

**City of Kelowna
Regular Council Meeting
AGENDA**



Tuesday, March 12, 2019
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 Mayor Basran.

3. Confirmation of Minutes

Public Hearing - February 26, 2019
Regular Meeting - February 26, 2019

4. Bylaws Considered at Public Hearing

4.1 Altura Rd 30, BL11759 (Z18-0102) - David & Camille Harkins

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To give Bylaw No. 11759 second and third readings in order to rezone the subject property from the RU2 – Medium Lot Housing zone to RU2c Medium Lot Housing with Carriage House zone.

4.2 Short Term Rental Accommodation, BL11766 (TA19-0007) - City of Kelowna

2 - 13

To give Bylaw No. 11766 second and third readings in order to amend Zoning Bylaw No. 8000 with short-term rental accommodation updates.

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 Academy Way 122 - 975, LL18-0020 - Academy Apartments Ltd., Inc.No BCo868449 14 - 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 consider a Liquor Primary License for a new brew pub.

7. Development Permit and Development Variance Permit Reports

7.1 Richter St 2529, Z18-0056 (BL11655) - Karambir Singh Kler and Amarjit Kaur Kler 23 - 23

To adopt Bylaw No. 11655 in order to rezone the subject property from the RU6 - Two Dwelling Housing zone to the RM3 - Low Density Multiple Housing zone.

7.2 Richter St 2529, DP18-0108 DVP18-0109 - Karambir Singh Kler and Amarjit Kaur Kler 24 - 44

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

To consider the form and character of a multiple dwelling housing project in the RM3 – Low Density Multiple Housing zone and variances to the maximum site coverage from 65 % (permitted) to 73.3 % (proposed) and the minimum distance of a parking stall from the required front yard from 4.5 m (required) to 3.85 m (proposed).

7.3 Hwy 33 E 1759, Z17-0065 (BL11625) - Ki-Low-Na Friendship Society, Inc. No. S-10638 45 - 46

To adopt Bylaw No. 11625 in order to rezone the subject property from the RU1 Large Lot Housing zone and the P2 - Educational and Minor Institutional zone to the RM3 - Low Density Multiple Housing zone.

7.4 Hwy 33 E 1759, DP17-0162 DVP17-0163 - Ki-Low-Na Friendship Society, Inc. No. S-10638 47 - 71

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

To consider the form and character of a multi-family housing complex with a variance to building height for the proposed apartment building.

- 7.5 Ethel St 1259-1265 and Ethel St 1269-1275, DVP18-0165 - 1114140 BC Ltd, Inc No. BC1114140** 72 - 78
- City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.**
- To vary the required minimum front yard on the subject properties.
- 7.6 Darin Pl 4627, BL11702 (Z18-0090) - Calvin Meldrum & Barbara Laupitz** 79 - 79
- To adopt Bylaw No. 11702 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 Darin Pl 4627, DVP18-0171 - Calvin Meldrum & Barbara Laupitz** 80 - 88
- City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.**
- To vary the minimum south side yard requirements to facilitate the conversion of an accessory building to a carriage house on the subject property.
- 7.8 Roanoke Ave 660, DVP18-0217 - Nathan Peters** 89 - 96
- City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.**
- To vary the required minimum east side yard from 2.0 m to 1.8, and the west side yard from 2.0m to 1.3.
- 7.9 Abbott St 2195, HAP18-0008-01 - Gordon Richard Lovegrove and Karen Lorraine Lovegrove** 97 - 113
- City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.**
- To consider the form and character of a carriage house and to vary the maximum projection of an eaves into a required side yard and the maximum height of a carriage house on the subject property.

8. Reminders

9. Termination

CITY OF KELOWNA
BYLAW NO. 11759
Z18-0102 - 30 Altura Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1 Section 32 Township 26 ODYD Plan 35716, located at Altura Rd, Kelowna, BC from the RU2- Medium Lot Housing Zone to the RU2c – Medium 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 25th day of February, 2019.

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. 11766

TA19-0007 – Short Term Rental Accommodation

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

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

1. THAT **Section 2 – Interpretation**, sub- section **2.3 General Definitions** be amended by:

- a) deleting the definition for **APARTMENT HOTELS** in its entirety that reads as follows:

"APARTMENT HOTELS means **apartment housing** having a principal common entrance, cooking facilities and furnishings within each **dwelling**. This does not include any **commercial uses** except when specifically permitted in the **zone**."

- b) adding the following to the end of the sentence of the definition for **RESIDENTIAL ZONES** ", except for **short-term rental accommodation** as a **secondary use**." and

- c) adding a new definition for **SHORT-TERM RENTAL ACCOMMODATION** in its appropriate location that reads as follows:

"SHORT-TERM RENTAL ACCOMMODATION means the **use** of a **dwelling** unit or one or more **sleeping units** within a **dwelling** unit for temporary overnight accommodation for a period of 29 days or less. This **use** does not include **bed and breakfast homes, hotels or motels**."

2. AND THAT **Section 6 – General Development Regulations**, sub- section **6.5 Accessory Development**, be amended by:

- a) by adding the words in sub-paragraph c "sleeping units" in the second sentence after the first word **"Bedrooms"** in sub- section **6.5.2 Accessory Building in Non-Residential Zones**; and

- b) by adding the words in sub-paragraph h "sleeping units" in the second sentence after the first word **"Bedrooms"** in sub- section **6.5.3 Accessory Building in Residential Zones**.

3. AND THAT **Section 8 – Parking and Loading**, **8.1 Parking Schedule** be amended by:

- a) deleting in its entirety the section for **Apartment Hotels** that reads as follows:

Apartment Hotels	1.0 spaces per sleeping unit ; 1.0 spaces per 7 dwelling units which shall be designated as visitor parking spaces
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- b) adding new sections for **Short-Term Rental Accommodation** as a **Secondary Use** and **Short-Term Rental Accommodation** as a **Principal Use** in their appropriate location that reads as follows:

Short-Term Rental Accommodation as a Secondary Use	1.0 medium space per two sleeping units Where three dwelling housing, four dwelling housing, or multiple dwelling housing is the principal use , the dwelling unit is exempt from the requirement in section 8.1.2 to have parking spaces for secondary uses in addition the required parking spaces for the principal use , provided the dwelling unit has a minimum of 2 parking spaces .
Short-Term Rental Accommodation as a Principal Use	Equivalent to apartment housing requirements for that zone

4. AND THAT Section 9 – Specific Use Regulations, sub- section 9.6 Bed and Breakfast Homes, 9 be amended by:

- a) adding to the end of the sentence, in sub- section 9.6.1, sub-paragraph c the words “and be on site when the **bed and breakfast home** is operating.”

- b) deleting in sub-section 9.6.1, sub-paragraph c the word “or”

And replacing it with:

“of”

- c) deleting sub- section 9.6.3 that reads:

“All **bed and breakfast homes** shall comply with the other provisions of this Bylaw, the BC **Building Code**, the **Agricultural Land Commission** General Order No. 1157/93 where applicable, and other fire and health regulations.”

And replacing it with:

“All **bed and breakfast homes** shall comply with the other provisions of this Bylaw, the BC Building Code, the Agricultural Land Reserve Use, Subdivision and Procedure Regulation where applicable, and other fire and health regulations.”

- d) adding a new sub- section **9.17 Short-Term Rental Accommodation** in its appropriate location that reads:

“9.17 Short-Term Rental Accommodation

- 9.17.1 Where **short-term rental accommodation** is a **secondary use**, it must be secondary to a **dwelling** unit as a **principal use** and must be operated by a resident who resides for more than 240 days of the year at that **dwelling** unit.
- 9.17.2 **Short-term rental accommodation** is not permitted in a **secondary suite** or **carriage house**.
- 9.17.3 **Short-term rental accommodation** is not permitted in combination with a **bed and breakfast home**.
- 9.17.4 No more than one booking or reservation for **short-term rental accommodation** is permitted in each **dwelling** unit at one time.
- 9.17.5 No more than two adults may occupy a **sleeping unit** used for **short-term rental accommodation**.
- 9.17.6 The maximum number of **sleeping units** that may be used for **short-term rental accommodation** in each **dwelling** unit is specified in **Table 9.17.1**.

Table 9.17.1 Maximum Sleeping Units for Short-Term Rental Accommodation

Use	Maximum number of sleeping units
Single dwelling housing Two dwelling housing Multiple dwelling housing (including apartment housing) as a principal use	3
Three dwelling housing Four dwelling housing Multiple dwelling housing (including apartment housing) as a secondary use	2

- 9.17.7 Parking must be provided in accordance with the parking and loading regulations of Section 8. **Short-term rental accommodation** may not use required visitor **parking spaces**.”

5. AND THAT **Section 12 – Rural Residential Zones**, be amended by:
- a) adding to Section **12.1 RR1 – Rural Residential 1 / RR1c – Rural Residential 1 with Carriage House**, sub- section **12.1.3 Secondary Uses**, a new sub-paragraph in its appropriate location for “**short term rental accommodation** subject to Section 9.17 of this bylaw ”;
 - b) adding to Section **12.2 RR2 – Rural Residential 2 / RR2c – Rural Residential 2 with Carriage House**, sub- section **12.2.3 Secondary Uses**, a new sub-paragraph in its appropriate location for “**short term rental accommodation** subject to Section 9.17 of this bylaw”; and
 - c) adding to Section **12.3 RR3 – Rural Residential 3 / RR3c – Rural Residential 3 with Carriage House**, sub- section **12.3.3 Secondary Uses**, a new sub-paragraph in its appropriate location for “**short term rental accommodation** subject to Section 9.17 of this bylaw”;
6. AND THAT **Section 13 – Urban Residential Zones**, be amended by:
- a) adding to Section **13.1, RU1 – Large Lot Housing/RU1c – Large Lot Housing with Carriage House/RU1h – Large Lot Housing (Hillside Area)/RU1hc – Large Lot Housing (Hillside Area) with Carriage House**, sub- section **13.1.3 Secondary Uses**, a new sub-paragraph in its appropriate location for “**short term rental accommodation** subject to Section 9.17 of this bylaw”;
 - b) adding to Section **13.2, RU2 – Large Lot Housing/RU2c – Large Lot Housing with Carriage House/RU2h – Large Lot Housing (Hillside Area)/RU2hc – Large Lot Housing (Hillside Area) with Carriage House**, sub- section **13.2.3 Secondary Uses**, a new sub-paragraph in its appropriate location for “**short term rental accommodation** subject to Section 9.17 of this bylaw”;

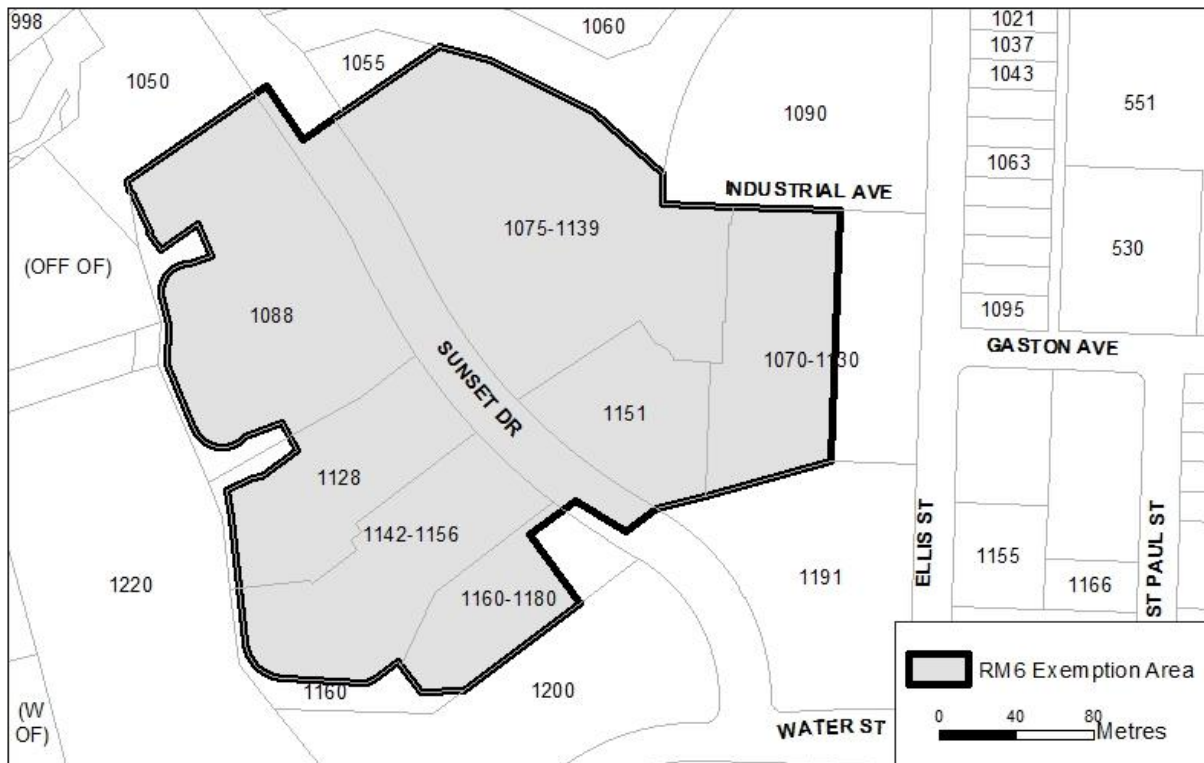
- c) adding to Section **13.3 RU3 – Small Lot Housing/RU3h – Small Lot Housing (Hillside Area)**, sub-section **13.3.3 Secondary Uses**, a new sub-paragraph in its appropriate location for “**short term rental accommodation** subject to Section 9.17 of this bylaw”;
- d) adding to Section **13.4 RU4 – Low Density Cluster Housing/RU4h – Low Density Cluster Housing (Hillside Area)**, sub-section **13.4.3 Secondary Uses**, a new sub-paragraph in its appropriate location for “**short term rental accommodation** subject to Section 9.17 of this bylaw”;
- e) adding to Section **13.5 RU5 – Bareland Strata Housing**, sub-section **13.5.3 Secondary Uses**, a new sub-paragraph in its appropriate location for “**short term rental accommodation** subject to Section 9.17 of this bylaw”;
- f) adding to Section **13.6 RU6 – Two Dwelling Housing / RU6 – Two Dwelling Housing with Boarding or Lodging House**, sub-section **13.6.3 Secondary Uses**, a new sub-paragraph in its appropriate location for “**short term rental accommodation** subject to Section 9.17 of this bylaw”;
- g) adding to Section **13.7 RM1 – Four Dwelling Housing**, sub-section **13.7.3 Secondary Uses**, a new sub-paragraph in its appropriate location for “**short term rental accommodation** subject to Section 9.17 of this bylaw”;
- h) adding to Section **13.8 RM2 – Low Density Row Housing / RM2h – Low Density Row Housing (Hillside Area)**, sub-section **13.8.3 Secondary Uses**, a new sub-paragraph in its appropriate location for “**short term rental accommodation** subject to Section 9.17 of this bylaw”;
- i) adding to Section **13.9 RM3 – Low Density Multiple Housing**, sub-section **13.9.3 Secondary Uses**, a new sub-paragraph in its appropriate location for “**short term rental accommodation** subject to Section 9.17 of this bylaw”;
- j) adding to Section **13.10 RM4 – Transitional Low-Density Housing**, sub-section **13.10.3 Secondary Uses**, a new sub-paragraph in its appropriate location for “**short term rental accommodation** subject to Section 9.17 of this bylaw”;
- k) adding to Section **13.11 RM5 – Medium Density Multiple Housing**, sub-section **13.11.3 Secondary Uses**, a new sub-paragraph in its appropriate location for “**short term rental accommodation** subject to Section 9.17 of this bylaw”;
- l) deleting in Section **13.12 RM6 – High Rise Apartment Housing**, sub-section **13.12.3 Secondary Uses** sub-paragraph (e) that reads “**hotel/motel accommodation within a multiple residential unit**” and add in its appropriate location a new sub-paragraph that reads “**short-term rental accommodation** subject to Section 9.17 of this bylaw”;
- m) adding a new Section **13.12.8 Site Specific Uses and Regulations** in its appropriate location that reads:

“13.12.8 Site Specific Uses and Regulations

Uses and regulations apply to the RM6 – High Rise Apartment Housing **zone** on a site-specific basis as follows:

	<i>Legal Description</i>	<i>Civic Address</i>	<i>Regulation</i>
1.	See Map A	1070-1130 Ellis Street 1075-1139 Sunset Drive 1088 Sunset Drive 1128 Sunset Drive 1142-1156 Sunset Drive 1151 Sunset Drive 1160 Sunset Drive	Notwithstanding section 9.17.1, the operator of short-term rental accommodation does not need to be a resident who resides for more than 240 days of the year at that dwelling unit.

Map A: Properties Zoned RM6 where Site Specific Use Regulation No. 1 Applies



- n) adding to Section **13.14 RH1 – Hillside Large Lot Residential**, sub- section **13.14.4 Secondary Uses**, a new sub-paragraph in its appropriate location for “**short term rental accommodation** subject to Section 9.17 of this bylaw”;
- o) adding to Section **13.15 RH2 – Hillside Two Dwelling Housing**, sub- section **13.15.4 Secondary Uses**, a new sub-paragraph in its appropriate location for “**short term rental accommodation** subject to Section 9.17 of this bylaw”;
- p) adding to Section **13.16 RH3 – Hillside Cluster Housing**, sub- section **13.16.4 Secondary Uses**, a new sub-paragraph in its appropriate location for “**short term rental accommodation** subject to Section 9.17 of this bylaw”; and
- q) adding to Section **13.17 RU7 – Infill Housing**, sub- section **13.17.3 Secondary Uses**, a new sub-paragraph in its appropriate location for “**short term rental accommodation** subject to Section 9.17 of this bylaw”.

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

- a) adding to Section **14.3 C3 – Community Commercial** in sub- section **14.3.3 Secondary Uses** in its appropriate location “**short-term rental accommodation**, subject to section 9.17 of this Bylaw”;
- b) deleting in Section **14.4 C4 –Urban Centre Commercial** in sub- section **14.4.2 Principal Uses** sub-paragraph (c) **apartment hotels**;
- c) adding to Section **14.4 C4 –Urban Centre Commercial** in sub- section **14.4.3 Secondary Uses** in its appropriate location “**short-term rental accommodation**, subject to section 9.17 of this Bylaw”;
- d) deleting Section **14.4 C4 –Urban Centre Commercial**, sub- section **14.4.5 Development Regulations** sub-paragraph (c) that reads:

“(c) The maximum **height** is the lesser of 15.0 m or 4 **storeys** in the South Pandosy and Rutland Urban Centres. In the Springfield/Highway 97 Urban Centre, maximum **height** is the lesser of 15.0 m or 4 **storeys**, except that for **hotels**, **apartment hotels** and **apartment housing** it shall be the lesser of 37.0 m or 12 **storeys**. In all other areas, the maximum **height** shall be the lesser of 15.0 m or 4 **storeys**. For mixed-use developments located in Urban Centres, where parking is located entirely below natural grade and provides a co-op / car sharing program, and provides a **public courtyard** and **green roof**, the maximum building height shall be the lesser of 25.0 m or 7 **storeys**.”

And replace it with:

“(c) The maximum **height** is the lesser of 15.0 m or 4 **storeys** in the South Pandosy and Rutland Urban Centres. In the Midtown Urban Centre, maximum **height** is the lesser of 15.0 m or 4 **storeys**, except that for **hotels** and **apartment housing** it shall be the lesser of 37.0 m or 12 **storeys**. In all other areas, the maximum **height** shall be the lesser of 15.0 m or 4 **storeys**. For mixed-use developments located in Urban Centres, where parking is located entirely below natural grade and provides a co-op / car sharing program, and provides a **public courtyard** and **green roof**, the maximum building height shall be the lesser of 25.0 m or 7 **storeys**.”;

- e) adding to Section **14.5 C5 – Transition Commercial** in sub- section **14.5.3 Secondary Uses** in its appropriate location “**short-term rental accommodation**, subject to section 9.17 of this Bylaw”;
- f) deleting Section **14.6 C6 –Regional Commercial**, sub- section **14.6.3 Secondary Uses** sub-paragraph (c) **apartment hotels**;
- g) adding to Section **14.6 C6 –Regional Commercial**, sub- section **14.6.3 Secondary Uses** a new sub-paragraph in its appropriate “**short-term rental accommodation**, subject to section 9.17 of this Bylaw”;
- h) deleting Section **14.6 C6 –Regional Commercial**, sub- section **14.6.5 Development Regulations** sub-paragraph (c) that reads:

“The maximum **height** is the lesser of 15.0 m or 4 **storeys** except for **hotels**, **apartment hotels** and **apartment housing**, shall be the lesser of 37.0 m or 12 **storeys**.”

And replacing it with:

“The maximum **height** is the lesser of 15.0 m or 4 **storeys** except for **hotels** and **apartment housing**, it shall be the lesser of 37.0 m or 12 **storeys**.”

- i) deleting in Section **14.6 C6 –Regional Commercial**, sub- section **14.6.6 Other Regulations** sub-paragraph (a) the words “**apartment hotels**”;

- j) deleting in Section **14.7 C7 –Central Business Commercial**, sub- section **14.7.2 Principal Uses** sub-paragraph (c) the words “**apartment hotels**”;
- k) adding to Section **14.7 C7 –Central Business Commercial**, sub- section **14.7.3 Secondary Uses** a new sub-paragraph in its appropriate location “**short-term rental accommodation**, subject to section 9.17 of this Bylaw”;
- l) deleting Section **14.8 C8 –Convention Hotel Commercial**, sub- section **14.8.3 Secondary Uses** sub-paragraph “(c) **apartment hotel**”;
- m) adding a new Section **14.8 C8 –Convention Hotel Commercial**, sub- section **14.8.3 Secondary Uses** in its appropriate location a new sub-paragraph that reads “**short-term rental accommodation**, subject to section 9.17 of this Bylaw”;
- n) adding to Section **14.9 C9 – Tourist Commercial**, sub- section **14.9.2 Principal Uses** in its appropriate location a new sub-paragraph that reads “**short-term rental accommodation**, subject to section 9.17 of this Bylaw”;
- o) deleting Section **14.9 C9 – Tourist Commercial**, sub- section **14.9.2 Principal Uses** sub-paragraph “(c) **apartment hotels**”;
- p) deleting Section **14.9 C9 – Tourist Commercial**, sub- section **14.9.5 Secondary Uses** sub-paragraphs (a) and (b) that reads:

“(a) The maximum **floor area ratio** is 0.5 except it is 1.5 for **apartment hotels** and **hotels**.

(b) The maximum **height** is the lessor of 11.0 m or 2 **storeys** except 22.0 m or 6 **storeys** for **apartment hotels** and **hotels**.”

And replace it with:

“(a) The maximum **floor area ratio** is 0.5 except it is 1.5 for **multiple dwelling housing**, **short-term rental accommodation** and **hotels**.

(b) The maximum **height** is the lesser of 11.0 m or 2 **storeys** except it is 22.0 m or 6 **storeys** for **multiple dwelling housing**, **short-term rental accommodation** and **hotels**.”

- q) deleting Section **14.9 C9 – Tourist Commercial**, sub- section **14.9.6 Other Regulations** sub-paragraph (e) that reads:

“(e) **Apartment hotels**, **hotels**, and **motels** are permitted only when connected to **urban services**.

And replace it with:

(e) **Multiple dwelling housing**, **short-term rental accommodation**, **hotels**, and **motels** are permitted only when connected to **urban services**.”

8. AND THAT Section **17– Health District Zone**, be amended by:

- a) adding to Section **17.2 Health District Zone**, **17.2 HD2 – Hospital and Health Support Services**, sub- section **17.2.2 Principal Uses**, 17.2.2.1 a new sub-paragraph that reads “**short-term rental accommodation**, subject to section 9.17 of this Bylaw”;
- b) deleting Section **17.2 Health District Zone**, **17.2 HD2 – Hospital and Health Support Services**, sub- section **17.2.3 Secondary Uses**, 17.2.3.1 sub-paragraph “(c) **apartment hotel**”;

- c) deleting from Section **17.2 Health District Zone, 17.2 HD2 – Hospital and Health Support Services**, sub-section **17.2.6 Parking Regulations specific to the HD2 zone**, sub-paragraph (a) & (b) the words “**apartment hotel**”;
 - d) deleting from Section **17.2 Health District Zone, 17.2 HD2 – Hospital and Health Support Services**, sub-section **17.2.7 Other Regulations**, sub-paragraph (f) that reads:

“(f) **Apartment hotel** and **hotel** use shall only be permitted when secondary to **multiple dwelling housing** or **congregate housing**.”;
 - e) deleting the title in Section **17.3 Health District Zone, 17.3 HD3 –Health Services Transitional**, sub-section “**17.3.2 Principal Uses**” and replace it with “**17.3.2 Uses**”;
 - f) adding to Section **17.3 Health District Zone, 17.3 HD3 –Health Services Transitional**, sub-section **17.3.2 Principal Uses**, 17.3.2.2 a new sub-paragraph in its appropriate location that reads “**short-term rental accommodation**, subject to section 9.17 of this Bylaw”;
9. AND THAT Section **18– Schedule ‘B’ – Comprehensive Development Zones**, be amended by:
- a) adding to the **CD1 – Comprehensive Development One**, sub-section 1.3 **Secondary Uses** a new sub-paragraph in its appropriate location that reads “**short-term rental accommodation**, subject to section 9.17 of this Bylaw”;
 - b) adding to the **CD2 – Kettle Valley Comprehensive Residential Development**, sub-section 1.3 **Secondary Uses** a new sub-paragraph in its appropriate location that reads “**short-term rental accommodation**, subject to section 9.17 of this Bylaw”;
 - c) adding to the **CD3 –Comprehensive Development Three**, sub-section 1.2 **Secondary Uses** a new sub-paragraph in its appropriate location that reads “**short-term rental accommodation**, subject to section 9.17 of this Bylaw”;
 - d) adding to the **CD4 –Comprehensive Small Lot Residential**, sub-section 1.3 **Secondary Uses** a new sub-paragraph in its appropriate location that reads “**short-term rental accommodation**, subject to section 9.17 of this Bylaw”;
 - e) adding to the **CD5–Multi-Purpose Facility/CD5lp – Multi-Purpose (Liquor Primary)**, sub-section 1.3 **Secondary Uses** a new sub-paragraph in its appropriate location that reads “**short-term rental accommodation**, subject to section 9.17 of this Bylaw”;
 - f) adding to the **CD10–Heritage Cultural**, sub-section 1.3 **Secondary Uses** a new sub-paragraph in its appropriate location that reads “**short-term rental accommodation**, subject to section 9.17 of this Bylaw”;
 - g) deleting in **CD14–Comprehensive High-Tech Business Campus**, sub-section 1.3 **Secondary Uses** the sub-paragraph “(d) **apartment hotels**”;
 - h) deleting in **CD14–Comprehensive High-Tech Business Campus**, sub-section 1.6 **Other Regulations** sub-paragraphs (e) and (f) that reads:

“(e) **Apartment Housing** is allowed only above the **first storey** and requires access to grade separate from the **commercial uses**.

(f) **Apartment Housing** and **apartment hotels** shall provide a minimum area of 6 m² of **private open space** per **bachelor dwelling**, 10 m² of **private open space** per **one bedroom dwelling**, and 15 m² of **private open space** per **dwelling** with more than **one bedroom**.”

- i) deleting in the **CD17–Mixed Use Commercial – High Density/CD17rcs – Mixed Use Commercial – High Density (Retail cannabis Sales)**, sub-section 1.1 **Principal Uses** sub-paragraph (a) **apartment hotels**;
- j) adding to the **CD17–Mixed Use Commercial – High Density/CD17rcs – Mixed Use Commercial – High Density (Retail cannabis Sales)**, sub-section 1.1 **Principal Uses** a new sub-paragraph in its appropriate location that reads “multiple dwelling housing”;
- k) deleting in the **CD17–Mixed Use Commercial – High Density/CD17rcs – Mixed Use Commercial – High Density (Retail cannabis Sales)**, sub-section 1.2 **Secondary Uses** sub-paragraph (a) **apartment housing**;
- l) adding to the **CD17–Mixed Use Commercial – High Density/CD17rcs – Mixed Use Commercial – High Density (Retail cannabis Sales)**, sub-section 1.2 **Secondary Uses** a new sub-paragraph in its appropriate location that reads “short-term rental accommodation, subject to section 9.17 of this Bylaw”;
- m) deleting in the **CD18–McKinley Beach Comprehensive Resort Development**, sub-section 1.2 **PRINCIPAL AND SECONDARY USES, 1.2 (a) AREA 1 Village Centre, Principal Uses**, sub-paragraph (a) **apartment hotels**;
- n) adding to the **CD18–McKinley Beach Comprehensive Resort Development**, sub-section 1.2 **PRINCIPAL AND SECONDARY USES, 1.2 (a) AREA 1 Village Centre, Principal Uses**, a new sub-paragraph in its appropriate location that reads “multiple dwelling housing”;
- o) adding to the **CD18–McKinley Beach Comprehensive Resort Development**, sub-section 1.2 **PRINCIPAL AND SECONDARY USES, 1.2 (a) AREA 1 Village Centre, Principal Uses**, a new sub-paragraph in its appropriate location that reads “short-term rental accommodation, subject to section 9.17 of this Bylaw”;
- p) deleting in the **CD18–McKinley Beach Comprehensive Resort Development**, sub-section 1.2 **PRINCIPAL AND SECONDARY USES, 1.2 (b) AREA 2 Winery and Resort Accommodation, Principal Uses**, sub-paragraph (a) **apartment hotels**;
- q) adding to the **CD18–McKinley Beach Comprehensive Resort Development**, sub-section 1.2 **PRINCIPAL AND SECONDARY USES, 1.2 (b) AREA 2 Winery and Resort Accommodation, Principal Uses**, a new sub-paragraph in its appropriate location that reads “multiple dwelling housing”;
- r) adding to the **CD18–McKinley Beach Comprehensive Resort Development**, sub-section 1.2 **PRINCIPAL AND SECONDARY USES, 1.2 (b) AREA 2 Winery and Resort Accommodation, Secondary Uses**, a new sub-paragraph in its appropriate location that reads “short-term rental accommodation, subject to section 9.17 of this Bylaw”;
- s) deleting in the **CD18–McKinley Beach Comprehensive Resort Development**, sub-section 1.2 **PRINCIPAL AND SECONDARY USES, 1.2 (c) AREA III Hillside Resort Accommodation, Principal Uses**, sub-paragraph (a) **apartment hotels**;
- t) adding to the **CD18–McKinley Beach Comprehensive Resort Development**, sub-section 1.2 **PRINCIPAL AND SECONDARY USES, 1.2 (c) AREA III Hillside Resort Accommodation, Secondary Uses**, a new sub-paragraph in its appropriate location that reads “short-term rental accommodation, subject to section 9.17 of this Bylaw”;
- u) deleting in the **CD18–McKinley Beach Comprehensive Resort Development**, sub-section 1.2 **PRINCIPAL AND SECONDARY USES, 1.2 (d) AREA IV Waterfront Resort Accommodation, Principal Uses**, sub-paragraph (a) **apartment hotels**;

- v) adding to the **CD18–McKinley Beach Comprehensive Resort Development**, sub-section 1.2 **PRINCIPAL AND SECONDARY USES, 1.2 (d) AREA IV Waterfront Resort Accommodation, Principal Uses**, a new sub-paragraph in its appropriate location that reads “multiple dwelling housing”;
- w) adding to the **CD18–McKinley Beach Comprehensive Resort Development**, sub-section 1.2 **PRINCIPAL AND SECONDARY USES, 1.2 (d) AREA IV Waterfront Resort Accommodation, Secondary Uses**, a new sub-paragraph in its appropriate location that reads “short-term rental accommodation, subject to section 9.17 of this Bylaw”;
- x) deleting **CD18–McKinley Beach Comprehensive Resort Development**, sub-section 1.3 **DEVELOPMENT REGULATIONS** sub-paragraph (g) that reads:

“(g) Resort accommodation which allows for short-term stays is made up of two types:

Type A:

Attached apartment hotel, hotel, congregate housing, motel units or row housing units (units in buildings exceeding 4 units with common amenities) – maximum area of 150m² per unit floor area net.

