

# City of Kelowna

## Regular Council Meeting

### AGENDA



Tuesday, October 8, 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 Wooldridge.

**3. Confirmation of Minutes**

Regular Meeting - September 10, 2019

Public Hearing, Regular Meeting - September 17, 2019

**4. Bylaws Considered at Public Hearing**

**4.1 Barnaby Rd 779, BL11925 (Z19-0094) - Jordan Alexander Menzies**

1 - 1

To give second and third reading to Bylaw No.11925 to rezone the subject property from the RR2 – Rural Residential 2 zone to the RU6 – Two Dwelling Housing zone.

**4.2 Ethel St 2483, BL11927 (Z19-0066) - Uri Yarkoni**

2 - 2

To give second and third reading to Bylaw No. 11927 to rezone the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone.

**4.3 Gordon Dr 4309, BL11930 (Z19-0099) - Helga Schouten**

3 - 3

To give second and third reading and adopt Bylaw No. 11930 to rezone the subject property from the RU1 - Large Lot Housing zone to the RU1C - Large Lot Housing with Carriage House zone.

**4.4 Fisher Road 1929, BL11931 (Z19-0101) - B.H.K.T. Holdings Ltd., Inc.No. BC0751350 and Sukhdev Gill**

4 - 4

To give second and third reading to Bylaw No. 11931 to rezone the subject property from the A1 - Agriculture zone to the RU1 - Large Lot Housing zone.

<b>4.5</b>	<b>Hwy 97N 2800 - (BL11933) OCP18-0012 - 0802333 B.C. Ltd</b>	<b>5 - 6</b>
	To give second and third reading to Bylaw No. 11933 to change the future land use designation from the REP - Resource Protection Area designation to the SC - Service Commercial designation.	
<b>4.6</b>	<b>Hwy 97N 2800 - BL11934 (Z18-0057) - 0802333 B.C. Ltd</b>	<b>7 - 8</b>
	To give second and third reading to Bylaw No. 11934 in order to rezone portions of the subject property from the A1 - Agriculture zone and the I2 - General Industrial zone to the C10 - Service Commercial zone.	
<b>5.</b>	<b>Development Permit and Development Variance Permit Reports</b>	
	<b>Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward for each item.</b>	
<b>5.1</b>	<b>Walker Rd 4480, BL11829 (Z18-0047) - Thomas Brown</b>	<b>9 - 10</b>
	To adopt Bylaw No. 11829 in order to rezone a portion of the subject property from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing zone.	
<b>5.2</b>	<b>Walker Rd 4480, DVP18-0093 - Thomas Brown</b>	<b>11 - 17</b>
	To consider a Development Variance Permit to vary the lot depth of a parcel from 30.0 m required to 25.7 m proposed in order to facilitate a two-lot subdivision.	
<b>5.3</b>	<b>Perry Rd 575 - DVP18-0208 - Ricky Jeannotte</b>	<b>18 - 25</b>
	To consider a Development Variance Permit to vary the setback of a front yard lot line to a garage or carport having vehicular entry from the front from 6.0 metres to 4.0 metres.	
<b>5.4</b>	<b>Clifton Rd N 107, DVP18-0247 - Martin and Deanna Soleski</b>	<b>26 - 34</b>
	To consider a Development Variance Permit to vary the side yard setback from 1.5 m to 1.3 m and the front yard setback from 9.0 m to 4.43 m for an existing above ground pool, deck, and pumphouse.	
<b>5.5</b>	<b>Crighton Rd 4780, DVP19-0145 - Nadine &amp; Chad Bannister</b>	<b>35 - 43</b>
	To consider a Development Variance Permit to vary the minimum side yard setback to allow the construction of a new single-family dwelling (SFD) on the subject property.	
<b>5.6</b>	<b>Chapin Rd 274, DVP19-0154 - Douglas Mills</b>	<b>44 - 52</b>
	To consider a Development Variance Permit to vary the maximum height of a retaining wall and the maximum height of an accessory building on the subject property.	

6. Reminders

7. Termination

**CITY OF KELOWNA**  
**BYLAW NO. 11925**  
**Z19-0094 – 779 Barnaby Road**

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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 357 Similkameen Division District Plan 25419, located on Barnaby Road, Kelowna, BC from the RR2 – Rural Residential 2 zone to the RU6 – Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 9<sup>th</sup> day of September, 2019.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk



**CITY OF KELOWNA**  
**BYLAW NO. 11927**  
**Z19-0066 – 2483 Ethel Street**

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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 136 ODYD Plan 41733, located on Ethel Street, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 9<sup>th</sup> day of September, 2019.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

**CITY OF KELOWNA**  
**BYLAW NO. 11930**  
**Z19-0099 – 4309 Gordon Drive**

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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 23 District Lot 358 ODYD Plan 19018, located on Gordon Drive, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 9<sup>th</sup> day of September, 2019.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

**CITY OF KELOWNA**  
**BYLAW NO. 11931**  
**Z19-0101 – 1929 Fisher Road**

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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 29 District Lot 130 ODYD Plan 17924, located on Fisher Road, Kelowna, BC from the A1 – Agriculture 1 zone to the RU1 – Large Lot 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 9<sup>th</sup> day of September, 2019.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

# CITY OF KELOWNA

## BYLAW NO. 11933

### Official Community Plan Amendment No. OCP18-0012 2800 Hwy 97 N

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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 Future Land Use designation of Lot 1 District Lots 124 and 143 ODYD Plan KAP83915 Except Plan KAP84828 and EPP57498 located on Hwy 97 N, Kelowna, BC from the REP – Resource Protection Area designation to the SC – Service Commercial designation, as shown on Map "A" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 16<sup>th</sup> day of September, 2019.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

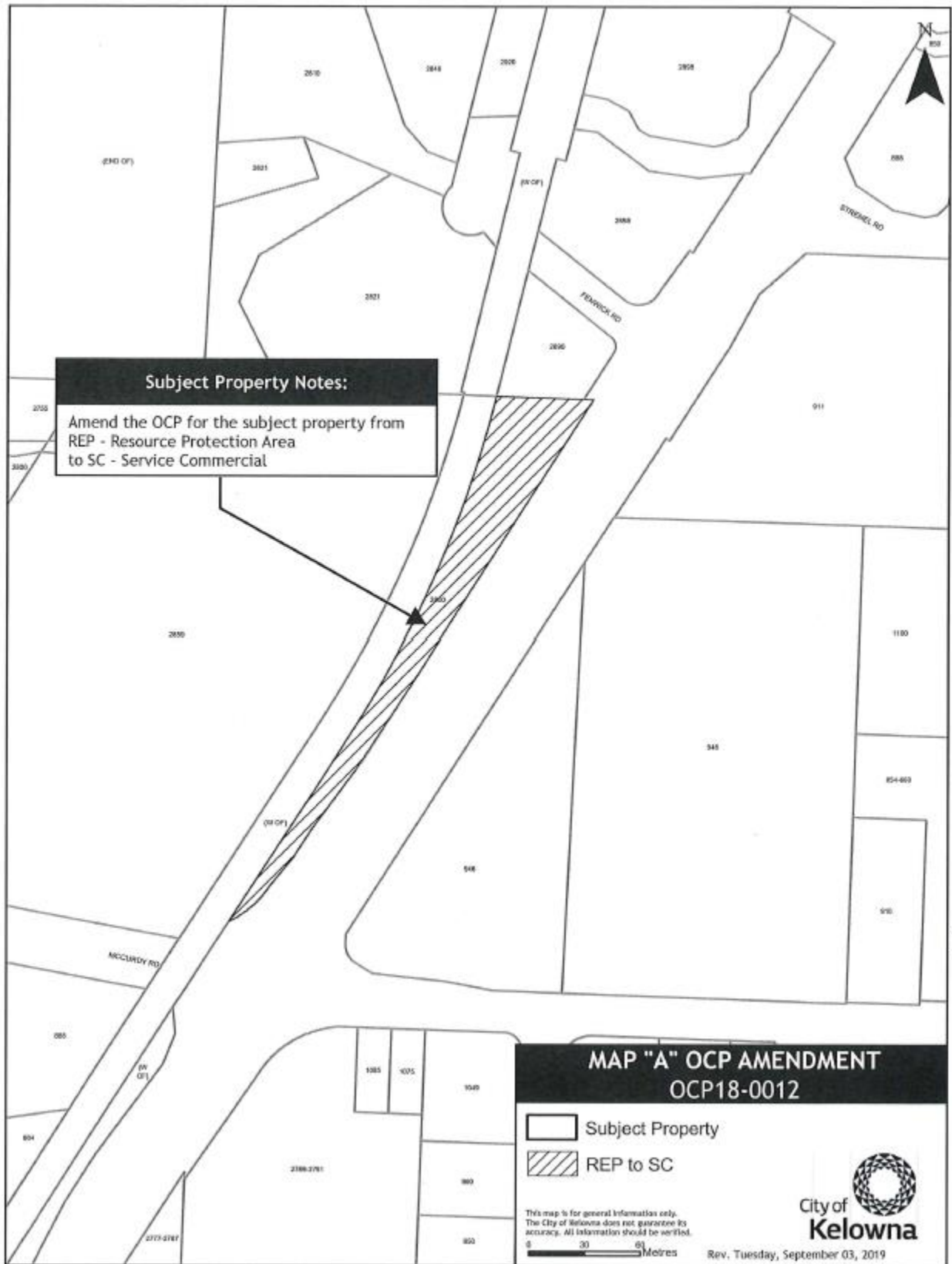
Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk



**CITY OF KELOWNA**  
**BYLAW NO. 11934**  
**Z18-0057 – 2800 Highway 97 N**

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of portions of Lot 1 District Lots 124 and 143 ODYD Plan KAP83915 Except Plan KAP84828 and EPP57498 located on Hwy 97N, Kelowna, BC from the A1 – Agriculture 1 zone and the I2 – General Industrial zones to the C10 – Service Commercial zone, as per Map "B" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 16<sup>th</sup> day of September, 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

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(Approving Officer – Ministry of Transportation)

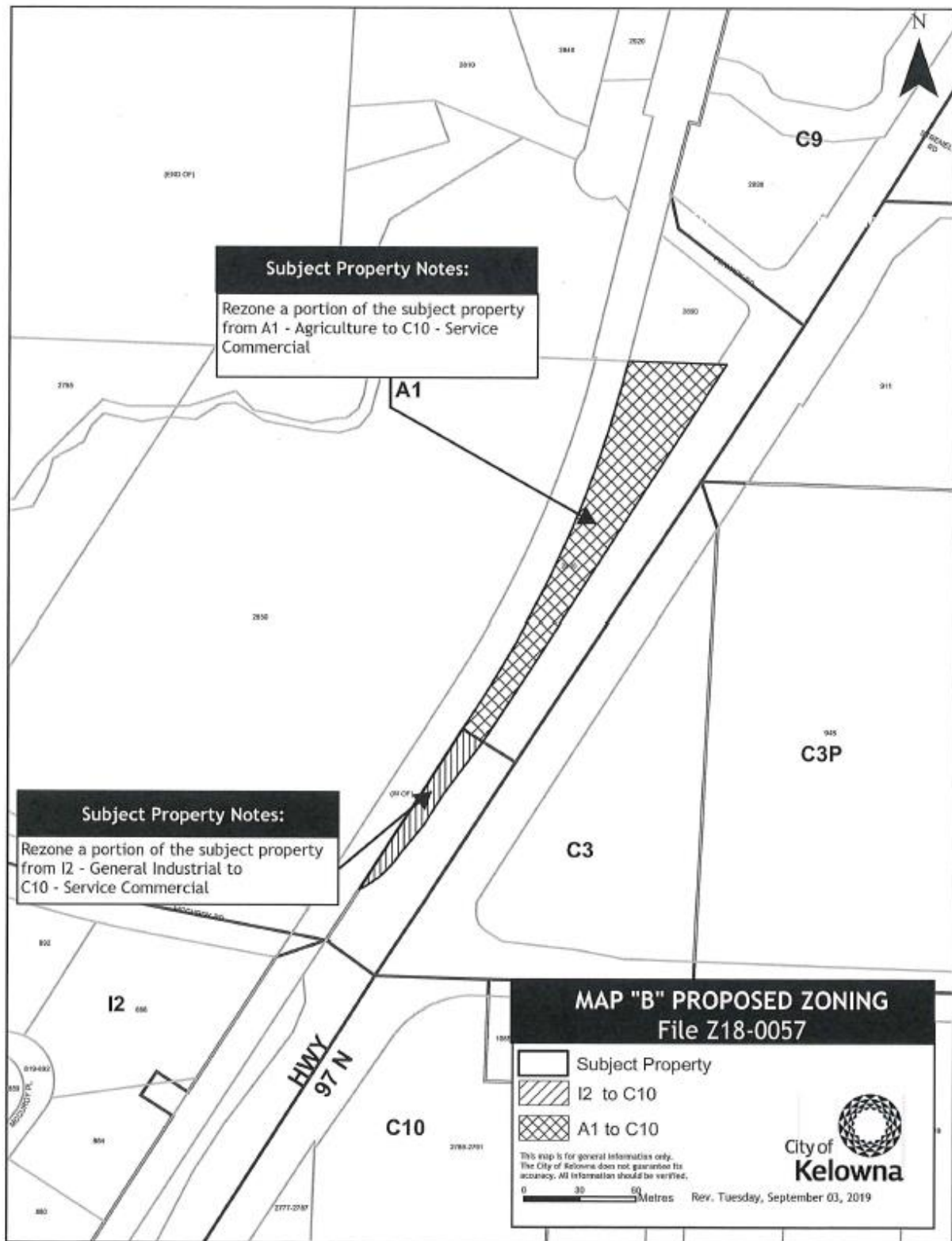
Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk



**CITY OF KELOWNA**  
**BYLAW NO. 11829**  
**Z18-0047 – 4480 Walker Road**

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of portions of Lot 1 District Lot 167 ODYD Plan 16858, located on Walker Road Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone as per Map "A" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 6<sup>th</sup> day of May, 2019.

Considered at a Public Hearing on the 21<sup>st</sup> day of May, 2019 .

Read a second and third time by the Municipal Council this 21<sup>st</sup> day of May, 2019 .

Adopted by the Municipal Council of the City of Kelowna this

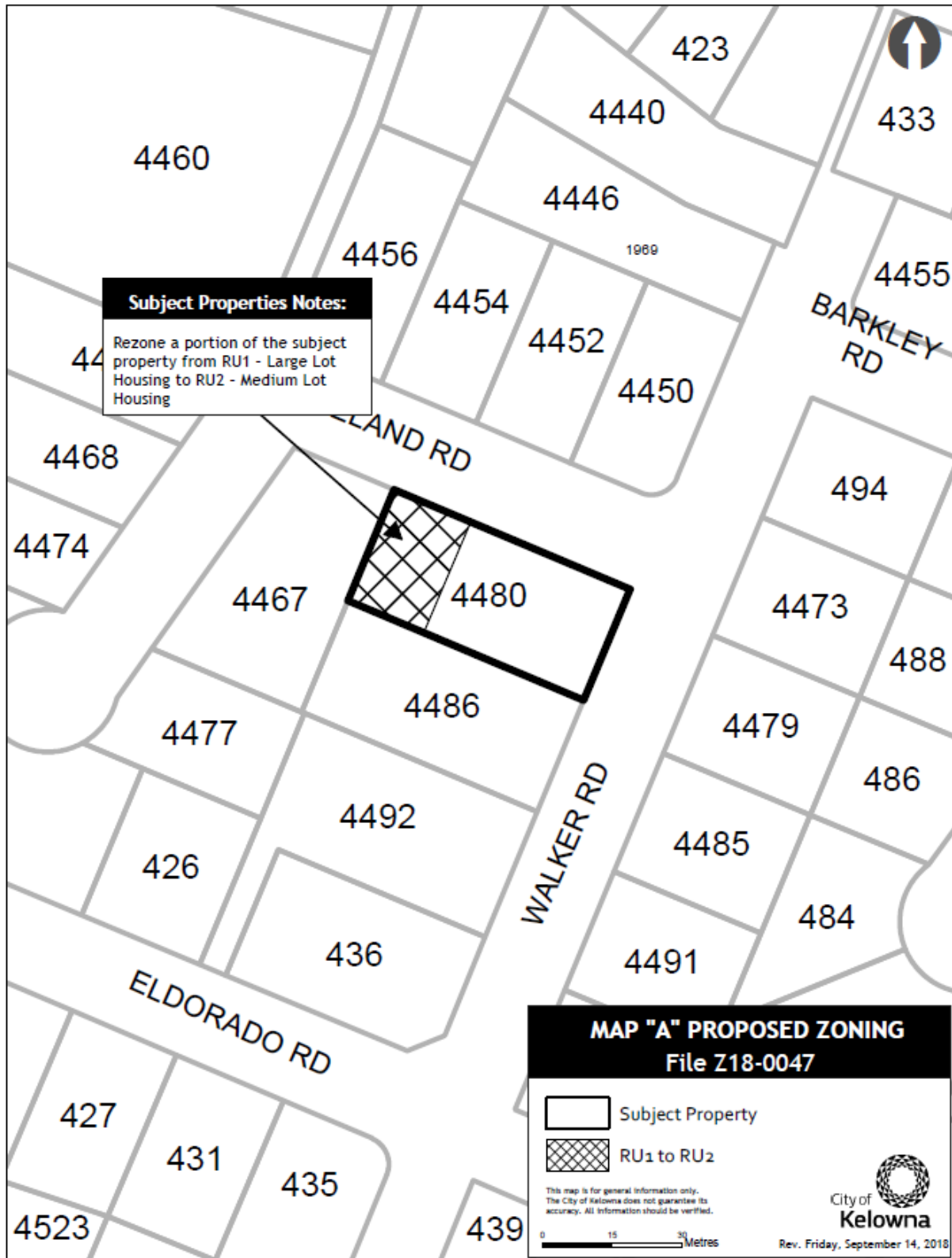
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Mayor

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City Clerk





# REPORT TO COUNCIL



**Date:** October 8, 2019

**To:** Council

**From:** City Manager

**Department:** Development Planning – Suburban, Rural

**Application:** DVP18-0093

**Owner:** Thomas (Michael) Brown

**Address:** 4480 Walker Road

**Applicant:** Mike Brown

**Subject:** Development Variance Permit

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## 1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11829 be considered by Council;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0047 for Lot 1 District Lot 167 ODYD Plan 16858, located at 4480 Walker Road, Kelowna, BC;

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

### **Section 13.2.5(b): RU2 – Medium Lot Housing Development Regulations**

To vary the required minimum lot depth from 30.0 m required to 25.7 m proposed.

