

City of Kelowna

Regular Council Meeting

AGENDA



Tuesday, July 16, 2019
6:00 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. **Call to Order**
2. **Reaffirmation of Oath of Office**
The Oath of Office will be read by Councillor DeHart.
3. **Confirmation of Minutes** 1 - 13
Public Hearing - June 18, 2019
Regular Meeting - June 18, 2019
4. **Bylaws Considered at Public Hearing**
 - 4.1 **Commerce Ave 1675-1677, BL11855 (Z19-0004) - Braemar Properties Ltd, Inc No BC1023360** 14 - 14

To give Bylaw No. 11855 second and third reading in order to rezone the subject property from the C10lp/rls – Service Commercial (Liquor Primary/Retail Liquor Sales) zone to the C10lp/rls/rcls - Service Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales) zone.
 - 4.2 **Benvoulin Ct 2175, BL11856 (Z18-0091) - Jabs Construction Ltd., Inc. No. BC0060327** 15 - 15

To give Bylaw No. 11856 second and third reading to rezone the subject property from the A1 - Agriculture zone to the RM5 - Medium Density Multiple Housing zone.
5. **Notification of Meeting**
6. **Liquor License Application Reports**

City Clerk will summarize for the record any correspondence received during the notification period. Mayor to invite anyone in the public gallery who deems themselves affected by the liquor license application to come forward.

6.1 ITEM WITHDRAWN - Baillie Ave 727, LL19-0005 - Acoma Holdings Ltd

Withdrawn at request of the Applicant.

7. Development Permit and Development Variance Permit Reports

City Clerk will summarize for the record the correspondence received during the notification period. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.

7.1 Bryden Rd 155, OCP18-0007 (BL11638) - Kelowna Christian Centre Society Inc. No. S-0017232 16 - 16

Requires a majority of all Council (5).

To amend and adopt Bylaw No. 11638 in order to change the future land use designation of the subject property from the MRL - Multiple Unit Residential (Low Density) designation and the EDINST - Education/Major Institutional designation to the MRM - Multiple Unit Residential (Medium Density) designation.

7.2 Bryden Rd 155, Z18-0027(BL11639) - Kelowna Christian Centre Society Inc. No. S-0017232 17 - 17

To amend and adopt Bylaw No. 11639 to rezone the subject property from the RU1 - Large Lot Housing zone and P2 - Education and Minor Institutional zone to the RM5 - Medium Density Multiple Housing zone.

7.3 Bryden Rd 155, DP18-0062 and DVP18-0063 - Kelowna Christian Center Society Inc. No. S-0017232 18 - 41

To consider the form and character of a multiple dwelling housing development consisting of five apartment buildings with 152 dwelling units total; and to vary the height maximum on three of the five buildings, where the tallest building proposed is 6 storeys and 20.2 m.

7.4 Abbott St 2787, Z18-0038 - AJ Wiens Development Group Ltd., Inc. No. BCo798391 42 - 43

To waive the requirement for the demolition of existing dwellings on the subject property.

7.5 Abbott St 2787, BL11703 (Z18-0038) - AJ Wiens Development Group Ltd., Inc. No. BCo798391 44 - 44

To amend and adopt Bylaw No. 11703 in order to rezone the subject property from the RU6 - Two Dwelling Housing zone to the RM3 - Low Density Multiple Housing zone.

- 7.6 Rose Ave, 865, DVP19-0044 - Colin & Nanci Macdonald** 45 - 52
- To consider issuance of a Development Variance Permit to vary the required side yard setback and the rear yard setback to facilitate the conversion of an existing accessory building to a carriage home.
- 7.7 Adams Court 716, DP19-0048 and DVP19-0049 - J-4 Holdings Ltd., Inc. No. BC0261294** 53 - 76
- To consider a Development Permit for the form and character of three new industrial buildings, and to consider a variance to reduce the minimum side yard setback flanking a street from 6.0m permitted, to 5.0m proposed on the subject property.
- 7.8 Bay Ave 731, DVP19-0075 - Alan and Adrienne Adair** 77 - 84
- To vary the combined site coverage of a carriage house and all accessory buildings or structures and the height of a carriage house relative to the height of the principal dwelling on the subject property.
- 8. Reminders**
- 9. Termination**



City of Kelowna

Public Hearing

Minutes

Date: Tuesday, June 18, 2019
 Location: Council Chamber
 City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine Dehart, Ryan Donn, Gail Given, Charlie Hodge, Mohini Singh, Luke Stack and Loyal Wooldridge

Members Absent Councillor Brad Sieben

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith; Suburban & Rural Planning Manager, Dean Strachan; Planning Manager, Laura Bentley; Planner Specialist, Adam Cseke; Planner, Lydia Korolchuk; Legislative Coordinator (Confidential), Clint McKenzie

1. Call to Order

Mayor Basran called the Hearing to order at 6:02 p.m.

Mayor Basran advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "Kelowna 2030 - Official Community Plan Bylaw No. 10500" and Zoning Bylaw No. 8000", and all submissions received, either in writing or verbally, will be taken into consideration when the proposed bylaws are presented for reading at the Regular Council Meeting which follows this Public Hearing.

2. Notification of Meeting

The City Clerk advised that Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on Tuesday, June 4, 2019 and by being placed in the Kelowna Daily Courier issues on Friday June 7 and Wednesday, June 12 and by sending out or otherwise mailing 691 statutory notices to the owners and occupiers of surrounding properties on Tuesday, June 4, 2019.

The correspondence and/or petitions received in response to advertising for the applications on tonight's agenda were arranged and circulated to Council in accordance with Council Policy No. 309.

3. Individual Bylaw Submissions

- 3.1 Clement Ave 816, TA18-0006 (BL11711), Z18-0059 (BL11712) - PC Urban Clement Holdings Ltd., Inc. No. BC1099980

Staff:

- Displayed a PowerPoint Presentation summarizing the application.
- The City Clerk advised that no correspondence was received.

Shawn Oh, PC Urban Properties, Applicant

- Displayed a PowerPoint presentation.
- Commented that it is a unique site for industrial in an urban setting and that the building will set a precedent for future development in a transitional area. There will be significant landscaping not typically used in an industrial setting.
- Provided renderings of the proposed building and parking.
- Identified the project timeline.

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

Gallery:

No one from the gallery came forward.

There were no further comments

3.2 St. Paul St 1310, Z19-0024 (BL11822), Vibona Enterprises Ltd., Inc. No. BCo458875

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that the following correspondence was received:

Letters of Opposition and Concern:

Cindy Stratychuk, St. Paul Street

Letters of Support:

Ray and Marge Accarias, St. Paul Place

The applicant's agent was present and available for questions.

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

No one from the gallery came forward.

There were no further comments.

3.3 Valley Rd 330, OCP19-0002 (BL11830) and Z19-0041 (BL11831) - Springdale Properties Ltd., Inc. No. BCo864963

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that no correspondence was received.

Ed Hall, Screenbuild Properties Ltd, Applicant

- Provided compliments on the working relationship with Development Planning.
- Available for questions.

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

Gallery:

Bill Holland, Drysdale Boulevard

- Raised concerned with the proposed height of the structure.
- Raised concerns regarding the location and amount of parking being provided.
- Questioned which of the 3 surrounding roads will be designated as a collector road for the additional traffic.

Ed Hall, Applicant:

- Worked with the planning department to double the parking to 123 stalls. Their senior developments have experienced the need for additional parking.
- The supportive housing is not anticipated to require additional parking and will also utilize shared co-op vehicles and bicycles.

Responded to questions from Council.

There were no further comments.

3.4 Lawrence Ave 1100, LUC19-0001 (BL11846) and Z19-0031 (BL11847) - M.R.D. Holdings Inc. No. BCo681200

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that the following correspondence was received:

Letters of Opposition and Concern:

Olwyn Mooney, Strata President, Royal Oak Condo, Gordon Drive
Peggy Acheson, Strata Council, Royal Oak Condo, Gordon Drive

Mike Schmidt, Applicant:

- Looking forward to improving the neighbourhood.
- He is also one of the owners of the building.

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

No one from the gallery came forward.

There were no further comments.

4. Termination

The Hearing was declared terminated at 6:30 p.m.

Mayor Basran



City Clerk

/cm



City of Kelowna Regular Meeting Minutes

Date: Tuesday, June 18, 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, Planning & Development Services, Ryan Smith; Suburban & Rural Planning Manager, Dean Strachan; Planning Manager, Laura Bentley; Planner Specialist, Adam Cseke; Planner, Lydia Korolchuk*; Legislative Coordinator (Confidential), Clint McKenzie

(*Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 6:31 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Wooldridge.

3. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R640/19/06/18 THAT the Minutes of the Public Hearing and Regular Meeting of June 4, 2019 be confirmed as circulated.

Carried

Councillor Sieben was absent for the public hearing and did not vote on the bylaws considered at the public hearing.

4. Bylaws Considered at Public Hearing

4.1 **Clement Ave 816, BL11711 (TA18-0006) - PC Urban Clement Holdings Ltd., Inc. No. BC1099980**

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R641/19/06/18 THAT Bylaw No. 11711 be read a second and third time.

Carried

- 4.2 Clement Ave 816, BL11712 (Z18-0059) - PC Urban Clement Holdings Ltd., Inc. No. BC1099980**

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R642/19/06/18 THAT Bylaw No. 11712 be read a second and third time.

Carried

- 4.3 St. Paul St 1310, BL11822 (Z19-0024), Vibona Enterprises LTD., Inc. No. BCo458875**

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R643/19/06/18 THAT Bylaw No. 11822 be read a second and third time.

Carried

- 4.4 Valley Rd 330, BL11830 (OCP19-0002) - Springdale Properties Ltd., Inc. No. BCo864963**

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R644/19/06/18 THAT Bylaw No. 11830 be read a second and third time.

Carried

- 4.5 Valley Rd 330, BL11831 (Z19-0041) - Springdale Properties Ltd., Inc. No. BCo864963**

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R645/19/06/18 THAT Bylaw No. 11831 be read a second and third time.

Carried

- 4.6 Lawrence Ave 1100, BL11846 (LUC19-0001) - M.R.D. Holdings Inc. No. BCo681200**

Moved By Councillor Singh/Seconded By Councillor Hodge

R646/19/06/18 THAT Bylaw No. 11846 be read a second and third time.

Carried

- 4.7 Lawrence Ave 1100, BL 11847 (Z19-0031) - M.R.D. Holdings Inc. No. BCo681200**

Moved By Councillor Donn/Seconded By Councillor Stack

R647/19/06/18 THAT Bylaw No. 11847 be read a second and third time.

Carried

5. Notification of Meeting

The City Clerk advised that Notice of Council's consideration of these Development Variance Permit Applications was given by sending out or otherwise mailing 421 statutory notices to the owners and occupiers of surrounding properties on Tuesday, June 4, 2019.

Notice of Council's consideration of the Heritage Alteration Permit Application was given by sending out or otherwise mailing 30 statutory notices to the owners and occupiers of surrounding properties on Tuesday, June 4, 2019

The correspondence and/or petitions received in response to advertising for the applications on tonight's Agenda were arranged and circulated to Council in accordance with Council Policy No. 309.

6. Development Permit and Development Variance Permit Reports

6.1 Dougall Rd N 300 & 310, BL11413 (Z17-0014) - Nadeem Hussain

Moved By Councillor Donn/Seconded By Councillor Stack

R648/19/06/18 THAT Bylaw No. 11413 be amended at 3rd reading by deleting the legal descriptions that read:

- Lot 20 Section 26 Township 26 ODYD Plan 5494
- Lot 21 Section 26 Township 26 ODYD Plan 5494

And replacing them with:

- Lot A Section 26 Township 26 ODYD Plan EPP75524

AND THAT Bylaw No. 11413, as amended, be adopted.

Carried

6.2 Dougall Road N 310, DP17-0033 and DVP17-0034 - Nadeem Hussain

Staff:

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

The City Clerk advised that the following correspondence was received:

Letters of Opposition and Concern:

Sheila Coe, Froelich Road

Jessie Alexander, New Town Services, Applicant's Agent
- Available for questions.

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

No one from the gallery came forward.

There were no further comments

Moved By Councillor DeHart/Seconded By Councillor Sieben

R649/19/06/18 THAT Rezoning Bylaw No. 11413 be amended at third reading to revise the legal description of the subject properties from Lot 20 Section 26 Township 26 ODYD Plan 5494 and Lot 21 Section 26 Township 26 ODYD Plan 5494 to Lot A Section 26 Township 26 ODYD Plan EPP75524;

AND THAT final adoption of Rezoning Bylaw No. 11413 (Z17-0014) be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP17-0033 for Lot A Section 26 Township 26 ODYD Plan EPP75524, located at 310 Dougall Road N, 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 THAT Council authorizes the issuance of Development Variance Permit No. DVP17-0034 for Lot A Section 26 Township 26 ODYD Plan EPP75524, located at 310 Dougall Road N, Kelowna, BC;

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

Section 14.4.4.5(c): C4 – Urban Centre Commercial Development Regulations

To vary the required maximum building height from the lessor of 15.0 m or 4 storeys permitted to 15.5 m and 5 storeys proposed;

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

Carried

6.3 Vaughan Ave 889, BL11676 (Z17-0094) - 1568447 Alberta Ltd

Moved By Councillor Donn/Seconded By Councillor DeHart

R650/19/06/18 THAT Bylaw No. 11676 be adopted.

Carried

6.4 Vaughan Ave 889, DP17-0214 and DVP17-0215 - 1568447 Alberta Ltd

Staff:

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

The City Clerk advised that no correspondence was received.

Gary Tebutt, Applicant

-Available for questions.

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

No one from the gallery came forward.

There were no further comments.

Moved By Councillor Given/Seconded By Councillor Wooldridge

R651/19/06/18 THAT final adoption of Rezoning Bylaw No. 11676 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP17-0214 for Lot 1 Section 30 Township 26 ODYD Plan EPP34493, located at 889 Vaughan Avenue, Kelowna, BC subject to the following:

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

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP17-0215 for Lot 1 Section 30 Township 26 ODYD Plan EPP34493, located at 889 Vaughan Avenue, Kelowna, BC;

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

Section 15.4.5(c): I4 – Central Industrial Development Regulations

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

AND THAT Council's consideration of this Development Permit and Development Variance Permit be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department May 7, 2019;

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

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

Carried

6.5 Westpoint Dr. 872, DVP17-0218 - Derek Elmer & Wai Wah Wong

Staff:

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

The City Clerk advised that no correspondence was received.

The Applicant was present and available for questions.

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

No one from the gallery came forward.

Staff:

Responded to questions from Council.

Darryl Woitas, Applicant

- Responded to questions from Council.
- Commented that the wall was built due to safety concerns. He has an engineering stamp on the addition.
- The new wall was built to match an adjacent wall that has been there since 1991.

Responded to questions from Council.

There were no further comments

Moved By Councillor Sieben/Seconded By Councillor Stack

R652/19/06/18 THAT Council authorizes the issuance of Development Variance Permit No. DVP17-0218 for Lot 40 District Lot 358 Osoyoos Division Yale District Plan 40481, located at 872 Westpoint Drive, Kelowna BC;

AND THAT variances to the following section[s] of Zoning Bylaw No. 8000 be granted:
Section [7.5.9]: [RU1 – Large Lot Housing Development Regulations]
To vary the required retaining wall from 1.2 m permitted to 3.1m proposed.

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

- The retaining wall be signed off by a qualified professional.
- The landscaping to be completed to the satisfaction of the Suburban and Rural Planning Manager.

Carried

6.6 Nickel Rd 280, BL11403 (DP18-0237, DVP18-0238) - 1126112 Alberta Ltd., Inc. No. A0084599

Moved By Councillor Donn/Seconded By Councillor DeHart

R653/19/06/18 THAT Bylaw No. 11403 be amended at 3rd reading and adopted by deleting the legal description that reads:

- Lot 4 Section 27 Township 26 ODYD Plan 8839

And replacing it with:

- Lot A Section 27 Township 26 ODYD Plan EPP87929

AND THAT Bylaw No. 11403, as amended, be adopted.

Carried

6.7 Nickel Rd 280, DP18-0237 DVP18-0238 - 1126112 Alberta Ltd., Inc. No. A0084599

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that no correspondence was received.

Joe Walters, Applicant

- Available for questions.

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

No one from the gallery came forward.

There were no further comments

Moved By Councillor DeHart/Seconded By Councillor Donn

R654/19/06/18 THAT Rezoning Bylaw No. 11403 be amended at third reading to revise the legal description of the subject property from Lot 4 Section 27 Township 26 ODYD Plan 8839 to Lot A Section 27 Township 26 ODYD Plan EPP87929;

AND THAT final adoption of Rezoning Bylaw No. 11403 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP18-0237 for Lot A Section 27 Township 26 ODYD Plan EPP87929, located at 280 Nickel 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 to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0238 for Lot A Section 27 Township 26 ODYD Plan EPP87929, located at 280 Nickel Road, Kelowna, BC;

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

Section 13.7.6(a): RM1 – Four Dwelling Housing Development Regulations

To vary the required maximum site coverage of buildings, driveways and parking areas from 50% to 59% proposed.

AND THAT Council's consideration of this Development Permit and Development Variance Permit be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated June 4, 2019;

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

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

Carried

6.8 Benvoulin Ct 2080, DP19-0045 and DVP19-0046 - Simple Pursuits Inc. No. BCo449611

Councillor Stack declared a conflict of interest as his employer's offices are directly across the street from the application site and left the meeting at 7:17p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that no correspondence was received.

Shayne Worman, West Avenue, Applicant

- Working to provide 16 units of youth housing in the development.
- The Youth Advocates for Housing group was utilized for a design lab to help provide input on the project.
- Still looking for a service provider for the housing agreement.
- The building will be to Step Code 4.
- Spoke to the European influenced styling.

Responded to questions from Council.

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

No one from the gallery came forward.

There were no further comments

Moved By Councillor Sieben/Seconded By Councillor Wooldridge

R655/19/06/18 THAT Council authorizes the issuance of Development Permit No. DP19-0045 for Lot B District Lot 128 ODYD Plan KAP83889, located at 2080 Benvoulin Court, Kelowna, BC subject to the following:

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

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0046 for Lot B District Lot 128 ODYD Plan KAP83889, located at 2080 Benvoulin Court, Kelowna, BC;

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

Section 8.1: Parking and Loading – Parking Schedule

To vary the number of parking stalls from 82 stalls required to 72 stalls provided;

AND THAT the Applicant be required to register on title a Section 219 Covenant to require the main floor (16 dwelling units) be used for supportive housing purposes;

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

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

Carried

Councillor Stack returned to the meeting.

6.9 865 Rose Ave, DVP19-0044 - Colin & Nanci Macdonald - DEFERRED DUE TO LACK OF SIGNAGE to the July 16th Council meeting

The item was deferred.

6.10 Ethel St 1368, DVP19-0091 - Lois McCloskey

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that the following correspondence was received:

Letters of Support:

Amanda Poon, Kelowna.

Birte Decloux, Urban Options, Applicant's agent

- Commented that the house was built in 1923 and is being rescued and relocated to the site requiring minor setback variances.

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

No one from the gallery came forward.

There were no further comments.

Moved By Councillor Sieben/Seconded By Councillor Donn

R656/19/06/18 THAT Council authorizes the issuance of Development Permit No. DVP19-0091 for Lot 2, District Lot 138, ODYD, Plan 31153, located at 1368 Ethel Street, Kelowna, BC;

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

Section 13.6.6(f): RU6 – Two Dwelling Housing Development Regulations

To vary the minimum front yard from 4.5m permitted to 3.3m proposed.

Section 13.6.6(g): RU6 – Two Dwelling Housing Development Regulations

To vary the minimum flanking street side yard from 4.5m permitted to 4.3m proposed.

Section 13.6.6(h): RU6 – Two Dwelling Housing Development Regulations

To vary the minimum rear yard from 7.5m permitted to 7.39m proposed.

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

Carried

6.11 Abbott Street 1983, HAP18-0014 - Robert B. Wall and Hilda A. Wall

Staff:

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

The City Clerk advised that no correspondence was received.

Bob Wahl, Applicant

- Available for questions.

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

No one from the gallery came forward.

There were no further comments

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R657/19/06/18 THAT Council authorizes the issuance of Heritage Alteration Permit No. HAP18-0014 for Lot 2, District Lot 14, Osoyoos Division, Yale District, Plan 3998, located at 1983 Abbott Street, Kelowna, BC subject to the following:

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

Carried

7. Reminders

There were no reminders.

8. Termination

The meeting was declared terminated at 7:46 p.m.

Mayor Basran

sf/cm



City Clerk

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 17th day of June, 2019.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11856
Z18-0091 - 2175 Benvoulin Court

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 128 ODYD Plan KAP89861, located on Benvoulin Court, Kelowna, BC from the A1 – Agriculture 1 zone to the RM5 – Medium Density Multiple Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 24th day of June, 2019.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 11638

Official Community Plan Amendment No. OCP18-0007 – 155 Bryden Rd

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

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

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "Kelowna 2030 – Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of Lot A, Section 27, Township 26, ODYD, Plan EPP85221 located on Bryden Rd, Kelowna, B.C., from the MRL - Multiple Unit Residential (Low Density) designation and the EDINST - Education/Major Institutional designation to the MRM - Multiple Unit Residential (Medium Density) designation;
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 16th day of July, 2018.

