

**City of Kelowna
Regular Council Meeting
AGENDA**



Tuesday, December 4, 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 Donn.

3. Confirmation of Minutes

Public Hearing - November 20, 2018
Regular Meeting - November 20, 2018

4. Bylaws Considered at Public Hearing

4.1 Radant Rd 575, BL11698 (Z18-0063) - Lihua Feng

1 - 1

To give Bylaw No. 11698 second and third readings in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone.

4.2 Highland Dr. N. 1720, BL11699 (Z18-0065) - Lidia B. Baumgart

2 - 2

To give Bylaw No. 11699 second and third readings in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone.

4.3 Riverside Ave 1848-1854, BL11700 (Z18-0045) - Lisa Carol White

3 - 3

To give Bylaw No. 11700 second and third readings in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone.

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 Vaughan Ave, 760, LL18-0017 760 Vaughan Inc. No. BC1148021** 4 - 12
- 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 Manufacturer's Lounge Liquor License for a proposed brewery.
- 6.2 June Springs Rd 3973-3975 LL18-0018 Edward and Marilyn Malcolm** 13 - 18
- 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 outdoor patio within an existing Manufacturing Liquor License (alcohol production facility).
- 6.3 Bernard Ave 262, LL18-0021 - 432092 BC LTD., Inc. No. 432092** 19 - 22
- 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 permanent change in hours of operation to 1 am inside for an existing Food Primary Liquor License.
- 6.4 Enterprise Way 200-2600, LL18-0022 - Al Stober Construction Ltd., Inc. No. BC0170493** 23 - 28
- 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 consider a Liquor Primary license for a new recreation facility.
- 6.5 Ellis St 1264-1275, LL18-0023 - Whitworth Holdings Ltd., Inc. No. 1059455** 29 - 37
- 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 consider a Liquor Primary license for a new commercial school (cooking school).

7. Development Permit and Development Variance Permit Reports

- 7.1 **Cantina Ct 680 & 704, BL11577 (OCP17-0020) - Gillen Investments Inc., Inc. No. BC0528682 & Emil Anderson Construction Co. Ltd., Inc. No. C0172755** 38 - 39
- Requires a majority of all members of Council (5).**
To amend Bylaw No. 11577 at third reading to revise the legal descriptions and addresses, and adopt, in order to change the land use designations of portions of the subject properties from the COMM - Commercial designation and PARK - Major Park/Open Space (Public) designation to the MRL - Multiple Unit Residential (Low Density) designation.
- 7.2 **Cantina Ct 680 & 704, BL11578 (Z17-0091) - Gillen Investments Inc., Inc. No. BC0528682 & Emil Anderson Construction Co. Ltd., Inc. No. C0172755** 40 - 41
- To amend Bylaw No. 11578 at third reading to revise the legal descriptions and addresses, and adopt, in order to rezone portions of the subject properties from the C2 - Neighbourhood Commercial zone to the RM2h - Low Density Row Housing (Hillside Area) zone and P3 - Parks & Open Spaces zone and from the P4 - Utilities zone to the RM2h - Low Density Row Housing (Hillside Area) zone.
- 7.3 **Cantina Ct 680, DP17-0283 & DVP17-0284 - Gillen Investments Inc., Inc. No. BC0528682, Emil Anderson Construction Co. Ltd., Inc. No. C0172755 & City of Kelowna** 42 - 73
- City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.**
To consider a Development Permit for 6 multi-family units in the form of three semi-detached buildings and a Development Variance Permit to allow multiple driveways (1 permitted, 6 proposed).
- 7.4 **Union Rd 2053 and Summerhill Pl 148, DVP18-0114 - Mehdi Tehrani, City of Kelowna** 74 - 80
- City Clerk to state for the record any correspondence received. Mayor to invite anyone from the public gallery who deems themselves affected by the required variance(s) to come forward.**
To consider three proposed variances to facilitate a proposed 5 lot residential subdivision.
- 7.5 **Boynton Pl 665, DP18-0142 & DVP18-0143 - Boynton Developments (Kelowna) Ltd** 81 - 116
- City Clerk to state for the record any correspondence received. Mayor to invite anyone from the public gallery who deems themselves affected by the required variance(s) to come forward.**
To consider the form and character of a multi-family development with variances to the front yard (4.5 m required to 1.5 m proposed), flanking side yard (4.5 m required to 1.4 m proposed), and rear yards (9.0 m required to 1.3 m and 7.5 m).

7.6 Barnaby Rd 771, BL11660 (Z18-0074) - Trevor James Taylor and Lori-Lynn Taylor 117 - 117

To adopt Bylaw No. 11660 in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone.

7.7 Barnaby Rd 771, DVP18-0146 - Trevor James Taylor and Lori-Lynn Taylor 118 - 133

City Clerk to state for the record any correspondence received. Mayor to invite anyone from the public gallery who deems themselves affected by the required variance(s) to come forward.

To vary the required minimum front yard of a carriage house from 9.0 m permitted to 4.5 m proposed.

7.8 Water St 1300, DVP18-0147- DHL No.48 Holdings Ltd., Inc. No. C1105825 134 - 146

City Clerk to state for the record any correspondence received. Mayor to invite anyone from the public gallery who deems themselves affected by the required variance(s) to come forward.

To consider a Development Variance Permit application to vary Sign Bylaw No. 11530 to allow an Electronic Message Centre Sign in the C8 Zone for a property located at 1300 Water Street, and increase the maximum allowable size of an Electronic Message Centre Sign from 2.0 sqm to 8.27sqm.

8. Reminders

9. Termination

CITY OF KELOWNA
BYLAW NO. 11698
Z18-0063 – 575 Radant Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A Section 1 Township 25 ODYD Plan 11054, located on Radant Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 19th day of November, 2018.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11699
Z18-0065 – 1720 Highland Drive North

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2, Section 29, Township 26, Osoyoos Division Yale District, Plan 28059, located on Highland Drive North, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 19th day of November, 2018.

Considered at a Public Hearing on this

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 11700

Z18-0045 – 1848 - 1854 Riverside Avenue

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A District Lot 14, Osoyoos Division Yale District Plan EPP81940, located on Riverside Avenue, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 19th day of November, 2018.

Considered at a Public Hearing on this

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

REPORT TO COUNCIL



Date: December 4th 2018

RIM No. 0930-60

To: City Manager

From: Community Planning Department (AK)

Application: LL18-0017 **Owner:** 760 Vaughan Inc. (Inc. no. BC1148021)

Address: 760 Vaughan Avenue **Applicant:** Rustic Reel Brewing Company Ltd.

Subject: Liquor License Application

Existing OCP Designation: IND - Industrial

Existing Zone: I₄ – Central Industrial

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 10 of the Liquor Control and Licensing Regulation and Council Policy 359, BE IT RESOLVED THAT:

1. Council recommends support of an application from Rustic Reel Brewing Company for Lot 2, Section 30, Township 26, ODYD, Plan 23753, located at 760 Vaughan Avenue, Kelowna, BC for a manufacturer and lounge license for the hours of 11:00am to 9:00pm Tuesday to Thursdays, 11:00am to 11:00pm Friday and Saturdays, and 10:00am to 8:00pm on Sundays.
2. Council's comments on LCLB's prescribed considerations are as follows:
 - a) The location of the brewery: The brewery is located in an industrial setting near the City Centre;
 - b) The person capacity of the brewery lounge: The person capacity is 100 persons inside and 60 persons on exterior patio;
 - c) Traffic, noise, parking and zoning: The brewery is located in an industrial area and will have minimal negative impact on traffic, noise, parking, and the property is properly zoned;
 - d) The impact on the community if the application is approved: The potential for negative impact is considered to be minimal;

AND THAT 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 manufacturer's lounge liquor license for a proposed brewery.

3.0 Community Planning

Community Planning Staff generally support all manufacturer lounge endorsements in order to permit customers to consume the manufacturer's product onsite. Staff do not foresee any negative land use impact of permitting this type of license. There are three components of each license application that require specific consideration by Council:

1. Capacity
 2. Location
 3. Hours of liquor sales.
1. Capacity: The proposed capacity should never exceed the building's occupant load. In this case, the maximum capacity is 100 persons inside and 60 persons outside. The proposal is to comply with the maximum occupancy load.
 2. Location: Under Council Policy # 359 (Liquor Licensing Policy & Procedures), this license would be considered a medium sized establishment the policy states medium establishments (with person capacity between 100-249 persons):
 - a. Should only be located within an Urban or Village Centre.
 - b. Should be located a minimum of 100m from a Large or Medium establishment.
 - c. Should not be located beside a Small establishment.

The proposal is compatible with Council Policy #395 specifically, the policy states establishments should be located within an Urban Centre, the site is on the periphery of the 'City Centre' as defined in the Official Community Plan the boundary of which is Richter Street. Council policy #395 states establishments should be located a minimum of 100m from a large or medium sized establishment and should not be located beside a small establishment. The proposed establishment is located adjacent to SandHill Winery. For the purposes of determining proximity the policy states the shortest walking distance (door-to-door) will be applied which in this case the distance is approximately 175m. The proposed brewery is not located beside a small establishment.

3. Hours of Liquor Sales

Generally, based on previous applications, the RCMP support hours of operation between 10am to 10pm, Monday through Sunday. The R.C.M.P. has also requested the City "establish a comprehensive policy to address new liquor primary and manufacturer lounge endorsement license applications. Such a policy would facilitate a consistent, guided responses to applications." Until such time as the new liquor policy can be established, the R.C.M.P.'s suggestion on hours of sales is more conservative than Staff's guidelines for a liquor primary establishment. In this case, the proposed hours of sales are not supported by the R.C.M.P. as the proposal is to stay open to 11:00pm on Friday's and Saturday's but this is supported by staff. Staff feel

that a lounge establishment open to 11:00pm two nights a week will not significantly create resourcing issues to the community due to the location near the downtown core. Staff and the R.C.M.P. have consistently supported early opening hours for various liquor license applications. Opening earlier in the day does not create the same potential enforcement and policing issues that occur with later closings therefore the request to open regularly at 11:00am, and 10:00am on Sundays, is supported.

3.1 Background

An application has been forwarded by the licensee to the Provincial Liquor Control and Licensing Branch (LCLB) for their approval. Procedurally, this type of application needs Local Government comments prior to the LCLB making a final decision.

3.2 Project Description

The 'Rustic Reel Brewing Company Ltd.' is a proposed brewery which includes a lounge, tasting area, product sales, and outdoor patio. The capacity of the indoor seating area is 100 persons, and the capacity for the outdoor seating area is 60 persons.

Proposed Hours of Sale (Manufacturer's Lounge Endorsement)

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	n/a	11:00am	11:00am	11:00am	11:00am	11:00am	10:00am
Close	n/a	9:00pm	9:00pm	9:00pm	11:00pm	11:00pm	8:00pm

3.3 Site Context

The subject property is located in the Central City Sector. The area is characterized by light industrial uses. The subject site is directly adjacent to BC Tree Fruits and SandHill Winery. To the south of the proposed brewery location is a vacant lot on which a mix of commercial/residential uses have been proposed (OCP17-0021/Z17-0093).

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I ₄ – Central Industrial	General Industrial Uses
East	I ₄ – Central Industrial	Warehousing/Packing/Retail
South	I ₄ – Central Industrial (Rezoning Application to rezone to C₄ – Urban Centre Commercial has received 3rd reading)	Vacant
West	I ₄ – Central Industrial	Winery

Subject Property Map:



4.0 Current Development Policies

4.1 Council Policy #359 - Liquor Licensing Policy and Procedures

The following sections of Policy #359 are applicable to this application:

- Medium sized establishments (with person capacity between 100-249 persons):
 - Should only be located within an Urban or Village Centre.
 - Should be located a minimum of 100m from a Large or Medium establishment.
 - Should not be located beside a Small establishment.

- For the purposes of determining proximity, shortest walking distance (door-to-door) will be applied. These distances are meant to guide staff in their recommendations for particular applications, however, a number of other factors should be considered, including (but not limited to):
 - a) Pertinent input from the RCMP;
 - b) Vehicular and pedestrian traffic patterns for area and current zoning;
 - c) Availability of on-site and off-site parking; proximity of playgrounds, schools, and other social facilities;
 - d) Surrounding land-uses, and general impact on the local neighbourhood;
 - e) Correspondence received from abutting property owners;
 - f) Past licensee compliance and performance issues as may be provided by the LCLB.

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

5.0 Technical Comments

5.1 Building & Permitting Department

The tasting/bar area has a net floor area of 120 sqm. The maximum occupant load shall be 100 persons, based on 1.2 sqm per person. The patio has a net floor area of 72 sqm. The maximum occupant load shall be 60 persons, based on 1.2 sqm per person.

5.2 R.C.M.P.

The R.C.M.P. does not support the current request for Fri & Sat closure of 11pm. The R.C.M.P. would like to see 10pm closure which is consistent with R.C.M.P. comments on hours of operation for other lounge endorsement licenses in the area.

The R.C.M.P. requests for consideration of the Planning Department/City the establishment of a comprehensive policy to address new liquor primary and manufacturer lounge endorsement license applications. Such a policy would facilitate a consistent, guided response to applications.

5.3 Bylaw Services

There are no open/outstanding Bylaw Enforcement files pertaining to property location.

6.0 Application Chronology

Date of Application Received: July 18th 2017

Report prepared by: Alex Kondor, Planning Specialist

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A – Site Plan

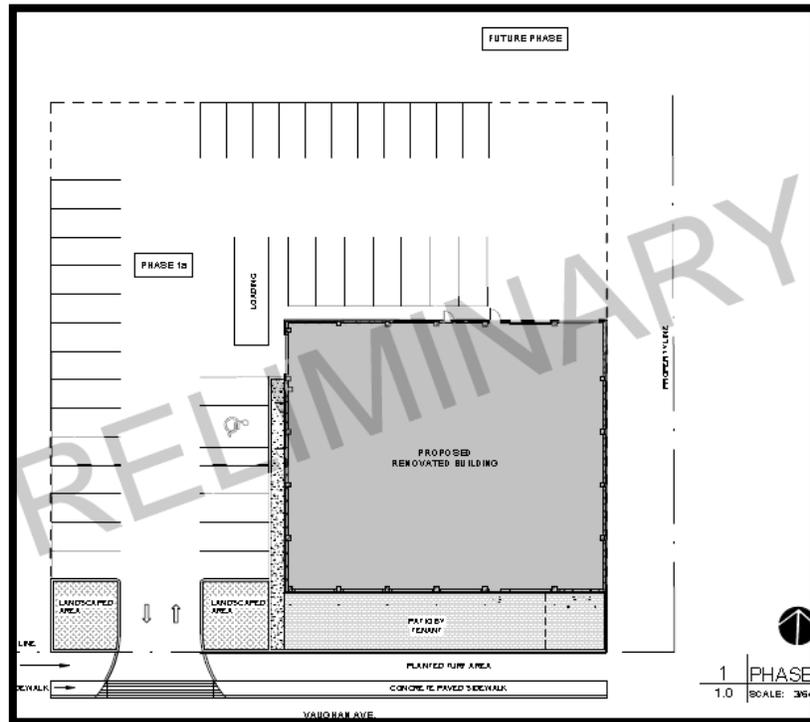
Attachment B – Letter from Applicant

Attachment C – Floor Plan and Occupancy Load

SCHEDULE A – Site Plans



Subject: Vaughan, 760, LL18-0017



SCHEDULE B – Letter From Applicant



Subject: Vaughan, 760, LL18-0017

Liquor Control and Licensing Branch
4th Floor, 3350 Douglas Street
Victoria BC V8W 9J8

Susi Foerg
Rustic Reel Brewing Company Ltd.
760 Vaughan Avenue
Kelowna BC V1Y 7E4

May 30, 2018

**Letter of Intent for Rustic Reel Brewing Company Ltd.
"Lounge & Special Event Area Endorsement" Application**

To Whom It May Concern,

With this letter, I submit Rustic Reel Brewing Company Ltd.'s application for a lounge endorsement in the city of Kelowna.

Company Description

Rustic Reel is a craft brewery set in a commercial building in Kelowna's north end near other existing microbreweries, with a rustic theme throughout. Its small microbrewery on premises brews fresh beer on a weekly/bi-weekly basis, which guests can enjoy in the tasting room or adjacent outdoor patio. Clientele can view the tanks in which the beer is fermented and conditioned through the large glass window behind the bar, which looks into the production facilities. The outdoor patio has a comfortable, friendly, relaxed atmosphere.

Rustic Reel's intent is to create a space where locals and visitors can enjoy delicious craft beer while feeling the true Okanagan spirit of wholesome, community, and back to basics. The company encourages community togetherness through seasonal social gatherings and casual interactions on-site.

Food

Rustic Reel endeavors to provide guests with food offerings that are simple, yet will satisfy without their need to leave for another establishment for a meal. The tasting room will offer a variety throughout the week, while Sundays will have a "Brunch Only" menu.

Among the regular menu items are: Cheddar Ale Dip, Bruschetta & Avocado Toast, Grilled Bratwurst, Vegan Chili, German Cheese Spätzle, Australian Meat Pies. Rustic Reel also looks forward to using the spent grains from brewing in multiple baked items that will be incorporated into the menu. In addition to its own beer, Rustic Reel will serve non-alcoholic beverages such as water, specialty soda, and espresso.

Entertainment

At present, Rustic Reel does not have any contracts or arrangements for live entertainment, however looks forward to future opportunities to showcase local talent at its establishment. Rustic Reel will create a relaxed and appealing atmosphere for guests by playing music appropriate for an establishment focused on casual enjoyment of food and beverage in moderation.

Neighborhood

Rustic Reel is located in Kelowna's north end – a light industrial area. Its closest neighbors are BC Tree Fruits and SandHill Winery, both adjacent to the property on either side. Opposite 760 Vaughan Avenue, an empty lot is slated for future development. The nearest neighbors on Richter Street are commercial spaces, with local craft breweries RedBird Brewery and Kettle River Brewing within a five-minute walking distance. The nearest residential spaces at present are on Clement Avenue.

Potential for Noise or Disturbances

The combination of a gathering of friends with alcohol has the potential to lead to bad behaviour, such as increased noise levels, poor judgement, and more unruly activities. While this behaviour is that of a disrespectful patron, it is also a reflection on the establishment that the patron came from. As Rustic Reel looks forward to growing and improving the community, it hopes that its establishment can avoid disturbances or excess noise created by its patrons.

Implementable Measures to Avoid Disturbances and Neighborhood Disruptions

Rustic Reel's belief of supporting and contributing to the local community also means the company feels strongly about the role it plays in making Kelowna a great place to live and visit. Adhering to the local laws, and encouraging others to do so as well is an example. While there are currently only industrial and commercial operations nearby, future construction in the area may involve residential developments, and Rustic Reel aims to establish itself as a respectful locale that does not partake in the party scene. The company is not interested in becoming Kelowna's newest night hot spot, and shows this with operating hours ending well before those of nightclubs/bars.

Rustic Reel requires its employees to ensure the wellbeing of both guests and passersby. Using their Serving It Right training and previous work experience skills, the Rustic Reel team will oversee that patrons consume their alcohol responsibly, in order to minimize disturbances and/or excess noise due to overconsumption. Bad behaviour of any kind (overconsumption, high noise levels, disrespect, aggression) will not be tolerated at Rustic Reel; offenders will be asked to leave; repeat offenders will no longer be welcome at the establishment. In the event that an incident is unable to be handled by staff and management alone, the Rustic Reel team will not hesitate to call the local police unit for assistance.

Thank you for considering this application. Rustic Reel Brewing Company Ltd. looks forward to being a proud member of Kelowna's community, encouraging the growth and gentrification of the industrial north end.

With kind regards,

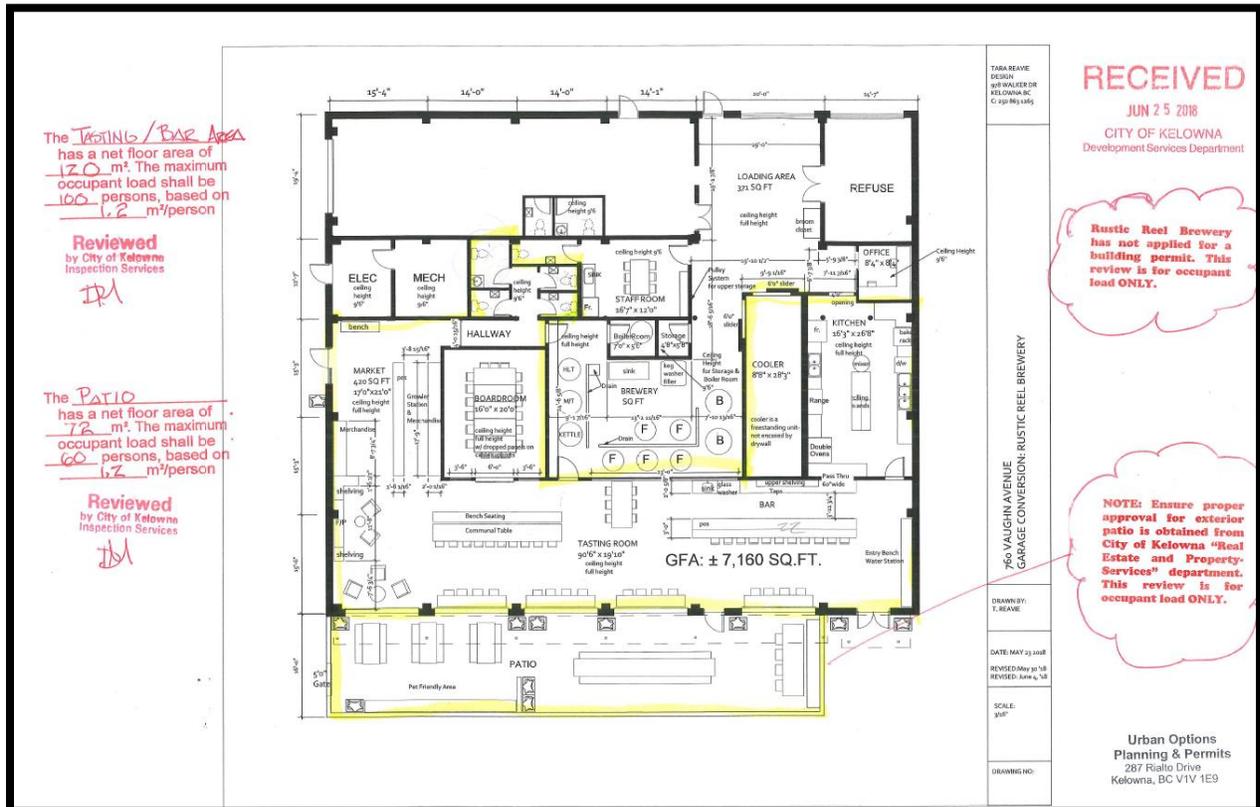


Susi Foerg
Rustic Reel Brewing Company Ltd.

SCHEDULE C – Floor Plan



Subject: Vaughan, 760, LL18-0017



The TASTING / BAR Area has a net floor area of 120 m². The maximum occupant load shall be 100 persons, based on 1.2 m²/person

Reviewed by City of Kelowna Inspection Services
IR1

The PATIO has a net floor area of 72 m². The maximum occupant load shall be 60 persons, based on 1.2 m²/person

Reviewed by City of Kelowna Inspection Services
IR1

RECEIVED

JUN 25 2018

CITY OF KELOWNA
Development Services Department

Rustic Reel Brewery has not applied for a building permit. This review is for occupant load ONLY.

NOTE: Ensure proper approval for exterior patio is obtained from City of Kelowna "Real Estate and Property Services" department. This review is for occupant load ONLY.

TARA REAVE
DESIGN
907 WALKER DR
KELOWNA BC
C 1P0 R6J 1A5

760 VAUGHAN AVENUE
GARAGE CONVERSION: RUSTIC REEL BREWERY

DRAWN BY:
T. REAVE

DATE: MAY 23, 2018
REVISED: MAY 29, 2018
REVISED: JUN 4, 2018

SCALE:
3/8" = 1'-0"

DRAWING NO.:

Urban Options
Planning & Permits
287 Realto Drive
Kelowna, BC V1Y 1E9

the licenced patio area may increase the amount of traffic in the area, however the increase may not be noticeable as the maximum seating is 20 persons. All parking is contained on site in the existing designated parking areas. The property is zoned A1 – Agriculture 1, which permits an alcohol production facility and a tasting room.

- 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 outdoor patio within an existing Manufacturing Liquor License (alcohol production facility).

3.0 Community Planning

Community Planning supports the requested Lounge Endorsement for the existing alcohol production facility (Meadow Vista Honey Wines) 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:

- Maximum of 20 persons within the lounge area (outdoor patio).
- The lounge endorsement area is only 50 sq. m. in size.
- Restricted operation hours of 11 am to 8 pm daily.
- As it is outdoors, weather will direct use throughout the seasons.
- Restrictions to amplified voice and music as per Good Neighbour Bylaw No. 11500

It should be noted that gatherings for events held within a lounge endorsement area are not subject to the restrictions of the 10 allowable events per year under the Agricultural Land Reserve Use, Subdivision and Procedure Regulation. These 10 events have multiple restrictions including but not limited to a maximum of 150 participants and all parking contained on site. Maximum occupancy loads and other endorsement restrictions would apply.

4.0 Proposal

4.1 Background

The subject parcel is within the ALR, and zoned A1 – Agriculture 1. Meadow Vista Honey Wines has had a business licence since 2013. In 2013, renovations to the single family dwelling on the subject property occurred to convert the dwelling into the honey wine production facility and tasting room operating today.

It is understood by the Community Planning Department that Meadow Vista Honey Wines has a valid Manufacturer Licence and Winery Licence through the Liquor and Cannabis Regulation Branch. This is a requirement in order to obtain a lounge endorsement on agricultural land.

4.2 Concerns

Amplified music from agri-tourism or commercial uses has been a source of complaints within Kelowna's agricultural neighbourhoods. As the proposed lounge area is entirely outdoors, Community Planning recommends a restriction note printed on the business licence for Meadow Vista Winery outlining the Bylaw No. 11500 regulation that any amplified music played for the purpose of patrons of the lounge area is played at a level that is not audible from the fronting June Springs Road.

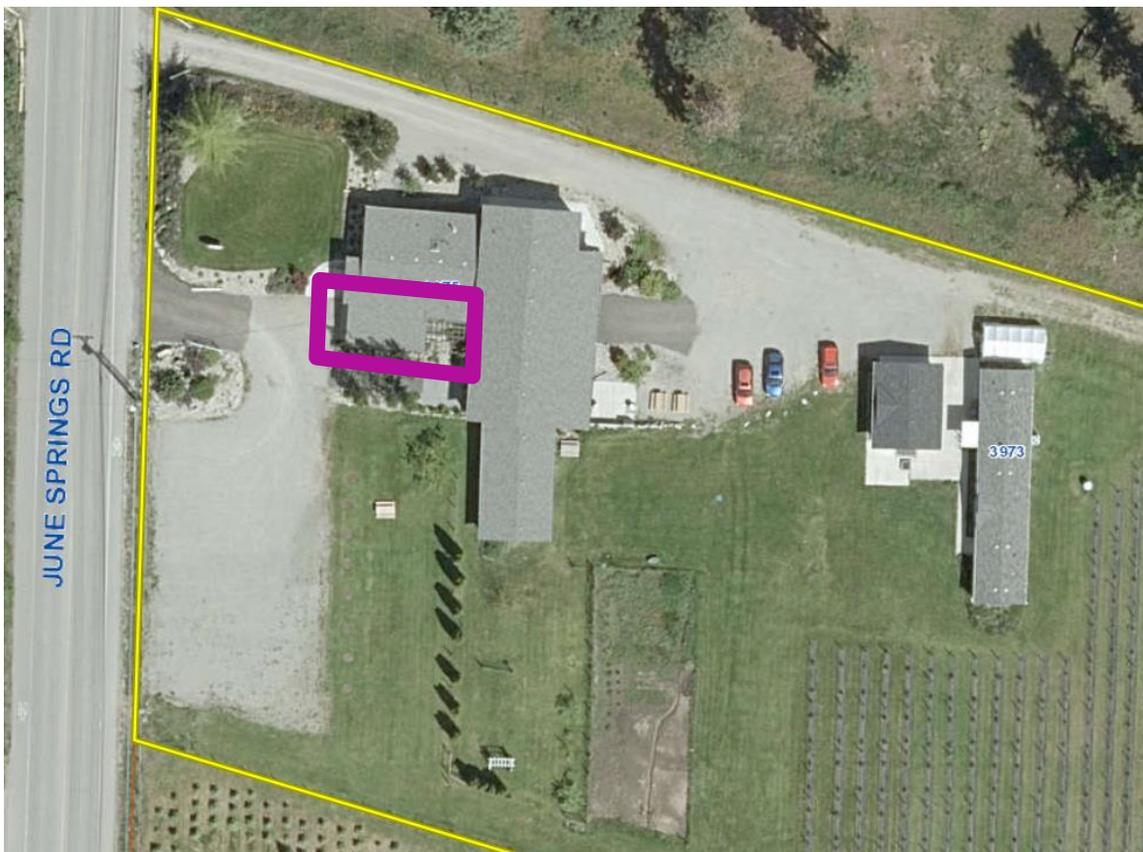
Staff propose that this condition is clearly noted on the business licence issued every year; it will help serve as an annual reminder to the owners of the restriction. The text on the business licence would read "*Bylaw No. 11500 restricts music or voice amplification in such a manner that is liable to disturb the quiet, peace, rest, enjoyment, comfort of convenience of individuals or the public. As such, all music or voice amplification for this business must not be audible from the fronting June Springs Road.*"

4.3 Project Description

The applicant is proposing to add a lounge endorsement to the existing manufactures licence for an outdoor patio area immediately adjacent to the winery tasting room. The space is intended to offer a more casual food and beverage experience. The applicant proposes to feature food and both alcoholic and non-alcoholic drinks. The areas will provide outdoor seating for visitors and is not intended to directly increase traffic to the winery.

The Building and Permitting department have noted that a Building Permit will be required in order to renovate the winery building for the ability to serve food. The current building permit specifically disallows any cooking facility. In addition to adding in BC Building Code compliant cooking facilities, additional washrooms may be required in order to comply with the current building code.

Proposed Outdoor Lounge Area: 3975 June Springs Road (proposed area in magenta)



Proposed Hours of Sale for Lounge Endorsement Area:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11:00 am	11:00 am	11:00 am	11:00 am	11:00 am	11:00 am	11:00 am
Close	8:00 pm	8:00 pm	8:00 pm	8:00 pm	8:00 pm	8:00 pm	8:00 pm

Maximum Capacity for Each Endorsed Area:

	Net Floor Area	Proposed Capacity
Tasting Room (Winery)	Max 125 sq.m.	50
Lounge Area	50 sq.m.	20

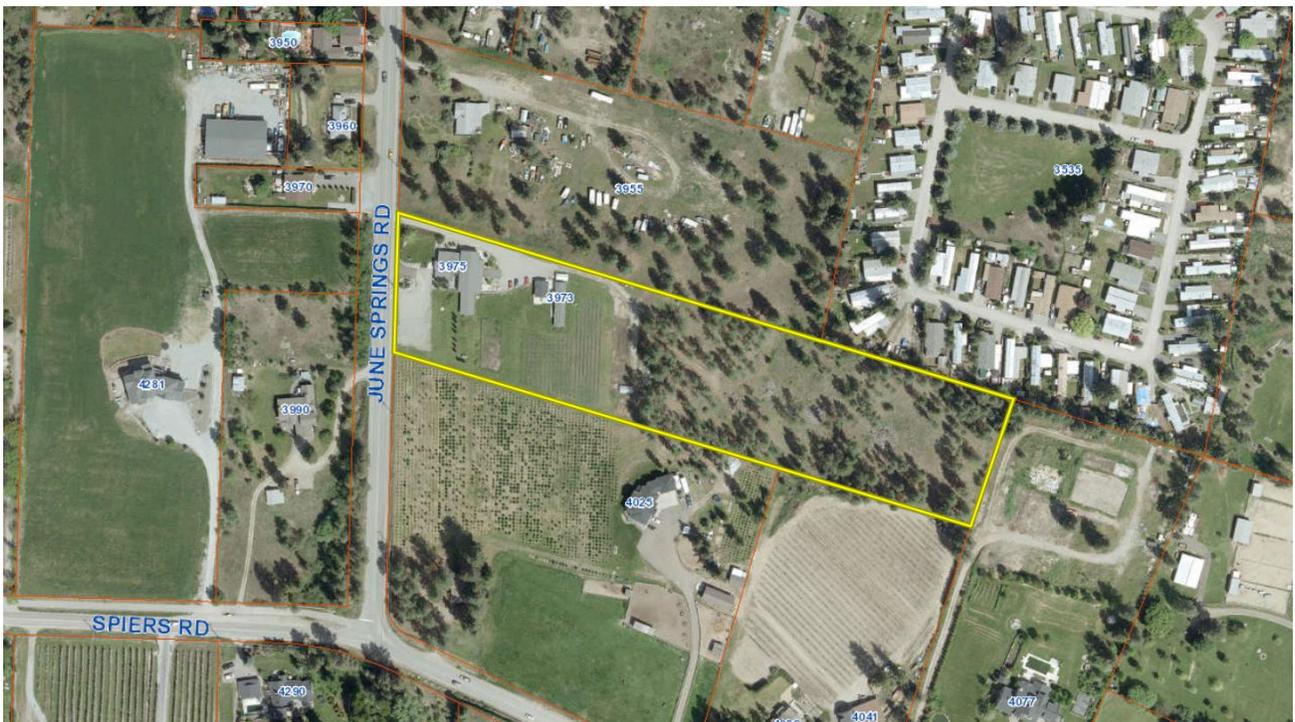
The proposed capacity is based on preliminary floor plans, which are subject to approval by the Building & Permitting Branch and the LCRB.

4.4 Site Context

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 ALR RM7	Single Family Dwelling Mobile Home Park
East	A1 ALR	Single Family Dwelling
South	A1 ALR	Agriculture
West	A1 ALR	Single Family Dwelling

Subject Property Map: 3975 June Springs Road



Neighbourhood Context Map: 3975 June Springs Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Agri-tourism, Wineries, Cideries, Retail Sales.¹ 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

A Building Permit is required in order to convert/install cooking facilities within the winery.

A full plan check at time of Building Permit application will determine the requirement for additional washrooms to accommodate the lounge seating/serving area.

7.0 Application Chronology

Date of Application Received: June 26, 2018

¹ Official Community Plan Policy 5.33.5 (Development Process Chapter)

Report prepared by: Tracey Hillis, Planner

Reviewed by: Laura Bentley, Community Planning Supervisor

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:
Applicant's LCRB Package

- (c) If the amendment may result in the establishment being operated in a manner that is contrary to its primary Purpose:

The permanent extension of hours to 1 am are consistent with other food primary establishments within the downtown urban centre.

THAT 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 permanent change in hours of operation to 1 am inside for an existing Food Primary Liquor License.

3.0 Community Planning

Community Planning Staff supports the request for a permanent change of the licensed hours of operation for the existing food primary business (Kelly O'Bryans's – total existing seating capacity of 230). Opening earlier in the day will have the potential to activate the space during the day when the facility would otherwise be closed and vacant. Opening earlier in the day does not create the same enforcement and policing issues that occur with later closings.

The proposed licensed hours of operation to remain open until 1:00 AM for the interior main floor space is not perceived to have a negative effect on the surrounding area given the location within the downtown core. The rooftop patio would have an earlier closing time to adhere to the Bernard Avenue Sidewalk Program. This includes the following:

- Rooftop patio - patrons to exit and patio to close by midnight;
- The applicant shall ensure that all music to the outdoor area is off no later than 10:00 pm;
- Patio area already has weather panels installed, when utilized they will limit noise dispersion and impact to adjacent uses.

The above requested conditions for the outdoor patio are intended to limit the negative acoustic impacts to surrounding businesses and residents and to maintain the highest level of safety for the public as well as employees.

4.0 Proposal

4.1 Background

An application has been forwarded by the licensee to the Provincial Liquor Control and Licensing Branch (LCLB) for their approval. Procedurally, a Food Primary license requesting liquor service past midnight needs Local Government comment prior to LCLB making a final decision.

Currently, LCLB does not require local government to provide input for food primary licenses with hours of operation until midnight. This has allowed Kelly O'Bryan's to maintain hours of operation to midnight for both the restaurant and the roof top patio.

4.2 Project Description

Kelly O’Bryan’s has been in operation at this location for over 20 years. The business is located on Bernard Avenue directly across from Kerry Park. The applicant is requesting hours of operation beyond midnight to 1am 7 days per week and the rooftop patio hours of operation would be until 7 seven days per week. The seating capacity will remain unchanged at 230 persons.

