

**City of Kelowna**  
**Regular Council Meeting**  
**AGENDA**



Tuesday, May 12, 2020  
7:00 pm  
Council Chamber  
City Hall, 1435 Water Street

Pages

**1. Call to Order**

**2. Reaffirmation of Oath of Office**

The Oath of Office will be read by Councillor DeHart.

**3. 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.**

- |            |  |                  |
|------------|--|------------------|
| <b>3.1</b> | <b>START TIME - 7:00 P.M. - Radant Rd 588, DVP18-0224 - Craig B. Bulawka Professional Corporation</b>  | <b>1 - 23</b>    |
|            | To consider a variance to the minimum distance separating the proposed two detached houses.  |                  |
| <b>3.2</b> | <b>START TIME - 7:30 P.M. - Valley Rd 728, DP19-0152 DVP19-0153- 1138742 B.C. Ltd, Inc. No. 1138742</b>  | <b>24 - 92</b>   |
|            | To issue a development permit and development variance permit for the form and character of multiple dwelling housing on the subject property and variances to building height and setbacks.   |                  |
| <b>3.3</b> | <b>START TIME - 8:00 P.M. - Valley Rd 726, DP17-0197 DVP20-0040, The Vineyards Community Land Holdings Inc. No. BC1106986</b>  | <b>93 - 114</b>  |
|            | To issue a Development Permit Amendment for changes to parking and landscaping and to issue a Development Variance Permit for a reduction in required parking.   |                  |
| <b>3.4</b> | <b>START TIME - 8:15 P.M. - Adams Road 105, DP19-0199; DVP19-0200 - Central Valley Truck Services Ltd. Inc.No.BC0288380</b>  | <b>115 - 162</b> |
|            | To consider a Staff recommendation to NOT issue a Development Variance Permit to allow for a Drive-In Food Service on the subject property; and to consider a Staff recommendation to NOT issue a Development Permit for the form and character of a Gas Bar with Drive-In Food Service on the subject property. |                  |

- 3.5 START TIME - 8:40 P.M. - Abbott St 2455, DVP20-0029, Susan E. Jaeger and David J. Miller** 163 - 189
- To vary the minimum front yard from 6.0 m required to 4.0 m proposed and the minimum side yard from 4.5 m required to 3.1 m proposed for a proposed residential addition.
- 3.6 START TIME - 9:00 P.M. - Francis Ave 615, BL11635 (Z18-0058) - John Thomas Hodges** 190 - 190
- To adopt Bylaw No. 11635 in order to rezone the subject property from the RU6 - Two Dwelling Housing zone to the RM3 - Low Density Multiple Housing zone.
- 3.7 START TIME - 9:00 P.M. - Francis 615, DP18-0111 and DVP20-0033, John Hodges** 191 - 236
- To issue a Development Permit for the form and character of multiple dwelling housing and to issue a Development Variance Permit for a variance to the side yard setbacks.
- 3.8 START TIME - 9:30 P.M. - Barnaby Rd 691, DVP20-0050 - Andrew Kaiser and Panagiota Athanasopoulos** 237 - 251
- To reduce the rear yard setback from 7.5m required to 6.2m proposed to accommodate an addition to the principal dwelling on the subject property.
- 3.9 START TIME - 9:45 P.M. - Graham Road 1310, DVP20-0054, Peter and Elisabeth Burnett** 252 - 272
- To vary the minimum number of parking spaces from 7 spaces required to 4 spaces proposed for the residential and day care uses proposed for the subject property.

**4. Reminders**

**5. Termination**

# REPORT TO COUNCIL



**Date:** April 21, 2020  
**To:** Council  
**From:** City Manager  
**Department:** Development Planning  
**Application:** DVP18-0224      **Owner:** Craig B. Bulawka Professional Corporation  
**Address:** 588 Radant Rd      **Applicant:** Craig B. Bulawka  
**Subject:** Development Variance Permit  
**Existing OCP Designation:** S2RES – Single/Two Unit Residential  
**Existing Zone:** RU6 – Two Dwelling Housing

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## 1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0224 for Lot 3, Section 6, Township 26, Osoyoos Division Yale District, Plan 9002, located at 588 Radant Road, Kelowna, BC;

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

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

To vary the required minimum separation between two single detached houses from 4.5 m permitted to 1.8 m proposed.

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

AND FURTHER THAT this Development 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 variance to the minimum distance separating the proposed two detached houses.

## 3.0 Development Planning

Staff are recommending support for the proposed development variance permit. The separation variance is between the proposed buildings and will not result in the new buildings being constructed in closer proximity

to neighbouring properties. Additionally, the proposed building designs combine traditional materials and elements with contemporary design feature that are appropriate for the area. The buildings share some common elements, however are distinct from one another in terms of window design, rooflines and the variation in which the external materials are used. Furthermore, the applicant is also proposing an attractive landscape design for the development.

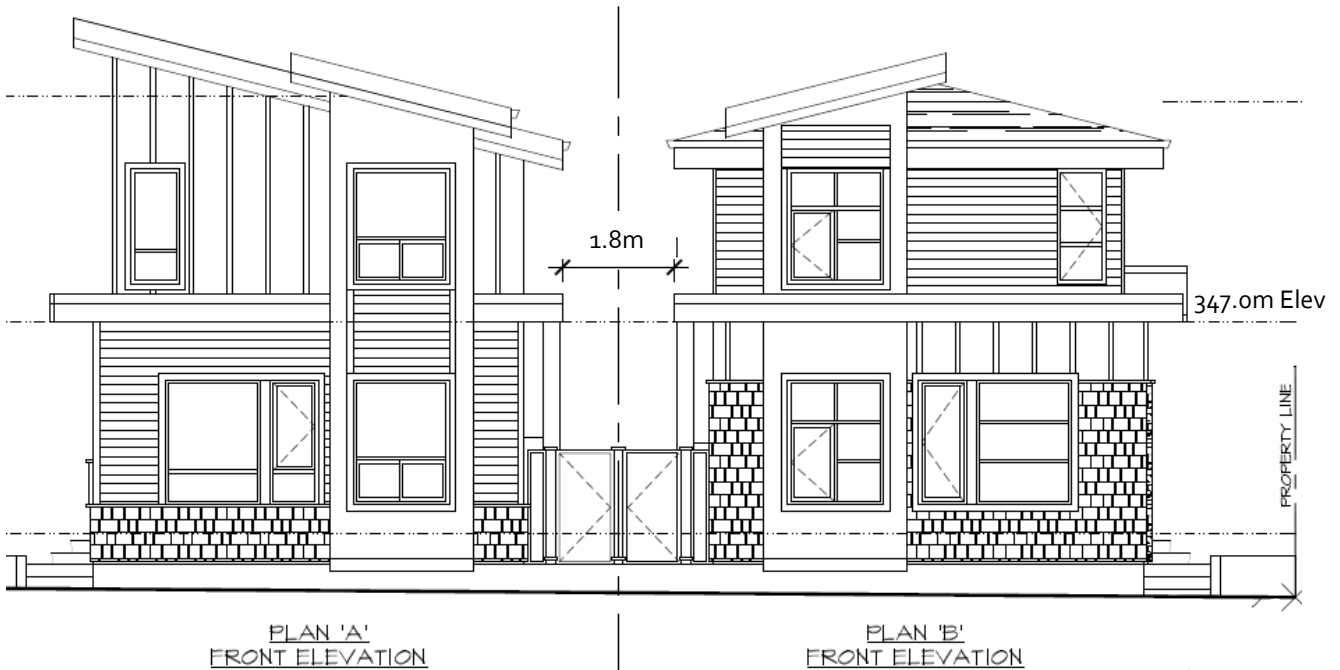
To fulfil Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form to staff on February 26, 2019, outlining that the neighbours within 50 m of the subject property were notified.

**Variance**

The applicant is requesting consideration to vary the required minimum distance separating two single detached buildings from 4.5 m permitted to 1.8 m proposed.

The applicant has indicated that by shortening the distance between buildings, it allows for a wider building form, leaving additional open space in the rear for private space and detached garage building. The design meets the external side yard setbacks to the neighbouring properties to the east and west, as such the neighbouring lots should not be impacted by the proposed design.

The two buildings are separated by up to 3.0 m along the foundation for much of the length of the buildings. At the beginning of the second storey (at 347.0m elevation) the buildings are separated by 1.8 m due to the first floor facia overhang (Figure 1). Additionally, the requested variance will not compromise any municipal infrastructure or services.



**Figure 1** – Front elevations of proposed two dwellings.

## 4.0 Proposal

### 4.1 Project Description

On January 27, 2020, the Zoning Bylaw Amendment was adopted, designating the property as RU6 – Two Dwelling Housing.

The applicant has proposed the construction of two detached houses on the subject property. The applicant has designed two unique homes that will share common materials and design elements, as well will provide an attractive landscape design to help mitigate for the requested variance.

As illustrated in Figure 1, the variation in which the external materials are used between the two buildings complement the overall design. The two buildings will also be distinguished by differentiated rooflines. Both are very contemporary designs however, Building 'A' will consist of a slanted roofline, while Building "B" will combine a slanted roof accent with a slightly peaked roof giving the illusion of a flat roofline from the streetscape. The designs minimize windows on both sides of the buildings, as such is sensitive to privacy between the two new detached buildings as well as the privacy of neighbouring properties to the east and west. These design elements combined with the proposed landscaping will soften the variance that is being sought.

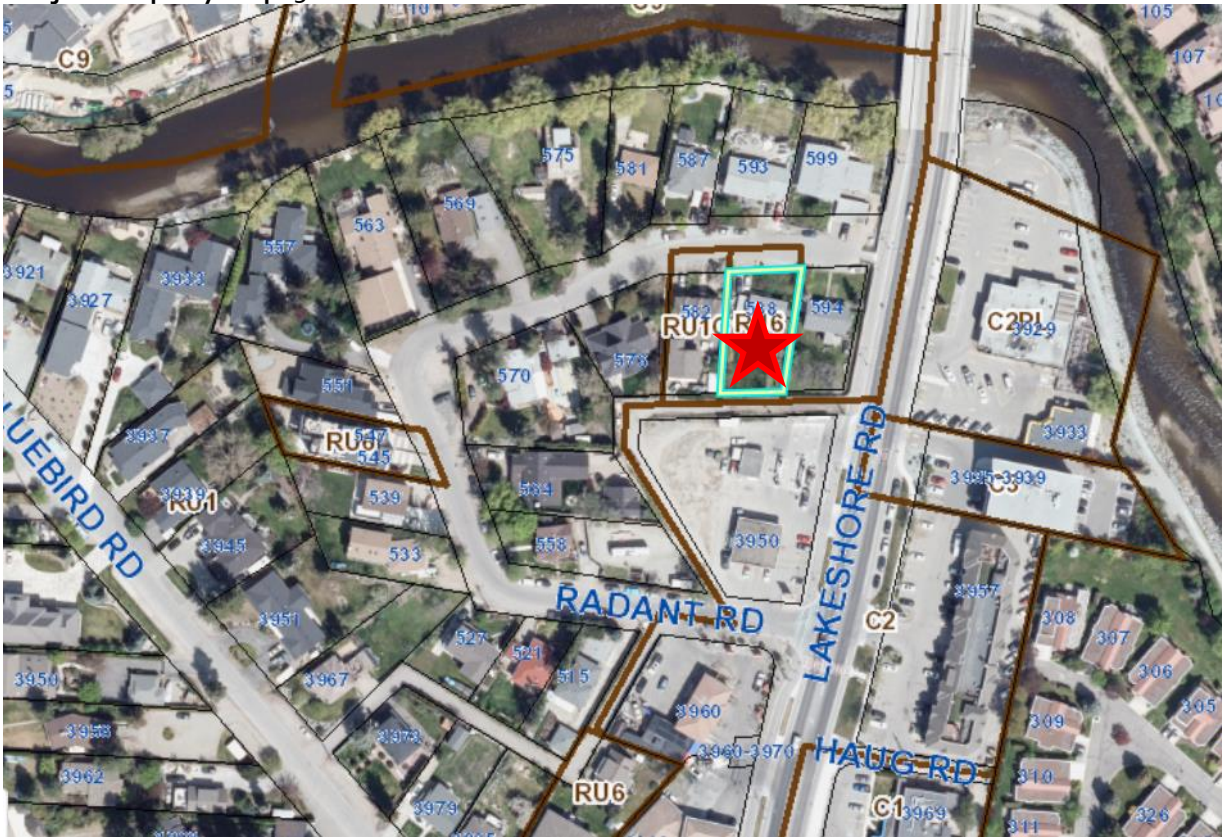
Both homes will be accessed from the rear lane, with garages to the rear of the property. The garages are one storey garages that would not be suitable for carriage house conversion in the future.

### 4.2 Site Context

The subject property is located in the North Mission – Crawford city sector, on the south side of and near Radant Road cul-de-sac. Neighbouring the site are single family dwellings to the north, west and east, with Lakeshore Road located approximately 20 meters further to the east. The property has access to a lane along the south side of the property and is near a gas bar slightly further to the south. The subject property is designated S2RES – Single / Two Unit Residential and is within the Permanent Growth Boundary. There is currently one additional property with a duplex on an RU6 lot in the neighbourhood, located at 545 and 547 Radant Road. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single family dwellings
East	RU1 – Large Lot Housing Lakeshore Road C2PL – Neighbourhood Commercial (Liquor Primary and Retail Sales)	Single family dwellings Lakeshore Road Pub, liquor store commercial
South	Lane C2 – Neighbourhood Commercial RU1 – Large Lot Housing	Lane Gas bar Single family dwellings
West	RU1c – Large Lot Housing with Carriage House RU1 – Large Lot Housing RU6 – Two Dwelling Housing	Single family dwelling with carriage house Single family dwellings Detached duplex dwellings

Subject Property Map: 588 Radant Road



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	700m <sup>2</sup>	817m <sup>2</sup>
Minimum Lot Width	18m	21.7m – front 19.7m - rear
Minimum Lot Depth	30m	39.7m – west 40.0m - east
Development Regulations		
Maximum Site Coverage (buildings)	40%	39.9%
Maximum Site Coverage (buildings, parking, driveways)	50%	43%
Maximum Height	9.5m / 2.5 storeys	7.8m
Minimum Front Yard	4.5m	4.5m
Minimum Side Yard (east)	2.3m	2.3m
Minimum Side Yard (west)	2.3m	2.3m
Minimum Rear Yard	1.5m	1.5m
<b>Distance Between Buildings</b>	<b>4.5 m</b>	<b>1.8 m</b> ●
● Indicates a requested variance to vary the required minimum separation between two single detached houses from 4.5 m permitted to 1.8 m proposed		

**5.0 Current Development Policies**

5.1 Zoning Bylaw No: 8000 – Section 6: General Development Regulations

**Section 13.6.6(i) – Two Dwelling Housing Regulations**

A site may be developed with a maximum of two single detached housing units where all the requirements for duplex housing have been met. The two single detached housing units must be separated by a minimum distance of 4.5 metres.

**6.0 Technical Comments**

6.1 Building & Permitting Department

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

**7.0 Application Chronology**

Date of Application Received:	November 19, 2018
Date Public Consultation Completed:	February 26, 2019
Date Rezoning Bylaw Adopted:	January 27, 2020
Date of Supplemental Drawings Received:	March 16, 2020

<b>Report prepared by:</b>	Barbara B. Crawford, Planner II
<b>Reviewed by:</b>	James Moore, Urban Planning & Development Policy Manager
<b>Approved for Inclusion:</b>	Terry Barton, Development Planning Department Manager

**Attachments:**

Attachment A - Draft Development Variance Permit No. DVP18-0224  
Schedule A & B – Site and Landscape Plan  
Attachment B – Landscape Estimate

# Development Variance Permit DVP18-0224



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

**588 Radant Road, Kelowna, BC**

and legally known as

Lot 3, Section 6, Township 26, Osoyoos Division Yale District, Plan 9002

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

## **Construction of two single detached dwellings**

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

1. The dimensions and siting of the buildings and the detached garages to be constructed on the land be in accordance with Schedule 'A';
2. Landscaping to be provided on the land be in accordance with Schedule 'B';
3. 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 be in accordance with Attachment 'B'.

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

### **Section 13.6.6(i): RU6 – Two Dwelling Housing Development Regulations**

To vary the required minimum separation between two single detached houses from 4.5 m permitted to 1.8 m proposed.

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

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

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

Date of Decision: **TBD**

Decision By: CITY COUNCIL

Issued Date: **TBD**

Development Permit Area: N/A

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

Existing Zone: RU6 – Two Dwelling Housing

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

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

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

**ATTACHMENT** A

This forms part of application  
# DVP18-0224

Planner Initials **BC**



City of Kelowna  
DEVELOPMENT PLANNING



## NOTICE

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

Owner: J Craig B. Bulawka Professional Corporation

Applicant: Craig B. Bulawka

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Terry Barton  
Development Planning Department Manager

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Date

Development Planning Department

**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) Landscaping to be provided on the land be in accordance with Schedule B; and
- c) The applicant be required to post with the City a Landscape Performance Security deposit in the form of a Letter of Credit in the amount of 125% of the estimated value of the landscaping.

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

**3. PERFORMANCE SECURITY**

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

- a) A Certified Cheque in the amount of **\$23,125** **OR**
- b) An Irrevocable Letter of Credit in the amount of **\$23,125**

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

**4. INDEMNIFICATION**

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

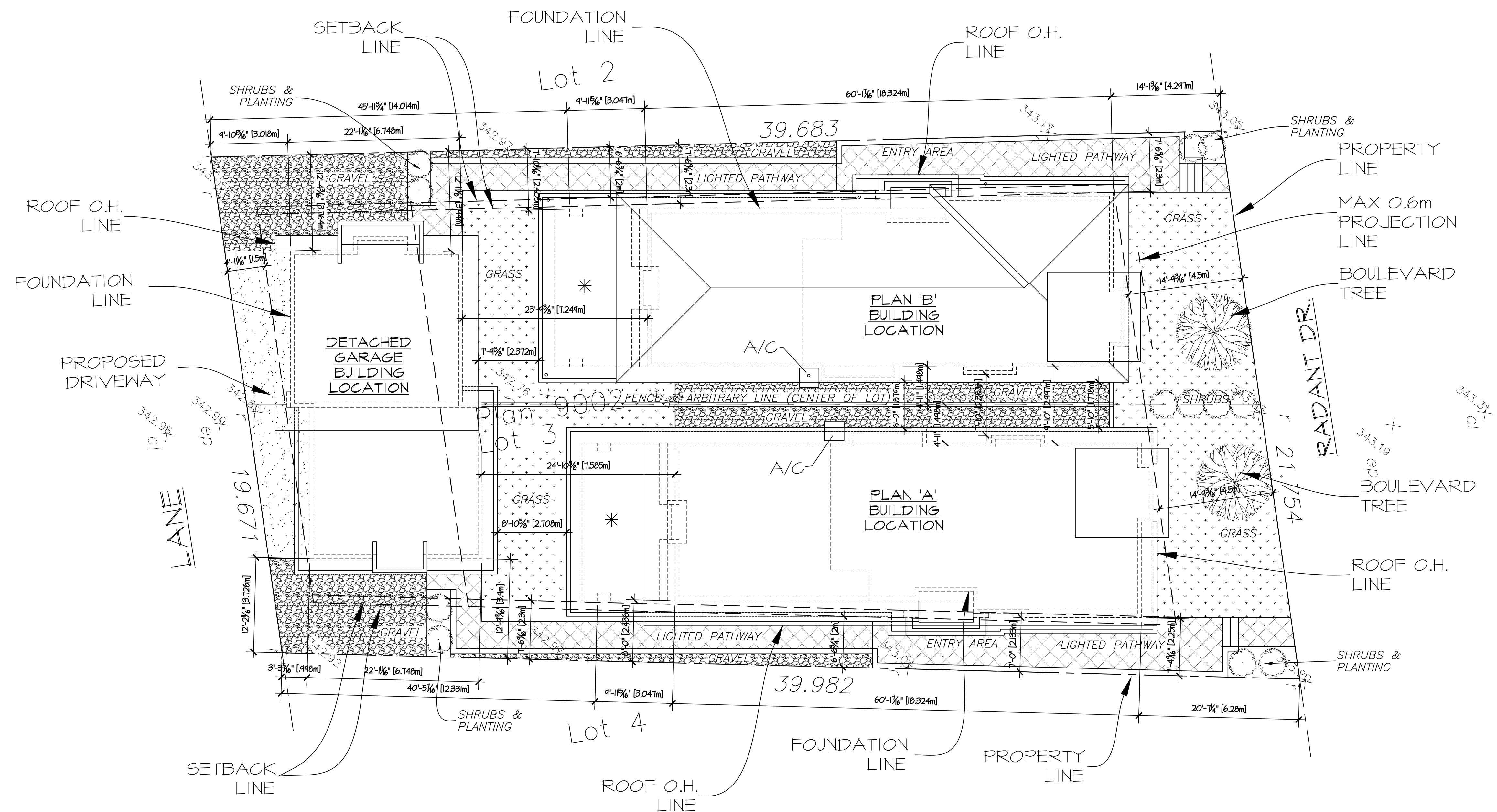
- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

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

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

REVISIONS		
REV	DATE	DESCRIPTION
A	18/04/18	ISSUED FOR CONCEPT
B	13/09/18	ISSUED FOR TENDER
C	05/15/19	PLAN ADDITIONS AS PER CITY REQUEST
D	03/16/20	PLAN CHANGES

NOTE:



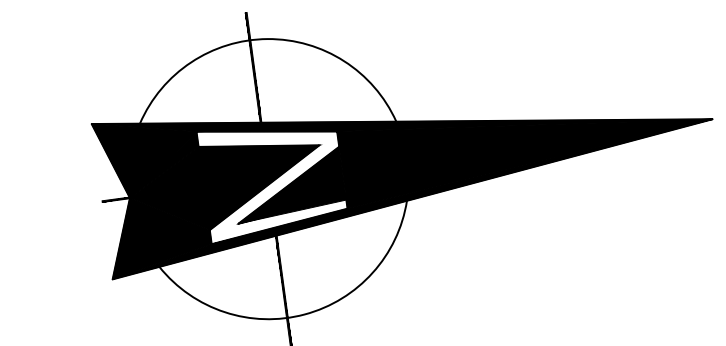
**SITE COVERAGE CALCULATION**

BLDG. 'A' AREA = 1,297.92 SQ. FT.  
 BLDG. 'B' AREA = 1,297.92 SQ. FT.  
 DETACHED GARAGE = 907.55 SQ. FT.  
 TOTAL AREA = 3,503.39 SQ. FT.  
 SITE AREA = 8,788.00 SQ. FT.

COVERAGE = 39.87%  
 DRIVEWAY AREA = 718.5 SQ. FT.  
 COVERAGE INCLUDING DRIVEWAY = 42.96%

\* REAR PATIO AREAS TO BE UNDER 23m<sup>2</sup>  
 & NOT INCLUDING IN CALCULATION.

NOTE:  
 EXACT BUILDING LOCATION &  
 ELEVATION TO BE DETERMINED  
 ON SITE. CONFIRM ALL SETBACKS  
 AND LOT LINES WITH REGISTERED  
 LOT PLAN PRIOR TO CONSTRUCTION.



**SITE PLAN**  
 3/32" = 1'-0"

**SCHEDULE A & B**

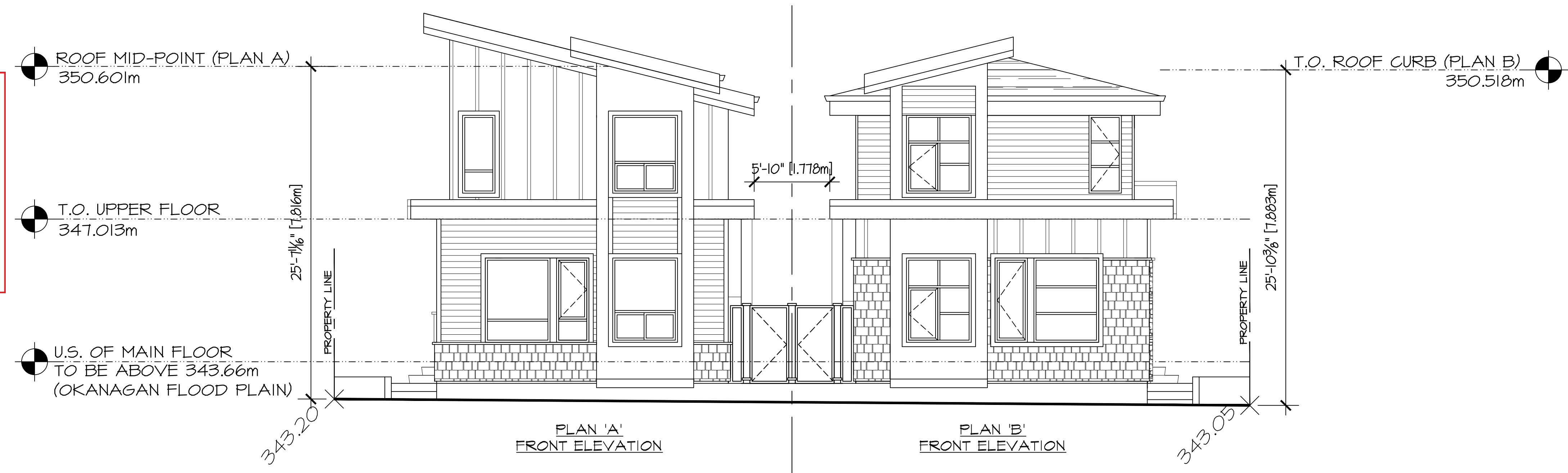
This forms part of application  
 # DVP18-0224

Planner Initials **BC**

City of Kelowna  
 DEVELOPMENT PLANNING

**ERRORS AND OMISSIONS**

- EVAN GILBERT DRAFTING & DESIGN INC. shall not be responsible for any variances from the structural drawings and specifications, or adjustments required resulting from conditions encountered at the job site, and is the sole responsibility of the owner or contractor.
- EVAN GILBERT DRAFTING & DESIGN INC. makes every effort to provide complete and accurate construction drawings. However, we assume no liability for any errors or omissions which may affect construction. It is the responsibility of all trades and sub-trades to check and verify all dimensions and details before commencing with their portion of the construction. Should any discrepancies be found on these plans please advise our office so we can make the necessary corrections.



**EVAN GILBERT**  
 drafting & design

www.egdrafting.ca 778.478.7722  
 evan@egdrafting.ca

PROJECT TITLE

**588**  
**RADANT RD.**

KELOWNA, B.C.

DATE: 03/16/20  
 DRAWING SCALE: 3/16" = 1'0"  
 DRAWN BY: EKG  
 CHECKED BY: CB  
 APPROVED BY:

SHEET NAME

**SITE PLAN &  
 SITE PROFILE**

PROGRESS

**FOR TENDER**

REVISION	PLAN NUMBER:
D	638
SHEET NUMBER	SHEET
A1	1 OF 13



<b>ATTACHMENT</b>	<b>B</b>
This forms part of application # DVP18-0224	
Planner Initials	BC
 City of <b>Kelowna</b> DEVELOPMENT PLANNING	

**11190 Deldor Road Winfield, BC V4V 1V8**  
Phone: (250) 766-2312 Fax: (250) 766-3817  
email: [estimating@sierralandscaping.ca](mailto:estimating@sierralandscaping.ca)  
website: [www.sierralandscaping.ca](http://www.sierralandscaping.ca)

Date February 25, 2020

To Craig Bulawka  
588 Radant Road  
Kelowna BC  
cbulawka@ualberta.ca

RE: **LANDSCAPING AND IRRIGATION QUOTATION - - Budget for landscape bond 588 Randant Road**

We are pleased to submit to you our budgetary price of **\$18,500.00** for Landscaping and Irrigation for the above noted project as per provided drawings and specifications.

**Included the above pricing:**

- One mobilization
- Rough Grade and Subgrade for landscape areas only
- Topsoil supply and placement
- Sod Supply and Placement
- Trees and Shrubs—Supply and Placement
- Landscape Mulch and Fabrics – Supply and Placement
- Landscape Edger
- Unit Paver Brick Pathways
- Design, supply and Install Complete High efficiency automatic irrigation system
- One year Warranty

**Excluded from the above pricing:**

- GST
- Formal edging
- Fencing or woodworks
- Surface or subsurface drainage
- Building or environmental permits
- Maintenance further to installation
- Winterization of Irrigation System
- Landscape lighting or electrical works
- Backflow prevention, interior wiring or plumbing
- Concrete or asphalt works, including cutting or patching
- Surveying

Flagging  
Sanitary Facilities  
Site Security

<b>ATTACHMENT</b>	<b>B</b>
This forms part of application # DVP18-0224	
Planner Initials	BC
 City of <b>Kelowna</b> DEVELOPMENT PLANNING	

**Please note:**

- 1) Our price is based upon ground level construction and access. Should this not be available please advise and we will make the necessary adjustments to our pricing.
- 2) Please note that this quotation is valid for a period of thirty days.
- 3) We charge 2% interest per month on any payments not received within 30 days of becoming due.
- 4) Job pricing or quotes provided by Sierra Landscaping Ltd. are private and confidential. By requesting Sierra's pricing, you are obligated to maintain the confidentiality of the information.

If you have any questions please contact our office at (250) 766-2312. Thank you for the opportunity to quote to you and we hope to be of service.

SIERRA LANDSCAPING LTD.

per:

ALLEN TOWER, Vice-President (250) 863-0747



# DVP18-0224

# 588 Radant Road

Development Variance Permit



# Proposal

- ▶ To consider a variance to the minimum distance separating the proposed two detached houses.

# Development Process

November 19, 2018

Development Application Submitted



Staff Review & Circulation



February 26, 2019

Public Notification Received



 **April 21, 2020**

Development Variance Permit

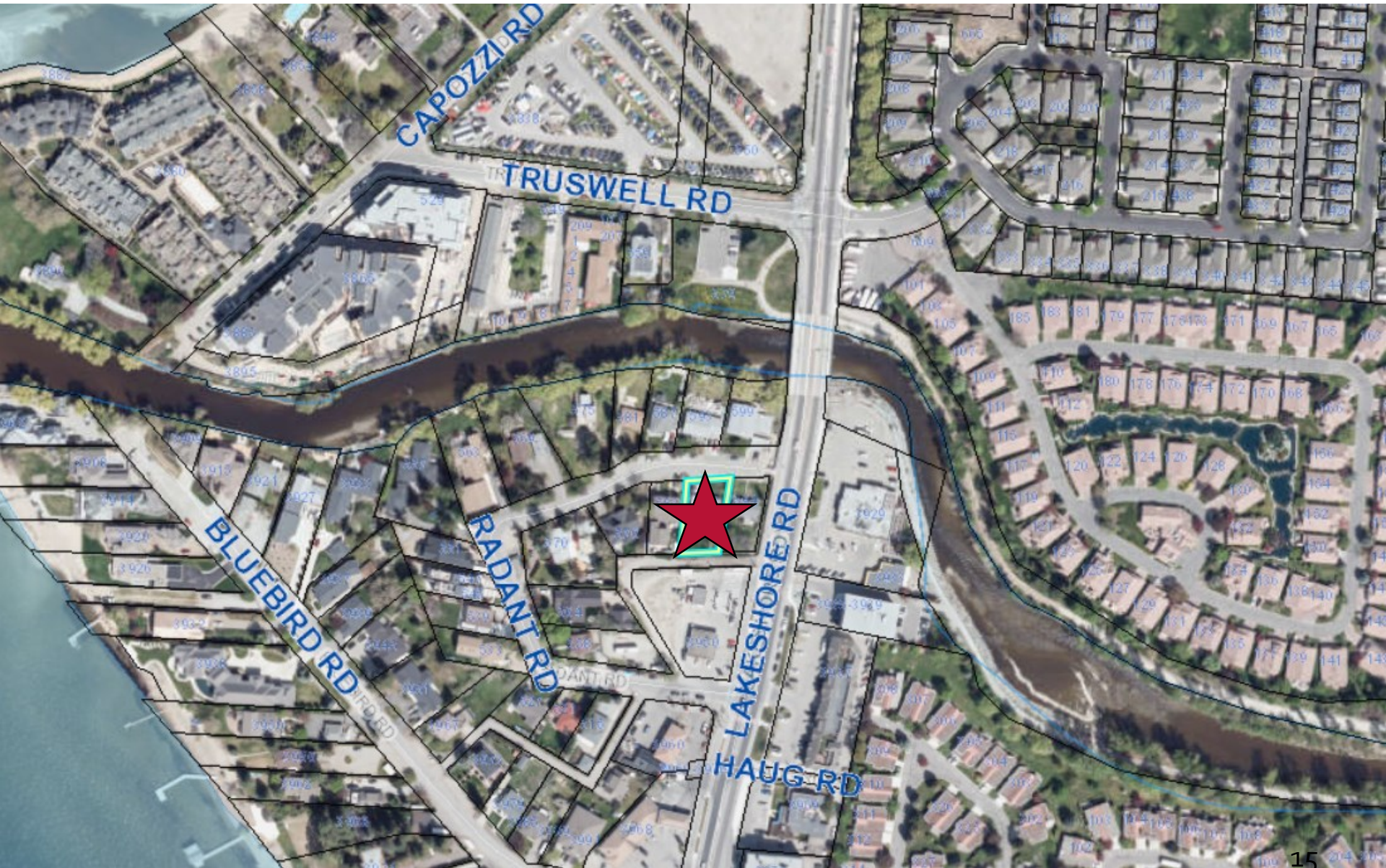


Building Permit

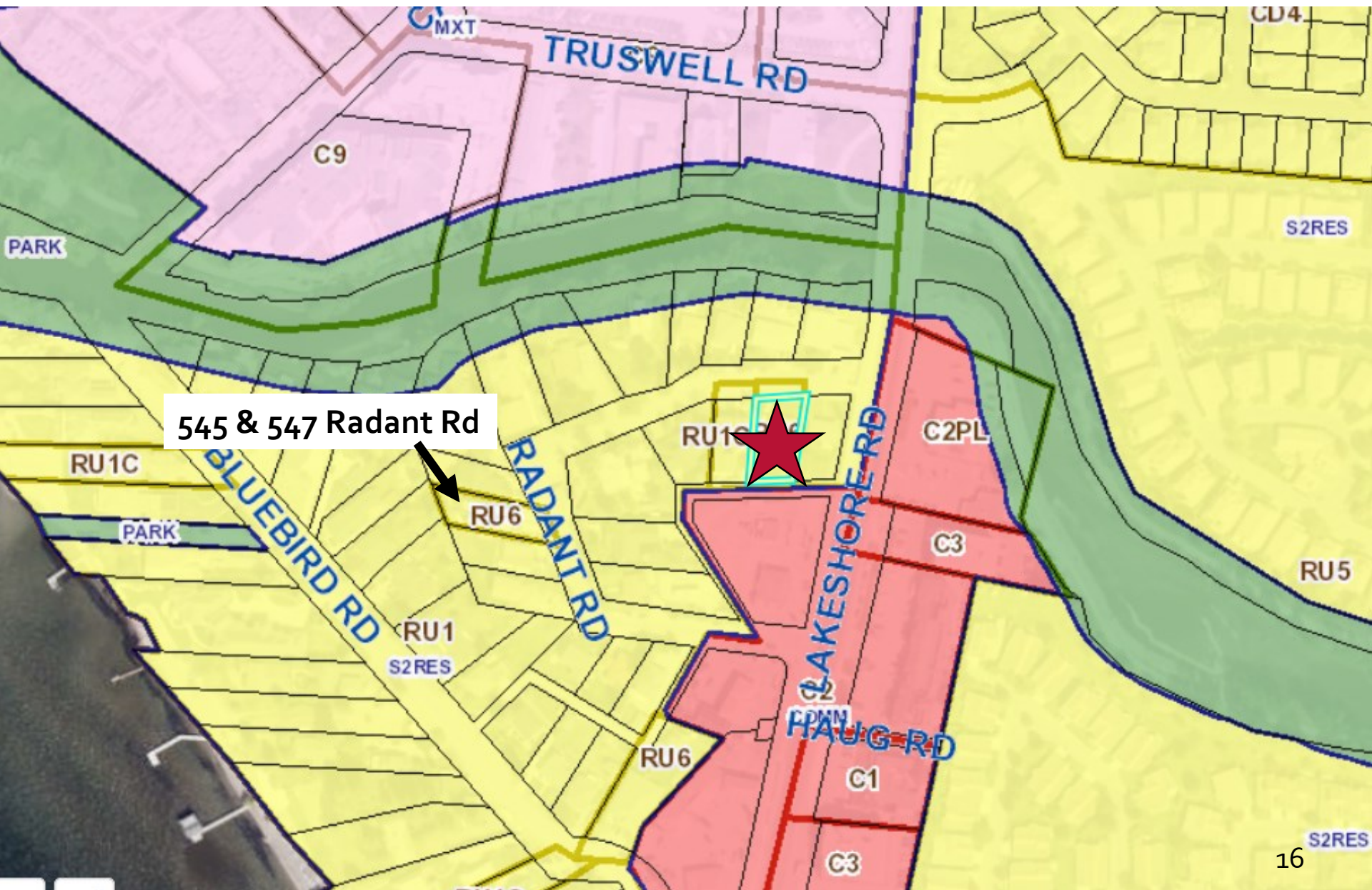
} Council  
Approvals



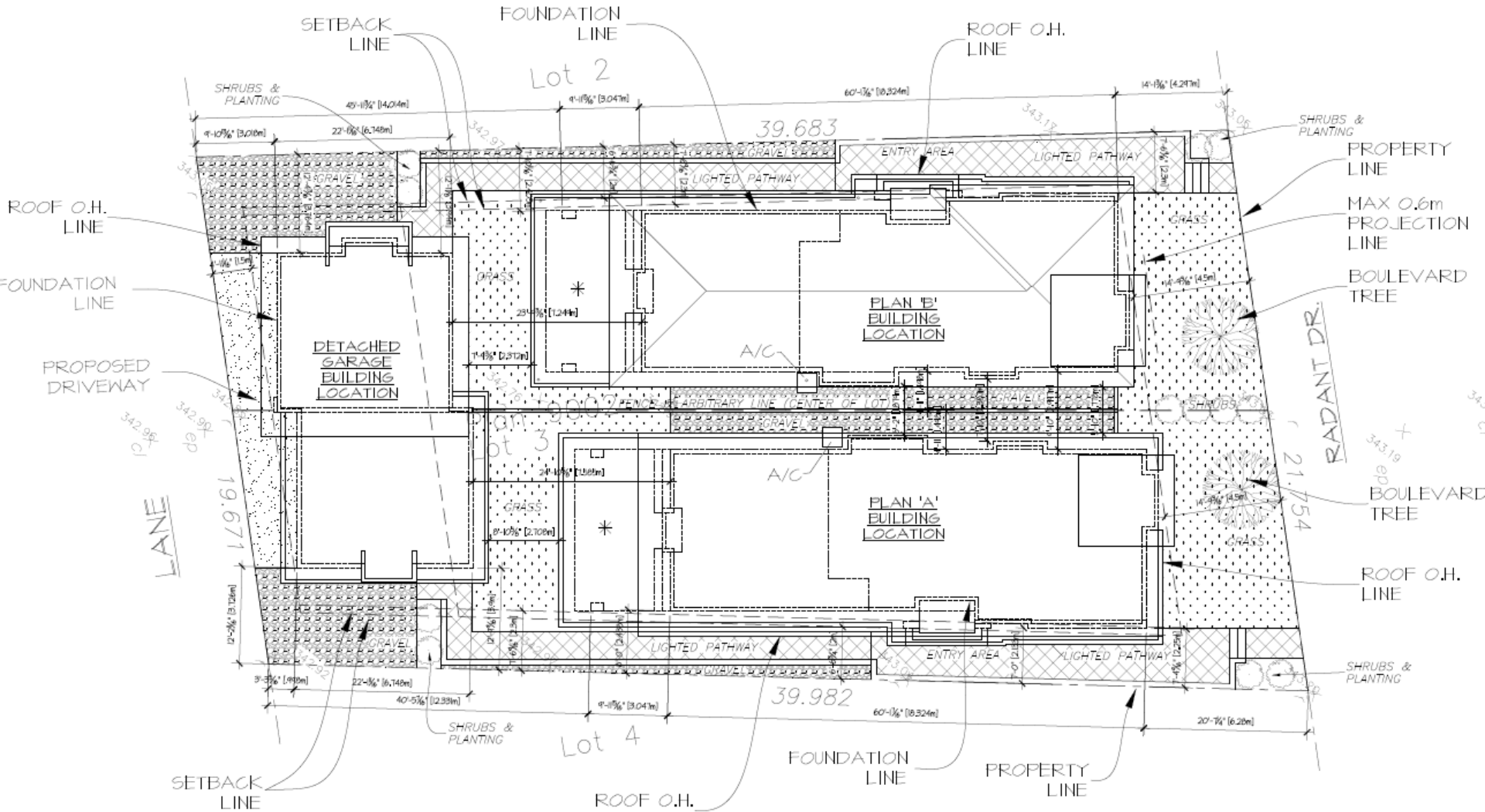
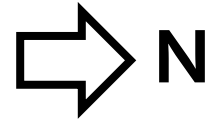
# Context Map



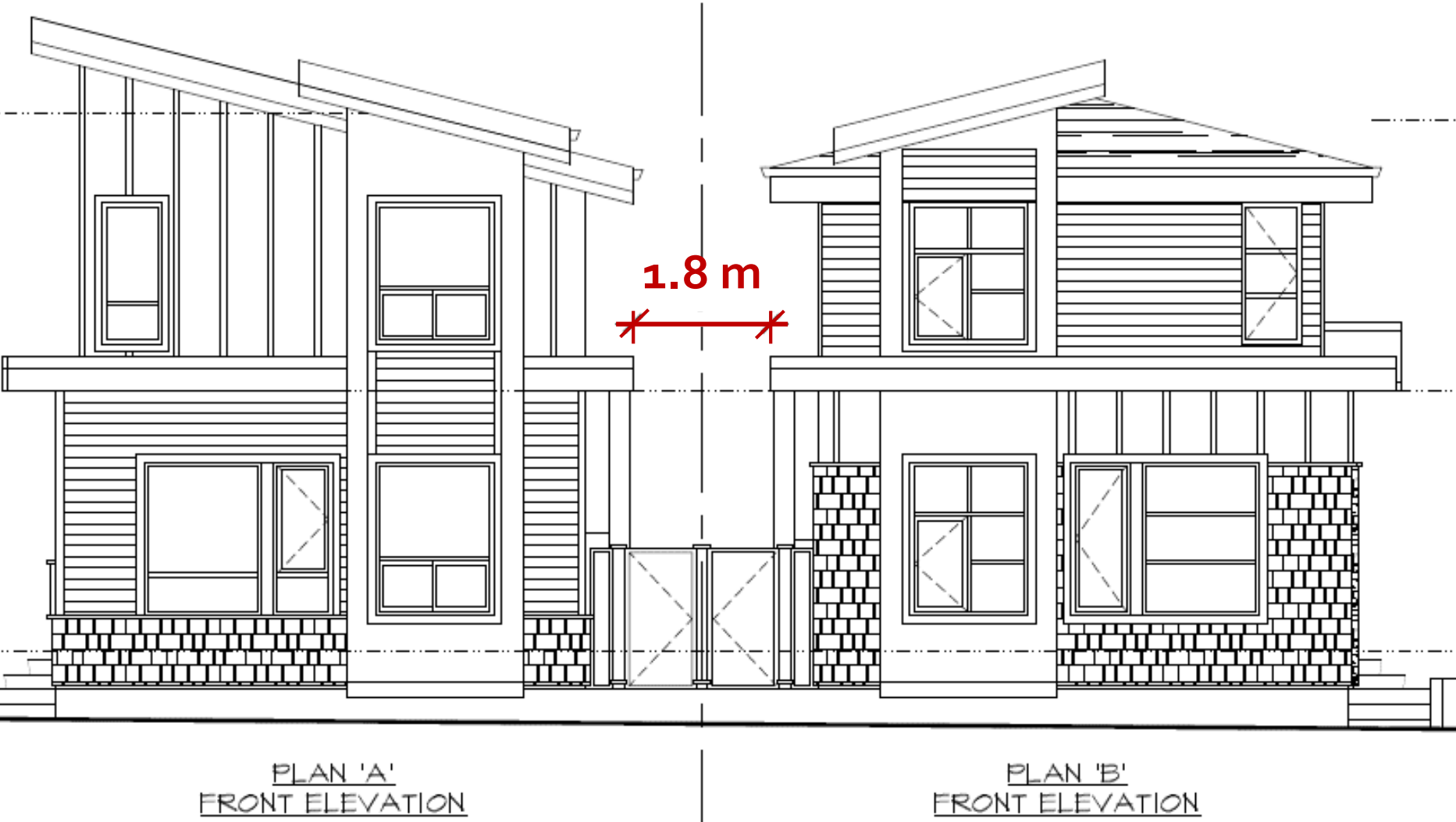
# OCP Future Land Use and Zoning



# Site Plan and Project Details



# Elevations and Variance



PLAN 'A'  
FRONT ELEVATION

PLAN 'B'  
FRONT ELEVATION

# Renderings



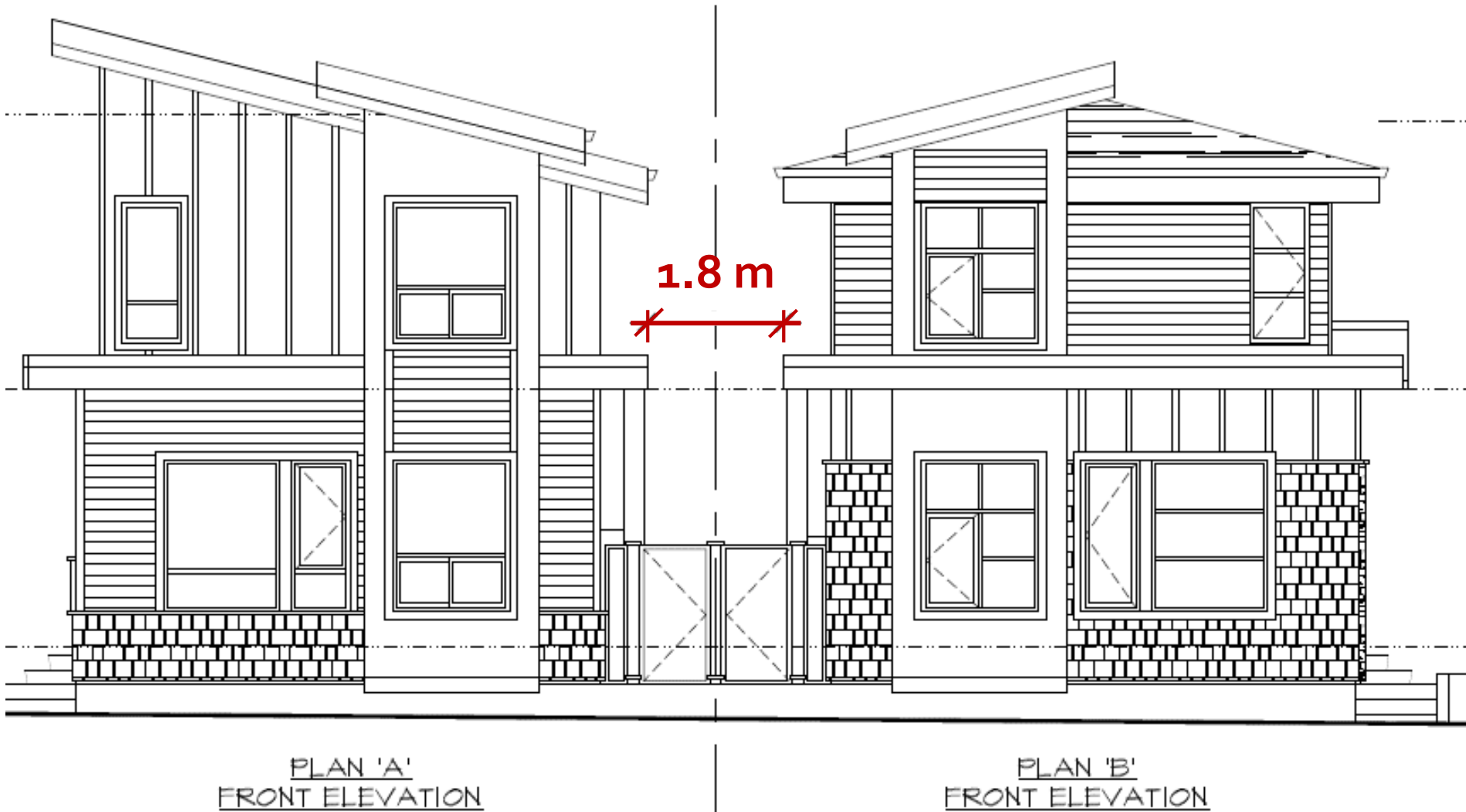
# Staff Recommendation

- ▶ Staff recommend support for the Development Variance Permit.
  - ▶ Variance will not:
    - ▶ result in the new buildings being constructed in closer proximity to neighbouring properties
    - ▶ compromise any municipal infrastructure or services.



## *Conclusion of Staff Remarks*

# Elevations and Variance





May 04, 2020

LETTER FROM APPLICANT

Re: Application No: DVP18-0224

Applicant: Craig Bulawka

Address: 588 Radant Road

To consider a variance to the minimum distance separating the proposed two detached houses.

To: Kelowna city counsel,

Thank you for taking the time to consider the application for a relaxation of the distance between the two homes in the RU-3 zone. Firstly I wish I could attend the counsel session for the application. Due to COVID 19 and my own health consideration I will not be able to attend. I had offered to video conference so that I may answer all questions you have but was told there no such option available. Therefore I will try and summarize why a variance is necessary to fully develop these two homes.

The impetus for this project is to build a home for my mother-in-law to move into. She needs to have as much space as she can on the main floor. In order to accomplish this the main floor foot print must maximize lot coverage. Building to the RU-3 specifications would greatly decrease the width of the home causing the hallway to the bed room to be narrow. In the future she may need more space to maneuver assistive devices in this space such as a walker or wheel chair. Limiting the width of the home would make her living space feel less expansive and more modular like living in a narrow apartment.

Dividing the homes and not connecting them like a duplex gives the development a distinct housing character. I feel that NOT sharing a wall gives the homes more value and greater aesthetic. I have walked through duplexes but often feel that there is something missing. Having four walls to allow light and air through will make these houses a home unto them selves. As the developer of this project that is what I hope to accomplish - the feeling of space on the largest foot print I can build while not sharing a central wall. I have seen many examples of infill housing with moderately decreased side yards and they look outstanding. If the houses are made to be "skinny homes" then they may detract from the neighbourhood. If allowed to stand wider and closer to each other they will present more as one mass. In the end constructing two detached homes will be more costly but more valuable and have greater street appeal.

The division between the homes will be accented with tasteful landscaping. As was shown in the renderings these two homes would have separate entries facing away from each other. The space between the homes would have a fence for proper division along with tasteful low foliage to draw a natural boundary from their front walls forward. Along the neighbouring properties lines there will be a fence with a sidewalk leading to the entry doors. The houses are offset with one in front of the other. This is another feature unique to detaching the houses.

I believe these two homes define themselves both in practicality and street appeal. They will modernize the neighbourhood along with blend well into the urban character of the cul-de-sac. Pushing them closer will not only improve their liveable space but also present a more finished character. Rather than two tall detached homes with suffocated floor plans, it is better to have two homes with comfortable roomy foot prints that share tasteful landscaping.

Again I wish I could be with you at this meeting and answer all the questions that arise from this proposal. I am sure you would see my enthusiasm for this project.

Truly, Craig Bulawka

# REPORT TO COUNCIL



**Date:** April 21, 2020  
**To:** Council  
**From:** City Manager  
**Department:** Development Planning (JB)  
**Application:** DP19-0152 & DVP19-0153      **Owner:** 1138742 B.C. Ltd, Inc. No. 1138742  
**Address:** 728 Valley Rd      **Applicant:** Kent Macpherson  
**Subject:** Development Permit and Development Variance Permit  
**Existing OCP Designation:** Multiple Unit Residential (Medium Density) MRM  
**Existing Zone:** CD27- Valley Land Subdivision

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## 1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP19-0152 for Lot D, Section 29, Township 26 Osoyoos Division Yale District Plan EPP75038 located at 728 Valley 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 a reciprocal access easement be registered on the subject property and 726 Valley Rd to allow for vehicular access;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0153 for Lot D, Section 29, Township 26 Osoyoos Division Yale District Plan EPP75038 located at 728 Valley Rd, Kelowna, BC;

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

**Section 1.6(c): CD27 – Valley Land Subdivision Development Regulations**

To vary the maximum height as permitted in the RM5- Medium Density Multiple Housing zone from the lesser of 18.0m or 4.5 storeys permitted to 26.5m or 7 storeys proposed.

**Section 1.6(e): CD27 – Valley Land Subdivision Development Regulations**

To vary the side yard setback from 7.0m to 0.0m for a portion of the south property line for the property located at 726 Valley Rd.

**Section 1.6(f): CD27 – Valley Land Subdivision Development Regulations**

To vary the rear yard setback from 9.0m permitted to 7.0m proposed for a portion of the north property line, and from 9.0m to 0.0m for a portion of the north property line.

AND THAT Council's consideration of this Development Permit be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated April 7, 2020

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 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 issue a development permit and development variance permit for the form and character of multiple dwelling housing on the subject property and variances to building height and setbacks.

**3.0 Development Planning**

Development Planning staff are supportive of the proposed Development Permit and associated variances. The proposal meets the objectives of the Official Community Plan (OCP), relevant Development Permit form and character guidelines, and the Master Development Permit (DP16-0173) which dictates the site layout and associated landscape design. Form and character OCP policy alignment includes:

- Step back upper floors to reduce visual impact
- Mitigate the actual and perceived bulk of buildings by utilizing appropriate massing, including:
  - 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
- Ensure developments are sensitive to and compatible with the massing of the established and/or future streetscape
- Utilize landscaping treatments to further soften the mass of building form (e.g. strategic placement of trees, shades and vines, trellis and arbours, along with surface materials such as pavers)

- Provide generous outdoor spaces, including rooftops, balconies, patios and courtyards
- Design varied and interesting public open space to promote social interaction, ensure continuity of pedestrian movement through the site and accommodate a range of uses and activities year-round

The Vineyard Suites by Sussex Retirement Living proposes a seven storey 100-unit residential building. The proposal is complimentary to the adjacent property to the north at 726 Valley Rd called Vineyards Lodge, a memory care facility. The building received Council approval in 2017 and is currently under construction. Vehicular access will be protected through a shared access agreement with 726 Valley Rd. The building is seven storeys in height, with portions of the building being between two and three storeys. The Vineyard Suites is a retirement living facility targeting residents who may wish to have close proximity to Vineyards Lodge because of services or relations to residents.

Staff is supportive of the proposed variances. The proposed reduction in setbacks is to allow for the development of the pedestrian link between the two buildings, while the requested height variance allows the applicant to meet higher density targets that are easily accommodated on this site.

#### **4.0 Proposal**

##### **4.1 Background**

In 2016 Council approved a Master Site Development Permit (OCP16-0010, Z16-0046 & DP16-0173) which established the overall development layout and common landscape design features of the entire Valley Lands project. The proposed independent senior's facility is the final building to be considered by Council in the Valley Lands Master Plan.

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

The proposed independent seniors' facility is located on the corner of Summit Dr. and Valley Rd. The site slopes from the north to the south, causing access to the underground parkade to be located at the southwest corner of the site with access off the internal laneway. Given this site condition, Staff worked with the applicant to ensure the interface between the parkade entry and public realm facing Summit Dr was mitigated through high quality landscape treatment and decorative features such a high decorative concrete wall, trellis, and potential graphics/street art.

The main entry to the building is provided off the existing internal road through shared access with the property to the north, 726 Valley Rd, where a memory care and assisted living facility called Vineyards Lodge is currently under construction. Connectivity to Vineyards Lodge is a key component of the proposal, as the two sites share vehicular and pedestrian access as well as outdoor amenity. Pedestrian connectivity is proposed through an enclosed link located at the north east corner of the property. The link exits to a formalized pedestrian pathway that is adjacent to Brandt's Creek on the east property line and connects to an existing sidewalk on Summit Dr. and a new proposed sidewalk extension on the internal access road.

##### *Form and Character*

This site is located on a prominent corner of Summit Dr and Valley Rd. Staff worked with the applicant to ensure the building and landscape responded well to the existing site conditions and incorporated elements of urban design into the proposal. Much of the building mass faces the internal road, with a reduction in height from seven storeys to three storeys towards the southern portion of the site facing Summit Dr. The

proposed massing is softened through an architectural style that breaks the building into distinct sections. The podium level is dark brick, and each section above the podium is differentiated through façade articulation of metal panel cladding with a variation in color, differing parapet heights, panel orientation, and differing surface treatments.



Main Entry



Entry to Parkade



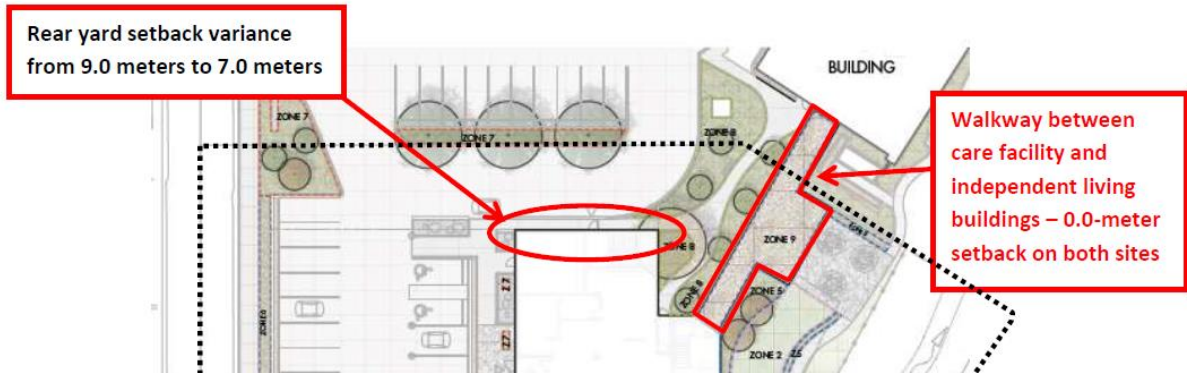
Southeast Perspective

### *Landscaping*

A 15m setback is required to protect Brandt's Creek and the applicant has used this as an opportunity to incorporate recreational walking pathways and outdoor landscaped seating areas including benches, picnic tables and shade trees. The outdoor amenity area has been strategically designed to face south for sun exposure and views of the golf course and Dilworth mountain. The pedestrian link opens directly to a patio feature that will be shared between the subject site and 726 Valley Rd.

### *Variances*

To accommodate the proposed enclosed pedestrian linkage across the north property line, a side yard setback variance is required. The pedestrian linkage will provide easy access for residents between buildings and will also be used to access the outdoor patio amenity.



A height variance is being requested to allow for seven storeys. The building to the north has an approved height variance of 23.4m or six storeys and other building heights on the nearby Conservatory lands range from four to eight storeys. Staff are supportive of the height variance as it fits within the existing context and the proposed building steps down from seven to three storeys at the corner of Summit Dr and Valley Rd which creates a less imposing façade facing the public interface.