Considered at a Public Hearing on this 31st day of July, 2018.

Read a second and third time by the Municipal Council this 31st day of July, 2018.

Amended and adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11639
Z18-0027 – 155 Bryden Rd

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A Section 27 Township 26 ODYD Plan EPP85221 located on Bryden Road, Kelowna, B.C., from the RU1 – Large Lot Housing zone and P2 – Education and Minor Institutional zone to the RM5 - Medium Density Multiple Housing zone;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 16th day of July, 2018.

Considered at a Public Hearing on this 31st day of July, 2018.

Read a second and third time by the Municipal Council this 31st day of July, 2018.

Approved under the Transportation Act this 27th day of September, 2018.

Audrie Henry

(Approving Officer – Ministry of Transportation)

Amended and adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: July 16, 2019

RIM No. 0940-00

To: Council

From: City Manager

Application: DP18-0062 & DVP18-0063

Owner: Kelowna Christian Centre Society
Inc. No. S-0017232

Address: 155 Bryden Road

Applicant: New Town Services

Subject: Development Permit and Development Variance Permit

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

Existing Zone: RM5 – Medium Density Multiple Housing

1.0 Recommendation

THAT Official Community Plan Amending Bylaw No. 11638 be amended at third reading to revise the legal description of the subject properties from Lot B Section 27 Township 26 ODYD Plan 38076, Lot 18 Section 27 Township 26 ODYD Plan 11286 Except Plan 39705, and a part of Lot 1 Section 27 Township 26 ODYD Plan KAP55460 to Lot A Section 27 Township 26 ODYD Plan EPP85221.

AND THAT Rezoning Bylaw No. 11639 be amended at third reading to revise the legal description of the subject properties from Lot B Section 27 Township 26 ODYD Plan 38076, Lot 18 Section 27 Township 26 ODYD Plan 11286 Except Plan 39705, and a part of Lot 1 Section 27 Township 26 ODYD Plan KAP55460 to Lot A Section 27 Township 26 ODYD Plan EPP85221.

AND THAT final adoption of Official Community Plan Amending Bylaw No. 11638 and Rezoning Bylaw No. 11639 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP18-0062 and Development Variance Permit No. DVP18-0063 for Lot A Section 27 Township 26 ODYD Plan EPP85221 subject to the following:

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

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

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

Section 13.11.6(c): RM5 – Medium Density Multiple Housing, Development Regulations

To vary the maximum height from the lesser of 18.0 m or 4.5 storeys, to 20.2 m and 6 storeys.

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

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

2.0 Purpose

To consider the form and character of a multiple dwelling housing development consisting of five apartment buildings with 152 dwelling units total; and to vary the height maximum on three of the five buildings, where the tallest building proposed is 6 storeys and 20.2 m.

3.0 Development Planning

Development Planning supports the Development Permit for the form and character of the proposal as it is in substantial accordance with the Urban Design Guidelines in the Official Community Plan (OCP). The proposal received consideration under both the Comprehensive Development Design Guidelines and the Revitalization Design Guidelines.

With regards to design, the proposed buildings feature a high degree of architectural articulation, both horizontally and vertically, including varied rooflines. Over and above this, the buildings step back as they rise reducing the visual impact of the massing. Also, the lower level units are grade-oriented while stepping down to sidewalks/walkways to allow for privacy. High quality materials and landscaping are used throughout, including fiber cement panels, concrete, aluminum, glass, and decorative paving and low irrigation plantings.

In addition, the site is designed in a pedestrian friendly way, with visible entrances, high connectivity and at a human scale. Related to this, all parking is provided either below grade in a parking garage, or at grade in an area behind the buildings and screened from public view.

The attached Development Permit Guidelines Checklist provides a comprehensive evaluation of the proposed design (Attachment "B").

Variance

A Development Variance Permit is required for height as three of the five proposed buildings are taller than the height maximum of 4.5 storeys or 18.0 m for the RM5 – Medium Density Multiple Housing zone. Specifically, Building B3 is proposed to be 5 storeys and 18.0 m; Building B4 is proposed to be 5 storeys and 17.2 m; and Building B5 is proposed to be 6 storeys and 20.2 m.

Development Planning is supportive of the height variance for the 3 buildings for the following reasons:

Building B5: The tallest building (B5) is on the interior of the lot, separated from all public streets, and faces the Kelowna Christian Centre to the north (the owner and developer of the subject property) creating a transition in height across the site. The west side of Building B5 is adjacent to a property with a single family home, but the west side of the building steps down to transition to this property. Also, the property in question has a Future Land Use designation of Low Density Multiple Unit Residential (MRL), which anticipates future multiple dwelling residential buildings with a maximum height of 3 storeys.

Building B3 & B4: The two 5 storey buildings, at 17.2 m (B4) and 18.0 m (B3), do not exceed the height maximum of 18.0 m for the RM5 zone. In addition, both buildings step down respectfully to the multiple dwelling property to the east, and are set back a full 9 m from the shared property line.

Overall, the buildings will have a variety of heights creating a degree of visual interest across the site.

4.0 Proposal

4.1 Background

At the time of application, the subject properties were zoned either P2 – Education and Minor Institutional or RU1 – Large Lot Housing, and had a Future Land Use designation of either Educational/Major Institutional (EDINST) or Low Density Multiple Unit Residential (MRL). As such, the proposed development required both an Official Community Plan Amendment (to change the Future Land Use designation to Medium Density Multiple Unit Residential (MRM)), and a Rezoning Amendment (to rezone to RM5 – Medium Density Multiple Housing).

Both the Official Community Plan Amendment (OCP18-0007), and the Rezoning Amendment (Z18-0027) were given first reading by Council on July 16, 2018 and forwarded to Public Hearing on July 31, 2018. At the July 31, 2018 regular Council meeting, both files were given second and third reading.

4.2 Project Description

The proposal includes five apartment buildings with heights ranging from 4 to 6 storeys. The project focuses the 4 storey buildings along the Highway 33 West road frontage and transitions to the larger 5 and 6 storey buildings along the east and north property lines. Ground-oriented units are provided at grade, with the buildings stepping back above. Pedestrian pathways between the buildings provide connections through the site.

152 units are proposed across the five buildings, including mainly one- and two-bedroom apartments, with a small number of studio suites. The required open space for the project is provided through private patios as well as a series of grassed areas and rest areas located at grade.

The required residential parking is provided in an underground parkade, with the visitor parking being provided in a surface parking lot located in the center of the buildings. Vehicular access is limited to one entrance point on Bryden Rd.

4.3 Site Context

The property is located adjacent to Highway 33 West, and is on the western edge of the Rutland Urban Centre. The project required the consolidation of a portion of a lot within the Rutland Urban Centre, and 2

lots outside of the Rutland Urban Centre. Approximately 75% of the newly created lot is within the Rutland Urban Centre.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing & P2 – Education and Minor Institutional	Residential & Church
East	RM3 – Low Density Multiple Housing	Residential
South	Hwy 33 / P1 & RM5	Hwy 33 / Church & Apartment Housing
West	RU1 – Large Lot Housing	Residential

Subject Property Map: 155 Bryden Road & 970 Hwy 33 W



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM5 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Site Coverage (buildings)	40%	40%
Site Coverage (buildings, driveways and parking areas)	65%	55%
Floor Area Ratio	1.1 (+.1 for required residential parking underground) = 1.2	1.2 (all required residential parking underground)
Height	18.0m / 4.5 storeys	20.2m / 6 storeys 1

Front Yard	1.5m for lower 2.5 storeys (if ground oriented units); 6m above 2.5 storeys	1.5m for lower 2.5 storeys (ground oriented units); 6m above 2.5 storeys
Side Yard (north)	4.5m for lower 2.5 storeys; 7m above 2.5 storeys	7m for lower 2.5 storeys; 7m+ above 2.5 storeys
Side Yard (south)	1.5m for lower 2.5 storeys (if ground oriented units); 6m above 2.5 storeys	3m+ for lower 2.5 storeys (ground oriented units); 6m above 2.5 storeys
Rear Yard	9m	9m
Other Regulations		
Minimum Parking Requirements	216 Residential stalls 22 Visitor stalls 238 Total stalls	218 Residential stalls 24 Visitor stalls 242 Total stalls
Bicycle Parking	Class I: 76 Class II: 16	Class I: 76 Class II: 24
Private Open Space	3315m ²	3958m ²
Minimum Parking Requirements	216 Residential stalls 22 Visitor stalls 238 Total stalls	218 Residential stalls 24 Visitor stalls 242 Total stalls
Bicycle Parking	Class I: 76 Class II: 16	Class I: 76 Class II: 24
● Indicates a requested variance to the maximum height f		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Urban Design DP Guidelines

- Comprehensive Development Permit Area (Multiple Unit, Residential, Commercial and Industrial Design Guidelines) Objectives:
 - Convey a strong sense of authenticity through urban design that is distinctive for Kelowna;
 - Promote a high urban design standard and quality of construction for future development that is coordinated with existing structures;
 - Integrate new development with existing site conditions and preserve the character amenities of the surrounding area;
 - Promote interesting, pedestrian friendly streetscape design and pedestrian linkages;
 - Provide for a scale and massing of commercial buildings that promotes a safe, enjoyable living, pedestrian, working, shopping and service experience;
 - Incorporate architectural features and detailing of buildings and landscape that define an area's character;
- Revitalization Development Permit Area Objectives:
 - Use appropriate architectural features and detailing of buildings and landscapes to define area character;
 - Convey a strong sense of authenticity through high quality urban design that is distinctive of Kelowna;
 - Enhance the urban centre's main street character in a manner consistent with the area's character;

- Provide for a scale and massing of buildings that promotes an enjoyable living, pedestrian, working, shopping and service experience;
- Encourage an appropriate mix of uses and housing types and sizes;
- Design and facilitate beautiful public open spaces that encourage year-round enjoyment;
- Create open, architecturally-pleasing and accessible building facades to the street; and
- Improve existing streets and sidewalks to promote alternative transportation.

Objective 5.5: Ensure appropriate and context sensitive built form.

- Policy .1: Building Height. In determining appropriate building height, the City will take into account such factors as:
 - Contextual fit into the surrounding urban fabric
 - Shadowing of the public realm
 - View impacts
 - Overlook and privacy impacts on neighbouring buildings
 - Impacts on the overall skyline
 - Distance between adjacent buildings above 22 m in height
 - Impacts on adjacent or nearby heritage structures
 - Building form and massing to mitigate negative impacts of buildings over 22 m in height

6.o Application Chronology

Date of Application Received: March 20, 2018 (together with OCP18-0007 & Z18-0027)

Date Public Consultation Completed: June 4, 2018 (OCP18-0007 & Z18-0027)

Report prepared by: Aaron Thibeault, Planner II

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

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment "A": Draft Development Permit and Development Variance Permit DP18-0062 & DVP18-0063

Attachment "B": Development Permit Guidelines Checklist

Attachment "C": Design Rationale



Development Permit & Development Variance Permit DP18-0062/DVP18-0063

This permit relates to land in the City of Kelowna municipally known as
905-907 Badke Road, 155 Bryden Road & a part of 970 Hwy 33 W

and legally known as

Lot A Section 27 Township 26 ODYD Plan EPP85221

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

Multiple Dwelling Housing

With variances to the following section of Zoning Bylaw No. 8000

Section 13.8.6(b): RM5 – Medium Density Multiple Housing, Development Regulations

To vary the maximum height from the lesser of 18.0m or 4.5 storeys, to 20.2m and 6 storeys.

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

Date of Decision: July 16, 2019

Decision By: City Council

Issued Date: June 16, 2019

Development Permit Areas: Comprehensive Development Permit Area; Revitalization Development Permit Area

This permit will not be valid if development has not commenced by July 16, 2021.

Existing Zone: RM5 – Medium Density Multiple Housing Future Land Use Designation: MRM – Multiple Unit Residential
(Medium Density)

This is NOT a Building Permit.

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

NOTICE

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

Owner: Kelowna Christian Centre Society

Applicant: New Town Services

Ryan Smith
Division Director, Planning & Development Services

July 16, 2019

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 **\$216,807.50**

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.**

[illegible]

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ALL CONTRACTORS ARE REQUIRED TO PERFORM THEIR WORK AND SUPPLY THEIR PRODUCTS IN COMPLIANCE WITH ALL BUILDING CODES AND LAWS OF THE PROVINCE OF BRITISH COLUMBIA. This drawing is an instrument of service and the property of New Town Services. The use of this drawing shall be restricted to the original use for which it was prepared and publication thereof is expressly limited to such use.

This drawing must not be scaled.

Verify all dimensions and details prior to commencement of work.

Report all errors and omissions to the Architect.

REVISIONS		
No	Date	Description
1	FEB. 19 2018	Issued for DP
2	July 31 2018	Re-Issued for DP
3	May 17, 2019	Re-Issued to DP

project title
**CHRISTIAN CENTRE
CONDO**

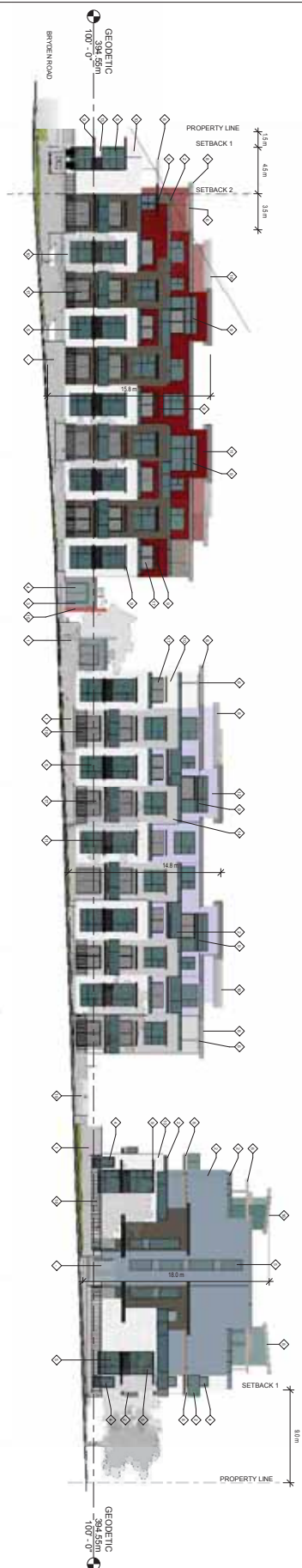
project address
**970 Highway 33W,
Kelowna, BC**

project no. 4023

file no.

drawing title
**SITE & MAIN
FLOOR PLAN**

drawing no. **A2.00**
 plotted June 10, 2019



ALL CONSTRUCTIONS ARE REQUIRED TO OBTAIN THE NECESSARY PERMITS FROM THE LOCAL GOVERNMENT OF THE PROVINCE OF BRITISH COLUMBIA. THE USER OF THIS DRAWING IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE USER OF THIS DRAWING IS NOT TO BE HELD RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR FOR ANY OTHER DEFECTS OR OMISSIONS. THE USER OF THIS DRAWING IS NOT TO BE HELD RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR FOR ANY OTHER DEFECTS OR OMISSIONS. THE USER OF THIS DRAWING IS NOT TO BE HELD RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR FOR ANY OTHER DEFECTS OR OMISSIONS.



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SEAL

No	Date	Description
1	FEB. 19 2018	Issued for DP
2	JUN. 31 2018	Re-issued for DP
3	MAY 17 2019	Re-issued to DP

PROJECT NO. 4233
770 Highway 39W,
Kelowna, BC

ELEVATIONS

DATE	BY	APP'D
12/11/18	AT	AT

A4.00

NOT FOR CONSTRUCTION

EXTERIOR MATERIAL LEGEND

1. ARCHITECTURAL CONCRETE
2. ALUMINUM GLASS PANELS - PAINTED BLACK
3. ALUMINUM CLIP/VAN WALL
4. EXTERIOR ALUMINUM ENTRY DOORS - PAINTED BLACK
5. EXTERIOR ALUMINUM WINDOWS - PAINTED BLACK
6. PERGOA - STAINED CEDAR WITH CAP FLASHING
7. METAL OVERHEAD GARAGE DOOR - INSULATED
8. METAL CAP FLASHING - PAINTED
9. ALUMINUM SUN SCREEN - PAINTED BLACK
10. HARDY PANEL - WHITE
11. HARDY PANEL - DARK BROWN
12. HARDY PANEL - GRAY BLUE
13. HARDY PANEL - BLACK
14. HARDY PANEL - GREY
15. CONCRETE TYPAL - PAINTED
16. SEAMED METAL ROOFING
17. ALUMINUM SLIDING DOOR - PAINTED BLACK
18. ALUMINUM PANELS - PAINTED BLACK
19. BOULDER - REMOVABLE
20. HARDY PANEL - DARK RED
21. MUCK GARAGE CONTAINERS
22. HARDY PANEL - DARK YELLOW
23. HARDY PANEL - DARK GREEN

SCHEDULE

B

Project: Christian Centre Condo

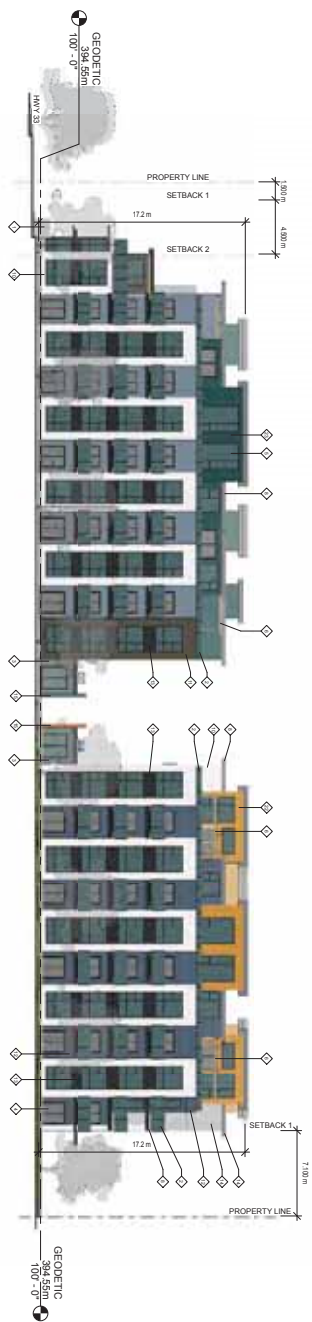
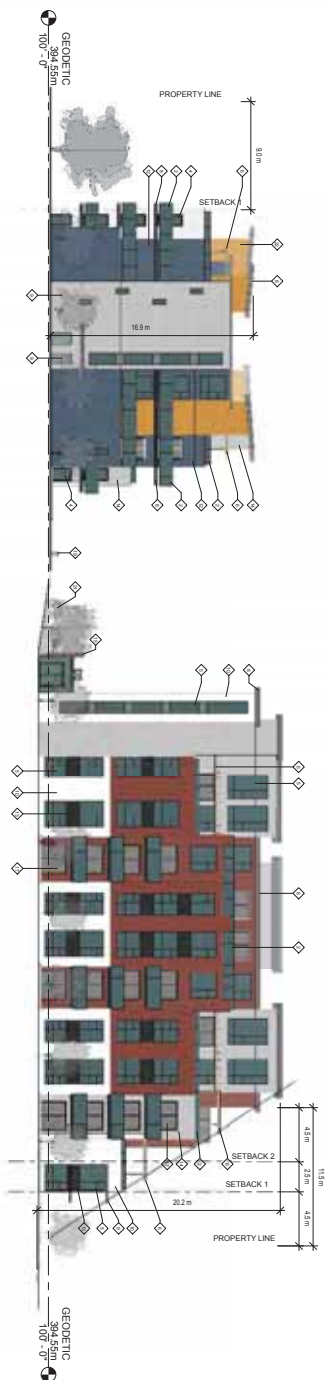
DP18-0002 & DVP18-0003

Project: AT

Kelowna

2 WEST ELEVATION (BRIEN ROAD)
1/16" = 1'-0"

1 SOUTH ELEVATION (HWY 33)
1/16" = 1'-0"



EXTERIOR MATERIAL LEGEND

1	ARCHITECTURAL CONCRETE
2	ALUMINUM/CLAS BALUNGS - PAINTED BLACK
3	ALUMINUM CURTAIN WALL
4	EXTERIOR ALUMINUM ENTRY DOORS - PAINTED BLACK
5	EXTERIOR ALUMINUM WINDOWS - PAINTED BLACK
6	PERISOL - STAINED CEDAR WITH CAP FLASHING
7	METAL OVERHEAD GARAGE DOOR - INSULATED
8	METAL CAP FLASHING - PAINTED
9	ALUMINUM SCREEN - PAINTED BLACK
10	HARD PANE - WHITE
11	HARD PANE - DARK BROWN
12	HARD PANE - OCEAN BLUE
13	HARD PANE - BLACK
14	HARD PANE - GREY
15	CONCRETE WALL - PAINTED
16	SEALED METAL ROOFING
17	ALUMINUM SLIDING DOOR - PAINTED BLACK
18	ALUMINUM BALUNGS - PAINTED BLACK
19	BOLARD - REMOVABLE
20	HARD PANE - DARK RED
21	MOLDS CARBIDE CONFINERS
22	HARD PANE - DARK YELLOW
23	HARD PANE - DARK GREEN

NOT FOR CONSTRUCTION

Revisions		
No	Date	Description
1	FEB. 19 2018	Issued for DP
2	JULY 31 2018	Re-Issued for DP
3	MAY 17, 2019	Re-Issued to DP

SEAL

ALL CONTRACTORS ARE REQUIRED TO FURNISH A SIGNED AND DATED CERTIFICATE OF COMPLIANCE WITH ALL BUILDING CODES AND LAWS OF THE PROVINCE OF BRITISH COLUMBIA. The certificate must be submitted with the drawing and be prepared to the original of the approved set of blueprints. The value of the contract must be stated on the certificate. The certificate is subject to review at any time by the authority.