Existing Hours of Sale for Kelly O’Bryan’s (Food Primary):

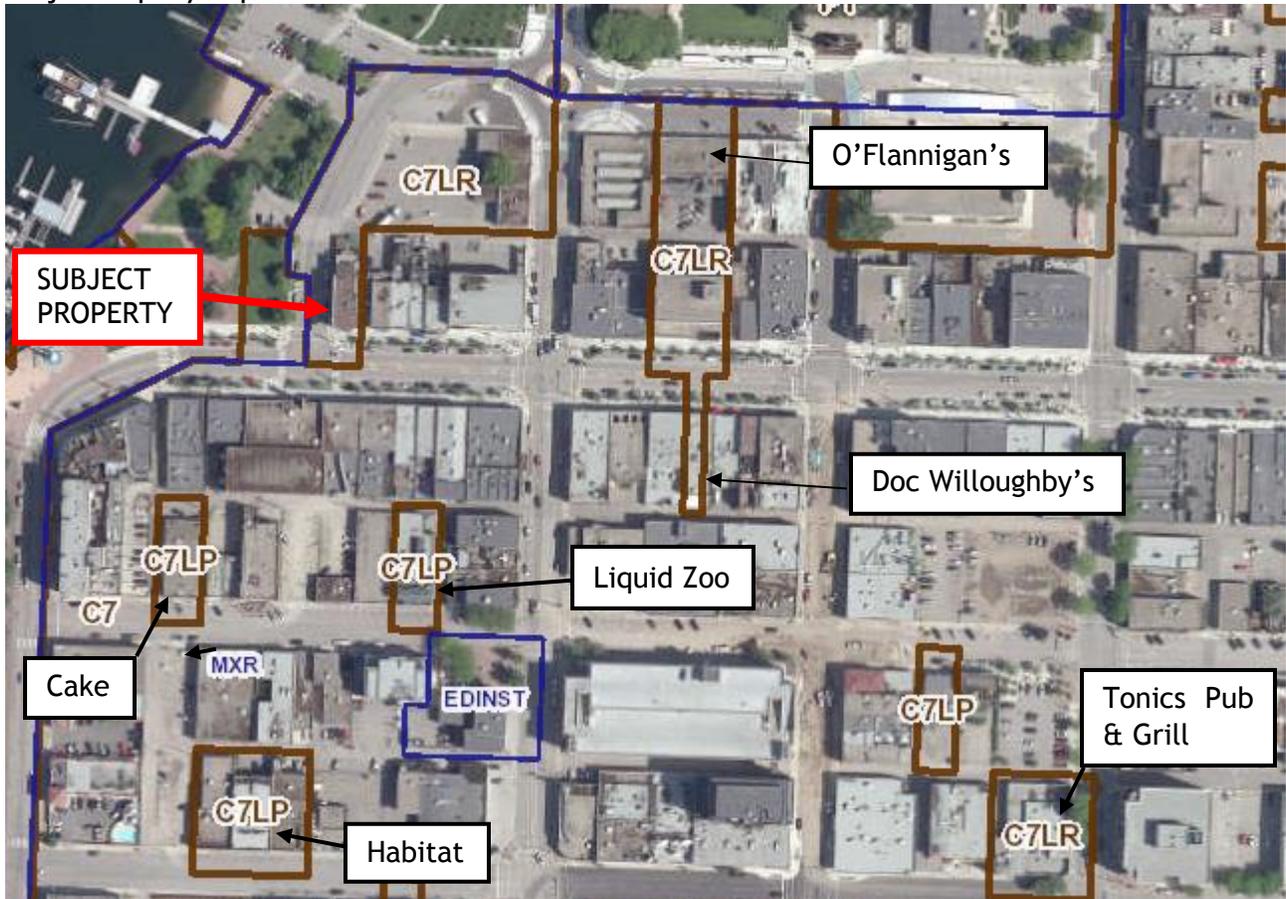
	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open	10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM
Close	12:00 AM	12:00 AM	12:00 AM	12:00 AM	12:00 AM	12:00 AM	12:00 AM

Proposed Hours of Sale for Kelly O’Bryan’s (Food Primary):

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM
Close	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM

4.3 Site Context

Subject Property Map: 262 Bernard Avenue



5.0 Current Development Policies

5.1 Council Policy #359 – Liquor Licensing Policy & Procedures

The following sections of Policy #359 are applicable to this application:

Other Policies:

- a) New Patios associated with liquor establishments should be located and designed to limit potential impacts on surrounding owners.
- b) Where appropriate, support alternative entertainment options, and/or establishments which are less focused on alcohol consumption (including event-driven establishments, and Food Primary establishments with the Patron Participation Entertainment Endorsement) to add a mix of entertainment options in Urban Centres. Consider limiting potential community impacts via license terms and conditions (hours, capacity, etc)

5.2 Kelowna Official Community Plan (OCP)

Entertainment Venues.¹ Within designated Urban Centres, encourage private-sector provision of facilities which diversify the selection of venues and entertainment opportunities throughout the city.

6.0 Application Chronology

Date of Application Received: July 28, 2018

Report prepared by: Lydia Korolchuk, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

¹ Policy 5.17.1 (Development Process Chapter 5, page 5.21)

- (d) The number and market focus or clientele of liquor-primary license establishments within a reasonable distance of the proposed location:

The clientele focus is to an all ages environment intended to attract families with children, corporate team building events and birthday/celebratory parties.

- (e) The impact of noise on the community in the immediate vicinity of the establishment if the application is approved:

The potential impact for noise is minimal and would be compatible with surrounding land uses.

- (f) The impact on the community if the application is approved:

The potential for negative impacts is considered to be minimal as the business is located within an industrial business park.

THAT 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 consider a Liquor Primary license for a new recreation facility.

3.0 Community Planning

Community Planning Staff supports the requested Liquor Primary license for the proposed participant recreation service – indoor facility. The proposal will add a new form of entertainment venue to the Kelowna market.

The proposal does not require rezoning as the business is categorized as Liquor Primary Minor (for establishments with a capacity of less than 100 persons).

4.0 Proposal

4.1 Background

An application has been forwarded by the licensee to the Provincial Liquor Control and Licensing Branch (LCLB) for their approval. Procedurally, these applications need Local Government comment prior to the LCLB making a final decision:

- New liquor primary licensed establishments.

4.2 Project Description

The proposal is for a new sports simulation business which will provide an experience similar to a bowling alley or an indoor batting cage and is intended to be a family friendly facility. The owners are hoping to attract a versatile clientele from corporate events to special celebratory events like birthday parties.

The business will occupy a 6100 sq ft (565 m²) area in an existing industrial business park located on Enterprise Way at the intersection of Hwy 33W. The Mill Creek Linear Park extends along the north side of the site. There are no residential dwellings in the area which will minimize any conflict with adjacent uses.

Alcoholic and non-alcoholic beverages will be available to clients along with various snacks with the objective of providing a better overall experience to their clientele. Phase 1 of the business proposes five simulator areas measuring 15' x 20' with ceiling mounted high-definition projectors. Each booth will have either a raised counter area with bar stools facing the screen area or a seating area with tables and chairs to accommodate groups of varying size. There will be two full-time staff members on site along with a supervisor. One employee will manage the front counter while the other monitors the simulator booths. The site has the ability to expand to accommodate up to 9 simulator areas and as the business grows, the staffing will increase as needed. All staff members will be required to have the 'Serving It Right' certification.

Proposed Hours of Sale for Simplex Sportszone:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM
Close	Midnight	Midnight	Midnight	Midnight	Midnight	Midnight	Midnight

Simplex Sportszone.:

Licensed Area	Net Floor Area	Proposed Capacity
Simulator area	565 m ²	50 persons*

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

The maximum occupant load is based on the BC Building Code. This is determined by the number of bathrooms provided. For this application, the maximum occupant load of the space is 50 people. As this is a relatively low occupant load, negative impacts to the community are deemed to be low in regards to noise, and safety.

4.3 Site Context

The subject proposal is located in one bay within an industrial business park consisting of three separate buildings. The property is located on Enterprise Way at the intersection with Hwy 33W.

Subject Property Map: #200-2600 Enterprise Way



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

5.2 Council Policy #359 – Liquor Licensing Policy & Procedures

The following sections of Policy #359 are applicable to this application:

Liquor Primary Establishments

1. Siting/Density Guidelines:
 - a. No establishment with a person capacity greater than 500 persons should be permitted.
 - b. Large establishments (with person capacity greater than 249 persons):
 - i. Should only be located within an Urban Centre.
 - ii. Should be located a minimum of 250m from another Large establishment.
 - iii. Should be located a minimum of 100m from a Medium establishment.
 - iv. Should not be located beside a Small establishment.
 - c. Medium establishments (with person capacity between 100-249 persons):
 - i. Should only be located within an Urban or Village Centre.
 - ii. Should be located a minimum of 100m from a Large or Medium establishment.
 - iii. Should not be located beside a Small establishment.
 - d. **Small establishments (with person capacity less than 100 persons):**
 - i. **Should not be located beside another liquor primary establishment**

For the purposes of determining proximity, the shortest walking distance (door-to-door) will be applied. These distances are meant to guide staff in their recommendations for particular applications, however, a number of other factors should be considered, including (but not limited to):

- a. Pertinent input from the RCMP;
 - b. Vehicular and pedestrian traffic patterns for area and current zoning;
 - c. Availability of on-site and off-site parking; proximity of playgrounds, schools, and other social facilities;
 - d. Surrounding land-uses, and general impact on the local neighbourhood;
 - e. Correspondence received from abutting property owners;
 - f. Past licensee compliance and performance issues as may be provided by the LCLB
2. Other Policies:

Where appropriate, support alternative entertainment options, and/or establishments which are less focused on alcohol consumption (including event-driven establishments, and Food Primary establishments with the Patron Participation Entertainment Endorsement) to add a mix of entertainment options in Urban Centres. Consider limiting potential community impacts via license terms and conditions (hours, capacity, etc).

6.0 Technical Comments

6.1 Building & Permitting Department

- No concerns.

6.2 Bylaw Services

- No concerns.

6.3 Fire Department

- No concerns.

7.0 Application Chronology

Date of Application Received: July 20, 2018

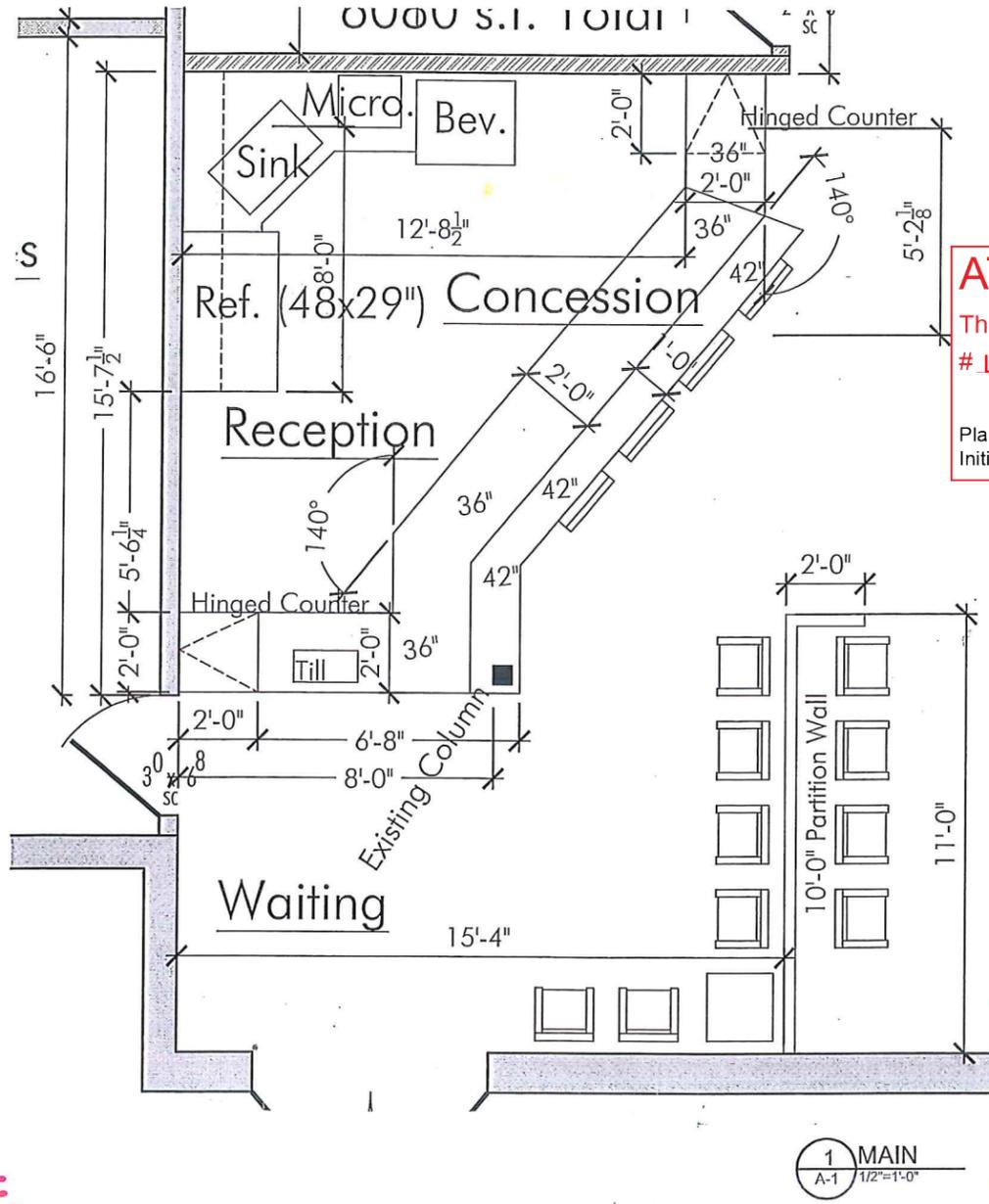
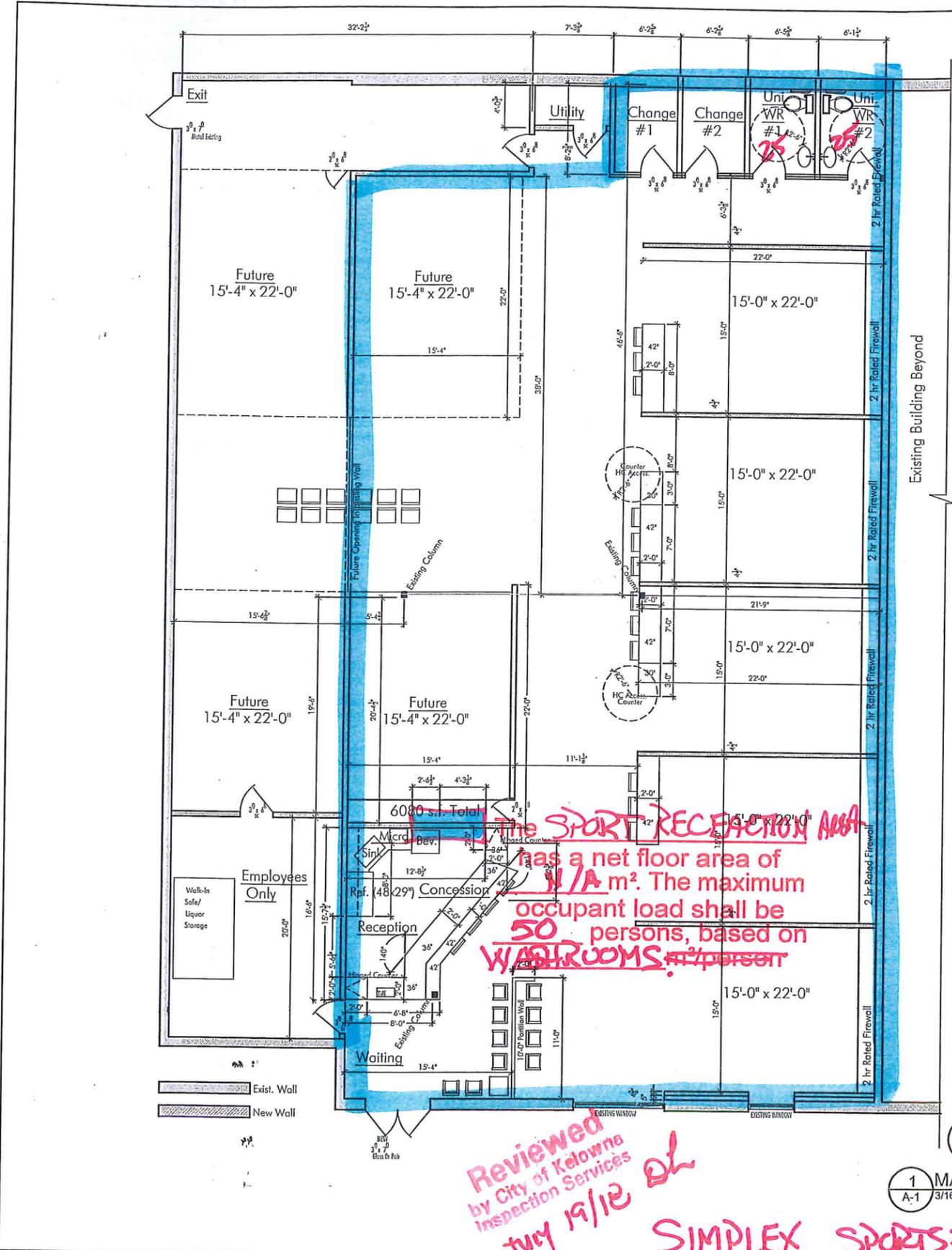
Report Prepared by: Lydia Korolchuk, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A: Floor Plan – Occupant Load



THE SPORT RECEPTION AREA
 has a net floor area of **311 A m²**. The maximum occupant load shall be **50** persons, based on **WASHROOMS #2/person**

Reviewed
 by City of Kelowna
 Inspection Services
 July 19/12 *DL*

SIMPLEX SPORTSZONE
 @#200 2600 ENTERPRISE WAY

1 MAIN
 A-1 3/16"=1'-0"

1 MAIN
 A-1 1/2"=1'-0"



2416 Mountains Hollow Lane
 West Kelowna BC
 V4T 3H5 90
 250-575-05

Simplex Sports **ZONE**

ATTACHMENT A
 This forms part of application
 # LL18-0022
 Planner Initials **LK**



City of Kelowna
 COMMUNITY PLANNING

2600
 Enterprise Rd.
 Kelowna BC

DRAWN BY: KJH
 PROJECT: 16-17
 FILE:
 ISSUE DATE
 Drawing Issued 6/10/17
 SCALE:

Main
 Plan

A-1

REPORT TO COUNCIL



Date: December 4, 2018

RIM No. 0930-50

To: City Manager

From: Community Planning Department (LK)

Application: LL18-0023 **Owner:** Whitworth Holdings Ltd., Inc.
No. 1059455

Address: 1264 Ellis Street **Applicant:** Ben Boschman

Subject: Liquor License Application

Existing OCP Designation: MXR – Mixed Use (Residential)

Existing Zone: C1oLP – Service Commercial (Liquor Primary)

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 Regulation* and Council Policy 359, BE IT RESOLVED THAT:

1. Council recommends support of an application from Ben Boschman for a liquor primary license for Lot 1 District Lot 139 ODYD Plan 660, located at 1264 Ellis Street, Kelowna, BC for a Liquor Primary license with a capacity of 50 persons and hours of sales from 11:00 AM to Midnight, Sunday to Saturday for the following reasons:

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

a. The location of the establishment:

The proposal will see a long-time vacant space within a heritage building on Ellis Street renovated to accommodate the cooking school within a portion of the second floor space.

b. The proximity of the establishment to other social or recreational facilities and public buildings:

The surrounding social and recreational facilities would not conflict with the proposed commercial cooking school. The business will add a type of entertainment venue which will support the cultural district in which it is located. The purpose of the cultural district is to develop and to enhance the area as a centre for arts and entertainment, and a catalyst for community and cultural development. The commercial cooking school complements and enhances the entertainment and service value of the neighbourhood.

c. The person capacity and hours of liquor service of the establishment:

The cooking school has a total capacity of 56 persons (Classroom 1 -26 persons, Classroom 2 – 30 persons). Hours of operation will be between 11 am – 11 pm (Sunday -Saturday).

d. The number and market focus or clientele of liquor-primary license establishments within a reasonable distance of the proposed location:

The subject property is within the Cultural District with both Prospera Place and the Casino located to the west of the building and the Laurel Packing House is to the south. There are a number of restaurant, pubs and coffee shops within the immediate area.

The Commercial Cooking School will provide a form of entertainment missing in the downtown core. Kelowna has a growing food, winery, brewery and cidery culture. This business is intended to complement these uses by showcasing locally grown and produced products in the cooking classes.

e. The impact of noise on the community in the immediate vicinity of the establishment:

The potential impact for noise is minimal and would be compatible with surrounding land uses. The noise levels would not increase for the surrounding area as the proposed business has a relatively low occupancy and is adjacent to a number of existing entertainment venues which includes: Prospera Place, Playtime Casino, the Laurel Packinghouse, BNA Brewpub and the Train Station Pub.

f. The impact on the community if the application is approved:

The potential for negative impacts is considered minimal as the proposed business is within the Cultural District, which encourages arts and entertainment within the area.

AND THAT 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 consider a Liquor Primary license for a new commercial school (cooking school).

3.0 Community Planning

Community Planning Staff supports the requested Liquor Primary license for the proposed cooking school. The proposal will add a new form of entertainment venue to the Kelowna Cultural District.

4.0 Proposal

4.1 Background

An application has been forwarded by the licensee to the Provincial Liquor Control and Licensing Branch (LCLB) for their approval. Procedurally, these applications need Local Government comment prior to the LCLB making a final decision:

- New liquor primary licensed establishments

4.2 Project Description

The Lakehouse Home Store opened its door in December 2011 at the corner of Bernard Avenue and Ellis Street. A unique part of the business has been to offer in-store cooking demonstrations with guest chefs, product demonstrations and book signings. Since opening, the owners realized there was a significant demand for cooking classes, but due to the limited space within the existing retail store, it does not provide a suitable location to meet this need.

The owners have decided to open a second location within the Heritage Building known as Cannery Row on Ellis Street between Cawston and Clement Avenues. The business will occupy the first two floors within the building with the primary focus to provide a furniture and home décor showroom. A separate portion of the second floor space will be utilized for a cooking school. The cooking school will offer two types of classes (demonstration-style and participation-style).



The demonstration-style classroom is designed to allow the participants to sit back and watch the Instructor Chef prepare various dishes. This design calls for over-head mirror placement to allow the students to view the chef’s techniques. The participation-style classroom is designed to be hands-on. This is a larger room set-up much like a university lab with multiple stations which allows the Instructor Chef to move around the room providing guidance. Both of these class types would allow the participant to enjoy an alcoholic beverage along with the completed dishes.

To start out, classes will be conducted between 6-8 pm (outside of the retail store hours) on Friday and Saturday evenings. Additional class times would be added if there is sufficient demand and the program is successful.

To start out, classes will be conducted between 6-8 pm (outside of the retail store hours) on Friday and Saturday evenings. Additional class times would be added if there is sufficient demand and the program is successful.

Proposed Hours for Lakehouse Cooking School:

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM
Close	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM

Lakehouse Cooking School:

Licensed Area	Net Floor Area	Proposed Capacity
Classroom 1 - Demonstration	57.5 m ²	26 persons
Classroom 2 – Hands-on	104.4 m ²	30 persons
Total Capacity	161.9 m²	56 persons*

*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

The subject property is located on Ellis Street, to the east of Prospera Place, within the Cultural District.

Subject Property Map: 1264 Ellis Street



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Entertainment Venues.¹ Within designated Urban Centres, encourage private-sector provision of facilities which diversify the selection of venues and entertainment opportunities throughout the city.

6.0 Application Chronology

Date of Application Received: September 21, 2018

Report prepared by: Lydia Korolchuk, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachment A: Occupant Load Drawing
Attachment B: Applicants Letter of Intent

¹ Policy 5.17.1 (Development Process Chapter 5, page 5.21)

SUITE #1
 AREA = 57.5 m²

~~The SUITE #1 has a net floor area of 57.5 m². The maximum occupant load shall be 31 persons, based on 1.85 m²/person~~

SUITE #2
 AREA = 104.4 m²

~~The SUITE #2 has a net floor area of 104.4 m². The maximum occupant load shall be 56 persons, based on 1.85 m²/person~~
 SEE NOTE *

Liquor Occupant Load Calculation
 Notes for 1275 Cannery Lane:

These calculations are based on the understanding that:

No Building Permit has been applied for to change the occupancy of 1275 Cannery Lane to "cooking classrooms". Changes may be required to the proposed plans in order to satisfy building permit requirements.

2 separate suites will be required (low occupant load A-2 occupancies) to avoid reclassification of the building.

* The floor level that contains the proposed "cooking classrooms" has a maximum occupant load of 60 based on the current building permit (BP 59041) for a D occupancy (SINGLE EXIT)

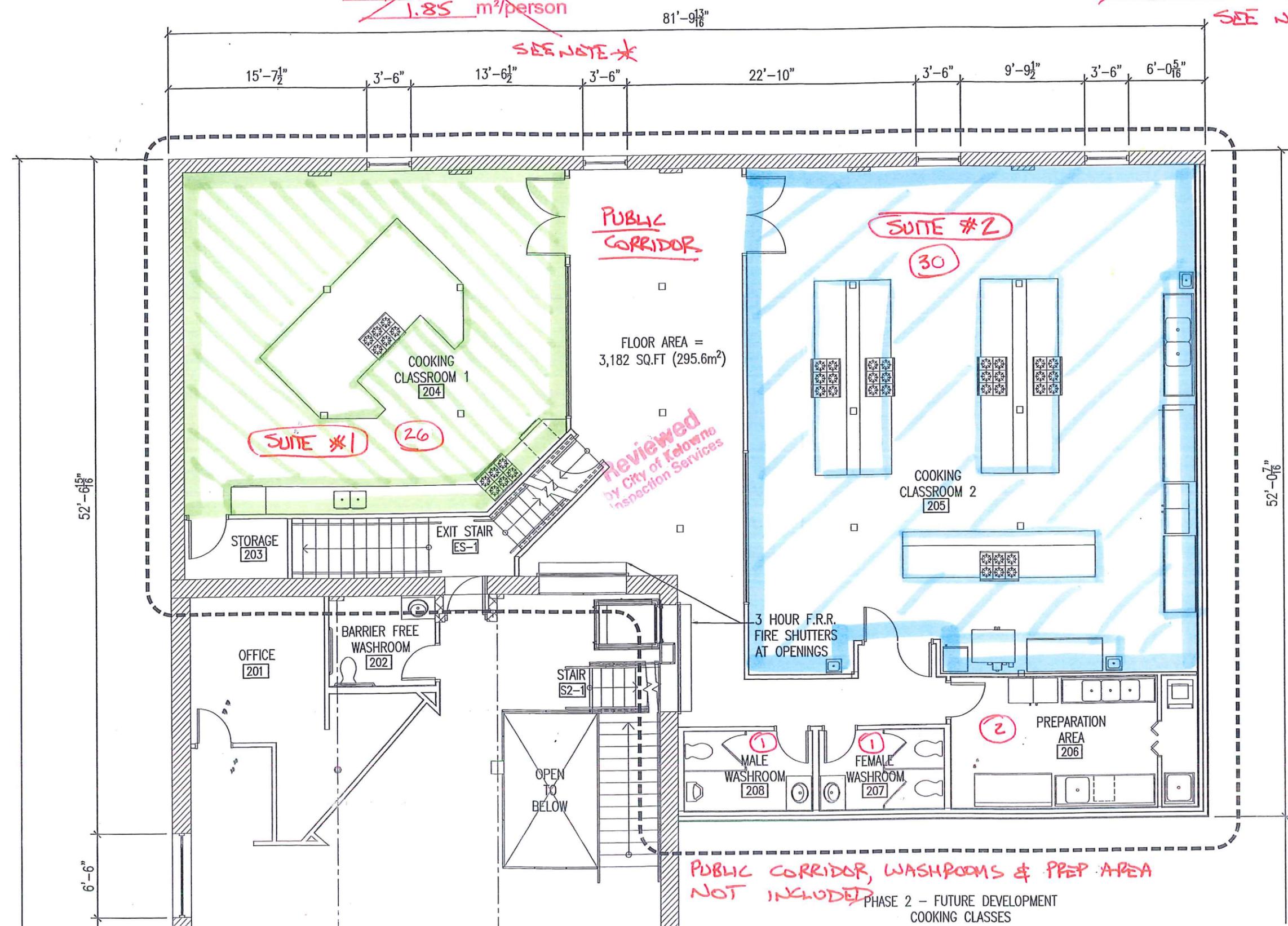
Maximum Liquor Occupant Load :

Based on maximum Building Code occupant load (not on area):

Suite #1: 26
 Suite #2: 30

Reviewed
 by City of Kelowna
 Inspection Services

Reviewed
 by City of Kelowna
 Inspection Services
 MS SEPT 11, 2018
 REVISED



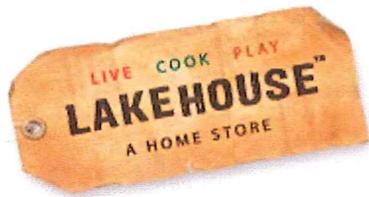
PUBLIC CORRIDOR, WASHROOMS & PREP AREA NOT INCLUDED
 PHASE 2 - FUTURE DEVELOPMENT COOKING CLASSES

ATTACHMENT A

This forms part of application # LL18-0023

Planner Initials LK

City of Kelowna COMMUNITY PLANNING



September 17, 2018

**Lakehouse Home Store
Letter of Intent**

Re: Lakehouse Cooking School ("Cooking School")

OVERVIEW OF EXISTING OPERATIONS:

Lakehouse Home Store ("Lakehouse") operates a 4,200 square foot store at the corner of Bernard and Ellis in downtown Kelowna. Lakehouse opened December 5, 2011 after being conceived in the winter of 2010 by husband and wife Ben and Sue Boschman. Ben and Sue remain the owner-operators of the business.

The main categories of business include sales of Gourmet Kitchen and Housewares, as well as Furniture and Home Décor. Kelowna residents and tourists alike have embraced the store with its expertly showcased products, that hold both purpose and world-class design. With the slogan "Live. Cook. Play," Lakehouse captivates customers with a retail environment that reflects the upscale home and cottage culture of the region.

In March of 2016, Lakehouse was awarded the prestigious IHA Global Innovation Awards ("GIA") at the Chicago International Housewares Show. The GIA's were created to foster innovation and creativity among home and houseware retailers worldwide. Since the launch of GIA in 2000, there have been winners from 40 countries on six continents. Five other Canadian retailers have received the GIA including *The Hudson's Bay* and Montreal's *Le Touilleurs*. Other notable winners from North America include *Crate & Barrel* and *Sur La Table*.

One of the elements that makes Lakehouse unique, is the in-store demonstration kitchen. This kitchen provides an array of in-store experiences from hosting guest chefs, product demonstrations, cooking classes, and book signings. In other major North American centres, cooking classes are often managed by houseware retailers such as Lakehouse.

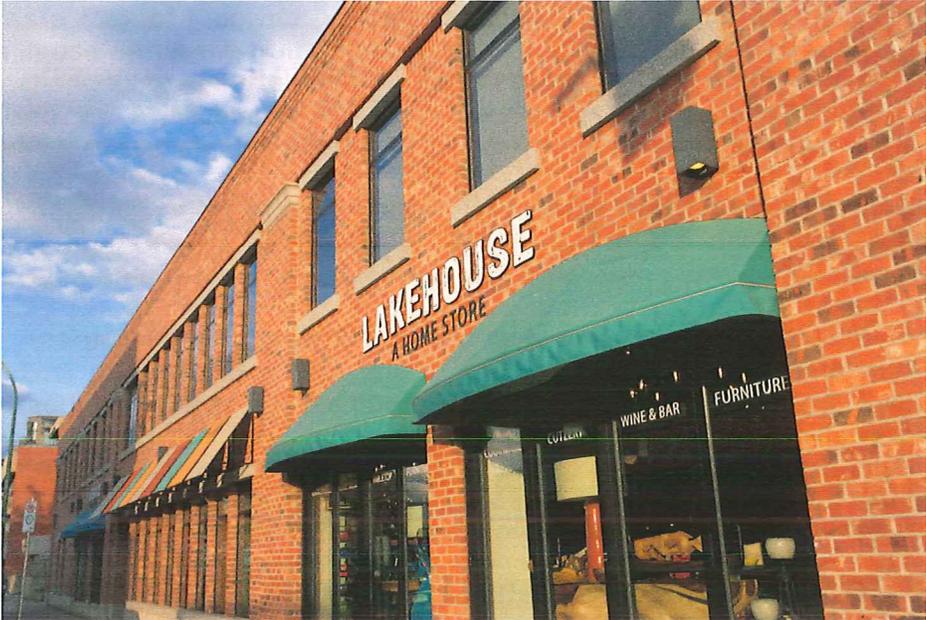
From opening day, it has been determined that there is significant demand for cooking classes in the Okanagan. However, the small demonstration kitchen within the existing Bernard Avenue store is not suitable for demand in terms of wear-and-tear and scalability. Economies-of-scale are only achieved when classes have a capacity of up to 16 students. As well, the correct business-model calls for two distinct classroom designs: 1) Demonstration-style classroom and 2) Participation-style classroom.

Demonstration style classrooms are designed such that students can sit back and watch the Instructor Chef prepare a meal. This design calls for over-head mirrors in place that allow students to comfortably view the Chef's techniques. At the end of the class, students gather at tables, family-style and enjoy the completed meal.

Participation-style classrooms are designed such that students are hands-on. This is a larger classroom, set up much like a university lab, where there are multiple stations and the

Instructor Chef patrols the room providing guidance. TV shows such as Master Chef provide an example of this style of classroom.

Such a facility derives 50% of sales from commercial clients who are looking for team-building activities. Marketing and bookings for the cooking classes will take place at the flagship Bernard Avenue store as well as the Lakehouse website. Other social media platforms such as Facebook and Instagram become essential tools for marketing.



Lakehouse flagship store located at 510 Bernard Avenue on the corner of Bernard and Ellis



Lakehouse demo kitchen located at 510 Bernard Avenue

PROPOSED EXPANSION:

Located just down Ellis Street from the main Bernard Avenue store, Lakehouse will open a new facility comprised of 12,051 square feet on Floors 1 and 2, at 1264 Ellis Street. Space will be allocated as follows:

Floor 1

- 5360 sq ft. - Furniture and Home Décor showroom

Floor 2

- 3509 sq ft. - Furniture and Home Décor showroom
- 3182 sq ft. - Cooking classroom facility

Designated as a City of Kelowna heritage building which was originally built in 1912, the building was in use within the fruit and vegetable industry until the early 1970's. At this time its use was changed to entertainment. For decades, a long history of liquor use in the premises, used as a Nightclub under various names and operators culminating with Flashbacks which closed permanently in 2015.

The area is a combination of commercial, industrial and residential, near the core of Kelowna's Arts and Culture district. An area in which the agriculture produced in the Okanagan is celebrated through various Wine and Food events throughout the year.

Restaurants, urban wineries, craft breweries, and event centres are situated within a 2 kilometre radius, making the area a hub of the local and tourism community alike. Both public transit and taxis are accessible during the evenings, directly outside of the building.

Because the Cooking School will be located at the back of the building, it will be nearest to a lane, Prospera Place (the local arena), and will be sharing a wall with a bowling alley. Noise will be a minimum as classes will be small and monitored throughout.

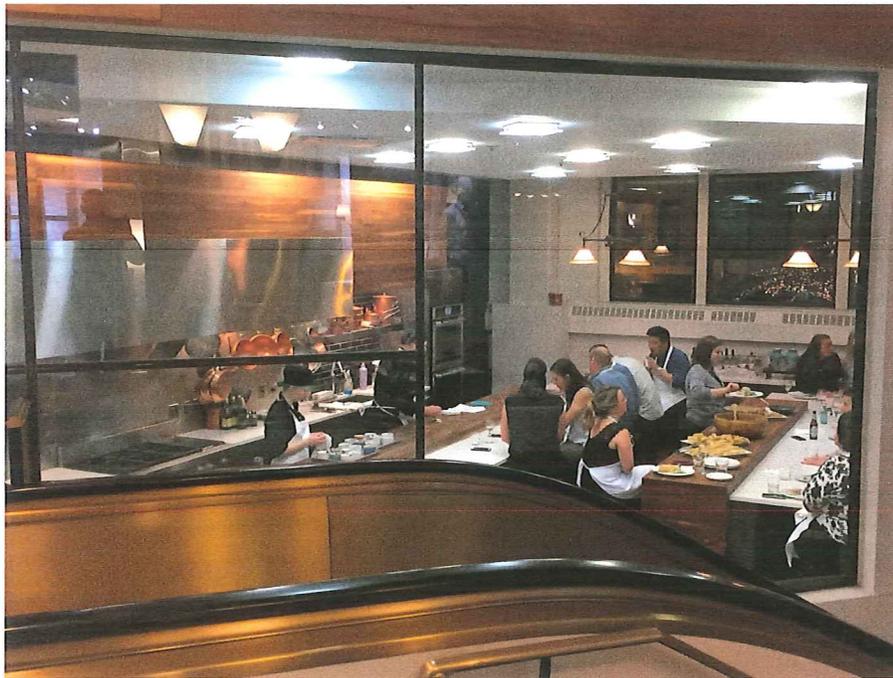
The intent is to operate 2 cooking classrooms in the 3,300 square feet of space at the rear of the premises. Lakehouse will create and manage a calendar of classes on the Lakehouse website that will involve many different local Chefs and Cooks. Customers will be able to peruse the online calendar, make selections, view availability, and purchase seats for classes directly on the website.

Liquor service is not the primary focus of the establishment. However, modern culinary practices closely tie food together with wine, and at times with beer and other spirits. It is essential to be able to provide wine, beer, and spirits as each offering relates to the Chef's menu for every individual class. The facility will focus entirely on locally sourced wines, beer, and spirits.