4.3 Site Context

The subject site is located in the Glenmore-Clifton-Dilworth Sector, at the corner of Summit Dr. and Valley Rd. Directly north of the site is a 134-unit supportive housing facility which is currently under construction. To the east is active Agricultural land which is adequately buffered by a 15m setback from Brandt’s Creek on the subject site and Valley Rd. Kelowna Golf and Country Club is located to the south across Summit Dr. A commercial centre is located to the west of the subject property and offers neighbourhood commercial amenities within close proximity of the proposed development. The broader area has a mix of uses, such as single-family development, institutional uses, parks and agricultural lands.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	CD27- Valley Land Subdivision	Multiple dwelling housing
East	A1- Agricultural 1	Agriculture
South	P3- Parks and Open Space	Participant recreation services, outdoor
West	CD3/CD3C- Comprehensive Development Three	Apartment housing/ retail stores, general

**Subject Property Map:**



**4.4 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	CD27 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	1400m <sup>2</sup>	6460m <sup>2</sup>
Min. Lot Width	15.0m	>15m
Min. Lot Depth	35m	>35m
Development Regulations		
Max. Floor Area Ratio	1.35	1.34
Max. Site Coverage (buildings)	40%	33.07%
Max. Site Coverage (buildings, parking, driveways)	65%	54.86%
Max. Height	Lesser of 18.0m or 4.5 storeys	26.5m & 7 storeys <b>1</b>
Min. Front Yard	6.0m	7.0m
Min. Side Yard (east)	under 2 ½ storeys- 4.5m over 2 ½ storeys – 7.0 m	15.0m
Min. Side Yard (west)	under 2 ½ storeys- 4.5m over 2 ½ storeys – 7.0 m	9.82m
Min. Side Yard (726 Valley Rd)	7.0m	0.0m <b>2</b>
Min. Rear Yard	9.0m	7.0m and 0.0m <b>3</b>
Other Regulations		
Min. Parking Requirements	131 resident stalls 14 visitor stalls	134 resident stalls 16 visitor stalls
Min. Bicycle Parking	Class I- 50 Class II- 10	Class I- 56 Class II- 10

Min. Private Open Space	1 bedroom unit- 15m <sup>2</sup> 2 bedroom unit- 25m <sup>2</sup>	1835m <sup>2</sup>
<p>● Indicates a requested variance to building height from 18.0m or 4.5 storeys to 26.5m or 7 storeys.</p> <p>● Indicates a requested variance to the minimum side yard setback on the adjacent property 726 Valley Rd from 7.0m to 0.0m for a portion of the side yard.</p> <p>● Indicates a requested variance to the minimum rear yard from 9.0m to 7.0m for a portion of the rear yard and 0m for a portion of the rear yard.</p>		

**5.0 Current Development Policies**

5.1 Kelowna Official Community Plan (OCP)

Chapter 10: Social Sustainability

*Housing Availability:*

Support the provision of housing for all members of the community, including those in core housing need or requiring special needs housing (transitional)

Chapter 5: Development Process

*Objective 5.5 Ensure appropriate a context sensitive built form*

*Policy .1 Building Height.* In determining building height, the City will take into account such factors as:

- Contextual fit into the surrounding urban fabric
- Impacts on the overall skyline

*Objective 5.22 Ensure context sensitive housing development.*

*Policy .11 Housing Mix.* Support a greater mix of housing unity size, form and tenure I new multi-unit residential and mixed-use developments.

5.2 Development Engineering Department

See Schedule A.

**6.0 Application Chronology**

Date of Application Received: July 2019  
Date Public Consultation Completed: November 2019

**Report prepared by:** Jocelyn Black, Planner Specialist

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

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

**Attachments:**

Attachment A: Draft Development and Development Variance Permit DP19-0152 & DVP19-0153  
Schedule A: Site Plan



Schedule B: Elevations

Schedule C: Landscape Plan

Attachment B: Applicant Design Rationale and Renderings



# Development Permit & Development Variance Permit DP19-0152 DVP19-0153

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

728 Valley Rd

and legally known as

Lot D, Section 29, Township 26, ODYD, Plan EPP75038

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

### Multiple Dwelling Housing

**AND THAT the a variance to the following section of Zoning Bylaw No. 8000 be granted, as shown on Schedule**

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

Date of Decision

April 21, 2020

Decision By:

Council

Development Permit Area:

Farm Protection

Existing Zone:

CD27- Valley Land Subdivision

Future Land Use Designation:

Multiple Unit Residential (Medium Density) MRM

**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:

1438742 B.C. Ltd, Inc. No 1138742

Applicant:

Kent Macpherson

Terry Barton

Community Planning Department Manager  
Planning & Development Services

Date

**1. SCOPE OF APPROVAL**

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

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

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

**2. CONDITIONS OF APPROVAL**

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
- c) Landscaping to be provided on the land be in accordance with Schedule "C"; and
- d) The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect.
- e) Variances to the following sections of Zoning Bylaw No. 8000:

**Section 1.6 (c): CD27 - Valley Land Subdivision Development Regulations**

To vary the maximum height as permitted in the RM5- Medium Density Multiple Housing zone from the lesser of 18.0m or 4.5 storeys permitted to 26.5m or 7 storeys proposed

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**Section 1.6 (f): CD27 - Valley Land Subdivision Development Regulations**

To vary the rear yard setback from 9.0m permitted to 7.0m proposed for a portion of the north property line, and from 9.0m to 0.0m for a portion of the north property line

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

**3. PERFORMANCE SECURITY**

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

- a) An Irrevocable Letter of Credit in the amount of \$143,790.00
- b) A certified cheque in the amount of \$143,790.00

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

**5. INDEMNIFICATION**

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

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

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

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



**douglas sollows architect inc.**  
 1000 Douglas Street, Suite 100  
 Kelowna, BC V1Y 1A4  
 Tel: 250-860-0066  
 Fax: 250-860-0067  
 Email: info@douglas-sollows.com  
 Website: www.douglas-sollows.com

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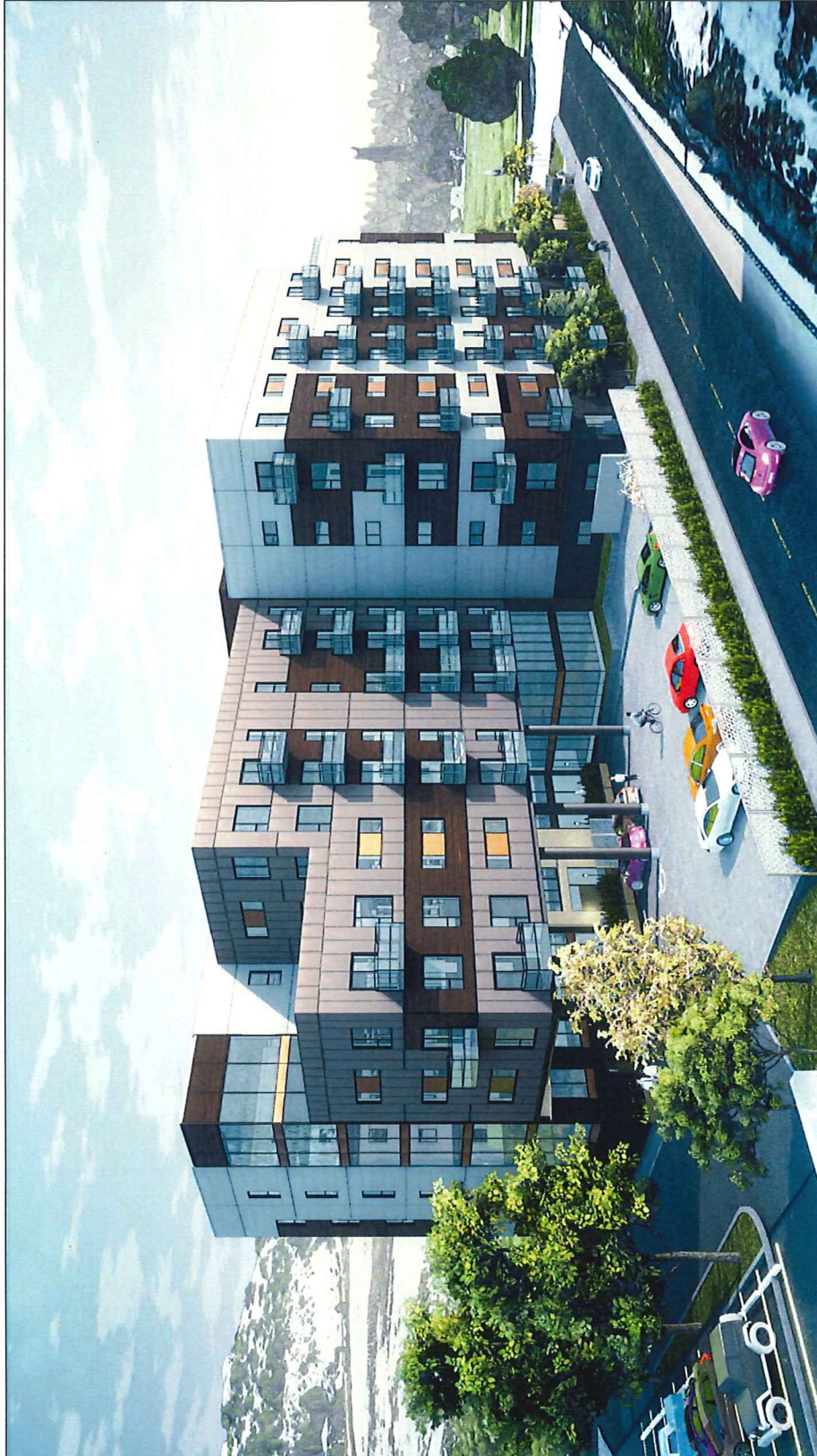
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20	2019-02-11	ISSUED FOR DP SUBMISSION

**SUSSEX RETIREMENT LIVING**

**THE VINEYARDS SUITES**  
 728 VALLEY ROAD, KELOWNA, BC,  
 LOT 2, SECTION 29, TOWNSHIP 26,  
 0501055 DIVISION VALE DISTRICT PLAN  
 EPP80501

drawn by: LC  
 checked: MA  
 title: DS  
 date: 2019-02-11  
 drawing scale: 1:100

drawing no: **DP-000**  
 revision: **3**  
 COVER PAGE



**ARCHITECTURAL DRAWING LIST:**

DP-000	COVER PAGE
DP-001	GENERAL NOTES
DP-002	SITE PLAN & ZONING ANALYSIS
DP-003	CONCEPTUAL LAYOUTS
DP-004	PRELIMINARY LAYOUTS
DP-005	PRELIMINARY LAYOUTS
DP-006	PRELIMINARY LAYOUTS
DP-007	PRELIMINARY LAYOUTS
DP-008	PRELIMINARY LAYOUTS
DP-009	PRELIMINARY LAYOUTS
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DP-049	PRELIMINARY LAYOUTS
DP-050	PRELIMINARY LAYOUTS

**KELOWNA SUSSEX - SUITES**  
**SUSSEX RETIREMENT LIVING LTD.**  
 728 VALLEY ROAD, KELOWNA, BC,  
 PLAN EPP80501, LOT 2, SECTION 29, TOWNSHIP 26, ODYD  
**ISSUED FOR DP RE-SUBMISSION**  
 FRIDAY, OCTOBER 25, 2019





**douglas sellows architect inc.**  
 11111 Columbia  
 Burnaby, BC V5C 2R1  
 604-291-2511  
 www.douglas-sellows.com

**DESIGNER'S RESPONSIBILITY**  
 Verify all drawings and specifications are in accordance with the  
 regulations applicable to the performance of the work.  
 All drawings and specifications are instruments of service  
 and are property of the architect.  
 This document is prepared in accordance with the  
 standards of the architectural profession and is intended to be used  
 as a part of the contract documents between the architect and the  
 client.

NO.	DATE	DESCRIPTION
1	2020-02-11	ISSUED FOR CONSTRUCTION
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**PROJECT:**  
 SUSSEX RETIREMENT LIVING

**CLIENT:**  
 THE VINEYARDS SUITES  
 728 VALLEY ROAD, KELOWNA, BC  
 LOT 2, SECTION 29, TOWNSHIP 26,  
 OSSYOOS DIVISION YALE DISTRICT PLAN  
 EPP86001

**DESIGNER:**  
 Author: [Name]  
 Checker: [Name]  
 Approver: [Name]  
 Date: 2020-02-11  
 Drawing No: [Number]

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**DESIGNER:**  
 Author: [Name]  
 Checker: [Name]  
 Approver: [Name]  
 Date: 2020-02-11  
 Drawing No: [Number]



**PROJECT NORTH**  
 PROJECT NORTH

**1. PARKADE LEVEL 1**  
 SCALE: 1/8" = 1'-0"



**douglas fellows architect inc.**  
 1000 West Broadway, Suite 200  
 Vancouver, BC V6C 2R1  
 Tel: 604.681.0000  
 Fax: 604.681.0001  
 Email: info@dfai.com  
 Website: www.dfai.com

**DESIGNER'S NOTES:**  
 Verify all dimensions and level of work and materials to be used.  
 Regulations applicable to the performance of the work.  
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11	REVISION	DATE	BY
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46	REVISION	DATE	BY
47	REVISION	DATE	BY
48	REVISION	DATE	BY
49	REVISION	DATE	BY
50	REVISION	DATE	BY

**PROJECT:**  
 SUSSEX RETIREMENT LIVING

**CLIENT:**  
 THE VINEYARDS SUITES  
 728 VALLEY ROAD, KELOWNA, BC  
 LOT 2, SECTION 29, TOWNSHIP 26,  
 OSSYVOUS DIVISION YALE DISTRICT PLAN  
 EPP-86001

**DATE:**  
 2024-02-11

**SCALE:**  
 AS INDICATED

**PROJECT NO.:**  
 2024-02-11

**PROJECT NAME:**  
 SUSSEX RETIREMENT LIVING

**PROJECT ADDRESS:**  
 728 VALLEY ROAD, KELOWNA, BC  
 LOT 2, SECTION 29, TOWNSHIP 26,  
 OSSYVOUS DIVISION YALE DISTRICT PLAN  
 EPP-86001

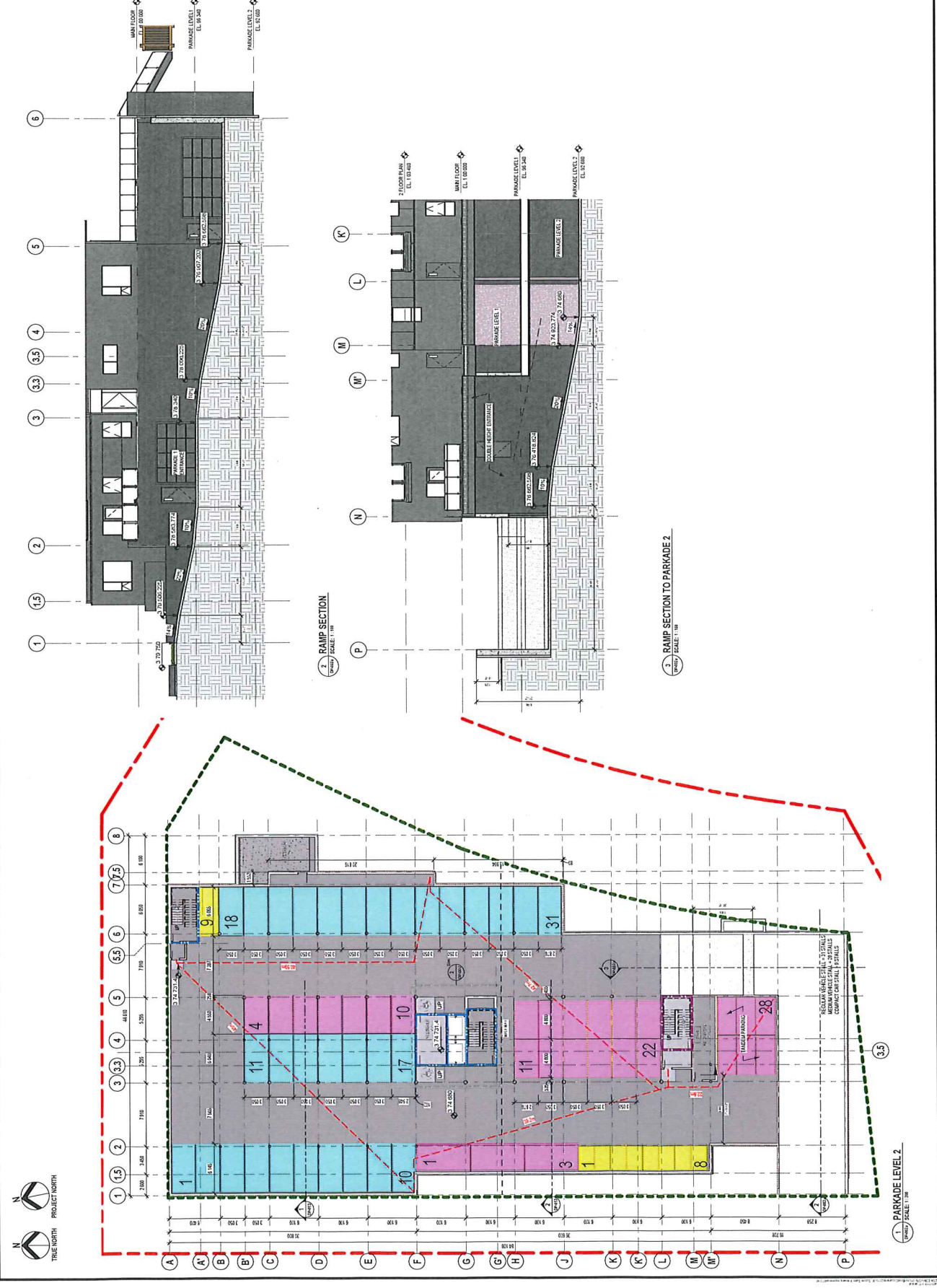
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 2024-02-11

**PROJECT NAME:**  
 SUSSEX RETIREMENT LIVING

**PROJECT ADDRESS:**  
 728 VALLEY ROAD, KELOWNA, BC  
 LOT 2, SECTION 29, TOWNSHIP 26,  
 OSSYVOUS DIVISION YALE DISTRICT PLAN  
 EPP-86001

PROJECT NO.	2024-02-11
PROJECT NAME	SUSSEX RETIREMENT LIVING
PROJECT ADDRESS	728 VALLEY ROAD, KELOWNA, BC LOT 2, SECTION 29, TOWNSHIP 26, OSSYVOUS DIVISION YALE DISTRICT PLAN EPP-86001
DATE	2024-02-11
SCALE	AS INDICATED
PROJECT NO.	2024-02-11
PROJECT NAME	SUSSEX RETIREMENT LIVING
PROJECT ADDRESS	728 VALLEY ROAD, KELOWNA, BC LOT 2, SECTION 29, TOWNSHIP 26, OSSYVOUS DIVISION YALE DISTRICT PLAN EPP-86001
DATE	2024-02-11
SCALE	AS INDICATED

PROJECT NO.	2024-02-11
PROJECT NAME	SUSSEX RETIREMENT LIVING
PROJECT ADDRESS	728 VALLEY ROAD, KELOWNA, BC LOT 2, SECTION 29, TOWNSHIP 26, OSSYVOUS DIVISION YALE DISTRICT PLAN EPP-86001
DATE	2024-02-11
SCALE	AS INDICATED
PROJECT NO.	2024-02-11
PROJECT NAME	SUSSEX RETIREMENT LIVING
PROJECT ADDRESS	728 VALLEY ROAD, KELOWNA, BC LOT 2, SECTION 29, TOWNSHIP 26, OSSYVOUS DIVISION YALE DISTRICT PLAN EPP-86001
DATE	2024-02-11
SCALE	AS INDICATED













**douglas sellows architect inc.**

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 Architects Act  
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 Regulations applicable to the performance of this work.  
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 ARCHITECTURE INC. and may not be used or reproduced in whole  
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NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	2020-04-11
2	ISSUED FOR PERMIT	2020-04-11
3	ISSUED FOR PERMIT	2020-04-11
4	ISSUED FOR PERMIT	2020-04-11
5	ISSUED FOR PERMIT	2020-04-11
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PROJECT:  
**SUSSEX RETIREMENT LIVING**

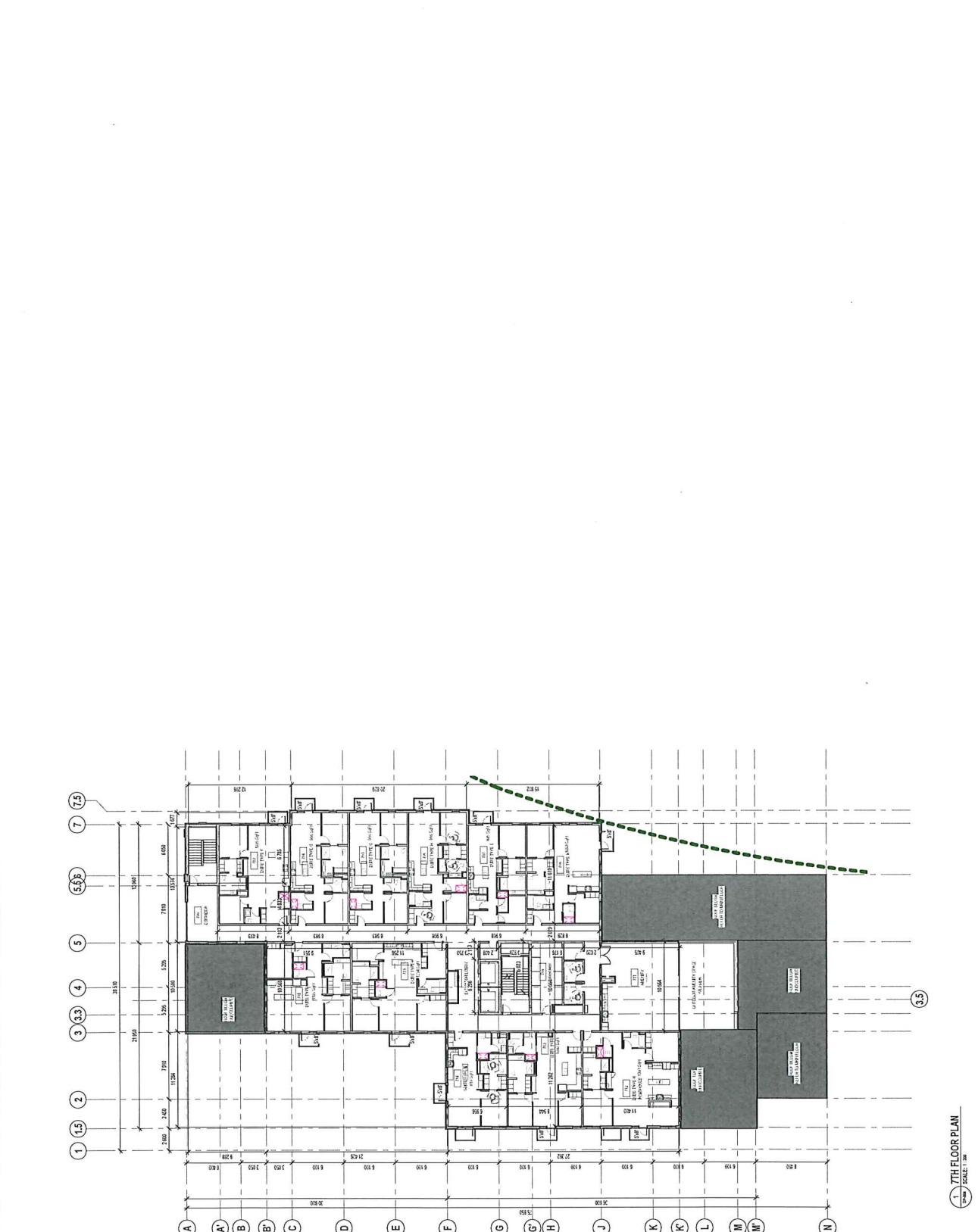
OWNER:  
 THE VINEYARDS SUITES  
 728 VALLEY ROAD, KELOWNA, BC  
 LOT 7, SECTION 29, TOWNSHIP 26,  
 OSSYQUUS DIVISION VALE DISTRICT PLAN  
 EPP86501

DATE:  
 2020-04-11

SCALE:  
 1:200

PROJECT NO:  
 DP-006

7TH FLOOR PLAN



1 7TH FLOOR PLAN  
 SCALE: 1:200



# SCHEDULE B

This forms part of application  
 # DP19-0152 DVP19-0153  
 City of Kelowna  
 DEVELOPMENT PLANNING  
 Planner Initials **JB**



**douglas sellows architect inc.**  
 1000 Columbia  
 Kelowna, BC V1Y 2H1  
 Tel: 250-864-0006  
 Fax: 250-864-0007  
 www.douglas-sellows.com

By this letter drawings, I hereby certify that the drawings are the work of the architect and that the architect is responsible for the performance of the work.  
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1	ISSUED FOR PERMIT SUBMISSION
2	ISSUED FOR PERMIT SUBMISSION
3	ISSUED FOR DEVELOPMENT PERMIT
4	ISSUED FOR PRELIMINARY REVIEW
5	ISSUED FOR PRELIMINARY REVIEW

DATE: 2019-10-25  
 DRAWING NO: DP-011  
 SHEET NO: 3

PROJECT: SUSSEX RETIREMENT LIVING LTD.  
 CLIENT: KELOWNA, SUSSEX - SUITES,  
 PLAN EPP49501, LOT 2, SECTION 29,  
 TOWNSHIP 26, 0010  
 728 VALLEY ROAD,  
 KELOWNA, BC.

Scale: 1:200  
 Date: 2019-10-25  
 Drawing Title: ELEVATIONS

DATE: 2019-10-25	DRAWING NO: DP-011	SHEET NO: 3
------------------	--------------------	-------------



2 WEST ELEVATION  
 SCALE: 1:200



1 SOUTH ELEVATION  
 SCALE: 1:200



4 EAST ELEVATION  
 SCALE: 1:200



3 NORTH ELEVATION  
 SCALE: 1:200

# SCHEDULE B

This forms part of application  
# DP19-0152 DVP19-0153

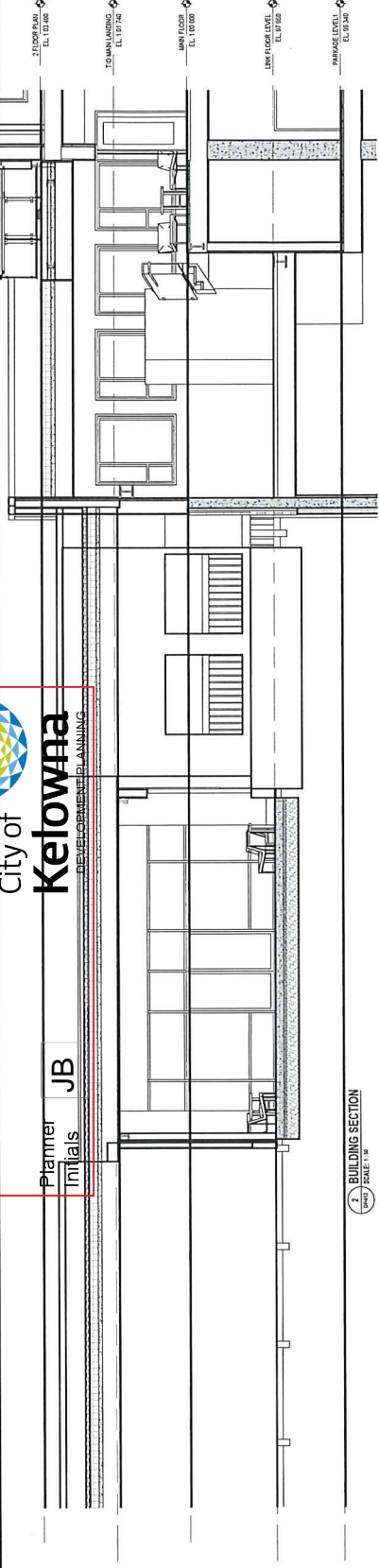


City of

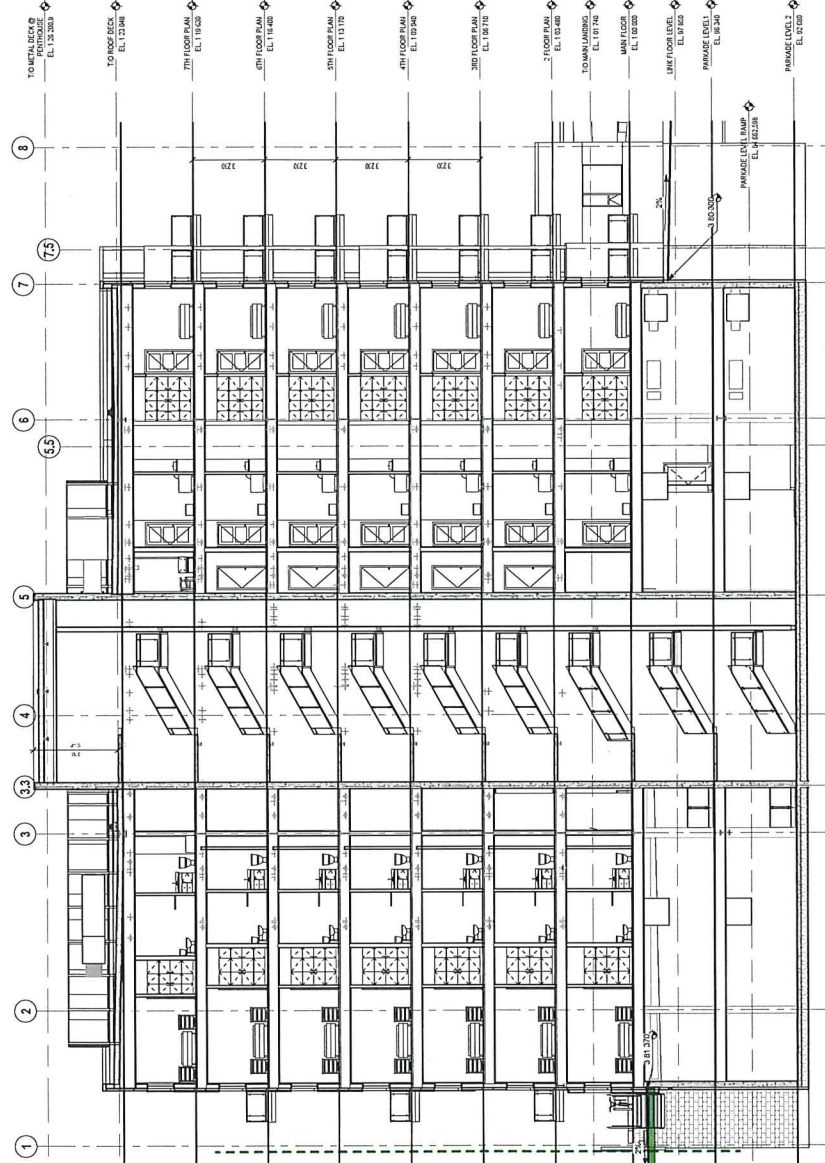
## Kelowna

DEVELOPMENT PLANNING

Planner  
Initials  
JB



2. BUILDING SECTION  
SCALE: 1/8"



1. EAST/WEST BUILDING SECTION  
SCALE: 1/8"



**douglas sollows architect inc.**  
1000 Douglas Street  
Kelowna, BC V1Y 1Y1  
Tel: 250-860-8000  
www.douglasonline.com

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	2023-02-11
2	ISSUED FOR PERMIT	2023-02-11
3	ISSUED FOR PERMIT	2023-02-11
4	ISSUED FOR PERMIT	2023-02-11

VERIFY ALL DIMENSIONS AND MATERIALS AND REPORT ALL ERRORS AND OMISSIONS TO THE ARCHITECT IMMEDIATELY UPON DISCOVERY. THE ARCHITECT'S RESPONSIBILITY IS TO PROVIDE THE DESIGN AND TO SUPERVISE THE CONSTRUCTION OF THE WORK. ALL DIMENSIONS AND PARTICULATIONS ARE INDICATED IN THE DRAWINGS. THIS DRAWING IS THE PROPERTY OF DOUGLAS SOLLAWS ARCHITECT INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.

SUSSEX RETIREMENT LIVING

PROJECT:  
THE VINEYARDS SUITES  
728 VALLEY ROAD, KELOWNA, BC  
LOT 7, SECTION 29, TOWNSHIP 28,  
OSSOYOUS DIVISION YALE DISTRICT, PLAN  
EPP89501

DESIGNED BY:	LC	DATE:	2023-02-11
CHECKED BY:	As Indicated	DATE:	2019-06
APPROVED BY:	DS	DATE:	2023-02-11

BUILDING SECTIONS	NO.	3
PROJECT NO.	DP-012	







# ATTACHMENT B

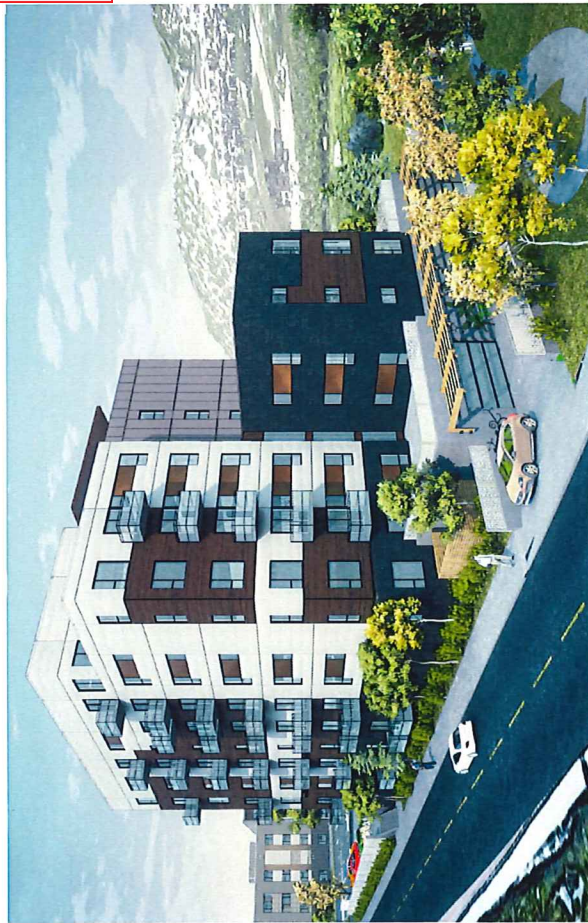
This forms part of application

# DP19-0152 DVP19-0153



City of  
**Kelowna**  
DEVELOPMENT PLANNING

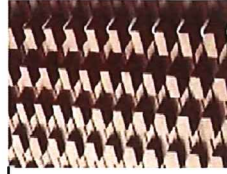
Planner  
Initials **JB**



charcoal smooth  
brockwhite company



brick

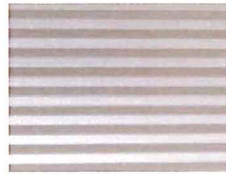


brick - design intent

imperial white  
klingspan - micro rib

insulated metal panel

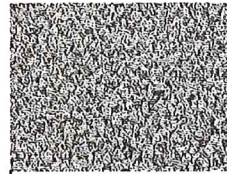
NOT USED



copper  
spandrel panel



metal cladding



espresso  
westform - proboard



trim

black  
- window frames  
- canopy / flashing  
- balcony railings

roofing

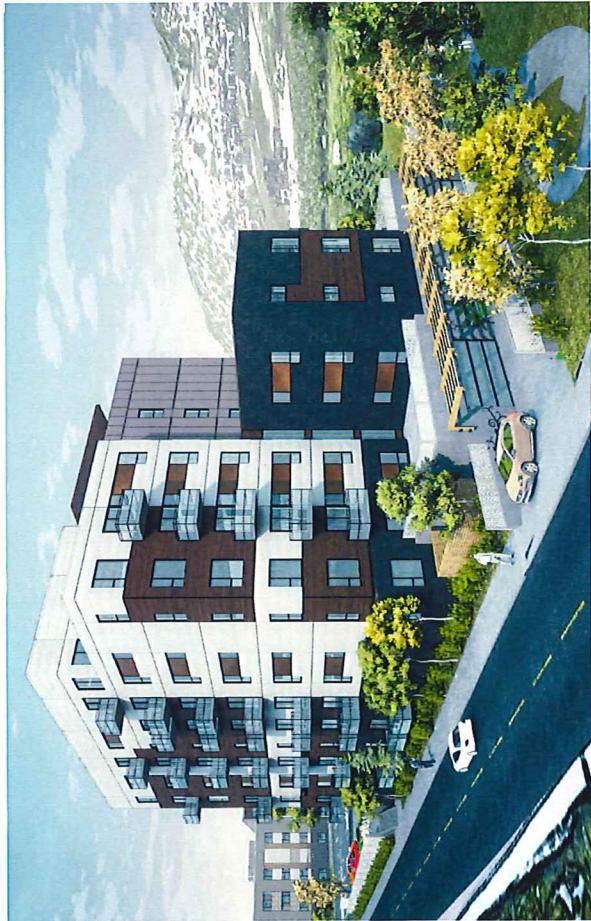
epdm roofing

## Sussex Vineyards Kelowna Suites

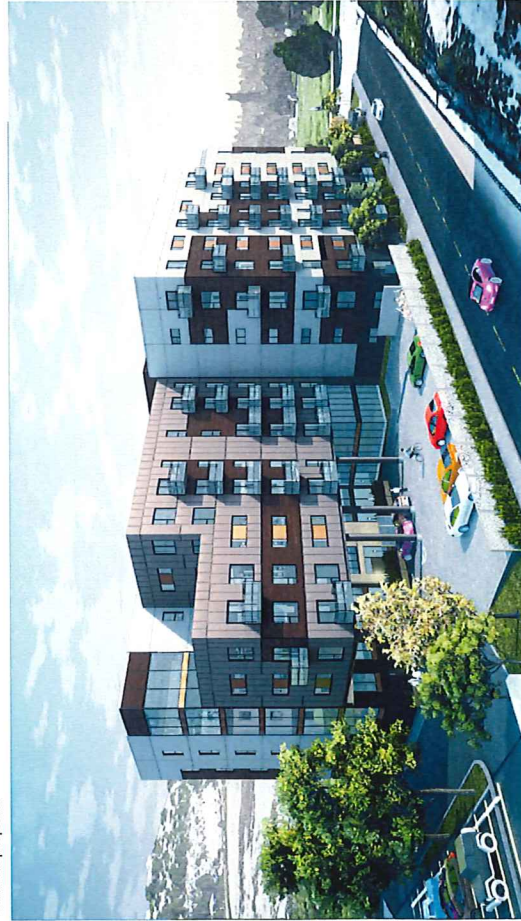
development permit - exterior colour board



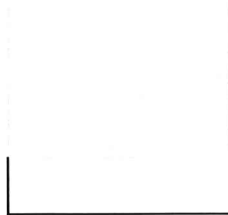
douglas sollows architect inc.



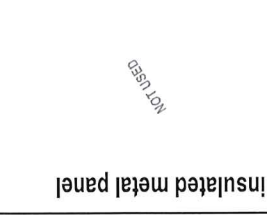
southwest perspective



northwest perspective

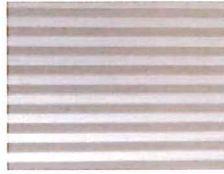


imperial white  
klingspail - micro rib

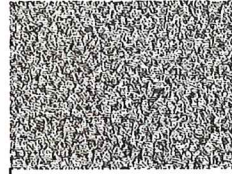


charcoal smooth  
brockwhite company

insulated metal panel



tappetstone  
klingspail - micro rib



metal cladding



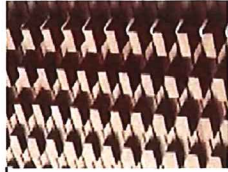
coal creek  
brockwhite company



brick



espresso  
westform - proboard



brick - design intent



trim

black  
- window frames  
- canopy / flashing  
- balcony railings

# Sussex Vineyards Kelowna Suites

development permit - exterior colour board



douglas sollows architect inc.





douglas allows architect inc.

10111 15th Avenue  
 Suite 200  
 Burnaby, BC V5C 2R1  
 Tel: 779 944 5006  
 Fax: 779 944 5007  
 Email: info@dsai.com  
 Website: www.dsai.com

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1	DESIGN	ISSUED FOR PERMITS
2	CONSTRUCTION	ISSUED FOR CONSTRUCTION
3	AS-BUILT	ISSUED FOR AS-BUILT

DATE: 2020-02-11  
 DRAWN BY: DK  
 CHECKED BY: NA  
 APPROVED BY: DS  
 DATE: 2020-02-11  
 DRAWN BY: DS

PROJECT: SUSSEX RETIREMENT LIVING

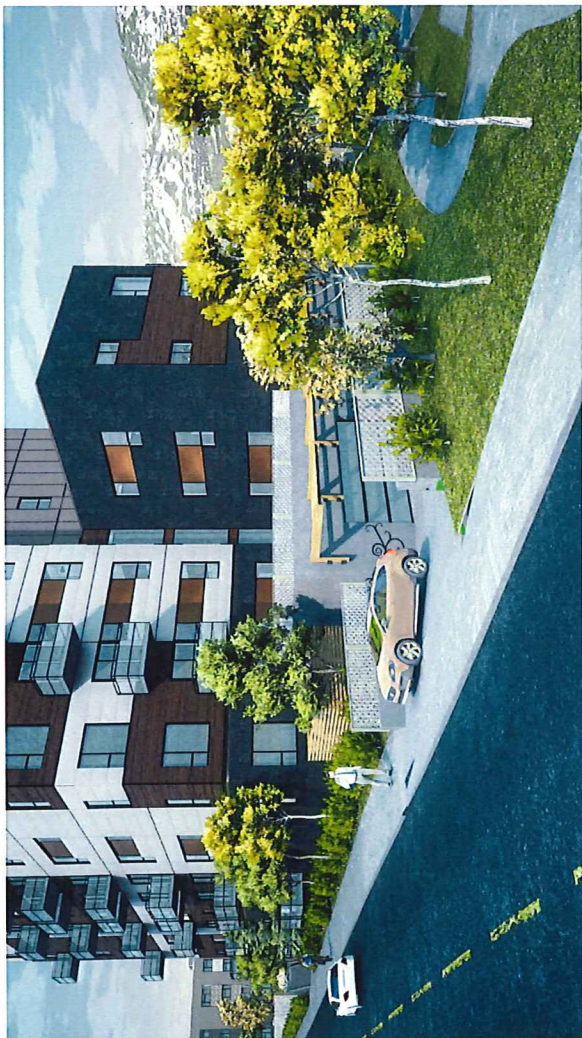
PROJECT: THE VINEYARDS SUITES  
 728 VALLEY ROAD, MELOWNA, BC  
 LOT 2, SECTION 29, TOWNSHIP 26,  
 OSOYOYOS DIVISION YALE DISTRICT, PLAN  
 EPP816001

DATE: 2020-02-11  
 DRAWN BY: DS

PROJECT: PERSPECTIVES

DRAWING NO: DP-018

REVISION NO: 1

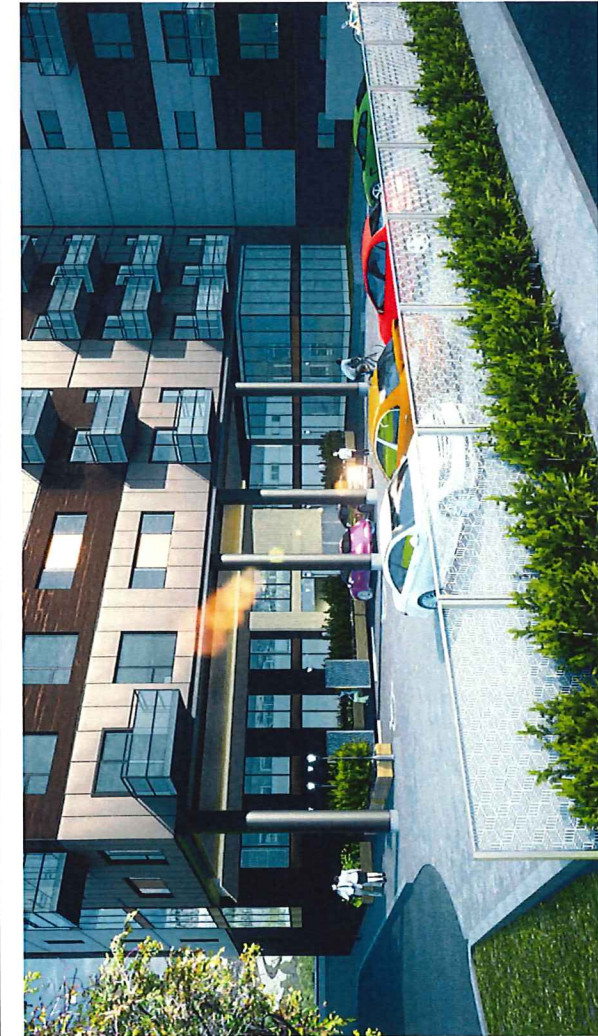


RAMP ENTRANCE



RAMP ENTRANCE





STREET VIEW TO ENTRANCE



PEDESTRIAN ENTRANCE



douglas sellows architect inc.

1000 West 10th Avenue  
 Suite 100  
 Vancouver, BC V6H 2Y1  
 Tel: 604-681-1111  
 Fax: 604-681-1112  
 Email: info@dsai.com  
 Website: www.dsai.com

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NO.	DATE	DESCRIPTION
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50	2020-02-11	ISSUED FOR PERMIT

DATE: 2020-02-11

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

PROJECT: SUSSEX RETIREMENT LIVING

CLIENT: THE VINEYARDS SUITES

ADDRESS: 728 VALLEY ROAD, MELOWNA, BC

LOT 2, SECTION 29, TOWNSHIP 26,

OSBYCOS DIVISION VALE DISTRICT, PLAN

EPF86501

DATE: 2020-02-11

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

PROJECT: SUSSEX RETIREMENT LIVING

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ADDRESS: 728 VALLEY ROAD, MELOWNA, BC

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OSBYCOS DIVISION VALE DISTRICT, PLAN

EPF86501

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OSBYCOS DIVISION VALE DISTRICT, PLAN

EPF86501

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PROJECT: SUSSEX RETIREMENT LIVING

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EPF86501

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

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OSBYCOS DIVISION VALE DISTRICT, PLAN

EPF86501

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CLIENT: THE VINEYARDS SUITES

ADDRESS: 728 VALLEY ROAD, MELOWNA, BC

LOT 2, SECTION 29, TOWNSHIP 26,

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EPF86501

DATE: 2020-02-11

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CLIENT: THE VINEYARDS SUITES

ADDRESS: 728 VALLEY ROAD, MELOWNA, BC

LOT 2, SECTION 29, TOWNSHIP 26,

OSBYCOS DIVISION VALE DISTRICT, PLAN

EPF86501

DATE: 2020-02-11

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

PROJECT: SUSSEX RETIREMENT LIVING

CLIENT: THE VINEYARDS SUITES

ADDRESS: 728 VALLEY ROAD, MELOWNA, BC

LOT 2, SECTION 29, TOWNSHIP 26,

OSBYCOS DIVISION VALE DISTRICT, PLAN

EPF86501

DATE: 2020-02-11

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

PROJECT: SUSSEX RETIREMENT LIVING

CLIENT: THE VINEYARDS SUITES

ADDRESS: 728 VALLEY ROAD, MELOWNA, BC

LOT 2, SECTION 29, TOWNSHIP 26,

OSBYCOS DIVISION VALE DISTRICT, PLAN

EPF86501

DATE: 2020-02-11

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PROJECT: SUSSEX RETIREMENT LIVING

CLIENT: THE VINEYARDS SUITES

ADDRESS: 728 VALLEY ROAD, MELOWNA, BC

LOT 2, SECTION 29, TOWNSHIP 26,

OSBYCOS DIVISION VALE DISTRICT, PLAN

EPF86501

DATE: 2020-02-11

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PROJECT: SUSSEX RETIREMENT LIVING

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EPF86501

DATE: 2020-02-11

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

PROJECT: SUSSEX RETIREMENT LIVING

CLIENT: THE VINEYARDS SUITES

ADDRESS: 728 VALLEY ROAD, MELOWNA, BC

LOT 2, SECTION 29, TOWNSHIP 26,

OSBYCOS DIVISION VALE DISTRICT, PLAN

EPF86501

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DATE: 2020-02-11

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

PROJECT: SUSSEX RETIREMENT LIVING

CLIENT: THE VINEYARDS SUITES



douglas sollows architect inc.

architecture  
sustainable  
interior  
urban

douglas sollows, architect  
FRAIC, AAA, AIBC, SAA, MAA, Assoc. AIA  
principal

noureen ali dar, architect  
AAA, MRAC

November 06, 2019

File: 2019-06/3.0 Design/3.1 f Reports  
Cdoc: 2019-06 Development Permit – Design Rationale

THE CITY OF KELOWNA  
1435 Water Street  
Kelowna, BC V1Y 1J4

Attention: Community Planning, City of Kelowna

T: 250-470-0644 Email: [jblack@kelowna.ca](mailto:jblack@kelowna.ca)

**RE: VINEYARDS SUITES – DESIGN RATIONALE**

Dear Jocelyn,

The Vineyards Suites project proposes 100 residential units, supporting amenities, and two level below-grade parkade. These rental suites are designed to compliment the adjacent Vineyards Lodge, which is a assisted living facility currently under construction. The Vineyards Suites are targeted for an older demographic, who may either appreciate the proximity to the services of the Lodge, or know people who reside there. The two buildings create synergy functionally and experientially, designed together to encourage movement between them, offering a unique lifestyle of convenience and comfort for the residents of both. The project proposes a valuable addition to the already underway densification of the urban fabric of this area of Kelowna, and an appropriate response to the urban conditions and site constraints of this piece of the city. This report details our design response in relation to the project's urban design considerations, site, building form, and sustainability.

**URBAN DESIGN CONSIDERATIONS:**

The site is located at the intersection of Summit Dr. and Valley Rd, immediately south and west of the Vineyards Lodge project currently under construction. Recognizing the prominent location of the site, the building and landscape design address key urban design considerations, such as:

- Creating a public face for the higher density development areas to the north and west of the site, addressing Summit Drive and Valley Road with articulated building massing and extensive landscaping, creating a well-defined urban edge that shields public views of parking and back-of-house functions.
- Offering a clear sense of entry and pedestrian interface to the street
- Building massing is anchored and buffered by generous landscape planting of ground cover, shrubs, and a variety of tree sizes, from small to large (as fully grown)

**ATTACHMENT B**

This forms part of application  
# DP19-0152 DVP19-0153



City of Kelowna  
DEVELOPMENT PLANNING

Planner Initials  
JB

contact us:  
web: www.dsafit.com  
email: info@dsafit.com  
tel: 780 944 0066  
fax: 780 423 7788  
toll free: 855 944 0066

alberta:  
102, 10220 - 156 street  
edmonton, ab T5P 2R1

british columbia:  
3830 - 1 avenue  
burnaby, bc V5C 3W1

licensed to practice:  
saskatchewan  
manitoba  
nunavut





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architecture  
sustainable  
interior  
urban

- Outdoor amenity space adjacent to the proposed link between the two buildings, furnished with benches and picnic tables, facing south to the primary views across the golf course to the south and the hoodoos to the southeast.
- Minimizing CPTED concerns through "eyes on the street" on all sides, site and building lighting, and controlled highly-visible access points.
- The Landscape concept provides a significant enhancement to the pedestrian experience along the south edge of the site and recreational walking path along the creek.
- The new build footprint requires the site grading to be addressed from street level.
- The building form resulting from functional requirements has been articulated to provide a unique aesthetic identity for residents and bring visual interest to the urban fabric.

## THE SITE

The project site presents a number of opportunities as well as challenges to be addressed through the design, including:

- The site has a significant slope from north (high side) to south (low side), which has direct implications on access to the below grade parkade. Site access is only available from the lane to the west of the site, and due to the site slope the ramp down to the parkade must be located at the south end of the site to minimize the ramp length.
- The east edge of the site contains a creek and accompanying setback, restricting landscaping and programming along this edge.
- The immediate context around the site includes and/or will include:
  - Vineyards Lodge (under construction)
  - Link between Lodge and Suites (proposed)
  - Commercial development across lane, along Summit Drive
  - Residential buildings across lane
  - Golf course across summit
  - Vineyards across Valley Road
- Pedestrian Site Accessibility
  - Connection to existing sidewalk through both shortcut with stairs and barrier-free connection
- Vehicular Site Access
  - Access to main entry, drop-off, and surface parking is through a shared access point also used by the Vineyards Lodge.
  - Surface parking co-located with main entry.
  - Underground 2 level parkade, access ramp from lane, south side
  - Parking design followed CPTED considerations:



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- Parking areas will be lit for night visibility
  - Surface parking has clear line of sight from residential units.
- The most prominent views/sight lines of the site are to the south and east.
  - Hoodoos (south)
  - Golfview Park (south)
  - Vineyards (east)
- Outdoor amenities have been designed with consideration of the prominent views and solar access:
  - The proposed link between the Lodge and the Suites is also used for access to an outdoor patio area with views to the south, close proximity to the creek recreational trail, and extensive landscaping.
  - The south end of the sixth floor includes a south-facing event room and adjacent rooftop patio
  - The site design of the Lodge (under construction) includes a recreational trail running adjacent to the creek area along the east side of the site. The site design of the Suites continues this recreational trail south, connecting to the sidewalks running along Summit Drive.
- Landscaping
  - Pedestrian access path
  - Variety of vegetation
  - Screens and privacy
  - Zen garden rooftops

## BUILDING FORM

The form of the building presents a considerable mass to the street, which is broken-up, softened, and buffered through a number of strategies:

- Building massing cascades down from 7storeys to 3 toward the south, reducing the visual scale of the building toward Summit Drive.
- Main entry is through a gracious 2 storey volume carved out of the building mass.
- The mass of the building is subdivided into distinct volumes, with a dark brick podium and alternating volumes above, differentiated through façade articulation of the metal panel cladding:
  - Variation of metal panel colour
  - Differing parapet heights
  - Changing the panel orientation so that the volumes have perpendicular "grains"
  - The metal panels of the volumes will have different surface treatments
  - Within the volumes are wood grain accent areas for further articulation
  - Copper spandrel panels add color accents
- Structurally cantilevered balconies for a cleaner façade without vertical supports
- Façade articulated with accent lighting



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sustainable  
interior  
urban

- Recognizing that the required location of the parkade ramp (due to site slope) makes it a prominent feature of the building's public face, the design proposes to soften the appearance of the ramp entry with a partial trellis and decorative screens, allowing with the opportunity for landscaping vines to extend over the ramp.
- Also proposed graphics and street art added around parkade walls to enliven both parkade users and pedestrians passing at street level.
- The facades use a variety of window shapes and sizes for further articulation and variability.

## SUSTAINABILITY

The building includes a number of sustainable features to achieve a high-level of performance, including:

- Triple pane glazing
- High R-value bldg envelope
- Link green roof
- LED lighting fixtures
- Design informed by sun study analysis and building energy modeling.
- Extensive greening and landscaping

## CONCLUSION

The Vineyard Suites project proposes an attractive, responsible, and sustainable addition to the urban fabric of this area of Kelowna. The area is currently in the process of adding both commercial and residential density, to which this project would add an appropriate public face to punctuate the corner of Summit Drive and Valley Road, while adding complimentary programming to the Vineyards Lodge currently under construction next door.

Sincerely,

Douglas Sollows, Architect AIBC

Jordan Hettinga – Kent.Macpherson

Peter O'Brien – Director of Development - Sussex Retirement Living Inc.



# DP19-0152 & DVP19-0153 728 Valley Rd

Development Permit and Development Variance Permit  
Application



# Proposal

- ▶ To issue a development permit and development variance permit for the form and character of multiple dwelling housing on the subject property with variances to building height and setbacks.

