City of Kelowna Regular Council Meeting AGENDA



Tuesday, July 17, 2018 6:00 pm Council Chamber City Hall, 1435 Water Street

,	- 7 155		Pages
1.	Call to	Order	
2.	Reaffi	rmation of Oath of Office	
	The O	ath of Office will be read by Mayor Basran.	
3.	Confir	mation of Minutes	1 - 10
		Hearing - June 26, 2018 ar Meeting - June 26, 2018	
4.	Bylaw	s Considered at Public Hearing	
	4.1	Montgomery Rd 475 & 495, Z18-0037 (BL11629) - Singla Brothers Holdings	11 - 11
		To give Bylaw No. 11629 second and third readings in order to rezone the subject properties from the RU1 - Large Lot Housing zone to the RM1 Four Dwelling Housing zone.	
	4.2	Quesnel Rd 2820, Z18-0015 (BL11630) - Roderick Glenn Myers & Lorrie Joy Myers	12 - 12
		To give Bylaw No. 11630 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.	
	4-3	Clifton Rd 1140, Z18-0022 (BL11631) - City of Kelowna	13 - 13
		To give Bylaw No. 11631 second and third readings in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone.	
	4.4	Harvey Ave 1033, Z18-0025 (BL11632) - The Howard-Fry Housing Society	14 - 14
		To give Bylaw No. 11632 second and third readings in order to rezone the subject property from the RU6 - Two Dwelling Housing zone to the RU6b - Two Dwelling	

Housing with Boarding or Lodging House zone.

To give Bylaw No. 11633 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.

5. Notification of Meeting

The City Clerk will provide information as to how the following items on the Agenda were publicized.

6. Development Permit and Development Variance Permit Reports

6.1 Tower Ranch Dr 1511, DVP18-0081 - Parkbridge Lifestyle Communities Inc.

16 - 52

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 request by the applicant to reduce the required 4.5m front yard setback stipulated within the RU5 development regulations of the City's zoning bylaw.

6.2 Union Rd 1975, DP18-0117 & DVP18-0118 - Sarancorp Developments Ltd. & 1126101 BC Ltd.

53 - 73

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 of a mixed use development and to consider a height variance from 2 ½ storeys to 3 storeys.

7. Reminders

8. Termination



City of Kelowna Public Hearing Minutes

Date:

Tuesday, June 26, 2018

Time:

6:00 pm

Location:

Council Chamber

City Hall, 1435 Water Street

Council Members

Present:

Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given,

Tracy Gray, Charlie Hodge, Brad Sieben, Mohini Singh and Luke Stack

Staff Present:

City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Urban Planning Manager, Terry Barton; Acting Divisional Director Community Planning & Strategic Investments, Derek Edstrom; Community Planning Department Manager, Ryan Smith; Planner Trisa Atwood; Planner, Kim Brunet*;

Legislative Coordinator (Confidential), Clint McKenzie

(*Denotes partial attendance)

1. Call to Order

Mayor Basran called the Hearing to order at 6.03 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 at City Hall on Tuesday, June 12, 2018 and by being placed in the Kelowna Daily Courier issues on Friday June 15 and Wednesday, June 20 and by sending out or otherwise mailing 150 statutory notices to the owners and occupiers of surrounding properties on Tuesday, June 12, 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 Hwy 33 E 1759, Z17-0065 (BL11625) - Ki-Low-Na Friendship Society, Inc. No. S-10638

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that the following correspondence was received:

Letters of Opposition and Concern:

Dirk Welch, Lynrick Road

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

Pat McCuster, Architect, Applicant

The Applicant was present and available for questions

Endna Terbasket, Executive Director, Ki-Low-Na Friendship Society

- Displayed a PowerPoint presentation.

- Provided an overview of services and community events offered through the Society.

Gallery:

Emily Nan, Lynrick Road

- Raised concern with lack of privacy this development will create

- Raised concern with safety as neighbourhood already has sufficient density and this will add to the population in a small area.
- Raised traffic concerns the development will bring and limited site access.

Raised concern with impacts on her view.

- Neighbourhood property already zoned for townhouses would be a preferable option.
- Raised concern with impacts on the environment and water runoff issues.
- Raised concern development will decrease her property value.
- Opposed to proposed building height.
- Responded to questions from Council.

David Crowe, Lynrick Road

Referenced correspondence circulated to staff in April.

- Raised concerns with environmental impacts and that building appears to be located partially in the riparian area.
- Raised concerns with traffic and site access.
- Opposed to height variance and impacts on existing views.
- Raised concerns with impacts on area parking and not enough visitor parking onsite.
- Raised concerns on where the future educational and care centre will be built on the site.

Cheryl Carlson, Lynrick Road

- Raised concern with parking.
- Raised concern that Black Mountain neighbourhood is changing.

Raised concerns with impacts on property values.

- Raised concern that use will be low income rental and that this isn't the best location for such a use given the adjacent highway and school.
- Noted lack of bus service in the area.
- Responded to questions from Council.

Pat McCuster, Architect, Applicant

- Confirmed building is not within the riparian area.

- Confirmed all site water will be retained and gradually fed into City system; there will not be any water runoff.
- Responded to questions from Council.

There were no further comments.

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

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.

The Applicant was present and available for questions

Gallery:

No one from the Gallery came forward.

There were no further comments.

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

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: Pat Moore, Bach Road Robert Banish, Bach Road

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

Rick Therrien, Applicant

- Confirmed property is currently rented and there have been parking issues in the bike lane.
- Confirmed future tenants will abide by the parking requirements.

Gallery:

Steve Elder - Bach Rd.

- Raised concerns with parking.
- Concerned if building was to be larger than the single story being asked for, no bigger than that.

There were no further comments.

4. Termination

The Hearing was declared terminated at 6:55 p.m.

City Clerk Mayor Basran /cm



City of Kelowna **Regular Meeting** Minutes

Date: Location: Tuesday, June 26,2018 Council Chamber

City Hall, 1435 Water Street

Council Members

Present:

Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given,

Tracy Gray, Charlie Hodge, Brad Sieben, Mohini Singh and Luke Stack

Staff Present:

City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith*; Urban Planning Manager, Terry Barton; Planner II, Trisa Atwood; Acting Divisional Director Community Planning & Strategic Investments, Derek Edstrom; Financial Services Divisional Director Genelle Davidson*; Legislative Coordinator

(Confidential), Clint McKenzie

(*Denotes partial attendance)

Call to Order

Mayor Basran called the meeting to order at 6:55 p.m.

Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Luke Stack.

Confirmation of Minutes 3.

Moved By Councillor Hodge/Seconded By Councillor Singh

R634/18/06/26 THAT the Minutes of the Public Hearing and Regular Meeting of June 11, 2018 be confirmed as circulated.

Carried

Bylaws Considered at Public Hearing

Hwy 33 E 1759, Z17-0065 (BL11625) - Ki-Low-Na Friendship Society, Inc. No. S-4.1 10638

Moved By Councillor Singh/Seconded By Councillor Stack

R635/18/06/26 THAT Bylaw No. 11625 be read a second and third time.

Carried

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

Moved By Councillor Singh/Seconded By Councillor Stack

R636/18/06/26 THAT Bylaw No. 11626 be read a second and third time.

Carried

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

Moved By Councillor Hodge/Seconded By Councillor Donn

R637/18/06/26 THAT Bylaw No. 11627 be read a second and third time.

Carried

5. Notification of Meeting

The City Clerk advised that Notice of Council's consideration of these *Development Variance Permit Applications* was given by sending out or otherwise mailing 93 statutory notices to the owners and occupiers of surrounding properties on Tuesday, June 12, 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 Norris Rd S 2330-2350, DP18-0071 & DVP18-0070 - R 354 Enterprises Ltd.

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.

The Applicant was present and available for questions.

Gallery:

No one from the Gallery came forward.

There were no further comments.

Moved By Councillor Hodge/Seconded By Councillor Gray

R638/18/06/26 THAT Council authorizes the issuance of Development Permit No. DP18-0071 and Development Variance Permit No. DVP18-0070 for Lot 3, Section 2, Township 23, ODYD, Plan EPP67824, located at 2330-2350 Norris Road S, Kelowna, BC subject to the following:

The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"

The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";

Landscaping to be provided on the land be in accordance with Schedule "C";

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 section of Zoning Bylaw No. 8000 be granted:

Section 15.2.5(e): 12 - General Industrial Development Regulations

To vary the required minimum flanking side yard from 6.0 m permitted to 0.0 m 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.

Carried

6.2 Pacific Ave 1155, Z17-0051 (BL11519) - Necessary Homes Inc.

Moved By Councillor Hodge/Seconded By Councillor Gray

R639/18/06/26 THAT Bylaw No. 11519 be adopted.

Carried

6.3 Pacific Ave 1155, DP17-0141 & DVP17-0142 - Necessary Homes Inc

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:

Caroline Dacyk, Brookside Avenue Irene Schoenfeld, Brookside Avenue P and T Bonk, Brookside Avenue

Letters of Support:

Thomas Illichmann, Gordon Dr., Pacific Ave Joseph Higgins, Pasnak Street Darwin Bates, Pasnak Street

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

Dave Sargent, Applicant

- Displayed a PowerPoint presentation, including a CHBC news video.

- Confirmed derelict building on site at time of purchase was demolished after obtaining ownership of property.

Spoke to rationale behind the variances being requested.

- Spoke to the "passive house" standard building will be constructed to, which meets Step 3 of the upcoming 2020 provincial Step Code making the building 70% more efficient than if it was built only to code.
- Responded to questions from Council.

Gallery:

Maria Franz - Pacific Ave

- Supportive of land use, concerned with the number of variances being requested.
- Asked if Council grants seven variances, will other developers be able to obtain seven variances as well.
- Responded to questions from Council.

There were no further comments.

Moved By Councillor Given/Seconded By Councillor Stack

R640/18/06/26 THAT final adoption of Rezoning Bylaw No. 11519 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit and Development Variance Permit No. DP17-0141 and DVP17-0142 for Lot 1 Block 1 District Lot 137 ODYD Plan 5042, located at 1155 Pacific Avenue, 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 8.1.11 (b): Size and Ratio

To vary the minimum ratio of full parking stalls from 50% required to 41% proposed;

Table 8.1 - Parking Schedule

To vary the required minimum parking stalls from 20 stalls required to 17 stalls proposed;

Section 13.10.6 (c): RM4 — Transitional Low Density Housing Development Regulations
To vary the maximum height from 13.0m or 3 storeys to 12.0m or 3 ½ storeys;

<u>Section 13.10.6 (d): RM4 – Transitional Low Density Housing Development Regulations</u> To vary the required minimum front yard from 6.om required to 3.66m proposed;

Section 13:10.6 (e): RM4 – Transitional Low Density Housing Development Regulations To vary the required flanking street side yard from 4.5m required to 3.0m proposed;

<u>Section 13.10.6 (e): RM4 – Transitional Low Density Housing Development Regulations</u>
To vary the required minimum side yard for an accessory building from 2.3m required to 1.2m proposed;

<u>Section 13.10.6 (f): RM4 – Transitional Low Density Housing Development Regulations</u>
To vary the required minimum rear yard from 9.om (above three storeys) required to 2.8m proposed.

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 permits to be issued;

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.

Carried

7. MFA Borrowing for Local Area Service for Aspen Road

Staff:

- Explained the reason for the report being added to the agenda.

- Summarized the MFA borrowing process and why a City resolution is required.

Moved By Councillor DeHart/Seconded By Councillor Hodge

<u>R641/18/06/26</u> THAT Council approves borrowing from the Municipal Finance Authority of British Columbia, as part of their 2018 fall issue, \$48,000 as authorized through Loan Authorization Bylaw No. 11275 which authorized the Local Area Service for Aspen Road.

AND THAT the Regional District of Central Okanagan be requested to prepare a security issuing bylaw with a 20-year term.

Carried

8. Reminders

Councillor Donn:

- Councillor Bob Spiers of City of Vernon passed away.

Mayor Basran:

- Passed condolences to his family on behalf of Council.

9. Termination

The meeting was declared terminated at 8:11 p.m.

Mayor Basran
/cm

BYLAW NO. 11629 Z18-0037 — 475 & 495 Montgomery Road

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

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

- 1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2 & 3 Section 26 Township 26 ODYD Plan 7783, located on Montgomery Road, Kelowna, BC from the RU1 Large Lot Housing zone to the RM1 Four 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.

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Read a first time by the Municipal Council this 18 th day of	June, 2018.
Considered at a Public Hearing on the	
Read a second and third time by the Municipal Council th	is
Approved under the Transportation Act this	
(Approving Officer – Ministry of Transportation)	
Adopted by the Municipal Council of the City of Kelowna	this
-	Mayor
	City Clerk

BYLAW NO. 11630 Z18-0015 - 2820 Quesnel Road

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

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

- 1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 6, District Lot 135, Osoyoos Division Yale District, Plan 18974, located on Quesnel Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.

 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 25 th day of June, 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	
City Clerk	

BYLAW NO. 11631 Z18-0022 — 1140 Clifton Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1, Section 30, Township 26, ODYD, Plan KAP84822, located on Clifton Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.

 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 25 th day of June, 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
City Clerk

BYLAW NO. 11632 Z18-0025 – 1033 Harvey Avenue

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

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

- 1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1, District Lot 138, ODYD, Plan 7765, Except Plans H16278 and 36604, located on Harvey Avenue, Kelowna, BC from the RU6 Two Dwelling Housing zone to the RU6b Two Dwelling Housing with Boarding or Lodging 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 25 th day of June, 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	
May	or/
City Cle	erk

BYLAW NO. 11633 Z18-0031 – 1438 Mountain Avenue

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

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

- 1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2, Section 30, Township 26, ODYD, Plan 9180, located on Mountain Avenue, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.
- This bylaw shall some into full force and effect and is hinding on all persons as

of adoption.
Read a first time by the Municipal Council this 25 th day of June, 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
City Clerk

REPORT TO COUNCIL



Date: July 17, 2018

RIM No. 0940-50

To: City Manager

From: Community Planning Department (BBC)

1511 Tower Ranch Drive

Address: Applicant: WSP

Phases 3 and 4

Subject: Development Variance Permit – Front Yard Setback

Existing OCP Designation: S2RES – Single / Two Unit Residential

PARK – Major Park and Open Space (public)

Existing Zone: RU5 – Bareland Strata Housing

P3 - Parks and Open Spaces

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0081, for portions of Lot A, Section 31, Township 27, Osoyoos Division Yale District, Plan EPP66524, Except Strata Plan EPS2195 (Phase 2), located at 1511 Tower Ranch Drive, Kelowna, BC.

