City of Kelowna
Regular Council Meeting
AGENDA

Monday, March 18, 2019

9:45 am

Council Chamber

City Hall, 1435 Water Street

Pages

1. **Call to Order**

2. **Confirmation of Minutes**   2 - 3

   Regular AM Meeting - March 11, 2019

3. **Resolution Closing the Meeting to the Public**

   THAT this meeting be closed to the public pursuant to Section 90(1)(e)(j)(k) of the Community Charter for Council to deal with matters relating to the following:

   - acquisition, disposition or expropriation of land or improvements;

   - confidential third party business information;

   - proposed provision of a municipal service.

4. **Reconvene to Open Session**

5. **Reports**

   5.1   **Development Permit**   45 m   4 - 27

   To inform Council on the roles and responsibilities related to the review and processing of Development Permit applications.

6. **Issues Arising from Correspondence & Community Concerns**

   6.1   Mayor Basran, re: Issues Arising from Correspondence   30 m

7. **Reconvene to Closed Session**

8. **Termination**

City of Kelowna
Regular Council Meeting
Minutes

Date: Monday, March 11, 2019
Location: Council Chamber
                City Hall, 1435 Water Street

Members Present   Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Charlie Hodge, Brad Sieben, Luke Stack and Loyal Wooldridge

Members Absent   Councillor Mohini Singh

Staff Present   City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Infrastructure, Alan Newcombe*; Infrastructure Engineering Manager, Joel Shaw*; Divisional Director, Financial Services, Genelle Davidson*; Legislative Coordinator (Confidential), Clint McKenzie

(*denotes partial attendance)

1.   Call to Order

Mayor Basran called the meeting to order at 9:04 a.m.

2.   Confirmation of Minutes

Moved By Councillor Given/Seconded By Councillor Hodge

(R230/19/03/11) THAT the Minutes of the Regular AM Meeting of March 4, 2019 be confirmed as circulated.

Carried

3.   Reports

3.1   Infrastructure Planning Process

Staff:
- Displayed a PowerPoint presentation providing a detailed look at the process used to develop the Annual and 10-Year Capital Plans.
- Responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Given

(R230/19/03/11) THAT Council receives, for information, the report from the Infrastructure Engineering Manager dated March 11th 2019, with respect to the City's Infrastructure Planning Process.

Carried

4. Resolution Closing the Meeting to the Public

Moved By Councillor Hodge/Seconded By Councillor Given

(R231/19/03/11) THAT this meeting be closed to the public pursuant to Section 90(1)(b),(c),(e) and 90(2)(b) of the Community Charter for Council to deal with matters relating to the following:

- municipal award;
- labour relations;
- disposition of land; and
- negotiations with the Provincial Government

Carried

5. Adjourn to Closed Session

The meeting adjourned to a closed session at 9:35 a.m.

6. Reconvene to Open Session

The meeting reconvened to an open session at 12:03 p.m.

7. Issues Arising from Correspondence & Community Concerns

Councillor Donn: Rutland Centennial Park and Rutland May Days
- Inquired if there would be a response from the City.

Mayor Basran:
- Confirmed there will be a "For the record" media release sent.

8. Termination

The meeting was declared terminated at 12:05 p.m.

_____   _____
Mayor Basran   City Clerk

/sf/cm

Report to Council

City of
Kelowna

Date: March 18, 2019

File: 0160-40

To: City Manager

From: Ryan Smith, Department Manager, Community Planning

Subject: Review of Development Permit Powers – Council Workshop

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Recommendation:

THAT Council receive for information the report on Development Permit Powers from the Community Planning Manager dated March 18, 2019;

AND THAT Council direct staff to prepare an amendment to Development Application Procedures Bylaw No.10540 to update Development Application submission requirements for consideration at a future Regular PM Meeting of Council.

Purpose:

To inform Council on the roles and responsibilities related to the review and processing of Development Permit applications.

Background:

Council has expressed a desire on several occasions to better understand the Development Permit tool as it relates to the City's development application processes.

The province's Local Government Act (Sections 488-491) enable municipalities to implement development permit guidelines. Development Permit guidelines are meant to guide various aspects of the City's growth and development. They can be found in the City's Official Community Plan.

Types of development permits include:

- Natural Environment
- Hazardous Conditions
- Urban Design
- Farm Protection

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Council development permit reviews are mainly related to urban design development permits for Multi-family residential, mixed-use, commercial and industrial development. Development Permit areas are designated using city mapping.

Internal Circulation:
Urban Planning Manager
City Clerk

Legal/Statutory Authority:
Local Government Act, Sections 488-491

Existing Policy:
Official Community Plan Bylaw No.10500

Considerations not applicable to this report:
Personnel Implications:
External Agency/Public Comments:
Communications Comments:
Alternate Recommendation:
Financial/Budgetary Considerations:
Legal/Statutory Procedural Requirements:

Submitted by:

R.Smith, Department Manager, Community Planning

Approved for inclusion:

cc:S. Fleming, City Clerk

Review of Development Permit power, practice and procedure

March 18, 2018

Development Permits

▶ What is a development permit?

