

**City of Kelowna**  
**Regular Council Meeting**  
**AGENDA**



Tuesday, September 18, 2018  
6:00 pm  
Council Chamber  
City Hall, 1435 Water Street

Pages

1. **Call to Order**
2. **Reaffirmation of Oath of Office**  

The Oath of Office will be read by Councillor Gray.
3. **Confirmation of Minutes** 1 - 13  

Public Hearing - August 28, 2018  
Regular Meeting - August 28, 2018
4. **Bylaws Considered at Public Hearing**
  - 4.1 **Text Amendment for Cannabis Production and Retail Cannabis Sales TA18-0008 (BL11659) - City of Kelowna** 14 - 24  

To give Bylaw No. 11659 second and third readings in order to amend the Zoning Bylaw to include updates pertaining to Cannabis Production and Retail Cannabis Sales.
  - 4.2 **Text Amendment for Cannabis Production and Retail Cannabis Sales TA18-0008 (BL11678) - City of Kelowna** 25 - 26  

To give Bylaw No. 11678 second and third readings in order to amend the Zoning Bylaw to include updates pertaining to Cannabis Production and Retail Cannabis Sales.
  - 4.3 **Text Amendment for Cannabis Production and Retail Cannabis Sales TA18-0008 (BL11679) - City of Kelowna** 27 - 27  

To give Bylaw No. 11679 second and third readings in order to amend the Zoning Bylaw to include updates pertaining to Cannabis Production and Retail Cannabis Sales.

- 4.4 Enterprise Way 2092, TA18-0004 (BL11668) - o838232 BC Ltd** 28 - 28
- To give Bylaw No. 11668 second and third readings in order to amend the I3 - Heavy Industrial section in Zoning Bylaw No. 8000.
- 4.5 Cary Rd 1639, Z18-0053 (BL11673) - 1124478BC Ltd** 29 - 29
- To give Bylaw No. 11673 second and third readings in order to rezone the subject property from the I2 - General Industrial and C10 - Service Commercial zones to the C10 - Service Commercial zone.
- 4.6 Harvey Ave 1717 LUC18-0005 (BL11675) - Al Stober Construction Ltd** 30 - 30
- Requires 2/3 of all members of Council present.**
- To give Bylaw No. 11675 second and third readings in order to discharge LUC76-1054 off the subject property.
- 4.7 Cawston Ave 540, Z18-0087 (BL11677) - Cawston 540 Holdings Inc** 31 - 31
- To give Bylaw No. 11677 second and third readings in order to rezone the subject property from the C2 - Neighbourhood Commercial zone to the C7 - Central Business Commercial zone.
- 5. Notification of Meeting**
- The City Clerk will provide information as to how the following items on the Agenda were publicized.
- 6. Liquor License Application Reports**
- 6.1 Chute Lake Rd 4870. LL18-0012 - Stephen Cipes** 32 - 40
- City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the liquor license application to come forward.
- To seek Council's support for a Lounge Endorsement for an existing Manufacturing Liquor License (winery).
- 7. Development Permit and Development Variance Permit Reports**
- 7.1 Wilkinson St 2220, DVP18-0131 - Susanna Viola-Reczka and Antonio Viola** 41 - 47
- City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.**
- To vary the minimum side yard on the subject property to facilitate a two lot subdivision.

- 7.2 Sexsmith Rd 3300, TUP18-0001 - 689369 BC Ltd Inc. No. BCo689369 48 - 61
- 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 Staff recommendation to issue a Temporary Use Permit to permit a landscaping business to operate within a temporary structure as described within the conditions of the Permit.
- 7.3 Hollywood Rd S 191, DP18-0031 & DVP18-0032 - Unico One Developments LTD., Inc. No. BC0990537
- APPLICATION WITHDRAWN.**
- 7.4 Paret Rd 820, DVP18-0091 - Lisa and Edward Berk 62 - 69
- 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 increase the allowable footprint of accessory structures on the subject parcel to facilitate a single storey carriage house.
- 7.5 Tower Ranch Dr 1540-1568, DP17-0291 & DVP18-0140 - Parkbridge Lifestyle Communities Inc 70 - 96
- City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.**
- To consider the form and character of two fourplexes with a variance to the maximum height from 2 ½ storeys (required) to 3 storeys (proposed).
- 7.6 Tower Ranch Dr 1672-1680, DP17-0292 & DVP18-0141 - Parkbridge Lifestyle Communities Inc 97 - 113
- City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.**
- To consider the form and character of row housing with a variance to the maximum height from 2 ½ storeys or 9.5m (required) to 3 storeys or 10.1 m (proposed).
8. Reminders
9. Termination



## City of Kelowna Public Hearing Minutes

Date: Tuesday, August 28, 2018  
 Location: Council Chamber  
 City Hall, 1435 Water Street

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

Staff Present: City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Acting Divisional Director, Community Planning & Strategic Investments, Derek Edstrom\*; Community Planning Department Manager, Ryan Smith; Urban Planning Manager, Terry Barton; Suburban and Rural Planning Manager, Dean Strachan\*; and Legislative Services 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 of City Hall on Tuesday, August 14, 2018 and by being placed in the Kelowna Daily Courier issues on Friday, August 17, 2018 and Wednesday, August 22, 2018, and by sending out or otherwise mailing 321 statutory notices to the owners and occupiers of surrounding properties on Tuesday, August 14, 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

Councillor Stack joined the meeting at 6:08 p.m.

3.1 Hobson Rd 4315, Z18-0072 (BL11653) - Jagdeesh Singh Diocee and Anita Sanan

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:**

Peter D. Salekin, Hobson Road  
Kevin Imthorn, Hobson Road

**Petition of Opposition:**

Kevin Imthorn, Hobson Road (40 signatures)

**Birte Decloux, Urban Options Planning & Permits, Applicant and Anita Sanan, Owner**

- Displayed a PowerPoint Presentation.
- The land was subdivided in order to build a house for their parents, both lots meet minimum lot size for rezoning.
- Spoke to the clearcutting of the land and scale of the neighbourhood concerns that were raised in the correspondence.
- Identified trees present on the property and the details on which trees would be maintained.
- Spoke to the development and growth of the neighbourhood since 1973 through aerial photographs.
- Responded to questions from Council.

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

Gallery:

**Kevin Imthorn, Hobson Road**

- Opposed to the application.
- Referenced the correspondence he submitted and stated that he was one of the petition canvassers.
- Referenced the OCP and Zoning Bylaw policies and regulations that are at odds with this application.
- The 3 to 1 replanting of tree policy is not being followed.
- Raised concerns with traffic impacts on Hobson Road.
- Responded to questions from Council.

**Shawna Batar, Newly Road**

- Opposed to this application.
- Raised concerns that the lot subdivisions and rezoning are not contributing amenities in the neighbourhood.
- Displayed photographs on the ELMO of recent construction and how they are out of character with the street due to design, driveways and lesser front yard setbacks.
- Raised concerns with traffic impacts in the area and noted the low neighbourhood walk score of 18.
- Raised concerns with the current traffic volumes and speeds and believes the additional development will make this worse.

**Andrew Pryor, Spoke on behalf of Robert Donick and Darren Rose, Hobson Road**

- Raised concerns that the application does not meet several OCP Policies and this combined with neighbourhood opposition should give Council pause for advancing this application.
- Believes this type of development serves to end carriage house development with such narrow lots.
- Believes that this proposal does not protect and enhance natural areas.

**Darren Rose, Hobson Road**

- Opposed to the application.

- Raised concerns with lack of parking and parking in front of this lot.
- Raised concerns with destruction of green space that these types of developments bring.
- Very disappointed that the RU2 zone is being considered.
- Believes that the neighbourhood and economic opportunity should come first.

Christina Donick, Hobson Road

- Long time resident; moved to the area for the large lots and mature landscaping.
- Believes the current character of Hobson Road should be maintained.
- Property owners pay a lot of taxes and receive few benefits; there are no sidewalks or bike paths.
- Believes it is unfair to allow subdivision and rezoning in this area.

Birte Decloux, Urban Options Planning & Permits, Applicant

- Commented that redevelopment does trigger some service upgrades and frontage upgrades.

Staff:

- Responded to questions from Council.

There were no further comments.

**3.2 Lindahl St 2005, Z18-0039 (BL11654) - Nicholas and Cheryl Kirschner**

Staff:

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

The City Clerk advised that the following correspondence was received:

**Letter of Support:**

Dave and Elenor Hansum, Lindahl Street

The Applicant was present and available for questions.

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

Gallery:

Dennis Koch, Lindahl Street

- Raised a number of concerns and questions although not opposed.
- Raised concern with the delivery of the neighbourhood consultation.
- Raised concerns with the conceptual site plan; have no idea of what the house will look or if the wall is on the property line.
- Raised concerns with lack of on street parking.

Birte Decloux, Urban Options Planning & Permits, Applicant

- Spoke with tenants as part of the neighbourhood consultation.
- The new building will be required to meet siting requirements.

Staff:

- Responded to questions from Council.

There were no further comments.

**3.3 Richter St 2529, Z18-0056 (BL11655) - Karambir Singh Kler and Amarjit Kaur Kler**

Staff:

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

The City Clerk advised that no correspondence was received.

Jessie Alexander, New Town Services

- Available for questions from Council.

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

No one from the gallery came forward.

There were no further comments.

### **3.4 Barnaby Rd 771, Z18-0074 (BL11660) - Trevor James Taylor and Lori-Lynn Taylor**

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The City Clerk advised that no correspondence was received.

The Applicant was present and available for questions.

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

No one from the gallery came forward.

There were no further comments.

### **3.5 Curlew Drive 477-2, Z18-0064 (BL11661) - Aspen Point Construction Ltd., Inc. No. BC0922170**

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The City Clerk advised that no correspondence was received.

The Applicant was present and available for questions.

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

No one from the gallery came forward.

There were no further comments.

### **3.6 Pandosy St 2251-2312, OCP18-0011 (BL11665), Z18-0055 (BL11666), - Interior Health Authority**

Staff:

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

The City Clerk advised that no correspondence was received.

Doug Renko, KGH Foundation and Stoke Tonne, Meiklejohn Architects

- Commented on how the facility will be utilized by those using KGH for emergency care.
- Parking requirements would be 23 stalls and we are proposing 28 stalls.

- Spoke to the form and character and balancing between the small scale residential form and larger buildings in the HD zone.
- This proposal is strongly supported by the community.

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

Wayne Dodds, Christleton Avenue

- In support of the application.
- Made comment on the Notice.
- Commented that the parking problem is solved with additional stalls.

Richard Moore, Abbott Street

- In support of the application.
- Raised concerns with the form and character with respect to the larger housing in the neighbourhood; the elevation fronting Abbott Street does not adequately conform with the larger homes on the streets.

There were no further comments.

**3.7 Speer St 2268, 2276, 2284, 2292 Pandosy St 2269 - OCP18-0017 (BL11662), Z18-0077 (BL11663) - Interior Health Authority**

**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:**

Erica Bell-Lowther, Abbott Street  
 Pat Munro, Cadder Avenue  
 KSAN, Erica Bell-Lowther, President  
 David Jefferess, Speer Street  
 Leanne and Norm Langford, Speer Street (2 letters)  
 Peter Chataway, Cadder Avenue  
 Douglas and Irene Harlton, Royal Avenue

**Petition of Opposition**

Leanne and Norm Langford, Speer Street (15 signatures)

Doug Labelle, Applicant representing Interior Health

- Displayed a PowerPoint Presentation.
- The KGH Foundation is moving forward with development of JoeAnna's House.
- Provided an overview of KGH's existing parking and advised of the stalls dedicated to staff and the public.
- There will be an interim parking lot at Speer Street.
- Noted that there are no plans for a permanent parking structure at this location or any others at this time.
- The layout requires a minimum 2.0 m setback from the property line.
- Additional trees and plantings will be added to screen the lot from the ground up.
- Responded to questions from Council.

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



Gallery:

David Jefferess, Speer Street

- Opposed to this application and referenced correspondence submitted.
- Believes that KGH has not maximized the existing on-site parking opportunities.
- The lack of sidewalks creates an unsafe situation.
- Access to Speer Street is already dangerous.
- Raised concerns with increased traffic congestion.
- Questioned IHA and KGH consultation efforts.
- Responded to questions from Council.

Leanne Langford, Speer Street

- Opposed to this application.
- This application is at odds with the character of this neighbourhood.
- Displayed photographs of the neighbourhood on the ELMO.
- Raised concern that too many staff are required to have a parking stall.

Kelly Hutchinson, GlenPark Drive

- Raised concerns with the level of parking KGH requires.
- Wondered what the walkability score is of the application.
- Wondered what parking initiatives or other transit options are being offered to staff.

Diane Varga, Lakewood Avenue, Co-Founder Renters United

- Speaking as co-founder of Renters United.
- Understands that KGH has a parking issue but removing houses isn't the solution.
- Should focus on protecting the existing rental housing Kelowna has.
- Opposed to this application.

Dr. Erica Bell-Lowther, Abbott Street, KSAN President

- Strongly opposed to the rezoning.
- Spoke to the lack of consultation from IHA/KGH prior to this meeting.
- Believes the neighbourhood would be destroyed by tearing down homes to put up a parking lot.
- Displayed and spoke to the images from the immediate neighbourhood on the ELMO.
- Does not agree that there is any link between rezoning for the JoeAnna's House and this parking lot rezoning.
- Responded to questions from Council.

Wayne Dodds, Christleton Avenue

- Raised concerns that the laneway is not safe for two-way traffic; requested that the City look for different exit/entrance onto Speer Street.

Pat Munro, Cadder Avenue

- Opposed to the rezoning application.
- There is a lack of information from KGH on encouraging other forms of transportation such as transit passes and carpooling.

Rodney Igirashi, Speer Street

- Asked what is the long term vision of IHA for the neighbourhood.
- Asked what is the long term parking plan for KGH versus the apparent ad hoc approach to parking management in the area.
- Opposed to the development due to the grotesque impact the application will have on Speer Street.

Danielle Hospes, Speer Street

- The recent development by IHA has had a negative impact on the neighbourhood, in particular noise.
- Opposed to this application.

Sandy Abrey, Speer Street

- It has been a decade long construction project due to the KGH expansion.
- There has been an increase in traffic and noise.
- Opposed to this application.

Doug Labelle, Applicant representing Interior Health

- Confirmed that IHA does not own any other assembled land in the area.
- The Transportation Demand Management Plan made property available for new bus drop offs to be built on both sides of Pandosy Street; provided car-pooling stalls with incentives for staff and provided bike storage.
- There are three properties being rented but only until the land is required for development.
- Respects the role of the Neighbourhood Association and has had several issues successfully resolved by working together.
- Hospital administration does meet regularly with KSAN and has discussed parking as recently as June.
- IHA would support one-way traffic in the laneway if configuration is possible.
- Spoke to the long term vision being the Master Site Plan that is used to determine replacement of older buildings.
- Responded to questions from Council.

## Staff:

- Responded to questions from Council.

There were no further comments.

**4. Termination**

The Hearing was declared terminated at 8:47 p.m.

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Mayor Basran

/cm/acm




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City Clerk



## City of Kelowna Regular Council Meeting Minutes

Date: Tuesday, August 28, 2018  
Location: Council Chamber  
City Hall, 1435 Water Street

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

Staff Present: City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith; Urban Planning Manager, Terry Barton; and Legislative Services Coordinator (Confidential), Clint McKenzie

(\* denotes partial attendance)

1. **Call to Order**

Mayor Basran called the meeting to order at 9:01 p.m.

2. **Reaffirmation of Oath of Office**

The Oath of Office was read by Councillor Given.

3. **Confirmation of Minutes**

Moved By Councillor Hodge/Seconded By Councillor Sieben

R836/18/08/28 THAT the Minutes of the Public Hearing and Regular Meeting of August 14, 2018 be confirmed as circulated.

Carried

4. **Bylaws Considered at Public Hearing**

4.1 Hobson Rd 4315, Z18-0072 (BL11653) - Jagdeesh Singh Diocee and Anita Sanan

Moved By Councillor Donn/Seconded By Councillor Given

R837/18/08/28 THAT Bylaw No. 11654 be read a second and third time.

Defeated  
Councillors DeHart, Hodge, Sieben, Singh and Stack - Opposed

4.2 Lindahl St 2005, Z18-0039 (BL11654)- Nicholas and Cheryl Kirschner

Moved By Councillor Donn/Seconded By Councillor Given

R838/18/08/28 THAT Bylaw No. 11654 be read a second and third time.

Carried

4.3 Richter St 2529, Z18-0056 (BL11655) - Karambir Singh Kler and Amarjit Kaur Kler

Moved By Councillor Donn/Seconded By Councillor Given

R839/18/08/28 THAT Bylaw No. 11655 be read a second and third time.

Carried

4.4 Barnaby Rd 771, Z18-0074 (BL11660) - Trevor James Taylor and Lori-Lynn Taylor

Moved By Councillor Gray/Seconded By Councillor Hodge

R840/18/08/28 THAT Bylaw No. 11660 be read a second and third time.

Carried

4.5 Curlew Drive 477-2, Z18-0064 (BL11661) - Aspen Point Construction Ltd., Inc. No. BC0922170

Moved By Councillor Hodge/Seconded By Councillor Gray

R841/18/08/28 THAT Bylaw No. 11661 be read a second and third time and be adopted.

Carried

4.6 Pandosy St 2251-2312, OCP18-0011 (BL11665) - Interior Health Authority

Moved By Councillor Sieben/Seconded By Councillor Singh

R842/18/08/28 THAT Bylaw No. 11665 be read a second and third time.

Carried

4.7 Pandosy St 2251-2312, Z18-0055 (BL11666) - Interior Health Authority

Moved By Councillor Sieben/Seconded By Councillor Singh

R843/18/08/28 THAT Bylaw No. 11666 be read a second and third time.

Carried

4.8 Speer St 2268, 2276, 2284, 2292 Pandosy St 2269 - OCP18-0017 (BL11662) - Interior Health Authority

Moved By Councillor Sieben/Seconded By Councillor Singh

R844/18/08/28 THAT Bylaw No. 11662 be read a second and third time.

Carried

4.9 **Speer St 2268, 2276, 2284, 2292 Pandosy St 2269 - Z18-0077 (BL11663) - Interior Health Authority and City of Kelowna**

Moved By Councillor Sieben/Seconded By Councillor Singh

R845/18/08/28 THAT Bylaw No. 11663 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 94 statutory notices to the owners and occupiers of surrounding properties on Tuesday, August 14, 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 **Taylor Cr 2424, Z18-0024 (BL11622) - Kerry and Nicole Begrand Fast**

Moved By Councillor Sieben/Seconded By Councillor Singh

R846/18/08/28 THAT Bylaw No. 11622 be adopted.

Carried

6.2 **Taylor Cr 2424, DVP18-0053 - Kerry and Nicole Begrand Fast**

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 Support:

Nicole & Kerry Begrand-Fast, Taylor Crescent (7 form letters)

Birte Decloux, Urban Options Planning & Permits, Applicant and Nicole Begrand-Fast, Owner

- Displayed a PowerPoint Presentation.
- The variance request is to accommodate a family member on site; allows multi-generational family to age in place.
- Traffic volumes on Taylor Crescent are low and believes there will be little impact if driveway access variance is granted.
- Noted that other properties in the neighbourhood have two driveways.
- Responded to questions from Council.

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

Gallery:

Richard Burrows, Taylor Crescent

- Opposed to the application and supportive of staff's position.
- Believes regulations should be the same for everyone with lane access to ensure safety.
- Responded to questions from Council.

Birte Decloux, Urban Options Planning & Permits

- Made reference to the OCP Policy in support of diverse housing types and asked Council to consider this.
- The landowner is asking for front access in order to have an elderly parent live in the home.
- Responded to questions from Council.

There were no further comments.

Moved By Councillor Given/Seconded By Councillor Donn

**R847/18/08/28** THAT Council NOT authorize the issuance of Development Variance Permit No. DVP18-0053 for Lot 17, District Lot 14, ODYD, Plan 7336, located at 2424 Taylor Cr, Kelowna, BC.

AND THAT a variance to the following section of Zoning Bylaw No. 8000 NOT be granted:

**Section 13.1.7(d): Urban Residential Zones**

To allow dual vehicle access from both the rear lane and the front street.

Carried

**6.3 St Paul St 1471, Z18-0002 (BL11646) - Mission Group Holdings Ltd**

Moved By Councillor Sieben/Seconded By Councillor Singh

**R848/18/08/28** THAT Bylaw No. 11646 be adopted.

Carried

**6.4 St Paul St 1471, DP18-0076 DVP18-0077 - Mission Group Holdings Ltd., Inc. No. BC0993483**

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:**

Dianne Varga, Lake Avenue  
Richard Drinnan, Greene Road

Luke Turri, Mission Group, Applicant

- Displayed a PowerPoint Presentation summarizing the project.
- Spoke to the form and character of the building including the 178 new homes with street level retail.
- Spoke to the podium massing and tower design; will be in keeping with the existing character of St. Paul Street.
- Spoke to the rationale for the height variance due to the parking requirements.
- This will be a master planned site exploring multiple uses.

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

Gallery:

Diane Varga, Lake Avenue

- Opposed to the application.
- Raised concerns with short term rental uses.
- Recommended this project be put on hold until short term rental use policies are determined by the City.
- Recommended the City consider and adopt residential rental tenure zoning regulations.

Richard Drinnan, Greene Road

- Opposed to the application.
- Believes there is no justification for height request and sets a precedence.
- Displayed 20-Year Costs to Taxpayers triggered by Brooklyn Project calculations on the ELMO.
- Reviewed the DCC rates and believes the subsidies will hinder the City's ability to pay for other municipal capital projects such as Parks.
- Commented that there are no public amenities proposed by the Applicant
- Recommended an applicant amenity contribution be collected and used for South Pandosy Park Capital costs.

Luke Turri, Mission Group, Applicant

- Firm believer in long term prosperity of Kelowna and by adding supply of housing is one of the largest levers that can be used to provide housing affordability.

There were no further comments.

Moved By Councillor Sieben/Seconded By Councillor Stack

**R848/18/08/28** THAT final adoption of Rezoning Bylaw No. 11646 (Z18-0002) be considered by Council;

THAT Council authorizes the issuance of Development Permit No. DP18-0076 for Lot A, District Lot 139, ODYD, Plan EPP81417, located at 1471 St. Paul Street, 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;
5. That the Development Permit and Development Variance Permit is issued subsequent to the outstanding conditions set out in Attachment "A" attached to the Report from the Community Planning Department dated July 25<sup>th</sup> 2017;

AND THAT Council authorize the issuance of Development Variance Permit DVP18-0077 for Lot A, District Lot 139, ODYD, Plan EPP81417, located at 1471 St. Paul Street, Kelowna, BC;

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

**Section 14.7.5 (a) Development Regulations**

To vary the maximum height from 58 metres (approx. 19 storeys) to 75 metres (26 storeys).

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit and Development Variance Permit applications 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. Reminders – Nil.

8. Termination

The meeting was declared terminated at 10:59 pm.

\_\_\_\_\_  
Mayor Basran

/cm/acm



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City Clerk

DRAFT



**CITY OF KELOWNA**  
**BYLAW NO. 11659**  
**TA18-0008 Cannabis Amendments**

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

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

1. THAT **Section 1 – General Administration, 1.3 Zoning Map, Section 14 – Commercial Zones** be amended by:

- a) Deleting the following:

C2	Neighbourhood Commercial
C2rls	Neighbourhood Commercial (Retail Liquor Sales)

And replacing it with:

C2	Neighbourhood Commercial
C2rls	Neighbourhood Commercial (Retail Liquor Sales)
C2rcs	Neighbourhood Commercial (Retail Cannabis Sales)
C2rls/rcs	Neighbourhood Commercial (Retail Liquor Sales/Retail Cannabis Sales)

- b) Deleting the following:

C3	Community Commercial
C3lp	Community Commercial (Liquor Primary)
C3lp/rls	Community Commercial (Liquor Primary/Retail Liquor Sales)
C3rls	Community Commercial (Retail Liquor Sales)

And replacing it with:

C3	Community Commercial
C3lp	Community Commercial (Liquor Primary)
C3lp/rls	Community Commercial (Liquor Primary/Retail Liquor Sales)
C3rls	Community Commercial (Retail Liquor Sales)
C3rcs	Community Commercial (Retail Cannabis Sales)
C3lp/rcs	Community Commercial (Liquor Primary/Retail Cannabis Sales)
C3rls/rcs	Community Commercial (Retail Liquor Sales/Retail Cannabis Sales)
C3lp/rls/rcs	Community Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales)

c) Deleting the following:

C4	Urban Centre Commercial
C4rls	Urban Centre Commercial (Retail Liquor Sales)
C4lp	Urban Centre Commercial (Liquor Primary)
C4lp/rls	Urban Centre Commercial (Liquor Primary/Retail Liquor Sales)

And replacing it with:

C4	Urban Centre Commercial
C4rls	Urban Centre Commercial (Retail Liquor Sales)
C4lp	Urban Centre Commercial (Liquor Primary)
C4lp/rls	Urban Centre Commercial (Liquor Primary/Retail Liquor Sales)
C4rcs	Urban Centre Commercial (Retail Cannabis Sales)
C4lp/rcs	Urban Centre Commercial (Liquor Primary/Retail Cannabis Sales)
C4rls/rcs	Urban Centre Commercial (Retail Liquor Sales /Retail Cannabis Sales)
C4lp/rls/rcs	Urban Centre Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales)

d) Deleting the following:

C6	Regional Commercial
C6rls	Regional Commercial (Retail Liquor Sales)
C6lp	Regional Commercial (Liquor Primary)

And replacing it with:

C6	Regional Commercial
C6rls	Regional Commercial (Retail Liquor Sales)
C6lp	Regional Commercial (Liquor Primary)
C6lp/rls	Regional Commercial (Liquor Primary/Retail Liquor Sales)
C6rcs	Regional Commercial (Retail Cannabis Sales)
C6lp/rcs	Regional Commercial (Liquor Primary/Retail Cannabis Sales)
C6rls/rcs	Regional Commercial (Retail Liquor Sales/Retail Cannabis Sales)
C6lp/rls/rcs	Regional Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales)

e) Deleting the following:

C7	Central Business Commercial
C7rls	Central Business Commercial (Retail Liquor Sales)
C7lp	Central Business Commercial (Liquor Primary)
C7lp/rls	Central Business Commercial (Liquor Primary/Retail Liquor Sales)

And replacing it with:

C7	Central Business Commercial
C7rls	Central Business Commercial (Retail Liquor Sales)
C7lp	Central Business Commercial (Liquor Primary)
C7lp/rls	Central Business Commercial (Liquor Primary/Retail Liquor Sales)

C7rcs	Central Business Commercial (Retail Cannabis Sales)
C7lp/rcs	Central Business Commercial (Liquor Primary/Retail Cannabis Sales)
C7rls/rcs	Central Business Commercial (Retail Liquor Sales/Retail Cannabis Sales)
C7lp/rls/rcs	Central Business Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales)

f) Deleting the following:

C9	Tourist Commercial
C9rls	Tourist Commercial (Retail Liquor Sales)
C9lp	Tourist Commercial (Liquor Primary)
C9lp/rls	Tourist Commercial (Liquor Primary/Retail Liquor Sales)

And replacing it with:

C9	Tourist Commercial
C9rls	Tourist Commercial (Retail Liquor Sales)
C9lp	Tourist Commercial (Liquor Primary)
C9lp/rls	Tourist Commercial (Liquor Primary/Retail Liquor Sales)
C9rcs	Tourist Commercial (Retail Cannabis Sales)
C9lp/rcs	Tourist Commercial (Liquor Primary/Retail Cannabis Sales)
C9rls/rcs	Tourist Commercial (Retail Liquor Sales /Retail Cannabis Sales)
C9lp/rls/rcs	Tourist Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales)

g) Deleting the following:

C10	Service Commercial
C10lp	Service Commercial (Liquor Primary)
C10lp/rls	Service Commercial (Liquor Primary/Retail Liquor Sales)

And replacing it with:

C10	Service Commercial
C10lp	Service Commercial (Liquor Primary)
C10lp/rls	Service Commercial (Liquor Primary/Retail Liquor Sales)
C10rls	Service Commercial (Retail Liquor Sales)
C10rcs	Service Commercial (Retail Cannabis Sales)
C10lp/rcs	Service Commercial (Liquor Primary/Retail Cannabis Sales)
C10lp/rls/rcs	Service Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales)

2. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 1 – General Administration, 1.3 Zoning Map, Section 15 – Industrial Zones** be amended by:

a) Deleting the following:

I1	Business Industrial
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And replacing it with:

I1 I1rcs	Business Industrial
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	Business Industrial (Retail Cannabis Sales)
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b) Deleing the following:

I2	General Industrial
----	--------------------

And replacing it with:

I2	General Industrial
I2rcs	General Industrial (Retail Cannabis Sales)

c) Deleting the following:

I4	Central Industrial
----	--------------------

And replacing it with:

I4	Central Industrial
I4rcs	Central Industrial (Retail Cannabis Sales)

3. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 1 – General Administration, 1.3 Zoning Map, Section 18 – Comprehensive Development Zones** be amended by:

a) Deleting the following:

CD17	Mixed Use Commercial – High Density
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And replacing it with:

CD17	Mixed Use Commercial – High Density
CD17rcs	Mixed Use Commercial – High Density (Retail Cannabis Sales)

b) Deleting the following:

CD26	Capri Centre Comprehensive Development Zone
------	---

And replacing it with:

CD26	Capri Centre Comprehensive Development Zone
CD26rcs	Capri Centre Comprehensive Development Zone (Retail Cannabis Sales)

4. AND THAT **Section 2 – Interpretation, 2.3.3 General Definitions** be amended by:

a) Adding a new definition for “**CANNABIS**” in it’s appropriate location that reads:

“**CANNABIS** means cannabis as defined in the *Controlled Drugs and Substances Act* and includes any products containing cannabis.”

b) Deleting the definition for “**HEALTH SERVICES, MAJOR**” that reads:

“**HEALTH SERVICES, MAJOR** means a **development** used for the provision of physical or mental **health services** on an out-patient basis. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative or counseling nature. Typical **uses** include, but are not limited to, medical and dental **offices**, chiropractors, massage therapists and

acupuncture clinics, health clinics, and counseling services. This **use** does not include the retail sale or dispensing of marihuana.”

And replacing it with:

“**HEALTH SERVICES, MAJOR** means a **development** used for the provision of physical or mental **health services** on an out-patient basis. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative or counseling nature. Typical **uses** include, but are not limited to, medical and dental **offices**, chiropractors, massage therapists and acupuncture clinics, health clinics, and counseling services. This **use** does not include the retail sale or dispensing of **cannabis**.”

- c) Deleting the definition for “**HEALTH SERVICES, MINOR**” that reads:

“**HEALTH SERVICES, MINOR** means development used for the provision of counselling and therapeutic services.”

And replacing it with:

“**HEALTH SERVICES, MINOR** means development used for the provision of counselling and therapeutic services. This **use** does not include the retail sale or dispensing of **cannabis**.”

- d) Deleting the definition for “**MEDICAL MARIHUANA PRODUCTION FACILITY**” that reads:

“**MEDICAL MARIHUANA PRODUCTION FACILITY** means a facility for the producing, processing, setting, providing, shipping, delivering and destroying of medical marihuana and can include analytical testing in permitted industrial zones and must be licensed by Health Canada. This **use** does not include the retail sale or dispensing of marihuana.”

And replacing it with:

“**CANNABIS PRODUCTION FACILITY** means a facility for the producing, processing, setting, providing, shipping, delivering and/or destroying of **cannabis** and can include analytical testing in permitted industrial zones and must be licensed by Health Canada. This **use** does not include the retail sale or dispensing of **cannabis**.”

- e) Adding a new definition for “**RETAIL CANNABIS SALES ESTABLISHMENT (rcs)**” in its appropriate location that reads:

“**RETAIL CANNABIS SALES ESTABLISHMENT (rcs)** means a development used for the retail sale of **cannabis** that has been licensed by the Government of British Columbia.”