# Development Process



July 2019

Development Application Submitted

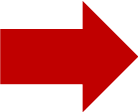


Staff Review & Circulation



November 2019

Public Notification Received



May 12, 2020

DP & Variances

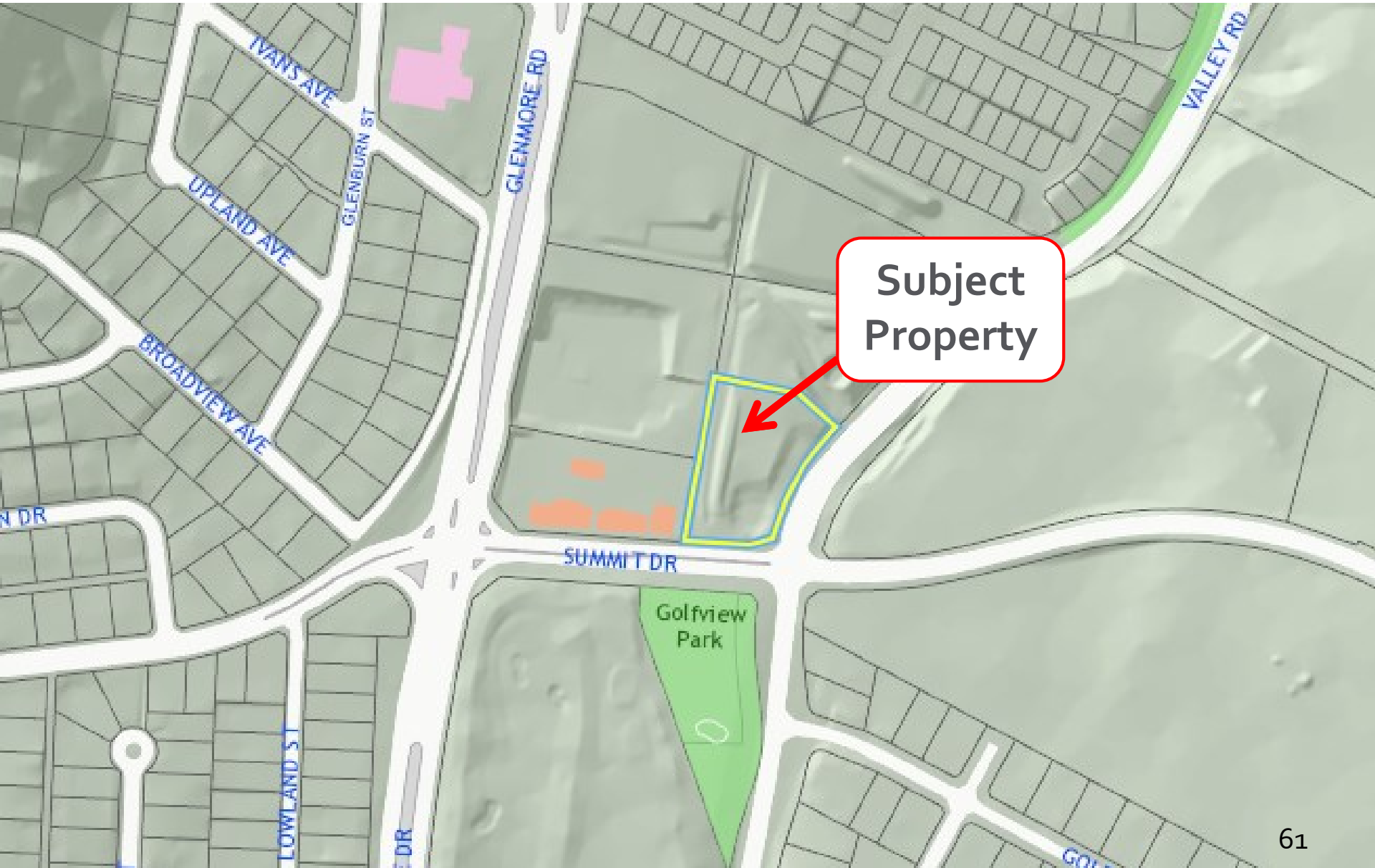


Building Permit



Council Approval

# Context Map



# Subject Property Map

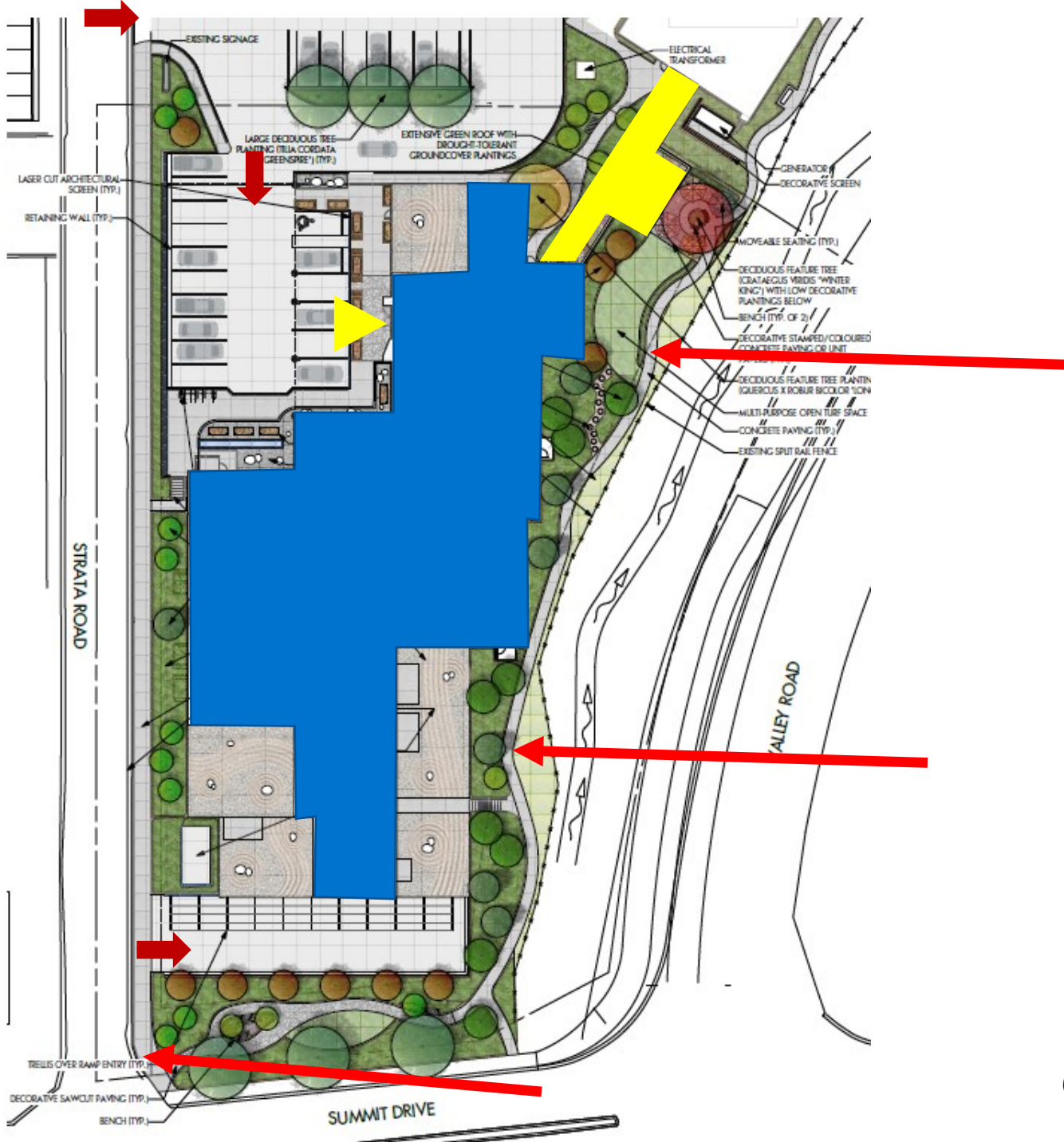




# Project/technical details

- ▶ Seven storey residential building, FAR 1.34
- ▶ Retirement living facility- The Vineyard Suites
- ▶ 100 proposed units
- ▶ 134 resident stalls, 16 visitor stalls
- ▶ 56 class 1 bike parking stalls and 10 class 2 bike parking stalls
- ▶ The project is adjacent to 726 Valley Rd

# Site Plan



# Perspective- Northwest Main Entry



# Elevations- East



# Elevations- West



# Perspective- Southwest Parkade Entry



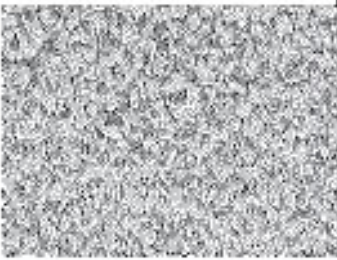
# Perspective- Southwest Parkade Entry



# Color Board

**roofing**

epdm roofing



taupestone  
kingspan - micro rib



**insulated metal panel**

NOT USED

imperial white  
kingspan - mono rib



**metal cladding**

espresso  
westform - proboard




copper  
spandrel panel

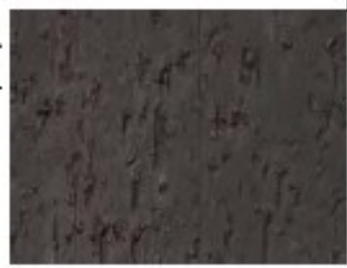


**brick**

charcoal smooth  
brockwhite company




coal creek  
brockwhite company



**trim**

black  
- window frames  
- canopy flashing  
- balcony railings



**brick - design intent**







# Landscape Plan



# Variiances

- 1) Rear yard setback along the north property line to 0.0m to allow for the construction of a pedestrian linkage between 728 Valley Rd and 726 Valley Rd
- 2) Building height from 18.0m/4.5 storeys to 26.5m/7 storeys

# Development Policy

- ▶ Social Sustainability
  - ▶ Support the provision of housing for all community members
- ▶ Objective 5.5 Ensure appropriate and context sensitive built form
- ▶ Objective 5.22 Ensure context sensitive housing development

# Staff Recommendation

- ▶ Staff recommend **support** for the Development Permit and requested variances as the project:
  - ▶ Is contextually appropriate
  - ▶ The link allows for 726 & 728 Valley Rd to operate together and creates a shared amenity



## *Conclusion of Staff Remarks*

# Elevations- North



# Elevations- South









Kent Macpherson

# Overall Site





Kent Macpherson

# Overall Site



## 720 Valley Road

- |                                       |                   |
|---------------------------------------|-------------------|
| - Overall site – Approved             | October 4, 2016   |
| - Building 1 (rental) – Approved      | March 27, 2017    |
| - Building 2 (condos) – Approved      | November 21, 2017 |
| - Building 3 (memory care) – Approved | December 5, 2017  |
| - Townhomes – Approved                | March 19, 2018    |
| <br>                                  |                   |
| - Building 4 (seniors care)           | May 12, 2020      |

## Who is Sussex Retirement

- Seniors housing developer, specializing in:
  - State-of-the-art Memory Care
  - Independent Living
  - Assisted Living



The Vineyards Lodge



Nanaimo Memory Care



Orchard View by the Mississippi



Kent Macpherson

# The Suites





Kent Macpherson

# 728 Valley Road





Kent Macpherson

# 728 Valley Road





Kent Macpherson

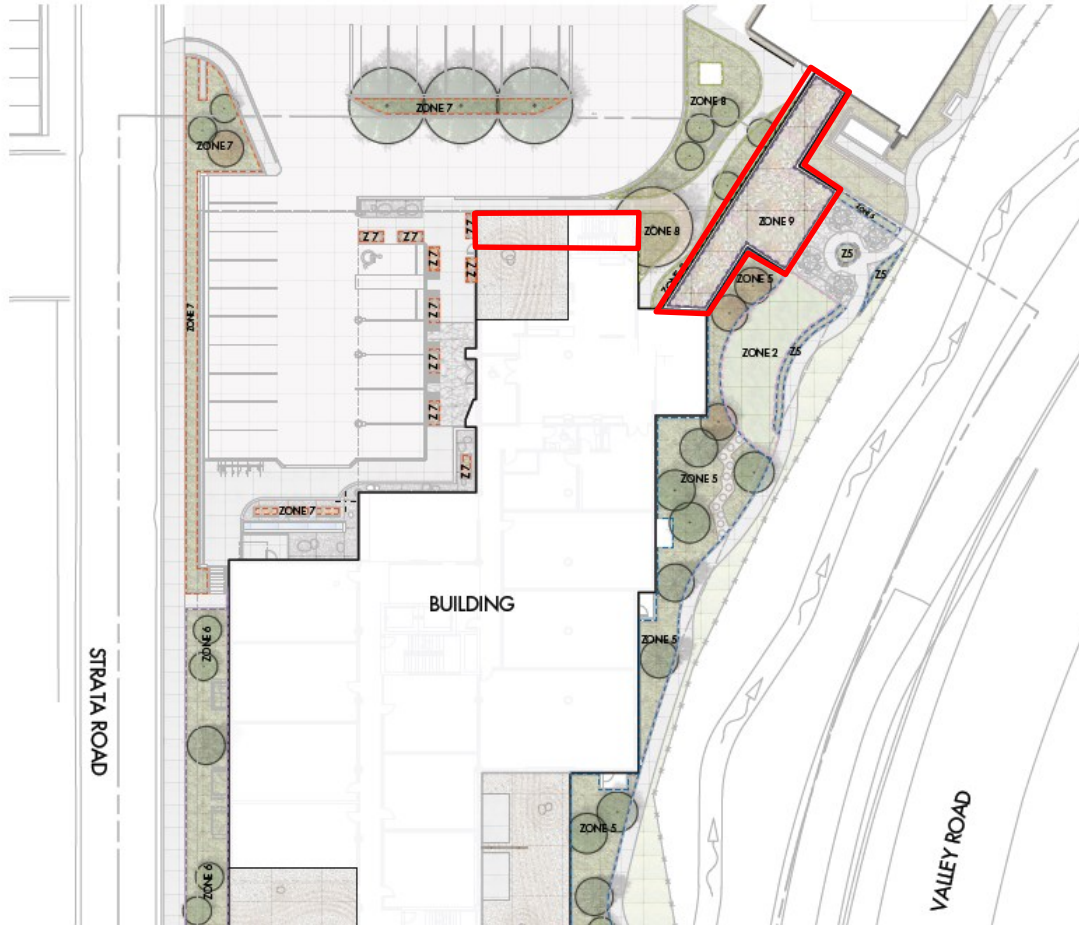
# 728 Valley Road



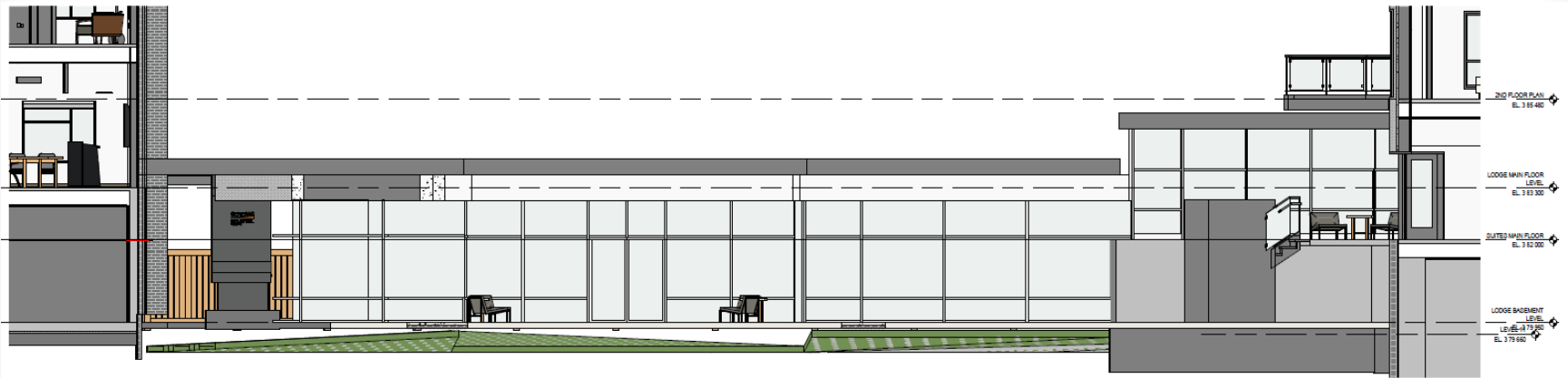




# Rear Yard Setback



# Walkway

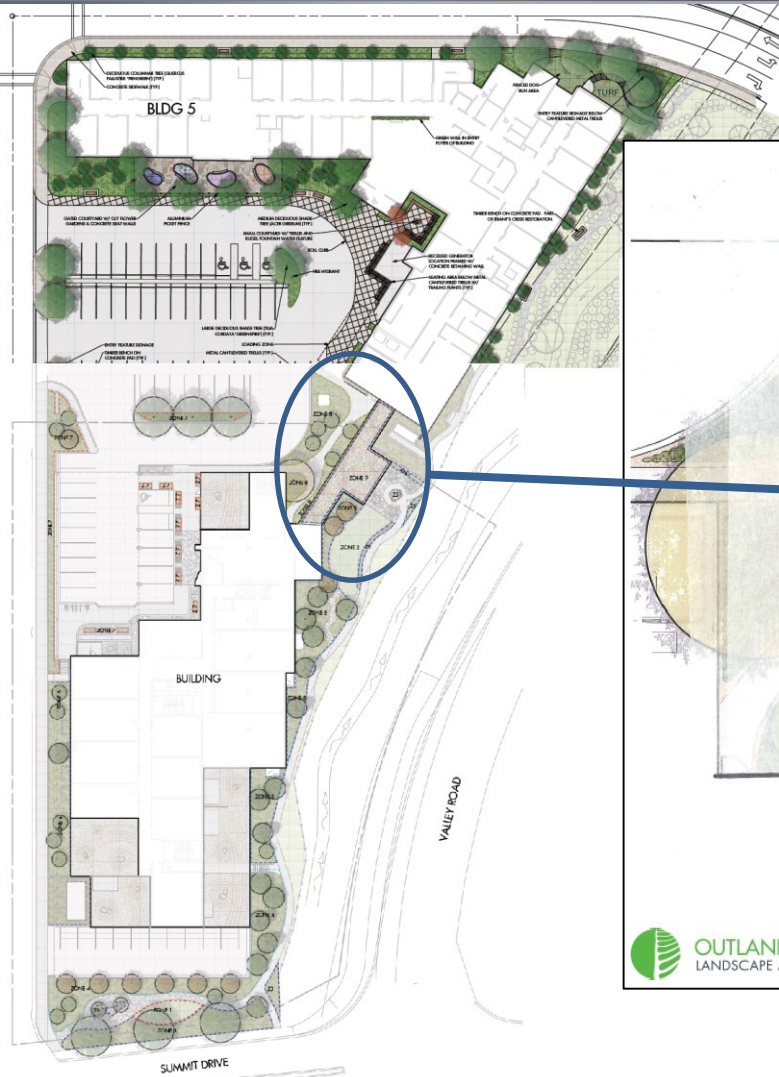






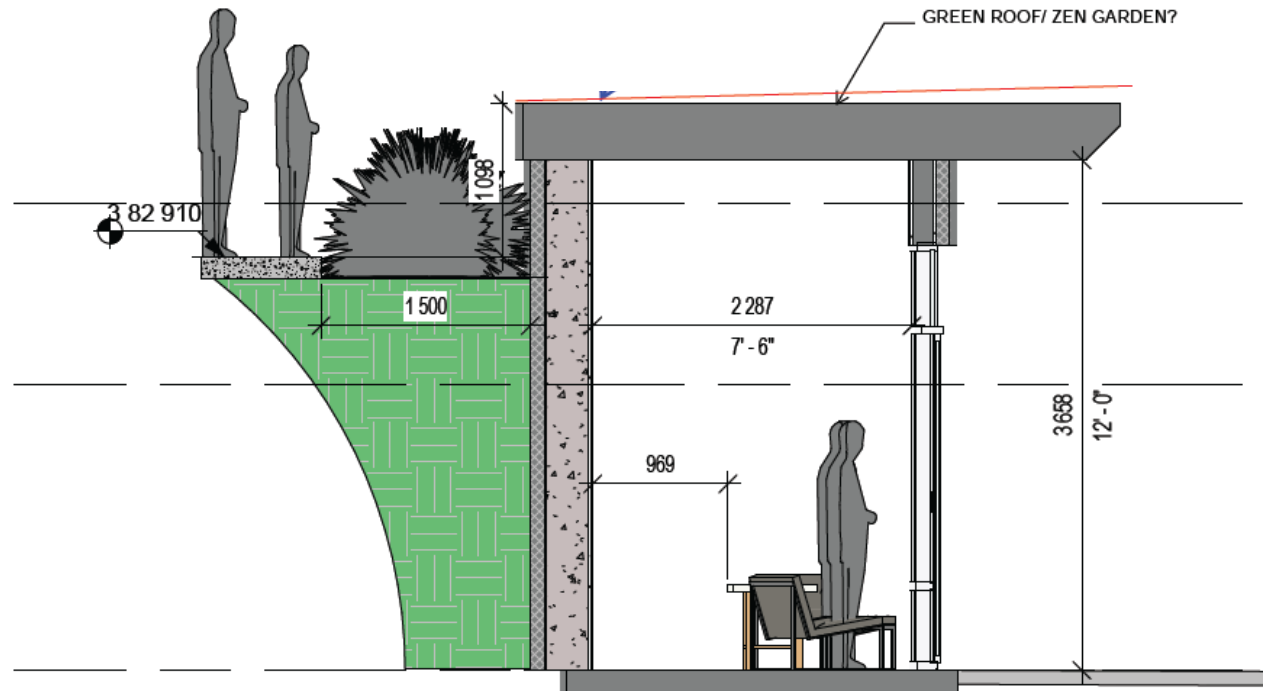


# Link





# Link



# REPORT TO COUNCIL



**Date:** April 21, 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning (JB)

**Application:** DP17-0197-02 & DVP20-0040      **Owner:** The Vineyards Community Land Holdings Inc, Inc. No BC1106986

**Address:** 726 Valley Rd      **Applicant:** Kent Macpherson

**Subject:** Development Permit Amendment and Development Variance Permit

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

**Existing Zone:** CD27- Valley Land Subdivision

---

## 1.0 Recommendation

THAT Council authorizes the amendment of Development Permit No. DP17-0197-02 for Lot 1, Section 29, Township 26 Osoyoos Division Yale District Plan EPP80501, located at 726 Valley Rd, Kelowna, BC subject to the following:

1. Parking to be provided on the land be in accordance with Schedule "A",

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0040 for Lot 1, Section 29, Township 26 Osoyoos Division Yale District Plan EPP80501, located at 726 Valley Rd, Kelowna, BC;

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

Table 8.3.1.1 Residential Parking- Supportive Housing

To vary the minimum spaces per sleeping unit from 0.35 required to 0.11 proposed.

## 2.0 Purpose

To issue a Development Permit Amendment for changes to parking and landscaping and to issue a Development Variance Permit for a reduction in required parking.

## 3.0 Development Planning

Staff are supportive of the proposed Development Permit Amendment and associated Development Variance Permit. DP17-0197 encompassed form and character for a six storey Supportive Housing building and was approved by Council in 2017. A building permit was subsequently issued, and the building is currently under construction. The original development permit approved 45 parking stalls. The development variance permit proposes a reduction of 10 stalls, for a total of 35 stalls.

In 2019, a Development Permit application (DP19-0152) for an independent senior's facility was received for the site directly south of the subject property at 728 Valley Rd. While the sites will remain on separately titled lots, they are designed to operate in tandem through several shared conditions such as:

- Shared access off the internal access road;
- A covered walkway connecting the buildings; and
- Shared outdoor amenity space

The DP amendment includes the removal of a shared courtyard landscape feature and the loss of 10 surface parking stalls. Due to the revisions in landscaping and parking, a Development Permit Amendment is required. In November 2019, Council approved updates to Section 8: Parking and Loading of the Zoning Bylaw. The parking bylaw update significantly changed the Supportive Housing land use category to include parking provisions for staff and visitors. Under the current Zoning Bylaw, the subject property now requires a variance to the base parking requirement for Supportive Housing.

### *Landscaping*

Staff are supportive of the proposed changes to the landscape plan. The previously approved plan included a stepped landscaped courtyard located in the southeast corner of the site, which was intended to be shared with future multiple dwelling housing development at 728 Valley Rd. The Development Permit application for 728 Valley Rd (DP19-0152) proposed an updated plan which includes a connecting covered walkway between the two buildings with an outdoor landscaped seating area accessed from the walkway. The proposed landscaping in the updated proposal is more accessible for seniors and residents of the memory care facility. Programming and design of the amenity area will be considered by Council under DP19-0152.

### *Parking*

Staff are supportive of the proposed Development Variance Permit for parking. The variance is significant due to the recent updates in Section 8: Parking and Loading of the Zoning Bylaw to include staff and visitor parking stalls. However, there was no variance for parking in the original development permit, and the overall reduction in parking stalls will have minimal impact on the future residents, staff and visitors of the facility. The applicant has provided Staff with an explanation of resident parking usage, and the majority of residents will not own or operate a vehicle (See Attachment B). The parking configuration was altered to enable shared access and efficient site circulation between the subject property and 728 Valley Rd.



**Proposal**

3.1 Background

A Development Permit for a 134 unit supportive housing facility (comprised of memory care and assisted living) was approved by Council in 2017 for the subject property and is currently under construction. In 2019 an application was received for the property directly to the south of the subject site, which proposed a shared access between the two properties and a covered walkway that connects the two buildings. Due to a reconfiguration of access and parking on the subject property, the number of parking stalls has been reduced from 45 to 35. The applicant is also proposing an updated landscape plan. The two sites (726 and 728 Valley Rd) are designed to operate together, with 726 Valley Rd operating as a memory care facility and 728 Valley Rd as proposed seniors housing (DP19-0152). It is anticipated that residents of the proposed seniors housing facility will utilize services at the subject property and may have relations to residents.

3.2 Site Context

The subject property is located in the City’s Glenmore-Clifton- Dilworth Sector. The site is part of a Master Development Permit for the area known as the Valley Lands.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	CD27- Valley Land Subdivision	Multiple dwelling housing
East	A1- Agricultural 1	Agriculture
South	P3- Parks and Open Space	Participant recreation services, outdoor
West	CD3/CD3C- Comprehensive Development Three	Apartment housing/ retail stores, general

**Subject Property Map:**



**4.0 Application Chronology**

Date of Application Received: December 12, 2019

Date Public Consultation Completed: February 2020

**Report prepared by:** Jocelyn Black, Planner Specialist

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

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

**Attachments:**

Attachment A: Draft Development Variance Permit DVP20-0040 and Draft Development Permit Amendment DP17-0197(2)

Schedule A: Site Plan

Attachment B: Applicant Rationale

# Development Permit DVP20-0040

**ATTACHMENT** A

This forms part of application  
# DVP20-0040

Planner Initials **JB**

City of Kelowna  
DEVELOPMENT PLANNING



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

**726 Valley Rd, Kelowna BC**

and legally known as

**Lot 1, Section 29, Township 26 ODYD Plan EPP80501**

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

**A reduction in the required number of parking stalls from 69 required to 35 stalls proposed.**

### **USE as per Zoning Bylaw**

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

Date of Decision April 21, 2020

Decision By: Council

Development Permit Area: Farm Protection

Existing Zone: CD27- Valley Land Subdivision

Future Land Use Designation: MRM- Multiple Unit Residential (Medium Density)

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

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

### **NOTICE**

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

Owner: The Vineyards Community Land Holdings Inc, Inc. No BC1106986

Applicant: Kent Macpherson

---

Terry Barton  
Community Planning Department Manager  
Planning & Development Services

---

Date

## 1. SCOPE OF APPROVAL

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

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

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

## 2. CONDITIONS OF APPROVAL

- a) Parking to be provided on the land in accordance with Schedule "A";
- b) That variances to the following Section of Zoning Bylaw No.8000 be granted:  
To vary the minimum spaces per sleeping unit from 0.35 required to 0.11 proposed.

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

## 3. INDEMNIFICATION

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

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

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

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

This forms part of application

# DVP20-0040



City of  
**Kelowna**  
DEVELOPMENT PLANNING

Planner  
Initials **JB**



# AMENDED Development Permit DP17-0197-02

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

**726 Valley Rd, Kelowna BC**

legally known as

**Lot 1, Section 29, Township 26 ODYD Plan EPP80501**

This 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 **Amended** 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 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.

Amended Development Permit No. DP17-0197-02 for (Lot 1, Section 29, Township 26 ODYD Plan EPP80501, 726 Valley Rd), Kelowna, BC to allow the construction of a supportive housing be approved subject to the following:

- a) All requirements from the original Development Permit No DP17-0197-01 must be met with the exception of the parking lot configuration and landscaping.

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

Date of Decision:	April 21, 2020
Decision By:	Council
Issued Date:	TBD

## 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.

\_\_\_\_\_  
Terry Barton  
Development Planning Department Manager  
Planning & Development Services

\_\_\_\_\_  
Date



**douglas sallows architect inc.**  
 1515  
 Kelowna, BC V1Y 1A1  
 Tel: 250-860-0000  
 Fax: 250-860-0001  
 Email: info@dsai.com  
 Website: dsai.com

View all dimensions on site report of survey and  
 all other documents for the project.  
 All drawings and specifications are instruments of service  
 and are property of the architect.  
 The drawings are copyright in Canada and shall remain  
 the property of the architect. No part of these drawings or  
 any data hereon shall be used or reproduced in whole  
 or in part without the express written consent of the architect.

DATE: 2020-04-17

1	PRELIMINARY
2	PERMIT APPLICATION
3	PERMIT REVIEW
4	CONSTRUCTION
5	AS-BUILT
6	FINAL

PROJECT: SUSSEX RETIREMENT LIVING

CLIENT: THE VINEYARDS SUITES

ADDRESS: 728 VALLEY ROAD, KELOWNA, BC

DATE: 2020-04-17

SCALE: 1:100

PROJECT NO: DP-001

DATE: 2020-04-17

SCALE: 1:100

PROJECT: SUSSEX RETIREMENT LIVING

CLIENT: THE VINEYARDS SUITES

ADDRESS: 728 VALLEY ROAD, KELOWNA, BC

DATE: 2020-04-17

SCALE: 1:100

PROJECT NO: DP-001

DATE: 2020-04-17

SCALE: 1:100

PROJECT: SUSSEX RETIREMENT LIVING

CLIENT: THE VINEYARDS SUITES

ADDRESS: 728 VALLEY ROAD, KELOWNA, BC

DATE: 2020-04-17



ARIAL VIEW OF ENTIRE SITE



ARIAL VIEW OF SITE



STREET VIEW FROM SUMMIT DRIVE

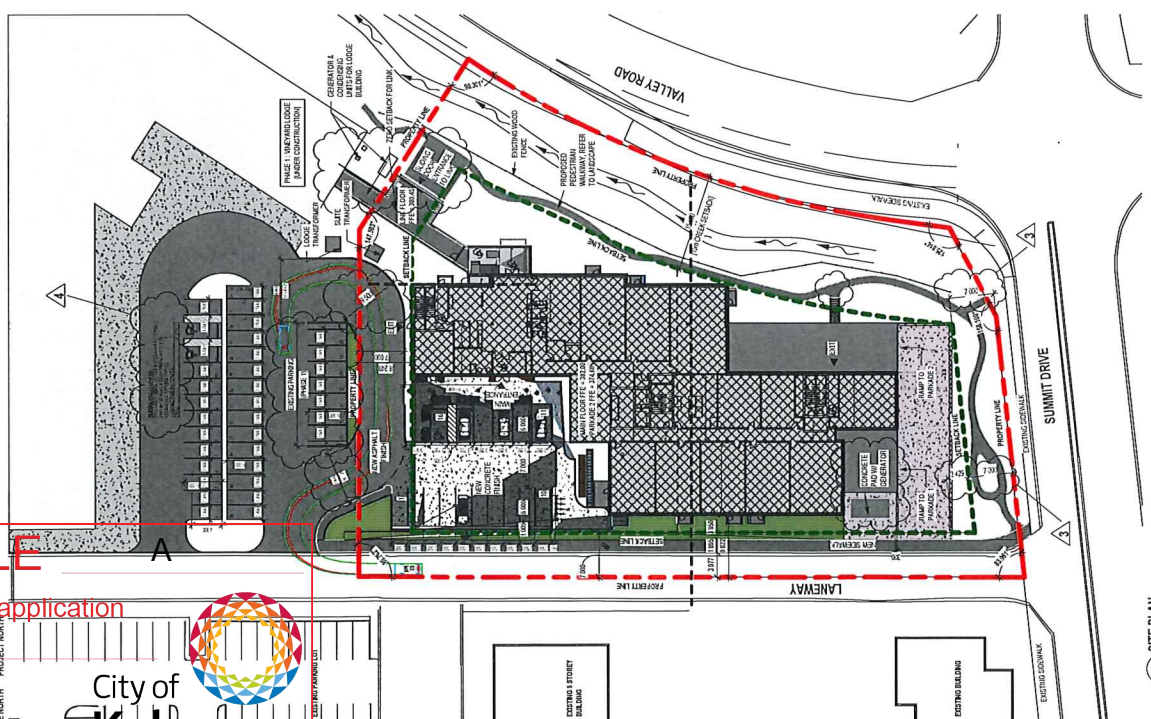


STREET VIEW FROM VALLEY ROAD



KEY PLAN - SITE

ZONE INFORMATION:	PROPOSAL:
<p><b>ZONE:</b> RM3 - RESIDENT MEDIUM DENSITY</p> <p><b>LAND USE:</b> RESIDENTIAL</p> <p><b>SETBACKS:</b> FRONT: 10M, SIDE: 5M, REAR: 10M</p> <p><b>MAXIMUM BUILDING HEIGHT:</b> 12M</p> <p><b>MAXIMUM LOT COVERAGE:</b> 40%</p> <p><b>MAXIMUM GROUND COVER:</b> 10%</p> <p><b>MAXIMUM NUMBER OF UNITS:</b> 100</p> <p><b>MAXIMUM NUMBER OF STOREYS:</b> 4</p>	<p><b>PROPOSAL:</b> SUSSEX RETIREMENT LIVING</p> <p><b>AREA:</b> 1.2 HA</p> <p><b>LOT AREA:</b> 1.2 HA</p> <p><b>LOT COVERAGE:</b> 40%</p> <p><b>GROUND COVER:</b> 10%</p> <p><b>NUMBER OF UNITS:</b> 100</p> <p><b>NUMBER OF STOREYS:</b> 4</p> <p><b>MAXIMUM BUILDING HEIGHT:</b> 12M</p> <p><b>MAXIMUM LOT COVERAGE:</b> 40%</p> <p><b>MAXIMUM GROUND COVER:</b> 10%</p> <p><b>MAXIMUM NUMBER OF UNITS:</b> 100</p> <p><b>MAXIMUM NUMBER OF STOREYS:</b> 4</p>
<p><b>DEVELOPMENT INFORMATION:</b></p> <p><b>DEVELOPER:</b> THE VINEYARDS SUITES</p> <p><b>ARCHITECT:</b> DOUGLAS SALLONS ARCHITECT INC.</p> <p><b>ENGINEER:</b> [REDACTED]</p> <p><b>DATE:</b> 2020-04-17</p>	<p><b>PROPOSAL:</b> SUSSEX RETIREMENT LIVING</p> <p><b>AREA:</b> 1.2 HA</p> <p><b>LOT AREA:</b> 1.2 HA</p> <p><b>LOT COVERAGE:</b> 40%</p> <p><b>GROUND COVER:</b> 10%</p> <p><b>NUMBER OF UNITS:</b> 100</p> <p><b>NUMBER OF STOREYS:</b> 4</p> <p><b>MAXIMUM BUILDING HEIGHT:</b> 12M</p> <p><b>MAXIMUM LOT COVERAGE:</b> 40%</p> <p><b>MAXIMUM GROUND COVER:</b> 10%</p> <p><b>MAXIMUM NUMBER OF UNITS:</b> 100</p> <p><b>MAXIMUM NUMBER OF STOREYS:</b> 4</p>
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1. SITE PLAN

**SCHEDULE**  
 This forms part of application  
 # DVP20-0040

Planner Initials: JB





Wednesday, March 12, 2020

Kent-Macpherson  
304-1708 Dolphin Avenue  
Kelowna, British Columbia  
V1Y 9S4

Attention: Jordan Hettinga

Re: The Vineyard Community

Dear Jordan,

Thank you very much for your work on the parking variance. We wanted to try and educate the team on the nature of the care that we hope to provide in the Vineyards Lodge (726 Valley Road).

The Vineyards Lodge is a care community aimed at providing care to vulnerable residents who need assistance in their everyday life.

67 of the 134 living spaces are designed for memory care residents. These residents are living in some stage of dementia and have most likely reached a stage in the progression of their disease which may put them at risk to themselves if they are not living in a highly monitored or sometimes even secured environment. We have been hard at work with the cities building planning team to make sure these spaces provide the safest environment we can for them. None of these residents will own or operate a vehicle.

50 of the 134 resident spaces are designed for assisted living. Assisted Living residents typically move into a care setting because they have either have mobility challenges that limit their independence or put them at risk in their current settings. It would be very rare that people living in this setting would own or operate a vehicle.

The remaining 17 spaces are designed so they could be used to house either memory care or assisted living populations.

We hope to provide a great place for our residents to age and thrive in for many years. However, as a place that houses these vulnerable populations, the need to live here is the same reason why few if any of these residents would be appropriate to operate a motor vehicle. Having said that we may very well have a resident approach us who is competent to drive. We would do everything we could to support them to be successful. This would be very atypical.



We understand that the city's planning department could never consider every possible use when preparing parking guidelines. Currently this building is considered supportive housing which is understandably a general term. We thought it prudent to offer this document as a tool to allow the city to understand what kind of niche population this building is designed to accommodate. We hope it is helpful.

This is in line with other municipalities planning requirements and with the actual demands we have seen on our other projects.

However, we do understand that under the current bylaw we would require:

3 staff

0.14 parking stalls per sleeping unit (x134) = 19 stalls for visitors

0.35 parking stalls per sleeping unit (x134) = 47 stalls for residents

Our experience on another similar site would support the following variance:

3 staff, no variance required.

0.14 parking stalls per sleeping unit (x134) = 19 stalls for visitors, no variance required.

That leaves 14 stalls for residents (.11 stall per sleeping unit) which we believe is far more than we will need. We expect resident parking to be very close to 0 allowing 14 flex stalls for any residents, additional staff, or visitors.

If you have any questions or concerns, please contact the undersigned.

Kindest regards,

Peter O'Brien  
Director of Development

Sussex Retirement Living

cc. John Cathrae. CFO, Sussex Retirement Living.



DP17-0197-02 & DVP20-

0040

726 Valley Rd

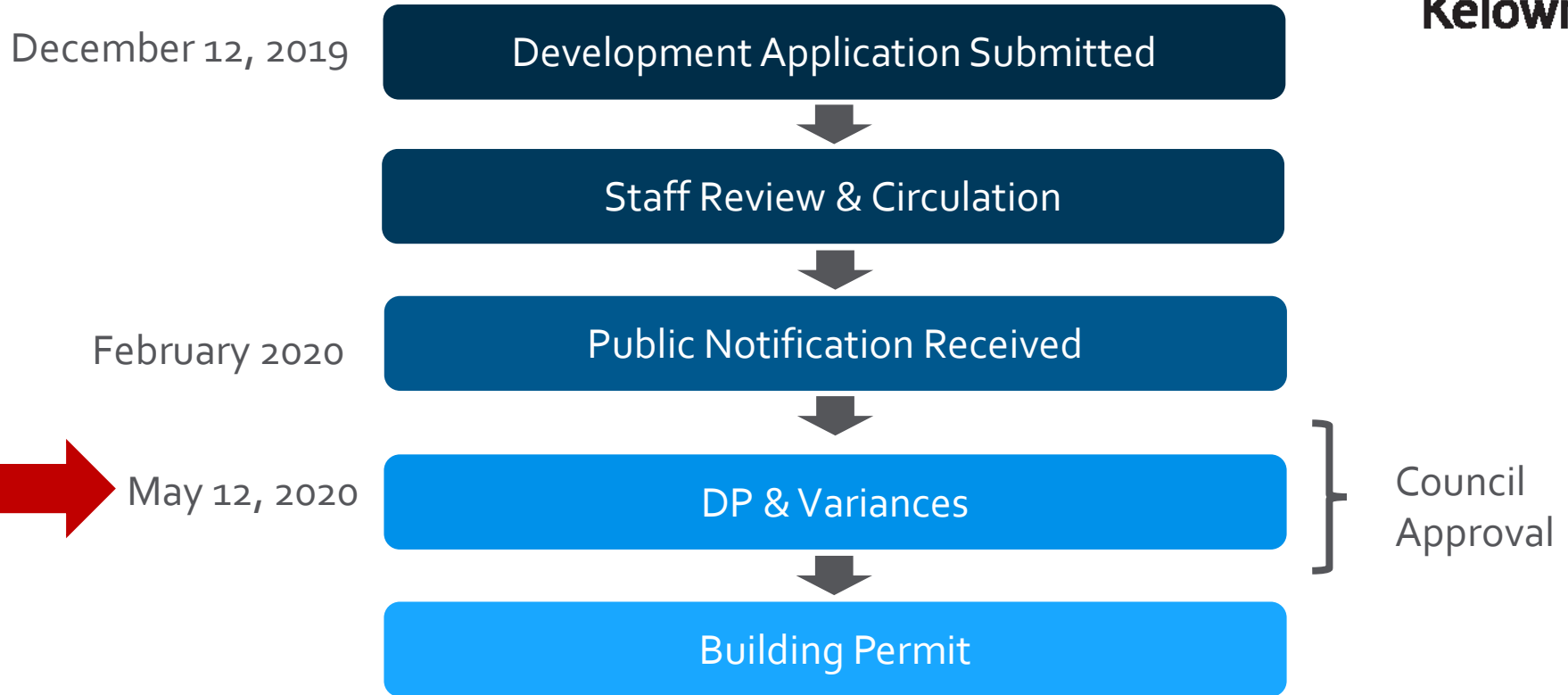
Development Permit Amendment and Development  
Variance Permit



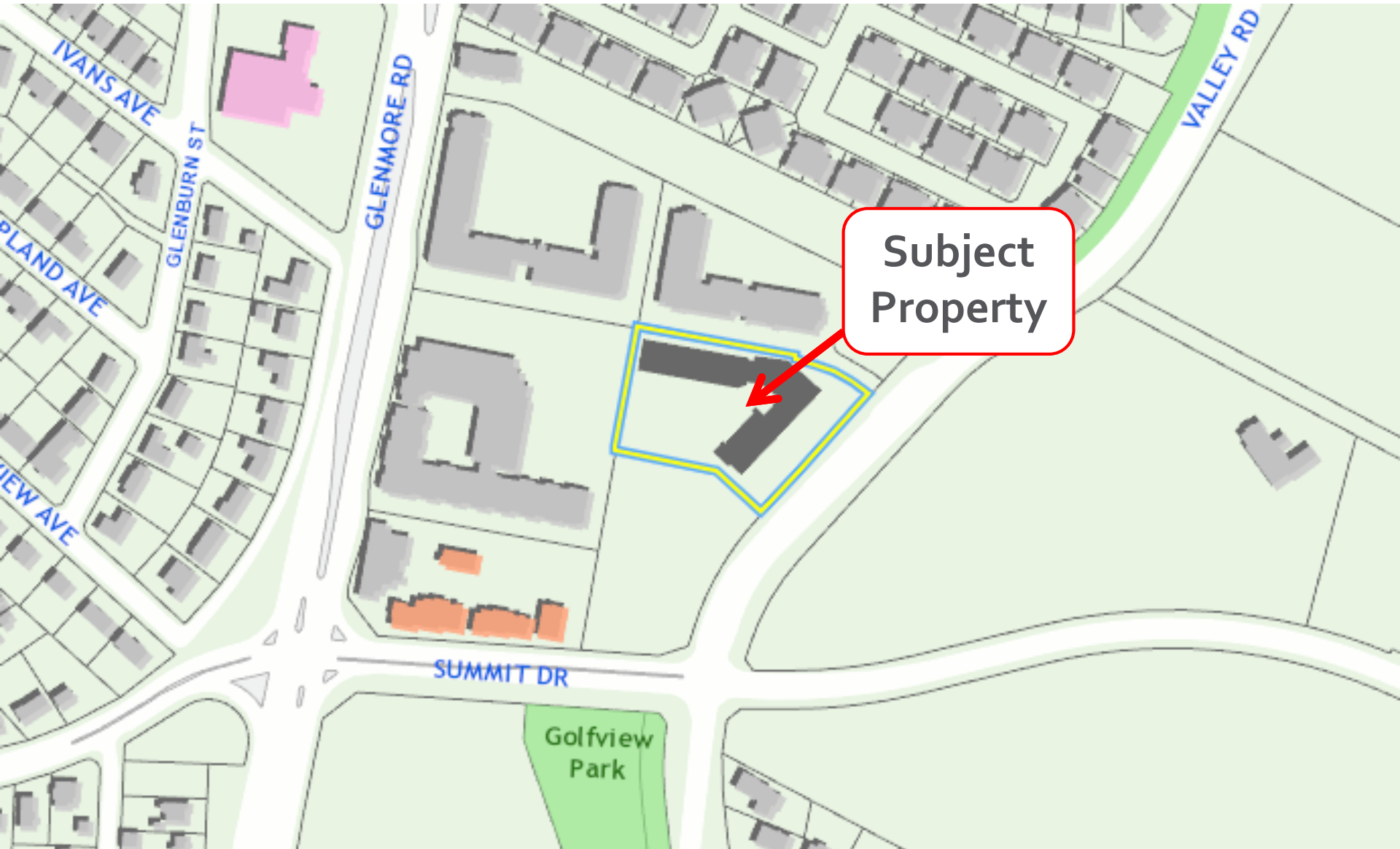
# Proposal

- ▶ To issue a Development Permit Amendment for changes to parking and landscaping and to issue a Development Variance Permit for a reduction in required parking.

# Development Process



# Context Map



# Subject Property Map



# Project/technical details

- ▶ DP approval was received in 2017 for a 134-unit supportive housing facility (memory care & assisted living)
- ▶ Changes to parking configuration and landscaping due to a development application on the parcel to the south (728 Valley Rd) which proposes shared access and shared amenities
- ▶ Parking stalls have been reduced from 45 to 35
- ▶ Landscape plan has been amended to better suit residents

# Site Plan- Previously Approved



Parking: 45 Stalls

726 Valley

728 Valley

Shared  
Landscape  
Amenity



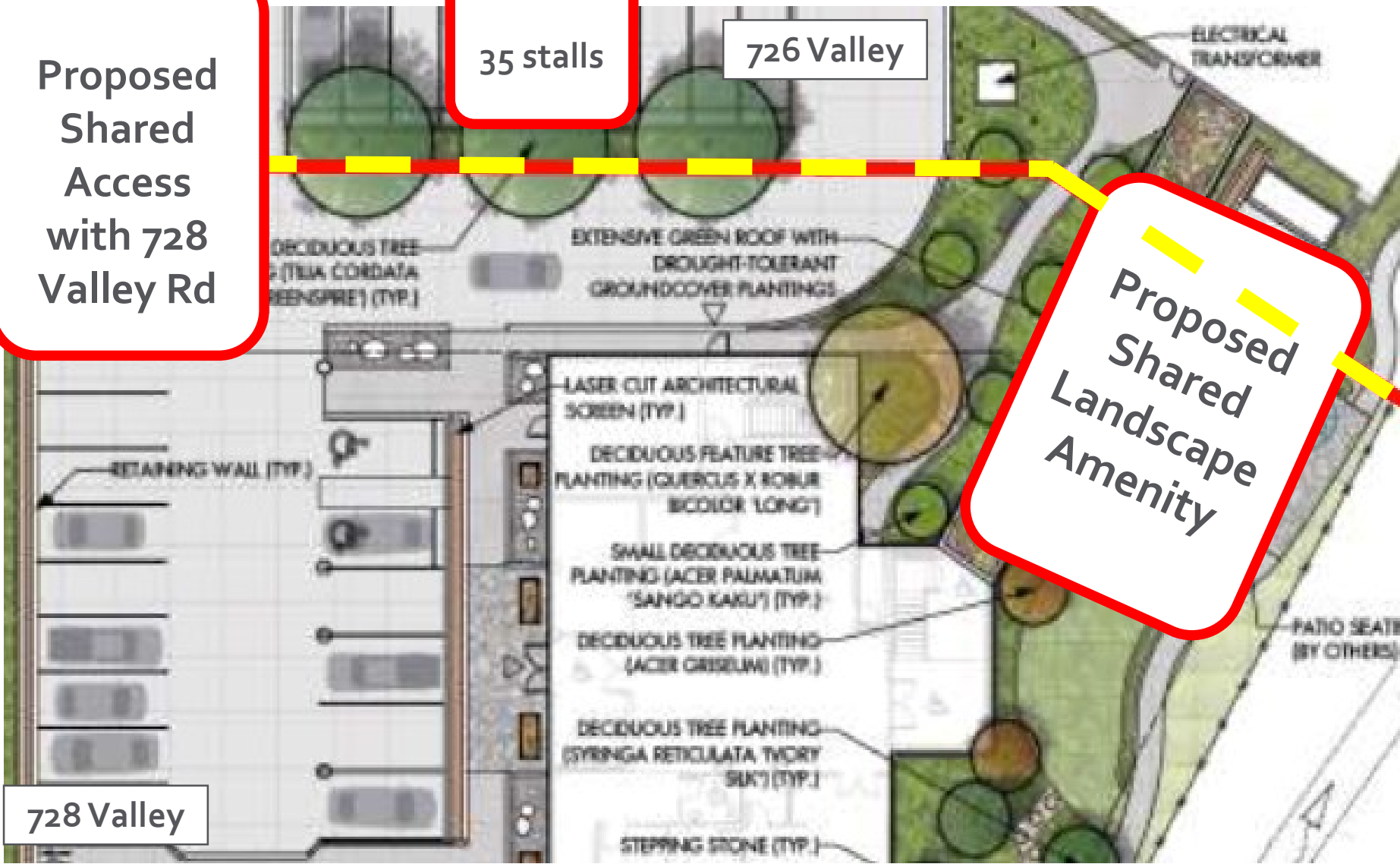
# Site Plan

Proposed Shared Access with 728 Valley Rd

35 stalls

726 Valley

Proposed Shared Landscape Amenity



728 Valley

# Parking Variance

- ▶ Car ownership is extremely low in the supportive housing use
- ▶ 134 total units:
  - ▶ 67 units for memory care residents
  - ▶ 50 units for assisted living
  - ▶ 17 units either memory care or assisted living
- ▶ Staff are confident that 35 stalls will accommodate staff and visitors

# Staff Recommendation

- ▶ Staff **support** the proposed development permit amendment
- ▶ Staff **support** the reduction in parking



## *Conclusion of Staff Remarks*

# REPORT TO COUNCIL



**Date:** April 7, 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** DP19-0199 & DVP19-0200      **Owner:** Central Valley Truck Services Ltd. Inc.No. BC0288380

**Address:** 105 Adams Road      **Applicant:** Laura Jones; Pacific Land Group

**Subject:** Development Permit & Development Variance Permit Application

**Existing OCP Designation:** IND - Industrial

**Existing Zone:** I2 – General Industrial

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## 1.0 Recommendation

THAT Council NOT authorize the issuance of Development Variance Permit No. DVP19-0200 for Lot A Section 2 Township 23 ODYD Plan EPP84870, located at 105 Adams Road, Kelowna, BC;

AND THAT Council NOT authorize the issuance of Development Permit No. DP19-0199 for Lot A Section 2 Township 23 ODYD Plan EPP84870, located at 105 Adams Road, Kelowna, BC.

## 2.0 Purpose

To consider a Staff recommendation to NOT issue a Development Variance Permit to allow for a Drive-In Food Service on the subject property; and to consider a Staff recommendation to NOT issue a Development Permit for the form and character of a Gas Bar with Drive-In Food Service on the subject property.

## 3.0 Development Planning

Development Planning does not support the proposed variance to allow for a Drive-In Food Service on the subject property.

Drive-In Food Services are prohibited from the I2 – General Industrial zone under Zoning Bylaw No. 8000. Specifically, Section 15.2.6.f states that "Drive-in food services are not a permitted form of development in this zone". As such, the proposed drive-in food service on the subject property would require a variance.

On June 25, 2018 Council adopted the policy plan Our Kelowna as We Take Action: Kelowna's Community Climate Action Plan. The Plan charts the City's strategy and policy framework for reducing greenhouse gas

(GHG) emissions to help combat climate change. To achieve this goal the Plan recommends Actions across 6 broad categories. On June 25, 2018 Council also directed Staff to begin implementing these Actions.

One of the broad categories in the Climate Action Plan is The Way We Get Around, which relates to transportation matters. Of the 13 Actions recommended in The Way We Get Around category, one specifically advises amending the Zoning Bylaw to prevent drive-throughs, as these impede walkability and encourage unnecessary idling, which wastes fuel and unnecessarily contributes to GHG emissions. Specifically, Action T7 recommends “updating the Zoning Bylaw to restrict drive-through uses in all applicable zones (include food, financial institutions, pharmacy, liquor) as they restrict walkability and encourage idling” (Table 2: Recommended Transportation Actions).

Though the Zoning Bylaw has not yet been amended to incorporate this recommendation, the policy direction is clear that drive-throughs should be prevented where possible. In this particular case, the applicant proposes varying the Zoning Bylaw to allow for a drive-in food service in a zone where it is not already permitted. Denying this application represents a straightforward way to begin implementing the policy direction in the Community Climate Action Plan, and of advancing the City’s goal of reducing GHG emissions. For this reason, Staff do not support the application.

Staff offered the applicant an opportunity to remove the drive-in food service from the application; however, the applicant declined this opportunity.

#### **4.0 Proposal**

##### **4.1 Background**

On June 6, 2018 Council approved a variance to allow for a drive-in food service on a C2 – Neighbourhood Commercial lot at 120 Old Vernon Rd., which is across the highway from the subject property. The variance application was also supported by Staff. However, this development application was both submitted and approved before the Community Climate Action Plan was considered and adopted by Council on June 25, 2018.

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

The applicant proposes a Gas Bar (Chevron) and Drive-In Food Service (Triple-O’s) on the subject property, which is zoned I2 – General Industrial. Drive-In Food Services are prohibited in the I2 – General Industrial zone under Section 15.2.6 of Zoning Bylaw No. 8000. Therefore, the application requires a variance to allow for a Drive-In Food Service on the site.

The applicant has been cooperative with Staff in designing the site in such a way that minimizes the visual impact of the drive-through. Specifically, enhanced landscape screening, including landscaped berms, has been introduced on the eastern part of the site to obscure the drive-through from public view as much as possible. Also, the applicant has introduced two electric vehicle (EV) charging stations into the development in order to address the design guideline that encourages developments to incorporate measures to increase sustainability. Finally, the proposed development does substantially meet the Comprehensive Development Permit Guidelines.

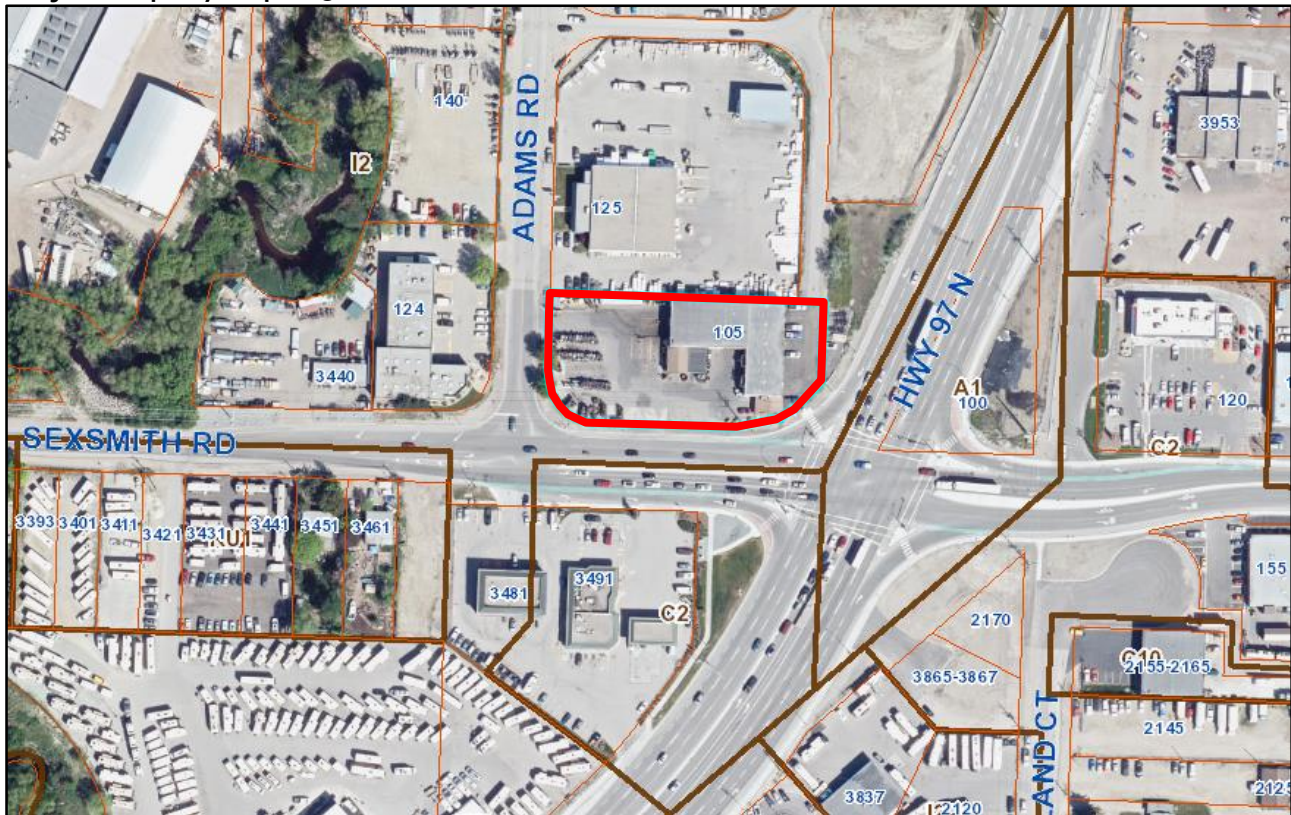
##### **4.3 Site Context**

The subject property is on Highway 97 at the corner of Sexsmith Rd. in the Highway 97 Sector of the city, just north of Rutland.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I2 – General Industrial	Warehouse
East	A1 – Agriculture 1	Vacant
South	C2 – Neighbourhood Commercial	Gas Bar, Drive-In Food Service, Convenience Store
West	I2 – General Industrial	Warehouse

**Subject Property Map: 105 Adams Rd.**



**4.4 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	I2 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	4000 m <sup>2</sup>	4338 m <sup>2</sup>
Min. Lot Width	40 m	50 m
Min. Lot Depth	35 m	46 m
Development Regulations		
Max. Floor Area Ratio	1.5	.08
Max. Site Coverage (buildings)	60%	8%
Max. Height	14 m	5.4 m
Min. Front Yard	7.5 m	> 7.5 m
Min. Side Yard (east)	4.5 m	> 4.5 m
Min. Side Yard (west)	6 m	> 6m
Min. Rear Yard	0 m	> 5m

Other Regulations		
Min. Parking Requirements	14	15
Min. Bicycle Parking	2	2
Min. Loading Space	1	1
15.2.6(f) Drive-in food services are not a permitted form of development in this zone. <span style="color: red;">●</span>		
<span style="color: red;">●</span> Indicates a requested variance to override this regulation in Zoning Bylaw No. 8000.		

## 5.0 Current Development Policies

### 5.1 Our Kelowna as We Take Action: Community Climate Action Plan

The Way We Get Around, Table 2: Recommended Transportation Actions.

T7. Update the Zoning Bylaw to restrict drive-through uses in all applicable zones (include food, financial institutions, pharmacy, liquor) as they restrict walkability and encourage idling.

## 6.0 Unnecessary Idling & Drive-Throughs

It has been established that the amount of fuel used to start a car is approximately equivalent to that used for 10 seconds of idling. Based on this, at least some jurisdictions, including Italy and France in Europe, recommend turning off engines when idling for more than 10 seconds, unless it is necessary to keep the engine running, such as when a car is in traffic (Natural Resources Canada. Idling – Frequently Asked Questions. <https://www.nrcan.gc.ca/energy/efficiency/communities-infrastructure/transportation/idling/4463>).

That said, it has been recognized that a certain amount of wear and tear occurs in starting a car, and when this wear and tear is taken into consideration it is estimated that turning off the engine pays off only after 60 seconds of idling. In other words, idling for more than one minute is a waste not only for the environment (6 times over), but for the individual driver themselves. For this reason, Canada’s Natural Resources Department recommends turning off the engine when idling for anything more than one minute, except where it is necessary to keep the engine running, such as in traffic (Natural Resources Canada. Idling – Frequently Asked Questions. <https://www.nrcan.gc.ca/energy/efficiency/communities-infrastructure/transportation/idling/4463>).

While drive-throughs represent a convenient way for many to pick up a meal, it cannot be said that they are a necessity. Rather, it is a choice, and a choice that comes with a cost. In the summer of 2015 City of Kelowna Staff undertook a study of vehicle behaviour at one of the city’s drive-throughs on Highway 97. The study was performed over a period of 3 days at set times of the day and recorded the behavior of 186 vehicles. The study found that 96% of the cars idled for more than one minute, and the average time spent idling was 4 minutes 12 seconds (3 minutes and 12 seconds longer than what is considered to be a waste both for the environment and the individual driver).

The average car produces 69 grams of CO<sub>2</sub> per minute when idling; thus, according to the study above, the average car moving through a drive-through produces 290 grams of CO<sub>2</sub>. When multiplied by the hundreds of cars moving through Kelowna’s drive-throughs daily, the numbers quickly compound. To put these numbers in perspective when we escalate to a national scale, Canada’s Natural Resources Department reports that “if Canadian drivers of light-duty vehicles avoided unnecessary idling for just three minutes every day of the year... we would prevent 1.4 million tonnes of CO<sub>2</sub> from entering the atmosphere. That’s the equivalent of taking 320,000 cars off the road! Clearly, individual actions, when taken by millions of Canadians, can make a difference” (Natural Resources Canada. Idling – Frequently Asked Questions. <https://www.nrcan.gc.ca/energy/efficiency/communities-infrastructure/transportation/idling/4463>).



Eliminating drive-throughs may represent a small inconvenience to many, but it also represents a relatively easy win in our efforts to reduce GHG emissions and combat climate change, and one that stands to have a significant impact in the long-run.

## 7.0 Technical Comments

### 7.1 Development Engineering Department

- See Schedule A

## 8.0 Application Chronology

Date of Application Received: October 7, 2019  
Date Public Consultation Completed: January 24, 2020

## 9.0 Alternate Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0200 for Lot A Section 2 Township 23 ODYD Plan EPP84870, located at 105 Adams Road, Kelowna, BC;

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

### **Section 15.2.6(f): I2 – General Industrial, Other Regulations**

To vary the requirement prohibiting drive-in food services in the zone.