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

## 2.0 Purpose

To vary the lot depth of a parcel from 30.0 m required to 25.7 m proposed in order to facilitate a two-lot subdivision.

## 3.0 Development Planning

Development Planning Staff support the proposed variance to the parcel depth to facilitate a two-lot subdivision. The reduced lot depth will not negatively affect the development viability of the parcel as a second dwelling can be developed on the site without requiring variances. The increase in housing density is well supported by OCP Urban Infill Policies and the form, character and massing of the new housing should be complementary to the neighbourhood. The site has a Walk Score of 18 – Car Dependent (Almost all errands require a car), a Transit Score of 22 – a few nearby public transportation options in the area and a Bike Score of 37 – Somewhat Bikeable. The parcel is within 650 m of an elementary school and 1.1 km of neighbourhood commercial along Lakeshore Road.

All Development Engineering requirements will be addressed with the subdivision application (S18-0038.)

#### 4.0 Proposal

##### 4.1 Background

The request for rezoning a portion of the parcel came before Council and received 3<sup>rd</sup> reading following the Public Hearing on May 21, 2019. A portion of the parcel would be rezoned from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone. Should Council support the parcel depth variance request, the applicant will proceed with completing the Subdivision requirements.

##### 4.2 Project Description

The request to vary the parcel depth from 30 m required to 25.7 m proposed would allow for a two-lot subdivision of the subject parcel. Although the parcel depth would be reduced by 4.3 m, the parcel will have an increased frontage from 13.0 m required to 17.6 m proposed. The subdivision regulations require a minimum parcel area of 400 m<sup>2</sup> and the proposal is in excess of this by over 50 m<sup>2</sup>. The parcel will have a total area of 451.4 m<sup>2</sup>.

Development Planning Staff support the variance request as the overall area and width more than make up for the reduced parcel depth. Along with this, the applicant does have the support of multiple neighbours in the area. The subdivision would pose minimal impacts on the adjacent parcel, while modestly increasing the density.

No development permit is required for the project. After the subdivision is completed, the development would proceed to building permit application as Zoning Bylaw development regulation compliance would again be reviewed at that stage.

##### 4.3 Site Context

The subject parcel is located in a neighbourhood of RU1 zoned, Single/Two Unit Residential designation. 4480 Walker Road is located in the North Mission-Crawford sector of Kelowna. The parcel is 1,415 m<sup>2</sup> in size and fronts Walker Road with Lakeland Road as a flanking street.

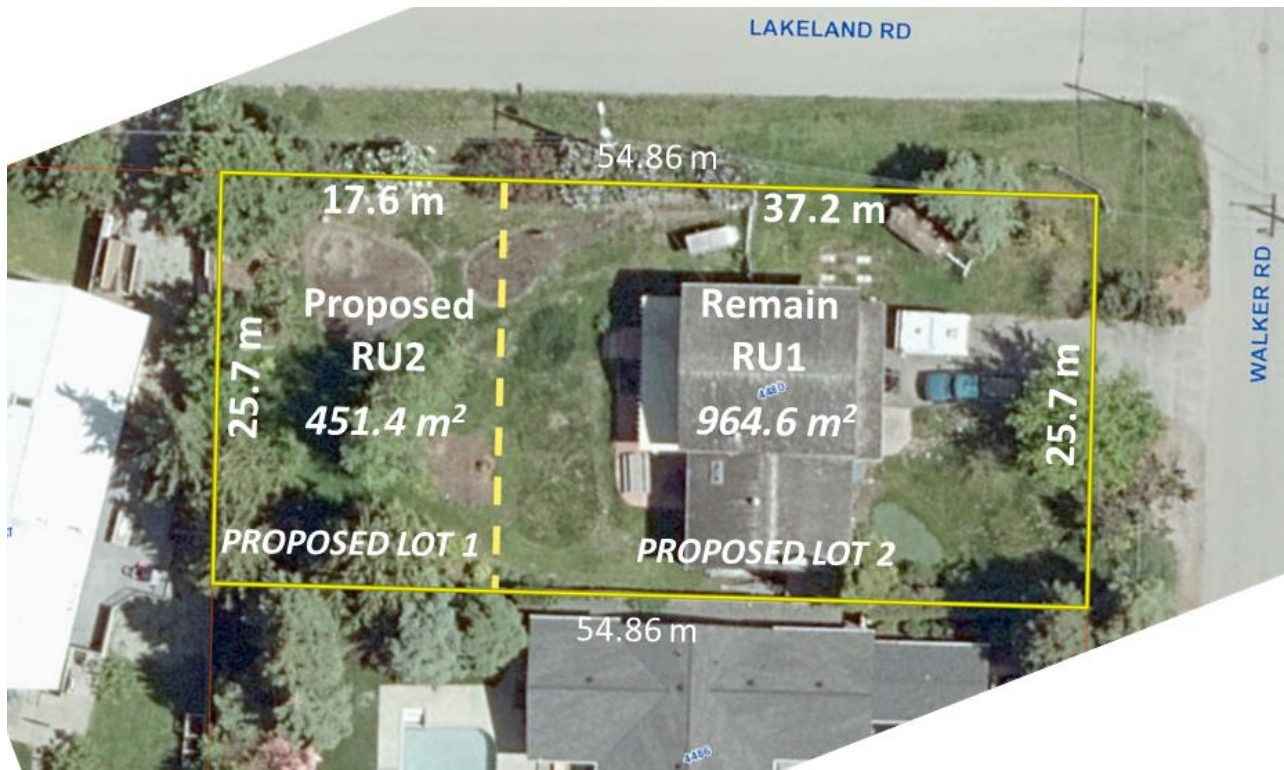
Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Dwelling Housing
East	RU1 – Large Lot Housing	Single Dwelling Housing
South	RU1 – Large Lot Housing	Single Dwelling Housing
West	RU1 – Large Lot Housing	Single Dwelling Housing

**Subject Property Map: 4480 Walker Road**



**Proposed Two Lot Split & Rezoning:**



#### 4.4 Subdivision Regulations Table

Zoning Analysis Table		
CRITERIA	RU <sub>2</sub> ZONE REQUIREMENTS	PROPOSAL
Subdivision Regulations		
Min. Lot Area	400 m <sup>2</sup>	451.4 m <sup>2</sup>
Min. Lot Width	13.0 m	17.6 m
Min. Lot Depth	30 m	25.7 m <span style="color: red;">●</span>
<span style="color: red;">●</span> Indicates a requested variance to the parcel depth from 30.0 m required to 25.7 m proposed.		

#### 4.5 Zoning Analysis Table

CRITERIA	RU <sub>2</sub> – MEDIUM LOT HOUSING ZONE REQUIREMENTS
Minimum Front Yard	4.5 m (6.0 m from a garage or carport)
Minimum Side Yard	1.5 m (for up to 1 ½ storey portion of building) 1.8 m (for 2+ storey portion of building)
Minimum Rear Yard	6.0 m (for up to 1 ½ storey portion of building) 7.5 m (for 2+ storey portion of building)
Maximum Site Coverage	40 % buildings (50 % including driveways and parking areas)

### 5.0 Current Development Policies

#### 5.1 Kelowna Official Community Plan (OCP)

##### *Objective 5.3 Focus development to designated growth areas*

*Policy .1 Permanent Growth Boundary.* Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of properties outside the PGB for more intensive use only to the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except for Agri-Business designated sites or as per Council's specific amendment of this policy. The PGB may be reviewed as part of the next major OCP update.

##### *Objective 5.22 Ensure context sensitive housing development*

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

### 6.0 Application Chronology

Date of Application Received: May 1, 2018

Date Public Consultation Completed: July 3, 2019

**Report prepared by:** Lydia Korolchuk, Planner II

**Reviewed by:** Dean Strachan, Community Planning & Development Manager

**Approved for Inclusion:** Terry Barton, Development Planning Department Manager

#### **Attachments :**

Attachment A: Draft Development Permit DP18-0093



ATTACHMENT

A

This forms part of application

# DVP18-0093

Planner Initials

LK

City of Kelowna

DEVELOPMENT PLANNING



# Development Variance Permit

## DVP18-0093

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

**4480 Walker Road**

and legally known as

**Lot 1 District Lot 167 ODYD Plan 16858**

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

### Single Dwelling Housing

USE as per Zoning Bylaw

### Single Detached Dwelling

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

Date of Council Decision                      October 8, 2019

Decision By:                                      COUNCIL

Development Permit Area:                      N/A

Existing Zone:                                      RU2 – Medium Lot Housing

Future Land Use Designation:                      S2RES – Single/Two Unit Residential

## This is NOT a Building Permit.

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

## NOTICE

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

Owner:                      Thomas (Michael) Brown

Applicant:                      Mike Brown

\_\_\_\_\_  
Terry Barton  
Community 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 section of Zoning Bylaw No. 8000 be granted:

**Section 13.2.5(b): RU2 – Medium Lot Housing Development Regulations**

To vary the required minimum lot depth from 30.0 m required to 25.7 m proposed.

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

## 3. PERFORMANCE SECURITY

N/A

## 4. INDEMNIFICATION

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

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

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

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

# PROPOSED SUBDIVISION OF LOT 1, DL 167, ODYD, PLAN 16858.

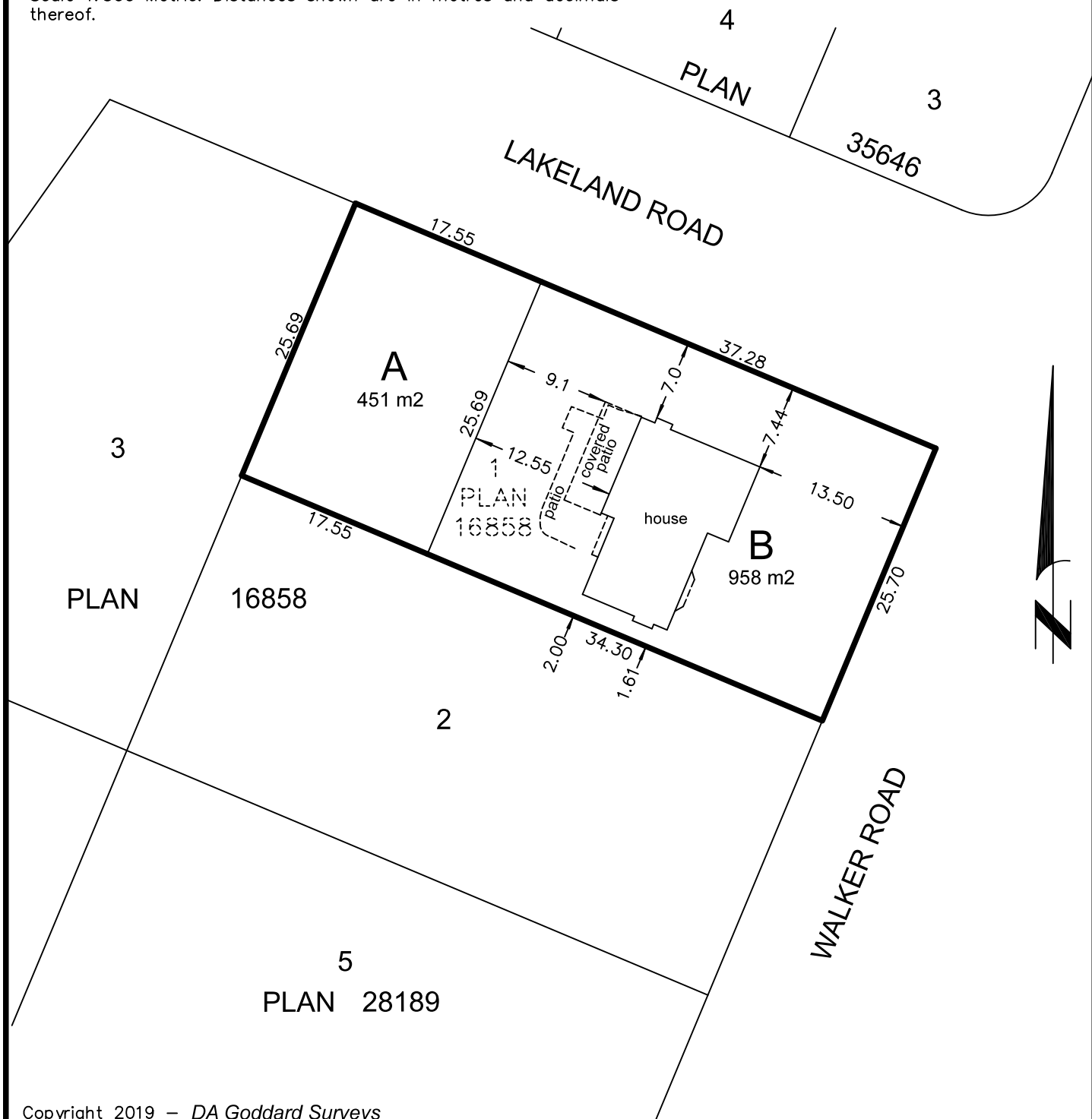
PID: 008-515-034

CIVIC ADDRESS: 4480 WALKER ROAD, KELOWNA.

CLIENT: MICHAEL BROWN

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Scale 1:500 Metric. Distances shown are in metres and decimals thereof.



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File: 419066-SK JUNE 20, 2019

This document is not valid unless originally signed and sealed.



# REPORT TO COUNCIL



**Date:** October 8, 2019

**RIM No.** 0940-00

**To:** Council

**From:** City Manager

**Application:** DVP18-0208

**Owner:** Ricky Jeannotte

**Address:** 575 Perry Road

**Applicant:** Ricky Jeannotte

**Subject:** Development Variance Permit

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## 1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0208 for Lot 14, Section 23, Township 26, ODYD, District Plan 16353, located at 575 Perry Rd, Kelowna, BC;

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

### **Section 13.1.6 (c): RU1 – Large Lot Housing Development Regulations**

To vary the required minimum setback of a front yard lot line to a garage or carport having vehicular entry from the front from 6.0 metres to 4.0 metres;

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

## 2.0 Purpose

To consider a Development Variance Permit to vary the setback of a front yard lot line to a garage or carport having vehicular entry from the front from 6.0 metres to 4.0 metres.

## 3.0 Development Planning

Staff are recommending support for the proposed variance to allow for a garage addition to an existing single family dwelling. The proposal meets general infill policies and the variance is not anticipated to have any significant negative impact on the surrounding neighborhood.

## 4.0 Proposal

### 4.1 Project Description

The applicant is proposing to construct a garage addition to an existing single family dwelling as well as change the driveway access point from Perry Road to Lacey Road. Currently, the existing dwelling has a single bay garage and driveway which is accessed from Perry Road. The driveway access is restricted by a

fire hydrant which is located directly adjacent to the driveway. The location of the fire hydrant makes for an awkward and a potentially hazardous obstruction to vehicle entry and exit. The proposed garage would be accessed from Lacey Road to avoid the hydrant and provide a more suitable driveway access point. The proposed addition is a two bay garage and is approximately 1,000 ft<sup>2</sup> in size. It would be slightly higher than the existing house and designed to be similar in form and character. The proposal meets the parking requirements of the Zoning Bylaw by providing two stalls located in the garage with the driveway area would only being appropriate for Compact Vehicle or Motorcycle Parking as defined by the Zoning Bylaw.

Currently the boulevard on Lacey road is quite large (approximately 6.0 m from property line to paved surface) and the proposal is not anticipated to impact site lines at the intersection of Perry Road and Lacey Road. Lacey Road is at a 20.0 metre width with no further dedication required.

#### 4.2 Site Context

The subject property is located in the Rutland area east of Hollywood Road, on the corner of Perry Road and Lacey Road. The area is primarily RU1 zoned properties. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	Ru1 – Large Lot Housing	Residential
East	Ru1 – Large Lot Housing	Residential
South	Ru1 – Large Lot Housing	Residential
West	Ru1 – Large Lot Housing	Residential

#### Subject Property Map: 575 Perry Road



## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Chapter 5: Development Process

##### *Objective 5.3 Compact Urban Form*

*Policy .2* 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 with 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.

#### Chapter 5: Development Process

##### *Objective 5.22 Ensure context sensitive housing development*

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

## 6.0 Application Chronology

Date of Application Received: October 10, 2018  
Application Revised: July 4, 2019  
Date Public Consultation Completed: April 10, 2019

**Report prepared by:** Wesley Miles, Planner Specialist  
**Reviewed by:** Dean Strachan, Community Planning & Development Manager  
**Approved for Inclusion:** Terry Barton, Development Planning Department Manager

### **Attachments:**

Draft Development Variance Permit DVP18-0208  
Schedule A: Site Plan

# Development Variance Permit

## DVP18-0208



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

**575 Perry Road**

and legally known as

**Lot 14 Section 23 Township 26 ODYD District Plan 16353**

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

Addition to single family dwelling

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

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

### **Section 13.1.6 (c): RU1 – Large Lot Housing Development Regulations**

To vary the required minimum setback of a front yard lot line to a garage or carport having vehicular entry from the front from 6.0 metres to 4.0 metres;

Date of Council Decision                      TBD

Decision By:                                      COUNCIL

Issued Date:

**This permit will not be valid if development has not commenced by September 2021.**

Existing Zone:    RU1 – Large Lot Housing

Future Land Use Designation: S2Res – Single/Two Unit Residential

### **This is NOT a Building Permit.**

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

### **NOTICE**

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

Owner/Applicant:                      Ricky Jeannotte

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Terry Barton  
Urban Planning Manager  
Community Planning & Strategic Investments

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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.