Classes will be conducted typically between the hours of 6:00pm and 8:00pm, not during regular store hours of 10:00am to 6:00pm, when the store will be focusing on the sale of household products. Initially we expect to be marketing classes for Friday and Saturday nights. Additional nights will be added as demand dictates.

COOKING CLASS INCOME AND CAPACITY:

Sales projections for the first year are based on the chart below. Prices range from \$25 to \$200 dollars dependent upon the cost of the menu items and the duration of the class. Typically, one 6oz wine pour is provided as part of the class fee. At this time, prepared appetizers are also served. Additional pours are provided at a designated fee per pour.



March 2017 – cooking class being conducted at Chicago's The Chopping Block.

As Kelowna grows, it will be needing facilities like this one for several reasons: to promote a sense of community through activity, to act as a place to hold events for local businesses and visitors, to educate the people of the city on the prosperous ingredients produced here, and, to showcase what Kelowna has to offer in the way of food and wine.

In Kelowna, food, wine and culture have always been at the heart. We believe that to educate on the plethora of beautiful produce, dairy, meats, and other items being harvested locally, we must be able to showcase the wine, beer, and spirits also being made here. With adhering to *Serving It Right* guidelines and continually keeping staff educated of such, we believe that this will be an incredibly valuable addition to the community.



1264 Ellis Street, Kelowna, BC

CITY OF KELOWNA

BYLAW NO. 11577

Official Community Plan Amendment No. OCP17-0020 680 Cantina Court and (S of) South Crest Drive

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

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

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* – Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of:
 - a) portions of Lot A DL 1688S SDYD Plan EPP80945, located on Cantina Court, Kelowna, BC; from the COMM - Commercial designation to the MRL – Multiple Unit Residential (Low Density), and from the COMM – Commercial designation to the PARK – Major Park/Open Space (Public) designation; and
 - b) That part of Lot 15 DL 1688S SDYD Plan KAP71342 shown on Plan EPP80944, located on Cantina Court, Kelowna, BC; from the COMM - Commercial designation to the MRL – Multiple Unit Residential (Low Density), and from the COMM – Commercial designation to the PARK – Major Park/Open Space (Public) designation; and
 - c) portions of Lot A DL 1688S SDYD Plan EPP80945, located on Cantina Court, Kelowna, BC; from the PARK – Major Park/Open Space (Public) designation to the MRL – Multiple Unit Residential (Low Density) designation;as per Map "A" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 26th day of March, 2018.

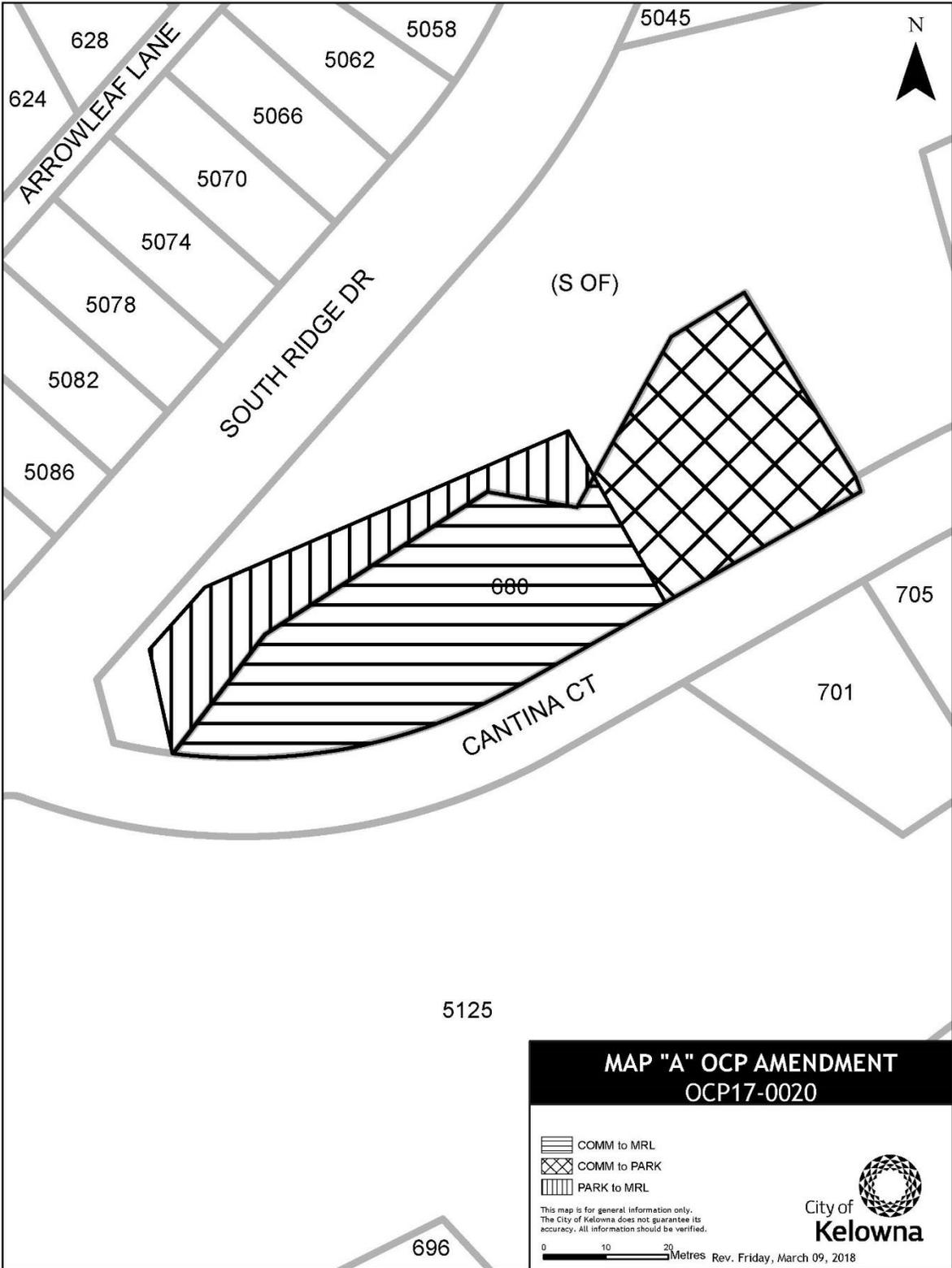
Considered at a Public Hearing on the 17th day of April, 2018.

Read a second and third time by the Municipal Council this 17th day of April, 2018.

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

Mayor

City Clerk



CITY OF KELOWNA

BYLAW NO. 11578

Z17-0091 – 680 Cantina Court and (S of) South Crest Drive

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of:
 - a) portions of Lot A DL 1688S SDYD Plan EPP80945, located on Cantina Court, Kelowna, BC from the C2 – Neighbourhood Commercial zone to the RM2h – Low Density Row Housing (Hillside Area) zone, and from the C2 – Neighbourhood Commercial zone to the P3 – Parks & Open Spaces zone; and
 - b) That part of Lot 15 DL 1688S SDYD Plan KAP71342 shown on Plan EPP80944, located on Cantina Court, Kelowna, BC from the C2 – Neighbourhood Commercial zone to the RM2h – Low Density Row Housing (Hillside Area) zone, and from the C2 – Neighbourhood Commercial zone to the P3 – Parks & Open Spaces zone; and
 - c) portions of Lot A DL 1688S SDYD Plan EPP80945, located on Cantina Court, Kelowna, BC from the P4 – Utilities zone to the RM2h – Low Density Row Housing (Hillside Area) zone;as per Map "B" attached and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 26th day of March, 2018.

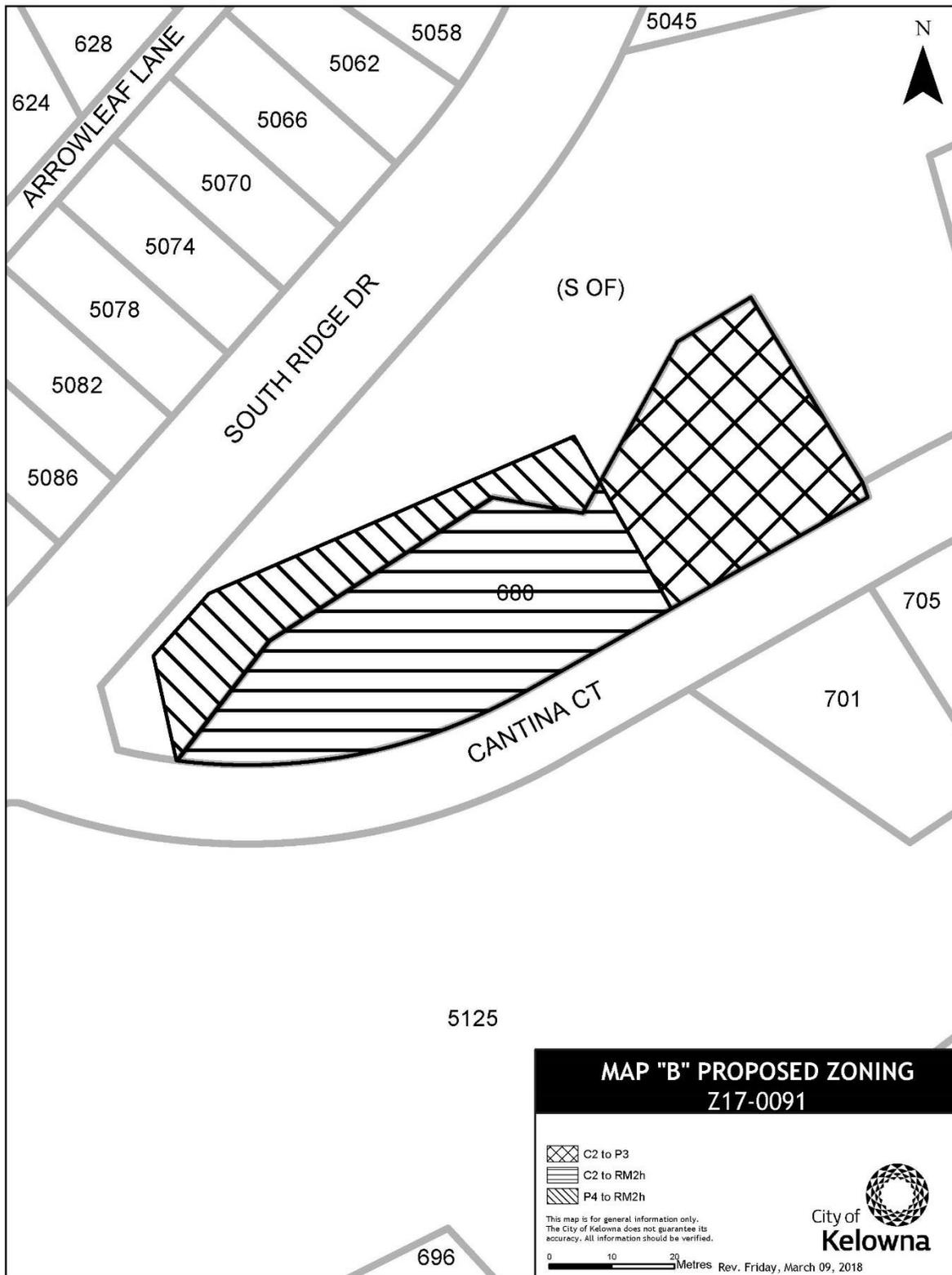
Considered at a Public Hearing on the 17th day of April, 2018.

Read a second and third time by the Municipal Council this 17th day of April, 2018.

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

Mayor

City Clerk



REPORT TO COUNCIL



Date: December 4, 2018
RIM No. 0940-00
To: City Manager
From: Community Planning Department (TA)

Application: DP17-0283 DVP17-0284
Owner: Gillen Investments Inc. Inc. No. BC0528682
Emil Anderson Construction Co. Ltd., Inc. No. Co172775
City of Kelowna
Matthew J Temple
Address: 680 Cantina Court
Applicant: Emil Anderson Construction Co. Ltd
Subject: Development Permit and Development Variance Permit

Existing OCP Designation: COMM – Commercial
PARK – Major Park/Open Space (Public)
Proposed OCP Designation: MRL – Multiple Unit Residential (Low Density)
PARK – Major Park/Open Space (Public)
Existing Zone: C2 – Neighbourhood Commercial
P3 – Parks & Open Space
Proposed Zone: RM2h – Low Density Row Housing (hillside)
P3 – Parks & Open Space

1.0 Recommendation

THAT Official Community Plan Amendment Bylaw No. 11577 be amended at third reading to revise each of the legal descriptions of the subject properties from:

- portions of Lot 15 District Lot 1688S SDYD Plan KAP71342, located at 680 Cantina Court, Kelowna, BC, to portions of Lot A DL 1688S SDYD Plan EPP80945, located at 680 Cantina Court, Kelowna, BC, (from the COMM - Commercial designation to the MRL – Multiple Unit Residential (Low Density) designation); and
- portions of Lot 15 District Lot 1688S SDYD Plan KAP71342, located at 680 Cantina Court, Kelowna, BC, to That part of Lot 15 DL 1688S SDYD Plan KAP71342 shown on Plan EPP80944, located at 704 Cantina Court, Kelowna, BC, (from the COMM – Commercial designation to the PARK – Major Park/Open Space (Public) designation); and

- portions of Lot 56 District Lot 1688S SDYD Plan KAP68647 Except Plan KAP71342, located at (S OF) South Crest Drive, Kelowna, BC, to portions of Lot A DL 1688S SDYD Plan EPP80945, located at 680 Cantina Court, Kelowna, BC, (from the PARK – Major Park/Open Space (Public) designation to the MRL – Multiple Unit Residential (Low Density) designation);

as shown on Map “A” attached to the Report from the Community Planning Department dated March 26, 2018;

AND THAT Rezoning Bylaw No. 11578 be amended at third reading to revise each of the legal descriptions of the subject properties from:

- portions of Lot 15 District Lot 1688S SDYD Plan KAP71342, located at 680 Cantina Court, Kelowna, BC, to portions of Lot A DL 1688S SDYD Plan EPP80945, located at 680 Cantina Court, Kelowna, BC, (from the C2 – Neighbourhood Commercial zone to the RM2h – Low Density Row Housing (Hillside Area) zone); and
- portions of Lot 15 District Lot 1688S SDYD Plan KAP71342, located at 680 Cantina Court, Kelowna, BC, to That part of Lot 15 DL 1688S SDYD Plan KAP71342 shown on Plan EPP80944, located at 704 Cantina Court, Kelowna, BC, (from the C2 – Neighbourhood Commercial zone to the P3 – Parks & Open Spaces zone); and
- portions of Lot 56 District Lot 1688S SDYD Plan KAP68647 Except Plan KAP71342, located at (S OF) South Crest Drive, Kelowna, BC, to portions of Lot A DL 1688S SDYD Plan EPP80945, located at 680 Cantina Court, Kelowna, BC, (from the P4 – Utilities zone to the RM2h – Low Density Row Housing (Hillside Area) zone);

as shown on Map “B” attached to the Report from the Community Planning Department dated March 26, 2018;

AND THAT final adoption of Official Community Plan Amendment Bylaw No. 11577 and Rezoning Bylaw No. 11578 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP17-0283 for Lot A DL 1688S SDYD Plan EPP80945, located at 680 Cantina Court, Kelowna, BC subject to the following:

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

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP17-0284 for Lot A DL1688S SDYD Plan EPP80945, located at 680 Cantina Court, Kelowna, BC;

AND THAT variances to the following sections of Subdivision, Development, & Servicing Bylaw No. 7900:

Section 4.6: Curb and Gutter, Sidewalks and Bike Lanes

To allow the property to have more than 1 driveway per street frontage (1 permitted, 6 proposed);

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

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

2.0 Purpose

To consider a Development Permit for 6 multi-family units in the form of three semi-detached buildings and a Development Variance Permit to allow multiple driveways (1 permitted, 6 proposed).

3.0 Community Planning

Community Planning supports the Development Permit for the form and character of the proposed multi-family development and the associated variance as it is in general accordance with the Official Community Plan (OCP) Design Guidelines (Attachment “A”) and is consistent with the established Single Family Dwelling street rhythm:

- Conveys a strong sense of authenticity through urban design that is distinctive for Kelowna;
- Promotes a high urban design standard and quality of construction for future development that is coordinated with existing structures; and
- Integrates new development with existing site conditions and preserve the character amenities of the surrounding area.

The structures take the form of three semi-detached buildings for a total of six units that are arranged sensitively along the sloping topography of the site. Garage entrances are at street level grade and the majority of the massing is oriented away from the street featuring walk-out lower levels on the rear for five of the six units. The sixth unit is two storeys at the street level to be sensitive to the rocky knoll immediately adjacent to the subject property. The proposed materials are durable and the colours are common in the region’s natural landscape utilizing lightly coloured acrylic stucco and wooden accents. Proposed landscaping is consistent with the established landscaping along Cantina Court. The landscaping also includes the installation of a viewpoint bench and compacted crush path along the rocky knoll adjacent to the subject property.



SOUTH STREET PERSPECTIVE

Community Planning Staff are supportive of the requested variance to allow multiple driveways (one per each unit) along the Cantina Court street frontage. The established street pattern is that of single family dwellings which each have a single driveway per lot. In early pre-application discussions with Staff, the applicant was informed that Staff would prefer keeping the existing pattern of single driveways rather than creating a separate parallel strata road for access. This establishes a Single Home pattern to the semi-detached units and is respectful of the topography of the site. Development Engineering Staff have reviewed the multiple driveways and determined there will be no impact to site lines or safety to allow the multiple driveways.

4.0 Proposal

4.1 Background

The subject property was identified as a commercial site through the South Ridge Area Structure Plan in 2002. The applicant has entered into a Land Agreement with the City of Kelowna to establish a land transfer to create the developable lot. An OCP Amendment and Rezoning bylaw have established the property as RM2h – Low Density Row Housing for the purposes of this development.

4.2 Project Description

The proposed development is for 6 units in the form of three semi-detached units with double car garages. Each unit has an individual driveway on Cantina Court, and there are no requested variances. Five of the units are single storey in height at the street level and have a walk-out basement at the rear. The sixth unit is two storeys in height at the street level, respecting the natural grade and features of the site and the adjacent park property.

4.3 Site Context

The subject property is located in Upper Mission in the South Ridge neighbourhood. It is located off of South Ridge Drive and Cantina Court in a subdivision that is predominantly single dwelling housing. The walk score of the subject property is 1, which means it is a car dependent neighbourhood.

Subject Property Map: 680 Cantina Court



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM2h ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Height	9.5m or 2 ½ storeys	8.8m or 2 storeys
Front Yard	6.0m	6.0m
Side Yard (east)	4.0m	4.0m
Side Yard (west)	3.0m	3.0m
Rear Yard	6.0m	6.0m

5.0 **Current Development Policies**

5.1 Kelowna Official Community Plan (OCP)

Please see Attachment "A": Comprehensive Design Guidelines Checklist

6.0 **Technical Comments**

6.1 Building & Permitting

A full plan check for BC Building Code Compliance will be completed at time of Building Permit application.

6.2 Development Engineering Department

Development Engineering Requirements were met through Rezoning application Z17-0091.

7.0 Application Chronology

Date of Application Received: December 8, 2017
Date of Subdivision Registration: September 28, 2018

Report prepared by: Trisa Atwood, Planner II

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment "A": Comprehensive Design Guidelines Checklist

Attachment "B": Applicant's Letter of Rationale

DRAFT Development Permit No. DP17-0283 & DVP17-0284

Schedule "A": Siting and Dimensions

Schedule "B": Exterior Design and Finishing

Schedule "C": Landscape Plan

ATTACHMENT "A": DEVELOPMENT PERMIT GUIDELINES

Comprehensive Development Permit Area

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

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

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

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

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Does the Landscape Architect's Landscape Water Conservation Report:	-	-	-
<ul style="list-style-type: none"> Meet the requirements for Landscape Water Budget calculations for the landscaped area? 			✓
<ul style="list-style-type: none"> Indicate how the development complies with or varies from the Landscape Water Conservation Guidelines? 			✓
<i>Landscape Water Conservation Guidelines</i>			
Are plants grouped into "hydro-zones" of high, medium and low or unirrigated / unwatered areas?			✓
Does at least 25% of the total landscaped area require no irrigation / watering?			✓
Does at least 25% of the total landscaped area require low water use?			✓
Does at most 50% of the total landscaped area require medium or high water use?			✓
Is mulch cover provided for shrubs and groundcover to reduce soil evaporation?			✓
Do water features such as pools and fountains use recirculated water systems?			✓
Do landscape installation standards meet the requirements of the BC Landscape Standard and / or the Master Municipal Construction Document?			✓
Are the required written declarations signed by a qualified Landscape Architect?			✓
<i>Irrigation System Guidelines</i>			
Is the Irrigation Plan prepared by a Qualified Professional?			✓
Are irrigation circuits grouped into "hydro-zones" of high, medium and low or unirrigated / unwatered areas consistent with the landscaping plan?			✓
Is drip or low volume irrigation used?			✓
Are the required written declarations signed by a qualified Certified Irrigation Designer?			✓
Crime prevention			
Are CPTED practices as related to landscaping, siting, form and exterior design included in the design?	✓		
Are building materials vandalism resistant?	✓		
Universal Accessible Design			
Is access for persons with disabilities integrated into the overall site plan and clearly visible from the principal entrance?			✓
Are the site layout, services and amenities easy to understand and navigate?			✓
Lakeside Development			
Are lakeside open spaces provided or enhanced?			✓
Are lake views protected?			✓

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



EMIL ANDERSON CONSTRUCTION (EAC)



Planner Initials TA

December 7, 2017

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

Attn: Trisa Brandt
Planner, City of Kelowna

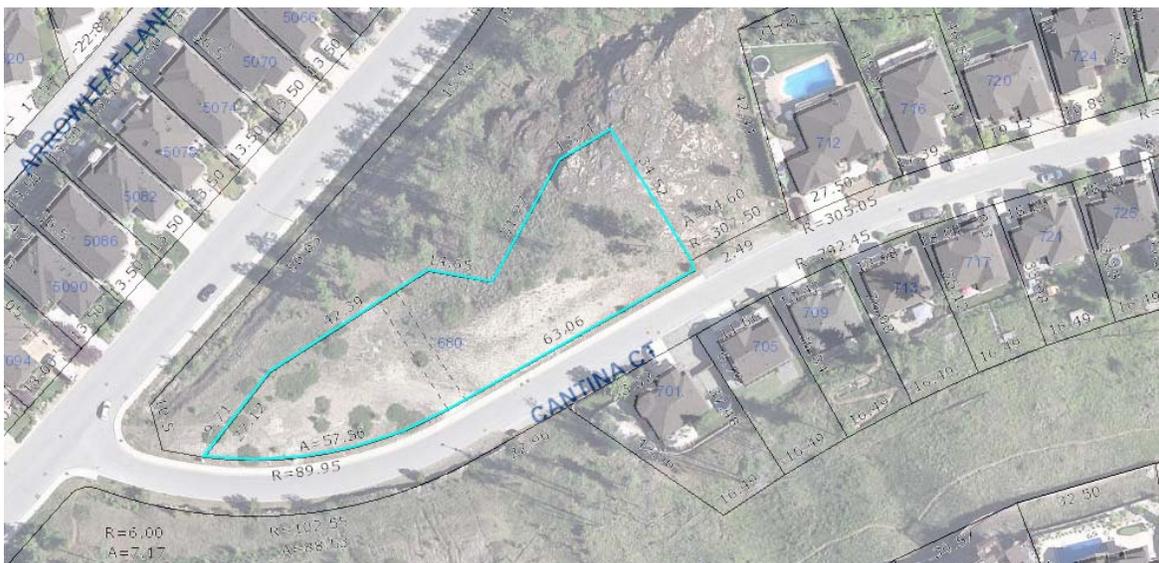
Re: **Cantina Court**
Design Rationale Statement

Dear Ms. Brandt,

This letter provides an overview of EAC’s proposed Low Density Row Housing (hillside area) development located at 680 Cantina Court, Kelowna BC. This letter forms part of Development Permit and Development Variance Permit application submitted to the City. We trust this, in addition to previous information submitted in support of a land swap/rezoning proposal will provide the supporting information needed for review. Should any additional information be required, we are happy to address any questions with support of our project consultants.

We ask that you please circulate this information to the necessary departments for comment and approval.

Site Description



This 0.731 acre irregularly shaped property is currently zoned C2 – Neighborhood Commercial. Rezoning application has been circulated to at the City and comments received (file number Z-17-0091).

This property is bound on the north, east, and west sides by City property zoned P4, and on the south by Cantina Court. There is an existing City right-of-way crossing the center of the lot for existing City storm infrastructure.

A land swap proposal has been reviewed by City staff and been supported by City Council. The proposed land swap was driven by site constraints, both grading and site dimension. The swap is yet to be executed through land titles, and will result in a parcel area approximately 0.613 acres.

Proposed Land Use

EAC has opted to rezone the property to RM2h. Working with a local home designer and CTQ Consultants, EAC is proposing a low density row housing development which will integrate nicely with the existing neighborhood.

The overall focus and intent for this development is based on the sites surrounding uses and EAC's background in the area. The site is within a vast single family residential zone with some low density housing nearby. This building design approach compliments the look and feel of a single family dwelling.

The site design is based on the transitional principles of public, semi-private and private open spaces, creating a modern form. All aspects of the site and building have been utilized for a social lifestyle yet ensuring privacy.

The 3 bedroom, contemporary units proposed for this development will increase the diversity of housing options available within the neighborhood. The additional much needed density in this particular area will be welcomed by the target markets and provides outdoor privacy through the large outdoor stepped patios and balconies.

The project will be targeted by purchasers who have the features of a single family home but in a small strata development allowing for group interaction and security of knowing that your neighbors are monitoring external activities whilst you are away.

It is also noted that the proposed development is located within an existing established residential urban footprint of the neighborhood, allowing pedestrians and cyclists immediate access to local parks and common amenities.

Form and Character

The six units which have been placed on the site integrate with the sloping terrain and are situated with views of the city and partial views of the lake. Views are best from the upper elevations of the site on the east end.

Each of the units contain 3 bedrooms and all of the comforts required for discerning new home buyers, as well as those scaling down from larger homes. Large storage spaces are provided within each unit to allow for a multitude of uses. Practically, these will be used for storage of outdoor furniture, and many of the items which those downsizing typically retain for a period of time.

The combination of materials and colors selected reinforce a residential and modern quality throughout the development. Both textured stucco and wood grain cladding and trim throughout will add emphasize this character. Colors and materials were inspired by the surrounding Okanagan hillsides and existing homes. Landscaping throughout the site also integrates the local and natural vegetation and will complement the developments overall form and character.



UNIT 3&4 - FRONT PERSPECTIVE



UNIT 3&4 - RIGHT PERSPECTIVE



UNIT 3&4 - LEFT PERSPECTIVE



UNIT 3&4 - REAR PERSPECTIVE

Separation of private, semi-private and public spaces will be achieved with the use of grade changes, rails and/or fencing, and landscaping and finish materials to separate and add comfort to the residence. Trees will be planted in the front and rear yards to make the space more desirable and promote usage.

Site Design

As noted above and seen in the submitted plans and above rendering, the site has considerable grade change, as well as a knoll in the northeastern portion of the site. The proposed building layout takes advantage of the gentlest slopes in the southwest area, but due to the size of the proposed unit footprints, re-grading at the rear of the buildings is required.

Utilizing walk-out structures for units 1-5 makes the most efficient use of the natural grade. Unit 5/6 as proposed will encroach on the slope of the knoll, as such a combination of a walk-out and walk-up units is best suited to interface with the hillside, minimizing the impact to the surrounding area.

It is noted that through the land swap proposal process, it was shown that this layout will require minor back sloping and remediation towards the existing knoll, within an area that will be City property as per the swap boundaries. This was supported by City staff, with condition of trail construction from Cantina Court to the knoll peak, with look-out bench.

Access and Servicing

As noted in the application form, a Development Variance Permit will be required for site access as designed, with a driveway access for each unit. While it is understood this is not typical for a strata development, it makes best use of an already spatially challenging site, as a common entry and internal fronting road would not fit, and is also a preferred function for a site with access via a hillside road only. Supporting correspondence from past discussion is included for your reference.

Driveway construction will require removal of an existing driveway letdown and reconstruction of curb as required adding new letdowns along Cantina Court. Relocation of a single street light is also required to accommodate driveways in the locations shown. This was the most suitable location, as the alternate would require relocation of existing Telus pedestal, which we have been informed by Telus is a much larger impact vs. relocating the street light.

Public utilities are in place to service this lot. Preliminary plans indicate a reduction to cover over the existing storm main routed through the site, however it is very likely that minimum 1.0m cover can be maintained through detailed grading design. In the event that cover cannot be maintained, the existing main may easily be lowered between Cantina Court and the South Ridge Drive ditch network.

CTQ has identified that the existing sanitary connection off Cantina Court is at too high an elevation to service units 1-4. A new connection and rear lot servicing is proposed.

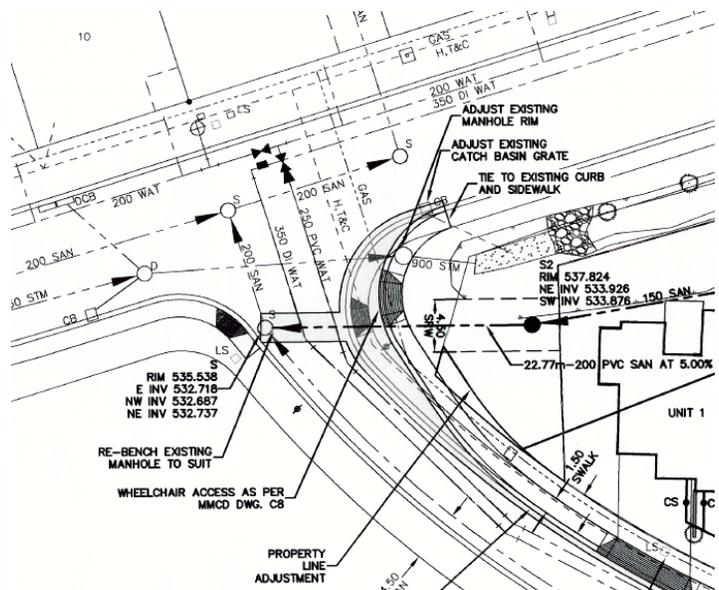
A single water connection will service all the units, with a single City meter as shown on the civil engineering plans.

Finally, it is proposed that the intersection of Cantina Court and South Ridge Drive be improved. It is proposed that the north Cantina Court curb tie be re-aligned to widen the intersection, as the existing intersection is based on previous hillside standards and the upgrade will also improve function of the non-perpendicular intersection.

If there are any questions about the information contained within, please don't hesitate to contact the undersigned at 250-763-8232 x289.

Yours truly,

Emil Anderson Construction (EAC) Inc.



Matthew J. Temple, P.Eng
Development Manager

Development Permit & Development Variance Permit DP17-0283 & DVP17-0284



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

68o Cantina Court

and legally known as

Lot A, DL1688S, SDYD, Plan KAP71342, Except Plan EPP80944

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

Multi-Family Row Housing (Semi-Detached)

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

Date of Decision: December 4, 2018

Decision By: CITY COUNCIL

Issued Date:

Development Permit Area: Comprehensive Development Permit – Multi-Family

This permit will not be valid if development has not commenced by October 1, 2020.

Existing Zone: RM2h – Low Density Row Housing (hillside)

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: Gillen Investments Inc. BCo528682

Emil Anderson Construction Co. Ltd. Co172775

Applicant: Emil Anderson Construction Co. Ltd. Co172775

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 Subdivision, Development, & Servicing Bylaw No. 7900:

Section 4.6: Curb and Gutter, Sidewalks and Bike Lanes

To allow the property to have more than 1 driveway per street frontage (1 permitted, 6 proposed);

This Development Permit is valid for two (2) years from the date of December 4, 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 **\$86,250.00**

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

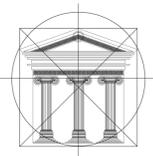
Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

- 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



inArtifex Design Ltd.

#301-1630 Pandosy St.
 Kelowna, BC V1Y 1P7
 236.420.3600
 info@inartifex.com
 www.inartifex.com



Proposed Project For:

CANTINA COURT

DUPLEX HOUSING

680 CANTINA CT.
 KELOWNA, BC

Sheet Title:

SITE PLAN

DATE:
 2017-12-05

SCALE:
 1/16"=1'

VERSION NO.
1.0

SHEET NO.:
A-1



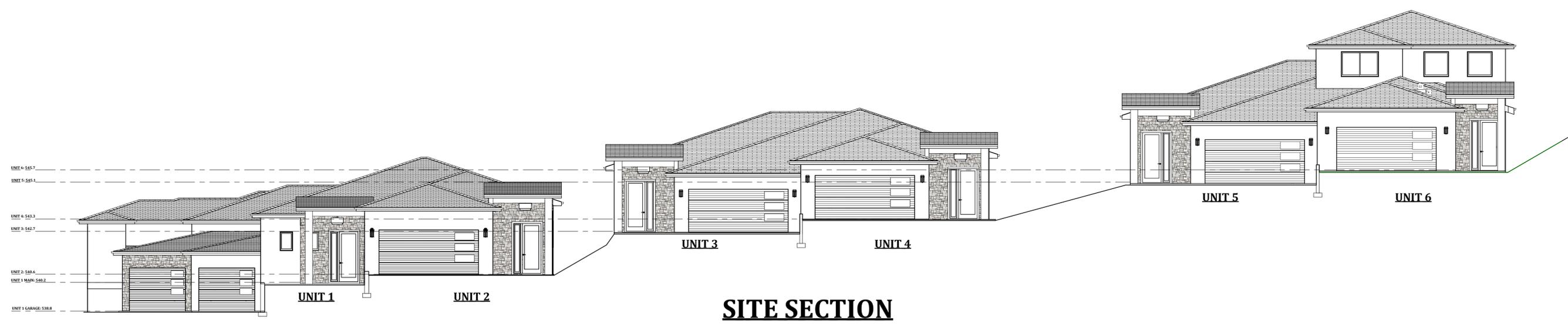
SITE COVERAGE:

UNIT 1&2:	366 SQ.MT.
UNIT 3&4	365 SQ.MT.
UNIT 5&6	372 SQ.MT.
TOTAL BUILDING AREA:	1,103 SQ.MT.
SITE AREA:	2,480 SQ.MT.
SITE COVERAGE:	44.47%

SITE COVERAGE:

TOTAL BUILDING AREA:	1,103 SQ.MT.
DRIVEWAYS:	201 SQ.MT.
TOTAL AREA:	1,304 SQ.MT.
SITE AREA:	2,480 SQ.MT.
SITE COVERAGE:	52.58%





Proposed Project For:

CANTINA COURT
 DUPLEX HOUSING
 680 CANTINA CT.
 KELOWNA, BC

Sheet Title:
 SITE SECTION

DATE:
 2017-12-05

SCALE:
 1/8"=1'

VERSION NO.
1.0

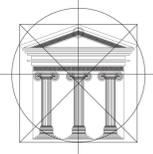
SHEET NO.:
A-2



SCHEDULE B
 This forms part of application
 # DP17-0283 DVP17-0284

Planner Initials TA

City of Kelowna
 COMMUNITY PLANNING

inArtifex Design Ltd.
 #301-1630 Pandosy St.
 Kelowna, BC V1Y 1P7
 236.420.3600
 info@inartifex.com
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SOUTH STREET PERSPECTIVE



SOUTH-WEST STREET PERSPECTIVE

Proposed Project For:

CANTINA COURT

DUPLEX HOUSING

680 CANTINA CT.
 KELOWNA, BC

Sheet Title:

SITE PERSPECTIVE

DATE:
 2017-12-05

SCALE:
 NTS

VERSION NO.
1.0

SHEET NO.:
A-3



SCHEDULE B

This forms part of application
DP17-0283 DVP17-0284

Planner Initials **TA**

City of Kelowna
COMMUNITY PLANNING

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DILWORTH HOMES

UNIT 1&2 - FRONT PERSPECTIVE



UNIT 1&2 - LEFT PERSPECTIVE

UNIT 1&2 - RIGHT PERSPECTIVE



UNIT 1&2 - REAR PERSPECTIVE

Proposed Project For:

CANTINA COURT

DUPLEX HOUSING

680 CANTINA CT.
KELOWNA, BC

Sheet Title:

UNIT 1&2 PERSPECTIVES

DATE:

2017-12-05

SCALE:

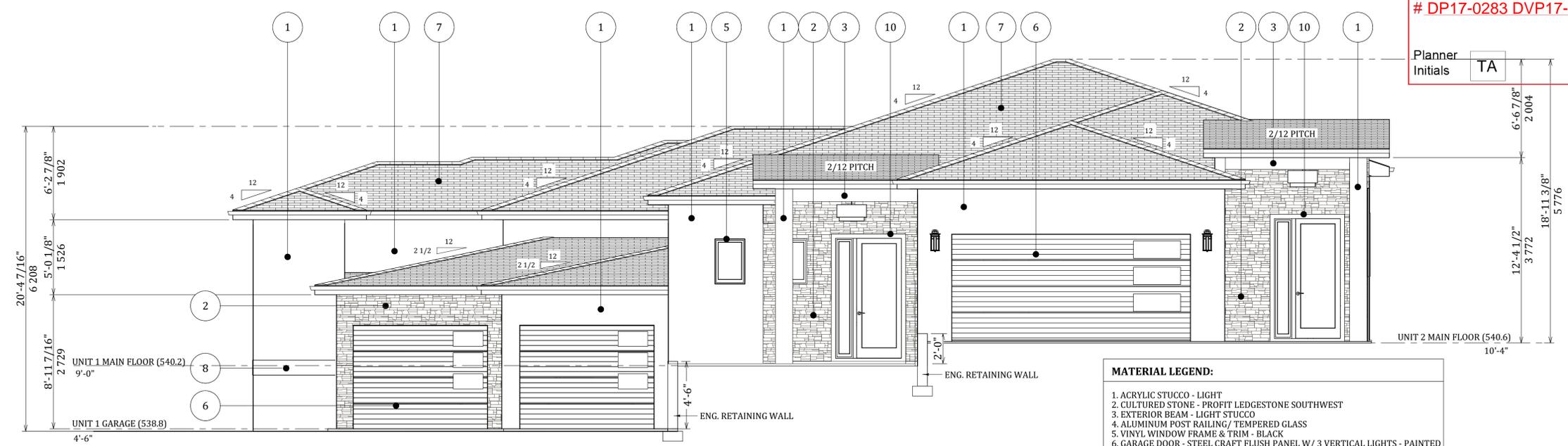
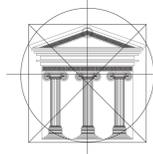
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VERSION NO.

