

City of Kelowna

Regular Council Meeting

AGENDA



Tuesday, March 17, 2020
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 Stack.
3. **Confirmation of Minutes** 1 - 12
Public Hearing - February 25, 2020
Regular Meeting - February 25, 2020
4. **Bylaws Considered at Public Hearing**
 - 4.1 **Yates Rd 538, BL11991 (Z19-0140) - Carolco Developments Ltd. Inc. No. B0291464** 13 - 13
To give Bylaw No. 11991 second and third reading in order to rezone the subject property.
 - 4.2 **Fenwick Rd 2840, BL11992 (Z19-0061) - Odermatt Otto, Odermatt Paul** 14 - 15
To give Bylaw No. 11992 second and third reading in order to rezone the subject property.
 - 4.3 **Clement Ave 816, BL11993 (TA19-0022) - PC Urban Clement Holdings Ltd. Inc. No. BC110007** 16 - 17
To give Bylaw No. 11993 second and third reading in order to advance the text amendment.
 - 4.4 **McCurdy Rd 925-929, BL11994 (LUC20-0001) - NT Properties Ltd.** 18 - 18
To give Bylaw No. 11994 second and third reading in order to discharge LUC77-1045 from the subject property.

4.5	McCurdy Rd 925-929, BL11995 (Z19-0132) - NT Properties Ltd.	19 - 19
	To give Bylaw No. 11995 second and third reading in order to rezone the subject property.	
4.6	Alsgard St, McCurdy Rd, Leathead Rd - BL11996 (LUCT20-0001) - City of Kelowna	20 - 21
	To give Bylaw No. 11996 second and third reading in order to terminate Land Use Contract LUC77-1045 from the subject property.	
4.7	Alsgard St, McCurdy Rd, Leathead Rd - BL11997 (Z20-0004) - City of Kelowna	22 - 23
	To give Bylaw No. 11997 second and third reading in order to rezone the subject property..	
4.8	Primrose Rd 435, BL11998 (Z19-0142) - Shaida Langley	24 - 24
	To give Bylaw No. 11998 second and third reading in order to rezone the subject property.	
4.9	Francis Ave 460, BL11999 (Z19-0138) - John Hodges	25 - 25
	To give Bylaw No. 11999 second and third reading in order to rezone the subject property.	
4.10	BL11988 (TA20-0007) - Rental Sub-Zones addition to Zoning Bylaw No. 8000	26 - 30
	To give Bylaw No. 11988 second and third reading in order to add a rental subzone to Section 13 and Section 14 of the Zoning Bylaw No. 8000.	
4.11	Harvey Ave 969, BL11989 (OCP19-0009) - The Evangel Family Rental Housing Society Inc. No. 516918	31 - 31
	To give Bylaw No. 11989 second and third reading in order to amend the Official Community Plan for the subject property.	
4.12	Harvey Ave 969, BL11990 (Z19-0119) - The Evangel Family Rental Housing Society Inc. No. 516918	32 - 32
	To give Bylaw No. 11990 second and third reading in order to rezone the subject property.	
4.13	Uplands Dr 368, BL12002 (Z19-0141) - Nicole Gosselin	33 - 33
	To give Bylaw No. 12002 second and third reading in order to rezone the subject property.	

4.14	Spiers Rd, 3652 BL12003 (HD20-0001) - Request for Heritage Designation - Sue Haley	34 - 36
	To give Bylaw No. 12003 second and third reading in order to designate the subject property as a Municipal Heritage building.	
5.	Liquor License Application Reports	
	Mayor to invite anyone in the public gallery who deems themselves affected by the liquor license application to come forward.	
5.1	Appaloosa Rd 1-3314, LL19-0034 - 1124770 B.C. Ltd., Inc. No. BC1124770	37 - 44
	To consider a manufacturer's lounge endorsement liquor license to allow patrons to purchase and consume liquor products within an existing brewery.	
6.	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.	
6.1	Taylor Rd 235, BL11648 (Z17-0088) - 0725353 BC Ltd Inc No. BC0725353	45 - 45
	That Bylaw No. 11648 be adopted.	
6.2	Taylor Rd 235, DP17-0205 and DVP18-0110 - 1219204 B.C. Ltd	46 - 74
	A Development Permit for the form and character of a multi-unit residential development with a variance to reduce the required rear yard from 7.5 m to 6.5 m.	
6.3	Water St 1659, DP19-0161 and DVP19-0162 - MJL Contracting	75 - 98
	To consider a Staff recommendation of non-support for a Form & Character Development Permit of a six storey commercial building as well as to consider six variances to the Zoning Bylaw.	
7.	Reminders	
8.	Termination	



City of Kelowna Public Hearing Minutes

Date: Tuesday, February 25, 2020
 Location: Council Chamber
 City Hall, 1435 Water Street

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

Staff Present Acting City Manager, Genelle Davidson; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith; Development Planning Department Manager, Terry Barton; Urban Planning & Development Policy Manager, James Moore; Planner Specialist, Alex Kondor; Property Officer Specialist, Ben Walker*; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the Hearing to order at 6:06 p.m.

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

2. Individual Bylaw Submissions

2.1 Okanagan Rail Trail Landscaping and Screening Regulations TA19-0004 (BL11970) - City of Kelowna

Staff:

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

Councillor Sieben joined the meeting at 6:12 p.m.

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

No one from the gallery came forward.

There were no further comments.

2.2 Gallagher Rd, 2975, TA19-0017 (BL11983), Temporary Farm Worker Housing - David Geen

Staff:

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

Jordan Hettinga, on behalf of David Geen, Applicant

- Displayed a PowerPoint Presentation.
- One of the main concerns of staff is access to amenities; Black Mountain and Kirschner Mountain have grown over the past decade and not as rural as they once were with a Village Centre on the north side of this area.
- The site is surrounded by neighbourhood parks in the Kirchner Mountain development and bound on 3 sides by a 245 ha Regional Park.
- Concerns were raised regarding inclusive feel for the workers; Kirschner Mountain has an additional 690 unit development remaining that will bring housing adjacent to the site; believes there will be no detachment concerns for the workers.
- The location was chosen as it is in a low lying pocket and least productive land on the property.
- Believes this location will have a positive outcome by increasing safety for residents.
- The 70 units will be located well below Loeth Road that will reduce the visual impact to the surrounding area.
- There will be extensive landscaping that will create a visually appealing area for the farm workers and for the community looking towards the farm.
- Housing workers on this site will drastically reduce the number of van and bus traffic through the neighbourhood also reducing noise.
- If this project is approved the Applicant will be paying to upgrade a portion of easement from Kirschner Mountain to municipal emergency standard to the site to ensure safe access.
- Responded to questions from Council.

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

No one from the gallery came forward.

There were no further comments.

2.3 Coronation Ave 1028, 1036, 1044 Z17-0117 (BL11731) - 1136605 BC Ltd., Inc No. BC1136605

Staff:

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

Jesse Alexander, New Town Architecture & Engineering, Applicant:

- Displayed a PowerPoint Presentation.
- Identified changes to the application compared with the previous application for this site; compared previous concept height and setbacks.
- Was able to remove a rear yard setback variance with this new proposal.
- The new concept narrows and focuses the building footprint in the centre of the site and provides more landscaping along the sideyard.
- The OCP supports locating density close to transit; this site has a 5 minute walk to transit exchanges with active transportation corridors in near proximity.
- Believes apartment/condo form is a better fit and matches the RM5 zone.

Property Owner

- Recognize that there was some disappointment changing from the townhouse format to the condo format and share that disappointment as my intent was to keep one unit for myself and transition to living in Kelowna.
- Since the property was acquired there were changes that affected the proposal with the implementation of the speculation tax that made it economically challenging.
- Elected to refocus on a condo project to cater to a local market and to try to fill the need that is under served in the market.
- This style of 2 bedroom plus den units are very popular with young families that provides entry level accommodation.

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

No one from the gallery came forward.

There were no further comments.

2.4 Gordon Dr 5100, OCP-19004 (BL11977) and Z19-0103 (BL11978) - Trailhead Communities Ltd.

Staff:

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

Adrian Block, Applicant

- The most important aspect as the Applicant is to recognize that this is the fulfillment of the Area Structure Plan.
- In this process we have met with neighbours in a meeting format and took into consideration some of their concerns and worked with staff to mitigate.
- Not only providing the amount of Park space that the OCP requires but increasing the amount of dedicated park with an additional 5 acres to 16.4 acres in total of the site.
- Will be putting in up to 1.3 kilometer of trails as part of the development; public access to the site and through the site will continue.
- Responded to questions from Council.

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

Gallery:

Tracy Davis, Glencarra Street

- Raised concerns that the location of this development contributes to urban sprawl with no public transportation services in the area.
- Raised concerns that there will be an increase in traffic and an increase in GHG emissions and will add to traffic congestion.
- Personally affected by climate change which has a negative impact on my health issues.

There were no further comments.

2.5 Pandosy St 2660, Z19-0129 (BL11980) - Southgate Centre Holdings Inc., Inc. No. BC1077192

Staff:

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

Jordan Hettinga, Applicant

- Confirmed that the Applicant is also the owner of the Hobo Recreation Cannabis store.
- Displayed a map on the ELMO showing the 500 m radius for this location and the other Pandosy area cannabis retail location.
- Responded to questions from Council.

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

No one from the gallery came forward.

There were no further comments.

2.6 Cawston Ave 640-650 & Richter St 1284-1292, OCP20-0002 (BL11982) and Z19-0126 (BL11984) - 1145287 B.C. LTD., Inc. No. BC1145287

2.7 Cawston Ave 640-650 (BL11967) - Road Closure

Staff:

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

Paul Pasutto, Innocept Real Estate Outsourcing Ltd., Applicant

- Thanked staff for their report that covered the zoning elements very well.
- Very pleased with the project at this point and noted that it matches the current Official Community Plan.
- Adding medium density to this area of the city and more affordable units to the downtown area.
- Due to past projects in the downtown area believe we have a good firsthand knowledge of what purchasers are looking for.
- This building will have 73 units with a majority being 1 bedroom and studios, breakdown 30 units will be studios, 9 one bedroom units, 15 1 bed plus den and 19 two bedroom units
- Pleased there will be no compact stalls in this development.
- Exceeded the number of parking stalls based on the C7 zoning and managed 80 stalls.
- The C7 zoning supports the live/work component and there are 6 units dedicated to that.
- Held two neighbourhood consultation sessions; majority of feedback was positive.
- Confirmed an upgrade to the laneway from the subject property to Coronation Avenue; putting in storm drainage and the area that borders the property will be upgraded.

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

Gallery:

Tim Lalor, Cawston Avenue

- Referred to previously submitted correspondence.
- Opposed to the sale of the laneway.
- Believes the statutory delivery area should be greater than 50 m due to the size and impact of the project on the neighbourhood.
- Raised safety concerns for pedestrians and vehicles using the laneway.
- Raised concerns with street parking.
- Raised concerns with shadow casting impacts.

Paul Pasutto, Innocept Real Estate Outsourcing Ltd., Applicant

- Provided clarification on points made in the petition.
- Economically it is most effective to upgrade the laneway post development.
- Commented on the photos submitted as part of the petition and at least seven will be portions of the laneway to be repaired through our development.

Staff:

- Responded to questions from Council.

There were no further comments.

2.8 Cadder Ave 338, Z19-0120 (BL11987) - Daniel Konrad

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The Applicant was present and available for questions.

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

No one from the gallery came forward.

There were no further comments.

3. Termination

The Hearing was declared terminated at 8:01 p.m.

Mayor Basran

/acm

City Clerk



City of Kelowna Regular Meeting Minutes

Date: Tuesday, February 25, 2020
Location: Council Chamber
City Hall, 1435 Water Street

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

Staff Present Acting City Manager, Genelle Davidson; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith; Development Planning Department Manager, Terry Barton; Urban Planning & Development Policy Manager, James Moore; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 8:15 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Singh.

3. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R0162/20/02/25 THAT the Minutes of the Public Hearing and Regular Meeting of February 4, 2020 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

4.1 BL11970 (TA19-0004) - Amendment to Section 7 of Zoning Bylaw No. 8000 - Landscaping & Screening

Moved By Councillor Stack/Seconded By Councillor Given

R0163/20/02/25 THAT Bylaw No. 11970 be read a second and third time.

Carried

4.2 Gallagher Rd 2975, BL11983 (TA19-0017) - David Geen

Moved By Councillor Hodge/Seconded By Councillor Singh

R0164/20/02/25 THAT Bylaw No. 11983 be read a second and third time.

Carried

4.3 Coronation Ave 1028, 1036, 1044 BL11731 (Z17-0117) - 1136605 BC Ltd., Inc No. BC1136605

Moved By Councillor Hodge/Seconded By Councillor Singh

R0165/20/02/25 THAT Bylaw No. 11731 be read a second and third time.

Carried

4.4 Gordon Dr 5100, BL11977 (OCP-19004) - Trailhead Communities Ltd.

Moved By Councillor Singh/Seconded By Councillor Given

R0166/20/02/25 THAT Bylaw No. 11977 be read a second and third time and be adopted.

Carried

Councillor Wooldridge - Opposed

4.5 Gordon Dr 5100, BL11978 (Z19-0103) - Trailhead Communities Ltd.

Moved By Councillor Singh/Seconded By Councillor Given

R0167/20/02/25 THAT Bylaw No. 11978 be read a second and third time and be adopted.

Carried

4.6 Pandosy St 2660, BL11980 (Z19-0129) - Southgate Centre Holdings Inc., Inc. No. BC1077192

Moved By Councillor Donn/Seconded By Councillor DeHart

R0168/20/02/25 THAT Bylaw No. 11980 be read a second and third time.

Carried

4.7 Cawston Ave 640-650 & Richter St 1284-1292, BL11982 (OCP20-0002) - 1145287 B.C. LTD., Inc. No. BC1145287

Moved By Councillor DeHart/Seconded By Councillor Donn

R0169/20/02/25 THAT Bylaw No. 11982 be read a second and third time.

Carried

4.8 Cawston Ave 640-650 & Richter St 1284-1292, BL11984 (Z19-0126) - 1145287 B.C. LTD., Inc. No. BC1145287

Moved By Councillor Donn/Seconded By Councillor DeHart

R0170/20/02/25 THAT Bylaw No. 11984 be read a second and third time.

Carried

4.9 Cadder Ave 338, BL11987 (Z19-0120) - Daniel Konrad

Moved By Councillor DeHart/Seconded By Councillor Donn

R0171/20/02/25 THAT Bylaw No. 11987 be read a second and third time.

Carried

5. Liquor License Application Reports

Mayor Basran advised the application was withdrawn by the Applicant.

5.1 Appaloosa Rd 1-3314, LL19-0034 - 1124770 B.C. Ltd., Inc. No. BC1124770

6. Gaming Facility Change Application

6.1 Springfield Rd 1585, LL19-0036 - Springfield Plaza Inc., Inc. No. BCo479374

Councillor Sieben declared a conflict of interest for Item 6.1 as he provides insurance services for the applicant location and departed the meeting at 8:47 p.m.

Staff:

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

Brad Desmarais, VP BC Casino Lottery Corporation, Applicant:

- Clarified that BCLC is the actual applicant for this application and confirmed their role.
- Identified others associated with the application that were in the audience.
- Chances started off as a Bingo Palace, however, in addition there is much more with slot machines, off track horse wagering, restaurant and lounge; Chances currently has 168 employees.
- This facility caters to an older more traditional style player; existing customers have been asking for live table games on site.
- BCLC believes a modest 4 or 5 tables plus a roulette table is appropriate for on-site customer needs.
- This addition is a natural progression of the business rather than competition for the existing Casino.
- In addition to added revenue Chances intends to hire 50 people to support the tables.
- Spoke to the ways that Chances is a strong community supporter.
- Believes this is the right thing for the market and believes Kelowna is a growth market in the gaming industry.
- Responded to questions from Council.

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

Gallery:

Shiera Stuart, Director, Gateway Casino on behalf of Playtime Casino Kelowna

- Opposed to this application.
- Raised concern with the close proximity of Chances to Playtime Casino.
- In 2015 Chances made a request for gaming tables to BCLC; a market analysis was performed at that time and BCLC advised it did not warrant gaming tables; questioned what has changed.
- Raised concern with the negative impacts on their gaming facility.

Tim Lalor, Cawston Avenue

- In support of the application.
- Frequents both facilities and each provide a very different experience.

Clarissa Pruden, General Manager of Playtime Casino

- Opposed to the application.
- Raised concerns with the application impact on current and future business as Playtime relies heavily on table game operations.
- Raised concerns with the impacts this could have on existing staff; may force a change to Playtime's business plan.
- Raised concerns that Chances and Playtime Casino are so close in proximity and are the closest in all of the Province.
- Responded to questions from Council.

James Greave, Sunset Drive

- In support of the application.
- Has worked in the gaming industry.
- Believes there is a need for an additional client experience.

Wayne Salisbury, Trumpeter Drive

- Owner of a downtown property and short term rental business.
- In support of the application.
- Believes there is room for two facilities as they have different customer bases.

Don Clackea, West Kelowna

- Former employee of Playtime Casino.
- In support of this application.
- Hoping for a new job opportunity.

Dale Conway West Kelowna

- Have worked in both these organizations and have nothing negative to say about either business.
- Does not believe this application is competitive but more complimentary.
- In support of the application.

Caroline Miller Gallagher Look Out

- Employed by a not for profit who helps organizations receive gaming monies.
- In support of this application.

Rick Madison, Woodhaven Place

- In support of this application due to employment opportunities.

Brad Desmarais, VP BC Casino Lottery Corporation, Applicant:

- Believes there is enough market share for each gaming facility to be successful.
- Believes both facilities will be a credit to the city and will continue to provide charitable donations.
- Responded to questions from Council.

There were no further comments.

Moved By Councillor Hodge/Seconded By Councillor Singh

R0172/20/02/25 THAT Council directs Staff to forward the following recommendation to the British Columbia Lottery Corporation:

In accordance with Part 3 Section 19 of the *Gaming Control Act* and Council Policy #367, BE IT RESOLVED THAT:

1. Council recommends support of an application from Chances Gaming Entertainment located at 1585 Springfield Road, Kelowna, BC, legally described as Lot A District Lot 129 ODYD Plan KAP70110 for a Substantial Change to an existing Gaming Facility:
 - a. To expand the existing gaming options to include live table games which may include blackjack, baccarat, poker, roulette and other games which include a live dealer.
2. That Council's comments on the prescribed considerations are as follows:

- a. The location of the gaming facility/ casino: Chances is located on the south side of Springfield Road beyond the boundary of the Capri Landmark Urban Centre within a mixed use area.
- b. Traffic, noise, parking and zoning: The facility has been in operation at this location since 2002. To date, there has been negligible negative impact on traffic, noise, parking and the property is zoned appropriately.
- c. The hours of operation of the facility will remain unchanged.
- d. The impact on the community if the application is approved: The potential for negative impact is considered to be minimal.
- e. Adjacent Notification of Municipalities within a 5 km radius of the subject property: The application was circulated for comment to the District of Lake Country, the City of West Kelowna, West Bank First Nations and RDCO. No objections or concerns were raised.

AND THAT Council's comments on the views of residents are as contained within the minutes of the meeting at which the application was considered by Council. The methods used to gather the views of residents were as per Council Policy #367 'Public Notification & Consultation for Development Applications'.

Carried

Councillor Sieben rejoined the meeting at 9:40 p.m.

7. Development Permit and Development Variance Permit Reports

7.1 Hazell Rd 714, DVP19-0222 - Brian and Catherine Reardon

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The Applicant was present and available for questions.

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

No one from the gallery came forward.

There were no further comments.

Moved By Councillor Hodge/Seconded By Councillor Sieben

R0173/20/02/25 THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0222 for Lot 5 District Lot 358 ODYD Plan 16743, located at 714 Hazell Rd, Kelowna, BC;

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

Section 13.1.5(b): RU1 – Large Lot Housing Subdivision Regulations

To vary the required minimum lot depth from 30.0 m permitted to 28.34 m proposed for future Lot A.

AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with not opportunity to extend.

Carried

7.2 Clifton Rd 655, DVP19-0234 - Lee Emond

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The Applicant was present and available for questions.

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

No one from the gallery came forward.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0174/20/02/25 THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0234 for Lot 4, Section 32, Township 26, Plan 20929, located at 655 Clifton Road, Kelowna, BC;

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

Section 6.5.3 (d): Accessory Buildings in Residential Zones

To vary the front yard setback for an accessory building from 9.0m required to 6.1m proposed.

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

Carried

7.3 Beach Ave 377, DVP20-0005 - Sarah L. MacLeod

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The Applicant was present and available for questions.

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

No one from the gallery came forward.

There were no further comments.

Moved By Councillor Hodge/Seconded By Councillor Donn

R0175/20/02/25 THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0005 for Lot 1 District Lot 14 ODYD Plan 2918, located at 377 Beach Avenue, Kelowna, BC;

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

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

To vary the required minimum rear yard setback from 7.5 m permitted to 5.67 m proposed.

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

Carried

8. Reminders – Nil.

9. Termination

The meeting was declared terminated at 9:49 p.m.

Mayor Basran

/acm



City Clerk

DRAFT

CITY OF KELOWNA
BYLAW NO. 11991
Z19-0140 – 532-538 Yates 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 of Lot 1 Section 32 Township 26 Osoyoos Division Yale District Plan KAP77456, located on Yates Road, Kelowna, BC from the C2 – Neighbourhood Commercial zone to the C2rcs – Neighbourhood Commercial (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 24th day of February, 2020.

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. 11992

Z19-0061 – 2840 Fenwick 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 B, Section 34, Township 26, ODYD Plan 22142 located on Fenwick Rd, Kelowna, BC from the A1 – Agriculture 1 zone to the I2 – General Industrial zone and the P3 – Parks and Open Space zone as shown on Map "A" attached to and forming part of this bylaw;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 24th day of February, 2020.

Read a second and third time by the Municipal Council this

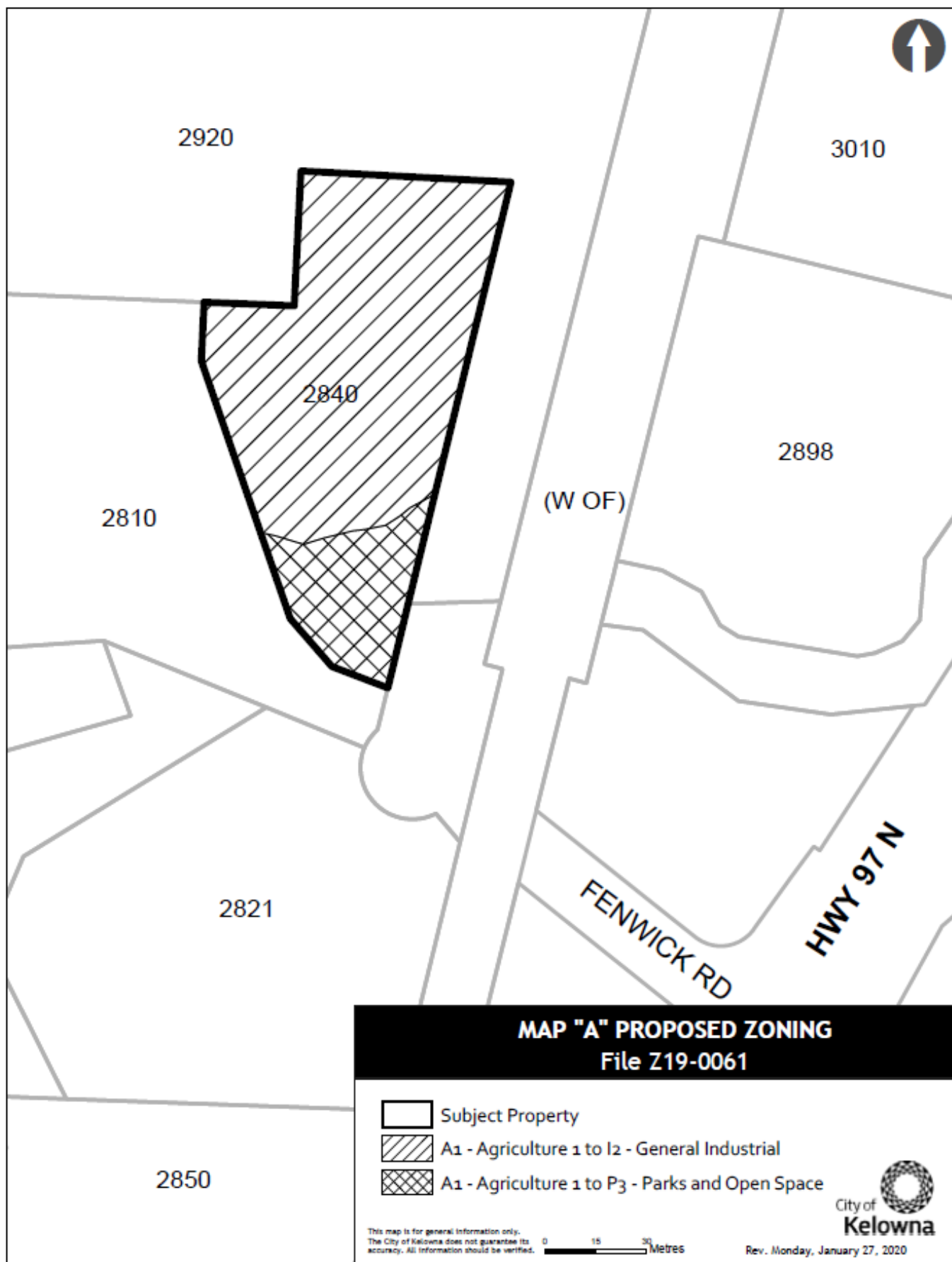
Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA

BYLAW NO. 11993

TA19-0022 – 816 Clement Avenue

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

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

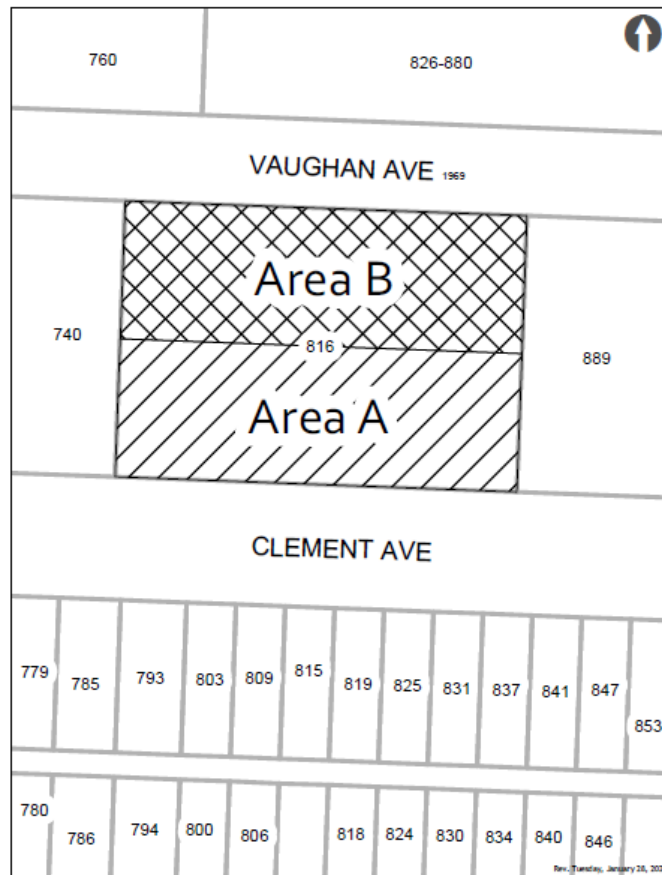
1. THAT City of Kelowna Zoning Bylaw No. 8000, **Section 15.4 – I4 Central Industrial, 15.4.2 Principal Uses, 15.4.2(kk)** be deleted;
2. AND THAT **Section 15.4, I4 – Central Industrial** be amended, by adding in its appropriate location the following:

15.4.7 Site Specific Uses and Regulations

Uses and regulations apply to the I4 – Central Industrial zone on a site-specific basis as follows:

	<i>Legal Description</i>	<i>Civic Address</i>	<i>Regulation</i>
2.	Lot B Section 30 Township 26 ODYD Plan EPP83554 (Area A)	816 Clement Ave, Kelowna, BC	<p>To allow:</p> <ul style="list-style-type: none"> • offices; • business support services; • financial services; • government services; • health services; • retail liquor sales establishment; • retail stores, service commercial; • retail stores, general; • liquor primary establishment, major; • personal service establishment • commercial schools <p>as Principal Uses in addition to those permitted in section 15.4.2 as per Area A in Diagram A.</p>
	Lot B Section 30 Township 26 ODYD Plan EPP83554 (Area B)	816 Clement Ave, Kelowna, BC	<p>To allow:</p> <ul style="list-style-type: none"> • business support services; • high technology research and product design and; • liquor primary establishment, major <p>as permitted Principal Uses in addition to those permitted in section 15.4.2 as per Area B in Diagram A.</p> <p>To allow:</p> <ul style="list-style-type: none"> • offices; • offices, construction and development industry; • retail stores, convenience; • retail stores, service commercial; • personal service establishments and; • commercial schools <p>as permitted Secondary Uses in addition to those permitted in section 15.4.3 as per Area B in Diagram A.</p>

Diagram A – 816 Clement Ave



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

Read a first time by the Municipal Council this 24th day of February, 2020.

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. 11994

Discharge of Land Use Contract

LUC77-1045 (P1218)

925-929 McCurdy Road

WHEREAS a land use (the "Land Use Contract") is registered at the Kamloops Land Title Office under number P1218 against lands in the City of Kelowna particularly known and described as Lot A, District Lot 143, Osoyoos Division Yale District Plan KAP66598 located at 925-929 McCurdy Road, Kelowna, B.C.;

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 LUC77-1045 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 24th day of February, 2020.

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. 11995
Z19-0132 - 925-929 McCurdy Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A District Lot 143, ODYD, Plan KAP66598 located on McCurdy Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I2 – General Industrial zone;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 24th day of February, 2020.

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. 11996

LUCT20-0001

Early Termination of Land Use Contract – LUC77-1045 Alsgard Street, Leathead Road and McCurdy Road

WHEREAS a land use contract (the "Land Use Contract LUC77-1045") is registered at the Kamloops Land Title Office under the charge numbers P1218, R54107, KD80046, KL84709, KL84710 and KL84711 against lands in the City of Kelowna particularly known and described as in Schedule "A" attached (the "Lands"), located on Alsgard Street, Leathead Road and McCurdy Road, Kelowna, B.C.;

AND WHEREAS Section 548 of the *Local Government Act* provides that a local government may impose an early termination to land use contracts registered in a Land Title Office that applies to land within the jurisdiction of the local government;

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 "Early Termination of Land Use Contract LUC77-1045";
2. Bylaw No. 4679-78 establishing Land Use Contract LUC77-1045 and all amendments thereto, are hereby repealed and the Land Use Contract is terminated as of the date of adoption; and
3. This bylaw will come into force and effect one year after the adoption date.

Read a first time by the Municipal Council this 24th day of February, 2020.