- f) Deleting the definition for “**RETAIL STORE, CONVENIENCE**” that reads:

“**RETAIL STORE, CONVENIENCE** means **development** used for the retail sale of those goods required by area residents (including tourists temporarily resident in a neighbourhood) and employees on a day to day basis, from **business premises** which do not exceed 235 m<sup>2</sup> in **gross floor area**. Typical **uses** include but are not necessarily limited to: small food stores, drug stores, florists, or variety stores selling confectionery, tobacco, groceries, beverages, pharmaceutical items, personal care items, hardware, printed matter, seasonal or tourism related rentals or the rental of videos. This **use** does not include the retail sale or dispensing of marihuana. In the W<sub>2</sub> Zone, this includes items normally required by people using marina facilities, but does not include the rental of personal watercraft or rental of automobiles.”

And replacing it with:

“**RETAIL STORE, CONVENIENCE** means **development** used for the retail sale of those goods required by area residents (including tourists temporarily resident in a neighbourhood)

and employees on a day to day basis, from **business premises** which do not exceed 235 m<sup>2</sup> in **gross floor area**. Typical **uses** include but are not necessarily limited to: small food stores, drug stores, florists, or variety stores selling confectionery, tobacco, groceries, beverages, pharmaceutical items, personal care items, hardware, printed matter, seasonal or tourism related rentals or the rental of videos. This **use** does not include the retail sale or dispensing of **cannabis**. In the W<sub>2</sub> Zone, this includes items normally required by people using marina facilities, but does not include the rental of personal watercraft or rental of automobiles.”

- g) Deleting the definition for “**RETAIL STORE, GENERAL**” that reads:

“**RETAIL STORE, GENERAL** means **premises** where goods, merchandise and other material are offered for sale at retail to the general public and includes limited on-site storage or limited seasonal outdoor sales to support that store’s operations. Typical **uses** include but are not limited to grocery, hardware, pharmaceutical, clothing, appliance and sporting goods stores. This **use** excludes **warehouse sales** and sale of gasoline, heavy agricultural and industrial equipment, second-hand goods, and retail stores requiring **outdoor storage**. This **use** does not include the retail sale or dispensing of marihuana.”

And replacing it with:

“**RETAIL STORE, GENERAL** means **premises** where goods, merchandise and other material are offered for sale at retail to the general public and includes limited on-site storage or limited seasonal outdoor sales to support that store’s operations. Typical **uses** include but are not limited to grocery, hardware, pharmaceutical, clothing, appliance and sporting goods stores. This **use** excludes **warehouse sales** and sale of gasoline, heavy agricultural and industrial equipment, second-hand goods, and retail stores requiring **outdoor storage**. This **use** does not include the retail sale or dispensing of **cannabis**.”

- h) Deleting the definition for “**RETAIL STORES, HEALTH PRODUCTS**” that reads:

“**RETAIL STORES, HEALTH PRODUCTS** means a retail outlet where products related to the health industry are sold, rented, custom fitted or repaired. Such uses include but are not limited to pharmacies, health food stores, naturopathic stores, uniform stores. Limited convenience retail is permitted as a secondary use. This **use** does not include the retail sale or dispensing of marihuana.”

And replacing it with:

“**RETAIL STORES, HEALTH PRODUCTS** means a retail outlet where products related to the health industry are sold, rented, custom fitted or repaired. Such uses include but are not limited to pharmacies, health food stores, naturopathic stores, uniform stores. Limited convenience retail is permitted as a secondary use. This **use** does not include the retail sale or dispensing of **cannabis**.”

- i) Deleting the definition for “**RETAIL STORE, SERVICE COMMERCIAL**” that reads:

“**RETAIL STORE, SERVICE COMMERCIAL** means **premises** where goods, merchandise or other materials are offered for sale at retail to the general public and require extensive on-site storage to support the store's operations, either for product storage, or for processing, manufacturing or repairing goods sold on site. Typical **uses** include but are not limited to sales of automotive parts, and bakeries and butchers that process on site. This **use** does not include the retail sale or dispensing of marihuana.”

And replacing it with:

“**RETAIL STORE, SERVICE COMMERCIAL** means **premises** where goods, merchandise or other materials are offered for sale at retail to the general public and require extensive on-site storage to support the store's operations, either for product storage, or for processing,

manufacturing or repairing goods sold on site. Typical **uses** include but are not limited to sales of automotive parts, and bakeries and butchers that process on site. This **use** does not include the retail sale or dispensing of **cannabis**.”

5. AND THAT **Section 8 – Parking and Loading, Table 8.1 – Parking Schedule** be amended by deleting under **Residential Sales Centre** the following:

**“Retail Liquor Sales Establishments**

- (a) GFA less than 200m<sup>2</sup>
- (b) GFA greater than 200m<sup>2</sup>”

And replacing it with:

**“Retail Liquor Sales Establishments  
Retail Cannabis Sales Establishments**

- (a) GFA less than 200m<sup>2</sup>
- (b) GFA greater than 200m<sup>2</sup>”

6. AND THAT **Section 9 – Specific Use Regulations** be amended by adding the following new subsections **9.15 Cannabis Production Facilities** and **9.16 Retail Cannabis Sales Establishments** in their appropriate location that reads:

**“9.15 Cannabis Production Facilities**

- 9.15.1 **Cannabis Production Facilities** may not be located within 60 metres of any **lot** that has a residential use as a principal use, measured from closest **lot** line to closest **lot** line

**9.16 Retail Cannabis Sales Establishments**

- 9.16.1 Any **Retail Cannabis Sales Establishment** must be set back a minimum distance of 500 metres from another **Retail Cannabis Sales Establishment**, measured from closest **lot** line to closest **lot** line

- 9.16.2 No more than one **Retail Cannabis Sales Establishment** may exist per **lot**

- 9.16.3 Any **Retail Cannabis Sales Establishment** must be set back a minimum distance of 150 metres from any public elementary school, measured from closest **lot** line to closest **lot** line

- 9.16.4 Any **Retail Cannabis Sales Establishment** must be set back a minimum distance of 500 metres from any public middle or secondary school, measured from closest **lot** line to closest **lot** line

- 9.16.5 Any **Retail Cannabis Sales Establishment** must be set back a minimum distance of 150 metres from the following parks, measured from closest **lot** line to closest **lot** line:

- a) Ben Lee Park
- b) Bluebird Beach Park
- c) Boyce-Gyro Beach Park
- d) City Park
- e) East Kelowna Park
- f) Glenmore Recreation Park
- g) Kasugai Gardens
- h) Kinsmen Park
- i) KLO Sports Field

- j) Lombardy Park
- k) Mission Recreation Park
- l) Munson Pond Park
- m) Parkinson Recreation Park
- n) Recreation Avenue Park
- o) Rotary Beach Park
- p) Rutland Centennial Park
- q) Rutland Recreation Park
- r) Sarsons Beach Park
- s) Stuart Park
- t) Sutherland Bay Park
- u) Waterfront Park

9.16.6 Mobile sales, drive-in retail sales and/or delivery of cannabis are not a permitted form of **Cannabis Retail Sales Establishments**

9.16.7 In Industrial zones the maximum **gross floor area** for **Cannabis Retail Sales Establishments** is 250 m<sup>2</sup>

7. AND THAT **Section 14 – Commercial Zones** be amended by:

- a) Adding to the end of the title in **14.2 C2 – Neighbourhood Commercial / C2rls – Neighbourhood Commercial (Retail Liquor Sales)** the following:  
  
**“C2rcs – Community Commercial (Retail Cannabis Sales)  
C2rls/rcs – Community Commercial (Retail Liquor Sales/Retail Cannabis Sales)”;**
- b) Adding to sub-section **14.2.3 Secondary Uses** in its appropriate location a new sub-paragraph for **“retail cannabis sales establishment (C2rcs and C2rls/rcs only)”** and renumber subsequent sub-paragraphs;
- c) Adding to end of the title in **C3 – Community Commercial/ C3lp/rls – Community Commercial (Liquor Primary/Retail Liquor Sales) C3rls – Community Commercial (Retail Liquor Sales) C3lp – Community Commercial (Liquor Primary)** the following:  
  
**“C3rcs – Community Commercial (Retail Cannabis Sales)  
C3lp/rcs – Community Commercial (Liquor Primary/Retail Cannabis Sales)  
C3rls/rcs – Community Commercial (Retail Liquor Sales/Retail Cannabis Sales)  
C3lp/rls/rcs – Community Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales”;**
- d) Adding to sub-section **14.3.2 Principal Uses** in its appropriate location a new sub-paragraph for **“retail cannabis sales establishment (C3rcs, C3lp/rcs, C3rls/rcs and C3lp/rls/rcs only)”** and renumber subsequent sub-paragraphs;
- e) Adding to the end of the title in **C4 – Urban Centre Commercial/ C4rls – Urban Centre Commercial (Retail Liquor Sales) C4lp – Urban Centre Commercial (Liquor Primary)**



**C4lp/rls – Urban Centre Commercial (Liquor Primary/Retail Liquor Sales) the following:**

**“C4rcs – Urban Centre Commercial (Retail Cannabis Sales)**

**C4lp/rcs – Urban Centre Commercial (Liquor Primary/Retail Cannabis Sales)**

**C4rls/rcs – Urban Centre Commercial (Retail Liquor Sales/Retail Cannabis Sales)**

**C4lp/rls/rcs – Urban Centre Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales)”;**

- f) Adding to sub-section **14.4.2 Principal Uses** in its appropriate location a new sub-paragraph for **“retail cannabis sales establishment (C4rcs, C4lp/rcs, C4rls/rcs and C4lp/rls/rcs only)** and renumber subsequent sub-paragraphs;
- g) Adding to the end of the title in **C6 – Regional Commercial/C6rls – Regional Commercial (Retail Liquor Sales) C6lp – Regional Commercial (Liquor Primary)** the following:

**“C6lp/rls - Regional Commercial (Liquor Primary/ Retail Liquor Sales)**

**C6rcs - Regional Commercial (Retail Cannabis Sales)**

**C6lp/rcs - Regional Commercial (Liquor Primary/Retail Cannabis Sales)**

**C6rls/rcs - Regional Commercial (Retail Liquor Sales /Retail Cannabis Sales)**

**C6lp/rls/rcs - Regional Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales)”**

- h) Adding to sub-section **14.6.2 Principal Uses** in its appropriate location a new sub-paragraph for **“retail cannabis sales establishment (C6rcs, C6lp/rcs, C6rls/rcs and C6lp/rls/rcs only)** and renumber subsequent sub-paragraphs;
- i) Adding to the end of the title in **C7 – Central Business Commercial /C7rls – Central Business Commercial (Retail Liquor Sales) /C7lp – Central Business Commercial (Liquor Primary) /C7lp/rls – Central Business Commercial (Liquor Primary/Retail Liquor Sales)** the following:

**“C7rcs – Central Business Commercial (Retail Cannabis Sales)**

**C7lp/rcs – Central Business Commercial (Liquor Primary/Retail Cannabis Sales)**

**C7rls/rcs – Central Business Commercial (Retail Liquor Sales/Retail Cannabis Sales)**

**C7lp/rls/rcs – Central Business Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales)”**

- j) Adding to sub-section **14.7.2 Principal Uses** in its appropriate location a new sub-paragraph for **“retail cannabis sales establishment (C7rcs, C7lp/rcs, C7rls/rcs and C7lp/rls/rcs only)”** and renumber subsequent sub-paragraphs;
- k) Adding to end of the title in **C9 – Tourist Commercial/ C9rls – Tourist Commercial (Retail Liquor Sales) C9lp – Tourist Commercial (Liquor Primary) C9lp/rls – Tourist Commercial (Liquor Primary/Retail Liquor Sales)** the following:

**“C9rcs – Tourist Commercial (Retail Cannabis Sales)**

**C9lp/rcs – Tourist Commercial (Liquor Primary/Retail Cannabis Sales)**

**C9rls/rcs – Tourist Commercial (Retail Liquor Sales/Retail Cannabis Sales)**

**C9lp/rls/rcs – Tourist Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales)”**

- l) Adding to sub-section **14.9.3 Secondary Uses** in its appropriate location a new sub-paragraph for **"retail cannabis sales establishment (C9rcs, C9lp/rcs, C9rls/rcs and C9lp/rls/rcs only)"** and renumber subsequent sub-paragraphs;
  - m) Adding to the end of the title in **C10 – Service Commercial/C10lp – Service Commercial (Liquor Primary) C10lp/rls – Service Commercial (Liquor Primary/Retail Liquor Sales)** the following:
    - "C10rls – Service Commercial (Retail Liquor Sales)**
    - C10rcs - Service Commercial (Retail Cannabis Sales)**
    - C10lp/rcs - Service Commercial (Liquor Primary/Retail Cannabis Sales)**
    - C10lp/rls/rcs - Service Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales)"**
  - n) Adding to sub-section **14.10.2 Principal Uses** in its appropriate location a new sub-paragraph for **"retail cannabis sales establishment (C10rcs, C10lp/rcs, and C10lp/rls/rcs only)"** and renumber subsequent sub-paragraphs;
8. AND THAT **Section 15 – Business Industrial Zones** be amended by:
- a) Adding to the end of the title in **15.1 I1 – Business Industrial** the following:
    - "I1rcs – Business Industrial (Retail Cannabis Sales)";**
  - b) Deleting from sub-section **15.1.2 Principal Uses**, sub-paragraph "m) **medical marihuana production facilities**" and replacing it with **"cannabis production facilities";**
  - c) Adding to sub-section **15.1.3 Secondary Uses** in its appropriate location a new sub-paragraph for **"retail cannabis sales establishment (I1rcs only)"** and renumber all subsequent subparagraphs;
  - d) Adding to the end of the title in **15.2 I2 – General Industrial** the following:
    - "I2rcs – General Industrial (Retail Cannabis Sales)";**
  - e) Deleting from sub-section **15.2.2 Principal Uses**, sub-paragraph (v) **medical marihuana production facilities** and replacing it with **"cannabis production facilities";**
  - f) Adding to sub-section **15.2.3 Secondary Uses** in its appropriate location a new sub-paragraph for **"retail cannabis sales establishment (I2rcs only)"** and renumber all subsequent subparagraphs;
  - g) Deleting from sub-section **15.3.2 Principal Uses**, sub-paragraph "(g) **medical marihuana production facilities** and replacing it with **"cannabis production facilities"**
  - h) Adding to the end of the title in **I4 – Central Industrial** the following in its appropriate location:
    - "I4rcs – Central Industrial (Retail Cannabis Sales)"**
  - i) Deleting from sub-section **15.4.2 Principal Uses**, sub-paragraph (w) **medical marihuana production facilities** and replacing it with **"cannabis production facilities";**

- j) Adding to sub-section **15.4.3 Secondary Uses** in its appropriate location a new sub-paragraph for **"retail cannabis sales establishment (14rcs only)"** and renumber all subsequent subparagraphs.
9. AND THAT **Section 18 – Schedule 'B' Comprehensive** be amended by:
- a) Adding to the end of the title in **CD17-Mixed Use Commercial – High Density** the following:  
**"CD17rcs - Mixed Use Commercial – High Density (Retail Cannabis Sales)"**
  - b) Adding to **CD17 - Mixed Use Commercial – High Density** sub-section **1.1 Principal Uses** a new sub-paragraph **"retail cannabis sales establishment"** in its appropriate location and renumber all subsequent paragraphs;
  - c) Adding to the end of the title in **CD26 Capri Centre Comprehensive Development Zone** the following:  
**"CD26rcs - Capri Centre Comprehensive Development Zone (Retail Cannabis Sales)"**
  - d) Adding to **CD26 - Capri Centre Comprehensive Development Zone** sub-section **1.1 Principal Uses** a new sub-paragraph **"retail cannabis sales establishment"** in its appropriate location and renumber all subsequent paragraphs.
10. 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 27<sup>th</sup> of August, 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

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(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

# CITY OF KELOWNA

## BYLAW NO. 11678

### TA18-0008 – Cannabis Retail Sales Establishments

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

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

1. THAT **Section 9 – Specific Use Regulations, 9.16 Retail Cannabis Sales Establishments** be amended by adding a new **Section 9.16.8** in its appropriate location that reads as follows:  

"9.16.8 – **Cannabis Retail Sales Establishments** are not permitted on any lot identified within Figure 9.16 below."
2. AND THAT **Section 9 – Specific Use Regulations, 9.16 Retail Cannabis Sales Establishments** be amended by adding to **Section 9.16.8** in its appropriate location Figure 9.16 Area where Retail Cannabis Sales Establishments are Prohibited Map as attached to and forming part of this bylaw as Schedule A.
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 27<sup>th</sup> day of August, 2018.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

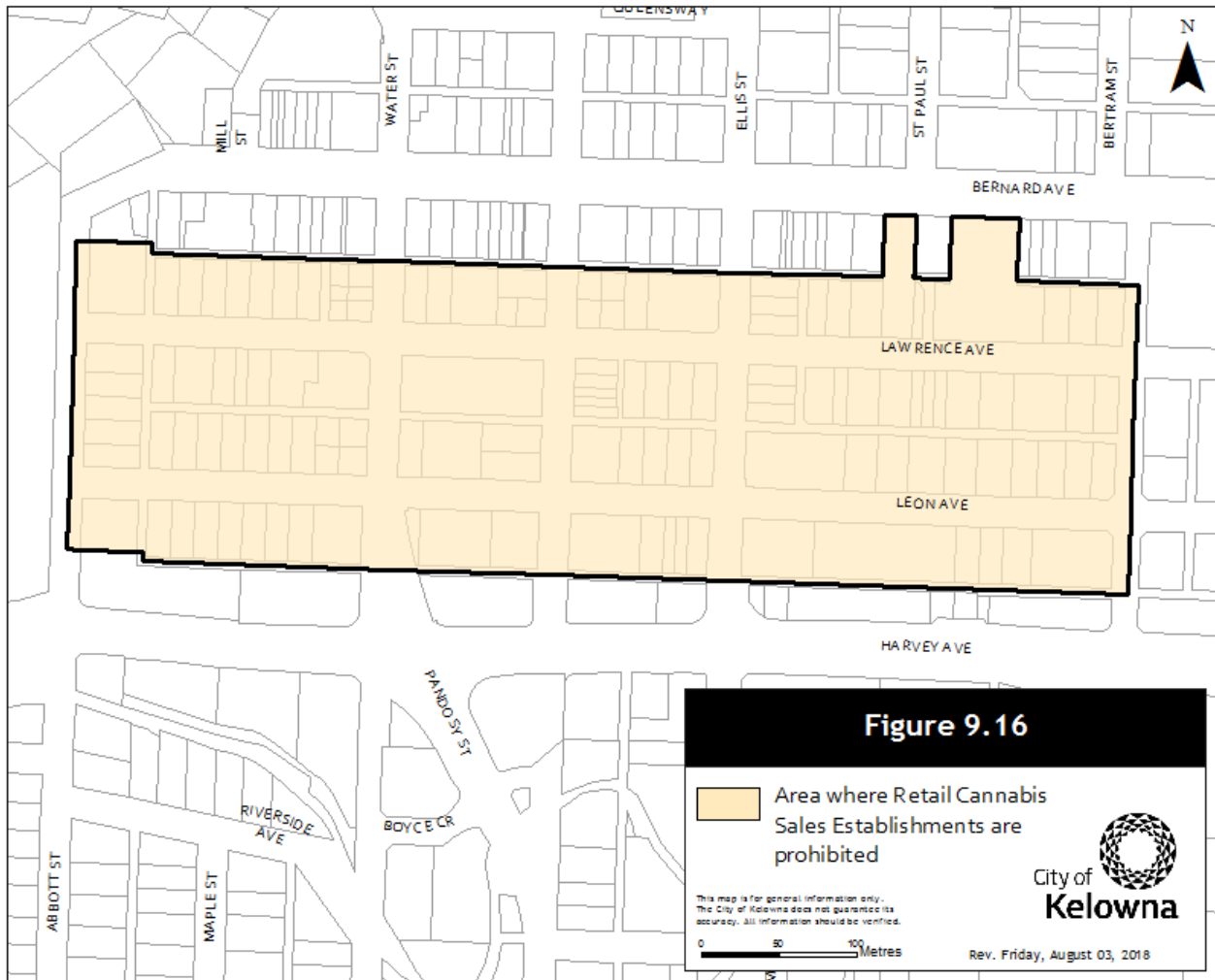
\_\_\_\_\_  
(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

Schedule A



# CITY OF KELOWNA

## BYLAW NO. 11679

### TA18-0008 – Cannabis Agricultural Amendments

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

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

1. THAT **Section 2 – Interpretation, 2.3.3 – General Definitions** be amended by adding a new definition for **FARM RETAIL SALES STANDS** in its appropriate location that reads;

**"FARM RETAIL SALES STANDS** means means those accessory **buildings** and **structures** for retailing agricultural products on a farm. This **use** does not include the retail sale or dispensing of **cannabis**."

2. AND THAT Section 11 – Agricultural Zones, 11.1.6 - Development Regulations be amended by adding a new subparagraph (g) in its appropriate location that reads as follows:

"(g) Land or a **building** or **structure** used for **cannabis** production may not be located within 60 metres of any **lot** outside of the **Agricultural Land Reserve** that has a residential use as a **principal use**, measured from closest **lot line** to closest **lot line**."

3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 27<sup>th</sup> day of August, 2018.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

\_\_\_\_\_  
(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**CITY OF KELOWNA**  
**BYLAW NO. 11668**  
**TA18-0004 – I3 – Heavy Industrial – 2092 Enterprise Way**

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

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

1. THAT **Section 15 – Industrial Zones**, be amended by adding in its appropriate location a new subsection **15.3.7 Specific Uses and Regulations** that reads as follows:

**"15.3.7 Site Specific Uses and Regulations**

Uses and regulations apply to the I3 – Heavy Industrial zone on a site specific basis as follows:

	<i>Legal Description</i>	<i>Civic Address</i>	<i>Regulation</i>
1.	Lot 3 District Lots 127 and 531 ODYD Plan KAP54290	2092 Enterprise Way	To allow <b>thrift store</b> as a permitted Principal Use.

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 27<sup>th</sup> day of August, 2018.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

\_\_\_\_\_  
 (Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

\_\_\_\_\_  
 Mayor

\_\_\_\_\_  
 City Clerk

**CITY OF KELOWNA**  
**BYLAW NO. 11673**  
**Z18-0053 – 1639 Cary Road**

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, District Lot 125, ODYD, Plan KAP81782, located on Cary Road, Kelowna, BC from I2 – General Industrial zone and the C10 – Service Commercial zone to the C10 – Service Commercial zone;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 27<sup>th</sup> day of August, 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

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(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk



# CITY OF KELOWNA

## BYLAW NO. 11675

### Discharge of Land Use Contract LUC76-1054 - (M68950) 1717 Harvey Avenue

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WHEREAS a land use (the "Land Use Contract") is registered at the Kamloops Land Title Office under number M68950 against lands in the City of Kelowna particularly known and described as Lot B District Lot 129 ODYD Plan KAP68674 (the "Lands"), located at 1717 Harvey Avenue, Kelowna, B.C.;

WHEREAS Section 546 of the *Local Government Act* provides that a land use contract that is registered in a Land Title Office may be discharged in the manner specified in the Land Use Contract, by bylaw following a public hearing on the proposed bylaw;

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

1. This Bylaw may be cited for all purposes as "Land Use Contract LUC76-1054 Discharge Bylaw".
2. The Land Use Contract is hereby cancelled and of no further force and effect and the City of Kelowna is hereby authorized and empowered to apply for the discharge of the Land Use Contract from the Lands.

Read a first time by the Municipal Council this 27<sup>th</sup> day of August, 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

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(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

**CITY OF KELOWNA**  
**BYLAW NO. 11677**  
**Z18-0087 – 540 Cawston Avenue**

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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 Lot 13, District Lot 139, ODYD, Plan KAP1303, located on Cawston Ave, Kelowna, BC from the C2 – Neighbourhood Commercial zone to the C7 – Central Business Commercial zone;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 27<sup>th</sup> day of August, 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

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Mayor

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City Clerk

# REPORT TO COUNCIL



**Date:** September 18, 2018

**RIM No.** 0930-50

**To:** City Manager

**From:** Community Planning Department (LK)

**Application:** LL18-0012

**Owner:** Stephen Cipes

**Address:** 4870 Chute Lake Road

**Applicant:** Ezra Cipes

**Subject:** Liquor License

Existing OCP Designation: REP – Resource Protection

Existing Zone: A1 – Agriculture 1

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## 1.0 Recommendation

THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor Control and Licensing Branch (LCLB):

In accordance with Section 71 of the Liquor Control and Licensing Regulations and Council Policy #359, BE IT RESOLVED THAT:

1. Council recommends support of an application from Summerhill Estate Winery/ Ezra Cipes for a winery lounge area endorsement for Lot 1 Sections 24 and 25 Township 28 SDYD Plan KAP78562, located at 4870 Chute Lake Road, Kelowna, BC for the following reasons:

- The use of the Winery Lounge Endorsement Area is to license an existing outdoor space on the existing winery property.

2. Council's comments on LCLB's prescribed considerations are as follows:

**a. The location of the winery/special event area:** The location of the winery is at 4870 Chute Lake Road, the proposed licensed areas are for an existing gazebo and outdoor space on the site.

**b. The proximity of the winery/special event area to other social or recreational facilities and public buildings:** Within 1 kilometre are four parks including Quarry Park, Powerline Park, Curlew Park and the Kettle Valley Sports field.

Within 2 kilometres are the Anne McClymont Elementary School, Okanagan Mission Secondary School, Chute Lake Elementary School and St Hubertus and Oak Bay Estate Wineries.

**c. The person capacity of the winery lounge:** The proposed service areas have a total capacity of 88 people in total (53 people for the gazebo, 35 people for the courtyard).

**d. Traffic, noise, parking and zoning:** The impact of noise on the surrounding community should be minimal as the areas are within the existing winery site and will be in operation between the hours of 9 am – 9pm daily. The addition of the lounge endorsement areas will not directly increase the amount of traffic to the area. All parking is contained on site in the existing designated parking areas. The property is A1 – Agriculture, which permits wineries and cideries within the zone.

**e. The impact on the community if the application is approved:** The impacts to the community will be similar to those experienced under the current business over the last several years.

3. Council’s comments on the views of residents are as contained within the minutes of the meeting at which the application was considered by Council. The methods used to gather views of residents were as per Council Policy #359 “Liquor Licensing Policy and Procedures.”

**2.0 Purpose**

To seek Council’s support for a Lounge Endorsement for an existing Manufacturing Liquor License (winery).

**3.0 Community Planning**

Community Planning supports the requested Lounge Endorsement for the existing winery (Summerhill Estate Winery) as it meets the guidelines of Council Policy #359 ‘Liquor Licensing Policy and Procedures’. The impact to the surrounding community will be minimal and noise is not an anticipated issue due to a combination of factors including:

- Maintains existing hours of operation (9 am – 9 pm daily)
- The proposed licensed areas will have a maximum occupancy of 88 persons.
- The proposed licensed areas utilize existing onsite space and are not expected to draw additional visitors over and above existing volumes.

It should be noted that gatherings for events held within a lounge endorsement area are not subject to the restrictions of 10 events per year to a maximum of 150 people under the Agricultural Land Reserve Use Subdivision and Procedure Regulation. Maximum occupancy loads and other endorsement restrictions would apply.

**4.0 Proposal**

**4.1 Background**

Summerhill Estate Winery has been in operation since 1992 and moved into the current building in 1997. The winery has grown to include the winery/manufacturing, tasting room, picnic area and restaurant/bistro. Summerhill Winery also includes a banquet hall (Vineyard Ballroom) which is typically utilized for weddings and other special events.

The capacity of the existing approved areas are as follows:

Restaurant/Bistro	120 Persons
Banquet Room	235 Persons
Patio Area #1	115 Persons
Patio Area #2 (grass area)	0 (max. capacity of 235 people – may be utilized only when the banquet room is not in use).
Picnic Endorsement Area #1	30 Persons

Picnic Endorsement Area #2 30 Persons (may be utilized when Picnic Area #1 is not in use).

The restaurant/ bistro and banquet room were the subjects of previous non-farm use applications approved by the ALC.

4.2 Project Description

The applicant is proposing to add a lounge endorsement for a newly constructed gazebo and nearby courtyard. The space is intended to offer a more casual eating experience that will feature 'food truck' cuisine (tacos, samosas, etc.) along with pre-packaged food choices and both alcoholic and non-alcoholic drinks. The areas will provide additional outdoor seating for visitors and is not intended to directly increase traffic to the winery.

**Proposed Hours of Sale for Lounge Endorsement Areas:**

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM
Close	9:00 PM	9:00 PM	9:00 PM	9:00 PM	9:00 PM	9:00 PM	9:00 PM

**Summerhill Estate Winery:**

Licensed Area	Net Floor Area	Proposed Capacity
Gazebo	63.9 m <sup>2</sup>	53 persons
Courtyard	42.7 m <sup>2</sup>	35 persons
<b>Total Capacity</b>	<b>106.6 m<sup>2</sup></b>	<b>88 persons*</b>

\*The proposed capacity is based on preliminary floor plans, which are subject to approval by the Building & Permitting Branch and the LCLB.

4.3 Site Context

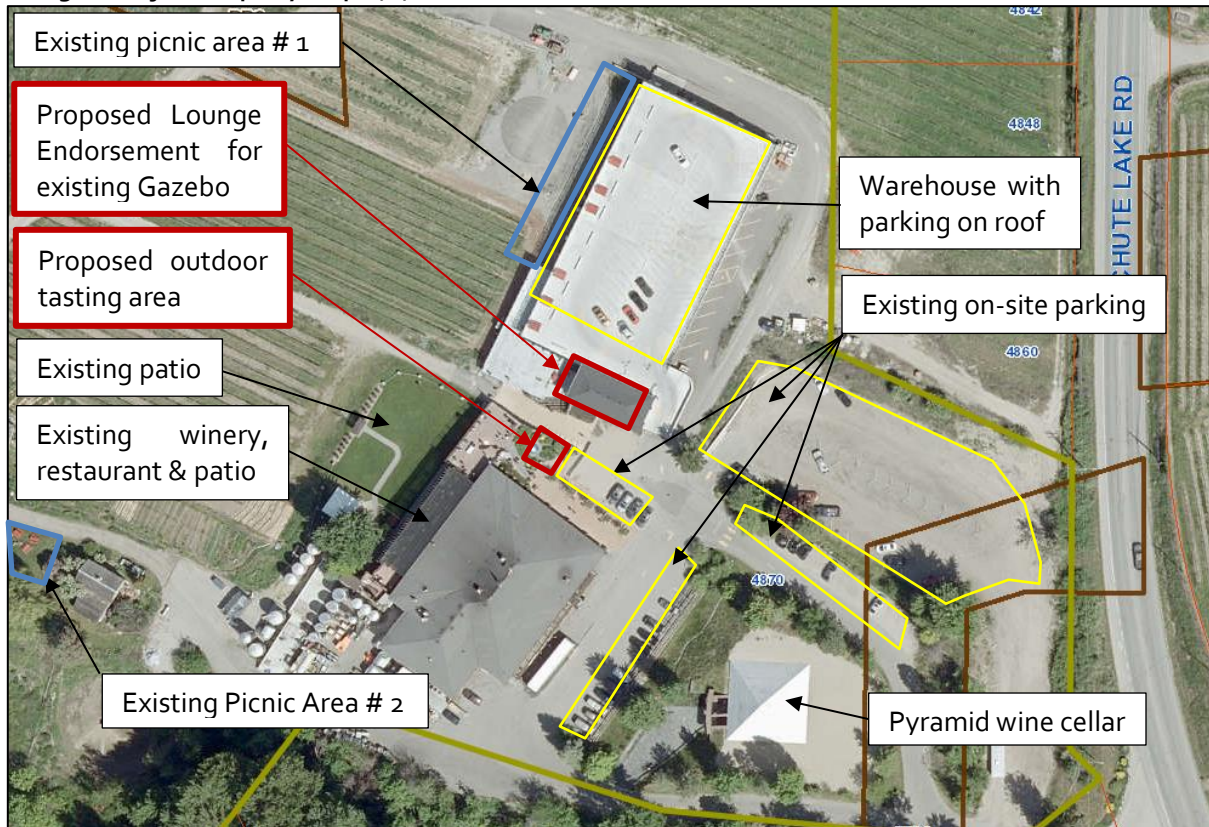
Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR2 – Rural Residential 2	Single Family Dwelling
East	A1 – Agriculture 1, RR1 – Rural Residential 1	Farm, Single Family Dwelling
South	RR2 – Rural Residential 2	Single Family Dwelling
West	A1 – Agriculture 1	Single Family Dwelling

Subject Property Map: 4870 Chute Lake Road



Enlarged Subject Property Map: 4870 Chute Lake Road



## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Agri-tourism, Wineries, Cideries, Retail Sales.**<sup>1</sup> Support agri-tourism uses that can be proven to be in aid of and directly associated with established farm operations. Permit wineries, cideries and farm retail sales (inside and outside the ALR) only where consistent with existing ALC policies and regulations.