The drawing must not be sealed.

Very all measurements are taken prior to project start and are determined by the architect.



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DEVELOPMENT PERMIT GUIDELINES CHECKLIST

Comprehensive Development Permit Area

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

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

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

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Do vehicle and service accesses have minimal impact on the streetscape and public views?	✓		
Is visible and secure bicycle parking provided in new parking structures and parking lots?	✓		
Environmental Design and Green Building			
Does the proposal consider solar gain and exposure?		✓	
Are green walls or shade trees incorporated in the design?	✓		
Does the site layout minimize stormwater runoff?	✓		
Are sustainable construction methods and materials used in the project?		✓	
Are green building strategies incorporated into the design?		✓	
Decks, Balconies, Rooftops and Common Outdoor Amenity Space			
Are decks, balconies or common outdoor amenity spaces provided?	✓		
Does hard and soft landscaping enhance the usability of decks, balconies and outdoor amenity spaces?	✓		
Are large flat expanses of roof enhanced with texture, colour or landscaping where they are visible from above or adjacent properties?	✓		
Amenities, Ancillary Services and Utilities			
Are loading, garage, storage, utility and other ancillary services located away from public view?	✓		
Are vents, mechanical rooms / equipment and elevator penthouses integrated with the roof or screened with finishes compatible with the building's design?	✓		
Landscape Development and Irrigation Water Conservation			
Does landscaping:	-	-	-
<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? 	✓		

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
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?	✓		
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?	✓		

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Lakeside Development			
Are lakeside open spaces provided or enhanced?			✓
Are lake views protected?			✓
Does lakeside development act as a transition between the lake and inland development?			✓
Signs			
Do signs contribute to the overall quality and character of the development?	✓		
Is signage design consistent with the appearance and scale of the building?	✓		
Are signs located and scaled to be easily read by pedestrians?	✓		
For culturally significant buildings, is the signage inspired by historical influences?			✓

Revitalization Development Permit Area

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

REVITALIZATION DEVELOPMENT PERMIT AREA	YES	NO	N/A
Relationship to the Neighbourhood and Street			
Does the proposal maintain the established or envisioned architectural character of the neighbourhood?			✓
Do developments adjacent to non-revitalization areas create an appropriate transition?	✓		
Are spaces for pedestrian friendly amenities, such as street furniture, included on site?	✓		
Is the ratio of streetwall height to street width less than 0.75:1?	✓		
Does the building frontage occupy the entire length of the street, without drive aisles or other dead zones?	✓		
Building Design			
Are architectural elements aligned from one building to the next?	✓		
Are the effects of shadowing on public areas mitigated?	✓		
Are doors or windows incorporated into at least 75% of street frontage?	✓		
Do proposed buildings have an identifiable base, middle and top?	✓		
Are windows, entrances, balconies and other building elements oriented towards surrounding points of interest and activity?	✓		
Are architectural elements such as atriums, grand entries and large ground-level windows used to reveal active interior spaces?	✓		

REVITALIZATION DEVELOPMENT PERMIT AREA	YES	NO	N/A
Are buildings designed with individual entrances leading to streets and pathways rather than with mall style entrances and internal connections?	✓		
For multiple unit residential projects, is ground level access for first storey units provided?	✓		
Are buildings finished with materials that are natural, local, durable and appropriate to the character of the development?	✓		
Are prohibited materials such as vinyl siding, reflective or non-vision glass, plastic, unpainted or unstained wood, and concrete block not used in the design?	✓		
Are stucco and stucco-like finishes omitted as a principal exterior wall material?	✓		
Are vents, mechanical rooms/equipment and elevator penthouses integrated with the roof or screened with finishes compatible with the building's design?	✓		
View Corridors			
Are existing views preserved and enhanced?	✓		
Vehicular Access and Parking			
Are at-grade and above-grade parking levels concealed with façade treatments?	✓		
Are garage doors integrated into the overall building design?	✓		
Are pedestrian entrances more prominent features than garage doors and vehicle entrances?	✓		
Is surface parking located to the rear of the building or interior of the block?	✓		
Are truck loading zones and waste storage areas screened from public view?	✓		
Do parking lots have one shade tree per four parking stalls?	✓		
Are pedestrian connections provided within and between parking lots?	✓		
Are driving, parking, pedestrian and cycling areas distinguished through changes in colour or pattern of paving materials?	✓		
Signage			
Is signage design consistent with the appearance and scale of the building?	✓		
Are corporate logos on signs complimentary to the overall building character?			✓
Is signage lighting minimized?			✓
Public Art			
Is public art incorporated into the project?		✓	
Tower Design (Building Greater than Six Stories)			
Do towers enhance views to and through the skyline?			✓

REVITALIZATION DEVELOPMENT PERMIT AREA	YES	NO	N/A
Are tower forms and the upper portions of buildings at once cohesive yet distinct from the overall design?			✓
Does the building design emphasize height rather than width?			✓
Does building design take into account micro-climates, shading and wind tunneling effects?			✓
Are new developments integrated into the established urban pattern through siting and building design?			✓
Are large flat expanses of roof enhanced with texture, colour or landscaping where they are visible from above or adjacent properties?			✓
Do elements such as gazebos, trellises, and pergolas provide visual interest and enhance usability of rooftop spaces?			✓
Are balconies recessed a minimum depth of 1 m within the adjoining building face?			✓
Are podiums designed to provide an animated pedestrian environment?			✓
Downtown Considerations			
Does the proposal maintain and extend the traditional block pattern?			✓
Is the street façade articulated in a vertical rhythm that is consistent with the traditional street pattern?			✓
Are windows set back from the building face and do they include headers and sills?			✓
Are windows at street level kept low for displays of retail goods and for high visibility into interior spaces?			✓
Is the height of upper floor windows at least 1.5 times their width?			✓
Are building materials and colours consistent with other prominent Downtown buildings, preferably brick or cut stone?			✓
Is signage appropriate to the neighborhood and not internally lit or neon?			✓

Proposal for Development Permit, Rezoning, OCP Amendment and Development Variance Permit

970 Hwy 33 W, 155 Bryden Rd, & Part of 905-907 Badke Rd

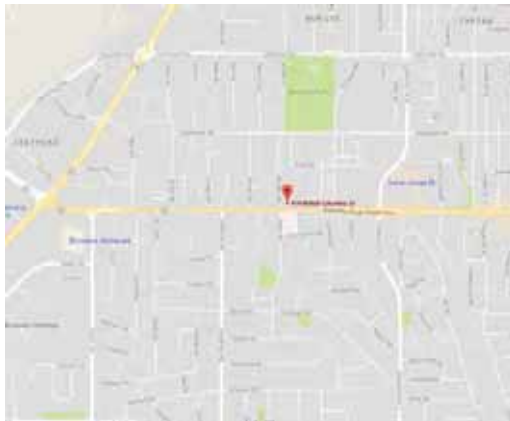
Introduction

This application is for a Rezoning, OCP Amendment, Development Permit, and Development Variance Permit to facilitate the construction of a 152 unit multiple residential community located on the corner of Hwy 33 and Bryden Rd.



Site Context and Land Use

The subject site consists of 3 parcels. The property at 905 Badke Rd is zoned P2, while 970 Hwy 33 and 155 Bryden Rd are zoned RU1 with single family homes on each. The OCP Land Use Designation is a mix between Low Density Multiple Residential and Educational/Institutional.



Site Location

Source: Google Map



Site Context

Source: City of Kelowna

Proposal Overview

The applicant would like to construct a series of five 4-6 storey multiple residential buildings under the RM5 zoning designation. This project aims to focus the smaller scale (4 storey) buildings along each road frontage to minimize the massing impact on the pedestrian scale. To achieve the density goals under the RM5 zone, the buildings along the East and North boundary are 5 and 6 storeys in height respectfully. Most of the onsite parking is provided underneath the buildings in an underground parkade, with minimal parking on the surface slab near the centre of the site.

The buildings themselves are contemporary and modern in nature. High quality building materials include fiber cement panels, concrete, aluminum, and glass. Great care has been exercised in the design of the upper storeys for each building to step back the mass from the lower floors. Multiple roof projections add visual articulation and interest to the overall roofline. On the lower floors, units are ground oriented where possible and exit out onto each street frontage. All vehicular access to the site is focused on the northernmost point of the Bryden Rd frontage to maximize the distance from the Hwy 33 intersection and screen the access point from view along the Hwy pedestrian corridor.

Landscaping for this site will be robust. Terraced perennial planting beds will be provided along each frontage to completely screen the foundation wall of the parkade. Dense trees, shrubs and ornamental grasses will create a visual barrier to separate residential uses to the East and West. While the applicant will retain ownership of the property to the North, a planted berm with trees and shrubs will be constructed along this boundary to clearly delineate the edge of the site. On top of the parking slab a mixture of deciduous trees, shrubs, grasses and perennials will add a variety of textures to the urban landscape.



Figure 1: Aerial rendering of the site.

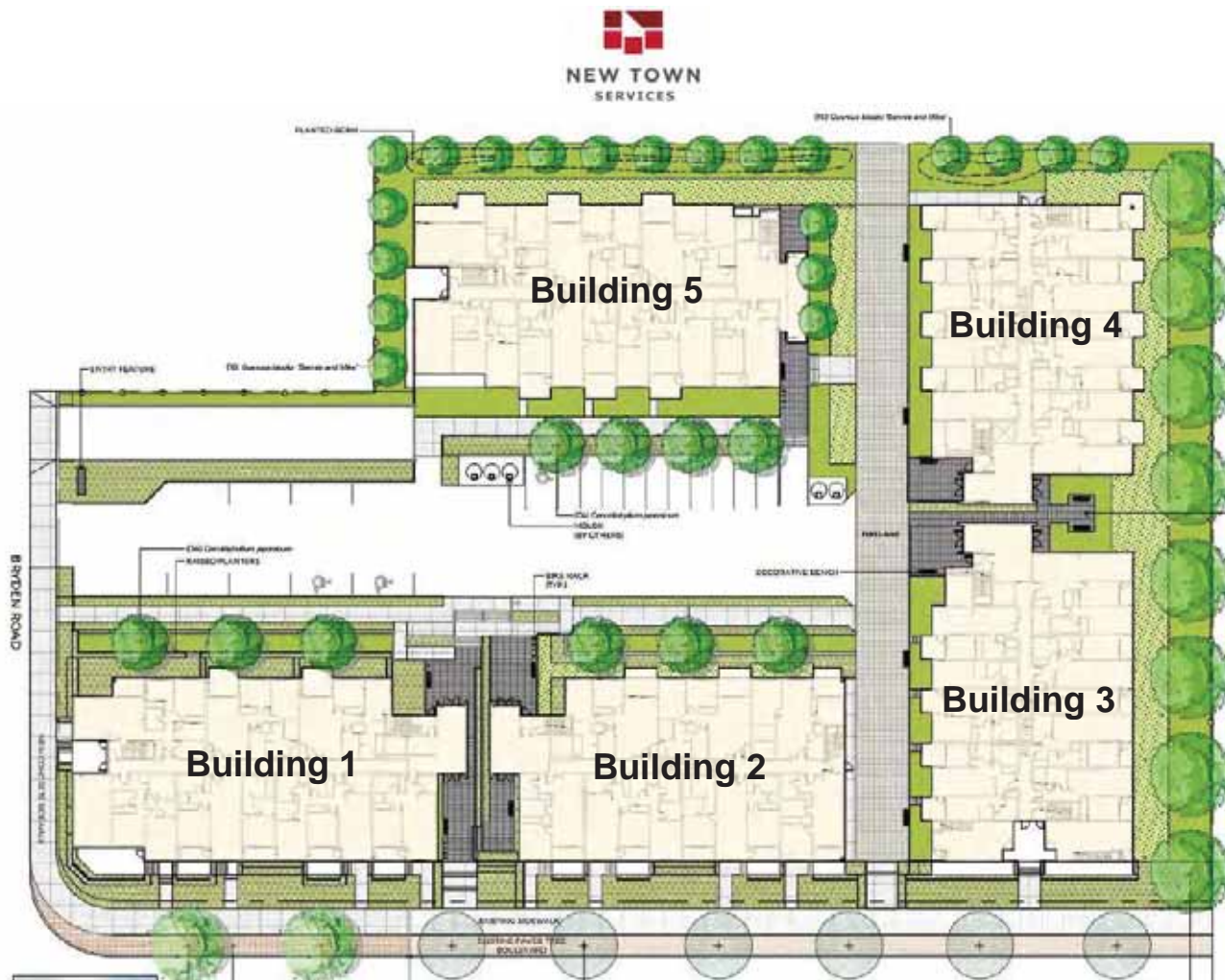


Figure 2: Landscaped site plan of the project

A quick breakdown of the bylaw changes that need to be made to facilitate approval of this project:

OCP Amendment:

- Both 155 Bryden and 970 Hwy 33 W need their Future Land Use Designation Changed from "Low Density Multiple Residential" to "Medium Density Multiple Residential".
- 905-907 Badke Rd Requires a partial change of its Future land Use Designation from "Educational/Institutional" to "Medium Density Multiple Residential"

Re-zoning:

- Full site needs to be rezoned from RU1/P2 to RM5 Medium Density Multiple Housing.

Development Permit:

- The site is within the Natural Environment & Urban Design DP areas so it will require Council approval of a Development Permit prior to proceeding.

Development Variance Permit:

- Buildings 3, 4 & 5 are all over the 4.5 storey maximum height prescribed in the RM5 zone, so a height variance will need to be granted for these buildings.

This project meets several of the goals put forth by the City of Kelowna OCP:

***Objective 5.2 Policy 4 Complete Communities.** Support the development of complete communities with a minimum intensity of approximately 35 - 40 people and/or jobs per hectare to support basic transit service - a bus every 30 minutes.*

This site is roughly 1ha in size and has 152 residential units, which well exceeds the goals of this policy. There are 3 bus stops within 100m and it is on a major bus route already. Furthermore, it is also located in the Rutland Urban Centre which reduces the proximity to jobs and amenities.

***Revitalization Design Guideline 4.13** Finish buildings with exterior building materials that are natural, indigenous, durable and appropriate to the character of the development. Recommended building materials include brick, stone, wood and heavy timber, clear glass, metal, composite cement board, and finished in-situ concrete and modular concrete;*

As discussed above, this project will utilize fiber cement panels, concrete, and aluminum framed windows/door. This dedication to quality materials will ensure the durability and visual appearance of the building for years to come.

***Revitalization Design Guideline 6.5** Uses associated with motor vehicles, including truck loading and waste storage and removal, should be screened from public view and should not be situated where they would conflict with pedestrian movement patterns;*

All vehicular access to the site is provided on the north end of the Bryden Rd frontage, away from most pedestrian movements and sightlines. Waste storage is provided in the centre of the site, which is not visible from the public streets. In an effort to provide a less intrusive waste management system, the development will utilize Molok style waste containers which sit predominantly below grade. An example of this system is shown below.




Figure 3: Molok Waste Containers.

Variance Requested

On projects of this size, variances can be common. While the applicant made a strong effort to conform to the Zoning Bylaw as well as possible, a single variance is still required. Buildings 3-5 will require a minor height variance as they are all above the 4.5 storey maximum under the RM5 zone. A summary of each building height is shown in the table below:

	Height (m)	# Storeys
Building 1	15.8	4
Building 2	14.8	4
Building 3	18.0	5
Building 4	17.2	5
Building 5	20.2	6

 = Height parameter consistent with Zoning Bylaw.

 = Height parameter requiring variance.

As is evident in the table above, building 3 & 4 only require a variance with respect to the number of storeys in the building. They fully conform to the overall Zoning height requirement of 18m. Overall height should be the preferred method of measuring building height as it gives the best indication of visual impact. We do not expect building 3 or 4 to be higher or more intrusive than any other RM5 building in the City; it simply has one more storey built into it. Building 5 will require a height variance with respect to overall height and the number of storeys. The overall height difference is minor in nature, at 2.2m over the Zoning maximum of 18m. This is less than the height of a conventional storey. It is also worth noting that all of the buildings have top floors which are stepped back from the lower floors to reduce visual impact on the pedestrian scale. Dense landscaping along property lines also screens these taller buildings from view.

Conclusion

This is a large project that can bring a great deal of benefit to the Rutland Urban Centre. It would add 152 units of critical mass to bolster local businesses and transit routes. The revitalization of Rutland has been repeatedly identified as a priority by the City of Kelowna. The redevelopment of this underutilized site speaks to that goal by adding many new homes for young professionals, retirees, small families and anyone looking for an affordable home close to urban amenities. The applicant kindly seeks support from Staff and Council for this application.

REPORT TO COUNCIL



Date: July 16, 2019

RIM No. 1250-30

To: Council

From: City Manager

Application: Z18-0038

Owner: AJ Wiens Development Group
Ltd., Inc. No. BC0798391

Address: 2783-2787 Abbott Street

Applicant: Urban Options

Subject: Rezoning Application (Waiver of Condition of Adoption)

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

Existing Zone: RU6 – Two Dwelling Housing

Proposed Zone: RM3 – Low Density Multiple Housing

1.0 Recommendation

THAT Council waives the requirement that Final Adoption of Rezoning Bylaw No. 11703 be considered subsequent to the demolition of existing dwellings on the subject property.

2.0 Purpose

To waive the requirement for the demolition of existing dwellings on the subject property.

3.0 Development Planning

Community Planning Staff recommend that Council waives the requirement that final adoption of Rezoning Bylaw No. 11703 be considered subsequent to the demolition of existing dwellings on the subject property. The subject property is proposed to be rezoned from RU6 to RM3, and the Rezoning Bylaw associated with this application has received first, second, and third reading. Lot consolidation to facilitate the proposed development has occurred. The home that was on the northern portion of the property was moved to a different property; however, the home on the southern portion of the subject property remains on the lot.

The intent of requiring the existing dwellings to be demolished was to ensure that lot consolidation could occur, and that Council could consider the Development Permit and Development Variance Permit with the property's new legal description. In the case of this property, lot consolidation was able to occur without the demolition of all existing dwellings, and the remaining house is considered legal non-conforming until development begins. The applicants have expressed interest in using the remaining home as a sales centre, which is permitted in the Zoning Bylaw where a development has been approved. Overall, waiving the requirement that all existing dwellings be demolished will allow the Development Permit and Development

Variance Permit to be considered by Council, and will allow the existing home on the subject property to be used as a sales centre.

Report prepared by: Arlene Janousek, Planner

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

Approved for Inclusion: Terry Barton, Development Planning Department Manager

CITY OF KELOWNA
BYLAW NO. 11703
Z18-0038 – 2783 - 2787 Abbott Street

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1 District Lot 14 ODYD Plan EPP91422, located on Abbott Street, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

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

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

Amended and adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: June 18, 2019

RIM No. 0940-50

To: Council

From: City Manager

Application: DVP19-0044

Owner: Colin & Nanci Macdonald

Address: 865 Rose Ave

Applicant: Colin & Nanci Macdonald

Subject: Development Variance Permit

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

Existing Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0044 for Lot 8, District Lot 136, ODYD, Plan 8116, located at 865 Rose Avenue, Kelowna, BC

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

Section 9.5b.1(i): RU1 – Specific Use Regulations

To vary the required minimum side yard from 1.5 m permitted to 0.99 m proposed.

Section 9.5b.1(j): RU1 – Specific Use Regulations

To vary the required minimum rear yard from 0.9 m permitted to 0.75 m proposed.

2.0 Purpose

To consider issuance of a Development Variance Permit to vary the required side yard setback and the rear yard setback to facilitate the conversion of an existing accessory building to a carriage home.

3.0 Community Planning

Community Planning Staff recommend support for the Development Variance Permit proposing to vary the side and rear yard setbacks. The existing accessory garage has been in the same location for close to 60 years and is one storey in height, therefore, the conversion of the existing building from a garage to a carriage home is expected to have a minimal impact on the adjacent residential properties.

4.0 Proposal

4.1 Background

The subject property located at 865 Rose Avenue currently comprises an existing one storey single family dwelling with a one storey accessory garage located at the rear.

4.2 Project Description

The accessory garage located at the rear of the property and accessing off of the rear lane was originally constructed as an accessory garage in the 1950's. The applicant is proposing to convert the existing accessory garage into a 56.11 m² carriage home with a single vehicle garage. This development variance application is a result of a bylaw enforcement file which originated in July of 2017. The owner of the property has worked with staff to facilitate the required Development Variance Permit application to resolve any bylaw related issues on-site

4.3 Site Context.

The subject property is located in the South Pandosy City Sector near the intersection of Ethel Street and Rose Avenue, just northeast of Cameron Park. The surrounding neighbourhood consists largely of RU6 – Two Dwelling Housing and RU7 – Infill Housing properties with some RU1 – Large Lot Housing and RM1 – Four Dwelling Housing properties.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing	Residential
East	RU6 – Two Dwelling Housing	Residential
South	RU7 – Infill Housing	Residential
West	RM1 – Four Dwelling Housing	Residential

Subject Property Map: 865 Rose Avenue**4.3 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Side Yard (east)	1.5 m	0.99 m ^❶
Rear Yard	0.9 m	0.75 m ^❷
^❶ Indicates a requested variance to side yard setback ^❷ Indicates a requested variance to rear yard setback		

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.