Considered at a Public Hearing this

Read a second and third time by Municipal Council this

Adopted by the Municipal Council this

Mayor

City Clerk

Schedule A: LUC77-1045						
No.	Legal Description	Address	Parcel Identifier Number	Land Use Contract	Underlying Zone	Charge Number
1	Lot 2 District Lot 143 ODYD Plan KAP45330	960 Alsgard Street	017-397-511	LUC77-1045	A1 – Agriculture 1	P1218/R54107
2	Lot 3 District Lot 143 ODYD Plan KAP45330	950 Alsgard Street	017-397-529	LUC77-1045	A1 – Agriculture 1	P1218/R54107
3	Lot 4 District Lot 143 ODYD Plan KAP45330	940 Alsgard Street	017-397-537	LUC77-1045	A1 – Agriculture 1	P1218/R54107
4	Lot 5 District Lot 143 ODYD Plan KAP45330	904 Alsgard Street	017-397-545	LUC77-1045	A1 – Agriculture 1	P1218/R54107
5	Lot 1 District Lot 143 ODYD Plan KAP45330	1049 McCurdy Road	017-397-502	LUC77-1045	A1 – Agriculture 1	P1218/R54107
6	Lot A District Lot 143 ODYD Plan 40065	1015 McCurdy Road	011-820-951	LUC77-1045	A1 – Agriculture 1	P1218/R54107
7	Lot B District Lot 14 ODYD Plan 40065	965-975 McCurdy Road	011-820-969	LUC77-1045	A1 – Agriculture 1	P1218/R54107
8	Lot A District Lot 143 ODYD Plan KAP67912	865 McCurdy Road	024-904-392	LUC77-1045	A1 – Agriculture 1	P1218/R54107/ KL84710
9	Lot A District Lot 143 and of Section 27 Township 26 ODYD Plan KAP50295	856-880 Leathead Road	018-353-720	LUC77-1045	A1 – Agriculture 1	P1218/R54107/ KL84711
10	Lot E District Lot 143 and of Section 27 Township 26 ODYD District Plan 40065	920 Leathead Road	011-820-993	LUC77-1045	A1 – Agriculture 1	P1218/R54107/ /KL84709
11	Lot 1 District Lot 143 ODYD Plan 43896	990 Leathead Road	016-554-582	LUC77-1045	A1 – Agriculture 1	P1218/R54107/ /KD80046
12	Lot D District Lot 143 and of Section 27 Township 26 ODYD Plan 40065	990 Leathead Road	011-820-977	LUC77-1045	A1 – Agriculture 1	P1218/R54107

CITY OF KELOWNA
BYLAW NO. 11997
Z20-0004
Alsgard Street, Leathead Road and McCurdy 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 parcels outlined in Schedule "B" attached and forming part of this bylaw located on Alsgard Street, Leathead Road and McCurdy Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I2 – General Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 24th day of February, 2020.

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

Schedule B: Proposed I2 Zone						
No.	Legal Description	Address	Parcel Identifier Number	Land Use Contract	Underlying Zone	Proposed Zone
1	Lot 2 District Lot 143 ODYD Plan KAP45330	960 Alsgard Street	017-397-511	LUC77-1045	A1 – Agriculture 1	I2 – General Industrial
2	Lot 3 District Lot 143 ODYD Plan KAP45330	950 Alsgard Street	017-397-529	LUC77-1045	A1 – Agriculture 1	I2 – General Industrial
3	Lot 4 District Lot 143 ODYD Plan KAP45330	940 Alsgard Street	017-397-537	LUC77-1045	A1 – Agriculture 1	I2 – General Industrial
4	Lot 5 District Lot 143 ODYD Plan KAP45330	904 Alsgard Street	017-397-545	LUC77-1045	A1 – Agriculture 1	I2 – General Industrial
5	Lot 1 District Lot 143 ODYD Plan KAP45330	1049 McCurdy Road	017-397-502	LUC77-1045	A1 – Agriculture 1	I2 – General Industrial
6	Lot A District Lot 143 ODYD Plan 40065	1015 McCurdy Road	011-820-951	LUC77-1045	A1 – Agriculture 1	I2 – General Industrial
7	Lot B District Lot 14 ODYD Plan 40065	965-975 McCurdy Road	011-820-969	LUC77-1045	A1 – Agriculture 1	I2 – General Industrial
8	Lot A District Lot 143 ODYD Plan KAP67912	865 McCurdy Road	024-904-392	LUC77-1045	A1 – Agriculture 1	I2 – General Industrial
9	Lot A District Lot 143 and of Section 27 Township 26 ODYD Plan KAP50295	856-880 Leathead Road	018-353-720	LUC77-1045	A1 – Agriculture 1	I2 – General Industrial
10	Lot E District Lot 143 and of Section 27 Township 26 ODYD District Plan 40065	920 Leathead Road	011-820-993	LUC77-1045	A1 – Agriculture 1	I2 – General Industrial
11	Lot 1 District Lot 143 ODYD Plan 43896	990 Leathead Road	016-554-582	LUC77-1045	A1 – Agriculture 1	I2 – General Industrial
12	Lot D District Lot 143 and of Section 27 Township 26 ODYD Plan 40065	990 Leathead Road	011-820-977	LUC77-1045	A1 – Agriculture 1	I2 – General Industrial

CITY OF KELOWNA
BYLAW NO. 11998
Z19-0142 - 435 Primrose 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 8, Section 26, Township 26, ODYD, Plan 17525 located on Primrose Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 24th day of February, 2020.

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. 11999
Z19-0138 – 460 Francis Avenue

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 8, District Lot 14, ODYD, Plan 7336 located on Francis Avenue, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 24th day of February, 2020.

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. 11988

TA20-0007

Section 13 Urban Residential Zones and Section 14 Commercial Zones

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, **Section 1 – General Administration, 1.3 Zoning Map, 1.3.1 Section 13 – Urban Residential Zones and Section 14 – Commercial Zones** be amended by:

- a) Deleting the following:

RM2/RM2h	Low Density Row Housing/Low Density Row Housing (Hillside Area)
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And replacing it with:

RM2	Low Density Row Housing
RM2h	Low Density Row Housing (Hillside Area)
RM2r	Low Density Row Housing (Residential Rental Tenure Only)

- b) Deleting the following:

RM3	Low Density Multiple Housing
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And replacing it with:

RM3	Low Density Multiple Housing
RM3r	Low Density Multiple Housing (Residential Rental Tenure Only)

- c) Deleting the following:

RM4	Transitional Low Density Housing
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And replacing it with:

RM4	Transitional Low Density Housing
RM4r	Transitional Low Density Housing (Residential Rental Tenure Only)

- d) Deleting the following:

RM5	Medium Density Multiple Housing
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And replacing it with:

RM5	Medium Density Multiple Housing
RM5r	Medium Density Multiple Housing (Residential Rental Tenure Only)

- e) Deleting the following:

RM6	High Rise Apartment Housing
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And replacing it with:

RM6 RM6r	High Rise Apartment Housing High Rise Apartment Housing (Residential Rental Tenure Only)
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f) Deleting the following:

C4	Urban Centre Commercial
C4rls	Urban Centre Commercial (Retail Liquor Sales)
C4lp	Urban Centre Commercial (Liquor Primary)
C4lp/rls	Urban Centre Commercial (Liquor Primary/Retail Liquor Sales)
C4rcs	Urban Centre Commercial (Retail Cannabis Sales)
C4lp/rcs	Urban Centre Commercial (Liquor Primary/Retail Cannabis Sales)
C4rls/rcs	Urban Centre Commercial (Retail Liquor Sales /Retail Cannabis Sales)
C4lp/rls/rcs	Urban Centre Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales)

And replacing it with:

C4	Urban Centre Commercial
C4rls	Urban Centre Commercial (Retail Liquor Sales)
C4lp	Urban Centre Commercial (Liquor Primary)
C4lp/rls	Urban Centre Commercial (Liquor Primary/Retail Liquor Sales)
C4rcs	Urban Centre Commercial (Retail Cannabis Sales)
C4lp/rcs	Urban Centre Commercial (Liquor Primary/Retail Cannabis Sales)
C4rls/rcs	Urban Centre Commercial (Retail Liquor Sales /Retail Cannabis Sales)
C4lp/rls/rcs	Urban Centre Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales)
C4r	Urban Centre Commercial (Residential Rental Tenure Only)

g) Deleting the following:

C7	Central Business Commercial
C7rls	Central Business Commercial (Retail Liquor Sales)
C7lp	Central Business Commercial (Liquor Primary)
C7lp/rls	Central Business Commercial (Liquor Primary/Retail Liquor Sales)
C7rcs	Central Business Commercial (Retail Cannabis Sales)
C7lp/rcs	Central Business Commercial (Liquor Primary/Retail Cannabis Sales)
C7rls/rcs	Central Business Commercial (Retail Liquor Sales/Retail Cannabis Sales)
C7lp/rls/rcs	Central Business Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales)

And replacing it with:

C7	Central Business Commercial
C7rls	Central Business Commercial (Retail Liquor Sales)
C7lp	Central Business Commercial (Liquor Primary)
C7lp/rls	Central Business Commercial (Liquor Primary/Retail Liquor Sales)
C7rcs	Central Business Commercial (Retail Cannabis Sales)
C7lp/rcs	Central Business Commercial (Liquor Primary/Retail Cannabis Sales)
C7rls/rcs	Central Business Commercial (Retail Liquor Sales/Retail Cannabis Sales)
C7lp/rls/rcs	Central Business Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales)
C7r	Central Business Commercial (Residential Rental Tenure Only)

2. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 2 – Interpretation, 2.3 General Definitions, 2.3.3** be amended by adding the following in its appropriate location:

“RESIDENTIAL RENTAL TENURE means occupancy of a **dwelling unit** under a rental agreement that is subject to the Residential Tenancy Act;”

3. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 8 – Parking and Loading, 8.2 Off-Street Parking Regulations - Number of Spaces, 8.2.12 Rental Housing Incentives** be amended by:

Deleting the following:

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**.

And replacing it with:

If a **development** is sub-zoned for **Residential Rental Tenure** guaranteeing the **development** as **Residential Rental Tenure**, 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**.

4. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 13 – Urban Residential Zones, 13.8 RM2 – Low Density Row Housing/RM2h – Low Density Housing (Hillside Area)** be amended by adding a sub-rental zone to the end of the title as follows:

“RM2r – Low Density Row Housing (Residential Rental Tenure Only)”

5. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 13 – Urban Residential Zones, 13.8 RM2 – Low Density Row Housing/RM2h – Low Density Housing (Hillside Area), 13.8.7 Other Regulations** be amended by adding:

“(g) In the RM2r zones, any Multiple Dwelling Housing unit shall be restricted to a Residential Rental Tenure.”

6. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 13 – Urban Residential Zones, 13.9 RM3 – Low Density Multiple Housing** be amended by adding a sub-rental zone to the end of the title as follows:

“RM3r – Low Density Multiple Housing (Residential Rental Tenure Only)”

7. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 13 – Urban Residential Zones, 13.9 RM3 – Low Density Multiple Housing, 13.9.7 Other Regulations** be amended by adding:

“(e) In the RM3r zones, any Multiple Dwelling Housing unit shall be restricted to a Residential Rental Tenure.”

8. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 13 – Urban Residential Zones, 13.10 RM4 – Transitional Low Density Housing** be amended by adding a sub-rental zone to the end of the title as follows:

“RM4r – Transitional Low Density Housing (Residential Rental Tenure Only)”

9. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 13 – Urban Residential Zones, 13.10 RM4 – Transitional Low Density Housing, 13.10.7 Other Regulations** be amended by adding:

"(e) In the RM_{4r} zones, any **Multiple Dwelling Housing** unit shall be restricted to a **Residential Rental Tenure**."

10. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 13 – Urban Residential Zones, 13.11 RM₅ – Medium Density Multiple Housing** be amended by adding a sub-rental zone to the end of the title as follows:

"RM_{5r} – Medium Density Multiple Housing (Residential Rental Tenure Only)"

11. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 13 – Urban Residential Zones, 13.11 RM₅ – Medium Density Multiple Housing, 13.11.7 Other Regulations** be amended by adding:

"(d) In the RM_{5r} zones, any **Multiple Dwelling Housing** unit shall be restricted to a **Residential Rental Tenure**."

12. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 13 – Urban Residential Zones, 13.12 RM₆ – High Rise Apartment Housing** be amended by adding a sub-rental zone to the end of the title as follows:

"RM_{6r} – High Rise Apartment Housing (Residential Rental Tenure Only)"

13. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 13 – Urban Residential Zones, 13.12 RM₆ – High Rise Apartment Housing, 13.12.7 Other Regulations** be amended by adding:

"(e) In the RM_{6r} zones, any **Multiple Dwelling Housing** unit shall be restricted to a **Residential Rental Tenure**."

14. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 14 – Commercial Zones, 14.4 C₄ – Urban Centre Commercial/ C₄rls – Urban Centre Commercial (Retail Liquor Sales) C₄lp – Urban Centre Commercial (Liquor Primary) C₄lp/rls – Urban Centre Commercial (Liquor Primary/Retail Liquor Sales)/ C₄rcls – Urban Centre Commercial (Retail Cannabis Sales)/C₄lp/rcls – Urban Centre Commercial (Liquor Primary/Retail Cannabis Sales)/C₄rls/rcls – Urban Centre Commercial (Retail Liquor Sales/Retail Cannabis Sales)/C₄lp/rls/rcls – Urban Centre Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales)** be amended by adding a sub-rental zone to the end of the title as follows:

"C_{4r} – Urban Centre Commercial (Residential Rental Tenure Only)"

15. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 14 – Commercial Zones, 14.4 C₄ – Urban Centre Commercial/ C₄rls – Urban Centre Commercial (Retail Liquor Sales) C₄lp – Urban Centre Commercial (Liquor Primary) C₄lp/rls – Urban Centre Commercial (Liquor Primary/Retail Liquor Sales)/ C₄rcls – Urban Centre Commercial (Retail Cannabis Sales)/C₄lp/rcls – Urban Centre Commercial (Liquor Primary/Retail Cannabis Sales)/C₄rls/rcls – Urban Centre Commercial (Retail Liquor Sales/Retail Cannabis Sales)/C₄lp/rls/rcls – Urban Centre Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales), 14.4.6 Other Regulations** be amended by adding:

"(g) In the C_{4r} zones, any **Multiple Dwelling Housing** unit shall be restricted to a **Residential Rental Tenure**."

16. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 14 – Commercial Zones, 14.7 C₇ – Central Business Commercial/C₇rls – Central Business Commercial (Retail Liquor Sales) /C₇lp – Central Business Commercial (Liquor Primary) /C₇lp/rls – Central Business Commercial (Liquor Primary/Retail Liquor Sales)/ C₇rcls – Central Business Commercial (Retail Cannabis Sales)/ C₇lp/rcls – Central Business Commercial (Liquor Primary/Retail Cannabis Sales)/ C₇rls/rcls – Central Business Commercial (Retail Liquor Sales/Retail Cannabis Sales)/ C₇lp/rls/rcls – Central Business Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales)** be amended by adding a sub-rental zone to the end of the title as follows:

"C7r – Central Business Commercial (Residential Rental Tenure Only)"

17. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 14 – Commercial Zones, 14.7 C7 – Central Business Commercial/C7rls – Central Business Commercial (Retail Liquor Sales) /C7lp – Central Business Commercial (Liquor Primary) /C7lp/rls – Central Business Commercial (Liquor Primary/Retail Liquor Sales)/ C7rcs – Central Business Commercial (Retail Cannabis Sales)/ C7lp/rcs – Central Business Commercial (Liquor Primary/Retail Cannabis Sales)/ C7rls/rcs – Central Business Commercial (Retail Liquor Sales/Retail Cannabis Sales)/ C7lp/rls/rcs – Central Business Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales), 14.7.7 Other Regulations** be amended by adding:

"(f) In the C7r zones, any **Multiple Dwelling Housing** unit shall be restricted to a **Residential Rental Tenure.**"

18. 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 2nd day of March, 2020.

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. 11989

Official Community Plan Amendment No. OCP19-0009 969 Harvey Avenue

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

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

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* – Official Community Plan Bylaw No. 10500" be amended by changing the Future Land Use designation of Lot A District Lot 138 Osoyoos Division Yale District Plan 31933 Except Plan 36604, located on Harvey Avenue, Kelowna, BC from the MRM – Multiple Unit Residential (Medium Density) designation to the MRH – Multiple Unit Residential (High Density) designation;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 2nd day of March, 2020.

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. 11990
Z19-0119 – 969 Harvey Avenue

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A District Lot 138 Osoyoos Division Yale District Plan 31933 Except Plan 36604, located on Harvey Avenue, Kelowna, BC from the RM5 – Multiple Unit Residential (Medium Density) zone to the RM6r – High Rise Apartment Housing (Residential Rental Tenure Only) 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 2nd day of March, 2020.

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. 12002
Z19-0141 – 368 Uplands 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 Lot 2, Section 23, Township 28, SDYD, Plan 42738, located on Uplands Drive, Kelowna, BC from RR2 – Rural Residential 2 zone to the RR2c – Rural Residential 2 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 2nd day of March, 2020.

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. 12003

HD20-0001 – Heritage Designation Bylaw - 3652 Spiers Road

WHEREAS the Municipal Council of the City of Kelowna considers the building known as the “Cross House” located at Lot B Section 8 Township 26 ODYD Plan 25537, on Spiers Road, 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 B Section 8 Township 26 ODYD Plan 25537, on Spiers Road, 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 Cross House situated on lands legally described as Lot B Section 8 Township 26 ODYD Plan 25537, located at 3652 Spiers Road, Kelowna, BC is hereby designated a Municipal Heritage Building pursuant to Section 611 of the Local Government Act.
2. The site envelope as indicated by Schedule “B” attached to this bylaw, situated on lands legally described as Lot B Section 8 Township 26 ODYD Plan 25537, located at 3652 Spiers Road, 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:
4. Alter the exterior of any building situated on the property designated by this bylaw;
5. Make a structural change to a building or structure situated on property designated by this bylaw;
6. Move any building situated on the property designated by this bylaw; or
7. Alter, excavate or build on land designated by this bylaw.
8. The following alterations to the designated building are hereby authorized without a Heritage Alteration Permit:
9. Normal day to day maintenance and repairs
10. This bylaw may be cited for all purposes as the Heritage Designation Bylaw No. 12003 the Cross House.

AND FURTHER THAT the Heritage Designation Bylaw be forwarded to a Public Hearing for further consideration.

This bylaw may be cited for all purposes as the Heritage Designation Bylaw No. 12003 the Cross House.

Read a first time by the Municipal Council this 2nd day of March, 2020.

Considered at a Public Hearing this

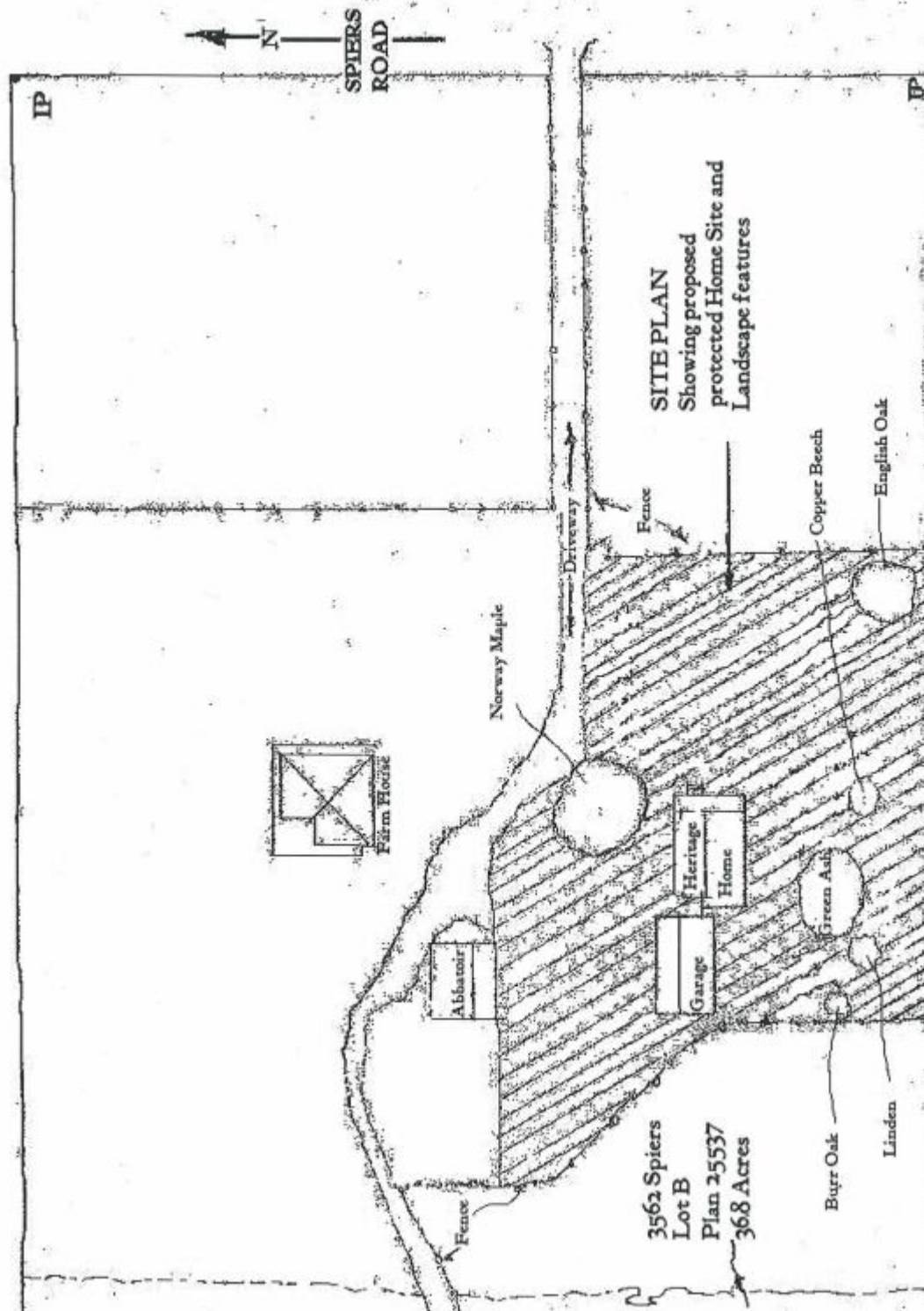
Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Schedule B – Site Envelope – 3652 Spiers Road



REPORT TO COUNCIL



Date: March 17, 2020

To: Council

From: City Manager

Department: Development Planning

Application: LL19-0034

Owner: 1124770 B.C. Ltd., Inc. No.
BC1124770

Address: 1-3314 Appaloosa Rd

Applicant: Theresa Cashen

Subject: Liquor License Application

Existing OCP Designation: IND - Industrial

Existing Zone: I2 – General Industrial

1.0 Recommendation

THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor and Cannabis Regulation Branch (LCRB):

In accordance with Section 71 of the *Liquor Control and Licensing Regulation* and Council Policy #359, BE IT RESOLVED THAT:

1. Council recommends support of an application from Wild Ambitions Brewing Inc. (Brewery), Strata Lot 66, Section 2, Township 23, ODYD, Strata Plan KAS2842 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V, located at 1-3314 Appaloosa Road, Kelowna, BC for a manufacturer lounge for the hours of 9:00AM to 11:00PM Monday to Sunday;
2. Council's comments on LCRB's prescribed considerations are as follows:
 - a. The proximity of the establishment to other social or recreational facilities and public buildings:
The brewery (with person capacity less than 100 persons) is located within an industrial development near the corner of Appaloosa Road and Hollywood Road North and is not located beside another liquor primary establishment.
 - b. The person capacity and hours of liquor service of the establishment:
The proposed person capacity is 30 persons inside. Proposed hours of operation will be from 9:00AM to 11:00Pm Monday to Sunday.

- c. The impact of noise on the community in the immediate vicinity of the establishment if the application is approved:

The impact of noise on the surrounding community should be minimal as City Staff are recommending restrictions on amplified music as detailed in this report. The Brewery is located in an industrial area and will have minimal negative impact on traffic and parking, and the property is properly zoned.

- d. The impact on the community if the application is approved:

The potential for negative impact is considered to be minimal.

AND THAT Council's comments on the views of residents are as contained within the minutes of the meeting at which the application was considered by Council. The methods used to gather views of residents were as per Council Policy #359 "Liquor Licensing Policy and Procedures."

2.0 Purpose

To consider a manufacturer's lounge endorsement liquor license to allow patrons to purchase and consume liquor products within an existing brewery.

3.0 Development Planning

Development Planning Staff generally support manufacturer lounge and special event area endorsements to permit customers to consume the manufacturer's product onsite. Staff do not foresee any negative land use impact of permitting this type of license. Three components of each license application require specific consideration by Council:

1. Capacity
2. Location
3. Hours of liquor sales

1. Capacity:

The proposed capacity must not exceed the building's occupant load. In this case, the maximum capacity is 30 persons inside. The proposed capacity is consistent with the maximum occupancy load.

2. Location:

Under Council Policy # 359 (*Liquor Licensing Policy & Procedures*), this license would be considered a small sized establishment (with person capacity less than 100 persons):

- Can be located City-wide.
- Should be located a minimum of 100m from a Large or Medium establishment.
- Should not be located beside a Small establishment.

The proposal is consistent with Council Policy #359. The Brewery is located within the Mill Creek Industrial Park. Other liquor establishments within the surrounding area include "Base Camp Brewery" located at 975 Academy Way (University of BC Campus) and 948 McCurdy Rd ("McCurdy Lanes"); both are Medium establishments and are well over 1.5 km away. The subject Brewery is not located beside a small establishment.

Additionally, impact to the surrounding businesses is expected to be minimal and noise is not anticipated be an issue as the applicant will enforce the following:

- Restriction to amplified voice and music as per Good Neighbour Bylaw No. 11500; and,

- Amplified voice and music to any outdoor area will be off by no later than 10:00 PM.

3. Hours of Liquor Sales:

The proposed hours of operation are supported both by Staff and the RCMP.

4.0 **Proposal**

4.1 Background

An application has been forwarded by the licensee to the Provincial Liquor and Cannabis Regulation Branch (LCRB) for their approval. Procedurally, this type of application needs local government comments prior to the LCRB making a final decision.

4.2 Project Description

Wild Ambitions Brewing Inc. is an existing brewery proposing to include an indoor lounge and retail area. The capacity of the indoor seating area is 30 persons.

The establishment intends to provide light meal options to accompany their liquor beverages. A variety of hot and cold sandwiches with a selection of locally made pastries will be available to occupants. Although entertainment is not proposed to be the focus of the establishment, occasional live music or poetry performances along with trivia or craft nights and board games are being proposed.

Proposed Hours of Sale (Manufacturer's License) for Wild Ambitions Brewing Inc.:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM
Close	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM

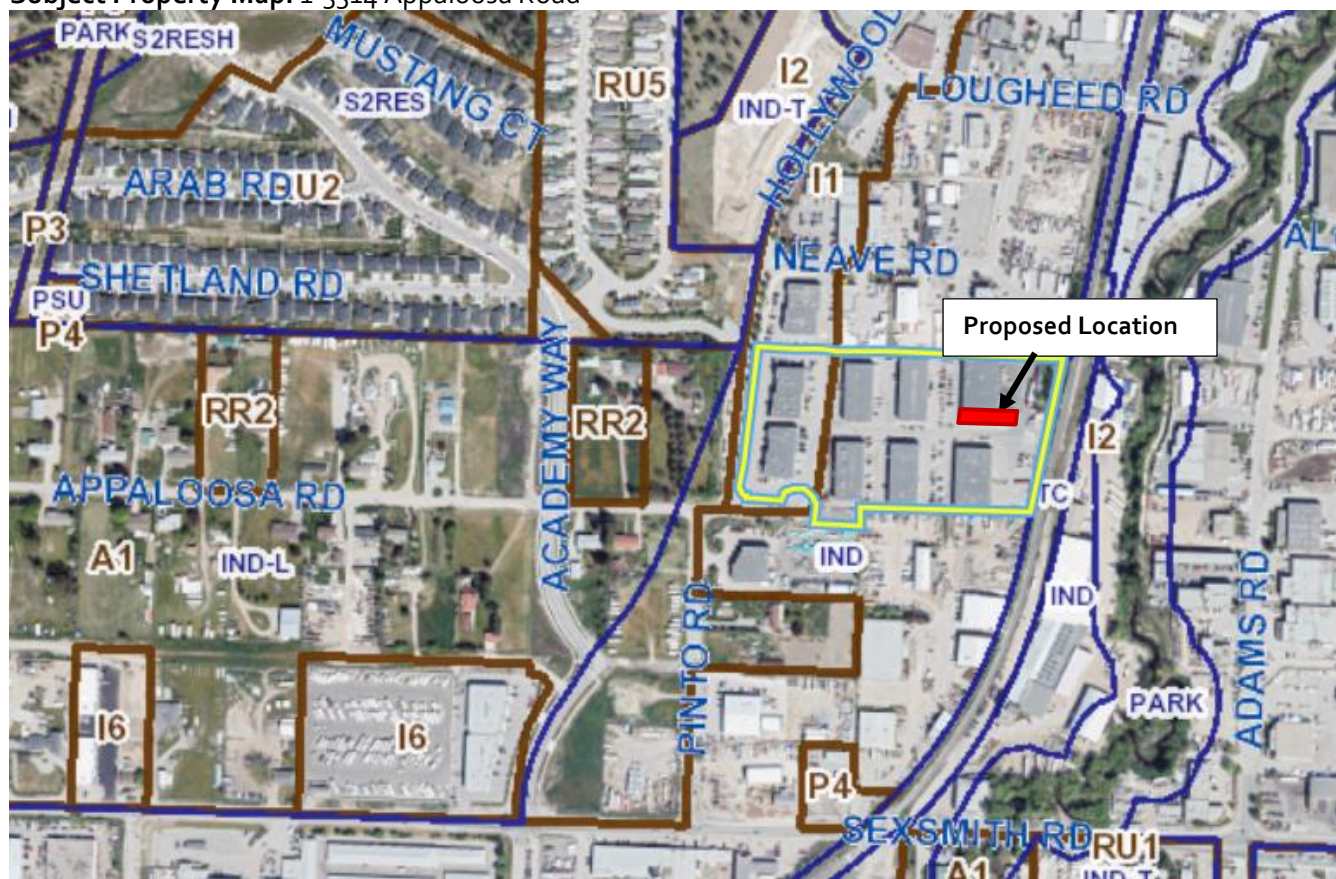
4.3 Site Context

The subject property is located in Mill Creek Industrial Park at the east end of Appaloosa Road, near the corner of Hollywood Road North and Appaloosa Road in an area of predominantly general industrial uses. The Rail Trail Transportation Corridor is located along the adjacent eastern property boundary.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I2 – General Industrial	Industrial
East	I2 – General Industrial	Industrial Rail Trail Transportation Corridor
South	I2 – General Industrial A1 – Agriculture 1	Industrial Agriculture
West	I1 – Business Industrial RR2 – Rural Residential 2	Industrial Residential

Subject Property Map: 1-3314 Appaloosa Road



5.0 Current Development Policies

5.1 Council Policy #359 - Liquor Licensing Policy and Procedures

The following sections of Policy #359 are applicable to this application:

- Small establishments (with person capacity less than 100 persons should not be located beside another liquor primary establishment.
- The proposed capacity should never exceed the building's occupant load. In this case, the maximum capacity is 30 persons inside.
- Impact to the surrounding businesses is expected to be minimal and noise is not anticipated be an issue.