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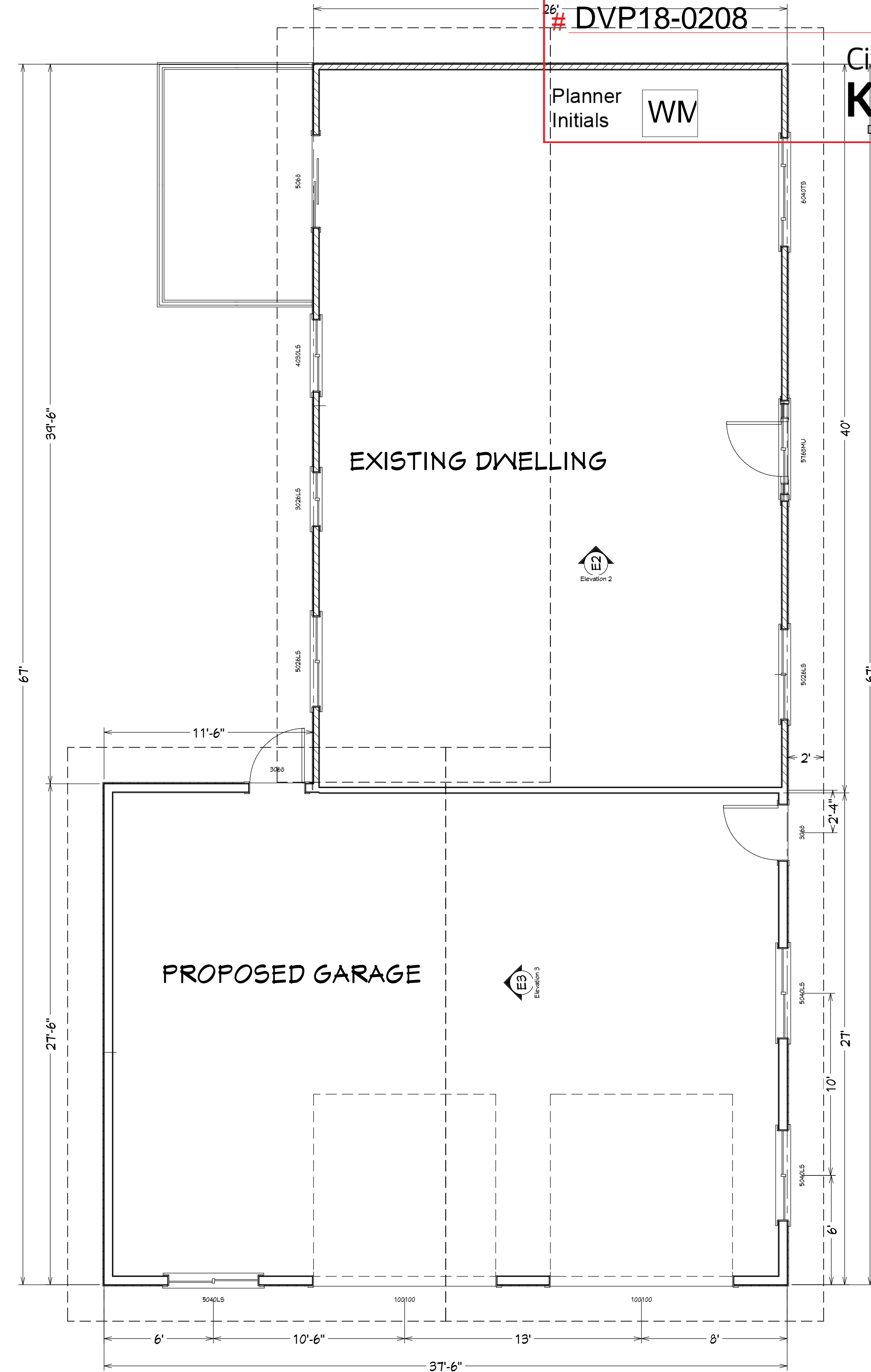
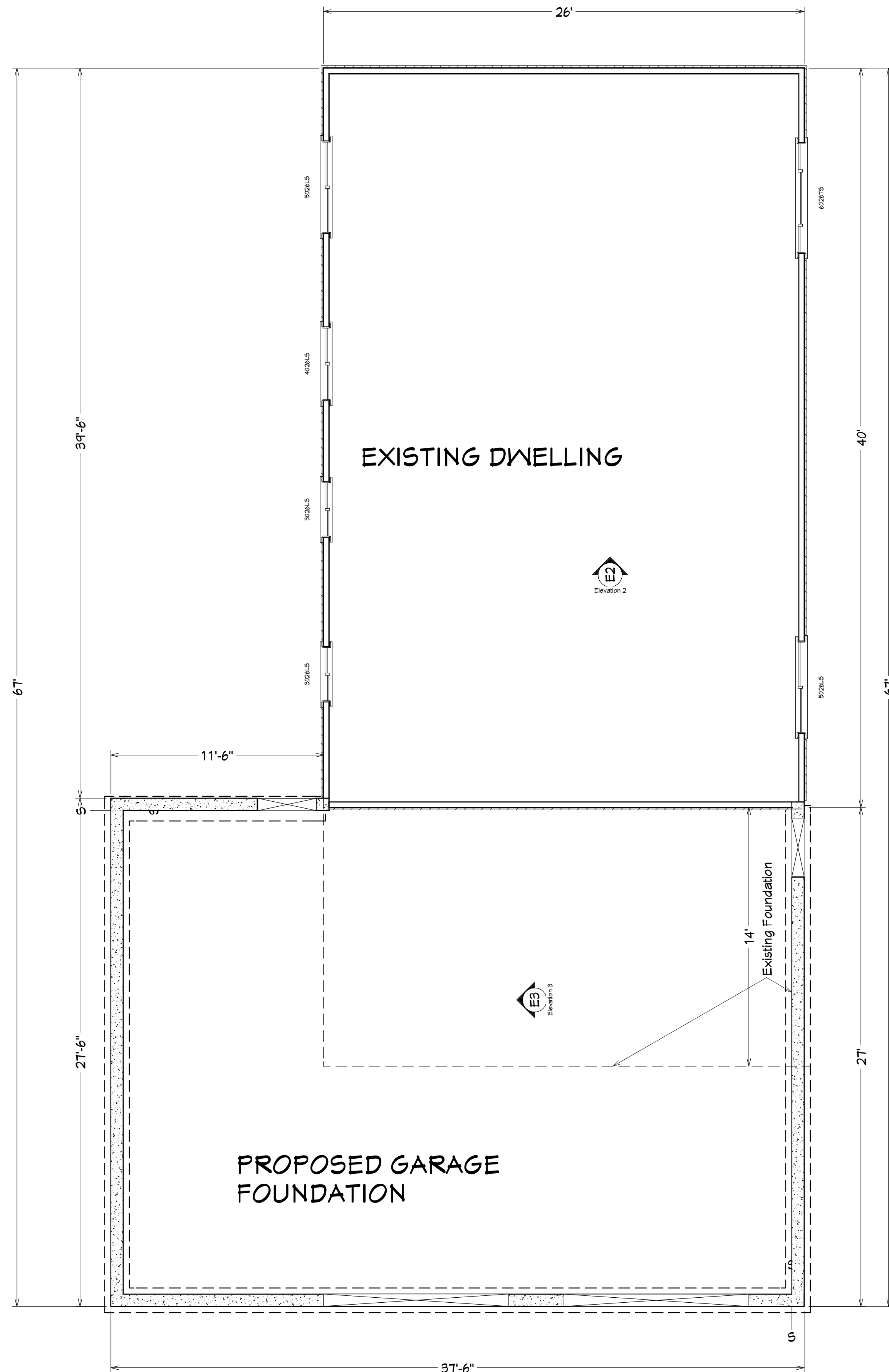
- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";

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

## 3. INDEMNIFICATION

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

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



# SCHEDULE

A

This forms part of application

# DVP18-0208

Planner  
Initials  
WN



REVISION TABLE		DESCRIPTION
NUMBER	DATE	

PROPOSED GARAGE ADDITION  
Jeanotte Residence  
575 Perry Road

DRAWINGS PROVIDED BY:  
IHS Design

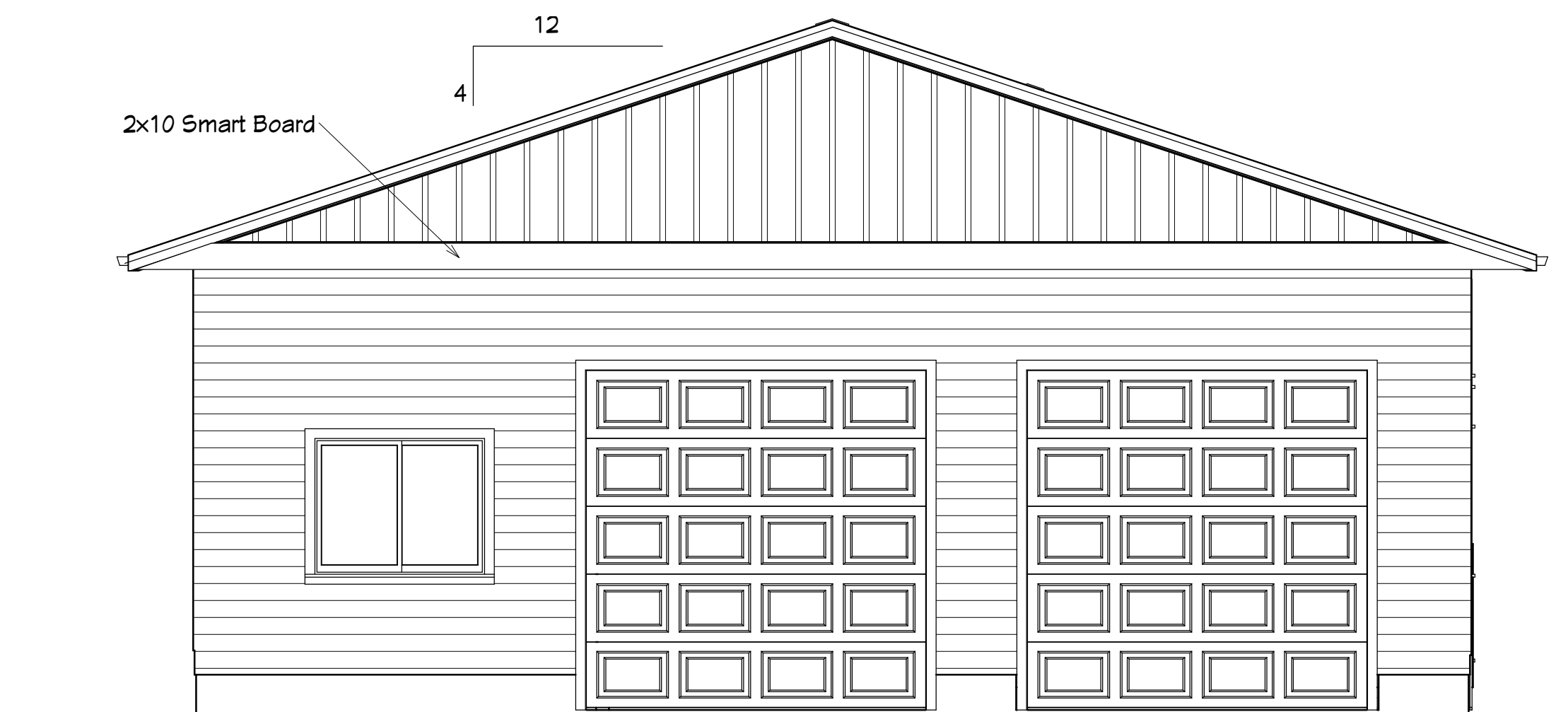
DATE:

2019-07-02

SCALE:

SHEET:

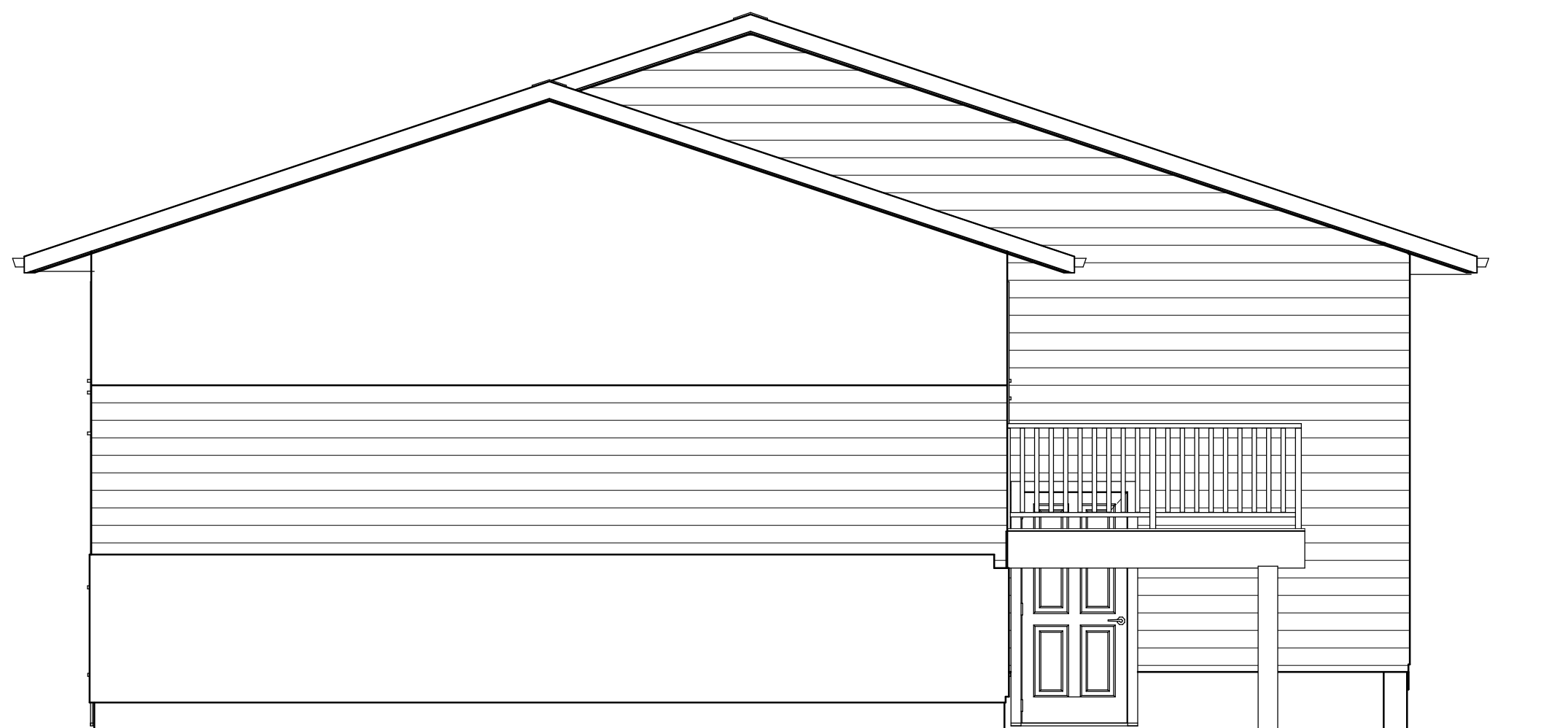
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EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

