desperate need for entry level and affordable housing in Kelowna;
- 2) provide additional residential density support to the local businesses

#### **Variances**

The development of a purpose-built rental project has its challenges but given the fact that the site is rural in nature we are only requiring a slight variance for the building height of the apartment building from 10 m to 11 m

This is to accommodate the width of the building and the slope roof

#### Conclusion

The design of this project attempts to balance good urban design with functional and financial viability. We believe it will fit well with the existing neighborhood as well as providing additional affordable housing for Kelowna

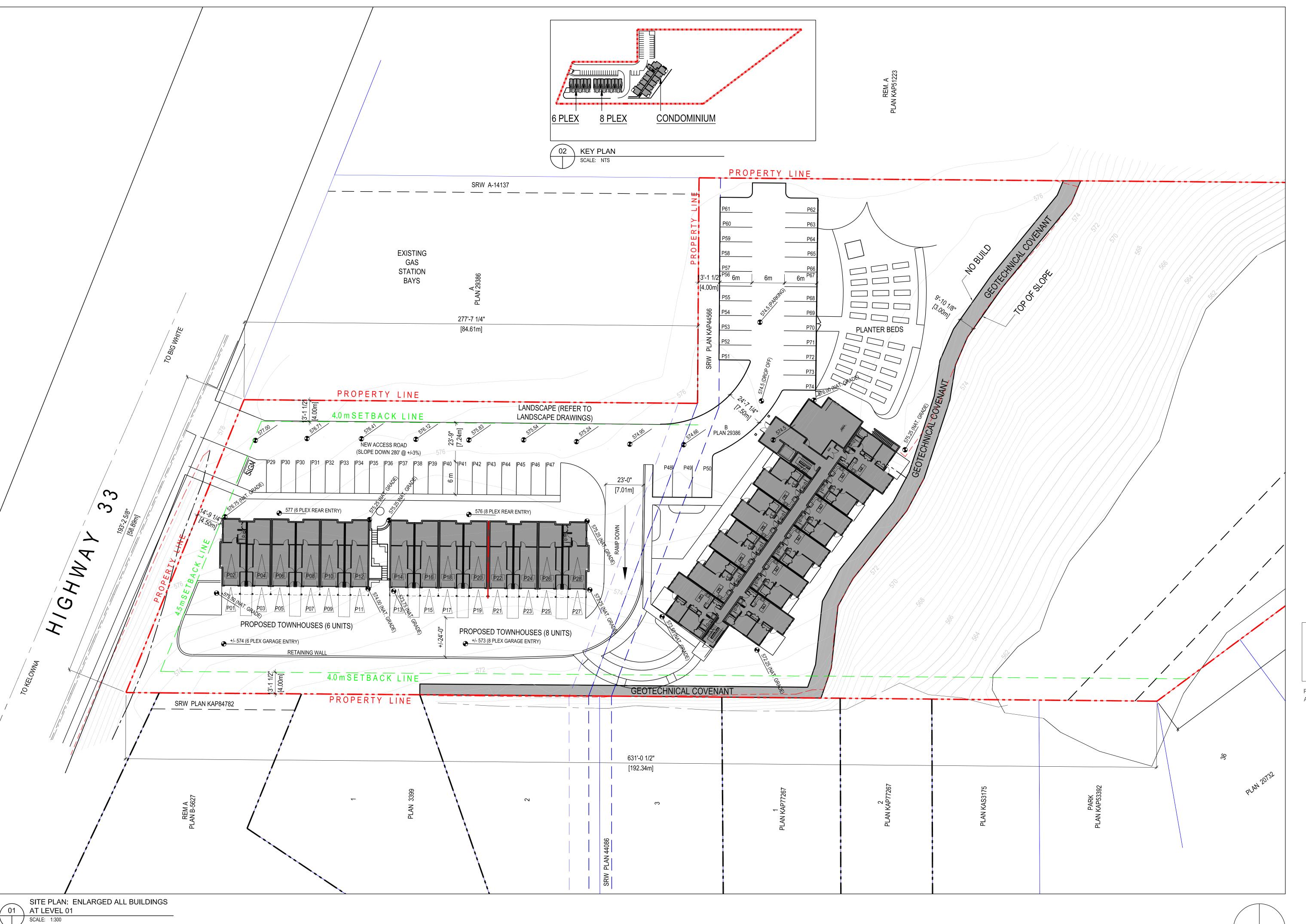
I trust that you will find our application in good order. For further building statistics, please refer to the cover page of the drawings, A0.0. Please contact our office if you require any further information.

Sincerely,

Patrick McCusker, Architect-AIBC, AAA, MRAIC

Principal

Patrick McCusker Architecture Inc.



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All drawings shall be read in conjunction with specifications and consultant details.

All work shall be carried out in accordance with Canadian standards, specifications, British Columbia Building Code (Current Edition) and local authority by-laws and regulations.

(Current Edition) and local authority by-laws and regurabulated 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.

Seal

 02
 2018.03.27
 RE-ISSUED FOR DP

 01
 2017.06.16
 ISSUED FOR DP

 No.
 Date
 Description



PATRICK McCUSKER ARCHITECTURE INC.

AAA MAIBC MRAIC

3 4 3 0 BENVOULIN ROAD
KELOWNA BC V1W 4 M 5
~ Phone:778-484-0223 ~
patrickm@newtownservices.net

oject title

MARGARET'S LANDING

1759 HIGHWAY 33 KELOWNA, BRITISH COLUMBIA

project no. 3362

drawing title

SITE PLAN - OVERALL AND
ENLARGED @ LEVEL 01
(ALL BUIDINGS)

designed PMC scale VARIES

drawn JB

checked PMC
drawing no.

