

City of Kelowna

Regular Council Meeting

AGENDA



Tuesday, July 14, 2020
8:00 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 Donn.

3. **Confirmation of Minutes**

Public Hearing - June 23, 2020
Regular Meeting - June 23, 2020

4. **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.

- 4.1 **START TIME - 8:00 PM - Edith Gay Rd 440 - BL11496 (Z17-0030) - Jaspal K. Dhaliwal, Avneet K. Dhaliwal, Gurpal S. Dhaliwal and Gagandip K. Dhaliwal**

1 - 1

To adopt Bylaw No. 11496 in order to rezone the subject property from the RR3 - Rural Residential 3 zone to the RU6 - Two Dwelling Housing zone.

- 4.2 **START TIME - 8:00 PM - Edith Gay Rd 440 - DVP17-0072 - Jaspal S. Dhaliwal, Avneet K. Dhaliwal, Gurpal S. Dhaliwal and Gagandip K. Dhaliwal**

2 - 18

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

To vary the required minimum rear yard on the subject property to facilitate a two lot subdivision.

- 4.3 **START TIME - 8:00 PM - Abbott St 2700, DVP20-0129 - Tom Mauro and Debra Mauro** 19 - 41
- Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward for each item.**
- To consider a Development Variance Permit to vary the Okanagan Lake Sight Line regulation from 60 degrees required to 43.5 degrees proposed along the north side.
- 4.4 **START TIME - 8:30 PM - Cawston Ave 660 - BL11982 (OCP20-0002) - 650 Developments Inc., Inc. No. BC1145287** 42 - 42
- Requires a majority of all members of Council (5)**
- To amend and adopt Bylaw No. 11982 in order to amend the Official Community Plan to change the future land use designation of the subject properties from MRM – Multiple Unit Residential Medium Density to MXR – Mixed Use Residential / Commercial.
- 4.5 **START TIME - 8:30 PM - Cawston Ave 660 - BL11984 (Z19-0126) - 650 Developments Inc., Inc. No. BC1145287** 43 - 43
- To amend and adopt Bylaw No. 11984 in order to rezone the subject properties from the RU2 – Medium Lot Housing zone to the C7 – Central Business Commercial zone.
- 4.6 **START TIME 8:30 PM - Cawston Ave 660 - DP20-0007, DVP20-0008 - 650 Developments Inc., Inc. No. BC1145287** 44 - 62
- Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward for each item.**
- To consider a Development Permit for the form and character of a 6 ½ storey apartment building; and to consider a Development Variance Permit to vary the following: 1) The side yard setback above 16m; 2)The required triangular setback on the first storey at intersection; 3) The height restriction shown on C7 Map A – Downtown Building Heights Plan for the eastern-most part of the building; and 4) The proportion of regular size parking stalls.

5. **Reminders**

6. **Termination**

CITY OF KELOWNA
BYLAW NO. 11496
Z17-0030 – 440 Edith Gay Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 10, Section 35, Township 26, ODYD, Plan 1866 located on Edith Gay Road from the RR3 – Rural Residential 3 zone to the RU6 – Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 16th day of October, 2017.

Considered at a Public Hearing on the 7th day of November, 2017.

Read a second and third time by the Municipal Council this 7th day of November, 2017.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: July 14, 2020

To: Council

From: City Manager

Department: Development Planning

Application: DVP17-0072

Owners: Jaspal Singh Dhaliwal, Avneet Kaur Dhaliwal, Gural Singh Dhaliwal, Gagandip Kaur Dhaliwal

Address: 440 Edith Gay Road

Applicant: Jaspal Dhaliwal

Subject: Development Variance Permit

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11496 be considered by Council;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP17-0072 for Lot 10 Section 35 Township 26 Osoyoos Division Yale District Plan 18660, located at 440 Edith Gay Road, Kelowna, BC;

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted in accordance with Schedule A:

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

To vary the required minimum rear yard from 7.5 m permitted to 2.04 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 required minimum rear yard on the subject property to facilitate a two lot subdivision.

3.0 Development Planning

Development Planning Staff support the requested variance to the minimum required rear yard. The variance is triggered by the applicant's proposal for a two-lot subdivision. It is the applicant's intent to keep the existing dwelling, but the proposed new lot line would result in a rear yard setback less than the bylaw requirement. This variance is for the existing dwelling only, and any new buildings would be required to comply with zoning bylaw standards. Therefore, this variance is not anticipated to have a negative effect on any adjacent properties. Further, the application does not compromise any municipal infrastructure or services.

The applicant has satisfied the requirements from Rezoning Bylaw No. 11496 and Development Planning Staff recommend the adoption of the Rezoning Bylaw be considered by Council.

4.0 Proposal

4.1 Background

Initial Consideration and first reading for the rezoning associated with this application took place on October 16, 2017. The Public Hearing as well as second and third reading took place on November 7, 2017. The rezoning application was granted an extension request on January 28, 2019. The applicant fulfilled Council Policy No. 367 with respect to neighbourhood notification as part of the application in 2017, and completed it again on June 7, 2020, due to the time that had lapsed since notification first occurred.

4.2 Project Description

There is an existing single detached dwelling on the subject property. Through subdivision, the current side yard for the existing dwelling would then be defined as the rear yard, which has triggered the requirement for a variance. Should Council support this request for a development variance permit, the applicant would be able to achieve a two-lot subdivision, with no further variances being requested. The proposed subdivision plan is attached as Schedule A.

4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Subdivision Regulations – Proposed Lot B (corner lot)		
Min. Lot Area	440 m ²	876 m ²
Min. Lot Width	15.0 m	21.64 m
Min. Lot Depth	30.0 m	40.84 m
Subdivision Regulations – Proposed Lot A		
Min. Lot Area	400 m ²	759 m ²
Min. Lot Width	13.0 m	18.59 m
Min. Lot Depth	30.0 m	40.84 m
Development Regulations		
Min. Front Yard	4.5 m	> 4.5 m
Min. Side Yard (north)	2.3 m	4.5 m
Min. Side Yard (south)	4.5 m	9.35 m
Min. Rear Yard	7.5 m	2.04 m ❶
❶ Indicates a requested variance to the required minimum rear yard		

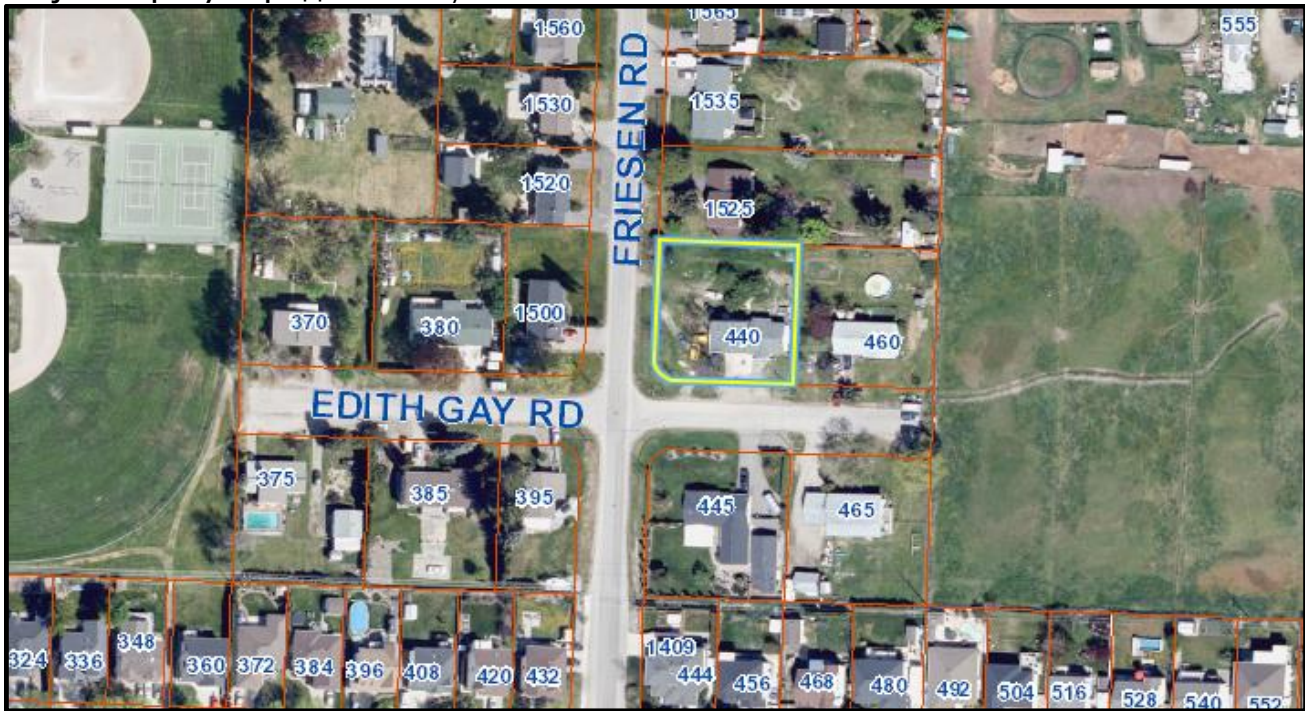
Site Context

The subject property is within the Permanent Growth Boundary, in the City's Rutland OCP Sector. It is at the northeast corner of Edith Gay Road and Friesen Road. The neighbourhood is predominantly single dwelling housing, it is in close proximity to Edith Gay Park.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR3 – Rural Residential 3	Single Dwelling Housing
East	RR3 – Rural Residential 3	Single Dwelling Housing
South	RR3 – Rural Residential 3	Single Dwelling Housing
West	RR3 – Rural Residential 3	Single Dwelling Housing

Subject Property Map: 440 Edith Gay Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 1: Introduction

Goals for a Sustainable Future:

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

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

Chapter 5: Development Process

Objective 5.3 Focus development to designated growth areas

Policy 5.3.2 Compact Urban Form. Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

6.0 Technical Comments

6.1 Development Engineering Department

Offsite infrastructure and service upgrade requirements related to this Development Variance Permit Application were satisfied as part of Rezoning Application file number Z17-0030

7.0 Application Chronology

Date of Application Received: February 20, 2017
Date Public Consultation Completed: July 7, 2017 & June 7, 2020
Date of Rezoning Initial Consideration: October 16, 2017
Date of Rezoning Public Hearing: November 7, 2017
Date of Extension of Rezoning Bylaw: January 28, 2019

Report prepared by: Kimberly Brunet, Planner
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 DP17-0072

Schedule A: Site Plan

Development Variance Permit

DVP17-0072



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

440 Edith Gay Road

and legally known as

Lot 10 Section 35 Township 26 Osoyoos Division Yale District Plan 18660

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

Single Dwelling 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 July 14, 2020

Decision By: Council

Development Permit Area: N/A

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.

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: Jaspal Singh Dhaliwal, Avneet Kaur Dhaliwal, Gurpal Singh Dhaliwal and Gagandip Kaur Dhaliwal

Applicant: Jaspal Dhaliwal

Planner: Kimberly Brunet

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 on the land be in accordance with Schedule "A";

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

3. PERFORMANCE SECURITY

None Required

5. INDEMNIFICATION

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

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

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

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

Lot sizes meet RU1c and RU6 requirements.

DISTANCES ARE IN METRES.



JASPAL DHALIWAL
JULY 12, 2016.