## SCHEDULE

A

This forms part of application  
# DVP18-0208

Planner  
Initials WN



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PROPOSED GARAGE ADDITION  
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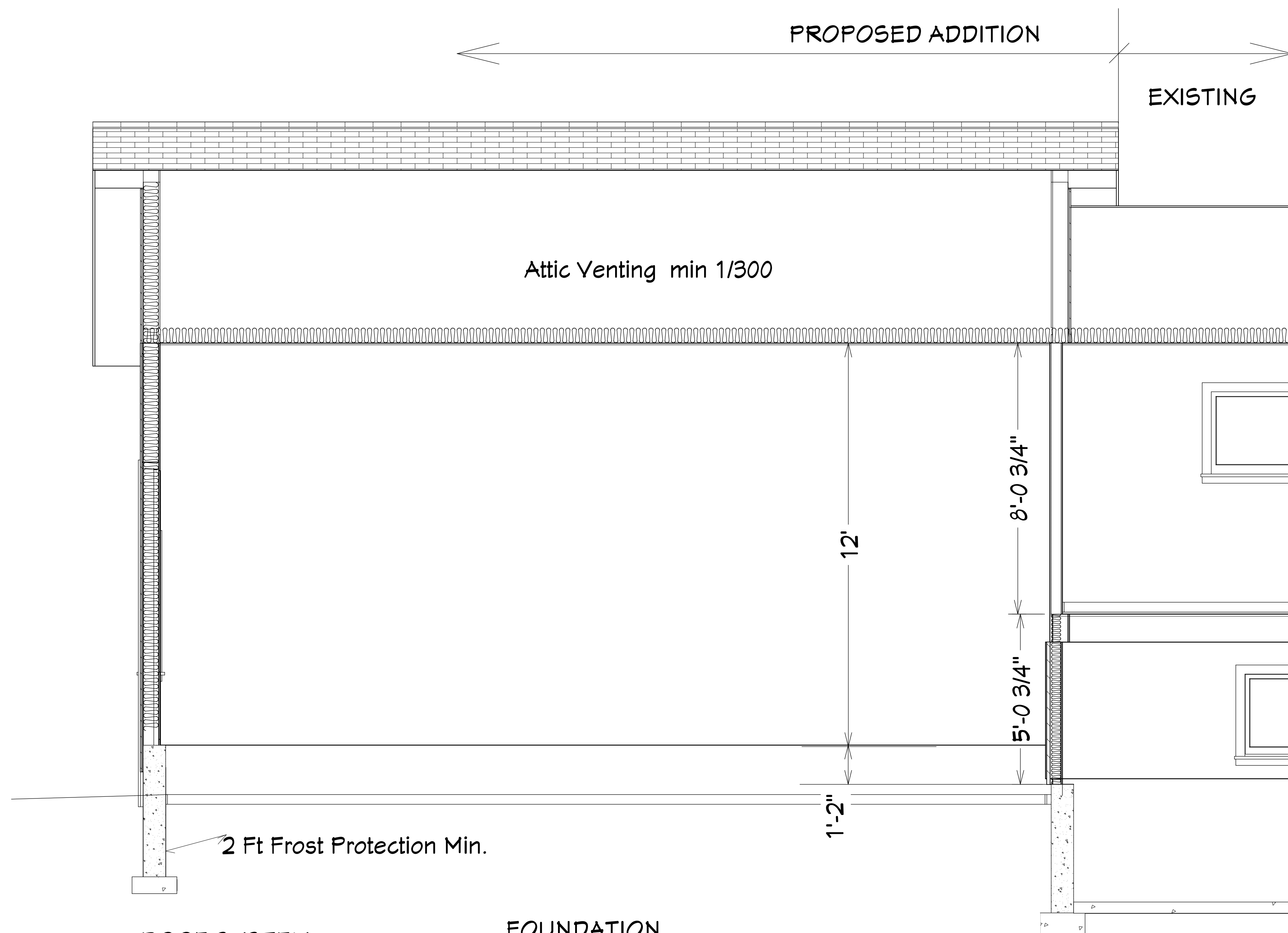
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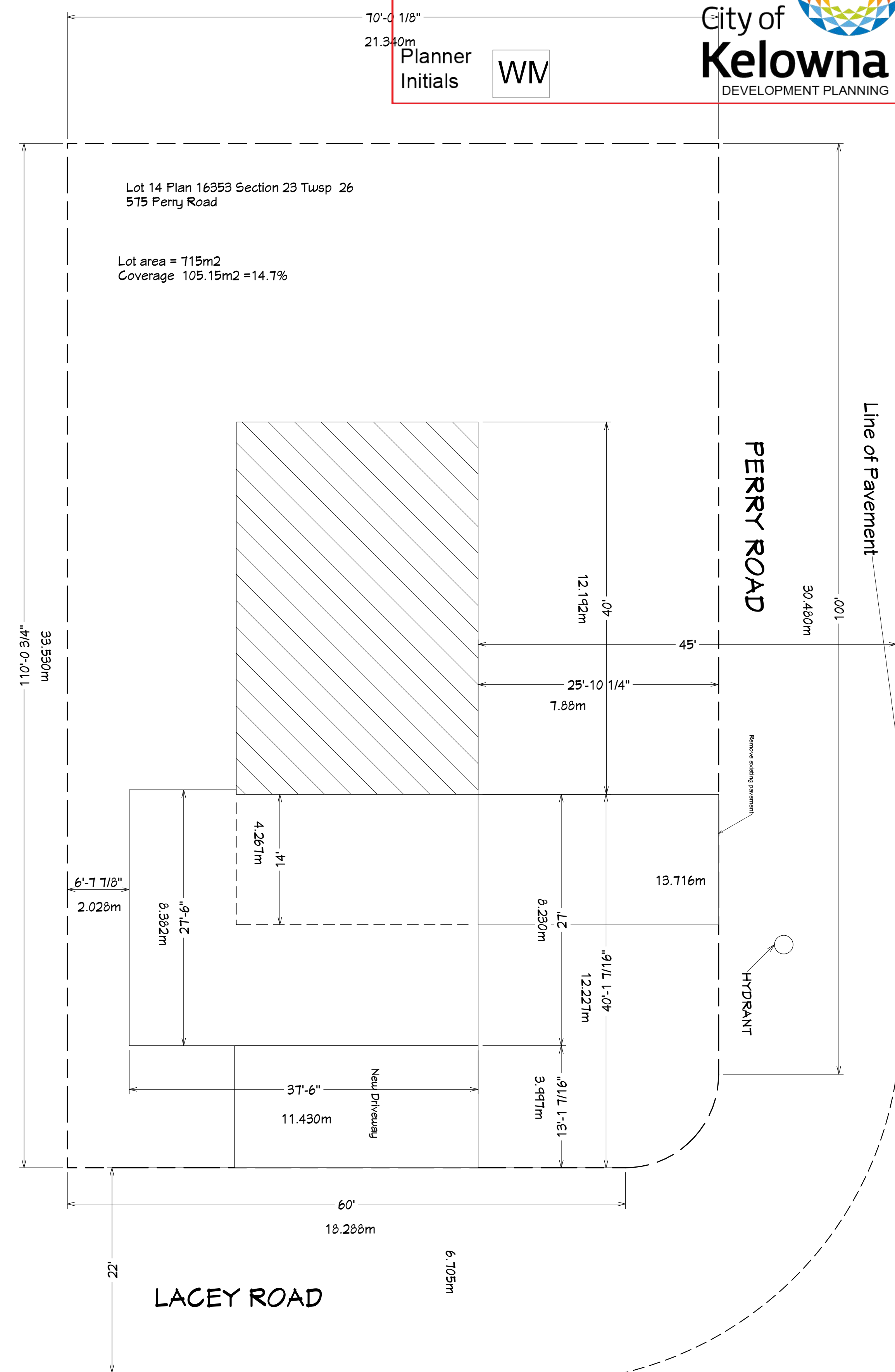




**ROOF SYSTEM**  
 Asphalt Shingles  
 Building Paper  
 7/16 OSB Sheathing c/w H-Clips  
 Engineered trusses@ 24" o/c  
 R-20 Insulation  
 6 Mil Vapor Barrier  
 1/2" Ceiling Drywall

**Wall SYSTEM**  
 Siding  
 Tyvek or Building paper  
 3/8" OSB Sheathing  
 2x6 Studs@24" o/c  
 R-20 Insulation Batts  
 6 Mil vapor Barrier  
 1/2" Drywall

**FOUNDATION**  
 8" Concrete Foundation  
 6"x18" Concrete Footing  
 Rebar 10MM- Walls- 3 rows horizontal  
 -24" o/c Verticals wet dowel to footings  
 Footing- Min 2 Rows 10mm  
 1/2" Anchor bolts@max 6 ft o/c  
 Foundation wall height to be site determined to ensure max 12 ft framed wall to align with existing roof



# SCHEDULE

A

This forms part of application  
 # DVP18-0208

Planner  
 Initials

WM



REVISION TABLE	NUMBER	DATE	REVISION BY	DESCRIPTION

**PROPOSED GARAGE ADDITION**  
 Jeanotte Residence  
 575 Perry Road

DRAWINGS PROVIDED BY:  
 IHS Design

DATE:  
 2019-07-02

SCALE:

SHEET:



# REPORT TO COUNCIL



**Date:** September 17, 2019

**To:** Council

**From:** City Manager

**Department:** Development Planning - Urban

**Application:** DVP18-0247

**Owner:** Martin Len Soleski  
Deanna Dawn Soleski

**Address:** 107 Clifton Rd N

**Applicant:** Martin Len Soleski  
Deanna Dawn Soleski

**Subject:** Development Variance Application

---

## 1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0247 for Lot 38 Section 6 Township 23 ODYD Plan 25017, located at 107 Clifton Rd N, Kelowna, BC;

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

### Section 6.5.3 (d): Accessory Development

To vary the required front yard setback from 9.0 m to 4.43 m;

### Section 6.5.3 (e): Accessory Development

To vary the required minimum side yard from 1.5 m to 1.33 m;

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

## 2.0 Purpose

To consider a Development Variance Permit to vary the side yard setback from 1.5 m to 1.33 m and the front yard setback from 9.0 m to 4.43 m for an existing above ground pool, deck, and pumphouse.

## 3.0 Development Planning

Development Planning Staff are supportive of the requested Development Variance Permit to vary the side yard setback from 1.5 m to 1.33 m and the front yard setback from 9.0 m to 4.43 m for an existing above ground pool, deck, and pumphouse as it will bring a non-conforming structure into conformity. The impact on the neighbourhood is deemed to be minimal, and the applicants are proposing to insulate the pool pumphouse to mitigate any noise impacts for the adjacent neighbour.

The owners have investigated other options to come into compliance avoid the need for a variance, however, due to topography and construction constraints the only other option would be to remove the pool and related structures in their entirety.

#### **4.0 Proposal**

##### **4.1 Background**

The above ground pool and surrounding structure was constructed between 2006 and 2009 by the previous owners. A bylaw complaint regarding noise from the pool pumphouse was received in 2009, and it was discovered at that time that the pool and related structures had been erected without required permits. Due to a clerical error, the complaint was not resolved at that time.

In 2015, the new property owners were made aware that the pool structure did not have required permits. As such, they have worked with Staff over the past few years to determine the best course of action to bring the pool into conformity. Under direction from Staff, the owners have made an application for two setback variances to legalize the siting of the pool and surrounding structure.

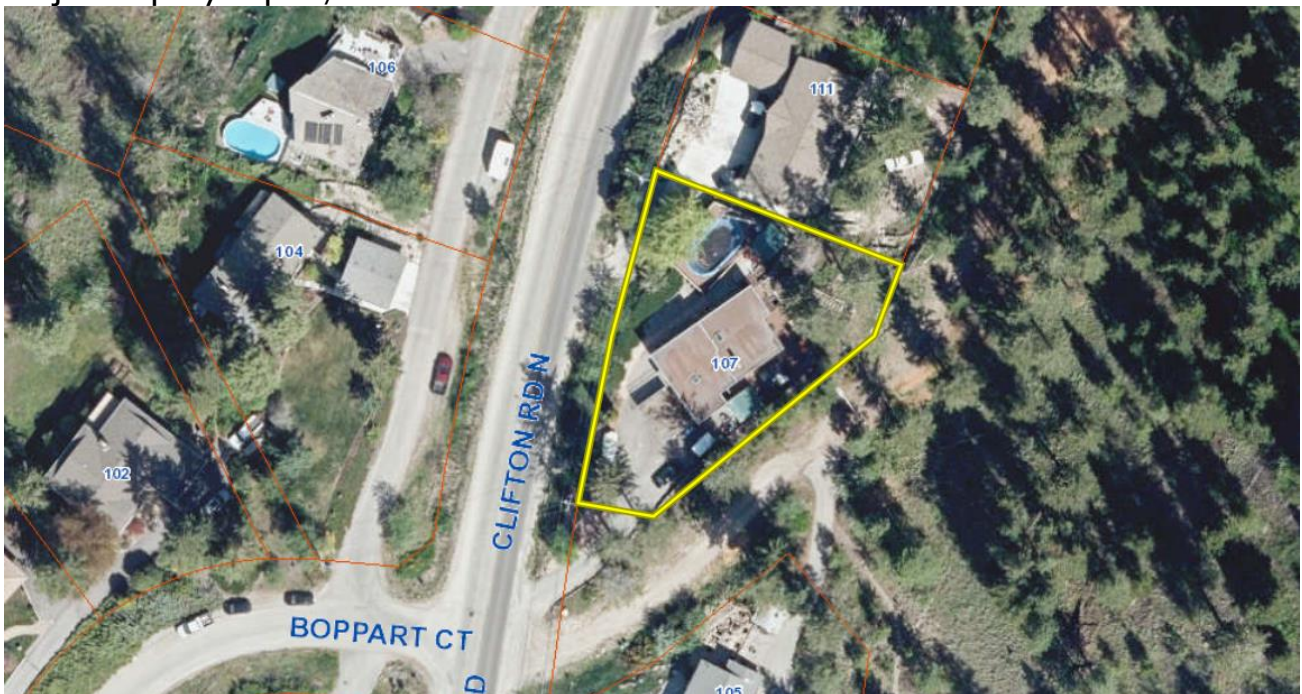
##### **4.2 Project Description**

The requested Development Variance Permit is to vary the side yard setback from 1.5 m to 1.33 m and the front yard setback from 9.0 m to 4.43 m for an existing above ground pool, deck, and pumphouse. The pool and deck are considered accessory structures while the pumphouse is an accessory building. There is an easement on the subject property in favour of the adjacent neighbour for driveway access that will not be impacted by the requested variances.

##### **4.3 Site Context**

The subject property is located in the Clifton City Sector, north of Magic Estates. The area is characterized by large single family residential lots and steep hillsides.

**Subject Property Map:** 107 Clifton Rd N



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	ACCESSORY BUILDING REQUIREMENTS	PROPOSAL
Max. Height	4.8 m	1.7 m
Min. Front Yard	9.0 m	4.43 m ❶
Min. Side Yard (south)	1.5 m	>1.5 m
Min. Side Yard (north)	1.5 m	1.33 m ❷
Min. Rear Yard	1.5 m	>1.5 m
❶ Indicates a requested variance to the front yard setback from 9.0 m to 4.43 m.		
❷ Indicates a requested variance to the side yard setback from 1.5 m to 1.33 m.		

5.0 **Application Chronology**

Date of Application Received: December 6, 2018

Date Public Consultation Completed: August 6, 2019

**Report prepared by:** Trisa Atwood, Planner II

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

**Approved for Inclusion:** Terry Barton, Development Planning Department Manager

**Attachments:**

Attachment "A": Applicant's Letter of Rationale

Attachment "B": Draft Development Variance Permit DVP18-0247



# RATIONALE FOR VARIANCE APPLICATION DEANNA AND MARTIN SOLESKI

1. We bought our House at 107 Clifton Road North in March of 2015. The above ground pool and deck were already installed. (They were installed between 2006-2009, according to city's aerial photographs)
2. We received a registered letter in the spring of 2016 from By Law Officer (Dan Maja) stating that there had been a complaint at our place. He came over to check it out and found out that there was no permits on pool and deck.
3. We went to the City of Kelowna Office and met with Paul McVey (city Planner) to figure out how to fix the problem. Paul requested that we get a survey of our property.
4. There was no survey ever done on our property so we hired a company to complete the survey.
5. We met with Paul again once the survey was complete. We went over the survey and were told that we were not within the easement in two places and that we would need to apply for two variances.
6. We stopped at the application desk at the city office and got the appropriate paper work. After reviewing the application we called an independent consultant to gain some insight on getting the application filled out correctly.
7. We also contacted our Insurance company in the spring of 2018 to assist us with this process. We were told by our insurance company not to go any further with the city until they had time to further investigate the matter. Patte Turner from the city was included in all e-mails.
8. Our insurance company sent several contractors to our place to look at where and if the pool could be moved. They confirmed that there is no other place to move the pool as our house backs onto the mountain.
9. In September of 2018 our Insurance Company advised us that they could no longer assist us with the application process with the city. We called and set up a meeting with Andrew Fergusson. He was not available to meet with us so we met with Trisa Atwood.
10. Trisa reviewed our file and we discussed what our options were. She went back to her team and had another discussion and notified us that indeed we did need to apply for the 2 variance permits.
11. We met again with Trisa on Nov. 9<sup>th</sup> to go over what bylaw we fell under and exactly what the process would involve in applying for the two variance permits.
12. We have completed the application and paid for the two variance permits. We are submitting the application for your approval.

Development Variance Permit  
DVP18-0247

This permit relates to land in the City of Kelowna municipally known as  
107 Clifton Rd N  
and legally known as  
LOT 38 SECTION 6 TOWNSHIP 23 ODYD PLAN 25017  
and permits the land to be used for the following development:

Accessory Structure

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

Date of Council Decision                      October 8, 2019  
Decision By:                                      COUNCIL

**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:                      Martin and Deanna Soleski  
Applicant:                      Martin and Deanna Soleski

\_\_\_\_\_

Laura Bentley  
Urban Planning & Development Policy Manager  
Development Planning

\_\_\_\_\_

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

**Section 6.5.3 (d): Accessory Development**

To vary the required front yard setback from 9.0m to 4.43m;

**Section 6.5.3 (e): Accessory Development**

To vary the required minimum side yard from 1.5m to 1.33m;

**This Development Variance Permit is valid for two (2) years from the date of 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.**

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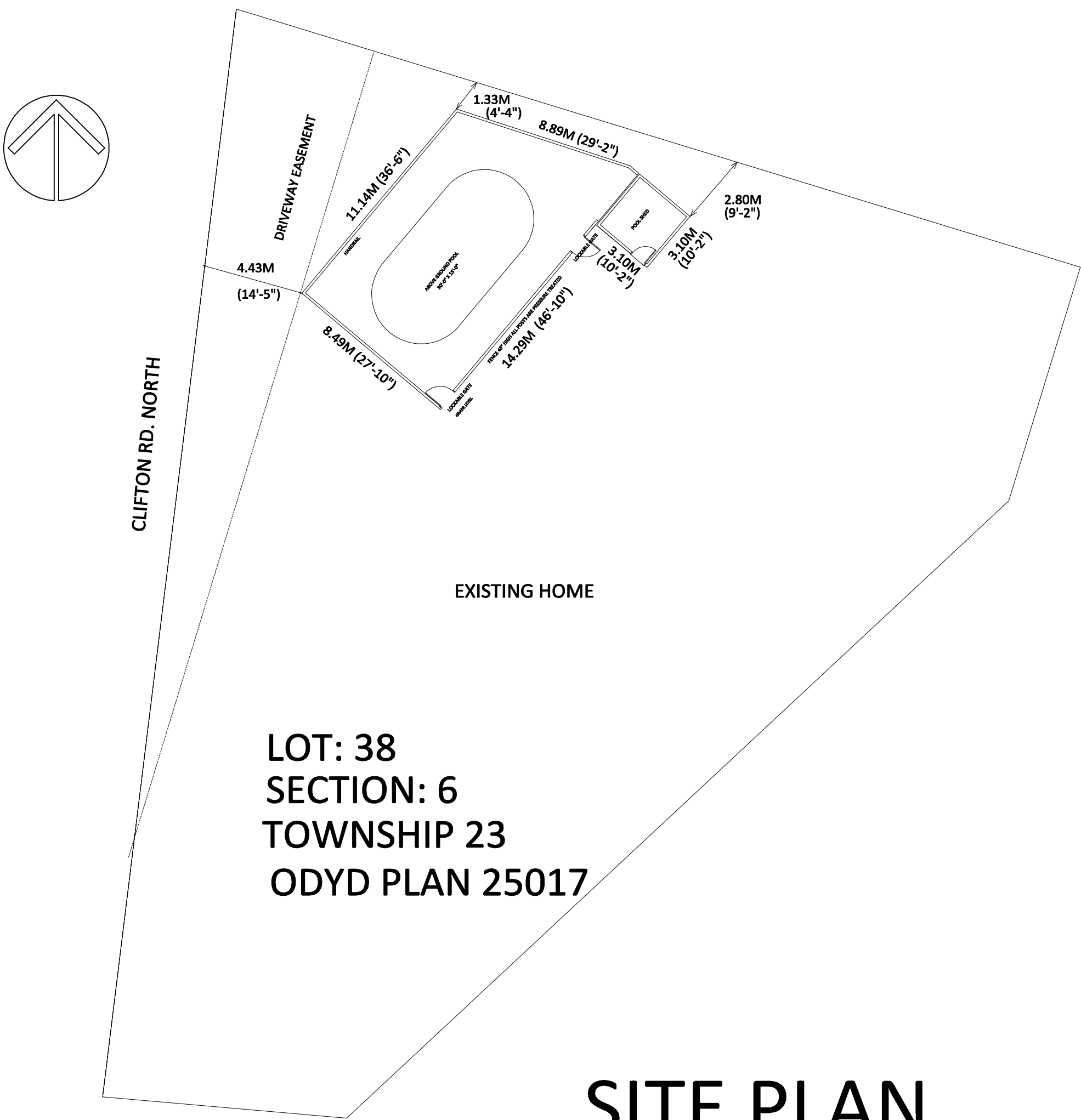
## "AS BUILT" RESIDENCE AT:

MR. & MRS. MARTIN SOLESKI

107 CLIFTON RD. NORTH

KELOWNA, B.C. V1V 1A2

PH. 250-869-5604



SITE PLAN

NTS

NOTE:  
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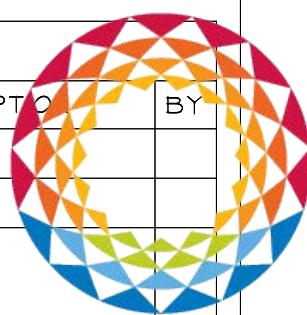
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# DVP18-0247

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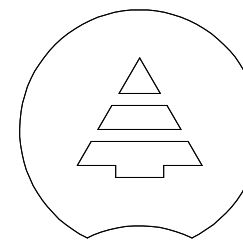
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RSM18-057

REVISION : 1

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DRAWING DATE : NOV. 27, 2018  
FILE NAME : NOTES  
CHK. BY : RSM

PAGE 1

## A

# DVP18-0247

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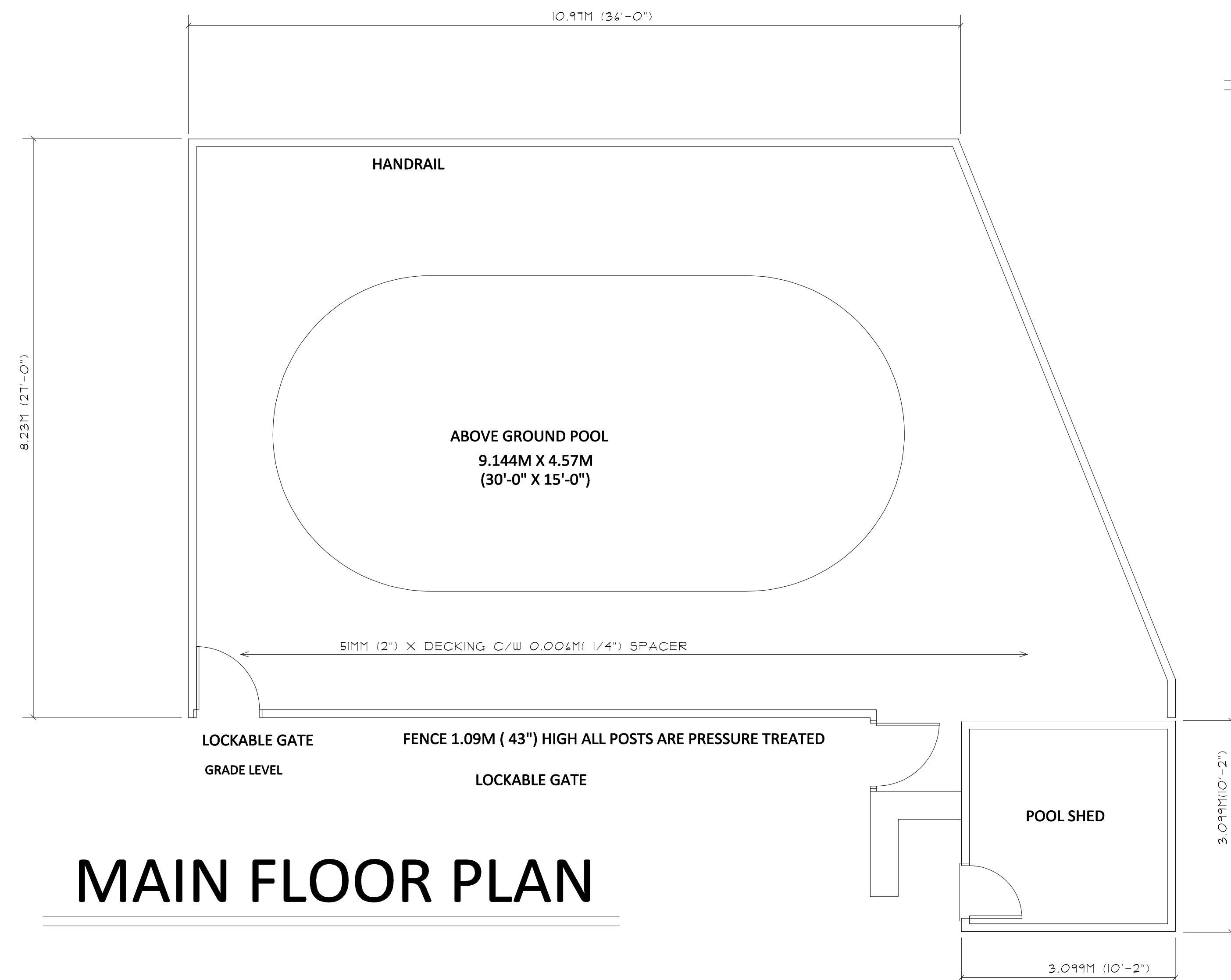


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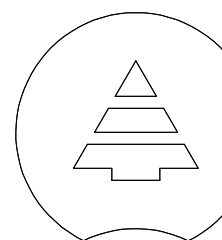
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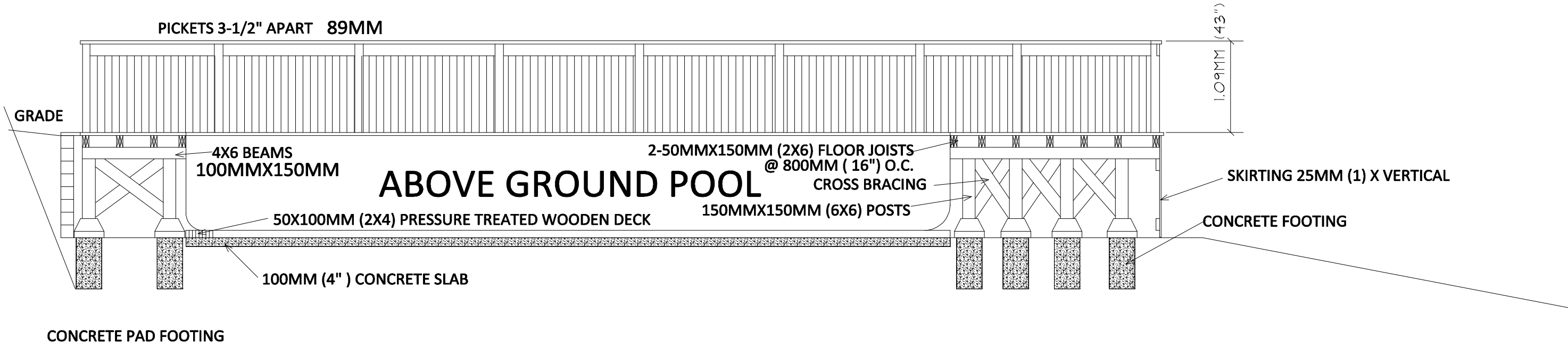
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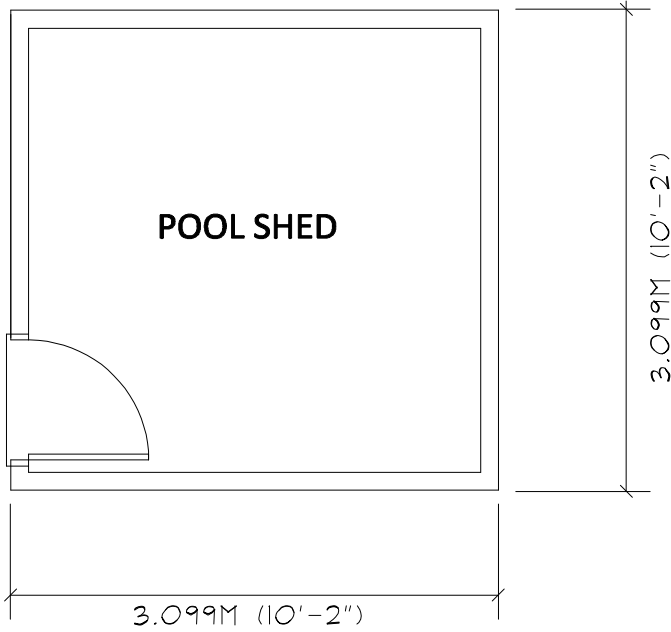
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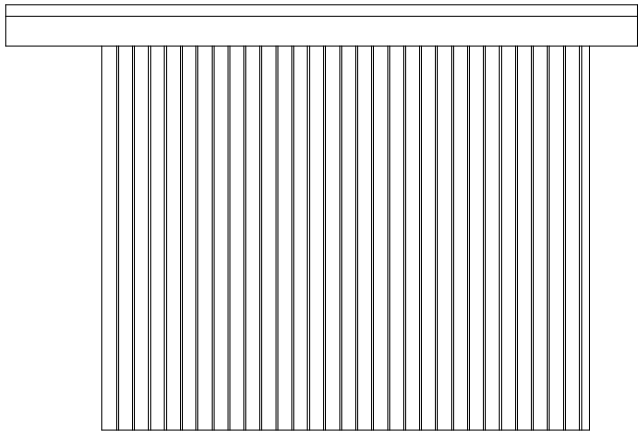


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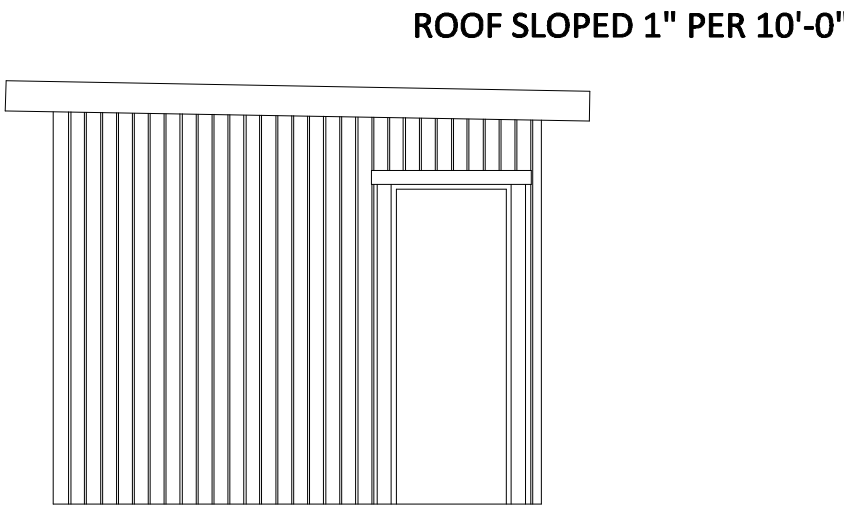


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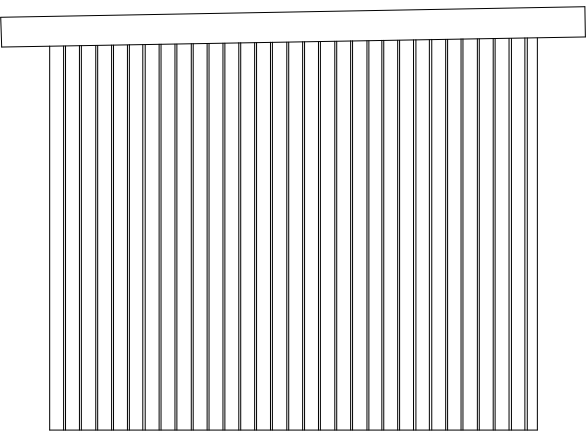
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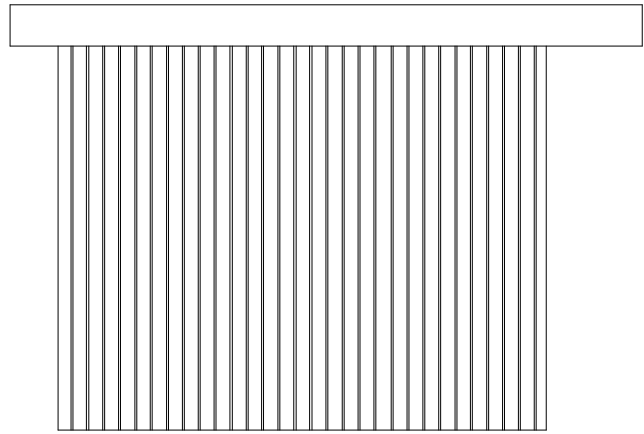
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FRONT ELEVATION



REAR ELEVATION



LEFT ELEVATION

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# REPORT TO COUNCIL



**Date:** October 8, 2019

**To:** Council

**From:** City Manager

**Department:** Community Planning and Developments

**Application:** DVP19-0145      **Owner:** Bannister Chad,  
Bannister Nadine

**Address:** 4780 Crichton Rd      **Applicant:** PSJ Developments Ltd.

**Subject:** Development Variance Permit

---

## 1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0145 for Lot 1 Section 25 Township 28 ODYD Plan 8026, located at 4780 Crichton Rd, Kelowna, BC;

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

### Section 11.1.6 – Development Regulations

- a) To vary the minimum side yard setback from 3.0 m required to 2.3m proposed on both side yards in accordance with Schedule "A".

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

## 2.0 Purpose

To vary the minimum side yard setback to allow the construction of a new single-family dwelling (SFD) on the subject property.

## 3.0 Development Planning

Staff support the requested variance to reduce the side yard setback from 3.0m to 2.3m on the north and south side of the property. The variance will allow the construction of a new home complete with an attached garage and maintaining onsite parking, while limiting the impacts on steep slopes. The property slopes down from the road to the lake, with grades in excess of 30% thru the middle of the property.

The current zoning A1 according to the bylaw requires setbacks based on the lot size. For lots less than 0.2 ha, which existed prior to August 10, 1976, shall be developed in accordance with the provisions and regulations of the RU1. The lot size in this case is 0.25 ha which just exceeds the provision.

The property is adjacent to the ALR and regulation requires a landscape buffer to reduce the impacts of normal farm practices.

The applicant has completed the neighborhood consultation in accordance with Council Policy No. 367 and staff have not fielded any questions or concerns.

#### 4.0 Proposal

##### 4.1 Project Description

The applicant's proposal is to build a new home with attached garage on the lot while maintaining the onsite parking and respecting the 15.0m Riparian Management Area (RMA) from the lake. In addition, the applicant is restoring the Riparian Management Area (RMA) from the lake and installing a landscape buffer along the frontage of the property.

As this site is within the Natural Environment Development Permit Area, the proponent will be required to obtain a Natural Environment Development Permit including a geotechnical assessment prior to commencing construction on this parcel.

##### 4.2 Site Context

The subject property is located on the west side of Crighton Road in the Southwest Mission sector of Kelowna. The subject property is zoned A1 with a Future Land Use designation of S2RES.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1C – Agriculture 1 with Carriage House	Single Family Residential & Carriage House
East	A1 – Agriculture 1	Orchard Farm
South	A1 – Agriculture 1	Single Family Residential
West	Okanagan Lake	Lake

**Subject Property Map:** 4780 Crighton Rd



#### 4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	A1 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Front Yard (to a dwelling)	6.0m	14.6m
Side Yard (north)	3.0m	2.3m <span style="color: red;">❶</span>
Side Yard (south)	3.0m	2.3m <span style="color: red;">❶</span>
Rear Yard	10m	36.58m
Other Regulations		
Maximum Site Coverage	35%	28%
<span style="color: red;">❶</span> Indicates a requested variance to the side yard setback to a dwelling		

#### 5.0 Current Development Policies

##### 5.1 Kelowna Official Community Plan (OCP)

##### Development Process

**Ensure environmentally sustainable development.**<sup>1</sup> Steep Slopes. Prohibit development on steep slopes (+30% or greater for a minimum distance of 10 metres) except where provided for in ASPs adopted or subdivisions approved prior to adoption of OCP Bylaw 10500.

- Kelowna 2030 OCP (Bylaw 10500) was adopted by City Council on May 30, 2011. The subject property was created in 2006, allowing a parcel with slopes over 30% to be created. City staff would like to see this lot developed in a manner that reduces the impact of grades around adjacent property lines. The proposed grading plan and site plan isolate changes in the existing grade to the south east portion of the property.

**Hillside Objectives.**<sup>2</sup> Promote the siting of buildings and designs that are compatible with the steep slope context; Ensure compatibility with existing neighbourhood or streetscape;

- The single storey design along Stellar Drive is compatible with single family homes along the north side of Stellar Drive.

**Context Considerations.**<sup>3</sup> Design and locate buildings so the hillside landscape rather than the sky serves as a backdrop;

#### 6.0 Technical Comments

##### 6.1 Development Engineering Department

See attached Memorandum dated July 2, 2019

##### 6.2 Building & Permitting Department

Full Plan check for Building Code related issues will be done at time of Building Permit applications.

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.5.12 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, E (Urban Design Development Permit Areas).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 1.5 (Urban Design Development Permit Areas).

## 7.0 Application Chronology

Date of Application Received:

July 8, 2019

Date Public Consultation Completed:

August 26, 2019

**Report prepared by:**

Sergio Sartori, Development Technician

**Reviewed by:**

Dean Strachan, Community Planning Manager

**Approved for Inclusion:**

Terry Barton, Planning Department Manager

### **Attachments:**

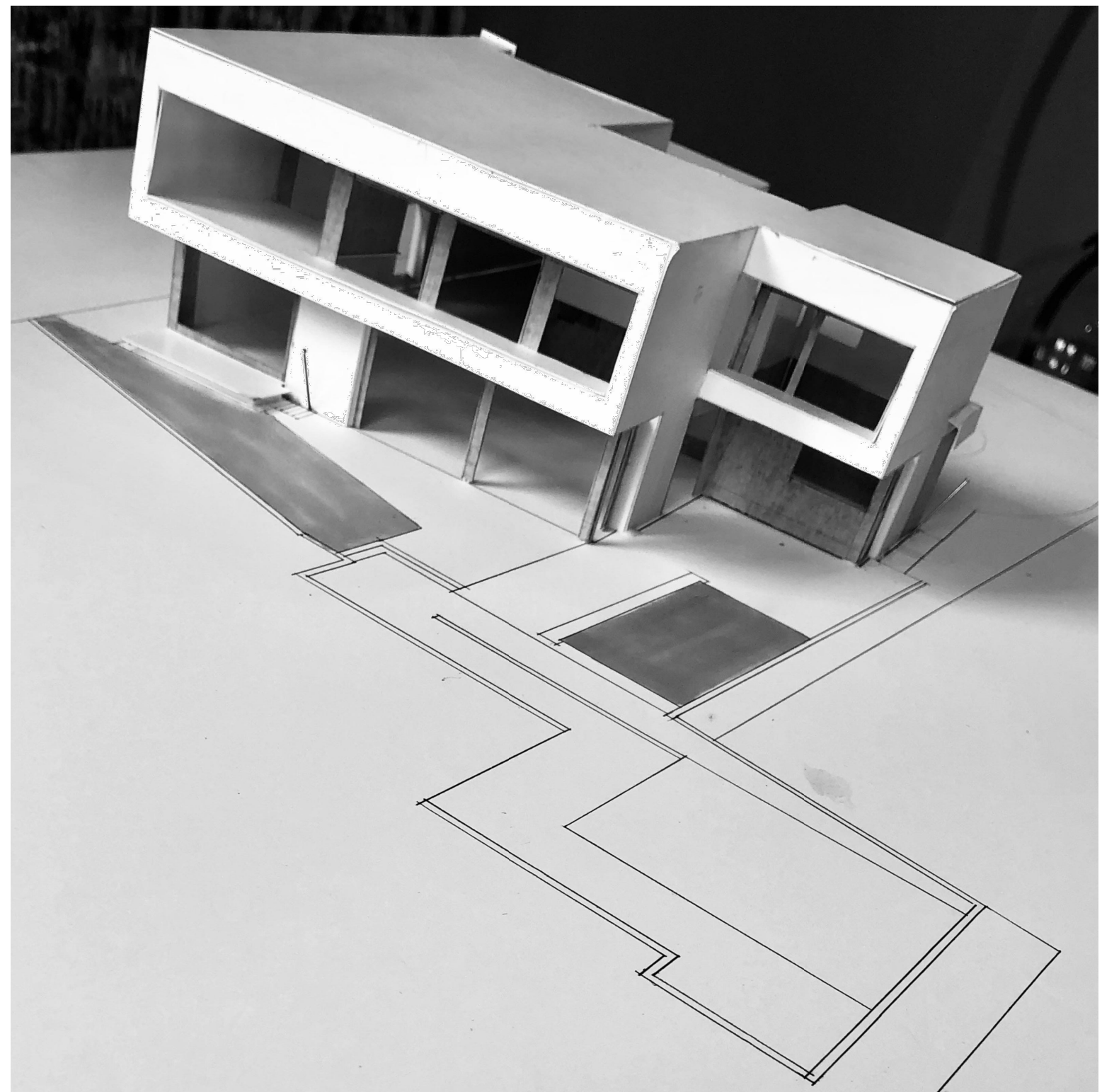
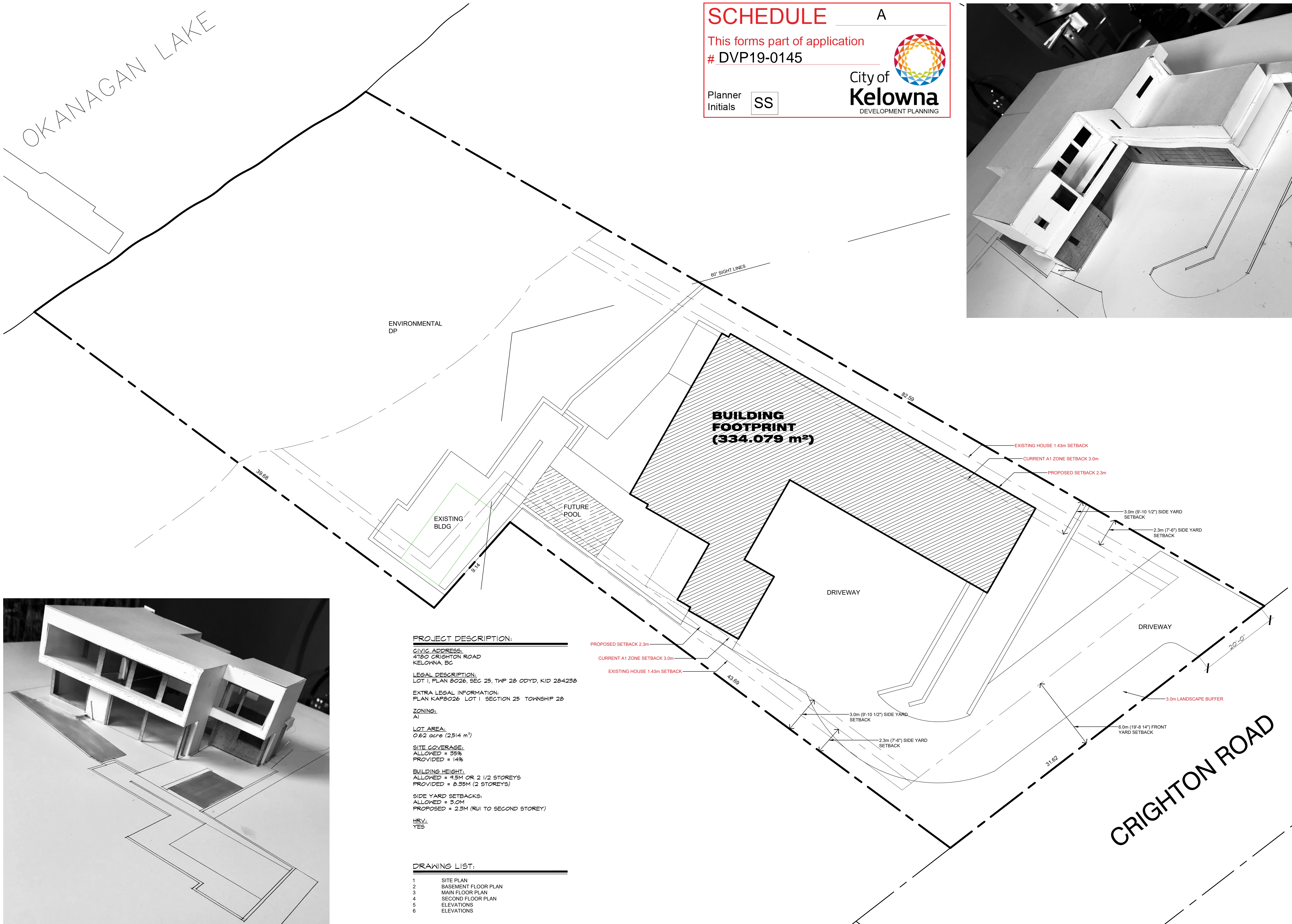
Draft Development Variance Permit No. DVP19-00145

Schedule "A" - Site Plan

Schedule "B" - Landscape Plan

Attachment "A" - Development Engineering Services Memo dated July 10, 2019





**PROJECT DESCRIPTION:**  
CIVIC ADDRESS:  
4780 CRIGHTON ROAD  
KELOWNA, BC  
  
LEGAL DESCRIPTION:  
LOT 1, PLAN 8026, SEC 25, TWP 28 ODYD, KID 284238  
  
EXTRA LEGAL INFORMATION:  
PLAN KAP8026 LOT 1 SECTION 25 TOWNSHIP 28  
  
ZONING:  
A1  
  
LOT AREA:  
0.62 acre (2514 m<sup>2</sup>)  
  
SITE COVERAGE:  
ALLOWED = 35%  
PROVIDED = 14%  
  
BUILDING HEIGHT:  
ALLOWED = 9.5M OR 2 1/2 STOREYS  
PROVIDED = 8.35M (2 STOREYS)  
  
SIDE YARD SETBACKS:  
ALLOWED = 3.0M  
PROPOSED = 2.3M (RUI TO SECOND STOREY)  
  
HRYL  
YES

- DRAWING LIST:**
- 1 SITE PLAN
  - 2 BASEMENT FLOOR PLAN
  - 3 MAIN FLOOR PLAN
  - 4 SECOND FLOOR PLAN
  - 5 ELEVATIONS
  - 6 ELEVATIONS

SCHEDULE

A

This forms part of application

# DVP19-0145

Planner Initials

SS

City of Kelowna

DEVELOPMENT PLANNING

CS DRAFTING & DESIGN

TEL: (250) 826-5959

SITE NORTH:

DESIGN BY:

PSJ DEVELOPMENTS

1415 MCINNES AVE  
KELOWNA, BC  
V1Y 5W1  
TEL: (250) 763-3889

**GENERAL CONDITIONS:**  
Check and verify all critical details and dimensions prior to the start of construction and contact this office if any clarification is required. Written dimensions will always take precedence over scaled dimensions.  
  
This drawing must be read in conjunction with all drawings & specs issued for this project contract. Contractor is responsible to notify architect about conflicting design instructions. Costs to remediate such work completed before architect/engineer can issue design revisions are the sole responsibility of the Contractor.

DATE:		ISSUED FOR:	
2019-03-18		ISSUED FOR CLIENT REVIEW	
2019-05-27		ISSUED FOR CLIENT REVIEW	
2019-06-06		ISSUED FOR CLIENT REVIEW	
2019-06-13		ISSUED FOR DP	
		-	
		-	
#	DATE:	REVISION:	

**PROJECT TITLE:**  
**CRIGHTON RESIDENCE**  
**4780 CRIGHTON ROAD,**  
**KELOWNA, BC**

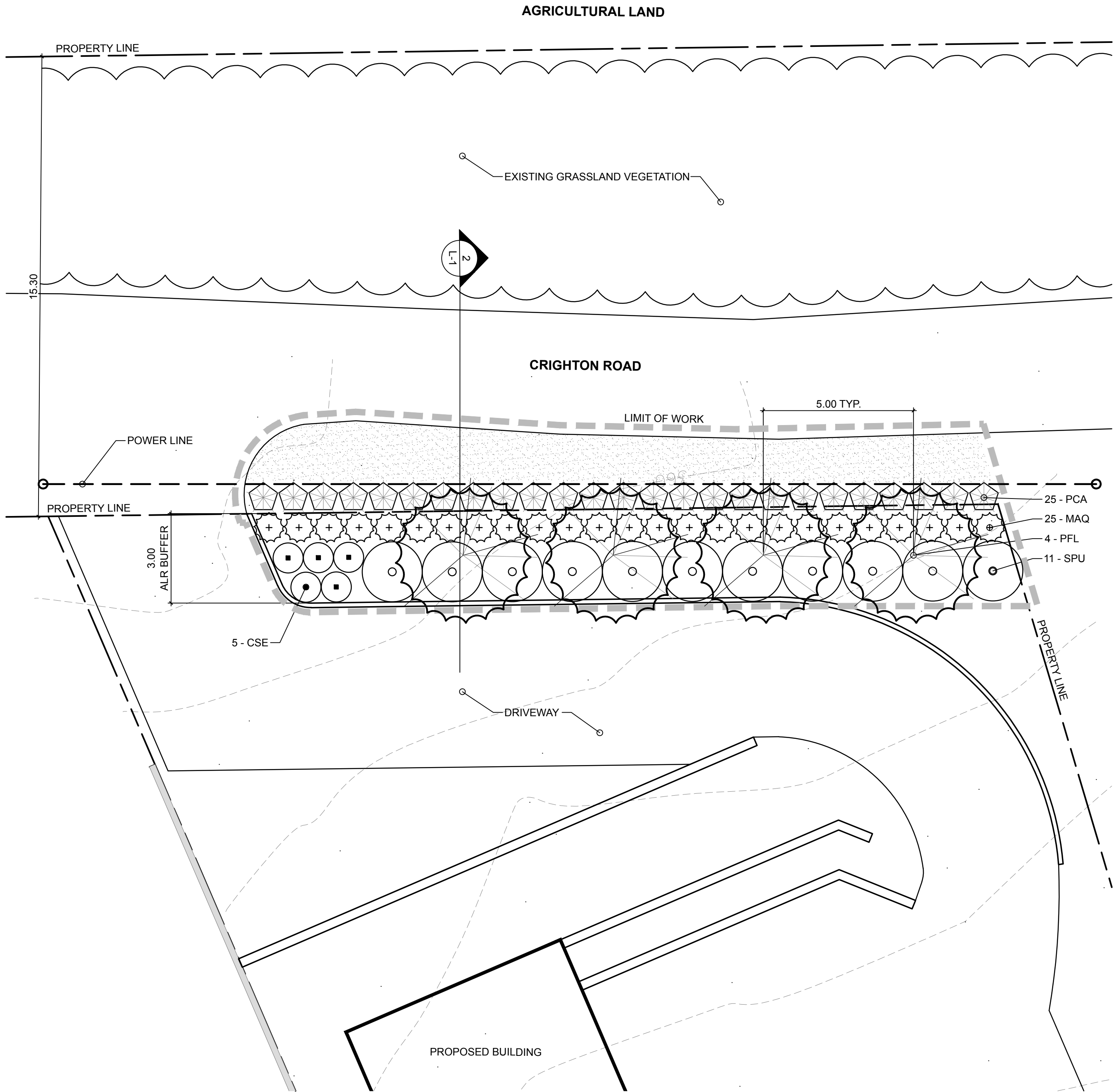
**SHEET TITLE:**  
**SITE PLAN**

Date:	Job #:
13-JUNE-19	1903
Scale:	
3/32"=1'-0"	
Drawn:	
COS	

1



/VOLUMES/BENCH/400 - PROJECTS/2018/18-044\_4780CRIGHTONROAD\_RESIDENCE/440 - PRODUCTION/442 - DRAWINGS/00-CURRENT/00\_18-044\_4780CRIGHTONROAD\_AGRIBUFFER.DWG

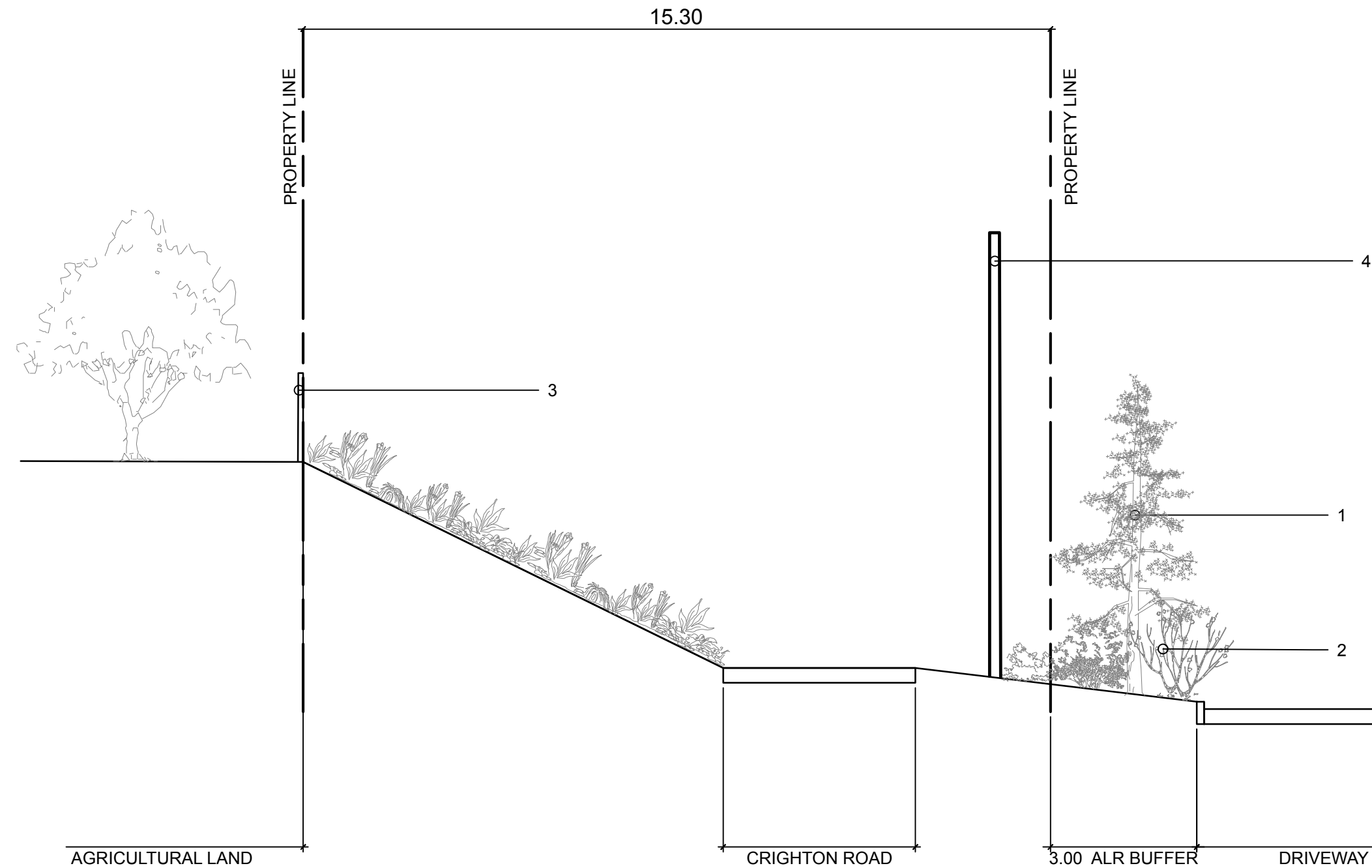
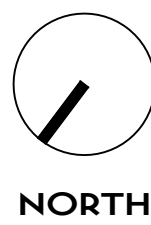
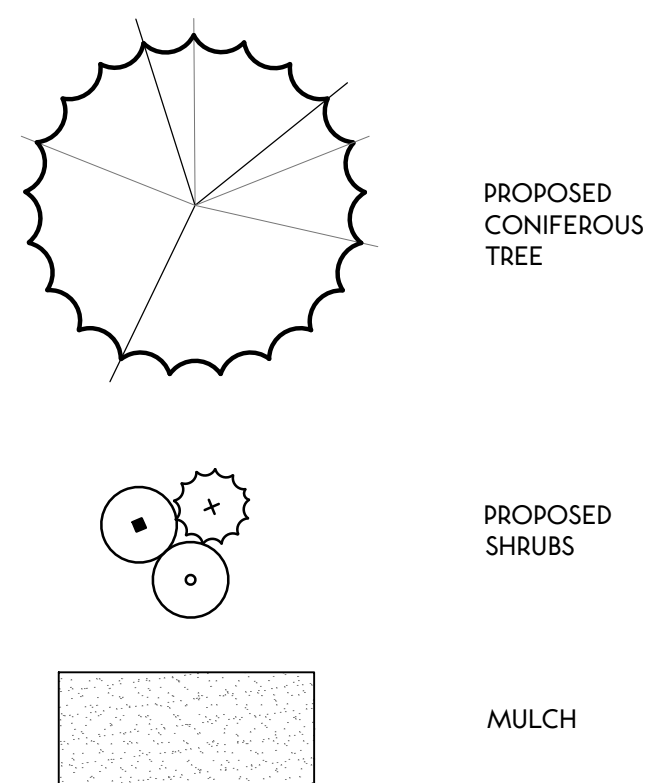


1  
L-1 AGRICULTURAL BUFFER PLAN  
SCALE 1:100

DEVELOPMENT PERMIT NOTES:

- A PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO MINIMUM STANDARDS ESTABLISHED IN THE LATEST EDITION OF THE CANADIAN LANDSCAPE STANDARDS, PUBLISHED BY CLN.A. AND C.S.L.A. AS WELL AS THE CITY OF KELOWNA LANDSCAPE STANDARDS IN BYLAW 7900.
- B THE LANDSCAPE DESIGN DESIGNATED HEREIN IS CONCEPTUAL BUT REFLECTS THE MINIMUM CITY OF KELOWNA ALR BUFFER REQUIREMENTS
- C PLANT MATERIAL SELECTIONS ARE CONCEPTUAL ONLY. FINAL PLANTING SELECTIONS MAY VARY DEPENDING UPON AVAILABILITY AT THE TIME OF CONSTRUCTION.
- D TREES SHALL BE INSTALLED IN DEFINED SOIL PITS OR PLANTING BED AREAS. ADEQUATE SOIL VOLUME SHALL BE PROVIDED BASED ON THE SPECIFIED TREE SPECIES AND LOCATION.
- E SHRUB, GRASS AND PERENNIAL CLUSTERS ARE TO BE PLACED WITHIN DEFINED PLANTING BEDS. ALL PLANTING BEDS SHALL HAVE A MIN. OF 450mm (18") IMPORTED GROWING MEDIUM AND 75mm (3") OF COMPOSTED MULCH OR APPROVED EQUAL.
- F A HIGH EFFICIENCY IRRIGATION SYSTEM SHALL BE INSTALLED FOR ALL LANDSCAPE AREAS AND SHALL CONFORM TO THE CITY OF KELOWNA'S IRRIGATION STANDARDS IN BYLAW 7900.
- G A ONE-YEAR PLANT SURVIVAL RATE OF NO LESS THAN 80% WILL BE ACCEPTED. A PLANT SURVIVAL COUNT SHALL BE CONDUCTED BY THE LANDSCAPE ARCHITECT OR QUALIFIED ENVIRONMENTAL PROFESSIONAL ONE YEAR AFTER THE DATE OF SUBSTANTIAL COMPLETION.

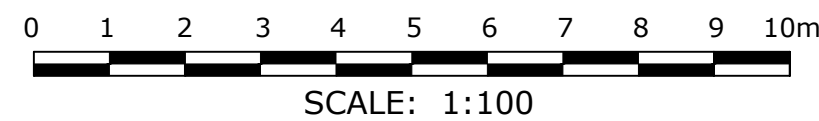
GENERAL LEGEND:



2  
L-1 AGRICULTURAL BUFFER SECTION  
SCALE 1:100

BUFFER PLANT LIST:

TREES					
Key	Qty.	Botanical Name	Common Name	Size/Spacing	Root
PFL	4	<i>Pinus flexilis</i> 'Vanderwolf's Pyramid'	Vanderwolf's Pyramid pine	2.0 Ht.	Potted
SHRUBS					
Key	Qty.	Botanical Name	Common Name	Size/Spacing	Root
CSE	5	<i>Cornus sericea</i> 'Farrow'	Arctic Fire dogwood	#02 Cont./1.0m O.C.	Potted
MAQ	25	<i>Mahonia aquifolium</i>	Oregon grape	#02 Cont./1.0m O.C.	Potted
PCA	25	<i>Paxistima canbyi</i>	Cliff green	#02 Cont./1.0m O.C.	Potted
SPU	11	<i>Salix purpurea</i> 'Nana'	Dwarf Arctic willow	#02 Cont./2.0m O.C.	Potted



SCHEDULE

B

This forms part of application  
# DVP19-0145

Planner  
Initials 

SS

City of  
Kelowna

DEVELOPMENT PLANNING

COPYRIGHT RESERVED. THIS DRAWING AND DESIGN IS AT ALL TIMES THE PROPERTY OF BENCH SITE DESIGN INC. AND CANNOT BE USED WITHOUT THE COMPANY'S WRITTEN CONSENT.

REVISIONS / ISSUED:		
2	SEP 10/19	REISSUED FOR DP
1	SEP 08/19	ISSUED FOR DP
NO.	DATE	DESCRIPTION

BENCH

| 4-1562 Water Street, Kelowna BC V1Y 1J7 |

| 1 250 860 6778 |

CLIENT:  
  
CHAD BANNISTER  
KELOWNA, B.C.

PROJECT:  
  
4780 CRIGHTON ROAD  
  
KELOWNA, B.C.

SHEET TITLE  
  
AGRICULTURAL BUFFER  
PLAN

DESIGN BY	FB
DRAWN BY	FB
CHECKED BY	KN
PROJECT NO.	18-044
SCALE	1:100

SHEET NO.

L-1

NOT FOR CONSTRUCTION

CITY OF KELOWNA

MEMORANDUM

**Date:** July 10<sup>th</sup>, 2019  
**File No.:** DVP19-0145  
**To:** Community Planning (SS)  
**From:** Development Engineer Manager (JK)  
**Subject:** 4780 Crichton Rd

The Development Engineering comments and requirements regarding this Development Variance Application are as follows:

This development variance permit to vary the side yard setback from 3.0 m to 2.3 m to allow the construction of a new single family dwelling (SFD) does not compromise any municipal services.

**Building permit requirements**

At time of building permit application, the following requirements must be met:

1. Driveway width to be no wider than 6.0 m as per section 4.6 of Schedule 4 of the Subdivision, Development & Servicing Bylaw #7900.
2. This subject parcel is not currently within the City's sanitary sewer service area. Sanitary sewage is presently handled by an on-site sewage disposal system. The applicant's consulting engineer will determine the requirements of the on-site disposal system that will support the proposed use. The disposal system shall be reviewed by the Interior Health Authority and Building & Permitting.
3. This subject parcel is not currently serviced by any of the water suppliers within the City of Kelowna. Provide confirmation from the Interior Health Authority and the Province of British Columbia that any proposed or existing water intakes or wells are appropriately designed and permitted.

*Ryan O'Sullivan for James Kay*

James Kay, P. Eng.  
Development Engineering Manager

JKH



# Development Variance Permit

## DVP19-0145



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

**4780 Crichton Rd**

and legally known as

LOT 1 SECTION 25 TOWNSHIP 28 OSOYOOS DIVISION YALE DISTRICT PLAN 8026

and permits the land to be used for the development with variances to the following sections of the Zoning Bylaw 8000:

### **Section 11.1.6 – Development Regulations**

- a) To vary the minimum side yard setback from 3.0 m required to 2.3m proposed on both side yards.

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

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

Date of Decision: October 8<sup>th</sup>, 2019

Decision By: CITY COUNCIL

Issued Date: **DATE**

Development Permit Area: NA

File Manager: SS

**This permit will not be valid if development has not commenced within 2 years of the council approved Date of Decision.**

Existing Zone: A1 – Agriculture 1

Future Land Use Designation: S2RES – Single Two Unit Residential

### **This is NOT a Building Permit.**

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

### **NOTICE**

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

Owner: Chad & Nadine Bannister  
Address: 2727 Highway 97N, V1X 4J8  
City: Kelowna, BC

---

Terry Barton, Development Planning Department Manager  
Development Planning

---

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 dwelling to be constructed on the land be in accordance with Schedule "A";
- b) Landscape Buffer to be provided on the land be in accordance with Schedule "B"; and
- c) 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 Council Date of Decision if applicable, or Community Planning Department Manager approval, with no opportunity to extend.

## 3. PERFORMANCE SECURITY

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

- a) A Certified Cheque in the amount of; **\$13,053.13**

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

## 4. Indemnification

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

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

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

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

# REPORT TO COUNCIL



**Date:** October 8, 2019

**To:** Council

**From:** City Manager

**Department:** Development Planning – Suburban, Rural

**Application:** DVP19-0154

**Owner:** Douglas Mills

**Address:** 274 Chapin Rd

**Applicant:** Marty Souder

**Subject:** Development Variance Permit

---

## 1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0154 for Lot A District Lot 219 ODYD Plan 5315, located at 274 Chapin Rd, Kelowna, BC;

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

### Section 7.5.9 – Landscaping and Screening Fencing and Retaining Walls

- a) To vary the maximum height of the retaining wall from 1.2 m required to 5.0m proposed in accordance with Schedule "A".

### Section 6.5.3 – General Development Regulations

- b) To vary the maximum height of an accessory building from 4.8m permitted to 5.4m proposed in accordance with Schedule "A".

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 maximum height of retaining wall and the maximum height of an accessory building on the subject property.

## 3.0 Development Planning

## 4.0 Proposal

### 4.1 Project Description

The applicant is proposing a new garage with bonus room and a new retaining wall on the subject property. The topography of the subject property presents challenges as the existing grade at the east side of the property slopes steeply down towards the west property line. In this case the retaining wall will fulfill the important structural function of safely retaining soil. The soil permit process for the retaining wall will

require sealed engineering design, documented independent review and schedules to achieve the soil permit approval. The majority of the retaining wall will be screened by the garage and the remainder will be screened by several existing trees from Okanagan Lake. The applicant is also seeking a height variance to allow a garage building with better accessibility for indoor boat and vehicle storage. The building grade of the proposed garage is approximately 8.0m below the adjacent property to the east hence the need for the retaining wall and should not impede neighboring views.

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbor consultation by individually contacting the neighbors within a 50 metre radius. Staff has not fielded any objections or correspondence from the neighbors.

#### 4.2 Site Context

The subject property is located at the end of Chapin Road, in the Central City sector of Kelowna. The subject property is zoned RU1 with a Future Land Use designation of S2RES and is in the Permanent Growth Boundary.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Park
East	RU1 – Large Lot Housing	Single Family Residential
South	RU1 – Large Lot Housing	Single Family Residential
West	RU1 – Large Lot Housing	Single Family Residential

**Subject Property Map:** 274 Chapin Rd



#### 4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1 ZONE REQUIREMENTS	PROPOSAL
Other Regulations		
Maximum Height (Accessory Bdg)	4.8m	5.4m ❶
Maximum Retaining Wall Height	1.2m	5.0 m ❷
❶ Indicates a requested variance to the maximum height of an accessory building ❷ Indicates a requested variance to the height of a retaining wall		

### 5.0 Current Development Policies

#### 5.1 Kelowna Official Community Plan (OCP)

##### Development Process

**Ensure environmentally sustainable development.**<sup>1</sup> Steep Slopes. Prohibit development on steep slopes (+30% or greater for a minimum distance of 10 metres) except where provided for in ASPs adopted or subdivisions approved prior to adoption of OCP Bylaw 10500.

- Kelowna 2030 OCP (Bylaw 10500) was adopted by City Council on May 30, 2011. The subject property was created in 2006, allowing a parcel with slopes over 30% to be created. City staff would like to see this lot developed in a manner that reduces the impact of grades around adjacent property lines. The proposed grading plan and site plan isolate changes in the existing grade to the south east portion of the property.

**Hillside Objectives.**<sup>2</sup> Promote the siting of buildings and designs that are compatible with the steep slope context; Ensure compatibility with existing neighbourhood or streetscape;

- The single storey design along Stellar Drive is compatible with single family homes along the north side of Stellar Drive.

**Context Considerations.**<sup>3</sup> Design and locate buildings so the hillside landscape rather than the sky serves as a backdrop;

### 6.0 Technical Comments

#### 6.1 Development Engineering Department

See attached Memorandum dated August 6, 2019

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.5.12 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, E (Urban Design Development Permit Areas).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 1.5 (Urban Design Development Permit Areas).

## **7.0 Application Chronology**

Date of Application Received:

July 31, 2019

Date Public Consultation Completed:

August 16, 2019

**Report prepared by:**

Sergio Sartori, Development Technician

**Reviewed by:**

Dean Strachan, Community Planning Manager

**Approved for Inclusion:**

Terry Barton, Planning Department Manager

### **Attachments:**

Draft Development Variance Permit No. DVP19-00154

Schedule "A" - Site Plan

Attachment "A" Development Engineering Services Memo dated August 6, 2019

# Development Variance Permit

## DVP19-0154



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

**274 Chapin Rd**

and legally known as

Lot A District Lot 219 ODYD Plan 5315

and permits the land to be used for the development with variances to the following sections of the Zoning Bylaw 8000:

### **Section 7.5.9 Fencing and Retaining Walls**

To vary the required retaining wall from 1.2m permitted to 5.0m proposed.

### **Section 6.5.3 – General Development Regulations**

To vary the maximum height of an accessory building from 4.8m permitted to 5.4m proposed.