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

Section 13.5.6 (c): RU5 – Bareland Strata Housing (Development Regulations)

To vary the site front yard from 4.5 m permitted to 3.0 m proposed, for the following proposed Lots of the proposed subdivision as set out in Schedule "A" and Schedule "B" attached to the Report from the Community Planning Department dated July 17, 2018, with the exception that a garage or carport shall be no less than 6.0 metres from a curb or sidewalk:

- proposed Lot 91 to 103;
- proposed Lot 106 to 122;
- proposed Lot 124 and 125;
- proposed Lot 130 to 136; and
- proposed Lot 147 to 160.

To vary the site front yard from 4.5 m permitted to 1.5 m proposed, for the following proposed Lots for the following proposed Lots of the proposed subdivision as set out in Schedule "A" and Schedule "B" attached

to the Report from the Community Planning Department dated July 17, 2018, with the exception that a garage or carport shall be no less than 6.0 metres from a curb or sidewalk:

- proposed Lot 104 and 105; and
- proposed Lot 137 to 146.

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

2.0 Purpose

To consider a request by the applicant to reduce the required 4.5m front yard setback stipulated within the RU5 development regulations of the City's zoning bylaw.

3.0 Community Planning

Community Planning Staff are supportive of the proposed variance to the Zoning Bylaw to reduce the front yard setback from 4.5 m permitted to 3.0 m proposed for 53 single unit bareland strata lots, and to reduce the minimum front yard setback from 4.5 m permitted to 1.5 m proposed for 12 lots in the proposed Phase 3 and 4 developments (Schedule A: SP-5), for a total of 67 lots. The variance is considered in the context of the Development Permit (DP17-0087) which identifies No-Disturb areas along the back yards of the subject lots, and the challenges of reducing cut and fill slopes in a hillside area.

The variance does not compromise any municipal infrastructure or services, and is not expected to result in any negative impacts on adjoining properties.

To fulfill the requirements of Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form on May 2, 2018, outlining that neighbours within 50 m of the subject property were notified.

4.0 Proposal

4.1 Background

In 2012, Tower Ranch Lots 3, 4 and 6 were purchased by Parkbridge Lifestyle Communities Inc. (Parkbridge). Parkbridge develops communities based on a life lease concept, whereby the owner developer maintains ownership and management through the life of the development.

The proposed Development Variance Permit has been designed in accordance with their Phase 3 and 4 Development Plan, as well as geotechnical and environmental assessments, under DP17-0087. The setbacks are consistent with the variances to the front yard setback authorized in Phases 1 and 2 of the same development.

4.2 <u>Project Description</u>

The applicant is seeking variances to the minimum front yard required in order to accommodate the site's challenging topography, varying hillside grades and environmentally sensitive areas to allow for hillside development (Schedule A: SP-1A, SP-1B, SP-2A, and SP-2B). Staff notes that the required 6.0 m from the garage to the back of curb and/or sidewalk will be maintained in all cases, such that an additional car may be accommodated in this location, while allowing for pedestrian passage along the sidewalk (Schedule A: SP-1C and SP-2C).

The front yard setback variances would enable the siting of housing structures on subject lots to be located closer to the street front, whilst keeping farther from hillside slopes and environmental sensitive areas. Additionally, the following environmental and community objectives would be achieved (Attachment B):

- Cut-and-fill impacts are minimized;
- Visual hillside scaring limited;
- Attractive and safe streetscapes, complete with sidewalks and street trees;
- Enhanced pedestrian friendly streetscape through the home's orientation, reduces setback, massing and design is enabled, which is consistent with Phases 1 and 2;
- Social opportunities for residents to interact with neighbours and pedestrians is encouraged; and,
- A softening effect to the vehicle carriage-way is added, resulting in an enriched public realm.

Streetscape cross sections (Schedule B) provided by the applicant illustrates the above mentioned objectives.

4.3 Site Context

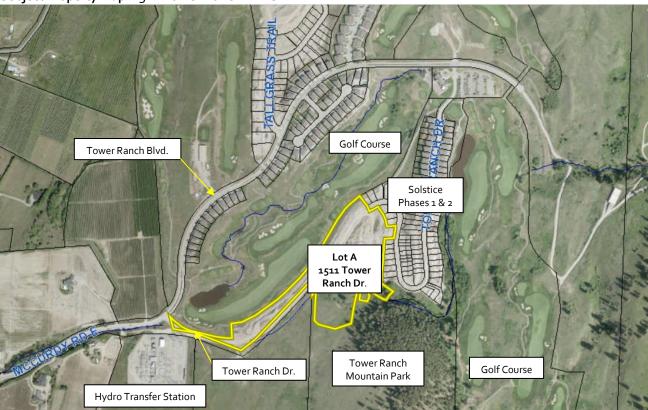
The site is located on the upper McCurdy Bench in the Rutland Sector of the OCP. The Tower Ranch Golf Course lies to the west of the subject property. Solstice Phases 1 and 2 are currently being developed and are owned by the applicant, and offered through long term lease agreements. Solstice Phases 1 and 2 lie to the north and east, respectively, of Phases 3 and 4. The Tower Ranch Clubhouse lies further to the north. The site also has a statutory right of way registered for public access along a proposed trail system, linking into Tower Ranch Mountain Park, located to the south.

Residential properties are located further to the west and north along Tower Ranch Boulevard, Split Rail Place, Tallgrass Trail and Foxtrail Terrace. Additional residences are being developed to the north of Tower Ranch Boulevard and Tallgrass Trail.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU5 – Bareland Strata Housing P3 – Park and Open Space P3LP – Parks and Open Space w/ Liquor Primary Clubhouse CD6 - Comprehensive Residential Golf Course	Bareland Strata Housing (Solstice Phases 1 and 2) Golf Course Golf Course Clubhouse
East	P ₃ – Park and Open Space RU1 – Large Lot Housing	Golf Course Residential
South	A1 – Agriculture 1 P3 – Park and Open Space	Rural Residential Tower Ranch Mountain Park Hydro Transfer Station
West	RU5 – Bareland Strata Housing RM2 – Low Density Row Housing P3 – Park and Open Space	Bareland Strata Housing (Solstice Phases 1 and 2) Residential Golf Course

Subject Property Map: 1511 Tower Ranch Drive



4.4 Zoning Analysis Table

A comparison of required and proposed zoning regulations for RU5 is shown in the table below.

	Zoning Analysis Table	
CRITERIA	ZONE REQUIREMENTS RU ₅	PROPOSAL
	Development Regulations	
Front Yard	4.5 m or 6.om for a garage or carport	3.0 m (51 lots) • 1.5 m (12 lots) • 6.om for a garage or carport
Side Yard	3.0 m	3.0 m
Rear Yard	6.o m	6.o m
	Other Regulations	
	Minimum Parking Requirements	
Bicycle Parking	N/A	N/A
Private Open Space	Required yards and 10% of site shall be open space	Required yards and 10% of site shall be open space
Indicates a requested variances		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

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

Cluster Housing.² Require new residential development to be in the form of cluster housing on / or near environmentally sensitive areas and areas of steeper slopes to lessen site disturbance and environmental impact on those areas identified on the Future Land Use Map 4.1 as single-two unit residential hillside. Steeply sloped areas should be retained as natural open space, public

or private. The intent of the clustering would be to preserve features identified through the Development Permit process that otherwise might be developed and to maximize open space in order to:

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

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

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

Design for People and Nature. Structure new neighbourhoods around parks, pedestrian and bike routes, open spaces, and environmental areas, rather than around roadways and cars.

6.o Technical Comments

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

- Any retaining walls or slope stability to platform the building sites are required to be designed by a
 qeotechnical engineer and the work done as part of the subdivision.
- Locations of rock pits to clearly determined on site grading plans and comment for design should be provided in the geotechnical report
- Roof water disposal to be determined by geotechnical engineer at time of sub division. If the roof
 water is connected to storm then engineering details should be provided since this requirement is
 not within the Building Code. Details should include slope of piping, clean outs, connection to
 dwelling, size of pipe, backflow protection etc

¹ City of Kelowna Official Community Plan, Policy 5.15.12 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.22.1 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.23.1 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 5.36.2 (Development Process Chapter).

⁵ City of Kelowna Official Community Plan, Policy 5.36.3 (Development Process Chapter).

- Any sloped areas above the building platform should have a drainage swale system before the property line to deal with potential overland water flows issues.
- Fire department should provide comment on the required turn a rounds or hammer heads required for phased road construction.

6.2 <u>Development Engineering Department</u>

Please see attached Development Engineering Memorandum (Attachment A)

6.3 <u>Fire Department</u>

• The fire department is concerned about the length of the cul de sacs in this area for egress.

7.0 Application Chronology

Date of Application Received: March 13, 2018
Date Public Consultation Completed: May 2, 2018

Report prepared by: Barbara B. Crawford, Planner

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

Attachments:

Attachment A – Development Engineering Memorandum dated April 24, 2018

Attachment B - Applicant's Rationale Letter

Schedule A – Phases 3 & 4 Key Site Plan, Boulevard Plan, Variance Plans, and Driveway Setbacks

Schedule B – Streetscape Cross Sections – illustrating proposed 1.5 meter and 3.0 meter front yard setback, compared to Bylaw 8000 required front yard setback (4.5m)

MEMORANDUM

Date:

April 24, 2018

File No.:

DVP18-0081

To:

Suburban and Rural Planning (BC)

From:

Development Engineering Manager (JK)

Subject:

1511 Tower Ranch Dr.

Lot A Sect. 31 Tp 27 ODYD Plan EPP66524 Except Strata Plan EPS2195

Setback Variance

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

The application for a development variance permit to vary the minimum front yard setback for the proposed subdivision lots from 4.50m required to 1.5m proposed (lots 104-105, 137-146) and 4.50m to 3.0m proposed (lots 91-103,106-136, 147-160) does not compromise any City of Kelowna municipal infrastructure.

James Kay, P. Eng.

Development Engineering Manager

agm





February 09, 2018 Revised June 4, 2018, per City request

City of Kelowna 1435 Water Street Kelowna, BC V1Y 1J4

Attn: Barbara Crawford

Subject: Solstice Ph. 3 + 4 | Front Yard Development Setback DVP

On behalf of Parkbridge Lifestyle Communities Inc. (Parkbridge) please accept this Development Variance Permit (DVP) application for front yard development setbacks to the Phase 3 and 4 proposed subdivision lots. The current legal description of the parent parcel, which was issued a PLR (S17-0040) in November 2017 is:

LOT A SECTION 31 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP66524 EXCEPT STRATA PLAN EPS2195

On November 3, 2017, the City provided Parkbridge a PLR letter for Phase 3 and 4 within the Solstice development, which encompasses 70 bareland strata lots and will comply with the RU5 zone development regulations. In preparation for Parkbridge's Final Subdivision application submission, we are aspiring to achieve this subject DVP.

PROPOSED APPLICATION

The Phase 3 and 4 subdivision area presents multiple hillside development challenges, resulting in extreme lot siting 'pinch-points'. The drawings and figures accompanying Parkbridge's Development Permit (DP) application submittal (Spring 2017) clearly illustrate the site's challenging topography, varying hillside grades, and environmentally sensitive areas.

Parkbridge aspires to honour the City's policies, goals, objectives, and imposed PLR conditions as it relates to hillside development, best-practice hillside development approaches, and legal registration of no-build covenants. While the foregoing is achievable, it requires a relaxation of the City's RU5 front yard development setback regulation. Therefore, the request for the Phase 3 and 4 DVP includes a variance to the required 4.5 metre front yard setback stipulated within the RU5 development regulations of the City's zoning bylaw. The specifics of the proposed front yard development setbacks are noted within the following table and illustrated within the enclosed supplemental figures.

540 Leon Avenue Kelowna, BC, Canada VIY 6J6

T.: +1 250 869-1334 F: +1 250 862-4849



Proposed Lot-Specific Development Setback Variances

Phase 3 + 4 Subdivision Lots	Zoning	Bylaw 8000 Required Front Yard Setback	Proposed Front Yard Setback
104 -105, 137-146	RU5	4.5 metres	1.5 metres
91-103, 106 -122, 124, 125, 130-136, 147- 160	RU5	4.5 metres	3.0 metres

The granting of a variance to front yard development setbacks will enable the siting of housing structures on building lots to be located closer to the street front, yet farther from hillside slopes and environmentally sensitive areas. In applying this site development approach:

- 1) 'Cut and fill' impacts are minimized;
- 2) Visual hillside scaring is limited;
- 3) Attractive and safe streetscapes, complete with sidewalks and street trees are achieved;
- 4) Enhanced pedestrian-friendly streetscape through the home's orientation, reduced setback, massing and design is enabled, which will be consistent with Phases 1 and 2;
- 5) Social opportunities for residents to interact with neighbours and pedestrians that considers the neighbourhood's target demographic is encouraged; and
- 6) A softening effect to the vehicle carriage-way is added, thus enriching the public realm.

NOTABLE CONTEXT + BACKGROUND

As part of this proposed DVP application, we wish to highlight the following:

- At the inception of this project in 2013, our team communicated to City staff that a front yard setback DVP throughout each development phase would be need to facilitate the overall development. City staff indicated guarantees on DVP approvals could not be provided. However, City staff understood the site development challenges Parkbridge faced and relayed a front yard development setback DVP for the Solstice development would be support (as illustrated within DWG 'SP-5);
- While we are requesting two different front yard development setback relaxations for various parcels, please note that <u>all</u> site development on each lot will include a 6.0 metre setback from back of curb to face of garage, per Sec. 13.5.6 (f) of Bylaw No. 8000.

APPLICATION INFORMATION

As required, please find enclosed the following information in support of this application:

- 1 completed City of Kelowna Development Proposal Application form;
- 1 Certificate of Title; and
- 1 authorization letter from the landowner.





