

City of Kelowna

Regular Council Meeting

AGENDA



Monday, June 17, 2019
1:30 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

I would like to acknowledge that we are gathered today on the traditional, ancestral, unceded territory of the syilx/Okanagan people.

This meeting is open to the public and all representations to Council form part of the public record. A live audio and video feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

2. Confirmation of Minutes

4 - 11

Regular PM Meeting - June 10, 2019

3. Development Application Reports & Related Bylaws

3.1 Commerce Ave 1675-1677, Z19-0004 (BL11855) - Braemar Properties Ltd, Inc No BC1023360

12 - 15

To rezone the subject property to facilitate the development of a retail cannabis sales establishment.

3.2 Commerce Ave 1675-1677, BL11855 (Z19-0004) - Braemar Properties Ltd, Inc No BC1023360

16 - 16

To give Bylaw No. 11855 first reading in order to rezone the subject property from the C10lp/rls – Service Commercial (Liquor Primary/Retail Liquor Sales) zone to the C10lp/rls/rcs - Service Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales) zone.

3.3 McCurdy 130, DP17-0052 - Culos Development (1996) Inc. No. BC1099204

17 - 41

To consider the form and character for a four-storey supportive housing building.

3.4 Pier Mac Way 2085, DP19-0067 - Gibbco Enterprises Inc., Inc. No. 1060826

42 - 64

To consider the form & character of a seven-unit industrial warehouse building with office spaces.

3.5	Hwy 97 N 2339 2397, DP19-0079 - Dilworth Shopping Centre Ltd., Inc.No. 319846	65 - 81
	To consider the form and character of a food primary establishment.	
3.6	Glenmore Rd 445, DP19-0081 - Glenmore Ellison Irrigation District (GEID)	82 - 94
	To consider the form and character of proposed renovations and expansions to the GEID's facility.	
4.	Bylaws for Adoption (Development Related)	
4.1	BL11672 (TA18-0007) - Energy Step Code Amendment - City of Kelowna	95 - 95
	To adopt Bylaw No. 11672 to amend Zoning Bylaw No. 8000 Section 6 - General Development Regulations by adding a new Section 6.17 Energy Efficiency.	
4.2	Penno Rd 360, BL11751 (Z18-0086) - New North West Trading	96 - 96
	To adopt Bylaw No. 11751 in order to rezone the subject property from the P3 – Parks & Open Space zone to the I2 – General Industrial zone.	
5.	Non-Development Reports & Related Bylaws	
5.1	Well Regulation Bylaw No. 11770	97 - 98
	To enact a bylaw to provide authority of the City to require the closure of private-owned wells on properties that are connected to the City's drinking water system.	
5.2	BL11770 - Well Regulation Bylaw	99 - 104
	To give Bylaw No. 11770 first, second and third readings in order to establish a Well Regulation Bylaw.	
5.3	Kelowna On The Move Pedestrian and Bicycle Master Plan Traffic Bylaw Updates	105 - 109
	To bring forward Traffic Bylaw amendments recommended in the Kelowna On The Move Pedestrian and Bicycle Master Plan.	
5.4	BL11848 - Amendment No. 33 to Traffic Bylaw No. 8120	110 - 111
	To give Bylaw No. 11848 first, second and third reading.	

6. Bylaws for Adoption (Non-Development Related)

6.1 BL11834 - Amendment No. 19 to the Subdivision, Development and Servicing Bylaw No. 7900

112 - 112

To adopt Bylaw No. 11834 to provide greater clarity regarding residential driveway access as it relates to existing and future Active Transportation Corridors.

7. Mayor and Councillor Items

8. Termination



**City of Kelowna
Regular Council Meeting
Minutes**

Date: Monday, June 10, 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, Mohini Singh, Luke Stack and Loyal Wooldridge

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Divisional Director, Infrastructure, Alan Newcombe*; Divisional Director, Planning & Development Services, Ryan Smith*; Suburban and Rural Planning Manager, Dean Strachan*; Planner, Lydia Korolchuk*; Planner, Arlene Janousek*; Development Engineering Manager, James Kay*; Sustainability Coordinator, Michelle Kam*; Development Engineering, Jim Hager*; Partnership Manager, Sandra Kochan*; Sport & Event Services Manager, Doug Nicholas*; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:32 p.m.

I would like to acknowledge that we are gathered today on the traditional, ancestral, unceded territory of the syilx/Okanagan people.

Mayor Basran advised that the meeting is open to the public and all representations to Council form part of the public record. A live audio and video feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R598/19/06/10 THAT the Minutes of the Regular Meetings of May 27, 2019 be confirmed as circulated.

Carried

Councillor Stack joined the meeting at 1:33 p.m.

3. Reports

3.1 2019 Association of Consulting Engineering Companies, BC(ACEC-BC) - Client of the Year Award

Staff:

- Informed Council of the 2019 Association of Consulting Engineering Companies, BC(ACEC-BC) - Client of the Year Award for the City of Kelowna.
- Presented the award to Mayor Basran.

4. Development Application Reports & Related Bylaws

4.1 Coopland Cr 786, BL11724 (Z18-0068) - Miles and Lisa Laing

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R599/19/06/10 THAT Bylaw No. 11724 be adopted.

Carried

4.2 Coopland Cr 786, DP18 0126 - Miles and Lisa Laing

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Stack

R600/19/06/10 THAT final adoption of Rezoning Bylaw No. 11724 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP18-0126 for Lot 29 District Lot 135 ODYD Plan 22856, located at 786 Coopland Crescent, 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 the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permits to be issued;

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

Defeated

Councillors DeHart, Hodge, Given, Sieben and Wooldridge - Opposed

4.3 Valley Road 244, 252, 260 & 268, OCP18-0008 & Z18-0042 - Vanmar Developments Ltd.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R601/19/06/10 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Official Community Plan Bylaw No. 11641 and Rezoning Amendment Bylaw No. 11642, be extended from August 14, 2019 to August 14, 2020.

Carried

4.4 Leckie Road 1655, DP19-0018 - Canadian Tire Real Estate Limited

Staff:

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

Moved By Councillor Given/Seconded By Councillor DeHart

R602/19/06/10 THAT Council authorizes the issuance of Development Permit No. DP19-0018 for Lot A District Lots 125 and 532 ODYD Plan EPP51237, located at 1655 Leckie Road, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
3. Landscaping be provided on the land 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 FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

Councillor Donn - Opposed

4.5 Lougheed Rd 205, BL11681 (Z18-0016) - 1135177 BC Ltd.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R603/19/06/10 THAT Bylaw No. 11681 be adopted.

Carried

4.6 Lougheed Rd 205, DP18-0039 - 1135177 BC Ltd

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Wooldridge

R604/19/06/10 THAT final adoption of Rezoning Bylaw No. 11681 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP18-0039 for Lot A Section 2 Township 23 ODYD Plan KAP84518, located at 205 Lougheed Rd, Kelowna, BC subject to the following:

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

AND THAT Council's consideration of this Development 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 June 10th, 2019.

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

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

Carried

4.7 Hilltown 3220, DP19-0083 - 1186856 B.C Ltd.

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Wooldridge

R605/19/06/10 THAT Council authorizes the issuance of Development Permit No. DP19-0083 for Lot 13, Section 28, Township 23, ODYD Plan EPP76020, located at 3220 Hilltown, Kelowna, BC subject to the following:

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

AND THAT Council's consideration of this Development 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 June 10th 2019;

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

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

Carried

5. Bylaws for Adoption (Development Related)

- 5.1 **Begbie Rd 2025, Clifton Rd N 225 and (W of) Union Rd., BL11781 (OCP17-0023) - Glenwest Properties Ltd., Inc. No. Co889227**

Moved By Councillor Hodge/Seconded By Councillor Singh

R606/19/06/10 THAT Bylaw No. 11781 be adopted.

Carried

5.2 **Begbie Road 2025, BL11785 (Z17-0098) - Glenwest Properties Ltd., Inc. No. Co889227**

Moved By Councillor Given/Seconded By Councillor Wooldridge

R607/19/06/10 THAT Bylaw No. 11785 be adopted.

Carried

5.3 **Kirschner Rd 1977, BL11817 (Z19-0023) - Lambert and Paul Construction Ltd, Inc. No 80191**

Moved By Councillor Donn/Seconded By Councillor DeHart

R608/19/06/10 THAT Bylaw No. 11817 be adopted.

Carried

6. **Non-Development Reports & Related Bylaws**

6.1 **Amendment No. 19 to the Subdivision, Development and Servicing Bylaw No. 7900**

Staff:

- Displayed a PowerPoint Presentation summarizing the amendments.

Moved By Councillor Stack/Seconded By Councillor Hodge

R609/19/06/10 THAT Council, receives, for information, the Report from the Urban Planning Manager dated Jun 10, 2019 recommending that Council give reading consideration to BL11834 – Amendment No. 19 to the Subdivision, Development and Servicing Bylaw No. 7900.

AND THAT Bylaw No. 11834 – Amendment No. 19 to the Subdivision, Development and Servicing Bylaw No. 7900 be forwarded for reading consideration.

Carried

6.2 **BL11834 - Amendment No. 19 to the Subdivision, Development and Servicing Bylaw No. 7900**

Moved By Councillor Donn/Seconded By Councillor DeHart

R610/19/06/10 THAT Bylaw No. 11834 be read a first, second and third time.

Carried

6.3 **Latecomer Agreement - Gore-Osprey Watermain**

Staff:

- Provided an overview and described the reasons for the latecomer agreement.

Moved By Councillor Hodge/Seconded By Councillor Donn

R611/19/06/10 THAT Council endorse the Latecomer Agreement – Gore-Osprey Watermain between the City and the owner of Lot 11, D.L.14, Land District 41, Plan KAP792743720276319 which was redeveloped and required to provide excess and extended services;

AND THAT Council impose Latecomer charges for excess or extended services, the lesser of those shown in Appendix C or actual construction costs, on the benefitting lands listed in Appendix B;

AND THAT the Mayor and Clerk be authorized to execute this Latecomer Agreement;

AND FURTHER THAT for smaller Latecomer Agreements (the lesser of \$1.5m or \$50k/property), Council delegate authority to authorize and prepare the Latecomer Agreements to the Development Engineering Manager, and authority to execute to the Mayor and Clerk.

Carried

6.4 2019 Deferred Revenue Project Package

Staff:

- Displayed a PowerPoint Presentation outlining the proposed 2019 deferred revenue projects and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Hodge

R612/19/06/10 THAT Council receives for information the Report from the Development Engineering Manager dated June 10, 2019, regarding the 2019 Deferred Revenue Project Package;

AND FURTHER THAT the 2019 Financial Plan be amended to include up to \$267,900 from accumulated Deferred Revenue Accounts and up to \$106,780 be reallocated from previously approved 2019 Off Site and Oversized budget to complete the 2019 Deferred Revenue Project.

Carried

6.5 Okanagan Rail Trail – Status Update

Staff:

- Displayed a PowerPoint Presentation providing an update on the Okanagan Rail Trail and activities of the Okanagan Rail Trail Committee and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Hodge

R613/19/06/10 THAT Council receives, for information, the report from the Sustainability Coordinator and the Development Engineering Manager, dated June 10, 2019, with respect to the Okanagan Rail Trail – Status Update;

AND THAT Council receives, for information, the presentation from the Chair of the Okanagan Rail Trail Committee (ORTC);

AND THAT the Mayor and City Clerk be authorized to execute all documents associated with the interpretive facility at Carney Pond, including, if necessary, any land tenure applications for the construction of trails on Crown land;

AND THAT Council approves the principles of the Okanagan Rail Trail Events Guidelines.

Carried

6.6 Active Living & Culture Grant Policies

Staff:

- Displayed a PowerPoint Presentation outlining the grant policies and providing rationale for the new policies and rescindment of old policies.

Moved By Councillor Donn/Seconded By Councillor Hodge

R614/19/06/10 THAT Council receives for information the June 10, 2019 report of the Partnership Manager regarding Active Living & Culture grant policies;

AND THAT Council Policy 380, Community Grant Policy, as attached to the report of the Partnership Manager dated June 10, 2019, be approved;

AND THAT Council Policy 381, Event Support Policy, as attached to the report of the Partnership Manager dated June 10, 2019, be approved;

AND THAT Council Policy 218, Community Social Development Grants, be rescinded as outlined in the report from the Partnership Manager dated June 10, 2019;

AND THAT Council Policy 298, Sports Event Development Grant, be rescinded as outlined in the report from the Partnership Manager dated June 10, 2019;

AND THAT Council Policy 333, Athletic Excellence Grant Policy, be rescinded as outlined in the report from the Partnership Manager dated June 10, 2019;

AND FURTHER THAT Council Policy 349, Sport Education Grant, be rescinded as outlined in the report from the Partnership Manager dated June 10, 2019.

Carried

6.7 Council Procedures Bylaw No. 9200

Staff:

- Displayed proposed changes to the Council Procedure Bylaw on the ELMO and confirmed a correction to page 3 of the Bylaw by adding "reports" after "Confirmation of Minutes" under "Monday Regular Meeting (morning) and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Singh

R615/19/06/10 THAT Council, receives, for information, the report from the City Clerk dated June 10, 2019 regarding amendments to Council Procedures Bylaw No. 9200;

AND THAT Bylaw No. 11849, being Amendment No. 6 to Council Procedures Bylaw No. 9200 be forwarded for reading consideration.

Carried

6.8 BL11849 - Amendment No. 6 to Council Procedures Bylaw No. 9200

Moved By Councillor DeHart/Seconded By Councillor Sieben

R616/19/06/10 THAT Bylaw No. 11849 be read a first, second and third time.

Carried

7. Bylaws for Adoption (Non-Development Related)

7.1 BL11835 - Amendment No. 1 to Sign Bylaw No. 11530

Moved By Councillor Sieben/Seconded By Councillor DeHart

R617/19/06/10 THAT Bylaw No. 11835 be adopted.

Carried

8. Mayor and Councillor Items

Councillor Given:

- Spoke to their attendance at the FCM Conference.

Councillor Wooldridge:

- Spoke to their attendance at the FCM Conference.
- Spoke to the upcoming Kelowna Pride Week taking place next week.

Councillor Singh:

- Spoke to their attendance at many events on behalf of Council over the past week.

Councillor Hodge:

- Spoke to their attendance at the Canadian Airports Council Conference at the Kelowna Airport and other events attended over the past week.

Councillor Sieben:

- Spoke to their attendance at the FCM Conference.

Councillor Donn:

- Spoke to their attendance at the FCM Conference.

Councillor DeHart:

- Spoke to their attendance at the FCM Conference.

Councillor Stack:

- Spoke to their attendance at the FCM Conference.

Mayor Basran:

- Spoke to their attendance at the FCM Conference including the round table discussion with the Prime Minister along with eight other Mayors.
- Spoke to the Show Canada 2019 event held in Kelowna last week.
- Spoke to the upcoming 10th Annual Metabridge Conference to be held in Kelowna.
- Thanked Councillor Wooldridge for attending the successful Fat Cat Festival.

9. Termination

This meeting was declared terminated at 3:11 p.m.

Mayor Basran

/acm



City Clerk

REPORT TO COUNCIL



Date: June 17, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (KB)

Application: Z19-0004 **Owner:** Braemar Properties Ltd, Inc.
No. BC1023360

Address: 1675-1677 Commerce Avenue **Applicant:** Gerald Bugera

Subject: Rezoning Application

Existing OCP Designation: SC – Service Commercial

Existing Zone: C10lp/rls – Service Commercial (Liquor Primary/Retail Liquor Sales)

Proposed Zone: C10lp/rls/rcs - Service Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales)

1.0 Recommendation

THAT Rezoning Application No. Z19-0004 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 125, Osoyoos Division Yale District Plan KAP90858, except part in Plan EPP52444, located at 1675-1677 Commerce Avenue, Kelowna, BC from the C10lp/rls – Service Commercial (Liquor Primary/Retail Liquor Sales) zone to the C10lp/rls/rcs - Service Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales) zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT if the Rezoning Bylaw is adopted, Council direct Staff to send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch that they support issuance of a non-medical cannabis retail store license for this legal lot with the following comments:

- The proposed location meets local government bylaw requirements and as such, no negative impact is anticipated;
- The views of the residents were captured during a public hearing process for the rezoning of the property and Council meeting minutes summarizing those views are attached; and
- Local government recommends that the application be approved because of compliance with local regulations and policies.

2.0 Purpose

To rezone the subject property to facilitate the development of a retail cannabis sales establishment.

3.0 Community Planning

Community Planning Staff recommend support for the rezoning application to allow for a retail cannabis sales establishment on the subject property. This application was received prior to the close of the first intake of retail cannabis sales establishment applications on November 30, 2018. As such, it was evaluated in accordance with a Council-endorsed process and was selected, based on its score, to move forward with the City's standard rezoning process, established in the Development Application Procedures Bylaw. This application received a score of 67.14, and the average overall score of all applications evaluated was 69.53. There were no other applications received that were located within a 500 metre radius of this application.

Should Council support the proposed Rezoning Bylaw, the property would be rezoned to a retail cannabis sales subzone, and Staff would send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch indicating support for issuance of a non-medical cannabis retail store license for this property.

The application meets the Zoning Bylaw No. 8000 and there are no variances being requested. Further, the applicant has confirmed the completion of public notification in accordance with Council Policy No. 367.

4.0 Proposal

4.1 Background

A retail cannabis sales establishment is proposed to be located in a ground floor retail unit.

4.2 Site Context

Retail Liquor Sales Establishment (on same property) and Supportive Housing were identified as sensitive uses within a 150 metre radius.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C9- Tourist Commercial	Hotel
East	C9- Tourist Commercial	Hotel
South	C9- Tourist Commercial	Hotel
West	C10- Service Commercial	Retail stores, service commercial

Subject Property Map: 1675-1677 Commerce Ave



5.0 Technical Comments

5.1 Development Engineering Department

This application does not compromise any City of Kelowna municipal infrastructure.

6.0 Application Chronology

Date of Committee Evaluation of Application: January 9, 2019
Date of Application Accepted: February 4, 2019
Date Public Notification Completed: May 25, 2019

Report prepared by: Kimberly Brunet, Planner
Approved for Inclusion: Dean Strachan, Suburban and Rural Planning Manager

Attachments:
Attachment "A" - Site Plan

CITY OF KELOWNA
BYLAW NO. 11855
Z19-0004
1675-1677 Commerce Avenue

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, District Lot 125, Osoyoos Division Yale District Plan KAP90858, except part in Plan EPP52444, located on Commerce Avenue, Kelowna, BC from the C10lp/rls – Service Commercial (Liquor Primary/Retail Liquor Sales) zone to the C10lp/rls/rcs - Service Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales) 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

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: June 17th 2019

RIM No. 0940-00

To: City Manager

From: Community Planning Department (AC)

Application: DP17-0052 **Owner:** Culos Development (1996) Inc.,
No. BC1099204

Address: 130 McCurdy Rd **Applicant:** Mike Culos

Subject: Development Permit

OCP Designation: MXR – Mixed Use (Residential / Commercial)

Zone: C₃ – Community Commercial

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP17-0052 for Lot A, Section 26, Township 26, ODYD, Plan EPP91828, located at 130 McCurdy Rd, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;
5. A restrictive covenant registered on title limiting the dwelling units on floors two, three, and four to 'supportive housing'.

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

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

2.0 Purpose

To consider a Form and Character Development Permit for a four-storey supportive housing building.

3.0 Community Planning

Staff are recommending support for the proposed Development Permit due to the proposal's consistency with the Official Community Plan's (OCP) design guidelines. The site is well suited for redevelopment and intensification. The property is located at the intersection of two major transportation corridors of McCurdy Road and Rutland Road and has close access to services and amenities in the area. The building massing is consistent with the development guidelines, providing a moderate scale of development transitioning from the surrounding lower scaled residential areas. The applicant has considered the heritage registered property to the north and decided to setback the upper floor along the north side of the building to provide increased privacy and sensitive integration to the neighbour.

The City's supportive housing policy states:

"Support the provision of housing for all members of the community, including those in core housing need or requiring special needs housing (transitional, age in place, emergency or shelter)."

The proposed development will provide a new space for the Knights of Columbus, while providing social housing run by non-profit housing provider approved by BC Housing, and cleaning up the overall site. All the development details are within the zoning limits and the project is not proposing any variances.

4.0 Proposal

4.1 Project Description

BC Housing, through the Provincial Rental Housing Corporation, has entered into a contract to purchase the 49 units in the apartment building to be operated as supportive housing through the CMHA. The proposal includes:

- a 4 storey apartment building;
- a 35 stall surface parking lot;
- 50 bicycle parking stalls;
- 49 supportive housing units on floors 2, 3, & 4;
- a ground floor consisting of two spaces:
 - Supportive Housing component:
 - Kitchen, meeting space, storage, dining area, lounge, reception, office, and staff space.
 - Knights of Columbus Space:
 - Two market rental 1 bedroom suites
 - Storage, kitchen, office, washrooms, and dining / hall space.

The main level façade is finished with traditional red brick and feature detailing with black framed windows, and fascia board canopy with wood posts. The upper residential floors are differentiated by colour and finish from the first floor. A variety of materials and colours were chosen including hardie siding, hardie panel, and stucco finishes. Parking for site is located immediately to the west in a surface parking lot.

Subject Property Map: 130 McCurdy Rd



4.2 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C3 ZONE REQUIREMENTS	PROPOSAL
Summary		
# of studios	n/a	47
1 - bedrooms	n/a	4
2 - bedrooms	n/a	0
3 - bedrooms	n/a	0
Total	n/a	51
Development Regulations		
Floor Area Ratio	Residential = n/a Commercial = 1.0	1.02 (Total)
Height	4 storeys / 15 m	4 storeys / 14.0 m
Site Coverage of Buildings (%)	50%	30%
Building Setbacks (m):		
Front Yard (East)	3.0 m	3.0 m
Flanking Side Yard (South)	2.0 m	6.3 m
Side Yard (North)	2.0 m	7.0 m
Rear Yard (West)	6.0 m	>6.0 m
Other Regulations		

Minimum Parking Requirements	4 x 1 bed suites (1.25 stalls) = 5 stalls 47 studios x (1 stall / 3 studios) = 15.7 stalls K of C Commercial 297.8 m ² x (2.2 stalls / 100 m ²) = 6.6 stalls Total Stalls = 28 stalls	35 stalls
Minimum Parking ratio	Full size: Min 50% Medium Size: Max 40% Compact Car: Max 10%	100% full size stalls
Bicycle Parking	n/a class 1 n/a class 2	16 class 1 34 class 2
Drive Aisle Width (m)	7 m	7 m
Number of Loading Spaces	1 space	1 space

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

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

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

Mixed Use.³ Integration of residential uses into commercial developments as mixed-use projects is encouraged in Urban Centres, provided that the ground floor use remains commercial.

Housing Mix.⁴ Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

Objective 5.5: Ensure appropriate and context sensitive built form.

Building Height.⁵ In determining appropriate building height, the City will take into account such factors as:

- Contextual fit into the surrounding neighbourhood;
- Shadowing of the public realm;
- View impacts;
- Overlook and privacy impact on neighbouring buildings;
- Impacts on the overall skyline;
- Impacts on adjacent or nearby heritage structures;

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

² City of Kelowna Official Community Plan, (Chapter 1 Introduction).

³ City of Kelowna Official Community Plan, (Chapter 4 Future Land Use).

⁴ City of Kelowna Official Community Plan, Policy 5.27.11 (Development Process Chapter)

⁵ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter). 3 City of Kelowna Official Community Plan, Chapter 14 (Urban Design Development Permits Area).

Chapter 14: Urban Design Guidelines Amenities, ancillary Services and Utilities.⁵

- Locate loading, garbage, storage, utilities and other ancillary services away from public view. All such areas shall be screened and designed as an integral part of the building to minimize impact;
- Create attractive rear alley facades with high quality materials on buildings facing residential areas (e.g. rear building entrances, windows, balconies, plazas, and plantings).

Chapter 4: Land Use Designation Massing and Height.³

- Mitigate the actual and perceived bulk of buildings by utilizing appropriate massing, including:
 - Architectural elements (e.g. balconies, bay windows, cantilevered floors, cupolas, dormers);
 - Visually-interesting rooflines (e.g. variations in cornice lines and roof slopes);
 - Step back upper floors to reduce visual impact;
 - Detailing that creates a rhythm and visual interest along the line of the building;
 - Wall projections and indentations, windows and siding treatments as well as varied material textures should be utilized to create visual interest and to articulate building facades;
 - Building frontages that vary architectural treatment in regular intervals in order to maintain diverse and aesthetically appealing streets.

6.0 Technical Comments

6.1 Development Engineering Department

All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z17-0021.

6.2 Interior Health

Interior Health is in support of this development as this aligns with the concept a healthy housing strategy and provision of a continuum of housing options for all population groups.

7.0 Application Chronology

Date of Application Received:	February 27 th 2017
Date Public Consultation Completed:	April 6 th 2017
Date of First Reading:	August 28 th 2017
Date Public Hearing:	September 19 th 2017
Date Zoning Conditions Completed:	May 13 th 2019

Report prepared by:	Adam Cseke, Planner Specialist
Reviewed by:	Terry Barton, Urban Planning Manager
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager

Attachments:

Applicant Development Letter
Draft Development Permit DP17-0052



May 06, 2019

City of Kelowna
1435 Water Street,
Kelowna, B.C. V1Y 1G4

Attn: Mr. Adam Cseke, Planner

Re: DEVELOPMENT PERMIT APPLICATION
130 McCurdy Road, Kelowna (Lot 2, Plan 39917)
Rezoning Application Z17-0021, OCP amendment OCP17-0007

Dear Adam;

Further to the above noted Development Permit application Culos Development (1996) Inc. ("Culos 96") is pleased to submit the following "rationale" for the proposed redevelopment of the site at 130 McCurdy Road.