### 5.2 Council Policy #359 – Liquor Licensing Policy & Procedures

New patios associated with liquor establishments should be located and designed to limit potential impacts on surrounding property owners.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- No concerns with proposal.

### 6.2 Fire Department

- No concerns with proposal.

### 6.3 RCMP

- No Concerns with proposal.

## 7.0 Application Chronology

Date of Application Received: May 8, 2018

**Report prepared by:** Lydia Korolchuk, Planner

**Reviewed by:** Laura Bentley, Community Planning Supervisor

**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

### Attachments:

Applicant's Package

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<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.33.5 (Development Process Chapter).



May 1, 2018

Re: Letter of Intent - Winery Lounge Endorsement

To whom it may concern,

Summerhill Pyramid Winery is applying for a Winery Lounge Endorsement for a newly constructed gazebo and adjoining courtyard.

The lounge area will be an al fresco cafeteria style dining area, featuring "food truck" style ethnic cuisine such as tacos and samosas, as well as "grab and go" type items such as sushi rolls, sandwiches, and organic sodas. There will also be an outdoor wine bar under the gazebo.

There is no desire to feature games or musical entertainment in the endorsement area.

Summerhill Pyramid Winery is in a residential neighbourhood, however there is no potential for additional noise from this endorsement. A Picnic Endorsement already exists near this newly proposed endorsement area, and guided wine tastings already take place under the gazebo as part of the (former) Tour Area Endorsement. The courtyard is already used by visitors for gathering and photography.

Summerhill has a database of our immediate neighbours' contacts. We stay in touch and are receptive to our neighbours concerns. Our neighbours have our direct cell phone numbers in order to contact us at any time of night or day in the event of a disturbance. In short, we see ourselves as being a part of our neighbourhood and endeavor to create a relationship and sense of community where all neighbours respect each other's needs. This effort has virtually eliminated noise complaints to bylaw.

I hope this letter covers all of the information you may need. If you need any more information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to be "Ezra Cipes", written over a large, loopy scribble.

Ezra Cipes  
CEO, Summerhill Pyramid Winery  
250-764-8000 ext 222 - ezra@summerhill.bc.ca

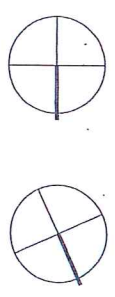




## Winery Lounge Endorsement Application – Appendix 1

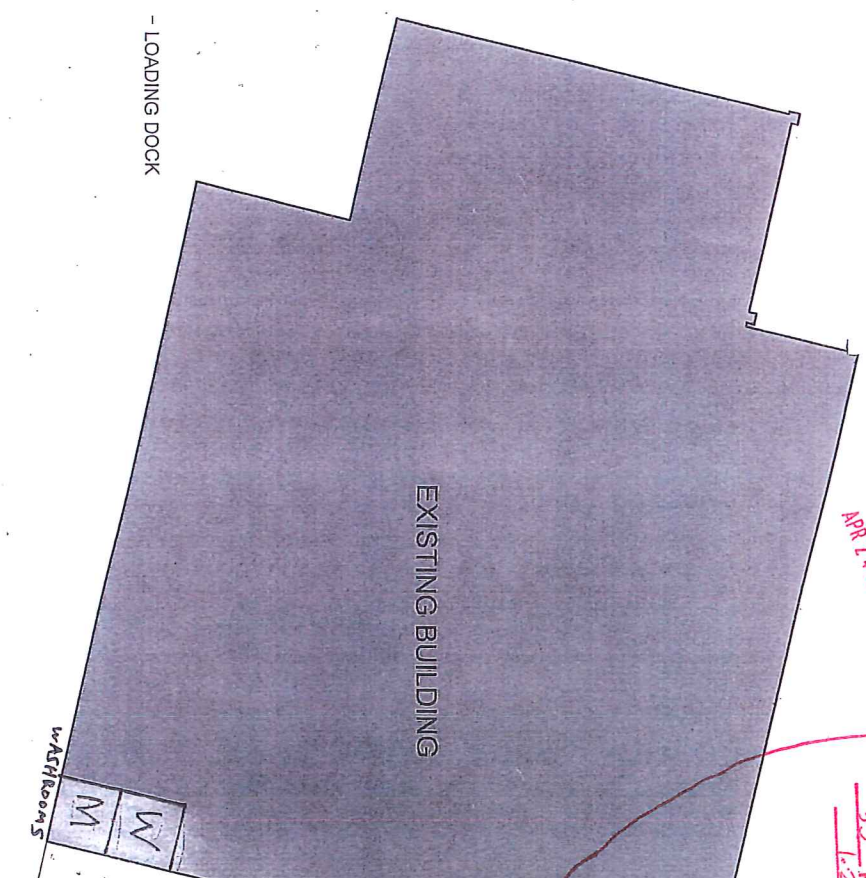
1. Both Winery Lounge patios are bound by barrels and rope at approximately waist height.
2. Both Winery Lounge areas are standalone patios on the manufacturing site.
3. Staff will serve both Winery Lounge patio areas from inside the proposed patio labels as the “Gazebo Tasting Area” and the container kitchen adjacent to it.
4. Liquor Service to the patios is from a fixed bar located in the Gazebo Tasting Area.
5. Servers will carry liquor between the two proposed Winery Lounge patios, through an unlicensed area which is a pedestrian corridor to the lower level of existing winery building.

WINERY LOUNGE - FLOOR PLAN



PROJECT NORTH TRUE NORTH

Reviewed by City of Tennessee Inspection Services  
APR 24 2008



EXISTING BUILDING

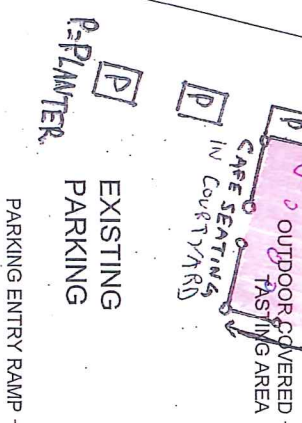
-LOADING DOCK

Washrooms  
W  
M

Lower Level Washrooms  
W  
M  
H

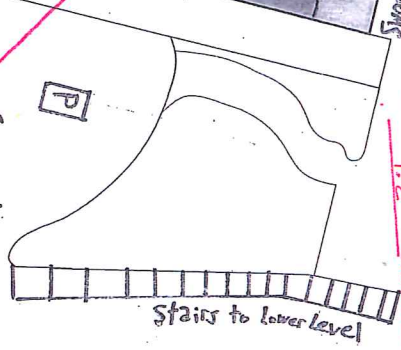
The CAFE SEATING has a net floor area of 42.7 m<sup>2</sup>. The maximum occupant load shall be 35 persons, based on 1.2 m<sup>2</sup>/person

The GAZEBO has a net floor area of 63.9 m<sup>2</sup>. The maximum occupant load shall be 53 persons, based on 1.2 m<sup>2</sup>/person



CAFE SEATING IN COURTYARD  
OUTDOOR COVERED TASTING AREA

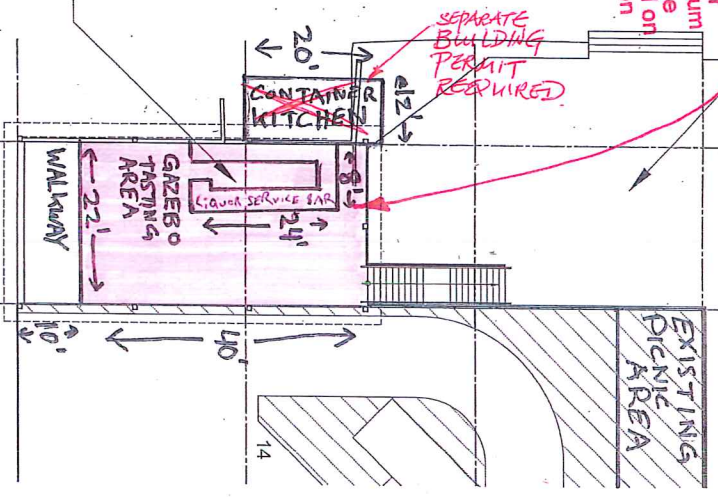
PARKING ENTRY RAMP  
EXISTING PARKING  
PLANTER



Stairs to lower level

DECK BELOW

4870 CHATE LAKE ROAD  
SUMMERHILL WINERY



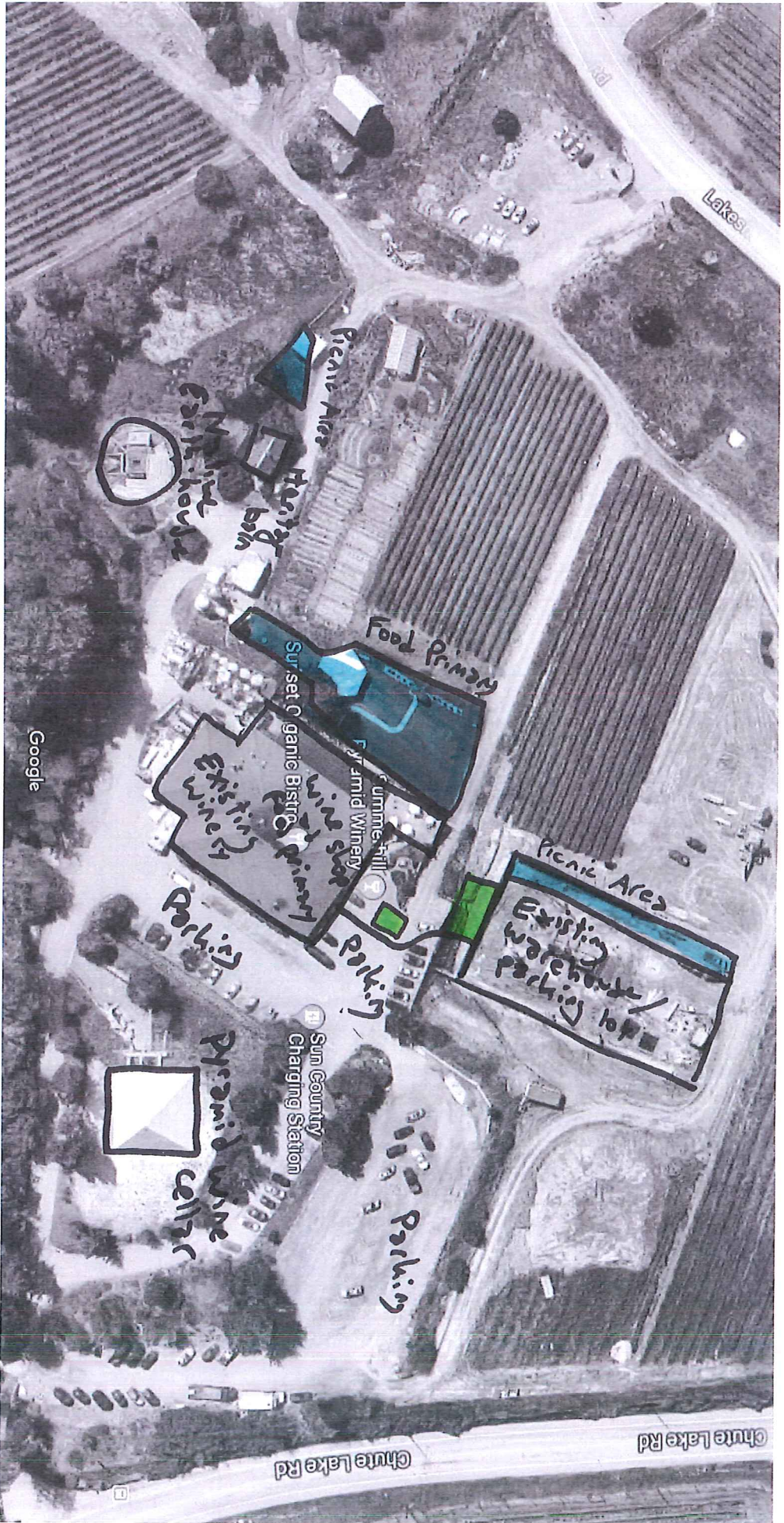
WALKWAY  
GAZEBO TASTING AREA

CONTAINER KITCHEN

FOOD SERVICE BAR

EXISTING PICNIC AREA

SUMMERHILL PYRAMID WINERY  
4870 CHATE LAKE RD.



existing outdoor picnic area

proposed new winery lounge

# REPORT TO COUNCIL



**Date:** August 13, 2018

**RIM No.** 0940-50

**To:** City Manager

**From:** Community Planning Department (SS)

**Application:** DVP18-0131      **Owner:** Susanna Viola-Reczka  
Antonio Viola

**Address:** 2220 Wilkinson Street      **Applicant:** Susanna Viola-Reczka  
Antonio Viola

**Subject:** Development Variance Permit Application

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU2 – Medium Lot Housing

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## 1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0131 for Lot 4, District Lot 136, ODYD, Plan KAP20116, located at 2220 Wilkinson Street, Kelowna, BC;

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted, as shown on Schedule "A":

### Section 13.2.6(d): RU2 – Medium Lot Housing Development Regulations

To vary the required minimum side yard from 1.5 m permitted to 0.66 m proposed.

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

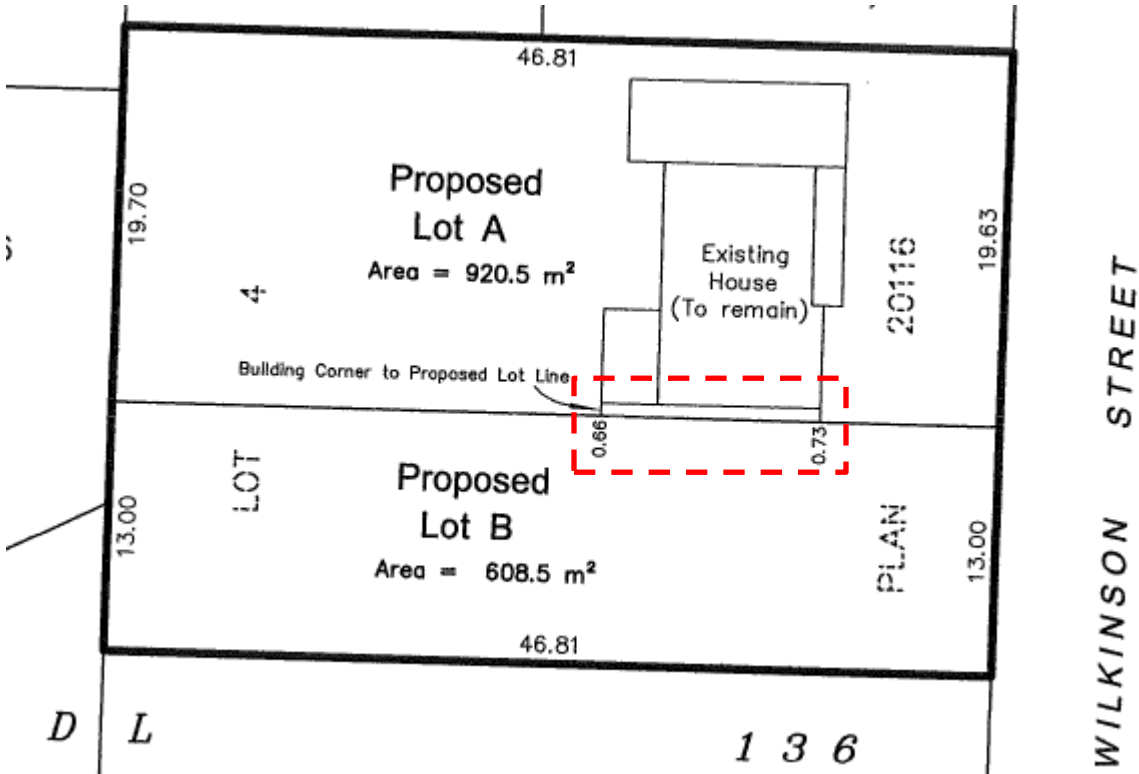
## 2.0 Purpose

To vary the minimum side yard on the subject property to facilitate a two lot subdivision.

## 3.0 Community Planning

Community Planning Staff supports the requested variance to reduce the minimum side yard from 1.5 m permitted to 0.66m proposed. The variance will facilitate a two lot subdivision where the south portion of the existing property will be subdivided to create a new residential lot under the RU2 zone. The existing house on the north portion of the property is to be retained.

The property owner intends to retain the existing dwelling on the northern portion of the property, resulting in the variance request along what will become the south side lot line, as shown in the image below. This variance allows the proposed lot on the south portion of the property to meet the RU2 subdivision regulations for lot width. The existing house is one storey and there are no windows on the west façade, alleviating potential concerns regarding spatial separation requirements. No other variances are required as part of the subdivision.



In fulfillment of Council Policy No. 367, the applicant completed neighbourhood consultation by individually contacting properties within 50 m of the subject property. No concerns were raised during this consultation. At the time of writing, Staff has not been contacted with any questions or concerns.

**4.0 Proposal**

**4.1 Site Context**

The subject property is located on the west side of Wilkinson Street, south of McBride Road in the City's Central City Sector. The Future Land Use designation in the Official Community Plan is S2RES – Single / Two Unit Residential. The surrounding area is characterized by single dwelling housing development.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing	Two dwelling housing
East	RU1 – Large Lot Housing	Single dwelling housing

South	RU6 – Two Dwelling Housing	Two dwelling housing
West	RU2 – Medium Lot Housing	Single dwelling housing

**Subject Property Map: 2220 Wilkinson Street**



**4.2 Zoning Analysis Table**

Zoning Analysis Table			
CRITERIA	RU <sub>2</sub> ZONE REQUIREMENTS	PROPOSED LOT A	PROPOSED LOT B
Subdivision Regulations			
Minimum Lot Area	400 m <sup>2</sup>	920.5 m <sup>2</sup>	608.5 m <sup>2</sup>
Minimum Lot Width	13.0 m	13.0 m	19.63 m
Minimum Lot Depth	30.0 m	46.81 m	46.81 m
Development Regulations			
Minimum Front Yard	4.5 m 6.0 m to garage or carport	Meets requirements	Meets requirements
Minimum Side Yard(north)	1.5 m for 1 or 1 1/2 storey 1.8m for 2 or 2 1/2 storey	Meets requirements	n/a
Minimum Side Yard(south)	1.5 m	0.66 m ●	n/a
Minimum Rear Yard	6.0 m for 1 or 1 1/2 storey 7.5m for 2 or 2 1/2 storey	Meets requirements	n/a

● Indicates a requested variance to reduce the required minimum side yard from 1.5m permitted to 0.66m proposed.

**5.0 Technical Comments**

5.1 Building & Permitting Department

- A Building permit is required and the work completed to address the spatial separation issues prior to the release of the DEVP.

5.2 Development Engineering Department

- See attached memorandum, dated June 25, 2018

**6.0 Application Chronology**

Date of Application Received: June 22, 2018

Date Public Consultation Completed: August 7, 2018

**Report prepared by:**

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Sergio Sartori, Development Technician

**Reviewed by:**

Dean Strachan, Subdivision, Suburban and Rural Planning Manager

**Approved for Inclusion:**

Ryan Smith, Community Planning Department Manager

**Attachments:**

Draft Development Variance Permit DVP18-0131

Schedule A : Site Plan

**SCHEDULE A**

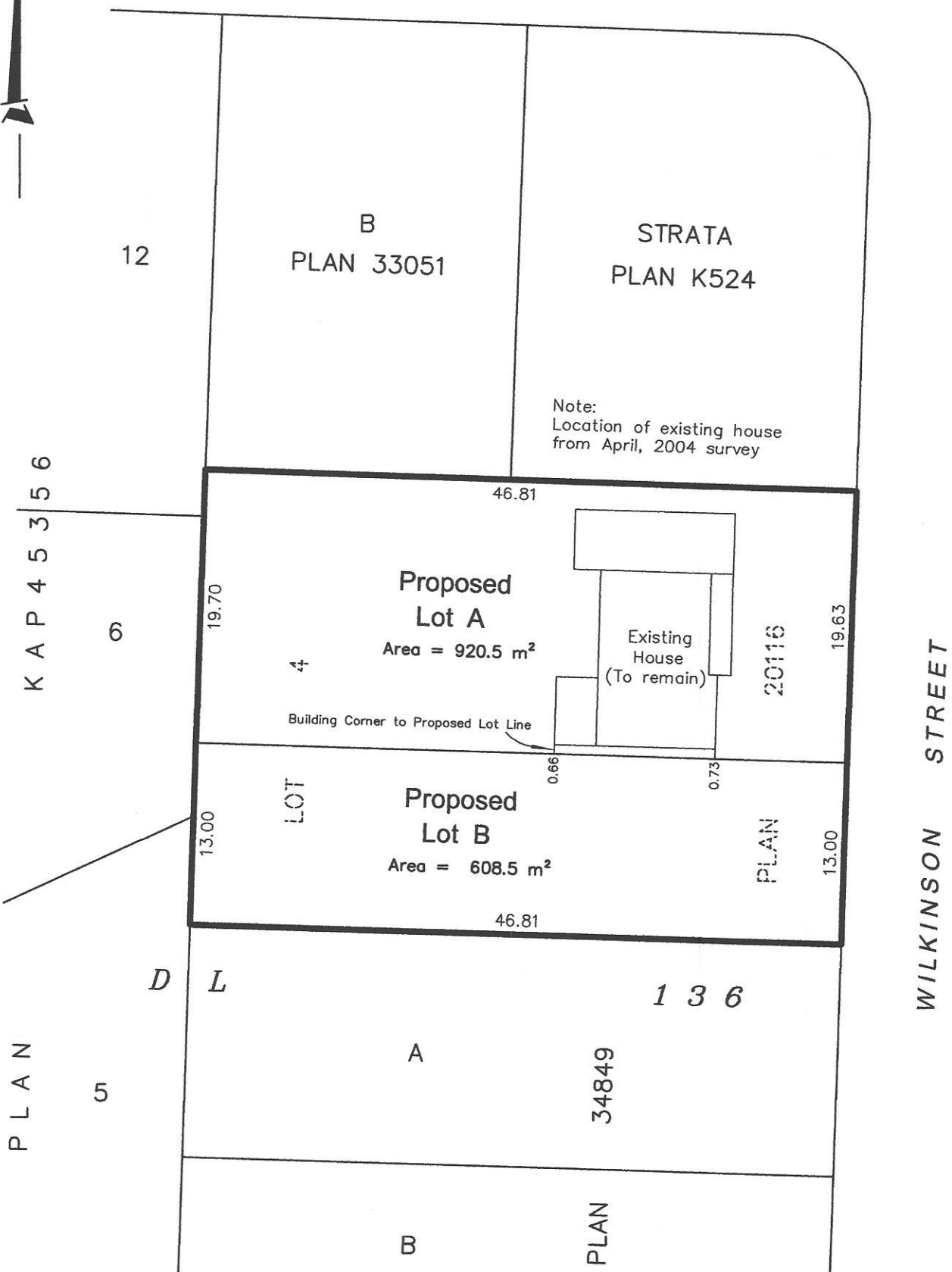
This forms part of application  
# DVP18-0131



City of  
**Kelowna**  
COMMUNITY PLANNING

Planner  
Initials **SS**

**McBRIDE ROAD**





# Development Variance Permit

## DVP18-0131



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

**2220 Wilkinson Street**

and legally known as

Lot 4, District Lot 136, OSOYOOS DIVISION YALE DISTRICT PLAN KAP20116 and permits the land to be used for the development with variances to the following section of the Zoning Bylaw 8000:

### **Section 13.2.6(d): RU2 – Medium Lot Housing Development Regulations**

To vary the required minimum side yard from 1.5 m permitted to 0.66 m proposed, as shown on the attached Schedule A.

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

Date of Decision: August 28, 2018

Decision By: CITY COUNCIL

Issued Date: **DATE**

Development Permit Area: N/A

File Manager: SS

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

Existing Zone: RU2- Medium Lot Housing

Future Land Use Designation: S2RES – Single Two Unit Residential

### **This is NOT a Building Permit.**

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

### **NOTICE**

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

Owner: Tony Viola and Sue Reczka

Applicant: Tony Viola and Sue Reczka

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Ryan Smith  
Community Planning Department Manager  
Community Planning & Strategic Investments

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Date

## 1. SCOPE OF APPROVAL

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

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

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

## 2. CONDITIONS OF APPROVAL

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

This Development Permit is valid for two (2) years from the date of August 28, 2018 approval, with no opportunity to extend.

## 3. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property own of the day. Should the Developer carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Developer or his or her designate. There is filed accordingly:

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

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

## 4. INDEMNIFICATION

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

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

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

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

# REPORT TO COUNCIL



**Date:** September 11<sup>th</sup>, 2018

**RIM No.** 0940-93

**To:** City Manager

**From:** Community Planning Department (AC)

**Application:** TUP18-0001      **Owner:** 689369 BC Ltd. Inc. No. BC0689369

**Address:** 3300 Sexsmith Rd      **Applicant:** Prestige Lawn & Landscaping Services Ltd – Steve & Jill Lemke

**Subject:** Temporary Use Permit Application

Existing OCP Designation: IND – Industrial

Existing Zone: I2 – General Industrial

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## 1.0 Recommendation

THAT Council authorizes the issuance of Temporary Use Permit No. TUP18-0001 to permit a landscaping business to operate within a temporary structure as described within the conditions of the Permit for Lot 22, Section 2, Township 23, ODYD, Plan 18861 Except Plans 19637 and KAP55314, located at 3300 Sexsmith Rd, Kelowna, BC for three years' subject to the following conditions:

- a) The dimensions and siting of the temporary use on the land be in general accordance with Schedule "A";

AND THAT Council's consideration of this Temporary Use Permit be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated April 10<sup>th</sup> 2018;

AND FURTHER THAT any application to extend the permit must be approved by Council prior to this permit expiring.

## 2.0 Purpose

To consider a Staff recommendation to issue a Temporary Use Permit to permit a landscaping business to operate within a temporary structure as described within the conditions of the Permit.

### 3.0 Community Planning

The intent in issuing Temporary Use Permits (TUPs) as outlined in the *Local Government Act* is to allow temporary uses where they might otherwise be prevented under the current Zoning Bylaw and are required to be removed following the expiration of the permit. The owner of the property has indicated his ultimate goal is to build a series of commercial / industrial buildings on the subject property. The current I2 - General Industrial zone would allow for those land uses. The applicant (Prestige Lawn & Landscaping Services Ltd.) previous location (on ALR lands) did not comply with Zoning Bylaw regulations and were told to find an industrial parcel to relocate. The I2 parcel at 3300 Sexsmith Road was available on a temporary basis before the owner implemented their long term building plans.

Any improvements that require a building permit along Sexsmith Road currently require a Development Permit and the adherence to the Zoning and Servicing Bylaws. The owner and the applicant do not want to adhere to the paving, access, and design guideline standards outlined within the Zoning, OCP, and Servicing bylaws as their proposal is to occupy the existing home for office purposes and to have a temporary cover-all building in order to operate the landscape business. Instead of applying for multiple variances to these bylaws the applicant is requesting relief from those standards in order to operate landscaping business on a temporary basis. The main Development Engineering requirement that is contentious for the owner is the removal of the Sexsmith Road access. The applicant is proposing to install a gate utilized for emergency vehicle access only in order to delay decommissioning the physical access to Sexsmith Road. Staff feel this is a reasonable compromise to help a Landscape Business operate in the short term (3 years) and delay the access decommissioning until a permanent industrial Development Permit is applied for.

### 4.0 Proposal

#### 4.1 Project Description & Background

The applicant is requesting the land be used temporarily as a landscape business that does not adhere to Zoning, OCP, and Servicing bylaws. The applicant would like a Temporary Use Permit to buy enough time to find an affordable industrial lot to relocate.

Staff recognize landscape businesses have been accustomed to relatively cheap residential or agricultural land and the shortage of cheap industrial land has made the transition difficult. However, the minimum servicing, access, and design guidelines should be adhered to in any permanent solution and not varied. This is why the applicant has applied for a Temporary Use Permit in order to propose a temporary solution versus a permanent one.

#### 4.2 Site Context

The subject property is located within the Highway 97 City Sector, north of Sexsmith Rd and on the east side of Pinto Rd. The lot area is 5,018 m<sup>2</sup> and is typical of other surrounding properties. The property is within the Permanent Growth Boundary. The property is zoned I2 – General Industrial and has a future land use designation of IND – Industrial.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I2 – General Industrial	Industrial
East	P4 - Utilities	Utilities
South	I2 – General Industrial	Industrial
West	A1 - Agriculture	Residential & Storage

**Subject Property Map: 3300 Sexsmith Rd**



**5.0 Current Development Policies**

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

**Future Land Use**

**Temporary Use Permits (TUP).<sup>1</sup>**

In accordance with the Local Government Act (Sections 879 and 921), an Official Community Plan may designate areas where Council may consider allowing temporary uses, and may specify general conditions regarding the issuance of temporary use permits in those areas.

The temporary use designation is intended to apply to operations that are temporary in nature and the designation does not in itself permit specific uses on the designated sites. Within these areas, Council may, by resolution, issue a Temporary Use Permit and specify the conditions under which the temporary use be carried on. Upon the expiration of a Temporary Use Permit, the permitted uses revert to those outlined in the City of Kelowna Zoning Bylaw 8000.

Temporary Use Permits may be considered within the Permanent Growth Boundary (PGB) on all lands designated in OCP2030 Commercial, Education / Institutional, Industrial, Mixed Use or Public Service / Utility.

<sup>1</sup> City of Kelowna Official Community Plan (Future Land Use Chapter 4).

All Temporary Use Permits must conform to other policy direction in this OCP, including fit within the character of the neighbourhood and surrounding uses. Appropriate landscaping, screening and buffering will be included as conditions of the permit to protect adjacent land uses.

**6.0 Technical Comments**

**6.1 Development Engineering Department**

- See Schedule "A", attached memorandum dated February 27, 2018.

**7.0 Application Chronology**

Date of Application Received: January 17<sup>th</sup>, 2018

Date Public Consultation Completed: August 16<sup>th</sup>, 2018

**Report prepared by:** Adam Cseke, Planner

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

**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

**Attachments:**

Attachment "A" – Development Engineering memorandum dated February 27, 2018

Draft TUP18-0001

Schedule "A" – TUP Drawings

## **Temporary Use Permit Proposal**

Prestige Landscape, Ltd.

For 3300 Sexsmith Rd. Kelowna, BC V1V 2G9

Prestige Landscape proposes a temporary use permit for this existing parcel of land, within our five (5) year lease agreement, for the purposes of continued growth and service opportunities within the city of Kelowna. The move to this parcel was precipitated by a City of Kelowna bylaw notice, which gives us until February 28<sup>th</sup> to vacate our current premises on ALR land.

Prestige proposes to install a temporary cover-all building to act as a shop and equipment storage for our company, with dimensions of 40'x100'. Additionally, Prestige would install bulk material bins for landscape materials to enable our business and a small retail element to our operations.

Prestige proposes using a small portion of the property for retail sales, though at this time sales would all be outdoors; and would not require any additional buildings on site.

Prestige proposes to use the existing house on the property as its offices, and plans (being a landscape company) to landscape the frontage along Sexsmith Rd., as well as fairly extensive landscaping in front of the existing house, for the purpose of demonstrating our work, and beautifying this busy corner in our city.

This move, along with these temporary development uses, will allow Prestige to continue to grow & function at a higher level as a landscape company, providing excellent service in our community, and employing many people in a great industry. This will also greatly improve the existing parcel of land and the overall look and feel of this portion of the Sexsmith corridor.