SUPPLEMENTAL APPLICATION INFORMATION

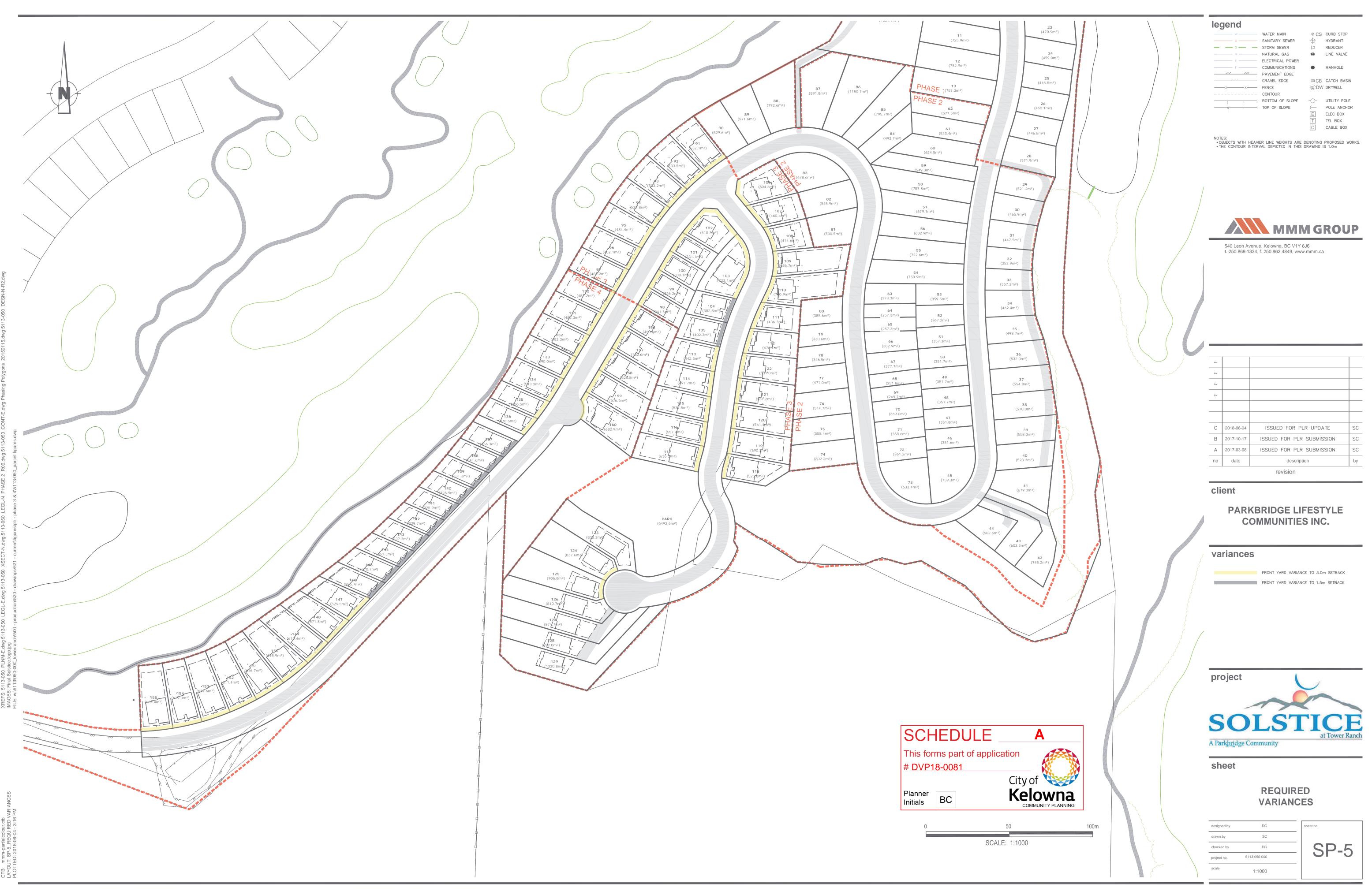
In an effort to enhance this DVP application, we have included the following supplemental application information for your review:

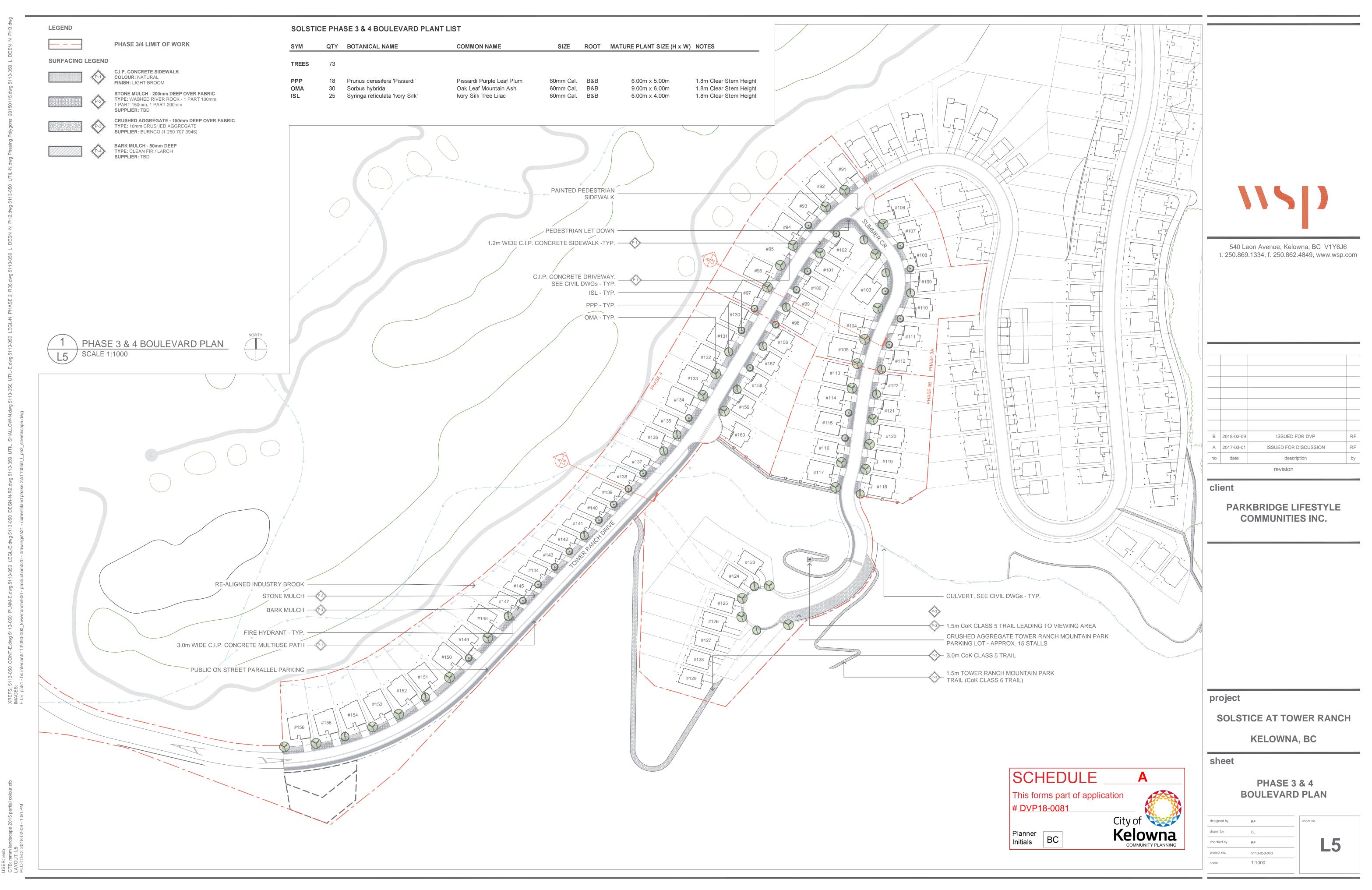
- a) one comprehensive drawing illustrating proposed Phase 3 and 4 variances (SP-5):
- b) drawings illustrating specific location of each proposed variance and conformance to Sec. 13.5.6 (f) of Bylaw No. 8000 (SP 1A through SP-2C);
- c) a draft boulevard plan demonstrating Tower Ranch Drive streetscape (L5); and
- d) a 'typical' road cross-section illustrating the relationship between the streetscape and homes (L8).

Should you have any questions or require clarification on any aspect of this application, feel free to contact me at 250-469-7735 or by email me at: **Davin.Shillong@wsp.com**. Sincerely,

[ORIGINAL SIGNED]

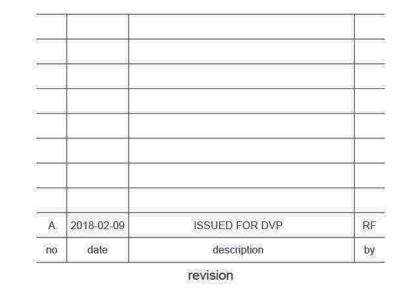
Davin A. Shillong, MCIP, RPP
Project Manager







540 Leon Avenue, Kelowna, BC V1Y6J6 t. 250.869.1334, f. 250.862.4849, www.wsp.com



client

PARKBRIDGE LIFESTYLE COMMUNITIES INC.



project

SOLSTICE AT TOWER RANCH

KELOWNA, BC

sheet

This forms part of application

City of Kelowna COMMUNITY PLANNING

#_DVP18-0081

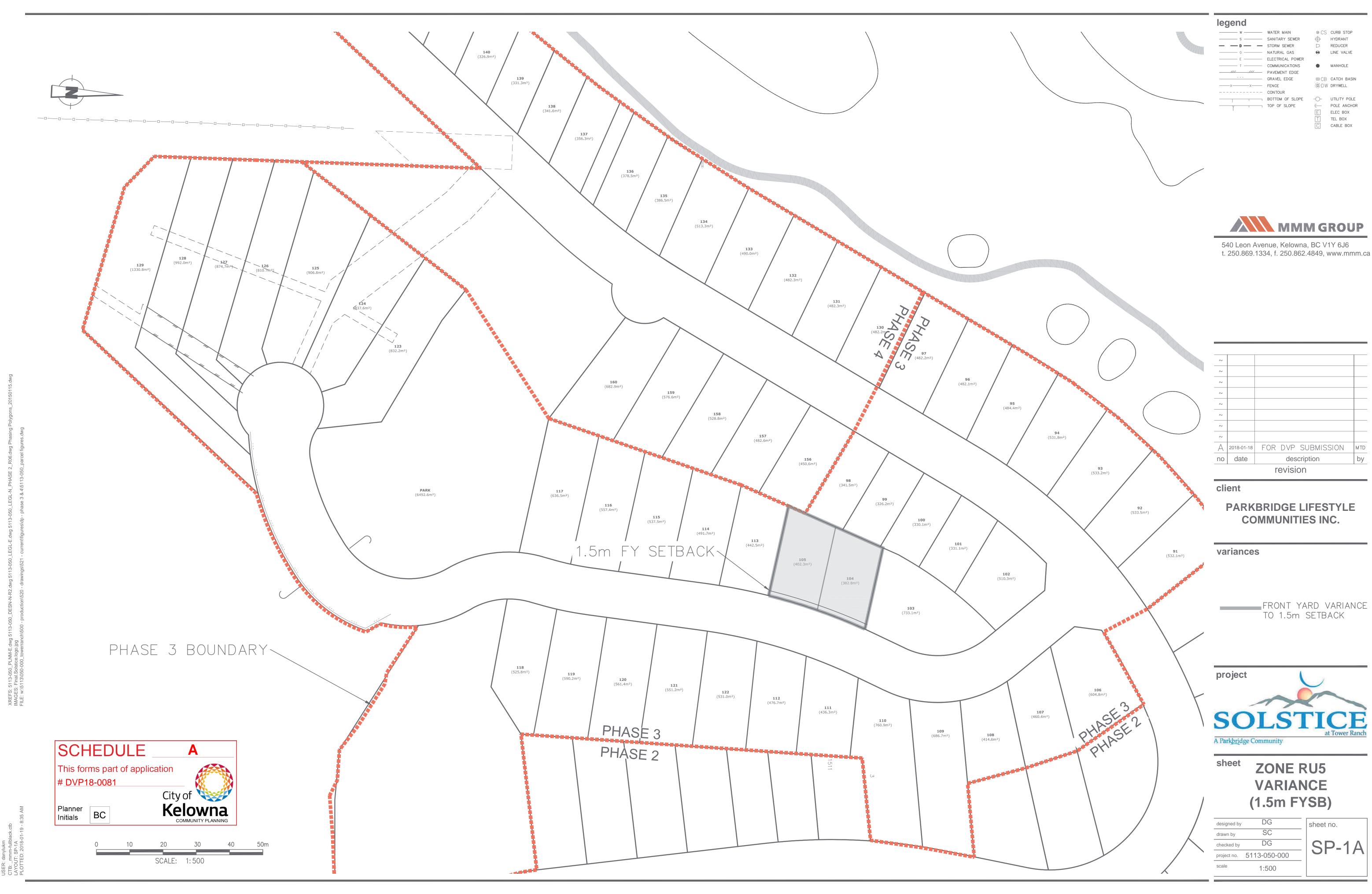
Planner Initials BC PHASE 3 & 4 STREETSCAPE SECTIONS