AND THAT Council authorizes the issuance of Development Permit No. DP19-0199 for Lot A Section 2 Township 23 ODYD Plan EPP84870, located at 105 Adams Road, Kelowna, BC subject to the following:

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

**Report prepared by:** Aaron Thibeault, Planner II

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

**Approved for Inclusion by:** Ryan Smith, Divisional Director of Planning & Development Services

### **Attachments:**

Attachment A: Draft Development Permit and Development Variance Permit DP19-0199 and DVP19-0200

Attachment B: Comprehensive Development Permit Guidelines Checklist

Attachment C: Applicant Rationale

# Development Permit & Development Variance Permit DP19-0199 & DVP19-0200

**ATTACHMENT A**

This forms part of application  
# DP19-0199 DVP19-0200

Planner Initials

City of Kelowna  
COMMUNITY PLANNING



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

105 Adams Road

and legally known as

Lot A Section 2 Township 23 ODYD Plan EPP84870

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

## Gas bar and drive-through food service

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

### Section 15.2.6(f): I2 – General Industrial, Other Regulations

To vary the requirement prohibiting drive-in food services in the zone.

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

Date of Council Decision: April 7, 2020  
Decision By: COUNCIL OR COMMUNITY PLANNING DEPARTMENT MANAGER  
Development Permit Area: Comprehensive Development Permit Area  
Existing Zone: I2 – General Industrial  
Future Land Use Designation: IND – Industrial

## This is NOT a Building Permit.

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

## NOTICE

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

Owner: Central Valley Truck Services Ltd. Inc.No. BC0288380  
Applicant: Laura Jones; Pacific Land Group

\_\_\_\_\_  
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";
- c) Landscaping to be provided on the land be in accordance with Schedule "C"; and
- d) The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect.

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

## 3. PERFORMANCE SECURITY

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

- a) An Irrevocable Letter of Credit **OR** certified cheque in the amount of **\$141,710.00**

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

## 5. INDEMNIFICATION

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

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

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

**ATTACHMENT A**

This forms part of application

# DP19-0199 DVP19-0200

Planner  
Initials

AT

City of  
**Kelowna**



COMMUNITY PLANNING

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

Development Planning Department 1435 Water Street Kelowna BC V1Y 1J4 [planninginfo@kelowna.ca](mailto:planninginfo@kelowna.ca) 250 469 8626

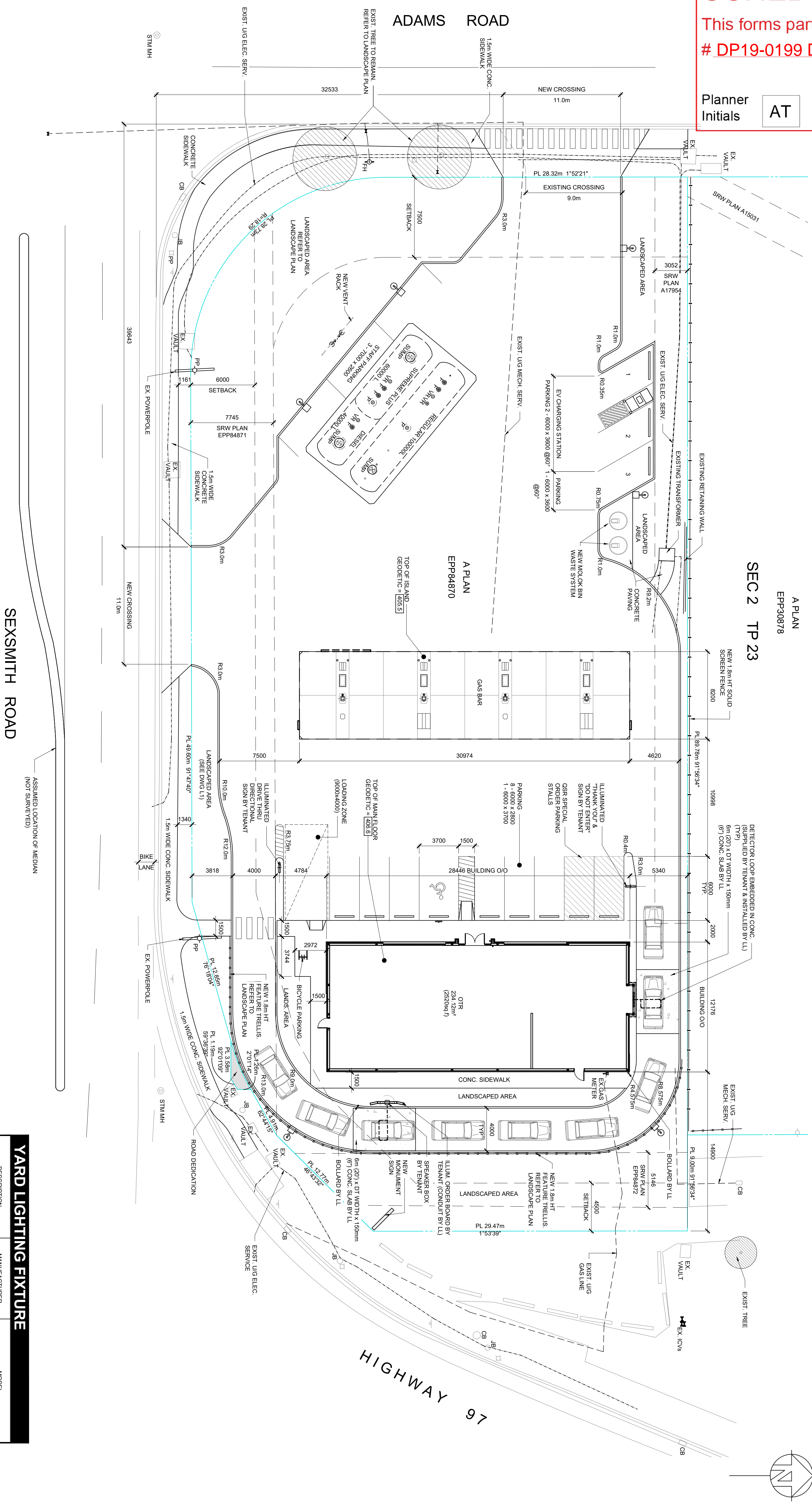
# SCHEDULE A

This forms part of application  
# DP19-0199 DVP19-0200



City of  
**Kelowna**  
COMMUNITY PLANNING

Planner Initials **AT**



A PLAN  
EPP30878  
SEC 2 TP 23

- ### GENERAL NOTES
1. ALL DIMENSIONS ARE IN MILLIMETERS EXCEPT CONC. CURB RADI WHICH ARE NOTED IN METERS.
  2. ALL CONSTRUCTION WITHIN THE PROPERTY LINES IS NEW UNLESS NOTED OTHERWISE.
  3. DRAWING IS NOT TO BE SCALED.
  4. ALL DIMENSIONS TO BE CHECKED & VERIFIED ON THE SITE BY SURVEY. PRIOR TO ANY CONSTRUCTION. ANY DISCREPANCIES ARE TO BE REPORTED TO THE ENGINEER BEFORE PROCEEDING.
  5. CONTRACTOR TO ENSURE THAT ALL CONSTRUCTION ON MUNICIPAL PROPERTY IS TO THE LATEST MUNICIPAL STANDARDS.
  6. SEE CANOPY/BUILDING ELEVATIONS FOR ROOF PEAK GEOMETRIC.

- ### LEGEND
- IRON SURVEY POST FOUND
  - MANHOLE
  - CATCH BASIN
  - FIRE HYDRANT
  - POWER POLE
  - TRAFFIC LIGHT
  - TRAFFIC SIGNAL POST
  - LIGHT STANDARD (SSL)
  - LIGHT STANDARD (DBL)
  - TELEPHONE FEDESTAL
  - EXISTING CONC. CURBS
  - NEW CONC. CURBS
  - PREFIX (EX) = EXISTING



### YARD LIGHTING FIXTURE

DESCRIPTION	MANUFACTURER	MODEL
YARD LIGHT	AREE-ENG. AKOXA 12-E-LU-452-40K	
	CW DARK SKY MIT	

### SITE INFORMATION

LEGAL DESCRIPTION  
LOT 7, SECTION 20, TOWNSHIP 29, COYO, PLAN EPP4879

MUNICIPAL ADDRESS  
105 ADAMS ROAD  
KELOWNA, BC

ZONING  
L2

LOT AREA  
4540 sqm (1.07 ACRES) (0.434 HECTARES)

SITE AREAS:  
PROPOSED NEW NET FLOOR AREAS:  
RESTAURANT 1114sqm (250 SQ FT)  
TOTAL 3455sqm (3700 SQ FT)  
PROPOSED IMPERMEABLE SURFACE AREAS:  
ASPHALT 2230sqm (24100 SQ FT)  
BUILDING GFA 988 sqm (10650 SQ FT)

LOT COVERAGE  
8%

SETBACKS:  
FRONT SETBACK 7.5m ABUTTING CORNERS  
SIDE SETBACK 6.0m ABUTTING FLANKING STREET  
REAR SETBACK 6.0m  
TYPE BY SETBACK 4.5m

PARKING  
GAS BAR 1 SPACE REQ.  
1 PER TWO ON-SITE EMPLOYEES = 5 SPACES REQ.  
CONVENIENCE STORE 2 PER 100M<sup>2</sup> GFA = (234.12 / 100) x 2 = 4.68 = 5 SPACES REQ.  
FOOD PRIMARY ESTABLISHMENT 2.5 PER 100M<sup>2</sup> GFA, MIN. 5 = 111.48 / 100 = 1.11 = 5 SPACES REQ.

TOTAL PARKING STALLS REQUIRED: 11 PARKING STALLS

MOTOR VEHICLE PARKING STALLS PROVIDED

TYPE	SIZE	COUNT
REGULAR	2800 x 6000	= 8 STALLS
REGULAR @90°	3600 x 6000	= 1 STALLS
EV CHARGING @90°	3600 x 6000	= 2 STALLS
START PARALLEL	2800 x 7000	= 3 STALLS
WANDER	5100 x 6000	= 1 STALLS
TOTAL PARKING PROVIDED:		= 15 STALLS

LOADING ZONE PROVIDED: 90m x 4.0m, QUANTITY 1

NO. DATE DESCRIPTION OF ISSUE OR REVISION

03	2020-01-28	REVISED AS PER CITY OF KELOWNA COMMENTS
02	2019-12-19	IDENTIFIED BY CHARGING STATION & ROAD DEDICATION
01	2019-10-28	ISSUED AS PER 2020 STANDARDS, REVISED CANOPY SIGNAGE
00	2019-08-30	DESCRIPTION OF ISSUE OR REVISION

**ctm**  
Design Services Ltd

270-300 Mainway, 3E Calgary, Alberta, T2K 8T1  
TEL: 403.240.0950 • FAX: 403.239.6506 • www.ctmdesign.ca

**Parkland**  
FUEL CORPORATION

105 ADAMS ROAD  
KELOWNA, BC

### PROPOSED SITE PLAN

FILE: 19144_A1-00.DWG	CHECKED BY: SM
PROJECT NO: 19144	DATE: 2019-08-06
OUTLET NO: -	SCALE: 1:200
REV. NO:	DRAWN BY: PENAS
<b>R03</b>	<b>A1-00</b>

# SCHEDULE B

This forms part of application  
# DP19-0199 DVP19-0200



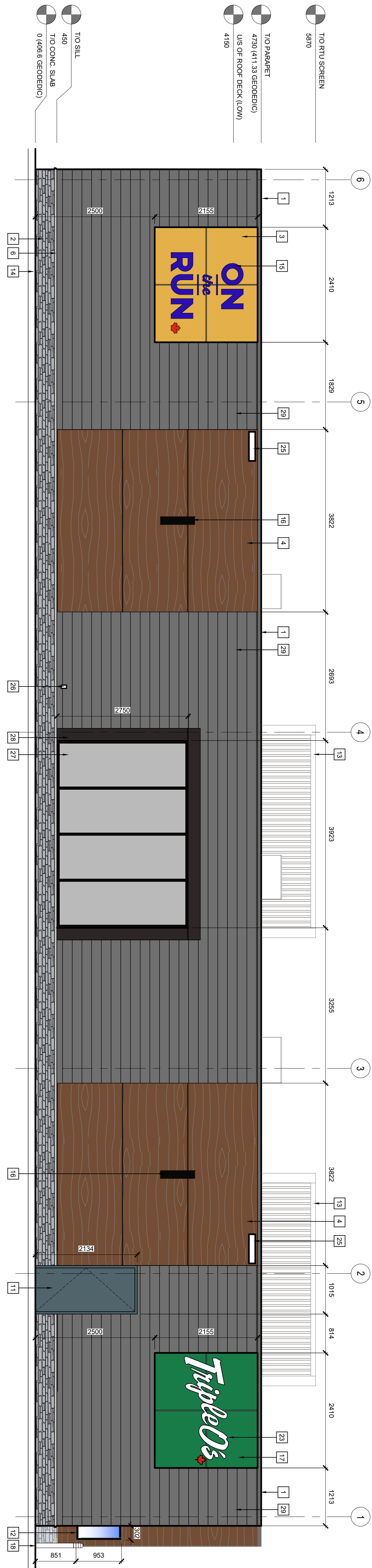
City of  
**Kelowna**  
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Initials

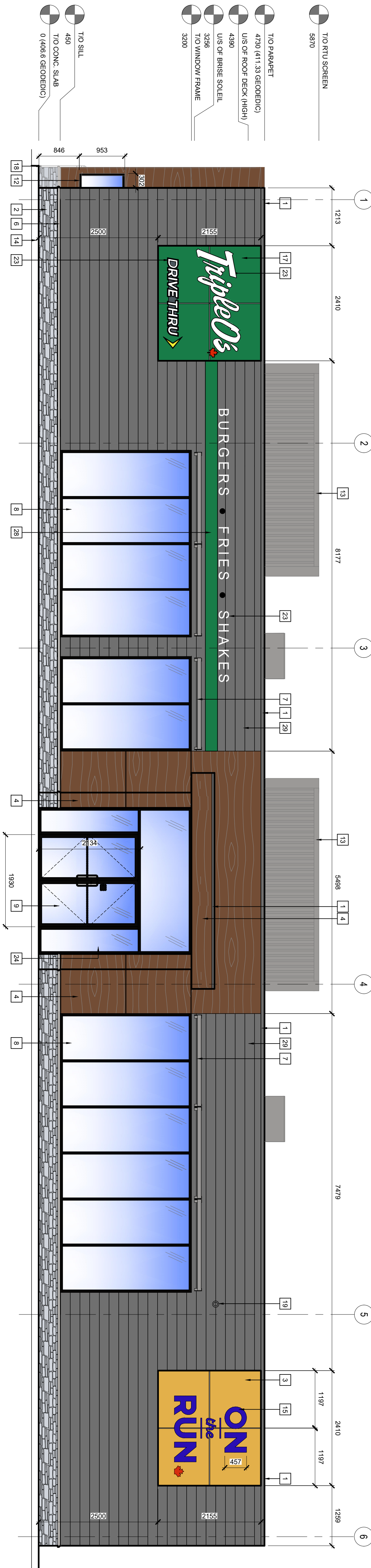
3 RIGHT ELEVATION  
AS300 1:50



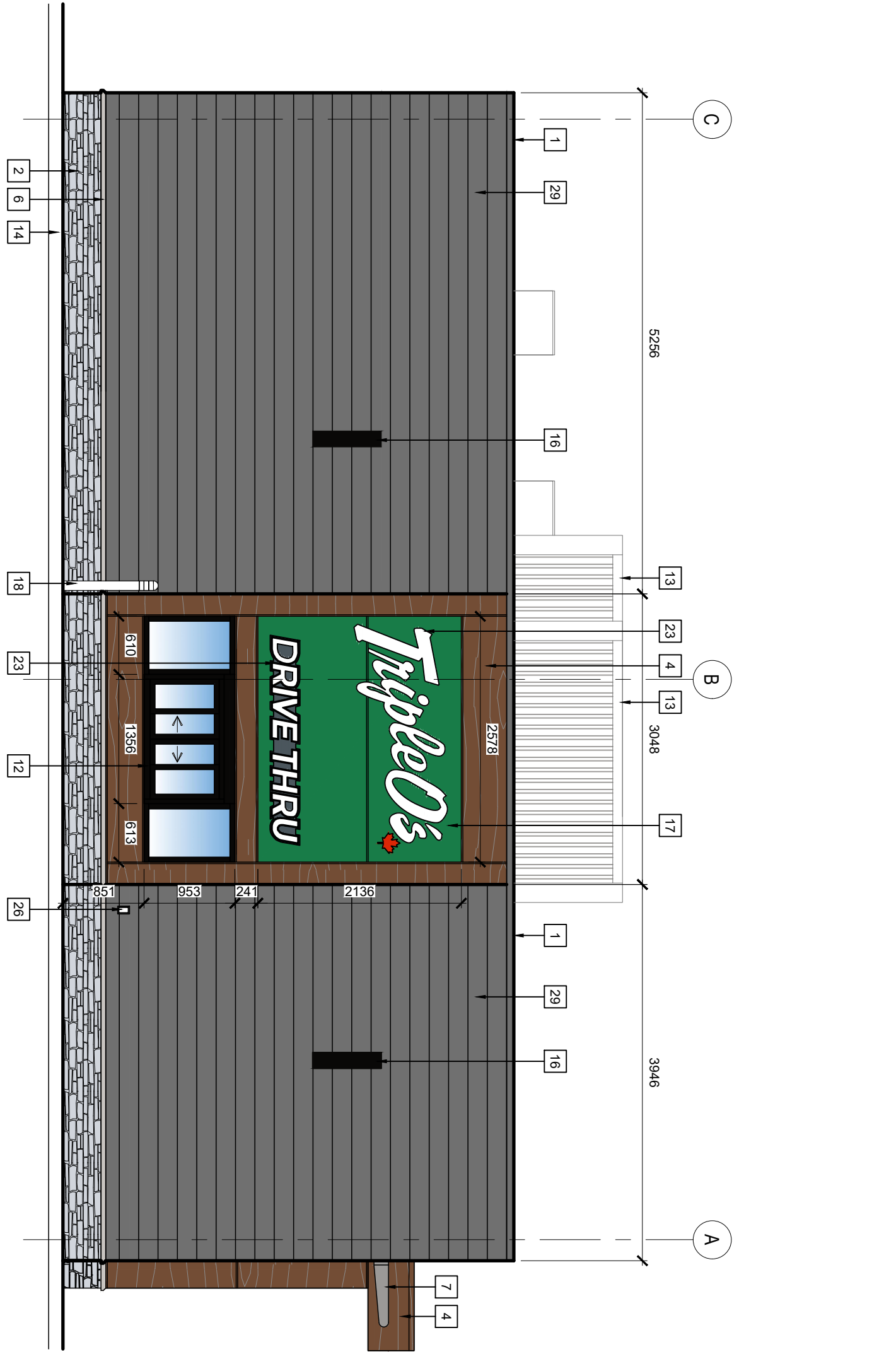
2 REAR ELEVATION  
AS300 1:50



1 FRONT ELEVATION  
AS300 1:50

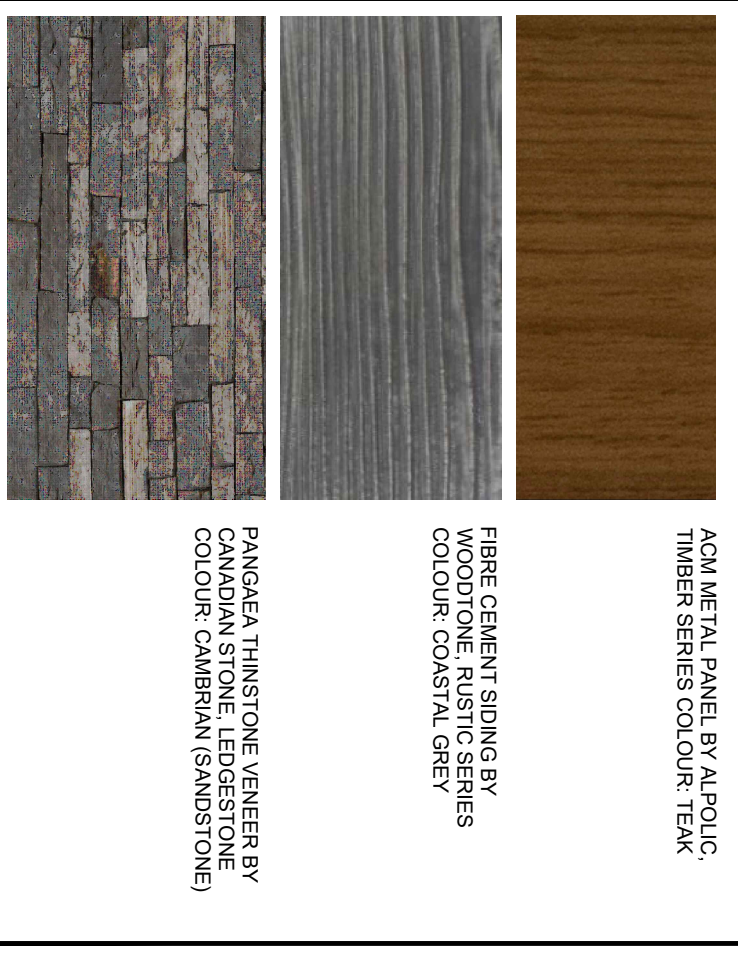


4 LEFT ELEVATION  
AS300 1:50



ITEM	DESCRIPTION
1	PRE-FINISHED METAL FLASHING, COLOUR TO MATCH SIGNING
2	PANGAEA THINSTONE VENERER BY CANADIAN STONE, LEDGESTONE COLOUR, CAMBRIA (SANSTON) SIGN, CUSTOM PATTERNE P-136C WITH PRISMATIC FINISH COLOUR YELLOW, PFC SIGNAGE SUPPLIER TO SUPPLY, GC TO COORDINATE PICK-UP & INSTALL ADDRESS: 11111A
3	ACQUA METAL PANEL BY ALPOLIC, COLOUR: TBD, GC TO SUPPLY & INSTALL
4	180mm BOLLARD REFER TO MISC. YARD DETAIL S DRAWING
5	SECURITY CAMERA REFER TO ELECTRICAL DRAWINGS
6	150mm NORTH SIDE OF BUILDING REFER TO ELECTRICAL DRAWINGS
7	GAS METER LOCATION TBD
8	HOSE BIB REFER TO MECH. DWGS.
9	DOOR SIGNAGE BY OTHERS PROVIDE PLYWOOD BACKING
10	24 BARRIER FREE DOOR OPERATION. REFER TO GENERAL NOTES
11	25 SPANDREL PANEL PALEX WINDOW WITH OPALITE FILM
12	26 GFI RECEPTACLE REFER TO ELECTRICAL DRAWINGS
13	27 ACQUA METAL PANEL BY ALPOLIC, COLOUR: TBD, GC TO SUPPLY & INSTALL
14	28 ILLUMINATED GREEN BAND AS PER O&S TENDAY SPEC
15	29 FIBRE CEMENT SIGNING BY WOODSTONE, FINISH SERIES: COLOUR: COASTAL GREY, 9.25" BOARD WIDTH, GC TO SUPPLY & INSTALL

## MATERIAL ITEM LEGEND



NO.	DATE	DESCRIPTION OF ISSUE OR REVISION	BY
02	2020-04-29	REVISED AS PER CITY OF KELOWNA COMMENTS	NAS
01	2019-12-13	RE-ISSUED FOR DEVELOPMENT PERMIT	NAS
01	2019-10-29	REVISED AS PER 2020 STANDARDS	LG
01	2019-08-30	ISSUED FOR DEVELOPMENT PERMIT	LG

Design Services Ltd  
210, 300 Wilson Way Ste. Calgary, Alberta T2X 1P1  
TEL: 403.640.9998 • FAX: 403.292.0338 • www.designservices.ca

Parkland  
FUEL CORPORATION

105 ADAMS ROAD  
KELOWNA, BC

EXTERIOR ELEVATIONS

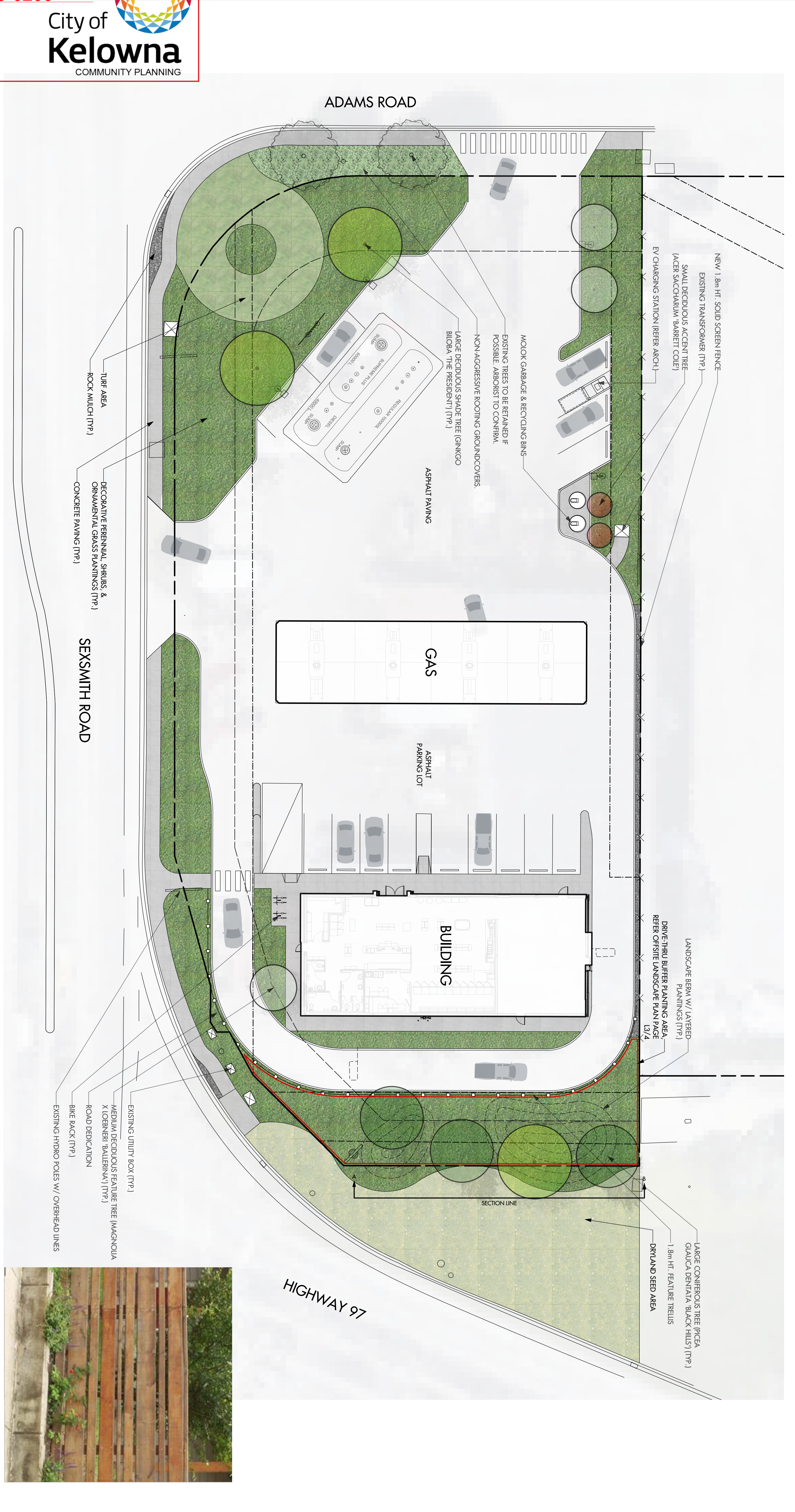
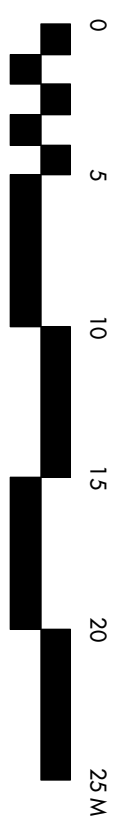
THE 19144\_A3-01.DWG  
PROJECT NO. 19144  
DATE: 2019-08-02  
SCALE: 1:50  
CHECKED BY: SM  
DRAWN BY: NAS

REV. R02 A3-01



**OUTLAND DESIGN**  
LANDSCAPE ARCHITECTURE

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



**SCHEDULE C**

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**# DP19-0199 DVP19-0200**

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**NOTES**

1. PLANNING AND CONSTRUCTION METHODS SHALL BE IN ACCORDANCE WITH THE CITY OF KELLOWNA ZONING BY-LAW 7900.
2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULFILLING IRRIGATION SYSTEM AND MAINTAINED BY THE OWNER.
3. TREE AND SHRUB BEDS TO BE PLANTED IN A MINIMUM 2 YEAR PERIOD MUST BE SPACED IN PLANTING BEDS TO RECEIVE A MINIMUM OF 50mm TOPSOIL PLACEMENT.
4. TREE AND SHRUB BEDS TO BE PLANTED IN A MINIMUM 2 YEAR PERIOD MUST BE SPACED IN PLANTING BEDS TO RECEIVE A MINIMUM OF 50mm TOPSOIL PLACEMENT.
5. TREE AND SHRUB BEDS TO BE PLANTED IN A MINIMUM 2 YEAR PERIOD MUST BE SPACED IN PLANTING BEDS TO RECEIVE A MINIMUM OF 50mm TOPSOIL PLACEMENT.

**PLANT LIST**

BOTANICAL NAME	COMMON NAME	QTY	SIZE/SPACING & REMARKS
CEPS SAGCHARUM BARRETT COLE	APRICO MATE	2	6cm CAL
DRYANUS ASTRIFOLIUS	PRINCE OF WALES RED	3	6cm CAL
MAGNOLIA X COBENRI BAILEIRNA	BAILEIRNA MAGNOLIA	3	6cm CAL
PICEA GLAUCA DENRATA BLACK HILLS	BLACK HILLS SPRUCE	3	2.5m HT.
<b>SHRUBS, PERENNIALS &amp; ORNAMENTAL GRASSES</b>			
AGASTHEA MOUTANS	SWAMPY PASTELS YARROW	83	#01 CONT./ 0.75M O.C. SPACING
ACHILLEA MILEFOLIUM SUMMER PASTEL	SWAMPY PASTELS YARROW	129	#01 CONT./ 0.75M O.C. SPACING
ALCHEMILLA MOULTS	LADY'S MANTLE	46	#02 CONT./ 1.0M O.C. SPACING
ANTHEMIS SCOPULINA SUNSHINE MOUND	SUNSHINE MOUND ANTHEMIS	46	#02 CONT./ 1.0M O.C. SPACING
BERBERIS SCHROEDERII	RED FOLIUM BERBERIS	57	#01 CONT./ 0.75M O.C. SPACING
CORNUS SERICEA WETSER	RESEY DWARF DOGWOOD	37	#01 CONT./ 0.75M O.C. SPACING
DRYANUS ASTRIFOLIUS	SHEPHERD'S PURSE	83	#01 CONT./ 0.75M O.C. SPACING
FESTUCA OVINA	STELLA DONATELLE	129	#01 CONT./ 0.75M O.C. SPACING
HERPIDIUM STELLA DONATELLE	HERPIDIUM STELLA DONATELLE	129	#01 CONT./ 0.75M O.C. SPACING
HEXASTYLIS ALOPECUROIDES	REED SWITCH GRASS	129	#01 CONT./ 0.9M O.C. SPACING
PANICUM VIRGATUM ROYAL BALLOON	ROYAL BALLOON PANICUM	46	#01 CONT./ 1.0M O.C. SPACING
PHENICUS TENSI	WOODS ROSE	37	#02 CONT./ 1.5M O.C. SPACING
RICKIA ASTRIFOLIUS	WOODS ROSE	37	#02 CONT./ 1.5M O.C. SPACING
ROSA WOODSI	WOODS ROSE	37	#02 CONT./ 1.5M O.C. SPACING
SKAIA VERBERCA WAINWRIGHT	WAINWRIGHT SKAIA	290	#01 CONT./ 0.75M O.C. SPACING
SYMPHYCARPOS ABIES	SNOWBERY	83	#02 CONT./ 1.5M O.C. SPACING
SYMPHYCARPOS ABIES	SNOWBERY	14	#02 CONT./ 1.5M O.C. SPACING
SYMPHYCARPOS ABIES	SNOWBERY	14	#02 CONT./ 1.5M O.C. SPACING
VIBURNUM CHALICE	SNOWBALL VIBURNUM	3	#02 CONT./ 1.5M O.C. SPACING



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**L1/4**

BRITISH COLUMBIA  
REGISTERED  
MEMBER  
**FIONA BARTON**  
Landscape Architect

DATE: FEB 11, 2020

SCALE: 1:200

PACE SIZE: 24" x 36"

PROJECT NO: 19-082

DESIGN BY: NN

DRAWN BY: YZ

CHECKED BY: FB

PROJECT TITLE: **105 ADAMS ROAD**

DRAWING TITLE: **CONCEPTUAL LANDSCAPE PLAN**

Kelowna, BC

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NO.	DATE	DESCRIPTION
1	19-08-20	Development Permit
2	19-08-29	Development Permit
3	20-01-30	Development Permit
4	20-02-11	Development Permit
5		



**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:

<b>COMPREHENSIVE DEVELOPMENT PERMIT AREA</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
<b>Authenticity and Regional Expression</b>			
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?			✓
<b>Context</b>			
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?			✓
<b>Relationship to the Street</b>			
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?	✓		
<b>Massing and Height</b>			
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?	✓		
<b>Human Scale</b>			
Are architectural elements scaled for pedestrians?		✓	
Are façades articulated with indentations and projections?	✓		



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<b>COMPREHENSIVE DEVELOPMENT PERMIT AREA</b>		<b>YES</b>	<b>NO</b>	<b>N/A</b>
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?				✓
<b>Exterior Elevations and Materials</b>				
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?		✓		
<b>Public and Private Open Space</b>				
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?		✓		
<b>Site Access</b>				
Is the safe and convenient movement of pedestrians prioritized?			✓	
Are alternative and active modes of transportation supported through the site design?		✓		
Are identifiable and well-lit pathways provided to front entrances?		✓		
Do paved surfaces provide visual interest?		✓		
Is parking located behind or inside buildings, or below grade?			✓	
Are large expanses of parking separated by landscaping or buildings?				✓
Are vehicle and service accesses from lower order roads or lanes?		✓		





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<b>COMPREHENSIVE DEVELOPMENT PERMIT AREA</b>		<b>YES</b>	<b>NO</b>	<b>N/A</b>
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?		✓		
<b>Environmental Design and Green Building</b>				
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?			✓	
<b>Decks, Balconies, Rooftops and Common Outdoor Amenity Space</b>				
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?		✓		
<b>Amenities, Ancillary Services and Utilities</b>				
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?		✓		
<b>Landscape Development and Irrigation Water Conservation</b>				
Does landscaping:		-	-	-
<ul style="list-style-type: none"> <li>Compliment and soften the building's architectural features and mitigate undesirable elements?</li> </ul>		✓		
<ul style="list-style-type: none"> <li>Maintain the dominant pattern of landscaping along the street and surrounding properties?</li> </ul>				✓
<ul style="list-style-type: none"> <li>Enhance the pedestrian environment and the sense of personal safety?</li> </ul>		✓		
<ul style="list-style-type: none"> <li>Screen parking areas, mechanical functions, and garbage and recycling areas?</li> </ul>		✓		
<ul style="list-style-type: none"> <li>Respect required sightlines from roadways and enhance public views?</li> </ul>		✓		
<ul style="list-style-type: none"> <li>Retain existing healthy mature trees and vegetation?</li> </ul>				✓
<ul style="list-style-type: none"> <li>Use native plants that are drought tolerant?</li> </ul>		✓		
<ul style="list-style-type: none"> <li>Define distinct private outdoor space for all ground-level dwellings?</li> </ul>				✓
Do any fences and retaining walls create visual interest and enhance the pedestrian environment?		✓		



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<b>COMPREHENSIVE DEVELOPMENT PERMIT AREA</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
Do parking lots have one shade tree per four parking stalls?	✓		
Does the Landscape Architect's Landscape Water Conservation Report:	-	-	-
<ul style="list-style-type: none"> <li>Meet the requirements for Landscape Water Budget calculations for the landscaped area?</li> </ul>	✓		
<ul style="list-style-type: none"> <li>Indicate how the development complies with or varies from the Landscape Water Conservation Guidelines?</li> </ul>	✓		
<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?	✓		
<b>Crime prevention</b>			
Are CPTED practices as related to landscaping, siting, form and exterior design included in the design?	✓		
Are building materials vandalism resistant?	✓		
<b>Universal Accessible Design</b>			
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?	✓		
<b>Signs</b>			
Do signs contribute to the overall quality and character of the development?	✓		

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
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?			✓

**ATTACHMENT B**

This forms part of application  
 # DP19-0199 DVP19-0200

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City of  
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February 13, 2020

PLG File: 19-1900  
Kelowna File: DP-0199 & DVP19-0200

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

**ATTACHMENT C**

This forms part of application  
# DP19-0199 DVP19-0200

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Suite 1500 – 701 West Georgia Street  
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Canada, V7Y1C6

**Surrey Office**  
Suite 212 – 12992 76 Avenue  
Surrey, British Columbia  
Canada, V3W 2V6

Tel: 604-501-1624  
Fax: 604-501-1625

www.pacificlandgroup.ca  
info@pacificlandgroup.ca

**RE: Rationale Letter outlining updates in support of a Development Permit and Development Variance Permit at 105 Adams Road, Kelowna BC**

Pacific Land Resource Group Inc. ("PLG") has prepared the following planning rationale to detail updates to the development proposal at 105 Adams Road, Kelowna ("Subject Property"). The purpose of this resubmission package is to address comments received from the Technical Review Summary, follow-up meetings with City of Kelowna Planning Staff, and from feedback received during the neighbour consultation process.

Site Context

The Subject Property consists of one legal parcel approximately 4,338 square metres (1.072 acres) in size. The site is located at the northwest corner of the Highway 97 intersection at Sexsmith Road. The property has frontages along Highway 97, Sexsmith Road, and Adams Road. The site is currently occupied by a heavy-duty mechanic operation that provides servicing and maintenance for industrial transportation vehicles. Adjacent uses include: a gas station, drive-through restaurant, and mechanic to the south; general industrial uses to the west and north; and general industrial uses, car sales, and a drive-through restaurant to the east.

The Subject Property is currently designated "Industrial" in the City of Kelowna's Official Community Plan (OCP) and zoned "General Industrial (I2)" in the Zoning Bylaw. The OCP identifies the property as being located in a General Industrial Development Permit Area.

PLG and Parkland Fuel Corporation conducted a pre-application meeting with Andrew Ferguson and Jocelyn Black of the Planning Department on July 17, 2019 to discuss the proposed development and required applications. Subsequently, a development application was submitted in August 2019 for a development permit and a development variance permit. Following the application submission, a Technical Review Summary was issued by City of Kelowna Staff on December 3, 2019 which included a series of comments to address. A follow-up meeting was held between PLG and Kelowna Planning Staff on January 16, 2020 to clarify a number of comments received in the Technical Review Summary. Additionally, neighbour consultation was undertaken in December 2019 and January 2020 to solicit feedback from neighbouring properties and business operators. The updated proposal reflects feedback received from City Staff and the owners and businesses of the neighbouring properties.

**ATTACHMENT C**

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Development Proposal

The applicant is seeking to redevelop the Subject Property into a gasoline service station with an accessory convenience store and drive-through restaurant. The following changes are proposed for the redevelopment of the site:

- The existing building will be demolished.
- An eight-vehicle pump island with an overhead canopy will be established in the central portion of the site.
- Two underground tanks will be installed to store gasoline and diesel. These tanks are double-walled fiberglass with an interstitial space. The tanks, sumps, and fuel lines are continuously monitored with automatic shutoffs. If there is a spill at the pumps or refueling tank area, all contaminated run off is design to discharge into an oil interceptor.

Chevron staff have strict safety protocols to ensure site staff and fuel truck operators are familiar with the location of emergency shut-off valves, as well all required procedures to contain the contaminated run off onsite.

- A new 345.60 m<sup>2</sup> building would be constructed for the purpose of the convenience store and drive-through restaurant use.

The purpose of this application is to:

- Obtain a General Industrial Development Permit; and
- Obtain a Development Variance Permit.

Development Variance

A development variance permit is being sought as part of this proposal to allow for a drive-through restaurant to be established. The existing I2 Zone includes a provision to exclude drive-through restaurants as a permitted form of development in this zone. Similar applications have addressed this prohibition through a development variance application, including the recently constructed McDonald's restaurant along Old Vernon Road. A similar approach is being applied to permit the drive-through development form on the Subject Property.

City of Kelowna OCP & Zoning

The Subject Property is designated "Industrial" in the City's OCP and is located within the Reid's Corner Industrial Area which includes a central commercial area surrounded by a mix of industrial uses.

The Subject Property is directly adjacent to Highway 97 which acts as the primary transportation route for those travelling between Kelowna and Vernon and for those commuting to the Kelowna International Airport or UBCO campus.

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The current I2 Zone permits the proposed use. A comprehensive zoning analysis is included as part of this application. The proposal is consistent with the I2 Zone regulations.

*Zoning Table – I2 Zone Requirements*

<b>Site Details:</b>	<b>Zone Requirement</b>	<b>Proposed</b>
Site Area (m <sup>2</sup> )	4000 m <sup>2</sup> minimum	~4,338 m <sup>2</sup>
Site Width (m)	40.0 m minimum	~ 89 m
Site Depth (m)	35.0 m minimum	~38 m
Site Coverage of Building(s) (%)	60%	7.9%
Site Coverage of Buildings, Driveways, and Parking (%)	n/a	n/a

<b>Development Regulations:</b>	<b>Zone Requirement</b>	<b>Proposed</b>
Total Number and Types of Units		Gasoline Service Station, Convenience Store, & Drive-through Restaurant
Floor Area (gross/net)		
Floor Area Ratio (FAR)	1.5 FAR Max	0.0796
Building Height (stories/metres)	14.0 metres	4.73 metres
Building Setbacks (m)		
Front (west)	7.5 metres	+40.0 metres
Side (north)	0.0 metres (abuts industrial zone)	+4.0 metres
Side (south)	6.0 metres (flanking street)	+6.0 metres
Rear (east)	0.0 metres	+10.0 metres
Hwy 97 Setback	4.5 metres	+10.0 metres
Number of Parking Stalls	Restaurant = 2.5 per 100m <sup>2</sup> GFA (5) Convenience Store = 2 per 100m <sup>2</sup> GFA (5) Service Station = 1 per two onsite employees (1)	12 Standard Parking Stalls 1 Accessible Parking Stall 2 EV-Charging Stalls <b>11 required, 15 provided</b>
Loading Spaces	Restaurant = 1 per 2,800m <sup>2</sup> GFA (0.03) Convenience Store = 1 per 1,900m <sup>2</sup> GFA (0.12)	1 Loading Space

Form and Character

The proposed building represents a contemporary development form containing a series of exterior finishing materials to establish pleasing accents. Finishing materials includes a stone veneer base around the perimeter of the building, a coastal grey fibre cement siding used as the predominant siding, a secondary teak metal panel siding to create accents at entrances, large feature glass windows along the main entrance, and tertiary metal siding to delineate the restaurant and convenience store uses. The proposed materials are visually present in Figure 1.



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**Figure 1 - Proposed Building Materials**

The awning provided at the main entrance along with the varying siding materials provides a visually interesting variation in the built form. The rooftop venting will be located toward the middle of the structure and will be further screened by a Spinnaker Roof Screen to reduce visibility of the equipment. Overall, the building materials and accents establish a building form that adds vibrancy to the industrial neighbourhood which is otherwise dominated by large brick buildings with beige and earth tone exteriors.

The canopy constructed over the gasoline pumping stations will be developed with similar materials from the building to ensure aesthetic continuity throughout the site. This will include the application of a timber series metal panel along the canopy's columns along with a stone veneer at the base.

The landscaping, detailed below, further builds on the aesthetic of the site by introducing vegetated buffers and focal points throughout the site. The landscaping design breaks up the building façade fronting Highway 97 and incorporates local species to transform the site from its current storage yard appearance into an attractive location for the travelling public to stop, refuel, and grab convenience items to support the remainder of their trip.

This application satisfies a number of the objectives included in the development permit area through the following:

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# DP19-0199 DVP19-0200

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- Promoting high urban design standard by introducing natural finishes to the building facade and a west coast aesthetic;
- Promoting interesting pedestrian friendly streetscape and pedestrian linkages through the removal of the current security fencing along sidewalks and introduction of landscaped frontages;
- Restoring urban ecology by redeveloping the site from its current gravel/asphalt works yard into a development that reintroduces local vegetation and establishes considerable areas of permeable surfaces; and
- Moderating urban water demand and reducing outdoor water usage by introducing drought-resistant landscaping throughout the site.

### Landscaping

Outland Design Landscape Architecture completed the landscape plan for the Subject Property. Their proposed landscaping improvements include:

- Reinstating a vegetation buffer along Highway 97;
- Developing a landscaped island in the southeast corner of the property; and
- Other landscaping improvements along property edge and building.

The Landscape Architect has included two main landscaping areas on the Subject Property. The large landscaped area along the eastern portion of the site bleeds into the Highway 97 right-of-way. This area was previously planted but recent work by the Ministry of Transportation to expand Highway 97 resulted in this area being completely stripped to widen the road. This application will seek the replanting of the area that remains available post-road improvements and establish a raised landscape berm vegetated with decorative perennial, shrubs, ornamental grasses, and a series of large deciduous and coniferous tree species to buffer the site from Highway 97. A trellis-style fence has also been proposed along the western portion of this landscaped area to establish further visual buffering of the drive-through lane from Highway 97. A cross-section and detailed planting plan have been provided to detail the extent of this landscaping intervention.

The second large landscaped area has been proposed for the southwest corner of the site. Two existing off-site deciduous trees are proposed to be retained along Adams Road. A sidewalk is proposed along Adams Road and Sexsmith Road to meet the municipal standard. The landscaped island feature is dominated by decorative perennial, shrubs, and ornamental grass plantings. Two large deciduous shade trees are also proposed to be planted in this section of the site to provide shade to smaller plants and the adjacent parking stalls.

The landscaped area directly adjacent to Sexsmith Road is proposed to include low-lying drought-resistant vegetation that will be predominant through most of the site. Typically, this area would include the provision of street trees however a Fortis Right-of-Way prevents trees from being planted in this specific instance.



This forms part of application

# DP19-0199 DVP19-0200

Planner  
Initials

AT

The remaining areas include a strip along the northern property line where a series of parking stalls are located along with the garbage and recycling receptacles. This area is impacted by underground utilities which restrict soil disturbances to no deeper than ten inches.

As such, the area is proposed to be planted mainly with low-lying shrubs with four small trees being planted outside of the area impacted by underground utilities. This portion of the site also contains in-ground garbage receptacles that are largely unobservable. These in-ground receptacles are visually appealing, have a reduced footprint and are animal-proof. The weight of the top layer compacts the waste below thus increasing capacity. A solid screen fence is also proposed along the entirety of the north property line to screen the adjacent outdoor storage area.

### Parking & Loading

The proposed development includes fifteen parking stalls with one of these stalls being allocated as accessible parking. Nine of these stalls are located along the western side of the building and provide immediate access to the building. Of these nine stalls, two have been identified to serve special orders for the restaurant such as delivery services and waiting areas for drive-through users. An accessibility isle and ramp has been accounted for directly adjacent to the accessible parking stall to ensure adequate access to the building. Three stalls have been allocated in the southeast section of the site to address staff parking requirements. Additionally, three stalls have been provided in the northeast section of the site. Two of these stalls are proposed to be served by an EV charging station to provide alternative energy options.

A single loading space is provided to the south of the primary customer parking area with convenient access to the building to facilitate shipments to the restaurant and convenience store.

A bike rack has also been allocated along the southern portion of the building to ensure alternative transportation options are accommodated on the site.

### Truck Turning Radius

Fuel trucks will access the site by exiting Highway 97 onto Sexsmith Road before turning onto Adams Road and entering into the site along the Adams Road frontage. Once the trucks have fully entered the site, they will stop and unload fuel in the southwestern quadrant of the site. After unloading, the trucks will exit the site by turning right onto Sexsmith Road.

### Technical Review Summary

The Technical Review Summary was reviewed and considered as part of this updated development proposal. The Technical Review Summary is attached along with feedback regarding how individual comments were addressed. Significant changes being adopted through the Technical Review Summary include:

- Updated landscaping to address visual buffer concerns with Highway 97;
- Updated landscaping to address the Fortis Right-of-Way and sidewalk;

- Introduction of two EV charging stalls to offset concerns regarding the vehicles idling in the drive-through lane;

- Updated elevations to introduce new elements into the canopy design; and

- Updated elevations to revise signage, screening, and other architectural features in the building design.

The Technical Review Summary also referenced staff concerns regarding allowing a drive-through at this site given Kelowna's climate change policy and the visibility of the drive-through from Highway 97. In response to the concern regarding visibility of the drive-through from the highway, the applicant has prepared an updated landscaping intervention between the highway and the drive-through that substantially buffers visibility through the incorporation of a trellis-style fence, trees, two small berms, and a series of other small plantings along the frontage. This intervention will not only provide a significant visual buffer but it will also establish a pleasant visual aesthetic in an area that is otherwise currently occupied by an unsightly parking and storage area. A cross-section of this intervention has been included in the updated landscaping plans. To address staff concerns regarding Kelowna's climate change policy, the applicant has further amended their proposal to include an electric vehicle charging station which services two parking stalls in the northern portion of the property to promote alternative energy transportation modes. We believe these two amendments respectfully respond to staff concerns and establish a strong precedent for future development in this neighbourhood.

We trust this summary clarifies the intent of the development proposal and the most recent updates to address the comments provided within the Technical Review Summary. Should you have questions or require further clarification, please do not hesitate to contact the undersigned at 604-501-1624.

Sincere Regards,

**Pacific Land Resource Group Inc.**

Laura Jones, MCIP, RPP  
Senior Development Planner





# DP19-0199 & DVP19-0200 105 Adams Rd.

Development Permit &

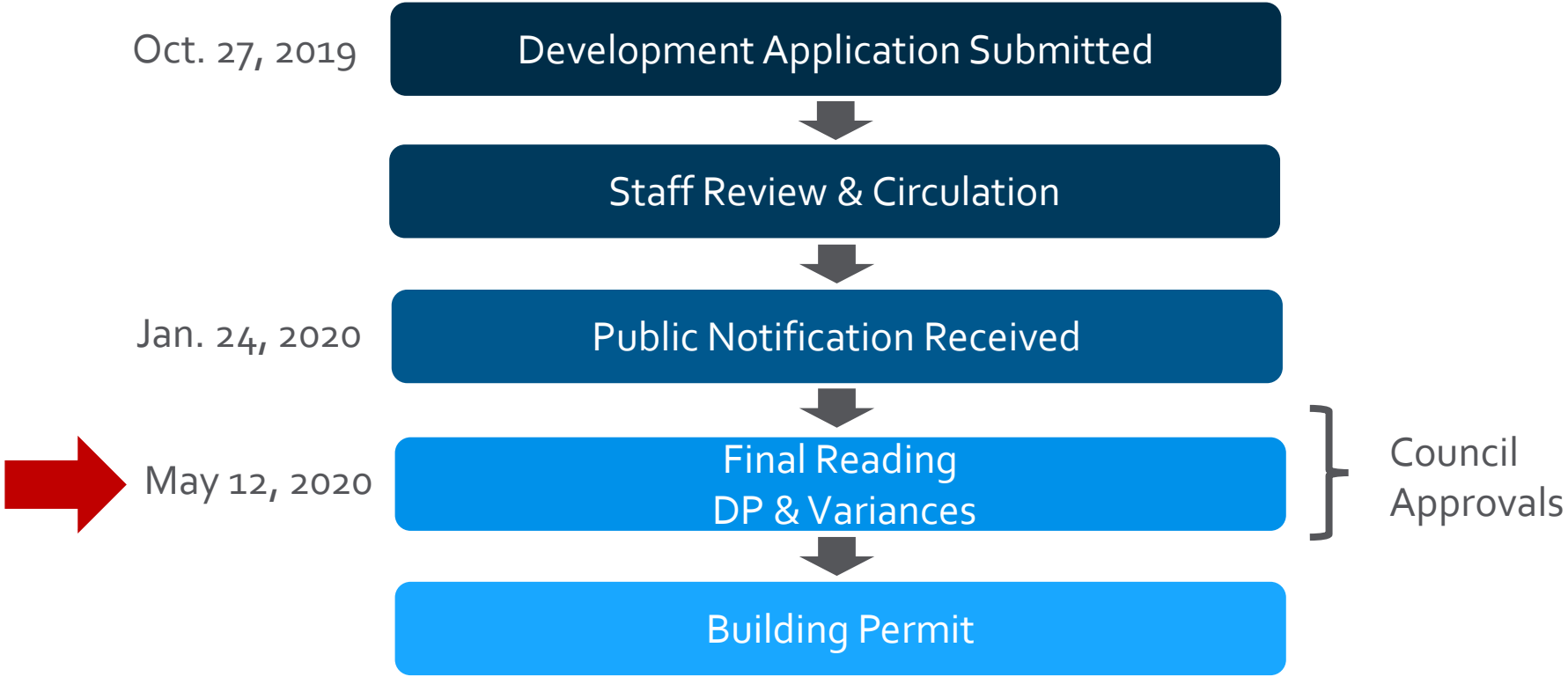
Development Variance Permit Application



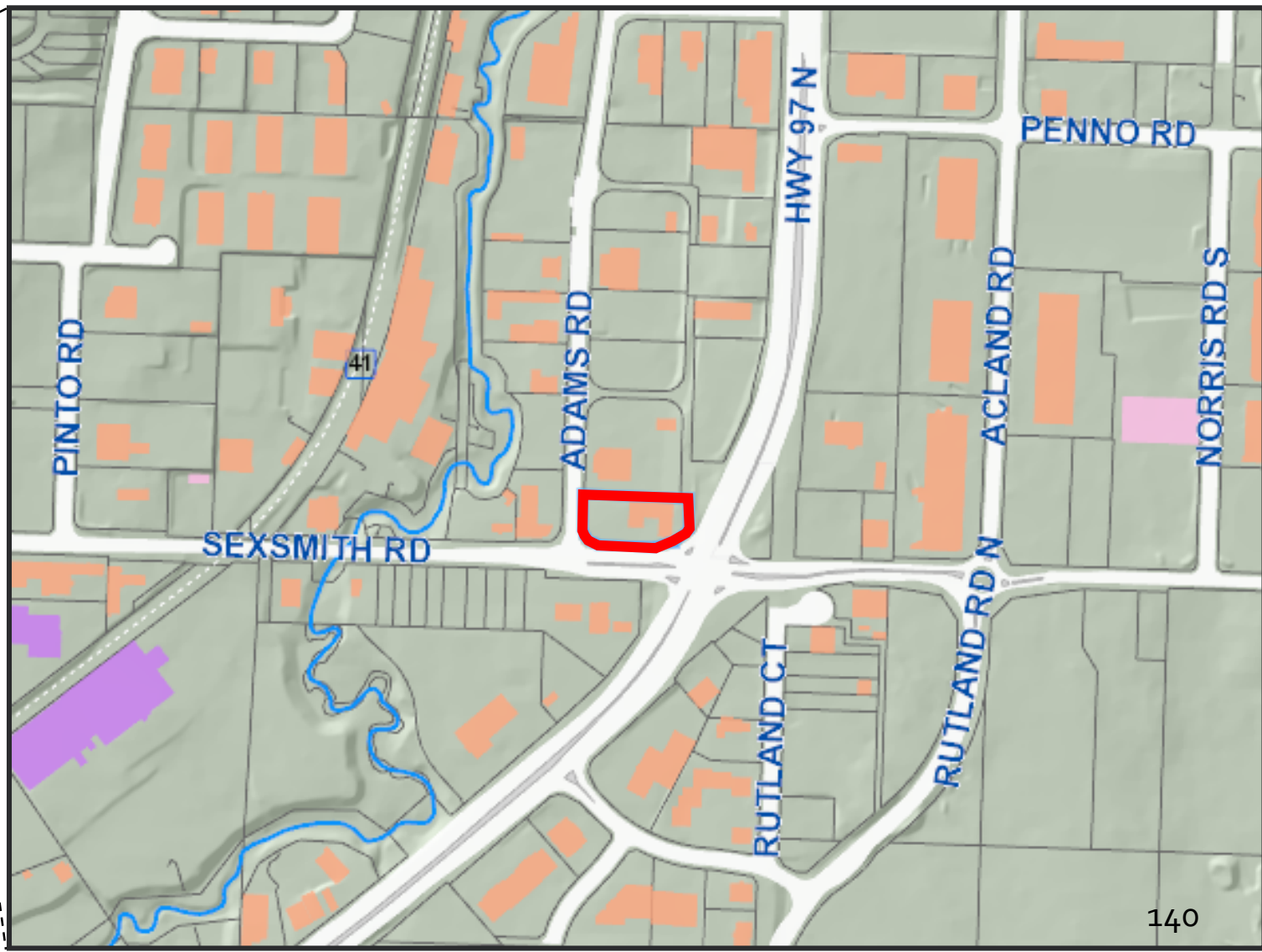
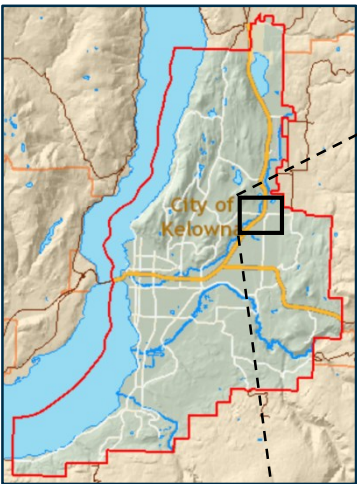
# Proposal

- ▶ To consider a Staff recommendation to NOT issue a Development Variance Permit to allow for a Drive-In Food Service on the subject property;
- ▶ And to consider a Staff recommendation to NOT issue a Development Permit for the form and character of a Gas Bar with Drive-In Food Service on the subject property.

