

City of Kelowna
Regular Council Meeting
AGENDA



Tuesday, October 22, 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**
Public Hearing - October 8, 2019
Regular Meeting - October 8, 2019
4. **Bylaws Considered at Public Hearing**
 - 4.1 **Zoning Bylaw No. 8000 - Section 8 Parking & Loading Zoning Bylaw - Text Amendment Application BL11850 (TA18-0009) - City of Kelowna** 1 - 27
To give second and third reading to Bylaw No. 11850 to amend Zoning Bylaw No. 8000 Section 8 Parking & Loading.
 - 4.2 **Farris Rd 454, BL11937 (Z19-0048) - Scott Cramp and Lei Zhang** 28 - 28
To give second and third reading and adopt Bylaw No. 11937 in order to rezone the subject property from the RU₁ - Large Lot Housing zone to the RU_{1C} - Large Lot with Carriage House zone.
 - 4.3 **Eldorado Rd 509 - BL11938 (Z19-0069) - Judith Parsons** 29 - 29
To give second and third reading to Bylaw No. 11938 in order to rezone the subject property from the RU₁ - Large Lot Housing zone to the RU₂ Medium Lot Housing zone.

- 4.4 Kyndree Ct 1222 - BL11940 (LUC19-0002) - Hans and Krystyna Schubel 30 - 30**
- Requires 2/3 of all members of Council present.**
- To give second and third reading and adopt Bylaw No. 11940 in order to discharge LUC77-1023 off the subject property.
- 4.5 Underhill St 1940, BL11941 (LUC18-0004) - 1940 Underhill Developments Corp. 31 - 31**
- Requires 2/3 of all members of Council present.**
- To give second and third reading to Bylaw No. 11941 to discharge Land Use Contract LUC76-1039.
- 4.6 Underhill St 1940, BL11942 (OCP18-0015) - 1940 Underhill Developments Corp. 32 - 32**
- To give second and third reading to Bylaw No. 11942 to change the future land use designation from MRH - Multiple Unit Residential (High Density) & EDINST (Education/Major Institutional) to MXR - Mixed Use (Residential./Commercial).
- 4.7 Underhill St 1940, BL11943 (Z18-0071) - 1940 Underhill Developments Corp. 33 - 33**
- To give second and third reading to Bylaw No. 11943 in order to rezone the subject property from the P2 - Education and Minor Institutional zone to the C4 - Urban Centre Commercial zone.
- 4.8 Summit Dr 1932, BL11944 (TA19-0014) - Summit Real Estate Holdings Ltd., Inc. No. BC1098449 34 - 34**
- To give second and third reading to Bylaw No. 11944 to amend the CD3 zone to allow for retail cannabis sales as a principle use.
- 4.9 Summit Dr 1932, BL11945 (Z19-0070) - Summit Real Estate Holdings Ltd., Inc. No. BC1098449 35 - 35**
- To give second and third reading to Bylaw No. 11945 in order to rezone the subject property from the CD3 Comprehensive Development 3 zone to the CD3rcs - Comprehensive Development 3 (Retail Cannabis Sales) zone.
- 4.10 Abbott St 1781, BL11946 (HD19-0002) - Davara Holdings Ltd., Inc. No. BCo797640 36 - 38**
- To give second and third reading to Bylaw No. 11946 in order to designate 1781 Abbott Street (known as the Murchison House) and the building envelope as a heritage building.
- 4.11 Abbott St 1781, BL11923 (HRA18-0001) - Davara Holdings Ltd., Inc. No. BCo797640 39 - 46**
- To give second and third reading to Bylaw No. 11923 in order to enter into a Heritage Revitalization Agreement on the subject property.

4.12 Abbott St 1884, BL11947 (Z19-0065) - William James Feist and Treena June Harley 47 - 47

To give second and third reading to Bylaw No. 11947 in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU1C - Large Lot Housing with Carriage House zone.

5. Development Permit and Development Variance Permit Reports

Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward for each item.

5.1 Abbott St 2210, HAP18-0005 - Richard Mohr, Judith L. Mohr, Craig R. Mohr 48 - 98

To consider a Heritage Alteration Permit for the form and character of a new semi-detached dwelling and an accessory building with variances to height, front yard, and flanking street.

5.2 Cadder Ave 440, HAP19-0011 - Abuta Catherine Fee and Leanne Marie Hopegood 99 - 110

To consider the form and character of a proposed addition to a secondary suite in a single detached house and to vary the minimum rear yard on the subject property.

5.3 1920 Springfield Rd, DP19-0101 and DVP19-0150- L and S Contracting Ltd., Inc. No. BC0123569 111 - 129

To consider the form and character of a two-lane automatic car wash and vacuum facility and to consider a comprehensive sign plan and associated variances to Sign Bylaw No. 11530.

6. Reminders

7. Termination

CITY OF KELOWNA
BYLAW NO. 11850
TA18-0009 – Section 8 Parking & Loading

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

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

1. THAT **Section 2 – Interpretation, 2.3.3 General Definitions** be amended by:

a) Adding a new definition for "**CAR-SHARE ORGANIZATION**" in it's appropriate location that reads:

"**CAR-SHARE ORGANIZATION** means operations that allow members of the public to book **vehicles** on a short-term as-needed basis, paying only for the time they use the **vehicle** and the distance they drive. The operators are responsible for maintenance, insurance and **vehicle** booking through an online application."

b) Adding a new definition for "**CAR-SHARE VEHICLE (CLASSIC)**" in it's appropriate location that reads:

"**CAR-SHARE VEHICLE (CLASSIC)** means a **vehicle** owned or leased by a car-share organization where the **vehicle** is returned to the same location at the end of every booking to a shared-vehicle parking area."

c) Adding a new definition for "**CAR-SHARE VEHICLE (ONE-WAY)**" in it's appropriate location that reads:

"**CAR-SHARE VEHICLE (ONE-WAY)** means a **vehicle** owned or leased by a **car-share organization** that has no fixed or dedicated parking space."

d) Adding a new definition for "**CAR-SHARE VEHICLE PARKING SPACE**" in it's appropriate location that reads:

"**CAR-SHARE VEHICLE PARKING SPACE** means a parking space reserved for the exclusive use of a classic or one-way car share **vehicle**."

e) Adding a new definition for "**SHORT-TERM BICYCLE PARKING**" in it's appropriate location that reads:

"**SHORT-TERM BICYCLE PARKING** means bicycle parking that is provided for patrons, customers, and visitors of a **development** in a manner that is convenient and readily accessible for bicycles to park. Short-term parking of bicycles should serve the main entrance of a **building** and should be visible to pedestrians and bicyclists."

- f) Adding a new definition for “**LONG-TERM BICYCLE PARKING**” in it’s appropriate location that reads:

“**LONG-TERM BICYCLE PARKING** means bicycle parking that is specifically provided and equipped for residents, students, employees, and others who generally stay at a site for several hours. The parking provided shall be easy to access for a range of users, secure for long periods of time and provide shelter from weather.”

- g) Adding a new definition for “**END-OF-TRIP FACILITIES**” in it’s appropriate location that reads:

“**END-OF-TRIP FACILITIES** means the suite of complementary common facilities such as clothing lockers, change room, washroom, shower access, bike repair space, and bike wash stations that are necessary to support cyclists, joggers, walkers and other active commuters where these amenities are needed at the end of their trip.”

- h) Adding a new definition for “**LOCK-OFF UNIT**” in it’s appropriate location that reads:

“**LOCK-OFF UNIT** means a smaller dwelling unit within a larger principal dwelling unit, which must have separate external access to a shared common hallway and shared internal access, and which can be locked off from the larger dwelling unit, but does not include a secondary suite.”;

- i) Adding a new definition for “**TOWNHOUSE**” in it’s appropriate location that reads:

“**TOWNHOUSE** means any development with three or more **dwelling** units, with each dwelling unit having a direct entrance at grade. Townhouse definition includes row housing and stacked row housing.”;

2. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 8 – Parking and Loading** be deleted in its entirety and replaced with a new **Section 8 – Parking and Loading** as attached to and forming part of this bylaw.
3. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 9 - Specific Use Regulations 9.5 Secondary Suite and Carriage House** 9.5a.10 be deleted in its entirety that reads:

“9.5a.10 Secondary suite parking:

- i. shall be designated as being solely for the use of the **secondary suite**;
- ii. shall be accessed from a lane in circumstances where a rear or a side lane abuts the property;
- iii. shall be surfaced with permanent surface of asphalt, concrete or similar hard surfaced material.
- iv. shall be accessed from any driveway existing at the time the **secondary suite** use commences in circumstances where no rear or side lane abuts the property;
- v. can be located in the driveway and in tandem with the single detached **dwelling** parking as long as two additional off-street parking spaces are provided for the principal **dwelling**.”

4. 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 7th day of October, 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

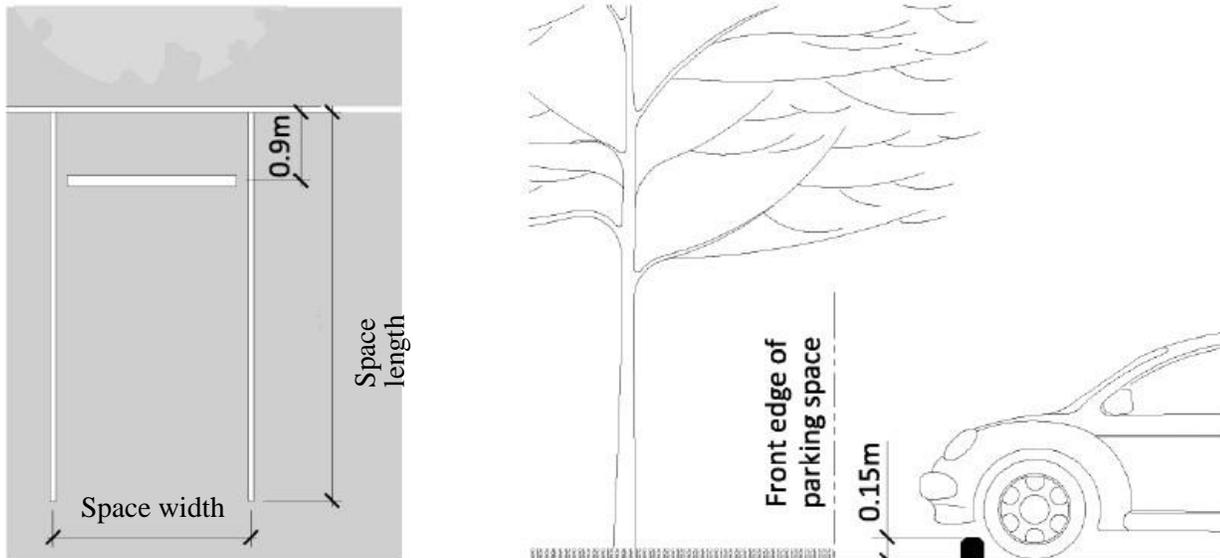
Section 8 – Parking and Loading

8.1 General Provisions and Development Standards

- 8.1.1 Where provision of off-street parking or **loading spaces** is required by this Bylaw, a plan of the proposed **site** layout and landscape plan shall be included with the **development permit application** or **building permit**, as the case may be. The plans must be included with the **building permit application**. The **site** plan must be drawn to scale and must clearly illustrate the **lot** size and configuration, **building** locations, **parking spaces**, **loading spaces**, on-site circulation, access driveways, **landscaping**, **fences**, and any other details relevant to the review of the **development** proposal.
- 8.1.2 Off-street **parking spaces** shall not be credited as off-street **loading spaces** or vice versa.
- 8.1.3 In lieu of providing the required number of off-street vehicular where the **City** owns and operates a parking facility within **urban centres**, a property **owner** within an **urban centre** may pay to the **City** a sum of money equal to the number of **parking spaces** not provided multiplied by the applicable cash-in-lieu amount as determined from time to time by **Council**. The sum of money will be deposited in the parking facilities reserve fund for disposition as directed by **Council**. Cash-in-lieu is not permitted where compliance with Ministry of Transportation & Infrastructure (MOTI) standards is required.
- 8.1.4 Every off-street parking or loading area (including every access road to such areas) required by this Bylaw to accommodate three (3) or more **vehicles**:
- shall have a durable, dust-free hard surface of concrete, asphalt or similar material, constructed such that the surface drainage is directed to the public storm sewer system (if available), or alternatively to approved planting areas, or an approved on-site drainage system;
 - despite Section 8.1.4(a), any requirement for hard surfacing such as concrete or asphalt does not apply (but dust free surface shall be required) to **agricultural zones**, **public parks**, or **open space uses**;
 - shall clearly delineate individual **parking spaces**, **loading spaces**, spaces for the disabled, maneuvering aisles, entrances, and exits with pavement markings, signs, and/or other physical means;
 - shall be designed to allow forward entry to and exit from the lot on which the parking or loading area is located directly to a dedicated public street or lane, without encumbering any lands other than the subject lot. This provision does not apply where parking or loading can be provided and accessed directly from an **abutting** lane. This provision shall not apply where **tandem parking** results in the provision of three or more **parking spaces** where access is from a local collector road or a road of a lesser standard as identified in the City of Kelowna's Official Community Plan;
- 8.1.5 No required parking shall be provided parallel to and flanking a **lane** unless the **parking area** is accessible by a driveway and is screened from the **lane** by a physical barrier.
- 8.1.6 Any parking lot over 50 vehicles must incorporate landscaped islands as described below:
- Landscaped islands are required at the end of each parking aisle;
 - The maximum number of parking spaces in a consecutive row is 15 with a landscaped island separating the next 15 spaces or drive aisle;
 - Landscaped islands are not to be longer than the adjacent parking space;
 - Landscaped islands shall be clearly delineated as separate and in addition to required **parking and loading spaces**;
 - Locate landscaped islands such that loading and unloading vehicles can gain access without undue interference;
 - Landscaping shall be consistent with Section 7 regulations.

- 8.1.7 Every off-street parking or loading area, and access thereto, shall have fencing, curbs, or secured wheel stops to prevent **vehicles** from encroaching upon **property lines**.
- 8.1.8 All off-street **parking spaces** on parcels with 5 or more parking spaces and **abuts** a pedestrian walkway or landscaped area without a barrier curb needs to have a wheel stop that is 0.9 metres from the walkway or landscaping area and minimum 0.15 metres in height as described Figure 8.1.8. This requirement does not apply to a parking space if the **parking space** is configured parallel to the curb or drive aisle.

Figure 8.1.8



- 8.1.9 Where a wheel stop is provided pursuant to Section 8.1.8 the portion of the parking space between the wheel stop and the front edge of the parking space, as marked in Figure 8.1.8, is exempt from the requirements of section 8.1.4 and may be surfaced with permeable material or landscaping, provided that no landscaping exceeds 0.15 metres in height.
- 8.1.10 Every off-street parking or loading area which is illuminated shall have all lighting positioned in such a manner that light falling onto **abutting** properties is minimized.
- 8.1.11 Any trash storage or collection area co-existing with any parking or loading area:
- shall be clearly delineated as separate and in addition to required **parking and loading spaces**;
 - shall be located such that collection vehicles can gain access without undue interference with the operation of the parking and loading area; and
 - shall have a fenced or landscaped screen as required by Section 7.

8.1.12 Maximum grades.

- (a) The maximum **grade** for a **drive aisle** or a parking space is 8%;
- (b) The maximum **grade** for a **driveway** is 15%;
- (c) Where a drive aisle or a parking space is located within 6.0 metres of a fronting property line it must comply with applicable grade requirements prescribed in the Subdivision, Development & Servicing Bylaw.

Figure 8.1.12.a - Maximum Grades for Parking Areas

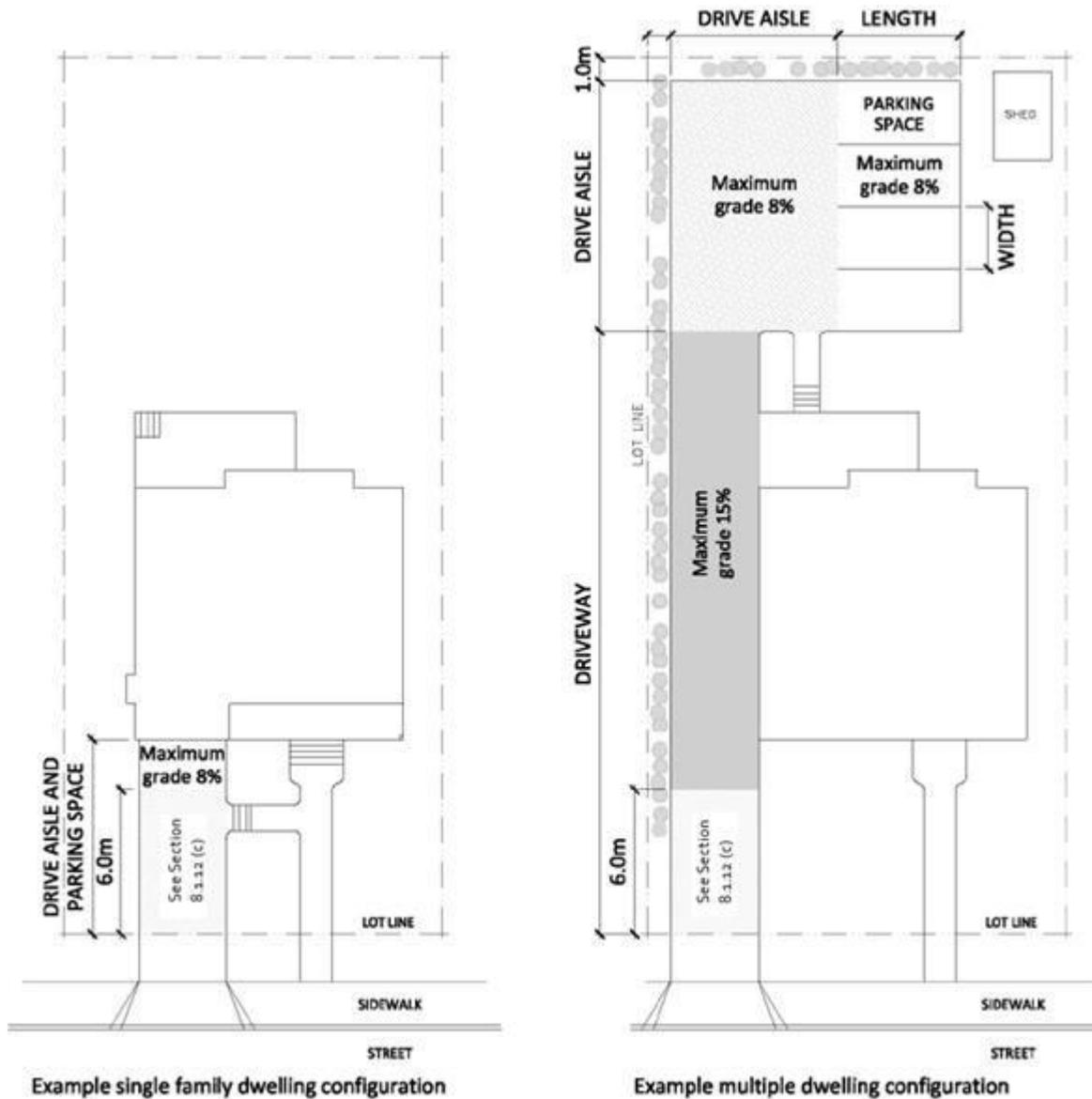
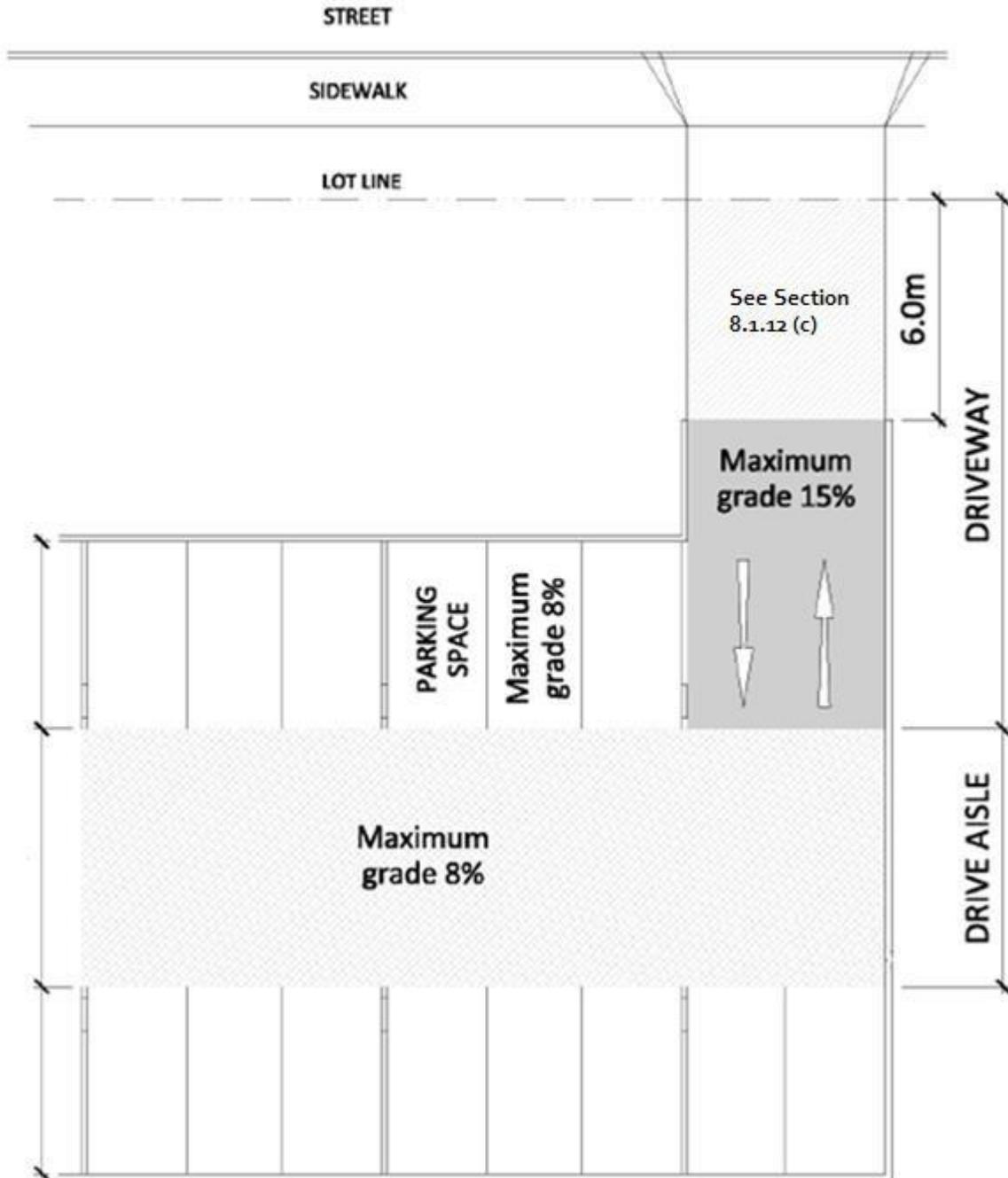


Figure 8.1.12.b – Example Parkade Configuration



8.2 Off-Street Parking Regulations

- 8.2.1 Where any **development** is proposed, including new **development**, change of **use** of existing **development**, or enlargement of existing **development**, off-street vehicle parking (including parking for the disabled, and visitors) shall be provided onsite by the property **owner** in accordance with the requirements of this Bylaw.

Parking Setbacks

- 8.2.2 All off-street parking for **non-residential use** classes shall have a minimum 1.5 metre setback from any front **lot line**, any **side** or **rear property line** abutting **residential zones**, or any **lot line abutting a street** unless the **building** setback is smaller. For example, if the **building** setback is 0 metres then the parking setback is 0 metres.
- 8.2.3 All off-street parking for **residential use** classes shall have a minimum 1.5 metre setback from any **side** or **rear lot line** or 3.0 m from any **flanking street** unless the **development** contains two or less **dwelling** units or the **building** setback is smaller. For example, if the **building** setback is 0 metres then the parking setback is 0 metres.
- 8.2.4 All off-street parking for **residential use** classes containing two or less **dwelling** units shall not have any off-street **parking spaces** located in the required **front yard** or **flanking street** setback area.
- 8.2.5 Notwithstanding Section 8.2.4, off-street parking for **residential use** classes containing two or less **dwelling** units may be located in the required **front yard** or **flanking street** setback area if:
- (a) the **parking spaces** are located on a driveway which provides access to a required off-street **parking space** that is not in the **front yard** or **flanking street** setback area; or
 - (b) One off-street parking space may be located in the required **front yard** or **flanking street** setback area that does not provide access beyond the **front yard** or **flanking street** setback area if the parking space meets one of the permitted parking configurations shown specifically in Figure 8.2.5:

Figure 8.2.5 - Permitted and Not Permitted Parking Configurations

<p>Side Yard Parking – Double Garage</p>	<p>Side Yard Parking – Single Garage</p>	<p>Corner Lot Parking</p>
<p>Front Yard Parking 1 – Double Garage</p>	<p>Front Yard Parking 1 – Single Garage</p>	<p>Front Yard Parking 2 – Single Garage</p>
<p>Front Yard Parking 2 – Double Garage</p>	<p>Perpendicular Parking – Permitted</p>	<p>Perpendicular Parking – NOT Permitted</p>

Tandem Parking

8.2.6 **Tandem parking spaces** is permitted only for the following land **uses** (not between land uses):

- (a) **single dwelling housing** (which may be in tandem with a secondary suite or carriage house);
- (b) **short-term rental accommodations**;
- (c) **two dwelling housing**; and
- (d) **townhouses** where the lot is located within the Urban Core as defined in the Official Community Plan. Visitor parking stalls cannot be configured in tandem.

Size and Ratio

8.2.7 Each required off-street **parking space** and parking lot layout shall conform to the following provisions:

	Min. Length	Min. Width	Min. Height Clearance
Parking Spaces:			
Regular Size Vehicle Parking Space	6.0m	2.5m	2.0m
Small Size Vehicle Parking Space	4.8m	2.3m	2.0m
Accessible Parking Spaces	6.0m	3.9m	2.3m
Van-Accessible Parking Spaces	6.0m	4.8m	2.3m
Regular Size Parallel Parking Space	7.0m	2.6m	2.0m
Small Size Parallel Parking Space	6.5m	2.5m	2.0m
Drive Aisles:			
All two-way drive aisles serving 90 degree parking (e.g. parking lot, parkade, garage)	n/a	7.0m	2.0m
All two-way surface drive aisles without adjacent parking	n/a	6.0m	2.0m
One way drive aisles (60 degree parking)	n/a	5.5m	2.0m
One way drive aisles (45 degree parking & parallel parking)	n/a	3.5m	2.0m

Uses:	Min. Regular Size Vehicle Parking Spaces	Max. Small Size Vehicle Parking Spaces
Single Detached Dwelling or Two Dwelling Attached Housing	50%	50%
Carriage house or secondary suite	0%	100%
Short-term rental accommodations	0%	100%
Dwelling units in the RU7 zone	0%	100%
Multiple dwelling housing	50% ① ②	50%
Commercial	100% for customer stalls 50% for all other stalls	0% for customer stalls 50% for all other stalls
Industrial	70%	30%
Institutional	50%	50%
① For the purpose of calculating the percentage of regular size vehicle parking spaces, "Accessible Parking Spaces" shall be included in the minimum number regular size vehicle parking spaces. ② All visitor parking stalls must be regular size vehicle parking spaces.		

8.2.8 Length, width and height measurements shall be clear of obstructions (including but not limited to columns, **property lines**, curbs, walls, pipes, roof features, fences, and emergency exit painted areas). Spacing measurements shall be taken from the inside to inside of obstructions.

- 8.2.9 Where a **parking space abuts** an obstruction (including but not limited to columns, **property lines**, curbs, walls, pipes, roof features, fences, and emergency exit painted areas) the **parking space** shall follow the following regulations:
- (a) be an additional 0.2 m wider where the **parking space abuts** an obstruction on one side;
 - (b) be an additional 0.5 m wider where the **parking space abuts** an obstruction on both sides; and
 - (c) be an additional 0.8 m wider where the **parking space abuts** a doorway.

Number of Spaces

- 8.2.10 The minimum and maximum number of off-street **vehicle parking spaces** required for each **use** (including visitor spaces) is specified in **Table 8.3 Required Parking** except where additional parking is required by the Ministry of Transportation & Infrastructure (MOTI) if the **site** has direct access to a provincial highway. The total vehicle parking amount can be reduced with the car-share parking incentives (as per section 8.2.12), the rental housing incentives (as per Section 8.2.13), and the bicycle parking incentives (as per Section 8.5.8).

- 8.2.11 Car-Share Incentives:

Within the Urban Core, University South Village Centre, and Glenmore Valley Village Centre as defined in the Official Community Plan, the total minimum off-street vehicle parking requirements for **multiple dwelling housing** and any **commercial use** (e.g. **office** and **retail**) can be reduced by five (5) **parking spaces** per **car share vehicle** (must provide a new **vehicle** to a **car-share organization**) subject to the following regulations:

- (a) The maximum reduction in total required parking is 20% (for base parking requirement);
- (b) The **car-share vehicle parking space** must be located on-site or within 100 metres of the subject property, in a highly visible spot, at-grade, publicly accessible at all times (i.e. not within an enclosed parkade), clearly marked for the exclusive use of the shared **vehicle**, and guaranteed to operate for a minimum of two years;

- 8.2.12 Rental Housing Incentives:

If a **development** rezones to a sub-rental **zone** guaranteeing the **development** as rental housing, then a 20% reduction to the parking requirement (both base and visitor) can be applied if the development is located within an **urban centre** and a 10% reduction to the parking requirement (both base and visitor) can be applied if the development is located outside an **urban centre**.

- 8.2.13 **Parking spaces** for **secondary uses** shall be provided in addition to the required **parking spaces** for the **principal use** on a **site**.

- 8.2.14 Where calculation of the total number of **parking spaces** yields a fractional number:

- (a) Any fraction less than one-half (0.5) rounds down to the nearest whole integer (including zero); and
- (b) Any fraction one-half (0.5) or greater rounds up to the nearest whole integer.

- 8.2.15 Where **gross floor area** is used as a unit of measurement for the calculation of required **parking spaces**, it must exclude all parking and loading areas, secure bicycle parking areas, common stairways and mechanical rooms within the **building**.

8.2.16 Where **Table 8.3 Required Parking** does not clearly define requirements for a development, the single **use** class or combination of **use** classes most representative of the proposed **development** shall be **used** to determine the parking requirements.

8.2.17 Where a **development** consists of a mix of **use** classes, the total off-street parking requirement shall be the sum of the off-street parking requirements for each **use** class.

(a) Notwithstanding Section 8.2.17, in mixed-use developments the parking spaces required for **Offices** and other commercial related land **uses** can be shared with the **residential** visitor parking requirements. Parking spaces must be available for both land uses (commercial and visitor) at all times.

8.2.18 **Lock-off Units** do not require any separate **parking spaces** but must be counted as a **dwelling** unit for the purpose of minimum required visitor parking space amounts.