DP1.02a

plotted March 28, 2018 02:43 PM



Land Use Management 1435 Water Street Kelowna, BC V1Y 1J4 250 469-8626 kelowna.ca/landuse sustainability@kelowna.ca

Sustainability Checklist
Commercial or Multi-unit Development
with Rezoning

Project Name or Location 1759 HWY 33 EXST		
Applicant Name PATRICK MCCUSKER		
Organization PATRICK MCCUSKER ARCHITECT INC		
ECONOMIC SUSTAINABILITY		
	Score	Points
Building uses: (IF APPLICABLE, SELECT ONE FROM LIST)	30010	Tomes
☐ 3 or more uses (ie. Office space, retail & residential)		3
2 uses or types of residential (ie. retail & residential or townhouse & low-rise apartments)	2	2
Employs local contractors (some, most or all) during construction	5	2-5
Construction products and supplies sourced within the region	2	1-2
TOTAL	9	10
TOTAL	<u> </u>	1 10
ENVIRONMENTAL SUSTAINABILITY		
ENTINOTALE SOUTHWINDELT		
	Score	Points
Green Building Certification being sought	30010	1 011163
LEED	5	5
☐ BuiltGreen, Green Globe or other (please specify)		3
Recycled Materials used in Building Construction	1	2
Necycled Materials used in building construction	- <b>B</b>	<u></u>
Green Space		
Design includes Shared Green Space (ie. Rooftop garden, community garden)	3	2-3
Environmentally-Sensitive Areas Protected during construction phase (ie. Fenced)		2
or	2	2
No Environmentally Sensitive Area to protect		
No Environmentally Sensitive Area to protect	<u> </u>	
Air Quality		
Co-op Car(s) or Transit Passes for Building Occupants (secured through an agreement)	0	2
Natural Ventilation (ie. Windows that open)	2	2
Safe & Accessible Bicycle Storage Facilities	2	2
	4	<u> </u>
Trees planted on the site beyond zoning requirements (not including any replacement trees)     1-5 trees		1
□ 1-5 diees <b>□ 1-</b> 5 tees	2	2
No Fast Food Drive Thru facilities	-	1
No Fast Food Drive Till diactities		1
Water Quality & Quantity		
Recycling of grey water	1	4
	2_	2
50% of area outside of permitted site coverage is permeable or unpaved surface		
Irrigation system employs conservation technology (ie. Drip irrigation)	2_	,
Or		2
No irrigation system required for landscaping		
Rainwater collection		,
Or Water consequation beyond building code requirements	0	2
Water conservation beyond building code requirements  Xeriscaping for water conservation		
Achicaping for water conscivation	1	I

2

2

45

2

2

29

SUBTOTAL

or Landscaping with indigenous vegetation (drought resistant)	2	2
Energy Conservation		
Renewable Energy Source(s) for Building, such as geo-thermal, solar photovoltaic, air pumps, etc. Please Specify:	0	2-4
Building Orientated and/or Designed to Maximize Energy Savings		2

# **SOCIAL SUSTAINABILITY**

Low Energy Windows Installed throughout Building(s)

Pre-Heating Water Energy Technology to be Employed Energy Efficient Features (lighting, appliances, etc.)

	Score	Points
Provides Indoor or Outdoor Social/Recreational Amenity (i.e. community meeting place, dog park, public community garden, etc.). Please Specify: <b>AMENITY ROOM + COMMUNITY 6ARDENS</b>	3	2-3
Designed According to Crime Preventions Through Environmental Design (CPTED) Principles (staff can provide document)	2	2
SUBTOTAL	5	5

# **CULTURAL SUSTAINABILITY**

	Score	Points
Voluntary Streetscaping Improvements, such as benches, planters, or lighting upgrades	3	2-4
City Design Guidelines & Staff Comments Addressed in Project Design	1	1-3
Heritage Site Identified and Recommendations for Conservation Followed		1-3
or		
No Disturbance to a Heritage Site No Heritage Site	3	3
Public Art Provision		1-3
or		
Significant Public Amenity (i.e. covered walkway, fountain, etc.) Please Specify:		
Connectivity from site to Parks, Bike Paths, Pedestrian Walkways, or Local Amenities (shops, medical centre,		2
etc.)		
SUBTOTAL	10	15

#### **BONUS**

	Score	Points
Other Sustainability Measure(s), including but not limited to:  Rehabilitation of a Natural Feature (i.e. wetland); Green Roof; Accessible Design Beyond Building Code; Child-Friendly Design.	6	1-10
Please provide details below		
ECCONMIC SUBTOTAL	6	10
ENVIRONMENTAL SUBTOTAL	29	45
SOCIAL SUBTOTAL	5	5
CULTURAL SUBTOTAL	10	15
TOTAL	50	85

# **ADDITIONAL DETAILS**

CITY OF KELOWNA	APPLICATION FORM

Thank you for taking the time to complete the City of Kelowna Sustainability Checklist. Once you have completed the checklist, please email it to <a href="mailto:sustainability@kelowna.ca">sustainability@kelowna.ca</a> or drop it off on the 2<sup>nd</sup> floor of City Hall.

Thank you.