Type B:

Single detached housing with or without secondary suites, semi-detached housing, row housing with four units or less, with amenities that may be in separate buildings. The maximum gross floor area is 350m² per unit (excluding garages). The main floor footprint (excluding garage) may not exceed 175m² per unit (excluding garages). Type B units must be served by a common on-site or off-site reservation centre(s).”

And replacing it with:

“(g) Dwelling units or resort accommodation which allows for short-term stays is made up of two types:

Type A:

Attached apartment, hotel, congregate housing, motel units or row housing units (units in buildings exceeding 4 units with common amenities) – maximum area of 150m² per unit floor area net.

Type B:

Single detached housing with or without secondary suites, semi-detached housing, row housing with four units or less, with amenities that may be in separate buildings. The maximum gross floor area is 350m² per unit (excluding garages). The main floor footprint (excluding garage) may not exceed 175m² per unit (excluding garages).”

- y) deleting Section **CD22 – Central Green Comprehensive Development Zone**, sub-section 1.4 **Central Green General Regulations** sub-paragraph (c) that reads:

“(c) **Section 9 – Specific Use Regulations** of this bylaw does not apply with the exceptions for:
 Sub-Section **9.2 – Home Based Businesses, Minor**;
 Sub-Section **9.3 – Home Based Businesses, Major**; and
 Sub-Section **9.10 – Agriculture, Urban**”

And replace it with:

(c) **Section 9 – Specific Use Regulations** of this bylaw does not apply with the exceptions for:
 Sub-Section **9.2 – Home Based Businesses, Minor**;
 Sub-Section **9.3 – Home Based Businesses, Major**;

Sub-Section **9.10 – Agriculture, Urban; and**
Sub-Section **9.17 – Short-Term Rental Accommodation.”**

- z) deleting Section **CD22 – Central Green Comprehensive Development Zone, Schedule 7 – CD22 Sub-Areas A & B Zoning, 7.2 Principal Uses** sub-paragraph (e) **apartment hotels**;
- aa) adding to Section **CD22 – Central Green Comprehensive Development Zone, Schedule 7 – CD22 Sub-Areas A & B Zoning, 7.3 Secondary Uses** a new sub-paragraph in its appropriate location that reads **“short-term rental accommodation, subject to section 9.17 of this Bylaw”**;
- bb) adding to Section **CD22 – Central Green Comprehensive Development Zone, Schedule 8 – CD22 Sub-Areas C & G Zoning, 8.1 Permitted Uses, Secondary Uses** a new sub-paragraph in its appropriate location that reads **“short-term rental accommodation, subject to section 9.17 of this Bylaw”**;
- cc) adding to Section **CD22 – Central Green Comprehensive Development Zone, Schedule 9 – CD22 Sub-Area D Zoning, 9.1 Permitted Uses, Secondary Uses** a new sub-paragraph in its appropriate location that reads **“short-term rental accommodation, subject to section 9.17 of this Bylaw”**;
- dd) adding to Section **CD22 – Central Green Comprehensive Development Zone, Schedule 10 – CD22 Sub-Area E & F Zoning, 10.1 Permitted Uses, Secondary Uses** a new sub-paragraph in its appropriate location that reads **“short-term rental accommodation, subject to section 9.17 of this Bylaw”**;
- ee) adding to Section **CD22 – Central Green Comprehensive Development Zone, Schedule 11 – CD22 Sub-Area H Zoning, 11.1 Permitted Uses, Secondary Uses** a new sub-paragraph in its appropriate location that reads **“short-term rental accommodation, subject to section 9.17 of this Bylaw”**;
- ff) deleting Section **CD24 –Comprehensive Development Zone, sub-section 1.4 General Regulations of Comprehensive Site** sub-paragraph (c) that reads:

“c) **Section 9 – Specific Use Regulations** of this bylaw does not apply with the exception of:
Sub-Section **9.2 – Home Based Business, Minor**;
Sub-Section **9.3 – Home Based Business, Major**.

And replace it with:

(c) **Section 9 – Specific Use Regulations** of this bylaw does not apply with the exception of:
Sub-Section **9.2 – Home Based Business, Minor**;
Sub-Section **9.3 – Home Based Business, Major**; and
Sub-Section **9.17 – Short-Term Rental Accommodation.”**
- gg) deleting in Section **CD24 –Comprehensive Development Zone, Schedule 1 – CD24 Sub-Area A Zoning, 7.2.1 Principal Uses** sub-paragraph (a) **apartment hotels**;
- hh) adding to Section **CD24 –Comprehensive Development Zone, Schedule 1 – CD24 Sub-Area A Zoning, 7.2.1 Principal Uses**, a new sub-paragraph in its appropriate location that reads **“short-term rental accommodation, subject to section 9.17 of this Bylaw”**;
- ii) deleting in Section **CD24 –Comprehensive Development Zone, Schedule 1 – CD24 Sub-Area A Zoning, 7.6 Private Open Space**, the words **“apartment hotel unit”** and replacing it with the words **“short-term rental accommodation.”**;
- jj) deleting in Section **CD24 –Comprehensive Development Zone, Schedule 2 – CD24 Sub-Area B Zoning**, the title **“8.2.1 Secondary Uses”** and replacing it with **“8.2.2 Secondary Uses”**;

- kk) adding to Section **CD24 –Comprehensive Development Zone, Schedule 2 – CD24 Sub-Area B Zoning, 8.2.1 Secondary Uses** a new sub-paragraph in its appropriate location that reads “**short-term rental accommodation**, subject to section 9.17 of this Bylaw”;
- ll) deleting in Section **CD26 – Capri Centre Comprehensive Development Zone/CD26rcs – Capri Centre Comprehensive Development Zone (Retail Cannabis Sales), 1.4 Principal Uses** sub-paragraph (c) **apartment hotels**;
- mm) adding to Section **CD26 – Capri Centre Comprehensive Development Zone/CD26rcs – Capri Centre Comprehensive Development Zone (Retail Cannabis Sales), 1.5 Secondary Uses** a new sub-paragraph that reads “**short-term rental accommodation**, subject to section 9.17 of this Bylaw”; and
- nn) adding to the **CD27 – Valley Land Subdivision**, sub-section 1.3 **Secondary Uses** a new sub-paragraph in its appropriate location that reads “**short-term rental accommodation**, subject to section 9.17 of this Bylaw”.

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

Read a first time by the Municipal Council this 25th day February, 2019.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: March 12, 2019

RIM No. 0930-50

To: City Manager

From: Community Planning Department (BBC)

Application: LL18-0020

Owner: Academy Apartments Ltd., Inc.
No. BCo868449

Address: 122 – 975 Academy Way

Applicant: Base Camp Brewing

Subject: Liquor License Application

Existing OCP Designation: COMM – Commercial
PARK – Major Park / OpenSpace (Public)

Existing Zone: C3LR – Community Commercial Liquor Retail
P3 – Parks and Open Space

1.0 Recommendation

THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor and Cannabis Regulation Branch (LCRB):

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 Base Camp Brewing (Brewery), Strata Lot 1, Section 10, Township 23, Osoyoos Division Yale District, Strata Plan EPS1461 Together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V, located at 122-975 Academy Way, Kelowna, BC for a Liquor Primary license with a capacity of 180 persons and hours of sales from 10:00 AM to 12:00 AM Monday to Wednesday, 10:00 AM to 1:00 AM Thursday to Saturday, and 10:00 AM to 10:00 PM on Sunday for the following reasons:
2. Council's comments on LCLB's prescribed considerations are as follows:
 - a. The location of the establishment:
The Brewery is located in a community commercial setting near the University of British Columbia Okanagan (UBCO) campus, within the University South Village Centre.

- b. The proximity of the establishment to other social or recreational facilities and public buildings:
The property is located at the corner of John Hindle Dr. and Academy Way, is adjacent to a vacant Agricultural land to the east, UBCO Campus to the north, and predominantly student residential area to the south. Kelowna International Airport is located approximately 1.5 km to the northeast.
- c. The person capacity and hours of liquor service of the establishment:
The person capacity is 120 persons inside, and 60 persons on exterior patio. Hours of operation will be from 10:00 AM to 12:00 AM Monday to Wednesday, 10:00 AM to 1:00 AM Thursday to Saturday, and 10:00 AM to 10:00 PM on Sunday.
- 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 intended to attract the students enrolled at the UBCO, to act as a place to hold events for local businesses and students, and to provide a social setting that is remotely convenient.
- e. The impact of noise on the community in the immediate vicinity of the establishment if the application is approved:
The impact of noise on the surrounding community should be minimal as City Staff are recommending restrictions on amplified music as detailed in this report. The Brewery is located in a commercial area and will have minimal negative impact on traffic and parking, and the property is properly zoned.
- f. 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 consider a Liquor Primary License for a new brew pub.

3.0 Community Planning

Community Planning Staff supports the requested Liquor Primary License for the proposed Brewery facility. The proposal will add a new, convenient and safe form of entertainment venue to those students enrolled at and residing within the UBCO Campus and surrounding residential neighbourhood.

The proposal does not require rezoning as the property is categorized as Liquor Retail. 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 120 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):

- 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.

The proposal is compatible with Council Policy #359. The Brewery is located within the University Village Center, is south of "The Well", a UBC Student Union-Okanagan operated pub with an established Liquor Primary License located within the main UBCO Campus. 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 710 meters. The proposed Brewery is not located beside a small establishment.

Additionally, impact to the surrounding student residential accommodation is expected to be minimal and noise is not anticipated be an issue as the applicant will enforce the following:

- Restriction to amplified voice and music as per Good Neighbour Bylaw No. 11500;
- Music to the outdoor patio area will be off by no later than 10:00 PM;
- Restrict liquor service to the outdoor patio area by no later than 11:00 PM.

3. Hours of Liquor Sales:

Generally, based on previous applications, the R.C.M.P. support hours of operation between 10:00 AM to 10:00 PM, Monday through Sunday. Although the R.C.M.P. does support the proposed liquor service hours for this application, they have 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."* Staff supports the requested liquor service hours for the proposed Brewery facility, as aligns with other similar establishments such as Bandt's Creek, McCurdy Lanes, and Rusty's Pub, which are outside of the City core. Additionally, an existing student pub that is in operation within the UBCO Campus, is licensed to serve liquor until 2:00 AM Monday to Sunday. 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 10:00 AM Monday to Sunday, is supported.

4. Other Requirement:

The applicant is required to meet the current Sign Bylaw regulations for the permanent signs on the building at the time of Sign permit application.

4.0 Proposal

4.1 Background

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

4.2 Project Description

The “Base Camp Brewing” is proposed to operate within an approximately 274 m² interior pub area, with an additional 221 m² in patio space. The proposed Brewery is situated amongst student living at UBCO, offering a convenient and safe location to those students enrolled at the educational institution to engage in social setting.

The business proposes to offer a variety of entertainment including a Bocce pit, pool tables and shuffle board. In addition to standard pub style menu, the business proposes to offer non-alcoholic beverages during all hours of operation with the objective to provide a positive overall experience to their clientele. The owners expect to attract the students enrolled at the UBCO, to act as a place to hold events for local businesses and students, to provide a social setting that is remotely convenient, as a result leading to increased revenue and tourist populations.

Proposed Hours of Liquor Primary Service for Base Camp Brewery:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
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	1:00 AM	1:00 AM	1:00 AM	10:00 PM

4.3 Site Context

The subject property is located in the University South Village Centre. The property is located at the corner of John Hindle Dr. and Academy Way, is adjacent to a vacant Agricultural land to the east, UBCO Campus to the north, predominantly student residential area to the south, and educational institution to the west. Kelowna International Airport is located approximately 1.5 km to the northeast.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	CD20 – UBC Okanagan	UNBCO Campus
East	A1 - Agricultural	Vacant
South	RM4 – Transitional Low Density Housing RM5 – Medium Density Multiple Housing	Student residence
West	P3 – Parks and Open Space P2 – Educational and Minor Institution	Park UBCO campus

Subject Property Map: 122 – 975 Academy Way



5.0 Current Development Policies

5.1 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 R.C.M.P.;
 - 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.

6.0 Technical Comments

6.1 Building & Permitting Department

- No concerns.

6.2 Fire Department

- No concerns as long as the specified occupant loads are adhered to.

6.3 R.C.M.P.

The R.C.M.P. does support the proposed liquor service hours, however the R.C.M.P. strongly supports 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.

Additionally, the R.C.M.P has put forth the following requirements:

- Installation of a patron ID system, Serval Biometrics which must operate from 9:00 pm to closing.
- Designated staff must complete a minimum BST level of training and possess a valid license while employed in the capacity of Security Staff.
- The applicant must install and operate a high definition security camera which records and retains data for a period of no less than 7 days. The camera system must provide video coverage of the entire floor space and immediate area outside their establishment including all entrances and exits.

7.0 Application Chronology

Date of Application Received: June 27, 2018
Date of Revised Occupant Load Plan: January 23, 2019

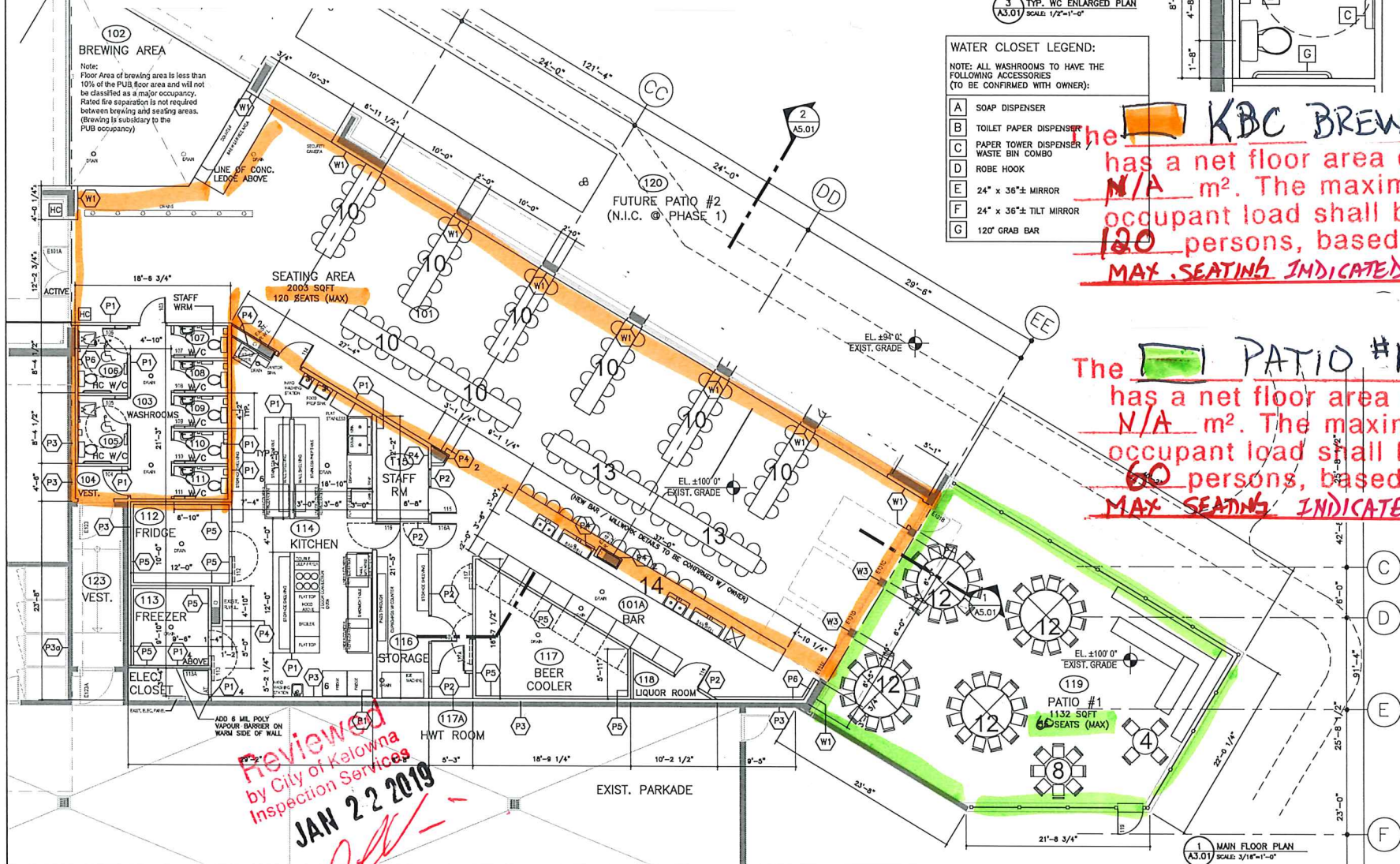
Report prepared by: Barbara B. Crawford, Planner
Reviewed by: Terry Barton, Urban Planning Manager
Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A – Occupant Load Drawing
Attachment B – Applicant’s Letter of Intent

#106 – 975 Academy Way

KBC Brewing



The **KBC BREWING** has a net floor area of N/A m². The maximum occupant load shall be 120 persons, based on MAX SEATING INDICATED.

The **PATIO #1** has a net floor area of N/A m². The maximum occupant load shall be 60 persons, based on MAX SEATING INDICATED.

Reviewed
 by City of Kelowna
 Inspection Services
 JAN 22 2019

231-75 FRONT STREET
 PENTAGON, B.C.
 V2A 1S4
 TEL: 250.462.3143
 EMAIL: pen-ar@shaw.ca

233 BIRCHDALE AVENUE
 KELLOWA, B.C.
 V1Y 6N9
 TEL: 250.762.3004
 EMAIL: kel-ar@shaw.ca

CTS INC.

122 - 975 Academy Way
 Drawing Number

A3.01

DETAILS ARE NOT TO BE SCALED.
 ALL DIMENSIONS SHALL BE VERIFIED ON JOB.
 Drawing Title
 MAIN FLOOR PLAN

AS INDICATED
 Date: 2018-07-27
 Drawn by: CTS INC.
 Scale: AS INDICATED
 Drawn: CTS
 Checked: CTS

Base Camp Brewing

Letter of Intent

Base Camp Brewing operates within a 2,947.01 square foot pub area with an additional 2,380.73 square feet in patio space located at 122 – 975 Academy Way in Kelowna, British Columbia. Base Camp Brewing is situated amongst student living at the largest educational institution in the Okanagan Valley, making it the perfect opportunity for students to engage in social settings.



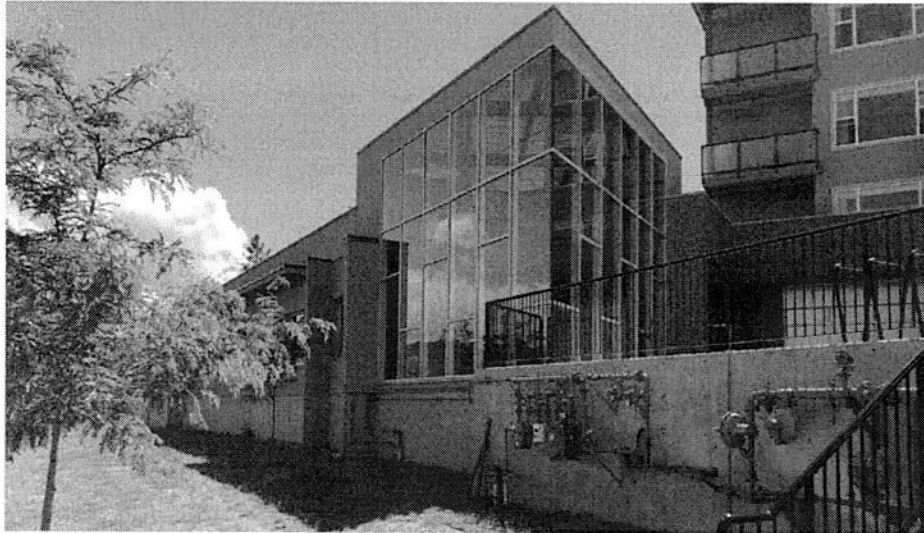
The primary focus of Base Camp Brewing is to provide a convenient, safe and responsible brew pub to those students enrolled at the University of British Columbia Okanagan. Because the university is located outside of the Downtown Kelowna core, students have limited access to nightlife, leading to high travel expenses. Because of its

location, drunk driving is also a raised concern to those traveling to available social establishments. The implementation of Base Camp Brewing will drive traffic and nightlife to the campus, therefore leading to increased revenue and tourist populations.

One of the elements that make Base Camp Brewing unique is the lifestyle it will provide for students attending the university. Base Camp Brewing will offer a variety of entertainment including a Bocce pit, pool tables and shuffle board. A standard pub style menu will be offered including burgers, nachos, spinach dip, and wings that will be available during all hours of operation. Happy hour offerings will be available in addition to a reasonably priced menu that is affordable to the student population. Non-alcoholic beverages will also be provided during all hours of operation.

In Kelowna, food, wine and culture have always been at the heart of the city. We believe that providing locally grown, Okanagan ingredients will add a sense of culture to those international students attending the university. With adhering to *Serving it Right* guidelines in addition to regularly keeping staff informed and educated with food safe requirements, we believe that this will be an incredible addition to our largest growing institution in the Valley.

Base Camp Brewing will be located near a residential neighborhood located near the University of British Columbia Okanagan. In order to ensure noise complaints do not occur, on-site security will be present during all hours of operation. The establishment will occasionally host student events and gatherings that do not exceed occupancy loads that are operated in a safe and responsible manner.



Base Camp Brewing will not request Catering Endorsement or Off-Premise Sales Endorsement. However, an Off-Premise Sales (Brew Pub) Endorsement will be required and minors are permitted until 10pm.

As Kelowna grows and the popularity of The

University of British Columbia Okanagan continues, facilities like Base Camp Brewing will be needed for the following reasons: to promote a sense of community using local food and beverages, to act as a place to hold events and for local businesses and students, and to provide a social setting that is remotely convenient. We believe that the development of Base Camp Brewing will not only add to the overall student experience at UBCO, but will also be an incredibly valuable way to showcase what the Okanagan has to offer with regards to food, wine and culture.

CITY OF KELOWNA

BYLAW NO. 11655

Z18-0056

2529 Richter Street

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 9 District Lot 136 Osoyoos Division Yale District Plan 3506, located on Richter Street, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

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

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: March 12, 2019

RIM No. 0940-00

To: City Manager

From: Community Planning Department (KB)

Application: DP18-0108 & DVP18-0109

Owner: Karambir Singh Kler
Amarjit Kaur Kler

Address: 2529 Richter Street

Applicant: New Town Services

Subject: Development Permit and Development Variance Permit Application

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

Existing Zone: RM3 – Low Density Multiple Housing

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11655 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP18-0108 and Development Variance Permit No. DVP18-0109 for Lot 9 District Lot 136 Osoyoos Division Yale District Plan 3506, located at 2529 Richter Street, Kelowna, BC subject to the following:

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

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

Section 8.1.9(b): Off-Street Vehicle Parking

To vary the required front yard to allow for one off-street vehicle parking stall from 4.5 m permitted to 3.85 m proposed.

Section 13.9.6(b): RM3 – Low Density Multiple Housing Development Regulations

To vary the required maximum site coverage of buildings, driveways, and parking areas from 65 % permitted to 73.3 % proposed.

AND THAT a Section 219 Restrictive Covenant requiring on-site snow management and removal be registered on title to the satisfaction of the City of Kelowna Approving Officer prior to Development Permit and Development Variance Permit issuance;

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

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

2.0 Purpose

To consider the form and character of a multiple dwelling housing project in the RM3 – Low Density Multiple Housing zone and variances to the maximum site coverage from 65 % (permitted) to 73.3 % (proposed) and the minimum distance of a parking stall from the required front yard from 4.5 m (required) to 3.85 m (proposed).

3.0 Community Planning

Community Planning Staff support the Development Permit and Development Variance Permit application. The proposed ground-oriented townhouse design achieves the following form and character objectives from the City's Official Community Plan (OCP) Comprehensive Design Guidelines:

- Equal emphasis and design treatment has been given to both the Richter Street and Morrison Avenue frontages, with respect to building massing, materials, details, and landscaping.
- Facades are articulated by means of indentations and projections of elements.

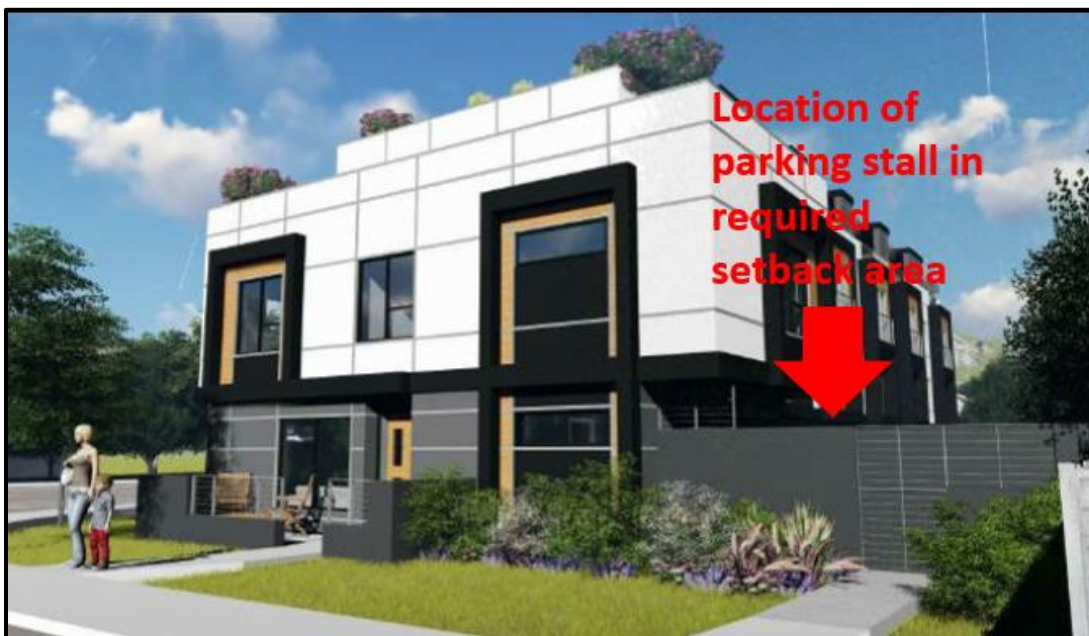
Staff acknowledge the proposal as a creative urban infill project on a relatively small urban corner lot. The parking configuration and on-site vehicular turning movements will be tight, especially for the three stalls on the far west side of the property. A vehicle, from one of these three stalls, when it reverses, will overhang into the landscape buffer. In the winter, this turning movement would not be possible if snow were piled in this area. Due to this concern, a snow removal covenant, would be required to be registered on-title prior to issuance of a Development Permit. An alternative to multi-point vehicular turns is that these vehicles reverse the entire length of the development directly into the lane. The turning movements for these three stalls are shown in Attachment A.

Variances

There are two variances being requested as part of this application, for overall site coverage and to allow a required parking stall within the required front yard setback. The applicant has included permeable pavers, which helps to facilitate rain water infiltration, for the entire drive aisle, which allows them to take advantage of a site coverage bonus in the RM3 – Low Density Multiple Housing Zone (an increase from 60 % to 65 % permitted). For this project, the applicant is requesting an increase from 65 % permitted to 73.3 % proposed, in order to achieve the proposed building form and density (seven units).

An additional variance is being requested to allow for one required parking stall to be located within the front yard setback. The applicant is proposing to screen this stall with landscaping and opaque fencing to help minimize the visual impact of it when viewed from Richter Street. The applicant has provided an artist rendering of the Richter Street elevation, which shows how a vehicle would be screened from view.

Image 1 – Artist rendering of the proposed Richter Street elevation



4.0 Proposal

4.1 Background

The applicant submitted a Rezoning and Development Permit application in May 2018. The Rezoning application received second and third readings on August 28, 2018. The applicant has met the engineering requirements associated with the rezoning in order to receive final adoption of the Rezoning Bylaw No. 11655.

There is existing single dwelling housing on the subject property, which would be demolished to facilitate this development.

4.2 Project Description

The proposed development features seven dwelling units in row house form. This includes six two-bedroom units and one three-bedroom unit. The three-bedroom unit has a main entrance on Richter Street and the remaining six units have main entrances on Morrison Avenue. The buildings are slightly tiered, to add visual interest, with a two storey portion of the building (the three-bedroom unit) fronting on Richter Street, and then increasing to three storeys for the remainder of the development. This tiering is visible in Image 2 below. The main exterior materials include white Hardie panel and true grain (wood coloured) Hardie siding.

Each unit has a rooftop patio, which meets the Zoning Bylaw requirements for private open space. All vehicular access for the development is proposed to come from the lane which fronts this development on the east property line, and a combination of garages and surface parking stalls would all be accessed from this internal drive aisle.

Image 2 – Artist rendering of the proposed Morrison Avenue frontage

4.3 Site Context

The 799 m² subject property is located at the corner of Richter Street and Morrison Avenue. It is in close proximity to the South Pandosy Urban Centre Area, Kelowna General Hospital, and nearby parks, including Cameron Park, Osprey Park and Kinsmen Park. It is within the City's Permanent Growth Boundary, and the walk score is 75, which means the site is very walkable and more errands can be accomplished on foot.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing	Residential
East	Ru7 – Infill Housing	Residential
South	RU6 – Two Dwelling Housing	Residential
West	RU6 – Two Dwelling Housing	Residential

Subject Property Map: 2529 Richter Street**4.4 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	RM ₃ ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Floor Area Ratio	0.8	0.79
Site Coverage	50 %	36.8 %
Site Coverage of buildings, driveways and parking areas (with bonus for permeable drive surfaces and parking)	65 %	73.3 % ❶
Height	10 m / 3 storeys	9.52 m / 3 storeys
Front Yard (west – Richter St)	1.5 m	3.17 m
Flanking Side Yard (north – Morrison Ave)	1.5 m	1.5 m
Side Yard (south)	4.0 m	5.2 m
Rear Yard (east – public lane)	3.0 m	4.46 m
Other Regulations		
Minimum Parking Requirements	11 Residential stalls 1 Visitor stalls 12 Total stalls	14 Residential stalls 1 Visitor stalls 15 Total stalls
Minimum Private Open Space	175 m ²	> 175 m ²
Minimum Two Way Drive Aisle Width	7.0 m	7.0 m
Setbacks to Surface Parking – Front	4.5 m	3.85 m ❷
Setbacks to Surface Parking – Rear	1.5 m	1.77 m
Setbacks to Surface Parking – Flanking Side	3.0 m	3.0 m
Setbacks to Surface Parking –Side	1.5 m	2.5 m
❶ Indicates a requested variance to the maximum site coverage of buildings, driveways and parking areas		
❷ Indicates a requested variance to the required front yard setback for surface parking		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5 - Development Process

Objective 5.3 Focus development to designated growth areas

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

Objective 5.22 Ensure context sensitive housing development

Policy .6 Sensitive Infill. Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

Policy .7 Healthy Communities. Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

Policy .13 Family Housing. Support housing alternatives for families when single detached housing is too costly, including features that are important to families such as: outdoor space, direct access to grade, workshop space, larger units, safe design, and neighbourhood characteristics (e.g.: location and amenities).