8.2.19 Accessible Parking Standards:

(a) The minimum accessible parking shall be provided as a function of the total number of parking space provided onsite as described in Table 8.2.19:

Total Number of Parking Spaces Onsite.	Minimum Number of Required Accessible Parking Spaces	Minimum Number of Required Van-Accessible Parking Spaces
1 – 4 spaces	0 spaces	0 spaces
5 – 36 spaces	1 space	1 space
37 – 68 spaces	2 spaces	1 space
69 – 100 spaces	3 spaces	1 space
101-150 spaces	4 spaces	1 space
151-200 spaces	5 spaces	1 space
201-300 spaces	6 spaces	2 spaces
301-400 spaces	7 spaces	2 spaces
401-500 spaces	8 spaces	2 spaces
Over 500 spaces	2% of total	2 spaces

(b) If a visitor **parking space** is required, then at least one of those visitor **parking spaces** shall be configured as an accessible parking space;

(c) Designate as an accessible parking space using appropriate signage;

(d) Include accessible parking spaces in the calculation of the applicable minimum parking requirement; and

(e) Accessible parking spaces shall be located as close to a main **building** entrance, on a level non-skid surface.

Figure 8.2.19 Accessible Parking Standards

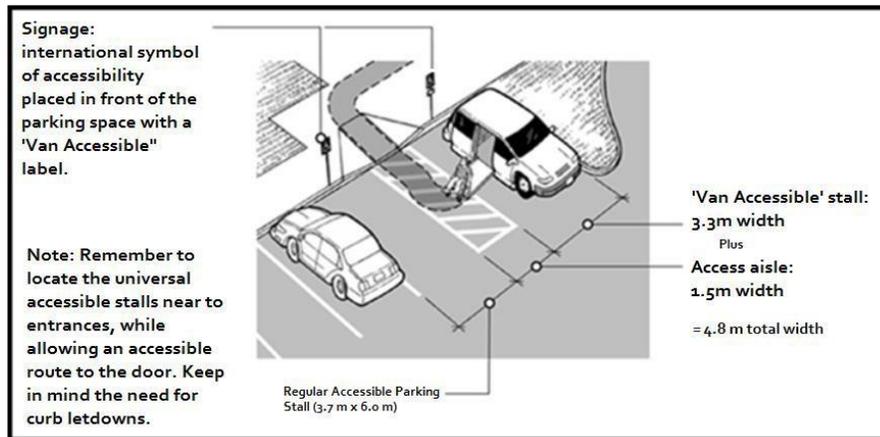


Table 8.3 – Required Off-Street Parking Requirements

Table 8.3.1 Residential Parking

Land Use / Type of Development	Base Parking Requirement (number of spaces)			Minimum Visitor Parking Requirement ① ② ③
	C4 & C7 Zones	All other non-single family zones within Urban or Village Centres ②	All other non-single family zones not within an Urban or Village Centre ②	
Multiple Dwelling Housing: Apartment Housing Townhouses Row Housing Stacked Row Housing Three Dwelling Housing Four Dwelling Housing	Min 0.8 spaces & Max 1.25 spaces per bachelor dwelling unit (includes micro-suite housing);	Min 0.9 spaces & Max 1.25 spaces per bachelor dwelling unit (includes micro-suite housing);	Min 1.0 space & Max 1.25 spaces per bachelor dwelling unit (includes micro-suite housing);	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
	Min 0.9 spaces & Max 1.25 spaces per 1 bedroom dwelling unit;	Min 1.0 space & Max 1.25 spaces per 1 bedroom dwelling unit;	Min 1.25 spaces & Max 1.6 spaces per 1 bedroom dwelling unit;	
	Min 1.0 space & Max 1.5 spaces per 2 or more bedroom dwelling unit;	Min 1.25 spaces & Max 1.6 spaces per 2 bedroom dwelling unit;	Min 1.5 spaces & Max 2.0 spaces per 2 bedroom dwelling unit	
		Min 1.5 spaces & Max 2.0 spaces per 3 bedroom dwelling unit	Min 2.0 spaces & Max 2.5 spaces per 3 bedroom or more dwelling units;	

① Visitor parking is to be easily accessible to the access points of the corresponding development and/or buildings. Visitor parking is a separate minimum parking requirement that rounds up or down independent of the basic parking requirement.
② These regulations do not apply to the RU7 zone. See Table 8.3.1 Residential Parking for RU7 parking regulations.
③ Lock-off Units do not require any separate parking spaces but must be counted as a dwelling unit for the purpose of minimum required visitor parking space amounts.

Table 8.3.1.1 Residential Parking

Land Use / Type of Development	Base Parking Requirement		Visitor Parking Requirement ❶
	Minimum	Maximum	
Bed and Breakfast Homes	1.0 space per sleeping unit plus parking requirement for principal dwelling unit	1.5 spaces per sleeping unit	n/a
Boarding or Lodging Houses	1.0 space per 2 sleeping units	1.5 space per 2 sleeping units	n/a
Carriage House Secondary Suites	1.0 space ❷	2.0 spaces	n/a
Congregate Housing & Supportive Housing	0.35 spaces per sleeping unit ; Plus 0.5 spaces per non-resident on-duty employee or 3.0 spaces (whichever is greater)	n/a	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Group Homes, Major Group Homes, Minor	1.0 space; plus an additional 1.0 space per 3 beds	2.0 spaces; plus an additional 1.25 space ¹ per 3 beds	n/a
Home Based Business, Major	1.0 space	2.0 spaces	n/a
Home Based Business, Minor	No spaces required	n/a	n/a
Home Based Business, Rural	1.0 space	n/a	n/a
Mobile Homes in RM7 zone	2.0 spaces per dwelling unit	2.5 spaces per dwelling unit	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Residential units in the RU7 zone	1.0 space per dwelling unit	2.0 spaces per dwelling unit	n/a
Residential Security/Operator Unit	1.0 space per dwelling unit	2.0 spaces per dwelling unit	n/a
Short – Term Rental Accommodation:			n/a
<ul style="list-style-type: none"> Principal use & Secondary use for Multiple Dwelling Housing 	Equivalent to the parking requirements for the principal use for that zone.	n/a	
<ul style="list-style-type: none"> Secondary use for single detached housing, semi-detached housing, & duplex housing 	1.0 space per two sleeping units	n/a	
Single Detached Housing Two Dwelling Housing	2.0 spaces per dwelling unit	n/a	0.0 spaces or Min 0.14 spaces & Max 0.2 spaces per dwelling unit ❸

❶ Visitor parking is to be easily accessible to the access points of the corresponding **development** and/or **buildings**. Visitor parking is a separate minimum parking requirement that rounds up or down independent of the basic parking requirement.

❷ Parking space can be located in the driveway and in tandem with the single detached **dwelling** parking as long as two additional off-street **parking spaces** are provided for the **principal dwelling**. Notwithstanding Section 8.1.4, parking for **secondary suites** or **carriage houses** can be surfaced with a dust-free material.

❸ Within residential strata (non-RU7) developments with 3 or more **dwelling units** the visitor parking requirement is 0.14 spaces per **dwelling unit**.

Land Use / Type of Development	Parking Requirement <small>NOTE: GFA = Gross Floor Area</small>	
	Minimum	Maximum
Boat Storage	1.0 spaces per 10 boat storage spaces plus 2 spaces for employees	1.25 spaces per 10 boat storage spaces plus 2 spaces for employees
Commercial Schools	See table 8.3.5 Institutional for school parking requirements	n/a
Gas Bars	2.0 spaces per service bay (plus GFA for any retail)	n/a
Hotels Motels	0.8 spaces per sleeping units in the C7 zone; plus requirements of other uses 1.0 space per sleeping unit ; plus requirements of other uses	1.5 spaces per sleeping units , plus requirements of other uses
All commercial uses in the C4 zone even if listed separately below ① ②	1.3 spaces per 100 m ² GFA	3.0 spaces per 100 m ² GFA
All commercial uses in the C7 zone even if listed separately below ① ②	0.9 spaces per 100 m ² GFA ③	2.5 spaces per 100 m ² GFA
Animal Clinics, Major and Minor Health Services, Major and Minor (includes dental offices, surgeries, and similar uses)	3.5 spaces per 100 m ² GFA ,	5.0 spaces per 100 m ² GFA
Food Primary Establishment Liquor Primary Establishment Drive-in Food Services	2.5 spaces per 100 m ² GFA or 5.0 spaces (whichever is greater)	3.5 spaces per 100 m ² GFA ,
Fleet Services	2.0 spaces per 100 m ² GFA ; or 1 spaces per vehicle in fleet plus 1 per employee on duty (whichever is greater)	2.5 spaces per 100 m ² GFA ; or 1.25 spaces per vehicle in fleet plus 1.25 spaces per employee on duty (whichever is greater)
Personal Services (includes hairdressers, dry cleaners, repair of personal goods, travel agents, and similar uses)	2.5 spaces per 100 m ² GFA	3.5 spaces per 100 m ² GFA
Financial Services Offices	2.5 spaces per 100 m ² GFA	3.5 spaces per 100 m ² GFA
All other commercial uses not listed above: ①		
(a) GFA less than 1,000 m ²	2.0 spaces per 100 m ² GFA	2.5 spaces per 100 m ² GFA
(b) GFA 1,000 m ² to 2,000 m ²	2.5 spaces per 100 m ² GFA	3.5 spaces per 100 m ² GFA
(b) GFA 2,000 m ² to 20,000 m ²	3.0 spaces per 100 m ² GFA	4.0 spaces per 100 m ² GFA
(c) GFA greater than 20,000 m ²	4.0 spaces per 100 m ² GFA	5.25 spaces per 100 m ² GFA
① For shopping centres, calculate the area by adding all the tenant spaces together.		
② This rule only applies to land use categories that are based on a number of parking spaces per GFA.		
③ The minimum parking requirement may be affected by Diagram 8.3.8 Parking Exception Areas		

Land Use / Type of Development	Minimum	Maximum
Greenhouses and Plant Nurseries	6.7 spaces per 100 m ² GFA of retail sales structure	n/a
Farm Retail Sales	5.0 spaces per 100 m ² GFA , minimum 4	n/a

Table 8.3.4 Industrial		
Land Use / Type of Development		
Bulk Fuel Depot	1.0 space per employee on duty	n/a
General Industrial Uses	1.0 space per 100 m ² GFA (includes mezzanine area); Plus 2.5 spaces per 100 m ² GFA for all floor area devoted to accessory activities such as any indoor display, office, administrative or technical support, or retail sale operations.	2.5 spaces per 100 m ² GFA (includes mezzanine area); Plus 3.0 spaces per 100 m ² GFA for all floor area devoted to accessory activities such as any indoor display, office, administrative or technical support, or retail sale operations.
Warehousing and Storage	0.5 spaces per 100 m ² GFA (minimum 2 spaces); Plus 2.5 spaces per 100 m ² GFA for all floor area devoted to accessory activities such as any indoor display, office, administrative or technical support, or retail sale operations.	1.0 space per 100 m ² GFA ; Plus 3.0 spaces per 100 m ² GFA for all floor area devoted to accessory activities such as any indoor display, office, administrative or technical support, or retail sale operations.

Table 8.3.5 Institutional		
Land Use / Type of Development		
Cemetery	1.0 space per employee	n/a
Detention and Correction Services	1.0 space per 2 inmates (capacity)	n/a
Emergency and Protective Services	4.0 spaces per 100 m ² GFA	n/a
Extended Medical Treatment Services Hospitals	1.0 space per 100 m ² GFA	n/a
Funeral Services	3.5 spaces per 100 m ² GFA	n/a
School, Elementary	1.0 space per 100 m ² GFA	n/a
School, Secondary	1.5 spaces per 100 m ² GFA	n/a
Universities or Colleges	2.0 spaces per 100 m ² GFA	n/a
Temporary Shelter Services	1.0 space per 3 beds	n/a

Table 8.3.6 Community, Recreational, and Cultural		
Land Use / Type of Development	Parking Requirement	
	Minimum	Maximum
Bowling Alley	2.0 spaces per alley	n/a
Child Care Centre, Major (includes preschool)	1.0 space per 10 children, plus 1 per 2 employees on duty; but a minimum of 4.0 spaces	n/a
Child Care Centre, Minor	2.0 spaces	n/a
Cultural and Recreation Services Exhibition and Convention Facilities	1.0 space per 5 seating spaces; or 20.0 spaces per 100 m ² of floor area used by patrons (whichever is the greater)	n/a
Cultural Facility (e.g. Museum, Art Gallery)	2.5 spaces per 100 m ² GFA	n/a
Curling Rink	4.0 spaces per curling sheet	n/a
Golf Course	6.0 spaces per hole; plus the parking required for other secondary uses	n/a
Golf Driving Range	2.0 spaces per tee	n/a
Library	2.5 spaces per 100 m ² GFA	n/a
Participant Recreation Services, Outdoor (except golf courses) Participant Recreation Services, Indoor (except curling rinks, swimming pools, and racquet clubs)	1.0 space per employee on duty, plus 1.0 space per 3 users	n/a
Racquet Clubs	3 per court	n/a
Recycled Materials Drop-off Centre	1 per recycling container, minimum of 2	n/a
Religious Assemblies	1 per 5 seats or 10 per 100 m ² of GFA (whichever is greater)	n/a
Spectator Entertainment Establishment	1 per 4 seats	n/a
Spectator Sports Establishment	1 per 4 seats	n/a
Swimming Pool (Public)	25.0 per 100 m ² of pool water surface	n/a
Tourist Campsite	1.1 per camping space	n/a

Table 8.3.7 Water Uses		
Land Use / Type of Development	Parking Requirement	
	Minimum	Maximum
Marinas	1 per 2 boat spaces	n/a
Marine Fuel Facilities	1 per business	n/a
Marine Equipment Rentals	1 per 1 boat space, plus 1 per business	n/a

Diagram 8.3.8 Parking Exception Areas



1. Notwithstanding Table 8.3.2 Commercial Parking Requirements, the minimum parking requirement for all C-7 zoned lots in Area 1 & 2 shown in Diagram 8.3.8 shall be 0.9 stalls per 100 m² of Gross Floor Area (GFA). This rule only applies to land use categories that are based on a number of parking spaces per GFA.
2. All lots in Area 2 shown in Diagram 8.3.8 shall not be required to meet any **vehicle parking space** requirements if the **height** of the **buildings** on the lot are:
 - 15.0 metres or less and 4 **storeys** or less.

8.4 Off-Street Loading

- 8.4.1 Where **development** is proposed, including new **development**, change of **use** of existing **development**, or enlargement of existing **development**, off-street **loading spaces** shall be provided by the property **owner** in accordance with the requirements of this Bylaw. Detention and correction services located within a security **fence** are exempt from providing off-street **loading spaces**.

Number of Spaces

- 8.4.2 The number of off-street **loading spaces**, including bus **loading spaces**, required for each **use** is specified in **Table 8.4 Minimum Loading Required**. The maximum number of loading spaces required by this section is three (3) spaces.
- 8.4.3 Where calculation of the total number of **loading spaces** yields a fractional number, the following counting rules apply (unless specifically defined in **Table 8.4 Minimum Loading Required**):
- a) Any fraction less than one-half (0.5) rounds down to the nearest whole integer (including zero); and
 - b) Any fraction one-half (0.5) or greater rounds up to the nearest whole integer.
- 8.4.4 Where **gross floor area** is used as a unit of measurement for the calculation of required **loading spaces**, it must exclude all parking and loading areas, secure bicycle parking areas, common stairways and mechanical rooms within the building.
- 8.4.5 Where the **Loading Schedule** does not clearly define requirements for a particular **development**, the single **use** class or combination of **use** classes is most representative of the proposed **development** shall be used to determine the **loading space** requirement.
- 8.4.6 Where a **development** consists of a mix of **use** classes, the total off-street loading requirement shall be the sum of the off-street loading requirements for each **use** class, unless there is a complementary demand or differences in periods of **use** for loading that warrants a different requirement.

Location

- 8.4.7 Off-street **loading spaces** shall be provided entirely within the property of the **development** being served.
- 8.4.8 Off-street **loading spaces** shall be oriented away from **residential development**.

Size and Access

- 8.4.9 Each off-street **loading space** shall be of adequate size and accessibility to accommodate the **vehicles** expected to load and unload, but in no case shall a **loading space** be less than 28 m² in area, less than 3.0 m in width, or have less than 4.0 m in overhead **clearance**.
- 8.4.10 Each required bus **loading space** shall be a minimum of 3.6 m in width, a minimum of 12.2 m in length, and have a minimum **clearance** of 4.6 m.
- 8.4.11 Access to any loading area shall be provided, wherever possible, internally to the **development** or from a **lane abutting** the **development**.

8.4.12 Access to any loading area shall be arranged such that no backing or turning movement of vehicles going to or from the site causes interference with traffic on the **abutting streets** or lanes.

Table 8.4 – Minimum Loading Required

Type of Development (Use)	Required Loading Spaces
Child Care Centre, Major	For 9 – 15 children 0 car loading space For 16 – 25 children 0 car loading space For 26 or more children 1 car loading space
Commercial Uses (except above) and Industrial Uses	1 per 1,900 m ² GFA
Community, Educational (except below), Recreational and Institutional Uses	1 per 2,800 m ² GFA
Food Primary Establishment	1 per 2,800 m ² GFA
Hotels Motels	1 per 2,800 m ² GFA
Liquor Primary Establishment	1 per 2,800 m ² GFA
Schools, Universities or Colleges	1.5 car loading spaces per 100 students, minimum 5; plus 3 bus loading spaces

8.5 Off-Street Bicycle Parking

- 8.5.1 Where any **development** is proposed, including new **development**, change of **use** of existing **development**, or enlargement of existing **development**, off-street bicycle parking shall be provided by the property **owner** in accordance with the requirements of this Bylaw.
- 8.5.2 The number of **short-term** and **long-term** off-street **bicycle parking spaces** required for each **use** class is specified in **Table 8.5 Minimum Bicycle Parking Required**.
- 8.5.3 Where calculation of the total number of **parking spaces** yields a fractional number:
- Any fraction less than one-half (0.5) rounds down to the nearest whole integer (including zero); and
 - Any fraction one-half (0.5) or greater rounds up to the nearest whole integer.
- 8.5.4 Where the **Bicycle Parking Schedule** does not clearly define requirements for a particular **development** the single **use** or combination of **use** most representative of the proposed **development** shall be used to determine the parking requirement.
- 8.5.5 **Short-Term Bicycle Parking Standards:**
- Short-Term Bicycle Parking** must be conveniently located within: 15 metres of any main entrances (whether inside or outside of the building), a well-lit area, clearly visible to visitors, and subject to casual surveillance by occupants of the building(s).
 - Short-term bicycle parking** spaces shall be provided in a bicycle rack that is permanently anchored to the ground or a wall.
 - Design and install **short-term bicycle parking** to the minimum dimensions shown in **Table 8.5.1 Minimum Dimensions for Bicycle Parking**.
- 8.5.6 **Long-Term Bicycle Parking Standards:**
- Long-Term Bicycle Parking** must be located inside a **building** or within a secure, weather-protected, dedicated bicycle parking facility accessible to residents, employees or other identified users of the building.
 - The entry door into the long-term bicycle parking facility must have a minimum width of 0.9 metres.
 - Long-Term Bicycle Parking** spaces can be arranged in a Ground-Anchored or Wall-Mounted configuration provided that:
 - A minimum 50% of the required **Long-Term Bicycle Parking** shall be Ground-Anchored.
 - Wall-Mounted bicycle racks located in front of an automobile stall within a parkade will only be counted towards the minimum **Long-Term Bicycle Parking** if the automobile stall meets the minimum Regal - size vehicle standards.
 - A minimum of 75% of the **Long-Term Bicycle Parking** spaces shall be located at-grade or within one **storey** of **building grade** and shall be easily accessible to users.
 - Long-Term Bicycle Parking** spaces must have a minimum unobstructed height clearance of 1.9 metres between the floor and any mechanical equipment, or, if there is no mechanical equipment, between the floor and the ceiling.
 - Design and install **Long-Term Bicycle Parking** spaces to the minimum dimensions shown in **Table 8.5.1 Minimum Dimensions for Bicycle Parking**.
 - A "bicycle repair and wash station" is required after 20 long term bike parking stalls are required. A "bicycle repair and wash station" includes tools for bikes, a commercial grade pump, access to water, and a way to raise a bikes up to perform simple maintenance.

- 8.5.7 Bicycle racks shall be:
- (a) constructed of theft resistant material;
 - (b) securely anchored with tamper-proof hardware to the floor, **building**, or ground;
 - (c) constructed to support from two points on the bicycle frame for a horizontal rack; and
 - (d) constructed to enable the bicycle frame and at least one wheel to both be securely locked to the rack with a single U-style lock.

8.5.8 Bicycle Parking Incentives:

Within the Urban Core, University South and Glenmore Valley Village Centres as defined in the Official Community Plan, the total minimum off-street vehicle parking requirements can be reduced by 20 percent (20%) up to a maximum of five (5) **parking spaces** (for the base parking requirement) subject to the provision of the bonus long-term bicycle parking spaces identified within Table 8.5.

Table 8.5 – Minimum Bicycle Parking Required

Type of Development (General Uses) ①	Bicycle Parking Spaces ④		
	Required Long-term	Bonus Long-term	Required Short-term
Institutional Zones	1 per 25 employees	n/a	6 per entrance
Apartment Housing (includes supportive housing)	0.75 per 2 bedroom or less dwelling units 1.0 per 3 bedroom or more dwelling units	1.0 per bachelor or 1-bedroom dwelling unit 1.5 per 2-bedroom dwelling units 2.0 per 3-bedroom or more dwelling units	6 per entrance, plus for buildings with greater than 70 units: 1 space for every additional 5 units
Assisted Living Facility (dwelling unit for elderly and / or people with disabilities) and Congregate Housing	1.0 space per 20 dwelling units plus 1.0 space per 10 employees	n/a	6 per entrance
Townhouses	No requirement ⑤	n/a ⑥	4 spaces or 1 per 5 units (whichever is greater) ②
Commercial Uses	1 per 500 m ² of GFA	2.0 per 500 m ² of GFA	2 per entrance or 1 space per 750m ² of GFA (whichever is greater)
Industrial Uses	0.5 per 1,000 m ² of GFA ③	1.0 per 1,000 m ² of GFA	No requirement
Type of Development (Specific Uses)	Bicycle Parking Spaces ④		
Hotel / Motel	1 per 20 sleeping units	6 per entrance	
Day-care centre for 15 or more children	1 per 10 employees, min 2 spaces	1 for each 10 students of planned capacity, min 2 spaces	
Elementary and Secondary Schools	1 per 10 employees, min 2 spaces	6 per entrance or 3 per 10 student seats at entrance (whichever is greater)	
Post-secondary Schools	1 per 10 employees plus 1 for each 10 students of planned capacity, min 2 spaces	6 per entrance or 3 per 10 student seats at entrance (whichever is greater)	
Cultural Facility or Library	1 space for 15 employees	2 per entrance (for buildings up to 1,000 m ²); 6 per entrance (for buildings greater than 1,000m ² GFA) 16 spaces per entrance (for buildings greater 2,000m ² GFA)	

Health Services	1 space for 15 employees	6 spaces per public building entrance or 1 per 1000m ² (whichever is greater)
Offices	1 per 500 m ² of GFA	2 per entrance or 1 space per 750m ² of GFA (whichever is greater)
Community Recreation Services	1 space per 15 employees	12 spaces per public building entrance
<p>Notes:</p> <ul style="list-style-type: none"> ❶ Utilize the 'General Uses' for bicycle parking calculations unless the land use matches the Specific Uses. ❷ Regulation only applies to lots with 5 or more dwelling units. ❸ Industrial Uses (for the purpose of bicycle parking calculations): means any principal or secondary use that is exclusively within an Industrial zone. For example, if a principal or secondary use is within a commercial and an industrial zone then that use shall be calculated with the commercial bicycle parking rate (e.g. a food primary or liquor primary establishment located in an industrial area would use the commercial bicycle parking rate). ❹ All area numbers are based on Gross Floor Area (GFA). ❺ The bike parking exclusion for Townhouses only applies to dwelling units which have an attached private garage with direct entry from the garage to the dwelling unit, otherwise, the Apartment Housing category must be used to calculate the long term-bicycle parking requirement. ⊕ Townhouses without an attached private garage with direct entry from the garage to the dwelling unit can utilize the bonus bicycle parking provisions within apartment housing. 		

Table 8.5.1 Minimum Dimensions for Bicycle Parking (in metres)

Angle of Rack (in an aerial perspective, measured from the plane of the nearest wall of a building)	Ground Anchored Rack		Wall Mounted Rack	
	>45 degrees	≤45 degrees	>45 degrees	≤45 degrees
Minimum space depth	1.8 m	1.45 m	1.2 m	1.2 m
Minimum aisle width	1.5 m	1.5 m	1.5 m	1.5 m
Minimum distance between bicycle racks (for racks that accommodate two or more bicycles)	0.9 m	1.3 m	0.9 m	1.3 m
Minimum distance between bicycle racks (for racks that accommodate no more than one bicycle)	0.45 m	0.65 m	0.45 m	0.65 m
Minimum distance between bicycle racks and wall, entrance door to bicycle storage facility, or other obstacle.	0.6 m	0.6 m	0.6 m	0.6 m

Figure 8.5.1: Short-Term Bicycle Parking Configuration Example

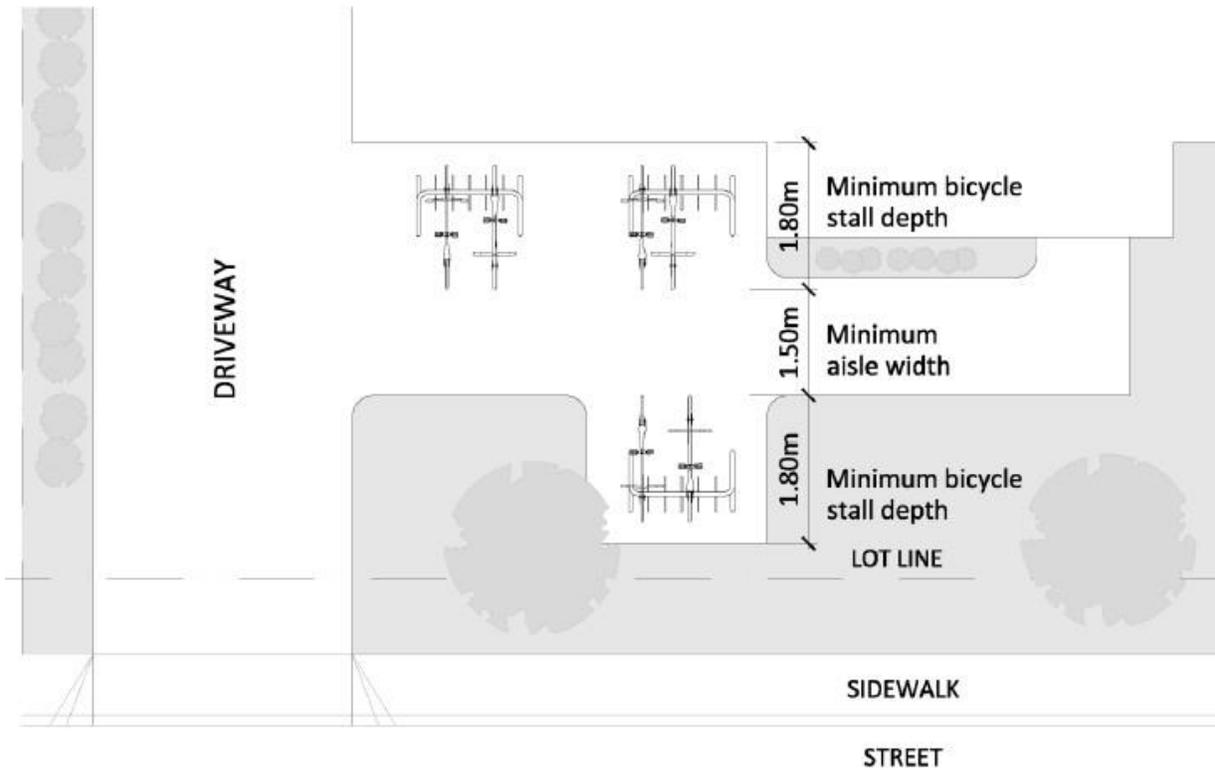
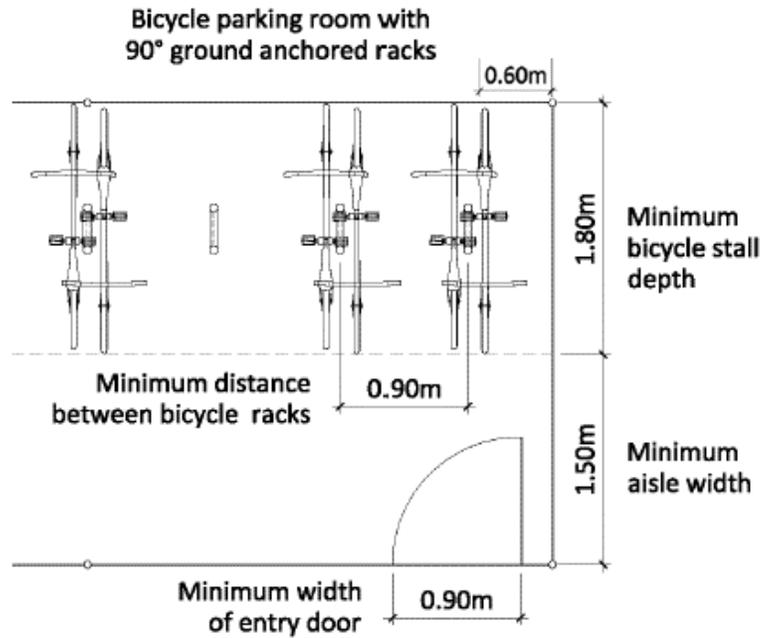
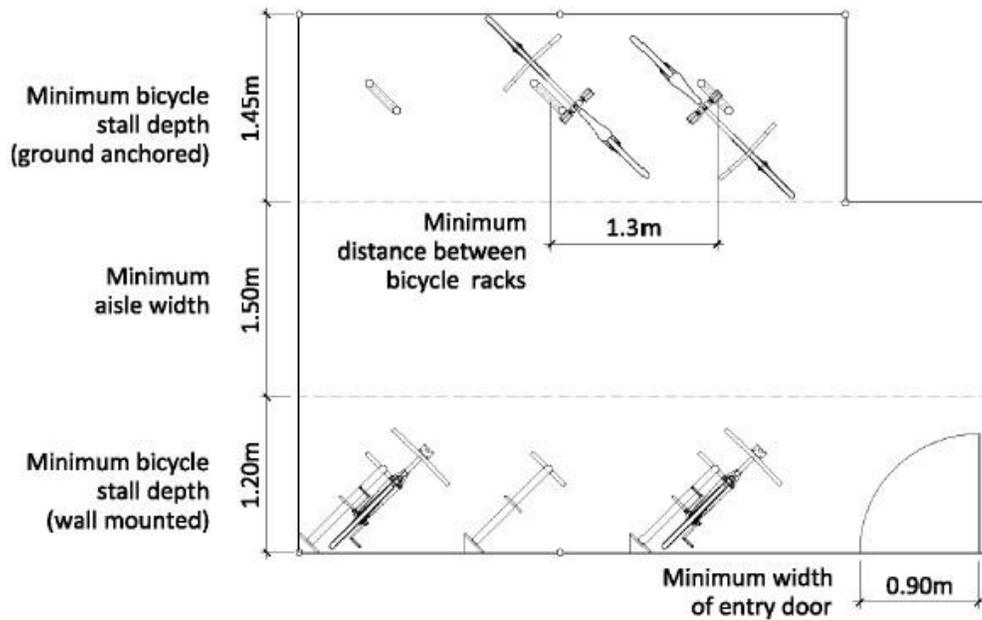


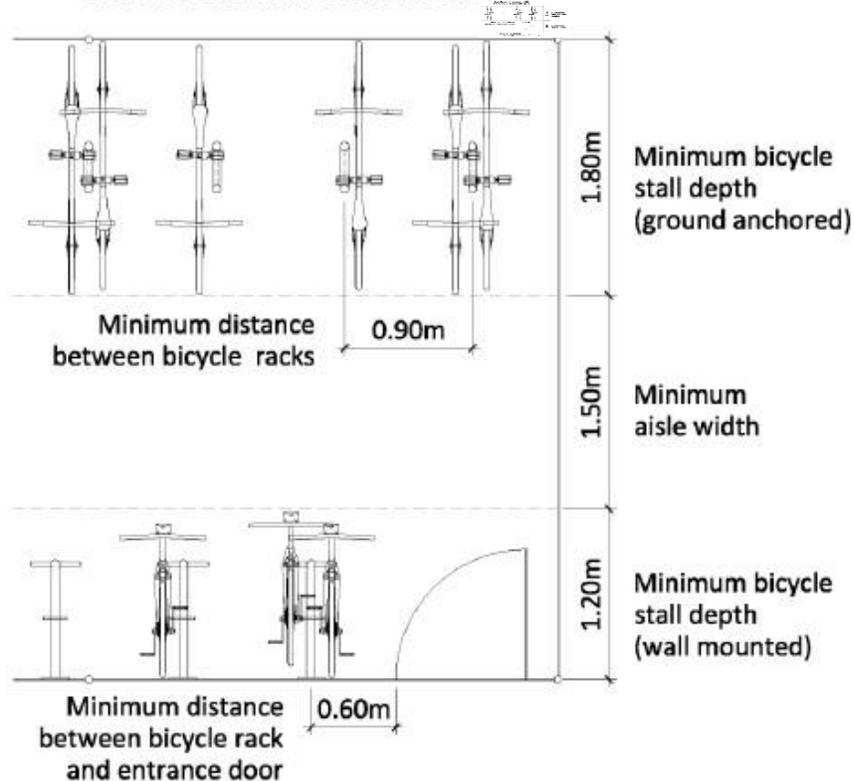
Figure 8.5.2: Long-Term Bicycle Parking Configurations Example



Bicycle parking room with 45° angled ground anchored and wall mounted racks



Bicycle parking room with 90° ground anchored and wall mounted racks



8.6 End of Trip Facilities

8.6.1 Where any **commercial** or **industrial development** is proposed, the **end-of-trip facilities** shall be provided in accordance with Table 8.6 below:

Table 8.6 Required End-of-Trip Facilities				
Long-Term Bicycle Parking Spaces	Number of Toilets	Number of Sinks	Number of Showers	Number of storage lockers
0-3	0	0	0	0
4-29 ❶	2	2	2	0.5 lockers per bicycle space
30-64 ❶	4	4	4	0.5 lockers per bicycle space
65 and over ❶	+2 for each additional 30 bicycle spaces	+2 for each additional 30 bicycle spaces	+2 for each additional 30 bicycle spaces	0.5 lockers per bicycle space
❶ End of trips shall include a "bicycle repair and wash station" including tools for bikes, a commercial grade pump, access to water, and way to raise a bike up to perform simple maintenance. A "bicycle repair and wash station" is required after 4 long term bike parking stalls are required.				