Culos 96 has been working with The Father Delestre Knights of Columbus Council ("K of C"), the property owner at 130 McCurdy Road for over 10 years with the goal of redeveloping the site with an affordable housing development in keeping with the needs of the community. In 2017 a Letter of Intent was entered between K of C and Resurrection Recovery Resource Society (dba "Freedoms Door") for the development of a supportive housing project on the site with the intent of housing graduates of the recovering addicts program facilitated by Freedoms Door. At that time, rezoning and OCP amendment applications noted above were initiated by Freedoms door on behalf of the property owner.

A public hearing was held on September 19, 2017, at which time the Rezoning and OCP amendments were given second and third reading.

Freedoms Door was subsequently unable to obtain the funding required to proceed with the project and in October, 2018 Culos 96 acquired the site from K of C under a "buy back" agreement whereby K of C would have the right to purchase 3 strata lots in the completed project with the balance of strata lots to be sold by Culos 96.

Culos 96 is currently in negotiations with a potential partner to ensure this housing will meet the needs in the community. We anticipate being able to share more information in the near future.



May 06, 2019
City of Kelowna
Page 2

We are not aware of any other changes from the initial presentation of September , 2017 and would ask that the Development Permit, Rezoning and OCP amendment be moved forward at this time.

Please feel free to contact me should you have any questions or concerns.

Best regards

Culos Development (1996) Inc.

Per: _____

Michael A. Culos, President

Development Permit DP17-0052



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

130 McCurdy Rd

and legally known as

Lot A, Section 26, Township 26, ODYD, Plan EPP91828

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

Supportive Housing Apartment Building

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

Date of Council Decision June 10 2019

Decision By: COUNCIL

Development Permit Area: Comprehensive

This permit will not be valid if development has not commenced by June 10, 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: Culos Development (1996) Inc., No. BC1099204

Applicant: Mike Culos

Terry Barton
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 restrictive covenant registered on title limiting the dwelling units on floors two, three, and four to 'supportive housing'.

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 in the amount of **\$58,418.75** - or
- b) A certified cheque in the amount of **\$58,418.75**

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.

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.**

GENERAL NOTES:

ADDRESS: 130 McCURDY ROAD
 LEGAL: K1D 344073 PLAN #39917 LOT #2
 LOT AREA: 0.767 AC (3.105, 16 SQM)
 (0.872 AC. PRIOR TO ROAD WIDENING)
 ZONING: CURRENTLY: A1
 PROPOSED: C3

BUILDING AREA: 9869 SQFT (916.8 SQM)
 FLOOR AREA TOTAL: 34,200 SQFT (3177.2 SQM) 4 STOREYS
 FLOOR AREA RATIO (FAR): 1.023
 LOT COVERAGE - BUILDING: 29.5%
 LOT COVERAGE - BUILDING + PARKING: 61.76%
 PRIVATE OPEN SPACE: 7241 SQFT (672 SQM)
 SETBACKS: FRONT (RUTLAND RD.) 10'-0" (3.0m)
 SIDE (NORTH) 23'-0" (7.0m)
 STREET SIDE (McCURDY RD) 6'-6" (2.0m)
 REAR (WEST SIDE) 20'-0" (6.0m)

BUILDING HEIGHT: 48'-0" (14.0m) - 4 STOREYS
 RESIDENTIAL SUITES: 51 TOTAL
 1 BEDROOM 2
 STUDIO (308 SQFT): 47
 1 BEDROOM ACCESSIBLE (537 SQFT): 2
 TOTAL: 51

PARKING:
 RESIDENTIAL (SUPPORTIVE HOUSING):
 2 - 1 BEDROOM SUITE x 1.25 STALL 2.5
 49 SUITES x 1 STALL / 3 SUITES 17
 NON-RESIDENTIAL:
 55 SEATS @ 1 STALL / 5 SEATS 11
 TOTAL REQUIRED: 34
 TOTAL PROVIDED: 35 STALLS

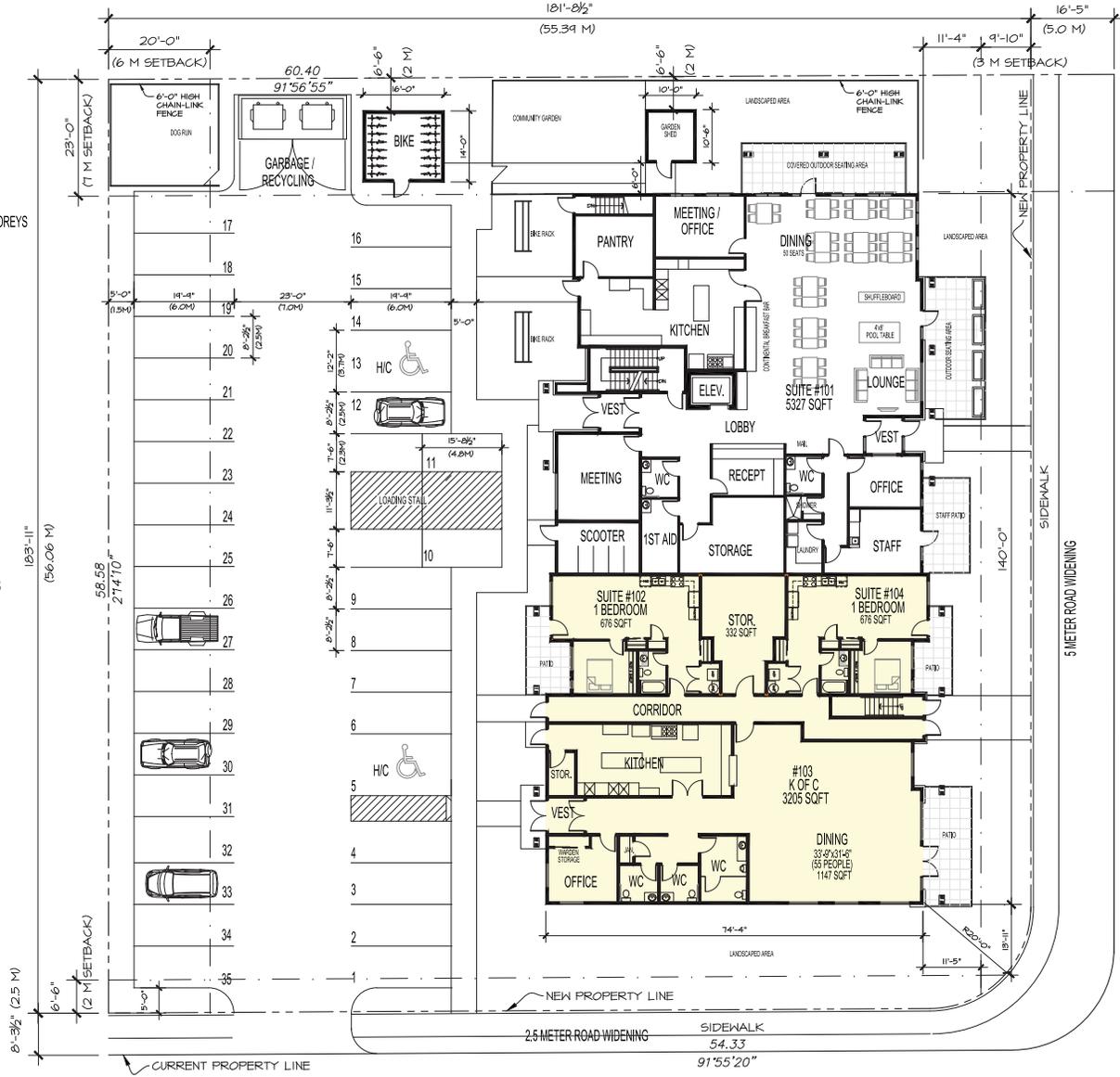
FULL SIZE STALLS (6m x 2.5m): 33 STALLS
 H.C. STALLS (6.0m x 3.7m): 2 STALL
 BICYCLE STALLS (0.6m x 1.8m - Aisle 1.2m):
 LONG TERM - BIKE ROOM STALLS: 16 STALLS
 SHORT TERM - BIKE RACK: 34 BIKES
 LOADING STALLS (4.0m x 3.0m): 1 STALL

BUILDING CODE REVIEW
 B.C. BUILDING CODE: 2012
 BUILDING DESIGNED UNDER: PART 3
 MAJOR OCCUPANCY: C / A2 / D
 CONSTRUCTION CLASS:
 C 3.2.2.50
 D 3.2.2.57
 A2 3.2.2.24

NUMBER OF STREETS FACING: 2
 BUILDING HEIGHT: 4 STOREY
 COMBUSTIBLE CONSTRUCTION: YES

FIRE RESISTANCE RATING:
 FLOOR D / C 1 HR
 FLOOR RES / RES 1 HR
 ROOF 45 MIN
 SUPPORT STRUCTURE 1 HR
 SERVICE ROOM 1 HR
 SPRINKLERED: YES
 STAND PIPE: YES
 FIRE ALARM: YES
 WASHROOMS:
 A2 - 55 SEATS - 2F / 3M
 RESIDENTIAL: 1 WASHROOM PER DWELLING UNIT

NOTE: GEODETIC DATUM - MAIN FLOOR 1341.86 FT (409 M)
 (VERIFY WITH SURVEY)



MAIN FLOOR PLAN
 SCALE: 1/8" = 1'-0"



KNIGHTS OF COLUMBUS



2018
 CULOS DEVELOPMENT
 RUTLAND & McCURDY RD.
 PROJECT

HOUSING PROJECT
 130 McCURDY ROAD
 KELOWNA, BC

REVISION	DATE	BY	DATE
REVISOR			
DESIGNER			
CHECKER			
DATE			

SITE PLAN

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

Date	DECEMBER 20, 2016
Drawn	HAM
Checked	PH
Project	10971-17
Drawing No.	A-1

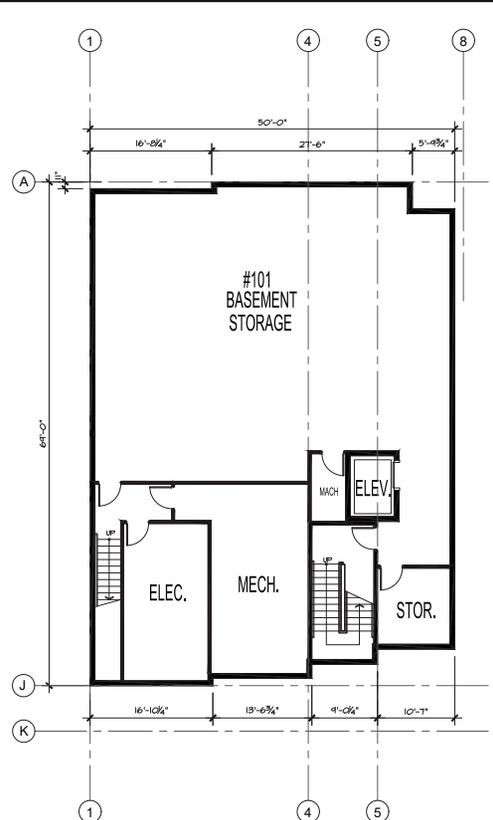
MAIN FLOOR AREAS: KOC 4542 SQ FT
 BC HOUSING / PRHC 5327 SQ FT
 TOTAL 9869 SQ FT

SCHEDULE A & B

This forms part of application
 # DP17-0052

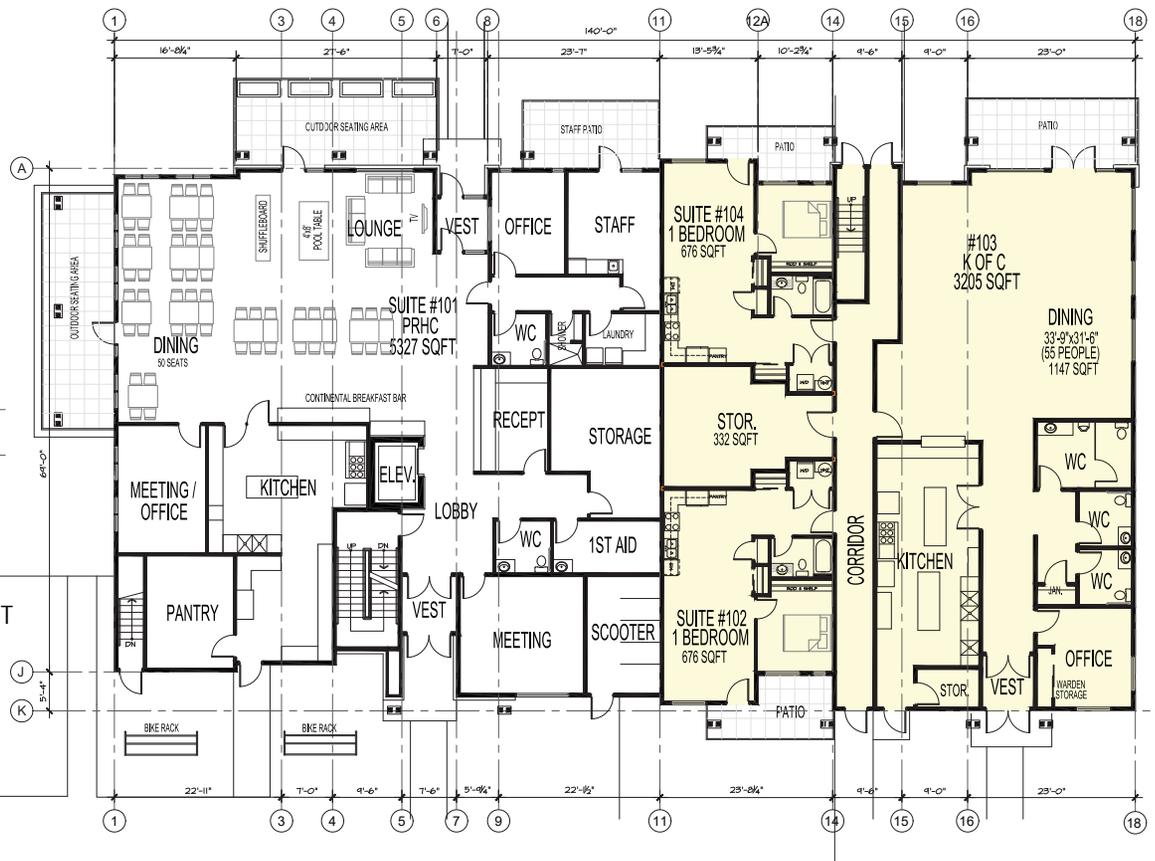
Planner Initials **AC**

City of Kelowna
 COMMUNITY PLANNING



BASEMENT FLOOR PLAN
SCALE: 1/8" = 1'-0"

AREA = 3320 SQFT



MAIN FLOOR PLAN
SCALE: 1/8" = 1'-0"

BC HOUSING / PRHC - 5327 SQFT
KNIGHTS OF COLUMBUS - 4542 SQFT
TOTAL FLOOR AREA = 9869 SQFT

■ KNIGHTS OF COLUMBUS

SCHEDULE A & B

This forms part of application
DP17-0052

Planner Initials **AC**

City of **Kelowna**
COMMUNITY PLANNING

RICHARD HUNTER
ARCHITECT INC.

500 - 153 SEYMOUR ST
KAMLOOPS, BC V2C 2C7
PHONE 250.372.8845
richard@hunterarchitect.com

2018

CULOS DEVELOPMENT
RUTLAND & McCURDY RD.
PROJECT

HOUSING PROJECT
130 McCURDY ROAD
KELOWNA, BC

No	Revision	By	Date
1	REVISED DP	HAM	25/05/16
2	FEE PROPOSAL	HAM	10/05/16
3	ISSUED FOR REVIEW	HAM	10/05/16
4	ISSUED FOR REVIEW	HAM	10/05/16
5	ISSUED FOR REVIEW	HAM	25/05/16
6	UPDATED DP	HAM	25/05/17
7	ISSUED FOR DP	HAM	11/02/17

Sheet Title:
**BASEMENT PLAN
MAIN FLOOR PLAN**

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

Date	MAY 10, 2016
Drawn	HAM
Checked	RH
Project	10971-17
Drawing No.	

A-2

SCHEDULE A & B

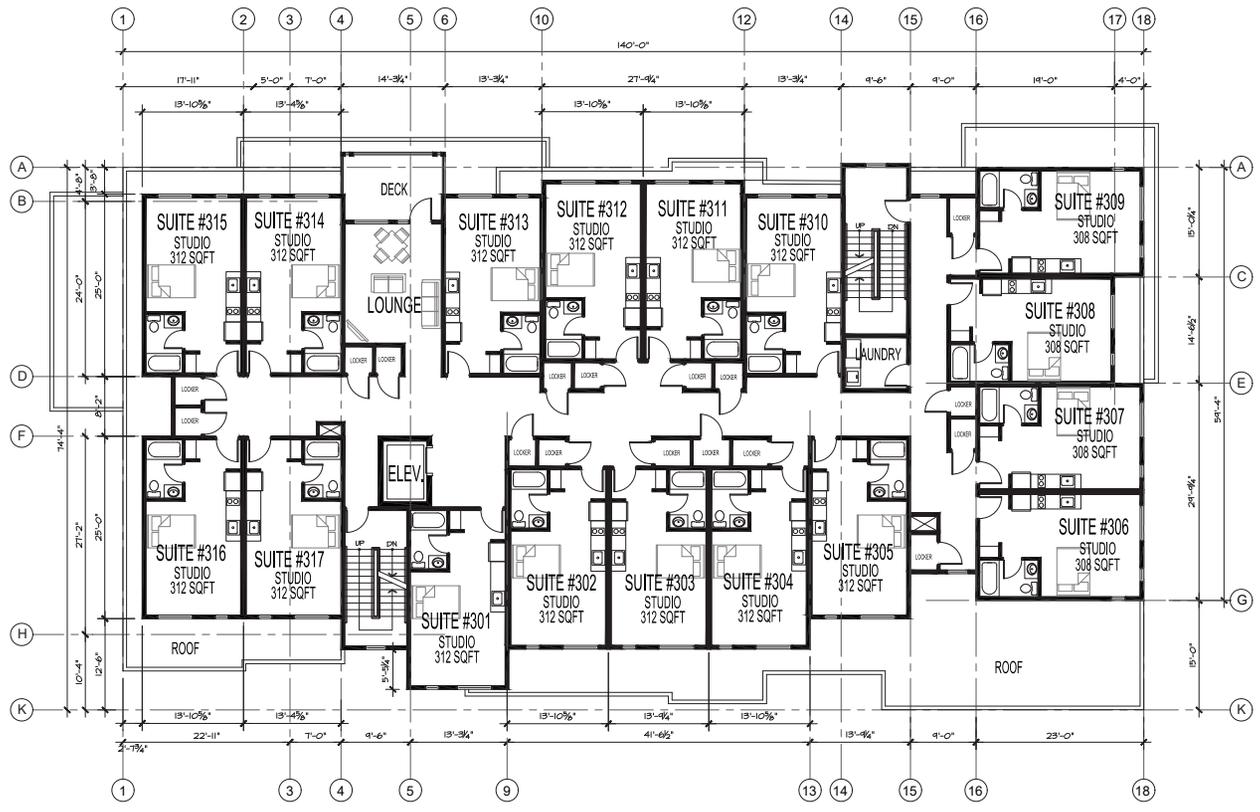
This forms part of application

DP17-0052

Planner Initials **AC**



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500 - 153 SEYMOUR ST
KAMLOOPS, BC V2C 2C7
PHONE 250.372.8845
richard@hunterarchitect.com



3RD FLOOR PLAN
SCALE: 1/8" = 1'-0"

BC HOUSING / PRHC
17 UNITS
STUDIO UNITS = 308 SQFT / 312 SQFT
AREA = 8261 SQFT PER FLOOR



2018
CULOS DEVELOPMENT
RUTLAND & MCCURDY RD.
PROJECT

HOUSING PROJECT
130 MCCURDY ROAD
KELOWNA, BC

No	Revision	By	Date
1	REVISED DP	HAM	25/11/16
2	FEE PROPOSAL	HAM	05/10/16
3	SITE NO.	HAM	26/10/16
4	ISSUED FOR REVIEW	HAM	18/04/16
5	ISSUED FOR REVIEW	HAM	24/04/16
6	UPDATED DP	HAM	28/05/17
7	ISSUED FOR DP	HAM	11/02/17

Sheet Title:
3RD FLOOR PLAN
Scale: 1/8" = 1'-0"

Date	MAY 10, 2016
Drawn	HAM
Checked	RH
Project	10971-17
Drawing No.	

SCHEDULE A & B

This forms part of application
DP17-0052



City of
Kelowna
COMMUNITY PLANNING

Planner Initials **AC**



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BUILDING ENVELOPE CONSTRUCTION ASSEMBLIES

EXTERIOR (BUILDING ENVELOPE) CONSTRUCTION ASSEMBLIES

ROOF ASSEMBLY

- 2-PLY SBS ROOFING MEMBRANE
- R-50 RIGID INSULATION
- 5/8" T&G PLYWOOD ROOF SHEATHING
- WOOD JOISTS SEE STRUCTURAL
- 5/8" TYPE 'X' GYPSUM WALLBOARD (30 MIN FRR)

EXTERIOR WALL ASSEMBLY

- SIDING / STUCCO OR FACE BRICK (AS PER ELEVATIONS)
- 2" ROKWOL COMFORTBOARD INSULATION (R-10) CONTINUOUS
- 2 LAYERS - 30 MIN BUILDING PAPER
- 1/2" PLYWOOD SHEATHING
- 2x6 WOOD STUDS AS PER STRUCTURAL
- RSI 9.5 (R-20) FIBREGLASS BATT INSULATION
- 6 MIL POLY V.B.
- 5/8" TYPE 'X' GYPSUM WALLBOARD

SLAB-ON-GRADE FLOOR ASSEMBLY

- FINISHED FLOORING
- 4" REINFORCED CONCRETE SLAB (SEE STRUCTURAL)
- 10 MIL POLY VAPOUR BARRIER
- GRANULAR BASE (SEE STRUCTURAL DRAWINGS)
- UNDISTURBED NATURAL SOIL

INTERIOR CONSTRUCTION ASSEMBLIES

INTERIOR WALL ASSEMBLIES

TYPICAL PARTY WALL BETWEEN SUITES

- 1HR FRR - BCBG #1113c STC54
- 5/8" TYPE 'X' GYPSUM WALLBOARD
 - 2x4 WOOD STUDS - SEE STRUCTURAL
 - 3-1/2" ACOUSTIC BATT INSULATION
 - 1" AIR SPACE
 - 3-1/2" ACOUSTIC BATT INSULATION
 - 2x4 WOOD STUDS - SEE STRUCTURAL
 - 5/8" TYPE 'X' GYPSUM WALLBOARD
 - SEE STRUCT. DWGS FOR SHEARWALL LOCATION

TYPICAL CORRIDOR WALL

- 1HR FRR - BCBG #1113c STC52
- 5/8" TYPE 'X' GYPSUM WALLBOARD
 - 2x6 WOOD TOP & BTM PLATES
 - STAGGERED 2x4 WOOD STUDS
 - 3-1/2" ACOUSTIC BATT INSULATION
 - 2 LAYERS 5/8" TYPE 'X' GYPSUM WALLBOARD
 - SEE STRUCT. DWGS FOR SHEARWALL LOCATION

TYPICAL INTERIOR WALL

- 5/8" TYPE 'X' GYPSUM WALLBOARD
- 2x4 WOOD STUDS - SEE STRUCTURAL
- 5/8" TYPE 'X' GYPSUM WALLBOARD
- AQUA BOARD AROUND TUB

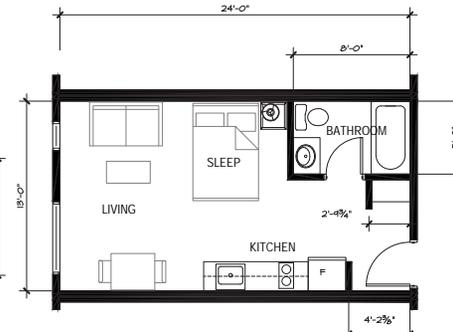
INTERIOR FLOOR ASSEMBLIES

TYPICAL 1HR FRR FLOOR ASSEMBLY

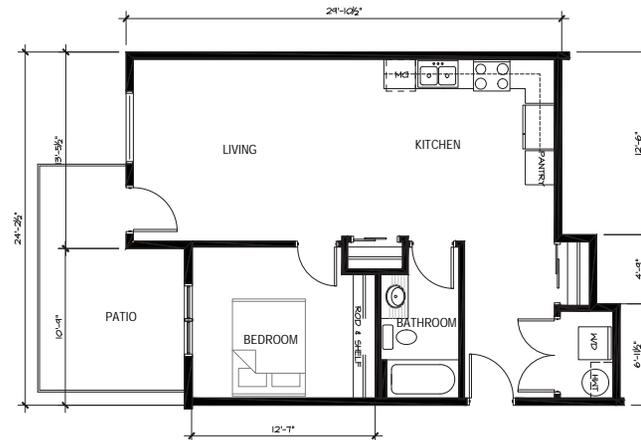
- 1HR FRR - BCBG #F113c STC51
- FINISHED FLOORING
 - UNDERLAY
 - 1-1/2" CONCRETE TOPPING
 - 5/8" T&G PLYWOOD SUB FLOOR
 - MANUFACTURED WOOD JOISTS
 - 6" MINERAL WOOL BATT
 - 3" RESILIENT METAL CHANNELS @ 16" o.c.
 - 2 LAYERS - 5/8" TYPE 'X' GYPSUM WALLBOARD