▶ What decision is Council being asked to make?

▶ What information/materials can be required to help make this decision?

What is a Development Permit?

▶ Controls the form and character of a development or;

▶ Regulates development in environmentally sensitive areas and areas with identified hazardous conditions

▶ Implements guidelines contained in the Official Community Plan

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Form & Character Development Permits (DP)

Provide for a scale & massing of buildings that promote a safe, enjoyable living, pedestrian, working, shopping experience, including:

▶ Exterior design

▶ Siting & Landscaping

▶ Building form & finishing

▶ Sensitivity to existing surroundings:

▶ Street orientation, building massing, privacy issues, accessibility

DP Guidelines - Examples

3.0 Relationship to the street

3.1 Locate buildings to provide an effective street edge while respecting the established, desired streetscape rhythm;

3.2 Develop visual and physical connections between the public street and private buildings (e.g. patios and spill-out activity, views to and from active interior spaces, awnings and canopies);

3.3 Avoid split level, raised or sunken parkade entrances;

3.4 Design buildings with multiple street frontages to give equal emphasis to each frontage with respect to building massing, materials, details, and landscaping.

DP Guidelines - Examples

4.0 Massing and height

4.1 Mitigate the actual and perceived bulk of buildings by utilizing appropriate massing, including:

- Architectural elements (e.g. balconies, bay windows, cantilevered floors, cupolas, dormers);

- Visually-interesting rooflines (e.g. variations in cornice lines and roof slopes);

- Step back upper floors to reduce visual impact;

- Detailing that creates a rhythm and visual interest along the line of the building;

- Wall projections and indentations, windows and siding treatments as well as varied material textures should be utilized to create visual interest and to articulate building facades;

- Building frontages that vary architectural treatment in regular intervals in order to maintain diverse and aesthetically appealing streets.

4.2 Ensure developments are sensitive to and compatible with the massing of the established and/or future streetscape;

Development Permits

Staff
- Hazardous Conditions
- Wildfire
- Natural Environment
- Intensive Residential (RU7)

Council
- Form and Character

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Development Permits at Council

Technical:

▶ Monday PM for staff presentation and consideration

▶ No public input at a Council meeting (unless tied to a DVP)

Development Permit Decisions

Community Planning Manager

- Approve or deny development permits that are delegated

- Appeals of applications denied are considered by Council (if request received within 30 days)

Council

- Council must approve development permits that meet Development Permit guidelines
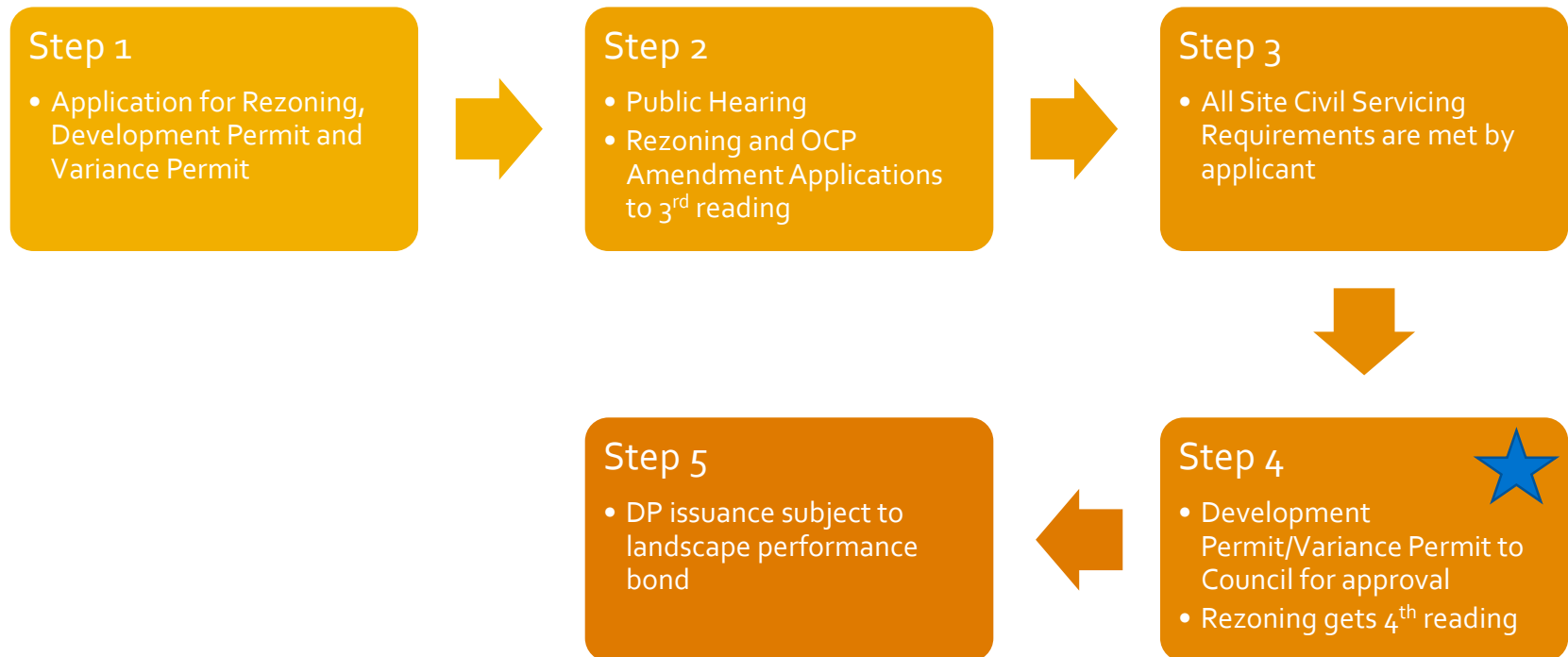
City of **Kelowna**