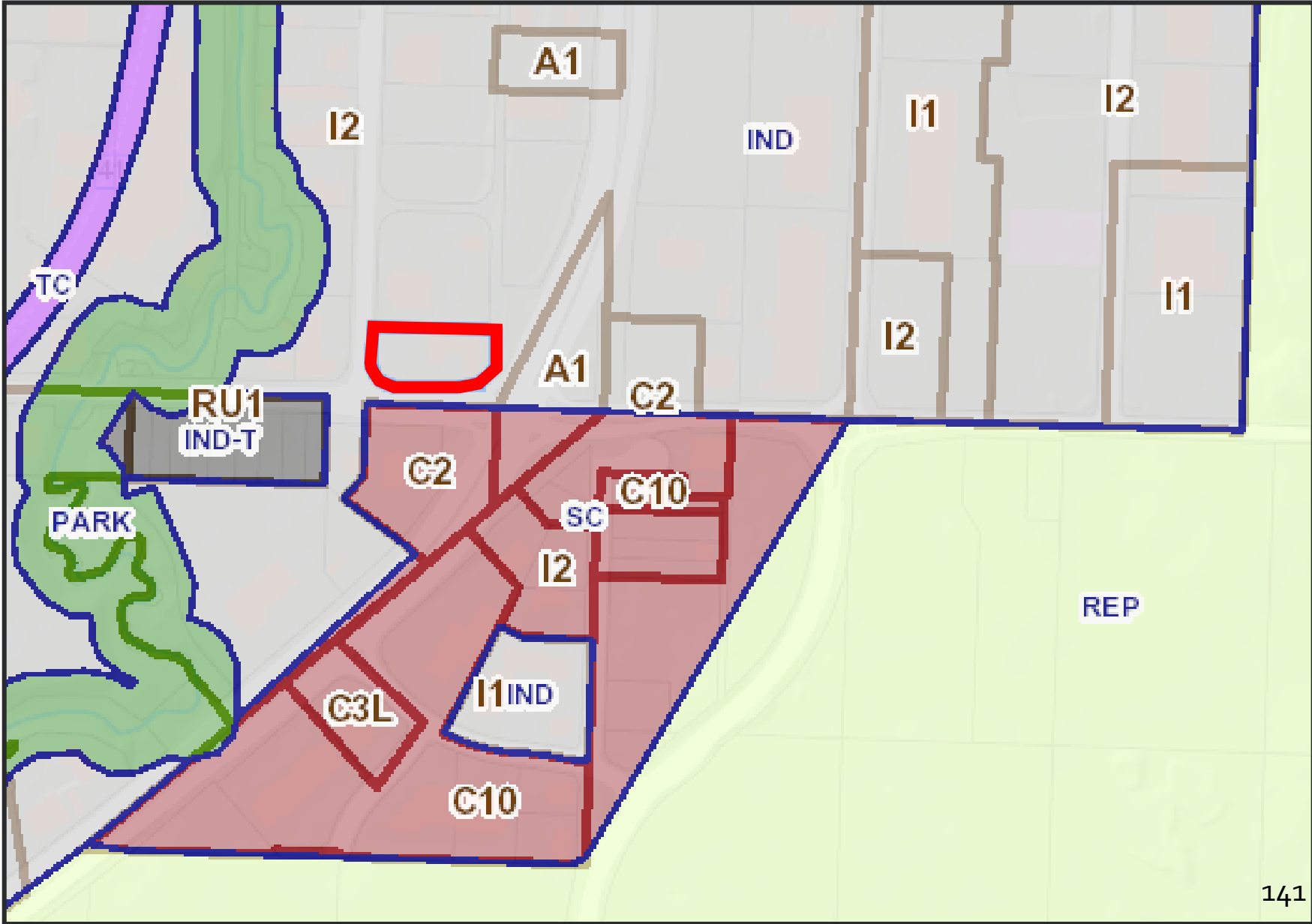
# Development Process



# Context Map



# OCP Future Land Use / Zoning



# Subject Property Map





# Project/technical details

- ▶ The applicant proposes a Gas Bar (Chevron) and Drive-In Food Service (Triple-O's) on the subject property
- ▶ The lot is zoned I2 – General Industrial.
- ▶ Drive-In Food Services are prohibited in the I2 zone.
- ▶ Therefore, the application requires a variance to allow for a Drive-In Food Service on the site.

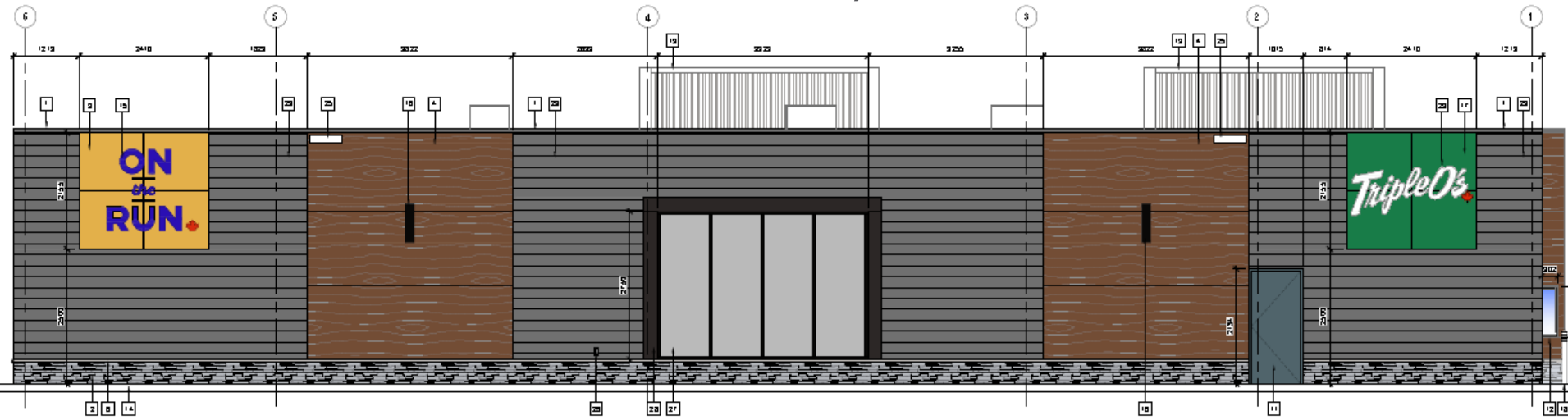
# Project/technical details

- ▶ Enhanced landscape screening, including landscaped berms, has been introduced on the eastern part of the site to obscure the drive-through from public view as much as possible.
- ▶ Applicant introduced 2 EV charging stations to address design guideline encouraging developments to incorporate sustainability measures.
- ▶ The proposed development substantially meets the Comprehensive Development Permit Guidelines.



# Elevations

## East – Hwy 33



## West – Adams Rd.



# Elevations

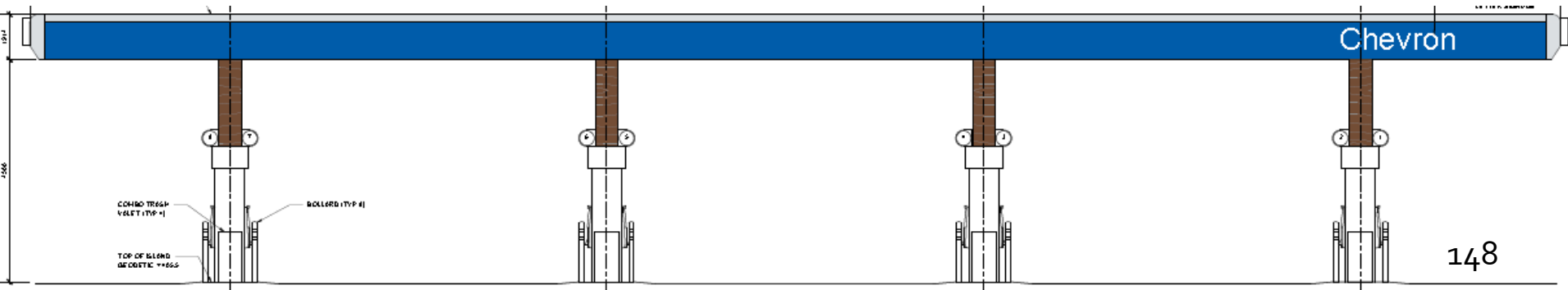
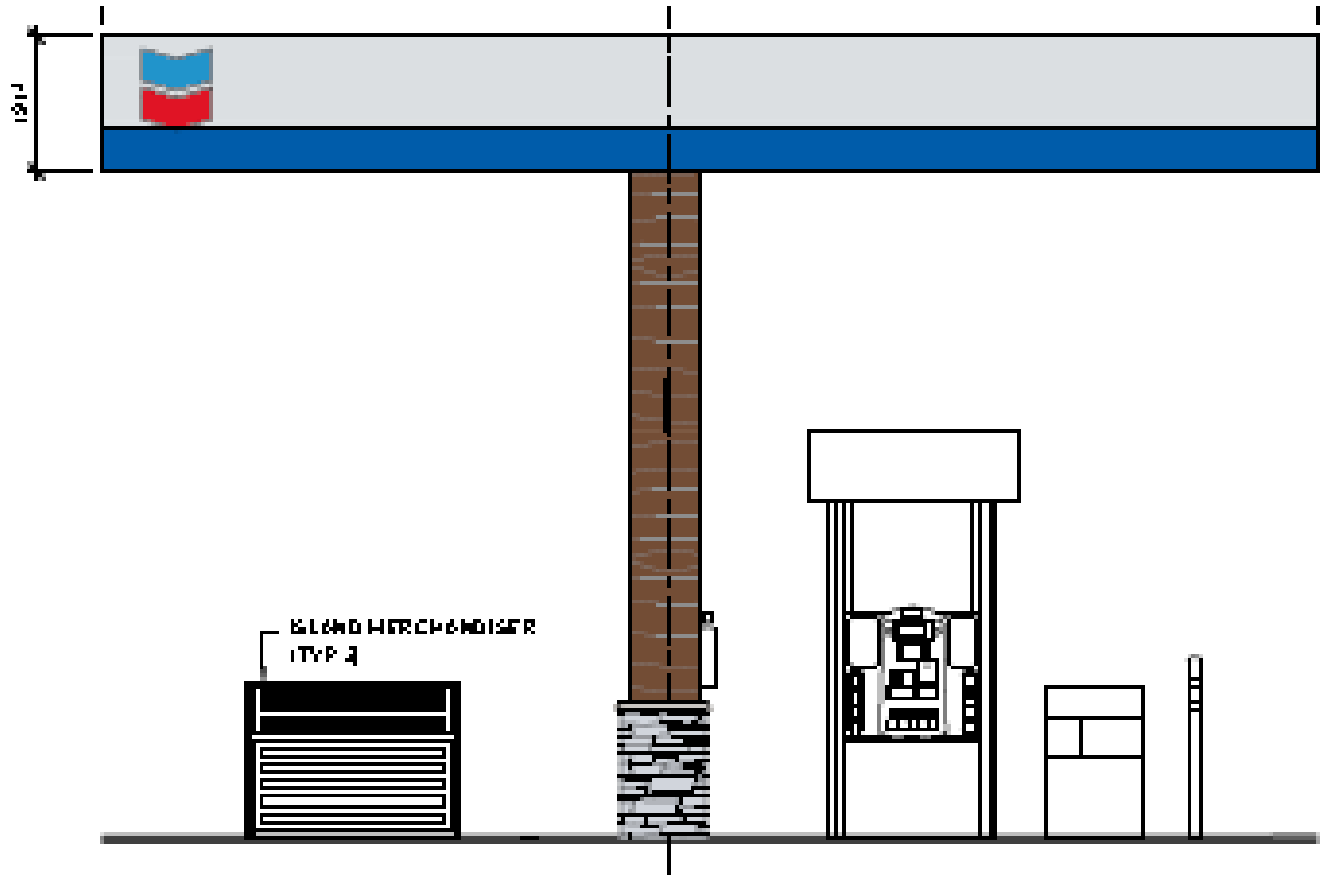
## South – Sexsmith Rd.



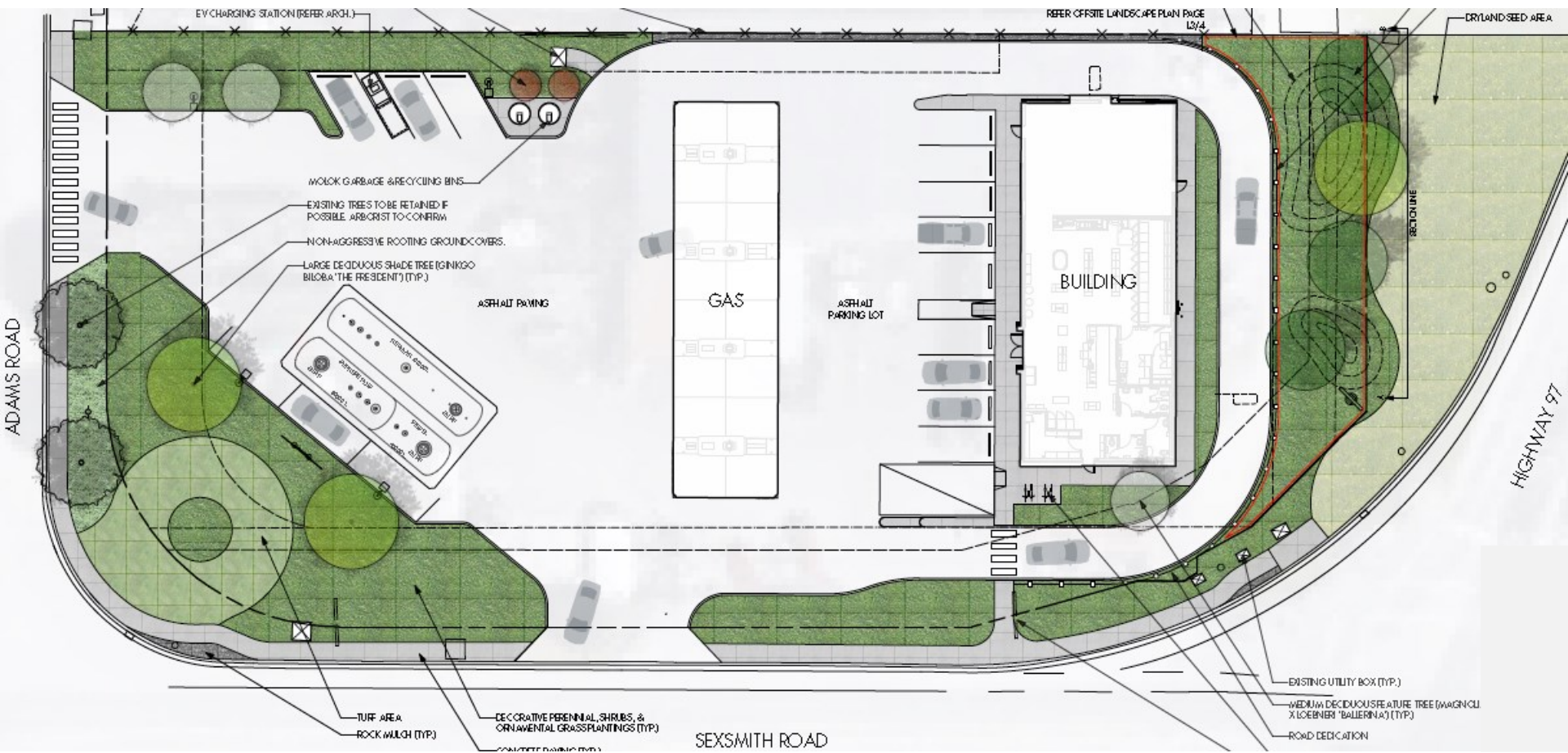
## North



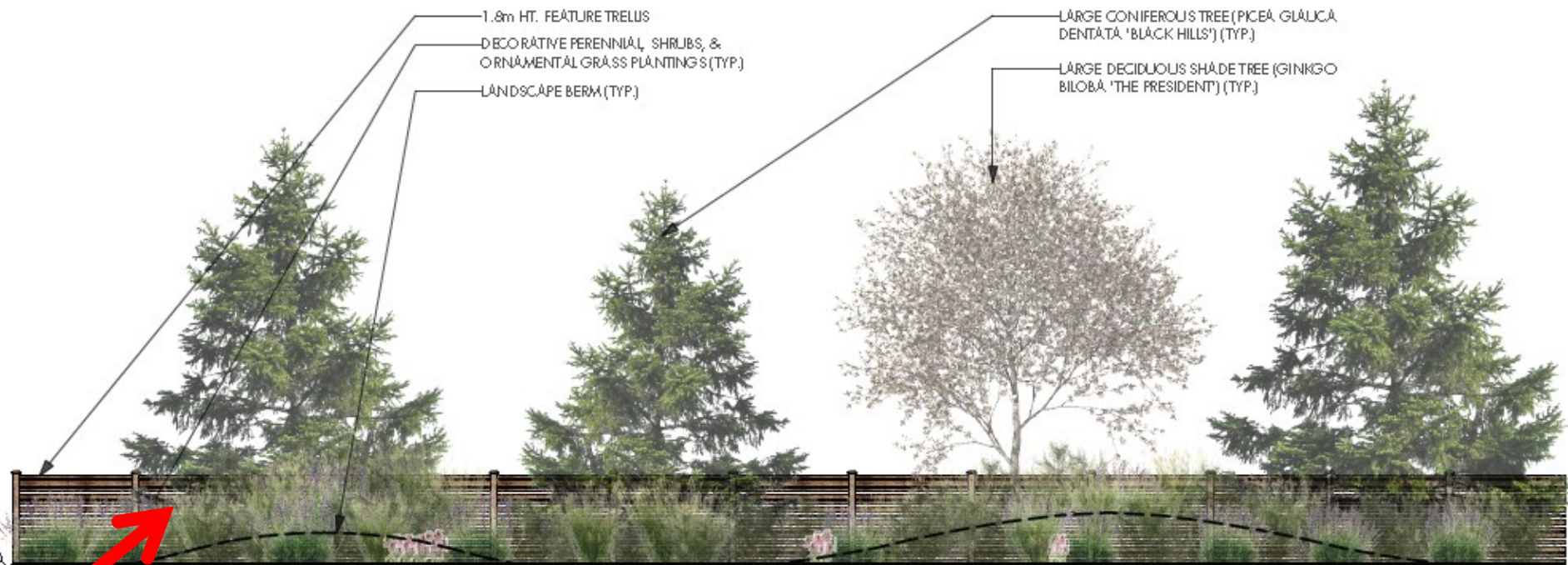
# Elevations – Gas Bar Canopy



# Landscape Plan



# Drive-Thru Landscape Screen





# Development Policy

- ▶ On June 25, 2018 Council adopted the policy plan Our Kelowna as We Take Action: Kelowna's Community Climate Action Plan.
- ▶ Action T7 in the Plan advises amending the Zoning Bylaw to prevent drive-throughs, as these:
  - ▶ Impede walkability
  - ▶ Encourage unnecessary idling, which wastes fuel and unnecessarily contributes to GHG emissions.
- ▶ Denying this application represents a straightforward way to begin implementing the policy direction in the Climate Action Plan, and of advancing the City's goal of reducing GHG emissions.

# Staff Recommendation

- ▶ As such, Staff recommend that Council deny the application.



## *Conclusion of Staff Remarks*

# 105 Adams Road

## DP & DVP

DP19-0199 & DVP 19-0200  
File No. 19-1900

**105 Adams Road  
City of Kelowna**

Prepared by Pacific Land  
Resource Group

Prepared on behalf of Parkland,  
for submittal to Mayor and  
Council.

# Proposal

105 Adams Road



- Development Permit for form and character.
- Development Variance Permit to allow a drive- thru for the proposed Triple- O's Restaurant.

# Site Context Photos





©2019 Google

Chevron



BURGERS • FRIES • SHAKES

ON  
the  
RUN.

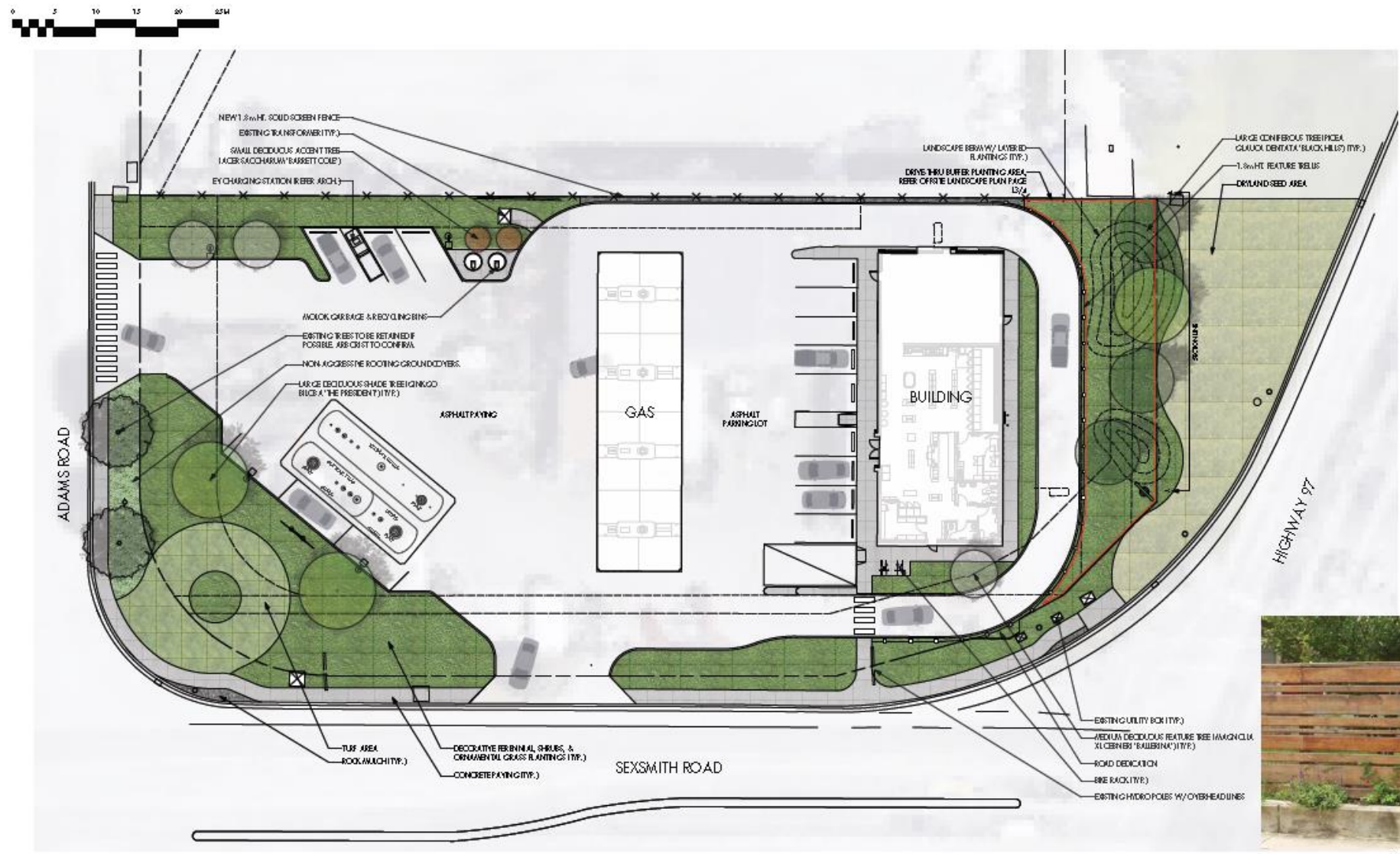
ON  
the  
RUN.



ON the RUN  
TECHNIFON  
Tapioca DRIVE THRU  
LOTTO



# Site Layout



SEE THE WALLS FOR FENCE BALOG

# Key Points

- Appropriate Location
- High Quality Building and Landscaping Design
- EV Charging Station



# Key Points

- Shift to electric and hybrid vehicles (Changing trends)
- Benefits to Kelowna



# In Summary



Thank You

Questions?



# REPORT TO COUNCIL



**Date:** April 7, 2020  
**To:** Council  
**From:** City Manager  
**Department:** Development Planning Department  
**Application:** DVP20-0029  
**Owner:** Susan E. Jaeger & David J. Miller  
**Address:** 2455 Abbott Street  
**Applicant:** David Miller  
**Subject:** Development Variance Permit Application  
**Existing OCP Designation:** S2RES – Single/Two Unit Residential  
**Existing Zone:** RU1 – Large Lot Housing

---

## 1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0029 for Lot 5 District Lot 14 ODYD Plan 5101, located at 2455 Abbott Street, Kelowna, BC;

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

**Section 13.1.6(c) -RU1 – Large Lot Housing Development Regulations**  
To vary the required minimum front yard from 6.0 m required to 4.0 m proposed.

**Section 13.1.6(d) -RU1 – Large Lot Housing Development Regulations**  
To vary the required minimum side yard from 4.5 m required to 3.1 m proposed.

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

## 2.0 Purpose

To vary the minimum front yard from 6.0 m required to 4.0 m proposed and the minimum side yard from 4.5 m required to 3.1 m proposed for a proposed residential addition.

### 3.0 Development Planning

Planning staff support the proposed variances and do not anticipate any negative neighbourhood impacts if the requested variances are approved.

### 4.0 Proposal

#### 4.1 Background

The subject property has an existing single detached dwelling at the front of the property, a detached garage at the rear of the property, and an in-ground pool in between. The existing dwelling was built in 1971, with a carport. The carport was converted into living space for the existing dwelling sometime between 1971 and 2004 without a building permit by a previous owner. Since the carport was enclosed, a building permit was issued and completed in 2004 to remove an interior wall in the previous carport area.

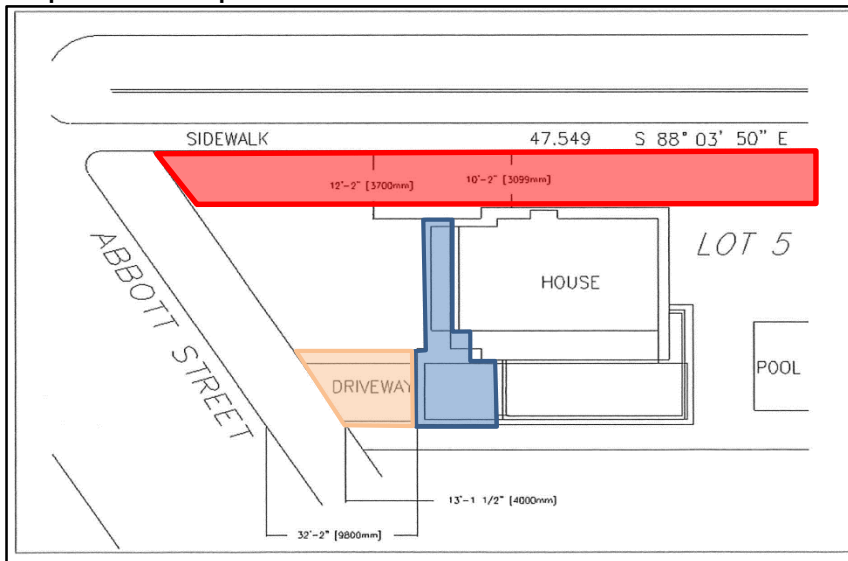
The detached garage at the rear of the property is accessed by an easement through the adjacent property to the East and can easily accommodate a Regular Size Vehicle Parking Space. Given the site configuration and access easement, this area is not suitable for further additions to accommodate a second covered vehicle parking space.

#### 4.2 Project Description

The applicants propose to construct a new single car attached garage, which would partially encroach in the required front yard. This proposed single car garage would accommodate a Small Size Vehicle Parking Space.

The applicants also propose a minor addition to the existing home's living room which faces Abbott Street. While this addition does not increase the current non-conformity of the side yard, the addition still would not meet the current requirement. Staff feel that this minor addition would not have negative impacts on the neighbourhood as the proposed addition is stepped further back from Francis Ave than the existing wall.

#### Proposed Development:



- Side Yard (North) Variance from 4.5 m to 3.1 m for existing dwelling
- Front Yard Variance from 6.0 m to 4.0 m for proposed attached garage
- Proposed Addition Area

#### 4.3 Site Context

The subject property is in the South Pandosy - KLO City Sector at the corner of Abbott Street and Francis Avenue. The property is within the permanent growth boundary and currently has a single detached house,

detached garage and in-ground swimming pool. The property has a walk score of 63 – Somewhat Walkable, meaning some errands can be accomplished on foot.

The neighbourhood predominantly consists of single and two dwelling housing, with some nearby properties zoned for two dwelling housing and carriage houses. Specifically, adjacent land uses are as follows:

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

**Subject Property Map:**



The subject property is a unique parallelogram lot shape, where the front and rear lot lines are angled due to the orientation of the fronting and facing streets. Due to this unique shape and the siting of the existing single detached dwelling on the lot, future development on the subject property in the front yard is challenging to accommodate. The subject property is the only property on this block that does not have lane access.

**4.4 Zoning Analysis Table**

The Zoning Bylaw requires a 4.5 m front yard in the RU1 Zone. A 6.0 m front yard is required for a front facing garage. The intention of the extended front yard in front of a front facing garage is to allow for a regular vehicle parking space length in the driveway in front of the garage wholly within the property boundaries.

The existing home does not meet the current Zoning Bylaw setbacks for the north side yard and is considered to be non-conforming. The required side yard is 4.5 m and the existing house is sited at 3.1 m from the flanking street (Francis Avenue).

Zoning Analysis Table		
CRITERIA	RU1 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Min. Front Yard	4.5 m or 6.0 m for a front facing garage	4.0 m ●

Min. Side Yard (south)	2.0 m	2.0 m
Min. Side Yard (north)	4.5 m	3.1 m <sup>ⓐ</sup>
Min. Rear Yard	7.5 m	7.5 m
<b>Parking Regulations</b>		
Min. Parking Requirements	2.0 spaces	2.0 spaces
Ratio of Parking Space Sizes	50% Regular Size 50% Small Size	1 Regular Size 1 Small Size
<p><sup>ⓐ</sup> Indicates a requested variance to reduce the required front yard.</p> <p><sup>ⓑ</sup> Indicates a requested variance to reduce the required side yard (north).</p>		

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Chapter 5: Development Process

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

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

## 6.0 Application Chronology

Date of Application Received: January 21<sup>st</sup>, 2020  
Date Public Consultation Completed: January 31<sup>st</sup>, 2020  
Date Requested Documents Received: March 4<sup>th</sup>, 2020

**Report prepared by:** Hailey Rilkoﬀ, Planner I

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

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

### **Attachments:**

Attachment A: Draft Development Variance Permit DVP20-0029

Attachment B: Applicant's Rationale



# Development Variance Permit

## DVP20-0029



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

2455 Abbott Street

and legally known as

Lot 5 District Lot 14 ODYD Plan 5101

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

### Single Dwelling Housing as per Zoning Bylaw

With variances to the following sections of Zoning Bylaw No. 8000 in general accordance with Schedule "A":

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

To vary the required minimum front yard from 6.0 m required to 4.0 m proposed.

#### Section 13.1.6(d) - RU1 – Large Lot Housing Development Regulations

To vary the required minimum side yard from 4.5 m required to 3.1 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            April 7, 2020  
Decision By:                        COUNCIL  
Existing Zone:                      RU1 – Large Lot Housing  
Future Land Use Designation:    S2RES – Single / Two Unit Residential

### This is NOT a Building Permit.

In addition to your Development Variance 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:                    Susan Jaeger & David Miller

Applicant:                David Miller

\_\_\_\_\_  
Terry Barton  
Development Planning Department Manager  
Planning & Development Services

\_\_\_\_\_  
Date

**ATTACHMENT**                    A

This forms part of application  
# DVP20-0029

Planner Initials    HR

  
**City of Kelowna**  
DEVELOPMENT PLANNING

**1. SCOPE OF APPROVAL**

This Development Variance 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 Variance 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 Variance 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";

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

**5. INDEMNIFICATION**

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

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

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

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

ATTACHMENT A

---

This forms part of application  
# DVP20-0029

Planner  
Initials

HR



City of  
Kelowna

DEVELOPMENT PLANNING

SCHEDULE

A

This forms part of application  
# DVP20-0029



City of  
**Kelowna**  
DEVELOPMENT PLANNING

Planner Initials HR

SIDEWALK

47.549

S 88° 03' 50" E

12'-2" [3700mm]

10'-2" [3099mm]

ABBOTT STREET

LOT 5

HOUSE

DRIVEWAY

POOL

13'-1 1/2" [4000mm]

32'-2" [9800mm]

## 2455 Abbott Street – Property Detail - Preliminary Design (w/variance changes)



# Variance Request for Residential Property - Design Rationale

Submitted January 7, 2020

for

**2455 Abbott Street** (S.E. Corner of Abbott St. & Francis Ave.)

This document provides supporting information for our attached “Development Variance Permit Application Form”. We are requesting variances to current side and front yard setbacks.

- 1) Property and Development Overview
- 2) Variance Requests
- 3) Proposed Design and Finishes
- 4) Changes to Landscape
- 5) Property Lines and Neighbors Related to Setback Request:
- 6) Supporting Materials


---

## 1) Property and Development Overview:

Our home was originally built in 1954, although it is evident that there have been several renovations since that time. Currently the house is approximately 1,809 sq.ft. and features 3 bedrooms and 1.5 bathrooms . There is a single detached garage at the far edge of back yard, separated from the house by a swimming pool. The original structure included a car port which ran along the full southern side of residence - with its associated driveway extending to Abbott Street. While the car port was eventually framed in to add living space to the structure, the driveway remains – and continues to be our primary parking area.

The requested front and side setback variances will allow us to add usable space to the front of residence. We plan to use that expanded footprint to reconfigure rooms in order to create a more functional and contemporary floorplan and to add a compact, attached, single-car (single-story) garage. Once renovations are complete, the resulting structure will include 3 bedrooms and 3 bathrooms.

See “Supporting Materials” section for related maps, drawings and photographs.

<b>ATTACHMENT</b>		<b>B</b>
This forms part of application		
# DVP20-0029		
Planner Initials	HR	 City of <b>Kelowna</b> DEVELOPMENT PLANNING

## 2) Variance Requests:

We are requesting two variances, as detailed below:

### a) Side-Yard Setback: Reduce side yard setback from 4.5 m to 3.7 m

This variance is related to our proposal to extend/bump-out our Abbott-facing living room, located on the west side of residence. The main living structure was originally built in 1954 with a 3.1 m side yard setback. We are not asking to continue the current (3.1 m) side yard setback, but to instead construct the side wall of front extension with a 3.7 m setback. This will result in a slightly staggered side wall, which will be more visually pleasing for pedestrians on Francis Ave, (versus extending the wall at the existing 3.1 m setback) and allow for a functional interior design – which would be much more challenging at the current 4.5 m requirement.

### b) Front Yard Setback: Reduce front yard setback from 6.0 m to 4.0 m

This variance is related to our proposal to add a small, attached, single-car garage, also on the west side of residence (facing Abbott). Please note that the planned garage will not only be attached to the front of house (to right of entry) – but it will be literally integrated into the front of our house – taking approximately 1 m from existing living space (front-facing den). This integrated design has been selected to allow us to reduce our set-back request and allow for a more appealing street-view, by creating a visual balance with the proposed living room extension, as described above. (Note: As there are no sidewalks currently on this section of Abbott, the requested 4.0 m setback results in an almost 10 m distance between face of structure and edge of paved road.)

See “Supporting Materials” section for related maps, drawings and photographs.

## 3) Proposed Design and Finishes:

The proposed addition to the west side of the residence will be respectful of the neighboring homes and sightlines and will have appropriate details and finishes befitting of the neighborhood and area.

While our request includes some computer-generated designs to better illustrate our development proposal, please note that these are preliminary designs to be used for set-back variance review and determination of structural footprint. Other depicted elements (i.e. design of second story and roof, upper decks or balconies, exterior finishes, etc.) may change. Once variance setbacks are determined (which will allow us

to confirm structural footprint), our design process will continue, and a more complete design proposal will be submitted to the City as part of building permit application process.

See “Supporting Materials” section for related drawings and photographs.

#### 4) Changes to Landscape:


While there are several very small shrubs which will be removed from the front yard as part of the construction phase, NO trees will be impacted. (In particular, we plan to retain the large spruce tree adjacent to the northwest corner of the residence.)

However, we do plan to substantially change the landscaping of front yard facing Abbott. While the design is not yet finalized, we do plan to remove the lawn from front yard and take a “naturescaping” approach which relies largely on the use of native plants in order to create a natural-looking environment which attracts beneficial insects and birds. The end-result is a garden which is attractive while reducing the need for irrigation and/or chemicals – which helps to protect our river and lake resources.

#### 5) Property Lines and Neighbors Related to Setback Request:

The neighboring structure nearest the front yard setback (and specifically the side wall of proposed compact garage) is 2475 Abbott Street. It’s important to remember that the garage length is considerably smaller than most other single car garages, as a portion of it (approximately 1m) will be integrated into the existing structure, making it noticeably smaller/shorter than a standard garage. While some small windows may be added to the south facing wall to provide natural light and enhance exterior design, they will be non-view windows - and will not impact neighbor privacy. Additionally, there will be no obstruction of sunlight experienced by neighbor, as our property is to the north of the shared property line. While there is another neighbor to the north of Francis (2435 Abbott), given the separation provided by the road (Francis Ave), as well as the north-west angle of Abbott, there will be little visual impact associated with our proposed renovations.

The neighboring structure nearest the side yard setback is 2435 Abbott Street. Again, given the separation provided by Francis Avenue, there will be little visual impact associated with our proposed renovations.

<b>ATTACHMENT</b>		<b>B</b>
This forms part of application <sup>3</sup>		
# DVP20-0029		
Planner Initials	HR	 City of <b>Kelowna</b> DEVELOPMENT PLANNING

See "Supporting Materials" section for related maps, drawings and photographs.

**Summary and Supporting Materials:**

Hopefully, we have provided you with all necessary information. We have also prepared an assortment of supporting maps, drawings and images which follow.

We look forward to hearing your comments and feedback – and are available to answer any questions whatsoever.

Sincerely,



David Miller



Susan Jaeger

**ATTACHMENT** B

This forms part of application 4  
# DVP20-0029

Planner  
Initials **HR**







# DVP20-0029

# 2455 Abbott Street

Development Variance Permit



# Proposal

- ▶ To vary the minimum front yard from 6.5 m required to 4.0 m proposed; and the minimum side yard from 4.5 m required to 3.1 m proposed for a residential addition.

# Development Process



Jan 21, 2020

Development Application Submitted



Staff Review & Circulation



Jan 31, 2020

Public Notification Received



Council Consideration



Building Permit

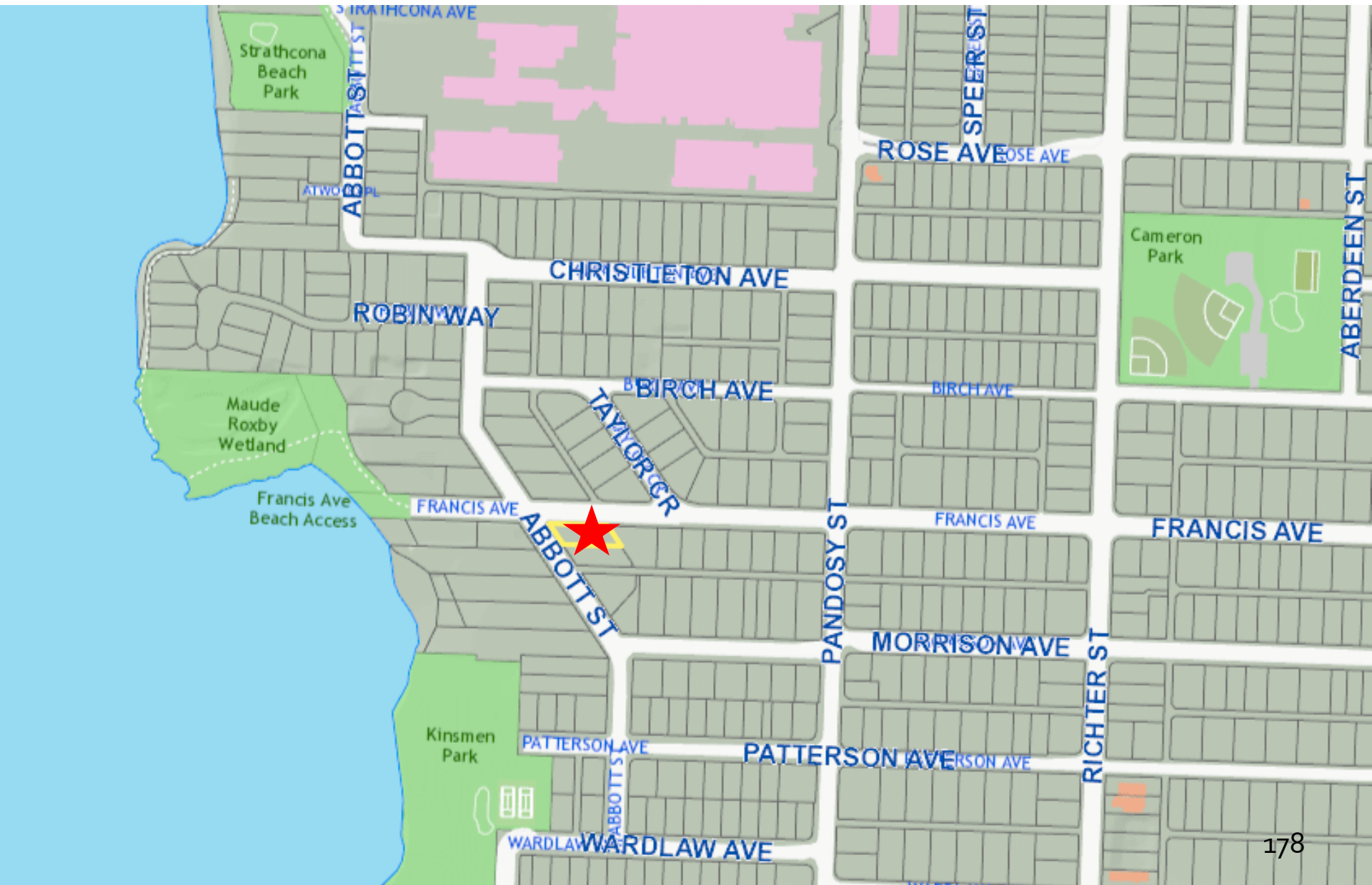


May 12, 2020

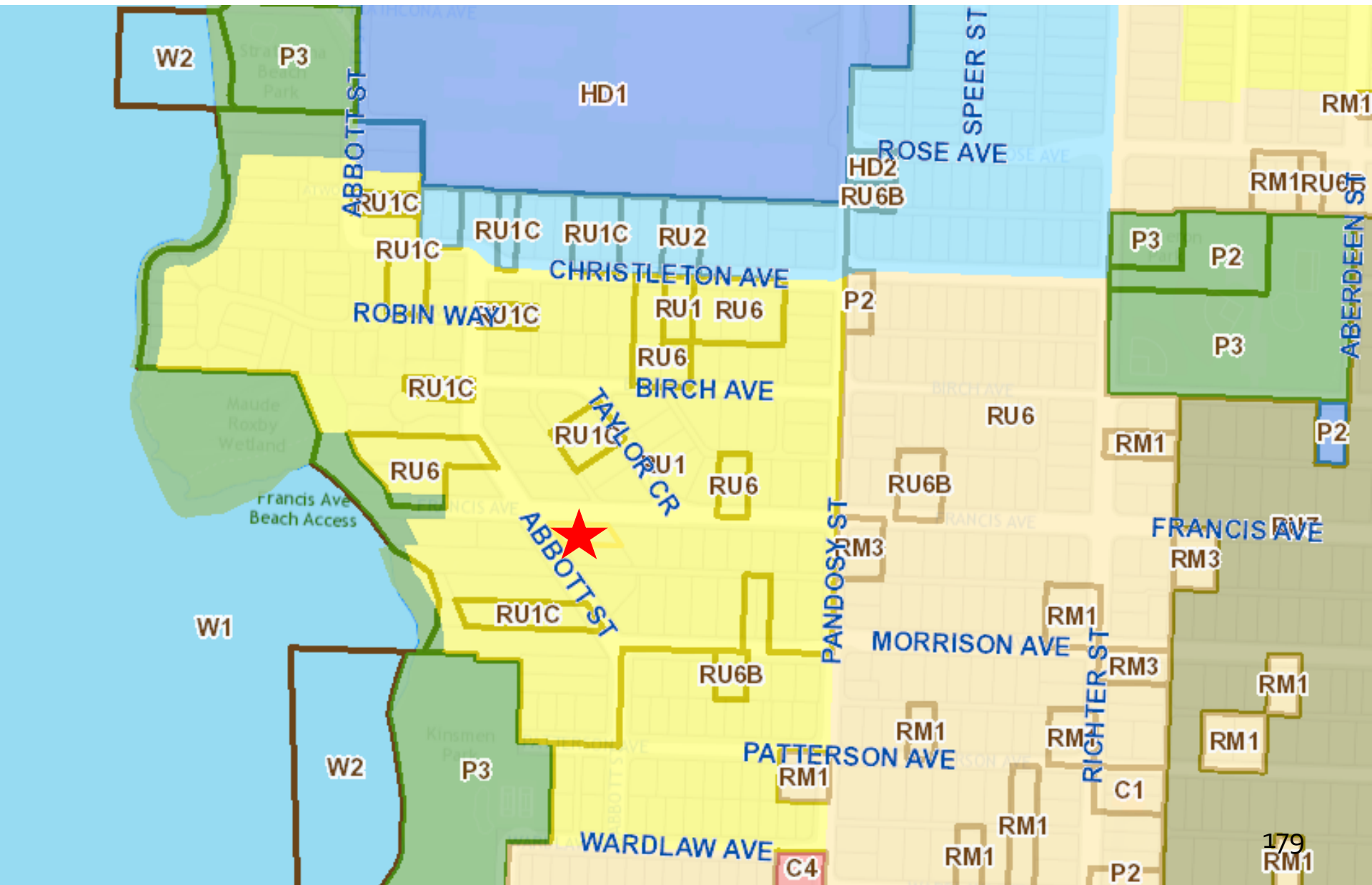


Council Approval

# Context Map



# OCP Future Land Use / Zoning



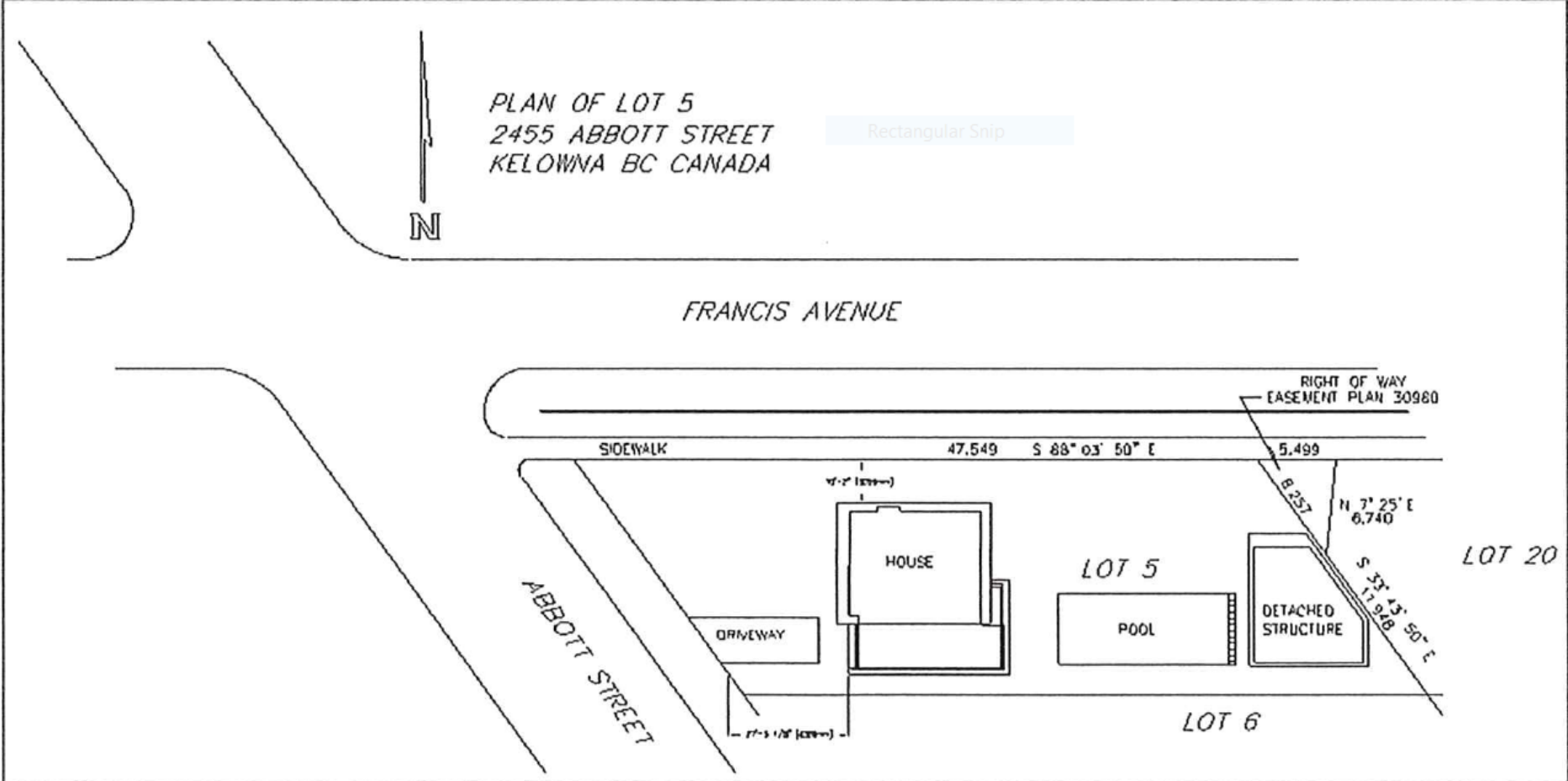
# Subject Property Map



# Background

- ▶ Property has a single detached dwelling, pool, and detached garage.
- ▶ Carport converted into interior living space without building permit
  - ▶ Conversion by a previous owner
- ▶ Detached Garage at rear of property accessed by easement through adjacent property

# Site Plan

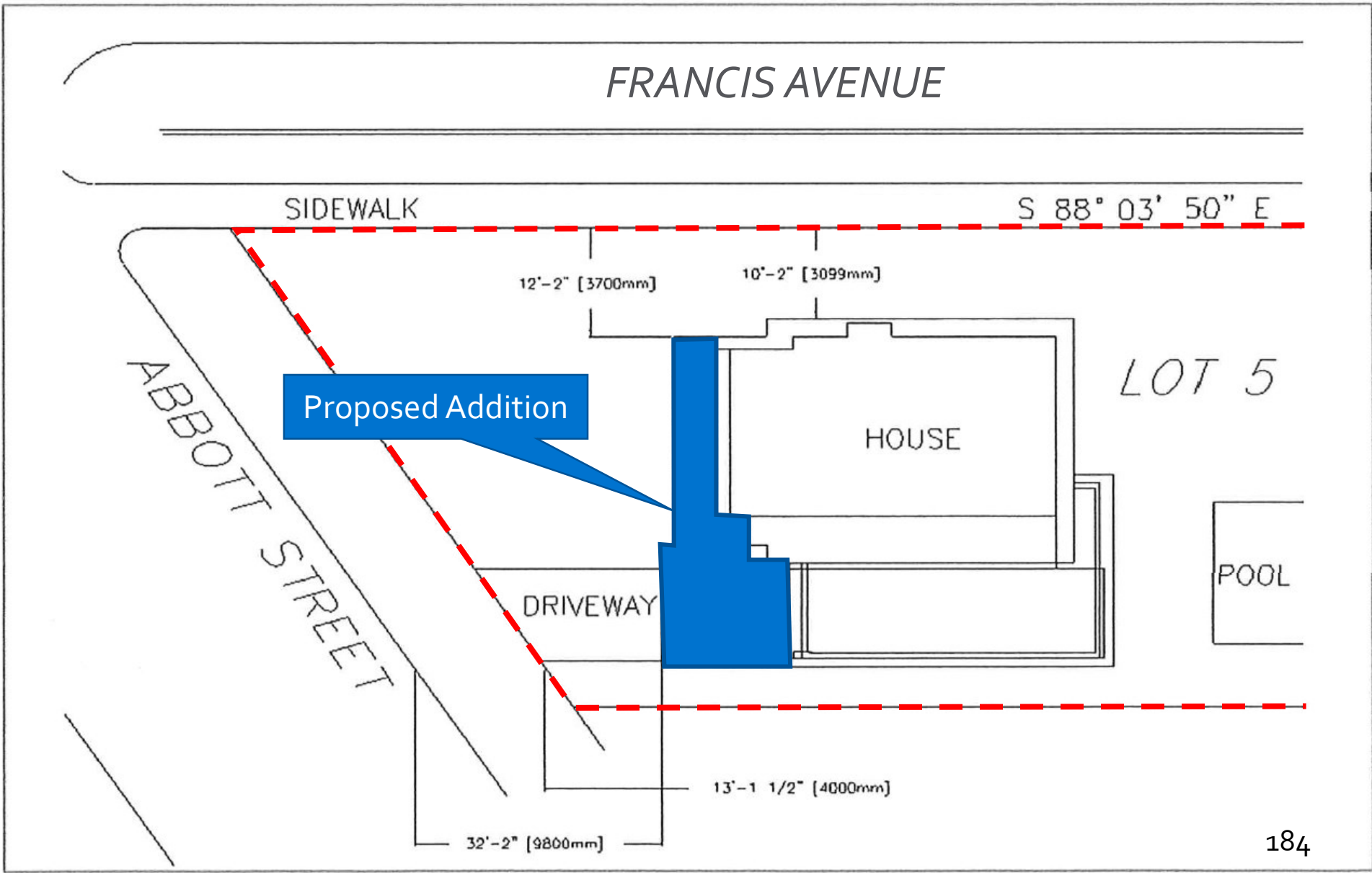




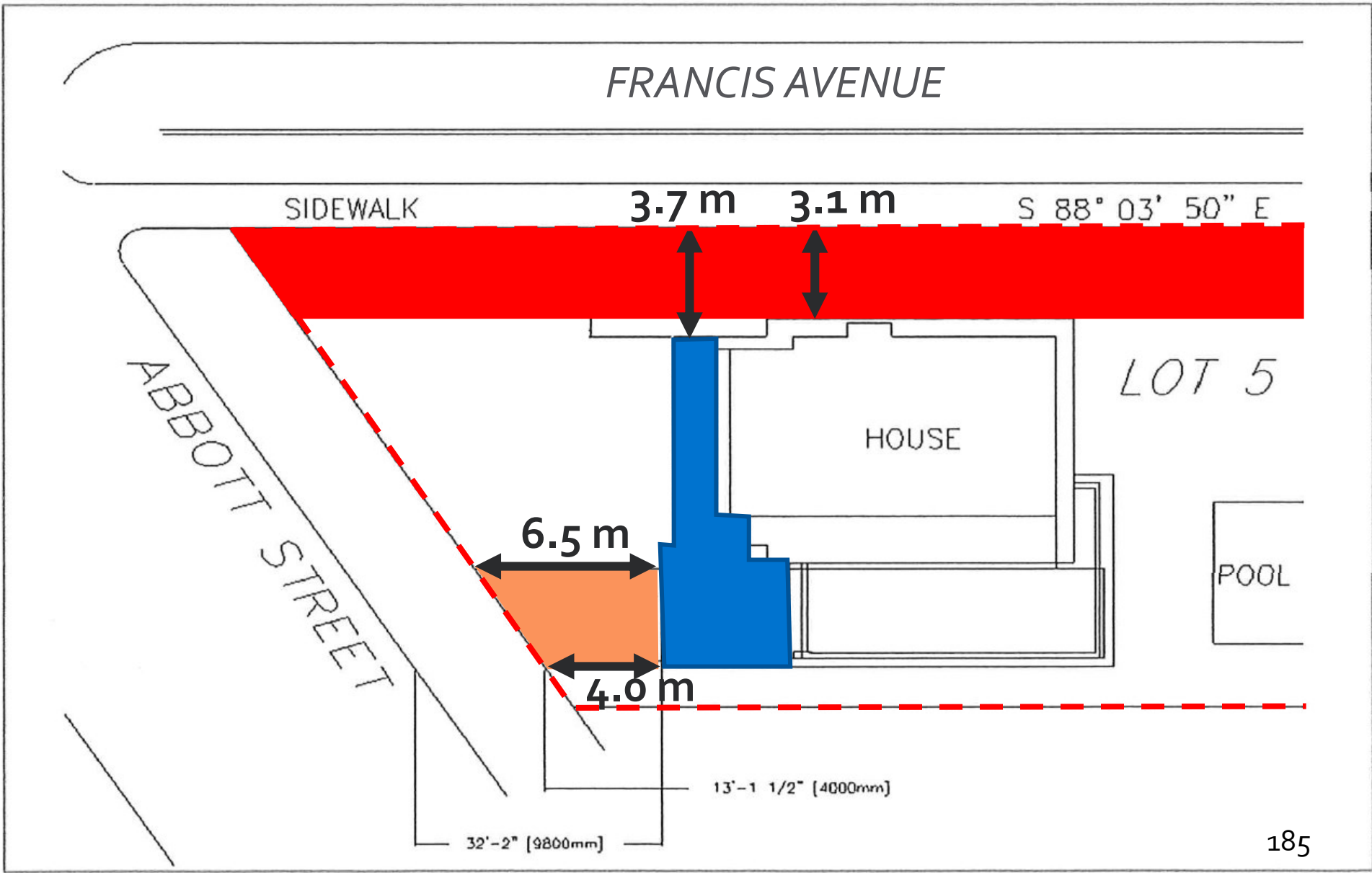
# Project/technical details

- ▶ Propose to construct new single car attached garage
  - ▶ Variance to reduce front yard from 6.5 m to 4.0 m
- ▶ Proposed Residential Addition
  - ▶ Variance to reduce side yard from 4.5 m to 3.1 m

# Site Plan



# Site Plan



# Public Notification Policy #367

- ▶ Applicant has provided a letter to all neighbouring properties within a 50m radius outlining their proposal and requested variances
  - ▶ Confirmation of Public Consultation was submitted on January 31<sup>st</sup>, 2020

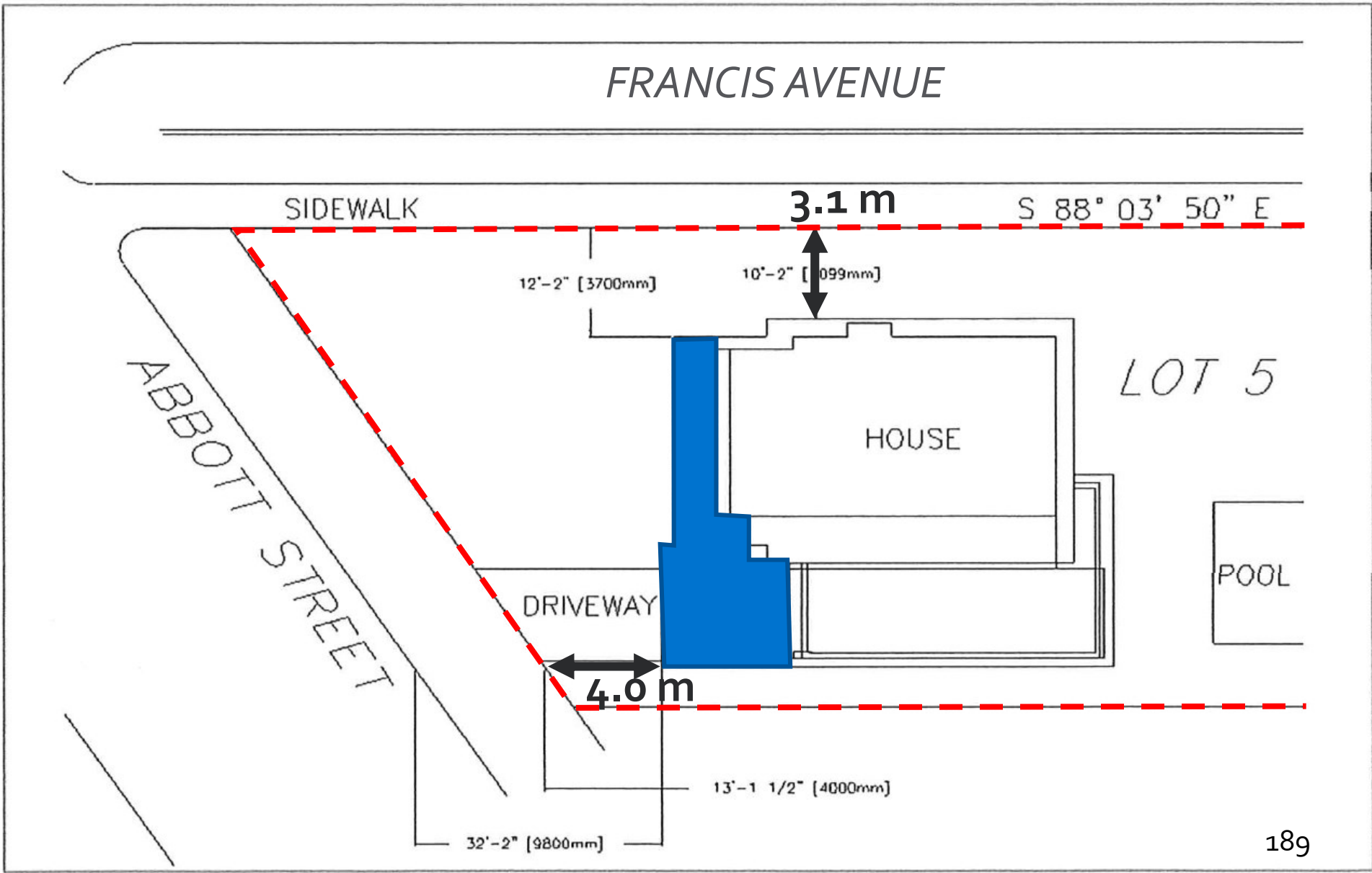
# Staff Recommendation

- ▶ Staff recommend support for the requested variances to reduce the required front and side yard setbacks
  - ▶ Proposed addition does not increase non-conformity
  - ▶ Unique parallelogram lot shape
  - ▶ Required parking can be provided on site



## *Conclusion of Staff Remarks*

# Site Plan



**CITY OF KELOWNA**  
**BYLAW NO. 11635**  
**Z18-0058 – 615 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 by changing the zoning classification of Lot 15 District Lot 14 Osoyoos Division Yale District Plan 1141, located on Francis Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Considered at a Public Hearing on this 31<sup>st</sup> day of July, 2018.

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

Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk



# REPORT TO COUNCIL



**Date:** April 21, 2020  
**To:** Council  
**From:** City Manager  
**Department:** Development Planning  
**Application:** DP18-0111 & DVP20-0033      **Owner:** John Thomas Hodges  
**Address:** 615 Francis Ave      **Applicant:** Urban Options Planning and Permitting  
**Subject:** Development Permit and Development Variance Permit  
**Existing OCP Designation:** MRL- Multi-Unit Low Density  
**Existing Zone:** RM3- Low Density Multiple Housing

---

## 1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11635 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP18-0111 for Lot 15, District Lot 14, Osoyoos Division Yale District Plan 1141, located at 615 Francis Ave, 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 and 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. DVP20-0033 for Lot 15, District Lot 14, Osoyoos Division Yale District Plan 1141, located at 615 Francis Ave, Kelowna, BC;

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

Section 13.9.6(e) RM3- Low Density Multiple Housing Development Regulations

To vary the side yard setback from 4.0m permitted to 2.0m and 2.6m proposed

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

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

## **2.0 Purpose**

To issue a Development Permit for the form and character of multiple dwelling housing and to issue a Development Variance Permit for a variance to the side yard setbacks.

## **3.0 Development Planning**

Development Planning Staff recommend support for the proposed multiple dwelling housing. The proposal is well aligned with supporting policies of the Official Community Plan (OCP), including Chapter 14: Urban Design Guidelines. This includes:

- Locate buildings to provide an effective street edge while respecting the established, desired streetscape rhythm;
- Mitigate the actual and perceived bulk of buildings by utilizing appropriate massing, including:
  - Architectural elements;
  - Step back upper floor to reduce visual impact;
  - Detailing that creates a rhythm and visual interest along the line of the building; and
  - Varied material textures should be utilized to create visual interest and to articulate building facades.
- Reduce the visual impact and massing of enclosed elevator shafts with architectural treatment

The applicant is proposing a reduced side yard setback for the east and west property line. The reduced setback is mitigated through architectural considerations that help to reduce the perceived mass and scale of the building. This is discussed in more detail in Section 4.2 of this report.

## **4.0 Proposal**

### **4.1 Background**

The subject site currently contains a single-family dwelling which will be demolished.

### **4.2 Project Description**

The proposed building is a multi-dwelling building comprised of three units stacked on top of each other. Each unit has one parking stall in an individual garage and there are an additional two surface stalls, all of which are accessed off the lane. The ground floor unit has a front door facing Francis Ave and an additional entry from the side yard. A generously sized private open space is located on the ground level. Unit two and three are accessed by a staircase and elevator. Private open space for unit two is provided through a covered and uncovered deck that partially faces the property to the west and the laneway. Unit three has a private roof top patio that is accessed by the stairs and elevator.

*Variance*

Staff worked with the applicant on form and character considerations to ensure that the mass and scale of the building was not overpowering or out of context for the neighbourhood. Form and character considerations include:

- The use of high-quality materials;
- The front façade uses brick on the ground level and second floor with a transition to a lighter stucco on the third floor to make the building feel lighter at the top;
- Each floor is stepped back to reduce overlooking and reduce the overall mass of the building;
- Strategic placement of windows both horizontally and vertically on the side facades in an effort to reduce overlooking; and
- Strategic placement of private open space to reduce overlooking.

Staff are confident that the form and character of the proposed building will be exemplary for this area, as it continues to see the redevelopment of single-family homes to low density multi-family dwellings under the future land use of MRL- Multi-Unit Low Density.

4.3 Site Context

The subject site is located mid-block and has access from a rear lane.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6- Two Dwelling Housing	Two dwelling housing
East	RU6- Two Dwelling Housing	Single dwelling housing
South	RU6- Two Dwelling Housing	Single dwelling housing
West	RU6- Two Dwelling Housing	Single dwelling housing

**Subject Property Map:**



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Max. Floor Area Ratio	0.75	0.73
Max. Site Coverage (buildings)	50%	47.4%
Max. Site Coverage (buildings, parking, driveways)	65%	65%
Max. Height	10.0m	9.69m
Min. Front Yard	1.5m	2.742m
Min. Side Yard (east)	4.0m	2.0m <span style="color: red;">❶</span>
Min. Side Yard (west)	4.0m	2.6m <span style="color: red;">❷</span>
Min. Rear Yard	3.0m	3.0m
Other Regulations		
Min. Parking Requirements	1.5 stalls per unit	5 stalls
Min. Private Open Space	Total 75m <sup>2</sup>	Total 128m <sup>2</sup>
❶ Indicates a requested variance to east and west side yard setback.		

5.0 **Current Development Policies**

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

*Objective 5.3 Focus development to designated growth areas*

*Policy .2 Compact Urban Form.* Develop a compact urban form that maximises the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities, development, conversion and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

*Objective 5.5 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 neighbourhood with respect to building design, height and siting.

*Policy .11 Housing Mix.* Support a greater mix of housing unit size, form and tenure in new multi-residential and mixed-use developments.

6.0 **Technical Comments**

6.1 Development Engineering Department

## 7.0 Application Chronology

Date of Application Received: May 5, 2018

Date Public Consultation Completed: June 17, 2018

**Report prepared by:** Jocelyn Black, Planner Specialist

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

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

### **Attachments:**

Attachment A: Draft Development Permit and Development Variance Permit DP18-0111 and DVP20-0033

Schedule A: Site Plan

Schedule B: Elevations/Materials

Schedule C: Landscape Plan

Development Permit and Development Variance  
Permit  
DP18-0111 & DVP20-0033



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

**615 Francis Ave, Kelowna BC**

and legally known as

**Lot 15, District Lot 14, ODYD, Plan 1141**

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

**Mutiple Dwelling Housing**

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

Date of Decision: April 21, 2020  
Decision By: Council  
Development Permit Area: Comprehensive DP Area  
Existing Zone: RM3- Low Density Multiple Housing  
Future Land Use Designation: MRL- Multi- Unit Low Density

**ATTACHMENT** A

This forms part of application  
# DP18-0111 & DVP20-0033

Planner Initials **JB**

**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: John Thomas Hodges  
Applicant: Urban Options Planning and Permitting

\_\_\_\_\_  
Terry Barton  
Community Planning Department Manager  
Planning & Development Services

\_\_\_\_\_  
Date

## 1. SCOPE OF APPROVAL

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

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

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

## 2. CONDITIONS OF APPROVAL

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
- c) Landscaping to be provided on the land be in accordance with Schedule "C"; and
- d) The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect.
- e) Variances to the following section of Zoning Bylaw No. 8000 be granted:

Section 13.9.6 RM3- Low Density Multiple Housing Development Regulations (e)

To vary the side yard setback from 4.0 permitted to 2.0m and 2.6m

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

## 3. PERFORMANCE SECURITY

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

- a) An Irrevocable Letter of Credit in the amount of \$15, 902.19
- b) A certified cheque in the amount of \$15,902.19

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

## 5. INDEMNIFICATION

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

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

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

**The PERMIT HOLDER is the CURRENT LAND OWNER.**

Security shall ONLY be returned to the signatory of the  
Landscape Agreement or their designates.

DRAFT



**PROJECT INFORMATION**

LEGAL DESCRIPTION: LOT 15, PLAN KAP1141, D.L. 14, ODYD  
 CIVIC ADDRESS: 615 FRANCIS AVENUE, KELOWNA, BC V1Y 5G4  
 PID: 004-568-087

CURRENT ZONING: RU6 - TWO DWELLING HOUSING  
 PROPOSED ZONING: RM3 - LOW DENSITY MULTIPLE HOUSING  
 FUTURE LAND USE: MRL - MULTIPLE UNIT RESIDENTIAL (LOW DENSITY)  
 OCP URBAN CENTER: NO

**OWNER INFORMATION**

RIVERVIEW CONSTRUCTION LTD.  
 PH 250.469.1957

CONTACT: JOHN HODGES  
 thodges\_john@hotmail.com

**DRAWING LIST**

**ARCHITECTURAL DRAWING INDEX**

- A1 PROJECT SHEET
- A2 BUILDING ELEVATIONS
- A3 BUILDING ELEVATIONS
- A4 BUILDING EXTERIOR MATERIALS
- A5 MAIN FLOOR PLAN
- A6 SECOND FLOOR PLAN
- A7 THIRD FLOOR PLAN
- A8 ROOF PLAN
- A9 SECTION
- A10 SITE PLAN

**SCHEDULE** A

This forms part of application  
 # DP18-0111 & DVP20-003

Planner Initials **JB**



# 615 FRANCIS AVENUE TOWNHOME DEVELOPMENT

**BUILDING DESIGN**

IHS DESIGN  
 1392 MINE HILL DRIVE  
 KELOWNA, BC V1P 1S5  
 PH 250.212.7938

CONTACT: CHRIS VICKERY  
 chris@ihdesign.com

**LANDSCAPE ARCHITECT**

BENCH SITE DESIGN  
 4-1562 WATER STREET  
 KELOWNA, BC V1Y 1J7  
 PH 250.860.6778

CONTACT: KEITH NYHOF  
 studio@benchsitedesign.com

**SURVEY**

RUNNALLS DENBY LAND SURVEYING  
 259A LAWRENCE AVENUE  
 KELOWNA, V1Y 6L2  
 PH 250.763.7322

CONTACT: NEIL DENBY  
 neil@runnallsdenby.com

**GEOTECHNICAL**

INTERIOR TESTING SERVICES LTD  
 1 - 1925 KIRSCHNER ROAD  
 KELOWNA, BC V1Y 4N7  
 PH 250.860.6540

CONTACT: PETER HANENBURG  
 peter@interiortesting.com

**STRUCTURAL**

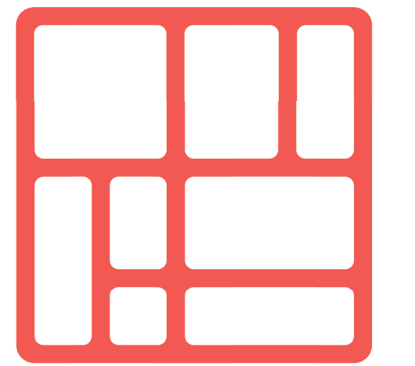
ROV CONSULTING INC  
 #101 2040 SPRINGFIELD RD  
 KELOWNA, BC V1Y 9N7  
 PH 250.860.0412

CONTACT: MAHDI YAZDINEZHAD  
 mahdi@rovconsulting.ca

**URBAN PLANNING CONSULTANT**

URBAN OPTIONS PLANNING & PERMITS  
 287 RIALTO DRIVE  
 KELOWNA, BC V1V 1E9  
 PH 250.575.6707

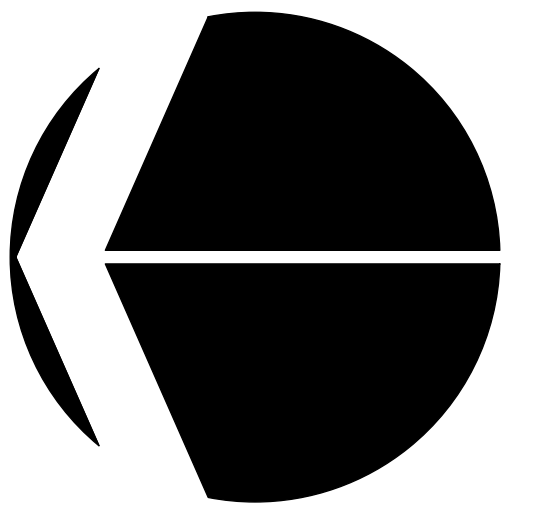
CONTACT: BIRTE DECLOUX  
 birt@urbanoptions.ca



**IHS DESIGN**

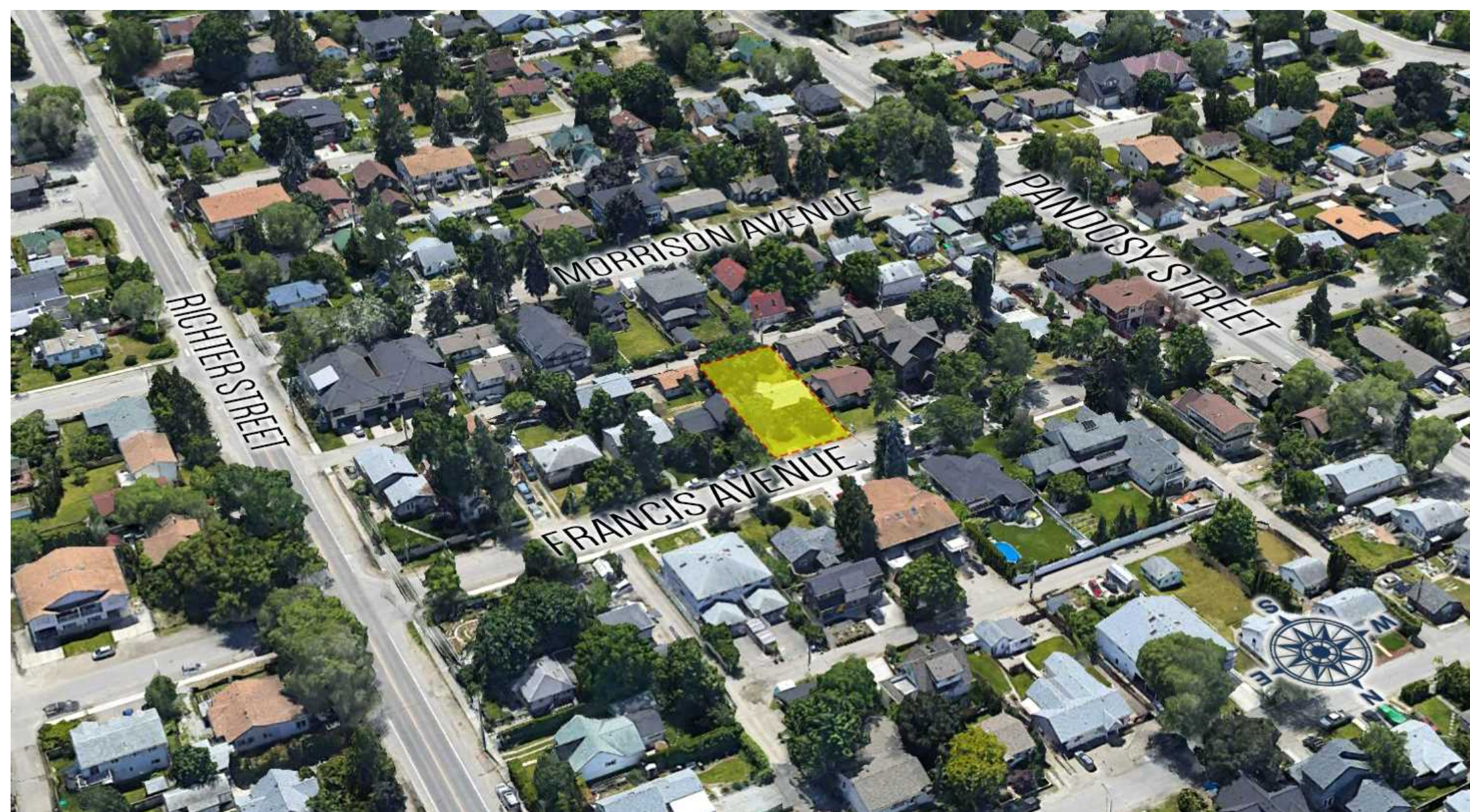
#202 - 1470 ST. PAUL STREET  
 KELOWNA, BC V1Y 2E6  
 www.ihdesign.com  
 250.212.7938

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PROJECT NORTH

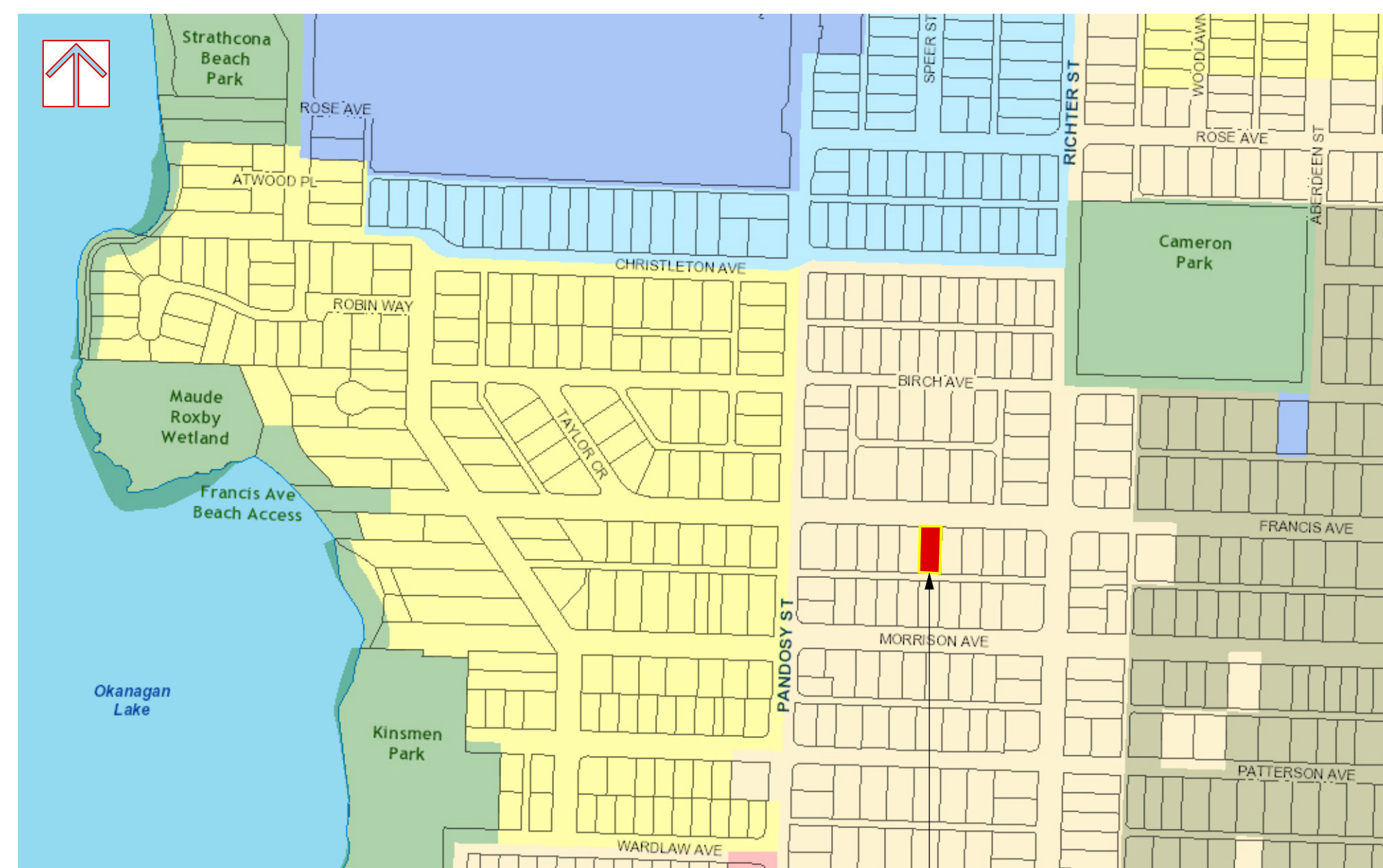
REVISION	DATE	DISRIPTION



**ZONING INFORMATION**

RM-3 - LOW DENSITY MULTIPLE HOUSING	PERMITTED	PROPOSED
SITE AREA	900.00m <sup>2</sup>	623.38m <sup>2</sup>
BUILDING FOOTPRINT AT GRADE		295.26m <sup>2</sup>
PROPOSED DRIVEWAY AREA		30.39m <sup>2</sup>
PROPOSED WALKWAY & PATIO AREA		79.60m <sup>2</sup>
SITE COVERAGE (PRIVATE OPEN SPACE BONUS)	50.0%	47.4%
SITE COVERAGE W/ DRIVEWAY (PERMEABLE SURFACES)	65.0%	65.0%
BUILDING HEIGHT	10.0m/3 STOREYS	9.69m/3 STOREYS
<b>NET FINISHED FLOOR AREAS</b>		
MAIN FLOOR NET FINISHED FLOOR AREA/UNIT		195.33m <sup>2</sup>
SECOND FLOOR NET FINISHED FLOOR AREA/UNIT		138.90m <sup>2</sup>
THIRD FLOOR NET FINISHED FLOOR AREA/UNIT		123.90m <sup>2</sup>
F.A.R.	0.75	0.73
<b>FRONT (NORTH) YARD SETBACK</b>		
FRONT (NORTH) YARD SETBACK	1.500m	2.742m
<b>REAR (SOUTH) YARD SETBACK (FROM PUBLIC LANE)</b>		
REAR (SOUTH) YARD SETBACK (FROM PUBLIC LANE)	3.000m	3.024m
<b>SIDE (EAST) YARD SETBACK (VARIANCE REQUESTED)</b>		
SIDE (EAST) YARD SETBACK (VARIANCE REQUESTED)	4.000m	2.036m
<b>SIDE (WEST) YARD SETBACK (VARIANCE REQUESTED)</b>		
SIDE (WEST) YARD SETBACK (VARIANCE REQUESTED)	4.000m	2.642m
<b>PRIVATE OPEN SPACE</b>		
PRIVATE OPEN SPACE UNIT 1	25.00m <sup>2</sup>	56.99m <sup>2</sup>
PRIVATE OPEN SPACE UNIT 2	25.00m <sup>2</sup>	42.57m <sup>2</sup>
PRIVATE OPEN SPACE UNIT 3 (THIRD FLOOR DECK)	25.00m <sup>2</sup>	28.08m <sup>2</sup>
OCP DEFINED URBAN CENTRE		N/A

**SITE CONTEXT**



PROJECT LOCATION

PROJECT

**MULTIFAMILY DEVELOPMENT**  
 615 FRANCIS AVENUE  
 KELOWNA, BC V1Y 5G4  
 LOT 15 PLAN KAP1141

DRAWING TITLE

PROJECT DATA

DATE

OCTOBER 31, 2019

DRAWING NUMBER

1  
 of  
 10

**BUILDING CODE REVIEW**

THE FOLLOWING NOTES PROVIDE INFORMATION HIGHLIGHTING BUILDING DESIGN CRITERIA. IT IS NOT INTENDED TO DESCRIBE ALL DESIGN AND CONSTRUCTION REQUIREMENTS.

ALL CONSTRUCTION SHALL CONFORM TO ALL APPLICABLE SECTIONS OF THE BUILDING CODE.

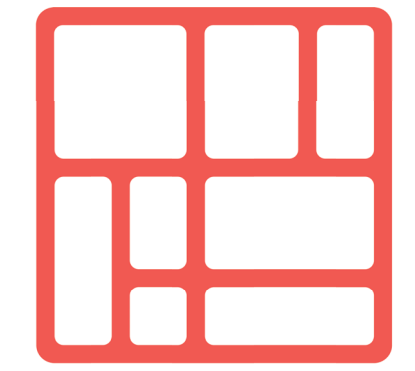
- TOWNHOUSE BUILDING CONSTRUCTED UNDER PART 9 OF THE BRITISH COLUMBIA BUILDING CODE 2012. 1.3.3.3 MAX 3 STOREYS, BUILDING AREA NOT EXCEEDING 600m<sup>2</sup>, MAJOR OCCUPANCY GROUP C
- MAJOR OCCUPANCIES: TOWNHOUSE BUILDING: GROUP C - RESIDENTIAL (TABLE 3.1.2.1.)
- BUILDING HEIGHT: 3 STOREYS ABOVE GRADE
- OCCUPANCY LOAD: 2 PER SLEEPING ROOM  
2 X 2 + 4 PER DWELLING UNIT
- FIRE SEPARATIONS: 9.10.9.14 (1) 45 min.
- HEADROOM CLEARANCES: STAIRS & LANDINGS: 1950mm  
ROOM CEILING HEIGHTS: 2100mm  
UNFINISHED BASEMENTS: 2000mm  
MINIMUM AREAS OF MINIMUM CEILING HEIGHTS TO CONFORM TO TABLE 9.5.3.1.
- MINIMUM SOUND TRANSMISSION CLASS RATING 9.11.2.1 (1) STC 50

**PARKING CALCULATIONS**

REQUIRED PARKING	3 - 2 BEDROOM DWELLING UNITS	1.5 STALLS PER UNIT	5 STALLS
VISITOR PARKING	N/A		0 STALLS
MEDIUM CAR PARKING	50% OF REQUIRED		2 STALLS
<b>TOTAL REQUIRED PARKING</b>			<b>5 STALLS</b>
<b>PROPOSED PARKING</b>			
FULL SIZED STALLS			3 STALLS
MEDIUM SIZED STALLS			2 STALLS
<b>TOTAL PROPOSED PARKING</b>			<b>5 STALLS</b>

**ZONING INFORMATION**

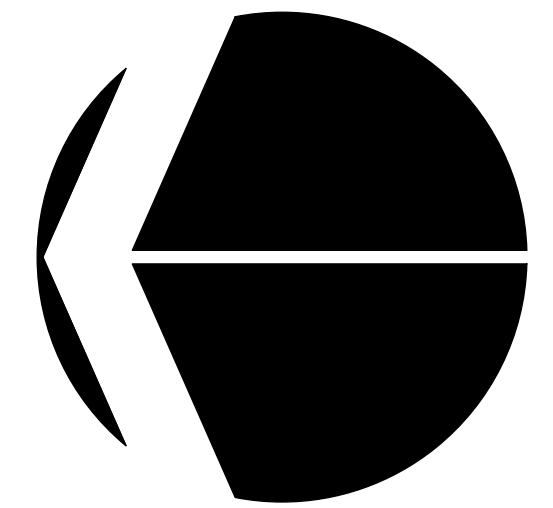
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OCP DEFINED URBAN CENTRE		N/A



**IHS DESIGN**

#202 - 1470 ST. PAUL STREET  
 KELOWNA, BC V1Y 2E6  
 www.ihsdesign.com  
 250.212.7938

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PROJECT NORTH

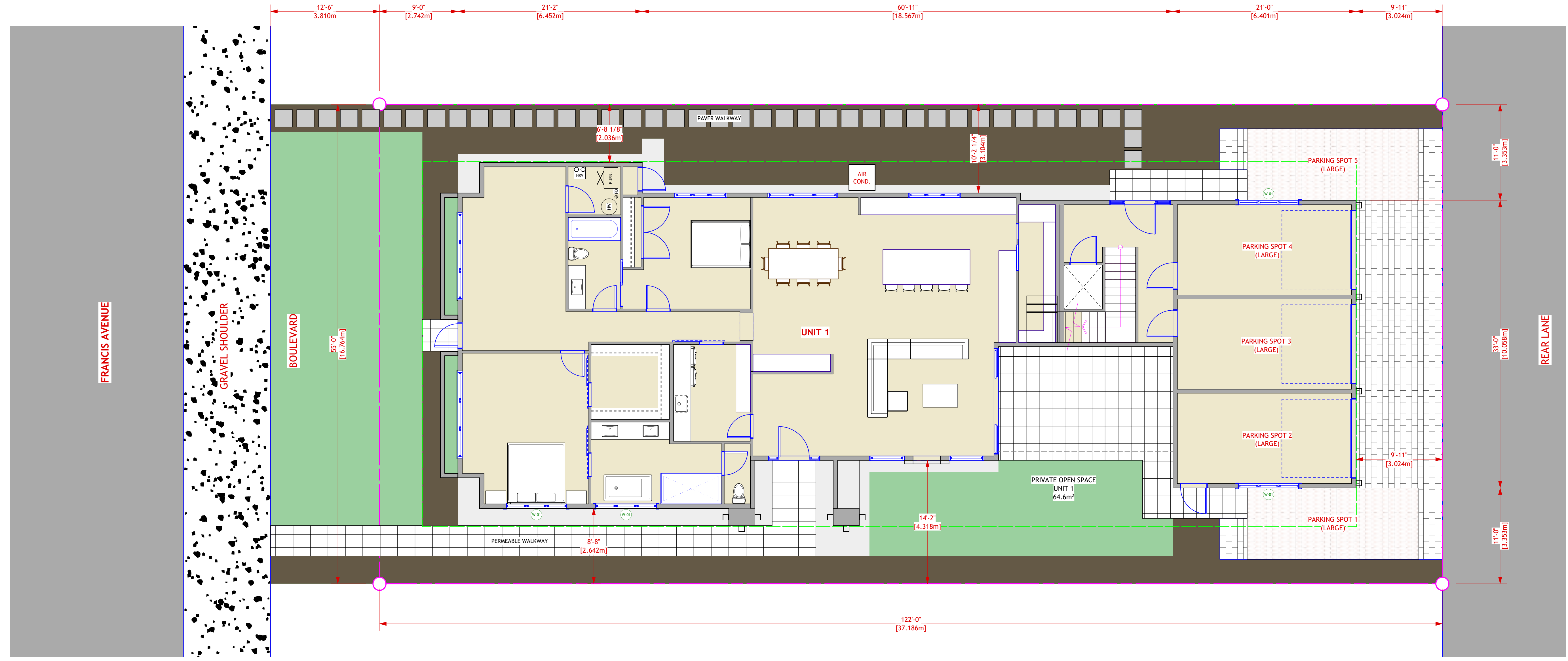
REVISION	DATE	DISCRIPTION

PROJECT  
**MULTIFAMILY DEVELOPMENT**  
 615 FRANCIS AVENUE  
 KELOWNA, BC V1Y 5G4  
 LOT 15 PLAN KAP1141

DRAWING TITLE  
**SITE PLAN**

DATE  
 OCTOBER 31, 2019

DRAWING NUMBER  
**10**  
 of  
**10**



1 SITE PLAN  
 Scale: 1:75

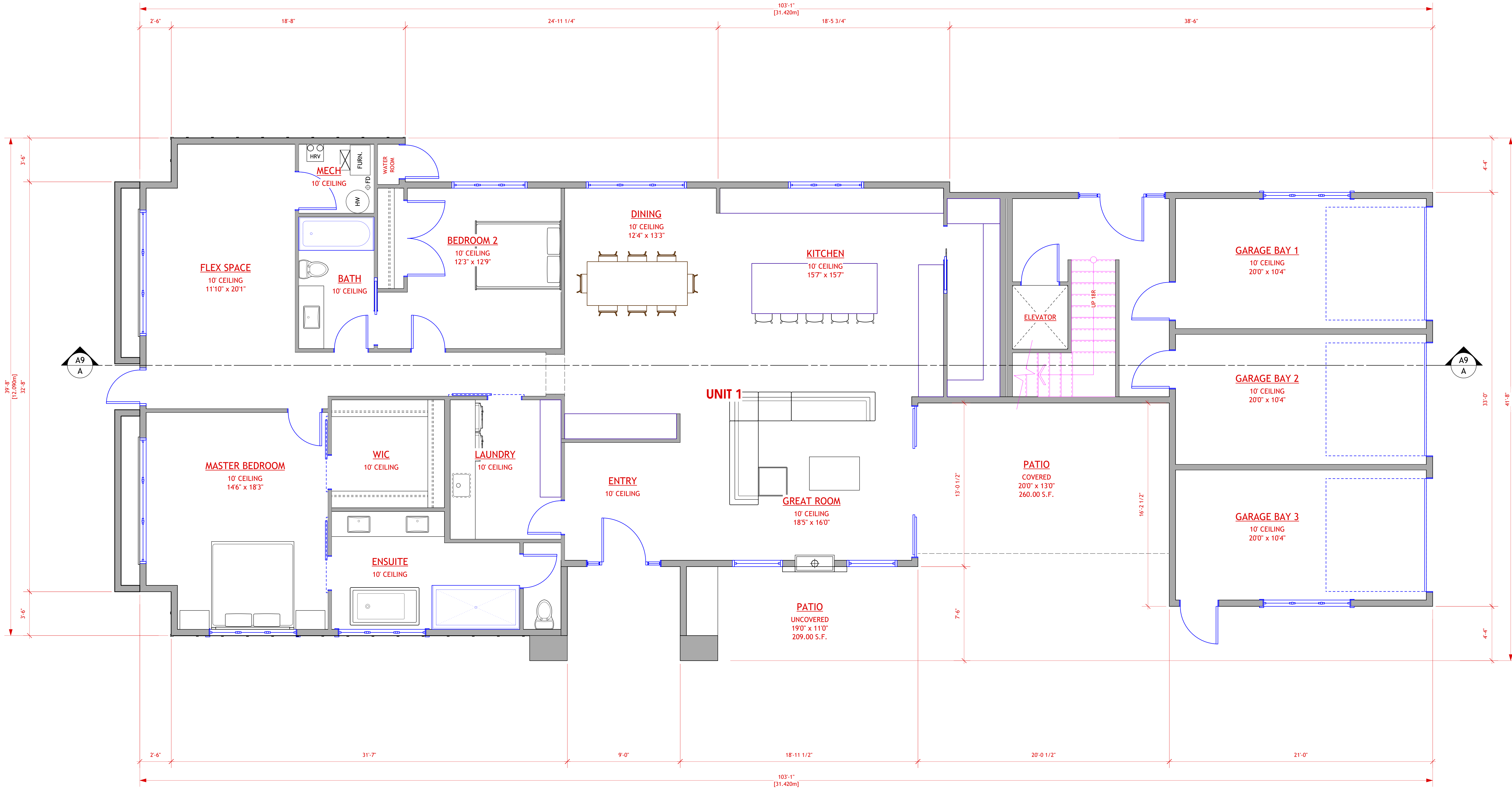


**SCHEDULE A**

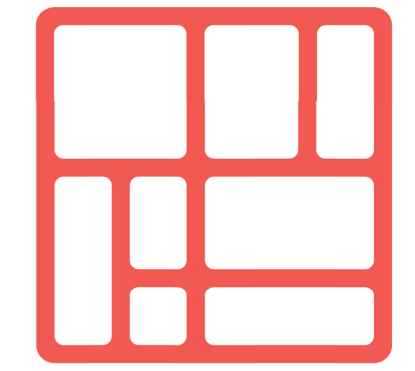
This forms part of application  
 # DP18-0111 & DVP20-003



Planner Initials **JB**



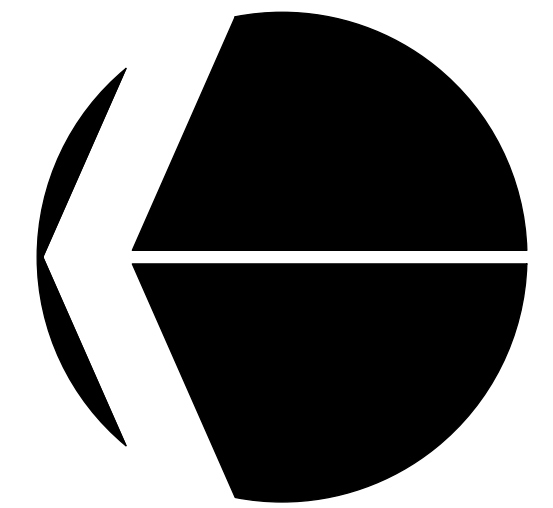
**1 MAIN FLOOR PLAN**  
 Scale: 1/4" = 1'-0" GFA = 2224 SQ.FT. [206.6m<sup>2</sup>]



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PROJECT NORTH

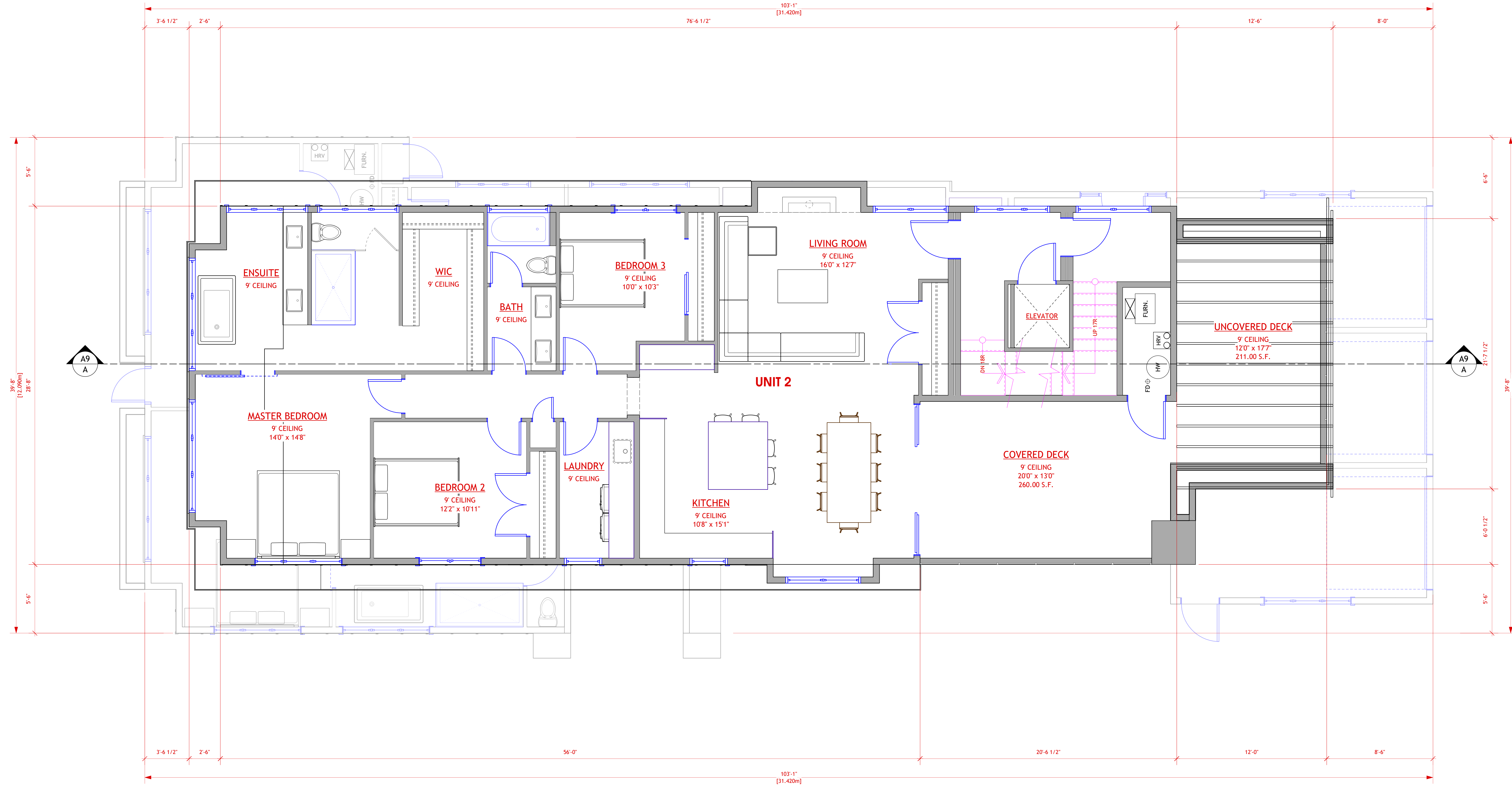
REVISION	DATE	DISCRPTION

PROJECT  
**MULTIFAMILY DEVELOPMENT**  
 615 FRANCIS AVENUE  
 KELOWNA, BC V1Y 5G4  
 LOT 15 PLAN KAP1141

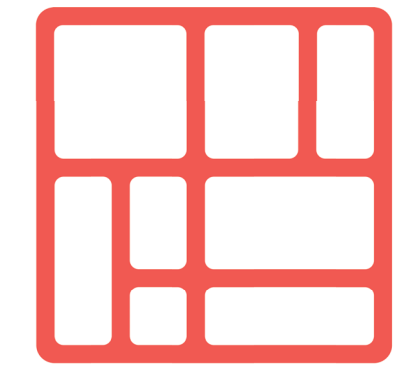
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DATE  
**OCTOBER 31, 2019**

DRAWING NUMBER  
**5**  
 of  
**10**



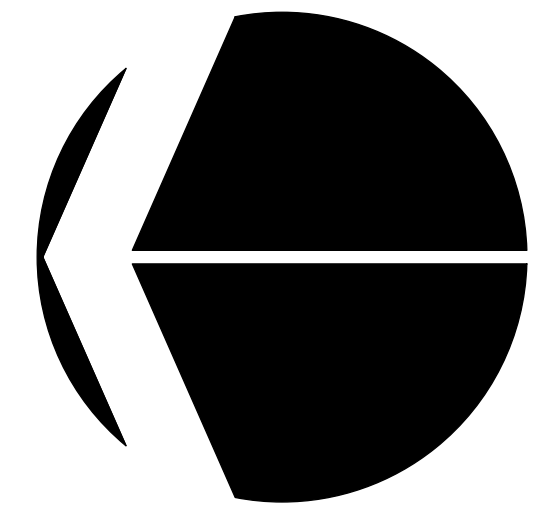
**1 SECOND FLOOR PLAN**  
 Scale: 1/4" = 1'-0" GFA = 1734 SQ.FT. [161.1m<sup>2</sup>]



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PROJECT NORTH

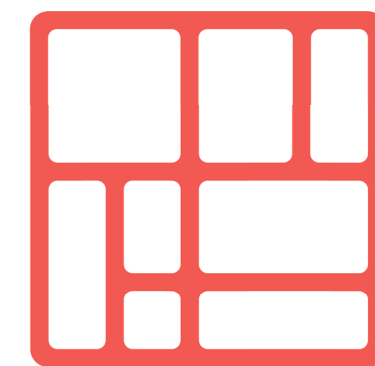
REVISION	DATE	DISCRIPTION

PROJECT  
**MULTIFAMILY DEVELOPMENT**  
 615 FRANCIS AVENUE  
 KELOWNA, BC V1Y 5G4  
 LOT 15 PLAN KAP1141

DRAWING TITLE  
**SECOND FLOOR PLAN**

DATE  
**OCTOBER 31, 2019**

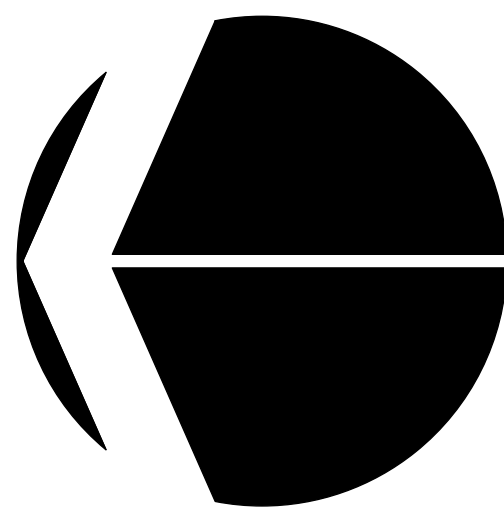
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**6**  
 of  
**10**



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PROJECT NORTH

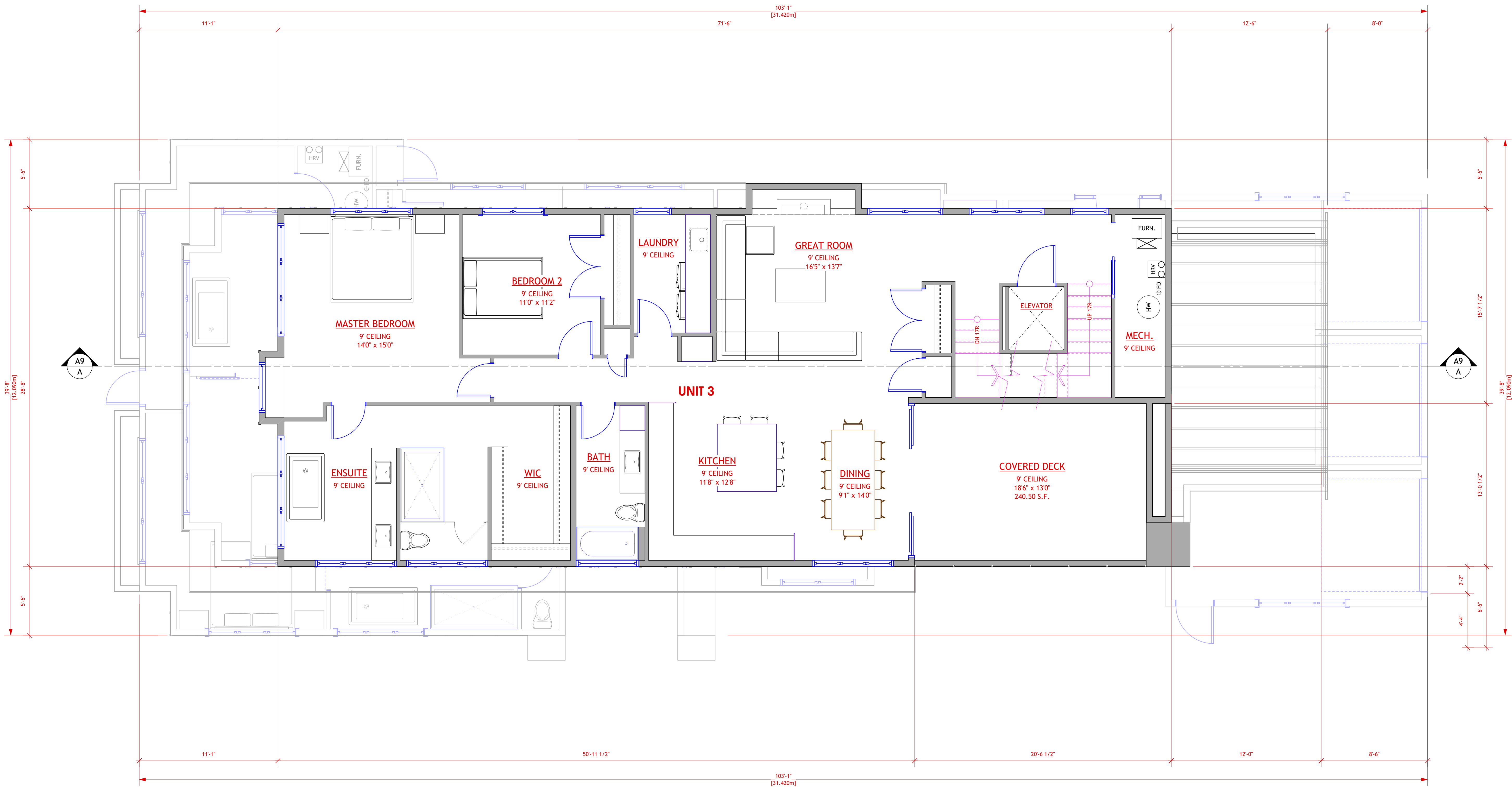
REVISION	DATE	DISCRIPTION

PROJECT  
**MULTIFAMILY DEVELOPMENT**  
 615 FRANCIS AVENUE  
 KELOWNA, BC V1Y 5G4  
 LOT 15 PLAN KAP1141

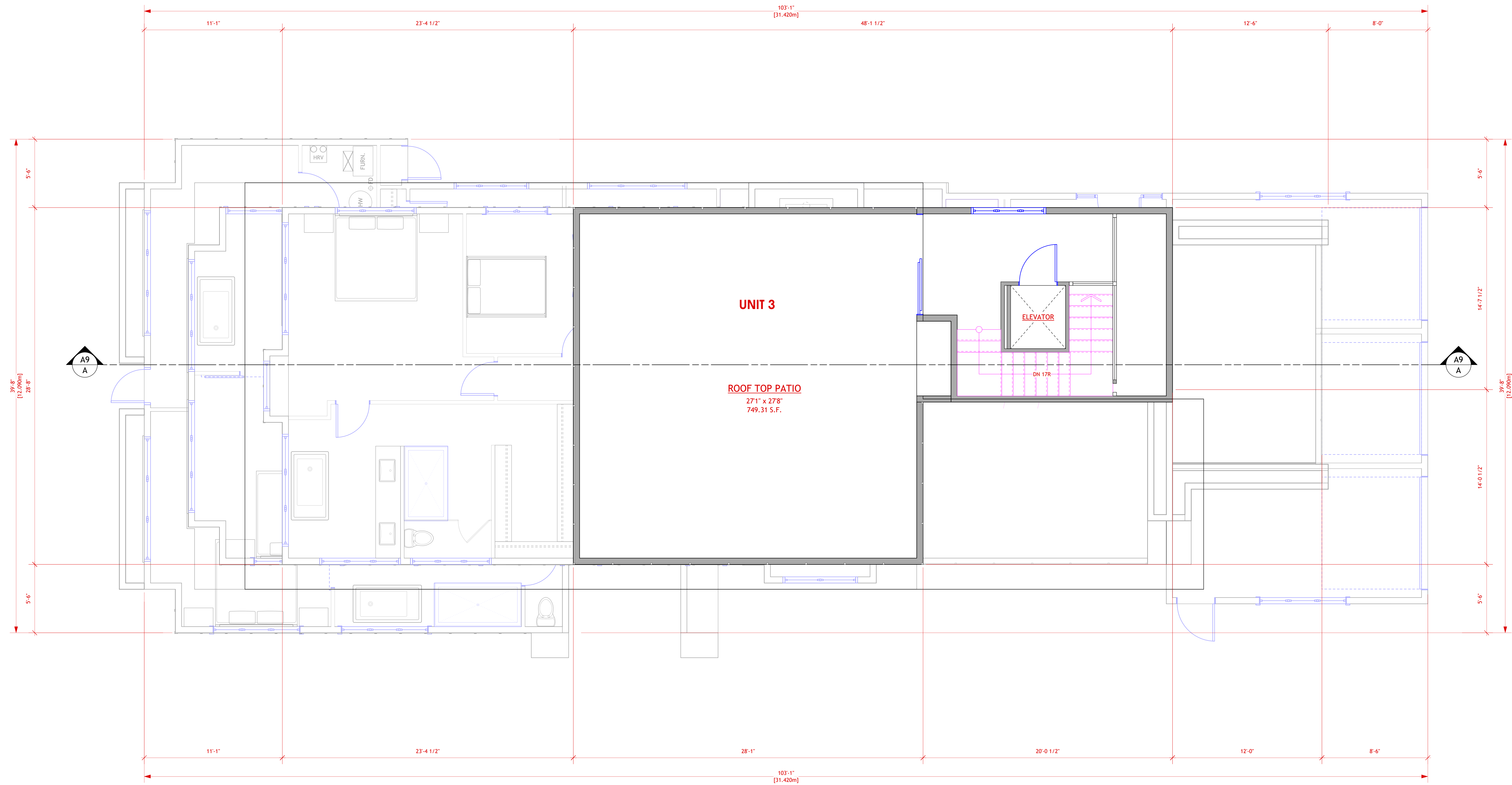
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**THIRD FLOOR PLAN**

DATE  
**OCTOBER 31, 2019**

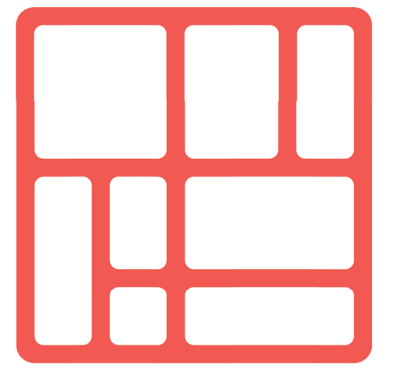
DRAWING NUMBER  
**7**  
 of  
**10**



**1** THIRD FLOOR PLAN  
 Scale: 1/4" = 1'-0" GFA = 1796 SQ.FT. [166.9m<sup>2</sup>]



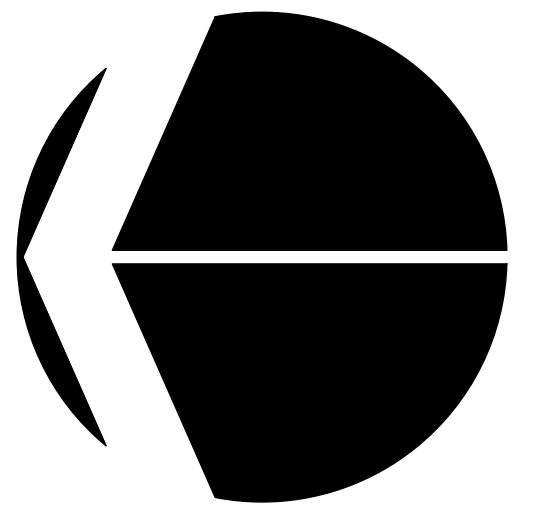
1 ROOF-TOP PATIO  
 Scale: 1/4" = 1'-0"



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PROJECT NORTH

REVISION	DATE	DISCRIPTION

PROJECT  
**MULTIFAMILY DEVELOPMENT**  
 615 FRANCIS AVENUE  
 KELOWNA, BC V1Y 5G4  
 LOT 15 PLAN KAP1141

DRAWING TITLE  
**ROOF PLAN**

DATE  
**OCTOBER 31, 2019**

DRAWING NUMBER  
**8**  
 of  
**10**



TOP OF ROOF-DECK STAIR STRUCTURE  
45'-0 7/8" [13.738m]

TOP OF ROOF-DECK  
31'-9 1/2" [9.690m]

TOP OF THIRD FLOOR  
21'-2 3/4" [6.471m]

TOP OF SECOND FLOOR  
11'-1 3/8" [3.388m]

TOP OF MAIN FLOOR  
0'-0" [0.000m]

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



WOOD SOFFITS

ALUMINUM FRAME GLASS RAIL

TEXTURED ACRYLIC STUCCO

HARDIETRIM FASCIA

BRICK

BOARD & BATTEN SIDING (PAINTED)

**SCHEDULE B**

This forms part of application  
# DP18-0111 & DVP20-003

Planner Initials **JB**

TOP OF ROOF-DECK STAIR STRUCTURE  
45'-0 7/8" [13.738m]

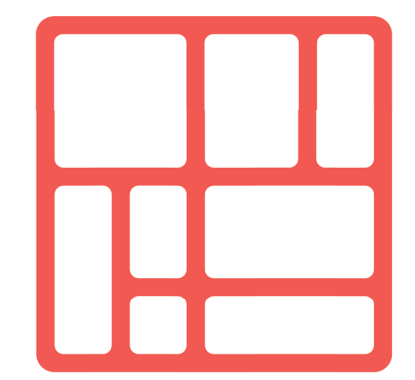
TOP OF ROOF-DECK  
31'-9 1/2" [9.690m]

TOP OF THIRD FLOOR  
21'-2 3/4" [6.471m]

TOP OF SECOND FLOOR  
11'-1 3/8" [3.388m]

TOP OF MAIN FLOOR  
0'-0" [0.000m]

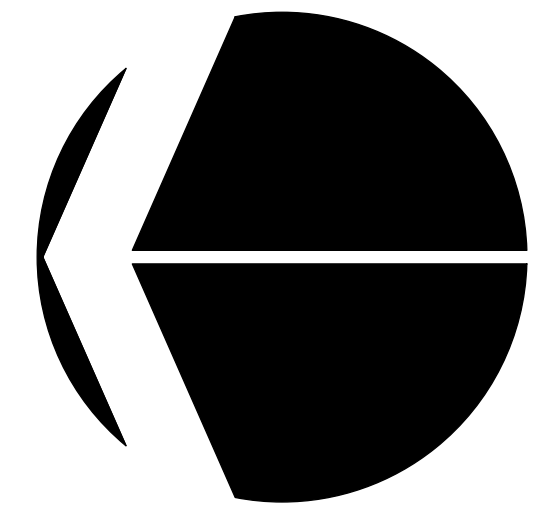
2 WEST ELEVATION  
Scale: 1/4" = 1'-0"



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PROJECT NORTH

REVISION	DATE	DISCRIPTION

PROJECT  
MULTIFAMILY DEVELOPMENT  
615 FRANCIS AVENUE  
KELOWNA, BC V1Y 5G4  
LOT 15 PLAN KAP1141

DRAWING TITLE  
ELEVATIONS

DATE  
OCTOBER 31, 2019

DRAWING NUMBER  
2  
of  
10

TOP OF ROOF-DECK STAIR STRUCTURE  
 45'-0 7/8" [13.738m]

TOP OF ROOF-DECK  
 31'-9 1/2" [9.690m]

TOP OF THIRD FLOOR  
 21'-2 3/4" [6.471m]

TOP OF SECOND FLOOR  
 11'-1 3/8" [3.388m]

TOP OF MAIN FLOOR  
 0'-0" [0.000m]

**1 SOUTH ELEVATION**  
 Scale: 1/4" = 1'-0"

TOP OF ROOF-DECK STAIR STRUCTURE  
 45'-0 7/8" [13.738m]

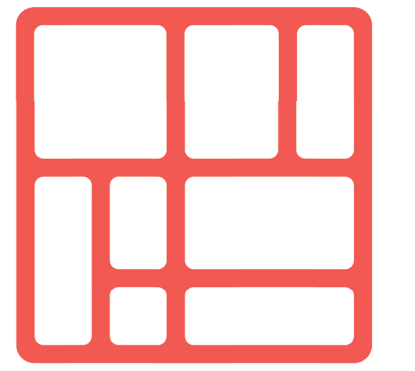
TOP OF ROOF-DECK  
 31'-9 1/2" [9.690m]

TOP OF THIRD FLOOR  
 21'-2 3/4" [6.471m]

TOP OF SECOND FLOOR  
 11'-1 3/8" [3.388m]

TOP OF MAIN FLOOR  
 0'-0" [0.000m]

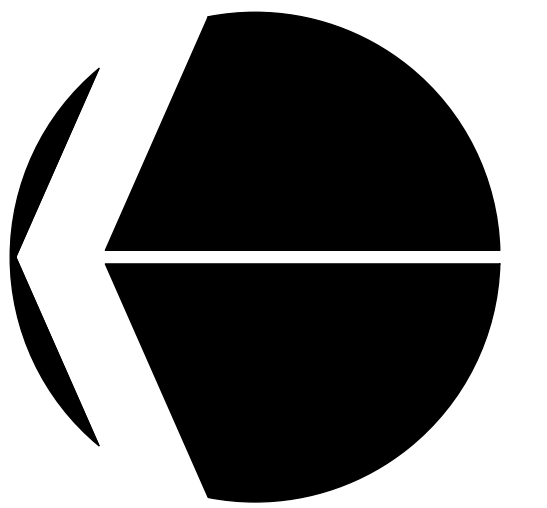
**2 EAST ELEVATION**  
 Scale: 1/4" = 1'-0"



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PROJECT NORTH

REVISION	DATE	DISCRIPTION

PROJECT  
**MULTIFAMILY DEVELOPMENT**  
 615 FRANCIS AVENUE  
 KELOWNA, BC V1Y 5G4  
 LOT 15 PLAN KAP1141

DRAWING TITLE  
**ELEVATIONS**

DATE  
**OCTOBER 31, 2019**

DRAWING NUMBER  
**3**  
 of  
**10**



TOP OF ROOF-DECK STAIR STRUCTURE  
45'-0 7/8" [13.738m]

TOP OF ROOF-DECK  
31'-9 1/2" [9.690m]

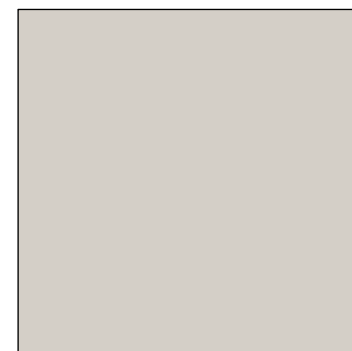
TOP OF THIRD FLOOR  
21'-2 3/4" [6.471m]

TOP OF SECOND FLOOR  
11'-1 3/8" [3.388m]

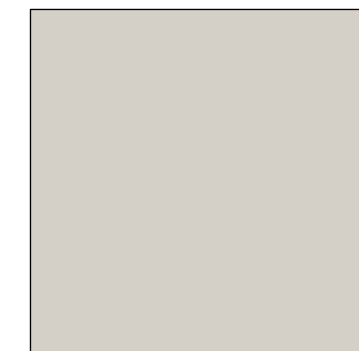
TOP OF MAIN FLOOR  
0'-0" [0.000m]



2 WEST ELEVATION  
Scale: 1/4" = 1'-0"



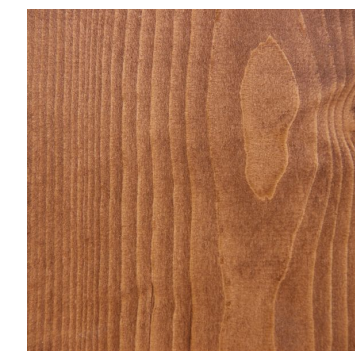
ACRYLIC STUCCO  
BENJAMIN MOORE 2108-60 ABALONE



HARDIEPANEL VERTICAL SIDING  
SELECT CEDARMILL BOARD & BATTEN  
BENJAMIN MOORE 2108-60 ABALONE



HARDIETRIM BOARDS  
FASCIA  
BENJAMIN MOORE 2124-10 WROUGHT IRON



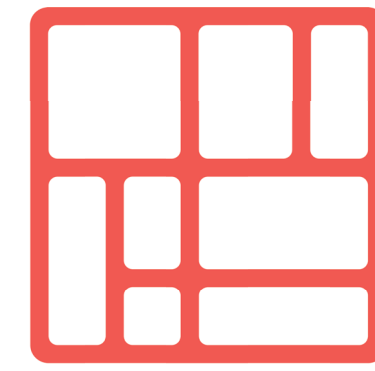
STAINED FIR  
TRELLIS & SOFFITS  
TEXAS HONEY BROWN



BRICK  
MUTUAL MATERIALS FOREST BLEND



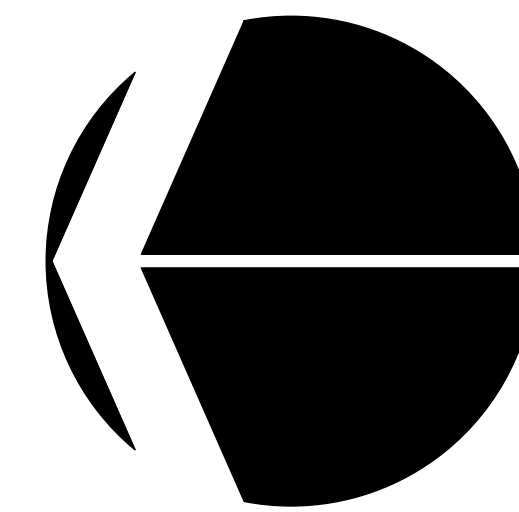
**SCHEDULE** B  
This forms part of application  
# DP18-0111 & DVP20-003  
Planner Initials JB  
City of Kelowna  
DEVELOPMENT PLANNING



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PROJECT NORTH

REVISION	DATE	DISCRIPTION

PROJECT  
MULTIFAMILY DEVELOPMENT  
615 FRANCIS AVENUE  
KELOWNA, BC V1Y 5G4  
LOT 15 PLAN KAP1141

DRAWING TITLE  
EXTERIOR MATERIALS

DATE  
OCTOBER 31, 2019

DRAWING NUMBER  
4  
of  
10

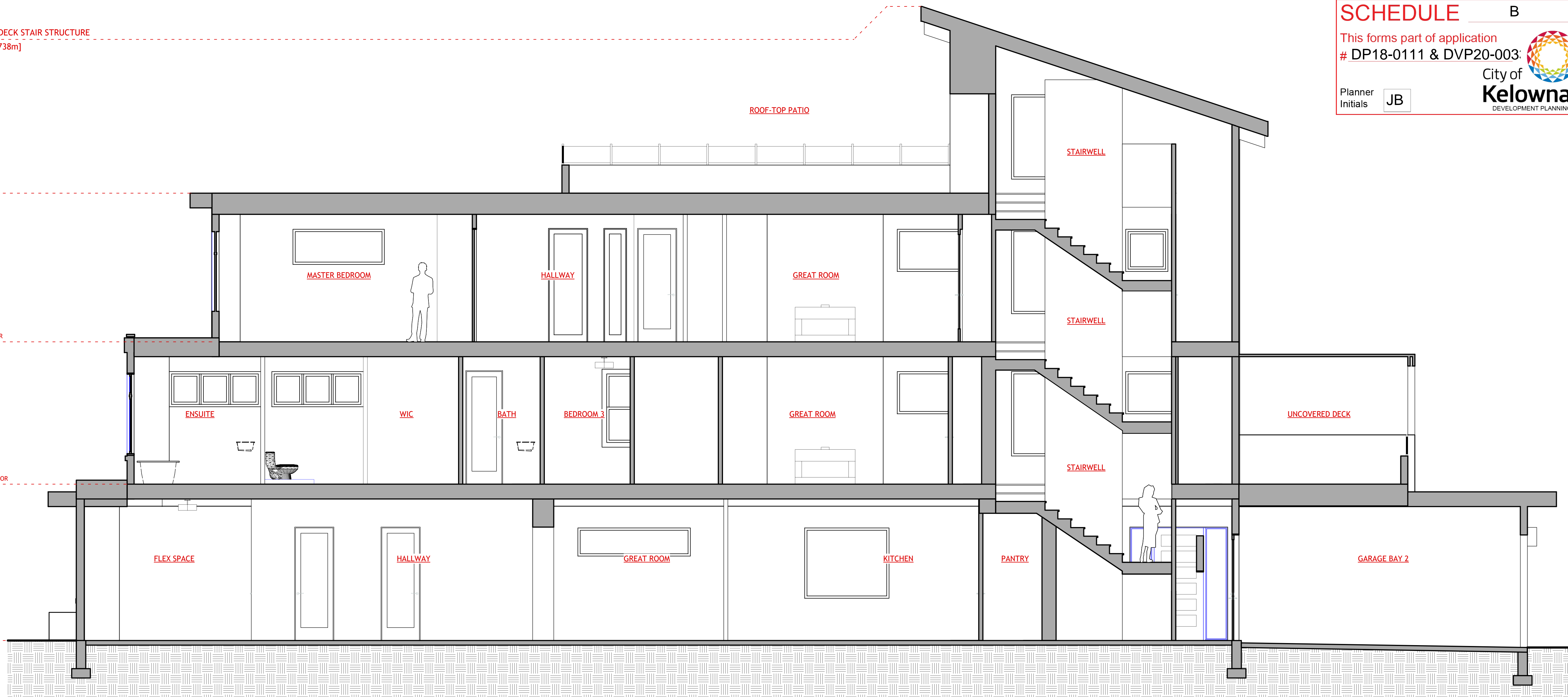
TOP OF ROOF-DECK STAIR STRUCTURE  
45'-0 7/8" [13.738m]

TOP OF ROOF-DECK  
31'-9 1/2" [9.690m]

TOP OF THIRD FLOOR  
21'-2 3/4" [6.471m]

TOP OF SECOND FLOOR  
11'-1 3/8" [3.388m]

TOP OF MAIN FLOOR  
0'-0" [0.000m]



**A SECTION**  
Scale: 1/4" = 1'-0"

**GENERAL NOTES**

- THE DESIGNER MAKES EVERY EFFORT TO PROVIDE COMPLETE AND ACCURATE HOME PLANS. HOWEVER, WE ASSUME NO LIABILITY FOR ANY ERRORS AND/OR OMISSIONS WHICH MAY AFFECT CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE BUILDER TO CHECK AND VERIFY ALL DIMENSIONS AND DETAILS BEFORE PROCEEDING WITH CONSTRUCTION. SHOULD ANY DISCREPANCIES BE FOUND ON THESE PLANS IT IS INCUMBENT ON YOU TO ADVISE OUR OFFICE AS SOON AS POSSIBLE. BY DOING SO WE WILL BE ABLE TO MAKE CORRECTIONS TO THE DRAWINGS AND REPLACE ANY PLANS IF NECESSARY. IN THIS WAY WE CAN BETTER SERVE YOU AND PREVENT ERRORS FROM REOCCURRING.
- CONFIRM ALL DIMENSIONS ON-SITE PRIOR TO BEGINNING CONSTRUCTION
- DIMENSIONS TAKE PRECEDENCE TO SCALE.
- THE DRAWINGS HAVE BEEN PREPARED TO CONFORM TO THE 2018 EDITION OF THE BRITISH COLUMBIA BUILDING CODE. THE BUILDER IS RESPONSIBLE FOR ENSURING THAT ALL CONSTRUCTION CONFORMS TO THE BCBC AND LOCAL BUILDING CODES AND BYLAWS. ALL CONSTRUCTION AND INSTALLATION OF MATERIALS SHALL BE DONE IN ACCORDANCE WITH GOOD BUILDING PRACTICES AND MANUFACTURERS INSTRUCTIONS. LOCAL BUILDING DEPARTMENTS MAY REQUIRE CERTIFICATION FROM A STRUCTURAL ENGINEER FOR PART OR ALL OF THE STRUCTURE. ANY ENGINEERING FEES ARE THE RESPONSIBILITY OF THE OWNER OR BUILDER.
- THE SITING OF THE HOME MUST BE IN COMPLIANCE WITH CITY OF KELOWNA BYLAWS. BEFORE COMMENCEMENT OF CONSTRUCTION, ENSURE THAT THE SITE PLAN HAS BEEN APPROVED BY A CITY OF KELOWNA BUILDING OFFICIAL.
- SITING OF THE HOME IS THE RESPONSIBILITY OF THE BUILDER IN CONJUNCTION WITH THE HOMEOWNER.
- ALL FOOTINGS MUST BE PLACED ON UNDISTURBED OR COMPACTED SOILS AND BELOW THE FROST LINE. FOUNDATION WALL HEIGHTS AND THICKNESSES AS WELL AS FOOTING SIZES MAY NEED TO BE ADJUSTED AND/OR REINFORCED DUE TO SITE CONDITIONS. ANY ENGINEERING SERVICES REQUIRED ARE THE RESPONSIBILITY OF THE OWNER OR BUILDER.
- APPROVED SMOKE ALARMS TO BE INSTALLED AND INTERCONNECTED.
- BUILDER TO CHECK SNOW LOAD REQUIREMENTS FOR THEIR LOCAL AREA AND MAKE ANY NECESSARY ADJUSTMENTS PRIOR TO CONSTRUCTION.
- CARBON MONOXIDE ALARMS SHALL CONFORM TO CSA 6.19, "RESIDENTIAL CARBON MONOXIDE ALARMING DEVICES".
- DAMP-PROOFING OF 6 MIL POLYETHYLENE, WITH SEAMS LAPPED, OVER 4" OF 4" CLEAN GRANULAR MATERIAL CONTAINING NOT MORE THAN 10% OF MATERIAL THAT WILL PASS A 4 mm SIEVE (GAS-PERMEABLE LAYER) SHALL BE LAID UNDER CONCRETE SLABS. A FLEXIBLE SEALANT SHALL BE PLACED WHERE THE SLAB AND FOUNDATION WALL MEET.
- DRAINAGE AROUND FOUNDATION TO CONSISTING OF A 4" DIAMETER PIPED COVERED WITH A MINIMUM OF 6" CRUSHED STONE SHALL BE PLACED AROUND THE PERIMETER OF THE BUILDING.
- ENSURE THAT WINDOWS IN FUTURE BEDROOMS HAVE A MINIMUM AREA OF .35m<sup>2</sup> (3.75 FT<sup>2</sup>) WITH AN UNOBSTRUCTED HEIGHT AND WIDTH OF 380mm (15"). THE WINDOW OPENING SHALL BE A MAXIMUM OF 1.5m (5') ABOVE THE FLOOR.
- EXTERIOR DIMENSIONS ARE TO FACE OF SHEATHING.
- EXTERIOR WALLS ARE DRAWN AT 6"
- LIGHTING AND ELECTRICAL LAYOUTS TO BE SPECIFIED BY THE OWNER OR BUILDER AND MUST MEET WITH 2018 BCBC REQUIREMENTS.
- PLANS ARE BASED ON THE USE OF #2 OR BETTER SPF, UNLESS OTHERWISE STATED. LAMINATED BEAMS WILL REQUIRE AN ENGINEER'S CERTIFICATION. THIS IS THE RESPONSIBILITY OF THE OWNER OR BUILDER.
- REFER TO ENGINEERED FLOOR JOIST AND ROOF TRUSS LAYOUT TO CONFIRM BEAM, POST AND PAD FOOTING LOCATION AND SIZES. ENSURE PROPER BEARING IS PROVIDED FOR ALL BEAMS.
- ROOF SPACES SHALL BE VENTED WITH ROOF, EAVE AND/OR GABLE END TYPE VENTS TO A MIN OF 1:300 OF THE INSULATED AREA.
- THE INSTALLATION OF ALL PLUMBING, HVAC AND ELECTRICAL EQUIPMENT AND MATERIALS SHALL BE IN ACCORDANCE WITH MANUFACTURERS SPECIFICATIONS AND THE APPLICABLE SECTIONS OF THE 2018 BCBC.
- VANITY SIZES ARE FOR REFERENCE ONLY. REFER TO APPROVED KITCHEN LAYOUT FOR CABINET SIZES.
- CONSTRUCTION LOADS ON THE STRUCTURE CAUSED BY INTERIM STORAGE OF MATERIALS OR USE OF EQUIPMENT, SHALL NOT BE ALLOWED TO EXCEED THE DESIGN LOADINGS.
- EXTERIOR DOORS SHALL BE SOLID CORE AND WEATHERSTRIPPED. GARAGE DOORS TO DWELLING TO BE AS ABOVE AND SELF-CLOSING.
- GRADES SHOWN ON PLANS ARE ESTIMATED. FOUNDATION WALL HEIGHTS AND HOUSE SITING MAY REQUIRE ADJUSTMENT TO SUIT SITE CONDITIONS.
- MIN. 25% OF UNOBSTRUCTED ROOF VENT AREA SHALL BE AT BOTH THE SOFFIT AND TOP OF ATTIC. ROOF VENTING SHALL BE IN ACCORDANCE WITH BCBC 9.19.1.2.
- PROVIDE BAFFLE FOR AIR SPACE (EQUAL TO SOFFIT VENTING) BETWEEN INSULATION AND ROOF SHEATHING AT EXTERIOR WALL LINE.
- THE FACE OF SHEATHED EXTERIOR WALLS SHALL BE FLUSH WITH FOUNDATION WALLS.
- WOOD IN CONTACT WITH CONCRETE TO BE DAMP-PROOFED WITH SILL GASKET OR OTHER APPROVED METHOD. PLATES TO BE ANCHORED TO CONCRETE FOUNDATION WITH 1/2" DIA. A307 ANCHOR BOLTS AT 4'-0" O.C.

**1 ROOF SYSTEM**

- LAMINATE SHINGLES
- BITUMEN SATURATED ROOFING PAPER
- 7/16" SHEATHING W/ H-CLIPS
- ENGINEERED ROOF TRUSSES @ 24" O.C.
- LOOSE FILL INSULATION
- 6 MIL POLY VAPOUR & AIR BARRIER
- 1/2" CEILING BOARD (TEXTURED)

**2 EXTERIOR WALL**

- ACRYLIC STUCCO
- BUILDING PAPER
- 3/8" SHEATHING
- 2X6 STUD WALL - STUDS @ 16" O.C.
- BATT TYPE INSULATION
- 6 MIL POLY VAPOUR & AIR BARRIER
- 1/2" DRYWALL (PAINTED)

**3 INTERIOR LOAD BEARING WALL**

- 1/2" DRYWALL (PAINTED)
- 2X4 STUD WALL - STUDS @ 16" O.C.
- 1/2" DRYWALL (PAINTED)

**4 INTERIOR NON-LOAD BEARING WALL**

- 1/2" DRYWALL (PAINTED)
- 2X4 STUD WALL - STUDS @ 16" O.C.
- 1/2" DRYWALL (PAINTED)

**5 FLOOR SYSTEM**

- INTERIOR FLOOR COVERINGS
- 3/4" T & G PLYWOOD SUBFLOOR
- 11 7/8" TJI SILENT FLOOR (SEE APPROVED LAYOUT FOR JOIST SPACING AND PLACEMENT)
- 1/2" DRYWALL (TEXTURED) IN FINISHED AREAS ONLY
- REFER TO APPROVED FLOOR LAYOUT DIAGRAM

**6 CONCRETE FOUNDATION**

- 8" CONCRETE FROST WALL
- MIN. 20 MPA 28 DAY CONCRETE STRENGTH
- 10M BAR (HORIZ.) @ 18" O.C.
- 10M BAR (VERT.) @ 48" O.C. ALTERNATING
- 24" X 24" 15M CORNER BARS @ ALL CORNERS
- 1 1/2" CLEAR TO REBAR FROM INSIDE OF WALL
- 1/2" A307 ANCHOR BOLTS REQD @ 4'-0" O.C.
- RIGID INSULATION

- 8" X 16" CONTINUOUS CONCRETE FOOTING
- 2 ROWS 15M BAR CONTINUOUS
- 2" CLEAR TO REBAR FROM BOTTOM OF FOOTING

- UNEXCAVATED EARTH
- PROVIDE MINIMUM 24" FROST PROTECTION

**7 BASEMENT CONCRETE SLAB**

- 4" CONCRETE SLAB (20 MPA MIN)
- 10M BARS @ 16" E.W. IN TILED FLOOR AREAS
- 6 MIL POLY LAPPED NOT LESS THAN 12" & ALL JOINTS SEALED TO PREVENT AIR LEAKAGE
- RIGID INSULATION
- MINIMUM 4" CLEAN GRANULAR MATERIAL
- PROVIDE ROUGH-IN FOR FUTURE SUBFLOOR DEPRESSURIZATION SYSTEM TO CONTROL SOIL GAS AS PER BCBC 9.13.4.3

**8 GARAGE CONCRETE SLAB**

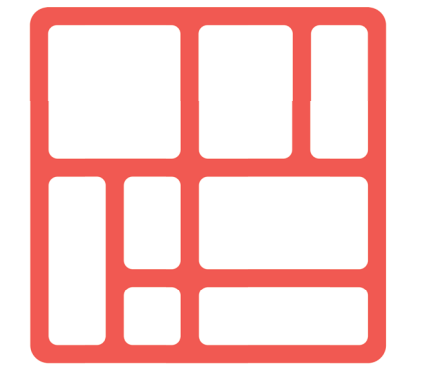
- 4" CONCRETE SLAB (32 MPA MIN)
- MIN. 2% SLOPE TO FRONT OF GARAGE
- 5% MIN AIR ENTRAINMENT
- 10M BARS @ 18" E.W.
- 6" MIN WELL COMPACTED GRANULAR FILL
- UNEXCAVED EARTH

**SCHEDULE B**

This forms part of application  
# DP18-0111 & DVP20-003:

Planner Initials **JB**

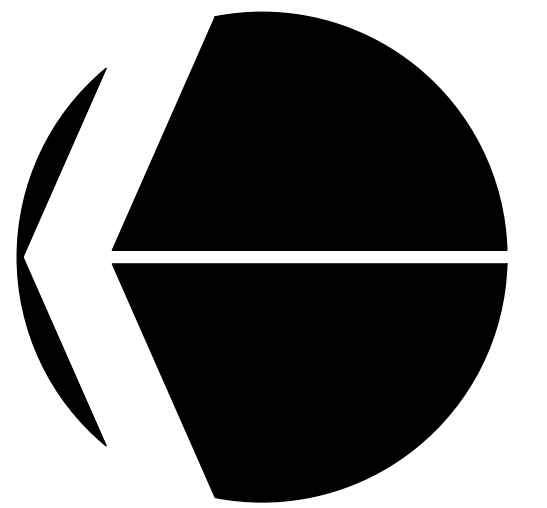
City of Kelowna  
DEVELOPMENT PLANNING



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PROJECT NORTH

REVISION	DATE	DISCRIPTION

PROJECT  
**MULTIFAMILY DEVELOPMENT**  
615 FRANCIS AVENUE  
KELOWNA, BC V1Y 5G4  
LOT 15 PLAN KAP1141

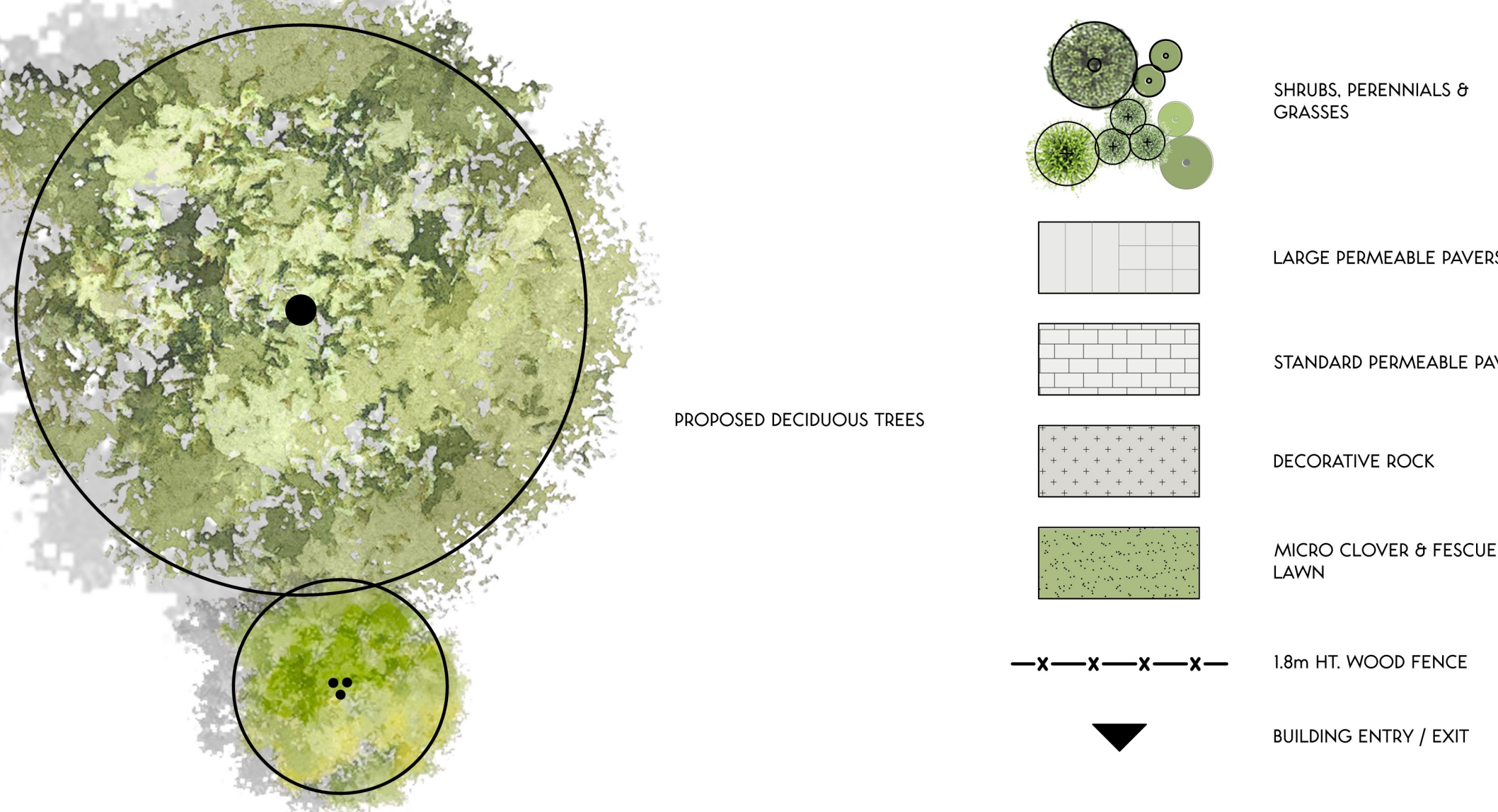
DRAWING TITLE  
**SECTION**

DATE  
**OCTOBER 31, 2019**

DRAWING NUMBER  
**9 of 10**

/VOLUMES/BENCH/400 - PROJECTS/2018/18-013\_615FRANCIS\_MULTIFAMILY/400 - DRAWINGS/00-CURRENT/00\_18-013\_CONCEPT\_LANDSCAPE\_M.DWG

**LEGEND:**



**PLANT LIST:**

TREES					
Key	Qty.	Botanical Name	Common Name	Size/Spacing	Root
AGR	1	<i>Amelanchier grandiflora</i> 'Autumn Brilliance'	Autumn Brilliance serviceberry	1.5m Ht.	B&B
FPE	1	<i>Fraxinus pennsylvanica</i> 'Patmore'	Patmore green ash	6cm Cal.	B&B
HIN	1	<i>Hamamelis x intermedia</i> 'Jelena'	Jelena witch hazel	1.5m Ht.	B&B
SRE	1	<i>Syringa reticulata</i> 'Ivory Silk'	Ivory Silk Japanese tree lilac	6cm Cal.	B&B

SHRUBS					
Key	Qty.	Botanical Name	Common Name	Size/Spacing	Root
CSE	11	<i>Cornus sericea</i> 'Farrow'	Arctic Fire dogwood	#02 Cont./1.0m O.C.	Potted
ECA	42	<i>Erica carnea</i> 'Winter Beauty'	Winter Beauty heath	#02 Cont./0.45m O.C.	Potted
HPA	10	<i>Hydrangea paniculata</i> 'Ivobob'	Bobo hydrangea	#02 Cont./0.9m O.C.	Potted
RAL	28	<i>Ribes alpinum</i>	Alpine currant	#02 Cont./0.9m O.C.	Potted
SJA	12	<i>Spiraea japonica</i> 'Crispa'	Crispa Japanese spirea	#02 Cont./0.8m O.C.	Potted

PERENNIALS					
Key	Qty.	Botanical Name	Common Name	Size/Spacing	Root
AJA	18	<i>Astilbe japonica</i> 'Peach Blossom'	Peach Blossom astilbe	#01 Cont./0.6m O.C.	Potted
EDU	16	<i>Eutrochium dubium</i> 'Little Joe'	Little Joe pye weed	#01 Cont./0.6m O.C.	Potted

GRASSES					
Key	Qty.	Botanical Name	Common Name	Size/Spacing	Root
MSI	20	<i>Miscanthus sinensis</i> 'Purpurascens'	Orange flame grass	#01 Cont./0.8m O.C.	Potted
PVI	23	<i>Panicum virgatum</i> 'Hanse Herms'	Hanse Herms switch grass	#01 Cont./0.6m O.C.	Potted
SAU	32	<i>Sesleria autumnalis</i>	Autumn moor grass	#01 Cont./0.3m O.C.	Potted

**DEVELOPMENT PERMIT NOTES:**

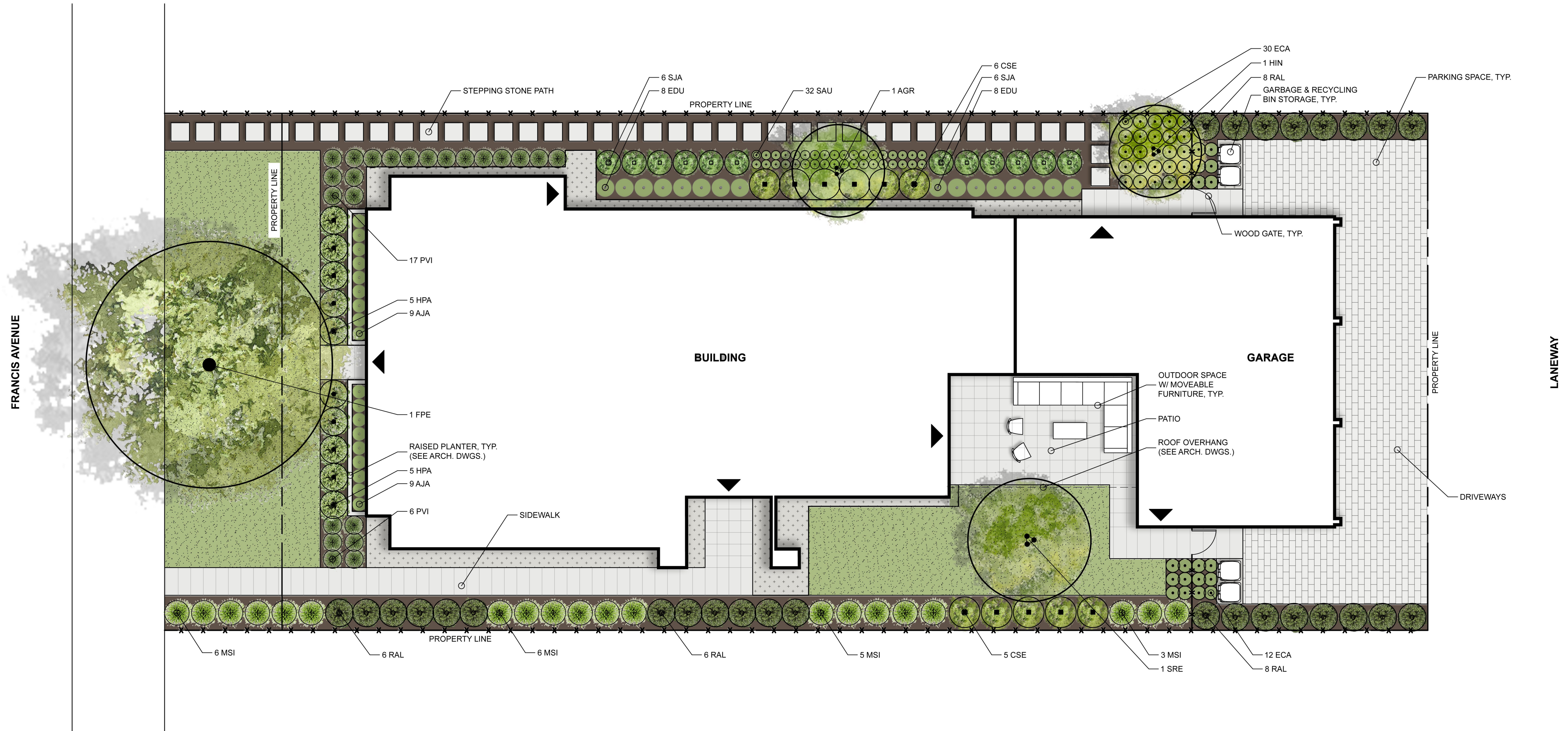
- A PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO MINIMUM STANDARDS ESTABLISHED IN THE LATEST EDITION OF THE CANADIAN LANDSCAPE STANDARDS, PUBLISHED BY C.L.N.A. AND C.S.L.A. AS WELL AS THE CITY OF KELOWNA LANDSCAPE STANDARDS IN BYLAW 7900.
- B THE LANDSCAPE DESIGN DESIGNATED HEREIN IS CONCEPTUAL 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 DECORATIVE ROUND ROCK. COMMERCIAL GRADE LANDSCAPE FABRIC SHALL BE INSTALLED BELOW ALL DECORATIVE ROCK AREAS.
- G SEEDED MICRO CLOVER & FESCUE LAWN AREAS SHALL BE LOW WATER USE 'CERTIFIED CANADA NO. 1' SEED 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.

**SCHEDULE C**

This forms part of application  
 # DP18-0111 & DVP20-003:

Planner Initials **JB**

City of Kelowna  
 DEVELOPMENT PLANNING



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REVISIONS / ISSUED:

NO.	DATE	DESCRIPTION
6	FEB 21/20	REISSUED FOR DP
5	DEC 11/19	REISSUED FOR DP
4	NOV 08/19	ISSUED FOR REVIEW
3	MAY 18/18	REISSUED FOR DP
2	APR 05/18	ISSUED FOR DP
1	MAR 29/18	ISSUED FOR REVIEW

**BENCH**

| 4-1562 Water Street, Kelowna BC V1Y 1J7 |  
 | 1 250 860 6778 |

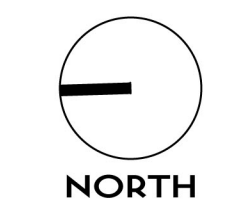
CLIENT:  
**RIVERVIEW CONSTRUCTION LTD.**  
 KELOWNA, B.C.

PROJECT:  
**615 FRANCIS AVENUE**  
 KELOWNA, B.C.

SHEET TITLE  
**LANDSCAPE PLAN**

DESIGN BY	YY
DRAWN BY	YY
CHECKED BY	KN
PROJECT NO.	18-013
SCALE	1:75

SHEET NO.



**NOT FOR CONSTRUCTION**

**L-1**



# DP18-0111 & DVP20-0033 615 Francis

Development Permit & Development Variance Permit



# Proposal

- ▶ To issue a Development Permit for the form and character of multiple dwelling housing
- ▶ To issue a Development Variance Permit for a variance of the side yard setbacks

# Development Process

May 5, 2018

Development Application Submitted



Staff Review & Circulation



June 17, 2018

Public Notification Received



July 16, 2018

Initial Consideration



July 31, 2018

Public Hearing  
Second & Third Readings



May 12, 2020

Final Reading  
DP & Variances

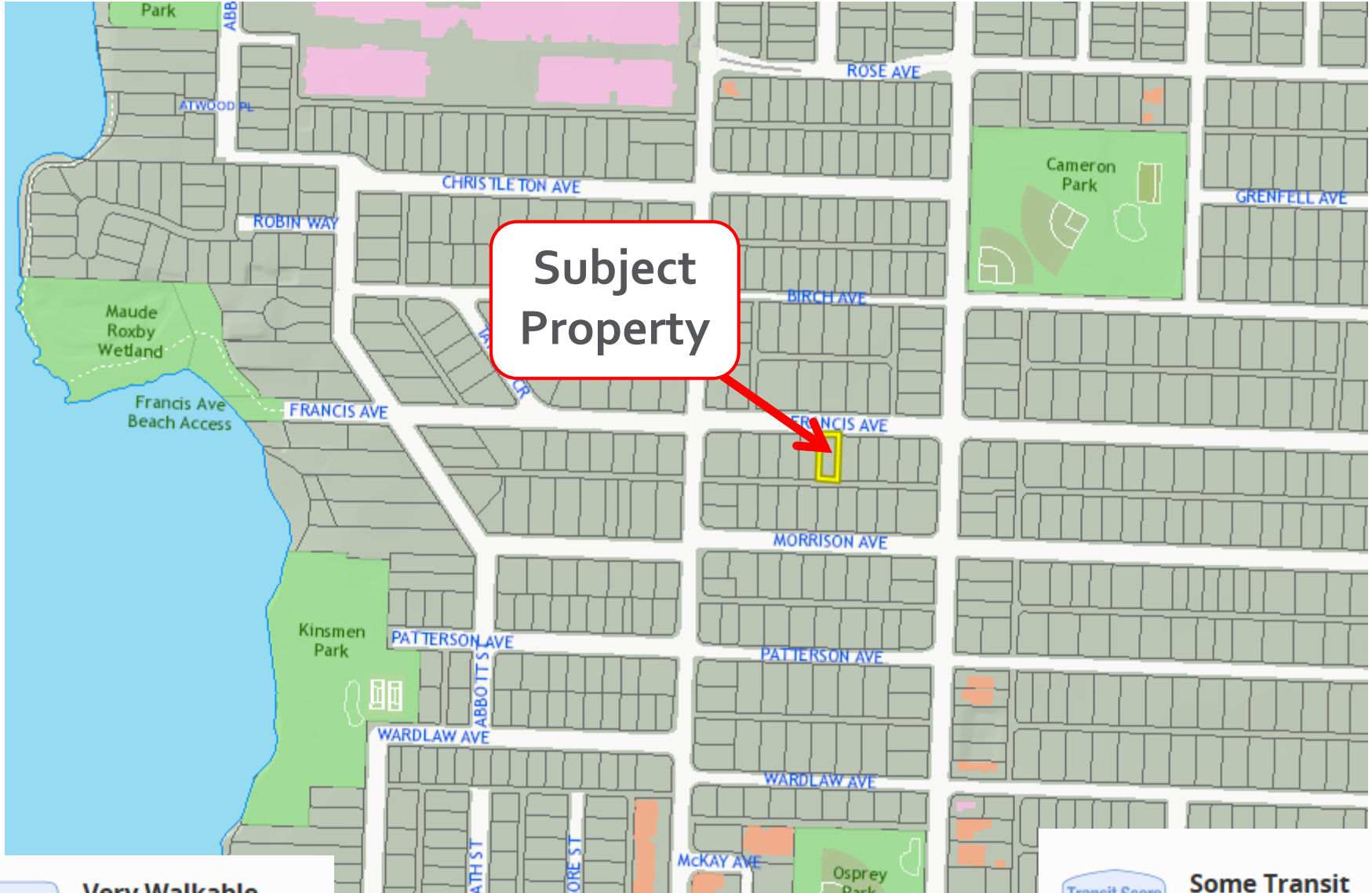


Building Permit

Council  
Approvals



# Context Map



**Subject Property**

Walk Score  
**73**

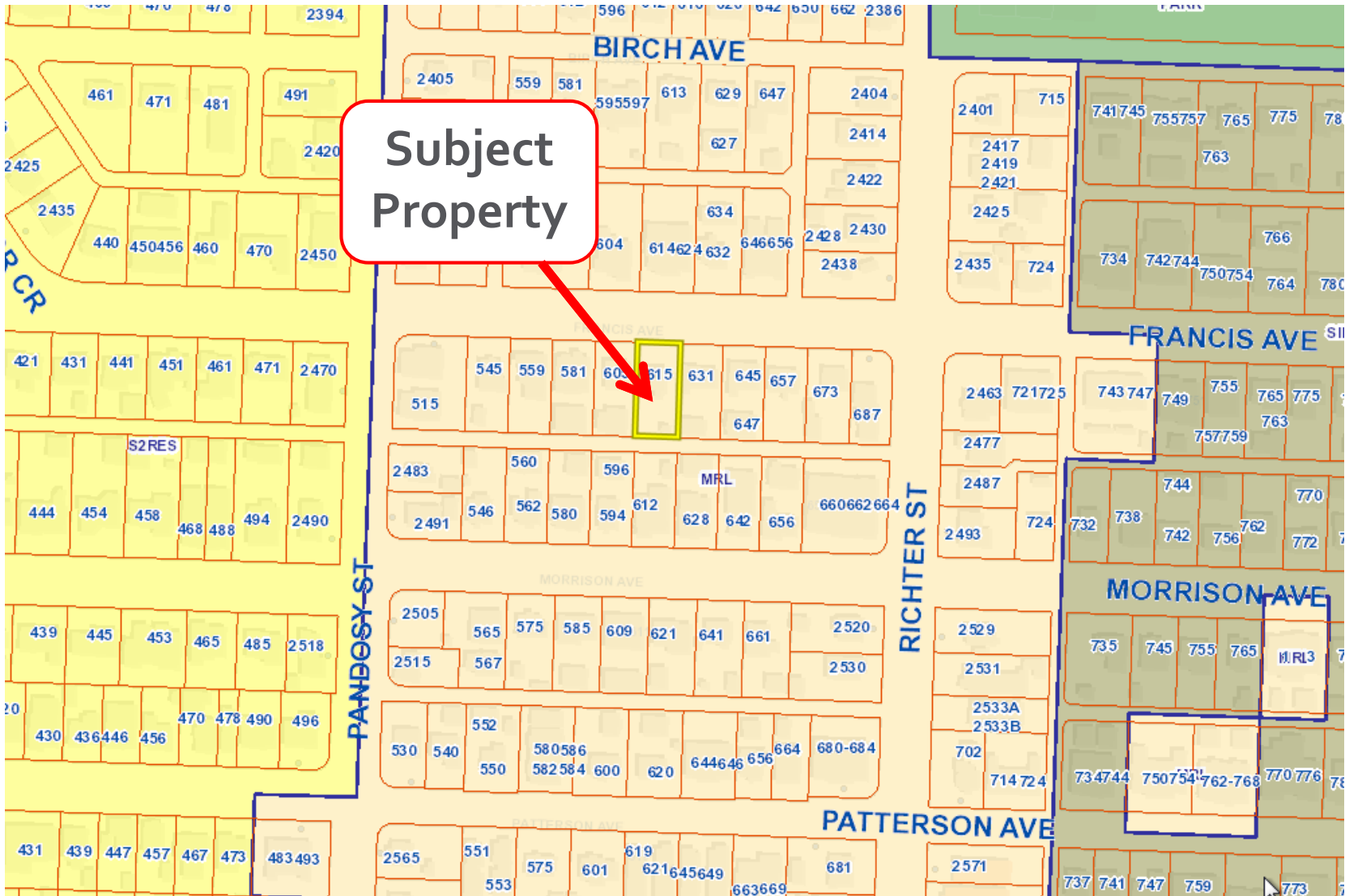
**Very Walkable**  
Most errands can be accomplished on foot.

Transit Score  
**38**

**Some Transit**  
A few nearby public transportation options.

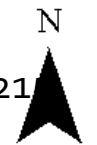
City of Kelowna

# OCP Future Land Use / Zoning





# Subject Property Map



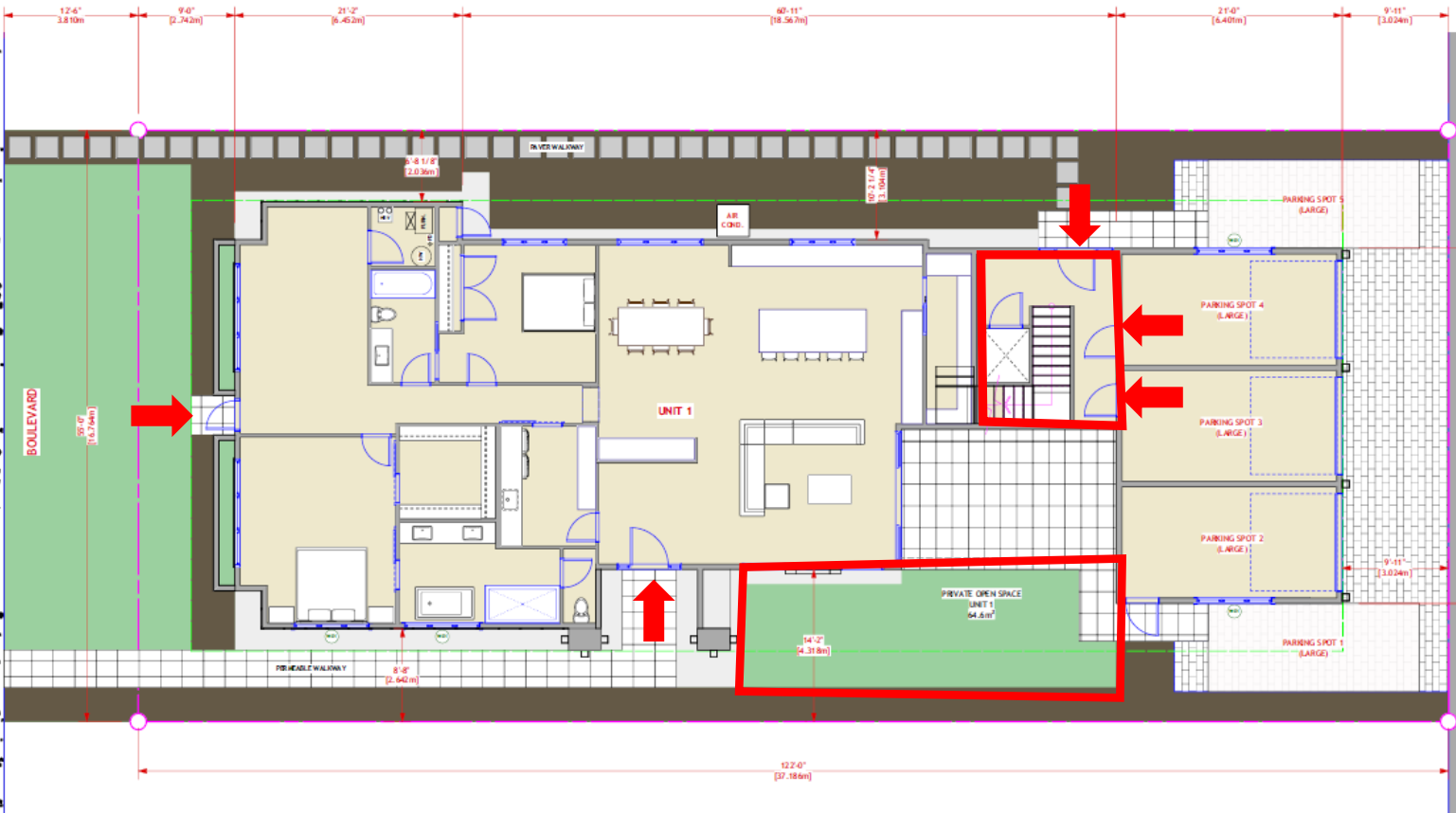
# Project/technical details

- ▶ 3 stacked townhouse units
- ▶ Access and parking is provided in private garages located off the rear lane
- ▶ Private open space for unit one is provided at the ground level
- ▶ Private open space for unit two is provided on multiple balconies
- ▶ Private open space for unit three is provided on a roof top patio

# Site Plan

Francis Ave

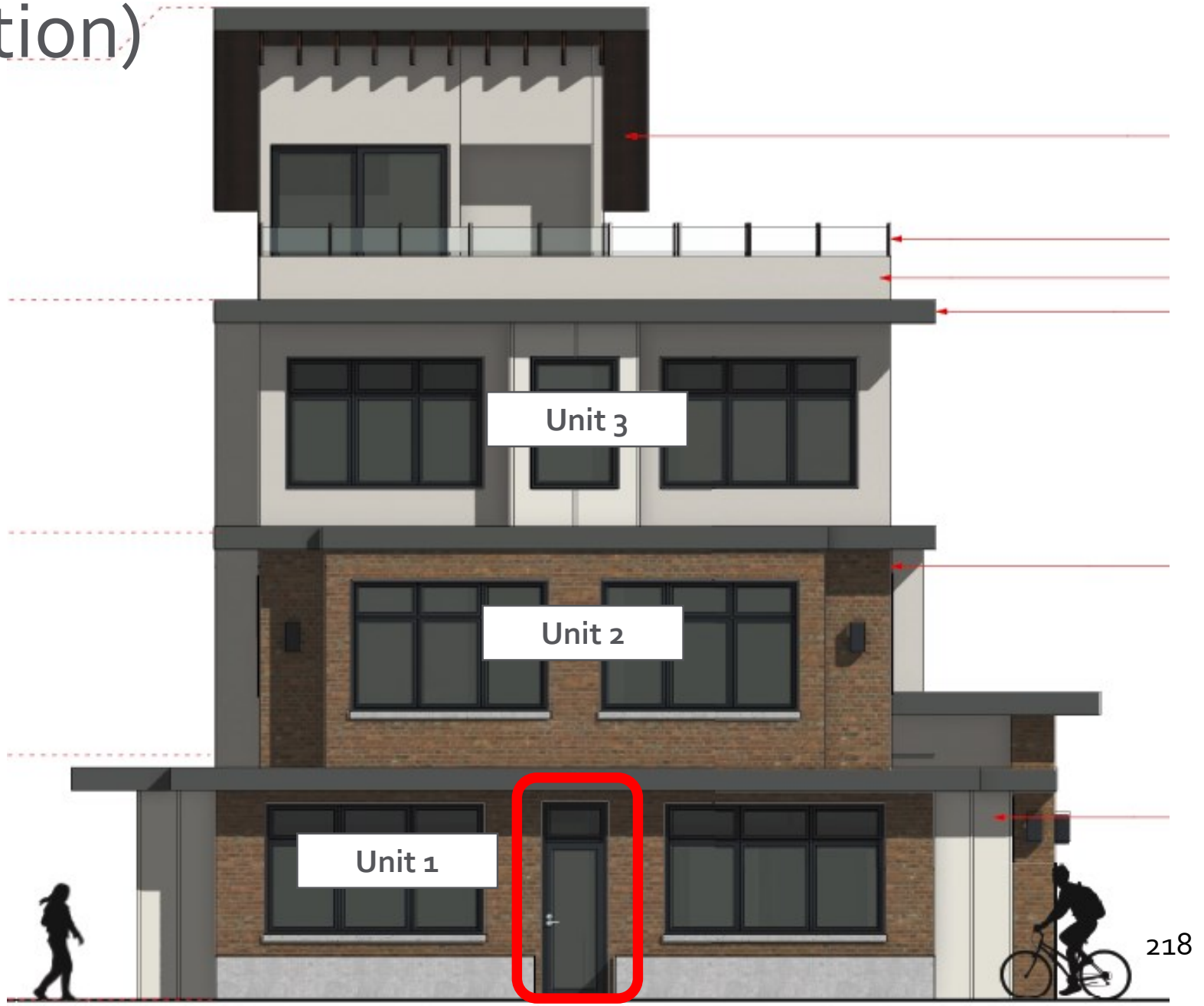
Laneway



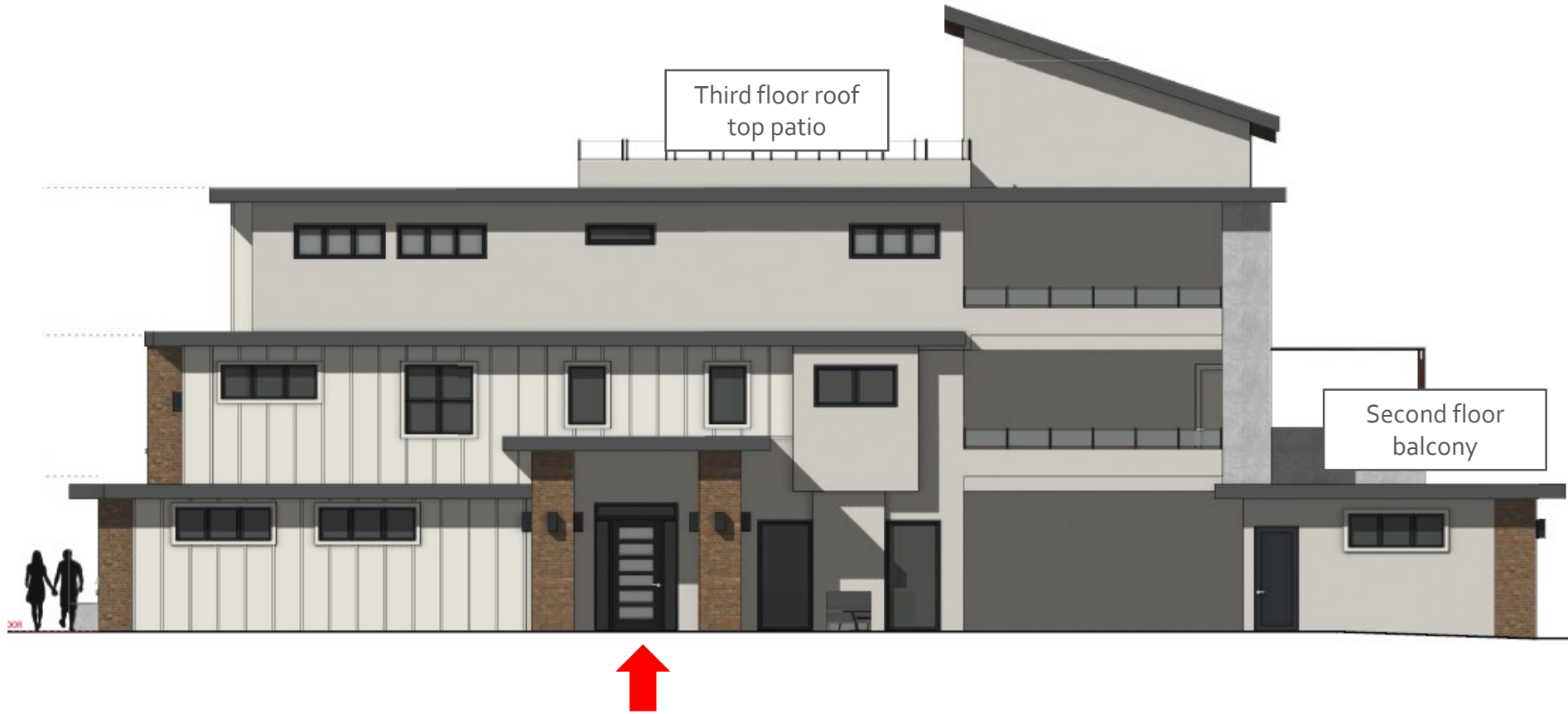
1 SITE PLAN  
Scale: 1:75



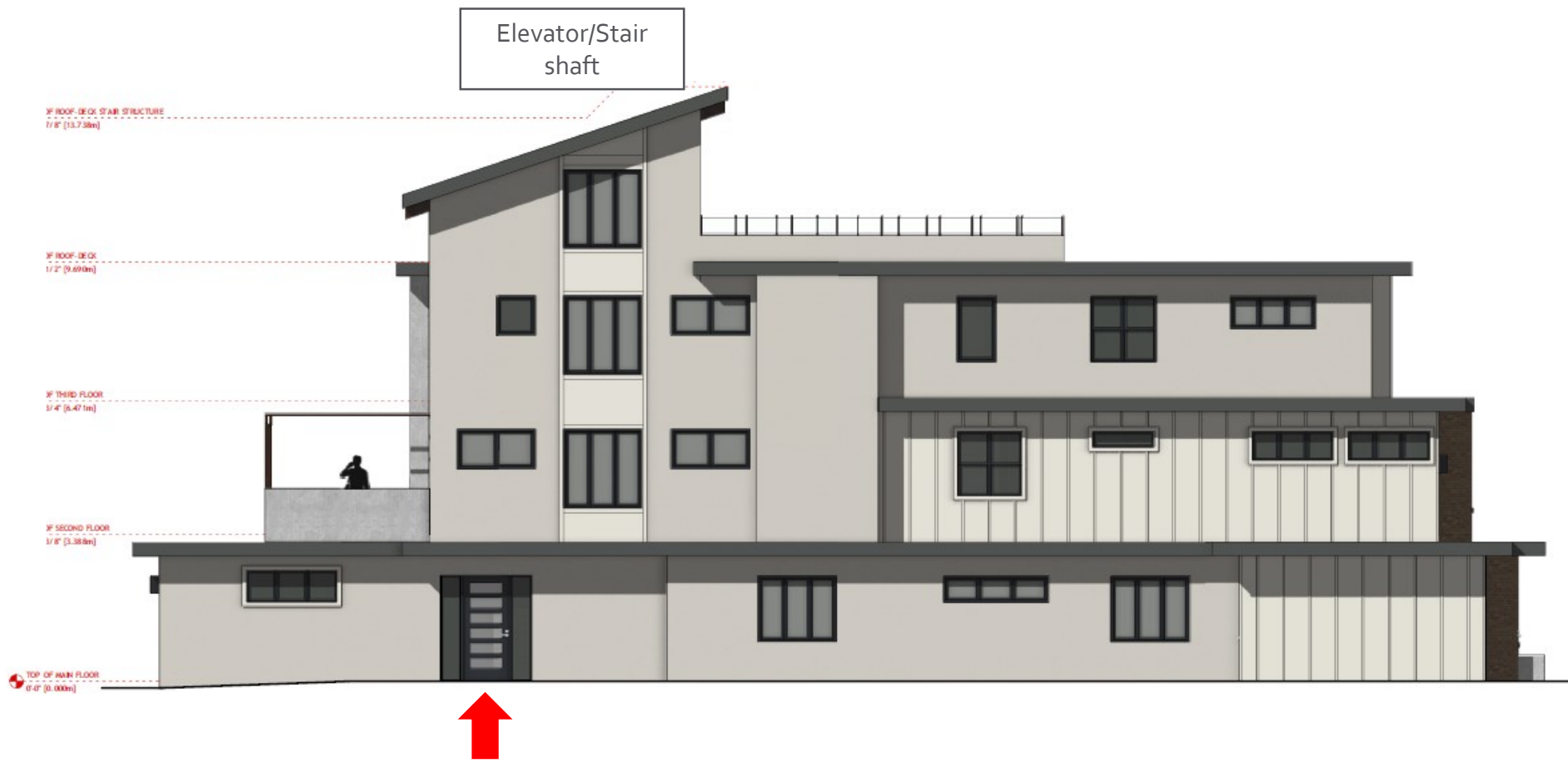
# Stacked Townhouse Units (north elevation)