UNIT A FLOOR PLAN
SCALE: 1/4" = 1'-0"
AREA = 308 SQFT



UNIT B FLOOR PLAN
SCALE: 1/4" = 1'-0"
AREA = 312 SQFT



1 BEDROOM UNIT 1 FLOOR PLAN
SCALE: 1/4" = 1'-0"
KNIGHTS OF COLUMBUS
AREA = 676 SQFT

1 BEDROOM ACCESSIBLE UNIT
SCALE: 1/4" = 1'-0"
AREA = 555 SQFT



2018

CULOS DEVELOPMENT
RUTLAND & McCURDY RD.
PROJECT

HOUSING PROJECT
130 McCURDY ROAD
KELOWNA, BC

No	Revision	By	Date
1	REVISED DP	HAM	28/11/16
2	FEE PROPOSAL	HAM	30/11/16
3	ISSUED FOR REVIEW	HAM	30/11/16
4	UPDATED DP	HAM	28/05/17
5	ISSUED FOR DP	HAM	11/02/17

Sheet Title:
**UNIT PLANS
AND
CONSTRUCTION ASSEMBLIES**
Scale: AS NOTED

Date	JUNE 3, 2016
Drawn	HAM
Checked	RH
Project	10971-17
Drawing No.	A-7

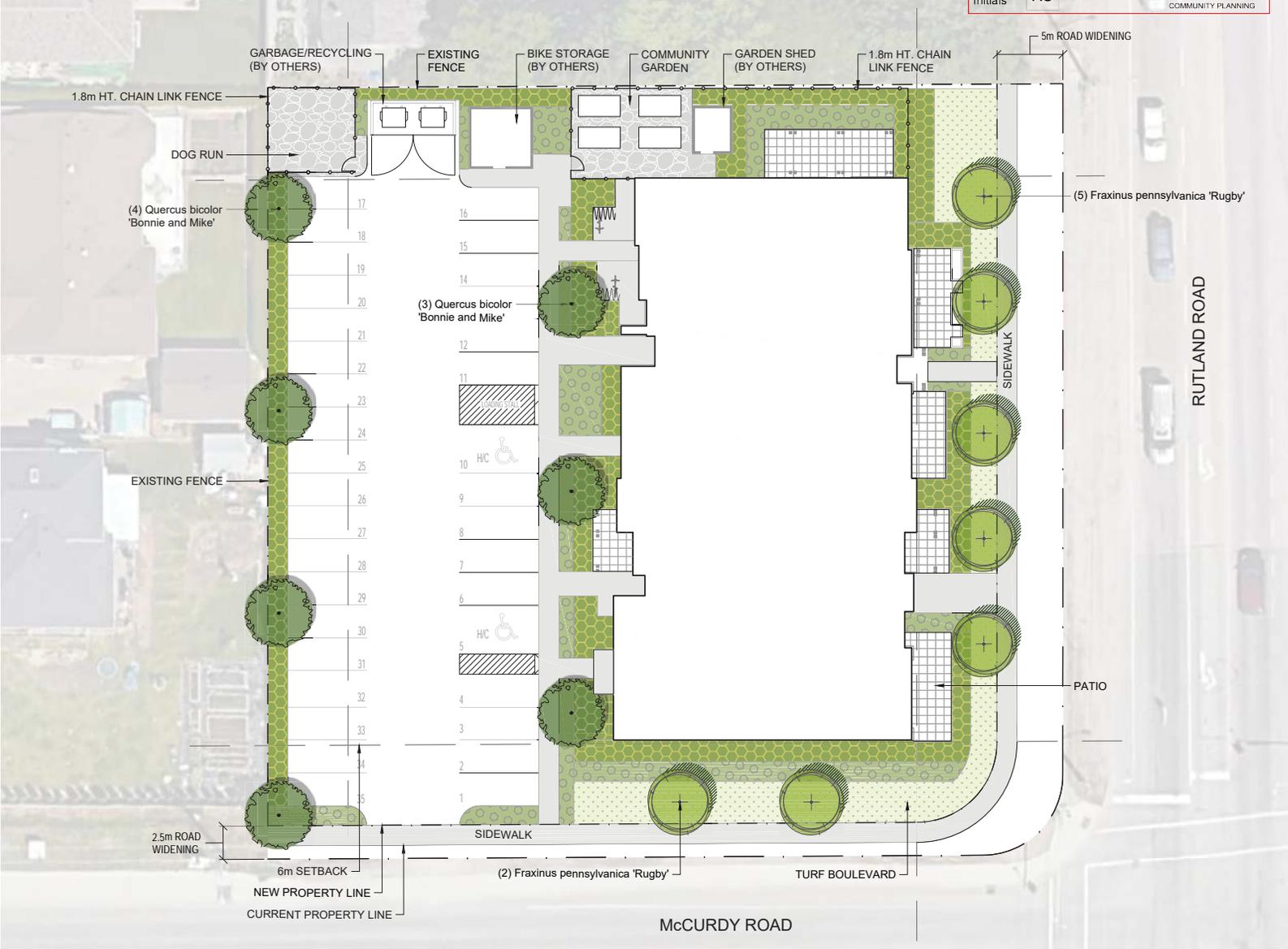
SCHEDULE C

This forms part of application
DP17-0052



City of
Kelowna
COMMUNITY PLANNING

Planner Initials **AC**



LEGEND:

- DECIDUOUS TREES
- PROPERTY LINE
- 1.8m HT. CHAIN LINK FENCE
- GRAVEL MULCH
- SOIL
- ORNAMENTAL GRASSES / PERENNIALS PLANTING BED w/ MULCH
- SHRUBS BED w/ MULCH
- CONCRETE PAVING
- CONCRETE PAVERS
- BIKE RACK

GENERAL NOTES:

1. PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO MINIMUM STANDARDS ESTABLISHED IN THE CANADIAN LANDSCAPE STANDARD (CURRENT EDITION).
2. THE LANDSCAPE DESIGN DESIGNATED HEREIN IS CONCEPTUAL BUT REFLECTS THE MINIMUM ACCEPTABLE QUALITY AND SIZE.
3. PLANT MATERIAL SELECTIONS ARE CONCEPTUAL ONLY. FINAL PLANTING SELECTIONS MAY VARY DEPENDING UPON AVAILABILITY.
4. ALL PLANTING BEDS SHALL HAVE APPROVED MULCH.
5. ALL LANDSCAPE AREAS TO 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 AS A CONSTRUCTION DOCUMENT.

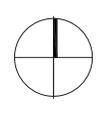
PLANT LIST

QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	Mature Plant Size (Ht.xWd.)
Trees Deciduous					
7	<i>Fraxinus pennsylvanica</i> 'Rugby'	Frane Spire Green Ash	6cm Cal	B&B	12.0m x 6.0m
7	<i>Quercus bicolor</i> 'Bonnie and Mike'	Beacon Oak	6cm Cal	B&B	12.0m x 4.5m
Shrubs					
65	<i>Cornus alba</i> 'Bailetho'	Ivory Halo Dogwood	#02	Potted	1.5m x 1.5m
65	<i>Rhus aromatica</i> 'Gro-Low'	Stro-Low Fragrant Sumac	#02	Potted	1.0m x 1.8m
40	<i>Taxus baccata</i>	Common Yew	#02	Potted	2.0m x 1.0m
Grasses					
20	<i>Calamagrostis x acutiflora</i> 'Karl Foerster'	Karl Foerster Reed Grass	#01	Potted	1.5m x 0.9m
20	<i>Pennisetum alpeccuroroides</i>	Fountain Grass	#01	Potted	1.0m x 1.0m
30	<i>Pennisetum alpeccuroroides</i> 'Little Bunny'	Miniature Fountain Grass	#01	Potted	0.6m x 0.6m
Perennials					
30	<i>Achillea filipendulina</i> 'Cloth of Gold'	Cloth of Gold Yarrow	#01	Potted	1.0m x 0.75m
20	<i>Bergenia cordifolia</i>	Pigqueak	#01	Potted	0.5m x 0.5m
20	<i>Echinacea purpurea</i> 'Magnus'	Magnus Coneflower	#01	Potted	0.9m x 0.6m
20	<i>Heuchera micrantha</i>	Coral Bell	#01	Potted	0.6m x 0.5m
30	<i>Nepeta x faassenii</i> 'Walker's Low'	Walker's Low Catmint	#01	Potted	0.9m x 0.9m
20	<i>Perovskia atriplicifolia</i>	Russian Sage	#01	Potted	1.2m x 1.0m
30	<i>Rudbeckia fulgida</i> 'Goldsturm'	Goldsturm Coneflower	#01	Potted	0.6m x 0.6m

REPRESENTATIVE IMAGES:



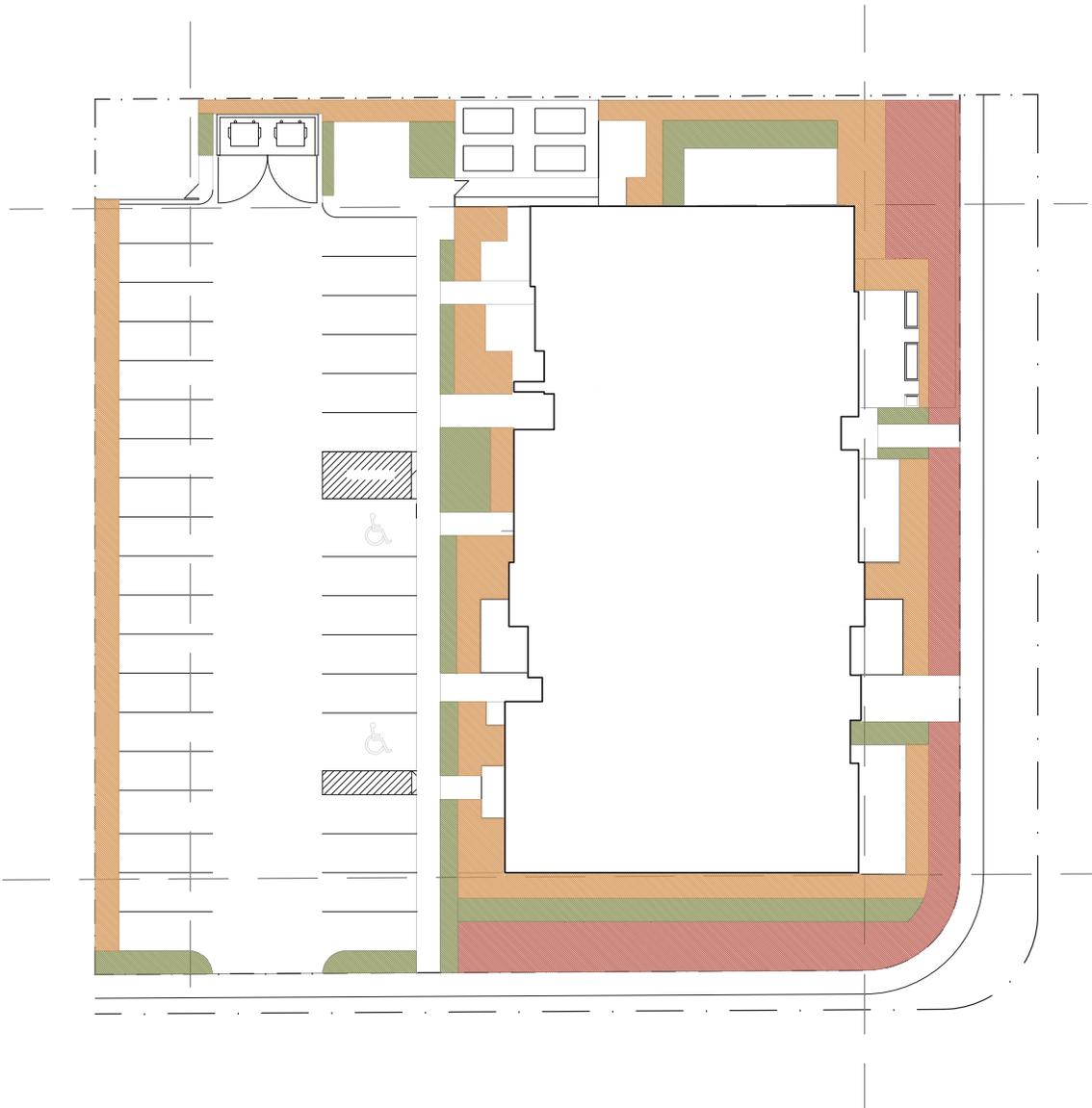
PROJECT:
130 McCURDY ROAD, KELOWNA, B.C
CLIENT:
CULOS DEVELOPMENT INC.



NO.	DATE (MM/DD/YY)	REVISION
1	11/29/18	ISSUED FOR DEVELOPMENT PERMIT

DESIGN: BD
DRAWN: GM
CHKD: BD
DATE: 11/29/18
SCALE: 1:300

SITE PLAN
LDP-1
Project No. LK-18-608



HYDROZONE LEGEND:

- LOW WATER REQUIREMENTS GRASSES / PERENNIALS
- MEDIUM WATER REQUIREMENTS SHRUBS
- HIGH WATER REQUIREMENTS SOD AREA

SCHEDULE C

This forms part of application
DP17-0052

Planner
Initials

AC



**City of
Kelowna**
COMMUNITY PLANNING

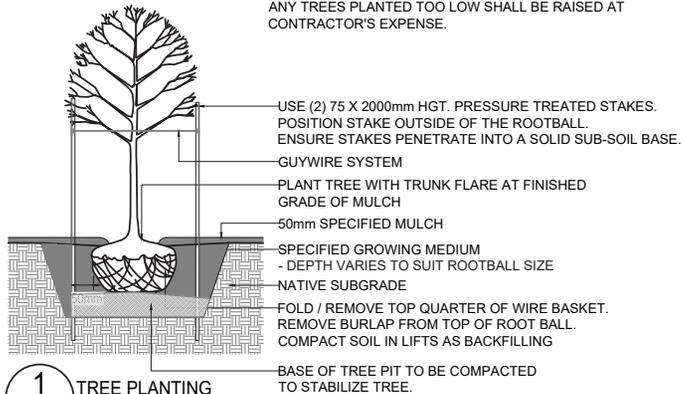


SEAL

NO.	DATE (MM/DD/YY)	REVISION
1	11/29/18	ISSUED FOR DEVELOPMENT PERMIT

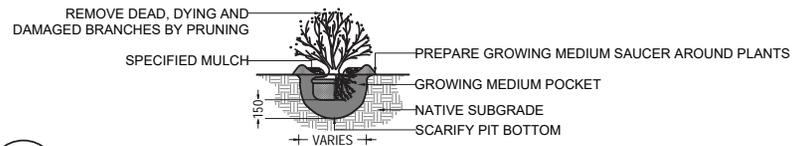
DESIGN: BD
DRAWN: GM
CHKD: BD
DATE: 11/29/18
SCALE: 1:300

NOTES:1. DEPTH OF ROOTBALL TO MATCH ORIGINAL ROOTBALL DEPTH ESTABLISHED IN THE NURSERY. ANY TREES PLANTED TOO LOW SHALL BE RAISED AT CONTRACTOR'S EXPENSE.

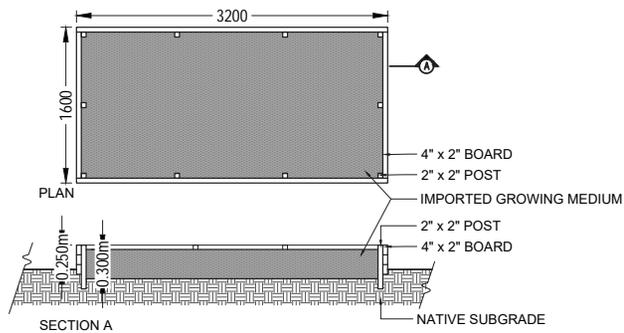


1 TREE PLANTING
L01 1:50

NOTES:1. REMOVE CONTAINER ROOT SYSTEM WITHOUT DISTURBING THE ROOT SYSTEM OF THE PLANT2. CONTRACTOR TO ALLOW FOR SETTLEMENT WHEN PLANTING



2 SHRUB PLANTING
L01 1:50



3 COMMUNITY GARDEN PLANTER
L01 1:50

SCHEDULE C

This forms part of application
DP17-0052

Planner Initials **AC**

City of Kelowna
COMMUNITY PLANNING



November 27, 2018

Ecora File No.: LK-18-608-CDI

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

Attention: Development Services

Dear Sir / Madam

Reference: 130 McCurdy Road – Development Permit

As per our client's request, Ecora Engineering and Resource Group Ltd., estimates a landscape development cost of **\$ 46,735,00**, excluding applicable taxes for the above noted property. This price includes landscape materials and installation (trees, planting, topsoil, mulch, gravel mulch, lawn, and irrigation).

Should you require any explanation of this letter, please contact the undersigned.

Sincerely

Ecora Engineering and Resource Group Ltd.

Byron Douglas, MBCSLA CSLA
Manager – Landscape Architecture
Direct Line: 250.469.9757 Ext. 1089
byron.douglas@ecora.ca

cc: Blake Culos (Culos Development Inc.)

SCHEDULE	C
This forms part of application # DP17-0052	
Planner Initials	AC
 City of Kelowna COMMUNITY PLANNING	



2.0 Purpose

To review the Form & Character Development Permit of a seven-unit industrial warehouse building with office spaces.

3.0 Community Planning

Staff are recommending support for the proposed Development Permit as the proposal is consistent with many of the Official Community Plan's (OCP) urban design guidelines. The applicant has worked with Staff to refine the proposal. Key changes that occurred through the process were as follows:

- Principle building façades facing Pier Mac Way and Highway 97 are articulated with over 40% glazing of the total façade (minimum 30% required by Bylaw);
- In keeping with the principle of utilizing colour inspired by the region's natural and cultural landscaping, the applicant selected differing tones of grey with accents of cherry and muted orange tones for the exterior façade of the building;
- On-site landscaping improvements including parking lot landscape islands and shade trees in the public parking area, additional shade trees along Pier Mac Way frontage and Highway 97 buffer, and an increased highway landscape buffer from 3.0m minimum required to 7.0m proposed;
- Off-site landscaping improvements including use of stamped concrete driveway and walkway at the entrance to the site and building, and additional boulevard landscaping along Pier Mac Way.

Some of the positive attributes of the proposal include: a modest but visually interesting modern exterior design, the generous and well balanced use of glazing along Pier Mac Way and the Highway frontages, the appropriate use of colours and materials with the primary building facades, and on-site and off-site landscaping improvements including installation of Highway landscaping buffer.

4.0 Proposal

4.1 Project Description

The development proposal is a business centre comprised of one stand-alone industrial warehouse building with associated shared driveway and parking areas. The building is divided into seven strata titled warehouse units, ranging in size from 160.34 m² (1,726 ft²) to 328.19m² (3,532.6 ft²), with a total floor space of 1,427.53m² (15,473.4 ft²). The applicant has designed a stand-alone and single storey (9.28m in height) warehouse building in consideration of the surrounding valley landscaping and views. The proposed building is well designed in terms of massing and siting in that it maintains views to the hills across the valley through the parking area and from Pier May Way.

A number of architectural features are located on the ends of the building, including vertical wingwalls and a large sun screen corner feature on each corner to create visual interest and help relieve the building of bulky elements. The exterior colour palate that utilizes differing tones of grey with accents of cherry and muted orange adds a visual element of varying textures. While the landscape planting types meet the OCP guidelines, the minimum required highway landscape buffer width exceeds the OCP guidelines for industrial development in the Airport Business Park area. The combination of the proposed landscaping and site lighting was designed to avoid any lighting pollution as well incorporate Crime Prevention through Environmental Design (CPTED) to address potential public and site safety concerns. The applicant has met parking and bike rack requirements under the CD15 Zoning Bylaw.

No variances area being tracked. 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.

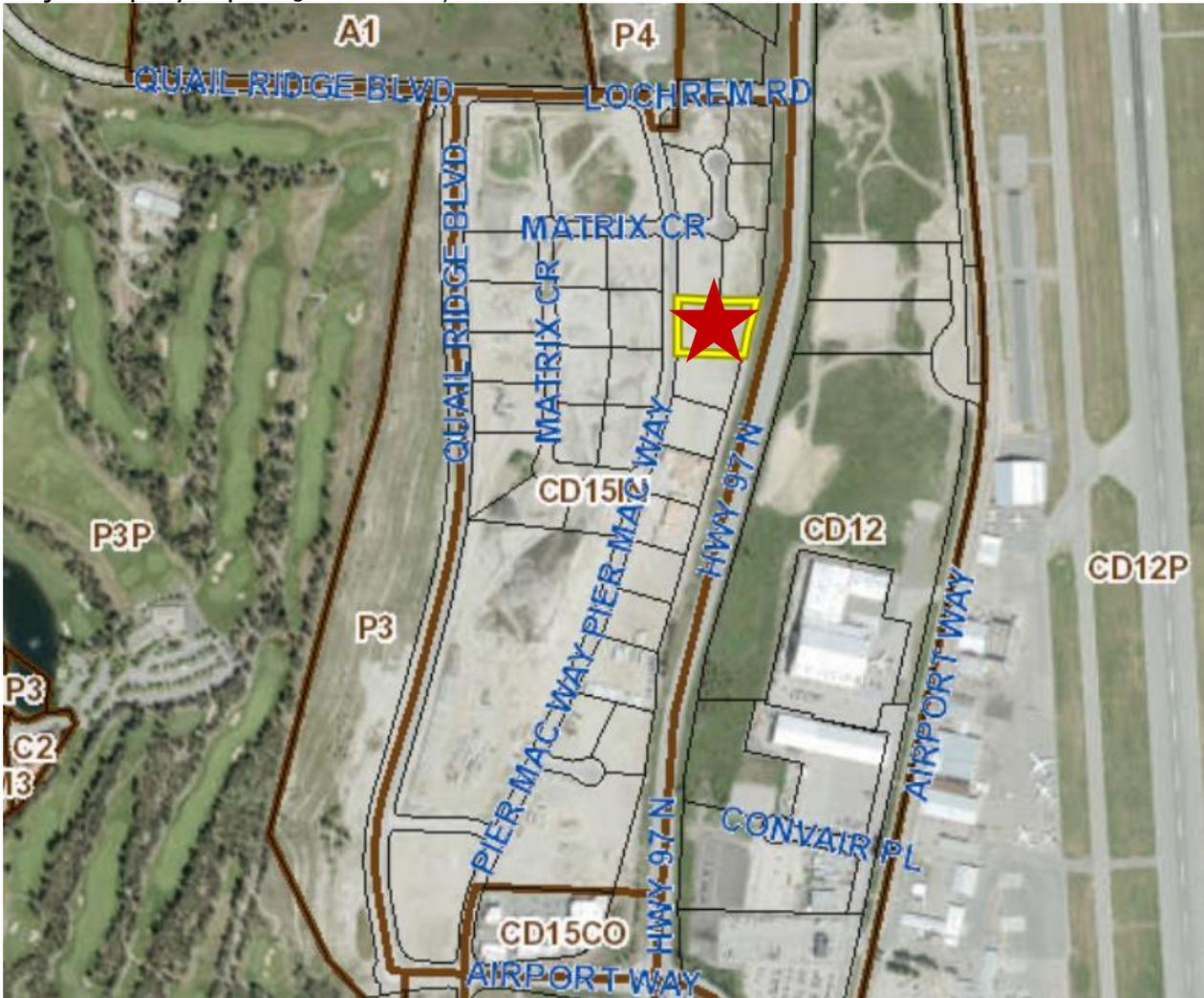
4.2 Site Context

The subject parcel is located within the Airport Business Park area, is designated as Industrial (IND) in the OCP, and the lot is within the Permanent Growth Boundary.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	CD15 - Airport Business Park (Industrial)	Industrial
East	CD12 Airport	Airport
South	CD15 - Airport Business Park (Industrial)	Industrial
West	CD15 - Airport Business Park (Industrial)	Industrial

Subject Property Map: 2085 Pier Mac Way



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	CD15 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Height	18.0 m / 4 storeys	9.3 m
Front Yard (Pier Mac Way)	6.0m	15.8 m
Side Yard (north)	0.0 m	19.8 m
Side Yard (south)	0.0 m	20.9 m
Rear Setback (Hwy 97)	Min 7.0m Max 10.0m	7.0 m
Site coverage	50%	24.7%
FAR	1.5 Max	0.25
Parking Regulations		
Minimum Parking Requirements	20 stalls	46 stalls
Minimum Loading spaces	1 stall	7 stalls
Disabled Parking Spaces	n/a	1
Minimum Drive Aisle Width	7.0 m	7.1 m at south parking 13.6 m at north parking
Setback (Parking) from a property line abutting a street	2.0 m	8.3 m
Other Regulations		
Minimum Bicycle Parking Requirements	8	8
Highway Landscape Buffer	3.0 m	7.0 m
Minimum Percentage of coniferous trees	20%	24%
Primary Building Facades	Min 30% glazing or other relief	43.8%

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Industrial Land Use Policies

Objective 5.28.¹ Focus industrial development to areas suitable for industrial use.

Industrial Supply Protection.² Protect existing industrial lands from conversion to other land uses by not supporting the rezoning of industrial land to preclude industrial activities unless there are environmental reasons for encouraging a change of use.

Amenities, ancillary services and utilities.³ Locate loading, garbage, storage, utilities and other ancillary services away from public view. All such areas shall be screened and designed as an integral part of the building to minimize impact.

Public and private open space.⁴ Design industrial developments to include outdoor break areas, green space, bicycle racks, skylights and windows in work areas, and linkages to recreational opportunities (e.g. linear parks).

¹ City of Kelowna Official Community Plan, Objective 5.28, Chapter 10 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.28.1, Chapter 5 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 11.1, Objective 11, Chapter 14 (Urban Design Development Permit Areas).

⁴ City of Kelowna Official Community Plan, Policy 7.5, Chapter 14 (Urban Design Development Permit Areas).

Exterior elevations and materials.⁵

- Exterior building materials should be selected for their functional and aesthetic quality, and should exhibit qualities of workmanship, durability, longevity and ease of maintenance;
- Provide visually prominent, accessible, and recognizable entrances through attention to location, details, proportions, materials, and lighting that act to personalize or lend identity to a building;
- Continue higher quality materials used on the principal façade around any building corner or edge which is visible to the public;
- Use materials in combination to create contrast, enhance human scale, and reduce the apparent bulk of a building;
- Colour should not be used as the predominant feature of a building.