Objective 5.23 Address the needs of families with children through the provision of appropriate family-oriented housing

Policy .1 Ground-Oriented Housing. Encourage all multiple-unit residential buildings in neighbourhoods with schools and parks to contain ground-oriented units with 2 or more bedrooms so as to provide a family housing choice within the multi-unit rental or ownership markets. High density residential projects in the Downtown area are encouraged to include a ground-oriented housing component, especially where such can be provided on non-arterial and non-collector streets.

6.0 Technical Comments

6.1 Development Engineering Department

All the offsite infrastructure and services upgrades were addressed in the Rezoning Engineering Report under file Z18-0056.

7.0 Application Chronology

Date of Application Received:	May 10, 2018
Date Public Consultation Completed:	July 10, 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:	Terry Barton, Urban Planning Manager
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager

Attachments:

Draft Development Permit and Development Variance Permit No. DP18-0108 & DVP18-0109
Schedule A – Zoning Analysis Table and Site Plan
Schedule B – Elevations and Materials
Schedule C – Landscape Plan and Proprietary documents for Permeable Paving System
Attachment A – Vehicular Turning Movements

Development Permit & Development Variance Permit DP18-0108 & DVP18-0109



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

2529 Richter Street

and legally known as

Lot 9 District Lot 136 Osoyoos Division Yale District Plan 3506

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

Multiple Dwelling Housing

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

Section 8.1.9(b): Off-Street Vehicle Parking

To vary the required front yard to allow for one off-street vehicle parking stall from 4.5 m permitted to 3.85 m proposed.

Section 13.9.6(b): RM3 – Low Density Multiple Housing Development Regulations

To vary the required maximum site coverage of buildings, driveways, and parking areas from 65 % permitted to 73.3 % proposed.

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

Date of Council Decision March 12, 2019

Decision By: Council

Development Permit Area: Comprehensive Development Permit Area

This permit will not be valid if development has not commenced by March 12, 2021.

Existing Zone: RM3 – Low Density Multiple Housing Future Land Use Designation: MRL – Multiple Unit Residential (Low Density)

This is NOT a Building Permit.

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

NOTICE

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

Owner: Karambir Singh Kler & Amarjit Kaur Kler

Applicant: New Town Services

Ryan Smith
Community Planning Department Manager
Community Planning & Strategic Investments

Date

1. SCOPE OF APPROVAL

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

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

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

2. CONDITIONS OF APPROVAL

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
- c) Landscaping to be provided on the land be in accordance with Schedule "C"; and
- d) The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect.
- e) A Section 219 Restrictive Covenant requiring on-site snow management and removal be registered on title to the satisfaction of the City of Kelowna Approving Officer prior to Development Permit and Development Variance Permit issuance

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

3. PERFORMANCE SECURITY

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

- a) An Irrevocable Letter of Credit or certified cheque in the amount of **\$93,213.75**

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.**

RICHTER TOWNHOUSES

ADDRESS:	
2529 Richter street, Kelowna, BC, V1Y 2P9	
LEGAL DESCRIPTION:	
Lot 9, District Lot 136, ODYD, Plan 3506 (PID 010-844-058)	
GRADES:	
EXISTING AVERAGE - FLAT	PROPOSED AVERAGE - FLAT
NUMBER OF BUILDINGS:	
1 BUILDING (7 UNITS)	

ZONING ANALYSIS:

EXISTING	PROPOSED
ZONING:	
RU6	RM3

RM3 ZONING REQUIREMENTS:

REQUIRED	PROPOSED
----------	----------

SITE DETAILS

SITE AREA (m²)	
900 m²	799.75 m² (AFTER CORNER ROUNING 792 m²)
SITE WIDTH (m)	
30.0 m	17.50 m
SITE DEPTH (m)	
30.0 m	45.72 m
MAX SITE COVERAGE FOR BUILDINGS (%):	
40% + 10% PRIVATE SPACE ON ROOF DECK	36.8%
MAX SITE COVERAGE INCL. PARKING & DRIVEWAYS (%):	
60% + 5% PERMEABLE DRIVE SURFACES	73.3% (VARIANCE REQ'D)

DEVELOPMENT REGULATIONS

TOTAL NUMBER & TYPES OF UNITS:	
7 UNITS	6x 2BR UNITS 1x 3BR UNIT
FLOOR AREA (GFA/NFA):	
MAX 639.8 m² BASED ON 0.80 FAR	L1 GFA FOR SITE COVERAGE = 291.6 m² NFA FOR FAR = 629.1 m²
FLOOR AREA RATIO (FAR):	
0.75 +0.05 SCREENED PARKING SPACES	0.79
BUILDING HEIGHT:	
3 STOREYS OR 10m	3 STOREYS / 9.52m
SETBACKS:	
FRONT WEST: 1.5m	1.5 m
SIDE NORTH: 1.5m	1.5 m
SIDE SOUTH: 4.0m	4.0 m
REAR EAST: 3.0m	3.0 m
NUMBER OF PARKING STALLS / LOADING SPACES:	
ROW STACKED HOUSING - 1.5 / 2BR - 2.0 / 3BR 11 STALLS + 1 VISITOR PARKING STALL / 7 UNITS	15 STALLS
12 PARKING SPACES	PARKING SETBACK VARIANCE REQ'D
PRIVATE OPEN SPACE AREA:	
25.0 m² per home w/ more than 1 bedroom x 7 = 175 m²	ROOF DECKS 248.3 m² OPEN SPACE 256.6 m²



GRAPHIC 01: NORTH EAST VIEW



GRAPHIC 02: SOUTH EAST VIEW



GRAPHIC 03: BUILDING RELATIONSHIP TO THE NEIGHBOURHOOD NORTH WEST VIEW



GRAPHIC 04: SOUTH WEST VIEW

SCHEDULE

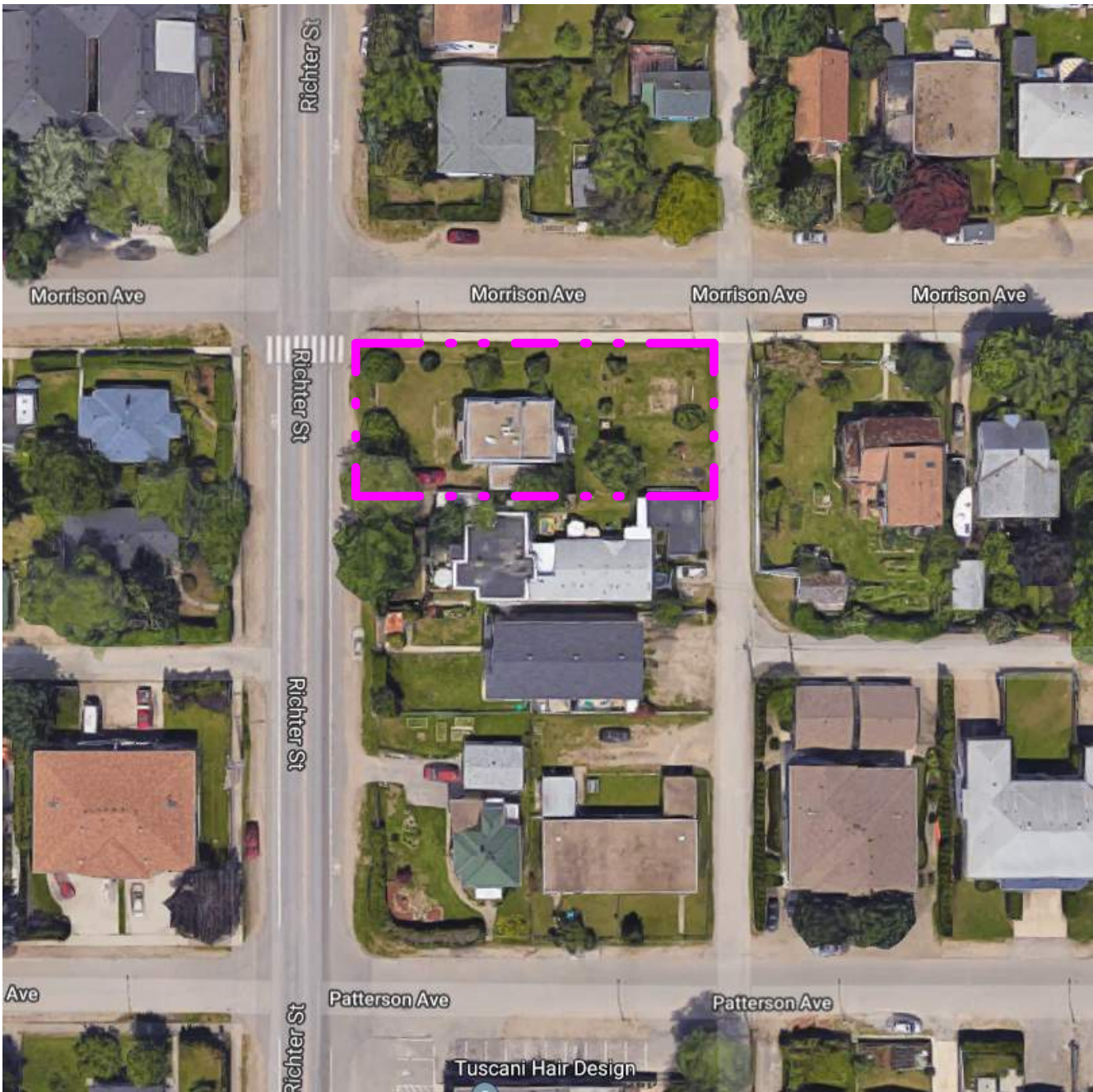
This forms part of application
DP18-0108/DVP18-0109

Planner Initials KB

City of Kelowna

COMMUNITY PLANNING

KEY PLAN



NOT FOR CONSTRUCTION

ALL CONTRACTORS ARE REQUIRED TO PERFORM THEIR WORK AND SUPPLY THEIR PRODUCTS IN COMPLIANCE WITH ALL BUILDING CODES AND LAWS OF THE PROVINCE OF BRITISH COLUMBIA
This drawing is an instrument of service and the property of New Town Services. The use of this drawing shall be restricted to the original site for which it was prepared and publication thereof is expressly limited to such use.
This drawing must not be scaled
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Report all errors and omissions to the Architect.



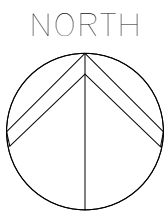
Revision		
No	Date	Description
1	18-05-10	ISSUED FOR DP
2	18-06-21	RE-ISSUED FOR DP
3	18-09-12	RE-ISSUED FOR DP
4	18-10-24	RE-ISSUED FOR DP

project title
RICHTER TOWNHOUSES

project address
2529 RICHTER STREET,
KELOWNA, BC
project no. 4055
file no.
drawing title
ZONING & CODE ANALYSIS
designed L.A. scale
drawn L.A.
checked K.F.
drawing no.

A1.00

plotted 10/24/2018 1:07:44 PM



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Seal



Revision

No	Date	Description
1	18-05-10	ISSUED FOR DP
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3	18-09-12	RE-ISSUED FOR DP
4	18-10-24	RE-ISSUED FOR DP

project title
RICHTER TOWNHOUSES

project address
2529 RICHTER STREET,
KELOWNA, BC

project no. 4055

file no.
drawing title
SITE PLAN

designed L.A. scale 1 : 75

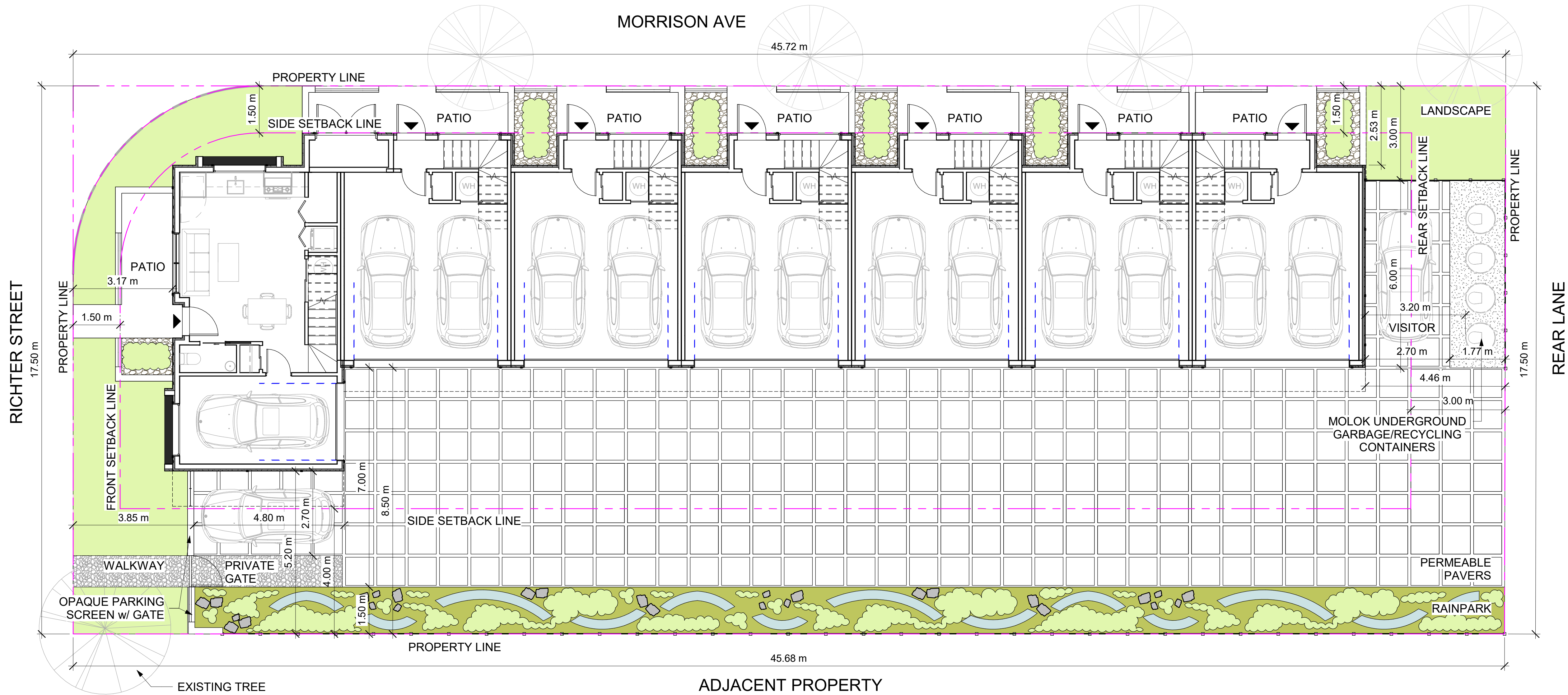
drawn L.A.

checked K.F.

drawing no.

A2.00

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1 SITE PLAN
A4.01 1 : 75

SCHEDULE A

This forms part of application
DP18-0108/DVP18-0109

Planner Initials KB



NOT FOR CONSTRUCTION



1 North Elevation
3/16" = 1'-0"



2 West Elevation
3/16" = 1'-0"

SCHEDULE B

This forms part of application
DP18-0108/DVP18-0109

Planner
Initials KB



MATERIAL KEYNOTE LEGEND

- HARDIE PANEL - SMOOTH (COLOR RICH ESPRESSO)
- ACCENT HARDIE PANEL - SMOOTH (COLOR PEARL GREY OR PASTEL COLOR BABY BLUE)
- PRE-FINISHED METAL PANEL (COLOR BLACK)
- HARDIE PANEL - SMOOTH (COLOR ARCTIC WHITE)
- HARDIE PANEL REVEAL
- WINDOW W/ BLACK FRAME
- EXTERIOR DOOR W/ BLACK FRAME
- OVERHEAD GARAGE DOOR
- SLIDING PATIO DOOR W/ BLACK FRAME
- METAL GUARDRAIL (ALT. PERFORATED SHEET METAL)
- PATIO PRIVACY WALL
- PREFIN METAL FLASHING - BLACK
- GLASS GUARDRAIL
- MOLOK GARBAGE CONTAINERS - ENCLOSURE
- PERFORATED SHEET METAL PRIVACY SCREEN
- PRIVATE GATE
- HARDIE PANEL - PAINTED TO MATCH METAL PANEL COLOR (BLACK GREY)
- HARDIE PLANK - TRUE GRAIN SERIES (COLOR CHRIS CRAFT)
- EXISTING TREE TO REMAIN
- OPAQUE GARBAGE SCREEN

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Seal



Revision

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2	18-06-21	RE-ISSUED FOR DP
3	18-09-12	RE-ISSUED FOR DP
4	18-10-24	RE-ISSUED FOR DP

NOT FOR CONSTRUCTION

project title

RICHTER TOWNHOUSES

project address

2529 RICHTER STREET,
KELOWNA, BC

project no. 4055

file no.

drawing title

BUILDING
ELEVATIONS

designed L.A. scale As indicated

drawn L.A.

checked K.F.

drawing no.

A4.01

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1 South Elevation
3/16" = 1'-0"



2 East Elevation
3/16" = 1'-0"

SCHEDULE

B

This forms part of application
DP18-0108/DVP18-0109

Planner
Initials

KB

City of
Kelowna
COMMUNITY PLANNING

MATERIAL KEYNOTE LEGEND	
1.	HARDIE PANEL - SMOOTH (COLOR RICH ESPRESSO)
2.	ACCENT HARDIE PANEL - SMOOTH (COLOR PEARL GREY OR PASTEL COLOR BABY BLUE)
3.	PRE-FINISHED METAL PANEL (COLOR BLACK)
4.	HARDIE PANEL - SMOOTH (COLOR ARCTIC WHITE)
5.	HARDIE PANEL REVEAL
6.	WINDOW W/ BLACK FRAME
7.	EXTERIOR DOOR W/ BLACK FRAME
8.	OVERHEAD GARAGE DOOR
9.	SLIDING PATIO DOOR W/ BLACK FRAME
10.	METAL GUARDRAIL (ALT. PERFORATED SHEET METAL)
11.	PATIO PRIVACY WALL
12.	PREFIN METAL FLASHING - BLACK
13.	GLASS GUARDRAIL
14.	MOLOK GARBAGE CONTAINERS - ENCLOSURE
15.	PERFORATED SHEET METAL PRIVACY SCREEN
16.	PRIVATE GATE
17.	HARDIE PANEL - PAINTED TO MATCH METAL PANEL COLOR (BLACK GREY)
18.	HARDIE PLANK - TRUE GRAIN SERIES (COLOR CHRIS CRAFT)
19.	EXISTING TREE TO REMAIN
20.	OPAQUE GARBAGE SCREEN

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Revision		
No	Date	Description
1	18-05-10	ISSUED FOR DP
2	18-06-21	RE-ISSUED FOR DP
3	18-09-12	RE-ISSUED FOR DP
4	18-10-24	RE-ISSUED FOR DP

NOT FOR CONSTRUCTION

project title
RICHTER TOWNHOUSES

project address
**2529 RICHTER STREET,
KELOWNA, BC**

project no. **4055**

file no.

drawing title

**BUILDING
ELEVATIONS**

designed L.A. scale As indicated

drawn L.A.

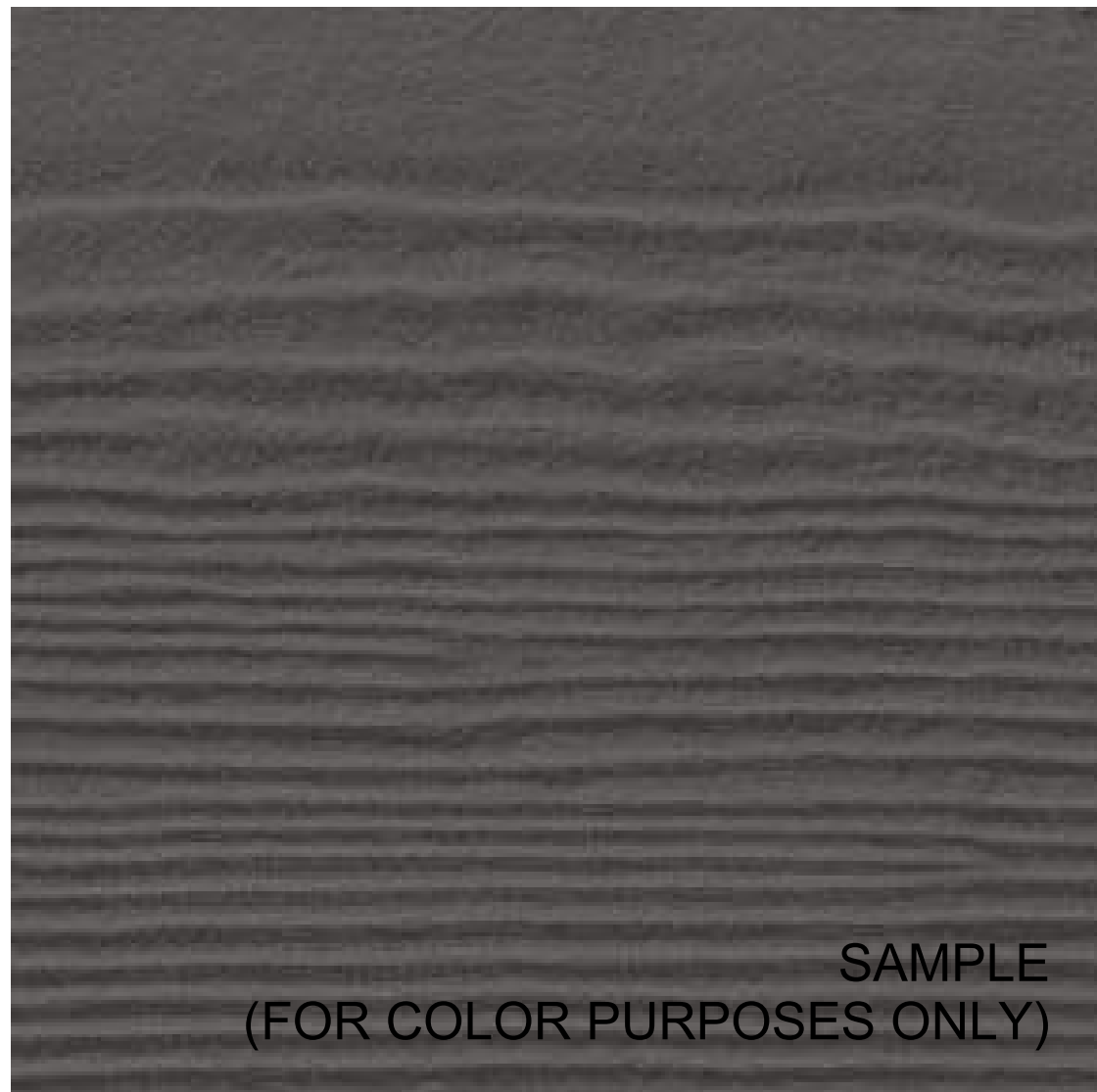
checked K.F.

drawing no.

A4.02

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HARDIE REVEAL PANEL (SMOOTH) W/ PAINTED EXP. FASTENERS; **COLOR RICH ESPRESSO (#1)**



SAMPLE
(FOR COLOR PURPOSES ONLY)

HARDIE PLANK FISHER TRUE GRAIN SERIES; **COLOR CHRIS CRAFT (#18)**



SAMPLE
(FOR COLOR PURPOSES ONLY)

PRE-FINISHED METAL PANEL; **COLOR BLACK (#3)**



BLACK

HARDIE REVEAL PANEL (SMOOTH) W/ PAINTED EXP. FASTENERS; **COLOR ARCTIC WHITE (#4)**



SAMPLE
(FOR COLOR PURPOSES ONLY)

HARDIE REVEAL PANEL (SMOOTH) W/ PAINTED EXP. FASTENERS; **COLOR PEARL GRAY (#2)**



SAMPLE
(FOR COLOR PURPOSES ONLY)

COLOR COMBINATION SAMPLE
(FOR COLOR PURPOSES ONLY)



PEARL
GRAY

RICH
ESPRESSO

BABY BLUE

ARCTIC WHITE

METAL GUARDRAIL (ALT. PERFORATED SHEET METAL) (#10)



GARBAGE ENCLOSURE / SCREEN (#20)



PAINTED TO SUIT (RICH ESPRESSO) STACK BOND BLOCK PATIO PRIVACY WALL (#11)



NOT FOR CONSTRUCTION

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Revision		
No	Date	Description
2	18-06-21	RE-ISSUED FOR DP
3	18-09-12	RE-ISSUED FOR DP
4	18-10-24	RE-ISSUED FOR DP

SCHEDULE B

This forms part of application
DP18-0108/DVP18-0109

Planner
Initials KB



project title
RICHTER TOWNHOUSES

project address
2529 RICHTER STREET,
KELOWNA, BC

project no. 4055

file no.

drawing title

MATERIALS

designed L.A. scale

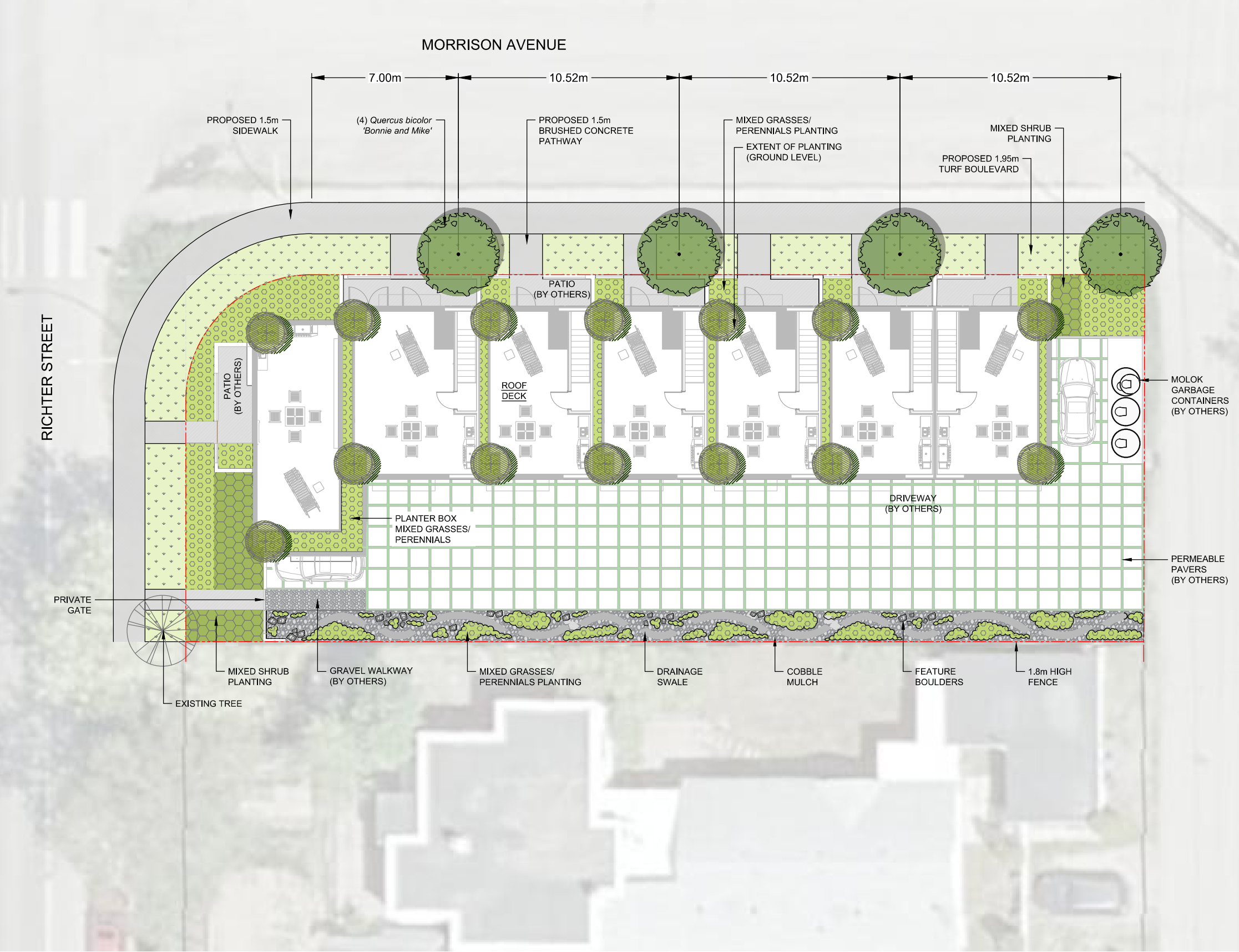
drawn L.A.

checked K.F.

drawing no.

A4.03

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LEGEND:

- DECIDUOUS TREES
- PROPERTY LINE
- BRUSHED CONCRETE PATHWAY
- MIXED GRASSES / PERENNIAL PLANTING
- SHRUB PLANTING
- SOD LAWN
- GRAVEL WALKWAY
- COBBLE MULCH

SCHEDULE
This forms part of application
DP18-0108/DVP18-0109



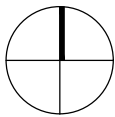
Planner
Initials KB

PLANT LIST					
Qty.	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	Mature Plant Size (Ht.xWd.)
Trees Deciduous					
4	<i>Quercus bicolor</i> 'Bonnie and Mike'	Beacon Oak	6cm Cal	B&B	12.0m x 4.5m
14	<i>Syringa vulgaris</i> 'Sensation'	Common Lilac	2cm Cal	Potted	4.6m x 3.7m
Shrubs					
20	<i>Cornus alba</i> 'Bailhalo'	Ivory Halo Dogwood	#02	Potted	1.5m x 1.5m
Grasses					
25	<i>Calamagrostis x acutiflora</i> 'Karl Foerster'	Karl Foerster Feather Reed Grass	#01	Potted	1.5m x 0.9m
25	<i>Pennisetum orientale</i> 'Karley Rose'	Karley Rose Fountain Grass	#01	Potted	1.0m x 1.0m
Perennials					
35	<i>Echinacea purpurea</i> 'Magnus'	Magnus Coneflower	#01	Potted	1.0m x 0.6m
30	<i>Nepeta x faassenii</i> 'Walker's Low'	Walker's Low Catmint	#01	Potted	0.9m x 0.9m
35	<i>Rudbeckia fulgida</i> 'Goldsturm'	Goldsturm Coneflower	#01	Potted	0.6m x 0.6m

GENERAL NOTES:

1. PLANT MATERIALS AND CONSTRUCTION METHODS SHALL MEET OR EXCEED THE MINIMUM STANDARDS ESTABLISHED IN THE CANADIAN LANDSCAPE STANDARD (CURRENT EDITION).
2. THE LANDSCAPE DESIGN IS CONCEPTUAL AND REFLECTS THE MINIMUM ACCEPTABLE QUALITY AND SIZE.
3. PLANT MATERIAL SELECTIONS ARE CONCEPTUAL ONLY. FINAL PLANTING SELECTIONS MAY VARY DEPENDING ON AVAILABILITY.
4. ALL PLANTING BEDS SHALL HAVE A MINIMUM 50mm APPROVED MULCH.
5. ALL SOFT LANDSCAPE AREAS SHALL BE IRRIGATED WITH AN EFFICIENT AUTOMATIC IRRIGATION SYSTEM.
6. THIS DRAWING DEPICTS FORM AND CHARACTER AND IS TO BE USED FOR DEVELOPMENT PERMIT SUBMISSION ONLY. IT IS NOT INTENDED FOR USE IN CONSTRUCTION.
7. OFF SITE LANDSCAPE CONSTRUCTION TO MEET OR EXCEED CITY OF KELOWNA BYLAW.