D.A. Goddard Land Surveying Inc.
103-1358 St. Paul Street, Kelowna
Phone (250) 763-3733



DVP17-0072

440 Edith Gay Road

Development Variance Permit



Proposal

- ▶ To vary the required minimum rear yard on the subject property to facilitate a two lot subdivision

Development Process

Feb 20, 2017

Development Application Submitted



Staff Review & Circulation



Jul 7, 2017 & Jun 7, 2020

Public Notification Received



Oct 16, 2017

Initial Consideration



Nov 7, 2017

Public Hearing
Second & Third Readings



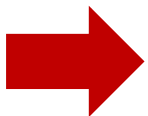
Jul 14, 2020

Final Reading
DVP



Subdivision

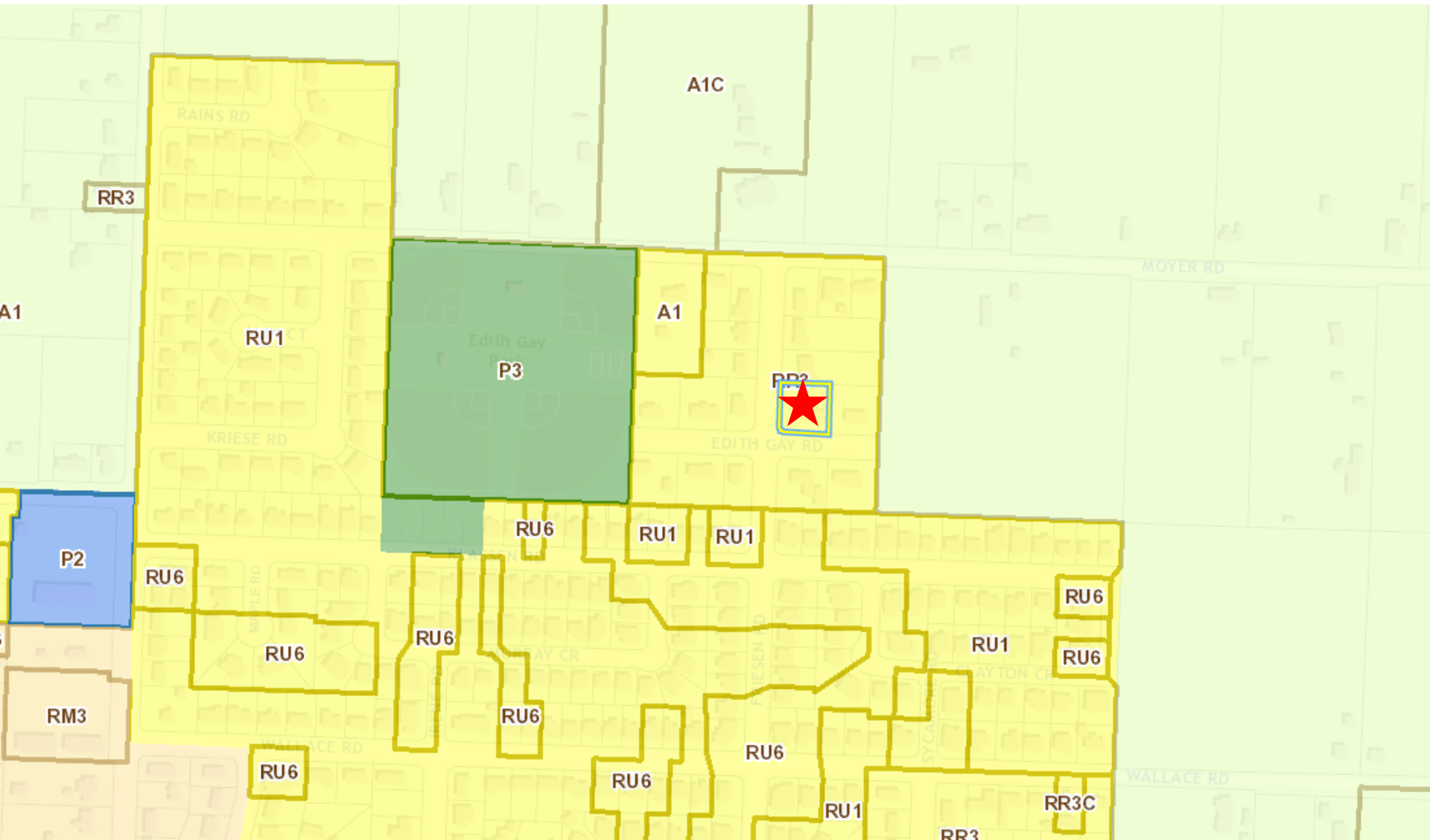
Council
Approvals



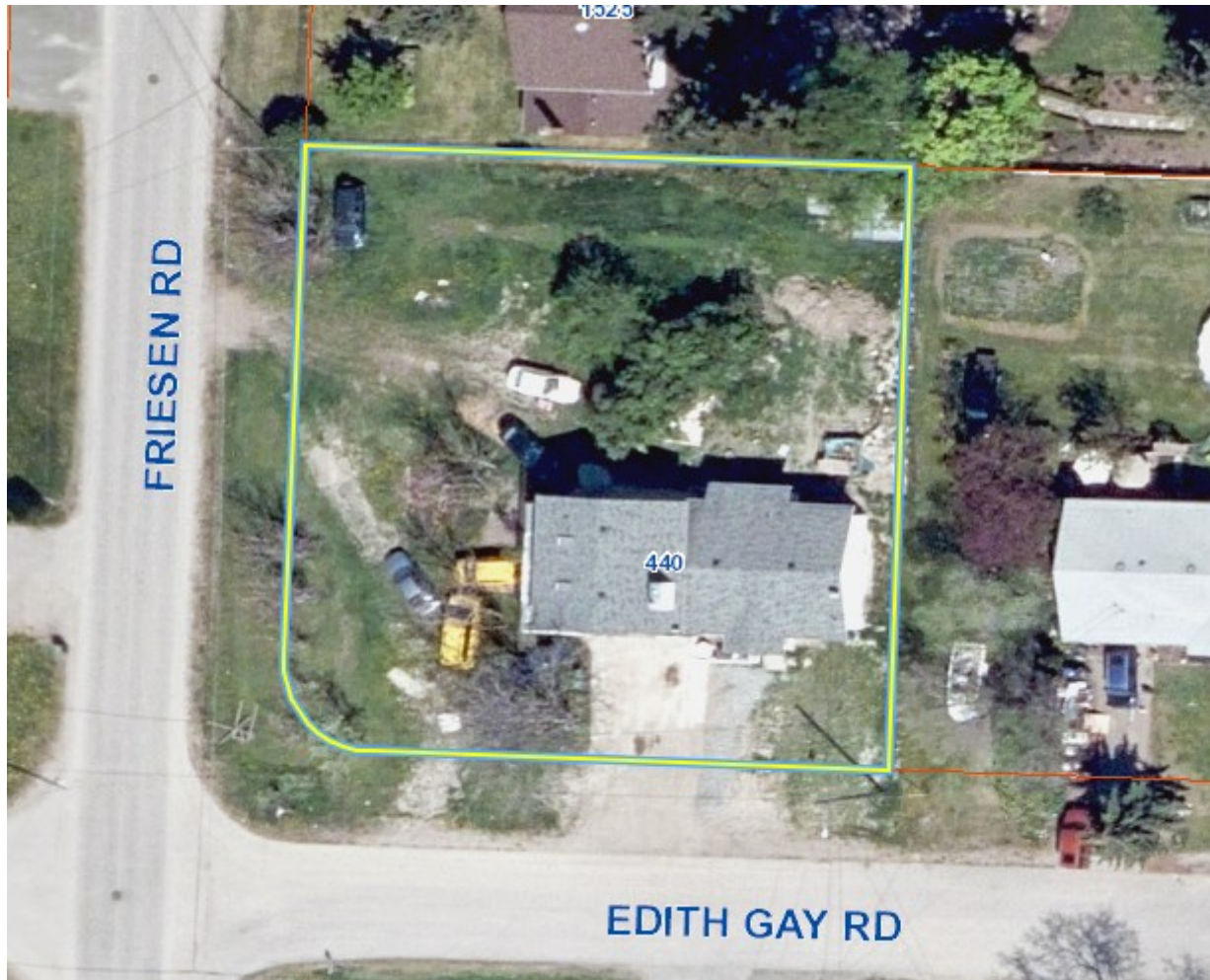
Context Map



OCP Future Land Use / Zoning



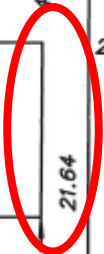
Subject Property Map



Variance

- ▶ Requesting a variance to the required minimum rear yard from 7.5 m permitted to 2.04 m proposed
 - ▶ Proposing to keep the existing dwelling during a future subdivision process
 - ▶ Variance due to the proposed new lot line configuration

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Staff Recommendation

- ▶ Staff recommend support for the Development Variance Permit application
 - ▶ Variance is due to the proposed new lot line configuration which would result after subdivision
 - ▶ Variance applies to the existing dwelling only
 - ▶ Does not compromise any municipal infrastructure or services



Conclusion of Staff Remarks

REPORT TO COUNCIL



Date: July 14, 2020
To: Council
From: City Manager
Department: Development Planning Department
Application: DVP20-0129
Owner: Tom Mauro and Debra Mauro
Address: 2700 Abbott Street
Applicant: Hauge Construction Ltd.
Subject: Development Variance Permit
Existing OCP Designation: Single/Two Unit Residential (S2RES)
Existing Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0129 for Lot 4, District Lot 14, Osoyoos Division Yale District, Plan 14499, located at 2700 Abbott Street, Kelowna, BC;

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

Section 6.11.1: General Development Regulations - Okanagan Lake Sight Lines

To vary the Okanagan Lake Sight Line regulation from 60 degrees permitted to 43.5 degrees proposed along the north side;

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

2.0 Purpose

To consider a Development Variance Permit to vary the Okanagan Lake Sight Line regulation from 60 degrees required to 43.5 degrees proposed along the north side.

3.0 Development Planning

Staff is recommending support for the requested variance to the Okanagan Lake Sight Line regulations. The applicant is seeking to reduce the Okanagan Lake Sight Line requirements from 60 degrees to 43.5 degrees along the north property line. The applicant is proposing to build a new one storey (6.2 meter) high house farther back from the lake than where the former home was located, which would improve sight lines for the northern property to 43.5 degrees from the previous 21.29 degrees.

Staff consider the subject property a transition point in the housing orientation along this section of lakeshore. The subject property is positioned between a row of houses that are farther from the lake on the north side as compared to a row of houses closer to the lake on the south side. Due to this transition point within the housing orientation, the applicant is challenged with balancing an improved sight line for the northern neighbour while trying to preserve a sightline to the south for themselves.

It is to be noted that the proposed footprint of the new house is approximately 35 meters from the lake, which is well outside the 15 meter riparian area setback. Additionally, if the variance is approved, restrictive covenants must be registered on title to prohibit construction and disturbance within the riparian management area of the lake.

Zoning Bylaw No. 8000, Section 6.11.1 – Okanagan Lake Sight Lines notes that all building and structures greater than 1.2 meters above natural grade on lots along the Okanagan Lake foreshore shall be sited to not obstruct views of the lake from the established abutting development. New development shall be sited to permit the adjacent occupants a 120 degree Panoramic Sight Line (see below).

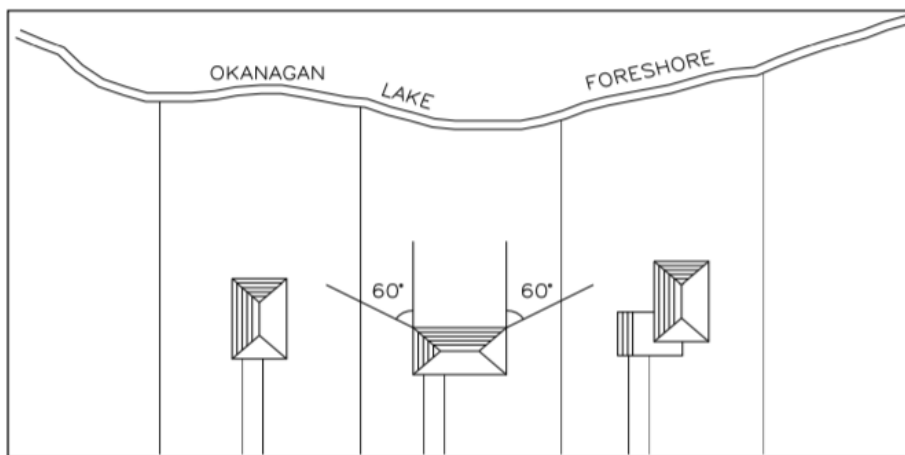


Diagram 6.2: Okanagan Lake 120° Panoramic Sight Line

4.0 Proposal

4.1 Project Description

The proposal is to vary the Okanagan Lake Sight Line from 60 degrees permitted to 43.5 degrees proposed on the north property line. The variance is to accommodate the construction of a new one storey (6.2 meter) high house. Most of the proposed house will be placed inland from the lake from where the former house was located, which would improve the northern neighbour's sight line by 22.21 degrees.