1.0

SHEET NO.:

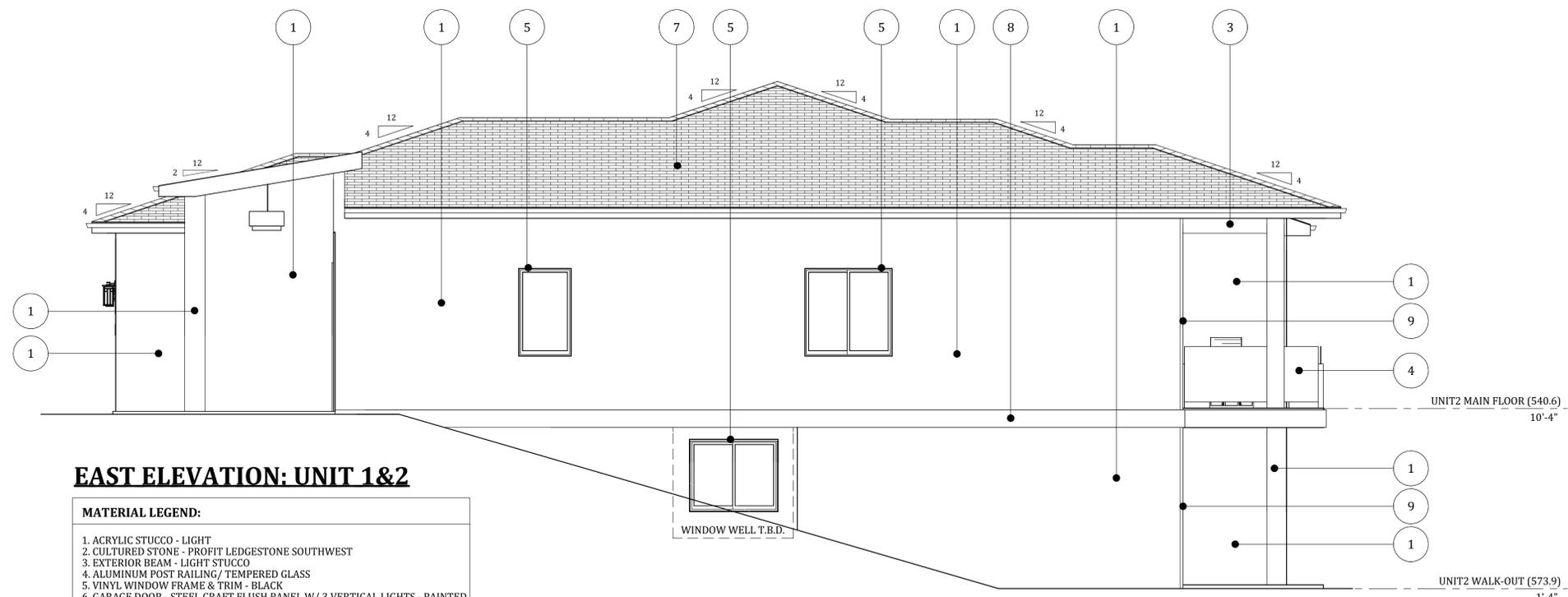
A-4



SOUTH ELEVATION: UNIT 1&2

MATERIAL LEGEND:

1. ACRYLIC STUCCO - LIGHT
2. CULTURED STONE - PROFIT LEDGESTONE SOUTHWEST
3. EXTERIOR BEAM - LIGHT STUCCO
4. ALUMINUM POST RAILING/ TEMPERED GLASS
5. VINYL WINDOW FRAME & TRIM - BLACK
6. GARAGE DOOR - STEEL CRAFT FLUSH PANEL W/ 3 VERTICAL LIGHTS - PAINTED
7. ROOFING SHINGLES - IKO DYNASTY - GLACIER
8. 12\" BELLY BAND - ACRYLIC STUCCO
9. CORNER BOARD / WOOD
10. FRONT DOOR - STAIN
11. SOFFITS/FASCIA - GENTEK - IRON ORE
12. DRIVEWAY - EXPOSED AGGREGATE
13. FRONT WALKWAY - EXPOSED AGGREGATE
14. EXTERIOR LIGHTING - FIXTURES - BLACK
15. DECK SURFACE - WEATHERDEK - DESIGNER PLUS GRANITE
16. DECK RAILINGS - DEK SMART FRAMELESS
17. PATIO - BROOM FINISH CONCRETE
18. SAGIPER N. AM. - KNOTTY MAPLE



EAST ELEVATION: UNIT 1&2

MATERIAL LEGEND:

1. ACRYLIC STUCCO - LIGHT
2. CULTURED STONE - PROFIT LEDGESTONE SOUTHWEST
3. EXTERIOR BEAM - LIGHT STUCCO
4. ALUMINUM POST RAILING/ TEMPERED GLASS
5. VINYL WINDOW FRAME & TRIM - BLACK
6. GARAGE DOOR - STEEL CRAFT FLUSH PANEL W/ 3 VERTICAL LIGHTS - PAINTED
7. ROOFING SHINGLES - IKO DYNASTY - GLACIER
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16. DECK RAILINGS - DEK SMART FRAMELESS
17. PATIO - BROOM FINISH CONCRETE
18. SAGIPER N. AM. - KNOTTY MAPLE

Proposed
Project For:

CANTINA
COURT

DUPLEX
HOUSING

680 CANTINA
CT.
KELOWNA, BC

Sheet Title:

UNIT 1&2
ELEVATIONS

DATE:

2017-12-05

SCALE:

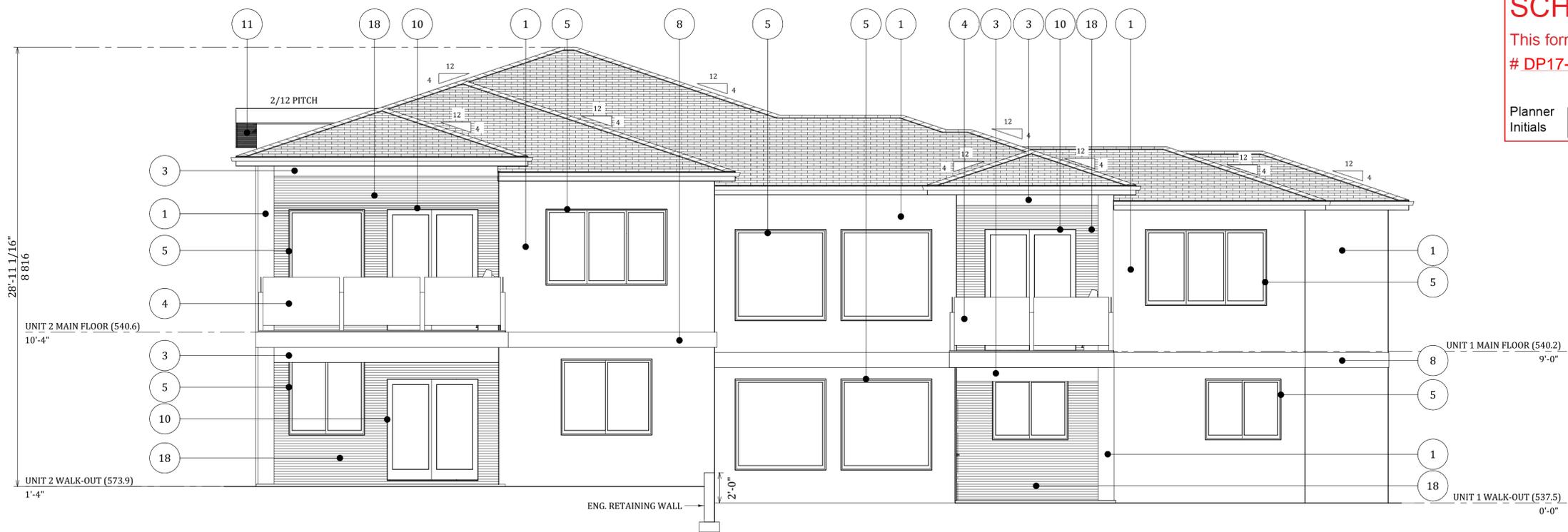
1/4\"=1'

VERSION NO.

1.0

SHEET NO.:

A-5



NORTH ELEVATION: UNIT 1&2

SCHEDULE B

This forms part of application
DP17-0283 DVP17-0284

Planner Initials **TA**

City of Kelowna
COMMUNITY PLANNING

inArtifex Design Ltd.

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DILWORTH HOMES

Proposed Project For:

CANTINA COURT

DUPLEX HOUSING

680 CANTINA CT.
KELOWNA, BC

Sheet Title:

UNIT 1&2 ELEVATIONS

DATE:

2017-12-05

SCALE:

1/4"=1'

VERSION NO.

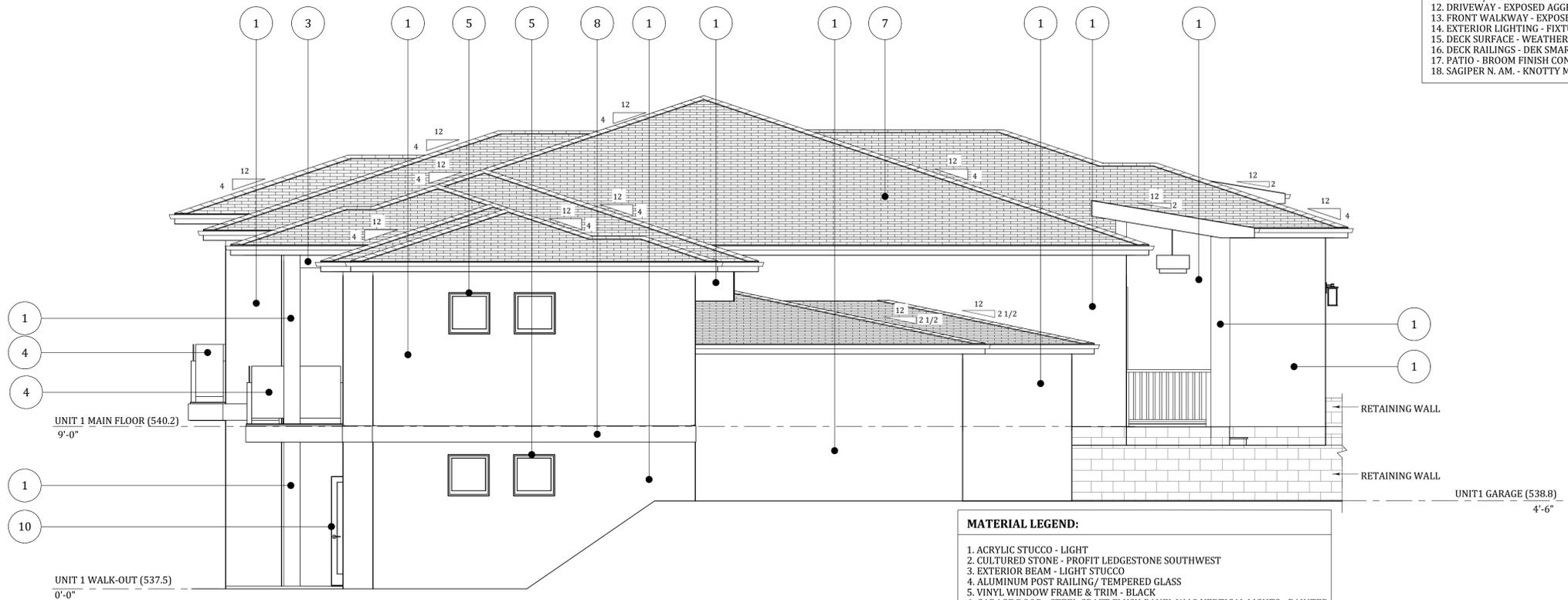
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SHEET NO.:

A-6

MATERIAL LEGEND:

1. ACRYLIC STUCCO - LIGHT
2. CULTURED STONE - PROFIT LEDGESTONE SOUTHWEST
3. EXTERIOR BEAM - LIGHT STUCCO
4. ALUMINUM POST RAILING/ TEMPERED GLASS
5. VINYL WINDOW FRAME & TRIM - BLACK
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13. FRONT WALKWAY - EXPOSED AGGREGATE
14. EXTERIOR LIGHTING - FIXTURES - BLACK
15. DECK SURFACE - WEATHERDEK - DESIGNER PLUS GRANITE
16. DECK RAILINGS - DEK SMART FRAMELESS
17. PATIO - BROOM FINISH CONCRETE
18. SAGIPER N. AM. - KNOTTY MAPLE



WEST ELEVATION: UNIT 1&2

MATERIAL LEGEND:

1. ACRYLIC STUCCO - LIGHT
2. CULTURED STONE - PROFIT LEDGESTONE SOUTHWEST
3. EXTERIOR BEAM - LIGHT STUCCO
4. ALUMINUM POST RAILING/ TEMPERED GLASS
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17. PATIO - BROOM FINISH CONCRETE
18. SAGIPER N. AM. - KNOTTY MAPLE



SCHEDULE B

This forms part of application
DP17-0283 DVP17-0284

Planner Initials **TA**

City of Kelowna
COMMUNITY PLANNING

inArtifex Design Ltd.

#301-1630 Pandosy St.
Kelowna, BC V1Y 1P7
236.420.3600
info@inartifex.com
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DILWORTH HOMES

UNIT 3&4 - FRONT PERSPECTIVE

Proposed Project For:

CANTINA COURT

DUPLEX HOUSING

**680 CANTINA CT.
KELOWNA, BC**

Sheet Title:

UNIT 3&4 PERSPECTIVES

DATE:

2017-12-05

SCALE:

NTS

VERSION NO.

1.0

SHEET NO.:

A-10
66



UNIT 3&4 - LEFT PERSPECTIVE



UNIT 3&4 - RIGHT PERSPECTIVE



UNIT 3&4 - REAR PERSPECTIVE

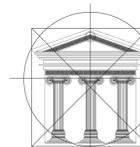
SCHEDULE B

This forms part of application
DP17-0283 DVP17-0284



City of
Kelowna
COMMUNITY PLANNING

Planner
Initials **TA**



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Design Ltd.*

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Proposed
Project For:

**CANTINA
COURT**

**DUPLEX
HOUSING**

**680 CANTINA
CT.
KELOWNA, BC**

Sheet Title:

**UNIT 3&4
ELEVATIONS**

DATE:

2017-12-05

SCALE:

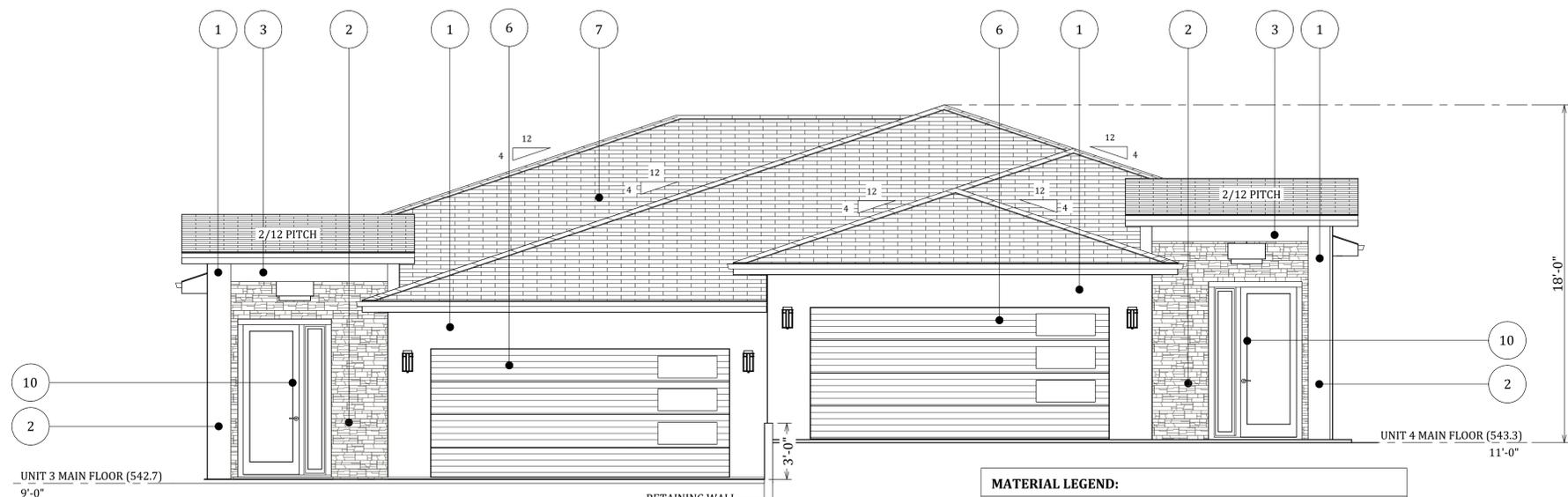
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VERSION NO.

1.0

SHEET NO.:

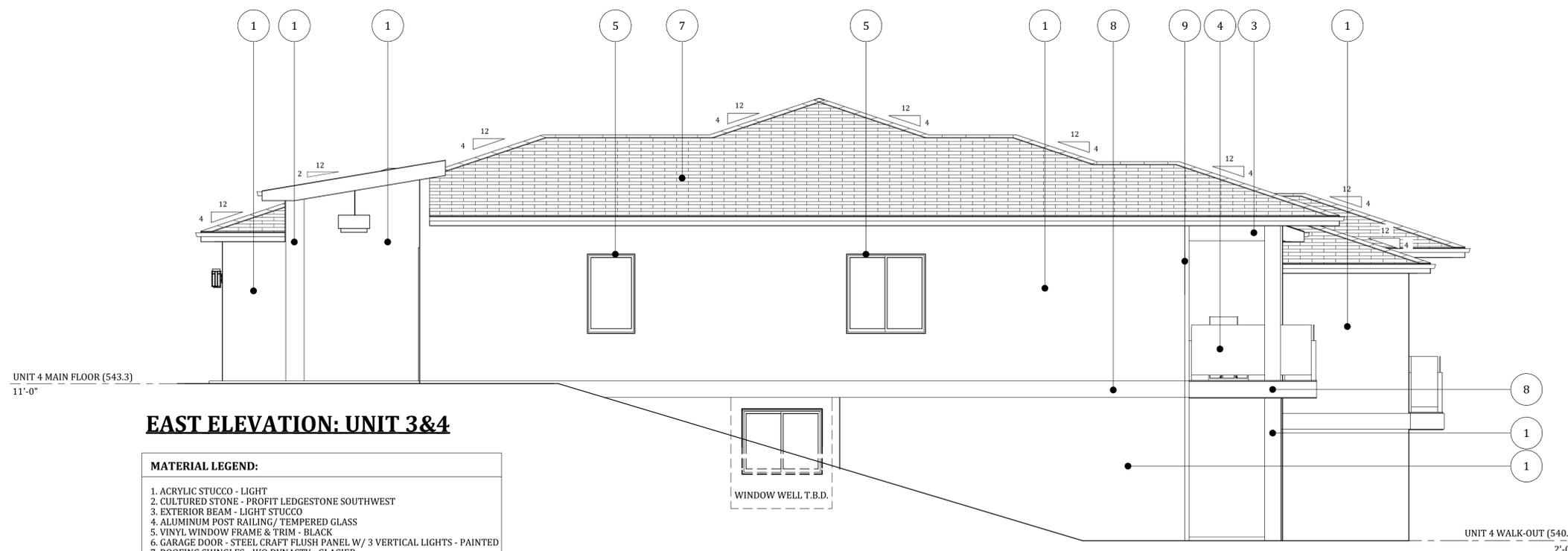
A-11



SOUTH ELEVATION: UNIT 3&4

MATERIAL LEGEND:

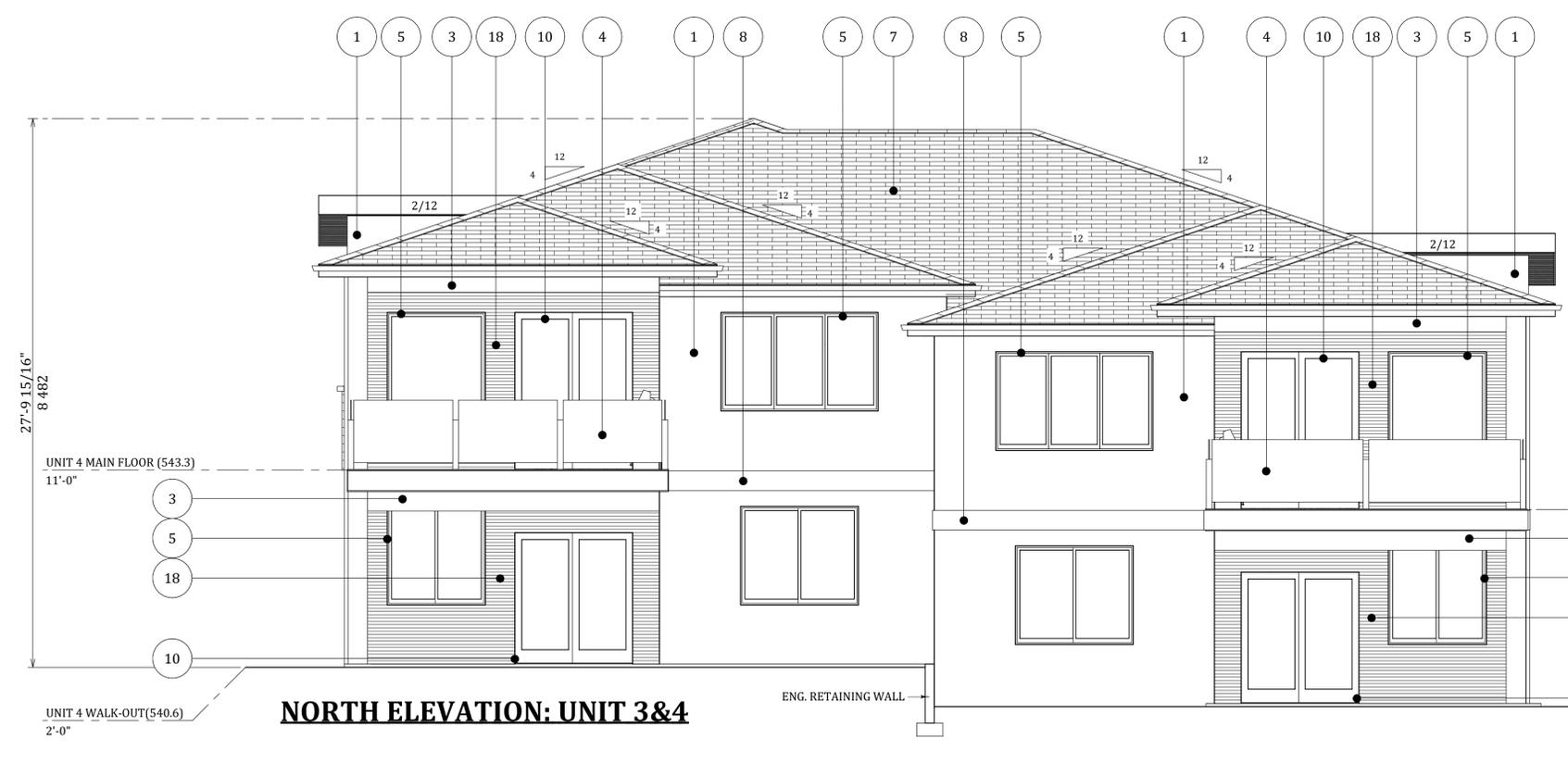
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2. CULTURED STONE - PROFIT LEDGESTONE SOUTHWEST
3. EXTERIOR BEAM - LIGHT STUCCO
4. ALUMINUM POST RAILING/ TEMPERED GLASS
5. VINYL WINDOW FRAME & TRIM - BLACK
6. GARAGE DOOR - STEEL CRAFT FLUSH PANEL W/ 3 VERTICAL LIGHTS - PAINTED
7. ROOFING SHINGLES - IKO DYNASTY - GLACIER
8. 12" BELLY BAND - ACRYLIC STUCCO
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11. SOFFITS/FASCIA - GENTEK - IRON ORE
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13. FRONT WALKWAY - EXPOSED AGGREGATE
14. EXTERIOR LIGHTING - FIXTURES - BLACK
15. DECK SURFACE - WEATHERDEK - DESIGNER PLUS GRANITE
16. DECK RAILINGS - DEK SMART FRAMELESS
17. PATIO - BROOM FINISH CONCRETE
18. SAGIPER N. AM. - KNOTTY MAPLE



EAST ELEVATION: UNIT 3&4

MATERIAL LEGEND:

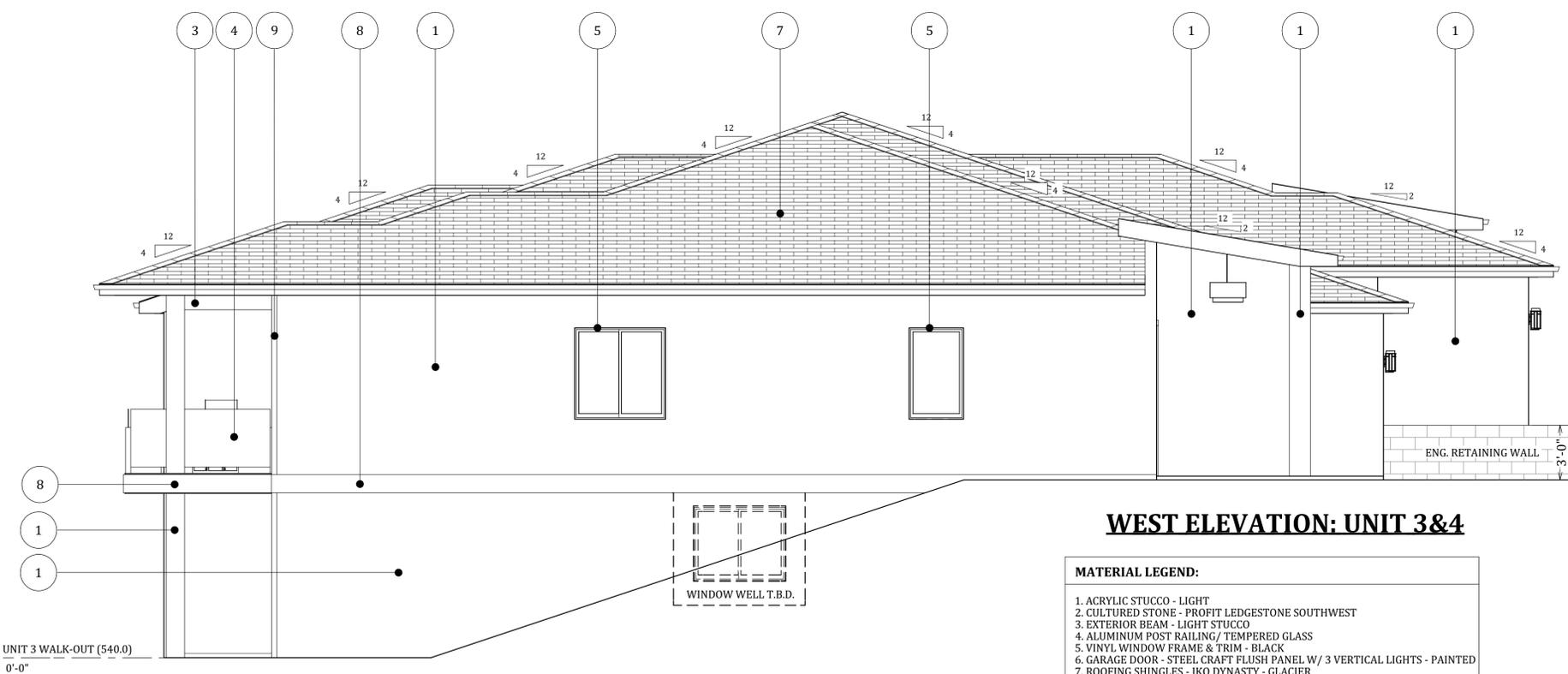
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2. CULTURED STONE - PROFIT LEDGESTONE SOUTHWEST
3. EXTERIOR BEAM - LIGHT STUCCO
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15. DECK SURFACE - WEATHERDEK - DESIGNER PLUS GRANITE
16. DECK RAILINGS - DEK SMART FRAMELESS
17. PATIO - BROOM FINISH CONCRETE
18. SAGIPER N. AM. - KNOTTY MAPLE



NORTH ELEVATION: UNIT 3&4

MATERIAL LEGEND:

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2. CULTURED STONE - PROFIT LEDGESTONE SOUTHWEST
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17. PATIO - BROOM FINISH CONCRETE
18. SAGIPER N. AM. - KNOTTY MAPLE



WEST ELEVATION: UNIT 3&4

MATERIAL LEGEND:

1. ACRYLIC STUCCO - LIGHT
2. CULTURED STONE - PROFIT LEDGESTONE SOUTHWEST
3. EXTERIOR BEAM - LIGHT STUCCO
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17. PATIO - BROOM FINISH CONCRETE
18. SAGIPER N. AM. - KNOTTY MAPLE

Proposed Project For:

CANTINA COURT
 DUPLEX HOUSING
 680 CANTINA CT.
 KELOWNA, BC

Sheet Title:
 UNIT 3&4 ELEVATIONS

DATE:
 2017-12-05

SCALE:
 1/4"=1'

VERSION NO.
1.0

SHEET NO.:
A-12
 68



UNIT 5&6 - FRONT PERSPECTIVE



UNIT 5&6 - LEFT PERSPECTIVE



UNIT 5&6 - RIGHT PERSPECTIVE



UNIT 5&6 - REAR PERSPECTIVE

SCHEDULE B

This forms part of application
DP17-0283 DVP17-0284

Planner Initials **TA**

City of **Kelowna**
COMMUNITY PLANNING

inArtifex Design Ltd.

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DILWORTH HOMES

Proposed Project For:

CANTINA COURT

DUPLEX HOUSING

**680 CANTINA CT.
KELOWNA, BC**

Sheet Title:

UNIT 5&6 PERSPECTIVES

DATE:

2017-12-05

SCALE:

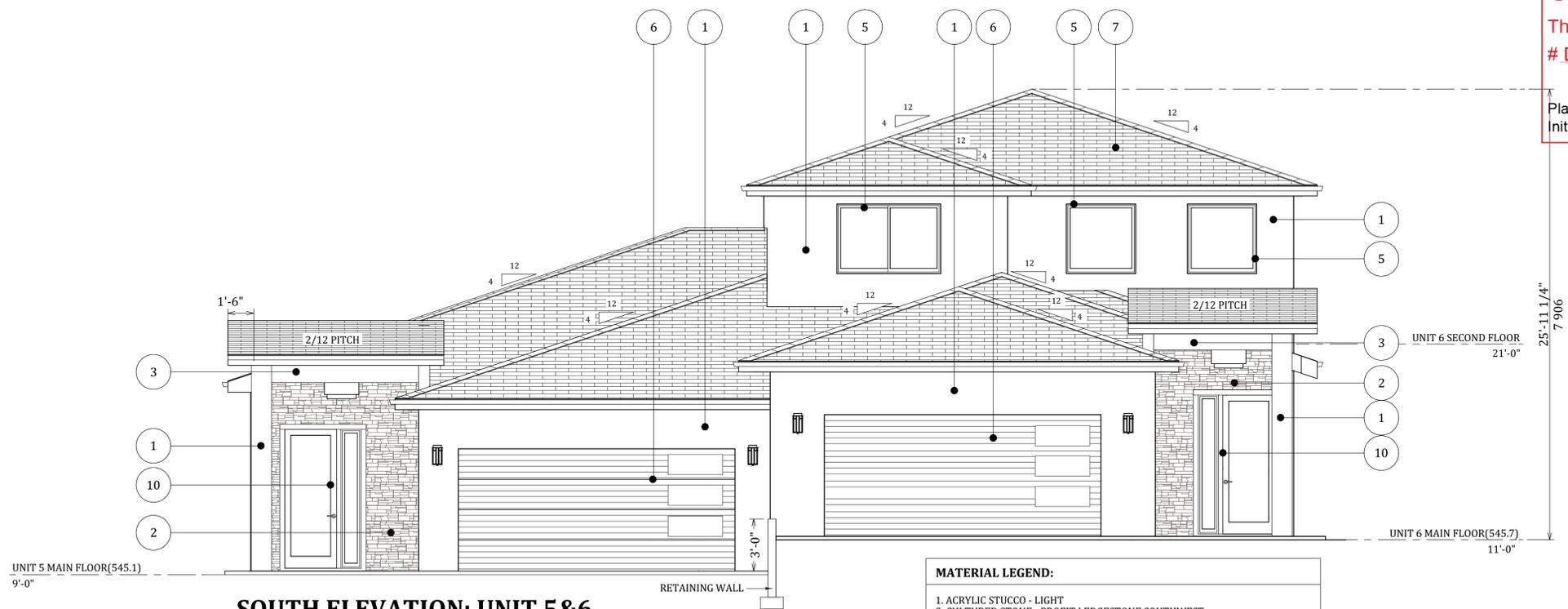
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VERSION NO.