6.0 Technical Comments

6.1 RCMP

RCMP supports the above noted application, with restriction of hours of operation from 9:00 AM to 11:00 PM Monday to Sunday and capacity restricted to applicant's request (30 capacity), with the following additional requirements:

- Restriction to amplified voice and music as per Good Neighbour Bylaw No. 11500.

- Amplified voice and music to any outdoor area will be off by no later than 10:00 PM.

7.0 Application Chronology

Date of Application Received: November 19, 2019

Date Revised RCMP Comments Received: January 10, 2020

Date of Revised Floor Plans Received: February 24, 2020

Report prepared by: Barbara B. Crawford, Planner II

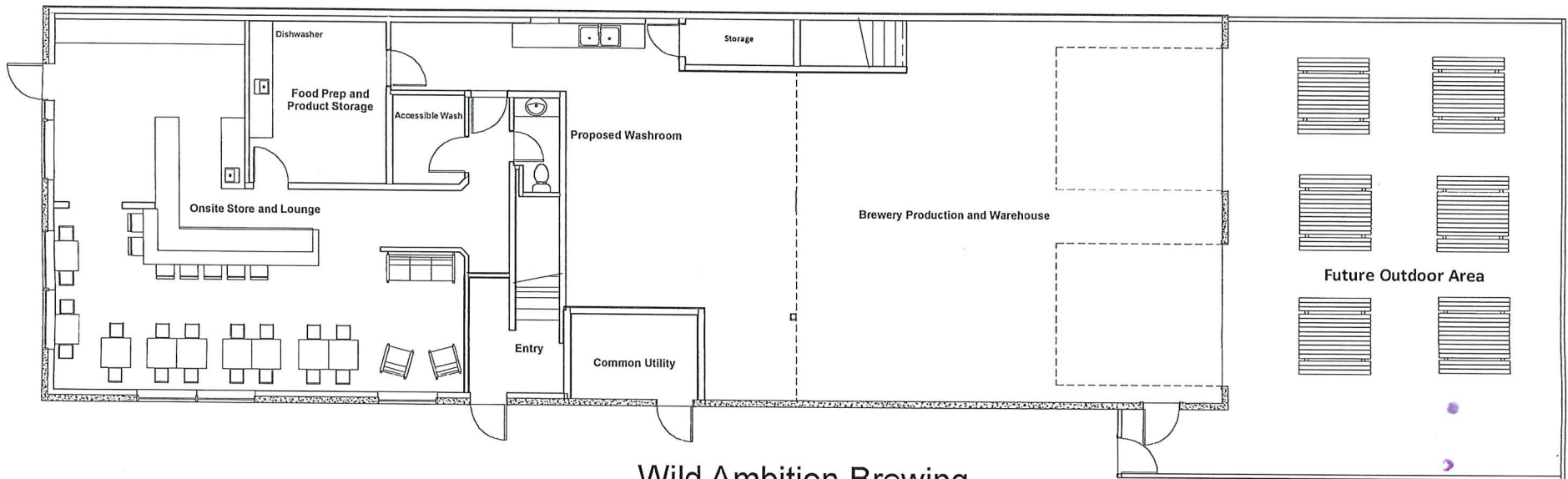
Reviewed by: James Moore, Urban Planning & Development Policy Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Schedule A – Occupant Load Drawing

Attachment A – Applicant’s Letter of Intent



Wild Ambition Brewing
1 - 3314 Appaloosa Rd
Kelowna

Application for Lounge

Revised February 24, 2020

The LOUNGE
has a net floor area of
N/A m². The maximum
occupant load shall be
30 persons, based on
SEATING PROVIDED

Reviewed
by City of Kelowna
Inspection Services
[Signature] **RECEIVED**
FEB 24 2020

Letter of Intent

RE: Wild Ambition Brewing Lounge Endorsement



To Whom It May Concern,

Please find below the description of the proposed lounge for Wild Ambition Brewing at 1-3314 Appaloosa Road, Kelowna, BC.

Food

Wild Ambition intends to provide light meal options to accompany our ales. Inspired by the Belgian Brew Café model, a variety of hot and cold sandwiches with a selection of locally made pastries will service our industrial neighbourhood with well needed lunch time fare. These food options will aim to feature local ingredients and transition well to service our afternoon and evening patrons seeking a post shift meal with their beer. For non-alcoholic beverages, we intend for water and specialty sodas along with a selection of teas and coffee to be available to all guests.

Entertainment

Entertainment is not the focus of this brewery. However, we do envision a well-rounded community gathering place where locals and visitors alike can celebrate Kelowna's vibrant beer, food, and arts offerings - as well as each other! We see this taking the form of the occasional live music or poetry performance, along with trivia or craft nights, possibly accompanied by stable of board games.

Neighbourhood

The Mill Creek Industrial Park and surrounding area is composed primarily of contractor facing industrial operations. Wild Ambition would be included in a handful of other public facing businesses with manufacturing or industrial storage needs. Our neighbours primarily operate during daytime hours Monday to Friday with a few exceptions who continue their operations overnight and/or on weekends.

Potential Noise or Disturbances

Due to the existing composition of the neighbourhood, there are unlikely to be major concerns regarding potential noise or disturbances. The neighbouring businesses are already accustomed to large trucks making deliveries and the sounds of heavy machinery at all hours. Any noise produced by our patrons or entertainment offerings would likely be inconsequential.

Measures

As there is always the potential for unforeseen impacts, we will ensure that we respond to any concerns or complaints raised by any involved party and work promptly to identify a mutually agreeable solution.

Other Information

We are not expecting the transition from our existing retail shop and tasting area to retail shop and lounge to be particularly dramatic. The existing serving limit of three 125ml tasting pours disappoints our customers who would like the opportunity to sample more than three beers from our extensive beer list or have a larger serving of a single beer. Our goal is to offer them that choice in an environment that continues to promote responsible alcohol consumption with the addition of quality food service and casual entertainment.

Thank you for your time and consideration of our proposal. Please do not hesitate to reach out to me directly with any concerns.

Regards,

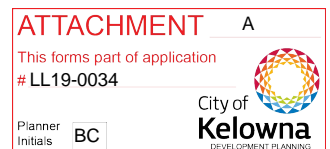


Theresa Cashen

Director

250-575-0787

theresa.cashen@wildambition.beer



CITY OF KELOWNA
BYLAW NO. 11648
Z17-0088 – 235 Taylor 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 by changing the zoning classification of Lot 1, Section 22, Township 26, ODYD, Plan 10497 located on Taylor Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RM3 – Low Density Multiple Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 30th day of July, 2018.

Considered at a Public Hearing on the 14th day of August, 2018.

Read a second and third time by the Municipal Council this 14th day of August, 2018.

Approved under the Transportation Act this 15th day of August, 2018.

Audrie Henry

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: March 17, 2020

To: Council

From: City Manager

Department: Development Planning - Urban

Application: DP17-0205 and DVP18-0110

Owner: 1219204 B.C. Ltd., INC.NO.
1219204 B.C.

Address: 235 Taylor Rd

Applicant: Pacific West Architecture

Subject: Development Permit and Development Variance Permit Application

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

Existing Zone: RM3 – Low Density Multiple Housing

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11648 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP17-0205 for Lot A Section 22 Township 26 ODYD Plan EPP89943, located at 235 Taylor Rd, Kelowna, BC subject to the following:

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

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0110 for Lot A Section 22 Township 26 ODYD Plan EPP89943, located at 235 Taylor Rd, Kelowna, BC;

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

Section 13.9.6(f): RM3 – Low Density Multiple Housing Development Regulations

To vary the required minimum rear yard from 7.5 m required to 6.5 m proposed.

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

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

2.0 Purpose

A Development Permit for the form and character of a multi-unit residential development with a variance to reduce the required rear yard from 7.5 m to 6.5 m.

3.0 Development Planning

Development Planning is recommending support for the proposed 12-unit townhouse development. The application generally meets the Official Community Plan (OCP) Comprehensive Development Permit Area Urban Design Guidelines as per Attachment B. The proposed townhouse development meets the objective of providing context sensitive housing development and supports sensitive infill and family housing policies.

4.0 Proposal

4.1 Background

At the time of initial consideration of the Rezoning application from RU1 – Large Lot Housing to RM3 – Low Density Multiple Housing, the proposed development consisted of an 8-unit townhouse development. Since third reading, the subject property has been sold, and a new development proposal was submitted which, while similar to the initial development concept, has increased the total number of units to 12.

The subject property has a single dwelling which will be demolished in order to facilitate the proposed development.

A road dedication of 2.5 m width along Taylor Road was required as a condition of rezoning. The subsequent subdivision for the road dedication was completed in 2019. The development proposal is utilizing the pre-road dedication property setbacks to achieve the desired site layout, which is permitted by Section 1.8.1 of the Zoning Bylaw when a lot is reduced in size as a result of a taking for public use¹.

4.2 Project Description

The applicant is proposing a multi-unit residential development consisting of 12 units in row house form in two buildings. The development consists of two different three-bedroom unit types. The larger units consist of three-bedrooms, den, patio, private back-yard and a 2-car garage. The smaller units consist of three bedrooms, patio, private backyard and a tandem 2-car garage. The development will be accessed by a shared driveway, two visitor parking spaces and bicycle racks are provided between the two buildings and there is a shared residential garden and garbage/recycling enclosure at the rear of the site.

4.3 Site Layout

The applicants are utilizing a Zoning Bylaw regulation which allows for a reduced front yard (1.5 m) if the development includes ground-oriented housing with a front door facing the street². The proposal also includes a request to vary the required rear yard setback from 7.5 m to 6.5 m. All other zoning regulations are

¹ City of Kelowna Zoning Bylaw, Section 1.8.1

² City of Kelowna Zoning Bylaw, Section 13.9.6(d)

met by the proposed development, and staff do not anticipate this variance to contribute to any negative impacts to the residents or neighbourhood.

4.4 Form and Character

The proposal includes a variety of durable building materials in natural colours to provide visual contrast. The building has adequate horizontal and vertical articulation on the North and West facades, with more minimal articulation along the South, East and interior facing façades. The south façade faces the back of an adjacent townhouse development and the East façade faces the rear yard of the adjacent property.

The end unit of the building facing Taylor Road includes a front door, entryway canopy with supporting columns and additional stonework to create a pedestrian friendly ground-oriented façade. Staff worked with the applicant to enhance the front façade facing Taylor Road as the developments relationship with the street was a primary design objective. Using the feedback provided by planning staff, the applicant made revisions which enhanced the design including additional landscaping trees, more prominent front entryway rooflines and continuing the balcony and mid floor rooflines along the front façade.

Figure 1 – West façade rendering facing Taylor Rd



Staff feel there is adequate private open space in the form of balconies and rear yard patios for each unit, in addition to a shared residential garden area at the rear of the site which reduces the required rear yard landscape buffer by 1.0 m³. Revisions to the landscaping plan were made in order to enhance the landscaping buffers after staff's review by adding additional trees and changing the tree type to a columnar form oak tree along the side yard (south) and replacing the proposed concord grape vines with taller grasses and shrubs along the rear yard. Additionally, the feature tree that is located between the two buildings was changed, based on staff's recommendation, to a Redpointe Maple which is a larger, more prominent species with a higher growth rate.

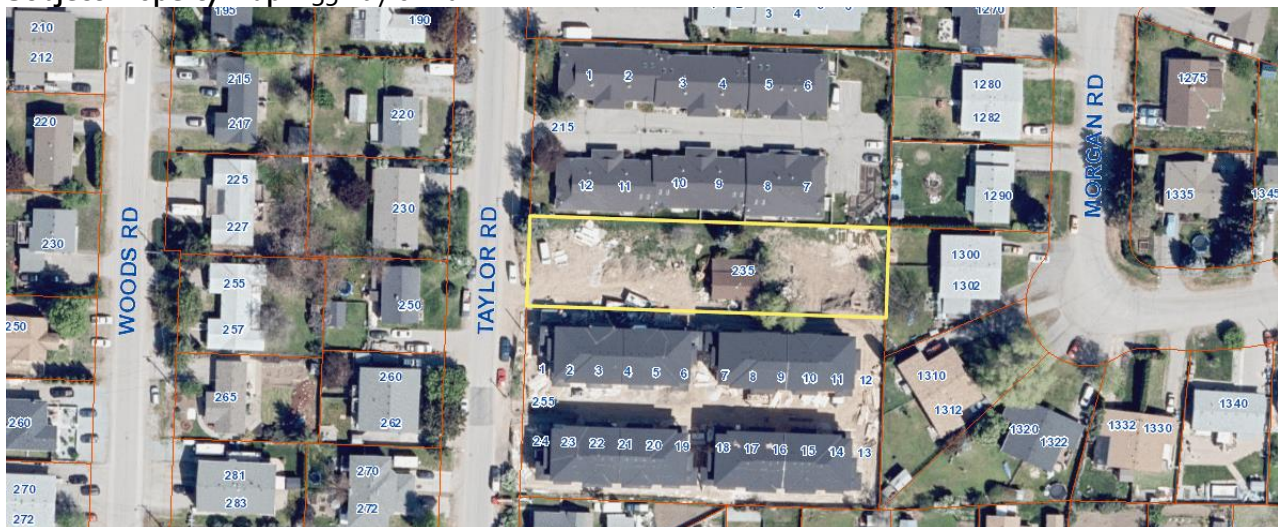
4.5 Site Context

The subject property is located within the Rutland Sector, between Midtown and Rutland Urban Centres. The subject property is within both the Core Area and Permanent Growth Boundary. It is within walking distance to nearby transit, schools, and Mission Creek Greenway for active outdoor activities. The subject property has a Walk Score of 54, which is somewhat walkable, as some errands can be accomplished on foot. Specifically, adjacent land uses are as follows:

³ City of Kelowna Zoning Bylaw, Section 13.9.6(h)

Orientation	Zoning	Land Use
North	RM3 – Low Density Multiple Housing	Multiple-Unit Residential
East	Ru6 – Two Dwelling Housing	Two Dwelling Housing
South	RM3 – Low Density Multiple Housing	Multiple-Unit Residential
West	RU1 – Large Lot Housing RU6 – Two Dwelling Housing	Single Dwelling Housing

Subject Property Map: 235 Taylor Rd



4.6 Zoning Analysis Table

There is one variance that was tracked with the applicant's proposal to reduce the required minimum rear yard from 7.5 m to 6.5 m proposed.

Zoning Analysis Table		
CRITERIA	RM ₃ ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Max. Floor Area Ratio	0.75 + 0.05 = 0.8	0.8
Max. Site Coverage (buildings)	40%	39.5%
Max. Site Coverage (buildings, parking, driveways)	65% (with permeable surfaces)	65%
Max. Height	10 m or 3 storeys	10m
Min. Front Yard	1.5 m	1.83 m
Min. Side Yard (south)	4.0 m	4.0 m
Min. Side Yard (north)	4.0 m	6.9 m
Min. Rear Yard	7.5 m	6.5 m ❶
Other Regulations		
Min. Parking Requirements	2 spaces / 3 Bedroom Unit = 24 1 Visitor space / 7 Dwelling Units = 2	24 parking stalls in garages 2 visitor parking stalls
Min. Bicycle Parking	.5 Long Term / Dwelling = 6 .1 Short Term / Dwelling = 1.2	Long Term bike parking accommodated in garages 2 short term bike parking spaces
Min. Private Open Space	25 m ² / Dwelling = 300 m ²	29.1 m ² / Dwelling
❶ Indicates a requested variance to reduce the required rear yard.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 1: Introduction

Goals for a Sustainable Future:

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

Address Housing Needs of All Residents. Address housing needs of all residents by working towards an adequate supply of a variety of housing.

Chapter 5: Development Process

Objective 5.3 Focus development to designated growth areas

Policy .2 Compact Urban Form. Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns.

Objective 5.13 Increase local food production.

Policy .4 Multi-Residential Shared Garden. Encourage new development to include contiguous space intended for garden space for residents.

Objective 5.22 Ensure context sensitive housing development

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

Policy .13 Family Housing. Support housing alternatives for families when single detached housing is too costly, including features that are important to families such as: outdoor space, direct access to grade, workshop space, larger units, safe design, and neighbourhood characteristics (e.g.: location and amenities).

Objective 5.23 Address the needs of families with children through the provision of appropriate family-oriented housing.

Policy .1 Ground Oriented Housing. Encourage all multiple-unit residential buildings in neighbourhoods with schools and parks to contain ground-oriented units with 2 or more bedrooms so as to provide a family housing choice within the multi-unit rental or ownership markets.

Technical Comments

5.2 Development Engineering Department

Development Engineering has no comment regarding the form and character of the proposed buildings. For servicing requirements refer to file Z17-0088.

5.3 Ministry of Transportation

The Ministry of Transportation signed off on Bylaw 11648 on August 14, 2018, as the property is within 800m of a Provincial highway.

6.o Application Chronology

Date Application Received: September 14, 2017
Date Public Consultation Completed: May 6, 2018
Date of Public Hearing: August 14, 2018
Date Final Revisions Received: January 17, 2020
Date Zoning Conditions Completed: January 23, 2020

Report prepared by: Hailey Rilkoff, Planner I

Reviewed by: James Moore, Acting Urban Planning Manager

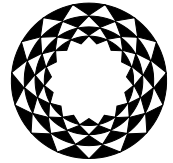
Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Draft Development Permit & Development Variance Permit DP17-0205/DVP18-0110

Attachment B: Comprehensive Urban Design Guideline Checklist

Attachment C: Applicant's Rationale



Development Permit & Development Variance Permit DP17-0205/DVP18-0110

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

235 Taylor Road

and legally known as

Lot A Section 22 Township 26 ODYD Plan EPP89943

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

Multiple Unit Residential

With a variance to the following section of Zoning Bylaw No.8000 in general accordance with Schedule "A":

Section 13.9.6(f): RM3 – Low Density Multiple Housing Development Regulations

To vary the required minimum rear yard from 7.5 m required to 6.5 m proposed.

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

Date of Council Decision March 17, 2020

Decision By: COUNCIL

This permit will not be valid if development has not commenced by March 17, 2022.

Development Permit Area: Comprehensive Development Permit Area

Existing Zone: RM3 – Low Density Multiple Housing

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

This is NOT a Building Permit.

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

NOTICE

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

Owner: 1219204 BC Ltd.

Applicant: Pacific West Architecture Inc.

 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

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

This Development Permit is valid for two (2) years from the date of 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:

- An Irrevocable Letter of Credit **OR** certified cheque in the amount of **\$54,468.13**

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

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:

- 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.**

TAYLOR ROAD TOWHHOMES

CIVIC ADDRESS: 235 TAYLOR ROAD, KELOWNA BC
LEGAL DESCRIPTION: PLAN KAP 10497, LOT 1, SEC 22, TWN 26, ODYD

DRAWING INDEX

- A 1.00

COVER PAGE
- A 1.01

SITE PLAN AND STATISTICS
- A 2.01

BUILDING 1- FLOOR PLANS
- A 2.02

BUILDING 1- FLOOR PLANS
- A 2.03

BUILDING 2- FLOOR PLANS
- A 2.04

BUILDING 2- FLOOR PLANS
- A 2.05

BUILDING 2- FLOOR PLANS-UNIT A & B
- A 3.01

BUILDING ELEVATIONS - BUILDING 1
- A 3.02

BUILDING ELEVATIONS - BUILDING 1
- A 3.03

BUILDING ELEVATIONS - BUILDING 2
- A 3.04

BUILDING ELEVATIONS - BUILDING 2
- A 4.01

SECTIONS
- A 5.01

RENDERING & MATERIALS

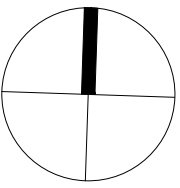
DESIGN TEAM

ARCHITECT

PACIFIC WEST ARCHITECTURE Inc.
1200 West 73rd Ave(Airport Square)
Suite 1100, Vancouver B.C. V6P 6G5
Tel: (604)-616-7892
Email: info@pwaachitecture.com

LANDSCAPE ARCHITECT:

BENCH SITE DESIGN INC.
4-1562 Water Street, Kelowna, B.C.
V1Y 1J7
Tel: (250)-860-6778
Email:Keith@benchsitedesign.com
Contact: Keith Nyhof



1 3D PERSPECTIVE - TAYLOR ROAD

SCHEDULE

A

This forms part of application

DP17-0205 & DVP18-0111

Planner Initials

HR

City of Kelowna

DEVELOPMENT PLANNING



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Vancouver B.C. V6P 6G5

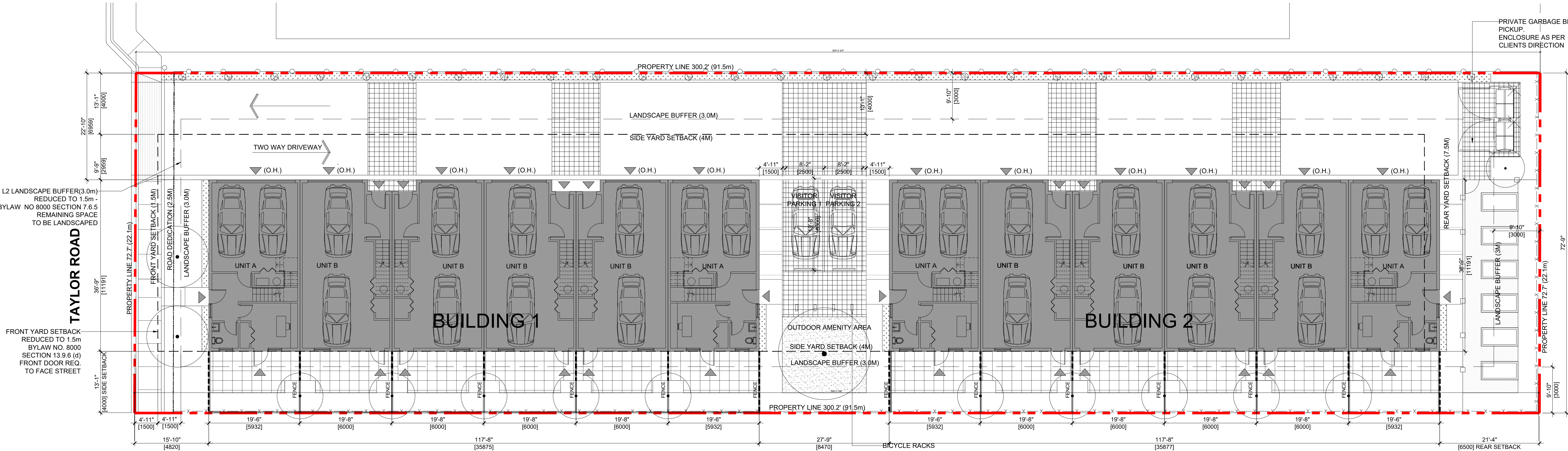
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REVISIONS		
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2	REISSUED FOR DP APPLICATION	16 DEC 2019
1	ISSUED FOR DP APPLICATION	3 DEC 2019
PROJECT NUMBER		A223
DRAWN BY		WW
CHECKED BY		PY
DATE CHECKED		
CONSULTANT		

PROJECT
235 TAYLOR ROAD KELOWNA, BC
DRAWING TITLE
COVER SHEET
DRAWING No.

A 1.00



1 SITE PLAN
Scale: 3/32" = 1'-0"

ZONING STATISTICS			
Civic Address:	235 Taylor Road, Kelowna BC		
Legal Description:	PLAN KAP 10497, LOT 1, SEC 22, TWN 26, ODYD		
Existing Zoning:	RU1		
Proposed Zoning:	RM3		
Site Width:	72' 8-1/2" (22.16m)		
Site Depth:	299'8-1/2" (91.3m)		
Site Area:	21826.5 ft2 (2027.75 m2)		
Zoning District	Zoning Requirement	Proposed Design	
FSR	0.8	17461.2 sq.ft. (1622.2m ²)	17460 sq.ft. (0.8)
Site Coverage (Building)	40% (50% if private open space meet requirement)	8577.1 sq.ft. (789.9 m ²)	39%
Building Height:	32.8' / 10m		32.8' (10m)
Site Coverage (Building = Drive + Parking)			
PARKING - 323.29 sq.ft.			
DRIVE AISLE - 5,226.89 sq.ft.			
BUILDING - 8,642.95 sq.ft.			
14,193.13/21,789.5 sq.ft. = 65% (65% PERMITTED W/ PERMEABLE SURFACES)			
Setbacks:			
Front Yard	1.5m		3.82m
Rear Yard	7.5m		7.50m
Side Yard (North)	4.0m		6.96m
Side Yard (South)	4.0m		4.00m
Amenity:			
	25.0 m ² of private open space per dwelling		349.7m ² /12 Unit = 29.1 m ² /Unit
Parking:			
Number of Stalls	2.0 spaces per 3 bedroom dwelling units; 1.0 spaces per 7 dwelling units which shall be designated as visitor parking spaces	24 stalls for residents (garage) 2 exterior visitor parkings	24 stalls for residents (garage) 2 exterior visitor parkings
Ratios	minimum 50% of full size, maximum 50% of Medium size		
Size of Stalls	Full Size: 6.0m L x 2.5m W x 2.0m H; Medium Size: 4.8m L x 2.3m W x 2.0m H		
Bicycle:			
Class I	0.5 Per Dwelling Unit	6 Spaces	6 Spaces
Class II	0.1 Per Dwelling Unit	2 Spaces	2 Spaces

Unit Breakdown								
Gross Site Area (sq.ft.)							21826.5	
Unit	Unit Type	No. Units	Ground Floor	Main floor	Upper floor	Area	Total Area	Garage
			(ft. ²)	(ft. ²)	(ft. ²)	(ft. ²)	(ft. ²)	(ft. ²)
A	3 Storey Townhouse	4	290	634	663	1587	6348	420
B	3 Storey Townhouse	8	106	624	660	1390	11120	370
Total		12					17460	
FSR			0.80					

REQUIRED VARIANCES:
BYLAW NO. 8000; SECTION 13.9.5
LOT WIDTH 30M (REDUCED TO 22M)

PWA

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PROJECT

235 TAYLOR ROAD
KELOWNA, BC

DRAWING TITLE

SITE PLAN
AND STATISTICS

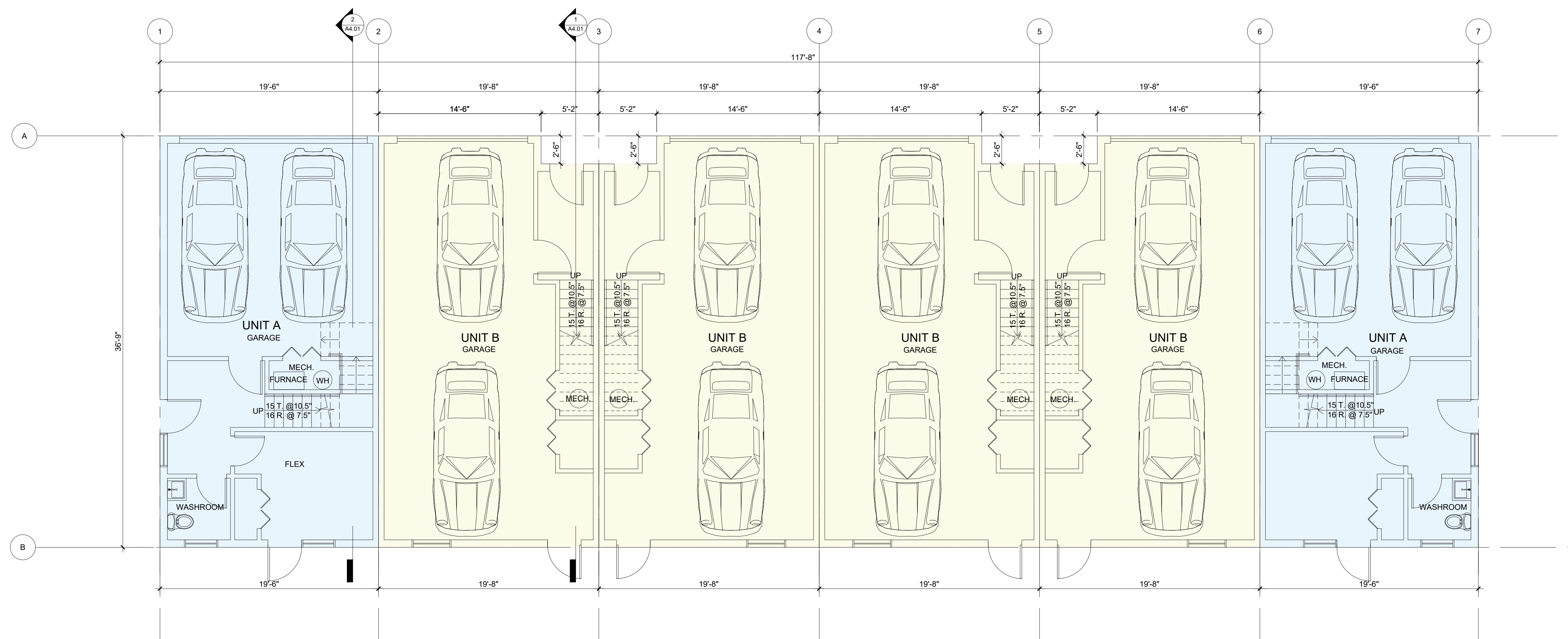
DRAWING No.