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

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

Date of Decision: October 8th, 2019

Decision By: CITY COUNCIL

Issued Date: DATE

Development Permit Area: NA

File Manager: SS

**This permit will not be valid if development has not commenced within 2 years of the council approved Date of Decision.**

Existing Zone: RU1 – Large Lot Housing

Future Land Use Designation: S2RES – Single Two Unit Residential

## **This is NOT a Building Permit.**

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

## **NOTICE**

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

Owner: Douglas Mills  
Address: 526 Crescent Rd N.W  
City: Calgary, AB  
Phone: 250-260-0226

---

Dean Strachan, Suburban and Rural Planning 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

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

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

### 3. PERFORMANCE SECURITY

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

- a) n/a

### 4. Indemnification

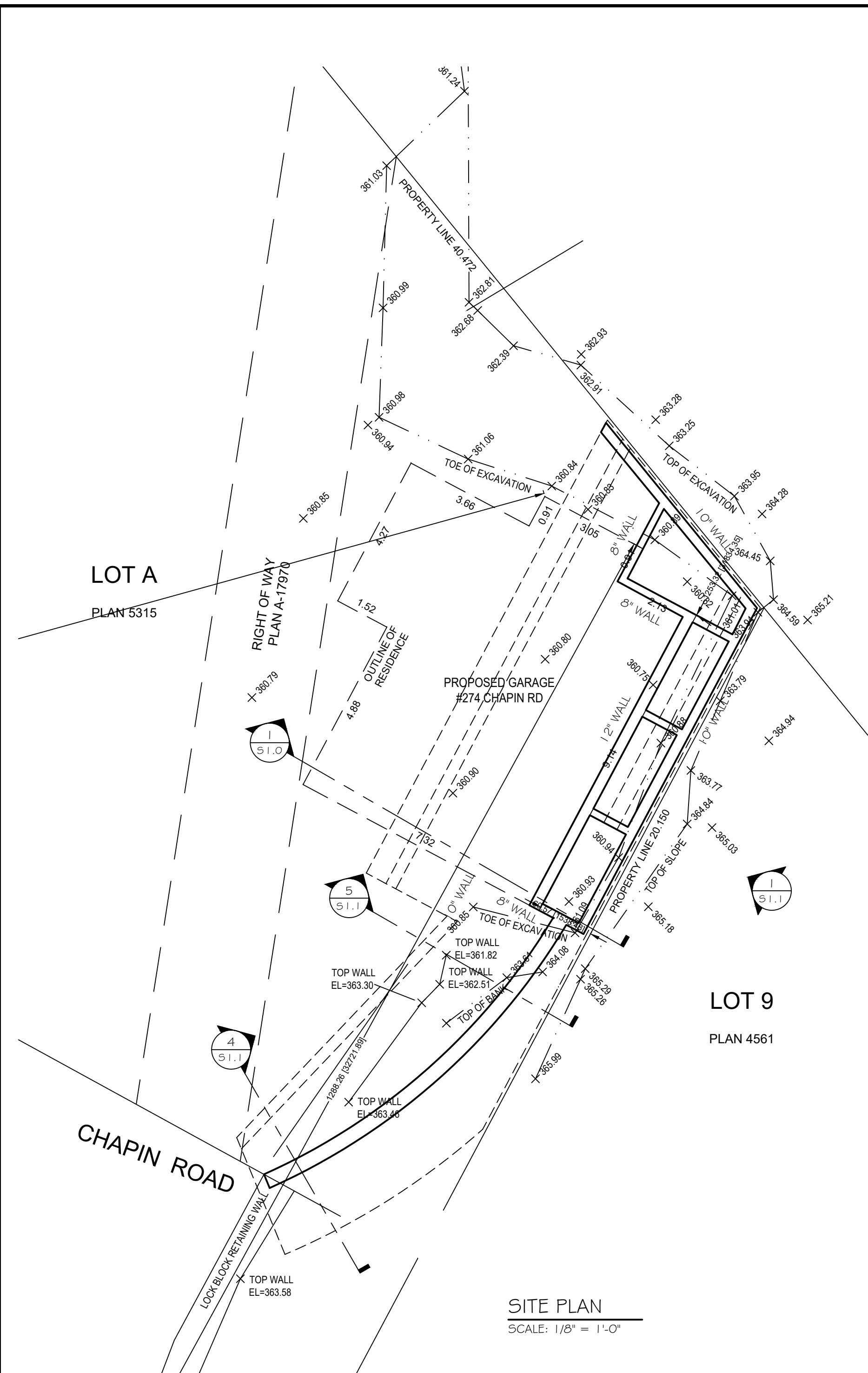
Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

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

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

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





SCHEDULE

A

This forms part of application

# DVP19-0154

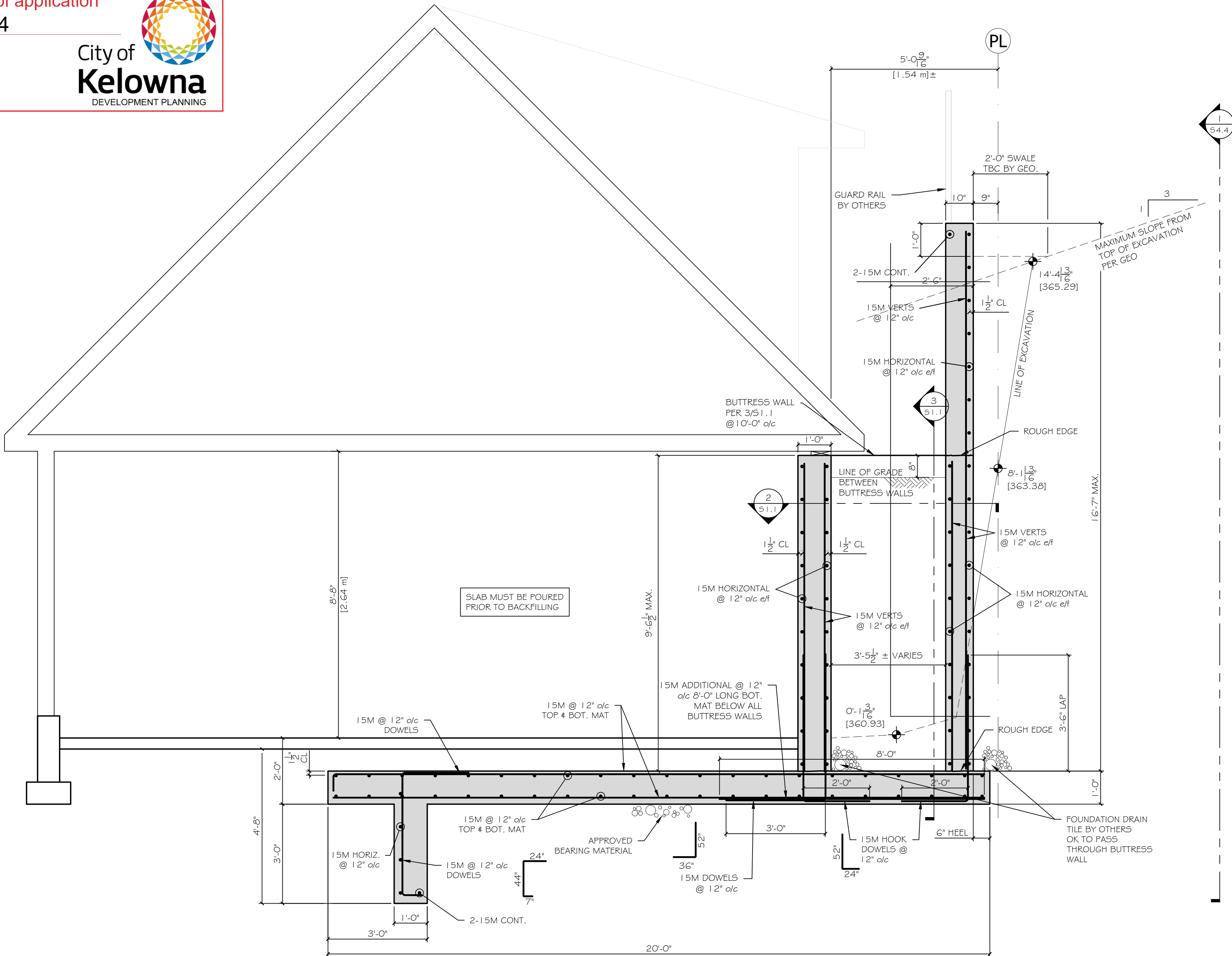
Planner

Initials

SS

City of Kelowna

DEVELOPMENT PLANNING



## STRUCTURAL NOTES (BC BUILDING CODE 2018)

### FOUNDATION AND SITE WORK

- REFERENCE GEOTECHNICAL REPORT DATED 2019-05-03 PREPARED BY INTERIOR TESTING
- NO FOUNDATIONS MAY BE POURED BEFORE MATERIAL HAS BEEN APPROVED BY THE GEOTECHNICAL ENGINEER. CONTRACTOR TO NOTIFY GEOTECHNICAL ENGINEER MINIMUM 48 HOURS BEFORE CONCRETE POUR
- THE BASE OF THE FOUNDATIONS SHALL BE PROTECTED AGAINST RAIN, SNOW, FROST AND ANY WATER INFILTRATION
- ALL FOOTINGS SHALL BE FORMED AS INDICATED ON THE FOUNDATION PLANS IN ACCORDANCE TO THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER
- CENTER ALL FOOTINGS UNDER COLUMNS AND WALLS UNLESS OTHERWISE NOTED
- FOOTINGS HAVE BEEN DESIGNED FOR AN ALLOWABLE BEARING PRESSURE OF 2000 PSF (100 kPa) AS STATED IN GEOTECH REPORT
- SEE GEOTECH REPORT FOR PREPARATION OF SUBGRADE
- PERIMETER FOOTING DRAINAGE - SEE MECHANICAL DRAWINGS
- PROTECT BEARING SURFACES FROM FREEZING BEFORE FOOTINGS ARE POURED
- LOWER THE FOOTINGS TO ACCOMMODATE THE MECHANICAL AND/OR ELECTRICAL SERVICES (SEE CONSULTANTS' DRAWINGS). DO NOT UNDERMINE THE FOOTING BY EXCAVATION FOR SERVICES

### CONCRETE

- ALL CONCRETE WORK SHALL COMPLY WITH THE REQUIREMENTS OF CSA STANDARD A23.1 & A23.3. CONCRETE STRENGTHS TO BE VERIFIED BY INDEPENDENT TESTS TO CSA A23.1 AT THE EXPENSE OF THE CONTRACTOR. A MINIMUM OF 3 TEST CYLINDERS SHALL BE CAST FOR EACH 100 CUBIC METRES OR EACH DAYS POUR, WHICHEVER IS LESS, WITH COPIES SUBMITTED TO THE ENGINEER
- CONCRETE SHALL HAVE A 28 DAY COMPRESSIVE STRENGTH OF:

LOCATION	STRENGTH MPa	AIR %	SLUMP ±20mm	EXPOSURE CLASS	AGGREGATE (mm)
FOOTINGS	25	4-7	70	F2	20
FOUNDATION/RETAINING WALLS	25	4-7	60	F2	20
- CEMENT SHALL BE TYPE GU TO CANCSA A23.1
- ALL COLD OR HOT WEATHER CONCRETE WORK SHALL CONFORM TO CANCSA A23.1
- REINFORCING BARS SHALL BE BILLET STEEL BARS CONFORMING TO CSA G30.18 GRADE 400. WELDED WIRE MESH SHALL CONFORM TO CSA G30.5. LAPS SHALL INCLUDE TWO CROSS WIRE PLUS 2" (50 mm)
- LAP SPICE REINFORCEMENT AS FOLLOWS (UNLESS OTHERWISE NOTED):

WIRE MESH	12" (305mm)
10M	18" (457mm)
15M	24" (600mm)
20M	30" (762mm)
25M	50" (1270mm)
- DESIGNATION OF REINFORCING BARS:

_____	DENOTES TOP BARS
-----	DENOTES BOTTOM BARS
- WELDING OF REINFORCING IS NOT PERMITTED WITHOUT WRITTEN APPROVAL

### CLEAR COVER FOR REINFORCEMENT:

	EXPOSURE CONDITION		
	N	EARTH OR WEATHER F1, F2	CHLORIDE C1, C2, C3, C4
CAST AGAINST EARTH	-	3"	3"
WALLS	3/4"	1 1/2"	2 1/2"

- PLACE REINFORCING BARS SYMMETRICALLY OVER SUPPORTS AND SYMMETRICALLY IN SPANS UNLESS OTHERWISE NOTED
- ALL DOWELS AND ANCHOR BOLTS SHALL BE PLACED BEFORE THE CONCRETE IS POURED. TEMPLATES SHALL BE USED TO ENSURE CORRECT PLACEMENT
- WALLS AND COLUMNS:
  - WALLS AND COLUMNS SHALL NOT BE POURED HIGHER THAN THE UNDERSIDE OF THE MEMBER SUPPORTED. ANY EXTRA HEIGHT SHALL BE REMOVED BEFORE POURING THE NEXT LEVEL
  - PROVIDE 10M CORNER BARS FOR THE LESSER AMOUNT OF HORIZONTAL WALL REINFORCING AT THE CONCRETE / CONCRETE AND CONCRETE / BLOCK WALL INTERSECTIONS UNLESS HORIZONTAL REINFORCEMENT IS HOOKED AS SHOWN IN THE TYPICAL DETAILS
- REFER TO ARCHITECTURAL DETAILS FOR ALL SLAB DEPRESSIONS, FALLS, ETC.
- NOTIFY ENGINEER MINIMUM 24 HOURS PRIOR TO ANY POUR

### COLD WEATHER CONCRETE

ALL COLD WEATHER CONCRETE PROCEDURES SHALL BE IN ACCORDANCE WITH CAN5-A23.1 IN ADDITION TO THE FOLLOWING MINIMUM REQUIREMENTS. UNDER NO CIRCUMSTANCE SHALL CONCRETE BE CAST ON FROZEN REINFORCING STEEL, GROUND OR FORMWORK

#### FORECASTED AIR TEMPERATURES NOT BELOW 2° C

- IF CONCRETE TEMPERATURE DROPS BELOW 5° C AT POINT OF POURING, THE MIXING WATER SHALL BE HEATED TO MAINTAIN A MINIMUM CONCRETE TEMPERATURE OF 10° C
- CONCRETE SHALL NOT BE PLACED ON OR AGAINST ANY SURFACE WHICH IS AT A TEMPERATURE LESS THAN 5° C
- CONTRACTOR SHALL BE PREPARED TO COVER SLAB IF UNEXPECTED DROP IN AIR TEMPERATURE SHOULD OCCUR
- CONCRETE TEMPERATURE SHALL BE MAINTAINED ABOVE 10° C FOR AT LEAST 3 DAYS OR UNTIL THE CONCRETE REACHES 7 MPa STRENGTH
- FORMS AND STEEL SHALL BE FREE FROM ICE AND SNOW
- MIXING WATER SHALL BE HEATED TO PRODUCE A MINIMUM CONCRETE TEMPERATURE OF 10° C AT POINT OF PLACEMENT
- CONCRETE SHALL NOT BE PLACED ON OR AGAINST ANY SURFACE THAT IS AT A TEMPERATURE OF LESS THAN 5° C
- SLABS SHALL BE COVERED WITH CANVAS OR SIMILAR, KEPT A FEW INCHES CLEAR OF SURFACE
- IN WINDY WEATHER, STOREY BELOW SLAB SHALL BE ENCLOSED
- PROTECTION SHALL BE MAINTAINED FOR AT LEAST 3 DAYS
- CONCRETE TEMPERATURE SHALL BE MAINTAINED ABOVE 10° C FOR AT LEAST 3 DAYS OR UNTIL THE CONCRETE REACHES 7 MPa STRENGTH

#### FORECASTED AIR TEMPERATURE BELOW -4° C

- 1, 2, 3, 4 AS PER SECTION ABOVE
- STOREY BELOW SHALL BE ENCLOSED AND ARTIFICIAL HEAT PROVIDED. HEATING TO BE STARTED AT LEAST THREE HOURS PRIOR TO POURING AND MAINTAINED FOR A MINIMUM OF 3 DAYS THEREAFTER
- TEMPERATURE OF THE CONCRETE AT ALL SURFACES SHALL BE KEPT AT A MINIMUM OF 20° C FOR 3 DAYS, OR 10° C FOR 7 DAYS. CONCRETE SHALL BE KEPT ABOVE FREEZING TEMPERATURES UNTIL IT REACHES 7 MPa STRENGTH

CONTRACTOR IS RESPONSIBLE TO CHECK AND CONFIRM ALL DIMENSIONS AND ELEVATIONS ON DRAWINGS.

3	VARIANCE REVISION	JUN. 12, 19
2	BUILDING PERMIT	MAY 15, 19
1.1	COORDINATION	MAY 7, 19
1	COORDINATION	APR. 23, 19
No.	Issued for	Date

#### ISSUES / REVISIONS

CLIENT:  
**BALDWIN CONSTRUCTION**  
3598 SPIERS ROAD  
Kelowna, BC V1W4A8  
Ph: (250)-808-3594  
baldwinconstruction@me.com



SEAL:

DATE:

**ROV CONSULTING INC.**  
Structural & Building Energy Engineering

101-2040 Springfield Road Kelowna, B.C., Canada V1Y 9N7 Ph 1-250-860-0412 admin@rovconsulting.ca

PROJECT:

RETAINING WALL  
274 CHAPIN ROAD  
LOT A, PLAN: KAP5315  
CITY OF KELOWNA, BC

TITLE:  
**SITE PLAN, CROSS SECTION & SPECIFICATIONS**

CHECKED BY	M.Y.	SCALE	AS NOTED
DESIGNED BY	I.C.	PROJECT No.	7574
DWG BY	I.C.	SHEET No.	S1.0





## CITY OF KELOWNA

# MEMORANDUM

**Date:** August 6, 2019

**File No.:** DVP19-0154

**To:** Community Planning (SS)

**From:** Development Engineering Manager (JK)

**Subject:** 274 Chapin Rd. Retaining Wall Height

The Development Engineering Branch has the following comments associated with this application for a development variance permit:

A Development Variance application to vary the height of a garage from 4.8m (permitted) to 5.4m (proposed) and to vary the height of a retaining wall from 1.2m (permitted) to 5.0m (proposed) to allow the construction of a new garage on the subject property is subject to the conditions within Bulletin # 17-02 R2

#### **4. Retaining Walls & Rockfall Protection**

With increased hillside development, Development Engineering wishes to remind the Development Community of the need of adequate Rockfall Protection adjacent the walls. Please consider BC MOT Supplement to TAC Geometric Design Guide 440, page 440-8, which outlines a ditch bottom width of 1.25-2.75m, depending on wall height. Sidewalks and utilities should be kept out of this protection area. Additional ROW may be required.

Where walls are on the high side, the City's preference is that the walls remain setback and on private property. Where the walls hold up the road, the City's preference is that additional dedication be provided and the walls be owned by the City. Please design any geogrids or tie-backs so that they do not encroach into the required road ROW.

#### **Engineers and Geoscientists BC's Quality Management Guidelines: Documented Independent Review of Structural Designs** shall be followed/implemented:

"Retaining walls including but not limited to, gravity, piling, cantilever, anchored, mechanically stabilized earth (MSE), and geosynthetic reinforced soil (GRS) walls when over 3.0 m high or deemed to be high risk are included in the requirement to have documented independent reviews conducted by a qualified professional, as retaining walls fulfill the important structural function of safely retaining soil."

Further, while the City Zoning Bylaw allows for walls of up to 1.2m and requires setbacks and tiers for higher, and Bulletin 07-05 prescribes a Development Variance Permit for overheight walls after subdivision, any wall greater than two tiers or 2.4m shall be based on Professional Reliance and require geotechnical/structural design and Schedules at time of approval.

*James Kay*

James Kay, P.Eng.  
Development Engineering Manager  
RO