designed by	RF
drawn by	BL
checked by	RF
project no.	5113-050-000
scale	1:150

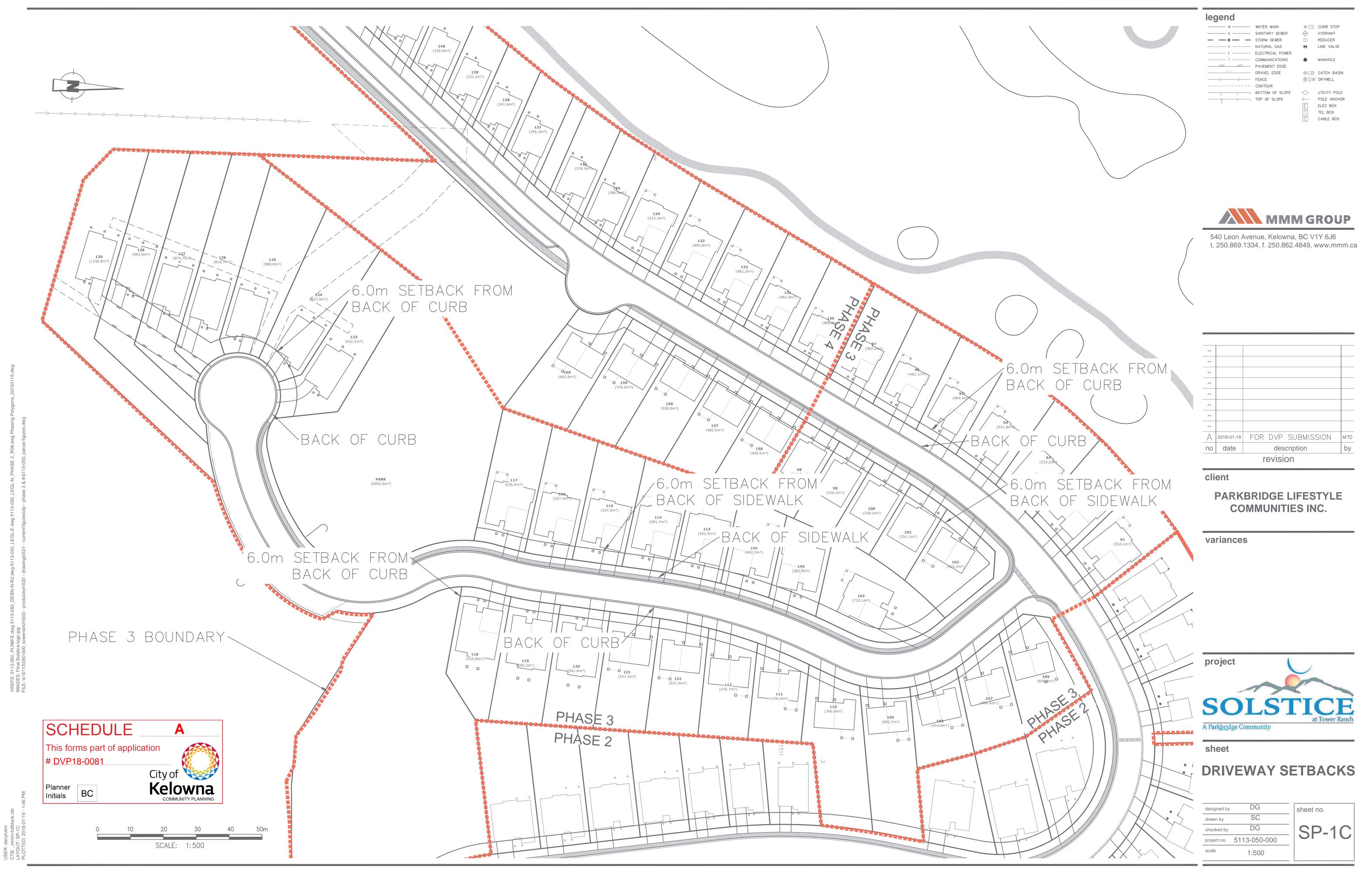
L8

1 SECTION A / A
SCALE 1:75

2 SECTION B / B L8 SCALE 1:150









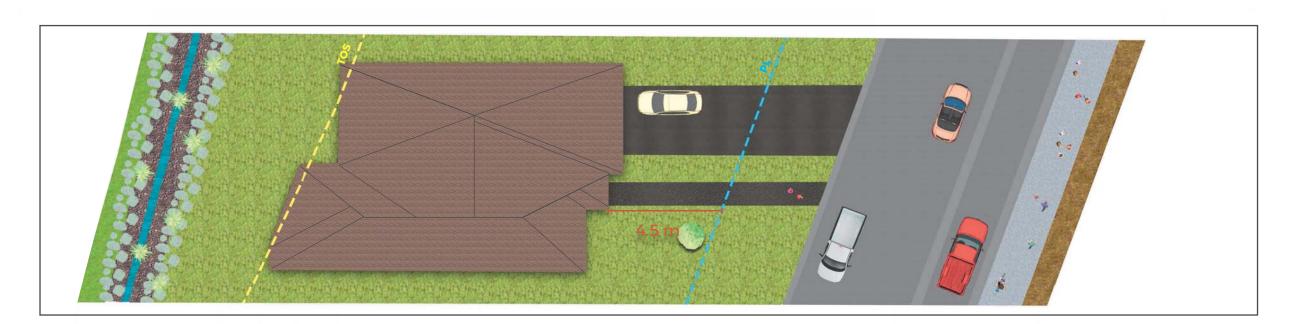




Bylaw 8000 Required Front Yard Setback (4.5 m)



Section View





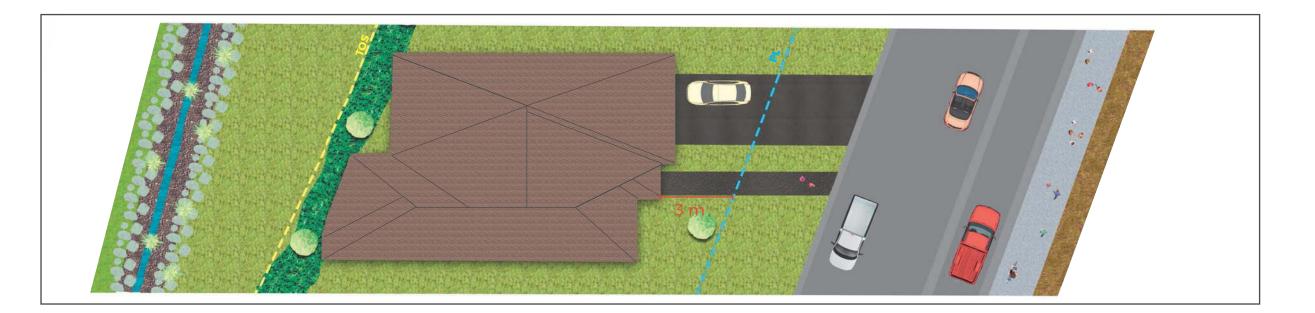


Proposed 3.0 m Front Yard Setback



- A CUT/FILL MINIMIZED
- B HILLSIDE SCARRING MINIMIZED
- C COMPLETE STREETSCAPE
- (D) SEPARATED PEDESTRIAN ZONE
- **E** SOCIAL CONNECTEDNESS
 - SOFTENED VEHICLE CARRIAGEWAY

Section View







Proposed 1.5 m Front Yard Setback



A CUT/FILL MINIMIZED

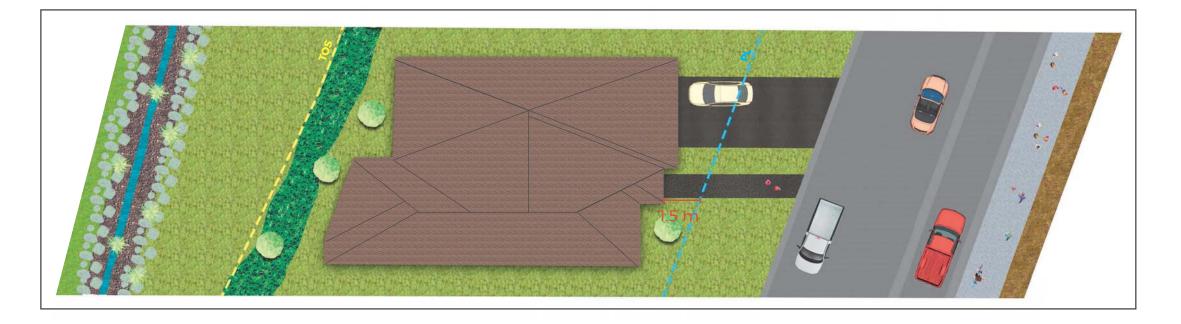
B HILLSIDE SCARRING
MINIMIZED

C COMPLETE STREETSCAPE

D SEPARATED PEDESTRIAN ZONE

E SOCIAL CONNECTEDNESS

SOFTENED VEHICLE CARRIAGEWAY





Section View





Development Variance Permit DVP18-0081



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

1511 Tower Ranch Drive, Kelowna, BC

and legally known as

Lot A, Section 31, Township 27, Osoyoos Division, Yale District, Plan EPP66524, Except Strata Plan EPS2195 (Phase 2)

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

single family dwellings on bareland strata housing development

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

The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";

THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0081, for portions of Lot A, Section 31, Township 27, Osoyoos Division, Yale District, Plan EPP66524, Except Strata Plan EPS2195 (Phase 2), located at 1511 Tower Ranch Drive, Kelowna, BC.

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

Section 13.5.6: RU5 - Bareland Strata Housing (Development Regulations)

To vary the site front yard from 4.5 m permitted to 3.0 m proposed, for the following proposed Lots of the proposed subdivision as set out in Schedules "A" and "B" attached hereto, with the exception that a garage or carport shall be no less than 6.0 metres from a curb or sidewalk:

- proposed Lot 91 to 103;
- proposed Lot 106 to 122;
- proposed Lot 124 and 125;
- proposed Lot 130 to 136; and
- proposed Lot 147 to 160.

To vary the site front yard from 4.5 m permitted to 1.5 m proposed, for the following proposed Lots of the proposed subdivision as set out in Schedules "A" and "B" attached hereto with the exception that a garage or carport shall be no less than 6.0 metres from a curb or sidewalk:

- proposed Lot 104 and 105; and
- proposed Lot 137 to 146.

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

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

<u>Date of Decision:</u> TBD

Decision By: CITY COUNCIL

Issued Date: TBD

<u>Development Permit Area:</u> Environmental Development Permit Area

This permit will not be valid if development has not commenced by XXXXXX.

Existing Zone: RU5 – Bareland Strata Housing and P3 – Parks and Open Spaces

Future Land Use Designation: S2RES – Single / Two Unit Residential and PARK – Major Park and Open Space (public)

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.

Ryan Smith		 Date	
Applicant:	WSP		
Owner: Parkbridge Lifestyle Communities Inc.			

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

The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A".

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

3. PERFORMANCE SECURITY

Not required.