Crime Prevention.⁶

- Incorporate Crime Prevention through Environmental Design (CPTED) practices as they relate to landscaping, and the siting, form, exterior design and finish of buildings and other structures.

6.0 Technical Comments

6.1 Building & Permitting Department

- Development Cost Charges (DCC’s) are required to be paid prior to issuance of any Building Permit(s)
- 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.
- 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 security system that limits access to exiting needs to be addressed in the code analysis by the architect.
 - Access to the roof is required per NFPA and guard rails may be required and should be reflected in the plans if required.
- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- Fire resistance ratings are required for storage, janitor and/or garbage enclosure room(s). The drawings submitted for building permit is to clearly identify how this rating will be achieved and where these area(s) are located.
- An exit analysis is required as part of the code analysis at time of building permit application. The exit analysis is to address travel distances within the structure, number of required exits per area, accessibility etc. The second floor exiting allowance thru lobby should be checked to see if it is within the limits established in the Building Code.
- Washroom requirements for base building are to be addressed in the building permit application.
- 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.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

⁵ City of Kelowna Official Community Plan, Objective 6.0, Chapter 14 (Urban Design Development Permit Areas).

⁶ City of Kelowna Official Community Plan, Objective 13.0, Chapter 14 (Urban Design Development Permit Areas).

- See attached Development Engineering Memo, dated March 11, 2019 (Attachment A).

6.3 Fire Department

- Approved Construction fire safety plan required prior to construction and updated as required. Template at Kelowna.ca - please include site plan as indicated
- Fire Department access is to be met as per BCBC 3.2.5. and 5.6.1.4 BCFC.
- New hydrant operational prior to start of construction - hydrants (if required). Hydrant to be on same side of street as the building.
- Fire department connection to be within 45M of a fire hydrant - unobstructed. Ensure FD connection is clearly marked and visible from the street
- Provide protection from adjacent buildings that would be exposed to fire originating from building under construction. BCFC 5.6.1.2.
- The fire alarm system is to be monitored by an agency meeting the CAN/ULC S561 Standard.
- Provide CANULC 561 Monitor Certificate in panel at time of occupancy.
- An approved fire safety plan as per BCFC 2.8 required at occupancy. Floor plans to be submitted in AutoCAD Drawing format on a CD as well as a fire pre-plan as per bylaw 10760.
- Approved Fire Department lock box required by fire dept. entrance to be flush mounted and operational prior to occupancy.
- Contact Fire Prevention Branch for fire extinguisher requirements and placement.
- Sprinkler zone valves shall be accessible as per fire prevention bylaw (10760) - no higher than 7 feet.
- Provide fire sprinkler owners certificate and copy of NFPA 25 for sprinkler system upon completion.
- Building will comply with Bylaw 10760.
- One main address with unit number is preferred.

7.0 **Application Chronology**

Date of Application Received: March 5, 2019
Date of Revised Plans Received: May 2, 2019
Date Public Consultation Completed: N/A

Report prepared by: Barbara B. Crawford, Planner II
Reviewed and Approved by: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A - Development Engineering Services Memos, dated March 11, 2019
Schedule A – Site Plan
Schedule B – Conceptual Elevations and Renderings
Schedule C – Landscape Plan and Estimate
Draft Development Permit

Development Permit DP19-0067



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

2085 Pier Mac Way

and legally known as

Lot 7, District Lot 32 and Section 14, Township 23, Osoyoos Division Yale District, Plan EPP64961

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

Seven-unit, strata-titled industrial warehouse building with office spaces

Subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule A;
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule B;
3. Landscaping to be provided on the land to be in general accordance with Schedule C;
4. That 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 professional landscaper (Schedule C);
5. That the applicant be required to complete the requirements of Attachment A as attached to the Report from Development Engineering dated March 11, 2019.

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

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

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: **TBD**

Decision By: CITY COUNCIL

Issued Date: **TBD**

Development Permit Area: Comprehensive Development Permit Area

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

Existing Zone: CD15 Airport Business Park (IND)

Future Land Use Designation: Industrial

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: Gibbco Enterprises Inc., Inc. No. 1060826

Applicant: Gibbco Enterprises Inc., Inc. No. 1060826

TBD

Terry Barton, Development Planning Department Manager

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

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule A;
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule B;
3. Landscaping to be provided on the land to be in general accordance with Schedule C;
4. That 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 professional landscaper (Schedule C);
5. That the applicant be required to complete the requirements of Attachment A as attached to the Report from Development Engineering dated March 11, 2019.

This Development Permit is valid for two (2) years from the date of (Council date if applicable, or Community Planning Department Manager) approval, with no opportunity to extend.

3. PERFORMANCE SECURITY

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

- a) A Certified Cheque in the amount of **\$86,421.56** OR
- b) An Irrevocable Letter of Credit in the amount of **\$86,421.56**

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.**

CITY OF KELOWNA
MEMORANDUM

ATTACHMENT A

This forms part of application
DP19-0067



City of
Kelowna
COMMUNITY PLANNING

Planner
Initials BC

Date: March 11, 2019
File No.: DP19-0067
To: Suburban and Rural Planning (BC)
From: Development Engineering Manager (JK)
Subject: 2085 Pier Mac Way Form and Character

Development Engineering Services comments and requirements pertaining to a Development Permit for the form and character of a building for industrial and commercial uses.

1. Domestic Water and Fire Protection

The property is located within the Glenmore-Ellison Irrigation District (GEID) service area. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. The developer is responsible, if necessary, to arrange with GEID staff for any service improvements and, if necessary, the decommissioning of existing services. Only one water service permitted.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 150mm-diameter sanitary sewer service off the lane. The applicant's consulting mechanical engineer will determine the requirements of the proposed development and establish the service needs. Only one service will be permitted for this development. If required, the applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service at the applicants cost. An inspection manhole is required with an access easement for City crews.

3. Storm Drainage

a) The developer must engage a consulting civil engineer to provide a storm water management plan for this site which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems

b) Provide the following drawings:

- i. A detailed Stormwater Management Plan for this development that is based off the original grading plan of the subdivision; and,
- ii. An Erosion and Sediment Control Plan.

4. Development Permit and Site Related Issues

- i. This development application will be limited to a maximum driveway width of 11.0m. Standard drawing SS-C7 must be used.

- ii. Irrigated landscaped boulevard and frontage must conform to bylaw 7900 & 8000.
- iii. If applicable an oil interceptor must be installed to remove oil prior to leaving this property and entering the COK sanitary and/or drainage system.
- iv. Retaining walls (top & bottom), exposed foundations and neighbouring property lines must be clearly labelled on all drawings.

5. Electric Power and Telecommunication Services

The electrical and telecommunication services to this building/property must be installed in an underground duct system, and the building must be connected by an underground service. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.

6. Design and Construction

- a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (Part 5 and Schedule 3).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

7. Servicing Agreements for Works and Services

- a) A Servicing Agreement is required for all offsite works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

8. Other Engineering Comments

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors as required.

9. Geotechnical Report

- a) Provide a comprehensive geotechnical report, prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below:

NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.

The Geotechnical report must be submitted prior to submission of Engineering drawings or application for subdivision approval.

- (i) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- (ii) Site suitability for development.
- (iii) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- (iv) Any special requirements for construction of roads, utilities and building structures.
- (v) Suitability of on-site disposal of storm water and sanitary waste, including effects upon adjoining lands.
- (vi) Any items required in other sections of this document.
- (vii) Recommendations for erosion and sedimentation controls for water and wind.
- (viii) Recommendations for roof drains and perimeter drains.
- (ix) Recommendations for construction of detention or infiltration ponds if applicable.

10. Charges and Fees

- a) Development Cost Charges (DCC's) are payable.
- b) Fees per the "Development Application Fees Bylaw" include:
 - i) Engineering and Inspection Fee: 3.5% of offsite construction value (plus GST).

James Kay

James Kay, P.Eng.
Development Engineering Manager

AS

SCHEDULE A

This forms part of application
DP19-0067



City of
Kelowna
COMMUNITY PLANNING

Planner
Initials **BC**

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Township of Kelowna is responsible for the professional services provided by the professional engineer and/or architect employed by TOHMM COBBAN ARCHITECT.

TOHMM COBBAN
Architect
201-300 West Cordova Street
Vancouver B.C. V6B 2E5 • 604-685-8210

AIRPORT BUSINESS CENTRE

2085 Pier Mac Way
Kelowna BC
for
GIBBCO ENTERPRISES INC.

- Apr 26 - Rev'd and Resubmitted for Consultants and recommendation to the City of Kelowna for a DP
- May 11 19 - Rev'd and Resubmitted for Consultants and recommendation to the City of Kelowna for a DP
- Apr 23 19 - Rev'd and Resubmitted for Consultants and recommendation to the City of Kelowna for a DP
- Jan 11 19 - Rev'd and Resubmitted for Resubmission to the City of Kelowna for a DP
- Jan 10 19 - Rev'd and Resubmitted for Resubmission to the City of Kelowna for a DP
- Jan 02 19 - Rev'd drawing sheet, issued to owner & consultants for use and info.
- Dec 20 18 - Rev'd site plan, issued to owner & consultants for use and info.
- Dec 03 18 - Submitted to the City of Kelowna for a Development Permit.
- Oct 28 18 - Rev'd site plan issued for owner & consultants for use and info.
- Oct 26 18 - Rev'd site plan issued for owner review & comment.

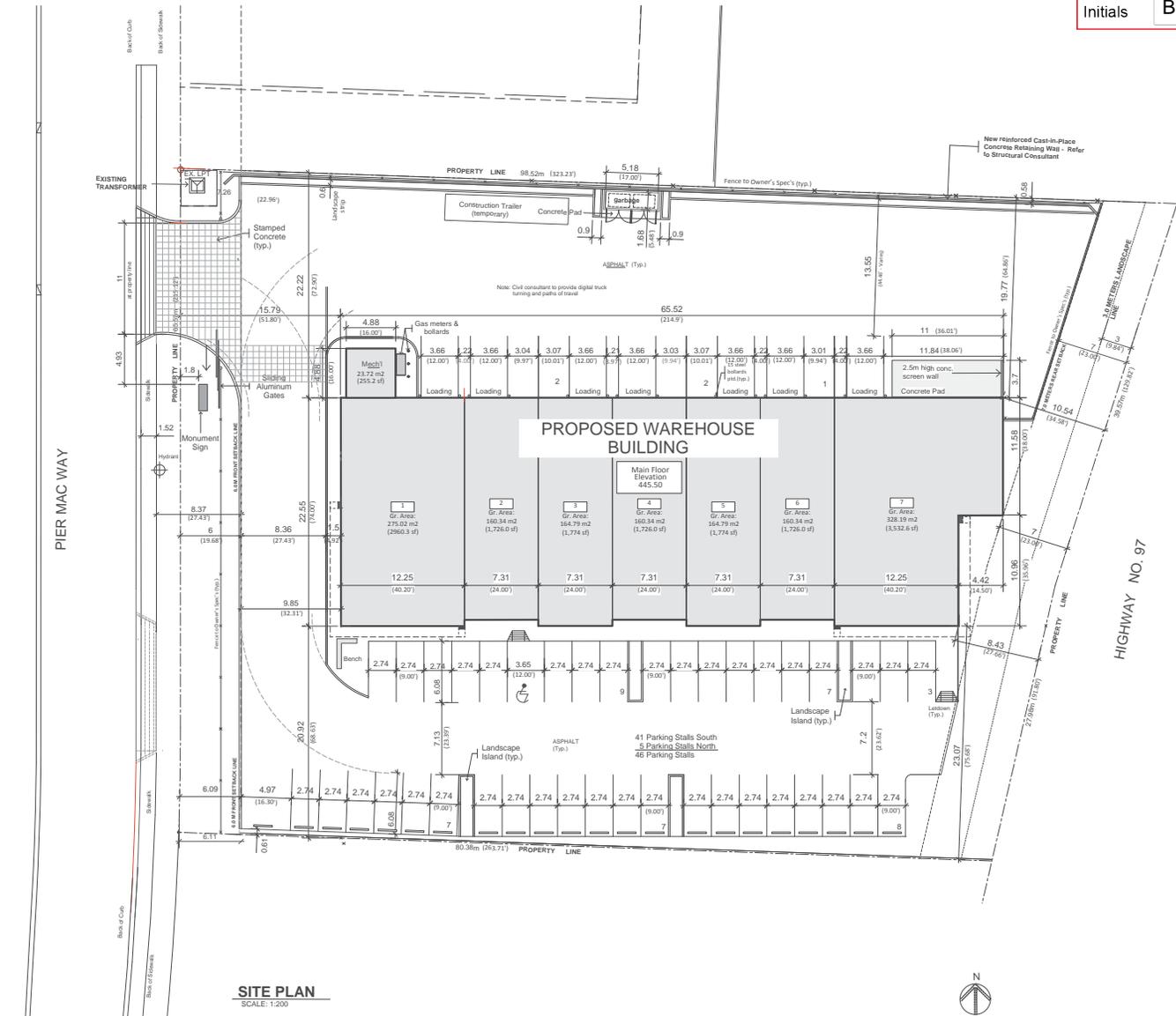
Notes:

OWNER/APPLICANT:
KRISTOFER GIBB
1-778-948-9365

LEGAL DESCRIPTION:
PID: 030-104-092
PLAN OF LOT 7, DISTRICT LOT 32 AND SECTION 14 TOWNSHIP 23, OYD, PLAN EPP64961.

Project No. 2018-06
Date Apr.2018
Scale as noted

A.1.0



SITE PLAN
SCALE: 1:200

ZONING DATA

1. Zoning - CD 15
2. Site Area - 5811.5 m² (62,554 SF)
3. Building Setbacks
 - Setback allowable Highway 97 Proposed - 7.0 m
 - Setback Pier MacWay allowable Proposed - 7.0m (23.0')
 - Setback Pier MacWay allowable Proposed - 6.0 m (19.6')
 - Setback Pier MacWay allowable Proposed - 9.85.0 m (32.3')
 - Side Setback (North) allowable Proposed - 0.0 m
 - Side Setback (South) allowable Proposed - 19.77 m (64.86')
 - Side Setback (South) allowable Proposed - 0.0 m
 - Side Setback (South) allowable Proposed - 20.92 m (68.63')
4. Lot Coverage
 - Allowable (50%) - 2904.8m² (31,267.5 SF)
 - Proposed (24.7%) - 1437.4m² (15,473.4 SF)
5. Building Height
 - Allowable - 2 1/2 Storeys
 - Proposed - 1 Storey
6. Areas
 - 1 unit @ 275.02 m² - 275.02 m² (2960.3 SF)
 - 3 units @ 160.34 m² - 481.02 m² (5,177.66 SF)
 - 2 units @ 164.79 m² - 329.58 m² (3,547.57 SF)
 - 1 unit @ 164.79 m² - 164.79 m² (1,774.57 SF)
 - 1 Mech./Elec. Rm @ 23.72 m² - 23.72 m² (255.2 SF)
 - Total (Ground Level): - 1,437.53 m² (15,473.44 SF)**
- 6(a) Areas Breakdown for parking
 - Ground Level General Industrial - 1,232.77 m²
 - Offices - 204.76 m²
 - Mezzanine Space - 575.01 m²
 - (Future) 40% of Gr. Level floorspace
7. Parking requirements:
 - General Industrial (Gr. Floor) (2.0/100 m² gross) - 25 stalls
 - Office (Gr. Floor) (2.5/100 m² gross) - 6 stalls
 - 204.76 m²/100 m² x 2.5
 - Mezzanine (fut.) (2.5/100 m² gross) - 15 stalls
 - 575.01 m²/100 m² x 2.5
 - Required Parking Stalls - 46 stalls
 - Proposed Parking Stalls - 46 stalls
 - Full Size (2.74m x 6.0m) - 45 stalls
 - Handicap - 1

CIVIC ADDRESS

2085 PIER MAC WAY KELOWNA, BC

LEGAL DESCRIPTION

PID: 030-104-092
PLAN OF LOT 7, DISTRICT LOT 32 AND SECTION 14, TOWNSHIP 23, OYD, PLAN EPP64961.

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Tohmm Cobban Architect is responsible for the architectural design and construction of this building. All construction shall be in accordance with the City of Kelowna's Building Code and shall be supervised by a Professional Structural Engineer registered in the Province of British Columbia.

TOHMM COBBAN
 Architect
 201-309 West Cordova Street
 Vancouver B.C. V6B 2E5 • 604-685-6210

AIRPORT BUSINESS CENTRE
 2085 Pier Mac Way
 Kelowna BC
 for
 GIBCO ENTERPRISES INC.

- ▲ May 01 '19 - Paid and Reviewed for Consultants and submission to the City of Kelowna for a DP
- ▲ Apr 03 '19 - Paid and Reviewed for Consultants and submission to the City of Kelowna for a DP
- ▲ Jan 11 '19 - Please gather feedback to the City of Kelowna for a DP
- ▲ Jan 10 '19 - Submitted to the City of Kelowna for a Development Permit
- ▲ Dec 03 '18 - Submitted to the City of Kelowna for a Development Permit
- ▲ Nov 05 '18 - Issued for owner review
- ▲ Oct 26 '18 - Issued for check set, owner review

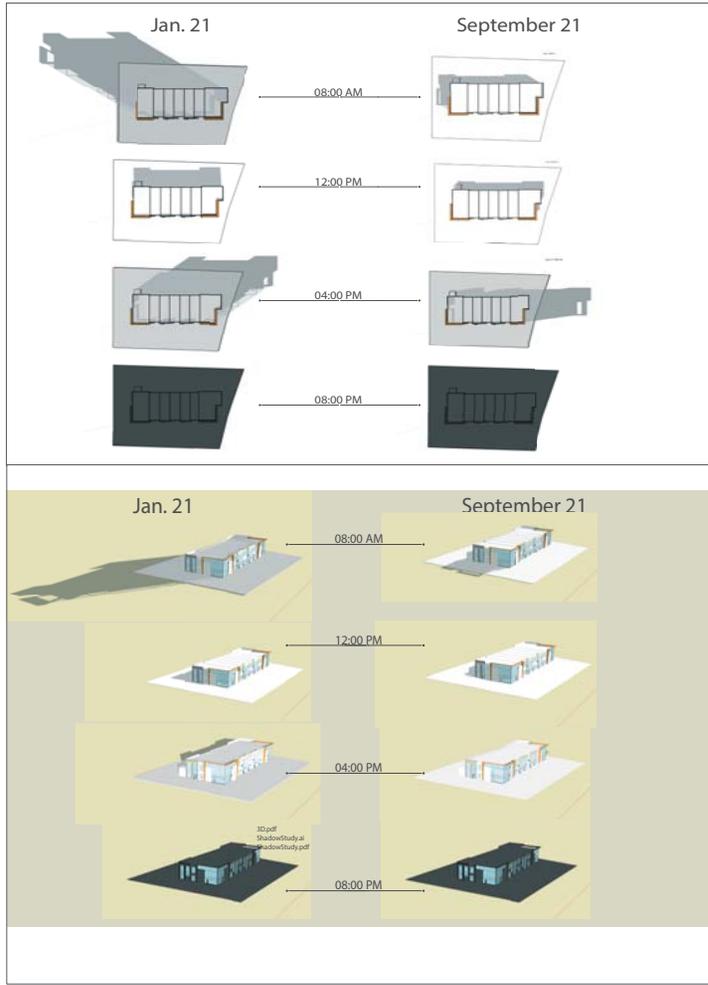
NOTES:

OWNER/APPLICANT:
 GIBCO ENTERPRISES INC.
 1 (778) 848-9385

LEGAL DESCRIPTION:
 PID: 030-104-002
 PLANNING LOT 7, DISTRICT LOT 22 AND SECTION 14 TOWNSHIP 23, COVD, PLAN EPP1461.

Project No. | 2018-06
 Date | Apr. 2018
 Scale | as noted

A1.1



Shadow Study



Early Sketches

SCHEDULE B

This forms part of application
DP19-0067

Planner Initials **BC**



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TOHMM COBBAN ARCHITECT is responsible for the professional design and construction of the project and shall not be held responsible for any errors or omissions in the drawings or specifications.

**TOHMM COBBAN
Architect**
201-300 West Cordova Street
Vancouver B.C. V6B 2E5 • 604-685-8210

AIRPORT BUSINESS CENTRE

2085 Pier Mac Way
Kelowna BC
for
GIBBCO ENTERPRISES INC.

- ▲ Apr 25 - Rev'd and Resubmitted for Consultants and recommendation to the City of Kelowna for a DP
- ▲ May 1 19 - Rev'd and Resubmitted for Consultants and recommendation to the City of Kelowna for a DP
- ▲ Apr 23 19 - Rev'd and Resubmitted for Consultants and recommendation to the City of Kelowna for a DP
- ▲ Jan 11 19 - Rev'd and Resubmitted for Resubmission to the City of Kelowna for a DP
- ▲ Jan 10 19 - Rev'd and Resubmitted for Resubmission to the City of Kelowna for a DP
- ▲ Jan 02 19 - Rev'd drawing received from owner, issued to owner & consultants for use and info.
- ▲ Dec 20 18 - Rev'd site plan, issued to owner & consultants for use and info.
- ▲ Dec 03 18 - Submitted to the City of Kelowna for a Development Permit.
- ▲ Oct 28 18 - Rev'd site plan issued for owner & consultants for use and info.
- ▲ Oct 26 18 - Rev'd site plan issued for owner review + comment.

Notes:

OWNER/APPLICANT:
KRISTOFER GIBB
1-778-948-9305
LEGAL DESCRIPTION:
PID: 030-104-092
PLAN OF LOT 7, DISTRICT LOT 32 AND SECTION 14 TOWNSHIP 23, COYD, PLAN EPP44961.

Project No. | 2018-06
Date | Apr. 2018
Scale | as noted

A.1.2



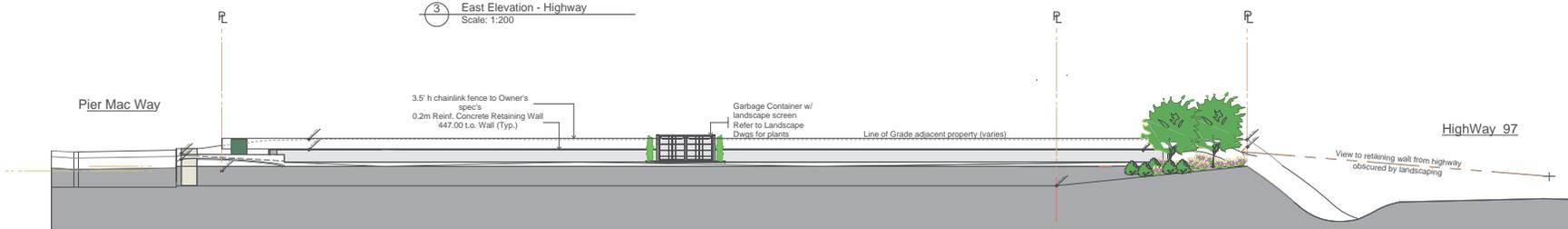
1 West Elevation - Pier Mac Way
Scale: 1:200



2 South Elevation
Scale: 1:200



3 East Elevation - Highway
Scale: 1:200



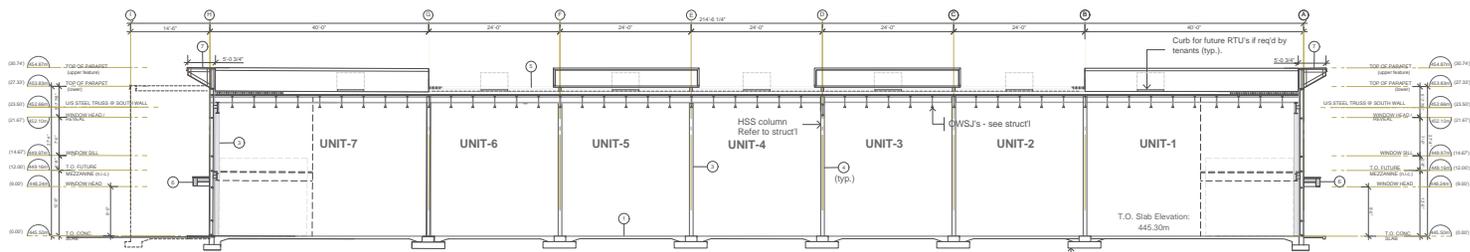
4 Elevation of Retaining Wall - North Property Line
Scale: 1:200

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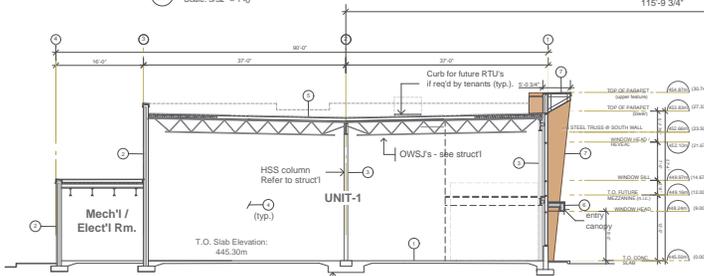
Tohmm Cobban Architect is responsible for the architectural design and drawings of this project and shall not be held responsible for any engineering or structural design work prepared by the Contractor or other Consultants.

TOHMM COBBAN
Architect
201-309 West Cordova Street
Vancouver B.C. V6B 2E5 • 604-685-6210

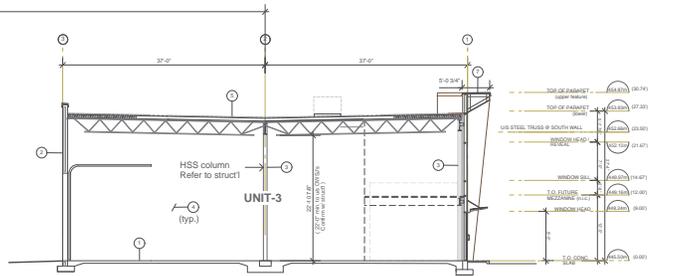
AIRPORT BUSINESS CENTRE
2085 Pier Max Way
Kelowna BC
for
GIBCO ENTERPRISES INC.



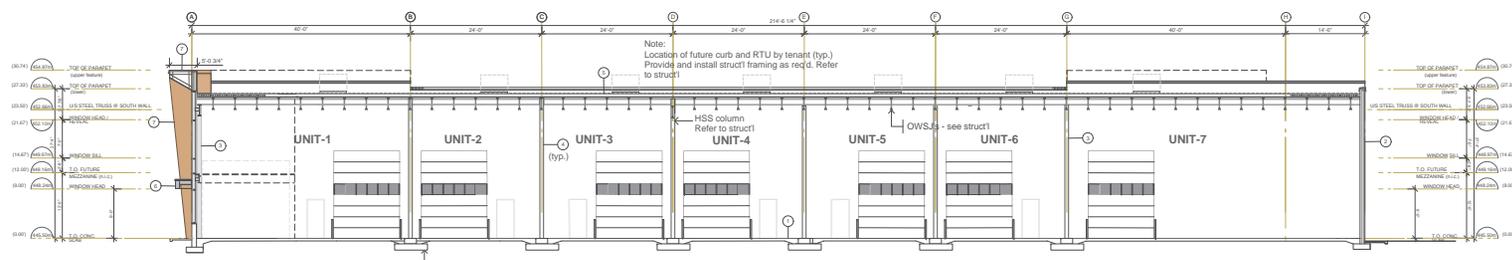
1 Longitudinal Section
Scale: 3/32" = 1'-0"



2 Cross Section
Scale: 3/32" = 1'-0"



3 Cross Section
Scale: 3/32" = 1'-0"



4 Longitudinal Section
Scale: 3/32" = 1'-0"

Materials Legend:

- Reinforced concrete slab
- Pre-cast concrete panel w/ rigid insulation
- HSS column - see structural
- 1.0 hr fire Demising wall
- Roofing membrane on protection board on polyisocyanurate rigid insulation on steel decking on OWSJs (see structural)
- Prefin Metal Entry Canopy w/ "Longboard" fascia and soffit, steel stud framing connected to curtain wall
- Corner Feature Surround - steel stud framing and Longboard finish

- ▲ May 01 '19 - Rev'd and Resub'd for Consultants and approval by the City of Kelowna for a DP
 - ▲ Apr 03 '19 - Rev'd and Resub'd for Consultants and approval by the City of Kelowna for a DP
 - ▲ Jan 11 '19 - Please refer to addendum to the City of Kelowna for a DP
 - ▲ Jan 10 '19 - Resub'd to the City of Kelowna for a Development Permit
 - ▲ Dec 03 '18 - Submit to the City of Kelowna for a Development Permit
 - ▲ Nov 05 '18 - Issued for owner review
 - ▲ Oct 26 '18 - Issued for check set, owner review
- Notes:**
- OWNER/APPLICANT:
GIBCO ENTERPRISES
14770 948-9085
- LEGAL DESCRIPTION:
PID: 030-104-002
- PLAN OF LOT 7, DISTRICT LOT 22 AND SECTION 14 TOWNSHIP 23, COVD, PLAN EPP49461.

Project No. | 2018-06
Date | Apr. 2018
Scale | as noted

A4.1

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Torin Cobban Architect is responsible for the architectural coordination of this drawing set and all other drawings to be prepared by a Professional Structural Engineer registered in the Province of British Columbia.

TOHMM COBBAN
Architect
201-300 West Cordova Street
Vancouver B.C. V6B 2E5 • 604-685-6210

AIRPORT BUSINESS CENTRE
2085 Pier Mac Way
Kelowna BC
for
GIBCO ENTERPRISES INC.



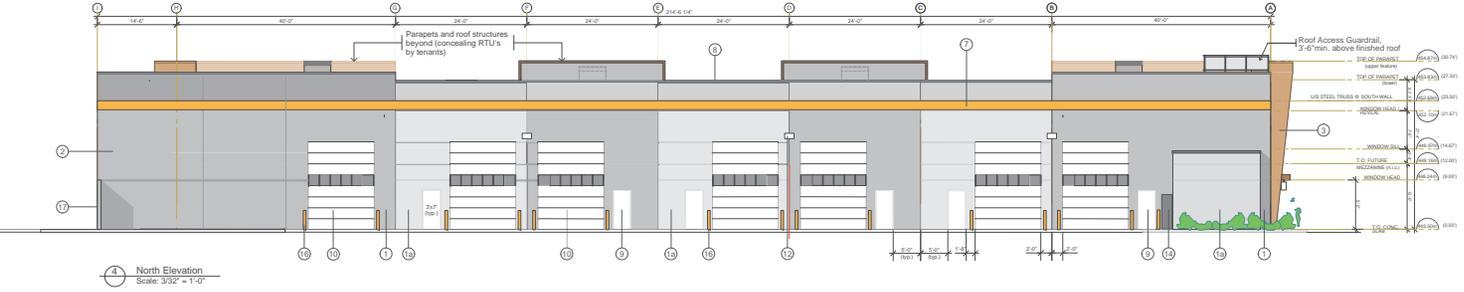
NOTE:
For site grades, retaining wall and property lines refer to architectural drawing No. A1.2



NOTE:
For site grades, retaining wall and property lines refer to architectural drawing No. A1.2

Tenant ID sign
4'-8"
Gr. Area: 4.28sf
0.4 m2

NOTE:
For site grades, retaining wall and property lines refer to architectural drawing No. A1.2



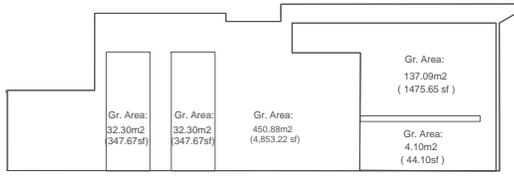
MATERIALS LEGEND - Elevations

- 1 PRE-CAST CONCRETE PANEL
- Field colour to match Cloverdale Paint 0538 - 'Santor'
- 2 PRE-CAST CONCRETE FEATURE PANEL
- Field colour to match Cloverdale Paint 0539 - 'Place of Chief'
NOTE: Project: Retail Storage on Pier Mac and Highway 97 elevations to Owner's specs and subject to Kelowna approval
- 3 REVEAL IN PRE-CAST CONCRETE PANEL
- 4 CORNER SUNSHADE FEATURE BURROUND - Pre-finished Longboard on steel framing anchored to pre-cast concrete panels. Provide 'longboard' soffits to match 'Napa Coatings Longboard' Cherry and Black panels or to Owner's specs.
- 5 FEATURE ALUMINUM FRAME / GLAZED CURTAIN WALL glazing
- Clear anodized aluminum frame or size 'E' double
- 6 ALUMINUM BREAKSHAPE / COLUMN
- To match that anodized aluminum frame
- 7 NEW GLAZED ANODIZED ALUMINUM DOORS AND FRAMES
- 8 NEW DOUBLE GLAZED ANODIZED ALUMINUM CURTAIN WALL - low 'E' double glazing
- 9 NEW CONTINUOUS PAINTED STRIP AND REVEALS CONCREGATION
- COLOUR: to match Cloverdale Paint #0570 'Change You Happy'
- 10 PRE-FINISHED METAL FLASHING
- To match Cloverdale Paint #0543 'Captain Name' or 'Napa 05.03' on upper panels
- 11 METAL DOOR AND FRAME
- Frames - to match Cloverdale Paint 0539 - 'Place of Chief'
- Doors - to match Cloverdale Paint 0539 - 'Place of Chief'
- 12 O.H. METAL DOOR AND FRAME - 12' x 12'
- To match Cloverdale Paint # T80 'Vino'
- 13 TENANT SIGNAGE (WOOD) - TO TENANT'S SPECS BOLTED TO CONC. PANELS
- 14 FLUSH MOUNTED LIGHT
- 15 WALL MOUNTED UPDOWN WALL WASH LIGHT
- 16 TENANT CANOPIES
- Glazing on pre-cast metal soffits, rod supports anchored to pre-cast concrete
- COLOURS: TENANT CANOPIES - SIM. TO #3
- 17 GAS METERS
- 1.5 M High horizontal metal steel screen
- 18 RTU METAL SCREENS (T80)
- 1.5 M High horizontal metal steel screen
- 19 6" dia. 3/4" H. STEEL BOLLARDS
- COLOUR: to match Cloverdale Paint #0570 'Change You Happy'
- 20 If high concrete screen wall
- COLOUR: to match Cloverdale Paint #0538 'Santor'

- ▲ May 01 '19 - Field and Reveal for Concrete and reposition to the City of Kelowna for a DP
 - ▲ Apr 03 '19 - Field and Reveal for Concrete and reposition to the City of Kelowna for a DP
 - ▲ Jan 11 '19 - Please provide the detail to the City of Kelowna for a DP
 - ▲ Jan 10 '19 - Re-submit to the City of Kelowna for a Development Permit
 - ▲ Dec 03 '18 - Submit to the City of Kelowna for a Development Permit
 - ▲ Nov 05 '18 - Issued for owner review
 - ▲ Oct 26 '18 - Issued for check out, owner review
- NOTES:**
- OWNER/APPLICANT:
GIBCO ENTERPRISES
14770 948-9085
LEGAL DESCRIPTION:
PID: 030-104-002
PLAN OF LOT 7, DISTRICT LOT 52 AND SECTION 14 TOWNSHIP 23, COYO, PLAN EPP4461.

Project No. | 2018-06
Date | Apr. 2018
Scale | as noted

A5.1

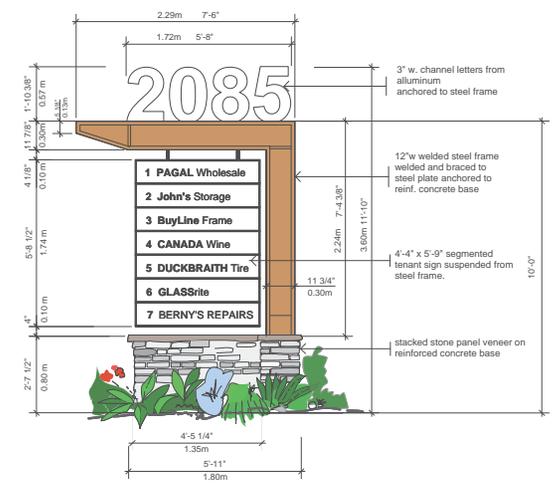


Percentage of Glazing Calculations to Public Thoroughfares

1. West Elevation facing Pier Mac Way:
- Total Wall Area - 450.88m² (4853.22 sf)
 - Total Glazed Area - 197.59m² (2126.89 sf)
- Percentage of Glazing/Total Wall: - 197.59m²/450.88m² - 43.8%
- 197.59m²/450.88m² - 43.8%
 - corner curtainwall - 137.09m² (1475.65 sf)
 - glazing panel #1 - 32.30m² (347.67 sf)
 - glazing panel #2 - 32.30m² (347.67 sf)
 - minus entry canopy - 4.10m² (-44.10 sf)
- Total Glazed Area - 197.59m² (2126.89 sf)
2. East Elevation facing Highway 97:
- Percentage is greater as the Mechanical Room Area is deleted from Total Wall Area for this elevation.



11 West Elevation - Pier Mac Way Elevation for Glazing Calculations
Scale: 3/32" = 1'-0"



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TOHMM COBBAN
Architect
201-300 West Cordova Street
Vancouver B.C. V6B 2E5 - 604-685-6210

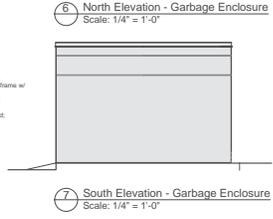
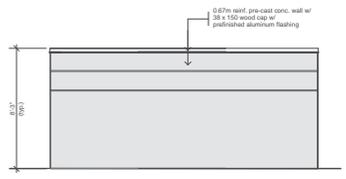
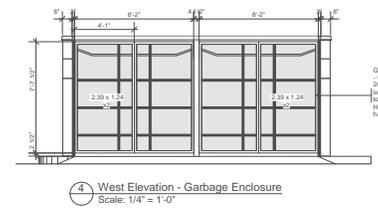
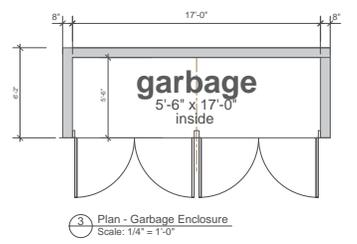
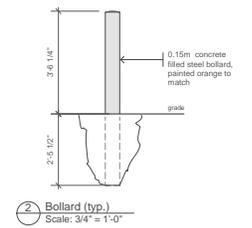
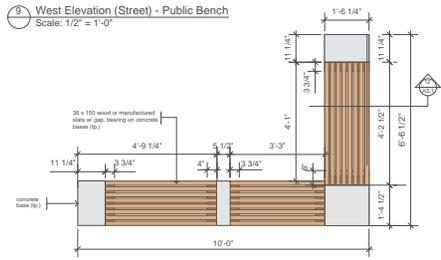
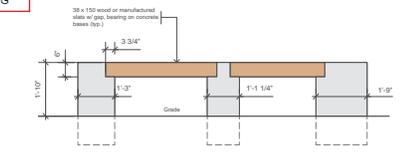
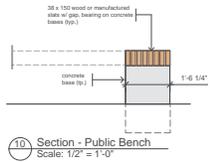
AIRPORT BUSINESS CENTRE
2085 Pier Mac Way
Kelowna BC
for
GIBCO ENTERPRISES INC.

SCHEDULE B

This forms part of application
DP19-0067

Planner Initials **BC**

City of **Kelowna**
COMMUNITY PLANNING



- May 01 '19 - Paid and Received for Consultants and approval to the City of Kelowna for a DP
- Apr 03 '19 - Paid and Received for Consultants and approval to the City of Kelowna for a DP
- Jan 11 '19 - Please provide feedback to the City of Kelowna for a DP
- Jan 10 '19 - Resubmit to the City of Kelowna for a Development Permit
- Dec 03 '18 - Submit to the City of Kelowna for a Development Permit
- Nov 05 '18 - Issued for owner review
- Oct 26 '18 - Issued for check set, owner review

OWNER/APPLICANT:
GIBCO ENTERPRISES
14776 948-5065
LEGAL DESCRIPTION:
PID: 030-104-002
PLAN OF LOT 7, DISTRICT LOT 22 AND SECTION 14 TOWNSHIP 23, COVDY, PLAN EPP49461

Project No. | 2018-06
Date | Apr. 2018
Scale | as noted

A6.1





SCHEDULE C

This forms part of application
DP19-0067

Planner Initials **BC**

City of Kelowna
COMMUNITY PLANNING



OUTLAND DESIGN
LANDSCAPE ARCHITECTURE

303 - 590 KLO Road
Kelowna, BC V1Y 7S2
T (250) 868-9270
www.outlanddesign.ca

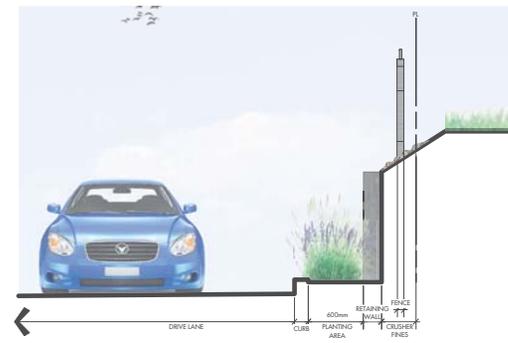


PLANT LIST

BOTANICAL NAME	COMMON NAME	QTY	SIZE/SPACING & REMARKS
TREES			
GLEDISIA TRIACANTHOS 'SKYLINE'	SKYLINE HONEYLOCUST	4	6m CAL
LIQUIDAMBAR STYRACIFLUA 'WORPLESSON'	WORPLESSON SWEETGUM	3	6m CAL
PINUS FLEXILIS 'CESARINI'	BLUE LIMBER PINE	2	2.0m HT.
SYRINGA RETICULATA 'IVORY SILK'	IVORY SILK TREE LILAC	4	6m CAL
TILIA CORDATA 'CHANCOLE'	CHANCELLOR LINDEN	5	6m CAL
SHRUBS			
BERBERIS THUNBERGII 'CENTEY'	ROYAL BURGLUNDY BARBERRY	48	#01 CONT. / 1.0M O.C. SPACING
CORNUS ALBA 'BABHALO'	IVORY HALO DOGWOOD	48	#01 CONT. / 1.0M O.C. SPACING
EUKRYMOS ALATUS 'COMPACTA'	DWARF WINGED BURNING BUSH	15	#01 CONT. / 1.8M O.C. SPACING
HYDRANGEA PANICULATA 'JANN'	LITTLE LIME HYDRANGEA	21	#01 CONT. / 1.5M O.C. SPACING
PHILADELPHUS LEWISII 'WATERLION'	WATERLION MOCKORANGE	15	#01 CONT. / 1.8M O.C. SPACING
PHYSCARRUS OPULIFOLIUS 'MINDIA'	COPPERTINA NINEBARK	12	#01 CONT. / 2.0M O.C. SPACING
PICEA ABIES 'INDORNIS'	NEST SPRUCE	21	#01 CONT. / 1.5M O.C. SPACING
PICEA SYLVESTRIS 'GLAUCOA NANNA'	DWARF WHITE SCOTCH PINE	12	#01 CONT. / 2.0M O.C. SPACING
RHUS ARCADATICA 'GRO LOW'	GRO-LOW FRAGRANT SUMAC	12	#01 CONT. / 2.0M O.C. SPACING
ROSA 'MOONEN FREGLOW'	MOONEN FREGLOW ROSE	47	#01 CONT. / 1.0M O.C. SPACING
SALIX PURPUREA 'NANA'	DWARF ARCTIC WILLOW	21	#01 CONT. / 1.5M O.C. SPACING
SYRINGA MEYERI 'TAUBIN'	DWARF KOREA LILAC	21	#01 CONT. / 1.5M O.C. SPACING
PERENNIALS & GRASSES			
ACHILLEA 'GOLD PLATE'	GOLD PLATE YARROW	63	#01 CONT. / 0.75M O.C. SPACING
ASTER FRIKARTI 'MONCH'	ASTER FRIKARTI'S ASTER	63	#01 CONT. / 0.75M O.C. SPACING
CAJAMAGROSTIS ACUTIFLORA 'KARL FOERSTER'	KARL FOERSTER FEATHER REED GRASS	35	#01 CONT. / 1.0M O.C. SPACING
HEMIBODALIS 'RIBY STELLA'	RIBY STELLA DAYLILY	63	#01 CONT. / 0.75M O.C. SPACING
LAVANDULA ANGIUSTIFOLIA 'HIDCOTE'	HIDCOTE ENGLISH LAVENDER	63	#01 CONT. / 0.75M O.C. SPACING
MISCANTHUS SINENSIS 'HURON SUNRISE'	HURON SUNRISE MAIDEN GRASS	35	#01 CONT. / 1.0M O.C. SPACING
PANICUM VIRGATUM 'HEAVY METAL'	HEAVY METAL SWITCH GRASS	24	#01 CONT. / 1.2M O.C. SPACING
PENNISETUM ALOPECUROIDES	FOUNTAIN GRASS	35	#01 CONT. / 1.0M O.C. SPACING
PEROVSKIA ATRIPICIFOLIA	RUSSIAN SAGE	24	#01 CONT. / 1.2M O.C. SPACING
RUDBECKIA FULGIDA 'GOLDSTURM'	GOLDSTURM CONIFEROUS	63	#01 CONT. / 0.75M O.C. SPACING
SALVIA NEMOROSA 'MAY NIGHT'	MAY NIGHT MEADOW SAGE	63	#01 CONT. / 0.75M O.C. SPACING

NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED CITY OF KELLOWNA 7900 & 8000, AS WELL AS CANADIAN NURSERY LANDSCAPE ASSOCIATION STANDARDS.
2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TINED UNDERGROUND IRRIGATION SYSTEM.
3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 50mm DOUGLAS RED FIR MULCH OR ROCK MULCH, AS SHOWN IN PLANS. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.
4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.
5. TURF AREAS FROM SOD SHALL BE NO. 1 GRADE GROWN FROM CERTIFIED SEED OF IMPROVED CULTIVARS REGISTERED FOR SALE IN B.C. AND SHALL BE TOLERANT OF DROUGHT CONDITIONS. A MINIMUM OF 100mm DEPTH OF GROWING MEDIUM IS REQUIRED BENEATH TURF AREAS. TURF AREAS SHALL MEET EXISTING GRADES AND HARD SURFACES FINISH.



SECTION A-A1
1:25



PROJECT TITLE

2085 PIER MAC WAY

Kelowna, BC

DRAWING TITLE

**CONCEPTUAL
LANDSCAPE PLAN**

ISSUED FOR / REVISION

NO.	DATE	REVISION
1	18.05.24	Review
2	18.05.30	Development Permit
3	18.11.21	Development Permit
4	19.03.10	Revised for Development Permit
5	19.04.29	Revised for Development Permit

PROJECT NO: 18036

DESIGN BY: FB

DRAWN BY: TNS

CHECKED BY: FB

DATE: JUN. 29, 2019

SCALE: 1:200

SEAL



DRAWING NUMBER

L1/2

ISSUED FOR REVIEW ONLY

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SCHEDULE C

This forms part of application
DP19-0067

Planner
Initials BC



303 - 590 KLO Road
Kelowna, BC V1Y 7S2
T (250) 868-9270
www.outlanddesign.ca



PIER MAC WAY



IRRIGATION LEGEND

- ZONE #1: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREAS
TOTAL AREA: 53 sq.m.
MICROCLIMATE: SOUTH WEST, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 76 cu.m.
- ZONE #2: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREAS
TOTAL AREA: 78 sq.m.
MICROCLIMATE: WEST EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 109 cu.m.
- ZONE #3: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS
TOTAL AREA: 226 sq.m.
MICROCLIMATE: SOUTH EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 126 cu.m.
- ZONE #4: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS
TOTAL AREA: 224 sq.m.
MICROCLIMATE: SOUTH WEST EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 120 cu.m.
- ZONE #5: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS
TOTAL AREA: 145 sq.m.
MICROCLIMATE: SOUTH EAST EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 81 cu.m.
- ZONE #6: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS
TOTAL AREA: 179 sq.m.
MICROCLIMATE: EAST EXPOSURE, PARTIALLY SHADED BY BUILDING
ESTIMATED ANNUAL WATER USE: 99 cu.m.
- ZONE #7: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS
TOTAL AREA: 194 sq.m.
MICROCLIMATE: SOUTHEAST EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 108 cu.m.

IRRIGATION NOTES

1. IRRIGATION PRODUCTS AND INSTALLATION METHODS SHALL MEET OR EXCEED THE REQUIREMENTS OF THE WATER USE REGULATION BYLAW NO. 10480 AND THE SUPPLEMENTARY SPECIFICATIONS IN THE CITY OF KELOWNA BYLAW 7900 (PART 6, SCHEDULE 5).
2. THE IRRIGATION SYSTEM SHALL MEET THE REQUIREMENTS, REGULATIONS, AND BYLAWS OF THE WATER PURVEYOR.
3. THE IRRIGATION SYSTEM SHALL BE EQUIPPED WITH AN APPROVED BACKFLOW PREVENTION DEVICE, WATER METER, AND SHUT OFF VALVE LOCATED OUTSIDE THE BUILDING ACCESSIBLE TO THE CITY.
4. AN APPROVED SMART CONTROLLER SHALL BE INSTALLED. THE IRRIGATION SCHEDULING TIMES SHALL UTILIZE A MAXIMUM ET VALUE OF 7" / MONTH (KELOWNA JULY ET), TAKING INTO CONSIDERATION SOIL TYPE, SLOPE, AND MICROCLIMATE.
5. DRIP LINE AND EMITTERS SHALL INCORPORATE TECHNOLOGY TO LIMIT ROOT INTRUSION.
6. IRRIGATION SLEEVES SHALL BE INSTALLED TO ROUTE IRRIGATION LINES UNDER HARD SURFACES AND FEATURES.
7. IRRIGATION PIPE SHALL BE SIZED TO ALLOW FOR A MAXIMUM FLOW OF 1.5m / SEC.
8. A FLOW SENSOR AND MASTER VALVE SHALL BE CONNECTED TO THE CONTROLLER AND PROGRAMMED TO STOP FLOW TO THE SYSTEM IN CASE OF AN IRRIGATION WATER LEAK.

WATER CONSERVATION CALCULATIONS

LANDSCAPE MAXIMUM WATER BUDGET (WMB) = 1097 cu.m. / year
ESTIMATED LANDSCAPE WATER USE (WU) = 722 cu.m. / year
WATER BALANCE = 375 cu.m. / year
*REFER ATTACHED IRRIGATION APPLICATION FOR DETAILED CALCULATIONS



PROJECT TITLE
2085 PIER MAC WAY

Kelowna, BC

DRAWING TITLE
WATER CONSERVATION / IRRIGATION PLAN

ISSUED FOR / REVISION	
1	18.05.24 Review
2	18.05.30 Development Permit
3	19.07.10 Re-submitted for Development Permit
4	19.08.29 Re-submitted for Development Permit

PROJECT NO:	18036
DESIGN BY:	FB
DRAWN BY:	NS
CHECKED BY:	FB
DATE:	JUN. 29, 2019
SCALE:	1:200

SEAL



DRAWING NUMBER

L2/2

ISSUED FOR REVIEW ONLY
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Monday, April 29, 2019

Gibbco Enterprises
4481 190th Street
Surrey BC V3Z 1B2
C/o Kristofer Gibb, President
Via email to: gibbcoenterprises@gmail.com

Re: Warehouse Building, 2085 Pier Mac Way, Kelowna BC – Preliminary Cost Estimate for Bonding

Dear Kristofer:

Please be advised of the following preliminary cost estimate for bonding of the proposed landscape works shown in the 2085 Pier Mac Way conceptual landscape plan dated 19.04.29;

- 1,097 square metres (11,808 square feet) of improvements = \$69,137.25

This preliminary cost estimate is inclusive of trees, shrubs, turf, mulch, topsoil & irrigation.

You will be required to submit a performance bond to the City of Kelowna in the amount of 125% of the preliminary cost estimate. Please do not hesitate to contact me with any questions about the landscape plan.

Best regards,



Fiona Barton, MBCSLA, CSLA
as per
Outland Design Landscape Architecture

REPORT TO COUNCIL



Date: June 17, 2019

RIM No. 0940-00

To: City Manager

From: Community Planning Department (AJ)

Application: DP19-0079

Owner: Dilworth Shopping Centre Ltd.,
Inc.No. 319846

Address: 2339-2397 Highway 97 North

Applicant: Eric Ching

Subject: Development Permit Application

Existing OCP Designation: MXR – Mixed Use (Residential / Commercial)

Existing Zone: C4 – Urban Centre Commercial
C4rls – Urban Centre Commercial (Liquor Retail Sales)

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP19-0079 for Lot A, District Lots 126 and 532, ODYD, Plan 40108 located at 2339-2397 Highway 97 North, 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 FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To consider the form and character of a food primary establishment.

3.0 Community Planning

Community Planning staff are supportive of the development permit for form and character of the proposed food primary establishment with drive-in food service. The proposed Starbucks restaurant is in

general accordance with the City of Kelowna’s Comprehensive Development Permit Area Design Guidelines as indicated in Attachment A.

This application proposes a food primary establishment with indoor and outdoor seating areas, as well as a drive-through for food services. Regarding form and character, the proposed building is modern in design and typical of the Starbucks corporate brand. Visual interest is added through architectural articulation including awnings and roofline variation. The building’s most prominent corner, fronting both Highway 97 N and Leckie Road, is to be constructed with wooden siding that contrasts the finishes found on the rest of the façade and provides additional definition. Other materials include metal panels, white trim, and paint in neutral tones.

Signage is proposed for the front and side elevations of the building, as well as directional and menu board signage within the site. Landscaping is provided throughout the site, and includes fourteen trees and a variety of shrubs and grasses. Additionally, one existing tree is to remain on site. Garbage and recycling bins are to be located within a screening enclosure, stamped concrete is proposed for portions of site, and a bike rack is also provided. Overall, the proposal is compliant with the Zoning Bylaw as per the Zoning Analysis Table (see page 3).

4.0 Proposal

4.1 Background

The site for the proposed development is located at the northeastern corner of an established shopping complex along the Highway 97 N corridor. The property is split zoned C₄ and C₄lrs. The portion pertaining to the proposal is zoned C₄ – Urban Centre Commercial, which permits drive-in food services on properties fronting a provincial highway.

4.2 Project Description

The proposal is to renovate the existing 213.7m² building that is on the site, which is currently a Taco Time restaurant with drive-in food service. The site has access from both Highway 97 N and Leckie Road.

4.3 Site Context

The subject property is located on the south side of the Highway 97 N corridor in the Midtown Urban Centre. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C ₉ P – Tourist Commercial (Liquor Primary)	Hotels
East	C ₁₀ – Service Commercial	Retail Stores
South	RM ₅ – Medium Density Multiple Housing	Multiple Dwelling Housing
West	C ₁₀ – Service Commercial	Automotive and Minor Recreation Vehicle Sales/Rentals, Gas Bars

Subject Property Map: 2339-2397 Highway 97 North



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C4 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	1300m ²	56559m ²
Lot Width	40.0m	482m
Lot Depth	30.0m	159m
Development Regulations		
Floor Area Ratio	1.0	0.28
Height	15m / 4 storeys	7.0m / 1 storey
Front Yard	0.0m	11.6m
Side Yard (east)	0.0m	1.8m
Side Yard (west)	0.0m	>0.0m
Rear Yard	6.0m	>6.0m
Other Regulations		
Minimum Parking Requirements	4	8 parking, 1 loading
Bicycle Parking	2	2

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Comprehensive Development Permit Area Objectives.¹

- 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;

¹ City of Kelowna Official Community Plan, Chapter 14 A. Comprehensive Development Permit Area.

- 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;
- Incorporate architectural features and detailing of buildings and landscapes that define an area's character; and
- Promote alternative transportation with enhanced streetscapes and multimodal linkages.

6.o Application Chronology

Date of Application Received: April 1, 2019

Report prepared by: Arlene Janousek, Planner

Reviewed by: Laura Bentley, Urban Planning & Development Policy Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Comprehensive Development Permit Area Design Guidelines Checklist

Attachment B: Draft Development Permit No. DP19-0079

Attachment C: Conceptual Renderings



DEVELOPMENT PERMIT GUIDELINES

Comprehensive Development Permit Area

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

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

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

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Is visible and secure bicycle parking provided in new parking structures and parking lots?	✓		
Environmental Design and Green Building			
Does the proposal consider solar gain and exposure?	✓		
Are green walls or shade trees incorporated in the design?	✓		
Does the site layout minimize stormwater runoff?			✓
Are sustainable construction methods and materials used in the project?		✓	
Are green building strategies incorporated into the design?	✓		
Decks, Balconies, Rooftops and Common Outdoor Amenity Space			
Are decks, balconies or common outdoor amenity spaces provided?	✓		
Does hard and soft landscaping enhance the usability of decks, balconies and outdoor amenity spaces?	✓		
Are large flat expanses of roof enhanced with texture, colour or landscaping where they are visible from above or adjacent properties?			✓
Amenities, Ancillary Services and Utilities			
Are loading, garage, storage, utility and other ancillary services located away from public view?	✓		
Are vents, mechanical rooms / equipment and elevator penthouses integrated with the roof or screened with finishes compatible with the building's design?	✓		
Landscape Development and Irrigation Water Conservation			
Does landscaping:	-	-	-
<ul style="list-style-type: none"> • Compliment and soften the building's architectural features and mitigate undesirable elements? 	✓		
<ul style="list-style-type: none"> • Maintain the dominant pattern of landscaping along the street and surrounding properties? 	✓		
<ul style="list-style-type: none"> • Enhance the pedestrian environment and the sense of personal safety? 	✓		
<ul style="list-style-type: none"> • Screen parking areas, mechanical functions, and garbage and recycling areas? 	✓		
<ul style="list-style-type: none"> • Respect required sightlines from roadways and enhance public views? 	✓		
<ul style="list-style-type: none"> • Retain existing healthy mature trees and vegetation? 	✓		
<ul style="list-style-type: none"> • Use native plants that are drought tolerant? 	✓		
<ul style="list-style-type: none"> • Define distinct private outdoor space for all ground-level dwellings? 			✓
Do any fences and retaining walls create visual interest and enhance the pedestrian environment?		✓	
Do parking lots have one shade tree per four parking stalls?	✓		

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

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



Development Permit & Development Variance Permit DP19-0079

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

2339-2397 Highway 97 North

and legally known as

Lot A, District Lots 126 and 532, ODYD, Plan 40108

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

Food Primary Establishment

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 within two (2) years of the approval date.

Existing Zone: C4 – Urban Centre Commercial Future Land Use Designation: MXR – Mixed Use (Residential / Commercial)

This is NOT a Building Permit.

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

NOTICE

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

Owner: Dilworth Shopping Centre Ltd., Inc.No. 319846

Applicant: Eric Ching

Terry Barton
Development Planning Department Manager
Development Planning Department

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 **\$35,192.50**

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.**

SCHEDULE B

This forms part of application
DP19-0079



City of
Kelowna
COMMUNITY PLANNING

Planner Initials **AJ**



1 SOUTH ELEVATION
A31 SCALE: 3/16" = 1'-0"



2 EAST ELEVATION
A31 SCALE: 3/16" = 1'-0"



3 NORTH ELEVATION
A31 SCALE: 3/16" = 1'-0"



4 WEST ELEVATION
A31 SCALE: 3/16" = 1'-0"

EXTERIOR MATERIAL	
1	EIFS
2	LONGBOARD METAL SIDING
3	VICWEST MERCURY METAL PANEL SYSTEM, VERTICAL
4	PRE-FINISHED, LOW-E DOUBLE-GLAZED, THERMALLY BROKEN ALUMINUM STOREFRONT/WINDOWS
5	INSULATED HOLLOW METAL DOOR - PAINT TO MATCH COLOR OF ADJACENT MATERIAL
6	DECORATIVE BAND, MITSUBISHI ALPOLIC ACM
7	PRE-FINISHED METAL FLASHING
8	CANOPY, MITSUBISHI ALPOLIC ACM
9	SOFFIT
10	LIGHT FIXTURE - SEE ELECTRICAL
11	DRIVE-THRU WINDOW BY TENANT
12	SIGNAGE BY TENANT
13	CONCRETE UPSTAND, NATURAL FINISH
14	ROOF TOP UNIT SCREEN, PRESSURE TREATED 1X4 WOOD STAINED TO MATCH LONGBOARD
15	REVEALS
16	BUILT-UP CANOPY W/ FIBRE CEMENT FASCIA

EXTERIOR COLOURS	
A	BENJAMIN MOORE PAINT, STONE, 2112-40
B	DARK CHERRY
C	COLOUR MATCH ALPOLIC MFR. "MZG-GREY"
D	BNT - WHITE
E	COLOUR TO MATCH ADJACENT FINISH

FASCIA SIGNAGE:	
INDIVIDUALLY-LIT CHANNEL LETTERS AND FREEFORM CUT-OUT LOGO	

DATE	BY	DESCRIPTION
2/19/2019	RE-ISSUED FOR DP	
1/19/2019	ISSUED FOR DP	
no by/mm/yy	description	
revisions		

All designs, concepts, and other information shown on this drawing, are for use on this project only, and shall not be used otherwise without written permission.
consultant

NEW QUICK SERVICE RESTAURANT
2397 HIGHWAY 97 NORTH KELOWNA, BC
FOR PETERSON COMMERCIAL



architects ltd.

420 - 745 THURLOW ST
VANCOUVER, BC V6E 6S5
TELEPHONE (604) 687-2334

project number **4840**

sheet 15a

COLOURED ELEVATIONS

date YYYY-MM-DD sheet number
scale **AS NOTED**
drawn **A3.1**
checked



OUTLAND DESIGN
LANDSCAPE ARCHITECTURE

303 - 590 KLO Road
Kelowna, BC V1Y 7S2
T (250) 868-9270
www.outlanddesign.ca

PLANT LIST

BOTANICAL NAME	COMMON NAME	QTY	SIZE / SPACING & REMARKS
TREES			
ACER RUBRUM 'RED ROCKET'	RED ROCKET MAPLE	4	6cm CAL.
CARPINUS BETULUS 'JFS-KW1CB'	EMERALD AVENUE HORNBEAM	3	6cm CAL.
CORNUS ALBA 'SIBIRICA VARIEGATA'	VARIEGATED SIBERIAN DOGWOOD	6	#1.5 CONT. /MULTISTEM
PICEA GLAUCA 'BLUE WONDER'	BLUE WONDER BLUE SPRUCE	1	2.5m HT. MIN.
SHRUBS			
CORNUS SANGUINEA 'CATO'	ARCTIC SUN DOGWOOD	12	#02 CONT. /1.5m O.C. SPACING
PICEA ABIES 'OHLENDORFII'	OHLENDORFII SPRUCE	9	#02 CONT. /2.0m O.C. SPACING
SPIRAEA BUMALDA 'ANTHONY WATERER'	ANTHONY WATERER SPIREA	12	#02 CONT. /1.5m O.C. SPACING
PERENNIALS, GRASSES & VINES			
ACHILLEA MILLEFOLIUM 'SUMMER PASTELS'	SUMMER PASTELS YARROW	20	#01 CONT. /0.75m O.C. SPACING
ARCTOSTAPHYLOS UVA-URSI	KINNIKINICK	15	#01 CONT. /0.75m O.C. SPACING
ARTEMISIA SCHMIDTIANA 'SILVER MOUND'	SILVER MOUND ARTEMISIA	9	#01 CONT. /1.0m O.C. SPACING
CALAMAGROSTIS ACUTIFLORA 'KARL FOERSTER'	KARL FOERSTER REED GRASS	13	#01 CONT. /1.2m O.C. SPACING
DIANTHUS 'NEON STAR'	NEON STAR PINKS	20	#01 CONT. /0.5m O.C. SPACING
ECHINACEA 'MAGNUS'	MAGNUS CONEFLOWER	15	#01 CONT. /0.75m O.C. SPACING
FESTUCA GLAUCA 'ELIJAH BLUE'	ELIJAH BLUE FESCUE	26	#01 CONT. /0.5m O.C. SPACING
IRIS PUMILA 'DESERT ORANGE'	DESERT ORANGE IRIS	52	#01 CONT. /0.5m O.C. SPACING
IRIS SIBIRICA 'SNOW QUEEN'	SNOW QUEEN IRIS	18	#01 CONT. /0.75m O.C. SPACING
LEUCANTHEMUM SUPERBUM 'AGLAIA'	AGLAIA SHASTA DAISY	15	#01 CONT. /0.75m O.C. SPACING
PANICUM VIRGATUM 'ROSTRAHLBUSCH'	RED SWITCH GRASS	20	#01 CONT. /1.2m O.C. SPACING
PEROVSKIA ATRIPLICIFOLIA 'LONGIN'	LONGIN RUSSIAN SAGE	35	#01 CONT. /1.2m O.C. SPACING
PENNISETUM ORIENTALE	ORIENTAL FOUNTAIN GRASS	20	#01 CONT. /1.2m O.C. SPACING
RUDBECKIA FULGIDA 'GOLDSTURM'	GOLDSTURM CONEFLOWER	15	#01 CONT. /0.75m O.C. SPACING
SALVIA NEMEROSA 'MAYNIGHT'	MAYNIGHT SALVIA	40	#01 CONT. /0.75m O.C. SPACING
SEDUM 'FIREWORKS'	FIREWORKS STONECROP	28	#01 CONT. /0.75m O.C. SPACING



NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED 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 75mm 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 150mm DEPTH OF GROWING MEDIUM IS REQUIRED BENEATH TURF AREAS. TURF AREAS SHALL MEET EXISTING GRADES AND HARD SURFACES FLUSH.
6. SITE GRADING AND DRAINAGE WILL ENSURE THAT ALL STRUCTURES HAVE POSITIVE DRAINAGE AND THAT NO WATER OR LOOSE IMPEDIMENTS WILL BE DISCHARGED FROM THE LOT ONTO ADJACENT PUBLIC, COMMON OR PRIVATE PROPERTIES.



PROJECT TITLE
DILWORTH SHOPPING CENTER
2397 HIGHWAY 97 NORTH

Kelowna, BC

DRAWING TITLE

**CONCEPTUAL
LANDSCAPE PLAN**

ISSUED FOR / REVISION	DATE	REVISION
1	19.03.14	Review
2	19.05.07	Review
3	19.05.13	Review
4		
5		

PROJECT NO: 18-131
DESIGN BY: KM
DRAWN BY: MC/NG
CHECKED BY: FB
DATE: MAY 13, 2019
SCALE: 1:100
PAGE SIZE: 24"x36"

SEAL



DRAWING NUMBER

L1/2

ISSUED FOR REVIEW ONLY
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SCHEDULE C

This forms part of application
DP19-0079

Planner Initials **AJ**

City of Kelowna
COMMUNITY PLANNING

3.0 Community Planning

Community Planning staff support the proposed development on 451 and 445 Glenmore Rd as it is consistent with the Official Community Plan's future land use designation, and zoning bylaw regulations. The property is located within the Permanent Growth Boundary, and has access to services and existing infrastructure. The applicant has noted that the owner, the Glenmore Ellison Irrigation District (GEID), has taken on more work and is constrained by the size of their existing office space and truck garages. The proposed development reflects the GEID's desire to accommodate for the increased workload while also improving the character of the existing building.

4.0 Proposal

4.1 Background

The subject property is currently owned by the Glenmore Ellison Irrigation District and has an existing office building located on the north side of 445 Glenmore Rd with an existing maintenance building with two (2) garages located to the south on a separate property known as 451 Glenmore Rd. An upgrade to the facility has not occurred for a number of years leaving the irrigation district with an outdated work environment in context to technology, office size, and building design.

4.2 Project Description

The proposed development is divided into four (4) parts. The first involves repainting the stucco of the existing office building. The desire is to match the colour of the hardie panels of the new proposed building, and complement its brick.

The second part of the proposed development is for a new two (2) storey office wing located on the west end of the existing maintenance building on 451 Glenmore Rd. The total area of the main floor addition is 1,312 sq. ft. with an additional 1,312 sq. ft. located on the second floor. The exterior of the proposed office building uses a combination of different coloured hardie panels including Timber bark and Coble Stone. Accents of brick colour will be located on the portion of the new building fronting Glenmore Rd offering consistency of design for the facility as a whole. In addition, an assortment of windows, and landscaping fronting Glenmore Rd will provide a visual connection between the public street and private building.

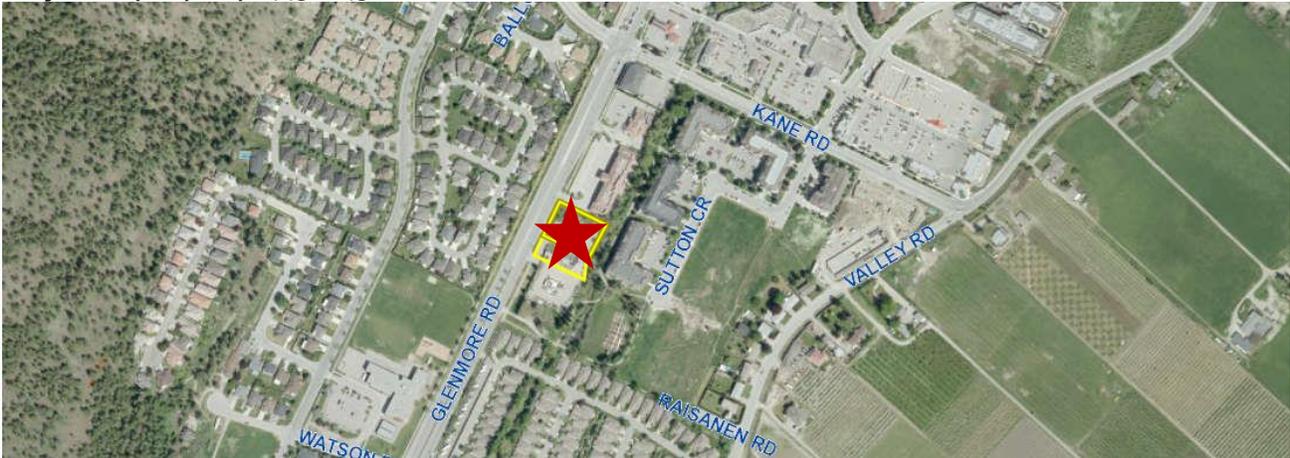
The third part of the proposed development includes the addition of a truck bay located on the east end of the current maintenance building on 451 Glenmore Rd. This is meant to accommodate large trucks used by the GEID. The materials used for this part of the building match what is proposed for the two (2) storey office wing.

The final part of this application involves the addition of eight (8) partially covered parking stalls located on the south side of the maintenance building on 451 Glenmore Rd. These will be open air structures that provide weather protection for trucks.

4.3 Site Context

The subject property is located within the Glenmore – Clifton – Dilworth sector of the City. The area of the city is characterized by residential and commercial uses.

Subject Property Map: 445 & 451 Glenmore Rd



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.

Urban Design 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;
- Incorporate architectural features and detailing of buildings and landscapes that define an area's character;

6.0 Technical Comments

6.1 Development Engineering Department

- No concerns.

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

7.0 Application Chronology

Date of Application Received: March 28, 2019

Report prepared by: Levan King Cranston, Planner I

Reviewd by: Dean Strachan, Suburban and Rural Planning Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Draft Development Permit

Schedule A: Site Plan

Schedule B: Elevations & Renders

Schedule C: Landscape Plan

Development Permit DP19-0081



This permit relates to land in the City of Kelowna municipally known as 445 & 451 Glenmore Rd

and legally known as Lot C Section 32 Township 26 ODYD Plan KAP62410

and permits the land to be used for the following development: Upgrades to the exterior of the existing office building and the development of a new office building with a new wash bay.

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

Date of Council Decision June 17, 2019

Decision By: COUNCIL

Development Permit Area: Comprehensive

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

Existing Zone: P4 - Utilities

Future Land Use Designation: COMM - Commercial

This is NOT a Building Permit.

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

NOTICE

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

Owner: Dawn Williams (Administrator)

Applicant: Garry Tomporowski

Dean Strachan
Suburban & Rural Planning Manager
Development Planning Department

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 in the amount of \$14,531.25
- b) A certified cheque in the amount of \$14,531.25

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

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.**

GLENMORE RD



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ISSUED FOR DEVELOPMENT PERMIT

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1	26/03/2019	AW	DEVELOPMENT PERMIT

DESIGN CONSULTANT

SEAL

445
PLAN 1731

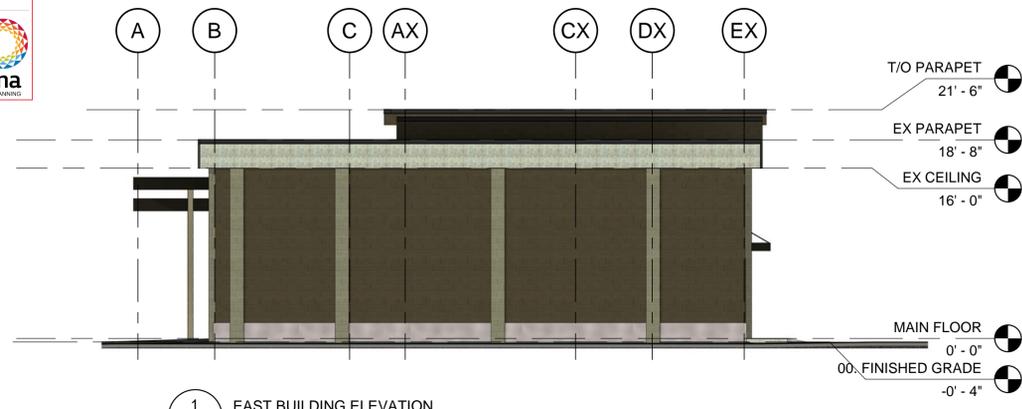
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 GTA ARCHITECTURE LTD.
 243 1889 SPRINGFIELD ROAD
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 V1Y 5X5
 TELEPHONE: (250) 979-1668
 www.gtarch.ca

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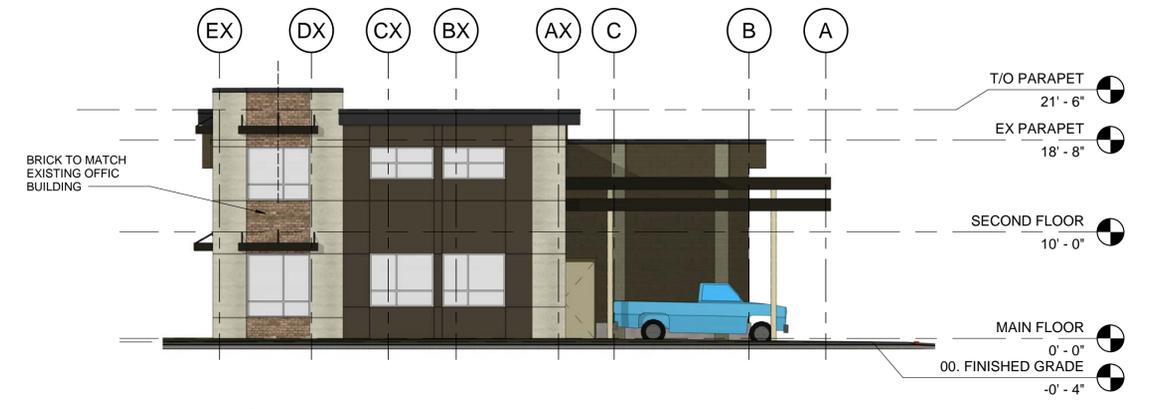
PROJECT
 ADDITION to GLENMORE ELLISON IMPROVEMENT DISTRICT SHOP BUILDING
 445 & 441 Glenmore Road

SHEET TITLE
SITE PLAN

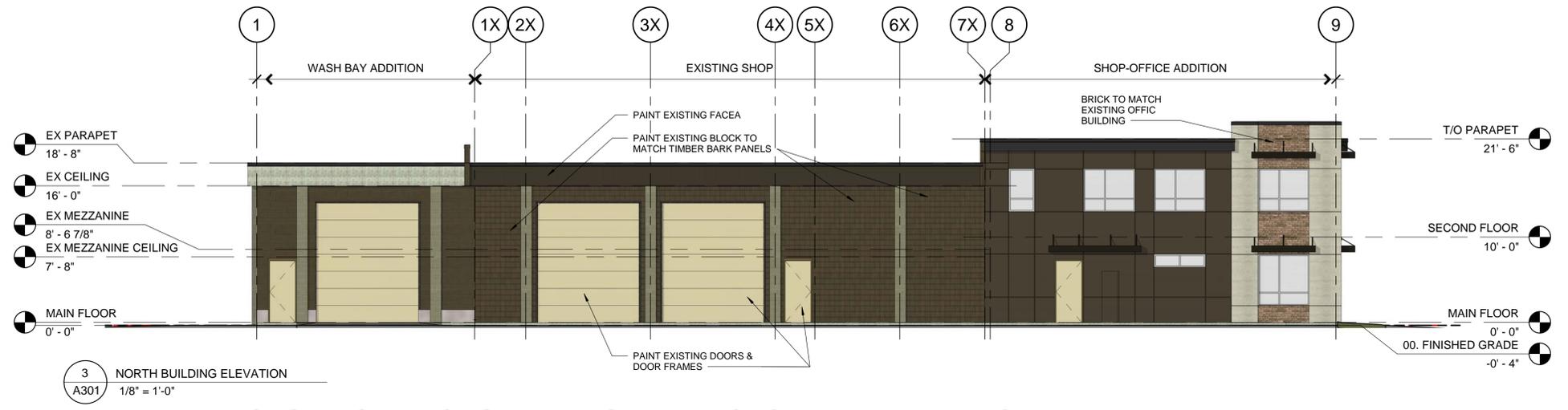
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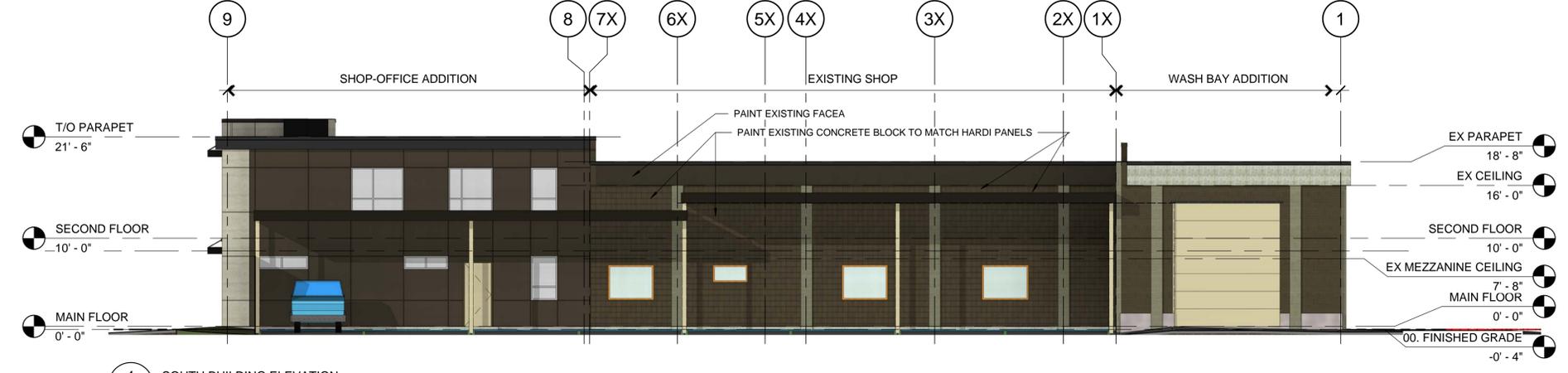
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A301 1/8" = 1'-0"



2 WEST BUILDING ELEVATION
A301 1/8" = 1'-0"



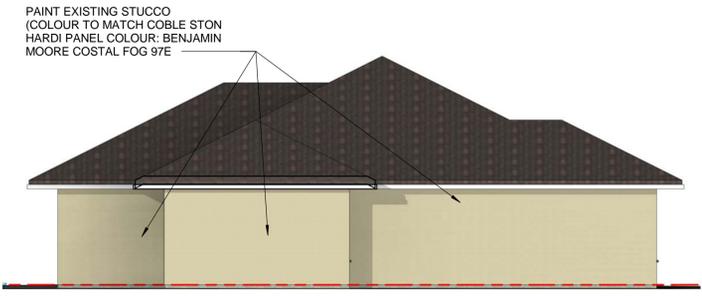
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A301 1/8" = 1'-0"



4 SOUTH BUILDING ELEVATION
A301 1/8" = 1'-0"



5 EXISTING OFFICE BUILDING EAST ELEVATION
A301 1/8" = 1'-0"



6 EXISTING OFFICE BUILDING NORTH ELEVATION
A301 1/8" = 1'-0"



7 EXISTING OFFICE BUILDING SOUTH ELEVATION
A301 1/8" = 1'-0"

COLOUR LEGEND

- HARDI PANEL
COLOUR: COBLE STONE
- PAINT EXISTING & NEW DOORS
COLOUR: BENJAMIN MOORE
COSTAL FOG 97E
- HARDI PANEL
COLOUR: TIMBER BARK
- PAINT EXISTING & NEW DOORS
EXISTING METAL FASCIAS
COLOUR: BENJAMIN MOORE
DURANGO 2137-30
- BRICK COLOUR TO MATCH
EXISTING

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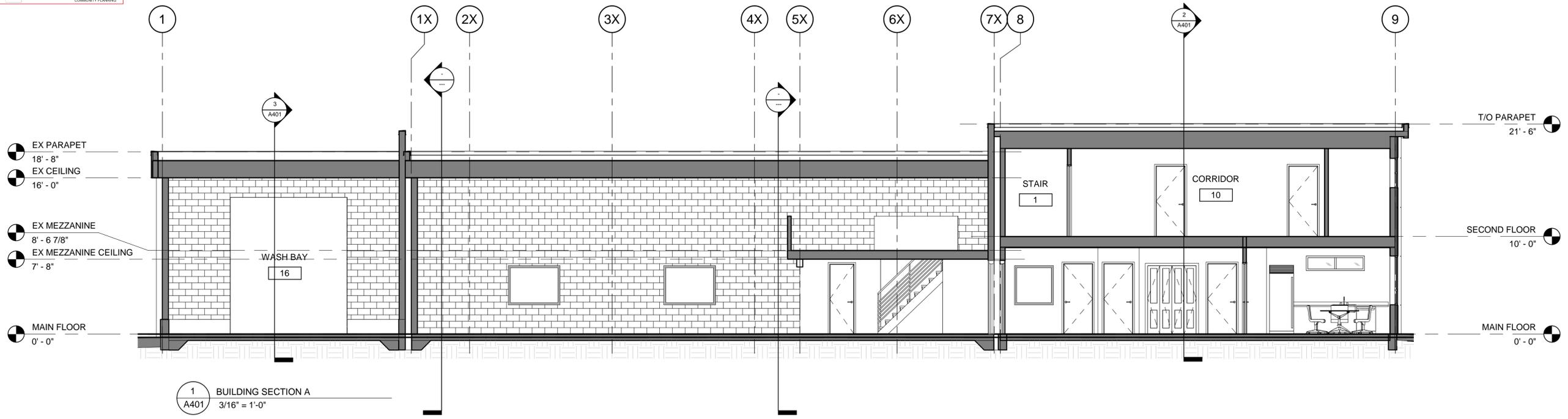
PROJECT
ADDITION to GLENMORE ELLISON IMPROVEMENT DISTRICT SHOP BUILDING
445 & 441 Glenmore Road

SHEET TITLE
BUILDING ELEVATION

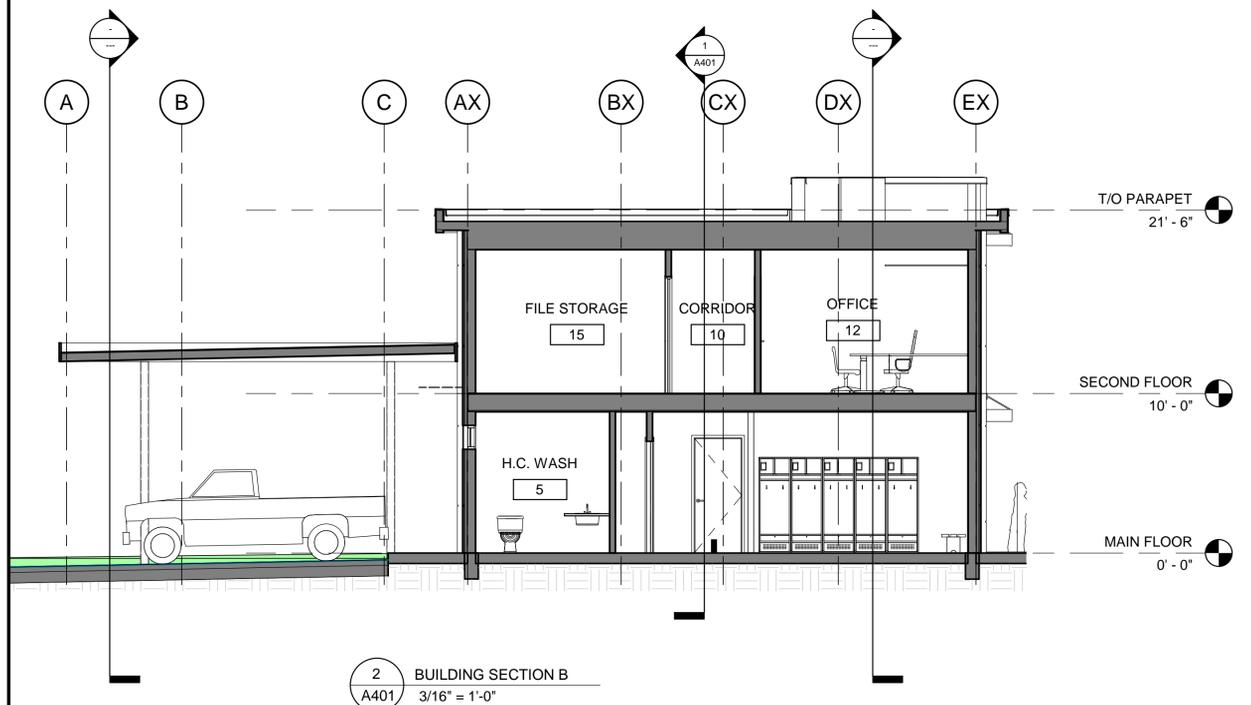
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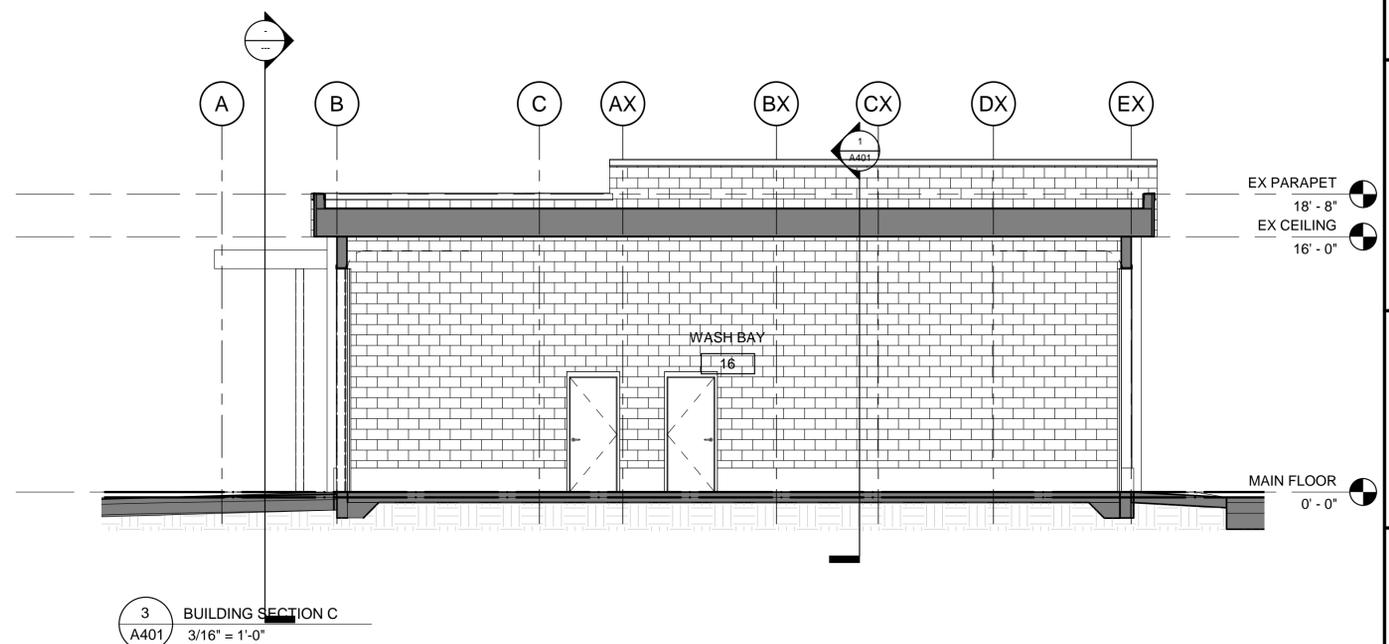
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1 BUILDING SECTION A
 A401 3/16" = 1'-0"



2 BUILDING SECTION B
 A401 3/16" = 1'-0"



3 BUILDING SECTION C
 A401 3/16" = 1'-0"

NO.	DATE	BY	DESCRIPTION
1	26/03/2019	AW	DESIGN CONSULTANT

SEAL



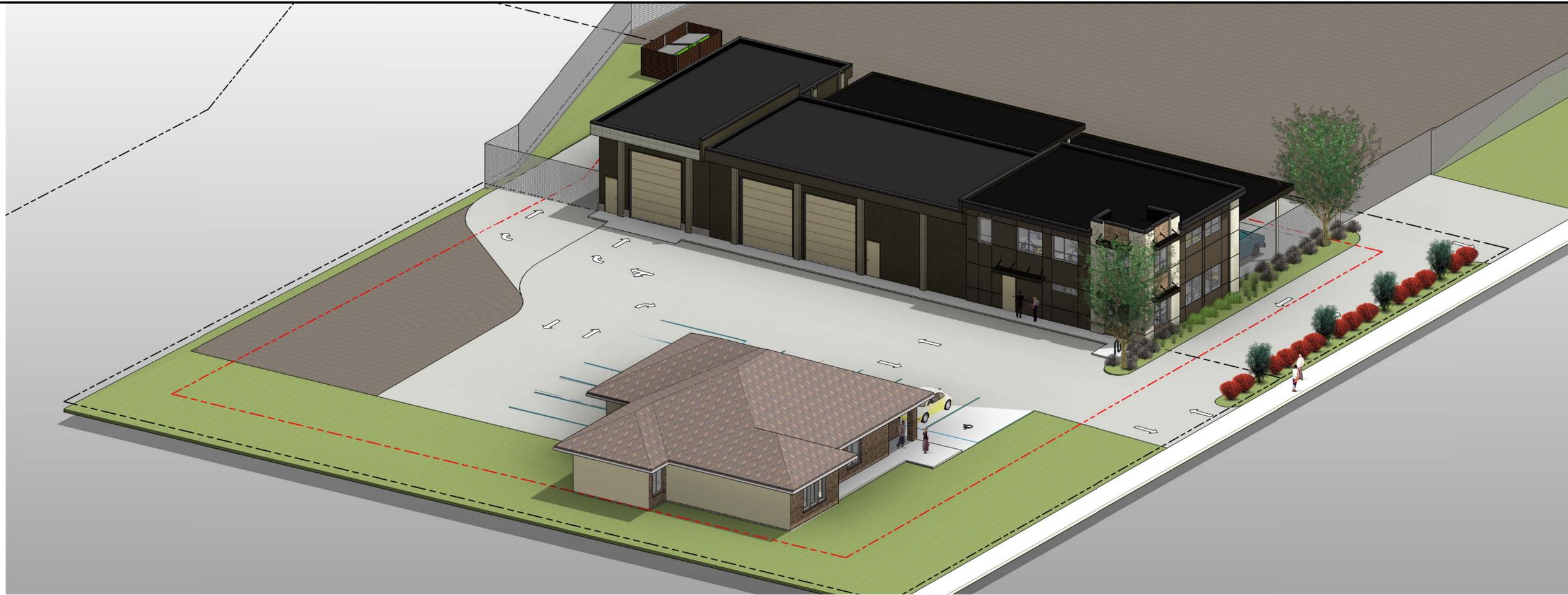
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DEVELOPED BY:

PROJECT
 ADDITION to GLENMORE ELLISON
 IMPROVEMENT DISTRICT SHOP
 BUILDING
 445 & 441 Glenmore Road

SHEET TITLE
 BUILDING SECTIONS

DRAWN BY: Author	DRAWING NO. A401
DESIGNED BY: Designer	
SCALE: 3/16" = 1'-0"	
DATE: 04/03/19	FILE: A18-54



1 NORTH CORNER
A01



2 NORTH WEST CORNER
A01

SCHEDULE B
This forms part of application # DP19-0081

Planner Initials: LKC

City of Kelowna
COMMUNITY PLANNING

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DEVELOPED BY:

PROJECT
ADDITION to GLENMORE ELLISON IMPROVEMENT DISTRICT SHOP BUILDING
445 & 441 Glenmore Road

SHEET TITLE
CONTEXT COLOURED ISOMETRICS

DRAWN BY: Author	DRAWING NO. A01
DESIGNED BY: Designer	
SCALE:	
DATE: 04/03/19	FILE: A18-54



1 NORTH CORNER FROM GLENMORE
A03



3 EXISTING OFFICE BUILDING SOUTH ELEVATION
A03



2 SOUTH CORNER FROM GLENMORE ROAD
A03

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ADDITION to GLENMORE ELLISON
IMPROVEMENT DISTRICT SHOP
BUILDING

445 & 441 Glenmore Road

SHEET TITLE

COLOURED
RENDERING

DRAWN BY: Author DRAWING NO.

DESIGNED BY: Designer

A03

SCALE:

DATE: 03/25/19 FILE: A18-54

SCHEDULE C

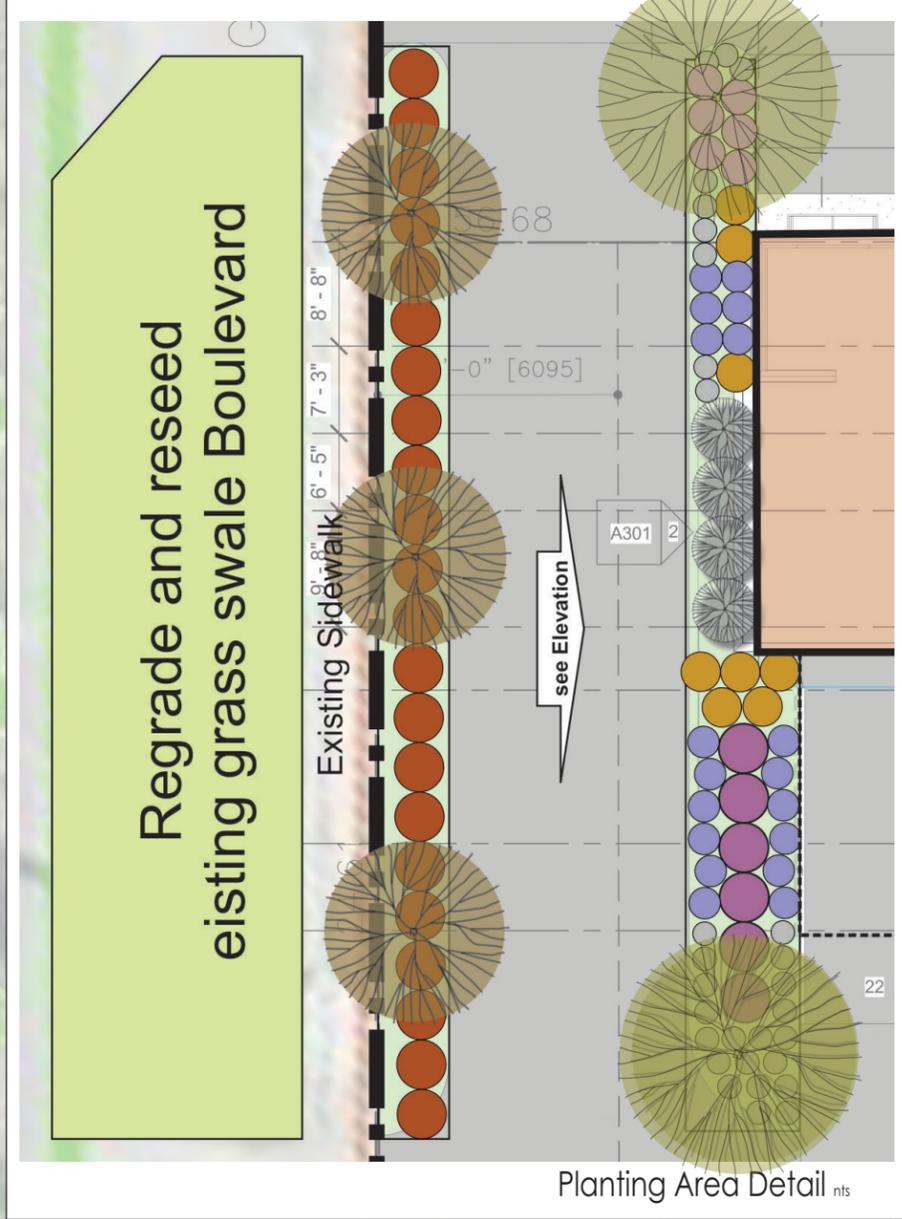
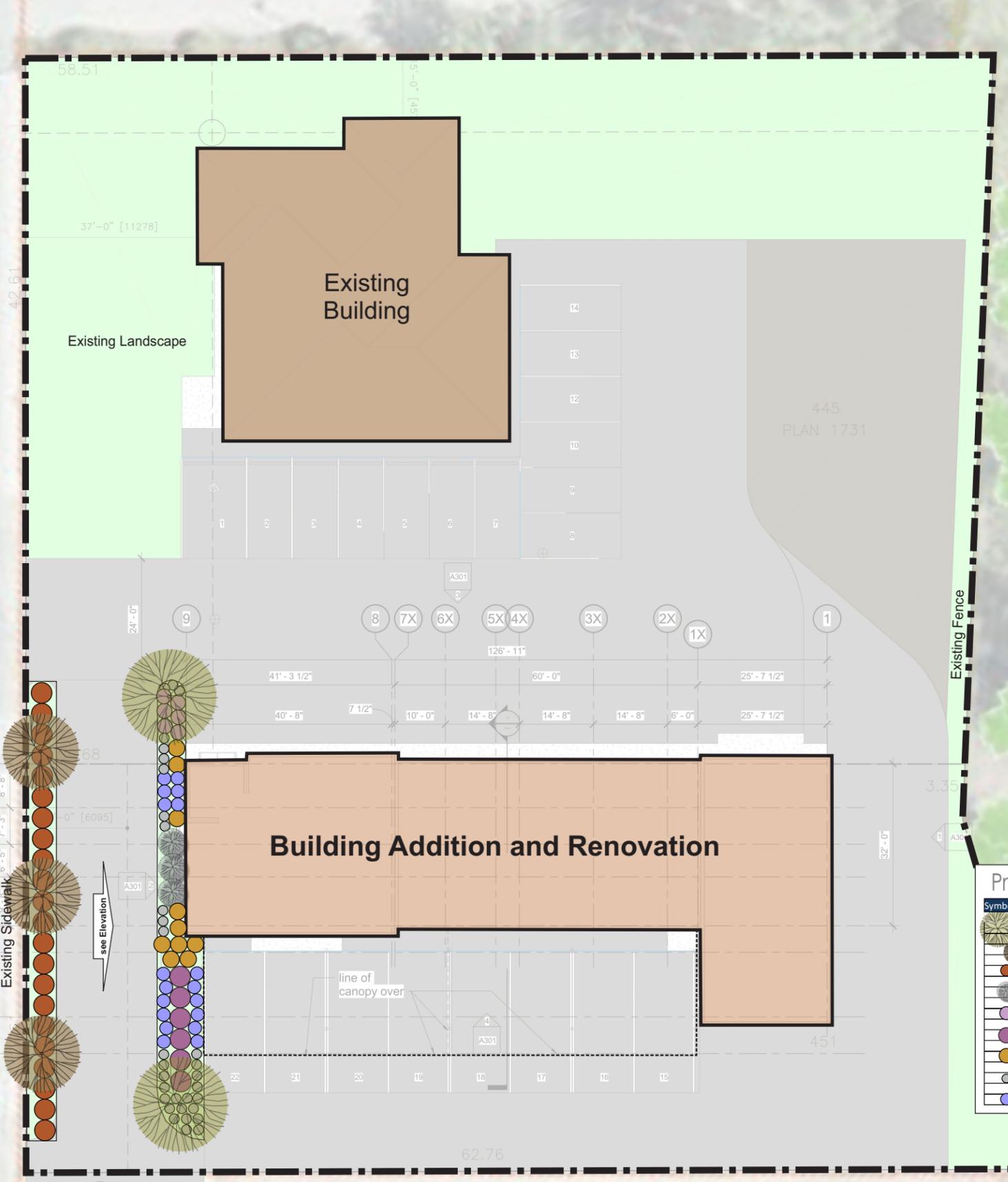
This forms part of application
DP19-0081

Planner Initials
LKC



Glenmore Road

Regrade and reseed existing grass swale Boulevard

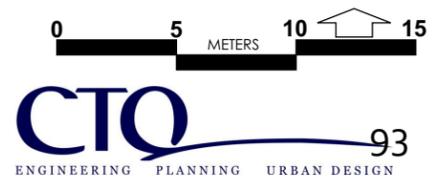


Preliminary Plant List

Symbol	qty	Common Name	Botanical name	Size	Comments
	2	Skyline Honeylocust	Gleditsia triacanthos 'Skyline'	75 mm cal	
	3	Ivory Silk Japanese Tree Lilac	Pyringa reticulata 'Ivory Silk'	50 mm cal	large white plumes in July
	22	Dwarf Burning Bush	Buonymus alata compacta	#2 pot	bright red foliage in fall
	3	Henry Hudson Rose	Rosa rugosa 'Henry Hudson'	#2 pot	white May-August
	6	Munstead Lavender	Lavandula angustifolia 'Munstead'	#2 pot	purple late June thru August
	6	Russian sage	Perovskia atriplicifolia	#2 pot	purple late spring to fall
	10	Karl Foerster Reed grass	Calamagrostis 'Karl Foerster'	#2 pot	
	32	Elijah Blue Fescue	Festuca ovina Elijah Blue	#2 pot	
	18	Blue Oat Grass	Helictotrichon sempervirens	#2 pot	



Conceptual Landscape Plan 451 GLENMORE ROAD





Schematic West Elevation nts



Massed planting shrubs, perennials, ornamental grasses



Glenmore Road Frontage



Fence along Brandts Creek Park

CONTEXT



Existing West Elevation



SUBJECT PROPERTY

Notes

- The illustrated landscape plan is conceptual only..not for construction.
- All plants, material and planting practices to conform to the Canadian Landscape Standard - Current Edition
- Contractor to provide a warranty and maintenance period of 1 year on all plants and materials. Plants and materials that fail before end of the warranty period shall be replaced by the contractor.
- All planting areas to receive 300mm of topsoil.
- Prior to delivery to site, a representative sample and test results of topsoil should be made available to the consultant for approval.
- Plant material selections are conceptual only. Final planting selections may vary depending on availability. No plant species substitution will be accepted without the written consent of the consultant.
- All planting beds to receive 50 mm depth of Ogo - Grow mulch or approved equivalent..
- An automatic timed irrigation system to be installed in all landscape areas.