REPRESENTATIVE IMAGES:



SEAL

NO.	DATE (MM/DD/YY)	REVISION
4	09/12/18	RE-ISSUED FOR DEVELOPMENT PERMIT
3	06/20/18	RE-ISSUED FOR DEVELOPMENT PERMIT
2	06/06/18	RE-ISSUED FOR DEVELOPMENT PERMIT
1	05/09/18	ISSUED FOR DEVELOPMENT PERMIT

DESIGN: BD
DRAWN: KD
CHK'D: BD
DATE: 06/20/18
SCALE: 1:200

SITE PLAN

LDP-1

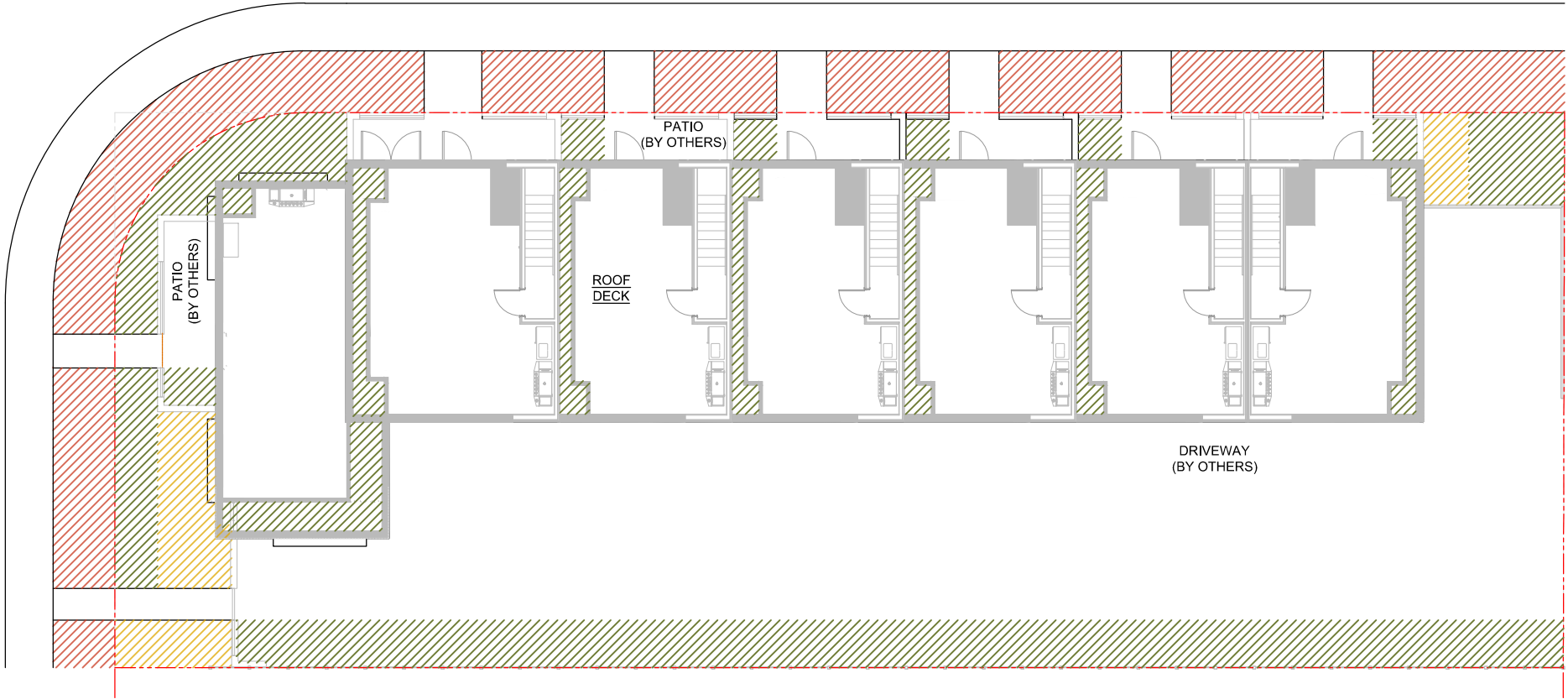
Project No. LK-18-239-FD38

MORRISON AVENUE

IRRIGATION LEGEND:

- LOW WATER USAGE
GRASSES / PERENNIALS
(138m.sq.)
- MODERATE WATER USAGE
SHRUBS
(20.9m.sq.)
- HIGH WATER USAGE
SOD AREA
(98.3m.sq.)

RICHTER STREET



SCHEDULE

C

This forms part of application

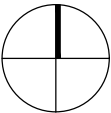
DP18-0108/DVP18-0109

Planner Initials

KB

City of Kelowna

COMMUNITY PLANNING



SEAL

4	09/12/18	RE-ISSUED FOR DEVELOPMENT PERMIT
3	06/20/18	RE-ISSUED FOR DEVELOPMENT PERMIT
2	06/06/18	RE-ISSUED FOR DEVELOPMENT PERMIT
1	05/09/18	ISSUED FOR DEVELOPMENT PERMIT
NO.	DATE (MM/DD/YY)	REVISION

DESIGN: BD
DRAWN: KD
CHK'D: BD
DATE: 06/20/18
SCALE: 1:200

HYDROZONE PLAN

LDP-2

Project No. LK-18-239-FD



SF-Rima™

Reduce or eliminate storm water runoff, mitigate the risk of flooding and relieve sewer systems. SF-Rima's innovative design filters and drains storm water back to the native soil and helps with the constant irrigation and cooling of surfaces.

SCHEDULE	C
This forms part of application # DP18-0108/DVP18-0109	
Planner Initials	KB
 City of Kelowna COMMUNITY PLANNING	

Features & Benefits:

- Use in permeable and non-permeable applications
- Ideal for both residential and commercial applications
- Integrate with a complete storm water management system

Colours:



Grey

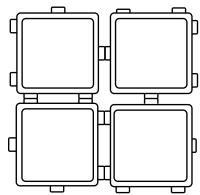


Charcoal

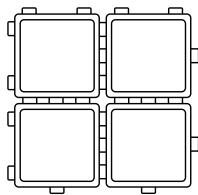
Colour availability and colour finish may vary by region. Every attempt has been made to provide accurate data - please note product measurements, weights and coverage are approximate.

Technical Information

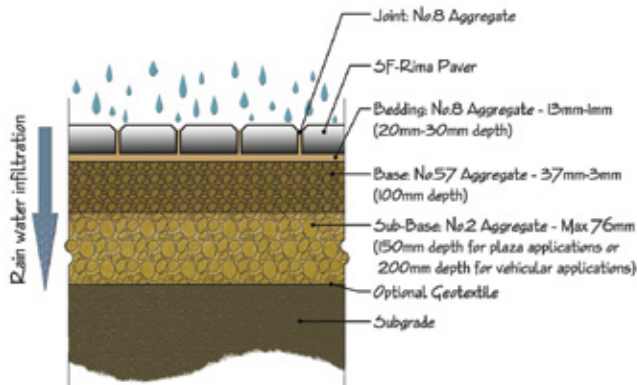
SF-RIMA					
PRODUCT	DIMENSIONS	UNITS/ PALLET	SQFT/ PALLET	BLOCK COVERAGE	PALLET WEIGHT
SFO-RIMA - Turf Layout	254 x 254 x 80 mm 10 x 10 x 3.1"	160	111	1.4 / SqFt	1570 kg 3461 lbs
SFO-RIMA - Water Layout	240 x 240 x 80 mm 9.4 x 9.4 x 3.1"	160	99	1.6 / SqFt	1570 kg 3461 lbs



Turf Growth Layout



Water Drainage Layout



SF-Rima™

Applications:



PERMEABLE



PLAZA



ROADWAY

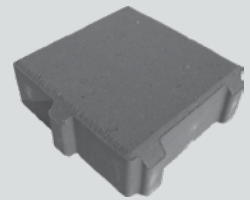


PARKING
LOT



DRIVEWAY

Shapes & Sizes:



SF-RIMA

254 x 254 x 80 mm
10 x 10 x 3.1"

SCHEDULE

C

This forms part of application
DP18-0108/DVP18-0109

Planner
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SF-Rima
Grey



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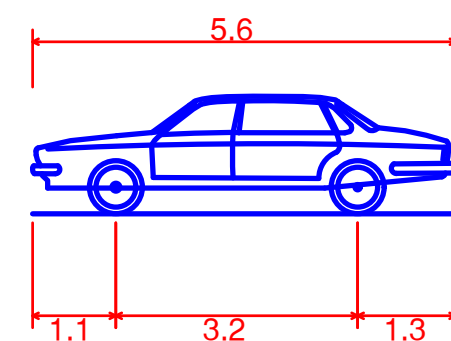
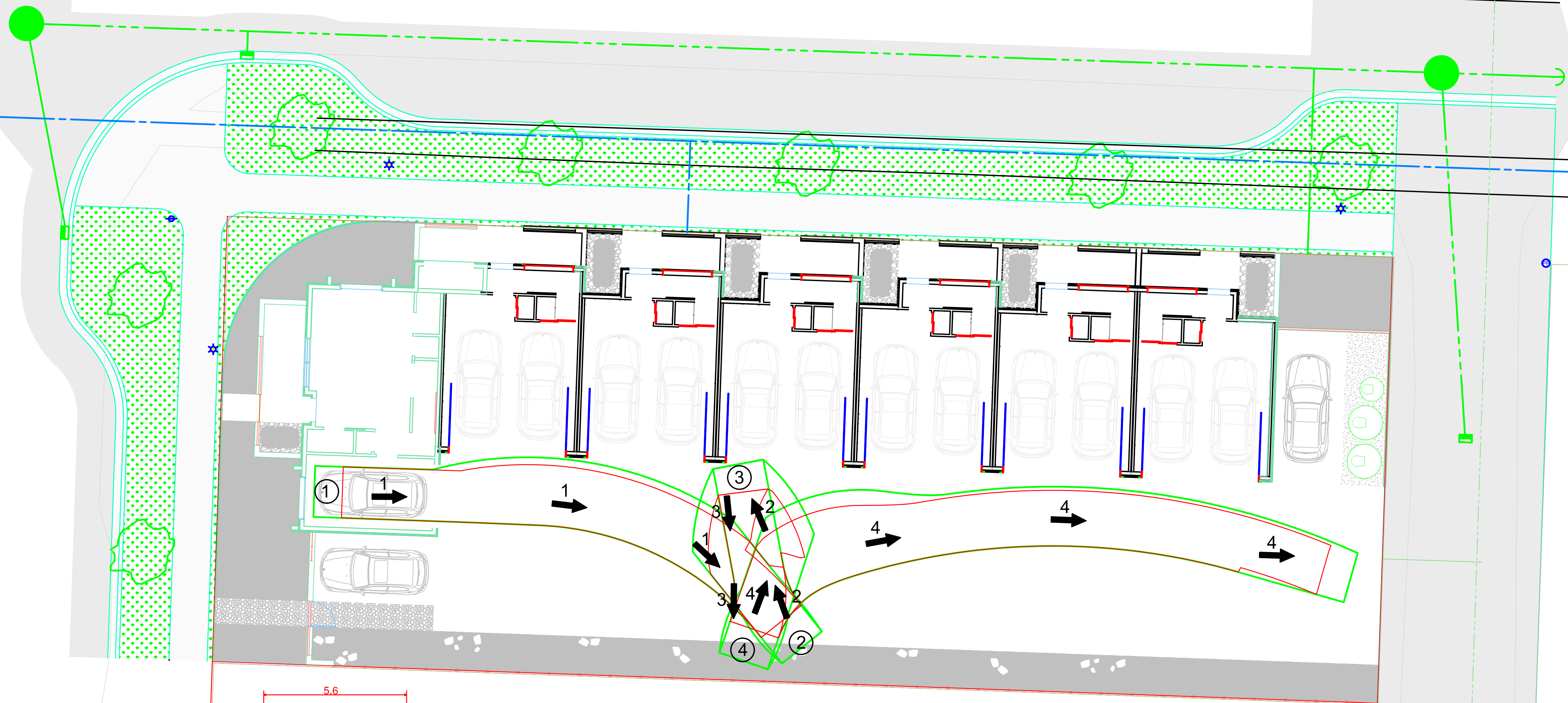
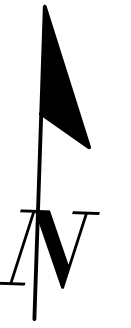
DP18-0108/DVP18-0109

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Initials

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- P - Passenger Car
- Overall Length
- Overall Width
- Overall Body Height
- Min Body Ground Clearance
- Track Width
- Lock-to-lock time
- Curb to Curb Turning Radius

5.600m
2.000m
1.555m
0.340m
2.000m
4.00s
6.300m




LEGEND

WHEEL MOVEMENT
OVERHANG MOVEMENT

MANHOLE
UTILITY POLE
POWER POLE
LAMP STANDARD
CATCH BASIN
HYDRANT
TREES
SURVEY MONUMENT

LEGEND

● U.P.
 ● P.P.
 □ L.S.
 ▨ C.B.
 ⊕ HMD
 ⊕ T
 ⊕ A

	PAVE WITH ASPHALT
	REMOVE—REGRADE—REPLACE
	LEVEL COURSE

NAD 83

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NO.	YY/MM/DD	BY	REVISION	CH'K'D BY

BASE	AR	DESIGN	AR
APPROVED		KJ	
DATE		2018/10/24	
SCALE		HORIZ.	1:100
		VERT.	1:XX

**SCALE NOT ACCURATE
OVER LONG DISTANCES**

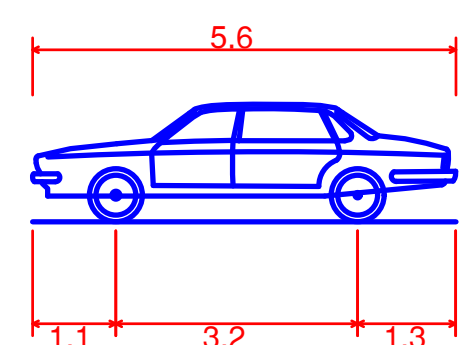
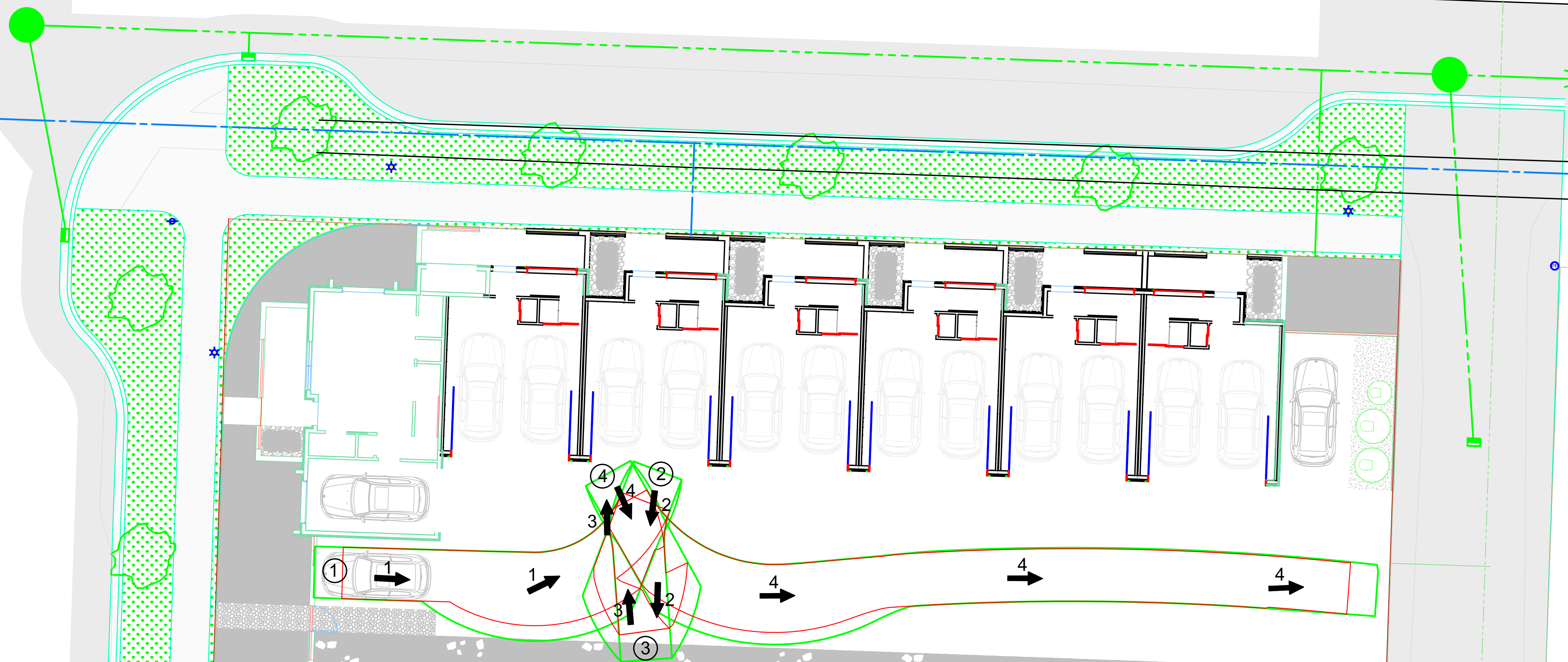
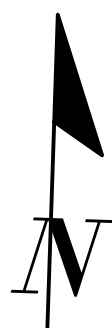
CITY OF KELOWNA
DESIGN AND CONSTRUCTION

UNIT 7 TURNING MOVEMENT
TOWN HOMES DEVELOPMENT
2529 RICHTER STREET

FILE NO. Z18-0038

SHEET NO. 2 OF 3

DRAWING NO.	REV NO.
002	0



P - Passenger Car
Overall Length
Overall Width
Overall Body Height
Min Body Ground Clearance
Track Width
Lock-to-lock time
Curb to Curb Turning Radius




5.600m
2.000m
1.555m
0.340m
2.000m
4.00s
6.300m

LEGEND

WHEEL MOVEMENT
OVERHANG MOVEMENT

MANHOLE
UTILITY POLE
POWER POLE
LAMP STANDARD
CATCH BASIN
HYDRANT
TREES
SURVEY MONUMENT

LEGEND

	PAVE WITH ASPHALT
	REMOVE-REGRADE-REPLACE
	LEVEL COURSE

NAD 83

Locations and offsets of existing utilities shown on this plan are not guaranteed to be accurate and must be verified in the field PRIOR TO CONSTRUCTION. THE CITY OF KELOWNA does not guarantee their accuracy. Concerned persons should not rely on these documents and should verify all information shown by way of site survey and other appropriate methods. THE CITY OF KELOWNA accepts no liability for use of these files or information.



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NO.	YY/MM/DD	BY	REVISION		CH'K

BASE	AR	DESIGN	AR
APPROVED		KJ	
DATE		2018/10/24	
SCALE		HORIZ.	1:100
		VERT.	1:XX

**SCALE NOT ACCURATE
OVER LONG DISTANCES**

CITY OF KELOWNA

DESIGN AND CONSTRUCTION

VISITOR PARKING 2 TURNING MOVEMENT

TOWN HOMES DEVELOPMENT

2529 RICHTER STREET

FILE NO.	Z18-0038
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SHEET NO. 3 OF 3

DRAWING NO.

REV NO

003

0

CITY OF KELOWNA
BYLAW NO. 11625
Z17-0065 – 1759 Hwy 33E

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 portions of Lot B, Section 18, Township 27, ODYD, Plan 29386 located on Highway 33 E, Kelowna, B.C., from the RU₁ – Large Lot Housing zone and the P₂ – Educational & Minor Institutional zone to the RM₃ – Low Density Multiple Housing zone as per Map "A" attached to and forming part of the 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 11th day of June, 2018.

Considered at a Public Hearing on the 26th day of June, 2018.

Read a second and third time by the Municipal Council this 26th day of June, 2018.

Approved under the Transportation Act this 26th day of July, 2018.

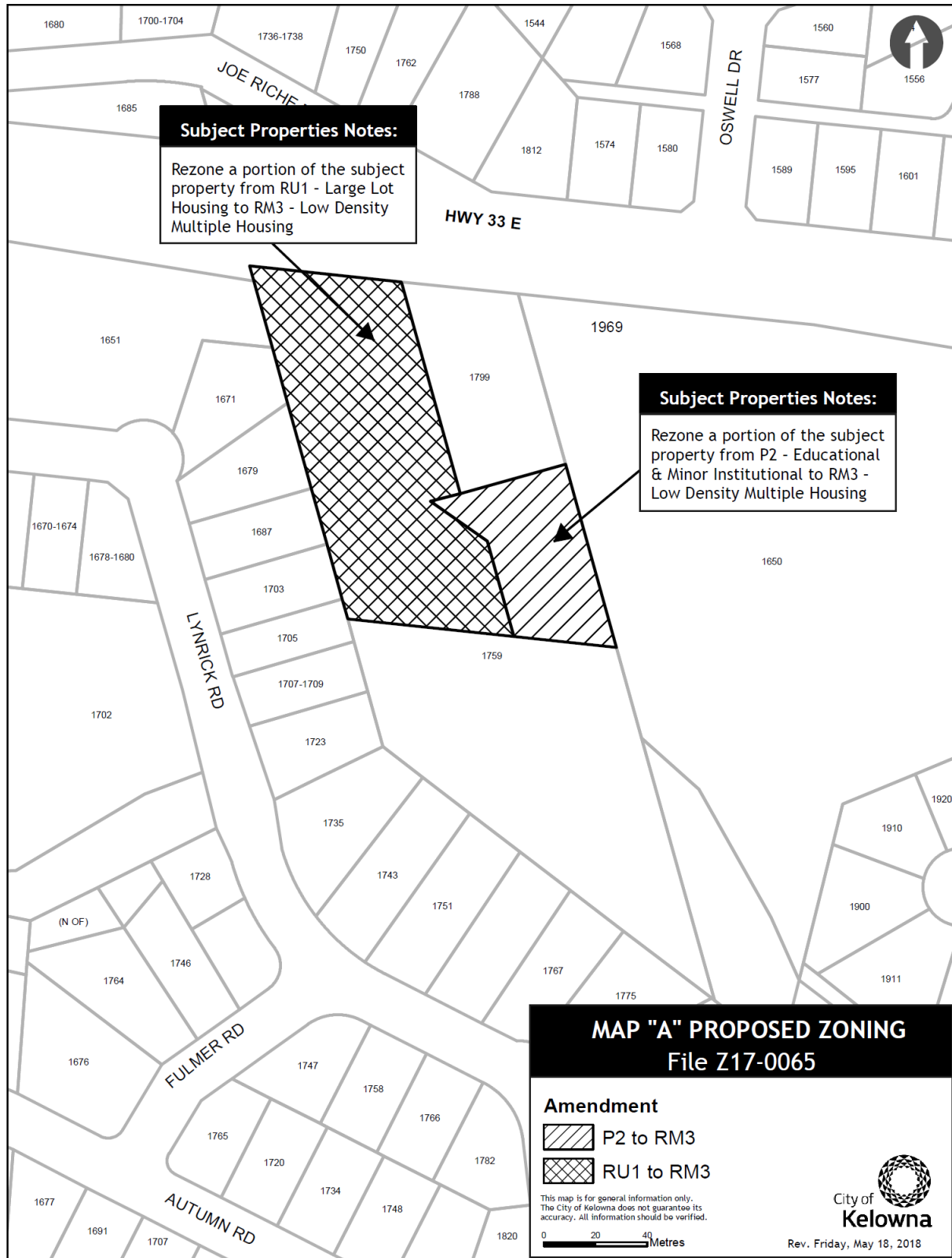
Audrie Henry

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



REPORT TO COUNCIL



Date: March 12, 2019

RIM No. 0940-00

To: City Manager

From: Community Planning Department (AJ)

Application: DP17-0162 & DVP17-0163 **Owner:** Ki-Low-Na Friendship Society, Inc. No. S-10638

Address: 1759 Highway 33 E
(Margaret's Landing) **Applicant:** Patrick McCusker

Subject: Development Permit and Development Variance Permit

Existing OCP Designation: MRL – Multiple Unit Residential (Low Density)
PARK – Major Park/Open Space (Public)

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RM3 – Low Density Multiple Housing

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11625 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP17-0162 and Development Variance Permit No. DVP17-0163 for Lot B, Section 18, Township 27, ODYD, Plan 29386, located at 1759 Highway 33 E, 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 section of Zoning Bylaw No. 8000 be granted:

Section 13.9.6(c): RM3 – Low Density Multiple Housing Development Regulations

To vary the maximum height from 10.0m permitted to 11.0m proposed for the proposed apartment building as referenced in Schedule "B"

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

AND FURTHER THAT this Development Permit and Development Variance Permit is valid for (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 housing complex with a variance to building height for the proposed apartment building.

3.0 Community Planning

Form and Character

Community Planning supports the Development Permit and Development Variance Permit for the proposed multi-family housing complex as it provides affordable housing options in general accordance with Official Community Plan (OCP) objectives and Urban Design Guidelines. Within the complex, the proposed townhomes and apartment building are to be constructed using consistent materials to provide design cohesion. Materials include vertical and horizontal siding in neutral tones, and visual interest is provided through architectural articulation and entryway accents. The townhome units are ground-oriented, and the buildings are proposed to be built to Leadership in Energy and Environmental Design (LEED) standards.

The landscape design includes an outdoor play area, planter beds, an outdoor gathering area, and multiple sitting areas. Additionally, pedestrian pathways that link the complex to the adjacent Black Mountain Elementary School property are provided.



Variance

The requested variance is to increase the absolute height of the proposed apartment building from 10.0m permitted to 11.0m proposed. The requested variance does not increase the number of storeys; the apartment building is proposed to be 3 storeys, which is the maximum number of storeys permitted in the

RM3 zone. The applicant is requesting the height variance to accommodate LEED energy efficient construction standards. To meet LEED standards, thicker floors are needed and due to the topography of the site it would be challenging to construct a portion of the apartment building underground. All setbacks are being met and the application includes a full landscape plan that provides reasonable transition to the surrounding neighbourhood.

4.0 Proposal

4.1 Background

The subject property was acquired by the Ki-Low-Na Friendship Society in 2004. Currently there is a single family dwelling and an accessory building located on the property, which will be removed as a function of this proposal.

4.2 Project Description

The proposed development consists of two townhome buildings and one apartment building, which are intended to provide affordable purpose built rental housing managed by the non-profit Ki-Low-Na Friendship Society. The applicant has proposed a total of 14 townhomes featuring three and four bedroom units with two car tandem garages. The larger units provide family housing stock (OCP Policy 5.22.13) which is currently in low supply in Kelowna as identified in the Housing Needs Assessment. The proposed 35-unit apartment building will consist of one and two-bedroom units with surface parking. The applicant is also considering a future phase on the remainder of the property and in association with the current development proposal which may include a Childhood Education and Care Centre.

Additionally, staff have worked with the applicant and their environmental consultant to establish restrictive covenants for the long-term protection of environmentally sensitive areas including slopes and riparian areas on the southern portion of the property. This includes a "Do Not Build" covenant to provide a geotechnical setback to the proposed structures. A Public Statutory Right-of-Way was also registered to allow for public access to the Gopher Creek Linear Park.

4.3 Site Context

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

Specifically, adjacent land uses are as follows:

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

Subject Property Map: 1759 Highway 33 E**4.4 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	RM3 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Floor Area Ratio	0.77	0.22
Height	10.0m/3 storeys	11.0m/3 storeys ¹
Front Yard	4.5m	4.5m
Side Yard	4.0m	>4.0m
Side Yard	4.0m	>4.0m
Rear Yard	7.5m	>7.5m
Other Regulations		
Minimum Parking Requirements	74	74
Bicycle Parking	29	31

¹ Indicates a requested variance to absolute height.

5.0 Current Development Policies**5.1 Kelowna Official Community Plan****Development Process¹**

Policy 5.2.3: Complete Suburbs. Support a mix of uses within Kelowna's suburbs (see Map 5.1 - Urban Core Area), in accordance with "Smart Growth" principles to ensure complete communities. Uses that should be present in all areas of the City (consistent with Map 4.1 - Future Land Use Map), at appropriate locations, include: commercial, institutional, and all types of residential uses (including affordable and special needs

¹ City of Kelowna Official Community Plan, Chapter 5: Development Process.

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

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

Policy 5.22.13: Family Housing. Support housing alternatives for families when single detached housing is too costly, including features that are important to families such as: outdoor space, direct access to grade, workshop space, larger units, safe design, and neighbourhood characteristics (e.g.: location and amenities).

Urban Design Development Permit Guidelines²

Chapter 14.A: Comprehensive Development Permit Area 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;
- Provide for a scale and massing of commercial buildings that promotes a safe, enjoyable living, pedestrian, working, shopping and service experience; and
- Incorporate architectural features and detailing of buildings and landscapes that define an area's character.

Technical Comments

5.2 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s).
- Demolition Permit required for any existing structures.
- Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
- Fire resistance ratings are required for storage, janitor and/or garbage enclosure room(s) / area(s). The drawings submitted for building permit is to clearly identify how this rating will be achieved and where these area(s) are located.
- Fire Department access to site, turn a rounds requirement for equipment, travel distance from the truck access to the front doors of the units and private hydrant locations if required are too be verified with Kelowna Fire Department. The Fire truck is required to be able to drive up to access the front door within a range of 3 meters to 15 meters on an unobstructed hard surface path.
- A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):
 - Any alternative solution must be accepted by the Chief Building Inspector prior to the release of the Building Permit
 - Location, Heights, Colours of mechanical systems and the required screening are to be determined at time of DP.

² City of Kelowna Official Community Plan, Chapter 14: Urban Design DP Guidelines.

- Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
- Offset fire separations are required to be addressed in the upper floor townhomes.
- Door swings that impeded egress are to be addressed in the townhomes.
- Exit thru lobby minimum requirements are to be met for minimum code, redesign of exit stairs or lobby configuration may need adjustment to make travel distance.
- Separate permits are required for retaining walls in excess of 1.2 meters unless supporting the building foundations. Please provide cross sections thru walls with respect to building foundations at time of permit.
- Hard surfaced paths leading from the egress stairwells to a safe area are to be clearly defined as part of the DP
- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application. Minimum building elevations are required to be established prior to the release of the Development Permit. If a soil removal or deposit permit is required, this must be provided at time of Development Permit application.
- We strongly recommend that the developer have his professional consultants review and prepare solutions for potential impact of this development on adjacent properties.
- Size and location of all signage to be clearly defined as part of the development permit. This should include the signage required for the building addressing to be defined on the drawings per the bylaws on the permit application drawings.
- An exit analysis is required as part of the code analysis at time of building permit application.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this complex at time of permit application.