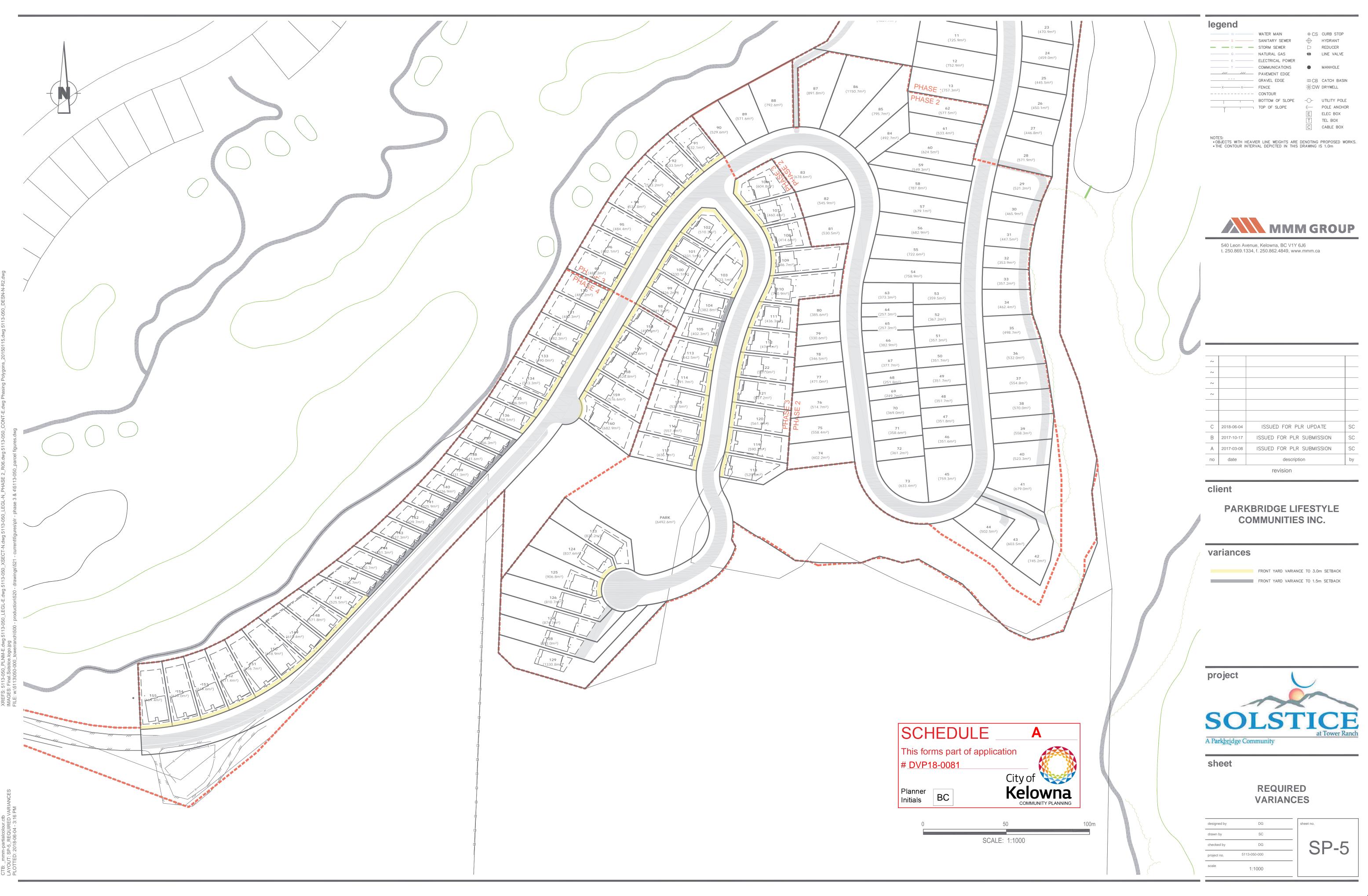
4. INDEMNIFICATION

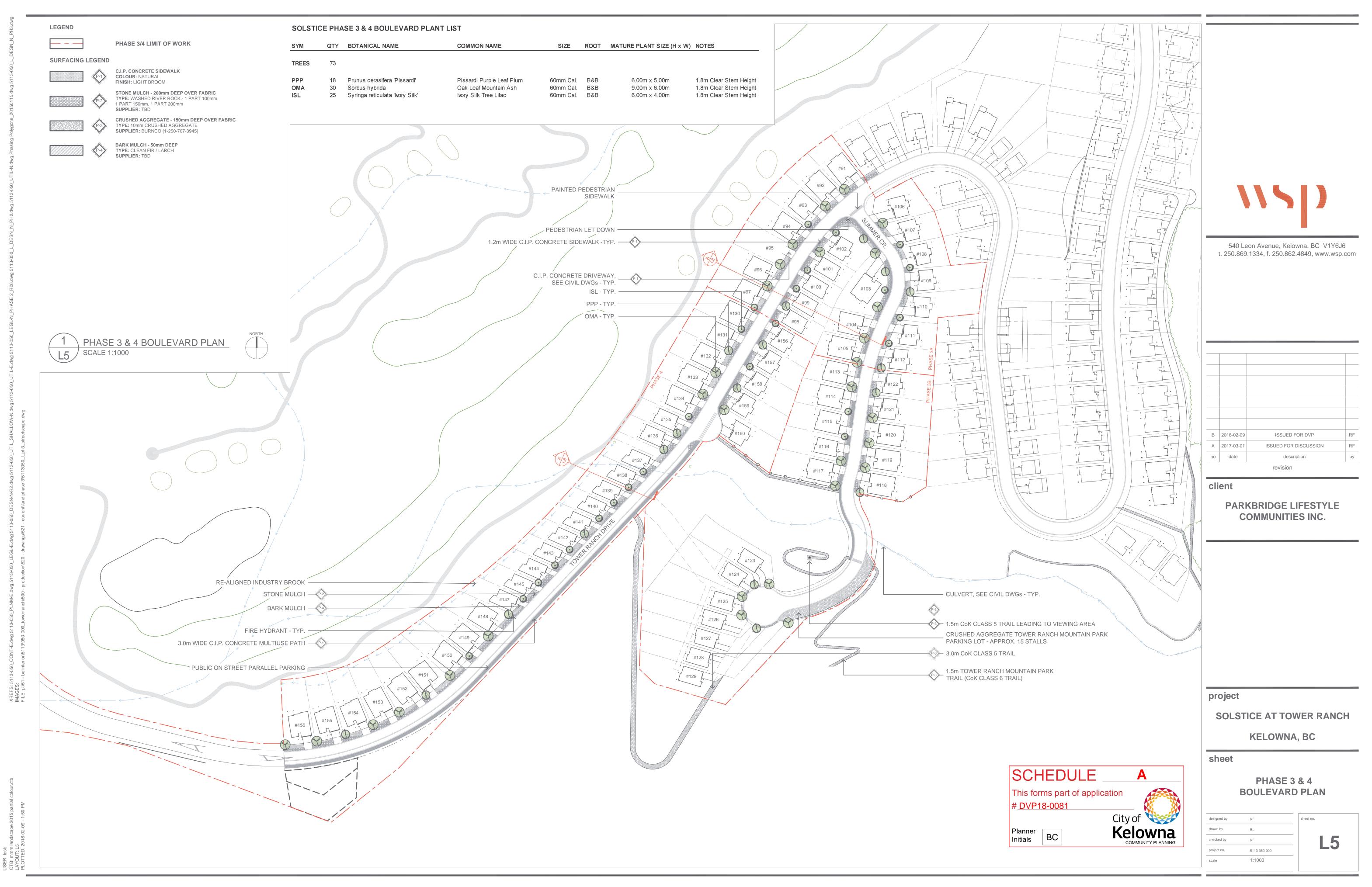
Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

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

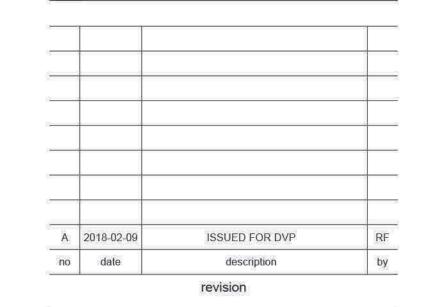






540 Leon Avenue, Kelowna, BC V1Y6J6 t. 250.869.1334, f. 250.862.4849, www.wsp.com





client

PARKBRIDGE LIFESTYLE COMMUNITIES INC.



project

SOLSTICE AT TOWER RANCH

KELOWNA, BC

sheet

This forms part of application

City of Kelowna COMMUNITY PLANNING

#_DVP18-0081

Planner Initials BC PHASE 3 & 4 STREETSCAPE SECTIONS

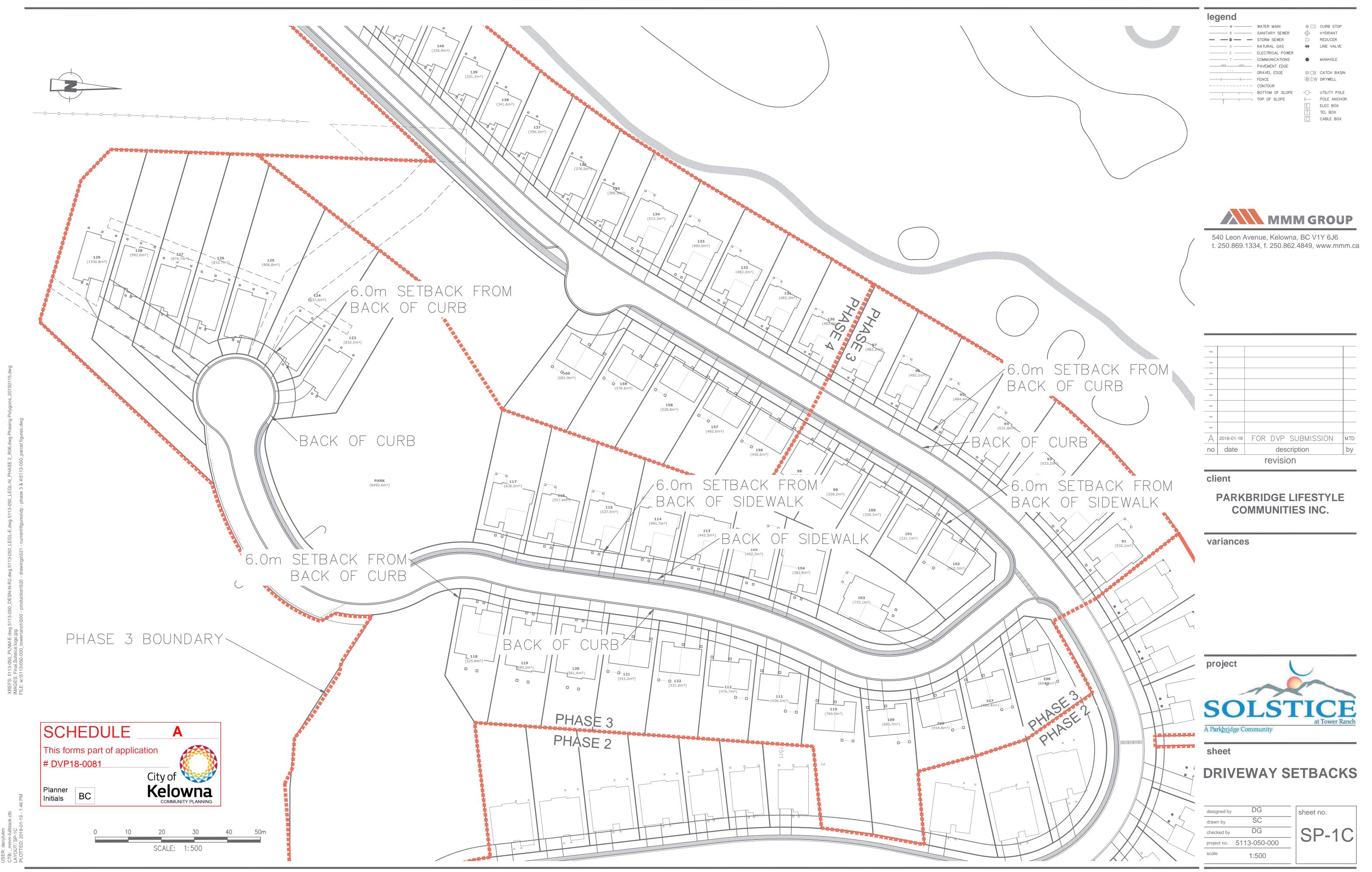
designed by	RF	
drawn by	BL	
checked by	RF	
project no.	5113-050-000	
scale	1:150	

sheet no.

2 SECTION B / B L8 SCALE 1:150









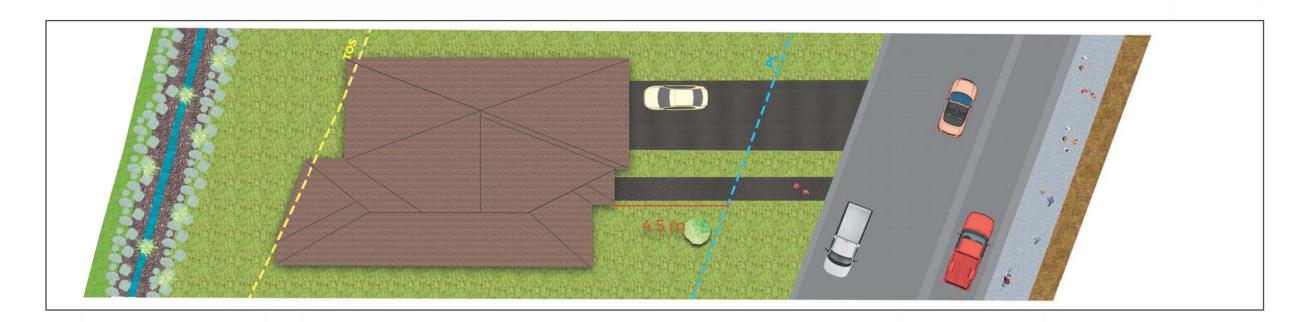




Bylaw 8000 Required Front Yard Setback (4.5 m)



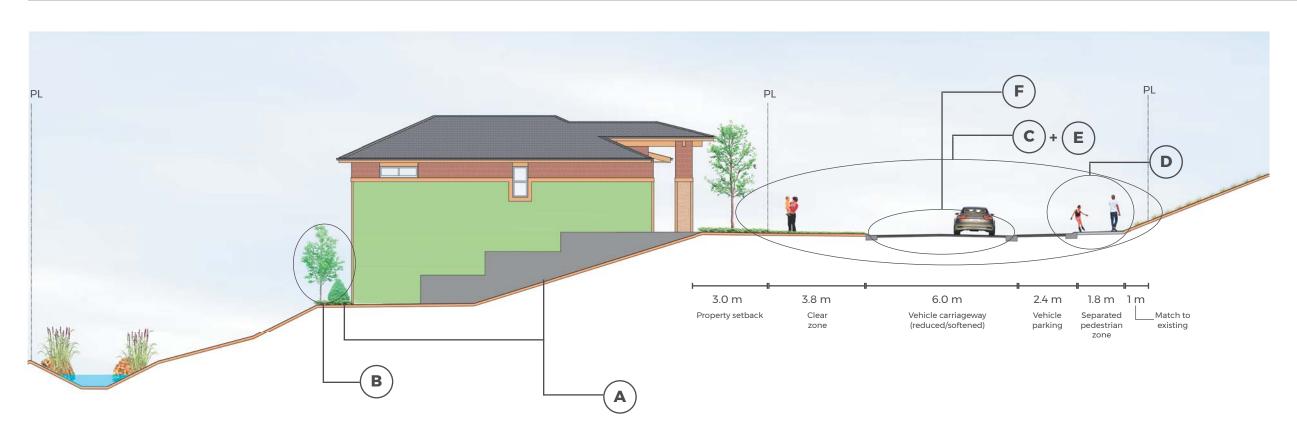
Section View





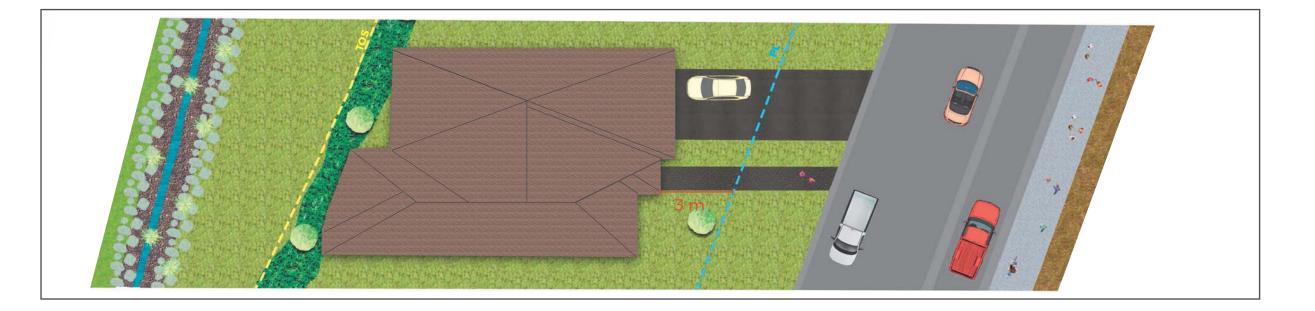


Proposed 3.0 m Front Yard Setback



- CUT/FILL MINIMIZED
- HILLSIDE SCARRING В MINIMIZED
- COMPLETE STREETSCAPE
- SEPARATED PEDESTRIAN ZONE
- SOCIAL CONNECTEDNESS
- SOFTENED VEHICLE CARRIAGEWAY

Section View





SCHEDULE

DVP18-0081

Planner

This forms part of application

Plan View



City of

Proposed 1.5 m Front Yard Setback



A CUT/FILL MINIMIZED

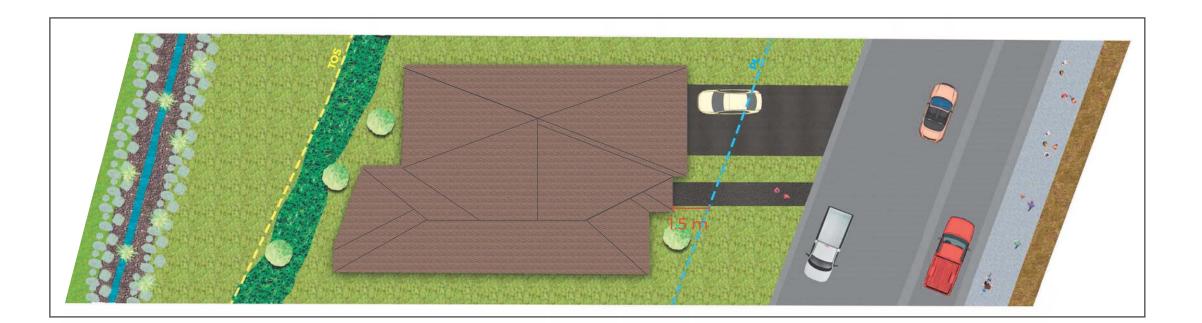
B HILLSIDE SCARRING MINIMIZED

C COMPLETE STREETSCAPE

D SEPARATED PEDESTRIAN ZONE

E SOCIAL CONNECTEDNESS

SOFTENED VEHICLE CARRIAGEWAY



Plan View

Section View





REPORT TO COUNCIL



Date: July 17, 2018

RIM No. 0940-00

To: City Manager

From: Community Planning Department (AW)

Application: DP18-0117 & DVP18-0118 Owner: Sarancorp Developments Ltd.