# West Elevation



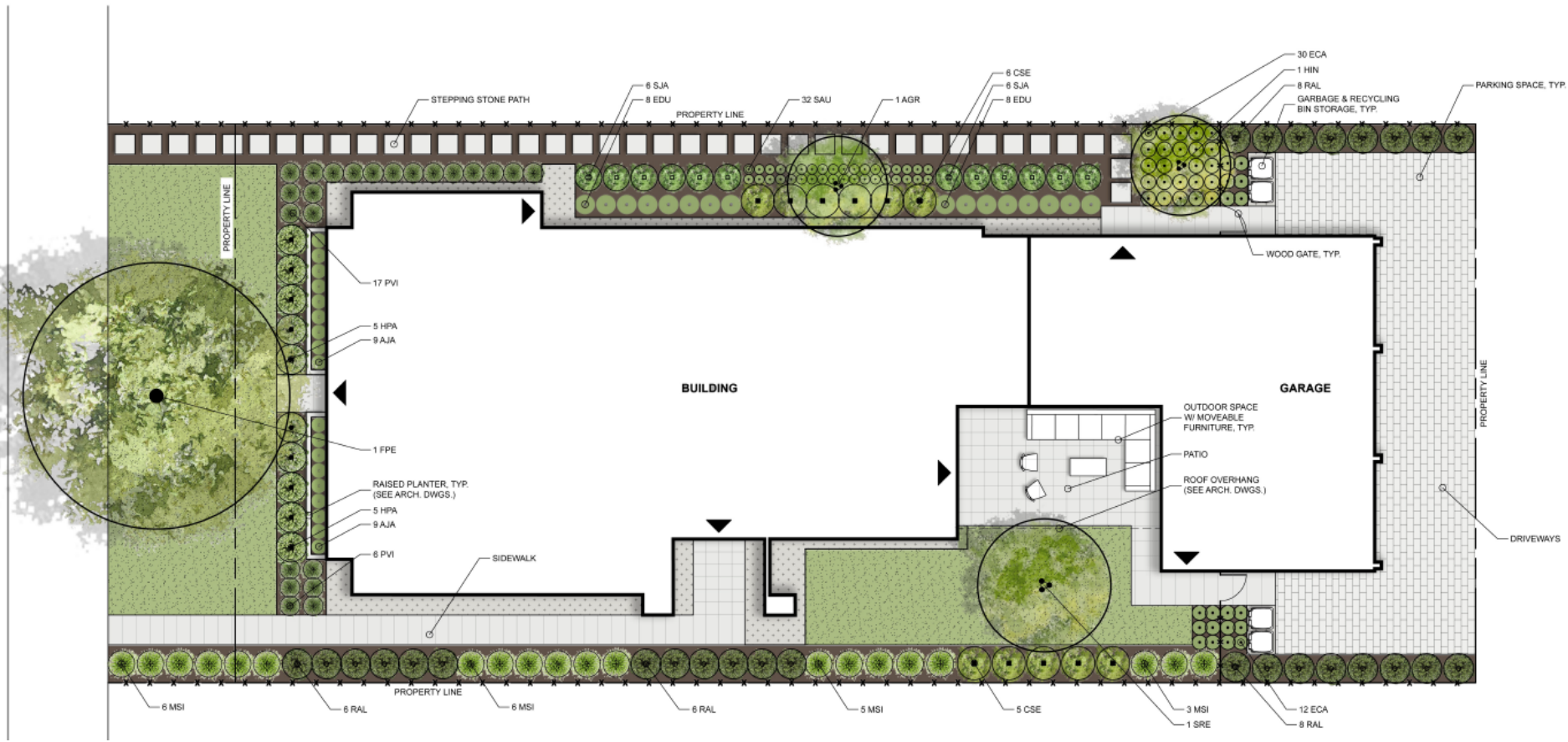
# East Elevation



# South Elevation



# Landscape Plan

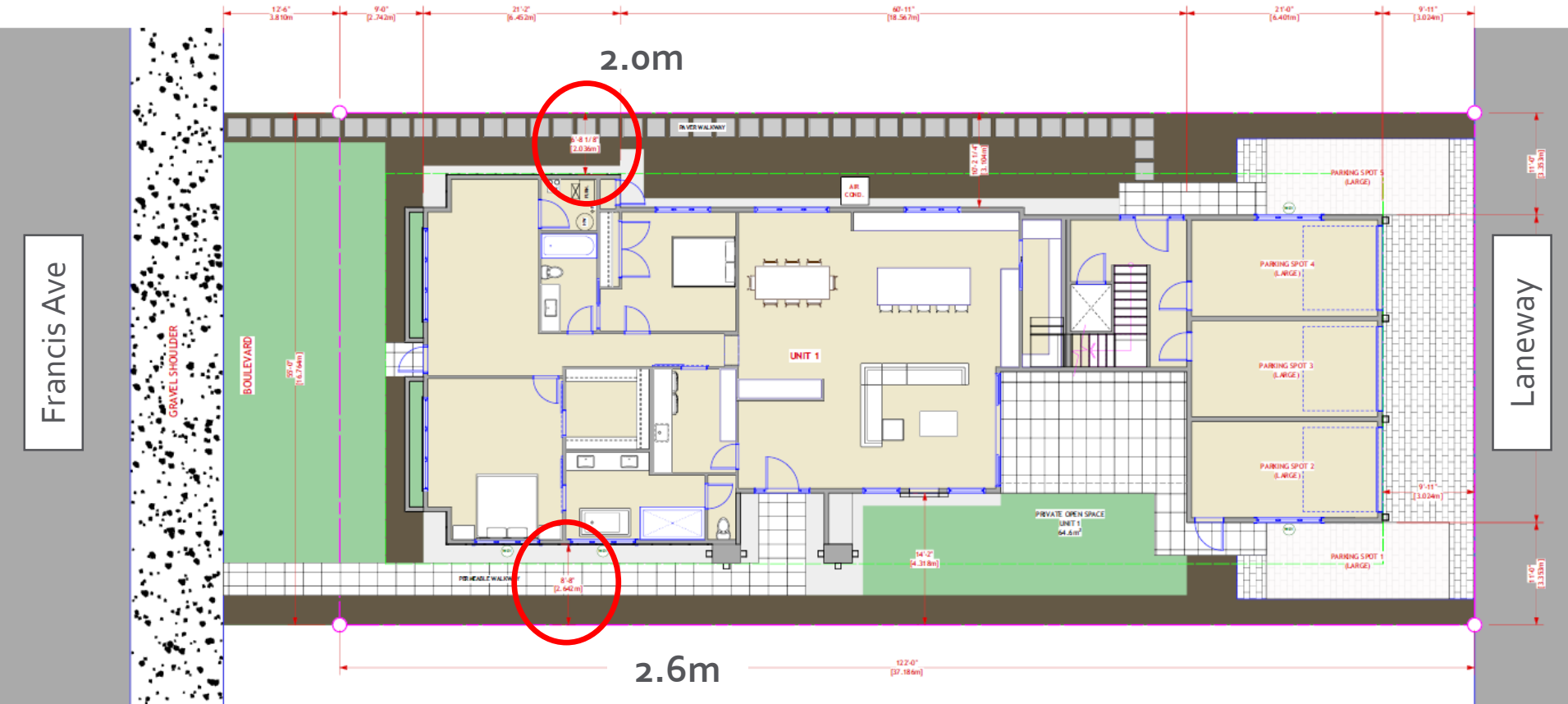




# Renderings



# Variance



1 SITE PLAN  
Scale: 1:75



# Development Policy

- ▶ OCP Urban Infill Policies:
  - ▶ Consistency with the Urban Design Guidelines
  - ▶ Focus development to designated growth areas
- ▶ Ensure context sensitive housing development

# Staff Recommendation

- ▶ Staff recommend **support**
- ▶ Achieves sensitive infill development in an area designated future land use MRL-Multi Unit Low Density
- ▶ Mass and scale is appropriate for the existing neighbourhood
- ▶ Proposed side yard setback is mitigated with placement of windows, architectural detailing and strategic placement of private amenity areas



## *Conclusion of Staff Remarks*



# 615 Francis Avenue



Proposed Building Concept Drawing

# Neighbourhood context – current



# Other RM3 in immediate area:



743 Francis Avenue with uncovered surface parking off lane



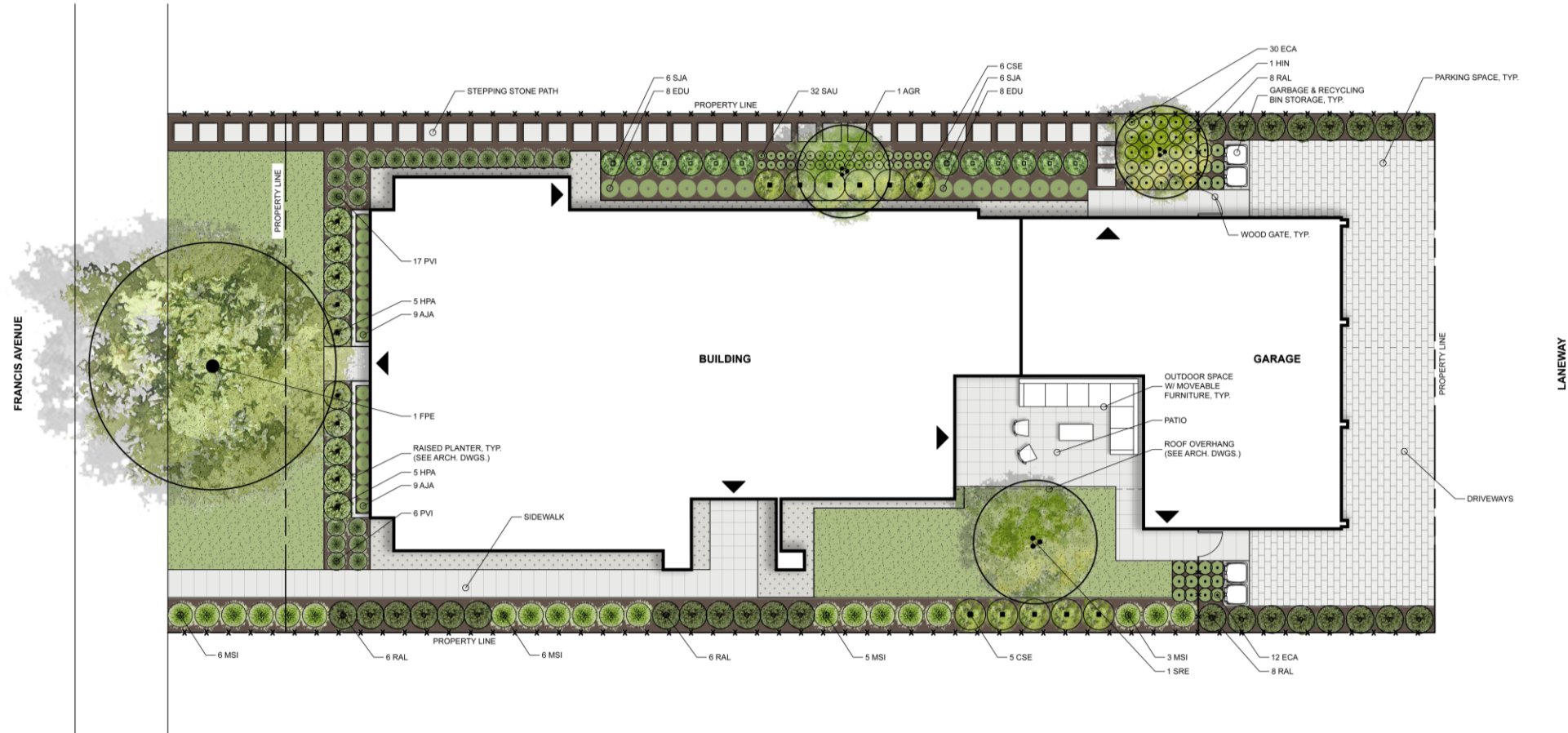
515 Francis





# Landscape plan

/VOLUMES/BENCH/ADD - PROJECTS/2018/18-013\_615FRANC



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NO.	DATE	DESCRIPTION
6	FEB 21/20	ISSUED FOR DP
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CLIENT:  
RIVERVIEW  
CONSTRUCTION LTD.  
KELOWNA, B.C.

PROJECT:  
615 FRANCIS AVENUE  
KELOWNA, B.C.

SHEET TITLE  
LANDSCAPE  
PLAN

DESIGN BY	YY
DRAWN BY	YY
CHECKED BY	KN
PROJECT NO.	18-013
SCALE	1:75

SHEET NO.

L-1

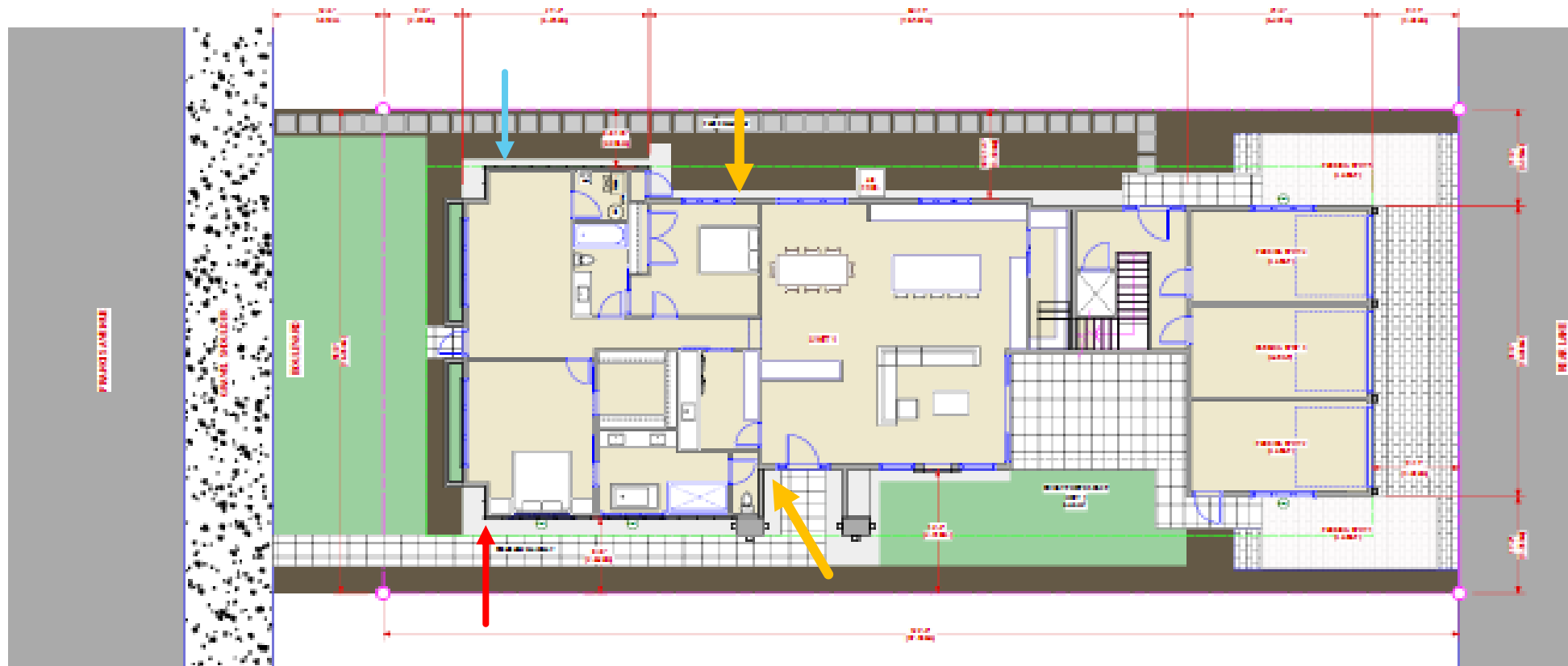


NOT FOR CONSTRUCTION

# Highlights:

- ▶ All the parking and traffic can access the building from the lane
- ▶ Connective pathways linking front and rear of the site leading to entrance ways and outdoor open spaces
- ▶ RM3 zone requires 4.0m setback versus current RU6 which requires 2.3m at most.
  - ▶ A DVP is sought is to reduce the east side yard to 2.04m for the closest section of the building.
  - ▶ 2.6m for the west side yard.

# Site plan



1 SITE PLAN  
Scale: 1:100

## More Highlights:

- ▶ Building is articulated on the west side to allow for an outdoor courtyard for the ground floor unit.
- ▶ The building is stepped back from the front elevation on each level.
- ▶ The window placement, size and form on each elevation is varied breaking up the side walls.
- ▶ Materials and colours have been used integrate the building into the existing neighbourhood context and keep it fresh and attractive.
- ▶ Apart from the variances requested, the project meets the requirements of the Zoning Bylaw for the RM3 zone.



Front concept elevation



East elevation

# Questions?



Facing the laneway

# REPORT TO COUNCIL



**Date:** May 12<sup>th</sup>, 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning (TC)

**Application:** DVP20-0050      **Owner:** Andrew Kaiser & Panagiota Athanasopoulos

**Address:** 691 Barnaby Road      **Applicant:** Chris Little (Little Building Solutions Inc.)

**Subject:** Development Variance Permit

**Existing OCP Designation:** S2RES – Single/Two Unit Residential

**Existing Zone:** RU1 – Large Lot Housing

---

## 1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0050 for Lot 9 District Lots 357 and 358 ODYD Plan 31179, located at 691 Barnaby Road, Kelowna, BC;

AND THAT variance 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 7.5m permitted to 6.2m proposed;

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

## 2.0 Purpose

To reduce the rear yard setback from 7.5m required to 6.2m proposed to accommodate an addition to the principal dwelling on the subject property.

## 3.0 Development Planning

Development Planning Staff support the Development Variance Permit for the rear yard setback. The applicant is seeking a variance to reduce the rear yard setback from 7.5m to 6.2m along the south property line. The subject property has a unique orientation as it faces northeast, but the home faces north to avoid being built on an angle. This unique property line orientation has limited the total buildable area, including

any rear yard development. No neighbourhood impacts are anticipated with the proposed rear yard addition to the principal dwelling.

**4.0 Proposal**

**4.1 Project Description**

The proposal is to vary the rear yard setback from 7.5m to 6.2m to accommodate an addition to the principal dwelling. The single-storey addition is to accommodate a family room for the home. The addition was constructed before the setback encroachment was identified and if the Development Variance Permit is approved, the construction will be finished.

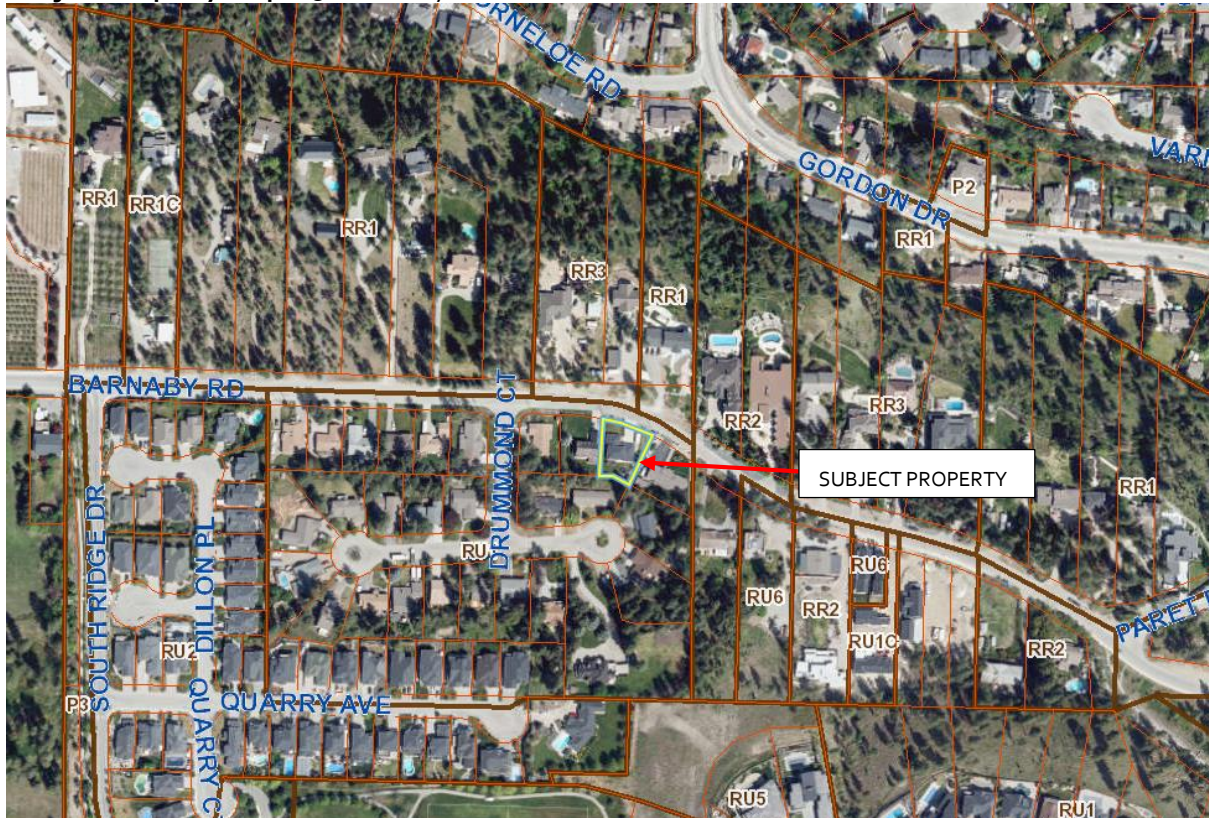
**4.2 Site Context**

The subject property is zoned RU<sub>1</sub> and has a future land use designation of S<sub>2</sub>RES – Single/Two Unit Residential. The property is located on Barnaby Road and is in the Southwest Mission OCP Sector. The surrounding area is characterized by single-family residential development.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR <sub>3</sub> – Rural Residential 3 & RR <sub>1</sub> – Rural Residential 1	Single-Family Dwelling
East	RU <sub>1</sub> – Large Lot Housing	Single-Family Dwelling
South	RU <sub>1</sub> – Large Lot Housing	Single-Family Dwelling
West	RU <sub>1</sub> – Large Lot Housing	Single-Family Dwelling

**Subject Property Map: 691 Barnaby Road**





4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU <sub>1</sub> ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	550m <sup>2</sup>	930.8m <sup>2</sup>
Min. Lot Width	16.5m	28.0m
Min. Lot Depth	30.0m	35.0m
Development Regulations		
Max. Site Coverage (buildings)	40%	27%
Min. Front Yard	4.5m	6.38m
Min. Side Yard (West)	2.0m	3.14m
Min. Side Yard (East)	2.0m	3.46m
Min. Rear Yard	7.5m	6.2m <span style="color: red;">●</span>
<span style="color: red;">●</span> Indicates a requested variance to Section 13.1.6(e): RU <sub>1</sub> – Large Lot Housing for the required minimum rear yard setback.		

5.0 **Application Chronology**Date of Application Received: February 5<sup>th</sup>, 2020Date Public Consultation Completed: March 31<sup>st</sup>, 2020**Report prepared by:** Tyler Caswell, Planner I**Reviewed by:** James Moore, Urban Planning & Development Policy Manager**Approved for Inclusion:** Terry Barton, Development Planning Department Manager**Attachments:**

Attachment A: Draft Development Variance Permit DVP20-0050

Schedule A: Proposed Site Plan

# Development Variance Permit DVP20-0050



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

**691 Barnaby Road**

and legally known as

**Lot 9 District Lot 357 and 358 ODYD Plan 31179**

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

## **RU1 – Large Lot Housing**

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

Date of Council Decision                      May 12<sup>th</sup>, 2020

Decision By:                                      COUNCIL

Existing Zone:                                      RU1 – Large Lot Housing

Future Land Use Designation:              Single/Two Unit Residential (S2RES)

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

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

## **NOTICE**

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

Owner:    Drew Kaiser & Pana Athanasopoulos

Applicant:    Chris Little (Little Building Solutions Inc.)

---

Terry Barton  
Community Planning Department Manager  
Planning & Development Services

---

Date

**ATTACHMENT**                      A

This forms part of application  
# DVP20-0050

Planner Initials      TC

  
**City of Kelowna**  
DEVELOPMENT PLANNING

**1. SCOPE OF APPROVAL**

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

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

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

**2. CONDITIONS OF APPROVAL**

That variance to the following section of the Zoning Bylaw No. 8000 be granted in accordance with Schedule "A":

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

To vary the rear yard setback from 7.5m permitted to 6.2m proposed.

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

**3. PERFORMANCE SECURITY**

Not Required

**5. INDEMNIFICATION**

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

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

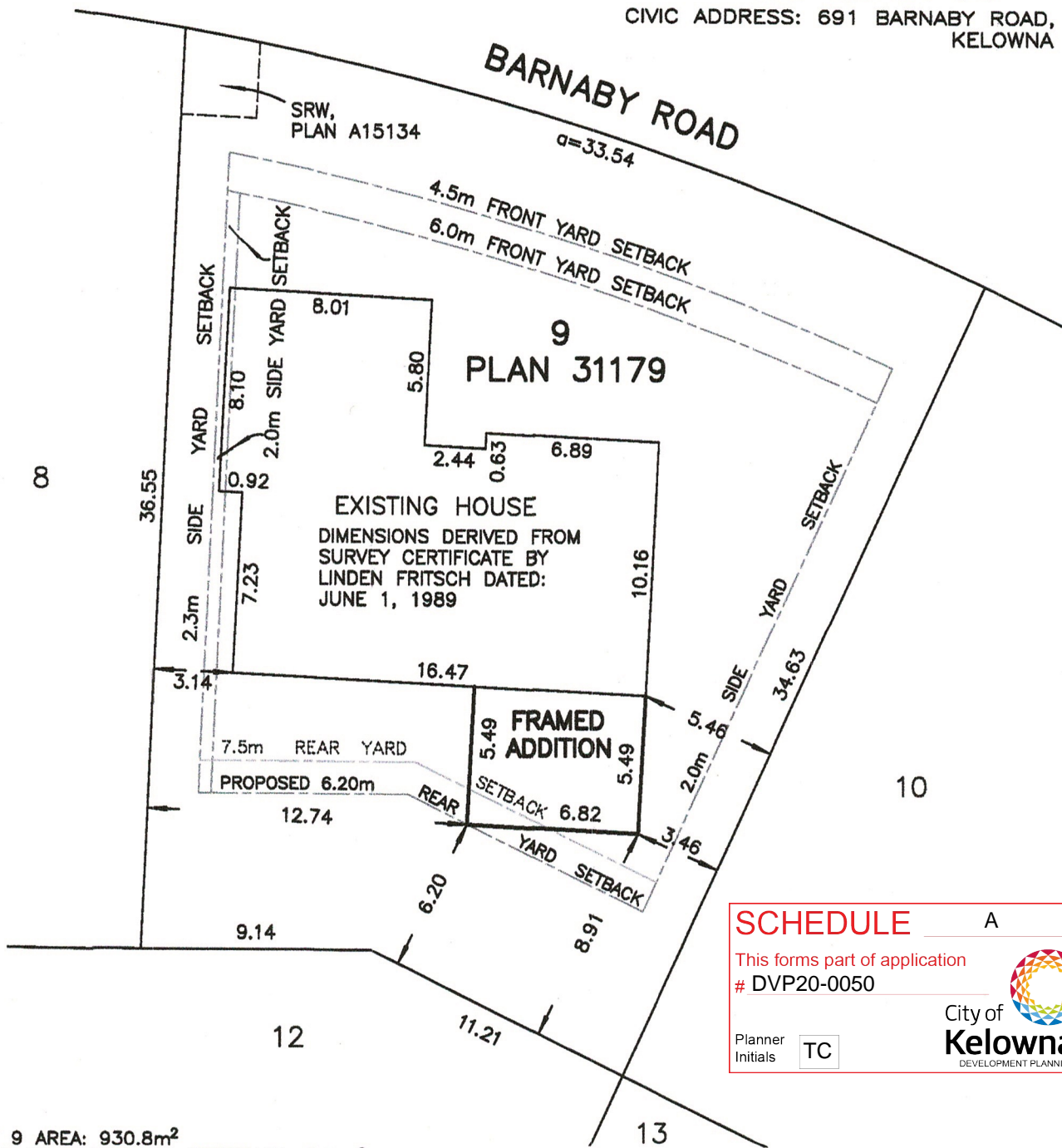
All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly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

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

<b>ATTACHMENT</b>		<b>A</b>
This forms part of application		
# DVP20-0050		
Planner Initials	<b>TC</b>	 <b>City of Kelowna</b> <small>DEVELOPMENT PLANNING</small>

# PLAN SHOWING VARIANCE REQUIRED FOR FRAMED ADDITION ON LOT 9 DISTRICT LOTS 357 AND 358 ODYD PLAN 31179

PID: 003-677-869  
 CIVIC ADDRESS: 691 BARNABY ROAD, KELOWNA



**SCHEDULE A**

This forms part of application # DVP20-0050

Planner Initials **TC**

LOT 9 AREA: 930.8m<sup>2</sup>  
 AREA OF HOUSE AND ADDITION\*\*\*: 248m<sup>2</sup>

\*\* - AREA OF HOUSE AND ADDITION IS APPROXIMATE AND WAS DERIVED BY SURVEY CERTIFICATE BY LINDEN FRITSH, DATED JUNE 1, 1989

**CURRENT ZONE: RU1**

	CURRENT	PROPOSED
FRONT YARD	4.5	4.5
FRONT YARD	6.0 (GARAGE)	6.0
REAR YARD	7.5	6.20
SIDE YARD	2.0 (1 STORY)	2.0, 2.3
SIDE YARD	2.3 (2 STORY)	2.3

CLIENT: LITTLE BUILDING SOLUTIONS	DATE: DECEMBER 19, 2019
SCALE: 1:250 METRES	FILE: 22020
DRAWN BY: RD	
<b>Ferguson Land Surveying &amp; Geomatics Ltd.</b>	
BC AND CANADA LAND SURVEYORS 404-1630 PANDOSY STREET, KELOWNA, BC	
PHONE: (250) 763-3115	FAX: (250) 763-0321
© Ferguson Land Surveying & Geomatics Ltd., ALL RIGHTS RESERVED.	



# DVP 20-0050

# 691 Barnaby Rd.

Development Variance Application



# Proposal

- ▶ To consider a Development Variance Permit to vary the rear yard setback from 7.5m required to 6.2m proposed to accommodate an addition to the principal dwelling on the subject property.

# Development Process



Feb. 5<sup>th</sup>, 2020

Development Application Submitted



Staff Review & Circulation



Mar. 31<sup>st</sup>, 2020

Public Notification Received



May 12<sup>th</sup>, 2020

Development Variance Permit

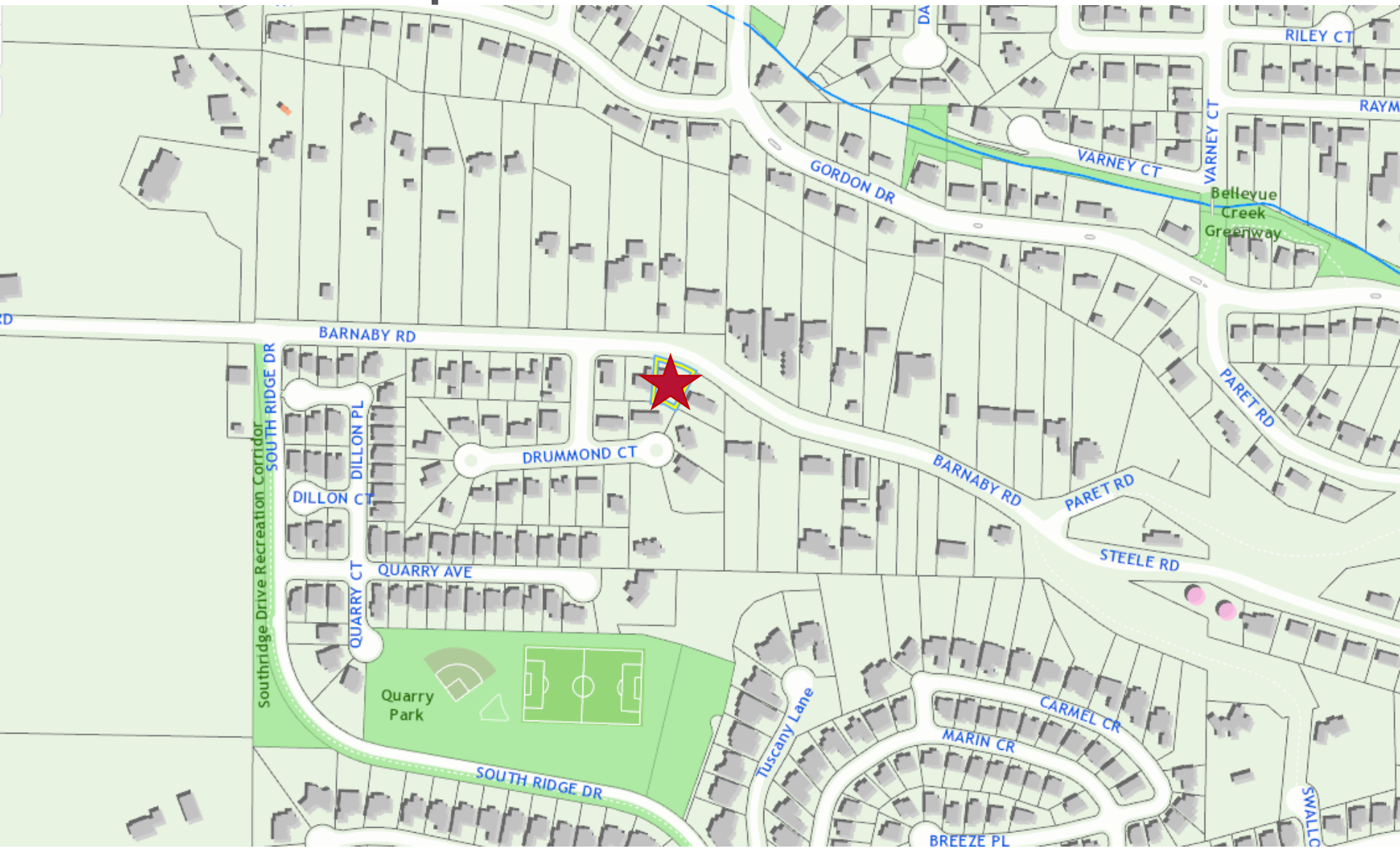


Building Permit



Council Approval

# Context Map



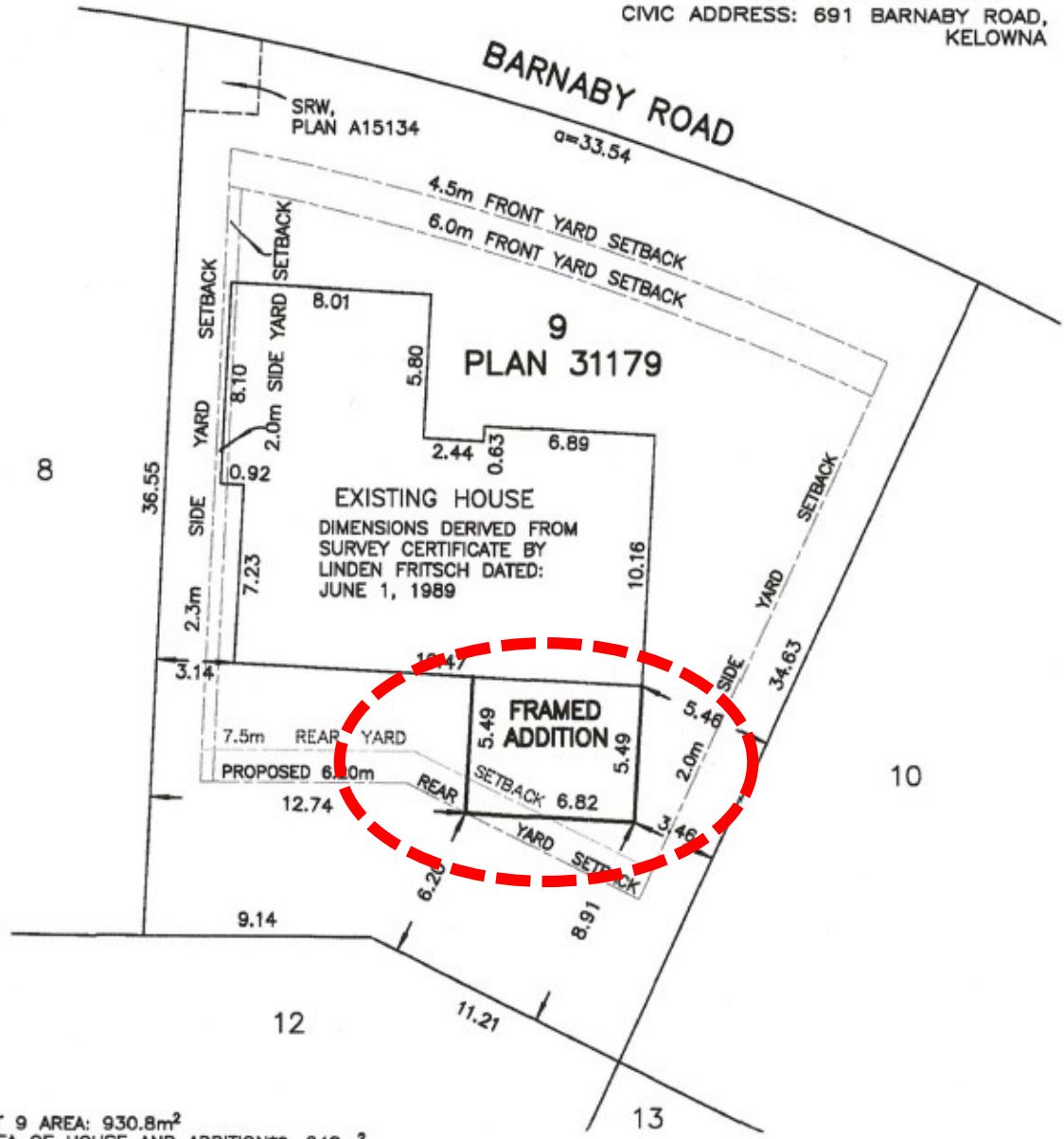


# Site Map



# Conceptual Site Plan

PID: 003-677-869  
 CMC ADDRESS: 691 BARNABY ROAD,  
 KELOWNA



LOT 9 AREA: 930.8m<sup>2</sup>  
 AREA OF HOUSE AND ADDITION\*\*: 248m<sup>2</sup>

# Project/technical details

- ▶ The proposal is to vary the rear yard setback to accommodate an addition to the principal dwelling.
- ▶ The addition was framed before the setback encroachment was identified and will be finished if the DVP is approved.

# Staff Recommendation

- ▶ Staff recommend **support** of the proposed Development Variance Permit application to vary the rear yard setback.
  - ▶ Unique property orientation.
  - ▶ No/Minimal neighbourhood impacts are anticipated.



## *Conclusion of Staff Remarks*

# REPORT TO COUNCIL



**Date:** April 7, 2020  
**To:** Council  
**From:** City Manager  
**Department:** Development Planning Department  
**Application:** DVP20-0054      **Owner:** Peter & Elisabeth Burnett  
**Address:** 1310 Graham Road      **Applicant:** Tammy Pollack  
**Subject:** Development Variance Permit  
**Existing OCP Designation:** S2RES – Single/Two Unit Residential  
**Existing Zone:** RU1 – Large Lot Housing

---

## 1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0054 for Lot 33 Section 22 Township 26 ODYD Plan 19162, located at 1310 Graham Road, Kelowna, BC;

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

### Table 8.3 Required Off-Street Parking Requirements

To vary the required minimum number of parking stall spaces as follows:

- 8.3.1 Single Detached Housing from 2.0 spaces per dwelling unit required to 1.0 spaces proposed; and
- 8.3.6 Child Care Centre, Minor from 2.0 spaces required to 1.0 spaces proposed.

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

## 2.0 Purpose

To vary the minimum number of parking spaces from 7 spaces required to 4 spaces proposed for the residential and day care uses proposed for the subject property

## 3.0 Development Planning

Staff support the requested variances to reduce the number of required parking spaces. The variance is being requested in order to accommodate a new day care (Child Care Centre, Minor) on the subject property. Staff

feel the applicant has provided adequate measures to address potential neighbourhood impacts and understand that additional childcare spaces are a great need in the community.

Overall, the proposal meets Kelowna's Official Community Plan goals of fostering sustainable prosperity and providing a mix of uses in the suburbs to serve the community. If the requested variance is approved, the applicants can apply directly for a business license for the new daycare.

#### 4.0 Proposal

##### 4.1 Background

The subject property currently has a single detached dwelling, a secondary suite, and a day care operating out of the principal dwelling. There have been no bylaw complaints in relation to the day care's operations on the subject property.

##### 4.2 Project Description

The applicant proposes to rent out the secondary suite to another tenant who intends to open a second day care on the subject property, operating out of the suite. The applicants feel the reduction in required parking is appropriate in this case as each day care would be staffed by residents of the property, eliminating the need to provide separate onsite parking for both the residential use and the day care uses. The applicants propose that there is an overlap in the required spaces. The subject property can accommodate up to four vehicle parking spaces in the current carport and driveway area, with additional room for drop off and pick up within the road right of way shoulder.

The applicant has indicated that each day care client is assigned a drop-off/pick-up time, in order to stagger the vehicle traffic to and from the site. Each day care would be licensed to provide care for a maximum of eight (8) children each. However, the applicant has advised they plan to have a maximum of seven (7) children per day care which also limits the number of vehicles that could potentially be travelling to or from the property.

#### Proposed Parking Layout:



4.3 Site Context

The subject property is in the Rutland City Sector and is located mid-block on Graham Road. The property is within the permanent growth boundary and currently has a single detached house and secondary suite. The property has a walk score of 34 - Car Dependent, meaning most errands require a car and there are two elementary schools (Quigley Elementary and Spring Valley Elementary) within an approximately 750m radius from the property

The neighbourhood consists predominantly of traditional single dwelling housing with some nearby two dwelling housing. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Dwelling Residential
East	RU1 – Large Lot Housing	Single Dwelling Residential
South	RU1 – Large Lot Housing RU6 – Two Dwelling Housing	Single Dwelling Residential Duplex Residential
West	RU1 – Large Lot Housing	Single Dwelling Residential

**Subject Property Map: 1310 Graham Road**



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	ZONING REQUIREMENTS	PROPOSAL
Parking Regulations		
Min. Parking Requirement – Single Detached Housing	2 spaces	1 space <sup>1</sup>
Min. Parking Requirement – Secondary Suite	1 space	1 space
Min. Parking Requirement – Child Care Centre, Minor	4 spaces (2 per child care centre)	2 spaces <sup>2</sup>
<sup>1</sup> Indicates a requested variance to Table 8.3.1 of Zoning Bylaw No.8000 <sup>2</sup> Indicates a requested variance to Table 8.3.6 of Zoning Bylaw No.8000		



## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Chapter 1: Introduction

##### *Goals for a Sustainable Future:*

*5. Foster Sustainable Prosperity.* Foster a healthy, dynamic and sustainable economy by retaining and attracting youth and talent, supporting business, encouraging appropriate new investment, providing for environmentally sound growth and improving the quality of life for Kelowna residents.

#### Chapter 5: Development Process

##### *Objective 5.2 Develop sustainably*

*Policy .3 Complete Suburbs.* Support a mix of uses within Kelowna's suburbs (see Map 5.1 - Urban Core Area), in accordance with "Smart Growth" principles to ensure complete communities. Uses that should be present in all areas of the City (consistent with Map 4.1 - Future Land Use Map), at appropriate locations, include: commercial, institutional, and all types of residential uses (including affordable and special needs housing) at densities appropriate to their context. Building heights in excess of four storeys will not be supported within the suburban areas, unless provided for by zoning existing prior to adoption of OCP Bylaw 10500.

#### Chapter 10: Social Sustainability

*Objective 10.1 Promote social well-being and quality of life by providing facilities and services for all community members.*

*Policy .1 Distribution of Community Resources.* Appropriately distribute and locate community resources (such as libraries, parks, meeting places, community policing, recreation services etc.) so that all neighbourhoods have convenient access.

## 6.0 Application Chronology

Date of Application Received: February 5, 2020

Date Public Consultation Completed: March 10, 2020

**Report prepared by:** Hailey Rilkoﬀ, Planner I

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

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

#### **Attachments:**

Attachment A: Draft Development Variance Permit DVP20-0054

Attachment B: Applicant's Rationale

# Development Variance Permit

## DVP20-0054



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

1310 Graham Road

and legally known as

Lot 33 Section 22 Township 26 ODYD Plan 19162

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

**Single Detached Housing**

**Secondary Suite**

**Child Care Centre, Minor**

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

### Table 8.3 Required Off-Street Parking Requirements

To vary the required minimum number of parking stall spaces as follows:

- 8.3.1 Single Detached Housing from 2.0 spaces per dwelling unit required to 1.0 spaces proposed; and
- 8.3.6 Child Care Centre, Minor from 2.0 spaces required to 1.0 spaces 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 April 7, 2020

Decision By: COUNCIL OR COMMUNITY PLANNING DEPARTMENT MANAGER

Existing Zone: RU1 – Large Lot Housing Zone

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

## This is NOT a Building Permit.

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

## NOTICE

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

Owner: Peter and Elisabeth Burnett

Applicant: Tammy Pollock

Terry Barton  
Development Planning Department Manager  
Planning & Development Services

Date

<b>ATTACHMENT</b>	<b>A</b>
This forms part of application # DVP20-0054	
Planner Initials	HR
City of Kelowna DEVELOPMENT PLANNING	

**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 siting of the off-street parking layout shall be in accordance with Schedule "A"; and
- b) The reduction in the required parking spaces only applies to the existing single detached dwelling, existing secondary suite and the proposed child care centres.

**5. INDEMNIFICATION**

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

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

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

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

**ATTACHMENT**     A    

This forms part of application  
# DVP20-0054

Planner Initials HR

City of   
**Kelowna**  
DEVELOPMENT PLANNING

# 1310 Graham Road - Parking Layout



### Legend

- Map 5.3 Urban Centres
- Map 5.9 Linear Corridors Paths



### Notes

**SCHEDULE** A

This forms part of application  
# DVP20-0054

Planner Initials **HR**

0                      6                      13Meters

March 4, 2020

This map is for general information only. The City of Kelowna does not guarantee its accuracy, currency or completeness. All information should be verified.

February 13th 2020

To whom it may concern;

As a resident within 50 meters of the proposed variance please read the following;

Currently I Tammy Pollack operate a licensed home daycare at 1-1310 Graham road. The house has a legal suite 2-1310 Graham road, and my husband has the opportunity to rent and open a second licensed home daycare. With 2 separate addresses we thought this would be a wonderful idea to provide more daycare spaces as well as potentially provide employment opportunities.

In order to accomplish this we would require 7 onsite parking spaces. We would need;

- 2 Spaces for the upstairs residents
- 1 space for the basement suit
- 2 spaces for Childcare minor business #1
- 2 spaces for Childcare minor business #2

We have an overlap of 3 parking spaces. All tenants would be employees. Therefore the 3 spaces required for the residences are also the same spaces being used by the employees. As they are one in the same.

We are asking for a variance to drop the requirement of 7 spaces to 4 and allow the current parking configuration. The Daycares will open and close at different hours, #1- 7:30am to 5pm #2- 8am to 5:30pm. This ontop of having parents contracted to specific drop off and pick up times will ensure that we do not have too many dropping off and picking up at one time. The current daycare has been running for almost a year and never has all the parking spaces been filled at once. It is also important to note we are located on a traffic calming road.

In summary we can provide 7 more daycare spaces and potentially more employment opportunities, with a variance for 4 parking spaces and still have ample driveway space for drop off/pick ups.

Sincerely;

Tammy Pollack

Tiny Treasures

[tinkerbella451@rogers.com](mailto:tinkerbella451@rogers.com)

<b>ATTACHMENT</b>		<b>B</b>
This forms part of application		
# DVP20-0054		
Planner Initials	<b>HR</b>	 City of <b>Kelowna</b> DEVELOPMENT PLANNING



# DVP 20-0054 1310 Graham Rd

Development Variance Permit



# Proposal

- ▶ To vary the minimum number of required parking spaces for the various residential and community uses proposed for the subject property.

# Development Process



Feb 5, 2020

Development Application Submitted



Staff Review & Circulation



Mar 10, 2020

Public Notification Received



May 12, 2020

Council Consideration



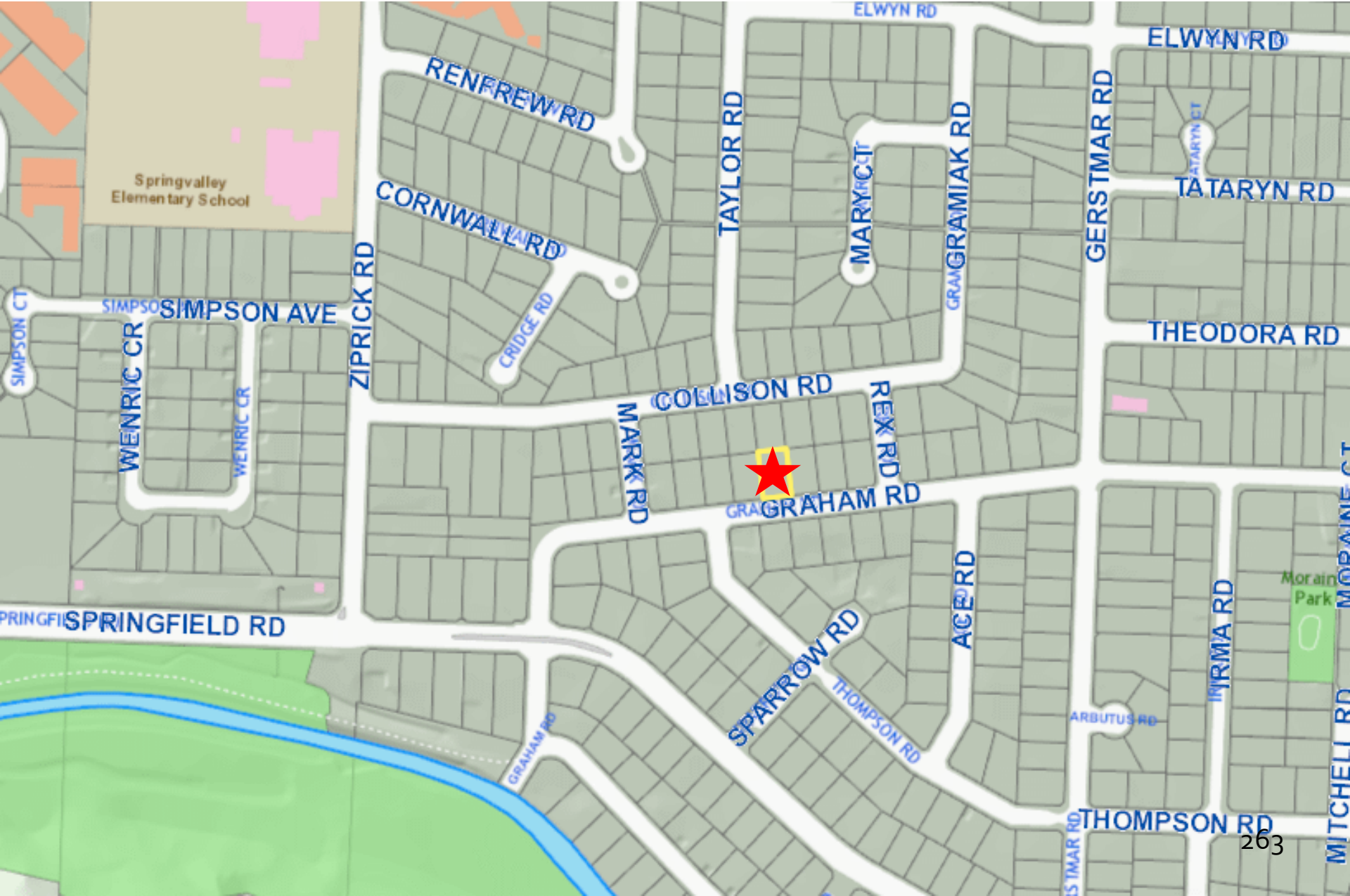
Council Approval



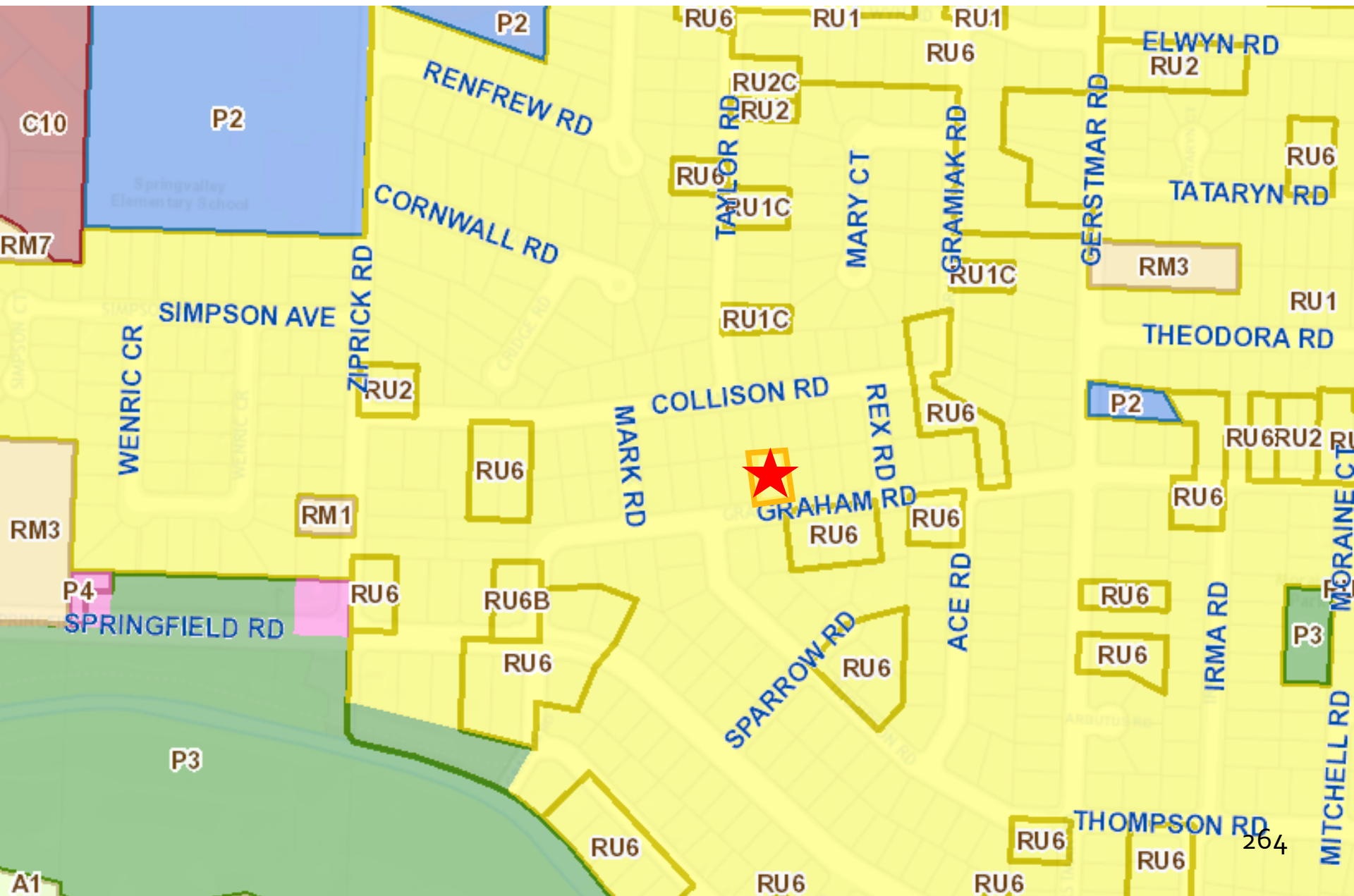
Business License



# Context Map



# OCP Future Land Use / Zoning



# Subject Property Map



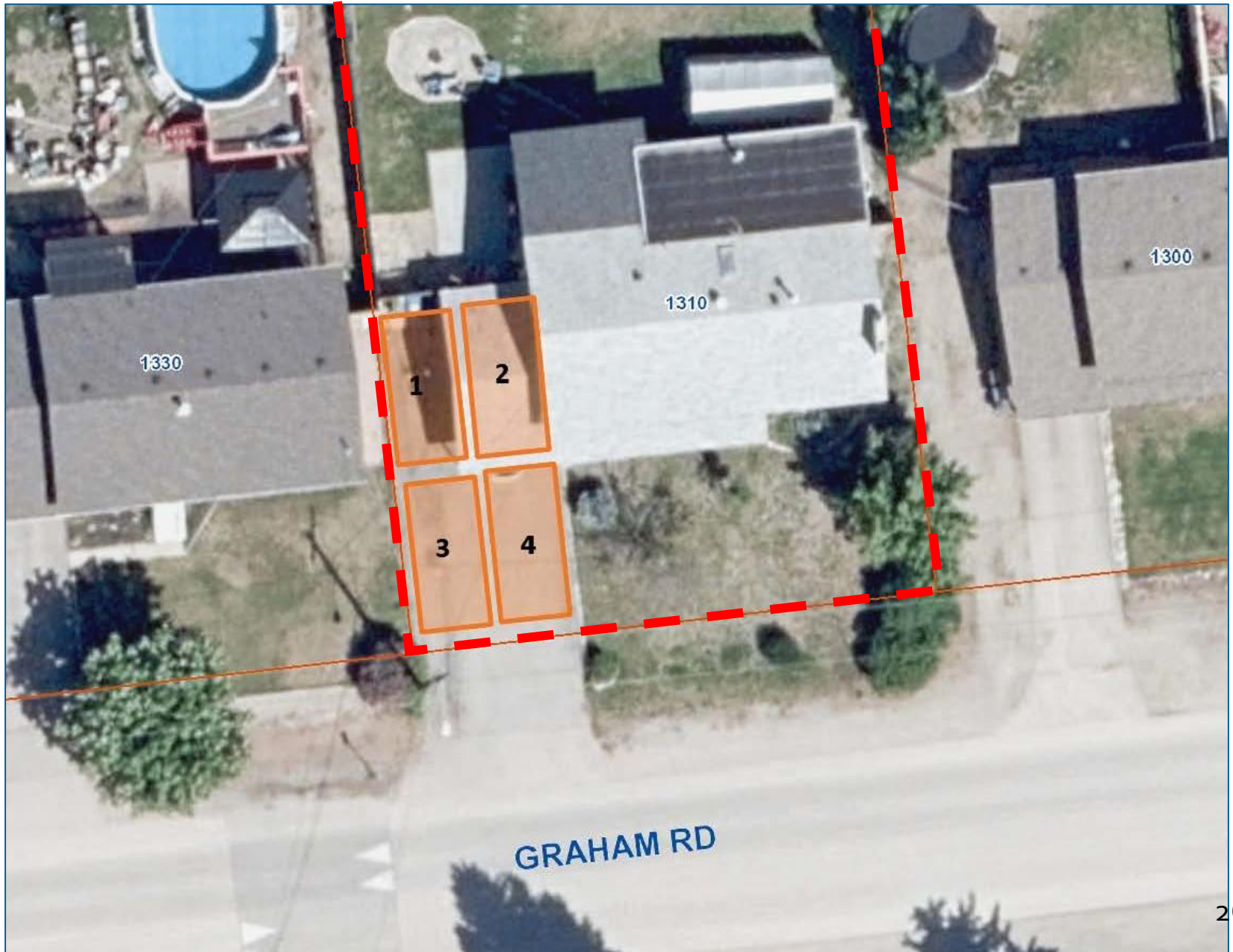
# Background

- ▶ Subject property currently has a single family home with a secondary suite
- ▶ Currently a daycare (Child Care Centre, Minor) operates out of the principal dwelling

# Project/technical details

- ▶ Applicant proposes to open a 2<sup>nd</sup> daycare to operate out of the secondary suite
- ▶ Request reduction in number of required parking spaces **from 7 spaces to 4 spaces:**
  - ▶ Principal Dwelling – from 2 spaces to 1 space
  - ▶ Secondary Suite – 1 required space
  - ▶ 1<sup>st</sup> daycare – from 2 spaces to 1 space
  - ▶ 2<sup>nd</sup> daycare – from 2 spaces to 1 space

# Site Plan (with parking plan)



# Development Policy

- ▶ OCP Chapter 1 - Foster Sustainable Prosperity
  - ▶ Foster a healthy, dynamic and sustainable economy
  - ▶ Supporting business
- ▶ OCP Chapter 5 - Complete Suburbs
  - ▶ Supports mix of uses within suburbs
- ▶ OCP Chapter 10 – Distribution of Community Resources
  - ▶ Appropriately distribute and locate community resources

# Public Notification Policy #367

- ▶ Applicant has provided a letter to all neighbouring properties within a 50m radius outlining their proposal and requested variance
  - ▶ Confirmation of Public Consultation was submitted on March 10th, 2020



# Staff Recommendation

- ▶ Staff recommend support for the requested variance to reduce the required parking from 7 spaces to 4 spaces
  - ▶ Provides additional daycare spaces in the community
  - ▶ Applicant has provided a plan to mitigate potential traffic issues



## *Conclusion of Staff Remarks*