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SHEET NO.:

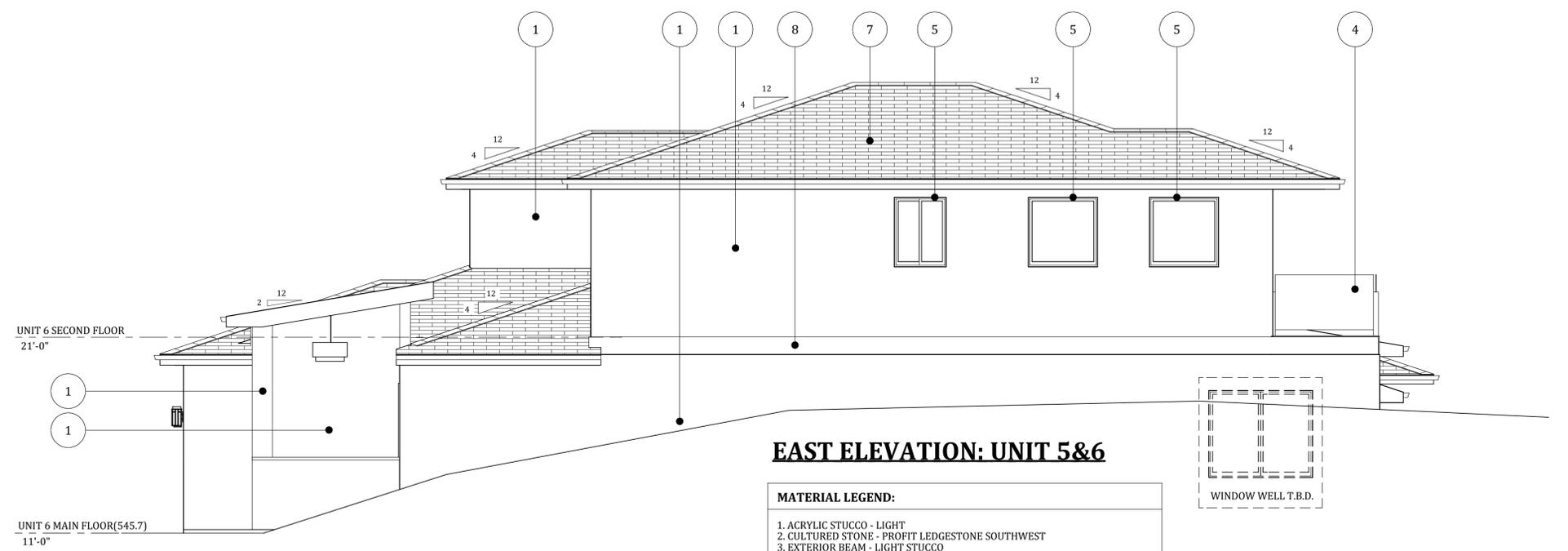
A-16



SOUTH ELEVATION: UNIT 5&6

MATERIAL LEGEND:

1. ACRYLIC STUCCO - LIGHT
2. CULTURED STONE - PROFIT LEDGESTONE SOUTHWEST
3. EXTERIOR BEAM - LIGHT STUCCO
4. ALUMINUM POST RAILING/ TEMPERED GLASS
5. VINYL WINDOW FRAME & TRIM - BLACK
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14. EXTERIOR LIGHTING - FIXTURES - BLACK
15. DECK SURFACE - WEATHERDEK - DESIGNER PLUS GRANITE
16. DECK RAILINGS - DEK SMART FRAMELESS
17. PATIO - BROOM FINISH CONCRETE
18. SAGIPER N. AM. - KNOTTY MAPLE



EAST ELEVATION: UNIT 5&6

MATERIAL LEGEND:

1. ACRYLIC STUCCO - LIGHT
2. CULTURED STONE - PROFIT LEDGESTONE SOUTHWEST
3. EXTERIOR BEAM - LIGHT STUCCO
4. ALUMINUM POST RAILING/ TEMPERED GLASS
5. VINYL WINDOW FRAME & TRIM - BLACK
6. GARAGE DOOR - STEEL CRAFT FLUSH PANEL W/ 3 VERTICAL LIGHTS - PAINTED
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18. SAGIPER N. AM. - KNOTTY MAPLE

Proposed Project For:

CANTINA COURT
 DUPLEX HOUSING

680 CANTINA CT.
 KELOWNA, BC

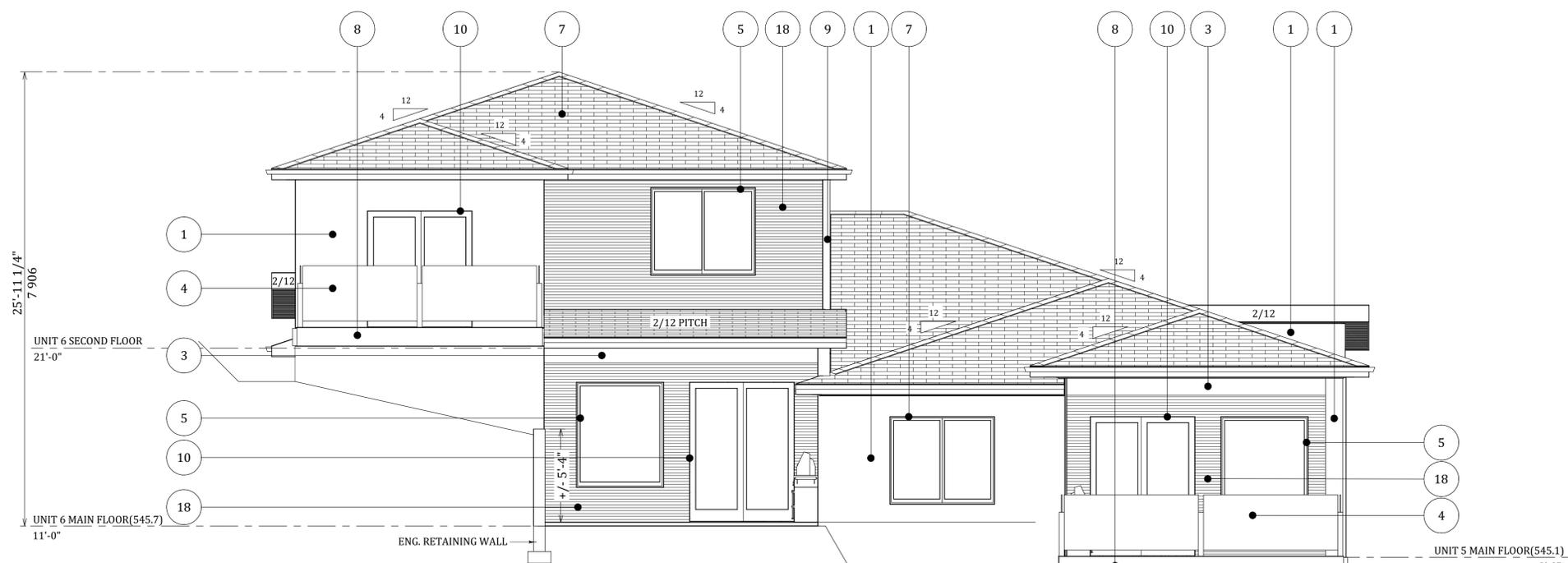
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 UNIT 5&6 ELEVATIONS

DATE:
 2017-12-05

SCALE:
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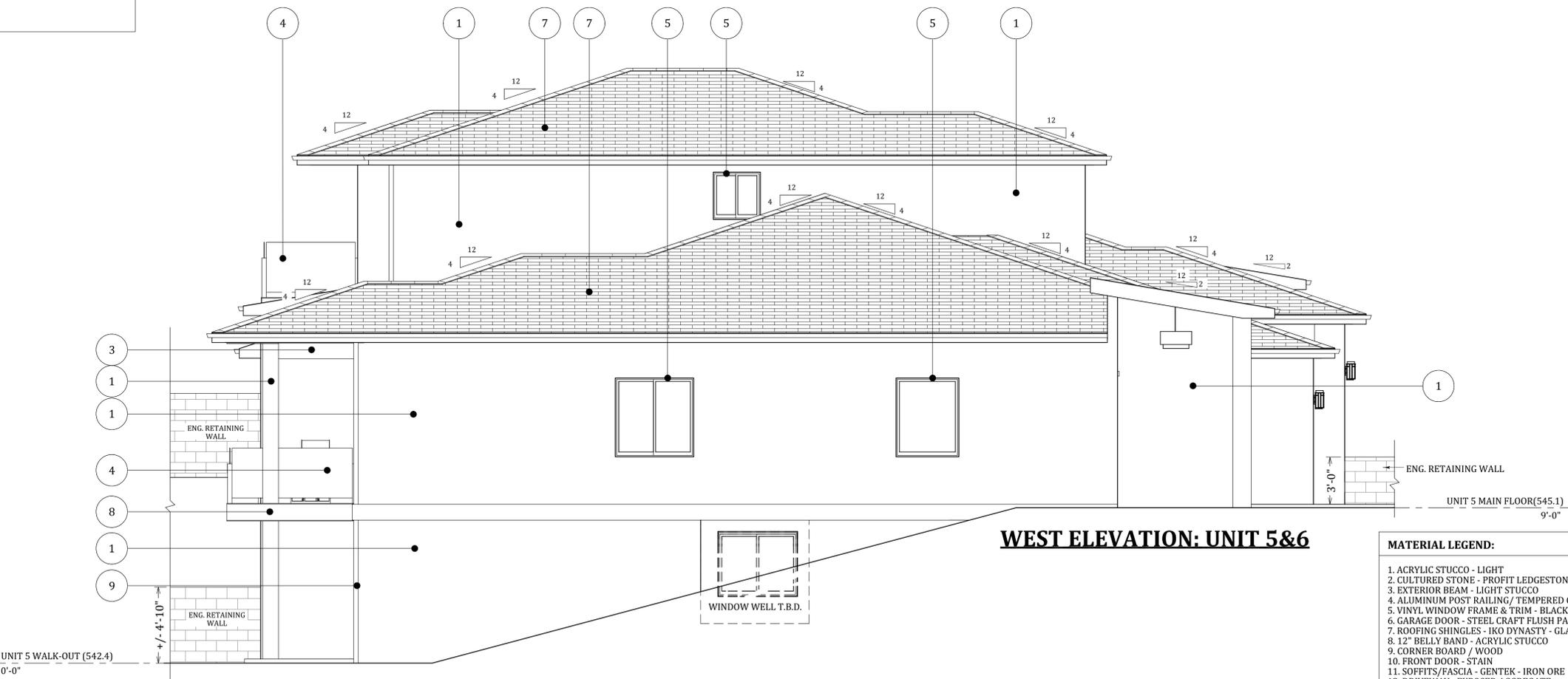
VERSION NO.
1.0

SHEET NO.:
A-17



MATERIAL LEGEND:

1. ACRYLIC STUCCO - LIGHT
2. CULTURED STONE - PROFIT LEDGESTONE SOUTHWEST
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MATERIAL LEGEND:

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9. CORNER BOARD / WOOD
10. FRONT DOOR - STAIN
11. SOFFITS/FASCIA - GENTEK - IRON ORE
12. DRIVEWAY - EXPOSED AGGREGATE
13. FRONT WALKWAY - EXPOSED AGGREGATE
14. EXTERIOR LIGHTING - FIXTURES - BLACK
15. DECK SURFACE - WEATHERDEK - DESIGNER PLUS GRANITE
16. DECK RAILINGS - DEK SMART FRAMELESS
17. PATIO - BROOM FINISH CONCRETE
18. SAGIPER N. AM. - KNOTTY MAPLE

Proposed Project For:
CANTINA COURT
 DUPLEX HOUSING
 680 CANTINA CT.
 KELOWNA, BC

Sheet Title:
UNIT 5&6 ELEVATIONS

DATE:
 2017-12-05

SCALE:
 1/4"=1'

VERSION NO.
1.0

SHEET NO.:
A-18



SUNSET RED MAPLE 75MM CAL

COCKSPUR HAWTHORNE 60MM CAL

CHANTICLEER PEAR 60MM CAL

PONDEROSA PINE 1.8M HT

SCHEDULE C

This forms part of application # DP17-0283 DVP17-0284



Hydroseeding Treatment

All disturbed areas will be hydroseeded with the following seed mix. (Approved by City of Kelowna)

Dryland Grass Mix Seed Blend (% by weight)

Application Rate	150kg/ha
Crested Wheat Grass	20
Perennial Ryegrass	15
Slender Wheat Grass	10
Tall Wheat Grass	10
Hard Fescue	10
Creeping Red Fescue	10
Annual Ryegrass	10
Fall Ryegrass	15

Seed mix to be certified #1 Grade.

Dryland grass hydroseeded areas to receive an annual broadcast fertilizer treatment for the first 3 years.

Year one - 400kg/ha (18-18-18)

Years two and three 300kg/ha (20-10-10)

Weeding as required to ensure weed control within the hydroseeded areas.

The proposed landscape prescription is based on no irrigation for the hydroseeded areas.

Southridge Drive

PARK LAND

Viewpoint bench on concrete pad

+/- 1.0 m compacted crush path

Existing ditch bull rushes and poplars

Proposed retaining walls-typ

General area of grouped mass planting of ponderosa pine whips



Notes

- All plants, material and planting practices to conform to the BCLNA 'BC Landscape Standard' - Current Edition
- Contractor to provide a warranty and maintenance period of 1 year on all plants and materials. Plants and materials that fail before end of the warranty period shall be replaced by the contractor.
- The illustrated landscape plan is conceptual only...not for construction.
- All planting areas to receive 450mm of topsoil
- Prior to delivery to site, a representative sample and test results of topsoil should be made available to the consultant for approval.
- No plant species substitution will be accepted without the written consent of the consultant.
- All planting beds to receive 50 mm depth of Ogo - Grow mulch.
- Plant material selections are conceptual only. Final planting selections may vary depending on availability.
- Recommended hydroseeding time of March/April in the Spring or late September to November in the Fall.
- All planting beds and lawn areas to be irrigated.

Legend

- Dryland Grass mix on disturbed natural areas
- Sodded lawn area

Plant List			
Symbol	Botanical Name	Common Name	Size
	<i>Acer rubrum</i> 'Red Sunset'	Red Sunset Maple	75mm cal
	<i>Crataegus crus-galli inermis</i>	Thornless Cockspear Hawthorne	60mm cal
	<i>Pyrus calleryana</i> 'Chanticleer'	Chanticleer Pear	60mm cal
	<i>Pinus ponderosa</i>	Ponderosa Pine	1.8m ht
	<i>Cornus sericea</i>	Red Twig Dogwood	#2
	<i>Euonymus alata compacta</i>	Dwarf Burning Bush	#2
	<i>Forsythia 'Mndor'</i>	Show Off Forsythia	#2
	<i>Mahonia nervosa</i>	Dwarf Oregon Grape	#2
	<i>Perovskia atriplicifolia</i>	Russian Sage	#2
	<i>Philadelphus lewisii</i> 'Blizzard'	Blizzard Mockorange	#2
	<i>Pinus mugo pumilio</i>	Dwarf Mugo Pine	#2
	<i>Potentilla fruticosa</i> "Red Ace"	Red Ace Potentilla	#2
	<i>Rosa 'Rambin Red'</i>	Rambin Red Rose	#2
	<i>Syringa vulgaris</i> 'Belle de Nancy'	Belle de Nancy Lilac	#2
	<i>Calamagrostis</i> 'Karl Foerster'	Karl Foerster Reed grass	#2
	<i>Festuca ovina</i> Elijah Blue	Elijah Blue Fescue	#2
	<i>Helictotrichon sempervirens</i>	Blue Oat Grass	#2
	<i>Hemocallis</i> 'Stella d'Oro' (yellow)	Stella D'Oro Daylily	#2
	<i>Hosta 'Regal Splendor'</i>	Regal Splendor Hosta	#2
	<i>Lavandula angustifolia</i> 'Munstead'	Munstead Lavender	#2
	<i>Rudbeckia hirta</i> 'Goldsturm'	Goldsturm Gloriosa Daisy	#2

CANTINA COURT

Conceptual Landscape Plan

CTO ENGINEERING PLANNING URBAN DESIGN

EAG EMIL ANDERSON CONSTRUCTION (2011) INC.

0 5 15 25 METERS

7/2



CANTINA COURT Conceptual Landscape Plan

REPORT TO COUNCIL



Date: December 4, 2018

RIM No. 0940-00

To: City Manager

From: Community Planning Department (AF)

Application: DVP18-0114 **Owner:** 1119422 B.C. Ltd., Inc. No. BC1119422 & City of Kelowna

Address: 2053 Union Rd & 148 Summerhill Pl **Applicant:** Mehdi Tehrani

Subject: Development Variance Permit Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0114 for Lot M, Section 4, Township 23 ODYD, District Plan KAP56062 located at 2053 Union Road, Kelowna, BC; and Lot N, Section 4, Township 23, ODYD, Plan KAP56062 located at 148 Summerhill Place, Kelowna, BC

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted as described in the proposed Subdivision Plan in Schedule A:

Section 13.6.5(b): Urban Residential Zones

To vary lot width from 18.0 m to 13.46 m for proposed Lot A

Section 13.6.5(c): Urban Residential Zones

To vary the lot depth from 30.0 m to 29.0 m for proposed Lot A and 28.51 m for proposed Lot D

2.0 Purpose

To consider three proposed variances to facilitate a proposed 5 lot residential subdivision.

3.0 Community Planning

Community Planning supports the three proposed variances to facilitate the proposed 5 lot subdivision. Typically, staff would not support the creation of lots that do not meet the minimum subdivision requirements, however, considering the surrounding existing subdivision pattern a conventional subdivision that meets the minimum standards and maximizes the efficient development of the land is not achievable. All 5 lots meet the minimum requirements in RU6 – Two Dwelling Housing for lot area, and the variances to lot depth and width are largely due to the unconventional shape of the lot. The 5 lots are relatively similar in size and shape to many other properties in the neighbourhood.

Community Planning has worked with the applicant over the past 6 months on a number of different site iterations and configurations. The 5 proposed lots are intended to be an infill project that balances the objectives of the neighbourhood context while achieving efficient housing density.

4.0 Proposal

4.1 Background

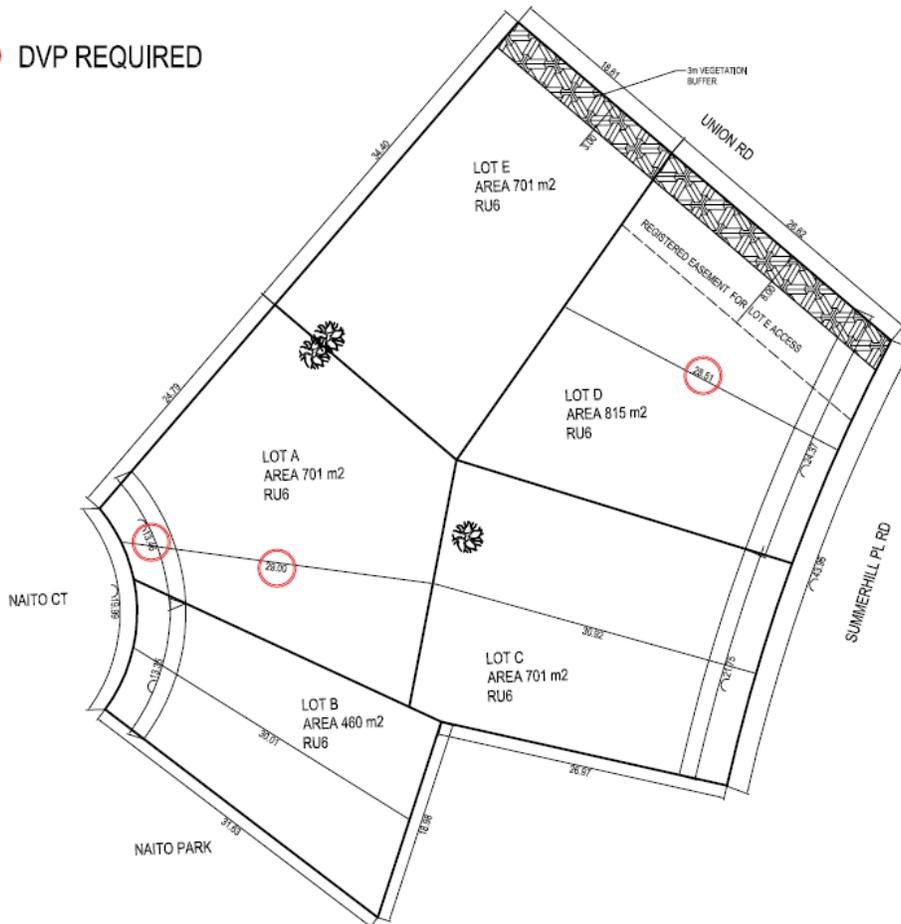
The subject property located at 2053 Union Rd currently comprises an existing one-storey single family dwelling which will need to be fully demolished and subsequently removed from the site to facilitate the proposed 5 lot subdivision. One of the subject properties located at 148 Summerhill Place is currently owned by the City of Kelowna, is being utilized as a vacant lot and will be transferred and sold the applicant should the variances be supported and the subdivision proceed.

4.2 Project Description

The applicant has proposed to vary the lot width requirement in section 13.6.5(b) in the RU6 – Two Dwelling Housing zone from 18.0 m to 13.46 m for Lot A which is identified in the proposed Subdivision Plan below. The applicant has also proposed to vary the lot depth requirement in section 13.6.5(c) from 30.0 m to 29.0 m observed for Lot A and 28.51 m for Lot D.

2053 UNION RD & 148 SUMMERHILL PL RD
PROPOSED SUBDIVISION PLAN

○ DVP REQUIRED



4.3 Site Context

The subject properties are located in the Glenmore – Clifton – Dilworth City Sector near the intersection of Glenmore Road and Union Road and adjacent to Naito Park. They are in close proximity to transit routes located along Union Road and are within walking distance to Naito Park. The surrounding neighbourhood is largely comprised of RU2 – Medium Lot Housing zoned properties. There are a number of existing RU6 – Two Dwelling Housing zoned properties within the neighbourhood. Other surrounding zones include RM1 – Four Dwelling Housing and RM2 – Low Density Row Housing.

Subject Property Map: 2053 Union and 148 Summerhill Pl



4.4 Zoning Analysis Table

Zoning Analysis Table						
CRITERIA	ZONE REQs.	Lot A	Lot B	Lot C	Lot D	Lot E
RU6 Subdivision Regulations						
Lot Area	400 m ² for single detached housing, 700 m ² for two dwelling housing, 800 m ² for two dwelling housing corner site	701 m ²	460 m ²	701 m ²	815 m ²	701 m ²
Lot Width	13.0 m for single detached housing, 18.0 m for two dwelling housing, 20.0 m for two dwelling housing corner site	13.46 m [ⓐ]	13.35 m	21.75 m	24.37 m	18.61 m
Lot Depth	30.0 m	29.0 m [ⓑ]	30.01 m	30.92 m	28.51 m [ⓒ]	34.40 m
[ⓐ] Lot width variance to Lot A [ⓑ] Lot depth variance to Lot A [ⓒ] Lot depth variance to Lot D						

Current Development Policies

4.5 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

5.0 Technical Comments

5.1 Building & Permitting Department

- No comments applicable to Development Variance Permit

5.2 Development Engineering Department

- Road and Utility upgrading requirements are outlined in our report under file S18-0046. The requested lot depth and reduced setback variances do not compromise servicing requirements.

5.3 Fire Department

- No comments applicable to Development Variance Permit

6.0 Application Chronology

Date of Application Received:	April 25, 2018
Date Public Consultation Completed:	July 30, 2018
Zoning Bylaw Final Reading:	Oct 9, 2018

Report prepared by:	Andrew Ferguson, Planner
Reviewed by:	Dean Strachan, Suburban and Rural Planning Manager
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager

Attachments:

Schedule A: Subdivision Plan

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

2053 UNION RD & 148 SUMMERHILL PL RD
 PROPOSED SUBDIVISION PLAN

DVP REQUIRED

SCHEDULE A

This forms part of application
 # DVP18-0114

Planner Initials **AF**

City of Kelowna
 COMMUNITY PLANNING

CM/C ADDRESS:
 2053 UNION RD
 148 SUMMERHILL PL

LEGAL DESCRIPTION:
 023-284-501 LOT M PLAN KAPP60062
 023-284-510 LOT N PLAN KAPP60062

PROJECT NAME:
 2053 UNION RD 5 - LOT SUBDIVISION

APPLICANT:
 1119422 BC LTD (MEHDI TEHRANI)
 (250) 777 1677

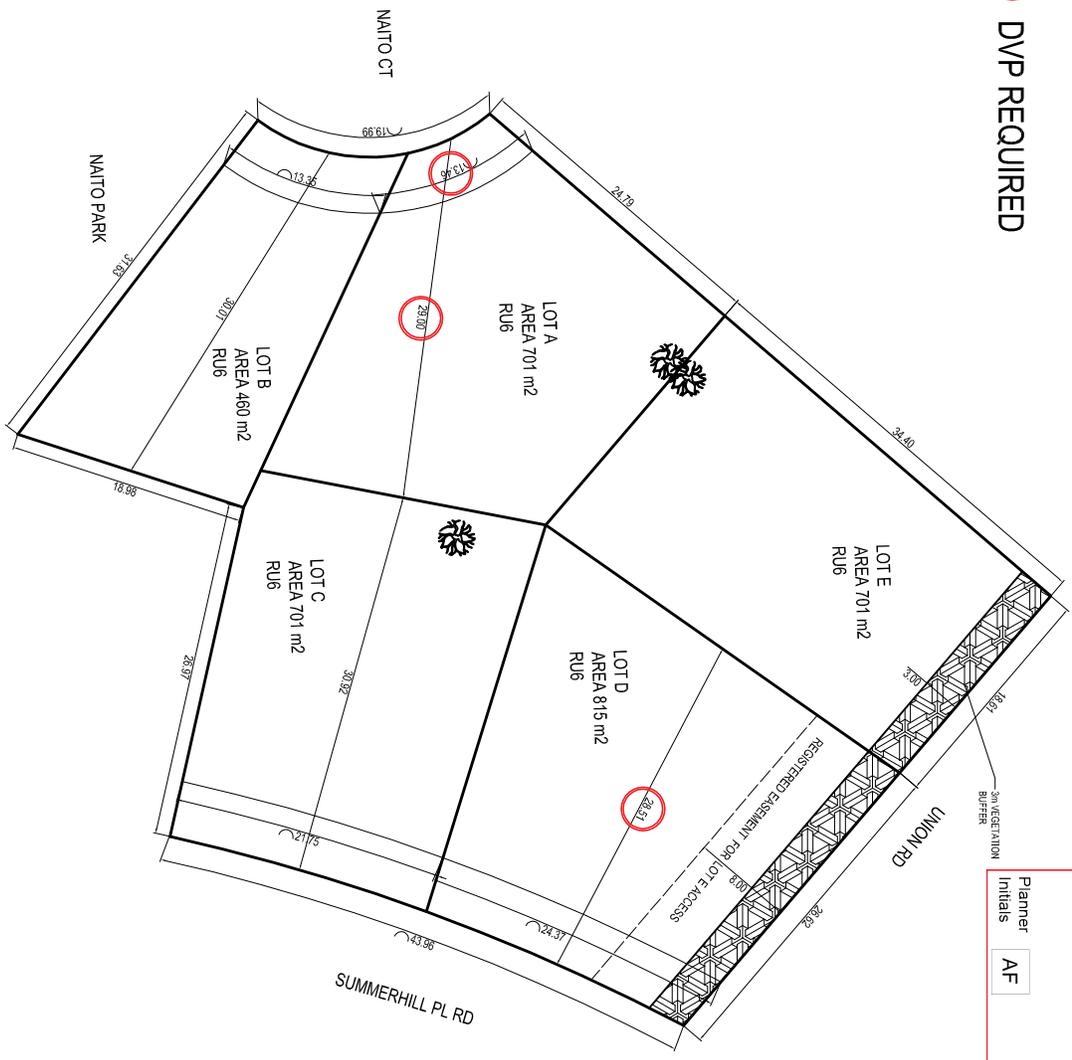
PROPOSED LOTS:
 LOT A: 701 SQ.M, RU6 ZONING
 LOT B: 480 SQ.M, RU6 ZONING
 LOT C: 701 SQ.M, RU6 ZONING
 LOT D: 815 SQ.M, RU6 ZONING
 LOT E: 701 SQ.M, RU6 ZONING

CURRENT ZONING:
 2053 UNION RD ==> A1
 148 SUMMERHILL PL ==> RU2

ZONING TABLE:

PROPOSED ZONING	PROPOSED LOTS				
	A	B	C	D	E
PROPOSED ZONING	RU6				
PROPOSED LOTS	PERMITTED				
SITE AREA (m ²)	400	701	480	701	815
LOT FRONTAGE (m)	13.00	13.46**	13.36	21.75	24.37
LOT DEPTH (m)	30.00	29.00*	30.01	30.92	28.51*
SITE COVERAGE (%)	40	38	38	38	38
SITE COVERAGE W/ DRIVEWAY (%)	50	45	45	45	45
FRONT YARD SETBACK (GARAGE TO P.L.)(m)	6.0	6.0	6.0	6.0	6.0
REAR YARD SETBACK (m) - 2 1/2 STOREY	7.5	7.5	7.5	7.5	7.5
SIDE YARD SETBACK (m) - 2 1/2 STOREY	2.3	2.3	2.3	2.3	2.3
SIDE YARD SETBACK (m) - 2 1/2 STOREY	2.3	2.3	2.3	2.3	2.3

NOTE:
 * DEVELOPMENT VARIANCE PERMIT (DVP) IS REQUIRED.
 ** MINIMUM 18m FRONTAGE IS REQUIRED FOR THE PROPOSED TWO DWELLINGS HOUSING ON LOT E.



REVISION

REV	DATE	BY	CHK	APP	DESCRIPTION

NOTES:

DRT:	
DSND:	
CHK:	
APP:	

2053 UNION RD - 5 LOT SUBDIVISION

DATE: 2018 06 14

PREPARED FOR: 1119422 BC LTD, 1084 ARBOR VIEW DR., KELOWNA, BC V1W4X1

DWG NO: 2018-04-24-UNION-001

PAGE: 1 OF 2

SCALE:

Development Variance Permit

DVP18-0114



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

2053 Union Rd and 148 Summerhill Pl

and legally known as

Lot M Section 4 Township 23 ODYD Plan KAP56062 & Lot N Section 4 Township 23 ODYD Plan KAP56062

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

Two Dwelling Housing

and that variances to the following Section of Zoning Bylaw No. 8000 be granted in general accordance with Schedule "A":

Section 13.6.5(b): Urban Residential Zones

To vary lot width from 18.0 m to 13.46 m for proposed Lot A

Section 13.6.5(c): Urban Residential Zones

To vary the lot depth from 30.0 m to 29.0 m for proposed Lot A and 28.51 m for proposed Lot D

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

Date of Decision: December 4, 2018

Decision By: City Council

Development Permit Area: N/A

This permit will not be valid if development has not commenced by December 4, 2020.

Existing Zone: RU6 – Two Dwelling 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: 1119422 B.C. Ltd., Inc No. BC1119422 & City of Kelowna

Applicant: Mehdi Tehrani

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";

This Development Permit is valid for two (2) years from the date of December 4, 2018 approval, with no opportunity to extend.

3. PERFORMANCE SECURITY

None Required

4. INDEMNIFICATION

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

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

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

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

REPORT TO COUNCIL



Date: December 4, 2018

RIM No. 0940-00

To: City Manager

From: Community Planning Department (TA)

Application: DP18-0142 & DVP18-0143 **Owner:** Boynton Developments (Kelowna) Ltd.
Inc. No. BC1118228

Address: 665 Boynton Place **Applicant:** Brook Knowles Melchin

Subject: Development Permit & Development Variance Permit

Existing OCP Designation: MRM – Multiple Unit residential (Medium Density)

Existing Zone: RM4 – Transitional Low Density Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP18-0142 and Development Variance Permit No. DVP18-0143 for Lot 5 Sections 31 and 32 Township 26 ODYD Plan KAP86216, located at 665 Boynton Place, 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 13.10.6(d): RM4 – Transitional Low Density Housing Development Regulations

To vary the required minimum front yard from 6.0 m required to 1.5 m proposed;

Section 13.10.6(e): RM4 – Transitional Low Density Housing Development Regulations

To vary the required minimum flanking side yard from 4.5 m required to 1.5 m proposed;

Section 13.10.6(f): RM4 – Transitional Low Density Housing Development Regulations]

To vary the required minimum rear yards from 9.0 m required to 7.5 m and 1.3 m 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 a multi-family development with variances to the front yard (4.5 m required to 1.5 m proposed), flanking side yard (4.5 m required to 1.4 m proposed), and rear yards (9.0 m required to 1.3 m and 7.5 m).

3.0 Community Planning

Community Planning supports the proposed Development Permit and associated variances as it is in general accordance with the Official Community Plan (OCP) Comprehensive Design Guidelines (Attachment "A"), and the variances will have minimal impact on any adjacent neighbours.

The proposed ground-oriented design achieves the following form and character objectives:

- Convey a strong sense of authenticity through urban design that is distinctive for Kelowna;
- Promote a high urban design standard and quality of construction for future development that is coordinated with existing structures;
- Integrate new development with existing site conditions and preserve the character amenities of the surrounding area;
- Promote interesting, pedestrian friendly streetscape design and pedestrian linkages;
- Incorporate architectural features and detailing of buildings and landscapes that define an area's character;
- Promote alternative transportation with enhanced streetscapes and multimodal linkages;
- Moderate urban water demand in the City so that adequate water supply is reserved for agriculture and for natural ecosystem processes.

The primary consideration of the proposed development is the quality of architectural design on the street frontages along with the ground-oriented units to create a pedestrian friendly streetscape. In order to achieve entrances along the streetscape, several variances are requested and supported by Community Planning Staff.



Figure 1: Conceptual rendering of site layout

4.0 Proposal

4.1 Background

The subject property was rezoned in the early 2000's as part of a comprehensive development plan for the area. At that time, maximum densities were registered on title for all phases of the development as part of the Knox Mountain - Kathleen Lake acquisition. Subsequently, several of the neighbouring properties have developed over the years, while this subject property has remained undeveloped.

In pre-application meetings with Staff, the applicant was given direction to design ground-oriented units facing Boynton Place and Highpointe Drive, rather than have main entrances to the units on the interior strata roads. This is consistent with other multi-family rowhouse developments, and consistent with OCP Policy for ground-oriented housing.

4.2 Project Description

The proposed development is for 120 units in rowhouse and stacked rowhouse forms. This is consistent with the unit density that was established at the time of rezoning and registered on title in 2008. There are 23 one-bedroom units and 97 two-bedroom units with 190 parking stalls in garages, structured parking, and at surface level. All parking stalls are sized Medium or Full Size and 17 visitor stalls are dispersed throughout the site.

There are two accesses to the site from Boynton Place, and all cul-de-sacs have been designed to meet Kelowna Fire Department requirements for access and turning radius. The site also features community gardens, a tot lot, and a gazebo look out area for the residents. Due to the sloping site, there are several retaining walls identified at 1.2m or less. The landscape plan includes tree plantings along both street frontages and a mix of trees and shrubs on site. Landscaping will be used to screen Molok Garbage System containers which are semi-buried into the ground and do not require fencing.



Figure 2: Conceptual rendering from Boynton Place

The units have been designed with ground-oriented entrances facing both streets to provide a pedestrian scaled streetscape as is typical of a rowhouse design. The design is a mix of contemporary style with arts and crafts details. Efforts have been made to break up wall surfaces and rooflines with changes of materials and stepped building forms. The buildings are primarily two stories with 3rd story walk outs where appropriate with the site grading. The applicant has selected a colour palette with natural wood and stone, contrasted with white trim, charcoal panels, and stucco. Heavy timber is used to support roof forms and balconies.



Figure 3: Conceptual rendering from Highpointe Drive

4.3 Variations

In pre-application meetings with Staff, the applicant was given direction to design ground-oriented units facing Boynton Place and Highpointe Drive, rather than have main entrances to the units on the interior strata roads. This is consistent with other multi-family rowhouse developments, and consistent with OCP Policy for ground-oriented housing. In order to achieve the desired streetscape, several setback variances are requested that are consistent with other rowhouse developments.

The buildings vary between two and three stories across the whole site, and therefore the variances requested apply to the three storey setback regulation as it is greater than the two and half storey setback regulation. The applicant has requested a front yard setback variance along Boynton Place from 6.0m required to 1.5m proposed. The building faces are setback 3.0m from the property line and the timber balconies project to 1.5m along this road frontage. A second variance is requested along Highpointe Drive from 4.5m required to 1.4m proposed. Similar to the front yard variance, the buildings are setback to 3.0m and the balconies project to the 1.4m. The third variance is to vary the rear yard setback (east) along the storm water retention pond from 9.0m required to 1.3m requested. Again, the buildings are setback to 3.0m with balconies projecting to 1.3m. All of these variances contribute to a positive streetscape by orienting the entrances and fronts of buildings to the public areas rather than to the internal strata road. The variances will have minimal impact as they do not impact adjacent neighbours.

The final variance is to the rear yard setback (east) along the neighbouring townhome development known as Winsome Hill. The regulations for a rear yard setback in the RM4 zone is a 7.5m setback for portions of a

building under two and a half storeys, and 9.0m for portions of a building 3 storeys or higher. Due to the sloping site, portions of the buildings are two storeys and portions of the buildings are three stories. The applicant has requested a setback variance to 7.5m along this property line to be consistent with the portions of the buildings that are two storeys. This variance will have minimal impact on the adjacent neighbours as it is primarily the sides of the buildings that face this property line with minimal windows and no balconies directed toward the property line.

4.4 Site Context

The subject property is located in Glenmore-Clifton-Dilworth City Sector, on the west side of Clifton Road. It is located in a phased development at the base of Knox Mountain and is adjacent to a similar rowhouse development known as Winsome Hill.

Subject Property Map: 665 Boynton Place



4.5 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM4 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Floor Area Ratio	0.85	0.82
Site Coverage (buildings)	50%	34.7%
Site Coverage (including buildings, driveways, and parking areas)	60%	60%
Height	13.0 m / 3 storeys	10.0 m – 12.0 m / 2 – 3 storeys
Front Yard – Boynton Pl (west)	6.0 m	1.5 m to balconies ①

Flanking Side Yard – Highpointe Dr (south)	4.5 m	1.4 m to balconies ❷
Rear Yard – Retention Pond (east)	9.0 m	1.3 m to balconies ❸
Rear Yard – Adjacent Property (east)	9.0 m	7.5 m ❹
Side Yard – Adjacent Property (north)	2.3 m	2.3 m
Other Regulations		
Minimum Parking Requirements	1.5 / 2 bedroom = 137 stalls 1.25 / 1 bedroom = 36 stalls 1 / 7 unit visitor = 17 stalls Total: 190 stalls	190 stalls
Parking Stall Ratio	Medium Maximum: 50% Full Size Minimum: 50%	Medium: 5% (10 stalls) Full Size: 95% (180 stalls)
Private Open Space	15.0 m ² per 1 bedroom 25.0 m ² per 2 bedroom Total: 2710 m²	5283 m ² (including balconies, patios, and common areas)
❶ Indicates a requested variance to front yard setback from 6.0 m required to 1.5 m proposed. ❷ Indicates a requested variance to flanking street setback from 4.5 m required to 1.4 m proposed. ❸ Indicates a requested variance to rear yard setback from 9.0 m required to 1.3 m proposed. ❹ Indicates a requested variance to rear yard setback from 9.0 m required to 7.5 m proposed.		