& 1126101 B.C. Ltd.

Address: 1975 Union Road Applicant: Novation Design Studio

Subject: Development Permit and Development Variance Permit

Existing OCP Designation: Commercial

Existing Zone: C5 – Transition Commercial

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP18-0117 for Lot 27 Section 4 Township 23 ODYD Plan KAP51847, located at 1975 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";
- 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 DVP18-0118 for Lot 27 Section 4 Township 23 ODYD Plan KAP51847, located at 1975 Union Road, Kelowna, BC;

Section 14.5.5 (c) Development Regulations - Height

To vary the height of the building from 2 ½ storeys permitted to 3 storeys 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 of a mixed use development and to consider a height variance from 2 ½ storeys to 3 storeys.

3.0 Community Planning

Community Planning Staff support the Development Permit and associated Development Variance Permit for the proposed 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 variation in both materials and building form. Architectural elements are also used to create visual interest.

The subject property isn't located within a village or urban centre but is at a prominent corner that is designated for a mix of apartment and mixed use development and is across from North Glenmore Elementary school. The proposal requires a height variance from 2 ½ to 3 storeys but the overall height profile falls within the 9.5m bylaw requirement. OCP Policy 5.22.6 (Sensitive Infill) is achieved by keeping the height of the proposed development within the permitted 9.5m maximum. This provides an appropriate transition from Glenmore and Union Road residences to the south and east. Locating the building at the southern end of the property also distances it and provides an appropriate buffer from the ALR lands across Union Road.

To fulfill Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form to staff on June 15, 2018, documenting that neighbours within 50m of the subject properties were notified.

4.0 Proposal

4.1 Background

A car wash had previously been approved (2015) for development on the subject property, the Development Permit has since expired and the property was purchased by the current owner in 2017.

4.2 Project Description

The applicant is proposing to construct a mixed use development with 5 two-storey, three bedroom units on top of the ground floor commercial podium. Required parking will be located at grade with site access coming from Union Road. The exterior materials will be a combination of acrylic stucco, brick cladding and cedar siding. The subject properties' current land use designation of Commercial is consistent with the existing C_5 zone which allows for a mixed use project with a maximum height of 9.5m / 2 ½ storeys and the proposal is for a building with a height of 9.5m / 3 storeys.

4.3 Site Context

The subject property is located at the corner of Glenmore and Union Roads near to the North Glenmore elementary School.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 – Agriculture 1	Residential
East	RM2 – Low Density Row Housing	Residential
South	RM ₂ – Low Density Row Housing	Residential
West	RM5 – Medium Density Multiple Housing	Vacant

Subject Property Map: 1975 Union Road



4.4 Zoning Analysis Table

Zoning Analysis Table				
CRITERIA C ₅ ZONE REQUIREMENTS PROPOSAL				
	Development Regulations			
Floor Area Ratio	Commercial: 0.4 Residential: 0.2	Commercial: 0.4 Residential: 0.2		
Site Coverage	40%			
Height	9.5 m / 2 ½ storeys	9.5 m / 3 storeys 0		
Front Yard	4.5m	19.2m		
Side Yard (West)	4.5m	4.5m		
Side Yard (East)	2.3m	2.4m		
Rear Yard	6.om	7.5m		
Other Regulations				
Minimum Parking Requirements	29 stalls	34 stalls		
Bicycle Parking	Class I: 5 spaces Class II: 6 spaces	Class I: 5 spaces Class II: 6 spaces		
Private Open Space	75m²	105m²		
Loading Space	1 stall	1 stall		
• Vary the height from 2 ½ storeys permitted to 3.0 storeys 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.

Contain Urban Growth.² Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

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

Chapter 4: Land Use Designation Massing and Height.

- 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

- 1. Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s).
- 2. Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
- 3. HPO (Home Protection Office) approval or release is required at time of Building Permit application.
- 4. A Hoarding permit is required and protection of the public from the staging area and the new building area during construction. Location of the staging area and location of any cranes should be established at time of DP.
- 5. 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):
 - a. Any alternative solution must be accepted by the Chief Building Inspector prior to the release of the Building Permit.
 - b. Location, Heights, Colours of mechanical systems and the required screening are to be determined at time of DP

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

² City of Kelowna Official Community Plan, Goals for a Sustainable Future, Objective 1 (Chapter 1 Introduction)

³City of Kelowna Official Community Plan, Policy 5.27.11 (Development Process Chapter)

- c. Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
- d. Handicap Accessibility to the main floor levels to be provided, ramps may be required.
- e. Hard surfaced paths leading from the egress stairwells to a safe area are to be clearly defined as part of the DP
- 6. 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.
- 7. 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.
- 8. Size and location of all signage to be clearly defined as part of the development permit. This should include the signage required for the building addressing to be defined on the drawings per the bylaws on the permit application drawings.
- 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

Proposed driveway access must be to City of Kelowna residential standards 6.om max width and to be place as far from Glenmore Rd and Union Rd intersection as possible. Union Road frontage is urbanization with curb, and sidewalk. Vehicular access to Union Road will be restricted to right in and right out only by constructing a concrete raised median from the intersection to 10 meters beyond the access driveway.

6.3 Glenmore Ellison Irrigation District

Water Certificate required prior to issuance of Building Permit.

7.0 Application Chronology

Date of Application Received: May 29, 2018
Date Public Consultation Completed: June 15, 2018

Report prepared by: Alec Warrender, Property Officer Specialist **Approved for Inclusion:** Terry Barton, Urban Planning Manager

Ryan Smith, Community Planning Department Manager

Attachments:

Technical Requirements DP18-0117 & DVP18-0118

Development Permit DP18-0117 & DVP18-0118



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

1975 Union Road

and legally known as

Lot 27 Section 4 Township 23 ODYD Plan KAP51847

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.

<u>Date of Decision:</u> July 17, 2018

Decision By: CITY COUNCIL

<u>Issued Date:</u> Tbd

<u>Development Permit Area:</u> Comprehensive Development Permit Area

<u>File Manager:</u> Alec Warrender

This permit will not be valid if development has not commenced by July 17, 2020.

Existing Zone: C5 – Transition Commercial Future Land Use Designation: Commercial

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's Agent: Paul Shuster Novation Design Studio

Address: 302 – 2237 Leckie Road

City: Kelowna, BC Phone: 250-718-1302

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) Development Variance to the following Zoning Bylaw No. 8000 regulation:

Section 14.5.5 (d) Development Regulations - Height

To vary the height of the building from 2 ½ storeys permitted to 3 storeys proposed.

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) 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.





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Tabulated scales refer to Arch D size drawings sheet.

Contractors shall verify all dimensions prior to commencement of work. Any omissions or discrepancies shall be reported to the architect.

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Architectural Drawing List

	3
no.	name
A0.00	PROJECT INFORMATION AND DRAWINGS INDEX
A1.01	SITE PLAN
A2.01	MAIN FLOOR PLAN
A2.02	UPPER FLOOR PLAN
A2.03	THIRD FLOOR PLAN
A2.04	ROOF PLAN
A2.07	UNIT PLANS
A3.01	EXTERIOR ELEVATIONS
A3.02	EXTERIOR ELEVATIONS
A3.03	EXTERIOR ELEVATIONS
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SCHEDULE This forms part of application # DP18-0117 & DVP18-0118 Kelowna community planning Planner AW

NOT FOR CONSTRUCTION

Address: Legal:

1975 Union Road, Kelowna, B.C. PID: 018-677-878 Lot 27 KAP 51848

Zoning (Current): C5 Zoning: (Proposed) C5 Permitted Use: Refer to Zoning bylaw #8000 section 14.5

Permitted Use: Refer to Zoning bylaw #8000

sq.m. 25,245 sq.ft. 0.2345 <u>ALLOWED</u> PROPOSED 58.7 m

Setbacks

Min Lot Width

Min Lot Depth

Min Parcel Size

Site Area:

PROPOSED ALLOWED 4.5 m 19.2 m 2.0 m 2.0 m 2.3 m 2.4 m 6.0 m 7.5 m

Front

Front yard parking Front yard/Flanking 4.5 m 4.5 m Side yard Rear Yard (South) LANDSCAPE BUFFER

65.7 m

m2 2339 m2

3.0 m 9.81 ft 3.0 m 9.84 ft 3.0 m 9.84 ft

Parcel Coverage Maximum 40% (Building Footprint) Maximum # of dwelling units

Floor Area Ratio Commercial Area: .4 max

Residential Area: .2 max Combined Area: .6 max

At residential mezzanine level

Residential: 2 stalls / unit

Principal buildings or 2.5 storeys

Height

Spaace

Parking

Private Open

Commercial: 2.0 stalls/100 m2 Gross Area: 921 sq.m. [9,913 sq.ft.]

5 units - 3 bedrooms Regular Size (6m x 2.5m) 50% 15 stalls min. Regular

Medium

Compact (3.4m x 2m) 10% 3 stalls

10,098	sq.ft.	8,013	sq.ft.
1 unit		N/A	
938	sq.m.	814	sq.m.
10,098	sq.ft.	8,765	sq.ft.
5,049	sq.ft.	5,045	sq.ft.
15,147	sq.ft.	13,810	sq.ft.
TOTAL		13,810	sq.ft.
	-		
9.5	m	9.5	m
31.2	ft	31.2	ft
6	sq.m.	21	sq.m.
65	sq.ft.	230	sq.ft.
Required		18.4	spaces
		10.0	spaces
Total Required		28	spaces
. Regular		15	spaces
Medium		12	spaces
_			

7 spaces

34 spaces

0 spaces

Compact

Total Provided

Loading 1/1900 m2 GFA

ALLOWED/REQUIRED PROPOSED

no.	date		description
		Revisions	
N	C	VA	TIC SN STU
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2 20180525 RE-ISSUED FOR DP 1 20180202 ISSUED FOR DP

101 - 1865 DILWORTH DR. SUITE 520 KELOWNA BC V1Y 9T1

ARCHITECTURE INC. AAA MAIBC MRAIC 3430 BENVOULIN ROAD

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

Union Road

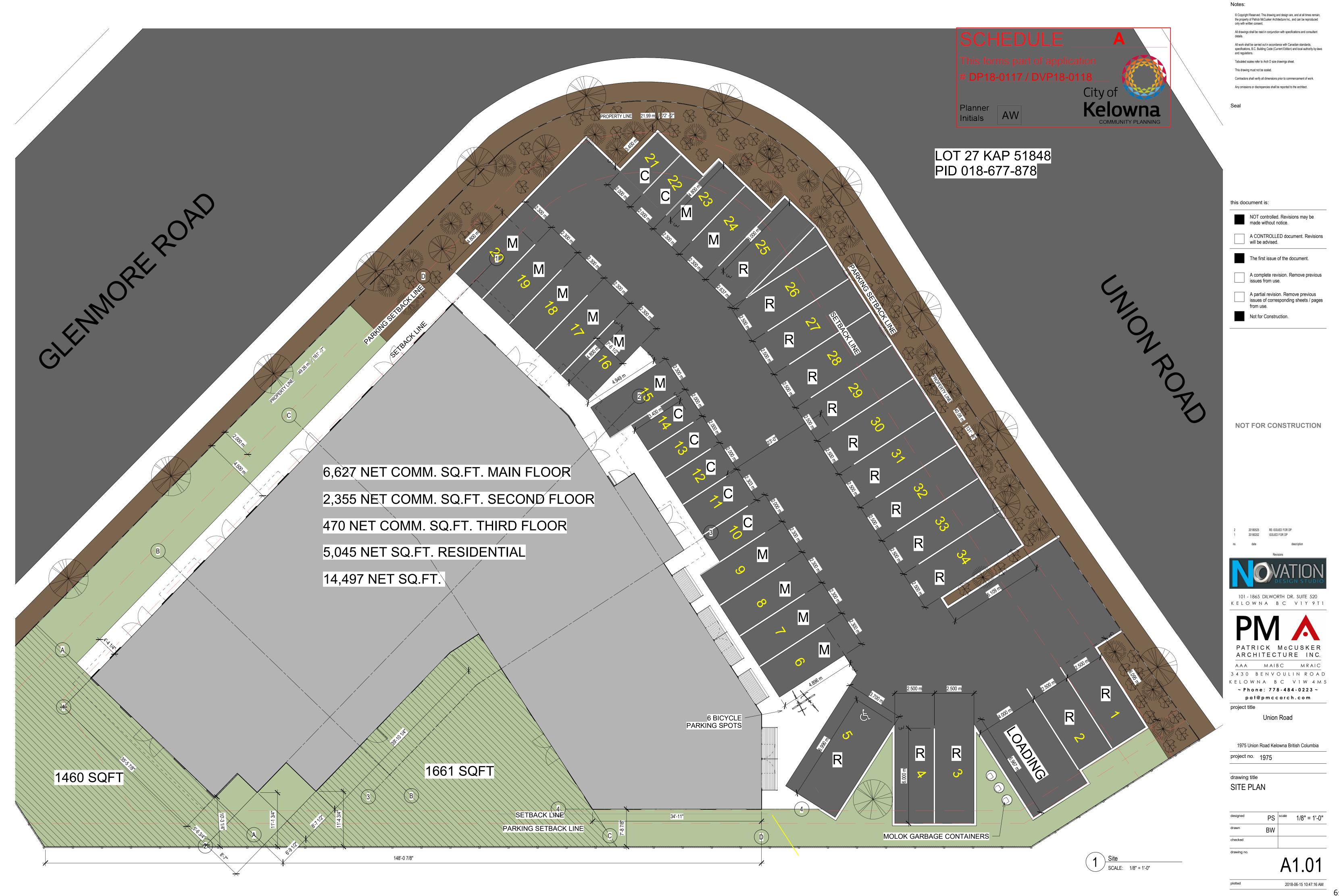
1975 Union Road Kelowna British Columbia