4.2 Site Context

The subject property is zoned RU6 – Two Dwelling Housing and has a future land use designation of Single/Two Unit Residential (S2RES). The property is located in the South Pandosy City Sector, west of the intersection of Osprey Avenue and Abbott Street along the foreshore of Okanagan Lake. The predominant zone to the north, south and east of the subject property is RU6- Two Dwelling Housing.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing	S2RES – Single/Two Unit Residential
East	RU6 – Two Dwelling Housing RM3 – Low Density Multiple Housing	MRL – Multiple Unit Residential (Low Density)
South	RU6 – Two Dwelling Housing	S2RES – Single/Two Unit Residential
West	W1 – Recreational Water Use	Not Applicable

Subject Property Map:



5.0 Current Development Policies

Kelowna Official Community Plan (OCP)

Chapter 12: Natural Environment DP Guidelines

Guideline 12.1: Require that all development meets or beats the requirements of the provincial Fish Protection Act (Riparian Areas Regulation). Projects must comply with Riparian Management Area Setbacks in Table 12.1 subject to Section 12.3.

6.0 Application Chronology

Date of Application Received: June 2, 2020
Date Public Consultation Completed: June 3, 2020

Report prepared by: Corey Davis, Environmental Coordinator
Reviewed by: Dean Strachan, Community Planning & Development Manager
Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Draft Development Variance Permit DVP20-0129

Attachment B: Applicant's Rationale

Development Variance Permit DVP20-0129

ATTACHMENT A	
This forms part of application # DVP20-0129	
Planner Initials	CD
City of Kelowna DEVELOPMENT PLANNING	



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

2700 Abbott Street

and legally known as

Lot 4, District Lot 14, ODYD Plan 14499

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

RU6 – Two Dwelling 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 July 14, 2020

Decision By: COUNCIL

Existing Zone: RU6 – Two Dwelling 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: Tom and Debra Mauro

Applicant: Hauge Construction Ltd.

Dean Strachan, RPP, MCIP
Community Planning and Development Manager
Development Planning Department

Date

1. SCOPE OF APPROVAL

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

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

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

2. CONDITIONS OF APPROVAL

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

Section 6.11.1: Okanagan Lake Sight Lines

To vary the Okanagan Lake Sight Line regulation from 60 degrees permitted to 43.5 degrees proposed along the north side;

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

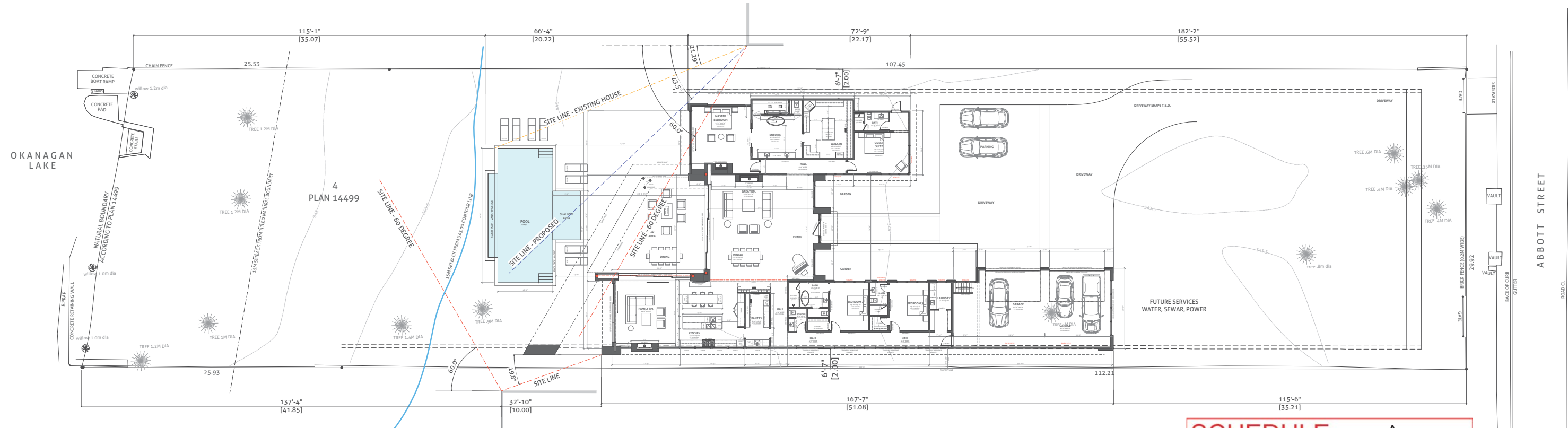
Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

- 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.**

ATTACHMENT <u> A </u>	
This forms part of application	
# DVP20-0129	
Planner Initials	<div style="border: 1px solid black; padding: 2px; display: inline-block;">CD</div>
 City of Kelowna <small>DEVELOPMENT PLANNING</small>	



