

# City of Kelowna

## Regular Council Meeting

### AGENDA



Tuesday, July 27, 2021  
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 Given.
3. **Confirmation of Minutes** 1 - 18  
Public Hearing, July 13, 2021  
Regular Tuesday, July 13, 2021
4. **Development Permit and Development Variance Permit Reports**  
**Mayor to invite anyone participating online or in the public gallery who deems themselves affected by the required variance(s) to come forward for each item.**
  - 4.1. **START TIME 7:00 PM - Toovey Rd 1175 - DVP21-0061 - Douglas Marlon Carey** 19 - 39  
To vary the front yard setback for an accessory building from 9.0m required to 6.15m proposed and to vary the height of an accessory building from 4.8m permitted to 5.3m proposed to facilitate an addition to an existing accessory building.
  - 4.2. **START TIME 7:00 PM - Shayler Ct 2890 - BL12214 (Z21-0023) - Erwin Victor Braun and Connie Teresa Braun** 40 - 40  
To adopt Bylaw No. 12214 in order to rezone the subject property from the RR1 - Rural Residential 1 zone to the RR1c - Rural Residential 1 with Carriage House zone.
  - 4.3. **START TIME 7:00 PM - Shayler Ct 2890 - DVP21-0069 - Erwin Victor Braun and Connie Teresa Braun** 41 - 62  
To consider a Development Variance Permit to vary the maximum upper floor storey area of a carriage house from 75% of the footprint permitted to 82% proposed.

- 4.4. **START TIME 7:20 PM - Pacific Ave 1220 1230 - BL12191 (Z20-0094) - Great A and A Properties Ltd., Inc.No. BCo888141** 63 - 63

To amend at third reading and adopt Bylaw No. 12191 in order to rezone the subject property from the RU6 – Two Dwelling Housing zone to the C<sub>4</sub> – Urban Centre Commercial zone.

- 4.5. **START TIME 7:20 PM - Pacific Ave 1220 1230 - DP20-0196 DVP20-0197 - Great A and A Properties Ltd., Inc.No. BCo888141** 64 - 122

To consider a Development Permit for the form and character of a 5 storey apartment building; and to consider a Development Variance Permit to vary the following: side yard setback; rear yard setback; parking stall size ratio; and height.

- 4.6. **START TIME 7:20 PM - Lakeshore Rd 3377 - DP21-0040 DVP21-0041 - Cressey Lakeshore Holdings Ltd., Inc. No. 788131** 123 - 199

To consider the form and character of a mixed-used development with variances to minimum front yard, minimum flanking side yard, minimum side yard and minimum landscape buffer.

5. **Reminders**
6. **Termination**





## City of Kelowna Public Hearing Minutes

Date: Tuesday, July 13, 2021  
Time: 4:00 pm  
Location: Council Chamber  
City Hall, 1435 Water Street

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

Members participating remotely Councillors Charlie Hodge and Brad Sieben\*

Staff Present City Manager, Doug Gilchrist\*; City Clerk, Stephen Fleming; Deputy City Clerk, Laura Bentley; Divisional Director, Planning & Development Services, Ryan Smith; Community Planning & Development Manager, Dean Strachan; Urban Planning Manager, Jocelyn Black\*; Parks & Buildings Planning Manager, Robert Parlane\*

Staff participating remotely Legislative Coordinator (Confidential), Clint McKenzie

(\* Denotes partial attendance)

1. **Due to COVID-19 a Public Hearing Agenda will also include Regular Meeting Items**
2. **Call to Order the Public Hearing - START TIME 4:00 PM -TA21-0001 (BL12165) - RU6 Zone Text Amendment - City of Kelowna**  
  
Mayor Basran called the Hearing to order at 4:06 p.m.  
  
The Mayor made comments regarding yesterday's industrial incident and called for a moment of silence for those lives lost.  
  
Mayor Basran advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "Kelowna 2030 - Official Community Plan Bylaw No. 10500" and Zoning Bylaw No. 8000", and all submissions received, either in writing or verbally, will be taken into consideration when the proposed bylaws are presented for reading at the Regular Council Meeting which follows this Public Hearing.
3. **Individual Bylaw Submissions**

**3.1 START TIME 4:00 PM - TA21-0001 (BL12165) - RU6 Zone Text Amendment - City of Kelowna**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

Councillor Brad Sieben joined the meeting virtually at 4:10 pm.

No one participating online indicated they wished to speak.

There were no further comments.

**4. Termination**

The Hearing was declared terminated at 4:12 p.m.

**5. Call to Order the Regular Meeting**

Mayor Basran called the meeting to order at 4:12 p.m.

**6. Bylaws Considered at Public Hearing**

**6.1 START TIME 4:00 PM - BL12165 (TA21-0001) - RU6 Zone Text Amendment - City of Kelowna**

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0708/21/07/13 THAT Bylaw No. 12165 be read a second and third time.

Carried

**7. Termination**

The meeting was declared terminated at 4:13 p.m.

**8. Call to Order the Public Hearing - START TIME 4:00 PM - Enterprise Way, Hunter Ct, Hunter Rd and Leckie Rd - LUCT21-0001 (BL12211) Z21-0038 (BL12212) - Multiple Owners**

Mayor Basran called the Hearing to order at 4:13 p.m.

**9. Individual Bylaw Submissions**

**9.1 START TIME 4:00 PM - Enterprise Way, Hunter Ct, Hunter Rd and Leckie Rd - LUCT21-0001 (BL12211) Z21-0038 (BL12212) - Multiple Owners**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one participating online indicated they wished to speak.

There were no further comments.

**10. Termination**

The Hearing was declared terminated at 4:14 p.m.

**11. Call to Order the Regular Meeting**

Mayor Basran called the meeting to order at 4:15 p.m.

**12. Bylaws Considered at Public Hearing**

- 12.1 START TIME 4:00 PM - Enterprise Way, Hunter Ct, Hunter Rd and Leckie Rd - BL12211 (LUCT21-0001) - Multiple Owners**

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0709/21/07/13 THAT Bylaw No. 12211 be read a second and third time.

Carried

- 12.2 START TIME 4:00 PM - Enterprise Way, Hunter Ct, Hunter Rd and Leckie Rd - BL12212 (Z21-0038) - Multiple Owners**

Moved By Councillor Singh/Seconded By Councillor Wooldridge

R0710/21/07/13 THAT Bylaw No. 12212 be read a second and third time.

Carried

**13. Termination**

The meeting was declared terminated at 4:16 p.m.

- 14. START TIME 4:00 PM - Call to Order the Public Hearing - START TIME 4:00 PM - Boyd Rd 2811, 2820, 2830, 2843 - LUC20-0003 (BL12224) Z20-0052 (BL12225) - Brian Pahl and Linda Pahl**

Mayor Basran called the Hearing to order at 4:16 p.m.

**15. Individual Bylaw Submissions**

- 15.1 START TIME 4:00 PM - Boyd Rd 2811, 2820, 2830, 2843 - LUC20-0003 (BL12224) Z20-0052 (BL12225) - Brian Pahl and Linda Pahl**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Birte Decloux, Urban Options, Applicant's agent:

- Available for questions.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one participating online indicated they wished to speak.

There were no further comments.

**16. Termination**

The Hearing was declared terminated at 4:18 p.m.

**17. Call to Order the Regular Meeting**

Mayor Basran called the meeting to order at 4:18 p.m.



**18. Bylaws Considered at Public Hearing**

- 18.1 START TIME 4:00 PM - Boyd Rd 2811, 2820, 2830, 2843 - BL12224 (LUC20-0003) - Brian Pahl and Linda Pahl**

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0711/21/07/13 THAT Bylaw No. 12224 be read a second and third time and be adopted.

Carried

- 18.2 START TIME 4:00 PM - Boyd Rd 2820, 2830, 2843 - BL12225 (Z20-0052) - Brian Pahl and Linda Pahl**

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0712/21/07/13 THAT Bylaw No. 12225 be read a second and third time and be adopted.

Carried

**19. Termination**

The meeting was declared terminated at 4:19 p.m.

- 20. Call to Order the Public Hearing - START TIME 4:00 PM - Finns Rd 663-671 - LUCT20-0012 (BL12234) - Su-Mar Investments Ltd., Inc. No. 154934**

Mayor Basran called the Hearing to order at 4:19 p.m.

**21. Individual Bylaw Submissions**

- 21.1 START TIME 4:00 PM - Finns Rd 663-671 - LUCT20-0012 (BL12234) - Su-Mar Investments Ltd., Inc.No. 154934**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one participating online indicated they wished to speak.

There were no further comments.

**22. Termination**

The Hearing was declared terminated at 4:21 p.m.

**23. Call to Order the Regular Meeting**

Mayor Basran called the meeting to order at 4:21 p.m.

**24. Bylaws Considered at Public Hearing**

- 24.1 START TIME 4:00 PM - Finns Rd 663-671 - BL12234 (LUCT20-0012) - Su-Mar Investments Ltd., Inc.No. 154934**

Moved By Councillor Singh Seconded By Councillor Wooldridge

R0713/21/07/13 THAT Bylaw No. 12234 be read a second and third time and be adopted.

Carried**25. Termination**

The meeting was declared terminated at 4:21 p.m.

**26. Call to Order the Public Hearing -START TIME 4:00 PM - Finns Rd 733 - LUCT20-0020 (BL12235) - 684974 BC Ltd., Inc.No. 684974**

Mayor Basran called the Hearing to order at 4:22 p.m.

**27. Individual Bylaw Submission**

**27.1 START TIME 4:00 PM - Finns Rd 733 - LUCT20-0020 (BL12235) - 684974 BC Ltd., Inc.No. 684974**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one participating online indicated they wished to speak.

There were no further comments.

**28. Termination**

The Hearing was declared terminated at 4:23 p.m.

**29. Call to Order the Regular Meeting**

Mayor Basran called the meeting to order at 4:23 p.m.

**30. Bylaws Considered at Public Hearing**

**30.1 START TIME 4:00 PM - Finns Rd 733 - BL12235 (LUCT20-0020) - 684974 BC Ltd., Inc.No. 684974**

Moved By Councillor Singh/Seconded By Councillor Wooldridge

**R0714/21/07/13** THAT Bylaw No. 12235 be read a second and third time and be adopted.

Carried**31. Termination**

The meeting was declared terminated at 4:23 p.m.

**32. Call to Order the Public Hearing - START TIME 4:00 PM - Enterprise Way 2046 and Hardy St 1505 - LUCT20-0017 (BL12237) - Multiple Owners**

Mayor Basran called the Hearing to order at 4:24 p.m.

**33. Individual Bylaw Submissions**

**33.1 START TIME 4:00 PM - Enterprise Way 2046 and Hardy St 1505 - LUCT20-0017 (BL12237) - Multiple Owners**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one participating online indicated they wished to speak.

There were no further comments.

**34. Termination**

The Hearing was declared terminated at 4:25 p.m.

**35. Call to Order the Regular Meeting**

Mayor Basran called the meeting to order at 4:26 p.m.

**36. Bylaws Considered at Public Hearing**

**36.1 START TIME 4:00 PM - Enterprise Way 2046 and Hardy St 1505 - BL12237 (LUCT20-0017) - Multiple Owners**

Moved By Councillor Wooldridge/Seconded By Councillor Singh

**Ro715/21/07/13** THAT Bylaw No. 12237 be read a second and third time and be adopted.

**Carried**

**37. Termination**

The meeting was declared terminated at 4:26 p.m.

The meeting recessed at 4:26 p.m.

The meeting reconvened at 4:31 p.m.

The City Manager joined the meeting at 4:31 p.m.

**38. Call to Order the Public Hearing - START TIME 4:30 PM - Manhattan Dr 955 - OCP21-0007 (BL12227) Z21-0018 (BL12228) - MCMI Developments Ltd., Inc.No. BC1239530**

Mayor Basran called the Hearing to order at 4:31 p.m.

**39. Individual Bylaw Submissions**

**39.1 START TIME 4:30 PM - Manhattan Dr 955 - OCP21-0007 (BL12227) Z21-0018 (BL12228) - MCMI Developments Ltd., Inc.No. BC1239530**

Councillor Sieben joined the meeting in Council Chambers at 4:35 p.m.

Staff:

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

Jim Meiklejohn, Architect, Applicant's Agent and Gary & Joan Miller, Applicant:

- Presented a PowerPoint presentation.
- Provided rationale for the development.
- Responded to questions from Council.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.



## Online Participants

### Bob Gray, Manhattan Dr

- Oppose the rezoning application
- Draft OCP does not show the area as multi-family.
- Lake view close to downtown.
- Referenced the OCP bylaw.
- Commented on privacy concern with the 5 storeys.
- Does not believe zoning changes should be granted.

### Selina Manson, Manhattan Dr

- Opposed to the application.

### Margaret Peek, Manhattan Dr.

- Opposed to the application.
- Concerned with the increase in traffic volume.
- Public beach access already busy on the street with additional traffic.
- Concern with the application be precedent setting for the area.

### Rachel Clowater, Manhattan Dr.

- Opposed to the application.
- Infrastructure in the area is old and in need of improvement.
- Public docks still not opened in the area.
- Mentioned there is no area structure pan in the neighbourhood and impacts the future planning.

### Barbie and Kenny Ross, Manhattan Dr.

- Opposed to the rezoning the property.
- Concerned with the density in the immediate neighbourhood.

### Guy King, Manhattan Dr.

- Lived in the community since 1980
- Opposed to the application.
- Spoke to no sidewalks in the area with many visitors to the area. The greater density would add to this hazard.
- RU6 zoning offers aging in place options.

### Karen Goetjen, Manhattan Dr.

- Opposed to the application
- Commented on the tax level being similar to Abbott St with less infrastructure.
- Spoke to the quaint and quiet feel of the neighbourhood.
- Referenced the petition of non-support in the neighbourhood.

### Carmen Gray, Manhattan Dr

- Opposed to the application.
- Concern with no transit available in the neighbourhood.
- Concerned with walkability of the area with the increase in delivery.
- Concerned with the application setting a precedent in the area.

### Adam Wilson, Manhattan Dr.

- Opposed to the application.
- Spoke to the map sent to Council showing the non-support in the neighbourhood.
- Concerned with the proposal altering the neighbourhood.
- Concerned with accessibility of parking spots.

### Doug Jann, Manhattan Dr

- Opposed to the application
- Concerned with the application being for profit versus accessibility of family.
- Decision is based in capitalism not in community.
- Concern with Handi-Dart transit requirements and parking impacts of the development

Hugh Porter, Manhattan Dr.

- Opposed to the application
- Concerned with traffic impact.
- Concerned with map showing inaccurate support of the neighbourhood

Steve Anderson, Manhattan Dr.

- Opposed to the application
- Concerned with the lack of infrastructure not being able to handle the new development.
- Concerned with the fact that the applicant's support map shows them in favour of the application.

Sandra Basell, Flintoff Ave

- Opposed to the application.
- Concerned with lack of infrastructure it would create a bigger safety risk.

Angus Leslie, Manhattan Dr.

- Opposed to the application
- Resided in the area for 35 years.
- In favour of keeping RU6 zoning.
- Concerned with lack of planning in the neighbourhood.

Mel Clifford Manhattan Dr.

- Opposed to the application.

Leslie Wilson, Manhattan Dr.

- Opposed to the application.
- Referenced the applicant's reference map of support not being accurate.
- Requested the application be paused until the neighbourhood plan is completed.
- Spoke to the density and size not fitting to the neighbourhood.

Patty Anderson, Manhattan Dr.

- Opposed to the application.

Gail Plecash, Manhattan Dr.

- Owned the property since 1978.
- Opposed to the application.
- Misrepresented on the support map from the applicant.
- Concerned with the application setting a precedent in the neighbourhood.

Charles Lund, Manhattan Dr.

- Opposed to the application.
- Concerned with the increase in density six fold.
- Concern with the inaccuracy of the applicant's support map.

Tim Miller, Manhattan Dr

- Opposed to the application.
- Spoke to the reference by the developer regarding his letter written to Council.
- Concerned with the density not fitting for the site.

Amy Nicolls, Manhattan Dr.

- Opposed to the application.
- Concern regarding misrepresentation on the map as she was marked as a yellow and is in fact opposed and should be red dot.
- Believes RU6 or RU7 would be better supported.

Bud Kahovec, Manhattan Dr.

- Opposed to application.
- Concern with respite deck area for the owner only and not the other tenants.



Cathy Higgins, Manhattan Dr.

- resident since 2010.
- Opposed to the application.
- Expressed concern with application saying the opposition is due to lack of empathy for their family.

Blake McFetridge, Manhattan Dr.

- Owned the property for 20 years.
- Opposed to the application.
- Concern with multi- storey into an RU6 area.
- Believes RU6 or RU7 would be more suitable for the subject property.

Don Gagnon, Guy Street

- Opposed to the application.
- Bought in the neighbourhood for RU6.

Spring Hawes, Harvey Ave

- Supports the application.
- Commented on the diversity of options for all of the community being encouraged in the OCP.
- We currently do not have any purpose built accessible housing.
- Encouraged the community to embrace housing stock that recognizes the reality of building an accessible community.

Arlene DeBruin, Flintoff Ave

- Opposed to the application.
- Spoke to her request to build townhouses being declined by City planning.
- Requested that the north end plan be completed before the application is considered.

Tom and Debra Mauro, Abbott St.

- Support the application.
- Spoke to the character of the applicant and their volunteer support in the community.

Heather Friesen, Rutland

- Supports the application.
- Spoke to the comments promoting ableism.
- Disabled people matter and requested Council support the application.
- Spoke to concern with number of apartments going up in Rutland that are not accessible.

Christa, Stoneridge Dr., West Kelowna

- Used to live in Kelowna.
- Concerned with support for physically abled residents as she had to move to West Kelowna to find housing.
- Supports the project and the rezoning.

Councillor Stack declared a conflict of interest as speakers have raised the North End Neighbourhood Plan, and as his employer is bringing forward a redevelopment within the North End Neighbourhood Plan Area, left the meeting at 6:58 pm.

Applicant's response, Jim Micklejohn:

- Confirmed the access to the building will be off of Guy Street.
- Spoke to the map being a city map as provided for subject area.
- Responded to questions from Council.

Staff responded to questions from Council.

There were no further comments.

**40. Termination**

The Hearing was declared terminated at 7:19 p.m.

**41. Call to Order the Regular Meeting**

Mayor Basran called the meeting to order at 7:19 p.m.

**42. Bylaws Considered at Public Hearing**

**42.1 START TIME 4:30 PM - Manhattan Dr 955 - BL12227 (OCP21-0007) - MCMI Developments Ltd., Inc.No. BC1239530**

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

**R0716/21/07/13** THAT Bylaw No. 12227 be read a second and third time.

Carried

**42.2 START TIME 4:30 PM - Manhattan Dr 955 - BL12228 (Z21-0018) - MCMI Developments Ltd., Inc.No. BC1239530**

Moved By Councillor DeHart/Seconded By Councillor Given

**R0717/21/07/13** THAT Bylaw No. 12228 be read a second and third time.

Carried

**43. Termination**

The meeting was declared terminated at 7:45 p.m.

The meeting recessed at 7:45 p.m.

The meeting reconvened at 8:17 p.m.

Councillor Stack returned to the meeting at 8:18 p.m.

**44. Call to Order the Public Hearing - START TIME 7:00 PM - Burnett St 2251 - Z21-0007 (BL12232) TA21-0006 (BL12233) - Jose Antonio Maciel**

Mayor Basran called the Hearing to order at 8:18 p.m.

**45. Individual Bylaw Submissions**

**45.1 START TIME 7:00 PM - Burnett St 2251 - Z21-0007 (BL12232) TA21-0006 (BL12233) - Jose Antonio Maciel**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Joe Maciel, Burnett St, Applicant

- Owned the property for nearly 30 years.

- Available for questions.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

Online Participants

No one participating online indicated they wished to speak.

Jamie Tanner, Aberdeen St:

- Resided in the neighbourhood for 30 years.
- Concerned the application sets a precedent for multiplexes larger than 4 units in the neighbourhood.
- Believes that RU7 zoning fourplex is suitable for the area.

Applicant's response

- Spoke to the improvement to the neighbourhood that the application would provide.

There were no further comments.

**46. Termination**

The Hearing was declared terminated at 8:26 p.m.

**47. Call to Order the Regular Meeting**

Mayor Basran called the meeting to order at 8:27 p.m.

**48. Bylaws Considered at Public Hearing**

**48.1 START TIME 7:00 PM - Burnett St 2251 - BL12232 (Z21-0007) - Jose Antonio Maciel**

Moved By Councillor DeHart/Seconded By Councillor Stack

R0718/21/07/13 THAT Bylaw No. 12232 be read a second and third time.

Carried

**48.2 START TIME 7:00 PM - Burnett St 2251 - BL12233 (TA21-0006) - Jose Antonio Maciel**

Moved By Councillor Stack/Seconded By Councillor DeHart

R0719/21/07/13 THAT Bylaw No. 12233 be read a second and third time.

Carried

**49. Termination**

The meeting was declared terminated at 8:29 p.m.

**50. Call to Order the Public Hearing - START TIME 7:00 PM - Sadler Rd 145, Hwy 33 E 180 and 190 - Z18-0117 (BL11957) - Supplemental Report**

Mayor Basran called the Hearing to order at 8:29 p.m.

**51. Individual Bylaw Submissions**

**51.1 START TIME 7:00 PM - Sadler Rd 145, Hwy 33 E 180 and 190 - Z18-0117 (BL11957) - Supplemental Report**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Patrick Yang, Architect, Applicant's Agent:

- Available for questions

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.



No one participating online indicated they wished to speak.

There were no further comments.

**52. Termination**

The Hearing was declared terminated at 8:36 p.m.

**53. Call to Order the Regular Meeting**

Mayor Basran called the meeting to order at 8:36 p.m.

**54. Bylaws Considered at Public Hearing**

**54.1 START TIME 7:00 PM - Sadler Rd 145, Hwy 33 E 180 & 190, BL11957 (Z18-0117) - Studio 33 Properties Ltd., Inc No.BC1137489**

Moved By Councillor DeHart/Seconded By Councillor Stack

**R0720/21/07/13** THAT Bylaw No. 11957 be read a second and third time.

**Carried**

**55. Termination**

The meeting was declared terminated at 8:36 p.m.

The City Manager left the meeting at 8:37 p.m. and Ryan Smith acted as City Manager.

**56. Call to Order the Public Hearing - START TIME 7:45 PM - Providence Ave 410 - OCP20-0017 (BL12229) TA20-0019 (BL12230) - Kettle Valley Holdings Ltd., Inc.No. 551772**

Mayor Basran called the Hearing to order at 8:37 p.m.

**57. Individual Bylaw Submissions**

**57.1 START TIME 7:45 PM - Providence Ave 410 - OCP20-0017 (BL12229) TA20-0019 (BL12230) - Kettle Valley Holdings Ltd., Inc.No. 551772**

Staff:

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

Paul Fenske and Theo Finseth, Ekistics Town Planning, Applicant:

- Shared a PowerPoint application summarizing the application.
- Responded to questions from Council.
- Spoke to percentage of parkland in the Kettle Valley neighbourhood.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

Online Participants

Nicolas Brengarth, Tulameen Rd.

- Opposed to the application.
- Provided an overview of an alternative plan of development using a shared screen.
- Spoke to the merits of his proposal.
- Spoke to the petition with over 900 signatures in opposition.
- Spoke to the lack of communication from the applicant.
- Responded to questions from Council.

Keith Pinder, Tulameen Rd.

- Raised concerns with impact on sight lines.
- Spoke to height restriction covenants placed on title by developer and asked they be placed on any new lots.
- Spoke to the soccer field, green space and natural trail.
- Opposed to the application.

Len McFarlane, Providence Ave

- Supports the development and has lived in Kettle Valley for 22 years.
- Spoke to the history of the area with development plans.
- Aware of future uses of the lands under consideration.

Alexander Michel, Quilchena Dr.

- Opposed to the application.
- Shared a PowerPoint presentation.
- Made reference to previous application and Council desire for better communication.
- Referenced the petition of opposition submitted previously.
- Presented the results of survey.

Nicole and Sean Gorman, Thalia St.

- Opposed to the application.
- Told the site would only ever be a school, not informed it could have other uses if the school didn't get built.
- Spoke to lack of engagement by the applicant.

Nancy Jebb, Tulameen Rd.

- Spoke to the Kettle Valley Master Plan and read details regarding parks and trails.
- Opposed to the application.

Nicolas Brengarth, Tulameen Rd

- Opposed to the application.
- Agree with previous comments in opposition.
- Responded to questions from Council.

The meeting recessed due to technical issues at 9:45 p.m.

The meeting reconvened at 9:48 p.m.

Jonathan Mochuck, Providence Ave

- Made comments on the Kettle Valley Association and the organization's communication materials.
- Raised concerns with access and egress.

Tania Vadurova,

- Opposed to the application.

Applicant in response:

- Provided comments in response.
- Shared a PowerPoint presentation in support of comments on views.
- Spoke to engagement efforts.
- Responded to questions from Council.

Staff:

- Responded to questions from Council.

There were no further comments.

57.1.1 Correspondence - Providence Ave 410 - OCP20-0017 (BL12229) TA20-0019  
(BL12230) - Kettle Valley Holdings Ltd., Inc.No. 551772

58. Termination

The Hearing was declared terminated at 10:16 p.m.

59. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 10:16 p.m.

60. Bylaws Considered at Public Hearing

60.1 START TIME 7:45 PM - Providence Ave 410 - BL12229 (OCP20-0017) - Kettle Valley  
Holdings Ltd., Inc.No. 551772

Moved By Councillor Stack/Seconded By Councillor DeHart

R0721/21/07/13 THAT Bylaw No. 12229 be read a second and third time.

Defeated

Opposed - Councillor DeHart, Hodge, Sieben, Singh and Stack

60.2 START TIME 7:45 PM - Providence Ave 410 - BL12230 (TA20-0019) - Kettle Valley  
Holdings Ltd., Inc.No. 551772

The second and third readings were not considered due to the defeat of the OCP bylaw.

61. Termination

The meeting was declared terminated at 10:46 p.m.

\_\_\_\_\_  
Mayor Basran

/cm



per: City Clerk



## City of Kelowna Regular Meeting Minutes

Date: Tuesday, July 13, 2021  
Time: 9:00 pm  
Location: Council Chamber  
City Hall, 1435 Water Street

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

Members participating remotely Councillor Charlie Hodge

Staff Present City Clerk, Stephen Fleming; Deputy City Clerk, Laura Bentley; Divisional Director, Planning & Development Services, Ryan Smith; Community Planning & Development Manager, Dean Strachan

Staff participating remotely Legislative Coordinator (Confidential), Clint McKenzie

(\* Denotes partial attendance)

### 1. Call to Order

Mayor Basran called the meeting to order at 10:46 p.m.

### 2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Donn.

### 3. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

**R0722/2021/07/13** THAT the Minutes of the Public Hearing and Regular Meeting of June 22, 2021 be confirmed as circulated.

**Carried**

### 4. Liquor License Application Reports

**4.1 START TIME 9:00 PM - Baillie Ave 727 - LL21-0004 - Acoma Holdings Ltd Inc No 132091**

Councillor Sieben declared a conflict as he is a partner in the ownership of a nearby establishment and left the meeting at 10:48 p.m.



Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The applicant was not present.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one participating online indicated they wished to speak.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

**R0723/2021/07/13** THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor and Cannabis Regulation Branch (LCRB):

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

1. Council recommends support of an application from Jackknife Brewing Inc. for a license amendment for Lot 38 Section 30 Township 26 Osoyoos Division Yale District Plan 1014, located at 727 Baillie Avenue, Kelowna, BC for:

An increase in the total occupant load of an existing manufacturer lounge licence from 91 persons to 105 persons, to accommodate an expansion to the exterior patio service area.

2. Council's comments on LCLB's prescribed considerations are as follows:

- a. The potential for noise if the application is approved: The brewery is located in an industrial area just outside of the City Centre Urban Centre and the increased occupant load for the expanded patio service area will have minimal negative impact on noise. The property is zoned appropriately for this type of use (brewery and distilleries, minor). There are no residential dwellings in the immediate vicinity and the noise from the patio is not anticipated to be a nuisance.
- b. The impact on the community if the application is approved: The potential for negative community impact is considered minimal. The increased occupant load for this business will aid in the redevelopment and activation of the industrial neighbourhood beyond the standard work day hours.

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

**Carried**

Councillor Sieben returned to the meeting at 10:50 p.m.

#### **4.2 START TIME 9:00 PM - Lexington Dr 900 - LL21-0006 - City of Kelowna**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one participating online indicated they wished to speak.

There were no further comments.



Moved By Councillor DeHart/Seconded By Councillor Donn

R0724/2021/07/13 THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor and Cannabis Regulation Branch (LCRB): In accordance with Division 9 (71) of the Liquor Control and Licensing Regulation and Council Policy 359, BE IT RESOLVED THAT:  
1. Council recommends support of an application from the City of Kelowna - Kinsmen Athletic Park (Softball Quadplex) to include an outdoor patio into the existing liquor primary service area for Lot 1 District Lot 168 and Section 6 Township 26 ODYD Plan KAP80134, located at 900 Lexington Drive, Kelowna, BC for the following reasons:

The request is to include a newly constructed outdoor patio into the liquor service area. There are no changes to the number of patrons or the hours of operation. There should be no new or additional impact to the surrounding area.

2. Council's comments on LCLB's prescribed considerations are as follows:

a. The location of the establishment: The Kinsmen Athletic Park – Softball Quadplex is part of the larger Mission Creek Recreation Park which includes the H2O and Capital New Centre. The softball quadplex is located on a separate parcel at the northeast corner of the recreation park site.

b. The proximity of the establishment to other social or recreational facilities and public buildings: The softball quadplex is situated at the northeast corner of the parcel. To the north is the Mission Creek Greenway with agricultural properties to the north and east of the site. Michaelbrook Ranch Golf Course is to the southeast of the site.

c. The person capacity and hours of liquor service of the establishment: The previously approved capacity of 600 patrons will remain unchanged. The hours of operation will remain unchanged.

d. The number and market focus or clientele of liquor-primary license establishments within a reasonable distance of the proposed location: The site is within walking distance of two existing liquor primary locations as follows:

1. Boomers Bar and Grill is located within the Capital New Centre on the Mission Creek Recreation Park parcel on the south side of Lexington Drive.
2. Michaelbrook Ranch Golf Course is situated to the southeast of the site.

The primary focus of both venues is recreational activity with the liquor primary as a supplemental use.

e. The impact of noise on the community in the immediate vicinity of the establishment: The negative impact the change poses is considered minimal due to the nature of the area as there is no intensification anticipated.

f. The impact on the community if the application is approved: The inclusion of the new patio area into the existing approved liquor service area will not have an impact to the community. The facility has operated for a number of years without incidence.

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

Carried

5. **Reminders**

There were no reminders.

6. **Termination**

The meeting was declared terminated at 10:52 p.m.

\_\_\_\_\_  
Mayor Basran

sf/cm

\_\_\_\_\_  


City Clerk

DRAFT

# REPORT TO COUNCIL



**Date:** July 27<sup>th</sup>, 2021  
**To:** Council  
**From:** City Manager  
**Department:** Development Planning Department  
**Application:** DVP21-0061 **Owner:** Douglas Marlton Carey  
**Address:** 1175 Toovey Road **Applicant:** Urban Options Planning Corp.  
**Subject:** Development Variance Permit Application  
**Existing OCP Designation:** S2RES – Single/Two Unit Residential  
**Existing Zone:** A1 – Agriculture 1

---

## 1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0061 for Lot 16 Section 24 Township 26 ODYD District Plan 23445, located at 1175 Toovey Road, Kelowna BC;

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

**Section 6.5.3(c): General Development Regulations, Accessory Development, Accessory Buildings in Residential Zones**

To vary the height of an accessory building from 4.8m permitted to 5.3m proposed.

**Section 6.5.3(d): General Development Regulations, Accessory Development, Accessory Buildings in Residential Zones**

To vary the front yard setback of an accessory building from 9.0m required to 6.15m 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 front yard setback for an accessory building from 9.0m required to 6.15m proposed and to vary the height of an accessory building from 4.8m permitted to 5.3m proposed to facilitate an addition to an existing accessory building.

## 3.0 Development Planning

Staff support the Development Variance Permit for the front yard setback and height for the proposed accessory building addition. The existing accessory building was constructed in 1993 and met all the setbacks of Zoning Bylaw 4500. Since the time of construction, the setbacks for accessory buildings have changed, leaving the building in a legal non-conforming status. The applicant is proposing an addition to the accessory building to add an additional floor for an office. The buildable area on the site is limited due to a steep grade change, so it is not possible to build further back from the road. The addition requires two variances but will not move any closer to the road. The steep grade change makes it hard for an additional floor space to meet the height requirements, as the East and West sides of the structure are at different elevations. No neighbourhood impacts are anticipated with the proposed location of the detached garage.

#### 4.0 Proposal

##### 4.1 Project Description

The accessory building received a Building Permit in 1993 (BP4120) and had a front yard setback of 6.15m. The setbacks are considered legal non-conforming because in April 2017, Staff brought forward text amendments (TA15-0008) to consolidate all carriage house regulations and accessory building regulations. This put several accessory buildings into legal nonconforming status including this structure.

The applicant is proposing an additional storey on the existing accessory building, which will have a total footprint of 53.51m<sup>2</sup>. An office will be located on the second floor, and the accessory building will have a peaked roof, which is consistent with the surrounding area.

##### 4.2 Site Context

The subject property is zoned A1, but since the property was built in 1973 and is 0.2ha in size, Section 1.7.1 of the Zoning Bylaw No.8000 comes into effect:

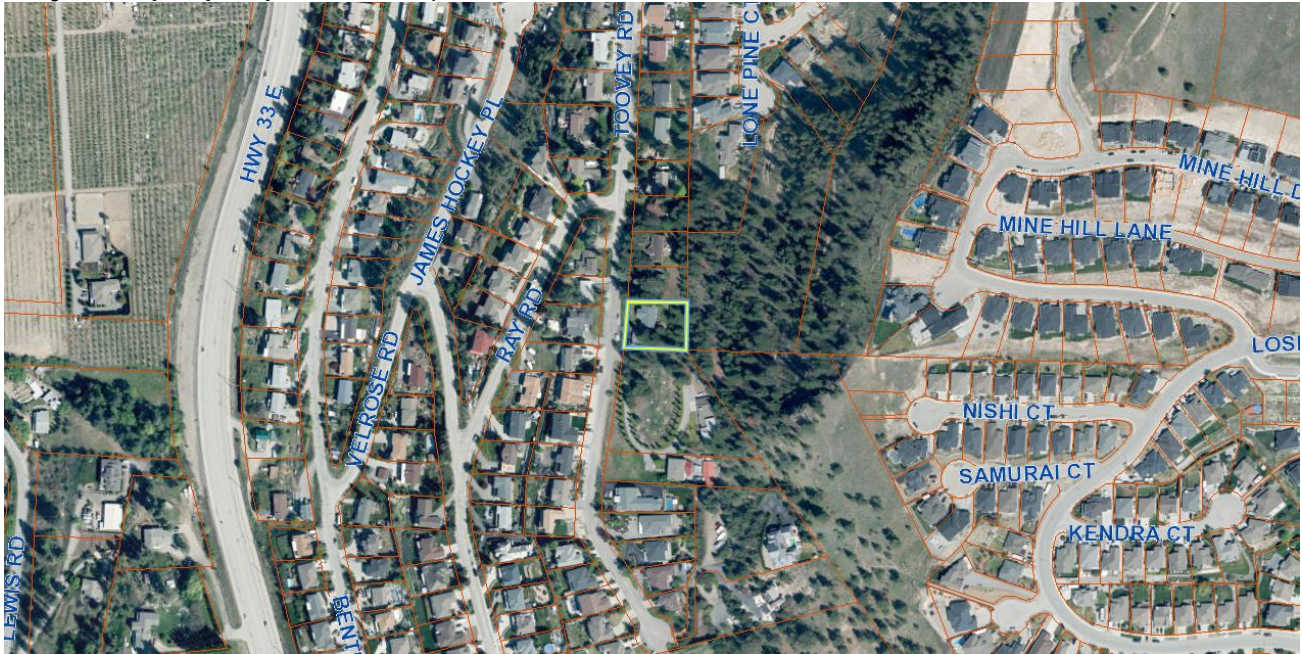
**Section. 1.7.1:** Non-conforming Agricultural, Urban Residential, or Rural Residential lots less than 0.2 ha., which existed prior to August 10, 1976, shall be developed in accordance with the provisions and regulations of the RU1, RU1(c), or RU1(h) zones.

Therefore, the property develops in accordance with the RU1 zone. The subject property has a Future Land Use Designation of S2RES – Single/Two Unit Residential. The property is located on Toovey Road in the Belgo – Black Mountain OCP Sector. The surrounding area is primarily zoned A1 – Agriculture 1, RU1 – Large Lot Housing and P3 – Parks and Open Space.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 – Agriculture 1	Single-Family Dwelling
East	P3 – Parks and Open Space	Vacant
South	A1 – Agriculture 1	Single-Family Dwelling
West	A1 – Agriculture 1	Single-Family Dwelling(s)



**Subject Property Map: 1175 Toovey Road****4.3 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	RU <sub>1</sub> ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	550.0m <sup>2</sup>	1740m <sup>2</sup>
Min. Lot Width	16.5m	35.48m
Min. Lot Depth	30.0m	46.30m
Max. Site Coverage (buildings)	40%	14.2%
Max. Site Coverage (buildings, parking, driveways)	50%	21.4%
Accessory Building Development Regulations		
Max. Height	4.8m	5.3m <sup>①</sup>
Min. Front Yard	9.0m	6.15m <sup>②</sup>
Min. Side Yard (south)	1.5m	2.5m
Min. Side Yard (north)	1.5m	4.32m
Min. Rear Yard	1.5m	24.0m
Footprint of Accessory Building	90m <sup>2</sup>	53.51 m <sup>2</sup>
Distance to Principal Dwelling	3.0m	5.13m
<sup>①</sup> Indicates a requested variance to Section 6.5.3d: Accessory Building Development Regulations – Height <sup>②</sup> Indicates a requested variance to Section 6.5.3c: Accessory Building Development Regulations – Front Yard Setbacks		

**5.0 Application Chronology**

Date of Application Received: March 18<sup>th</sup>, 2021  
 Date Public Consultation Completed: April 15<sup>th</sup>, 2021

**Report prepared by:** Tyler Caswell, Planner I

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

**Reviewed by:** Terry Barton, Development Planning Department Manager

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

**Attachments:**

Attachment A: Draft Development Variance Permit DVP21-0061

Schedule A: Drawing Package

# Development Variance Permit

## DVP21-0061



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

**1175 Toovey Road**

and legally known as

**Lot 16 Section 24 Township 26 ODYD District Plan 23445**

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

**Accessory Building (A1 – Agriculture 1 (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 July 27<sup>th</sup>, 2021

Decision By: COUNCIL

Existing Zone: A1 – Agriculture 1 (RU1 – Large Lot Housing)

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

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

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

### **NOTICE**


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

Owner: Douglas Marlton Carey

Applicant: Urban Options Planning Corp.

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

\_\_\_\_\_  
Date

<b>ATTACHMENT</b>		<b>A</b>
This forms part of application		
# DVP21-0061		
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 variances to the following section of the Zoning Bylaw No. 8000 be granted in accordance with Schedule "A":

**Section 6.5.3(c): General Development Regulations, Accessory Development, Accessory Buildings in Residential Zones**

To vary the height of an accessory building from 4.8m permitted to 5.3m proposed.