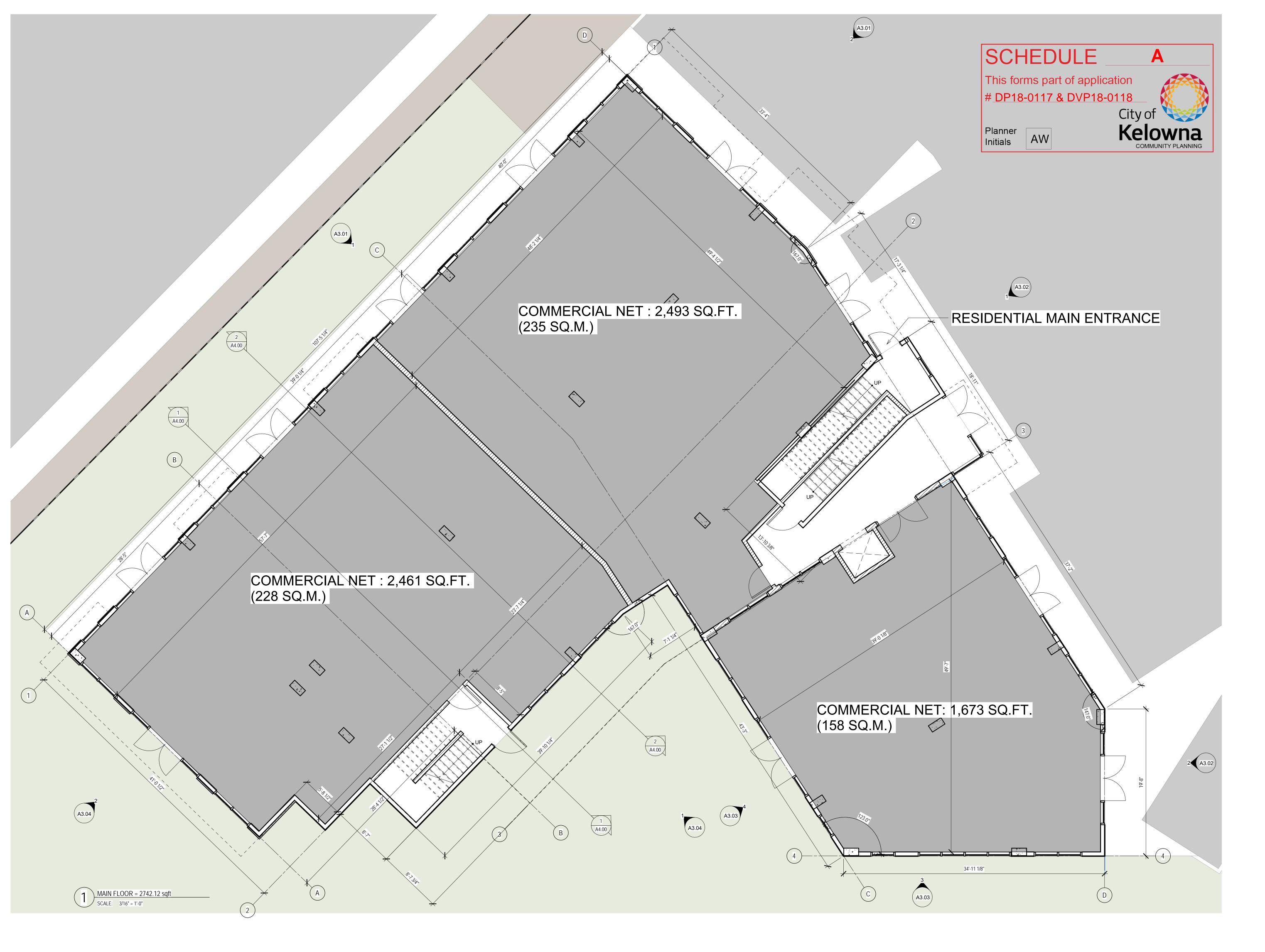
drawing title PROJECT INFORMATION AND DRAWINGS INDEX

project no. 1975

designed	PS	scale
drawn	BD	
checked		

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PATRICK McCUSKER ARCHITECTURE INC.

AAA MAIBC MRAIC

3 4 3 0 B E N V O U L I N R O A D

K E L O W N A B C V 1 W 4 M 5

~ Phone: 778-484-0223 ~

pat@pmccarch.com

t title

Union Road

1975 Union Road Kelowna British Columbia

project no. 1975

drawing title
MAIN FLOOR PLAN

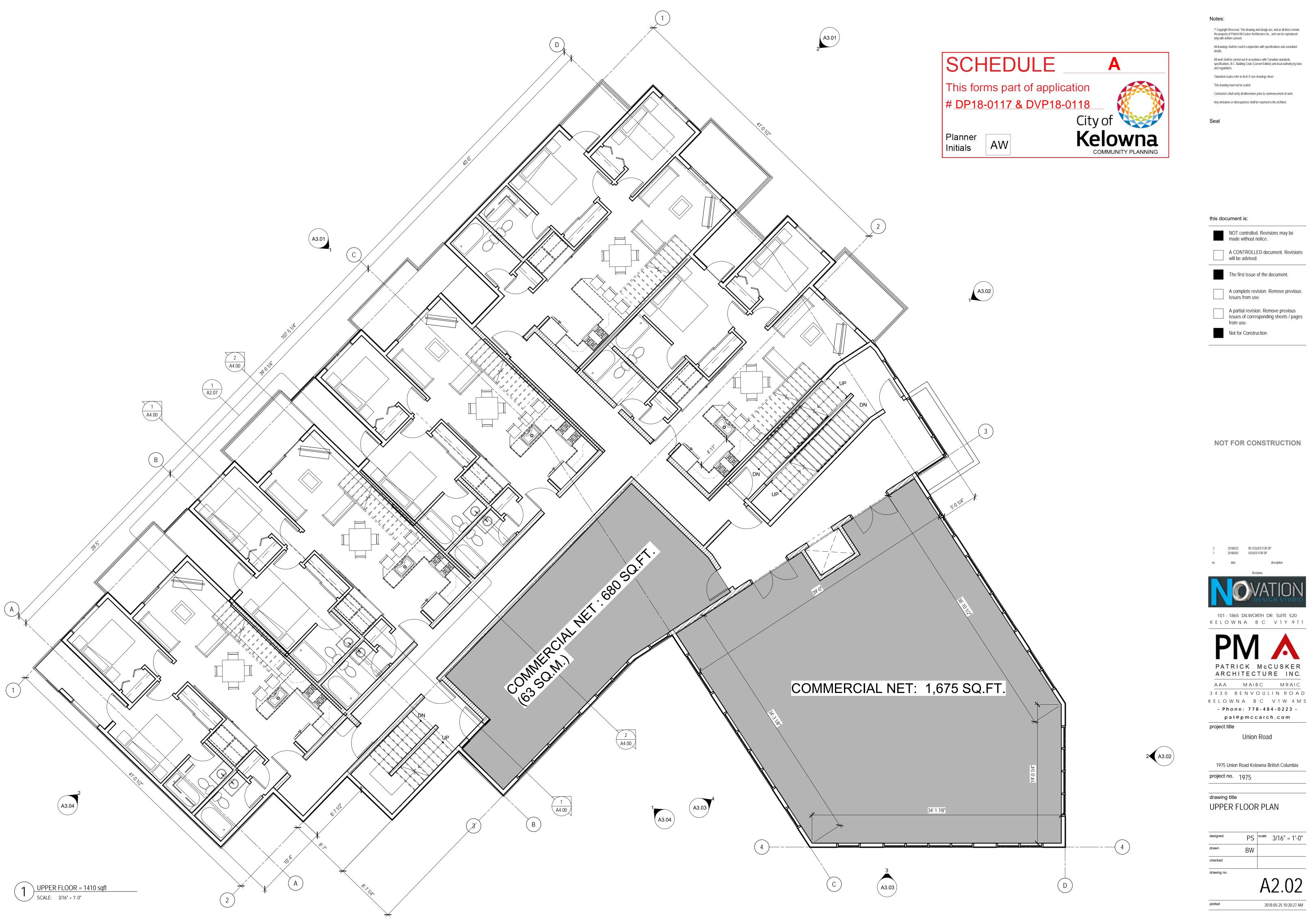
designed PS scale 3/16" = 1'-0"

drawn BW

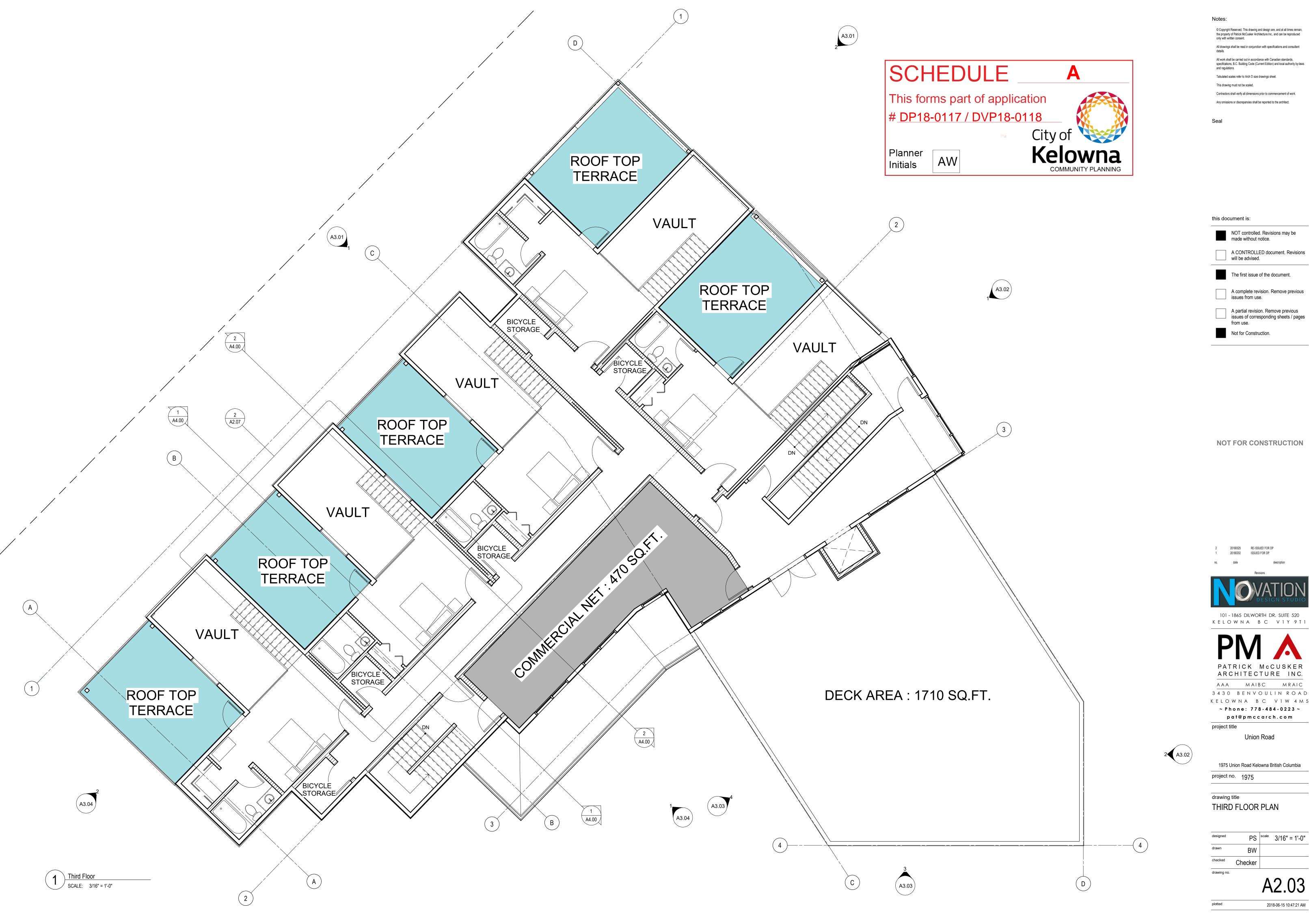
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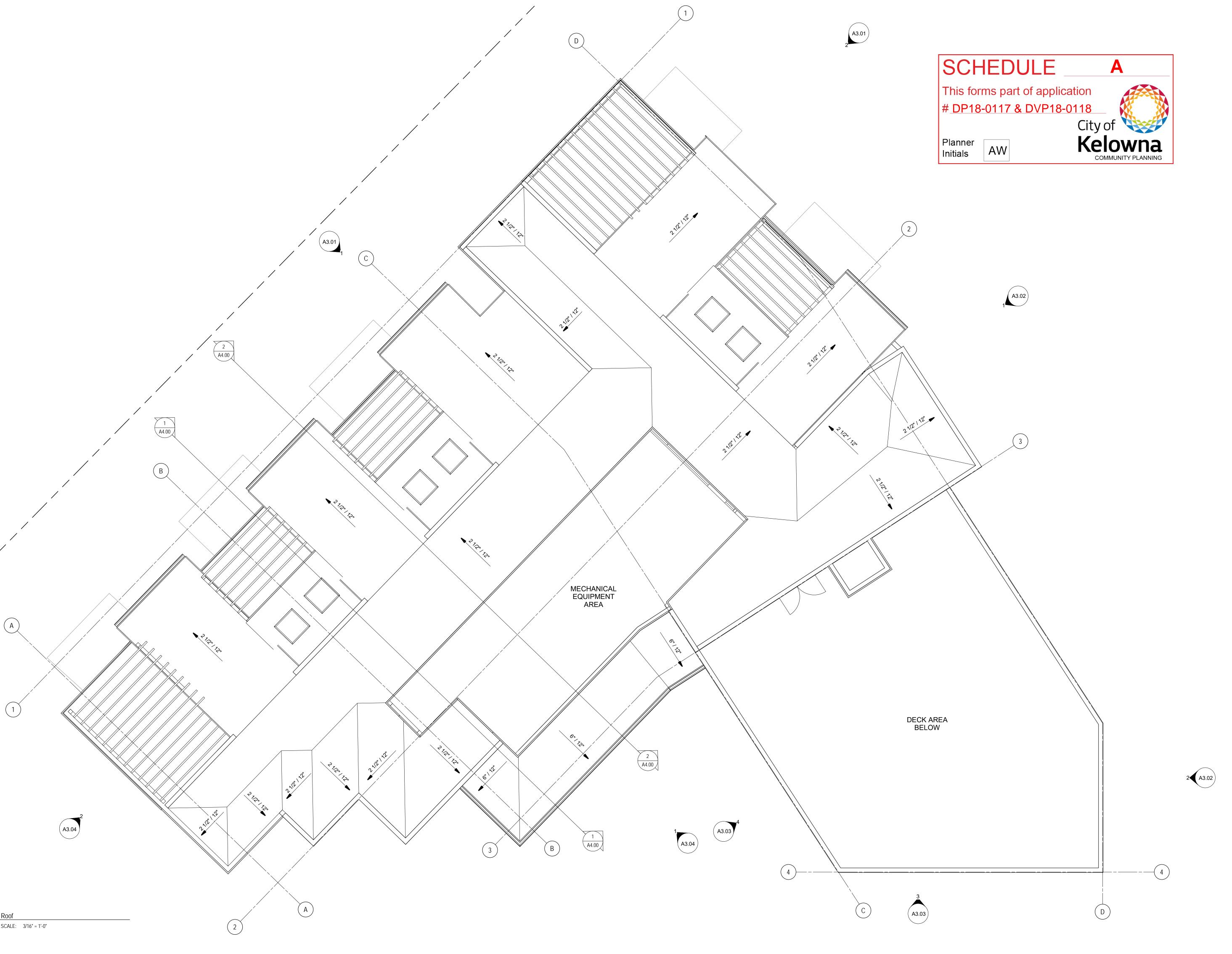
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KELOWNA BC V1W 4M5