# REPORT TO COUNCIL



**Date:** June 11, 2018

**RIM No.** 1250-30

To: City Manager

From: Community Planning Department (KB)

Application: Z18-0041 Gordon Richard Lovegrove
Owner:

Karen Lorraine Lovegrove

Address: 2195 Abbott St Applicant: Baxter Design (Shane Baxter)

**Subject:** Rezoning Application

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1c – Large Lot Housing with Carriage House

#### 1.0 Recommendation

THAT Rezoning Application No. Z18-0041 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 4 District Lot 14 Osoyoos Division Yale District Plan 3393, located at 2195 Abbott Street, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c Large Lot Housing with Carriage House zone, be considered by Council;

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

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

#### 2.0 Purpose

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone to facilitate the development of a carriage house.

#### 3.0 Community Planning

Community Planning Staff support the proposed rezoning application from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House to facilitate the development of a carriage house.

The Official Community Plan (OCP) Future Land Use designation of the subject property is S2RES – Single / Two Unit Residential, which supports this zoning change. The concept of the carriage house is aligned with the OCP Policies of Compact Urban Form – increasing density where infrastructure already exists, and of

Carriage Houses & Accessory Apartments. The property is connected to City sanitary sewer and within the Permanent Growth Boundary of the City.

The subject property is located within the Abbott Marshall Heritage Conservation Area. As such, should Council support the Rezoning application, Staff issuance of a Heritage Alteration Permit, for the form and character of the carriage house would be required. The applicant has submitted preliminary drawings for the carriage house (Schedule "B") which demonstrates that it can be constructed without any variances.

The applicant has confirmed the completion of public notification in accordance with Council Policy No. 367.

#### 4.0 Proposal

#### 4.1 Background

The subject property has a single family dwelling that will be retained through this development. The original dwelling was constructed in 1956, in Frank Lloyd Wright styling. The applicant has indicated there a garage was later constructed around 1990, not in keeping with the style of the house. This garage is proposed to be removed, to allow the construction of the carriage house, which would be more in keeping with the form and character of the original residence.

As the property is located within the Abbott Marshall Heritage Conservation Area, should the rezoning application be supported by Council, a Heritage Alteration Permit would be required prior to issuance of any building permits.

#### 4.2 Project Description

The applicant has provided preliminary designs for a new carriage house. A conceptual site plan has been submitted showing the carriage house can be constructed without variances.

#### 4.3 Site Context

The 1093 m<sup>2</sup> subject property is located at the corner of Abbott Street and Royal Avenue. It is in close proximity to the Kelowna General Hospital, several waterfront parks and is located on the Abbott Street Recreation Corridor. It is within the Permanent Growth Boundary and has a walk score of 54, which means it is somewhat walkable.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Residential
East	RU1 – Large Lot Housing	Residential
South	HD1 – Kelowna General Hospital	Current Parking Lot, Development application currently in-stream for Congregate Housing
West	RU1 – Large Lot Housing	Residential

Subject Property Map: 2195 Abbott Street



#### 5.0 Current Development Policies

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

#### **Chapter 5 - Development Process**

**Policy 5.2.3 - Compact Urban Form.** Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

**Policy 5.22.6 – Sensitive Infill.** Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting.

**Policy 5.22.12 – Carriage Houses & Accessory Apartments.** Support carriage houses and accessory apartments through appropriate zoning regulations.

#### 6.o Technical Comments

6.1 Development Engineering Department

See attached Schedule "A" - City of Kelowna Memorandum

# 7.0 Application Chronology

Date of Application Received: April 11, 2018
Date Public Consultation Completed: May 4, 2018

**Report prepared by**: Kimberly Brunet, Planner

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

#### Attachments:

Schedule "A" – City of Kelowna Memorandum Schedule "B" - Conceptual Site Plan, Floor Plan and Elevations

# **CITY OF KELOWNA**

# **MEMORANDUM**

Date:

April 27, 2018

File No.:

Z18-0041

To:

Community Planning (KB)

From:

Development Engineering Manager(JK)

Subject:

2195 Abbott St

RU1 – RU1c Carriage House

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

#### 1. Domestic Water and Fire Protection

This property is currently serviced with a 19mm-diameter water service. The service will be adequate for this application. One metered water service will supply both the main residence and the carriage house.

#### 2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service c/w an inspection chamber (IC) No further upgrades are needed at this time.

#### 3. Development Permit and Site Related Issues

Direct the roof drains onto splash pads.

Driveway access is permitted from the lane as per bylaw.