Carriage Houses & Accessory Apartments.² Support carriage houses and accessory apartments through appropriate zoning regulations.

¹ City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.22.12 (Development Process Chapter).

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 Permits.
- A third party work order may be required with the Development Engineering Department for an upgraded water line and sewage connection. These requirements are to be resolved prior to issuance of the Building Permit.
- HPO (Home Protection Office) approval or release is required at time of Building Permit application.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this complex at time of permit application.

6.2 Development Engineering Department

- DVP Application to vary rear yard and side yard setbacks to not compromise any municipal services

6.3 Fire Department

- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- All units shall have a posted address on Rose Avenue.
- Ensure access from Rose Ave to carriage house is maintained by 1.1 metre unobstructed access from primary approach.
- It was noted that gates were to be installed on access route to rear structures. Gate shall be openable with no special knowledge and is not permitted to be locked. Gate width shall conform to BCBC code requirements for access.

7.0 Application Chronology

Date of Application Received: February 7, 2019

Date Public Consultation Completed: May 22, 2019

Report prepared by:

Andrew Ferguson, Planner

Reviewed by:

Terry Barton, Urban Planning Manager

Approved for Inclusion:

Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A: Site Plan

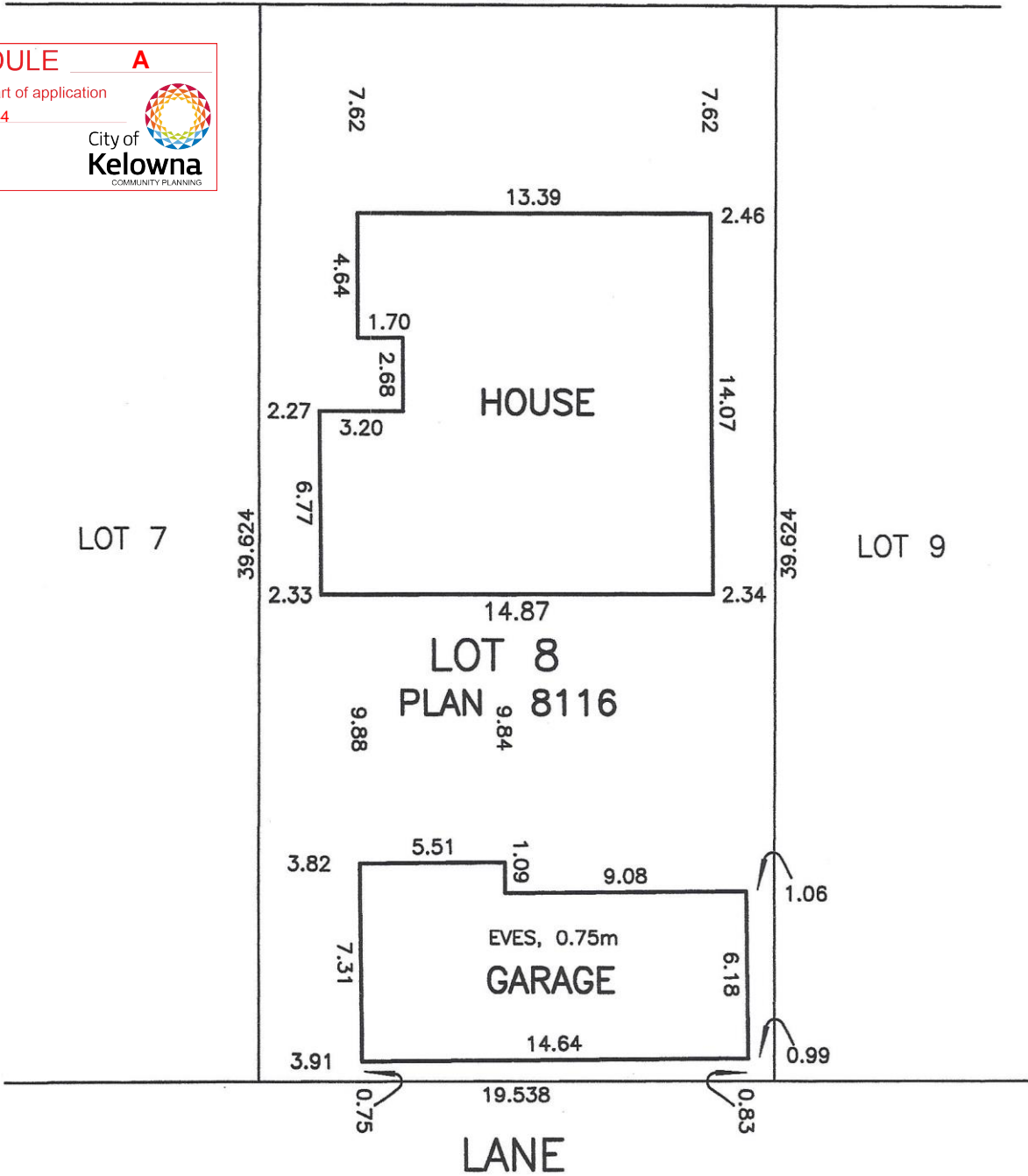
Draft DVP Permit (DVP19-0044)

Site Plan



SCHEDULE A
This forms part of application
DVP19-0044
Planner Initials **AF**

City of Kelowna
COMMUNITY PLANNING

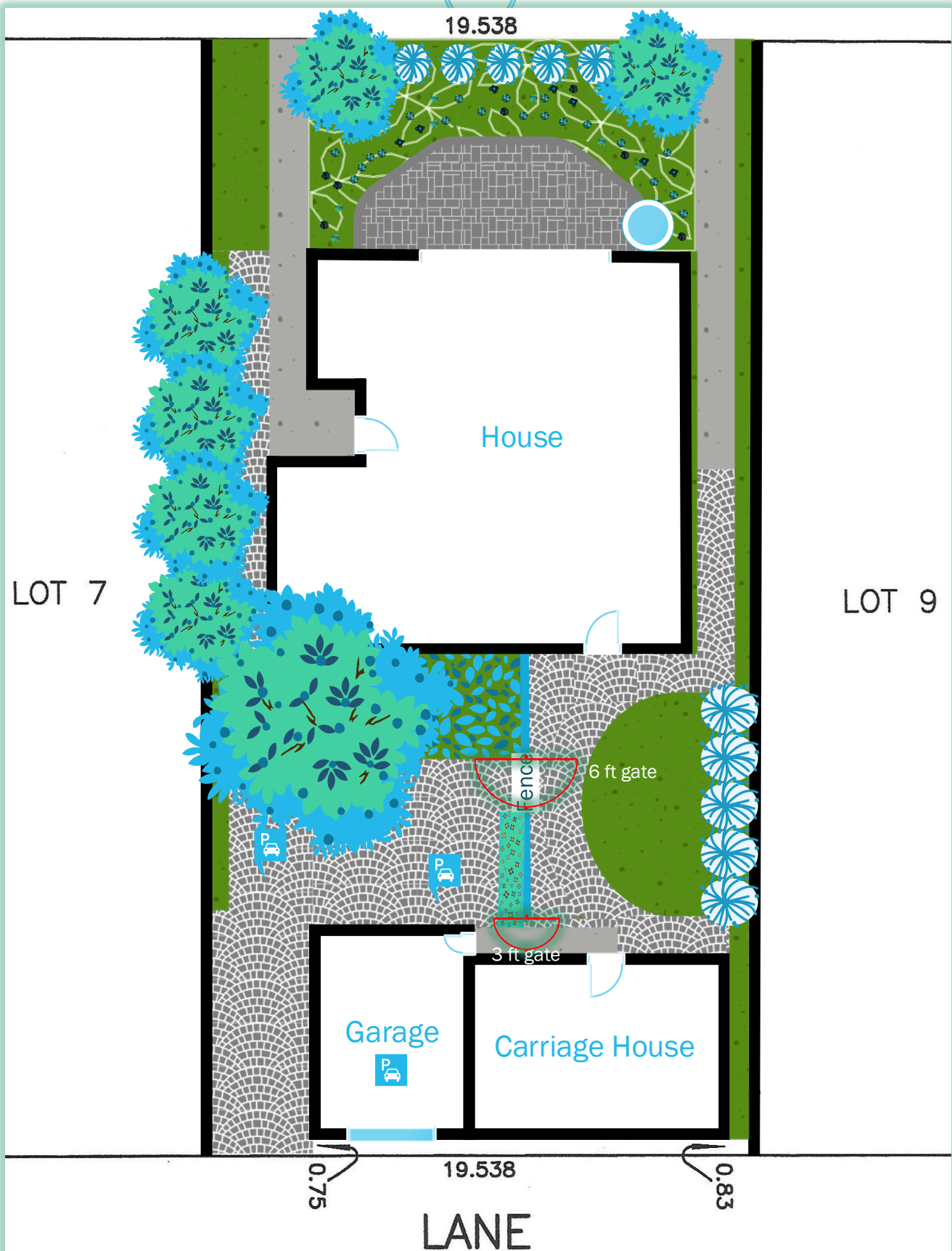


I HEREBY CERTIFY THAT THE ABOVE SKETCH SHOWS THE REGISTERED DIMENSIONS OF THE ABOVE DESCRIBED PROPERTY AND RELATIVE LOCATION OF THE BUILDINGS THEREON.

THIS PLAN IS FOR THE USE OF THE BUILDING INSPECTOR AND/OR MORTGAGEE ONLY AND IS NOT TO BE USED FOR THE RE-ESTABLISHMENT OF PROPERTY BOUNDARIES.

B.C.L.S., S.L.S.
THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED

CLIENT: FILE #6533	
DATE: MARCH 21, 2001	T.E. Ferguson Land Surveying Ltd. B.C. AND CANADA LAND SURVEYORS 216-1626 RICHTER STREET, KELOWNA, B.C. TELEPHONE: (250) 763-3115 FAX: (250) 763-0321
SCALE: 1:250 METRES	
FILE: 14659	
© T.E. FERGUSON LAND SURVEYING LTD.	



Development Permit

DVP19-0044



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

865 Rose Avenue

and legally known as

Lot 8, District Lot 136, ODYD, Plan 8116

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

Two Dwelling Housing

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

Decision By: Council

Development Permit Area: n/a

This permit will not be valid if development has not commenced by June 18, 2021.

Existing Zone: RU6 – Two Dwelling Housing

Future Land Use Designation: MRL – Multiple Unit Residential (Low Density)

This is NOT a Building Permit.

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

NOTICE

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

Owner: Colin and Nanci Macdonald

Applicant: Colin and Nanci Macdonald

Terry Barton
Community Planning Manager
Community Planning & Strategic Investments

Date

1. SCOPE OF APPROVAL

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

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

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

2. CONDITIONS OF APPROVAL

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

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

3. PERFORMANCE SECURITY

None required

5. INDEMNIFICATION

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

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

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

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

REPORT TO COUNCIL



Date: July 16, 2019

RIM No. 0940-00 and 0940-50

To: Council

From: City Manager

Application: DP19-0048 and DVP19-0049

Owner: J-4 Holdings Ltd., Inc. No.
BC0261294

Address: 716 Adams Court

Applicant: NOvation Architecture

Subject: Development Permit and Development Variance Permit

Existing OCP Designation: IND - Industrial

Existing Zone: I2 – General Industrial

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP19-0048 and Development Variance Permit DVP19-0049 for Lot 6, Section 2, Township 23, Osoyoos Division Yale District, Plan 29524, located at 716 Adams Court, Kelowna, BC subject to the following:

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

AND THAT variances to the following section of Zoning Bylaw No. 8000 be granted, as shown in Schedule A:

Section 15.2.5(e): I2 – General Industrial Development Regulations

To vary the required minimum side yard setback flanking a street for an industrial building from 6.0 m permitted to 5.0 m proposed.

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 a Development Permit for the form and character of three new industrial buildings, and to consider a variance to reduce the minimum side yard setback flanking a street from 6.0m permitted, to 5.0m proposed on the subject property.

3.0 Community Planning

Staff are recommending support for the proposed Development Permit for the form and character of a proposed commercial complex consisting of three industrial buildings. The proposal meets many of the Official Community Plan (OCP) Design Guidelines for Industrial Use and some key design elements are as follows:

- The building façades facing Highway 97 to the east and the Rail Trail cycling corridor to the west are enhanced with vertical articulation to help mitigate the actual and perceived bulk of the buildings;
- The overall mass of the building is softened with the addition of upper windows to the buildings fronting the Highway and the Rail Trail. In return the additional windows allow natural light into the mezzanine floor area;
- Exterior materials include a combination of painted concrete, stone and glass accents, and the selected colour palate utilizes the region's natural and cultural landscaping which consists of differing tones of grey with a deep shade of red used as accent on the exterior façade of the buildings;
- On-site landscaping design include landscaped outdoor space with seating area, a combination of large shade and coniferous trees along the Highway 97 and Rail Trail frontages, and an overall landscape design quality that surpasses the existing surrounding industrial properties.

Overall, the applicant has put in considerable thought and consideration to the proposed siting and design of the industrial buildings located at a visible corner lot fronting Highway 97 (to the east) and adjacent to the Rail Trail transportation corridor (to the west). The applicant has worked with Staff to refine the form and character of the buildings and the landscaping design to achieve a number of positive features, including: a simple shaped footprint that maximizes the commercial frontage to Highway 97, the use of vertical articulation and additional upper windows along the façades fronting the highway and the Rail Trail to mitigate massing, and the proposed landscape design that exceeds other existing industrial properties located along the Highway 97 industrial/commercial corridor.

Variance

The applicant is requesting consideration to vary the required minimum side yard setback flanking a street (Highway 97) for an industrial building from 6.0 m permitted to 5.0 m proposed. The required setback variance is mostly due to a steep grade change along the highway frontage. The requested variance will not compromise any municipal infrastructure or services, will not impact the proposed on-site landscape design, and will not cause visual obstructions on the highway.

To fulfill the requirements of Council Policy No. 367, the applicant submitted a neighbour consultation summary form on February 13, 2019 outlining that neighbours within 50 m of the subject property were notified.

4.0 Proposal

4.1 Project Description

The subject property currently has a card lock station on the southwestern portion of the property, and the remainder of the lot is generally used as outdoor storage. The card lock station is being leased and is in year 5x of a 10-year lease agreement.

The proposed development is a single-storey (8.7 m in height) commercial complex located along Highway 97 in a predominantly commercial and industrial section of the City. Due to the 10-year lease agreement, the applicant is proposing to develop the site in a three-phased approach; the main building fronting the highway (building 1) constructed in Phases 1 and 2, and the remaining two buildings located along the Rail Trail (building 2) and within the property interior (building 3) will be constructed during Phase 3, following the completion of the 10-year lease.

Building 1 consists of 15 warehouse units (3,633 m² total floor area [9,090ft²]), whereas buildings 2 and 3 consist of 10 (1,576 m² [16,960ft²]) and three (584m² [6,285 ft²]) warehouse units, respectively, with a site-wide total building footprint of 5,793 m² (62,357ft²). Each warehouse unit is designed with a mezzanine space, as well a dedicated loading-bay door is proposed for each unit.

Due to its close proximity to the highway, signage is a very important component of the design consideration as such the applicant has designed the highway façade to allow control on where signage is to be placed. The applicant's overall goal is to maintain a cohesive exterior design that will be uniform and appealing from all sides of the building. In consideration of tenants who will occupy buildings 2 and 3, the applicant proposed a pylon sign along the highway frontage to advertise for the future interior businesses. 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.

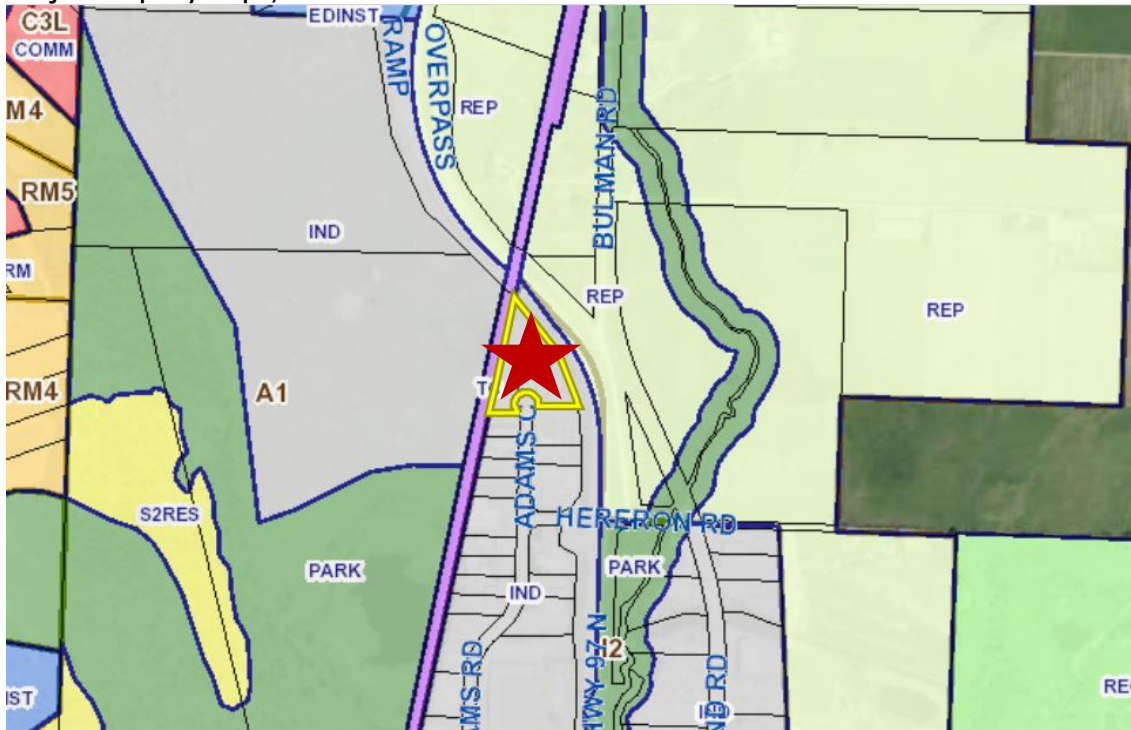
In addition to meeting the parking space requirements under the I2 – General Industrial zoning, the applicant has also proposed four disabled parking stalls, and 22 bicycle parking spaces on the property.

4.2 Site Context

The roughly triangular shaped subject lot is located at the end of, and is accessed from Adams Court (to the south). Highway 97 is flanking the north and east sides of the property, while the Rail Trail transportation corridor is adjacent to the west of the lot. The parcel is designated as Industrial (IND) in the OCP, and is within the Permanent Growth Boundary. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	Highway 97 A1 - agriculture	Highway Agricultural
East	Highway 97 A1 - Agriculture	Highway 97 Agricultural
South	I2 – General Industrial	Commercial and Industrial
West	Rail Trail Transportation Corridor A1 - Agriculture	Transportation Corridor Vacant

Subject Property Map: 716 Adams Court



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	I2 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Height	14.0m	8.7m
Front Yard	7.5m	7.5m
Side Yard (west)	0.0m	3.0m
Side Yard (east)	6.0m	5.0m
Rear Setback (Hwy 97)	6.0m	5.0m
Site coverage	60%	45.3%
FAR	1.5	0.45
Parking Regulations		
Minimum Parking Requirements	72	86
Minimum Loading spaces	4	28
Disabled Parking Spaces	n/a	4
Ratio of Parking Stalls	Full size: 70% Min Medium Size: 30% Max Compact Size: As extra	Full size: 60% (51 stalls) Medium Size: 40% (35 stalls) Compact Size: 0% (0 stalls)
Other Regulations		
Minimum Bicycle Parking Requirements	22	22
Landscape Buffer	3.0	Ranges from: 3.0m (east); 5.0m (west); up to 7.0m (south)
<p>● Indicates a requested variance to vary the required minimum side yard setback flanking a street (Highway 97) for an industrial building from 6.0 m permitted to 5.0 m proposed</p>		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Industrial Land Use.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.

Industrial Land Use Intensification.³ Encourage more intensive industrial use of currently under-utilized industrial sites during site redevelopment or by permitting lot subdivision where new lots can meet the minimum lot size requirements of the Zoning Bylaw.

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).

Development Permit Guidelines.⁵ Comprehensive Development Permit Area.

Objectives:

- Convey a strong sense of authenticity through urban design that is distinctive for Kelowna;
- Promote a high urban design standard and quality of construction for future development that is coordinated with existing structures;
- Integrate new development with existing site conditions and preserve the character amenities of the surrounding area;
- Promote interesting, pedestrian friendly streetscape design and pedestrian linkages;
- Provide for a scale and massing of commercial buildings that promotes a safe, enjoyable living, pedestrian, working, shopping and service experience;
- Incorporate architectural features and detailing of buildings and landscapes that define an area's character;
- Promote alternative transportation with enhanced streetscapes and multi-modal linkages.