~ Phone: 778-484-0223 ~

pat@pmccarch.com

le

Union Road

1975 Union Road Kelowna British Columbia

project no. 1975

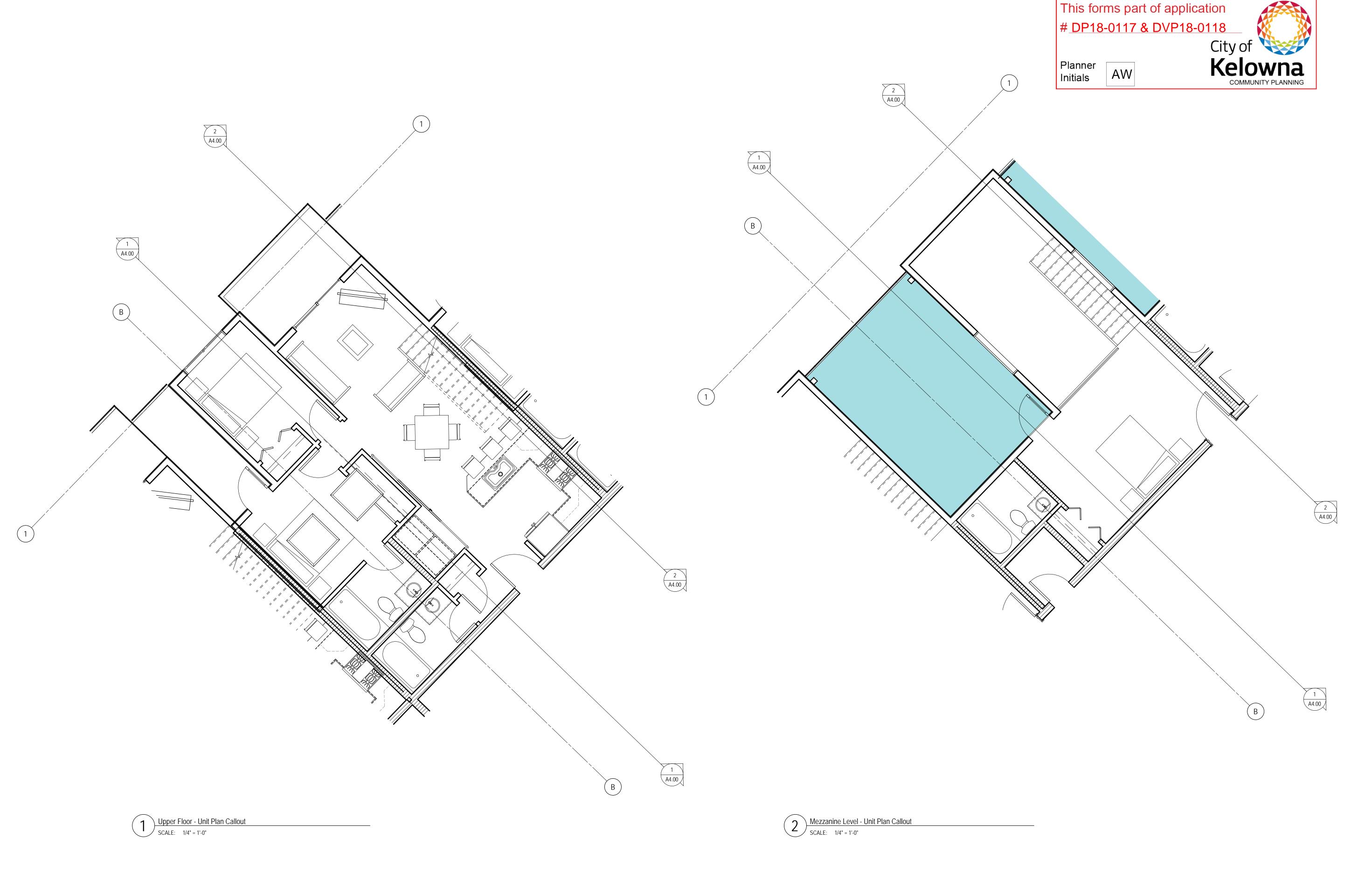
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ROOF PLAN

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ect title Union Road

1975 Union Road Kelowna British Columbia

project no. 1975

drawing title

UNIT PLANS

designed PS scale 1/4" = 1'-0"

drawn BW

checked Checker

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7 - CEDAR-LOOK FINISHED SOFFIT MATERIAL BY SAGIPER

8 - STONE FINISH



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checked Checker

2018-05-25 10:21:57 AM



6 - FROSTED GLASS

8 - STONE FINISH

7 - CEDAR-LOOK FINISHED SOFFIT MATERIAL BY SAGIPER



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1975 Union Road Kelowna British Columbia

EXTERIOR ELEVATIONS

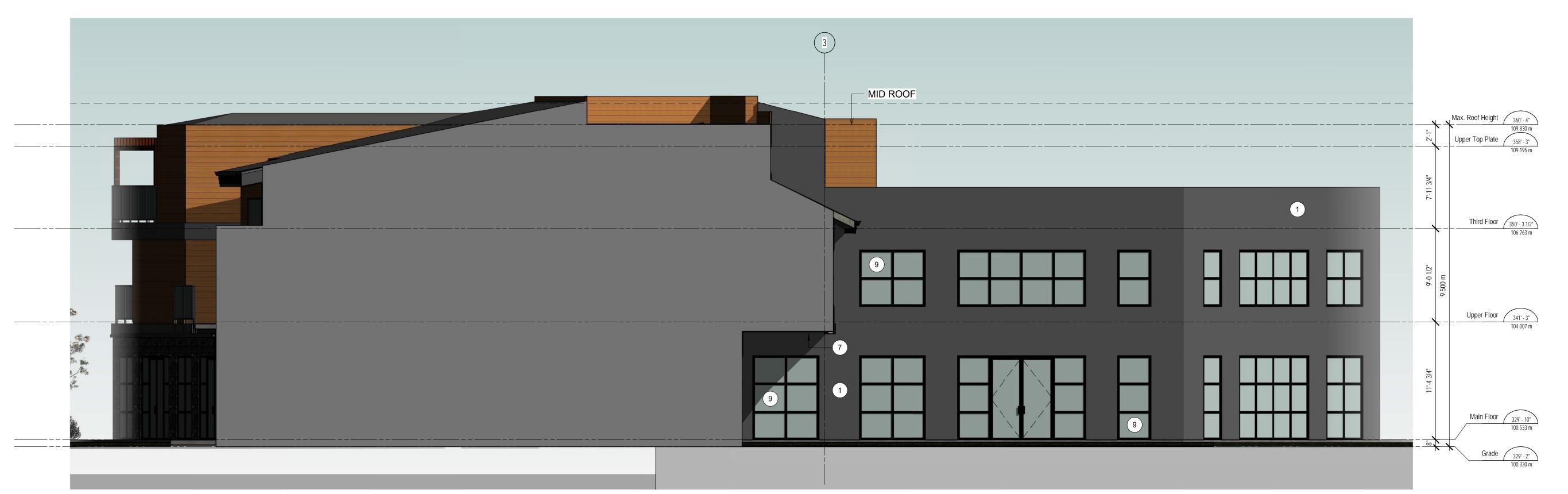
project no. 1975

drawing title

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1 - STUCCO - COLOUR 1 2 - STUCCO - COLOUR 2 3 - CEDAR-LOOK FINISHED SIDING MATERIAL BY SAGIPER 4 - BLACK VINYL WINDOW SYSTEM 5 - CLEAR GLASS 6 - FROSTED GLASS 7 - CEDAR-LOOK FINISHED SOFFIT MATERIAL BY SAGIPER 8 - STONE FINISH 9 - BLACK ALUMINUM WINDOW SYSTEM



SCALE: 3/16" = 1'-0"

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EXTERIOR ELEVATIONS

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1 - STUCCO - COLOUR 1 2 - STUCCO - COLOUR 2 3 - CEDAR-LOOK FINISHED SIDING MATERIAL BY SAGIPER 4 - BLACK VINYL WINDOW SYSTEM 5 - CLEAR GLASS 6 - FROSTED GLASS 7 - CEDAR-LOOK FINISHED SOFFIT MATERIAL BY SAGIPER 8 - STONE FINISH

9 - BLACK ALUMINUM WINDOW SYSTEM

MID ROOF 358' - 3" Upper Top Plate 109.195 m 350' - 3 1/2" Third Floor 106.763 m 9 341' - 3" Upper Floor 104.007 m

Elevation 8

SCALE: 3/16" = 1'-0"

SCALE: 3/16" = 1'-0"

from use.

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KELOWNA BC V1Y 9T1

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project no. 1975

drawing title

EXTERIOR ELEVATIONS

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2018-05-25 10:26:26 AM





0 5 10 15 20 25 M





NOTES

- 1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED CNLA 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.

PLANT LIST			
BOTANICAL NAME	COMMON NAME	QTY	SIZE/SPACING & REMARKS
TREES			
ACER PLATANOIDES 'COLUMNARBROAD'	PARKWAY MAPLE	6	6cm CAL.
QUERCUS ROBUR 'PYRAMICH'	SKYMASTER OAK	1	6cm CAL.
TILIA AMERICANA 'CONTINENTAL APPEAL'	CONTINENTAL APPEAL LINDEN	7	6cm CAL.
SHRUBS			
CORNUS STOLONIFERA 'FARROW'	ARCTIC FIRE DOGWOOD	53	#01 CONT. /1.0M O.C. SPACING
ROSA 'NEARLY WILD'	NEARLY WILD ROSE	94	#01 CONT. /0.75M O.C. SPACING
SYMPHORICARPOS ALBUS	SNOWBERRY	24	#01 CONT. /1.5M O.C. SPACING
PERENNIALS & GRASSES			
ACHILLEA MILLEFLIUM	COMMON YARROW	43	#01 CONT. /0.6M O.C. SPACING
ASTER X FRIKARTII 'MONCH'	FRIKART'S ASTER	28	#01 CONT. /0.75M O.C. SPACING
CHASMANTHIUM LATIFOLIUM	NORTHERN SEA OATS	28	#01 CONT. /0.75M O.C. SPACING
PEROVSKIA ATRIPLICIFOLIA	RUSSIAN SAGE	16	#01 CONT. /1.0M O.C. SPACING
PSEUDOROEGNERIA SPICATA	BLUEBUNCH WHEATGRASS	16	#01 CONT. /1.0M O.C. SPACING
RUDBECKIA FULGIDA 'GOLDSTURM'	GOLDSTURM CONEFLOWER	43	#01 CONT. /0.6M O.C. SPACING
SALVIA NEMOROSA 'SNOW HILL'	SNOWHILL MEADOW SAGE	43	#01 CONT. /0.6M O.C. SPACING



206 - 1889 Spall Road Kelowna, BC V1Y 4R2 T (250) 868-9270 www.outlanddesign.ca



PROJECT TITLE

1975 UNION ROAD

Kelowna, BC

DRAWING TITLE

ISSUED FOR / REVISION

CONCEPTUAL LANDSCAPE PLAN

18.02.08	Review
	18.02.08

PROJECT NO	18-005
DESIGN BY	CS
DRAWN BY	NG
CHECKED BY	FB
DATE	FEB. 8, 2018
SCALE	1:150

SEA



DRAWING NUMBER

L 1/1

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