5.3 Development Engineering Department

See attached Development Engineering Department memorandum. All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z17-0065.

6.0 Application Chronology

Date of Application Received:	June 21, 2017
Date Public Consultation Completed:	April 25, 2018
Date of Initial Consideration and First Reading:	June 11, 2018
Date of Public Hearing and Second and Third Reading:	June 26, 2018

Report prepared by: Arlene Janousek, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment "A": Development Engineering Memorandum
 Schedule "A": Site Plan
 Schedule "B": Conceptual Elevations
 Schedule "C": Landscape Plan
 Draft Development Permit and Development Variance Permit

CITY OF KELOWNA

MEMORANDUM

Date: August 23, 2017
File No.: DVP17-0163
To: Urban Planning Management (TB)
From: Development Engineering Manager (JK)
Subject: 1759 Hwy 33 E



The Development Engineering division comments and requirements Development Variance Permit application to vary the maximum height from 10.0m required to 11.0m proposed

1. **General.**

- a) The proposed variance has no impact on existing municipal infrastructure.
- b) All the offsite infrastructure and services upgrades are addressed in the rezoning Engineering Report under file Z17-0065.

Jason Ough
Development Engineering Technologist



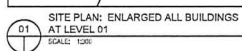
Development Engineering Manager
(initials)

A

AJ



DP1.02a



SCHEDULE B

This forms part of application

DP17-0162 & DVP17-0163

Planner
Initials

AJ

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This drawing shall not be used for any other purpose without the written consent of Patrick McCusker Architecture Inc.
Any changes or alterations shall be reported to the architect.



02 FRONT ENTRY
1/8" = 1'-0"



01 SIDE
1/8" = 1'-0"

MATERIAL LEGEND

- FIBREGLOSS LAMINATE SHINGLES
- HORIZONTAL SIDING (HARDIE)
- VERTICAL BOARD AND BATTEN (HARDIE)
- ① DOUBLE GLAZED VINYL WINDOWS C/W 4" WOOD TRIM (COMBED SPRUCE)
- ② EXTERIOR METAL RAILING
- ③ BUILT UP COLUMNS
- ④ ALUMINUM GUTTER AND FASCIA (COMBED SPRUCE)
- ⑤ WOOD BELT BOARD (COMBED SPRUCE)

CertainTeed (Silver Birch)



JamesHardie

PM
PATRICK MCCUSKER
ARCHITECTURE INC.
AAA MAING MRAIG
3430 BENVOLIN ROAD
KELOWNA BC V1W 4M5
Phone: 778.484.0223
pat@pmarch.com

project title
MARGARETS LANDING

1101 HODGWAY ST
KELOWNA, BRITISH COLUMBIA
project no. 3362

drawing title
**ELEVATIONS - APARTMENT
(COLOURED)**

designed	Designer	1/8" = 1'-0"
drawn	Author	
checked	Checker	
drawing no.		

DP3.11

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SCHEDULE B

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DP17-0162 & DVP17-0163

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All work shall be carried out in accordance with the applicable zoning and development regulations.
This drawing shall not be used for any purpose other than that for which it was prepared.
Any alterations or omissions shall be reported to the architect.



02 REAR
1/8" = 1'-0"



01 SIDE
1/8" = 1'-0"

MATERIAL LEGEND

- FIBREGLASS LAMINATE SHINGLES
- HORIZONTAL SIDING (HARDIE)
- VERTICAL BOARD AND BATTEN (HARDIE)

- ① DOUBLE GLAZED VINYL WINDOWS C/W 4" WOOD TRIM (COMBED SPRUCE)
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- ③ BUILT UP COLUMNS
- ④ ALUMINUM GUTTER AND FASCIA (COMBED SPRUCE)
- ⑤ WOOD BELT BOARD (COMBED SPRUCE)



James Hardie

PM
PATRICK McCUSKER
ARCHITECTURE INC.
AAA MAIRC MRAIC
3430 BENVOLIN ROAD
KELOWNA BC V1W 4M5
PHONE: 250-864-0223
PMI@pmsearch.com

project title
MARGARET'S LANDING

1759 HIGHWAY 33
KELOWNA, BRITISH COLUMBIA
project no. 3352

drawing title
ELEVATIONS - APARTMENT
(COLOURED)

designed	Designer	scale	1/8" = 1'-0"
drawn	Author		
checked	Checker		

DP3.12

SCHEDULE B

This forms part of application

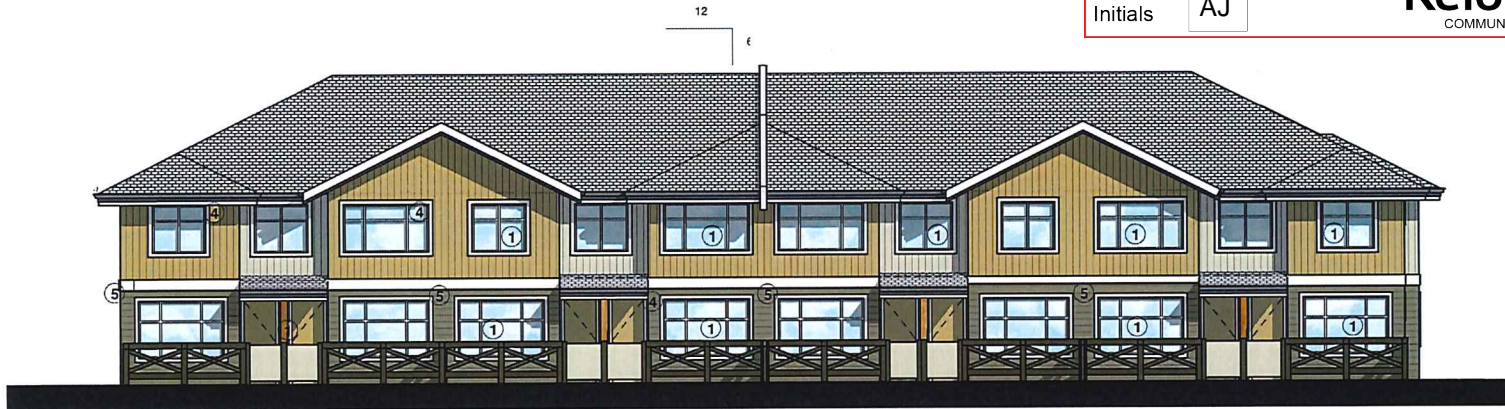
DP17-0162 & DVP17-0163

Planner
Initials AJ

City of
Kelowna
COMMUNITY PLANNING



Notes:
1. City of Kelowna reserves the right to amend this schedule and to require the applicant to provide additional information and documentation as required.
2. All drawings must be read in conjunction with the schedule and the schedule to the schedule.
3. All work shall be in accordance with the City of Kelowna Building Code and the City of Kelowna Building Code.
4. This drawing must not be used for any other purpose without the written consent of the City of Kelowna.
5. Contractors shall verify all dimensions prior to construction of the work.
6. Any drawings or documents shall be required to be submitted to the City of Kelowna.



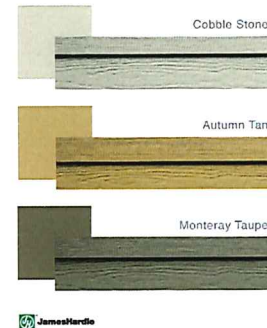
02 FRONT: MAIN ENTRY
3/16" = 1'-0"



01 SIDE
3/16" = 1'-0"

MATERIAL LEGEND

- FIBREGLASS LAMINATE SHINGLES
- HORIZONTAL SIDING (HARDIE)
- VERTICAL BOARD AND BATTEN (HARDIE)
- ① DOUBLE GLAZED VINYL WINDOWS CW 4" WOOD TRIM (COMBED SPRUCE)
- ② EXTERIOR METAL RAILING
- ③ BUILT UP COLUMNS
- ④ ALUMINUM GUTTER AND FASCIA (COMBED SPRUCE)
- ⑤ WOOD BELT BOARD (COMBED SPRUCE)



PM A
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project title
MARGARET'S LANDING
1788 HIGHWAY 33
KELOWNA, BRITISH COLUMBIA
project no. 3362
drawing title
ELEVATIONS - 8 PLEX (COLOURED)
designed PWC
drawn JB
checked PWC
drawing no.
DP3.14
date 06/02/17 02:28 PM

SCHEDULE

B

This forms part of application
DP17-0162 & DVP17-0163

Planner
Initials

AJ

City of
Kelowna
COMMUNITY PLANNING



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The drawing shall not be used for any other purpose.
Contributions shall only be made to the City of Kelowna.
Any drawings or documents shall be subject to the City of Kelowna's policies.

See



02 REAR: GARAGE ENTRY
3/16" = 1'-0"



01 SIDE
3/16" = 1'-0"

MATERIAL LEGEND



FIBREGLASS LAMINATE SHINGLES



HORIZONTAL SIDING (HARDIE)



VERTICAL BOARD AND BATTEN (HARDIE)

① DOUBLE GLAZED VINYL WINDOWS C/W 4" WOOD TRIM (COMBED SPRUCE)

② EXTERIOR METAL RAILING

③ BUILT UP COLUMNS

④ ALUMINUM GUTTER AND FASCIA (COMBED SPRUCE)

⑤ WOOD BELT BOARD (COMBED SPRUCE)



Cobble Stone



Autumn Tan



Monteray Taupo

James Hardie



CertainTeed (Silver Birch)

PM
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project title
MARGARETS LANDING

1750 HIGHWAY 33
KELOWNA, BRITISH COLUMBIA

project no. 3362

drawing title
ELEVATIONS - 8 PLEX
(COLOURED)

designed	PMC	date	3/16" = 1'-0"
drawn	JB		
checked	PMC		

drawing no.
DP3.13
date 03/06/2017 12:30:28 PM

SCHEDULE

B

This forms part of application
DP17-0162 & DVP17-0163

Planner
Initials

AJ

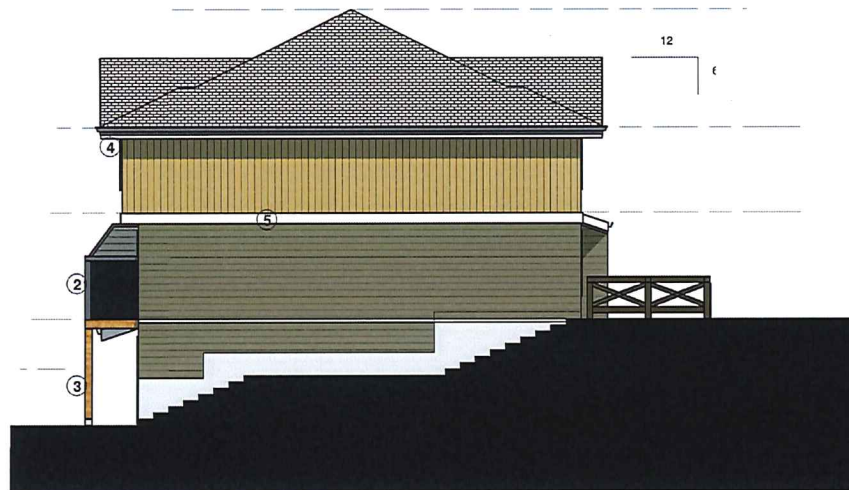
City of
Kelowna
COMMUNITY PLANNING



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The drawing shall not be used.
Contractors shall verify all dimensions prior to any construction or alterations shall be required to the original.
Seal



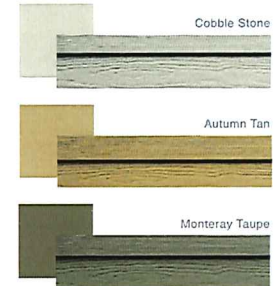
02 FRONT: MAIN ENTRY
3/16" = 1'-0"



01 SIDE
3/16" = 1'-0"

MATERIAL LEGEND

- FIBREGLOSS LAMINATE SHINGLES
- HORIZONTAL SIDING (HARDIE)
- VERTICAL BOARD AND BATTEN (HARDIE)
- ① DOUBLE GLAZED VINYL WINDOWS C/W 4" WOOD TRIM (COMBED SPRUCE)
- ② EXTERIOR METAL RAILING
- ③ BUILT UP COLUMNS
- ④ ALUMINUM GUTTER AND FASCIA (COMBED SPRUCE)
- ⑤ WOOD BELT BOARD (COMBED SPRUCE)



JamesHardie

PM

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project title
MARGARETS LANDING

1759 HIGHWAY 23
KELOWNA, BRITISH COLUMBIA

project no. 3362

drawing title
ELEVATIONS - 6 PLEX
(COLOURED)

Discipline	Designer	Author	Scale
Architect	PMC		3/16" = 1'-0"

DP3.16

DATE: 2017-07-25 12:22 PM

E

AJ



City of Kelowna
COMMUNITY PLANNING

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All work shall be carried out in accordance with Canadian building codes, specifications, British Columbia Building Code, and Ontario Building and Local authority by-law and regulations.

Tabulated sections refer to Arch D through drawing sheet.

This drawing must NOT be stamped.

Contractors shall verify all dimensions prior to construction.

All annotations or measurements shall be explained to the architect.

Seal



02 REAR: GARAGE ENTRY
3/16" = 1'-0"



01 SIDE
3/16" = 1'-0"

⑤ WOOD BELT BOARD (COMBED SPRUCE)



No.	Date	Description
1	1/1/19	...
2	1/2/19	...
3	1/3/19	...
4	1/4/19	...
5	1/5/19	...
6	1/6/19	...
7	1/7/19	...
8	1/8/19	...
9	1/9/19	...
10	1/10/19	...
11	1/11/19	...
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26	1/26/19	...
27	1/27/19	...
28	1/28/19	...
29	1/29/19	...
30	1/30/19	...
31	1/31/19	...

PM 

**PATRICK McCUSKER
ARCHITECTURE INC.**

AAA	MAISC	MRAIC
------------	--------------	--------------

**3430 BENOULIN ROAD
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- Phone: 778-484-0223
- pal@pmccarch.com

project title
MARGARET'S LANDING

1759 HIGHWAY 33
KELOWNA, BRITISH COLUMBIA

project no. 3362

drawing title
ELEVATIONS - 6 PLEX
(COLOURED)

Designer	3/16" = 1'-0"
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Design	JB
Check and	PMC

Blanking No.

DP3.15

posted 05/11/2017 2:53:21 PM

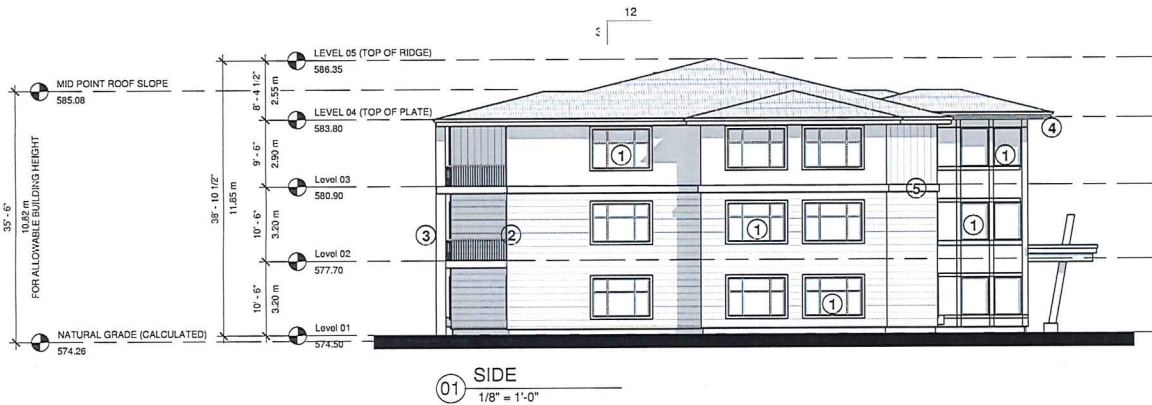
SCHEDULE B

This forms part of application
DP17-0162 & DVP17-0163

Planner
Initials AJ



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This drawing shall not be used for any other purpose.
Contractors shall verify all dimensions prior to construction.
Any portions of this drawing shall be reported to the architect.



MATERIAL LEGEND

- FIBREGLASS LAMINATE SHINGLES (CERTAINTED® - SILVER BIRCH)
- HORIZONTAL SIDING (HARDIE)
- VERTICAL BOARD AND BATTEN (HARDIE)
- ① DOUBLE GLAZED VINYL WINDOWS C/W 4" WOOD TRIM (COMBED SPRUCE)
- ② EXTERIOR METAL RAILING
- ③ BUILT UP COLUMNS
- ④ ALUMINUM GUTTER AND FASCIA (COMBED SPRUCE)
- ⑤ WOOD BELT BOARD (COMBED SPRUCE)

31 2017.06.16 10:50 PM FOR DP
REV: 0000 00000000



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project title
MARGARET'S LANDING

1750 HIGHWAY 33
KELOWNA, BRITISH COLUMBIA
project no. 3362

drawing title
ELEVATIONS - APARTMENT

designed	PMC	scale	1/8" = 1'-0"
drawn	JB		
checked	PMC		
drawing no.			

DP3.01

DATE: 14022017 1:42 P.M.

SCHEDULE B

This forms part of application
DP17-0162 & DVP17-0163

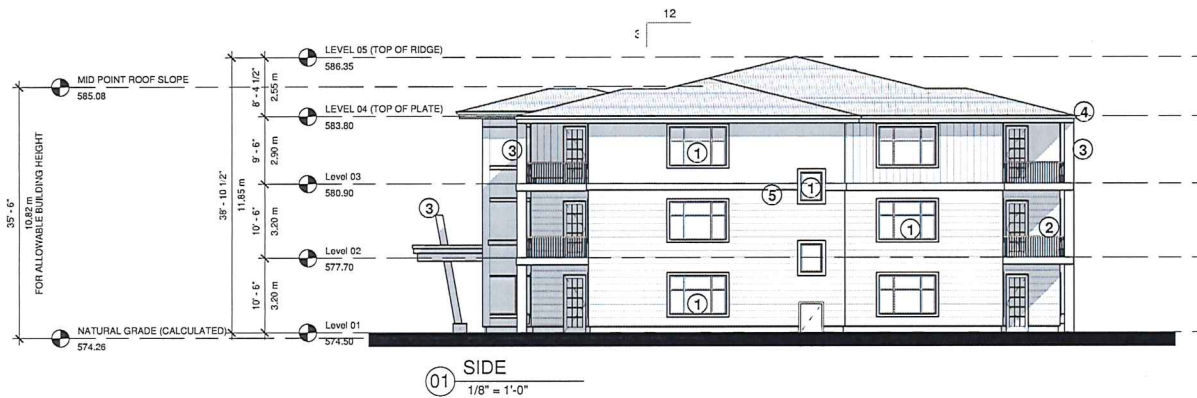
Planner
Initials

AJ

City of
Kelowna
COMMUNITY PLANNING



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Consent shall only be given prior to commencement of work.
Any person or organization that is responsible for the design and construction of the project.



MATERIAL LEGEND

- FIBREGLASS LAMINATE SHINGLES (CERTAINTED - SILVER BIRCH)
- HORIZONTAL SIDING (HARDIE)
- VERTICAL BOARD AND BATTEN (HARDIE)
- ① DOUBLE GLAZED VINYL WINDOWS C/W 4\"/>

PM
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project title
MARGARETS LANDING
1750 HEDRWAY 23
KELOWNA, BRITISH COLUMBIA
project no. 3362
drawing title
ELEVATIONS - APARTMENT

drawn by	PMC	scale	1/8" = 1'-0"
checked by	JB		
approved by	PMC		
drawing no.			

DP3.02

SCHEDULE B

This forms part of application
DP17-0162 & DVP17-0163

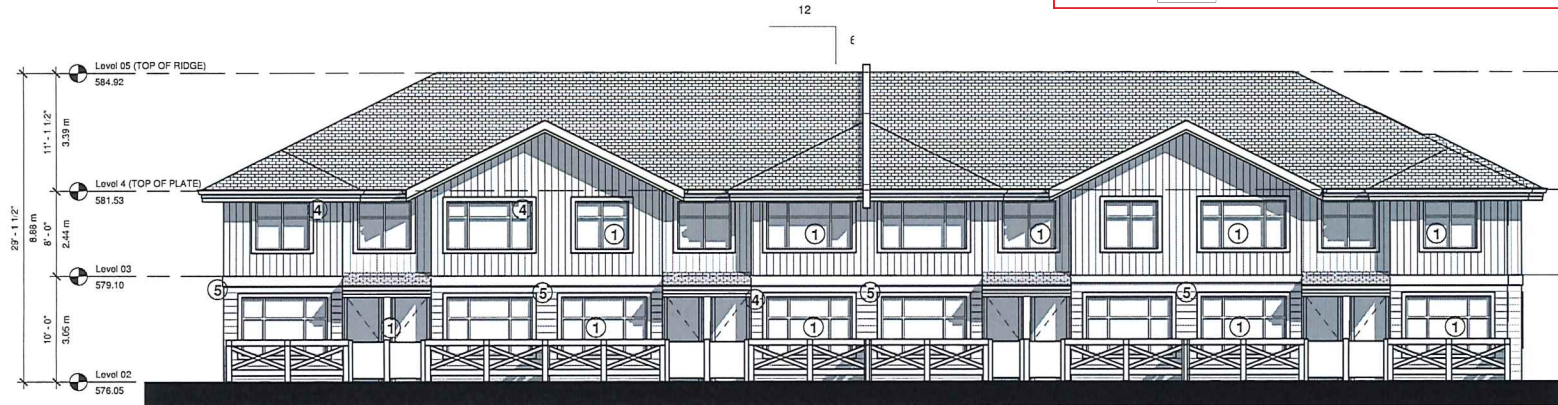
Planner
Initials AJ

City of
Kelowna
COMMUNITY PLANNING

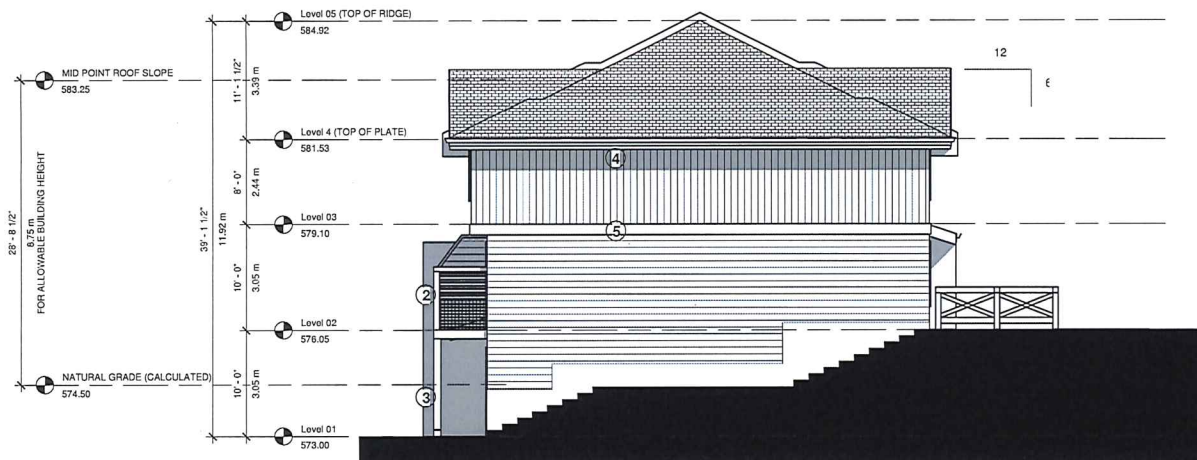


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All work shall be carried out in accordance with Canadian standards, specifications, and standards (Canadian Standards Association, International Building Code, National Building Code of Canada, and local authority by laws and regulations).
The drawing shall not be used.
Contractors shall verify all dimensions prior to commencement of work.
Any discrepancy or misinterpretation shall be reported to the architect.

Seal



02 FRONT: MAIN ENTRY
3/16" = 1'-0"



01 SIDE
3/16" = 1'-0"

MATERIAL LEGEND

- FIBREGLASS LAMINATE SHINGLES (CERTANTEED - SILVER BIRCH)
- HORIZONTAL SIDING (HARDIE)
- VERTICAL BOARD AND BATTEN (HARDIE)

- ① DOUBLE GLAZED VINYL WINDOWS
- ② EXTERIOR METAL RAILING
- ③ BUILT UP COLUMNS
- ④ ALUMINUM GUTTER AND (HARDIE) FASCIA
- ⑤ BELT BOARD

01 2017.06.16 REVISED FROM DVP
DATE
DRAWN BY

PM
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project title
MARGARET'S LANDING

1755 HIGHWAY 33
KELOWNA, BRITISH COLUMBIA

project no. 3362

drawing title
ELEVATIONS - 8 PLEX

designed by	PMC	scale	3/16" = 1'-0"
drawn by	JB		
checked by	Checker		
drawing no.			

DP3.04

DATE: 2017.06.16

SCHEDULE

B

This forms part of application
DP17-0162 & DVP17-0163

Planner
Initials

AJ

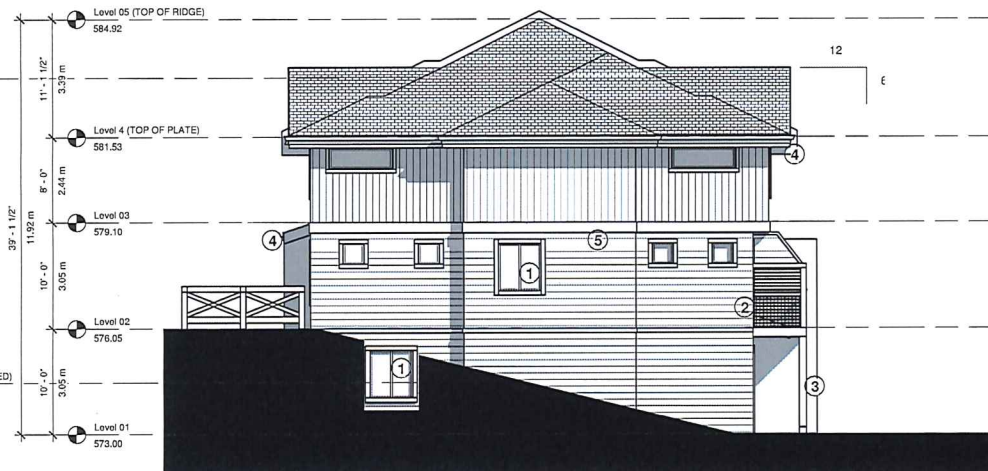
City of
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Considerations shall only be addressed prior to construction of work.
Any omissions or discrepancies shall be reported to the architect.



02 REAR: GARAGE ENTRY
3/16" = 1'-0"



01 SIDE
3/16" = 1'-0"

MATERIAL LEGEND

- FIBREGLASS LAMINATE SHINGLES (CERTAINTED-SILVER BIRCH)
- HORIZONTAL SIDING (HARDIE)
- VERTICAL BOARD AND BATTEN (HARDIE)
- ① DOUBLE GLAZED VINYL WINDOWS C/W 4" WOOD TRIM (COMBED SPRUCE)
- ② EXTERIOR METAL RAILING
- ③ BUILT UP COLUMNS
- ④ ALUMINUM GUTTER AND FASCIA (COMBED SPRUCE)
- ⑤ WOOD BELT BOARD (COMBED SPRUCE)

30 2017.05.16 10:45:00 PM
PM
3/16" = 1'-0"

PM

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project title
MARGARET'S LANDING

1759 HEDDERY RD
KELOWNA, BRITISH COLUMBIA

project no. 3362

drawing title
ELEVATIONS - 8 PLEX

designed	PMC	scale	3/16" = 1'-0"
drawn	JB		
checked	Choker		
drawing no.			

DP3.03

printed 1/8/2017 1:47:16 PM

SCHEDULE B

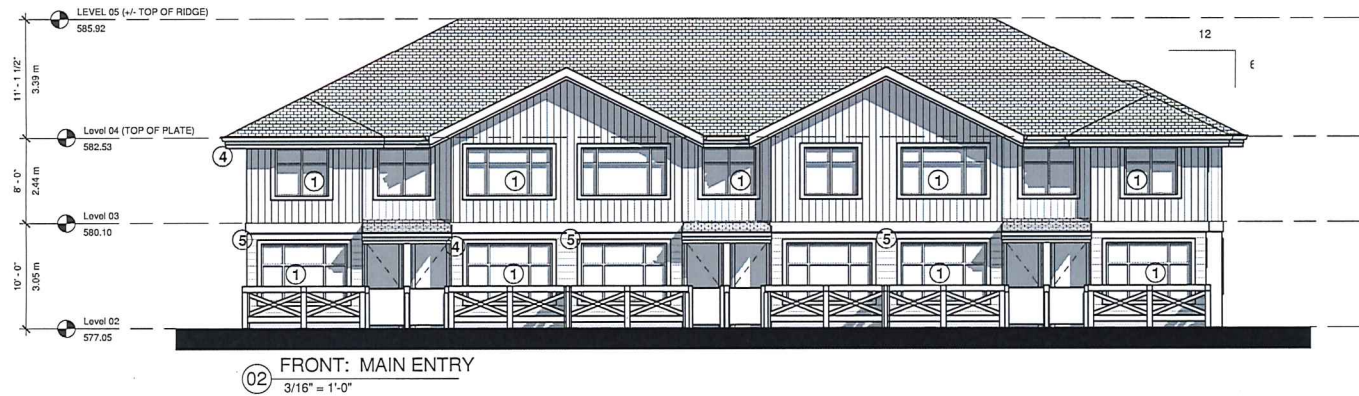
This forms part of application
DP17-0162 & DVP17-0163

Planner
Initials AJ

City of
Kelowna
COMMUNITY PLANNING



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The drawing shall be used for the purpose of the application only and shall not be used for any other purpose without the written consent of the City of Kelowna.