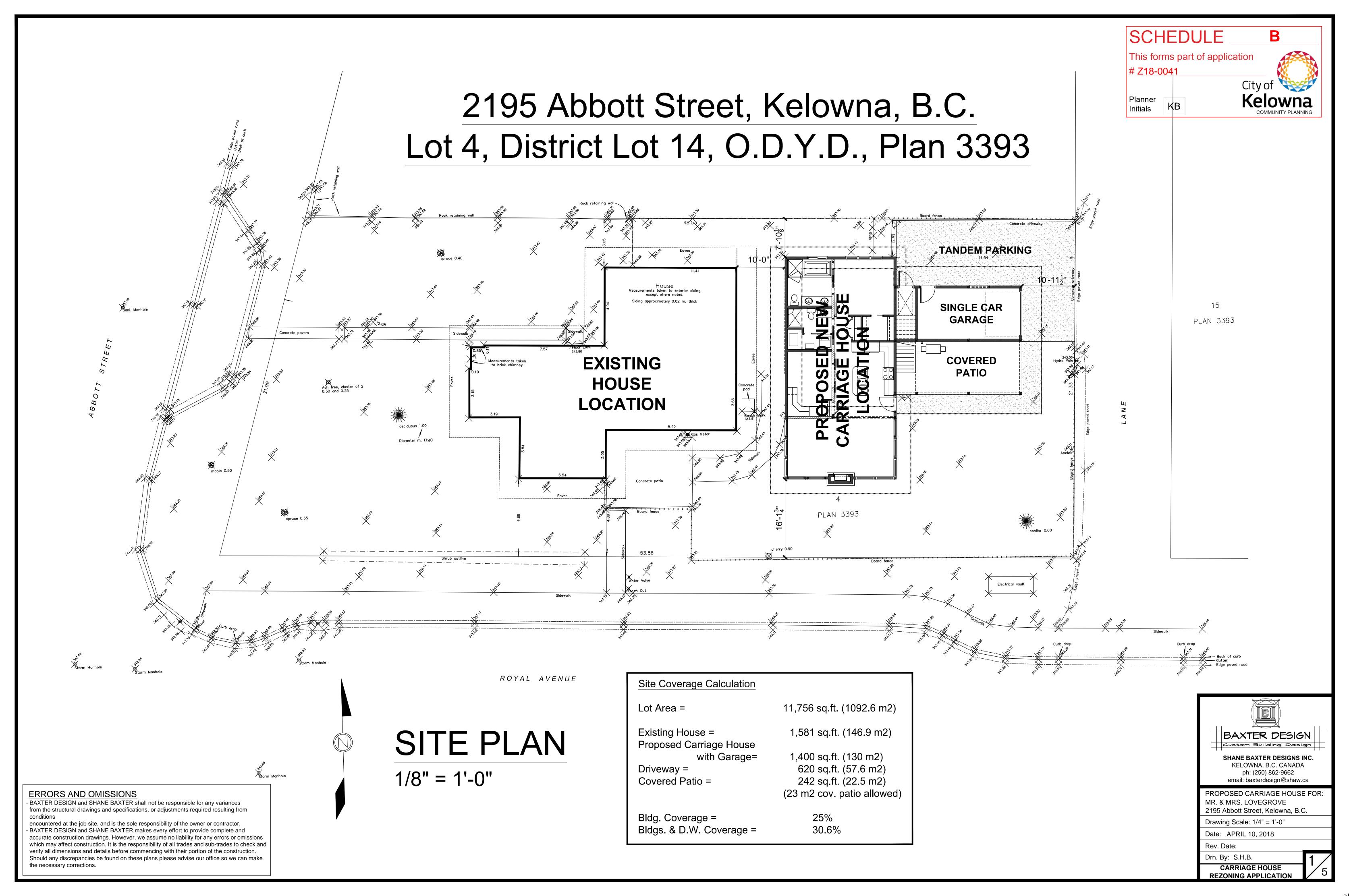
### 4. Electric Power and Telecommunication Services

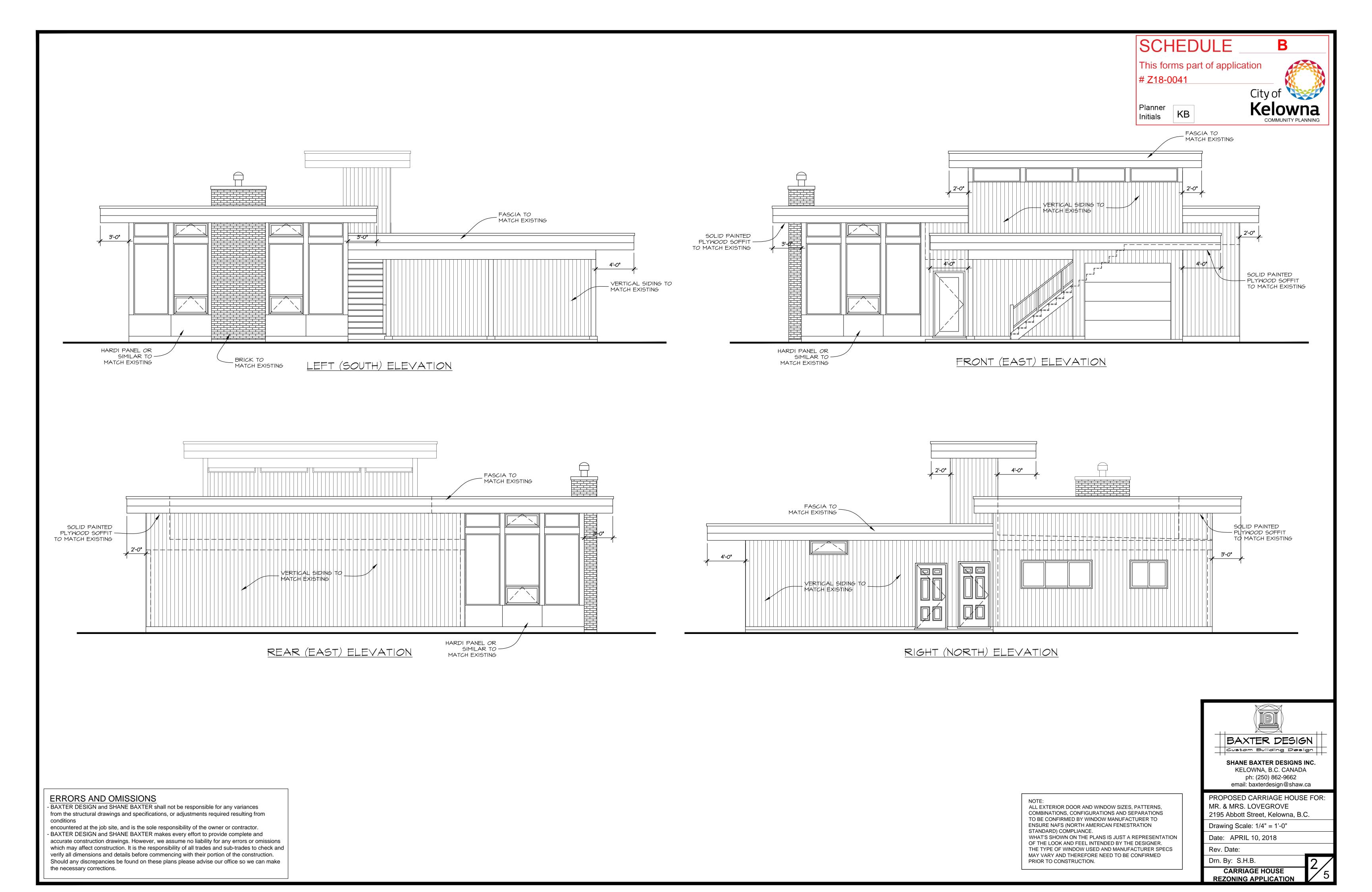
It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service applicant's to these services which would be at the applicant's cost.

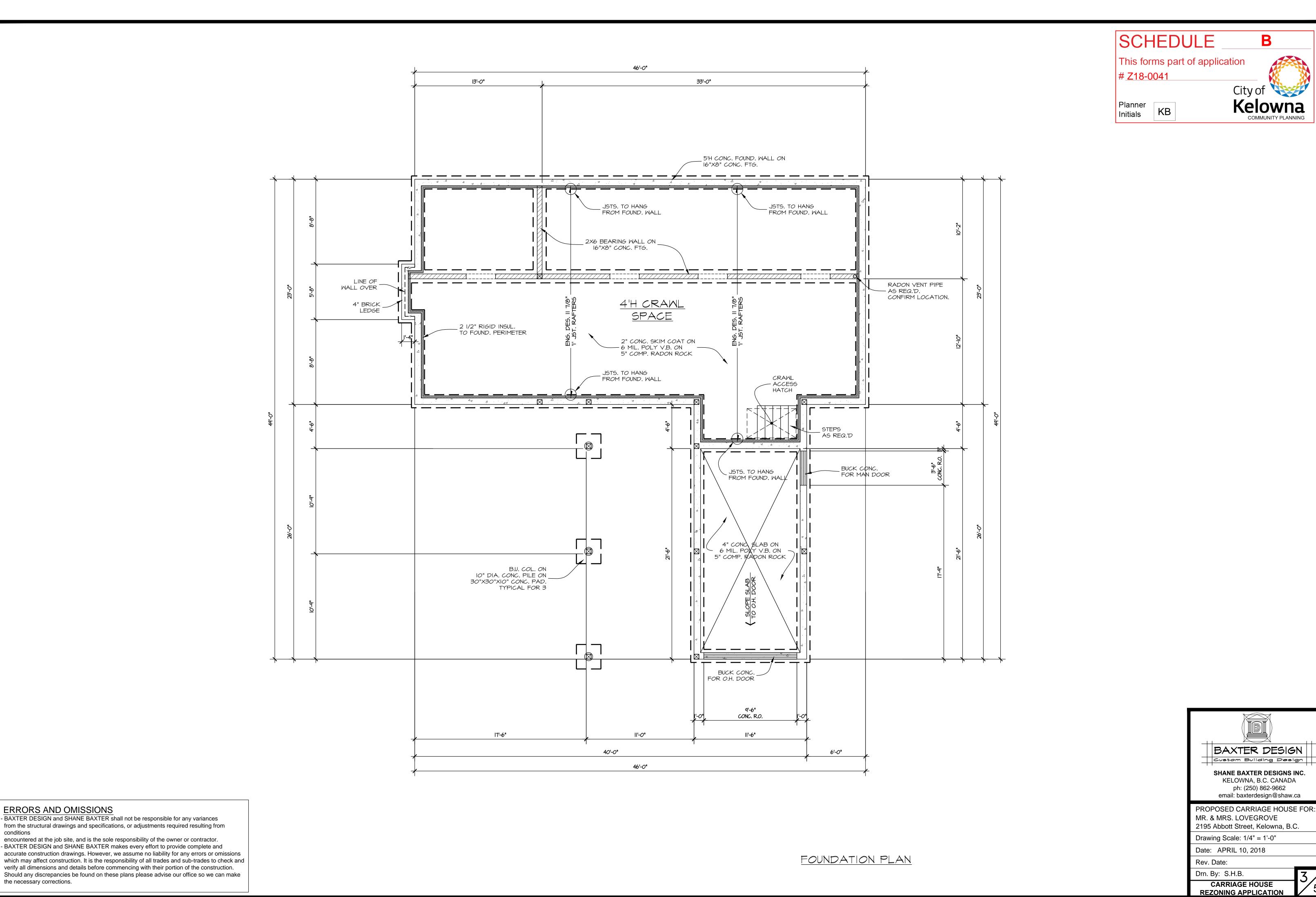
James/Kay, P. Eng.

Development Engineering Manager

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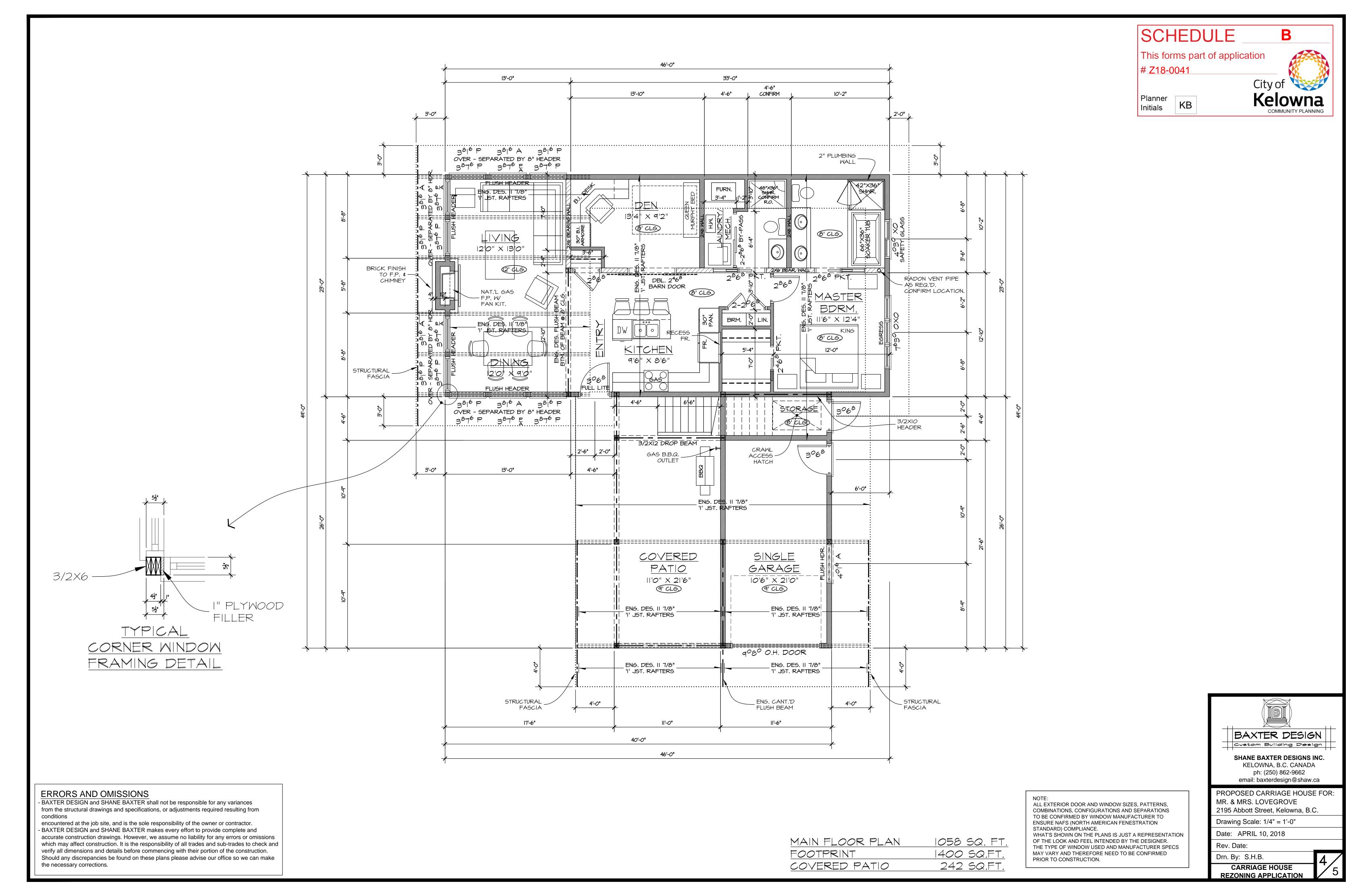
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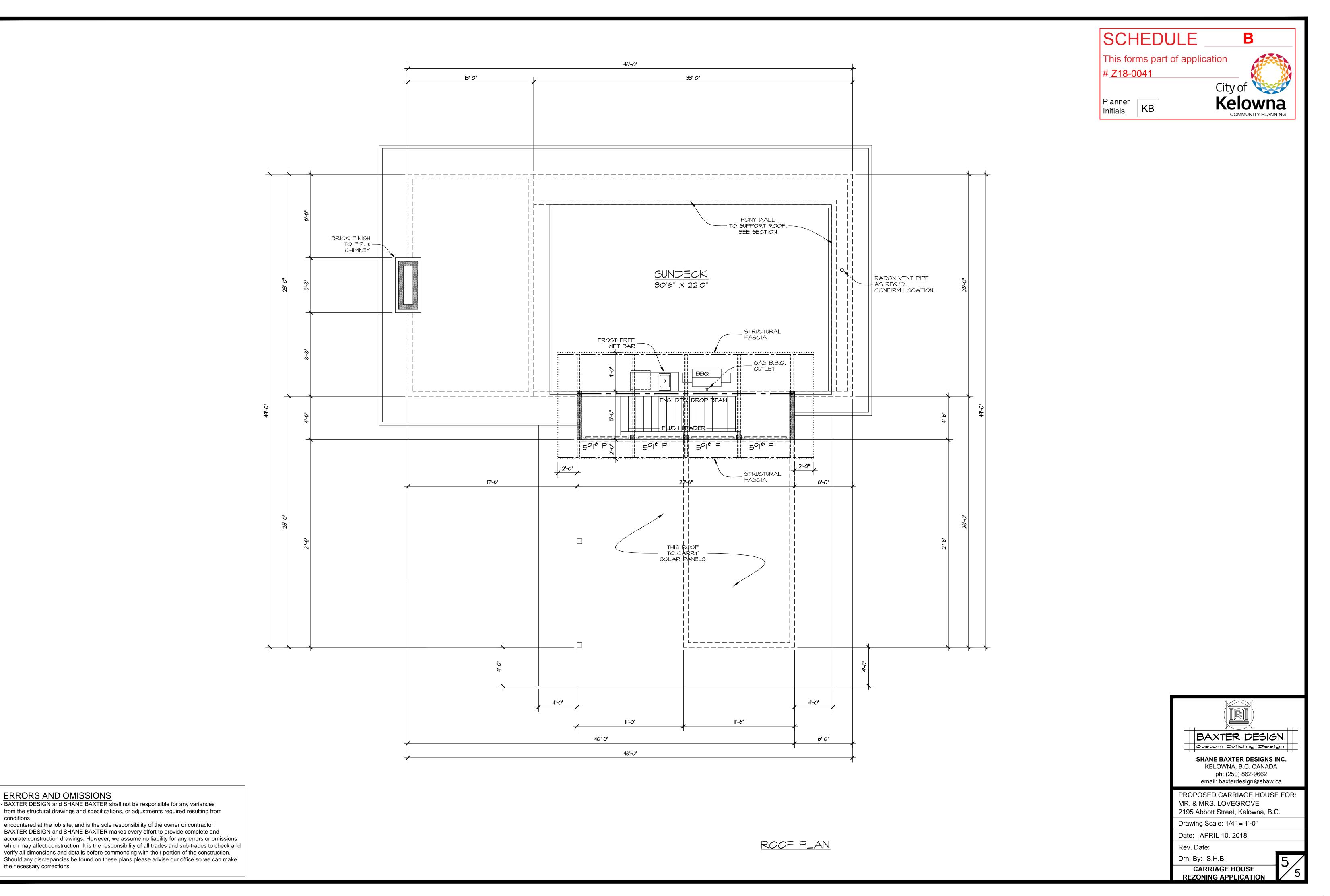
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# REPORT TO COUNCIL