¹ City of Kelowna Official Community Plan, Objective 5.28 (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 5.29.1 (Development Process Chapter)

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

⁵ City of Kelowna Official Community Plan, Policy 14.2 (Urban Design Development Permit Areas Chapter)

6.o Application Chronology

Date of Application Received:	December 21, 2018
Date Public Consultation Completed:	February 13, 2019
Date of Supplemental Drawings Received:	May 28, 2019

Report prepared by:	Barbara B. Crawford, Planner
Reviewed by:	Dean Strachan, Suburban and Rural Planning Manager
Approved for Inclusion:	Terry Barton, Development Planning Department Manager

Attachments:

- Attachment A – Rationale Letter
- Schedule A – Site Plan and Floor Plans
- Schedule B – Conceptual Elevations, Colour and Material Board
- Schedule C – Landscape Plan and Estimate
- Draft Development Permit

Development Permit DP19-0048 & Development Variance Permit DVP19-0049



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

716 Adams Court, Kelowna, BC

and legally known as

Lot 6, Section 2, Township 23, Osoyoos Division Yale District, Plan 29524

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

Single-storey commercial complex consisting of three industrial buildings for general industrial use

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

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; and
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.

AND THAT variances to the following section of Zoning Bylaw No. 8000 be granted, as shown in Schedule A:

Section 15.2.5(e): I2 – General Industrial Development Regulations

To vary the required minimum side yard setback flanking a street for an industrial building from 6.0 m permitted to 5.0 m proposed.

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

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

Date of Decision: **TBD**

Decision By: CITY COUNCIL

Issued Date: **TBD**

Development Permit Area: Industrial Development Permit

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

Existing Zone: I2 – General Industrial

Future Land Use Designation: IND - 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: J-4 Holdings Ltd., Inc. No. BCo261294

Applicant: NOvation Architecture

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.

This Development Permit is valid for two (2) years from the date of XXXXXXXX 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 **\$89,106.88** OR
- b) An Irrevocable Letter of Credit in the amount of **\$89,106.88**

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.**

December 13, 2018

Our File: 1828

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

Attention: Adam Cseke, Planner

Dear Mr. Cseke

**Re: Development Permit / Development Variance Permit Application for
716 Adams Court**

This development proposal will adhere to the requirements of the I2 zone as described in the City of Kelowna Zoning Bylaw No. 8000.

Project Description

The proposed project is a single-story commercial complex located along Hwy 97 N. in a predominantly commercial and industrial section of town. At present the lot is underutilized with small card lock station and outdoor storage. The property is an excellent piece of real estate fronting the Hwy 97 corridor as well now flanking the new pedestrian trail corridor.

The current zone is I2 and we are not seeking any rezoning as the current zone and surrounding area is well suited for the proposed industrial use that is proposed.

Design Rationale

Lot access is currently off Adams Court with Hwy 97 flanking the north and east side of the property. The Site features an irregularly shaped lot with several easements along the south portion of the property. We have designed a simple shaped footprint that maximize the commercial frontage to Hwy 97. We propose to soften the overall mass of the building by adding the upper windows to allow light into the mezzanine areas. With such close proximity to a major highway, signage becomes very important for the commercial tenants that will occupy the building. The facade has been designed to allow control on where signage is to be placed. We have considered the need for tenant signage on the Hwy side of the building, our overall goal is to maintain a cohesive exterior design that will be uniform and appealing from all sides of the building.

We are proposing exterior materials to include a combination of painted concrete, stone and glass accents. These materials, along with the corresponding rich colour palette and design style will further add to the visual diversity and provide a sophisticated addition to the existing context.

Continued ...



ATTACHMENT		A
This forms part of application # DP19-0048 and DVP19-0049		
Planner Initials	BC	 City of Kelowna <small>COMMUNITY PLANNING</small>

Design Rationale

We are seeking (1) variance along the east property line. The required side yard setback flanking a street is 6.0m. We are proposing 5.0m due to the location of the property and the grade change along the highway. We feel that the 1.0m variance will have no negative impact with regards to the reduction in landscape and or visual obstructions on the highway. With the subject property being next to the highway in this current location there is a large drainage ditch that is overgrown with vegetation making most of the proposed landscape frontage improvements hard to see. During site planning, the developer has expressed a desire to put more emphasis on the West side of the property with an intent to enhance the look and feel of the interaction between the development and the rail trail.

I trust that you will find our application in good order. Please contact our office if you require any further information.

Kind Regards,

Novation Architecture



Paul M. Schuster, Architect
AIBC, CAB, NCARB & MRAI Certified

(250) 718 - 1302
paul@novationarchitecture.com

CONSULTANTS:

DRAWING INDEX:

ZONING ANALYSIS:

CONTEXT SITE PLAN:

ARCHITECTURAL
NOVATION ARCHITECTURE
302-2337 LECKIE ROAD
KELOWNA, BC V1Y 6Y5
TEL (250) 420-4144

CIVIL
NOVATION ARCHITECTURE
302-2337 LECKIE ROAD
KELOWNA, BC V1Y 6Y5
TEL (250) 420-4144
FAX (250) 420-4144

LANDSCAPE
NOVATION ARCHITECTURE
302-2337 LECKIE ROAD
KELOWNA, BC V1Y 6Y5
TEL (250) 420-4144
FAX (250) 420-4144

SUBMITTER
ORANGEVIEW SURVEY & DESIGN LTD.
15885 BARKLEY ROAD
LAKE COUNTRY, BC V4V 1B4
TEL (250) 881-5555

Architectural Drawing List

Number	Name
A0.00	COVER SHEET
A1.01	SITE PLAN
A2.01	MEZZANINE FLOOR
A2.02	ROOF PLAN
A2.03	BUILDING 1 - TYPICAL UNIT
A2.04	BUILDING 2 - TYPICAL UNIT
A3.01	EXTERIOR ELEVATIONS
A3.02	EXTERIOR ELEVATIONS
A3.03	SITE SECTIONS
A3.04	GARAGE ENCLOSURE PLANS SECTIONS AND DETAILS
A3.05	PLAN SIGN

Address: 716 Adams Court, Kelowna, B.C.
PID 004-273-559, Lot 6, PLAN KAP29524

Zoning (Current): I2
Permitted Use: Refer to Zoning bylaw #8000
Zoning (Proposed): I2
Permitted Use: Refer to Zoning bylaw #8000 section 15.2

Site Area:

12,792.6	sq. m.
137,696	sq. ft.
1,279.2	ac.

Min Lot Width: 40.0 m
Min Lot Depth: 30.0 m
Min Parcel Size: 1000.0 m²

Setbacks:

ALLOWED	PROPOSED
Front yard: 7.0 m	7.0 m
Front yard parking: 2.0 m	2.0 m
Side yard (West): 0.0 m	3.0 m
Side yard (East): 0.0 m	0.0 m
Rear Yard (North): 0.0 m	3.0 m

Front: Level: 3.0 m
2: 9.81 m
Side: Level: 9.84 m
Rear: Level: 3.0 m
3: 9.84 m

OR CONTINUOUS OPAQUE BARRIER
OR CONTINUOUS OPAQUE BARRIER

Parcel Coverage: Maximum 60%
(Building Footprint)
Maximum # of dwelling units

Floor Area Ratio: Maximum 1.5
(Proposed inc. 40% of Mezzanine space;
Principal buildings
or 3 storeys)

Height: 14.0 m
45.9 ft

Parking: 2.0 stalls/100 m² General Industrial Uses (main floor);
0.5 stalls/100 m² Warehousing and Storage (mezzanine)

Regular Size (6m x 2.5m) Max 70%
Medium Size (4.8m x 2.3m) Max 30%
Compact Size (3.4m x 2.0m) As Extra 0%

ALLOWED/REQUIRED	PROPOSED
7,915 sq.m.	7,915 sq.m.
82,618 sq.ft.	82,357 sq.ft.
1 unit	N/A

ALLOWED	PROPOSED
19,108 sq.m.	7,531 sq.m.
206,344 sq.ft.	78,902 sq.ft.
14.0 m	8.1 m
45.9 ft	26.5 ft

Required	Provided
44.0 spaces	28.0 spaces
0 spaces	0 spaces
72 spaces	72 spaces
Regular	51 spaces
Medium	35 spaces
Compact	0 spaces
Total Required	86 spaces
Visitor	0 spaces
Loading: 11,800 m ² GFA	4 spaces
Required	4 spaces
Provided	25 spaces

Bicycle Parking	Required	Provided
0.3/100 m ² GFA	22 spaces	22 spaces

716 Adams Court, Kelowna, B.C.
PID 004-273-559, Lot 6, PLAN KAP29524

716

SUBJECT PROPERTY

ADAMS CT

CARNEY RD

HERBERT RD

ACMA

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716 Adams Court, Kelowna, B.C.
PID 004-273-559, Lot 6, PLAN KAP29524

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SUBJECT PROPERTY

ADAMS CT

CARNEY RD

HERBERT RD

ACMA

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716 Adams Court, Kelowna, B.C.
PID 004-273-559, Lot 6, PLAN KAP29524

716

SUBJECT PROPERTY

ADAMS CT

CARNEY RD

HERBERT RD

ACMA

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716 Adams Court, Kelowna, B.C.
PID 004-273-559, Lot 6, PLAN KAP29524

716

SUBJECT PROPERTY

ADAMS CT

CARNEY RD

HERBERT RD

ACMA

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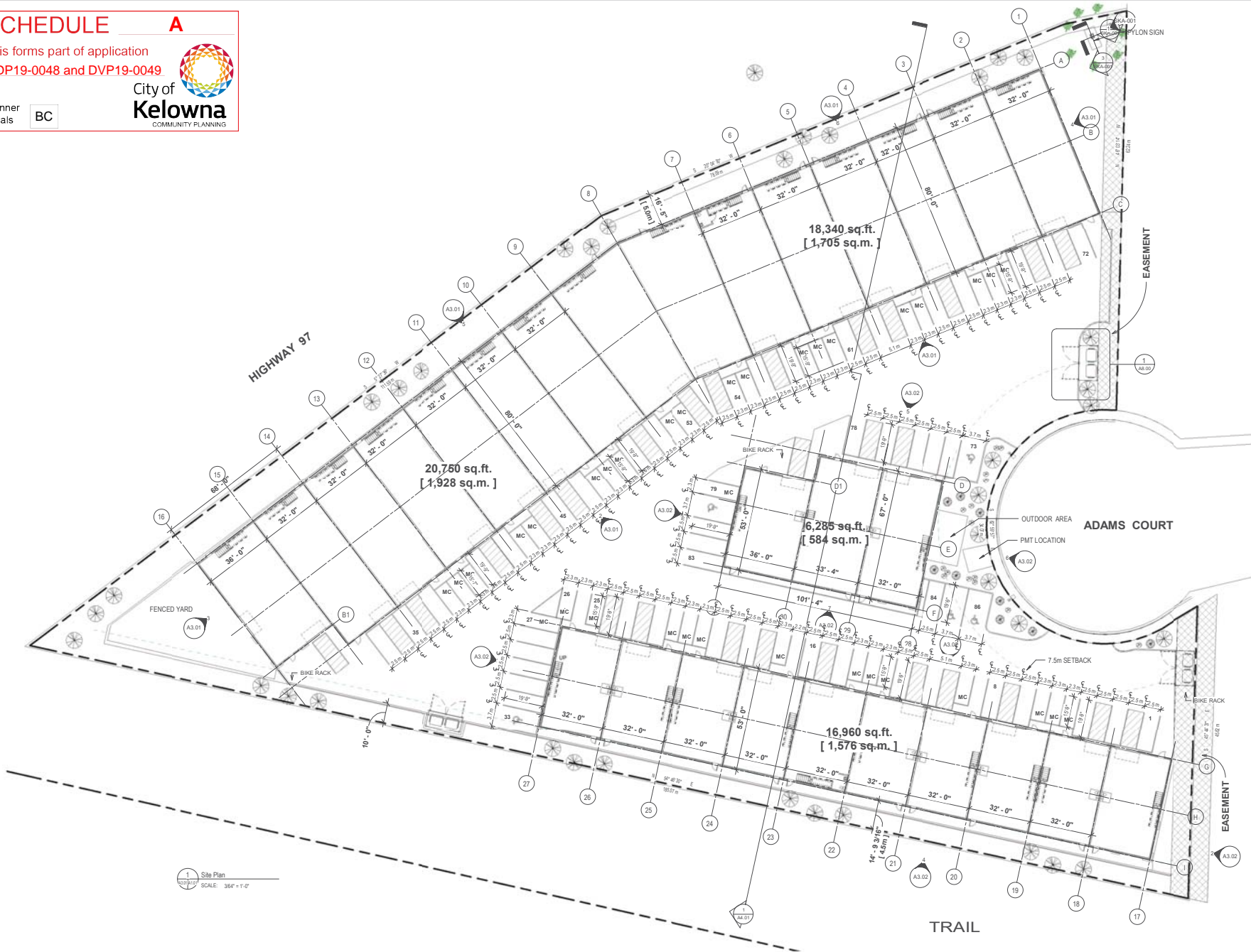
2

SCHEDULE

A

This forms part of application
DP19-0048 and DVP19-0049

Planner
Initials BC



1 Site Plan
SCALE: 3/64" = 1'-0"

Notes:
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No.	Date	Description	Revisions
2	2019/02/27	REVISED FOR CP	
1	2019/02/27	ISSUED FOR CP	



project title
Adams Court Business Park
716 ADAMS COURT
KELOWNA, BC

project no. 1828

drawing title
SITE PLAN

designed	PS	scale	3/64" = 1'-0"
drawn	BW		
checked	PS		

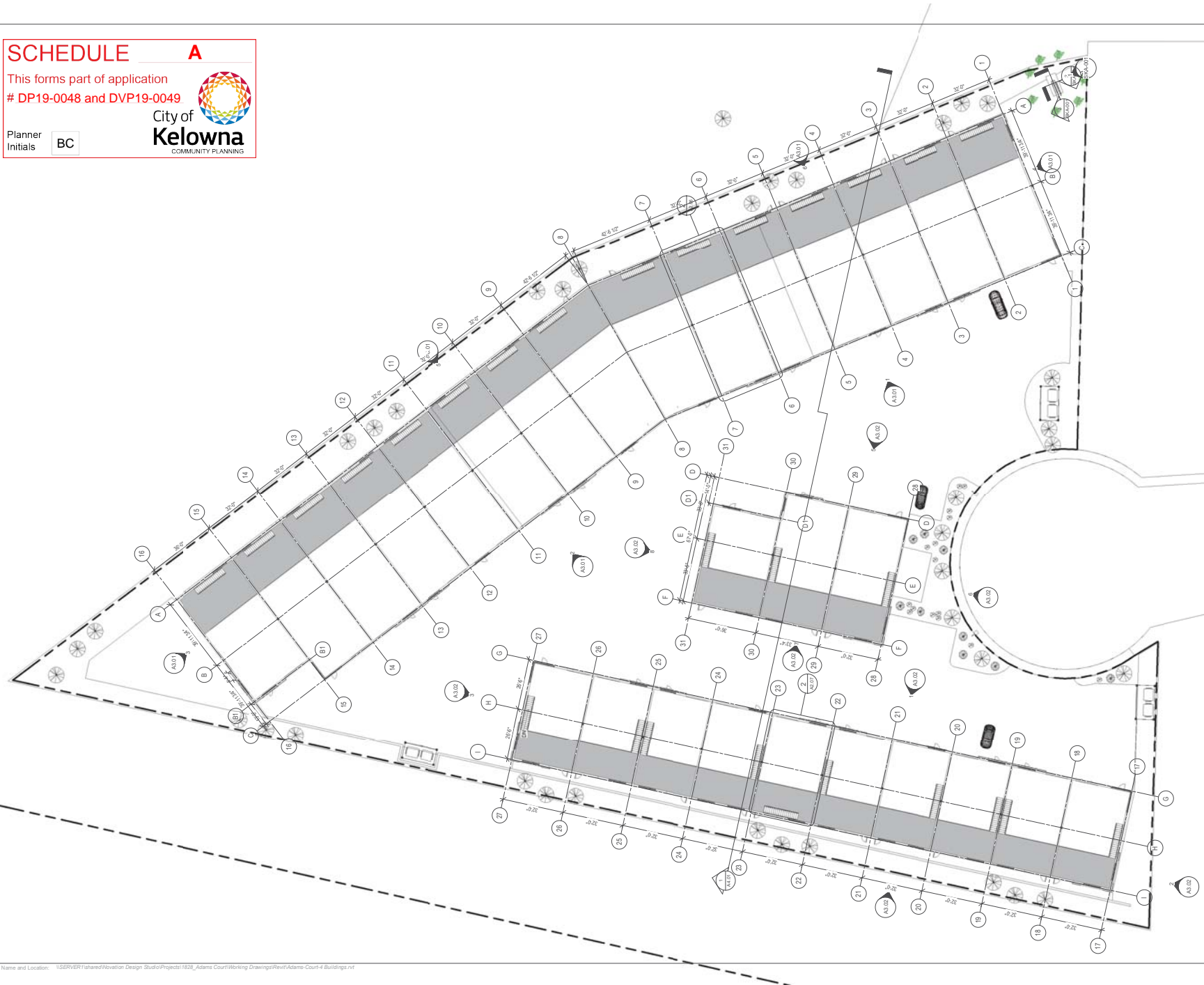
drawing no.
A1.01

date
2019-05-27 4:58:13 PM

SCHEDULE A

This forms part of application
DP19-0048 and DVP19-0049

Planner
Initials BC



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20190527 RE-ASSEMBLED FOR OP
No. Date Description



project title
Adams Court Business Park
716 ADAMS COURT
KELOWNA, BC
project no. 1828

drawing title
MEZZANINE FLOOR

designed	PS	scale	3/64" = 1'-0"
drawn	PS		
checked	PS		

drawing no.
A2.02

date
2019-05-27 4:03:28 PM

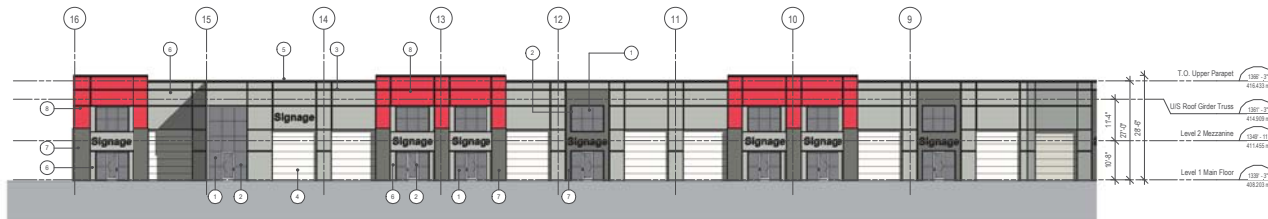
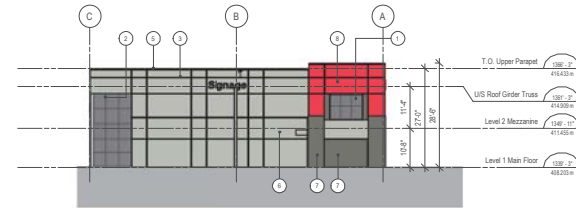
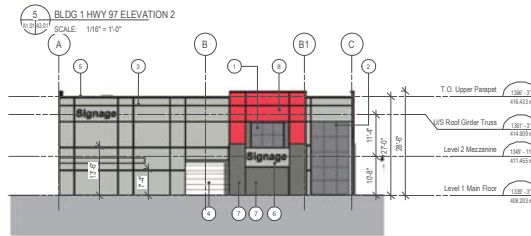
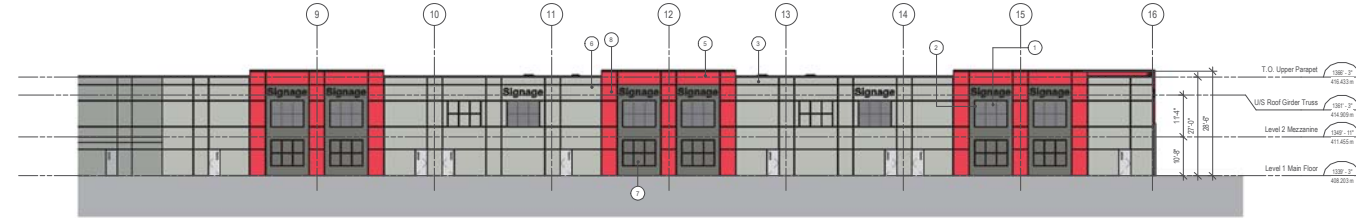
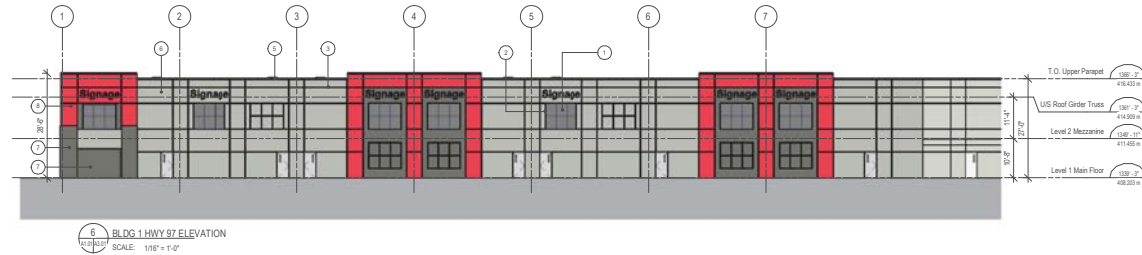
SCHEDULE