Development Permit Info

▶ Generally, architectural renderings do not form part of the Council approval.

▶ Only architectural renderings, colour board, landscape plan form part of the approved DP package

Zoning and DP Links

▶ Commercial (adjacent to residential)

▶ Mixed-Use(adjacent to residential)

▶ Multi-family

▶ Industrial (fronting major roads)

Multi-Family Development Process

Step 1
- Application for Rezoning, Development Permit and Variance Permit

Step 2
- Public Hearing
- Rezoning and OCP Amendment Applications to 3rd reading

Step 3
- All Site Civil Servicing Requirements are met by applicant

Step 5
- DP issuance subject to landscape performance bond

Step 4
- Development Permit/Variance Permit to Council for approval
- Rezoning gets 4th reading

Illustrative Application Requirements

Today

- Site Plan (Schedule A)

- Floor Plans (Schedule A)

- Elevations (Schedule B)

- Colour Board (Schedule B)

- Landscape Plan (Schedule C)

- Colour Rendering

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Proposed Requirements:

- Colour elevations cross-referenced to specific material and colour pallettes
- Fully dimensioned Site Plan - metric only
- Coloured Landscape Plan:
  - One drawing for on-site and one drawing for off-site (streetscape and boulevard);
  - Landscape Plan needs to match Site Plan
- Min. two (2) colour renderings from different perspectives of the proposed building – non statutory (illustrative purposes only):
  - Must show accurate topography
  - Include both building and landscape plan
  - Must show accurate context: the immediate neighouring properties and buildings)
  - Resolution: 2048 x 1536 DPI with max. file size of 5 mb
- For building projects over 12 storeys in height: 3D model of building and surrounding neighbourhood

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Implementation:

- New planning resources (Planner Tech 2) will be tasked with checking over all applications prior to acceptance to ensure conformance to application requirements.

- If information is not complete, the application will not be accepted.

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Recommendation

▶ Council direct staff to set minimum requirements for development rendering/imaging and material boards in the Development Application Procedures Bylaw (should we have one?)

Questions?
For more information, visit **kelowna.ca**.

DEVELOPMENT PERMIT GUIDELINES

Comprehensive Development Permit Area **[DELETE IF NOT APPLICABLE]**
Consideration has been given to the following guidelines as identified in Section 14.A. of the City of Kelowna Official Community Plan relating to Comprehensive Development Permit Areas:

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

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

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

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Do parking lots have one shade tree per four parking stalls?			
Does the Landscape Architect's Landscape Water Conservation Report:	-	-	-
• Meet the requirements for Landscape Water Budget calculations for the landscaped area?			
• Indicate how the development complies with or varies from the Landscape Water Conservation Guidelines?			
Landscape Water Conservation Guidelines			
Are plants grouped into "hydro-zones" of high, medium and low or unirrigated / unwatered areas?			
Does at least 25% of the total landscaped area require no irrigation / watering?			
Does at least 25% of the total landscaped area require low water use?			
Does at most 50% of the total landscaped area require medium or high water use?			
Is mulch cover provided for shrubs and groundcover to reduce soil evaporation?			
Do water features such as pools and fountains use recirculated water systems?			
Do landscape installation standards meet the requirements of the BC Landscape Standard and / or the Master Municipal Construction Document?			
Are the required written declarations signed by a qualified Landscape Architect?			
Irrigation System Guidelines			
Is the Irrigation Plan prepared by a Qualified Professional?			
Are irrigation circuits grouped into "hydro-zones" of high, medium and low or unirrigated / unwatered areas consistent with the landscaping plan?			
Is drip or low volume irrigation used?			
Are the required written declarations signed by a qualified Certified Irrigation Designer?			
Crime prevention			
Are CPTED practices as related to landscaping, siting, form and exterior design included in the design?			
Are building materials vandalism resistant?			
Universal Accessible Design			
Is access for persons with disabilities integrated into the overall site plan and clearly visible from the principal entrance?			
Are the site layout, services and amenities easy to understand and navigate?			
Lakeside Development			
Are lakeside open spaces provided or enhanced?			

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