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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** February 27, 2018  
**File No.:** TUP18-0001  
**To:** Land Use Management Department (AC)  
**From:** Development Engineering Manager (JK)  
**Subject:** 3300 Sexsmith Road          Zoned: I2 to Temp industrial landscape building

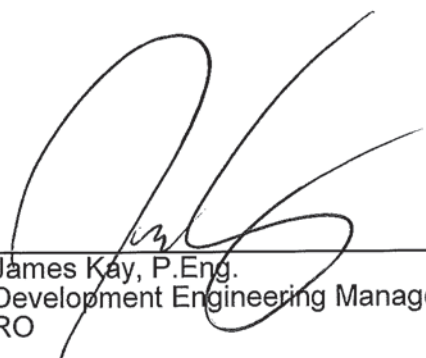
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Development Engineering Services comments and requirements pertaining to this application are as follows:

The Temporary Use Permit application, to use the property for an industrial landscape building with a temporary cover-all building.

The Temporary Use Permit application, to use the property for a parking lot will require the following;

- Dust free surface complete with 100mm thickness of  $\frac{3}{4}$  minus gravel
- The existing driveway letdown location should be confirmed. Only one driveway will be allowed to this property and on Pinto Road. The driveway must be paved and more than 10m from edge of Sexsmith Rd. and Pinto Rd. intersection not to track gravels on road way.
- Sexsmith Road Driveway must be removed.
- Parking lot should be graded such that it is crowned with a 2% grade to each side for drainage.
- Allow for onsite turning movements, so that access and egress in a forward direction.

  
\_\_\_\_\_  
James Kay, P.Eng.  
Development Engineering Manager  
RO

<b>ATTACHMENT</b> <b>A</b>	
This forms part of application # <u>TUP18-0001</u>	
Planner Initials	<input type="text" value="AC"/>
 <b>City of Kelowna</b> COMMUNITY PLANNING	



# TEMPORARY USE PERMIT



## APPROVED ISSUANCE OF TEMPORARY USE PERMIT NO. TUP18-0001

**Issued To:** 689369 BC Ltd. Inc. No. BCo689369  
**Site Address:** 3300 Sexsmith Rd  
**Legal Description:** Lot 22, Section 2, Township 23, ODYD, Plan 18861 Except Plans 19637 and KAP55314  
**Zoning Classification:** I2 – General Industrial

### SCOPE OF APPROVAL

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

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

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

### 1. TERMS AND CONDITIONS

THAT Temporary Use Permit No. TUP18-0001 for Lot 22, Section 2, Township 23, ODYD, Plan 18861 Except Plans 19637 and KAP55314, located at 3300 Sexsmith Rd, Kelowna, BC for three years' subject to the following conditions:

- a) The dimensions and siting of the temporary use on the land be in general accordance with Schedule "A";

AND THAT any application to extend the Permit must be approved by Council prior to this Permit expiring.

### 2. PERFORMANCE SECURITY

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

shall be paid over to the Permit Holder, or should the Permit Holder carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Permit Holder. There is filed accordingly:

- a) An Irrevocable Letter of Credit in the amount of \$       n/a       .

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

### 3. DEVELOPMENT

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

**This Permit IS NOT a Building Permit.**

### 4. APPLICANT'S AGREEMENT

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

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

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

Should there be any change in ownership or legal description of the property, I undertake to notify the Community Planning Department immediately to avoid any unnecessary delay in processing the application.

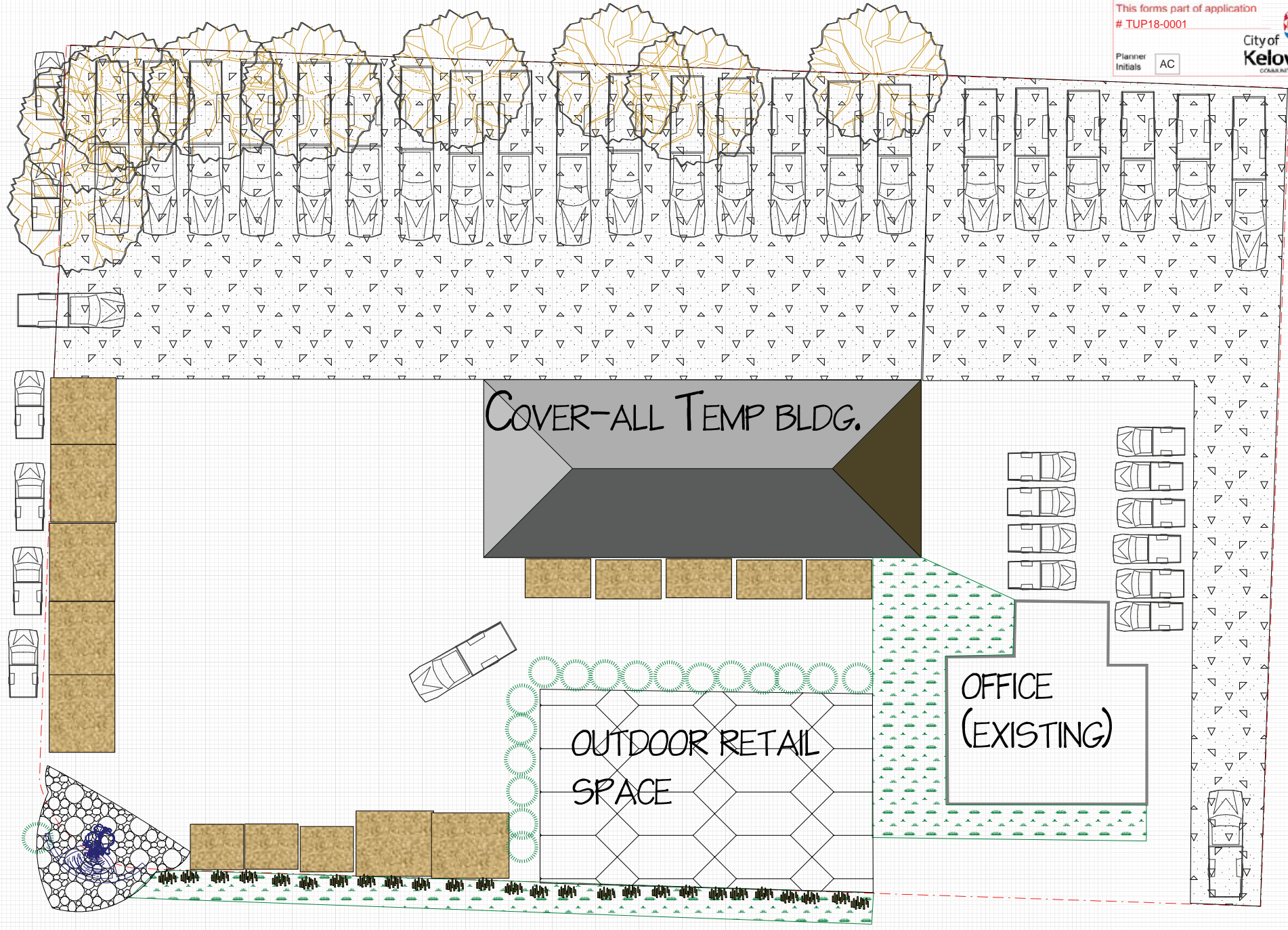
**5. APPROVALS**

Issued and approved by Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Ryan Smith, Community Planning Department Manager  
Community Planning & Real Estate

\_\_\_\_\_  
Date

**The PERMIT HOLDER is the CURRENT LAND OWNER.  
Security shall be returned to the PERMIT HOLDER.**



Revision #:	Scale:	Landscape Plan:	Landscape Design by: Jill Lemke
Date: 1/16/18	1" = 30'	3300 Sexsmith Rd. Kelowna, BC Prestige Lawn & Landscape Service	





BSM (CHRTS) <09:28:48>







# REPORT TO COUNCIL



**Date:** September 18, 2018

**RIM No.** 0940-50

**To:** City Manager

**From:** Community Planning Department (TH)

**Application:** DVP18-0091

**Owner:** Lisa and Edward Berk

**Address:** 820 Paret Road

**Applicant:** Lisa and Edward Berk

**Subject:** Development Variance Permit

Existing OCP Designation: S2RES Single/Two Unit Residential

Existing Zone: RU1C Large Lot Housing with Carriage House

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## 1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0091 for Lot 3 District Lot 579 SDYD Plan 15130, located at 820 Paret Road, Kelowna BC;

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

### Section 9.5b.1 (a): Carriage House Development Regulations

To vary the maximum combined site coverage of all single storey carriage house or accessory structures from 130 sq.m. permitted to 184 sq.m. proposed.

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

## 2.0 Purpose

To increase the allowable footprint of accessory structures on the subject parcel to facilitate a single storey carriage house.

## 3.0 Community Planning

Community Planning supports the development variance permit application to increase the allowable maximum footprint for all accessory structures on the subject parcel. This application will allow the owners to retain an important one storey workshop on the land when they construct a single storey carriage house. Although over the allowable square footage, the percentage of site coverage is well under the allowable. In a residential zone, all single storey accessory structures may not exceed 20%. The proposed application will have a total of 6% site coverage for all accessory structures which is why Community Planning staff are in support of the proposed application.

The applicant submitted a Neighbourhood Consultation Summary Form to staff on July 9, 2018 outlining that Council Policy No. 367 has been fulfilled.

**4.0 Proposal**

**4.1 Background**

Council considered rezoning application Z18-0046 to rezone the subject parcel to the RU1C zone, the rezoning bylaw was adopted by Council on August 14, 2018.

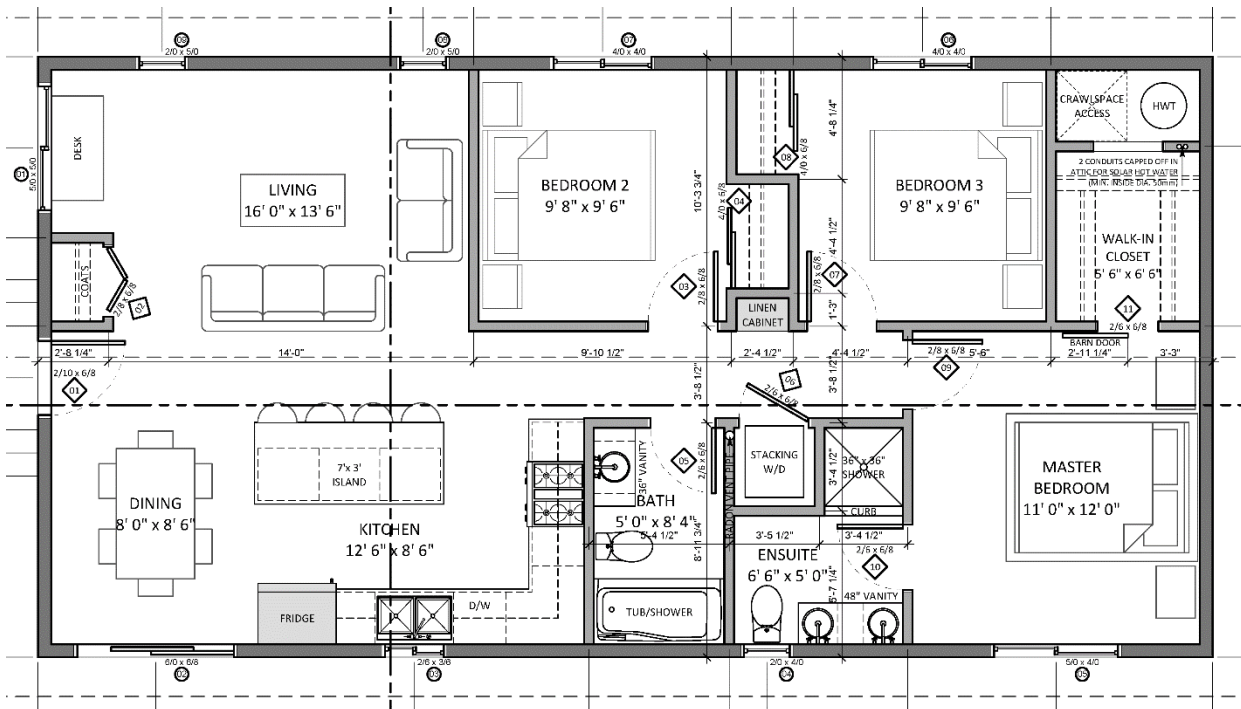
The existing workshop is unique in that it was the workshop of Bernie Barski. Mr. Barski owned and operated a fiberglass manufacturing plant called *Barski Industries*. Mr. Barski is responsible for the creation of the apple at Gyro Beach, many characters for the Flintstone’s Park, as well as the Whinny the Pooh in City Park in Kelowna. Mr. Barski’s daughter Lisa now lives on the property with her husband. The couple maintain the workshop and many neighbours still come over to use the space and tools. The owners would like to keep the workshop for the length of their life on the property.

**4.2 Project Description**

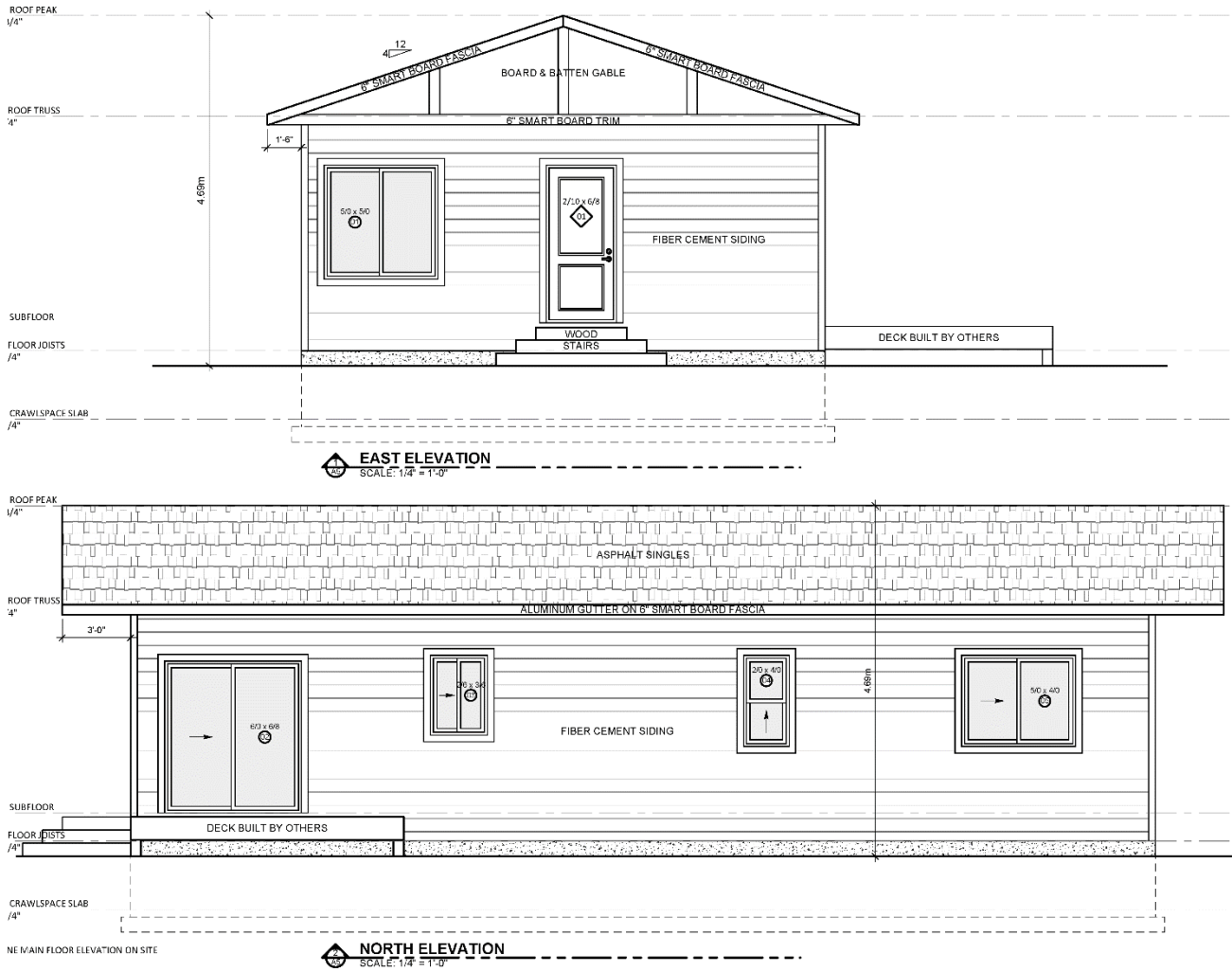
The owners propose to retain the existing workshop and construct a single storey carriage house in the rear of the property. As the existing workshop is 87 sq.m., the proposed 93 sq.m. carriage house will create a combined footprint greater than the permitted 130 sq.m. As such the variance is triggered. No other variances are triggered with the proposed carriage house.

As the proposed carriage house is single storey, neighbouring private open space is not compromised.

**Proposed Carriage House: Floor Plan**



Proposed Carriage House: Elevation



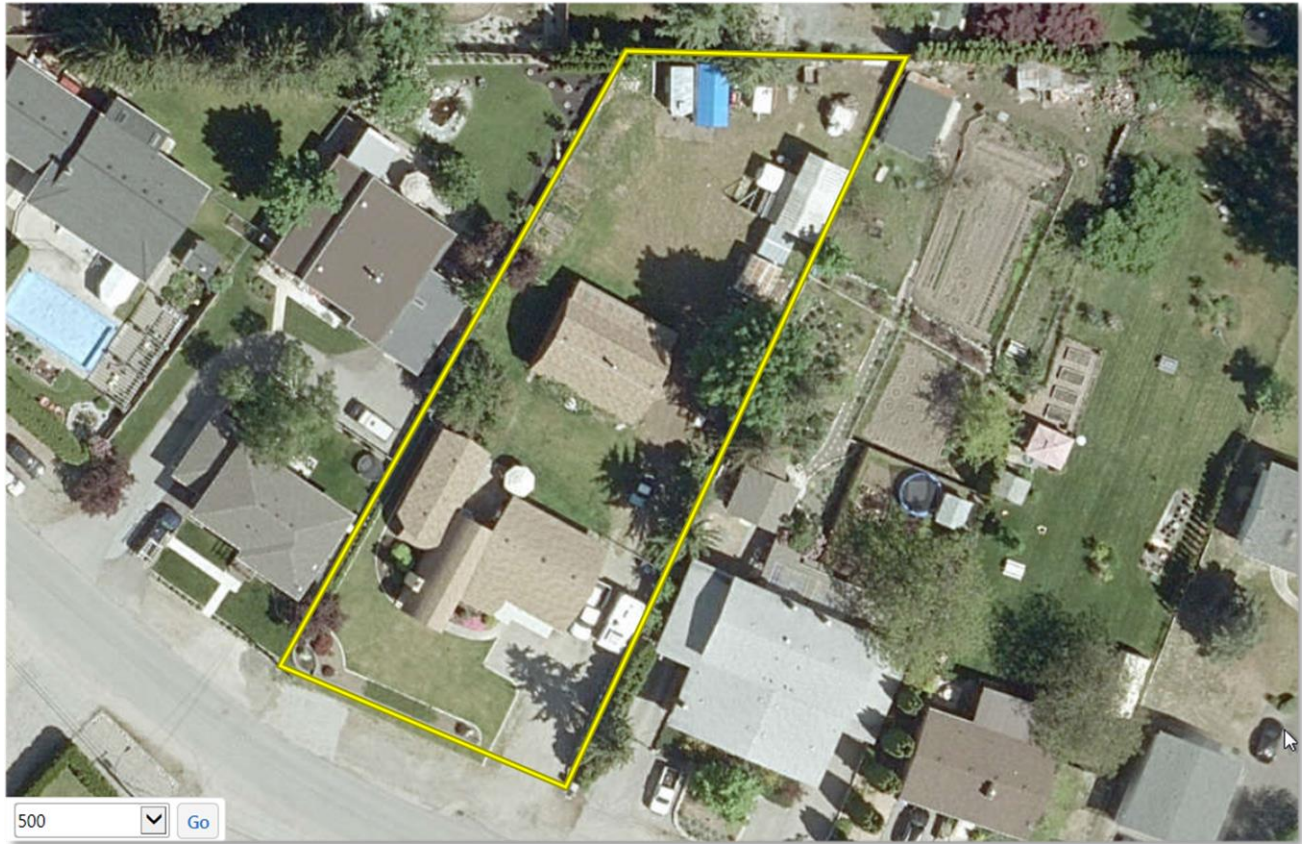
4.3 Site Context

The subject parcel is 0.53 acres in size. The principle dwelling was constructed in the 1960s, workshop constructed in the 1970s. The property is located in the Southwest Mission sector of Kelowna and is within the Permanent Growth Boundary. The parcel is within 200 m of a BC Transit bus stop located on Gordon Drive.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1	Single Family Dwelling
East	RU6	Single Family Dwelling
South	RU1	Single Family Dwelling
West	RU6	Two Dwelling Housing

Subject Property: 820 Paret Rd

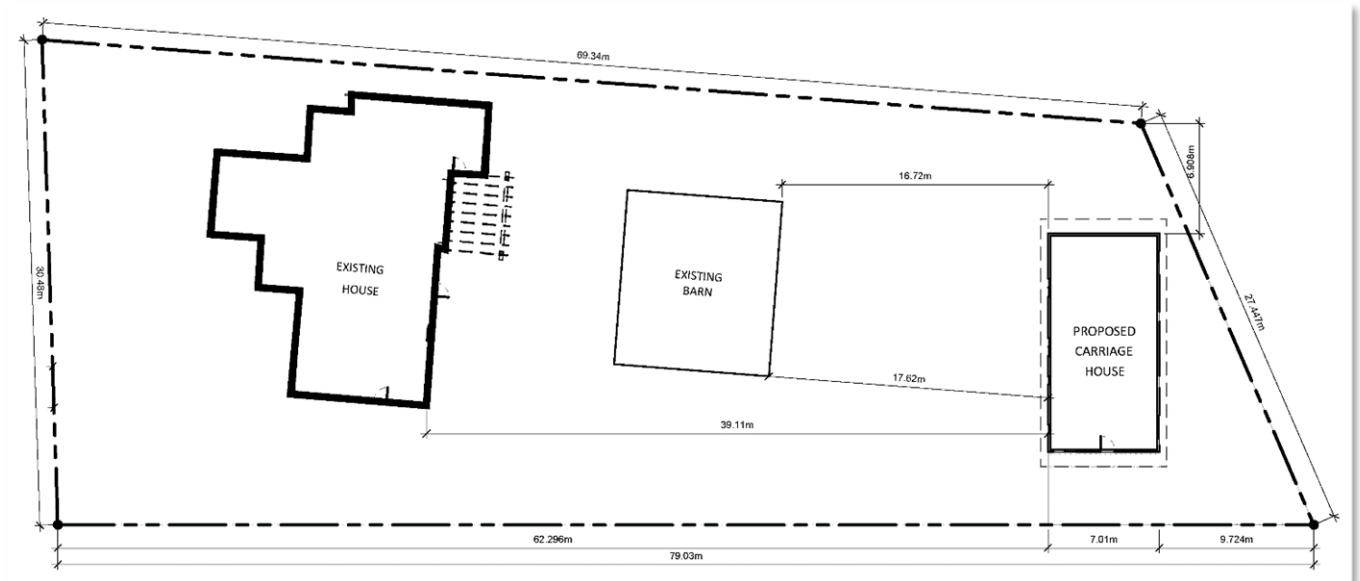


Proposed Site Plan: 820 Paret Rd

Existing workshop = 87 sq.m.

Proposed Carriage House = 97 sq.m.

Total Accessory Building footprint = 184 sq.m. / 6% site coverage.



## 4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1C ZONE REQUIREMENTS	EXISTING CONDITIONS
Existing Lot/Subdivision Regulations		
Lot Area	550 m <sup>2</sup>	2,145 m <sup>2</sup>
Lot Width	16.5 m	30.0 m
Lot Depth	30.0 m	79.0 m
Development Regulations		
Max Site Coverage	40%	13%
Max Site Coverage incl driveways & parking	50%	23%
Max Height principal dwelling	9.5 m or 2.5 storeys	1.5 storey
One Storey Carriage House Regulations		
CRITERIA	REQUIREMENT	PROPOSED
Min Parking	3	3
Max combined site coverage of carriage house and all accessory buildings	Lesser of 20% or 130 m <sup>2</sup>	6% / 184 m <sup>2</sup> <b>1</b>
Max <b>footprint</b> of a carriage house	100 m <sup>2</sup>	96.2 m <sup>2</sup>
Max <b>footprint</b> of accessory buildings	50 m <sup>2</sup>	87 m <sup>2</sup> Existing building – legal non-conforming
Max net floor area of carriage house	100 m <sup>2</sup>	96.2 m <sup>2</sup>
Max height	Lesser of 4.8 m or height of existing dwelling	4.6 m
Min front yard	9.0 m	+ 50.0 m
Min side yard	1.5 m	4.5 m
Min rear yard	1.5 m	1.5 m
Min distance to principal dwelling	3.0 m	+10.0 m
<b>1</b> Indicates a requested variance to maximum combined site coverage of carriage house and all accessory buildings.		

## 5.0 Current Development Policies

## 5.1 Kelowna Official Community Plan (OCP)

**Single / Two Unit Residential (S2RES)**<sup>1</sup> Single detached homes for occupancy by one family, single detached homes with a secondary suite or carriage house, semi-detached buildings used for two dwelling units, modular homes, bareland strata, and those complementary uses...

The proposed carriage house is an approved dwelling form in the S2RES designation.

**Compact Urban Form.**<sup>2</sup> 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

<sup>1</sup> City of Kelowna Official Community Plan, (Future Land Use Chapter).

(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.

The subject parcel is located within 200 m of a BC Transit bus stop. Three schools also exist within a 1.5 km radius of the subject parcel.

## **6.0 Technical Comments**

### **6.1 Building & Permitting Department**

A Full Plan Check is required at time of Building Permit for the Carriage House.

## **7.0 Application Chronology**

Date of Application Received: April 24, 2018

Date Public Consultation Completed: July 7, 2018

**Report prepared by:** Tracey Hillis, Planner, Suburban and Rural Planning

**Reviewed by:** Dean Strachan, Suburban and Rural Planning Manager

**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

### **Attachments:**

None

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

# Development Variance Permit

## DVP18-0091



This permit relates to land in the City of Kelowna municipally known as **820 Paret Road** and legally known as **Lot 3 District Lot 579 Plan 15130** and permits the land to be used for the following development: **Carriage House**

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

Date of Decision: September 18, 2018

Decision By: CITY COUNCIL

Issued Date: Septemeber 18, 2018

**This permit will not be valid if development has not commenced by September 18, 2020.**

Existing Zone: RU1C Future Land Use Designation: S2RES – Single/Two Unit Residential

### **This is NOT a Building Permit.**

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

### **NOTICE**

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

Owner:

Applicant:

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Ryan Smith  
Community Planning Department Manager  
Community Planning & Strategic Investments

#### **1. SCOPE OF APPROVAL**

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

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

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

**2. CONDITIONS OF APPROVAL**

That variances to the following section of Zoning Bylaw No. 8000 be granted:

Section 9.5b.1(a): Carriage House development Regulations

To vary the maximum combined site coverage of all single storey carriage house or accessory structures from 130 sq.m. permitted to 184 sq.m. proposed.

This Development Permit is valid for two (2) years from the date of September 18, 2018 approval, with no opportunity to extend.

**3. PERFORMANCE SECURITY**

n/a

**4. INDEMNIFICATION**

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

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

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

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



# REPORT TO COUNCIL



**Date:** September 18, 2018

**RIM No.** 0940-00

**To:** City Manager

**From:** Community Planning Department (TA)

**Application:** DP17-0291 & DVP18-0140      **Owner:** Parkbridge Lifestyle Communities Inc.

**Address:** 1540-1568 Tower Ranch Dr      **Applicant:** Matt Johnston, Architecturally Distinct Solutions Inc.

**Subject:** Development Permit and Development Variance Permit

Existing OCP Designation: MRL – Multiple Unit Residential Low Density

Existing Zone: RM2 – Low Density Row Housing

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## 1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP17-0291 and DVP18-0140 for the following properties:

- Strata Lot 63, Sec 31, TWP 27, ODYD, Strata Plan EPS2195, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V; located at 1540 Tower Ranch Dr, Kelowna, BC
- Strata Lot 64, Sec 31, TWP 27, ODYD, Strata Plan EPS2195, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V; located at 1544 Tower Ranch Dr, Kelowna, BC
- Strata Lot 65, Sec 31, TWP 27, ODYD, Strata Plan EPS2195, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V; located at 1548 Tower Ranch Dr, Kelowna, BC
- Strata Lot 66, Sec 31, TWP 27, ODYD, Strata Plan EPS2195, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V; located at 1552 Tower Ranch Dr, Kelowna, BC
- Strata Lot 67, Sec 31, TWP 27, ODYD, Strata Plan EPS2195, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V; located at 1556 Tower Ranch Dr, Kelowna, BC
- Strata Lot 68, Sec 31, TWP 27, ODYD, Strata Plan EPS2195, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V; located at 1560 Tower Ranch Dr, Kelowna, BC

- Strata Lot 69, Sec 31, TWP 27, ODYD, Strata Plan EPS2195, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V; located at 1564 Tower Ranch Dr, Kelowna, BC
- Strata Lot 70, Sec 31, TWP 27, ODYD, Strata Plan EPS2195, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V; located at 1568 Tower Ranch Dr, Kelowna, BC

Subject to the following:

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

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

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

To vary the required maximum height from 2 ½ storeys or 9.5m to 3 storeys or 10.1m proposed;

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

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

**2.0 Purpose**

To consider the form and character of two fourplexes with a variance to the maximum height from 2 ½ storeys (required) to 3 storeys (proposed).

**3.0 Community Planning**

Community Planning Staff recommend support for the proposed Development Permit and requested height variance as is it consistent with the form, character, and height of the surrounding development. The form and character is in general accordance with several Official Community Plan (OCP) Design Guidelines for Hillside Development Permit Area including the following:

- Orient buildings on the site to complement the natural topography; the greatest horizontal dimension is parallel with, not perpendicular to, the natural contour of the land;
- Encourage stepped foundations to avoid large single level building platforms;
- Incorporate earth tone colour schemes and material textures that complement the natural landscape.



*Figure 1: Conceptual view from street*

The applicant has worked extensively with Staff to mitigate the requested height variance that is oriented toward the front of the lots (street scape). The variance requested is to increase the height from 2 ½ storeys (required) to 3 storeys (proposed), however, the absolute height remains within the regulations of the zoning bylaw (9.5m). This is due to the steep topography on the site, such that the proposed homes are three storeys facing the street and are recessed into the hillside at the rear.

The height is consistent with other single family and semi-detached dwellings in the area, where walk-out basements and localized depressions are not considered a third storey. This exemption does not apply to row-housing as the horizontal massing is considerably greater on a multi-family building compared to a single family or semi-detached building.

Staff have concerns with the visibility of the height variance from the valley below, and the applicant has proposed a landscape plan and improved colour palette to mitigate the impact. The landscape plan includes tree plantings between the units which will break up the horizontal massing without impacting views from the units. In addition, small retaining walls are proposed along the sides of the structure to create localized depressions which lessens the impact of the height from the side view.

This application is associated with a height variance for a triplex in the same development.