B

This forms part of application
DP19-0048 and DVP19-0049

Planner
Initials

BC



- 1- CLEAR GLASS
- 2- CLEAR ANODIZED STOREFRONT SYSTEM
- 3- REVEALS IN CONCRETE PANELS
- 4- INSULATED OVERHEAD SECTIONAL DOOR
- 5- BLACK CAP FLASHING
- 6- PAINTED CONCRETE PANELS - LIGHT COLOR (REFER TO MATERIAL BOARD)
- 7- PAINTED CONCRETE PANELS - DARK COLOR (REFER TO MATERIAL BOARD)
- 8- PAINTED CONCRETE PANELS - RED COLOR (REFER TO MATERIAL BOARD)
- 9- STONE VENEER ONTO CONCRETE PANELS

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No.	Date	Description
1	2019/02/27	RE-DESIGNED FOR CP
2	2019/12/14	REVISED FOR CP



302 - 2337 LECKIE ROAD
KELOWNA - B C V1X 6
Y2

project title
Adams Court Business Park

716 ADAMS COURT
KELOWNA, BC

project no. 1828

drawing title
EXTERIOR ELEVATIONS

designed PS scale 1/16" = 1'-0"

drawn PS

checked PS

drawing no. A3.01

dated 2019-05-27 4:39:46 PM

SCHEDULE B

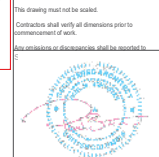
This forms part of application
DP19-0048 and DVP19-0049

Planner Initials BC



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No.	Date	Description	Revisions
2	2019/02/27	RE-DESIGNED FOR CP	
1	2019/12/14	ISSUED FOR CP	



302 - 2337 LECKIE ROAD
KELOWNA, BC V1X 6 Y2

project title
Adams Court Business Park

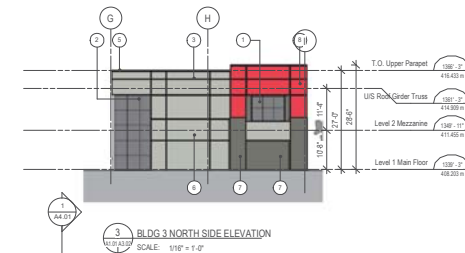
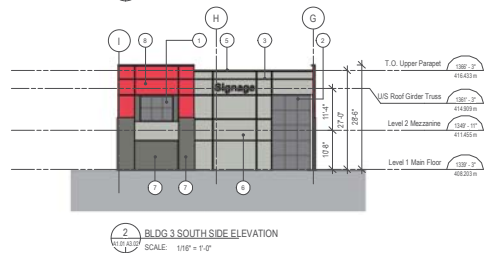
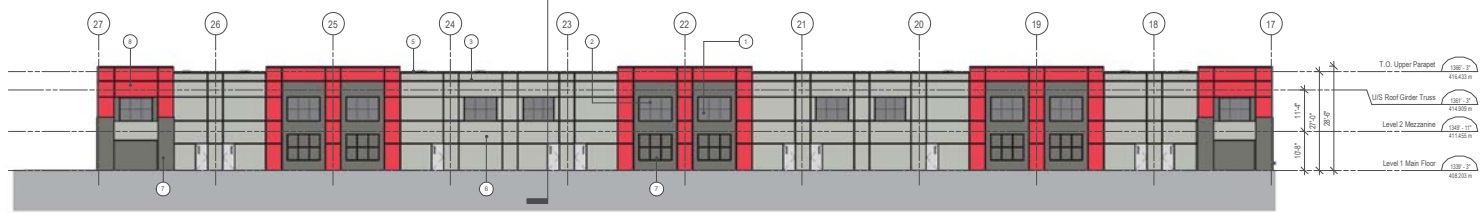
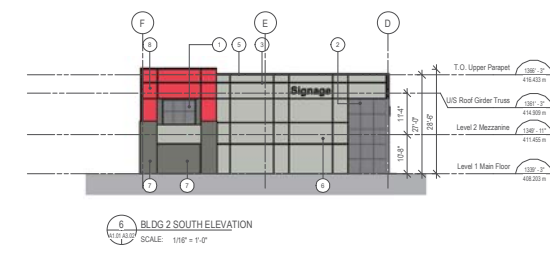
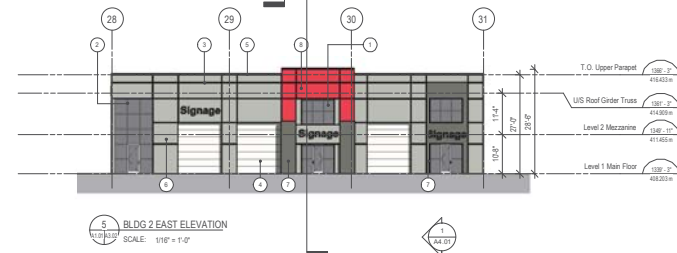
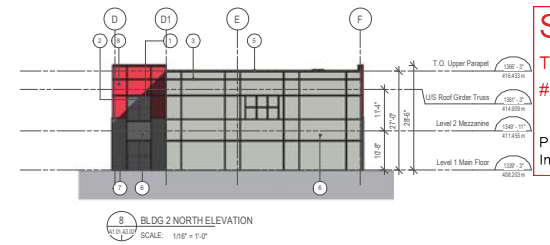
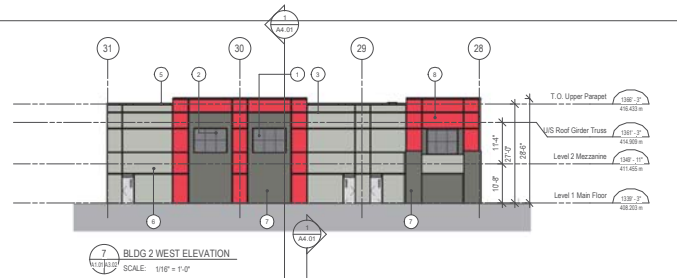
716 ADAMS COURT
KELOWNA, BC

project no. 1828

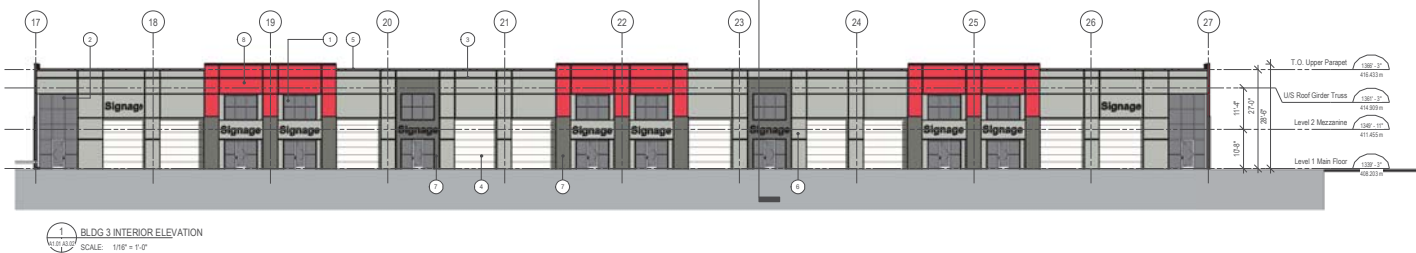
drawing title
EXTERIOR ELEVATIONS

designed	PS	scale	1/16" = 1'-0"
drawn	PS		
checked	PS		

drawing no.
A3.02
2019-05-27 4:05:05 PM



- 1- CLEAR GLASS
- 2- CLEAR ANODIZED STOREFRONT SYSTEM
- 3- REVEALS IN CONCRETE PANELS
- 4- INSULATED OVERHEAD SECTIONAL DOOR
- 5- BLACK CAP FLASHING
- 6- PAINTED CONCRETE PANELS - LIGHT COLOR (REFER TO MATERIAL BOARD)
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- 8- PAINTED CONCRETE PANELS - RED COLOR (REFER TO MATERIAL BOARD)
- 9- STONE VENEER ONTO CONCRETE PANELS



SCHEDULE

B


This forms part of application
DP19-0048 and DVP19-0049

Planner Initials BC



City of
Kelowna
COMMUNITY PLANNING

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No.	Date	Description	Revisions
2	20190527	RE ISSUED FOR CP	
1	20191214	ISSUED FOR CP	



302 - 2337 LECKIE ROAD
KELOWNA - BC V1X 6
V2

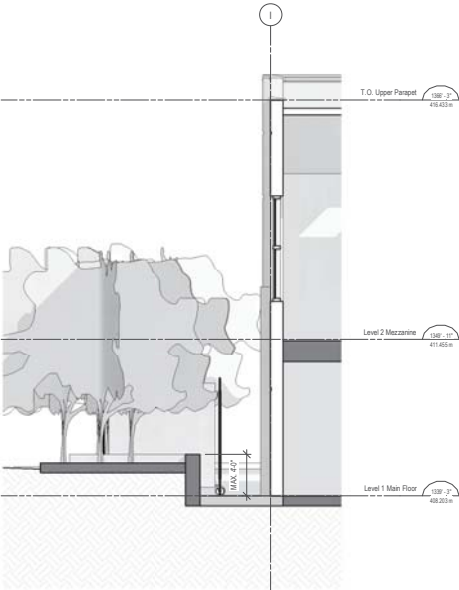
project title
Adams Court Business Park

716 ADAMS COURT
KELOWNA, BC

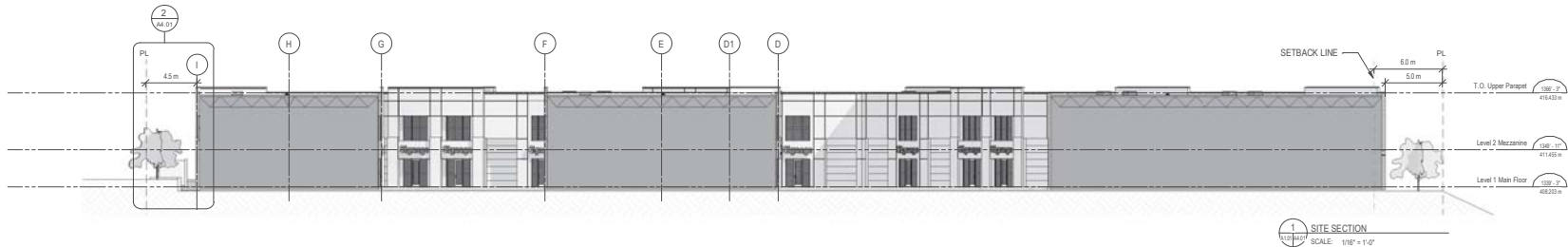
project no. 1828

drawing title
SITE SECTIONS

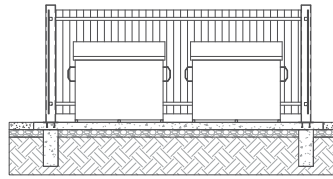
designed	PS	notes	As indicated
drawn	PS		
checked	PS		
drawing no.	A4.01		
sheet	2019-05-27 10:04 PM		



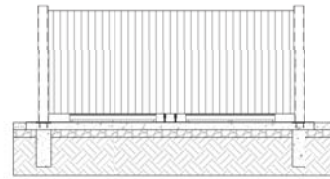
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SCALE: 1/4" = 1'-0"



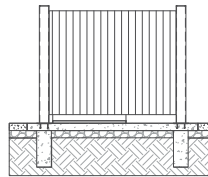
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SCALE: 1/16" = 1'-0"



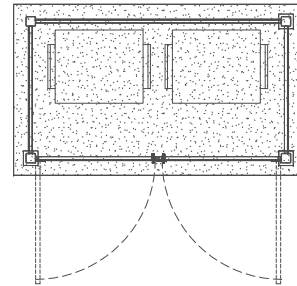
7 Section 2
SCAL 1/4" = 1'-0"
E:



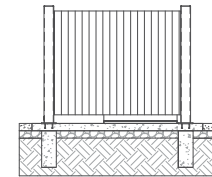
3 North
SCAL 1/4" = 1'-0"
E:



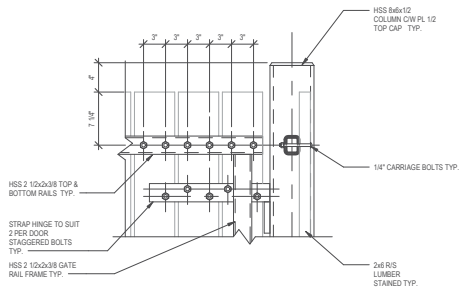
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SCAL 1/4" = 1'-0"
E:



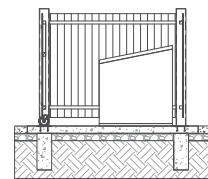
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E:



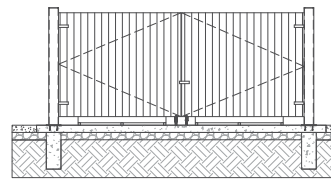
2 East
SCAL 1/4" = 1'-0"
E:



8 RAIL BOLTING
SCAL 1 1/2" = 1'-0"
E:



6 Section 1
SCAL 1/4" = 1'-0"
E:



4 South
SCAL 1/4" = 1'-0"
E:

SCHEDULE B

This forms part of application
DP19-0048 and DVP19-0049

Planner
Initials BC



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No.	Date	Description
1	20190823	ISSUED FOR DP
Revisions		



302 - 2237 LECKIE ROAD
KELOWNA, B.C. V1X 6Y5

project title:
GALE ROAD

Gale Road Kelowna, British Columbia

project no. 1611

drawing title:
GARBAGE ENCLOSURE
PLANS SECTIONS &
DETAILS

designed:	DMD	scale:	As indicated
drawn:	DMD		
checked:	PS		
drawing no.:			

A8.05

printout 2019-08-23 7:47:21 PM

November 20, 2018

Project: 716 Adams Court, Kelowna BC

Architect: Paul M. Schuster (250) 718 – 1302
paul@novationarchitecture.com

Designer: Mandy Bickert (250) 863 – 0891
mandy@novationarchitecture.com

Contractor: N/A

SCHEDULE

B

This forms part of application
DP19-0048 and DVP19-0049

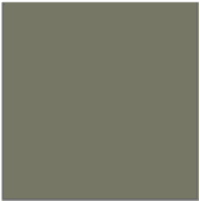

Planner Initials

BC



City of Kelowna
COMMUNITY PLANNING

Exterior Colours & Products

Description	Location	Product Name	Product Number	Sample
Painted Concrete	See Drawings	Kendall Charcoal Benjamin Moore	HC-166 Benjamin Moore	
Painted Concrete	See Drawings	Coventry Gray Benjamin Moore	HC-169 Benjamin Moore	
Painted Concrete	See Drawings	Caliente Benjamin Moore	AF-290 Benjamin Moore	
Stone Veneer Supplier: 	See Drawings	Black Pearl LedgeStone Veneer	N/A	



LEGEND:

	DECIDUOUS TREES
	CONIFEROUS TREES
	PROPERTY LINE
	CHAIN LINK FENCE
	GRAVEL MULCH
	ORNAMENTAL GRASSES / PERENNIALS PLANTING BED w/ GRAVEL MUCH
	RIPARIAN NATIVE SHRUBS
	NATIVE SHRUBS
	RIPARIAN NATIVE SEED MIX
	NATIVE SEED MIX
	BIKE RACK (CAPACITY 24)

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.

QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	Mature Plant Size (HxWd.)
Deciduous Trees					
4	<i>Fraxinus pennsylvanica</i> 'Patmore'	Patmore Green Ash	2cm Cal	B&B	9.0m x 7.0m
4	<i>Fraxinus pennsylvanica</i> 'Patmore'	Patmore Green Ash	4cm Cal	B&B	9.0m x 7.0m
4	<i>Fraxinus pennsylvanica</i> 'Summit'	Summit Green Ash	6cm Cal	B&B	9.0m x 7.0m
3	<i>Prunus virginiana</i>	Chokecherry	2cm Cal	B&B	8.0m x 5.0m
3	<i>Prunus virginiana</i>	Chokecherry	4cm Cal	B&B	8.0m x 5.0m
Conifer Trees					
6	<i>Pinus ponderosa</i>	Ponderosa Pine	2.5m ht.	B&B	25.0m x 9.0m
7	<i>Thuja plicata</i>	Western Red Cedar	2.5m ht.	B&B	30.0m x 10.0m
Ornamental Grasses					
75	<i>Pennisetum orientale</i> 'Karley Rose'	Karley Rose Fountain Grass	#01	Potted	1.0m x 1.0m
Ornamental Perennials					
85	<i>Echinacea purpurea</i> 'Magnus'	Magnus Coneflower	#01	Potted	0.9m x 0.6m
75	<i>Nipeta x faassoni</i> 'Walker's Low'	Walker's Low Catmint	#01	Potted	0.9m x 0.9m
85	<i>Rudbeckia fulgida</i> 'Goldsturm'	Goldsturm Coneflower	#01	Potted	0.6m x 0.6m
Riparian Native Shrubs					
10	<i>Lonicera involucrata</i>	Black Twinberry	#01	Potted	2.0m x 2.0m
15	<i>Salixitchensis</i>	Sika Willow	#01	Potted	1.5m x 1.5m
15	<i>Spiraea douglasii</i>	Hardhack	#01	Potted	1.5m x 1.5m
15	<i>Symphoricarpos albus</i>	Snowberry	#01	Potted	1.5m x 1.5m
15	<i>Typha latifolia</i>	Cattail	#01	Potted	1.5m x 1.5m
Native Shrubs					
10	<i>Cornus stolonifera</i>	Red-Osier Dogwood	#01	Potted	3.0m x 2.0m
10	<i>Rosa woodsii</i>	Prairie Rose	#01	Potted	1.5m x 1.5m
10	<i>Spiraea douglasii</i>	Hardhack	#01	Potted	1.5m x 1.5m
10	<i>Symphoricarpos albus</i>	Snowberry	#01	Potted	1.5m x 1.5m

RIPARIAN SEED MIX (964m²)		
Seed Weight	BOTANICAL NAME	COMMON NAME
20%	<i>Agrostis exarata</i>	Spike Bentgrass
20%	<i>Deschampsia cespitosa</i>	Tufted Hairgrass
20%	<i>Elymus glaucus</i>	Blue Wildrye
20%	<i>Pascopyrum smithii</i>	Western Wheatgrass
20%	<i>Poa palustris</i>	Fowl Bluegrass

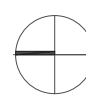
NATIVE SEED MIX (444m²)		
Seed Weight	BOTANICAL NAME	COMMON NAME
40%	<i>Pseudoroegneria spicata</i>	Bluebunch wheatgrass
20%	<i>Festuca campestris</i>	Rough Fescue
10%	<i>Festuca idahoensis</i>	Idaho Fescue
10%	<i>Balsamorhiza sagittata</i>	Arrowleaf Balsamroot
10%	<i>Achillea millefolium</i>	Common Yarrow
10%	<i>Gaillardia aristata</i>	Blanket Flower

SCHEDULE

C

This forms part of application
DP19-0048 and DVP19-0049

Planner
Initials BC



SEAL

NO.	DATE (MM/DD/YYYY)	REVISION
1	05/10/19	RE-ISSUED FOR DEVELOPMENT PERMIT
0	12/14/18	ISSUED FOR DEVELOPMENT PERMIT

DESIGN: BD
DRAWN: GM
CHKD: BD
DATE: 11/05/18
SCALE: 1/750

SITE PLAN

LDP-1

Project No. LK-18-554-PEI



HYDROZONE LEGEND:

- LOW WATER REQUIREMENTS
GRASSES / PERENNIALS / SEEDING
- MEDIUM WATER REQUIREMENTS
SHRUBS

SCHEDULE C

This forms part of application
DP19-0048 and DVP19-0049

Planner
Initials BC



SEAL

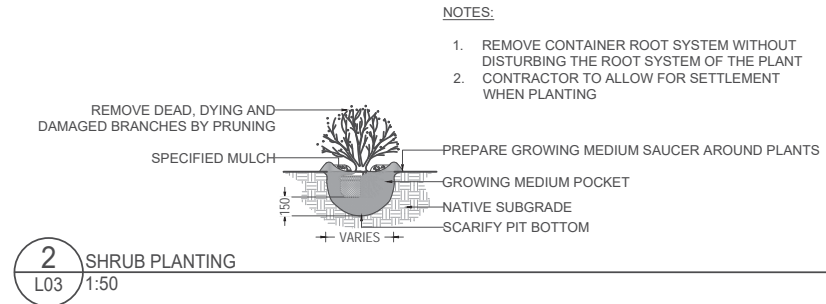
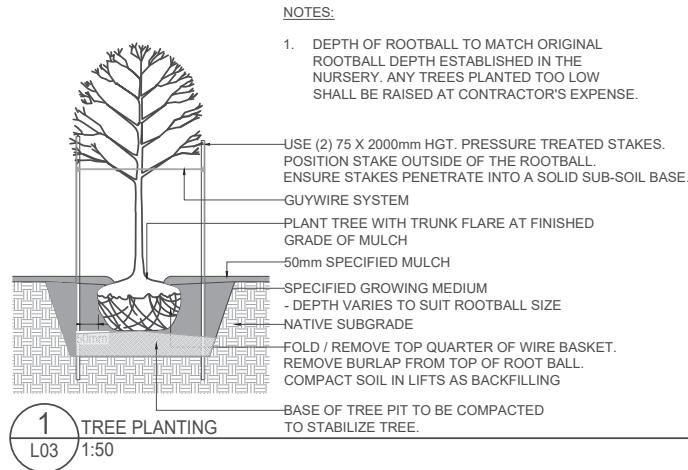
NO.	DATE (MM/DD/YYYY)	REVISION
1	05/10/19	RE-ISSUED FOR DEVELOPMENT PERMIT
0	12/14/18	ISSUED FOR DEVELOPMENT PERMIT