**Section 6.5.3(d): General Development Regulations, Accessory Development, Accessory Buildings in Residential Zones**

To vary the front yard setback of an accessory building from 9.0m required to 6.15m 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.**

**ATTACHMENT** A

This forms part of application

# DVP21-0061

Planner  
Initials

TC





# SCHEDULE

A

This forms part of application

# DVP21-0061

Planner  
Initials

TC

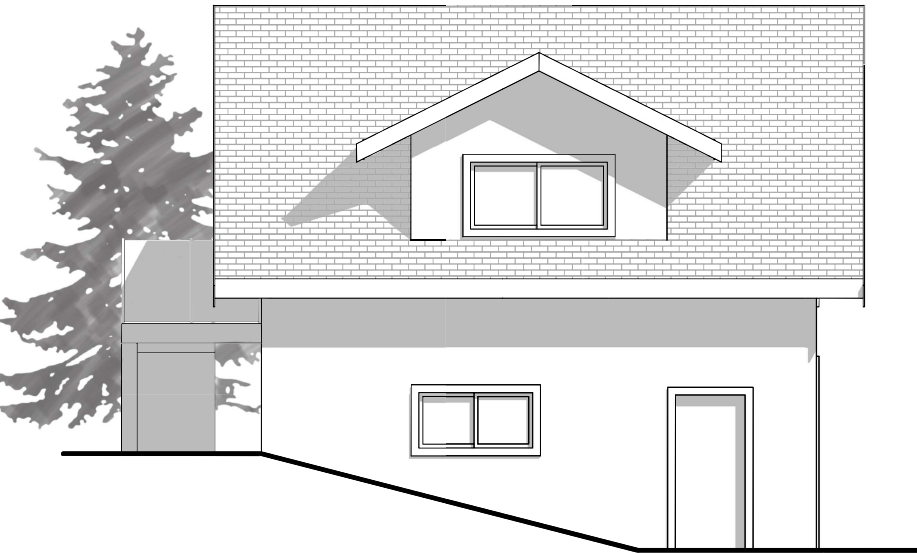
City of  
**Kelowna**  
DEVELOPMENT PLANNING



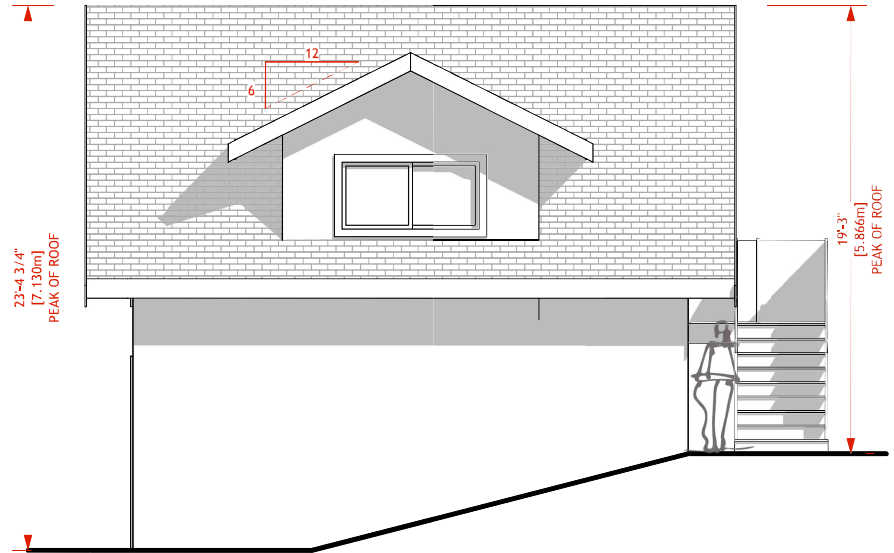
1 **WEST ELEVATION**  
Scale: 3/16" = 1'-0"



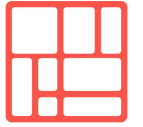
2 **EAST ELEVATION**  
Scale: 3/16" = 1'-0"



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



4 **SOUTH ELEVATION**  
Scale: 3/16" = 1'-0"



IHS DESIGN

#202-1470 ST. PAUL ST.  
KELOWNA, BC  
250.212.7938  
info@ihdesign.ca



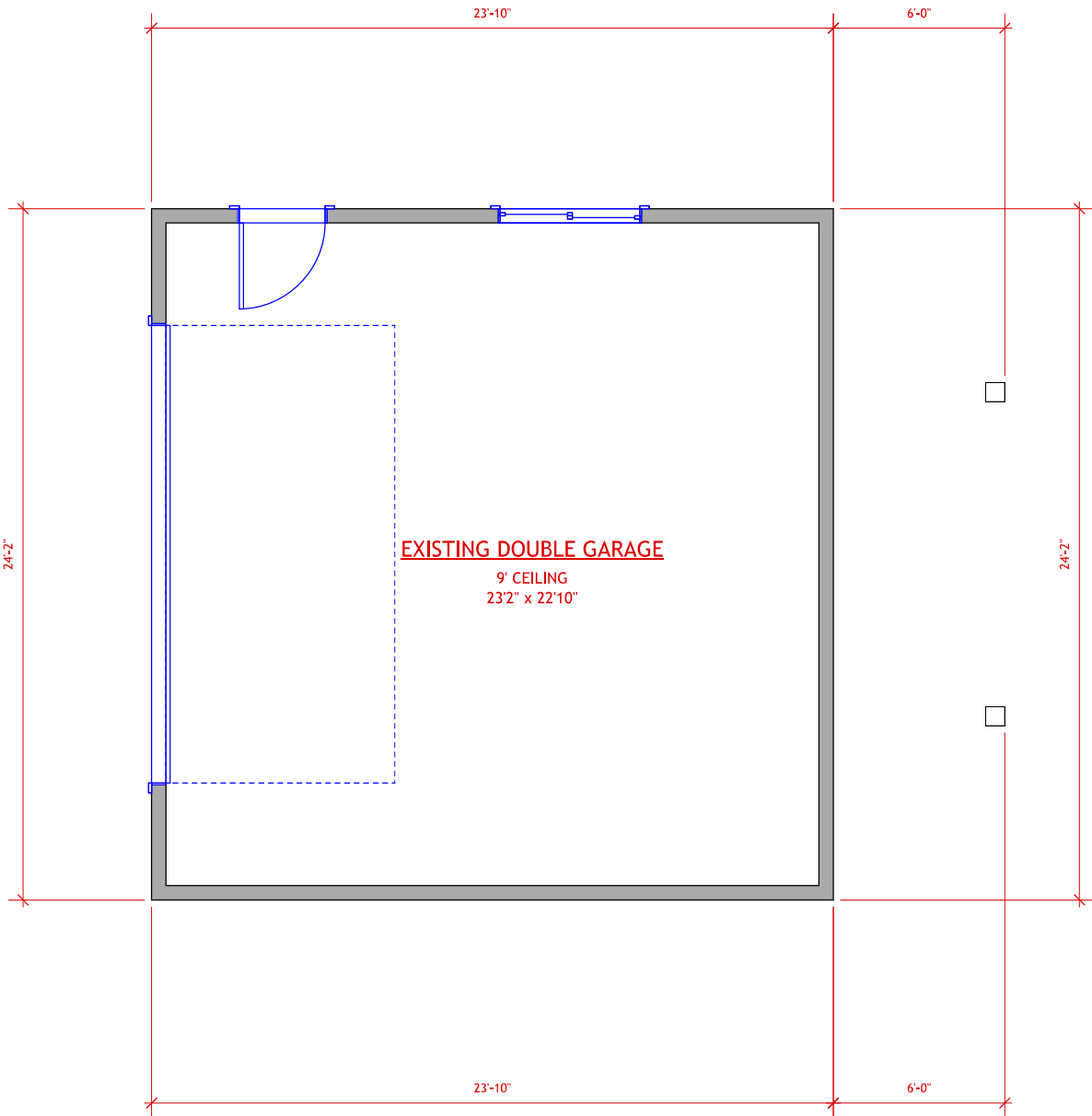
ACCESSORY DEVELOPMENT  
1175 TOOVEY ROAD  
KELOWNA, BC  
LOT 16 PLAN KAP23445

ELEVATIONS

DATE: 3-Mar-21

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

ISSUED FOR: DEVELOPMENT PERMIT  
SHEET: T1





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ACCESSORY DEVELOPMENT

1175 TOOVEY ROAD  
KELOWNA, BC  
LOT 16 PLAN KAP23445

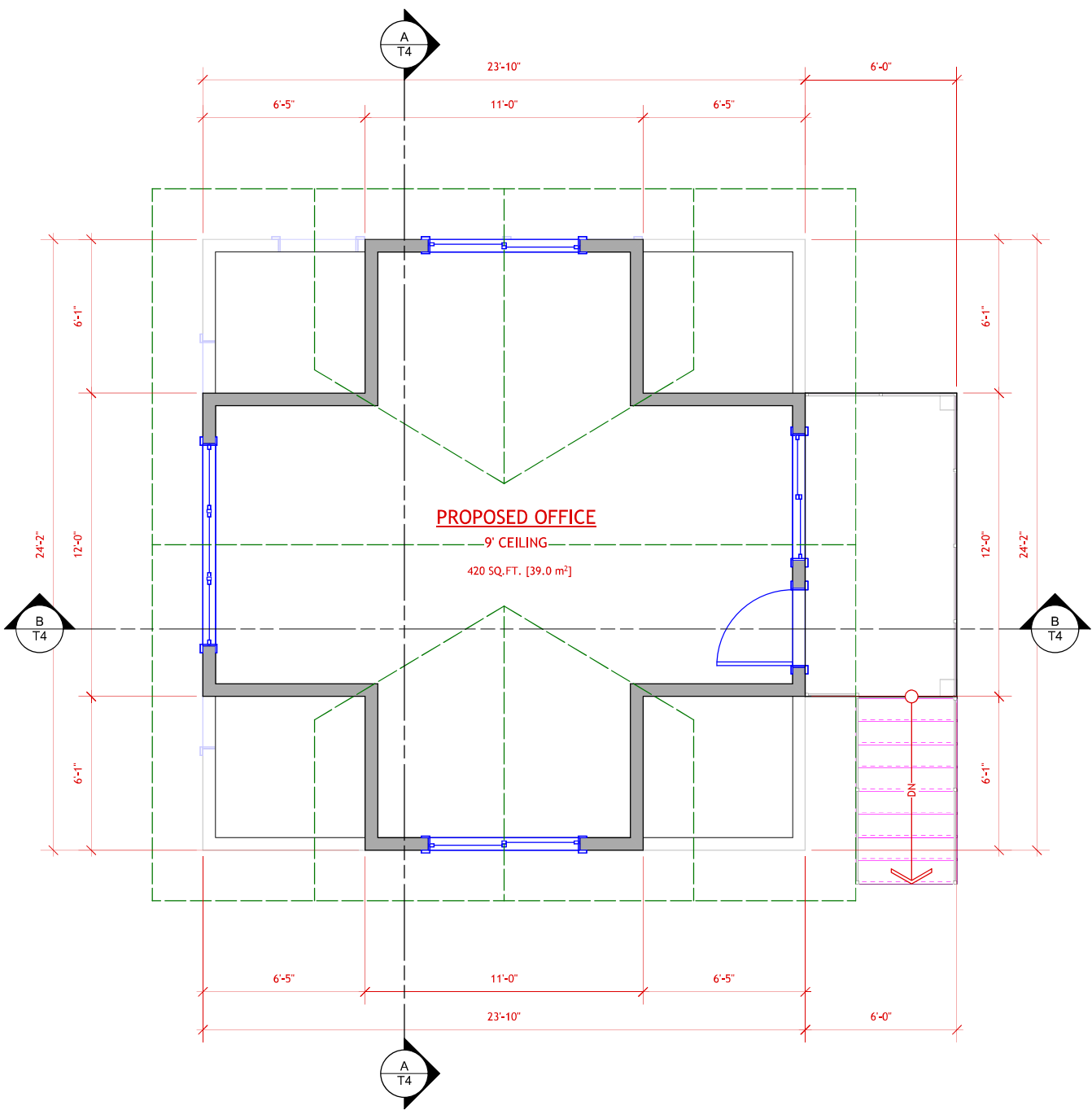
MAIN FLOOR PLAN

DATE: 3-Mar-21

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

ISSUED FOR: DEVELOPMENT PERMIT

SHEET: T2





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ACCESSORY DEVELOPMENT

1175 TOOVEY ROAD  
KELOWNA, BC  
LOT 16 PLAN KAP23445

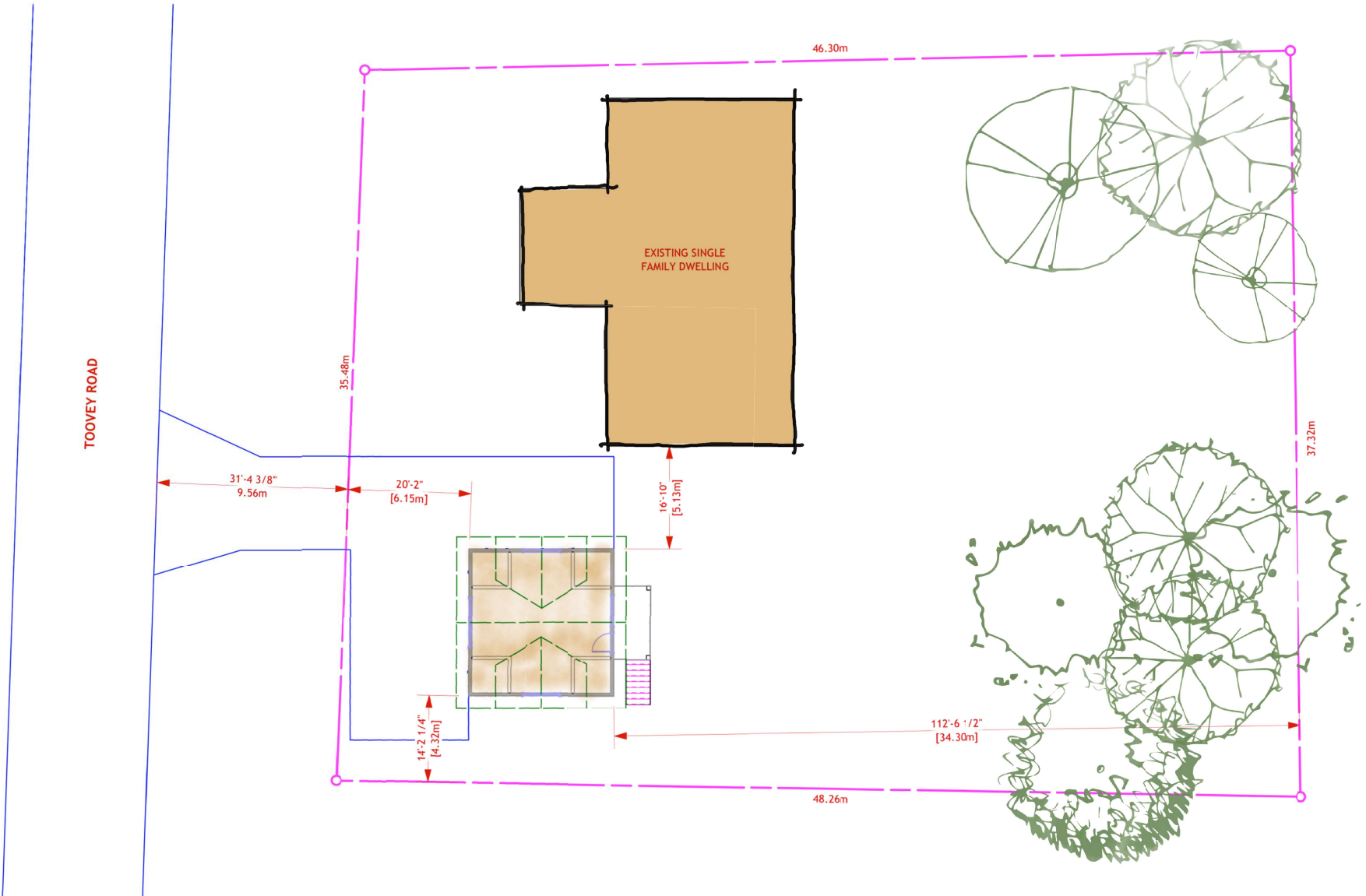
SECOND FLOOR PLAN

DATE: 11-Mar-21

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

ISSUED FOR: DEVELOPMENT PERMIT

SHEET: T3



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 250.212.7938  
 info@ihdesign.ca

ACCESSORY DEVELOPMENT  
 1175 TOOVEY ROAD  
 KELOWNA, BC  
 LOT 16 PLAN KAP23445

SITE PLAN  
 DATE: 8-Mar-21

SCALE: 3/16" = 1'-0"  
 ISSUED FOR: DEVELOPMENT PERMIT  
 SHEET: T5



# DVP21-0061

# 1175 Toovey Road

Development Variance Application



# Proposal

- ▶ To consider a Development Variance Permit to vary the minimum front yard setback for an accessory building from 9.0m required to 6.15m proposed and to vary the height of an accessory building from 4.8m permitted to 5.3m proposed to facilitate an addition to an existing accessory building..

# Development Process

Mar 18<sup>th</sup>, 2021

Development Application Submitted



Staff Review & Circulation



Apr 15<sup>th</sup>, 2021

Public Notification Received



July 17<sup>th</sup>, 2021

Development Variance Permit

} Council  
Approval



Building Permit



# Context Map





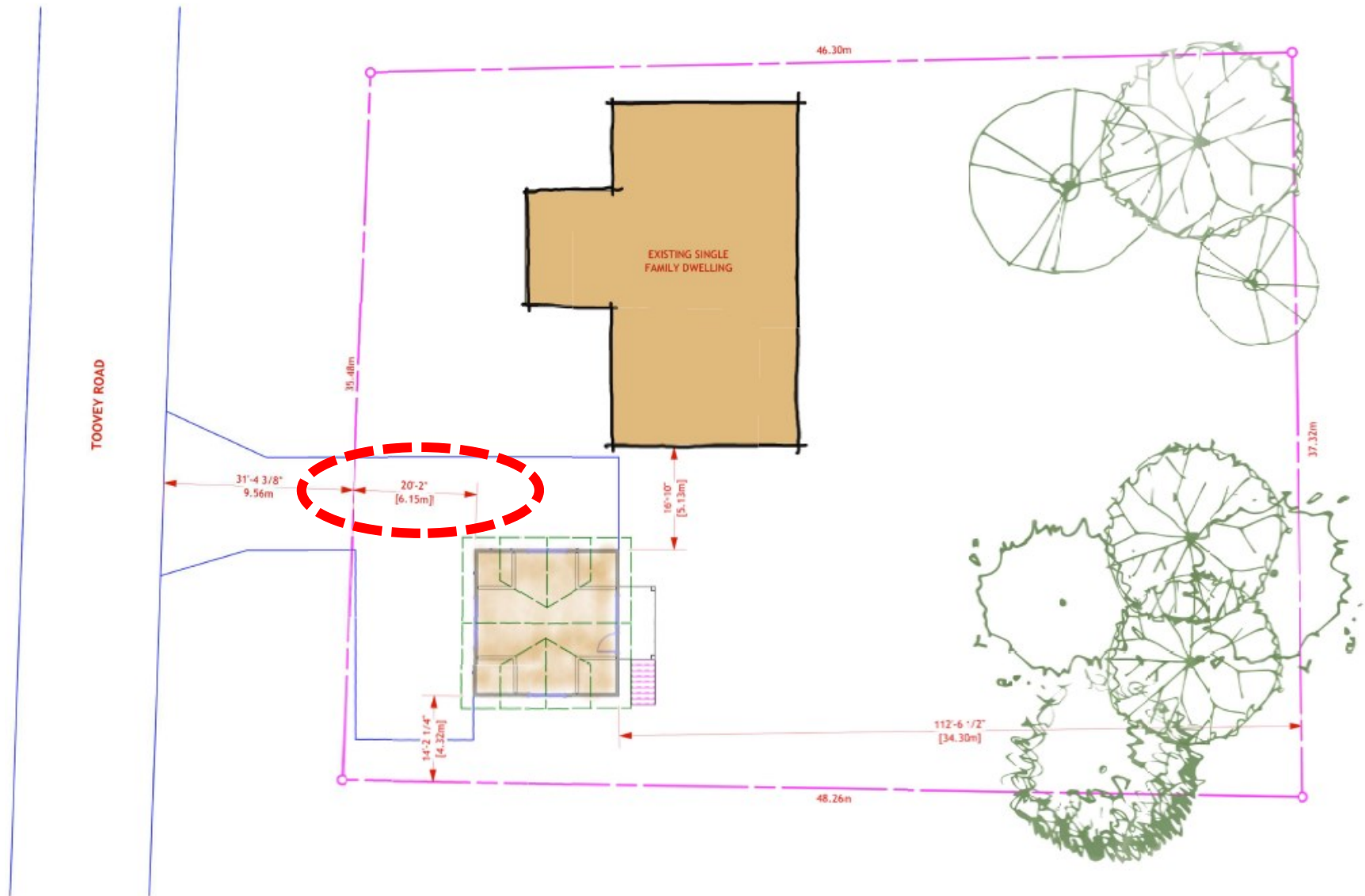
# Site Map



# Project/technical details

- ▶ The applicant is seeking two variances to add an addition to the existing accessory building:
  - ▶ A variance to the front yard setback from 9.0m required to 6.15m proposed;
  - ▶ A variance to the height from 4.8m required to 5.3m proposed;
- ▶ The accessory building currently has a legal non-conforming setback and will not be moved closer to the road.
- ▶ Height is challenging due to grade change on site.

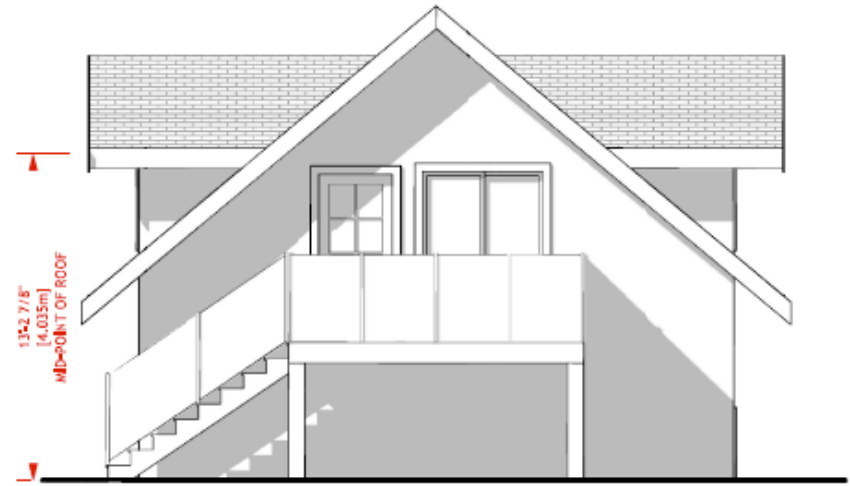
# Site Plan



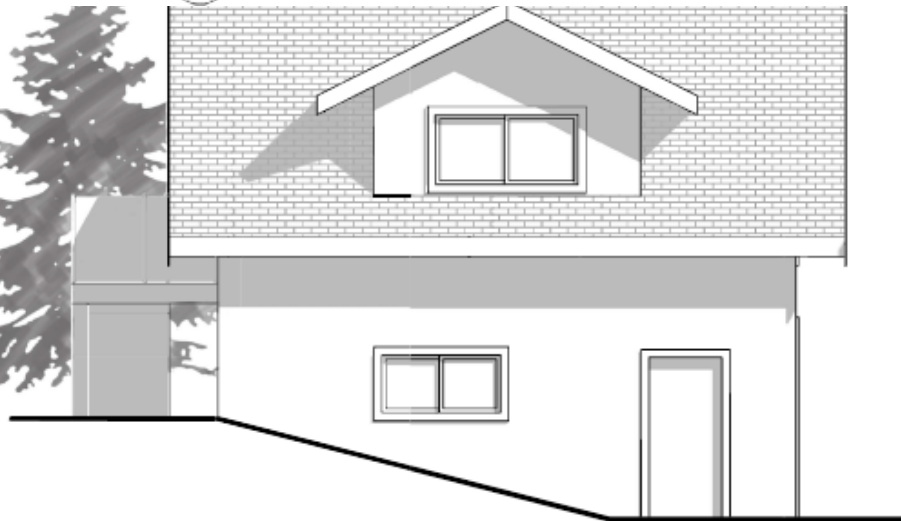
# Conceptual Elevation Drawings



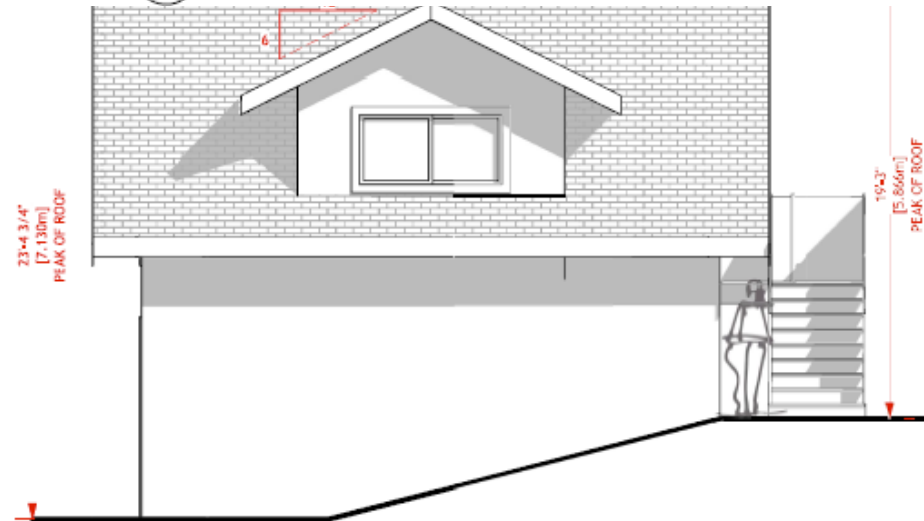
1 WEST ELEVATION  
Scale: 3/16" = 1'-0"



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



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



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



# Conceptual Design



Northwest corner of garage



Southwest corner of garage



Rear of garage

City of Kelowna

# Staff Recommendation

- ▶ Staff recommend **support** of the proposed Development Variance Permit application.
  - ▶ The accessory building setbacks are legal non-conforming
  - ▶ Steep grade on-site and limited buildable area.



## *Conclusion of Staff Remarks*

# **CITY OF KELOWNA**

## **BYLAW NO. 12214**

### **Z21-0023**

### **2890 Shayler Court**

---

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A Sections 20 and 29 Township 23 ODYD Plan KAP89180 located at Shayler Court, Kelowna, BC from the RR1 – Rural Residential 1 zone to the RR1c – Rural Residential 1 with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 31<sup>st</sup> day of May, 2021

Public Hearing Waived by the Municipal Council this 31<sup>st</sup> day of May, 2021.

Read a second and third time by the Municipal Council this 21<sup>st</sup> day of June, 2021.

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk



# REPORT TO COUNCIL



**Date:** July 27, 2021

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** DVP21-0069

**Owner:** Erwin Victor Braun & Connie  
Teresa Braun

**Address:** 2890 Shayler Court

**Applicant:** Birte Decloux - Urban Options  
Planning Corp.

**Subject:** Development Variance Permit Application

**Existing OCP Designation:** REP – Resource Protection Area

**Existing Zone:** RR1C – Rural Residential 1 with Carriage House

---

## 1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 12214 be considered by Council;

AND THAT Council authorizes issuance of Development Variance Permit No. DVP21-0069 for Lot A Sections 20 and 29 Township 23 ODYD Plan KAP89180 located at 2890 Shayler Court, Kelowna, BC;

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

### **Section 9.5b.1(f): Carriage House Development Regulations**

To vary the upper floor storey area from 75% of the footprint permitted to 82% 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 consider a Development Variance Permit to vary the maximum upper floor storey area of a carriage house from 75% of the footprint permitted to 82% proposed.

## 3.0 Development Planning

Staff support the proposed Development Variance Permit to vary the maximum upper floor area of the accessory building, which will facilitate the conversion into a carriage house. The accessory building

received a Building Permit in 2011, and the structure met all of the development regulations at the time of permit. The carriage house and accessory building development regulations were combined in 2017, which made this building legal non-conforming. The variance will allow for the conversion of the structure into a carriage house and will add additional rental units in the City. All other regulations within Zoning Bylaw no. 8000 will be met and the requested variance does not compromise any municipal infrastructure or services.

#### 4.0 Proposal

##### 4.1 Project Description

The proposed Development Variance Permit for the upper floor area is to allow for the conversion of an existing accessory building into a carriage house. The existing accessory building received a Building Permit (BL42396) in May 2011 and was built as a boathouse and storage. The second floor remains unfinished and the owners are seeking the appropriate zoning and permits to convert the structure into a carriage house. A Building Permit is required before an occupancy can be given.

The variance to the upper floor area is required because in April 2017 that Staff brought forward text amendments (TA15-0008) to consolidate all carriage house regulations and accessory building regulations. Since the accessory building was built in 2011, the accessory building regulations were different to today's carriage house development regulations.

##### 4.2 Site Context

The subject property is in the McKinley OCP Sector and the surrounding area is primarily zoned RR1 – Rural Residential 1 and A1 – Agriculture 1. The surrounding area primarily has the Future Land Use of REP – Resource Protection Area.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR1 – Rural Residential 1	Single-Family Home
East	RR1 – Rural Residential 1	Single-Family Home
South	A1 – Agriculture 1	Vacant
West	W1 – Recreational Water Use	Okanagan Lake

**Subject Property Map: 2890 Shayler Court****4.3 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	RR1C ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	1.0ha	1.35ha
Min. Lot Width	40.0m	78.56m
Min. Lot Depth	30.0m	21.0.56m
Max. Site Coverage (buildings)	10%	4.14%
Carriage House Development Regulations		
Max. Height	6.0m	5.80m
Min. Front Yard	12.0m	117.0m
Min. Side Yard (south)	1.5m	18.0m
Min. Side Yard (north)	1.5m	28.0m
Min. Rear Yard	3.0m	61.0m
Max. Footprint	90m <sup>2</sup>	89.2m <sup>2</sup>
Upper Floor Area	75%	82%❶
Distance to Principal Dwelling	3.0m	29.0m
Other Regulations		
Min. Parking Requirements	3	4
❶ Indicates a requested variance to Section 9.5b.1f: Carriage House Development Regulations		

**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.12 *Carriage Houses & Accessory Apartments*. Support carriage houses and accessory apartments through appropriate zoning regulations.

## 6.o Application Chronology

Date of Application Received: March 25<sup>th</sup>, 2021

Date Public Consultation Completed: April 12<sup>th</sup>, 2021

**Report prepared by:** Tyler Caswell, Planner I

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

**Reviewed by:** Terry Barton, Development Planning Department Manager

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

### **Attachments:**

Attachment A: Draft Development Permit DVP21-0069

Schedule A: Site Plan



# Development Variance Permit

## DVP21-0069



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

**2890 Shayler Court**

and legally known as

**Lot A Sections 20 and 29 Township 23 ODYD Plan KAP89180**

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

**Carriage House – RR1C – Rural Residential 1 with Carriage House**

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 27<sup>th</sup>, 2021

Decision By: COUNCIL

Existing Zone: RR1C – Rural Residential 1 with Carriage House

Future Land Use Designation: REP – Resource Protection Area

### **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: Erwin Victor Braun & Connie Teresa Braun

Applicant: Urban Options Planning Corp.

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

\_\_\_\_\_  
Date

<b>ATTACHMENT</b>		<b>A</b>
This forms part of application		
# DVP21-0069		
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 variances to the following section of the Zoning Bylaw No. 8000 be granted in accordance with Schedule "A":

### Section 9.5b.1(f): Carriage House Development Regulations

To vary the upper floor storey area from 75% of the footprint permitted to 82% 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.**

<b>ATTACHMENT</b>		<b>A</b>
This forms part of application		
# DVP21-0069		
Planner Initials	TC	 <b>City of Kelowna</b> <small>DEVELOPMENT PLANNING</small>



A

Planner  
Initials

TC



# CARRIAGE HOUSE FLOOR PLAN

DRAWING NAME:	
DRAWING BY: MATHEW BRAUN	DRAWING No:  <b>A1.0</b>
DATE:	
SCALE: $\frac{1}{4}" = 1' - 0"$	





# DVP21-0069

# 2890 Shayler Court

Development Variance Application



# Proposal

- ▶ To consider a Development Variance Permit to vary the maximum upper floor storey area of a carriage house from 75% of the footprint permitted to 82% proposed.

# Development Process

Mar. 25<sup>th</sup>, 2021

Development Application Submitted



Staff Review & Circulation



Apr 12<sup>th</sup>, 2021

Public Notification Received



Jul 27<sup>th</sup>, 2021

Development Variance Permit



Building Permit

} Council  
Approval



# Context Map





# OCP Future Land Use / Zoning

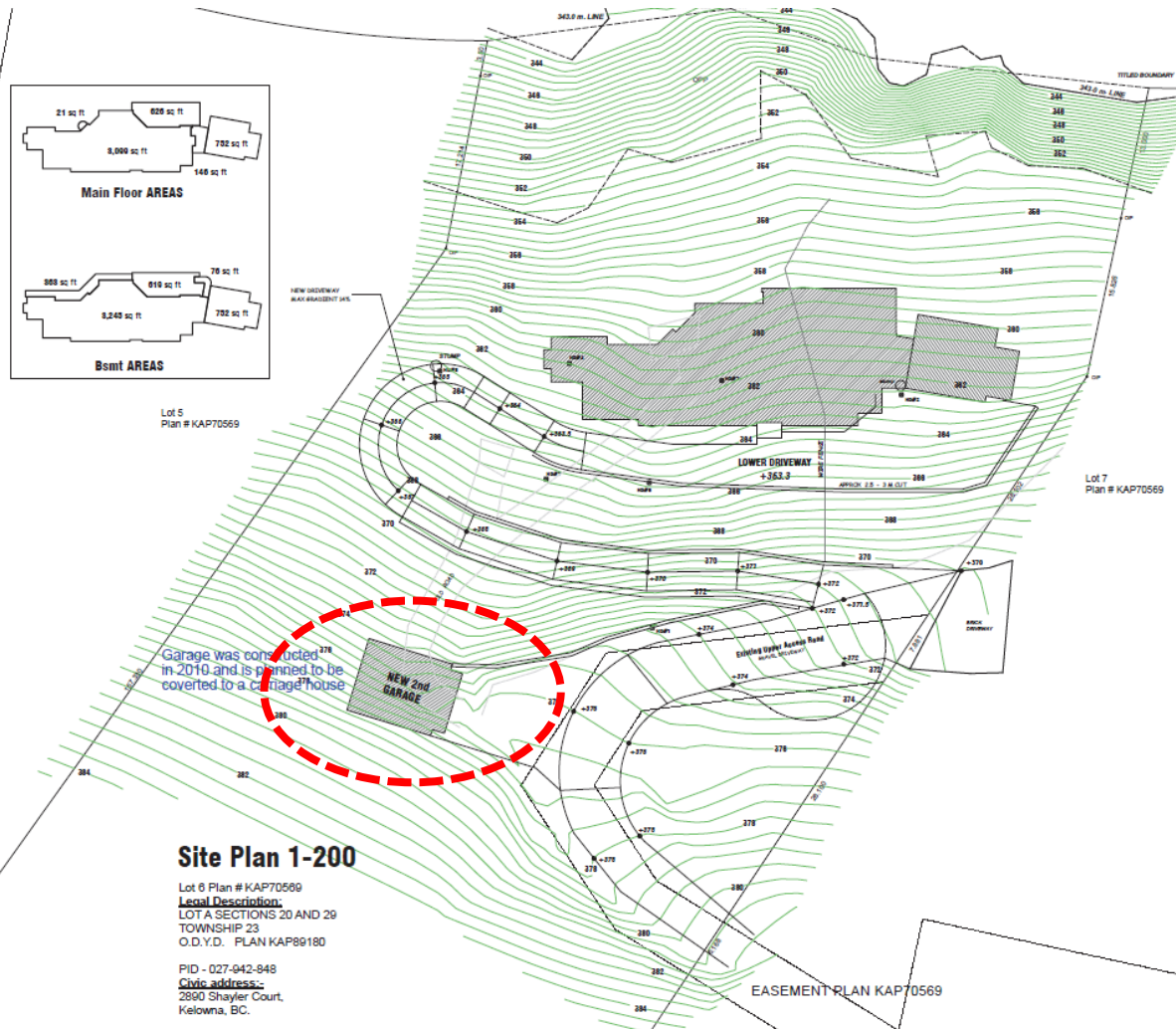




# Subject Property Map



# Site Plan



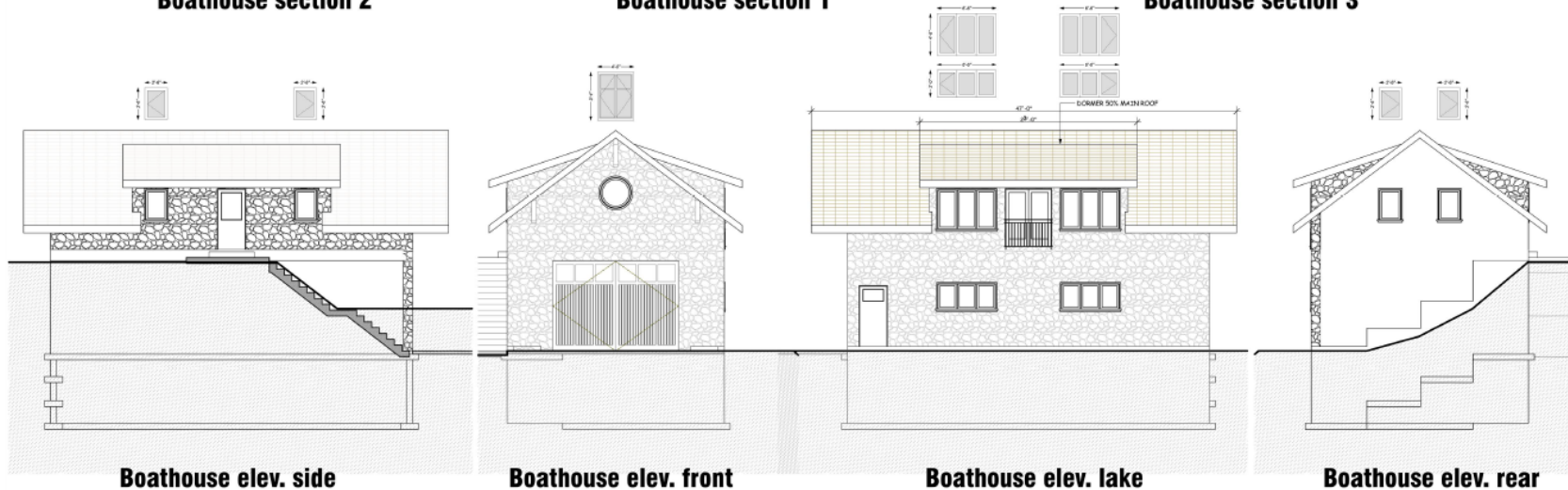
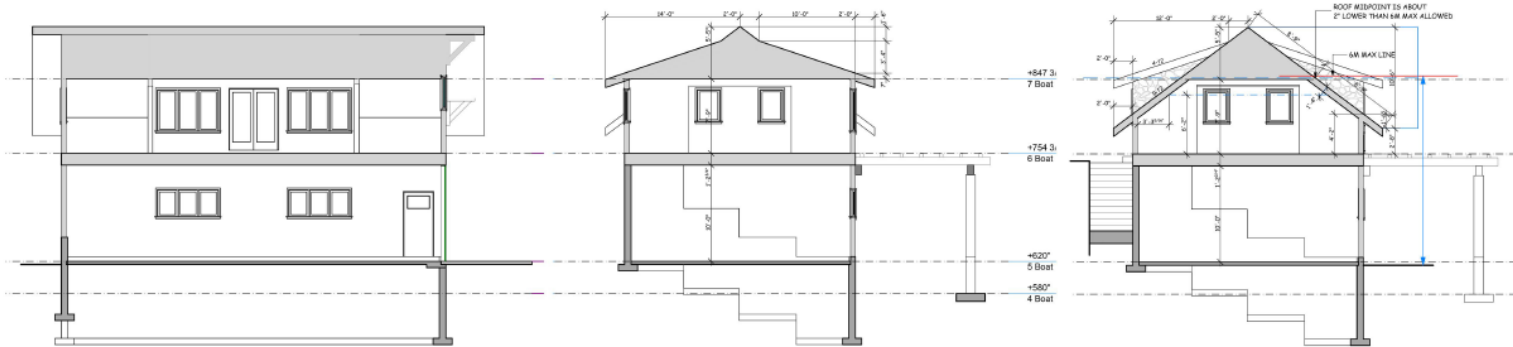


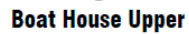
# Project details

- ▶ The detached garage/boathouse was built in May 2011.
- ▶ The second floor remains unfinished and is used as storage.
- ▶ The variance is to vary the maximum second floor area from 75% permitted to 82% proposed.
  - ▶ Regulations changed following the Building Permit.
  - ▶ Variance required to facilitate conversion into carriage house.



# Elevation Drawings





kelowna<sup>58</sup>.ca

# Site Photos





# Site Photos



# Staff Recommendation

- ▶ Staff recommend **support** of the proposed Development Variance Permit application to vary the minimum front yard setback.
  - ▶ To facilitate the conversion into carriage house and offer more rentals in the area.
  - ▶ Accessory Building met all Development Regulations at time of Building Permit.
  - ▶ No additional variances or alterations to the existing structure.





## *Conclusion of Staff Remarks*

**CITY OF KELOWNA**  
**BYLAW NO. 12191**  
**Z20-0094**  
**1220 and 1230 Pacific 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:
  - a) Parcel A (Being a Consolidation of Lots 2 and 3, see CA9109487) Section 19 Township 26 ODYD Plan 6634  
  
located at Pacific Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the C4 – Urban Centre Commercial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 22<sup>nd</sup> day of March, 2021.

Considered at a Public Hearing on the 6<sup>th</sup> day of April, 2021.

Read a second and third time by the Municipal Council this 6<sup>th</sup> day of April, 2021.

Approved under the Transportation Act this 7<sup>th</sup> day of April, 2021.

Audrie Henry  
\_\_\_\_\_  
(Approving Officer – Ministry of Transportation)

Amended at third reading and adopted by the Municipal Council of the City of Kelowna this

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

# REPORT TO COUNCIL



**Date:** July 27, 2021

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** DP20-0196 & DVP20-0197

**Owner:** Great A & A Properties Ltd.,  
Inc.No. BCo888141

**Address:** 1220-1230 Pacific Ave.

**Applicant:** Jamela Van Steinburg; VLS  
Developments

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

**Existing OCP Designation:** MXR – Mixed Use Residential / Commercial

**Existing Zone:** RU6 – Two Dwelling Housing

**Proposed Zone:** C4 – Urban Centre Commercial

---

## 1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 12191 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP20-0196 for Parcel A (Being a Consolidation of Lots 2 and 3, See CA9109487) Section 19 Township 26 ODYD Plan 6634, located at 1220-1230 Pacific Avenue, Kelowna, BC subject to the following:

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

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0197 for Parcel A (Being a Consolidation of Lots 2 and 3, See CA9109487) Section 19 Township 26 ODYD Plan 6634, located at 1220-1230 Pacific Avenue, Kelowna, BC;

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

**Section 14.4.5(e): C4 – Urban Centre Commercial, Development Regulations**

To vary the minimum side yard (east) where the site abuts a residential zone from 2.0m required to 0.62m proposed.

**Section 14.4.5(f): C4 – Urban Centre Commercial, Development Regulations**

To vary the minimum rear yard setback where abutting a residential zone from 6.0m required to 0.0m proposed.

**Section 14.4.5(c): C4 – Urban Centre Commercial, Development Regulations**

To vary the maximum height from 15.0m or 4 storeys permitted to 19.0m and 5 storeys proposed.

**Section 8.2.7: Parking and Loading, Off-Street Parking Regulations, Table 8.2.7 (b) Ratio of Parking Space Sizes**

To vary the required percentage of regular size vehicle parking stalls from 50% required to 39% proposed.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit and 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 5 storey apartment building; and to consider a Development Variance Permit to vary the following: side yard setback; rear yard setback; parking stall size ratio; and height.

## **3.0 Development Planning**

Staff support the Development Permit for the form and character of the 5 storey apartment building; and also support the proposed variances.

The façade of the building is well-articulated through the townhouses at grade, trellises, as well as the terrace and undulating balconies on upper storeys. In addition, varied materials and colors are used.

The ground-oriented townhouses with trellises offer a human scale against the sidewalk, and also feature landscaped yards to create an appropriate transition between the public realm of the sidewalk and the private realm of the dwellings.

The apartment units above the townhouses are stepped back substantially, thus the upper massing of the building is largely obscured from the sidewalk and street. The deep stepback also allows for a generous terrace on the 3<sup>rd</sup> storey with an opportunity for additional landscaping. A stepback is also incorporated at

the back of the property above the parkade and landscaped with trees to provide an additional green element.

Altogether, the proposal substantially meets the Comprehensive and Revitalization Design Guidelines.

### Variances

The first variance is to reduce the required side yard setback along the east lot line from 2.0m required to 0.62m proposed for the parkade structure at the back of the lot. The C<sub>4</sub> zone allows a zero lot line for a side yard by default, but does require a 2m setback when the lot abuts a property zoned for multi-family residential. In this case the property to the east is zoned RM<sub>5</sub> – Medium Density Multiple Housing, and thus the 2m setback applies.

In this case, the reduced setback is proposed only for a small portion of the building. Specifically, the reduced setback is to apply only to the parkade level at grade (the first 3.5m above grade) for the back half of the lot (a 15m span). In addition, the gap between the building and the lot line is to be landscaped, and the roof of the parkade along the lot line is also to be landscaped—including with trees. Given the limited nature of the reduced setback, and the measures being introduced to soften the impact, the variance is considered acceptable.

The second variance is to reduce the required rear yard setback from 6.0m required to zero lot line proposed. The C<sub>4</sub> zone allows a zero lot line for a rear yard by default, but does require a 6m setback when abutting a residential zone. In this case the property to the north is zoned RM<sub>5</sub> – Medium Density Multiple Housing, and thus the 6m setback applies.

In this case, the zero lot line applies only to the parkade level at grade (the first 3.5m above grade). Above and beyond this the setback is increased to 4m. As this is the case, the variance may be considered relatively minor in nature. Also, the existing building to the north is setback substantially from this lot line—by approximately 12m. Finally, the lot to the north has a future land use designation of MXR – Mixed Use Residential / Commercial, meaning the increased setback would not be expected to be required into the future. This being the case, this variance is considered acceptable.

The third variance is to reduce the percentage of regular size parking stalls from 50% required to 39% proposed. As the proposed development is to occur within an urban centre the need for more larger parking stalls is considered to be less of a priority. Also, the proposed variance is relatively minor in nature. For these reasons, this variance is considered acceptable.

The fourth and final variance is to increase the height of the building from 4 storeys and 15.0m permitted to 5 storeys and 19m proposed. The C<sub>4</sub> zone is outdated when it comes to permitted heights, and does not reflect the City's intention of directing the bulk of development to the city's urban centres. As a reflection of this, the Capri-Landmark Urban Centre Plan allows for height of up to 7 to 12 storeys in this location. For this reason, the proposed variance is considered acceptable.



## 4.0 Proposal

### 4.1 Background

Council recently gave 2<sup>nd</sup> and 3<sup>rd</sup> Reading to rezone the lot from the RU6 – Two Dwelling Housing zone to the C4 – Urban Center Commercial zone (Z20-0094). The property has a future land use designation of MXR – Mixed Use Residential / Commercial which does support the C4 zone.

### 4.2 Project Description

The applicant proposes a 5 storey apartment building with ground-oriented townhouse units at street level. The applicant also proposes to vary the following: side yard setback from 2.0m required to 0.62m proposed; rear yard setback from 6.0m required to 0.0m proposed; ratio of regular size parking stalls from 50% required to 39% proposed; and height from 15.0m and 4 storeys permitted to 19.0m and 5 storeys proposed.