MATERIAL LEGEND

- FIBREGLASS LAMINATE SHINGLES (CERTAINTED - SILVER BIRCH)
- HORIZONTAL SIDING (HARDIE)
- VERTICAL BOARD AND BATTEN (HARDIE)
- ① DOUBLE GLAZED VINYL WINDOWS C/W 4" WOOD TRIM (COMBED SPRUCE)
- ② EXTERIOR METAL RAILING
- ③ BUILT UP COLUMNS
- ④ ALUMINUM GUTTER AND FASCIA (COMBED SPRUCE)
- ⑤ WOOD BELT BOARD (COMBED SPRUCE)



31 2017/06/16 10:45:00 FOR EP
No. 3362
Date: 2017/06/16

PM

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- pat@pmsearch.com -

project title
MARGARET'S LANDING

1750 HIGHWAY 23
KELOWNA, BRITISH COLUMBIA

project no. 3362

drawing title
ELEVATIONS - 6 PLEX

DESIGNED	PMC	DATE	3/16" = 1'-0"
DRAWN	JB		
CHECKED	PMC		
DATE			

DP3.06

DATE 18/07/2017 14:20:17

SCHEDULE B

This forms part of application
DP17-0162 & DVP17-0163

Planner
Initials

AJ

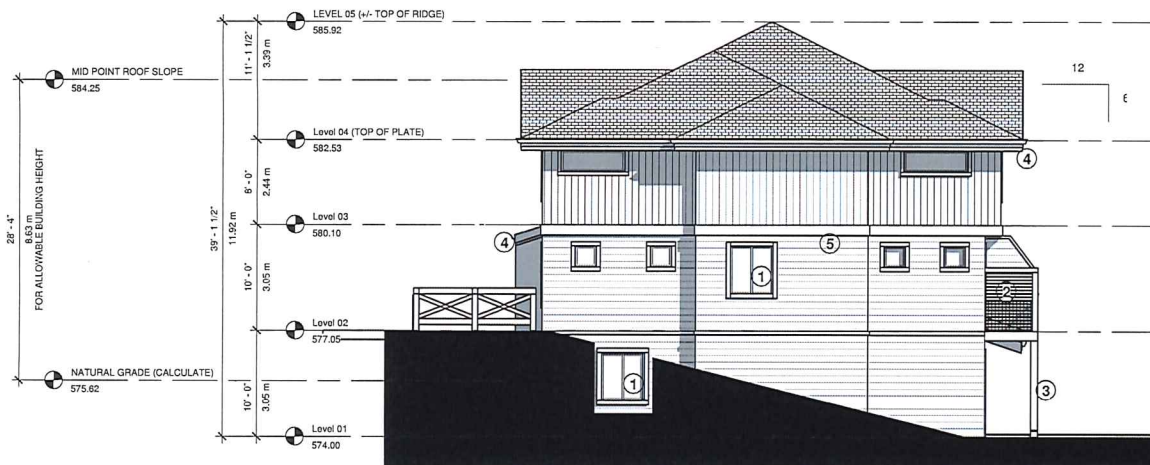
City of
Kelowna
COMMUNITY PLANNING



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02 REAR: GARAGE ENTRY
3/16" = 1'-0"



01 SIDE
3/16" = 1'-0"

MATERIAL LEGEND

- FIBREGLOSS LAMINATE SHINGLES (CERTAINTED - SILVER BIRCH)
- HORIZONTAL SIDING (HARDIE)
- VERTICAL BOARD AND BATTEN (HARDIE)

- ① DOUBLE GLAZED VINYL WINDOWS C/W 4" WOOD TRIM (COMBED SPRUCE)
- ② EXTERIOR METAL RAILING
- ③ BUILT UP COLUMNS
- ④ ALUMINUM GUTTER AND FASCIA (COMBED SPRUCE)
- ⑤ WOOD BELT BOARD (COMBED SPRUCE)

01 2017.05.15 10:42:03 FOR DP

NO. 0001 0000000000

PM

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pat@pmearch.com

project title

MARGARET'S LANDING

1725 HIGHWAY 23
KELOWNA, BRITISH COLUMBIA

project no. 3362

drawing title

ELEVATIONS - 6 PLEX

designed by PMC

drawn by JB

checked by PMC

drawing no.

DP3.05



SCHEDULE

B

This forms part of application
DP17-0162 & DVP17-0163

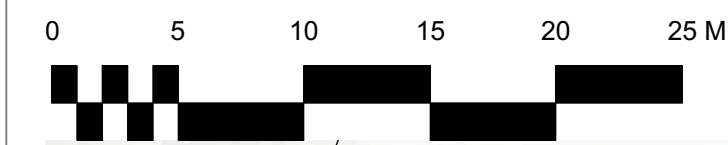
Planner
Initials

AJ



SCHEDULE		B
This forms part of application # DP17-0162 & DVP17-0163		
Planner Initials	<div style="border: 1px solid black; padding: 2px; display: inline-block;">AJ</div> <div style="text-align: right;">  City of Kelowna <small>COMMUNITY PLANNING</small> </div>	

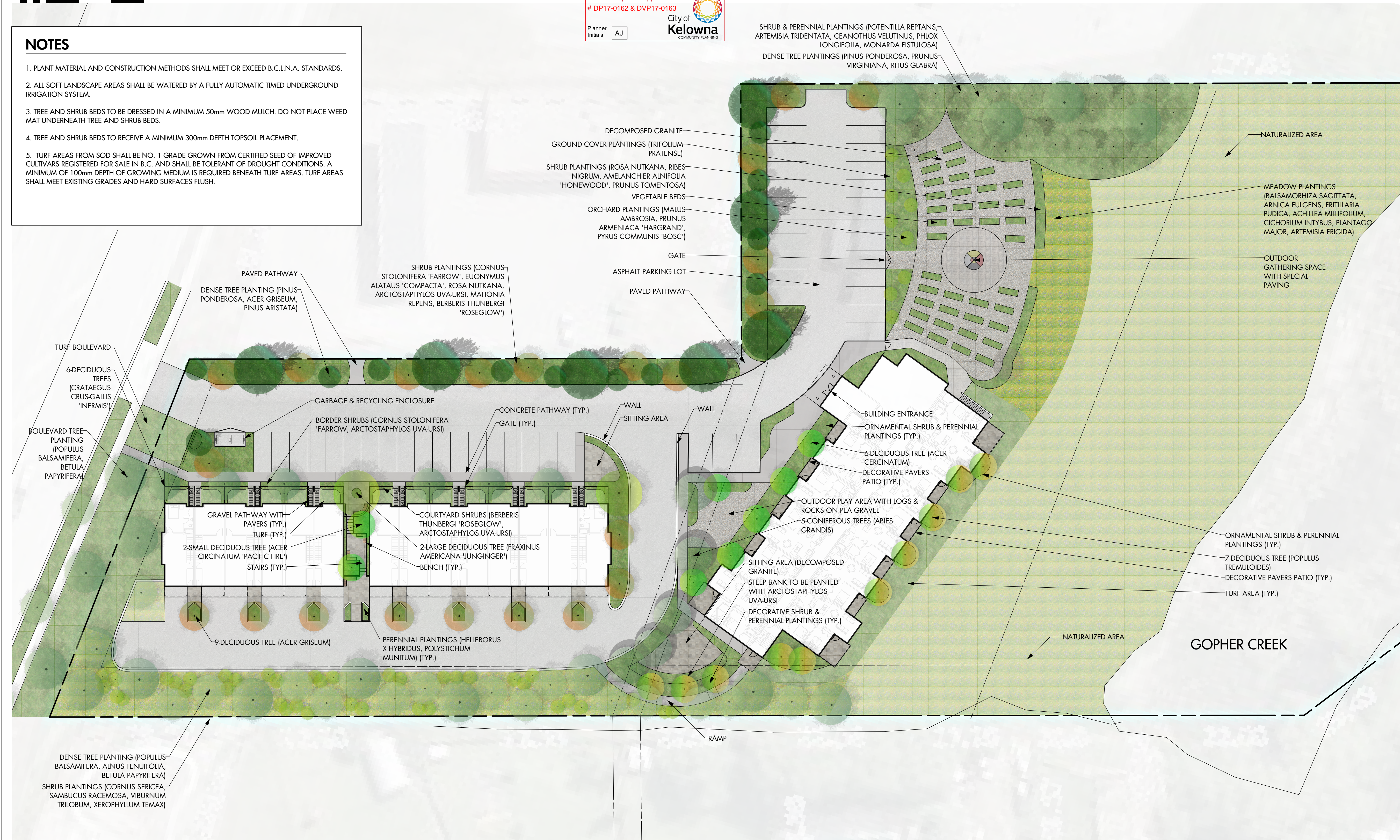




NOTES

- 1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED B.C.L.N.A. STANDARDS.
- 2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.
- 3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 50mm WOOD MULCH. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.
- 4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.
- 5. TURF AREAS FROM SOD SHALL BE NO. 1 GRADE GROWN FROM CERTIFIED SEED OF IMPROVED CULTIVARS REGISTERED FOR SALE IN B.C. AND SHALL BE TOLERANT OF DROUGHT CONDITIONS. A MINIMUM OF 100mm DEPTH OF GROWING MEDIUM IS REQUIRED BENEATH TURF AREAS. TURF AREAS SHALL MEET EXISTING GRADES AND HARD SURFACES FLUSH.

SCHEDULE C
This forms part of application
DP17-0162 & DVP17-0163
Planner Initials: AJ
City of Kelowna
COMMUNITY PLANNING



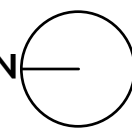
PLANT LIST

BOTANICAL NAME	COMMON NAME	QTY	SIZE & REMARKS	BOTANICAL NAME	COMMON NAME	QTY	SIZE / SPACING & REMARKS	BOTANICAL NAME	COMMON NAME	QTY	SIZE / SPACING & REMARKS
TREES				PERENNIALS & GRASSES				SHRUBS			
ABIES GRANDIS	GRAND FIR	5	2m HT.	ACHILLEA MILLEFOLIUM	YARROW	65	#01 CONT. /0.75M O.C. SPACING	AMELANCHIER ALNIFOLIA 'HONEYWOOD'	HONEYWOOD SASKATOON	24	#01 CONT. /2.0M O.C. SPACING
ACER CERCINATUM 'PACIFIC FIRE'	VINE MAPLE	8	6cm CAL.	ARCTOSTAPHYLOS UVA-URSI	BEAR BERRY	255	#01 CONT. /1.0M O.C. SPACING	BERBERIS THUNBERGII 'ROSEGLOW'	ROSEGLOW JAPANESE BARBERRY	43	#01 CONT. /1.5M O.C. SPACING
ACER GRISEUM	PAPERBARK MAPLE	22	6cm CAL.	ARNICA FULGENS	FOOTHILL ARNICA	65	#01 CONT. /0.75M O.C. SPACING	CEANOTHUS VELUTINUS	CALIFORNIA LILAC	43	#01 CONT. /1.5M O.C. SPACING
ALNUS TENUIFOLIA	RIVER ALDER	38	6cm CAL.	ARTEMISIA FRIGIDA	PASTURE SAGE	36	#01 CONT. /1.0M O.C. SPACING	CORNUS SERICEA	RED OSIER DOGWOOD	24	#01 CONT. /2.0M O.C. SPACING
BETULA Papyrifera	PAPER BIRCH	16	6cm CAL.	ARTEMISIA TRIDENTATA	SAGEBRUSH	36	#01 CONT. /1.0M O.C. SPACING	CORNUS STOLONIFERA 'FARROW'	ARCTIC FIRE RED TWIG DOGWOOD	24	#01 CONT. /2.0M O.C. SPACING
CRATAEGUS CRUS-GALLI INERMIS	THORNLESS HAWTHORN	6	6cm CAL.	BALSAMORHIZA SAGITTATA	OREGON SUNFLOWER	65	#01 CONT. /0.75M O.C. SPACING	EUCONYMUS ALATUS 'COMPACTA'	DWARF WINGED BURNING BUSH	67	#01 CONT. /1.2M O.C. SPACING
FRAXINUS AMERICANA 'JUNGINGER'	AUTUMN PURPLE ASH	2	6cm CAL.	CICHORIUM INTYBUS	CHICKORY	25	#01 CONT. /1.2M O.C. SPACING	POTENTILLA REPTANS	CINQUEFOIL	97	#01 CONT. /1.0M O.C. SPACING
MALUS AMBROSIA	AMBROSIA APPLE	3	6cm CAL.	FRITILLARIA PUDICA	YELLOW BELLS	73	#01 CONT. /0.5M O.C. SPACING	PRUNUS TOMENTOSA	NANKING'S CHERRY	32	#01 CONT. /2.0M O.C. SPACING
PINUS ARISTATA	BRISTLECONE PINE	12	2m HT.	HELLEBORUS X HYBRIDUS	HYBRID LENTEN ROSE	73	#01 CONT. /0.5M O.C. SPACING	RHUS GLABRA	SMOOTH SUMAC	24	#01 CONT. /2.0M O.C. SPACING
PINUS PONDEROSA	PONDEROSA PINE	30	2m HT.	MAHONIA REPENS	OREGON GRAPE	36	#01 CONT. /1.0M O.C. SPACING	RIBES NIGRUM	BLACK CURRANT	43	#01 CONT. /1.5M O.C. SPACING
POPULUS BALSAMIFERA	BALSAM POPLAR	12	6cm CAL.	MONARDA FISTULOSA	BEE BALM	65	#01 CONT. /0.75M O.C. SPACING	ROSA NUTKANA	NUTKANA ROSE	67	#01 CONT. /1.2M O.C. SPACING
POPULUS TREMULOIDES	QUAKING ASPEN	10	6cm CAL.	PHLOX LONGIFOLIA	LONG LEAVED PHLOX	65	#01 CONT. /0.75M O.C. SPACING	VIBURNUM TRILOBUM	CRANBERRYBUSH VIBURNUM	43	#01 CONT. /1.5M O.C. SPACING
PRUNUS ARMENIACA 'HARGRAND'	HARGRAND APRICOT	3	6cm CAL.	PLANTAGO MAJOR	COMMON PLANTAIN	36	#01 CONT. /1.0M O.C. SPACING	SAMBUCUS RACEMOSA	RED ELDERBERRY	67	#01 CONT. /1.2M O.C. SPACING
PRUNUS VIRGINIANA	CHOKECHERRY	5	6cm CAL.	POLYSTICHUM MUNITUM	WESTERN SWORD FERN	36	#01 CONT. /1.0M O.C. SPACING				
PYRUS COMMUNIS 'BOSC'	BOSC PEAR	3	6cm CAL.	TRIFOLIUM PRATENSE	RED CLOVER	73	#01 CONT. /0.5M O.C. SPACING				
				XEROPHYLLUM TENAX	GROWING BEAR GRASS	65	#01 CONT. /0.75M O.C. SPACING				



OUTLAND DESIGN
LANDSCAPE ARCHITECTURE

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



PROJECT TITLE

MARGARET'S LANDING

Kelowna, BC

DRAWING TITLE

CONCEPTUAL
LANDSCAPE PLAN

ISSUED FOR / REVISION

1	17.05.24	Review
2		
3		
4		
5		

PROJECT NO. 17-016

DESIGN BY CS

DRAWN BY NG

CHECKED BY FB

DATE MAY 24, 2017

SCALE 1:300

SEAL



DRAWING NUMBER

L1/1

ISSUED FOR REVIEW ONLY

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Development Permit & Development Variance Permit DP17-0162 & DVP17-0163



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

1759 Highway 33 E

and legally known as

Lot B, Section 18, Township 27, ODYD, Plan 29386

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

Low Density Multiple Housing

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

Section 13.9.6(c): RM3 – Low Density Multiple Housing Development Regulations

To vary the maximum height from 10.0m permitted to 11.0m proposed.

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

Date of Council Decision

Decision By: Council

Development Permit Area: Comprehensive Development Permit Area

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

Existing Zone: RM3

Future Land Use Designation: MRL, PARK

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: Ki-Low-Na Friendship Society, Inc. No. S-10638

Applicant: Patrick McCusker

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 Council approval, with no opportunity to extend.

3. PERFORMANCE SECURITY

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

- a) An Irrevocable Letter of Credit or certified cheque in the amount of **\$265,575.00**

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.**

REPORT TO COUNCIL



Date: March 12, 2019

RIM No. 0940-00

To: City Manager

From: Community Planning Department (KB)

Application: DVP18-0165

Owner: 1114140 B.C. Ltd., Inc.No.
BC1114140

Address: 1259-1265 Ethel Street
1269-1275 Ethel Street

Applicant: Architecturally Distinct
Solutions Inc.

Subject: Development Variance Permit

Existing OCP Designation: SIH – Sensitive Infill Housing

Existing Zone: RU7 – Infill Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0165 for Lot A District Lot 138 Osoyoos Division Yale District Plan EPP77036, located at 1259-1265 Ethel Street, Kelowna, BC; and Development Variance Permit No. DVP18-0165 for Lot B District Lot 138 Osoyoos Division Yale District Plan EPP77036, located at 1269-1275 Ethel Street, Kelowna BC;

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

Section 13.17.6(e): RU7 – Infill Housing Development Regulations

To vary the required minimum front yard from 4.0 m permitted to 2.1 m proposed.

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

2.0 Purpose

To vary the required minimum front yard on the subject properties.

3.0 Community Planning

Community Planning Staff recommend support for the Development Variance Permit for the two subject properties. There was an error in the process established for Fast Track RU7 Development Permits that caused this variance to be missed by both the applicant and by City Staff. The Fast Track RU7 Development Permits are based on the typical lot width and depth, however, these particular lots had a shorter depth

resulting in a front yard setback variance. The process for reviewing Fast Track RU7 applications has been improved since then, and Staff do not anticipate any future variances of this type.

4.0 Proposal

4.1 Background

Two Fast Track RU7 applications were received in May 2018 for the subject properties, and building permits were subsequently issued. It was noticed during the construction phase that the two developments did not meet the required minimum front yard setback and that a variance would be required. The dwellings are currently nearing completion.

4.2 Site Context

The subject properties are located on the east side of Ethel Street, between Cawston Avenue and Coronation Avenue. They are located within the City's Permanent Growth Boundary and are in close proximity to the Active Transportation Corridor along Cawston Avenue.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU7 – Infill Housing	Residential
East	RU7 – Infill Housing	Residential
South	RU7 – Infill Housing	Residential
West	RU7 – Infill Housing	Residential

Subject Property Map: 1259-1265 Ethel St and 1269-1275 Ethel St



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU7 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Maximum Total Site Coverage (buildings)	55%	38 %
Maximum FAR	0.8	0.73
Maximum Height	8.0 m / 2 storeys	7.3 m / 2 storeys
Minimum Front Yard (west)	4.0 m	2.1 m●
Minimum Side Yard (north)	2.0 m	> 2.0 m
Minimum Side Yard (south)	2.0 m	> 2.0 m
Minimum Rear Yard	0.9 m	0.9 m
Other Regulations		
Minimum Parking Requirements	4 stalls	4 stalls
● Indicates a requested variance to the minimum front yard		

5.0 Technical Comments

5.1 Development Engineering Department

This application does not compromise any municipal services.

6.0 Application Chronology

Date of Application Received: July 26, 2018
 Date Public Consultation Completed: December 14, 2018

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

Attachments:

Draft Development Variance Permit No. DVP18-0165
 Schedule A - Site Plans

Development Variance Permit No. DVP18-0165



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

1259-1265 Ethel St

1269-1275 Ethel St

and legally known as

Lot A District Lot 138 Osoyoos Division Yale District Plan EPP77036

Lot B District Lot 138 Osoyoos Division Yale District Plan EPP77036

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

Four Dwelling Housing

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

Section 13.17.6(e): RU7 – Infill Housing Development Regulations

To vary the required minimum front yard from 4.0 m permitted to 2.1 m proposed.

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

Date of Council Decision: March 12, 2019

Decision By: City Council

Development Permit Area: N/A

This permit will not be valid if development has not commenced by March 12, 2021.

Existing Zone: Future Land Use Designation:

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: 1114140 B.C. Ltd., Inc.No. BC1114140

Applicant: Architecturally Distinct Solutions Inc.

Ryan Smith
Community Planning Department Manager
Community Planning & Strategic Investments

Date

1. SCOPE OF APPROVAL

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

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

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

2. CONDITIONS OF APPROVAL

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

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

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.**

1263 & PART OF 1267 ETHEL STREET (LOT A), KELOWNA, BC

RU7, DP EXEMPTION, BP DOCUMENTS



PROPERTY DESCRIPTION

CIVIC: 1263 & PART OF 1267 ETHEL STREET, KELOWNA, BC

LEGAL: PLAN : 1271; LOT : 6; ROLL NUMBER : 15190
PLAN : 1271; LOT : 5; ROLL NUMBER : 15180

ZONING CALCULATIONS:

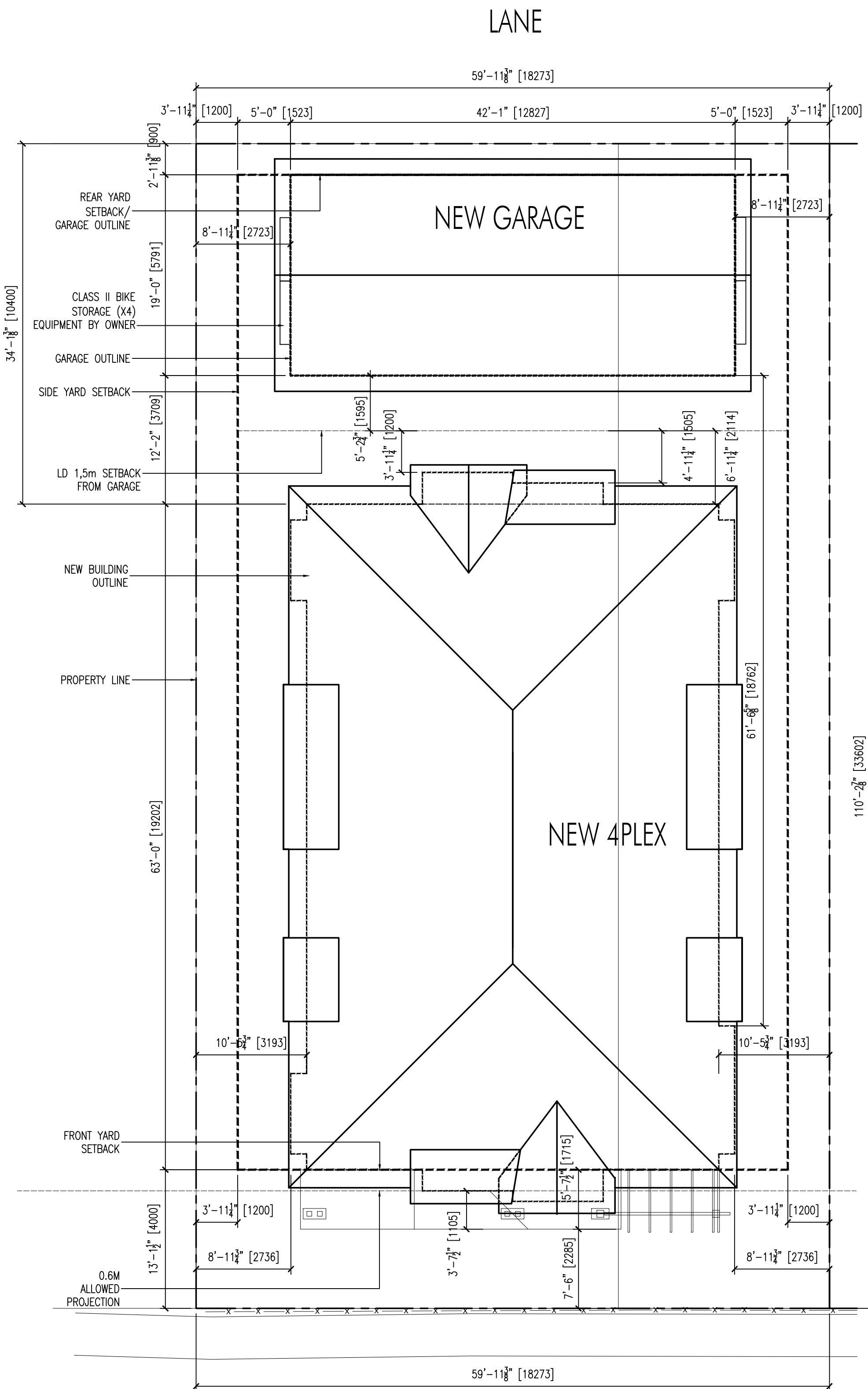
CURRENT: City of Kelowna RU7 Zoning

SITE INFORMATION:

		Allowed	Proposed
Gross Site Area			
LOT A:	6,609 sf (614 sm)		
LOT B:	6,609 sf (614 sm)		
Allowable Site Coverage=		45% (2,974sf)	38% (2,515 sf)
Coverage + Hardscaping=		55% (3,635sf)	51% (3,362 sf)
F.A.R. =		.8 (5,287sf)	.73 (4,827sf)
Unit Area Calculations:			
Unit 1 ENTRY:	585 sf		
UPPER:	566 sf		
Unit 2 ENTRY:	585 sf		
UPPER:	557 sf		
Unit 3 ENTRY:	643sf		
UPPER:	620sf		
Unit 4 ENTRY:	643 sf		
UPPER:	628 sf		
TOTAL:	4,827 sf		
	Allowed		Proposed
Max. Height =	13m (42.7 ft) or 3 storeys		7.3m (2 storeys)
Yard setbacks:			
front yard -	4.0m		4.0m
side yard -	1.2m		3.193m
rear yard -	0.9m to Garage/7.5m		0.9m to Garage/10.4m
Parking Calculations:			
1 per residence =	1X4=4 (Required)		4
Bicycle Storage:			
Class I, .5/unit	.5X4=2 (Required)		4 (garage storage)
Class II, .1/unit	.1X4= .4 (1) (Required)		4

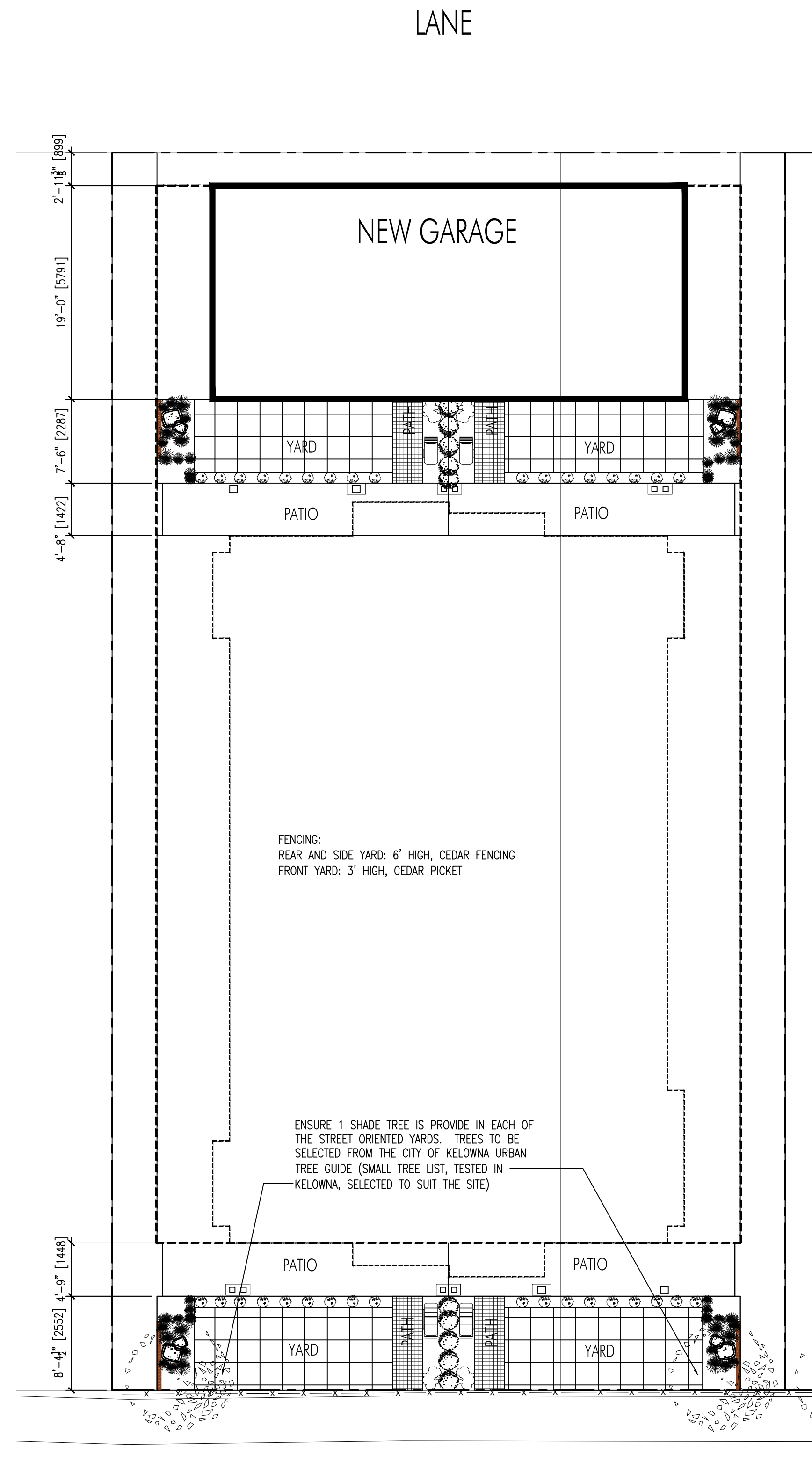
ARCHITECTURAL DRAWINGS:

A-001 PROJECT & SITE INFORMATION	A-200 ELEVATIONS
A-002 WALL ASSEMBLIES	A-201 ELEVATIONS
A-100 FOUNDATION PLAN	A-300 SECTIONS
A-101 ENTRY LEVEL PLAN	A-301 SECTIONS
A-102 UPPER LEVEL PLAN	A-500 DETAILS
	A-501 DETAILS



1 SITE PLAN
A-001 1/8" = 1'-0"

1263, PART. 1267 ETHEL STREET



1 LANDSCAPE/SURVEY PLAN
A-001 1/8" = 1'-0"

SCHEDULE A

This forms part of application
DVP18-0165

Planner
Initials KB

City of
Kelowna
COMMUNITY PLANNING



architecturally
DISTINCT
SOLUTIONS
INC.

phone:250-448-7801
205-1626 Richter Street,
Kelowna, BC V1Y 2M3
www.distinctsolutions.ca

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consent of Architecturally Distinct Solutions Inc.
All Contracting Trades shall check and verify all
levels, dimensions, data and conditions on the
site prior to commencement of any work. Any
discrepancies are to be reported immediately
to Architecturally Distinct Solutions Inc. Do not
Scale any dimensions from this drawing.

All Trades are to execute the work in
accordance with the current municipality
building by-laws and requirements of other
local authorities having jurisdiction as well as
the British Columbia Building Code - (most
recent edition) including all published revisions
and addenda. All Trades shall assume full
responsibility for the location and protection of
all under and above ground utilities, wires and
conduit connections, including (but not limited
to) water, sewer, gas, hydro and telephone.