DESIGN: BD
DRAWN: GM
CHKD: BD
DATE: 11/05/18
SCALE: 1:750

HYDROZONE PLAN

LDP-2

Project No. LK-18-554-PEI



SCHEDULE C

This forms part of application
DP19-0048 and **DVP19-0049**

Planner
Initials

BC

DESIGN: BD	DETAILS
DRAWN: GM	
CHKD: BD	
DATE: 11/05/18	LDP-2
SCALE: AS SHOWN	Project No. LK-18-554-PEI
NO. DATE (MM/DD/YYYY)	REVISION
1 05/10/19	RE-ISSUED FOR DEVELOPMENT PERMIT
0 12/14/18	ISSUED FOR DEVELOPMENT PERMIT

SEAL

SCHEDULE**C**

This forms part of application

DP19-0048 and DVP19-0049

Planner
Initials

BC

City of
Kelowna
COMMUNITY PLANNING**716 Adam's Court**

5/16/2019

ESTIMATE OF PROBABLE COSTS - Reference: LDP 1

Description of work		Unit	Estimated Amount	Estimated Value	Total Value
PHASE 1					
1.0	Landscape On-Site				
1.1	Deciduous Trees (20mm Cal.)	ea.	3	\$250.00	\$750.00
1.2	Deciduous Trees (40mm Cal.)	ea.	3	\$450.00	\$1,350.00
1.3	Deciduous Trees (60mm Cal.)	ea.	4	\$650.00	\$2,600.00
1.4	Conifer Trees (2.5m Ht.)	ea.	5	\$450.00	\$2,250.00
1.5	Seeding	m ²	620	\$2.50	\$1,550.00
1.6	Planting	ea.	150	\$15.00	\$2,250.00
1.7	Imported growing medium for seeding (50mm depth)	m ³	31	\$65.00	\$2,015.00
1.8	Imported growing medium for planting beds (300mm depth)	m ³	57	\$65.00	\$3,705.00
1.9	Imported growing medium for trees (1cu.m. per tree)	m ³	15	\$65.00	\$975.00
1.10	Rock Mulch Dressing (50mm depth)	m ²	482	\$10.00	\$4,820.00
1.11	High efficiency irrigation system	m ²	190	\$18.00	\$3,420.00
1.12	Bike Rack	ea.	3	\$800.00	\$2,400.00
1.13	1.8m Ht. Chain Link Fence	lm	48	\$100.00	\$4,800.00
PHASE 1 SUBTOTAL					\$32,885.00
PHASE 2					
1.0	Landscape On-Site				
1.1	Deciduous Trees (20mm Cal.)	ea.	2	\$250.00	\$500.00
1.2	Deciduous Trees (40mm Cal.)	ea.	2	\$450.00	\$900.00
1.3	Conifer Trees (2.5m Ht.)	ea.	3	\$450.00	\$1,350.00
1.4	Seeding	m ²	506	\$2.50	\$1,265.00
1.5	Planting	ea.	185	\$15.00	\$2,775.00
1.6	Imported growing medium for seeding (50mm depth)	m ³	25	\$65.00	\$1,625.00
1.7	Imported growing medium for planting beds (300mm depth)	m ³	68	\$65.00	\$4,420.00
1.8	Imported growing medium for trees (1cu.m. per tree)	m ³	7	\$65.00	\$455.00
1.9	Rock Mulch Dressing (50mm depth)	m ²	150	\$10.00	\$1,500.00
1.10	High efficiency irrigation system	m ²	230	\$18.00	\$4,140.00
PHASE 2 SUBTOTAL					\$18,930.00

PHASE 3					
1.0	Landscape On-Site				
1.1	Deciduous Trees (20mm Cal.)	ea.	2	\$250.00	\$500.00
1.2	Deciduous Trees (40mm Cal.)	ea.	2	\$450.00	\$900.00
1.3	Conifer Trees (2.5m Ht.)	ea.	5	\$450.00	\$2,250.00
1.4	Seeding	m ²	282	\$2.50	\$705.00
1.5	Planting	ea.	95	\$15.00	\$1,425.00
1.6	Imported growing medium for seeding (50mm depth)	m ³	15	\$65.00	\$975.00
1.7	Imported growing medium for planting beds (300mm depth)	m ³	40	\$65.00	\$2,600.00
1.8	Imported growing medium for trees (1cu.m. per tree)	m ³	9	\$65.00	\$585.00
1.9	Rock Mulch Dressing (50mm depth)	m ²	80	\$10.00	\$800.00
1.10	High efficiency irrigation system	m ²	125	\$18.00	\$2,250.00
PHASE 3 SUBTOTAL					\$12,990.00
TOTAL					\$64,805.00
10% Contingency					\$6,480.50
ESTIMATED TOTAL LANDSCAPE BUDGET					\$71,285.50

This is an estimate and not a guaranteed amount, and is to be used for bonding purposes only.
Costing is based on 2018 contractor pricing and is subject to change.

REPORT TO COUNCIL



Date: July 16, 2019

RIM No. 0940-50

To: Council

From: City Manager

Application: DVP19-0075

Owner: Alan Mitchell Adair & Adrienne
Christine Adair

Address: 731 Bay Avenue

Applicant: Zsolt Ketesdi, Harmony Homes

Subject: Development Variance Permit Application

Existing OCP Designation: IND-T – Industrial – Transitional

Existing Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0075 for Lot 38 Section 30 Township 26 ODYD Plan 1304, located at 731 Bay Avenue, Kelowna, BC;

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

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

To vary the maximum combined site coverage of a carriage house and all accessory buildings or structures from 14% to 14.6%.

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

To vary the maximum height of the carriage house from the lesser of 4.8 m or the height of the principal dwelling to 0.94 m higher than the midpoint of the principal dwelling.

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

2.0 Purpose

To vary the combined site coverage of a carriage house and all accessory buildings or structures and the height of a carriage house relative to the height of the principal dwelling on the subject property.

3.0 Community Planning

Community Planning staff are supportive of the request for two variances to facilitate the development of a one and one half storey carriage house on the subject property. The site coverage variance from 14% permitted to 14.6% proposed is minor in nature and is expected to have a nominal impact. Regarding the

height variance, staff considered the neighbourhood context, existing site conditions, and overall height in making a recommendation of support. First, because of the location and neighbourhood context of the subject property, negative impacts resulting from a taller carriage house are less likely here than would be the case in many other locations across Kelowna. There are laneways on both the west and south sides of the subject property that act as buffers. The subject property is also adjacent to industrial properties to the south and southwest, further reducing privacy concerns related to the height of the carriage house. Additionally, because the principal dwelling on the subject property is an older single storey home, it would be difficult to construct a carriage house over a garage, which allows for parking to be accessed from the laneway, without the carriage house being higher than the principal dwelling. Finally, while the proposed carriage house is higher than the principal dwelling, it is under the 4.8 m height specified in the Zoning Bylaw as the maximum allowable carriage house height.

Council Policy No. 367 with respect to neighbourhood notification was undertaken by the applicant.

4.0 Proposal

4.1 Project Description

The proposal is for a one and one half storey carriage house in the rear portion of the subject property. As proposed, the carriage house would be constructed over a double garage, and one additional parking space would be provided on site for a total of three spaces. Lighted pathways are provided to the carriage house from Bay Avenue and from the parking space dedicated to the carriage house. Adequate private open space has also been provided.

The first variance requested is to increase the combined site coverage of the carriage house and all accessory buildings or structures on the subject property from 14% permitted to 14.6% proposed. The overall building footprint of the proposed carriage house is 84.1 m², which is under the maximum carriage house footprint of 90.0 m² permitted. The second variance requested is to allow the carriage house midpoint height to be 4.56 m, which is 0.94 m higher than the midpoint of the principal dwelling.

4.2 Site Context

The subject property is zoned RU6, which permits the construction of a carriage house. The Future Land Use of the subject property is Industrial – Transitional, which permits light industrial and residential uses. The block that the subject property is located on has remained entirely residential despite the Industrial – Transitional Future Land Use designation. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing	Single Dwelling Housing
East	RU6 – Two Dwelling Housing	Single Dwelling Housing
South	I4 – Central Industrial	Fleet Services
West	RU6 – Two Dwelling Housing	Single Dwelling Housing

Subject Property Map: 731 Bay Avenue



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	400.0 m ²	583.0 m ²
Lot Width	13.0 m	13.0 m
Lot Depth	30.0 m	45.1 m
Development Regulations – Carriage House Regulations		
Height	Lesser of 4.8 m or midpoint of principal dwelling	4.56 m ^①
Combined Site Coverage (Carriage House and all Accessory Buildings/Structures)	14%	14.6% ^②
Front Yard	9.0 m	33.53 m
Side Yard (west)	1.5 m	1.87 m
Side Yard (east)	1.5 m	2.69 m
Rear Yard	0.9 m	0.9 m
Other Regulations		
Minimum Parking Requirements	3 stalls	3 stalls
Minimum Private Open Space	30.0 m ² per dwelling	30.0 m ² per dwelling
^① Indicates a requested variance to carriage house height measured to the midpoint (midpoint of principal dwelling is 3.62 m). ^② Indicates a requested variance to combined site coverage for carriage house and all accessory buildings/structures.		

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.

Sensitive Infill.² Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height, and siting.

6.0 Application Chronology

Date of Application Received: March 3, 2019

Date Public Consultation Completed: May 17, 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: Draft Development Variance Permit No. DVP19-0075

Attachment B: Conceptual Building Drawings

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

² City of Kelowna Official Community Plan, Policy 5.22.7 (Development Process Chapter).

Development Variance Permit

DVP19-0075



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

731 Bay Avenue

and legally known as

Lot 38 Section 30 Township 26 ODYD Plan 1304

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

Single Dwelling Housing with Carriage House



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

Date of Council Decision:

Decision By: COUNCIL

This permit will not be valid if development has not commenced within two (2) years of the approval date.

Existing Zone: RU6

Future Land Use Designation: IND-T

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: Alan Mitchell Adair & Adrienne Christine Adair

Applicant: Zsolt Ketesdi, Harmony Homes

Terry Barton
Development Planning Department Manager
Planning & Development Services

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

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

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

To vary the maximum combined site coverage of a carriage house and all accessory buildings or structures from 14% to 14.6%.

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

To vary the maximum height of the carriage house from the lesser of 4.8 m or the height of the principal dwelling to 0.94 m higher than the midpoint of the principal dwelling.

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

3. INDEMNIFICATION

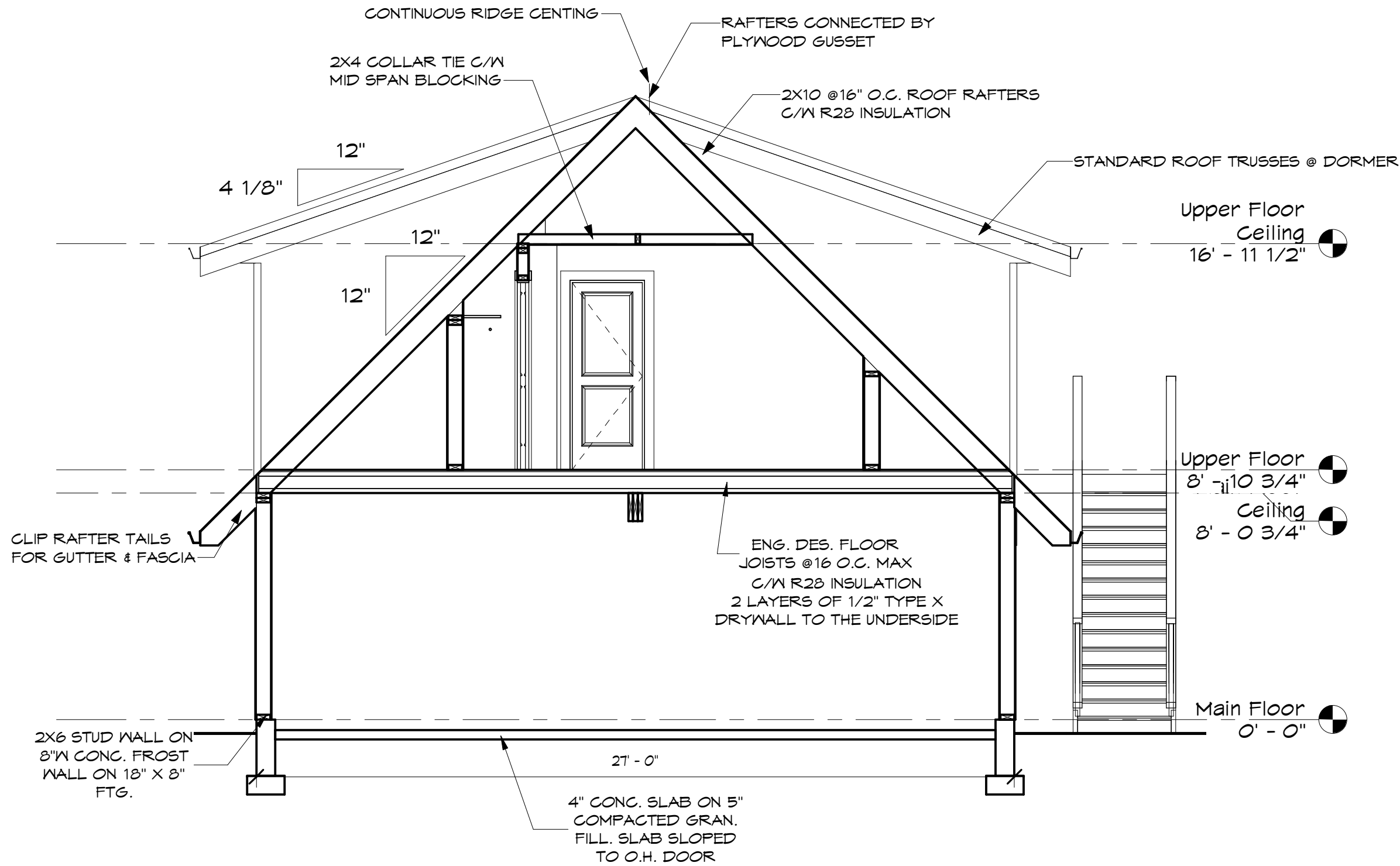
Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

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

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

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

BAY AVENUE



Section 1
1/4" = 1'-0"

PRIMARY REAR ELEVATION		
WALL AREA	270 SF	25.08 SM
LIMITING DISTANCE	23' - 9 1/2"	7.252 m
% OF ALLOWABLE OPENINGS	64.68%	
AREA OF ALLOWABLE OPENINGS	174.64 SF	16.22 SM
PROPOSED OPENINGS	44.5 SF	4.13 SM

REAR ELEVATION		
WALL AREA	400.8 SF	37.24 SM
LIMITING DISTANCE	23' - 9 1/2"	7.252 m
% OF ALLOWABLE OPENINGS	92.37%	
AREA OF ALLOWABLE OPENINGS	362.20 SF	33.65 SM
PROPOSED OPENINGS	16 SF	1.49 SM

LEFT ELEVATION ELEVATION		
WALL AREA	401.01 SF	37.26 SM
LIMITING DISTANCE	16' - 6 3/4"	5.048 m
% OF ALLOWABLE OPENINGS	55.04%	
AREA OF ALLOWABLE OPENINGS	220.72 SF	20.51 SM
PROPOSED OPENINGS	40 SF	3.72 SM

ROOF CONSTRUCTION @ TRUSSES

- ASPHALT SHINGLES
- 30# ROOFING FELT
- 7/16" O.S.B. ROOF SHEATHING C/M "H" CLIPS
- ENGINEER DESIGNED ROOF TRUSSES
- R-40 INSULATION
- 6 MIL POLY. VAPOUR BARRIER
- 1/2" GYPSUM BOARD

ROOF CONSTRUCTION @ RAFTERS

- ASPHALT SHINGLES
- 30# ROOFING FELT
- 7/16" O.S.B. ROOF SHEATHING C/M "H" CLIPS
- 2X10 @16" O.C. ROOF JOISTS
- R-28 INSULATION
- 6 MIL POLY. VAPOUR BARRIER
- 1/2" GYPSUM BOARD

INTERIOR FLOOR CONSTRUCTION

- FINISHED FLOORING
- 3/4" T&G FIR PLYWOOD SUBFLOOR
- ENGINEER DESIGNED FLOOR SYSTEM @16" O.C. MAX
- R28 INSULATION BETWEEN JOISTS
- 1/2" GYPSUM BOARD

GARAGE SLAB CONSTRUCTION

- 4" CONC. SLAB @32MPA
- 5" COMPACTED GRAN. FILL
- SLAB SLOPED TO O.H. DOOR

EXTERIOR WALL CONSTRUCTION

- HARDIE PLANK SIDING
- PERMAX PAPER
- 7/16" O.S.B. SHEATHING
- 2X6 SPF STUDS @24" O.C.
- R-22 INSULATION
- 6 MIL POLY. VAPOUR BARRIER
- 1/2" GYPSUM BOARD

INTERIOR WALL CONSTRUCTION

- 1/2" GYPSUM BOARD TO BOTH SIDES
- 2X4 SPF STUDS @16" O.C.

DECK CONSTRUCTION

- 5/4"x6" SUNPINE SPACED DIMENSIONAL DECKING
- 2X8 D.FIR #2 DECK JOISTS @16" O.C.

STAIR CONSTRUCTION

- 16 EQUAL RISERS
- 10" RUN
- 11" TREADS OF 5/4X6 MOISTURESHIELD
- 2X12 STRINGERS
- 2'-10" HANDRAILS

FLOOR JOIST SPANS OF MORE THAN 70" SHALL BE BRIDGED AT MID-SPAN OR AT 70" O.C. MAXIMUM. BRIDGING SHALL BE 2"x2" DIAGONAL TYPE CROSS BRIDGING INSTALLED AS PER THE B.C.B.C. 2006.

FLASHING TO BE INSTALLED AT ALL PENETRATIONS IN ROOF SYSTEM AND CHANGES IN ROOF PLANE.

ALL ELECTRICAL/PLUMBING FIXTURES TO BE VERIFIED WITH OWNER.

FLASHING TO BE INSTALLED AT ALL CHANGES IN HORIZONTAL EXTERIOR FINISHINGS AND OVER ALL UNPROTECTED OPENINGS. CAULKING TO BE INSTALLED AROUND ALL UNFLASHED EXTERIOR OPENINGS.

HARMONY HOMES SHALL NOT BE RESPONSIBLE FOR ANY VARIANCES FROM THE STRUCTURAL DRAWINGS AND SPECIFICATIONS, OR ADJUSTMENTS REQUIRED RESULTING FROM CONDITIONS ENCOUNTERED AT THE JOB SITE, AND IS THE SOLE RESPONSIBILITY OF THE OWNER OR CONTRACTOR.

HARMONY HOMES MAKES EVERY EFFORT TO PROVIDE COMPLETE AND ACCURATE CONSTRUCTION DRAWINGS. HOWEVER, WE ASSUME NO LIABILITY FOR ANY ERRORS OR OMISSIONS WHICH MAY EFFECT CONSTRUCTION. IT IS THE RESPONSIBILITY OF ALL TRADES AND SUB-TRADES TO CHECK AND VERIFY ALL DIMENSIONS AND DETAILS BEFORE COMMENCING WITH THEIR PORTION OF THE CONSTRUCTION. SHOULD DISCREPANCIES BE FOUND ON THESE PLANS, PLEASE ADVISE OUR OFFICES SO WE CAN MAKE THE NECESSARY CORRECTIONS.