SCHEDULE A

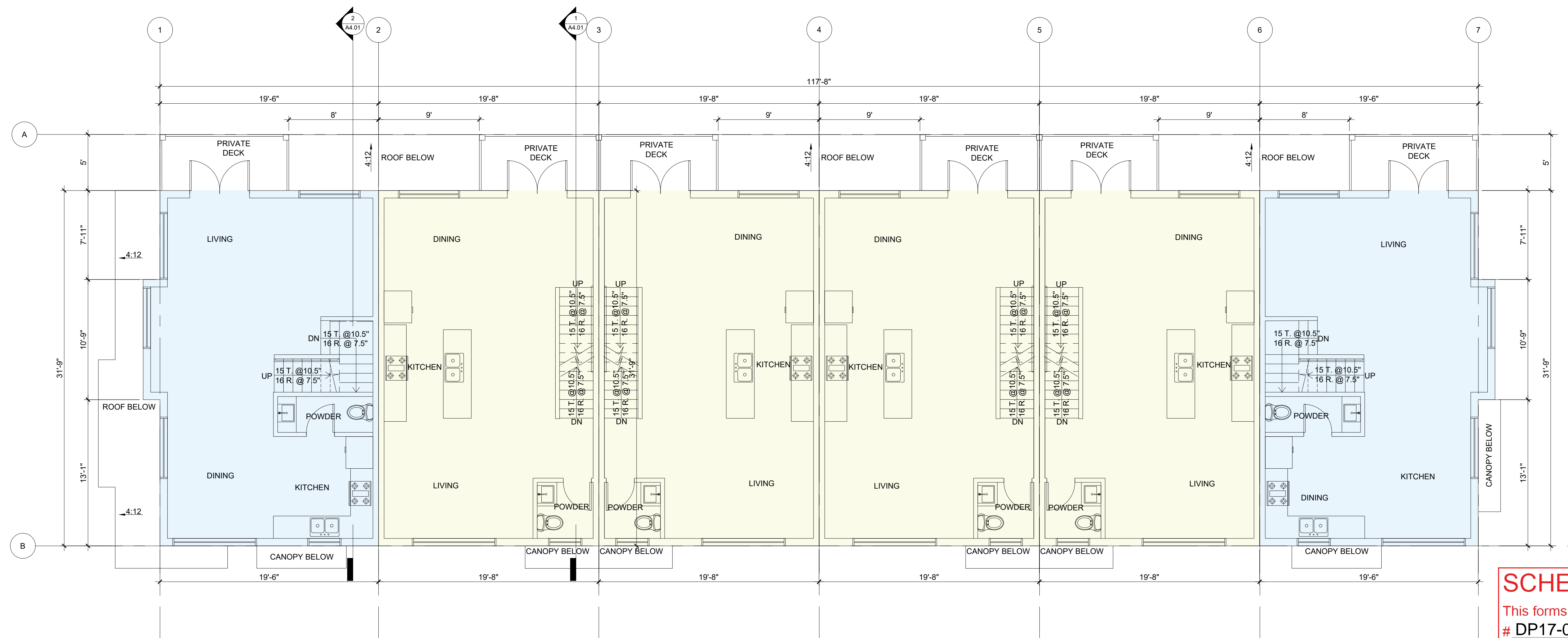
This forms part of application
DP17-0205 & DVP18-0111

Planner Initials HR

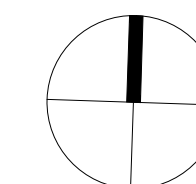
City of Kelowna
DEVELOPMENT PLANNING



1 BUILDING 1- FLOOR PLAN- GROUND FLOOR
Scale: 3/16"= 1'-0"



2 BUILDING 1- FLOOR PLAN- MAIN FLOOR
Scale: 3/16"= 1'-0"



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8

7

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235 TAYLOR ROAD
KELOWNA, BC

DRAWING TITLE

**BUILDING 1
FLOOR PLAN**

DRAWING No.

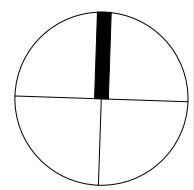
A2.01

SCHEDULE A

This forms part of application
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Planner
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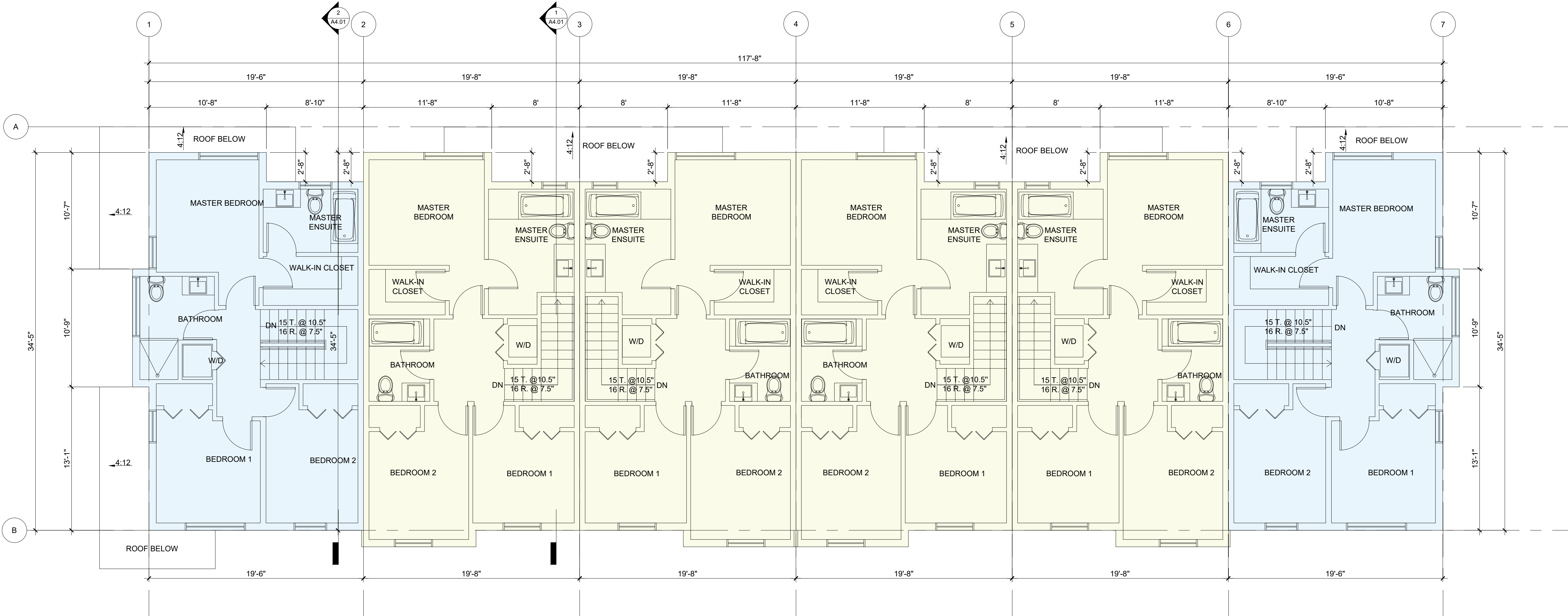
235 TAYLOR ROAD
KELOWNA, BC

DRAWING TITLE

**BUILDING 1
FLOOR PLAN**

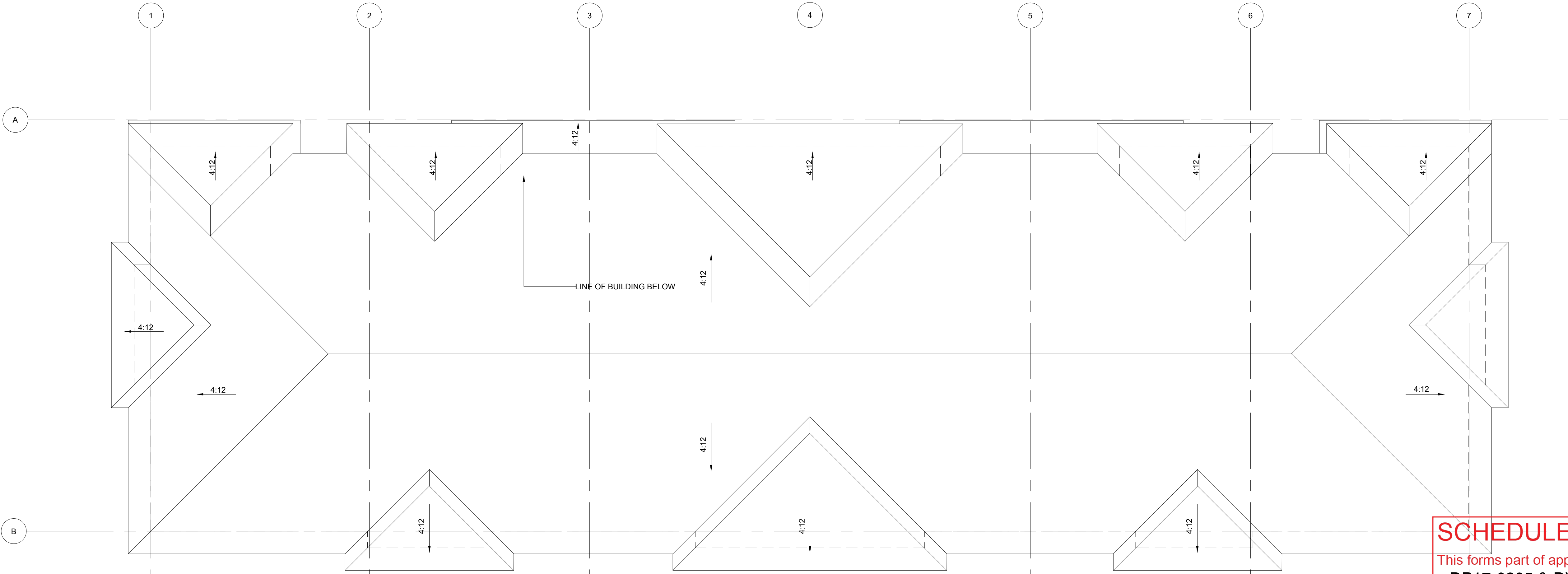
DRAWING No.

A2.02



1 BUILDING 1- FLOOR PLAN - UPPER FLOOR

Scale: 3/16"= 1'-0"



2 BUILDING 1- ROOF PLAN

Scale: 3/16"= 1'-0"

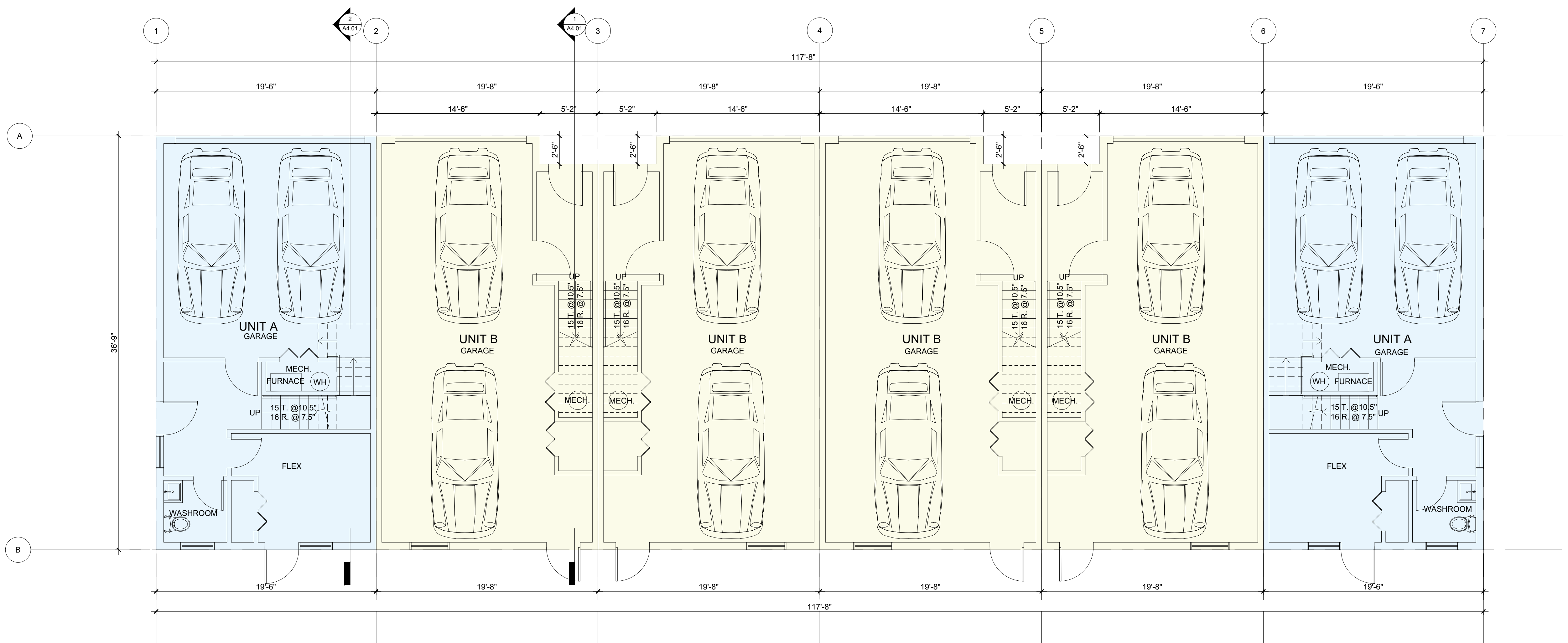
SCHEDULE

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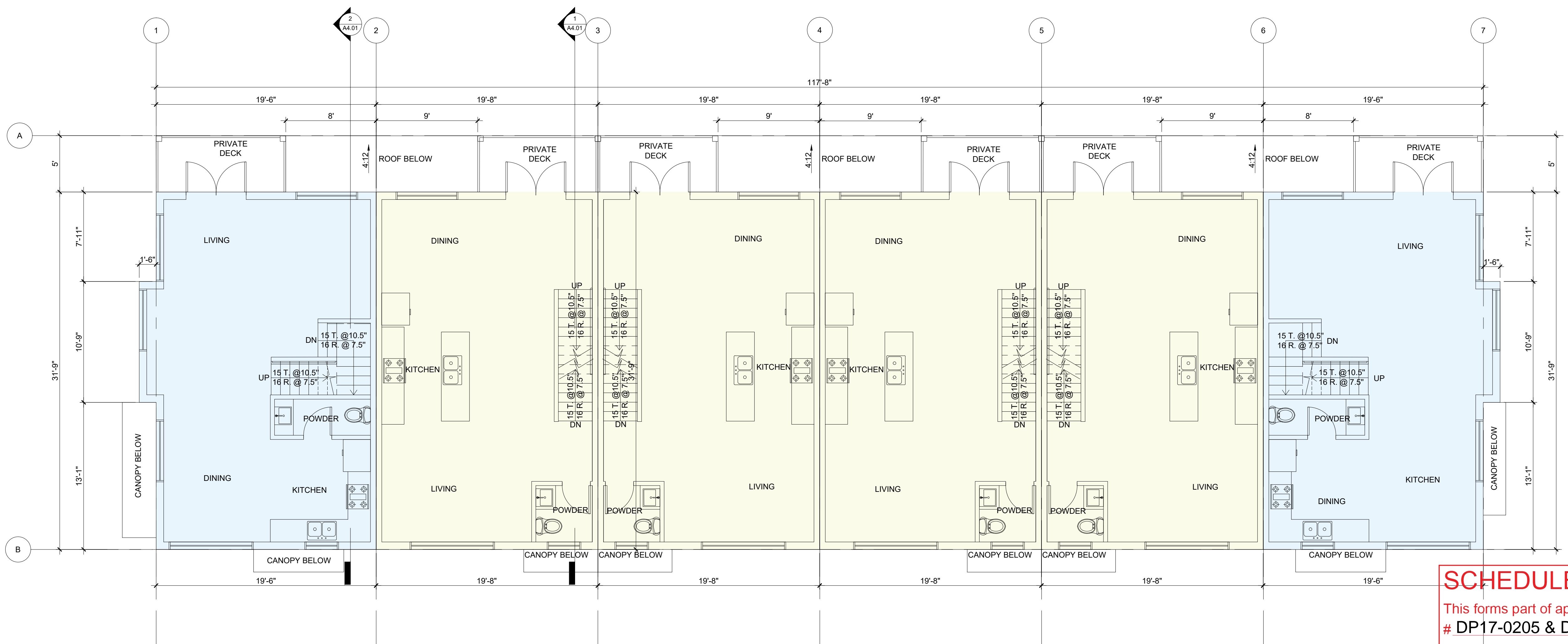
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Initials HR

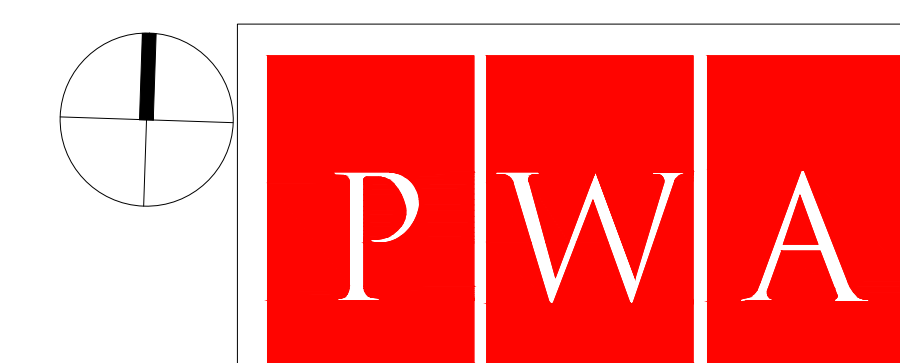




1 BUILDING 2- FLOOR PLAN - GROUND FLOOR
Scale: 3/16"= 1'-0"



2 BUILDING 2- FLOOR PLAN - MAIN FLOOR
Scale: 3/16"= 1'-0"



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235 TAYLOR ROAD
KELOWNA, BC

DRAWING TITLE

**BUILDING 2
FLOOR PLAN**

DRAWING No.

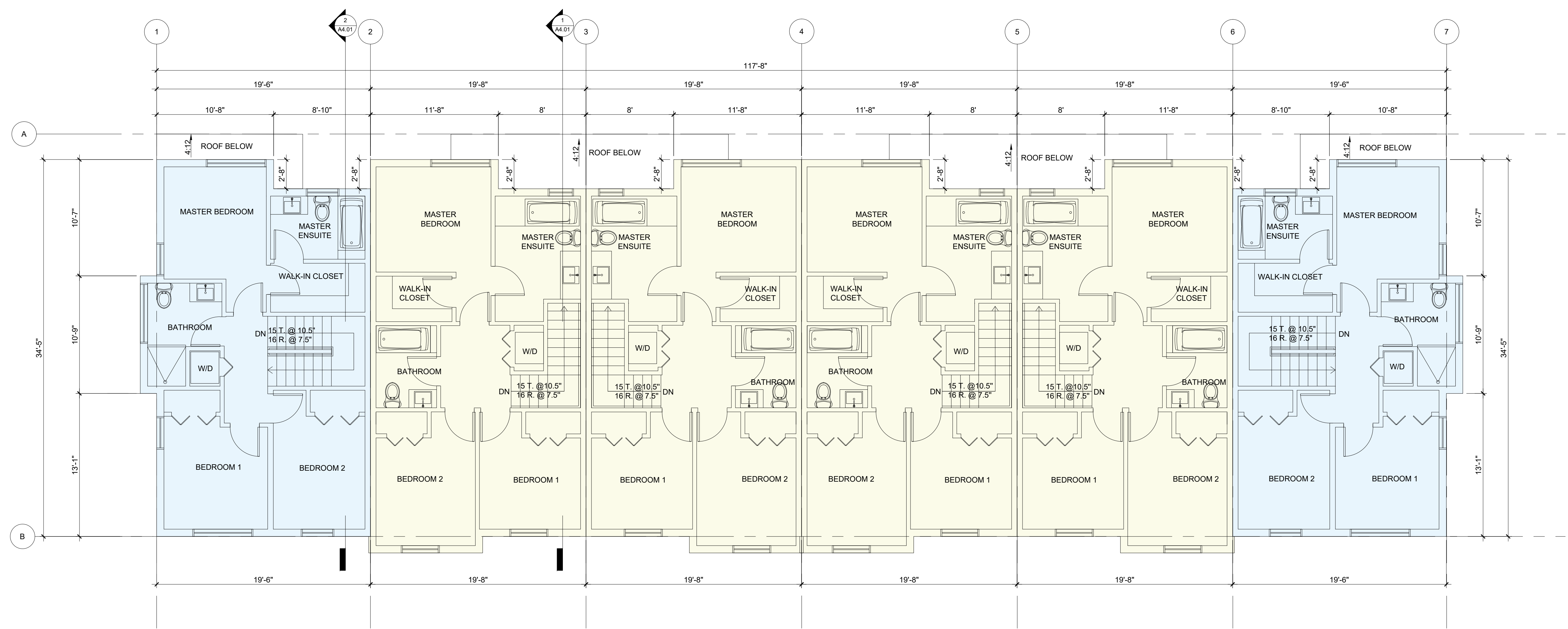
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SCHEDULE A

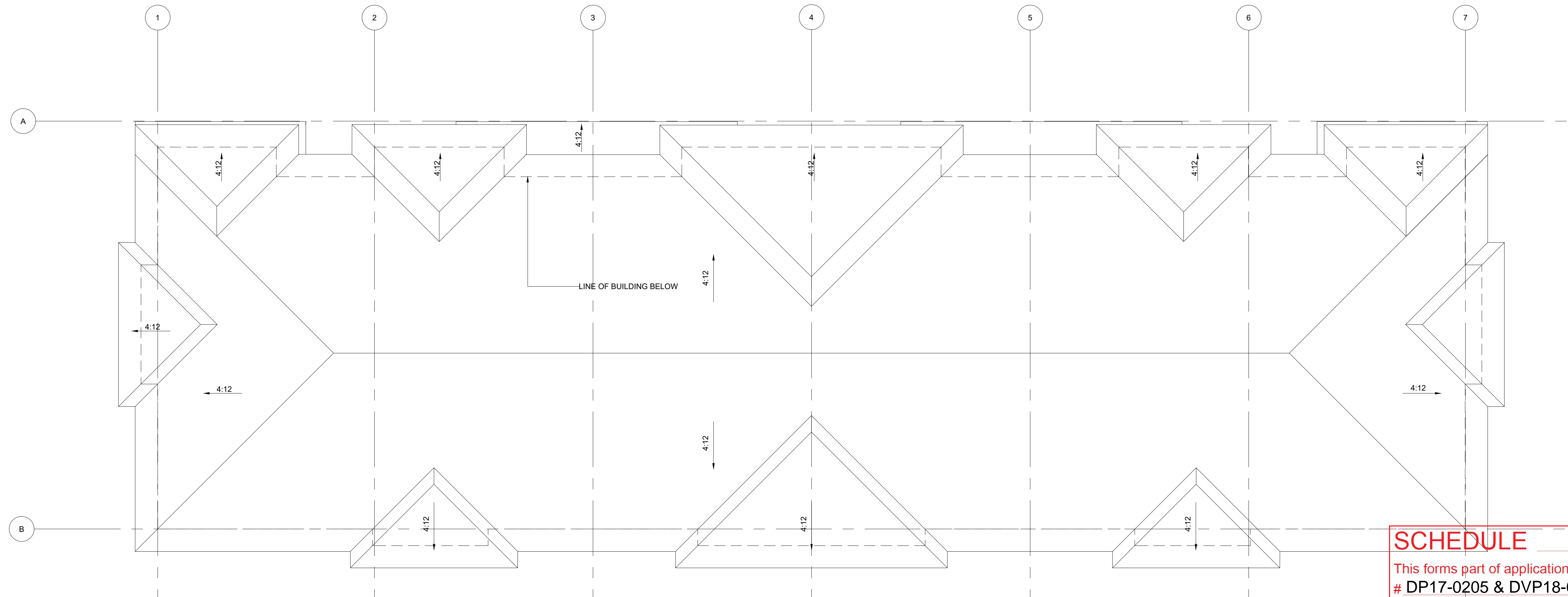
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Initials HR

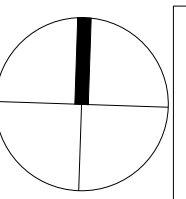




1 BUILDING 2- FLOOR PLAN - UPPER FLOOR
Scale: 3/16"= 1'-0"



2 BUILDING 2- ROOF PLAN
Scale: 3/16"= 1'-0"



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235 TAYLOR ROAD
KELOWNA, BC

DRAWING TITLE

**BUILDING 2
FLOOR PLAN**

DRAWING No.

SCHEDULE

A

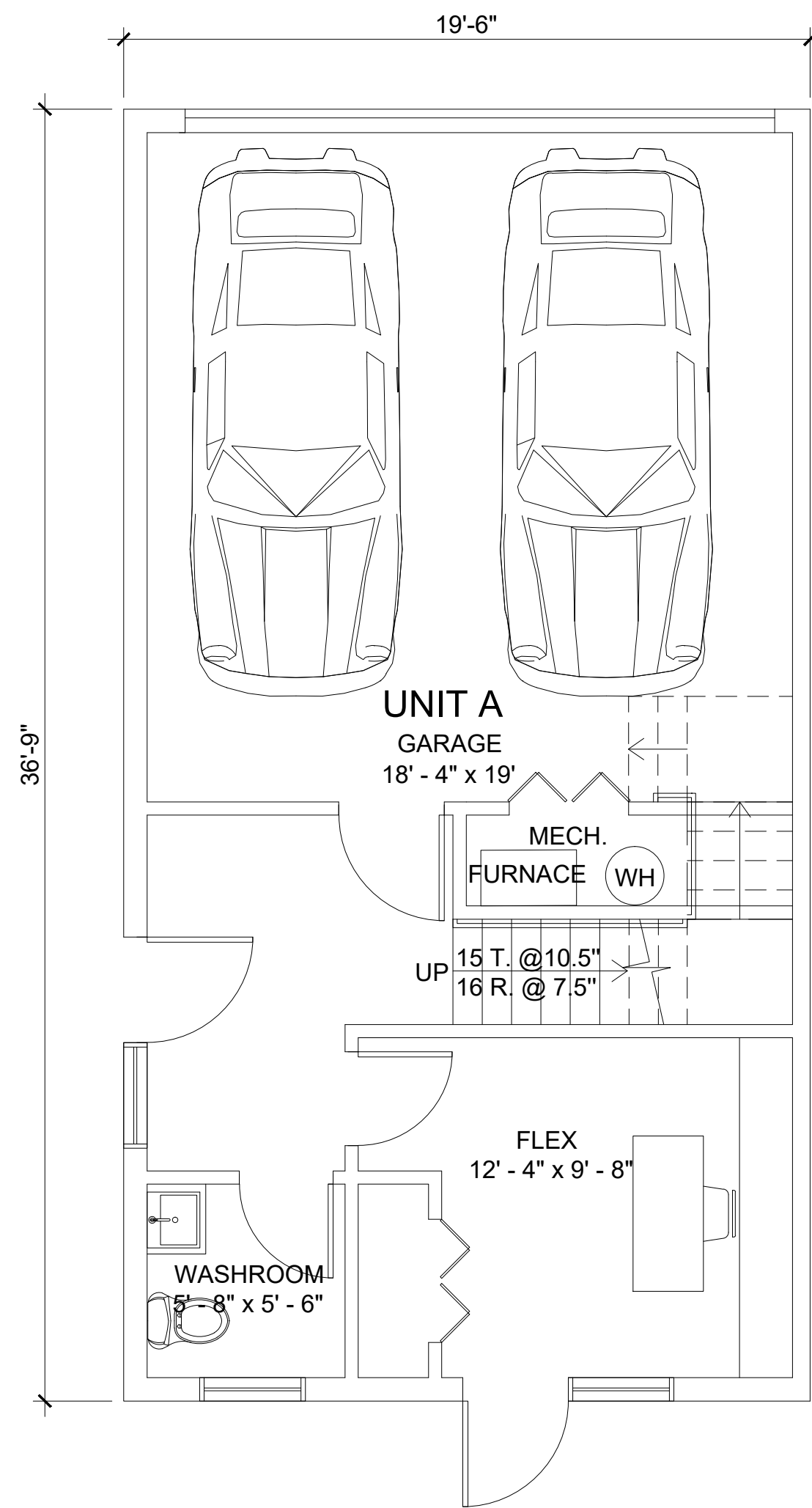
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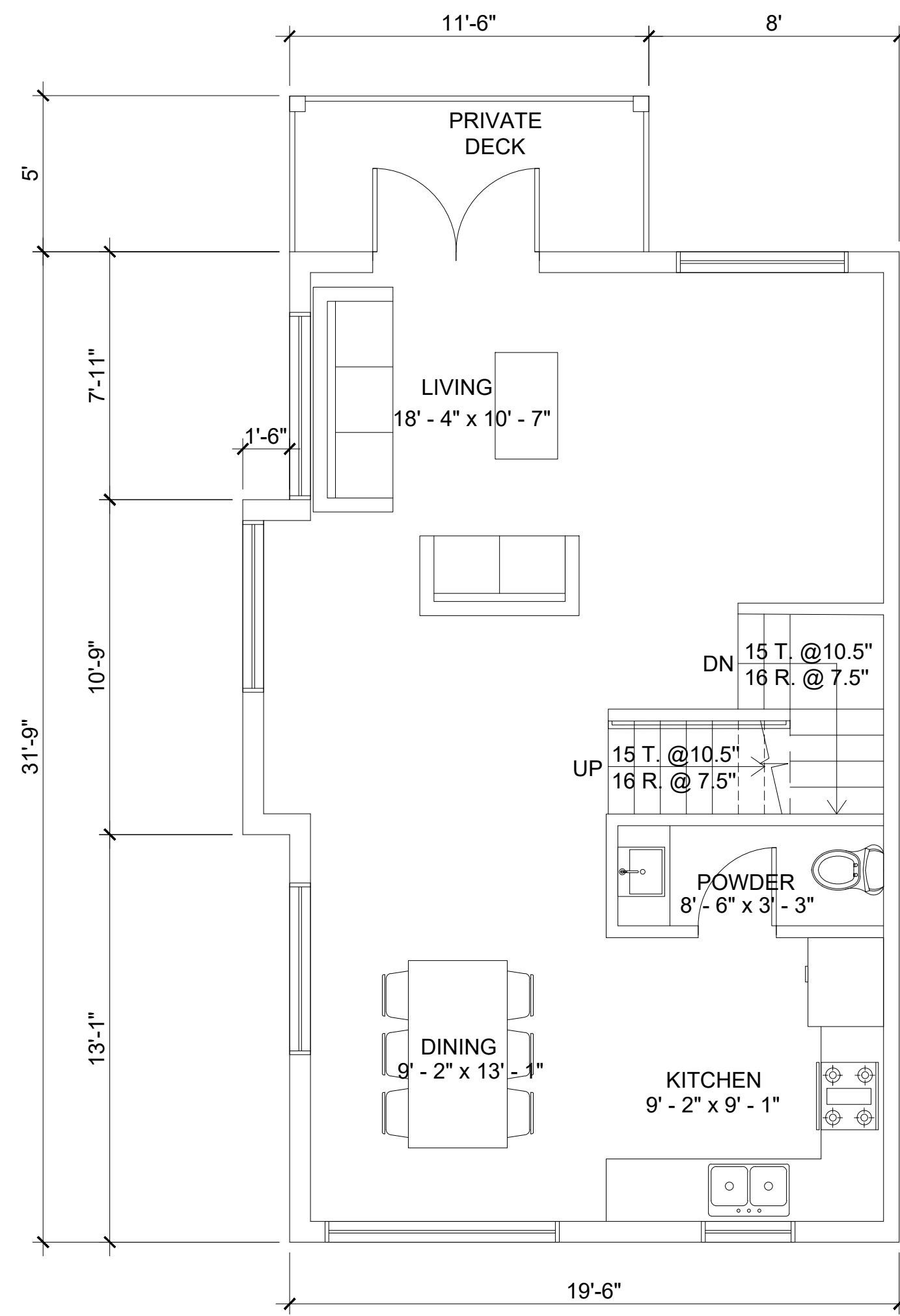
HR