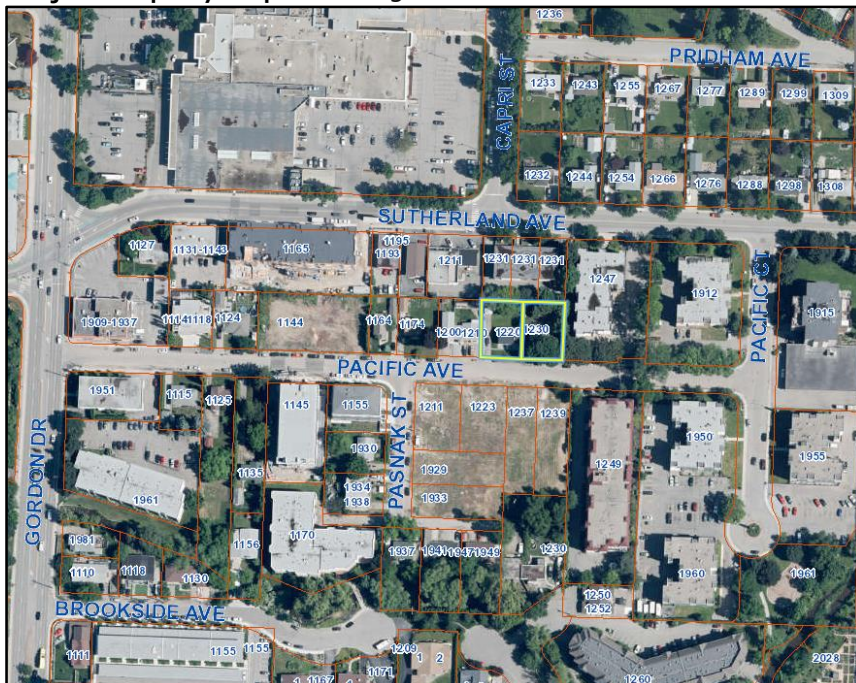
### 4.3 Site Context

The property is in the Central City Sector in the Capri-Landmark Urban Centre a block south of Capri Mall. The nearest major intersection is Gordon Dr. and Sutherland Ave. Gordon Dr. is considered to be a major transit corridor and Sutherland Ave. supports a bus route. The site also has very good access to the city's active transportation network.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM5 – Medium Density Multiple Housing	Multiple Dwelling Housing
East	RM5 – Medium Density Multiple Housing	Multiple Dwelling Housing
South	RU6 – Two Dwelling Housing	Vacant
West	RU6 – Two Dwelling Housing	Single Dwelling Housing

**Subject Property Map: 1220-1230 Pacific Ave.**



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C <sub>4</sub> ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	1,300m <sup>2</sup>	1,393m <sup>2</sup>
Min. Lot Width	40.0m	45.19m
Min. Lot Depth	30.0m	31.3m
Development Regulations		
Max. Floor Area Ratio	1.3 (+.4 bonus) = 1.7	1.7
Max. Site Coverage (buildings)	75%	74%
Max. Height	15.0m or 4 storeys	19.0m and 5 storeys ❶
Min. Front Yard	0.0m	1.6m
Min. Side Yard (East)	2.0m where abutting multi-residential zone	0.62m ❷
Min. Side Yard (West)	2.0m where abutting multi-residential zone	2.0m
Min. Rear Yard	6.0m where abutting a residential zone	0.0m ❸
Other Regulations		
Min. Parking Requirements	26 (with bike parking bonus)	26
Ratio of Regular Size Parking Stalls	50%	39% ❹
Min. Bicycle Parking	39 (to achieve bonus)	39
Min. Private Open Space	385m <sup>2</sup>	421m <sup>2</sup>
❶ Indicates a requested variance to building height. ❷ Indicates a requested variance to side yard setback (east). ❸ Indicates a requested variance to rear yard setback. ❹ Indicates a requested variance to ratio of regular size parking stalls.		

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

## Chapter 14: Urban Design DP Guidelines

## B. Revitalization Design Guidelines

## 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;
- Create open, architecturally-pleasing and accessible building facades to the street; and
- Improve existing streets and sidewalks to promote alternative transportation.

5.2 Capri-Landmark Urban Centre Plan

Section 5: Community Structure

*Land Use & Housing: Building Heights Map (p. 54)*

Section 6: Area Specific Policy Direction

*Sub-Area 4: Five Bridges*

*Vision:* Areas adjacent to the Capri-Centre Mall will provide a mid-rise transition from the high density redevelopment of the Capri-Centre Mall, buffering nearby townhouse and low-rise development in the area.

**6.o Application Chronology**

Date of Application Accepted:	November 3, 2020
Date Public Consultation Completed:	March 1, 2021
Date of Rezoning Initial Consideration:	March 22, 2021
Date of Public Hearing and 2 <sup>nd</sup> & 3 <sup>rd</sup> Reading of Rezoning:	April 6, 2021

**Report prepared by:** A.D. Thibeault, Planner II

**Reviewed by:** Jocelyn Black, Urban Planning Manager

**Reviewed by:** Terry Barton, Development Planning Department Manager

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

**Attachments:**

Attachment A: Draft Development Permit DP20-0196 & Development Variance Permit DVP20-0197

Schedule A: Site Plan and Floor Plans

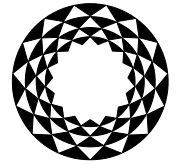
Schedule B: Elevations with Materials and Colors

Schedule C: Landscape Plan and Estimate

Attachment B: Applicant Rationale

# Development Permit & Development Variance Permit DP20-0196 & DVP20-0197

<b>ATTACHMENT A</b>	
This forms part of application # DP20-0196 DVP20-0197	
Planner Initials	AT
City of Kelowna COMMUNITY PLANNING	



City of  
**Kelowna**

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

1220-1230 Pacific Ave.

and legally known as

Parcel A (Being a Consolidation of Lots 2 and 3, See CA9109487) Section 19 Township 26 ODYD Plan 6634

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

## Multiple 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 27, 2021

Decision By: COUNCIL

Development Permit Area: Revitalization DP Area

Existing Zone: C4 – Urban Centre 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.

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

Owner: Great A & A Properties Ltd., Inc. No. BCo888141

Applicant: Jamela Van Steinburg; VLS Developments

Planner: A.D. Thibeault, Planner II

Terry Barton  
Development Planning Department Manager  
Planning & Development Services

Date

### 1. SCOPE OF APPROVAL

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

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

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

ATTACHMENT
A

This forms part of application  
# DP20-0196 DVP20-0197

Planner Initials

AT



City of  
**Kelowna**  
COMMUNITY PLANNING

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

**Section 14.4.5(e): C4 – Urban Centre Commercial, Development Regulations**

To vary the minimum side yard (east) where the site abuts a residential zone from 2.0m required to 0.62m proposed.

**Section 14.4.5(f): C4 – Urban Centre Commercial, Development Regulations**

To vary the minimum rear yard setback where abutting a residential zone from 6.0m required to 0.0m proposed.

**Section 14.4.5(c): C4 – Urban Centre Commercial, Development Regulations**

To vary the maximum height from 15.0m or 4 storeys permitted to 19.0m and 5 storeys proposed.

**Section 8.2.7: Parking and Loading, Off-Street Parking Regulations, Table 8.2.7 (b) Ratio of Parking Space Sizes**

To vary the required percentage of regular size vehicle parking stalls from 50% required to 39% proposed.

**This Development Permit and Development Variance 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:

- a) An Irrevocable Letter of Credit **OR** certified cheque in the amount of **\$27,177.50**

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.

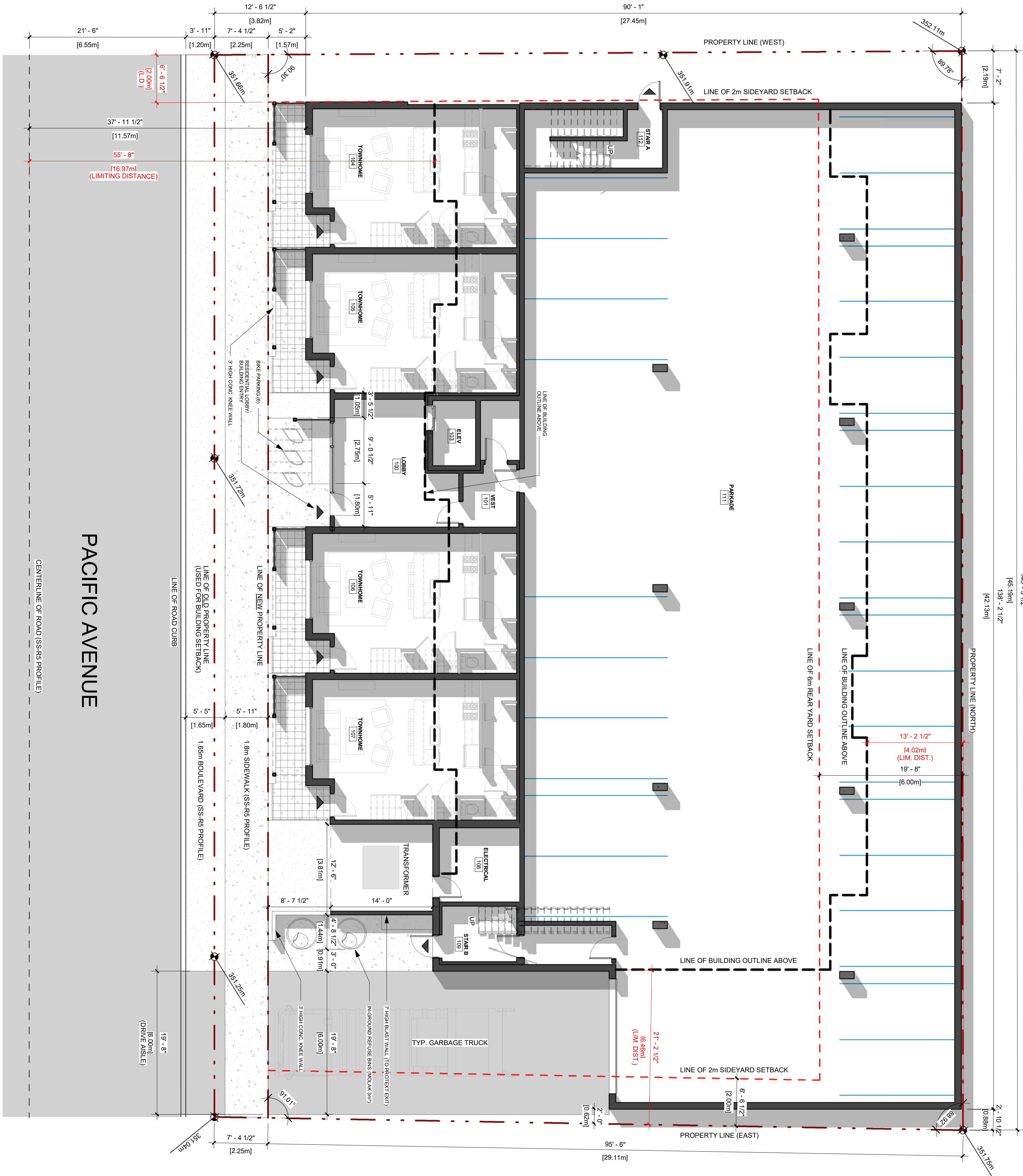
All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly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

<b>ATTACHMENT</b>		<b>A</b>
This forms part of application		
# <u>DP20-0196 DVP20-0197</u>		
Planner Initials	<div>AT</div>	 <b>City of Kelowna</b> <small>COMMUNITY PLANNING</small>





1 SITE PLAN  
1 : 100

# SCHEDULE

A

This forms part of application  
# DP20-0196 DVP20-0197



City of  
**Kelowna**  
COMMUNITY PLANNING

Planner  
Initials

AT

GROSS BUILDING AREA (NIC PARKADE)	
Name	Area
BUILDING LEVEL 1	3321 SF
BUILDING LEVEL 2	7446 SF
BUILDING LEVEL 3	6440 SF
BUILDING LEVEL 4	6440 SF
BUILDING LEVEL 5	6373 SF
	30020 SF

30020 SF

**BLUEGREEN**  
ARCHITECTURE INC.  
www.bluegreenarchitecture.com  
100-1353 BILLS STREET  
KELOWNA, BC V1Y 1Z9  
250.663.9550

ISSUED FOR  
DEVELOPMENT  
PERMIT

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Client

**GREAT**  
**A&A**  
PROPERTIES LTD

Consultants



NO.	DATE	DESCRIPTION
2	21.02.22	ISSUED FOR DP
1	20.10.07	ISSUED FOR DP

Project  
**PACIFIC AVE**  
**CONDOS**  
MIXED-USE DEVELOPMENT  
1220-1230 PACIFIC AVE  
KELOWNA, BC

Sheet Title  
**SITE PLAN**

Job Number	20.612
Date	10/07/20
Scale	1 : 100
Revision Number	0
Drawing Number	

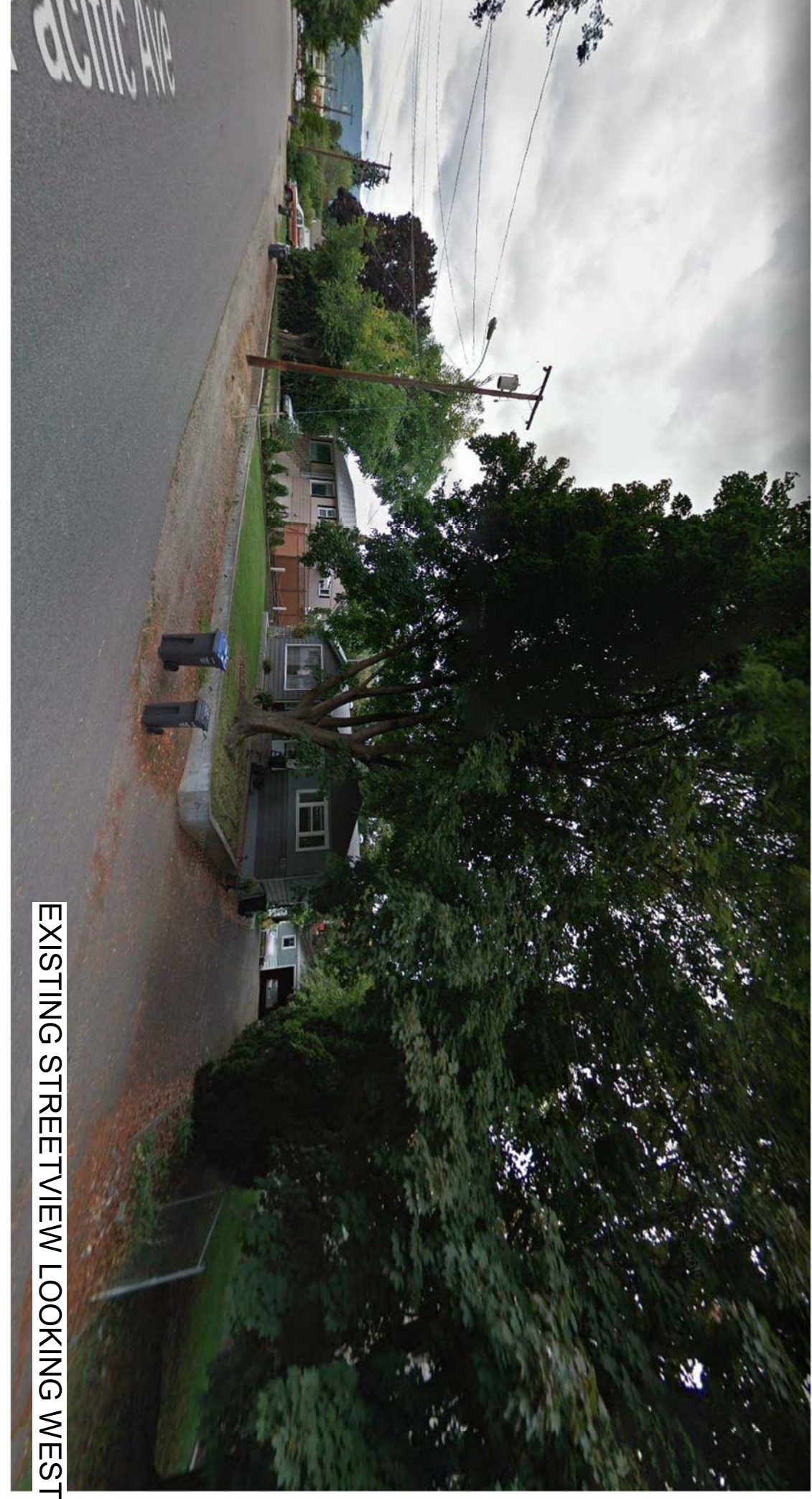
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NOT FOR CONSTRUCTION

EXISTING STREETVIEW LOOKING EAST



EXISTING STREETVIEW LOOKING WEST





GROSS BUILDING AREA (NIC PARKADE)	
Name	Area

BUILDING LEVEL 1	3321 SF
BUILDING LEVEL 2	7446 SF
BUILDING LEVEL 3	6440 SF
BUILDING LEVEL 4	6440 SF
BUILDING LEVEL 5	6373 SF
	30020 SF

GROSS LEASABLE AREA (GLANET)		
UNIT #	UNIT NAME	AREA

104	TOWNHOME	563 SF
105	TOWNHOME	564 SF
106	TOWNHOME	564 SF
107	TOWNHOME	572 SF
202	STORAGE ROOM	357 SF
203	STORAGE ROOM	427 SF
204	TOWNHOME	493 SF
205	TOWNHOME	493 SF
206	TOWNHOME	493 SF
207	TOWNHOME	496 SF
208	TOWNHOME	496 SF
208	UNIT C	797 SF
209	UNIT C	797 SF
210	UNIT B1	639 SF
304	UNIT D	868 SF
306	UNIT B2	719 SF
307	UNIT D	869 SF
308	UNIT C	798 SF
309	UNIT C	797 SF
310	UNIT B1	639 SF
311	UNIT C	806 SF
404	UNIT D	868 SF
406	UNIT B2	719 SF
407	UNIT D	869 SF
408	UNIT C	798 SF
409	UNIT C	797 SF
410	UNIT B1	639 SF
411	UNIT C	806 SF
504	UNIT D	868 SF
506	UNIT B2	719 SF
507	UNIT D	869 SF
508	UNIT C	798 SF
509	UNIT C	797 SF
510	UNIT B1	639 SF
511	UNIT C	806 SF
		23743 SF

PRIVATE OPEN SPACE(POS)	
UNIT #	TERRACE/BALCONY AREA

104	97 SF
105	97 SF
106	97 SF
107	97 SF
208	415 SF
209	425 SF
210	317 SF
211	916 SF
304	382 SF
306	199 SF
307	211 SF
308	79 SF
309	77 SF
310	56 SF
311	79 SF
404	72 SF
406	56 SF
407	72 SF
408	79 SF
409	77 SF
410	56 SF
411	79 SF
504	72 SF
506	56 SF
507	72 SF
508	79 SF
509	77 SF
510	56 SF
511	79 SF
	4528 SF

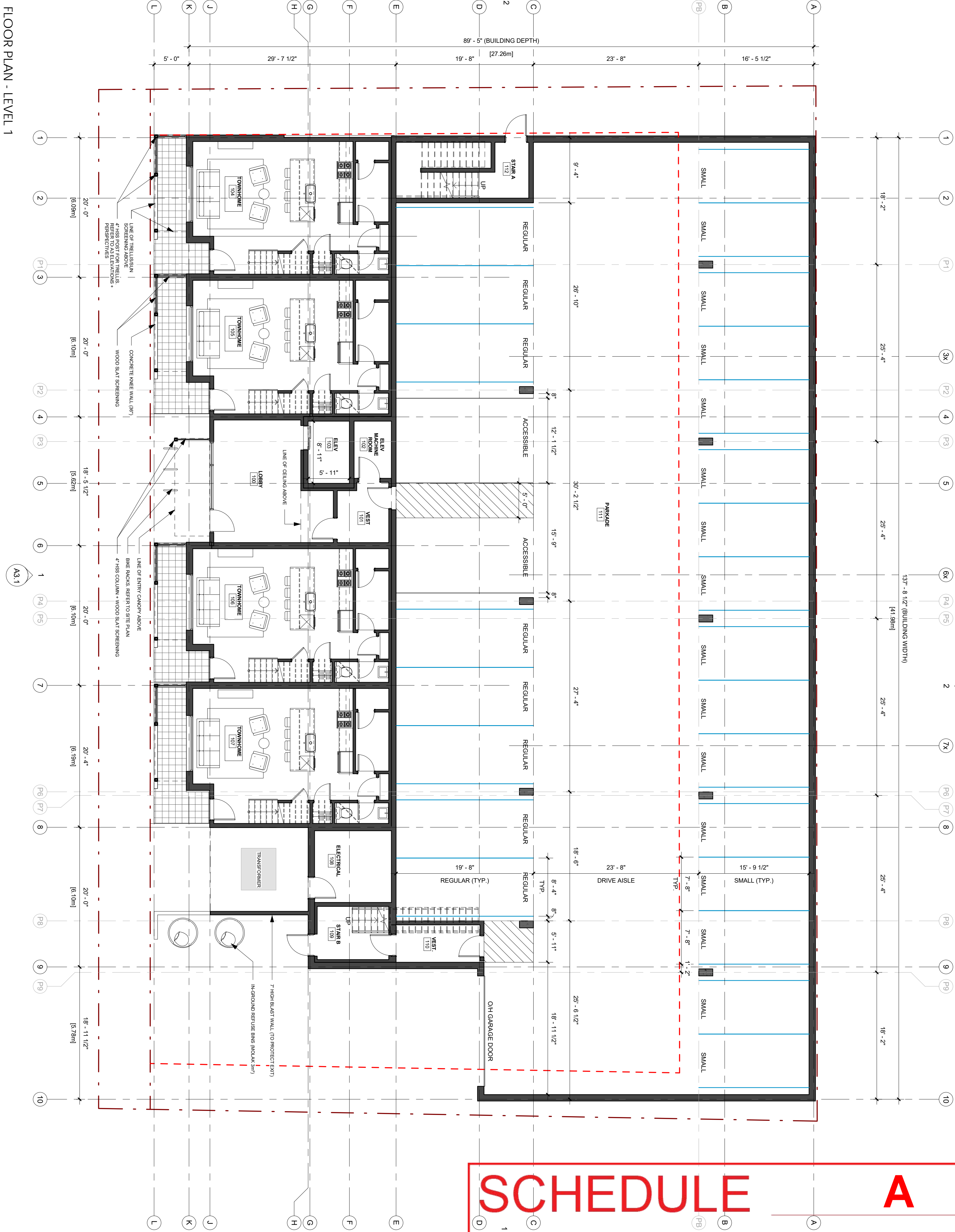


City of  
**Kelowna**  
COMMUNITY PLANNING

# SCHEDULE A

This forms part of application  
# DP20-0196 DVP20-0197

Planner  
Initials  
AT



FLOOR PLAN - LEVEL 1  
1/8" = 1'-0"



GROSS BUILDING AREA (NIC PARKADE)	
Name	Area

BUILDING LEVEL 1	3321 SF
BUILDING LEVEL 2	7446 SF
BUILDING LEVEL 3	6440 SF
BUILDING LEVEL 4	6440 SF
BUILDING LEVEL 5	6373 SF
	30020 SF

GROSS LEASABLE AREA (GLANET)		
UNIT #	UNIT NAME	AREA

104	TOWNHOME	563 SF
105	TOWNHOME	564 SF
106	TOWNHOME	564 SF
107	TOWNHOME	572 SF
202	STORAGE ROOM	357 SF
203	STORAGE ROOM	427 SF
204	TOWNHOME	493 SF
205	TOWNHOME	493 SF
206	TOWNHOME	493 SF
207	TOWNHOME	496 SF
208	TOWNHOME	798 SF
209	UNIT C	797 SF
210	UNIT B1	639 SF
304	UNIT D	868 SF
306	UNIT B2	719 SF
307	UNIT D	869 SF
308	UNIT C	798 SF
309	UNIT C	797 SF
310	UNIT B1	639 SF
311	UNIT C	806 SF
404	UNIT D	868 SF
406	UNIT B2	719 SF
407	UNIT D	869 SF
408	UNIT C	798 SF
409	UNIT C	797 SF
410	UNIT B1	639 SF
411	UNIT C	806 SF
504	UNIT D	868 SF
506	UNIT B2	719 SF
507	UNIT D	869 SF
508	UNIT C	798 SF
509	UNIT C	797 SF
510	UNIT B1	639 SF
511	UNIT C	806 SF
		23743 SF

PRIVATE OPEN SPACE(POS)	
UNIT #	TERRACE/BALCONY AREA

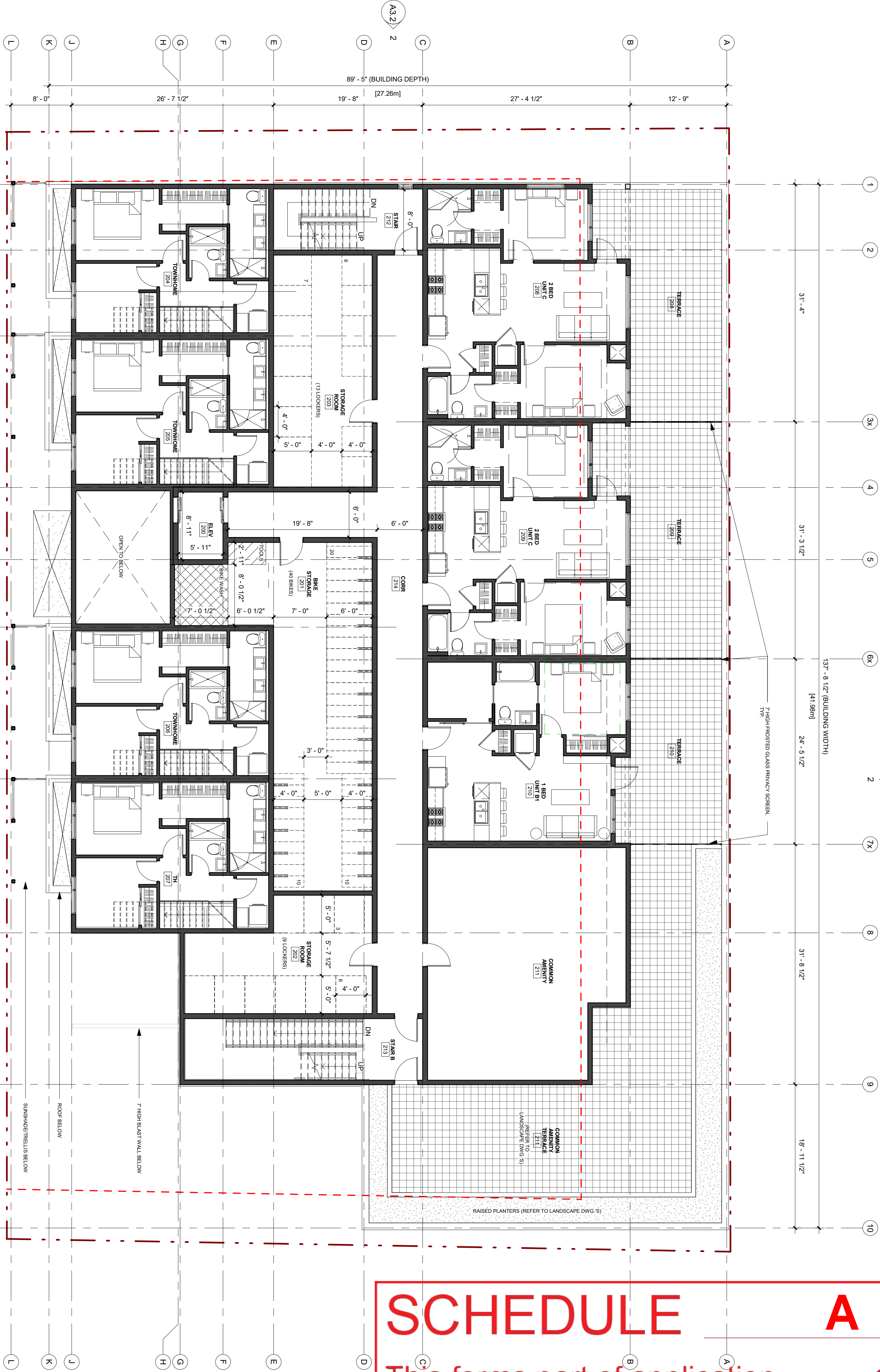
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105		97 SF
106		97 SF
107		97 SF
208		415 SF
209		425 SF
210		317 SF
211		916 SF
304		382 SF
306		199 SF
307		211 SF
308		79 SF
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310		56 SF
311		79 SF
404		72 SF
406		56 SF
407		72 SF
408		79 SF
409		77 SF
410		56 SF
411		79 SF
504		72 SF
506		56 SF
507		72 SF
508		79 SF
509		77 SF
510		56 SF
511		79 SF
		4528 SF



City of  
**Kelowna**  
COMMUNITY PLANNING

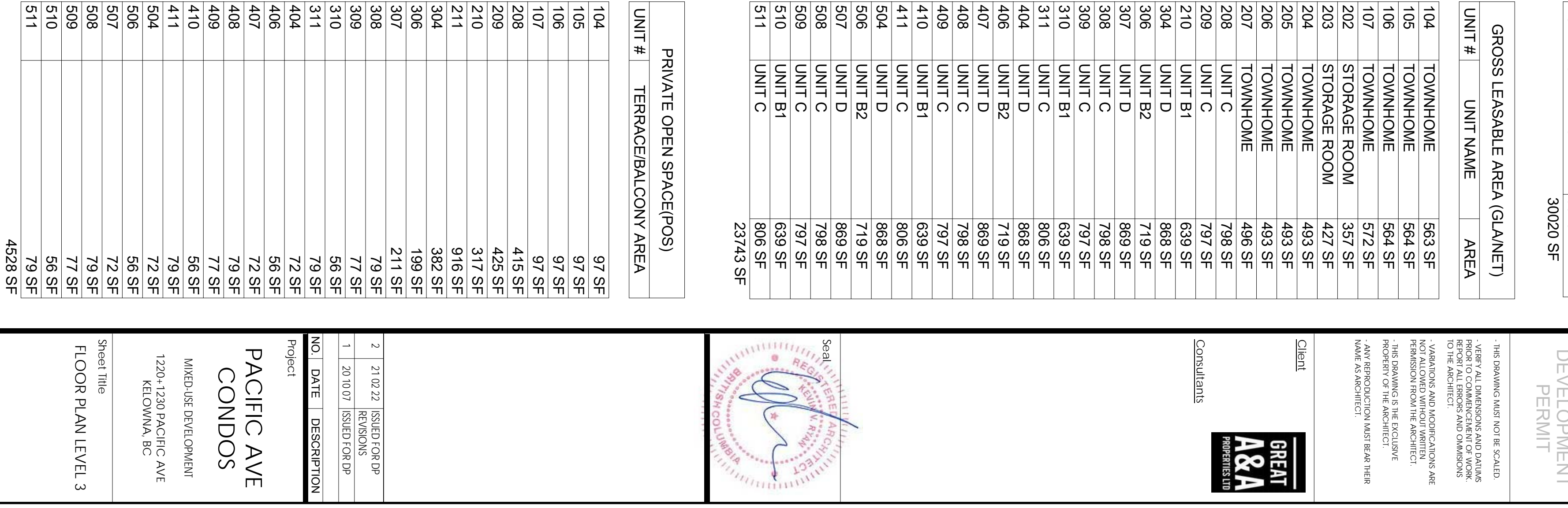
**SCHEDULE A**  
This forms part of application  
# DP20-0196 DVP20-0197

Planner  
Initials  
**AT**



**1**  
FLOOR PLAN - LEVEL 2  
1/8" = 1'-0"





### A2.3



GROSS BUILDING AREA (NIC PARKADE)	
Name	Area

BUILDING LEVEL 1	3321 SF
BUILDING LEVEL 2	7446 SF
BUILDING LEVEL 3	6440 SF
BUILDING LEVEL 4	6440 SF
BUILDING LEVEL 5	6373 SF
	30020 SF

GROSS LEASABLE AREA (GLANET)		
UNIT #	UNIT NAME	AREA

104	TOWNHOME	563 SF
105	TOWNHOME	564 SF
106	TOWNHOME	564 SF
107	TOWNHOME	562 SF
202	STORAGE ROOM	357 SF
203	STORAGE ROOM	427 SF
204	TOWNHOME	493 SF
205	TOWNHOME	493 SF
206	TOWNHOME	493 SF
207	TOWNHOME	496 SF
208	TOWNHOME	798 SF
209	UNIT C	797 SF
210	UNIT B1	639 SF
304	UNIT D	868 SF
306	UNIT B2	719 SF
307	UNIT D	869 SF
308	UNIT C	798 SF
309	UNIT C	797 SF
310	UNIT B1	639 SF
311	UNIT C	806 SF
404	UNIT D	868 SF
406	UNIT B2	719 SF
407	UNIT D	869 SF
408	UNIT C	798 SF
409	UNIT C	797 SF
410	UNIT B1	639 SF
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506	UNIT B2	719 SF
507	UNIT D	869 SF
508	UNIT C	798 SF
509	UNIT C	797 SF
510	UNIT B1	639 SF
511	UNIT C	806 SF
		23743 SF

PRIVATE OPEN SPACE(POS)	
UNIT #	TERRACE/BALCONY AREA

104		97 SF
105		97 SF
106		97 SF
107		97 SF
208		415 SF
209		425 SF
210		317 SF
211		916 SF
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307		211 SF
308		79 SF
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310		56 SF
311		79 SF
404		72 SF
406		56 SF
407		72 SF
408		79 SF
409		77 SF
410		56 SF
411		79 SF
504		72 SF
506		56 SF
507		72 SF
508		79 SF
509		77 SF
510		56 SF
511		79 SF
		4528 SF



City of  
**Kelowna**  
COMMUNITY PLANNING

# SCHEDULE A

This forms part of application  
# DP20-0196 DVP20-0197

Planner  
Initials  
**AT**



FLOOR PLAN - LEVEL 4  
1/8" = 1'-0"



GROSS BUILDING AREA (NIC PARKADE)	
Name	Area

BUILDING LEVEL 1	3321 SF
BUILDING LEVEL 2	7446 SF
BUILDING LEVEL 3	6440 SF
BUILDING LEVEL 4	6440 SF
BUILDING LEVEL 5	6373 SF
	30020 SF

GROSS LEASABLE AREA (GLANET)		
UNIT #	UNIT NAME	AREA

104	TOWNHOME	563 SF
105	TOWNHOME	564 SF
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508	UNIT C	798 SF
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PRIVATE OPEN SPACE(POS)	
UNIT #	TERRACE/BALCONY AREA

104	97 SF
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409	77 SF
410	56 SF
504	79 SF
506	56 SF
507	72 SF
508	79 SF
509	77 SF
510	56 SF
511	79 SF
	4528 SF



City of  
**Kelowna**  
COMMUNITY PLANNING

## SCHEDULE A

This forms part of application  
# DP20-0196 DVP20-0197

Planner  
Initials

AT

**BLUEGREEN**  
ARCHITECTURE INC

www.bluegreenarchitect.com  
100-1033 ELIAS STREET  
KELOWNA, BC V1Y 1Y9  
250.661.5550

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DEVELOPMENT  
PERMIT

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-ANY REPRODUCTION MUST BEAT THEIR  
OWN RISK AND LIABILITY.

Client

**GREAT**  
**A&A**  
PROPERTY LTD

Consultants



NO.	DATE	DESCRIPTION
1	20.10.07	ISSUED FOR DP
2	21.02.22	ISSUED FOR DP
		REVISIONS

Project  
**PACIFIC AVE**  
**CONDOS**  
MKD-USE DEVELOPMENT  
1220-1230 PACIFIC AVE  
KELOWNA, BC

Sheet Title  
**FLOOR PLAN LEVEL 5**

Job Number 20.812  
Date 10/07/20  
Scale 1/8" = 1'-0"  
Revision Number 0  
Drawing Number

**A2.5**



FLOOR PLAN - LEVEL 5

1/8" = 1'-0"

NOT FOR CONSTRUCTION

**A2.5**

2021-02-22 3:22:46 PM

2	21.02.22	ISSUED FOR DP
1	20.10.07	ISSUED FOR DP
NO. DATE DESCRIPTION		

Project

PACIFIC AVE  
CONDOS

MIXED-USE DEVELOPMENT  
1220-1230 PACIFIC AVE  
KELOWNA, BC

Sheet Title

ROOF PLAN

Job Number	20.812
Date	10/07/20
Scale	1/8" = 1'-0"
Revision Number	0
Drawing Number	

SCHEDULE

A

This forms part of application  
# DP20-0196 DVP20-0197

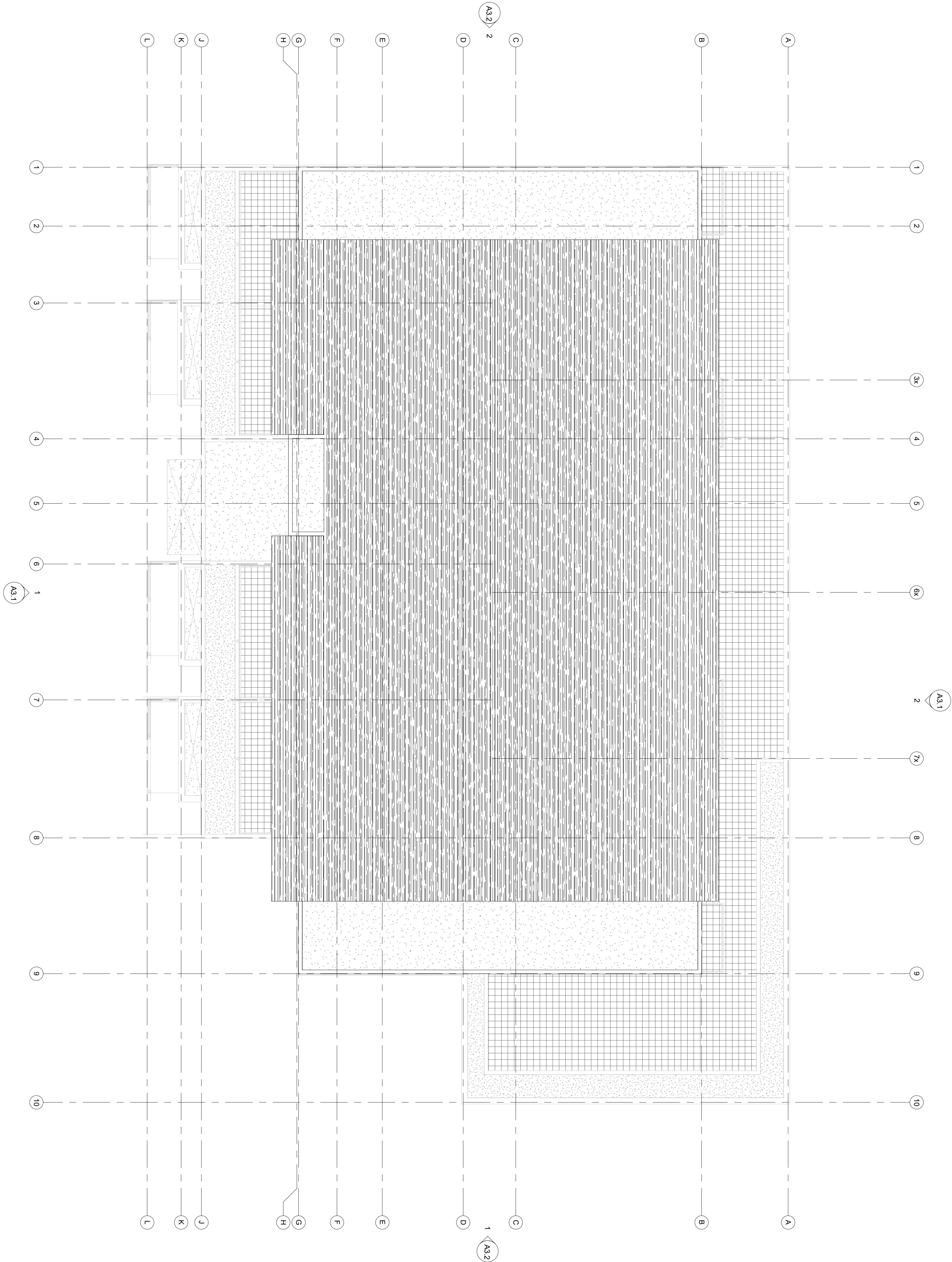
Planner  
Initials

AT

City of  
Kelowna

COMMUNITY PLANNING





1

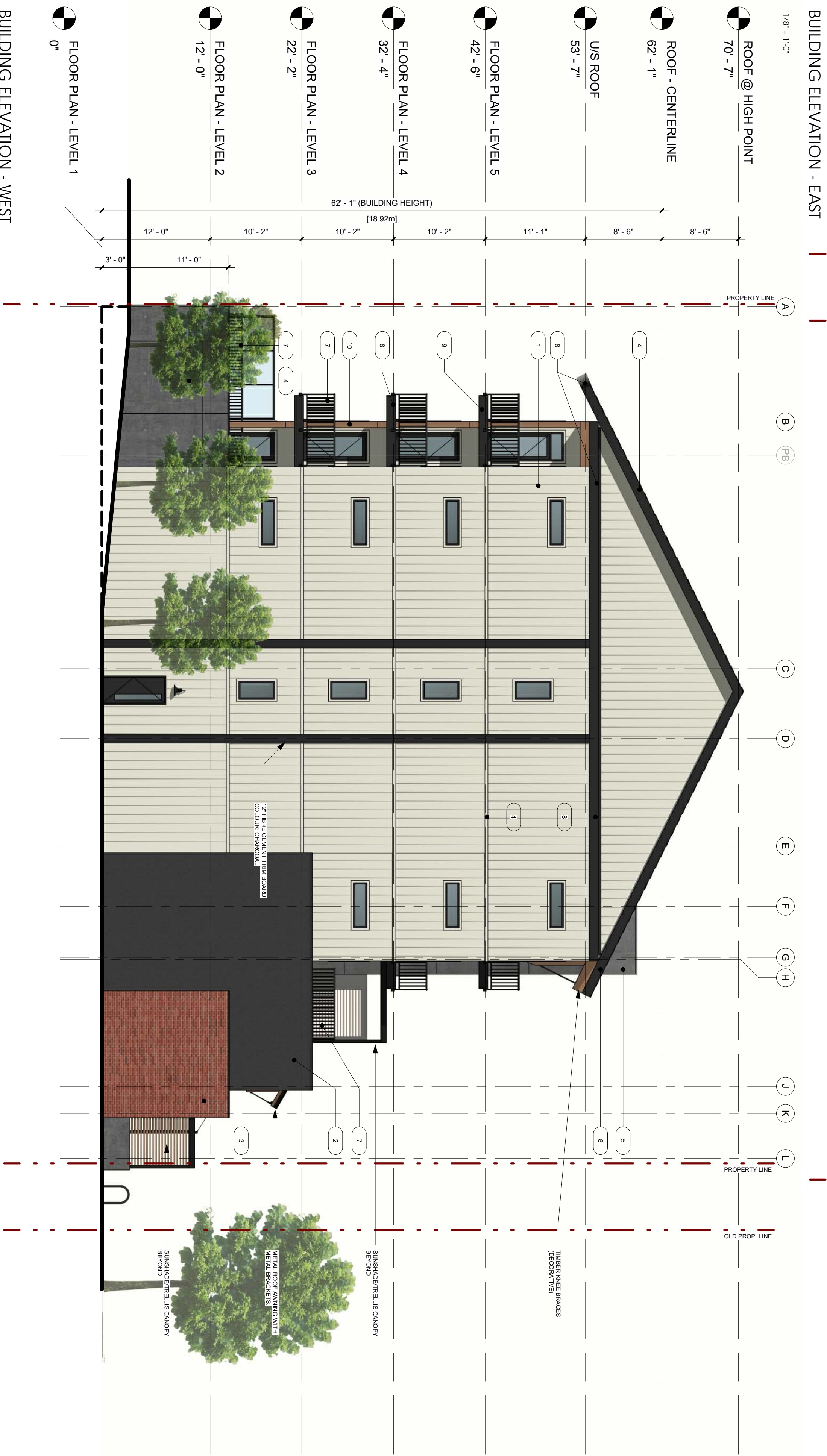
ROOF PLAN

1/8" = 1'-0"