Section 8 – Parking and Loading amended as follows:

Sub-Section 8.1 Off-Street Vehicle Parking – BL8654, BL8528, BL10796, BL10816, BL11140, BL11263

Sub-Section 8.3 Development Standards – BL8528

Sub-Section 8.4 Off-Street Bicycle Parking – BL8654 & BL10613

Sub-Section 8.5 General Provisions – BL8654, BL9120

Table 8.1 – Parking Schedule – BL8367, BL8430, BL8528, BL8820, BL8881, BL8900, BL8960, BL9041, BL9723, BL9766, BL9953, BL10686, BL10796, BL10804, BL10981; BL10997, BL11140, BL11313

Table 8.2 – Loading Schedule – BL8960, BL10804

Table 8.3 – Bicycle Parking Schedule – BL8528, BL8654, BL8960, BL11140

CITY OF KELOWNA

BYLAW NO. 11937

Z19-0048 – 454 Farris Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2 Section 25 Township 28 SDYD Plan EPP89749, located on Farris Road, 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 30th day of September, 2019.

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11938
Z19-0069 – 509 Eldorado Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 5 District Lot 167 ODYD District Plan 16646 located on Eldorado Road, Kelowna, BC from the Ru1 – Large Lot Housing zone to the Ru2 – Medium 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 7th day of October, 2019.

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 11940

Discharge of Land Use Contract

LUC77-1023 - (M17452)

1222 Kyndree Court

WHEREAS a land use (the "Land Use Contract") is registered at the Kamloops Land Title Office under number M17452 against lands in the City of Kelowna particularly known and described as Lot A Section 8 Township 23 Osoyoos Division Yale District Plan 33589 (the "Lands"), located on Kyndree Court, Kelowna, BC;

WHEREAS Section 546 of the *Local Government Act* provides that a land use contract that is registered in a Land Title Office may be discharged in the manner specified in the Land Use Contract, by bylaw following a public hearing on the proposed bylaw;

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

1. This Bylaw may be cited for all purposes as "Land Use Contract LUC77-1023 Discharge Bylaw".
2. The Land Use Contract is hereby cancelled and of no further force and effect and the City of Kelowna is hereby authorized and empowered to apply for the discharge of the Land Use Contract from the Lands.

Read a first time by the Municipal Council this 7th day of October, 2019.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 11941

**Discharge of Land Use Contract
LUC76-1039 - (M36871)
1940 Underhill Street**

WHEREAS a land use (the "Land Use Contract") is registered at the Kamloops Land Title Office under number M36871 against lands in the City of Kelowna particularly known and described as Lot A, District Lot 127 & 4646, ODYD, Plan KAP74477 (the "Lands"), located on Underhill Street, Kelowna, BC;

WHEREAS Section 546 of the *Local Government Act* provides that a land use contract that is registered in a Land Title Office may be discharged in the manner specified in the Land Use Contract, by bylaw following a public hearing on the proposed bylaw;

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

1. This Bylaw may be cited for all purposes as "Land Use Contract LUC76-1039 Discharge Bylaw".
2. The Land Use Contract is hereby cancelled and of no further force and effect and the City of Kelowna is hereby authorized and empowered to apply for the discharge of the Land Use Contract from the Lands.

Read a first time by the Municipal Council this 7th day of October, 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. 11942

Official Community Plan Amendment No. OCP18-0015 1940 Underhill Street

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, District Lot 127 & 4646, ODYD, Plan KAP74477 located on Underhill Street, Kelowna, BC, from MRH – Multiple Unit Residential (High Density) & EDINST (Education / Major Institutional) to MXR – Mixed Use (Residential / Commercial) 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 7th day of October, 2019.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11943
Z18-0071 – 1940 Underhill 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 A, District Lot 127 & 4646, ODYD, Plan KAP74477 located on Underhill Street, Kelowna, BC, from the P2 – Education and Minor Institutional zone to the C4 – Urban Centre Commercial 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 7th day of October, 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. 11944

**TA19-0014 – CD3 Comprehensive Development Three - Zone
Amendment**

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

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

- 1. **THAT Schedule 'B' – Comprehensive Development Zones, CD3 – Comprehensive Development Three, Section 1.2 – Permitted Uses, The permitted principal uses in Area 2 of this zone, as shown on Figure CD 3.1, are:** be amended by adding the following in its appropriate location:

“Retail cannabis sales establishment”

- 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 7th day of October, 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. 11945
Z19-0070 – 1920-1936 Summit Drive

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 all land shown on the Strata Plan EPS4570, located on Summit Dr, Kelowna, BC from the CD3 - Comprehensive Development 3 zone to the CD3rcs - Comprehensive Development 3 (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 7th day of October, 2019.

Considered at a Public Hearing on

Read a second and third time by the Municipal Council this

First, second and third readings rescinded by the Municipal Council this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 11946

HD19-0002 - Murchison House Heritage Designation Bylaw - 1781 Abbott Street

WHEREAS the Municipal Council of the City of Kelowna considers the building known as the "Murchison House" located at Lot 2 District Lot 14 ODYD Plan 2614, on Abbott Street, Kelowna, B.C. to be a building with heritage value and that the designation of the building as a heritage site pursuant to Section 611 of the *Local Government Act* is desirable for the conservation of the building;

AND WHEREAS the Municipal Council of the City of Kelowna considers the building envelope as indicated in Schedule "B" attached to this bylaw located at Lot 2 District Lot 14 ODYD Plan 2614, on Abbott Street, Kelowna, B.C. to be a site with heritage value and that the designation of the site as a heritage site pursuant to Section 611 of the *Local Government Act* is desirable for the conservation of the site;

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

1. The building known as the Murchison House situated on lands legally described as Lot 2 District Lot 14 ODYD Plan 2614, located at 1781 Abbott Street, Kelowna, BC is hereby designated a Municipal Heritage Building pursuant to Section 611 of the *Local Government Act*.
2. The building envelope as indicated by Schedule "B" attached to this bylaw, situated on lands legally described as Lot 2 District Lot 14 ODYD Plan 2614, located at 1781 Abbott Street, Kelowna, BC is hereby designated a Municipal Heritage Site pursuant to Section 611 of the *Local Government Act*.
3. Except as authorized by this bylaw or as authorized by a Heritage Revitalization Agreement or a Heritage Alteration Permit approved by Council, no person shall:
 - a) Alter the exterior of any building situated on the property designated by this bylaw;
 - b) Make a structural change to a building or structure situated on property designated by this bylaw;
 - c) Move any building situated on the property designated by this bylaw; or
 - d) Alter, excavate or build on land designated by this bylaw.
4. The following alterations to the designated building are hereby authorized without a Heritage Alteration Permit:
 - a) Normal day to day maintenance and repairs

5. This bylaw may be cited for all purposes as the Heritage Designation Bylaw No. 11946 the Murchison House.

Read a first time by the Municipal Council this 7th day of October, 2019.

Considered at a Public Hearing this

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

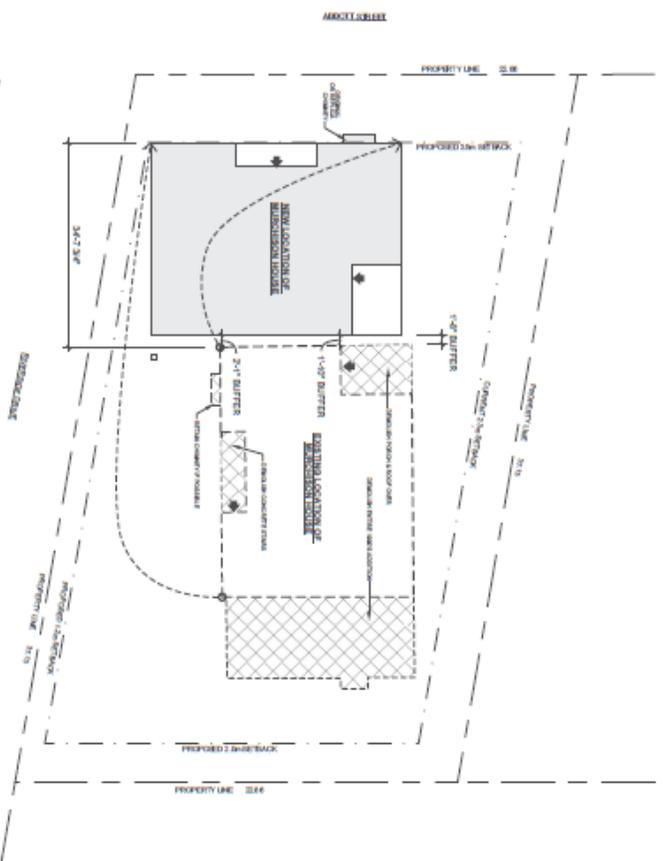
(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

NIDO.
 2023 South St.
 2023 2171 Graham Avenue
 Victoria BC V8T 6T7
 250.686.8222
 info@nido.org



- LEGEND**
- 1) DEMOLITION HOUSE
 - 2) NEW LOCATION OF DEMOLITION HOUSE
 - 3) EXISTENTIAL LOCATION OF DEMOLITION HOUSE
 - 4) EXISTENTIAL FOUNDATION FOR NEW HOUSE
 - 5) EXISTENTIAL FOUNDATION FOR NEW HOUSE
 - 6) EXISTENTIAL FOUNDATION FOR NEW HOUSE
 - 7) EXISTENTIAL FOUNDATION FOR NEW HOUSE
 - 8) EXISTENTIAL FOUNDATION FOR NEW HOUSE
 - 9) EXISTENTIAL FOUNDATION FOR NEW HOUSE
- LEGEND OF CONSTRUCTION AND HOUSE WORK:**
- 1) DEMOLISH 2 SECTIONS OF EXISTING BUILDING, IDENTIFIED ON PLANS
 - 2) DEMOLISH EXISTING BUILDING, IDENTIFIED ON PLANS
 - 3) DEMOLISH EXISTING BUILDING, IDENTIFIED ON PLANS
 - 4) EXCAVATE AND PLACE NEW FOUNDATIONS AT THE NEW LOCATION
 - 5) EXCAVATE AND PLACE NEW FOUNDATIONS AT THE NEW LOCATION
 - 6) EXCAVATE AND PLACE NEW FOUNDATIONS AT THE NEW LOCATION
 - 7) EXCAVATE AND PLACE NEW FOUNDATIONS AT THE NEW LOCATION
 - 8) EXCAVATE AND PLACE NEW FOUNDATIONS AT THE NEW LOCATION
 - 9) EXCAVATE AND PLACE NEW FOUNDATIONS AT THE NEW LOCATION

SCHEDULE B
 This form part of application
HRA18-0001
 City of Kelowna
 Kelowna BC

A1.2

House
 Renovation Plan
 SCALE

PROJECT TITLE	House Renovation Plan
CLIENT	New House
1931 ROAD NAME	
OWNER	
DATE	
SCALE	
PROJECT NUMBER	
DATE	
PROJECT NUMBER	
DATE	
PROJECT NUMBER	
DATE	

CITY OF KELOWNA

BYLAW NO. 11923

Heritage Revitalization Agreement Authorization Bylaw

HRA18-0001 – 1781 Abbott –

Davara Holdings Ltd., Inc. No. BCo797640

WHEREAS a local government may, by bylaw, enter into a heritage revitalization agreement with the Owner of property which Council deems to be of heritage value pursuant to section 610 of the *Local Government Act*;

AND WHEREAS the Municipal Council of the City of Kelowna is desirous of entering into a Heritage Revitalization Agreement with Davara Holdings Ltd., Inc. No. BCo797640 for the property located at 1781 Abbott Street;

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

1. The Municipal Council of the City of Kelowna hereby authorizes the City of Kelowna to enter into a Heritage Revitalization Agreement with Davara Holdings Ltd., Inc. No. BCo797640 for the property located at 1781 Abbott Street, Kelowna, B.C., and legally described as:

Lot 2, District Lot 14, ODYD, Plan 2614

In the form of such Agreement attached to and forming part of this bylaw as Schedule "A".

2. The Mayor and City Clerk are hereby authorized to execute the attached agreement, as well as any conveyances, deeds, receipts and other documents in connection with the attached agreement, and to affix the corporate seal of the City of Kelowna to same.

Read a first time by the Municipal Council this 7th day of October, 2019.

Considered at a Public Hearing this

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

SCHEDULE "A"
HERITAGE REVITALIZATION AGREEMENT

THIS AGREEMENT dated as of the _____ day of _____, 2019

BETWEEN:

City of Kelowna, a Municipal Corporation having offices at 1435 Water Street, Kelowna, British Columbia V1Y 1J4

(herein called the "CITY")

OF THE FIRST PART

AND: Davara Holdings Ltd. of
1-911 Borden Avenue, Kelowna, British Columbia, V1Y 6A5

(herein called the "OWNER")

OF THE SECOND PART

WHEREAS a local government may, by bylaw, enter into a Heritage Revitalization Agreement with the Owner of property identified as having heritage value, pursuant to Section 610 of the *Local Government Act*;

AND WHEREAS the Owner owns certain real property on which is situated a building of heritage value, known as the "Murchison House", pursuant to the City's Heritage Register, which property and building are located at 1781 Abbott Street, Kelowna, BC and legally described as:

Parcel Identifier: 010-990-011
Lot 2, District Lot 14, ODYD, Plan 2614

(herein called the "Subject Property ")

AND WHEREAS the Owner has presented to the City a proposal for the use, development and preservation of the Subject Property and has voluntarily and without any requirement by the City, entered into this agreement pursuant to Section 610 of the *Local Government Act*;

AND WHEREAS a local government must hold a Public Hearing on the matter before entering into, or amending, a Heritage Revitalization Agreement if the agreement or amendment would permit a change to the use or density of use that is not otherwise authorized by the applicable zoning of the Subject Property and for these purposes Section 464 through 470 of the *Local Government Act* apply;

AND WHEREAS within thirty days after entering into, or amending, a Heritage Revitalization Agreement the local government must file a notice in the Land Title Office in accordance with Section 594 of the *Local Government Act* and give notice to the Minister responsible for the *Heritage Conservation Act* in accordance with Section 595 of the *Local Government Act*;

NOW THEREFORE in consideration of the mutual promises contained in this agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1.0 Heritage Revitalization

- 1.1 The parties agree that the Subject Property have heritage value, deserving of protection and conservation and the Owner specifically agrees to rehabilitate³, maintain, preserve and protect the heritage character of the existing Heritage Building (Murchison House) located on the Subject Property in accordance with Attachments A, B and C.
- 1.2 The parties agree that the Subject Property may, notwithstanding Zoning Bylaw no. 8000 including the provisions identified in the RU₁ – Large Lot Housing zoning on the Subject Property, be used for the following permitted uses:
- (a) The adaptive reuse⁴ of the existing Heritage Building on the property to allow office as a permitted use, provided that:
 - i. The the existing Heritage Building is relocated and repositioned as per the Site Plan illustrated in Schedule B;
 - ii. The maximum floor area of the commercial space be limited to 118m²;
 - iii. The hours of operation to serve clients from the commercial space shall take place between 7:00am – 6:00pm, Monday through Saturday;
 - iv. The number of staff operating from the existing Heritage Building is limited to a maximum of 5;
 - v. The business sign adhere to the City Sign Bylaw No.11530, and be approved by Development Planning Department prior to installation.
 - (b) The construction of new housing on the property to allow two dwelling housing as a permitted use, provided that:
 - i. The use is in conformance with the Heritage Revitalization Agreement Bylaw No. 11923, as two dwelling housing;
 - ii. The dimensions and the siting of the two dwelling housing to be constructed on the Subject Property be in general accordance with Schedule B;
 - iii. The exterior design and finish of the two dwelling housing to be constructed on the Subject Property be in general accordance with Schedule C.
 - (c) The site planning and landscaping on the Subject Property, provided that:
 - iv. A minimum of six on-site surface parking stalls and a designated area for bike racks shall be provided as per the Site Plan illustrated Schedule B;

³ As defined by "Standards and Guidelines for the Conservation of Historic Places in Canada", second edition, 2010, and detailed in City of Kelowna's "Adaptive Reuse Guidelines for Residential Heritage Buildings".

- v. A minimum of three dedicated on-site parking stalls shall be provided for the office use operating from the Heritage Building, and three on-site parking stalls shall be provided for the two dwelling housing;
 - vi. Parking signs for minimum of 2 commercial office parking stalls shall be installed, and indicate hours for office parking use: "Commercial Parking 7:00am – 6:00pm, Residential Visitor Parking 6:00pm – 7:00am, Monday to Saturday, and Sunday";
 - vii. A historical plaque summarizing the heritage value of the Heritage Building and the works completed on the Subject Property shall be installed and maintained at the expense of the applicant, subject to approval by the City of Kelowna;
 - viii. The Owner agrees to install and maintain landscaping on the Subject Property in general accordance with the attached landscape plans (Schedule D);
 - ix. The Owner agrees to post a Landscape Performance Security bond with the City in the form of a "Letter of Credit" or cash in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper, as outlined in Schedule D.
- 1.3 The parties agree that, except as varied or supplemented by the provisions of this agreement, all bylaws and regulations of the City and all laws of any authority having jurisdiction shall apply to the property and commercial business.
- 1.4 Where a Heritage Alteration Permit is required, the discretion to approve, refuse, or revise such permit is delegated by Council to the Divisional Director, Planning and Development Services.
- 1.5 The Owner agrees to prove and pay for all servicing required by the proposed development of the subject property and to provide required bonding for same, including, but not limited to: domestic water and fire protection, sanitary sewer, storm drainage, road improvements, power and telecommunication services and street lights, as per Development Engineering Memorandum, dated November 14, 2018, (Attachment D).
- 2.0 Conservation and Maintenance of Existing Development.**
- 2.1 The Owner agrees not to alter the exterior of the existing Heritage Building or heritage character other than as described in Schedules B and C pursuant to a Heritage Alteration Permit issued by the City, and in accordance with this agreement;
- 2.2 The Owner agrees to maintain the exterior of the existing Heritage Building on the Subject Property in general accordance with the Acne Building Services Heritage Report entitled "*Davara Holdings Ltd. Rehabilitation Proposal at 1781 Abbott Street, Kelowna*" prepared by Elena Zysblat, registered heritage consultant, dated March 29, 2019, Attachment B;
- 2.3 If original features must be replaced, the new material shall be similar or identical to the original and shall be subject to the issuance of a minor Heritage Alteration Permit. Where original features were removed through earlier renovations or alterations and the replacements were not in keeping with the original style of the existing Heritage Building, any subsequent replacement of these features shall complement the building's heritage style;

- 2.4 The heritage restoration will follow the recommendations outlined in Acne Building Services Heritage Report attached as Attachment B. Any deviations or changes from outlined recommendations will first be reviewed and approved by the Heritage Consultant. Additionally, the design architect will provide a letter of conformance upon completion of heritage restoration and prior to occupancy.
- 2.5 Upon occupancy of the heritage asset, the Heritage Consult must an updated Statement of Significance submit to the City for review.
- 4.0 Commencement and Completion**
- 4.1 The Owner agrees to commence the proposed development upon adoption of City of Kelowna Heritage Revitalization Agreement Authorization Bylaw No. 11923 and to commence all such works within 2 years of the adoption of the HRA.
- 5.0 Damage or Destruction**
- 5.1 In the event that no more than 75% of the Heritage Building is damaged, the parties agree as follows:
- a) The Owner may repair the Heritage Building in which event the Owner shall forthwith commence the repair work and complete same within one year of the date of damage;
- OR, in the event that the Heritage Building is destroyed,
- b) The City may, by bylaw, and after conducting a Public Hearing in the manner prescribed by Sections 464 through 470 of the *Local Government Act*, cancel this agreement, whereupon all use and occupation of the Subject Property shall thenceforth be in accordance with the zoning bylaws of the City and in accordance with all other bylaws or regulations of the City or any other laws of authority having jurisdiction.
- 6.0 Breach**
- 6.1 In the event that the Owner is in breach of any term of this Agreement, the City may give the Owner notice in writing of the breach and the Owner shall remedy the breach within 30 days of receipt of the notice. In the event that the Owner fails to remedy the breach within the time allotted by the notice, the City may, by bylaw and after conducting a Public Hearing in the manner prescribed by Sections 464 through 470 of the *Local Government Act*, cancel this Agreement whereupon all use and occupation of the Subject Property shall thenceforth be in accordance with the zoning bylaws of the City and in accordance with all other bylaws or regulations of the City or any other laws of authority having jurisdiction.
- 7.0 Amendment**
- 7.1 The parties acknowledge and agree that this Agreement may only be amended by one of the following means:
- a) By bylaw with the consent of the parties provided that a Public Hearing shall be held if an amendment would permit a change to use or density of use on site or;
 - b) By Heritage Alteration Permit (HAP), issued pursuant to Section 617 of the *Local Government Act*.

8.0 Representations

8.1 It is mutually understood and agreed upon between the parties that the City has made no representations, covenants, warranties, promises or agreements expressed or implied, other than those expressly contained in this Agreement.

9.0 Statutory Functions

9.1 Except as expressly varied or supplemented herein, this Agreement shall not prejudice or affect the rights and powers of the City in the exercise of its statutory functions and responsibilities including, but not limited to, the *Local Government Act* and its rights and powers under any enactments, bylaws, order or regulations, all of which, except as expressly varied or supplemented herein, are applicable to the Subject Property.

10.0 Inurement

10.1 This Agreement inures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

11.0 Other Documents

11.1 The Owner agrees at the request of the City, to execute and deliver or cause to be executed and delivered all such further agreements, documents and instruments and to do and perform or cause to be done and performed all such acts and things as may be required in the opinion of the City to give full effect to the intent of this Agreement.

12.0 Notices

12.1 Any notice required to be given pursuant to this Agreement shall be in writing and shall either be delivered mailed by registered mail as follows:

(a) To the City:

City of Kelowna
1435 Water Street
Kelowna, B.C. V1Y 1J4

ATTENTION: City Clerk

(b) To the Owner:

David Sargent
1-911 Borden Ave
Kelowna, BC
V1Y 6A5

Or, to such other address to which a party hereto may from time to time advise in writing

13.0 No Partnership or Agency

13.1 The parties agree that nothing contained herein creates a relationship between the parties of partnership, joint venture or agency.

IN WITNESS WHEREOF this Agreement has been executed by the parties hereto on the day and year first above written.

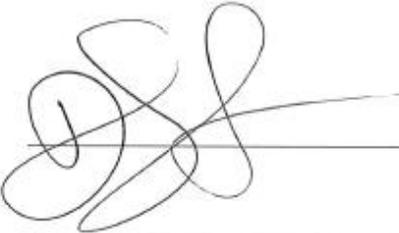
CITY OF KELOWNA
By its authorized signatories

Mayor

City Clerk

David Sargent

Date: *Sept 23/19*



In the presence of:

REBECCA ELIZABETH VAN HUIZEN
A COMMISSIONER FOR TAKING
AFFIDAVITS FOR BRITISH COLUMBIA
1135 WATER STREET, KELOWNA, BC V1Y 1J1
Witness (Print Name) 2016-1155
Expiry Date: 2019-10-31



Witness (Signature)

Address

Occupation

CITY OF KELOWNA

BYLAW NO. 11947

Z19-0065 – 1884 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 21 Block 3 District Lot 14 ODYD Plan 1395 located on Abbott Street, Kelowna, B.C., 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 7th day of October, 2019.

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

REPORT TO COUNCIL



Date: October 22, 2019
To: Council
From: City Manager
Department: Development Planning - Urban
Application: HAP18-0005
Owner: Richard Mohr, Judith L. Mohr and Craig R. Mohr
Address: 2210 Abbott Street
Applicant: Craig R. Mohr
Subject: Heritage Alteration Permit - Major
Existing OCP Designation: S2RES – Single / Two Unit Residential
Existing Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Council authorizes the issuance of Heritage Alteration Permit No. HAP18-0005 for Lot 27, District Lot 14, Osoyoos Division, Yale District, Plan 535, located at 2210 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;
3. Landscaping to be provided on the land be in general 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 professional landscaper;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted, as shown on Schedules A and B:

Section 6.5.3(c): General Development Regulations

To vary the maximum height of an accessory building from 4.8m permitted, to 6.88m proposed.

Section 6.5.3(d): General Development Regulations

To vary the minimum front yard of an accessory building from 9.0m permitted, to 1.51m proposed.

Section 13.6.6(g): RU6 – Two Dwelling Housing

To vary the minimum flanking street side yard for the main dwelling from 4.5m permitted, to 2.3m proposed.

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

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

2.0 Purpose

To consider a Heritage Alteration Permit for the form and character of a new semi-detached dwelling and an accessory building with variances to height, front yard, and flanking street.

3.0 Development Planning

The purpose of the HAP is for the proposed design and project rationale to be reviewed and evaluated based on the proposal’s alignment with the Abbott Street and Marshall Street Heritage Conservation Area Development Guidelines for new developments and the Heritage Alteration Permit Guidelines as identified in City’s Official Community Plan (OCP). Typically this assessment process would be in consideration of an existing dwelling that is still located on a property.

The subject property is unique when compared to other properties within the Abbott Street Heritage Conservation Area (HCA) in a number of ways. The property is currently vacant as the house that was previously on the property was demolished in 2015. The property and the former house were not on the Municipal Heritage Register or protected by Heritage Bylaw. As a result, the property’s remaining heritage value is its location in the southern extent of the Abbott Street Heritage Conservation Area. Furthermore, the neighbourhood context includes several new projects consisting of an assortment of building styles and do not conform to the Heritage Conservation Area Development Guidelines. These developments are:

- JoeAnna’s House – located immediately to the east of the subject lot at the corner of Abbott Street and Royal Avenue, it is designed in “Modern Farmhouse” style;
- Strathcona Building - located adjacent to and south of JoeAnna’s House at the corner of Abbott Street and Strathcona Avenue, it is a mixed-use building with heritage inspiration for its design and materials;
- 2248-2250 Abbott Street - a semi-detached residential dwelling located two lots to the south of the subject property, designed in the Frank Lloyd Wright inspired, prairie-style.

Finally, the property immediately to the south was constructed in the 1930s on a double lot and is considered a “late arts & crafts” style¹, further adding to the eclectic architectural designs present within the immediate surrounding area of the subject property.

Even though the dominant style for the block is identified as “late arts & crafts”, based on this unique situation, it is difficult to apply relevant heritage guidelines in a significant or meaningful way with respect to neighbourhood context.

Development Planning is recommending support for the proposal as the new building with heritage inspiration from the Georgian Revival style adds to the diversity of building styles within the immediate neighbourhood. The accessory structure has been designed with an appealing front façade that faces out on

¹ Abbott Street & Marshall Street Heritage Conservation Areas Development Guidelines, Style Register List

to the Abbott Street Recreational Corridor. The applicant has provided an attractive landscape plan that includes a variety of hedges, deciduous trees, perennials and ornamental grasses along with improvement to the Royal Avenue sidewalk to connect the public with the City parkland on the western side of the property facing the lakefront.

The project requires variances to height and front yard and flanking street setbacks. The variances are mitigated through the site design and context, as described in Section 4.3.

To fulfil Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form to Staff on September 13, 2019, outlining that the neighbours within 50 m of the subject property were notified.

4.0 Proposal

4.1 Background

The subject property was rezoned in 2015 to RU6 – Two Dwelling Housing and a Heritage Alteration Permit (HAP₁₄₋₀₀₁₄) was issued for the development of a new semi-detached housing at that time. The Council-approved HAP included three variances: maximum height of an accessory building (4.5m required, 5.6m approved); flanking street setback (4.5m required, 2.0m approved); and front yard setback for an accessory building (9.0m required, 1.2m approved). However, the property owner did not proceed with the approved development and later sold the property.

In 2017, under a new ownership by the current applicant, a new Heritage Alteration Permit (HAP₁₇₋₀₀₀₁) that saw significant redesign to the proposed development with a new set of variances was brought before Council for consideration. The proposal was not supported by Staff and Council .

4.2 Project Description

The subject property is located in a prominent location on the corner of the Abbott Street Recreation Corridor and Royal Avenue Beach Access making the project highly visible. As the site is located in the Abbott Street Heritage Conservation Area, an HAP is required for the project. As previously mentioned, the property is not listed on the Heritage Register. The applicant's Design Rationale (Attachment C) is included at the end of the report.

The applicant is proposing to construct a semi-detached dwelling with a detached accessory building inspired by the Georgian Revival style (Figure 1). The subject property has two street-fronts: Abbott Street and Royal Avenue. While Abbott Street is the principal street front, Royal Avenue is the larger frontage and has the dominant building exposure. The site plan maintains driveway access from Royal Avenue with four parking stalls located within the principal dwelling and one stall within the accessory building, for a total of 5 covered parking stalls. The accessory building is proposed to be used as office space and storage area.