5.0 Application Chronology

Date of Application Received: June 19, 2018
 Date Public Consultation Completed: August 24, 2018
 Date of Revised Drawings Received: September 20, 2018

Report prepared by: Trisa Atwood, Planner II

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

- Attachment "A": Comprehensive Development Permit Design Guidelines
- Attachment "B": Applicant's Letter of Rationale
- DRAFT Development Permit No. DP18-0142 & Development Variance Permit No. DVP18-0143
- Schedule "A": Siting and Dimensions
- Schedule "B": Elevations and Materials
- Schedule "B": Landscape Plan

ATTACHMENT "A": DEVELOPMENT PERMIT GUIDELINES

Comprehensive Development Permit Area

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

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

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

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

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Do parking lots have one shade tree per four parking stalls?			✓
Does the Landscape Architect's Landscape Water Conservation Report:	-	-	-
<ul style="list-style-type: none"> Meet the requirements for Landscape Water Budget calculations for the landscaped area? 	✓		
<ul style="list-style-type: none"> Indicate how the development complies with or varies from the Landscape Water Conservation Guidelines? 	✓		
<i>Landscape Water Conservation Guidelines</i>			
Are plants grouped into "hydro-zones" of high, medium and low or unirrigated / unwatered areas?	✓		
Does at least 25% of the total landscaped area require no irrigation / watering?	✓		
Does at least 25% of the total landscaped area require low water use?	✓		
Does at most 50% of the total landscaped area require medium or high water use?	✓		
Is mulch cover provided for shrubs and groundcover to reduce soil evaporation?	✓		
Do water features such as pools and fountains use recirculated water systems?			✓
Do landscape installation standards meet the requirements of the BC Landscape Standard and / or the Master Municipal Construction Document?	✓		
Are the required written declarations signed by a qualified Landscape Architect?	✓		
<i>Irrigation System Guidelines</i>			
Is the Irrigation Plan prepared by a Qualified Professional?			✓
Are irrigation circuits grouped into "hydro-zones" of high, medium and low or unirrigated / unwatered areas consistent with the landscaping plan?			✓
Is drip or low volume irrigation used?			✓
Are the required written declarations signed by a qualified Certified Irrigation Designer?			✓
Crime prevention			
Are CPTED practices as related to landscaping, siting, form and exterior design included in the design?	✓		
Are building materials vandalism resistant?	✓		
Universal Accessible Design			
Is access for persons with disabilities integrated into the overall site plan and clearly visible from the principal entrance?			✓
Are the site layout, services and amenities easy to understand and navigate?			✓
Lakeside Development			
Are lakeside open spaces provided or enhanced?			✓

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



Project Rational for Boynton Place Condos June 13, 2019

Attached is a DP submission for the Boynton proposal that makes a significant effort to respond to the concerns highlighted in previous communications.

- 1. SITE ENTRIES and Internal Roads-** The number of site entries has been reduced from 4 to 2. The 3 fingers or cul-de-sacs in the road on the lower area have not been connected into loops due to the 10% plus grades along the east property line. To join these would require significant regrading and would lower the unit count on the project. These cul-de-sacs are all less than 110 meters in length. Road widths are at 6 meters with a minimum building separation of 7 meters at garage entries and 9 plus meters at building faces.
- 2. SITE GRADING** This layout respects existing site grading and will involve minimal regrading challenges. Maximum road slope is 6%. There will be a few retaining walls which are identified on the grading plan. Most retaining walls are at 1.2 meters height with exceptions where stairs are needed.
- 2. STREET ORIENTATION and SETBACKS** All units at the street edge have been oriented with front doors facing the streets. The building face set back is 3 meters from the property line. In the case of the stacked townhouses there are balconies which would encroach this 3 meters to be 1.5 meters from property line. Unit type A can have either their front doors facing the street as shown or between the garages as identified on the site plan. For unit type B the front entry is on second level. There is also a secondary entry beside the garage door on the lowest level. On the stacked units (C and D) the lowest level has their front doors facing the street or on the walk outside of the building. The reduced setback sought as a relaxation on the street edges and edge facing the storm pond are consistent with normal design intent for townhouses facing streets. Courtyard and fence development is proposed as shown in the landscape plan. The buildings present themselves as 2 story buildings keeping an intimate scale along Boynton. On Highpointe Dr there is a larger 4.5M space from back of curb to property line. These buildings step back at the second floor mitigating the 3 floor presentation on the street. Timber Balconies further break down the massing providing a softening of the expression. The rear setback of 7.5 meters facing the adjoining condominium meets bylaw requirements.
- 3. PARKING** The site layout achieves the number of stalls required by the bylaw and is resolved with a blend of solutions. The shapes of the roads have been aligned to minimize sight lines of surface stalls and to create a more interesting series of clusters. 42 surface stalls are provided representing a quarter of the total stalls. Many of these will function as visitor parking. Five of these are medium size stalls, 3 are tandem stalls and 4 are stalls for handicapped. Dedicated garages provide 91 stalls that service 62 of the units with a mix of single and double car garages. It is assumed that each garage can qualify for 1 bike stall in addition to the cars. Structured parking is located under block 7 and 8 providing 35 stalls and 9 class 1 bike stalls. This structure is completely

underground on the uphill side and projects beyond the building footprint into the side yard. The down hill side is open and provides for at grade access to the site. 22 carport stalls are placed to break up the garages on unit types C/D and provide access to unit front doors. Access to surface parking on the internal street and the parking structure is by exterior paths between the building blocks linking street facing units to parking internal to the site.

4. **AMENITY AREAS-** Three amenity areas are proposed.
 - a. A gazebo / quiet sitting area at the bottom of the site where the prominent view is located over the storm pond and overlooking the valley.
 - b. A tot lot is located in the centre of the site.
 - c. A community garden plot is located along the side of the site
5. **DENSITY** The proposed density achieves the 120 units maximum stipulated on title. The decision was made to add the parking structure to increase density to a more appropriate level and to reduce the number of surface parking stalls.
6. **UNIT MIX** As a follow up to comments to provide a greater variety of unit sizes 1/3 of the stacked town house units have been increased in area by approximately 300sf each from previous unit areas.
8. **ARCHITECTURE** – The design is a mix of contemporary style with arts and crafts details. Efforts have been made to break up wall surfaces with changes of material, stepping in building and breaking up of roof lines. The stacked unit (A – B) which is prominent on the site incorporates stepping on the top floor to soften the presentation. Block sizes are modest to create an attractive street scape and facilitate slope adaptive design. The color pallet has natural wood and stone contrasted with white trim, charcoal panels and light light grey stucco. Retaining walls will match the charcoal color panels with joint lines details to blend with buildings. The repeating pitched roofs with black asphalt roof tiles is both contemporary and traditional in character. This expression is broken up with horizontal low slope roof projections supported by heavy timber beams. This pattern of roof shapes repeats and softens the modernist expression to be a blend with natural materials and clean dark and white accents.
9. **SITE LIGHTING** – Lighting is achieved with soffit pot lights. Pot lights that are located on the internal roads will be controlled by timer/light meter and will not be controllable from the units. Other pot lights at unit entries not needed for general lighting will be controlled by the units. Two of the garbage areas require additional light to be provided by either a wall mount light and an 8 ft 2.4 meter post with a down light cutoff fixture.
10. **SITE SIGNAGE-** there will be two entry signs. One at each site entry.

Development Permit &
Development Variance Permit
DP18-0142 & DVP18-0143



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

665 Boynton Place

and legally known as

Lot 5 Sections 31 and 32 Township 26 ODYD Plan KAP86216

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

Multi-Family Rowhouse and Stacked Rowhouse

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

Date of Decision: December 4, 2018

Decision By: Mayor and Council

Issued Date:

This permit will not be valid if development has not commenced by December 4, 2020.

Existing Zone: RM4 Future Land Use Designation: MRM

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: Boynton Developments (Kelowna) Ltd. Inc. No. BC1118228

Applicant: Brook Knowles Melchin

Ryan Smith
Community Planning Department Manager
Community Planning & Strategic Investments

Date

1. SCOPE OF APPROVAL

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

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

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

2. CONDITIONS OF APPROVAL

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

This Development Permit is valid for two (2) years from the date of December 5, 2017 approval, with no opportunity to extend.

3. PERFORMANCE SECURITY

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

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

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

5. 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.**

SCHEDULE

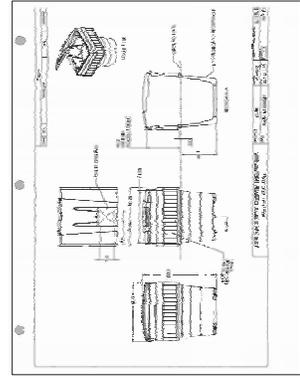
A

This forms part of application
DP18-0142 DVP18-0142

Planner Initials **TA**



LEGEND	
○	STANDARD ROOM POST FOUND
○	STANDARD ROOM POST SET
○	POST-SET LOCKED OR UNLOCKED FOUND
○	UNIT ENTRY
○	LAMP
○	FIRE HYDRANT
○	#2 POST LED DOWNLIGHT FUTURE
○	EXTERIOR WALL MOUNTED LED FUTURE
○	EXTERIOR LED SPORT LIGHT FUTURE - SEASONAL SENSOR CONTROLLED



CUBE
The National Association of Architects and Planners

The Promontory - Kelowna
888 BOYNTON PLACE UNIT 1010 SECT 18 2018/010 PLAN KAP89216
DEVELOPMENT PERMIT APPLICATION

Riddell Architect LTD
 1110 7 St SW, Calgary
 403.266.2100
The Promontory - Kelowna
 888 BOYNTON PLACE UNIT 1010 SECT 18 2018/010 PLAN KAP89216
DEVELOPMENT PERMIT APPLICATION
PROMONTORY DEVELOPMENTS INC.
 DP REVISION #2 - 20 SEPTEMBER, 2018
 SCALE
A-2
 DATE: 9 / 20 / 2018

SCHEDULE

This forms part of application
DP18-0142 DVP18-0142

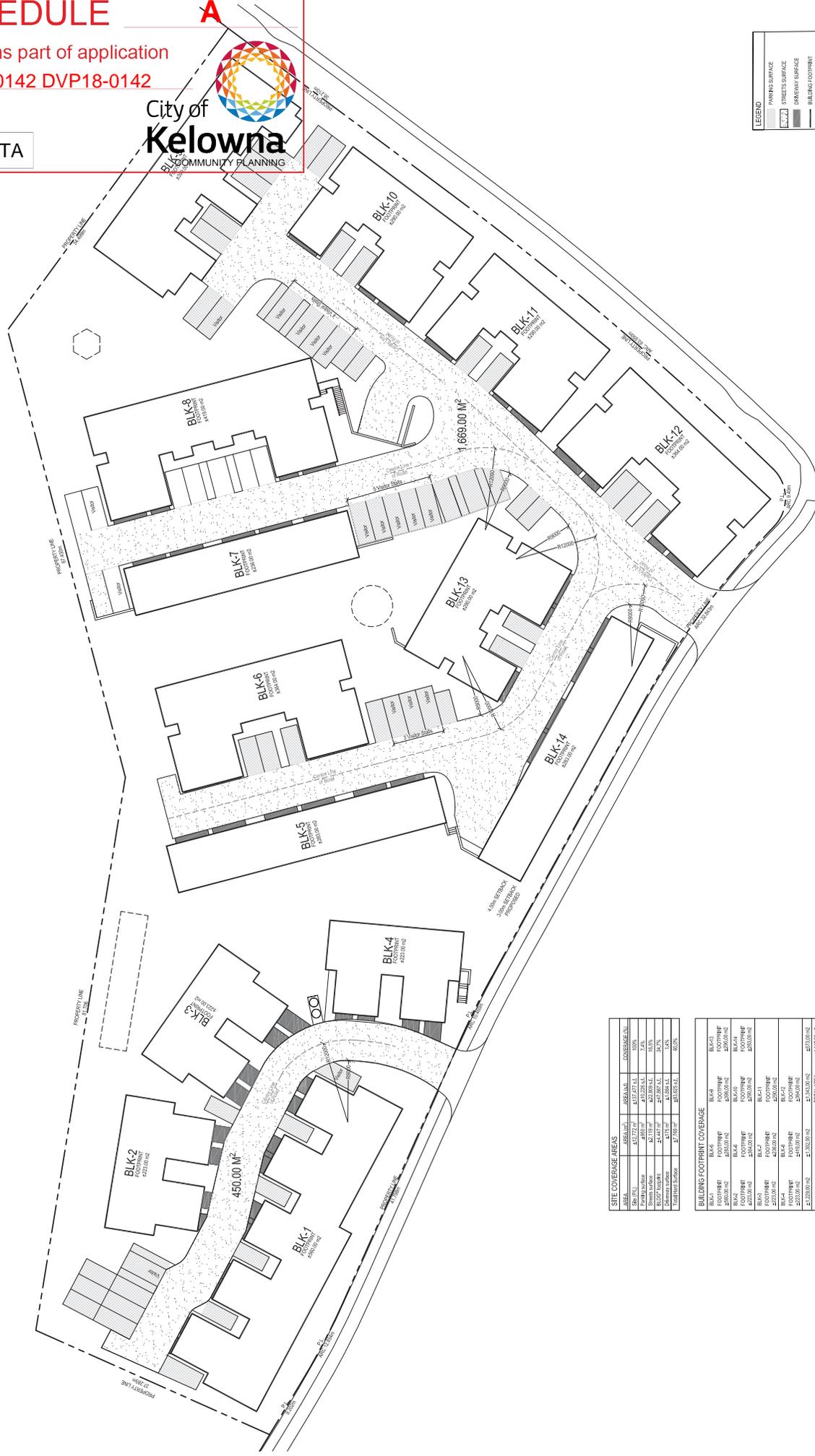
Planner Initials **TA**



A

LEGEND

[Pattern]	PARKING SURFACE
[Pattern]	STREETS SURFACE
[Pattern]	ALLEYWAY SURFACE
[Pattern]	BUILDING FOOTPRINT



SITE COVERAGE AREAS

BLK	AREA (M²)	PERCENTAGE (%)
BLK-1	450.00	26.96
BLK-2	450.00	26.96
BLK-3	450.00	26.96
BLK-4	450.00	26.96
BLK-5	450.00	26.96
BLK-6	450.00	26.96
BLK-7	450.00	26.96
BLK-8	450.00	26.96
BLK-9	450.00	26.96
BLK-10	450.00	26.96
BLK-11	450.00	26.96
BLK-12	450.00	26.96
BLK-13	450.00	26.96
BLK-14	450.00	26.96
TOTAL AREA	1,669.00	100.00

BUILDING FOOTPRINT COVERAGE

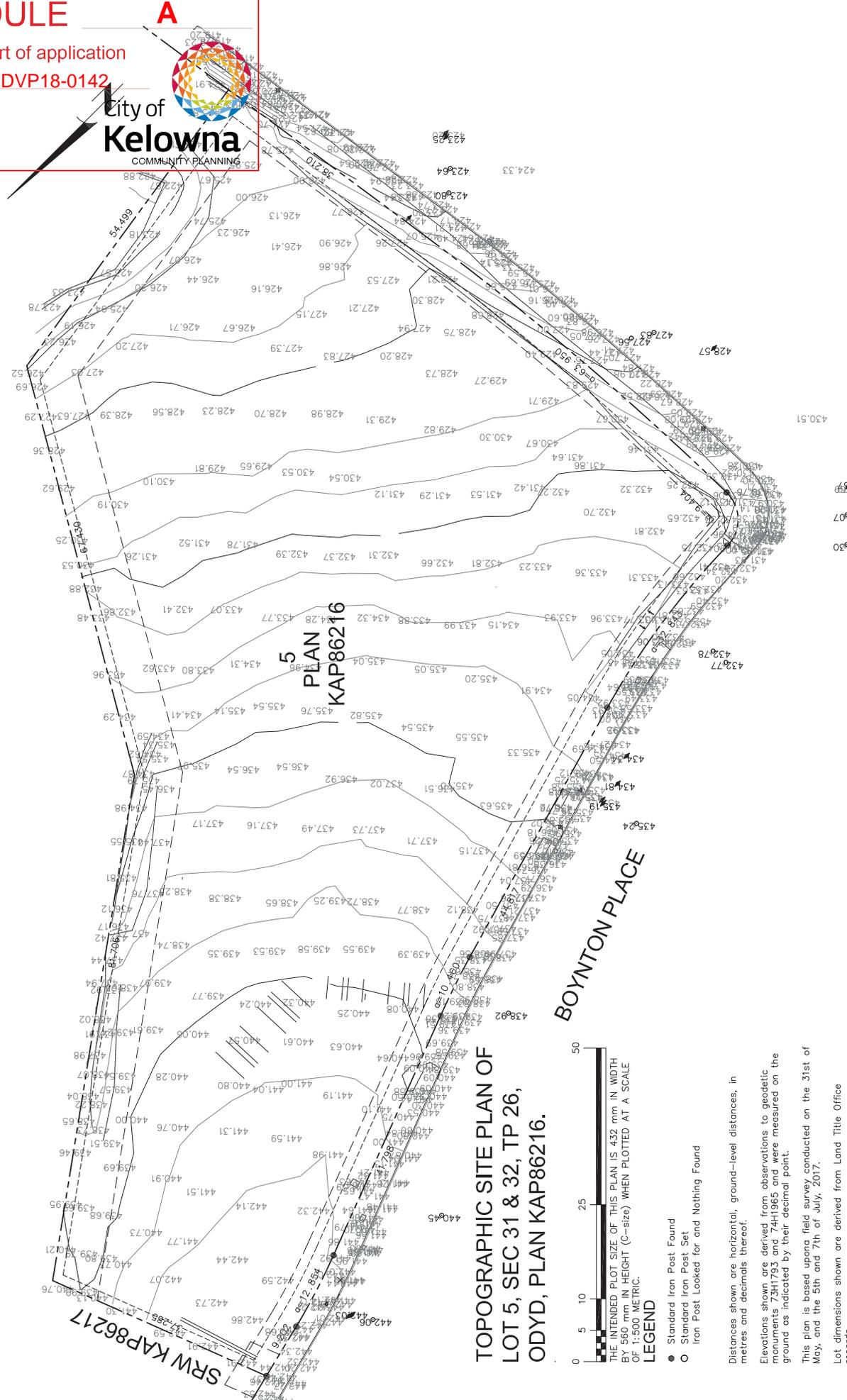
BLK	AREA (M²)	PERCENTAGE (%)
BLK-1	450.00	26.96
BLK-2	450.00	26.96
BLK-3	450.00	26.96
BLK-4	450.00	26.96
BLK-5	450.00	26.96
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BLK-7	450.00	26.96
BLK-8	450.00	26.96
BLK-9	450.00	26.96
BLK-10	450.00	26.96
BLK-11	450.00	26.96
BLK-12	450.00	26.96
BLK-13	450.00	26.96
BLK-14	450.00	26.96
TOTAL AREA	1,669.00	100.00

SCHEDULE

A

This forms part of application
DP18-0142 DVP18-0142

Planner Initials
TA



TOPOGRAPHIC SITE PLAN OF LOT 5, SEC 31 & 32, TP 26, ODYD, PLAN KAP86216.

THE INTENDED PLOT SIZE OF THIS PLAN IS 432 mm IN WIDTH BY 560 mm IN HEIGHT (C-size) WHEN PLOTTED AT A SCALE OF 1:500 METRIC.

LEGEND

- Standard Iron Post Found
 - Standard Iron Post Set
 - Iron Post Looked for and Nothing Found
- Distances shown are horizontal, ground-level distances, in metres and decimals thereof.
- Elevations shown are derived from observations to geodetic monuments 73H1793 and 74H1965 and were measured on the ground as indicated by their decimal point.
- This plan is based upon a field survey conducted on the 31st of May, and the 5th and 7th of July, 2017.
- Lot dimensions shown are derived from Land Title Office records.

SCHEDULE

A

This forms part of application
 # DP18-0142 DVP18-0142

Planner Initials
 TA



Scale 1cm = 2.5M or reduced @ 1 cm = 5M
 DATE: 9/20/2018

DP REVISION #2 20 SEPT 2018

SITE GRADING PLAN
 PROMONTORY DEVELOPMENTS INC

DEVELOPMENT PERMIT APPLICATION
 KELLOWNA
 LOT 5, SEC 31 & 32, T26, ODD PLAN KAP8216

Riddell Architect LTD
 1191 St. SW, Calgary Alberta
 403.266.2100

Note: This grading plan provides guidance for the full civil grading and drainage plan to be prepared for Building Permit.

SCHEDULE B

This forms part of application
DP18-0142 DVP18-0143



City of Kelowna
COMMUNITY PLANNING

Planner Initials
TA



Renderings are close representations of building colors, finishes, massing and positioning. The grading shown is limited in its precise refinement and is approximate at specific locations but the overall grades and height relationships of buildings are accurate. Landscaping details are not represented and must be correlated with the landscape plan. The Landscape plan governs all areas of discrepancy.



MATERIALS:

1. stone - at entries -
2. charcoal hardi panel
3. charcoal hardi siding
4. charcoal metal clad window frames with charcoal 4 inch window casing
5. white vinyl windows with charcoal or white 4 inch window casing
6. vertical wood panels
7. white aluminum fascia, gutters soffit, batton trims
8. charcoal / black textured 25 year shingles
9. wood entry column
10. light warm grey stucco
11. railings black metal, with glass inserts
12. entry doors - either black or natural wood grain
13. garage doors - charcoal or wood grain

Riddell Architect LTD
1119, 1 St SW, Calgary Alberta
403-266-2100

The Promontory - KELOWNA
666 BOYNTON PLACE LOT 5, SEC 31 & 32, TP26, ODDY, PLAN KAP86216
DEVELOPMENT PERMIT APPLICATION

SITE OVERVIEW
PROMONTORY DEVELOPMENTS INC DP REVISION #2 20 SEPT 2018

17-4239

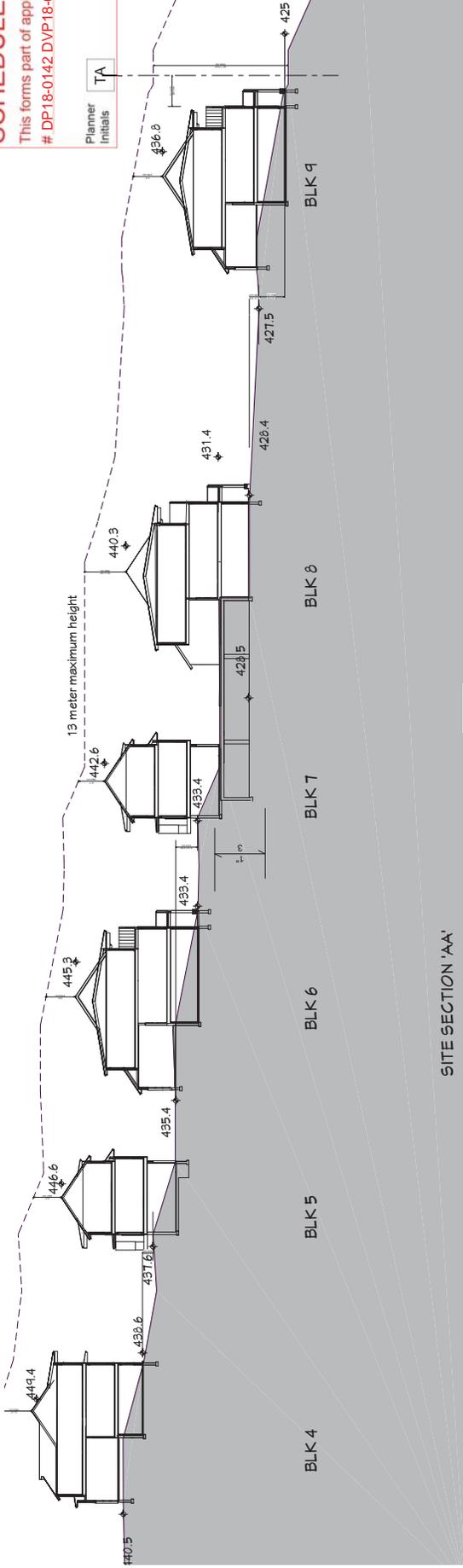
A-6
DATE: 9/20/2018

SCHEDULE B

This forms part of application
DP18-0142, DVP18-0143



Planner Initials
TA



SITE SECTION 'AA'

Site Section



VIEW FROM WEST ON BOYNTON ROAD



VIEWS DOWN FROM BOYNTON TO HIGHPOINT DRIVE SHOWING HOMES ACROSS THE STREET.



VIEWS ACROSS BOYNTON

Riddell Architect LTD
1131 St SW, Calgary Alberta
403.266.2100

The Promontory - KELOWNA
665 BOYNTON PLACE LOT 5, SEC 31 & 32, TP26, ODDY, PLAN KAP8216
DEVELOPMENT PERMIT APPLICATION

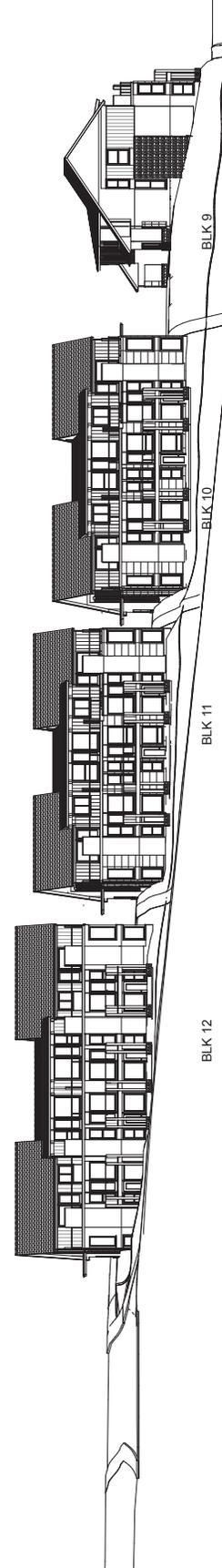
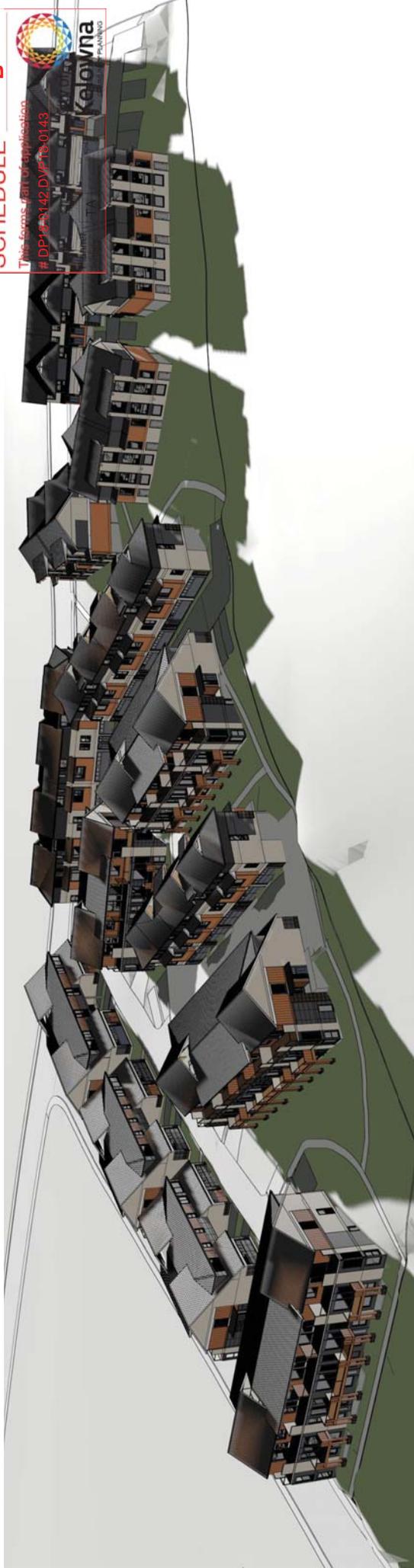
PHOTOS
PROMONTORY DEVELOPMENTS INC DP REVISION #2 20 SEPT 2018

17-4239

A-7
DATE: 9/20/2018

SCHEDULE B

This forms part of application # DP18-3142-DV/FB-0143



BLK 9
BLK 10
BLK 11
BLK 12

HIGHPOINT DRIVE ELEVATION

The Promontory - KELOWNA
665 BOYNTON PLACE LOT 5 SEC 31 & 32 TP26 QD YD PLAN KAP8216
DEVELOPMENT PERMIT APPLICATION

Riddell Architect LTD
1113 1 St SW, Calgary Alberta
403-266-2100

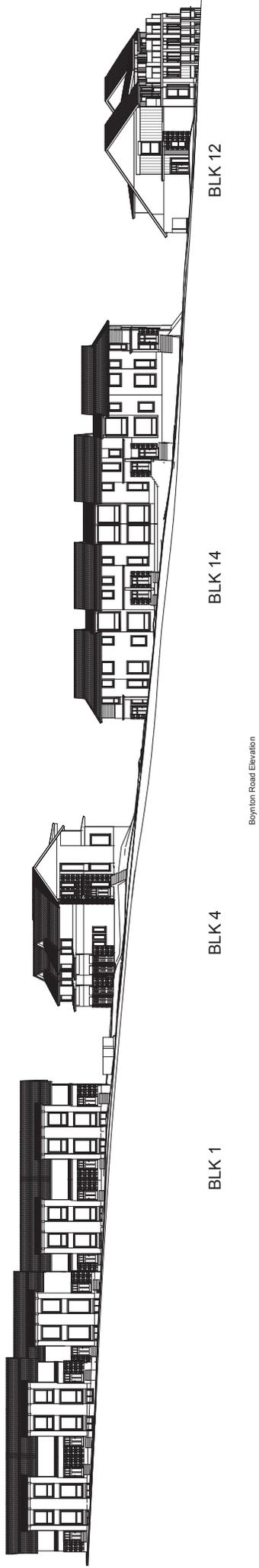
17-4239
DATE: 9/20/2018

DPREVISION #2 20 SEPT 2018

SCHEDULE B

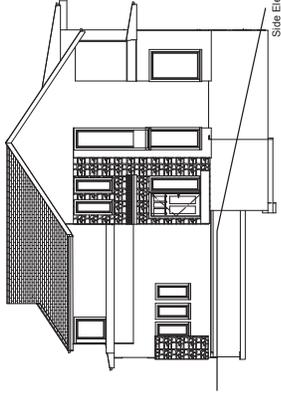
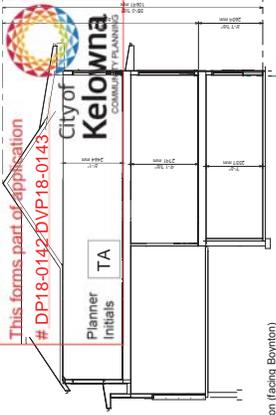
This forms part of application
DP18-0142 DVP18-0143

Planner Initials
TA

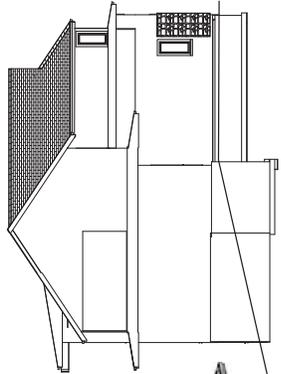


SCHEDULE B

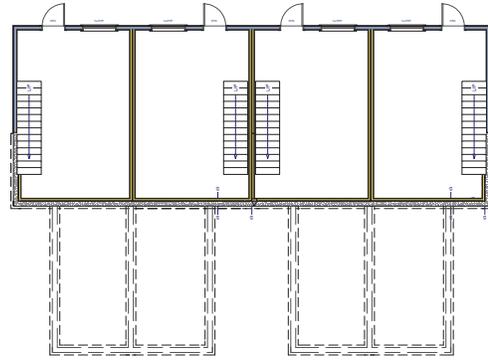
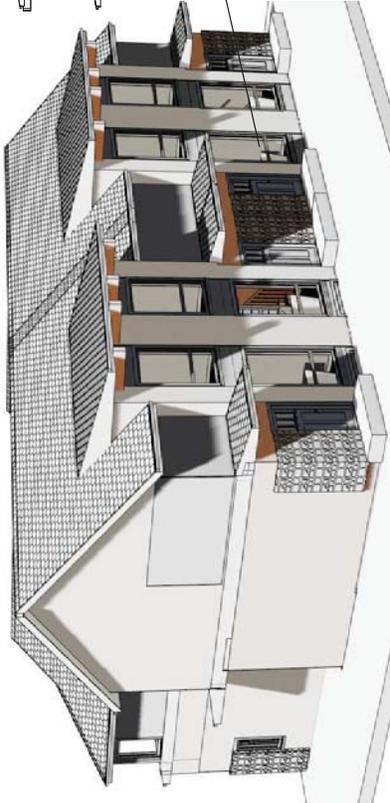
This forms part of application
DP-18-0142-DVP-18-0143



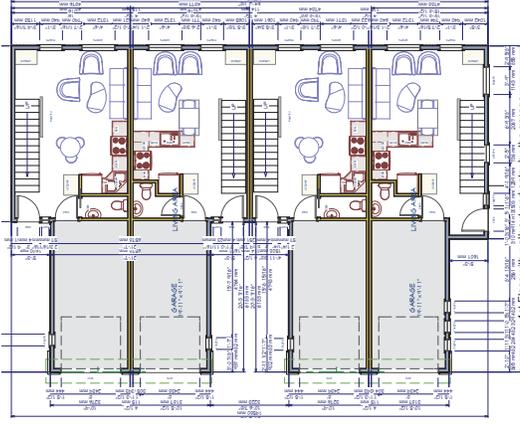
Side Elevation (facing Boynton)



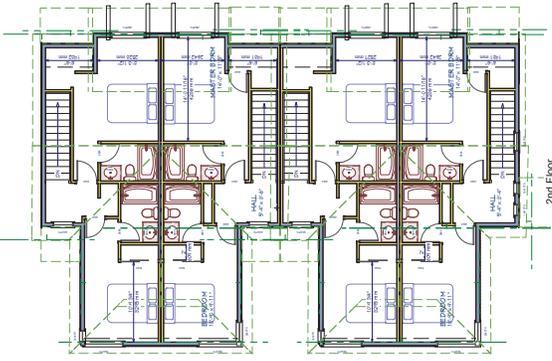
Elevation 4



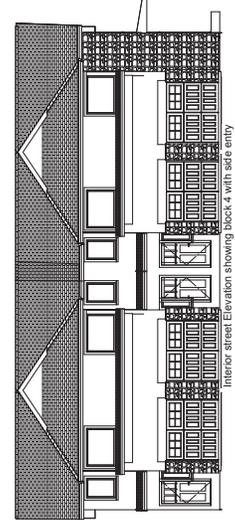
Walk out or basement



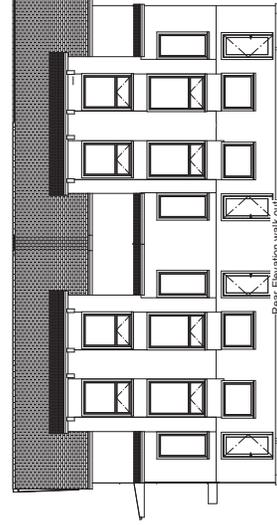
1st Floor with walk out and entry by the garage



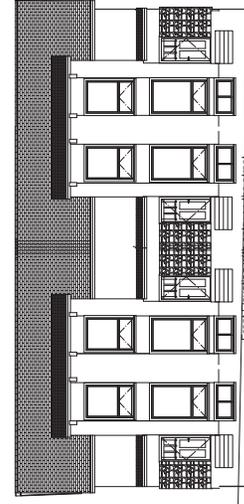
2nd Floor



Interior street Elevation showing block 4 with safe entry



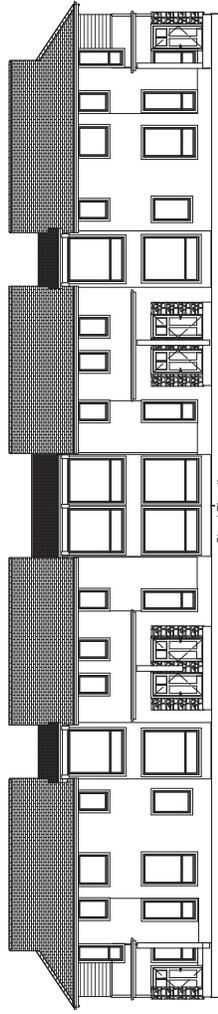
Rear Elevation walk out



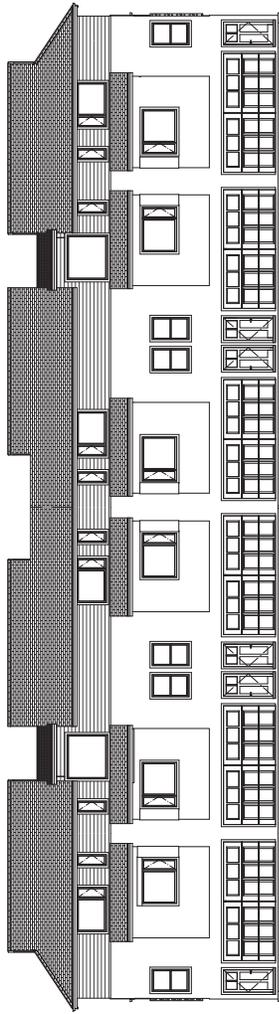
Front Elevation with entry on the street

SCHEDULE B

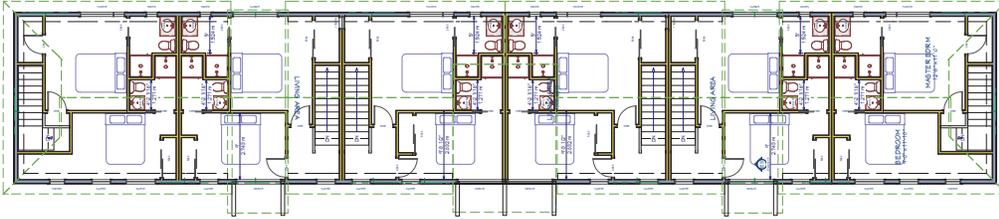
This forms part of application
DP-18-0142 DVP18-0143