# SCHEDULE

This forms part of application  
# DP20-0196 DVP20-0197

Planner Initials 

AT



City of  
**Kelowna**  
COMMUNITY PLANNING

MATERIAL LEGEND:	
1	FIBRE CEMENT BOARD - BATTERY VALLEY (OR EQUAL) COLOUR: LIGHT GREY STYLE: SMOOTH
2	STUCCO FASHER: CHARCOAL COLOUR: CHARCOAL
3	BRICK VENEER STYLE: RANDOM COLOUR: CHARCOAL
4	EXPOSED ARCHITECTURAL CONCRETE STYLE: SMOKE & SMOOTED COLOUR: SMOKE & SMOOTED
5	FIBRE CEMENT PANELS - URBAN CONCRETE (OR EQUAL) STYLE: PANEL W/ EXPOSED FASTENERS PAINTED TO MATCH COLOUR: 2 TONE CHARCOAL
6	ASPHALT SHINGLE ROOF STYLE: SMOOTED
7	PRE-FINISHED ALUMINUM GLAZED RAIL COLOUR: BLACK STYLE: PANEL (12" HIGH)
8	FIBRE CEMENT FASCIA COLOUR: CHARCOAL STYLE: SMOOTH
9	FIBRE CEMENT TRIM COLOUR: CHARCOAL STYLE: SMOOTH
10	FIBRE CEMENT TRIM PANEL COLOUR: WOOD GRAIN STYLE: WOOD GRAIN

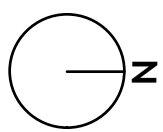
NOT FOR CONSTRUCTION





OUTLAND DESIGN  
LANDSCAPE ARCHITECTURE

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



PROJECT TITLE  
**1220 & 1230 PACIFIC AVE**

Kelowna, BC

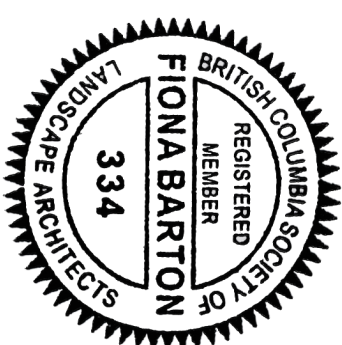
DRAWING TITLE

CONCEPTUAL  
LANDSCAPE PLAN

ISSUED FOR / REVISION	
1	20.10.02      Review
2	21.02.22      Review
3	
4	
5	

PROJECT NO	20-083
DESIGN BY	FB
DRAWN BY	NG/IK
CHECKED BY	FB
DATE	FEB. 22, 2021
SCALE	1:100
PAGE SIZE	24x36

S&LA



DRAWING NUMBER

L1/2

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# SCHEDULE

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**# DP20-0196 DVP20-0197**

Planner Initials

AT

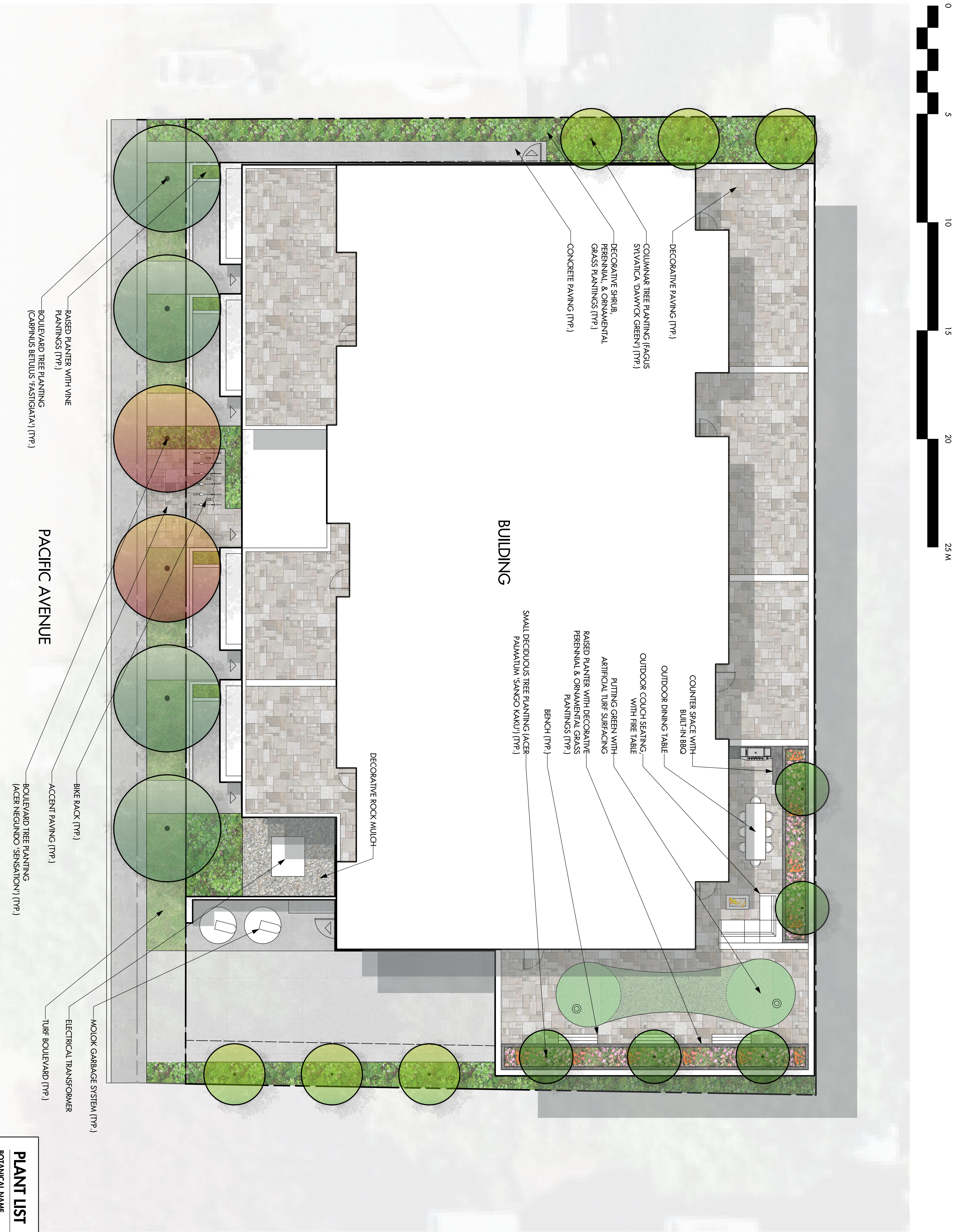
City of  
**Kelowna**  
COMMUNITY PLANNING

NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED THE CANADIAN NURSERY LANDSCAPE ASSOCIATION STANDARDS.
2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.
3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 75mm GLENMORE GROW MULCH AS SHOWN IN PLANS. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS IN WOOD MULCH AREAS.
4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.
5. TURF AREAS FROM SOD SHALL BE NO. 1 GRADE GROWN FROM CERTIFIED SEED OR PLANTS. TURF AREAS REGISTERED FOR SALE IN B.C. SHALL BE GROWN IN A PROTECTED CONDITION. A MINIMUM OF 15% DEPTH OF GROWING MEDIUM IS REQUIRED BENEATH TURF AREAS. TURF AREAS SHALL MEET EXISTING GRADES AND HARD SURFACES FLUSH.
6. 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
<b>TREES</b>			
ACER NEGUNDO 'SENSATION'	SENSATION BOXELDER	2	6cm CAL.
ACER PALMATUM 'SANGO KAKU'	CORAL BARK JAPANESE MAPLE	5	6cm CAL.
CARPINUS BETULUS 'FASTIGIATA'	EUROPEAN HORNBEAM	6	6cm CAL.
FAGUS SYLVATICA 'DAWYCK GREEN'	DAWYCK GREEN COLUMNAR BEECH	4	6cm CAL.
<b>SHRUBS</b>			
BUDL'S GREEN GEN'	GREEN GEN BOXWOOD	28	#02 CONT. / 0.6M O.C. SPACING
CHONDAKANA 'REBUTO' MARGINALIA	MARGENTIDEED BURNING BUSH	3	#02 CONT. / 1.5M O.C. SPACING
ELONIA ALNATIS 'COUPACIA'	DAWYCK GREEN COLUMNAR BUSH	4	#02 CONT. / 1.5M O.C. SPACING
RICEA ARIES 'INDIPROMIS'	WHITE RIGIOSA ROSE	7	#02 CONT. / 1.2M O.C. SPACING
ROSA RIGIOSA 'ALBA'			
<b>PERENNIALS &amp; ORNAMENTAL GRASSES</b>			
ALCHEMILLA MOULIS	LADY'S MANTLE	15	#01 CONT. / 0.6M O.C. SPACING
IMPERATA CYMBRICA 'RED BARON'	JAPANESE BLOOD GRASS	15	#01 CONT. / 0.6M O.C. SPACING
EGHINACEA PURPUREA 'WAGONS'	MAGNOL'S CONIFEROVER	7	#01 CONT. / 0.9M O.C. SPACING
LAVANDULA ANGUSTIFOLIA 'HIDCOTE'	HIDCOTE ENGLISH LAVENDER	15	#01 CONT. / 0.6M O.C. SPACING
PANICUM VIRGATUM 'ROSTRABUSCH'	RED SWITCH GRASS	6	#01 CONT. / 1.0M O.C. SPACING
SALVIA NEMOROSA 'WAVY NIGHT'	MAY NIGHT MEADOW SAGE	15	#01 CONT. / 0.6M O.C. SPACING
<b>VINES</b>			
CAMPARIS RADICANS	TRUMPET VINE	8	#01 CONT. / 0.6M O.C. SPACING







**OUTLAND DESIGN**  
LANDSCAPE ARCHITECTURE

Friday, October 2, 2020

**Great A & A Properties**

Attn: Andrei Burlacu

Tel: (250) 899-1899

Email: great\_a.a@shaw.ca

**Re: 1220 & 1230 Pacific Avenue, Kelowna, BC– Preliminary Cost Estimate for Bonding**

Dear Andrei:

Please be advised of the following preliminary cost estimate for bonding of the proposed landscape works shown in the 1220 & 1230 Pacific Avenue conceptual landscape plan dated 20.10.02;

- On-site Improvements: 196 square metres (2,110 square feet) = \$21,742.00
- Off-site Improvements: 51 square metres (549 square feet) of = \$8,659.25

This preliminary cost estimate is inclusive of hardscape, bike racks, trees, shrubs, turf, mulch, topsoil, irrigation, & root barrier.

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

Best regards,

Fiona Barton, MBCSLA, CSLA

*as per*

Outland Design Landscape Architecture

<b>SCHEDULE</b>		<b>C</b>
This forms part of application		
# <b>DP20-0196 DVP20-0197</b>		
Planner Initials	<b>AT</b>	 <b>City of Kelowna</b> <small>COMMUNITY PLANNING</small>

303-590 KLO Road, Kelowna, BC, V1Y 7S2P 250.868.9270

[outlanddesign.ca](http://outlanddesign.ca)





**BLUEGREEN**  
ARCHITECTURE INC

October 7, 2020

Prepared for:  
**Development Permit Application**

Project:  
**1220 + 1230 PACIFIC AVE, Kelowna, BC**

Re:  
**Design Rationale**



## 1.0 PROJECT DESCRIPTION

The building site is located in the Capri Landmark Urban Centre of Kelowna. The site has access to the south along Pacific Avenue. The proposal is to build a 28-unit, 5 level condominium building with street accessed townhomes. The upper 4 storeys of wood-frame construction sit on a single level above-grade concrete parking structure masked behind the proposed townhomes.

The building is designed to be 'timeless', using traditional architectural details within modern forms. The intention is to meld within the character of Pacific Avenue with its new modern counterpart. This will include a mixture of materials including exposed concrete, classic red brick masonry and board and batten siding. The height and massing of the building steps back from the streetscape incrementally to provide sensitivity to its neighbors. Special attention has been paid to the main building entry off Pacific Ave to make it both attractive and sensible. Pedestrian scaled design is important along this corridor and has been emphasized along the street frontage. For the ground accessed townhomes, there is a balance between scale and aesthetic, forming a base to the building that is both intimate yet pronounced. The play of massing and design help the building blend into its context and is integral to this pedestrian scaled approach.

For the parkade access and refuse collection, access has been provided off a driveway to the east. Consideration has been made to beautify these elements using in-ground Molak refuse bins along with privacy fencing via half walls and vegetation.

The project has an abundance of space on the podium that provides extensive landscaped open space. This will be used for private yard space for all the residents. The circulation and surrounding garden space for gardening, planting, and socializing which will encourage outdoor social interaction. Utilizing the area of the parkade podium for garden space provides a good opportunity for softer landscaping. The growing medium would be raised planters.

Having the rear windows and decks looking over the greenspace has the benefits of additional resident safety and security. The immediate presence and visibility from windows will help discourage undesirable behavior.

### BLUEGREEN ARCHITECTURE

100 – 1353 ELLIS STREET, KELOWNA, BC, V1Y 1Z9

236 – 420 – 3550

bluegreenarchitecture.com

**SITE ACCESS**

The project parking is located within a secured concrete parking structure along the rear yard. This is accessed by drive aisle located off the side yard to the east. There are two accessible parking stalls located near the rear lobby entrance. Access from the private garage to the building is facilitated by the elevator.

The front facade along Pacific Avenue has ground oriented access to the street while all residences have access to the podium level communal greenspace; accessible by use of the lobby elevator or stairwells.

**2.0 URBAN CONNECTIVITY**

The project is in the Capri Landmark Urban Centre, allowing pedestrians and cyclists easy access to all the shopping and recreational opportunities in that area. Located between Sutherland Avenue and Springfield, the project is near a major corridor for pedestrian, cycling & automobiles to downtown/Lake Okanagan. Transit is available on both Harvey and Springfield. When going further from the immediate area, and a car is the only option, Springfield and Harvey (Highway 97) offer excellent connectivity to the rest of the City and the region.

**3.0 SUSTAINABILITY**

The use of naturally sourced materials is used to a large extent, and thereby reduces the carbon footprint as much as possible. Envelope details that prevent water and moisture ingress while still allowing the assemblies to dry are being incorporated. Minimizing thermal bridging combined with appropriate continuous insulation will reduce heating and cooling loads. South and west facing windows will be specified to have appropriate shading and glazing coefficients to utilize the summer sun by blocking the heat while still allowing the winter sun to penetrate, reducing cooling and heating loads in the summer and winter seasons respectively.

**4.0 CRIME PREVENTION**

The intentions of CPTED have been addressed with well-maintained entrances and frontages that promote pride in ownership amongst the residents, and with the reduced setback increasing the buildings presence. The sight lines of the occupants from decks and windows will discourage vandalism and crime.

Site lighting along Pacific Avenue and the side yards will be balanced to provide enough illumination to ensure there are no high contrast areas that could conceal potential offenders, but not so much that the site is excessively contributing to local light pollution.

**5.0 LANDSCAPING**

The Owner has selected Outland Design Landscape Architecture to create an interesting and aesthetically pleasing landscape solution that responds to the architectural style of the project. This will also compliment the character of the surrounding neighborhood. Several annual and perennial shrubs have been selected for along the planters throughout the site, and in special groupings on the podium.

The landscape concept for the setback areas will be appropriate for the size of space and daylighting

potential. The rear yard in this case has been designed as 0m setback as there is little potential for any vegetation to grow between the parking structure and neighboring parking lot. This was a suggestion by City staff.

## 6.0 SUMMARY

Great A&A Properties and Bluegreen Architecture's design team feel that the combination of a modern design esthetic coupled with pedestrian friendly landscape features and contemporary building materials will provide a very functional and highly desirable residential neighborhood project.

By providing a higher density of residences in an Urban Centre we feel our intent for this project will set precedent for future development in the area to follow a model and similar approach.

We look forward to your support for all this project brings to our community, and this unique opportunity to address and create an affordable living experience.

Respectfully submitted,

Aaron Whalen, Associate & Project Designer, Bluegreen Architecture







# DP20-0196 & DVP20-0197 1220 Pacific Ave.

Development Permit &  
Development Variance Permit

# Proposal

- ▶ To consider a Development Permit for the form and character of a 5 storey apartment building;
- ▶ And to consider a Development Variance Permit to vary the following:
  - ▶ side yard setback;
  - ▶ rear yard setback;
  - ▶ parking stall size ratio; and
  - ▶ height.

# Development Process

Nov. 3, 2020

Development Application Submitted



Staff Review & Circulation



March 1, 2021

Public Notification Received



March 22, 2021

Initial Consideration



Apr. 6, 2021

Public Hearing  
Second & Third Readings



July 27, 2021

Final Reading  
DP & Variances

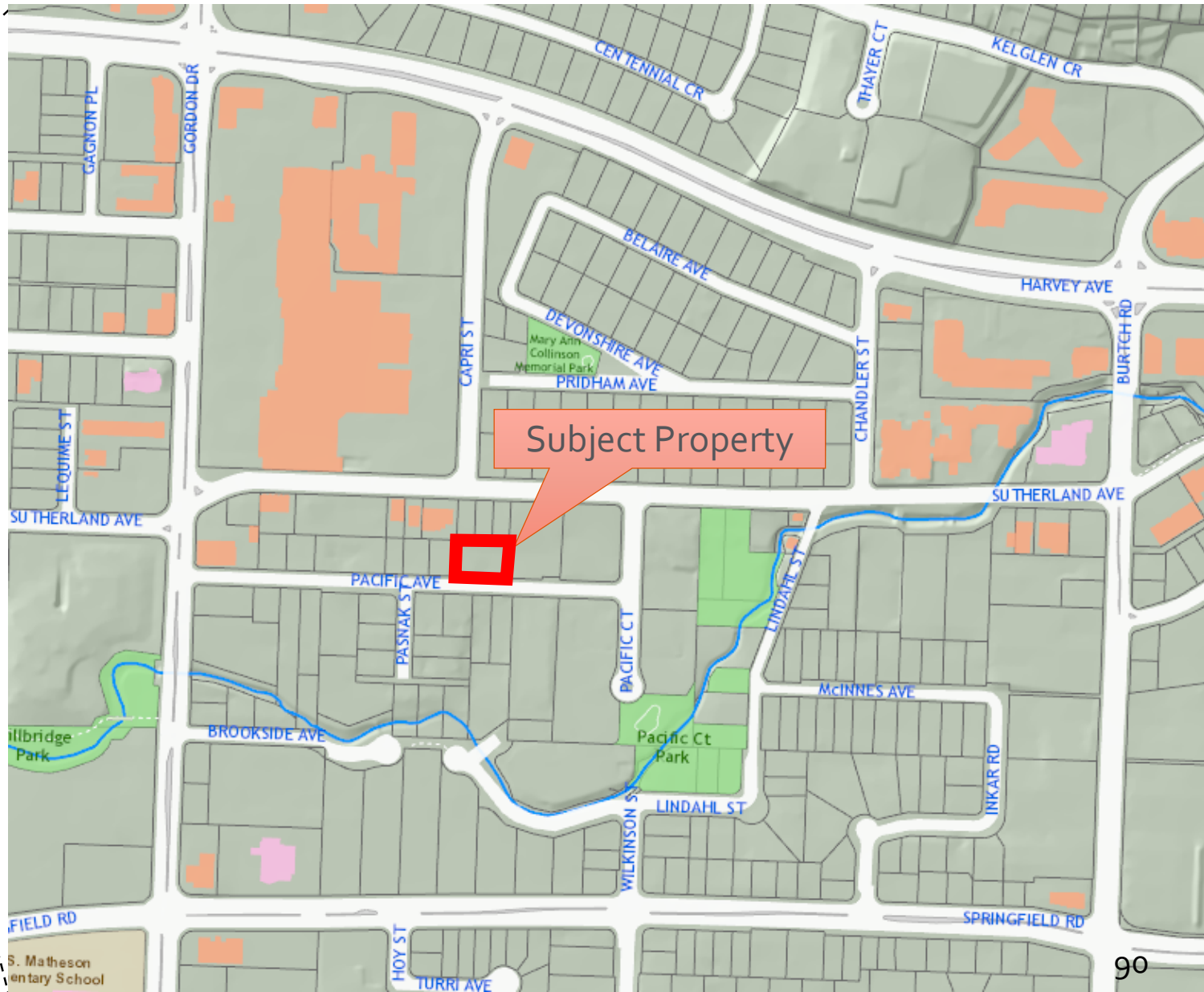
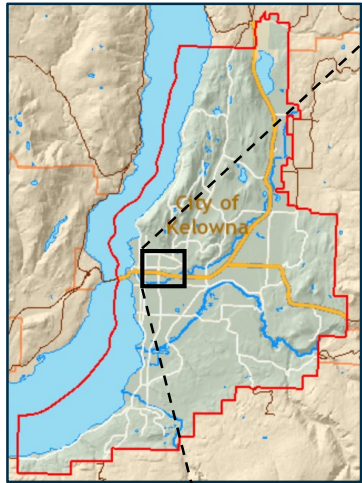


Building Permit

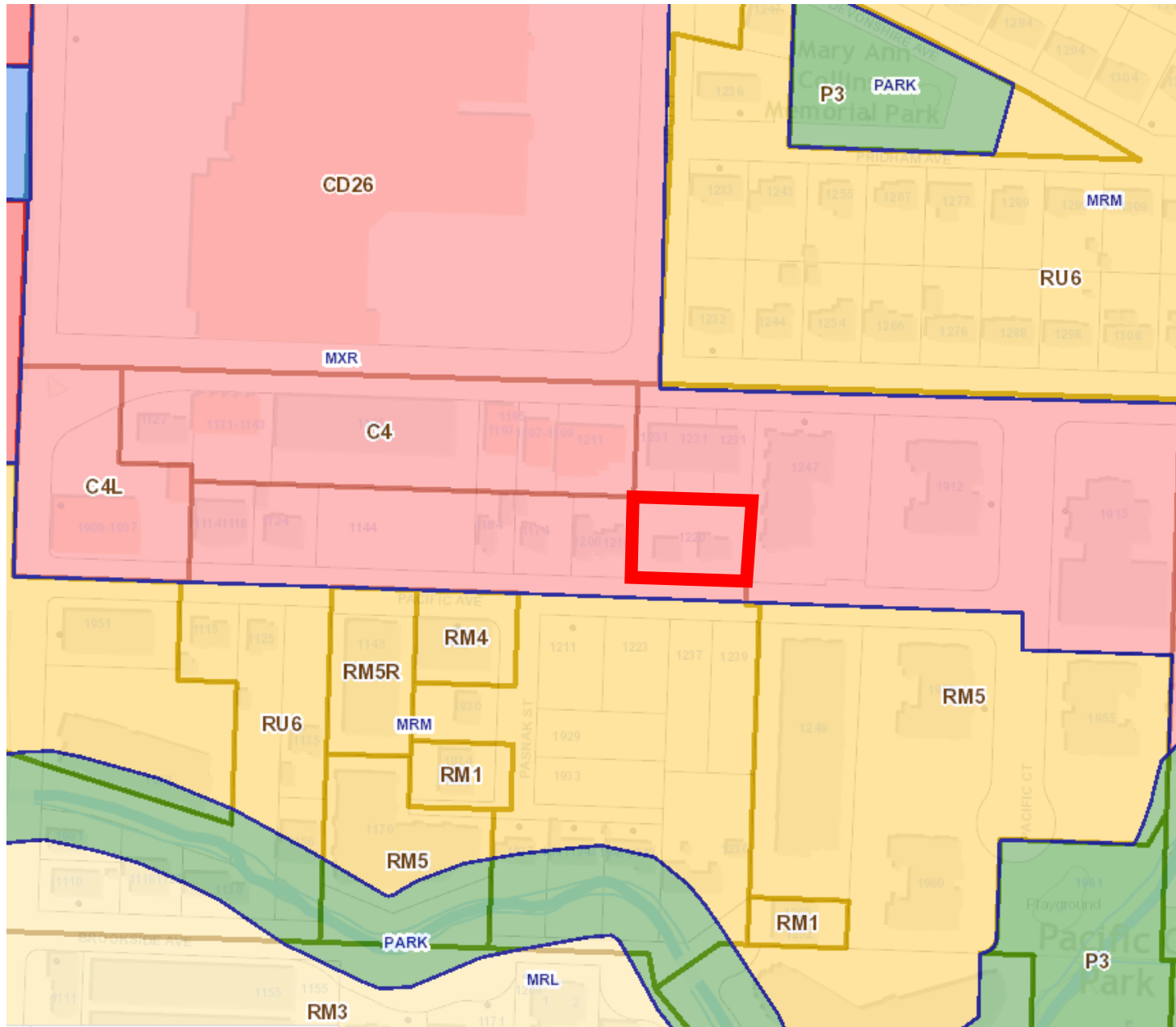
Council  
Approvals



# Context Map



# OCP Future Land Use / Zoning



# Subject Property Map

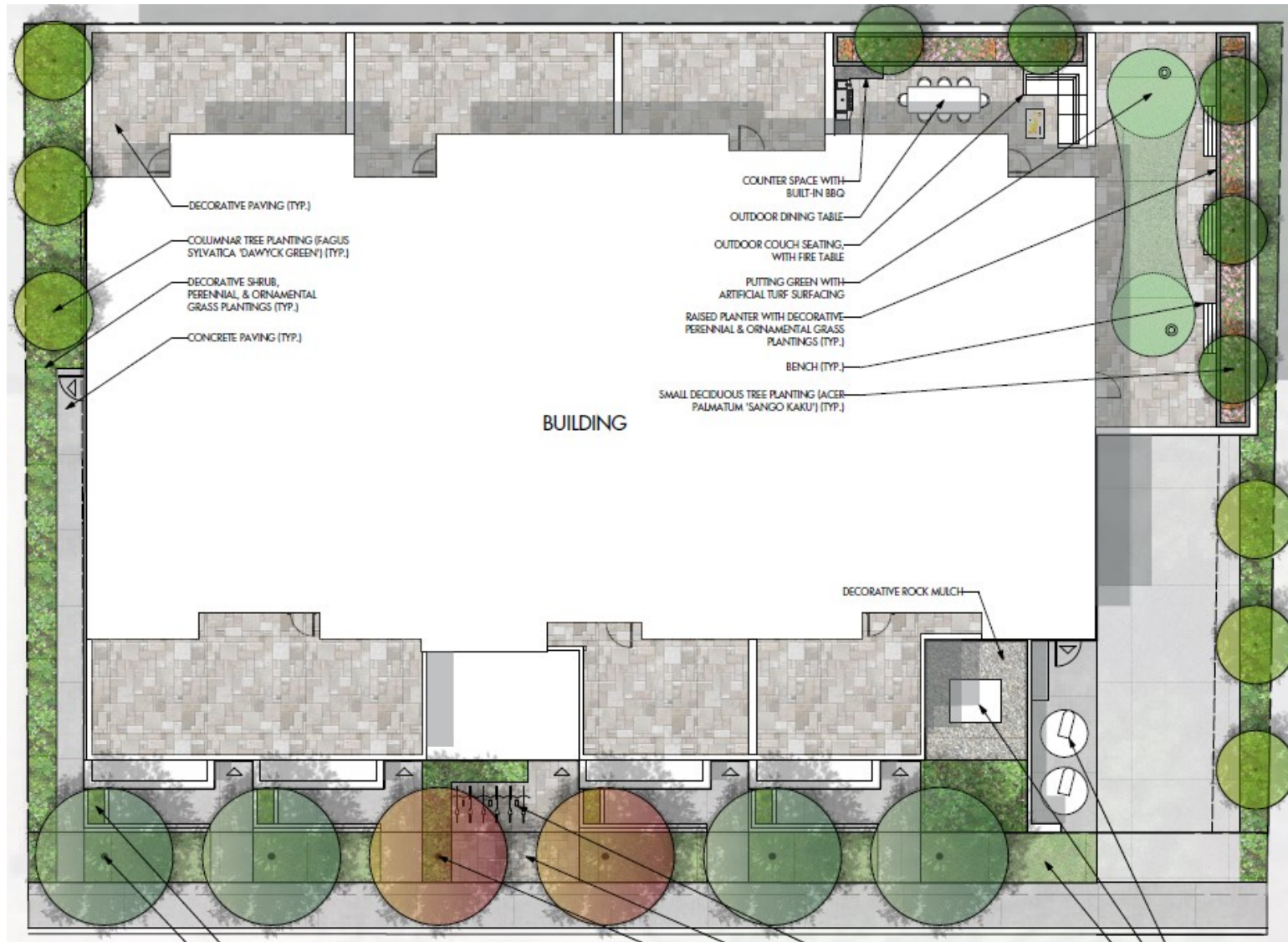




# Project/technical details

- ▶ Development Permit for the form and character of a 5 storey apartment building;
- ▶ And Development Variance Permit to vary the following:
  - ▶ side yard setback;
  - ▶ rear yard setback;
  - ▶ parking stall size ratio; and
  - ▶ height

# Site Plan



# Elevations

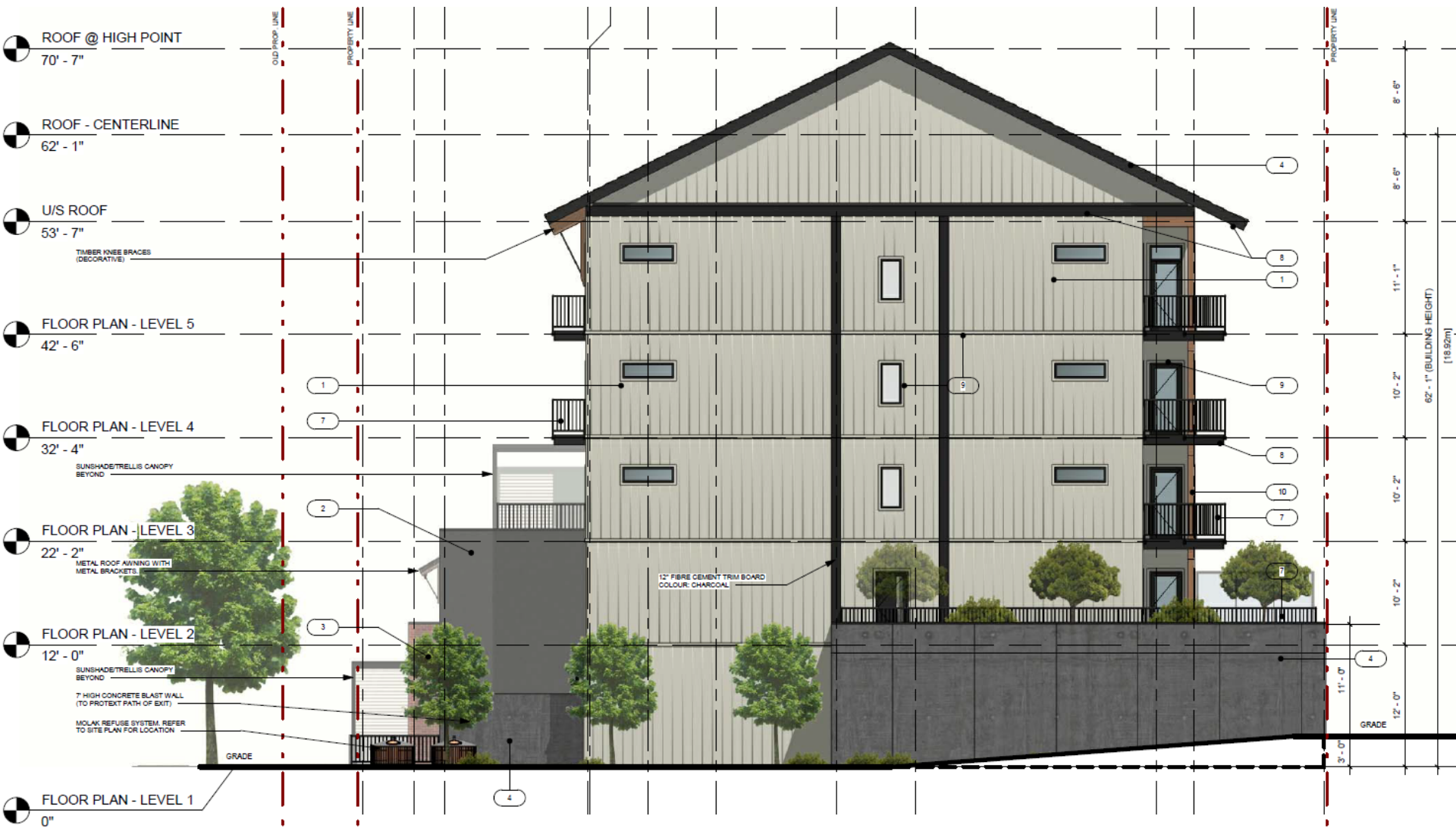




# Elevations



# Elevations



# Elevations





# Renderings

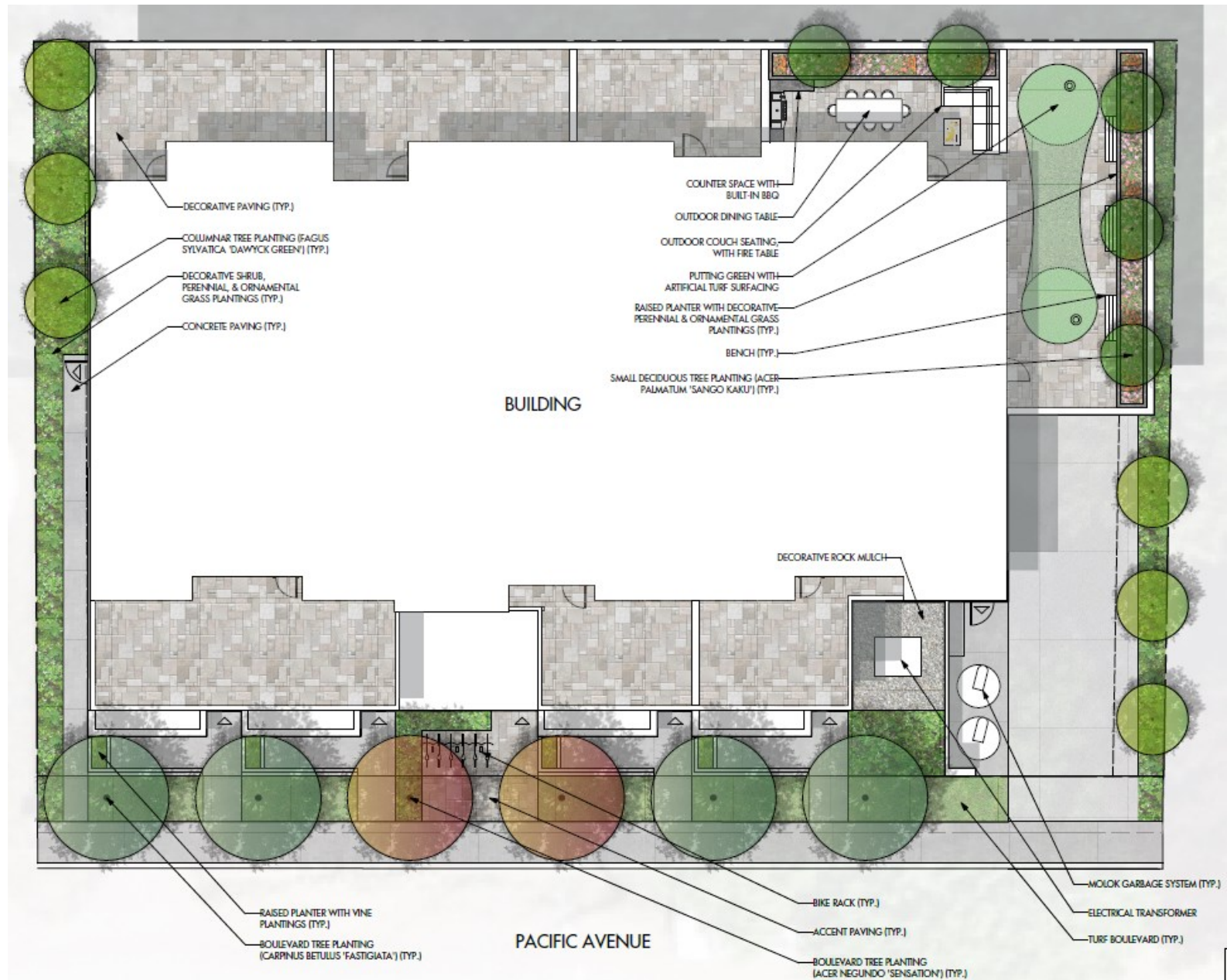




# Renderings



# Landscape Plan





# Evaluating Design

- ▶ Façade is well-articulated through townhouses at grade, trellises, terrace (above 2<sup>nd</sup> storey) and undulating balconies on upper storeys
- ▶ Varied materials and colors are used



# Evaluating Design

- ▶ Ground-oriented townhouses with trellises offer a human scale against the sidewalk
- ▶ Also incorporates landscaped yards creating an appropriate transition between the public realm of the sidewalk and the private realm of the dwellings





# Evaluating Design

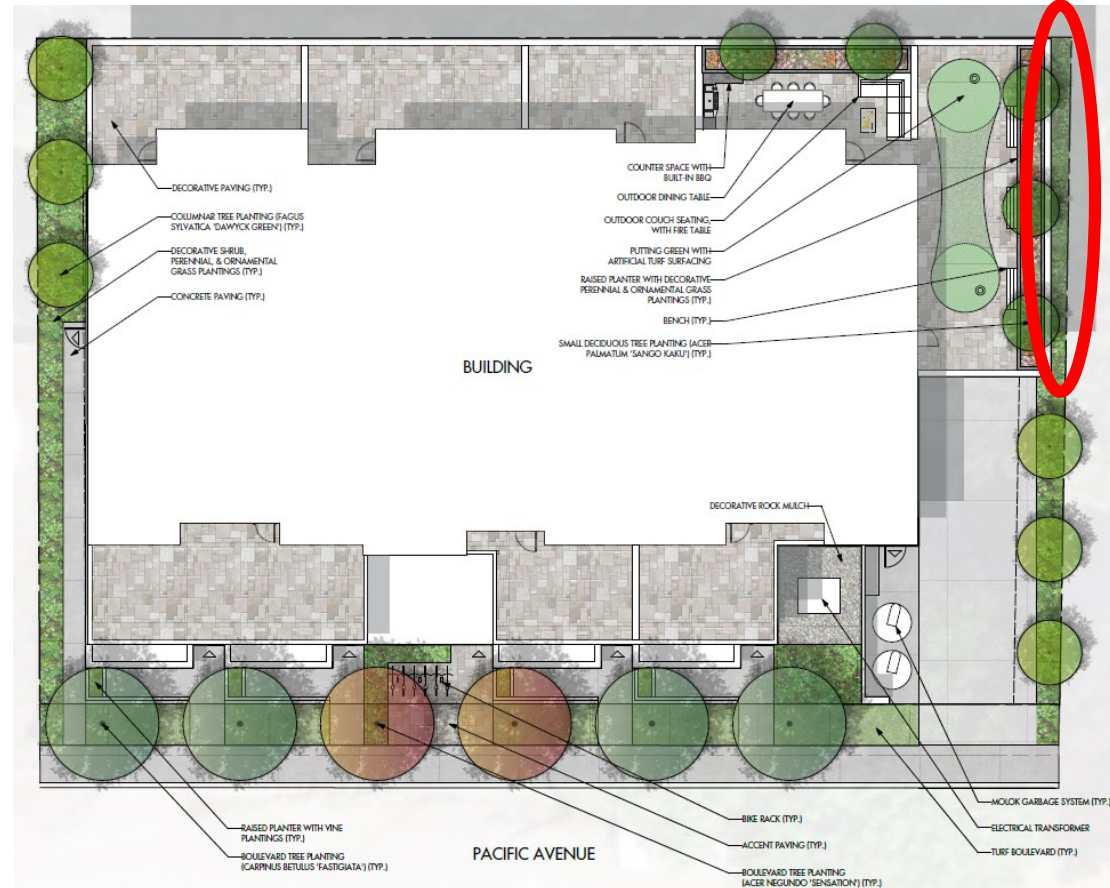
- ▶ Apt. units above townhouses stepped back substantially
  - ▶ screens the upper massing of the building from the sidewalk and street
  - ▶ allows for generous terrace on 3<sup>rd</sup> storey
- ▶ Stepback also incorporated at rear of bldg. above parkade
  - ▶ landscaped with trees to provide an additional green element





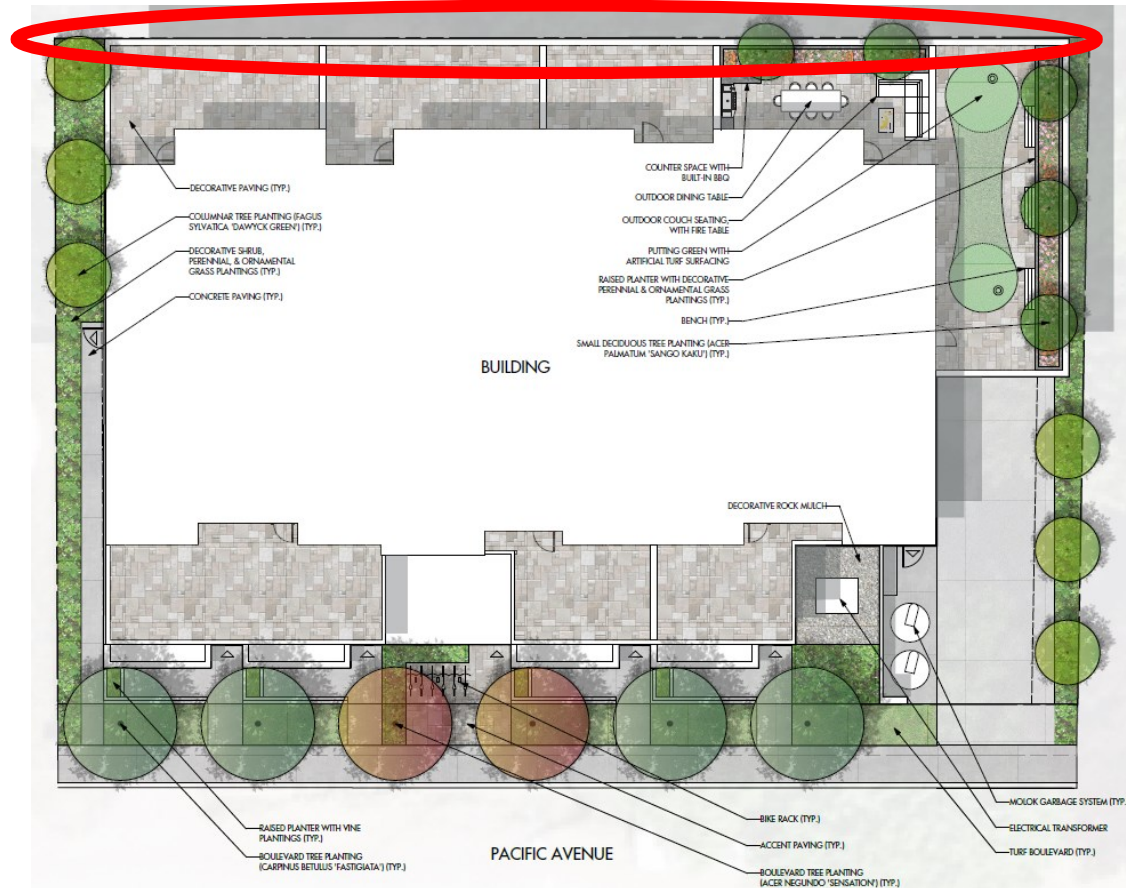
# Variance 1

- ▶ Reduce side yard setback along east lot line
  - ▶ from 2m required to 0.62m proposed
  - ▶ for parkade structure at rear of lot



# Variance 2

- ▶ Reduce rear yard setback along
  - ▶ from 6m required to 0m proposed
  - ▶ for parkade structure at rear of lot



# Variance 3

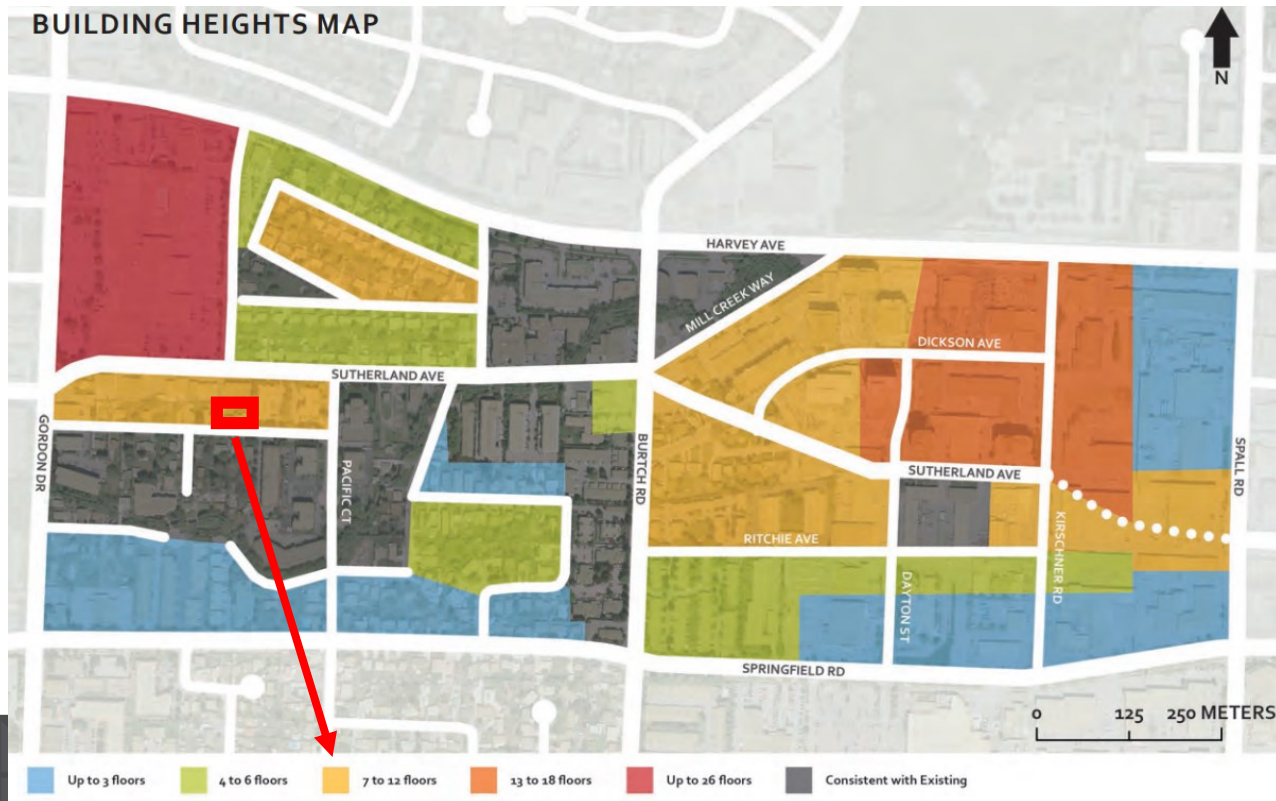
- ▶ Reduce % of regular size parking stalls
  - ▶ from 50% required
  - ▶ to 39% proposed



# Variance 4

- ▶ Increase height
  - ▶ from 4 storeys and 15m permitted
  - ▶ to 5 storeys and 19m proposed

## Capri-Landmark Urban Centre Plan



# Staff Recommendation

- ▶ Staff support the proposed Development Permit and associated Variances
  - ▶ Design substantially meets both the Comprehensive & Revitalization Design Guidelines
  - ▶ Proposed variances are considered supportable



## *Conclusion of Staff Remarks*



An architectural rendering of a modern multi-story residential building at dusk. The building features a mix of dark grey stucco, red brick, and light-colored horizontal siding. It has multiple levels of balconies with black metal railings and some with glass enclosures. Warm interior and exterior lighting, including string lights, is visible. In the foreground, there is a paved walkway, green landscaping with various plants, and a few people walking. A dark car is partially visible in the bottom right corner.

# 1220 Pacific Avenue

DP20-0196/DVP20-0197

Welcome Home to The Rydell



# INTRODUCTION - LOCATION

## Welcome Home to The Rydell

We are excited to present you a building located on Pacific Avenue that aims to enhance its surrounding area, within a thriving redevelopment zone.

Key **amenities and features** poised to create an active and dynamic lifestyle:

- Central Location
- Parkade Podium Amenity Area
- Rydell Bike Room





# LOCATION OVERVIEW





# LOCATION OVERVIEW - CAPRI LANDMARK URBAN CENTRE

## Our Growing Urban Centre

We are excited to be located within such a rapidly developing and vibrant Urban Centre.

“The development of urban centre plans will champion a commitment to urban centre revitalization and will become a milestone toward the OCP’s goal of establishing five vibrant amenity-rich urban centres.”

City of Kelowna – Urban Centres Roadmap





# PROJECT INFO - DESIGN RATIONALE

## Pedestrian scaled design within the Urban Centre

- *Ground entry townhomes and front entrance provide an intimate yet pronounced base*
- *Increased walkability in the area*

## Timeless design with modern form

- *Traditional architectural details accented by a mixture of quality materials*

## Sensitive building approach and forward-thinking programming

- *Utilization of the parkade podium as both a shared and private garden and outdoor social space*



"The Rydell will be a combination of a modern design aesthetic, coupled with pedestrian friendly landscape features and contemporary building materials, which will provide a very functional and highly desirable residential neighborhood project." – *Bluegreen Architecture*



# PROJECT INFO - DESIGN RATIONALE





# PROJECT INFO - BUILDING SPECIFICATIONS



**Second Floor Roof Top Amenity:**  
*- Indoor and outdoor shared spaces*

## **28 Residential Condominium Units**

*(7) 1 Bed + Den condos*

*(17) 2 Bed condos*

*(4) Townhome units that dress our street scape for an inviting community*

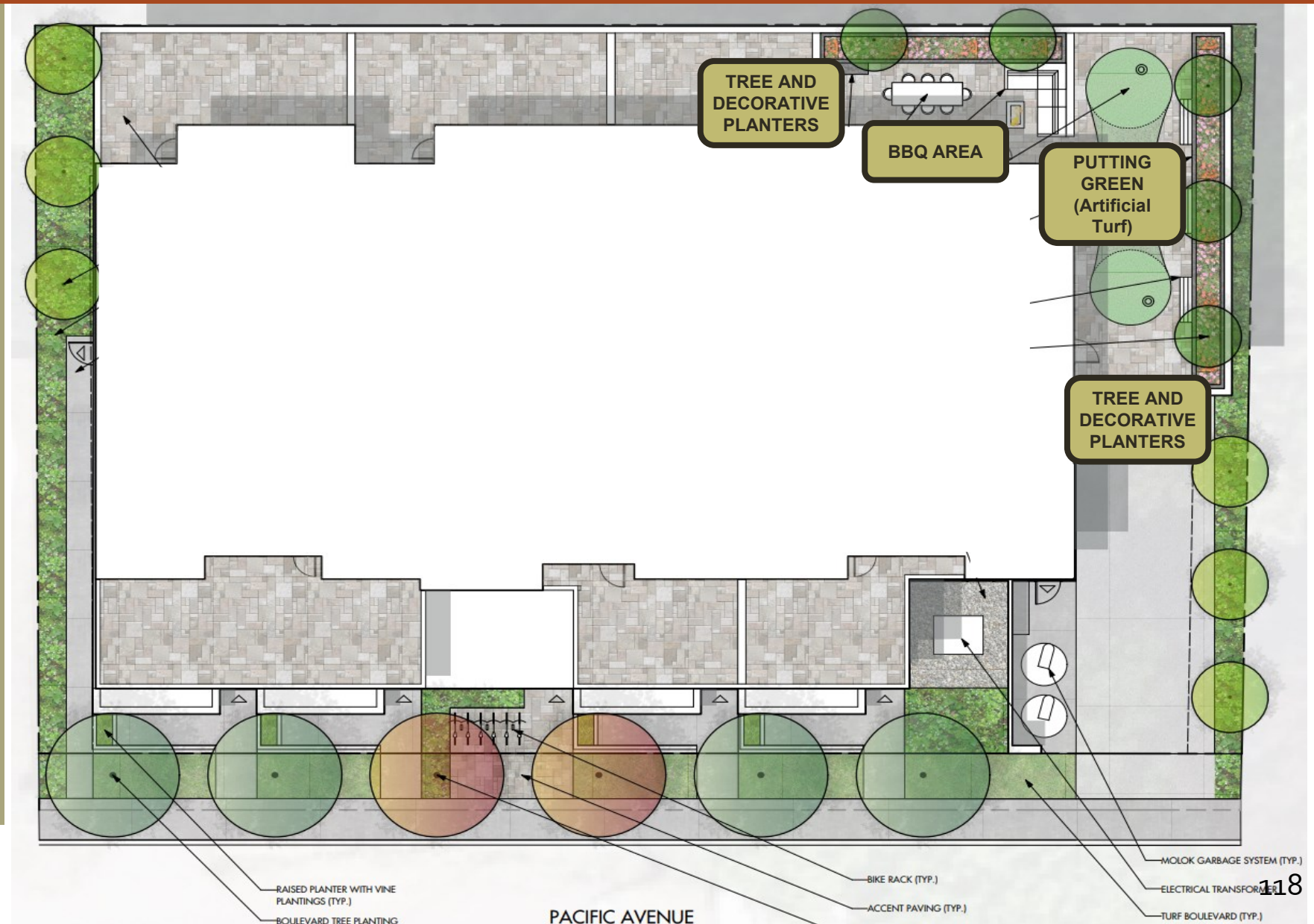


# PROJECT INFO - LANDSCAPING AND AMENITIES

## Beautiful Landscaping

Reintroducing greenery with intention. We coordinated with Outland Design and the City of Kelowna's planning department to re-vegetate not only our street-scape, but also second level balconies and rooftop amenity area.

On the ground level trees and shrubs will be added in abundance. As well, tree planter boxes on our second level amenity area will bring life into the space.

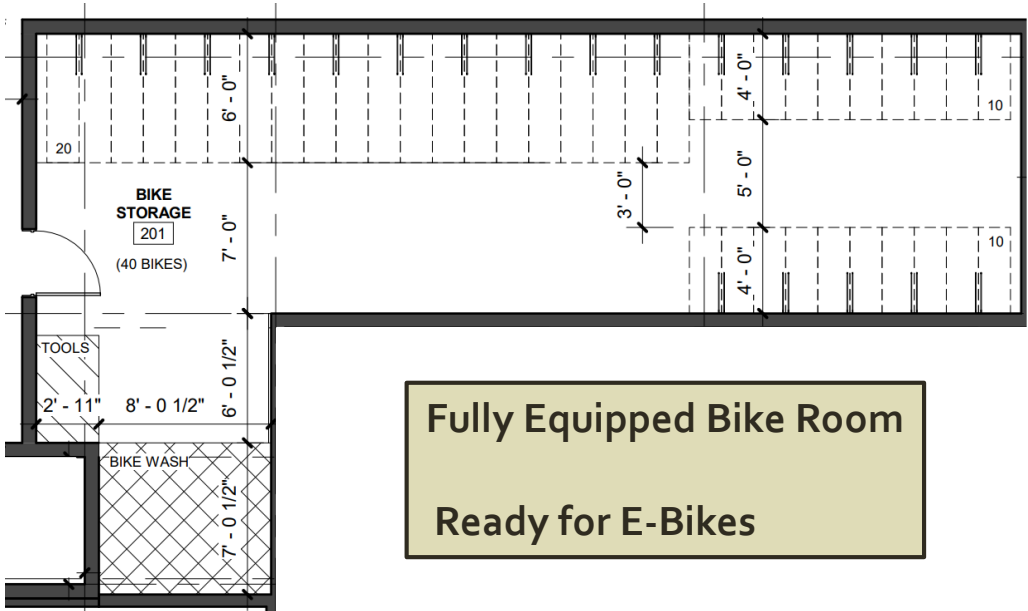


# PROJECT INFO - THE BIKE ROOM

## The Bike Room

Every unit will include 2 bike storage stalls in the community bike storage. The room will be equipped with a bike wash, repair station and electrical outlets for e-bike charging.

We are partnering with a local bike shop to provide an e-bike with every home purchase. This is in an effort to provide our purchasers with a unique and effective method of transportation, while also reducing their carbon footprint.



Fully Equipped Bike Room  
Ready for E-Bikes





# VARIANCE REQUEST

## Building Height

- Recommendation and support provided by City of Kelowna Planning Department
  - Reach density and form desired within OCP

## East Side Yard Setback

- Recommendation and support provided by City of Kelowna Planning Department
  - Avoiding “dead space” and unsecure areas
- Compliance above parkade level

## Our Request

City of Kelowna’s Planning Department has been involved and aiding in our decision processes from the initial concept drawings of our development. They have been supportive of our variance requests and design direction.

Given our C4 zoning, we are asking for 4 variances to achieve our vision.

## Parking Stall Size Ratio

- Location within Urban Centre
  - Less need for vehicular transport
- E-Bike giveaway
  - Encouragement of sustainable transportation

## Rear Yard Setback

- Recommendation and support provided by City of Kelowna Planning Department
  - Avoiding “dead space” and unsecure areas
- Focus on providing landscaping along the east drive isle, south side elevation and parkade podium



# REAR AND SIDEYARD SETBACK REQUEST

## Setback Request

As we blend into the existing neighborhood, we are conscientious of our current and future neighbors.

After consultation with the City of Kelowna Planning Department and upon their recommendation, we have proceeded with a request for a 0-metre rear yard setback and 0.62-metre east side yard setback. This is to accommodate our secure parking structure, and to create safe community outdoor space, on the second level.

Setbacks increase significantly for the remainder of the building, above the ground floor.





# Thank You For Your Consideration!

Great A & A Properties

VLS Developments

Bluegreen Architecture

CTO Consultants

Outland Design Landscape  
Architecture

Falcon Engineering

Delta – T consultants

ROV

Total Home Solutions





# REPORT TO COUNCIL



**Date:** July 27, 2021

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** DP21-0040 DVP21-0041      **Owner:** Cressey Lakeshore Holdings Ltd., Inc.No. 788131

**Address:** 3377 Lakeshore Road      **Applicant:** Cressey (Lakeshore) Development LLP

**Subject:** Development Permit and Development Variance Permit Application

**Existing OCP Designation:** COMM - Commercial

**Existing Zone:** C9 – Tourist Commercial

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## 1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP21-0040 and Development Variance Permit DVP21-0041 for Lot A District Lot 134 Osoyoos Division Yale District Plan EPP84686, located at 3377 Lakeshore 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";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of "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 14.9.5(c): C9 – Tourist Commercial Development Regulations**

To vary the required minimum front yard (Lakeshore Road) from 6.0 m permitted to 0.0 m proposed.

**Section 14.9.5(d): C9 – Tourist Commercial Development Regulations**

To vary the required minimum flanking side yard (Richter Street) from 4.5 m permitted to 3.3 m proposed.

**Section 14.9.5(d): C9 – Tourist Commercial Development Regulations**

To vary the required minimum side yard from 3.0 m permitted to 1.0 m proposed.

**Section 7.6.1(c): Section 7 – Landscaping and Screening, Minimum Landscape Buffers**

To vary the required minimum landscape buffer for the side yard (north) from 3.0 m required to 0.0 m proposed.

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

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

**2.0 Purpose**

To consider the form and character of a mixed-used development with variances to minimum front yard, minimum flanking side yard, minimum side yard and minimum landscape buffer.

**3.0 Development Planning**

Staff recommends support for the Development Permit and Development Variance Permit applications for the proposed mixed-use development. The application meets the majority of the City's Comprehensive and Revitalization Design Guidelines and staff feels the unique architectural design will benefit the South Pandosy Urban Centre and contribute to the distinct character of the area.

Architecturally, the proposal includes two mid-rise building towers which are located above a ground floor commercial and parkade. The proposal is within the maximum allowable height for the C9 – Tourist Commercial zoned property. On the Lakeshore Road (west) elevations, the designs differ, to add visual interest and reduce the apparent mass of the buildings. A waterfall features separates the towers mid-block on this Lakeshore Road elevation, to further help break up the building frontage and add a design element that would be unique to this property in Kelowna and contribute to Official Community Plan (OCP) policy to provide a strong gateway or sense of entry to the Urban Centre.

**Variances**

This application is requesting variances to the minimum front yard (Lakeshore Road), flanking side yard (Richter Street) and side yard (north) setbacks. Together with the landscaping plan, as well as off-site boulevard landscaping that would be completed, Development Planning supports the request for these variances as they lead to a strong pedestrian streetscape and active frontages along both Lakeshore Road and Richter Street.

A landscape buffer variance for the north side yard has also been requested. Development Planning recognize this is a challenging area to landscape and the intent of a landscape buffer cannot be met in this area. As there is a building setback variance being requested for this property line, this remaining 1.0 m wide area is directly adjacent to the wall of the parkade and would receive limited sun exposure. This area would also be fenced off at both ends to limit trespass across the property.

## 4.0 Proposal

### 4.1 Background

A Development Permit was last issued in 2008 for this property. Due to changing market conditions at the time, construction never began and the permit expired. An application for this project was resubmitted in 2017, but it was closed due to inactivity and was not brought forward for Council consideration.

The subject property was previously occupied by a motel, which was demolished in 2008. It has been vacant since.

### 4.2 Project Description

This application proposes a mixed-use development consisting of 127 residential and eight retail units. The largest retail space is approximately 6,400 ft<sup>2</sup>, at the corner of Lakeshore Road and Richter Street, which would likely be a feature restaurant and patio. The other seven retail units front directly on to Lakeshore Road.

The majority of residential units consists of one-bedroom (44 dwellings), two-bedroom (74 dwellings) and three-bedroom (two dwelling) units in the form of apartment housing. The remainder of residential units include seven two-bedroom ground-oriented townhouses along Richter Street, to provide a mix of housing options. While all the units are contained within the same building footprint, these apartment housing dwellings are within the two six-storey towers, as seen in Figure 1. These towers are separated on the second floor by rooftop amenity space, including cabanas and a swimming pool. This west (Lakeshore Road) elevation also features a prominent 520 ft<sup>2</sup> waterfall feature. The Applicant's Rationale has been included in Attachment C.

**Figure 1 – Artist Rendering of the West Elevation (Lakeshore Road)**



Vehicular access to the site is along Richter Street. This entrance leads to a surface loading stall for the commercial units as well as to the entrance to a parkade. Required parking and bicycle parking is met on-site, and a basement as well as ground-level parkade ensures all parking is screened from public view.

### 4.3 Site Context



The subject property is located in the South Pandosy Urban Centre at Lakeshore Road and Richter Street. The surrounding area is mixed between apartment buildings, townhouses, commercial developments, and the property is directly across from Boyce-Gyro Beach Park. The Walk Score is 70, or very walkable and most errands can be accomplished on foot.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C <sub>4</sub> – Urban Centre Commercial C <sub>9</sub> – Tourist Commercial	Offices Motel
East	C <sub>4</sub> – Urban Centre Commercial P <sub>4</sub> – Utilities	Mixed use commercial/residential ("The Shore") Utilities
South	C <sub>4</sub> – Urban Centre Commercial	Mixed use commercial/residential ("The Shore")
West	P <sub>3</sub> – Parks and Open Space	Public Parks

**Subject Property Map:** 3377 Lakeshore Road



#### 4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C9 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Max. Floor Area Ratio	1.5	1.5
Max. Height	22.0 m / 6 storeys	21.8 m / 6 storeys
Min. Front Yard (Lakeshore Road)	6.0 m	0.0 m <sup>①</sup>
Min. Flanking Side Yard (Richter Street)	4.5 m	3.3 m <sup>②</sup>
Min. Side Yard (north)	m	1.0 m <sup>③</sup>
Min. Rear Yard	4.5 m	5.58 m
Other Regulations		
Min. Parking Requirements	202 stalls	209 stalls
Min. Bicycle Parking	42 short-term stalls 93 long-term stalls	42 short-term stalls 109 long-term stalls
Min. Loading Space	1 stall	1 stall
Landscape buffer (north side yard)	3.0 m	0.0 m <sup>④</sup>
<sup>①</sup> Indicates a requested variance to the minimum front yard <sup>②</sup> Indicates a requested variance to the minimum flanking side yard <sup>③</sup> Indicates a requested variance to the minimum side yard <sup>④</sup> Indicates a requested variance to the minimum landscape buffer		

### 5.0 Current Development Policies

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

A summary of key Official Community Plan Development policies for South Pandosy are:

- Height should be generally 4 storeys. 6 storeys within C4 or C9 zoned areas.
- Encourage the development of landmark buildings at key intersections within the precinct and at the terminus of significant sight lines. Landmark buildings should be distinguished from other buildings through the conscientious use of siting, common entrances, additional storeys, articulation of the footprint or roofline, decorative structures, colour, and other means appropriate to the setting and desired effect.
- Provide a strong gateway or sense of entry to the town centre along the north-south arterials (northbound: Lakeshore Road at Richter Street) (Southbound: Pandosy Street at Wardlaw Avenue). The gateway should be established by the appropriate use of land use, site planning, building design, landscaping, and street section, including streetscape treatment.

#### 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.

#### 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.

*Objective 5.22 Ensure context sensitive housing development*

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

Chapter 14: Urban Design DP Guidelines

Comprehensive Development Permit Area Design Guidelines

Key Objectives

- Convey a strong sense of authenticity through urban design that is distinctive for Kelowna;
- Promote a high urban design standard and quality of construction for future development that is coordinated with existing structures;
- Integrate new development with existing site conditions and preserve the character amenities of the surrounding area;
- Promote interesting, pedestrian friendly streetscape design and pedestrian linkages;
- Provide for a scale and massing of commercial buildings that promotes a safe, enjoyable living, pedestrian, working, shopping and service experience;
- Incorporate architectural features and detailing of buildings and landscapes that define an area's character;
- Protect and restore the urban ecology (i.e. architectural and site consideration with respect to the ecological impact on urban design).

Revitalization Design Guidelines

Key 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;
- Enhance the urban centre's main street character in a manner consistent with the area's character;
- 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.

Chapter 17: Definitions

*Town Centre (South Pandosy / Rutland / Capri-Landmark):* A vibrant, amenity-rich area wherein different land uses frequently occur within the same building and almost always occur within a one-block area. Town Centres contain a variety of housing types, the presence of which contributes to social diversity. Town Centres are highly urbanized, pedestrian-friendly environments that draw



people for work, shopping, and recreation from a broad community of approximately 25,000 residents living within approximately 2 kilometres. Town Centre cores are located at least 2 kilometres from the core of other Town Centres, a City Centre, or a Highway Centre. Density will decrease as the distance from the core increases.

## 6.0 Technical Comments

### 6.1 Development Engineering Department

See Attachment B: City of Kelowna Memorandum

## 7.0 Application Chronology

Date of Application Accepted: February 17, 2021

Date Public Consultation Completed: April 27, 2021

<b>Report prepared by:</b>	Kimberly Brunet, Planner II
<b>Reviewed by:</b>	Jocelyn Black, Urban Planning Manager
<b>Reviewed by:</b>	Terry Barton, Development Planning Department Manager
<b>Approved for Inclusion:</b>	Ryan Smith, Divisional Director, Planning & Development Services

### Attachments:

Attachment A: Draft Development Permit and Development Variance Permit DP21-0040 DVP21-0041

Schedule A: Site Plan

Schedule B: Floorplans, Elevations, Materials and Colour Board

Schedule C: Landscape Plan

Attachment B: City of Kelowna Memorandum

Attachment C: Applicant's Rationale

Attachment D: Artist Renderings

# Development Permit & Development Variance Permit DP21-0040 & DVP21-0041

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

**3377 Lakeshore Road**

and legally known as

**LOT A DISTRICT LOT 134 OSOYOOS DIVISION YALE DISTRICT PLAN EPP84686**

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

## **Mixed-use development**

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

### **Section 14.9.5(c): C9 – Tourist Commercial Development Regulations**

To vary the required minimum front yard (Lakeshore Road) from 6.0 m permitted to 0.0 m proposed.

### **Section 14.9.5(d): C9 – Tourist Commercial Development Regulations**

To vary the required minimum flanking side yard (Richter Street) from 4.5 m permitted to 3.3 m proposed.

### **Section 14.9.5(d): C9 – Tourist Commercial Development Regulations**

To vary the required minimum side yard from 3.0 m permitted to 1.0 m proposed.

### **Section 7.6.1(c): Section 7 – Landscaping and Screening, Minimum Landscape Buffers**

To vary the required minimum landscape buffer for the side yard (north) from 3.0 m required to 0.0 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 July 27, 2021

Decision By: COUNCIL

Development Permit Area: Comprehensive and Revitalization Development Permit Areas

Existing Zone: C9 – Tourist Commercial

Future Land Use Designation: COMM - 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: CRESSEY LAKESHORE HOLDINGS LTD., INC.NO. 788131

Applicant: Cressey (Lakeshore) Development LLP

Planner: K. 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

- 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 **\$44,187.50**

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.**



CABAN MIXED-USE DEVELOPMENT



3377 - 3421 LAKESHORE RD. KELOWNA B.C. V1Y 1B7

ISSUED FOR DEVELOPMENT PERMIT  
2021-01-27

ARCHITECTURAL

A0.00	COVER SHEET & DRAWING LIST	A3.30	TOWNHOUSE - BASEMENT / ROOF PLAN
A1.01	ZONING, CODE REVIEW, LOCATION PLAN	A3.31	TOWNHOUSE - 1ST FLOOR PLAN
A2.02	SITE PLAN	A3.32	TOWNHOUSE - 1ST FLOOR SLAB PLAN
A3.00	BASEMENT FLOOR PLAN	A3.33	TOWNHOUSE - 2ND FLOOR PLAN
A3.01	1ST FLOOR PLAN	A3.34	TOWNHOUSE - 2ND FLOOR SLAB PLAN
A3.02	2ND FLOOR PLAN	A3.35	TOWNHOUSE - ROOF DECK PLAN
A3.03	3RD FLOOR PLAN	A3.36	TOWNHOUSE - ROOF DECK SLAB PLAN
A3.04	4TH FLOOR PLAN	A3.40	BASEMENT LEVEL PARKADE - NORTH
A3.05	5TH FLOOR PLAN	A3.40S	BASMENT PARKADE SLAB PLAN - NORTH
A3.06	6TH FLOOR PLAN	A3.41	BASEMENT LEVEL - MID
A3.07	ROOF PLAN	A3.41S	BASEMENT PARKADE SLAB PLAN - MID
A3.12	TOWER 1 - 2ND FLOOR PLAN	A3.42	BASEMENT LEVEL - SOUTH
A3.12S	TOWER 1 - 2ND FLOOR SLAB PLAN	A3.42S	BASEMENT PARKADE SLAB PLAN - SOUTH
A3.13	TOWER 1 - 3RD FLOOR PLAN	A3.43	1ST FLOOR PARKADE - NORTH
A3.13S	TOWER 1 - 3RD FLOOR SLAB PLAN	A3.43S	1ST FLOOR PARKADE SLAB PLAN - NORTH
A3.14	TOWER 1 - 4TH FLOOR PLAN	A3.44	1ST FLOOR PARKADE - MID
A3.14S	TOWER 1 - 4TH FLOOR SLAB PLAN	A3.44S	1ST FLOOR PARKADE SLAB PLAN - MID
A3.15	TOWER 1 - 5TH FLOOR PLAN	A3.45	1ST FLOOR PARKADE - SOUTH
A3.15S	TOWER 1 - 5TH FLOOR SLAB PLAN	A3.45S	1ST FLOOR PARKADE SLAB PLAN - SOUTH
A3.16	TOWER 1 - 6TH FLOOR PLAN	A3.50	FIRE CODE PLAN - BASEMENT
A3.16S	TOWER 1 - 6TH FLOOR SLAB PLAN	A3.51	FIRE CODE PLAN - 1ST FLOOR PLAN
A3.17	TOWER 1 - ROOF PLAN	A3.52	FIRE CODE PLAN - 2ND FLOOR PLAN
A3.17S	TOWER 1 - ROOF SLAB PLAN	A3.53	FIRE CODE PLAN - TYPICAL PLAN (3-6)
A3.22	TOWER 2 - 2ND FLOOR PLAN	A4.01	EXTERIOR ELEVATIONS
A3.22S	TOWER 2 - 2ND FLOOR SLAB PLAN	A4.02	EXTERIOR ELEVATIONS
A3.23	TOWER 2 - 3RD FLOOR PLAN	A4.03	EXTERIOR ELEVATIONS - TOWER 1
A3.23S	TOWER 2 - 3RD FLOOR SLAB PLAN	A4.04	EXTERIOR ELEVATIONS - TOWER 1
A3.24	TOWER 2 - 4TH FLOOR PLAN	A4.05	EXTERIOR ELEVATIONS - TOWER 2
A3.24S	TOWER 2 - 4TH FLOOR SLAB PLAN	A4.06	EXTERIOR ELEVATIONS - TOWER 2
A3.25	TOWER 2 - 5TH FLOOR PLAN	A4.07	EXTERIOR ELEVATIONS - TOWNHOUSE
A3.25S	TOWER 2 - 5TH FLOOR SLAB PLAN	A4.09	EXTERIOR ELEVATIONS - MISC.
A3.26	TOWER 2 - 6TH FLOOR PLAN		
A3.26S	TOWER 2 - 6TH FLOOR SLAB PLAN		
A3.27	TOWER 2 - ROOF PLAN		
A3.27S	TOWER 2 - ROOF SLAB PLAN		

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Project

Title

CABAN  
MIXED USE  
DEVELOPMENT

227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing

Number

A0.00

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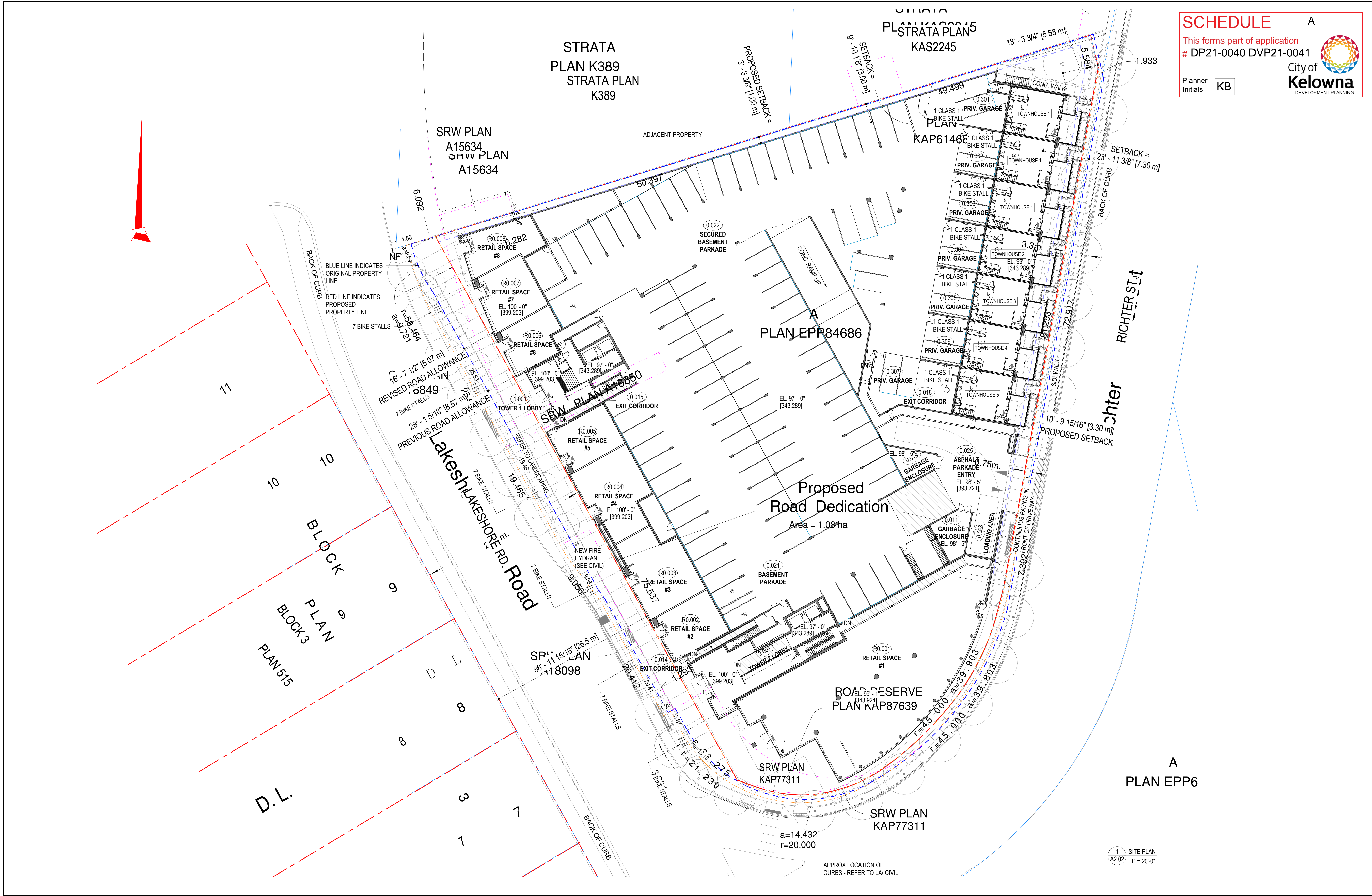
COVER SHEET &  
DRAWING LIST

Date	2021-04-22
Job No.	907
Scale	
Drawn	CM
Checked	JM









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Project  
Title  
**CABAN  
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DEVELOPMENT**  
227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing  
Number

# A2.02

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Drawing  
Title

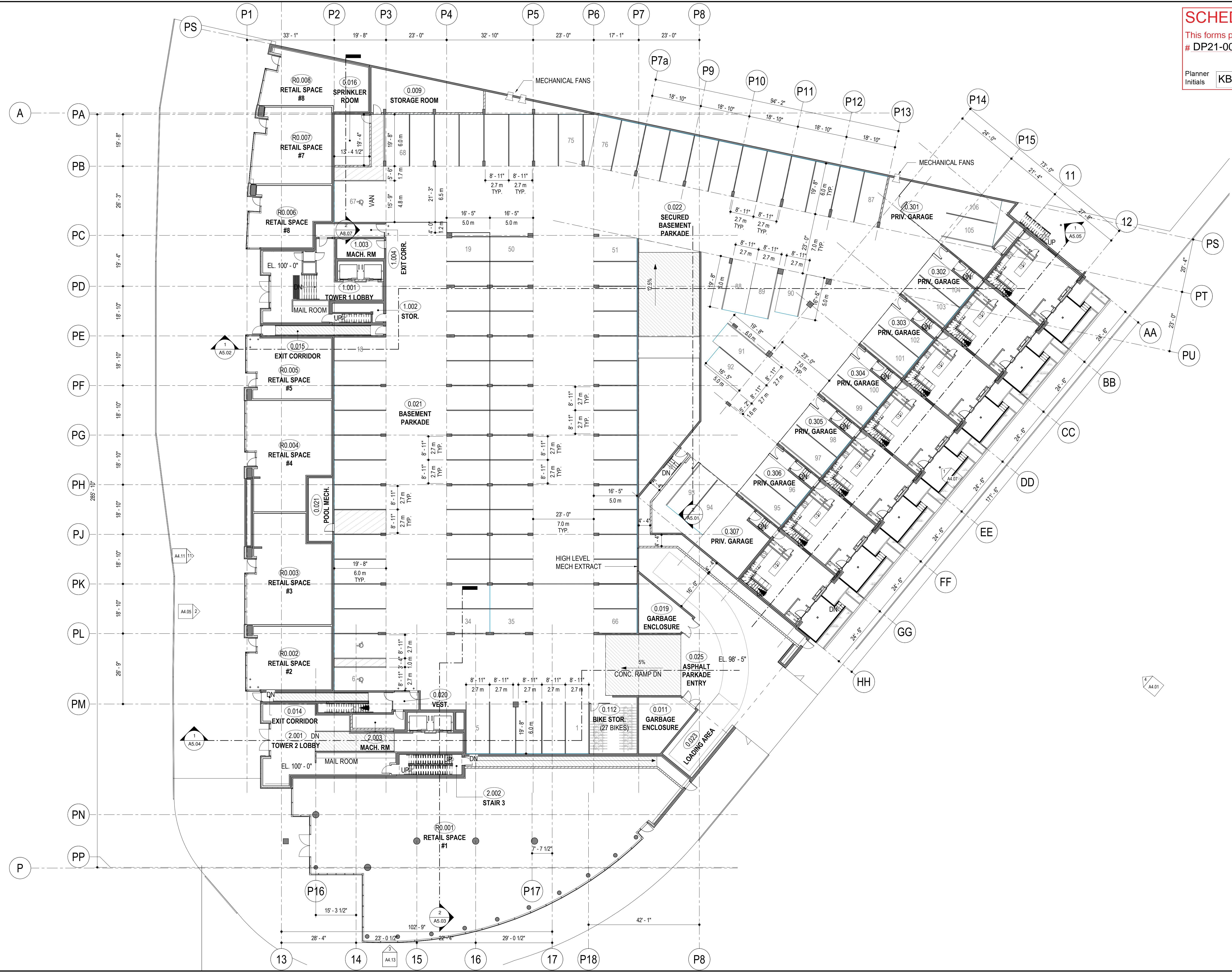
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1" = 20'-0"

Date	2021-04-22
Job No.	907
Scale	1" = 20'-0"
Drawn	CM
Checked	JM

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2021-05-20 9:12:36 AM





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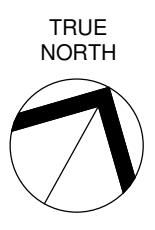
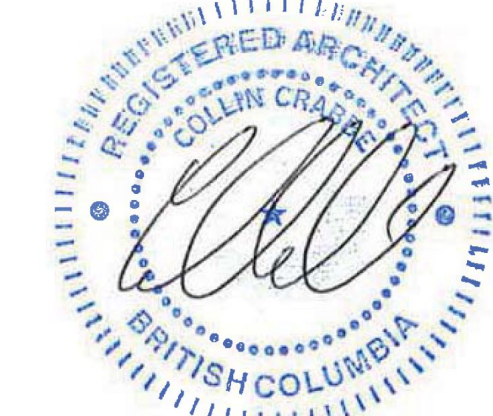
233 BERNARD AVENUE  
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Project Title  
**CABAN MIXED USE DEVELOPMENT**  
227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing Number

**A3.00**

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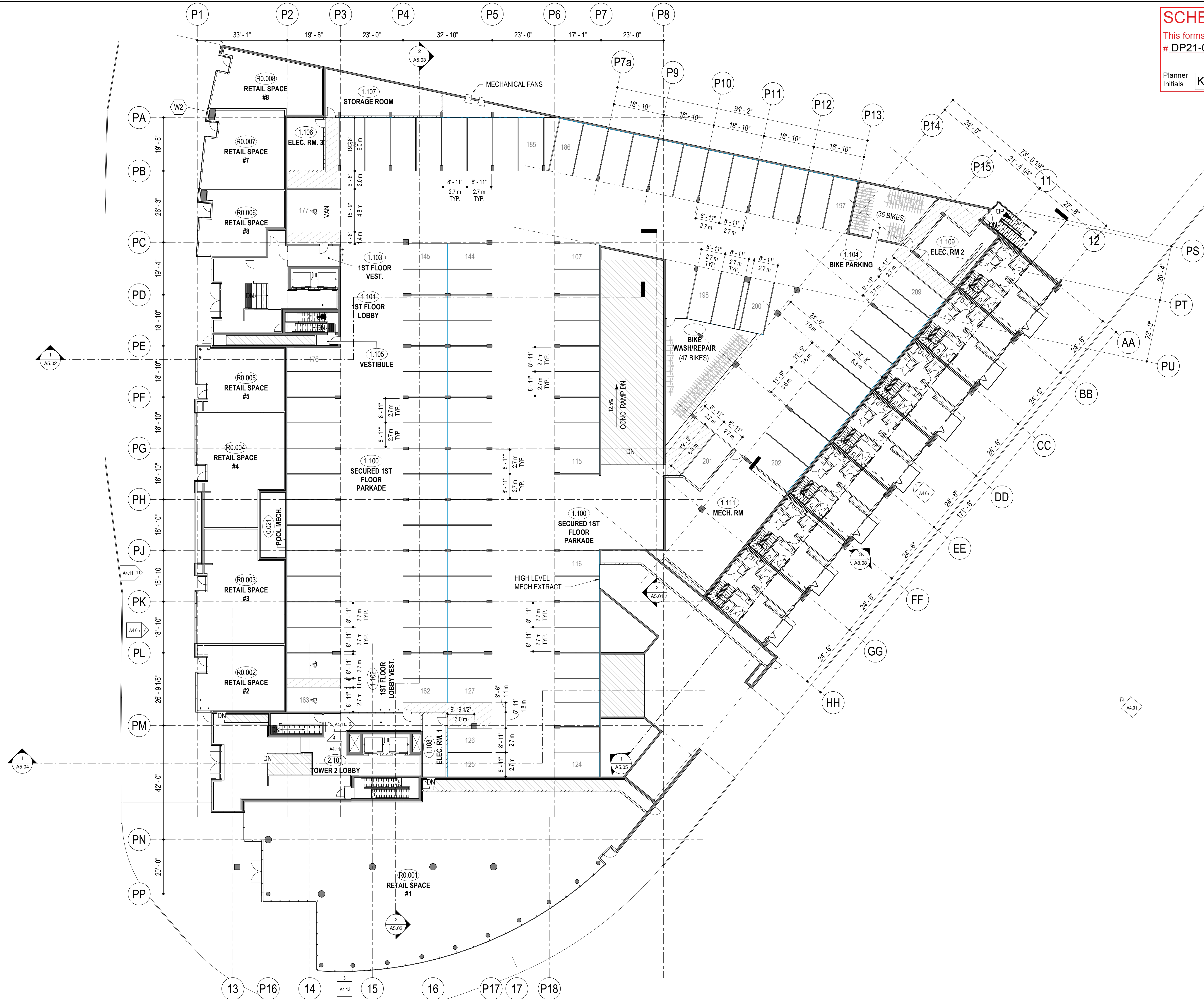
Drawing Title

**BASEMENT FLOOR PLAN**

1/16" = 1'-0"

Date	2021-04-22
Job No.	907
Scale	1/16" = 1'-0"
Drawn	CM
Checked	JM





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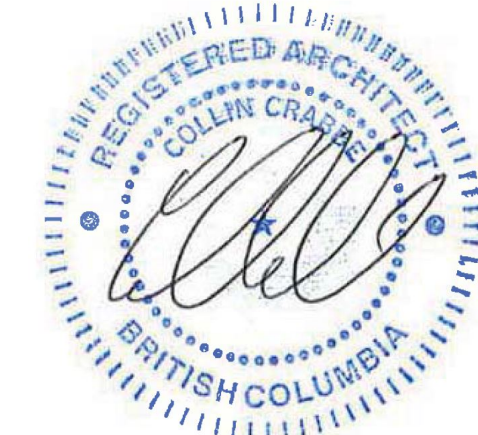
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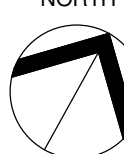
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Number

# A3.01

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## 1ST FLOOR PLAN

1/16" = 1'-0"

Date	2021-04-22
Job No.	907
Scale	1/16" = 1'-0"
Drawn	CM
Checked	JM

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0	2018 - 01 - 16	OWNER
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2		ISSUED FOR DP

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## CABAN MIXED USE DEVELOPMENT

227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

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Number

## A3.02

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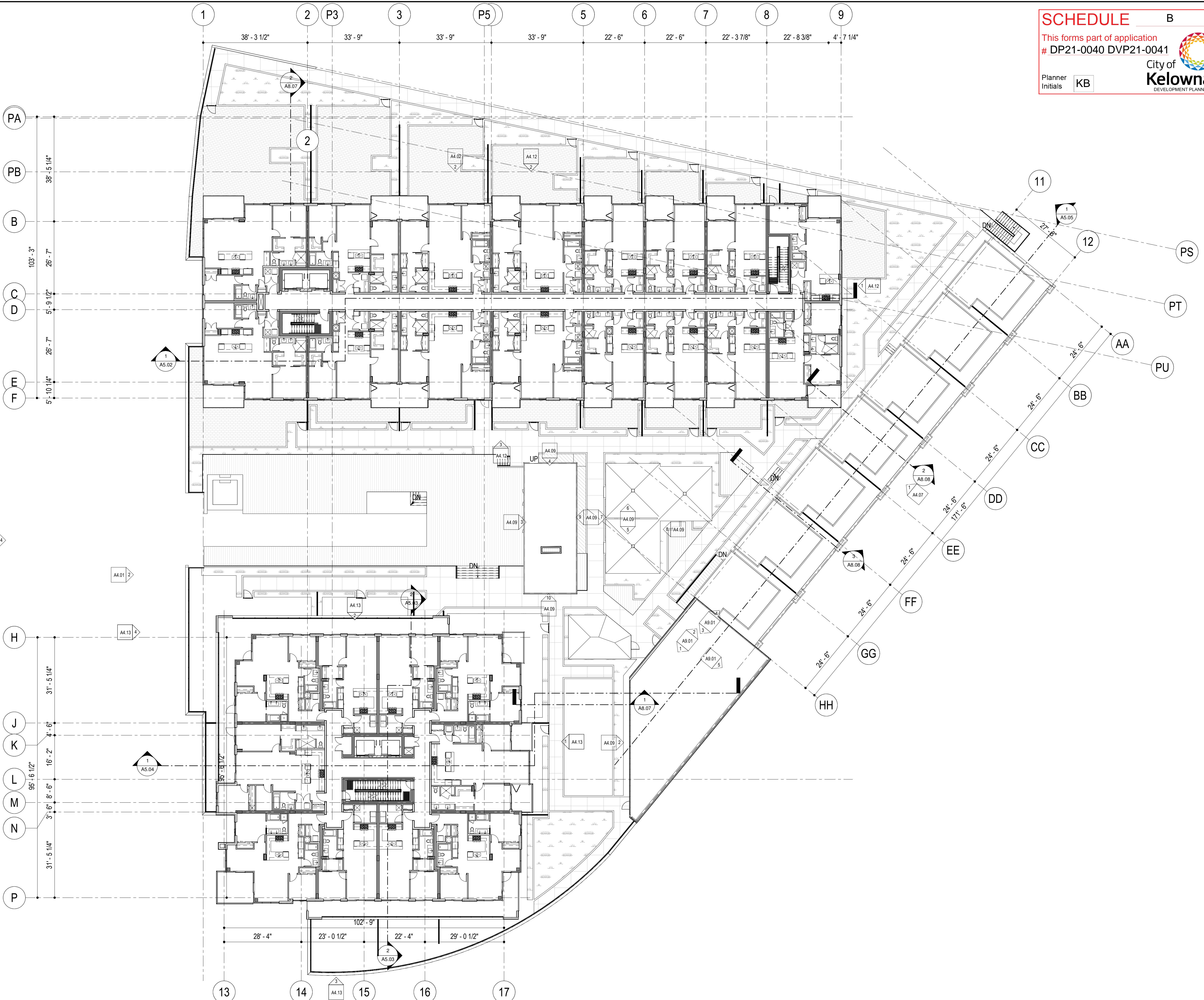
Drawing  
Title

## 2ND FLOOR PLAN

$$1/16'' = 1'-0''$$

Date	2021-04-22
Job No.	907
Scale	1/16" = 1'-0"
Drawn	CM
Checked	JM





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BRITISH COLUMBIA

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CABAN MIXED USE DEVELOPMENT

227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing Number

A3.03

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Drawing Title

3RD FLOOR PLAN

1/16" = 1'-0"

Date	2021-04-22
Job No.	907
Scale	1/16" = 1'-0"
Drawn	CM
Checked	JM

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439

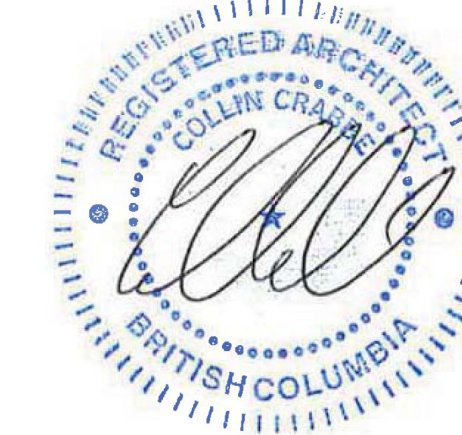




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Project Title

CABAN  
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227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing  
Number

## A3.04

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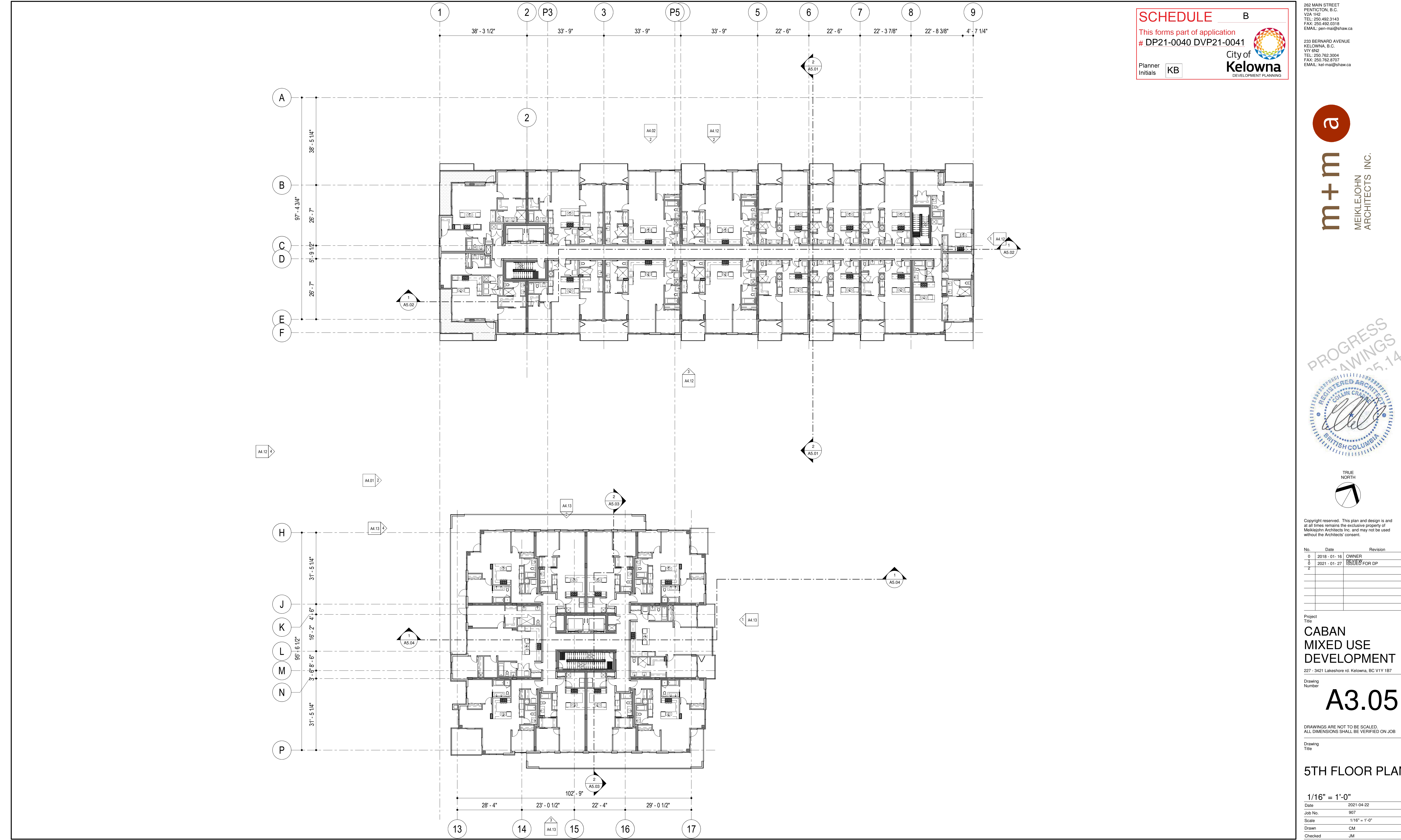
Drawing  
Title

## 4TH FLOOR PLAN

$$1/16'' = 1'-0''$$

Date	2021-04-22
Job No.	907
Scale	1/16" = 1'-0"
Drawn	CM
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BRITISH COLUMBIA

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Drawing

Number

A3.05

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Drawing

Title

5TH FLOOR PLAN

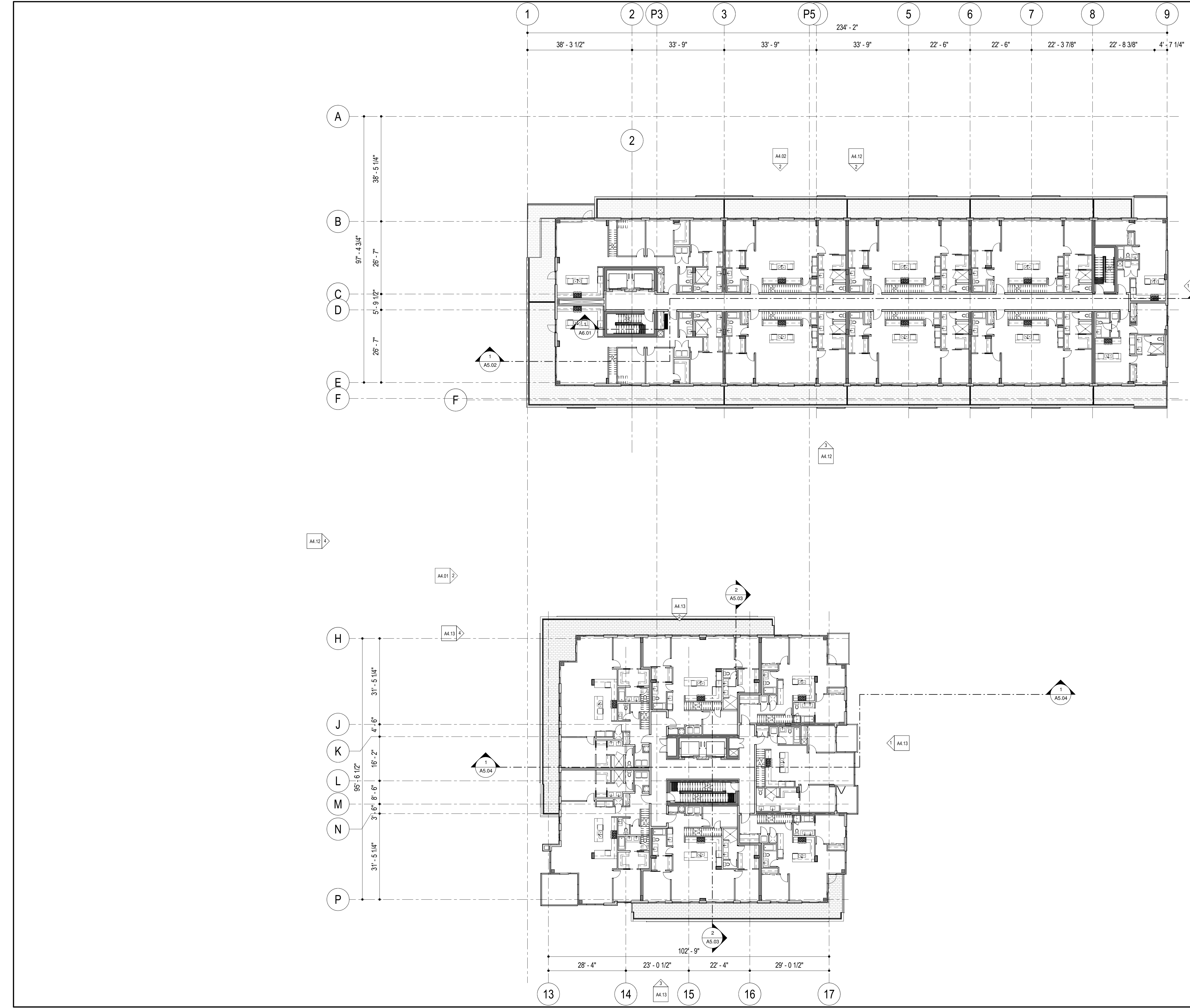
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Date	2021-04-22
Job No.	907
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Drawn	CM
Checked	JM

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41





SCHEDULE

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227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing

Number

A3.06

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Drawing

Title

6TH FLOOR PLAN

1/16" = 1'-0"

Date

2021-04-22

Job No.

907

Scale

1/16" = 1'-0"

Drawn

CM

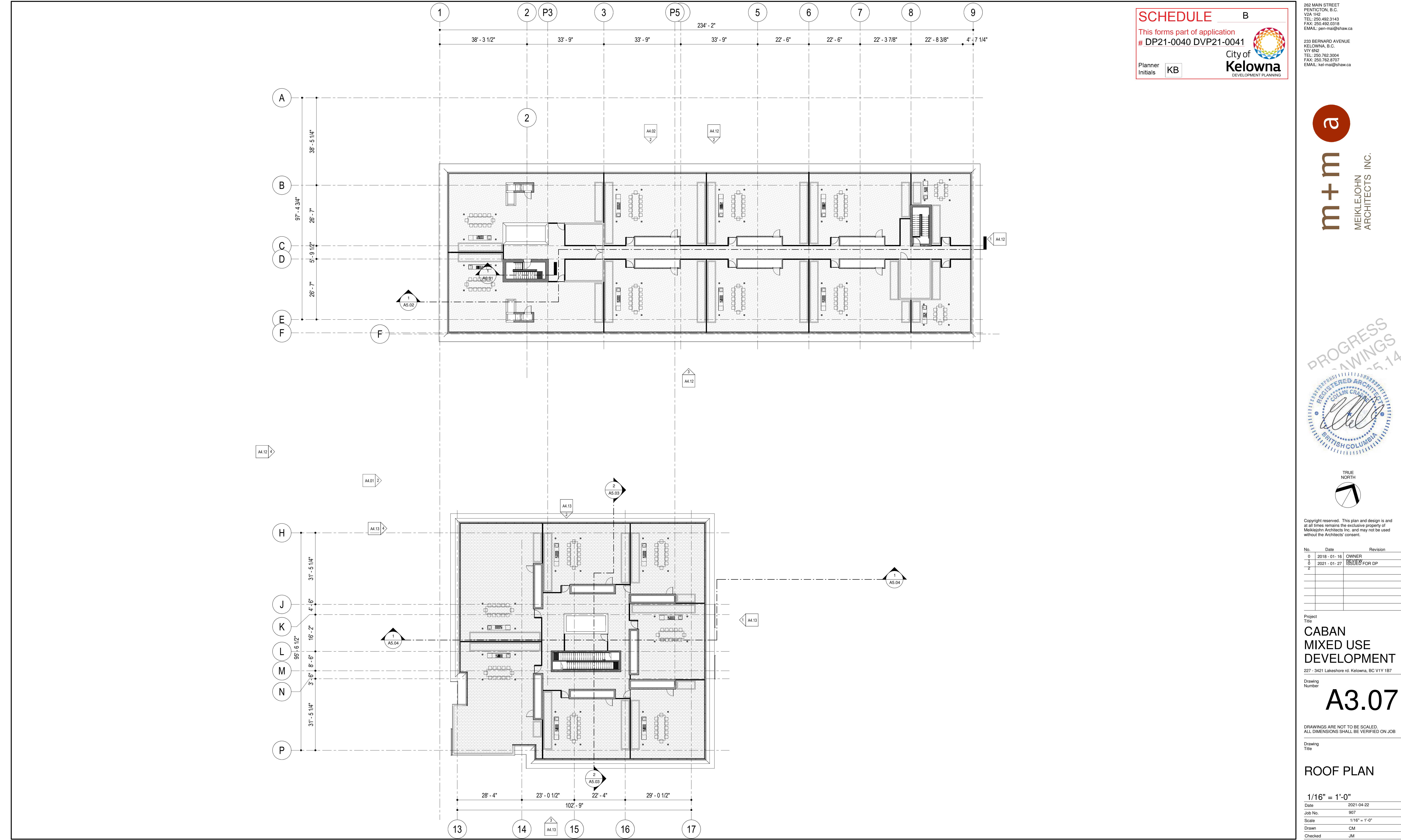
Checked

JM

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42





**SCHEDULE**

B

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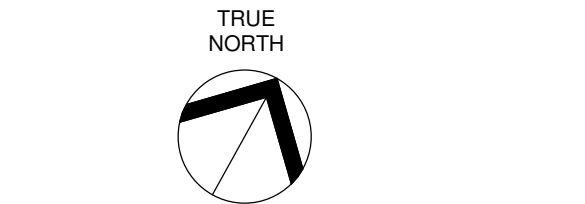
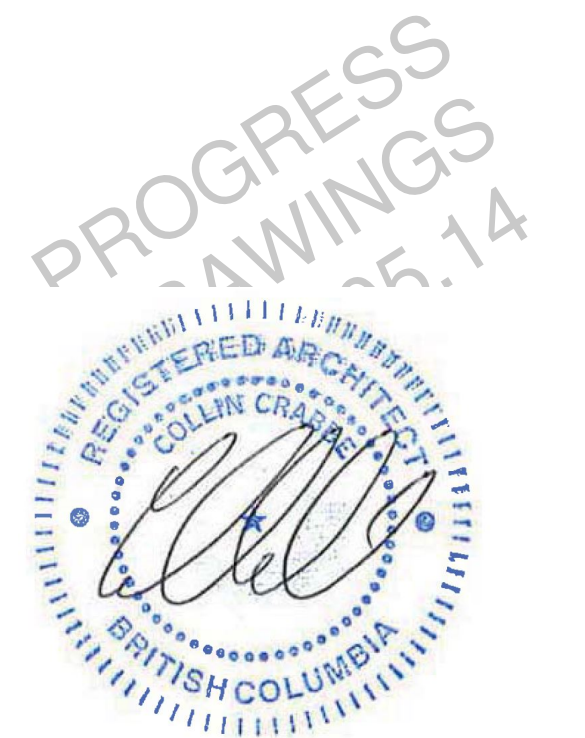
262 MAIN STREET  
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Project Title  
**CABAN MIXED USE DEVELOPMENT**  
227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing Number  
**A3.07**

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Drawing Title  
**ROOF PLAN**

1/16" = 1'-0"

Date	2021-04-22
Job No.	907
Scale	1/16" = 1'-0"
Drawn	CM
Checked	JM

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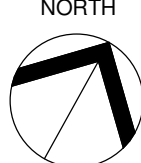
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Project  
Title  
**CABAN  
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227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing  
Number

**A3.12**

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Drawing  
Title

**TOWER 1 - 2ND  
FLOOR PLAN**

1/8" = 1'-0"

Date	2021-04-22
Job No.	907
Scale	1/8" = 1'-0"
Drawn	CM
Checked	JM
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Title  
**CABAN  
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227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing  
Number

**A3.13**

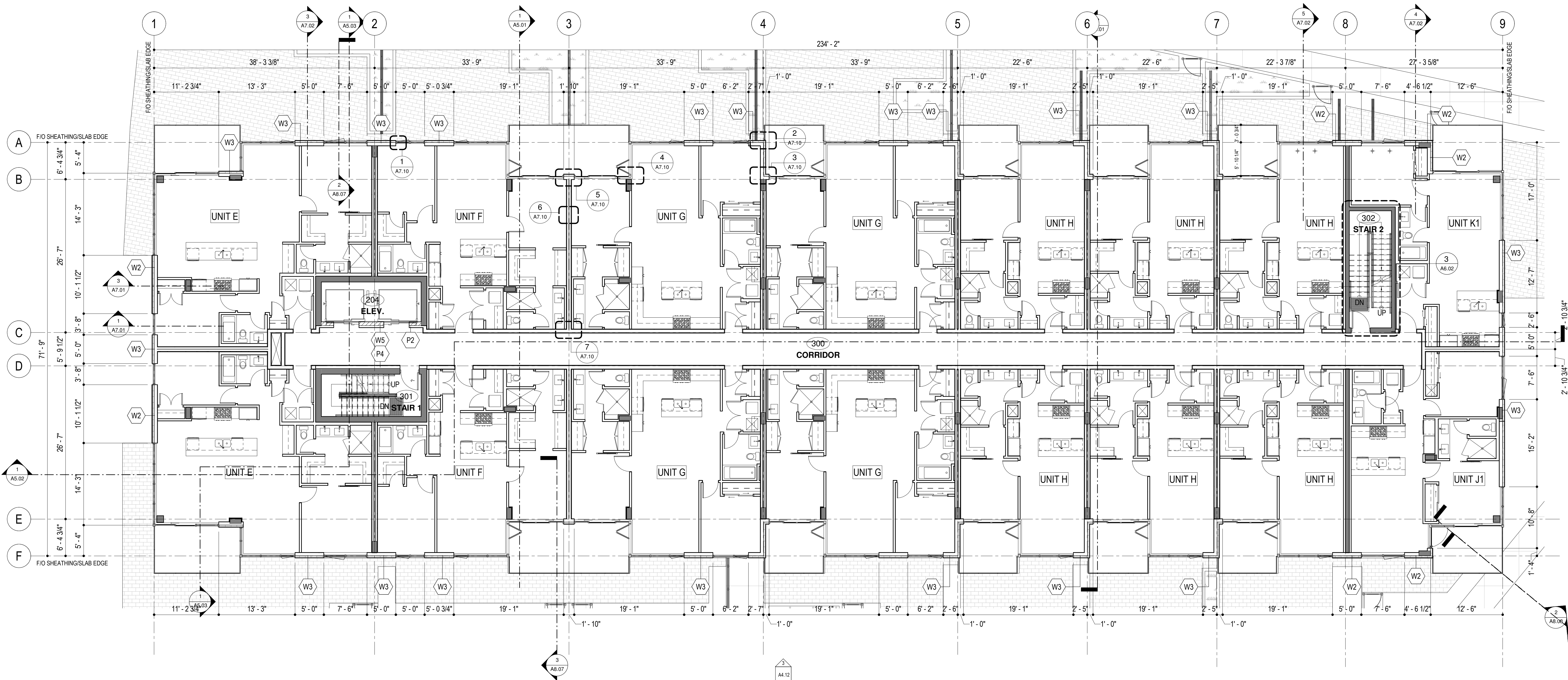
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Drawing  
Title

**TOWER 1 - 3RD  
FLOOR PLAN**

1/8" = 1'-0"

Date	2021-04-22
Job No.	907
Scale	1/8" = 1'-0"
Drawn	CM
Checked	JM
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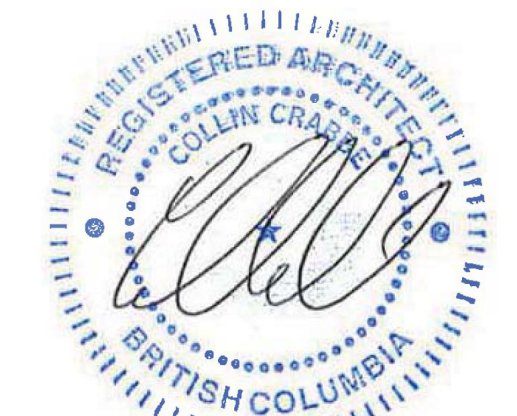
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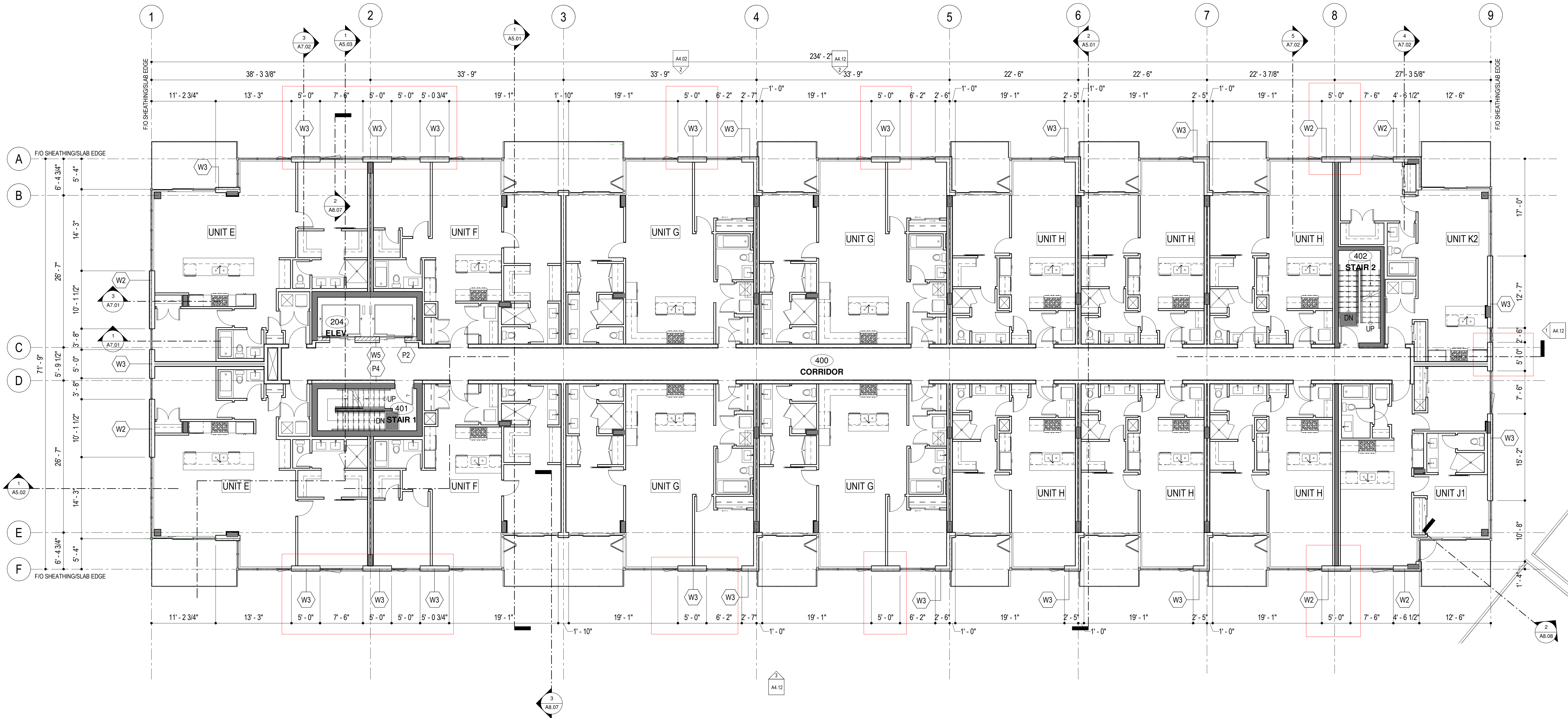
Drawing  
Title

**TOWER 1 - 4TH  
FLOOR PLAN**

1/8" = 1'-0"

Date	2021-04-22
Job No.	907
Scale	1/8" = 1'-0"
Drawn	CM
Checked	JM

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SCHEDULE

B

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# DP21-0040 DVP21-0041

Planner  
Initials KB



262 MAIN STREET  
PENTICTON, B.C.  
V2A 1H2  
TEL: 250.492.3143  
FAX: 250.492.0318  
EMAIL: pen-mai@shaw.ca

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FAX: 250.762.6707  
EMAIL: kel-mai@shaw.ca



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PROGRESS  
DRAWINGS  
-05.14



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No.	Date	Revision
0	2018 - 01 - 16	OWNER
1	2021 - 01 - 27	REVIEW FOR DP
2		

Project  
Title  
**CABAN  
MIXED USE  
DEVELOPMENT**  
227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing  
Number

A3.15

DRAWINGS ARE NOT TO BE SCALED.  
ALL DIMENSIONS SHALL BE VERIFIED ON JOB

Drawing  
Title

**TOWER 1 - 5TH  
FLOOR PLAN**

1/8" = 1'-0"

Date	2021-04-22
Job No.	907
Scale	1/8" = 1'-0"
Drawn	CM
Checked	JM
P:\21-24 Caban Condominium\09 Working Drawings\Caban - master files\001-Master-Files-1 2021-05-20 9:13:41 AM	





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2		

Project

# CABAN MIXED USE DEVELOPMENT

227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing  
Number

# A3.16

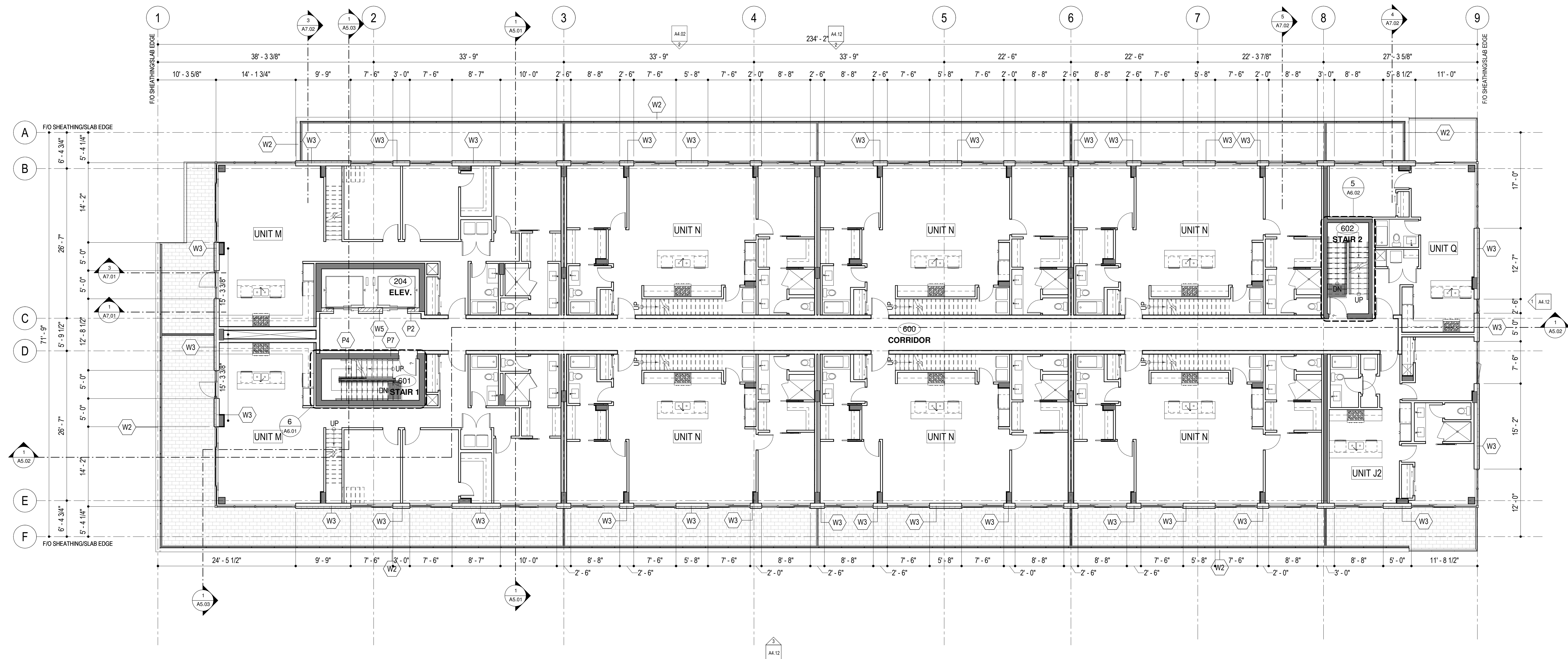
DRAWINGS ARE NOT TO BE SCALED.  
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Drawing

TOWER 1 - 6TH  
FLOOR PLAN

$$1/8'' = 1'-0''$$

Date	2021-04-22
Job No.	907
Scale	1/8" = 1'-0"
Drawn	CM
Checked	JM





SCHEDULE B

This forms part of application  
# DP21-0040 DVP21-0041

Planner  
Initials KB

City of  
Kelowna  
DEVELOPMENT PLANNING



262 MAIN STREET  
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NORTH



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No.	Date	Revision
0	2018 - 01 - 16	OWNER
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2		

Project  
Title

CABAN  
MIXED USE  
DEVELOPMENT

227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing  
Number

A3.17

DRAWINGS ARE NOT TO BE SCALED.  
ALL DIMENSIONS SHALL BE VERIFIED ON JOB

Drawing  
Title

TOWER 1 - ROOF  
PLAN

1/8" = 1'-0"

Date	2021-04-22
Job No.	907
Scale	1/8" = 1'-0"
Drawn	CM
Checked	JM

P:\21-24 Caban Condominium\09 Working Drawings\Caban - master floor\00-Master-Floor-Plan-1.dwg  
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Planner Initials KB



City of Kelowna  
DEVELOPMENT PLANNING

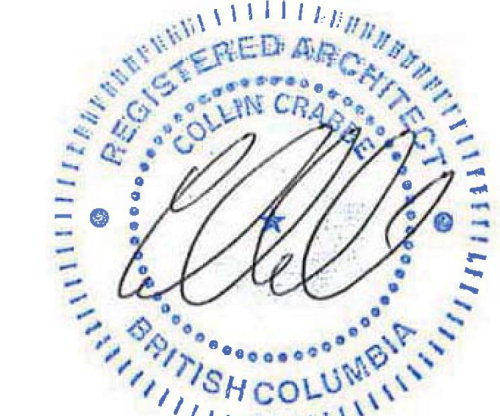
262 MAIN STREET  
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DRAWINGS  
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2		

Project Title

CA

## CABAN MIXED USE DEVELOPMENT

227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing  
Number

**A3.22**

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### Drawing

Title

TOWER 2 - 2ND  
FLOOR PLAN

$$1/8" = 1'-0"$$

Date 2021-04-22

Job No. 907

Scale  $1/8" = 1'-0"$

Drawn	CM
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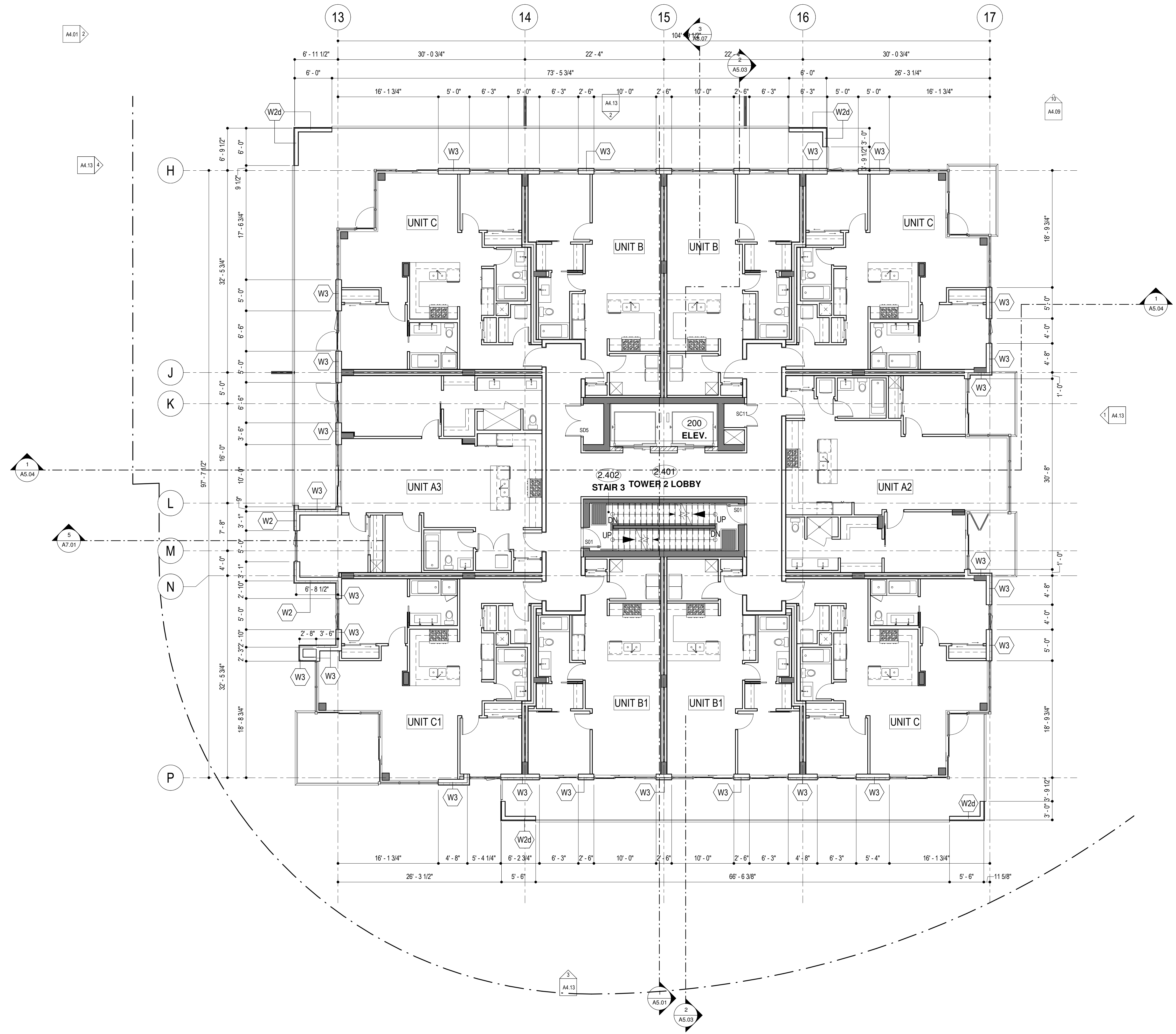
Checked	JM
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2021-05-20 9:13:58 AM









SCHEDULE

B

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Planner

Initials

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DEVELOPMENT PLANNING

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PROGRESS  
DRAWINGS  
25.14

REGISTERED ARCHITECT  
COLLIN CRABBE  
BRITISH COLUMBIA

TRUE  
NORTH

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No.	Date	Revision
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2		

Project

Title

CABAN  
MIXED USE  
DEVELOPMENT

227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing

Number

A3.24

DRAWINGS ARE NOT TO BE SCALED.  
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Drawing

Title

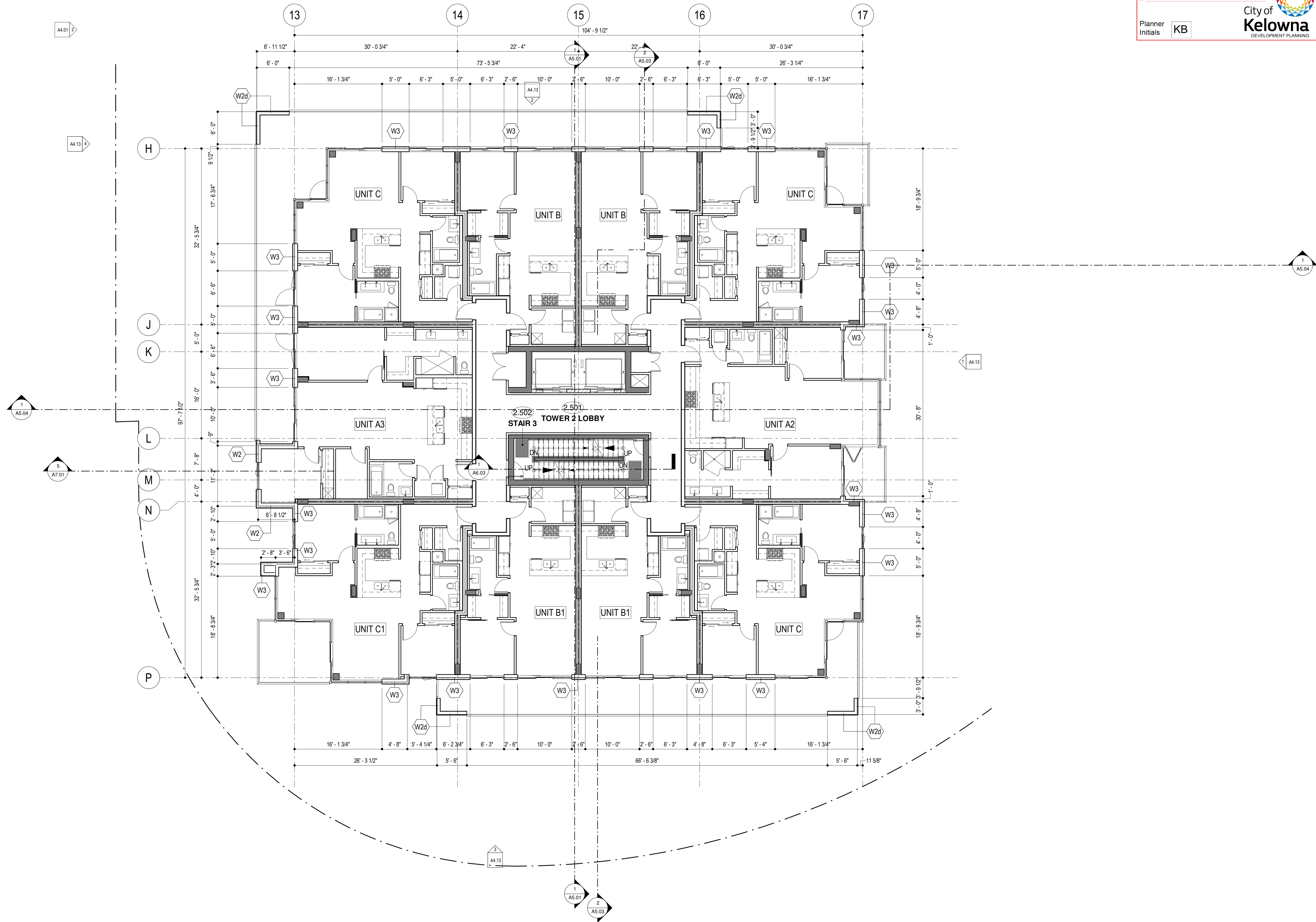
TOWER 2 - 4TH  
FLOOR PLAN

1/8" = 1'-0"

Date	2021-04-22
Job No.	907
Scale	1/8" = 1'-0"
Drawn	CM
Checked	JM

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2021-05-20 9:14:03 AM



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DEVELOPMENT PLANNING

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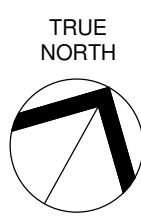
233 BERNARD AVENUE  
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DRAWINGS  
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No.	Date	Revision
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Project Title  
**CABAN MIXED USE DEVELOPMENT**  
227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing Number

A3.25

DRAWINGS ARE NOT TO BE SCALED.  
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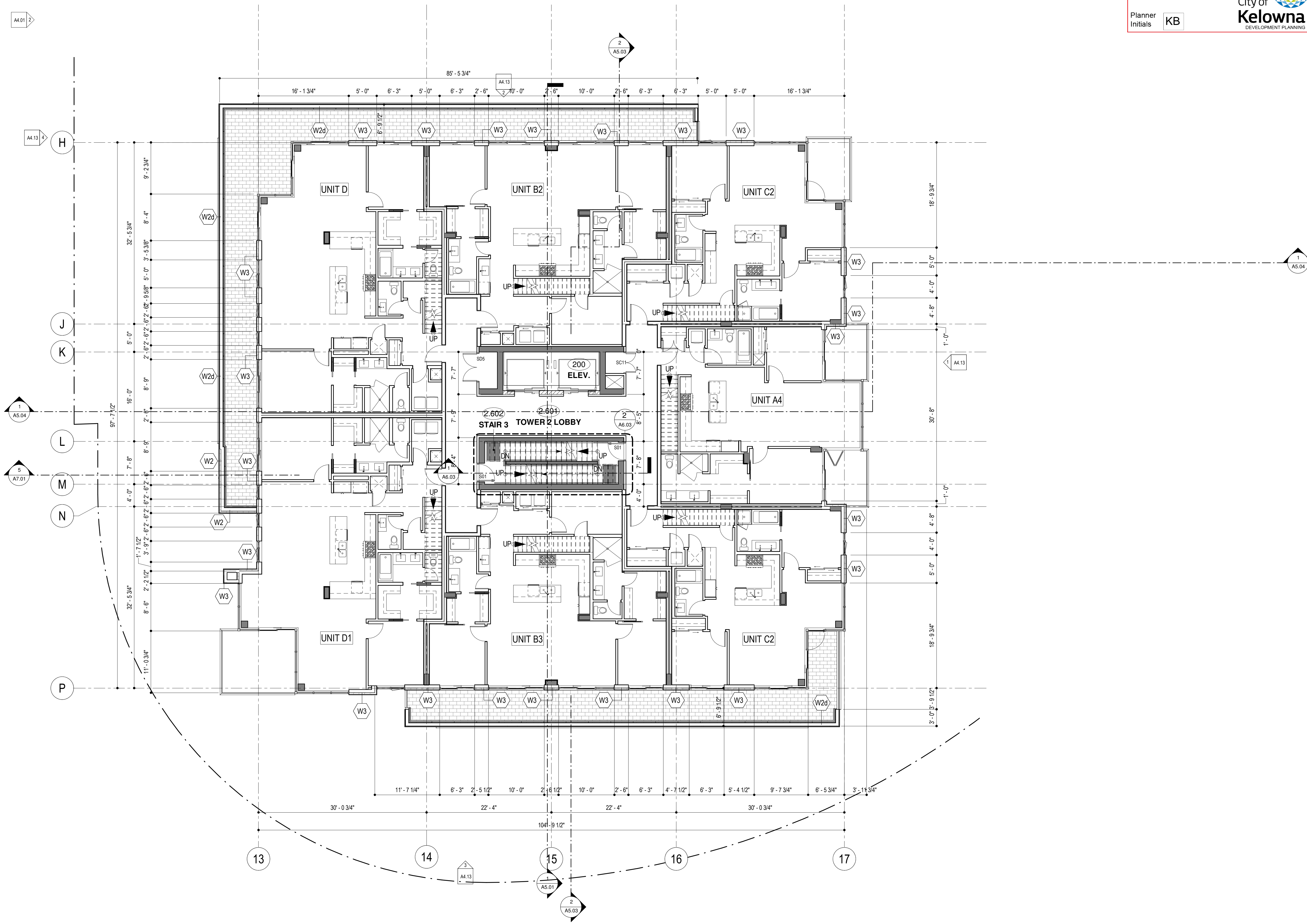
Drawing Title

**TOWER 2 - 5TH FLOOR PLAN**

1/8" = 1'-0"

Date	2021-04-22
Job No.	907
Scale	1/8" = 1'-0"
Drawn	CM
Checked	JM
P:\21-24 Caban Condominium\09 Working Drawings\Caban - master floor\001-Master-Floor-5th-2021-05-20 9:14:05 AM.dwg	





SCHEDULE

B

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# DP21-0040 DVP21-0041

Planner Initials

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City of Kelowna

DEVELOPMENT PLANNING

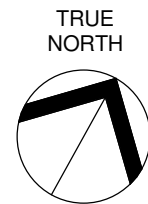
262 MAIN STREET  
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Project Title  
**CABAN MIXED USE DEVELOPMENT**  
227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing Number

A3.26

DRAWINGS ARE NOT TO BE SCALED.  
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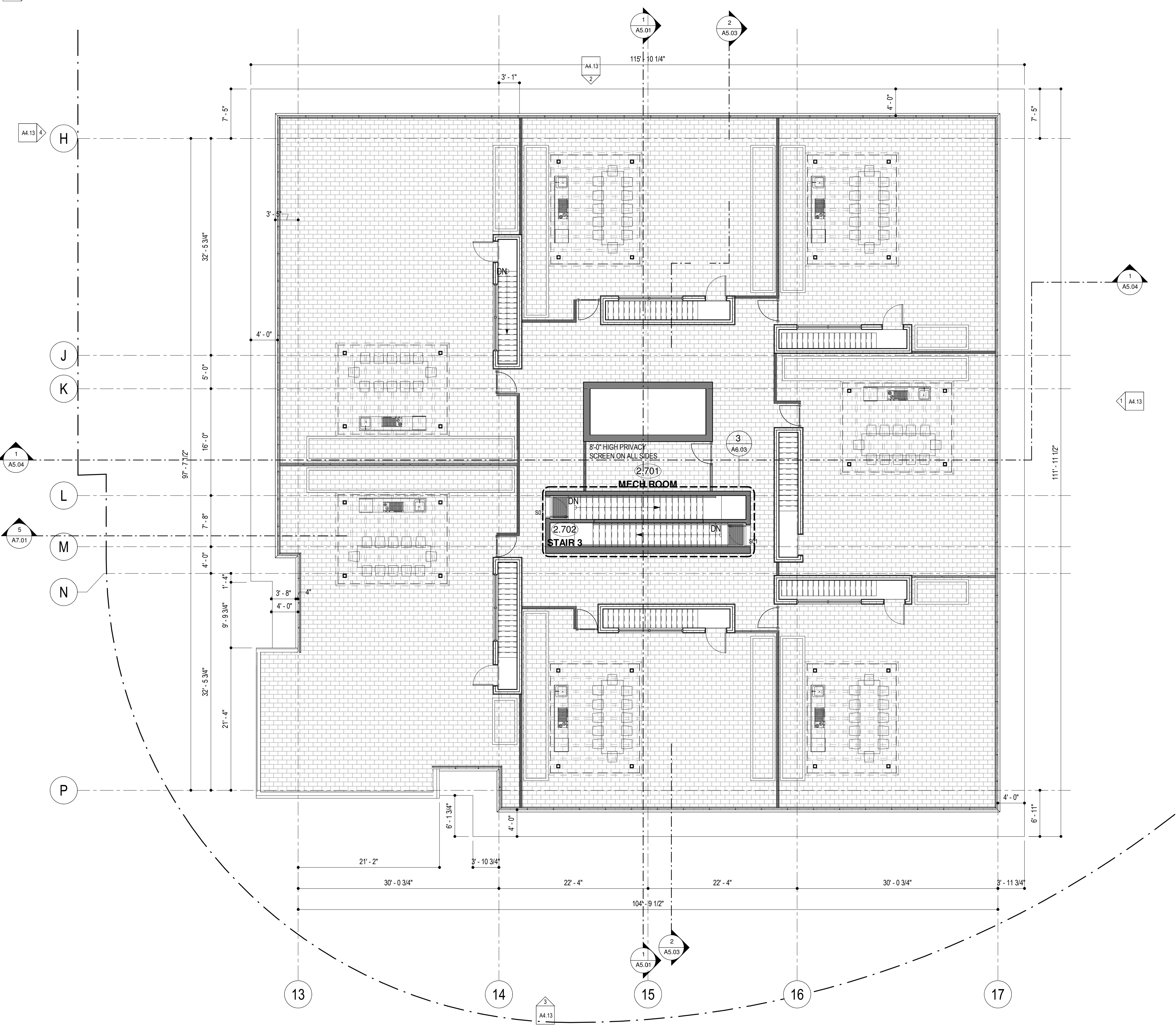
Drawing Title

**TOWER 2 - 6TH FLOOR PLAN**

1/8" = 1'-0"

Date	2021-04-22
Job No.	907
Scale	1/8" = 1'-0"
Drawn	CM
Checked	JM

A4.01



**SCHEDULE B**  
This forms part of application  
# DP21-0040 DVP21-0041



Planner  
Initials KB

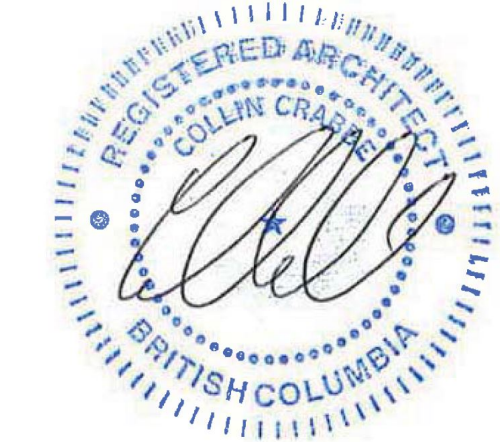
262 MAIN STREET  
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PROGRESS  
WINGS  
- 14



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No.	Date	Revision
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2		

Project  
Title

**CABAN  
MIXED USE  
DEVELOPMENT**

227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing  
Number

**A3.27**

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Drawing  
Title

**TOWER 2 - ROOF  
PLAN**

1/8" = 1'-0"

Date	2021-04-22
Job No.	907
Scale	1/8" = 1'-0"
Drawn	CM
Checked	JM

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2		

Project Title  
**CABAN MIXED USE DEVELOPMENT**  
227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

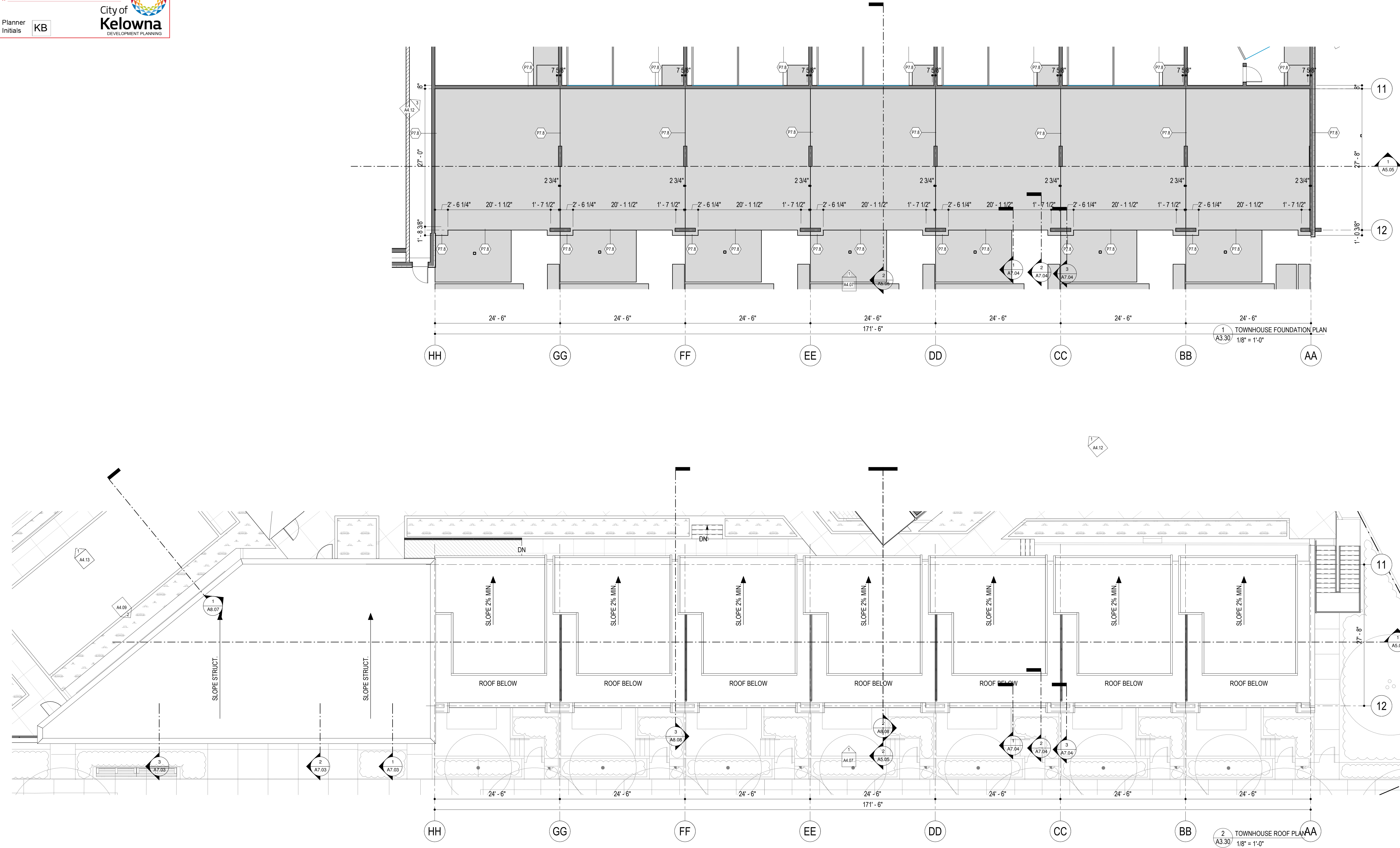
Drawing Number

A3.30

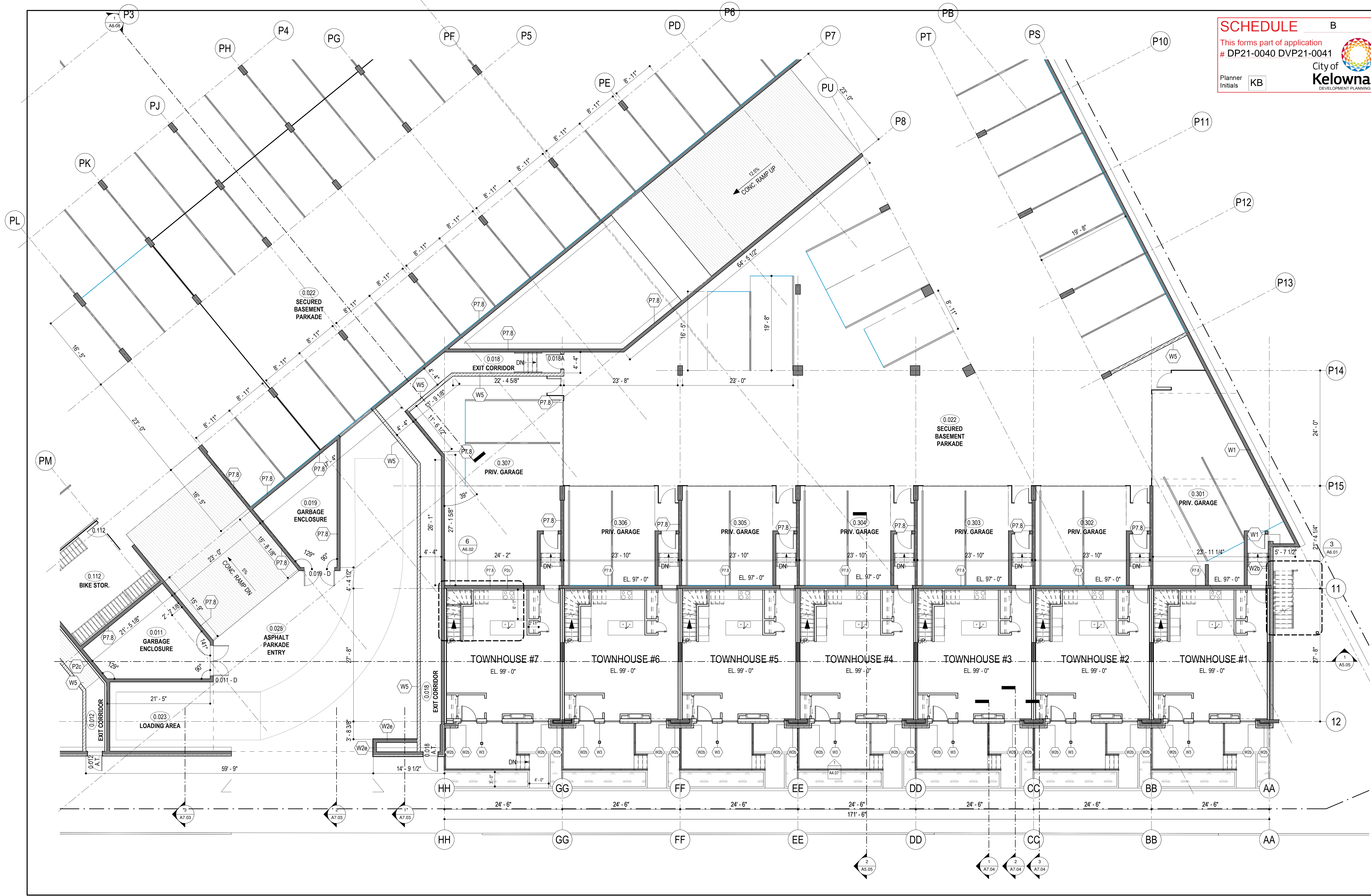
DRAWINGS ARE NOT TO BE SCALED.  
ALL DIMENSIONS SHALL BE VERIFIED ON JOB

Drawing Title  
**TOWNHOUSE - BASEMENT / ROOF PLAN**  
1/8" = 1'-0"

Date	2021-04-22
Job No.	907
Scale	1/8" = 1'-0"
Drawn	CM
Checked	JM
P:\21-24 Caban Condominium\09 Working Draw\Caban - master files\001-Master-Files.dwg 2021-05-20 9:14:13 AM	







SCHEDULE

B

This forms part of application

# DP21-0040 DVP21-0041

Planner Initials

KB

City of Kelowna

DEVELOPMENT PLANNING

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Project Title  
**CABAN MIXED USE DEVELOPMENT**  
227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing Number

**A3.31**

DRAWINGS ARE NOT TO BE SCALED.  
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Drawing Title

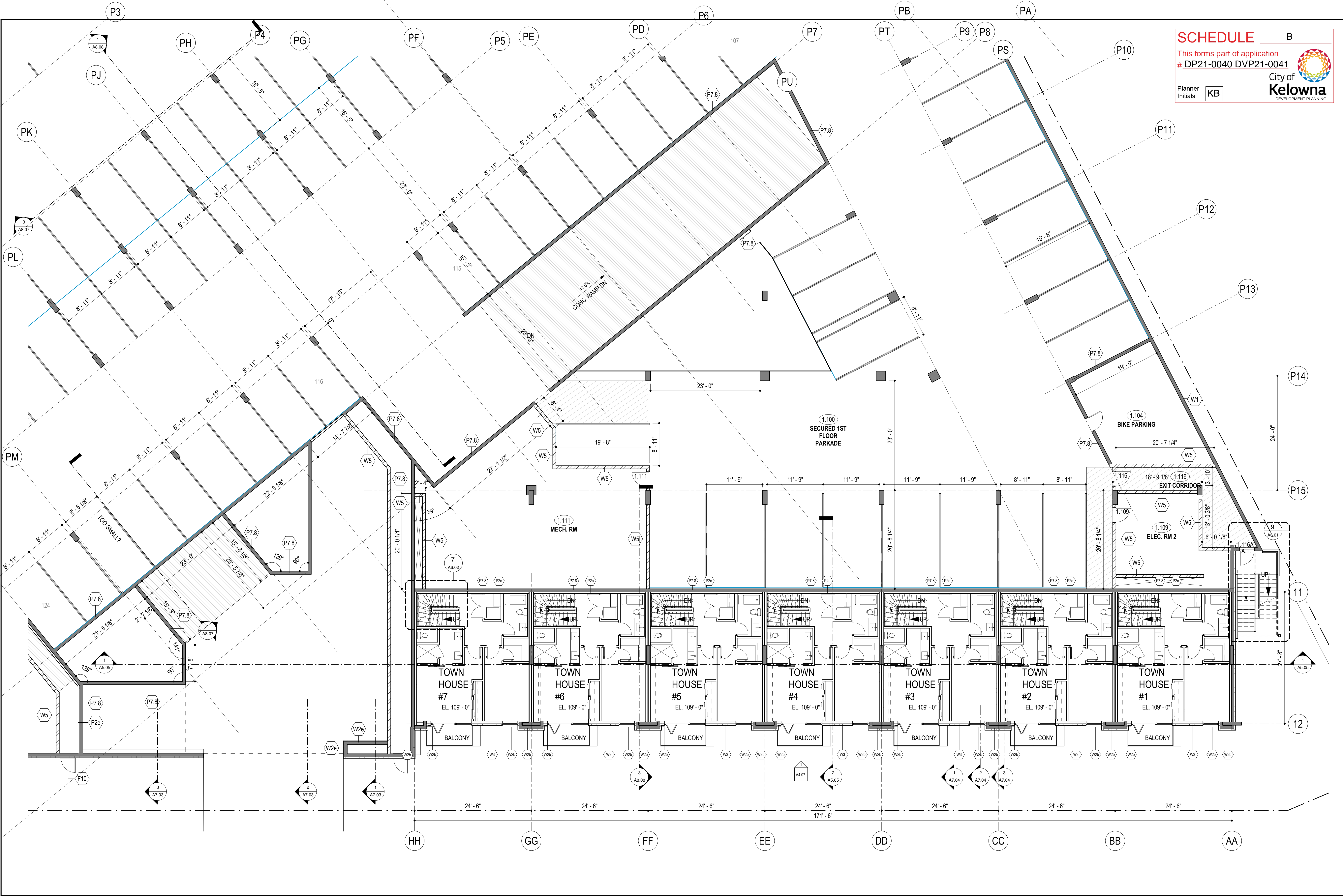
**TOWNHOUSE - 1ST FLOOR PLAN**

1/8" = 1'-0"

Date	2021-04-22
Job No.	907
Scale	1/8" = 1'-0"
Drawn	CM
Checked	JM

P:\21-24 Caban Condominium\09 Working Drawings\Caban - master floor\001-Master-Floor.dwg  
2021-05-20 9:14:17 AM





SCHEDULE

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# DP21-0040 DVP21-0041

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City of Kelowna

DEVELOPMENT PLANNING

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MEIKLEJOHN ARCHITECTS INC.

PROGRESS DRAWINGS

25.14

REGISTERED ARCHITECT

COLLIN CRANE

BRITISH COLUMBIA

TRUE NORTH

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No.	Date	Revision
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Project Title

CABAN MIXED USE DEVELOPMENT

227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing Number

A3.33

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Drawing Title

TOWNHOUSE - 2ND FLOOR PLAN

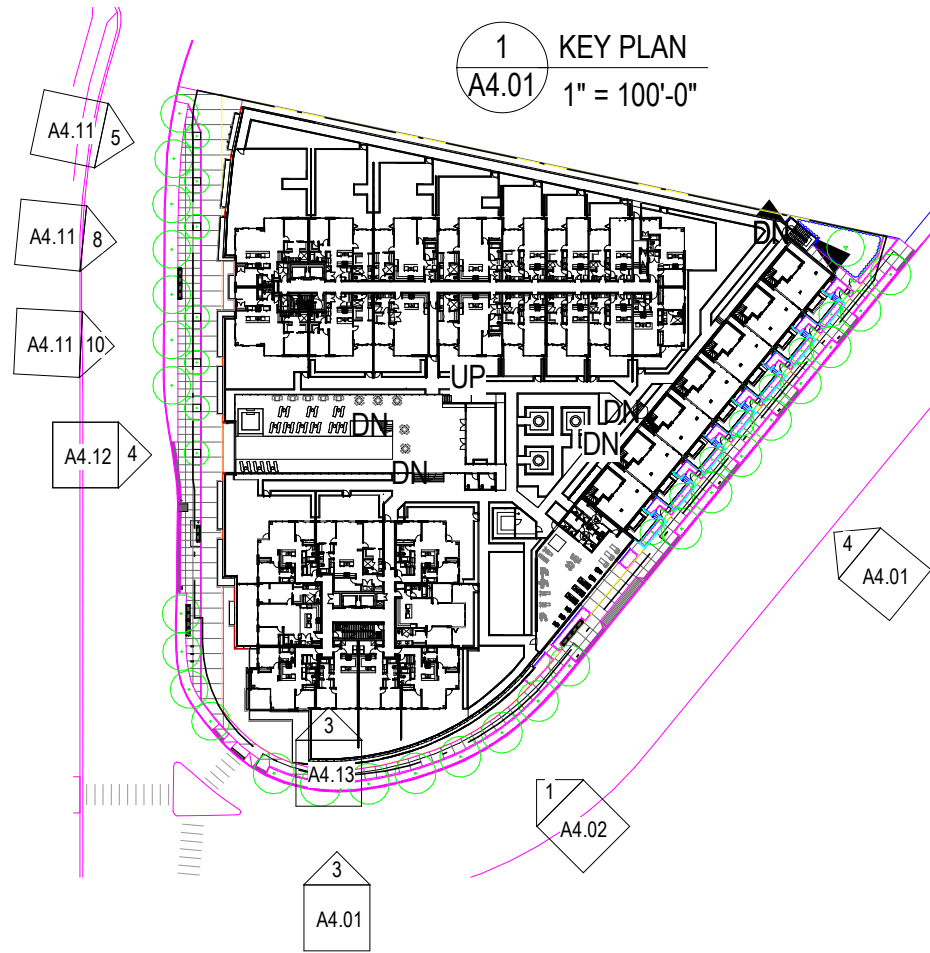
1/8" = 1'-0"

Date	2021-04-22
Job No.	907
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Drawn	CM
Checked	JM
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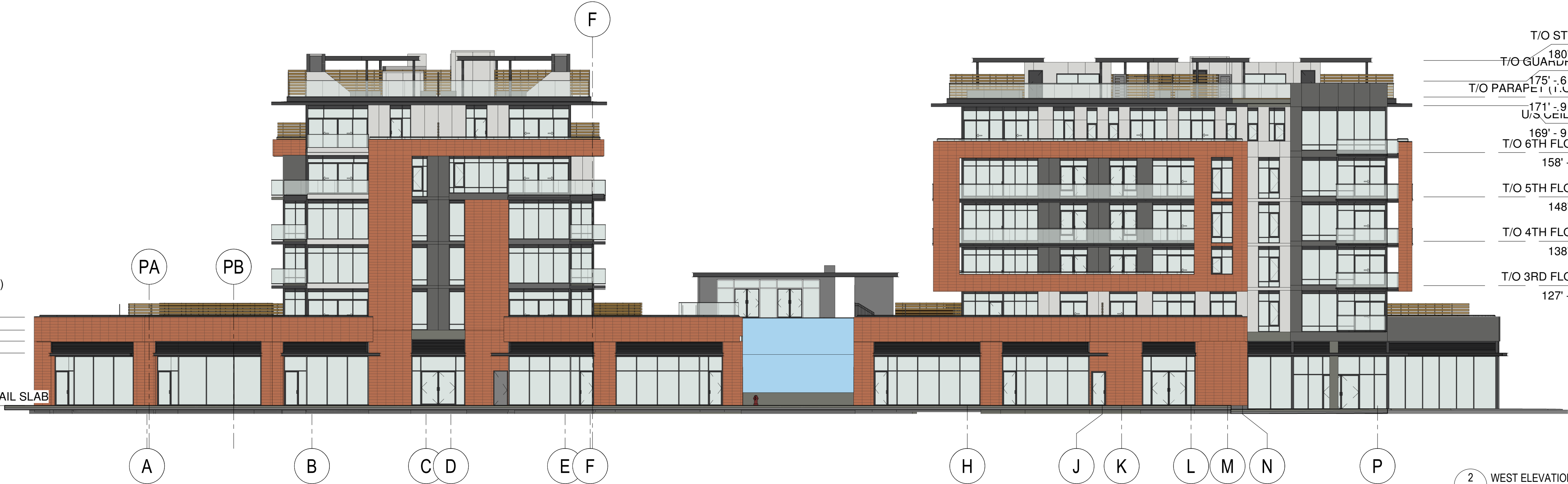




**SCHEDULE**  
This forms part of application  
# DP21-0040 DVP21-0041  
Planner Initials **KB**

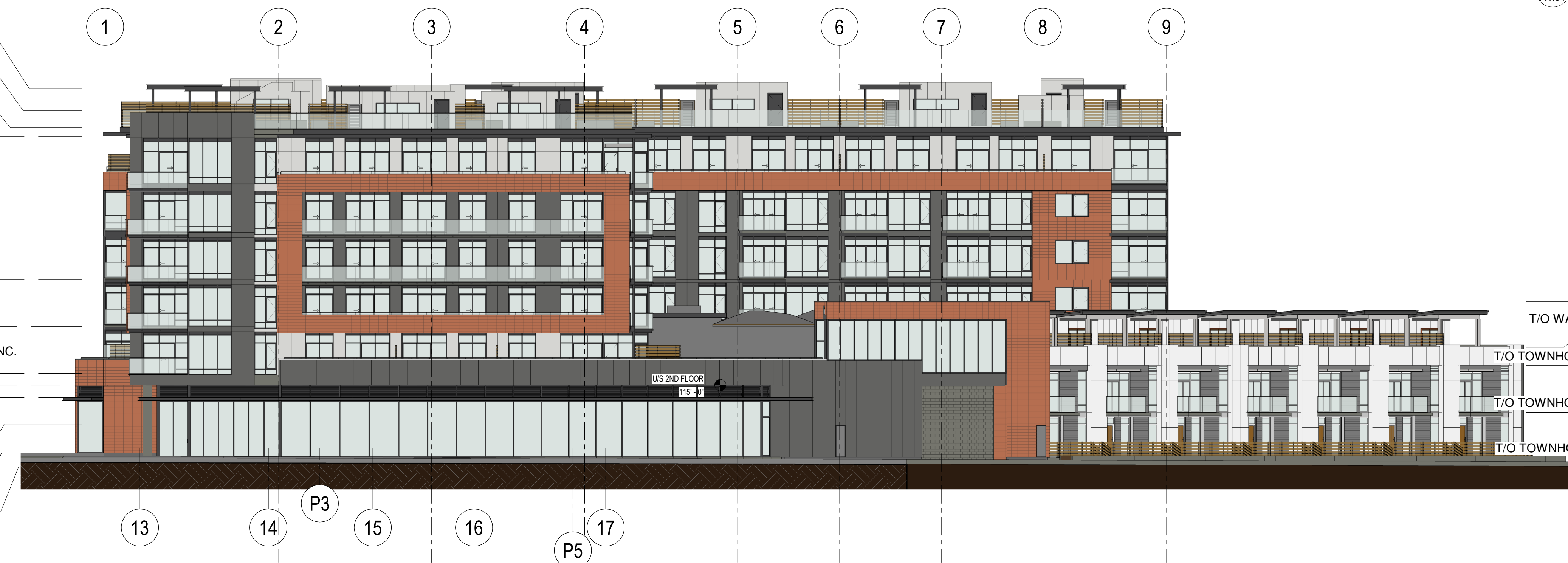
**B**  
City of Kelowna  
DEVELOPMENT PLANNING

- T/O WALL (T.O.C.)
- 120' - 7"
- T/O 2ND FLOOR
- 117' - 7"
- T/O CANOPY
- 115' - 0"
- T/O ENTRY / RETAIL SLAB
- 112' - 3"
- 100' - 0"



- T/O STEEL
- 180' - 4"
- T/O GUARDRAIL
- 175' - 6 1/4"
- T/O PARAPET (T.O.C.)
- 171' - 9 3/4"
- U/S CEILING
- 169' - 9 3/4"
- T/O 6TH FLOOR
- 158' - 11"
- T/O 5TH FLOOR
- 148' - 7"
- T/O 4TH FLOOR
- 138' - 3"
- T/O 3RD FLOOR
- 127' - 11"

- T/O STEEL
- 180' - 4"
- T/O GUARDRAIL
- 175' - 6 1/4"
- T/O PARAPET (T.O.C.)
- 171' - 9 3/4"
- U/S CEILING
- 169' - 9 3/4"
- T/O 6TH FLOOR
- 158' - 11"
- T/O 5TH FLOOR
- 148' - 7"
- T/O 4TH FLOOR
- 138' - 3"
- T/O 3RD FLOOR
- 127' - 11"
- T/O WALL (T.O.C.)
- 120' - 4"
- T/O UPPER POOL DECK CONC.
- 120' - 4"
- T/O 2ND FLOOR
- 117' - 3"
- T/O 1ST FLOOR PARKADE
- 106' - 5"
- T/O ENTRY / RETAIL SLAB
- 100' - 0"
- T/O BASEMENT PARKADE
- 97' - 0"



2 WEST ELEVATION  
A4.01 1/16" = 1'-0"

- T/O STEEL
- 180' - 4"
- T/O GUARDRAIL
- 175' - 6 1/4"
- T/O PARAPET (T.O.C.)
- 171' - 9 3/4"
- U/S CEILING
- 169' - 9 3/4"
- T/O 6TH FLOOR
- 158' - 11"
- T/O 5TH FLOOR
- 148' - 7"
- T/O 4TH FLOOR
- 138' - 3"
- T/O 3RD FLOOR
- 127' - 11"
- T/O WALL (T.O.C.)
- 120' - 4"
- T/O UPPER POOL DECK CONC.
- 120' - 4"
- T/O 2ND FLOOR
- 117' - 3"
- T/O 1ST FLOOR PARKADE
- 106' - 5"
- T/O ENTRY / RETAIL SLAB
- 100' - 0"
- T/O BASEMENT PARKADE
- 97' - 0"



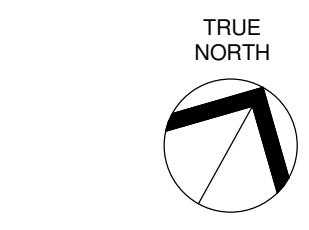
- T/O PARAPET
- 133' - 5"
- T/O WALL TOWNHOUSE
- 123' - 4"
- T/O TOWNHOUSE 3RD FLOOR
- 119' - 4"
- T/O TOWNHOUSE 2ND FLOOR
- 109' - 0"
- T/O TOWNHOUSE 1ST FLOOR
- 99' - 0"

3 SOUTH ELEVATION  
A4.01 1/16" = 1'-0"

4 SE ELEVATION - RICHTER ST.  
A4.01 1/16" = 1'-0"

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No.	Date	Revision
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Project Title  
**CABAN MIXED USE DEVELOPMENT**  
227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

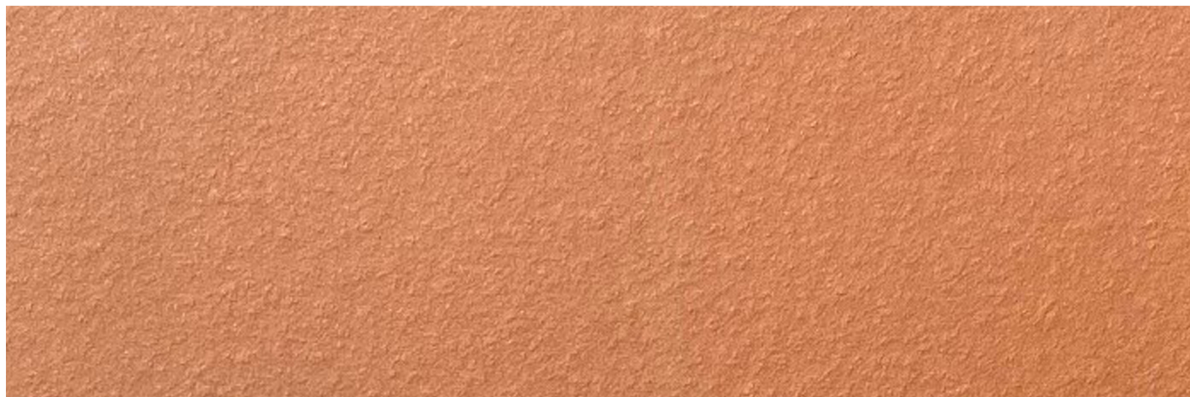
Drawing Number  
**A4.01**

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Drawing Title  
**EXTERIOR ELEVATIONS**

As indicated  
Date 2021-04-22  
Job No. 907  
Scale As indicated  
Drawn CM  
Checked JM  
P:\21-24 Caban Condominium\09 Working Draw\09 Caban - master files\09-1-Master-File-2021-05-20 9:16:34.dwg





4 terracota clay tiles



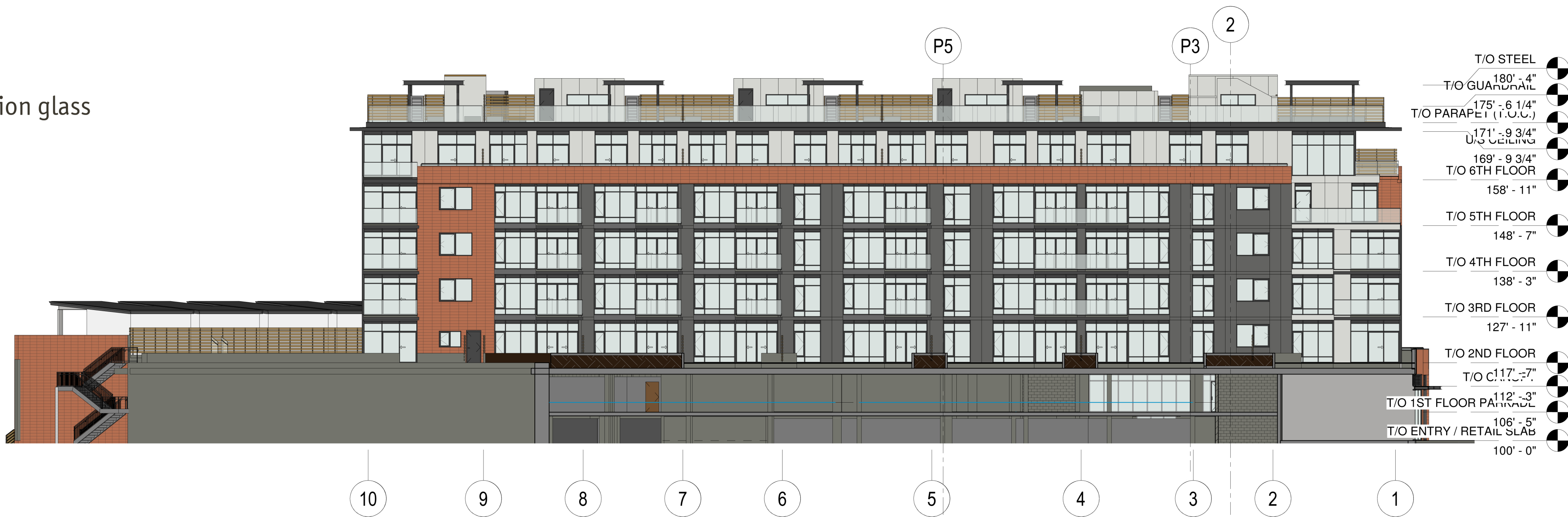
3 dark grey cementitious panels



3 light grey cementitious panels



8 dark glazing and clear vision glass



## SCHEDULE

B

This forms part of application  
# DP21-0040 DVP21-0041

Planner  
Initials

KB

City of  
**Kelowna**  
DEVELOPMENT PLANNING



262 MAIN STREET  
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FAX: 250.492.0318  
EMAIL: pen-mal@shaw.ca

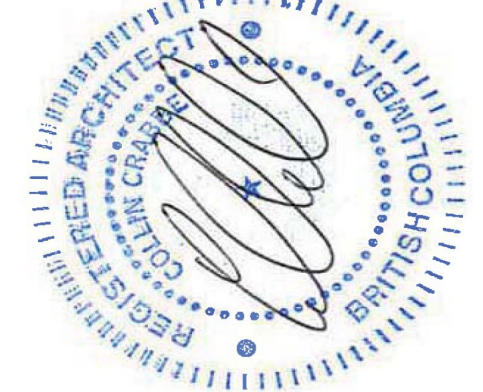
233 BERNARD AVENUE  
KELOWNA, B.C.  
V1Y 6N2  
TEL: 250.762.3004  
FAX: 250.762.6707  
EMAIL: kel-mal@shaw.ca



**m + m**

MEIKLEJOHN  
ARCHITECTS INC.

PROGRESS  
DRAWINGS  
25.14



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No.	Date	Revision
0	2018 - 01 - 16	OWNER
1	2021 - 01 - 27	REVIEW FOR DP
2		

Project  
Title  
**CABAN  
MIXED USE  
DEVELOPMENT**  
227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing  
Number

# A4.02

DRAWINGS ARE NOT TO BE SCALED.  
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Drawing  
Title  
**EXTERIOR  
ELEVATIONS**  
1/16" = 1'-0"  
Date 2021-04-22  
Job No. 907  
Scale 1/16" = 1'-0"  
Drawn CM  
Checked JM  
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SCHEDULE

B

This forms part of application

# DP21-0040 DVP21-0041

Planner Initials

KB

City of Kelowna

DEVELOPMENT PLANNING

- T/O STEEL 180' - 4"
- T/O GUARDRAIL 175' - 6 1/4"
- T/O PARAPET (T.O.C.) 171' - 9 3/4"
- 169' - 9 3/4"

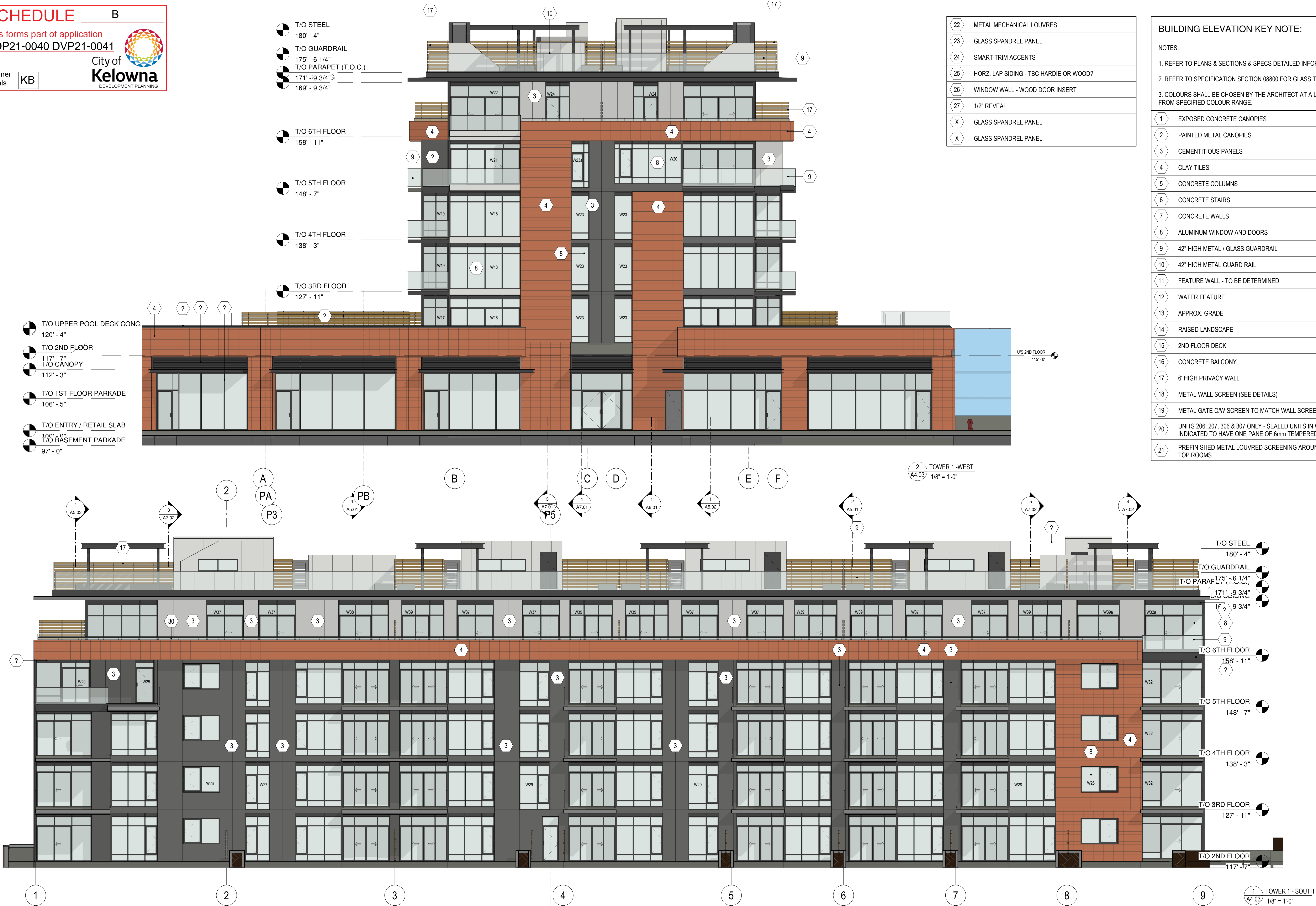
- T/O 6TH FLOOR 158' - 11"

- T/O 5TH FLOOR 148' - 7"

- T/O 4TH FLOOR 138' - 3"

- T/O 3RD FLOOR 127' - 11"

- T/O UPPER POOL DECK CONC. 120' - 4"
- T/O 2ND FLOOR 117' - 7"
- T/O CANOPY 112' - 3"
- T/O 1ST FLOOR PARKADE 106' - 5"
- T/O ENTRY / RETAIL SLAB 100' - 0"
- T/O BASEMENT PARKADE 97' - 0"



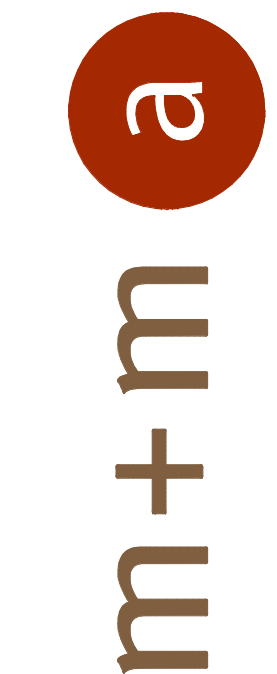
22	METAL MECHANICAL LOUVRES
23	GLASS SPANDREL PANEL
24	SMART TRIM ACCENTS
25	HORZ. LAP SIDING - TBC HARDIE OR WOOD?
26	WINDOW WALL - WOOD DOOR INSERT
27	1/2" REVEAL
X	GLASS SPANDREL PANEL
X	GLASS SPANDREL PANEL

BUILDING ELEVATION KEY NOTE:

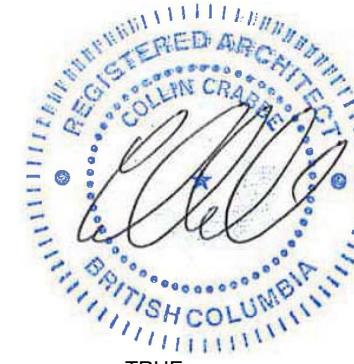
- NOTES:
- REFER TO PLANS & SECTIONS & SPECS DETAILED INFORMATION
  - REFER TO SPECIFICATION SECTION 08800 FOR GLASS TYPES
  - COLOURS SHALL BE CHOSEN BY THE ARCHITECT AT A LATER DATE FROM SPECIFIED COLOUR RANGE.
- 1 EXPOSED CONCRETE CANOPIES
  - 2 PAINTED METAL CANOPIES
  - 3 CEMENTITIOUS PANELS
  - 4 CLAY TILES
  - 5 CONCRETE COLUMNS
  - 6 CONCRETE STAIRS
  - 7 CONCRETE WALLS
  - 8 ALUMINUM WINDOW AND DOORS
  - 9 42" HIGH METAL / GLASS GUARDRAIL
  - 10 42" HIGH METAL GUARD RAIL
  - 11 FEATURE WALL - TO BE DETERMINED
  - 12 WATER FEATURE
  - 13 APPROX. GRADE
  - 14 RAISED LANDSCAPE
  - 15 2ND FLOOR DECK
  - 16 CONCRETE BALCONY
  - 17 6' HIGH PRIVACY WALL
  - 18 METAL WALL SCREEN (SEE DETAILS)
  - 19 METAL GATE C/W SCREEN TO MATCH WALL SCREEN
  - 20 UNITS 206, 207, 306 & 307 ONLY - SEALED UNITS IN WINDOWS INDICATED TO HAVE ONE PANE OF 6mm TEMPERED PLASS
  - 21 PREFINISHED METAL LOUVRED SCREENING AROUND ROOF TOP ROOMS

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DRAWINGS  
2021-05.14



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Project Title  
**CABAN MIXED USE DEVELOPMENT**  
227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing Number

**A4.03**

DRAWINGS ARE NOT TO BE SCALED.  
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Drawing Title  
**EXTERIOR ELEVATIONS - TOWER 1**  
As indicated

Date	2021-04-22
Job No.	907
Scale	As indicated
Drawn	CM
Checked	JM
P:\21-24 Caban Condominiums\09 Working Drawings\Caban - master files\001-Master-Files-01-2021-05-20 9:18:59 AM	



SCHEDULE

B

This forms part of application

# DP21-0040 DVP21-0041

Planner Initials

KB

City of Kelowna

DEVELOPMENT PLANNING

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a

m+m

MEIKLEJOHN ARCHITECTS INC.

PROGRESS DRAWINGS 25.14

REGISTERED ARCHITECT

BRITISH COLUMBIA

TRUE NORTH

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No.	Date	Revision
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Project Title  
**CABAN MIXED USE DEVELOPMENT**  
227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing Number

**A4.04**

DRAWINGS ARE NOT TO BE SCALED.  
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EXTERIOR ELEVATIONS - TOWER 1

1/8" = 1'-0"

Date

2021-04-22

Job No.

907

Scale

1/8" = 1'-0"

Drawn

CM

Checked

JM

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2021-05-20 9:19:45





SCHEDULE

B

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# DP21-0040 DVP21-0041

Planner Initials

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City of Kelowna

DEVELOPMENT PLANNING



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a

m+m

MEIKLEJOHN ARCHITECTS INC.

PROGRESS DRAWINGS 25.14

REGISTERED ARCHITECT  
COLIN GRANT  
BRITISH COLUMBIA

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Project Title

CABAN MIXED USE DEVELOPMENT

227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing Number

A4.05

DRAWINGS ARE NOT TO BE SCALED.  
ALL DIMENSIONS SHALL BE VERIFIED ON JOB

Drawing Title

EXTERIOR ELEVATIONS - TOWER 2

1/8" = 1'-0"

Date	2021-04-22
Job No.	907
Scale	1/8" = 1'-0"
Drawn	CM
Checked	JM

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SCHEDULE

B

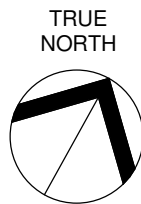
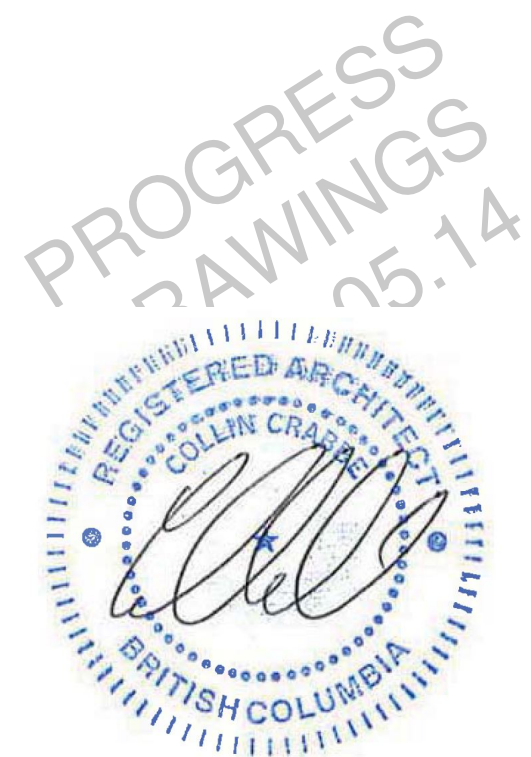
This forms part of application  
# DP21-0040 DVP21-0041

Planner  
Initials KB



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2		

Project  
Title  
**CABAN  
MIXED USE  
DEVELOPMENT**  
227 - 3421 Lakeshore rd. Kelowna, BC V1Y 1B7

Drawing  
Number  
**A4.07**

DRAWINGS ARE NOT TO BE SCALED.  
ALL DIMENSIONS SHALL BE VERIFIED ON JOB

Drawing  
Title  
**EXTERIOR  
ELEVATIONS -  
TOWNHOUSE**  
1/8" = 1'-0"

Date	2021-04-22
Job No.	907
Scale	1/8" = 1'-0"
Drawn	CM
Checked	JM

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CABAN MIXED-USE

DEVELOPMENT

KELOWNA, BC

LANDSCAPE DRAWINGS:

- L-0 COVER PAGE
- L-1 LANDSCAPE PLAN
- L-2 HYDROZONE PLAN
- L-3 STREETScape ELEVATIONS & CHARACTER IMAGES

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'S 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 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 100mm (4") OF DECORATIVE CRUSHED ROCK. COMMERCIAL GRADE LANDSCAPE FABRIC SHALL BE INSTALLED BELOW ALL DECORATIVE ROCK AREAS.
- G A HIGH EFFICIENCY IRRIGATION SYSTEM SHALL BE INSTALLED FOR ALL ORNAMENTAL LANDSCAPE AREAS AND SHALL CONFORM TO THE CITY OF KELOWNA'S IRRIGATION STANDARDS IN BYLAW 7900.

PLANT LIST:

TREES			
Botanical Name	Common Name	Size/Spacing	Root
Acer rubrum 'Frank Jr.'	Redpointe maple	6cm Cal.	B&B
Cercis canadensis f. alba 'Royal White'	Royal Wht. redbud	1.8m Ht. Multi-stem	B&B
Ginkgo biloba 'The President'	Presidential gold ginkgo	6cm Cal.	B&B
Gymnocladus dioicus 'Espresso'	Espresso Kentucky coffee tree	6cm Cal.	B&B
Magnolia 'Butterflies'	Butterflies magnolia	6cm Cal.	B&B
SHRUBS			
Botanical Name	Common Name	Size/Spacing	Root
Erica carnea 'Myretoun Ruby'	Myretoun Ruby winter heather	#01 Cont./0.6m O.C.	Potted
Ilex crenata 'Northern Beauty'	Northern Beauty Japanese holly	#03 Cont./1.2m O.C.	Potted
Yucca filamentosa 'Excalibur'	Excalibur yucca	#01 Cont./0.9m O.C.	Potted
PERENNIALS			
Botanical Name	Common Name	Size/Spacing	Root
Acanthus spinosus	Bear's beeches	#01 Cont./0.9m O.C.	Potted
Agastache rupestris	Threadleaf giant hyssop	#01 Cont./0.45m O.C.	Potted
Alchemilla mollis	Lady's mantle	#01 Cont./0.75m O.C.	Potted
Anemone x 'Honorine Jobert'	Honorine Jobert windflower	#01 Cont./0.6m O.C.	Potted
Echinacea pallida	Pale purple coneflower	#01 Cont./0.45m O.C.	Potted
Heuchera micrantha	Coral bells	#01 Cont./0.45m O.C.	Potted
Perovskia atriplicifolia 'Little Spire'	Little Spire Russian sage	#01 Cont./0.6m O.C.	Potted
Satureja montana	Winter savory	#01 Cont./0.45m O.C.	Potted
GRASSES			
Botanical Name	Common Name	Size/Spacing	Root
Bouteloua gracilis	Blue gramma grass	#01 Cont./0.6m O.C.	Potted
Calamagrostis brachytricha	Reed grass	#01 Cont./0.9m O.C.	Potted
Hakonechloa macra 'Nicolas'	Japanese forest grass	#01 Cont./0.6m O.C.	Potted
Sesleria autumnalis	Autumn moor grass	#01 Cont./0.45m O.C.	Potted
BULBS			
Botanical Name	Common Name	Size/Spacing	Root
Allium sphaerocephalon	Drumstick allium	0.45m O.C.	Bulbs
Narcissus 'Geranium'	Geranium tazetta daffodil	0.3m O.C.	Bulbs
Narcissus 'Gigantic Star'	Gigantic Star large-cupped daffodil	0.15m O.C.	Bulbs
Narcissus 'Mt. Hood'	Mount Hood trumpet daffodil	0.15m O.C.	Bulbs
Narcissus 'Pink Parasol'	Pink Parasol trumpet daffodil	0.15m O.C.	Bulbs
Narcissus 'Rijnveld's Early Sensation'	Rijnveld's Early Sensation trumpet daffodil	0.15m O.C.	Bulbs





- ▲ STREET LEVEL PUBLIC ENTRY / EXIT

▲ STREET LEVEL PRIVATE ENTRY / EXIT

▲ STREET LEVEL PARKADE ENTRY / EXIT

C.I.P. CONCRETE PAVING

CONCRETE UNIT PAVERS (TYPE 1)

CONCRETE UNIT PAVERS (TYPE 2)

ROCK MULCH MAINTENANCE EDGE

DECIDUOUS TREE PLANTING

ORNAMENTAL PLANTING AREA

0 5 10 15 20m 1:200  
WHEN PRINTED AT 24" x 36"



PROPERTY LINE

SCHEDULE

C

This forms part of application

# DP21-0040 DVP21-0041

Planner Initials

KB

City of Kelowna

DEVELOPMENT PLANNING

TOWER 1

TOWER 2

LAKESHORE ROAD

RICHTER STREET

LEGEND:

HIGH WATER USE

MEDIUM WATER USE

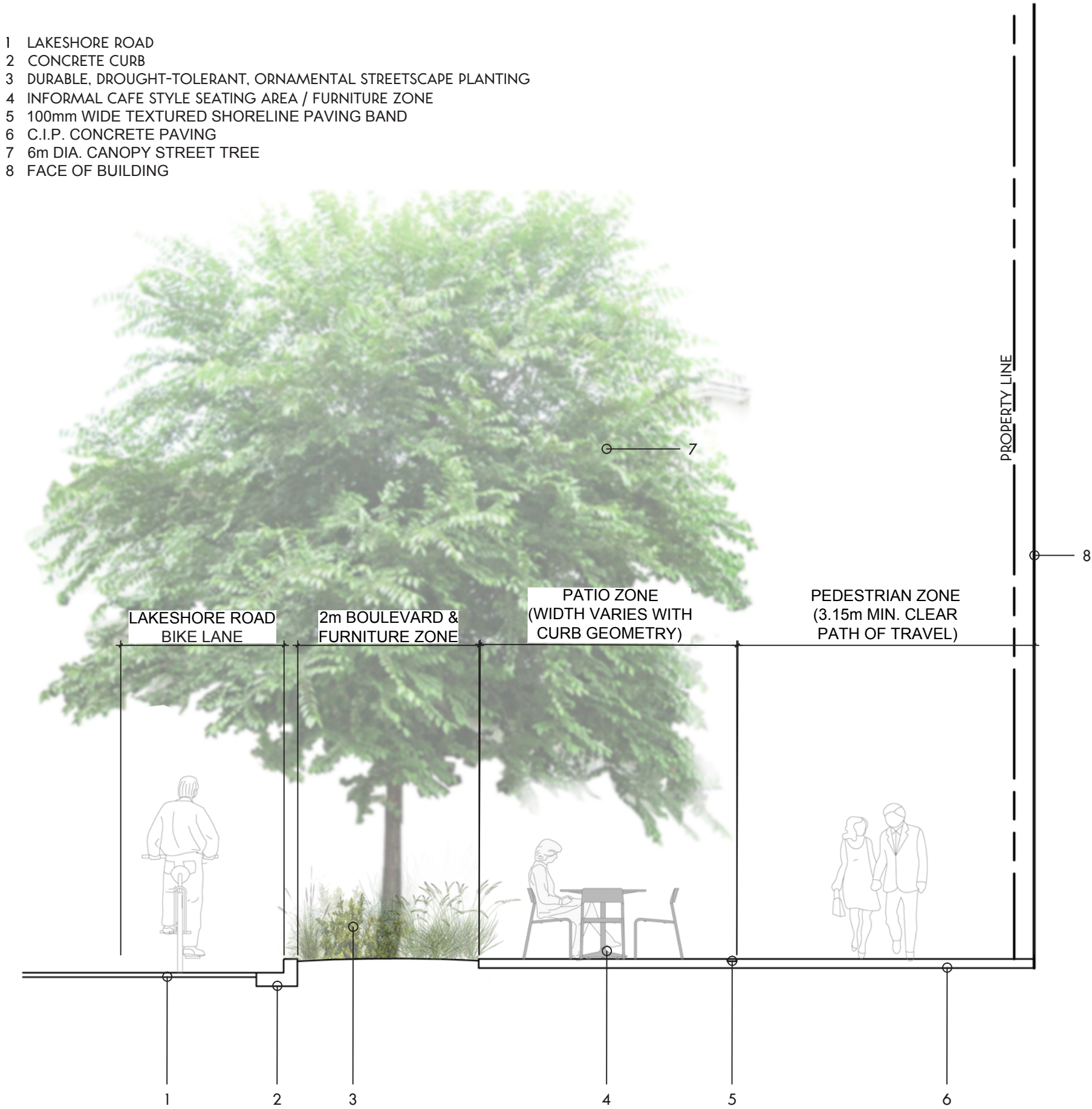
UNWATERED PERVIOUS AREAS (ROCK MULCH)

0 5 10 15 20m

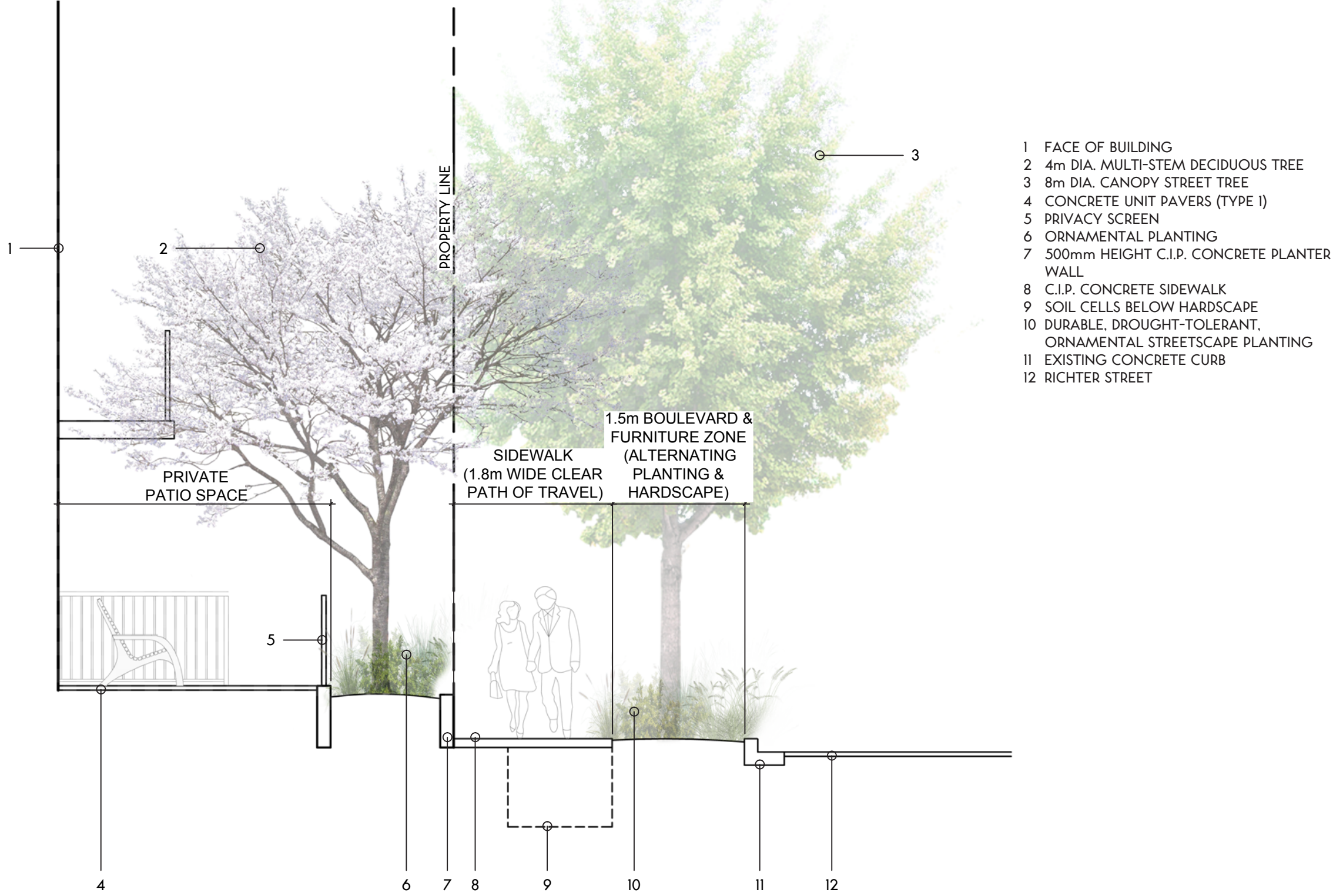
1:200

WHEN PRINTED AT 24" x 36"





1 LAKESHORE ROAD STREETScape SECTION - ELEVATION (NO ADJACENT PARKING)  
L-3 SCALE 1:50



2 RICHTER STREET STREETScape SECTION - ELEVATION  
L-3 SCALE 1:50

SITE FEATURE IMAGES:



LANDSCAPE FORMS MULTIPLICITY BENCH



PANDOSY VILLAGE STANDARD PAVING PATTERN



LANDSCAPE FORMS MULTIPLICITY BIKE RACK



## CITY OF KELOWNA

# MEMORANDUM

---

**Date:** March 18, 2021

**File No.:** DP21-0040

**To:** Urban Planning (KB)

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

**Subject:** 3377, 3409, 3421 Lakeshore Rd. Form & Character

---

Development Engineering Branch comments and requirements pertaining to a Development Permit for the form and character of a mixed-used project with commercial uses on the ground floor (130 residential, 8 retail units) will be required at Building Permit.

### 1) General

- a) All comments have been addressed in Z07-0076.
- b) Where there is a possibility of a high-water table or surcharging of storm drains during major storm events, non-basement buildings may be required. This must be determined by the engineer and detailed on the Lot Grading Plan required in the drainage section.
- c) Provide easements as may be required.
- d) This proposed development may require the installation of centralized mail delivery equipment. Please contact Arif Bhatia, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC, V1Y 2K0, (250) 859-0198, [arif.bhatia@canadapost.ca](mailto:arif.bhatia@canadapost.ca) to obtain further information and to determine suitable location(s) within the development.
- e) The following requirements are valid for one (1) years from the reference date of this memo, or until the PLR and/or application has been closed, whichever occurs first. The City of Kelowna reserves the rights to update/change some or all items in this memo once these time limits have been reached.

### 2) Road Improvements

- a) Lakeshore Rd. must be upgraded to an 2 lane Arterial w/ Center Turn Lane, as per the OCP, along the full frontage of this proposed development including curb and gutter, street lights, irrigated landscaped boulevard, sidewalk, drainage system including catch basins, pavement removal, and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. Road cross-section to be used will be provided to the developer by Aaron Sangster [asangster@kelowna.ca](mailto:asangster@kelowna.ca).



- b) All funds the developer transferred to the City in 2007 will be returned at the time of executing an updated Servicing Agreement as the developer is required to construct the entire frontage of this site.
- c) Richter St. must be upgraded to an 2 lane Arterial, as per the OCP, along the full frontage of this proposed development including curb and gutter, street lights, 1.5m irrigated landscaped boulevard, 1.8m sidewalk, drainage system including catch basins, pavement removal, and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.

### 3) Road Dedication/Subdivision Requirements

- a) Lakeshore Rd. requires a 26.5m ROW. A road dedication along the Lakeshore Rd. frontage to achieve this 26.5m ROW will be required.
- b) Richter St. will require 3.3m (1.5m + 1.8m) from back of existing curb and a road dedication to achieve this width.
- c) All three properties will require to be consolidated.

### 4) Site Related Issues

- a) Developer must show all proposed patio space along Lakeshore Rd., adhering to City of Kelowna Patio Program, to show any potential conflicts.

### 5) Drainage

- a) Provide an adequately sized drainage system complete with individual lot connections. The Subdivision, Development and Servicing Bylaw requires that each lot be provided with an individual connection; however, the City Engineer may permit use of individual ground water disposal systems, where soils are suitable. For on-site disposal of drainage water, a hydrogeotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems for each lot.
- b) Provide the following drawings:
  - i) A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill);
  - ii) A detailed Stormwater Management Plan for this subdivision; and,
  - iii) An Erosion and Sediment Control Plan.
- c) Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- d) Significant banks are located on this site. The slopes appear to be sensitive to erosion; temporary and permanent measures must be taken to prevent erosion and sediment transport.
- e) Identify clearly on a contour map, or lot grading plan, the top of bank(s). Provide cross sections along the top of the bank at each property corner and at locations where there are significant changes in slope. Cross sections are to be perpendicular to the contour of the slope. Show the proposed property lines on the cross sections.

Not all areas have a clear top of bank; and therefore, field reconnaissance by City staff and the applicant may be needed to verify a suitable location for property lines.

- f) Where ditches are provided, they must be adequately lined and protected for the design flows.
- g) The drainage gullies are to be protected by way of Statutory Rights-of Way suitable to the Drainage Manager.

## 6) Power and Telecommunication Services and Street Lights

- a. All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground.
- b. Streetlights must be installed on all roads.
- c. Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.

## 7) Design and Construction

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

## 8) Servicing Agreements for Works and Services

- a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The



applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.

- b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

## 9) Erosion Servicing Control Plan

- a) Provide a detailed ESC Plan for this development as per the Subdivision, Development and Servicing Bylaw #7900.
- b) The developer must engage a consulting civil engineer to provide an ESC plan for this site which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900.
- c) Civil consultant is responsible for all inspection and maintenance.
- d) A Security Deposit for ESC Works equal to 3.0% of the Consulting Engineer's opinion of probable costs of civil earthworks and infrastructure will be added to the Servicing Agreement.

## 10) Geotechnical Study

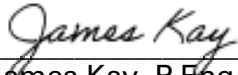
- a) Provide a geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision. The Geotechnical reports must be submitted to the Development Services Department for distribution to the Development Engineering Branch and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval:
  - i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
  - ii. Site suitability for development.
  - iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
  - iv. Any special requirements for construction of roads, utilities and building structures.
  - v. Recommendations for items that should be included in a Restrictive Covenant.

DP21-0040

Page 5 of 2

- vi. Recommendations for roof drains, perimeter drains and septic tank effluent on the site.
- vii. Any items required in other sections of this document.

Additional geotechnical survey may be necessary for building foundations, etc

  
James Kay, P.Eng.  
Development Engineering Manager

AS



## Caban : Design Rationale

Caban is a 135 unit (127-residential, 8 retail) mixed use building on Lakeshore Rd, directly across from Gyro Beach, considered by many residents as the best location in the City of Kelowna. The South Pandosy neighborhood is quickly urbanizing and is one of the most desirable places for young professionals to live and work.

The owner is committed to bringing a top-quality mixed-use building with a level of resident amenities currently unmatched in the Okanagan. The parking garage is wrapped on both active street fronts, along Lakeshore with 8 retail units to engage the public and 7 townhouses along Richter to provide a mix of housing options available.

The architectural design for the building is a direct response to the urban fabric of the South Pandosy neighborhood, bringing elements of the beach and lake into the project. The neighborhood continues to increase in density and is known for its high quality of life and buildings. Several multi-unit residential developments have been completed or are currently being designed in the direct vicinity of Caban bringing several hundred new units to the market. We have designed Caban to be the focal point of this newly emerging densified neighborhood.

The building presents to both streets at a pedestrian scale, humanizing the busy intersection and will greatly benefit the local businesses and amenities. As this area is already well serviced by public transit and is in walking distance from numerous businesses, it should assist in reducing the percentage of single occupant vehicle trips through the Pandosy corridor.

Vehicle access is provided to the site using Richter Street, allowing Lakeshore to function at a higher capacity.

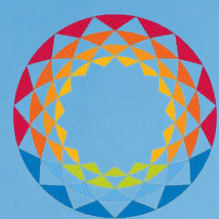
The ground level will not only help define the street they also act as a visual barrier screening the covered concrete parking structure just behind. The high-quality cladding materials, glazing and interesting shape break what is a potentially large mass into smaller components sympathetic to the adjacent single-family residences as well as other apartment buildings and buildings close by. We believe that with the developer's award-winning interiors, a top-quality building envelope, an abundance of healthy living community focused amenities, a public focused pedestrian interface and the 520sqft waterfall feature along Lakeshore Road, Caban will set a new standard for mixed use buildings in Kelowna.



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# DP21-0040 DVP21-0041 3377 Lakeshore Road

Development Permit and Development Variance Permit

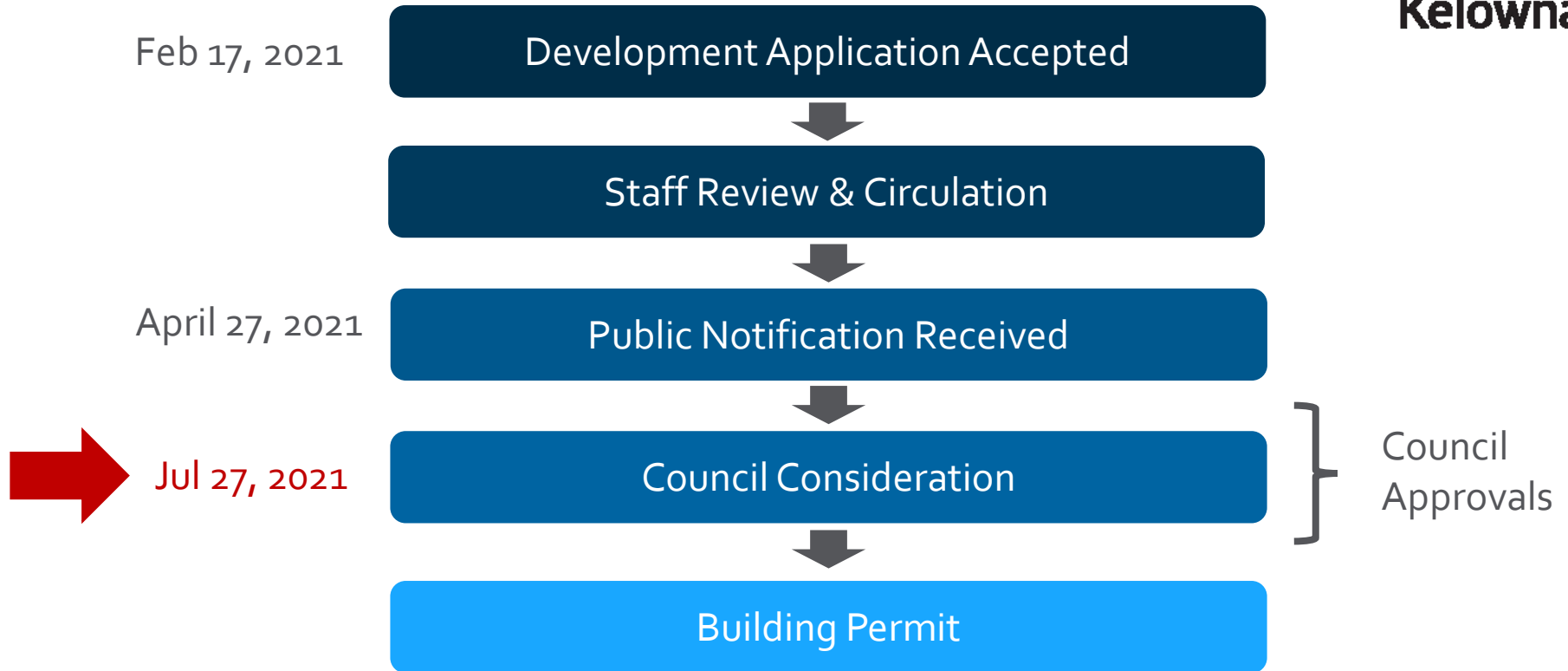


# Proposal

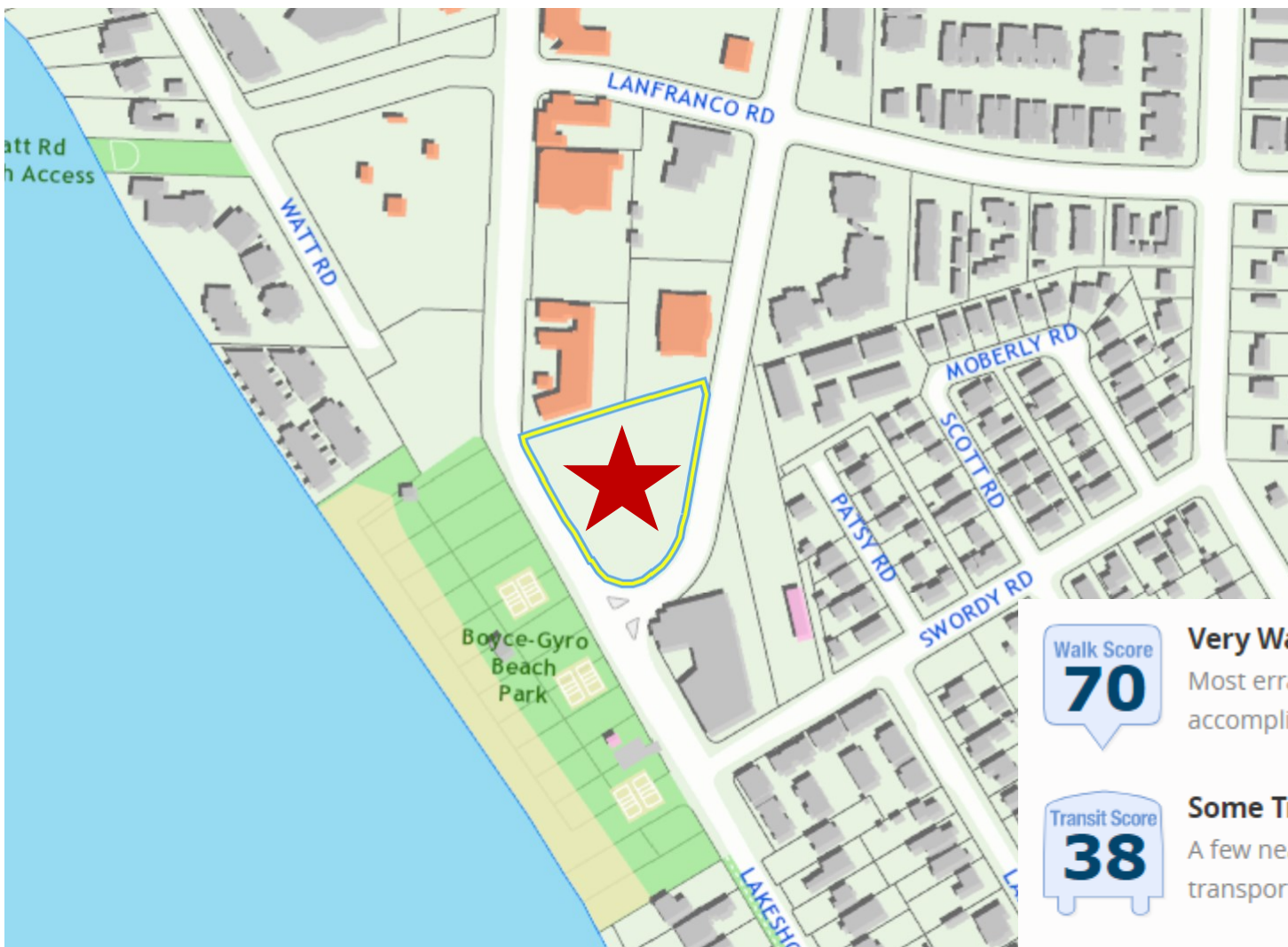
- ▶ To consider the form and character of a mixed-used development with variances to minimum front yard, minimum flanking side yard, minimum side yard and minimum landscape buffer.



# Development Process



# Context Map



City of Kelowna

Walk Score  
**70**

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

Transit Score  
**38**

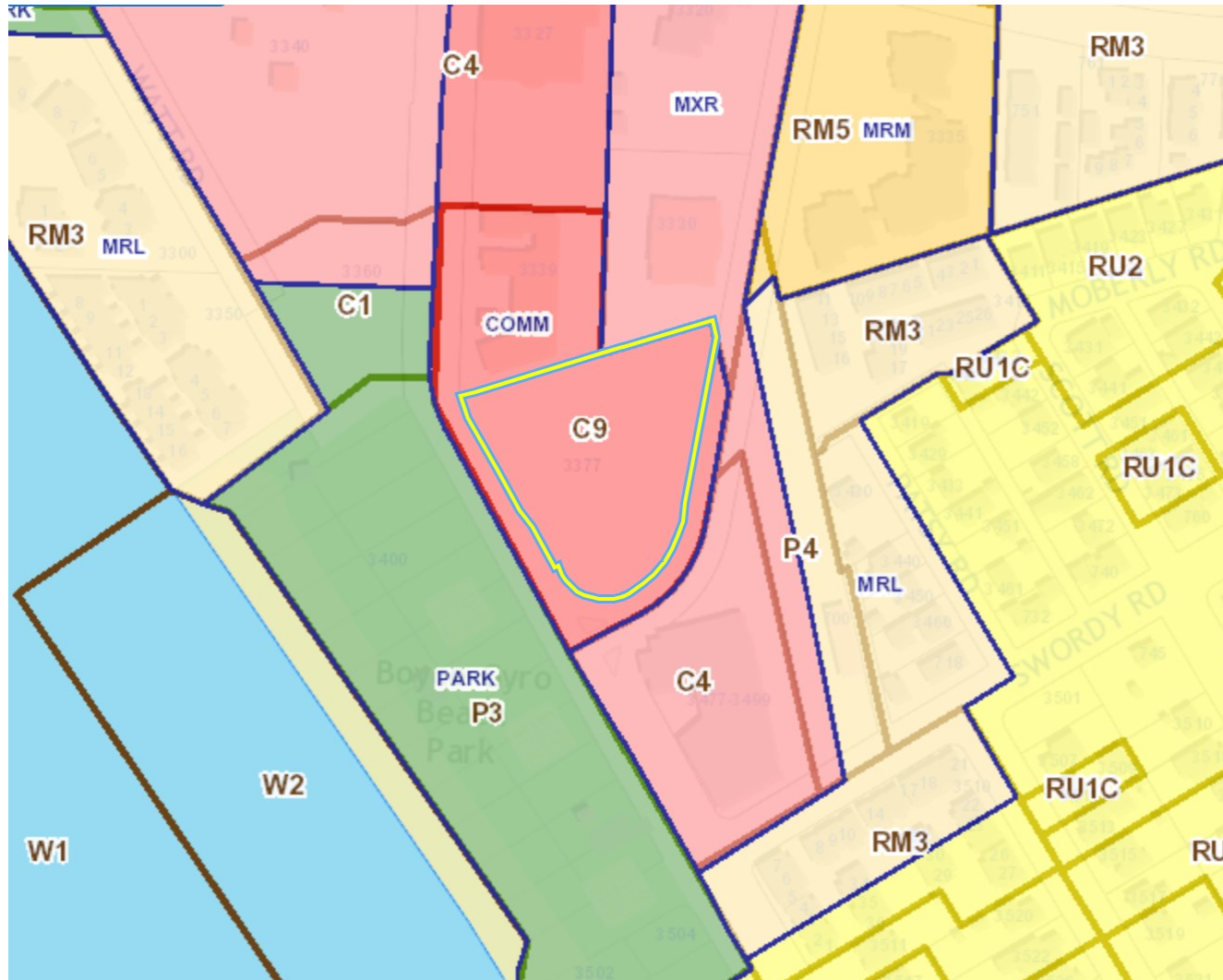
**Some Transit**  
A few nearby public transportation options.

Bike Score  
**98**

**Biker's Paradise**  
Daily errands can be accomplished on a bike.



# OCP Future Land Use / Zoning



# Subject Property Map





# Technical Details

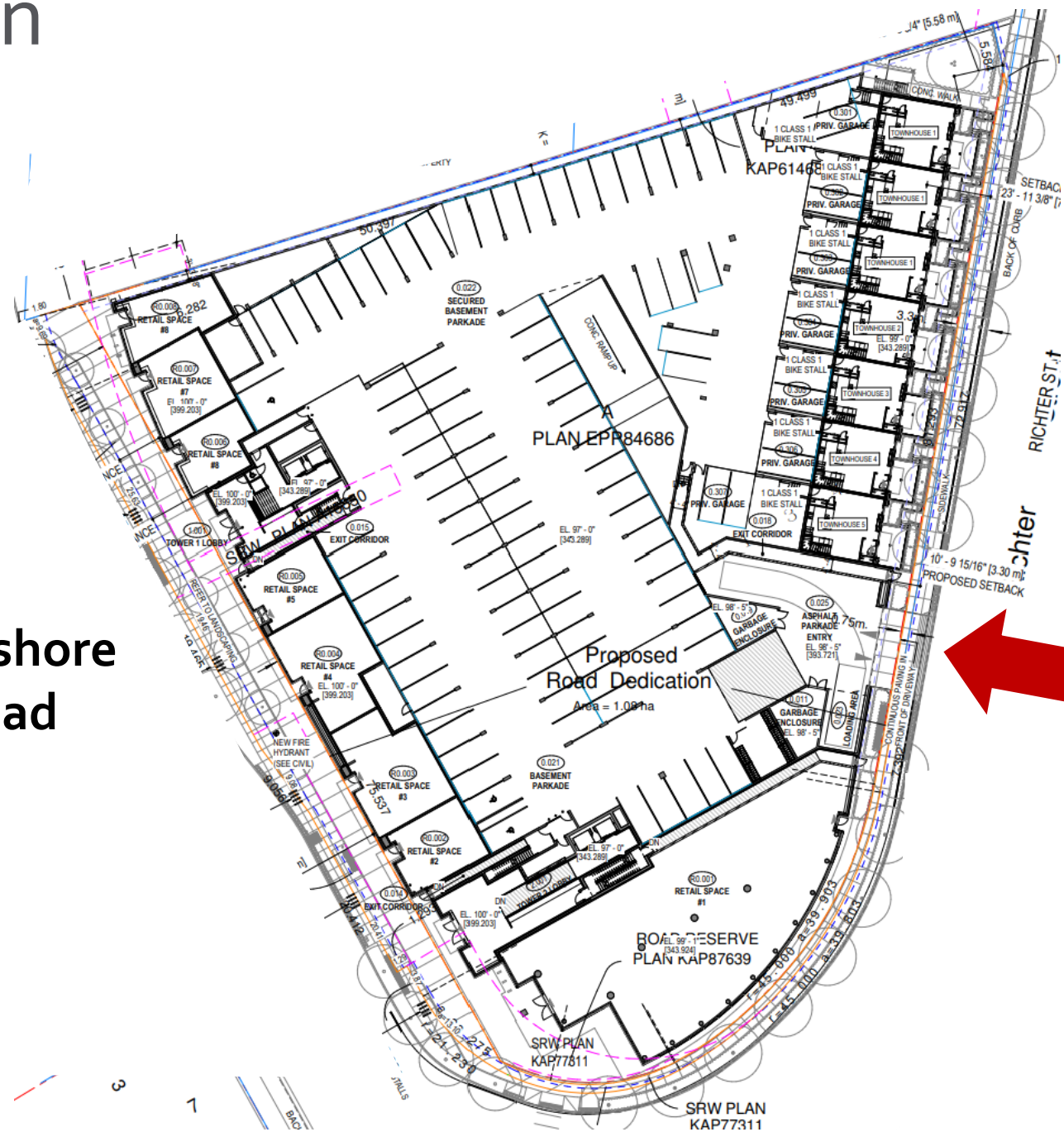
- ▶ Mixed-use project
  - ▶ Multiple dwelling housing – 127 units
    - ▶ Apartment Housing
      - ▶ 44 x 1 bedroom
      - ▶ 74 x 2 bedroom
      - ▶ 2 x 3 bedroom
    - ▶ Townhouses
      - ▶ Richter Street - 7 x 2 bedroom townhouse units
  - ▶ Commercial – 8 ground-floor units
    - ▶ Larger Retail Unit #1 - likely a restaurant & patio
- ▶ Parking screened from view (parkade)
  - ▶ 209 total stalls, exceeds C9 parking requirement

# Site Plan



Lakeshore Road

Richter Street





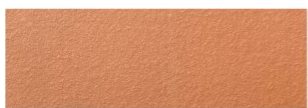
# Urban Design

- ▶ Architectural design with shape break
  - ▶ Each tower has a different design, not symmetrical
  - ▶ Separates building mass into smaller components
- ▶ Active frontages along Lakeshore Rd & Richter St
  - ▶ Public focused
    - ▶ Ground floor retail & townhouse units
- ▶ 520 ft<sup>2</sup> feature waterfall along Lakeshore Rd
- ▶ Parking screened from view
- ▶ High quality cladding and glazing


# Elevations & Materials – Lakeshore Road



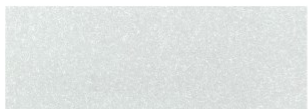
## Key Materials



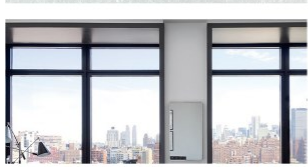
4 terracota clay tiles



3 dark grey cementitious panels



3 light grey cementitious panels



8 dark glazing and clear vision glass



# Elevations – Richter Street (SE)



# Elevations – Townhouses



# Renderings





# Renderings





# Renderings





# Renderings







# Variances

- ▶ Setbacks
  - ▶ Lakeshore Rd (front)
    - ▶ 6.0 m required; 0.0 m proposed
      - ▶ Road dedication requirements
  - ▶ Richter St (flanking side)
    - ▶ 4.5 m required; 3.3 m proposed
      - ▶ Road dedication requirements
  - ▶ Side yard (north)
    - ▶ 3.0 m required, 1.0 m proposed
- ▶ Landscape buffer
  - ▶ North side
    - ▶ No landscape buffer proposed

# Development Policy

- ▶ Comprehensive Design Guidelines
  - ▶ Strong sense of authenticity through urban design that is distinctive for Kelowna
  - ▶ High urban design standard & quality of construction
  - ▶ Interesting, pedestrian friendly streetscape design
- ▶ Revitalization Design Guidelines
  - ▶ Enhance the urban centre's main street character in a manner consistent with the area's character
  - ▶ Provide for a scale and massing of buildings that promotes an enjoyable living, pedestrian, working, shopping and service experience



# Staff Recommendation

- ▶ Staff recommend support for the Development Permit and Development Variance Permit applications
  - ▶ Consistent with OCP Urban Design Guidelines
  - ▶ Requested variances are perceived to be minor and are anticipated to have minimal impact on neighbouring properties



## *Conclusion of Staff Remarks*