Figure 1: Conceptual illustration of the proposed semi-detached dwelling with a detached accessory building, as would be seen from Royal Avenue streetscape.

Heritage Design & Guidelines

Upon request by Staff and in lieu of not having the Heritage Advisory Committee (HAC) in operation, the applicant retained the services of a Registered Heritage Consultant (the Consultant) to review and comment on the form and character of the proposed design (Attachment D). In her report, the Consultant considered the proposal's alignment with both the City's HCA Guidelines for new development and the *Standards & Guidelines for the Conservation of Historic Places in Canada* (Standards & Guidelines). The proposed design is modern with some elements inspired by traditional Georgian Revival architectural style. The Consultant identified that the elevation composition of the principal and the accessory building contains elements from several historical styles, some of which are disproportionate in size or placement, such as inconsistent window styles and dimensions, pilasters disrupting the roofline and the lack of integration of the hip roofline, and most importantly, the lack of symmetry that is typical of the Georgian Revival or other Classical Revival styles.

In accordance with the OCP Heritage Conservation Area Guidelines, Staff "encourage new development, additions and renovations to existing development which are compatible with the form and character of the existing context²". To address the Consultant's comments, the applicant revised the Abbott Street elevation of the accessory building to adopt all the recommended design strategies, including scaling down entrance pilasters and removing elements that disrupt the roofline. However, the Consultant's design recommendations were not incorporated into the principal building.

In summary, in the Consultant's professional opinion "the subject proposal is no doubt distinguishable from authentic historical designs but misses the mark in being compatible with and subordinate to its historic surroundings for its grandiose scale and features, and for its lack of compatibility or linkage to a single identifiable traditional style³" (Figure 2). Staff recognize that the building is not in keeping with the original style identified for the property; however, given its location and evolving neighbourhood context, the proposed design builds on the changing character of this portion of the Abbott Street HCA.

² Official Community Planning Chapter 16: Heritage Conservation Area Guidelines

³ Ance Building Services Co. Inc. – The Heritage Consultant Report, March 29, 2019



Figure 2: Rendering of the proposed development on the subject property as would be seen from Royal Avenue streetscape.

VariANCES

The applicant has requested three variances to the Zoning Bylaw:

1. To vary the front yard setback for the accessory building from 9.0m permitted to 1.51m proposed;
2. To vary the accessory building height from 4.8m permitted to 6.88m proposed; and,
3. To vary the flanking street side yard (Royal Avenue) for the principal building from 4.5m permitted to 2.3m proposed.

While the accessory building is located close to the front yard and is higher in building height than the Zoning Bylaw permits, there is an unusually wide landscaped boulevard within the road-right-of-way that provides adequate transition to the public sidewalk and minimizes the impact. As well, the applicant has treated the front façade of the accessory building with detailing, articulation and a variety of materials that should complement and enhance the streetscape experience. These factors mitigate both the reduced setback and increased height of the accessory building.

The third variance to reduce the flanking street side yard (Royal Avenue) for the principal building from 4.5m permitted to 2.4m proposed is only for the north-western portion and not the entire northern length of the principal building. Additionally, to help mitigate the visual impact created by the reduced setback, the applicant has proposed high quality landscaping along the Royal Avenue frontage including columnar deciduous trees.

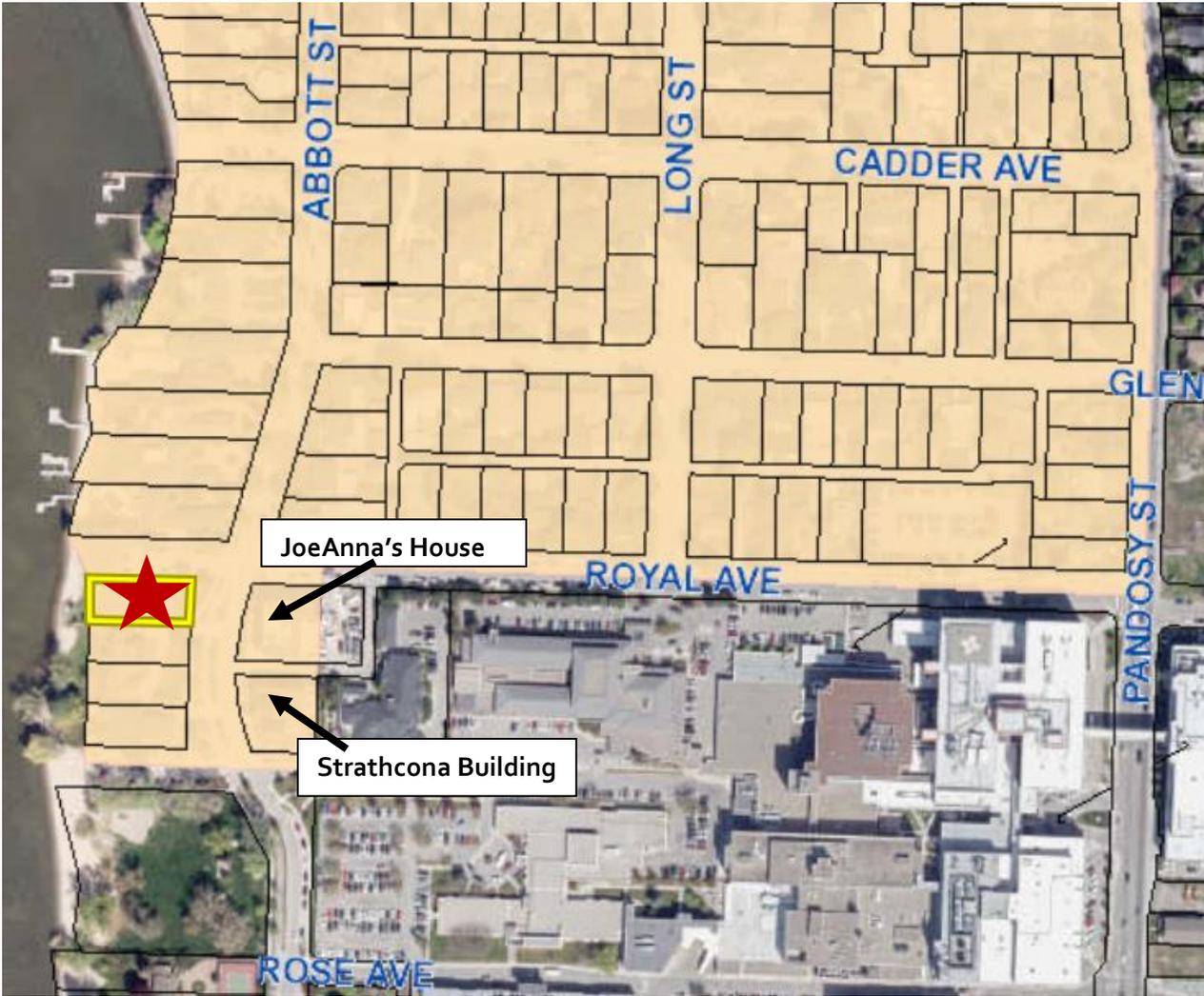
4.3 Site Context

The subject property is currently vacant and is located at the southwest corner of the intersection of Abbott Street and Royal Avenue beach access. It is located immediately west of JoeAnna's House and Kelowna General Hospital. It is a prominent and highly visible corner on the popular Abbott Street Recreation Corridor.

The property is zoned RU6 – Two Dwelling Housing, is designated S2RES - Single / Two Unit Residential in the OCP and is located within the Permanent Growth Boundary. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	Road RU1 – Large Lot Housing	Royal Avenue public beach access Single detached dwelling
East	HD1 and HD2 – Kelowna General Hospital	Kelowna General Hospital and JoeAnna’s House
South	RU1 – Large Lot Housing	Single detached dwelling
West	W1 – Recreational Water Use	Okanagan Lake

Subject Property Map: 2210 Abbott Street. Orange colour denotes Abbott Street Heritage Conservation Area



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot		
Min. Lot Area	800 m ²	996 m ²
Min. Lot Width	20 m	20.07 m
Min. Lot Depth	30 m	48.26 m
Development Regulations		
Max. Site Coverage (buildings)	40%	39.8%
Max. Site Coverage (buildings, parking & driveways)	50%	49.8%
Max. Height	9.5 m to mid-point or 2 ½ storeys (principal building).	9.5 m or 2 ½ storeys
	4.8 m to mid-point (accessory building)	6.88 m to mid-point ❶
Min. Front Yard	4.5 m (principal building)	15.19 m
	9.0 m (accessory building)	1.51 m ❷
Min. Side Yard (south)	2.3 m for 2-2 ½ storeys (principal building)	2.3 m
	1.5 m (accessory building)	4.92 m
Min. Flanking Side Yard (north)	4.5 m (principal building)	2.3 m ❸
	1.5 m (accessory building)	4.92 m
Min. Rear Yard	7.5 m (principal building)	8.1 m
	1.5 m (accessory building)	over 20 m
Other Regulations		
Parking Requirements	5 (2 stalls per dwelling + 1 stall for accessory building)	5
Min. Private Open Space	60 m ² (30 m ² / dwelling)	Meets requirement
Min. Distance Between Principal and Accessory Buildings	3.0m	7.2 m
Min. Okanagan Lake Sightlines	120°	Meets requirement
❶ Indicates a requested variance to the maximum height of an accessory building. ❷ Indicates a requested variance to the minimum front yard for a detached accessory building. ❸ Indicates a requested variance to the minimum side yard for a flanking street.		

5.0 **Current Development Policies**5.1 Kelowna Official Community Plan (OCP)

Chapter 9: Arts, Culture and Heritage

Heritage Policies:

Conservation Areas. Development in the Abbott Street and Marshall Street Heritage Conservation Area outlined on Map 9.1 will be assessed using the Abbott Street and Marshall Street Heritage Conservation Area Guidelines in Chapter 16.

Chapter 16: Heritage Conservation Area Guidelines

Objectives:

Encourage new development, additions and renovations to existing development which are compatible with the form and character of the existing context

6.o Application Chronology

Date of Application Received:	February 22, 2018
Date of Registered Heritage Consultant Report Received:	April 7, 2019
Date of Final Revised Plans Received:	August 28, 2019
Date Public Consultation Completed:	September 13, 2019

Report prepared by:	Barbara B. Crawford, Planner II
Reviewed by:	Laura Bentley, Urban Planning & Development Policy Manager
Approved for Inclusion:	Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Draft Heritage Alteration Permit No. HAP18-0005, including:

Schedule A: Site Plan and Okanagan Sightline

Schedule B: Elevations and Floor Plans

Schedule C: Landscaping Plans

Attachment B: Heritage Alteration Permit Guidelines

Attachment C: Applicant's Rationale Letter and Renderings

Attachment D: Ance Building Services - Registered Heritage Consultant Report

Owner: Richard Mohr, Judith L. Mohr and Craig R. Mohr

ATTACHMENT A
This forms part of application
HAP18-0005
Planner Initials **BC**
City of Kelowna
DEVELOPMENT PLANNING



Terry Barton, Development Planning Department Manager

Date

1. SCOPE OF APPROVAL

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

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

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

2. CONDITIONS OF APPROVAL

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedules 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 general accordance with Schedule C.

This Development Permit is valid for two (2) years from the date of Development 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) An Irrevocable Letter of Credit in the amount of **\$80,088.75, or**
- b) A certified cheque in the amount of **\$80,088.75**

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

4. Indemnification

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

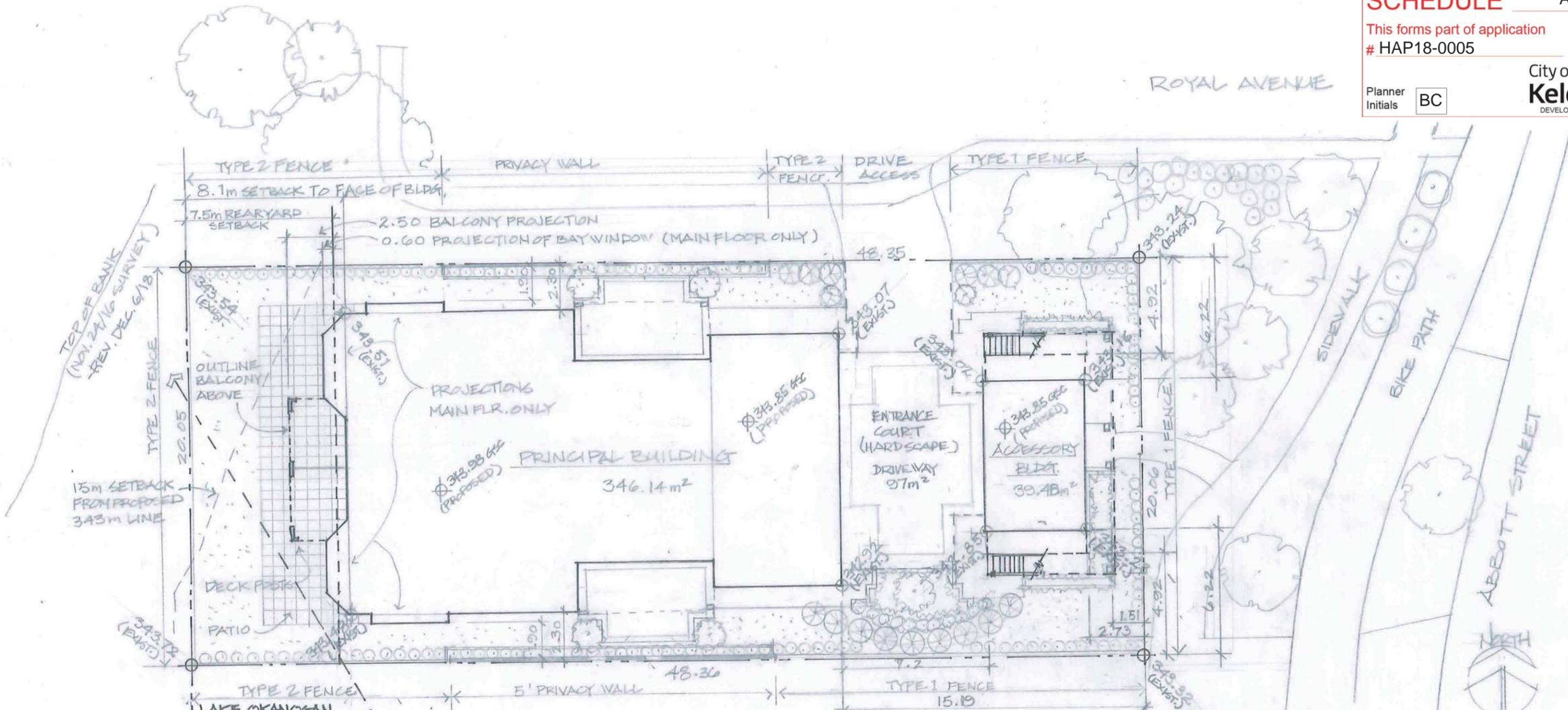
- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

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

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



ROYAL AVENUE



- NOTE:**
- ALL EXISTING GEODETIC GRADES
 - REFER TO ELEV. FOR PROPOSED
 - FLOOR SLAB PROPOSED T.O. SLAB ELEV.
- | | |
|---|--|
| • ADDRESS: | 2210 ABBOTT ST., KELOWNA, B.C. |
| • LEGAL: | LOT 27 DISTRICT LOT 14 O.D.Y.D. PLAN 535 |
| • ZONING: | RU6 |
| • SITE AREA: | 969.76 m ² |
| • PROPOSED BLDG. AREA: | 385.62 m ² (39.76% COVERAGE) |
| • PROPOSED SITE COVERAGE INCL. DRIVEWAYS: | 482.62 m ² (49.77%) |

SITE PLAN
SCALE = 1:200 MAR. 15 / 19
NOTE: REFER TO DWG. DP-2 FOR FENCE DETAILS

2210 ABBOTT STREET

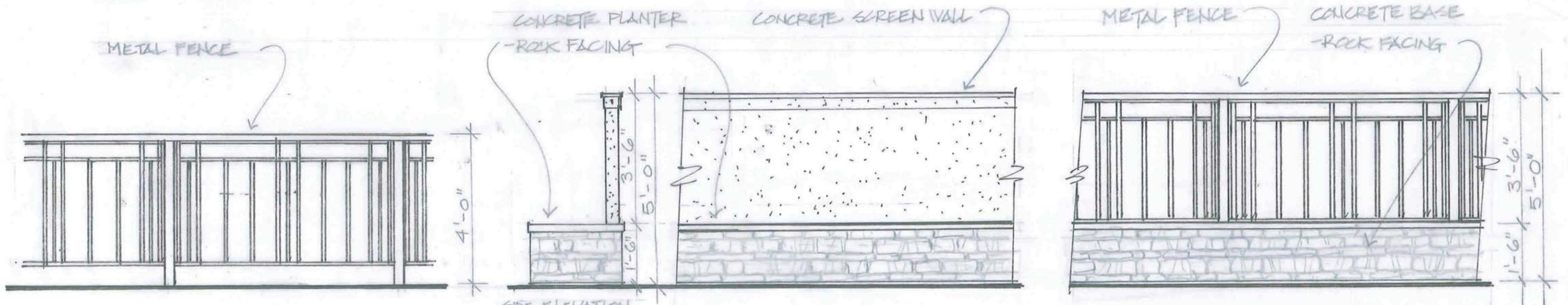
ADJACENT RESIDENCE

DP-1
MAR. 25 / 19

• REVISED JUNE 27 / 19
• REVISED AUG. 26 / 19



LONGITUDINAL SITE SECTION - Looking North
SCALE = 1:150



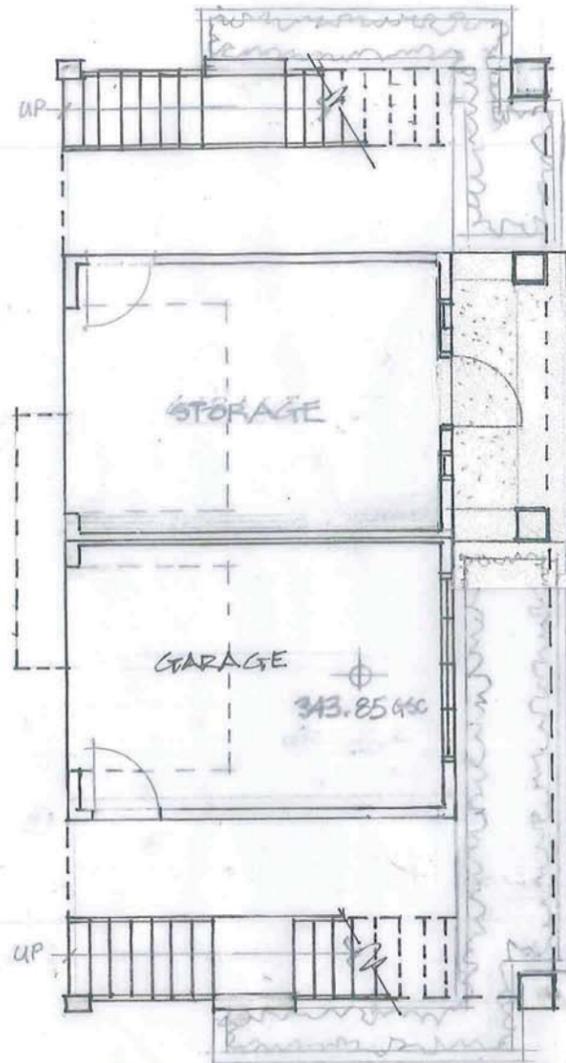
FENCE - TYPE 1
SCALE: 3/8" = 1'-0"

SIDE ELEVATION SCREEN WALL
SCALE: 3/8" = 1'-0"

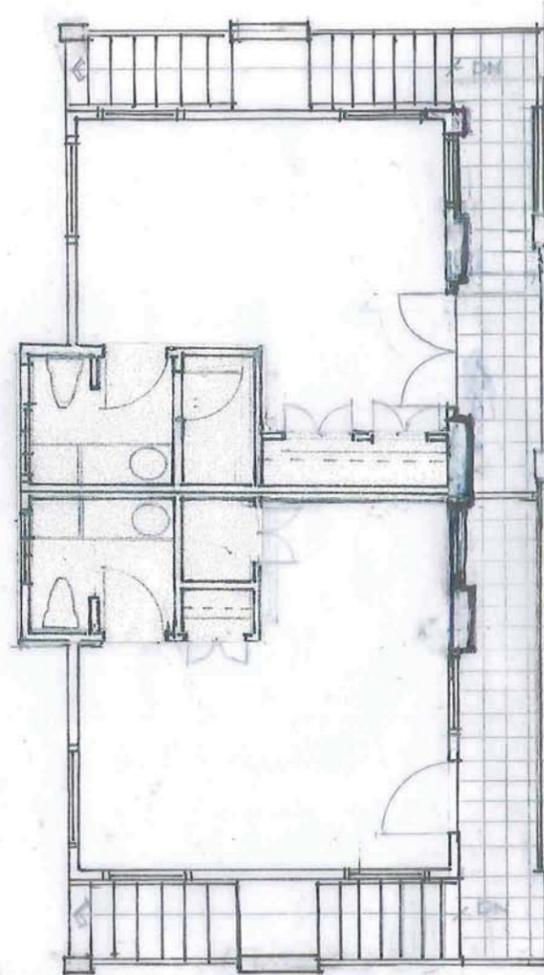
FENCE - TYPE 2
SCALE: 3/8" = 1'-0"

DP-2
MAR. 25/19

- REV. JUNE 27/19
- REV. JUL. 17/19
- REV. AUG. 26/19
- REV. MAR. 26/19



GROUND FLOOR



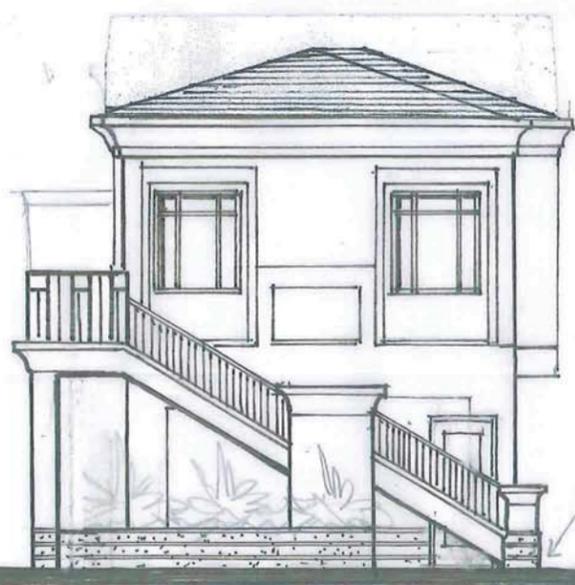
SECOND FLOOR



ABBOTT STREET ELEVATION (EAST)

343.35

343.27



ROYAL AVENUE ELEVATION (NORTH)

343.75 g/c @ ALL BLK. CORNERS



SOUTH ELEVATION

MID ROOF HT. 350.15 g/c



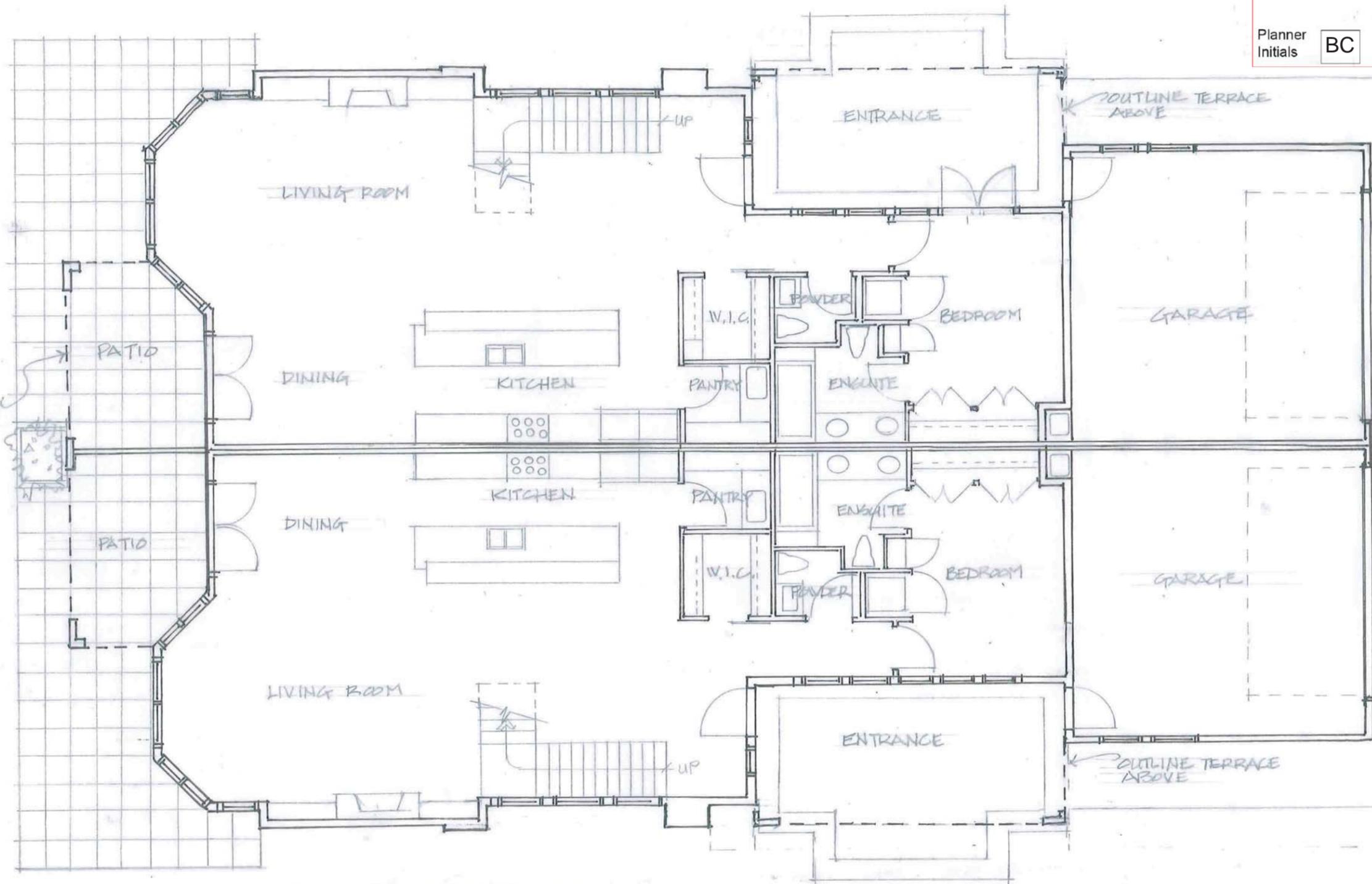
ENTRANCE COURT ELEVATION (WEST)

ACCESSORY BUILDING

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

- REV. AUG. 26/19
- REV. JUNE 27/19
- REV. JULY 17/19

DP-3
 MAR. 25/19
 REV. MAR. 30/19 / APR. 1/19



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

DP-4
 MAR. 25/19
 - REV. MAR. 27/19

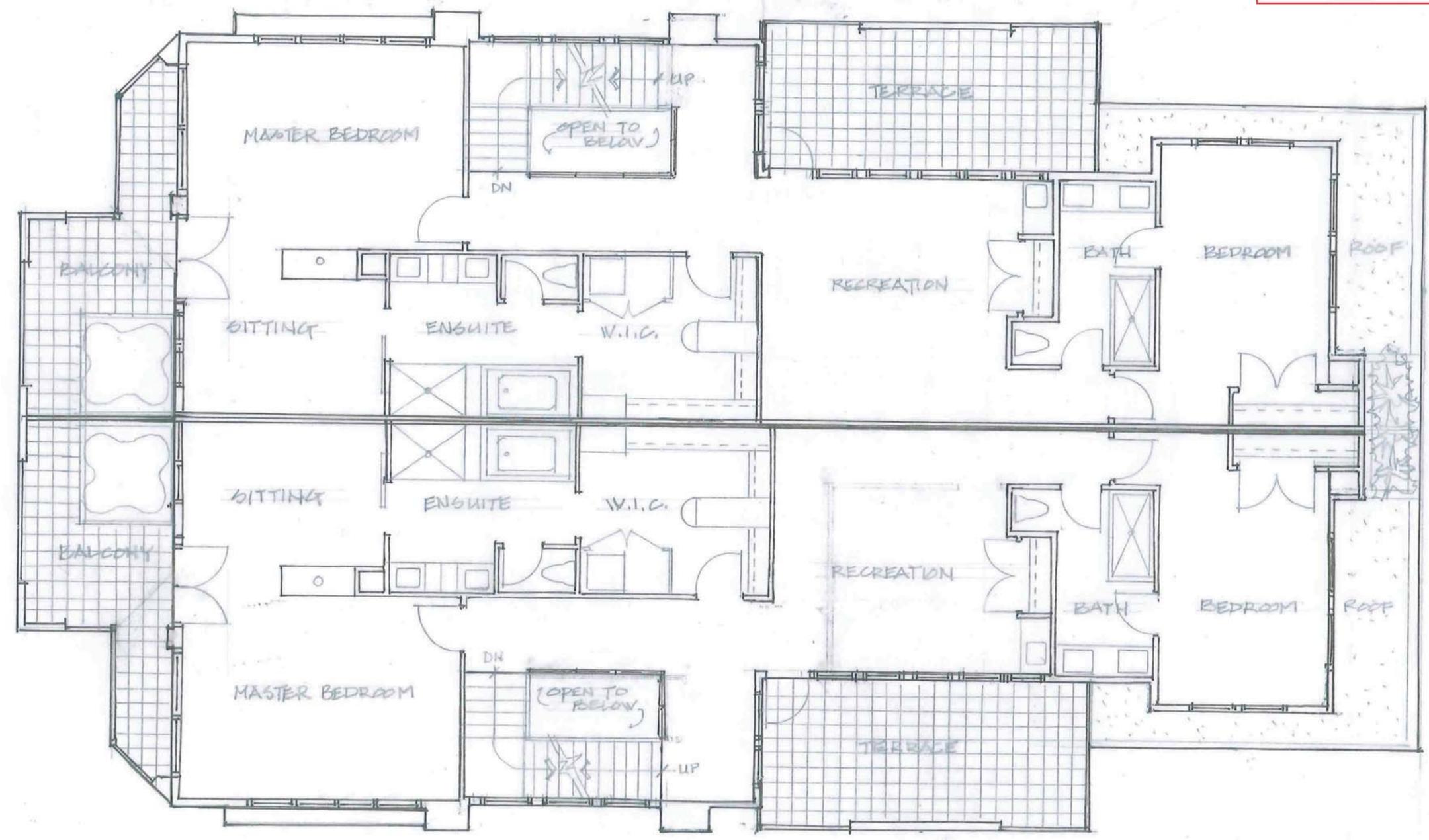
SCHEDULE B

This forms part of application
HAP18-0005



City of
Kelowna
DEVELOPMENT PLANNING

Planner
Initials **BC**



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

DP-5
MAR, 25/19
REV. MAR, 27/19

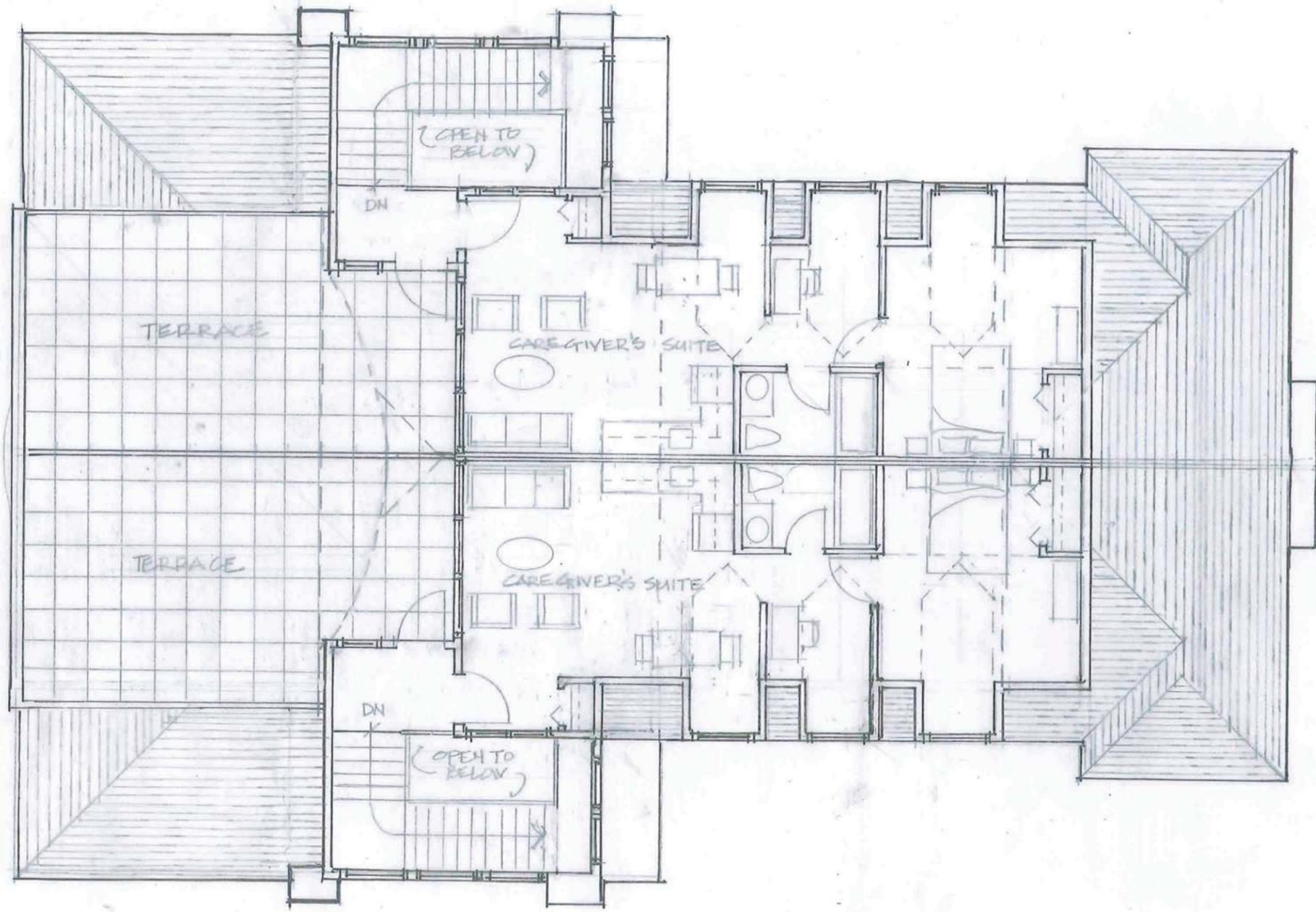
SCHEDULE B

This forms part of application
HAP18-0005



City of
Kelowna
DEVELOPMENT PLANNING

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Initials **BC**



LOFT PLAN (3RD FLR)
SCALE: 1/8" = 1'-0"

DP-6
MAR. 25/19
- REV. MAR. 29/19
- REV. APR. 2/19

SCHEDULE B

This forms part of application
HAP18-0005



City of
Kelowna
DEVELOPMENT PLANNING

Planner
Initials **BC**



DP-7
MAR. 31/19

REV. JUNE 27/19
REV. AWT. 26/19

SCHEDULE B

This forms part of application
HAP18-0005

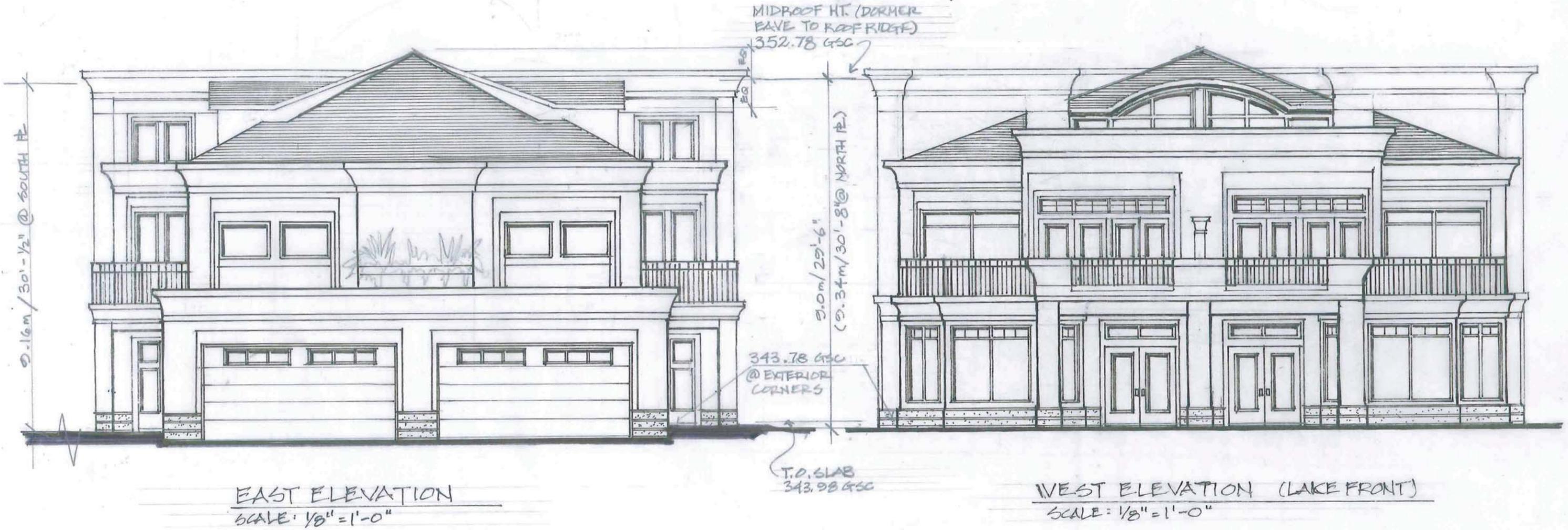


City of
Kelowna
DEVELOPMENT PLANNING

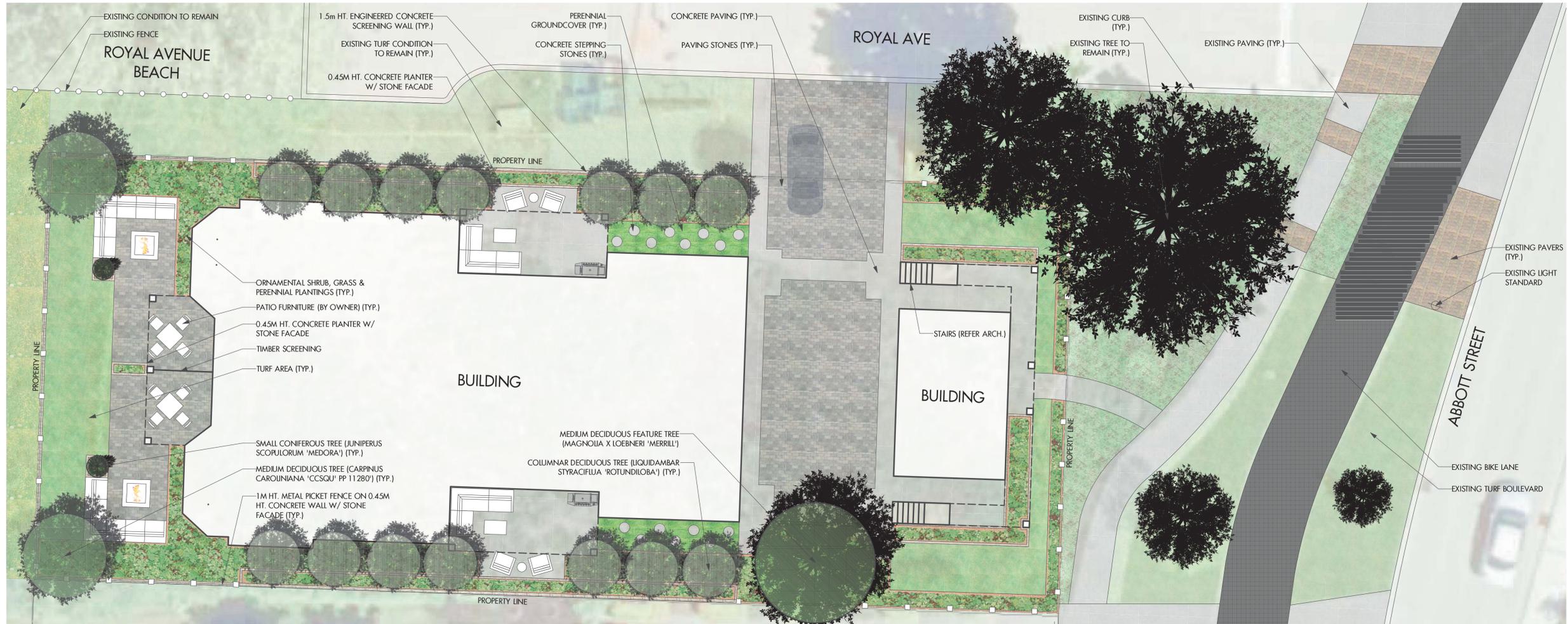
Planner
Initials **BC**



DP-8
MAR. 31/19
REV. JUNE 27/19
REV. AUG. 26/19



DP-9
 MAR. 31/19
 REV. JUNE 27/19
 REV. AUG. 26/19



OUTLAND DESIGN
LANDSCAPE ARCHITECTURE

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



PROJECT TITLE

2210 ABBOTT STREET

Kelowna, BC

DRAWING TITLE

CONCEPTUAL LANDSCAPE PLAN

ISSUED FOR / REVISION

1	19.07.16	Development Permit
2	19.07.23	Development Permit
3		
4		
5		

PROJECT NO. 19073

DESIGN BY KF

DRAWN BY KF

CHECKED BY FB

DATE JUL 23, 2019

SCALE 1:100

PAGE SIZE 24"x36"

SEAL



DRAWING NUMBER

L1/2

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SCHEDULE C

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HAP18-0005

Planner Initials **BC**

NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED CSA STANDARDS.
2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.
3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 75mm WOOD MULCH, AS SHOWN IN PLANS. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.
4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.
5. SITE GRADING AND DRAINAGE WILL ENSURE THAT ALL STRUCTURES HAVE POSITIVE DRAINAGE AND THAT NO WATER OR LOOSE IMPEDIMENTS WILL BE DISCHARGED FROM THE LOT ONTO ADJACENT PUBLIC, COMMON, OR PRIVATE PROPERTIES.

PLANT LIST

BOTANICAL NAME	COMMON NAME	QTY	SIZE/SPACING & REMARKS
TREES			
CARPINUS CAROLINIANA 'CCSQU' PP 11280	PALISADE AMERICAN HORNBEAM	2	5m CAL
LIQUIDAMBAR STYRACIFLUA 'ROTUNDILOBA'	SLENDER SILHOUETTE SWEETGUM	14	5m CAL
JUNIPERUS SCOPULORUM 'MEDORA'	MEDORA JUNIPER	2	2.5m HT.
MAGNOLIA X LOEBNERI 'MERRILL'	MERRILL MAGNOLIA	1	5m CAL.
SHRUBS			
BERBERIS THUNBERGII 'GENTRY'	ROYAL BURGUNDY BARBERRY	6	#02 CONT. /1.2M O.C. SPACING
BUXUS 'GREEN GEM'	GREEN GEM BOXWOOD	10	#02 CONT. /1.0M O.C. SPACING
CORNUS ALBA 'BAILHALO'	IVORY HALO DOGWOOD	4	#02 CONT. /1.5M O.C. SPACING
EUONYMUS ALATUS 'COMPACTA'	DWARF WINGED BURNING BUSH	2	#02 CONT. /2.0M O.C. SPACING
HYDRANGEA PANICULATA 'ABETWO'	INCREDIBALL HYDRANGEA	4	#02 CONT. /1.5M O.C. SPACING
PICEA ABIES 'NIDIFORMIS'	NEST SPRUCE	4	#02 CONT. /1.5M O.C. SPACING
ROSA 'MORDEN FIREGLOW'	MORDEN FIREGLOW ROSE	10	#02 CONT. /1.0M O.C. SPACING
TAXUS X MEDIA 'HICKSII'	HICKS YEW	4	#02 CONT. /1.5M O.C. SPACING
SPIRAEA JAPONICA 'GOLDFLAME'	GOLDFLAME SPIREA	10	#02 CONT. /1.0M O.C. SPACING
SYRINGA MEYERI 'PALIBIN'	DWARF KOREA LILAC	4	#02 CONT. /1.5M O.C. SPACING
PERENNIALS AND ORNAMENTAL GRASSES			
ACHILLEA 'GOLD PLATE'	GOLD PLATE YARROW	18	#01 CONT. /0.75M O.C. SPACING
ASTER FRIKARTII 'MONCH'	FRIKART'S ASTER	18	#01 CONT. /0.75M O.C. SPACING
CALAMAGROSTIS ACUTIFLORA 'KARL FOERSTER'	KARL FOERSTER FEATHER REED GRASS	10	#01 CONT. /1.0M O.C. SPACING
HEMEROCALLIS 'RUBY STELLA'	RUBY STELLA DAYLILY	18	#01 CONT. /0.75M O.C. SPACING
LAVANDULA ANGUSTIFOLIA 'HIDCOTE'	HIDCOTE ENGLISH LAVENDER	28	#01 CONT. /0.6M O.C. SPACING
MISCANTHUS SINENSIS 'GRACILLIMUS'	MAIDEN GRASS	10	#01 CONT. /1.0M O.C. SPACING
PENNISETUM ALOPECUROIDES	FOUNTAIN GRASS	10	#01 CONT. /1.0M O.C. SPACING
PEROVSKIA ATRIPICIFOLIA	RUSSIAN SAGE	6	#01 CONT. /1.2M O.C. SPACING
RUDBECKIA FULGIDA 'GOLDSTURM'	GOLDSTURM CONEFLOWER	5	#01 CONT. /0.75M O.C. SPACING
SALVIA NEMOROSA 'MAY NIGHT'	MAY NIGHT MEADOW SAGE	5	#01 CONT. /0.75M O.C. SPACING
SEDUM SPECTABILE 'AUTUMN JOY'	AUTUMN JOY STONECROP	5	#01 CONT. /0.75M O.C. SPACING
THYMUS PSEUDOLANGINOSUS	WOOLY THYME	28	#01 CONT. /0.6M O.C. SPACING



PROJECT TITLE

2210 ABBOTT STREET

Kelowna, BC

DRAWING TITLE

WATER CONSERVATION PLAN

ISSUED FOR / REVISION

1	19.07.16	Development Permit
2	19.07.23	Development Permit
3		
4		
5		

PROJECT NO: 19073

DESIGN BY: FB

DRAWN BY: KF

CHECKED BY: FB

DATE: JUL 23, 2019

SCALE: 1:100

PAGE SIZE: 24"x36"

SEAL



DRAWING NUMBER

L2/2

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WATER CONSERVATION CALCULATIONS

LANDSCAPE MAXIMUM WATER BUDGET (WB) = 271 cu.m. / year
ESTIMATED LANDSCAPE WATER USE (WU) = 220 cu.m. / year
WATER BALANCE = 51 cu.m. / year
*REFER ATTACHED IRRIGATION APPLICATION FOR DETAILED CALCULATIONS

IRRIGATION NOTES

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

SCHEDULE C

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HAP18-0005

Planner Initials **BC**



IRRIGATION LEGEND

- ZONE #1:** HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS
TOTAL AREA: 76 sq.m.
MICROCLIMATE: WEST EXPOSURE, PARTIALLY SHADED BY TREES & BUILDING
ESTIMATED ANNUAL WATER USE: 42 cu.m.
- ZONE #2:** HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS
TOTAL AREA: 32 sq.m.
MICROCLIMATE: EAST EXPOSURE, PARTIALLY SHADED BY TREES & BUILDING
ESTIMATED ANNUAL WATER USE: 18 cu.m.
- ZONE #3:** HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS
TOTAL AREA: 83 sq.m.
MICROCLIMATE: SOUTH EXPOSURE, PARTIALLY SHADED BY TREES & BUILDING
ESTIMATED ANNUAL WATER USE: 46 cu.m.
- ZONE #4:** LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREA
TOTAL AREA: 41 sq.m.
MICROCLIMATE: WEST EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 59 cu.m.
- ZONE #5:** LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREA
TOTAL AREA: 39 sq.m.
MICROCLIMATE: EAST EXPOSURE, PARTIALLY SHADED BY TREES & BUILDING
ESTIMATED ANNUAL WATER USE: 56 cu.m.

July 23, 2019

2210 Abbott Street

Vineyard Developments
562 101-1865 Dilworth Drive
Kelowna, BC V1Y 9T1
C/o Craig Mohr
Via email to: craig@vineyarddevelopments.com

Re: 2210 Abbott Street – Preliminary Cost Estimate for Bonding

Dear Craig:

Please be advised of the following preliminary cost estimate for bonding of the proposed landscape works shown in the 2210 Abbott Street conceptual landscape plan dated 19.07.16;

- 512 square metres (5,511 square feet) = \$64,071.00

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

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

Best regards,



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

SCHEDULE C

This forms part of application
HAP18-0005

Planner Initials BC

City of Kelowna
DEVELOPMENT PLANNING

Example of columnar trees being proposed for the landscaping along Royal Avenue streetscape



HERITAGE ALTERATION PERMIT GUIDELINES

Heritage Conservation Area

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

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

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

Intensive Residential – Two Dwelling Housing

Consideration has been given to the following guidelines as identified in Section 14.C. of the City of Kelowna Official Community Plan relating to Intensive Residential – Carriage House / Two Dwelling Housing Development Permit Areas:

INTENSIVE RESIDENTIAL – TWO DWELLING HOUSING	YES	NO	N/A
General Considerations			
Does the dwelling complement the character of the neighbourhood and the principal dwelling?		✓	
Is private outdoor space maximized for each dwelling unit?	✓		
Does lighting placement ensure safety and reduce light pollution?			✓
Are parking spaces and garages located in the rear yard?		✓	
Are impermeable surfaces minimized?	✓		
Do all street facing elevations have a high quality of design?	✓		
Are entrances a dominant feature visible from the street or lane?	✓		
Does the design consider the scale and placement of windows on building faces, projections and dormers?		✓	

INTENSIVE RESIDENTIAL – TWO DWELLING HOUSING	YES	NO	N/A
Is utility and mechanical equipment screened from view?	✓		
Do windows and outdoor areas respect the privacy of adjacent properties?		✓	
Does the building location minimize shadowing on the private open space of adjacent properties?	✓		
Does fencing or landscaping screen views of private open space on adjacent properties?	✓		
Is fencing material in keeping with that of abutting properties?	✓		
Are existing healthy mature trees and vegetation being retained?	✓		
Does the front yard landscaping use drought tolerant native plants?	✓		
Two Dwelling Housing and Accessory Building			
Does the design create a “lanescape” with a main entrance, massing towards the lane and landscaping?		✓	
Do all street facing elevations have an equal level and quality of design?	✓		
Does the exterior design and finish complement the principal dwelling?	✓		
Do the roofline, windows and façades incorporate variation to establish individual character?	✓		
Does the massing next to private open space of adjacent properties reduce the sense of scale?		✓	



Abbott Street Heritage District

Design Rationale for 2210 Abbott Street

Overview

There exists a wide variety of housing styles in the district from Victorian Revival to Moderne. Despite the diversity, there exists a commonality in the richness of styles.

The treatment of windows, expressed with vertical proportions and multiple panes created a sense of scale, in contrast with the large picture windows of today.

Architectural elements like gabled dormers and period detailing create a sense of historical provenance.

The proposed character for the duplex residence at 2210 Abbott St., is Georgian Revival. The Maclean House (1869 Maple St.) is a fine Colonial Georgian Revival example of a story and a half home. The Georgian Manor Home character more appropriately suits the proposed 2 storey facade. The Georgian Revival Manor Home is characterized by orderly and symmetrical fenestration, differing from the Colonial primarily with the cornice feature at the eaves. The style includes tall vertical, multi-paned windows and occasionally dormer windows above the cornice line.

Proposed Design

The proposed design features a 2 storey facade with the orderly and symmetrical fenestration, typical of Georgian Revival. This is evident on the lake side, and highlighted with a Georgian-style Conservatory bay, with tall, vertical, multi-paned windows.

On the Royal Avenue side, the same orderly symmetry is proposed with the inset porch at the base and the gabled dormers above. The length of the facade features a glazed stairwell - tall vertical multi-paned windows with wide mullions and casings. This feature is clad in stone much like the JoeAnna's House, to break-up the length of the facade.

The house features a strong rusticated base, to "ground" the building and to provide scale to the 2 storey facade, much like the ground floor of the Strathcona Building.

The architectural detailing is a critical element of the design:

- The style and character of the windows harkens to the past with multiple panes, vertical proportions, structural mullions and wide casings.
- The proportions of the cornice are significant, to be in scale with the building.
- Balconies and terraces feature decorative, historical styled metal railings, broken-up with solid wainscot-style panels.
- Individual gabled dormers feature mullion windows create a more intimate scale than a single large dormer.
- While Georgian Manor Homes often have a shallow roof, the steeper and more prominent roof element is more in keeping with this historical district.
- The use of transom and sidelight windows, as exemplified in the Maclean House.
- An arched multi-paned window is featured on Royal Ave., typical of many craftsman style homes on Abbott St.

Attached are proposed elevations with the above comments noted.

Urban Context: Scale, Massing & Streetscape

OVERVIEW

The Abbott Street historical provenance is a key factor directing the design. The urban context and streetscape are also important considerations.

This site has 2 such characteristics to consider in contextually fitting into the neighbourhood.

MASSING

The larger massing of 2 homes should fit in with the scale of the neighbourhood. While referencing Georgian Revival, specifically the style of the Georgian Manor Home (see example), which combines larger massing with a historical character, was the inspiration for this design.



The distinctive roof cornice, hip roof, dormers and symmetrical fenestration are defining features. The ‘blocky’ massing, however, would be contextually over-scaled for this location.

The building should be in-scale with the street, however, articulation of the facade requires a departure from the traditional style,. Articulation of the mass includes setting back part of the second floor, projection with a covered entry and focal architectural elements.

STREETSCAPE

This site is unique in that it has 2 street-fronts - Abbott Street and Royal Avenue. While Abbott Street is the principal street-front, Royal Avenue is the larger frontage and has the dominant building exposure. (Refer to attached Streetscape illustrations)

Abbott Street

The Accessory building, as noted in the historical report (by ANCE) follows the ‘average building setback’ from Abbott Street. While this is not the principle residence, it should address the street with a visual ‘front door’ to Abbott Street. This important as the principal residence is not as visible front Abbott Street and has its entrance fronting Royal Avenue.

Royal Avenue

This can be considered the principal elevation. While a typical elevation along Abbott Street may be 40 ft.+ in width, this facade is double that width. The passerby should not be visually over-whelmed by the length and scale.

The length of the building is visually scaled-down with articulation of the mass and introducing architectural elements and composition. The 82 ft. length of cornice at the roof is visually interrupted with the stairwell, which provides a vertical architectural element to balance the long facade. The double height arrangement of windows provide a visual 'lightness' to the facade, breaking up the solid wall.

The adjacent symmetrical composition of entrance, 2nd floor terrace, curved window-head and dormers create a focal point and order to the elevation. As one proceeds towards the lake, the corner bay window visually 'wraps-around' to the lake front elevation.

OVERVIEW

New homes in this district need to complement its historical provenance. While there is a wide range of styles, representing different eras, there is a sense of individuality to the homes.

Styles of historical revival depart from the original styles they mimic by reflecting regional differences, local materials, and personal tastes of the home owners. A Georgian revival may contain craftsman features or Victorian elements. Though not historically accurate, the resulting designs are reflective of the local residents and create unique neighbourhoods.

The quality of construction, materials and attention to details are equally important in maintaining the character of the Abbott Street Historical District.

The importance of streetscape, scale and massing are critical to a pleasant, walkable environment. While maintaining a historical character, scale, massing and articulation of a building also strongly contributes to how it fits into the neighbourhood.



← ABBOTT STREET

ROYAL AVENUE STREETSCAPE (WITH FENCING & SCREENWALL)
SCALE = 1:200

LAKE →



ABBOTT STREET STREETSCAPE

→ ROYAL AVENUE

ATTACHMENT C

This forms part of application
HAP18-0005

Planner Initials **BC**



City of **Kelowna**
DEVELOPMENT PLANNING

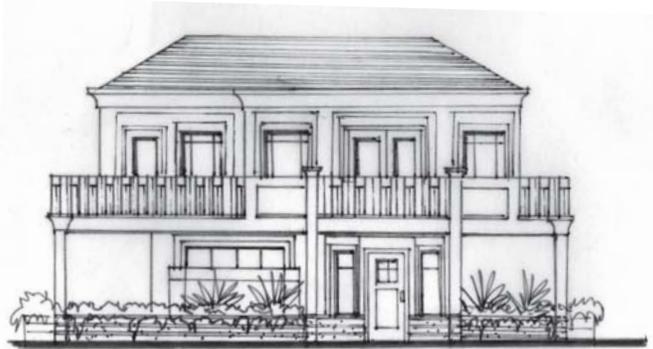
Incorporation of the Heritage Report Recommendations

*This addition to the design rationale should be reviewed in concert with the original **Design Rationale for 2210 Abbott Street** document.*

The Heritage Report provides recommended strategies and design options on the last page of the report. They address the Abbott Street and Royal Avenue elevations. The design will be adapted to incorporate these recommendations:

Abbott Street Elevation

Abbott Street is the primary street and the elevation will be revised to adopt **all of the recommended strategies**. These include introducing symmetry, scaling down entrance pilasters, and removing elements that disrupt the roofline.



Royal Avenue Elevation

The Abbott Street Heritage District is characterized with abundant trees and landscaping, which creates a sense of place and integrates the homes into their sites.

There is a concerted effort to provide symmetry on the principal portion of this elevation at the entrance. The dormers, 2nd floor glazing and terrace are aligned to provide this. The enhancement of the landscaping with more trees to frame this symmetry will provide a focus on this elevation, and provide a visual calming of the stairwell.

On a typical site, the depth of the home would not be seen from the street. As this is a corner site, this becomes visible and important. The landscaping provides a human scale to this long elevation, while also providing a visual focus and integration with the site..





ATTACHMENT C

This forms part of application
HAP18-0005

Planner Initials

City of Kelowna
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ATTACHMENT C

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ATTACHMENT **C**

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Planner
Initials BC



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

March 29, 2019

To whomever it may concern,

RE: Vineyard Developments Ltd. Rebuild Proposal at 2210 Abbott Street - Kelowna

This report is to comment on the appropriateness of the proposed rebuild at 2210 Abbott Street, a property within the Abbott Street Heritage Conservation Area. The below observations consider the proposal's alignment with both the HCA's Guidelines for new development as well as with the Standards & Guidelines for the Conservation of Historic Places in Canada.



left: Architectural drawing of the proposed new carriage house - Abbott Street elevation.

Below: Architectural drawing of the proposed new carriage house and main house - Royal Avenue elevations.

source: Richard Chow Architect



Brief history of development

The lower area of Abbott Street, from Park Avenue south, was first developed in the 1920s. This was part of the expansion of Kelowna’s residential district south from Mill Creek during Kelowna’s 1920s construction boom. The expansion included the extension of Abbott Street, which on the eve of World War I, essentially ended at Park Avenue. By the 1930s, the southern blocks of Abbott were gaining a reputation as an exclusive, lakefront area and continued to be filled out into the early 1940s.

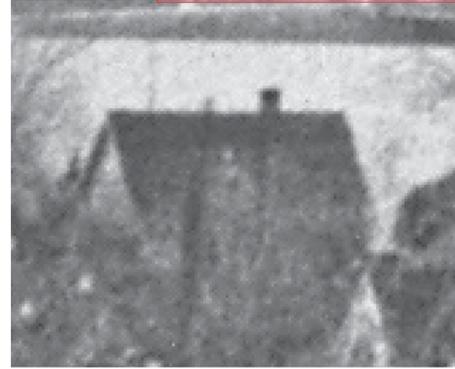
The first two properties in the 2200 block were constructed in the 1930s at 2210 and 2228 Abbott. These houses presented a uniquely small block, as they were the only two homes in the 2200 block of Abbott flanked by Royal and Strathcona Avenues in the 30s and 40s. The third house at 2248 Abbott was added in the 1950s.

The below photograph, of the construction of Block B of the Kelowna General Hospital in 1968, shows a glimpse of the original house built in the 1930s on the subject property, alongside its neighbour which still stands today at 2228 Abbott.



Kelowna Public Archives # 2767, March 1968

The original 1930s house on the subject property, its roofline visible in a crop from the 1968 photo (right), was demolished in 1985. It appears to have faced Royal Avenue and to have had a small detached garage accessed by a curved driveway from Royal Avenue (see aerial on page 6).



Right: partial view of 2210 Abbott Street, constructed in 1930s.
 Source KPA #2767

The house that replaced it, (pictured below), was constructed that same year and was considered an 'early suburban' style house on the Style Register list the Abbott Street & Marshall Street Heritage Conservation Areas Development Guidelines (Appendix D - 1997). This second house to be built on the property was demolished in 2015.



2210 Abbott Street, 1985-2015, Royal Avenue elevation. Source: Google Streetview 2014



2210 Abbott Street, 1985-2015, Abbott Street elevation. Source: Google Streetview 2014

The property next door at 2228 Abbott Street, the only adjacent building, was constructed in the 1930s on a double lot, and is considered a 'late arts & crafts' style on the above mentioned Style Register list. From a historic architecture perspective however, its style aligns more with the English Cottage Revival design of the 1930s with its informal character, multiple low-pitched gable roofs, deep set back on the lot and curved driveway. Although we only have a very partial view of it, the first 1930s house at 2210 Abbott with its side-gabled roof, tall chimney, large front yard and curved driveway, was also most likely a Revival style house.



Above: current photographs of 2228 Abbott Street, constructed in the 1930s.
 Source: Google Streetview

Evaluating heritage values and significance

From the late 1930s to the 1960s, 2210 Abbott was the home of Stan A. and Joyce F. Underhill. Dr. Ambrose Stanley "Stan" Underhill was one of the pioneer doctors of Kelowna. He arrived in Kelowna in 1927 to join Dr. B.F. Boyce, the Okanagan's first doctor. In 1934, he opened his own office at 463 Bernard Avenue and this eventually became the Underhill Clinic which had a new building constructed at 1635 Abbott St. in 1956 where it remained until 1994.