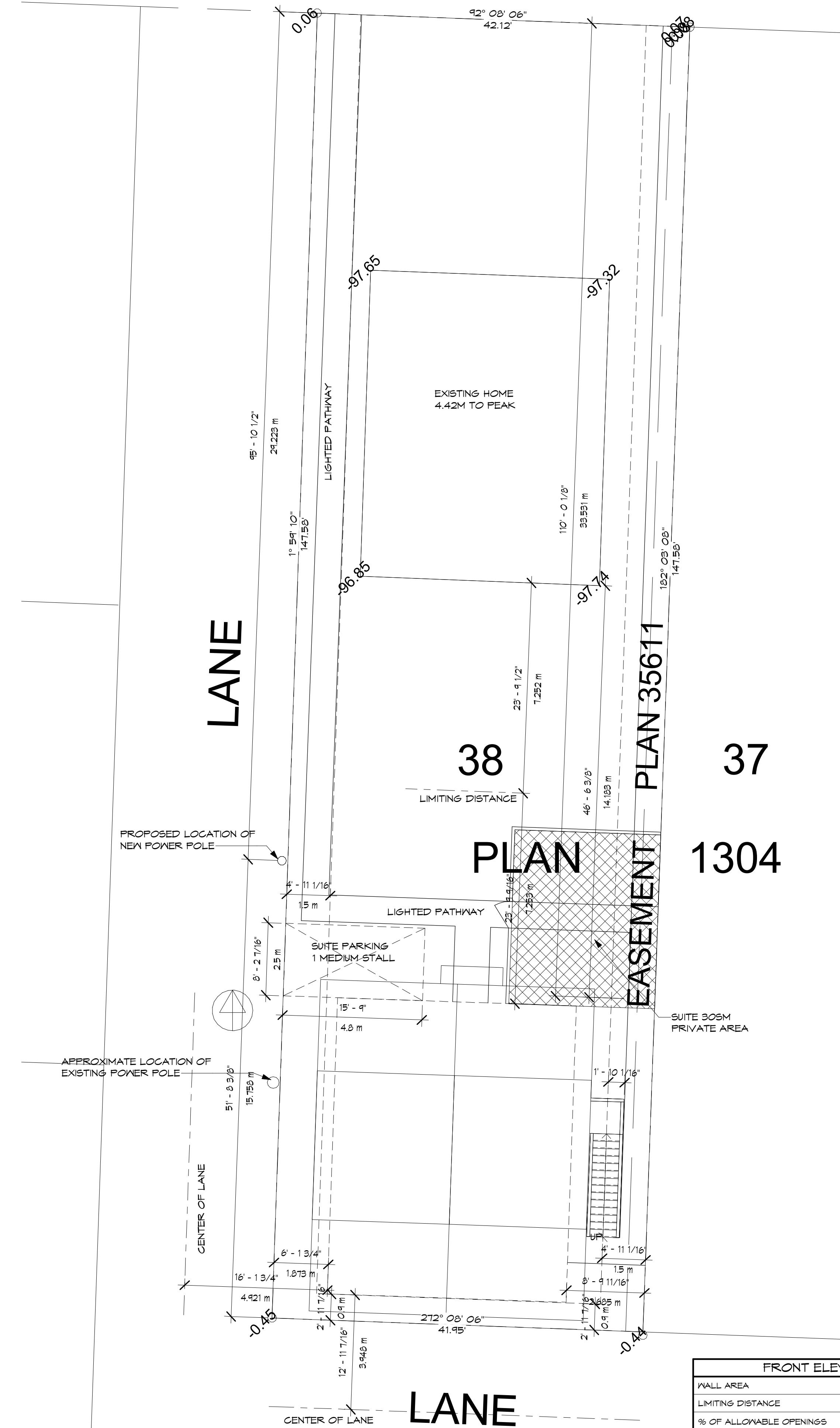
INTERIOR SWING DOORS

ROUGH OPENING IS ALWAYS 82 1/2" HIGH X 2" GREATER THAN THE NOMINAL DOOR SIZE
EX. 28 X 68 = 34" X 82 1/2"

INTERIOR BIFOLDS

ROUGH OPENINGS FOR 2 PANEL DOORS ARE 1 1/4" GREATER THAN THE NOMINAL DOOR WIDTH & 1 1/2" GREATER THAN DOOR HEIGHT.
EX. 30 X 68 = 37 1/4" X 81 1/2"

ROUGH OPENINGS FOR 4 PANEL DOORS ARE 1" GREATER THAN THE NOMINAL DOOR WIDTH & 1 1/2" GREATER THAN DOOR HEIGHT.
EX. 50 X 68 = 61" X 81 1/2"



Site
1/8" = 1'-0"

LOT COVERAGE		
LOT AREA	6203.31 SF	576.306 SM
HOUSE	435.96 SF	86.954 SM
CARRIAGE HOUSE	405 SF	84.071 SM
	0 SF	0 SM
	0 SF	0 SM
TOTAL LOT COVERAGE	1840.96 SF	171.03 SM
ALLOWABLE LOT COVERAGE	2481.32 SF	230.523 SM
PROPOSED LOT COVERAGE	29.68%	
ALLOWABLE LOT COVERAGE	40 %	

CARRIAGE HOME LOT CALCULATIONS		
PRIMARY HOME FLOOR AREA	435.96 SF	86.954 SM
75% ALLOWABLE AREA	701.91 SF	65.22 SM
PROPOSED CARRIAGE AREA	663 SF	61.59 SM
CARRIAGE HOME ALLOWABLE LC	14 %	
LOT AREA	6203.31 SF	576.306 SM
ALLOWABLE CARRIAGE LC	868.46 SF	80.68 SM
PROPOSED CARRIAGE LC	405 SF	84.08 SM

VARIANCE REQUIRED

ATTACHMENT B

This forms part of application
DP19-0075

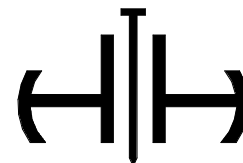
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RIGHT ELEVATION		
WALL AREA	401.01 SF	37.26 SM
LIMITING DISTANCE	8' - 9 23/32"	2.605 m
% OF ALLOWABLE OPENINGS	19.03%	
AREA OF ALLOWABLE OPENINGS	76.31 SF	7.09 SM
PROPOSED OPENINGS	20.33 SF	1.89 SM

FRONT ELEVATION		
WALL AREA	400.8 SF	37.24 SM
LIMITING DISTANCE	12' - 11 1/16"	3.948 m
% OF ALLOWABLE OPENINGS	33.35%	
AREA OF ALLOWABLE OPENINGS	133.61 SF	12.42 SM
PROPOSED OPENINGS	25 SF	2.32 SM

ISSUED FOR
CONSTRUCTION



HARMONY HOMES

PHONE: (250)765-5191
#201 - 833 FINNS ROAD, KELOWNA, B.C.

PROPOSED RESIDENCE OF:
MR. & MRS. ADAIR
KELOWNA, B.C.

DRAWING SCALE: As indicated

DATE: MARCH 12, 2019

REV. DATE: APR 29, 2019

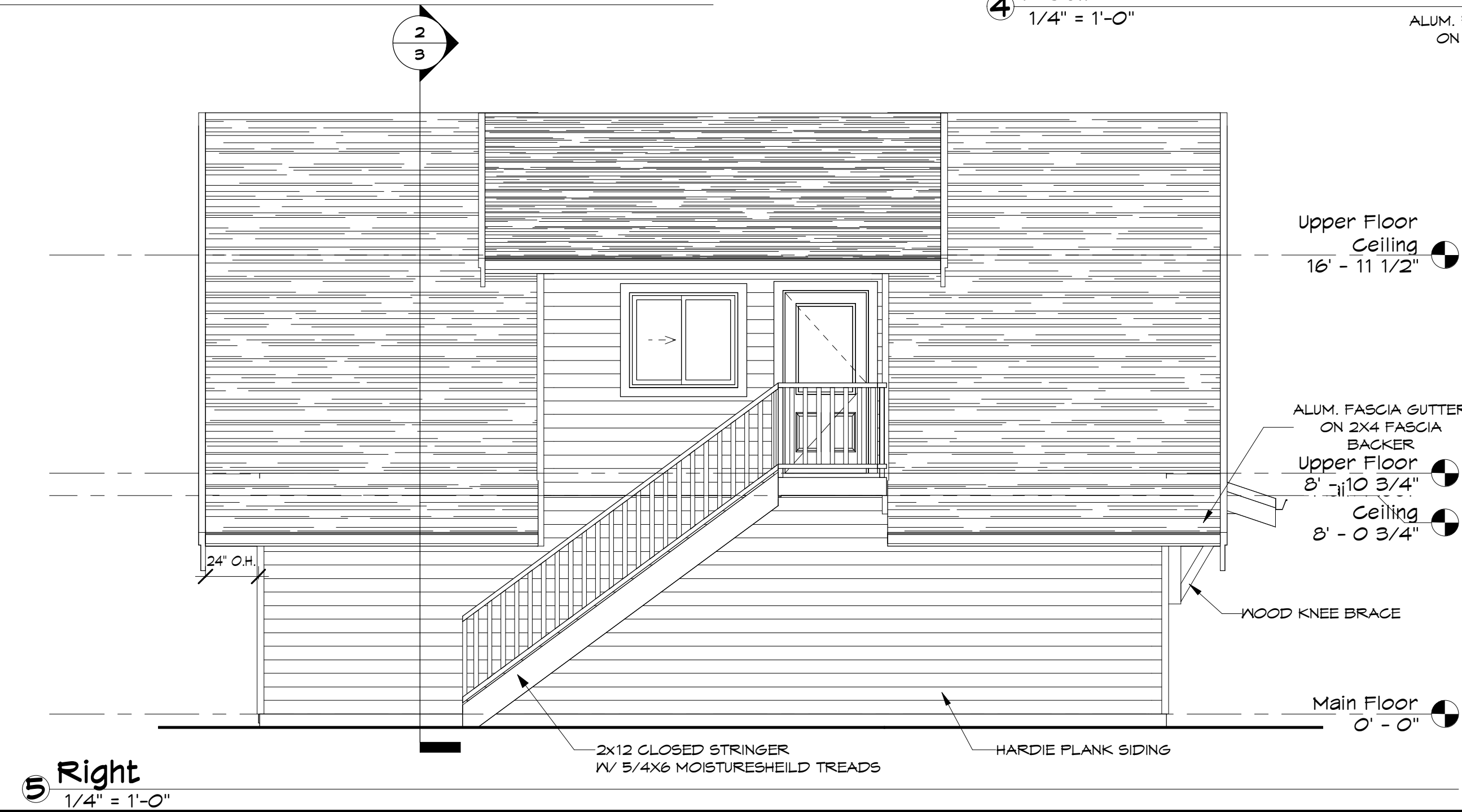
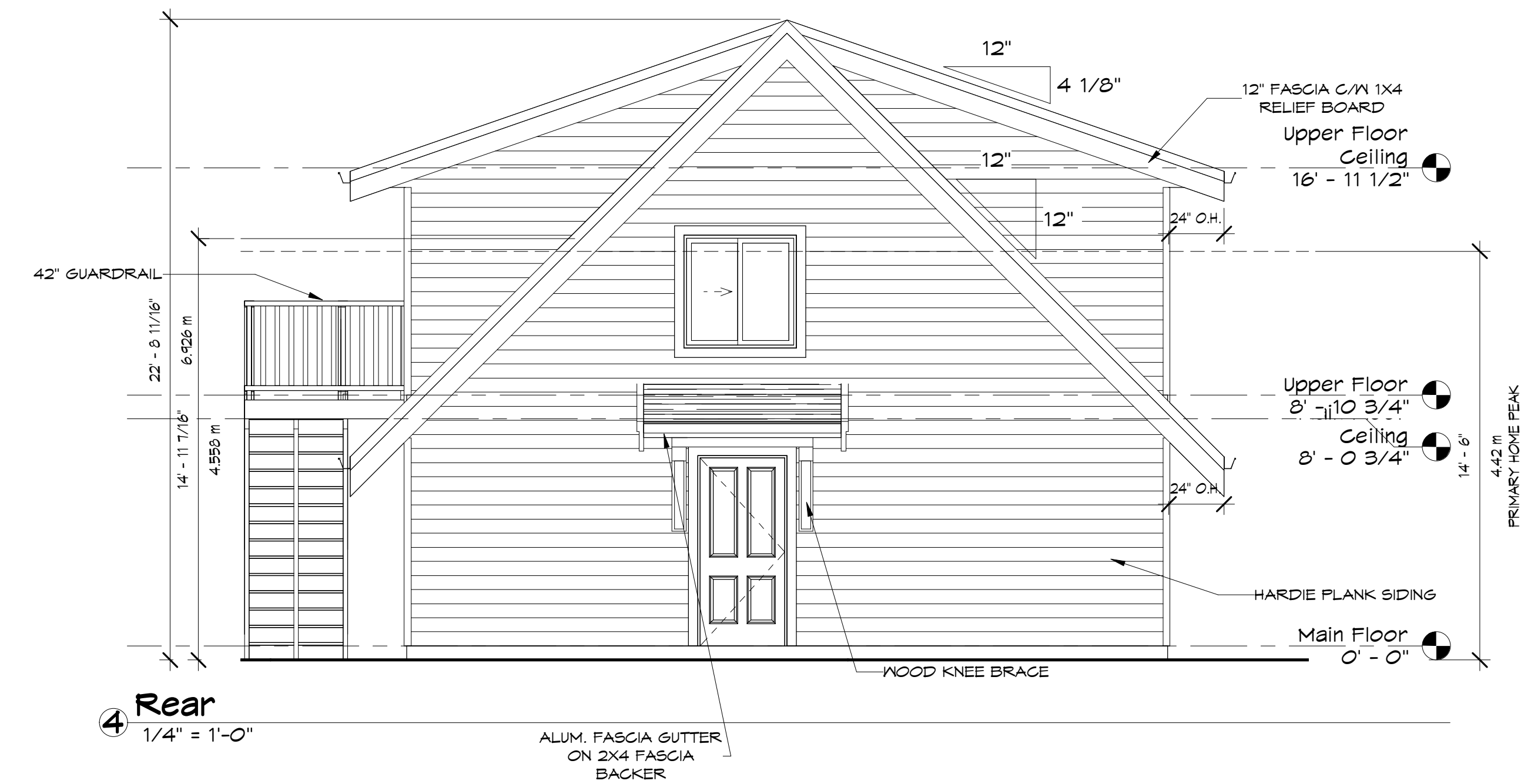
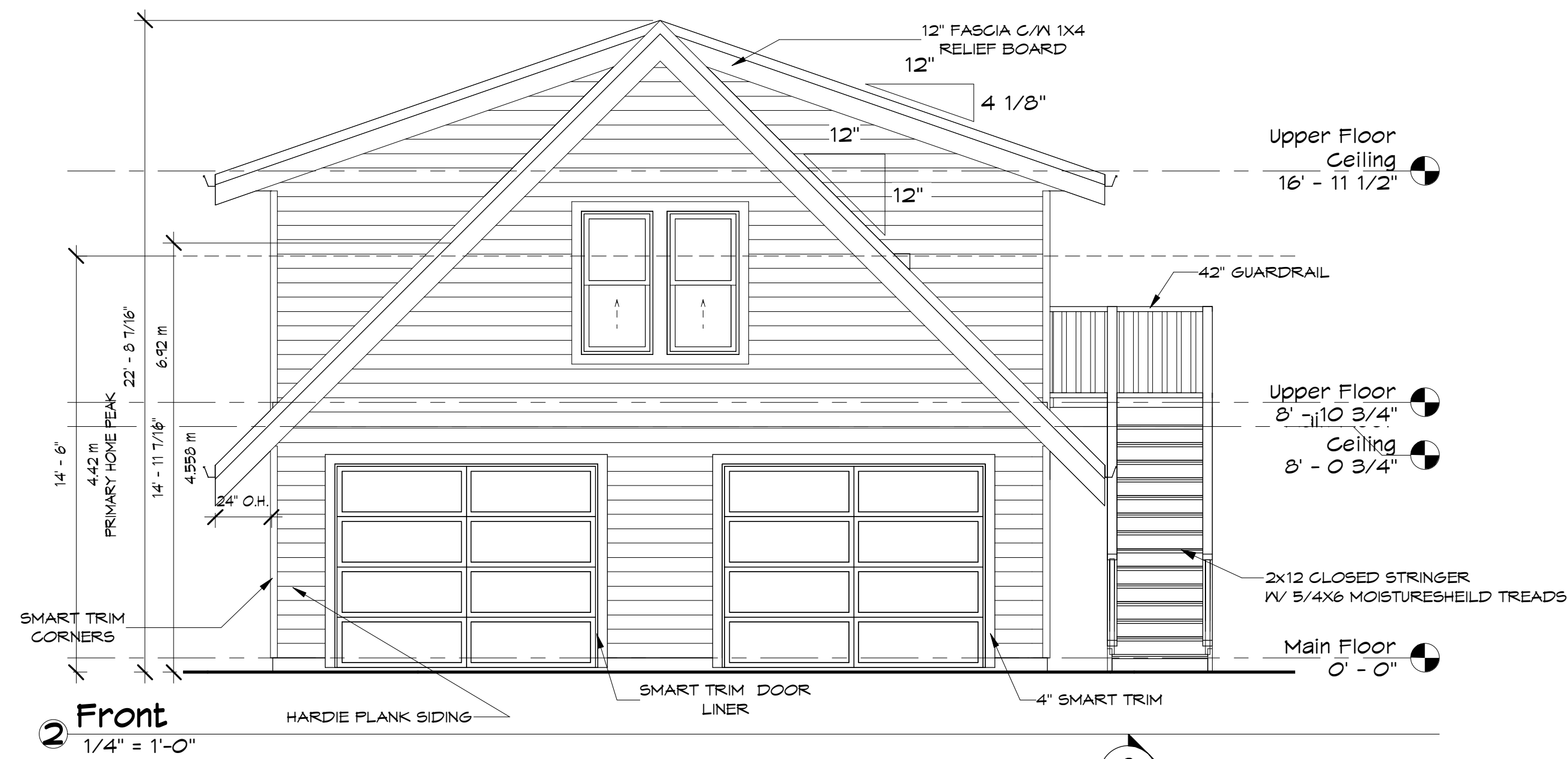
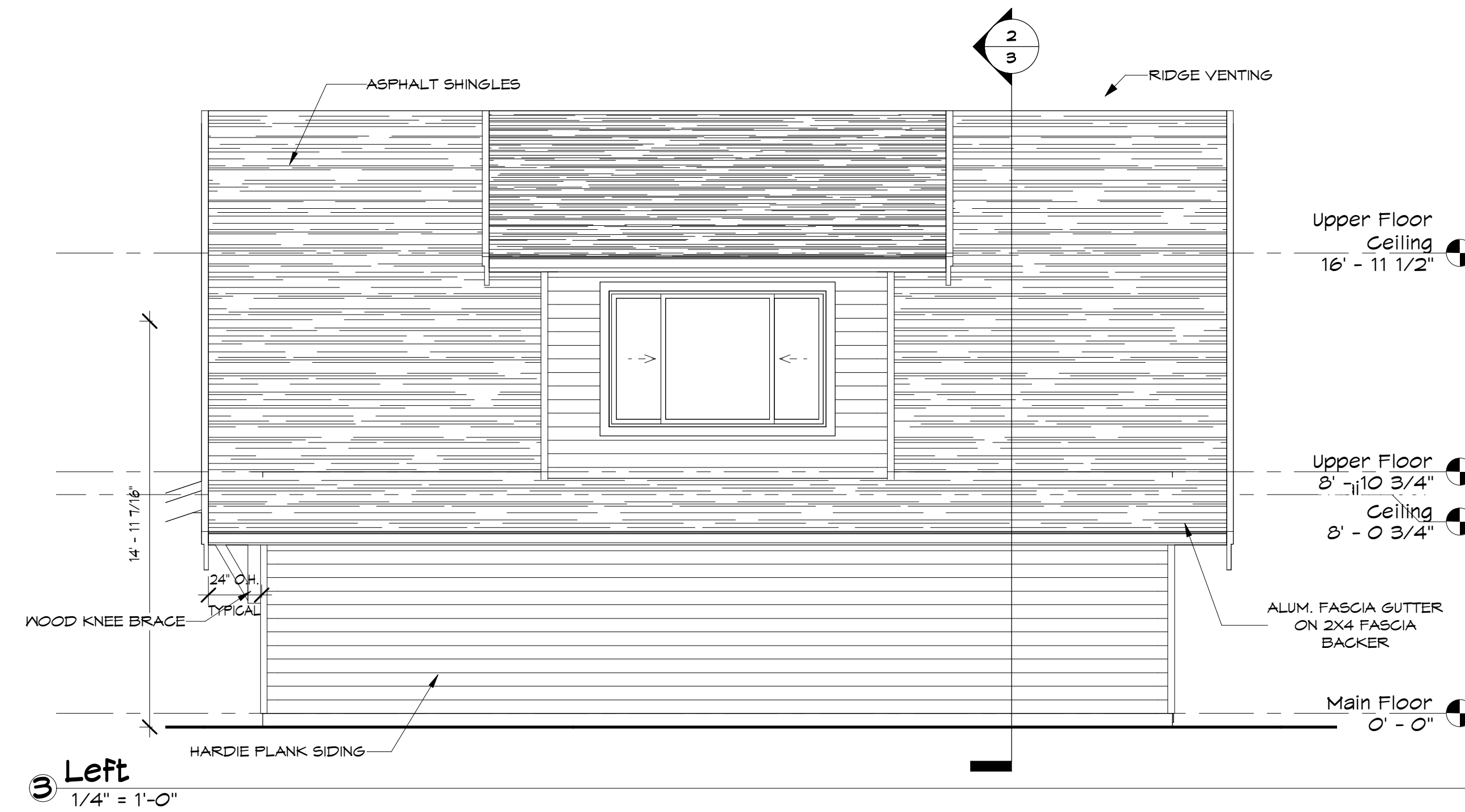
DRN. BY: J.A.S.

3

AWARD-WINNING BUILDER



① Front 3D



ATTACHMENT B

This forms part of application
DP19-0075

Planner Initials **AJ**

City of Kelowna
COMMUNITY PLANNING

**ISSUED FOR
CONSTRUCTION**

HARMONY HOMES

PHONE: (250)765-5191
#201 - 833 FINNS ROAD, KELOWNA, B.C.

PROPOSED RESIDENCE OF:
MR. & MRS. ADAIR
KELOWNA, B.C.

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

DATE: MARCH 12, 2019

REV. DATE: APR 29, 2019

DRN. BY: J.A.S.

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AWARD WINNING BUILDER