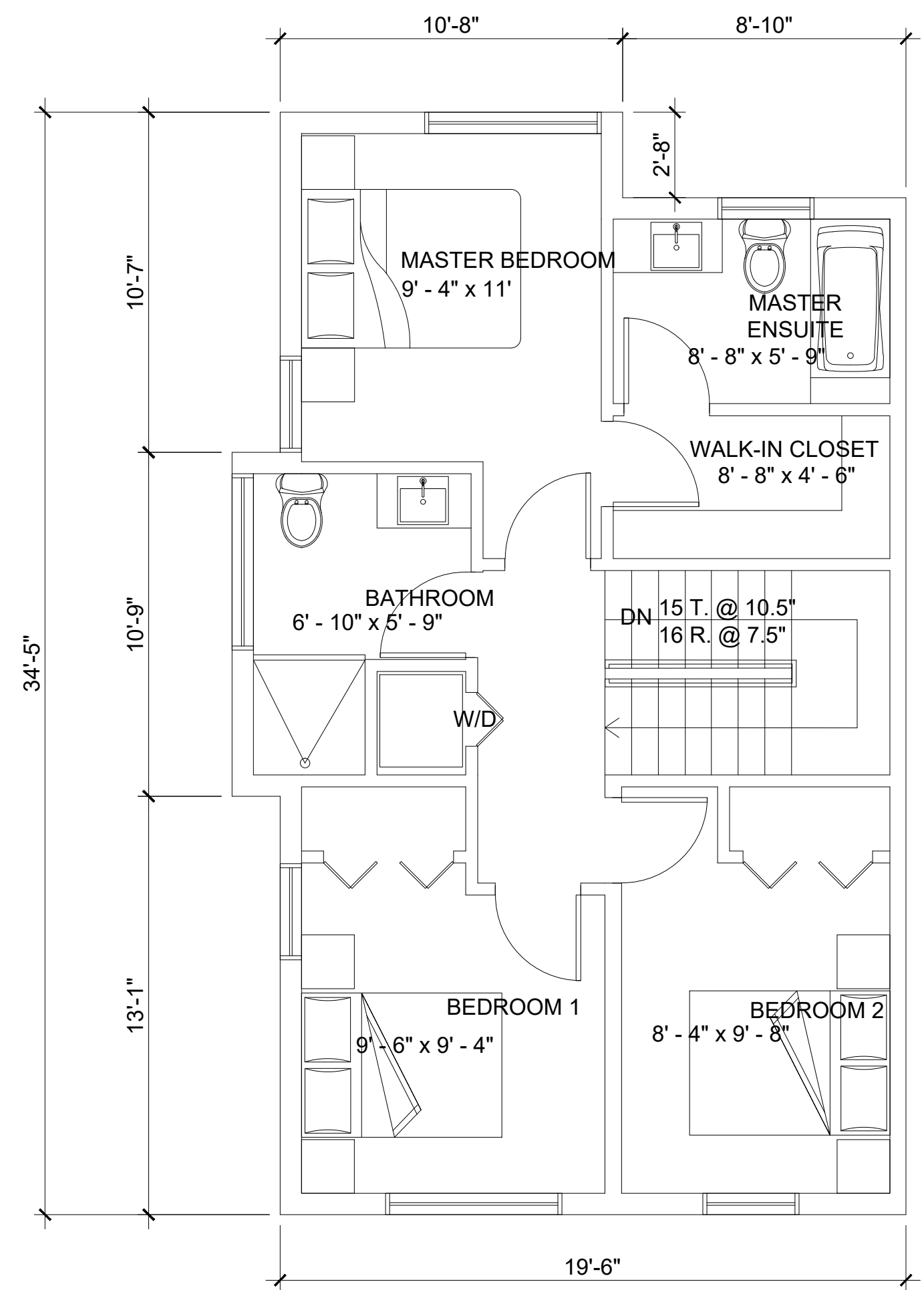
A2.04



1 BUILDING 2- FLOOR PLAN - GROUND - UNIT A
Scale: 1/4"= 1'-0"

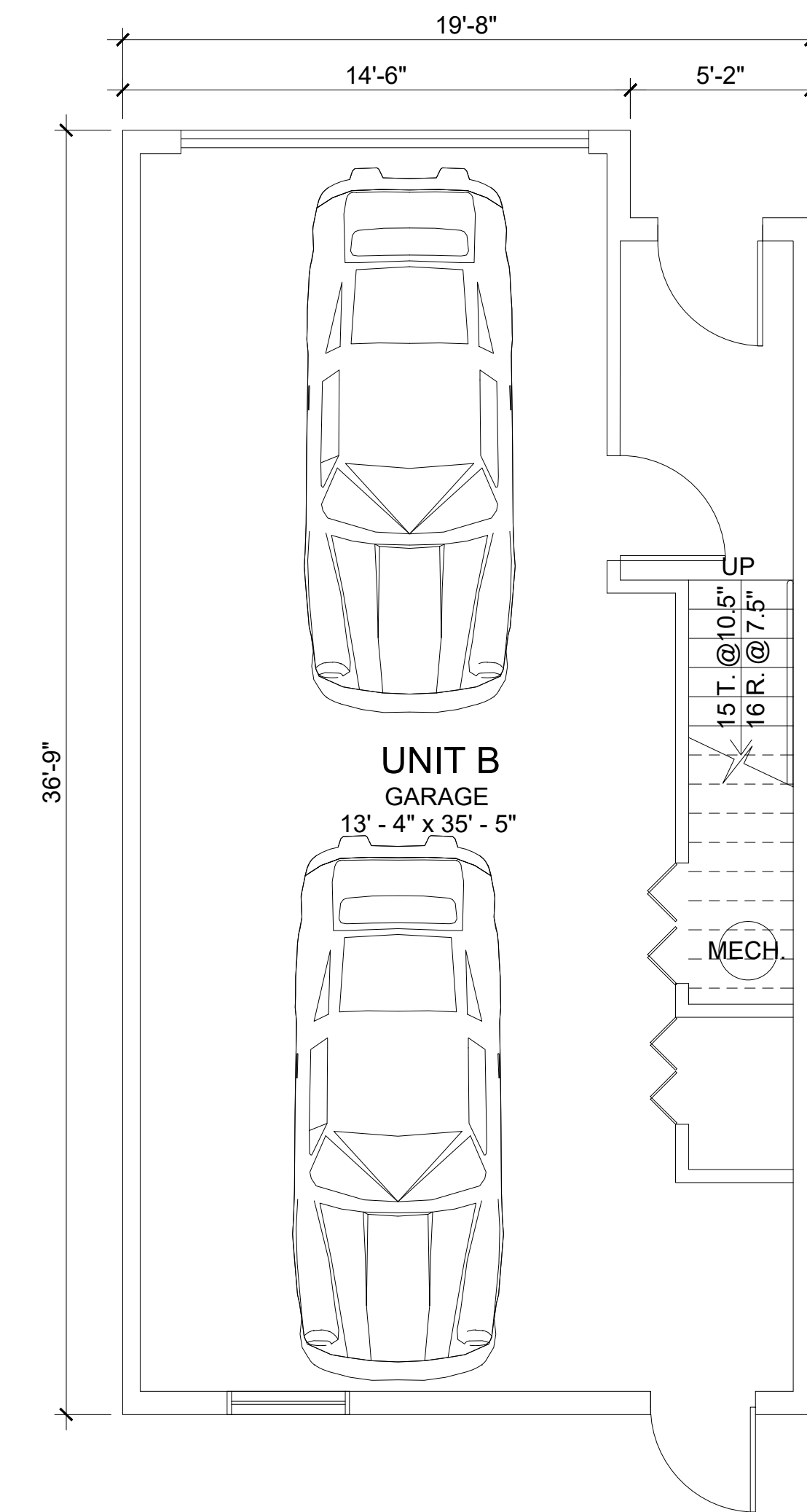


1 BUILDING 2- FLOOR PLAN - MAIN FLOOR - UNIT A
Scale: 1/4"= 1'-0"

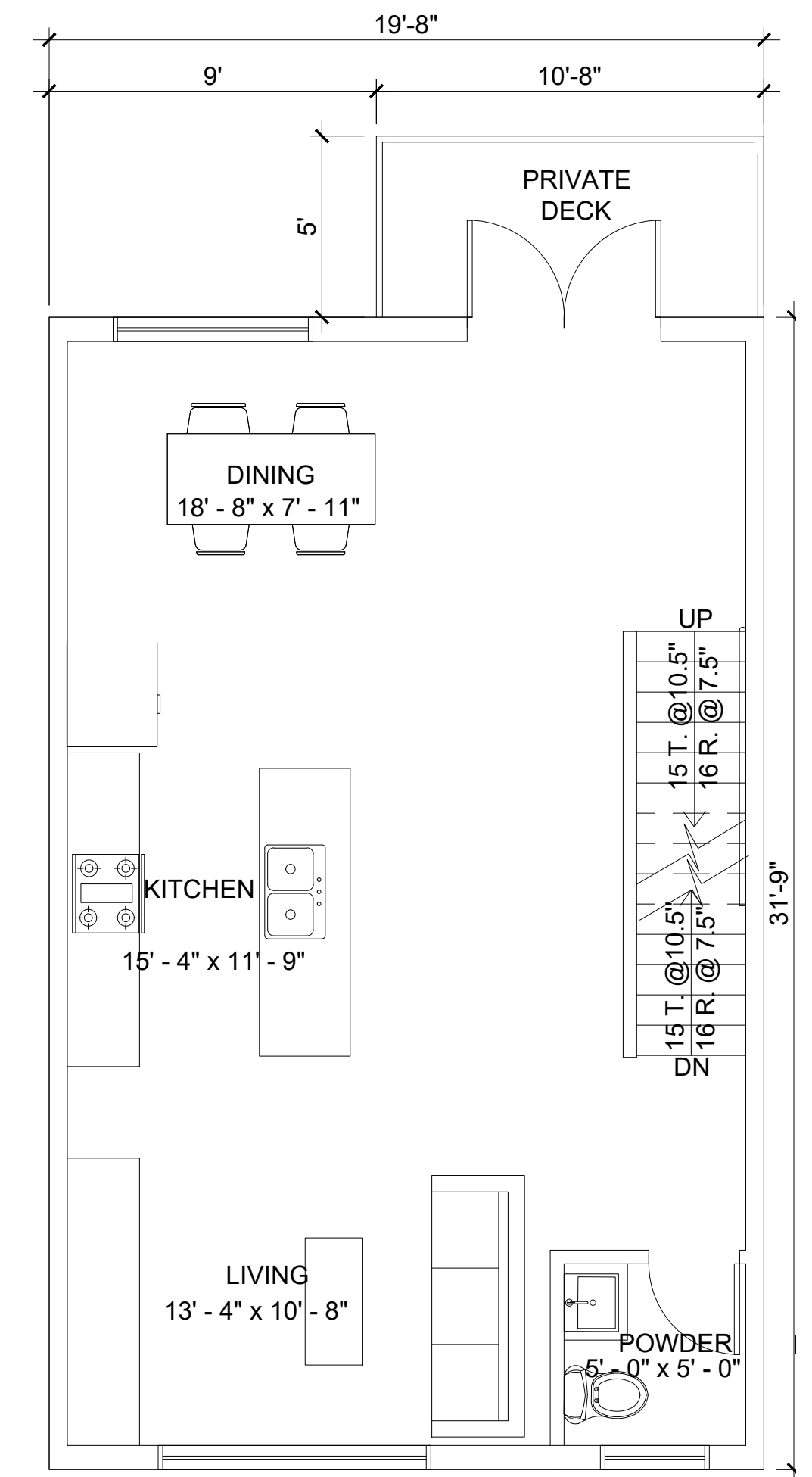


1 BUILDING 2- FLOOR PLAN - UPPER FLOOR - UNIT A
Scale: 1/4"= 1'-0"

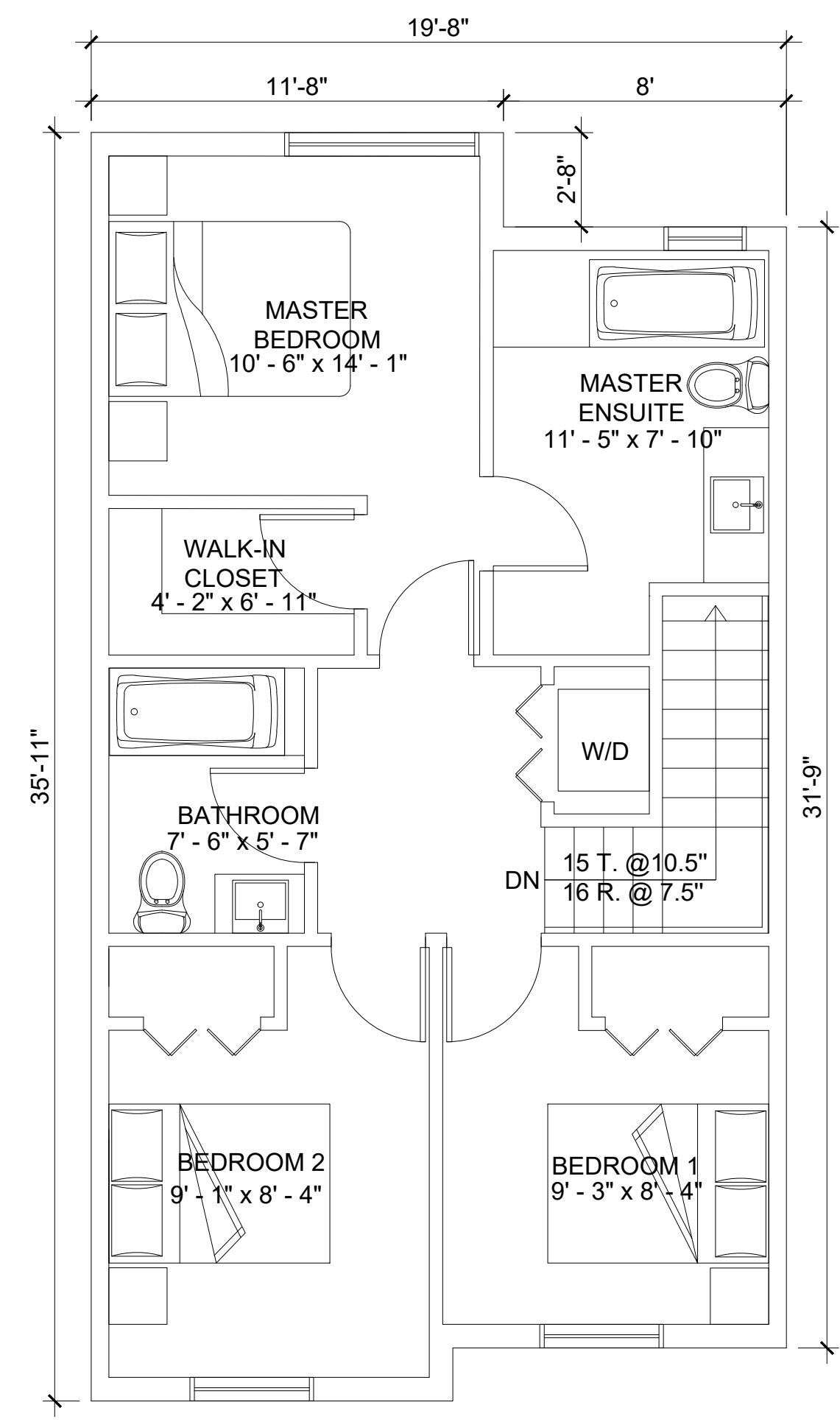
GROSS FLOOR AREAS: (UNIT A)	
GROUND FLOOR:	290 SQ. FT.
GARAGE:	420 SQ. FT.
MAIN FLOOR:	634 SQ. FT.
UPPER FLOOR:	663 SQ. FT.



1 BUILDING 2- FLOOR PLAN - GROUND - UNIT B
Scale: 1/4"= 1'-0"



1 BUILDING 2- FLOOR PLAN - MAIN FLOOR - UNIT B
Scale: 1/4"= 1'-0"



1 BUILDING 2- FLOOR PLAN - UPPER FLOOR - UNIT B
Scale: 1/4"= 1'-0"

GROSS FLOOR AREAS: (UNIT B)	
GROUND FLOOR:	106 SQ. FT.
GARAGE:	370 SQ. FT.
MAIN FLOOR:	624 SQ. FT.
UPPER FLOOR:	670 SQ. FT.

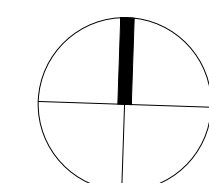
SCHEDULE A

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Planner Initials

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PROJECT NUMBER	A223
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DATE CHECKED	
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235 TAYLOR ROAD
KELOWNA, BC

DRAWING TITLE
**BUILDING 2
FLOOR PLAN - UNIT A & B**

DRAWING No.

A2.05



2019-12-17

REVISIONS

1

ISSUES

8

7

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4

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3 DEC 2019

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CONSULTANT

PROJECT

235 TAYLOR ROAD
KELOWNA, BC

DRAWING TITLE

ELEVATIONS-BUILDING 1

DRAWING No.

A3.01



1 NORTH ELEVATION -BUILDING 1
Scale: 3/16"= 1'-0"

MATERIAL LEGEND

- 1 HARDIE PANEL SIDING (SELECT CEDARMILL) - COLOUR: 'ARCTIC WHITE'
- 2 HARDIE PANEL SIDING (SELECT CEDARMILL) - COLOUR: LIGHT GREY
- 3 HARDIE PANEL SIDING (SELECT CEDARMILL) - COLOUR: LIGHT BROWN
- 4 CULTURED STONE VENEER
- 5 WINDOW VINYL: - COLOUR: 'LIGHT GRAY'
- 6 SLIDING PATIO DOOR VINYL: - COLOUR: 'LIGHT GRAY'
- 7 ALUMINUM BALCONY RAILING WITH GLASS INSERT: - COLOUR: 'DARK GREY'
- 8 HARDIE SMART TRIM
- 9 EXTERIOR ALUMINUM RAILING: - COLOUR: 'LIGHT GREY'
- 10 EXTERIOR ENTRY DOOR
- 11 SMOOTH PANEL OVERHEAD GARAGE DOOR
- 12 SOLID SCREEN WOOD FENCE

- +34'-11 1/2" T/O UPPER ROOF
- +31'-8" CENTERLINE OF ROOF
- +29'-0" TO 3RD FLOOR WALL PLATES
- +20'-0" TO 3RD FLOOR
- +10'-0" TO 2ND FLOOR
- +/- 0.0 TO GROUND FLOOR



2 WEST ELEVATION -BUILDING 1
Scale: 3/16"= 1'-0"

SCHEDULE

B

This forms part of application

DP17-0205 & DVP18-0111

Planner
Initials

HR

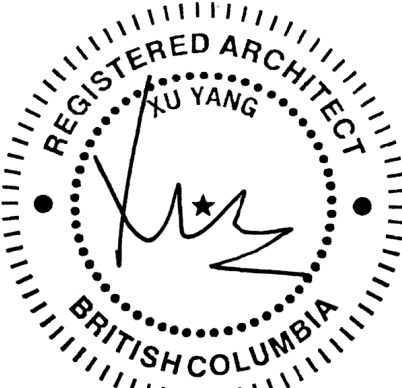




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8

7

6

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CONSULTANT

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235 TAYLOR ROAD
KELOWNA, BC

DRAWING TITLE

ELEVATIONS- BUILDING 1

DRAWING No.

A3.02



1

SOUTH ELEVATION -BUILDING 1

Scale: 3/16"= 1'-0"

MATERIAL LEGEND

- | | |
|----|---|
| 1 | HARDIE PANEL SIDING (SELECT CEDARMILL) - COLOUR: 'ARCTIC WHITE' |
| 2 | HARDIE PANEL SIDING (SELECT CEDARMILL) - COLOUR: LIGHT GREY |
| 3 | HARDIE PANEL SIDING (SELECT CEDARMILL) - COLOUR: LIGHT BROWN |
| 4 | CULTURED STONE VENEER |
| 5 | WINDOW VINYL: - COLOUR: 'LIGHT GRAY' |
| 6 | SLIDING PATIO DOOR VINYL: - COLOUR: 'LIGHT GRAY' |
| 7 | ALUMINUM BALCONY RAILING WITH GLASS INSERT: - COLOUR: 'DARK GREY' |
| 8 | HARDIE SMART TRIM |
| 9 | EXTERIOR ALUMINUM RAILING: - COLOUR: 'LIGHT GREY' |
| 10 | EXTERIOR ENTRY DOOR |
| 11 | SMOOTH PANEL OVERHEAD GARAGE DOOR |
| 12 | SOLID SCREEN WOOD FENCE |



2

EAST ELEVATION -BUILDING 1

Scale: 3/16"= 1'-0"

SCHEDULE

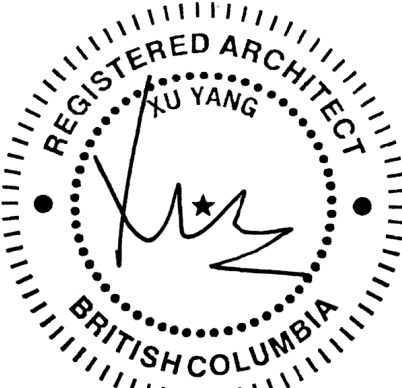
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Initials

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PROJECT

235 TAYLOR ROAD
KELOWNA, BC

DRAWING TITLE

ELEVATIONS-BUILDING 2

DRAWING No.

A3.03



1

NORTH ELEVATION -BUILDING 2

Scale: 3/16"= 1'-0"

MATERIAL LEGEND

- 1 HARDIE PANEL SIDING (SELECT CEDARMILL) - COLOUR: 'ARCTIC WHITE'
- 2 HARDIE PANEL SIDING (SELECT CEDARMILL) - COLOUR: LIGHT GREY
- 3 HARDIE PANEL SIDING (SELECT CEDARMILL) - COLOUR: LIGHT BROWN
- 4 CULTURED STONE VENEER
- 5 WINDOW VINYL:- COLOUR: 'LIGHT GRAY'
- 6 SLIDING PATIO DOOR VINYL:- COLOUR: 'LIGHT GRAY'
- 7 ALUMINUM BALCONY RAILING WITH GLASS INSERT:- COLOUR: 'DARK GREY'
- 8 HARDIE SMART TRIM
- 9 EXTERIOR ALUMINUM RAILING:- COLOUR: 'LIGHT GREY'
- 10 EXTERIOR ENTRY DOOR
- 11 SMOOTH PANEL OVERHEAD GARAGE DOOR
- 12 SOLID SCREEN WOOD FENCE

+ 34'-11 1/2"

T/O UPPER ROOF

+ 31'-8"

CENTERLINE OF ROOF

+ 29'-0"

TO 3RD FLOOR WALL PLATES

+ 20'-0"

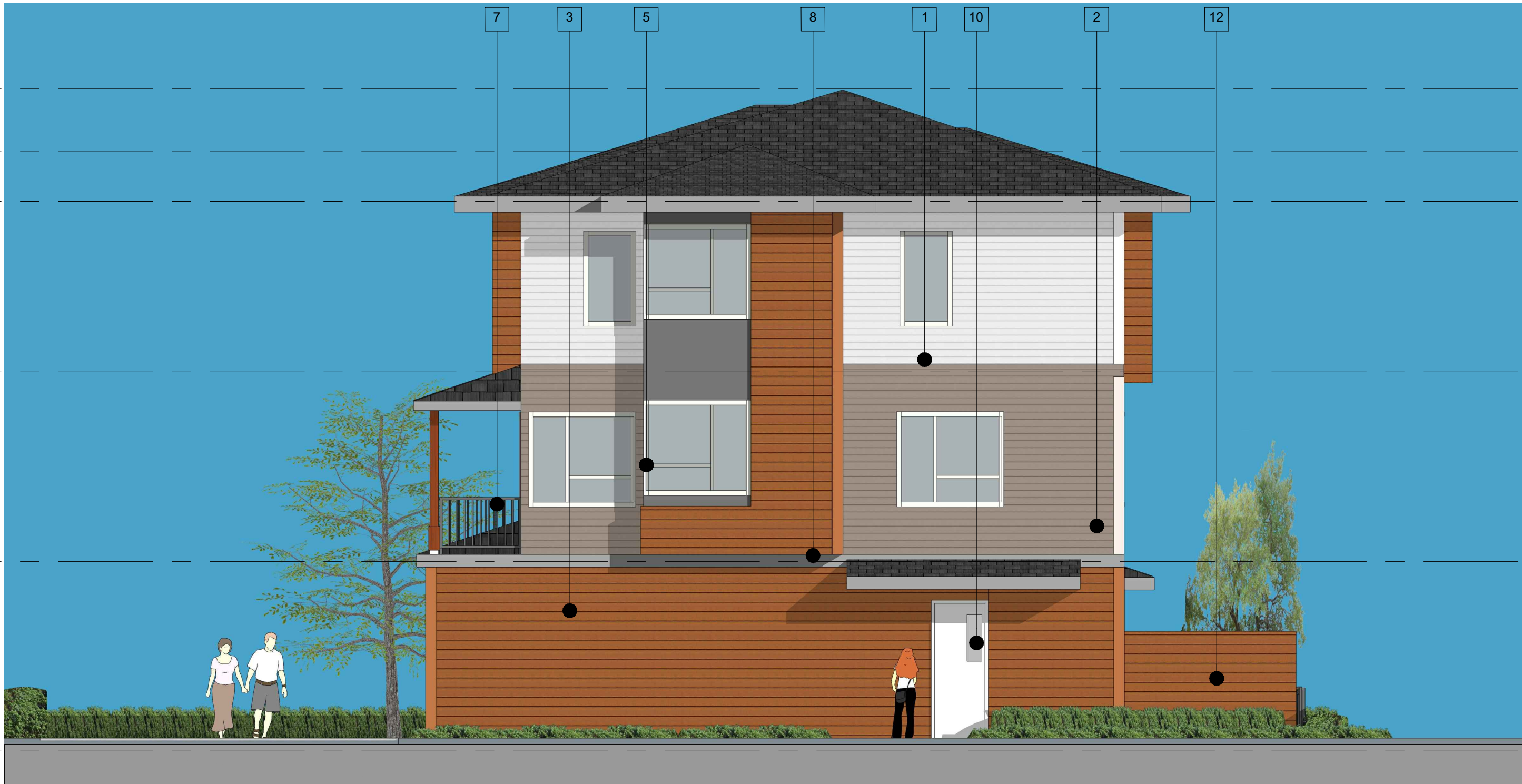
TO 3RD FLOOR

+ 10'-0"

TO 2ND FLOOR

+/- 0.0

TO GROUND FLOOR



2

WEST ELEVATION -BUILDING 2

Scale: 3/16"= 1'-0"

SCHEDULE

B

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DP17-0205 & DVP18-0111

Planner

Initials

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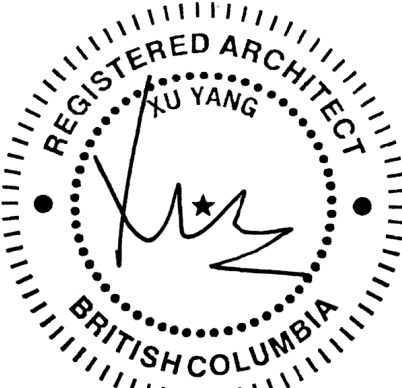
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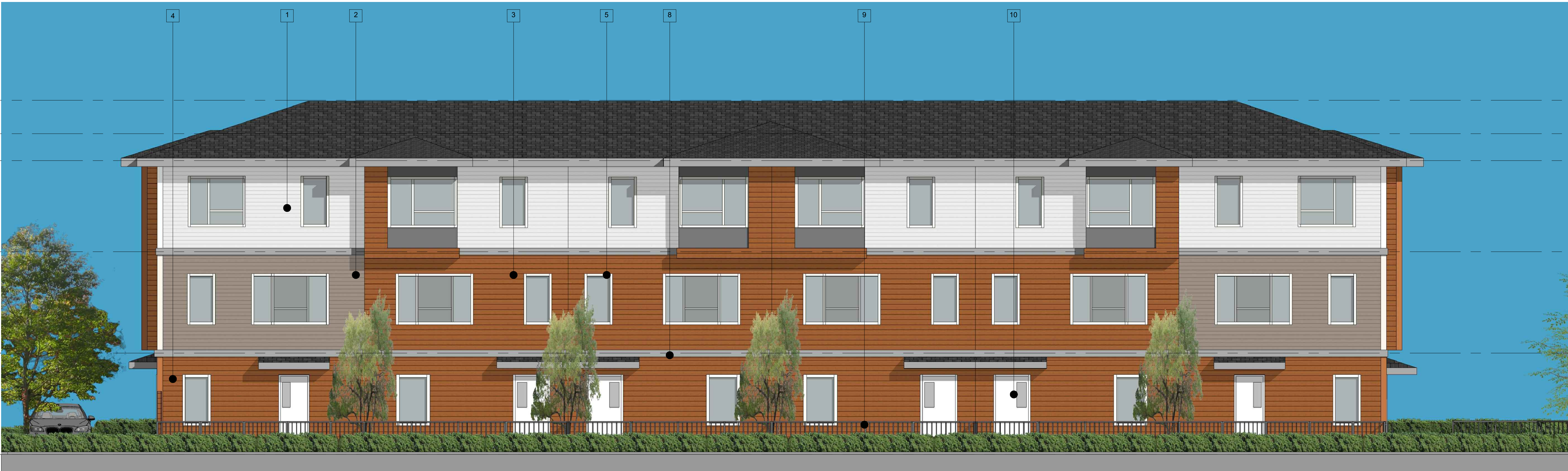
235 TAYLOR ROAD
KELOWNA, BC

DRAWING TITLE

ELEVATIONS- BUILDING 2

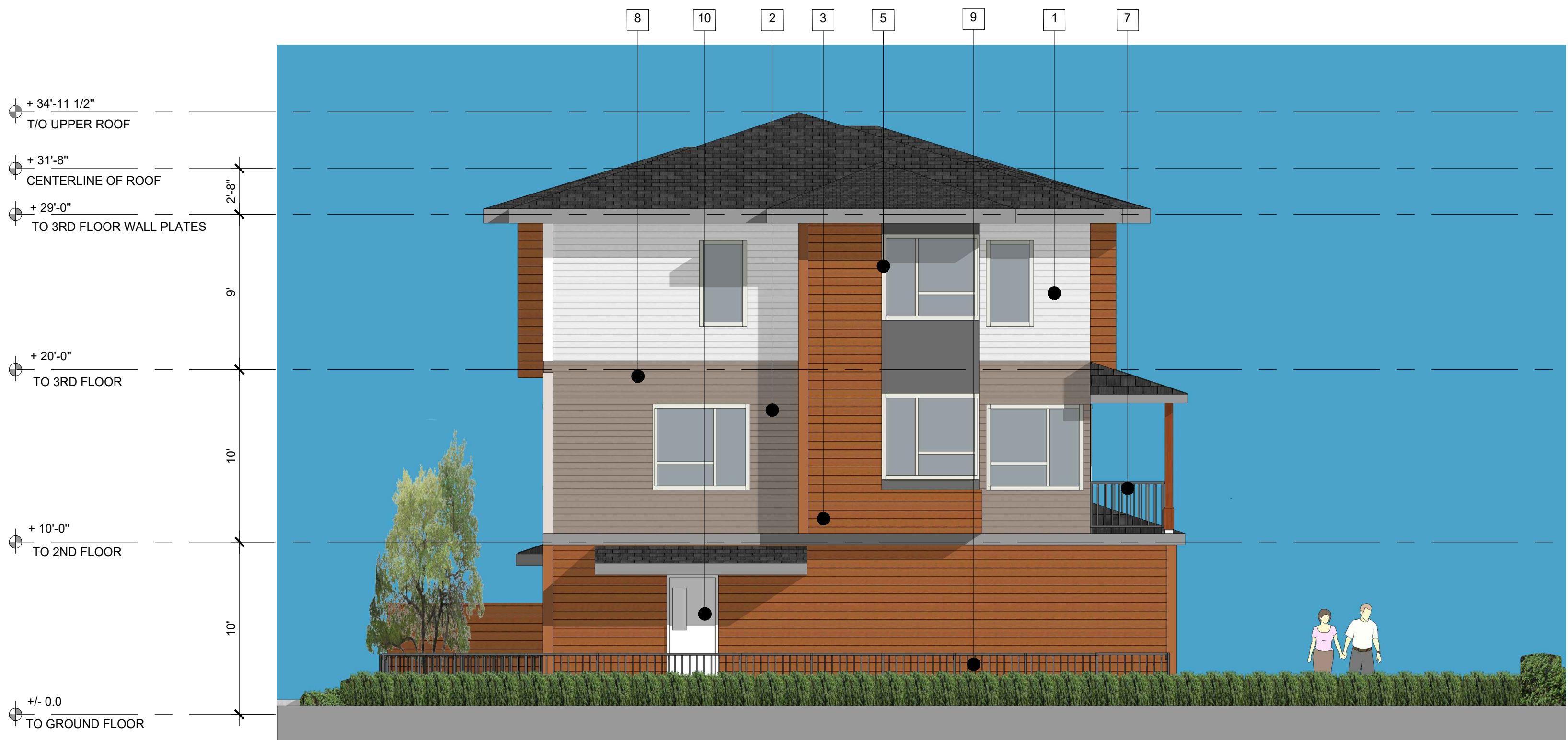
DRAWING No.