Revision No., Date
and Description
02.20.18 - FOR BP
06.27.18 - FOR SI No.1
07.25.18 - FOR DVP

Plot Date 25-Jul-18
Drawing No. A-001

PROJECT
1263, 1267 & 1271 ETHEL ST.
ADS/Worman RUT PROTOTYPE
DRAWING TITLE
PROJECT INFORMATION
LOT A

FOR DVP

1271 & PART OF 1267 ETHEL STREET (LOT B), KELOWNA, BC

RU7, DP EXEMPTION, BP DOCUMENTS



PROPERTY DESCRIPTION

CIMC: 1271 & PART OF 1267 ETHEL STREET, KELOWNA, BC

LEGAL: PLAN : 1271; LOT : 5; ROLL NUMBER : 15180
PLAN : 1271; LOT : 4; ROLL NUMBER : 15170

ZONING CALCULATIONS:

CURRENT: City of Kelowna RU7 Zoning

SITE INFORMATION:

		Allowed	Proposed
Gross Site Area			
LOT A:	6,609 sf (614 sm)		
LOT B:	6,609 sf (614 sm)		
Allowable Site Coverage=		45% (2,974sf)	38% (2,515 sf)
Coverage + Hardscaping=		55% (3,635sf)	51% (3,362 sf)
F.A.R. =		.8 (5,287sf)	.73 (4,827sf)

Unit Area Calculations:

Unit 1	ENTRY:	585 sf
	UPPER:	566 sf
Unit 2	ENTRY:	585 sf
	UPPER:	557 sf
Unit 3	ENTRY:	643sf
	UPPER:	620sf
Unit 4	ENTRY:	643 sf
	UPPER:	628 sf
TOTAL:		4,827 sf

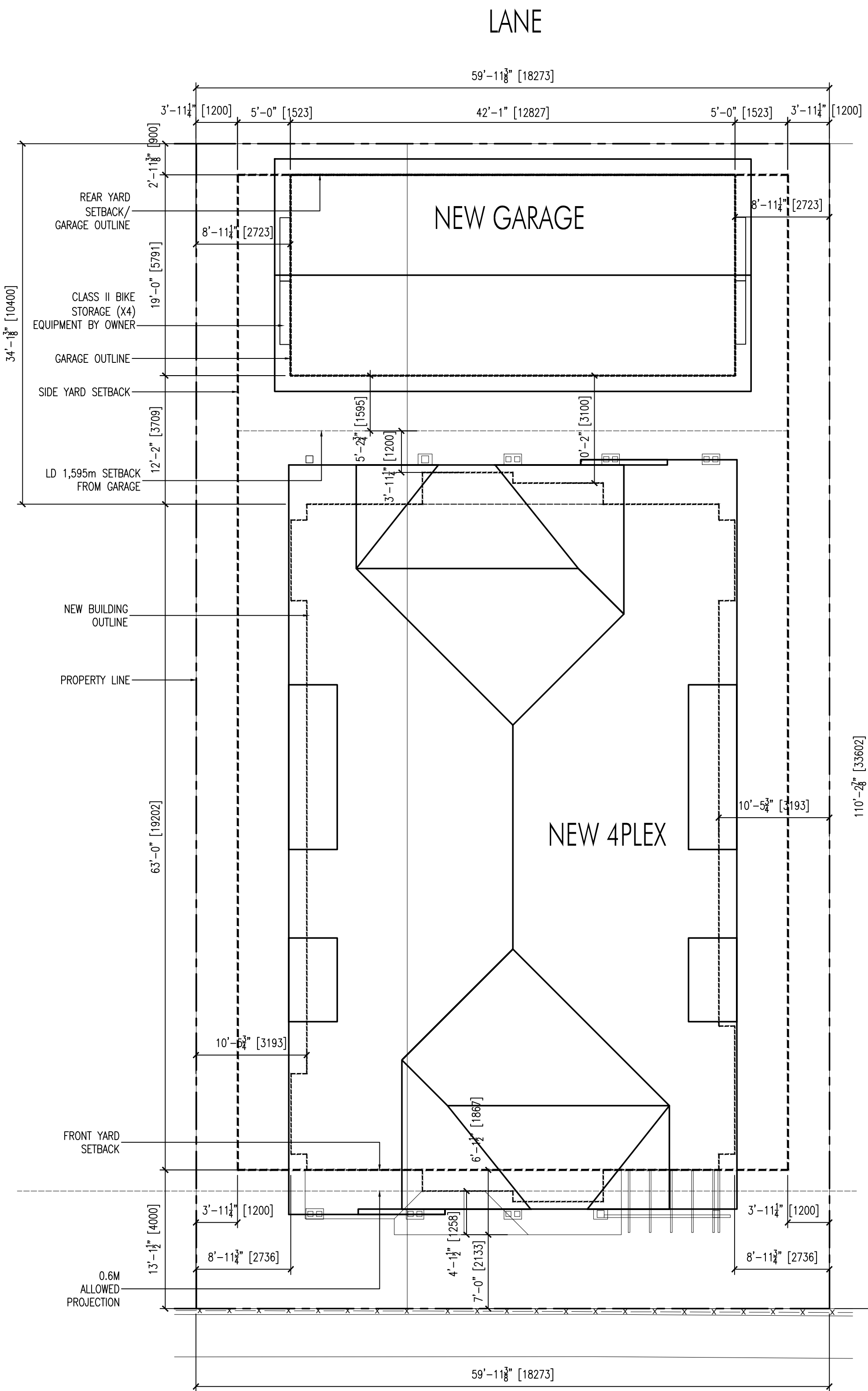
	Allowed	Proposed
Max. Height =	13m (42.7 ft) or 3 storeys	7.3m (2 storeys)

Yard setbacks:		
front yard -	4.0m	4.0m
side yard -	1.2m	3.193m
rear yard -	0.9m to Garage/7.5m	0.9m to Garage/10.4m

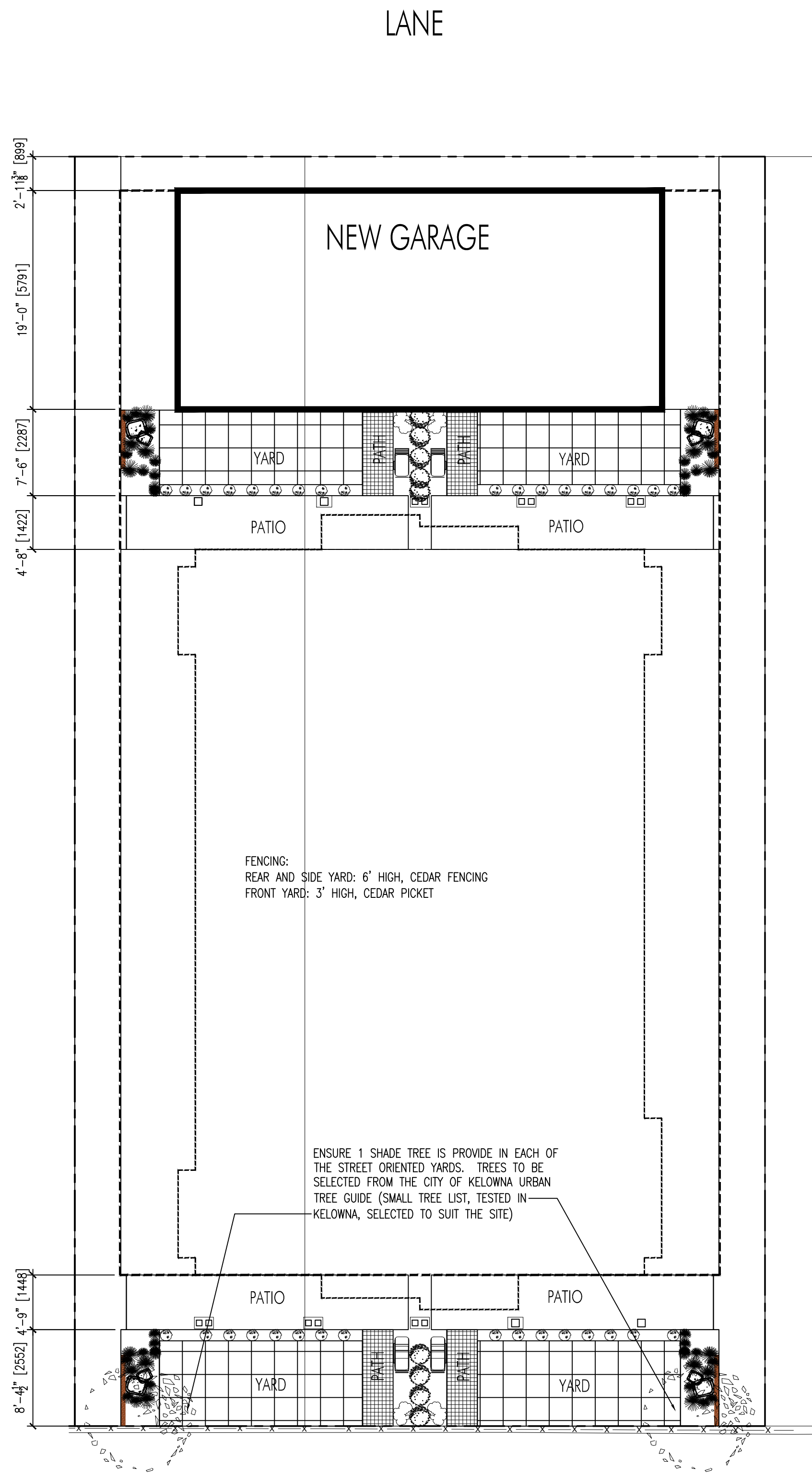
Parking Calculations:		
1 per residence =	1X4=4 (Required)	4
Bicycle Storage:		
Class I, .5/unit	.5X4=2 (Required)	4 (garage storage)
Class II, .1/unit	.1X4= .4 (1) (Required)	4

ARCHITECTURAL DRAWINGS:

A-001	PROJECT & SITE INFORMATION	A-200	ELEVATIONS
A-002	WALL ASSEMBLIES	A-201	ELEVATIONS
A-100	FOUNDATION PLAN	A-300	SECTIONS
A-101	ENTRY LEVEL PLAN	A-301	SECTIONS
A-102	UPPER LEVEL PLAN	A-500	DETAILS
		A-501	DETAILS



1271, PART. 1267 ETHEL STREET



SCHEDULE

A

This forms part of application

DVP18-0165

Planner
Initials

KB

City of
Kelowna
COMMUNITY PLANNING



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All trades are to execute the work in accordance with the current municipality building by-laws and requirements of other local authorities having jurisdiction as well as the British Columbia Building Code - (most recent edition) including all published revisions and addenda. All trades shall assume full responsibility for the location and protection of all under and above ground utilities, wires and conduit connections, including (but not limited to) water, sewer, gas, hydro and telephone.

Revision No., Date and Description

02.20.18 - FOR BP
06.27.18 - FOR SI No.1
07.25.18 - FOR DVP

Plot Date

25-Jul-18

Drawing No.

A-001

PROJECT
1263, 1267 & 1271 ETHEL ST.
ADS/Worman RUT PROTOTYPE

DRAWING TITLE
PROJECT INFORMATION
LOT B

FOR DVP

CITY OF KELOWNA
BYLAW NO. 11702
Z18-0090 – 4627 Darin Place

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 12 District Lot 357 ODYD Plan KAP57058, located on Darin Place, Kelowna, BC 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 26th day of November, 2018.

Considered at a Public Hearing on the 15th day of January, 2019.

Read a second and third time by the Municipal Council this 15th day of January, 2019.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: March 12, 2019

RIM No. 0940-50

To: City Manager

From: Community Planning Department (AJ)

Application: DVP18-0171

Owner: Calvin Keith Meldrum &
Barbara Leanne Laupitz

Address: 4627 Darin Place

Applicant: Barbara Laupitz

Subject: Development Variance Permit Application

Existing OCP Designation: S2RES – Single Family Residential

Existing Zone: RU1 Large Lot Residential

Proposed Zone: RU1C Large Lot Residential with Carriage House

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11702 be considered by Council;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0171 for Lot 12 District Lot 357 ODYD Plan KAP 57058, located at 4627 Darin Place, Kelowna, BC;

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

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

To vary the required minimum side yard from 1.5m permitted to 1.2m proposed.

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

2.0 Purpose

To vary the minimum south side yard requirements to facilitate the conversion of an accessory building to a carriage house on the subject property.

3.0 Community Planning

Community Planning Supports the variance required to facilitate the conversion of an existing accessory building to a carriage house on the subject property. The application meets the Official Community Plan (OCP) Future Land Use Designation of S2RES – Single/Two Unit Residential.

4.0 Proposal

4.1 Background

The single family dwelling and detached accessory structure on the property were permitted and constructed in 1996. The accessory structure is 1.5 storeys in height, and the upper storey has remained unfinished since 1996. The owners wish to convert the upper storey into a carriage house.

4.2 Project Description

The accessory structure meets Zoning Bylaw requirements for height, net floor area, and overall footprint. The accessory structure (detached garage) does not meet the Zoning Bylaw requirement for minimum side yard on the south side. Currently the Zoning Bylaw requires a 1.5m side yard for both accessory structures and carriage houses. However, in 1996, when the accessory structure was constructed, the minimum side yard requirement for accessory structures was 1.2m. As a result, the existing accessory structure proposed to be converted into a carriage house is 1.2m from the south side property line, requiring a Development Variance Permit to vary the minimum south side yard from 1.5m to 1.2m.

4.3 Site Context

Adjacent land uses are as follows:

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

Subject Property Map: 4627 Darin Place



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1C ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		

Min Lot Area	550m ²	826m ²
Min Lot Width	17.0m	20.3m
Min Lot Depth	30.0m	35.4m
Specific Use Regulations		
Max Height of Carriage House	4.8m	4.3m
Min Front Yard of Carriage House	9.0m	Greater Than 6.5m
Min Side Yard (south)	1.5m	1.2m ❶
Min Side Yard (flanking street)	6.0m	6.5m
Min Rear Yard (east)	1.5m	2.5m
Min distance to Principal Dwelling	3.0m	Greater Than 6.0m
Max Site Coverage of Carriage House and Accessory Buildings	Lesser of 14% or 90m ²	6% or 45m ²
Max Net Floor Area of Carriage House	90m ²	25.4m ²
Max Area of Carriage House to Carriage House Footprint Area	75%	56%
Other Regulations		
Minimum Parking Requirements	2 for principal, 1 for carriage house	4 stalls total
Private Open Space for Carriage House	30m ²	30m ²
❶ Indicates a requested variance to the required minimum side yard from 1.5m permitted to 1.2m proposed.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Land Use

Single/Two Unit Residential (S2RES).¹ Single detached homes for occupancy by one family, single detached homes with a secondary suite or carriage house, semi-detached buildings used for two dwelling units, modular homes, bareland strata, and those complementary uses (i.e. minor care centres, minor public services/utilities, convenience facility and neighbourhood parks), which are integral components of urban neighbourhoods. Suitability of non-residential developments within the neighbourhood environment will be determined on a site-specific basis. Non residential developments causing increases in traffic, parking demands or noise in excess of what would typically be experienced in a low density neighbourhood would not be considered suitable.

Growth Projections

Secondary Suites/Carriage Houses.² 1000 projected in new housing distribution.

6.0 Technical Comments

6.1 Building & Permitting Department

Changes may be required to roof venting and exterior cladding to allow for the change of use.

6.2 Development Engineering Department

¹ City of Kelowna Official Community Plan, Definitions (Future Land Use Chapter).

² City of Kelowna Official Community Plan, Table 3.5 (Growth Projections Chapter).

Application does not compromise municipal services.

7.0 Application Chronology

Date of Application Received: August 14, 2018

Date Public Consultation Completed: October 6, 2018

Report prepared by: Arlene Janousek, Planner

Reviewed by: Dean Strachan, Suburban and Rural Planning Manager

Reviewed by

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A: Development Engineering Memo

Schedule A: Site Plan

Schedule B: Elevations

Draft Development Variance Permit

CITY OF KELOWNA

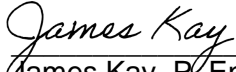
MEMORANDUM

Date: August 16, 2018
File No.: DVP18-0171
To: Community Planning (TH)
From: Development Engineer Manager (JK)
Subject: 4627 Darin Place

ATTACHMENT		A
This forms part of application # DVP18-0171		
Planner Initials	AJ	 City of Kelowna COMMUNITY PLANNING

The Development Engineering comments and requirements regarding this DVP application are as follows:

The request for a variance to allow existing accessory structure 1.2m from the side yard does not compromise any municipal services.


James Kay, P. Eng.
Development Engineering Manager

JA

SCHEDULE

A

This forms part of application

DVP18-0171

Planner
Initials

AJ

City of
Kelowna
COMMUNITY PLANNING



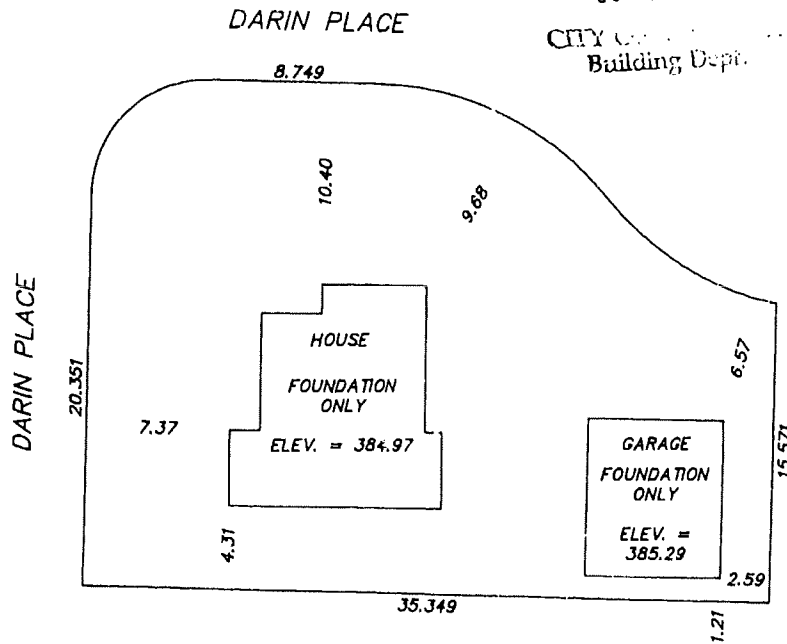
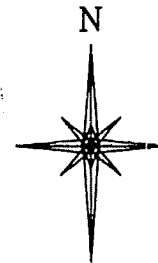
B.C. LAND SURVEYOR'S CERTIFICATE OF LOCATION OF BUILDING ON LOT 12 PLAN KAP57058 D.L. 357 O.D.Y.D.

4627 Darin Pl. B.P.# 10153

SCALE 1:300

DISTANCES ARE IN METRES.

REC'D
OCT 14 1996
CITY OF K
Building Dept.



©

THIS DOCUMENT IS NOT VALID UNLESS
ORIGINALLY SIGNED AND SEALED.

CERTIFIED CORRECT
this 23rd day of October, 1996.

D.A. Goddard

D.A. Goddard

BCLS

FILE 96-9394 FB 198

RE: VARITEC ENTERPRISES

THIS PLAN IS FOR MORTGAGE OR
MUNICIPAL PURPOSES ONLY AND IS
NOT TO BE USED TO DEFINE THE
BOUNDARIES OF THIS LOT.

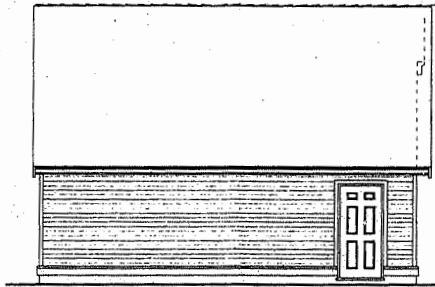
D.A. Goddard Land Surveying Inc.
200-1449 ST. PAUL STREET KELOWNA

SCHEDULE B

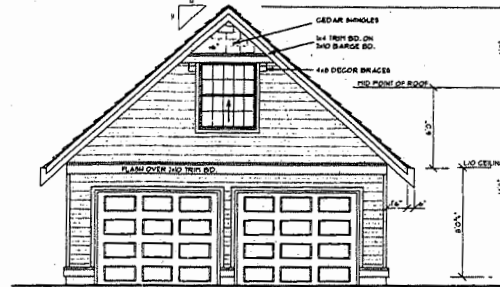
This forms part of application
DVP18-0171



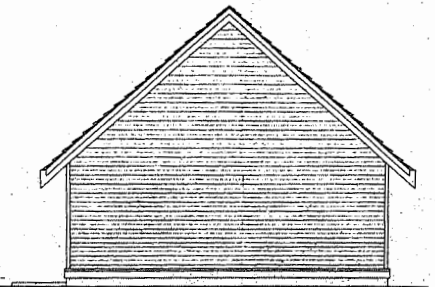
Planner Initials **AJ**



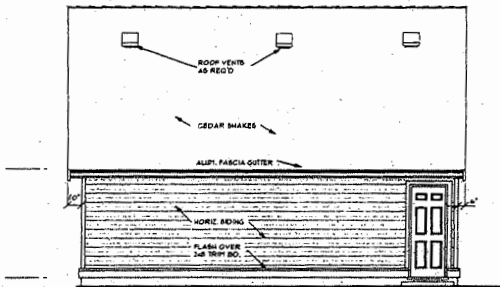
LEFT ELEVATION



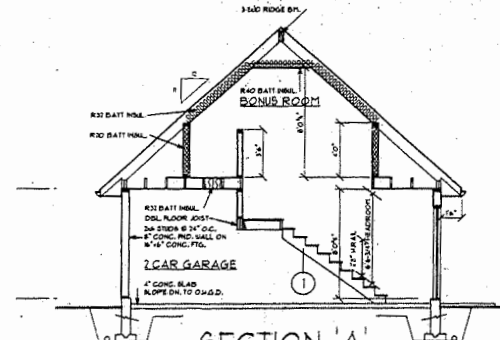
FRONT ELEVATION



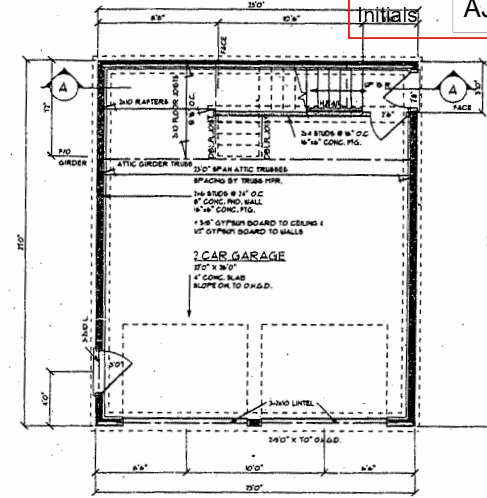
REAR ELEVATION



RIGHT ELEVATION

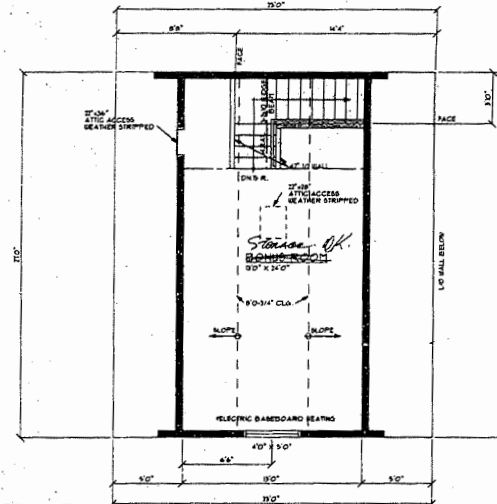


SECTION 'A'



MAIN FLOOR PLAN

671 SQ. FT.



SECOND FLOOR PLAN

378 SQ. FT.

GARAGE PLAN #2

CUSTOM HOME DESIGN FOR:

VARITEC ENTERPRISES LTD.
KELOWNA B.C.



DATE ISSUED: MAY '16

DRAWN BY: LP

SCALE: 1/4"=1'-0"

JOB NO.: 9641

SHEET

1A

OF 1



Development Variance Permit

DVP18-0171



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

4627 Darin Place

and legally known as

Lot 12 District Lot 357 Osoyoos Division Yale District Plan KAP 57058

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

Large Lot Residential with Carriage House

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

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

To vary the required minimum side yard from 1.5m permitted to 1.2m proposed.

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

Date of Council Decision:

Decision By: Council

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

Existing Zone: RU1C 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: Calvin Keith Meldrum & Barbara Leanne Laupitz

Applicant: Barbara Laupitz

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";

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

3. PERFORMANCE SECURITY

N/A

4. INDEMNIFICATION

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

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

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

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

REPORT TO COUNCIL



Date: March 12, 2019

RIM No. 0940-50

To: City Manager

From: Community Planning Department (LKC)

Application: DVP18 - 0217

Owner: Peters, Nathan

Address: 660 Roanoke Ave

Applicant: Peters, Nathan

Subject: Development Variance Permit

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. DVP18-0217 for Lot 22, Block 9, DL9, ODYD Plan 1306, located at 660 Roanoke Ave, Kelowna, BC;

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

Section 13.6.6 g: RU6 – Two Dwelling Housing Development Regulations

To vary the required minimum east side yard from 2.0 m to 1.8, and the west side yard from 2.0m to 1.3.

AND THAT Council's consideration of this Development Variance Permit be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated March 12, 2019.

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

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

2.0 Purpose

To consider the Development Variance Permit application to reduce the east side yard set-back from 2.0m to 1.8m and the west side yard set-back from 2.0m to 1.3m in order to build an addition to the existing single detached house.

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, and the variances will have minimal impact on any adjacent neighbours. The variances would allow for an addition to the existing house that would match the existing width of the house.

4.0 Proposal

4.1 Background

The subject property is a single family lot zoned RU6 – Two Dwelling Housing. The subject property fronts Roanoke Ave. There is a garage located in the north-east corner of the property which connects to the back lane. The existing house is 1.8m from the East property line and 1.3m from the West property line.

4.2 Project Description

The property owner has applied for a DVP in order to build an addition that is the same width of the existing house. The proposal requires variances to reduce the east side yard set-back from 2.0m to 1.8m and the west side yard set-back from 2.0m to 1.3m in order to build the addition. The proposed addition meets all other zoning regulations.

4.3 Site Context

Subject Property Map:



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

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

6.o Application Chronology

Date of Application Received: October 16, 2018

Date Public Consultation Completed: January 7, 2019

Report prepared by: Levan King Cranston

Reviewed by: Dean Strachan, Suburban and Rural Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment 1: Development Variance Permit

Schedule A: Site Plan

Schedule B: Elevations

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

Attachment 1: Development Variance Permit



Development Variance Permit

DVP18-0217

This permit relates to land in the City of Kelowna municipally known as 660 Roanoke Ave

and legally known as Lot 22, Block 9, DL9, ODYD Plan 1306

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

To vary **Section 13.6.6 g**: to reduce the east side yard set-back from 2.0 m to 1.8, and the west side yard set-back from 2.0m to 1.3.

AND THAT Council's consideration of this Development Variance Permit be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated March 12, 2019.

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

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

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

Decision By: COUNCIL

This permit will not be valid if development has not commenced by March 12, 2021.

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

NOTICE

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

Owner: Nathan Peters

Applicant: Nathan Peters

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. 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.**



City of
Kelowna

PETER'S RESIDENCE

ADDITION

660 ROANOKE AVENUE, KELOWNA, BC

Drawing List

- 101 - Site Plan
- 102 - Foundation
- 103 - Main Floor Plan
- 104 - Pre-Engineered Truss Roof Truss Layout
- 105 - North & South Elevations
- 106 - East & West Elevations
- 107 - Sections

Roof Joist Shop Drawing

LEGAL LAND DESCRIPTION

PLAN: 1306
LOT: 22
BLOCK: 9
ZONING:
RUB

LOT COVERAGE BREAKDOWN

LOT AREA: 4,860 SQ. FT.
EXIST. HOUSE AREA: 732 SQ. FT.
EXIST. GARAGE AREA: 401 SQ. FT.
REAR ADDITION AREA: 554 SQ. FT.
FRONT ADDITION AREA: 80 SQ. FT.
TOTAL NEW COVERAGE: 1,757 SQ. FT.
NEW LOT COVERAGE: 36%
ALLOWABLE: 40%

ALLEY WAY
PROPERTY LINE 40'-5"

EXISTING GARAGE
22'-4"
7'-8"
23'-4"
5'-5"
15'-8"
18'-4"
47'-2" REAR YARD

PROPERTY LINE 120'-9"
PROPERTY LINE 120'-9"
19'-0" ADDITION
27'-0" EXISTING BUILDING DEPTH
22'-3" FRONT YARD
5'-0" FRONT ADDITION

NEW ROOF
NEW VALLEY
EXISTING ROOF
NEW VALLEY
NEW GARAGE
28'-2" EXISTING BUILDING WIDTH

FACE OF EXT. WALL
EDGE OF ROOF
EXIST.
EXIST.
EXIST.

VARIANCE
APPROVAL
REQUIRED

1
SITE PLAN
1/2" = 1'-0"

ROANOKE AVENUE

N

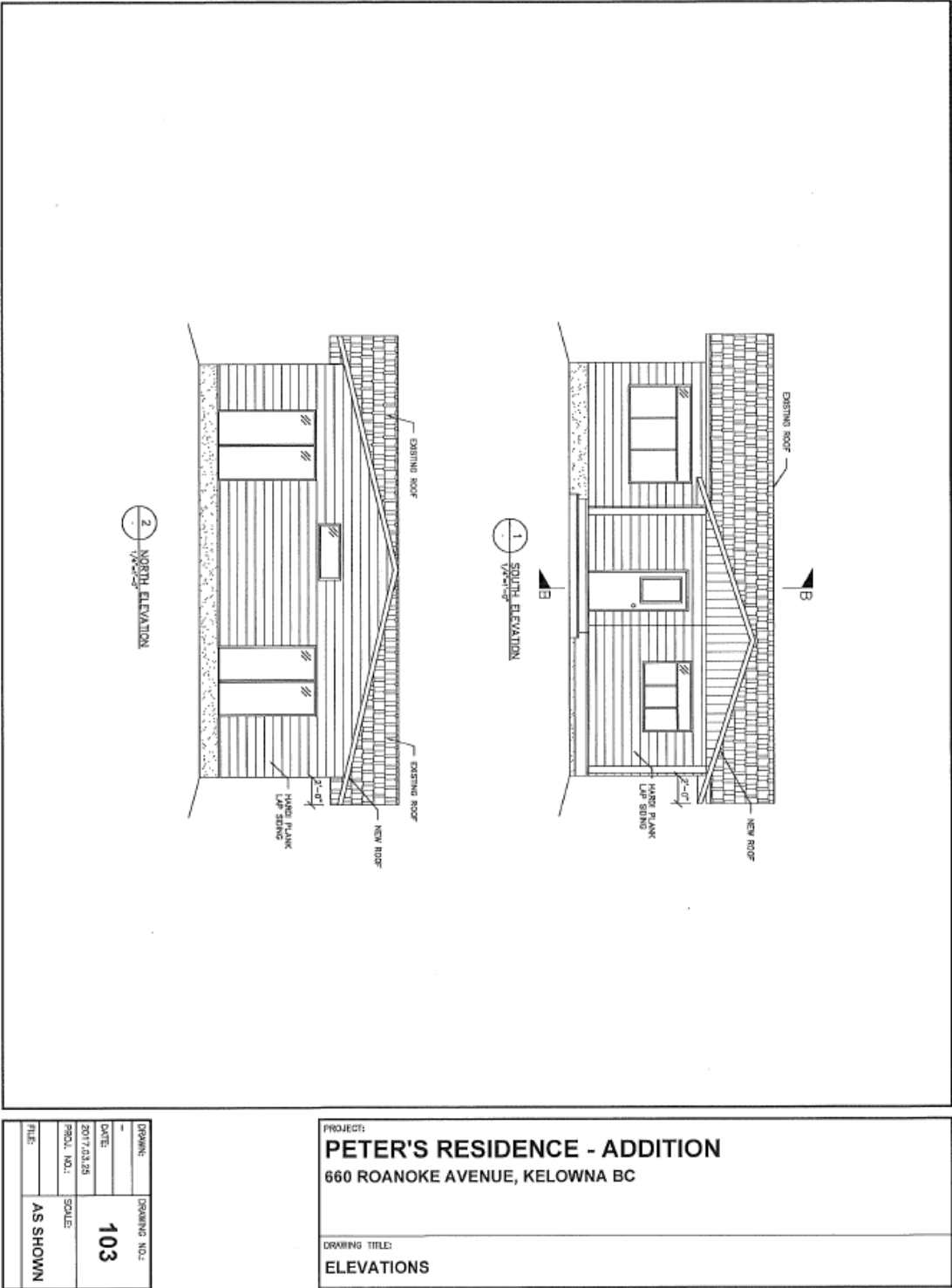
PROJECT:	
PETER'S RESIDENCE - ADDITION	
660 ROANOKE AVE, KELOWNA BC	
DRAWING TITLE:	
SITE PLAN	

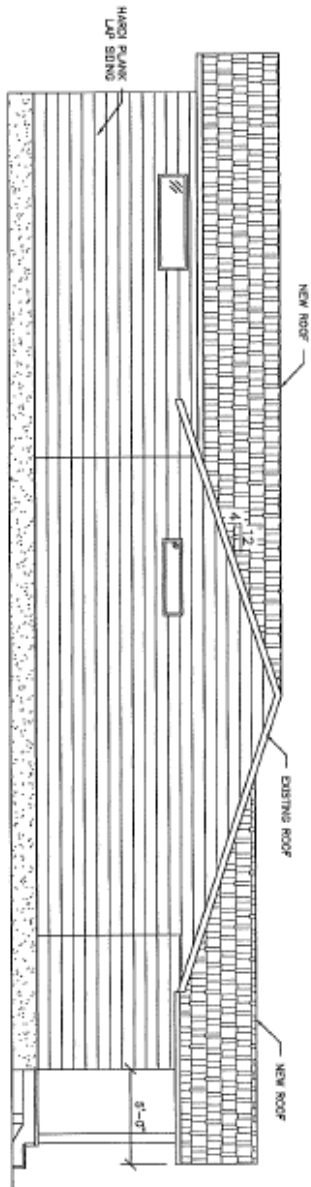
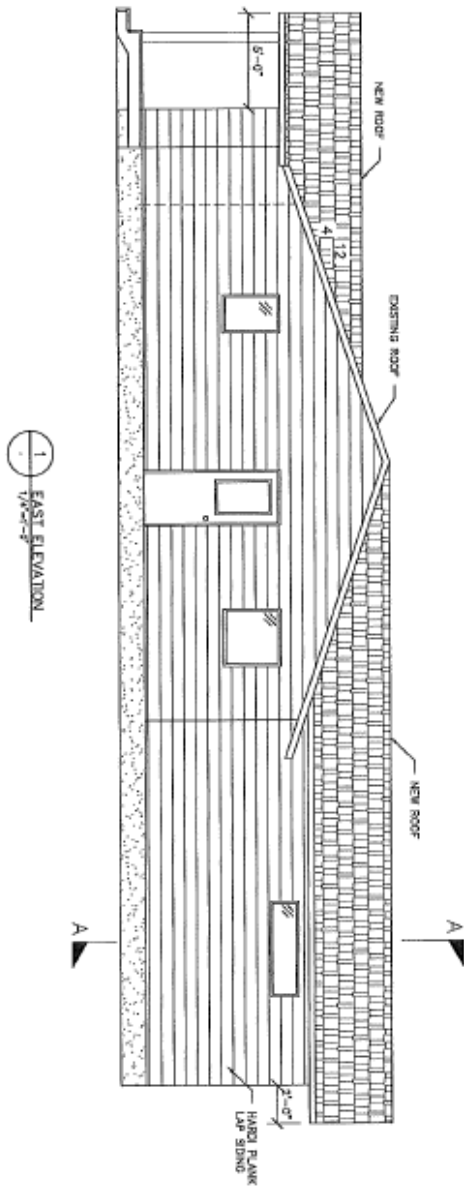
DRAWING NO.	
100	100
DATE:	
2017.03.26	
SCALE:	
AS SHOWN	

SCHEDULE B – Elevations



Subject: 66o Roanoke Ave. (Application DVP18-0217)





PROJECT:
PETER'S RESIDENCE - ADDITION
 660 ROANOKE AVENUE, KELOWNA BC

DRAWING TITLE:
ELEVATIONS

DRAWING NO.:	104
DATE:	2017.03.26
PROJ. NO.:	SCALE:
FILE:	AS SHOWN

REPORT TO COUNCIL



Date: March 12, 2019

RIM No. 0940-60

To: City Manager

From: Community Planning Department (KB)

Application: HAP18-0008-01

Owner: Gordon Richard Lovegrove
Karen Lorraine Lovegrove

Address: 2195 Abbott Street

Applicant: Gordon Richard Lovegrove
Karen Lorraine Lovegrove

Subject: Heritage Alteration Permit

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU1c – Large Lot Housing with Carriage House

1.0 Recommendation

THAT Council authorizes the issuance of Heritage Alteration Permit No. HAP18-0008-01 for Lot 4 District Lot 14 Osoyoos Division Yale District Plan 3393, located at 2195 Abbott Street, Kelowna, BC subject to the following:

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

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

Section 6.4.2: Projections Into Yards

To vary the required maximum projection of an eaves into a required side yard from 0.6 m (permitted) to 1.22 m (proposed).

Section 9.5b.1(g): RU1 – Carriage House Regulations

To vary the required maximum height from 4.8 m or the height of the principal dwelling (permitted) to 6.1 m (proposed).

AND FURTHER THAT this Heritage Alteration 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 carriage house and to vary the maximum projection of an eaves into a required side yard and the maximum height of a carriage house on the subject property.

3.0 Community Planning

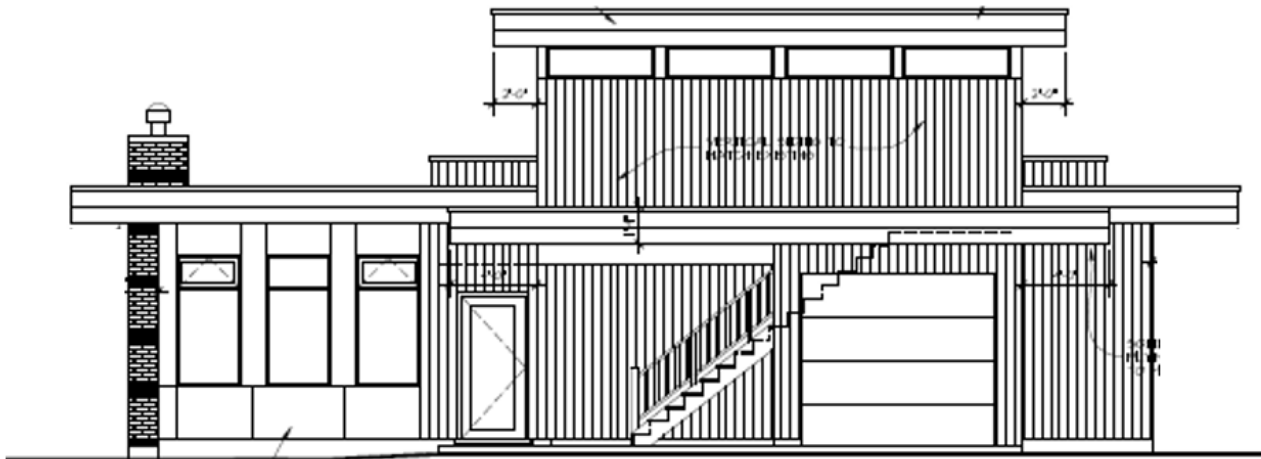
Community Planning Staff recommend support for the proposed Heritage Alteration Permit. The form and character is consistent with the existing dwelling on the property, and with the Heritage Alteration Permit Guidelines, as outlined in Attachment "A".

Variances

The application is requesting consideration for two variances, the distance that eaves project into the required south side yard setback, and for height. The variance requested for the projections into the south side yard setback allow the form of the proposed carriage house to be more consistent with the existing single family dwelling.

The majority of the carriage house will match the existing dwelling in height, except for a 10 m² portion of partially enclosed exterior stairs that lead to a rooftop patio. Community Planning Staff are supportive of a variance for height, as it will apply to this portion of the building only. Further, Staff acknowledge that large outdoor rooftop patios are becoming a growing trend in Kelowna and there is a need for additional Zoning Bylaw requirements to ensure fair and equitable rules are applied. The Community Planning Department will address this as part of future Zoning Bylaw amendments.

Image 1 – East (lane) facing elevation of the proposed carriage house, showing the partially enclosed exterior stairs



4.0 Proposal

4.1 Background

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

4.2 Project Description

The property is identified as Early Suburban in the Abbott Marshall Heritage Conservation Area Development Guidelines. Characteristics identified in these design guidelines that the existing dwelling and proposed carriage house meet include a horizontal feel to the architecture, one storey massing, and asymmetrical facades. The proposed carriage house was designed to mimic the Frank Lloyd Wright style as closely as possible. The applicant is also striving for a Net Zero design, to incorporate energy efficient features in to the carriage house.

Exterior materials of the carriage house include wooden, flat panels with verticals, with finish and paint colour to match the existing residence. A flat roof with large overhangs is proposed to match the existing residence fascia and overhang. They will be using 'torch-on' roofing in place of the original tar and gravel roof in accord with modern standards. This is outlined in the Applicant's Rationale Letter and Photos of the Existing Dwelling in Attachment "A".

Site Context

The 1,093 m² subject property is located at the corner of Abbott Street and Royal Avenue. It is in close proximity to the Kelowna General Hospital, several waterfront parks and is located on the Abbott Street Recreation Corridor. It is within the Permanent Growth Boundary and has a walk score of 54, which means it is somewhat walkable.

Specifically, adjacent land uses are as follows:

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

Subject Property Map: 2195 Abbott Street



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU _{1c} ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Maximum Total Site Coverage (buildings)	40%	25 %
Maximum Total Site Coverage (buildings, driveways & parking)	50%	30.6 %
Single Storey Carriage House Development Regulations		
Maximum Accessory Site Coverage	20%	12 %
Maximum Accessory Building Footprint	100 m ² (carriage house) 50 m ² (accessory buildings) 130 m ² (total)	99 m ² (carriage house) 31 m ² (accessory buildings) 130 m ² (total)
Maximum Net Floor Area	100 m ²	99 m ²
Maximum Net Floor Area to Principal Building	75 %	56 %
Maximum Height (to mid-point)	4.8 m	6.1 m ^❶
Maximum Height (to peak)	N/A	N/A
Minimum Front Yard (west)	9.0 m	> 9.0 m
Minimum Flanking Side Yard (south)	1.5 m	4.5 m
Minimum Side Yard (north)	1.5 m	2.8 m
Minimum Rear Yard (east)	0.9 m	2.15 m
Minimum Distance to Principal Building	3.0 m	4.2 m
Other Regulations		
Maximum projection distance of unenclosed steps, eaves, awnings, decks, canopies, balconies and porches	0.6 m	1.22 m ^❷
Minimum Parking Requirements	3 stalls	3 stalls
Minimum Private Open Space	30 m ² per dwelling	> 30 m ² per dwelling
^❶ Indicates a requested variance to the maximum height ^❷ Indicates a requested variance to the maximum projection distance of unenclosed steps, eaves, awnings, decks, canopies, balconies and porches		

5.0 Application Chronology

Date of Application Received: November 2, 2018
Date Public Consultation Completed: November 24, 2018
Date of Heritage Alteration Committee Consideration: N/A

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

Attachments:

Draft Heritage Alteration Permit No. HAP18-0008-01
Heritage Alteration Permit Guidelines
Schedule A – Site Plan
Schedule B – Elevations
Attachment A - Applicant's Rationale, including description of colour board, and photos of existing dwelling

Heritage Alteration Permit

HAP18-0008-01



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

2195 Abbott Street

and legally known as

Lot 4 District Lot 14 Osoyoos Division Yale District Plan 3393

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

Large Lot Housing with Carriage House

with variances to the following sections of Zoning Bylaw 8000 in accordance with Schedules "A" and "B":

Section 6.4.2: Projections Into Yards

To vary the required maximum projection of an eaves into a required side yard from 0.6 m (permitted) to 1.22 m (proposed).

Section 9.5b.1(g): RU1 – Carriage House Regulations

To vary the required maximum height from 4.8 m or the height of the principal dwelling (permitted) to 6.1 m (proposed).

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

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

Date of Decision: March 12, 2019

Decision By: City Council

Issued Date: March 12, 2019

Development Permit Area: Abbott Marshall Heritage Conservation Area

This permit will not be valid if development has not commenced by March 12, 2021.

Existing Zone: RU1c 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: Gordon Richard Lovegrove & Karen Lorraine Lovegrove

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";

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.**

HERITAGE ALTERATION PERMIT GUIDELINES

Heritage Conservation Area

Consideration has been given to the following guidelines as identified in Chapter 16 of the City of Kelowna Official Community Plan relating to Heritage Conservation Areas:

HERITAGE CONSERVATION AREA	YES	NO	N/A
Site Layout and Parking			
Are established front yard setbacks maintained within 10% of neighbouring building setbacks?			✓
Are parking spaces and garages located in the rear yard?	✓		
Are established building spacing patterns maintained?	✓		
Does the carriage house complement the character of the principal dwelling?	✓		
Are accessory buildings smaller than the principal building?		✓	
Building Massing			
Is the established streetscape massing maintained?	✓		
Is the massing of larger buildings reduced?			✓
Roof Forms, Dormers and Chimneys			
Is the roof pattern in keeping with neighbouring buildings?	✓		
Are skylights hidden from public view?			✓
Are high quality, low maintenance roofing materials being used?	✓		
Are the roofing materials similar to traditional materials?	✓		
Are the soffit, overhang and rain water drainage features in keeping with the building's architectural style?	✓		
Do secondary roof elements have a similar pitch as the principal roof?	✓		
Are chimneys in keeping with the building's architectural style?	✓		
Cladding Materials			
Are low maintenance building materials being used?	✓		
Are the building materials similar to traditional materials?	✓		
Are exterior colours in keeping with the traditional colours for the building's architectural style?	✓		
Doors and Windows			
Are established window placement, style and window-to-wall area ratios maintained?	✓		

HERITAGE CONSERVATION AREA	YES	NO	N/A
Are established door placement, style and door-to-wall area ratios maintained?	✓		
Is the main entrance a dominant feature visible from the street?		✓	
Is the main entrance in keeping with the building's architectural style?	✓		
Are the door and window design details consistent with the building's architectural style?	✓		
Landscaping, Walks and Fences			
Are existing healthy mature trees being retained?	✓		
Is the front yard landscaping consistent with neighbouring properties?			✓
Is street facing fencing or screening landscaping no more than 1 m in height?		✓	
Privacy and Shadowing Guidelines			
Are there clear sightlines from the street to the front yard and dwelling?			✓
Does the building location minimize shadowing on the private open space of adjacent properties?	✓		

2195 Abbott Street, Kelowna, B.C. Lot 4, District Lot 14, O.D.Y.D., Plan 3393

SCHEDULE

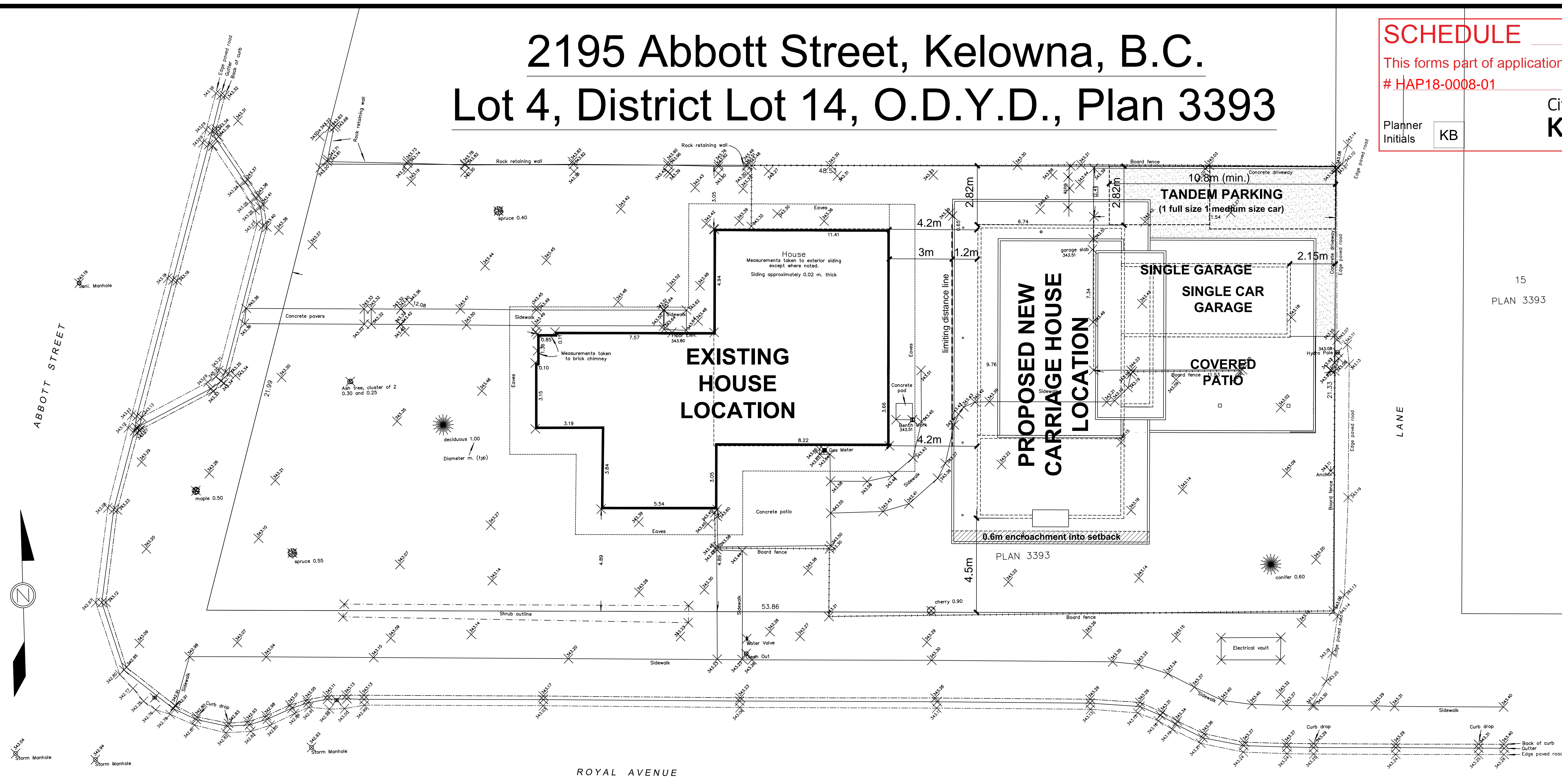
A

This forms part of application
HAP18-0008-01

Planner Initials KB

City of Kelowna

COMMUNITY PLANNING



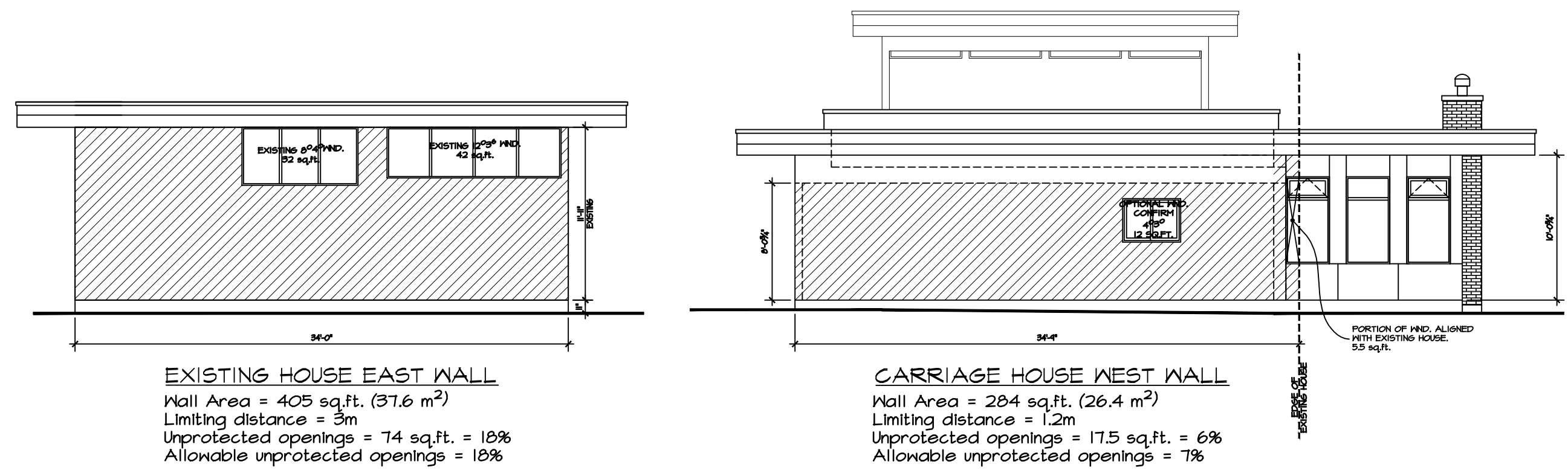
15
PLAN 3393

SITE PLAN

1/8" = 1'-0"

Note:
Underside of joists
to be min. 343.66m

Site Coverage Calculation	
Lot Area =	11,756 sq.ft. (1092.6 m2)
Existing House =	1,581 sq.ft. (146.9 m2)
Proposed Carriage House with Garage=	1,400 sq.ft. (130 m2)
Driveway =	620 sq.ft. (57.6 m2)
Covered Patio =	242 sq.ft. (22.5 m2) (23 m2 cov. patio allowed)
Bldg. Coverage =	25%
Bldgs. & D.W. Coverage =	30.6%



SPATIAL SEPARATION CALCULATION
BETWEEN BUILDINGS

ERRORS AND OMISSIONS
- BAXTER DESIGN and SHANE BAXTER shall not be responsible for any variances from the structural drawings and specifications, or adjustments required resulting from conditions encountered at the job site, and is the sole responsibility of the owner or contractor.
- BAXTER DESIGN and SHANE BAXTER makes every effort to provide complete and accurate construction drawings. However, we assume no liability for any errors or omissions which may affect construction. It is the responsibility of all trades and sub-trades to check and verify all dimensions and details before commencing with their portion of the construction. Should any discrepancies be found on these plans please advise our office so we can make the necessary corrections.

BAXTER DESIGN

Custom Building Design

SHANE BAXTER DESIGNS INC.

KELOWNA, B.C. CANADA

ph: (250) 862-9662

email: baxterdesign@shaw.ca

PROPOSED CARRIAGE HOUSE FOR:
MR. & MRS. LOVEGROVE
2195 Abbott Street, Kelowna, B.C.

Date: AUG. 24, 2018

Rev. Date: Nov. 1, 2018

Drn. By: S.H.B.

Working Drawings

1/7

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Architectural drawing of the Left (South) Elevation of a building. The drawing shows a long, low structure with a brick chimney, a brick section, and vertical siding. Dimensions are provided in feet and inches, as well as meters. Annotations include 'EXISTING HOUSE', 'FASCIA TO MATCH EXISTING', 'SOLID PAINTED PLYWOOD SOFFIT TO MATCH EXISTING', 'HARDI PANEL OR SIMILAR TO MATCH EXISTING', and 'BRICK TO MATCH EXISTING'. A note at the bottom right states: 'Note: Underside of joists to be min. 343.66m'.

Architectural drawing of the rear (west) elevation of a building. The drawing shows a long, low structure with vertical siding, a central window labeled "OPTIONAL WND. CONFIRM", and three large rectangular openings on the right. Annotations include "FASCIA TO MATCH EXISTING", "SOLID PAINTED PLYWOOD SOFFIT TO MATCH EXISTING", "SCUPPER DRAIN FOR DECK SURFACE CONFIRM", "VERTICAL SIDING TO MATCH EXISTING", and "HARDI PANEL OR SIMILAR TO MATCH EXISTING". Dimensions of 1'-6" and 4'-0" are indicated.

20'-0"
HEIGHT TO ROOF STAIRWAY ENTRANCE
WHICH IS NOT TO BE USED IN DETERMINING BUILDING HEIGHT
AS PER CITY OF KELOWNA BYLAW 66.1

Architectural elevation drawing of a building facade. The drawing includes the following annotations and dimensions:

- ROOF STAIRWAY ENTRANCE**: NOT TO BE USED IN DETERMINING BUILDING HEIGHT. BYLAW 6.6.1. (Pointing to a roof structure with a height of 11'-0" and a width of 4'-0".)
- FASCIA TO MATCH EXISTING**: (Pointing to a horizontal fascia with a height of 1'-0" and a width of 4'-0".)
- VERTICAL SIDING TO MATCH EXISTING**: (Pointing to vertical siding on the left side of the facade, with a width of 4'-0".)
- 6 sq.ft.**: (Label for a small square window on the left side of the facade.)
- 22.5 sq.ft.**: (Label for a large rectangular window in the center of the facade.)
- 12 sq.ft.**: (Label for a small square window on the right side of the facade.)
- SOLID PAINTED PLYWOOD SOFFIT TO MATCH EXISTING**: (Pointing to a soffit on the right side of the facade, with a height of 1'-0" and a width of 4'-0".)

SPATIAL SEPARATION CALCULATION
 Wall Area = 421 sq.ft. (39.1 m²)
 Limiting distance = 2.82m
 Unprotected openings = 40.5 sq.ft. = 9.6%
 Allowable unprotected openings @ 2m = 11%

 $\frac{2}{7}$

April 24, 2018

City Hall Kelowna
Planning Department
1435 Water St
Kelowna, BC V1Y 1J4
Attention: Ms Kim Brunet, Planner
By e-mail: KBrunet@kelowna.ca

Dear Ms Brunet:

Re: 2195 Abbott Street – Rezoning and Heritage Alteration Permit - Design Rationale

This letter sets out why Karen and I would like to build our carriage house, and more specifically, our rationale for its design.

Background

Karen and I are the third family to own this beautiful home at 2195 Abbott Street. We understand from the previous owners that it was originally designed and built in 1956 by renowned Kelowna architect and author, John Newton Woodworth (who incidentally also designed the Kelowna Community Theatre!). We have enclosed photos of it at the end of this document for reference, showing its Frank Lloyd Wright (FLW) styling, with beautiful brick chimney, ‘big room’ fenestration, broadly overhanging flat roof, and simple vertical wooden wallboard treatments. We bought it in August 2010 and have enjoyed it so much that we can think of no better location to retire to and age in place, except for the fact that it is a four bedroom home and our children have all left home. For several years we’ve been discussing with family, neighbors, and other friends what to do - co-housing, move, stay, etc – and subsequently hit upon the idea of building a carriage house after noticing several springing up around us. Moreover, our initial queries at the City Hall Planning counter, along with our involvement in various City public initiatives and reviews (OCP, Imagine Kelowna, Healthy Home, Journey Home, to name a few), have informed us that densification of existing neighborhoods, infill housing (i.e. including carriage houses), increasing ground-based housing supply, and aging in place are principles generally supported by approved City principles, bylaws and/or policies. Hence, we have decided to invest our time, effort, and money to seek City approval construct our retirement home – our carriage house – on our own property, literally in our own backyard!

Of note in our application, and pertaining to your specific request for this design rationale, we point out that while the main residence was built in 1956 after FLW styling, its garage was built circa 1990 and can scarcely be deemed to even mimic FLW styling – its roof has a slope, its siding is vinyl, and its windows don’t match. So we are doubly motivated to not just age in place with our new carriage house, but also to ‘clean up’ what has been an eyesore for us for 10 years, by designing our carriage house to mimic our FLW main residence as closely as possible.

Design Rationale

To mimic the FLW architectural styling of our main residence as closely as possible, we have engaged Mr. Shane Baxter of Baxter Design, winning designer of the City of Kelowna Infill Challenge. As you will see from our submitted package, Mr Baxter has designed our carriage house with particular attention to all key features, as follows:

- It will replace the existing 1990 garage that does not meet the FLW style, and significantly improve the aesthetics, look, and feel of our site and its living spaces;
- Wrap around windows – location, proportions, tight to soffits, to promote the same ‘big room’ feel for our living/dining areas;
- Wall boards – wooden, flat panels with verticals, with finish and paint color to match our main residence;
- Brick fireplace – brick to match existing colors, courses, and sizes as closely as possible, with gas and high efficiency fan for heating the main living areas;
- Flat roof with large overhangs matching our existing residence fascia and overhang; we will be using ‘torch-on’ roofing in place of the original tar and gravel roof in accord with modern standards;
- On our carriage house roof Mr Baxter has also designed a sundeck using an ingenious fascia screening set-back technique; this will provide a semi-private additional outdoor space for Karen and I to enjoy given our resulting smaller shared yard;
- During inclement weather, on extremely hot days, and/or when stairs are no longer manageable, we’ll be able to enjoy our covered patio;
- The main living space will all be at one-level, at ground level, so we can enjoy a stair-free, wheelchair accessible entry and inside living area – effectively a rancher;
- Given its smaller 100 square meter footprint, we’re asking for a crawl space to be included, which would be used for storage only and accessed from the garage; and,
- We have included only one enclosed garage car parking stall (two other outside stalls are included in the design to meet city bylaws that require a total of three = 2 plus 1 for visitors); we are a one-car family and as we age expect to use our car less, with more emphasis on use of all our nearby walking, biking, and transit amenities.

Apart from its architectural stylings and basic design configuration, we are striving for a Net Zero design. To that end we are delighted to have contracted the award-winning Mr Darren Witt of Bercum Builders Inc. to work with Mr Baxter on incorporating the following energy efficient features on our carriage house:

- Solar roof panels with inverter to not only power our carriage house electrical systems, but to also generate power back into the City’s grid when excess is available, with our target being net zero year round energy use;
- Tankless hot water heating, with dual boiler for in-floor heating of master ensuite, master bedroom, den, and kitchen;
- Window blinds for additional shading/insulation, which also match our main residence;
- Deep sill walls, with R35 insulation to minimize heat loss and gain;
- Low-e windows, with opening panes for passive cooling/heating;
- Gas fireplace for main living area heating;
- Heat pump air exchange for cooling;
- Low-flow plumbing fixtures;

- LED lighting; and,
- Gas stove

We seek to install these Net-Zero design elements both to enhance our design to minimize our eco-footprint and support net-zero living, and, to set a good community design example springing from my professional engineering expertise, experience, and research as a Professor in UBCO's School of Engineering (<http://engineering.ok.ubc.ca/faculty/gordonlovegrove.html>).

On the pages following are photos of our existing main residence and garage for your reference.

We do hope you will agree with our design rationale and support our application. We are trying to maintain architectural stylings, while allowing us to age in place in our beautiful location, and in support of City policies regarding STEP code, infill densification, healthy housing, and housing supply. Please feel welcome to contact us if you have any questions, at gord.lovegrove@ubc.ca, or 250-808-9377. I should note that we are out of country from May 18th to June 30th, but we will have internet access and can be reached by e-mail and skype.

Yours truly,



Gord & Karen Lovegrove
Owners, 2195 Abbott Street

Enclosed: Pictures of 2195 Abbott Street (following pages)

Pictures of 2195 Abbott Street



Chimney at NW corner of main residence



Close up of bricks



Existing Garage vinyl siding





Existing Garage looking west from lane east of Abbott



Main residence looking NE from Abbott at Royal



Looking east toward 2195 Abbott main residence from Abbott Street



Close up of wall board treatment, soffit, and fenestration of existing main residence