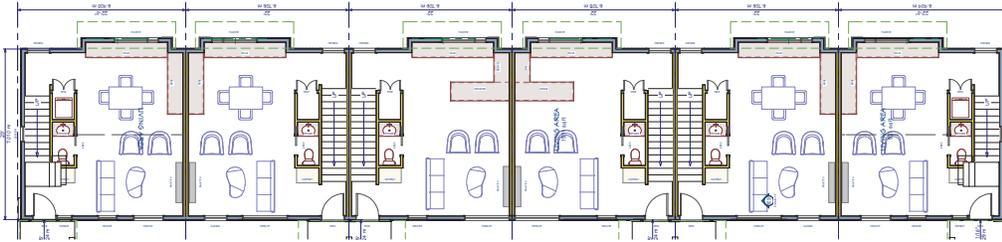
Street Elevation



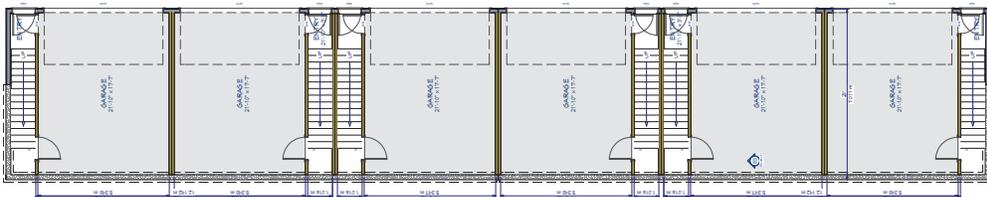
Rear Elevation



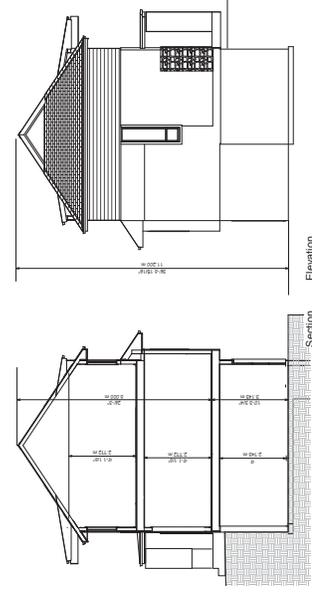
2nd Floor



1st Floor



Basement Garage



Elevation

Section

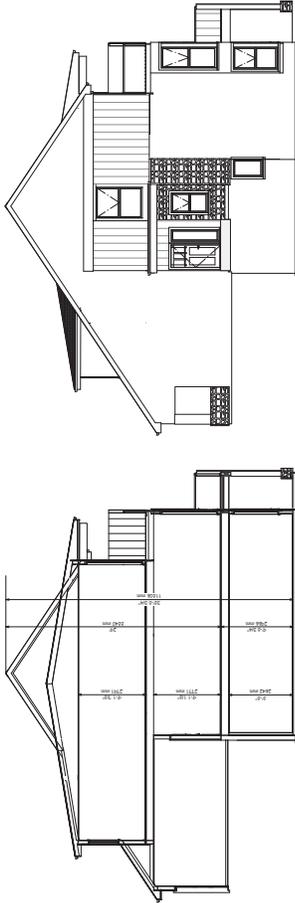
UNIT TYPE B 1030SF 2 BEDROOMS 2.5 BATHS DOUBLE GARAGE
 PROMINENT DEVELOPMENTS INC DP REVISION #2 20 SEPT 2018
 Scale 1cm = 1M or reduced @ 1 cm = 2M
 DATE: 9/20/2018
 17-4239

The Promontory - KELOWNA
 665 BOYNTON PLACE LOT 5 SEC 31 & 32 TP26 ODDY PLAN KAP8216
 DEVELOPMENT PERMIT APPLICATION

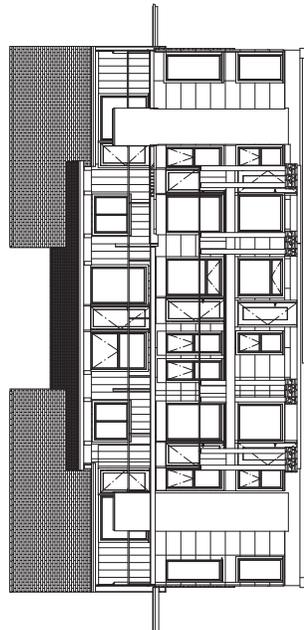
Riddell Architect LTD
 1431 St. SW, Calgary Alberta
 403.266.2100

SCHEDULE B

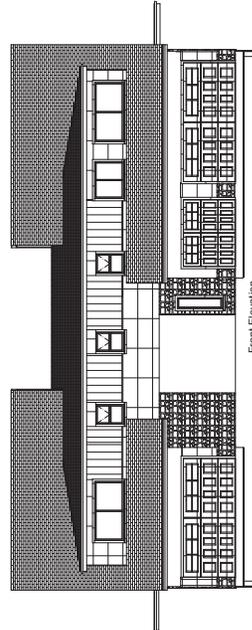
This forms part of application
DP-18-0142 DVP18-0143



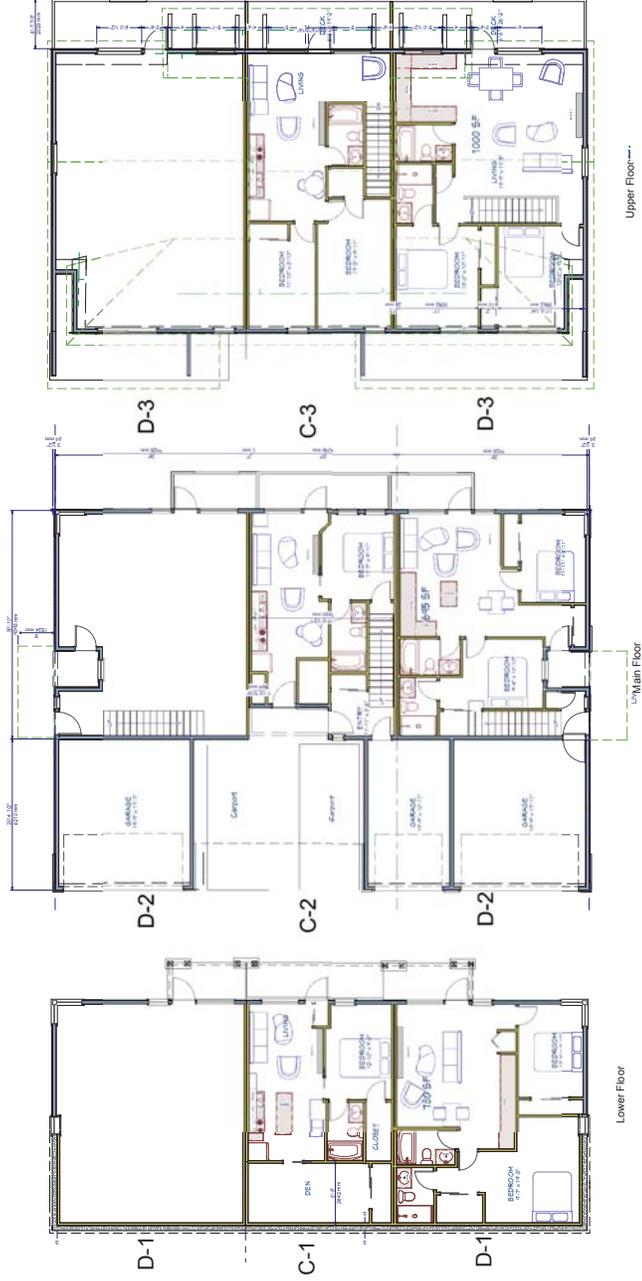
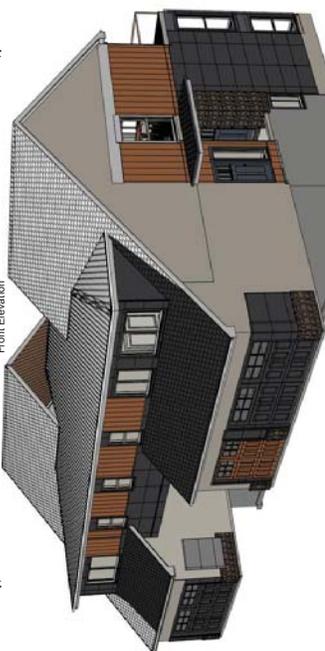
SECTION
SIDE ELEVATION



Street Elevation



Front Elevation



Lower Floor

Upper Floor

Riddell Architect LTD
1119 1 St SW, Calgary Alberta
403-266-2100

The Promontory Development Kelowna
665 BOYNTON PLACE LOT 5 SEC 31 & 32 TP26 ODD PLAN KAP8216
DEVELOPMENT PERMIT APPLICATION

UNIT TYPE C - D typical 9 UNIT BLK
PROMONTORY DEVELOPMENTS INC DP REVISION #2 20 SEPT 2018

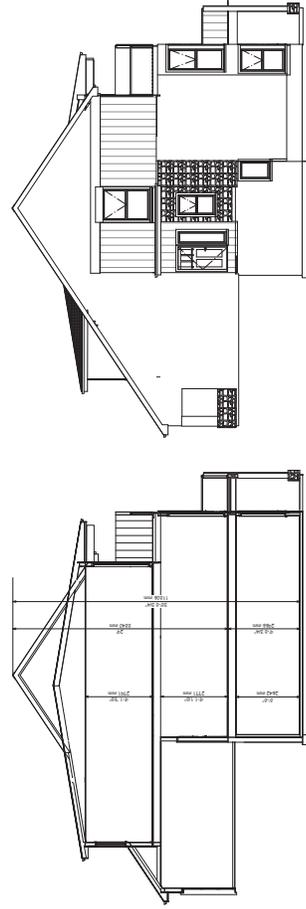
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17-4239 DATE: 9/20/2018

SCHEDULE B

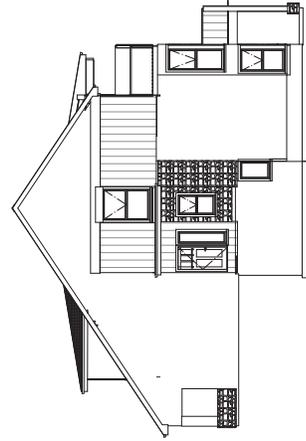
This forms part of application
DP18-0142, DVP18-0143



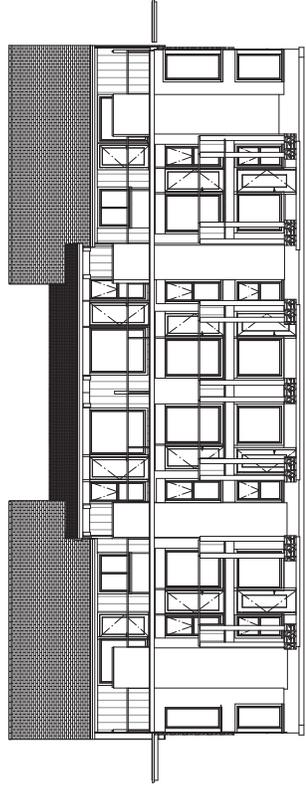
Planner Initials TA



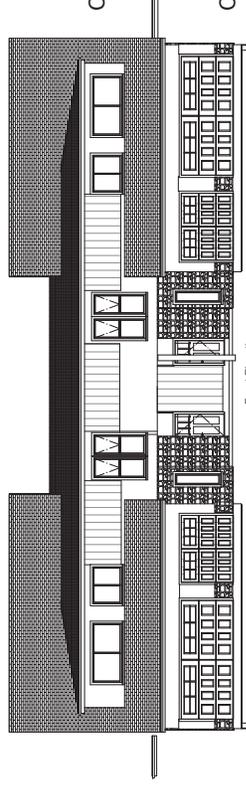
SECTION



SIDE ELEVATION



Rear Elevation



Front Elevation



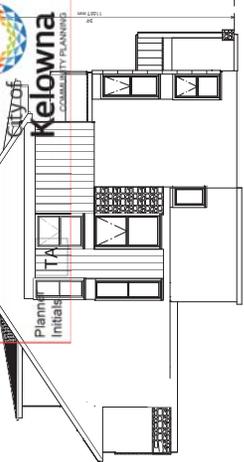
LOWER LEVEL

MAIN FLOOR

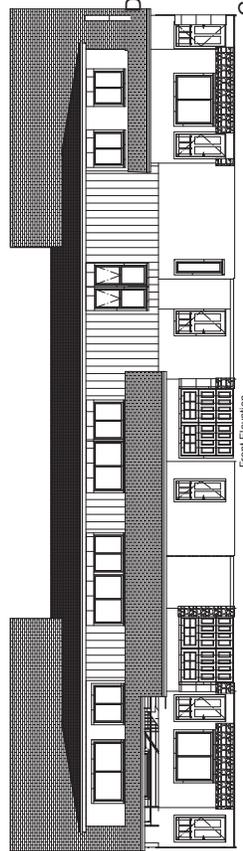
UPPER FLOOR

SCHEDULE B

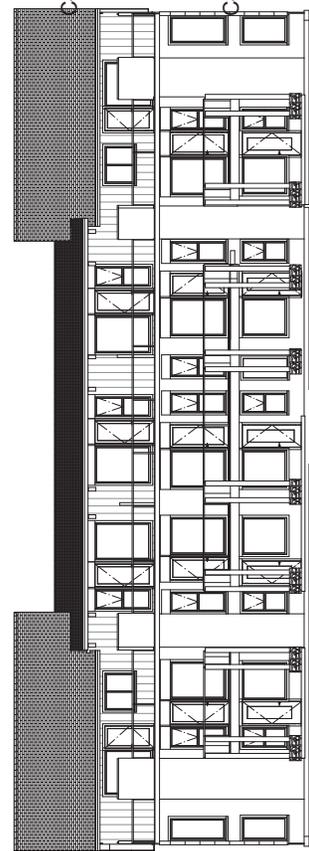
This form is part of application
 # DVP-18-0142 DVP-18-0143



Side Elevation



Front Elevation



Park Elevation



Lower Floor

Main Floor

Upper Floor

Riddell Architect LTD
 1431 St SW, Calgary Alberta
 403.266.2100

The Promontory - KELOWNA
 665 BOYNTON PLACE LOT 5 SEC 31 & 32 TP26 ODD PLAN KAP8216
DEVELOPMENT PERMIT APPLICATION

UNIT TYPE C - D BLK 9 - 15 UNITS
 PROMONTORY DEVELOPMENTS INC D/P REVISION #2 20 SEPT 2018

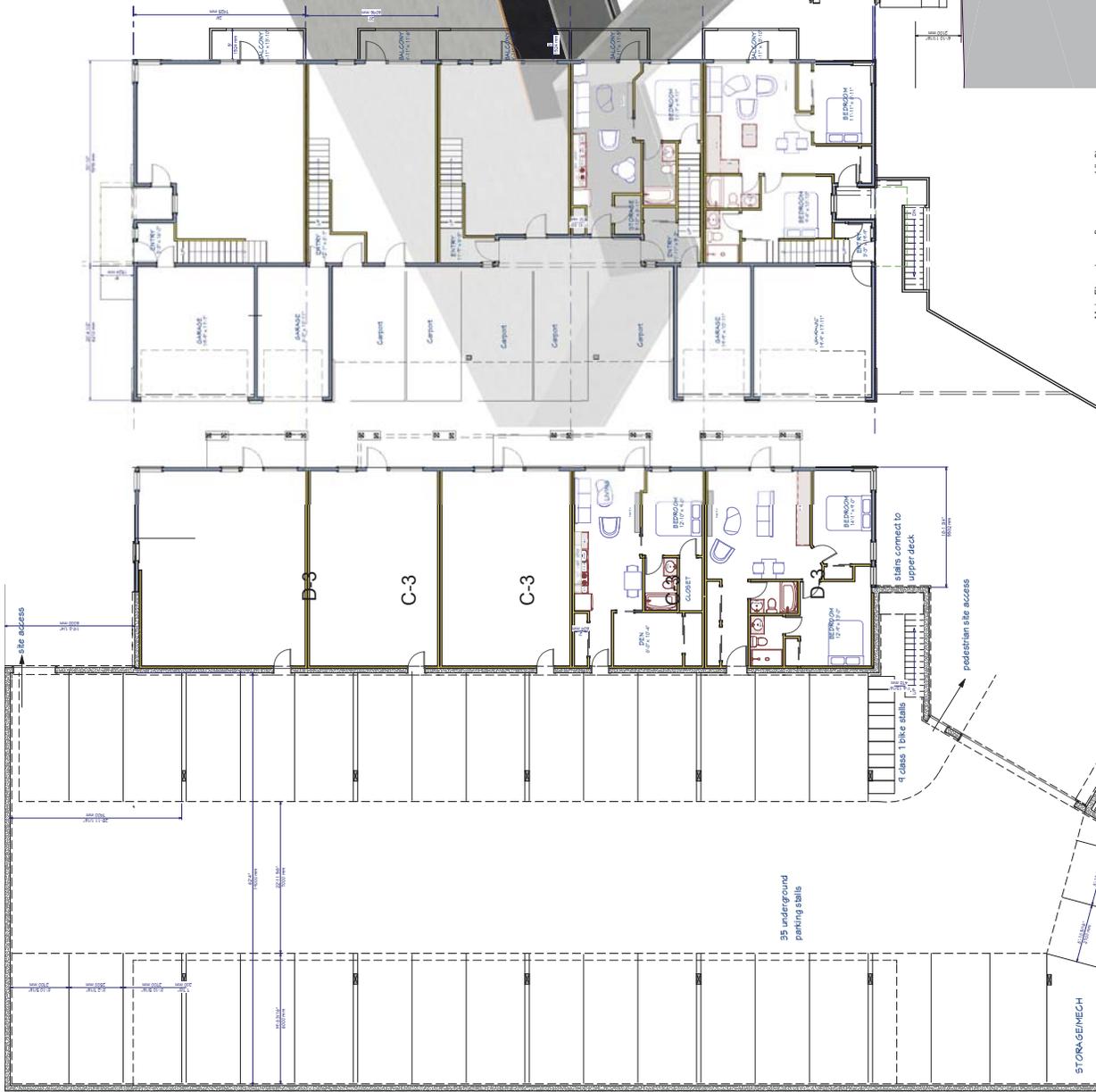
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 17-4239
 DATE: 9/20/2018
A-14

SCHEDULE B

This forms part of application
 #DP18-0142 DVP18-0143

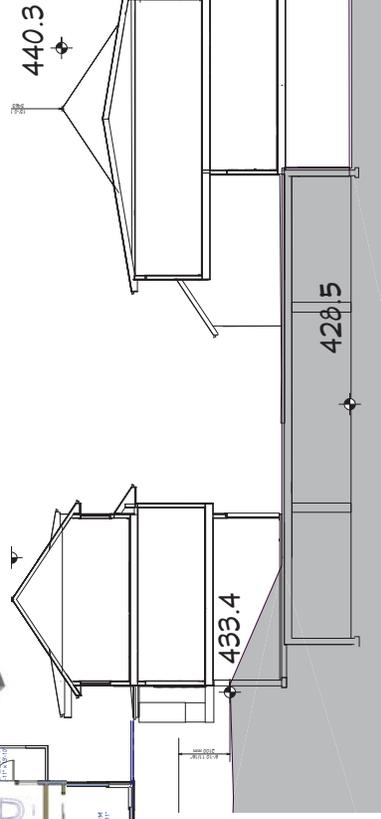


Planner T.A.
 Planning



Main Floor (upper floor same as blk 8)

Lower Floor and Parking Structure Plan



Section blk 7 / 8

UNIT TYPE C - D BLK 8 15 UNITS - PARKING STRUCTURE

The Promontory - KELOWNA
 665 BOYNTON PARK
 DEVELOPMENT PERMIT APPLICATION

Redroll Architect LTD
 119 T. ST. SW
 Kelowna, BC V1Y 2G6

Scale 1cm = 1M or reduced @ 1 cm = 2M
 17-4239
 DATE: 9/20/2018

SCHEDULE C

This forms part of application

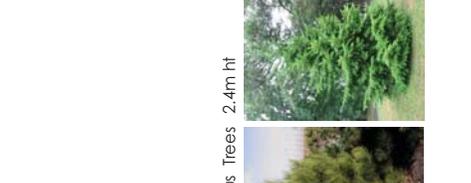


SHRUBS, GRASSES, PERENNIALS MIN # 2 POT

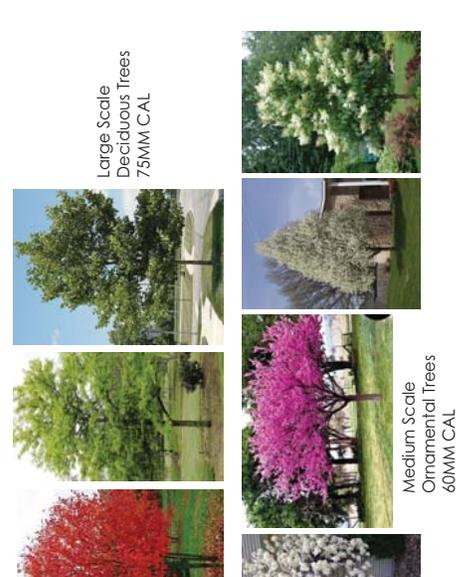
Symbol	Botanical Name	Common Name	Size	Spacing
	<i>Acer rubrum</i> 'Red Sunset'	Red Sunset Maple	75mm call	
	<i>Skylia haemiboccal</i>	Skyline Hemiboccal	75mm call	
	<i>Loudon Palm Tree</i>	Loudon Palm Tree	75mm call	
	<i>Eranthis acerifolia</i>	Eranthis acerifolia	60mm call	
	<i>Cercis canadensis</i>	Star Magnolia	tree form 60 mm call	
	<i>Magnolia acuminata</i>	Star Magnolia	60mm call	
	<i>Pyrus calleryana</i> 'Charitickler'	Charitickler Pear	60mm call	
	<i>Syringa reticulata</i> 'Ivory Silk'	Ivory Silk Tree Lilac	60mm call	
	<i>Pinus ponderosa</i>	Ponderosa Pine	2.4 m ht. BxB	
	<i>Douglas Fir</i>	Douglas Fir	2.4 m ht. BxB	
	<i>Red Twig Dogwood</i>	Red Twig Dogwood	#2	1.2m OC
	<i>Blue Oak</i>	Blue Oak	#2	1.2m OC
	<i>Soybean</i>	Soybean	#2	1.2m OC
	<i>Gold Leaf Forsythia</i>	Gold Leaf Forsythia	#2	1.2m OC
	<i>Blizzard Nockmange</i>	Blizzard Nockmange	#2	1.5m OC
	<i>Royal Honeysuckle</i>	Royal Honeysuckle	#2	1.2m OC
	<i>Rosa 'Rambler Red'</i>	Rambler Red Rose	#2	1.2m OC
	<i>Bleeding Heart</i>	Bleeding Heart	#2	1.5m OC
	<i>Karl Foerster Reed grass</i>	Karl Foerster Reed grass	#2	1.0m OC
	<i>Blue Oat Grass</i>	Blue Oat Grass	#2	1.0m OC
	<i>Habitatton</i>	Habitatton	#2	1.0m OC
	<i>Miscanthus sinensis purpurascens</i>	Orange Flaming grass	#2	1.2m OC
	<i>Pennisetum alopecuroides</i>	Fourtan Grass	#2	1.0m OC
	<i>Oenothera biennis</i>	Fourtan Grass	#2	1.0m OC
	<i>White Sage</i>	White Sage	#2	1.2m OC
	<i>Aster Farmington</i>	Farmington Michaelmas Daisy	#2	0.8m OC
	<i>Gentle Shepherd Daisy</i>	Gentle Shepherd Daisy	#2	0.8m OC
	<i>Purple Willet Daisy</i>	Purple Willet Daisy	#2	0.8m OC
	<i>Slate Doro Daisy</i>	Slate Doro Daisy	#2	0.8m OC
	<i>Lamb's Ear</i>	Lamb's Ear	#2	1.0m OC
	<i>Mustard lavender</i>	Mustard lavender	#2	1.0m OC
	<i>Russian sage</i>	Russian sage	#2	1.2m OC
	<i>Goldsurm Ghentosa Daisy</i>	Goldsurm Ghentosa Daisy	#2	0.8m OC
	<i>Leucanthemum x superbum 'Snow Lady'</i>	Snow Lady Shasta Daisy	#2	0.8m OC
	<i>Vancouver Ieds Kombeck</i>	Vancouver Ieds Kombeck	#2	0.8m OC



Character Images



Large Scale Deciduous Trees 75MM CAL



SCHEDULE C

This forms part of application
DP18-0142 DVP18-0143



Planner Initials TA

Unfilled Map



CONTEXT - Relationship to Adjacent Residential



WINSOME HILL - ADJACENT DEVELOPMENT ON BOYNTON PLACE



EXISTING BOYNTON PLACE SIDEWALK AND BOULEVARD



EXISTING HIGHLAND DR. SIDEWALK



EDGE CONDITIONS ALONG EAST PROPERTY LINE



VIEW TO SITE FROM S.W.

CONTEXT - EXISTING CONDITIONS

SCHEDULE C

This forms part of application
DP18-0142 DVP18-0143

Planner Initials
TA



HYDROZONE AREAS

1. PROPERTY AREA = 13,702 square meters
2. BUILDING AREA = 5,566 square meters
3. PAVING AREA = 3,154 square meters
4. PAVING STONE/COGONAVEL WALKWAYS = 1,527 square meters
5. BIOMAT LANTULIFER AREA = 1,874 square meters
6. BIOMAT LANTULIFER AREA = 1,874 square meters
7. NON-IRRIGATED SEEDING AREA = 800 square meters

HYDROZONE LEGEND

- WATERED MOWN LAWN - Fixed Pop-Up Spray Heads with Precision Spray Nozzles
- MODERATE WATER USE PLANTING - High Efficiency Sub-Surface Drop Emitters
- NATURALIZED MEADOW - NON PLANTED AREA

HYDROZONE NOTES

DESIGN INTENT:
THIS DRAWING ILLUSTRATES THE APPROXIMATE DESIGNED DIVISION OF THE LANDSCAPE INTO AREAS OF DIFFERENT WATERING REQUIREMENTS. IT IS NOT INTENDED TO BE USED FOR CONSTRUCTION.

GROWING MEDIUM:
ENSURE THAT ADEQUATE GROWING MEDIUM TYPE AND DEPTHS ARE INSTALLED. IT IS IMPORTANT IN ORDER TO STORE AND RETAIN WATER AND NUTRIENTS FOR PLANT SURVIVAL AND GROWTH. SEE ATTACHED WATER CONSERVATION CALCULATION SPREADSHEET.

ESTABLISHMENT WATER USE:
ALL IRRIGATION ESTABLISHMENT AREAS(S) SHALL BE TEMPORARY AND FOR ESTABLISHMENT AND DROUGHT CONDITIONS ONLY.

LANDSCAPE WATER BUDGET (WB) = 4,092 cu.m./yr.
ESTIMATED LANDSCAPE WATER USE (WU) = 2,485 cu.m./yr.
WATER BUDGET IS UNDER BY 1,517 cu.m./yr.



CITY OF KELOWNA
BYLAW NO. 1166o
Z18-0074 – 771 Barnaby Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2, District Lot 357, SDYD, Plan EPP73196 located on Barnaby Road, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 13th day of August, 2018.

Considered at a Public Hearing on the 28th day of August, 2018.

Read a second and third time by the Municipal Council this 28th day of August, 2018.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

a single family dwelling would be required to be sited, under the RU1 zone (4.5 m without garage entry). To help maintain privacy between the yards of the directly adjacent neighbor, the applicant has proposed fencing and a double row of deciduous and coniferous trees, as shown in Attachment "B". A single storey carriage house is also proposed, as shown in Image 1 below.

Image 1 – 3D Illustration showing proposed carriage house and landscaping between adjacent property



The applicant has confirmed the completion of neighbourhood notification in accordance with Council Policy No. 367, by doing one combined notification for the rezoning and development variance permit applications. Staff received confirmation of completion on July 16, 2018.

4.0 Proposal

4.1 Background

There was an existing single family dwelling on the subject property. A demolition permit was issued on May 1, 2018 and it passed final inspection on May 28, 2018. A building permit for a new single family dwelling was issued on August 1, 2018 and construction has started.

There is a covenant registered on title, to protect the steep slopes at the rear of the property. This covenant was registered during subdivision process on the property in 2016-2017. A Hazardous Condition Development Permit, for steep slopes on the property, was issued at the time of subdivision.

4.2 Project Description

The applicant is proposing to construct a carriage house within the required front yard setback (9.0 m permitted, 4.5 m proposed). A single storey carriage house has been proposed, as well as fencing and landscaping between the adjacent neighbour. Any retaining walls will need to meet the Zoning Bylaw.

4.3 Site Context

The 2,189 m² subject property is located on the south side of Barnaby Road, in the City's Southwest Mission Sector. It is within the Permanent Growth Boundary and has a walk score of 3, which means almost all errands require a car.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing RR3 – Rural Residential 3	Residential
East	RU1 – Large Lot Housing	Residential
South	RU1 – Large Lot Housing	Residential
West	RU6 – Two Dwelling Housing RU2 – Medium Lot Housing	Residential

Subject Property Map: 771 Barnaby Road



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1C ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Maximum Site Coverage (Single Storey Bonus)	20 % / 100 m ²	4.56 % / 99.96 m ²
Height	4.8 m	4.15 m
Front Yard (north)	9.0 m	4.5 m ●
Side Yard (east)	1.5 m	7.5 m
Side Yard (west)	1.5 m	2.6 m
Rear Yard (south)	1.5 m	> 1.5 m
Minimum Distance to a Principal Dwelling	3.0 m	18.3 m
Other Regulations		
Minimum Parking Requirements	3 stalls	3 stalls
Private Open Space	30 m ²	> 30 m ²
● Indicates a requested variance to the required front yard setback		

5.0 Technical Comments

5.1 Development Engineering Department

The application does not compromise any municipal infrastructure.

6.0 Application Chronology

Date of Application Received:	May 15, 2018
Date Public Consultation Completed:	July 16, 2018
Date of Rezoning Initial Consideration:	August 13, 2018
Date of Rezoning Public Hearing:	August 28, 2018

Report Prepared by:	Kimberly Brunet, Planner
Reviewed by:	Dean Strachan, Suburban and Rural Planning Manager
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager

Attachments:

Draft Development Variance Permit No. DVP18-0146
 Schedule "A" - Site Plan
 Attachment "A" – Design Rationale, Floor Plan, Elevations and Photos
 Attachment "B" – Landscape Plan

Development Variance Permit

DVP18-0146



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

771 Barnaby Road

and legally known as

Lot 2 District Lot 357 Similkameen Division Yale District Plan EPP73196

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

Single Dwelling Housing with Carriage House

and that variances to the following Section of Zoning Bylaw No. 8000 be granted in general accordance with Schedule "A":

Section 9.5b.1(h): Carriage House Development Regulations in Residential, Health District and Comprehensive Development Zones

To vary the required minimum front yard from 9.0 m permitted to 4.5 m proposed.

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

Date of Decision: December 4, 2018

Decision By: City Council

Issued Date: December 4, 2018

Development Permit Area: N/A

This permit will not be valid if development has not commenced by December 4, 2020.

Existing Zone: RU1c – Large Lot Housing With Carriage House

Future Land Use Designation: S2RES

This is NOT a Building Permit.

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

NOTICE

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

Owner: Trevor James Taylor & Lori-Lynn Taylor

Applicant: Westerkamp Design 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";

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

3. PERFORMANCE SECURITY

None Required

4. INDEMNIFICATION

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

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

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

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

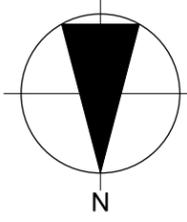
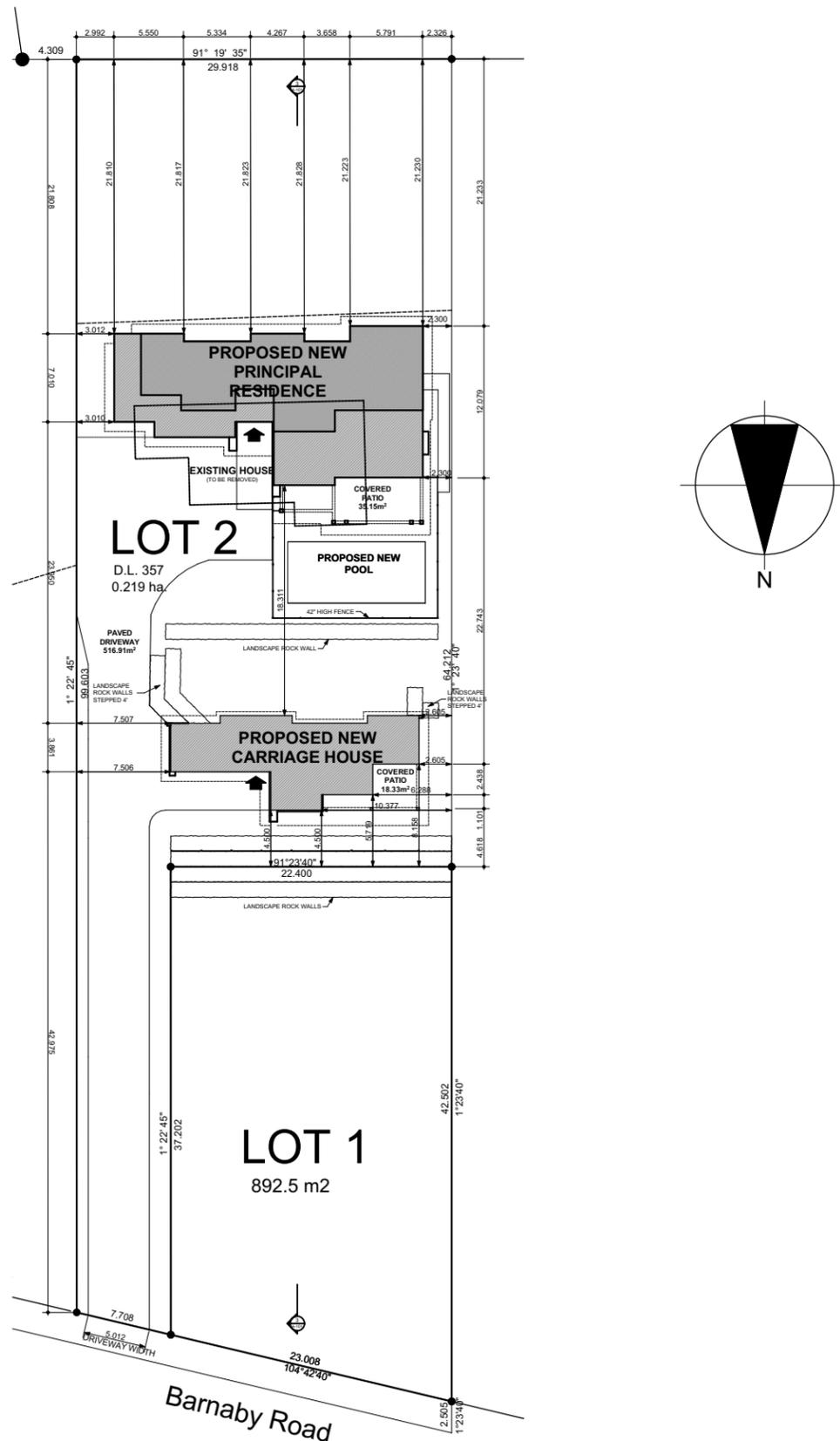
SCHEDULE A

This forms part of application
DVP18-0146



City of
Kelowna
COMMUNITY PLANNING

Planner Initials **KB**



Site Plan
SCALE: 1:500

771 BARNABY ROAD

LEGAL DESCRIPTION: LOT 2, PLAN 10457, D.L. 357, SDYD

PROPOSED ZONING: FROM RU1 - LARGE LOT HOUSING
TO RU1c - LARGE LOT HOUSING WITH CARRIAGE HOUSE

SITE DETAILS:

LOT AREA:	2192.35 m ²	550m ² MIN.
LOT WIDTH:	29.91 m	16.5m MIN.
LOT DEPTH:	100.50 m	30.0m MIN.

FOOTPRINT AREA OF NEW PRINCIPAL DWELLING:	233.90 m ²	
AREA OF DRIVEWAY & PARKING:	88.00 m ²	
AREA OF COVERED PATIOS > 23m ²	35.15 m ²	
FOOTPRINT AREA OF CARRIAGE HOUSE:	99.96 m ²	100m ² MAX.

SITE COVERAGE (%):

BUILDINGS:	15.23 %	40% MAX.
CARRIAGE HOUSE ONLY:	4.56 %	14% MAX.
BUILDINGS + DECK:	19.24 %	40% MAX.
BUILDINGS, DECKS & DRIVEWAYS:	20.85 %	50% MAX.

DWELLING DETAILS:

TOTAL FLOOR AREA:	285.89 m ²	
GARAGE AREA:	69.39 m ²	
HEIGHT OF BUILDING:	6.676 m	9.5m MAX. OR 2 1/2 STOREYS (WHICHEVER IS THE LESSER)

SETBACKS (IN METRES):

FRONT (DIST. FROM CARRIAGE HOUSE):	18.311 m	3.0m MIN.
EAST SIDE:	3.010 m	2.3m MIN.
WEST SIDE:	2.300 m	2.3m MIN.
REAR:	21.223 m	7.5m MIN.