A3.04



1 SOUTH ELEVATION -BUILDING 2
Scale: 3/16"= 1'-0"

MATERIAL LEGEND	
1	HARDIE PANEL SIDING (SELECT CEDARMILL) - COLOUR: 'ARCTIC WHITE'
2	HARDIE PANEL SIDING (SELECT CEDARMILL) - COLOUR: LIGHT GREY
3	HARDIE PANEL SIDING (SELECT CEDARMILL) - COLOUR: LIGHT BROWN
4	CULTURED STONE VENEER
5	WINDOW VINYL: - COLOUR: 'LIGHT GRAY'
6	SLIDING PATIO DOOR VINYL: - COLOUR: 'LIGHT GRAY'
7	ALUMINUM BALCONY RAILING WITH GLASS INSERT: - COLOUR: 'DARK GREY'
8	HARDIE SMART TRIM
9	EXTERIOR ALUMINUM RAILING: - COLOUR: 'LIGHT GREY'
10	EXTERIOR ENTRY DOOR
11	SMOOTH PANEL OVERHEAD GARAGE DOOR
12	SOLID SCREEN WOOD FENCE



2 EAST ELEVATION -BUILDING 2
Scale: 3/16"= 1'-0"

SCHEDULE

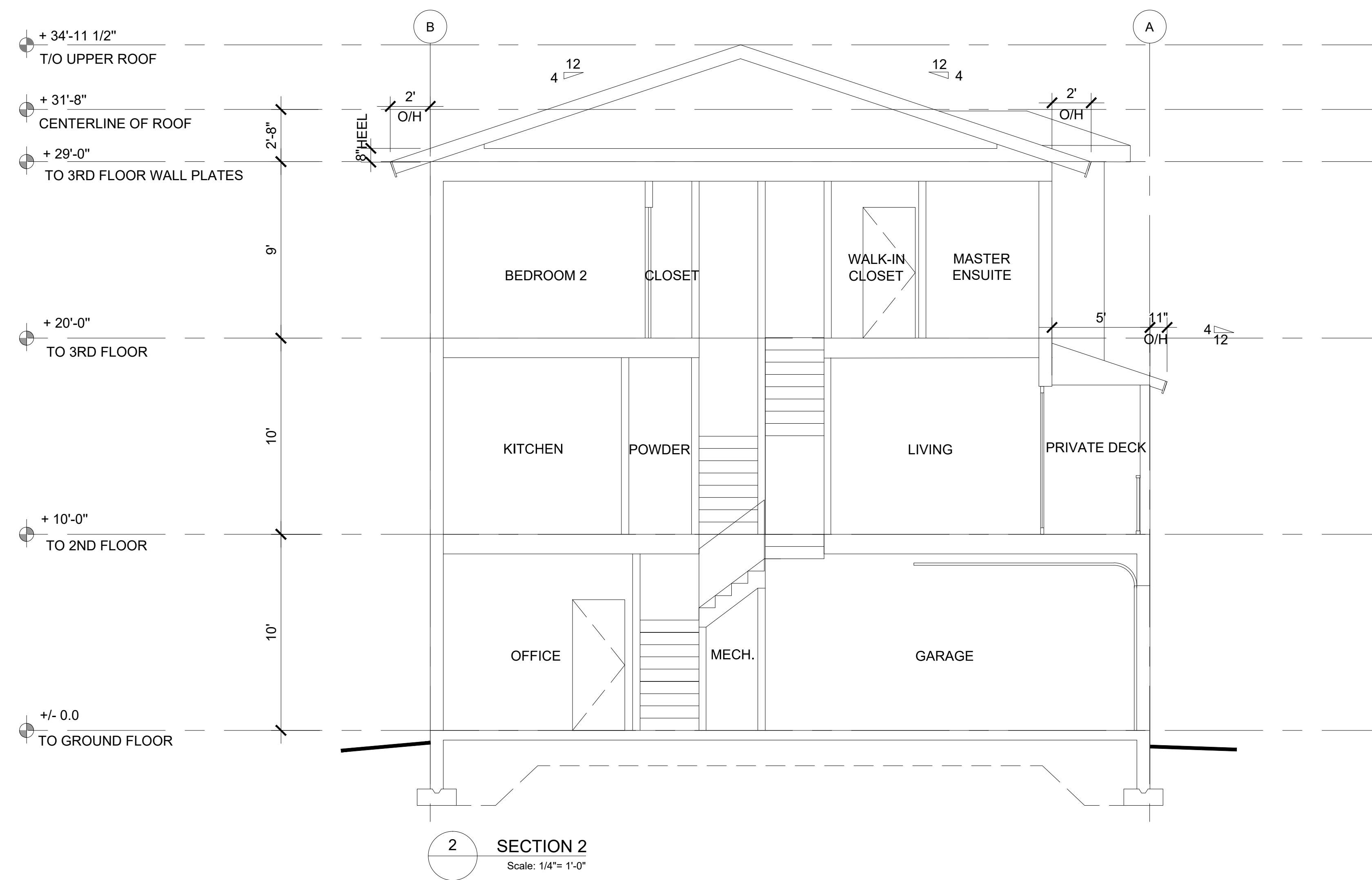
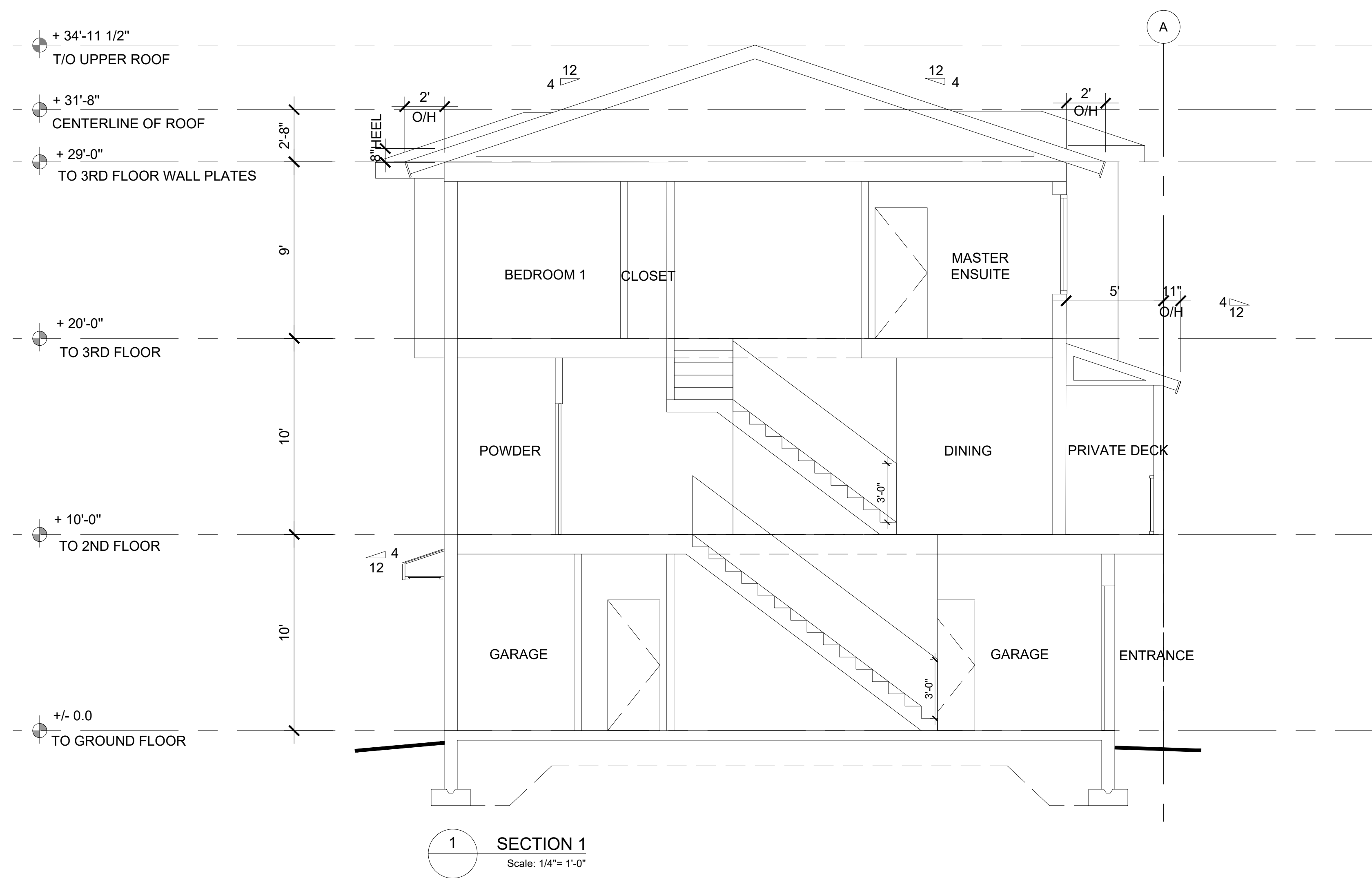
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This forms part of application
DP17-0205 & DVP18-0110

Planner
Initials

HR





SCHEDULE

B

This forms part of application
DP17-0205 & DVP18-0111

Planner
Initials

HR

City of
Kelowna

DEVELOPMENT PLANNING



**pacific
west
architecture**

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Fax: 604 267 7056
Email: info@pwaarchitecture.com
www.pwaarchitecture.com



2019-12-17

REVISIONS		
1		
ISSUES		DATE
8		
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2	REISSUED FOR DP APPLICATION	16 DEC 2019
1	ISSUED FOR DP APPLICATION	3 DEC 2019

PROJECT NUMBER	A223
DRAWN BY	WW
CHECKED BY	PY
DATE CHECKED	
CONSULTANT	

PROJECT

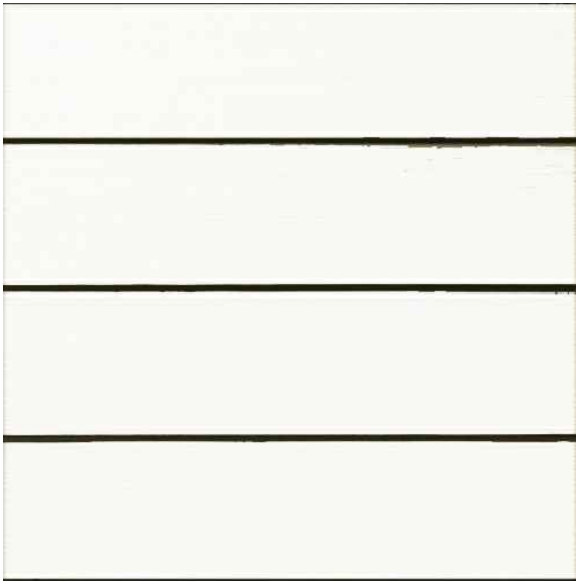
235 TAYLOR ROAD
KELOWNA, BC

DRAWING TITLE

SECTIONS

DRAWING No.

A4.01



HARDIE PANEL SIDING
(SELECT CEDARMILL)
COLOUR: 'ARCTIC WHITE'



HARDIE PANEL SIDING
(SELECT CEDARMILL)
COLOUR: LIGHT GREY



HARDIE PANEL SIDING
(SELECT CEDARMILL)
COLOUR: LIGHT BROWN



HARDIE PANEL
(SELECT CEDARMILL)
COLOUR: DARK GREY



ROOF SHINGLES



CULTURED STONE VENEER

SCHEDULE B

This forms part of application
DP17-0205 & DVP18-0111

Planner Initials **HR**

City of Kelowna
DEVELOPMENT PLANNING



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2019-12-17

REVISIONS

ISSUES	DATE
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2	REISSUED FOR DP APPLICATION
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PROJECT NUMBER	A223
DRAWN BY	WW
CHECKED BY	PY
DATE CHECKED	
CONSULTANT	

PROJECT

235 TAYLOR ROAD
KELOWNA, BC

DRAWING TITLE

**RENDERING &
MATERIALS**

DRAWING No.

A5.01

/VOLUMES/BENCH/400 - PROJECTS/2017/17-021_235TAYLORROAD_TOWNHOMES/440 - DRAWINGS/00-CURRENT/00_17-021_CONCEPT_LAYOUTS_M.DWG

DEVELOPMENT PERMIT NOTES:

- A PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO MINIMUM STANDARDS ESTABLISHED IN THE LATEST EDITION OF THE CANADIAN LANDSCAPE STANDARDS, PUBLISHED BY C.L.N.A. AND C.S.L.A. AS WELL AS THE CITY OF KELOWNA LANDSCAPE STANDARDS IN BYLAW 7900.
- B THE LANDSCAPE DESIGN DESIGNATED HEREIN IS CONCEPTUAL BUT REFLECTS THE MINIMUM CITY OF KELOWNA FORM AND CHARACTER REQUIREMENTS
- C PLANT MATERIAL SELECTIONS ARE CONCEPTUAL ONLY. FINAL PLANTING SELECTIONS MAY VARY DEPENDING UPON AVAILABILITY AT THE TIME OF CONSTRUCTION.
- D TREES SHALL BE INSTALLED IN DEFINED SOIL PITS OR PLANTING BED AREAS. ADEQUATE SOIL VOLUME SHALL BE PROVIDED BASED ON THE SPECIFIED TREE SPECIES AND LOCATION.
- E ORNAMENTAL SHRUB, GRASS AND PERENNIAL CLUSTERS ARE TO BE PLACED WITHIN DEFINED PLANTING BEDS. ALL PLANTING BEDS SHALL HAVE A MIN. OF 450mm (18") IMPORTED GROWING MEDIUM AND 75mm (3") OF COMPOSTED MULCH OR APPROVED EQUAL.
- F DECORATIVE ROCK AREAS SHALL HAVE A MIN. OF 75mm (3") OF 50mm DIA. DECORATIVE ROUND ROCK. LANDSCAPE FABRIC SHALL BE INSTALLED BELOW ALL DECORATIVE ROCK AREAS. LANDSCAPE FABRIC SHALL BE NILEX 4545 OR APPROVED EQUAL.
- G TURF AREAS SHALL BE LOW WATER USE 'NO. 1 PREMIUM' SOD WITH A MIN. OF 150mm (6") IMPORTED GROWING MEDIUM
- H A HIGH EFFICIENCY IRRIGATION SYSTEM SHALL BE INSTALLED FOR ALL ORNAMENTAL LANDSCAPE AREAS AND SHALL CONFORM TO THE CITY OF KELOWNA'S IRRIGATION STANDARDS IN BYLAW 7900.

PLANT LIST:

TREES

Botanical Name	Common Name	Size/Spacing
<i>Acer rubrum</i> 'Frank Jr'	Redpointe maple	6cm Cal.
<i>Fagus sylvatica</i> 'Dawycyk Gold'	Dawycyk's Golden upright beech	4cm Cal.
<i>Malus</i> 'Spring Snow'	Spring Snow ornamental crabapple	6cm Cal.
<i>Quercus palustris</i> 'Pringreen'	Green Pillar oak	4cm Cal.

SHRUBS & VINES

Botanical Name	Common Name	Size/Spacing
<i>Berberis thunbergii</i> 'Golden Nugget'	Golden Nugget barberry	#02 Cont./0.5m O.C.
<i>Buxus</i> 'Green Gem'	Green Gem boxwood	#02 Cont./0.6m O.C.
<i>Campsis radicans</i> 'Stromboli'	Atomic red trumpet vine	#05 Cont./as shown
<i>Hydrangea arborescens</i> 'Invincibelle Spirit'	Invincibelle Spirit hydrangea	#02 Cont./1.2m O.C.
<i>Pinus mugo</i> 'Pumilio'	Dwarf mugo pine	#02 Cont./1.2m O.C.
<i>Physocarpus opulifolius</i> 'Seward'	Summer Wine ninebark	#02 Cont./1.5m O.C.
<i>Rosa</i> 'Morden Sunrise'	Morden Sunrise rose	#02 Cont./1m O.C.
<i>Vitis labrusca</i> 'Concord'	Concord grape	#05 Cont./as shown

PERENNIALS

Botanical Name	Common Name	Size/Spacing
<i>Antennaria dioica</i> 'Rubra'	Pink pussytoes	#01 Cont./0.3m O.C.
<i>Astible arendsii</i> 'Deutschland'	Early white astilbe	#01 Cont./0.6m O.C.
<i>Euonymus</i> 'Coloratus'	Purple leaf wintercreeper	#01 Cont./0.75m O.C.
<i>Hemerocallis</i> 'Stella d'Oro'	Stella d'Oro daylily	#01 Cont./0.5m O.C.
<i>Rudbeckia fulgida</i> 'Goldstrum'	Goldstrum coneflower	#01 Cont./0.6m O.C.

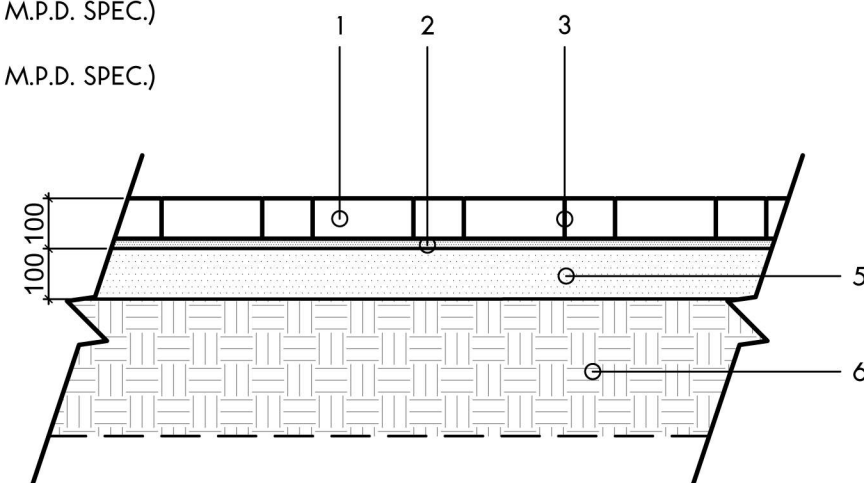
GRASSES

Botanical Name	Common Name	Size/Spacing
<i>Calamagrostis acutiflora</i> 'Karl Foerster'	Foerster's feather reed grass	#01 Cont./0.75m O.C.
<i>Hakonechloa macra</i> 'All Gold'	All Gold Japanese forest grass	#01 Cont./0.4m O.C.

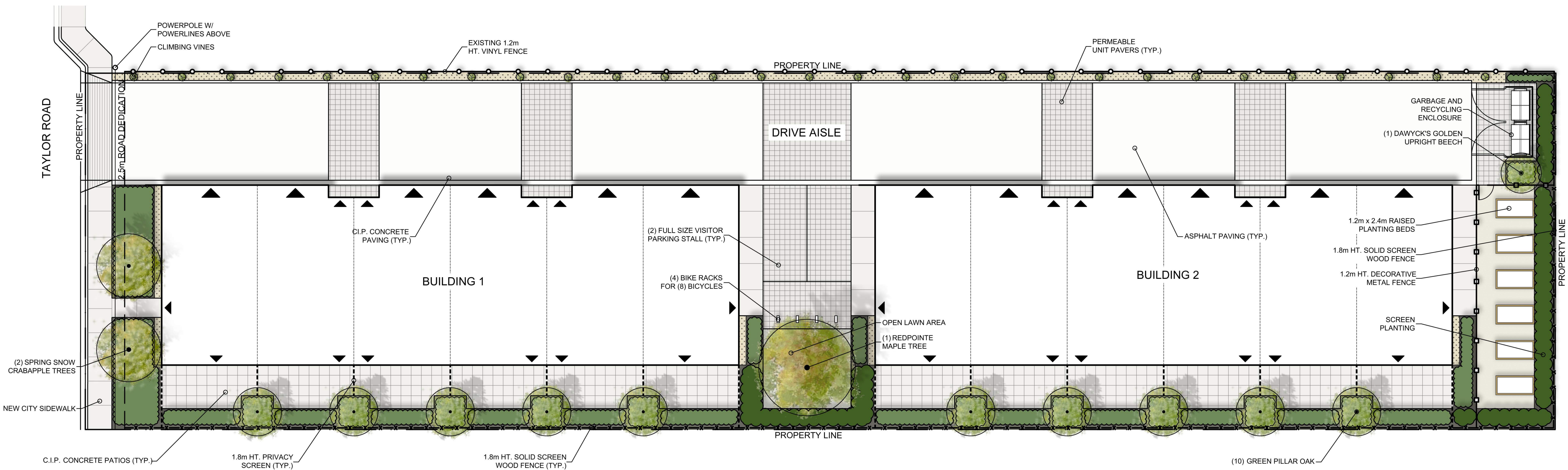
LEGEND:



- 80mm UNIT PAVERS (SEE DWGS. FOR STYLE AND COLOR)
- 20mm DEPTH BEDDING SAND
- PERMEABLE JOINTING SAND (SEE MFR. SPEC.)
- ADJACENT SURFACE (SEE DWGS.)
- GRANULAR BASE (COMPACT TO 95% M.P.D. SPEC.)
- SUBGRADE (COMPACT TO 95% M.P.D. SPEC.)



2 PERMEABLE UNIT PAVERS
SCALE 1:15

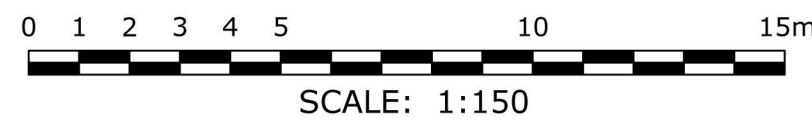


1 LANDSCAPE CONCEPT PLAN
SCALE 1:150

SCHEDULE C

This forms part of application
DP17-0205 & DVP18-011

Planner Initials HR



NOT FOR CONSTRUCTION

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NO.	DATE	DESCRIPTION
1	SEPT 01/17	ISSUED FOR REVIEW
2	SEPT 08/17	ISSUED FOR REVIEW
3	SEPT 12/17	ISSUED FOR DP
4	APR 18/18	REISSUED FOR DP
5	NOV 19/19	REISSUED FOR DP
6	DEC 11/19	REISSUED FOR DP



| 4-1562 water street, kelowna bc v1y 1j7 |
| 1 250 860 6778 |

CONSULTANT:
PACIFIC WEST
ARCHITECTURE INC
KELOWNA, B.C.

PROJECT:
235 TAYLOR ROAD
TOWNHOMES
KELOWNA, B.C.

SHEET TITLE
LANDSCAPE
CONCEPT PLAN

DESIGN BY	YY
DRAWN BY	LS
CHECKED BY	KN
PROJECT NO.	17-021
SCALE	1:150

SHEET NO.

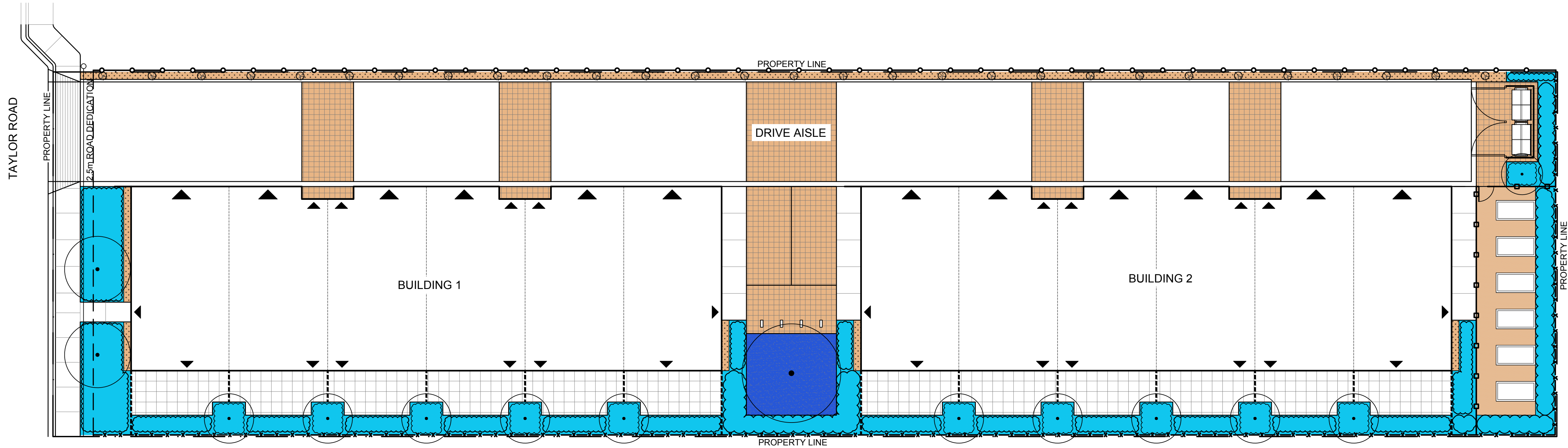
L-1

LEGEND:

HIGH WATER USE

MODERATE WATER USE

UNWATERED PREVIOUS PAVING



SCHEDULE

C

This forms part of application

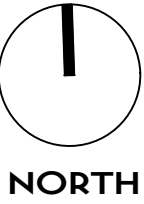
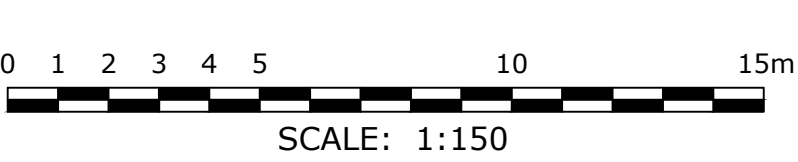
DP17-0205 & DVP18-011

Planner Initials

HR

City of Kelowna

DEVELOPMENT PLANNING



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REVISIONS / ISSUED:		
6	DEC 11/19	REISSUED FOR DP
5	NOV 19/19	REISSUED FOR DP
4	APR 18/18	REISSUED FOR DP
3	SEPT 12/17	ISSUED FOR DP
2	SEPT 08/17	ISSUED FOR REVIEW
1	SEPT 01/17	ISSUED FOR REVIEW
NO.	DATE	DESCRIPTION



CONSULTANT:
PACIFIC WEST ARCHITECTURE INC
KELOWNA, B.C.

PROJECT:
235 TAYLOR ROAD TOWNHOMES
KELOWNA, B.C.

SHEET TITLE
HYDROZONE PLAN

DESIGN BY	YY
DRAWN BY	LS
CHECKED BY	KN
PROJECT NO.	17-021
SCALE	1:150

SHEET NO.

L-2

**DEVELOPMENT PERMIT GUIDELINES***Comprehensive Development Permit Area*

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

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

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

ATTACHMENT B

This forms part of application

DVP17-0205 & DVP18-01

Planner
Initials

HR



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

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
• Retain existing healthy mature trees and vegetation?		✓	
• Use native plants that are drought tolerant?	✓		
• Define distinct private outdoor space for all ground-level dwellings?	✓		
Do any fences and retaining walls create visual interest and enhance the pedestrian environment?	✓		
Do parking lots have one shade tree per four parking stalls?	✓		
Does the Landscape Architect's Landscape Water Conservation Report:	-	-	-
• Meet the requirements for Landscape Water Budget calculations for the landscaped area?	✓		
• Indicate how the development complies with or varies from the Landscape Water Conservation Guidelines?	✓		
<i>Landscape Water Conservation Guidelines</i>			
Are plants grouped into "hydro-zones" of high, medium and low or unirrigated / unwatered areas?	✓		
Does at least 25% of the total landscaped area require no irrigation / watering?	✓		
Does at least 25% of the total landscaped area require low water use?	✓		
Does at most 50% of the total landscaped area require medium or high water use?	✓		
Is mulch cover provided for shrubs and groundcover to reduce soil evaporation?	✓		
Do water features such as pools and fountains use recirculated water systems?			✓
Do landscape installation standards meet the requirements of the BC Landscape Standard and / or the Master Municipal Construction Document?	✓		
Are the required written declarations signed by a qualified Landscape Architect?	✓		
<i>Irrigation System Guidelines</i>			
Is the Irrigation Plan prepared by a Qualified Professional?	✓		
Are irrigation circuits grouped into "hydro-zones" of high, medium and low or unirrigated / unwatered areas consistent with the landscaping plan?	✓		
Is drip or low volume irrigation used?	✓		
Are the required written declarations signed by a qualified Certified Irrigation Designer?		✓	
Crime prevention			
Are CPTED practices as related to landscaping, siting, form and exterior design included in the design?	✓		

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Are building materials vandalism resistant?		✓	
Universal Accessible Design			
Is access for persons with disabilities integrated into the overall site plan and clearly visible from the principal entrance?		✓	
Are the site layout, services and amenities easy to understand and navigate?	✓		
Signs			
Do signs contribute to the overall quality and character of the development?	✓		
Is signage design consistent with the appearance and scale of the building?	✓		
Are signs located and scaled to be easily read by pedestrians?	✓		
For culturally significant buildings, is the signage inspired by historical influences?			✓
Lighting			
Does lighting enhance public safety?			✓
Is "light trespass" onto adjacent residential areas minimized?			✓
Does lighting consider the effect on the façade, neighbouring buildings and open spaces?			✓
Is suitably scaled pedestrian lighting provided?			✓
Does exterior street lighting follow the International Dark Sky Model to limit light pollution?			✓

Dec 2, 2019

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Fax: 604 267 7056
www.pwaarchitecture.com

Re : Design Rationale

Taylor Road Townhomes 235 Taylor Road, Kelowna, B.C.