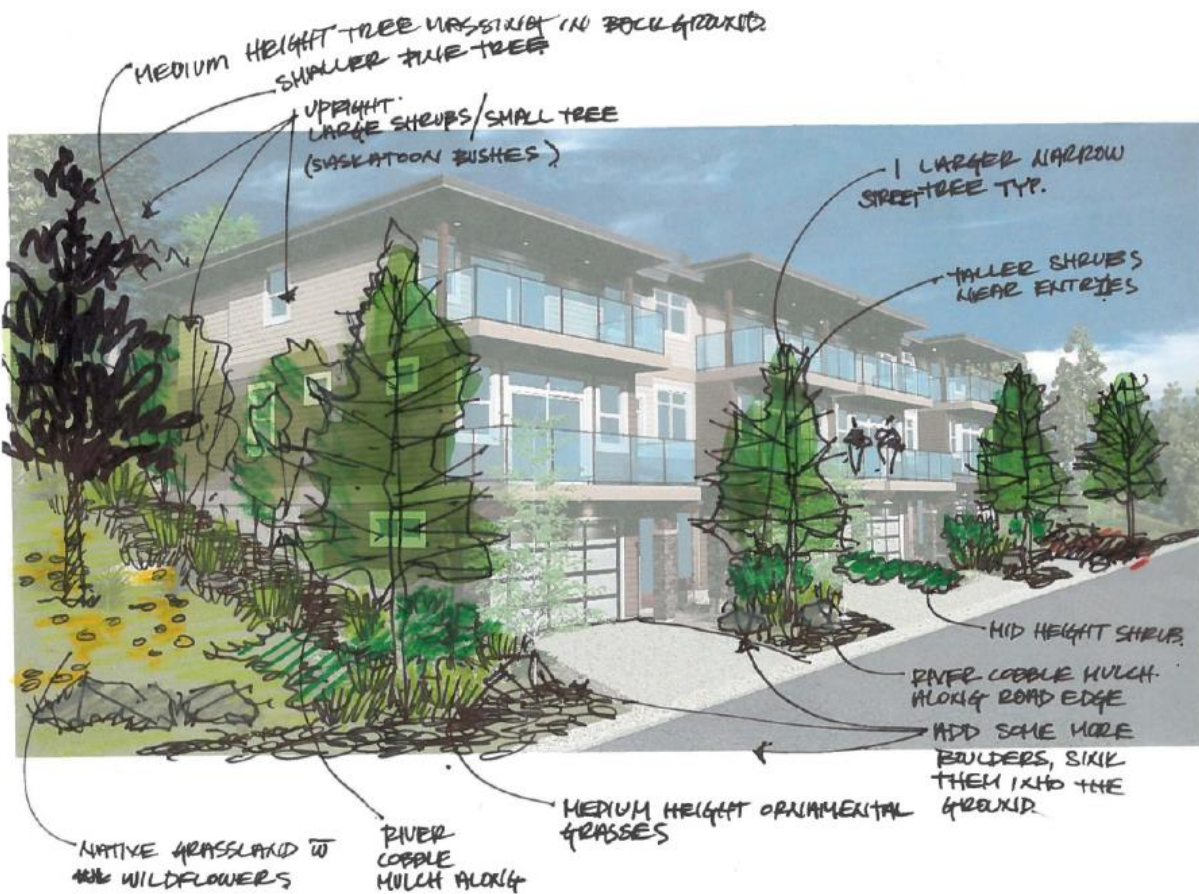


Figure 2: Conceptual landscape rendering

4.0 Proposal

4.1 Background

The neighbourhood of Tower Ranch was rezoned and subdivided in phases over many years as part of a comprehensive phased development plan. This phase was subdivided in 2015 to create three sites for multi-family development with the remainder of the lots as single family or semi-detached dwellings.

4.2 Project Description

This application is for two fourplexes in the form of row housing with access from the downward slope of Tower Ranch Dr. A landscape plan has been provided, and the development is in general accordance with the OCP Design Guidelines for Hillside Development

4.3 Site Context

Tower Ranch is located on the eastern outskirts of the City of Kelowna within the Permanent Growth Boundary. The subject property is flanked on both sides by single family dwellings.

**Subject Property Map:**



**4.4 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	RM2 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Height	2 ½ storeys or 9.5m	3 storeys or 9.5m <sup>❶</sup>
Front Yard	1.5m	3.5m
Side Yard (south)	4.0m	4.0m
Side Yard (north)	4.0m	4.0m
Rear Yard	7.5m	> 7.5m
Other Regulations		
Minimum Parking Requirements	2 stalls per unit	2 stalls per unit
Site Coverage of Buildings	50%	28.3%
❶ Indicates a requested variance to maximum height from 2 ½ storeys required to 3 storeys proposed.		

**5.0 Current Development Policies**

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

- Chapter 14: Urban Design Development Permit Areas – Hillside Development

**6.0 Technical Comments**

- All technical comments were satisfied through Subdivision file S15-0032-01.

**7.0 Application Chronology**

Date of Complete Application Received: July 11, 2018

Date Public Consultation Completed: August 7, 2018

**Report prepared by:** Trisa Atwood, Planner II

**Reviewed by:** Dean Strachan, Suburban and Rural Planning Manager

**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

**Attachments:**

Applicant's Letter of Rationale  
DRAFT Development Permit and Development Variance Permit DP17-0292 & DVP18-0141  
Schedule "A": Siting and Dimensions  
Schedule "B": Elevations and Materials  
Schedule "C": Landscape Plan

Similar to the request for a variance for the triplex, we are requesting a variance for the number of stories for two fourplex buildings at The Site. Flanked by single family buildings of similar height and number of stories, the fourplexes have been designed as a continuation of form and character in keeping with the streetscape established by the flanking homes. The location of the fourplexes is such that they back onto steep grades and do not impact views from homes above. Additionally, single family homes on the opposite side of the same street have their views oriented from the opposite side of the homes. Accordingly, the location of the fourplexes is ideally suited to limit the impact on the remainder of the neighbourhood while again, offering a diversity of housing types in a development that is mostly single family. Further to the original design, our team has responded to comments from the City regarding the design of the fourplexes noting the following:

- Stepping back portions of the second floor and third floor 1.2m back from the garage and front doors.
- Reducing the overhang at the upper level to avoid reducing the 1.2m setback at the upper levels.
- Accentuating the 1.2m step back through the use of lighter finished siding colour.
- Articulating the 4 separate units more clearly by giving space between decks and the central decks and railings. As per our illustrations, the requested variance is minor in character; all buildings in the above study will comply with the maximum building height
- Developing a more comprehensive landscape scheme in order to soften the impact of the building facade from the street. Landscaping strategies include:
  - DP drawings already have narrow street trees between the units which will provide vertical softening, but minimally impact the views from the balconies. Consistent with the design of the previous Phase, there will be a cobble mulch that edges the street mixed with some feature boulders to provide interest, in addition to a mixed palette of shrubs and ornamental grasses. The surrounding slopes are hydroseeded with native grasses and wildflowers.
  - Against the side elevations and in the upslope buffer planting (irrigated) we will supplement with additional native large shrubs/ small trees such as Douglas Maple, Saskatoon Berry and Western Mock Orange to enhance the vertical visual buffering, while not impacting the views from above.

The revised colour/massing study and sketch landscape concept drawings have been included on the following pages.

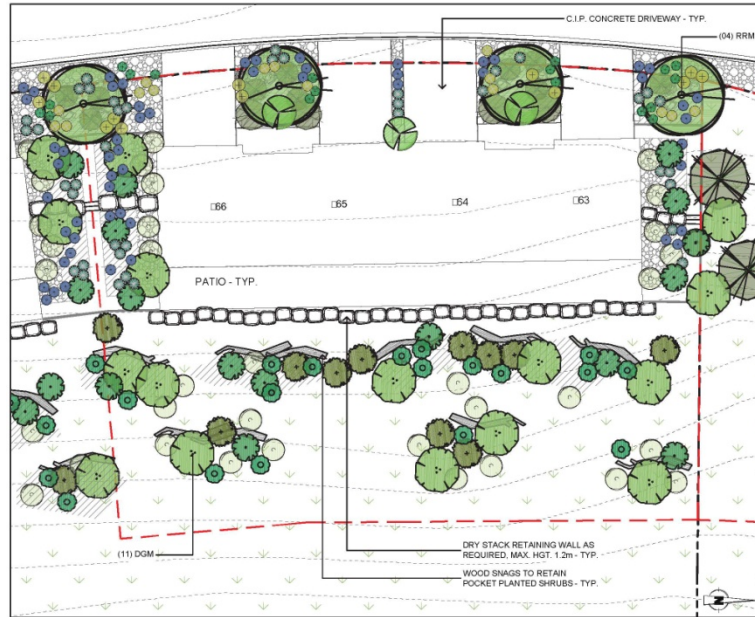


**Revised Fourplex Design**

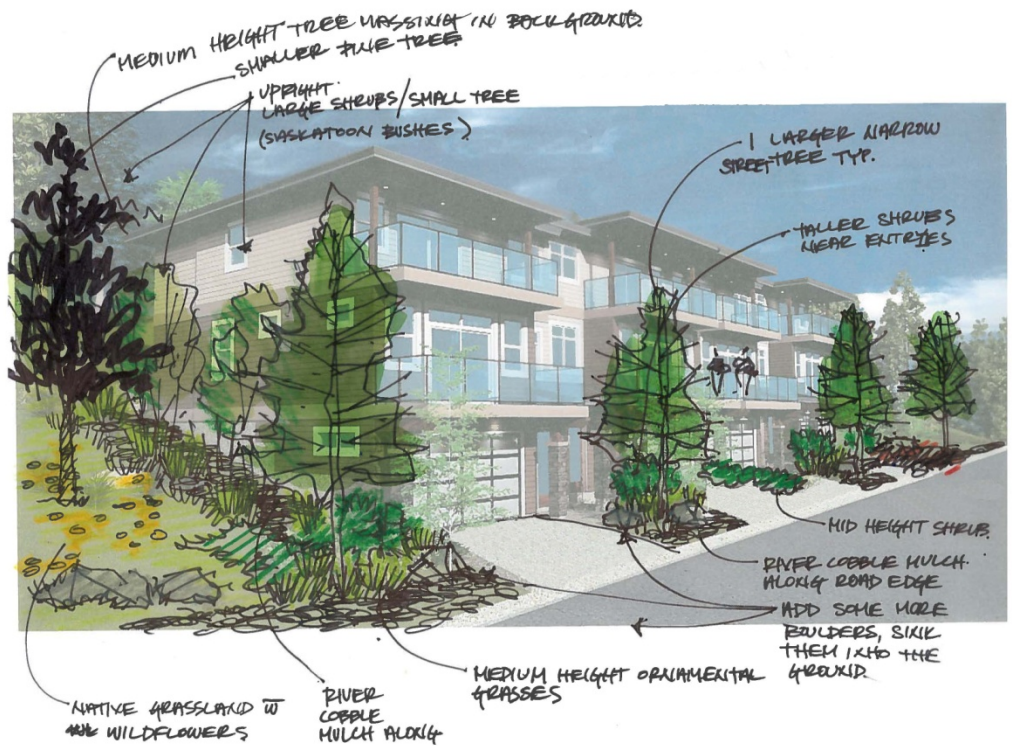


**Revised Fourplex Design**





**Proposed Landscape treatment for the Fourplex Design**



**Proposed Design treatment for the Fourplex Design**



### Proposed Design treatment for the Fourplex Design

Thank you for the time and effort to work with our team as it pertains to the building designs for the tri and fourplexes at Solstice, Phase 2.

We look forward to your support in response to the DVP for this project.

Sincerely,

Matt Johnston Architect AIBC, LEED AP  
**Architecturally Distinct Solutions Inc.**

# Development Permit & Development Variance Permit DP17-0291 & DVP18-0140



This permit relates to the following subject properties:

- Strata Lot 63, Sec 31, TWP 27, ODYD, Strata Plan EPS2195, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V; located at 1540 Tower Ranch Dr, Kelowna, BC
- Strata Lot 64, Sec 31, TWP 27, ODYD, Strata Plan EPS2195, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V; located at 1544 Tower Ranch Dr, Kelowna, BC
- Strata Lot 65, Sec 31, TWP 27, ODYD, Strata Plan EPS2195, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V; located at 1548 Tower Ranch Dr, Kelowna, BC
- Strata Lot 66, Sec 31, TWP 27, ODYD, Strata Plan EPS2195, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V; located at 1552 Tower Ranch Dr, Kelowna, BC
- Strata Lot 67, Sec 31, TWP 27, ODYD, Strata Plan EPS2195, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V; located at 1556 Tower Ranch Dr, Kelowna, BC
- Strata Lot 68, Sec 31, TWP 27, ODYD, Strata Plan EPS2195, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V; located at 1560 Tower Ranch Dr, Kelowna, BC
- Strata Lot 69, Sec 31, TWP 27, ODYD, Strata Plan EPS2195, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V; located at 1564 Tower Ranch Dr, Kelowna, BC
- Strata Lot 70, Sec 31, TWP 27, ODYD, Strata Plan EPS2195, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V; located at 1568 Tower Ranch Dr, Kelowna, BC

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

Multi-family development (Row Housing)

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

Date of Decision: September 18, 2018

Decision By: CITY COUNCIL

Issued Date:

Development Permit Area: Hillside Development Permit Area

**This permit will not be valid if development has not commenced by September 18, 2020.**

Existing Zone: RM2 – Low Density Row Housing

## **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: Parkbridge Lifestyle Communities Inc.

Applicant: Matt Johnston, Architecturally Distinct Solutions Inc.

---

Ryan Smith  
Community Planning Department Manager  
Community Planning & Strategic Investments

Date

## 1. SCOPE OF APPROVAL

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

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

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

## 2. CONDITIONS OF APPROVAL

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

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

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

To vary the required maximum height from 2 ½ storeys or 9.5m to 3 storeys or 10.1m proposed;

This Development Permit is valid for two (2) years from the date of September 18, 2020 approval, with no opportunity to extend.

## 3. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property own of the day. Should the Developer carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Developer or his or her designate. There is filed accordingly:

- a) An Irrevocable Letter of Credit in the amount of \$65466.25

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 CURRENT LAND OWNER.  
Security shall ONLY be returned to the signatory of the  
Landscape Agreement or their designates.**

DRAFT

# LOTS 63,64,65,66 SOLSTICE PHASE 2

## GENERAL NOTES - ARCHITECTURAL:

ALL WORK SHALL CONFORM TO THE STANDARDS OF THE N.B.C. OF CANADA 2010 (as applicable sections), THE B.C. BUILDING CODE (BCBC) 2012 AND ALL LOCAL CODES, BYLAWS AND AMENDMENTS.

- DO NOT SCALE DRAWINGS; DIMENSIONS ALWAYS TAKE PRECEDENCE.
- ALL TRADES SHALL VERIFY ALL DATUMS, DIMENSIONS AND LEVELS PRIOR TO COMMENCEMENT OF WORK.
- ALL ERRORS AND OMISSIONS TO BE REPORTED IMMEDIATELY TO ARCHITECTURALLY DISTINCT SOLUTIONS.
- VARIATIONS AND MODIFICATIONS TO THE WORK SHOWN ON DRAWINGS SHALL NOT BE CARRIED OUT WITHOUT THE EXPRESS WRITTEN PERMISSION OF ARCHITECTURALLY DISTINCT SOLUTIONS.
- THESE DRAWINGS ARE THE EXCLUSIVE PROPERTY OF ARCHITECTURALLY DISTINCT SOLUTIONS AND CANNOT BE REPRODUCED WITHOUT THE EXPRESSED WRITTEN PERMISSION OF ARCHITECTURALLY DISTINCT SOLUTIONS.
- ALL WORK TO BE PERFORMED TO CURRENT GOOD TRADE PRACTICE STANDARDS BY WORKMEN SKILLED IN THEIR TRADES.
- ALL MATERIALS TO BE OF GOOD QUALITY, PROPERLY TRANSPORTED, STORED AND PROTECTED.
- ALL EXTERIOR DIMENSIONS TAKEN FROM OUTSIDE FACE OF WOOD STUDS AND EXTERIOR FACE OF CONCRETE UNLESS NOTED OTHERWISE.
- ALL INTERIOR DIMENSIONS TAKEN FROM CENTER LINE OF STUDS U.N.O.
- ALL LOAD BEARING LUMBER TO BE SP# #2 OR BETTER U.N.O.
- ALL LOAD BEARING WOOD BEAMS TO BE SP# #2 OR BETTER U.N.O.
- ALL EXTERIOR WALLS TO BE 2"x4" @ 24" O.C., U.N.O.
- INTERIOR WALLS TO BE 2"x4" @ 24" O.C., U.N.O.; INTERIOR LOAD BEARING WALLS TO BE 2"x6" @ 16" O.C., U.N.O. (SHOWN SHADED ON PLAN DRAWINGS)
- USE DOUBLE JOISTS UNDER PARTITIONS PARALLEL TO JOISTS UNLESS NOTED OTHERWISE (U.N.O.)
- ALL LOAD BEARING COLUMNS TO BE #4 AT LEAST EQUAL TO BOTH OR BEAMS AND OF SOLID LUMBER OR LAMINATED STUDS.
- JUNTS UP TO 45° WIDE TO BE 2"x10 SP# #2 OR BETTER U.N.O. TO BE BUILT UP TO EQUAL WIDTH OF WALL FRAMING.
- JUNTS OVER 45° TO BE 2"x12 SP# #1 OR BETTER OR ENGINEERED UNLESS NOTED OTHERWISE (U.N.O.)
- FRAMING TRAYS TO PROVIDE MIN. 2"x2 CROSS BRACING OR SOLID BRACING BETWEEN JOISTS AND RAFTERS @ 75° O.C. MAXIMUM, MINIMUM ONE ROW UNLESS NOTED OTHERWISE BY FLOORING ENGINEER.
- ALL FOOTINGS TO BEAR ON UNDISTURBED NATIVE SOIL, APPROVED ENGINEERED FILL OR BEDROCK AND EXTEND A MINIMUM DEPTH 300mm BELOW FROST LINE FROM FINISHED GRADE.
- MINIMUM CONCRETE STRENGTH AT 28 DAYS: FOOTINGS, SLABS, FOUNDATION WALLS: 3000PSI LIGHTWEIGHT CONCRETE TOPPING: 4000PSI
- MINIMUM PAD FOOTING BEES AS PER STRUCTURAL NOTES BELOW AND/OR AS NOTED ON PLAN DRAWINGS (LARGEST PAD AND REINFORCING BEES TO TAKE PRECEDENCE WHERE CONSTRUCTION BEETS).
- SECURE SILL PLATES TO FOUNDATION WALLS WITH 1/2" DIA. X 10" ANCHOR BOLT @ 40" O.C. FOR EXTERIOR WALLS AND 60" FOR INTERIOR WALLS.
- ALL WOOD MEMBERS IN CONTACT WITH CONCRETE TO BE PROTECTED WITH SILL PLATE GASKET.
- PROVIDE DAW PROTECTORS TO ALL EXTERIOR FOUNDATION WALLS INCLUDING RE-APPROOFING IN ACCORDANCE WITH BCBC 2012.
- PROVIDE A MINIMUM OF 4" CLEARANCE BETWEEN SOIL AND ANY WOOD MEMBERS.
- ALLOWABLE SOIL BEARING PRESSURE 2000 PSF ASSUMED FOR DESIGN AND TO BE CONFIRMED AT DCAVATION BY A QUALIFIED ENGINEER.
- PROVIDE ALUMINUM FLASHINGS OVER ALL EXTERIOR OPENINGS.
- GASKET AND SEAL ALL EXTERIOR OPENINGS IN ACCORDANCE WITH BCBC 2012.
- VENTILATION REQUIREMENTS TO CONFORM TO BCBC 9.1.3.2 AND TABLE 9.1.3.3.
- UNIFORMLY DISTRIBUTE VENTILATION TO ROOFS AS PER BCBC 9.1.9.1.2.
- PROVIDE A MINIMUM CLEARANCE BETWEEN TOP OF ROOF INSULATION AND UNDERSIDE OF ROOF SHEATHING AS PER BCBC 9.1.9.1.3.
- WINDING GLAZING SECURITY REQUIREMENTS TO CONFORM TO BCBC 9.7.6 AND APPENDIX 7.3.3 (1).
- ALL EXTERIOR AND REQUIRED GUARDS TO BE 24" (1000mm) HIGH WITH MAX. 3" (75mm) CLEAR OPENINGS.
- ALL HANDRAILS SHALL BE A MINIMUM 28" HIGH ABOVE THE NOSINGS.
- PROVIDE A MINIMUM 1" NOSING TO ALL STAIRS UNLESS LESS THAN 10".
- ALARMS AND DETECTION SYSTEMS TO BE AS PER 3.2.4.1 OF THE BCBC.

## DRAWINGS:

- A-001 SITE PLAN AND PROJECT INFORMATION
- A-002 ASSEMBLY
- A-101 ENTRY LEVEL PLAN
- A-102 MIDDLE LEVEL PLAN
- A-103 LOWER LEVEL PLAN
- A-200 ELEVATIONS
- A-201 ELEVATIONS
- A-300 SECTIONS
- A-500 DETAILS
- A-501 DETAILS
- A-502 WYTH WALL DETAILS
- A-600 RENDERS

## SITE STATISTICS:

CNIC ADDRESS: LOTS 63, 64, 65, 66, TOWER RANCH DRIVE

LEGAL ADDRESS: SUBDIVISION OF LOT 3, SEC. 27, TWP. 27 COYD DISTRICT PLAN #403993

ZONING: RM2H

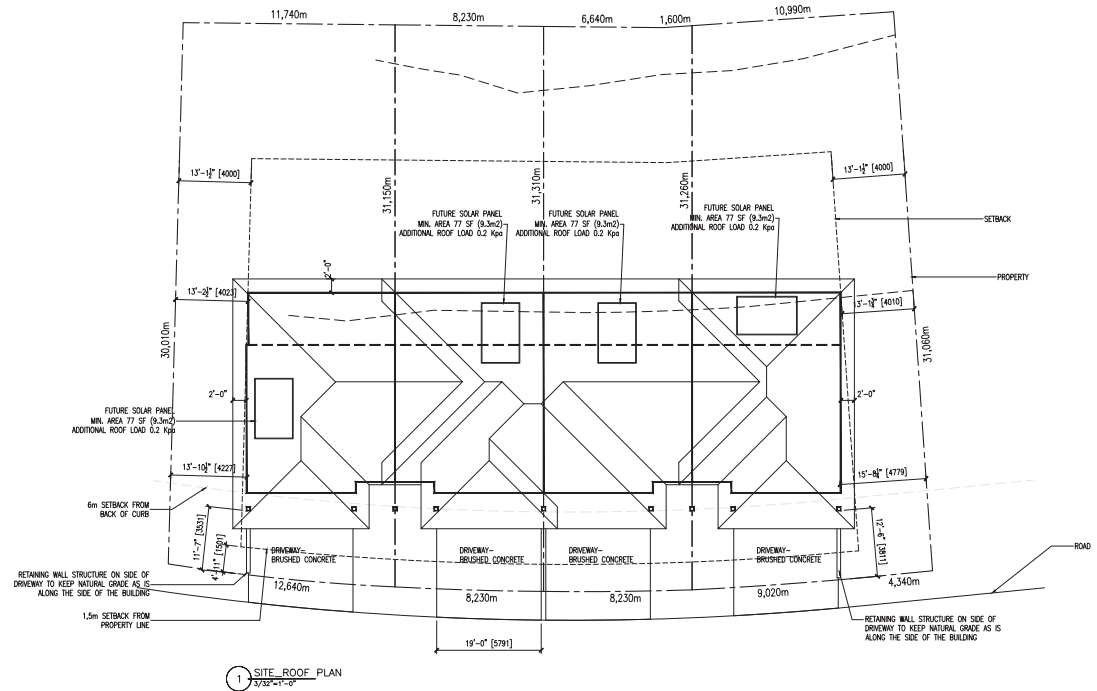
ZONING CALCULATIONS:

CURRENT: City of Kelowna RM2H Zoning

## SITE INFORMATION:

	Allowed	Proposed
Grass Site Area =	13,679 sq (1,248 sq)	
Allowed Site Coverage =	50% (6,840sq)	28.3% (3,876sq)
Coverage + Hardscaping =	55% (7,523sq)	37% (5,006sq)
F.A.R. =	.65 (8,891.4sq)	.53 (7,246sq)
Unit Net Floor Area Calculations:		
	MIDDLE FLOOR	UPPER LEVEL
UNIT 1	50	890
UNIT 2	50	890
UNIT 3	50	890
UNIT 4	50	890
		7,240

	Allowed	Proposed
Max. Height =	9.5m (31.16 ft) or 2.5 stories	7.9m (25.9 ft) or 3 stories <b>VARIANCE</b>
Yard setbacks:		
front yard =	1.5m Ground Oriented Entry	3.531m
side yard =	4.0m	4.0m
rear yard =	7.5m	T.O.S.



# SCHEDULE A

This forms part of application  
# DP17-0291 DVP18-0140

Planner Initials **TA**

City of Kelowna  
COMMUNITY PLANNING

**DISTINCT SOLUTIONS INC.**  
phone: 250-448-7801  
205-1424 Richter Street  
Kelowna, BC V1Y 2N3  
www.distinctsolutions.ca

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Revision No.	Date and Description
1	11.03.16 10% Permit Documents
2	09.12.17 BP
3	11.03.17 FOR DP
4	04.02.18 - FOR BP
5	06.23.18 - FOR REVIEW
6	07.03.18 - FOR DVP

Plot Date	Drawing No.
4-Jul-18	A-001
PROJECT	
SOLSTICE LOTS 63, 66	
SOLSTICE PHASE 2	
DRAWING TITLE	
SITE_ROOF_PLAN	

CASSIOPEIA  
FOR DVP

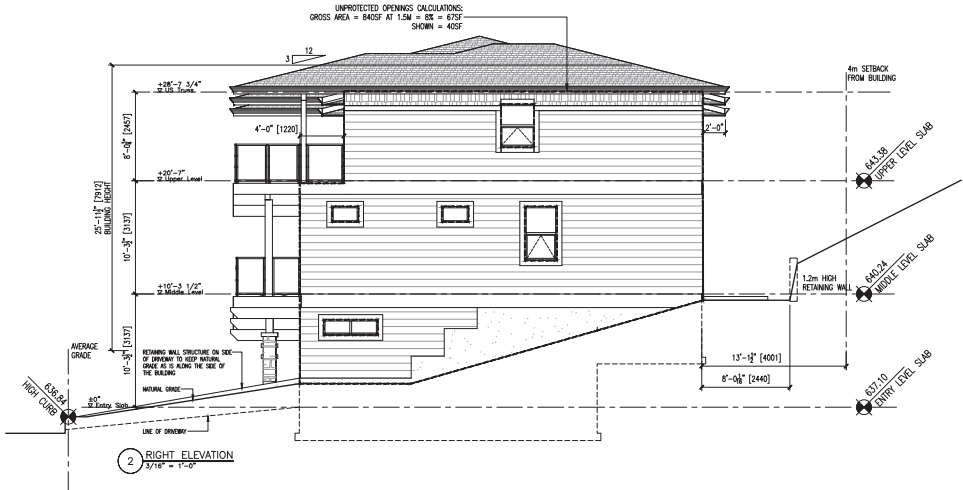
# SCHEDULE B

This forms part of application  
 # DP17-0291 DVP18-0140

Planner Initials **TA**



**DISTINCT SOLUTIONS INC.**  
 phone: 250-448-7801  
 205-1424 Richter Street  
 Kelowna, BC V1Y 2N3  
 www.distinctsolutions.ca



2 RIGHT ELEVATION  
 3/16" = 1" = 0"

PROJECT MATERIALS:

- LOWER SIDING:**
  - WOODSTOCK BROWN
  - UPPER SHINGLE: MONTEREY TAUPE
- TIM, BELLUMBAND & GARAGE DOOR:** SANDSTONE BEIGE
- DOWNSPOUTS:** GENTEK, PEBBLE
- GUTTERS & SOFFITS:** GENTEK, ALMOND
- STONE:**
  - CHARDONNAY - SOUTHERN LEDGESTONE
  - OR BURNT OCHRE - DELMARE LEDGESTONE



1 FRONT ELEVATION  
 3/16" = 1" = 0"

- IMPROVED ASPHALT SHINGLES (CAMBRIDGE, DARK BLACK BY 90 DEGREE SHOWN)
- UPPER SHINGLE
- VINYL WINDOWS AND SLEUNG DOORS - SELECT CLEAR WALL
- ALUMINUM AND GLASS RAILING
- UPPER PLANK LAP SIDING - SELECT CLEAR WALL
- VINYL WINDOWS AND SLEUNG DOORS
- ALUMINUM AND GLASS RAILING
- UPPER PLANK LAP SIDING - SELECT CLEAR WALL
- CLEARLED STONE
- RETAINING WALL STRUCTURE ON SIDE OF DRIVEWAY TO KEEP NORMAL GRADE LEVEL ALONG THE SIDE OF THE BUILDING
- REFER TO STANDARD SPECIFICATION FOR DETAIL INFORMATION

**CASSIOPEIA FOR DVP**

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Revision No.	Date and Description
11.09.17	FOR BP
04.01.18	FOR BP
06.23.18	FOR REVIEW
07.23.18	FOR DVP

Plot Date	Drawing No.
17-MAY-2018	A-200
PROJECT: SOLISTICE LOTS 63, 66	
DRAWING TITLE: A-200 ELEVATIONS	

# SCHEDULE B

This forms part of application  
# DP17-0291 DVP18-0140

Planner Initials **TA**



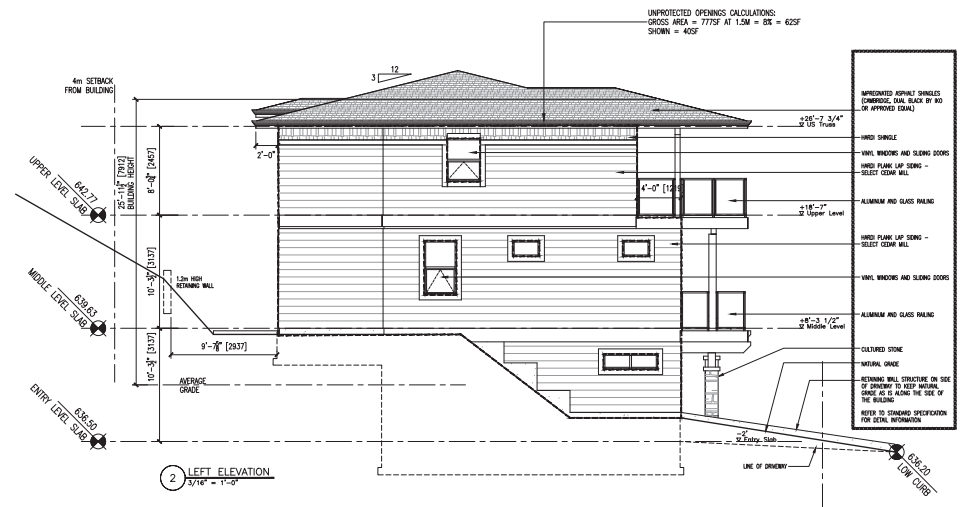
City of  
**Kelowna**  
COMMUNITY PLANNING

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All trades are to consult the work in accordance with the current applicable building by-laws and requirements of other local authority building departments as set out in the British Columbia Building Code - (most recent edition) including all additional codes and standards. It shall also ensure full responsibility for the location and protection of water and storm ground utilities, street and canal connections, including shut and locked off water, sewer, gas, fibre and telephone.



- UNPROTECTED OPENING DIMENSIONS (MINIMUM DIM. SHALL BE 60\"/>
- WOOD SHINGLE
- VINYL WINDOWS AND SLIDING DOORS
- WOOD FLAME UP SIDING - SELECT CEDAR MILL
- ALUMINUM AND GLASS RAILING
- WOOD FLAME UP SIDING - SELECT CEDAR MILL
- VINYL WINDOWS AND SLIDING DOORS
- ALUMINUM AND GLASS RAILING
- COLORADO STONE
- NATURAL GRADE
- RETAINING WALL STRUCTURE ON SEE OF DRAWING TO KEEP MINIMUM 5' HIGH AT ALL ALONG THE SIDE OF THE BUILDING
- REFER TO STANDARD SPECIFICATION FOR CEMENT REINFORCEMENT

Revision No.	Date and Description
11	03.17 - FOR DP
04	02.18 - FOR EP
06	03.18 - FOR REVIEW
07	03.18 - FOR DVP

Plot Date	Drawing No.
4-24-18	A-201

**PROJECT**  
SOLSTICE LOTS 63, 66  
SOLSTICE PHASE 2  
**DRAWING TITLE**  
ELEVATIONS

CASSIOPEIA  
FOR DVP



# SCHEDULE

# B

This forms part of application

# DP17-0291 DVP18-0140



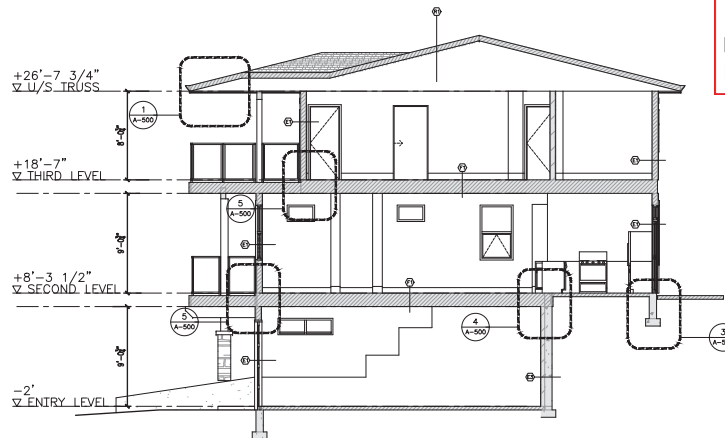
City of  
**Kelowna**  
COMMUNITY PLANNING

Planner  
Initials

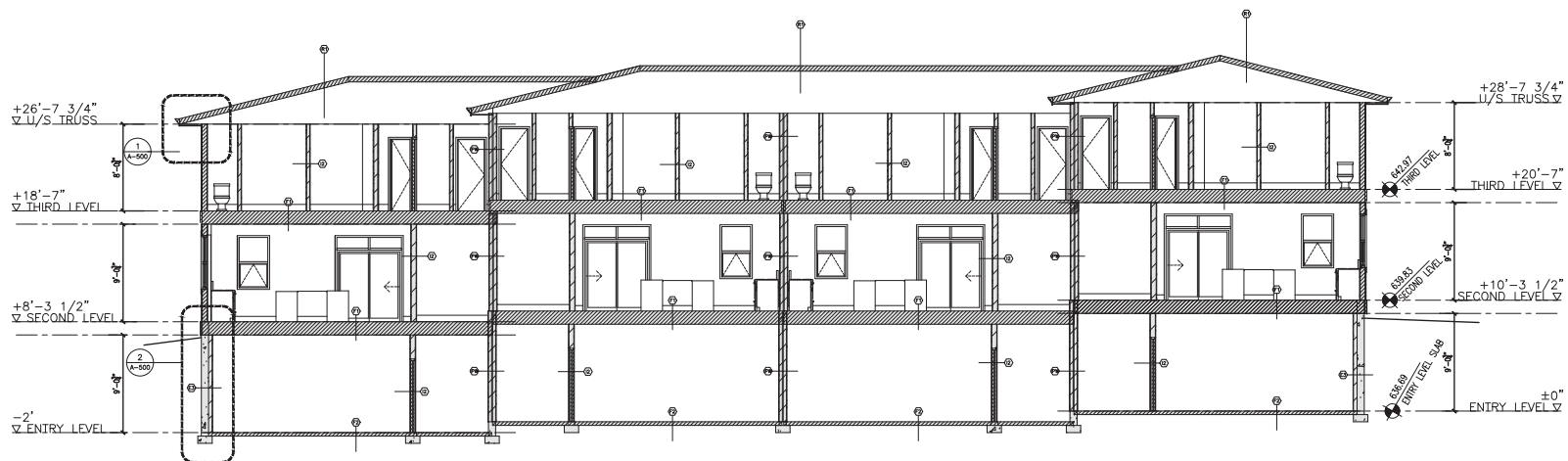
TA

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1 SECTION 1  
3/16" = 1'-0"



2 SECTION 2  
3/16" = 1'-0"

Revision No., Date and Description
11.03.17 - FOR DP
04.02.18 - FOR EP
06.23.18 - FOR REVIEW
07.03.18 - FOR DVP

Plot Date	Drawing No.
3-Jul-18	A-300

PROJECT  
SOLSTICE LOTS 63, 66

DRAWING TITLE  
SECTIONS

CASSIOPEIA  
FOR DVP

# SCHEDULE B

This forms part of application

# DP17-0291 DVP18-0140



City of  
**Kelowna**  
COMMUNITY PLANNING

Planner  
Initials **TA**

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VIEW 1 - FRONT VIEW FROM STREET



VIEW 2 - FRONT VIEW FROM LEFT

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All trades are to consult the work in accordance with the current applicable building by-laws and requirements of other local authority having jurisdiction as set out in the British Columbia Building Code - (most recent edition) including all applicable codes and standards. It shall also ensure full responsibility for the location and protection of all water and storm ground utility, street and canal, connections, including shut and locked off water, sewer, gas, fibre and telephone.

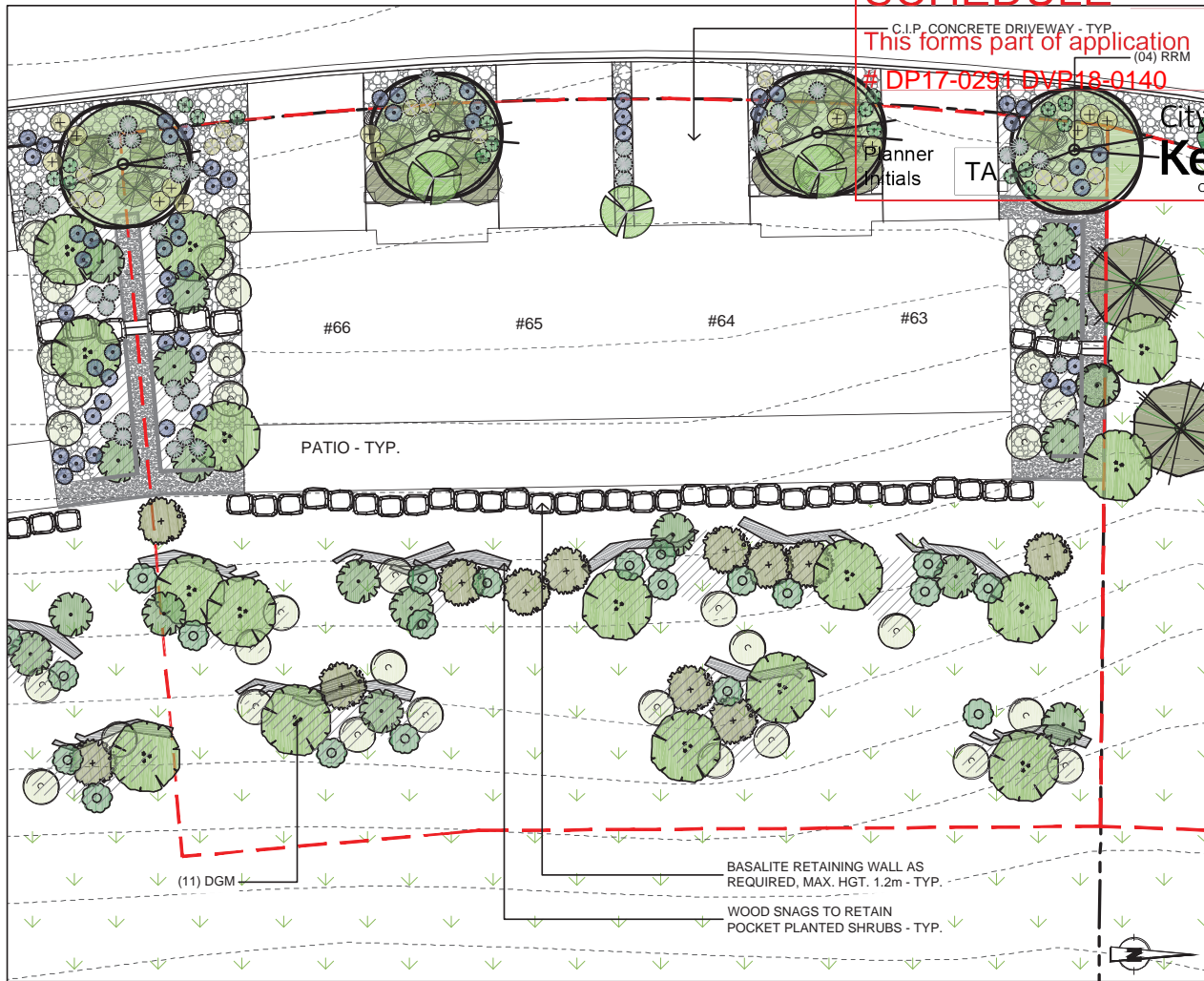
Revision No.	Date	Description
11.03.17	FOR DP	
04.02.18	FOR SP	
06.28.18	FOR REVIEW	
07.03.18	FOR DVP	

Plot Date 3-Jul-18	Drawing No. A-RENDER
PROJECT SOLSTICE LOTS 63, 66 SOLSTICE PHASE 2	
DRAWING TITLE RENDERINGS	



CASSIOPEIA  
FOR DVP

C.I.P. CONCRETE DRIVEWAY - TYP  
 This forms part of application (04) RRM  
 # DP17-0291 DVP18-0140



**LANDSCAPE PLAN**

**PLANT LIST**

SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	MATURE PLANT SIZE (Ht. x Wd.)
<b>TREES</b>						
DGM	11	<i>Acer glabrum</i>	Douglas Maple	#05		12.0m x 6.0m
RRM	4	<i>Acer rubrum</i> 'Red Rocket'	Red Rocket Maple	60mm Cal.	B.&B.	9.00m x 2.50m
<b>SHRUBS</b>						
sk5	14	<i>Amelanchier alnifolia</i>	Saskatoon Serviceberry	#02	Potted	1.8m x 1.8m
dbb	3	<i>Euonymus alatus</i> 'Compacta'	Dwarf- Winged Burning Bush	#05	Potted	3.0m x 3.0m
slj	9	<i>Juniperus sabina</i>	Savin Juniper	#01	Potted	1.25m x 2.50m
mel	40	<i>Lavandula angustifolia</i> 'Munstead'	Munstead English Lavender	#01	Potted	0.40m x 0.60m
org	26	<i>Mahonia aquifolium</i>	Oregon Grape	#01	Potted	1.8m x 1.5m
mup	4	<i>Pinus mugo</i> 'Mughus'	Mugo Pine	#05	Potted	1.5m x 1.5m
mco	11	<i>Philadelphus lewisii</i>	Mock Orange	#02	Potted	1.8m x 1.8m
snb	16	<i>Symphoricarpos albus</i>	Snowberry	#01	Potted	1.8m x 1.8m
<b>GRASSES / PERENNIALS</b>						
msy	15	<i>Achillea</i> x 'Moonshine'	Moonshine Yarrow	#01	Potted	0.6m x 0.6m
blg	12	<i>Bouteloua gracilis</i>	Blue Grama	#01	Potted	0.6m x 0.6m
thg	10	<i>Deschamsia cespitosa</i>	Tufted Hair Grass	#01	Potted	0.8m x 0.75m
bog	29	<i>Helictotrichon sempervirens</i>	Blue Oat Grass	#01	Potted	0.75m x 0.75m

**LEGEND**

- BARK MULCH - 75mm DEEP  
 TYPE: BLACK BARK MULCH / COARSE  
 SUPPLIER: BETTER EARTH (250-861-1881)  
 QUANTITY: 151m<sup>2</sup>
- DECORATIVE COBBLE - 200mm DEEP OVER FABRIC  
 TYPE: WASHED RIVER ROCK - 1 PART 100mm, 1 PART 150mm, 1 PART 200mm  
 SUPPLIER: TO BE DETERMINED BY CONTRACTOR AND APPROVED BY LANDSCAPE ARCHITECT  
 QUANTITY: 79m<sup>2</sup>
- CRUSHED STONE  
 TYPE: 3/4" MINUS  
 SUPPLIER: TO BE DETERMINED BY CONTRACTOR AND APPROVED BY LANDSCAPE ARCHITECT  
 QUANTITY: 17m<sup>2</sup>
- FEATURE BOULDERS  
 TYPE: STONE BOULDERS (750mm - 1500mm (L / W / H) OR APPROVED EQUALS  
 SUPPLIER: CLIENT  
 QUANTITY: 12
- HYDROSEED - BY OTHERS
- EDGER A  
 TYPE: 2" x 4" BEND-A-BOARD PLASTIC HEADER w/ STAKES @ 3'-0" O.C.  
 SUPPLIER: BASALITE CONC. PRODUCTS OR APPROVED EQUAL  
 QUANTITY: 46 l.m.

**SHRUBS LEGEND**

- BOTANICAL NAME  
*Amelanchier alnifolia*
- Euonymus alatus* 'Compacta'
- Mahonia aquifolium*
- Philadelphus lewisii*
- Symphoricarpos albus*

**PERENNIALS / GRASSES LEGEND**

- BOTANICAL NAME  
*Achillea* x 'Moonshine'
- Bouteloua gracilis*
- Deschamsia cespitosa*
- Helictotrichon sempervirens*
- Lavandula angustifolia* 'Munstead'

**PLANT LEGEND**

- BOTANICAL NAME  
*Juniperus sabina*
- Pinus mugo* 'Mughus'

NOTE:  
 QUANTITIES NOTED ARE PER THE EXTENTS SHOWN ON DRAWING. QUANTITIES FOR STREETSCAPE WORK AND HYDROSEEDING ARE NOT INCLUDED. REFER TO STREETSCAPE DRAWING AND S.O.Q. FOR INFORMATION.

# SCHEDULE

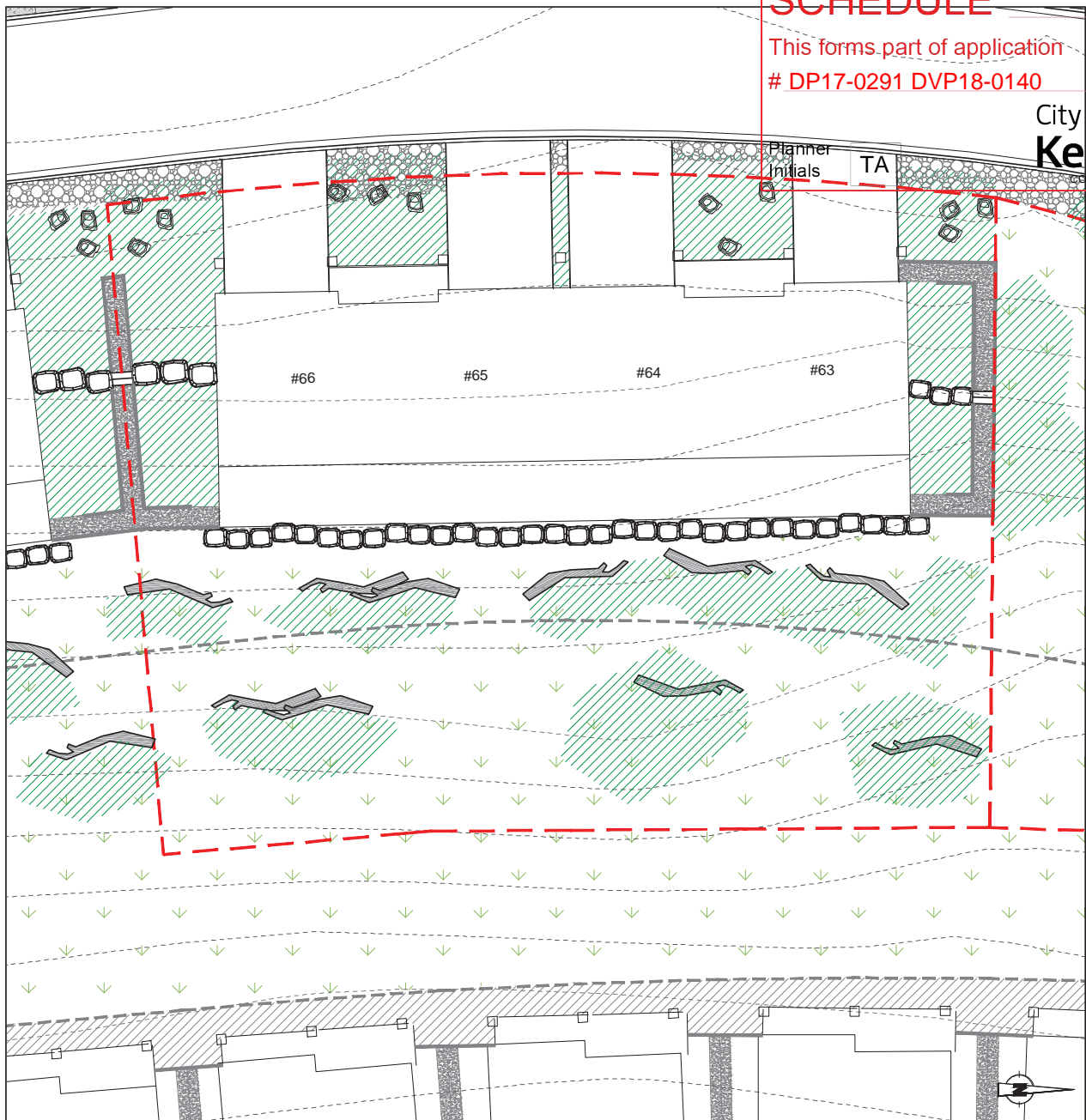
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This forms part of application  
# DP17-0291 DVP18-0140



City of  
**Kelowna**  
COMMUNITY PLANNING

PLAN - 85 - INTERIOR PLANTING - SOLSTICE PHASE 2 - INDIVIDUAL LOT PLANTING PLANS - DRAWING SET - CURRENT LAND PRISE 2 AND LOT PLANS 01 18060-001 LOT PLANTING



**HYDROZONE PLAN**

**LEGEND**



LOW WATER REQUIREMENTS  
- 266.0m2

SHEET TITLE  
**MULTI FAMILY LOT 63-66 HYDROZONE PLAN**

SOLSTICE PHASE 2 - INDIVIDUAL LOT PLANTING PLANS



SCALE 1:200 DATE 29/06/18

# LOTS 67,68,69,70 SOLSTICE PHASE 2

## GENERAL NOTES - ARCHITECTURAL:

ALL WORK SHALL CONFORM TO THE STANDARDS OF THE N.C.C. OF CANADA 2010 (see table section), THE B.C. BUILDING CODE (BCBC) 2012 AND ALL LOCAL CODES, BYLAWS AND AMENDMENTS.

- 2/0 NOT SCALE DRAWINGS; DIMENSIONS ALWAYS TAKE PRECEDENCE
- ALL TRADES SHALL VERIFY ALL DATUMS, DIMENSIONS AND LEVELS PRIOR TO COMMENCEMENT OF WORK.
- ALL ERRORS AND OMISSIONS TO BE REPORTED IMMEDIATELY TO ARCHITECTURALLY DISTINCT SOLUTIONS.
- VARIATIONS AND MODIFICATIONS TO THE WORK SHOWN ON DRAWINGS SHALL NOT BE CARRIED OUT WITHOUT THE EXPRESS WRITTEN PERMISSION OF ARCHITECTURALLY DISTINCT SOLUTIONS.
- THESE DRAWINGS ARE THE EXCLUSIVE PROPERTY OF ARCHITECTURALLY DISTINCT SOLUTIONS AND CANNOT BE REPRODUCED WITHOUT THE EXPRESS WRITTEN PERMISSION OF ARCHITECTURALLY DISTINCT SOLUTIONS.
- ALL WORK TO BE PERFORMED TO CURRENT GOOD TRADE PRACTICE STANDARDS BY WORKMEN SKILLED IN THEIR TRADES.
- ALL MATERIALS TO BE OF GOOD QUALITY, PROPERLY TRANSPORTED, STORED AND PROTECTED.
- ALL EXTERIOR DIMENSIONS TAKEN FROM OUTSIDE FACE OF WOOD STUDS AND EXTERIOR FACE OF CONCRETE UNLESS NOTED OTHERWISE.
- ALL INTERIOR DIMENSIONS TAKEN FROM CENTER LINE OF STUDS UNLESS NOTED OTHERWISE.
- ALL LOAD BEARING WOOD BEAMS TO BE SFF #2 OR BETTER U.N.O.
- ALL LOAD BEARING WOOD BEAMS TO BE SFF #2 OR BETTER U.N.O.
- ALL EXTERIOR WALLS TO BE 2 X 6 @ 24" O.C., U.N.O.
- INTERIOR LOAD BEARING WALLS TO BE 2X6 @ 16" O.C., U.N.O. (SHOWN SHADED ON PLAN DRAWINGS)
- USE DOUBLE JOISTS UNDER PARTITIONS PARALLEL TO JOISTS UNLESS NOTED OTHERWISE (U.N.O.)
- ALL LOAD BEARING COLLARS TO BE AT LEAST EQUAL TO WIDTH OF BEAMS AND OF SOLID LUMBER OR LAMINATED STUDS.
- JOISTS UP TO 45" WIDE TO BE 2X10 SFF #2 OR BETTER U.N.O. - TO BE BUILT UP TO EQUAL WIDTH OF WALL FRAMING.
- JOISTS OVER 45" TO BE 2X12 SFF #1 OR BETTER OR ENGINEERED UNLESS NOTED OTHERWISE (U.N.O.)
- FRAMING TRAYS TO PROVIDE MIN. 2 X 2 CROSS BRACING OR SOLID BLOCKING BETWEEN JOISTS AND RAFTERS @ 75" O.C. MAXIMUM, MINIMUM ONE ROW UNLESS NOTED OTHERWISE BY FLOORING ENGINEER.
- ALL FOOTINGS TO BEAR ON UNDISTURBED NATIVE SOIL, APPROVED ENGINEER HILL OR BEDROCK AND EXTEND A MINIMUM DEPTH 300mm BELOW FROST LINE FROM FINISHED GRADE.
- MINIMUM CONCRETE STRENGTH AT 28 DAYS: FOOTINGS, SLABS, FOUNDATION WALLS: 3000PSI LIGHTWEIGHT CONCRETE TOPPING: 4000PSI
- MINIMUM PAD FOOTINGS: SEE AS PER STRUCTURAL NOTES BELOW AND/OR AS NOTED ON PLAN DRAWINGS (LARGEST PAD AND REINFORCING SEE TO TAKE PRECEDENCE WHERE CONFLICTION EXISTS).
- SECURE SILL PLATES TO FOUNDATION WALLS WITH 1/2" DIA. X 10" ANCHOR BOLT @ 40" O.C. FOR EXTERIOR WALLS AND 60" FOR INTERIOR WALLS.
- ALL WOOD MEMBERS IN CONTACT WITH CONCRETE TO BE PROTECTED WITH SILL PLATE GASKET.
- PROVIDE DAMPROOFING TO ALL EXTERIOR FOUNDATION WALLS INCLUDING HEADWEEPING IN ACCORDANCE WITH BCBC 2012.
- PROVIDE A MINIMUM 6" CLEARANCE BETWEEN SOIL AND ANY WOOD MEMBERS.
- ALLOWABLE SOIL BEARING PRESSURE 2000 PSF ASSUMED FOR DESIGN AND TO BE CONFIRMED AT EXCAVATION BY A QUALIFIED ENGINEER.
- PROVIDE ALUMINUM FLASHINGS OVER ALL EXTERIOR OPENINGS.
- GUTTER AND SEAL ALL EXTERIOR OPENINGS IN ACCORDANCE WITH BCBC 2012.
- VENTILATION REQUIREMENTS TO CONFORM TO BCBC 9.22.3 AND TABLE 9.22.3.5.
- UNIFORMLY DISTRIBUTE VENTILATION TO ROOFS AS PER BCBC 9.19.1.2.
- PROVIDE A MINIMUM CLEARANCE BETWEEN TOP OF ROOF INSULATION AND UNDERSIDE OF ROOF SHEATHING AS PER BCBC 9.19.1.3.
- JEWELING GLAZING SECURITY REQUIREMENTS TO CONFORM TO BCBC 9.7.6 AND APPENDIX (A) 7.5.3 (1).
- ALL EXTERIOR AND REQUIRED GUARDS TO BE 24" (107mm) HIGH WITH RANK 3" (76mm) CLEAR OPENINGS.
- ALL HANDRAILS SHALL BE A MINIMUM 24" HIGH ABOVE THE NOSINGS.
- PROVIDE A MINIMUM 1" NOISING TO ALL STAIR RUNS LESS THAN 10'.
- ALARMS AND DETECTION SYSTEMS TO BE AS PER 3.2.4.1 OF THE BCBC.

## DRAWINGS:

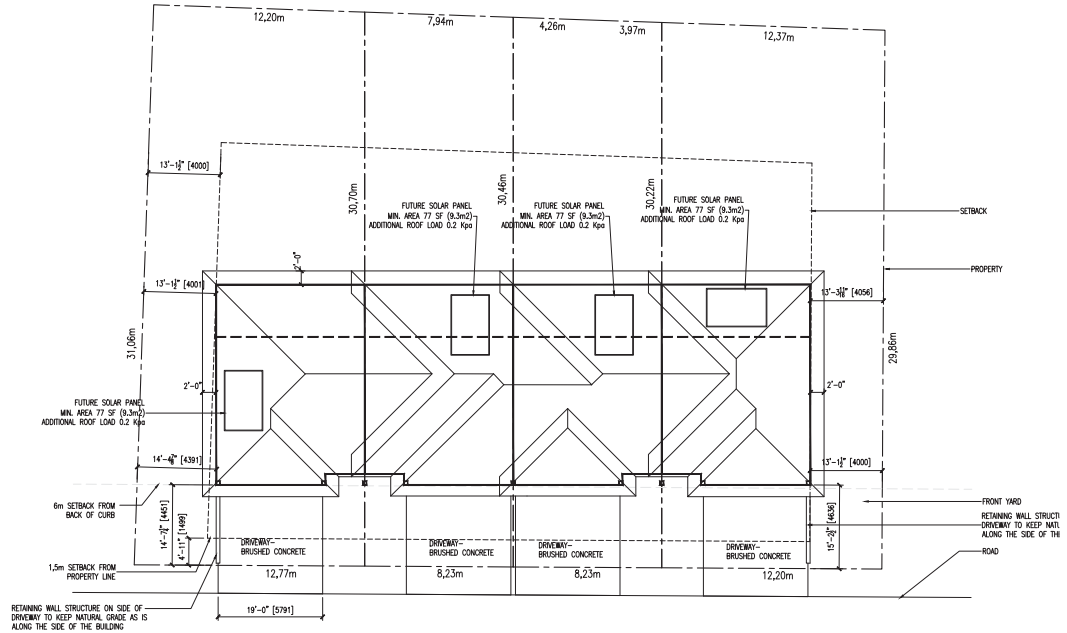
## SITE STATISTICS:

CLIENT ADDRESS: LOTS 67, 68, 69, 70, TOWER RANCH DRIVE  
 LEGAL ADDRESS: SUBDIVISION OF LOT 3, SEC. 27, TWP. 27 ODDY DISTRICT PLAN KAP 80993  
 ZONING: RMZH  
 ZONING CALCULATIONS:  
 CURRENT: City of Kelowna RMZH Zoning  
 SITE INFORMATION:

	Allowed	Proposed		
Gross Site Area =	13,434 sq ft (1,248 sm)			
Allowed Site Coverage =	50% (6,717sf)	28.8% (3,876sf)		
Coverage + Hardscaping =	55% (7,388sf)	37% (5,000sf)		
F.A.R. =	65 (8,732.1sf)	54 (7,240sf)		
Unit Net Floor Area Calculations:				
	ENTRY LEVEL	MIDDLE LEVEL	UPPER LEVEL	TOTAL
UNIT 1	890	890	870	1,810
UNIT 2	50	890	870	1,810
UNIT 3	50	890	870	1,810
UNIT 4	50	890	870	1,810
				7,240

	Allowed	Proposed
Max. Height =	9.5m (31.16 ft) or 2.5 stories	7.9m (25.9 ft) or 3 stories
Yard setbacks:		
front yard =	1.5m Ground Oriented Entry	4.0m
side yard =	4.0m	4.0m
rear yard =	7.5m	10.5m

**VARIANCE**



1 SITE ROOF PLAN  
3/25/18-1/25

# SCHEDULE A

This forms part of application

# DP17-0291 DVP18-0140

Planner  
Initials

TA



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 205-1426 Richter Street  
 Kelowna, BC V1Y 2N3  
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 All trades are to install the work in accordance with the current municipality building bylaws and regulations or other applicable laws. Trades to be in the strictest compliance with the City of Kelowna Building Code - (most recent edition). Industry or published practices and standards, as these may require the responsibility of the trades and protection of work. All work shall be done in strict accordance with the City of Kelowna Building Code and all applicable regulations, including that not limited to the City of Kelowna, BC, and the Province of British Columbia.

Revision No., Date and Description  
 11.03.18 70% Permit Documents  
 09.12.17 - BP  
 11.03.17 - FOR DP  
 04.02.18 - FOR BP  
 07.03.18 - FOR DVP

Plot Date Drawing No.  
 4-Jul-18 A-001

PROJECT  
 SOLSTICE LOTS 67, 70  
 SOLSTICE PHASE 2  
 DRAWING TITLE  
 SITE ROOF PLAN

CASSIOPEIA  
FOR DVP

# SCHEDULE B

This forms part of application  
# DP17-0291 DVP18-0140



City of  
**Kelowna**  
COMMUNITY PLANNING

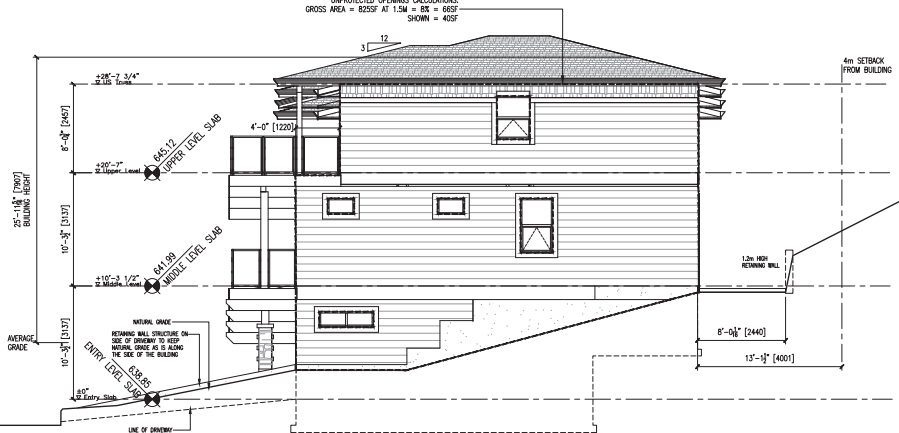
Planner  
Initials **TA**

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UNPROTECTED OPENINGS CALCULATIONS:  
GROSS AREA = 825SF AT 1.5M = ESC = 665F  
SHOWN = 425F



2 RIGHT ELEVATION  
5716' x 1'-0"

PROJECT MATERIALS:

- LOWER SIDING: WOODSTOCK BROWN
- TRIM, BELLBAND & GARAGE DOOR: SANDSTONE BEIGE
- GUTTERS & SOFFITS: GENTEK, ALMOND
- UPPER SHINGLE: UPPER SHINGLE
- DOWNSPOUTS: GENTEK, PEBBLE
- STONE: CHARDONNAY - SOUTHERN LEDGESTONE
- OR: BURNT OCHRE - DEL MAR LEDGESTONE



1 FRONT ELEVATION  
5716' x 1'-0"

**CASSIOPEIA  
FOR DVP**

Revision No., Date and Description  
11.03.17 - FOR DP  
04.02.18 - FOR BP  
07.03.18 - FOR DVP

Plot Date 17-MAY-2018 Drawing No. A-200  
PROJECT SOLISTICE LOTS #7, 70  
SOLISTICE PHASE 2  
DRAWING TITLE ELEVATIONS

# SCHEDULE

**B**

This forms part of application

# DP17-0291 DVP18-0140

Planner  
Initials

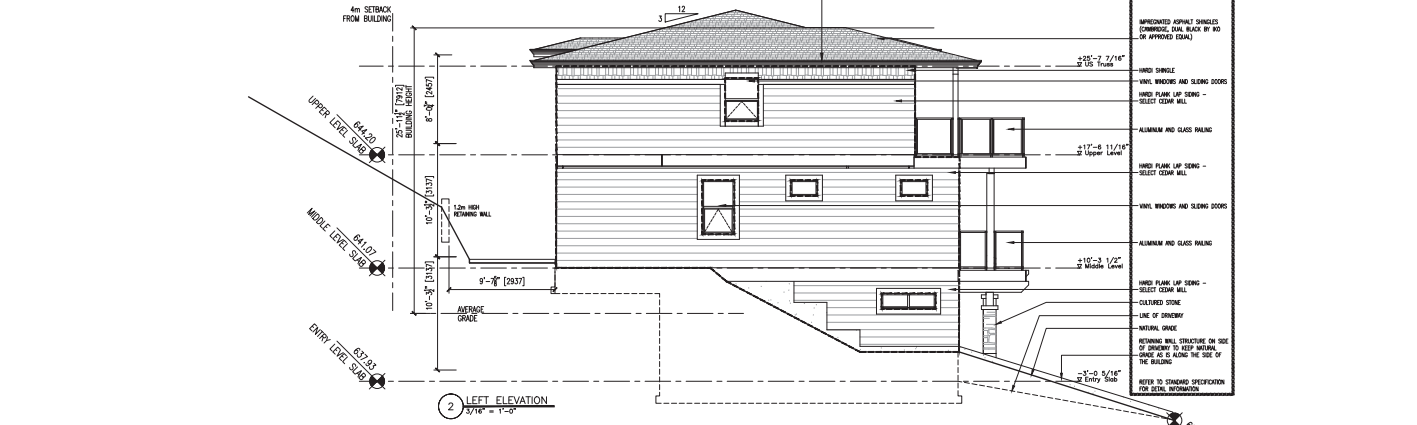
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UNPROTECTED OPENINGS CALCULATIONS:  
GROSS AREA = 782SF AT 1.5M = 8X = 615F  
SHOWN = 405F



Revision No.	Date	Description
11.03.16	7/26	Permit Documents
11.04.16		geometric revisions
11.05.17		FOR DP
04.02.18		FOR BP
07.03.18		FOR DVP

Plot Date	Drawing No.
17/NOV 2016	A-201
PROJECT	
SOLSTICE LOTS 67, 70	
SOLSTICE PHASE 2	
DRAWING TITLE	
ELEVATIONS	

CASSIOPEIA FOR DVP

# SCHEDULE

# B

This forms part of application

# DP17-0291 DVP18-0140



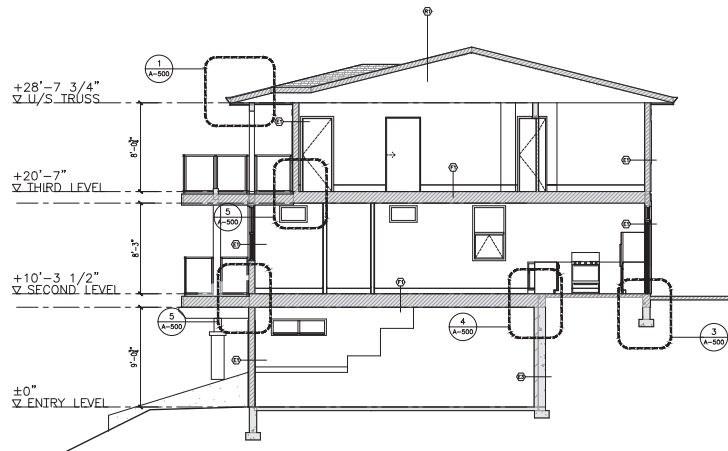
City of  
**Kelowna**  
COMMUNITY PLANNING

Planner  
Initials

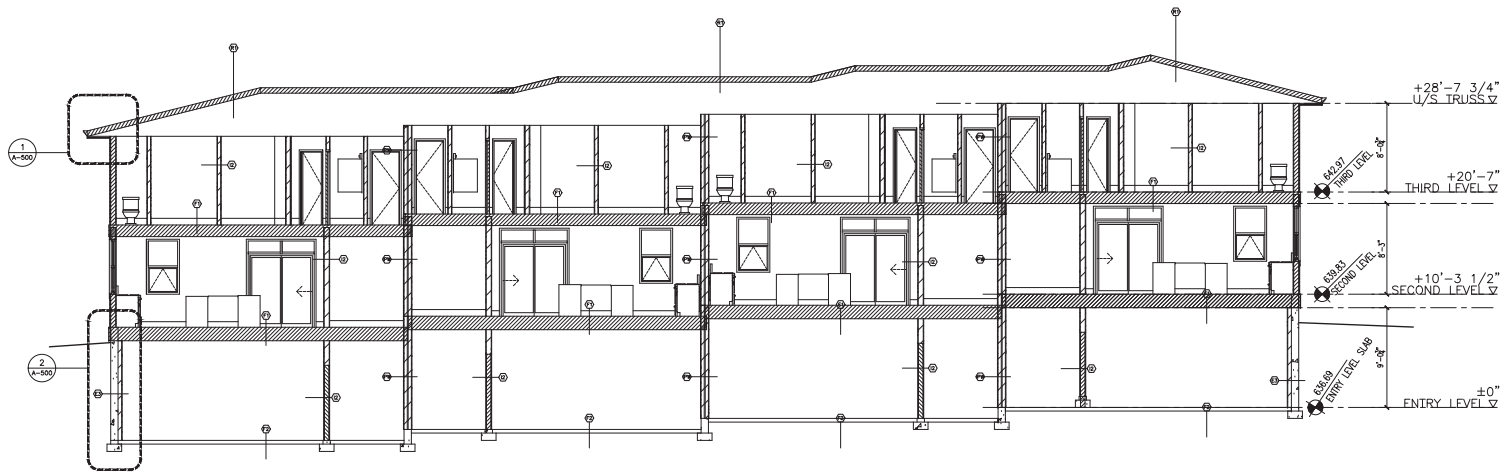
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SECTION 1  
3/16" = 1'-0"



SECTION 2  
3/16" = 1'-0"

Revision No.	Date	Description
11.04.16		preliminary revisions
11.05.17		FOR DP
04.02.18		FOR DP
07.03.18		FOR DVP

Plot Date	Drawing No.
3-Jul-18	A-300

PROJECT  
SOLSTICE LOTS 67, 70  
SOLSTICE PHASE 2  
DRAWING TITLE  
SECTIONS

CASSIOPEIA  
FOR DVP



# SCHEDULE B

This forms part of application

# DP17-0291 DVP18-0140

Planner  
Initials TA



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VIEW 1 - FRONT VIEW FROM STREET



VIEW 2 - FRONT VIEW FROM LEFT

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Revision No.	Date	Description
11	05.17	FOR DP
04	02.18	FOR SP
07	03.18	FOR DVP

Plot Date	Drawing No.
3-Jul-18	A-600

**PROJECT**  
SOLSTICE LOTS 67, 70  
SOLSTICE PHASE 2  
**DRAWING TITLE**  
RENDERINGS

CASSIOPEIA  
FOR DVP



This forms part of application # DP17-0291 DVP18-0140

Planner Initials



## LANDSCAPE PLAN

### PLANT LIST

SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	MATURE PLANT SIZE (Ht. x Wd.)
<b>TREES</b>						
DGM	14	<i>Acer glabrum</i>	Douglas Maple	#05		12.0m x 6.0m
RRM	4	<i>Acer rubrum</i> 'Red Rocket'	Red Rocket Maple	60mm Cal.	B. & B.	9.00m x 2.50m
<b>SHRUBS</b>						
sks	10	<i>Amelanchier alnifolia</i>	Saskatoon Serviceberry	#02	Potted	1.8m x 1.8m
dbb	3	<i>Euonymus alatus</i> 'Compacta'	Dwarf- Winged Burning Bush	#05	Potted	3.0m x 3.0m
sjr	10	<i>Juniperus sabinia</i>	Savin Juniper	#01	Potted	1.25m x 2.50m
mel	34	<i>Lavandula angustifolia</i> 'Munstead'	Munstead English Lavender	#01	Potted	0.40m x 0.60m
org	19	<i>Mahonia aquifolium</i>	Oregon Grape	#01	Potted	1.8m x 1.5m
mup	4	<i>Pinus mugo</i> 'Mughus'	Mugo Pine	#05	Potted	1.5m x 1.5m
mco	11	<i>Philadelphus lewisii</i>	Mock Orange	#02	Potted	1.8m x 1.8m
snb	19	<i>Symphoricarpos albus</i>	Snowberry	#01	Potted	1.8m x 1.8m
<b>GRASSES / PERENNIALS</b>						
msy	11	<i>Achillea</i> x 'Moonshine'	Moonshine Yarrow	#01	Potted	0.6m x 0.6m
blg	9	<i>Bouteloua gracilis</i>	Blue Grama	#01	Potted	0.6m x 0.6m
thg	8	<i>Deschamsia cespitosa</i>	Tufted Hair Grass	#01	Potted	0.8m x 0.75m
bog	27	<i>Helictotrichon sempervirens</i>	Blue Oat Grass	#01	Potted	0.75m x 0.75m

### LEGEND

- BARK MULCH** - 75mm DEEP  
TYPE: BLACK BARK MULCH / COARSE  
SUPPLIER: BETTER EARTH (250-861-1881)  
QUANTITY: 151m<sup>2</sup>
- DECORATIVE COBBLE** - 200mm DEEP OVER FABRIC  
TYPE: WASHED RIVER ROCK - 1 PART 100mm, 1 PART 150mm, 1 PART 200mm  
SUPPLIER: TO BE DETERMINED BY CONTRACTOR AND APPROVED BY LANDSCAPE ARCHITECT  
QUANTITY: 75m<sup>2</sup>
- CRUSHED STONE**  
TYPE: 3/4" MINUS  
SUPPLIER: TO BE DETERMINED BY CONTRACTOR AND APPROVED BY LANDSCAPE ARCHITECT  
QUANTITY: 17m<sup>2</sup>
- FEATURE BOULDERS**  
TYPE: STONE BOULDERS (750mm - 1500mm (L / W / H) OR APPROVED EQUALS  
SUPPLIER: CLIENT  
QUANTITY: 12
- HYDROSEED - BY OTHERS**
- EDGER A**  
TYPE: 2" x 4" BEND-A-BOARD PLASTIC HEADER w/ STAKES @ 3'-0" O.C.  
SUPPLIER: BASALITE CONC. PRODUCTS OR APPROVED EQUAL  
QUANTITY: 36 l.m.

### SHRUBS LEGEND

- Amelanchier alnifolia*
- Euonymus alatus* 'Compacta'
- Mahonia aquifolium*
- Philadelphus lewisii*
- Symphoricarpos albus*

### PERENNIALS / GRASSES LEGEND

- Achillea* x 'Moonshine'
- Bouteloua gracilis*
- Deschamsia cespitosa*
- Helictotrichon sempervirens*
- Lavandula angustifolia* 'Munstead'

### PLANT LEGEND

- Juniperus sabinia*
- Pinus mugo* 'Mughus'

**NOTE:**

QUANTITIES NOTED ARE PER THE EXTENTS SHOWN ON DRAWING. QUANTITIES FOR STREETSCAPE WORK AND HYDROSEEDING ARE NOT INCLUDED. REFER TO STREETSCAPE DRAWING AND S.O.Q. FOR INFORMATION.

SHEET TITLE

**MULTI FAMILY LOT 67-70 LANDSCAPE PLAN**

SOLSTICE PHASE 2 - INDIVIDUAL LOT PLANTING PLANS



SCALE 1:200 DATE 29/06/18

# SCHEDULE

C

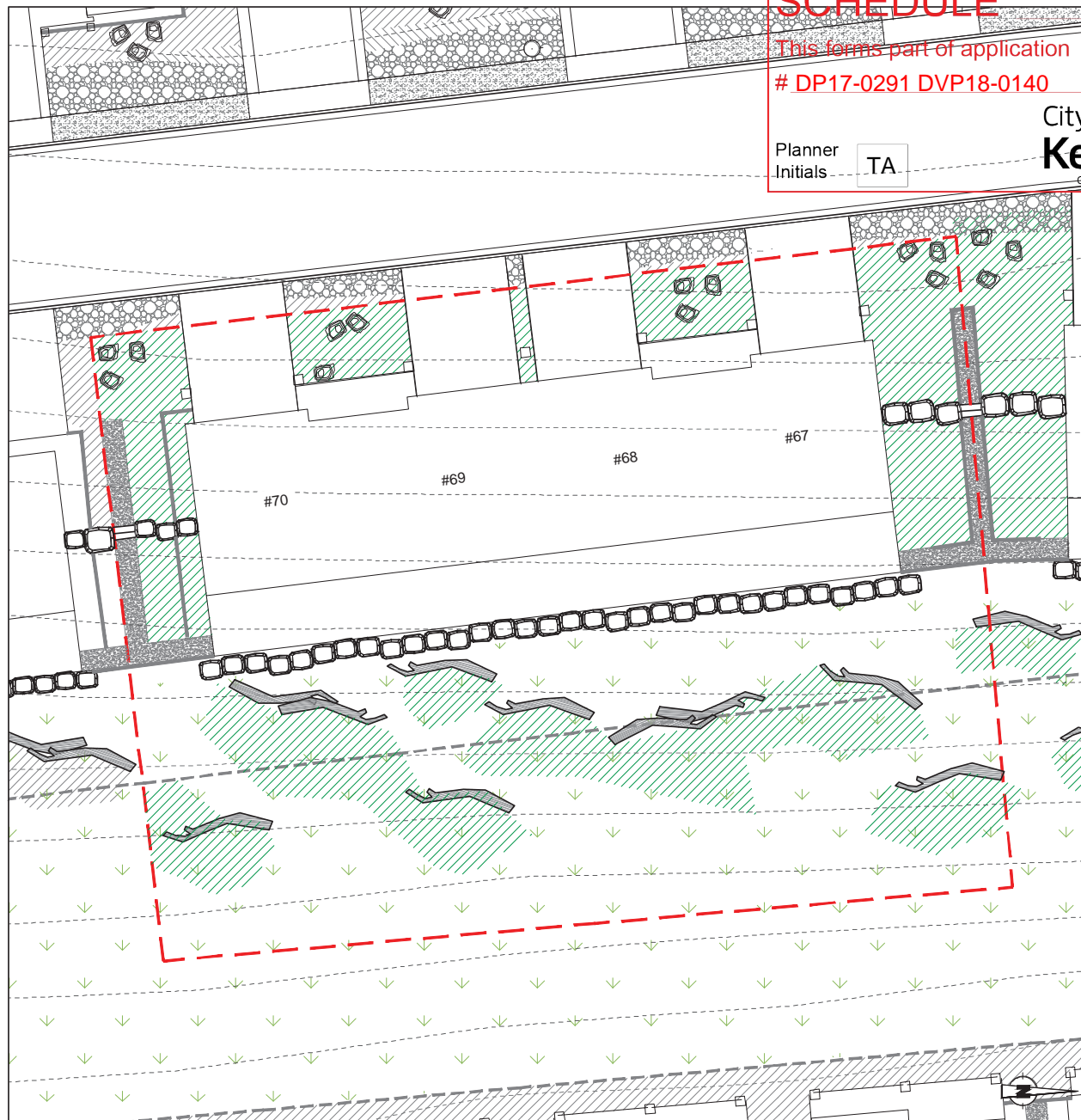
This forms part of application  
# DP17-0291 DVP18-0140

Planner  
Initials TA

City of  
**Kelowna**  
COMMUNITY PLANNING



P:\17 - 85 - INTERIOR\17-0291-001-DIVISION\17-0291-001-PRODUCTION\17-0291-001-001-LOT\_PLANTING



**HYDROZONE PLAN**

**LEGEND**



LOW WATER REQUIREMENTS  
- 233.0m2

SHEET TITLE  
**MULTI FAMILY LOT 67-70 HYDROZONE PLAN**

SOLSTICE PHASE 2 - INDIVIDUAL LOT PLANTING PLANS



SCALE 1:200 DATE 29/06/18

# REPORT TO COUNCIL



**Date:** September 18, 2018

**RIM No.** 0940-00

**To:** City Manager

**From:** Community Planning Department (TA)

**Application:** DP17-0292 & DVP18-0141      **Owner:** Parkbridge Lifestyle Communities Inc.

**Address:** 1672-1680 Tower Ranch Dr      **Applicant:** Matt Johnston  
Architecturally Distinct Solutions Inc.

**Subject:** Development Permit and Development Variance Permit

Existing OCP Designation: MRL – Multiple Unit Residential Low Density

Existing Zone: RM2 – Low Density Row Housing

---

## 1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP17-0292 and DVP18-0141 for the following properties:

- Strata Lot 58, Sec 31, TWP 27, ODYD, Strata Plan EPS2195, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V; located at 1672 Tower Ranch Dr, Kelowna, BC
- Strata Lot 59, Sec 31, TWP 27, ODYD, Strata Plan EPS2195, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V; located at 1676 Tower Ranch Dr, Kelowna, BC
- Strata Lot 60, Sec 31, TWP 27, ODYD, Strata Plan EPS2195, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V; located at 1680 Tower Ranch Dr, Kelowna, BC

Subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";

4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

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

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

To vary the required maximum height from 2 ½ storeys or 9.5m to 3 storeys or 10.1m proposed;

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

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

**2.0 Purpose**

To consider the form and character of row housing with a variance to the maximum height from 2 ½ storeys or 9.5m (required) to 3 storeys or 10.1 m (proposed).

**3.0 Community Planning**

Community Planning Staff recommend support for the proposed Development Permit and requested height variance as is it consistent with the form, character, and height of the surrounding development. The form and character is in general accordance with several Official Community Plan (OCP) Design Guidelines for Hillside Development Permit Area including the following:

- Orient buildings on the site to complement the natural topography; the greatest horizontal dimension is parallel with, not perpendicular to, the natural contour of the land;
- Encourage stepped foundations to avoid large single level building platforms;
- Incorporate earth tone colour schemes and material textures that complement the natural landscape.



*Figure 1: Conceptual street view*

The applicant has worked extensively with Staff to mitigate the requested height variance that is oriented toward the rear of the lots (downslope). The variance requested is to increase the height from 2 ½ storeys or

9.5m (required) to 3 storeys or 10.1m (proposed). This is due to the steep topography on the site, such that the proposed homes are one storey at street level and 3 storeys at the rear.



Figure 2: Conceptual view at rear

The height is consistent with other single family and semi-detached dwellings in the area, where a walk-out-basement is considered exempt from height regulations. This regulation only applies to single family dwellings and semi-detached dwellings, as the horizontal massing of a multi-family row-house structure is considerably greater and has a greater impact when viewed from the valley below.

The applicant has proposed a landscape plan to mitigate the visual impact of the increased height. Large shrubs and small trees will be planted between the units to supply buffering without impacting views, a split-rail fence will be installed at the top of the slope for increased safety, and tree plantings on the downslope will be used to dampen the view from below the units without impacting views.



Figure 3: Conceptual landscape rendering

Associated with this application is a Development Permit and Development Variance Permit for height for two fourplexes in the same development.

#### 4.0 Proposal

##### 4.1 Background

The neighbourhood of Tower Ranch was rezoned and subdivided in phases over many years as part of a comprehensive phased development plan. This phase was subdivided in 2015 to create three sites for multi-family development with the remainder of the lots as single family or semi-detached dwellings.

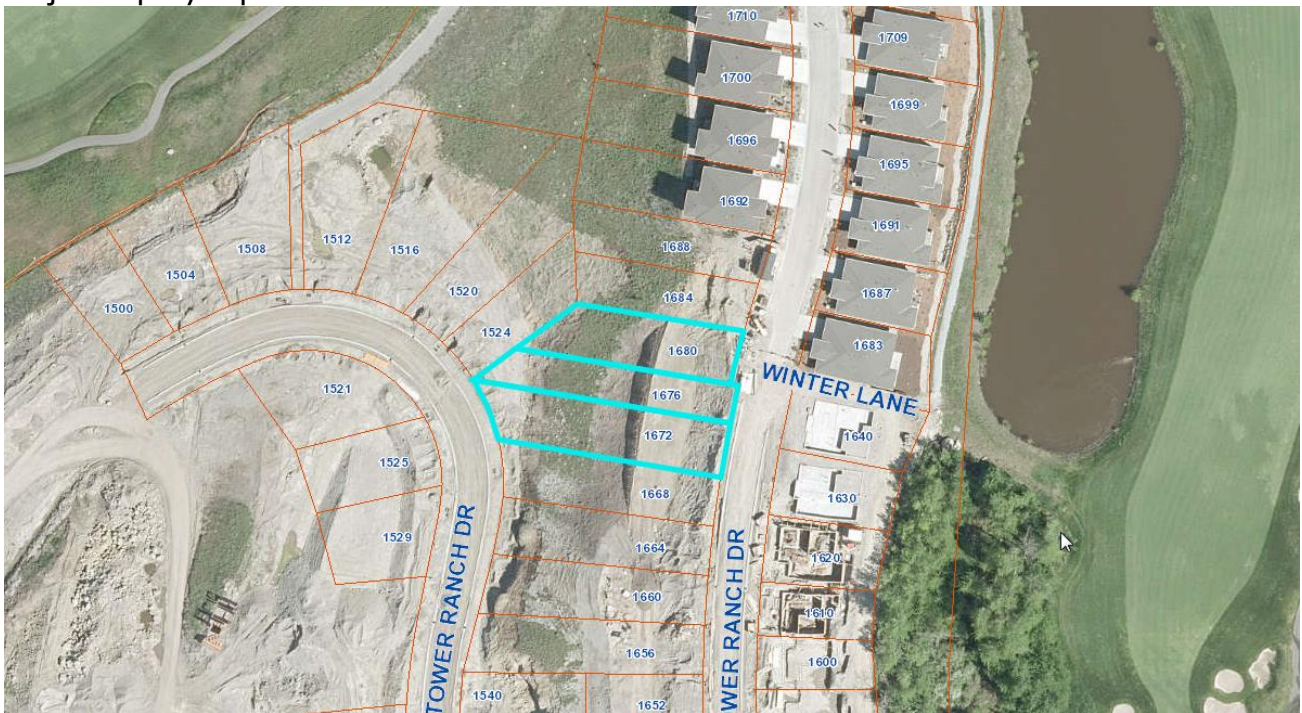
##### 4.2 Project Description

The proposed development is for three units in the form of row-housing with access from the top of the slope off of Tower Ranch Dr. The units are single storey at street level, and require a variance to height from 2 ½ storeys or 9.5m (required) to 3 storeys or 10.1m (proposed) at the rear of the structure to allow for a walk-out lower level. Each unit meets required parking and outdoor space. A landscape plan has been provided, and the development is in general accordance with the OCP Design Guidelines for Hillside Development.

##### 4.3 Site Context

Tower Ranch is located on the eastern outskirts of the City of Kelowna within the Permanent Growth Boundary. The subject property is flanked on both sides by 3 storey semi-detached units.

#### Subject Property Map:



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM <sub>2</sub> ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Height	2 ½ storeys or 9.5m	3 storeys or 10.1m <sup>❶</sup>
Front Yard	1.5m	2.8m
Side Yard (south)	4.0m	4.0m
Side Yard (north)	4.0m	4.0m
Rear Yard	7.5m	> 7.5m
Other Regulations		
Minimum Parking Requirements	2 stalls per unit	2 stalls per unit
Site Coverage of Buildings	50%	16.2%
❶ Indicates a requested variance to maximum height from 2 ½ storeys or 9.5m required to 3 storeys or 10.1m proposed.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

- Chapter 14: Urban Design Development Permit Areas – Hillside Development

6.0 Technical Comments

- All technical comments were satisfied through Subdivision file S15-0032-01.

7.0 Application Chronology

Date of Complete Application Received: July 11, 2018  
 Date Public Consultation Completed: August 7, 2018

Report prepared by: Trisa Atwood, Planner II

Reviewed by: Dean Strachan, Suburban and Rural Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

- Applicant’s Letter of Rationale
- DRAFT Development Permit and Development Variance Permit DP17-0292 & DVP18-0141
- Schedule “A”: Siting and Dimensions
- Schedule “B”: Elevations and Materials
- Schedule “C”: Landscape Plan



To: Planning Department

City of Kelowna

July 6, 2018

**Re: Draft Design Rationale for Proposed DVP for the Triplex and 2 Fourplex Buildings at Solstice, Phase 2, Kelowna, BC (The Site)**

Dear City of Kelowna Planning Department,

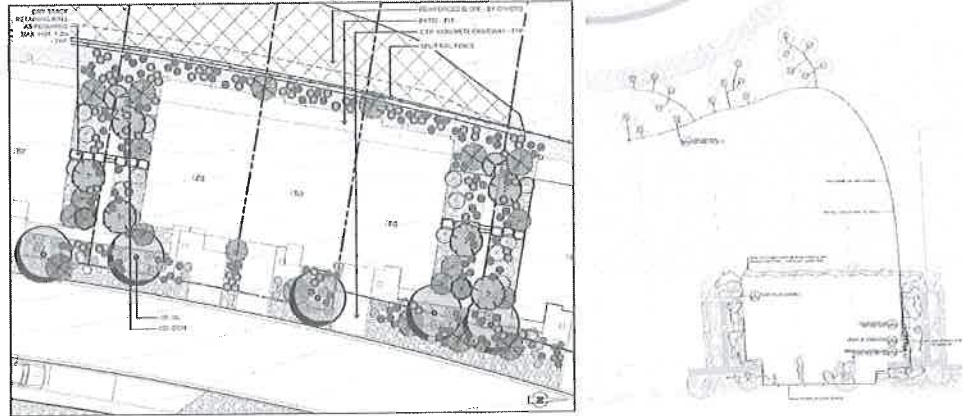
We are submitting this rationale in support of a variance we are requesting for a single triplex building and 2 fourplex buildings to be located at the site. Currently, buildings for the project are being governed under separate bylaw zones as follow:

- RU5 for single family and duplex homes
- RM2h for triplex and fourplexes

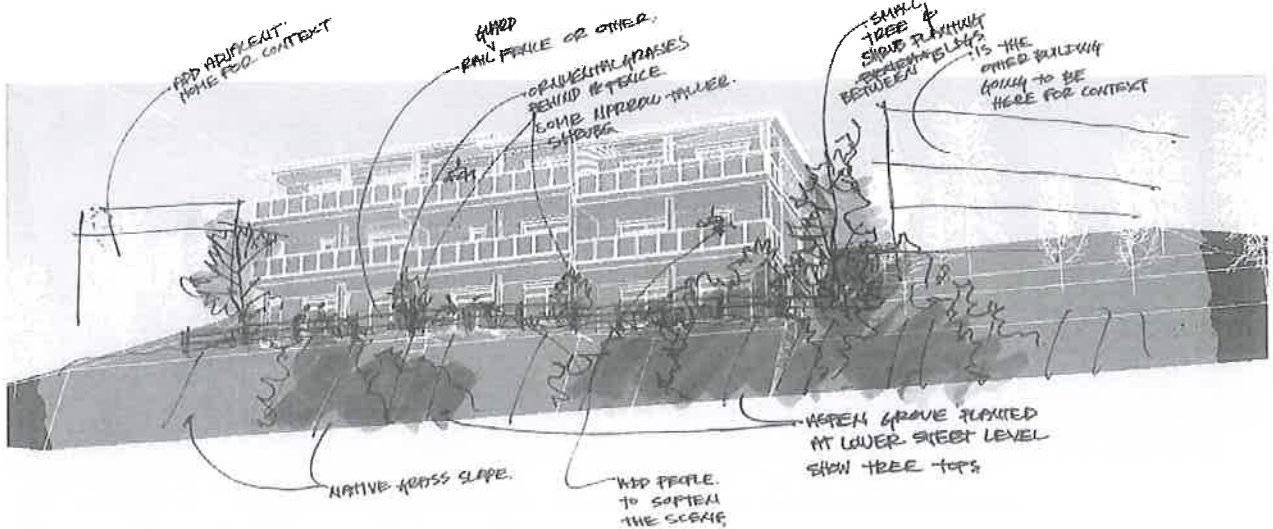
The height requirements for the duplex three level walkouts that flank the triplex on either side have a height relaxation for the walkout portion of the building. Since there is no relaxation for a triplex, and in order to maintain a similar form and character to the adjacent duplexes, we are requesting a variance to the number of stories allowed for the triplex from 2-1/2 to 3 stories. As the City has communicated the concern regarding the larger massing of a triplex with a third storey walkout, our team has worked to minimize the visual impact through detailed landscaping of the triplex property. The landscape treatment will be especially successful at reducing the visual impact of the triplex due to the opportunity to provide a landscape buffer between the road below the triplex site and the building that will be located above the road. This slope condition will allow the landscape buffer to reduce the impact of the built form while allowing landscaping to be located below the visual sight lines from the homes thereby reducing the impact on views. Additionally, landscape detailing (fence designs) has been considered that will compliment the natural setting created on the slope and soften the landscape to building transition further. Specific landscape treatment includes:

- Large shrubs small trees will be selectively planted between units and buildings to supply buffering, but not impact views.
- There will be an attractive split rail fence at the top of the slope to provide detail and increase safety
- The view from the street below will be buffered by a new grove of Trembling Aspen that will work to cut the views up towards the Triplexes but will not get so tall as to impact the views from above.

A landscape plan and sketch concept of the landscaping treatment for the 3 storey triplex has been provided on the following page.

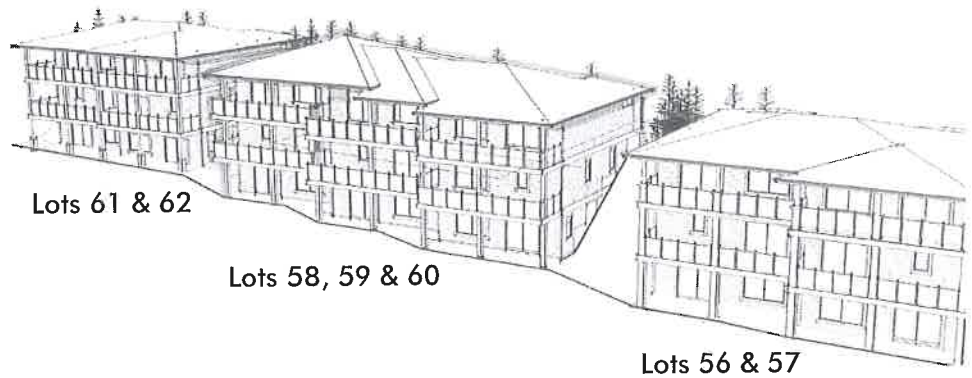
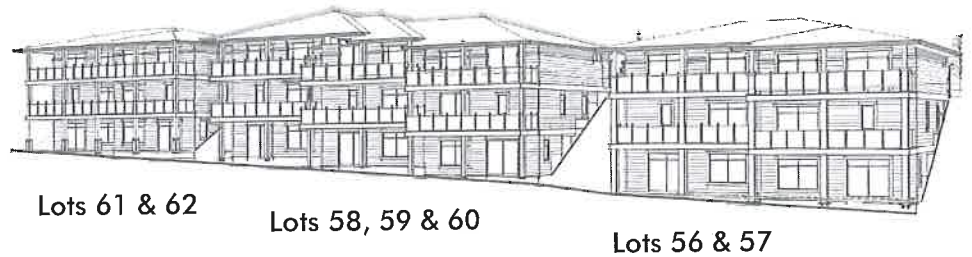


**Proposed Landscape treatment for the Triplex**



**Proposed Design treatment for the Triplex**

We have included two line drawings on the following page to illustrate the consistent form and character we are trying to maintain between the duplexes and triplex. Further to this issue, and since the sloped site has been engineered to a reduced, buildable footprint, trying to change the grade of the triplex between the duplexes will result in site hardships including (but not limited to) additional retaining between the 3 buildings illustrated adding additional complication to the site and reducing natural flow between building. While alternate building forms were considered, and since subdivision of the property included party wall property lines in support of a triplex, trying to revise the building type to a duplex or single family buildings left little buildable footprint. This restrictive footprint is due to the established party wall property lines and lot line adjustments that would be required would be time consuming and result in a unit yield less than supported through the subdivision process. Additionally, the impact of the triplex for the development is minor in that it is the only building type of its kind out of a total of 160 units thereby adding both interest in form and supplying a mix of unit types to a predominantly single family development.



**Triplex flanked by Duplexes**

Development Permit &  
Development Variance Permit  
DP17-0292 & DVP18-0141



This permit relates to the following subject properties:

- Strata Lot 58, Sec 31, TWP 27, ODYD, Strata Plan EPS2195, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V; located at 1672 Tower Ranch Dr, Kelowna, BC
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- Strata Lot 60, Sec 31, TWP 27, ODYD, Strata Plan EPS2195, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V; located at 1680 Tower Ranch Dr, Kelowna, BC

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

Multi-family development (Row Housing)

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

Date of Decision: September 18, 2018

Decision By: CITY COUNCIL

Issued Date:

Development Permit Area: Hillside Development Permit Area

**This permit will not be valid if development has not commenced by September 18, 2020.**

Existing Zone: RM2 – Low Density Row Housing

**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: Parkbridge Lifestyle Communities Inc.

Applicant: Matt Johnston, Architecturally Distinct Solutions Inc.

\_\_\_\_\_  
Ryan Smith  
Community Planning Department Manager  
Community Planning & Strategic Investments

Date

## 1. SCOPE OF APPROVAL

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

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

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

## 2. CONDITIONS OF APPROVAL

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

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

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

To vary the required maximum height from 2 ½ storeys or 9.5m to 3 storeys or 10.1m proposed;

This Development Permit is valid for two (2) years from the date of September 18, 2020 approval, with no opportunity to extend.

## 3. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property own of the day. Should the Developer carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Developer or his or her designate. There is filed accordingly:

- a) An Irrevocable Letter of Credit in the amount of **\$47,741.25**

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

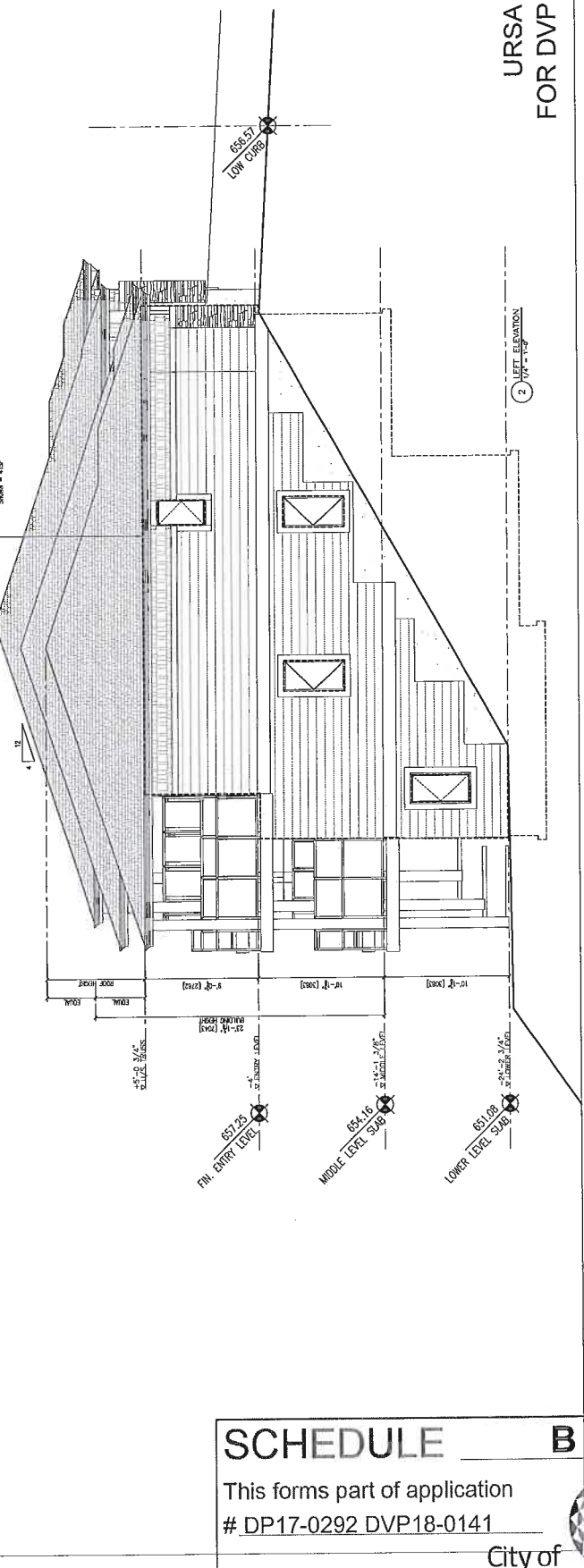
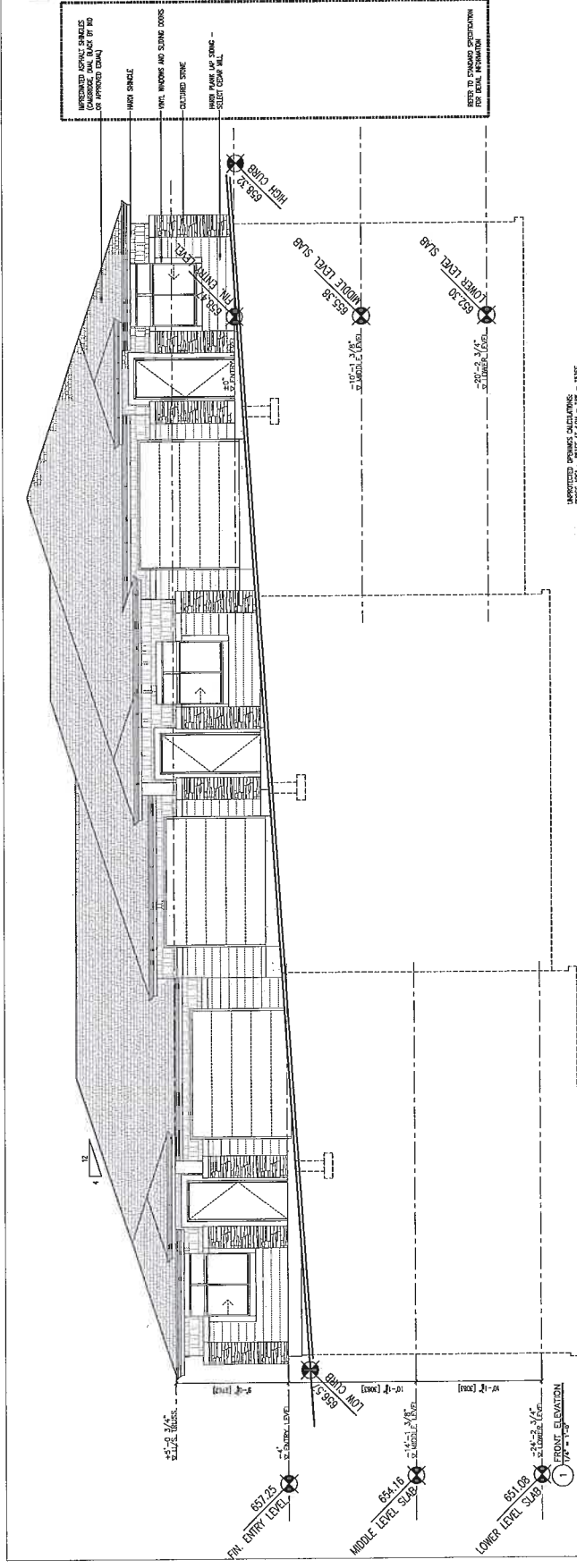
Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

- 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 CURRENT LAND OWNER.  
Security shall ONLY be returned to the signatory of the**





URSA  
FOR DVP

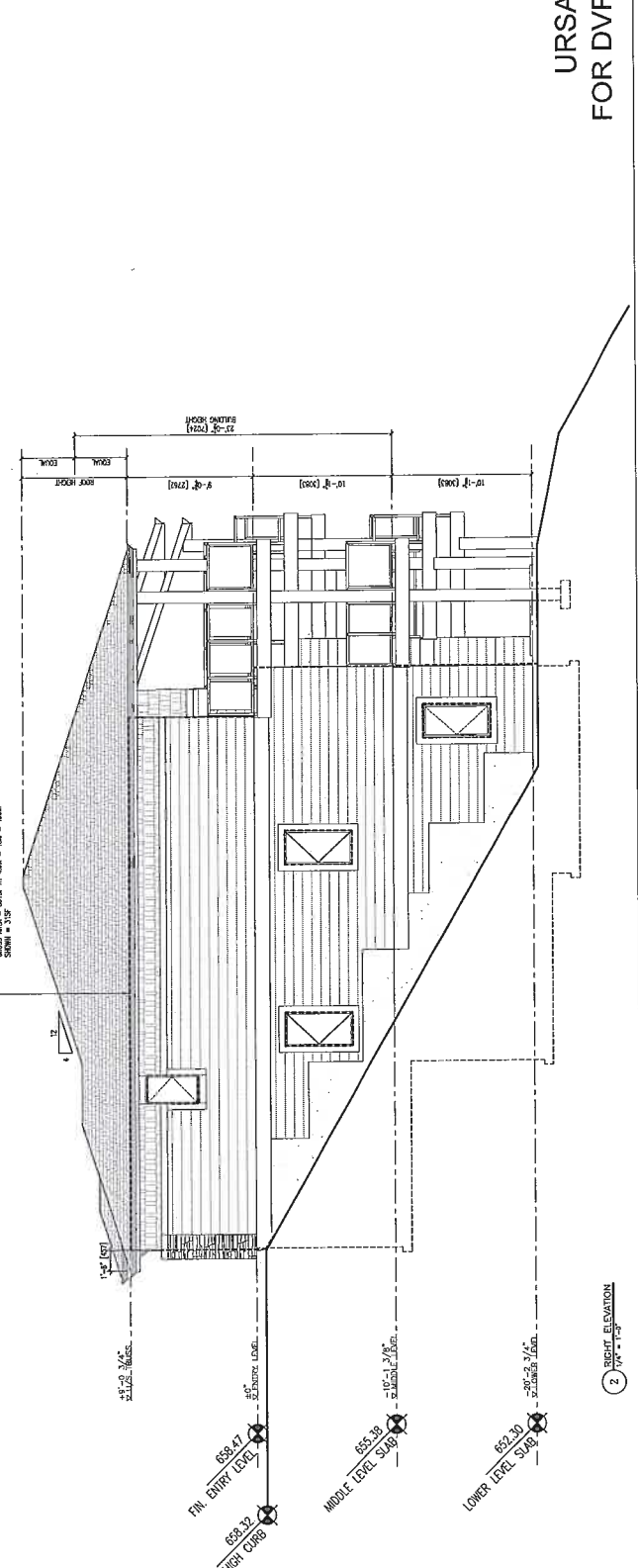
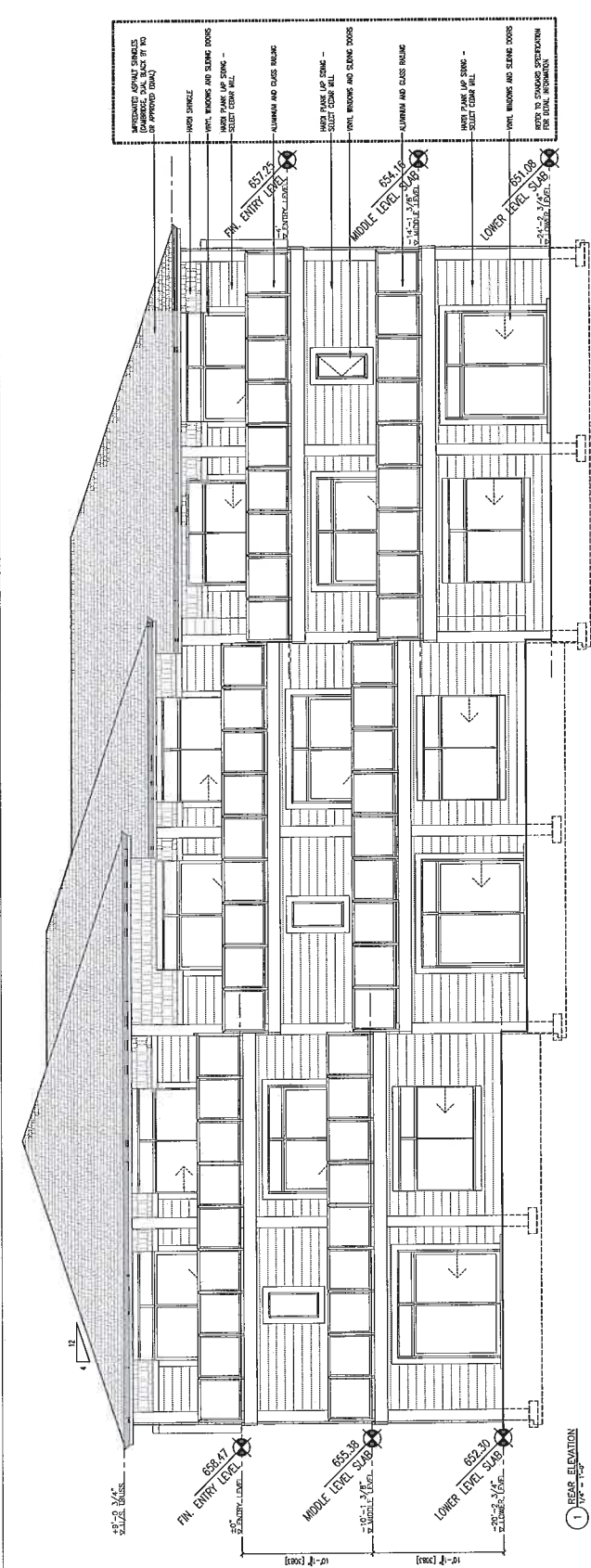
**SCHEDULE B**

This forms part of application  
 # DP17-0292 DVP18-0141

Planner Initials **TA**

City of Kelowna  
 COMMUNITY PLANNING

108



**SCHEDULE B**

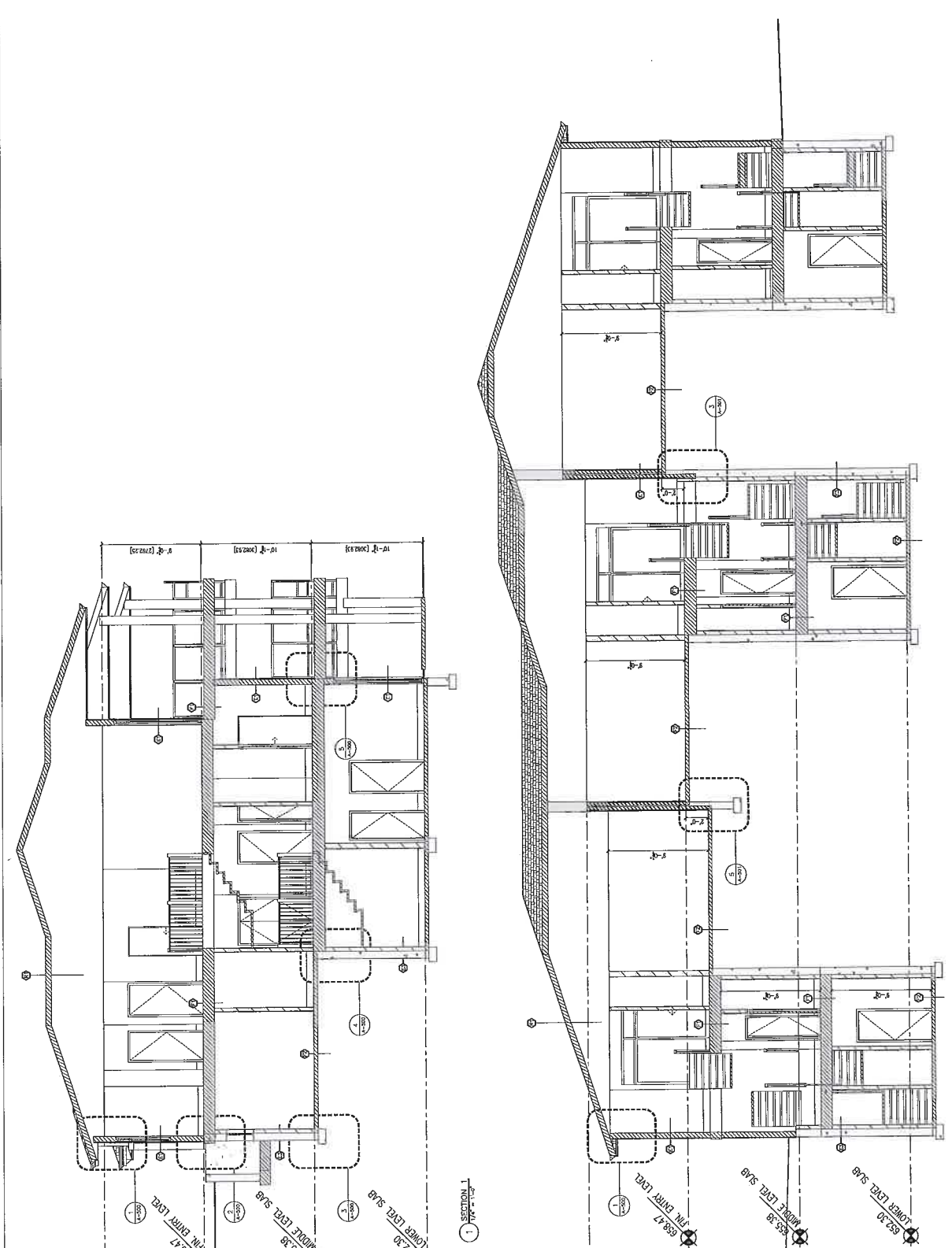
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Planner Initials **TA**

City of **Kelowna**  
 COMMUNITY PLANNING



URSA  
 FOR DVP



**SCHEDULE B**

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City of Kelowna  
 COMMUNITY PLANNING

Planner Initials TA

**DISTINCT SOLUTIONS INC.**  
 2021 20th Street  
 Kelowna, BC V1Y 1R8  
 www.distinctsolutions.ca

**CONTACT:**  
 Mr. Tom, Wendy, Andrew and Katherine  
 Tel: 250.860.4444  
 Fax: 250.860.4444  
 Email: info@distinctsolutions.ca  
 Website: www.distinctsolutions.ca

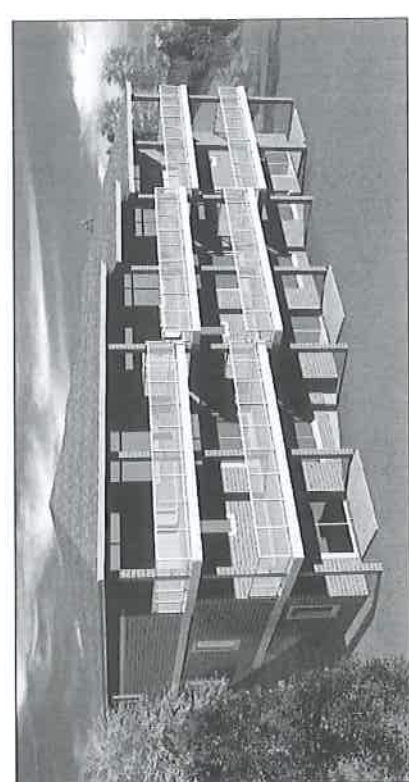
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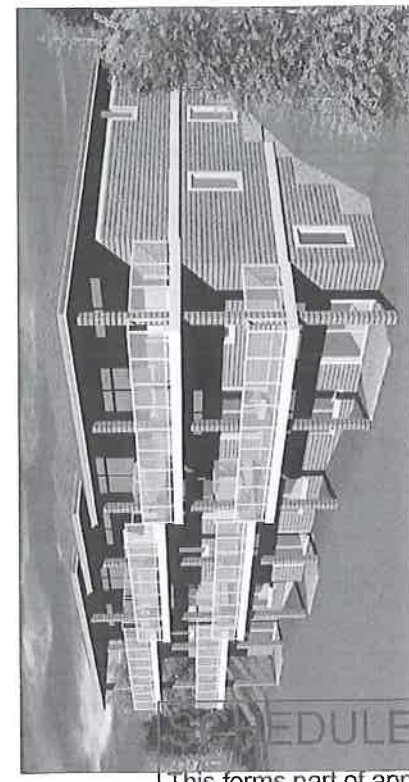
VIEW 2 - FRONT VIEW FROM LEFT



VIEW 1 - FRONT VIEW FROM STREET



VIEW 4 - LEFT REAR VIEW



VIEW 3 - RIGHT REAR VIEW

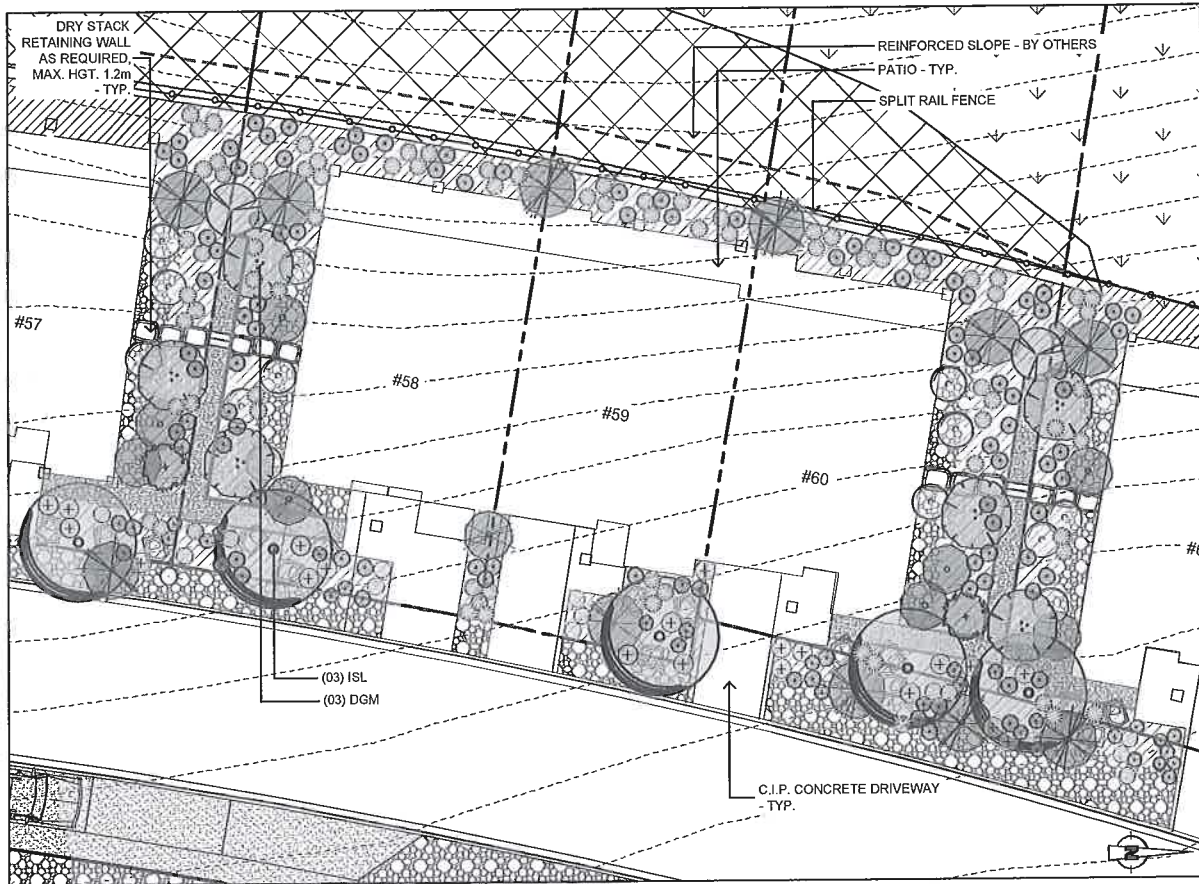
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







**LANDSCAPE PLAN**




**PLANT LIST**

SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	MATURE PLANT SIZE (Ht. x Wd.)
<b>TREES</b>						
DGM	3	<i>Acer glabrum</i>	Douglas Maple	#05		12.0m x 6.0m
ISL	3	<i>Syringa ret 'Ivory silk'</i>	Ivory Silk L.fac	60mm Cal.	B.&B.	7.00m x 5.00m
<b>SHRUBS</b>						
dbb	1	<i>Euonymus alatus 'Compacta'</i>	Diarr- Winged Burning Bush	#05	Potted	3.0m x 3.0m
sjr	7	<i>Juniperus sabina</i>	Savin Juniper	#01	Potted	1.25m x 2.50m
mel	70	<i>Lavandula angustifolia 'Munstead'</i>	Munstead English Lavender	#01	Potted	0.40m x 0.60m
org	7	<i>Mahonia aquifolium</i>	Oregon Grape	#01	Potted	1.8m x 1.5m
mup	5	<i>Pinus mugo 'Mughus'</i>	Mugo Pine	#05	Potted	1.5m x 1.5m
mco	1	<i>Philadelphus lewisii</i>	Mock Orange	#02	Potted	1.8m x 1.8m
<b>GRASSES / PERENNIALS</b>						
msy	13	<i>Achillea x 'Moonshine'</i>	Moonshine Yarrow	#01	Potted	0.6m x 0.6m
blg	10	<i>Bouteloua gracilis</i>	Blue Grama	#01	Potted	0.6m x 0.6m
thg	13	<i>Deschamsia cespitosa</i>	Tufted Hair Grass	#01	Potted	0.8m x 0.75m
bog	52	<i>Helictotrichon sempervirens</i>	Blue Oat Grass	#01	Potted	0.75m x 0.75m






**LEGEND**

-  BARK MULCH - 75mm DEEP  
TYPE: BLACK BARK MULCH / COARSE  
SUPPLIER: BETTER EARTH (250-861-1861)  
QUANTITY: 150m<sup>2</sup>
-  DECORATIVE COBBLE - 200mm DEEP OVER FABRIC  
TYPE: WASHED RIVER ROCK - 1 PART 100mm,  
1 PART 150mm, 1 PART 200mm  
SUPPLIER: TO BE DETERMINED BY CONTRACTOR AND  
APPROVED BY LANDSCAPE ARCHITECT  
QUANTITY: 80m<sup>2</sup>
-  CRUSHED STONE  
TYPE: 3/4" MINUS  
SUPPLIER: TO BE DETERMINED BY CONTRACTOR AND  
APPROVED BY LANDSCAPE ARCHITECT  
QUANTITY: 23m<sup>3</sup>
-  FEATURE BOULDERS  
TYPE: STONE BOULDERS  
(750mm - 1500mm (L/W/H) OR APPROVED EQUALS  
SUPPLIER: CLIENT  
QUANTITY: 09
-  HYDROSEED - BY OTHERS
-  EDGER A  
TYPE: 2" x 4" BEND-A-BOARD PLASTIC HEADER  
w/ STAKES @ 3'-0" O.C.  
SUPPLIER: BASALITE CONC. PRODUCTS OR APPROVED EQUAL  
QUANTITY: 24 Lm.
-  EDGER B  
TYPE: 1" x 4" BEND-A-BOARD PLASTIC HEADER  
w/ STAKES @ 3'-0" O.C.  
SUPPLIER: BASALITE CONC. PRODUCTS OR APPROVED EQUAL  
QUANTITY: 33 Lm.



**SHRUBS LEGEND**

- BOTANICAL NAME
-  *Euonymus alatus 'Compacta'*
  -  *Mahonia aquifolium*
  -  *Philadelphus lewisii*

**PERENNIALS / GRASSES LEGEND**

- BOTANICAL NAME
-  *Achillea x 'Moonshine'*
  -  *Bouteloua gracilis*
  -  *Deschamsia cespitosa*
  -  *Helictotrichon sempervirens*
  -  *Lavandula angustifolia 'Munstead'*

**PLANT LEGEND**

- BOTANICAL NAME
-  *Juniperus sabina*
  -  *Pinus mugo 'Mughus'*

**NOTE:**

QUANTITIES NOTED ARE PER THE EXTENTS SHOWN ON DRAWING. QUANTITIES FOR STREETSCAPE WORK AND HYDROSEEDING ARE NOT INCLUDED. REFER TO STREETSCAPE DRAWING AND S.O.Q. FOR INFORMATION.

**SCHEDULE C**

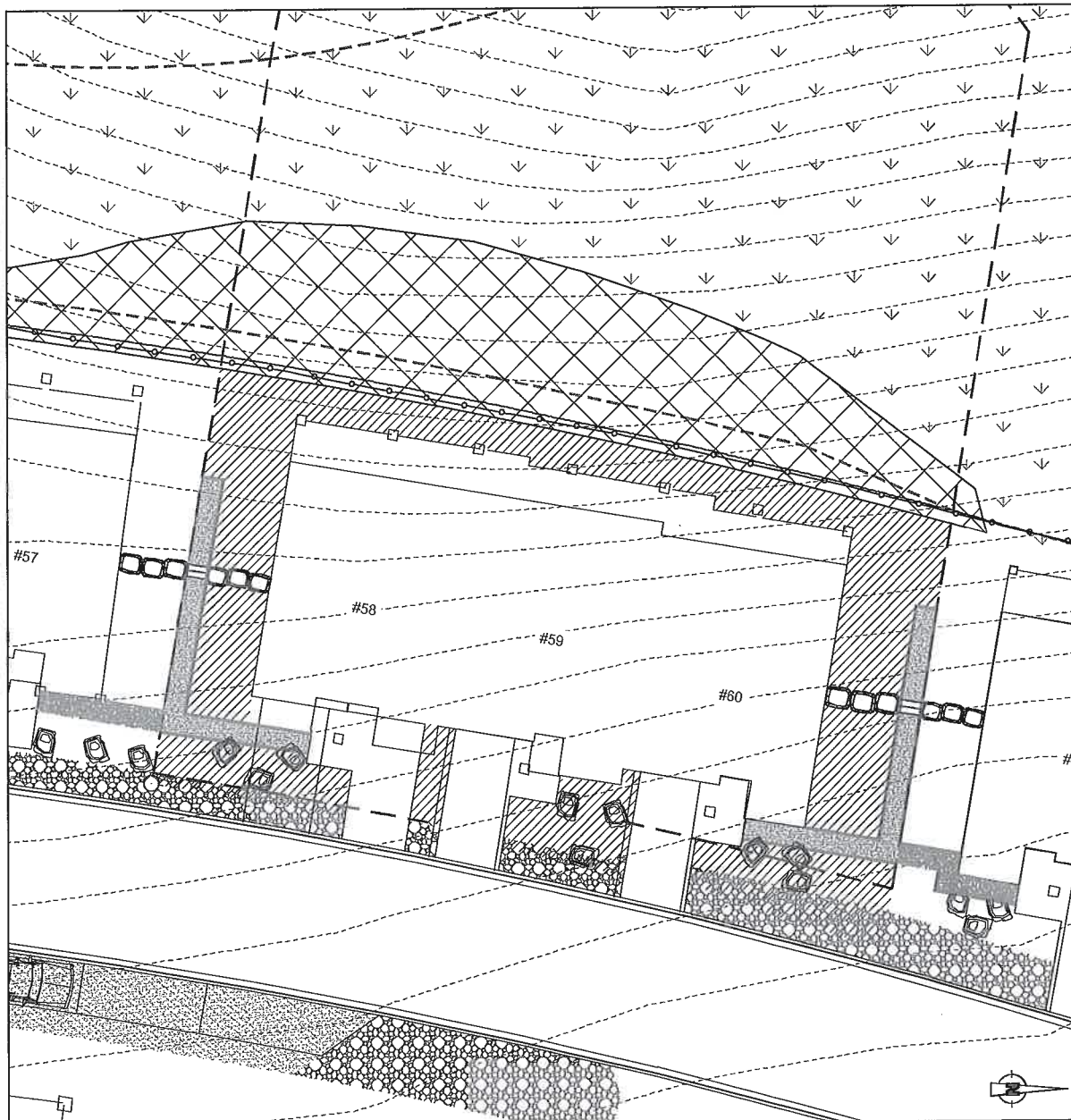
This forms part of application  
# DP17-0291 DVP18-0141

City of Kelowna  
COMMUNITY PLANNING

Planner Initials **TA**

SHEET TITLE  
**MULTI FAMILY LOT 58-60**  
SOLSTICE PHASE 2 - INDIVIDUAL LOT PLANTING PLANS

**wsp**  
SCALE 1:200 DATE 29/06/18



HYDROZONE PLAN

LEGEND



LOW WATER REQUIREMENTS  
• 223.0m<sup>2</sup>

SCHEDULE      **C**

This forms part of application  
# DP17-0291 DVP18-0141

Planner  
Initials TA



<p><small>SHEET TITLE</small> MULTI FAMILY LOT 58-60</p>
<p><small>SOLSTICE PHASE 2 - INDIVIDUAL LOT PLANTING PLANS</small></p>

<p><small>SCALE</small> 1:200</p>	<p><small>DATE</small> 29/06/18</p>