Born in Moline, Manitoba, in 1897, Stan Underhill grew up and went to school there. His father had originally homesteaded there, and the farm still remains with the Underhill descendants. Dr. Underhill joined the Canadian forces during the First World War, and went overseas early in 1917, transferring to the Royal Flying Corps where he served as a scout pilot. Following the war, he returned to Canada. Dr. Underhill arrived in Kelowna in June of 1927, after completing his medical training. In 1930, he married Joyce McLeod of Grand Forks. Joyce was the employed at P.B. Willits' drug store. She had been encouraged to move to Kelowna by her

brother, Carson McLeod of the Royal Bank. The Underhills had two daughters: Mrs. R. Ensign (Doreen) and Mrs. R.J. Bennett (Lois), Both of Kelowna, and eight grandchildren.

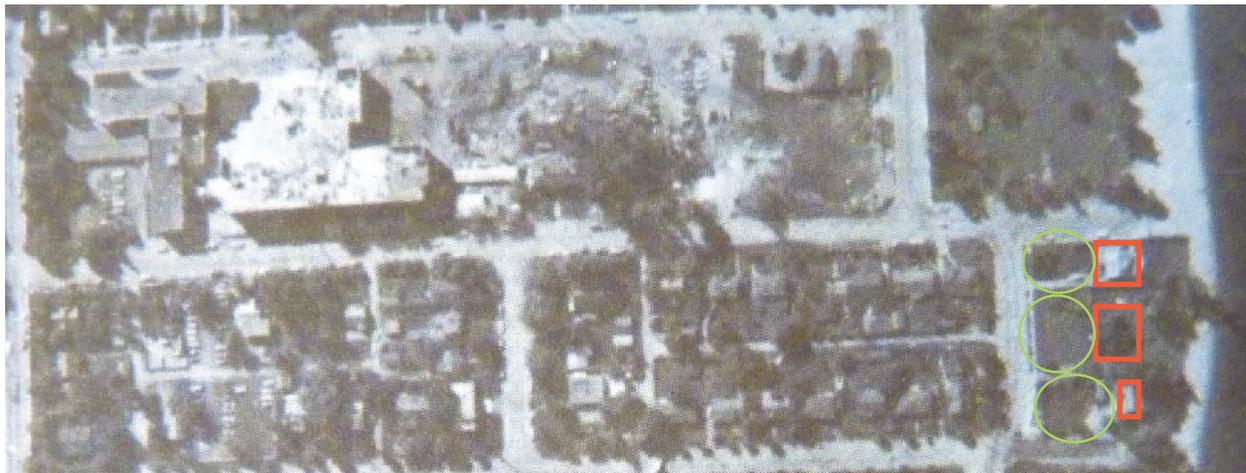
In 1941, Dr. Underhill joined the RCAF as a medical officer, and served at various posts throughout western Canada. Dr. W.F. Anderson had joined him in practice in 1938, and maintained both practices until he returned in 1944. Dr. Underhill retired from practice in 1967.

Stan Underhill was an active member of the community. He served as president of the Kelowna Gyro Club, president and director of the Kelowna Golf and Country Club, director of Calona Wines Ltd. and was a member of St. George's Lodge AF and AM. During the exciting years of Kelowna's hockey team, the famous Kelowna Packers, he was their team doctor, and travelled with them even to the U.S.S.R. In addition, Dr. Underhill was an honorary member of the College of Physicians and Surgeons of British Columbia and served as its president in 1952. Underhill Street in Kelowna is named for this family.

Recommendations and strategies to inform the design of the new build

Siting From the Abbott Street Heritage Conservation Area Guidelines: “Maintain the established front yard setback by placing additions and new constructions within 10% of the adjacent or average building setback.”

The historic siting for dwellings along the immediate lake-facing blocks of Abbott Street was deeper set into the property leaving a prominent front yard, as per the only relatively integral property at 2228 Abbott Street and the below 1968 aerial. The houses are outlined in red and the front yards are circled in green.

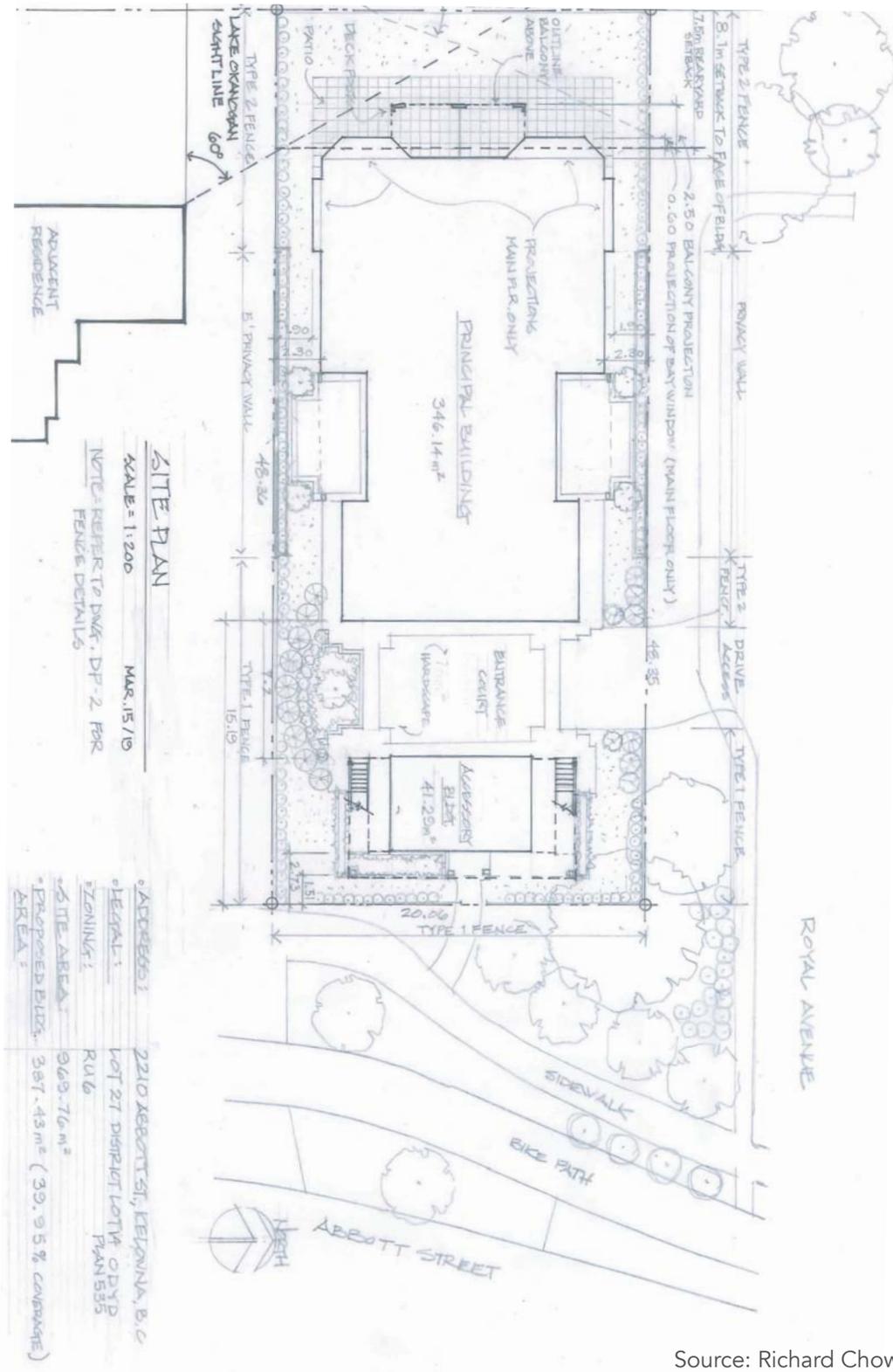


Aerial of Kelowna, September 9, 1968. Source: KPA 2005.042.214

However, development in recent years has allowed for the fronts of the properties to be developed and in many cases, accessory and garage buildings have been constructed on the historic front yards. As this is the case for most of the properties in the 2100 block, and was the case for the subject property from 1985 to 2015, the subject proposal with two buildings and a carriage house sited close to the Abbott Street property line would follow the ‘average building setback’.



Proposed site plan



Source: Richard Chow Architect

House style

From the Abbott Street Heritage Conservation Area Guidelines:

“The dominant architectural style for the streetscape should prescribe the style of new buildings while the established patterns prescribe scale, massing and streetscape relationships...compatible with the form and character of the existing context. However, it is not required that the architectural style of new buildings be consistent with the dominant style of the block.”

The chosen traditional style which inspires the proposed new build is Georgian Revival. Although this is not a common architectural style within the HCA, the historic development period of the subject block as well as the style of the adjacent house at 2228 Abbott align with the 1930s trend for Revival house styles. A 1930s inspired Revival style design is thus an appropriate reference point for a new build design.



left: Georgian Revival style house illustration. Source: Vancouver Heritage Foundation

The Georgian Revival design is part of the family of the Classical/Colonial Revival designs that were popular in the 1930s; specifically it has a more formal character than the Romantic Revival family (English Cottage, Tudor, Spanish etc.) and tends to feature symmetrical elevations. The above illustration from the Vancouver Heritage Foundation’s Interactive Encyclopedia of Traditional House Styles shows the style’s typical hip roof, central entrance and symmetrical fenestration pattern on a typical Georgian Revival facade.

The visible elevations of the proposed new build which would impact the streetscape character in the HCA are the Abbott Street and Royal Avenue elevations of the carriage house, and the Royal Avenue elevation of the main house. Both will be reviewed here for their alignment with the Abbott Street Heritage Conservation Area Guidelines as well as with Canadian Standards & Guidelines for the Conservation of Historic Places,.

Proposed new build - carriage house - Abbott Street elevation



The above proposed elevation will be highly visible to the public and impact the character of the immediate Abbott Street streetscape. There is no question that the design appears inspired by traditional architectural but the elevation composition contains elements from several historic styles, some of which are disproportionate in size or placement - thus resulting in a confusing design statement. These are:

1. The several inconsistent window styles and dimensions on this single elevation, an approach that is not in keeping with the Georgian Revival style which features one consistent window size and style per elevation or storey. Georgian Revival windows would typically be double-hung, rectangular windows. Often the windows would be multi-paned with equal light size and proportions.
2. The columns and pilasters in a variety of dimensions is not used in the Georgian Revival design. The ground level columns are oversized for the style. Entrance columns typically frame the main entrance opening. The upper storey pilasters piercing the roofline is not correct for the style either.
3. Seconds storey balconies are very uncommon in the Georgian Revival style, and if present, are usually contained to the roof above the front entrance.
4. Most importantly, the symmetry typical of Georgian Revival elevations (or other Classical Revival styles) is completely absent here.

Summary - The design of this elevation conflicts with both the HCA Design Guidelines as well as with national standards & guidelines in that additions to historic places (which is what this new build is) should not combine elements from several traditional architectural styles.

Proposed new build - carriage house - Royal Avenue elevation

The below proposed elevation will be highly visible to the public and impact the character of the immediate Abbott Street streetscape. The elevation itself is relatively symmetrical and balanced with both windows and columns in consistent dimensions and a clear, uninterrupted hip roofline - all important features of the Georgian Revival style.



Proposed new build - main house - Royal Avenue elevation



The above proposed elevation will be highly visible to the public and impact the character of the immediate streetscape. The design appears inspired by traditional architectural but the elevation composition contains elements from several historic styles, some of which are disproportionate in size or placement - thus resulting in a confusing design statement:

1. There are several inconsistent window styles and dimensions on this single elevation, an approach that is not in keeping with the Georgian Revival style which features one consistent window size and style per elevation or storey. Georgian Revival windows would typically be double-hung, rectangular windows. Often the windows would be multi-paned with equal light size and proportions.
2. The "Giant order" 2.5 storey pilasters framing a glazed curtain-wall is an overbearing, temple-like motif that has no precedent in historic Kelowna houses or residential neighbourhoods. It disrupts the potential symmetry of the remaining portions of this elevation and adds a grandiose character to the building's massing which is already taller and denser than the previous buildings on the site.
3. Pilasters disrupting the roofline is not correct for the style.
4. Most importantly, the symmetry typical of Georgian Revival elevations (or other Classical Revival styles) is completely absent here.

Summary - The design of this elevation conflicts with both the HCA Design Guidelines as well as with national conservation standards & guidelines in that additions to historic places (which is what this new build is) should not combine elements from different architectural styles. This elevation illustrates a jumble of historic references that bear little or no resemblance to the Georgian Revival style it purports to be: Colonial Revival dormers, over-scaled Greek Revival elements, and a range of window types and sizes ultimately creating confusion. Lacking is the simple, straight forward symmetry and balance found in the style to which the proposed design supposedly refers to.

Summary of conflicts with HCA and Canadian conservation guidelines

“New development should be compatible with the form and character of the existing context” (HCA) - the current design for the main house, Royal Avenue elevation, is too grandiose for the immediate character of the surrounding blocks in its dense massing and some of its over-scaled architectural elements.

“Larger buildings should use architectural design techniques to reduce the apparent massing and emulate the established neighbouring building massing.” (HCA) - Although the Royal Avenue elevation is expressed in sections which could help reduce the overall mass, there is not one focal section which could distract the eye from the rest of elevation. Instead it reads as a collection of competing feature elements.

“Roof form complexity, roof line silhouette, and the use of secondary elements (dormers, gables, chimneys, etc.) should be consistent with the building style.” (HCA) - both the Royal and Abbott elevations lack symmetry and do not respect the integrity of the hip roofline in the Georgian Revival (or Colonial Revival) style. The design mixes influences from several traditional styles.

“Make new additions physically and visually compatible with, subordinate to and distinguishable from the historic place.” (Canadian Standards for Conservation) - the proposed design is not compatible with nor subordinate to its historic area.

Recommended strategies and design options to better reflect the character defining elements of the subject property’s

Tone down the Royal Avenue elevation by removing the three storey curtain wall, reducing the amount and size of window openings and introducing some calming symmetry. Do not interrupt the rooflines.

Adjust the Abbott Street elevation by introducing symmetry, scaling down the entrance pilasters (traditionally to the top of the entrance porch roofline) and removing elements that disrupt the roofline.

The goal is not to imitate a 1930s Georgian Revival house but to take inspiration from traditional architecture proportions, forms and elements while proposing a distinguishably contemporary dwelling. The subject proposal is no doubt distinguishable from authentic historic designs, but misses the mark in being compatible with and subordinate to its historic surroundings for its grandiose scale and features, and for its lack of compatibility or linkage to a single identifiable traditional style.



Elana Zysblat, heritage consultant - BCAHP

REPORT TO COUNCIL



Date: October 22, 2019
To: Council
From: City Manager
Department: Development Planning
Application: HAP19-0011
Address: 440 Cadder Avenue
Subject: Heritage Alteration Permit
Owner: Anita Catherine Fee & Leanne Marie Hopegood
Applicant: Gerald W. Fee

1.0 Recommendation

THAT Council authorizes the issuance of Heritage Alteration Permit No. HAP19-0011 for Lot 6 Block 8 District Lot 14 ODYD Plan 348 Except Plan 10478, located at 440 Cadder 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";

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted as show on Schedule "A":

Section 13.1.6(e): RU1 – Large Lot Housing Development Regulations

To vary the required minimum rear yard from 7.5 m permitted to 4.57 m proposed.

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

2.0 Purpose

To consider the form and character of a proposed addition to a secondary suite in a single detached house and to vary the minimum rear yard on the subject property.

3.0 Development Planning

Development Planning staff support this application for an addition to a single detached house with a variance to the required rear yard to increase the space in an existing secondary suite. The form and character of the proposed addition is aligned with the Early Suburban architecture of the existing house. The proposed

addition also fits within the context of the neighbourhood and will not impact the Cadder Avenue façade. The requested variance at the rear is proposed to be mitigated through landscaping and screening.

4.0 Proposal

4.1 Project Description

The applicant is proposing a 16.35 m² addition to a single detached house towards the rear of the subject property. The applicant is seeking the addition to expand the living space in an existing secondary suite. The proposed addition would change the roofline from sloping downward towards the rear property line to an open gable roof, which is consistent with the architecture of the existing house. The exterior façade of the addition is intended to match the façade of the existing house, with white Hardie Board siding to be used. The shingles are to match the existing shingles, and the suite’s existing bay windows are to be reused.

Variance

The proposed addition would extend into the required rear yard of the subject property; therefore, a variance to the required minimum rear yard from 7.5 m to 4.57 m is being requested. The addition would be visible from Doryan Street but not from Cadder Avenue. Existing landscaping and fencing on the north property line is to be retained beside the proposed addition.

4.2 Site Context

The subject property is located within the Abbott Street Heritage Conservation area but is not included on the Heritage Register. The dwelling is in the Early Suburban building style as per the Abbott Street Conservation Area Map below. The subject property is zoned is RU₁ – Large Lot Housing and the Official Community Plan Future Land Use designation of the subject property is S₂RES – Single / Two Unit Residential. The surrounding area is characterized by single family residential development.

Abbott Street Conservation Area Map



Subject Property Map:



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU ₁ ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Maximum Height	9.5 m / 2 storeys	6.7 m / 1 storey
Minimum Front Yard	6.0 m	14.2 m
Minimum Side Yard (west)	2.0 m	±19.0 m
Minimum Side Yard (east)	2.0 m	4.4 m
Minimum Rear Yard	7.5 m	4.57 m ❶
❶ Indicates a requested variance to the minimum required rear yard.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 16: Heritage Conservation Area Guidelines

Objectives:

Encourage new development, additions and renovations to existing development which are compatible with the form and character of the existing context.

6.o Application Chronology

Date of Application Received: July 17, 2019

Date Public Consultation Completed: July 23, 2019

Heritage Advisory Committee: September 19, 2019

The above noted application was reviewed by the Heritage Advisory Committee at the meeting held on September 19, 2019 and the following recommendations were passed but have not yet been adopted:

THAT the heritage alteration permit HAP19-0011 be recommended to Council for approval.

The following anecdotal comments from the Heritage Advisory Committee were provided:

- *The committee recommends reusing as much of the cedar siding as possible and encourages the milling of new cedar to match the existing cedar versus using Hardie Board siding.*

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 Permit HAP19-0011

Attachment B: Heritage Guidelines Checklist

Heritage Alteration Permit

HAP19-0011



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

440 Cadder Avenue, Kelowna, BC

and legally known as

Lot 6 Block 8 District Lot 14 ODYD Plan 348 Except Plan 10478

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

Single Family Dwelling with Secondary Suite

with variances to the following sections of the Zoning Bylaw 8000:

Section 13.1.6(e): RU1 – Large Lot Housing Development Regulations

To vary the required minimum rear yard from 7.5 m permitted to 4.57 m proposed.

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

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

Date of Decision:

Decision By: City Council

Issued Date:

Development Permit Area: Abbott Street Heritage Conservation Area

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

Existing Zone: RU1 Future Land Use Designation: S2RES

This is NOT a Building Permit.

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

NOTICE

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

Owner: Anita Catherine Fee & Leanne Marie Hopegood

ATTACHMENT A

This forms part of application
HAP19-0011

Planner Initials AJ



City of Kelowna
DEVELOPMENT PLANNING

Terry Barton, Development Planning Department Manager
Community Planning & Strategic Investments

Date

1. SCOPE OF APPROVAL

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

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

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

2. CONDITIONS OF APPROVAL

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

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted as show on Schedule "A":

Section 13.1.6(e): RU1 – Large Lot Housing Development Regulations

To vary the required minimum rear yard from 7.5 m permitted to 4.57 m proposed.

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

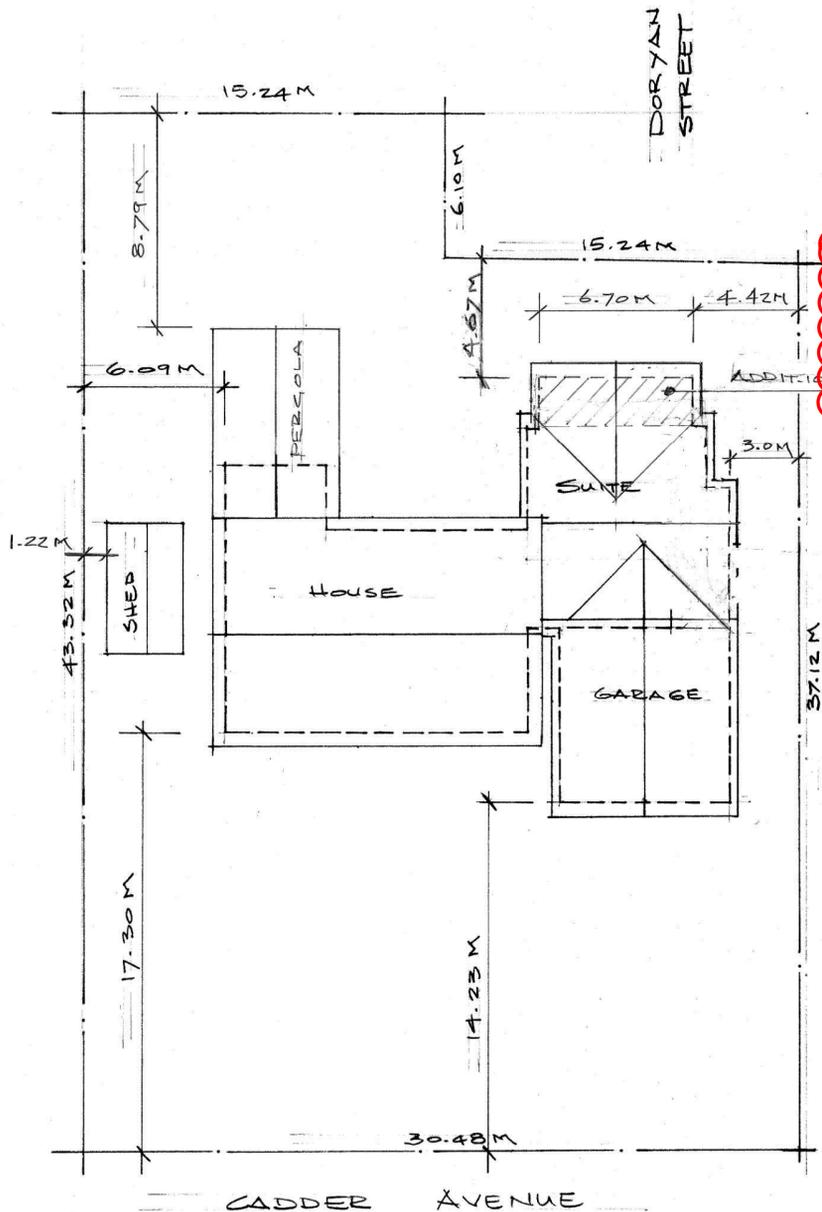
3. INDEMNIFICATION

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.

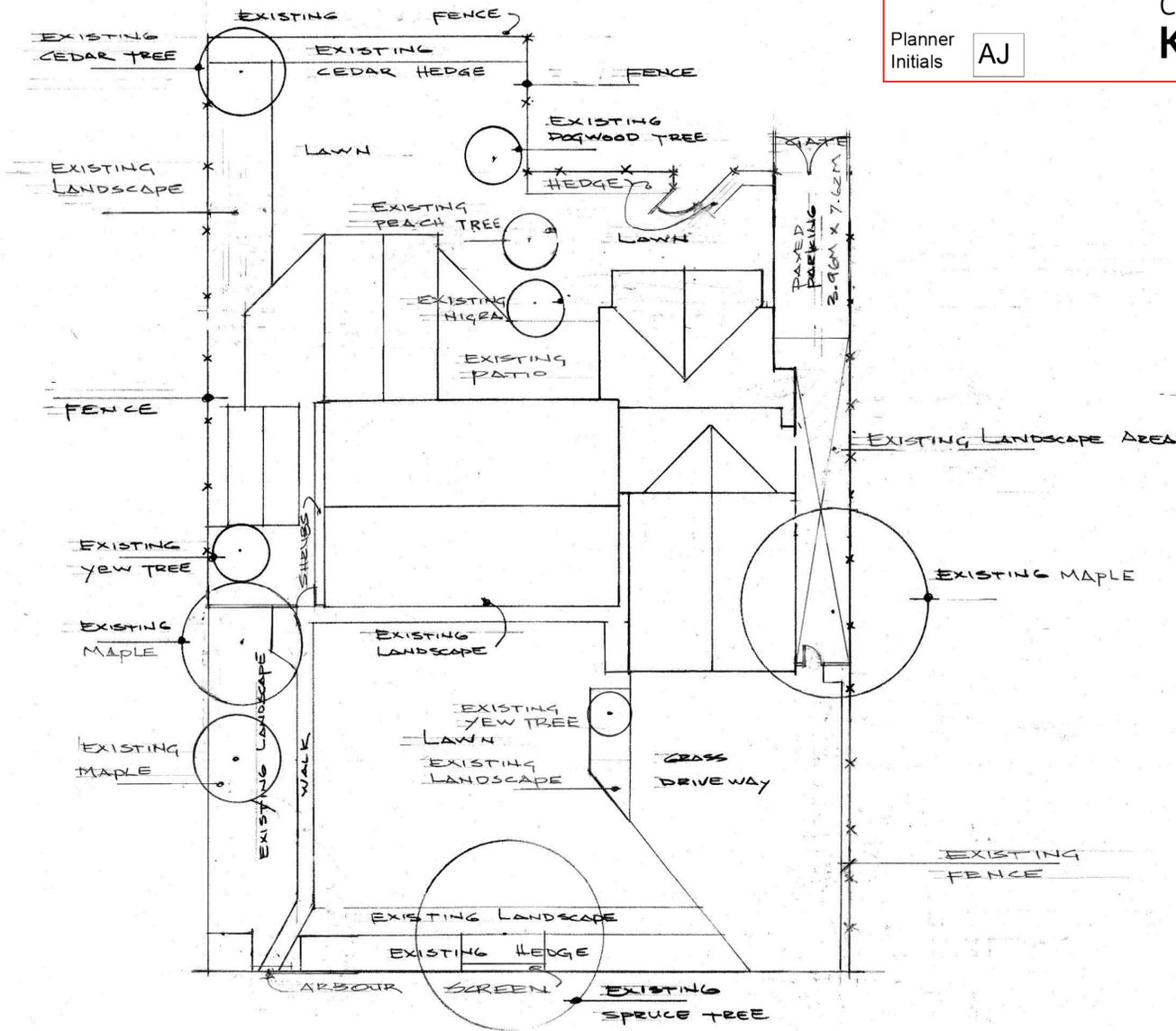
**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or their designates.**



440 CADDER AVENUE
LOT 6, BLOCK B, PLAN 348
EXCEPT PLAN 1047B

SITE PLAN
SCALE: 1:200

SITE AREA - 1227.43 m²
HOUSE - 111.85 m²
SUITE - 65.58 m² + 16.35 m² = 81.93 m²
GARAGE - 46.16 m²
SHED - 18.39 m²
PERGOLA - 25.39 m²
SITE COVERAGE - 283.72 / 1227.43 = 23.11%



LANDSCAPE PLAN

SCALE: 1:200
PATIO - 50.54 m²
WALKS - 60.16 m²
PARKING - 22.30 m²
TOTAL - 133 m²
TOTAL SITE COVERAGE
283.72 + 133 = 416.72 / 1227.43 = 34%

SECONDARY SUITE
ADDITION
440 CADDER AVENUE

SHEET 1 of 3

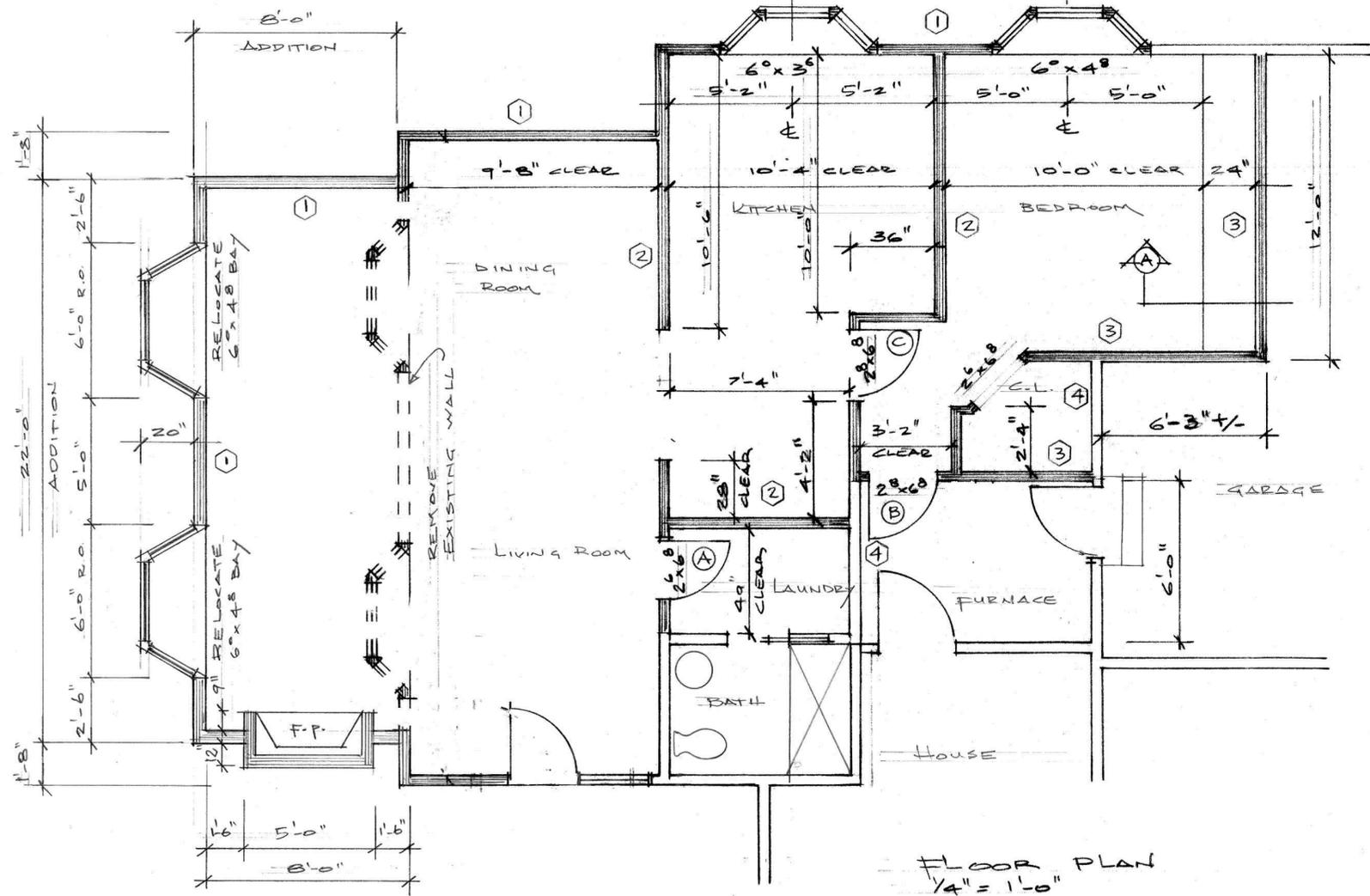
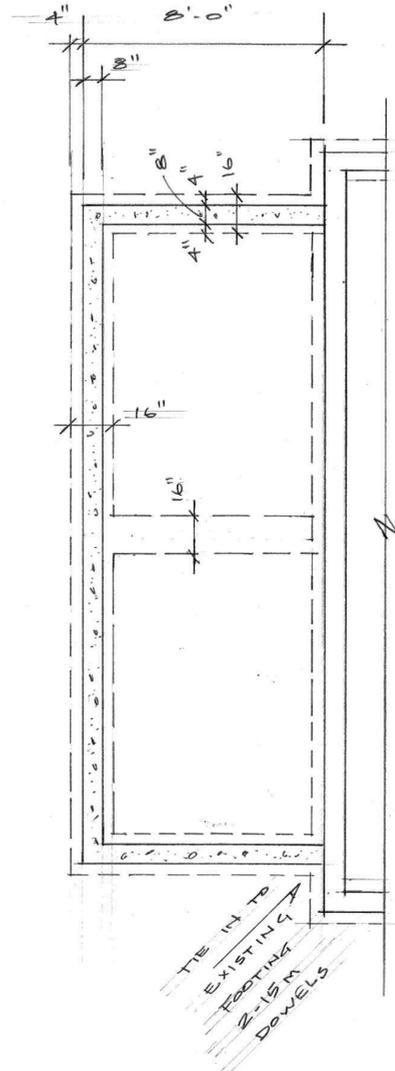
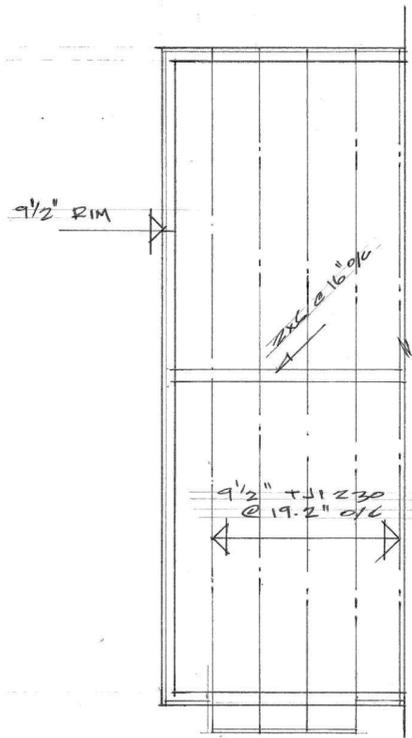
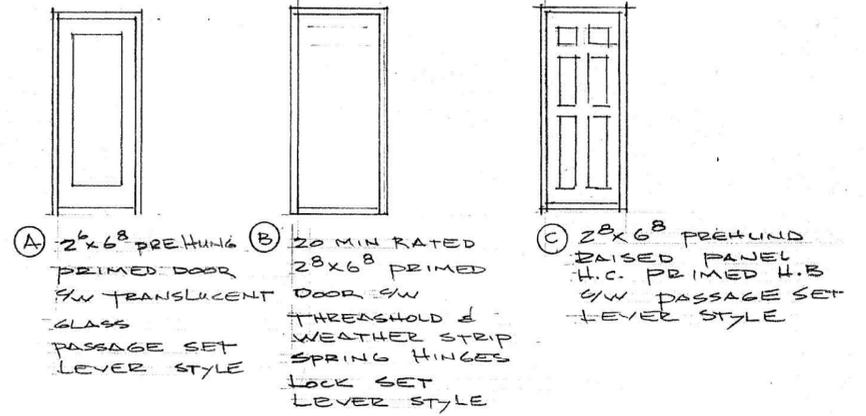
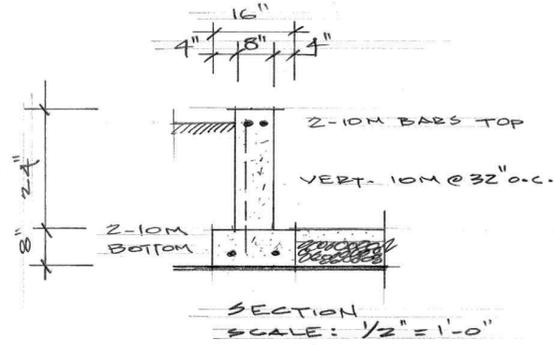
SCHEDULE A

This forms part of application
HAP19-0011



City of
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DEVELOPMENT PLANNING

Planner
Initials **AJ**



EXISTING - 706 S.F.
ADDITION - 176 S.F.
TOTAL - 882 S.F.