SITE PLAN - PROPOSED NEW RESIDENCE

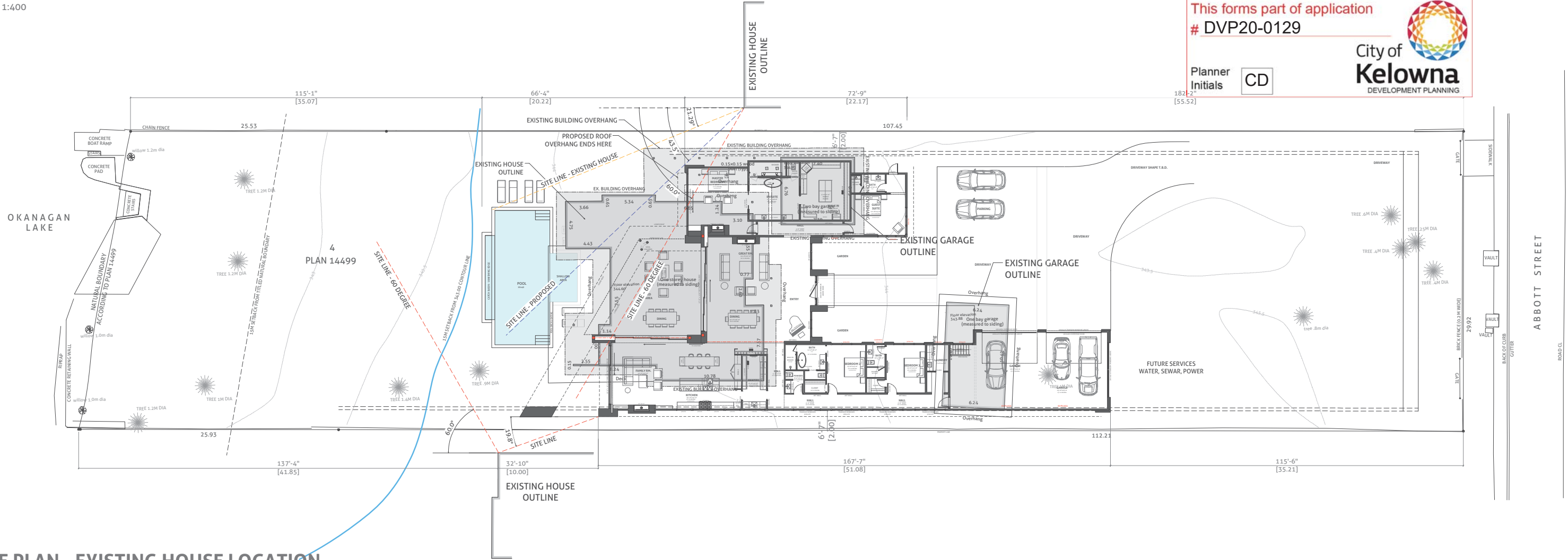
SCALE: 1:400

SCHEDULE **A**

This forms part of application
DVP20-0129

Planner Initials **CD**

City of Kelowna
DEVELOPMENT PLANNING



SITE PLAN - EXISTING HOUSE LOCATION

SCALE: 1:400

SCHEDULE

This forms part of application

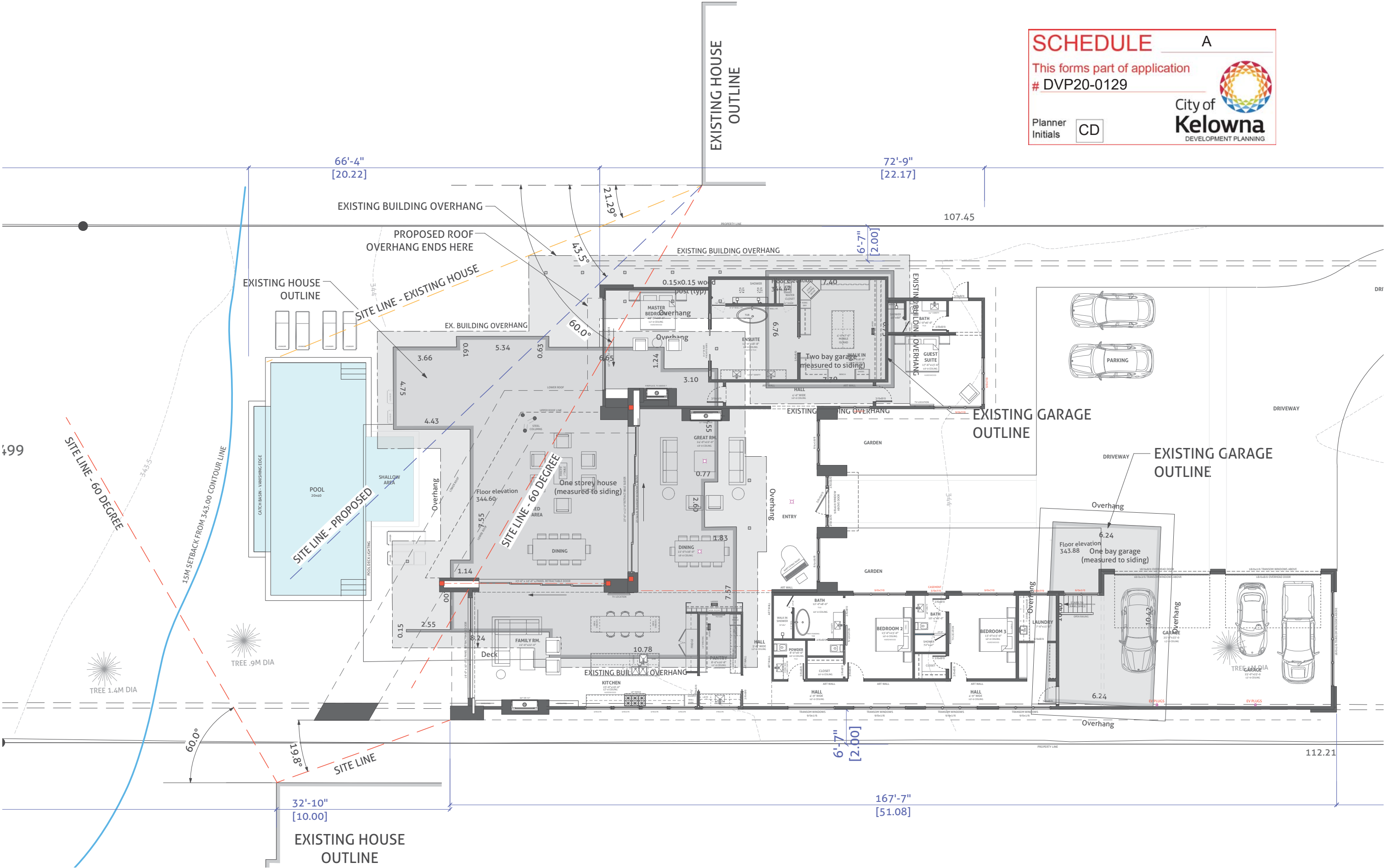
DVP20-0129

Planner Initials CD

A

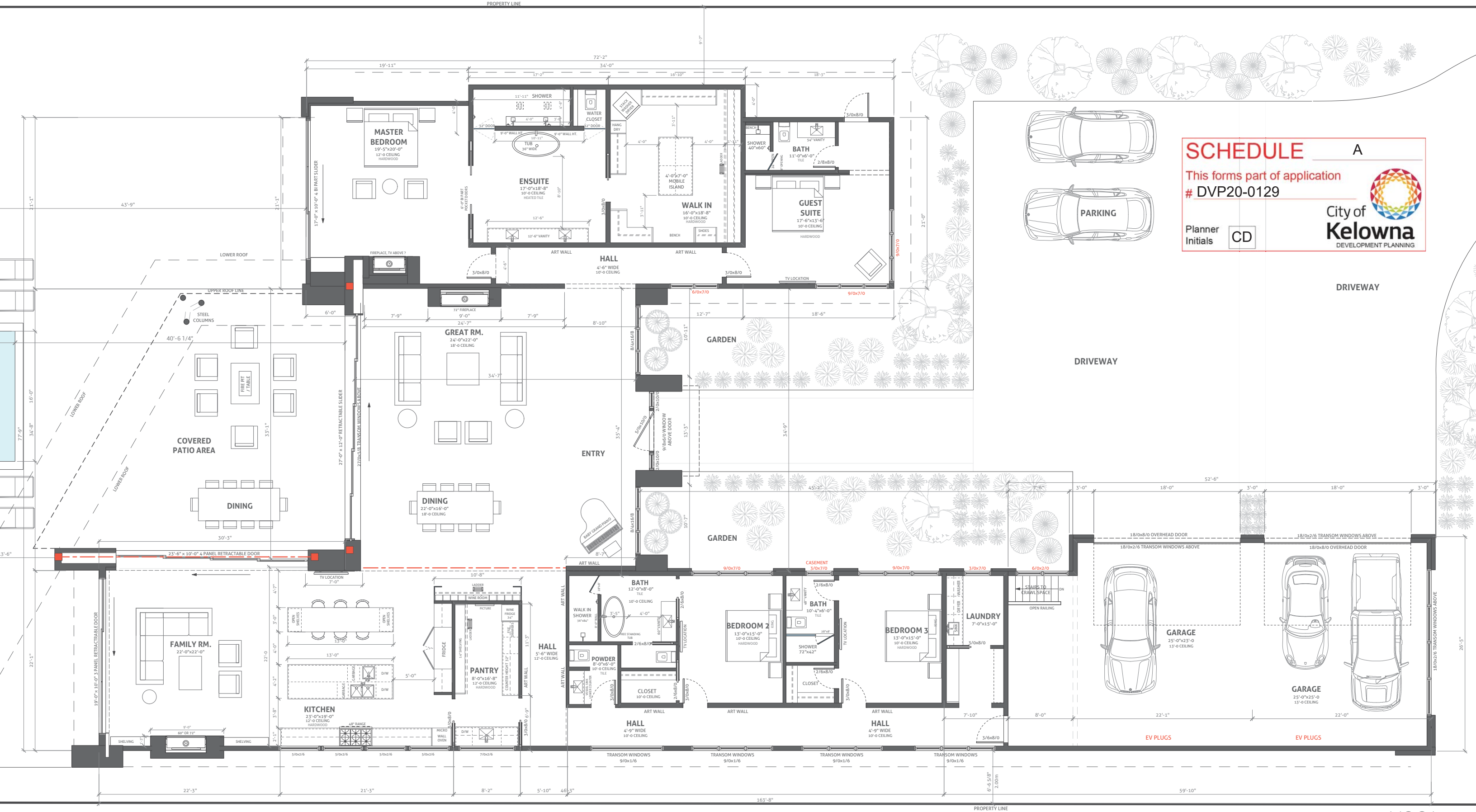


City of Kelowna
DEVELOPMENT PLANNING



SITE PLAN - EXISTING HOUSE LOCATION

SCALE: 1:200



SCHEDULE

A

This forms part of application

DVP20-0129

Planner Initials

CD

City of Kelowna

DEVELOPMENT PLANNING

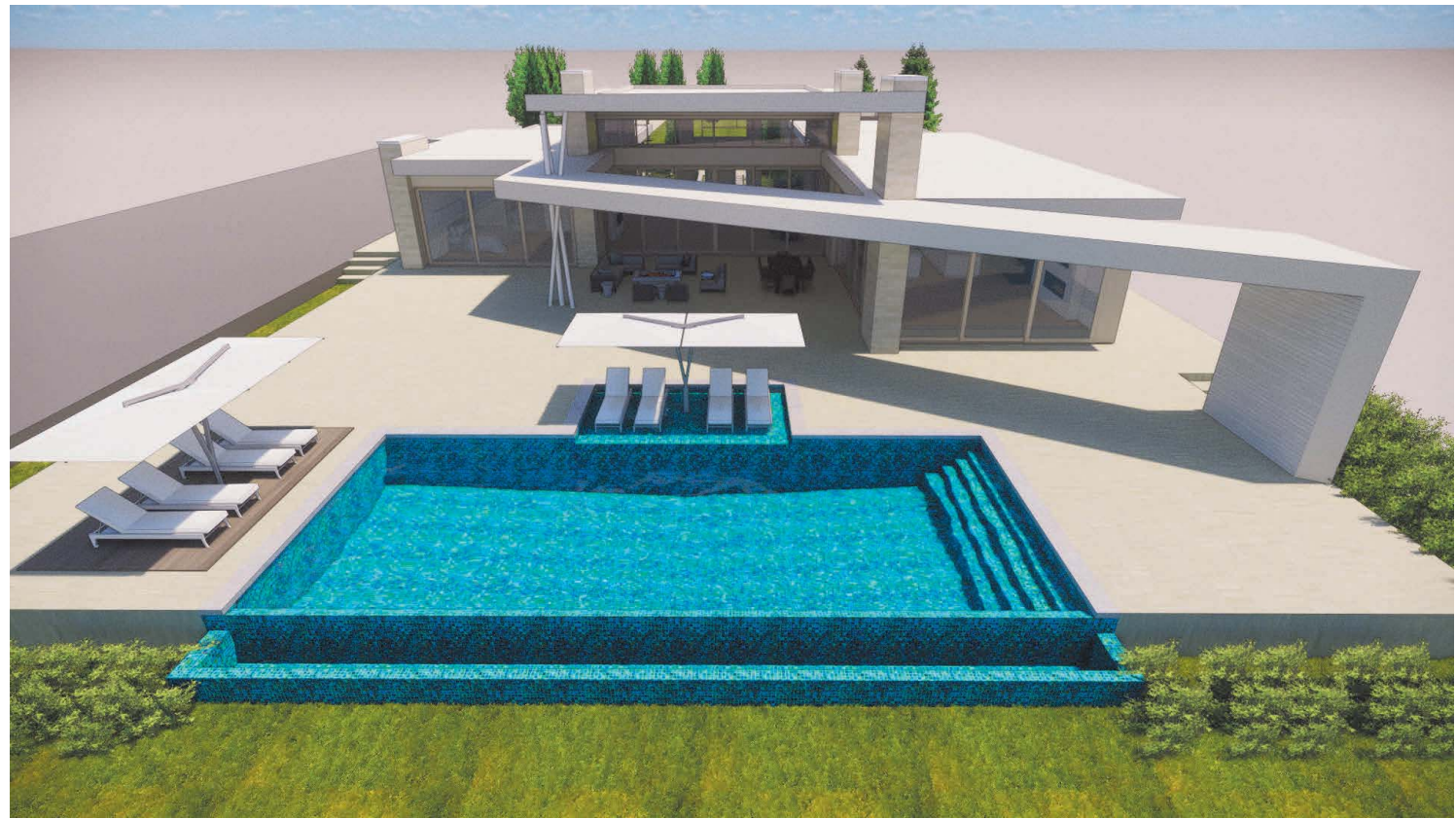
MAIN FLOOR PLAN

SCALE: 3/32" = 1'-0"

FLOOR AREA = 5,280 sq.ft.
GARAGE = 1,200 sq.ft.

2700 ABBOTT STREET LOT 4, DISTRICT LOT 14, ODYD, PLAN 14499

JUNE 11, 2020



SCHEDULE

A

This forms part of application

DVP20-0129

Planner Initials

CD

City of Kelowna

DEVELOPMENT PLANNING

June 10, 2020

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



Dear Mayor, Council Members and City Staff:

Subject: Development Variance Permit Application No. DVP20-0129
2700 Abbott Street – Tom and Debra Mauro

We are the owners of the subject property located 2700 Abbott Street. While we have only owned the property since March of this year, we first met the previous owner eight years ago. We have had a long connection with the Okanagan, and Kelowna in particular, and acquiring this property became our dream. We are fortunate to have the opportunity to design and build our dream home and property.

We have been in consultation with all of the immediate neighbours since early March as best as we could with the COVID-19 social distancing rule. We wanted to share our overall plans and to explain that we would need one variance to complete the project. We are requesting a variance to the 60 Degree Okanagan Lake Sight Lines provision (Section 6.11 of the Zoning Bylaw). Our original request was to reduce the view angle from 60 degrees to 27 degrees for the property to the north of us. We have been able to get support from all the neighbours but one, the property owner to the north.

We have recently decided that we can work with a further compromise to create a view angle of 43.5 degrees for the property owner to the north. We have also used design elements such as using only a single storey and incorporating a flat versus pitched roof – all in the effort to try and minimize the impact.

Our rationale for the requested variance are as follows:

1. We are improving the situation from the previous house location. We have already removed the previous home from the property, but its location was such that the view angle to the property to the north was 21.3 degrees. We are now proposing 43.5 degrees. We now realize that we could have left a portion of the previous house in place and been grandfathered or considered a legal non-conforming placement for that portion of the old house, but we really wanted to start with all new construction and felt that the new proposed design would merit the siting we have requested.
2. There is significant mature landscaping on our property. The neighbor to the north also has mature landscaping adjacent to his north property line. The resulting effect is this landscaping prevents any clear sight lines to the lake other than their direct view straight down their lot. The placement of our home will not have a significant impact to the potential view and again, is an improvement over the previous house placement.
3. The bylaw provision would be very effective and prudent if you were dealing with a row of vacant lots. However, when considering new infill construction in an established area, there will

always be some sort of compromise. In order to meet the bylaw provisions for the neighbor to the north, we would be creating a non-conforming situation for our own house with the neighbor to the south. In situations like this where our lot is transitioning from homes closer to the lake and those further away, there should be some leeway to find that compromise. Even with this compromise of 43.5 degree view line for the property to the north, we are creating a view angle of 19.8 degrees between our home and the property owner to the south.

4. Typically, the house placement on a Lakefront lot is predicated on riparian setback limits. We have already exceeded the minimum lake setback by at least a factor of 3. We do not feel that a sight line provision that has limited results due to landscaping and trees should dictate that we have move the house any further back from the lakefront.

We have contacted the neighbours to the north several times to propose different house placements that would be a compromise. His feedback to us has been that he would not support any variance to the bylaw provisions. While we respect his position, we feel that what we propose is an acceptable compromise and has taken his position into consideration. We are sharing the burden by not gaining our 60 degree view angle to the neighbor to the south. In fact, are imposing a view angle of 19.8 degrees on our own view angle relative to the property to the south. We really do not want to move the house any closer to the street.

We love Kelowna and feel very fortunate to have been able to acquire our dream property. We have owned homes here in Kelowna for many years and are excited with our plan to finally retire here.

We have been involved in the Kelowna community, most notably in the efforts to help with the Kelowna Child Advocacy Center. We have been fortunate to have founded the CAC in Calgary and were happy to assist in an advisory capacity with the CAC here.

We plan on being involved in Kelowna as we feel it is important to contribute to the Community we proudly call Home.

We hope you will support our proposal of this variance. We look very forward to beginning the construction of our new home.

Sincerely,

Tom and Debra Mauro
2700 Abbott Street

ATTACHMENT		B
This forms part of application		
# DVP20-0129		
Planner Initials	CD	
		City of Kelowna DEVELOPMENT PLANNING



DVP20-0129

2700 Abbott Street

Development Variance Application



Proposal

- ▶ To consider a Development Variance Permit to vary the Okanagan Lake Sight Line regulation from 60 degrees required to 43.5 degrees proposed along the north side.

Development Process

June 2, 2020

Development Application Submitted



Staff Review & Circulation



June 3, 2020

Public Notification Received



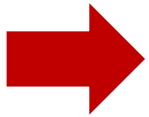
July 14, 2020

Development Variance Permit



Building Permit

} Council
Approval



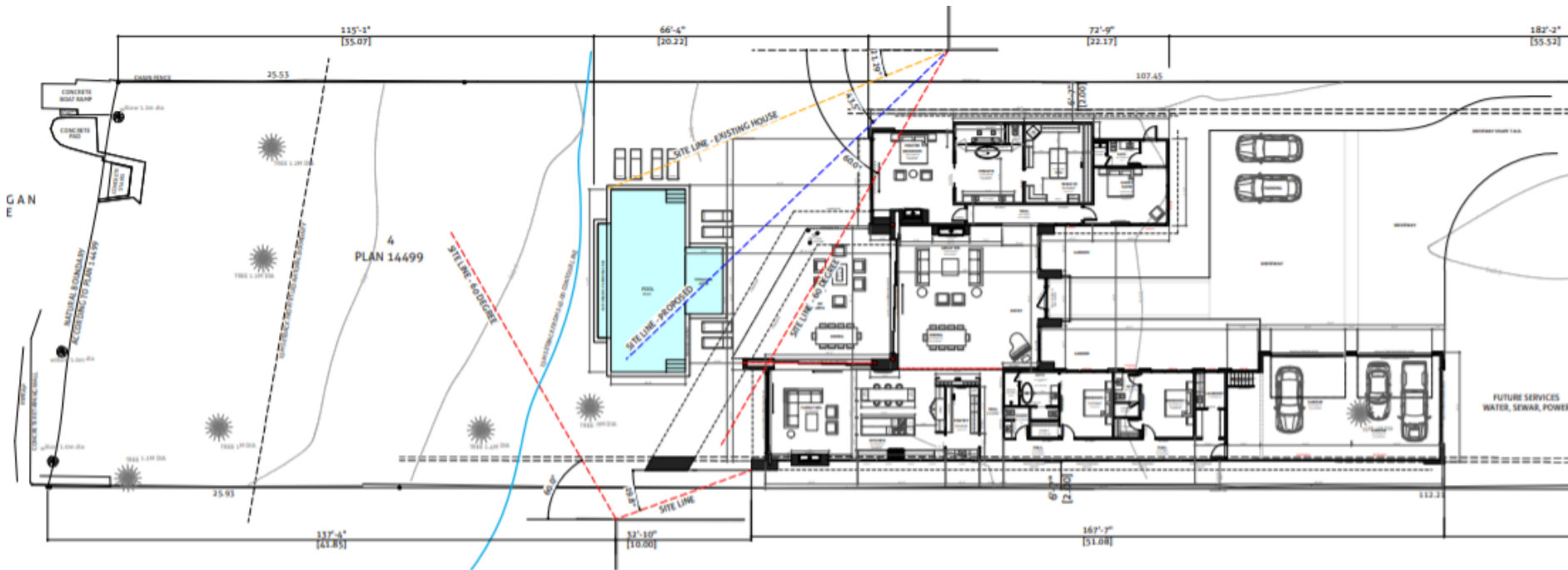
Context Map



Subject Property Map



Conceptual Site Plan



Proposed House



Project/technical details

- ▶ The proposal is to vary the Okanagan Lake Sight Line from 60 degrees required to 43.5 degrees proposed along the north side to accommodate the construction of a new one storey (6.2 meter) high house.
- ▶ The new dwelling will move further away from the lake than the location of the previous home to improve the northern neighbour's sightline to 43.5 degrees from a previous sight line of 21.9 degrees.

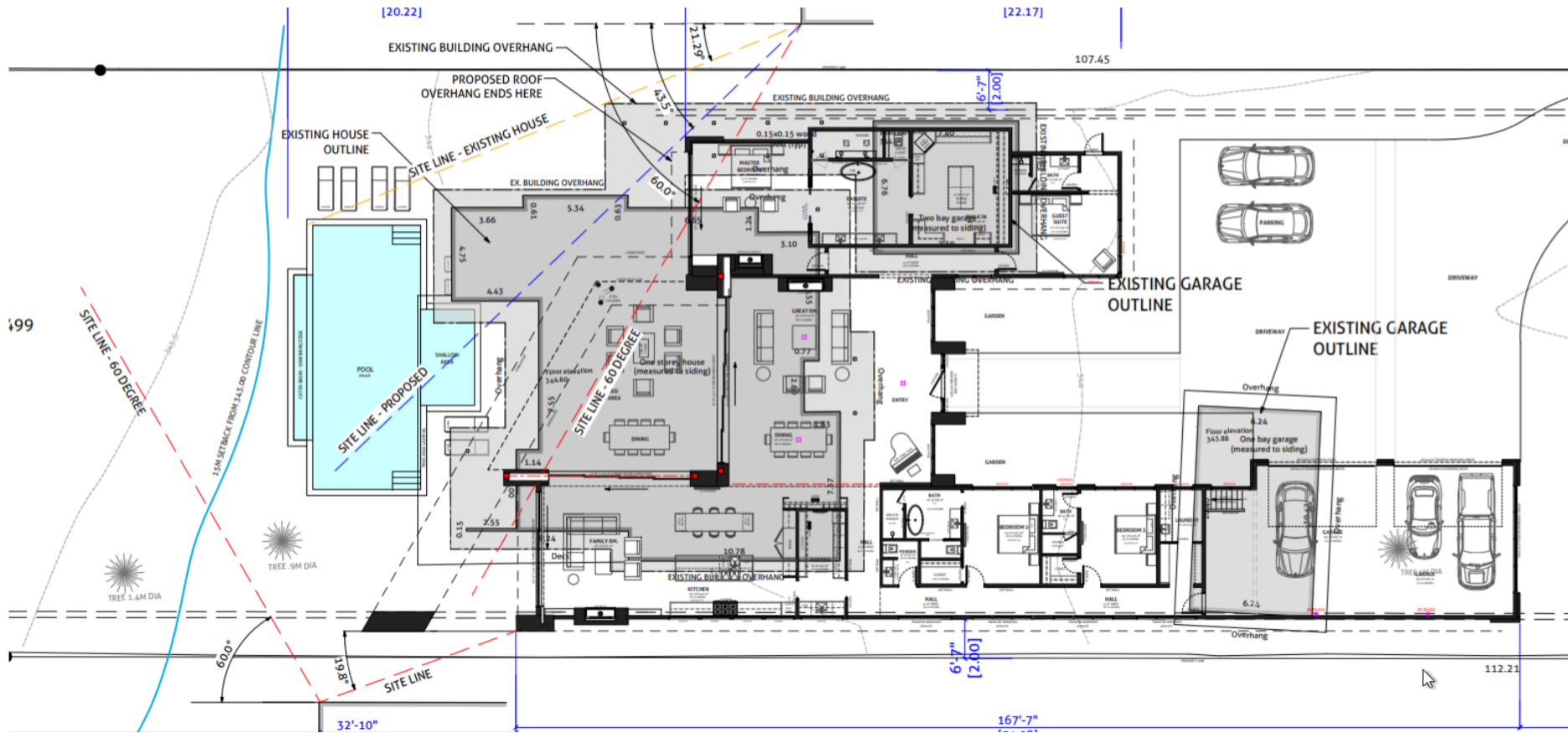
Staff Recommendation

- ▶ Staff recommend **support** of the proposed Development Variance Permit application to vary the required Okanagan Lake Sight Line.
 - ▶ The subject property is a transition point with respect to housing orientation on the block. The applicant has made the effort to balance an improved sight line for the northern neighbour while preserving a sight line for themselves.
 - ▶ The new dwelling will be moving further away from the lake than the previous house, improving the northern neighbour's sightline from 21.29 degrees to 43.5 degrees.



Conclusion of Staff Remarks

Sight Plan with Former House Overlaid onto Proposed House Footprint



CITY OF KELOWNA

BYLAW NO. 11982

Official Community Plan Amendment No. OCP20-0002 660 Cawston Road

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

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

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* – Official Community Plan Bylaw No. 10500" be amended by changing the Future Land Use designation of Lot 1 District Lot 139 ODYD Plan EPP99969, located on Cawston Avenue, Kelowna, BC from the MRM – Multiple Unit Residential Medium Density designation to the MXR – Mixed Use Residential / Commercial designation;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 3rd day of February, 2020.

Considered at a Public Hearing on the 25th day of February, 2020.

Read a second and third time by the Municipal Council this 25th day of February, 2020.

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

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11984
Z19-0126 – 660 Cawston Avenue

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1 District Lot 139 ODYD Plan EPP99969, located on Cawston Avenue, Kelowna, BC from the RU2 – Medium Lot Housing zone to the C7 – Central Business Commercial zone;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 3rd day of February, 2020.

Considered at a Public Hearing on the 25th day of February, 2020.

Read a second and third time by the Municipal Council this 25th day of February, 2020.

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

Mayor

City Clerk

REPORT TO COUNCIL



Date: July 14, 2020

To: Council

From: City Manager

Department: Development Planning

Application: DP20-0007, DVP20-0008

Owner: 650 Developments Inc., Inc.No.
BC1145287

Address: 660 Cawston Ave

Applicant: Paul Pasutto; Innocept

Subject: Development Permit and Development Variance Permit Application

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

Existing Zone: C7 – Central Business Commercial

1.0 Recommendation

THAT Official Community Plan Amending Bylaw No. 11982 be amended at third reading to revise the legal description of the subject properties from The East ½ of Lot 19 District Lot 139 ODYD Plan 1037; Lot 18 District Lot 139 ODYD Plan 1037; Lot 17 District lot 139 ODYD Plan 1037; Lot A District Lot 139 ODYD Plan KAP68057; Lot 16 District Lot 139 ODYD Plan 1037, The South ½ of Lot 15 District Lot 139 ODYD Plan 1037; and Road Plan 1037 EPP99502 to Lot 1 District Lot 139 ODYD Plan EPP99969.

AND THAT Rezoning Bylaw No. 11984 be amended at third reading to revise the legal description of the subject properties from The East ½ of Lot 19 District Lot 139 ODYD Plan 1037; Lot 18 District Lot 139 ODYD Plan 1037; Lot 17 District lot 139 ODYD Plan 1037; Lot A District Lot 139 ODYD Plan KAP68057; Lot 16 District Lot 139 ODYD Plan 1037, The South ½ of Lot 15 District Lot 139 ODYD Plan 1037; and Road Plan 1037 EPP99502 to Lot 1 District Lot 139 ODYD Plan EPP99969.

AND THAT final adoption of Official Community Plan Amending Bylaw No. 11982 and Rezoning Bylaw No. 11984 be considered by Council.

AND THAT Council authorizes the issuance of Development Permit No. DP20-0007 and Development Variance Permit No. DVP20-0008 for Lot 1 District Lot 139 ODYD Plan EPP99969 subject to the following:

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

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

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

Section 14.7.5(h)ii: C7 – Central Business Commercial, Development Regulations

To vary the minimum setback above 16.0m for a property line abutting another property from 4.0m required to 3.8m.

Section 14.7.5(g): C7 – Central Business Commercial, Development Regulations

To vary the requirement for a triangular setback for the first storey at the corner of an intersection from 4.5m required to 3.0m.

Section 14.7.5: C7 Map A – Downtown Building Heights Plan, Development Regulations

To vary the height on the portion of the building between Richter St. and the former laneway to the west of Richter St. (Road Plan 1037 EPP99502) from 15m permitted to 24m and 6 ½ storeys.

Table 8.2.7(b): Parking and Loading, Size and Ratio

To vary the ratio of regular size vehicle parking stalls from 50% required to 29%.

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

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

2.0 Purpose

To consider a Development Permit for the form and character of a 6 ½ storey apartment building; and to consider a Development Variance Permit to vary the following: 1) The side yard setback above 16m; 2) The required triangular setback on the first storey at intersection; 3) The height restriction shown on C7 Map A – Downtown Building Heights Plan for the eastern-most part of the building; and 4) The proportion of regular size parking stalls.

3.0 Development Planning

Development Planning supports the Development Permit for the form and character of the proposed 6 ½ storey apartment building. Development Planning also supports the requested variances.

The proposed apartment building has a high degree of architectural articulation, both horizontally and vertically, and a unique roofline which, though flat, integrates well with the proposed design. High quality materials are used throughout, and the colour scheme is both appropriate and varied. The units at grade are ground-oriented, offering a pedestrian-friendly environment fronting both Richter St. and Cawston Ave. with its multi-use pathway. To elaborate, the at-grade units feature front yards which activate the space and offer visual interest to passersby, while also increasing the surveillance over the sidewalk and street thus contributing to a sense of safety. Also, because these units are raised off the ground above the half-submerged parking level, they offer a pedestrian-friendly environment while preserving privacy for residents. Altogether, the proposed development substantially meets the Revitalization Development Permit Guidelines.

With regards to the proposed variance to the side yard setback above 16m, the proposal is to reduce the setback from 4m required to 3.8m on the west elevation for the stairwell shaft only. As this variance is relatively minor and includes only a small portion of the building, it is deemed acceptable by Staff.

With regards to the proposed variance to the triangular setback at the first storey at intersection, the proposal is to reduce the setback from 4.5m required to 3m at the corner of Richter St. and Cawston Ave. Staff support the variance for the following reason: The 4.5m setback is intended primarily for mixed-use buildings in the heart of the downtown core where pedestrian traffic is at its highest, and where an extended corner cut is thought to be beneficial to provide people a place to congregate. In this case, the proposal is for an apartment building at the very edge of downtown, and thus the full 4.5m triangular setback is deemed to be less necessary in this scenario.

With regards to the proposed variance to the height restriction shown on Map A – Downtown Building Heights Plan, the proposal is to vary the height on the eastern-most portion of the building from 15m maximum to 24m and 6 ½ storeys. Staff support the proposed variance as this an appropriate location for a mid-rise apartment building of this size and scale.

With regards to the proposed variance to the proportion of full size parking stalls, the proposal is to reduce the proportion from 50% required to 29%. As this variance is relatively minor, and is anticipated to be manageable without adversely affecting the parking situation, it is considered acceptable by Staff.

4.0 Proposal

4.1 Background

At the time of application, the subject property was zoned RU2 – Medium Dwelling Housing, and had a future land use designation of MRM – Multiple Unit Residential (Medium Density). As such, the proposed development required both an OCP Amendment to change the future land use designation to MXR – Mixed Use (Residential / Commercial), and a rezoning to C7 – Central Business Commercial.

Both the OCP Amendment (OCP20-0002), and rezoning (Z19-0126) were given 1st Reading by Council on February 3, 2020 and forwarded to Public Hearing on February 25, 2020. At the February 25th Regular Council Meeting both bylaws were given 2nd and 3rd Reading. The OCP Amendment and rezoning were supported on the condition that a height covenant would be placed on Title limiting development to 6 ½ storeys and 24m. The bylaw amendments were also supported on the further condition that a covenant be placed on Title limiting development to residential use, with the opportunity for live-work units on the ground floor. These covenants have now been placed on Title.

4.2 Project Description

The applicant proposes a 6 ½ storey apartment building on the subject lot. The applicant also proposes to vary the following: The side yard setback above 16m from 4m required to 3.8m for a portion of the building on the west elevation; reducing the required 4.5m triangular setback at the intersection of Richter St. and Cawston Ave down to 3m; relaxing the height restriction shown on Map A – Downtown Building Heights Plan from 15m maximum to 24m and 6 ½ storeys; and reducing the proportion of regular size vehicle parking stalls from 50% required to 29%.

4.3 Site Context

The subject properties are located at the northwest corner of Cawston Ave. and Richter St. on the eastern edge of the City Centre Urban Centre. As a property in the City Centre Urban Centre, the site is within walking distance of a wide range of amenities and destinations, including retail and dining opportunities;

employment opportunities; and cultural and recreational facilities. Related to this, the lot has a walkscore of 92, and is considered to be a Walker's Paradise, where "daily errands do not require a car". In addition, the lot has direct access to the Cawston Ave. multi-use pathway and is within 400m of the Ethel St. multi-use pathway, and thus has excellent access for all forms of active transportation.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU2 – Medium Lot Housing	Single Family Housing
East	RU6 – Two Dwelling Housing	Single Family Housing
South	RM5 – Medium Density Multiple Housing	Stacked Row Housing
West	RU2 – Medium Lot Housing	Single Family Housing

Subject Property Map: 660 Cawston Ave.



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C7 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Max. Floor Area Ratio	9.0	2.2
Max. Height	15m (east of former laneway) / 37m (west of former laneway)	6 ½ storeys & 24m ●

Min. Front Yard	0.0m	0.0m
Min. Side Yard (west)	0.0m & 4.0m above 16.0m height abutting a property	0.0m & 3.8m above 16.0m height abutting a property ❷
Min. Side Yard (east)	0.0m	0.0m
Min. Rear Yard	0.0m	0.0m
Triangular Setback at Intersection	4.5m	3.0m ❸
Other Regulations		
Min. Parking Requirements	76	80
Ratio of Regular Sized Vehicle Parking Stalls	50%	29% ❹
Min. Bicycle Parking	41	41
Min. Private Open Space	5,840m ²	19,264m ²
❶ Indicates a requested variance to height. ❷ Indicates a requested variance to a setback above 16.0m height. ❸ Indicates a requested variance to the triangular setback at the first storey at intersection. ❹ Indicates a requested variance to the ratio of regular size vehicle parking stalls.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Urban Design Development Permit Guidelines

- Revitalization Development Permit Area Guideline Objectives:
 - Use appropriate architectural features and detailing of buildings and landscapes to define area character;
 - Convey a strong sense of authenticity through high quality urban design that is distinctive of Kelowna;
 - Provide for a scale and massing of buildings that promotes an enjoyable living, pedestrian, working, shopping and service experience;
 - Encourage an appropriate mix of uses and housing types and sizes;
 - Design and facilitate beautiful public open spaces that encourage year-round enjoyment;
 - Create open, architecturally-pleasing and accessible building facades to the street; and
 - Improve existing streets and sidewalks to promote alternative transportation.

6.o Application Chronology

Date of Application Received: November 13, 2019

Date Public Consultation Completed: January 14, 2020

Report prepared by: Aaron Thibeault, Planner II

Reviewed by: James Moore, Acting Development Planning Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Draft Development Permit and Development Variance Permit DP20-0007 & DVP20-0008

Attachment B: Revitalization Development Permit Area Guidelines Checklist

Attachment C: Applicant Rationale

Development Permit & Development Variance Permit DP20-0007 / DVP20-0008



This permit relates to land in the City of Kelowna municipally known as
66o Cawston Ave.

and legally known as

Lot 1 District Lot 139 ODYD Plan EPP99969

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

Multiple Dwelling Housing.

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

Section 14.7.5(h)ii: C7 – Central Business Commercial, Development Regulations

To vary the minimum setback above 16.0m for a property line abutting another property from 4.0m required to 3.8m.

Section 14.7.5(g): C7 – Central Business Commercial, Development Regulations

To vary the requirement for a triangular setback for the first storey at the corner of an intersection from 4.5m required to 3.0m.

Section 14.7.5: C7 Map A – Downtown Building Heights Plan, Development Regulations

To vary the height on the portion of the building between Richter St. and the former laneway to the west of Richter St. (Road Plan 1037 EPP99502) from 15m permitted to 24m and 6 ½ storeys.

Table 8.2.7(b): Parking and Loading, Size and Ratio

To vary the ratio of regular size vehicle parking stalls from 50% required to 29%.

ATTACHMENT A	
This forms part of application # DP20-0007, DVP20-0008	
Planner Initials	AT
 City of Kelowna COMMUNITY PLANNING	

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

Date of Council Decision July 14, 2020

Decision By: COUNCIL

Development Permit Area: Revitalization Development Permit Area

Existing Zone: C7 – Central Business Commercial

Future Land Use Designation: MXR – Mixed Use (Residential / Commercial)

This is NOT a Building Permit.

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

NOTICE

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

Owner: 650 Developments Inc., Inc.No. BC1145287

Applicant: Paul Pasutto; Innocept

Planner: Aaron Thibeault

Terry Barton
Development Planning Department Manager
Planning & Development Services

Date

ATTACHMENT		A
This forms part of application # DP20-0007, DVP20-0008		
Planner Initials	AT	 City of Kelowna COMMUNITY 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

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

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

3. PERFORMANCE SECURITY

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

- An Irrevocable Letter of Credit **OR** certified cheque in the amount of **\$15,455.00**

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.**

ATTACHMENT		A
This forms part of application		
# <u>DP20-0007, DVP20-0008</u>		
Planner Initials	<div>AT</div>	 City of Kelowna <small>COMMUNITY PLANNING</small>

SCHEDULE

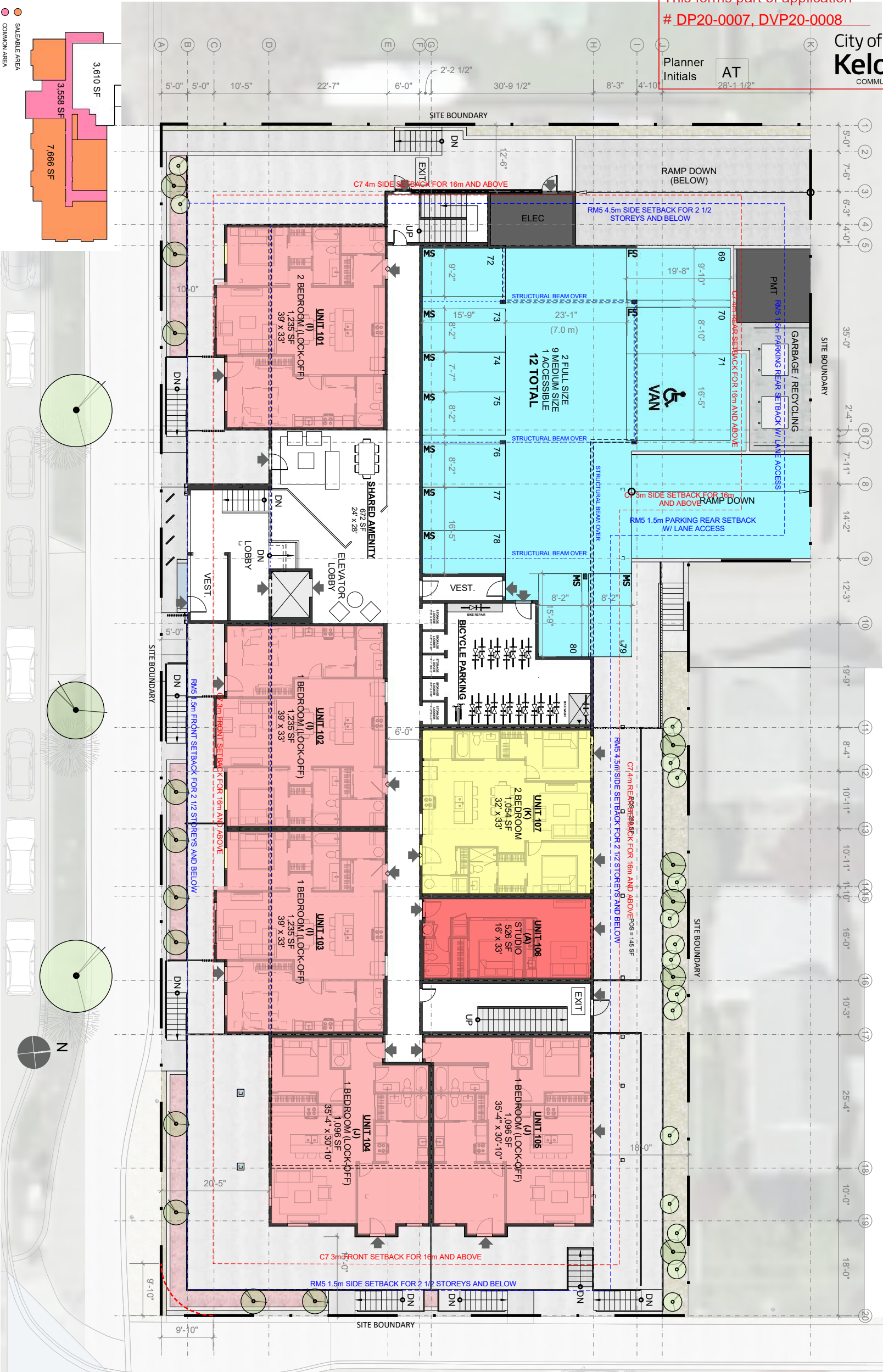
A

This forms part of application
DP20-0007, DVP20-0008



City of
Kelowna
COMMUNITY PLANNING

Planner
Initials
AT
28-1 1/2"



Space requirements	Req'd	Provided
Full Size Vehicle (FS)	37	22
Medium Size (MS)	37	56
Accessible Parking	1	1
Van Accessible Parking	1	1
Total	76	80

VARIANCE REQUESTED

Total	Units	Parking Multiplier	Parking Req
Studio (A)	22	0.80	17.6
Studio (B)	8	0.80	6.4
1 Bedroom (C)	9	0.90	8.1
2 Bedroom (D)	10	1.00	10
1 Bedroom + Den (E)	5	0.90	4.5
2 Bedroom (F)	5	1.00	5
2 Bedroom (G)	1	1.00	1
2 Bedroom (H)	4	1.00	4
1 Bedroom - Lock off (I)	3	1.04	3.12
1 Bedroom - Lock off (J)	2	1.04	2.08
2 Bedroom (K)	3	1.00	3
3 Bedroom (L)	1	1.00	1
Visitor	-	-	-
Total	73	0.14	10

First Floor	Private Open Space	Total Private Open Space
Studio (A)	145	145
Studio (B)	-	-
1 Bedroom (C)	-	-
2 Bedroom (D)	-	-
1 Bedroom + Den (E)	-	-
2 Bedroom (F)	-	-
2 Bedroom (G)	-	-
2 Bedroom (H)	-	-
1 Bedroom - Lock off (I)	468	1,403
1 Bedroom - Lock off (J)	904	1,807
2 Bedroom (K)	289	289
3 Bedroom (L)	-	-
Other Amenity	-	379
Total	379	4,023

First Floor	No.	SF	Total SF
Studio (A)	1	526	526
Studio (B)	-	491	-
1 Bedroom (C)	-	632	-
2 Bedroom (D)	-	813	-
1 Bedroom + Den (E)	-	727	-
2 Bedroom (F)	-	1,107	-
2 Bedroom (G)	-	1,125	-
2 Bedroom (H)	-	879	-
1 Bedroom - Lock off (I)	3	1,237	3,711
1 Bedroom - Lock off (J)	2	1,096	2,192
2 Bedroom (K)	1	1,054	1,054
3 Bedroom (L)	-	1,372	-
Other Amenity	-	-	-
Total	7	7,483	7,483

Total	No.	%	Total SF
Studio (A)	22	30%	11,568
Studio (B)	8	11%	3,928
1 Bedroom (C)	9	12%	5,690
2 Bedroom (D)	10	14%	8,127
1 Bedroom + Den (E)	5	7%	3,633
2 Bedroom (F)	5	7%	5,535
2 Bedroom (G)	1	1%	1,125
2 Bedroom (H)	4	5%	3,514
1 Bedroom - Lock off (I)	3	4%	3,711
1 Bedroom - Lock off (J)	2	3%	2,192
2 Bedroom (K)	3	4%	3,161
3 Bedroom (L)	1	1%	1,372
Other Amenity	-	-	-

Total	No.	%	Total SF
Studio	30	41%	15,496
1 Bedroom	14	19%	11,593
1 Bedroom + Den	5	7%	3,633
2 Bedroom	23	32%	21,463
3 Bedroom	1	1%	1,372
Total	73	FAR =	53,556
Site Area	24,501	FAR =	2.2

BLUEGREEN
ARCHITECTURE INC

6202 - 110th St
Kelowna, BC, V1Y 1X7
P: 778.753.3550
www.bluegreenarchitecture.com

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This drawing must not be scaled. The general contractor shall verify all dimensions, details and levels prior to construction of work. Any errors or omissions are to be repaired immediately by the architect.

Job Number
19/734

Project
650 Cawston Ave

Sheet Title
MAIN (FIRST) FLOOR PLAN

Date
2020.05.11

Scale
1" = 20'

A2.1



SOUTH FACING FRONT ELEVATION
SCALE: 1/16" = 1'-0"

SCHEDULE

This forms part of application

DP20-0007, DVP20-0008

Planner Initials

AT

City of Kelowna

COMMUNITY PLANNING



***DISCLAIMER:** PLEASE NOTE THAT THE INTENTION OF THIS IMAGE IS TO PROVIDE A BASIC UNDERSTANDING OF THE ARCHITECTURAL DESIGN INTENT. THE IMAGE IS NOT THE FINAL DESIGN AND ELEMENTS ARE SUBJECT TO CHANGE, SUCH AS MATERIALITY, ARCHITECTURAL DETAILING, PROJECTIONS AND REVEALS, SCREEN PATTERNS AND COLOUR SUBJECT TO CHANGE.

MATERIAL LEGEND	
1	BLACK CORRUGATED METAL CLADDING
2	BRICK VENEER (COLOUR TBC)
3	ARCHITECTURAL SCREEN (STYLE, MATERIAL AND COLOUR TBC)
4	WOOD STYLE CEMENT BOARD CLADDING / TRIM (COLOUR TBC)
5	CAST IN PLACE CONCRETE (PAPER FACED FINISH)
6	DARK GREY CEMENT BOARD
7	ACRYLIC STUCCO FINISH (EXACT COLOUR TBC)
8	ACRYLIC STUCCO FINISH (EXACT COLOUR TBC)
9	ALUMINUM VENTED SOFFIT (COLOUR TO MATCH DARK GREY CEMENT BOARD)
10	WOOD STYLE CEMENT BOARD SOFFIT (EXACT COLOUR TBC)
11	WHITE PAINTED CAST IN PLACE CONCRETE



SCHEDULE

This forms part of application
DP20-0007, DVP20-0008



Planner Initials
AT

BLUEGREEN
ARCHITECTURE INC

6702 - 110th St West,
Kelowna, BC, V1X 1X7
P: 778.753.8550
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Job Number
19734

Project
650 Cawston Ave

Sheet Title
EAST / WEST ELEVATIONS

Date
2020.05.28

Scale
1/16" = 1'-0"

A3.1



City of
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COMMUNITY PLANNING

SCHEDULE B

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LOWER FLOOR S.O.G. - 343.6 = 0' - 0"
AVERAGE GRADE - 345 = + 4' - 7"
MAIN FLOOR - 346.65 = + 10' - 0"

BLUEGREEN
ARCHITECTURE INC

6702 - 110th St West,
Kelowna, BC, V1X 1X7
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Job Number
19/734

Project
650 Cawston Ave

Sheet Title
NORTH ELEVATION

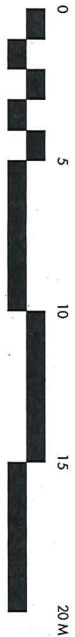
Date 2020.05.28
Scale 1/16" = 1'-0"

A3.2

NORTH FACING REAR ELEVATION
SCALE: 1/16" = 1'-0"

***DISCLAIMER:** PLEASE NOTE THAT THE INTENTION OF THIS IMAGE IS TO PROVIDE A BASIC UNDERSTANDING OF THE ARCHITECTURAL DESIGN INTENT. THE IMAGE IS NOT THE FINAL DESIGN AND ELEMENTS ARE SUBJECT TO CHANGE, SUCH AS MATERIALITY, ARCHITECTURAL DETAILING, PROJECTIONS AND REVEALS, SCREEN PATTERNS AND COLOUR SUBJECT TO CHANGE.

MATERIAL LEGEND	
<div>1</div>	BLACK CORRUGATED METAL CLADDING
<div>2</div>	BRICK VENEER (COLOUR TBC)
<div>3</div>	ARCHITECTURAL SCREEN (STYLE, MATERIAL AND COLOUR TBC)
<div>4</div>	WOOD STYLE CEMENT BOARD CLADDING / TRIM (COLOUR TBC)
<div>5</div>	CAST IN PLACE CONCRETE (PAPER FACED FINISH)
<div>6</div>	DARK GREY CEMENT BOARD
<div>7</div>	ACRYLIC STUCCO FINISH (EXACT COLOUR TBC)
<div>8</div>	ACRYLIC STUCCO FINISH (EXACT COLOUR TBC)
<div>9</div>	ALUMINUM VENTED SOFFIT (COLOUR TO MATCH DARK GREY CEMENT BOARD)
<div>10</div>	WOOD STYLE CEMENT BOARD SOFFIT (EXACT COLOUR TBC)
<div>11</div>	WHITE PAINTED CAST IN PLACE CONCRETE



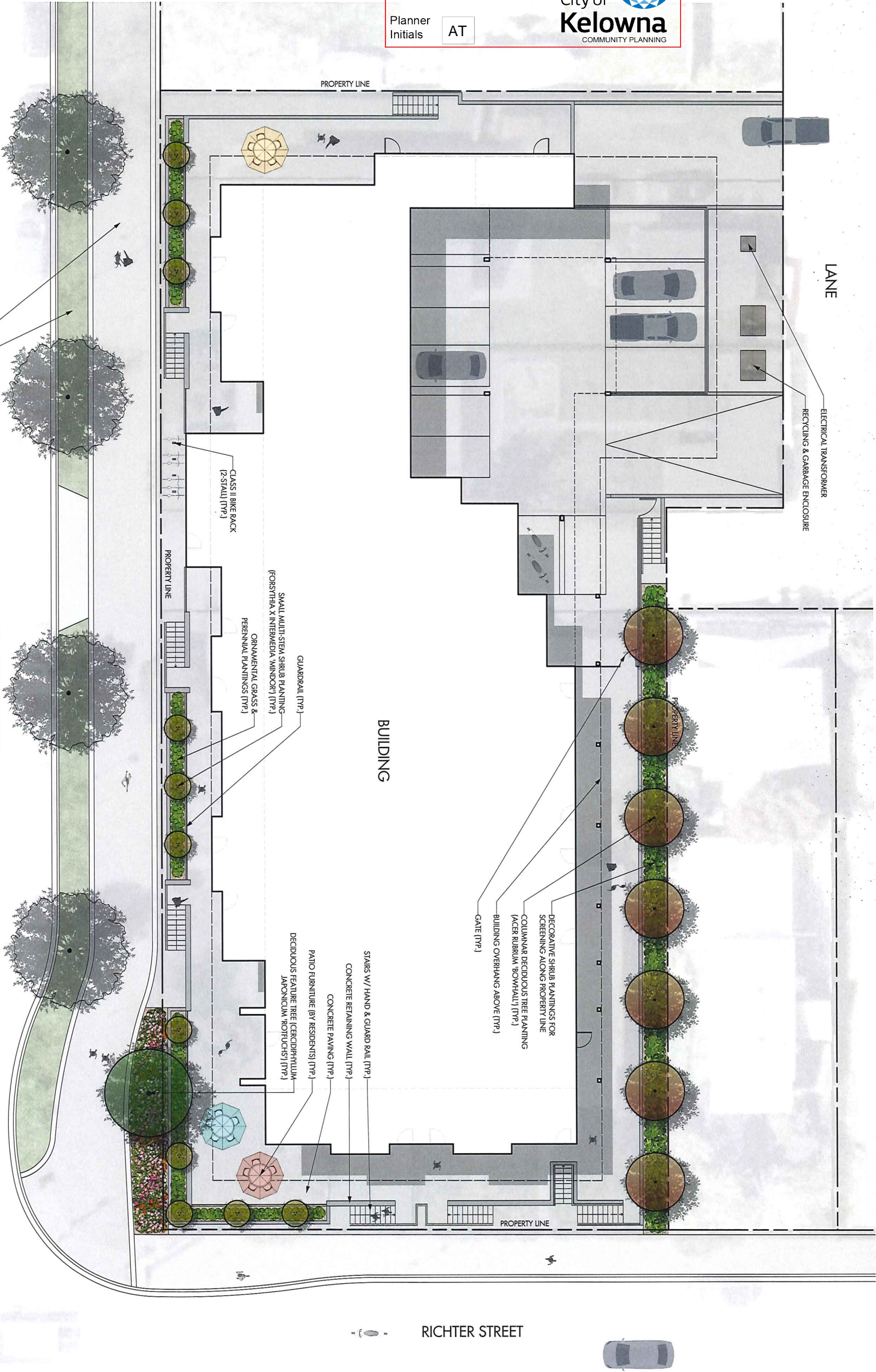
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NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED CSA STANDARDS & ALL OFFSITE LANDSCAPE IMPROVEMENTS TO MEET CITY OF KELLOWNA BYLAW 7900 REQUIREMENTS.
2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.
3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 75mm DOUGLAS RED FIR BRANCH AS SHOWN IN PLANS. DO NOT PLACE WEED MAT UNDERNANT TREE AND SHRUB BEDS.
4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.
5. SITE GRADING AND DRAINAGE WILL ENSURE THAT ALL STRUCTURES HAVE POSITIVE DRAINAGE AND THAT NO WATER OR LOOSE IMPEDIMENTS WILL BE DISCHARGED FROM THE LOT ONTO ADJACENT PUBLIC, COMMON, OR PRIVATE PROPERTIES.

PLANT LIST

BOTANICAL NAME	COMMON NAME	QTY	SIZE/SPACING & REMARKS
TREES			
ACER RUBRUM 'BOWHALL'	BOWHALL MAPLE	7	6cm CAL.
CERCIDIPHYLLUM JAPONICUM 'KOTOUCHI'	RED FOX KATSURIA TREE	1	6cm CAL.
SHRUBS			
CORNUS ALBA 'BAUHALL'	MORY HALL DOGWOOD	6	#02 CONT. / 1.8M O.C. SPACING
FORSYTHIA X INTERMEDIA 'WINDOR'	SHOW OFF FORSYTHIA	11	#05 CONT. / 3.5M O.C. SPACING
PRINUS SYLVESTRIS 'GAULICA NANA'	DWARF BLUE SCOTCH PINE	3	#02 CONT. / 2.5M O.C. SPACING
VIBURNUM OPULUS 'COMPACTUM'	COMPACT EUROPEAN CRANBERRY	6	#02 CONT. / 1.8M O.C. SPACING
PERENNIALS & ORNAMENTAL GRASSES			
HEMEROCALLIS STELLA D'ORO	STELLA D'ORO DAYLILY	7	#01 CONT. / 1.2M O.C. SPACING
LAVANDULA ANGUSTIFOLIA 'HIDECOTE'	HIDECOTE ENGLISH LAVENDER	7	#01 CONT. / 1.2M O.C. SPACING
PENISSETUM ALOPECUROIDES	FOUNTAIN GRASS	5	#01 CONT. / 1.5M O.C. SPACING
LEUCANTHEMUM SUPERBUM 'AGLALA'	AGLALA SHASTA DAISY	7	#01 CONT. / 1.2M O.C. SPACING
SCHIZACHYRIUM SCOPARIUM 'THE BLUES'	LITTLE BLUESTEM	5	#01 CONT. / 1.5M O.C. SPACING



Revitalization Development Permit Area

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

REVITALIZATION DEVELOPMENT PERMIT AREA	YES	NO	N/A
Relationship to the Neighbourhood and Street			
Does the proposal maintain the established or envisioned architectural character of the neighbourhood?	✓		
Do developments adjacent to non-revitalization areas create an appropriate transition?	✓		
Are spaces for pedestrian friendly amenities, such as street furniture, included on site?		✓	
Is the ratio of streetwall height to street width less than 0.75:1?	✓		
Does the building frontage occupy the entire length of the street, without drive aisles or other dead zones?	✓		
Building Design			
Are architectural elements aligned from one building to the next?			✓
Are the effects of shadowing on public areas mitigated?	✓		
Are doors or windows incorporated into at least 75% of street frontage?	✓		
Do proposed buildings have an identifiable base, middle and top?	✓		
Are windows, entrances, balconies and other building elements oriented towards surrounding points of interest and activity?	✓		
Are architectural elements such as atriums, grand entries and large ground-level windows used to reveal active interior spaces?	✓		
Are buildings designed with individual entrances leading to streets and pathways rather than with mall style entrances and internal connections?	✓		
For multiple unit residential projects, is ground level access for first storey units provided?	✓		
Are buildings finished with materials that are natural, local, durable and appropriate to the character of the development?	✓		
Are prohibited materials such as vinyl siding, reflective or non-vision glass, plastic, unpainted or unstained wood, and concrete block not used in the design?	✓		
Are stucco and stucco-like finishes omitted as a principal exterior wall material?	✓		
Are vents, mechanical rooms/equipment and elevator penthouses integrated with the roof or screened with finishes compatible with the building's design?	✓		
View Corridors			
Are existing views preserved and enhanced?			✓
Vehicular Access and Parking			
Are at-grade and above-grade parking levels concealed with façade treatments?	✓		
Are garage doors integrated into the overall building design?	✓		

ATTACHMENT

B

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REVITALIZATION DEVELOPMENT PERMIT AREA	YES	NO	N/A
Are pedestrian entrances more prominent features than garage doors and vehicle entrances?	✓		
Is surface parking located to the rear of the building or interior of the block?	✓		
Are truck loading zones and waste storage areas screened from public view?	✓		
Do parking lots have one shade tree per four parking stalls?			✓
Are pedestrian connections provided within and between parking lots?			✓
Are driving, parking, pedestrian and cycling areas distinguished through changes in colour or pattern of paving materials?			✓
Public Art			
Is public art incorporated into the project?		✓	

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DEVELOPMENT RATIONALE FOR PROPOSED RICHTER-CAWSTON MULTI FAMILY PROJECT

Proposal for Re-Zoning, Development Permit and Development Variance
Permit

Existing Zoning: RU2

Proposed Zoning: C-7

1292 Richter Street. - Legal Description:

Lot 16, District Lot 139 Osoyoos Division
Yale District Plan 1037. PID:011-855-045
AND

The South ½ Of Lot 15 District Lot 139
Osoyoos Division Yale District Plan
1037. PID: 011-855-037

1284 Richter Street. - Legal Description:

Lot A District Lot 139 Osoyoos Division
District Plan KAP68057

650 Cawston Avenue. - Legal Description:

Lot 17 District Lot 139 Osoyoos Division
Yale District Plan 1037. PID: 011-855-
053

640 Cawston Avenue. - Legal Description:

The East ½ of Lot 19 District Lot 139
Osoyoos Division Yale District Plan
1037. PID: 011-855-070

Introduction

This is an application for the re-zoning, development permit and development variance permit to accommodate a 73-unit multi-family building.

Site Description

The subject property is situated on the NW corner of Cawston Avenue and Richter Street within Kelowna's downtown Urban Cultural District. Located walking distance away from Downtown Kelowna's many amenities; the future residents of this medium density multi-family structure can choose to walk or bike for daily essentials instead of driving.

ATTACHMENT C

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Calgary: 200-3505 14 St SW Calgary, AB T2T-3W2
Kelowna: 202-1021 Ellis St Kelowna, BC V1Z-1G5

www.innocept.ca



The site consists of four lots (which will be consolidated) that contain approximately 2276 m² (24,489 sq. ft.) The subject properties are currently zoned RU2 and we are seeking a re-zoning to C7 (Central Business District). In addition, the proposed development includes a portion of the laneway whose prospective sale has received preliminary approval from City of Kelowna.

The site is level, with frontages on both Cawston Avenue and Richter Street. All four separate older houses that will be demolished prior to construction commencing. The North End of Downtown Kelowna is undergoing substantial redevelopment as the downtown core continues to evolve into a medium to higher density area.

ATTACHMENT C

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Development Description

The proposed project requires a new Re-Zoning Development Permit and a Development Variance Permit for a 6-storey condominium building which will consist of a single level (lower parking, partial below grade) concrete parking area with 75 parking stalls and six (6) floors (wood frame) of condominiums consisting of 73 condos above the parking podium.

The building will incorporate independent patio/green space on top of portions of the parking structure. Vehicular access to the parking shall be from the rear alleyway via St. Paul and Clement. The intention is to use of brick, concrete, and wood materials. The final design details will be provided in the forthcoming Development Permit grade drawings.

The centrally located building entrance is planned to emphasize the entrance and to create a prominent street scape. The accent feature, and deliberate glazing, on the large vertical column, creates an inspired yet subtle accent and creatively defines this important corner.

The mix of units in the building is currently proposed to be made up of 19 two-bedroom units, 15 one bedroom plus den units, 9 one-bedroom units, and 30 studio units. Unit sizes range from 493 sq. ft for studios, 634 sq. ft. for one bedroom, 690-780 for one bedroom plus den, 1,110-1,230 sq. ft. for two bedrooms.

Development Rationale

- This development intends to support the goals of the Kelowna "My Downtown" Official Community Plan.
- Scale of building and wood frame construction provides a much required attainable and affordable alternative to concrete high-rise developments prominent in the downtown core.
- This location reduces the impact and need for car use; walking to work and bike riding will be a common practice with residents as they access the many entertainment and dining options nearby.
- Residential and pedestrian interface along Cawston with off street vehicle and bike parking will support an active lifestyle.
- The site is well positioned near the rapid transit bus route system. It is also located to be strategically integrated with the Cawston community bike path.

ATTACHMENT C

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