The subject property is located at 235 Taylor Road in Rutland. The proposed development consists of 12 3-storey townhouse units along a new shared driveway. There are two types of units in this development. The 4 larger units will consist of 3 bedrooms + den as well as private backyard, patio and side-by-side parking 2-car garage. The 8 smaller units will consist of 3 bedroom and private backyard, patio and tandem parking 2-car garage. Two visitor parking spaces will be provided along with a common outdoor amenity space. A small garden will be located at the rear of the property and available exclusively to residents of the complex.

This development will provide family oriented housing and help promote sustainable growth in its neighborhood. The proposed design creates density while maintaining a street scale appropriate with the surrounding area. While aimed at family living, the size of units can accommodate a diversity of renters, and encourage harmonious living through shared amenity spaces. Along the Taylor Street, the building façade emphasize the entry of the building by applying different materials and colors to create contrast. It also creates pedestrian friendly architecture along the street.

REPORT TO COUNCIL



Date: March 17, 2020

RIM No. 09400-00 & 0940-50

To: Council

From: City Manager

Application: DP19-0161 & DVP19-0162

Application: DP19-0161 & DVP19-0162

Address: 1659 Water St

Address: 1659 Water St

Subject: Development Permit & Development Variance Permit Application

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

Zone: C7 – Central Business Commercial

1.0 Recommendation

That Council NOT authorizes the issuance of Development Permit No. DP19-0161 for Lot 12, Block 6, District Lot 139, ODYD, Plan 462, Except Plan KAP82841 located at 1659 Water St, 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 Council NOT authorize the issuance of Development Variance Permit DVP19-0162 for Lot 12, Block 6, District Lot 139, ODYD, Plan 462, Except Plan KAP82841 located at 1659 Water St, Kelowna, BC;

AND THAT the variances to the following sections of Zoning Bylaw No. 8000 NOT be granted:

Section 14.7.5 Development Regulations (h)

1. To vary the setback above the 16.0 height mark for the front yard from 3.0 metres to 0.0 metres.
2. To vary the setback above the 16.0 height mark for the side yard (east) from 4.0 metres to 0.1 metres.
3. To vary the setback above the 16.0 height mark for the flanking side yard (west) from 4.0 metres to 0.0 metres.

Table 8.3.2 Commercial Off-Street Parking Requirements

4. To vary the minimum off-street parking from 10 stalls to 0 stalls.

Table 8.5 Minimum Bicycle Parking Required

5. To vary the minimum off-street short-term bicycle parking from 2 stalls to 0 stalls.

Section 14.7.7 Other Regulations (d)

6. To vary the minimum commercial on ground floor area percentage from 90% to 68% on Leon Avenue and 40% on Water Street.

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 a Staff recommendation of non-support for a Form & Character Development Permit of a six storey commercial building as well as to consider six variances to the Zoning Bylaw.

3.0 Development Planning

Staff are not supportive of the developer's proposal due to inability to provide any parking within the development and the applicant's unwillingness to provide payment under the City's Cash-in-lieu of Parking Bylaw. The subject property's small size and unconventional shape makes on-site parking not possible. The Zoning Bylaw regulations would translate to an on-site requirement of 10 stalls or a cash-in-lieu payment of \$330,000. The applicant indicated to Staff that the development proposal was financially risky for them as they needed to compete on price and building quality in order to attract commercial tenants without on-site parking and that a significant cash-in-lieu payment would make the project not financially viable. A cash-in-lieu payment is a compensation measure to the City to aid the construction of public parking facilities elsewhere in the Downtown at a future time. The City has set high-level policy with Kelowna's Community Climate Action Plan produced in the summer of 2018 that encourages efficient settlement patterns (Mode Shift & Trip Distance Reduction) whereby citizens can live, work, play in an area without the need for a single occupant vehicle for day-to-day activities. This plan suggests shifting away from infrastructure projects and policies supporting single occupant vehicle trips. However, Staff have immediate concerns that no parking will result in a spill-over effect to surrounding streets and that the direction Council set last summer (July 2019) on cash-in-lieu is not being realized. That direction included increasing the cash-in-lieu amount from \$22,500 per stall to \$33,000 per stall to better reflect the cost of construction for a structured parking stall, while reducing the total amount of parking required in Urban Centres. Both Bylaw objectives have since been approved which results in Staff recommending against parking variances despite economic impacts on small lots that are not able to consolidate into larger more efficient parkades.

An alternative recommendation to vary the required stalls is included in Section 9.0 of this report.

3.1 Development Permit

The applicant has worked with City staff to review and refine the proposed building design. The positive design features of this application that are congruent with the urban design guidelines are:

- 1) The building has three distinct sections: a top, a middle, and a bottom and the applicant has provided a positive design in each category.
 - a. The top of the building contributes positively to the visual interest with activated rooftop amenities.
 - b. The 'middle' of the building contains a series of different building materials and large amounts of glazing to provide visual interest. The wood stained colour horizontal metal siding combined with the large amounts of glazing provide a visually pleasing and consistent design scheme facing the street.
 - c. The ground floor level provides a pleasant pedestrian experience with plenty of glazing as recommend by the OCP design guidelines. The south-west corner of the building is setback at the ground floor to provide a distinctive main entrance and to enhance the pedestrian experience for building users and passing pedestrians.
- 2) The building is only six stories in height within an area of the downtown slated for the tallest buildings in Kelowna according to the C7 height map. However, to achieve that height multiple properties would need to be consolidated in order to achieve an efficiently designed parkade. The applicant has indicated that further land acquisition is not possible at this time for this project. While the project will not be as tall as the downtown C7 height map suggests, the proposal is significantly taller than adjacent properties and will contribute to an interesting streetscape and urban environment.
- 3) The South and East elevations are less desirable as they are concrete firewalls, however, they are located adjacent to existing buildings and future development sites which will help mask their bland façade to street views.

3.2 Development Variance Permit

The application needs several variances in order to develop a viable project.

The first three variances are to reduce the setback above the 16 metres mark. Generally, the 16 metre mark before a setback is required was intended for large tower and podium projects. The tower and its associated podium would need to have the setback in order to create a pedestrian friendly streetscape environment. This principal generally applies to mid-rise buildings too. However, in this case, this project is seen as an exception due to the narrow width of the lot and the limited mass of the building. As soon as a building gets wider and/or the massing increase and assuming no setbacks then the negative impact and overall detriment to the pedestrian environment increases.

The next variance is related to parking. There is no viable area that is available for parking on this site thus the necessity to reduce the parking to zero. The applicant could have provided cash-in-lieu of parking and this would have eliminated the necessity of a variance. However, the applicant argues this would eliminate the financial viability of the project. The Zoning Bylaw requires 10 stalls which would result in a cash-in-lieu payment of \$330,000. The Cash-in-lieu of parking aspect of the application was discussed in the overall Development Planning comments.

Despite the small building footprint and the small total building area, the applicant has included a bike storage room for 13 long term bike stalls on the ground floor with the associated End-of-Trip facilities (washrooms, change rooms, lockers, and showers) to encourage active transportation options to and from

work. The remaining space on the ground floor is a commercial retail tenant (CRU) most likely a restaurant, bar, café, or coffee store.

The next variance is to reduce the short-term bicycle parking stalls to zero. There is no room on site to provide short term bicycle parking stalls and the applicant is providing extra long-term bicycle parking in a secured bike parking room.

The last variance is to reduce the minimum commercial frontage below the 90% required. Similar to the previous variances, the dimensions of the lot limit the ability to provide 90% commercial frontage. The reduction is for necessary building mechanical systems including elevators, mechanical room, utility room, transformer room, and bicycle parking room. However, the predominant ground floor use is still commercial

4.0 Proposal

4.1 Project Description

The proposal is to build a 6-storey commercial development with ground floor retail, upper floor offices, common rooftop patio, and no parking onsite. The proposal contains 964.4 m² (approx. 10,380 ft²) of commercial space.

The building materials are predominately glazing with metal siding stained in wood colour. The rear two storey addition is brick. The accent materials include wood canopies and exposed concrete. The lane facing façade and the east facing façade are concrete fire walls. There will also be a roof top patio deck providing amenity area for the various office staff.

The retail at street level is designed to accommodate 1-2 tenants with floor to ceiling storefront glazing. Signage will be refined and intentional within the architectural design as per the attached drawings.

Staff have discussed the possible snow load issue on the adjacent property's roof and the applicant believes the issue is solvable through the building permit processes. The City considers the matter a civil issue between property owners.

Subject Property Map: 1659 Water St.**4.2 Zoning Analysis Table**

The zoning analysis table shows the requirements of the C7 zone compared to the proposal:

Zoning Analysis Table		
CRITERIA	C7 ZONE REQUIREMENTS	PROPOSAL
For portion of building between 0.0 metres & 16.0 metres in height		
Front Yard (Leon Ave)	0.0 m	0.0 m
Side Yard (East)	0.0 m	0.0 m
Side Yard (Water St)	0.0 m	0.0 m
Rear Yard (Lane)	0.0 m	0.0 m
For portion of building between 16.0 metres & above in height		
Front Yard (Leon Ave)	3.0 m	0.0 m ①
Side Yard (East)	4.0 m	0.1 m ②
Side Yard (Water St)	4.0 m	0.0 m ③
Rear Yard (Lane)	3.0 m	6.6 m
Floorplate	1,221 m ²	177.5 m ²
Development Regulations		
Height	76.5m (approx. 26 storeys)	26.5 m (6 storeys)

Zoning Analysis Table		
CRITERIA	C7 ZONE REQUIREMENTS	PROPOSAL
FAR	9.0	2.81
Parking Regulations		
Minimum Parking Requirements	10 Stalls	0 parking stalls ❹
Min. Loading Spaces	0 stalls	0 stalls
Ratio of Parking Stalls	Small Parallel: n/a Compact Size: 10% Max Medium Size: 40% Max Regular Size: 50% Min	Small Parallel: n/a Compact Size: n/a Medium Size: n/a Regular Size: n/a
Minimum Bicycle Parking Requirements	Long Term: 2 bikes Short Term: 2 bikes	Long Term: 13 bikes Short Term: 0 bikes ❺
Other Regulations		
Minimum frontage for commercial, civic, cultural, or ground oriented residential on 1 st floor	Leon Avenue: 90% (8.6m x 0.9 = 7.75m) Water Street: 90% (36.02m x 0.9 = 32.42m)	Leon Avenue: 5.9m / 68% ❻ Water Street: 14.2m / 39.4% ❻
❶ Variance to reduce the front yard setback for portions of building between 16.0 metres & above in height ❷ Variance to reduce the side yard (north) setback for portions of building between 16.0 metres & above in height ❸ Variance to reduce the side yard (south) setback for portions of building between 16.0 metres & above in height ❹ Variance to reduce the number of required parking spaces from 10 stalls to 0 stalls ❺ Variance to decrease the amount of short-term bicycle stalls provided from 2 required to 0 provided ❻ Variance to reduce the minimum commercial on ground floor from 90% to 68% on Leon Avenue and 40% on Water Street		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Parking Management Strategy – Downtown Area Parking Plan and Bylaw Updates (July 15th 2019)

Recommendations #4: Payment in Lieu of Parking Bylaw Update.

Staff recommend an update to reflect the true cost of constructing parking stalls based on recent experience with construction of structured and surface parking. Land cost is not included in the amounts below, as land may be considered a City asset that could be converted into different uses in the future.

In the past, only 75 per cent of the actual construction cost was used to determine the cash in lieu amount (\$30,000 per stall x 75% = \$22,500). Also reflected in this amendment is a shift from surface to structured parking in the South Pandosy, Capri Landmark and Midtown Urban Centres to reflect current conditions.

Additionally, to avoid a need for regular updates, an annual CPI (Consumer Price Index) adjustment has been included in the proposed bylaw amendment.

Kelowna's Community Climate Action Plan (June 2018)

Executive Summary:

"With intention, Kelowna can be a dynamic community that embraces diverse transportation options; shifts away from a car-centric culture; grows vibrant urban centres; moves away from sprawl; and protects land, water and air."

"The biggest opportunity for emissions reduction are the actions related to transportation, as transportation is the biggest component of Kelowna's community GHG footprint."

"The actions are based on the following six themes:

1. The Way We Get Around – providing options to reduce vehicle trips and accelerate transition to low carbon transportation options..."

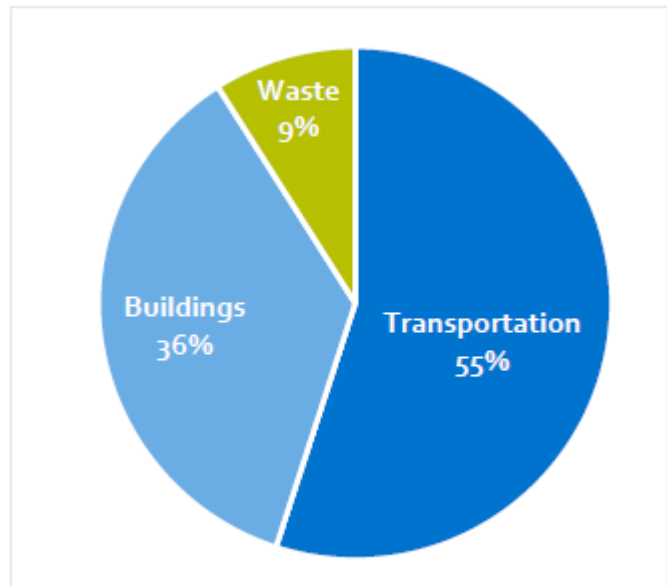


Figure 1: Kelowna's 2012 GHG Emissions
(642,000 tonnes CO₂e)

Embracing diverse transportation options

Providing options to reduce reliance on single occupant vehicles and accelerate the transition to low carbon transportation options is essential as Kelowna is one of the most car dependent cities in Canada. Transportation forms 55 per cent of Kelowna's GHG emissions, and 51 per cent of its community energy expenditures.

Figure 11 demonstrates a hierarchy for opportunities to reduce emissions from the on-road transportation sector. Good community planning principles can help further decrease emissions by reducing reliance on automobiles (see Planning Our Community actions).

The actions recommended to reduce transportation emissions reflect the community's draft goal "to embrace diverse transportation options to shift away from our car-centric culture" as heard during Imagine Kelowna engagement. Further, the actions build on participants' suggestions heard during the Imagine Kelowna On Point discussions on climate and transportation:

- "Increase parking costs / reduce parking
- Build more bike paths and bike lanes
- Increase dedicated bike / multi-use paths by allocating more resources in the annual budget and making active transportation a priority
- Improve transit systems by establishing consistent schedules and affordable rates
- Embrace autonomous vehicles
- Support car share and car pooling."

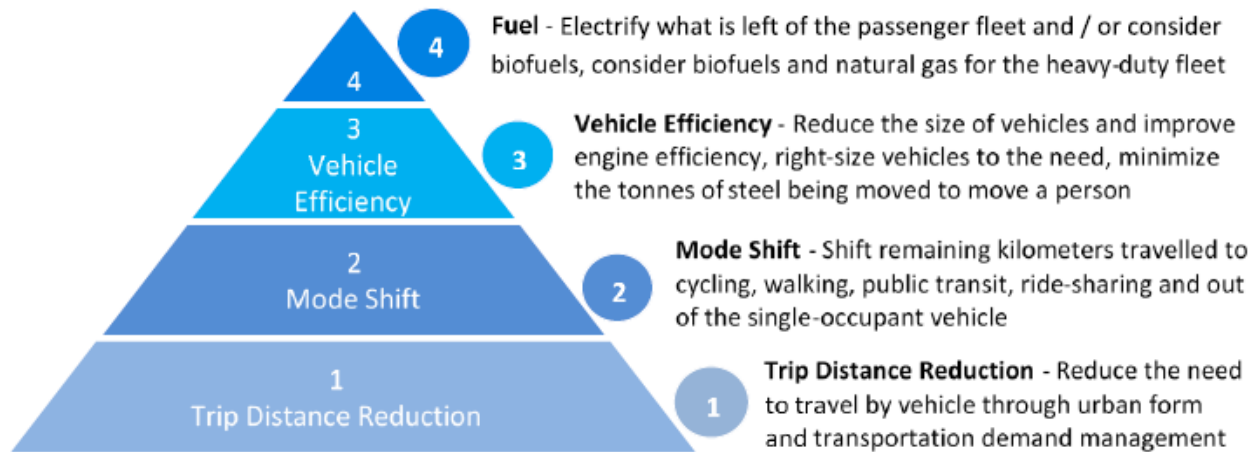


Figure 11: Suggested steps in energy planning for transportation (Source: CEA)

Contain Urban Growth.¹ Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Chapter 4: Massing and Height.³

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

6.0 Technical Comments

6.1 Development Engineering Department

See attached memorandum dated August 19th 2019.

¹ City of Kelowna Official Community Plan, Goals for a Sustainable Future, Objective 1 (Chapter 1 Introduction)

7.0 Application Chronology

Date of Application Received: August 8th 2019
Date of Public Notification: November 15th 2019

8.0 Alternate Recommendation

That Council authorizes the issuance of Development Permit No. DP19-0161 for Lot 12, Block 6, District Lot 139, ODYD, Plan 462, Except Plan KAP82841 located at 1659 Water St, 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 Council authorize the issuance of Development Variance Permit DVP19-0162 for Lot 12, Block 6, District Lot 139, ODYD, Plan 462, Except Plan KAP82841 located at 1659 Water St, Kelowna, BC;

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

Section 14.7.5 Development Regulations (h)

1. To vary the setback above the 16.0 height mark for the front yard from 3.0 metres to 0.0 metres.
2. To vary the setback above the 16.0 height mark for the side yard (east) from 4.0 metres to 0.1 metres.
3. To vary the setback above the 16.0 height mark for the flanking side yard (west) from 4.0 metres to 0.0 metres.

Table 8.3.2 Commercial Off-Street Parking Requirements

4. To vary the minimum off-street parking from 10 stalls to 0 stalls.

Table 8.5 Minimum Bicycle Parking Required

5. To vary the minimum off-street short-term bicycle parking from 2 stalls to 0 stalls.

Section 14.7.7 Other Regulations (d)

6. To vary the minimum commercial on ground floor area percentage from 90% to 68% on Leon Avenue and 40% on Water Street.

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

Report prepared by: Adam Cseke, Planner Specialist
Reviewed by: Terry Barton, Development Planning Department Manager
Approved by: Ryan Smith, Divisional Director, Planning & Development Services
Attachments:
Draft DP19-0161 & DVP19-0162

CITY OF KELOWNA

MEMORANDUM

Date: August 19, 2019
File No.: DP19-0161
To: Community Planning (AC)
From: Development Engineering Manager (JK)
Subject: 1659 Water Street 6 storey commercial

Development Engineering Department have the following comments and requirements associated with this application. The road and utility upgrading requirements outlined in this report will be a requirement of the building permit. Form and Character Development Permit for a 6 storey commercial building with rooftop patio. The Development Engineering Technologist for this project is Ryan O'Sullivan.

1. Domestic Water and Fire Protection

- (a) This lots are two 50mm water services. The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs.
- (b) The applicant, at the developer's cost, will arrange for the installation of a metered water service. If it is determined that upgrades to the existing water distribution system must be made to achieve the required fire flows, additional bonding will be required.
- (c) A water meter is mandatory for this development and must be installed inside the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at the developer's cost. Boulevard landscaping, complete with underground irrigation system, must be integrated with the on-site irrigation system.

2. Sanitary Sewer

- (a) This lot is serviced with three small diameter services. The developer's consulting mechanical engineer will determine the requirements of this proposed development and establish the required size of the new service. Only one service will be permitted for this development. The applicant, at the developer's cost, will arrange for the installation of a new service.
- (b) A downstream flow analysis check is required by a consulting civil engineer to determine the impact of additional flow contributions on the existing pipe system. If it is determined that upgrades to the existing facilities must be made, additional bonding will be required.

3. Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the Subdivision, Development and Servicing Bylaw No. 7900. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems.
- (b) This lot is serviced with two small diameter services. Only one overflow service will be permitted for this development.
- (c) Storm drainage systems for the site will be reviewed and approved by Engineering when design drawings are submitted.

4. Road Improvements

- (a) Water Street fronting this development site is urbanized but the existing curb and sidewalk and street trees that must be protected at all times during construction. re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction.
- (b) Leon Ave fronting this development site is urbanized but the existing curb and sidewalk is in a deteriorated state. The upgrades will require curb, gutter and sidewalk removal and reconstruction, boulevard streetscape as well as the re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction.
- (c) Street trees on Water and Leon are to be protected at all time with Landscape boxes.
- (d) The City of Kelowna requested a 0.625m road dedication from the development to facilitate the widening of the lane to 7.00m. It was agreed upon that if the development could prove out the turning movements from the development to the lane without conflicts, that the City would accept the existing conditions of the lane width at 6.0m.
- (e) No driveway access will be granted to this site.
- (f) Water St. and Leon Ave. Sidewalks must be accessible at all times with covered walkway.
- (g) Laydown or staging area will not be allowed on Water St. or Leon Ave.

5. Subdivision

By registered plan to provide the following:

- (a) Grant statutory rights-of-way if required for utility services.

6. Electric Power and Telecommunication Services

- a) The electrical services to this development must be installed in an underground duct system, and the building must be connected by an underground service. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground as this site is located within the City Centre urban town centre.
- b) It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services which would be at the applicant's cost.

7. Engineering

Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the city engineering department for review and marked "issued for construction" by the city engineer before construction may begin.

8. Design and Construction

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

9. Servicing Agreements for Works and Services

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

10. Geotechnical Report


As a requirement of this application the owner must provide a geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

- (a) Area ground water characteristics.
- (b) Site suitability for development, unstable soils, etc.
- (c) Drill and / or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, Identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- (e) Additional geotechnical survey may be necessary for building foundations, etc.

11. Development Permit and Site Related Issues

Access and Manoeuvrability

- (i) Perimeter access must comply with the BC Building Code. Fire Truck access designs and proposed hydrant locations will be reviewed by the Fire Protection Officer.



James Kay, P.Eng.
Development Engineering Manager

RO

CITY OF KELOWNA

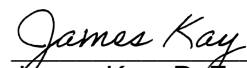
MEMORANDUM

Date: August 19, 2019
File No.: DVP19-0162
To: Community Planning (AC)
From: Development Engineer Manager (JK)
Subject: 1659 Water Street

The Development Engineering comments and requirements regarding this DVP application are as follows:

Development Variance Permit to reduce parking, to reduce upper floor setbacks, and to reduce the frontage area dedicated towards functional commercial space, does not compromise any municipal services.

All the offsite infrastructure and services upgrades are addressed in the Development Permit Report under file DP19-0161.



James Kay, P.Eng.
Development Engineering Manager

RO

DRAFT Development Permit & Development Variance Permit DP19-0161 & DVP19-0162



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

1659 Water St

and legally known as

Lot 12, Block 6, District Lot 139, ODYD, Plan 462, Except Plan KAP82841

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

Office Building

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: Comprehensive

This permit will not be valid if development has not commenced by two years after the Date of Decision by Council.

Existing Zone: C7 Future Land Use Designation: MXR

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: MJI Contracting Inc., Inc. No. BC0915334

Applicant: Matthew Isabelle

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 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 the variances to the following sections of Zoning Bylaw No. 8000 be granted as described and shown in Schedule 'A':

Table 8.3.2 Required Off-Street Parking Requirements - Commercial

To vary the minimum off-street parking from 10 stalls to 0 stalls.

Table 8.5 – Minimum Bicycle Parking Required

To vary the minimum off-street short-term bicycle parking from 2 stalls to 0 stalls.

Section 14.7.5(h) - C7 - Central Business Commercial - Development Regulations

- (i) To vary the setback above the 16.0 m height mark for the front yard from 3.0 m to 0.0 m.
- (ii) To vary the setback above the 16.0 m height mark for the side yard (east) from 4.0 m to 0.1 m.
- (ii) To vary the setback above the 16.0 m height mark for the flanking side yard (west) from 4.0 m to 0.0 m.

Section 14.7.7(d) - C7 - Central Business Commercial - Other Regulations

To vary the minimum commercial on ground floor area percentage from 90% to 68% on Leon Avenue and 40% on Water Street.

This Development Permit and Development Variance Permit is valid for two (2) years from the Date of Decision by City Council, with no opportunity to extend.

3. PERFORMANCE SECURITY

n/a

4. INDEMNIFICATION

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

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

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

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

HANS P. NEUMANN ARCHITECT INC.

1520 Highland Drive North, Kelowna, B.C. V1Y 4K5
Phone: (250) 868-0878 Fax: (250) 868-0837
Principal: Hans P. Neumann, Architect AIBC, B.Arch., B.E.S.

July 31, 2019

The Honourable Mayor Colin Basran
and City of Kelowna Council
1435 Water Street
Kelowna, B.C. V1Y 1J4

Re: Proposed Residential Project @ 1659 Water Street

We are submitting the above-noted project for Development Variance Permit and request the following variances to the C7 – Central Business Commercial zone. The extremely unique triangular site configuration requires the following variances in order to reasonably develop the property in a manner that generally complies with the OCP vision for the area, and attempts to comply with the current Zoning Bylaw No. 8000 as much as possible.

The rationale for requesting the bylaw variances is:

1. **REQUIRED ON-SITE PARKING SPACES:** The C7 Parking Schedule requires 1.3 spaces per 100 sq.m. of Gross Floor Area (GFA), which would equate to 15 spaces. The site dimensions simply do not support any kind of drive aisle & parking spaces, as the frontage on the lane side is only 1.78m (5'-10"), and the frontage off of Leon Avenue is 8.6m (28'-2"), which is substantially below the 13m required for a drive aisle plus parking stall depth, even using compact vehicle/motorcycle parking space dimensions. In preliminary discussions, it was suggested that the city traffic & engineering department would not even consider any access off of Leon Avenue or Water Street. As such we are requesting a variance to 0 spaces, which we feel is reasonable given the sites' location in a designated Urban Centre, proximity to public transit and the City's encouragement for the reduction of dependence on automobiles. We are proposing the provision of increased secure bicycle parking above what is required by the zoning bylaw to partially compensate for the shortfall.
2. **REQUIRED ON SITE LOADING PARKING SPACE:** As above, the required one (1) 28 sq.m. (300 sq.ft.+) loading space cannot be accommodated on the site.
3. **REQUIRED FRONT & SIDE SETBACKS ABOVE HEIGHT OF 16m:** Complying with this requirement would make the top floor & roof deck not possible and would limit the height of the building to five storeys. This would essentially make any type of building uneconomical by removing the prime highest revenue space, as well as deleting a key common amenity space from the potential tenants.
4. **FUNCTIONAL COMMERCIAL SPACE ALONG LEON AVENUE:** The only workable location for the building elevator reduces the functional space to 72% of minimal building frontage along Leon Avenue. The triangular site & floor plate configuration do not allow for the elevator & internal circulation to be placed in any alternative location.
5. **FUNCTIONAL COMMERCIAL SPACE ALONG WATER STREET:** The prime reason for requesting this variance to 55% of minimal building frontage, is to accommodate the required location & clearances for the Fortis electrical transformer servicing the site. Alternate solutions were unsuccessfully explored. In addition direct exterior access for the electrical room, as well as the fire protection sprinkler water entry facilities greatly reduced the available frontage. We propose to glaze the street frontage of the electrical/mechanical room to match the commercial space on the other side of the transformer to at least provide a consistent aesthetic along Leon Avenue.

We trust that you will favourably consider this application, as this building would contribute to the desired energy & activity of this area.