**Date:** June 11, 2018

**RIM No.** 1250-30

To: City Manager

From: Community Planning Department (BBC)

Application: Z18-0020 Owner: Richard Laurent Therrien and

Daniel Jeffery Good

Address: 440 Bach Road Applicant: Richard Laurent Therrien

**Subject:** Rezoning Application

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1c – Large Lot Housing with Carriage House

#### 1.0 Recommendation

THAT Rezoning Application No. Z18-0020 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6, Section 26, Township 26, Osoyoos Division, Yale District, Plan 22499, located at 440 Bach Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone, be considered by Council;

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

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

#### 2.0 Purpose

To rezone the subject property from RU1 - Large Lot Housing zone to RU1c - Large Lot Housing with Carriage House zone to facilitate the development of a carriage house.

#### 3.0 Community Planning

Community Planning supports the proposed rezoning from RU1 - Large Lot Housing to RU1c - Large Lot Housing with Carriage House to facilitate the development of a carriage house.

The Official Community Plan (OCP) Future Land Use is designated as S2RES - Single/Two Unit Residential, which supports this modest increase in density and the property is located within the Permanent Growth Boundary with urban services. The concept of the carriage house is aligned with the OCP urban infill policy

of Compact Urban Form - increasing density where infrastructure already exists. The proposed one-storey carriage house also meets the OCP Policy of Sensitive Infill, which involves designing so that height and massing is sensitive to the existing context of the neighbourhood.

Should Council approve the rezoning, the applicant may apply for a demolition permit to remove an existing structure in the location of the proposed carriage house, then apply for a building permit, provided there are no variances requested.

To fulfill Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form to staff on February 20, 2018, outlining that the neighbours within 50 m of the subject property were notified.

#### 4.0 Proposal

#### 4.1 Background

The subject property currently has a single family dwelling and a small secondary structure located on the parcel. The single family dwelling will be retained through this development, whereas the existing secondary structure (located at rear, northeastern corner of the lot) will be demolished prior to the construction of the proposed carriage house on the same footprint as the existing secondary structure.

#### 4.2 Project Description

The applicant has provided proposed designs for the single storey carriage house, located at northeastern corner of the lot. Access to the proposed carriage house will be from Bach Road, and parking requirements for the proposed carriage house have been met. The proposed carriage house does not trigger any variances at this time.

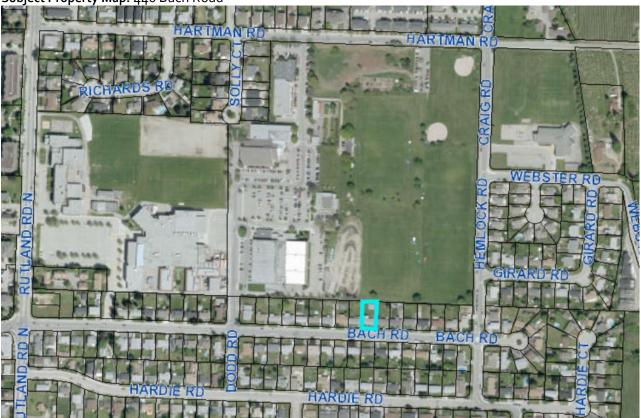
#### 4.3 Site Context

The subject property is located on Bach Road, between Dodd Road and Hemlock Road, approximately 500 meters east of Rutland Road, within the Rutland City Sector. The area is characterized primarily by single family dwellings, with Rutland Arena and Recreation Park, Rutland Elementary, and Rutland Middle and Senior School located immediately north of the subject property.

Adjacent land uses are as follows:

Orientation	Zoning Land Use		
North	P5LP – Municipal District Park (liquor primary)t	Rutland Arena and Recreation Park	
NOTUI	P2 — Educational and Minor Institutional	Rutland Middle and Senior School	
East	RU1 – Large Lot Housing	Residential	
	P2 - Educational and Minor Institutional	Rutland Elementary School	
South	RU1 – Large Lot Housing	Residential	
	RU6 – Two Dwelling Housing	Residential	
West	RU1 - Large Lot Housing	Residential	

Subject Property Map: 440 Bach Road



#### **Current Development Policies** 5.0

Kelowna Official Community Plan (OCP) 5.1

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

Carriage Houses & Accessory Apartments.3 Support carriage houses and accessory apartments through appropriate zoning regulations.

Urban Uses.<sup>4</sup> Direct urban uses to lands within the urban portion of the Permanent Growth Boundary, in the interest of reducing development and speculative pressure on agricultural lands.

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

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

<sup>&</sup>lt;sup>3</sup> City of Kelowna Official Community Plan, Policy 5.22.12 (Development Process Chapter).

<sup>4</sup> City of Kelowna Official Community Plan, Policy 5.33.3 (Development Process Chapter).

#### 6.o Technical Comments

#### 6.1 <u>Building & Permitting Department</u>

• Full Plan check for Building Code related issues will be done at time of Building Permit applications.

#### 6.2 <u>Development Engineering Department</u>

• Please see attached Development Engineering Memorandum (Attachment A) dated March 2, 2018.

#### 6.3 Fire Department

• No objections to zoning.

#### 7.0 Application Chronology

Date of Application Received: February 6, 2018
Date Public Consultation Completed: February 20, 2018

**Report prepared by:** Barbara B. Crawford, Planner

**Reviewed by:** Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

#### Attachments:

Attachment A – Development Engineering Memorandum Schedule A – Proposed Carriage House Site and Elevation Plans

## CITY OF KELOWNA

# MEMORANDUM

ATTACHMENT This forms part of application # Z18-0020 City of Planner Kelowna BC

Date:

March 02, 2018

File No.:

Z18-0020

To:

Community Planning (BC)

From:

Development Engineering Manager (JK)

Subject:

440 Bach Rd

Lot 6

Plan 22499 RU1 to RU1c Carriage House

Initials

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

#### Domestic Water and Fire Protection 1.

The property is located within the Black Mountain Irrigation District (BMID) service area. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. The developer is responsible, if necessary, to arrange with BMID staff for any service improvements.

#### Sanitary Sewer 2.

- a) Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service which is adequate for this application.
- b) This property is located within Sewer Specified Area #21A. The proposed carriage house will trigger additional cost share for 0.5 Single Family Equivalent (SFE) of the current pay-out rate for Sewer Specified Area #21A which is \$1276.11 per SFE. The cost for one SFE has previously been paid out for this property and the additional cost for the proposed carriage house is \$638.05 (\$1276.11 x 0.5 SFE) valid until March 31, 2018.

#### 3. Development Permit and Site Related Issues

Direct the roof drains onto splash pads.

Driveway access permissible is one (1) per property as per bylaw

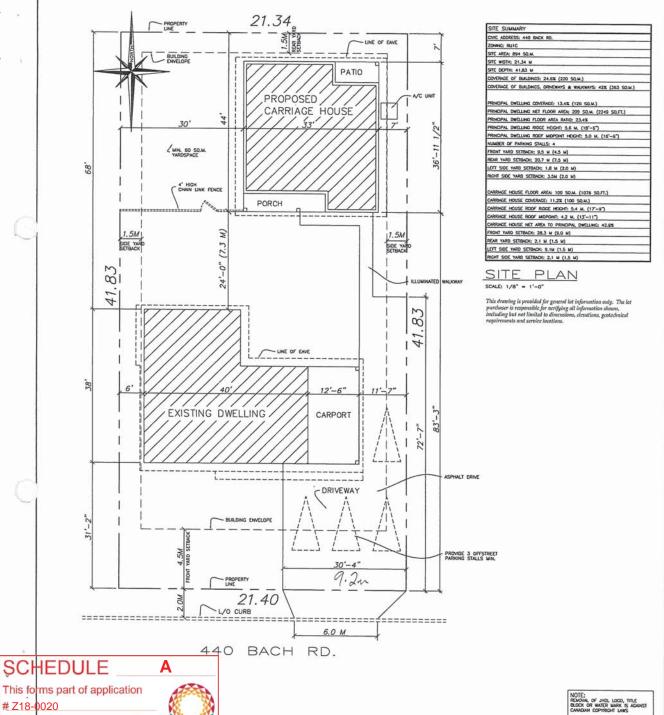
#### Electric Power and Telecommunication Services 4.

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

James Kay, P. Eng.

Development Engineering Manager

agm



ENGINEER'S ADDENDUMS, STRUCTURAL DETAILS, AND NOTES SUPERCEDE THOSE NOTED ON THIS GENERAL NOTE SHEET DEPENDING ON LOCAL CONDITIONS.

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Kelowna