SECONDARY SUITE
ADDITION

SCHEDULE

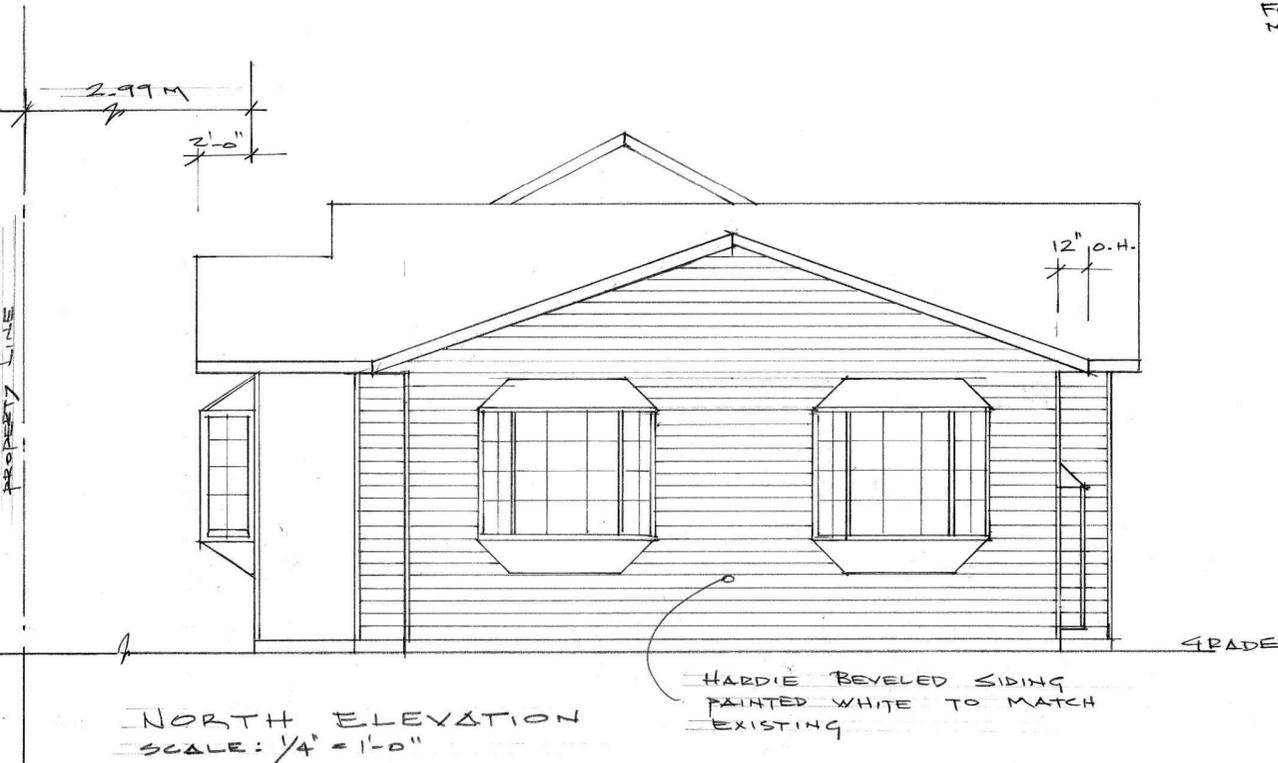
B

This forms part of application
HAP19-0011

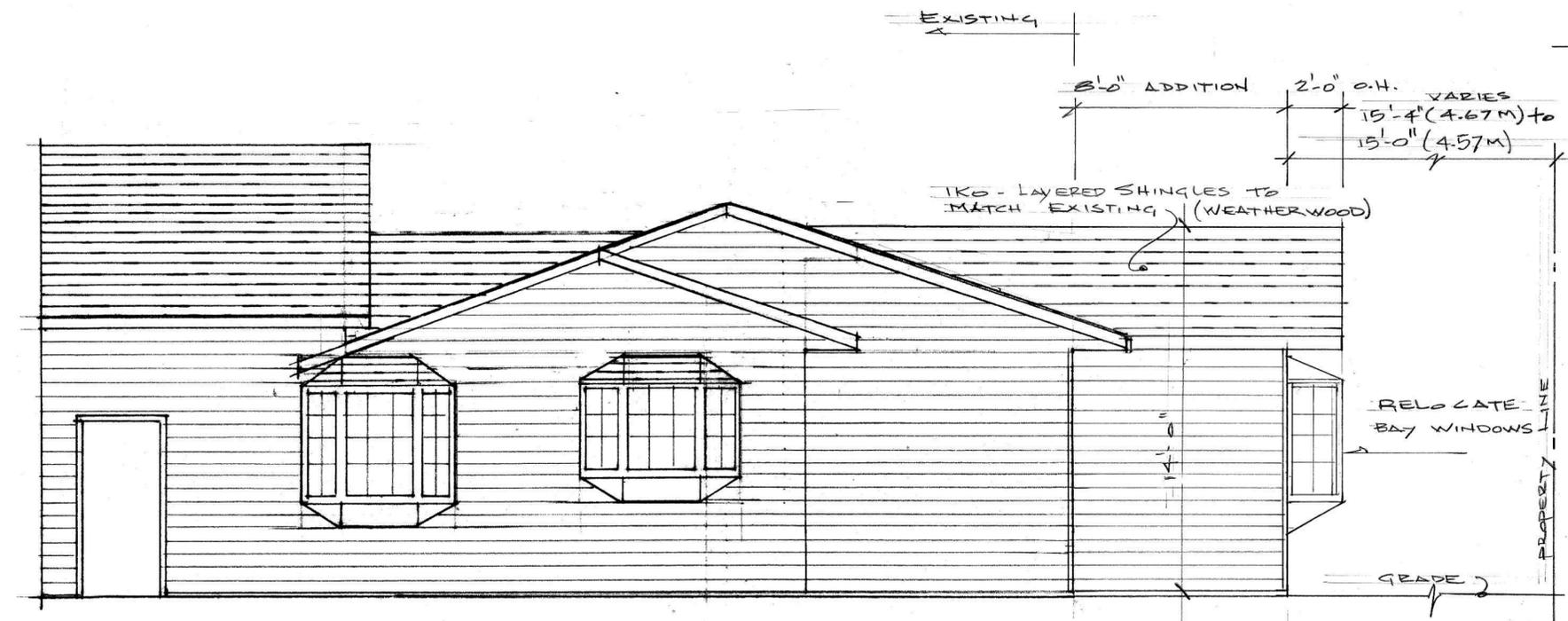
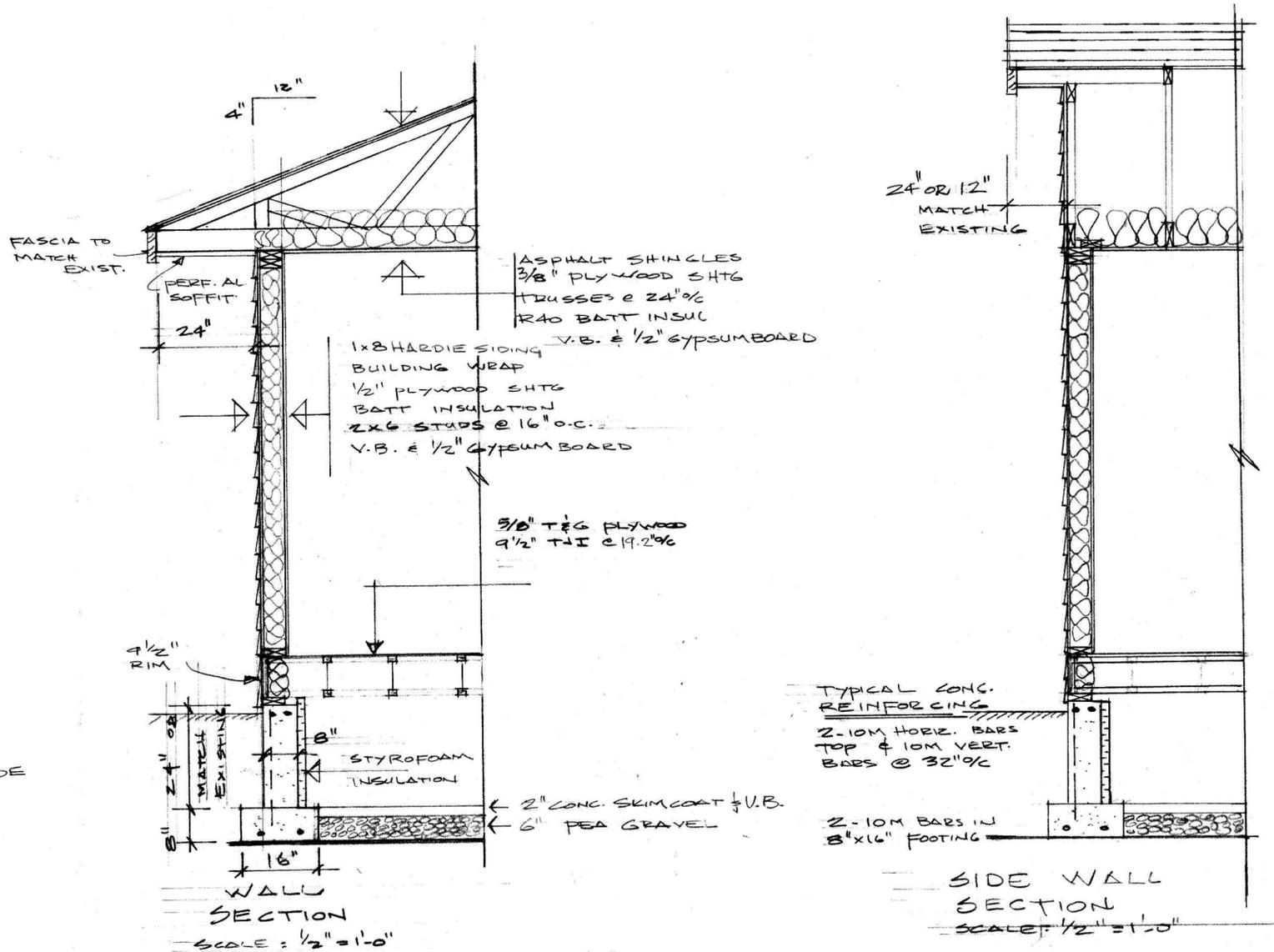


City of
Kelowna
DEVELOPMENT PLANNING

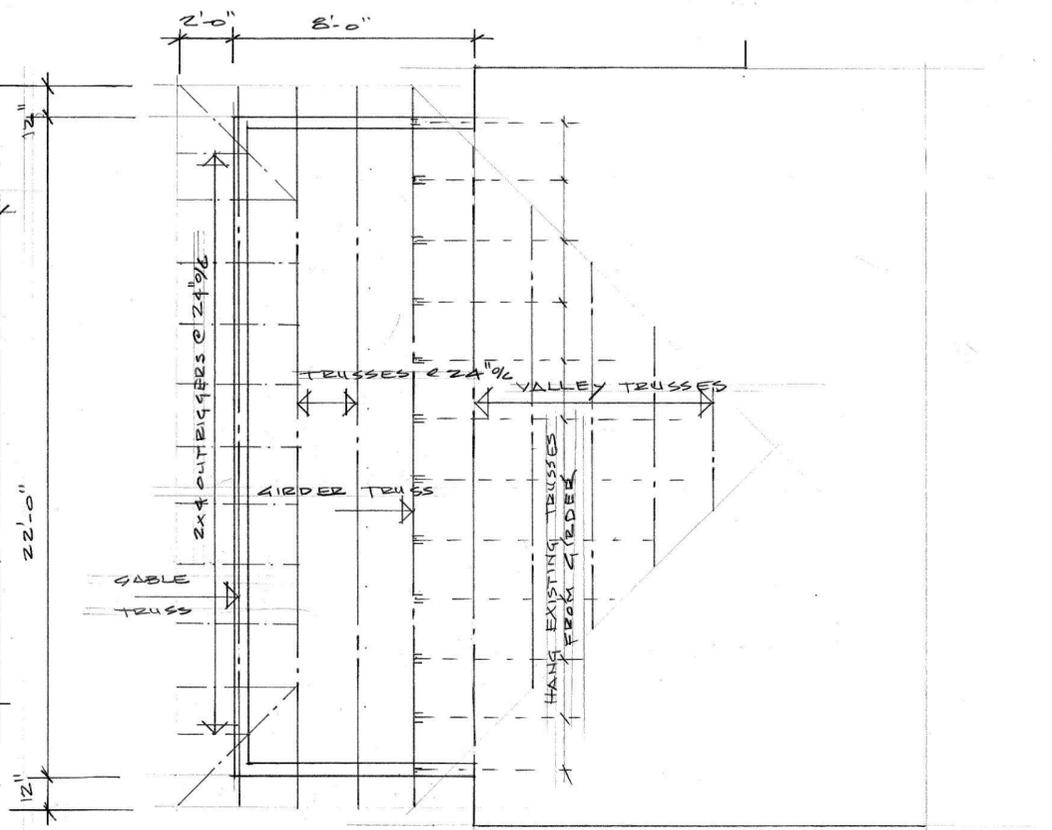
Planner
Initials **AJ**



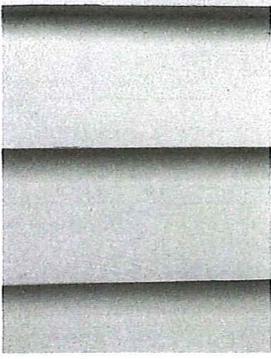
NORTH ELEVATION
SCALE: 1/4" = 1'-0"



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



ROOF FRAMING PLAN
SCALE: 1/4" = 1'-0"



WALL FINISH
1x8 HARDIE
SIDING - PAINTED
WHITE TO MATCH
EXISTING.



ROOFING -
1x0 LAYERED
SHINGLES TO
MATCH
EXISTING



EXISTING NORTH
ELEVATION OF
SUITE. ADDITION
TO LOOK SIMILAR.



NORTH PROPERTY
LINE AT SUITE.
FIVE FOOT BLACK
CHAIN LINK
FENCE & EIGHT
FOOT CEDAR
HEDGE.



EXISTING BAY
WINDOWS TO
BE RELOCATED
TO ADDITION



VIEW OF SUITE
FROM NORTH

SCHEDULE **B**

This forms part of application
HAP19-0011

Planner
Initials **AJ**





Heritage Guidelines



Subject: HAP19-0011, Cadder Avenue 44

1.0 Heritage Conservation Area Guidelines (Kelowna Official Community Plan Chapter 16)

Objectives:

- Maintain the residential and historical character of the Marshall Street and the Abbott Street Heritage Conservation Areas;
- Encourage new development, additions and renovations to existing development which are compatible with the form and character of the existing context;
- Ensure that change to buildings and streetscapes will be undertaken in ways which offer continuity of the 'sense-of-place' for neighbours, the broader community; and
- Provide historical interest for visitors through context sensitive development.

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

HERITAGE CONSERVATION AREA	YES	NO	N/A
Site Layout and Parking			
Are established front yard setbacks maintained within 10% of neighbouring building setbacks?			✓
Are parking spaces and garages located in the rear yard?	✓		
Are established building spacing patterns maintained?	✓		
Are accessory buildings smaller than the principal building?	✓		
Building Massing			
Is the established streetscape massing maintained?	✓		
Is the massing of larger buildings reduced?			✓
Roof Forms, Dormers and Chimneys			
Is the roof pattern in keeping with neighbouring buildings?	✓		
Are high quality, low maintenance roofing materials being used?	✓		
Are the roofing materials similar to traditional materials?	✓		
Are the soffit, overhang and rain water drainage features in keeping with the building's architectural style?	✓		

HERITAGE CONSERVATION AREA	YES	NO	N/A
Do secondary roof elements have a similar pitch as the principal roof?	✓		
Cladding Materials			
Are low maintenance building materials being used?	✓		
Are the building materials similar to traditional materials?	✓		
Are exterior colours in keeping with the traditional colours for the building's architectural style?	✓		
Doors and Windows			
Are established window placement, style and window-to-wall area ratios maintained?	✓		
Are the door and window design details consistent with the building's architectural style?	✓		
Landscaping, Walks and Fences			
Are existing healthy mature trees being retained?	✓		
Is the front yard landscaping consistent with neighbouring properties?	✓		
Is street facing fencing or screening landscaping no more than 1 m in height?		✓	
Privacy and Shadowing Guidelines			
Are there clear sightlines from the street to the front yard and dwelling?		✓	
Does the building location minimize shadowing on the private open space of adjacent properties?	✓		

REPORT TO COUNCIL



Date: October 22, 2019
To: Council
From: City Manager
Application: DP19-0101 and DVP19-0150 **Owner:** L&S Contracting Ltd., Inc. No. BC0123569
Address: 1920 Springfield Rd **Applicant:** Worman Homes/Commercial
Subject: Development Permit and Development Variance Permit Application
Existing OCP Designation: SC- Service Commercial
Existing Zone: C10- Service Commercial

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP19-0101 for Lot A, District Lot 129 Osoyoos Division, Yale District Plan 42013, located at 1920 Springfield Rd, Kelowna, BC subject to the following:

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

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

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0150 for Lot A, District Lot 129 Osoyoos Division, Yale District Plan 42013, located at 1920 Springfield Rd, Kelowna, BC;

AND THAT variances to the following sections of Sign Bylaw No. 11530 be granted, as per Schedule "D":

Section 11.3 (b)- Service Commercial and Industrial Zones

To vary the maximum number of permanent signs from up to three (3) signs per business for fascia signs to eight (8) fascia signs proposed.

Section 11.3 (b) (c)- Service Commercial and Industrial Zones

To vary the maximum number of permanent signs from two (2) directional signs per lot to three (3) directional signs proposed.

Section 4.7.2 (c)- Menu Box

To vary the maximum size of menu box sign from 0.7 m² permitted to 1.57 m² proposed for four (4) menu box signs.

Section 3.5.2 (c)- Directional Sign

To vary the regulation that directional signage “shall not be lit” to allow for three (3) illuminated directional signs on site.

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 two-lane automatic car wash and vacuum facility and to consider a comprehensive sign plan and associated variances to Sign Bylaw No. 11530.

3.0 Development Planning

Staff recommend support for the proposed two-lane automatic car wash and vacuum facility. The proposed use is aligned with the permitted uses and purpose of the C10 – Service Commercial zone, which is to provide vehicular oriented commercial uses not typically provided in other zones. This is consistent with the overall neighbourhood context along the Spall Rd and Springfield Rd corridor.

Form and character. The proposed development includes a two-lane automatic car wash with large windows facing Spall Rd, vacuum facility, 156.5 m² of ground level retail, and 168 m² of second floor office space. The form and character of the building is representative of the Sonic Car Wash brand, which includes blue cladding, light grey concrete and stucco, red signage and illuminated vacuum facilities. The building is laid out on-site setback from the street and is consistent with adjacent service commercial buildings. The retail component of the building is oriented towards Springfield Rd and is accessed by pedestrians through an on-site crosswalk that connects to the existing sidewalk on Springfield Rd.

Site circulation. The main vehicle access is located off Spall Rd. An employee-only exit is proposed onto Springfield Rd through a controlled gate. The applicant has provided adequate stacking capacity for vehicles as per Zoning Bylaw Section 9.8 Car Washes.

Landscaping. The landscape plan complies with the Zoning Bylaw requirements and development permit guidelines. Proposed buffering and decorative feature planting at the corner of Spall Rd and Springfield Rd provides additional landscape treatment to help enhance the character of the proposal.

Comprehensive Sign Plan with Variances

Staff recommend support for the proposed Comprehensive Sign Plan for the two-lane automatic car wash and vacuum facility. The proposed sign plan aligns with the criteria for Comprehensive Signs Plans outlined in Section 2.6.2 of Sign Bylaw No. 11530. The signage has been designed to be compatible with the proposed building, is suitable for the proposed use, and allows for a greater degree of visual consistency than would otherwise be permitted for this zone. Given the multiple building frontages and additional retail component, a total of eight (8) fascia signs are proposed on the building.

In addition to the fascia signs, multiple illuminated directional signs are proposed on site to coordinate vehicular circulation.

All signage proposed is illuminated. Staff have worked with the applicant to mitigate negative impacts on adjacent properties by reducing the number and size of signs and addressing placement considerations. Additionally, the applicant is proposing landscape buffering to aide in screening the menu box signage from being visible from Spall and Springfield Rds. The applicant has provided a lumen plan to indicate the depth of brightness from the signage. Most of the light created by the proposed signage will be contained on-site. Menu box signage and wayfinding signs are used to direct vehicle and pedestrian traffic and are necessary for safe site circulation.

The comprehensive sign plan is inclusive of the following:

- Eight illuminated (8) fascia signs
- One illuminated (1) free-standing sign (pylon sign)
- Three (3) illuminated directional signs (one (1) stall counter sign, and two (2) wayfinding signs to direct vehicles)
- Four illuminated (4) menu box signs (located at the entry of the of the car wash bays)

4.0 Proposal

4.1 Background

The subject site is currently vacant with no existing buildings. Historically, the property was used as a gas bar and has received a certificate of compliance indicating the site has been satisfactorily remediated to meet contaminated site regulation standards for commercial development.

4.2 Project Description

The proposal is a comprehensive site development inclusive of a two-lane automatic car wash, vacuum facility, 156.5 m² of ground level retail, and 168 m² of second floor office space. The car wash business hours are 7:00 a.m. to 10:00 p.m. Monday-Sunday. Vehicular access is proposed off Spall Rd, and an access-controlled exit for staff only is proposed onto Springfield Rd.

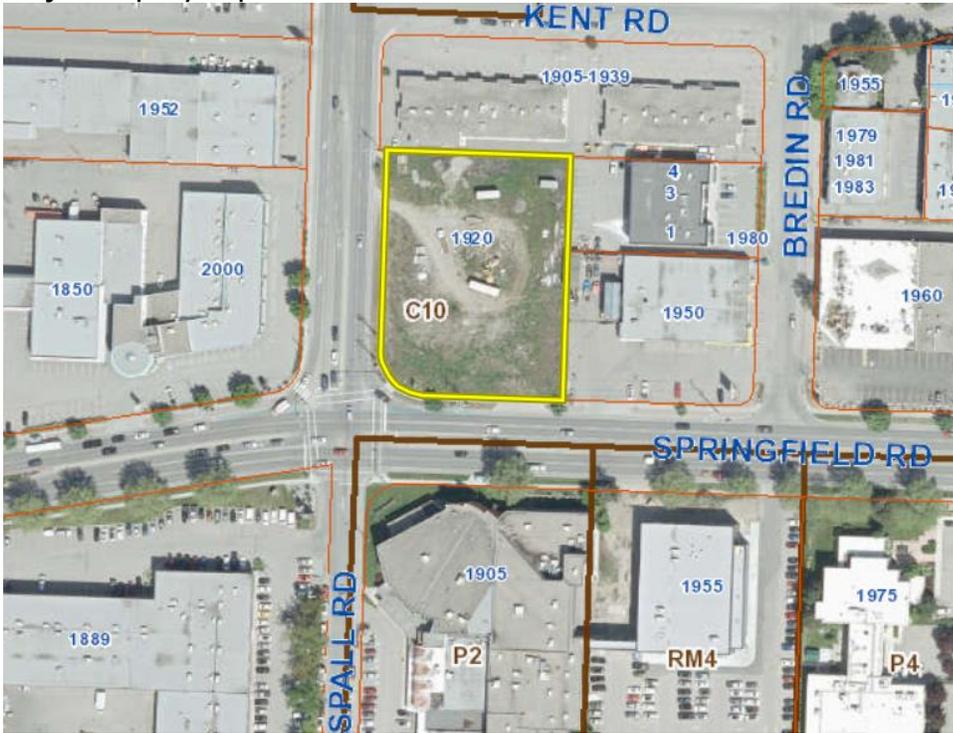
4.3 Site Context

The subject site is zoned C10 - Service Commercial with a future Land Use Designation of SC-Service Commercial as per the Official Community Plan (OCP). The property is between the Capri Landmark and Midtown Urban Centres and the area is characterized by retail and service commercial uses.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C10- Service Commercial	Retail stores, service commercial
East	C10- Service Commercial	Vehicle and equipment services
South	P2- Education and Minor Institutional	Religious Assembly
West	C10- Service Commercial	Retail stores, service commercial

Subject Property Map:



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C10 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	1000m ²	5,109.1m ²
Lot Width	30m	62.28m
Lot Depth	30m	82.81m
Development Regulations		
Floor Area Ratio	0.65	0.25
Height	12.0m	9.14m
Front Yard	2.0m	12.60m
Side Yard (west)	2.0m	25.66m
Side Yard (east)	0.0m	0.0m
Rear Yard	0.0m	14.58m
Other Regulations		
Minimum Parking Requirements	Car wash: 1 stall per 2 on-site employees Retail: 2 stalls per 100m ² Office: 2.5 stalls per 100m ²	Car wash: 2 stalls Retail: 9 stalls Office: 5 stalls
Bicycle Parking	Class 1- 0.2 per 100 m ² or 1 per 10 employees Class 2 – 0.6 per 100 m ²	Class 1- 1 bicycle parking space Class 2- 2 bicycle parking spaces
Loading Space	1 stall per 1900 sq.m	1 stall

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 14: Urban Design DP Guidelines

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

6.2 Provide visually prominent, accessible, and recognizable entrances through attention to location, details, proportions, materials, and lighting that act to personalize or lend identity to the building.

4.3 City of Kelowna Sign Bylaw No. 11530

Section 2- General Regulations 2.6.2 Comprehensive Sign Plan

A comprehensive sign plan can be considered by Council as a Development Variance Permit which may allow signage numbers, areas and types to exceed those otherwise permitted by this Bylaw, where:

- (a) The proposed signs are designed to be fully compatible with the existing or proposed buildings to which they are accessory;
- (b) The proposed signs are suitable for the building, the lot, and the zone in which they are located; and
- (c) There would be a greater degree of visual harmony than through the application of the specific sign and specific zone sign regulations

6.0 Application Chronology

Date of Application Received: April 24, 2019

Date of Public Consultation Received: July 14, 2019

Report prepared by: Jocelyn Black, Planner Specialist

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

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Draft Development and Development Variance Permit DP19-0101 and DVP19-0150

Attachment B: Lumens Plan



Development Permit & Development Variance Permit DP19-0101/DVP19-0150

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

1920 Springfield Rd

and legally known as

Lot A, District Lot 129 Osoyoos Division, Yale District Plan 42013

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

Rapid drive-through vehicle services (a two lane automatic car-wash and vacuum facility, with retail and office use).

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 22, 2019

Decision By: Council

Development Permit Area: Comprehensive Development Permit Area

Existing Zone: C10- Service Commercial

Future Land Use Designation: SC- Service Commercial

This is NOT a Building Permit.

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

NOTICE

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

Owner: L & S Contracting Ltd., Inc. No. BCo123569

Applicant: Worman Commercial

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

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
- c) Landscaping to be provided on the land be in accordance with Schedule "C"; and
- d) The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect.
- e) Variances to the following section of Sign Bylaw No. 11530:

Section 11.3 (b)- Service Commercial and Industrial Zones

To vary the maximum number of permanent signs from up to three (3) signs per business for fascia signs to eight (8) fascia signs proposed.

Section 11.3 (b) (c)- Service Commercial and Industrial Zones

To vary the maximum number of permanent signs from two (2) directional signs per lot to three (3) directional signs proposed.

Section 4.7.2 (c)- Menu Box

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Section 3.5.2 (c)- Directional Sign

To vary the regulation that directional signage "shall not be lit" to allow for three (3) illuminated directional signs on site.