Sincerely,



HANS P. NEUMANN, Architect AIBC

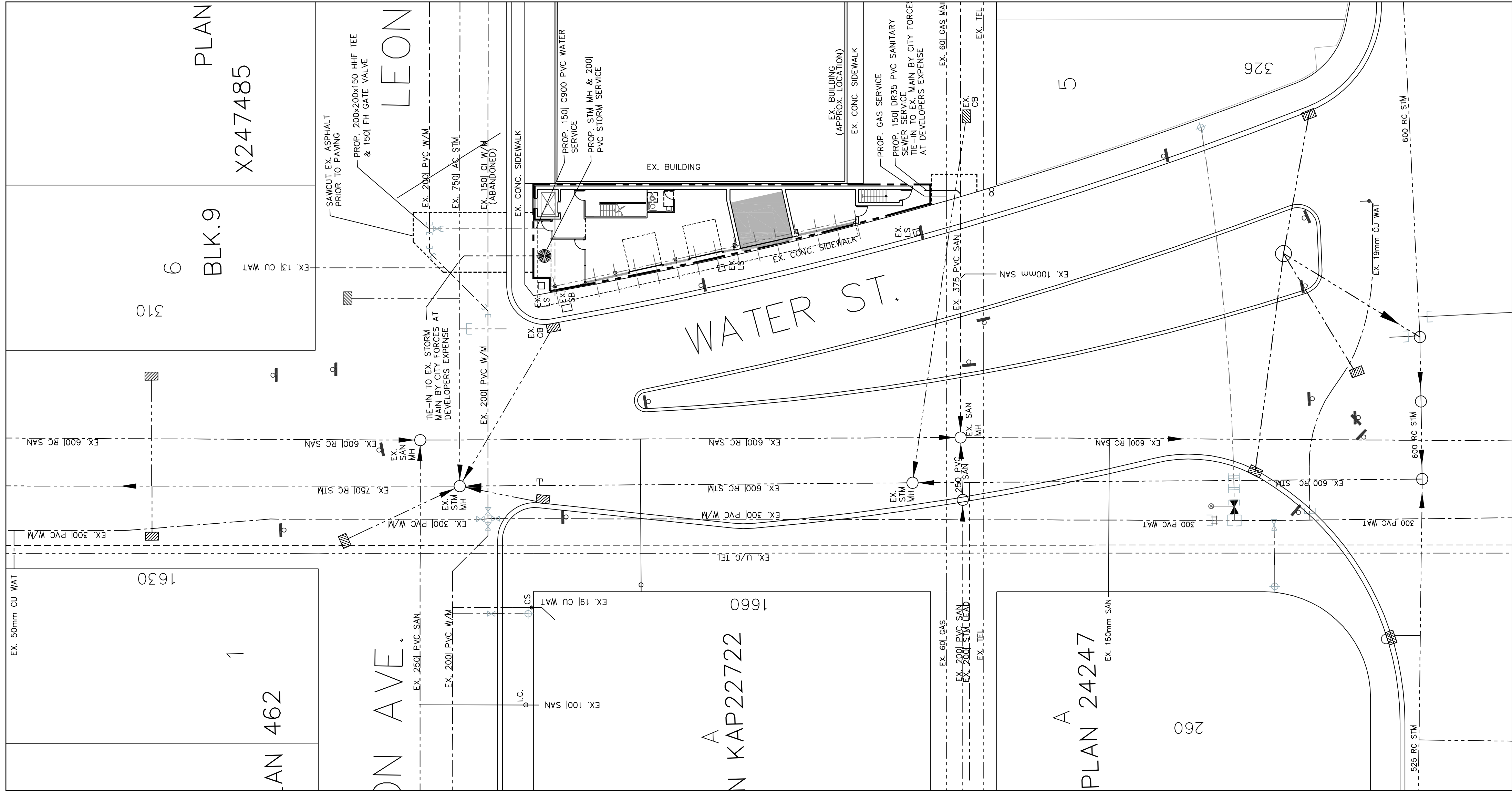
SITE PLAN
SCALE: 1" = 20'-0"



LEON AVE ELEVATION



WATER STREET ELEVATION



SCHEDULE

This forms part of application
DP19-0161 / DVP19-0162

Planner Initials AC

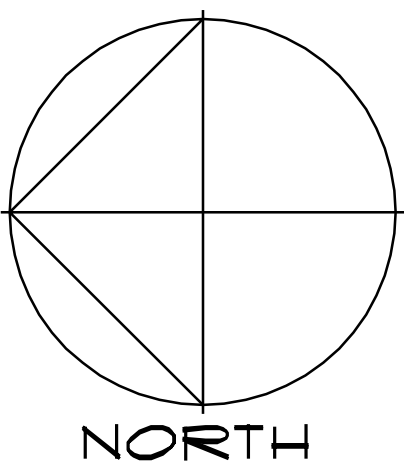
A & B



City of
Kelowna
DEVELOPMENT PLANNING

PROJECT DATA		
CIVIC ADDRESS:	1659 WATER ST., KELOWNA, BC	
LEGAL DESCRIPTION:	LOT 12, PLAN KAP462, DL 139, EXCEPT PLAN KAP82841, O.D.Y.D.	
CURRENT ZONING:	C7 – CENTRAL BUSINESS COMMERCIAL	
ZONING BYLAW REQUIREMENTS		
SITE AREA = 2,437 SQ.FT. (226.40 SQ.M.)		
BUILDING AREA (NET):		
MAIN FLOOR (RETAIL/OFFICES)	=	1,388 SQ.FT. (128.9 SQ.M.)
SECOND FLOOR (OFFICES)	=	1,114 SQ.FT. (103.5 SQ.M.)
THIRD FLOOR (OFFICES)	=	1,564 SQ.FT. (145.3 SQ.M.)
FOURTH FLOOR (OFFICES)	=	1,564 SQ.FT. (145.3 SQ.M.)
FIFTH FLOOR (OFFICES)	=	1,564 SQ.FT. (145.3 SQ.M.)
SIXTH FLOOR (OFFICES)	=	1,564 SQ.FT. (145.3 SQ.M.)
SEVENTH FLOOR (COMMON AREA)	=	1,569 SQ.FT. (145.7 SQ.M.)
TOTAL NET BUILDING AREA:		=10,267 SQ.FT. (953.8 SQ.M.)
BUILDING AREA (GROSS):		
MAIN FLOOR (RETAIL/OFFICES)	=	1,507 SQ.FT. (140.0 SQ.M.)
SECOND FLOOR (OFFICES)	=	1,531 SQ.FT. (142.4 SQ.M.)
THIRD FLOOR (OFFICES)	=	1,835 SQ.FT. (170.5 SQ.M.)
FOURTH FLOOR (OFFICES)	=	1,835 SQ.FT. (170.5 SQ.M.)
FIFTH FLOOR (OFFICES)	=	1,835 SQ.FT. (170.5 SQ.M.)
SIXTH FLOOR (OFFICES)	=	1,835 SQ.FT. (170.5 SQ.M.)
SEVENTH FLOOR (COMMON AREA)	=	1,664 SQ.FT. (154.6 SQ.M.)
TOTAL GROSS BUILDING AREA:		=12,044 SQ.FT. (1,118.9 SQ.M.)
ZONE REQUIREMENT		PROPOSED
LOT WIDTH	6.0m	8.6m
LOT DEPTH	30.0m	36.02m
LOT AREA	200 sq.m.	226.4 sq.m.
FLOOR AREA RATIO (FAR)	9.0 (6,208 sq.m.)	2.81 (1,937.0 sq.m.)
HEIGHT (m)	76.5m	26.5m/ 6 STOREYS
SETBACKS (m)		
FRONT (LEON AVENUE)	0.0m	0.025m
FRONT ABOVE 16m (LEON AVENUE)	3.0m	0.025m *
SIDE (EAST)	0.0m	0.152m
SIDE ABOVE 16m (EAST)	4.0m	0.152m *
SIDE (WATER STREET)	0.0m	0.025m
SIDE ABOVE 16m (WATER STREET)	3.0m	0.025m *
REAR (LANE)	0.0m	1.64m
REAR ABOVE 16m (LANE)	3.0m	6.60m
FLOOR PLATE ABOVE 16m (14.7.5)		
(h) AREA	1,221 sq. m.	177.5 sq. m.
FUNCTIONAL COMMERCIAL SPACE FRONTAGE [14.7.7.(a)]		
LEON AVENUE	8.6m x 90%=7.75m	5.87m/68% *
WATER STREET	36.02m x 90%=32.42m	14.2m/39.4% *
PARKING		
COMMERCIAL @ 1.3/100 sq.m. GFA x 1,118.9 sq.m. =		
LOADING @ 1/1900 sq.m. GFA =	15 STALLS	0 STALLS *
	1 STALL	0 STALLS *
BICYCLE PARKING		
CLASS I @ 0.2/100 sq.m. GLA =	3 SPACES	3 SPACES
CLASS II @ 0.6/100 sq.m. GLA =	7 SPACES	7 SPACES
LANDSCAPE BUFFERS (m)		
FRONT (LEON AVENUE)	0.0m	0.0m
SIDE (EAST)	0.0m	0.0m
SIDE (WATER STREET)	0.0m	0.0m
REAR (LANE)	0.0m	0.0m
LANDSCAPE TREATMENT LEVELS		
FRONT (LEON AVENUE)		NOT REQ'D
SIDE (EAST)		NOT REQ'D
SIDE (WATER STREET)		NOT REQ'D
REAR (SOUTH)		NOT REQ'D
* VARIANCE REQUIRED		

VARIANCES REQUIRED	
1. FRONT SETBACK OF BUILDING ABOVE 16m FROM 3.0m REQUIRED TO 0.025m PROPOSED.	
2. SIDE (EAST) SETBACK OF BUILDING ABOVE 16m FROM 4.0m REQUIRED TO 0.025m PROPOSED.	
3. SIDE (WATER STREET) SETBACK OF BUILDING ABOVE 16m FROM 3.0m REQUIRED TO 0.025m PROPOSED.	
4. FUNCTION COMMERCIAL SPACE FRONTAGE ALONG LEON AVENUE FROM 90% REQUIRED TO 72% PROPOSED.	
5. FUNCTION COMMERCIAL SPACE FRONTAGE ALONG WATER STREET FROM 90% REQUIRED TO 55% PROPOSED.	
6. NUMBER OF PARKING SPACES FROM 15 STALLS REQUIRED TO 0 STALLS PROPOSED.	
7. NUMBER OF LOADING SPACES FROM 1 STALL REQUIRED TO 0 STALLS PROPOSED.	



HANS P. NEUMANN ARCHITECT INC.

1520 HIGHLAND DRIVE NORTH
KELOWNA, BC V1Y 4K5
PHONE: (250) 868-0878 FAX: (250) 868-0837

No.	DATE	DESCRIPTION
1	AUG 6-19	ISSUED FOR D.P.
2	OCT 11-19	REVISED FOR D.P.

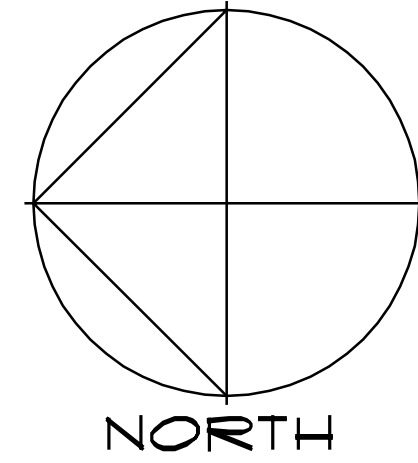
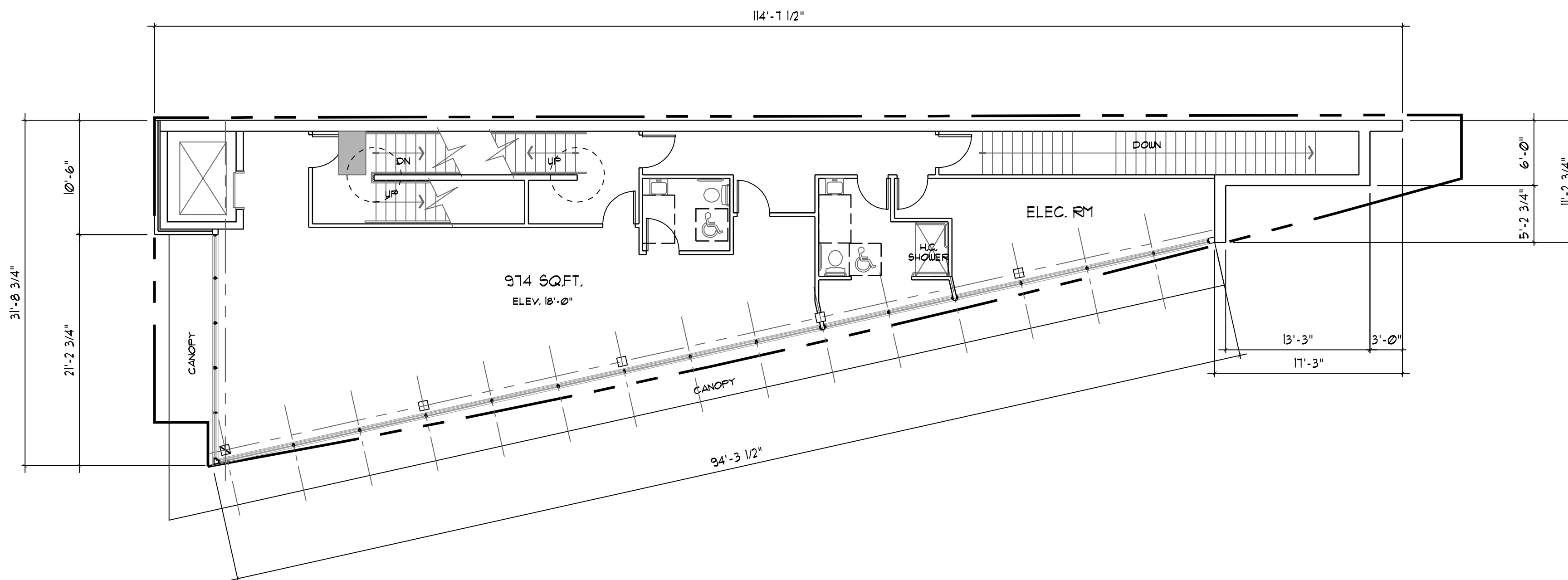
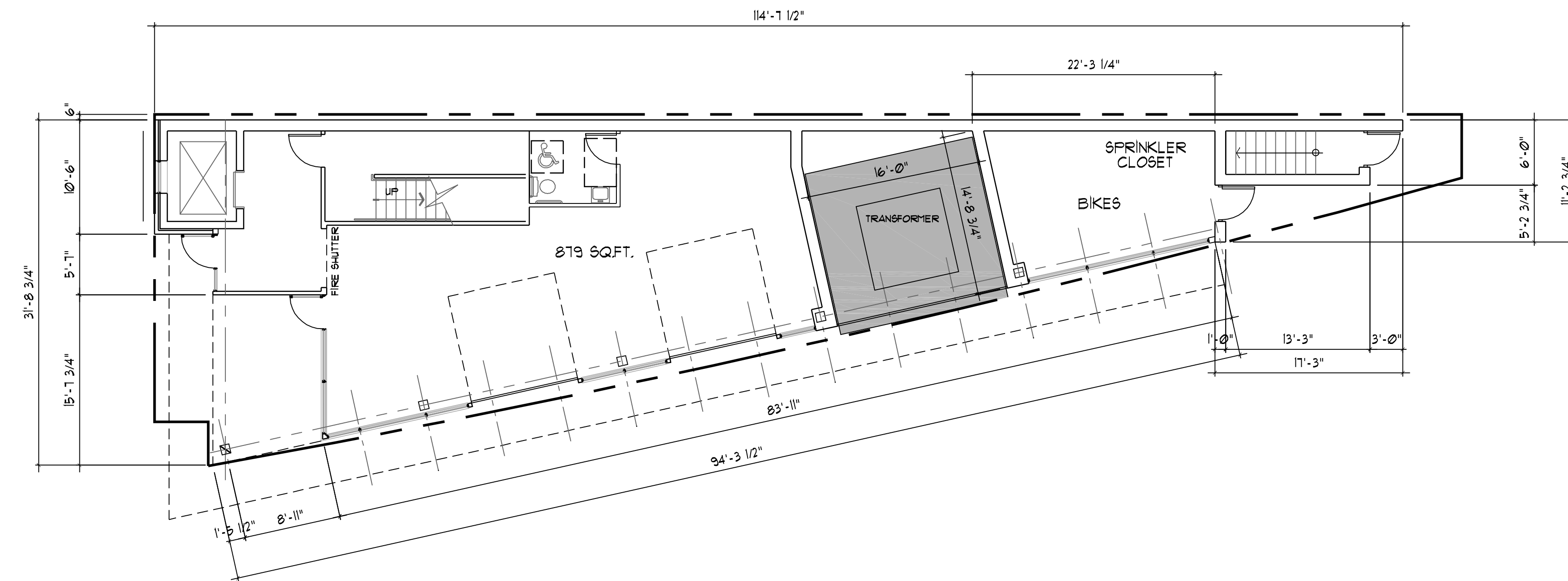
COMMERCIAL DEVELOPMENT
1659 WATER STREET, KELOWNA, BC.

PROJECT

SITE PLAN

OWNER:	SCALE: 1" = 20'-0"
DRAWING TITLE	DATE: JULY 23, 2019
CHECKED: HPN	DRAWN: MAC
Drawing No.	
REVISION No.:	

A0



SCHEDULE

This forms part of application

DP19-0161 / DVP19-0162

A & B

Planner
Initials

AC



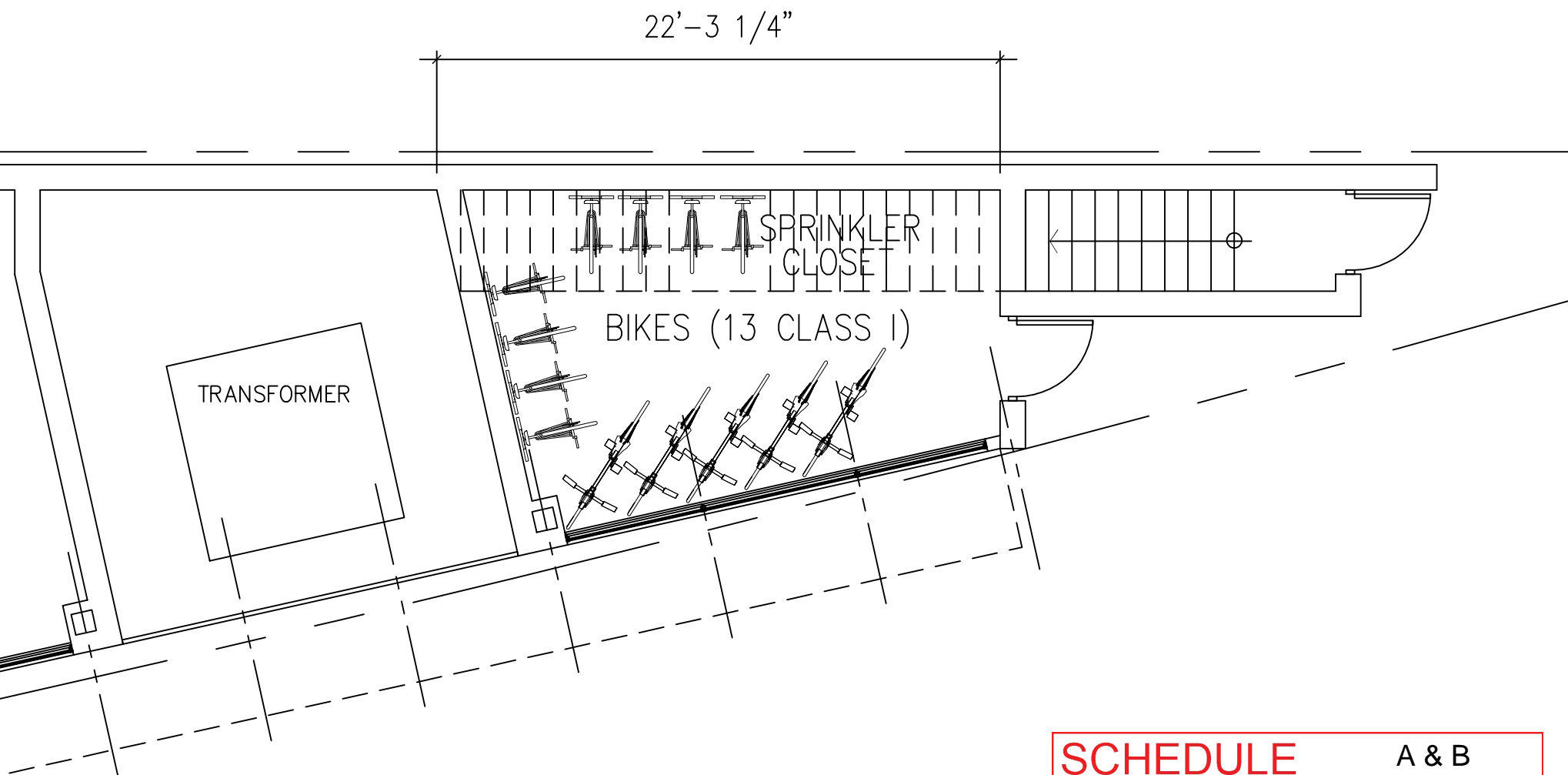
City of
Kelowna

DEVELOPMENT PLANNING

HANS P. NEUMANN ARCHITECT INC.

1520 HIGHLAND DRIVE NORTH
KELOWNA, BC V1Y 4K5
PHONE: (250) 868-0878 FAX: (250) 868-

OWNER:			
DRAWING TITLE		PROJECT	
SCALE: 1/8" = 1'-0"			
DATE: JULY 23, 2019			
DRAWN: MAC			
CHECKED: HPN			
Drawing No.			
A1			
REVISION No.:			



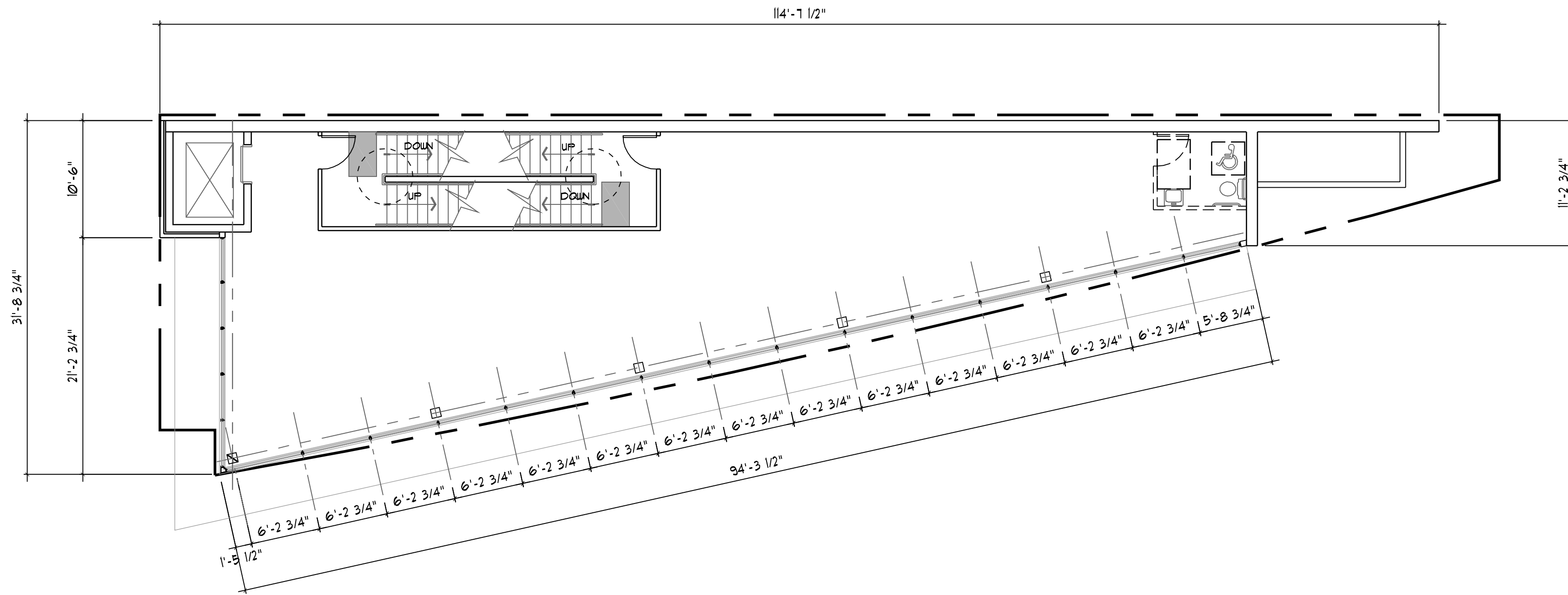
SCHEDULE A & B

This forms part of application
DP19-0161 / DVP19-0162

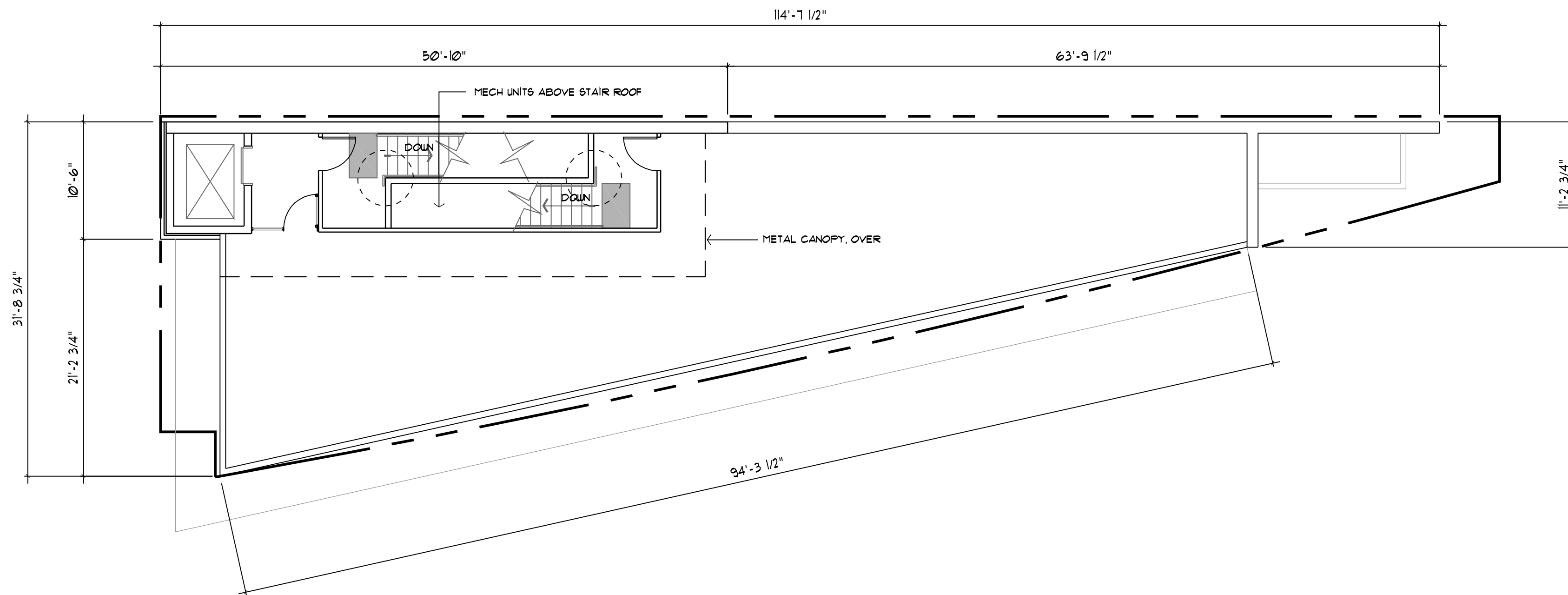
Planner Initials **AC**

City of **Kelowna**
DEVELOPMENT PLANNING 94





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



ROOF PATIO PLAN
SCALE: 1/8" = 1'-0"

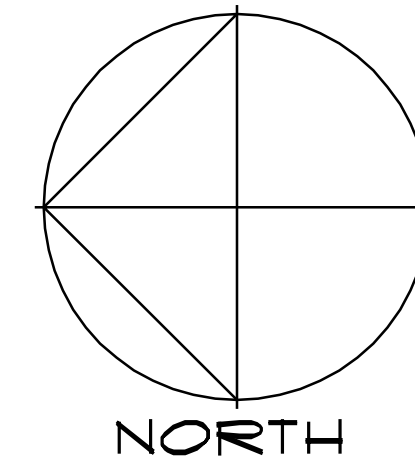
SCHEDULE
A & B

This forms part of application
DP19-0161 / DVP19-0162

Planner
Initials

AC

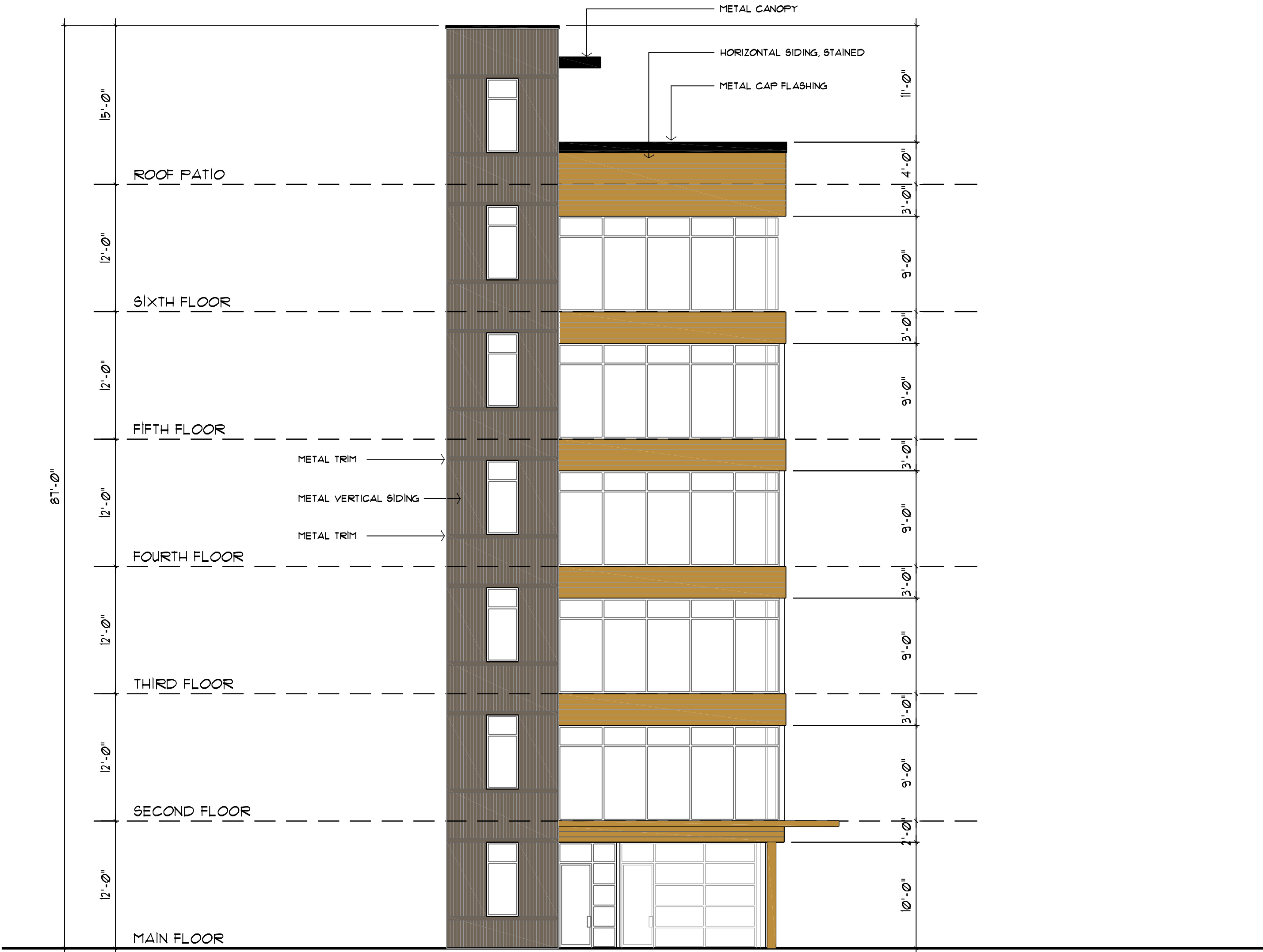
City of
Kelowna
DEVELOPMENT PLANNING



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OWNER:		DRAWING TITLE	
SCALE: 1/8" = 1'-0"		PLANS	
DATE: JULY 23, 2019		PROJECT	
DRAWN: MAC		COMMERCIAL DEVELOPMENT	
CHECKED: HPN		1659 WATER STREET, KELOWNA, BC.	
Drawing No.		A2	
REVISION No.:			



LEON AVE - NORTH ELEVATION
SCALE: 1/8" = 1'-0"

SCHEDULE

A & B

This forms part of application
DP19-0161 / DVP19-0162

Planner Initials AC


City of Kelowna
DEVELOPMENT PLANNING

LEGEND:

- (A) HORIZONTAL SIDING, WOOD LOOK
- (B) VERTICAL METAL SIDING
- (C) CONCRETE BLOCK
- (D) ALUMINUM WINDOW / DOOR SYSTEM, BLACK
- (E) METAL CAP FLASHING
- (F) METAL DOOR + FRAME, PAINTED BLACK
- (G) METAL CANOPY
- (H) WOOD CANOPY
- (I) GLASS PANEL, METAL ROLL UP DOOR
- (J) CONCRETE PANELS
- (K) ALUMINUM MESH SCREEN
- (L) METAL LETTERS, BACK LITE

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OWNER:		DRAWING TITLE	
SCALE: 1/8" = 1'-0"		ELEVATION	
DATE: JULY 23, 2019		PROJECT	
DRAWN: MAC		COMMERCIAL DEVELOPMENT 1659 WATER STREET, KELOWNA, BC.	
CHECKED: HPN		No.	
Drawing No.		1	
REVISION No.:		DATE	
		1	
		AUG 6-19	
		ISSUED FOR D.P.	
		DESCRIPTION	

A4



Planner Initials AC