CARRIAGE HOUSE DETAILS:

TOTAL FLOOR AREA:	95.55 m ²	100m ² MAX.
HEIGHT OF BUILDING:	4.150 m	4.8m MAX.
SETBACKS (IN METRES):		
FRONT:	4.500 m	4.5m MIN.
SIDE (WEST):	2.605 m	2.0m MIN.
SIDE (EAST):	7.506 m	2.0m MIN.
REAR (DIST. FROM PRINCIPAL DWELLING):	18.311 m	3.0m MIN.

NUMBER OF PARKING STALLS:	3	3 MIN.
SIZES OF PARKING STALLS:	2 - 2.5 x 6.0m and 1 - 2.4 x 4.8m	

PROJECT: TAYLOR RESIDENCE
TITLE: SITE PLAN AND SITE DATA

CUSTOMER:
CIVIC: 771 BARNABY ROAD, KELOWNA, BC
LEGAL: LOT 2, PLAN 10457, D.L. 357, S.D.Y.D.

REVISED:
REVISED:
REVISED:
REVISED:
SCALE: AS SHOWN
DATE: 6/25/2018

SHEET:
DP-003



WESTERKAMP DESIGN INC.

#201 – 1690 Water Street
KELOWNA, B.C. V1Y – 8T8
(250) 878-7846
bauhaus1@shaw.ca

771 Barnaby Road - Design Rationale

It is the intention of the property owners to re-zone the subject property from RU-1 Zoning to RU-1c Zoning in order to build a carriage house. The existing home is built close to the sloped hillside at the rear of the lot. The only suitable location for a carriage house, in regards to access, privacy and efficient use of the property is in the front yard.

The proposal is to reduce the front yard setback of 9.00m for a carriage house to 4.50m, the regular front yard setback for a principal building.

Due to the fact, that the property is a “panhandle” lot, the carriage house will not be directly exposed to the street, in fact it will hardly be visible with the neighbouring buildings in the front.

Street Appeal / Bulk

The proposed design of the carriage house is a single story structure which blends into the hillside, and will not have a negative visual impact on the street or the surrounding properties. The carriage house will not encroach on the privacy of the neighbouring lots.

Parking

Uncovered parking will be provided in the front of the carriage house.



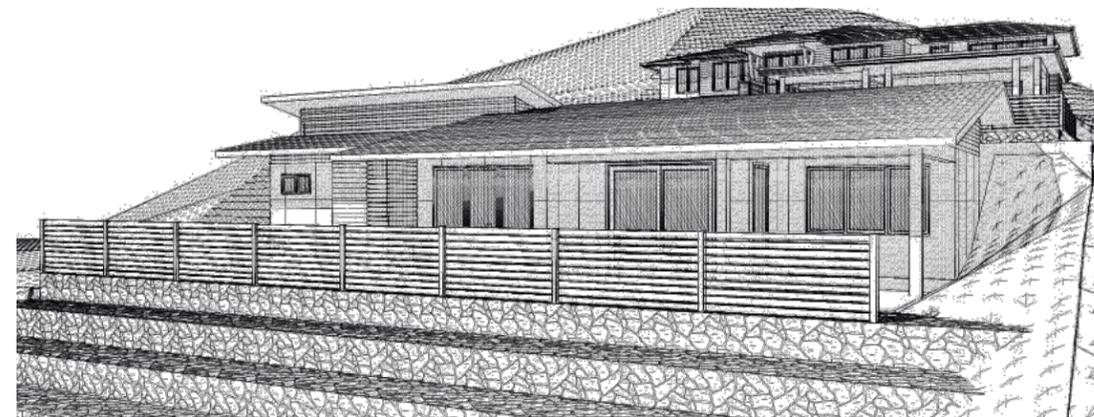
Principal Dwelling - Front View



Principal Dwelling - Front View from Left



Carriage House - Front View from Left



Carriage House - Front View from Right

PROJECT : TAYLOR RESIDENCE

TITLE : COVER PAGE

PROJECT :

TITLE :

CUSTOMER :

CIVIC : 771 BARNABY ROAD, KELOWNA, BC

LEGAL : LOT 2, PLAN 10457, D.L. 357, S.D.Y.D.

REVISED :

REVISED :

REVISED :

REVISED :

SCALE :

AS SHOWN

DATE :

5/10/2018

SHEET :

DP-001



View from North-East



View from North-West

PROJECT : TAYLOR RESIDENCE

TITLE : RENDERINGS

PROJECT :

TITLE :

CUSTOMER :

CIVIC : 771 BARNABY ROAD, KELOWNA, BC

LEGAL : LOT 2, PLAN 10457, D.L., 357, S.D.Y.D.

REVISED :

REVISED :

REVISED :

REVISED :

SCALE :

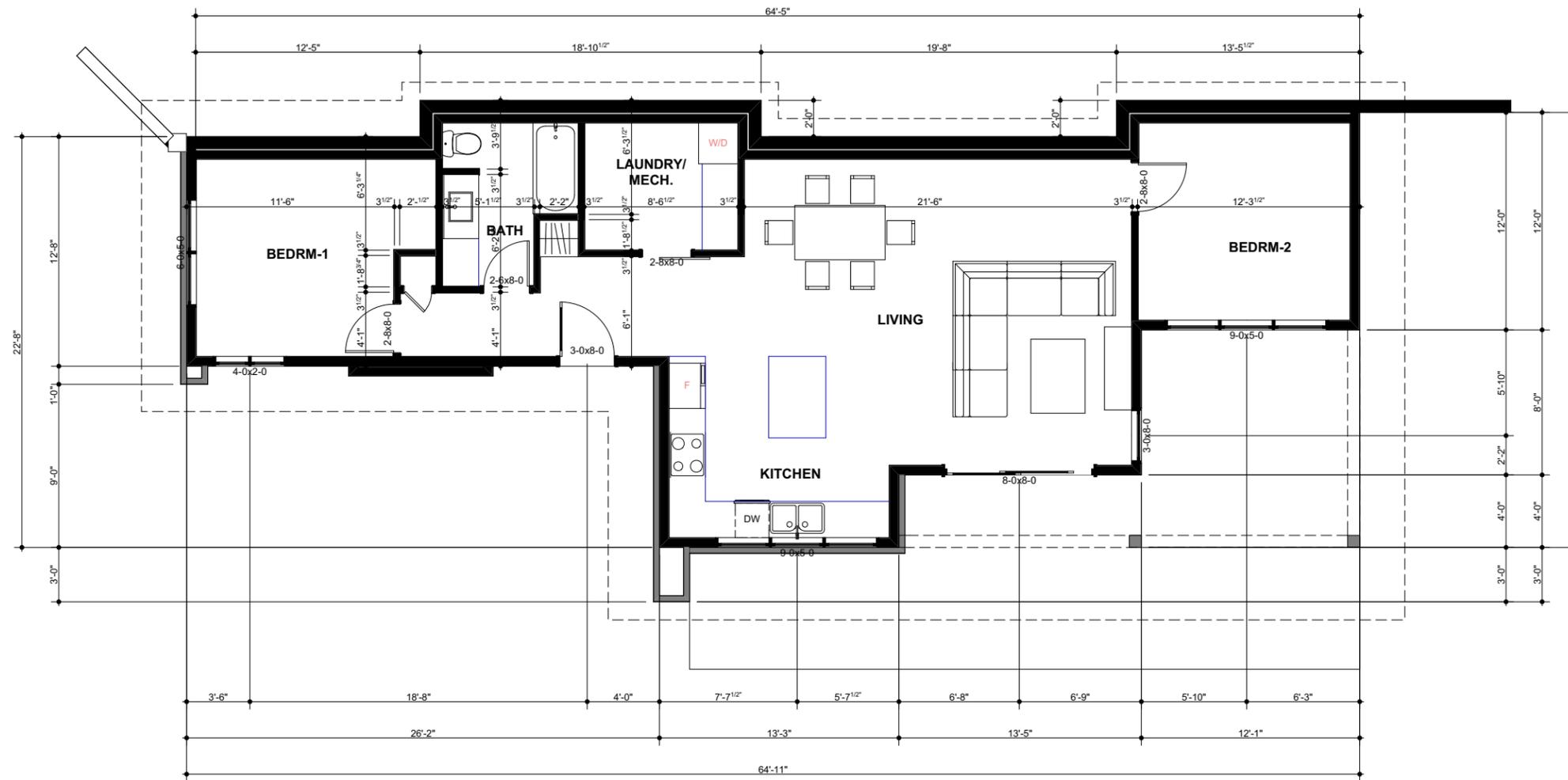
AS SHOWN

DATE :

5/10/2018

SHEET :

DP-002



Floor Plan - Carriage House

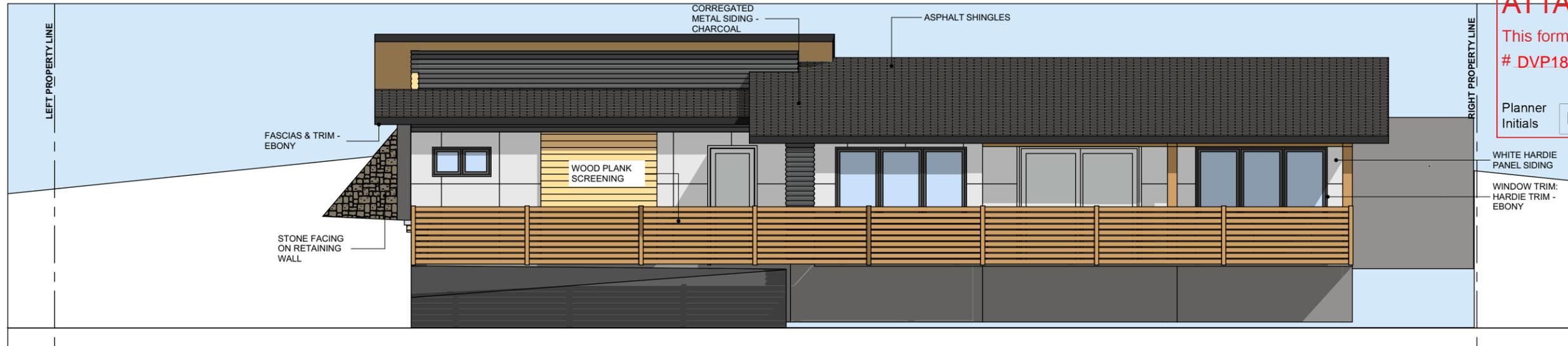
SCALE: 1/8" = 1'-0"

PROJECT :		TAYLOR RESIDENCE	
TITLE :		FLOOR PLAN - CARRIAGE HOUSE	
CUSTOMER :	CIVIC :	771 BARNABY ROAD, KELOWNA, BC	
	LEGAL :	LOT 2, PLAN 10457, D.L., 357, S.D.Y.D.	

REVISED :	
SCALE :	DATE :
AS SHOWN	5/10/2018

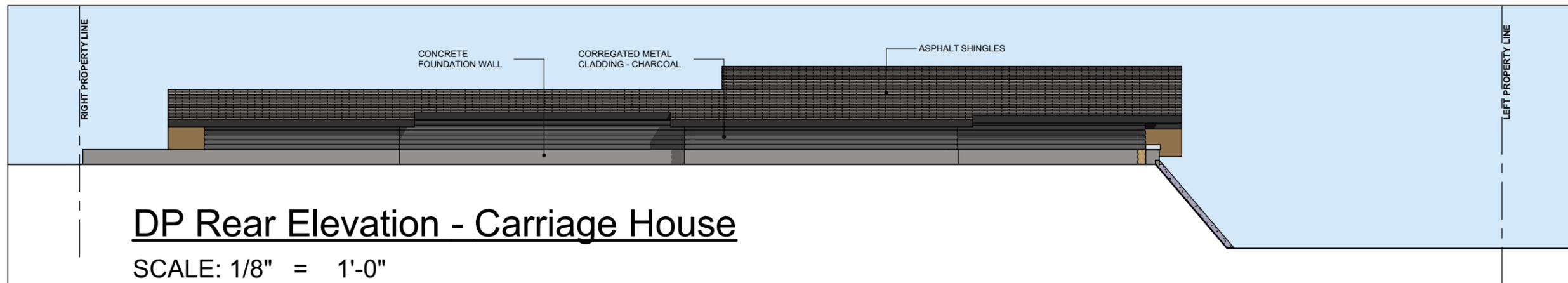
SHEET :

DP-008



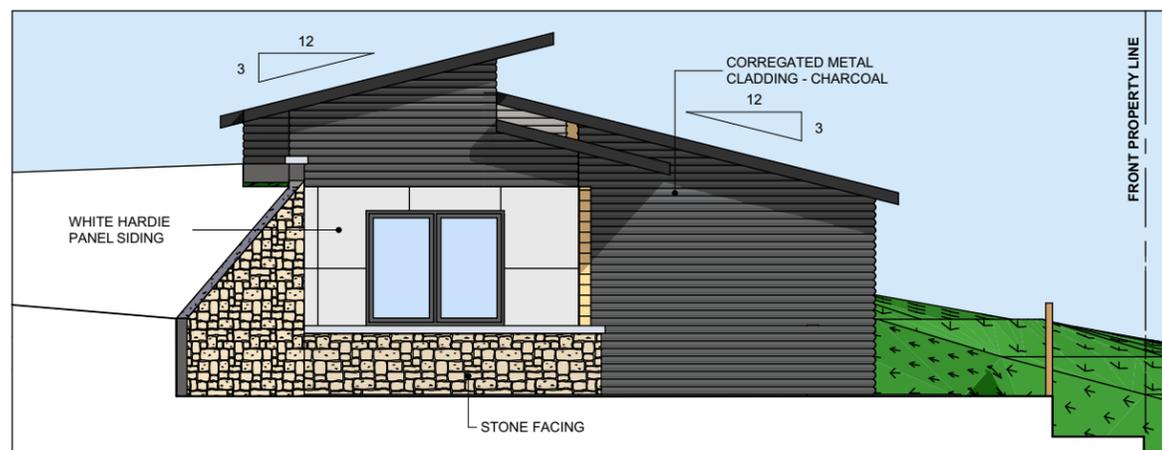
DP Front Elevation - Carriage House

SCALE: 1/8" = 1'-0"



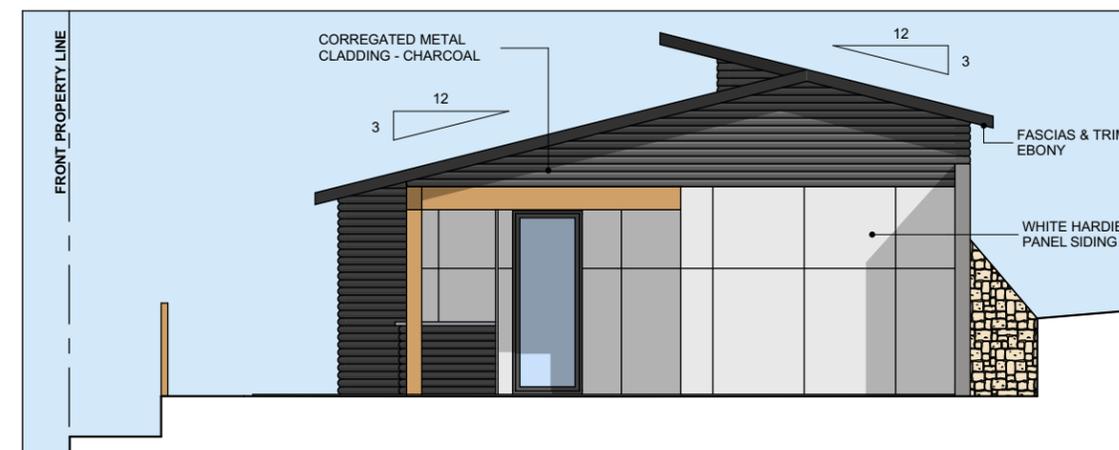
DP Rear Elevation - Carriage House

SCALE: 1/8" = 1'-0"



DP Left Elevation - Carriage House

SCALE: 1/8" = 1'-0"



DP Right Elevation - Carriage House

SCALE: 1/8" = 1'-0"

TAYLOR RESIDENCE

ELEVATIONS - CARRIAGE HOUSE

PROJECT:

TITLE:

CUSTOMER:

CIVIC: 771 BARNABY ROAD, KELOWNA, BC

LEGAL: LOT 2, PLAN 10457, D.L. 357, S.D.Y.D.

REVISED:

REVISED:

REVISED:

REVISED:

SCALE:

AS SHOWN

DATE:

5/10/2018

SHEET:

DP-012

ATTACHMENT A

This forms part of application
DVP18-0146

Planner Initials **KB**

City of **Kelowna**
COMMUNITY PLANNING



WESTERKAMP DESIGN INC.
#201 – 1690 Water Street
KELOWNA, B.C. V1Y – 8T8
(250) 878-7846
bauhaus1@shaw.ca

771 BARNABY ROAD – EXISTING PROPERTY PICTURES



ATTACHMENT **A**

This forms part of application

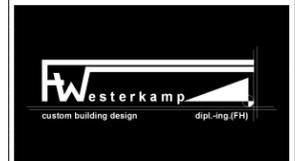
DVP18-0146

Planner
Initials **KB**



WESTERKAMP DESIGN INC.
#201 – 1690 Water Street
KELOWNA, B.C. V1Y – 8T8
(250) 878-7846
bauhaus1@shaw.ca

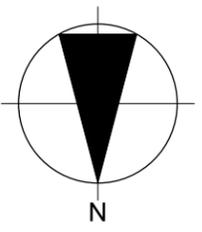
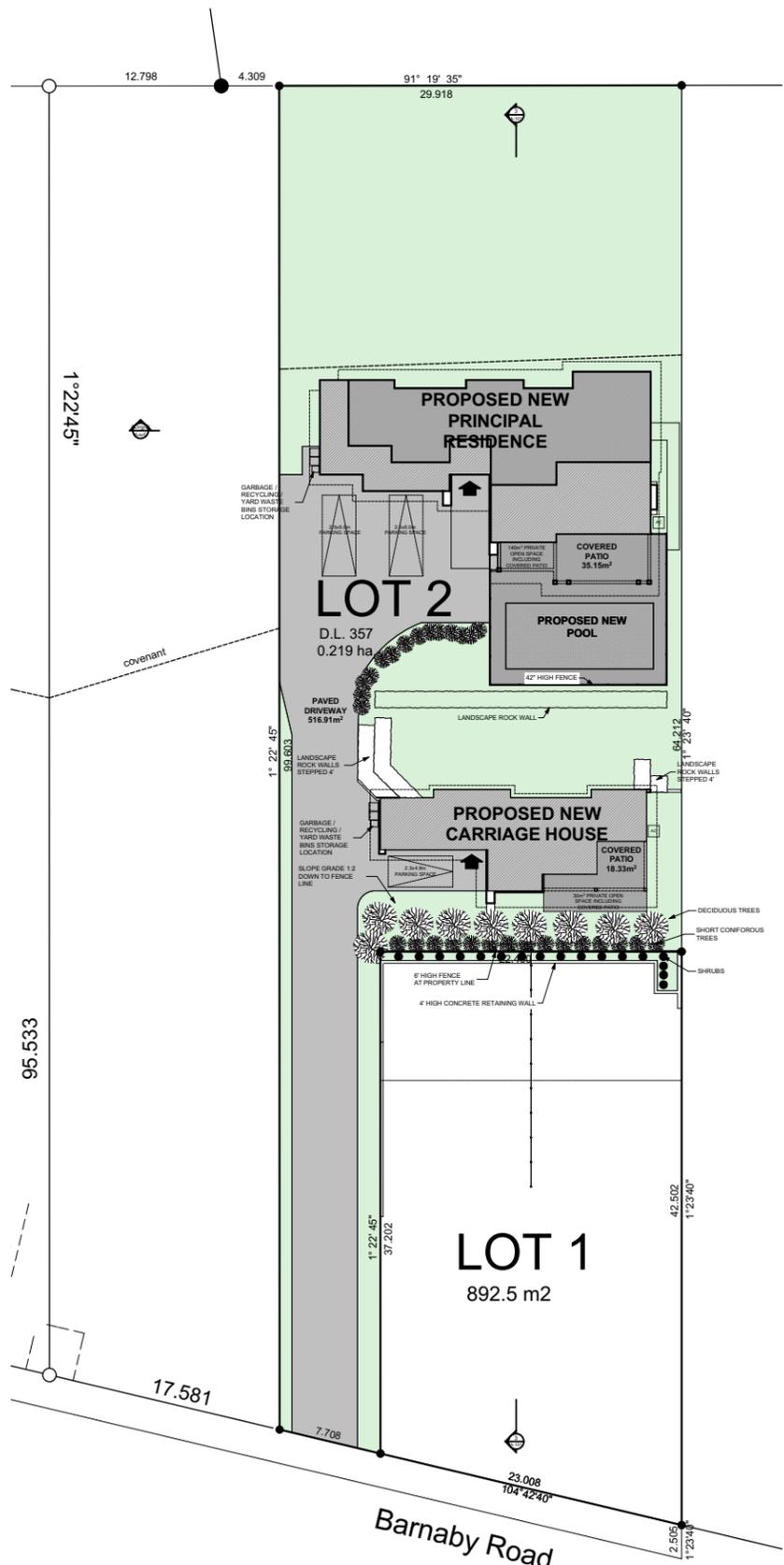




WESTERKAMP DESIGN INC.
 1587 SUTHERLAND AVE.
 KELOWNA, B.C. V1Y - 5Y7
 (250) 878-7846
 e-mail: bauhaus1@shaw.ca
 web: www.bauhausdesigns.com



Bird's-Eye view of 771 Barnaby Road



Landscape Plan Legend:

- GRASS AREAS
- BUILDINGS
- WALKWAYS / PATIOS / HARD SURFACES
- EXTERIOR WALL LIGHTING LOCATIONS
- AIR CONDITIONING UNIT
- TREES AND SHRUBS

Landscape Plan
 SCALE: 1:500

ATTACHMENT B
 This forms part of application # DVP18-0146
 Planner Initials **KB**
 City of Kelowna COMMUNITY PLANNING

PROJECT: TAYLOR RESIDENCE		TITLE: LANDSCAPE PLAN	
CUSTOMER:	CIVIC:	LEGAL:	
	771 BARNABY ROAD, KELOWNA, BC	LOT 2, PLAN 10457, D.L. 357, S.D.Y.D.	
REVISED:			
SCALE:	DATE:		
AS SHOWN	10/19/2018		
SHEET:			
DP-004			

REPORT TO COUNCIL



Date: December 4th 2018

RIM No. 0940-00

To: City Manager

From: Community Planning Department (AK)

Application: DVP18-0147 **Owner:** DHL No.48 Holdings Ltd.,INC.NO.C1105825

Address: 1300 Water Street **Applicant:** Gateway Casinos & Entertainment Ltd.

Subject: Development Variance Permit

Existing OCP Designation: COMM - Commercial

Existing Zone: C8LR – Convention Hotel Commercial (Liquor Primary, Retail Liquor Primary)

1.0 Recommendation

THAT Council does not authorize the issuance of Development Variance Permit No. DVP18-0147 for Lot 1 District Lots 139, 4041 and 4082 Osoyoos Division Yale District Plan KAP73542, located at 1300 Water Street, Kelowna, BC;

AND THAT variances to the following sections of Sign Bylaw No. 11530 not be supported:

Section 10 - Major Commercial Zones; 10.1 Signs Requiring a Permit

To allow an Electronic Message Centre Sign in the C8 Zone;

Section 4.3.2 (e) Electronic Message Centre

To increase the maximum area of the sign from 2.0 sq m to 8.27 sq m.

2.0 Purpose

To consider a Development Variance Permit application to vary Sign Bylaw No. 11530 to allow an Electronic Message Centre Sign in the C8 Zone for a property located at 1300 Water Street, and increase the maximum allowable size of an Electronic Message Centre Sign from 2.0 sqm to 8.27sqm.

3.0 Community Planning

Staff are not supporting the Development Variance Permit application to allow an electronic message centre sign as the recently adopted sign bylaw intentionally prohibits this type of sign for commercial purposes. Public engagement undertaken as part of the new sign bylaw process found that the majority of participants agreed electronic message signs should only be permitted by cultural, recreational and

institutional organizations. While the site is located near the 'Cultural District', the sign would be primarily used to advertise commercial activity for the existing casino business at this location.

The proposed variance to increase the maximum size of the sign from 2.05sqm to 8.27sqm (89 sqft) would result in a relatively large sign compared to existing signs in the area and is 3-times (300%) larger the maximum size for any new sign permitted under the Sign Bylaw. For reference, the existing digital sign at the Kelowna Community Theater located one block away from the subject site at the corner of Water Street and Doyle Avenue is approximately 1.8 sqm (20 sqft).

A key objective of the Official Community Plan is to support the development of the Kelowna Cultural District as a centre for arts and entertainment and a catalyst for downtown revitalization. The proposed sign faces a parking lot, the lot on which the parking lot is located is currently zoned CD5 which allows for high density mixed use residential and commercial uses. The sign would potentially negatively impact the adjacent vacant lot when it becomes redeveloped.

The site is located within the Urban Design Development Permit Area. The Revitalization Guidelines of the Official Community Plan establish several guidelines for sign design in the area. The guidelines require that developments "minimize signage lighting (i.e., incorporate indirect front-lit signs wherever possible)". The overall permit objectives are to "convey a strong sense of authenticity through high quality urban design that is distinctive of Kelowna" and to "enhance the urban centre's main street character in a manner consistent with the area's character". It is the opinion of staff that the proposed signage alteration does not meet the objectives of the Official Community Plan.

4.0 Proposal

4.1 Background

The Sign Bylaw sets the rules and regulations for both public and private property within City limits. It governs where signs may be placed, the size, number, type and appearance of the signs permitted and prohibits certain types of signs.

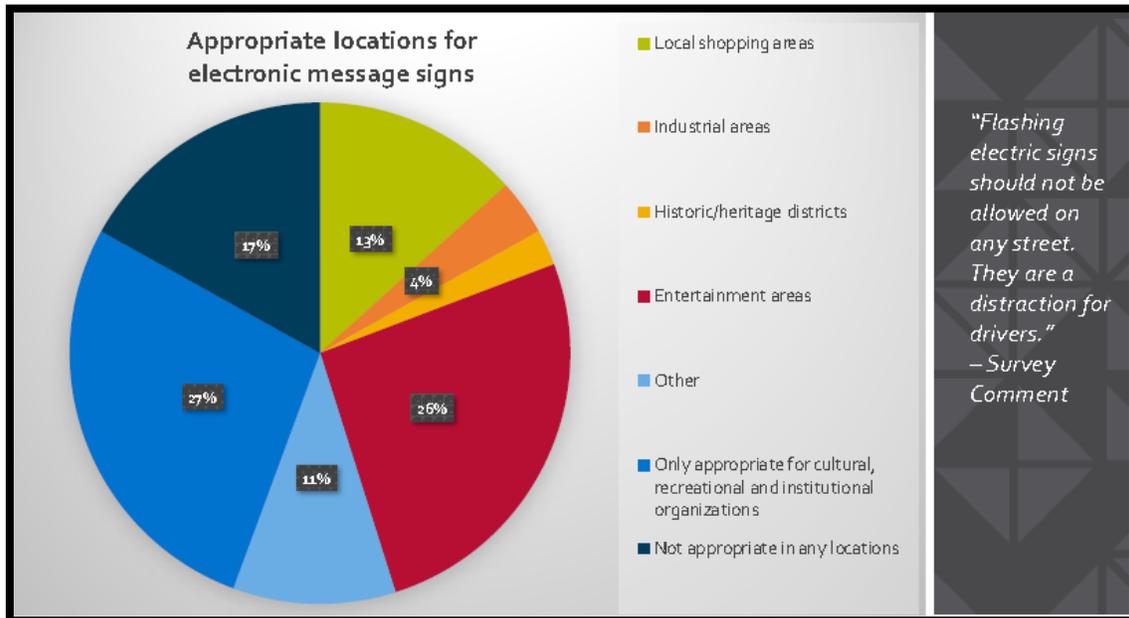
The applicants applied for a Development Permit on June 13th 2018 when the previous sign bylaw No 8235 was in effect which allowed for electronic changeable copy signs. On August 27th 2018 the new Sign Bylaw No. 11530 was adopted which prohibits electronic message board signs except for properties that are zoned for public or institutional uses, therefore a Development Variance Permit is required to authorize the placement of the sign.

The recent bylaw change was meant to improve the urban environment aesthetics, to update regulations for consistency, and to address changes in sign technology. As part of the new sign bylaw process input from residents regarding electronic signage was obtained. As part of the bylaw update process residents and businesses were invited to share their thoughts on signage in Kelowna from through an online survey, social media channels and the City's web platform. A Sign Bylaw Engagement Report was prepared as part of the bylaw update which notes:

- When asked about the proposed changes to allow electronic message signs only permitted by cultural recreational and institutional organizations the majority of respondents agreed with the proposed change, 36 per cent saying they strongly agree and 30 per cent saying they somewhat agree. Just over one quarter of respondents somewhat or strongly disagreed.

- Respondents were asked where electronic message signs would be appropriate in the City. Most respondents said they were only appropriate for cultural, recreational and institutional organizations or in entertainment areas, such as the Cultural District, Orchard Plaza and McCurdy Corner.
- Other considerations mentioned in the comments included moving to low-light mode earlier during the winter months, avoiding electronic billboards, and limiting the number of electronic signage in an area.

The new sign bylaw which resulted from the public engagement process only allows for electronic message board signs in public and institutional zones.



4.2 Project Description

The proposed sign is a video board approximately 7ft tall by 12 ½ feet wide that consists of LED lights. The applicant has provided a detailed letter outlining the proposed use of the sign which states the sign will be in operation during regular operating hours (12:00pm-2:00am Wednesday to Sunday) and that during non-operating hours the video board will display the 'Playtime Casinos' corporate logo. The applicants state the sign will not be used for third party advertising. The applicants have also stated that the sign can potentially be used for public safety messages such as 'AMBER Alerts', road closures, or public events.

The applicants have confirmed that the sign will not be used to display full motion video or otherwise give the appearance of animation of movement, and the transition between each digital copy shall not be displayed using any visible effects, including, but not limited to, action, motion, fading in and out, dissolving, blinking, intermittent, or flashing light or the illusion of such effects.

4.3 Site Context

The subject site is located in the Central City Sector adjacent to the 'cultural district'. The property is located near Okanagan Lake Waterfront Park and boardwalk. There is a vacant parcel across the street

from the subject site currently being used for surface parking, this lot is zoned CD5 which allows for high density mixed use residential and commercial uses with maximum height of 12 storeys.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P3 – Parks and Open Space	Waterfront Park
East	CD5 – Multi-Purpose Facility	Parking Lot and Multi-Purpose Arena (Prospera Place)
South	C8 – Convention Hotel	Delta Grand Hotel/Resort/Misc. Commercial
West	C8 – Convention Hotel	Delta Grand Hotel/Resort

Subject Property Map:



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 5.20 Achieve high quality urban design and appropriate land uses. Policy .3 Cultural District:

Support the development of the Kelowna Cultural District as outlined in the adopted cultural plans, as a centre for arts and entertainment and a catalyst for downtown revitalization.

Revitalization Development Permit Area Objectives

Use appropriate architectural features and detailing of buildings and landscapes to define area character;

Convey a strong sense of authenticity through high quality urban design that is distinctive of Kelowna;

Enhance the urban centre's main street character in a manner consistent with the area's character;

Provide for a scale and massing of buildings that promotes an enjoyable living, pedestrian, working, shopping and service experience;

Urban Design Development Permit Area Signage

Design signage that is high quality, imaginative, and innovative;

Design signage with consideration of the size of any individual sign as part of the overall scheme of building signage and the appearance of the building's façade. Scale and architectural expression should not be compromised by size and number of signs;

Box signs are strongly discouraged;

Incorporate concise messaging and simple graphics into signage. Corporate and store logos are appropriate only if they form part of an overall sign design, and are suitably scaled to the façade composition;

Light lettering on a dark background is preferred over dark lettering on a light background and consideration should be given to those with visual impairment;

Minimize signage lighting (i.e., incorporate indirect front-lit signs wherever possible);

Counter-balance illuminated signs with natural materials and appropriate framing.

5.2 Sign Bylaw 11530

Electronic Message Centre (EMC)' means a sign that uses computer generated messages involving letters, words, numbers, or graphics, using electronic screens, projection, television, computer video monitors, liquid crystal displays (LCD), light emitting diode (LED) displays, or any other similar electronic, computer generated or digital technology.

Regulations:

- (a) Copy shall remain in place for a minimum of 6.0 seconds before switching to the next copy.
- (b) The maximum transition time between each digital copy is 0.25 seconds.
- (c) Copy shall not be shown on the digital display using full motion video or otherwise give the appearance of animation of movement, and the transition between each digital copy shall not be displayed using any visible effects, including, but not limited to, action, motion, fading in and out, dissolving, blinking, intermittent, or flashing light or the illusion of such effects.
- (d) Copy shall not be shown in a manner that requires the copy to be viewed or read over series of sequential copy messages on a single digital display, or sequences on multiple digital displays.
- (e) The maximum area of Electronic Message Centre Signs is 2.0 m².
- (f) All Electronic Message Centres shall be equipped with an ambient light sensor.
- (g) The digital display shall not increase the light levels adjacent to the digital display by more than 3.0 LUX above the ambient light level. (h) While the sign is in operation, the light output for the digital display shall be set in accordance with the

following maximum luminance levels when measured from the sign face at its maximum brightness:

1. From sunrise to sunset, 7500 Nits in all zones;
2. From sunset to sunrise:
 - i. 500 Nits in industrial zones; and
 - ii. 300 Nits in commercial and public and institutional zones.

(h) If any component on the sign fails or malfunctions, the sign shall be programmed to automatically turn off.

6.0 Technical Comments

- Building & Permitting Department

No Comment.

- Development Engineering Department

Application does not compromise municipal infrastructure.

7.0 Application Chronology

Date of Application Received: June 13th 2018

Date Public Consultation Completed: August 30th 2018

8.0 Alternate Recommendation

Should council wish to allow the proposed Development Variance Application the following resolution would be appropriate:

THAT Council authorize the issuance of Development Variance Permit No. DVP18-0147 for Lot 1 District Lots 139, 4041 and 4082 Osoyoos Division Yale District Plan KAP73542, located at 1300 Water Street, Kelowna, BC;

AND THAT variances to the following sections of Sign Bylaw No. 11530 be supported:

Section 10 - Major Commercial Zones; 10.1 Signs Requiring a Permit

To allow an Electronic Message Centre Sign in the C8 Zone

Section 4.32 (e) Electronic Message Centre

To vary the maximum area of the sign from 2.0 sqm to 8.27 sqm

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

Report prepared by:

Alex Kondor, Planning Specialist

Reviewed by:

Terry Barton, Urban Planning Manager

Approved for Inclusion:

Ryan Smith, Community Planning Department Manager

Attachments:

Schedule A – Sign Concept

Schedule B – Letter from Applicant



SCHEDULE B – Letter from Applicant



Subject: 1300 Water Street (DVP18-0147)

Re: Application to Permit Video Signage at 1300 Water Street, Kelowna

This letter is intended to provide the City with additional information on the proposed signage for the recently opened Playtime Casino at the Delta Grand Okanagan Resort.

Gateway Casinos & Entertainment Limited (“Gateway”) operates the Playtime Casino, and previously operated the former Lake City Casino at Delta Grand Okanagan Resort for the last 25 years. The gaming facility has been renovated and refreshed several times, most recently in early 2018, and previously in 2011. Gateway’s capital investment in these renovations alone has exceeded \$12M.

Our most recent renovation was intended to complement the changing face of downtown Kelowna. With the addition of our family friendly Match Eatery and Public House, we expect to elevate the experience at Playtime Casino for both the gamers and more importantly the non-gamers. A night out at Match is expected to be a fulsome entertainment experience, with great food, live entertainment and an ever-changing list of sporting events.

There are several strategies employed by Gateway to communicate the variety of entertainment offering to our customers. In addition to the traditional print, media and social channels, we rely extensively on digital messaging systems both inside and outside of our facility in order to provide information on upcoming events and features to our guests.

Gateway proposes to install a video board on the east side of the building at 1300 Water Street, situated above its current entrance facing Prospera Place. We expect the video board to have the following features and intended purposes:

- The proposed video board is approximately 7 feet 1 inch tall by 12 feet 7 inches wide.
- The video board will consist of an LED wall that will operate during our regular operating hours.
- During non-operating hours, the video board will display the Playtime Casinos logo.
- The brightness of the video board will be adjusted to time of day and time of year.
- The video board will be positioned and installed in a manner that does not interfere with local traffic.
- All content on this video board will be controlled by Gateway.

- However, when appropriate Gateway will use this video board to display public safety information (AMBER Alerts, Flood Watch information, and Wild Fire cautions).
- Unlike large format digital boards adjacent to most major highways, this video board is not intended to generate revenue with third party advertising.
- Ultimately, we envision this video board and others within the City being linked and used during major events requiring the closure of Water Street, such as public events and concerts at Waterfront Park.

We hope this provides you an overview of our video board request. We will be submitting a formal application for the video board, and we would be happy to provide you with further details or answer any questions during a meeting.

Sincerely,

Gateway Casinos & Entertainment Limited



Jagtar Nijjar
Chief Administrative Officer

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 sign are to be constructed on the land be in accordance with Schedule "A";

This Development Variance Permit is valid for two (2) years from the date of December 4, 2018 approval, with no opportunity to extend.

3. 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.**