This Development Permit is valid for two (2) years from the date of 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 \$44, 618.75
- b) A certified cheque in the amount of \$44, 618.75

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

5. INDEMNIFICATION

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

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

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

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

DRAFT

PROJECT DATA

CIVIC ADDRESS: 1920 SPRINGFIELD ROAD, KELOWNA, BC
 LEGAL DESCRIPTION: LOT A, PLAN 42013, D.S., D.O.V.D.
 CURRENT ZONING: C10 SERVICE COMMERCIAL

ZONING BYLAW REQUIREMENTS

SITE AREA: 54,994 SQ.FT. (5,109.1 SQ.M.)
 BUILDING AREA: 9,511 SQ.FT. (883.6 SQ.M.)
 MAIN FLOOR (RETAIL): 1,885 SQ.FT. (174.5 SQ.M.)
 MAIN FLOOR (RETAIL): 1,199 SQ.FT. (110.8 SQ.M.)
 SECOND FLOOR (OFFICES): 1,408 SQ.FT. (130.2 SQ.M.)
 SECOND FLOOR (MECH.): 579 SQ.FT. (53.5 SQ.M.)
 SECOND FLOOR (MECH.): 2,387 SQ.FT. (221.8 SQ.M.)

PERMITTED	PROPOSED
LOT WIDTH: 30.0m	62.28m
LOT DEPTH: 30.0m	62.28m
LOT AREA: 900.00 sq.m.	3,868.80 sq.m.
COVERED AREA RATIO (CAR): 0.65 (5,968.80 sq.m.)	0.25 (969.60 sq.m.)
SITE COVERAGE: 0.20 (1,800.00 sq.m.)	0.20 (1,800.00 sq.m.)
HEIGHT (m): 12m / 3 STOREYS	9.14m / 2 STOREYS

SEWERAGE (L.S.)

SPALL ROAD: 2.0m
 SIDE (SPALL ROAD): 2.0m
 SIDE (EAST): 0.0m
 REAR (NORTH): 0.0m

PARKING

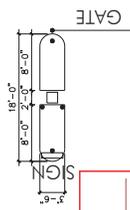
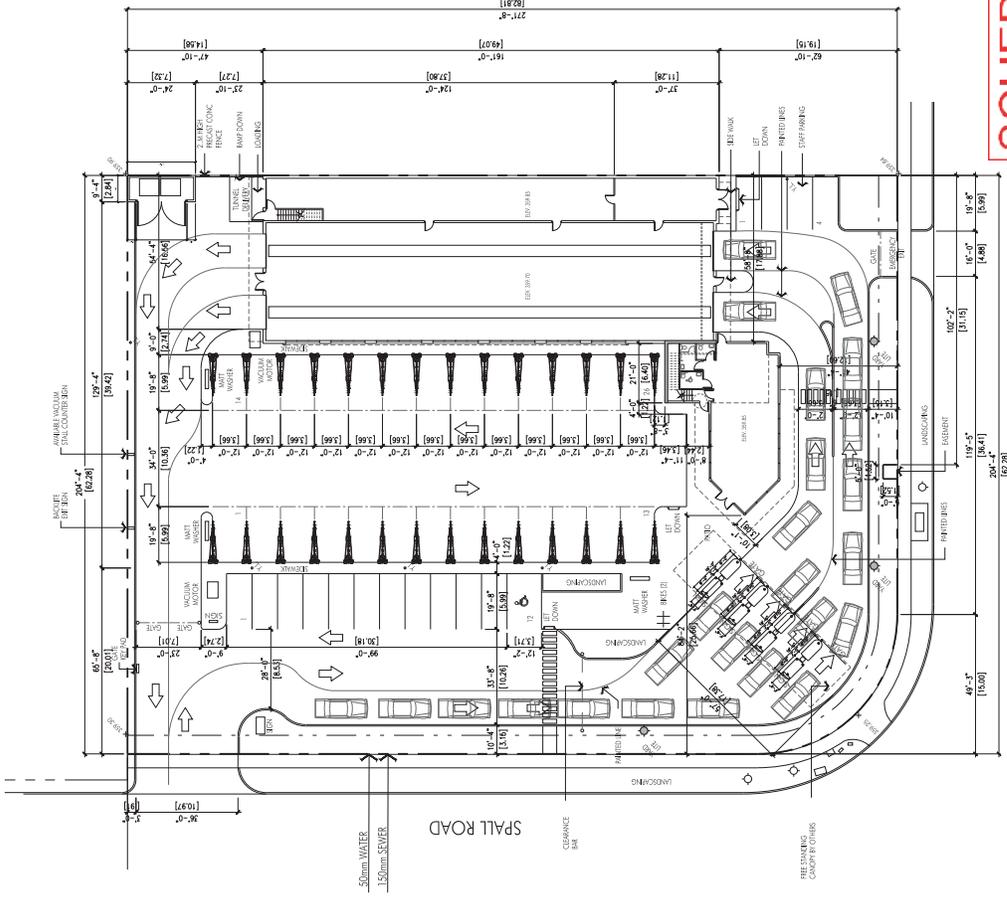
CAR WASH @ 1/2 EMPLOYEES ON DUTY = 2 STALLS
 RETAIL @ 2.0/100 sq.m. G.A. @ 156.8 sq.m. = 4 STALLS
 OFFICES @ 2.5/100 sq.m. G.A. @ 188 sq.m. = 5 STALLS
 LOADING @ 1/1000 sq.m. G.A. = 1 STALL

BICYCLE PARKING

CLASS 1 @ 0.2/100 sq.m. G.A. or 1/10 EMPLOYEES = 1 SPACE
 CLASS 2 @ 0.6/100 sq.m. G.A. = 2 SPACES

LANDSCAPE BARRIERS (M)

FRONT (SPALL ROAD): 3.0m
 SIDE (SPALL ROAD): 3.0m
 SIDE (EAST): 3.0m
 REAR (NORTH): 3.0m
 FRONT (SPRINGFIELD ROAD): 2.0m
 SIDE (SPALL ROAD): 3.0m
 REAR (NORTH): 3.0m



ISLAND PLAN
 SCALE: 1/8" = 1'-0"

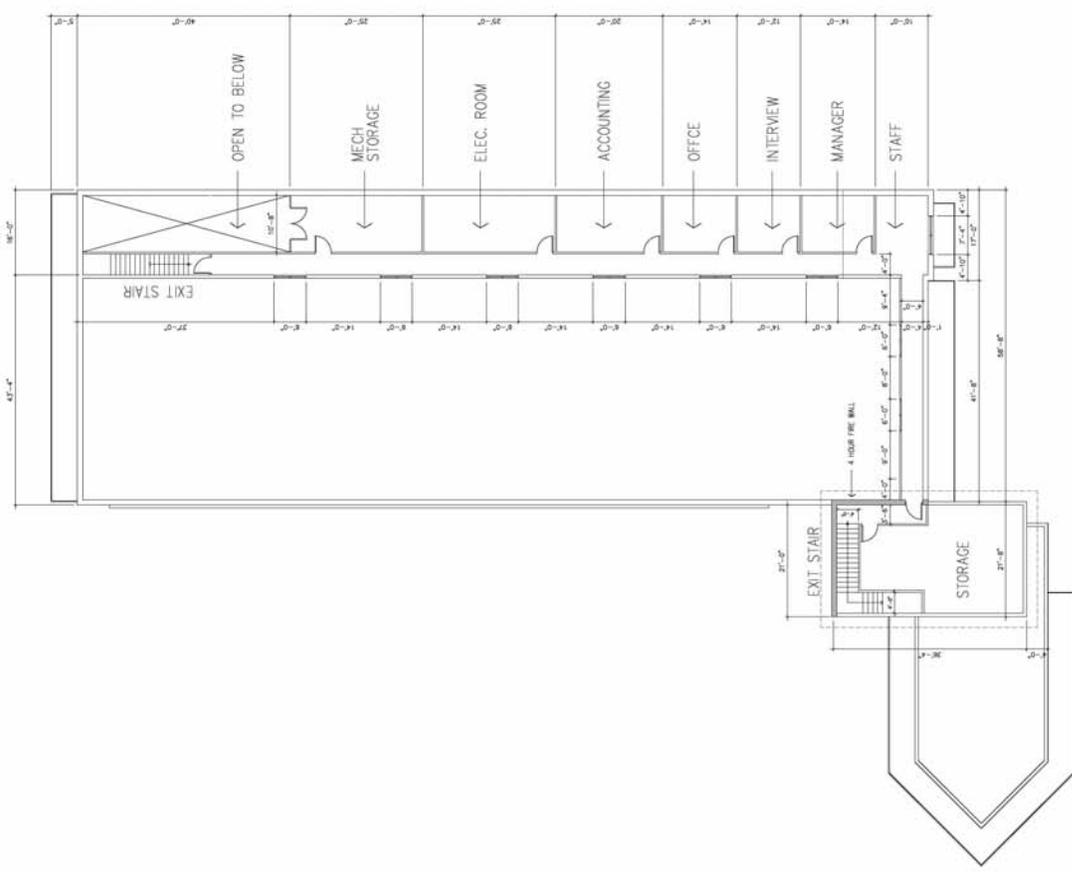
SCHEDULE A

This forms part of application # DP19-0101

Planner Initials **JB**

City of Kelowna
 DEVELOPMENT PLANNING

ADDENDUM No.1
FOR DP



SECOND FLOOR PLAN
 SCALE: 3/32" = 1'-0"

FOR DP

This forms part of application
DP19-0101



City of
Kelowna
DEVELOPMENT PLANNING

Planner
Initials **JB**



ALUMINUM WINDOW FRAMES:
"BLACK ANODIZED"



VERTICAL CLADDING:
WESTFORM – "HERON BLUE"



CONCRETE & STUCCO
SHERWIN WILLIAMS
CAPRICORN #SW3233M



SIGNAGE
WESTFORM – BRIGHT RED



WORMAN

WORMAN HOMES | WORMAN COMMERCIAL

EXTERIOR FINISHES

1920 SPRINGFIELD ROAD

KELOWNA

PROJECT No.
PROJECT#1920SPRING

DATE
APRIL 1, 2019

SCHEDULE C

This forms part of application
DVP19-0150

Planner Initials **JB**

City of Kelowna
DEVELOPMENT PLANNING



PROJECT TITLE
1920 SPRINGFIELD ROAD

LOCATION
Kelowna, BC

CONCEPTUAL LANDSCAPE PLAN

NO.	DATE	DESCRIPTION
1	10.05.12	Issue
2	10.06.17	Revised
3	10.07.20	Revised
4	10.08.20	Revised
5	10.09.20	Revised
6	10.10.20	Revised
7	10.11.20	Revised
8	10.12.20	Revised
9	11.01.21	Revised
10	11.02.21	Revised
11	11.03.21	Revised
12	11.04.21	Revised
13	11.05.21	Revised
14	11.06.21	Revised
15	11.07.21	Revised
16	11.08.21	Revised
17	11.09.21	Revised
18	11.10.21	Revised
19	11.11.21	Revised
20	11.12.21	Revised
21	12.01.22	Revised
22	12.02.22	Revised
23	12.03.22	Revised
24	12.04.22	Revised
25	12.05.22	Revised
26	12.06.22	Revised
27	12.07.22	Revised
28	12.08.22	Revised
29	12.09.22	Revised
30	12.10.22	Revised
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32	12.12.22	Revised
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34	13.02.23	Revised
35	13.03.23	Revised
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37	13.05.23	Revised
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43	13.11.23	Revised
44	13.12.23	Revised
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46	14.02.24	Revised
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48	14.04.24	Revised
49	14.05.24	Revised
50	14.06.24	Revised
51	14.07.24	Revised
52	14.08.24	Revised
53	14.09.24	Revised
54	14.10.24	Revised
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56	14.12.24	Revised
57	15.01.25	Revised
58	15.02.25	Revised
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63	15.07.25	Revised
64	15.08.25	Revised
65	15.09.25	Revised
66	15.10.25	Revised
67	15.11.25	Revised
68	15.12.25	Revised
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313	36.05.46	Revised
314	36.06.46	Revised
315	36.07.46	Revised
316	36.08.46	Revised
317	36.09.46	Revised



1920 SPRINGFIELD ROAD

**WATER CONSERVATION/
IRRIGATION PLAN**

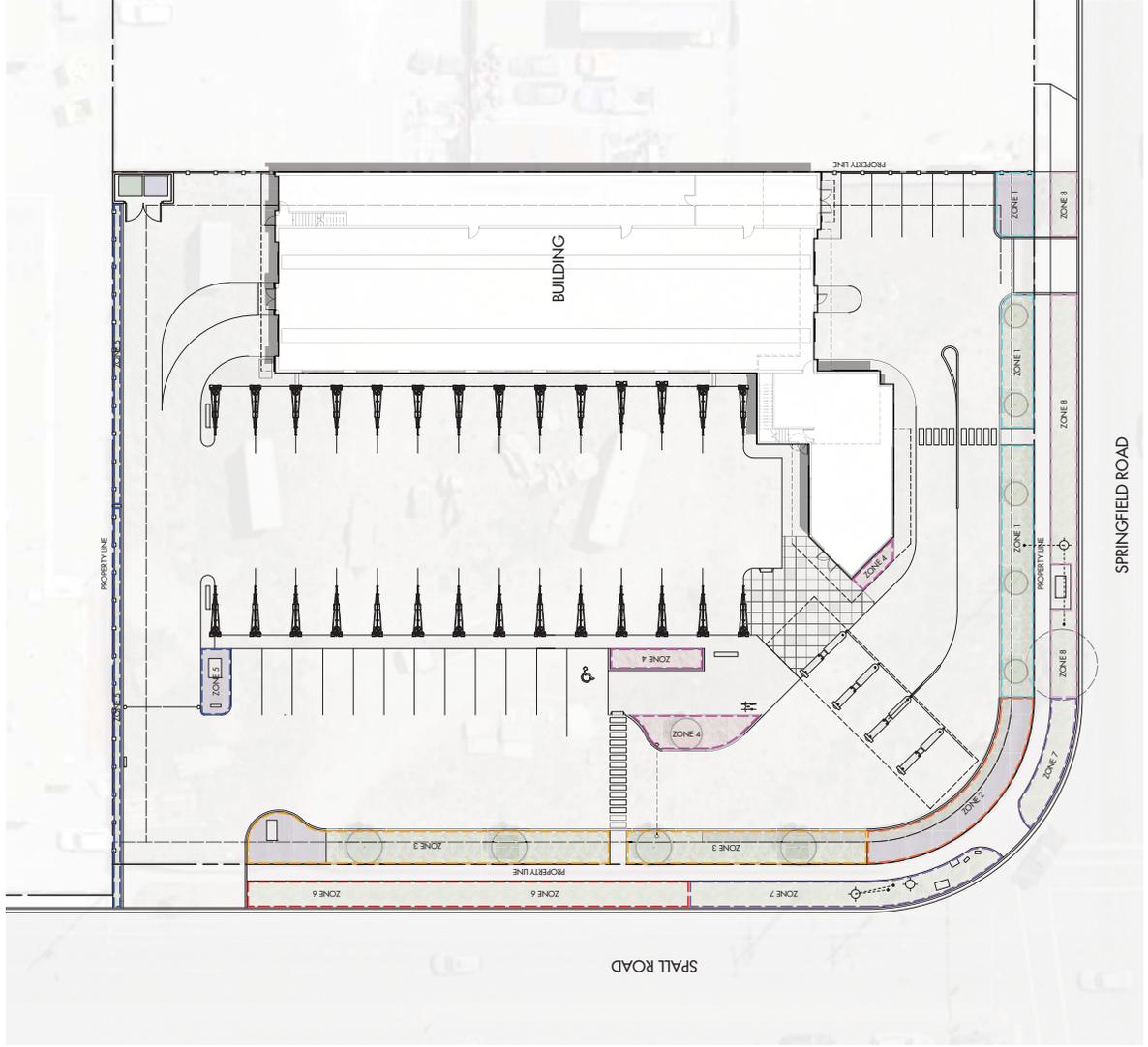
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1	10.05.12	Shawn	Shawn
2	10.05.17	Shawn	Shawn
3	10.02.20	Shawn	Shawn
4			
5			

PROJECT NO.	19025
DESIGN BY	WA
DRAWN BY	AK
CHECKED BY	BB
DATE	10.12.2010
SCALE	AS SHOWN



L2/2

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IRRIGATION LEGEND

	ZONE #1 - HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS ESTIMATED ANNUAL WATER USE: 69 cum.
	ZONE #2 - HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS ESTIMATED ANNUAL WATER USE: 69 cum.
	ZONE #3 - HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS ESTIMATED ANNUAL WATER USE: 74 cum.
	ZONE #4 - HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS ESTIMATED ANNUAL WATER USE: 27 cum.
	ZONE #5 - HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS ESTIMATED ANNUAL WATER USE: 74 cum.
	ZONE #6 - LOW VOLUME FOLIAR SPRAYHEADS FOR TULIP AREA ESTIMATED ANNUAL WATER USE: 137 cum.
	ZONE #7 - FOLIAR SPRAYHEADS FOR TULIP AREA ESTIMATED ANNUAL WATER USE: 137 cum.
	ZONE #8 - LOW VOLUME FOLIAR SPRAYHEADS FOR TULIP AREA ESTIMATED ANNUAL WATER USE: 137 cum.

WATER CONSERVATION CALCULATIONS

LANDSCAPE MAXIMUM WATER BUDGET (WMB) = 743 cu.m. / year
ESTIMATED LANDSCAPE WATER USE (WUI) = 662 cu.m. / year
WATER BALANCE = 80 cu.m. / year
*REFER ATTACHED IRRIGATION APPLICATION FOR DETAILED CALCULATIONS

- IRRIGATION NOTES**
1. IRRIGATION SYSTEMS AND INSTALLATION WORKS SHALL MEET OR EXCEED THE REQUIREMENTS OF THE WATER USE REGULATION BY-LAW NO. 10080 AND THE SUPPLEMENTARY SPECIFICATIONS IN THE CITY OF KELLOWNA BY-LAW 7900 (PART 6, SCHEDULE 5).
 2. THE IRRIGATION SYSTEM SHALL MEET THE REQUIREMENTS, REGULATIONS, AND BYLAWS OF THE WATER PURVEYOR.
 3. THE IRRIGATION SYSTEM SHALL BE EQUIPPED WITH AN APPROVED BACKFLOW PREVENTION DEVICE, WATER METERS, AND SHUT OFF VALVES LOCATED OUTSIDE THE BUILDING ACCESSIBLE TO THE CITY.
 4. AN APPROVED SMART CONTROLLER SHALL BE INSTALLED. THE IRRIGATION SCHEDULING TIMES SHALL UTILIZE A MAXIMUM ET VALUE OF 7.7 (MONTH KELLOWNA JULY ET), TAKING INTO CONSIDERATION SOIL TYPE, SOIL DEPTH AND MICROCLIMATE.
 5. DRIP LINE AND EMITTERS SHALL INCORPORATE TECHNOLOGY TO LIMIT ROOT INTRUSION.
 6. IRRIGATION SLEEVES SHALL BE INSTALLED TO ACUTE IRRIGATION LINES UNDER HARD SURFACES AND FEATURES.
 7. IRRIGATION PIPES SHALL BE USED TO ALLOW FOR A MAXIMUM FLOW OF 1.5m³/SEC.
 8. A FLOW SENSOR AND MASTER VALVE SHALL BE CONNECTED TO THE CONTROLLER AND PROGRAMMED TO STOP FLOW TO THE SYSTEM IN CASE OF AN IRRIGATION WATER LEAK.

PYLON



1
Illuminated Pylon Sign
Quantity: 1
Location as shown on page 2.

1 @ 1.98m x 4.98m = 9.86m²

WAYFINDING



2
Illuminated Wayfinding Sign
Quantity: 1
Locations as shown on page 2.

4 @ 0.97m x 2.03m = 1.97m²

Menus sized to match other existing West Kelowna location for brand consistency as well as matching other existing drive-thru menus located throughout Kelowna. (i.e. McDonalds, A&W, Starbucks, etc.)

3 @ 0.76m x 1.09m = 0.83m²

Signs sized to match other existing West Kelowna location for brand consistency as well as matching other existing drive-thru menus located throughout Kelowna. (i.e. City of Kelowna Parkades, McDonalds, A&W, Starbucks, etc.)

COMMERCIAL SIGNS
250.862.6625
WWW.SIGNSKELOWNA.COM

PROPOSED CAR WASH
1920 SPRINGFIELD RD, KELOWNA

SCALE: 3/32" = 1'-0"
DATE: 04/02/2019

ELEVATIONS

DRAWING No. A3

SPRINGFIELD ROAD (SOUTH) ELEVATION
SCALE: 3/32" = 1'-0"

6 ILLUMINATED CHANNEL LETTERS
6.32m x 0.45m = 2.84m²

7 ILLUMINATED CHANNEL LETTERS
2.97m x 1.2m = 3.56m²

8 ILLUMINATED CABINET
4.5m x 2.4m = 10.8m²

9 ILLUMINATED CHANNEL LETTERS
10.6m x 0.6m = 6.36m²

10 ILLUMINATED CABINET
4.5m x 2.4m = 10.8m²

11 ILLUMINATED CHANNEL LETTERS
1 @ 4.58m x 0.45m = 4.67m²
(SAME SIGN - DIFFERENT VIEWPOINT)

TOTAL SOUTH ELEVATION AREA: 571.5 sq/m @ 20% = 114.3 sq/m
TOTAL SIGN AREA: 23.56 sq/m = 4.1%

SPALL ROAD (WEST) ELEVATION
SCALE: 3/32" = 1'-0"

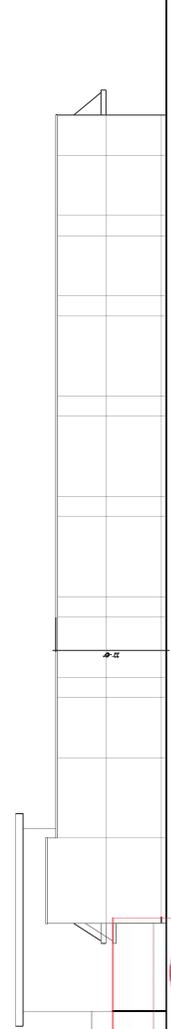
12 ILLUMINATED CHANNEL LETTERS
19.5m x 1.1m = 21.5m²

TOTAL SOUTH ELEVATION AREA: 940 sq/m @ 20% = 188 sq/m
TOTAL SIGN AREA: 36.97 sq/m = 4%

REAR (NORTH) ELEVATION
SCALE: 3/32" = 1'-0"

13 ILLUMINATED CHANNEL LETTERS
6.32m x 0.45m = 2.84m²

TOTAL SOUTH ELEVATION AREA: 571.5 sq/m @ 20% = 114.3 sq/m
TOTAL SIGN AREA: 7.54 sq/m = 1.3%



SCHEDULE D

This forms part of application
DVP19-0150

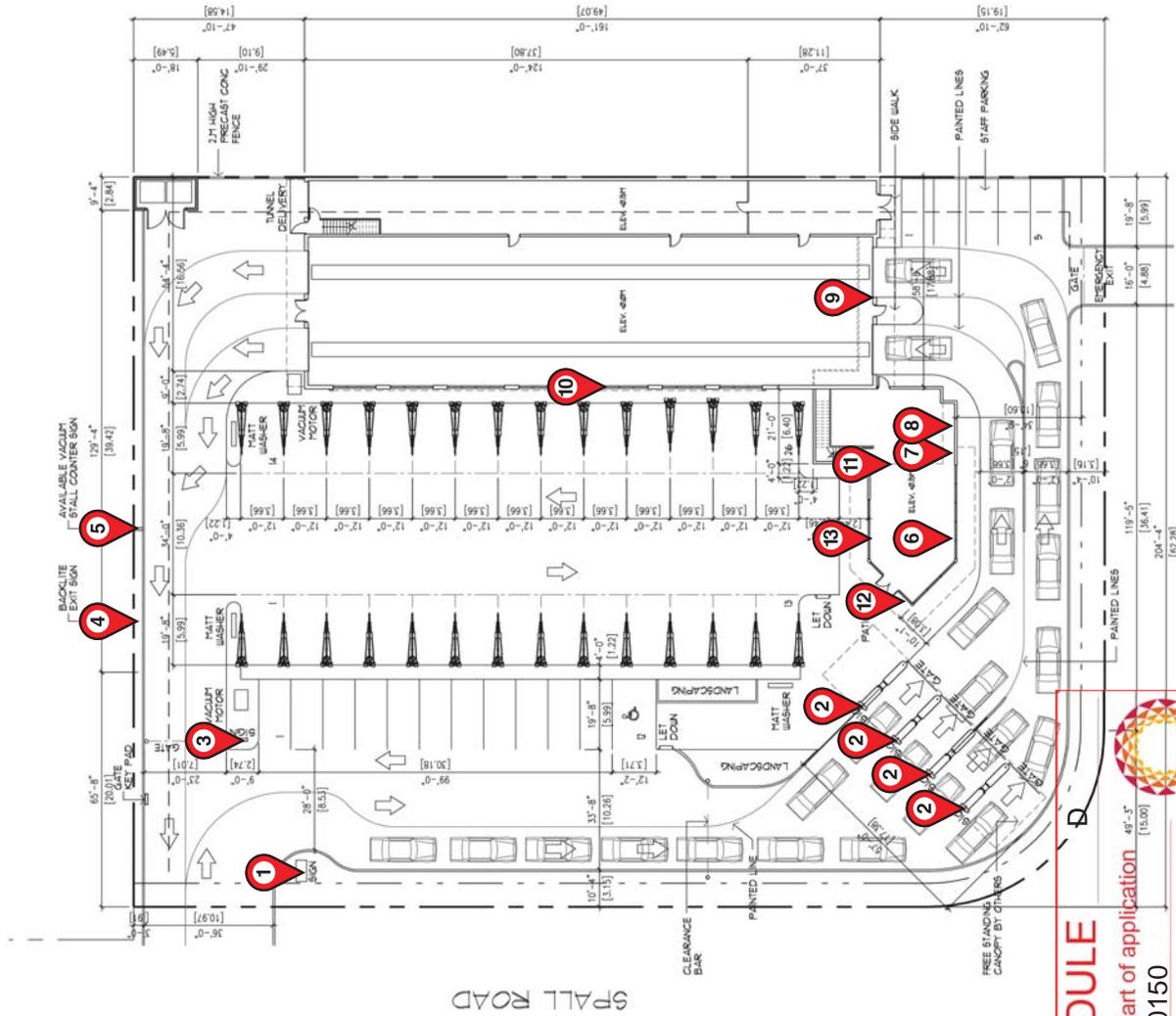
City of Kelowna
DEVELOPMENT PLANNING

Planner Initials: JB

SONIC WASH KELOWNA COMPREHENSIVE SIGN PLAN

1920 SPRINGFIELD RD, KELOWNA BC

- 1 ILLUMINATED PYLON SIGN
- 2 ILLUMINATED MENU BOARD
- 3 ILLUMINATED WAYFINDING - CAR WASH
- 4 ILLUMINATED WAYFINDING - EXIT
- 5 ILLUMINATED WAYFINDING - COUNTER
- 6 ILLUMINATED CHANNEL LETTERS - FROZEN YOGURT SOUTH
- 7 ILLUMINATED CHANNEL LETTERS - FREE VACUUMS
- 8 ILLUMINATED CABINET - COMPANY LOGO
- 9 ILLUMINATED CHANNEL LETTERS - EXPRESS CAR WASH 2 H
- 10 ILLUMINATED CHANNEL LETTERS - EXPRESS CAR WASH 4 H
- 11 ILLUMINATED CABINET - COMPANY LOGO
- 12 ILLUMINATED CHANNEL LETTERS - WASH CLUB
- 13 ILLUMINATED CHANNEL LETTERS - FROZEN YOGURT NORTH



SCHEDULE
 This forms part of application
 # DVP19-0150



City of
Kelowna
 DEVELOPING PLANNING

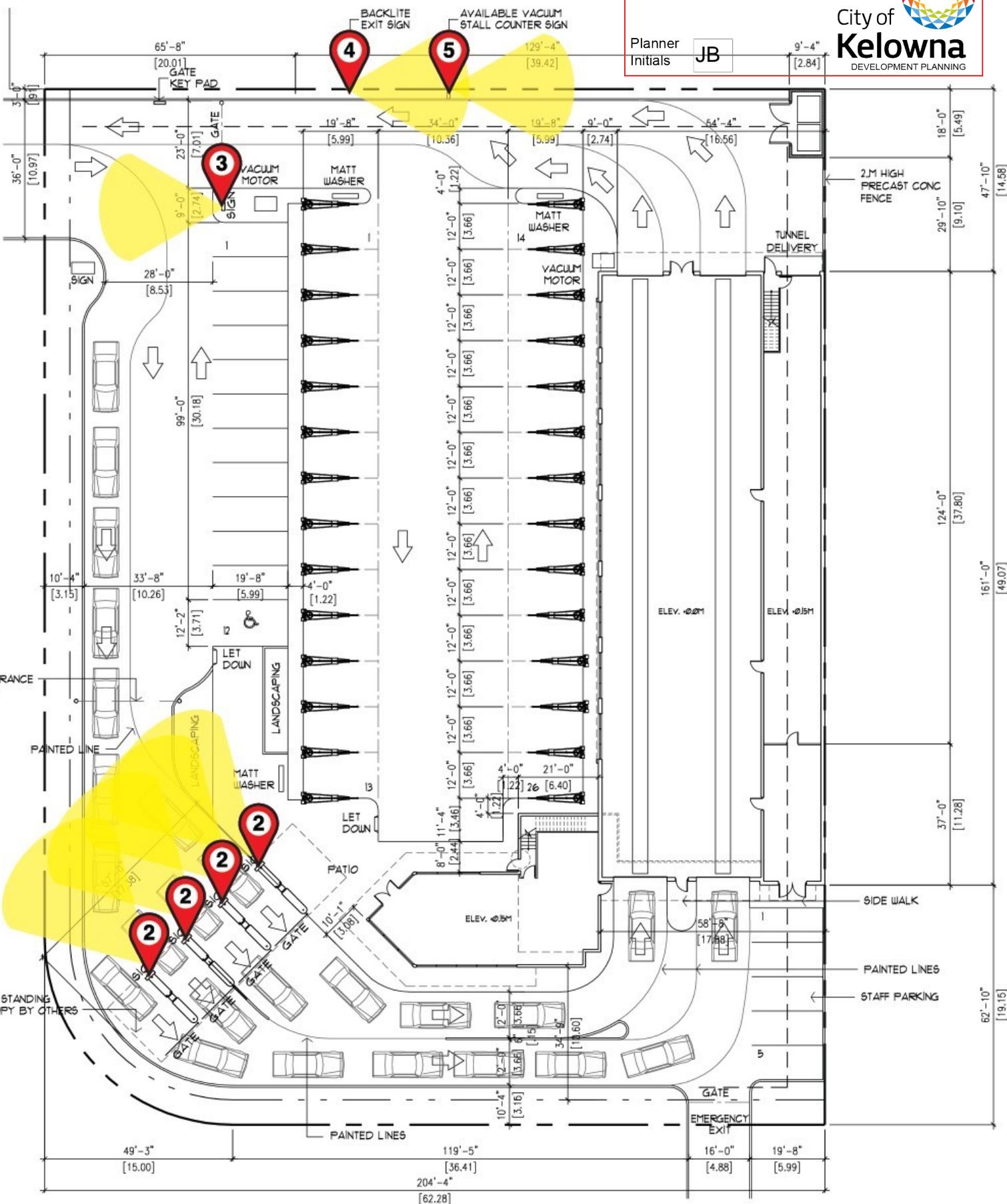
Planner Initials **JB**

This forms part of application # DVP19-0150



City of Kelowna DEVELOPMENT PLANNING

Planner Initials JB



SPRINGFIELD ROAD