SCHEDULE C

This forms part of application
DP19-0081

Planner Initials **LKC**

City of Kelowna
COMMUNITY PLANNING

CITY OF KELOWNA
BYLAW NO. 11672
TA18-0007 – Energy Step Code Amendment

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 6 – General Development Regulations**, be amended by adding a new **Section 6.17 Energy Efficiency** in its appropriate location that reads as follows:

"Section 6.17 Energy Efficiency

6.17.1 Any Part 9 residential building, as defined by the BC Building Code, that is constructed to Step 5 of the BC Building Code's Energy Step Code or is constructed as a certified Passive House, may reduce the minimum **side yard, rear yard, front yard, and/or flanking street** requirements of the zone by up to 0.25 metres, except:

- (a) Where there is a minimum requirement of 6.0 m for a **front yard** or from a **flanking street** to a garage or **carport**, that 6.0 m may not be reduced;
- (b) Where there is a minimum requirement of 1.2 m for a **side yard**, that 1.2 m may not be reduced; and
- (c) Where there is a minimum requirement of 1.5 m or less for a **rear yard**, that 1.5 m or less may not be reduced."

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 May, 2019.

Considered at a Public Hearing on the 4th day of June, 2019.

Read a second and third time by the Municipal Council this 4th day of June, 2019.

Approved under the Transportation Act this 5th day of June, 2019.

Audrie Henry
(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11751
Z18-0086 360 Penno Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A Distric Lot 123 ODYD Plan EPP41714 located on Penno Road, Kelowna, B.C., from the P3 – Parks & Open Space zone to the I2 – General Industrial 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 28th day of January, 2019.

Considered at a Public Hearing on the 12th day of February, 2019.

Read a second and third time by the Municipal Council this 12th day of February, 2019.

Approved under the Transportation Act this 20th day of February, 2019.

Audrie Henry

(Approving Officer – Ministry of Transportation)

Adopted by the Muncipal Council this

Mayor

City Clerk

Report to Council



Date: June 17, 2019
File: o600-20
To: Council
From: City Manager
Subject: Well Regulation Bylaw No. 11770

Recommendation:

THAT Council receives, for information, the report from the Utility Operations Manager dated June 17, 2019, with respect to the Well Regulation Bylaw No. 11770;

AND THAT Bylaw No. 11770, being Well Regulation Bylaw be forwarded to Council for reading consideration.

Purpose:

To enact a bylaw to provide authority of the City to require the closure of private-owned wells on properties that are connected to the City's drinking water system.

Background:

Groundwater in British Columbia (Provincial statements):

Groundwater, as a potable water source, is integral to the health and well-being of British Columbians. Groundwater is a critical component of community life, the provincial economy and maintenance of a healthy ecosystem.

Prior to the enactment of the Water Sustainability Act in 2014, groundwater in B.C. was not regulated. Over the past 10 years the provincial government has taken meaningful action to protect groundwater through legislation, regulation and strategic initiatives. These initiatives include: The Water Sustainability Act, a Groundwater Protection Regulation, the Drinking Water Protection Act and the Living Water Smart Plan.

The Province is committed to ensuring appropriate legislation and regulatory measures are in place to protect groundwater quality and quantity. Local governments play a pivotal role in providing safe, clean drinking water to their residents. This City bylaw has been drafted using a model provided by the Province.

The Well Regulation Bylaw gives the City the authority to require the closure of privately-owned wells on properties to be connected to the City's drinking water system. The closure of these private wells

reduces the potential for contamination of the City system, and in turn protects the health and safety of residents and the natural environment.

In addition to the health and safety benefits, the adoption of this Well Regulation Bylaw is a requirement of provincially-funded infrastructure grant programs. The Clean Water and Wastewater Fund, where the City successfully received funding approval for the SEKID/SOMID integration, is conditional on the City's adoption of the subject bylaw.

Internal Circulation:

Utility Services Manager
Utility Planning Manager
City Clerk
Project Manager - Water Integration Project
Financial Analyst

Legal/Statutory Authority:

Community Charter section 8.

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements
Existing Policy
Financial/Budgetary Considerations
Personnel Implication
Communications Comments
Alternate Recommendation

Submitted by:

K. Van Vliet, P.Eng.
Utility Operations Manager

Approved for inclusion:



A. Newcombe, Division Director, Infrastructure

Attachment 1 - Well Regulation Bylaw

cc: City Clerk
Deputy City Manager
Divisional Director, Financial Services
Divisional Director, Infrastructure

CITY OF KELOWNA

BYLAW NO. 11770

Well Regulation Bylaw

A bylaw to regulate the disconnection and closure of wells on properties connected to the City Water Utility.

WHEREAS under Section 8 of the *Community Charter*, Council may by bylaw, regulate, prohibit and impose requirements in relation to municipal services;

AND WHEREAS the City of Kelowna has established by section 2.1.1 of the Water Regulation Bylaw No. 10480 the service of water supply through the City Water Utility (the "System");

AND WHEREAS the City of Kelowna deems it necessary and desirable to regulate the use and closure of wells on properties served by the system;

AND THEREFORE, the Council of the City of Kelowna, in an open meeting assembled, enacts as follows:

1. Introduction

- 1.1 This Bylaw may be cited for all purposes as the "City of Kelowna Well Regulation Bylaw No. 11770."

2. Applicability

- 2.1 Nothing in this Bylaw shall preclude anyone from complying with the provisions of any other local, provincial, or federal regulations or enactment.
- 2.2 Any enactment referred to herein is a reference to an enactment of British Columbia, and the regulations thereto, as amended, revised, consolidated or replaced from time to time, and any bylaw referred to herein is a reference to an enactment of the Council of the City of Kelowna, as amended, revised, consolidated, or replaced from time to time.

3. Definitions

- 3.1 In this Bylaw;
 - "Backflow" means flow of water, well water or other substances back into any plumbing system connected to the System.
 - "Bylaw" means the City of Kelowna Well Regulation Bylaw.
 - "City" means the City of Kelowna.

“Close” means to remove a Well from service permanently in accordance with section 9 of the Groundwater Regulation.

“Connect” or “Connection” means to connect the Private System on a parcel to the System.

“Contractor” means the person responsible for the performance in the compliance with this Bylaw of the work to Close a Well.

“Disconnect” or “Disconnected” means to disconnect a Well from the Private System on the parcel on which the Well is located, in a manner that permanently prevents water or other substances from entering the System.

“Domestic Purpose” means the use of water for “domestic purpose” as defined in the Water Sustainability Act.

“Groundwater Regulation” means the Groundwater Protection Regulation, B.C. Reg. 299/2004, under the *Water Sustainability Act*.

“Irrigation System” means the separate network of pipes, pumps, water treatment facilities, valves, hydrants, service lines, water meters and all other appurtenances or facilities that made up the water supply and distribution system of the former South East Kelowna Irrigation District (“SEKID”) and which, since the dissolution of SEKID, is being operated by the City of Kelowna as a water supply for non-domestic purposes within the area formerly serviced by SEKID.

“Manager” means the person with responsibility for the management and oversight of the day-to-day operation of the System.

“Non-Domestic Purpose” means for uses other than those defined for a Domestic Purpose.

“Owner” means the owner of a Well on a parcel Connected to the System, and in the case of a Well situated on land to which the *Strata Property Act*, SBC 1998, c. 43 applies, means the strata corporation.

“Permission to Use Well for Domestic Purposes” means a permission authorized by the Manager under section 6 to operate a well for a Domestic Purpose.

“Private System” means the onsite pipes and other apparatus on a parcel, connected to the System at the property line and used to convey water from the System to the plumbing fixtures in the buildings or structures on that parcel.

“Service Connection” has the same meaning as defined in the City of Kelowna Bylaw No. 10480.

“System” has the same meaning as “City Water Utility” in the City of Kelowna Bylaw No. 10480.

“Well” means a groundwater well that was used for supplying water for Domestic Purposes or Non-Domestic Purposes prior to the Connection of the parcel on which the well was located.

“Well Decommission Report” has the same meaning as a “well decommission report” in the Groundwater Regulation and which contains all of the information required under Schedule 4 of the Groundwater Regulation.

“Well Driller” means a person holding, in relation to the decommissioning of wells, the prescribed qualifications of a well driller under the Water Sustainability Act, SBC 2014, c. 15.

4. Well Disconnection and Closure Options

- 4.1 The Owner of a parcel on which a Well is located, upon the Connection, must promptly Disconnect or cause the Well to be Disconnected at the Owner’s expense.
- 4.2 No later than the later of 12 months after the Connection or 12 months after the date of adoption of this bylaw, the Owner must:
 - (a) ensure the Well is Closed in accordance with this Bylaw and all applicable provincial enactments, and
 - (b) at the Owner’s expense, obtain and submit a Well Decommission Report prepared by the Well Driller, to the City and Ministry of Environment.

5. Non-domestic Purpose Option

- 5.1 If, despite section 4.2, an Owner wishes to be or remain Connected to the System and to continue to use the Well for Non-Domestic Purposes, the Owner must submit to the Manager, not later than sixty days after the date of the adoption of this Bylaw where there is an existing Connection, or not later than sixty days after the date of Connection in the case of a parcel that does not have a Connection at the date of adoption of this Bylaw:
 - (a) an Application for Permission to Use a Well for Non-Domestic Water Purpose after Connection in the form prescribed for that purpose by the Manager;
 - (b) a map showing:
 - (i) the location of the Well in relation to the buildings and structures on the parcel on which the Well is located, and
 - (ii) the well identification plate number, if available.
 - (c) a copy of the Owner’s application to the Province for a groundwater license.
- 5.2 An Owner who is permitted under this section to use a Well for Non-Domestic Purposes after Connection to the System must:

- (a) operate and maintain the Well in good order and in accordance with the requirements of sections 58 and 59 of the *Water Sustainability Act*, S.B.C. 2014, c. 15 and Part 7 of the Groundwater Regulation;
- (b) ensure that the Well is physically disconnected from the Irrigation System;
- (c) ensure the Well is Closed immediately when required by the City to do so if it is not operated or maintained in good order;
- (d) not reconnect the Well to an Owner's existing private domestic water distribution system or the Private System as long as the Owner's parcel is Connected; and
- (e) not use the Well for Domestic Purposes.

6. Option of Well for Domestic Use

- 6.1 If, despite section 4.2, an Owner wishes to use the Well for a Domestic Purpose, the City will not provide water service from the System to the parcel through a Service Connection except in accordance with Section 6.2. The Owner must submit to the Manager not later than sixty days after the date of the adoption of this Bylaw where there is an existing Connection, or not later than sixty days after the date of Connection in the case of a parcel that does not have a Connection at the date of adoption of this Bylaw:
- (a) an Application for Permission to Use a Well for Domestic Water Purpose after Connection in the form prescribed for that purpose by the Manager;
 - (b) a map showing the location of the Well in relation to the buildings and structures on the parcel on which the Well is located, and the well identification plate number, if available.
- 6.2 The Manager may issue a Permission to Use Private Well for Domestic Purposes to an Owner of a parcel that has a Connection where there is more than one residential dwelling on the parcel and it would be unduly expensive in the assessment of the Manager to provide a Connection to one or more of the residential dwellings.
- 6.3 An Owner who is permitted under this section to use a Well for Domestic Purposes after Connection to the System must:
- (a) operate and maintain the Well in good order and in accordance with the requirements of sections 58 and 59 of the *Water Sustainability Act*, S.B.C. 2014, c. 15 and Part 7 of the Groundwater Regulation;
 - (b) ensure the Well is Closed immediately when required by the City to do so if it is not operated or maintained in good order;
 - (c) not connect the Well to the Owner's private water distribution system which provides water service for a purpose other than that authorized by the Manager under subs. 6.2 as long as the Owner's parcel is Connected;
 - (d) submit a Domestic Well Registration Form, in the form prescribed by the Province, to FrontCounterBC.ca and provide a copy of the submitted form to the Manager.

7. Discontinuation of Service

- 7.1 Where a provision of this bylaw has or is being violated which puts the System or Irrigation System at risk of contamination, or which has the potential to pose a risk of contamination to either the System or Irrigation System, the City will provide a notice to the Owner that the City will discontinue the provision of water service through either or both of the System or the Irrigation System in the event the violation is not remedied within seven (7) days.
- 7.2 The notice under section 7.1 may be provided by one of more of:
- (a) personal delivery to the Owner;
 - (b) registered mail to the Owner;
 - (c) by leaving the written notice at the property.
- 7.3 The notice must inform the Owner that they have an opportunity to make representations to City Council before the provision of water service is discontinued.
- 7.4 In the event that the Owner requests reconsideration by Council of a proposed discontinuation of water service, the water service must not be discontinued until Council has reconsidered the matter or the Owner fails to appear for the Council reconsideration having been given notice in accordance with section 7.2 of the date and time of the reconsideration.
- 7.5 In the event the violation of the bylaw is not rectified within seven (7) days of giving notice under section 7.2, or in the case of a reconsideration by Council, within seven (7) days of Council affirming the discontinuation of the service, the City may discontinue the provision of water service through the System, Irrigation System, or both, as the case may be.

8. City Action in Default

- 8.1 In addition to discontinuing a water service under section 7, where there is a contravention of the bylaw as described in section 7.1 that the Owner has failed to rectify, the City may take action in default of the Owner and rectify the contravention, including by disconnecting the Private System from the System or Irrigation System or installing an Approved Backflow Preventer to prevent Backflow to the System or Irrigation System.
- 8.2 Any costs incurred by the City in taking action under section 8.1 may be recovered from the Owner as a debt in accordance with Division 14 of Part 7 of the Community Charter.

9. Prevention of Contamination

- 9.1 No person shall introduce, or cause to be introduced into the System, any water or other substance from a well on a parcel owned or occupied by that person or, if the person is not the owner or occupier of the parcel, from a well that the person has Disconnected, Closed, performed any other work upon or caused any of those things to be done in relation to the well.

10. Offences and Penalties

- 10.1 Every person who violates any provisions of this bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw or who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw, or who does any act which constitutes an offence against the bylaw is guilty of an offence against this bylaw and liable to the penalties hereby imposed. Each day that the violation continues to exist, shall constitute a separate offence.

- 10.2 Every person who commits an offence against this bylaw is liable on conviction, to a fine of up to \$10,000.00, or liable to a term of incarceration for a period of not more than 90 days, or both. Any penalty imposed pursuant to this bylaw shall be in addition to, and not in substitution for, any other penalty or remedy imposed pursuant to any other applicable statute, law or legislation.

11. Severance

- 11.1 If a section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of a Court of competent jurisdiction, it shall be severed and such decision shall not affect the validity of the remaining portions of this bylaw.

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: June 17, 2019
File: 1850-30
To: Council
From: City Manager
Subject: Kelowna On The Move Pedestrian and Bicycle Master Plan Traffic Bylaw Updates
Report Prepared by M. Worona, Active Transportation Coordinator

Recommendation:

THAT Council receives, for information, the report from the Transit and Programs Manager dated June 17, 2019 with respect to the Kelowna On The Move Pedestrian and Bicycle Master Plan Traffic Bylaw Updates;

AND THAT Council give reading consideration to Bylaw No. 11848 being Amendment No. 33 to the Consolidated Traffic By-Law No. 8120.

Purpose:

To bring forward Traffic Bylaw amendments recommended in the Kelowna On The Move Pedestrian and Bicycle Master Plan.

Background:

The traffic bylaw amendments staff recommend for council adoption flow from the Kelowna On The Move Pedestrian and Bicycle Master Plan.

The first change attempts to simplify language concerning children riding bicycles on sidewalks.

The second brings the existing elephants feet markings into force. These markings allow those riding a bicycle to cross at marked crosswalks without dismounting. To bring these existing markings into force, a bylaw amendment is required as per the Motor Vehicle Act (Section 183.2).



Elephant's feet markings are a repeating white square marking, shown here at Truswell and Lakeshore in Kelowna.

The third allows for a wider variety of vehicles to be riding on roadways, bike lanes and other bike facilities including kick scooters, skateboards and longboards. In British Columbia, the Cities of Vernon, Vancouver, North Vancouver, Victoria, Surrey, and

Kamloops all permit the use of skateboards and longboards with various conditions associated with their use.

Existing Policy:

The Kelowna On The Move: Pedestrian and Bicycle Master Plan recommends amendments to the Consolidated Traffic Bylaw No. 8120:

1. **"9.1.2(a) Cyclist Duties** - Remove the specified non-chain-driven 3 or 4 wheeled bicycles."
2. **"9.1.7 In-line Skates, Roller Skates** - Add text to allow users of skates, skateboards and non-motorized recreation scooters to use sidewalks, bicycle facilities, and shared-use paths, with minor or minimal restrictions."
3. "Investigate the addition of policy to the Traffic Bylaw outlining user right of way for various infrastructure not covered by the motor vehicle act (e.g. elephant feet cross walks, cycle tracks, etc.)."

Internal Circulation:

City Clerk
Communications Advisor
Department Manager, Infrastructure Operations
Department Manager, Integrated Transportation
Manager, Bylaw Services
Manager, Parks & Buildings Planning
Manager, Parks Services
Manager, Transportation Engineering
Park and Landscape Planner
Risk Manager

Considerations not applicable to this report:

Alternate Recommendation
Communications Comments
External Agency/Public Comments
Financial/Budgetary Considerations
Legal/Statutory Authority
Legal/Statutory Procedural Requirements
Personnel Implications

Submitted by:

J. Dombowsky, Transit and Programs Manager

Approved by:

R. Villarreal, Manager, Integrated Transportation



Approved for inclusion: A. Newcombe, Divisional Director, Infrastructure

Attachment 1 - Schedule "A" – Summary Table of Proposed Amendments to Traffic Bylaw

Attachment 2 – Traffic Bylaw No. 8120 - Updates

cc: City Clerk
Deputy City Manager
Divisional Director, Corporate Strategic Services
Divisional Director, Financial Services
Divisional Director, Human Resources & Community Safety
Divisional Director, Infrastructure
Divisional Director, Partnership & Investments

Attachment 1 - Traffic Bylaw amendments Schedule A

Existing	Proposed	Explanation
<p>9.1.2. Cyclist Duties "... must not ride on a sidewalk unless otherwise directed by a traffic control device, unless that person is under the age of 12 years and is operating a non-chain driven 3 or 4 wheeled cycle which is designed for recreational use,"</p>	<p>9.1.2. Cyclist Duties "...must not ride on a sidewalk unless otherwise directed by a traffic control device, or unless that person is under the age of 12 years,"</p>	<p>Allows children under the age of 12 to ride on sidewalks unless signed otherwise. Currently this is effectively limited to push or tricycle style, non-chain driven bikes.</p>
	<p>9.1.2 Cyclist Duties - new sub-section (h) "... shall not ride in a marked crosswalk, unless it is also marked by elephants' feet markings on one or both sides of the crosswalk, or it is otherwise signed to permit cycling."</p>	<p>Allows cyclists to lawfully ride through an intersection at the crosswalk when the "elephant's feet" markings or signage is present.</p>
<p>PART 9 CYCLE REGULATIONS, 9.1.7 In-line Skates, Roller Skates. A person using in-line skates or roller skates on a highway: (a) shall have the same rights and duties as the operator of a cycle; (b) shall be on a bicycle lane, if there is a bicycle lane adjacent to the roadway; (c) shall, subject to paragraph (b), be as near as practicable to the right side of the highway; (d) shall not be on a sidewalk unless directed by a traffic control device; (e) shall not be abreast of another person or cycle on a highway; (f) shall only cross a highway at an intersection using the pedestrian crosswalk and obeying pedestrian crossing signals where applicable; (g) shall not be attached by the arm and hand of the operator or otherwise to a vehicle on a highway; and (h) shall not be on a highway between 1/ 2 hour after sunset and 1/ 2 hour before sunrise</p>	<p>PART 9 CYCLE REGULATIONS, 9.1.7 In-line Skates, Roller Skates, Skateboards and Kick Scooters. A person using in-line skates, roller skates, a skateboard or a kick scooter on a highway: (a) shall have the same rights and duties as the operator of a cycle; (b) shall be on a bicycle lane, if there is a bicycle lane adjacent to the roadway; (c) shall, subject to paragraph (b), be as near as practicable to the right side of the highway; (d) shall not be on a sidewalk unless directed by a traffic control device; (e) shall not be abreast of another person or cycle on a highway; (f) shall not be attached by the arm and hand of the operator or otherwise to a vehicle on a highway; and (g) shall not be on a highway between 1/ 2 hour after sunset and 1/ 2 hour before sunrise unless equipped with lights visible from the front and rear.</p>	<p>Allows for a wider variety of vehicles to be riding on roadways, bike lanes and other bike facilities including kick scooters, skateboards and longboards</p>

Attachment 1 - Traffic Bylaw amendments Schedule A

unless equipped with lights and/or reflective clothing visible from the front and rear."		
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CITY OF KELOWNA

BYLAW NO. 11848

Amendment No. 33 to Traffic Bylaw No. 8120

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Traffic Bylaw No. 8120 be amended as follows:

1. **THAT PART 9 CYCLE REGULATIONS, 9.1 Highways and Sidewalks**, be amended by:

- a) deleting in section 9.1.2 Cyclist Duties sub-paragraph (a) that reads:

"must not ride on a **sidewalk** unless otherwise directed by a **traffic control device**, unless that person is under the age of 12 years and is operating a non-chain driven 3 or 4 wheeled **cycle** which is designed for recreational use,"

And replacing it with:

"must not ride on a **sidewalk** unless otherwise directed by a **traffic control device**, or unless that person is under the age of 12 years,"

- b) adding in section 9.1.2 Cyclist Duties a new sub-section (h) in its appropriate location that reads:

"shall not ride in a marked **crosswalk**, unless it is also marked by **elephants' feet** markings on one or both sides of the **crosswalk**, or it is otherwise signed to permit cycling."

- c) deleting in section 9.1.7 In-Line skates, roller skates; in its entirety that reads:

"PART 9 CYCLE REGULATIONS, 9.1.7 In-line Skates, Roller Skates.

A person using in-line skates or roller skates on a **highway**:

- (a) shall have the same rights and duties as the operator of a **cycle**;
- (b) shall be on a bicycle lane, if there is a bicycle lane adjacent to the **roadway**;
- (c) shall, subject to paragraph (b), be as near as practicable to the right side of the **highway**;
- (d) shall not be on a **sidewalk** unless directed by a **traffic control device**;
- (e) shall not be abreast of another person or **cycle** on a **highway**;
- (f) shall only cross a **highway** at an **intersection** using the **pedestrian crosswalk** and obeying **pedestrian** crossing signals where applicable;
- (g) shall not be attached by the arm and hand of the operator or otherwise to a **vehicle** on a **highway**; and
- (h) shall not be on a **highway** between $\frac{1}{2}$ hour after sunset and $\frac{1}{2}$ hour before sunrise unless equipped with lights and/or reflective clothing visible from the front and rear."

And replacing it with:

"PART 9 CYCLE REGULATIONS, 9.1.7 In-line Skates, Roller Skates, Skateboards and Kick Scooters.

A person using in-line skates, roller skates, a skateboard or a kick scooter on a **highway**:

- (a) shall have the same rights and duties as the operator of a **cycle**;

- (b) shall be on a bicycle lane, if there is a bicycle lane adjacent to the **roadway**;
- (c) shall, subject to paragraph (b), be as near as practicable to the right side of the **highway**;
- (d) shall not be on a **sidewalk** unless directed by a **traffic control device**;
- (e) shall not be abreast of another person or **cycle** on a **highway**;
- (f) shall not be attached by the arm and hand of the operator or otherwise to a **vehicle** on a **highway**; and
- (g) shall not be on a **highway** between 1/2 hour after sunset and 1/2 hour before sunrise unless equipped with lights visible from the front and rear."

2. This bylaw may be cited for all purposes as "Bylaw No. 11848, being Amendment No. 33 to Traffic Bylaw No. 8120."

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

Read a first, 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. 11834

Amendment No. 19 to Subdivision, Development and Servicing Bylaw No. 7900

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Subdivision, Development and Servicing Bylaw No. 7900 be amended as follows:

1. THAT **SCHEDULE 4 – DESIGN STANDARDS, 4. HIGHWAY, Section 4.6 Curb and Gutter, Sidewalks and Bike Lanes** be amended by deleting the following:

“Where a lot abuts a lane or road of different classification, the driveway shall be located to access the lane or road of the lower classification.

Residential driveway access onto an arterial or Class 1 collector road, is not permitted unless alternate access is impossible. Wherever physically possible, alternate local road or lane access shall be dedicated to preclude residential driveways accessing directly onto major roads.”

And replacing it with:

“Where a lot abuts a lane or multiple roads of different classifications, the driveway shall be located to access the lane or road of the lower classification.

Residential driveway access onto Class 1 collector roads, existing or planned Active Transportation Corridors, or arterial roads is not permitted unless alternate access is impossible, in which case access should be prioritized in the following order: Class 1 collector, existing or planned Active Transportation Corridor, arterial road.”

2. This bylaw may be cited for all purposes as "Bylaw No.11834, being Amendment No. 19 to Subdivision, Development and Servicing Bylaw No. 7900."
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 10th day of June, 2019.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk