

City of Kelowna

Regular Council Meeting

AGENDA



Monday, October 18, 2021

1:30 pm

Council Chamber

City Hall, 1435 Water Street

Pages

1. Call to Order

I would like to acknowledge that we are gathered today on the traditional, ancestral, unceded territory of the syilx/Okanagan people.

In accordance with the most recent Interior Health Restrictions regarding gatherings and events, a maximum of 50 members of the public is permitted to attend Council meetings in-person. Members of the public must remain seated unless invited to address Council.

As an open meeting, a live audio-video feed is being broadcast and recorded on kelowna.ca.

2. Confirmation of Minutes

4 - 8

PM Meeting - October 4, 2021

3. Development Application Reports & Related Bylaws

3.1. 3510 Spectrum Crt - TA21-0013 (BL12284) - Kelowna Motors Investments Ltd., Inc. No. BC 1281822

9 - 31

To consider a Site-Specific Text Amendment application to the CD15 – Airport Business Park zone, for 3510 Spectrum Court to add the permitted use of automotive and minor recreational vehicle sales/rental and accommodate the August Garage and Car Club Lounge and Vehicle Service Building.

3.2. 3510 Spectrum Crt - BL12284 (TA21-0013) - Kelowna Motors Investments Ltd., Inc. No. BC 1281822

32 - 32

To give Bylaw No. 12284 first reading in order to consider a Site-Specific Text Amendment application for 3510 Spectrum Court to add the permitted use of automotive and minor recreational vehicle sales/rental.

3.3. Doyle Ave 350 - Z21-0061 (BL12286) - City of Kelowna

33 - 57

To rezone the subject property from the P1 – Major Institutional zone to the C7r – Central Business Commercial (Residential Rental Tenure Only) zone to facilitate a mixed-use rental development.

- 3.4. Doyle Ave 350 - BL12286 (Z21-0061) - City of Kelowna** 58 - 58
- To give Bylaw No. 12286 first reading in order to rezone the subject property from the P1 – Major Institutional zone to the C7r – Central Business Commercial (Residential Rental Tenure Only) zone.
- 3.5. Richter St 1875 - Z21-0055 (BL12289) - 1243978 BC Ltd., Inc. No. BC1243978** 59 - 80
- To rezone the subject property from the RU6 – Two Dwelling Housing zone to the RM3r – Low Density Multiple Housing (Residential Rental Tenure Only) zone to facilitate the development of multiple dwelling housing.
- 3.6. Richter St 1875 - BL12289 (Z21-0055) - 1243978 BC Ltd., Inc. No. BC1243978** 81 - 81
- To give Bylaw No. 12289 first reading in order to rezone the subject property from the RU6 – Two Dwelling Housing zone to the RM3r – Low Density Multiple Housing (Residential Rental Tenure Only) zone.
- 3.7. Cawston Ave 604 - BL12267 (OCP21-0020) - Sole Cawston Developments Ltd., Inc. No. BC1270856** 82 - 82
- Requires a majority of all members of Council (5).**
- To amend and adopt Bylaw No.12267 in order to amend the Official Community Plan for the subject property from the MRM – Multiple Unit Residential (Medium Density) designation to the MXR – Mixed Use (Residential / Commercial) designation.
- 3.8. Cawston Ave 604 - BL12268 (Z21-0069) - Sole Cawston Developments Ltd., Inc. No. BC1270856** 83 - 83
- To amend and adopt Bylaw No.12268 in order to rezone the subject property from the RU2 – Medium Lot Housing zone to the C7 – Central Business Commercial zone.
- 3.9. Cawston Ave 604 - DP21-0163 - Sole Cawston Developments Ltd., Inc. No. BC1270856** 84 - 143
- To issue the Form & Character Development Permit of a proposed 6 storey residential apartment building with a commercial third floor proposed to be occupied by a school.

4. Bylaws for Adoption (Development Related)

- 4.1. Hwy 97 N 5269 - BL11857 (Z19-0081) - City of Kelowna** 144 - 144
- To adopt Bylaw No. 11857 to rezone the subject property from the A1 - Agriculture 1 zone to the CD12 - Airport zone.

- 4.2. Trumpeter Rd 494 - BL12254 (Z20-0103) - 1033095 B.C. LTD., INC.NO. BC1033095** 145 - 145
- To adopt Bylaw No. 12254 in order to rezone the subject property from the RR2c - Rural Residential 2 with Carriage House zone to the RU1h - Large Lot Housing (Hillside Area) zone.

5. Non-Development Reports & Related Bylaws

- 5.1. Amendment No.12 to Solid Waste Management Bylaw No. 10106** 146 - 163

To seek Council's approval to amend the Solid Waste Management Regulation Bylaw to align with Regional Waste Management initiatives and amend the fee schedules for selected wastes with an inflationary rate adjustment.

- 5.2. BL12279 - Amendment No. 12 to Solid Waste Bylaw No. 10106** 164 - 165

To give Bylaw No. 12279 first, second and third reading.

- 5.3. BL12285 Amendment No. 30 to the Bylaw Notice Enforcement Bylaw No 10475** 166 - 166

To give Bylaw No. 12285 first, second and third reading.

- 5.4. Road Closure 234-278 Leon Ave - Airspace Parcel Disposition** 167 - 170

To seek Council approval for the closure of a 194.4 square meter portion of Leon Avenue to allow for the creation of an air space parcel and associated overhead pedestrian connection as part of the Water St by the Park development.

- 5.5. BL12271 - Road Closure and Removal of Dedication Bylaw - 234 - 278 Leon Ave** 171 - 172

To give Bylaw No. 12271 first, second and third reading.

6. Bylaws for Adoption (Non-Development Related)

- 6.1. BL12240 - 2022 Permissive Tax Exemption Bylaw** 173 - 185

To adopt Bylaw No. 12240.

- 6.2. Supplemental Report - Council Procedure Bylaw No. 9200** 186 - 186

To receive an update on the notification period for the proposed amendment to Council Procedure Bylaw No. 9200 and to forward the bylaw for adoption.

- 6.3. BL12283 - Amendment No. 7 to the Council Procedure Bylaw No. 9200** 187 - 189

To adopt Bylaw No. 12283.

7. Mayor and Councillor Items

8. Termination



City of Kelowna Regular Council Meeting Minutes

Date: Monday, October 4, 2021
 Location: Council Chamber
 City Hall, 1435 Water Street

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

Members participating remotely Councillor Charlie Hodge

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith*; Urban Planning Manager, Jocelyn Black*; Revenue Supervisor, Patrick Gramiak*; Deputy City Clerk, Laura Bentley*

Staff participating remotely Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:33 p.m.

I would like to acknowledge that we are gathered today on the traditional, ancestral, unceded territory of the syilx/Okanagan people.

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As an open meeting, a live audio-video feed is being broadcast and recorded on kelowna.ca.

2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R0905/21/10/04 THAT the Minutes of the Regular Meetings of September 27, 2021 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Richter St 2590 - Z21-0040 (BL12282) - Linguo Zhang

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

R0906/21/10/04 THAT Rezoning Application No. Z21-0040 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 28 District Lot 14 ODYD Plan 3249, located at 2590 Richter Street, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple Housing zone, be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464(2) waive the Public Hearing for the Rezoning Bylaw;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated October 4, 2021;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit for the subject property.

Carried

3.2 Richter St 2590 - BL12282 (Z21-0040) - Linguo Zhang

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R0907/21/10/04 THAT Bylaw No. 12282 be read a first time.

Carried

3.3 Supplemental Report - Sherwood Rd 639 - Z21-0067 (BL12264) - Yunfang Gao

Mayor Basran:

- Due to the correspondence received in opposition, recommend the bylaw be forwarded to a Public Hearing.

Moved By Councillor Stack/Seconded By Councillor Sieben

R0908/21/10/04 THAT Council receives, for information, the report from the Office of the City Clerk dated October 4, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12264;

AND THAT Rezoning Bylaw No. 12264 be forwarded to a Public Hearing for further consideration.

Carried

3.4 Supplemental Report - Gerstmar Rd 440 - Z21-0063 (BL12274) - Benjamin Cherney

Moved By Councillor Given/Seconded By Councillor Donn

R0909/21/10/04 THAT Council receives, for information, the report from the Office of the City Clerk dated October 4, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12274;

AND THAT Rezoning Bylaw No. 12274 be forwarded for further reading consideration.

Carried

3.5 Gerstmar Rd 440 - BL12274 (Z21-0063) - Benjamin Cherney

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R0910/21/10/04 THAT Bylaw No. 12274 be read a second and third time.

Carried

3.6 Supplemental Report - Buckhaven Crt 4973 - Z21-0036 (BL12276) - Mair Developments Ltd., Inc. No. BCo753083

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0911/21/10/04 THAT Council receives, for information, the report from the Office of the City Clerk dated October 4, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12276;

AND THAT Rezoning Bylaw No. 12276 be forwarded for further reading consideration.

Carried

3.7 Buckhaven Crt 4973 - BL12276 (Z21-0036) - Mair Developments Ltd., Inc. No. BCo753083

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R0912/21/10/04 THAT Bylaw No. 12276 be read a second and third time and be adopted.

Carried

3.8 Supplemental Report - Radant Rd 575 - Z21-0074 (BL12277) - Lihua Feng

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R0913/21/10/04 THAT Council receives, for information, the report from the Office of the City Clerk dated October 4, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12277;

AND THAT Rezoning Bylaw No. 12277 be forwarded for further reading consideration.

Carried

3.9 Radant Rd 575 - BL12277 (Z21-0074) - Lihua Feng

Moved By Councillor Stack/Seconded By Councillor DeHart

R0914/21/10/04 THAT Bylaw No. 12277 be read a second and third time and be adopted.

Carried

3.10 Pacific Ave 1144 - Z20-0013 (BL12084) - Rezoning Bylaw Extension Request

Moved By Councillor Given/Seconded By Councillor Hodge

R0915/21/10/04 THAT in accordance with Development Application Procedures Bylaw No 10540, the deadline for the adoption of Rezoning Bylaw No. 12084 for Parcel A (DD KL82857), District Lot 137, ODYD, Plan 2862 located at 1144 Pacific Avenue, Kelowna, BC, be extended from August 11, 2021 to August 11, 2022;

AND that Council directs staff to not accept any further extension requests.

Carried

4. Non-Development Reports & Related Bylaws

4.1 2022 Permissive Tax Exemption - Bylaw 12240

Councillor Stack declared a conflict of interest as his employer the Society of Hope is an applicant for a permissive tax exemption and departed the meeting at 1:42 p.m.

Staff:

- Displayed a PowerPoint Presentation regarding the proposed 2022 property tax exemptions for qualified organizations and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Donn

R0916/21/10/04 THAT Council receives, for information, the Report from the Revenue Supervisor dated October 4, 2021 with respect to the 2022 Permissive Tax Exemption Bylaw;

AND THAT Bylaw No. 12240, being the Permissive Tax Exemption Bylaw be forwarded for reading consideration.

Carried

4.2 BL12240 - 2022 Permissive Tax Exemption Bylaw

Moved By Councillor DeHart/Seconded By Councillor Sieben

R0917/21/10/04 THAT Bylaw No. 12240 be read a first, second and third time.

Carried

Councillor Stack returned to the meeting at 1:48 p.m.

4.3 Electronic Meeting and Public Hearing Implementation

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed amendments to the Council Procedures Bylaw and associated Council Policies and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Donn

R0918/21/10/04 THAT Council receives, for information, the report from the Office of the City Clerk dated October 4, 2021 regarding Electronic Meeting & Public Hearing Bylaw Amendments;

AND THAT Bylaw No. 12279, being Amendment No. 7 to Council Procedure Bylaw No. 9200 be forwarded for reading consideration;

AND THAT Council adopts Council Policy No. 386, being Electronic Council Meetings as outlined in the report from the Office of the City Clerk dated October 4, 2021;

AND THAT Council Policy No. 307, being Waiver of Public Hearing, be amended as outlined in the report from the Office of the City Clerk dated October 4, 2021.

Carried

Councillor Wooldridge - Opposed

4.4 BL12283 - Amendment No. 7 to the Council Procedure Bylaw No. 9200

Moved By Councillor Stack/Seconded By Councillor DeHart

R0919/21/10/04 THAT Bylaw No. 12283 be read a first, second and third time.

Carried

Councillor Wooldridge - Opposed

5. Mayor and Councillor Items

Councillor Singh:

- Will be joining Councillor Wooldridge at the Ki-Low-Na Friendship Center today to honour the missing and murdered Indigenous women and girls; acknowledged Executive Director, Edna Terbasket, in organizing this event.

Councillor Wooldridge:

- Will be participating in the Ki-Low-Na Friendship Society event today and gave a shout out to the team organizers.

Councillor Sieben:

- Provided a shout out to the Denim on the Diamond event that took place this past weekend and to those who worked behind the scenes to make this event happen.

Councillor DeHart:

- Spoke to their attendance at the Kelowna South-Central Association of Neighbourhoods Oktoberfest in the Park event this past weekend.

Councillor Stack:

- Reflected on the past weekend and spoke to the beautiful weather and all those enjoying the City's Mission Greenway Park.

Mayor Basran:

- Thanked co-founders of the Denim on the Diamond festival Mitch Carefoot and Kurt Jory for such a successful event this past weekend and the many positive side-effects such events have on the local economy.

6. Termination

This meeting was declared terminated at 2:20 p.m.

Mayor Basran

sf/acm

City Clerk

REPORT TO COUNCIL



Date: October 18, 2021

To: Council

From: City Manager

Department: Development Planning

Application: TA21-0013

Owner: Kelowna Motors Investments
Ltd., Inc. No. BC 1281822

Address: 3510 Spectrum Court

Applicant: Innocept Developments

Subject: Zoning Bylaw Text Amendment Application

Existing OCP Designation: IND - Industrial

Existing Zone: CD15 – Airport Business Park

1.0 Recommendation

That Zoning Bylaw Text Amendment Application No. TA21-0013 to amend the City of Kelowna Zoning Bylaw No. 8000 as identified in Schedule "A" and outlined in the Report from the Development Planning Department dated October 18, 2021 for Lot 17 Section 14 Township 23 ODYD Plan KAP82802 located at 3510 Spectrum Court be considered by Council;

AND THAT the Zoning Bylaw Text Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Zoning Bylaw Text Amending Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT final adoption of the Zoning Bylaw Text Amending Bylaw be considered in conjunction with Council's consideration of a Development Permit for the subject property.

2.0 Purpose

To consider a Site-Specific Text Amendment application to CD15 – Airport Business Park Zone, for 3510 Spectrum Court to add the permitted use of automotive and minor recreational vehicle sales/rental and accommodate the August Garage and Car Club Lounge and Vehicle Service Building.

3.0 Development Planning

Staff recommend support for the proposed text amendment application to facilitate automotive sales and a vehicle service building on the subject property. The existing luxury car rentals and maintenance business on the property and the proposed addition of sales on the property is considered less intensive than traditional car lots and requires significantly less space and inventory. Because of this the proposed amendment is considered compatible with the existing and surrounding land uses.

4.0 Proposal

4.1 Background

The subject property is a partially developed lot with an existing building currently being used by the August Motors business. It is directly adjacent to Highway 97N however is accessed from Spectrum Court. The Future Land Use Designations for the property is currently IND - Industrial and is zoned CD15 – Airport Business Park

4.2 Project Description

The proposed amendments will allow for automotive sales and a proposed vehicle service building. The building will have 15 service bays, detail/wash bays, interior display/showroom, and a lounge/club facility. The proposed building is two storeys, with a gross floor area of just over 20,000 ft².

4.3 Site Context

The subject properties are in the Highway 97 City Sector. The Future Land Use is IND – Industrial is zoned CD15 – Airport Business Park and is within the Permanent Growth Boundary (PGB). The property is 2.5 acres in size. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	CD15 – Airport Business Park	Vacant
East	A1 - Agriculture	Hwy 97 / Vacant
South	CD15 – Airport Business Park	Spectrum Court / Industrial
West	CD15 – Airport Business Park	Industrial

Subject Property Map: 3510 Spectrum Court



5.0 Current Development Policies

6.0 Kelowna Official Community Plan (OCP)

Chapter 5 - Development Process

Objective 5.28 Focus Industrial development to areas suitable for industrial use.

Policy .1 Rezoning to Industrial. Consider allowing land not currently designated as industrial to be supported for an Official Community Plan amendment and subsequent rezoning to allow industrial uses provided that such a rezoning would be consistent with other Official Community Plan policies, provided that available municipal infrastructure can support the use, and provided that the industrial use would be compatible with existing and proposed future surrounding uses. Compatibility issues to consider include, but are not limited to visual impact, noise, odour, hours of operation pollution and traffic.

Objective 5.29 Ensure efficient use of industrial land supply.

Policy .1 Industrial Land Use Intensification. Encourage more intensive industrial use of currently under-utilized industrial sites during site redevelopment or by permitting lot subdivision where new lots can meet the minimum lot size requirements of the Zoning Bylaw.

7.0 Technical Comments

7.1 Development Engineering Department

- Refer to Development Engineering Memo Dated June 7, 2021

8.0 Application Chronology

Date of Application Received: June 4, 2021
Date Public Consultation Completed: August 18, 2021

Report prepared by: Wesley Miles, Planner Specialist
Reviewed by: Dean Strachan, Community Planning and Development Manager
Reviewed by: Terry Barton, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Schedule A: CD15 – Text Amendments
Schedule B: Development Engineering Memo
Attachment A: Site Map & Conceptual Layout

Schedule A – CD15 – Airport Business Park Zone - Zoning Bylaw No. 8000 Text Amendment TA21-0013

No.	Section	Relevant Existing	Proposed				Explanation										
1.	Section 18 - Schedule B – Comprehensive Development Zones – CD15 – Airport Business Park	N/A	1.9 Site Specific Uses and Regulations Uses and regulations apply to the CD15 – Airport Business Park on a site-specific bases as follows: <table><tr><td></td><td>Legal Description</td><td>Civic Address</td><td colspan="2">Regulation</td></tr><tr><td>1</td><td>Lot 17 Section 14 Township 23 ODYD Plan KAP82802</td><td>3510 Spectrum Court</td><td colspan="2">To allow Automotive and minor recreational vehicle sales/rentals as a permitted principal use</td></tr></table>					Legal Description	Civic Address	Regulation		1	Lot 17 Section 14 Township 23 ODYD Plan KAP82802	3510 Spectrum Court	To allow Automotive and minor recreational vehicle sales/rentals as a permitted principal use		To add a new site-specific section within the CD15 – Airport Business Park zone to allow for Automotive and minor recreational vehicles sales/rentals as a permitted principal use at 3510 Spectrum Court.
	Legal Description	Civic Address	Regulation														
1	Lot 17 Section 14 Township 23 ODYD Plan KAP82802	3510 Spectrum Court	To allow Automotive and minor recreational vehicle sales/rentals as a permitted principal use														

SCHEDULE		A
This forms part of application		
# TA21-0013		
Planner Initials	WM	 City of Kelowna COMMUNITY PLANNING



MEMORANDUM

Date: June 7, 2021

File No.: TA21-0013

To: Urban Planning Management (WM)

From: Development Engineer Manager (RO)

Subject: 3510 Spectrum Ct

Text Amendment

The Development Engineering has no comments or requirements regarding this application for a Text Amendment to the CD15 – Airport Business Park Zone to add the permitted use of automotive sales.

All comments and requirements are addressed in Development Engineering memo for DP under file DP16-0300.

Ryan O'Sullivan
Development Engineering Manager

SK

AUGUST VEHICLE SERVICE FACILITY

PROJECT LEGAL DESCRIPTION:
LOT 17, SEC/ 14, TOWNSHIP 263, ODYD
PLAN KAP82802

PROJECT CIVIC ADDRESS:
3510 SPECTRUM COURT, KELOWNA, BC.

ATTACHMENT

A

This forms part of application
TA21-0013

Planner
Initials

WN

City of
Kelowna

COMMUNITY PLANNING



1 SITE LOCATION
NTS



CONSULTANTS

ARCHITECT

BLUEGREEN ARCHITECTURE INC.
100 - 1353 Ellis Street
Kelowna, BC V1Y 1Z9

Contact:
Wendy Rempel, Architect AIBC,
P: 236.420.3550
wrempe1@bluegreenarch.com

LANDSCAPE

**OUTLAND DESIGN
LANDSCAPE ARCHITECTURE**
303 - 590 KLO Road,
Kelowna, BC V1Y 7S2

Contact:
Fiona Barton
P: 250.868.9270
fiona@outlanddesign.ca

DRAWING LIST

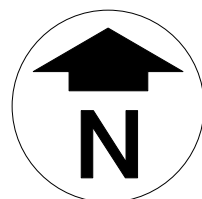
ARCHITECTURAL DRAWINGS

- | | |
|-------|-----------------------------------|
| A0.00 | COVER / PROJECT INFO |
| A0.01 | SITE CONTEXT & PHASE 2 RENDERINGS |
| A1.00 | SITE PLAN & ZONING |
| A2.00 | MAIN FLOOR PLAN |
| A2.01 | 2ND FLOOR / MEZZANINE PLAN |
| A3.00 | BUILDING ELEVATIONS & SIGNAGE |
| A4.00 | BUILDING SECTIONS & RENDERINGS |

LANDSCAPE DRAWINGS

- | | |
|-----|------------------------------------|
| L-1 | CONCEPTUAL LANDSCAPE PLAN |
| L-2 | WATER CONSERVATION/IRRIGATION PLAN |

PROJECT LOCATION



2 EXISTING BUILDING - PHASE 1, 3510 SPECTRUM COURT
SCALE: NTS



3 VIEW LOOKING EAST FROM SPECTRUM COURT
SCALE: NTS

1 PHOTO / PERSPECTIVE KEY
SCALE: NTS



4 VIEW LOOKING SOUTHWEST FROM HWY. 97
SCALE: NTS



5 VIEW LOOKING WEST FROM HWY. 97
SCALE: NTS



6 VIEW LOOKING WEST FROM HWY. 97
SCALE: NTS



7 PHASE 2 PERSPECTIVE OF WEST FACE
SCALE: NTS



8 PHASE 2 PERSPECTIVE OF WEST & SOUTH FACES
SCALE: NTS

PROJECT INFORMATION

LEGAL ADDRESS:
LOT 17, SEC/ 14, Township 263, ODYD
Plan KAP82802
CIVIC ADDRESS:
3510 Spectrum Court, Kelowna, BC.

ZONING INFORMATION

ZONING	CD-15	AIRPORT BUSINESS PARK - Industrial Uses	
	MINIMUM	ACTUAL	
MINIMUM LOT WIDTH	40 m	105.68 m	
MINIMUM LOT DEPTH	35 m	85.87 m	
MINIMUM LOT AREA	4000 sm	10320.9 sm	
TOTAL GROSS FLOOR AREA - Phase 2			
Main Floor			
Service / Wash (Industrial)	11022 sf	1023.9 sm	
Car Club (Commercial)	5978 sf	555.4 sm	
Subtotal Main Floor	17000 sf	1579.3 sm	
2nd Floor			
Office (Industrial)	1105 sf	102.7 sm	
Car Club (Commercial)	2312 sf	214.8 sm	
Subtotal 2nd Floor	3417 sf	317.4 sm	
Mezzanine (Industrial)	510 sf	47.4 sm	
TOTAL	20927 sf	1944.1 sm	
BUILDING AREAS FOR F.A.R. CALCULATIONS			
Net Floor Area - Existing Building	20817.4 sf	1934.0 sm	
Net Floor Area - Phase 2 (New)	20927.0 sf	1944.1 sm	
TOTAL	41744.4 sf	3878.1 sm	

DEVELOPMENT REGULATIONS - INDUSTRIAL				
FLOOR AREA RATIO (FAR)		MAXIMUM	ACTUAL	
Total Net Floor Area / Lot Area		1 : 1.5	0.376	
SETBACKS		MINIMUM	ACTUAL	
FRONT YARD		6 m	6	m
SIDE YARD WEST (Adj. to commercial or indust.)		0 m	3.25	m West - Exist. Bldg
SIDE YARD EAST (Adj. to commercial or indust.)		0 m	24.6	m South - New Bldg.
SIDE YARD (Adj. to Flanking street)		4.5 m	N/A	m
SETBACK FROM HWY 97 Property Line		7 m	16.98	m
REAR YARD (Adj. to commercial or industrial)		0 m	3.2	m North - Exist. Bldg.
REAR YARD (Adj. to other zones)		6 m	n/a	m
REAR YARD (Adj. to Flanking street)		4.5 m	n/a	m
BUILDING HEIGHT		MAXIMUM	ACTUAL	
		4 storeys/18m	2 storeys (9.14m)	
LANDSCAPE BUFFERS				
FRONT (Level 2)		3 m	1.5 m	Existing - Phase 1
REAR YARD (Level 3)		3 m	n/a m	Existing - Phase 1
FLANKING (Level 2)		3 m	n/a m	
SIDE YARD (Level 3) - West and South		3 m	3 m	
HIGHWAY 97 BUFFER (Level 4)		3 m	3 m	

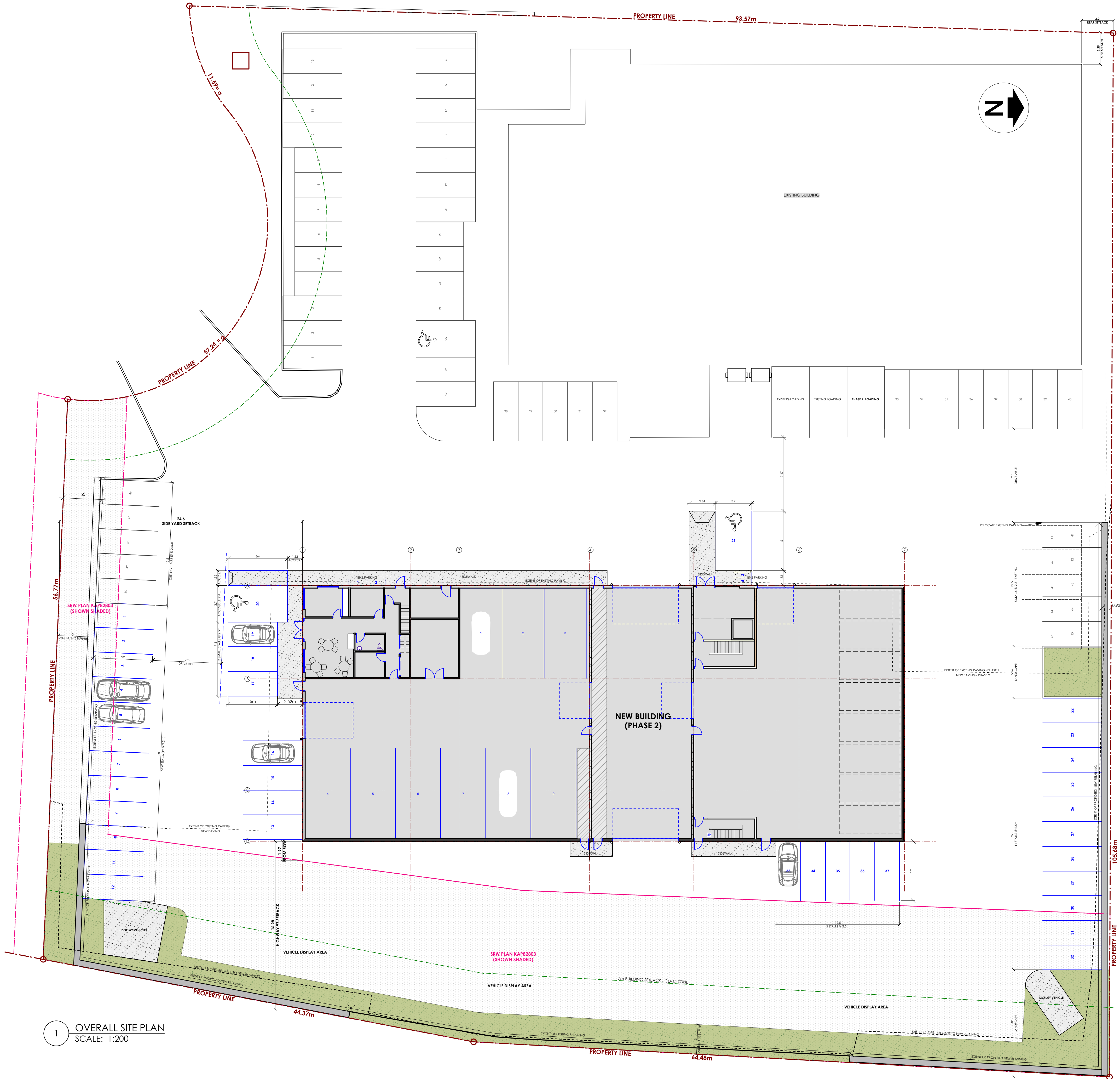
PARKING INFORMATION

PARKING SUMMARY						
	Sq. Ft.	Sq. m				STALLS
						Required Provided
Main Floor						
office	1105	102.65	2.5 STALL	PER	100 sm	2.6
General Industrial	9945	923.89	1 STALL	PER	100 sm	9.2
Showroom/Display	5950	552.76	2.5 STALL	PER	100 sm	13.8
Subtotal	17000					25.6
Mezzanine/2nd Floor						
Car Club	2312	214.78	2.5 STALL	PER	100 sm	5.4
Mezz/Office	1105	102.65	2.5 STALL	PER	100 sm	2.6
Storage	510	47.38	1 STALL	PER	100 sm	0.5
Subtotal	3927.0	364.818				8.4
SUBTOTAL STALLS						34.0
TOTAL STALLS						37

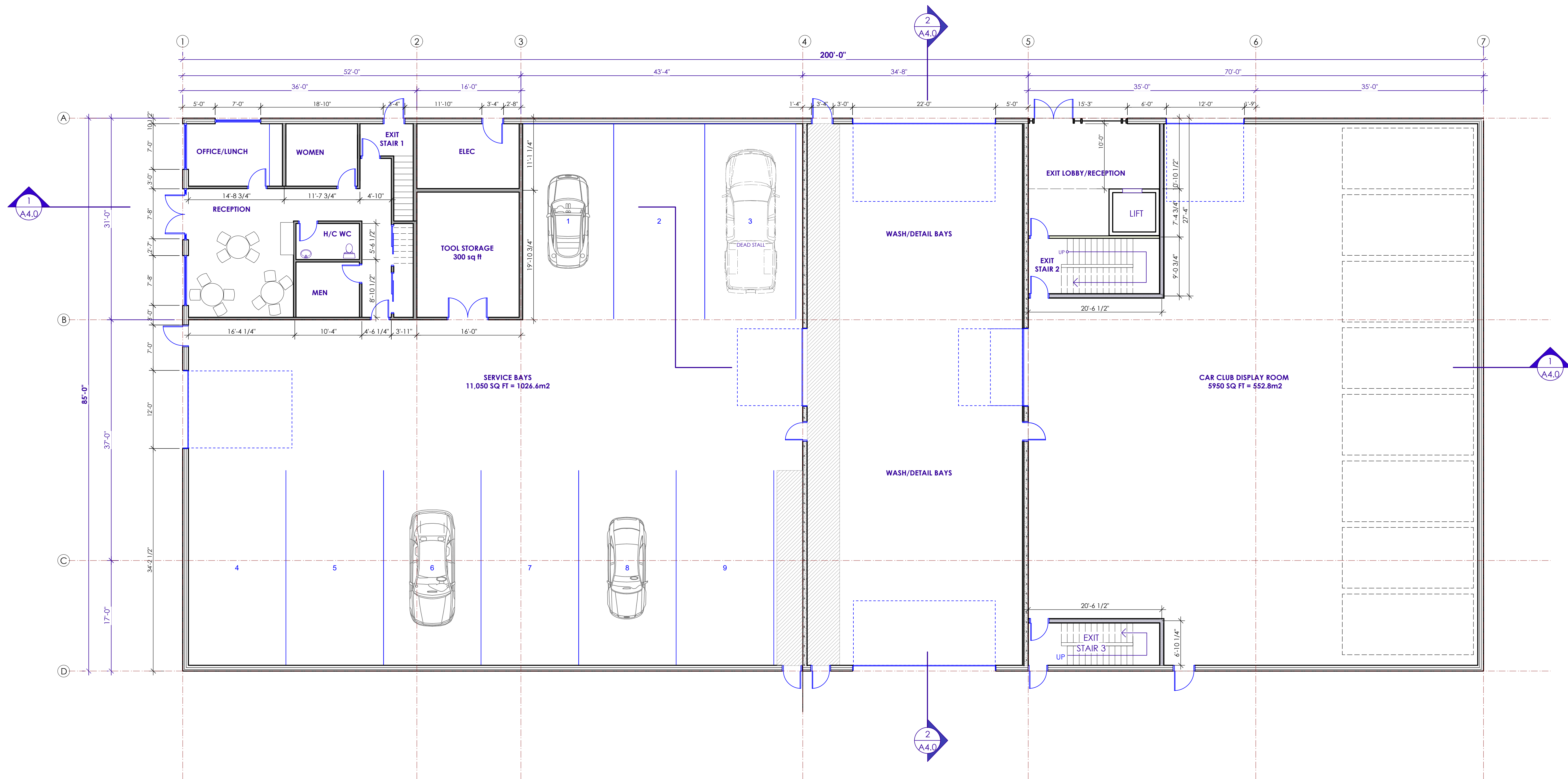
BICYCLE PARKING SUMMARY						
Proposed Bike Parking Calculations						STALLS
GFA (sm)						Required Provided
Industrial						
Long Term Parking	1174.0	@	0.5 STALL	PER	1000 sm	0.6 1
Short-Term Parking		@	0 STALL	PER	500 sm	0.0 0
Commercial						
Long Term Parking (770.1	@	1 STALL	PER	500 sm	1.5 2
Short-Term Parking		@	2 STALL	PER	Entrances (2)	4.0 4
		OR	1 STALL	PER	750 sm	1.0 n/a

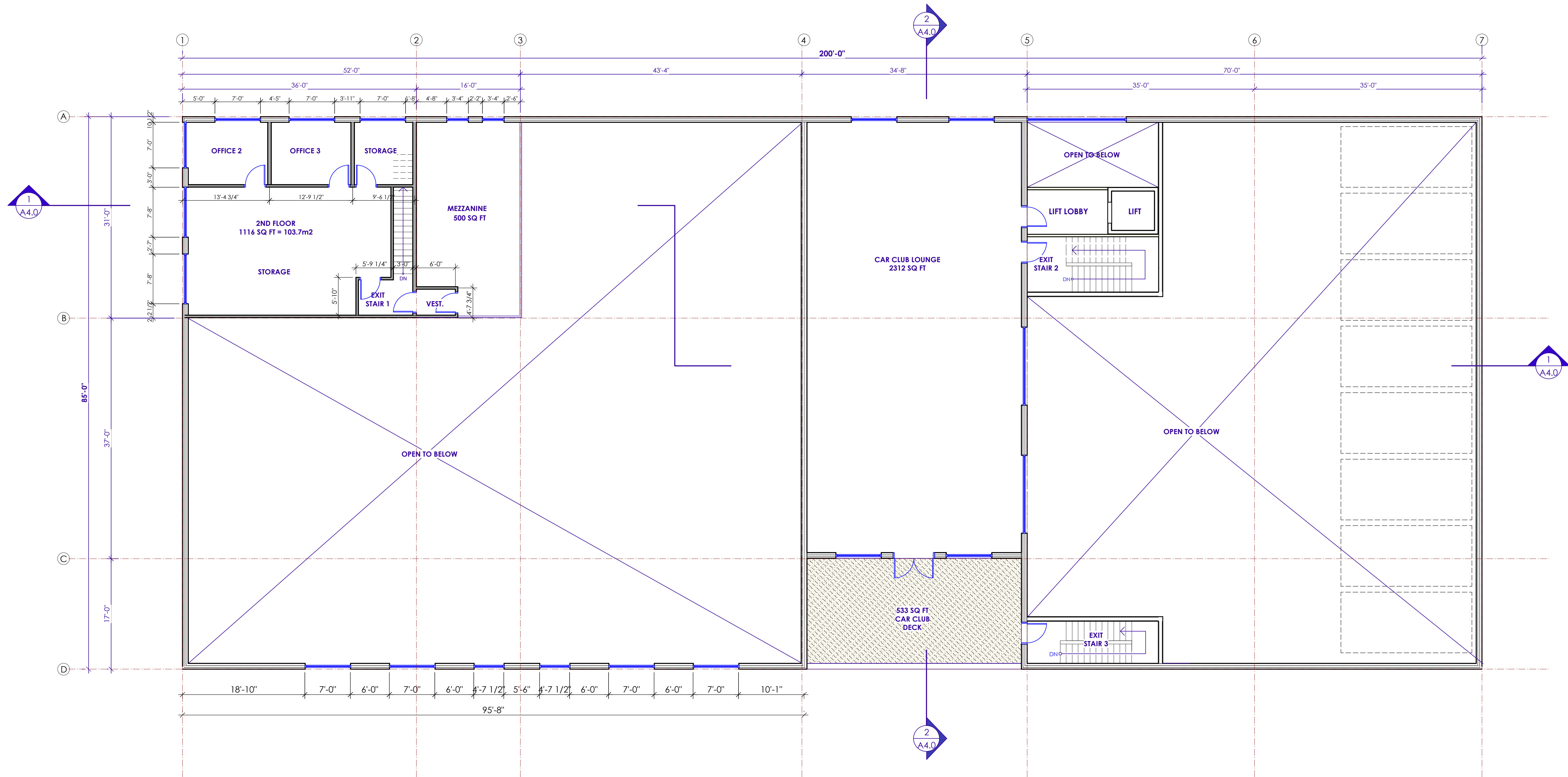
OFF-STREET LOADING SUMMARY					
Phase 2					
GFA (sm)					
Total GFA - Phase 2	1944.12	@	1 STALL	PER	1900 sm
				LOADING STALLS	
				Required	Provided
				1.02	1

NOTE:
REFER TO LANDSCAPE PLAN FOR ALL
LANDSCAPING INFORMATION

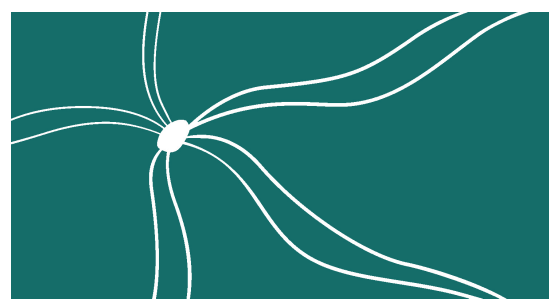


1 OVERALL SITE PLAN
SCALE: 1:200





1 2ND FLOOR / MEZZANINE PLAN
SCALE: 1/8" = 1'-0"

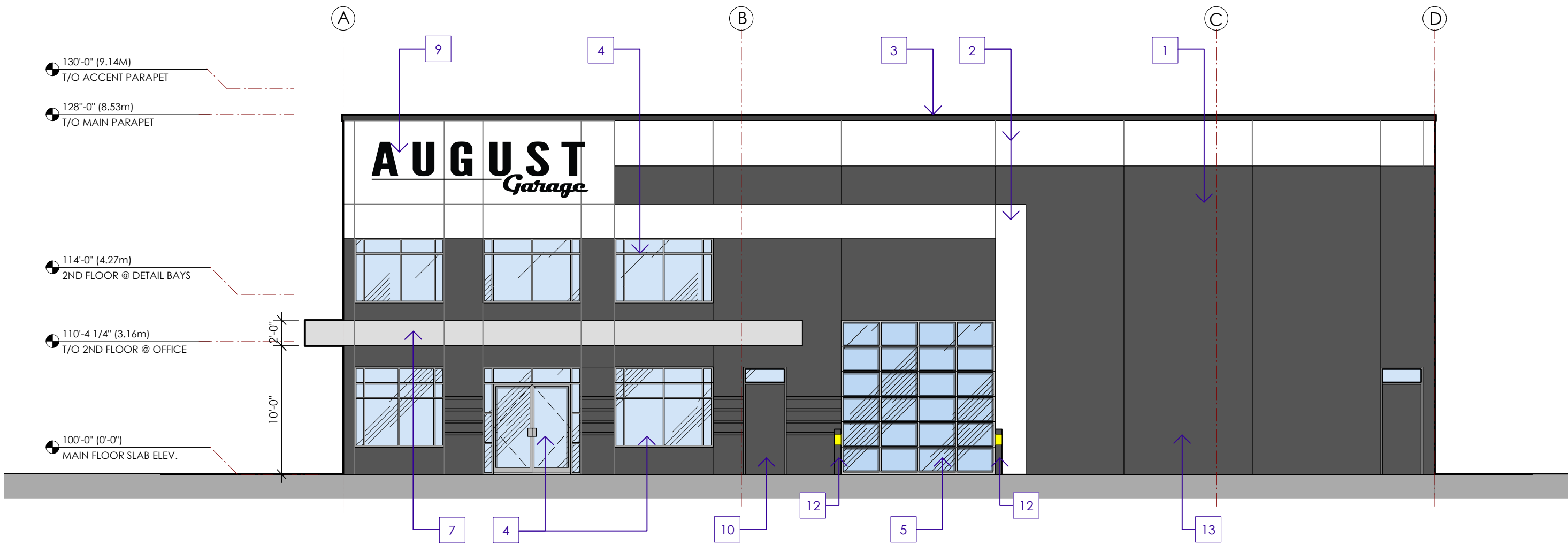


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202 - 110 HWY 33, Kelowna BC, V1X
1X7
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P | 250.374.1112 F | 250.374.2279

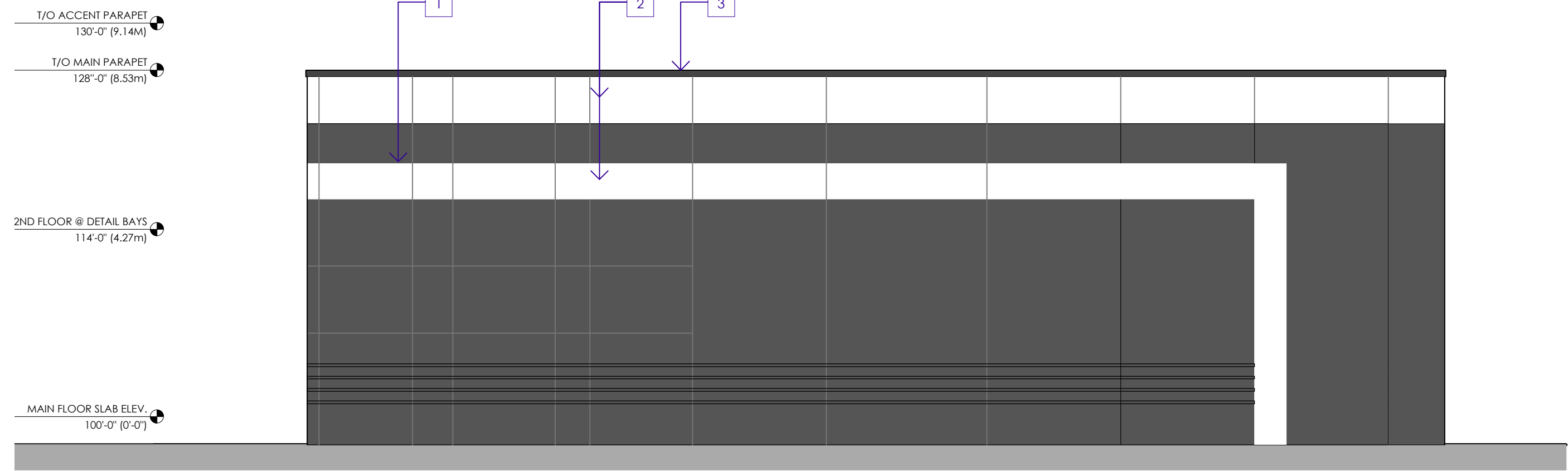
PROPOSED VEHICLE SERVICE FACILITY

2ND FLOOR / MEZZANINE PLAN

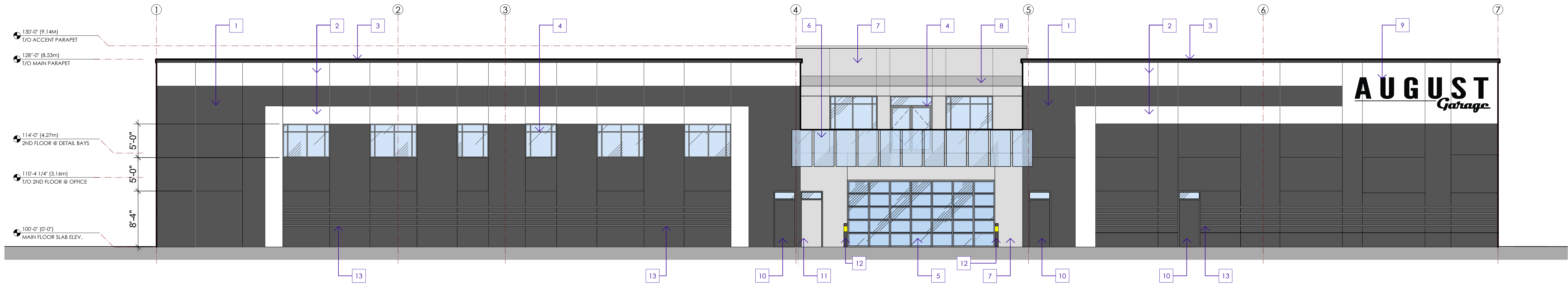
DATE 2021.05.27
SCALE 1/8" = 1'-0"
ISSUED FOR DP
PROJECT 20.833 A2.01



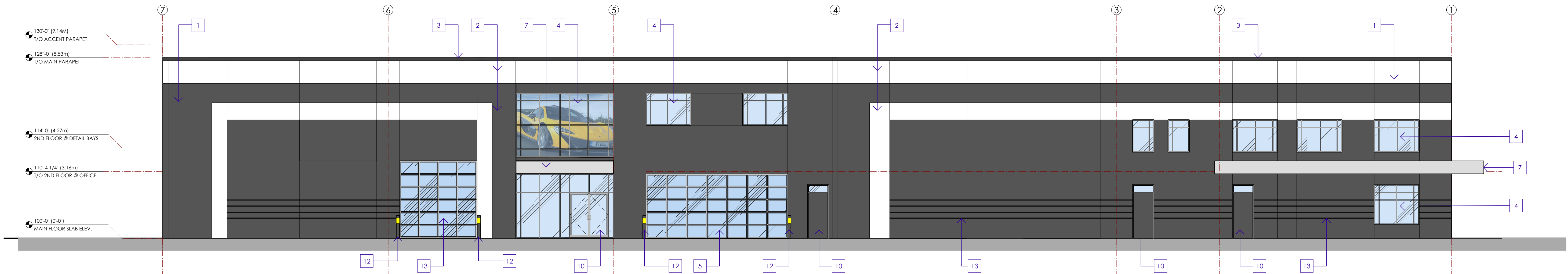
1 SOUTH ELEVATION
1/8" = 1'-0"



2 NORTH ELEVATION
1/8" = 1'-0"



3 EAST ELEVATION (HIGHWAY 97)
1/8" = 1'-0"



4 WEST ELEVATION (HIGHWAY 97)
1/8" = 1'-0"

EXTERIOR FINISH LEGEND:	
1	MAIN COLOR 1 - PAINTED CONCRETE PANEL COLOR: Benjamin Moore "Black Ash" #0657
2	ACCENT COLOR - PAINTED CONCRETE PANEL COLOR: Benjamin Moore "Brilliant White" #0150
3	PRE-FINISHED METAL FLASHING AT PARAPET CASCADE METALS - MATT BLACK
4	STOREFRONT / CURTAINWALL GLAZING COLOR: CLEAR ANNOXIDIZED ALUMINUM
5	PRE-FINISHED INSULATED O/H DOOR COLOR: GREY/SILVER W/ GLAZING PANELS
6	GLASS GUARD CLEAR GLASS
7	METAL PANEL WALL / METAL CANOPY COL: BRILLIANT SILVER METALLIC
8	ACCENT METAL PANEL WALL / METAL CANOPY COL: ANTHRACITE SILVER METALLIC
9	PAINTED SIGNAGE - REFER TO SIGNAGE PERMIT INFORMATION - A3.00
10	PAINTED STEEL MAIN DOOR AND FRAME COLOR: Benjamin Moore "Black Ash" #0657
11	PAINTED STEEL MAIN DOOR AND FRAME COLOR TO MATCH METAL PANEL - ITEM 7
12	PAINTED STEEL BOLLARD
13	CONCRETE REVEALS

WALL SIGN - PERMIT INFORMATION



WALL SIGN - EAST FRONTAGE:
PER SIGN BYLAW 11530
ALLOWABLE AREA: 1sq.m / 1lin. m OF FRONTAGE
ACTUAL LIN. m OF FRONTAGE: 61m (200ft.)
ALLOWABLE WALL SIGN AREA: 61 sq.m
ACTUAL WALL SIGN AREA: 11.7 sq.m

WALL SIGN - SOUTH FRONTAGE:
PER SIGN BYLAW 11530
ALLOWABLE AREA: 1sq.m / 1lin. m OF FRONTAGE
ACTUAL LIN. m OF FRONTAGE: 25.9m (85ft.)
ALLOWABLE WALL SIGN AREA: 25.9 sq.m
ACTUAL WALL SIGN AREA: 11.7 sq. m



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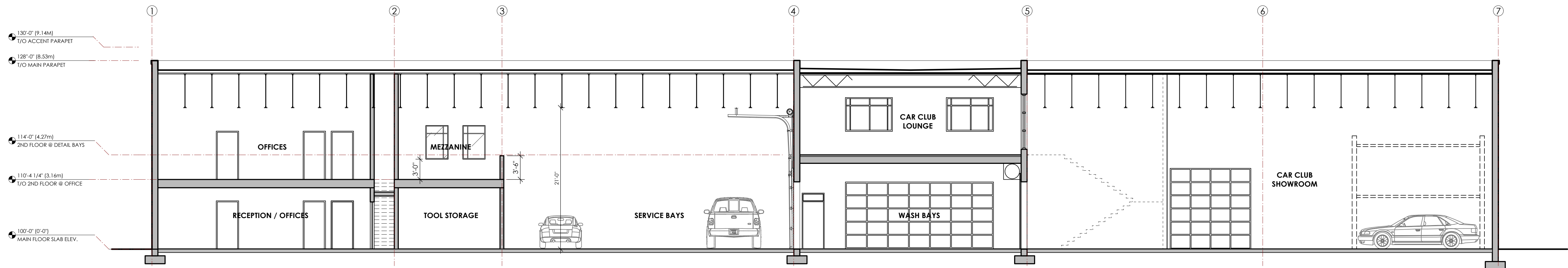
AUGUST VEHICLE SERVICE FACILITY

BUILDING ELEVATIONS & SIGN PERMIT

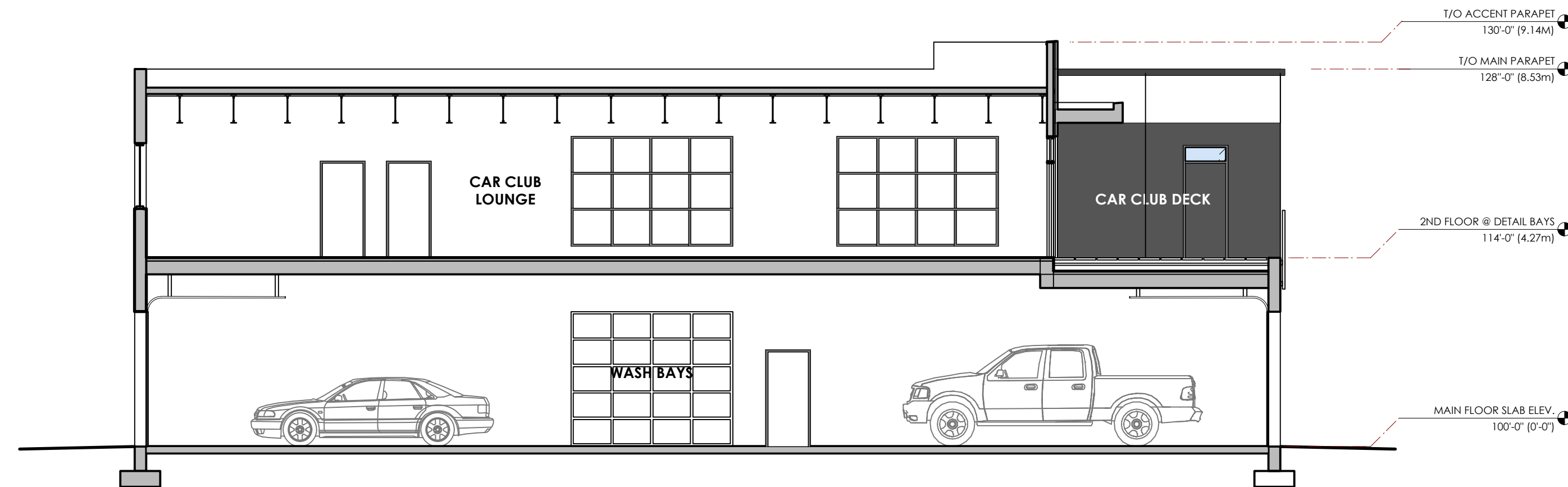
DATE 2021.05.27
SCALE 1/8" = 1'-0"
ISSUED FOR DP

PROJECT 20.833

A3.00



1 BUILDING SECTION
A2.00
1/8" = 1'-0"



2 BUILDING SECTION
A2.00
1/8" = 1'-0"



3 PHASE 2 PERSPECTIVE EAST/NORTH FACES
A0.0
SCALE: NTS



4 PHASE 2 PERSPECTIVE SERVICE ENTRY (SW CORNER)
A0.0
SCALE: NTS



TA21-0013

3510 Spectrum Court

Text Amendment Application

Proposal

- ▶ To consider a Text Amendment application to CD15 – Airport Business Park Zone, for 3510 Spectrum Court to add the permitted use of automotive and minor recreational vehicle sales/rental.

Development Process

June 4, 2021

Development Application Submitted

Staff Review & Circulation

Aug 18, 2021

Public Notification Received

Oct 18, 2021

Initial Consideration

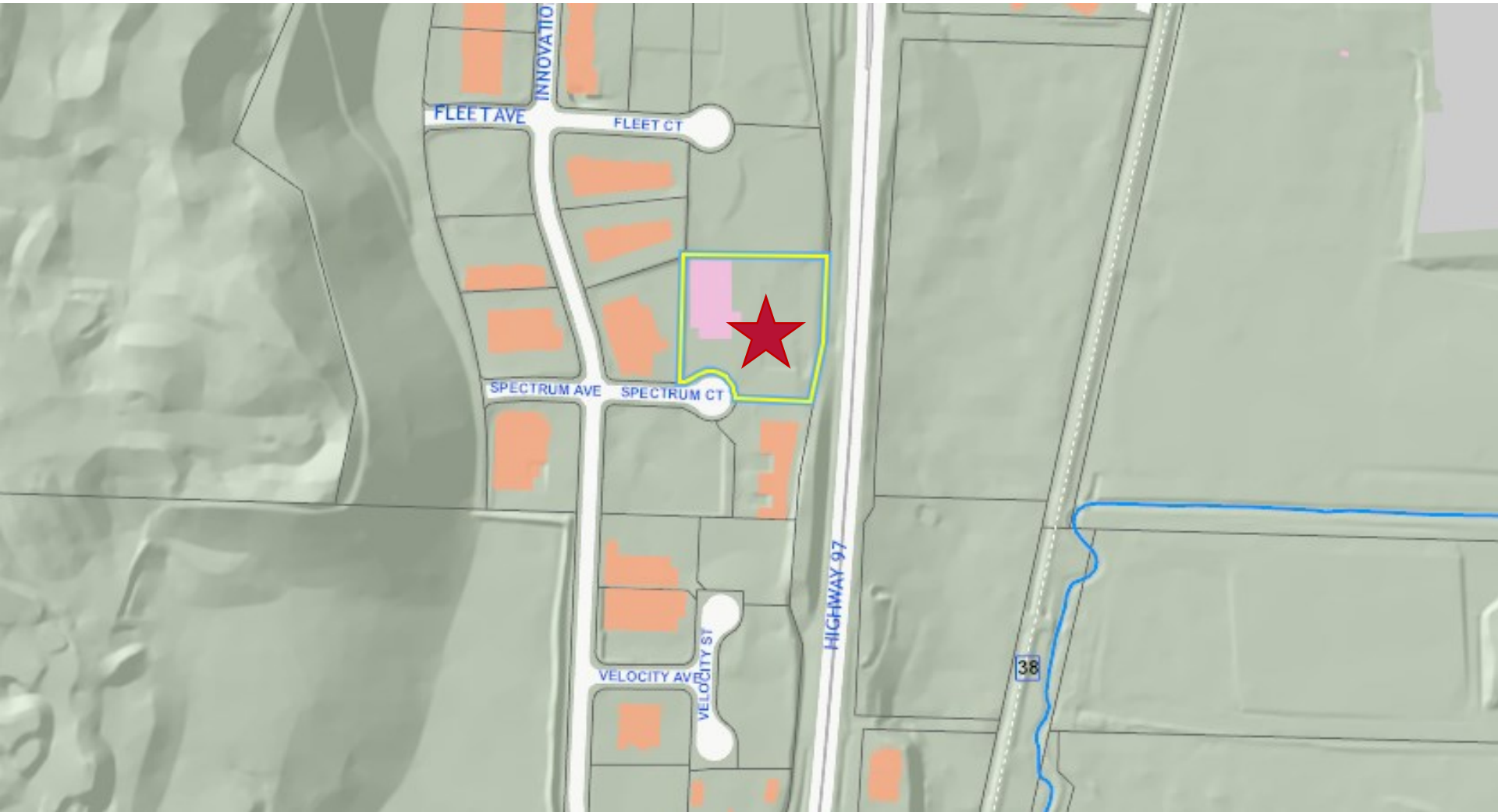
Public Hearing
Second & Third Readings

Final Reading

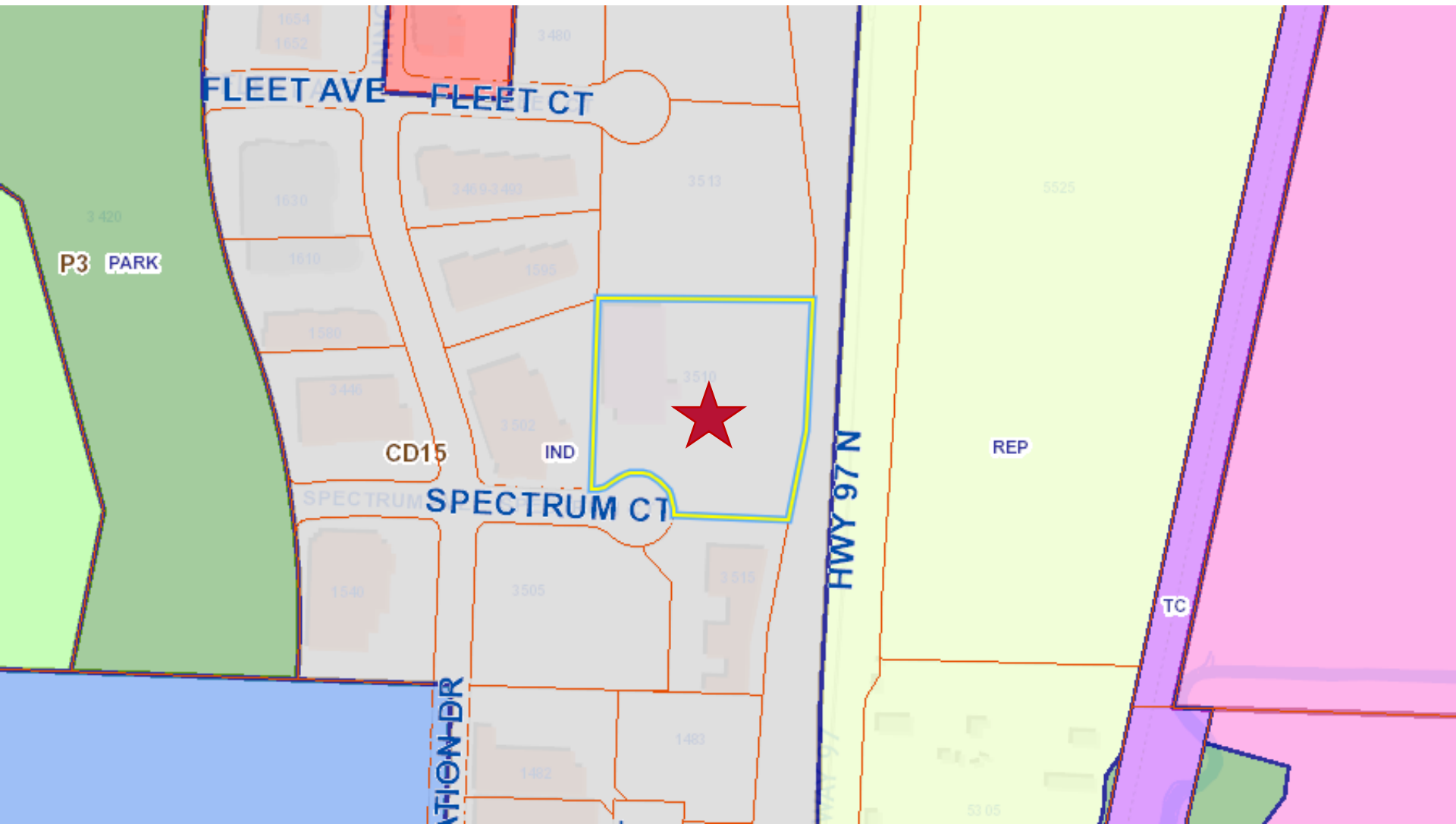
Development Permit and
Building Permit

Council
Approvals

Context Map



OCP Future Land Use / Zoning



Subject Property Map



Project Details

- ▶ The proposed amendments will allow for automotive sales and a proposed vehicle service building.
- ▶ The building will have 15 service bays, detail/wash bays, interior display/showroom, and a lounge/club facility. The proposed building is two storeys, with a gross floor area of just over 20,000 ft².
- ▶ No Variances proposed at this time.

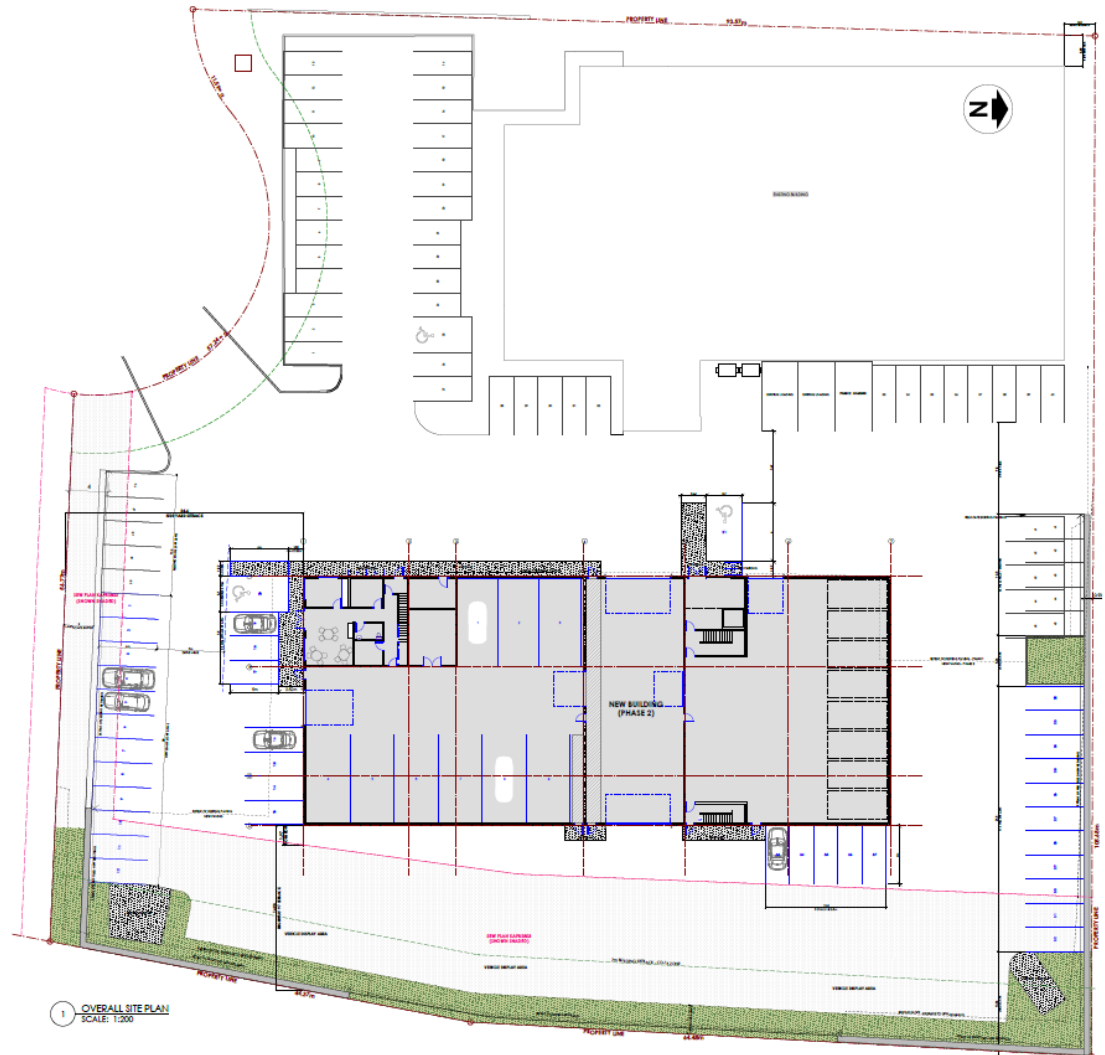
Conceptual Site Plan and Building



3 PHASE 2 PERSPECTIVE EAST/NORTH FACADE
SCALE: NTS



4 PHASE 2 PERSPECTIVE SERVICE ENTRY (SW CORNER)
SCALE: NTS



1 OVERALL SITE PLAN
SCALE: 1:500

Objective 5.2 Develop Process

Objective 5.28 Focus Industrial development to areas suitable for industrial use

- ▶ **Policy .1 Rezoning to Industrial.** Consider allowing land not currently designated as industrial to be supported for an Official Community Plan amendment and subsequent rezoning to allow industrial uses provided that such a rezoning would be consistent with other Official Community Plan policies, provided that available municipal infrastructure can support the use, and provided that the industrial use would be compatible with existing and proposed future surrounding uses. Compatibility issues to consider include, but are not limited to visual impact, noise, odour, hours of operation pollution and traffic.

Objective 5.29 Ensure efficient use of industrial land supply.

- ▶ **Policy .1 Industrial Land Use Intensification.** Encourage more intensive industrial use of currently under-utilized industrial sites during site redevelopment or by permitting lot subdivision where new lots can meet the minimum lot size requirements of the Zoning Bylaw.

Staff Recommendation

- ▶ Development Planning Staff recommend **support** for the Text Amendment application
 - ▶ Compatible with the adjacent land uses
 - ▶ Considered less intensive than traditional car lots



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12284 TA21-0013 3510 Spectrum 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 **Section 18 – Schedule 'B' - Comprehensive Development Zones, CD15 – Airport Business Park** be amended by adding in its appropriate location the following:

"1.9 Site Specific Uses and Regulations

Uses and regulations apply to the CD15 – Airport Business Park on a site-specific basis as follows:

	Legal Description	Civic Address	Regulation
	Lot 17 Section 14 Township 23 ODYD Plan KAP82802	3510 Spectrum Court	To allow Automotive and minor recreational vehicle sales/rentals as a permitted principal use

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

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: October 18, 2021

To: Council

From: City Manager

Department: Development Planning

Application: Z21-0061

Owner: City of Kelowna

Address: 350 Doyle Avenue

Applicant: Zeidler Architecture

Subject: Rezoning Application

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

Existing Zone: P1 – Major Institutional

Proposed Zone: C7r – Central Business Commercial (Residential Rental Tenure Only)

1.0 Recommendation

THAT Rezoning Application No. Z21-0061 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot C District Lot 139 Osoyoos Division Yale District Plan EPP95954, located at 350 Doyle Avenue, Kelowna, BC from the P1 – Major Institutional zone to the C7r – Central Business Commercial (Residential Rental Tenure Only) zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated October 18, 2021;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit for the subject property.

2.0 Purpose

To rezone the subject property from the P1 – Major Institutional zone to the C7r – Central Business Commercial (Residential Rental Tenure Only) zone to facilitate a mixed-use rental development.

3.0 Development Planning

Development Planning recommends support for the application to rezone the property from the P1 – Major Institutional zone to the C7r – Central Business Commercial (Residential Rental Tenure Only) zone. This rezoning application is consistent with the Future Land Use for the property in the 2030 Official Community Plan of MXR – Mixed Use (Residential / Commercial) as well as development policies, including Compact Urban Form, Contain Urban Growth and Complete Communities.

The redevelopment of this property, colloquially known as the old Royal Canadian Mounted Police site, is the primary focus area of the near-term plan within the Civic Precinct Plan. The rezoning application to the C7r – Central Business Commercial (Residential Rental Only Tenure) zone is supported by this plan, which envisioned a mixed-use re-development of six to 13 storeys and encouraged the inclusion of residential units.

The proposal triggered the need for a Traffic Impact Assessment (TIA) which has been completed and approved by the Ministry of Transportation. Due to the proposal's size and location, no major requirements have been identified in relation to the operations of Hwy 97. A full list of engineering and infrastructure requirements are listed in Schedule A which include the following key off-site requirements:

- i. Upgrade of Doyle Avenue to a full urban standard along the frontage of the property and a portion of 460 Doyle Ave including removal of the existing crosswalk and installation of a new crosswalk aligned with the Art Walk.
- ii. Design and construction of the Art Walk between Doyle Ave to the extents of the existing portion north of Smith Avenue.
- iii. Dedication and improvements to the north-south laneway fronting the development to the east. All vehicle access is to be provided from this laneway.

Should Council support the rezoning application for 350 Doyle Avenue, a Development Permit and Development Variance Permit would also be required, prior to any building permits being issued.

4.0 Proposal

4.1 Background

The subject property was formerly occupied by the Royal Canadian Mounted Police Detachment. This building was demolished in late 2018 and has been vacant since. In 2020, as part of a lease agreement, RISE Commercial Developments was selected to lease the property for a 13-storey mixed-use development.

4.2 Project Description

The proposal includes a mixed-use development, with both ground and second-floor commercial units and storeys three through 13 are dedicated residential rental units. The development project includes 6,000 ft² of public amenity space (the Creative Hub), contributing to key elements of the Civic Precinct Plan. The existing Art Walk would also be extended south to Doyle Avenue and be fronted with ground-oriented retail units.

This rezoning proposal also includes the Residential Rental Only Tenure subzone, guaranteeing long-term residential rental units within the City Centre Urban Centre.

4.3 Site Context

The property is located on the north side of Doyle Avenue, between Water Street and Ellis Street. It is within an area known as the Civic Precinct, as well as in the City Centre Urban Centre. The Walk Score is 95, indicating that daily errands do not require a car.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C7 – Central Business Commercial	Art Walk, Library Parkade
East	C7 – Central Business Commercial	Okanagan Regional Library
South	P1 – Major Institutional	Memorial Arena, City Hall, Kasugai Gardens, Memorial Parkade & Kelowna Museums
West	P1 – Major Institutional	Kelowna Community Theatre

Subject Property Map: 350 Doyle Avenue



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 1: Introduction

Goals for a Sustainable Future:

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

Chapter 4: Future Land Use

Land Use Designation Definitions

Mixed Use (Residential / Commercial) (MXR)

Developments that provide for commercial floor space on the ground floor or above, with additional potential for residential units above the ground floor.

For Urban Centres other than the City Centre, building densities should decrease as the distance from the core of the Urban Centre increases. Other relevant policies include Policy 5.5.1 Building Height and Chapter 17 – Urban Centre definition. Maximum density at the centre of the core would be consistent with zoning as follows: City Centre – C7 zone; Rutland – C7 zone; Pandosy – C4 zone; Midtown – C6 zone; Capri/Landmark – C4 zone.

Chapter 5: Development Process

Objective 5.3 Focus development to designated growth areas

Policy .2 Compact Urban Form. Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75-100 people and/or jobs per ha 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.

5.2 Civic Precinct Plan

Vision & Principles

Principle # 1 – Encourage vibrancy through a broad mix of land uses and public spaces

Principle #3 – Restrict market residential developments

Principle #6 – Use public land for community amenities

5.3 Healthy Housing Strategy

Key Directions from the Healthy Housing Strategy

Four key directions form the framework for the strategy:

1. Promote and protect rental housing;
2. Improve housing affordability and reduce barriers for affordable housing;
3. Build the right supply; and
4. Strengthen partnerships and align investments.

6.0 Technical Comments

6.1 Development Engineering Department

See Schedule A – City of Kelowna Memorandum

7.0 Application Chronology

Date of Application Accepted: June 4, 2021
Date Neighbour Notification Completed: June 25, 2021
Dates of Public Information Session: July 10-18, 2021

Report prepared by: Kimberly Brunet, 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:

Schedule A: City of Kelowna Memorandum

Attachment A: Draft Site Plan

Attachment B: Conceptual Renderings

CITY OF KELOWNA

MEMORANDUM

Date: July 6, 2021

File No.: Z21-0061

To: Planning and Development Officer (KB)

From: Development Engineering Manager (RO)

Subject: 350 Doyle Ave P1 to C7R

The Development Engineering Branch has the following comments and requirements associated with this application to rezone the subject property from the P1 – Major Institutional zone to the C7r – Central Business Commercial (Residential Rental Tenure Only) zone.

1. GENERAL

- a. The following requirements are valid for two (2) years from the reference date of this memo, or until the 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.
- b. 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 to obtain further information and to determine suitable location(s) within the development.
- c. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.
- d. The proposed Development triggers a Traffic Impact Assessment (TIA). Prior to initiation of the TIA, Terms of Reference (TOR) must be established. The applicant's consulting transportation engineer shall contact the Development Engineering Technician for this development who, in collaboration with the City's Integrated Transportation Department, will determine the terms of reference for the study. Recommendations from the Traffic Impact Analysis (TIA) will become requirements of this development.
- e. These Development Engineering comments/requirements are subject to the review and requirements from the Ministry of Transportation and Infrastructure (MoTI).

2. DOMESTIC WATER AND FIRE PROTECTION

- a. The subject lot is located within the City of Kelowna water supply area. The existing lots does not currently have a water service. Only one service will be permitted per legal lot.

- b. The Developer's Consulting Engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The bylaw requirement for this development is 150 L/s. If it is determined that upgrades to any existing water distribution system must be made to achieve the required fire flows, additional bonding will be required.
- c. An approved backflow protection device must also be installed on site as required by the City Plumbing Regulation and Water Regulation bylaws.
- d. All fire flow calculations are to be shared with the Development Engineering Branch upon submittal of off-site civil engineering drawings.
- e. A Water meter is mandatory for this development and must be installed inside a building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The Developer or Building Contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department and prepare the meter setter at their cost.

3. SANITARY SEWER SYSTEM

- a. Our records indicate that the subject lot is currently with serviced with one 100-mm and one 150-mm diameter sanitary sewer service. The Applicant's Consulting Mechanical Engineer will determine the requirements of the proposed development and establish the service needs.
- b. Only one service will be permitted for this development, the applicant will arrange for the removal and disconnection of the existing services and the installation of one new larger service at the applicants cost.
- c. If one of the existing service connections are to be utilized it must be completed with an inspection chamber (c/w Brooks Box) as per SS-S7 & SS-S9.
- d. Connection of new sanitary service to AC sewer main within Doyle Ave must adhere to WorkSafe BC approved procedures. Overbuild manhole will not be permitted.

4. STORM DRAINAGE

- a. The property is located within the City of Kelowna drainage service area. 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.
- 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 is to be prepared by a Professional Engineer proficient in the field of erosion and sediment control. The plan is to be prepared as per section 3.14 of Schedule 4 of Bylaw 7900. If a line item for ESC is not included in the Engineer's cost estimate for off-site work, then an additional 3% will be added to the performance security based on the total off-site construction estimate.

- c. On-site detention systems are to be compliant with Bylaw 7900, Schedule 4, Section 3.11.1 *Detention Storage*.
- d. As per Bylaw 7900, Schedule 4, Section 3.1.3 *Climate Change*, the capacity of storm works will include an additional 15 percent (15%) upward adjustment, and applied to the rainfall intensity curve stage (IDF) in Section 3.7.2.
- e. Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- f. Register right of ways on private properties for all the storm water infrastructure carrying, conveying, detaining and/or retaining storm water that is generated from the public properties, public road right of ways, and golf course lands.
- g. Identify clearly on a contour map, or lot grading plan, all steep areas (>30 %). Provide cross sections for all steep areas 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.
- h. If individual lot connections are required, ensure that payment of connection fees has been completed (please provide receipt).
- i. Where structures are designed or constructed below the proven high groundwater table, permanent groundwater pumping will not be permitted to discharge to the storm system. The City will approve designs that include provisions for eliminating groundwater penetration into the structure, while addressing buoyancy concerns. These design aspects must be reviewed and approved by the City Engineer.

5. **ROAD IMPROVEMENTS**

- a. Doyle Ave must be upgraded to a full urban standard (modified SS-R6) along the full frontage of the subject property, 1375 Doyle Ave, and a portion of 460 Doyle Ave including; removal of crosswalk fronting 460 Doyle Ave and installation of new crosswalk at location to be provided by Development Technician at time of detailed design, curb and gutter, sidewalk, LED street lighting, landscaped and irrigated boulevard, storm drainage system, pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. Road cross section will be provided to consulting engineer, upon request, at time of detailed offsite design.
- b. Design and construction of the Artwalk for the entire area between Doyle Ave to the the extents of the existing portion north of Smith Ave will be a requirement of this development. Artwalk design requires approval by the City at the same time as other “issued for construction” drawings.
- c. North-south lane fronting this development to the east must be upgraded to a SS-R2 commercial lane standard including; road fillet paving, storm drainage, and relocation or adjustment of existing utility appurtenances if required to accommodate the upgrading construction.
- d. All Landscape and Irrigation plans require design and inspection by a Qualified Professional registered with the BCSLA and the IIABC, are to be included as a line item in the estimate for the Servicing Agreement performance security. Landscape and irrigation plans require approval by the Development Engineering Branch at the same time as other “issued for construction” drawings.

- e. Streetlights must be installed on all public roads. All streetlighting plans are to include photometric calculations demonstrating Bylaw 7900 requirements are met and approval by the Development Engineering Branch at the same time as other “issued for construction” drawings.

6. POWER AND TELECOMMUNICATION SERVICES

- a. All proposed distribution and service connections are to be installed underground. It is the developer’s responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant’s cost.
- b. If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City’s Development Manager.
- c. Re-locate existing poles and utilities, where necessary including within lanes. Remove aerial trespass(es).

7. GEOTECHNICAL STUDY

- a. Provide a comprehensive geotechnical report (3 copies), 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.**
- b. The Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department 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.
 - vi. Recommendations for roof drains and perimeter drains.
 - vii. Recommendations for erosion and sedimentation controls for water and wind.
 - viii. Any items required in other sections of this document.

- c. Should any on-site retaining walls surpass the following limits, an Over Height Retaining Wall Permit will be required:

“Retaining walls on all lots, except those required as a condition of subdivision approval, must not exceed a height of 1.2 m measured from natural grade on the lower side, and must be constructed so that any retaining walls are spaced to provide a 1.2 m horizontal separation between tiers. The maximum number of tiers is two with a maximum total height of 2.4 m. Any multi-tier structure more than 2 tiers must be designed and constructed under the direction of a qualified professional engineer.”

The design of all retaining walls is to conform with Engineer & Geoscientists British Columbia's Professional Practice Guidelines for Retaining Wall Design. Submission requirements for the Over Height Retaining Wall Permit include Engineer of Record documents (Appendix A of Retaining Wall Design Guideline) and any necessary independent reviews (as per EGBC's Documented Independent Review of Structural Designs).

- d. Any modified slopes having a finished slope greater than 2H:V1 (50%) and an elevation change greater than 1.2 m must be installed under the direction of a qualified professional engineer.
- e. Any exposed natural rock surface on a lot that has the potential for materials to displace causing a hazardous condition, must be reviewed by a qualified professional engineer with the appropriate and measures undertaken as prescribed by the engineer. For adequate Rockfall Protection adjacent to walls and rock cuts, please consider BC MoTI Supplement to TAC Geometric Design Guide 440, page 440-8, which outlines a ditch bottom width depending on wall height. Sidewalks and utilities should be kept out of this protection area. Additional ROW may be required.

Where walls are on the high side, the City's preference is that the walls remain setback and on private property. Where the walls hold up a public road, the City's preference is that additional dedication be provided, and the walls be owned by the City. Please design any geogrids or tie-backs so that they do not encroach into the required road ROW.

8. ROAD DEDICATION/SUBDIVISION REQUIREMENTS

- a. A dedication of approximately 0.86 m along a portion of the east property line, from the southeast lot corner extending 32.5m north, of the subject lot is required to achieve a future 7.6 m commercial laneway.
- b. No driveway access will be permitted to Doyle Ave. All vehicular access to the development site is to be provided from the lane.
- c. Indicate on the site, the locations of loading bays as well as the garbage and recycle bins. Provide turning movements for a MSU vehicle to confirm manoeuvrability on site and within lane.
- d. Perimeter access must comply with the BC Building Code. Fire Truck access designs and proposed hydrant locations will be reviewed by the Fire Protection Officer.

9. 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.

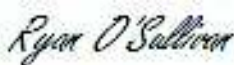
- b. Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c. Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & 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.

10. SERVICING AGREEMENT FOR WORKS AND SERVICES

- a. A Servicing Agreement is required for all offsite 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.

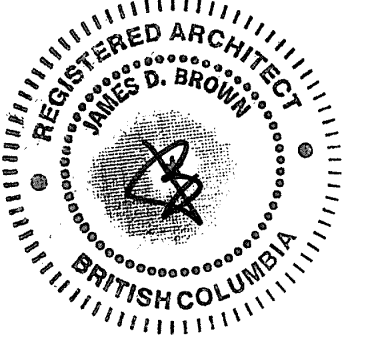
11. CHARGES AND FEES

- a. Development Cost Charges (DCC's) are payable.
- b. Fees per the "Development Application Fees Bylaw" include:
 - i. Street Marking/Traffic Sign Fees: at cost (to be determined after detailed design completed).
 - ii. Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - iii. Engineering and Inspection Fee: 3.5% of construction value (plus GST).



Ryan O'Sullivan
Development Engineering Manager

SK



NOT FOR CONSTRUCTION

PROJECT
350 DOYLE

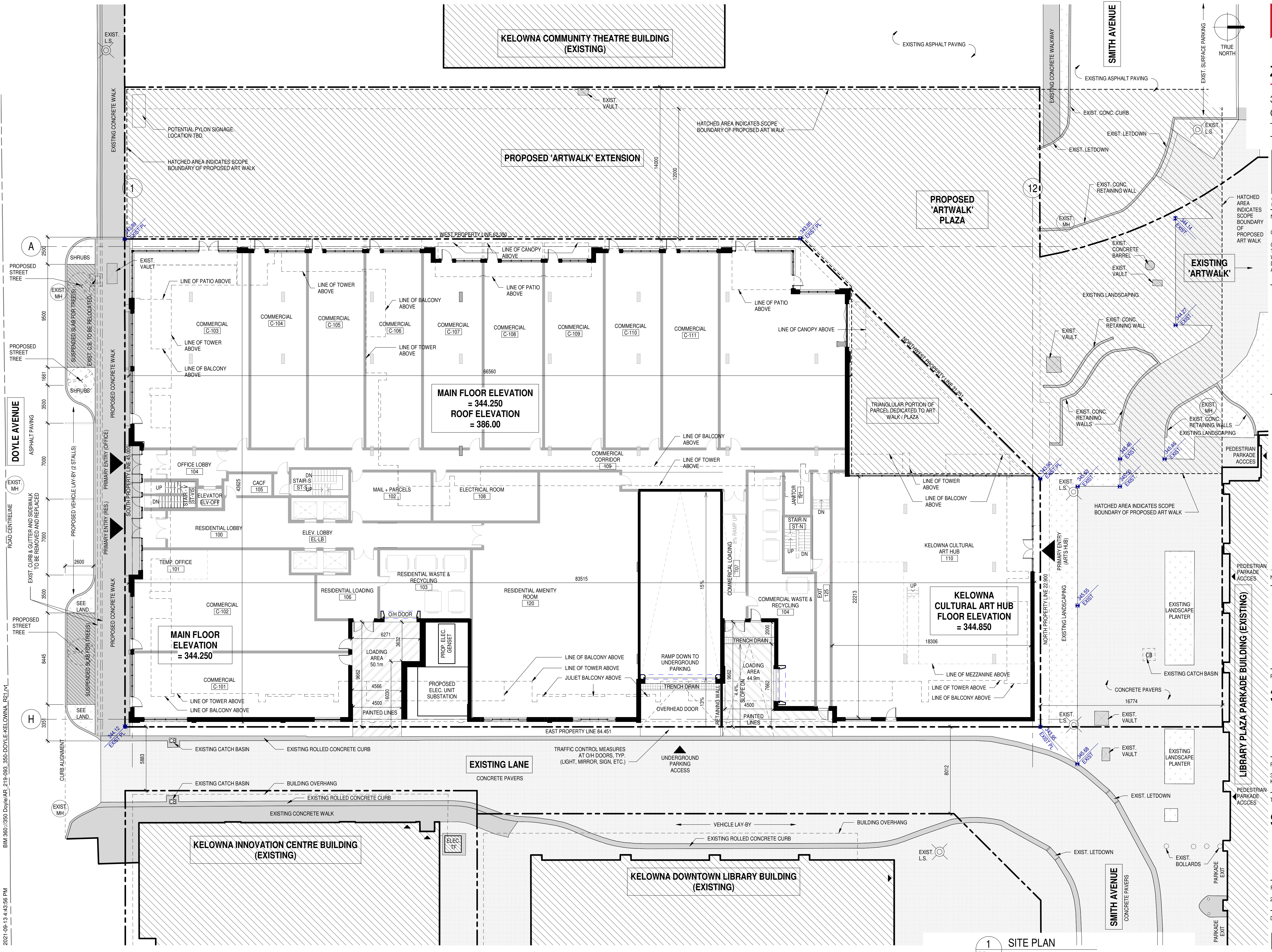
PROJECT ADDRESS
350 DOYLE AVENUE
KELOWNA, BRITISH COLUMBIA V1Y 6V7

TITLE
SITE PLAN

PROJECT NO.	DRAWN	CHECKED
219-093	Author	Checker

DRAWING NO.	REVISION NO.
-------------	--------------

DP1.02



1 SITE PLAN
SCALE: 1:150



NORTHWEST BIRDS EYE



SOUTHWEST PERSPECTIVE



ARTWALK EXTENSION NORTHWEST STREET PERSPECTIVE



DOYLE AVENUE SOUTHEAST PERSPECTIVE



DOYLE AVENUE SOUTH PERSPECTIVE



DOYLE AVENUE SOUTHWEST PERSPECTIVE

RENDERED IMAGES ARE FOR VISUALIZATION PURPOSES ONLY AND MAY NOT DEPICT FINAL CONSTRUCTED RESULT.

Zeidler Architecture

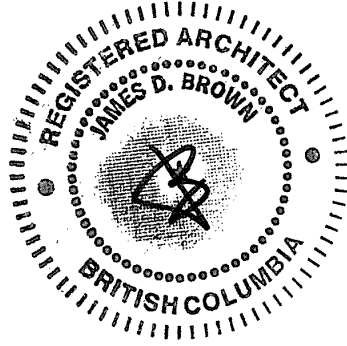
300, 640 – 8 Avenue SW
Calgary, Alberta T2P 1G7
T 403 233 2525 | zeidler.com



NOTE

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ATTACHMENT

B

This forms part of application
Z21-0061

Planner Initials

KB


City of
Kelowna
DEVELOPMENT PLANNING

1	ISSUED FOR REZONING+DP+DVP - REV.1	2021-09-12
NO.	ISSUE/ REVISION	DATE

NOT FOR CONSTRUCTION

PROJECT
350 DOYLE

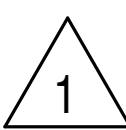
PROJECT ADDRESS
350 DOYLE AVENUE
KELOWNA, BRITISH COLUMBIA V1Y 6V7

TITLE
EXTERIOR RENDERINGS (CONCEPTUAL)

PROJECT NO.	DRAWN	CHECKED
219-093	Author	Checker

DRAWING NO.	REVISION NO.
-------------	--------------

DP3.04





Z21-0061

350 Doyle Avenue

Rezoning Application



Proposal

- ▶ To rezone the subject property from P1 – Major Institutional to C7r – Central Business Commercial (Residential Rental Only Tenure) to facilitate a mixed-use rental development.

Development Process

June 4, 2021

Development Application Accepted

Staff Review & Circulation

June 25, 2021

Public Notification Received

July 10-18, 2021

Public Information Session

Oct 18, 2021

Initial Consideration

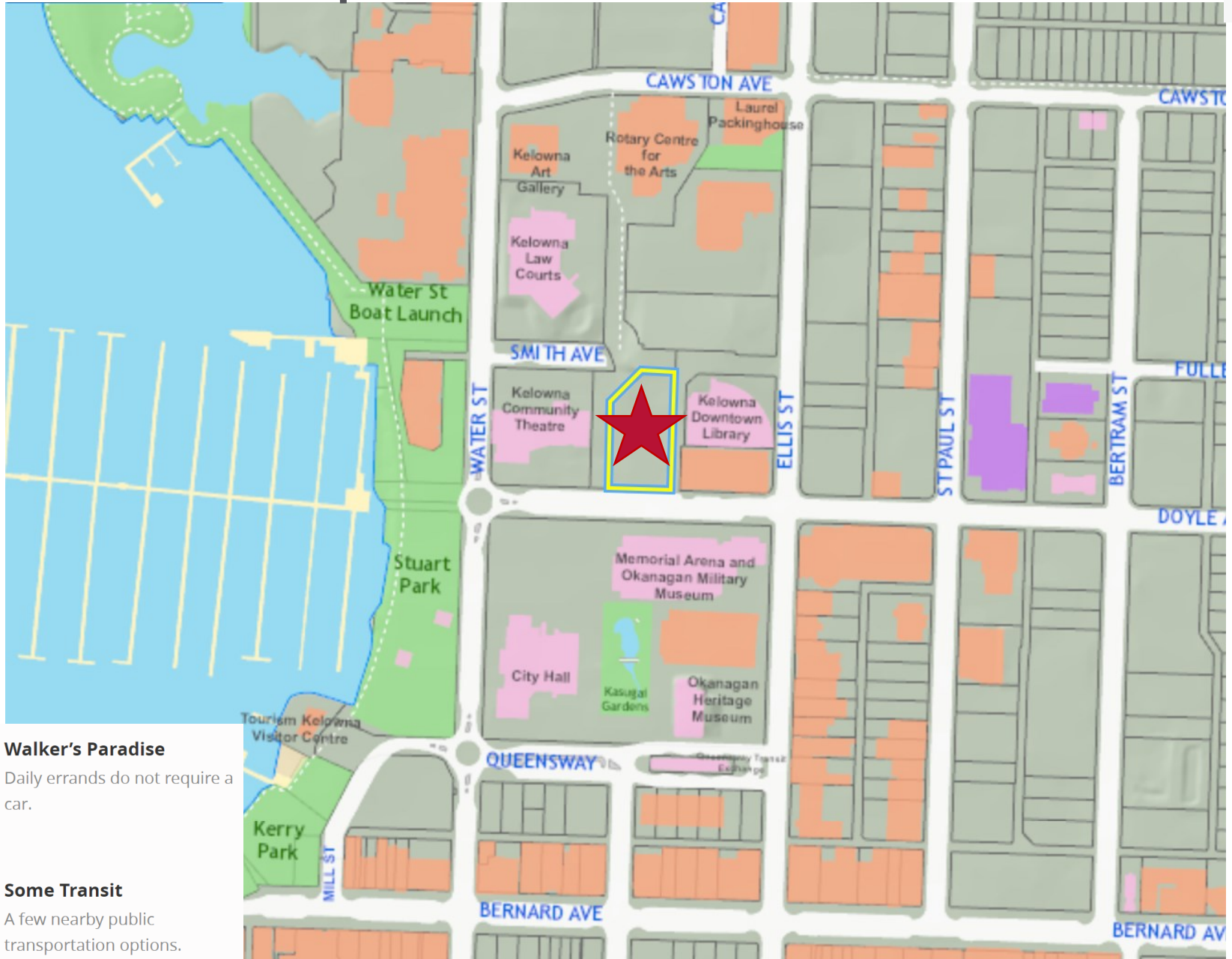
Public Hearing
Second & Third Readings

Final Reading
Development Permit & Development Variance Permit

Building Permit

Council
Approvals

Context Map



Walk Score
95

Walker's Paradise

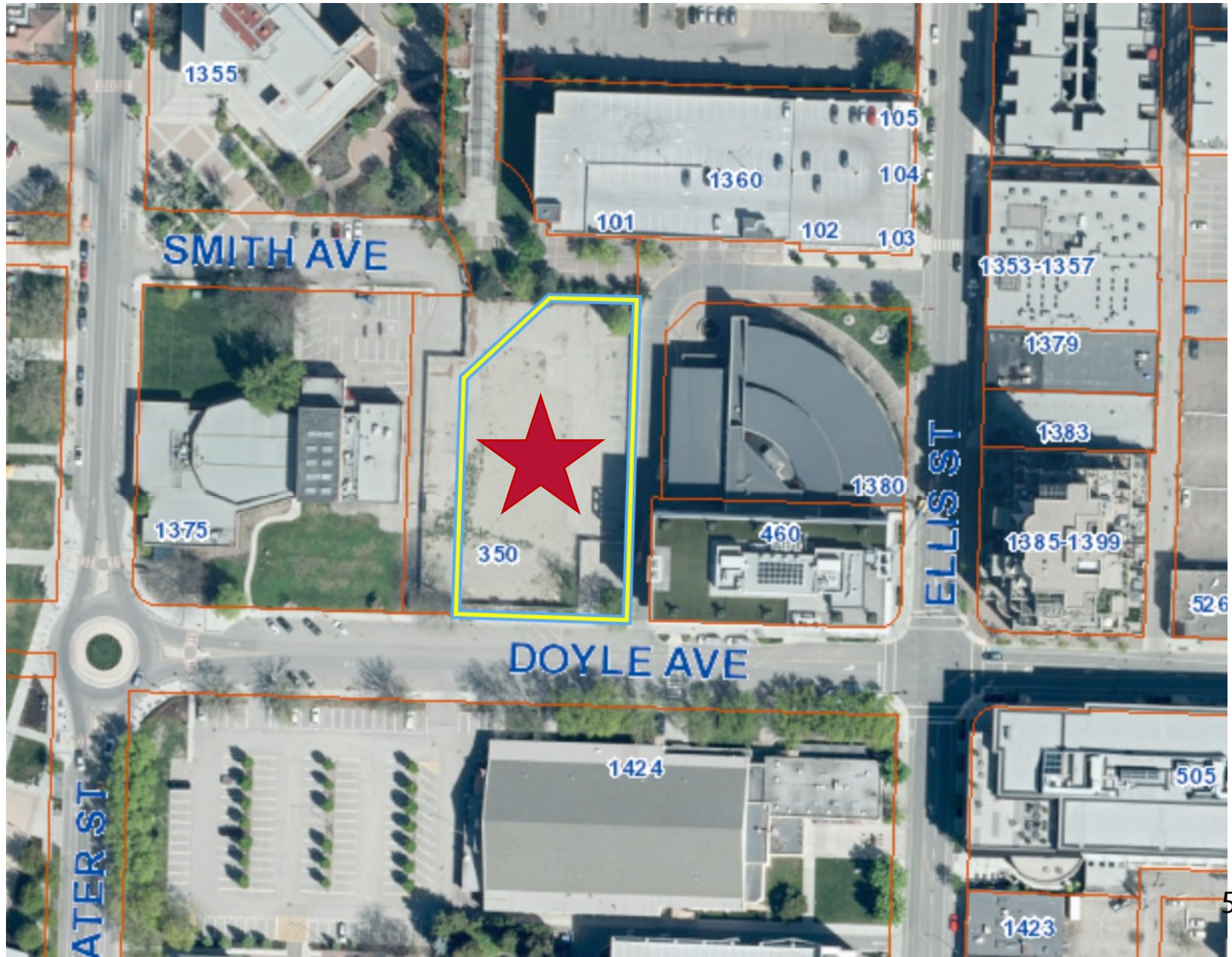
Daily errands do not require a car.

Transit Score
48

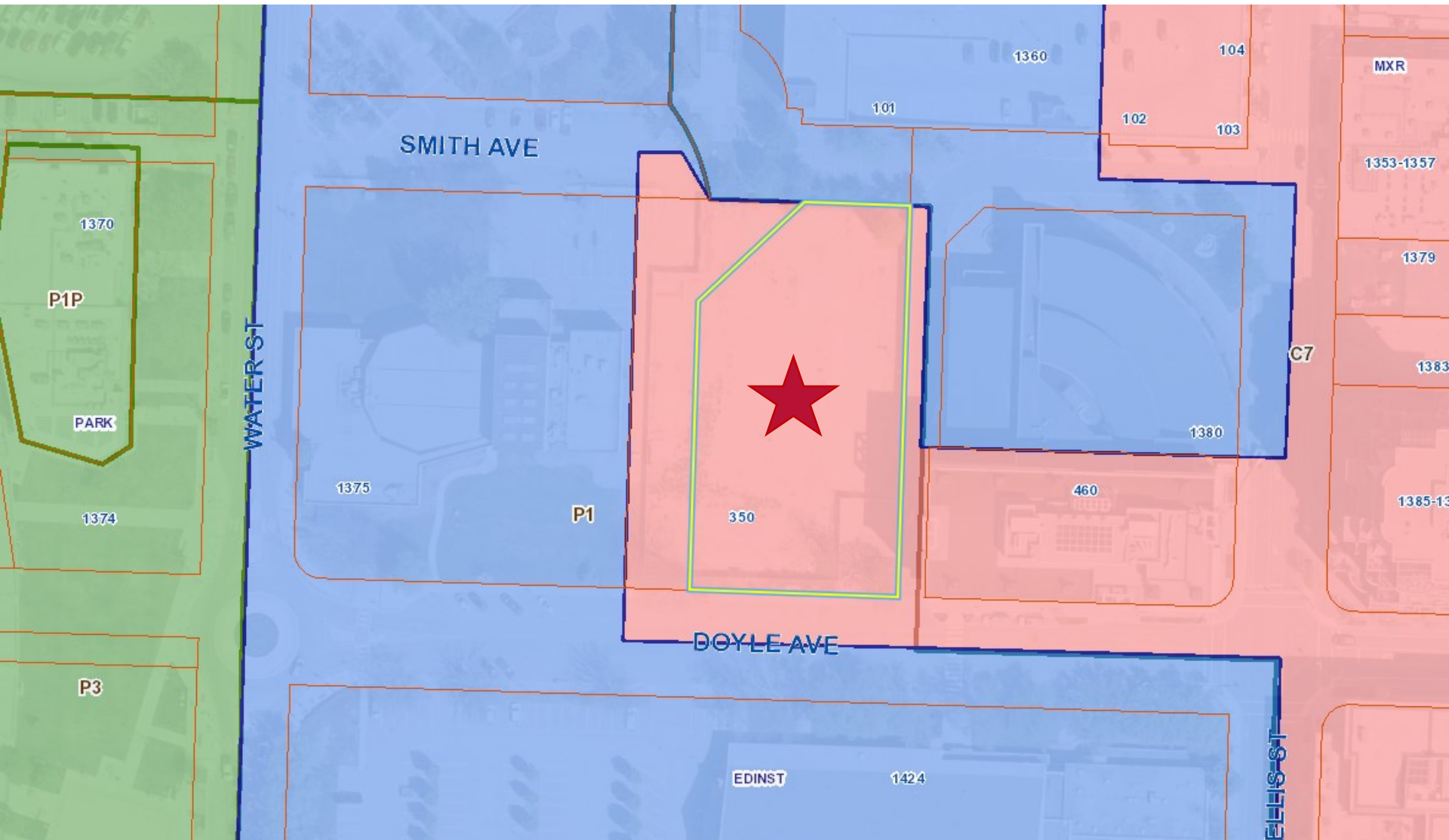
Some Transit

A few nearby public transportation options.

Subject Property Map

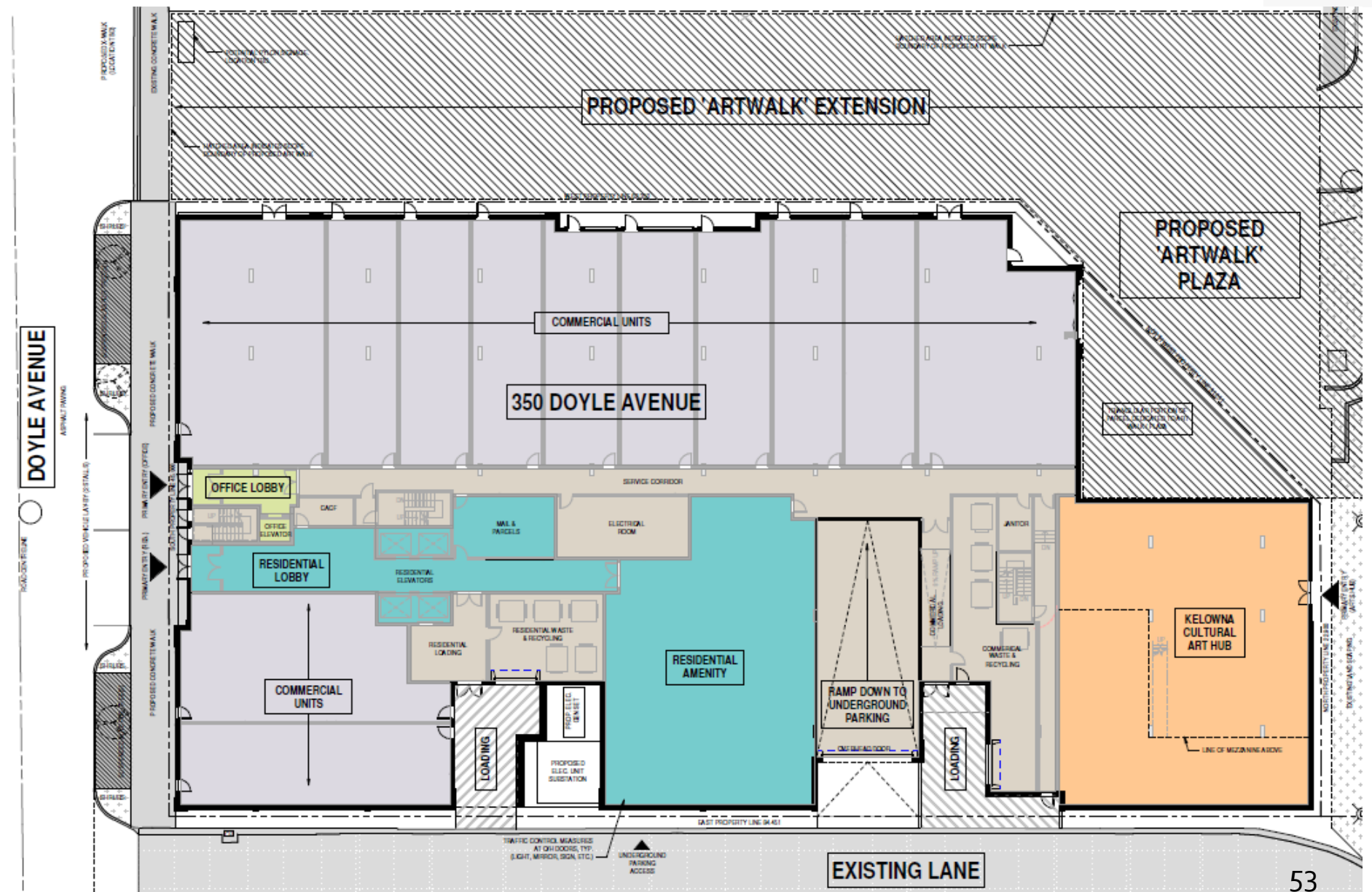


Zoning & Future Land Use Map





Conceptual Site Plan



Draft Rendering



Development Policy

- ▶ Consistent with Future Land Use (***MXR***)
- ▶ Consistent with the Civic Precinct Plan
- ▶ Meets the intent of Official Community Plan Urban Infill Policies:
 - ▶ Within Permanent Growth Boundary
 - ▶ Contain Urban Growth
 - ▶ Complete Communities
 - ▶ Compact Urban Form

Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning
 - ▶ Meets the intent of the Official Community Plan
 - ▶ Urban Infill Policies
 - ▶ Appropriate location for adding residential density
 - ▶ Meets the intent of the Civic Precinct Plan
 - ▶ Includes rental-only subzone
- ▶ Recommend the Bylaw be forwarded to Public Hearing



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12286

Z21-0061

350 Doyle Avenue

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot C District Lot 139 ODYD Plan EPP95954 located on Doyle Avenue, Kelowna, BC from the P1 – Major Institutional zone to the C7r – Central Business Commercial (Residential Rental Tenure Only) zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: October 18, 2021

To: Council

From: City Manager

Department: Development Planning

Application: Z21-0055

Owner: 1243978 BC LTD., Inc. No.
BC1243978

Address: 1875 Richter Street

Applicant: Novation Architecture LTD.

Subject: Rezoning Application

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

Existing Zone: RU6 – Two Dwelling Housing

Proposed Zone: RM3r – Low Density Multiple Housing (Residential Rental Tenure Only)

1.0 Recommendation

THAT Rezoning Application No. Z21-0055 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B District Lot 138 ODYD Plan 4495, located at 1875 Richter Street, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM3r – Low Density Multiple Housing (Residential Rental Tenure Only) zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated October 18, 2021;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit for the subject property.

2.0 Purpose

To rezone the subject property from the RU6 – Two Dwelling Housing zone to the RM3r – Low Density Multiple Housing (Residential Rental Tenure Only) zone to facilitate the development of multiple dwelling housing.

3.0 Development Planning

Staff supports the rezoning of the subject property from the RU6 – Two Dwelling Housing zone to the RM3r – Low Density Multiple Housing (Residential Rental Tenure Only) zone to facilitate the development of a 3-storey 20-unit purpose built rental housing development. The application is consistent with the Official Community Plan (OCP) Future Land Use Designation of MRL – Multiple Unit Residential (Low Density). It meets all of the Zoning Bylaw regulations for the RM3 – Low Density Multiple Residential zone with no variances required.

The subject property is located south of the City Centre Urban Centre on Richter Street between Rowcliffe Ave and Sutherland Ave. The parcel has a Walk Score of 77 – Very Walkable (most errands can be accomplished on foot) and a Bike Score of 99 – Biker's Paradise as the site provides easy access to both Richter Street and Sutherland Ave bike lanes. Additional density in this area is supported through the local amenities including nearby parks, Okanagan Lake, transit, restaurants and shopping opportunities in the area.

4.0 Proposal

4.1 Background

The subject property was home to J.N. Thompson House which is on the Kelowna Heritage Register. Prior to selling the property, the previous homeowner chose to relocate the building to a property in the East Kelowna area. Upon completion of the relocation, the vacant property was sold to a developer with the subject application coming forth.

4.2 Project Description

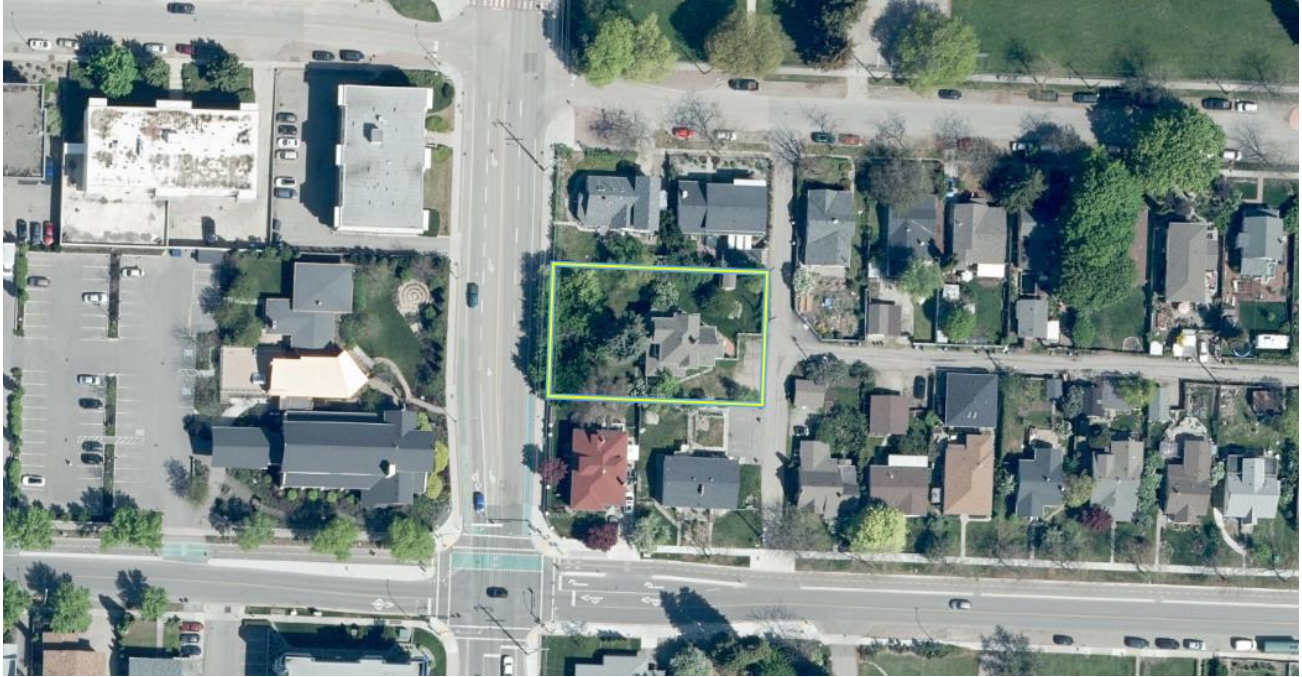
The proposed development consists of a three-storey 20-unit purpose-built rental project. Two floors of residential one-bedroom units sit upon the main floor structured parkade. All Zoning Bylaw regulations have been met including parking requirements. The site provides 20 parking stalls along with a secure bike storage area. The development was able to benefit from a parking reduction through the provision of bonus long-term bicycle parking spaces.

4.3 Site Context

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing	Single Dwelling Houses
East	RU6 – Two Dwelling Housing	Single Dwelling Houses
South	RU6 – Two Dwelling Housing	Single Dwelling Houses
West	RM5 – Medium Density Multiple Housing P2 – Education and Minor Institutional	Multi- Family Building Church

Subject Property Map: 1875 Richter Street



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Objective 5.2 Develop Sustainably.

Complete Communities. Support the development of complete communities with a minimum intensity of approximately 35-40 people and/or jobs per hectare to support basic transit service – a bus every 30 minutes. (approx. 114 people / hectare proposed).

Objective 5.3 Focus development to designated growth areas.

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.

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

6.0 Technical Comments

6.1 Development Engineering Department

Refer to Schedule 'A' Attached.

7.0 Application Chronology

Date of Application Accepted: May 26, 2021

Date Public Consultation Completed: Sept 24, 2021

Report prepared by: Lydia Korolchuk, Planner Specialist

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:

Schedule A: Development Engineering Memo

Attachment A: Applicant's Project Rationale

Attachment B: Conceptual Drawing Package



MEMORANDUM

Date: June 2, 2021

File No.: Z21-0055

To: Urban Planning (AT)

From: Development Engineering Manager (JK)

Subject: 1875 Richter St.

RU6 to RM3R

The Development Engineering Department has the following comments and requirements associated with this rezoning application to rezone the subject property from RU6 - Two Dwelling Housing to RM3r - Low Density Multiple Housing (Residential Rental Tenure Only). The Development Engineering Technologist for this project is Aaron Sangster.

1. General

- a. 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.
- b. 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 to obtain further information and to determine suitable location(s) within the development.
- c. These Development Engineering comments/requirements are subject to the review and requirements from the Ministry of Transportation and Infrastructure (MoTI).

2. Domestic Water and Fire Protection

- a. This property is currently serviced with 19mm-diameter water service. One metered water service will be required for each of the properties. The disconnection of the existing small diameter water services and the tie-in of a larger service is the developer's responsibility. You can engage an engineer and contractor to manage the work on your behalf or it can be provided by City forces at the developer's expense. If you chose to have it completed by City forces, you will be required to sign a Third-Party Work Order and pre-pay for the cost of the water service upgrades. For estimate inquiry's please contact Aaron Sangster by email asangster@kelowna.ca or phone, 250-469-8487.

3. Sanitary Sewer

- a. Our records indicate that these properties are currently serviced with a 150mm-diameter sanitary sewer service. An inspection chamber (IC) complete with brooks

box must be confirmed/installed on the service at the owner's cost. Service upgrades can be provided by the City at the applicant's cost. The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade. For estimate inquiry's please contact Aaron Sangster by email asangster@kelowna.ca or phone, 250-469-8487.

4. Storm Drainage

- a. The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and recommendations for onsite drainage containment and disposal systems.
- b. On site storm drainage systems for the site will be reviewed and approved by Engineering in accordance with bylaw 7900, when a site servicing design is submitted.
- c. There is a possibility of a high-water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.

5. Road Improvements

- a. Richter St. has been upgraded to an urban standard along the full frontage of this proposed development. No further upgrades are needed at this time.
- b. Laneway must be upgraded to a SS-R2 standard along the full frontage of this proposed development including drainage system including catch basins, manholes or drywells and pavement removal and replacement, and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.
- c. Dedication 2.6m width along the full frontage of Richter St. to achieve the ROW for a SS-R14.

6. Electric Power and Telecommunication Services

- a. All proposed service connections are to be installed underground. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost
- b. Re-locate existing utilities, where necessary.

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 offsite 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. Other Engineering Comments

- a. Provide all necessary Statutory Rights-of-Way for any utility corridors as required.
- b. If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager

10. Development Permit and Site Related Issues

- a. Provide all necessary Statutory Rights-of-Way for any utility corridors as required.
- b. If any road dedication affects lands encumbered by a Utility right-of-way (such as Fortis, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.

11. 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.
- 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

12. **Charges and Fees**

- (a) Development Cost Charges (DCC's) are payable
- (b) Fees per the "Development Application Fees Bylaw" include:
 - (i) Street/Traffic Sign Fees: at cost if required (to be determined after design).
 - (ii) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - (iii) Engineering and Inspection Fee: 3.5% of construction value (plus GST).

Ryan O'Sullivan
Development Engineering Manager

AS

April 30th, 2021

Our File: 2128

City of Kelowna
1435 Water St,
Kelowna, BC V1Y 1J4

Attention: Aaron Thibeault, Planner II at City of Kelowna

Dear Mr. Thibeault,

Re: Development Permit / Rezoning for property located at 1875 Richter Street

This development proposal will adhere to the requirements of the RM3r zone as described in the City of Kelowna Zoning Bylaw No. 8000.

Project Description

The current zoning for the site is RU6. With an OCP future land use designation of MRL, we are seeking a rezoning from RU6 to RM3r zone. The proposed project is a 3-storey multi-family residential development located at 1875 Richter Street. It is purpose built rental housing consisting of main level parking with 2 levels of residential above, providing 20 1-bedroom 1-bath rental units.

Design Rationale

The main building entrance will be off Richter Street, and vehicular access will be from a laneway off Rowcliffe Avenue, providing a secure entrance into an open-air parkade. In addition to vehicular parking, the main floor will provide plenty of bike parking. We have chosen to provide the bonus long-term bicycle parking for this project considering its proximity to surrounding transportation corridors. The property is flanked by bicycle lanes on both Richter Street and Sutherland Avenue, making this a very convenient location for those biking to and from work.

The material selection consists of a light-colored stucco, horizontal wood-patterned siding, and brick. These materials are complimented by the incorporation of glass along the balcony railings, full-height glass wall dividing the front elevation of the building, and vertical wood elements to provide security and screening of the parking. Additionally, to add texture to the front entry, we have created a pattern within the brickwork to create more visual appeal along Richter Street. The pedestrian entrance off Richter Street serves to create an inviting focal point surrounded by this glass and textured brick façade. In conjunction with the proposed landscaping, a thoughtful interface between the street and the building is created.

Continued ...

The garbage will be enclosed within the parking garage with easy access to the laneway but screened from neighbouring properties.

We are seeking no variances as we feel that the development has been designed appropriately for the site and location.

I trust that you will find our application in good order. Please contact our office if you require any further information.

Kind Regards,

NOvation Architecture Ltd.



Paul M. Schuster, Architect
AIBC, CAB, MRAIC and NCARB Certified

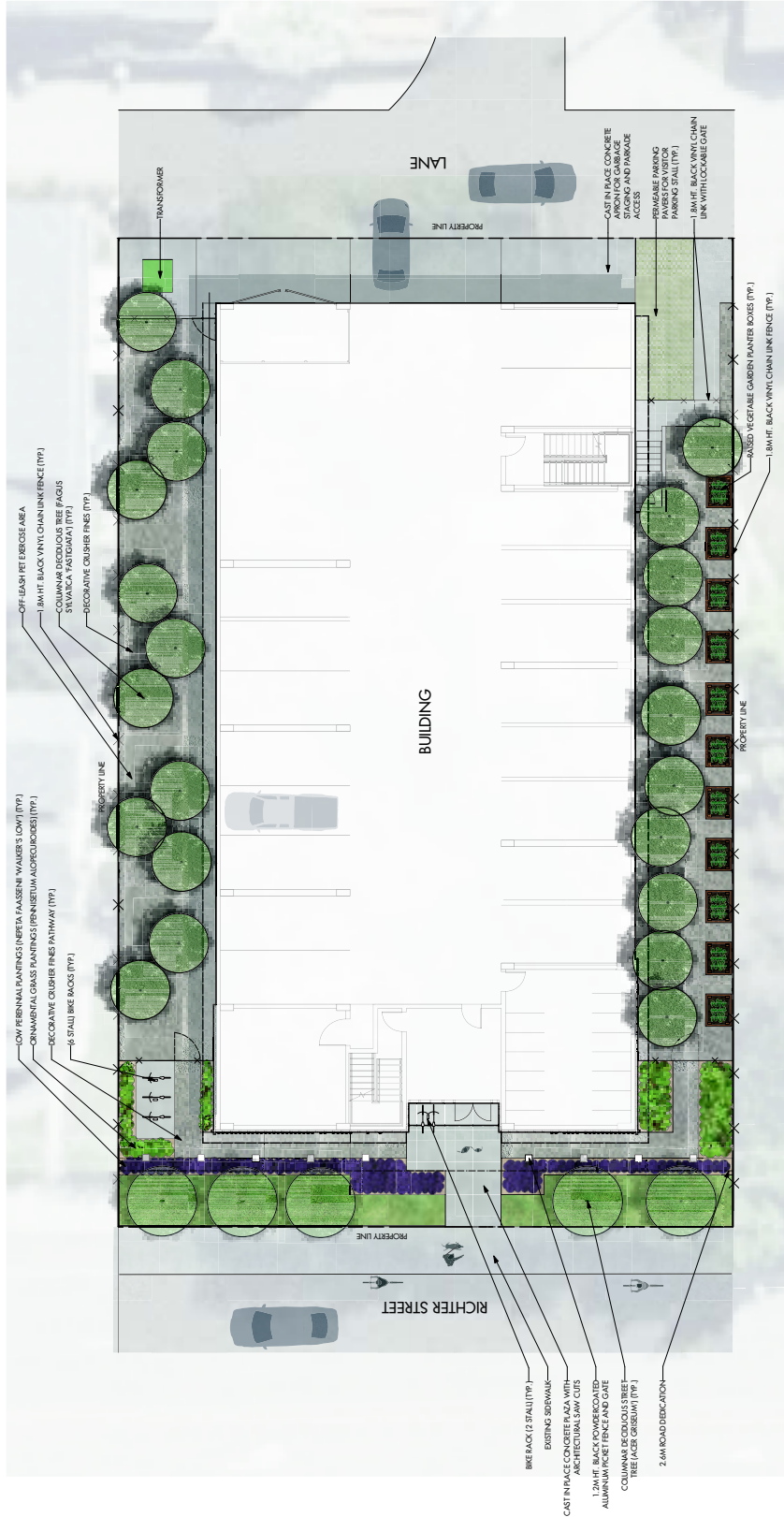
(250) 718 - 1302
paul@novationarchitecture.com

Paul M. Schuster – Architect AIBC, CAB, MRAIC, and NCARB Certified

• 302 – 2237 Leckie Rd. • Kelowna, BC • V1X 6Y5 | www.novationarchitecture.com | paul@novationarchitecture.com | (236) 420 – 4144 •

ISSUE FOR / VERSION	
1	21.04.06 Review
2	21.04.14 Review
3	21.08.13 Review
4	
5	

PROJECT NO.	21045
DESIGN BY	RB
DRAWN BY	AC
CHECKED BY	RB
DATE	AUG. 13, 2021
SCALE	1/100
PAGE SIZE	24"x36"



NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED THE CANADIAN LANDSCAPE STANDARD.
2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC, TWO-PIPER, UNDERGROUND IRRIGATION SYSTEM.
3. TREE AND SHrub SPECIES TO BE PLANTED IN A MINIMUM 50% DUCKWEED BASIN, AS SHOWN ON PLANS. TREES IN THIS BASIN SHALL BE PLANTED AT A MINIMUM OF 1.0 m FROM THE EDGE OF THE BASIN. SHrubS SHALL BE PLANTED TO REQUIRE A MINIMUM OF 5.0 m OF GROWING MEDIUM. DO NOT PLACE WEED MAT UNDERNATH TREES AND SHrubS.
4. TREE AND SHrubS MUST RECEIVE A MINIMUM 1000 mm DEPTH TOPSOIL PLACEMENT.
5. TREE TRANSPLANT FROM SOIL SHALL BE 1.00 m GROUND COVERED SPECIES OF ANCHORED CULTIVARS BE REGISTERED FOR SALE IN BC. TREES SHALL BE PLANTED TO OBTAIN BEST CULTIVAR CONDITIONS. A MINIMUM OF 150 mm DEPTH OF GROWING MEDIUM IS REQUIRED BENEATH TREE AREAS. TREE AREAS SHALL RECEIVE BEST GRADES AND SHALL SURFACE FLUSH WITH ADJACENT DRIVEWAYS.
6. SITE GRADING AND DRAINAGE WILL ENSURE THAT ALL STRUCTURES HAVE POSITIVE DRAINAGE, AND THAT NO WATER OR GROUND MOVEMENTS WILL BE DISCHARGED FROM THE LOT TO ADJACENT PUBLIC COMMON OR PRIVATE PROPERTIES.

PLANT LIST

BOTANICAL NAME	COMMON NAME	QTY	SIZE/SPACING & REMARKS
TREES			
PAPER BARK MAPLE		5	6m CAL
PRINCEDAL GREEN BEECH		22	6m CAL
PERENNIAL GRASSES & BOUND COVERS			
PERNETA FAUSSELN WAMBER'S LOW	CATWIND	14	#01 CONT. 10.0M O.C SPAC
PENNEUM ALPINE CLOVER	FOUNTAIN GRASS	10	#01 CONT. 10.0M O.C SPAC



Z21-0055 1875 Richter Street

Rezoning Application



Proposal

- ▶ To consider an application to rezone the subject property from the RU6 – Two Dwelling Housing zone to the RM3r – Low Density Multiple Housing (Residential Rental Tenure Only) zone to facilitate the development of multiple dwelling housing.

Development Process

May 26, 2021

Development Application Accepted

Staff Review & Circulation

Sept 24, 2021

Neighbourhood Consultation

Oct 18, 2021

Initial Consideration

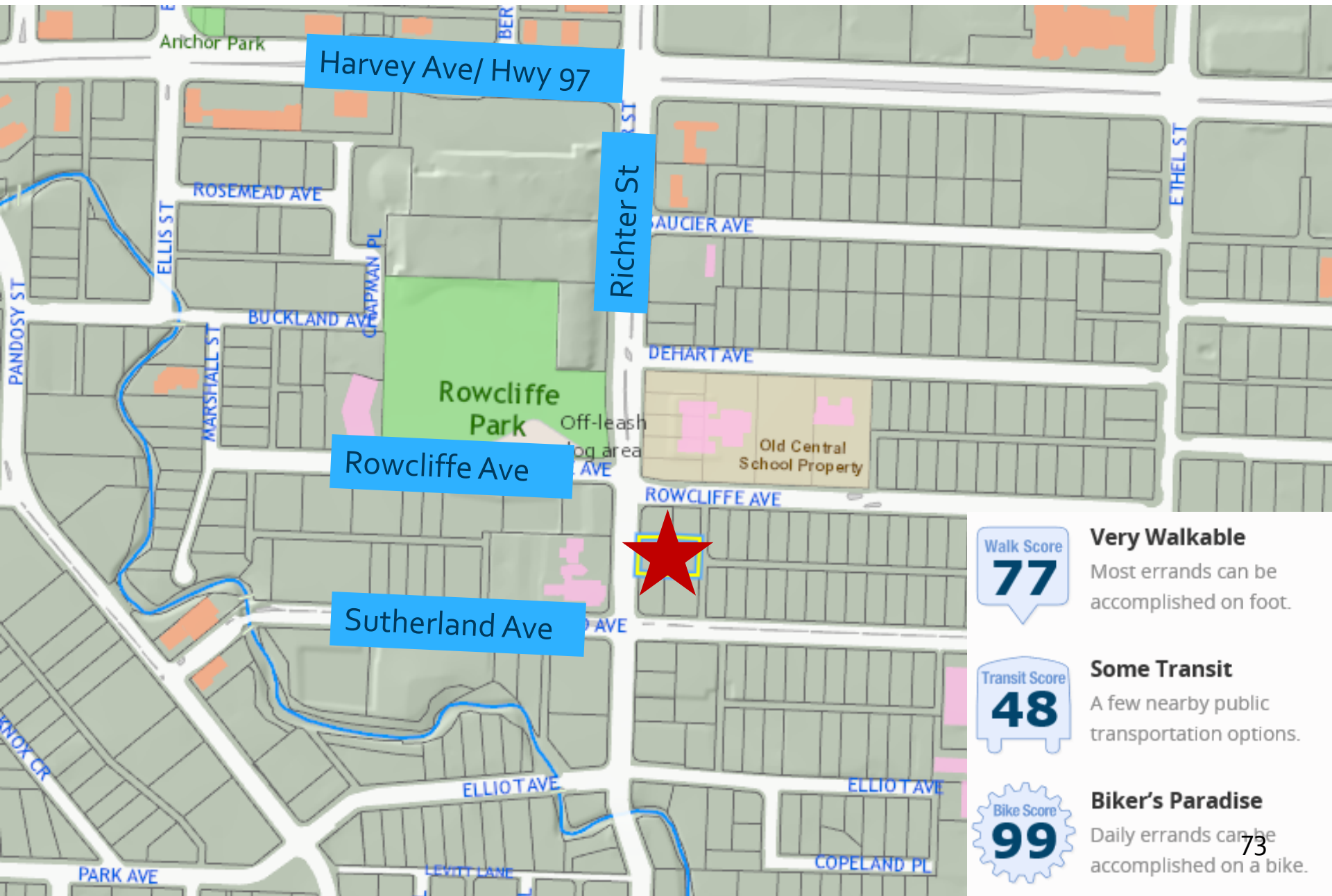
Waive Public Hearing

Final Reading and DP

Building Permit

Council Approvals

Context Map



Walk Score
77

Very Walkable

Most errands can be accomplished on foot.

Transit Score
48

Some Transit

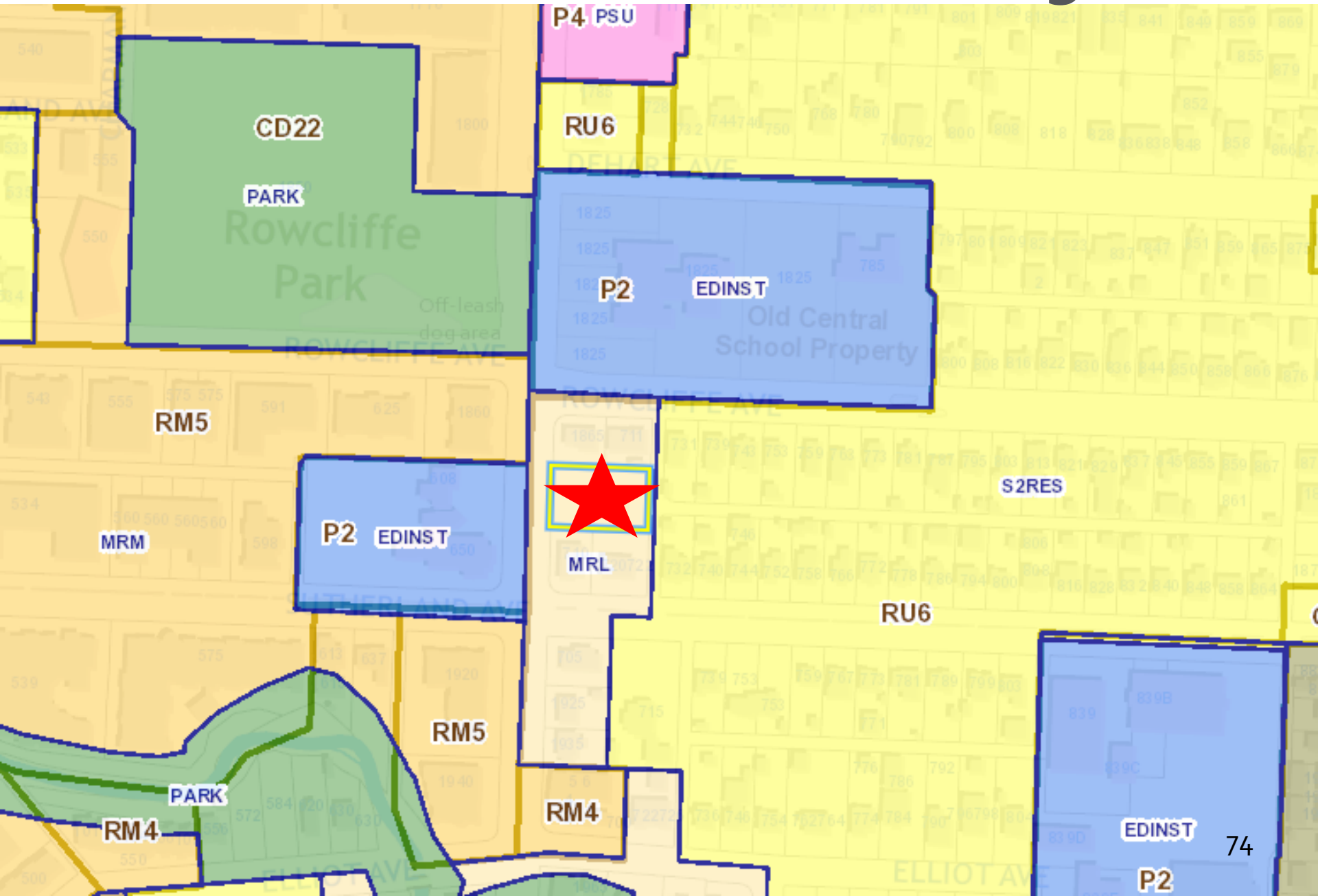
A few nearby public transportation options.

Bike Score
99

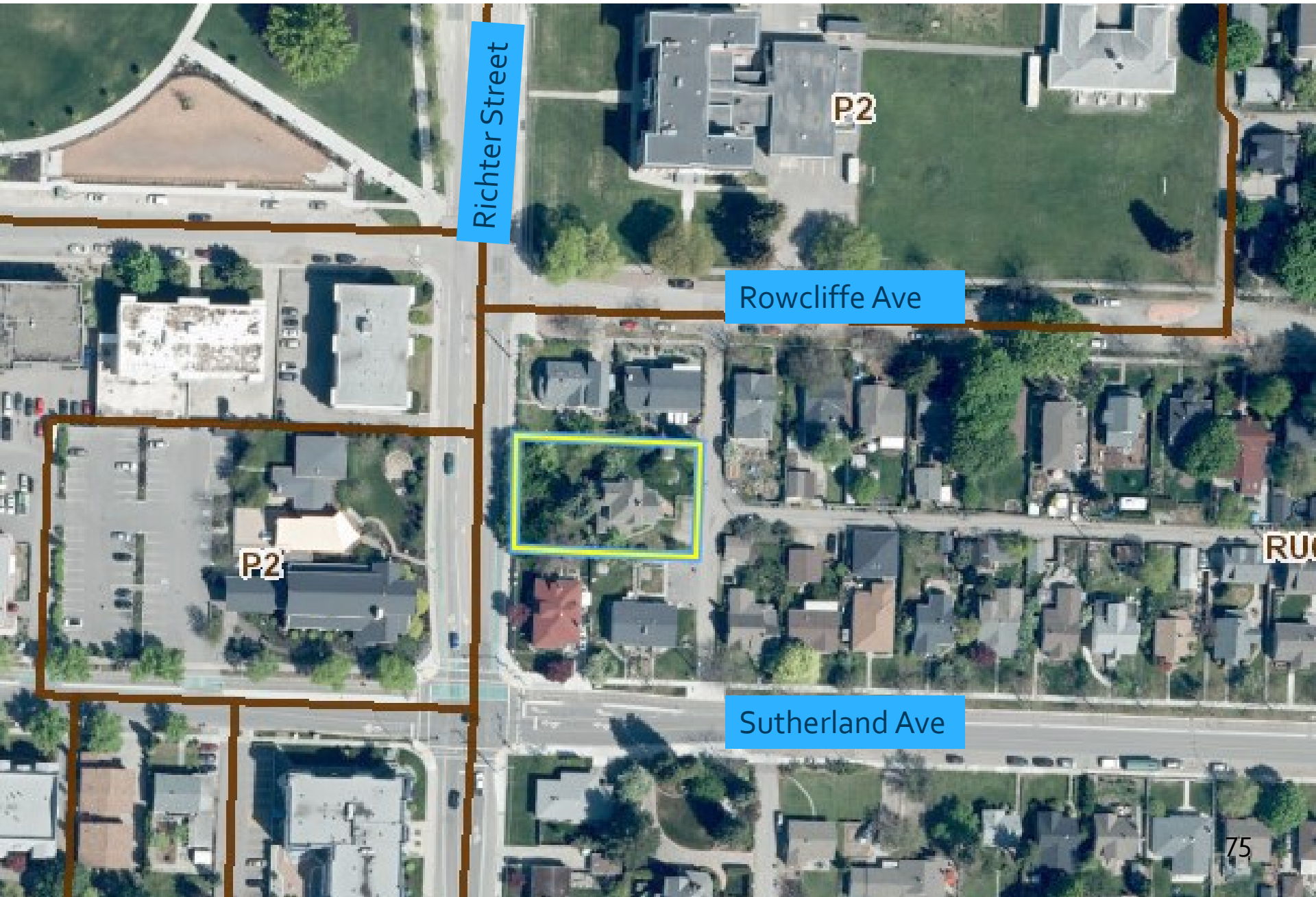
Biker's Paradise

Daily errands can be accomplished on a bike.

OCP Future Land Use / Zoning



Subject Property Map



Site Plan



Proposed Rendering



View from Richter Street

Development policy

- ▶ Meets the intent of Official Community Plan Urban Infill Policies:
 - ▶ 5.2.4 – Complete Communities
 - ▶ 5.3.2 – Compact Urban Form
 - ▶ 5.22.1 – Sensitive Infill
- ▶ Consistent with the Future Land Use → MRL – Multiple Unit Residential (Low Density)

Staff Recommendation

- ▶ **Support** of the proposed Rezoning:
 - ▶ Meets many objectives in the OCP
- ▶ Recommend that Public Hearing be waived



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12289

Z21-0055

1875 Richter Street

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot B District Lot 138 ODYD Plan 4495 located on Richter Street, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM3r – Low Density Multiple Housing (Residential Rental Tenure Only) zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12267

Official Community Plan Amendment No. OCP21-0020 604 Cawston Avenue

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

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

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* – Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of Lot 1 District lot 139 ODYD Plan EPP114593 located on Cawston Avenue, Kelowna, B.C. from the MRM – Multiple Unit Residential (Medium Density) designation to the MXR – Mixed Use (Residential/Commercial) designation.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 23rd day of August, 2021.

Considered at a Public Hearing on the 21st day of September, 2021.

Read a second and third time by the Municipal Council this 21st day of September, 2021.

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

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12268
Z21-0069
604 Cawston Avenue

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1 District Lot 139 ODYD Plan EPP114593, located on Cawston Avenue, Kelowna, B.C. from the RU2 – Medium Lot Housing zone to the C7 – Central Business Commercial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 23rd day of August, 2021.

Considered at a Public Hearing on the 21st day of September, 2021.

Read a second and third time by the Municipal Council this 21st day of September, 2021.

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

Mayor

City Clerk

REPORT TO COUNCIL



Date: October 18th 2021

To: Council

From: City Manager

Department: Development Planning Department

Application: DP21-0163

Owner: Sole Cawston Developments Ltd., Inc. No. BC1270856

Address: 604 Cawston Avenue

Applicant: Kevin Edgecombe

Subject: Development Permit

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

Zone: C7 – Central Business Commercial

1.0 Recommendation

THAT OCP Amendment Bylaw No. 12267 (OCP21-0020) and Rezoning Bylaw No. 12268 (Z21-0069) and be amended at third reading to revise the legal description of the subject properties from:

- Lot 23, District Lot 139, ODYD, Plan 1037, located at 604 Cawston Avenue, Kelowna, BC
- Lot 22, District Lot 139, ODYD, Plan 1037, located at 608 Cawston Avenue, Kelowna, BC
- Lot 21, District Lot 139, ODYD, Plan 1037, located at 612 Cawston Avenue, Kelowna, BC
- Lot A, District Lot 139, ODYD, Plan EPP49686, located at 626 Cawston Avenue, Kelowna, BC

To:

- Lot 1, District Lot 139, ODYD, Plan EPP114593, located at 604 Cawston Avenue, Kelowna, BC

AND THAT final adoption of OCP Amendment Bylaw No. 12267 (OCP21-0020) and Rezoning Bylaw No. 12268 (Z21-0069) be considered by Council;

AND THAT Council authorize the issuance of Development Permit No. DP21-0163 for Lot 1, District Lot 139, ODYD, Plan EPP114593, located at 604 Cawston Avenue, Kelowna, BC, subject to the following:

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

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

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

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

2.0 Purpose

To issue the Form & Character Development Permit of a proposed 6 storey residential apartment building with a commercial third floor proposed to be occupied by a school.

3.0 Development Planning

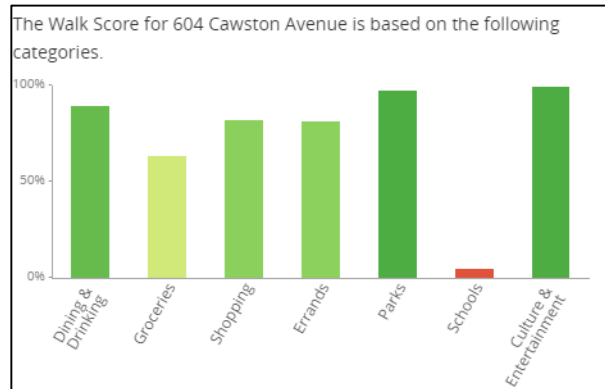
The applicant has worked with City staff to refine several site issues including servicing, lane access, building design, and bicycle parking. Originally, the applicant had two variances (one to loading and one to bicycle parking) and both of those are now in compliance with zoning bylaw regulations. As result, there is no Development Variance Permit necessary and Council is considering the form and character Development Permit. The building's form and character and proposed materials are generally aligned with OCP guidelines and Staff are recommending support for the Development Permit.

Staff generally recommends all six storey buildings either "protrude the first floors from the rest of the building or setback the upper floors" and that buildings are setback at the upper floors when abutting lower scale buildings. The applicant has discussed these design principals with Staff and the resulting design meets a number of key design objectives. These key objectives are:

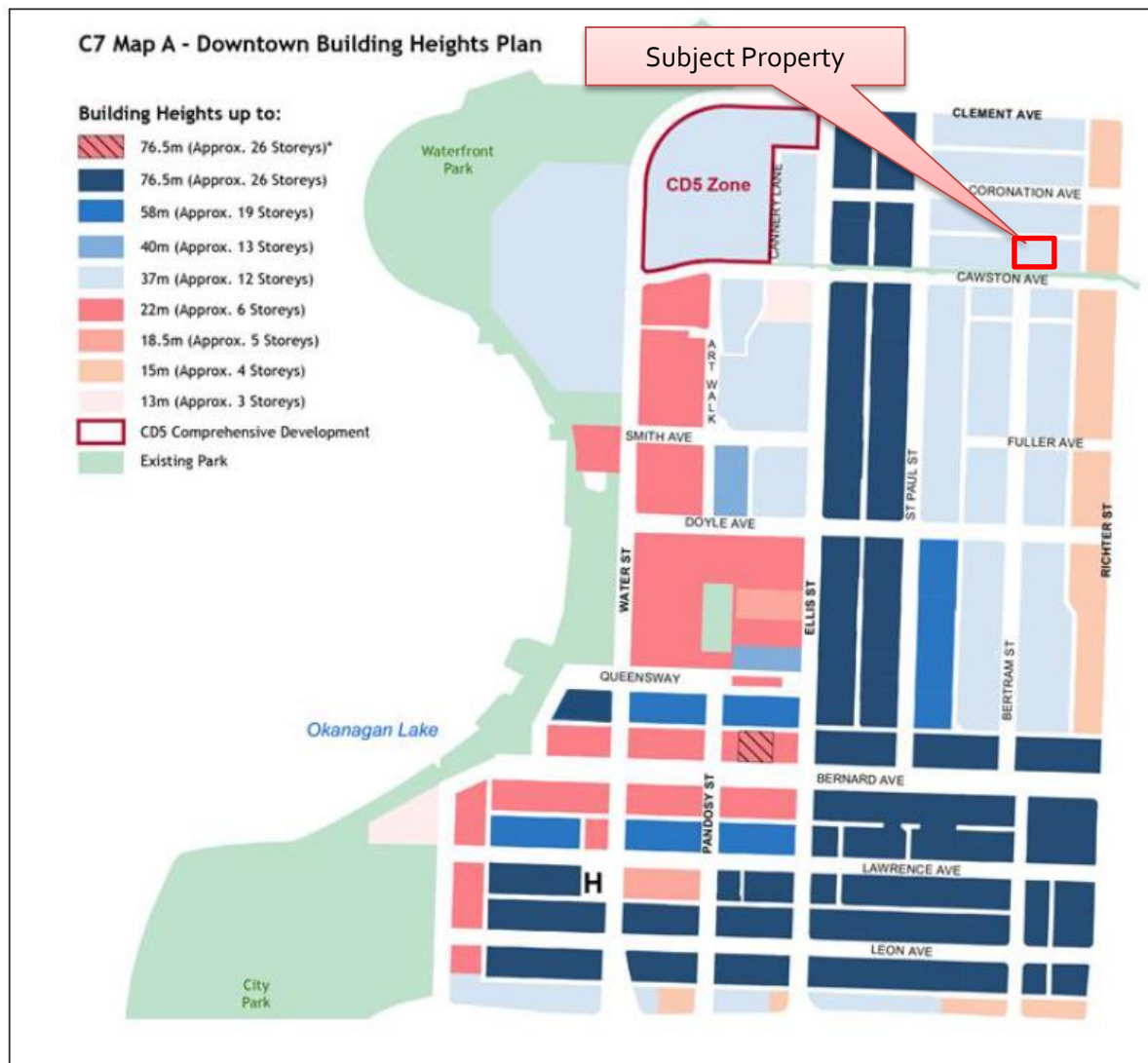
1. Ground-oriented units facing the street which hide the parkade;
2. Parking access from the rear lane;
3. Rear lane dedication;
4. Building setbacks from the street after the first two floor resulting in the protrusion of the first floors from the rest of the building;
5. Provision of a school on the third floor, increasing livability and amenities within the downtown core; and
6. Rooftop amenity space including seating / lounging areas, garden plots, and children play structures enhancing the liveability and quality of the project.

The sites proximity to the downtown and an active transportation corridor will facilitate residents' utilization of alternative transportation, which means increasing the desired transportation modal splits and objectives identified in various city plans (Master Transportation Plan, Official Community Plan, and Pedestrian and Bicycle Master Plan). The BikeScore for the site is 97 indicating this site is a "Biker's Paradise". The building's concept includes a mix of private outdoor spaces and a community roof-top amenity space with gardening spaces that allows a variety of outdoor options for the occupants of the building.

As the property is located downtown, the site is within walking distance of a wide range of amenities and destinations including: retail, dining opportunities, employment opportunities, cultural facilities, and recreational facilities. The lot has a walkscore of 75, and is considered to be a “Very Walkable”, where “most errands can be accomplished on foot”. The lower walkscore, despite being in the downtown is due to the low school proximity portion. This proposal is proposing a school on the third floor which will help one of the lacking key downtown amenities.



With respect to height, the C7 zone allows for variable heights as governed by the C7 Map A – Downtown Building Heights Plan. The site in question straddles two distinct areas in the C7 Map A, as part of the site sits east of the laneway west of Richter Street, and part of the site sits west of this laneway. See diagram below:



4.0 Proposal

4.1 Project Description

The intended Development Permit proposal includes 49 total dwelling units (4 ground-oriented townhouses plus 45 apartment units), and a proposed school facility located on the third level.

The proposal includes enough parking for the school facility, all the residents, and full visitor parking requirements. There are no variances proposed.

The building design includes a tiered building façade that emphasizes the pedestrian scale relationship at the street level. The main lobby entrance to the school and the residential units is further setback from the townhouse units creating a layered setting which articulates the facade and softens the building mass. The fourth storey is further setback than the three storeys below it to improve the architectural variability and interaction with the street. The rooftop amenity spaces are setback further to provide privacy for the residents and further reduce the perceived scale and massing from the street level.

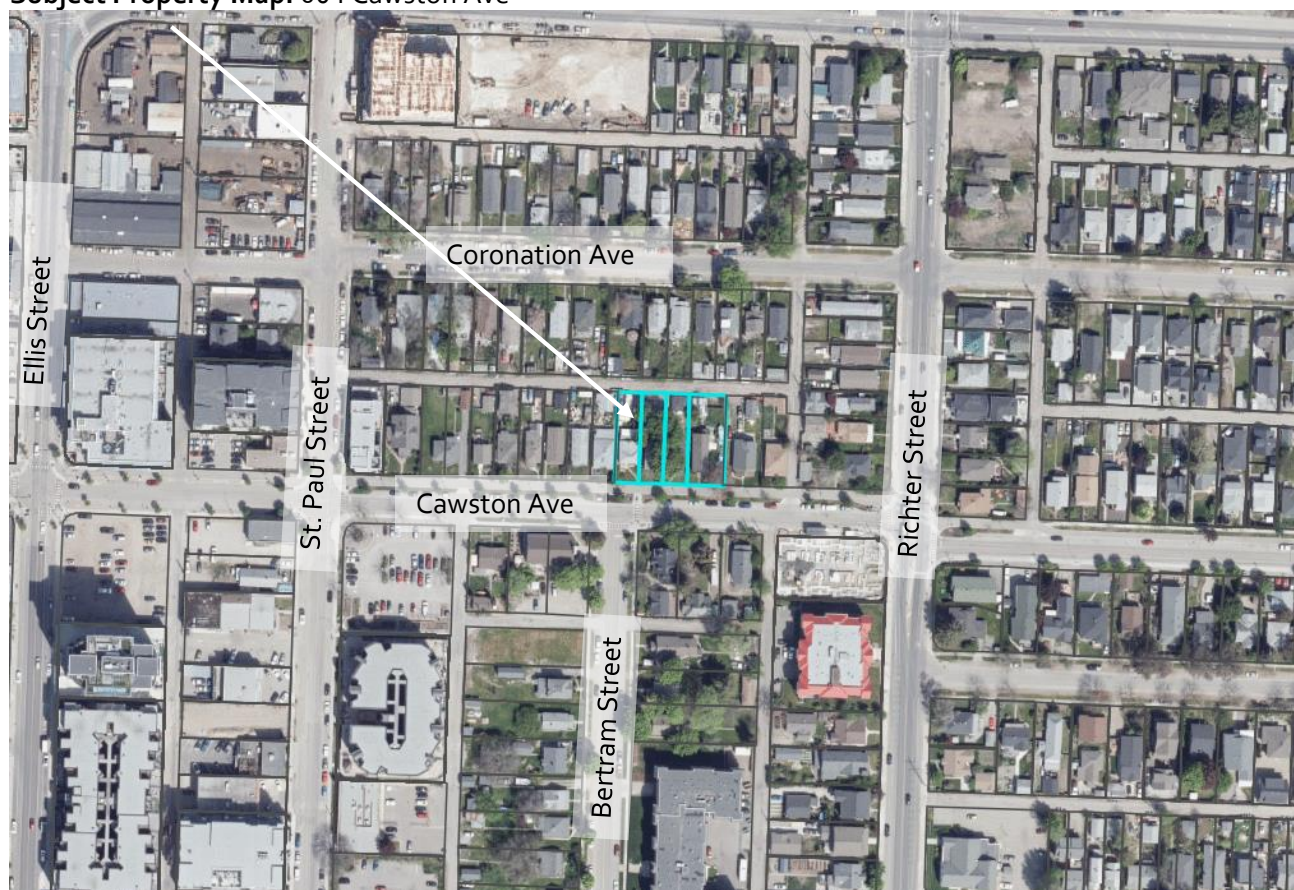
The development proposal includes a modern building design style mixed with energy efficacy components. The modern design includes punch windows and a mix of materials including dark grey stucco on the upper floors, white stucco on the townhouses, brick around the perimeter of the building and along the third storey school floor, black guardrails, black window trim, and stained wood accent features along the townhouse level

4.2 Site Context

The subject properties are located on the north side Cawston Avenue within the north-eastern portion of the City Centre Urban Centre. In addition, the lot has direct access to the Cawston Avenue multi-use pathway and is within 400 metres of the Ethel Street multi-use pathway, and thus has excellent access for all forms of active transportation.

Specifically, adjacent land uses are as follows:

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

Subject Property Map: 604 Cawston Ave**4.3 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	C7 ZONE REQUIREMENTS	PROPOSAL
Unit Calculation - Existing Building		
Studio	n/a	0
1 bedroom	n/a	4
2 bedrooms	n/a	45
3 bedrooms	n/a	0
TOTAL	n/a	49 Units
Commercial Retail Units	n/a	none
Development Regulations		
Max. Floor Area Ratio	9.0	2.54
Max. Site Coverage	n/a	84.5 %
Max. Height	37 m (12 storeys)	23 m (6 storeys)
Min. Front Yard Setback	0.0 m	1.5 m
Min. Front Yard Setback above 4 th storey / 16.0 metre height	3.0 m	3.0 m
Min. Side Yard Setback	0.0 m	1.0 m (west) 0.0 m (east)

Min. Side Yard Setback above 4 th storey / 16.0 metre height	4.0 m	4.0 m
Min. Rear Yard Setback	0.0 m	0.4 m
Other Regulations		
Min. Parking Requirements	4 1-bedroom units x 0.9 = 3.6 45 2-bedroom units x 1.0 = 45 Visitor Stalls 0.14 x 49 = 6.9 Commercial (0.9 stalls / 100 m ² GFA) = 10 stalls Total = 66 stalls	67 stalls provided
Min. Bicycle Parking	40 Long Term 31 Short Term	58 Long Term 31 Short Term
Min. Private Open Space	715 m ²	1,272 m ²
Min. Loading Space	1	1

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Compact Urban Form.¹ 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.

Contain urban growth.² Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Mixed Use.³ Integration of residential uses into commercial developments as mixed-use projects is encouraged in Urban Centres, provided that the ground floor use remains commercial.

Housing Mix.⁴ Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

Town Centre (South Padosy / Rutland / Capri-Landmark)⁵ 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.

Building Height⁶:

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

² City of Kelowna Official Community Plan, (Chapter 1 Introduction).

³ City of Kelowna Official Community Plan, (Chapter 4 Future Land Use).

⁴ City of Kelowna Official Community Plan, Policy 5.27.11 (Development Process Chapter)

⁵ City of Kelowna Official Community Plan, Chapter 17 Definitions.

⁶ City of Kelowna Official Community Plan, Policy 5.8.1 (Development Process Chapter)

- **South Pandosy:** Generally 4 storeys. Six storeys within C4 or C9 zoned areas. Potential for 8 storeys where an architecturally distinct and significant buildings is placed at a corner, gateway or view terminus location that is of significance to the community or where a building is of cultural significance to the community.

OCP Objective 5.5: Ensure appropriate and context sensitive built form.

Building Height.⁷ In determining appropriate building height, the City will take into account such factors as:

- Contextual fit into the surrounding neighbourhood;
- Shadowing of the public realm;
- View impacts;
- Overlook and privacy impact on neighbouring buildings;
- Impacts on the overall skyline;
- Impacts on adjacent or nearby heritage structures;

Chapter 4: OCP Land Use Designation Massing and Height.³

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

Chapter 14: OCP Urban Design Guidelines Amenities, ancillary Services and Utilities.⁵

- Locate loading, garbage, storage, utilities and other ancillary services away from public view. All such areas shall be screened and designed as an integral part of the building to minimize impact;
- Create attractive rear alley facades with high quality materials on buildings facing residential areas (e.g. rear building entrances, windows, balconies, plazas, and plantings).

6.0 Technical Comments

6.1 Development Engineering Department

See attached memorandum

⁷ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter). ³ City of Kelowna Official Community Plan, Chapter 14 (Urban Design Development Permits Area).

7.0 Application Chronology

Date of Application Received:	May 1 st , 2021
Date Public Consultation Completed:	July 27 th , 2021
Date of First Reading:	August 23 rd , 2021
Date of Public Hearing:	Sept 21 st , 2021

Report prepared by:	Adam Cseke, Planner Specialist
Reviewed by:	Jocelyn Black, Urban Planning Manager
Approved for Inclusion:	Terry Barton, Development Planning Department Manager

Attachments:

Attachment 'A': Development Engineering Memorandum

Attachment 'B': Development Permit

Schedule 'A': Siting and Dimensions

Schedule 'B': Elevations

Schedule 'C': Landscaping

Attachment 'C': Applicant's Design Rationale Letter

Attachment 'D': Development Application Design Guideline Checklist

CITY OF KELOWNA

MEMORANDUM

Date: July 8, 2021
File No.: Z21-0069
To: Planning and Development Officer (AT)
From: Development Engineering Manager (RO)
Subject: 604, 608, 612, 626 Cawston Ave RU2 to C7

The Development Engineering Branch has the following comments and requirements associated with this application to rezone the properties from the RU2 Medium Lot Housing zone to the C7 Central Business Commercial zone.

1. GENERAL

- a. The following requirements are valid for two (2) years from the reference date of this memo, or until the 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.
- b. 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 to obtain further information and to determine suitable location(s) within the development.
- c. All City Trees must be protected as per Bylaw 8042 Schedule C – Tree Barrier and Installation Policy requirements.
- d. Removal of City Trees will require approval by the City's Urban Forestry Supervisor. Trees require replacement, at a minimum two for one ratio, or payment of the City of Kelowna Equitable Compensation as defined in Section 8.2 of Bylaw 8042.
- e. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.

2. DOMESTIC WATER AND FIRE PROTECTION

- a. The subject lots are located within the City of Kelowna water supply area. The existing lots are each serviced with a 19-mm diameter water service. Only one service will be permitted per legal lot. The Applicant, at their cost, will arrange for the removal of the existing services and the installation of one new larger metered water service.

ATTACHMENT		A
This forms part of application		
# DP21-0163		
Planner Initials	<div style="border: 1px solid black; padding: 2px 10px;">AC</div>	<div style="text-align: right;"> City of Kelowna <small>DEVELOPMENT PLANNING</small></div>

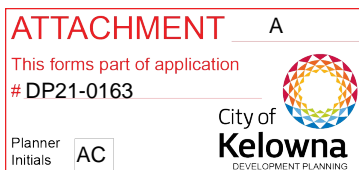
- b. The Developer's Consulting Engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The bylaw requirement for this development is 150 L/s. If it is determined that upgrades to any existing water distribution system must be made to achieve the required fire flows, additional bonding will be required.
- c. An approved backflow protection device must also be installed on site as required by the City Plumbing Regulation and Water Regulation bylaws.
- d. All fire flow calculations are to be shared with the Development Engineering Branch upon submittal of off-site civil engineering drawings.
- e. A Water meter is mandatory for this development and must be installed inside a building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The Developer or Building Contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department and prepare the meter setter at their cost.

3. **SANITARY SEWER SYSTEM**

- a. Our records indicate that the subject lots are currently each serviced with a 100-mm diameter sanitary sewer service off Cawston Ave. The Applicant's Consulting Mechanical Engineer will determine the requirements of the proposed development and establish the service needs.
- b. Only one service will be permitted, the applicant will arrange for the removal and disconnection of the existing services and the installation of one new larger service at the applicants cost. If one of the existing service connections are to be utilized it must be completed with an inspection chamber (c/w Brooks Box) as per SS-S7 & SS-S9.
- c. New service connection to AC sanitary sewer main must adhere to WorkSafe BC approved procedures. Overbuild manhole will not be permitted.

4. **STORM DRAINAGE**

- a. The property is located within the City of Kelowna drainage service area. 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.
- 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 is to be prepared by a Professional Engineer proficient in the field of erosion and sediment control. The plan is to be prepared as per section 3.14 of Schedule 4 of Bylaw 7900. If a line item for ESC is not included in the Engineer's cost estimate for off-site work, then an additional 3% will be added to the performance security based on the total off-site construction estimate.
- c. On-site detention systems are to be compliant with Bylaw 7900, Schedule 4, Section 3.11.1 *Detention Storage*.



- d. As per Bylaw 7900, Schedule 4, Section 3.1.3 *Climate Change*, the capacity of storm works will include an additional 15 percent (15%) upward adjustment, and applied to the rainfall intensity curve stage (IDF) in Section 3.7.2.
- e. Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- f. Register right of ways on private properties for all the storm water infrastructure carrying, conveying, detaining and/or retaining storm water that is generated from the public properties, public road right of ways, and golf course lands.
- g. Where structures are designed or constructed below the proven high groundwater table, permanent groundwater pumping will not be permitted to discharge to the storm system. The City will approve designs that include provisions for eliminating groundwater penetration into the structure, while addressing buoyancy concerns. These design aspects must be reviewed and approved by the City Engineer.

5. **ROAD IMPROVEMENTS**

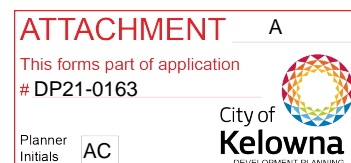
- a. Cawston Ave has been upgraded to urban standard, no further frontage upgrades required.
- b. East west lane fronting this development to the north must be upgraded to SS-R2 commercial lane standard; including road fillet paving, storm drainage c/w catch basin(s) and drywell(s), burial of overhead wires and removal of poles, and relocation or adjustment of existing utility appurtenances if required to accommodate the upgrading construction.

6. **POWER AND TELECOMMUNICATION SERVICES**

- a. All proposed distribution and service connections are to be installed underground. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.
- b. If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.
- c. Re-locate existing poles and utilities, where necessary including within lanes. Remove aerial trespass(es).

7. **GEOTECHNICAL STUDY**

- a. Provide a comprehensive geotechnical report (3 copies), 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.**
- b. The Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department 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.
 - vi. Recommendations for roof drains and perimeter drains.
 - vii. Recommendations for erosion and sedimentation controls for water and wind.
 - viii. Any items required in other sections of this document.
- c. Should any on-site retaining walls surpass the following limits, an Over Height Retaining Wall Permit will be required:

“Retaining walls on all lots, except those required as a condition of subdivision approval, must not exceed a height of 1.2 m measured from natural grade on the lower side, and must be constructed so that any retaining walls are spaced to provide a 1.2 m horizontal separation between tiers. The maximum number of tiers is two with a maximum total height of 2.4 m. Any multi-tier structure more than 2 tiers must be designed and constructed under the direction of a qualified professional engineer.”

The design of all retaining walls is to conform with Engineer & Geoscientists British Columbia's Professional Practice Guidelines for Retaining Wall Design. Submission requirements for the Over Height Retaining Wall Permit include Engineer of Record documents (Appendix A of Retaining Wall Design Guideline) and any necessary independent reviews (as per EGBC's Documented Independent Review of Structural Designs).

- d. Any modified slopes having a finished slope greater than 2H:V1 (50%) and an elevation change greater than 1.2 m must be installed under the direction of a qualified professional engineer.
- e. Any exposed natural rock surface on a lot that has the potential for materials to displace causing a hazardous condition, must be reviewed by a qualified professional engineer with the appropriate and measures undertaken as prescribed by the engineer. For adequate Rockfall Protection adjacent to walls and rock cuts, please consider BC MoTI Supplement to TAC Geometric Design Guide 440, page 440-8, which outlines a ditch bottom width depending on wall height. Sidewalks and utilities should be kept out of this protection area. Additional ROW may be required.



Where walls are on the high side, the City's preference is that the walls remain setback and on private property. Where the walls hold up a public road, the City's preference is that additional dedication be provided, and the walls be owned by the City. Please design any geogrids or tie-backs so that they do not encroach into the required road ROW.

8. ROAD DEDICATION/SUBDIVISION REQUIREMENTS

- a. A dedication of approximately 0.8 m along the full frontage of the lane is required to achieve a 7.6 m commercial lane.
- b. No driveway access will be permitted to Cawston Ave. The vehicular access to the development site is to be provided from the lane.
- c. Perimeter access must comply with the BC Building Code. Fire Truck access designs and proposed hydrant locations will be reviewed by the Fire Protection Officer.

9. 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.

10. SERVICING AGREEMENT FOR WORKS AND SERVICES

- a. A Servicing Agreement is required for all offsite 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.

ATTACHMENT		A
This forms part of application		
# DP21-0163		
Planner Initials	AC	 City of Kelowna DEVELOPMENT PLANNING

11. CHARGES AND FEES

- a. Development Cost Charges (DCC's) are payable.
- b. Fees per the "Development Application Fees Bylaw" include:
 - i. Street Marking/Traffic Sign Fees: at cost (to be determined after detailed design completed).
 - ii. Survey Monument Fee: \$50.00 per newly created lot (GST exempt).
 - iii. Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - iv. Hydrant Levy Fee: \$250 per newly created lot (GST exempt).
 - v. Engineering and Inspection Fee: 3.5% of construction value (plus GST).



Ryan O'Sullivan
Development Engineering Manager

SK

ATTACHMENT		A
This forms part of application		
# DP21-0163		
Planner Initials	AC	 City of Kelowna DEVELOPMENT PLANNING

DRAFT Development Permit & Development Variance Permit DP21-0163



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

604 Cawston Ave

and legally known as

Lot 1, District Lot 139, ODYD, Plan EPP114593

and permits the land to be used for a mixed use building as described in Schedule 'A', 'B', and 'C'.

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

Date of Council Decision Oct 18th 2021

Decision By: COUNCIL

Development Permit Area: Comprehensive

Existing Zone: C7 – Central Business Commercial

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

This is NOT a Building Permit.

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

NOTICE

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

Owner: Sole on Cawston Developments Ltd, Inc. No. BC1270856

Applicant: Kevin Edgecombe

Planner: AC

Terry Barton
Community Planning Department Manager
Planning & Development Services

Date

ATTACHMENT		B
This forms part of application		
# DP21-0163		
Planner Initials	AC	 City of Kelowna DEVELOPMENT PLANNING

1. SCOPE OF APPROVAL

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

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

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

2. CONDITIONS OF APPROVAL

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

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

3. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may 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 **\$132,566.56 [125% x Cost Estimate (\$106,053.25)]**

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

5. INDEMNIFICATION

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

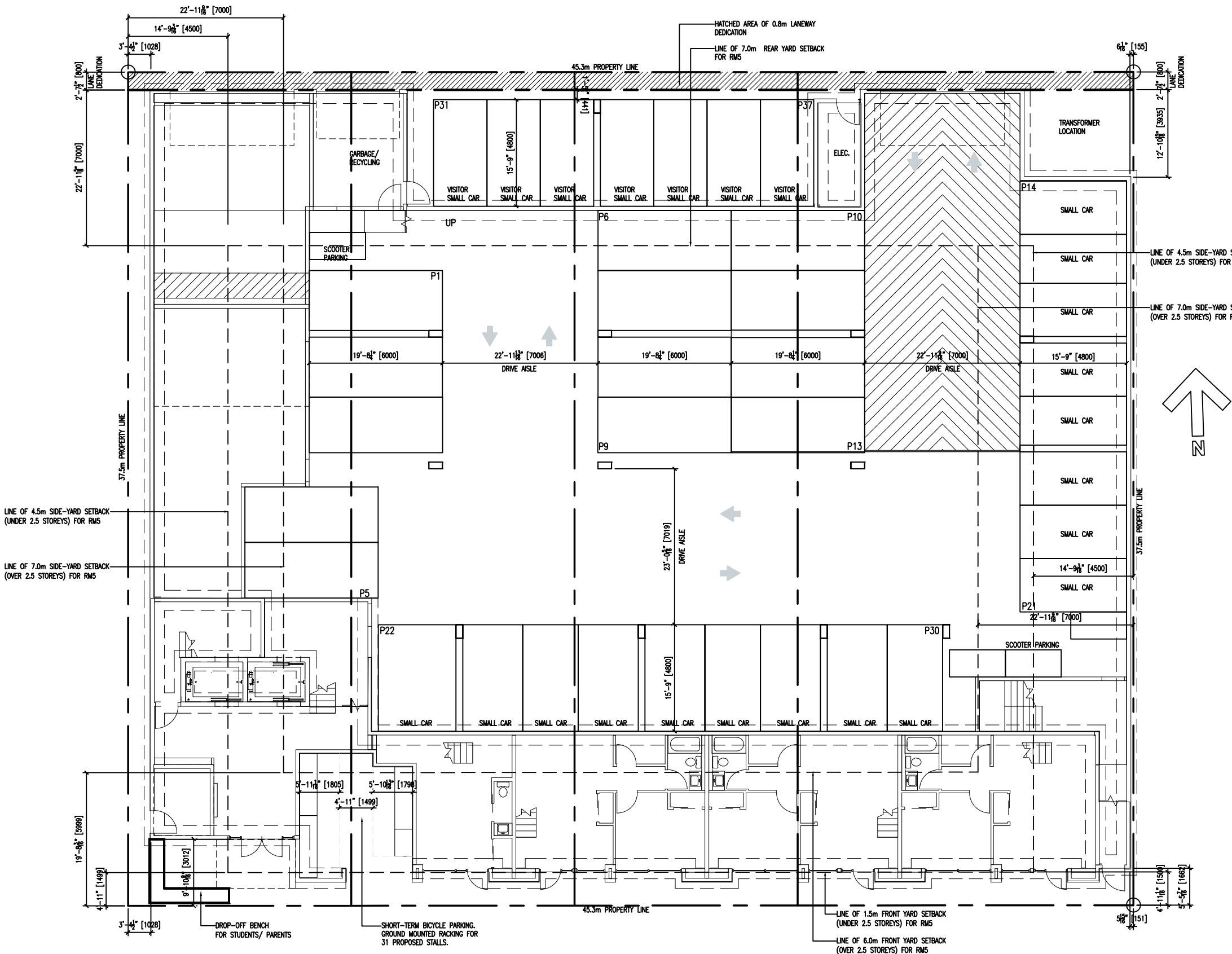
- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

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

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

ATTACHMENT		B
This forms part of application		
# DP21-0163		
Planner Initials		City of Kelowna
Development Planning Department 1435 Water Street Kelowna BC V1Y 1J4		250 469 8821
planninginfo@kelowna.ca		DEVELOPMENT PLANNING

604-626 Cawston Ave., Kelowna, BC



CAWSTON AVE.

PROPERTY DESCRIPTION

CMC: 604-626 Cawston Ave, Kelowna, BC
LEGAL: Plan 1037; Lot 23; Lot 22; Lot 21; EPP49686 Lot A

ZONING CALCULATIONS:

Current Zoning : RU2

Proposed Re-zoning : C7

SITE INFORMATION:

Gross Site Area=	18,282 ft² (1,698 m²)	Allowed	Proposed
Allowable Site Coverage=		N/A	84.5% (15,451 ft²)
Building Floor Plate up to 16.0m Height		N/A	
Building Floor Plate above 16.0m Height		1,221 m² (13,142 ft²)	981 sm (10,564.4 ft²)
F.A.R. =		9.0 (164,538 ft²)	2.54 (46,497.9 ft²)

	GROSS FLOOR AREA	PRIVATE OPEN SPACE
LEVEL 1 - Entry Level to 4x Townhomes	15,368.9 ft² (1,427.8 m²)	Min 6.0m2 per Bachelor Suite
LEVEL 2 - Upper Level to 4x Townhomes	16,238.4 ft² (1,508.6 m²)	Min 10.0m2 per 1 Bedroom Suite
LEVEL 3 - Commercial School Level	12,750.8 ft² (1,184.6 m²)	Min 15.0m2 per 1 + Bedroom Suite
LEVEL 4 - 15 Residential Suites	11,344.9 ft² (1,054.0 m²)	
LEVEL 5 - 15 Residential Suites	11,344.9 ft² (1,054.0 m²)	
LEVEL 6 - 15 Residential Suites	11,344.9 ft² (1,054.0 m²)	
ROOFTOP -	849.8 ft² (78.9 m²)	
TOTAL	79,242.6 ft² (7,361.9 m²)	

Building Height:	Allowed:	Proposed:
Max. Height =	37m (121.4 ft) or 12 storeys	22.8 m (74.8 ft) - 6 storeys
Yard setbacks:	Allowed:	Proposed:
Front yard -	0.0 m / 3.0m above 16.0m height	1.5m / 3.0m above 16.0m height
Side yard -	0.0 m	1.0/ 0.0m
Rear yard -	4.0m above 16.0m height	4.0m above 16.0m height
	0.0 m	0.4m

Parking Calculations:	Required:	Proposed:
0.9/ 1 Bedroom (Floors 1 & 2) =	0.9 x 4 = 4	
1.0 per / 2 Bedroom (floors 4,5 & 6) =	1.0 x 45 = 45	
Visitor Parking (floors 1,2,4,5 & 6) =	0.14 per residence = 7	
Commercial (floor 3) =	0.9 per 100m2 GFA = 10	
	66	67

Accessible Parking Requirements:	
37-68 Parking Spaces =	min. 2 spaces with 1 required to be Van-Accessible Parking.

Motorcycle/ Scooter Parking:	12
------------------------------	----

Bicycle Storage:	Required:	Proposed:
Long Term (Residential)	0.75 X 49 = 37	54
Short Term (Residential)	6 per entrance	6
Long Term (School - 10 staff)	1 per 10 employees = 3 (min.)	4
Short Term (School - 75 students)	3 per 10 students = 23	25

Long Term Total	58
Short Term Total	31

Amenity Calculations:	Required:	Proposed:
1 Bed Units:	4 units x 107.6/ unit =	430.4
1+ Bed Units:	45 units x 161.5/ unit =	7,267.5
TOTAL:	7,697.9 SF	13,688 SF



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Revision No., Date and Description
02.19.21 - FOR REVIEW
03.05.21 - FOR REVIEW
03.25.21 - FOR REVIEW
03.26.21 - FOR DISCUSSION
04.24.21 - FOR DISCUSSION
04.29.21 - FOR REVIEW
04.30.21 - REZONING/ DP/ OCP
06.01.21 - ADDENDUM #1
07.13.21 - FOR COORDINATION
08.10.21 - ADDENDUM #3
08.16.21 - ADDENDUM #4
09.08.21 - ADDENDUM #5
09.13.21 - FOR COORDINATION
09.14.21 - ADDENDUM #6

Plot Date	Drawing No.
14-Sep-21	A-001

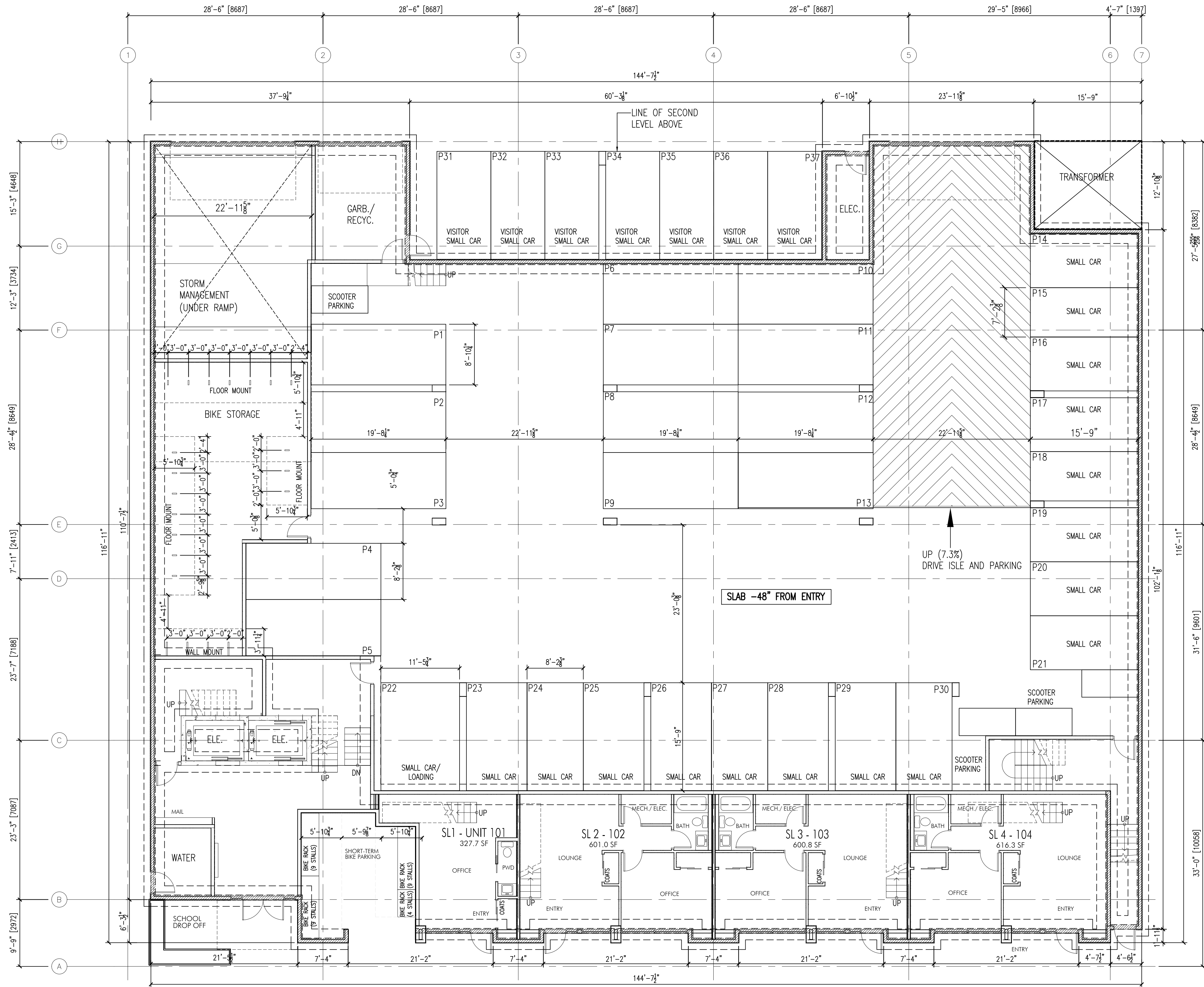
PROJECT
604-626 CAWSTON AVENUE - SOLE

DRAWING TITLE

PROJECT INFORMATION



FOR REZONING/ DP



1 ENTRY LEVEL FLOOR PLAN
A-101 1/8"=1'-0"

SCHEDULE

A & B

This forms part of application

DP21-0163

Planner Initials

AC

City of Kelowna

DEVELOPMENT PLANNING

PHONE:250-448-7801

205-1626 Richter Street,
Kelowna, BC V1Y 2M3

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02.19.21 - FOR REVIEW

03.05.21 - FOR REVIEW

03.22.21 - FOR REVIEW

03.25.21 - FOR REVIEW

03.26.21 - FOR DISCUSSION

04.26.21 - FOR COORDINATION

04.30.21 - REZONING/ DP/ OCP

06.01.21 - ADDENDUM #1

06.28.21 - ADDENDUM #2

07.13.21 - FOR COORDINATION

08.10.21 - ADDENDUM #3

08.12.21 - FOR REVIEW

08.16.21 - ADDENDUM #4

09.13.21 - FOR COORDINATION

09.14.21 - ADDENDUM #6

Plot Date

14-Sep-21

Drawing No.

A-101

PROJECT

604-626 CAWSTON AVENUE - SOLE

DRAWING TITLE

ENTRY FLOOR LEVEL

REGISTERED ARCHITECT

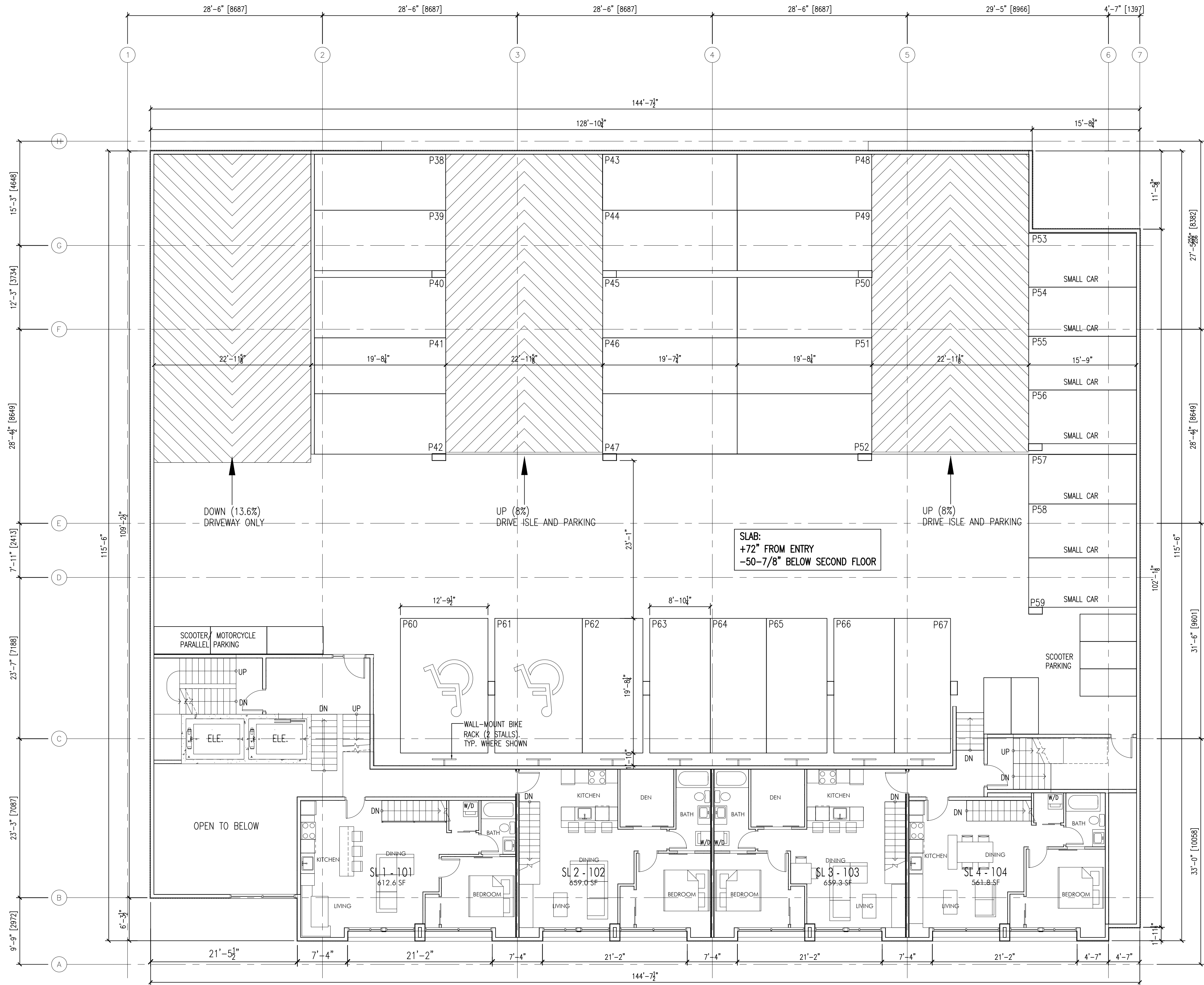
BRITISH COLUMBIA

MAINTAINING GART JOURNAL

Signature

101

FOR REZONING/ DP



1 SECOND LEVEL FLOOR PLAN
A-102 1/8"=1'-0"

SCHEDULE

This forms part of application
DP21-0163

Planner
Initials AC

A & B

City of
Kelowna
DEVELOPMENT PLANNING

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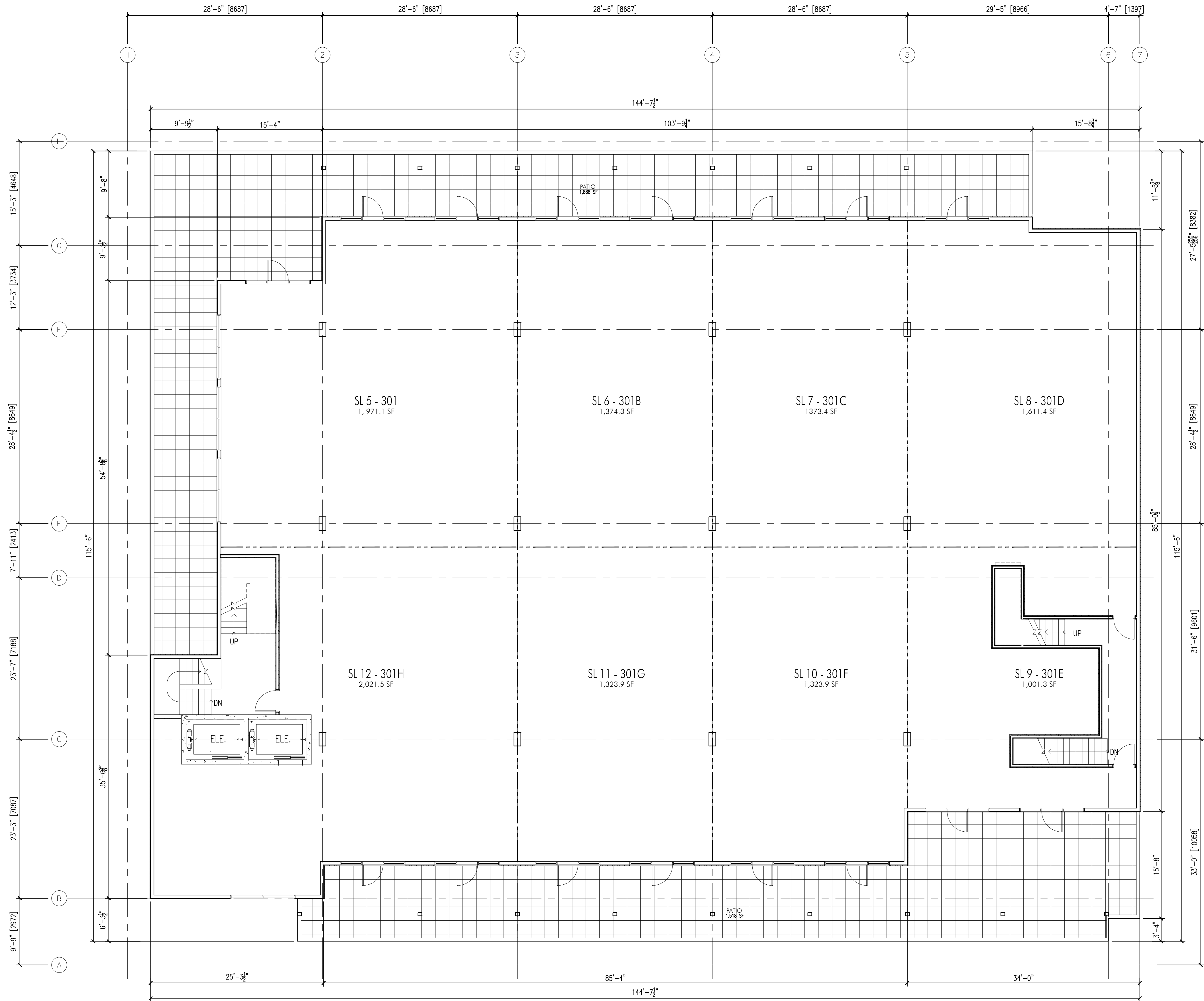
Revision No., Date and Description
02.19.21 - FOR REVIEW
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03.25.21 - FOR REVIEW
03.26.21 - FOR DISCUSSION
04.26.21 - FOR COORDINATION
04.30.21 - REZONING/ DP/ OCP
06.28.21 - ADDENDUM #2
07.13.21 - FOR COORDINATION
08.12.21 - FOR REVIEW
08.16.21 - ADDENDUM #4
09.13.21 - FOR COORDINATION
09.14.21 - ADDENDUM #6

Plot Date	Drawing No.
14-Sep-21	A-102

PROJECT
604-626 CAWSTON AVENUE -
SOLE
DRAWING TITLE
SECOND FLOOR LEVEL



FOR REZONING/ DP



1 THIRD LEVEL FLOOR PLAN
A-103 1/8"=1'-0"

SCHEDULE A & B

This forms part of application
DP21-0163

Planner Initials AC

City of Kelowna
DEVELOPMENT PLANNING

FOR REZONING/ DP

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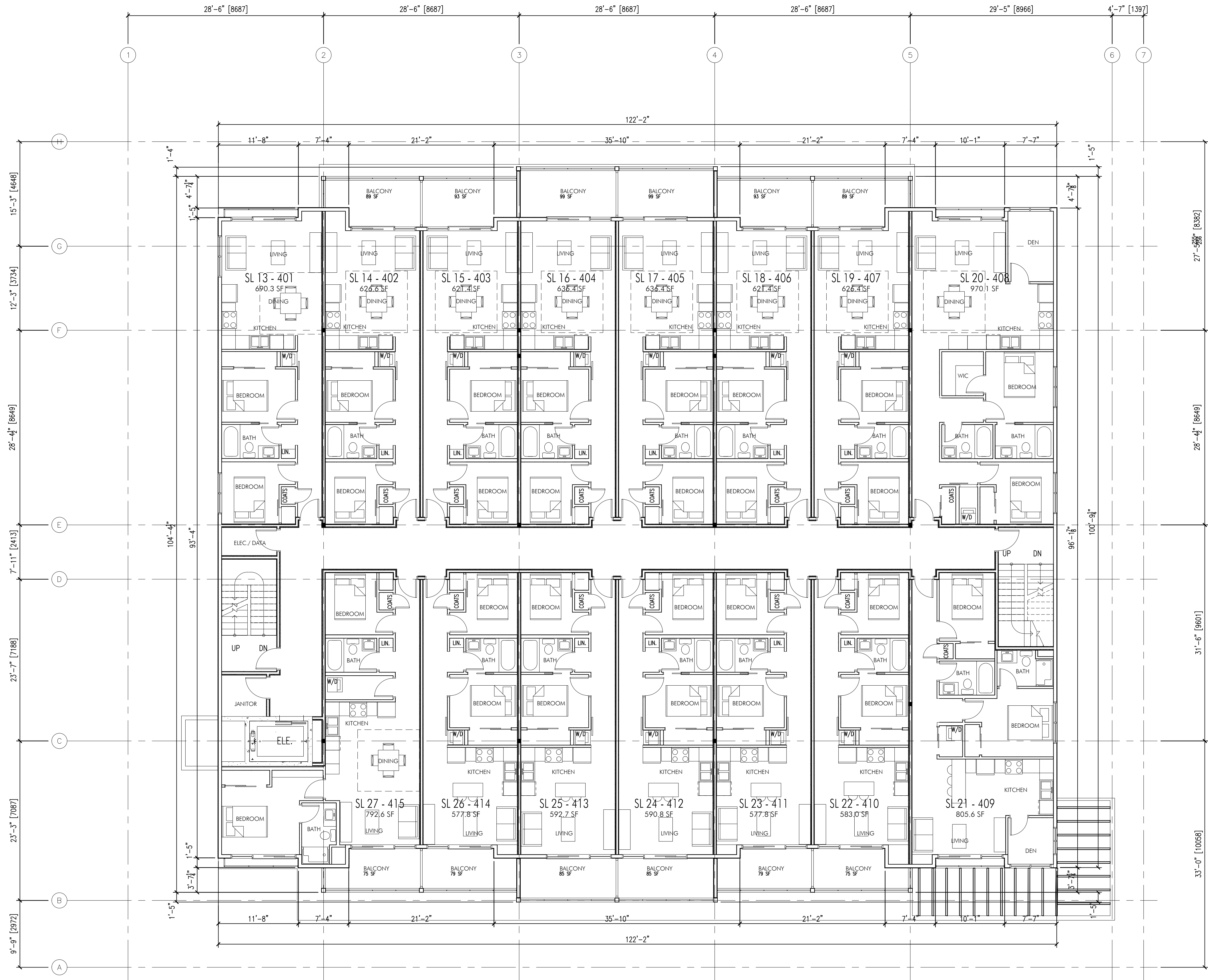
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07.13.21 - FOR COORDINATION
08.16.21 - ADDENDUM #4
09.13.21 - FOR COORDINATION
09.14.21 - ADDENDUM #6

Plot Date 14-Sep-21	Drawing No. A-103
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PROJECT
604-626 CAWSTON AVENUE -
SOLE

DRAWING TITLE
THIRD FLOOR LEVEL



1 FOURTH LEVEL FLOOR PLAN
A-104 1/8"=1'-0"

SCHEDULE A & B

This forms part of application
DP21-0163

Planner Initials AC

City of Kelowna
DEVELOPMENT PLANNING

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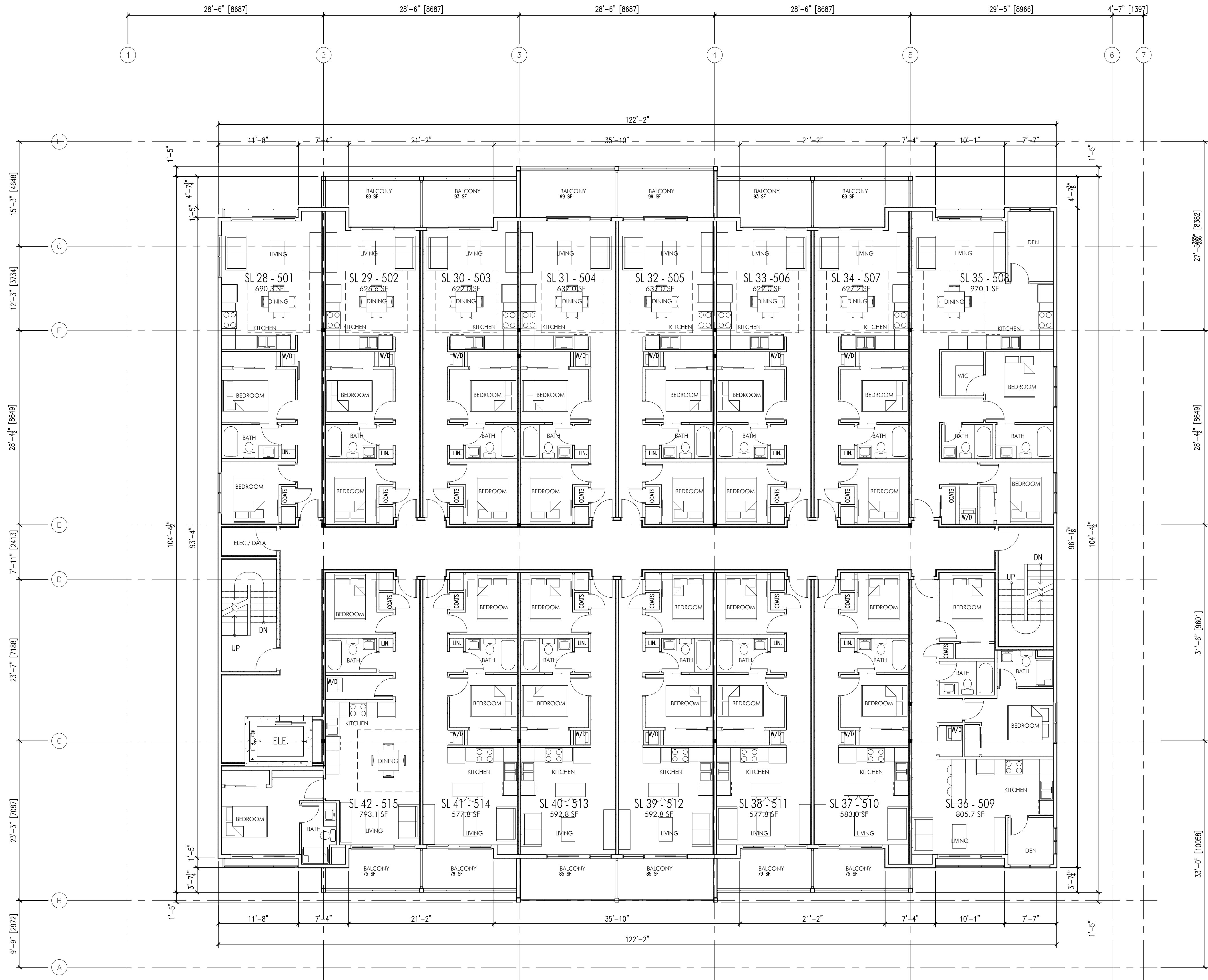
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03.25.21	-	FOR REVIEW
03.26.21	-	FOR DISCUSSION
04.26.21	-	FOR COORDINATION
04.30.21	-	REZONING/ DP/ OCP
06.01.21	-	ADDENDUM #1
07.13.21	-	FOR COORDINATION
08.16.21	-	ADDENDUM #4
09.13.21	-	FOR COORDINATION
09.14.21	-	ADDENDUM #6

Plot Date	Drawing No.
14-Sep-21	A-104

PROJECT 604-626 CAWSTON AVENUE - SOLE
DRAWING TITLE FOURTH FLOOR LEVEL





1 FIFTH LEVEL FLOOR PLAN
A-105 1/8"=1'-0"

SCHEDULE A & B

This forms part of application
DP21-0163

Planner
Initials AC



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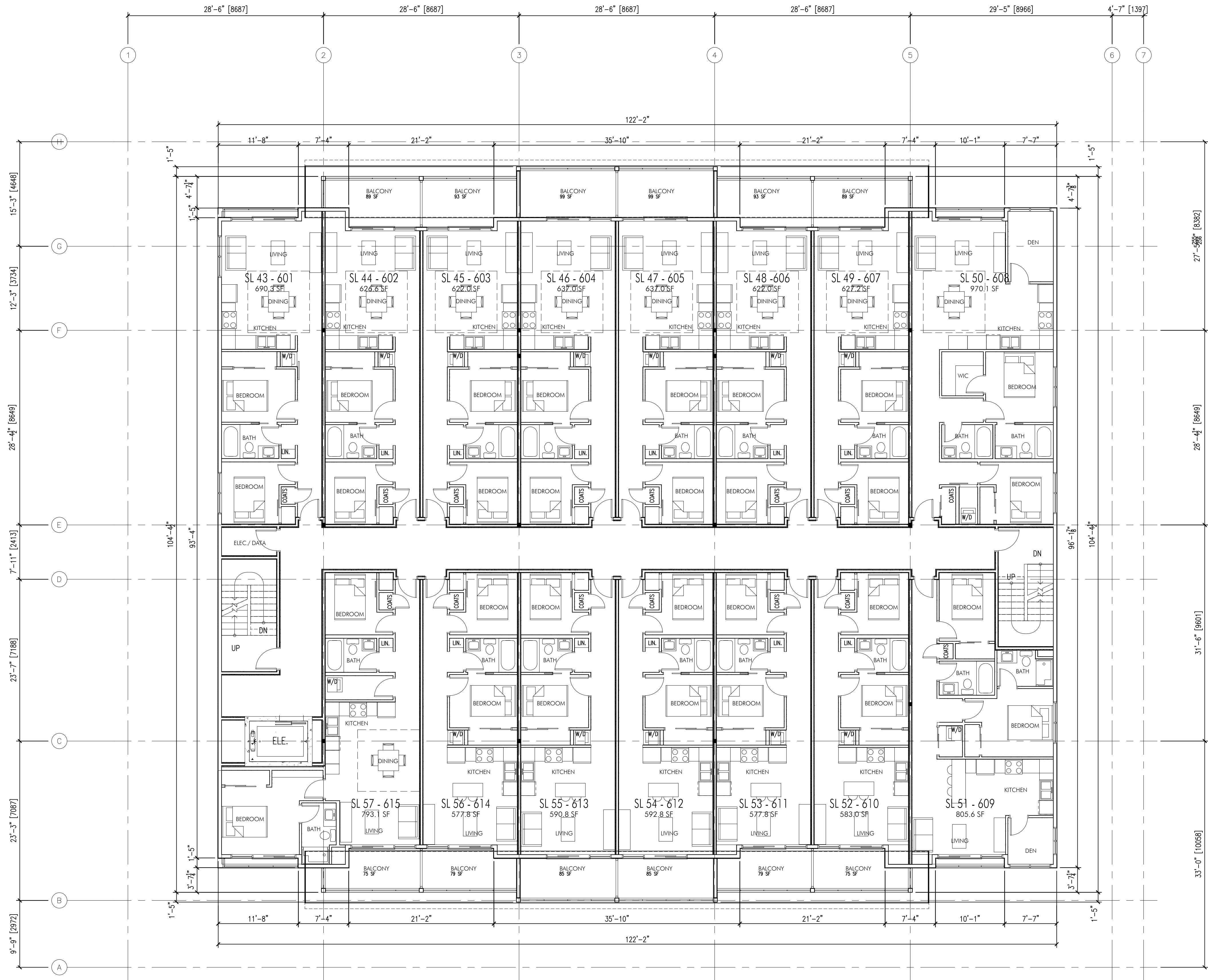
Revision No., Date and Description
02.19.21 - FOR REVIEW
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03.22.21 - FOR REVIEW
03.25.21 - FOR REVIEW
03.26.21 - FOR DISCUSSION
04.26.21 - FOR COORDINATION
04.30.21 - REZONING/ DP/ OCP
06.01.21 - ADDENDUM #1
07.13.21 - FOR COORDINATION
08.16.21 - ADDENDUM #4
09.13.21 - FOR COORDINATION
09.14.21 - ADDENDUM #6

Plot Date	Drawing No.
14-Sep-21	A-105

PROJECT
604-626 CAWSTON AVENUE - SOLE
DRAWING TITLE
FIFTH FLOOR LEVEL



FOR REZONING/ DP



1 SIXTH LEVEL FLOOR PLAN
A-106 1/8"=1'-0"

SCHEDULEA & B

This forms part of application

DP21-0163

Planner InitialsAC

City of Kelowna
DEVELOPMENT PLANNING

FOR REZONING/ DP



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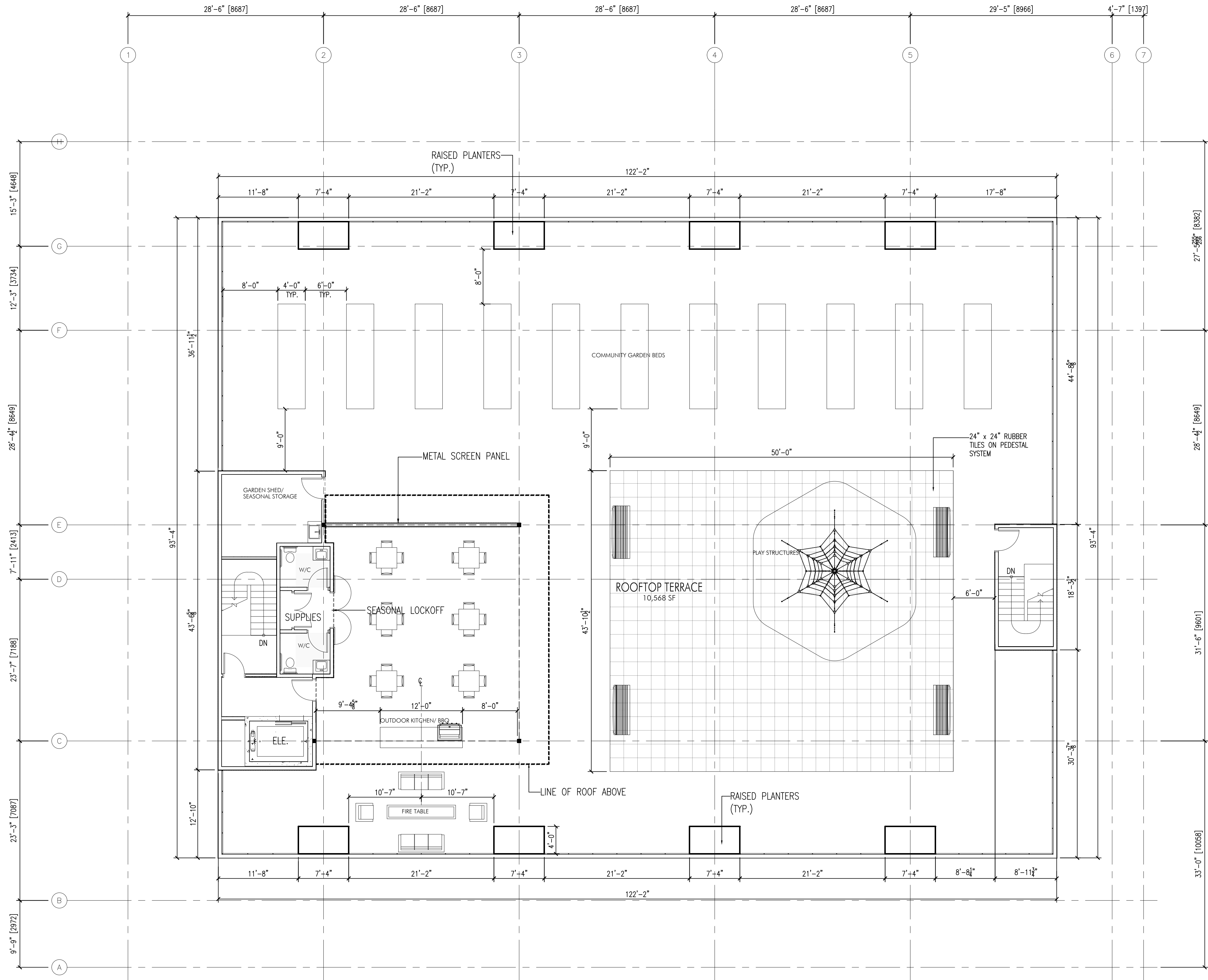
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03.26.21 - FOR DISCUSSION
04.26.21 - FOR COORDINATION
04.30.21 - REZONING/ DP/ OCP
06.01.21 - ADDENDUM #1
07.13.21 - FOR COORDINATION
08.16.21 - ADDENDUM #4
09.13.21 - FOR COORDINATION
09.14.21 - ADDENDUM #6

Plot Date 14-Sep-21	Drawing No. A-106
PROJECT 604-626 CAWSTON AVENUE - SOLE	
DRAWING TITLE SIXTH FLOOR LEVEL	



106



1 ROOF LEVEL FLOOR PLAN
A-107 1/8"=1'-0"

SCHEDULE A & B
This forms part of application
DP21-0163
City of Kelowna
DEVELOPMENT PLANNING

FOR REZONING/ DP

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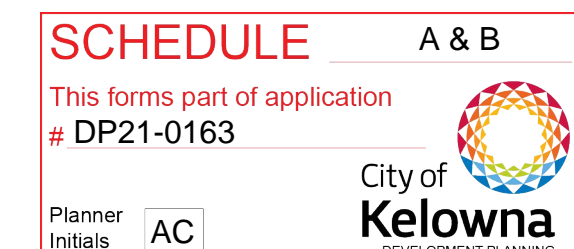
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04.26.21 - FOR COORDINATION
04.30.21 - REZONING/ DP/ OCP
06.01.21 - ADDENDUM #1
07.13.21 - FOR COORDINATION
08.16.21 - ADDENDUM #4
08.30.21 - FOR REVIEW
09.08.21 - ADDENDUM #5
09.13.21 - FOR COORDINATION
09.14.21 - ADDENDUM #6

Plot Date 14-Sep-21	Drawing No. A-107
PROJECT 604-626 CAWSTON AVENUE - SOLE	
DRAWING TITLE ROOF LEVEL	

PROJECT MATERIALS:

- TORCH ON:**
- CHARCOAL GREY TORCHFLEX BY IKO
- STUCCO, BALCONY STRUCTURE:**
- WHITE DIAMOND OC-2161-60, BENJAMIN MOORE
- LIGHT GREY STUCCO, PLANTERS**
- DIOR GREY 2133-40, BENJAMIN MOORE
- DARK GREY STUCCO:**
- FLINT, AF-560, BENJAMIN MOORE
- WINDOWS, DOORS, GUARDRAILS, DRIP FLASHING, LOBBY ROOF BLACK**
- PRIVACY SCREENS, FENCING, WOOD ACCENTS**
- KNOTTY EBONY, LUX PANEL



FOR REZONING/ DP

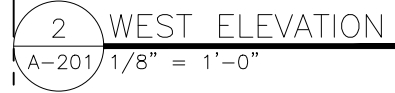
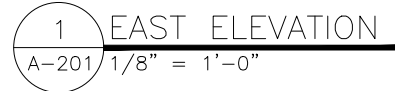




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PRIVACY SCREENS, FENCING, WOOD ACCENTS
KNOTTY EBONY, LUX PANEL

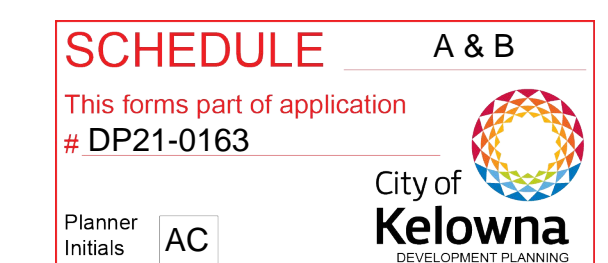
Division No., Date	and Description
19.21	- FOR REVIEW
25.21	- FOR REVIEW
26.21	- FOR DISCUSSION
26.21	- FOR COORDINATION
29.21	- FOR REVIEW
30.21	- REZONING/ DP/ OCP
01.21	- ADDENDUM #1
13.21	- FOR COORDINATION
10.21	- ADDENDUM #3
16.21	- ADDENDUM #4
08.21	- ADDENDUM #5
14.21	- ADDENDUM #6

Plot Date -Sep-21	Drawing No. A-201
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PROJECT

DRAWING TITLE

CONCLUSIONS



FOR REZONING/ DP



1 WEST ELEVATION
A-202 N.T.S.



2 EAST ELEVATION
A-202 N.T.S.



3 SOUTH ELEVATION
A-202 N.T.S.

SCHEDULE

A & B

This forms part of application
DP21-0163

Planner
Initials AC

City of
Kelowna
DEVELOPMENT PLANNING

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Revision No., Date and Description
04.24.21 - FOR DISCUSSION
04.29.21 - FOR REVIEW
04.30.21 - REZONING/ DP/ OCP
06.01.21 - ADDENDUM #1
07.13.21 - FOR COORDINATION
08.10.21 - ADDENDUM #3
08.16.21 - ADDENDUM #4
09.08.21 - ADDENDUM #5
09.14.21 - ADDENDUM #6

Plot Date	Drawing No.
14-Sep-21	A-202

PROJECT
604-626 CAWSTON AVENUE - SOLE

DRAWING TITLE
RENDER ELEVATIONS



FOR REZONING/ DP



1 NORTH ELEVATION
A-203 N.T.S.

SCHEDULE

A & B

This forms part of application
DP21-0163

Planner
Initials AC

City of
Kelowna
DEVELOPMENT PLANNING

FOR REZONING/ DP

PHONE: 250-448-7801

205-1626 Richter Street,
Kelowna, BC V1Y 2M3

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09.14.21 - ADDENDUM #6

Plot Date
14-Sep-21

Drawing No.
A-203

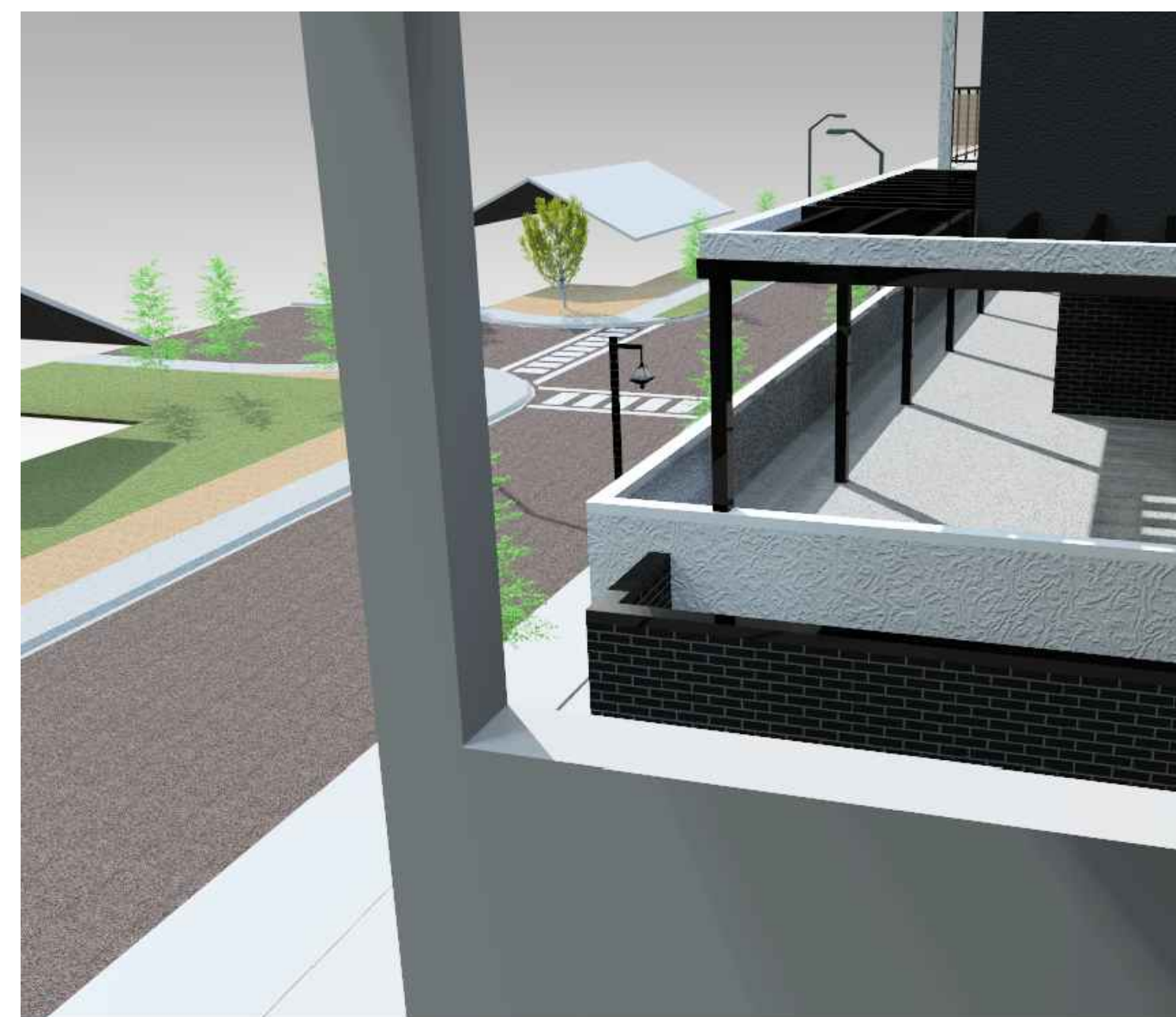
PROJECT
604-626 CAWSTON AVENUE -
SOLE

DRAWING TITLE
RENDER ELEVATIONS

111



1 SITE CONTEXT - FRONT VIEW OF BUILDINGS
A-204 N.T.S.



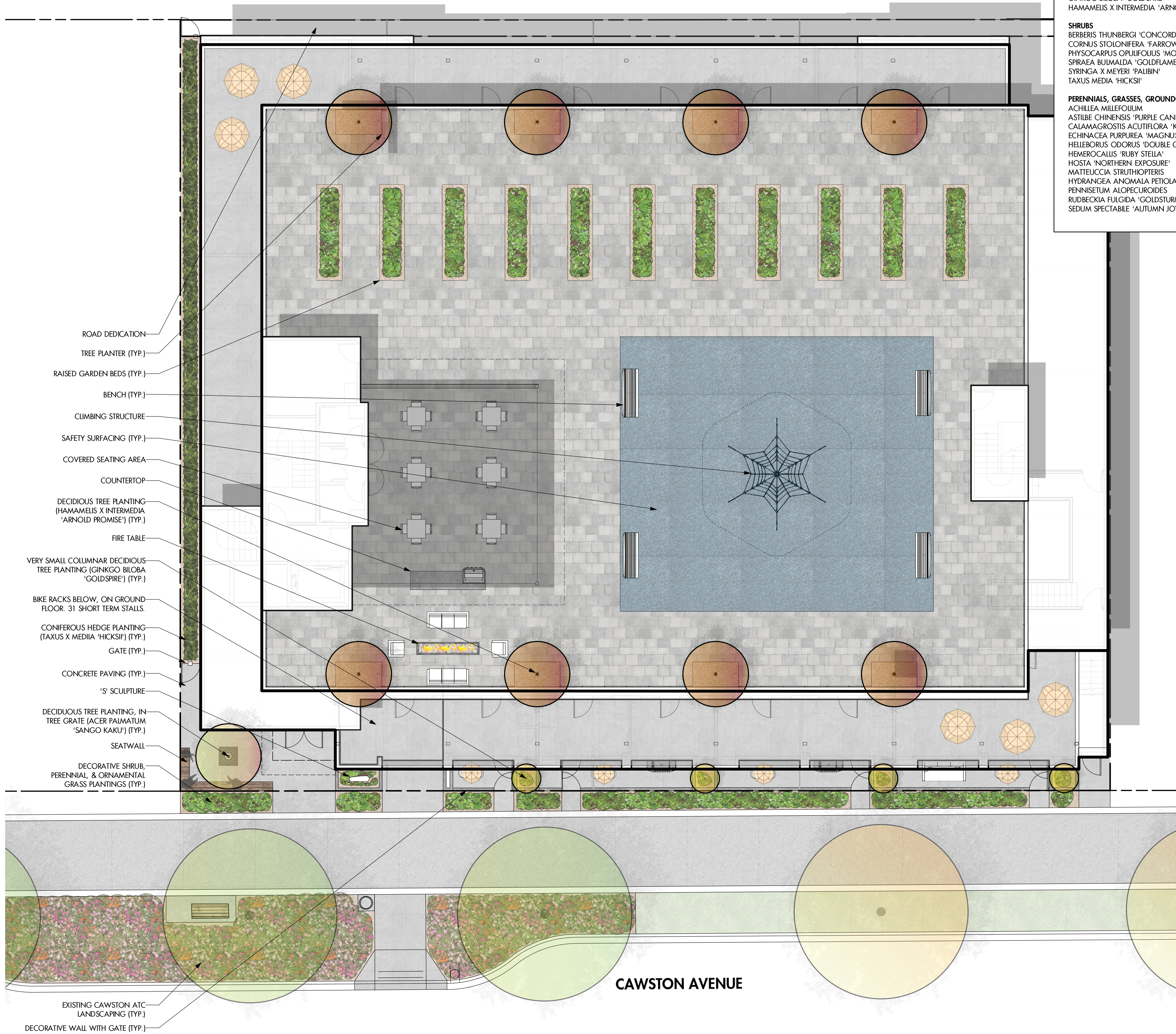
2 SITE CONTEXT - LOOKING WEST FROM INNOCEPT 3RD FLOOR
A-204 N.T.S.



3 SITE CONTEXT - LOOKING EAST ALONG CAWSTON AVE.
A-204 N.T.S.



4 SITE CONTEXT - LOOKING WEST FROM RICHTER ST.
A-204 N.T.S.

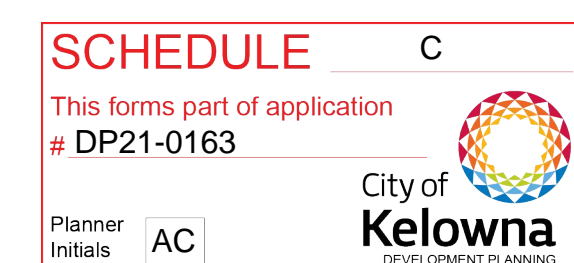
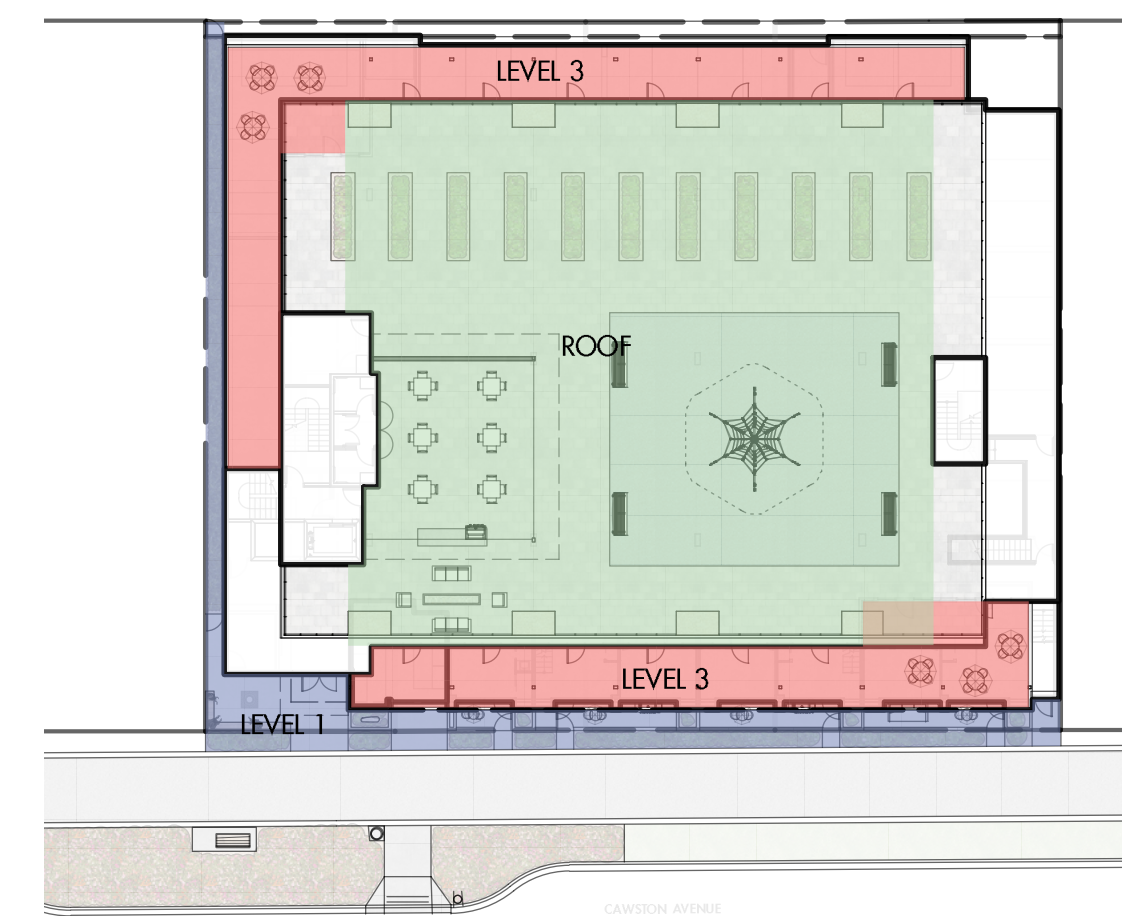


PLANT LIST

BOTANICAL NAME	COMMON NAME	QTY	SIZE/SPACING & REMARKS
TREES			
ACER PALMATUM 'SANGO KAKU'	CORAL PARK JAPANESE MAPLE	1	6cm CAL
GINKGO BILOBA 'GOLDSPIRE'	GOLDSPIRE GINKGO	4	6cm CAL
HAMAMELIS X INTERMEDIA 'ARNOLD PROMISE'	ARLNUD PROMISE WITCH HAZEL	8	6cm CAL
SHRUBS			
BERBERIS THUNBERGI 'CONCORDE'	CONCORDE BARBERRY	23	#02 CONT. /1.0M O.C. SPACING
CORNUS STOLONIFERA 'FARROW'	ARCTIC FIRE DOGWOOD	23	#02 CONT. /1.0M O.C. SPACING
PHYTOCARPUS OPULIFOLIUS 'MONLO'	DIABOLO NINEBARK	16	#02 CONT. /1.2M O.C. SPACING
SPIRAEA BUJMALDA 'GOLDFLAME'	GOLDFLAME SPIREA	23	#02 CONT. /1.0M O.C. SPACING
SYRINGA X MEYER 'PALIBIN'	DWARF KOREAN LILAC	16	#02 CONT. /1.2M O.C. SPACING
TAXUS MEDIA 'HICKSII'	HICK'S YEW	32	#02 CONT. /1.0M O.C. SPACING
PERENNIALS, GRASSES, GROUNDCOVERS & VINES			
ACHILLEA MILLEFOLIUM	COMMON YARROW	11	#01 CONT. /0.75M O.C. SPACING
ASTILBE CHINENSIS 'PURPLE CANDLES'	PURPLE CANDLES ASTILBE	18	#01 CONT. /0.6M O.C. SPACING
CALAMAGROSTIS ACUTIFLORA 'KARL FOERSTER'	KARL FOERSTER FEATHER REED GRASS	11	#01 CONT. /0.75M O.C. SPACING
ECHINACEA PURPUREA 'MAGNUS'	MAGNUS CONEFLOWER	18	#01 CONT. /0.6M O.C. SPACING
HELLEBORUS ODORUS 'DOUBLE QUEEN'	LENTEN ROSE	18	#01 CONT. /0.6M O.C. SPACING
HEMEROCALLIS 'RUBY STELLA'	RUBY STELLA DAYLILY	18	#01 CONT. /0.6M O.C. SPACING
HOSTA 'NORTHERN EXPOSURE'	NORTHERN EXPOSURE HOSTA	18	#01 CONT. /0.6M O.C. SPACING
MATTEUCCIA STRUTHOPTERIS	OSTRICH FERN	6	#01 CONT. /1.0M O.C. SPACING
HYDRANGEA ANOMALA PETIOLARIS	CLIMBING HYDRANGEA	6	#01 CONT. /1.0M O.C. SPACING
PENNISETUM ALOPECUROIDES	FOUNTAIN GRASS	6	#01 CONT. /1.0M O.C. SPACING
RUDBECKIA FULGIDA 'GOLDSTURM'	GOLDSTURM CONEFLOWER	18	#01 CONT. /0.6M O.C. SPACING
SEDUM SPECTABILE 'AUTUMN JOY'	AUTUMN JOY STONECROP	18	#01 CONT. /0.6M O.C. SPACING

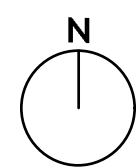
NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED THE CANADIAN LANDSCAPE STANDARD.
2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.
3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 75mm WOOD MULCH, AS SHOWN IN PLANS. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.
4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.
5. TURF AREAS FROM SOD SHALL BE NO. 1 GRADE GROWN FROM CERTIFIED SEED OF IMPROVED CULTIVARS REGISTERED FOR SALE IN B.C. AND SHALL BE TOLERANT OF DROUGHT CONDITIONS. A MINIMUM OF 100mm 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.



OUTLAND DESIGN
LANDSCAPE ARCHITECTURE

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



PROJECT TITLE

SOLE CAWSTON
604-626 CAWSTON AVENUE

Kelowna, BC

DRAWING TITLE

CONCEPTUAL
LANDSCAPE PLAN

ISSUED FOR / REVISION

1	21.04.30	Review
2	21.08.17	Review
3	21.09.07	Review
4		
5		

PROJECT NO. 21-090

DESIGN BY FB

DRAWN BY NG

CHECKED BY FB

DATE SEP. 7, 2021

SCALE 1:100

PAGE SIZE 24x36

SEAL

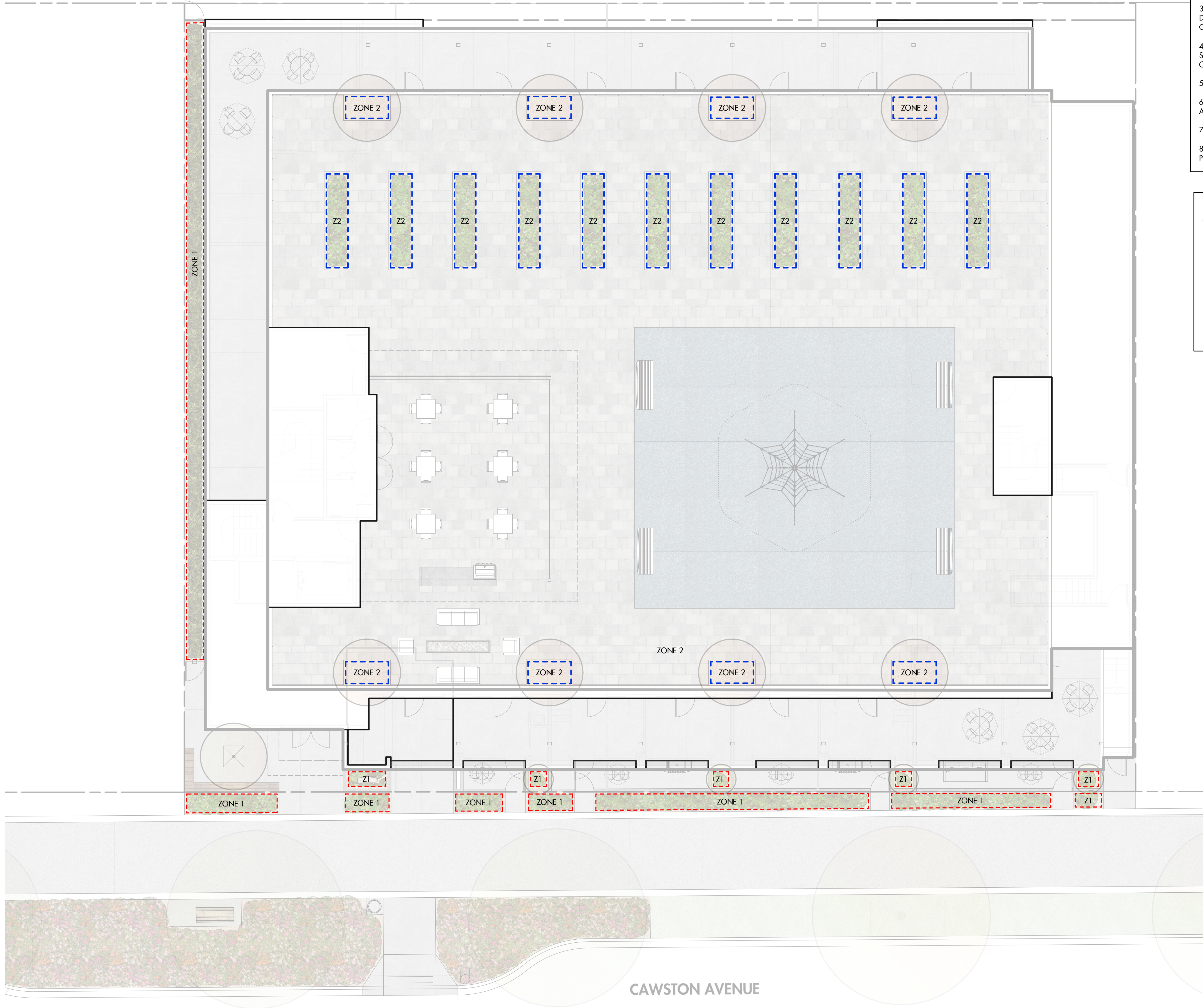


DRAWING NUMBER

L1/2

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IRRIGATION NOTES

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

IRRIGATION LEGEND

- ZONE #1:** HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS
TOTAL AREA: 68 sq.m.
MICROCLIMATE: SOUTH EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 23 cu.m.
- ZONE #2:** HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS
TOTAL AREA: 85 sq.m.
MICROCLIMATE: SOUTH EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 28 cu.m.

WATER CONSERVATION CALCULATIONS

LANDSCAPE MAXIMUM WATER BUDGET (WB) = 92 cu.m. / year
ESTIMATED LANDSCAPE WATER USE (WU) = 51 cu.m. / year
WATER BALANCE = 41 cu.m. / year
*REFER ATTACHED IRRIGATION APPLICATION FOR DETAILED CALCULATIONS



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PROJECT TITLE

SOLE CAWSTON
604-626 CAWSTON AVENUE

Kelowna, BC

DRAWING TITLE

**WATER CONSERVATION/
IRRIGATION PLAN**

ISSUED FOR / REVISION

1	21.04.30	Review
2	21.08.17	Review
3	21.09.07	Review
4		
5		

PROJECT NO. 21-090

DESIGN BY FB

DRAWN BY NG

CHECKED BY FB

DATE SEP. 7, 2021

SCALE 1:100

PAGE SIZE 24x36

SEAL

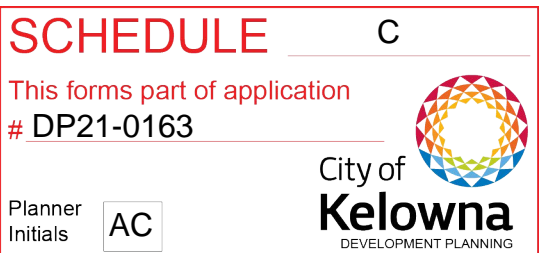


DRAWING NUMBER

L2/2

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CAWSTON AVENUE

Landscape Water Conservation Report

LANDSCAPE WATER USE AREA

Applicant: **Edgecomb Builders** Address: **604-626 Cawston Ave**

Step 1: Measure Total Landscape Area (LA)

Area of site that will absorb water: **153** sq.m. (over 100 square meters)

Note: Include boulevard, and proposed lawn, plants, mulch, pervious decks or paving stones. Do not include areas that are not pervious such as buildings, paved driveways, concrete patios etc.

Step 2: Divide Into Landscape Treatments*		Plant Factor	Irrig Efficiency	Hydrozone Area	% of Total LA	Estimated Water
Note: each of the areas below are a 'HYDROZONE'		(PF)	(IE)	(HA)		(WU)
Unwatered Pervious Areas (not impervious paving)						
Mulch (Stone, bark or sand)		N/A	N/A		0%	N/A
Pervious deck (Spaced wood deck)		N/A	N/A		0%	N/A
Pervious paving (ie: AquaPave, Rima Pave)		N/A	N/A		0%	N/A
Naturalized meadow (wildflowers)		N/A	N/A		0%	N/A
Naturalized area (Existing natural area)		N/A	N/A		0%	N/A
Other:		N/A	N/A		0%	N/A
Swimming or ornamental pool		1	1		0%	0
Watered Planting Beds (shrubs or groundcover)						
<i>Planting Type</i>	<i>Irrig Efficiency</i>					
Low water use plants	High (Drip or Bubbler)	0.3	0.9		0%	0
Low water use plants	Moderate (Spray or Rotor)	0.3	0.7		0%	0
Moderate water use plants	High (Drip or Bubbler)	0.5	0.9	153	100%	51
Moderate water use plants	Moderate (Spray or Rotor)	0.5	0.7		0%	0
High water use plants	High (Drip or Bubbler)	0.7	0.9		0%	0
High water use plants	Moderate (Spray or Rotor)	0.7	0.7		0%	0
Watered Mown Lawn Areas						
	Moderate (Spray or Rotor)	1	0.7		0%	0
Special Landscape Areas (SLA)						
Vegetable Garden	High (Drip or Bubbler)	1	0.9		0%	0
Vegetable Garden	Moderate (Spray or Rotor)	1	0.7		0%	0
Commercial sportsfield turf	Moderate (Spray or Rotor)	1	0.7		0%	0
Rainwater or Recycled Water Use		0.3	1		0%	0
Totals				153	100%	51
Special Landscape Area (SLA) Sub total				0		

*If proposed design conditions are not shown on the form please contact Water Smart 250-469-8502

Page 2 of 3

Applicant:

Edgecomb Builders

Address: 604-626 Cawston Ave

CALCULATE & COMPARE WATER BUDGET TO ESTIMATED WATER USE

Total Landscape Area	153	sq.m.
Landscape Water Budget (WB)	92	cu.m./yr.
Estimated Landscape Water Use (WU)	51	cu.m./yr.
Under (-OVER) Budget (Must be under Water Budget WB)	41	cu.m./yr.
	OK	

I confirm by completing the attached Landscape Water Conservation Report, that the project will conform to industry best practices for landscape and irrigation installation in Kelowna. I also acknowledge that the landscape treatments of the project will conform to the Hydrozone areas as identified in the Landscape Area Water Use Area table.

Name of Applicant (person submitting the form)


Date: _____

FOR CITY OF KELOWNA OFFICE USE ONLY

The calculations above satisfy the requirements of the Water Regulation Bylaw 10480 Section 4.4.2 and 4.4.3. and the application is hereby APPROVED with the signature of the Water Manager or designate.

Name of Kelowna Water Smart designate
For Water Manager

Date: _____

SCHEDULE		C
This forms part of application		
# DP21-0163		
Planner Initials	AC	 City of Kelowna <small>DEVELOPMENT PLANNING</small>



OUTLAND DESIGN
LANDSCAPE ARCHITECTURE

Tuesday, September 7, 2021

Sole Cawston

Edgecombe Builders
310-1350 St. Paul Street, Kelowna, BC, V1Y 2E1
Attn: Kevin Edgecombe
Via email to: kevin@liveedgeokanagan.ca

Re: Sole Cawston– Preliminary Cost Estimate for Bonding

Dear Kevin:

Please be advised of the following preliminary cost estimate for bonding of the proposed landscape works shown in the Sole Cawston conceptual landscape plan dated 21.09.07;

- Landscape Improvements: 1,032 square metres (11,107 square feet) = \$106,053.25

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

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

Best regards,

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

SCHEDULE		C
This forms part of application # DP21-0163		
Planner Initials	AC	 City of Kelowna DEVELOPMENT PLANNING

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



LIME
ARCHITECTURE INC.

Transmittal Page 1 of 3

To: Planning Department
CC: Kevin Edgecombe

City of Kelowna
kevin@edgecombebuilders.com

April 29, 2021

Re: Design Rationale for the Proposed Development of
604-626 Cawston Avenue, Kelowna, BC (The Site)

Dear City of Kelowna Planning Department,

Further to submitted information as it pertains to the Re-zoning and OCP Amendment associated with the proposed Development of 604-626 Cawston Avenue in Kelowna, we offer the following Design Rationale for the project:

Located slightly west of the corner of Cawston Avenue and Richter Street, 604-626 Cawston Avenue is in the heart of Kelowna's "City Centre" urban centre. The project location is in close proximity to shopping and restaurants allowing most errands from the location to be accomplished by foot as is emphasized with a 70+ walk score and by bicycle as the proposed location has a bike score of 97 with the Cawston Avenue Recreation Corridor being uniquely located directly in front of the proposed development. Kelowna's City Centre is ideally located for residential use and because of its associated high walk and bike score, reduces the reliance on automobile use allowing the residents to have a lower carbon footprint. The proposed C7 zone allows for mixed use (residential/commercial/ school) which is well suited to the property's location between existing residential and commercial zones.

The building design includes four ground floor accessible, two storey live/ work townhome units along Cawston Avenue. Also included in the Cawston Avenue frontage is the main entrance lobby for the building with access to the remaining 45 units (49 residential units in total) and the proposed school facility located on the third level. We feel including a school facility within the development offers a uniquely urban educational experience for building residents and locals alike. The proposed development's proximity to the downtown Kelowna core influenced an overall design that provides enough parking for all residents, full visitor parking requirements, and enough parking for the school facility on the third floor even though it can be anticipated that many residents will utilize the buildings' convenient location, tallowing alternative means of transportation. The reduction in automobile reliance in conjunction with the higher density infill development of the property contribute to a more sustainable approach to the building design that aligns with the City of Kelowna's Healthy City Strategy and planning initiatives. The concept for the building includes providing a mix of private outdoor spaces and a community roof-top amenity space that allows a variety of outdoor options for the occupants of the building. Additionally, a community-oriented herb garden will be included on the rooftop amenity space.

One of the challenges in developing the property is its location between a previously approved multi-family development and an adjacent single-family residential home. In response to the location

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t: 250-448-7801 #205-1626 Richter Street, Kelowna BC, V1Y 2M3

ATTACHMENT C

This forms part of application

DP21-0163

Planner
Initials

AC





Transmittal Page 2 of 3

of the property and to ensure that the development was conscious of its surroundings, the building design includes a tiered building façade that emphasizes the pedestrian scale relationship at street level to better engage expected pedestrian and bike traffic. This approach helps ground the project as well as provide a variety of pedestrian and human scale relationships to compliment the neighbouring buildings and provide visual interest along a multi-modal transport corridor. To compliment the ground-oriented townhome or live/ work units, the remaining street-front façade and lobby entrance create a sense of layering by setting them further back from the property line in order to soften the impact of the building mass. Once past the third level, the building steps back even further from the street to ensure that the building face is being sensitive to the human interaction that will be common along the transportation corridor while also being sensitive to the neighbouring multi-family project.

The final building form takes inspiration from the trend to design and build with a modern building style combined with energy efficiency in mind. The modern form includes the use of punch windows and utilizes the private outdoor amenity space to ensure the any larger glazed opening is provided with shade during summer months while offering transparent connection between indoor and exterior spaces. The use of this type of window system helps establish a regular rhythm on the building exterior while enhancing energy performance by reducing reliance on mechanical systems. The building scale at all levels is inviting while still maintaining a sense of privacy between neighbouring buildings and for the building's residents.

The priority to densify precious, developable land within an existing urban centre while ensuring the building stepped away from the street-front and neighbouring properties resulted in the building height being well below the height restriction of 37m or 12 storeys. Achieving 49 residences on the property while being sensitive to the neighbourhood was felt to be important from a location and sustainability perspectives. To further reduce the impact on the transportation corridor, the 4th storey was stepped back even further than the 3 storeys below. Further to this, the rooftop amenity spaces are set back further to provide privacy for the residents and reduce the scale of the building from the street. The result is an attractive infill multi-family residential project that combines a school component and addresses the human scale while sensitively designed to reduce impact on neighbours. Additionally, bicycle storage was regarded as an important aspect and is provided on the entry level with easy access to the exterior of the building. We believe that the unique combination of project location, amenities provided, and unique addition of the school facility aligns with the City's vision and our own when it comes to healthy, interactive urban living.

The proposed infill development requires no variances which is a testament to the effectiveness of the overall design to meet the zoning requirements for the C7 zone.



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ARCHITECTURE INC.

ATTACHMENT C

This forms part of application

DP21-0163

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Initials

AC

City of
Kelowna
DEVELOPMENT PLANNING



Transmittal Page 3 of 3

In summary, the rationale for this project is as follows:

- i. Provide a thoughtful, sustainable infill housing solution to a property located in the heart of an existing urban centre of Kelowna.
- ii. Propose a unique and diverse building composition that combines townhome or live/work units, condo units, rooftop amenity space, and a school facility to centralize residents needs bringing urban living to Cawston Avenue.
- iii. Provide a development that provides enough parking for all residents, visitors, and staff of the proposed school while utilizing the unique location on a multi-modal transportation corridor to encourage alternative means of transport.
- iv. The proposed development results in a building design that is attractive in its modern design, is inviting and addresses the human scale at ground level and is sensitive to the neighbourhood at large by the way it has been designed and massed on the site.

This proposed development recognizes the City of Kelowna's strategic approach to overall residential growth including better use of precious developable land in accordance with the City's OCP/Future Land Use, Healthy City Strategy and planning initiatives.

We look forward to your supportive comments in response to this Rezoning and OCP Amendment application.

Please do not hesitate to contact our office if you have any questions or require additional information in these matters.

Sincerely:

Matt Johnston Architect AIBC, LEED AP
LIME Architecture Inc.

c/o

The Development Team including, but not limited to:
Edgcombe Builders Group and SOLE Squared Developments.

Matt Johnston, Architect AIBC, LEED AP

www.LIMEarchitecture.com

t: 250-448-7801 #205-1626 Richter Street, Kelowna BC, V1Y 2M3

DEVELOPMENT PERMIT GUIDELINES

Comprehensive Development Permit Area

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

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

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

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Is visible and secure bicycle parking provided in new parking structures and parking lots?	X		
Environmental Design and Green Building			
Does the proposal consider solar gain and exposure?	X		
Are green walls or shade trees incorporated in the design?		X	
Does the site layout minimize stormwater runoff?	X		
Are sustainable construction methods and materials used in the project?	unknown		
Are green building strategies incorporated into the design?	X		
Decks, Balconies, Rooftops and Common Outdoor Amenity Space			
Are decks, balconies or common outdoor amenity spaces provided?	X		
Does hard and soft landscaping enhance the usability of decks, balconies and outdoor amenity spaces?	X		
Are large flat expanses of roof enhanced with texture, colour or landscaping where they are visible from above or adjacent properties?	X		
Amenities, Ancillary Services and Utilities			
Are loading, garage, storage, utility and other ancillary services located away from public view?	X		
Are vents, mechanical rooms / equipment and elevator penthouses integrated with the roof or screened with finishes compatible with the building's design?	X		
Landscape Development and Irrigation Water Conservation			
Does landscaping:	-	-	-
• Compliment and soften the building's architectural features and mitigate undesirable elements?	X		
• Maintain the dominant pattern of landscaping along the street and surrounding properties?	X		
• Enhance the pedestrian environment and the sense of personal safety?	X		
• Screen parking areas, mechanical functions, and garbage and recycling areas?			X
• Respect required sightlines from roadways and enhance public views?	X		
• Retain existing healthy mature trees and vegetation?			X
• Use native plants that are drought tolerant?	X		
• Define distinct private outdoor space for all ground-level dwellings?	X		
Do any fences and retaining walls create visual interest and enhance the pedestrian environment?	X		
Do parking lots have one shade tree per four parking stalls?			X

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Does the Landscape Architect's Landscape Water Conservation Report:	-	-	-
<ul style="list-style-type: none"> Meet the requirements for Landscape Water Budget calculations for the landscaped area? 	X		
<ul style="list-style-type: none"> Indicate how the development complies with or varies from the Landscape Water Conservation Guidelines? 	X		
Crime prevention			
Are CPTED practices as related to landscaping, siting, form and exterior design included in the design?	X		
Are building materials vandalism resistant?	unknown		
Universal Accessible Design			
Is access for persons with disabilities integrated into the overall site plan and clearly visible from the principal entrance?	X		
Are the site layout, services and amenities easy to understand and navigate?	X		
Signs			
Do signs contribute to the overall quality and character of the development?	X		
Is signage design consistent with the appearance and scale of the building?	X		
Are signs located and scaled to be easily read by pedestrians?	X		
For culturally significant buildings, is the signage inspired by historical influences?			X





DP21-0163

604 Cawston Ave

Development Permit Application



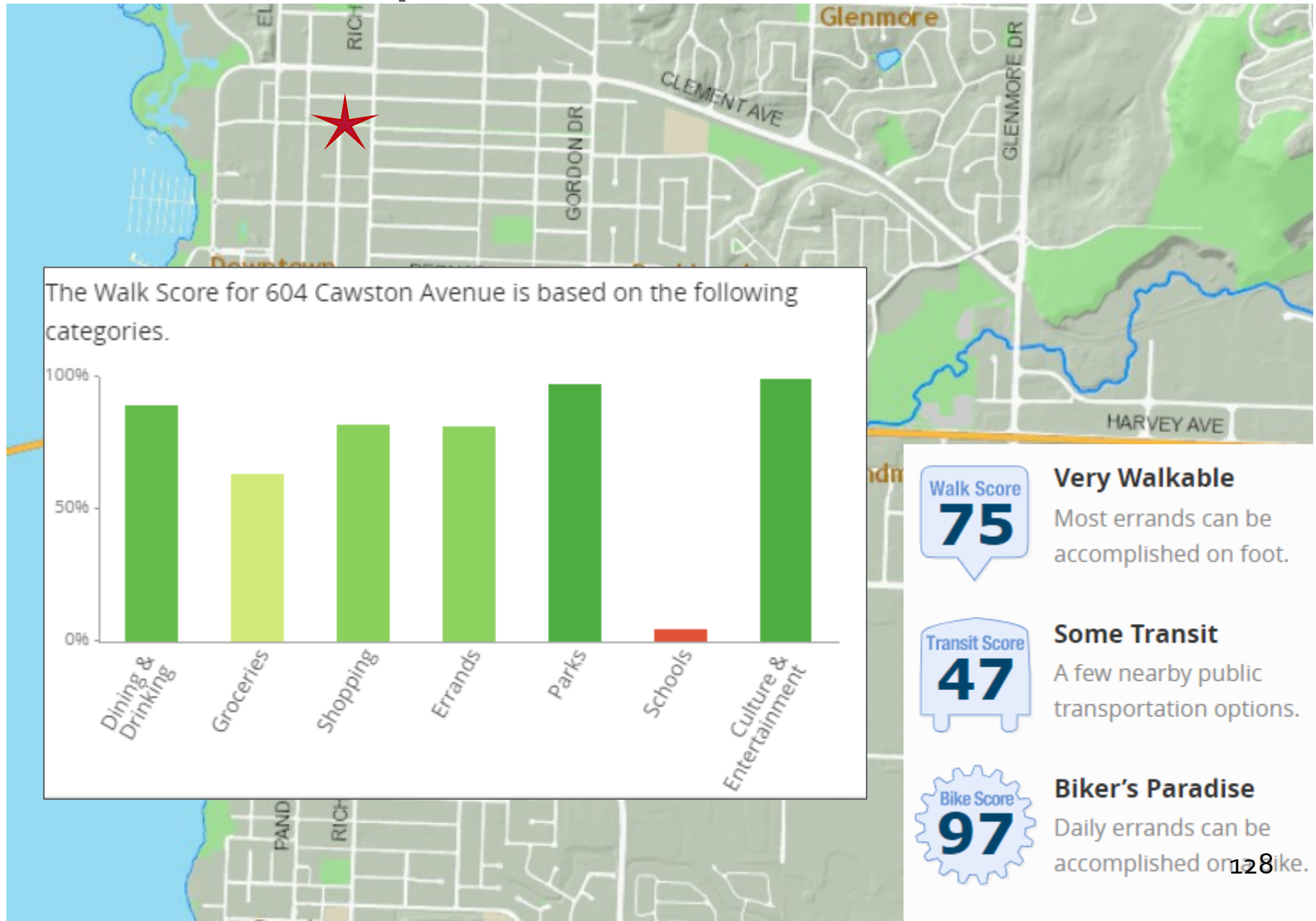
Proposal

- ▶ To review the Form & Character Development Permit of a proposed 6 storey residential apartment building with a commercial third floor proposed to be occupied by a school

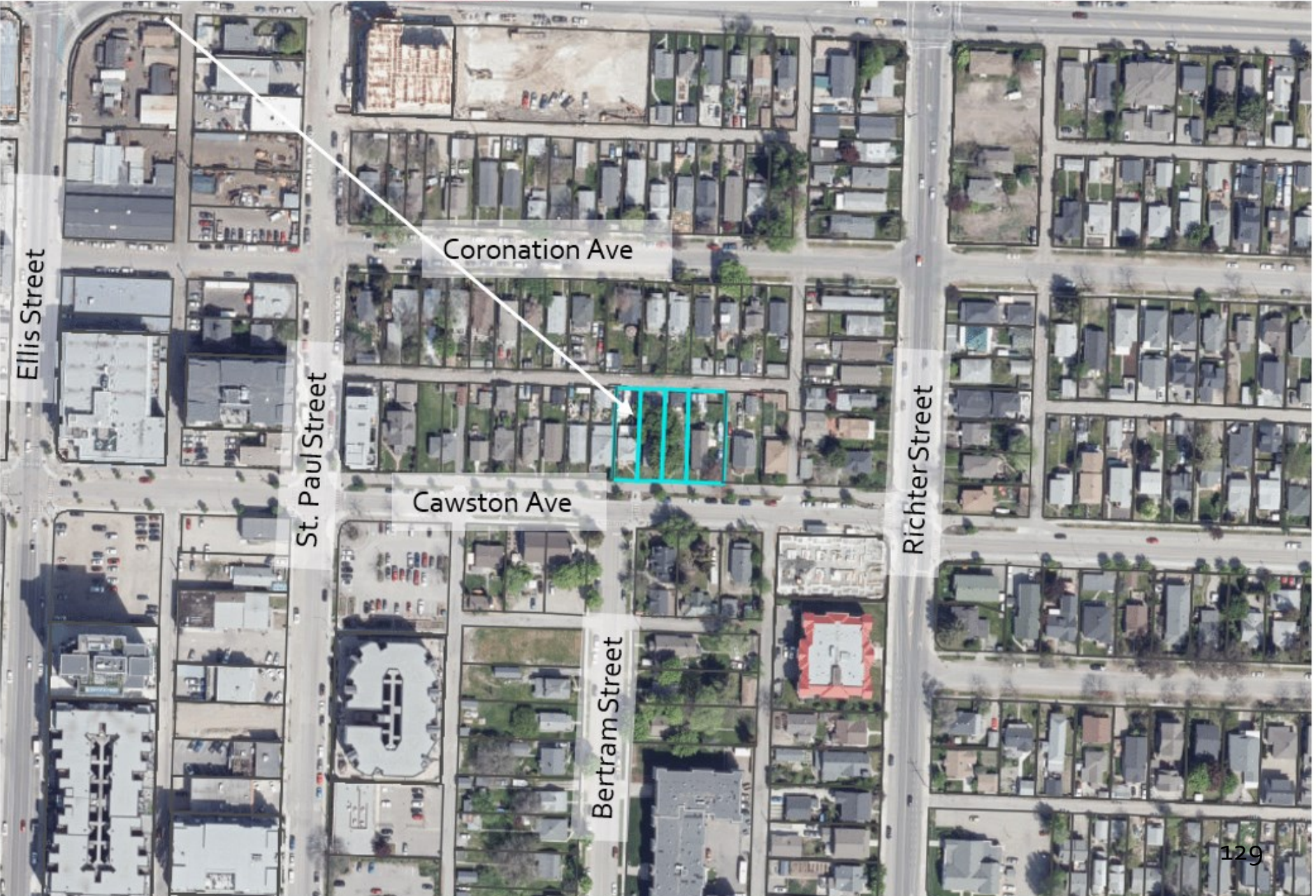
Development Process



Context Map



Subject Property Map: 604-626 Cawston Ave



Streetview



C7 Map A - Downtown Building Heights Plan

Subject Property

Building Heights up to:

-  76.5m (Approx. 26 Storeys)*
-  76.5m (Approx. 26 Storeys)
-  58m (Approx. 19 Storeys)
-  40m (Approx. 13 Storeys)
-  37m (Approx. 12 Storeys)
-  22m (Approx. 6 Storeys)
-  18.5m (Approx. 5 Storeys)
-  15m (Approx. 4 Storeys)
-  13m (Approx. 3 Storeys)
-  CD5 Comprehensive Development
-  Existing Park

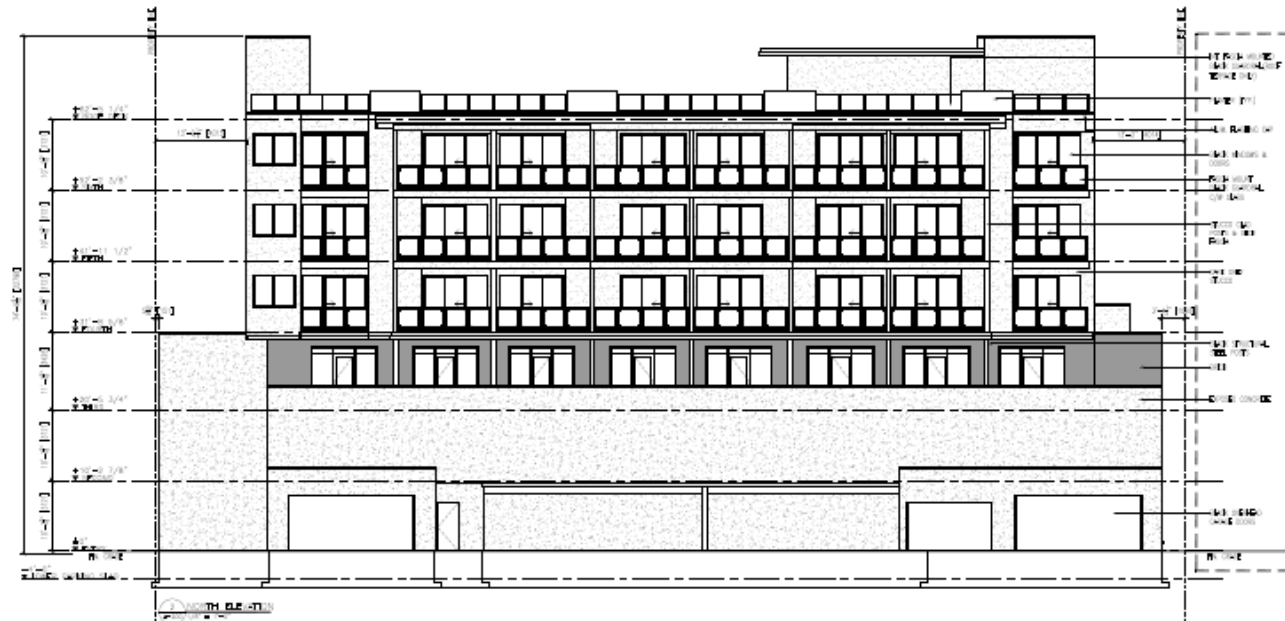


Development Statistics

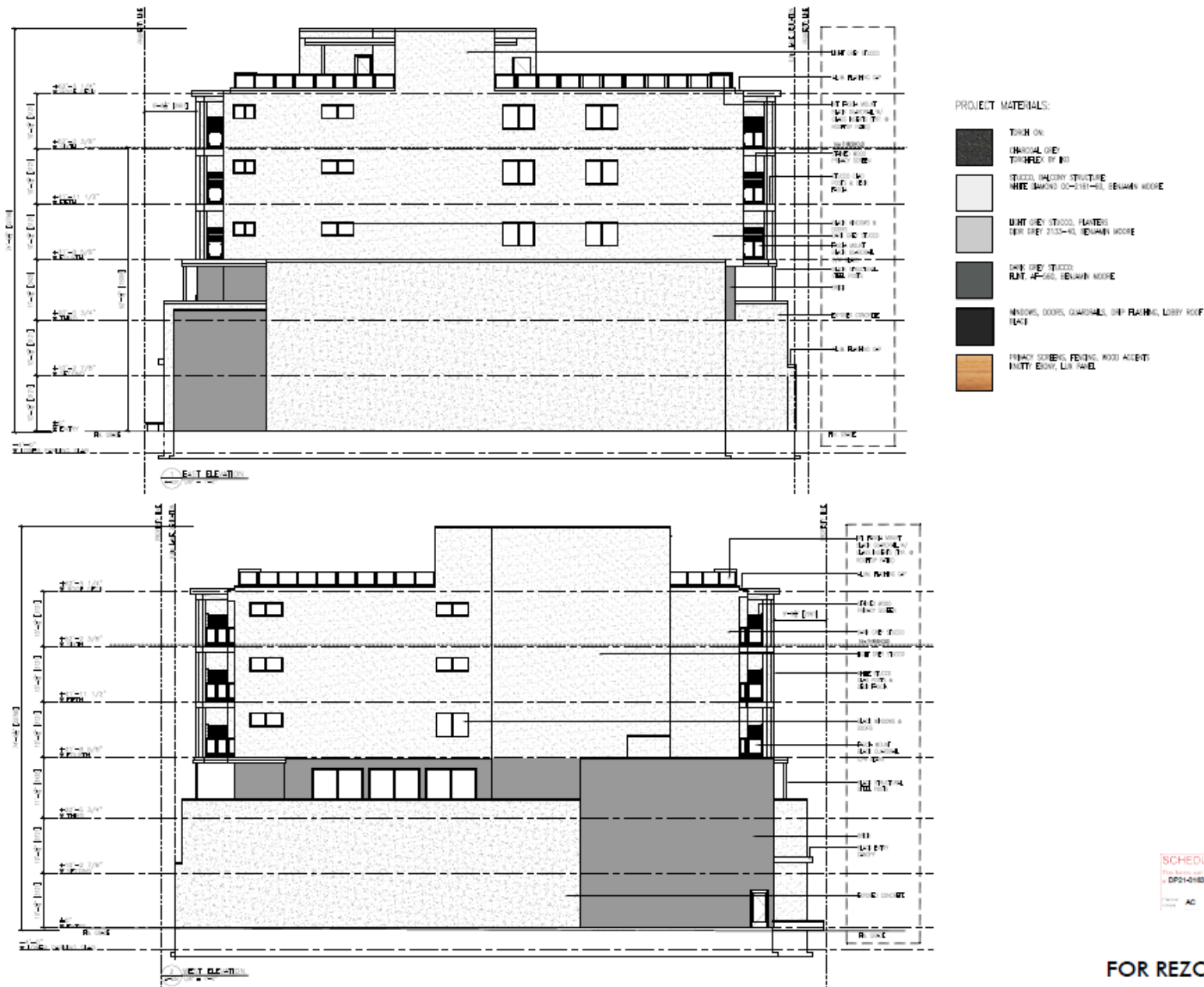
- ▶ 49 dwelling units
 - ▶ 4 one-bedroom units
 - ▶ 45 two-bedroom units
- ▶ A school on the third floor
- ▶ 67 stalls provided (66 stalls required)
 - ▶ 49 residential stalls, 7 visitor stalls, 10 commercial stalls
- ▶ 58 long term bicycle stalls
- ▶ 31 short term bicycle stalls
- ▶ No Variances

Rendering



[illegible]

Elevations



Elevations



Elevations



Images



Images



3 SITE CONTEXT - LOOKING EAST ALONG CAWSTON AVE.
A-204 N.T.S.

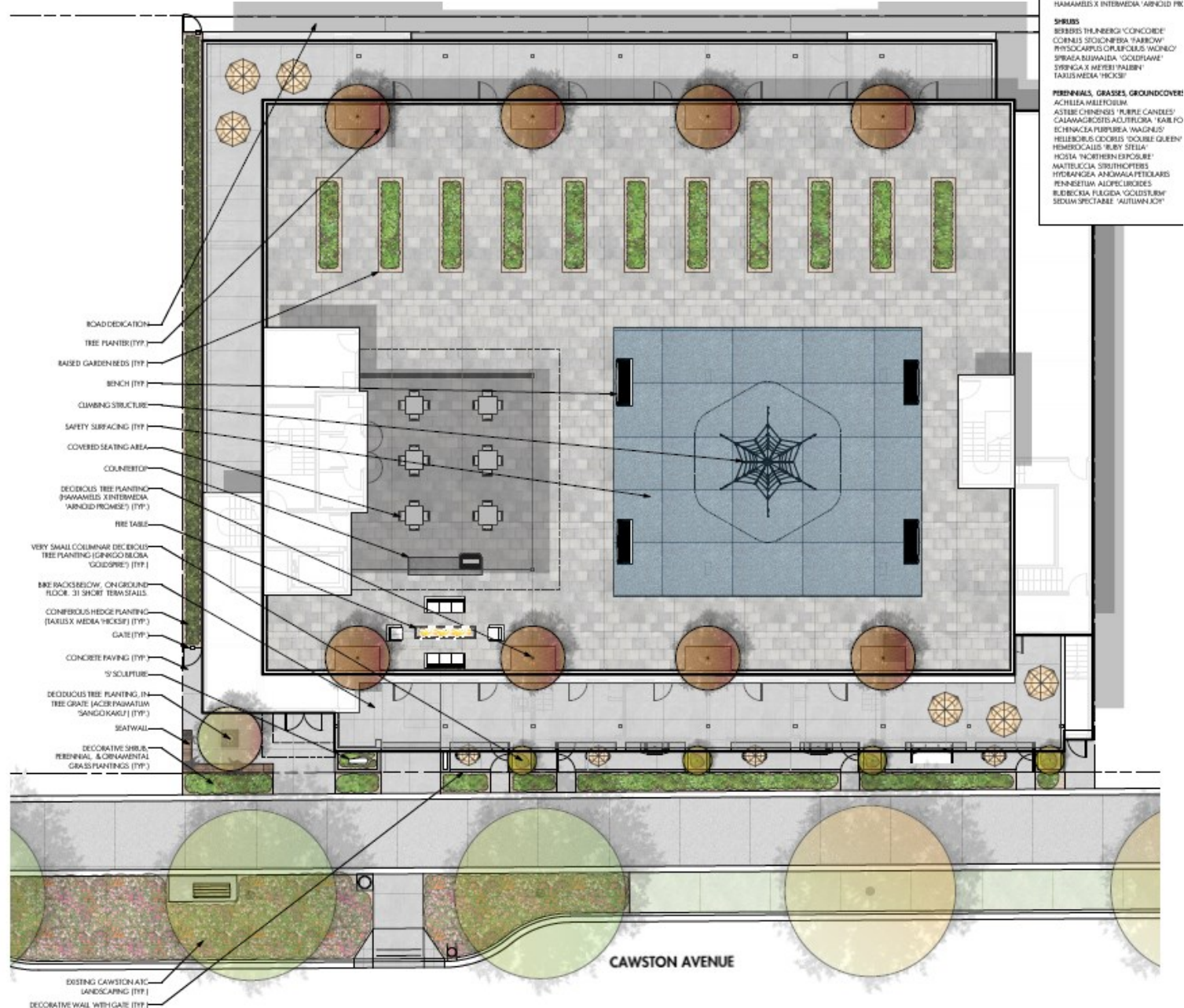


4 SITE CONTEXT - LOOKING WEST FROM RICHTER ST.
A-204 N.T.S.



FOR REZONING/ DP

Landscape Plan



Development Policy

- ▶ Meets the intent of Official Community Plan Urban Infill Policies:
 - ▶ Mixed Use
 - ▶ Complete Communities
 - ▶ Sensitive Infill
 - ▶ Compact Urban Form

Staff Recommendation

- ▶ Staff recommend **support** of the proposed Development Permit
 - ▶ Consistent with Official Community Plan Urban Design Guidelines
 - ▶ Ground-oriented units facing the street which hide the parkade.
 - ▶ Parking access from the rear lane.
 - ▶ Rear lane dedication.
 - ▶ Building setbacks from the street after the first two floor resulting in the protrusion of the first floors from the rest of the building.
 - ▶ Provision of a school on the third-floor increasing liveability and amenities within the downtown core.
 - ▶ Rooftop amenity space including seating / lounging areas, garden plots, and children play structures enhancing the liveability and quality of the project.



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 11857

Z19-0081

5269 Hwy 97 N

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 3, District Lot 122 and of Section 11, Township 23, ODYD, Plan 1629 except Plan 41159 located on Hwy 97 N, Kelowna, BC from the A1 - Agriculture 1 zone to the CD12 - Airport 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 15th day of July, 2019.

Considered at a Public Hearing on the 30th day of July, 2019.

Read a second and third time by the Municipal Council this 30th day of July, 2019.

Approved under the Transportation Act this 8th day of October, 2021.

Audrie Henry

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12254

Z20-0103

494 Trumpeter Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2 Section 24 Township 28 SDYD Plan KAP90635 located at Trumpeter Road, Kelowna, BC from the RR2c – Rural Residential 2 with Carriage House zone to the RU1h – Large Lot Housing (Hillside Area) 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 26th day of July, 2021.

Public Hearing waived by the Municipal Council this 26th day of July, 2021.

Read a second and third time by the Municipal Council this 23rd day of August, 2021.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: October 18, 2021

To: Council

From: City Manager

Subject: Amendment No. 12 to Solid Waste Management Bylaw 10106 (BL12279)

Department: Utility Services

Recommendation:

THAT Council receives, for information, the Report from the Landfill and Compost Operations Manager dated October 18, 2021, regarding the amendment to the Solid Waste Management Regulation Bylaw No. 10106;

AND THAT Bylaw No. 12279, Amendment No. 12 to the Solid Waste Management Regulation Bylaw No. 10106, be forwarded for reading consideration;

AND FURTHER THAT Bylaw No. 12285, Amendment No. 30 to the Bylaw Notice Enforcement Bylaw No. 10475, be forwarded for reading consideration.

Purpose:

To seek Council's approval to amend the Solid Waste Management Regulation Bylaw to align with Regional Waste Management initiatives and amend the fee schedules for selected wastes with an inflationary rate adjustment.

Background:

The Solid Waste Management Regulation Bylaw No. 10106 was last updated in November 2020.

The proposed amendments ensure bylaw wording is consistent with Regional Wildlife/Bear Aware initiatives and make an inflationary adjustment to garbage tipping fees to ensure a sustainable landfill operation.

As part of the City's commitment in the Regional Solid Waste Management Plan, Utility Services works closely with the Central Okanagan Regional District Waste Reduction Office to ensure consistent Solid Waste Management across the entire Region. This includes efforts on common issues such as the Curbside Cart Collection program, waste reduction and responses to Provincial programs such as the Bear Aware program.

Discussion:

There was no tipping fee increase for garbage in 2021. Utility Services is recommending an inflationary adjustment on garbage tipping fees, representing a \$2 per metric tonne increase effective January 1, 2022 and a second increase of the same amount effective January 1, 2023.

Utility Services is recommending that the garbage, recycling and yard waste collection fees remain at the 2021 rates for 2022 and 2023. No inflationary adjustment is necessary due to the rates in the curbside collection contract and cart replacement program.

A new Section 2.5 is proposed to be added to the Solid Waste Management Bylaw to address Wildlife Attractants. This mirrors the amendment recently approved in the Regional District version of the Solid Waste Bylaw to maintain consistency in the programs. As the City continues to grow, interactions between residents and wildlife become more common. The Regional District is pilot testing wildlife resistant carts which may be used in the future. This bylaw update allows for education and enforcement opportunities in areas that have the potential for wildlife/human conflicts. Definitions were added to the Bylaw in the last amendment in preparation for this clause.

If this Solid Waste Bylaw amendment is passed, there would be a corresponding minor amendment required for the Bylaw Notice Enforcement Bylaw No.10475 to include a penalty for feeding or attracting wildlife. That amendment is included in this report.

Conclusion:

The Solid Waste Management bylaw requires minor amendments for 2022 to ensure that it remains consistent with current, regional landfill waste management practices and costs. The per-tonne tipping fee is recommended to increase by \$2 per tonne for each of 2022 and 2023.

Internal Circulation:

Financial Planning
Communications
Bylaw Services

Financial/Budgetary Considerations:

Most landfill revenues come from garbage and yard waste tipping fees which are expected to increase in 2022. This level of projected revenue is consistent with the City's Solid Waste Financial Model to ensure sustainable solid waste funding.

Considerations not applicable to this report:

Legal/Statutory Authority:
Legal/Statutory Procedural Requirements:
Existing Policy:
External Agency/Public Comments:

Submitted by:

S. Hoekstra, Manager – Landfill and Composting Operations

Approved for inclusion:



KVV. Acting Director Civic Operations

CC:

P. Gramiak – Revenue Supervisor

K. Hughes – Financial Planning Manager

K. Hunter – Bylaw Services Supervisor

Bylaw 12279 Schedule A – Proposed Amendments

Amendments to the Solid Waste Management Regulation Bylaw No. 10106

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	Section 1.2 INTERPRETATION	Not Applicable	" <i>Dangerous Wildlife</i> " means bear, cougar, coyote or wolf, or a species of wildlife that is prescribed as dangerous wildlife as per the Provincial Wildlife Act as amended from time to time	New definition to match Provincial Wildlife Act.
2.	Section 2.COLLECTION SYSTEMS 2.5 MANAGING ATTRACTANTS	Not Applicable	<p>2.5.1 A person must not feed <i>Dangerous Wildlife</i>, and must not feed animals in a manner that is likely to attract <i>Dangerous Wildlife</i>. Every Owner or occupier of a Residential Dwelling Premise must ensure that:</p> <p>(a) any fruit or nuts from a tree, bush or shrub is maintained and stored in such a manner so as not to attract <i>Dangerous Wildlife</i> ;</p> <p>(b) any bird feeder containing bird feed, suet or nectar is suspended on a cable or other device in such a manner that it is inaccessible to <i>Dangerous Wildlife</i>; and the area below any bird feeding devices or activity is kept free of accumulations of seeds and similar Animal Attractants;</p> <p>(c) any composting activity is carried out and any composting device or equipment is maintained in such a manner that it is inaccessible to <i>Dangerous Wildlife</i>;</p>	New section being added to all Municipal bylaws in the Central Okanagan. Clarifies wildlife interaction concerns and allow for enforcement in problematic areas.

			<p>(d) barbecue equipment and tools that remain out of doors must be clean and free of residual food or grease;</p> <p>(e) any refrigerator, freezer, storage container or similar appliance, device or apparatus that contains animal attractants of any type, if placed or located outdoors, is located and equipped in such a manner that it is inaccessible to <i>Dangerous Wildlife</i>; and</p> <p>(f) any grease, antifreeze, paint or petroleum product is stored in such a manner that it is inaccessible to <i>Dangerous Wildlife</i>.</p> <p>(g) Except as permitted in this bylaw, a person must not store any refuse that is an Animal Attractant in such a manner that it is accessible to <i>Dangerous Wildlife</i>.</p>																													
3.	Schedule “B”, 2.0	<table><tr><td></td><td>2020</td><td>2021</td></tr><tr><td>Garbage, Yard Waste, Recycling and Curbside Collection fee</td><td>\$162.74</td><td>\$163.87</td></tr><tr><td>CORD Waste Reduction Office Programming</td><td>\$17.56</td><td>\$17.56</td></tr><tr><td>TOTAL</td><td>\$180.30</td><td>\$181.43</td></tr></table>		2020	2021	Garbage, Yard Waste, Recycling and Curbside Collection fee	\$162.74	\$163.87	CORD Waste Reduction Office Programming	\$17.56	\$17.56	TOTAL	\$180.30	\$181.43	<table><tr><td></td><td>2021</td><td>2022</td><td>2023</td></tr><tr><td>Garbage, Yard Waste, Recycling and Curbside Collection fee</td><td>\$163.87</td><td>\$163.87</td><td>\$163.87</td></tr><tr><td>CORD Waste Reduction Office Programming</td><td>\$17.56</td><td>\$17.56</td><td>\$17.56</td></tr><tr><td>TOTAL</td><td>\$181.43</td><td>\$181.43</td><td>\$181.43</td></tr></table>		2021	2022	2023	Garbage, Yard Waste, Recycling and Curbside Collection fee	\$163.87	\$163.87	\$163.87	CORD Waste Reduction Office Programming	\$17.56	\$17.56	\$17.56	TOTAL	\$181.43	\$181.43	\$181.43	Updated to reflect property tax rate for next two years
	2020	2021																														
Garbage, Yard Waste, Recycling and Curbside Collection fee	\$162.74	\$163.87																														
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		<table><tr><td></td><td>2018</td><td>2019</td><td>2020</td></tr><tr><td>Large Garbage Cart (240L) fee</td><td>\$84/annum</td><td>\$90/annum</td><td>\$90/annum</td></tr></table>		2018	2019	2020	Large Garbage Cart (240L) fee	\$84/annum	\$90/annum	\$90/annum	<table><tr><td></td><td>2021</td><td>2022</td><td>2023</td></tr><tr><td>Large Garbage Cart (240L) fee</td><td>\$90/annum</td><td>\$90/annum</td><td>\$90/annum</td></tr></table>		2021	2022	2023	Large Garbage Cart (240L) fee	\$90/annum	\$90/annum	\$90/annum	
	2018	2019	2020																	
Large Garbage Cart (240L) fee	\$84/annum	\$90/annum	\$90/annum																	
	2021	2022	2023																	
Large Garbage Cart (240L) fee	\$90/annum	\$90/annum	\$90/annum																	
4.	Schedule "E" SANITARY LANDFILL/RECYCLING FEES SECTION 1(m)	All other residential Garbage not included above: "\$100.00 per metric tonne" Effective January 1, 2020	All other residential Garbage not included above: "\$100.00 per metric tonne" Effective January 1, 2020 "\$102.00 per metric tonne" Effective January 1, 2022 "\$104.00 per metric tonne" Effective January 1, 2023	Inflationary adjustment in garbage tipping fees for 2022 and 2023.																
5.	Schedule "E" SANITARY LANDFILL/RECYCLING FEES SECTION 3	<table><tr><td>\$85.00 per metric tonne</td><td>Effective January 1, 2018</td></tr><tr><td>\$95.00 per metric tonne</td><td>Effective January 1, 2019</td></tr><tr><td>\$100.00 per metric tonne</td><td>Effective January 1, 2020</td></tr></table>	\$85.00 per metric tonne	Effective January 1, 2018	\$95.00 per metric tonne	Effective January 1, 2019	\$100.00 per metric tonne	Effective January 1, 2020	<table><tr><td>\$100.00 per metric tonne</td><td>Effective January 1, 2020</td></tr><tr><td>\$102.00 per metric tonne</td><td>Effective January 1, 2022</td></tr><tr><td>\$104.00 per metric tonne</td><td>Effective January 1, 2023</td></tr></table>	\$100.00 per metric tonne	Effective January 1, 2020	\$102.00 per metric tonne	Effective January 1, 2022	\$104.00 per metric tonne	Effective January 1, 2023	Repeat of table above				
\$85.00 per metric tonne	Effective January 1, 2018																			
\$95.00 per metric tonne	Effective January 1, 2019																			
\$100.00 per metric tonne	Effective January 1, 2020																			
\$100.00 per metric tonne	Effective January 1, 2020																			
\$102.00 per metric tonne	Effective January 1, 2022																			
\$104.00 per metric tonne	Effective January 1, 2023																			

Bylaw 12285 Schedule B – Proposed Amendments

Amendments to the Bylaw Notice Enforcement Bylaw No. 10475

No.	Section	Current Wording	Proposed Wording							Reason for Change
1.	Schedule B, Solid Waste Management Bylaw 10106	Not Applicable								Include value for penalties in violation of Bylaw 10106
			Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty Amount Where Compliance is Shown as "Yes")	
			10106	2.5.1	Feed or Attract Wildlife	\$150.00	\$135.00	\$165.00	No	



Bylaw 12279 – Amendment to Solid Waste Regulation Bylaw No. 10106

Utility Services | October 18, 2021

Agenda

- ▶ Overview
- ▶ Landfill Update
- ▶ This current amendment
- ▶ Future Initiatives

Landfill Updates

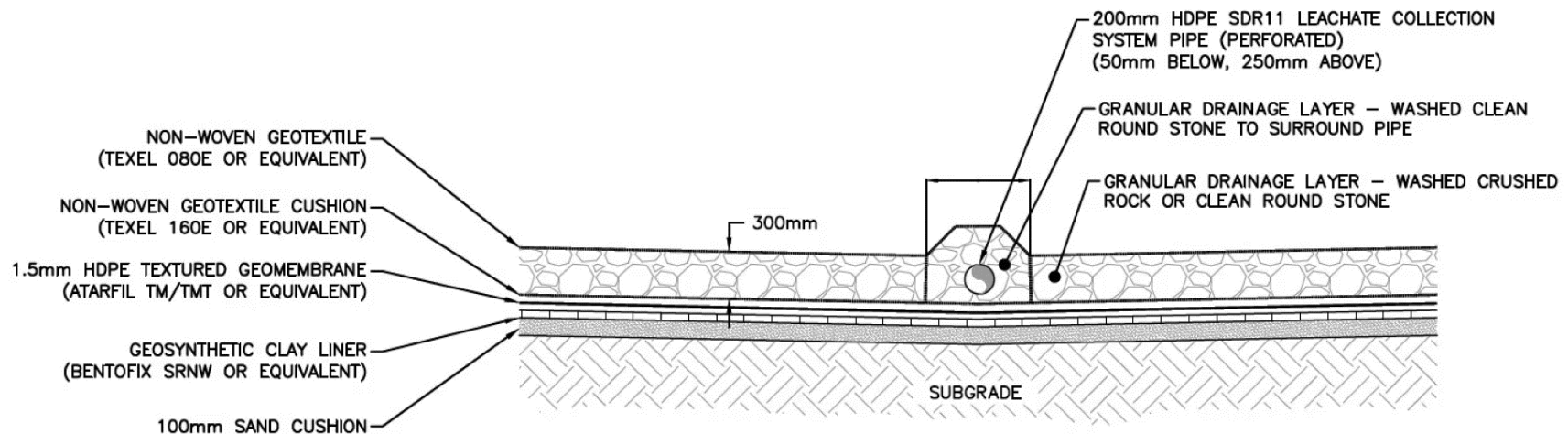
- ▶ Completed construction of Mechanic Shop/Landfill Operations Building
- ▶ Additional phases scheduled for future years



Landfill Updates

- ▶ Worked with Fleet to procure a hybrid bulldozer and air separator
- ▶ Installed landfill specific GPS systems to increase site efficiency
- ▶ Completed installation of a nuisance monitoring system (staff training underway)
- ▶ Constructed almost 50,000 m² of liner in 2 phases over 2019 and 2020

Landfill Updates



Rate Adjustments

- ▶ Reflects current Solid Waste Financial Model
 - ▶ 2021 rate adjustment for selected materials
 - ▶ Shingles
 - ▶ Biosolids composted
 - ▶ Tires
 - ▶ Mattresses
 - ▶ Joined the Major Appliances Recycling Roundtable (MARR)



This Amendment

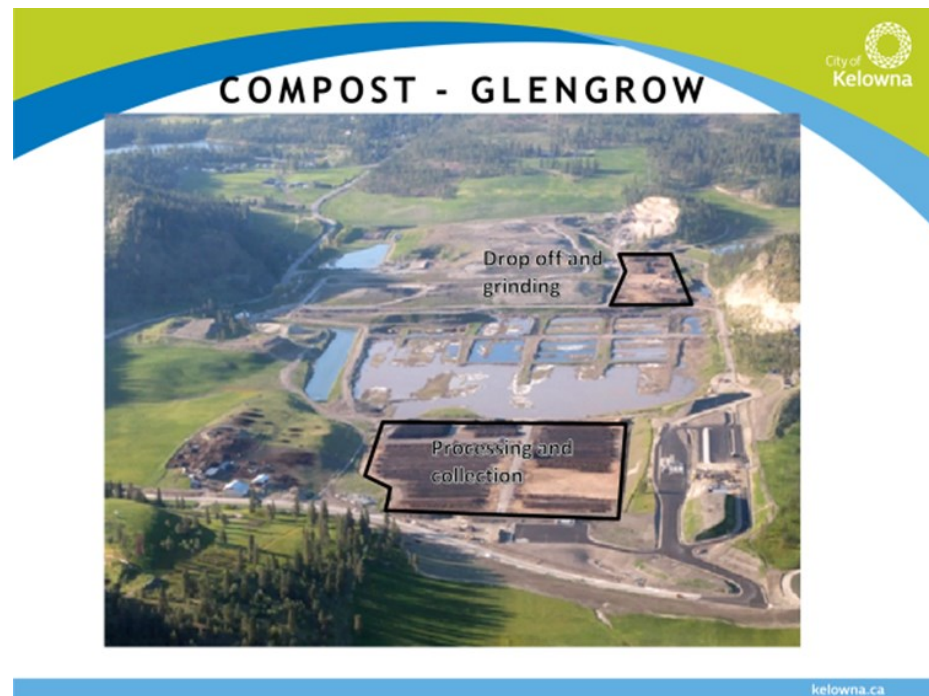
- ▶ Adding clause to allow for enforcement of wildlife interactions
- ▶ Garbage Tipping Fees
 - ▶ There was no 2021 increase to the garbage tipping fees
 - ▶ Proposed rate increase of \$2 per tonne effective 2022 and 2023
 - ▶ No change to the minimum charge
 - ▶ No impact to the residential tax rate by this rate change

Future Initiatives

- ▶ Schedule completion of a landfill liabilities to the City
- ▶ Examples of liabilities include:
 - ▶ Increased road wear and maintenance
 - ▶ Litter picking on public roads
 - ▶ Lower property tax revenues due to limitations on development
 - ▶ Nuisance on adjacent properties

Future Initiatives

- ▶ Working with the Province to update the landfill Operational Certificate (permit)
- ▶ Selection of technology RFP and earthworks for composting Aerated Static Pile system
- ▶ similar system used for biosolids composting



Future Initiatives

- ▶ Work with Real Estate, Building Services and Regional District on building deconstruction
 - ▶ Evaluate the feasibility and requirements to deconstruct building instead of demolish
 - ▶ Determine costs and potential jobs
 - ▶ Evaluate additional waste management needs and reach out to service industries/private sector
 - ▶ Divert valuable materials to recovery instead of disposal



Questions?

For more information, visit kelowna.ca.

CITY OF KELOWNA

BYLAW NO. 12279

Amendment No.12 to the Solid Waste Management Regulation Bylaw No. 10106

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Solid Waste Bylaw No. 10106 be amended as follows:

1. THAT Section **1.2 INTERPRETATION** be amended by adding the following definition:

"Dangerous Wildlife" means bear, cougar, coyote or wolf, or a species of wildlife that is prescribed as dangerous wildlife as per the Provincial Wildlife Act as amended from time to time;

2. THAT Section **2.COLLECTION SYSTEMS** be amended by adding the following:

"2.5 MANAGING ATTRACTANTS

2.5.1 A person must not feed *Dangerous Wildlife*, and must not feed animals in a manner that is likely to attract *Dangerous Wildlife*. Every Owner or occupier of a *Residential Dwelling Premise* must ensure that:

(a) any fruit or nuts from a tree, bush or shrub is maintained and stored in such a manner so as not to attract *Dangerous Wildlife*;

(b) any bird feeder containing bird feed, suet or nectar is suspended on a cable or other device in such a manner that it is inaccessible to *Dangerous Wildlife*; and the area below any bird feeding devices or activity is kept free of accumulations of seeds and similar *Animal Attractants*;

(c) any composting activity is carried out and any composting device or equipment is maintained in such a manner that it is inaccessible to *Dangerous Wildlife*;

(d) barbecue equipment and tools that remain out of doors must be clean and free of residual food or grease;

(e) any refrigerator, freezer, storage container or similar appliance, device or apparatus that contains animal attractants of any type, if placed or located outdoors, is located and equipped in such a manner that it is inaccessible to *Dangerous Wildlife*; and

(f) any grease, antifreeze, paint or petroleum product is stored in such a manner that it is inaccessible to *Dangerous Wildlife*.

(g) Except as permitted in this bylaw, a person must not store any refuse that is an *Animal Attractant* in such a manner that it is accessible to *Dangerous Wildlife*."

3. AND THAT **Schedule "B"**, 2.0 be amended by changing the fees and charges tables from:

	2020	2021
Garbage, Yard Waste, Recycling and Curbside Collection fee	\$162.74	\$163.87
CORD Waste Reduction Office Programming	\$17.56	\$17.56
TOTAL	\$180.30	\$181.43

	2018	2019	2020
Large Garbage Cart (240L) fee	\$84/annum	\$90/annum	\$90/annum

to

	2021	2022	2023
Garbage, Yard Waste, Recycling and Curbside Collection fee	\$163.87	\$163.87	\$163.87
CORD Waste Reduction Office Programming	\$17.56	\$17.56	\$17.56
TOTAL	\$181.43	\$181.43	\$181.43

	2021	2022	2023
Large Garbage Cart (240L) fee	\$90/annum	\$90/annum	\$90/annum

4. AND THAT **Schedule "E" SANITARY LANDFILL/RECYCLING FEES**, SECTION 1(m) be amended by adding the following to the existing table:

"\$102.00 per metric tonne"	Effective January 1, 2022
"\$104.00 per metric tonne"	Effective January 1, 2023

5. AND FURTHER THAT **Schedule "E" SANITARY LANDFILL/RECYCLING FEES**, SECTION 3 be amended by deleting the per tonne tipping fee table and adding the following:

\$100.00 per metric tonne	Effective January 1, 2020
\$102.00 per metric tonne	Effective January 1, 2022
\$104.00 per metric tonne	Effective January 1, 2023

This bylaw may be cited for all purposes as "Bylaw No. 12279, being Amendment No. 12 to Solid Waste Bylaw No. 10106."

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12285

Amendment No.30 to the Bylaw Notice Enforcement Bylaw No. 10475

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Bylaw Notice Enforcement Bylaw be amended as follows:

1. THAT **Schedule B, Solid Waste Management Bylaw No. 10106** be amended by adding the following:

"

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty Amount Where Compliance is Shown as "Yes")
10106	2.5.1	Feed or Attract Dangerous Wildlife	\$150.00	\$135.00	\$165.00	No

"

This bylaw may be cited for all purposes as "Bylaw No. 12285, being Amendment No. 30 to the Bylaw Notice Enforcement Bylaw No. 10475."

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: October 18, 2021
File: 1125-31-022
From: City Manager
Subject: 234-278 Leon Avenue - Road Closure
Department: Real Estate Department

Recommendation:

THAT Council receives, for information, the report from the Real Estate Department dated October 18, 2021, recommending that Council adopt the proposed closure of a portion of road adjacent to 234-278 Leon Avenue;

AND THAT Bylaw No. 12271, being a proposed closure of a portion of road adjacent to 234-278 Leon Avenue, be given reading consideration.

Purpose:

To close a 194.4 square meter portion of Leon Avenue to allow for the creation of an air space parcel and associated overhead pedestrian connection as part of the Water St by the Park development.

Background:

The proposed road closure (shown as Road to be Closed on the attached Schedule 'A') will stay under the care and control of the City of Kelowna; however, the road closure is required to allow for the creation of an air space parcel above the road closure area connecting two buildings within the future Water St by the Park development.

Legal/Statutory Authority:

Section 26 and 40, Community Charter

Considerations not applicable to this report:

Internal Circulation:
Legal/Statutory Procedural Requirements:
Existing Policy:
External Agency/Public Comments:
Communications Comments:

Submitted by: B. Walker, Manager, Real Estate Services

Approved for inclusion: J. Säufferer, Department Manager, Real Estate

Attachment: 1. Schedule A – Survey Plan

cc: R. O’Sullivan, Acting, Manager, Development Engineering
G. Foy, Manager, Transportation Engineering
T. Barton, Department Manager, Community Planning

Your electronic signature is a representation that you are a British Columbia land surveyor and a subscriber under section 168.6 of the *Land Title Act*, RSBC 1996 c.250. By electronically signing this document, you are also electronically signing the attached plan under section 168.3 of the act.

1. BC LAND SURVEYOR: (Name, address, phone number)

Surveyor General Certification [For Surveyor General Use Only]

2. PLAN IDENTIFICATION:

Control Number:

Plan Number:

This original plan number assignment was done under Commission #:

LTO Document Reference:

3. CERTIFICATION:

Form 9

Explanatory Plan

Form 9A

The field survey was completed on:

(YYYY/Month/DD)

The checklist was filed under ECR#:

The plan was completed and checked on:

(YYYY/Month/DD)

I am a British Columbia land surveyor and certify that

this plan was completed and checked on:

(YYYY/Month/DD)

that the checklist was filed under ECR#:

and that the plan is correct in accordance with Land Title Office records.

I am a British Columbia land surveyor and certify that the buildings included in this strata plan have not been previously occupied as of (YYYY/Month/DD)

None

Strata Form S

None

Strata Form U1

Strata Form U1/U2

I am a British Columbia land surveyor and certify that the buildings shown on this strata plan are within the external boundaries of the land that is the subject of the strata plan

Certification Date:

(YYYY/Month/DD)

I am a British Columbia land surveyor and certify:

1. That the buildings shown on this strata plan are within the external boundaries of the land that is the subject of the strata plan subject to clause 2 of this endorsement

2. That certain parts of the buildings are not within the external boundaries but appropriate and necessary easements of other interests are registered as set out in section 244 (1)(f) of the Strata Property Act.

Registered Charge Number(s):

Certification Date:

(YYYY/Month/DD)

Arterial Highway

I am a British Columbia land surveyor and certify that I am authorized by the Minister of Transportation and Infrastructure under section 44.1 of the Transportation Act to show certain lands identified on this plan dedicated as Arterial Highway.

Remainder Parcel (Airspace)

I am a British Columbia Land Surveyor and certify that no portion of the parcels or dedications created on this plan overlap vertically, that is, lie above or below any portion of the Air Space parcels on Air Space Plan

4. ALTERATION:

LTO Document Reference:

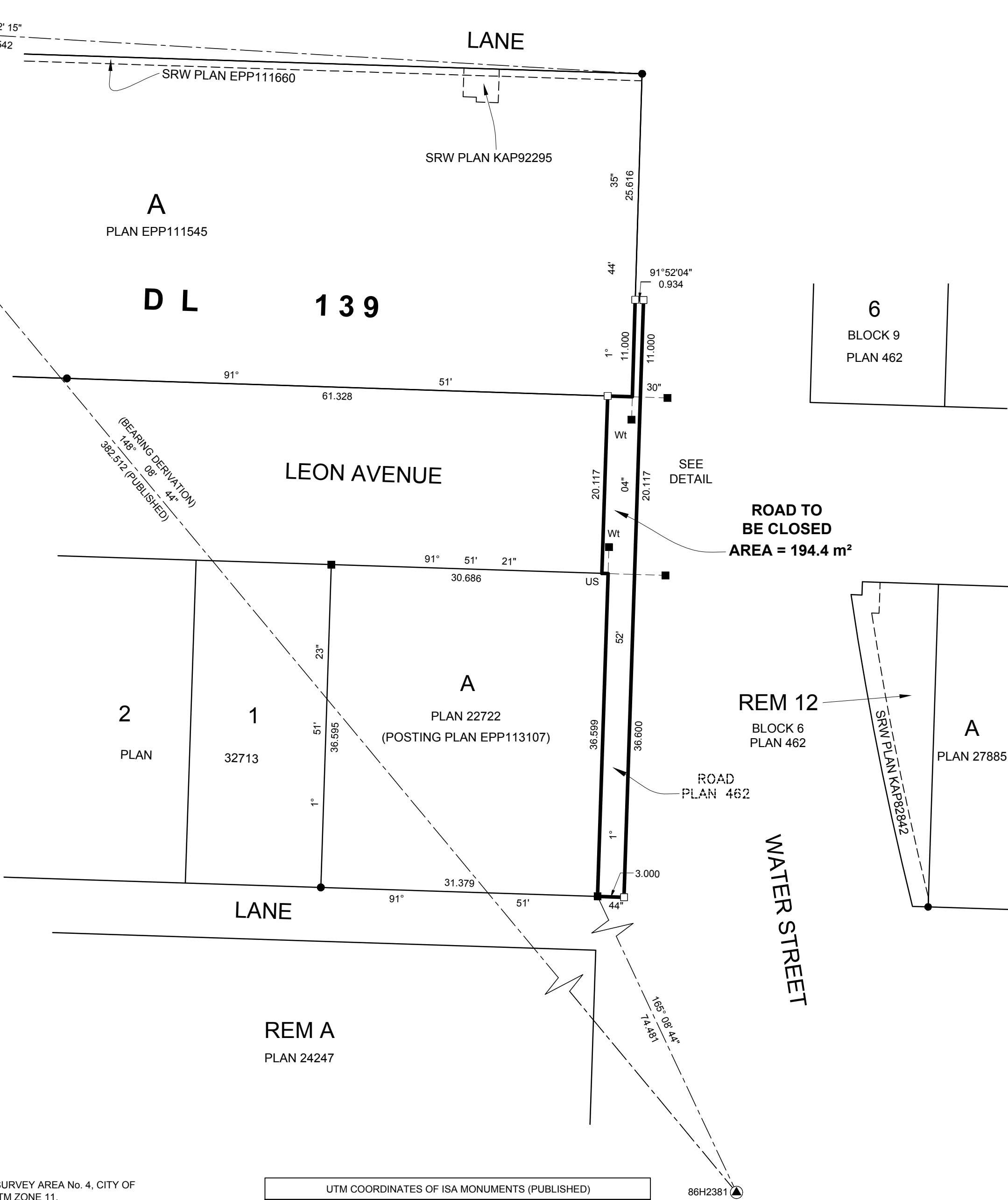
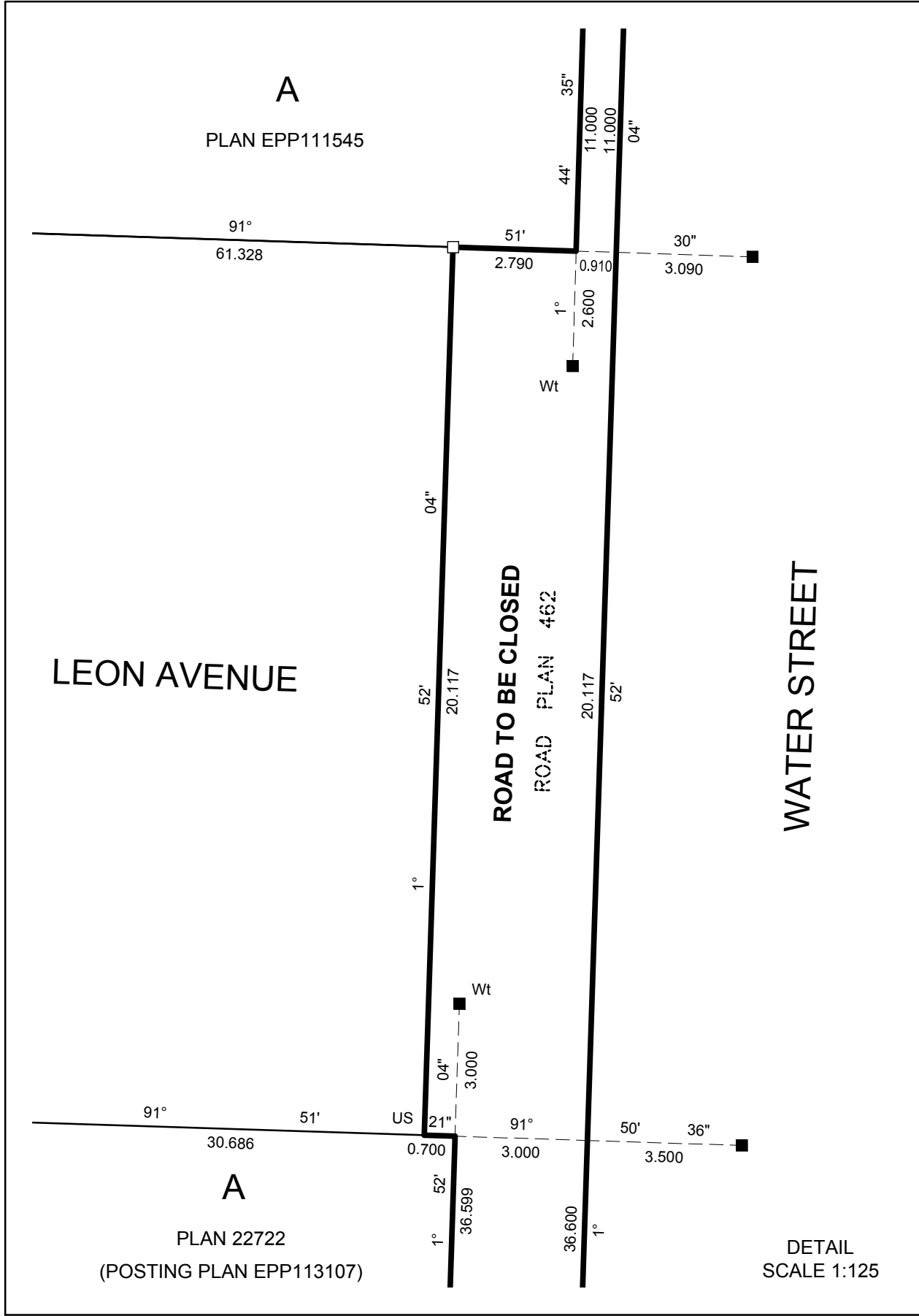
This is an alteration to a previous version of this plan identified by control number:

DESCRIPTION OF ALTERATION: SEE SCHEDULE

REFERENCE PLAN TO ACCOMPANY CITY OF KELOWNA BYLAW No. 12271 TO CLOSE PARTS OF ROAD DEDICATED ON PLAN 462 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT

PURSUANT TO SECTION 120 OF THE LAND TITLE ACT AND SECTION 40 OF THE COMMUNITY CHARTER
CITY OF KELOWNA
BCGS 82E.083

5 0 5 10 25
ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF.
THE INTENDED PLOT SIZE OF THIS PLAN IS 560mm IN WIDTH BY 432mm IN HEIGHT (C SIZE) WHEN PLOTTED AT A SCALE OF 1:400



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FB704 P28-31 (PB)
v2020-May-05

- LEGEND**
- - DENOTES STANDARD IRON POST FOUND
 - ▲ - DENOTES GEODETIC CONTROL MONUMENT
 - - DENOTES LEAD PLUG FOUND
 - - DENOTES LEAD PLUG PLACED
 - US - DENOTES UNSUITABLE FOR POSTING
 - Wt - DENOTES WITNESS
- NOTE:
THIS PLAN SHOWS ONE OR MORE WITNESS POSTS WHICH ARE NOT SET ON THE TRUE CORNER(S).

THIS PLAN LIES WITHIN INTEGRATED SURVEY AREA No. 4, CITY OF KELOWNA, NAD83 (CSRS) 4.0.0.BC.1, UTM ZONE 11.

GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN GEODETIC CONTROL MONUMENTS 86H2381 AND 95H1861 AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 11. (117° WEST LONGITUDE)

THIS PLAN SHOWS HORIZONTAL GROUND LEVEL DISTANCES, UNLESS OTHERWISE SPECIFIED. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND LEVEL DISTANCES BY THE AVERAGE COMBINED FACTOR OF 0.9999441. THE AVERAGE COMBINED FACTOR HAS BEEN DETERMINED BASED ON GEODETIC CONTROL MONUMENTS 86H2381 AND 95H1861.

UTM COORDINATES OF ISA MONUMENTS (PUBLISHED)				
DATUM: NAD83 (CSRS) 4.0.0.BC.1, UTM ZONE 11.				
MARKER	NORTHING	EASTING	ABSOLUTE ACCURACY	COMBINED FACTOR
86H2381	5528658.081	320662.724	0.02	0.9999436
95H1861	5528982.965	320460.859	0.02	0.9999446
NOTE: COORDINATES FOR MAPPING PURPOSES ONLY.				

THE UTM COORDINATES AND ESTIMATED ABSOLUTE ACCURACY ACHIEVED ARE DERIVED FROM THE MASCOT PUBLISHED COORDINATES AND STANDARD DEVIATIONS FOR GEODETIC CONTROL MONUMENTS 95H1861 AND 86H2381.

THIS PLAN LIES WITHIN THE REGIONAL DISTRICT OF CENTRAL OKANAGAN

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE 30th DAY OF SEPTEMBER, 2021
WAYNE BROWN, BCLS 758

CITY OF KELOWNA

BYLAW NO. 12271

Road Closure and Removal of Highway Dedication Bylaw **(Portion of Leon Ave)**

A bylaw pursuant to Section 40 of the Community Charter to authorize the City to permanently close and remove the highway dedication of a portion of highway on Leon Ave

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

1. That portion of highway attached as Schedule "A" comprising 194.4 m² shown in bold black as Road to be Closed on the Reference Plan prepared by Wayne Brown, B.C.L.S., is hereby stopped up and closed to traffic and the highway dedication removed.
2. The Mayor and City Clerk of the City of Kelowna are hereby authorized to execute such conveyances, titles, survey plans, forms and other documents on behalf of the said City as may be necessary for the purposes aforesaid.

Read a first, second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12240

2022 Permissive Tax Exemption Bylaw

A bylaw pursuant to Sections 220, 224 and 225 of the Community Charter, to exempt from taxation certain lands and improvements situated in the City of Kelowna

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

1. Those certain parcels or tracts of land and improvements, situated, lying and being in the City of Kelowna, as described in Schedules "A" to "H" attached hereto and forming part of this bylaw, shall be exempt from taxation.
2. This bylaw shall come into full force and effect and is binding on all persons during the 2022 taxation year.
3. This bylaw may be cited as "2022 Permissive Tax Exemption Bylaw No. 12240".

Read a first, second and third time by the Municipal Council this 4th day of October, 2021.

Adopted by 2/3 of the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Schedule A – Public Worship			
FOLIO	LEGAL DESCRIPTION	ORGANIZATION	COMMENTS
001230	Lot 1, Blk 13, Plan 202, DL138	The Union of Slavic Churches of Evangelical Christians c/o Trustees	
001350	Lots 2 and 3, Blk 15, Plan 202, DL 138	Trustees of First United Church	
001360	Lot 4, Blk 15, Plan 202, DL 138 In Trust - DD 197582F	Trustees of First United Church	
001370	Lot 5, Blk 15, Plan 202, DL 138 In Trust - DD 197582F	Trustees of First United Church	
006911	Lot 25, Plan 578, DL 138, Except PL H16278, Lot A, PL KAP5277	Kelowna Buddhist Society	
018380	Lot 2, Plan KAP1319, DL 138	Truth Now Tabernacle United Pentecostal Church	
021300	Lot 19-20, Plan 2085, District Lot 139	Unitarian Fellowship of Kelowna Society	Daycare excluded
022500	Lot 6, Plan 2271, DL 139	Kelowna Tabernacle Congregation - Trustees	
051070	Lot 1, Plan 11332, DL 137	Governing Council of the Salvation Army in Canada	
057510	Lot A, Plan 16013, DL 137	Convention Baptist Churches of BC	
062110	Lot A, KAP65650	The Trustees of Congregation of Kelowna Bible Chapel	
062120	Lot 2, Plan 17933	Congregation of Kelowna Bible Chapel	
068680	Lot 3, Plan 25524	Trustees Congregation - Grace Baptist Church	
069380	Lot A, Plan 27070	Roman Catholic Bishop of Nelson	Residence excluded
071130	Lot 1, Plan 30180, DL137	Governing Council of the Salvation Army in Canada (Community Church)	
071680	Lot 4, Plan 30824	BC Corp of the Seventh-Day Adventist Church	
074502	Lot A, Plan 33076, DL138	Roman Catholic Bishop of Nelson	Residence excluded
075210	Lot 1, Plan 34637	Trustees of The Congregation of the Christ Evangelical Lutheran Church	
076394	Lot C, Plan 40170, DL137	The Congregation of the First Mennonite Church	
078266	Lot 1, Plan KAP47242	Ukrainian Catholic Eparchy of New Westminster	Residence excluded
083239	Lot A, Plan KAP91385, DL 14	Synod of the Diocese of Kootenay	
03255.224	Lot 1, Plan KAP56294	Trust Cong St David's Presbyterian Church	
03337.370	Lot A, Plan 23927	Kelowna Christian Reformed Church	Daycare excluded

Schedule A – Public Worship			
FOLIO	LEGAL DESCRIPTION	ORGANIZATION	COMMENTS
03337.769	Lot A, Plan KAP83760	Okanagan Jewish Community Association	Daycare excluded
03378.102	Lot A, Plan 44041	Trustees of the Glenmore Congregation of Jehovah's Witnesses	
03922.000	Lot A, Plan 5223	BC Association of Seventh Day Adventists	
04310.442	Lot A, Plan 31085	Seventh-Day Adventist Church (BC Conference)	
04423.888	Lot PT 26, Plan 187 Except Plan 3067, That PT of L 25 PL 187 S/O PL B130	Synod of the Diocese of Kootenay	
04571.592	Lot 1, Sec 19, Twp 26, Plan 37842	Kelowna Full Gospel Church Society	Housing society residences excluded
04645.000	Lot 7, Plan 3727	Church of the Nazarene - Canada Pacific	
04660.000	Lot 1, Plan 4877	Serbian Orthodox Par-Holy Prophet St Ilija (Parish)	Residence excluded
04803.157	Lot A, Sec 22, Twp 26, Plan 71145	Seventh-Day Adventist Church (BC Conference)	Residence excluded
04804.250	Lot A, Plan 29696	Gurdwara Guru Amardas Darbar Sikh Society	Residence excluded
05475.931	Lot Pcl Z, Sec 23, Twp 26, Plan 24426, Except Plan KAP69971, DD J53659	Evangelical Missionary Church of Canada	
05476.791	Lot B, Plan 41234	BC Conference of Mennonite Brethren Churches	Housing society residences excluded
05606.001	Lot A, Plan KAP76650	Okanagan Sikh Temple & Cultural Society	Residence excluded
05611.000	Lot PT 2, Plan 2166	Roman Catholic Bishop of Nelson	Residence excluded
05752.000	Lot A, Plan 4841	Okanagan Chinese Baptist Church	
06198.870	Lots 78, 79 & 80, Sec 26, Twp 26, Plan 22239	Pentecostal Assemblies of Canada	
06199.358	Lot H, Sec 26, Twp 26, Plan 26182	Faith Lutheran Church of Kelowna	Daycare excluded
06337.001	Lot 1, Sec 27, Twp 26, Plan 63747	BC Muslim Association	
06370.120	Lot A, Plan 19465, DL 143, Sec 27, Twp 26	Trustees of Spring Valley Congregation of Jehovah's Witnesses	
06372.497	Lot 1, Plan KAP55460	Kelowna Christian Centre Society Inc	Property 50/50 split church/school
06372.506	Lot A, Plan KAP56177	New Apostolic Church of Canada Inc.	
06496.742	Lot 1, Sec 29 & 32, Plan KAP64073	The Church of Jesus Christ of Latter-Day Saints	
06735.000	Lot A, Plan 11320	Trustees Rutland United Church Pastoral Charge of the United Church	Daycare excluded
06198.872	Parcel A, Plan 22239	Synod of the Diocese of Kootenay	
07212.492	Lot 1, Plan 37256	Synod of the Diocese of Kootenay	

Schedule A – Public Worship			
FOLIO	LEGAL DESCRIPTION	ORGANIZATION	COMMENTS
10407.200	Lot A, Plan 20452, DL 128	Christian & Missionary Alliance - Canadian Pacific District	
10468.000	Lot 2, Plan 9491, DL 129	St. Peter & Paul Ukrainian Greek Orthodox Church of Kelowna	Housing society residences excluded
10519.844	Lot A, Plan 37351 (Portion of Lot)	Apostolic Resource Centre Society	Commercial lease space excluded
10519.903	EPP64708, Lot A, DI 129, LD 41	Kelowna Trinity Baptist Church	
10738.366	Lot 2, Plan KAP44292, DL 131	Evangel Tabernacle of Kelowna	Property 50/50 split church/school
10768.002	Lot 2, Plan KAP81588	Roman Catholic Bishop of Nelson	Residence excluded
10936.348	Lot 1, Plan 35917	Kelowna Gospel Fellowship Church	
10936.653	Lot 1, Plan 41844	Canadian Mission Board of the Church of God in Canada	Housing society residences excluded
10937.443	Lot A, Plan KAP76720	First Lutheran Church of Kelowna BC	Property 50/50 split church/school
11025.140	Lot 1, Plan 25466, DL 135	Trustees of The Lakeshore Congregation of Jehovah's Witnesses	
11025.172	Lot 7, Plan 25798, DL 135	Congregation of Bethel Church of Kelowna	
11059.000	Lot 1, Plan 12441, DL 136 Trustees	Providence Baptist Church	
11097.073	Lot 1, Plan KAP52447, DL 136	C3 Church	
016620	Lot 8, Plan 1303 & Lot 1, DL 139 PL13585 & Lot 1 DL139 PL 3585	The BC Conference of the Mennonite Brethren Church	
016680	Plan KAP 1303, Lot 17, DL 139	The BC Conference of Mennonite Brethren Church & Chronos Properties Ltd.	Partial exemption as 48% ownership (property utilized 100% by Church)

Schedule B – Private Schools			
FOLIO	LEGAL DESCRIPTION	ORGANIZATION	COMMENTS
025561	LT 1, PL EPP68016, DL 138	Catholic Independent Schools of Nelson Diocese	
074502	Lot A, Plan 33076, DL 138	Roman Catholic Bishop of Nelson	Residence excluded
03458.033	Lot 1, KAP86356	Aberdeen Hall Senior School Society	Vacant land excluded
04417.000	Lot A, Plan KAP1725	Okanagan Montessori Elementary School Society	
05122.000	Lot 2, KAP3849	Seventh-Day Adventist Church - BC Conference	
06372.497	Lot 1, Plan KAP55460	Kelowna Christian Centre Society Inc	Property 50/50 split church/school
06372.527	Lot A, Plan KAP71175	Vedanta Educational Society Inc	
07212.595	Lot A, Plan KAP48732	Lakeside Educational Society of Kelowna	
07212.596	Lot B, Plan KAP48732	Lakeside Educational Society of Kelowna	
10589.111	Lot 1, Plan KAP59724	Kelowna Society for Christian Education	
10738.366	Lot 2, Plan KAP44292, DL 131	Evangel Tabernacle of Kelowna	Property 50/50 split church/school
10738.378	Lot A, Plan KAP54674, DL 131	The Catholic Independent Schools of Nelson Diocese	
10937.443	Lot A, Plan KAP76720	First Lutheran Church of Kelowna	Property 50/50 split church/school

Schedule C – Hospitals			
FOLIO	LEGAL DESCRIPTION	ORGANIZATION	COMMENTS
079392	Lot A, Plan KAP60581, DL 14	Canadian Cancer Society	

Schedule D – Special Need Housing			
FOLIO	LEGAL DESCRIPTION	ORGANIZATION	COMMENTS
004340	Lot 15, Plan 462, DL 139	Kelowna Gospel Mission Society	
007270	Lot 4, Plan 635, DL 14	The Bridge Youth & Family Services Society	
023390	Lot 10, Plan 2498, DL 137	Bridges to New Life Society	
033110	Lot 2, Plan 3929	New Opportunities for Women (NOW) Canada Society	
048500	Lot 8, Plan 10011	Okanagan Halfway House Society Inc	
048770	Lot 35, Plan 10011	Okanagan Halfway House Society	
048730	Lot 31, Plan 10011, DL 137	Resurrection Recovery Resource Society	
048740	Lot 32, Plan 10011, DL 137	Resurrection Recovery Resource Society	
048750	Lot 33, Plan 10011, D.L. 137	Resurrection Recovery Resource Society	
050050	Lot 22, Plan KAP10689	Resurrection Recovery Resource Society	
050060	Lot 23, Plan 10689	Resurrection Recovery Resource Society	
050070	Plan 10689, Lot 24	Resurrection Recovery Resource Society	
050080	Lot 25, Plan 10689	Resurrection Recovery Resource Society	
050650	Lot A, PL 11018	Society of St. Vincent De Paul of Central Okanagan	
055030	Lot 4, Plan 14741	Central Okanagan Emergency Shelter Society	
055040	Lot 5, Plan 14741	Central Okanagan Emergency Shelter Society	
055150	Lot A, Plan 14836	Okanagan Halfway House Society	
080873	Plan KAS2634, Lot 1	Okanagan Mental Health Services Society	
05476.630	Plan KAP33003, Lot A	The Bridge Youth & Family Services Society	
06370.241	Plan KAP22268, Lot D	The Bridge Youth & Family Services Society	
11097.075	PCL A, Plan KAP52447, DL 136	National Society of Hope /Provincial Rental Housing Corp	

Schedule E – Social Services			
FOLIO	LEGAL DESCRIPTION	ORGANIZATION	COMMENTS
004330	Lot 14, Plan 462 Block 5	Kelowna Gospel Mission Society	
004580	Lots 3 and 4, Blk 8, DL 139, Plan 462	Ki-Low-Na Friendship Society	
009900	Plan 830, Lot 2, DL 14, Blk 21 exc Parcel 2A, B1750	Canadian Mental Health Association	
010470	Lot 11, Plan 922	Kelowna & District S.H.A.R.E. Society	
016740	Lot A, Plan 46222	Pathways Abilities Society	
026190	Lot 138, Plan 3163	Okanagan Boys & Girls Clubs/City of Kelowna	
045862	Lot A, Plan 9012	Okanagan Boys & Girls Clubs/City of Kelowna	
052700	Lot C, Plan 12546, DL 138	Roman Catholic Bishop of Nelson	
055261	Plan EPP11464, Lot A	Daycare Connection Childcare Society	
057060	Plan 15778, Lot B	Ki-Low-Na Friendship Society	
059530	Lot A, Plan 16898	Okanagan Boys & Girls Clubs/City of Kelowna	
066250	Lot 1, Plan 22678	Kelowna (#26) Royal Canadian Legion	Criteria #7: 1,786 sq ft taxable for liquor/food services
070175	Lot A, Plan 28500	Central Okanagan Community Food Bank Society	
076262	Lot 1, Blk 6, Sec 20, Twp 26, ODYD, Plan 39580	Central Okanagan Child Development Association	
072685 072685	Lot G, Plan KAP31716	YMCA of Okanagan Association/School District No. 23 (Central Okanagan)	
079078	Lot A, FL 139, LD 41, Plan KAP58056	Kelowna Community Resources Society	
04918.002	Lot A, Plan KAP90062	Governing Council of the Salvation Army in Canada	
05477.053	Lot 5, Plan KAS2126	MADAY Society for Seniors	
06198.704	Lot 1, Plan KAP91112	Boys & Girls Clubs/City of Kelowna	
06370.273	Lot 19, Plan 23749	Ki-Low-Na Friendship Society	
06371.030	Lot 2, Plan KAP30323	Pathways Abilities Society	
06774.486	Lot 2, Plan KAS2048	Big Brothers Big Sisters of the Okanagan Society	

Schedule E – Social Services			
FOLIO	LEGAL DESCRIPTION	ORGANIZATION	COMMENTS
06774.491	Lot 7, Plan KAS2048	Big Brothers Big Sisters of the Okanagan Society	
10508.002	Lot 2, Plan 15777	Kalano Club of Kelowna	
10519.925	Lot A, Plan KAP54261	Reach Out Youth Counselling & Services Society	
10519.958	Lot 4, Plan KAS1717	Kelowna Child Care Society	
10707.000	Lot 1, Plan 15596, Except Plan KAP73753	BHF Building Healthy Families Society	
057010	Lot 1, Sec 20, Twp 26, ODYD, Plan 15741	Starbright Children's Development Centre Assoc.	Criteria #5: 7,568 sq ft taxable for lease/rental to third parties

Schedule F – Public Park or Recreation Ground, Public Athletic or Recreational			
FOLIO	LEGAL DESCRIPTION	ORGANIZATION	COMMENTS
000571	Part DL 14 (.727 Acres) Lot A, Plan 5352	Kelowna Lawn Bowling Club/City of Kelowna	
037220	Lot 4, Plan 4921	Kelowna Badminton Club/City of Kelowna	
073507	Lot 2, Plan 32159	Kelowna Cricket Club/City of Kelowna	
080966	Lot B, Plan KAP76448	Kelowna Major Men's Fastball Association/City of Kelowna	
080967	Lot A, Plan KAP76448	Kelowna Curling Club/City of Kelowna	Criteria #7: 2,000 sq ft taxable for liquor/food services
083521	Lot 1, Plan EPP29214	Kelowna Yacht Club	Criteria #7: 21,168 sq ft taxable for liquor/food services
04009.000	Plan 2020, Parcel A , PCL A (KG34204)	Kelowna & District Fish & Game Club	Exemption for Class 8 portion only
04078.511	Lot 2, KAP80134	Kelowna United Football Club/City of Kelowna	
04078.511	Lot 2, KAP80134	RG Arenas (Kelowna) Ltd/City of Kelowna	H2O Centre (except retail on folio 04078.513)
04453.000	Lot 1 & 2, Plan 3067	East Kelowna Community Hall Association	Criteria#9: Caretaker Agreement in place
04525.505	Lot 1, KAP61083	Central Okanagan Land Trust/Central Okanagan (Regional District)	Land Conservation (Parkland)
06198.705	Lot 1, Plan KAP91112	Okanagan Gymnastic Centre/City of Kelowna	
06225.585	Lot B, Plan KAP53836	Rutland Park Society	Criteria #5: 1,200 sq ft taxable for lease/rental to third parties
06935.000	Part S 1/2 of SW 1/4	Central Okanagan Land Trust/Central Okanagan (Regional District)	Land Conservation (Parkland)
06936.000	Part N 1/2 of SW 1/4	Central Okanagan Land Trust/Central Okanagan (Regional District)	Land Conservation (Parkland)
06961.000	Lot Fr E 1/2 Sec 17, Twp 28 exc Plan B4553	Nature Trust of BC	Land Conservation (Parkland)
06962.004	Fr NE 1/4 Sec 17, Twp 28 SDYD, shown Amended Plan B4553, exc Plan 26911	Nature Trust of BC	Land Conservation (Parkland)
06962.006	Lot A, Sec 17, Twp 28, Plan 41403	Nature Trust of BC	Land Conservation (Parkland)
06962.008	Lot B, Plan 41403	Nature Trust of BC	Land Conservation (Parkland)
06974.000-06974.001	Lot 11, Sec. 22, Plan 4080	Scout Properties (BC/Yukon) Ltd	
06976.000	Lot 14, Sec. 28, Plan 8258	Scout Properties (BC/Yukon) Ltd	
09461.002-09461.005	Lot A-D, DL 14, Plan EPP96732	Kelowna Outrigger Racing Canoe Club Association/City of Kelowna	Criteria #9: Caretaker Agreement in place

Schedule F – Public Park or Recreation Ground, Public Athletic or Recreational			
FOLIO	LEGAL DESCRIPTION	ORGANIZATION	COMMENTS
10776.000	Plan 9359, Lot 2	Kelowna Riding Club	Criteria #9: Caretaker Agreement in place
11501.989/ 11501.979	Lot 1, Plan 35229	Central Okanagan Small Boat Association/City of Kelowna	Criteria #9: 541 sq ft taxable for residence
11151.004	Lot 1, Plan 11796	Kelowna Minor Fastball Society/City of Kelowna	
12184.556	Lot 1, Plan KAP69898	Okanagan Mission Community Hall Association	

Schedule G – Cultural Organizations			
FOLIO	LEGAL DESCRIPTION	ORGANIZATION	COMMENTS
000950	Lot 1, Block 12, Plan 202	Centre Cultural François De L' Okanagan	
001830	Lot 49, Plan 262, Blk 15	Kelowna Canadian Italian Club	
038641	Lot A, Plan 5438	Kelowna Museums Society/City of Kelowna	
038644	Plan 5438, D.L. 139	Kelowna Museums Society/City of Kelowna	
075959	Lot 2, Plan 37880	Kelowna Music Society	
077062	Lot 1, Plan 42511	City of Kelowna/Kelowna Museums Society	Criteria #3: 200 sq ft taxable for retail space
079932	Lot A, Plan KAP67454	Kelowna Art Gallery	
080250	Lot A, KAP67454	Kelowna Visual & Performing Arts Centre Society/City of Kelowna	
080252	Lot A, KAP67454	Kelowna Visual & Performing Arts Centre Society/City of Kelowna	
080256	Lot A, KAP67454	Kelowna Visual and Performing Arts Centre Society/City of Kelowna	
080259	Lot A, KAP67456	Kelowna Visual & Performing Arts Centre Society/City of Kelowna	
083355	Lot 1, KAP92254	Okanagan Symphony Society/City of Kelowna	
05669.001	Plan EPP51686, Lot A, Section 26	Okanagan Buddhist Cultural Centre	
07212.624	Lot 10, KAP72245	Westbank First Nation	
10349.220	Lot B, Plan 28112	German-Canadian Harmonie Club	Criteria #7: 4,413 sq ft taxable for liquor/meal services
10388.000	Lots 15 and 16, Blk. 7, Plan 415B	Central Okanagan Heritage Society	Criteria #9: Caretaker agreement in place
10768.001	Lot A, Plan 6710	Roman Catholic Bishop of Nelson Pandosy Mission	
04571.614	Plan KAS944, Lot 1, Section 19, Township 26	OCCA Communities Association	

Schedule H – Other Non-Profit Societies			
FOLIO	LEGAL DESCRIPTION	ORGANIZATION	COMMENTS
000641	Plan EPP 74060, Lot 1527	Tourism Kelowna Society	Criteria #3: 165 sq ft taxable for retail space
016670	Lot 16, Plan 1303	Kelowna Yoga House Society	
023422	Strata Lot 2, Plan EPS6884, DL 137	Columbus Holding Society	
028740	Lot 8, Plan 3398	Kelowna Centre for Positive Living Society	
077364	Lot A, Plan 43658	Kelowna Sr. Citizens Society of BC	Criteria #9: Caretaker agreement in place
05763.001	Lot A, Plan KAP82536	Kelowna General Hospital Foundation	
06198.706	PL KAP91112, LT 1, SEC 26, TWP 26	Kelowna & District Safety Council Society/City of Kelowna	
10759.011	Lot 11, Plan 515, Blk 1	BC Society for Prevention of Cruelty to Animals	

Report to Council



Date: October 18, 2021
To: Council
From: City Manager
Subject: Amendment No. 7 to Council Procedure Bylaw No. 9200
Department: Office of the City Clerk

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated October 18, 2021 with respect to Bylaw No. 12283, being Amendment No. 7 to Council Procedure Bylaw No. 9200;

AND THAT Bylaw No. 12283, being Amendment No. 7 to Council Procedure Bylaw No. 9200 be forwarded for adoption.

Purpose:

To receive an update on the notification period for the proposed amendment to Council Procedure Bylaw No. 9200 and to forward the bylaw for adoption.

Discussion:

On [October 4, 2021](#), Council gave Bylaw No. 12283 first, second and third reading to amend Council Procedure Bylaw No. 9200. Notice of the amendment was advertised in the Kelowna Daily Courier on Friday, October 8 and Wednesday, October 13 in accordance with *Community Charter* s. 124(3). As of Wednesday October 13, the Office of the City Clerk has not received any correspondence from the public regarding the proposed changes to Council Procedure Bylaw No. 9200. If any correspondence is received by Friday October 15, it will be circulated to Council before consideration of bylaw adoption.

Staff recommend that Council adopt Bylaw No. 12283, being Amendment No. 7 to Council Procedure Bylaw No. 9200.

Legal/Statutory Procedural Requirements:

Community Charter s. 124(3) A bylaw under this section must not be amended, or repealed and substituted, unless the council first gives notice in accordance with section 94 [public notice] describing the proposed changes in general terms.

Submitted by: R. Van Huizen, Legislative Technician

Approved for inclusion: S. Fleming, City Clerk

CITY OF KELOWNA

BYLAW NO. 12283

Amendment No. 7 to Council Procedures Bylaw No. 9200

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Council Procedures Bylaw No. 9200 be amended as follows:

1. **THAT PART 2 – SCHEDULE AND NOTICE OF COUNCIL MEETINGS, 2.4 Schedule of Meetings** be amended as follows:

Deleting the sentence that reads:

“Public hearings shall begin at 6:00 p.m. on Tuesday evening, unless Council passes a resolution to change the time of a particular hearing, and Regular Tuesday evening Council meetings shall begin after the conclusion of the public hearing or if there is no public hearing, at 6:00 p.m.”

And replace it with:

“Public hearings shall begin at 6:00 p.m. on Tuesday evening, unless the agenda volume requires a start time of 4:00 p.m. or Council passes a resolution to change the time of a particular hearing. Regular Tuesday evening Council meetings shall begin after the conclusion of the public hearing or, if there is no public hearing, in the manner provided for public hearings. The City Clerk will set hearing and meeting start times in accordance with this bylaw.”;

2. **AND THAT PART 2 – SCHEDULE AND NOTICE OF COUNCIL MEETINGS, 2.6 Electronic Meetings** be amended as follows:

Deleting the following that reads:

“A special council meeting may, upon authorization of the Mayor, be conducted by means of electronic or other communication facilities.”

“A member of Council who is unable to attend at a council meeting, may, upon authorization of the Mayor, participate in the meeting by means of electronic or other communication facilities.”

“The member presiding at a council meeting must not participate electronically.”

And replace with:

“A special council meeting may, upon authorization of the Mayor or during a state of local, provincial, or national emergency, be conducted by means of electronic or other communication facilities.”

“A regular Council meeting may, upon authorization of the Mayor or during a state of local, provincial, or national emergency, be conducted by means of electronic or other communication facilities.”

“A member of Council who is unable to attend at a council meeting, may, participate in the meeting by means of electronic or other communication facilities.”

"The member presiding at a council meeting must not participate electronically unless the meeting is conducted by means of electronic or other communication facilities.";

3. **AND THAT PART 2 – SCHEDULE AND NOTICE OF COUNCIL MEETINGS, 2.7 Location of Council Meetings and Public Hearings** be amended by adding the following after the word "elsewhere":

"or the meeting is conducted by means of electronic or other communication facilities.

(a) For meetings that are conducted by means of electronic or other communication facilities, the City Clerk will designate a location for the public to hear, or watch and hear, the meeting proceedings. A designated municipal officer must be in attendance at that location.";

4. **AND THAT PART 2 – SCHEDULE AND NOTICE OF COUNCIL MEETINGS, 2.11 Notice of Special Council Meetings** be amended by deleting "2.8" and replacing it with "2.9";

5. **AND THAT PART 2 – SCHEDULE AND NOTICE OF COUNCIL MEETINGS, 2.14 Notice of Electronic Meetings** be added as follows:

"2.14 For a meeting conducted by means of electronic or other communication facilities, the City Clerk must give notice, in the same manner as provided for agendas in section 2.9 of this bylaw for a regular Council meeting or in the same manner as provided for agendas in sections 2.11 through 2.13 of this bylaw for a special Council meeting, of:

- a. the meeting agenda, including confirmation of the time and date;
- b. the way in which the meeting is to be conducted; and
- c. the place where the public may attend to hear, or watch and hear, the proceedings.";

6. **AND THAT PART 4 – PUBLIC ATTENDANCE AT COUNCIL MEETINGS, Proceedings at Public Hearings** be amended by adding the following:

"4.19 Owners, applicants, and members of the public may participate in the public hearing by means of electronic or other communication facilities;"

7. **AND THAT PART 4 – PUBLIC ATTENDANCE AT COUNCIL MEETINGS** be amended by adding the following:

"Electronic Participation

4.20 Persons who are authorized to present at a Council meeting and who are unable to attend at City Hall may participate in the meeting by means of electronic or other communication facilities.";

8. **AND THAT PART 5 – RULES OF PROCEDURE AT COUNCIL MEETINGS, 5.4 Agenda Preparation and Order of Proceedings, (c) Tuesday Regular Meeting (following Public Hearing, if applicable)** be amended by deleting reference to the following:

(a) "Bylaws considered at public hearing"

(b) "Summary of correspondence received (number and type)";

And adding the following after "development variance permit":

"heritage alteration permit";

9. **AND THAT PART 5 – RULES OF PROCEDURE AT COUNCIL MEETINGS, 5.4 Agenda Preparation and Order of Proceedings, (d) Public Hearing** be amended by

- (a) Adding "and Regular Meeting" to the title "Public Hearing"
- (b) Adding "public hearing" after "Call to order"
- (c) Deleting "Acknowledgement" and replacing it with "Acknowledgement"
- (d) Deleting "Summarizing the number and type of correspondence received (number in support, number in opposition) in relation to the item being heard"
- (e) Adding "of public hearing" after "Termination"
- (f) Adding the following to the end of the section after the word "Termination":

"Call to order regular meeting
Bylaws considered at public hearing
Termination of regular meeting";

10. AND THAT **PART 5 – RULES OF PROCEDURE AT COUNCIL MEETINGS, 5.12 Voting at Meetings** be amended by adding the following to the end of the section:

"A member of Council participating by means of electronic or other communication facilities shall vote by show of hand with video facilities, by electronic vote, if facilities are so provided, or verbally with audio facilities";

11. AND FURTHER THAT **PART 9 – COUNCIL COMMITTEES** be amended by adding the following:

Electronic Committee Meetings

9.26 Committee meetings may be conducted by means of electronic or other communication facilities and committee members may participate by means of electronic or other communication facilities in accordance with sections 2.6, 4.20, and 5.12 of this bylaw.

9.27 For a meeting conducted by means of electronic or other communication facilities, public notice will be given in the same manner as provided for agendas in section 9.13 of this bylaw of:

- (a) the meeting time and date; and
- (b) the way in which the meeting is to be conducted.

12. This bylaw may be cited for all purposes as "Bylaw No. 12283 being Amendment No. 7 to Council Procedures Bylaw No.9200".
13. 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, second and third time by the Municipal Council this 4th day of October, 2021.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk