

# City of Kelowna

## Regular Council Meeting

### AGENDA



Tuesday, November 29, 2022

6:00 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.

This evening, Council will hold both a Public Hearing and a Regular Meeting.

The purpose of the Hearing is to hear from the public on matters contained in the various bylaws which, if adopted, will amend *Kelowna 2040* - Official Community Plan Bylaw No. 12300 and Zoning Bylaw No. 12375.

After the close of the Public Hearing, Council will then debate and vote on the proposed bylaws at the Regular Meeting that follows.

Council has been provided with the information, correspondence, petitions or reports that have been received concerning the subject bylaws. This information is available to the public online at [Kelowna.ca/council](http://Kelowna.ca/council) or by request to the Office of the City Clerk.

For those participating this evening, or who have already submitted letters to Council, a reminder that this Hearing and the Meeting is open to the public and all representations to Council form part of the public record. A live audio-video feed is being broadcast and recorded on [kelowna.ca](http://kelowna.ca).

Following the close of the Public Hearing, no further information from the applicant or members of the public will be accepted by Council.

#### 2. Reaffirmation of Oath of Office

The Oath of Office will be read by Councillor DeHart.

#### 3. Confirmation of Minutes

Tuesday Council Meeting - November 15, 2022

#### 4. Call to Order the Public Hearing

#### 5. Individual Bylaw Submissions

- 5.1. **START TIME 6:00 PM - Upper Mission Ct 5639 - OCP21-0021 (BL12439) Z21-0079 (BL12440) - Calcan Investments Inc., Inc.No. BCo383776** 7 - 41
- To amend the Official Community Plan to change the future land use designation of portions of the subject property and to rezone portions of the subject property to facilitate the addition of 1 residential lot to an adjacent residential subdivision.
6. **Termination**
7. **Call to Order the Regular Meeting**
8. **Bylaws Considered at Public Hearing**
- 8.1. **START TIME 6:00 PM - Upper Mission Ct 5639 - BL12439 (OCP21-0021) - Calcan Investments Inc., Inc.No. BCo383776** 42 - 43
- Requires a majority of all members of Council (5).**
- To give Bylaw No. 12439 second and third reading in order to change the future land use of portions of the subject property from the NAT – Natural Areas designation to the S-MU – Suburban Multiple Unit designation.
- 8.2. **START TIME 6:00 PM - Upper Mission Ct 5639 - BL12440 (Z21-0079) - Calcan Investments Inc., Inc.No. BCo383776** 44 - 45
- To give Bylaw No. 12440 second and third reading in order to rezone portions of the subject property from the P3 – Parks and Open Space zone to the RU1 – Large Lot Housing zone.
9. **Termination**
10. **Call to Order the Public Hearing**
11. **Individual Bylaw Submissions**
- 11.1. **START TIME 6:00 PM - Upper Mission Dr 5548 - OCP21-0015 (BL12442) Z21-0051 (BL12443) - Calcan Investments Inc., Inc. No. BCo383776** 46 - 83
- To amend the Official Community Plan to change the future land use designation of portions of the subject property and to rezone portions of the subject property to facilitate a 7-lot bareland strata subdivision.
12. **Termination**
13. **Call to Order the Regular Meeting**
14. **Bylaws Considered at Public Hearing**

- 14.1. **START TIME 6:00 PM - Upper Mission Dr 5548 - BL12442 (OCP21-0015) - Calcan Investments Inc., Inc. No. BCo383776** 84 - 85
- Requires a majority of all members of Council (5).**
- To give Bylaw No. 12442 second and third reading in order to rezone portions of the subject property from the P3 – Parks and Open Space zone to the RU1 – Large Lot Housing zone.
- 14.2. **START TIME 6:00 PM - Upper Mission Dr 5548 - BL12443 (Z21-0051) - Calcan Investments Inc., Inc. No. BCo383776** 86 - 87
- To give Bylaw No. 12443 second and third reading in order to rezone portions of the subject property from the P3 – Parks and Open Space zone to the RU1 – Large Lot Housing zone.
15. **Termination**
16. **Withdrawn**
17. **Individual Bylaw Submission**
- 17.1. **ITEM WITHDRAWN - START TIME 7:00 PM - Glenmore Rd N 2340 - OCP22-0005 (BL12446) Z22-0033 (BL12447) - City of Kelowna**
18. **Withdrawn**
19. **Withdrawn**
20. **Bylaws Considered at Public Hearing**
- 20.1. **ITEM WITHDRAWN - START TIME 7:00 PM - Glenmore Rd N 2340 - BL12446 (OCP22-0005) - City of Kelowna**
- 20.2. **ITEM WITHDRAWN - START TIME 7:00 PM - Glenmore Rd N 2340 - BL12447 (Z22-0033) - City of Kelowna**
21. **Withdrawn**
22. **Call to Order the Public Hearing**
23. **Individual Bylaw Submissions**
- 23.1. **START TIME 7:00 PM - Miller Rd 3940 - HD22-0001 (BL12450) - Shona Renay Harrison** 88 - 125
- To designate the J.N. Thompson House as a municipal heritage building under Section 611 of the Local Government Act.

24. Termination
25. Call to Order the Regular Meeting
26. Bylaws Considered at Public Hearing
  - 26.1. **START TIME 7:00 PM - Miller Rd 3940 - BL12450 (HD22-0001) - Shona Renay Harrison.docx** 126 - 127  
  
To give Bylaw No. 12450 second and third reading and adopt in order to designate 9430 Miller Road a Heritage Designation.
27. Development Permit and Development Variance Permit Reports

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

  - 27.1. **START TIME 7:45 PM - Clement Ave 647 - BL12336 (Z21-0066) - Madison Avenue Clement GP Inc., Inc.No. A0117433** 128 - 128  
  
To rescind first, second and third readings given to Bylaw No. 12336.
  - 27.2. **START TIME 7:45 PM - Clement Ave 647 - DP21-0150 DVP22-0042 - Madison Avenue Clement GP Inc., Inc. No. A0117433** 129 - 183  
  
To issue a Development Permit for the form and character of a 6-storey residential development and to issue a Development Variance Permit to vary the minimum upper floor setbacks on the east and west side of the building.
  - 27.3. **START TIME 7:45 PM - HWY 97 N 2339-2397 - DVP22-0134 - Dilworth Shopping Centre Ltd., Inc.No. 319846** 184 - 202  
  
To issue a Development Variance Permit to vary the maximum number of permanent illuminated fascia signs per business from two (2) to three (3), and to vary directional sign regulations to allow for lit directional signs.
  - 27.4. **START TIME 7:45 PM - LakeAve274 - HAP22-0010 - Aleksandra Dulic** 203 - 229  
  
To issue a Heritage Alteration Permit for the conversion of an existing garage to a carriage house with a variance to the west side yard setback from 1.5 m permitted to 1.0 m proposed.
28. Reminders
29. Termination

**30. Procedure on each Bylaw Submission**

- a) Brief description of the application by City Staff.
- (b) The applicant has up to 15 minutes to make representations to Council regarding the project.
- (c) The Chair will call for representation from the public participating in person and online as follows:
  - (i) Any person wishing to make representations during the Hearing will have the opportunity to do so.
  - (ii) Speakers have up to 5 minutes to share their remarks.
- (d) Once the public has had an opportunity to comment, the application is given up to 10 minutes to respond to any questions raised.
- (e) Questions of staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting.

Note: Any applicant or member of the public may use electronic visual aids to assist in their presentation or questions. Online participants must be able to share their screen to display their presentation if they have one.



## City of Kelowna Regular Council Meeting Minutes

Date: Tuesday, November 15, 2022  
Location: Council Chamber  
City Hall, 1435 Water Street

Members Present Mayor Tom Dyas, Councillors Ron Cannan, Maxine DeHart, Charlie Hodge, Gord Lovegrove, Mohini Singh, Luke Stack, Rick Webber and Loyal Wooldridge

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith; Development Planning Department Manager, Terry Barton; Urban Planning Manager, Lydia Korolchuk\*; Deputy City Clerk, Laura Bentley

Staff participating Remotely Legislative Coordinator (Confidential), Arlene McClelland

(\* Denotes partial attendance)

### 1. Call To Order

Mayor Dyas called the Hearing to order at 6:01 p.m.

Mayor Dyas advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend Zoning Bylaw No. 12375, and all submissions received, either in writing or verbally, will be taken into consideration when the proposed bylaws are presented for reading at the Regular Council Meeting which follows this Public Hearing.

### 2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Cannan.

### 3. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

Ro8o8/22/11/15 THAT the Minutes of the Regular Meeting of October 4, 2022 be confirmed as circulated.

Carried

### 4. Call to Order the Public Hearing

Mayor Dyas called the Hearing to order at 6:03 p.m.

## 5. Individual Bylaw Submissions

### 5.1 START TIME 6:00 PM - O'Reilly Road 2605 - TA22-0003 - William and Maria Kitsch

Staff:

- Displayed a PowerPoint Presentation summarizing the application and rationale for non-support and responded to questions from Council.

Sydney Platz, Founder, Wild Things Rehabilitation Society and Maria Kitsch, Applicant/Owner

- Displayed a PowerPoint Presentation outlining the project and the operations on site.
- Spoke to the need of such a clinic noting there is no organization in Kelowna that treats injured or orphaned wildlife.
- Spoke to concerns raised and noted there will be no increase of traffic as they are not open to the public and have only 1 to 3 people on site at a time.
- Will be focusing on small mammals and song birds native to the area; not large animals or predators.
- Under the current zoning they could place a dog daycare or animal clinic that would be much bigger and much more disruptive than the size of the proposed facility.
- Staff advised that a text amendment was the appropriate avenue for this application.
- A certified civil engineer was hired to design a small access road and building footprint that aligns with areas cleared by previous owners that respects the ecology of the site.
- The access road aligns with the previously built tote road; with the proposed wildlife rehab site located on the previously cleared area in the central bowl.
- The large, cleared area allows for structures to be placed away from the slope in the Central Bowl.
- The site location was recommended by hired environmental and geotechnical experts.
- Stated that there are no active coyote dens on the property.
- Responded to questions from Council.

Mayor Dyas invited anyone participating online or in the gallery who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one Online indicated they wished to speak.

Gallery:

Ken Buhler, Neighbouring Farmer

- Resides two blocks away from the subject site.
- Opposed to this application.
- Provided history of the subject property and stated that there was never a house on this property, nor was the road ever a road for vehicles.
- Commented that the property is an environmental gem and referenced previously submitted correspondence
- Stated that the forested area up O'Reilly lane has one of four coyote dens in the area.
- There's a natural water source and water course where the applicant wants to run a culvert.
- Raised concerns with impacts on drainage and impacts on the ecosystem.
- Read from his previously submitted correspondence.

Sydney Platz and Maria Kitsch Applicant/Owner in Response

- The scope of the facility will take up less than 10% of the site.
- The property will be left as natural as possible as it is the ecology of the site that makes it so well suited to this project.
- Spoke to the onsite drainage and noted that the water way will not be affected by the culvert.
- Believes this project will have a low impact on the subject site.
- Responded to questions from Council.

Staff:

- Responded to questions from Council.

There were no further comments.

The hearing was declared terminated at 6:51 p.m.

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

Mayor Dyas called the meeting to order at 6:51 p.m.

**8. Bylaws Considered at Public Hearing**

**8.1 START TIME 6:00 PM - O'Reilly Rd 2605 - BL12434 (TA22-0003) - William and Maria Kitsch**

Moved By Councillor Wooldridge/Seconded By Councillor Stack

**Ro809/22/11/15** THAT Bylaw No. 12434 be read a second and third time and adopted.

**Carried**  
Councillors Cannan and Lovegrove - Opposed

**9. Liquor Licence Application Reports**

**9.1 START TIME 6:45 PM - McCurdy Road 948 - LL22-0011 - Victor Projects Ltd., Inc. No. BC1326399**

Staff:

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

Online:

PJ Mallen, Architect, Applicant Representative

- Staff presentation was comprehensive and sufficient, want to note that this is not an increase in capacity for the venue, this is merely a displacement of 108 of the total 448 occupants inside the general pub that can use the outdoor space in better weather times; overall number of seats are not increasing just where they are located.
- Responded to questions from Council.

Mayor Dyas invited anyone participating online or in the gallery who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one Online or in the Gallery indicated they wished to speak.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

**Ro810/22/11/15** THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor and Cannabis Regulation Branch (LCRB):

In accordance with 'Division 9 (71)' of the Liquor Control and Licensing Regulation and Council Policy 359, BE IT RESOLVED THAT:

1. Council recommends support of an application from Norson Construction for a liquor primary license amendment for Lot 1 District Lot 143 ODYD Plan KAP65021, located at 948 McCurdy Road, Kelowna, BC for the following reasons:
  - Expansion of an existing patio is perceived to have a minimal impact on the community and surrounding properties as this is an existing business that is changing the layout of the establishment with no perceivable changes to operation.

1. Council's comments on LCRB's prescribed considerations are as follows:

a. The potential for noise if the application is approved:

The location is in close proximity to other commercial and industrial uses and there is no residential use in close proximity to the subject site.

b. The impact on the community if the application is approved:

The potential impact for noise is minimal and would be compatible with surrounding land uses.

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

**Carried**

**10. Development Permit and Development Variance Reports**

**10.1 START TIME 6:45 PM - Borden Ave 921, DP22-0148 DVP22-0149 - 1317535 B.C LTD., INC. NO. BC1317535**

Staff:

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

Clark Web, designer of Project, Applicant

- Preferred the parallel parking scheme versus parking perpendicular to the alley as it was the more generous lot width we had to work with which provided private front and rear yard space, and a shared courtyard for all 4 people living there and that is why we chose this route.
- Responded to questions from Council.

Mayor Dyas invited anyone participating online or in the gallery who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one Online or in the Gallery indicated they wished to speak.

There were no further comments.

Moved By Councillor Cannan/Seconded By Councillor Lovegrove

**Ro811/22/11/15** THAT Council authorizes the issuance of Development Permit No. DP22-0148 and Development Variance Permit No. DVP22-0149 for Lot 1 District Lot 138 ODYD PLAN 3242 located at 921 Borden Avenue, Kelowna, BC;

AND THAT variances to the following sections of Zoning Bylaw No. 12375 be granted:

Section 8.1.5: General Provisions and Development Standards

To vary the required physical barrier screen for parallel parking on the flanking lane.

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

**Carried**

**10.2 START TME 7:15 PM - Bertram St 1319, 1325, 1329 - BL12348 (Z21-0022) - BERTRAM - MISSIONGROUP RENTALS LTD., INC.NO. BC1268483**

Moved By Councillor Wooldridge/Seconded By Councillor Stack

**Ro812/22/11/15** THAT Bylaw No. 12348 be rescinded at first, second and third reading.

**Carried**

**10.3 START TIME 7:15 PM - Bertram St 1333 - DP21-0065 DVP21-0066 - BERTRAM - MISSION GROUP RENTALS LTD., INC.NO. BC1268483**

Staff:

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

Luke Turri, 1631 Dickson Avenue, Applicant

- Displayed a PowerPoint Presentation.
- Spoke to the project highlights that will add 157 purpose-built rental homes, affordable rentals; generous amenity space and prioritizing bicycle users.
- Spoke to key design features using high quality materials, modest parking podium and sensitive massing.
- The common amenity space has an outdoor roof terrace, indoor lounge, co-work space, fitness studio, balcony for each home, community gardens, kids play area, BBQ area, dining and lounge areas.
- Provided a comparative analysis of height ratios in the area.
- Provided rationale for the five requested variances.
- Spoke to the financial contributions for the Bertram Bikeway, Height bonus payment program and development cost charges program.
- Responded to questions from Council.

Mayor Dyas invited anyone participating online or in the gallery who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one Online indicated they wished to speak.

Gallery

Susan Ames, Abbott Street

- Referenced previously submitted correspondence.
- This is a single family area and not an appropriate location for a tower.
- Believes this proposal will have a negative impact on the quality of life for those living in the neighbourhood.
- Raised concern that there is no greenspace.
- Asked Council to turn this application down.
- Opposed to the height variance.

Luke Turri, Applicant in Response

- Commented that they care deeply regarding the impacts on the community and strive to ensure they have the right balance for the community; we live and operate here and do not take shortcuts.
- Believes this neighbourhood is appropriate for this height and is a good area to have rental housing.
- Responded to questions from Council.

There were no further comments.

Moved By Councillor Stack/Seconded By Councillor DeHart

**Ro813/22/11/15** THAT Council authorizes the issuance of Development Permit No. DP21-0065 and Development Variance Permit No. DVP21-0066 for LOT 1 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN EPP118647, located at 1333 Bertram St, Kelowna, BC subject to the following:

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

AND THAT variances to the following sections of Zoning Bylaw No. 12375 be granted:

Table 8.2.7.b: Parking and Loading – Ratio of Parking Space Sizes

To vary the required regular size vehicle parking spaces from 50% minimum to 30% minimum and the small size vehicle parking spaces from 50% maximum to 70% maximum.

Section 8.5.6(d): Parking and Loading - Off-Street Bicycle Parking

To vary the required minimum of long-term bicycle parking located at grade or within one storey of finished grade from 75% required to 7.5% proposed.

Section 9.11: Specific Use Regulations - Tall Buildings Regulations

To vary the required tower stepback above podium, including balconies, on the front building facade and flanking building facade (minimum) from 3.0 m permitted to 0.75 m proposed

Section 14.11.11: Core Areas and Other Zones - Commercial and Urban Centre Zone Development Regulations

To vary the required minimum common and private amenity space from 2,850.0 m<sup>2</sup> required to 2,256.5 m<sup>2</sup> proposed

Section 14.14: Core Areas and Other Zones - Density and Height

To vary the required maximum height from 12 storeys/44.0 m (base), plus 3 storeys/12.0 m (bonus) permitted to 19 storeys / 56.0 m proposed

AND THAT the applicant be required to make a payment into the Public Amenity & Streetscape Capital Reserve Fund as established by Bylaw No. 12386 in accordance with Table 6.8.a. in Zoning Bylaw No. 12375;

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

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

Carried  
Councillor Cannan - Opposed

**11. Termination**

This meeting was declared terminated at 9:15 p.m.

\_\_\_\_\_  
Mayor Dyas

/acm

  
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City Clerk

# REPORT TO COUNCIL



**Date:** November 14, 2022

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** OCP21-0021 & Z21-0079

**Owner:** Calcan Investments Inc.,  
Inc.No. BCo383776

**Address:** 5639 Upper Mission Ct

**Applicant:** Calcan Investments Inc. –  
Andrew Bruce

**Subject:** OCP Amendment and Rezoning Application

**Existing OCP Designation:** NAT – Natural Area

**Proposed OCP Designation:** S-MU – Suburban - Multiple Unit  
NAT – Natural Area

**Existing Zone:** P3 – Parks and Open Space

**Proposed Zone:** RU1 – Large Lot Housing  
P3 – Parks and Open Space

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## 1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP21-0021 to amend Map 3.1 in Kelowna 2040 – Official Community Plan Bylaw No 12300 by changing the Future Land Use designation of portions of Lot 12, Section 14, Township 28, SDYD, Plan EPP116470, located at 5639 Upper Mission Court, Kelowna, BC, from the NAT – Natural Area designation to the S-MU – Suburban - Multiple Unit designation, as shown on Map "A" attached to the Report from the Development Planning Department dated November 14, 2022, be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT Council considers the Public Consultation process to be appropriate consultation for the Purpose of Section 475 of the *Local Government Act*, as outlined in the Report from the Development Planning Department dated November 14, 2022;

AND THAT Rezoning Application No. Z21-0079 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot 12, Section 14, Township 28, SDYD, Plan EPP116470, located at 5639 Upper Mission Court, Kelowna, BC, from the P3 – Parks and Open Space zone to the RU1 –

Large Lot Housing zone as shown on Map “B” attached to the Report from the Development Planning Department dated November 14, 2022, 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 issuance of a Preliminary Layout Review Letter by the Approving Officer;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Natural Environment Development Permit for the subject property.

## **2.0 Purpose**

To amend the Official Community Plan to change the future land use designation of portions of the subject property from the NAT – Natural Areas designation to the S-MU – Suburban Multiple Unit designation and to rezone portions of the subject property from the P3 – Parks and Open Space zone to the RU1 – Large Lot Housing zone to facilitate the addition of 1 residential lot to an adjacent residential subdivision.

## **3.0 Development Planning**

Staff supports the Official Community Plan (OCP) amendment and Rezoning to facilitate 1 additional residential lot being added to a recently developed residential subdivision. The effect of the proposed application would be to reverse a previous redesignation and rezoning of the subject site in 2016. The proposal is considered minor in nature as it would allow the addition of a single lot to an adjacent residential subdivision. The developer has demonstrated the proposed lot and driveway can be accommodated outside of the Riparian Management Area of Cedar Creek and with minimal impact on Environmentally Sensitive Areas.

The Parks Department determined that they have no concerns with the proposal as the area is outside of the Riparian Management Area and they do not have an interest in the area as parkland. Trail connectivity is planned to be provided on the south side of Cedar Creek. Once the proposed lot is subdivided, the balance of the property will be transferred to the city as parkland, including the Riparian Management Area.

## **4.0 Proposal**

### **4.1 Background**

The subject property was designated in the 2020 Official Community Plan Bylaw No. 7600 (adopted in 2002) as Single/Two Unit Residential and Major Park/Open Space. In 2012, Council considered an OCP Amendment and Rezoning application to refine the OCP designations and zoning of the property to take advantage of the natural topography of the land by identifying areas that were developable for small clusters of units. The subject site was identified as being a developable area and were redesignated to Multiple Unit Residential (Cluster Housing) and rezoned to RH1 – Hillside Large Lot Residential in 2014.

In 2016, the subject site was redesignated to Major Park & Open Space and rezoned to P3 – Parks & Open Space to reflect the proposed subdivision layout of the adjacent portions of the property. At the time, the subdivision layout did not anticipate development of the subject site. In 2021, a Preliminary Layout Review Letter was issued for an 11-lot residential subdivision of the adjacent lands. That subdivision was finalized in early 2022.

As the RH1 – Hillside Large Lot Residential zone was removed from Zoning Bylaw No. 12375, portions of the property previously zoned RH1 were rezoned to RU1 – Large Lot Housing in the new Zoning Bylaw.

#### 4.2 Project Description

The developer is proposing to redesignate and rezone the subject site to facilitate 1 additional lot being added to an existing 11-lot residential subdivision. The location of this lot is in an area that was originally designated for development in 2014, but was redesignated and rezone as Park in 2016 when it was not anticipated to be developed. As a result of development of the adjacent subdivision, the developer has determined that they wish to develop this portion of the site.

The proposed additional lot would be located on a topographic feature southwest of the existing lots, adjacent to and elevated above Upper Mission Drive. Driveway access would be provided via an access easement over the adjacent residential lots from Upper Mission Ct.

The developer has shown that the proposed lot and driveway can be accommodated without impacting the adjacent Riparian Management Area of Cedar Creek, as well as minimize impact on Environmentally Sensitive Areas.

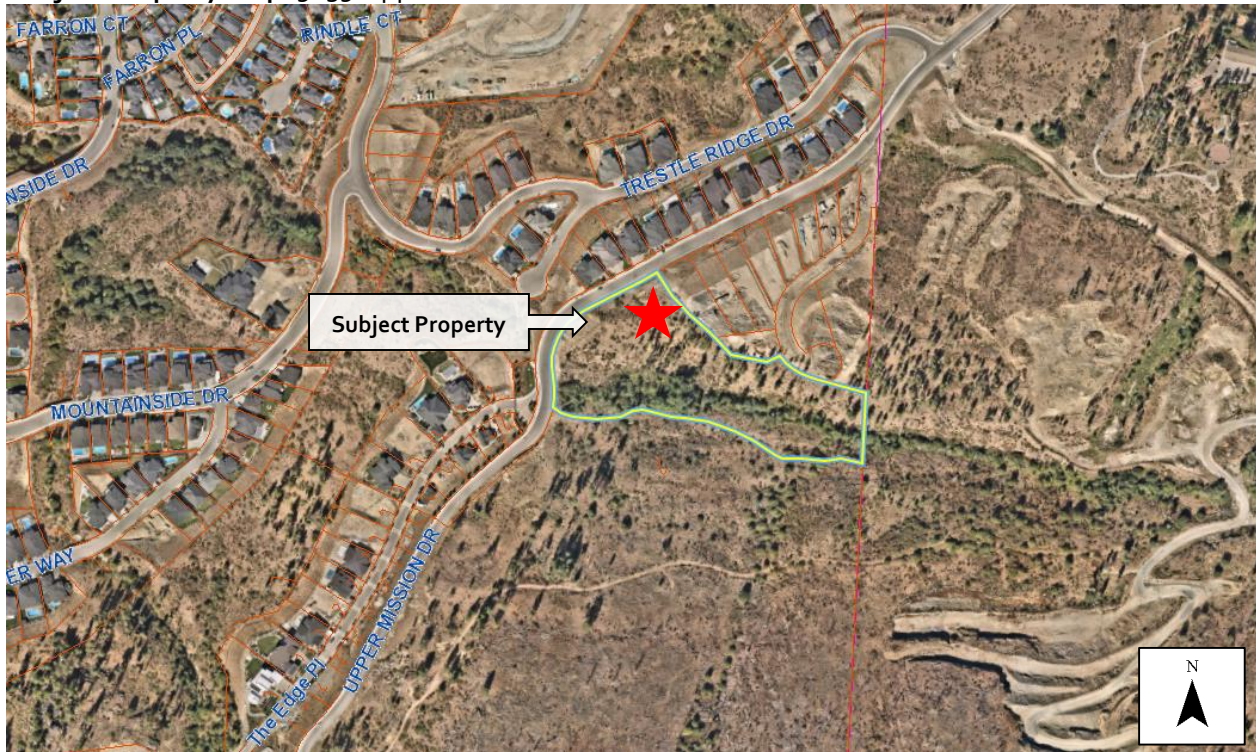
#### 4.3 Site Context

The subject property is located on Upper Mission Drive, adjacent to the southern boundary of the City of Kelowna.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single detached homes
East	RDCO	Gravel extraction
South	P3 – Parks and Open Space RH1 – Hillside Large Lot Residential	Vacant hillside
West	P3 – Parks and Open Space RU1 – Large Lot Housing	Natural open space and trails Single detached homes

#### **Subject Property Map: 5639 Upper Mission Court**



## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Objective 7.2 Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable

Policy 7.2.2 Hillside Housing Forms	Encourage housing forms that best match to the topography and have the lowest amount of impact in hillside areas, such as minimum cuts and fills, for example, and provide the greatest environmental protection. Discourage housing forms and associated roadways that cause high amounts of slope disturbance and visual impact.  <i>The proposed development provides a suitable development site while avoiding the adjacent Riparian Management Area.</i>
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## 6.0 Application Chronology

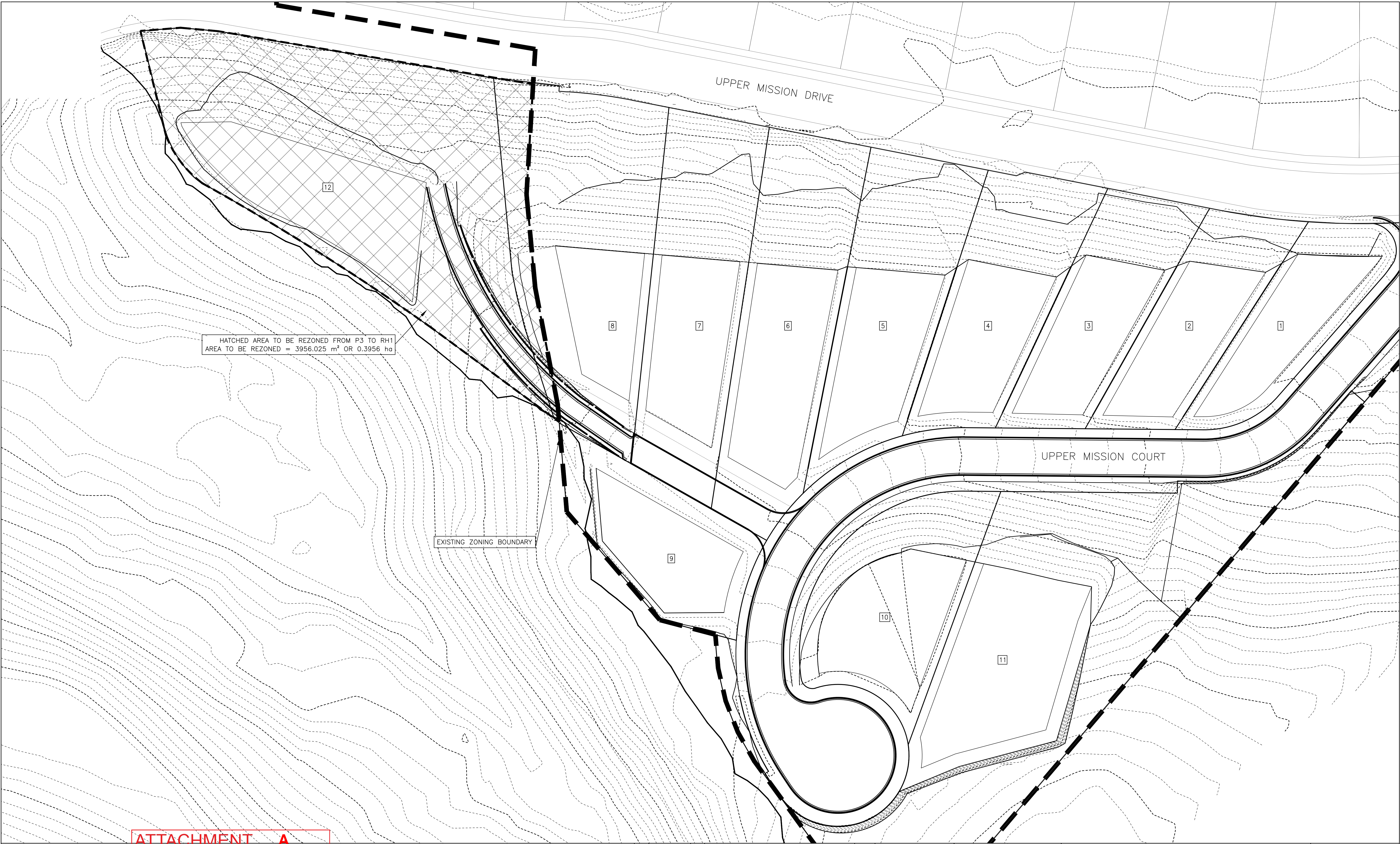
Date of Application Received: August 16, 2021  
 Date Public Consultation Completed: January 26, 2022

**Report prepared by:** Mark Tanner, Planner II  
**Reviewed by:** Dean Strachan, Community Planning & Development Manager  
**Reviewed by:** Terry Barton, Development Planning Department Manager  
**Approved for Inclusion:** Ryan Smith, Divisional Director, Planning & Development Services

### Attachments

Attachment A: Site Layout  
 Map A: Proposed Official Community Plan Amendment  
 Map B: Proposed Rezoning

SAVED BY: 10/07/2021 10:05 AM  
FILE LOCATION: P:\DATA\151-13352-02 - Trestle Ridge Phase 3\2020\JANUARY\151-13352-02\_12 LOT ZONING WITHOUT EIA.dwg  
PRINTED ON: 7/19/2022 8:57 AM



LEGEND

ATTACHMENT A

This forms part of application  
# OCP21-0021 Z21-0079

Planner  
Initials MT

City of  
**Kelowna**  
COMMUNITY PLANNING

700 - 1631 DICKSON AVENUE  
KELOWNA, BC  
CANADA V1Y 0B5  
PHONE: 250-860-5500  
WWW.WSP.COM  
151-13352-02

B	2022/07/19	HDH		RE-ISSUED FOR INFORMATION	
A	2021/07/20	HDH		ISSUED FOR INFORMATION	
NO.	YYYY/MM/DD	BY		REVISION	CH'KD

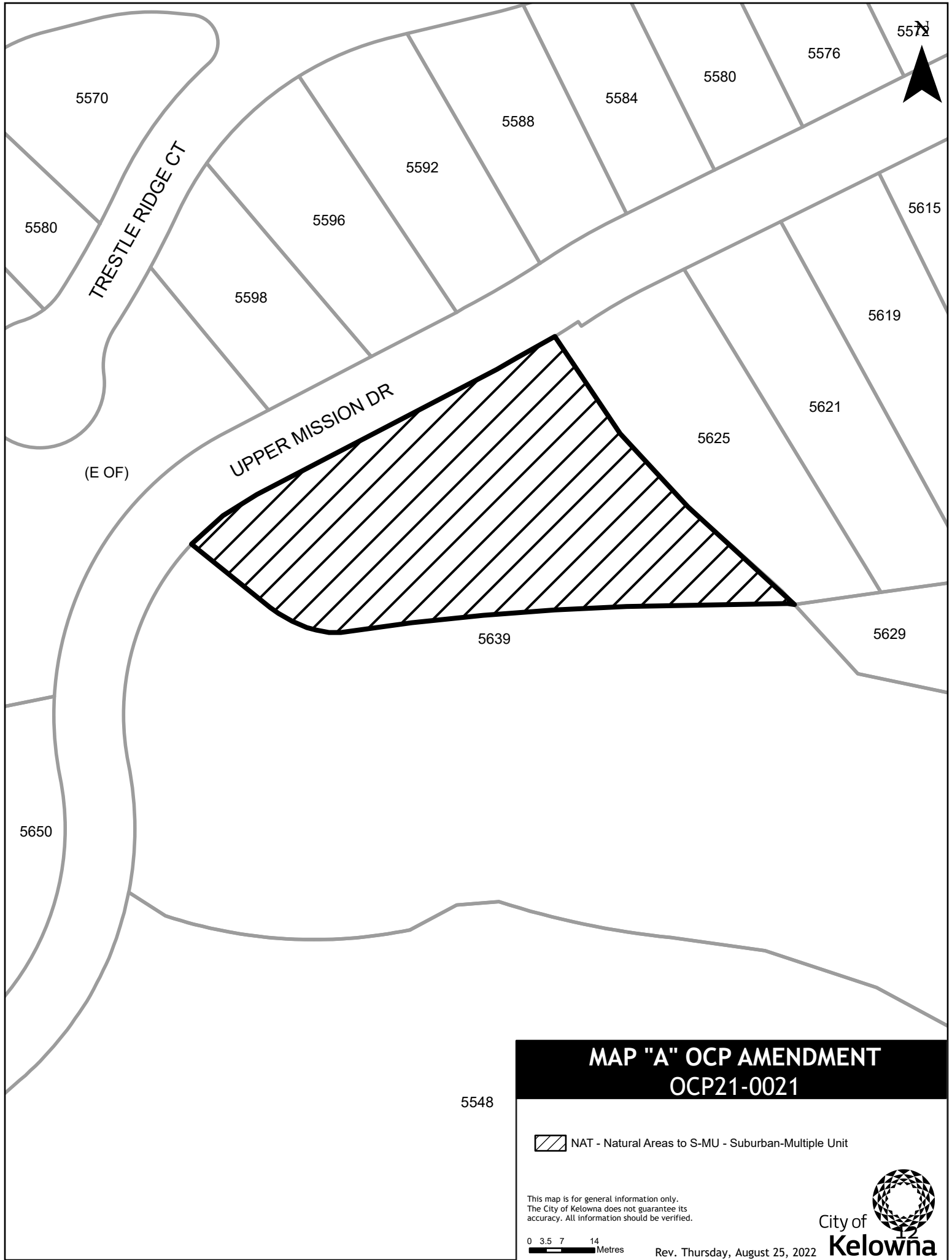
BASE	HDH	DESIGN	HDH
APPROVED		KSK	
DATE		2020/09/30	
SCALE		HORIZ. 1:400 VERT. 1:400	
SCALE NOT ACCURATE OVER LONG DISTANCES			

THE CITY OF KELOWNA


DESIGN AND CONSTRUCTION

TRESTLE RIDGE PHASE 3  
12 LOT ZONING PLAN

DIVISION INFRASTRUCTURE	
DRAWING NO. Z1	REV NO. B



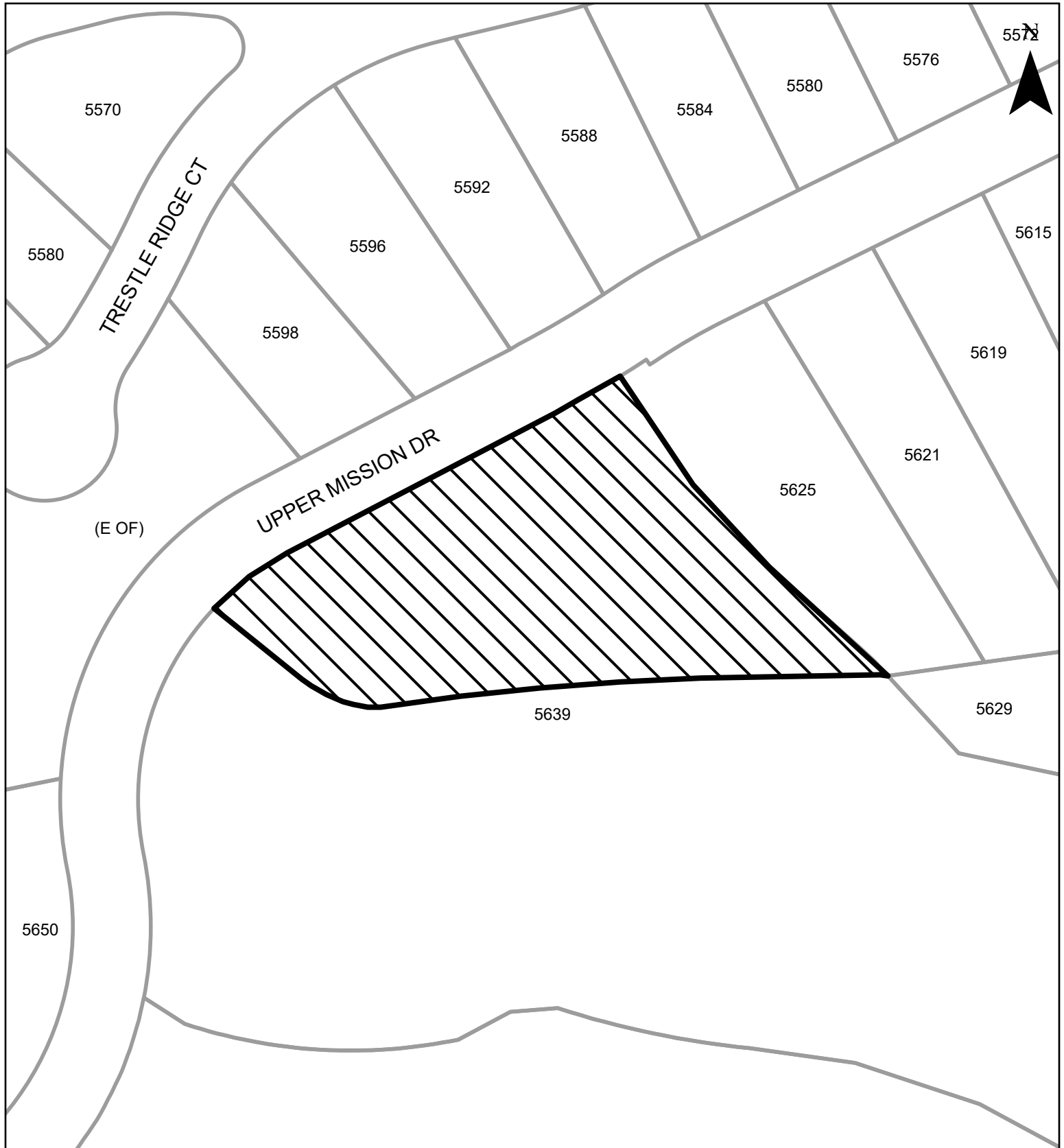
## MAP "A" OCP AMENDMENT OCP21-0021

 NAT - Natural Areas to S-MU - Suburban-Multiple Unit

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

0 3.5 7 14  
Metres

Rev. Thursday, August 25, 2022



## MAP "B" ZONING AMENDMENT Z21-0079

 P3 - Parks and Open Space to RU1 - Large Lot Housing

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

0 3.5 7 14  
Metres

Rev. Thursday, August 25, 2022

OCP21-0021 Z21-0079

5639 Upper Mission Ct

Official Community Plan Amendment and Rezoning  
Application

# Proposal

- ▶ To amend the Official Community Plan to change the future land use designation from the NAT – Natural Areas designation to the S-MU – Suburban Multiple Unit designation and to rezone portions of the subject property from the P3 – Parks and Open Space zone to the RU1 – Large Lot Housing zone to facilitate the addition of 1 residential lot to an adjacent residential subdivision.

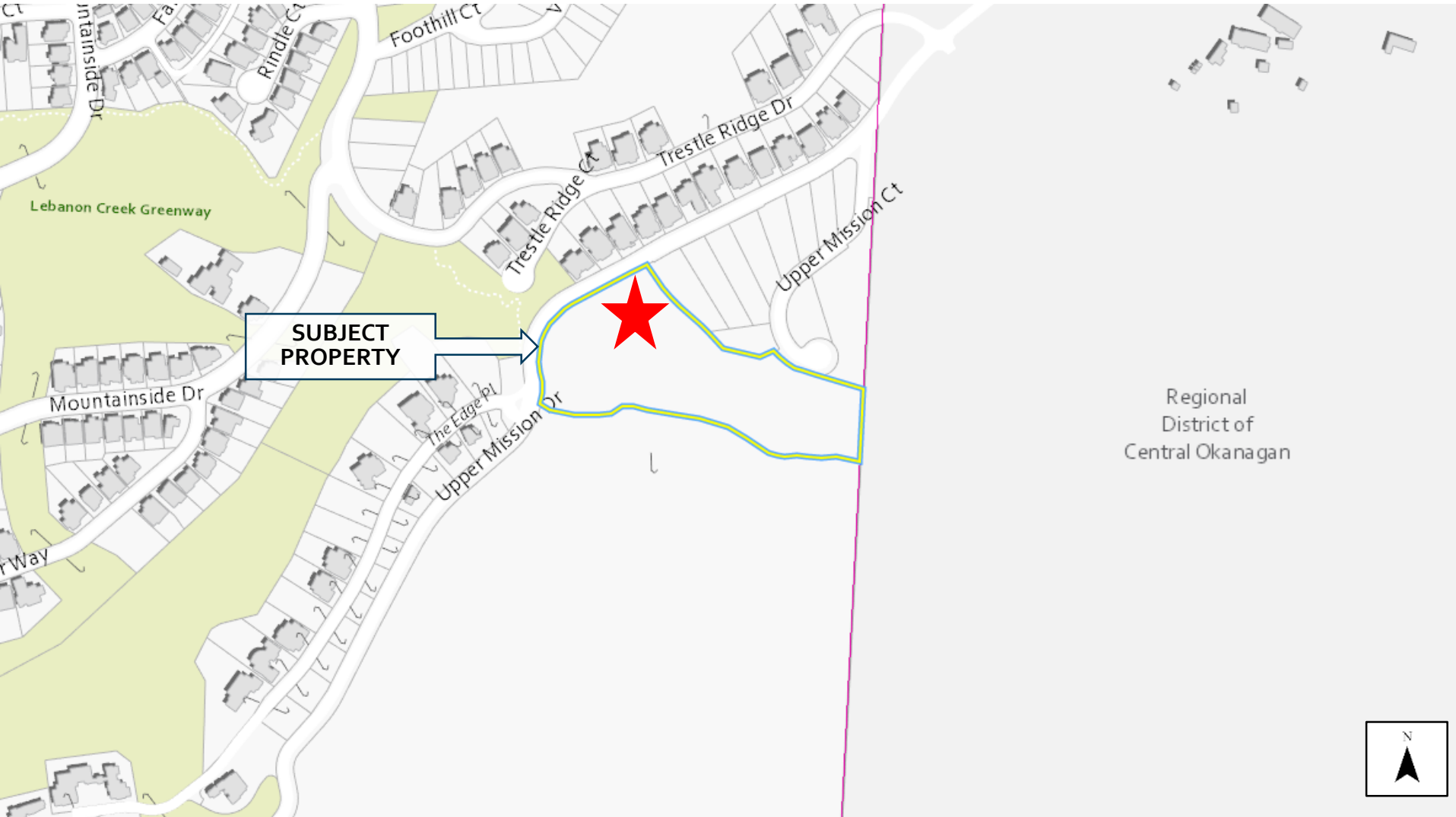
# OCP Amendment & Rezoning

- ▶ “Is this proposed land use designation and density appropriate for this property?”
  
- ▶ Policy 16.1.2. OCP Amendment Evaluation:
  - ▶ Consistent with OCP Pillars?
  - ▶ Consistent with Growth Strategy?
  - ▶ Relationship to Imagine Kelowna
  - ▶ Consider land uses and density
  
- ▶ Policy 16.1.3. OCP Amendment Process:
  - ▶ Consider scale of change
  - ▶ Consider Council Policy #367 for Public Notification
  - ▶ Consider infrastructure and servicing impacts

# Development Process



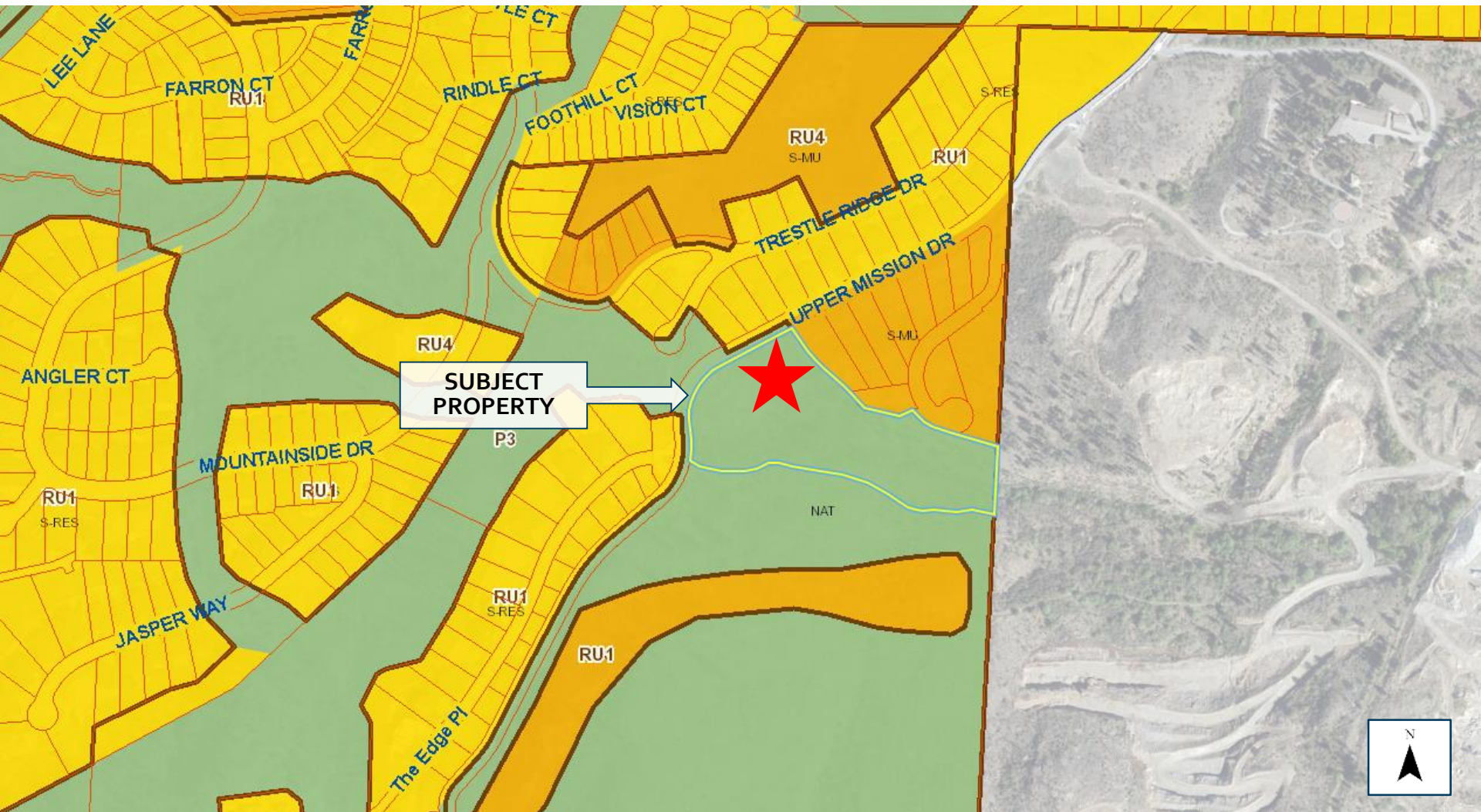
# Context Map



# Aerial Map



# OCP Future Land Use / Zoning



# Background

- ▶ 2002: 2020 OCP designates portions of the site as Single/Two Unit Residential and Major Park/Open Space.
- ▶ 2014: Subject site designated as Multiple Unit Residential (Cluster Housing) and zoned RH1 – Hillside Large Lot Residential
- ▶ 2016: Subject site redesignated as Major Park & Open Space and rezoned to P3 – Parks & Open Space

# Project details

- ▶ OCP Amendment and Rezoning to add 1 additional lot to the adjacent 11 lot residential subdivision.
- ▶ Driveway access to the new lot provided from Upper Mission Court via easement over existing residential lots.
- ▶ Remainder of property to be dedicated as park.

# Proposed Site Layout



# Proposed Site Layout



# Staff Recommendation

- ▶ Development Planning Staff recommend **support** of the proposed OCP Amendment and Rezoning
  - ▶ Proposed lot can be accommodated outside of the Cedar Creek Riparian Management Area
  - ▶ Parks Department does not have an interest in the site for parks purposes
  - ▶ Conforms with OCP Policies and matches adjacent residential subdivision
- ▶ Recommend the bylaw be forwarded to Public Hearing for further consideration.



## *Conclusion of Staff Remarks*



Kelowna

OCP21-0021 Z21-0079

5639 Upper Mission Dr

Official Community Plan Amendment and Rezoning  
Application



**TRESTLE RIDGE**  
UPPER MISSION

# Proposal

- ▶ To amend the Official Community Plan to change the future land use designation from the NAT – Natural Areas designation to the S-MU – Suburban Multiple Unit designation and to rezone portions of the subject property from the P<sub>3</sub> – Parks and Open Space zone to the RU<sub>1</sub> – Large Lot Housing zone to facilitate the addition of 1 residential lot to an adjacent residential subdivision.
- ▶ This portion was previously zoned Rh<sub>1</sub> in 2014 and was rezoned as park in 2016 based on a conceptual plan with different grading profiles that made this bench inaccessible. The current development layout has practical access for development.

# Development Process

July 21, 2021

Development Application Submitted

Staff Review & Circulation

Jan 26, 2022

Public Notification Received

Nov 14, 2022

Initial Consideration

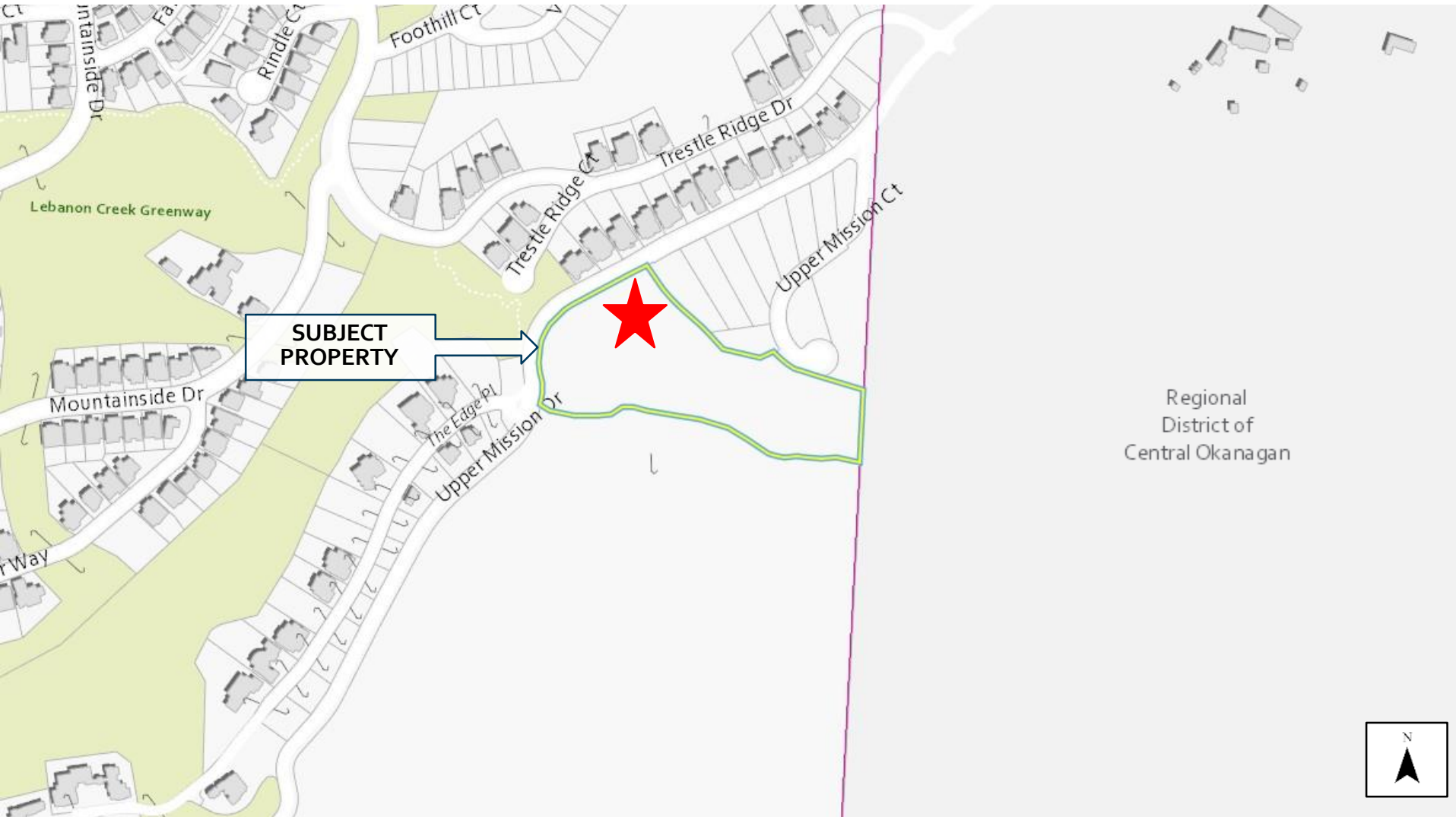
Public Hearing  
Second & Third Readings

Final Reading

Development Permit

Council  
Approvals

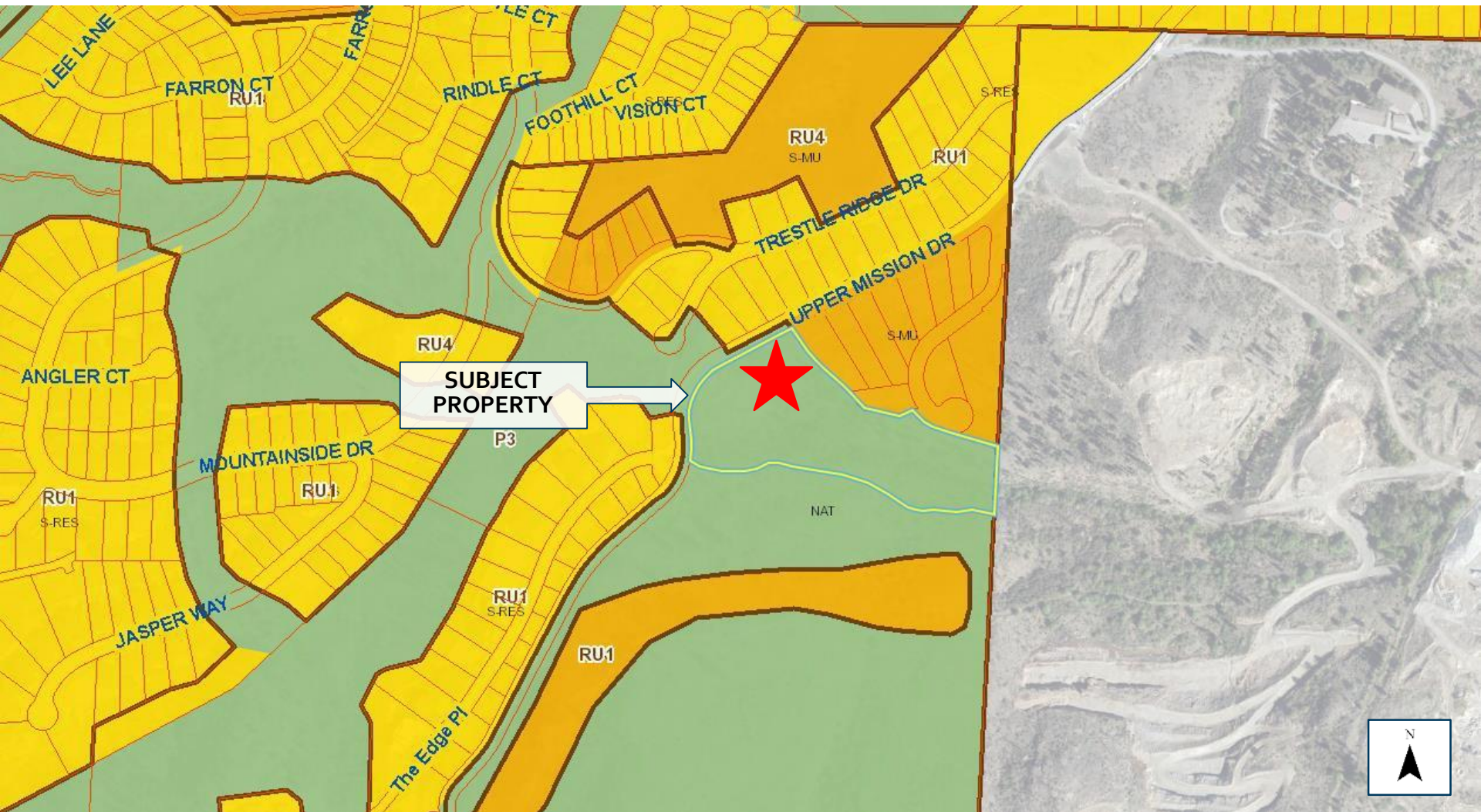
# Context Map



# Aerial Map



# OCP Future Land Use / Zoning



# Background



- ▶ 2002: 2020 OCP designates portions of the site as Single/Two Unit Residential and Major Park/Open Space.
- ▶ 2014: Subject site designated as Multiple Unit Residential (Cluster Housing) and zoned RH1 – Hillside Large Lot Residential
- ▶ 2016: Subject site redesignated as Major Park & Open Space and rezoned to P3 – Parks & Open Space

# Project details



**TRESTLE RIDGE**  
UPPER MISSION

- ▶ OCP Amendment and Rezoning to add 1 additional lot to the adjacent 11 lot residential subdivision, in the area that was previously zoned for cluster housing.
- ▶ Driveway access to the new lot provided from Upper Mission Court existing private laneway easement access.
- ▶ Remainder of property to be dedicated as park.
- ▶ Consultation with City of Kelowna Parks Department has support for the RU1 rezoning as this proposed parcel is not considered a developable park asset by the Parks Dept.

# Project details



TRESTLE RIDGE  
UPPER MISSION

- ▶ All new construction for additional lot conforms with Environmental Assessment.
- ▶ Environmental Mitigation includes tree planting and fencing.
- ▶ No new City Infrastructure required. All road and infrastructure mains in place, with capacity.
- ▶ Sanitary and Storm Sewer connections are existing from previous construction.
- ▶ One new water connection required on Upper Mission Drive
- ▶ All shallow utilities will be extended from previous subdivision phase.

[illegible]

# Proposed Site Layout

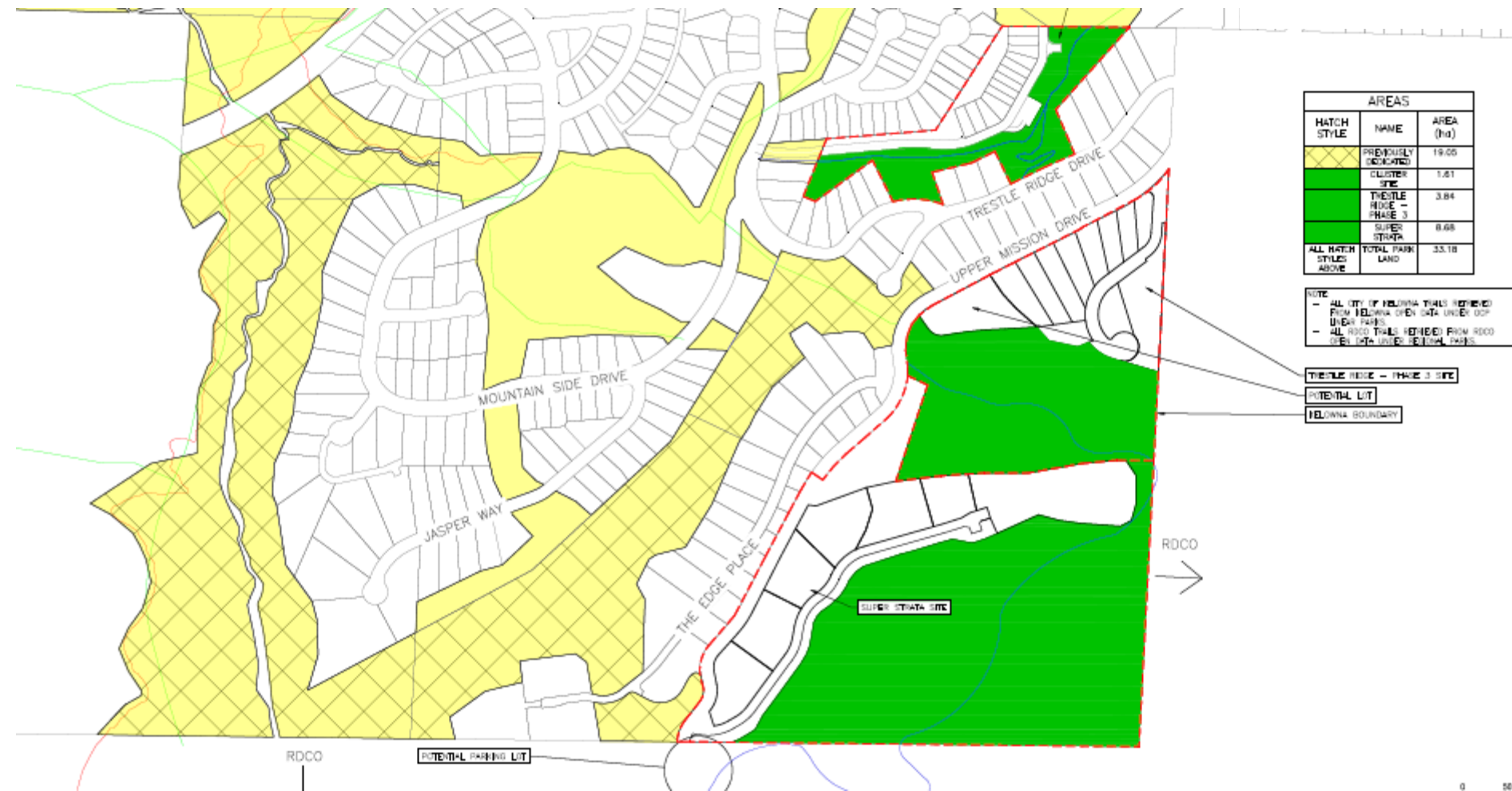




# Staff Recommendation

- ▶ Development Planning Staff recommend **support** of the proposed OCP Amendment and Rezoning
  - ▶ Proposed lot can be accommodated outside of the Cedar Creek Riparian Management Area
  - ▶ Parks Department does not have an interest in the site for parks purposes
  - ▶ Conforms with OCP Policies and matches adjacent residential subdivision
- ▶ Developer consultation with neighbouring residents has support for development.

# Overall Park and Green Space



0 50

# Parks and Trails

- ▶ As part of the two proposed applications a new trail system will be constructed by the developer
  - ▶ The Developer has been consulting with the RDCO and local organizations to optimize the proposed Park amenities for dedication
  - ▶ Parks Department has actively consulted on the optimal use of the proposed park dedication and trail amenities
- ▶ The Creeks and Trestle Ridge developments have dedicated over 19 ha of park and open space to the City of Kelowna with another estimated 13 ha as part of the final development buildout.



**Kelowna**

*Conclusion of Presentation*

# CITY OF KELOWNA

## BYLAW NO. 12439

### Official Community Plan Amendment No. OCP21-0021 5639 Upper Mission Court

---

A bylaw to amend the "*Kelowna 2040* – Official Community Plan Bylaw No. 12300".

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

1. THAT Map 3.1 – **Future Land Use** of "*Kelowna 2040* – Official Community Plan Bylaw No. 12300" be amended by changing the Future Land Use designation of portions of Lot 12, Section 14, Township 28, SDYD, Plan EPP116470, located on Upper Mission Court, Kelowna, B.C., from the NAT – Natural Area designation to the S-MU – Suburban - Multiple Unit designation as shown on Map "A" attached to and forming part of this bylaw;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 14<sup>th</sup> day of November, 2022.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

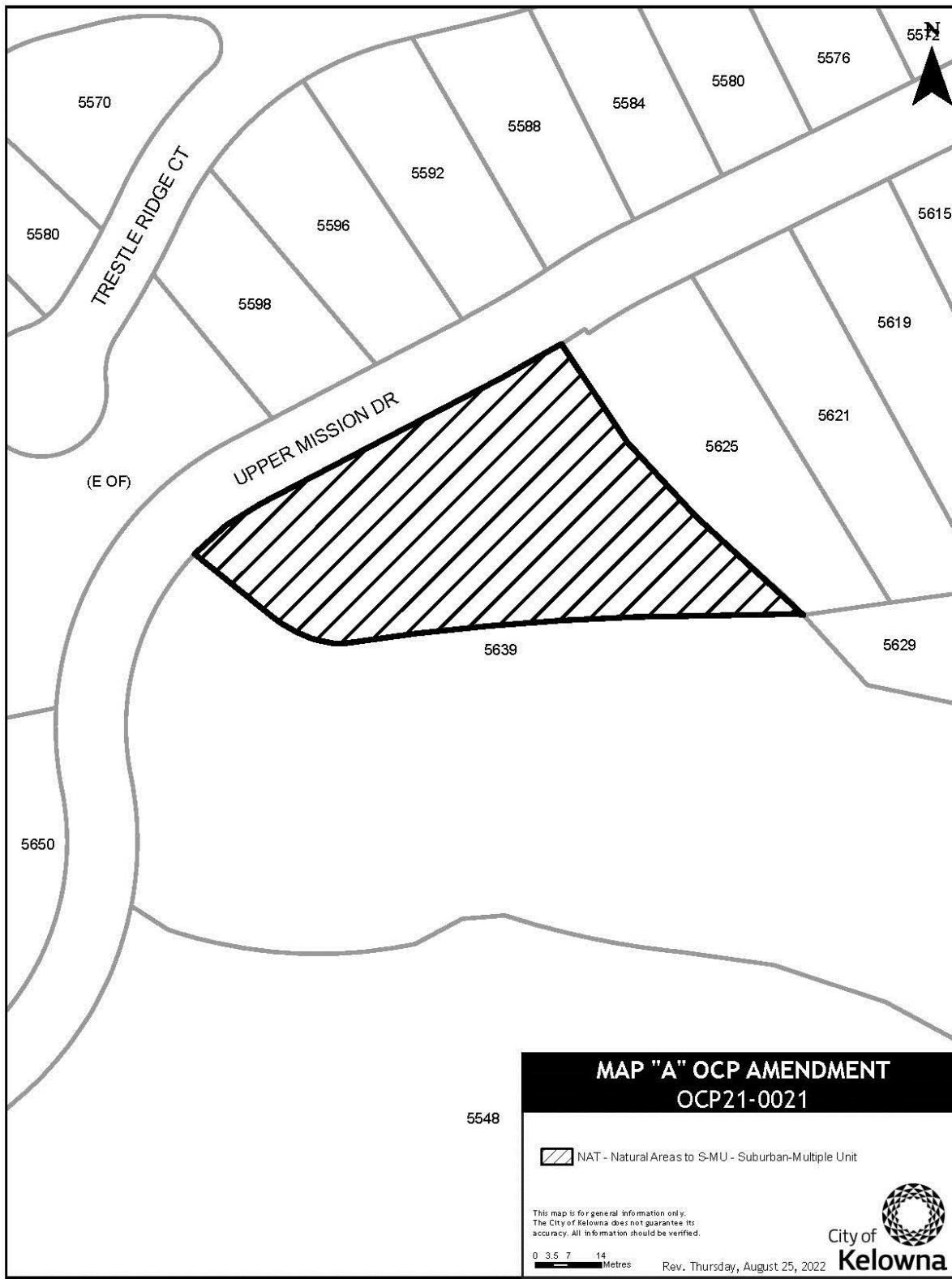
Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk



**CITY OF KELOWNA**  
**BYLAW NO. 12440**  
**Z21-0079**  
**5639 Upper Mission Court**

---

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of portions of Lot 12 Section 14 Township 28 SDYD Plan EPP116470 located on Upper Mission Court, Kelowna, BC from the P3 – Parks and Open Space zone to the RU1 – Large Lot Housing zone as shown on Map "B" attached to and forming part of this bylaw;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 14<sup>th</sup> day of November, 2022.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

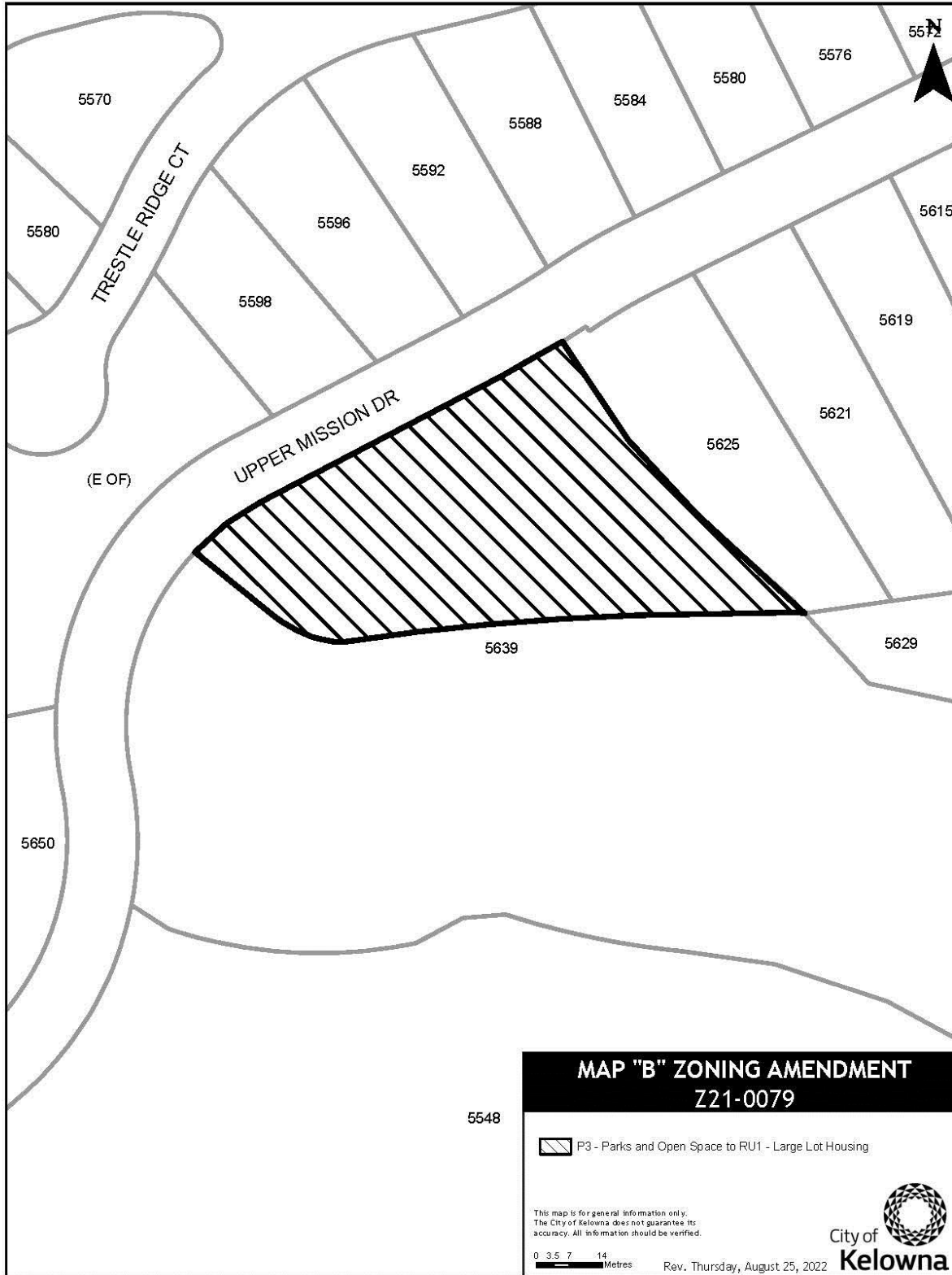
Adopted by the Municipal Council of the City of Kelowna this

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Mayor

---

City Clerk



# REPORT TO COUNCIL



**Date:** November 14, 2022

**To:** Council

**From:** City Manager

**Department:** Development Planning Department

**Application:** OCP21-0015 & Z21-0051      **Owner:** Calcan Investments Inc., Inc.  
No. BC0383776

**Address:** 5548 Upper Mission Dr      **Applicant:** Calcan Investments Inc. –  
Andrew Bruce

**Subject:** OCP Amendment and Rezoning Application

**Existing OCP Designation:** S-MU - Suburban Multiple Unit  
NAT - Natural Area

**Proposed OCP Designation:** S-MU - Suburban Multiple Unit  
NAT - Natural Area

**Existing Zone:** RU1 – Large Lot Housing  
RU4 – Duplex Housing  
P3 – Parks and Open Space

**Proposed Zone:** RU1 – Large Lot Housing  
RU4 – Duplex Housing  
P3 – Parks and Open Space

---

## 1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP21-0015 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of portions of The North East ¼, Section 14, Township 28, SDYD, Except Plans KAP57304, EPP48322, EPP65254, EPP92619, EPP98834, EPP109053 and EPP116470, located at 5548 Upper Mission Drive, Kelowna, BC, from the NAT – Natural Area designation to the S – MU – Suburban Multiple Unit designation, as shown on Map “A” attached to the Report from the Development Planning Department dated November 14, 2022, be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT Council considers the Public Consultation process to be appropriate consultation for the Purpose of Section 475 of the *Local Government Act*, as outlined in the Report from the Development Planning Department dated November 14, 2022;

AND THAT Rezoning Application No. Z21-0051 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of The North East ¼, Section 14, Township 28, SDYD, Except Plans KAP57304, EPP48322, EPP65254, EPP92619, EPP98834, EPP109053, and EPP116470, located at 5548 Upper Mission Drive, Kelowna, BC, from the P3 – Parks and Open Space zone to the RU1 – Large Lot Housing zone as shown on Map “B” attached to the Report from the Development Planning Department dated November 14, 2022, 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 issuance of a Preliminary Layout Review Letter by the Approving Officer;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Natural Environment Development Permit for the subject property.

## **2.0 Purpose**

To amend the Official Community Plan to change the future land use designation of portions of the subject property from the NAT – Natural Areas designation to the S-MU – Suburban Multiple Unit designation and to rezone portions of the subject property from the P3 – Parks and Open Space zone to the RU1 – Large Lot Housing zone to facilitate a 7-lot bareland strata subdivision.

## **3.0 Development Planning**

Staff supports the Official Community Plan (OCP) amendment and Rezoning to accommodate a 7-lot strata subdivision of the subject property. The proposal is consistent with previous direction for the subject property which identified a portion as being developable for a small cluster of units. It conforms to OCP Policies encouraging sensitive hillside housing which integrate nature and protect natural areas. The proposed zoning and density of the site is consistent with the surrounding Suburban Residential neighbourhood.

The proposed OCP amendment and rezoning is meant to align the Future Land Use and zoning boundaries with areas of the property that have been identified as suitable for development. The areas subject to the Future Land Use and Zoning boundary adjustments are considered minor and reflect more detailed site investigation of the topographic conditions of the site, as well as the alignment of Upper Mission Drive.

Significant parkland dedication would protect identified environmentally sensitive areas and the high point of land. Trail connections would be provided to allow continued access to the site for recreational users.

## **4.0 Proposal**

### **4.1 Background**

The subject property was designated in the 2020 Official Community Plan Bylaw No. 7600 (adopted in 2002) as Single/Two Unit Residential and Major Park/Open Space. In 2012, Council considered an OCP Amendment and Rezoning application to refine the OCP designations and zoning of the property to take advantage of the natural topography of the land by identifying areas that were developable for small clusters of units. Portions of the subject lands were identified as being a developable area and were redesignated to Multiple Unit Residential (Cluster Housing) and rezoned to RH1 – Hillside Large Lot Residential in 2014.

As the RH1 – Hillside Large Lot Residential zone was removed from Zoning Bylaw No. 12375, portions of the property previously zoned RH1 were rezoned to RU1 – Large Lot Housing in the new Zoning Bylaw

#### 4.2 Project Description

The application would redesignate and rezone a portion of the subject property in order to facilitate a 7-lot bareland strata subdivision. The proposed redesignation and rezoning would enlarge the existing area that is designated S-MU – Suburban Multiple Unit and zoned RU1 – Large Lot Housing. The proposed lots would be accessed from a private strata driveway from Upper Mission Drive.

The remainder of the subject property would be dedicated to the City as parkland. The developer would develop a trail network on the subject property from Upper Mission Drive near Cedar Creek, up to a viewpoint above Lonely Boy Crag. A trail head would be constructed at the base of the trail near Upper Mission Drive. The trail would provide connectivity to other trails on Crown Land, outside of the City Limits.

#### 4.3 Site Context

The subject property is located on Upper Mission Drive, south of the intersection with Trestle Ridge Drive, adjacent to the southern boundary of the City of Kelowna. It is currently vacant. The Future Land Use of the surrounding area is NAT – Natural Area, S-RES – Suburban Residential, and S-MU – Suburban Multiple Unit and is zoned RU1 – Large Lot Housing and P3 – Parks and Open Space.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P3 – Parks and Open Space	Natural Area
East	RDCO	Gravel Extraction
South	RDCO	Vacant Crown Land
West	RU1 – Large Lot Housing P3 – Parks and Open Space	Single Family Housing Natural Area

**Subject Property Map:** 5548 Upper Mission Drive



## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Objective 7.2 Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable

Policy 7.2.2 Hillside Housing Forms	Encourage housing forms that best match to the topography and have the lowest amount of impact in hillside areas, such as minimum cuts and fills, for example, and provide the greatest environmental protection. Discourage housing forms and associated roadways that cause high amounts of slope disturbance and visual impact.
	<i>The proposed development is an area that has previously been identified as an area of land suitable for a cluster of residential units.</i>
Policy 7.2.3 Integrate Nature	Integrate the design of active parks with adjacent natural areas while maintaining individual park standards. Reduce the impacts of parks on adjacent natural systems.
	<i>The proposal would transfer a large parkland area to the City which would include development of a trail network.</i>

#### Objective 10.1 Acquire new parks to enhance livability throughout the City.

Policy 10.1.15 Natural Areas	Preserve a diversity of Natural Areas for habitat and ecosystem conservation, including ecosystem connectivity corridors, with limited trails access and other low impact activities. The network should contain representative Okanagan ecosystems, contain areas of natural beauty and of high visual sensitivity, with opportunities for viewpoints, staging areas, and linear trails. Aim for contiguous spaces that link to other regionally and provincially protected spaces. Ensure
---------------------------------	---

	<p>that acquired spaces have adequate access for maintenance and linear trails, and that hazards (e.g. wildfire or rock fall) are mitigated prior to acquisition. Disturbed and weedy areas are not suitable for natural park areas, unless restored to the satisfaction of the City prior to transfer. The cost/benefit of the land must result in an overall benefit to the City rather than a maintenance burden.</p> <p><i>A large portion (~8.58 ha) of the subject property designated as Natural Area would be dedicated to the City as parkland and provide trails to allow continued access for recreational users.</i></p>
--	--

## 6.o Application Chronology

Date of Application Received: August 26, 2021

Date Public Consultation Completed: January 26, 2022

**Report prepared by:** Mark Tanner, Planner II

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

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

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

## Attachments

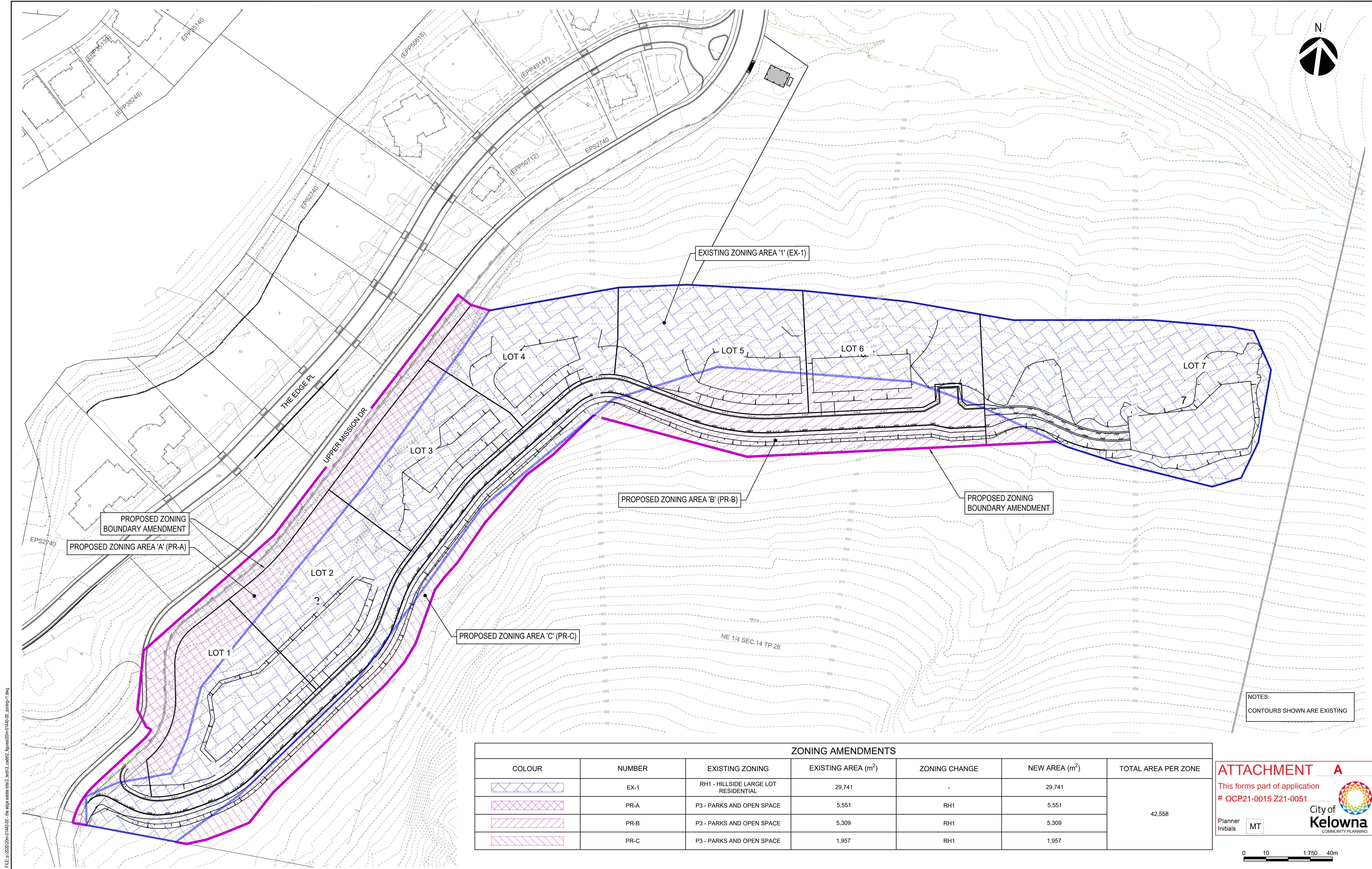
Attachment A: Zoning Amendments

Attachment B: Site Layout




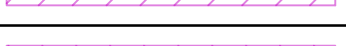
Attachment C: Trail Plan

Map A: Proposed Official Community Plan Amendment

Map B: Proposed Rezoning



NOTES:  
CONTOURS SHOWN ARE EXISTING

ZONING AMENDMENTS						
COLOUR	NUMBER	EXISTING ZONING	EXISTING AREA (m <sup>2</sup> )	ZONING CHANGE	NEW AREA (m <sup>2</sup> )	TOTAL AREA PER ZONE
	EX-1	RH1 - HILLSIDE LARGE LOT RESIDENTIAL	29,741	-	29,741	42,558
	PR-A	P3 - PARKS AND OPEN SPACE	5,551	RH1	5,551	
	PR-B	P3 - PARKS AND OPEN SPACE	5,309	RH1	5,309	
	PR-C	P3 - PARKS AND OPEN SPACE	1,957	RH1	1,957	


ATTACHMENT **A**

This forms part of application  
# OCP21-0015 Z21-0051

Planner Initials **MT**

  
City of Kelowna  
COMMUNITY PLANNING



  
WSP Canada Inc.  
700-1631 Dickson Ave, Kelowna, BC V1Y0B5  
T 250-980-5500 | www.wsp.com

0B	2022-04-12	ISSUED FOR ZONING AMENDMENTS	SDS
0A	2021-04-27	ISSUED FOR ZONING AMENDMENTS	AJC
NO.	DATE	REVISION	BY

SEAL:

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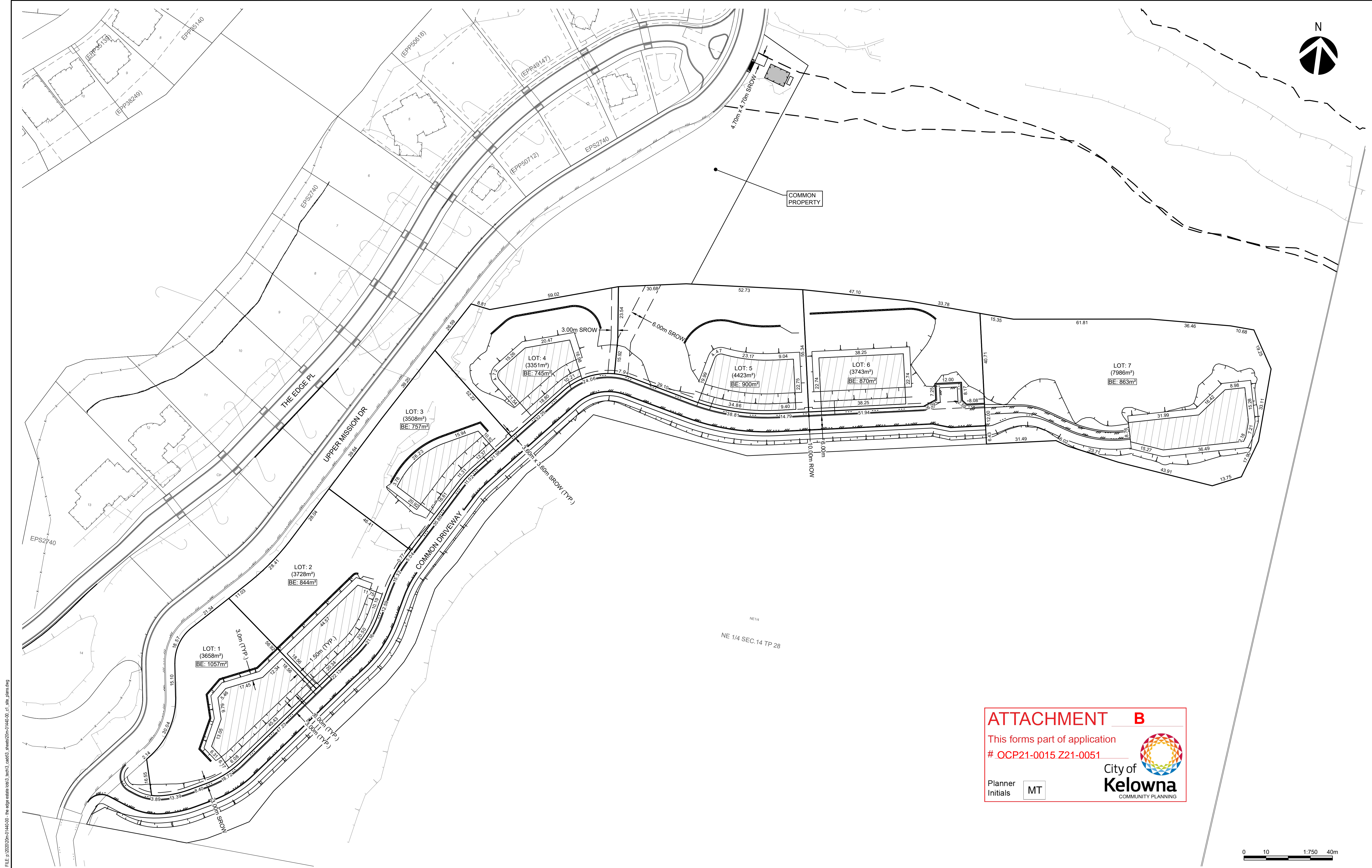
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BASE	SDS	DESIGN	SDS
CHECKED	AJC	APPROVED	DG
DATE	2021-11-10		
SCALE	1:750		
SCALE NOT ACCURATE OVER LONG DISTANCES			

**THE CITY OF KELOWNA**  
**THE EDGE ESTATES**  
**ZONING AMENDMENTS**

DIVISION	INFRASTRUCTURE
DRAWING NO.	REV NO.
<b>SZ-C100</b>	<b>0B</b>

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ATTACHMENT

B

This forms part of application  
# OCP21-0015 Z21-0051

Planner Initials

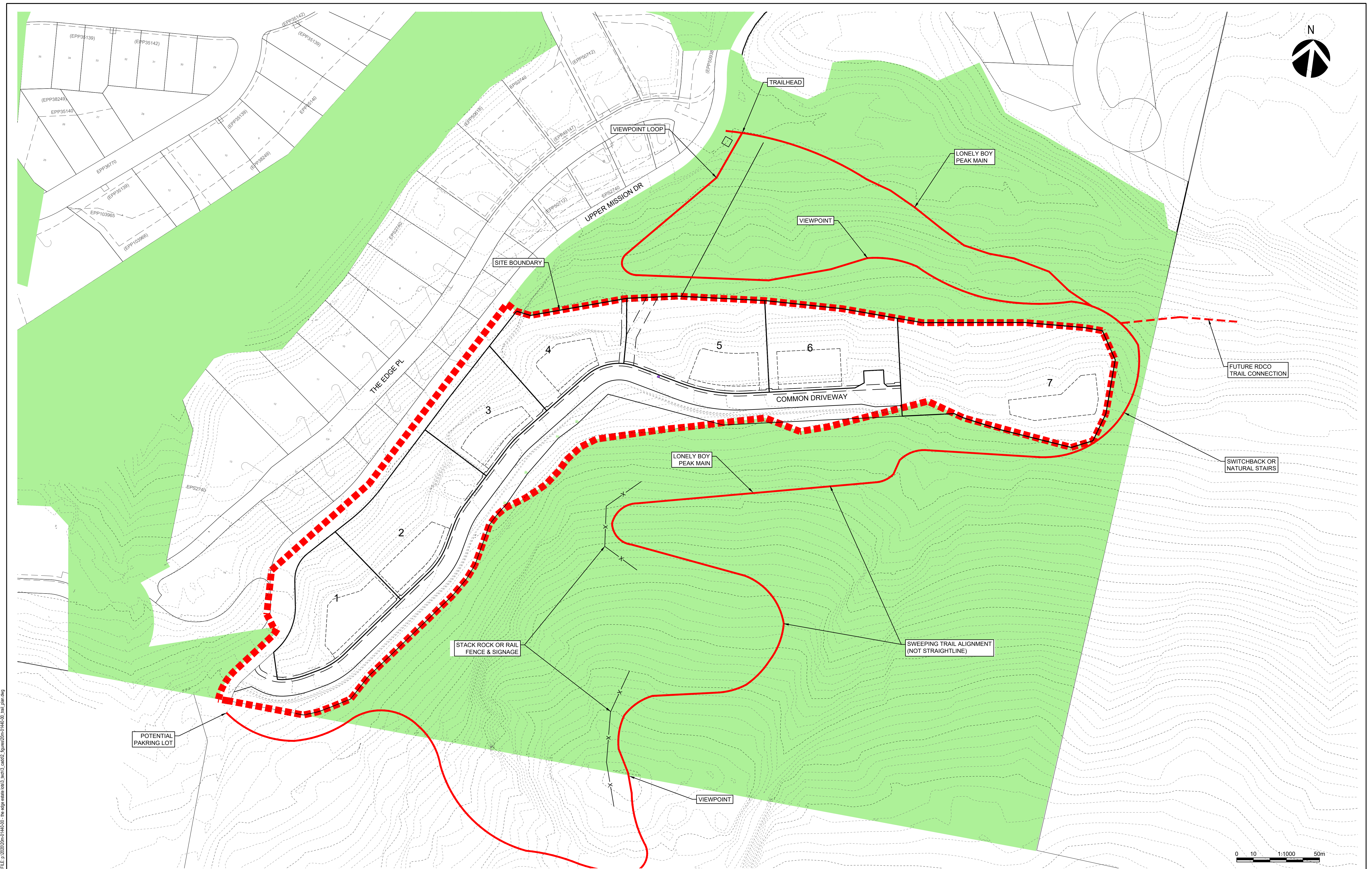
MT

City of Kelowna

COMMUNITY PLANNING




<div><div>wsp</div><div>WSP Canada Inc. 700-1631 Dickson Ave, Kelowna, BC V1Y0B5 T 250-980-5500   www.wsp.com</div></div> <div>PROJECT NUMBER: 20M-01440-00</div>						SEAL:		<div>BASE SDSDESIGN SDS</div> <div>CHECKED AJCAPPROVED DG</div> <div>DATE 2021-11-10</div> <div>SCALE 1:750</div> <div>SCALE NOT ACCURATE OVER LONG DISTANCES</div>		THE CITY OF KELOWNA		DIVISION INFRASTRUCTURE			
										THE EDGE ESTATES OVERVIEW PLANS		DRAWING NO.		REV NO.	
		0C 2022-04-13 ISSUED FOR REVIEW SDS										C102		0C	
		0B 2022-01-21 ISSUED FOR REVIEW SDS													
		0A 2021-12-24 ISSUED FOR REVIEW SDS													
NO. DATE REVISION BY										LOT LAYOUT PLAN					





## MAP "A" OCP AMENDMENT OCP21-0015

 NAT - Natural Area to S-MU - Suburban - Multiple Unit

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

0 20 40  
Metres

Rev. Wednesday, May 18, 2022



## MAP "B" ZONING AMENDMENT Z21-0051



P3 - Parks and Open Space to RU1 - Large Lot Housing

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

0 30 60 Metres

Rev. Friday, July 8, 2022

# OCP21-0015 Z21-0051 5548 Upper Mission Dr

Official Community Plan Amendment and Rezoning  
Application

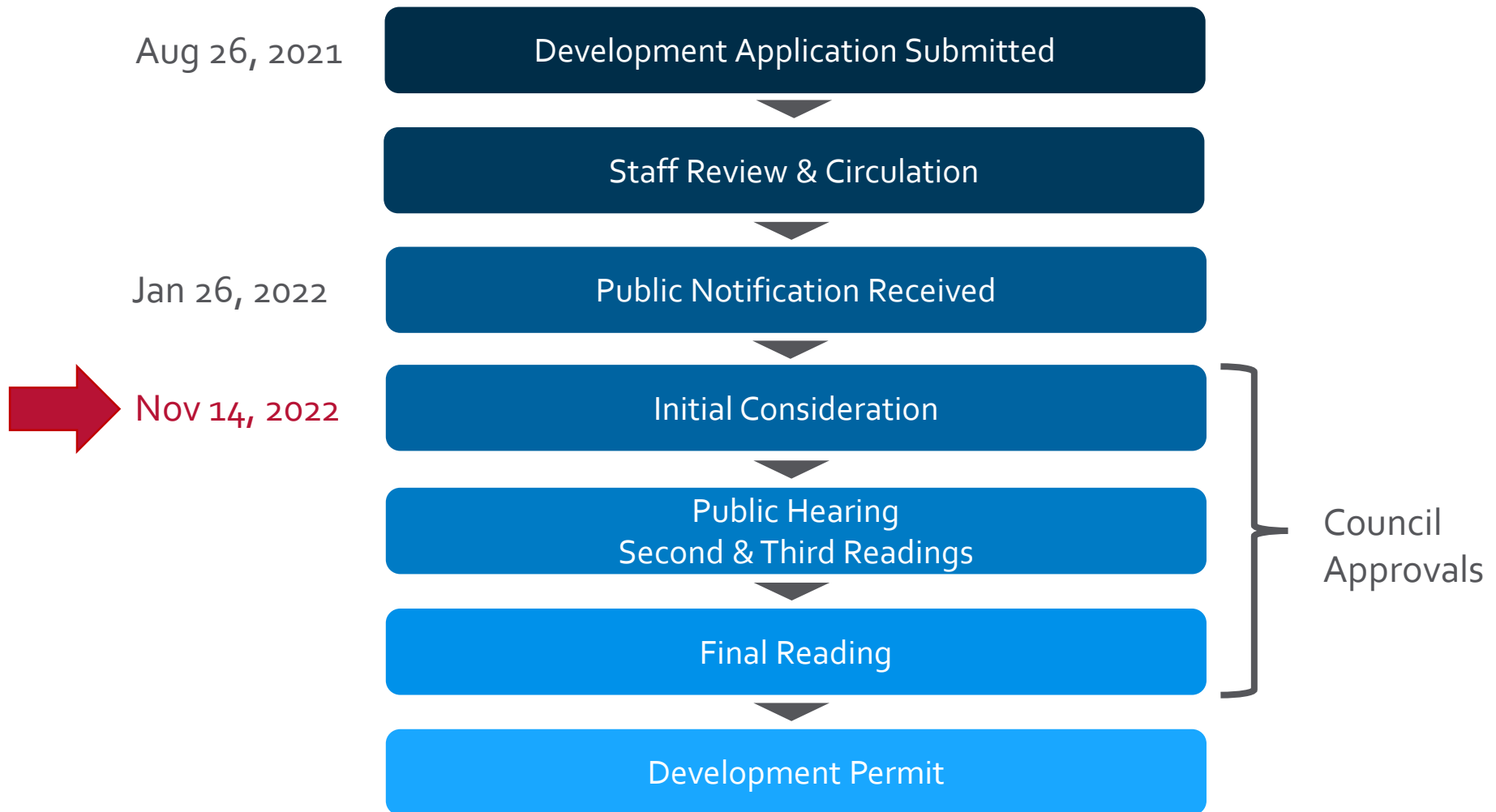
# Proposal

- ▶ To amend the Official Community Plan to change the future land use designation for portions of the subject property from NAT – Natural Area to S-MU – Suburban Multiple Unit and to rezone portions of the subject property from the P3 – Parks and Open Space zone to the RU1 – Large Lot Housing zone to facilitate a 7-lot bareland strata subdivision.

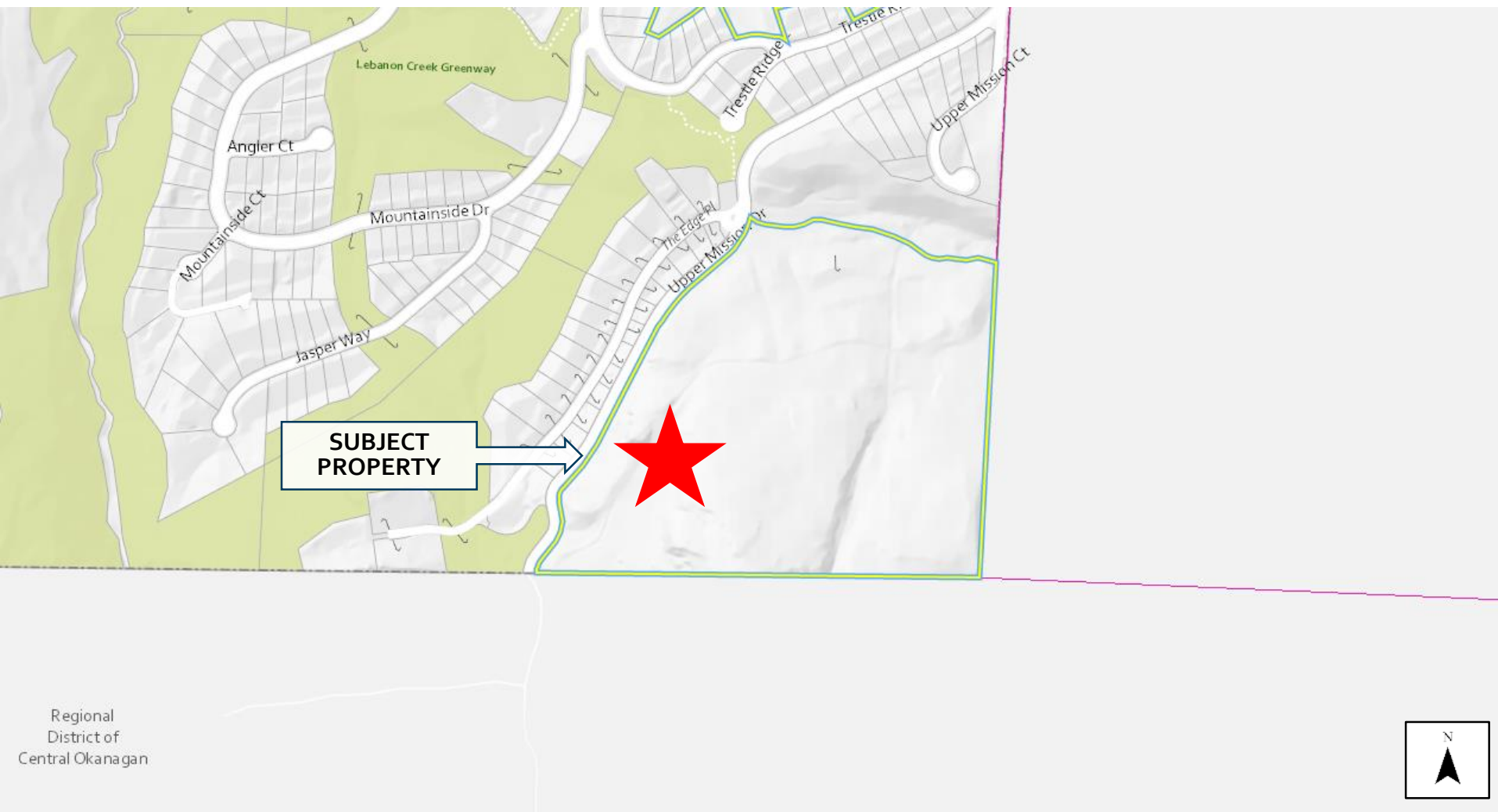
# OCP Amendment & Rezoning

- ▶ “Is this proposed land use designation and density appropriate for this property?”
- ▶ Policy 16.1.2. OCP Amendment Evaluation:
  - ▶ Consistent with OCP Pillars?
  - ▶ Consistent with Growth Strategy?
  - ▶ Relationship to Imagine Kelowna
  - ▶ Consider land uses and density
- ▶ Policy 16.1.3. OCP Amendment Process:
  - ▶ Consider scale of change
  - ▶ Consider Council Policy #367 for Public Notification
  - ▶ Consider infrastructure and servicing impacts

# Development Process



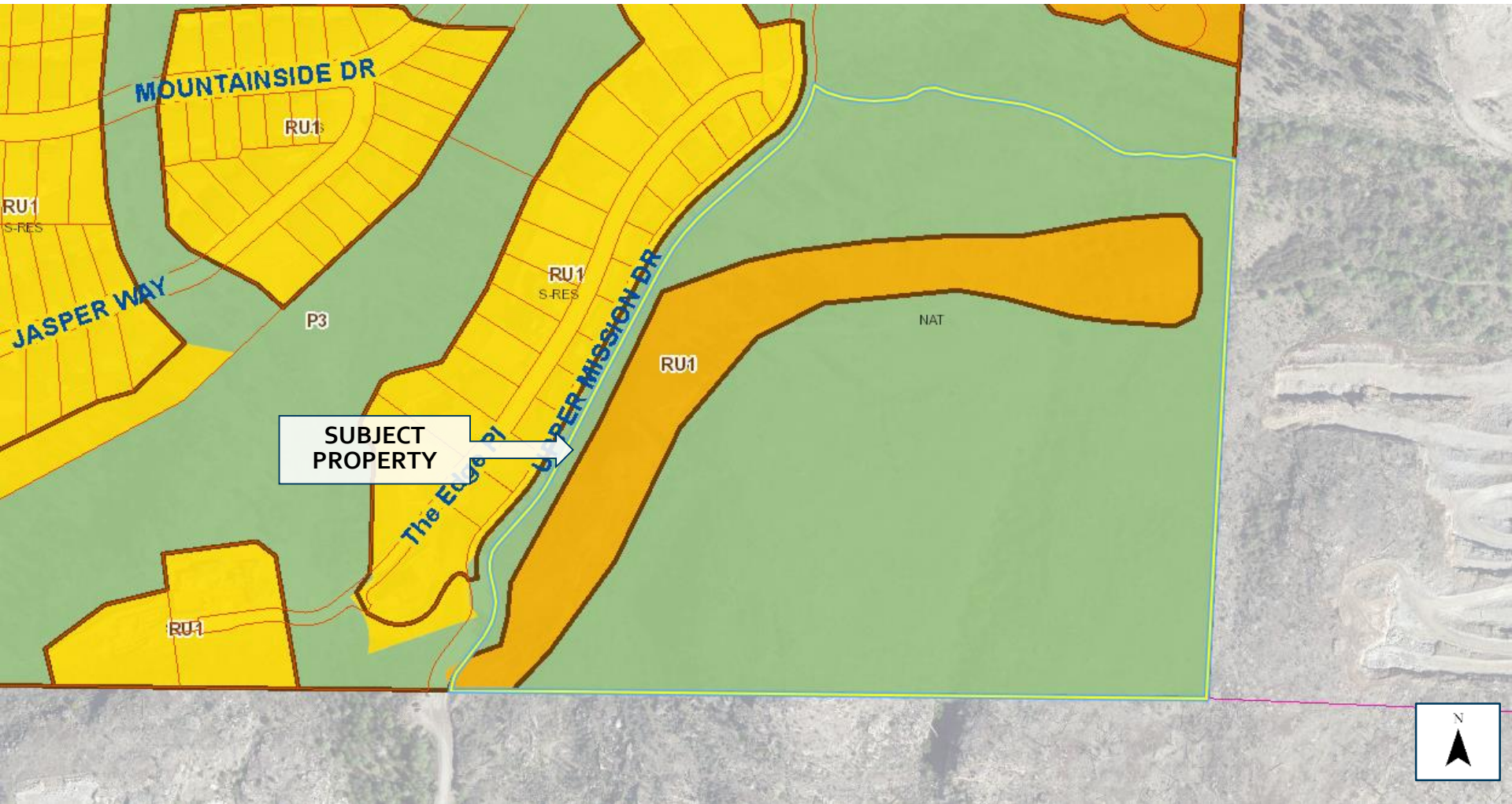
# Context Map



# Aerial Map



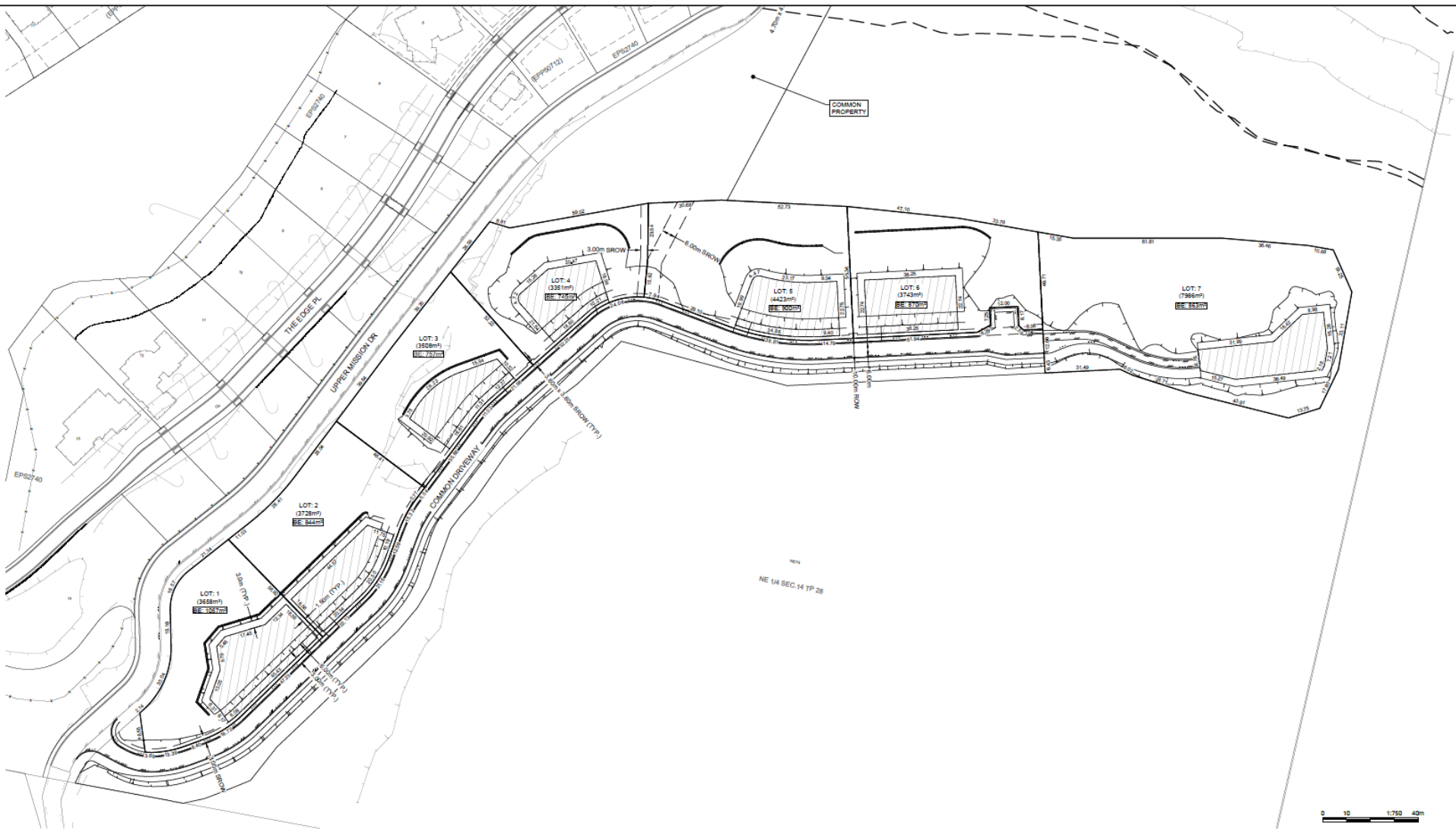
# OCP Future Land Use / Zoning



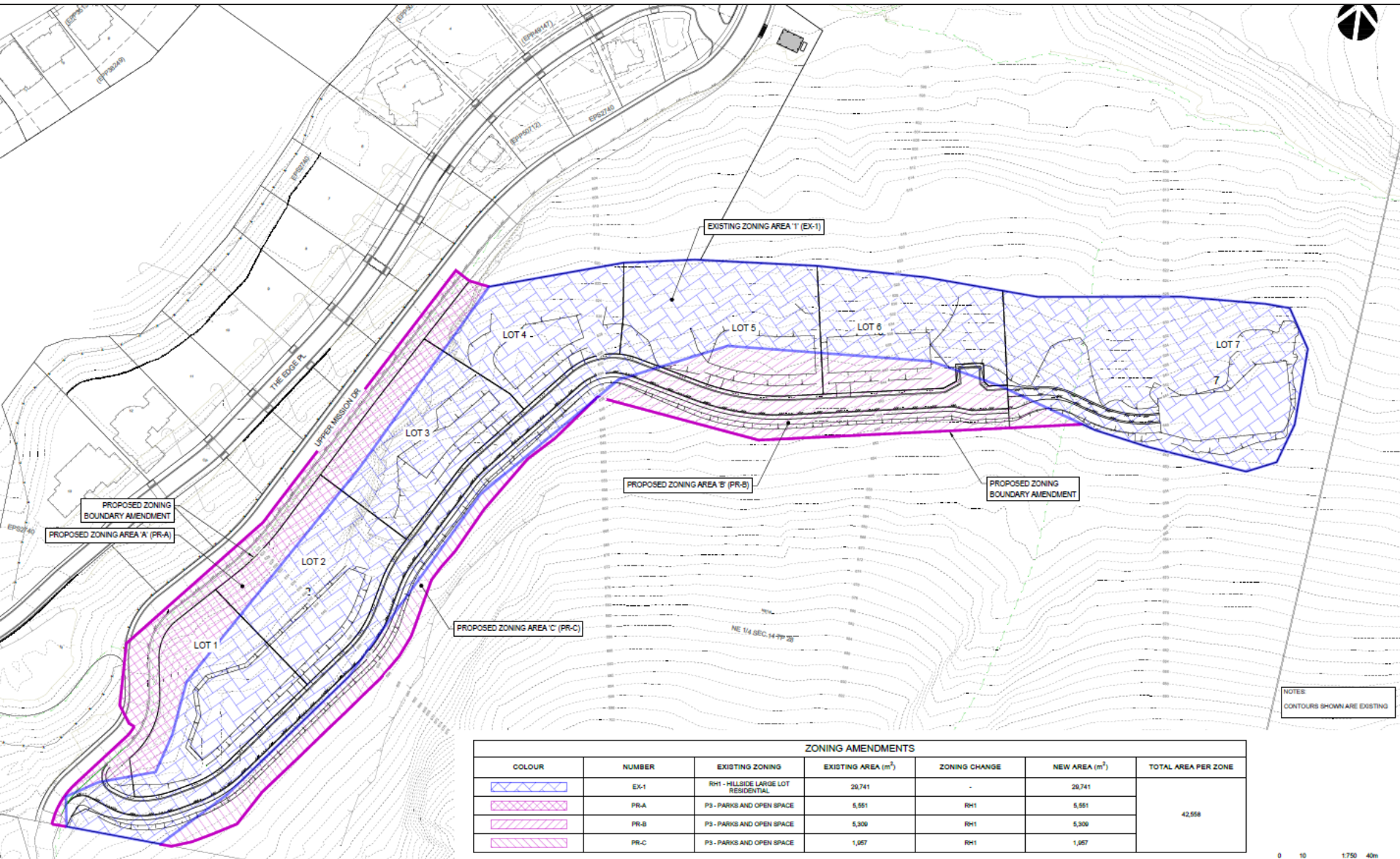
# Project details

- ▶ OCP Amendment and Rezoning application would facilitate a 7-lot bareland strata subdivision of the subject property.
- ▶ Remainder of the property dedicated as park
  - ▶ Cedar Creek Riparian Management Area
  - ▶ Trail connection to Lonely Boy Crag
  - ▶ Trailhead on Upper Mission Drive

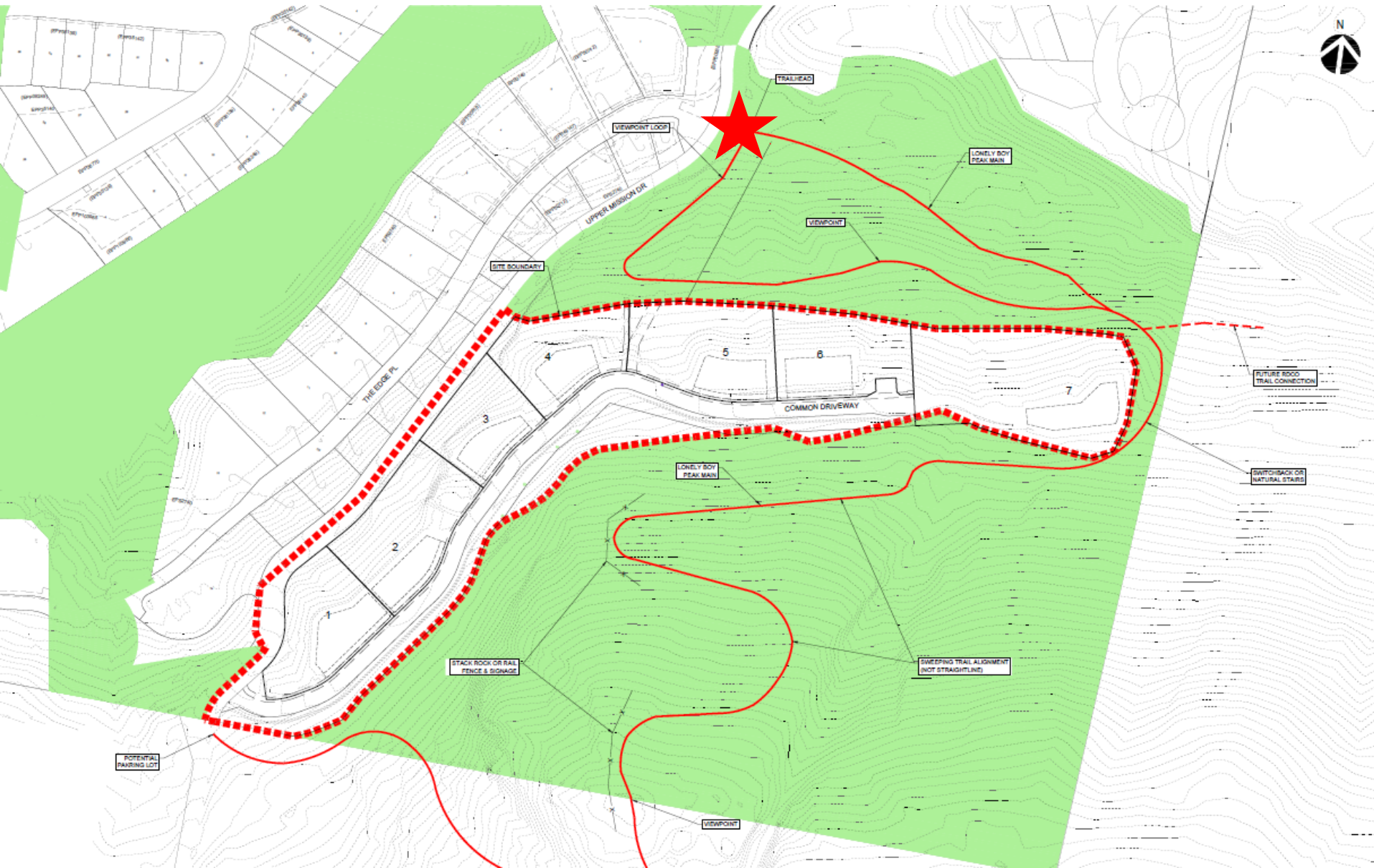
# Proposed Site Layout



# Proposed Site Layout



# Park Plan



# Staff Recommendation

- ▶ Development Planning Staff recommend **support** of the proposed OCP Amendment and Rezoning
  - ▶ Consistent with previous land use direction for the subject property
  - ▶ Conforms with OCP Policies
  - ▶ Housing form and density matches surrounding residential neighbourhoods
- ▶ Recommend the bylaw be forwarded to Public Hearing for further consideration.



## *Conclusion of Staff Remarks*



Kelowna

# OCP21-0015 Z21-0051 5548 Upper Mission Dr

Official Community Plan Amendment and Rezoning  
Application

# Proposal

- ▶ To amend the Official Community Plan to change the future land use designation for portions of the subject property from NAT – Natural Area to S-MU – Suburban Multiple Unit and to rezone portions of the subject property from the P<sub>3</sub> – Parks and Open Space zone to the RU<sub>1</sub> – Large Lot Housing zone to facilitate a 7-lot bareland strata subdivision.

# Development Process

Apr 27, 2021

Development Application Submitted

Staff Review & Circulation

Jan 26, 2022

Public Notification Received

Nov 14, 2022

Initial Consideration

Nov 29, 2022

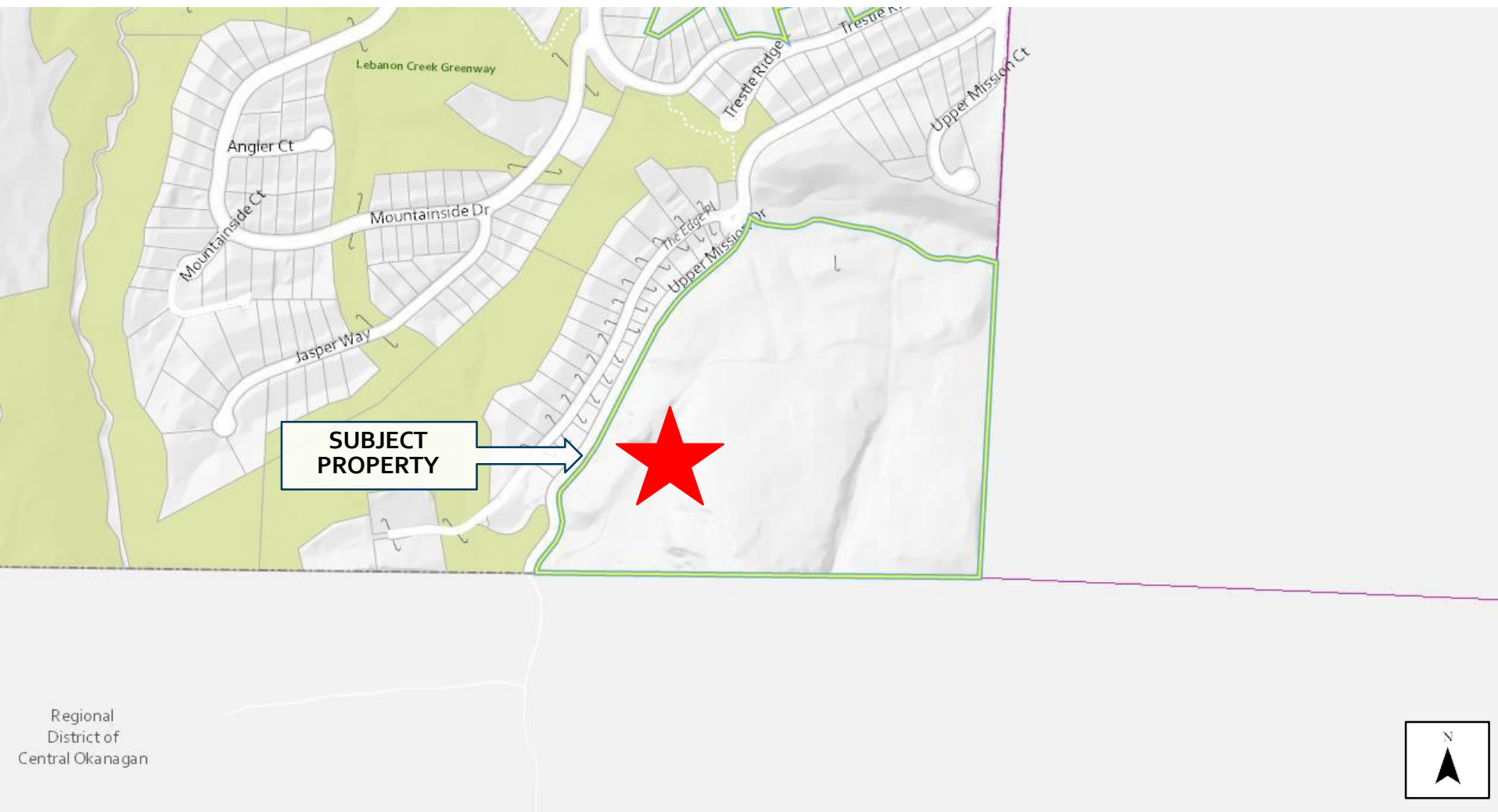
Public Hearing  
Second & Third Readings

Final Reading

Development Permit

Council  
Approvals

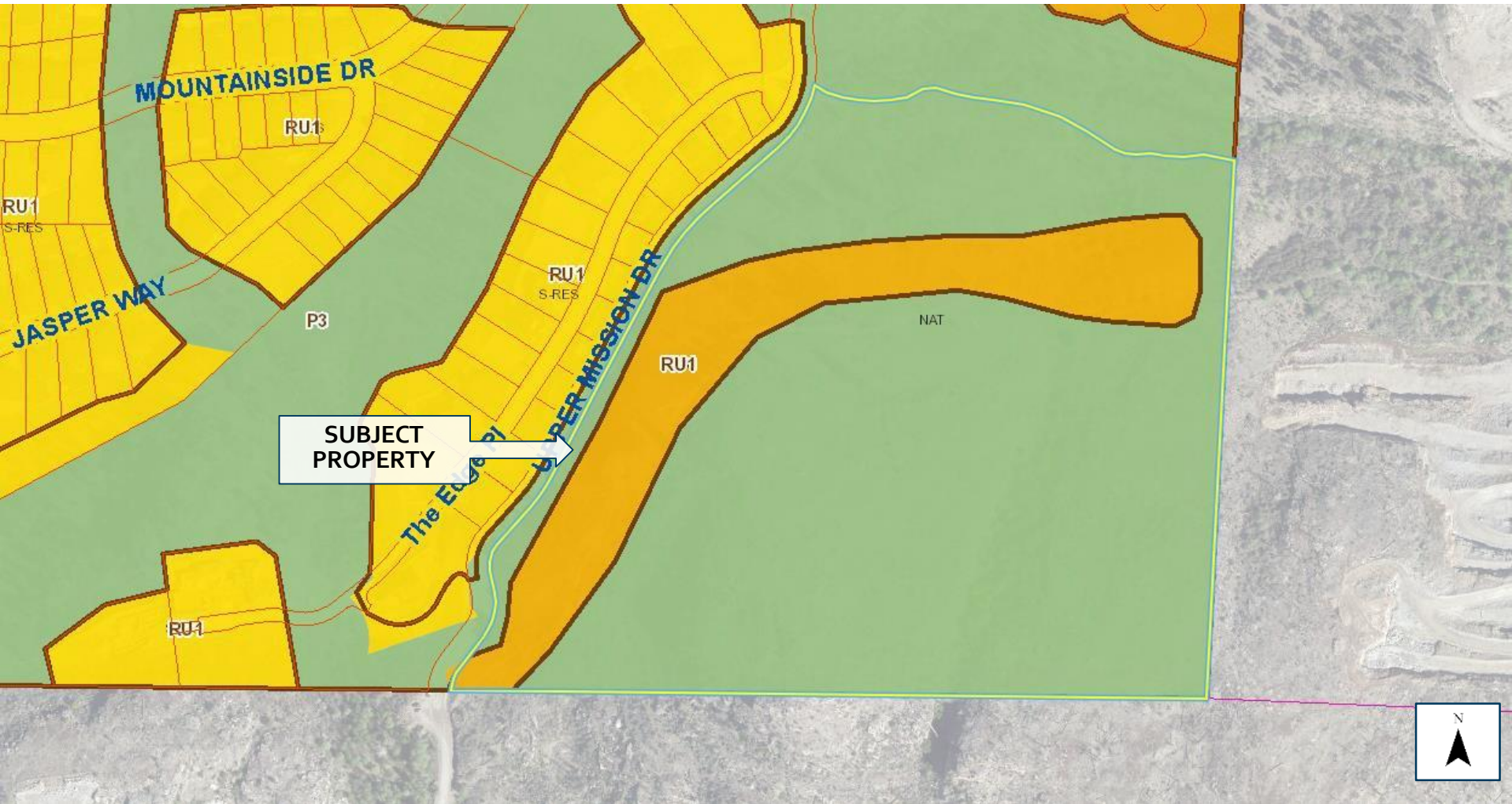
# Context Map



# Aerial Map



# OCP Future Land Use / Zoning



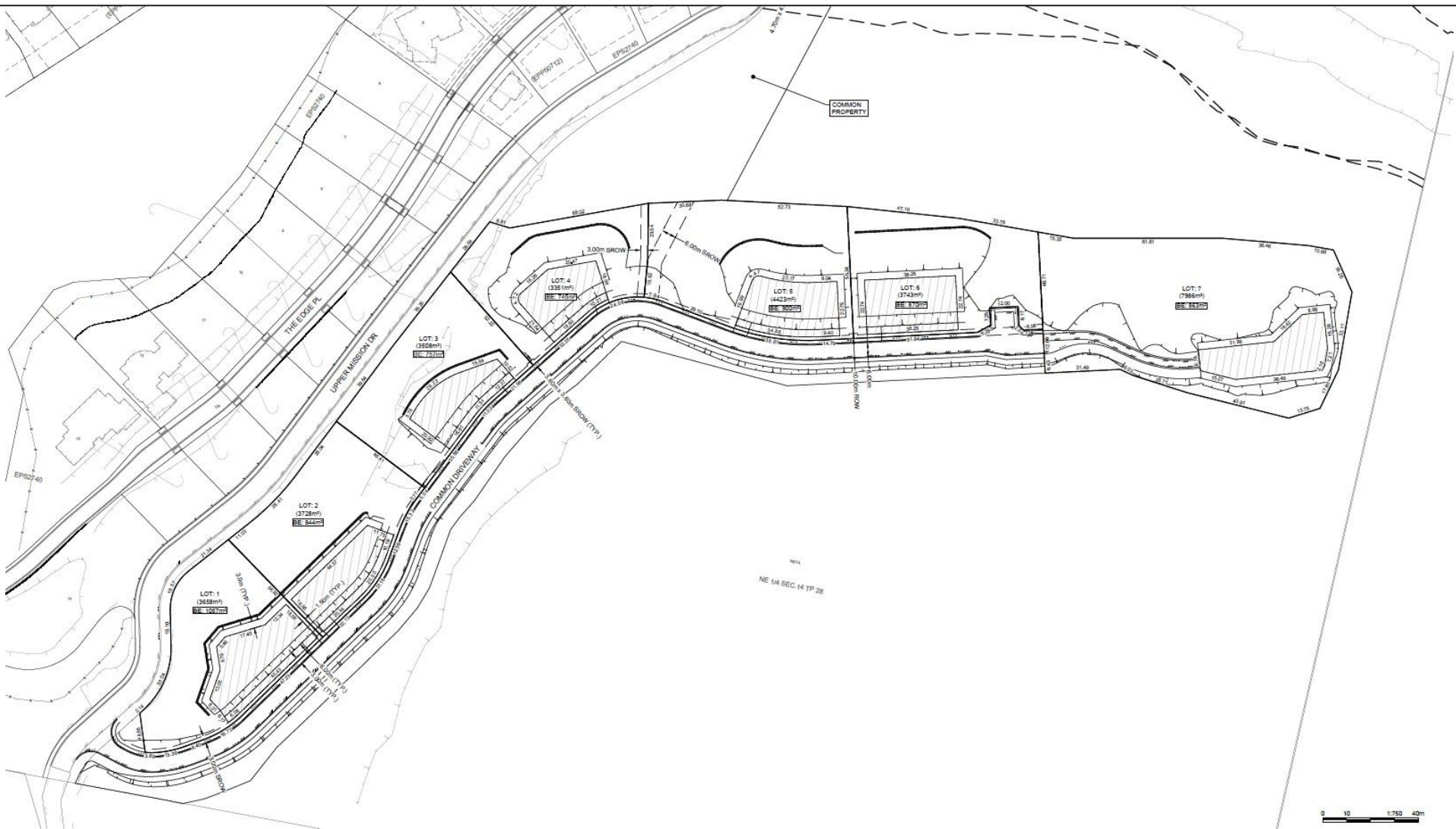
# Project details

- ▶ OCP Amendment and Rezoning application would facilitate a 7-lot bareland strata subdivision of the subject property.
- ▶ The bareland strata parcel has been zoned for development since 2014. The 2021 application was a simple boundary adjustment application to amend the parcel to better match the natural topography of the development site
  - ▶ Additional boundary adjustments as suggested by the City to remove sliver of lineal passive park corridor adjacent to Upper Mission Drive

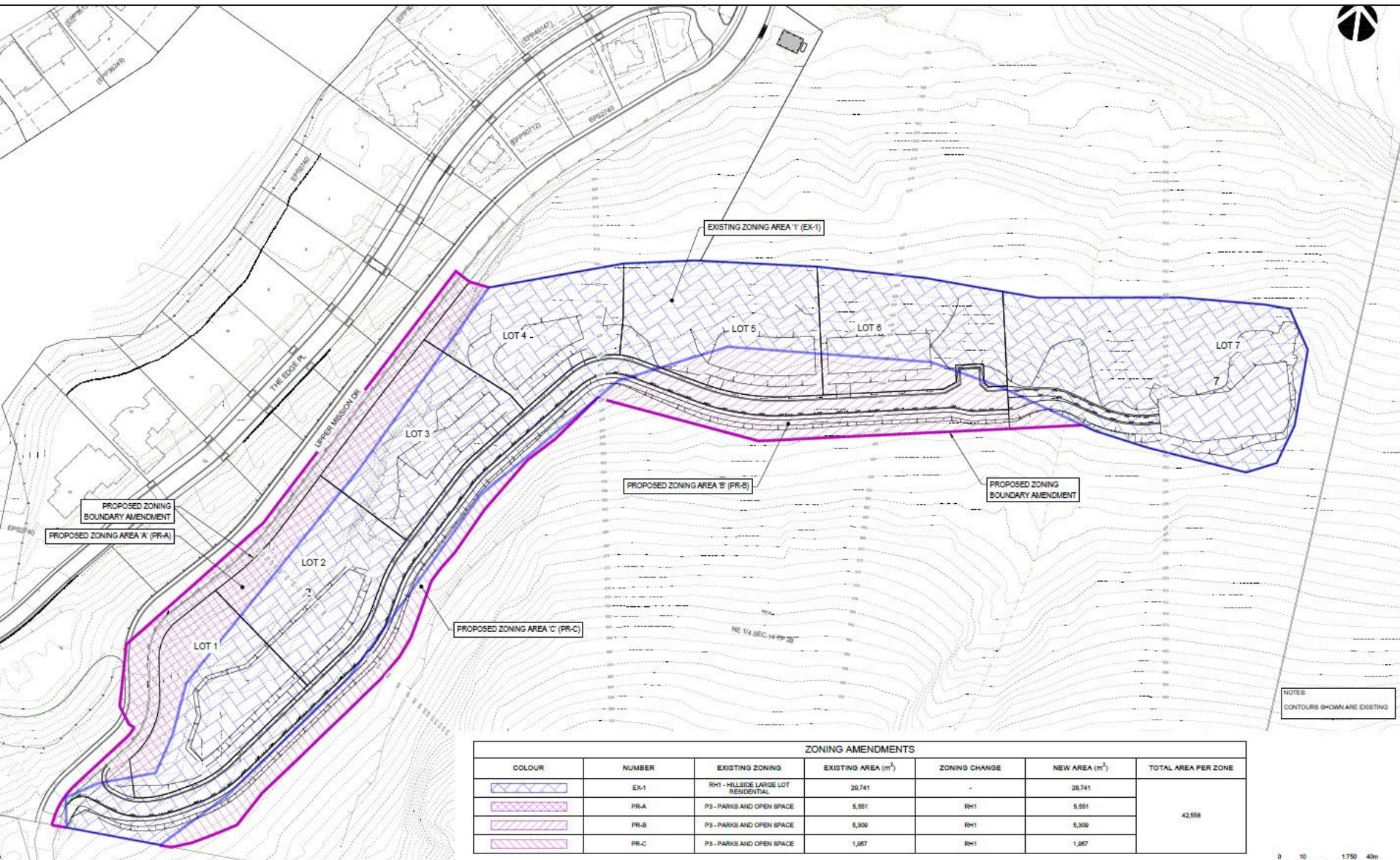
# Project details

- ▶ No new City Infrastructure required. All new infrastructure will be private (strata owned and maintained).
- ▶ A detailed environmental Assessment guides the development and ensures appropriate mitigation efforts through planting disturbed areas and avoidance of high value habitat.
- ▶ All sensitive environmental areas are contained within lands to be dedicated to the City.
- ▶ Trails, signage and small naturalized play area near booster station will be completed and turned over to the City as Park assets.

# Proposed Site Layout

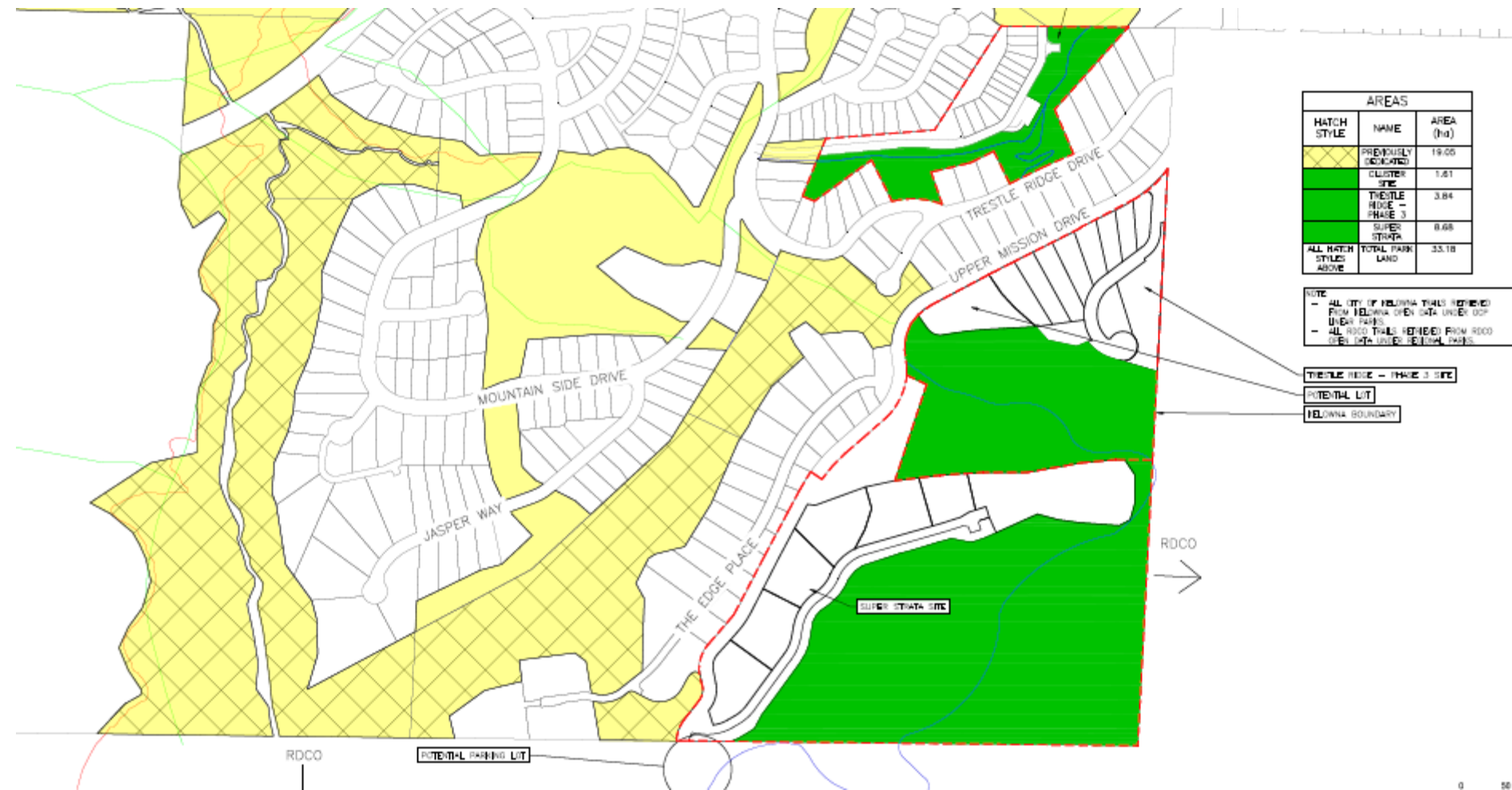


# Proposed Site Layout



This topographic map shows a proposed trail route through a hilly area. A large red star marks the 'TRAILHEAD' at the top center. A red dotted line indicates the 'SWEETING TRAIL ALIGNMENT (NOT STRAIGHTLINE)', which winds through the terrain, passing near 'VIEWPOINT LOOK', 'VIEWPOINT', and 'VIEWPOINT'. The trail crosses 'COMMON DRIVEWAY' and 'UPPER MISSION DR'. A 'SITE BOUNDARY' is marked with a red dotted line. Other features include 'LONELY BOY PEAK MAIN', 'LONELY BOY PEAK MAIN', 'STACK ROCK OR RAIL FENCE & SIGNAGE', 'POTENTIAL PAVING LOT', 'FUTURE ROAD TRAIL CONNECTION', and 'SWITCHBACK OR NATURAL STAIRS'. The map includes contour lines, a north arrow, and various labels for roads and landmarks.

# Overall Park and Green Space



# Parks and Trails

- ▶ As part of the two proposed applications a new trail system will be constructed by the developer
  - ▶ The Developer has been consulting with the RDCO and local organizations to optimize the proposed Park amenities for dedication
  - ▶ Parks Department has actively consulted on the optimal use of the proposed park dedication and trail amenities
- ▶ The Creeks and Trestle Ridge developments have dedicated over 19 ha of park and open space to the City of Kelowna with another estimated 13 ha as part of the final development buildout.

# Staff Support

- ▶ Development Planning Staff recommend **support** of the proposed OCP Amendment and Rezoning
  - ▶ Consistent with previous land use direction for the subject property
  - ▶ Conforms with OCP Policies
  - ▶ Housing form and density matches surrounding residential neighbourhoods
- ▶ During the public consultation process the Developer received support and interest from the neighbouring community



**Kelowna**

*Conclusion of Presentation*

# CITY OF KELOWNA

## BYLAW NO. 12442

### Official Community Plan Amendment No. OCP21-0015 5548 Upper Mission Drive

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A bylaw to amend the "*Kelowna 2040* – Official Community Plan Bylaw No. 12300".

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

1. THAT Map 3.1 – **Future Land Use** of "*Kelowna 2040* – Official Community Plan Bylaw No. 12300" be amended by changing the Future Land Use designation of portions of The North East ¼ Section 14 Township 28 SDYD Except Plans KAP57304, EPP48322, EPP65254, EPP92619, EPP98834, EPP109053 and EPP116470, located on Upper Mission Drive, Kelowna, B.C., from the NAT – Natural Area designation to the S – MU – Suburban Multiple Unit designation as shown on Map "A" attached to and forming part of this bylaw;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 14<sup>th</sup> day of November, 2022.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk



**CITY OF KELOWNA**  
**BYLAW NO. 12443**  
**Z21-0051**  
**5548 Upper Mission Drive**

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A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of portions of The North East ¼ Section 14 Township 28 SDYD Except Plans KAP57304, EPP48322, EPP65254, EPP92619, EPP98834, EPP109053 and EPP116470, located on Upper Mission Drive Kelowna, BC from the P3 – Parks and Open Space zone to the RU1 – Large Lot Housing zone as shown on Map "B" attached to and forming part of this bylaw;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 14<sup>th</sup> day of November, 2022.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

---

City Clerk



## MAP "B" ZONING AMENDMENT Z21-0051

 P3 - Parks and Open Space to RU1 - Large Lot Housing

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

0 30 60 Metres Rev. Friday, July 8, 2022



# REPORT TO COUNCIL



**Date:** November 14, 2022

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** HD22-0001

**Owner:** Shona Renay Harrison

**Address:** 3940 Miller Road

**Applicant:** Shona Harrison

**Subject:** Heritage Designation Application

**Existing OCP Designation:** R-AGR – Rural – Agricultural and Resource

**Existing Zone:** A1 – Agriculture

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## 1.0 Recommendation

THAT Council supports the removal of Lot 1 District Lot 138 ODYD Plan EPP117925 located at 1875 Richter Street from the Heritage Register;

AND THAT Council supports the addition of Lot 57 Section 35 Township 29 ODYD Plan 1247 Except Plan 55336, located at 3940 Miller Road to the Heritage Register;

AND THAT Council consider a Bylaw for the Heritage Designation of the building commonly known as "J.N. Thompson House" and for the building envelope as set out in Schedule 'A' as attached to the Report from the Development Planning Department dated November 14, 2022, for the property legally described as Lot 57 Section 35 Township 29 ODYD Plan 1247 Except Plan KAP55336, located at 3940 Miller Road, Kelowna, BC, as a Municipal Heritage Site pursuant to Section 611 of the *Local Government Act*;

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

## 2.0 Purpose

To designate the J.N. Thompson House as a municipal heritage building under Section 611 of the *Local Government Act*.

## 3.0 Development Planning

Staff support the request for Heritage Designation of the J.N. Thompson House at its new location at 3940 Miller Road. Local governments may use a Heritage Designation Bylaw for a property that has heritage value or heritage character, and where the designation of the property is necessary or desirable for conservation

of a protected heritage property. The *Local Government Act* requires that the following matters be considered:

- heritage value or heritage character of the property – The subject property contains the J.N. Thompson House which is included on the City’s Heritage Register. The Heritage Register describes the heritage value of the building;
- compatibility of conservation with the official community plan or any other community planning objectives in the area in which the property is located – The proposal complies with Official Community Plan Policy which encourages legal protection of historic places using Heritage Designation Bylaws;
- compatibility of conservation with lawful uses of the property and adjoining lands – A single detached house is permitted by the Zoning Bylaw. A Farm Footprint Covenant has been registered on title to ensure the location on the property does not interfere with agriculture on the subject property or surrounding lands.
- condition and economic viability of the property – Designation of the single detached house is not expected to impact the condition and economic viability of the property. The property will continue to be suitable for residential and agricultural uses.
- possible need for financial and other support to enable appropriate conservation – Grants from various sources, including the City of Kelowna Heritage Grants Program and BC Heritage Trust may be available in the future to help cover costs associated with maintenance to the building.

Staff will update the Heritage Register entry for the subject property to reflect the new location of the heritage building.

#### **4.0 Proposal**

##### **4.1 Background**

J.N. Thompson House was previously located at 1875 Richter Street and it is listed on the Heritage Register which identifies the property as having heritage significance. The house was relocated to 3940 Miller Road in 2021 to facilitate the re-development of 1875 Richter Street. A Farm Residential Footprint Covenant was authorized by the City for the placement of the house.

##### **4.2 Heritage Value and Heritage Character**

The subject building is on the City’s Heritage Register:

###### Place Description

The J.N. Thompson House is a large, two-storey wood-frame Queen Anne Revival style house. It is setback from the property line on a large, treed lot near the northwest corner of Richter Street and Sutherland Ave in Kelowna’s inner city south-central neighbourhood.

###### Heritage Value

Built in 1911, the J.N. Thompson House is valued as a fine example of the Queen Anne Revival architectural style, as expressed by the asymmetrical plan and massing and highly articulated facades. The house is a late and transitional example of the style, built at a time when the Classical Revival styles as predominated. Local contractor George E. Ritchie was the designer and builder of this prominent home. It has survived in virtually intact original condition and is particularly noteworthy for the rarity of its style in Kelowna, its imposing size and its grand setting on a large lot.

The site is additionally significant for its association with John Nelson Thompson (1870-1956), a prominent citizen and businessman. Thompson was involved in a number of business and service

activities in and around the city and made a significant contribution to the economic development of Kelowna. He was variously a tobacco grower, an orchardist in the Glenmore area, a founding member of the central Okanagan Land and Orchard Company and a partner in the Morrison-Thompson Hardware Store.

### Character Defining Elements

Key elements that define the heritage character of the J.N Thompson House include its:

- location, facing west and set well back from the street on a large lot;
- residential form, scale and massing as expressed by its two-storey height and irregular plan;
- hipped roof with projecting gables and closed, overhanging eaves;
- wood-frame construction with lapped wooden siding, lattice screens under the verandah, cornerboards and simple window trim surrounds with cornice;
- Queen Anne Revival style elements such as its wraparound verandah, cornerboards and simple window trim surrounds with cornice;
- additional exterior elements such as the second storey balcony with closed balustrade and glazed access door, rear entry with porch, and side entrance with glazed door located in a bay window;
- regular fenestration including 1-over-1 and 2-over-2 double hung wood sash windows, some with leaded, diamond pattern panes in the upper sash, square attic windows and piano window on the front façade; and
- associated landscape features such as grassed lawns and mature specimen tree.

#### 4.3 Project Description

The applicant is requesting that the J.N. Thompson House, that was recently relocated to the subject property, be designated as a heritage building under Section 611 of the *Local Government Act*. Unlike its current listing on the Heritage Register, designation of the building would provide formal legal protection to the structure. Once the property is designated by bylaw, the owner must obtain a Heritage Alteration Permit to make alterations in the future.

The house was recognized by Heritage BC in 2017 as it was a recipient of a 2017 Heritage Award for Heritage Conservation in recognition of exterior restoration of the house including traditional windows, new paint in heritage colours, a roof replacement, and repair of exterior wood elements. The Heritage BC Award acknowledges the high standards of heritage conservation of the project based on the national *Standards and Guidelines for the Conservation of Historic Places in Canada*. The house also won a 2017 Central Okanagan Heritage Society Award for a “Conservation project on a building currently in residential use.”

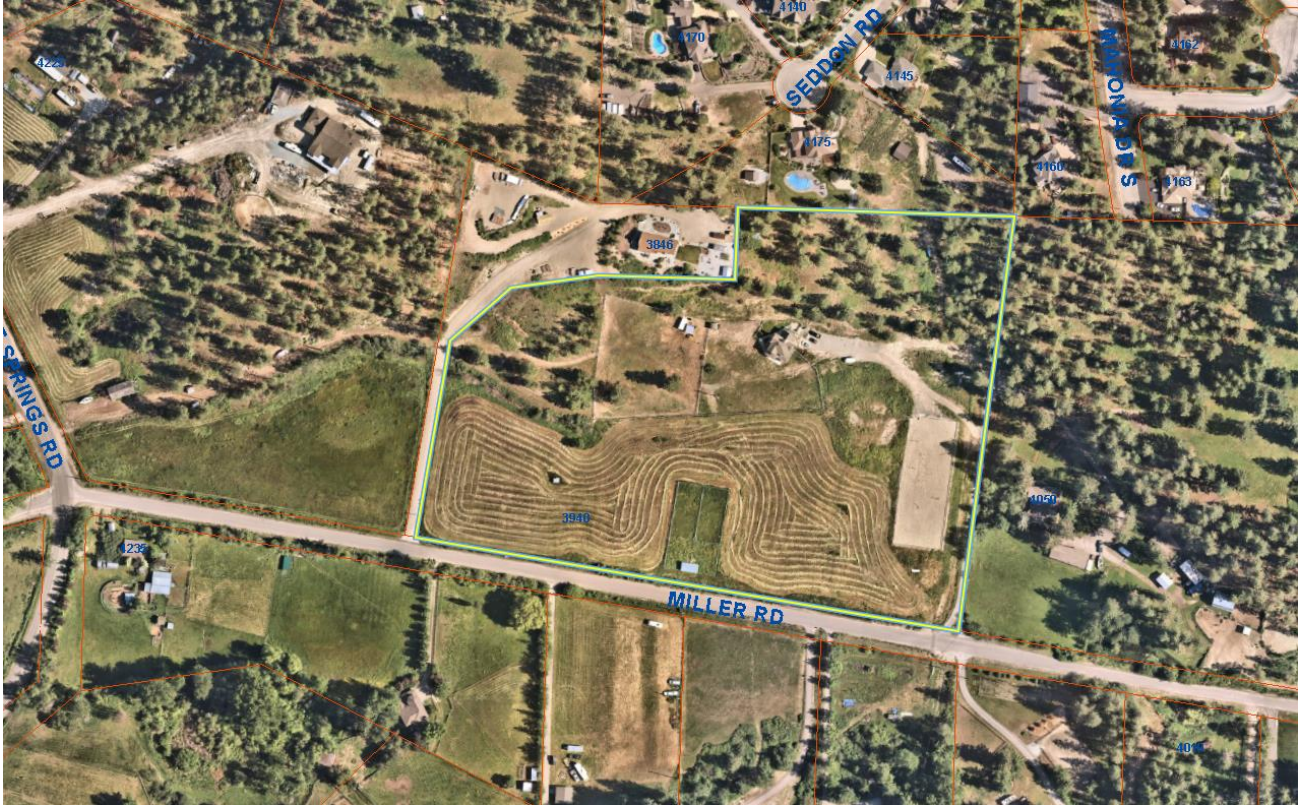
#### 4.4 Site Context

The subject property is located in Southeast Kelowna on Miller Road, near the intersection with June Springs Road. The property contains the J.N. Thompson house and agricultural structures. It is within the Agricultural Land Reserve. The surrounding area contains both agricultural and rural residential uses.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR1 – Rural Residential 1	Rural Residential
East	A1 – Agriculture 1	Agriculture
South	A1 – Agriculture 1	Agriculture
West	A1 – Agriculture 1	Agriculture

### Subject Property Map: 3940 Miller Road



### 5.0 Current Development Policies

#### Objective 11.2 Identify, conserve and protect historic places

Policy 11.2.2 Kelowna Heritage Register	Use the Kelowna Heritage Register as the primary tool to identify heritage buildings. Continue to maintain and update the Heritage Register in accordance with provisions of the <i>Local Government Act</i> and <i>Heritage Conservation Act</i> . <i>The J.N. Thompson house has been identified as a significant heritage building and is included on the City's Heritage Register.</i>
Policy 11.2.5 Protection of Historic Places	Prioritize the legal protection of historic places using the tools identified in the <i>Local Government Act</i> : <ul style="list-style-type: none"> <li>Heritage Designation Bylaws;</li> <li>Heritage Revitalization Agreements; and</li> <li>Heritage Covenants.</li> </ul> <i>The application proposes to provide legal protection of the heritage building using a Heritage Designation Bylaw.</i>

## 6.o Application Chronology

Date of Application Received: August 23, 2022

**Report prepared by:** Mark Tanner, Planner II  
**Reviewed by:** Lydia Korolchuk, Urban Planning Manager  
**Reviewed by:** Terry Barton, Development Planning Department Manager  
**Approved for Inclusion:** Ryan Smith, Divisional Director, Planning & Development Services

### Attachments:

Schedule A: Site Plan

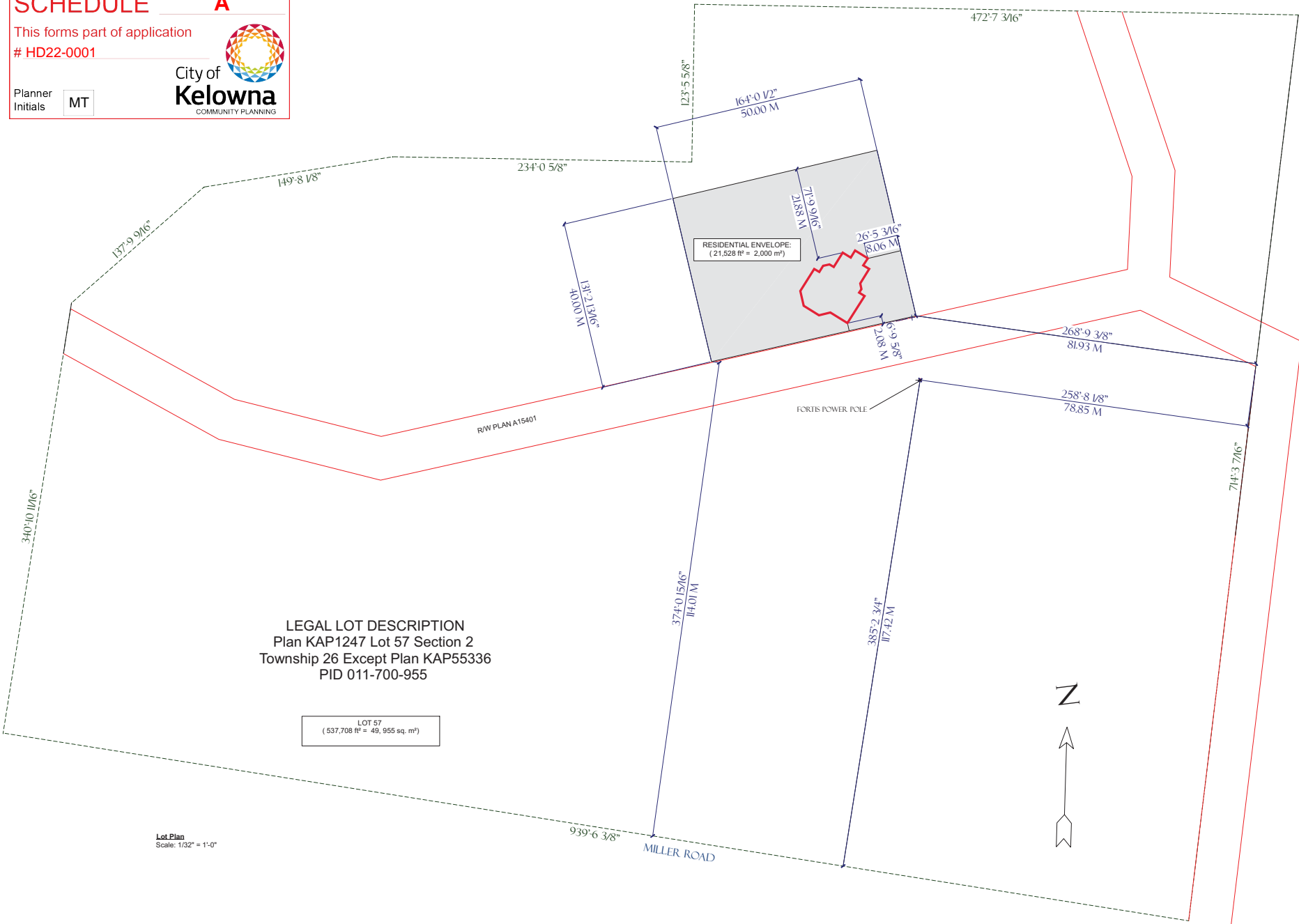
Attachment A: Letter of Rationale

Attachment B: Photographs

# SCHEDULE A

This forms part of application  
# HD22-0001

Planner  
Initials MT



REVISION TABLE		PROJECT DESCRIPTION	
NUMBER	DATE	REVISION	SHEET TITLE
1	04/06/21	ISSUED FOR ALR ALLOWABLE BUILDING ENVELOPE	PLOT PLAN
2	4/10/2021	APPROVAL	
3	4/10/2021	REVISION OF BUILDING ENVELOPE	
4	4/10/2021	ISSUED FOR BUILDING PERMIT	
DRAWINGS PROVIDED BY:		PROJECT DESCRIPTION:	
MD. DESIGN		3940 Miller Road	
4/10/2021		Kelowna, BC	
SHEET:		V1N 4C7	
A1			

Supplementary Rationale for Heritage Designation  
Submitted by Dr. Shona Harrison  
JN Thompson House at 3940 Miller Road

Given the significant development pressures in downtown Kelowna, I relocated the registered heritage house, known as the J.N. Thompson house, c.1910 Queen Ann Revival, from 1875 Richter Street to an acreage in South East Kelowna, specifically 3940 Miller Road.

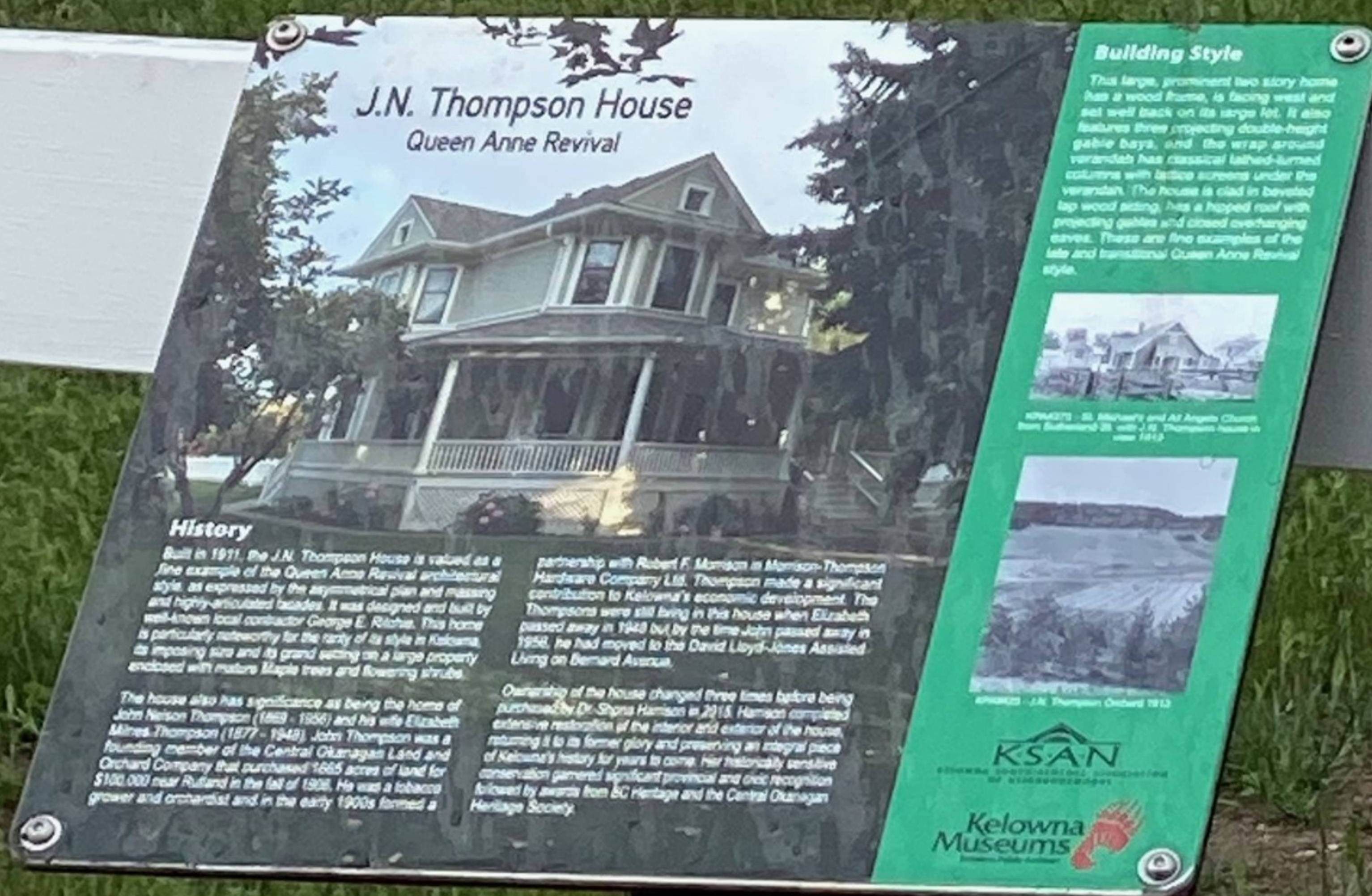
I bore a significant financial burden to relocate this house to ensure its continued existence for years to come. Given its significant cultural and historical value to Kelowna, I am now seeking for its further protection by way of Heritage Designation. Designating this special house, upon her relocation, is a promise that I made to both the City of Kelowna Planning Dept and my heritage advocate colleagues through the CoK Heritage Grants Committee and Central Okanagan Heritage Society.

As is already documented, this is not only the former home of a prominent and founding Kelowna citizen John Thompson, and designed and built by local contractor George E. Ritchie (interesting to note that Ritchie's grandson, now in his 90s, and his daughter, came out just last week to Miller Road to see the house—both are thrilled that it has been moved and therefore saved), but is a remarkable heritage structure. Upon my initial purchase, some seven years ago, I set out to restore this house that had fallen into grave disrepair. My restoration to her former glory brought notice from Heritage BC where in 2017 I won a provincial conservation award. Additionally, I won another conservation award through the City of Kelowna, Central Okanagan Heritage Society, for a "Conservation Project on a Heritage Building Currently in Residential Use."

At its new site, I ensured the construction of a new foundation would keep the same elevation as the original—even the original wood mullioned windows from the basement were saved and put back in the house in the original positions. While positioning the house on the acreage, I also ensured its orientation is similar to that of Richter Street. The chimney was also rebuilt with the original brick that was dismantled and saved before the house was moved. At its new site, I also replicated the original brick patio in herringbone pattern. In keeping with heritage-style, all fences for this 13 ac. horse property are traditional wood and painted to match the trim of the house. Essentially, the house is the same as it was on Richter, except it now resides in SE Kelowna away from wrecking balls of developers.

I respectfully ask that she, this beautiful and noteworthy Queen Ann Revival be confirmed as a Designated Heritage house to ensure her longevity for generations to come. Should you wish to view her in person at the new site, so as to ensure her worthy of heritage designation, vs simply being on the heritage registry, I would welcome this.

Kindly,  
Shona Harrison





HD22-0001

3940 Miller Road

Request for Heritage Designation

# Proposal

- ▶ To designate the J.N. Thompson House as a municipal heritage building under Section 611 of the *Local Government Act*.

# Development Process

Aug 23, 2022

Development Application Submitted



Staff Review & Circulation



Nov 14, 2022

Initial Consideration



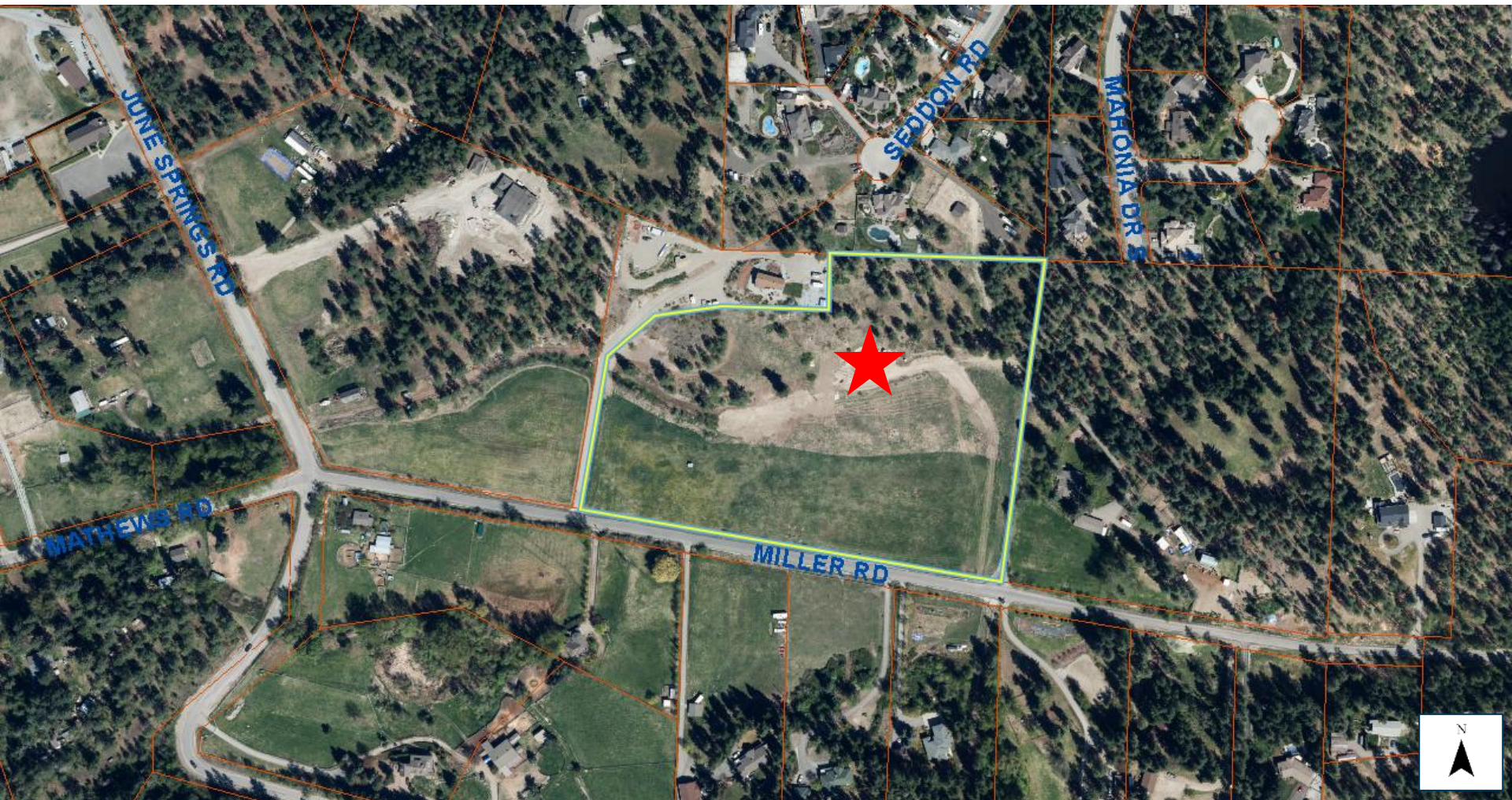
Public Hearing  
Second & Third Readings



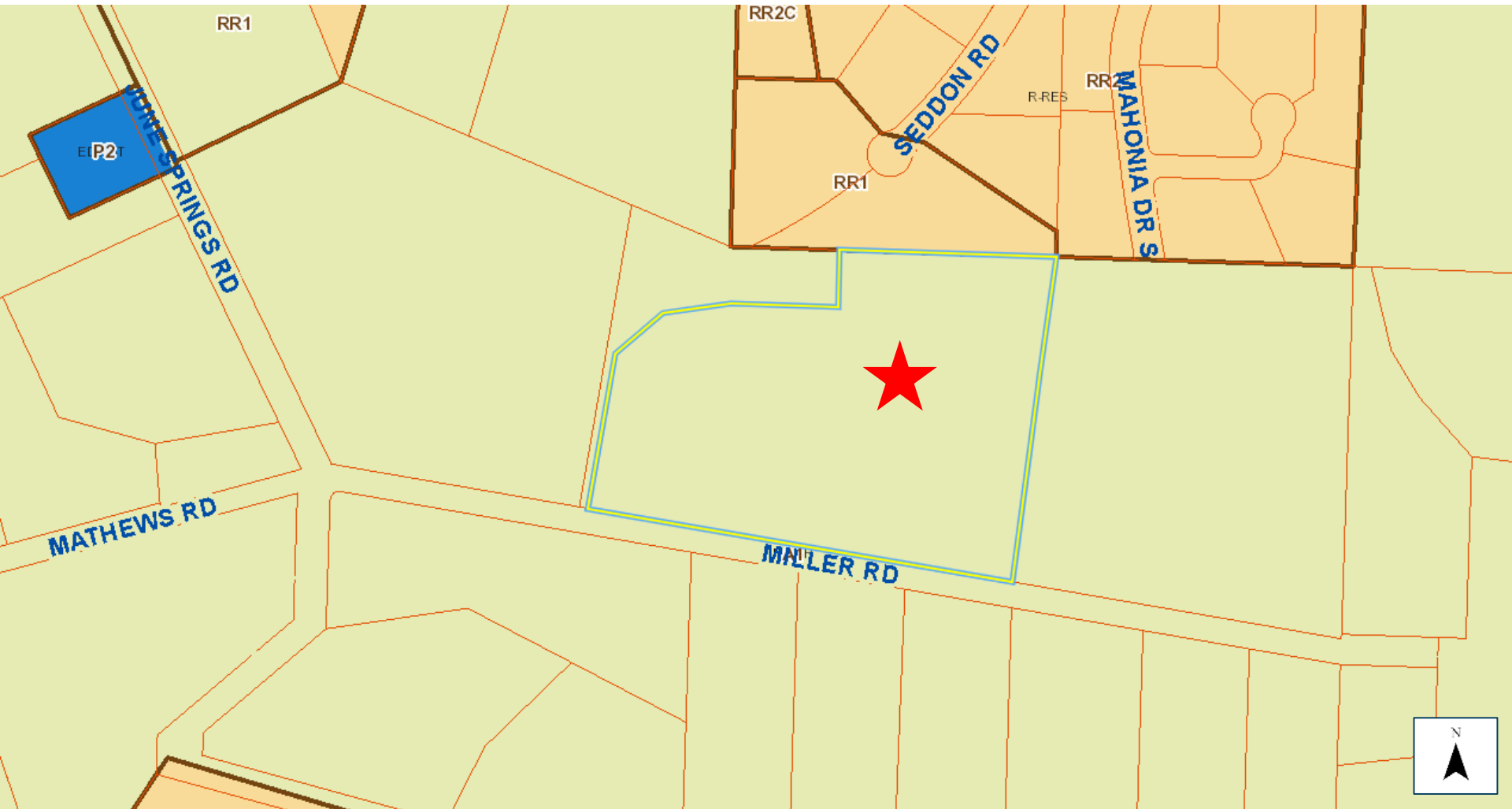
Final Reading

Council  
Approvals

# Context Map



# Future Land Use / Zoning



# Subject Property Map



# Proposal

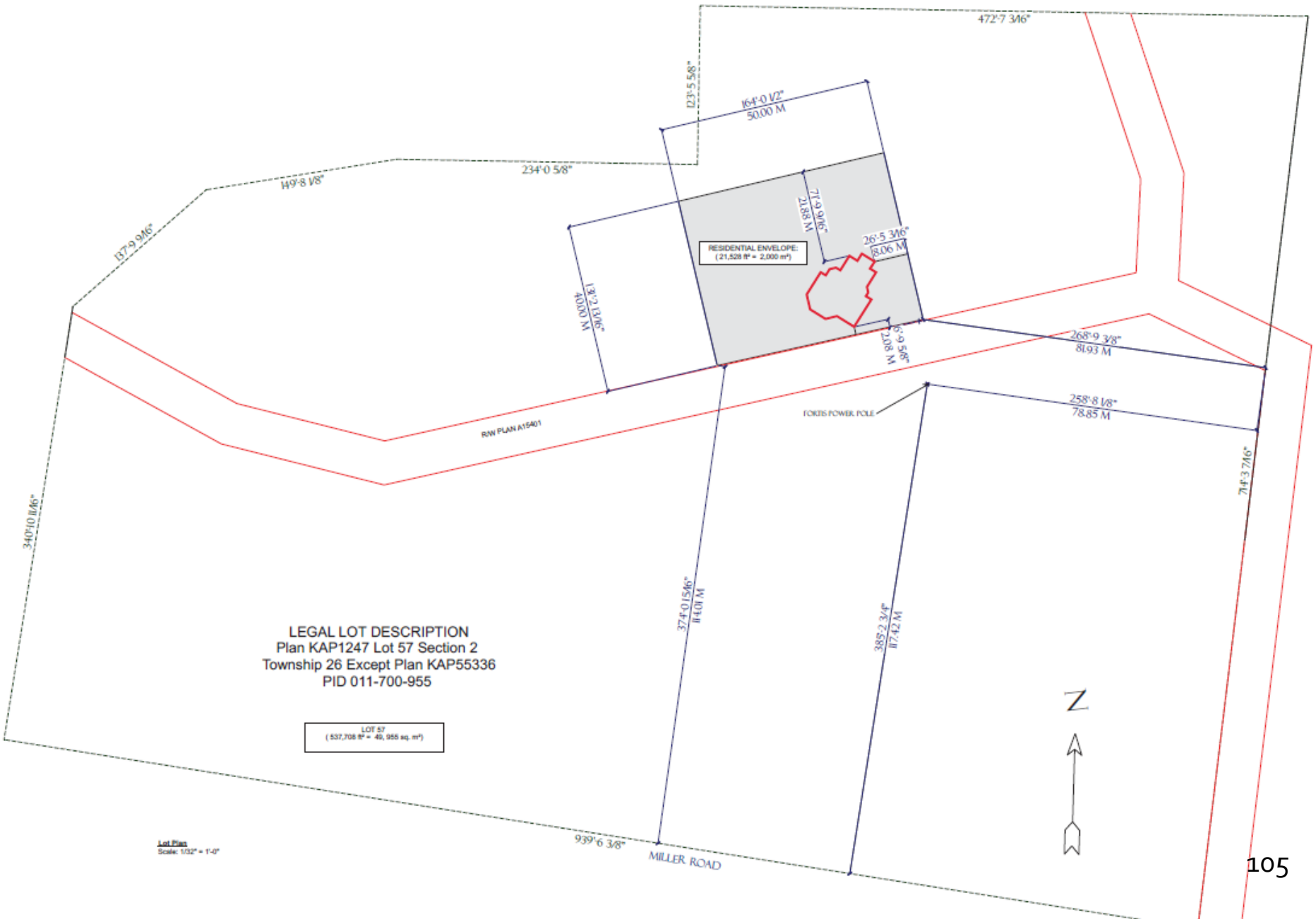
- ▶ J.N. Thompson House is on the City's Heritage Register
- ▶ Recently relocated from 1875 Richter Street to 3940 Miller Road
- ▶ Heritage Designation of the building would provide legal protection for the structure
  - ▶ Prior to alteration, the owner would be required to obtain a Heritage Alteration Permit

# Heritage Value

- ▶ Queen Anne Revival Style
- ▶ Built in 1911
- ▶ Original condition
- ▶ Associated with John Nelson Thompson (1870-1956)



# Site Plan



# Staff Recommendation

- ▶ Staff recommend **support** for the proposed Heritage Designation Bylaw:
  - ▶ Complies with the requirements of the *Local Government Act*
  - ▶ Meets the intent of Official Community Plan Policy
  - ▶ Will provide long-term formal protection of heritage building
- ▶ Recommend the bylaw be forwarded to a Public Hearing for further consideration.



## *Conclusion of Staff Remarks*

# HERITAGE DESIGNATION FOR J.N. THOMPSON HOUSE

Application No. HD22-0001

Presentation by Dr. Shona Harrison (Owner/Applicant)

## ORIGINAL CONTEXT





The J.N. Thompson House is a large, two-storey, wood-frame Queen Anne Revival style house.

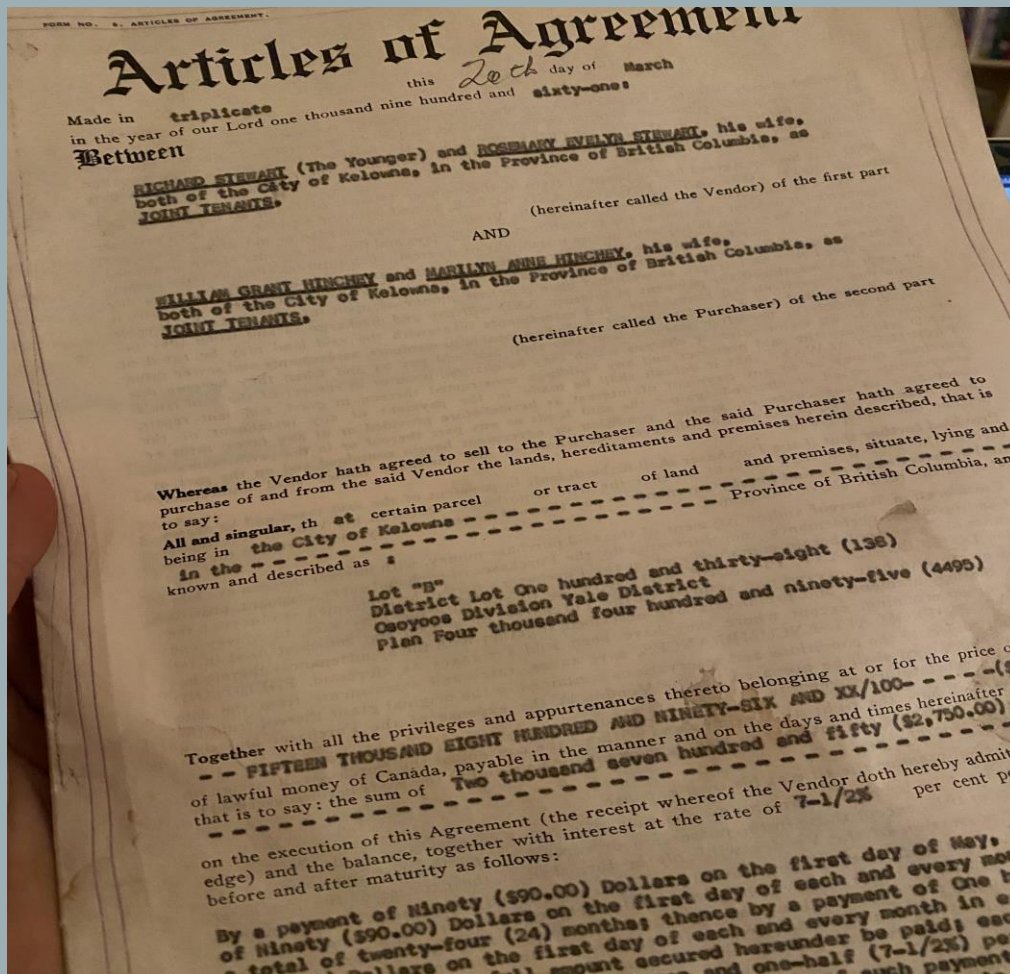
It was designed and built by local contractor George E. Ritchie. While the City of Kelowna has it listed as being built in 1911, this is still being researched.

The house is named after its association with John Nelson Thompson (1870-1956), a prominent citizen and businessman. Thompson was involved in a number of business and service activities in and around the city, and made a significant contribution to the economic development of Kelowna.

He was variously a tobacco grower, an orchardist in the Glenmore area, a founding member of the Central Okanagan Land and Orchard Company and a partner in the Morrison-Thompson Hardware Store.



OWNERS

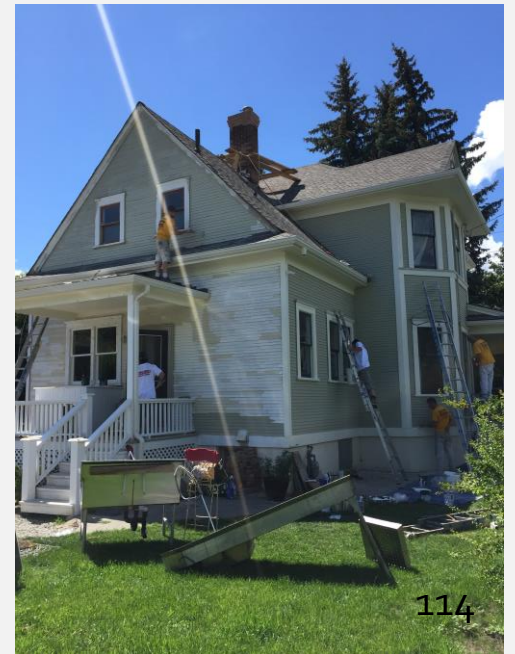


- Original owners John Nelson and Elizabeth Milnes Thompson
- Purchase 1956 Richard and Rosemary Stewart
- Purchase 1961 William (preferred Grant) and Marilyn Hinchey (son Wesley)
- Rented 1985-1989 Walter and Nora Perehudoff
- Purchased 1989 – 2006 Sonza Family (Mary)
- Purchased 2006 – 2013 Ducharme Family
- Purchased 2013 – John and Heather Tyre (bought in foreclosure—rented rooms)
- Purchased 2015 – present Shona Harrison

PURCHASED IN 2015









## HERITAGE DEFINING ELEMENTS

Queen Anne Revival style elements such as its wraparound verandah with classical lathe-turned columns and three projecting double-height gabled bays

-



Second storey balcony with closed balustrade and glazed access door.

Regular fenestration including 1-over-1 and 2-over-2 double-hung wooden-sash windows, most with leaded, diamond pattern panes in the upper sash, square attic windows and piano window on the front facade



Additional exterior elements rear entry with porch, and side entrance with glazed door located in a bay window

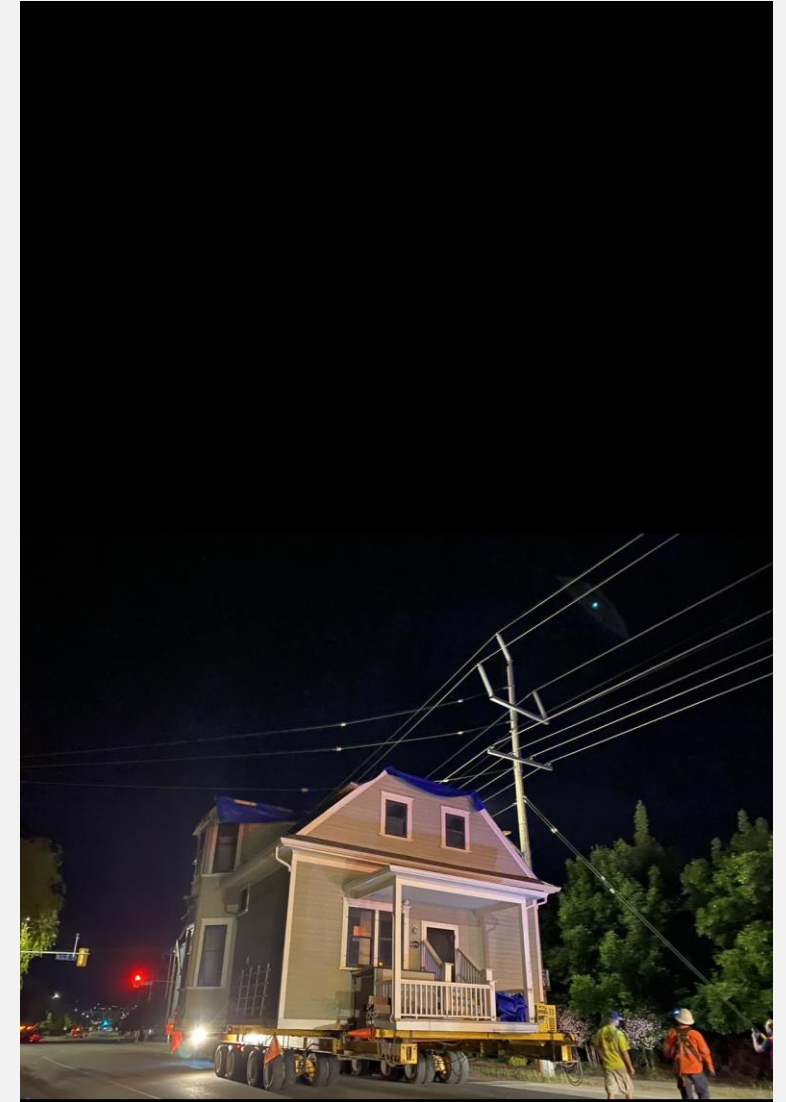


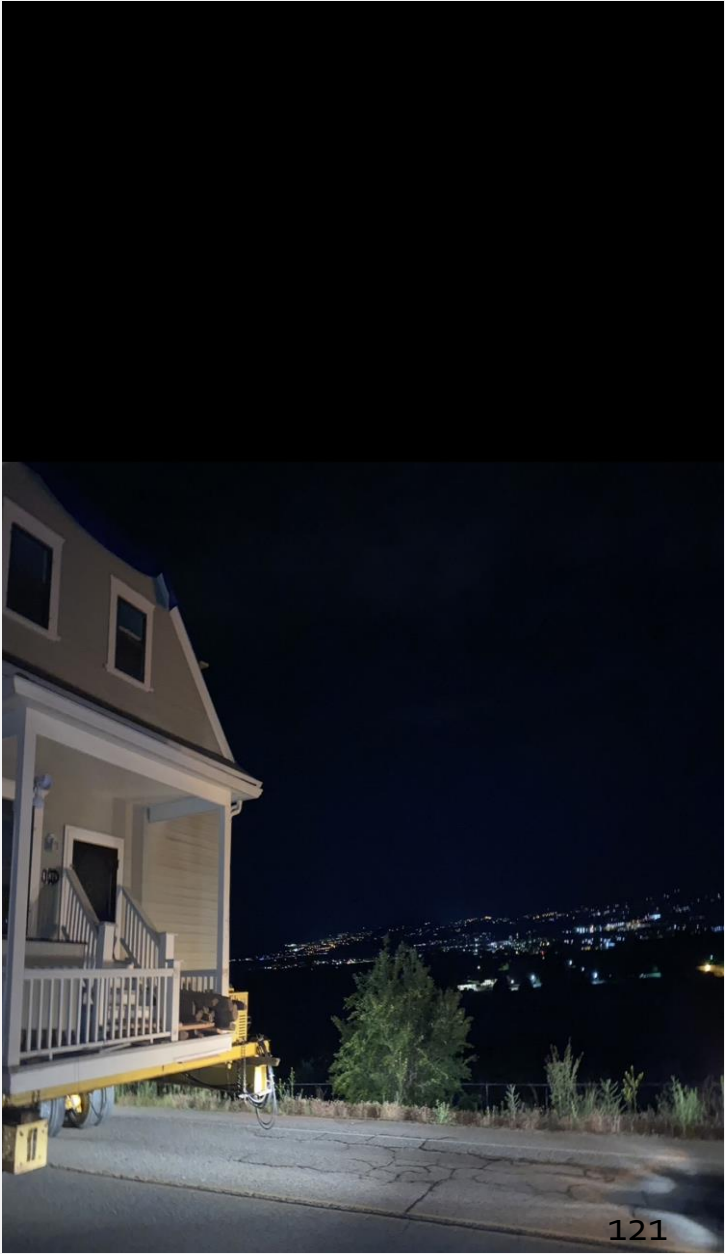
# RECOGNITION FOR RESTORATION



# HERITAGE ON THE MOVE

31 MAY-01 JUNE 2021





# HOME, AT LAST



## J.N. THOMPSON HOUSE



*Home.*





# CITY OF KELOWNA

## BYLAW NO. 12450

### HD22-0001 - Heritage Designation Bylaw – 3940 Miller Road

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WHEREAS the Municipal Council of the City of Kelowna consider the building "J.N. Thompson House" legally described as Lot 57, Section 35, Township 29, ODYD, Plan 1247 Except Plan KAP55336, located on Miller Road, Kelowna, B.C. be a building with heritage value and that the designation of the building as a heritage site pursuant to Section 611 of the Local Government Act is desirable for the conservation of the building;

AND WHEREAS the Municipal Council of the City of Kelowna considers the property known as the "J.N. Thompson House", as indicated in Schedule "A" attached to this bylaw located at as Lot 57, Section 35, Township 29, ODYD, Plan 1247 Except Plan KAP55336, on Miller Road, Kelowna, B.C. to be a property with heritage value and that the designation of the site and the buildings located on the site as a heritage site pursuant to Section 611 of the Local Government Act is desirable for the conservation of the site;

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

1. The property known as the "J.N. Thompson House", legally described as Lot 57, Section 35, Township 29, ODYD, Plan 1247 Except Plan KAP55336, on Miller Road, Kelowna, B.C is hereby designated a Municipal Heritage Site pursuant to Section 611 of the *Local Government Act*.
2. Except as authorized by this bylaw or as authorized by a Heritage Revitalization Agreement or a Heritage Alteration Permit Approved by Council, no person shall:
  - a. Alter the exterior of any building or structure situated on the property designated in this bylaw;
  - b. Make a structural change to a building situated on the property designated by this bylaw;
  - c. Move any building situated on the property designated by this bylaw; or
  - d. Alter, excavate, or build on land designated by this bylaw.
3. The following alterations to buildings on the property designated by this bylaw are hereby authorized without a Heritage Alteration Permit:
  - a. Normal day-to-day maintenance and repairs.
4. This bylaw may be cited for all purposes as the "Heritage Designation Bylaw No. 12450 the J.N. Thompson House."
5. 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 14<sup>th</sup> of November, 2022.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

---

City Clerk

### Schedule "A" – 3940 Miller Road



**CITY OF KELOWNA**  
**BYLAW NO. 12336**  
**Z21-0066**  
**631, 647, 657 and 677 Clement Avenue**

---

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of:

- a) Lot 66 District Lot 139, ODYD, Plan 1037 located on Clement Avenue, Kelowna, BC
- b) Lot 67 District Lot 139, ODYD, Plan 1037 located on Clement Avenue, Kelowna, BC
- c) Lot 68 District Lot 139, ODYD, Plan 1037 located on Clement Avenue, Kelowna, BC
- d) Lot A District Lot 139, ODYD, Plan 28649 located on Clement Avenue, Kelowna, BC

from the RU2 – Medium Lot Housing zone to the C7 – Central Business Commercial zone.

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

Read a first, second and third time by the Municipal Council this 4<sup>th</sup> day of April, 2022.

First, second and third readings rescinded by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

# REPORT TO COUNCIL



**Date:** November 29, 2022

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** DP21-0150 & DVP22-0042      **Owner:** Madison Avenue Clement GP Inc., Inc. No. A0117433

**Address:** 647 Clement Ave      **Applicant:** BlueGreen Architecture Inc. – Mark Aquilon

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

**Existing OCP Designation:** UC – Urban Centre

**Existing Zone:** UC1 – Downtown Urban Centre

---

## 1.0 Recommendation

THAT Bylaw No. 12336 be forwarded for rescindment consideration and the file be closed;

AND THAT Council authorizes the issuance of Development Permit No. DP21-0150 for Lot 1, District Lot 1039, ODYD, Plan EPP121801, located at 647 Clement Avenue, Kelowna, BC subject to the following:

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

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

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP22-0042 for Lot 1, District Lot 1039, ODYD, Plan EPP121801, located at 647 Clement Avenue, Kelowna, BC:

AND THAT variances to the following sections of Zoning Bylaw No. 12375 be granted:

**Section 14.11.2: UC1 – Core Area & Other Zones, Commercial and Urban Centre Zone Development Regulations**

To vary the required minimum upper floor setback for a portion of the building above 16.0 m abutting the east property line from 4.0 m permitted to 0.0 m proposed.

**Section 14.11.2: UC1 – Core Area & Other Zones, Commercial and Urban Centre Zone Development Regulations**

To vary the required minimum upper floor setback for a portion of the building above 16.0 m abutting the west property line from 4.0 m permitted to 3.0 m proposed.

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

**Purpose**

To issue a Development Permit for the form and character of a 6-storey residential development and to issue a Development Variance Permit to vary the minimum upper floor setbacks on the east and west side of the building.

**2.0 Development Planning**

Staff support the proposed Development Permit and associated variances for the form and character of a 6-storey residential building. The proposal generally complies with the Official Community Plan (OCP) Policies for the Downtown Urban Centre by providing medium density residential development which is in conformance with the Building Heights and Street Character mapping. The proposal generally conforms to the OCP Form and Character Development Permit Area Design Guidelines for Low & Mid-Rise Residential Development. Key guidelines that are met include:

- Orienting the primary building façade and entry to the fronting street to create street edge definition
- Accommodating off-street parking underground and “back-of-house” uses way from public view
- Providing ground floor residential units which have direct, individual access to the street and a semi-private entry with an elevated front patio.
- Expressing a unified architectural concept that incorporates variation in façade treatments including articulating facades, providing patios and balconies, recessing balconies, stepping back upper storeys, and incorporating natural building materials such as brick and wood.
- Providing shared rooftop amenity spaces to be accessible to residents.

**Variances**

The applicant has requested to reduce the required upper floor setback (above 16.0 m) from 4.0 m permitted to 3.0 m proposed abutting the west property line and 0.0 m proposed abutting the east property line. The setback only applies to the sixth storey of the building as it is the only portion above 16.0 m height. The requested variance on the west side of the building is considered minor in nature and allows for balconies and a roof overhang on the sixth storey. The requested variance on the east side is to extend the firewall above the fifth storey. The firewall has been patterned and textured to provide visual interest. The adjacent properties to the east are within the Urban Centre. Future development of these lots is expected to eventually conceal the firewall.

**3.0 Proposal**

**3.1 Background**

Council considered a rezoning application to rezone the subject property to the C7 – Central Business Commercial zone in April 2022 and gave the bylaw First, Second and Third readings. As the new Zoning

Bylaw No. 12375 rezoned the subject property to UC1 – Downtown Urban Centre, final adoption of the Rezoning Bylaw under Zoning Bylaw No. 8000 is no longer required.

Council adopted a road closure bylaw on September 26, 2022 to close a portion of the lane adjacent to Clement Ave, which has been consolidated as part of the development site.

### 3.2 Project Description

The applicant proposes a 6-storey apartment building on the subject property containing 20 bachelor units, 29 one-bedroom units, and 17 two-bedroom units. Six of the units are ground-oriented townhomes with direct access onto Clement Avenue. A large amenity deck is provided on the roof of the structured parkade which includes seating, a firepit, landscape planters, an outdoor kitchen, and dog run.

Two levels of structured parking are provided. One level is below-grade and one level is at-grade and screened by the townhome units. Access to parking is provided from the rear lane. Two surface parking stalls are also provided at the rear of the building accessed from the lane. One of the surface stalls will be dedicated to a Modo car share vehicle. The applicant has a signed Car Share Agreement with Modo which requires them to provide the car share vehicle and designate the parking stall for the exclusive use of Modo.

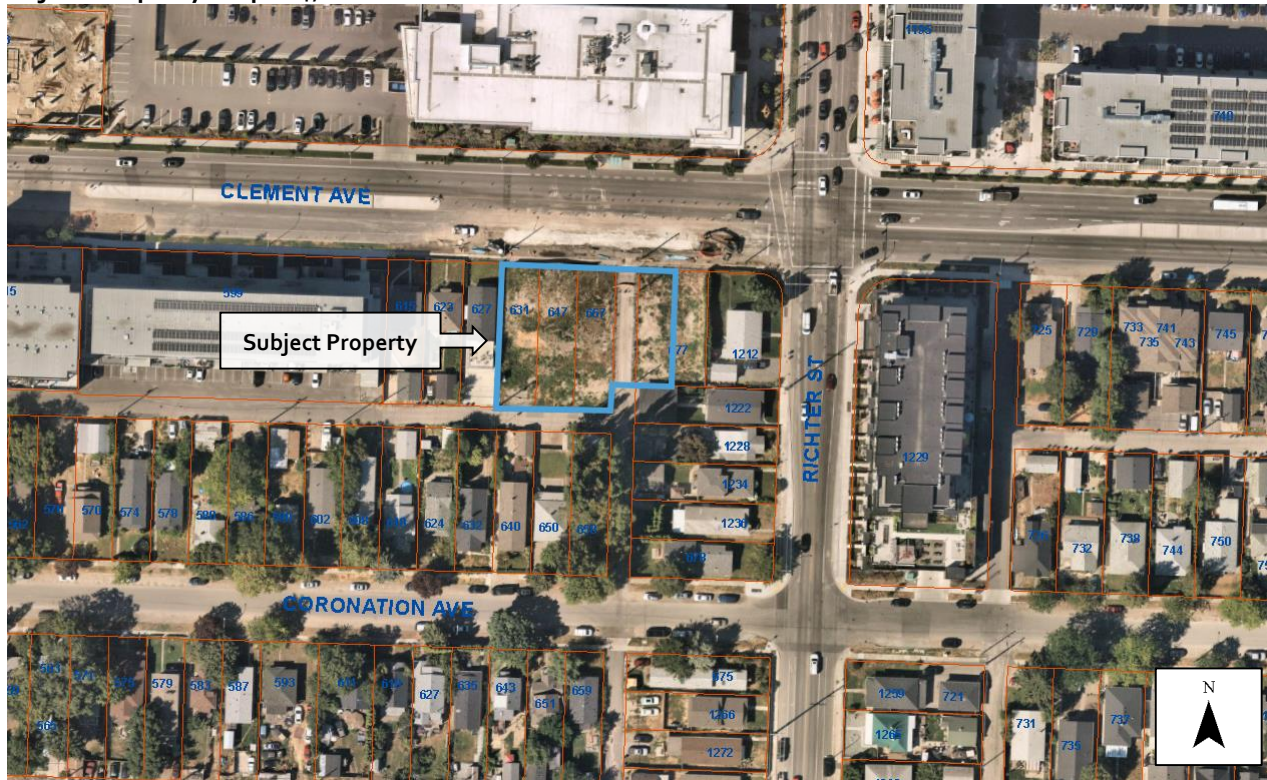
Exterior building materials include red brick veneer, Scandinavian fir wood siding, charcoal grey metal siding, and grey hardie board. Decorative shrub, perennial, and ornamental grass plantings are proposed along the townhouse patios to screen exposed concrete. Snowbird Hawthorn and Ivory Silk Lilac Trees are proposed on the rooftop amenity deck.

### 3.3 Site Context

The subject property is located at the boundary of the Downtown Urban Centre on the south side of Clement Ave between St Paul St. and Richter St. The surrounding neighbourhood is in the process of transitioning from single family dwellings to multi-dwelling housing. Nearby properties to the east and west have recently been redeveloped and other properties in the nearby vicinity have in-stream development applications. The surrounding area to the west, east, and south is designated Urban Centre and zoned UC1 – Downtown Urban Centre. The Kelowna Police Services Building is directly across Clement Ave, is designated EDINST – Educational/Institutional and is zoned P1 – Major Institutional.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P1 – Major Institutional	RCMP Detachment
East	UC1 – Downtown Urban Centre	Single Family Dwellings
South	UC1 – Downtown Urban Centre	Single Family Dwellings
West	UC1 - Downtown Urban Centre	Single Family Dwellings

**Subject Property Map: 647 Clement Ave****3.4 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	UC1 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	200 m <sup>2</sup>	1668 m <sup>2</sup>
Min. Lot Width	6.0 m	45.3 m
Min. Lot Depth	30.0 m	37.1 m
Development Regulations		
Max. Site Coverage (buildings)	100 %	91%
Min. Front Yard	0.0 m	3.8 m
Min. Side Yard (west)	0.0 m	0.3 m
Min. Side Yard (east)	0.0 m	0.2 m
Min. Rear Yard	0.0 m	0.0 m
Min. Upper Floor Setback (above 6.0 m or 4 storeys)	3.0 m (abutting street) 4.0 m (abutting adjacent property)	3.96 m (abutting street) 0.0 m (abutting east property) ① 3.0 m (abutting west property) ②
Min. Common and Private Amenity Space	1010 m <sup>2</sup>	1113 m <sup>2</sup>
Min. Parking Requirements	59 stalls	59 stalls
Min. Bicycle Parking	75 stalls	75 stalls
Density & Height		
Max. Floor Area Ratio	3.3	2.7
Max. Height	12 storeys & 44 m	6 storeys & 20.73 m
① Indicates a requested variance to the upper floor setback on the east side of the building. ② Indicates a requested variance to the upper floor setback on the west side of the building.		

#### 4.0 Current Development Policies

<b>Objective 4.1 Strengthen the Urban Centres as Kelowna's primary hubs of activity.</b>	
Policy 4.1.6 High Density Residential Development	<p>Direct medium and high-density residential development to Urban Centres to provide a greater mix of housing near employment and to maximize the use of existing and new infrastructure, services and amenities.</p> <p><i>The proposal is a medium density residential development within the Downtown Urban Centre</i></p>
<b>Objective 4.4 Reinforce Downtown as the Urban Centre with the greatest diversity and intensity of uses in the City.</b>	
Policy 4.4.2 Downtown Skyline	<p>Support development downtown that is generally consistent with Map 4.1 to accomplish the following:</p> <ul style="list-style-type: none"> <li>• Tapering of heights from taller buildings in the centre of Downtown to lower buildings towards Okanagan Lake and adjacent Core Area Neighbourhoods;</li> <li>• Preservation of the existing form and character of historic Bernard Avenue and other heritage sites;</li> <li>• Consistency with the objectives of the Civic Precinct Plan; and</li> <li>• The development of taller buildings that incorporate distinct architectural features in strategic locations near Okanagan Lake.</li> </ul> <p><i>The subject properties are identified as 12 storeys in height on the Building Heights Map. The proposed building is 6 storeys in height.</i></p>
Policy 4.4.5 Downtown Street Character	<p>Support development in the Downtown Urban Centre that includes the following characteristics at grade, as outlined in Map 4.2:</p> <ul style="list-style-type: none"> <li>• Retail space along Bernard Ave integrated with a high-quality urban streetscape experience, reinforcing the Downtown's high street;</li> <li>• Retail space along designated retail streets to create more dynamic spaces with high levels of pedestrian activity; and</li> <li>• Civic and cultural uses, with supporting retail uses along the Art Walk and portions of Water Street designated as civic streets, in keeping with the directions of the Civic Precinct Plan.</li> </ul> <p><i>Clement Ave adjacent to the subject property is designated as a Mixed Street where either commercial or residential uses are supported at grade. The proposed development includes 100% residential uses at grade.</i></p>

#### 5.0 Application Chronology

Date of Application Received: June 11, 2021  
Date Public Consultation Completed: January 31, 2022

**Report prepared by:** Mark Tanner, Planner II

**Reviewed by:** Lydia Korolchuk, Urban Planning Manager

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

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

**Attachments:**

Attachment A: Draft Development Permit DP21-0150 & DVP22-0042

Schedule A: Site Plan and Floor Plans

Schedule B: Elevations

Schedule C: Landscape Plan

Attachment B: Project Renderings

Attachment C: OCP Form and Character Development Permit Guidelines

# Development Permit DP22-0150 & Development Variance Permit DVP22-0042



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

**647 Clement Ave**

and legally known as

**Lot 1, District Lot 1039, ODYD, Plan EPP121801**

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

## **Apartment Housing**

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

Date of Council Decision November 29, 2022

Decision By: COUNCIL

Development Permit Area: Form & Character Development Permit

Existing Zone: UC1 – Downtown Urban Centre

Future Land Use Designation: Urban Centre



## **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: Madison Avenue Clement GP Inc., Inc. No. A0117433

Applicant: BlueGreen Architecture Inc. – Mark Aquilon

---

Terry Barton  
Development Planning Department Manager  
Planning & Development Services

---

Date of Issuance

## 1. SCOPE OF APPROVAL

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

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

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

## 2. CONDITIONS OF APPROVAL

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

and with variances to the following sections fo Zoning Bylaw No. 12375:

**Section 14.11: UC1 - Core Area & Other Zones, Commercial and Urban Centre Zone Development Regulations**

Too vary the required minimum upper floor setback for a portion of the building above 16.0 m abutting the east property line from 4.0 m to 0.0 m.

**Section 14.11: UC1 - Core Area & Other Zones, Commercial and Urban Centre Zone Development Regulations**

To vary the required minimum upper floor setback for a portion of the building above 16.0 m abutting the west property line from 4.0 m to 3.0 m.

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

## 3. PERFORMANCE SECURITY

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

- An Irrevocable Letter of Credit or Certified Cheque in the amount of **\$264,324.68**

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

## 5. INDEMNIFICATION

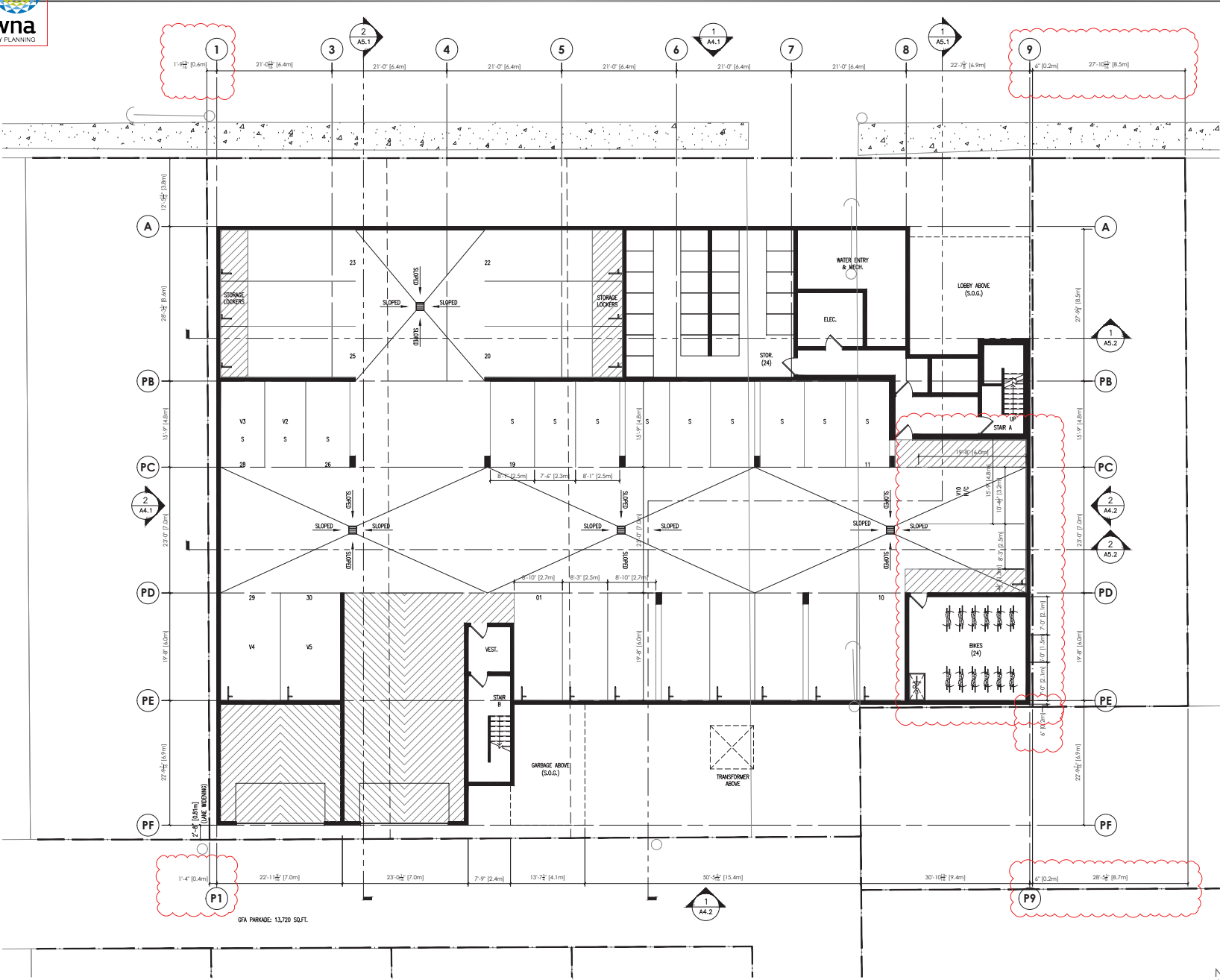
Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

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

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

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

<b>ATTACHMENT</b>		<b>A</b>
This forms part of application		
# DP21-0150 DP22-0042		
Planner Initials	MT	 City of <b>Kelowna</b> <small>COMMUNITY PLANNING</small>



Architect

BLUEGREEN ARCHITECTURE INC.

#100 - 1303 BULL STREET, KELOWNA, BC, V1Y 4Y9  
p: 250.420.3550

www.bluegreenarchitecture.com

KAMLOOPS

KELOWNA

REGISTERED PROFESSIONAL ARCHITECT

2022-06-15

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Client

MADISON AVENUE GROUP

Madison Avenue Group  
1000 - 100 Ave SW  
Calgary, Alberta  
T2P 3H7

NO.

DATE

RECORD OF REVISIONS

01

08.11.20

ISSUED FOR POST TENDER ADDENDUM

02

08.19.20

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RE-ISSUED FOR RECORDING & UP TO SUR CITY COMMENTS

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RE-ISSUED FOR RECORDING & DEVELOPMENT PERMIT

07

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RE-ISSUED FOR RECORDING & DEVELOPMENT PERMIT

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DATE

RECORD OF REVISIONS

Project

SAVOY

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RESIDENTIAL DEVELOPMENT

677, 657, 647 & 631 CLEMENT AVE

Sheet Title

FLOOR 0 BELOW GRADE LOWER PARKADE

Sub Number

21.888

Date

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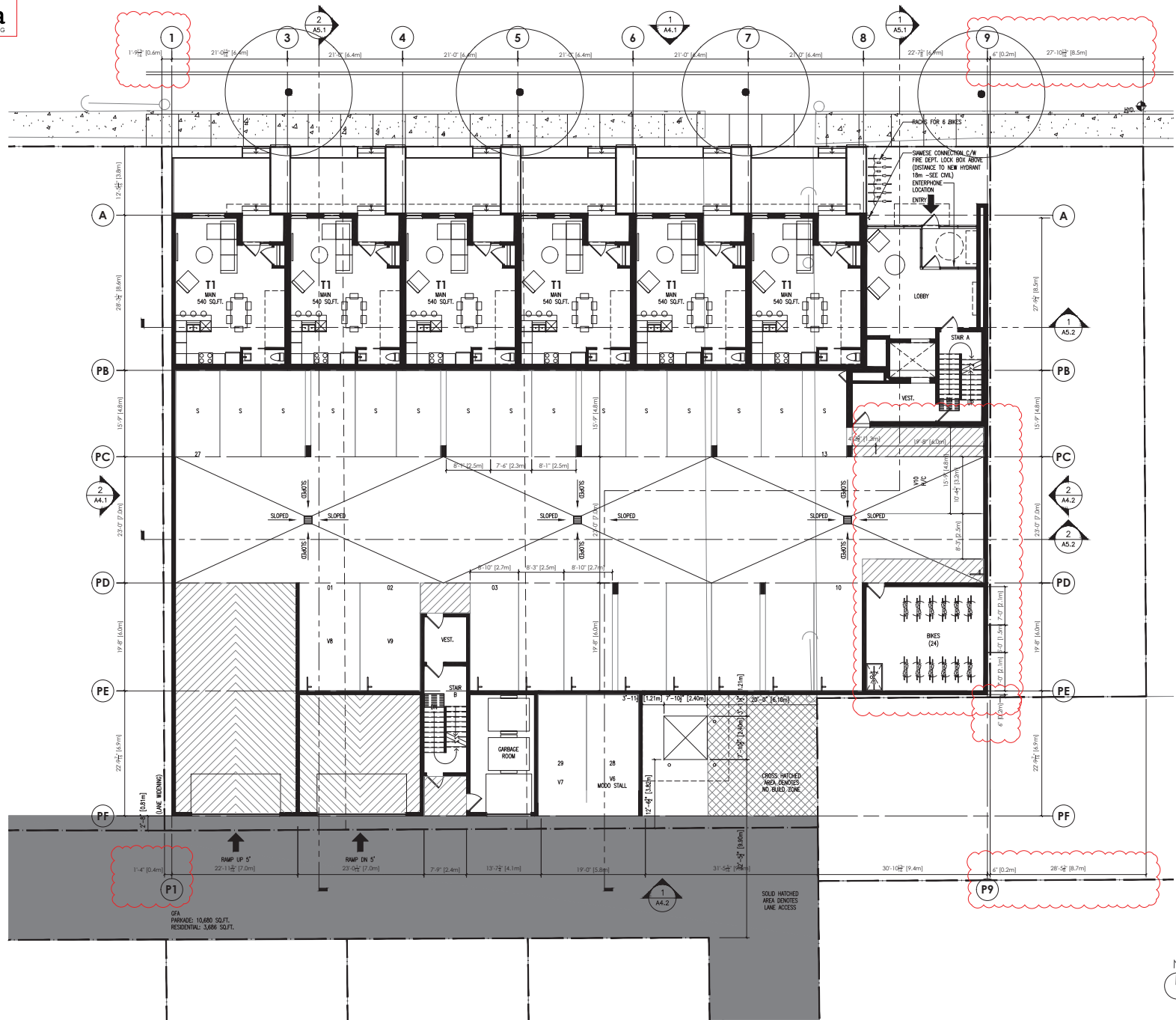
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07

Drawing Number

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Architect:

**BLUEGREEN ARCHITECTURE INC.**

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Professional Engineer  
2022-06-15  
2025-06-15  
2028-06-15

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Madison Avenue Group  
1000 - 100 Ave SW  
Calgary, Alberta  
T2P 3W7

REV	DATE	RECORD BY	REVISION
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02	08.11.22	ISSUED FOR POST TENDER ADDENDUM	
03	07.11.22	ISSUED FOR PRECING	
04	06.04.22	ISSUED FOR B.P.	
05	03.02.22	RE-ISSUED FOR RECORDING & UP TO SUFF CITY COMMENTS	
06	11.08.21	RE-ISSUED FOR RECORDING & DEVELOPMENT PERMIT	
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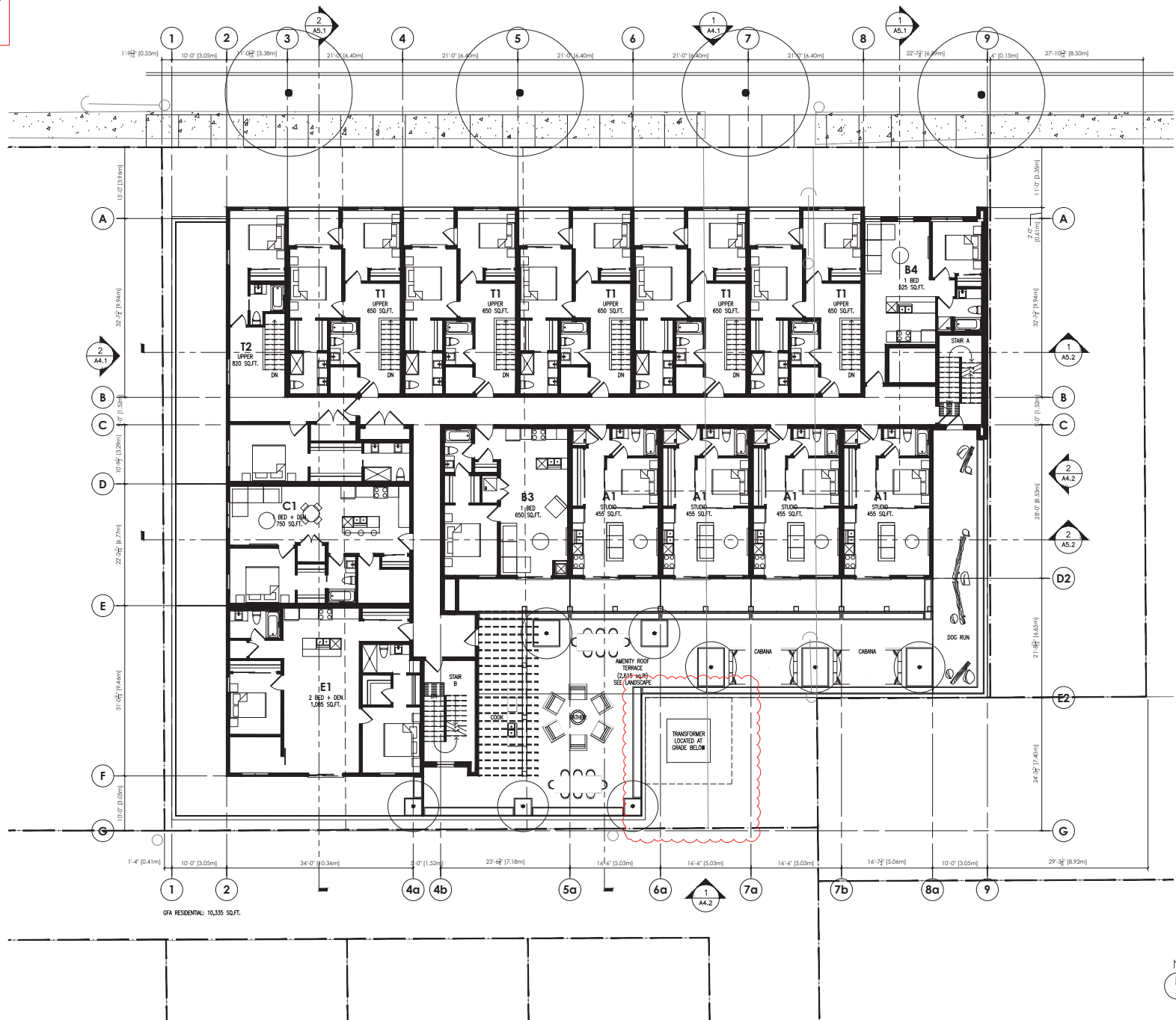
RESIDENTIAL DEVELOPMENT  
677, 657, 647 & 631 CLEMENT AVE

Sheet Title:

**FLOOR 1  
GRADE ENTRY  
& UPPER PARKADE**

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Date: 2022.07.11  
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Drawing Number:

**A2.1**



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Calgary, Alberta  
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03	07.11.22		ISSUED FOR PRECING
04	09.02.22		ISSUED FOR B.P.
05	09.02.22		RE-ISSUED FOR PRECING & UP TO SUFF CITY COMMENTS
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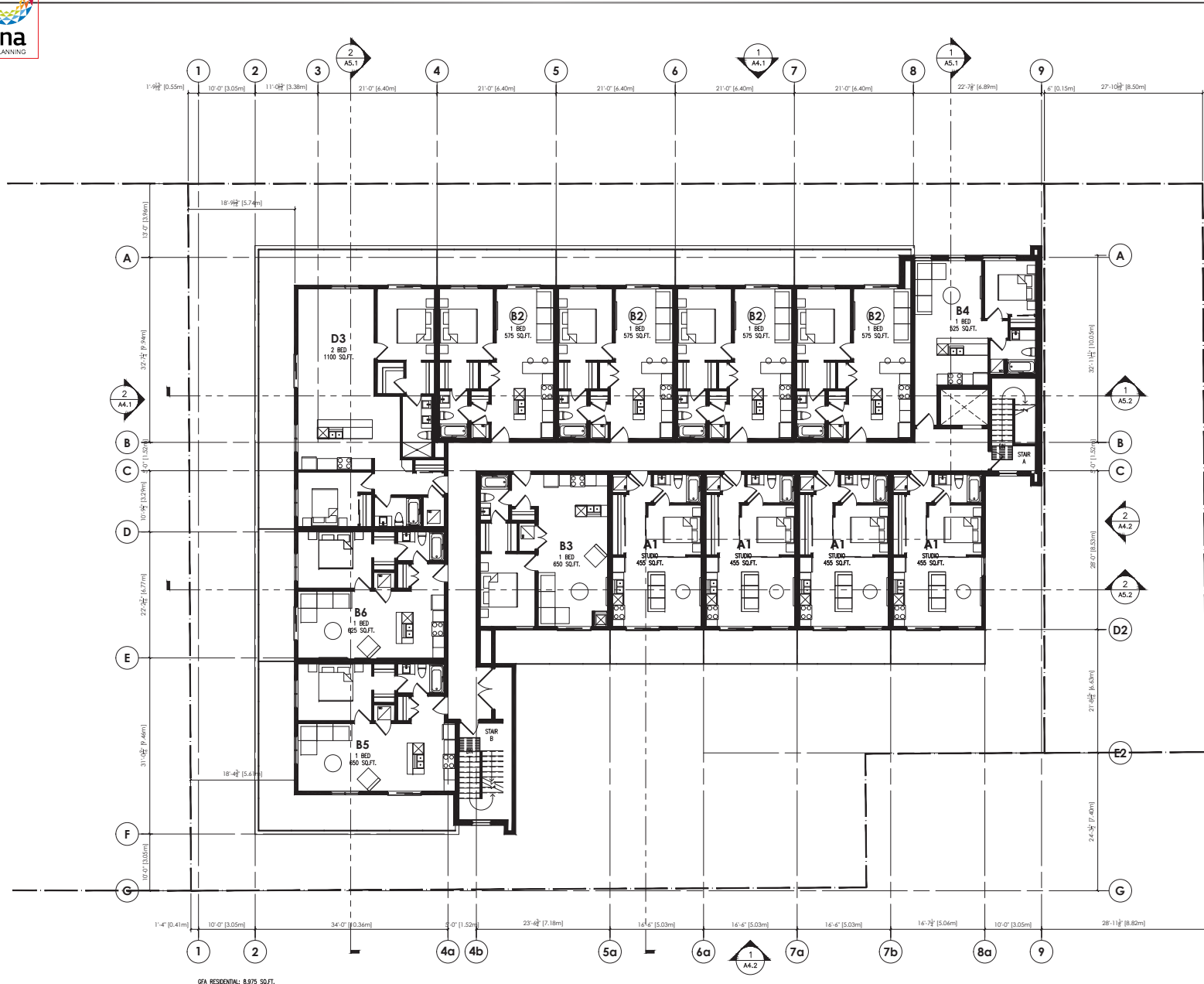
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INC. (CLIENT)  
RESIDENTIAL DEVELOPMENT  
677, 657, 647 & 631 CLEMENT AVE

Sheet Title  
**PODIUM LEVEL (FLOOR 2)**

Site Number 21.888  
Date 2022.07.11  
Scale 1/8"=1'-0"  
Issue Number 07  
Drawing Number

**A2.2**





Architect:

**BLUEGREEN ARCHITECTURE INC.**  
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KELOWNA, BC, V1Y 4Y9  
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www.bluegreenarchitecture.com

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BRITISH COLUMBIA  
2022-06-15  
JENNIFER COLEMAN

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Madison Avenue Group  
1000 - 100 West Ave SW  
Calgary, Alberta  
T2P 3B1

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04	06.04.22		ISSUED FOR B.P.
05	03.02.22		RE-ISSUED FOR PRECING & UP TO SURF CITY COMMENTS
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Project:

**SAVOY**  
5th FLOOR  
RESIDENTIAL DEVELOPMENT  
677, 657, 647 & 631 CLEMENT AVE

Sheet Title:

**PENTHOUSE FLOOR LEVEL 6**

Job Number: 21.888

Date: 2022.07.11

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City of Kelowna  
COMMUNITY PLANNING



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



### 3 MATERIAL LEGEND



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



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ARCHITECTURE INC.

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1500 - 150 9th Ave SW  
Calgary, Alberta  
T2P 3H9

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2	08.19.22	ISSUED FOR POST TENDER ADDENDUM
3	07.11.22	ISSUED FOR PRICING
4	06.06.22	ISSUED FOR B.P.
5	02.02.22	RE-ISSUED FOR REZONING & DP TO SUIT CITY COMMENTS
6	11.08.21	RE-ISSUED FOR REZONING & DEVELOPMENT PERMIT
7	05.27.21	ISSUED FOR REZONING & DEVELOPMENT PERMIT

Project

**SAVOY**  
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RESIDENTIAL DEVELOPMENT  
677, 657, 647 & 631  
CLEMENT AVE

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

Architect

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MADISON AVENUE GROUP

Madison Avenue Group  
1000 - 100 9th Ave SW  
Calgary, Alberta  
T2P 3H9

NO.	DATE	RECORD OF REVISIONS
07	08.31.20	ISSUED FOR POST TENDER ADDENDUM
08	08.19.22	ISSUED FOR POST TENDER ADDENDUM
09	07.11.22	ISSUED FOR PRECING
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03	03.03.22	RE-ISSUED FOR PRECING & UP TO SURF CITY COMMENTS
02	11.08.21	RE-ISSUED FOR PRECING & DEVELOPMENT PERMIT
01	09.27.21	ISSUED FOR PRECING & DEVELOPMENT PERMIT

NO.	DATE	RECORD OF ISSUES
01	09.27.21	RE-ISSUED FOR PRECING & DEVELOPMENT PERMIT

Project

SAVOY

RESIDENTIAL DEVELOPMENT  
677, 657, 647 & 631 CLEMENT AVE

Sheet Title

ELEVATION IMAGES

Rev Number

21.888

Date

2022.07.11

Scale

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Issue Number

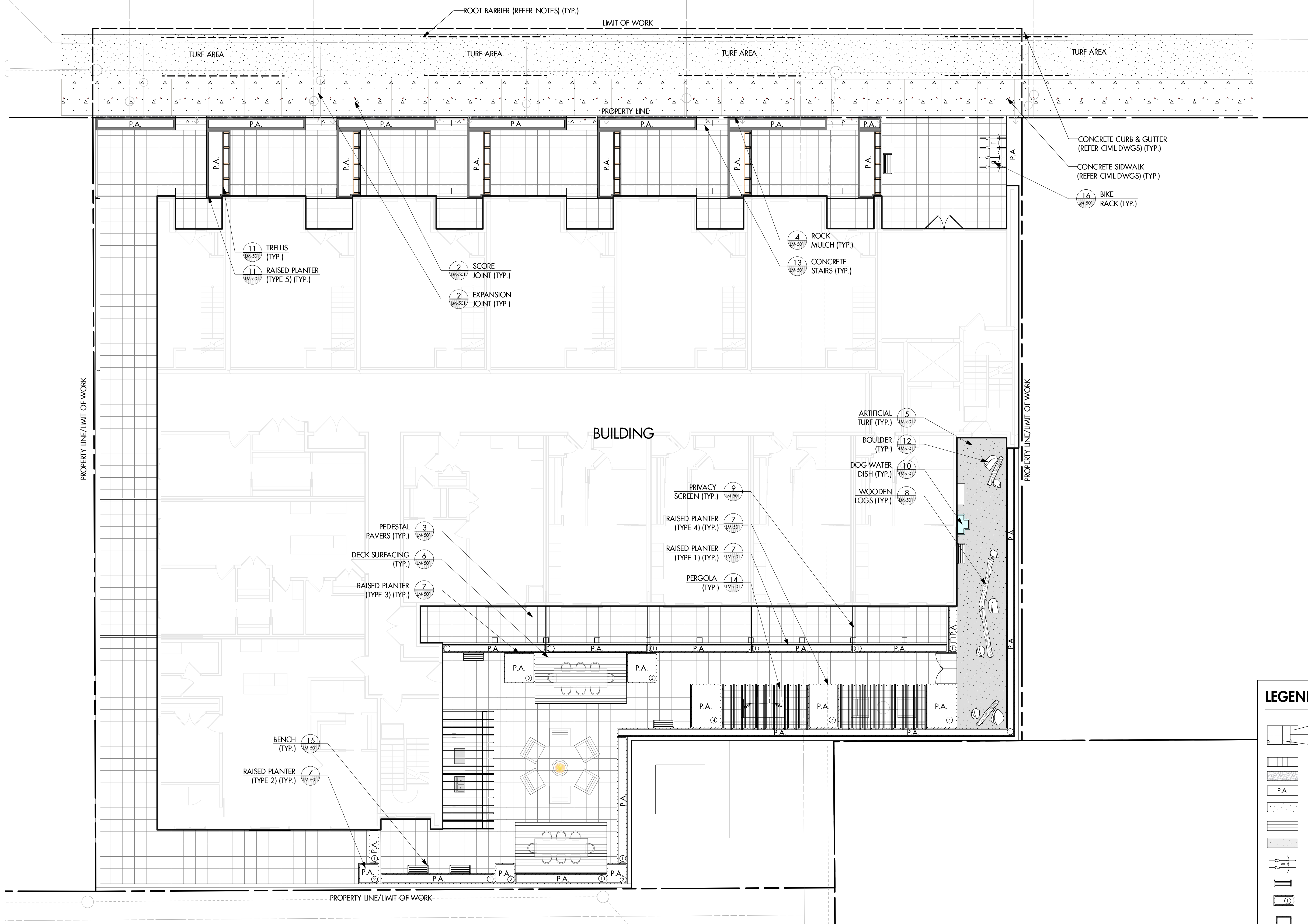
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Drawing Number

A4.2



CLEMENT AVENUE



LEGEND			
	CONCRETE PAVING		SCORE JOINT
	EXPANSION JOINT		PEDESTAL PAVERS
	PLANTING AREA (REFER PLANTING PLAN)		TURF AREA (REFER PLANTING PLAN)
	DECK SURFACING		ARTIFICIAL TURF
	BIKE RACK		BENCH
	RAISED PLANTER (TYPE 1)		RAISED PLANTER (TYPE 2)
	RAISED PLANTER (TYPE 3)		RAISED PLANTER (TYPE 4)
	RAISED PLANTER (TYPE 5)		TRELLIS
	DOG WATER DISH		PERGOLA
	BOULDERS		WOODEN LOGS
	TYP.		TYPICAL

LANDSCAPE NOTES

**1. CANADIAN LANDSCAPE STANDARD**  
ALL WORK OF THE CONTRACTOR SHALL MEET OR EXCEED ALL STANDARDS OR SPECIFICATIONS ESTABLISHED IN THE LATEST EDITION OF THE CANADIAN LANDSCAPE STANDARD, PUBLISHED JOINTLY BY THE CANADIAN NURSERY LANDSCAPE ASSOCIATION (CNLA) AND THE CANADIAN SOCIETY OF LANDSCAPE ARCHITECTS (CSLA). CONTAINER PLANTING IS TO MEET CLNA STANDARDS FOR CONTAINER GROWN PLANTS.

**2. DIMENSIONS**  
ALL WRITTEN DIMENSIONS SUPERSEDE SCALED DIMENSIONS. ALL DIMENSIONS ARE IN mm.

**3. SPECIFICATIONS**  
THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE PROJECT SPECIFICATIONS.

**4. INSPECTIONS**  
THE CONTRACTOR IS RESPONSIBLE TO GIVE THE SITE INSPECTOR 48 HOURS NOTICE BEFORE ALL REQUIRED INSPECTIONS.

**5. LIMIT OF WORK**  
ALL WORK OF THE CONTRACTOR SHALL BE WITHIN THE LIMIT OF WORK/ PROPERTY LINE SHOWN ON THE DRAWING. THE CONTRACTOR SHALL VERIFY THE LIMIT OF WORK ON SITE WITH THE SITE INSPECTOR PRIOR TO CONSTRUCTION.

**6. DESIGN INTENT**  
THESE DRAWINGS REPRESENT THE GENERAL DESIGN INTENT TO BE IMPLEMENTED ON THE SITE. CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING LANDSCAPE ARCHITECT FOR ANY ADDITIONAL CLARIFICATION OR DETAILS NECESSARY TO ACCOMMODATE SITE CONDITIONS OR ARCHITECTURAL DETAILS.

**7. CONTRACTORS JOB SITE CONDITIONS**  
CONTRACTOR AGREES TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR SITE CONDITIONS DURING CONSTRUCTION, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY, AND HOLD THE OWNER AND THE LANDSCAPE ARCHITECT HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE LANDSCAPE ARCHITECT.

**8. COMPOSITE BASE SHEET**  
THE PROPOSED IMPROVEMENTS SHOWN ON THESE DRAWINGS ARE SUPERIMPOSED ON A BASE SHEET. THIS BASE SHEET IS COMPILED FROM THE TOPOGRAPHIC SURVEY, OTHER ARCHITECTURAL AND/OR ENGINEERING DOCUMENTS, AND OTHER DATA AS MADE AVAILABLE TO THE LANDSCAPE ARCHITECT. THE LANDSCAPE ARCHITECT SHALL NOT BE HELD LIABLE FOR CHANGES, INACCURACIES, OMISSIONS, OR OTHER ERRORS ON THESE DOCUMENTS. THE COMPOSITE BASE SHEET IS PROVIDED AS AN AID ONLY AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR REVIEWING THESE DOCUMENTS AND INCORPORATING/INTEGRATING ALL CONSTRUCTION AS REQUIRED TO ACCOMMODATE SAME.

**9. UTILITIES**  
PRIOR TO CONSTRUCTION, THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING THE UTILITY COMPANIES INVOLVED AND REQUESTING A VISUAL VERIFICATION OF THE LOCATIONS OF THEIR UNDERGROUND FACILITIES. MOST UTILITY COMPANIES ARE MEMBERS OF THE UNDERGROUND SERVICE ALERT 'CALL BEFORE YOU DIG' PROGRAM. THE CONTRACTOR OR ANY SUBCONTRACTOR FOR THIS CONTRACT SHALL NOTIFY MEMBERS 48 HOURS IN ADVANCE OF PERFORMING EXCAVATION WORK BY CALLING THE TOLL-FREE NUMBER (800) 474-6886. EXCAVATION IS DEFINED AS BEING 1/8 OR MORE INCHES IN DEPTH BELOW THE EXISTING SURFACE. THE CONTRACTOR IS CAUTIONED THAT ONLY EXCAVATION WILL REVEAL THE TYPES, EXTENT, SIZES, LOCATION, AND DEPTHS OF SUCH UNDERGROUND UTILITIES. HOWEVER, THE CONSULTANT CAN ASSUME NO RESPONSIBILITY FOR THE COMPLETENESS OR ACCURACY OF ITS DEDINATION OF SUCH UNDERGROUND UTILITIES, NOR FOR THE EXISTENCE OF OTHER BURIED OBJECTS OR UTILITIES WHICH ARE NOT SHOWN ON THESE DRAWINGS.

**10. SLEEVING**  
REFER TO IRRIGATION PLAN FOR REQUIREMENTS OF SLEEVING UNDER PAVING.

**11. PROJECT STAKING**  
ALL PROPOSED SITE FEATURES SHALL BE STAKED IN FIELD FOR REVIEW BY THE OWNER'S INSPECTOR PRIOR TO CONSTRUCTION. ALL CURVES SHALL BE SMOOTH AND CONTINUOUS WITH CAREFULLY MATCHED TANGENTS.

**12. GROWING MEDIUM PLACEMENT**  
REFER PLANTING NOTES

**13. WOOD MULCH**  
REFER PLANTING NOTES

**14. BACKFILL**  
EXCAVATED MATERIAL NOT SUITABLE FOR BACKFILLING SHALL BE REMOVED AND LEGALLY DISPOSED OF OFF-SITE.

**15. EXISTING FEATURES**  
CONTRACTOR IS RESPONSIBLE FOR ANY & ALL REPAIRS TO EXISTING FEATURES AS A RESULT OF CONSTRUCTION.

**16. ROOT BARRIER**  
ROOT BARRIER SHALL BE 450mm DEEP, AVAILABLE FROM DEEP ROOT OR APPROVED EQUAL INSTALL IN 6.0M TYP. LENGTH, AS SHOWN ON THE DRAWINGS. INSTALL PER MANUFACTURER'S RECOMMENDATIONS.

SCHEDULE

C

This forms part of application  
# DP21-0150 DVP22-0042

Planner  
Initials MT

City of  
Kelowna

COMMUNITY PLANNING

N

PROJECT TITLE

SAVOY ON CLEMENT  
631-677 CLEMENT AVENUE  
Kelowna, BC

DRAWING TITLE

MATERIALS PLAN

ISSUED FOR / REVISION

2	22.01.28	80% Review
3	22.02.04	90% Review
4	22.02.11	90% Review
5	22.02.18	90% Review
6	22.02.25	90% Review

PROJECT NO: 21-091

DESIGN BY: AM

DRAWN BY: NG

CHECKED BY: FB

DATE: FEB. 25, 2022

SCALE: 1:100

PAGE SIZE: 30x42"

SEAL

DRAWING NUMBER

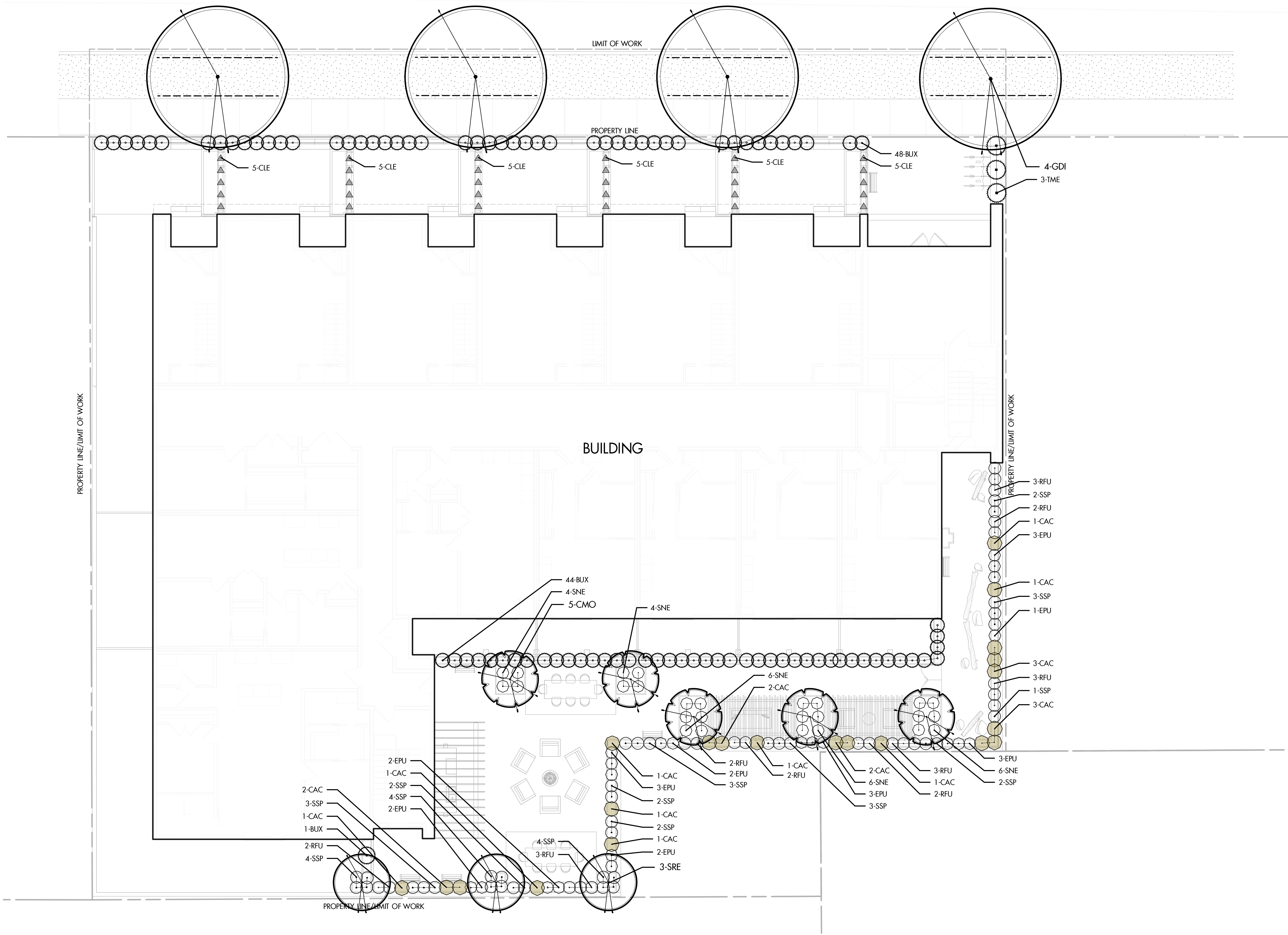
LM-101

ISSUED FOR REVIEW ONLY

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CLEMENT AVENUE



SCHEDULE C

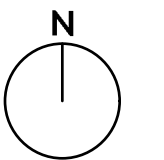
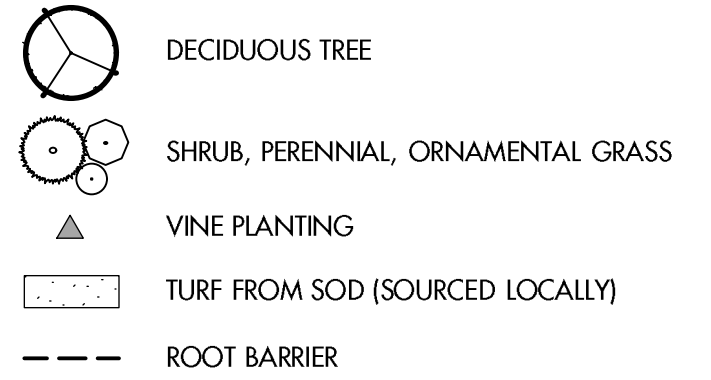
This forms part of application  
# DP21-0150 DVP22-0042

Planner  
Initials MT



200-2045 Enterprise Way  
Kelowna, BC V1Y 9T5  
T (250) 469-9757  
www.ecora.ca

LEGEND



PROJECT TITLE  
**SAVOY ON CLEMENT**  
631-677 CLEMENT AVENUE

Kelowna, BC

DRAWING TITLE

**PLANTING PLAN**

PLANT LIST

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE/SPACING & REMARKS
TREES				
CHO	5	CRATEGUS X MORDENENSIS 'SNOWBIRD'	SNOWBIRD HAWTHORN	6cm CAL
GDI	4	GYMNOCLADUS DIOICUS 'ESPRESSO-JFS'	KENTUCKY COFFEE 'ESPRESSO'	6cm CAL
SRE	3	SYRINGA RETICULATA 'IVORY SILK'	IVORY SILK TREE LILAC	6cm CAL
SHRUBS				
BUX	94	BUXUS 'GREEN GEM'	GREEN GEM BOXWOOD	#02 CONT. /0.6M O.C. SPACING
TME	3	TAXUS X MEDIA 'HICKSI'	HICK'S YEW	#02 CONT. /0.9M O.C. SPACING
PERENNIALS, FRUIT, GRASSES & GROUNDCOVERS				
CAC	21	GALANAGROSIS ACUTIFLORA 'KARL FOERSTER'	FOERSTER'S FEATHER REED GRASS	#01 CONT. /1.0M O.C. SPACING
EPU	21	ECHINACEA PURPUREA 'MAGNUS'	MAGNUS CONEFLOWER	#01 CONT. /0.75M O.C. SPACING
RFU	22	RUDBECKIA FULGIDA 'GOLDSTURM'	GOLDSTURM CONEFLOWER	#01 CONT. /0.6M O.C. SPACING
SNE	27	SALVIA NEMOROSA 'MAY NIGHT'	MAY NIGHT SALVIA	#01 CONT. /0.6M O.C. SPACING
SSP	35	SEDUM SPECTABILE 'AUTUMN FIRE'	AUTUMN JOY STONECROP	#01 CONT. /0.6M O.C. SPACING
VINES				
CLE	31	CLEMATIS INTEGRIFOLIA 'BLUE BOY'	BLUE BOY CLEMATIS	#01 CONT. /1.5M O.C. SPACING

PLANTING NOTES

- 1. PLANT MATERIAL**  
ALL PLANT MATERIAL SUPPLIED AND PLACED BY THE CONTRACTOR MUST BE CERTIFIED TO BE FREE OF SUDDEN OAK DEATH (PHYTOPHTHORA RAMORUM), ACCORDING TO THE THE CANADIAN FOOD INSPECTION AGENCY (CFIA) OR CHIA STANDARDS. THE CONTRACTOR WILL BE HELD RESPONSIBLE TO THE OWNER FOR THE SUPPLY AND PLACEMENT OF DISEASED PLANTS RESULTING FROM HIS NEGLIGENCE.  
PLANT MATERIAL AND PRODUCTS SHALL BE AVAILABLE FOR OPTIONAL INSPECTION BY THE LANDSCAPE ARCHITECT AT SOURCE OF SUPPLY. THE CONTRACTOR SHALL PROVIDE A (1) YEAR REPLACEMENT GUARANTEE ON ALL PLANT MATERIAL TO THE OWNER FROM THE DATE OF SUBSTANTIAL PERFORMANCE.
- 2. SUBSTITUTIONS**  
THE CONTRACTOR SHALL NOT SUBSTITUTE PLANT MATERIAL OR PRODUCTS WITHOUT THE WRITTEN CONSENT OF THE LANDSCAPE ARCHITECT. THE CONTRACTOR WILL BE RESPONSIBLE FOR THE REMOVAL AND REPLACEMENT OF ANY UNAPPROVED SUBSTITUTIONS.
- 3. QUANTITIES**  
THE QUANTITIES SHOWN ON THE LABELS ARE NOT TO BE CONSTRUED AS THE COMPLETE AND ACCURATE LIMITS OF THE CONTRACT. FURNISH AND INSTALL ALL PLANTS SHOWN SCHEMATICALLY ON THE DRAWINGS.
- 4. WOOD MULCH**  
THE CONTRACTOR SHALL SUPPLY AND PLACE BLACK WOOD MULCH, AVAILABLE FROM NATURE'S GOLD, AT 75mm MIN. DEPTH TO THE RESTORATION PLANTING AREAS AS SHOWN ON THE DRAWINGS. NO PLASTIC FILM OR WEED BARRIER FABRIC IS PERMITTED UNLESS OTHERWISE SPECIFIED ON THE DRAWINGS. THE WOOD MULCH PRODUCT SHALL BE NON-MATTING, FREE OF CHUNKS, STICKS, SOILS, STONES, CHEMICALS, ROOTS AND SALT.
- 5. GROWING MEDIUM PLACEMENT**  
REFER TO SOILS PLAN UM-102
- 6. ROOT BARRIER**  
REFER MATERIALS PLAN UM-101

ISSUED FOR / REVISION	
2	22.01.28 80% Revision
3	22.02.04 90% Revision
4	22.02.11 90% Revision
5	22.02.18 90% Revision
6	22.02.25 90% Revision

PROJECT NO.	21-091
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LP -101

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1 STREET PERSPECTIVE 1



2 STREET PERSPECTIVE 2



3 LANE PERSPECTIVE 1



4 LANE PERSPECTIVE 2

Architect

BLUEGREEN ARCHITECTURE INC.

#100 - 1303 BULL STREET  
KELOWNA, BC V1Y 4Y9  
p 250.420.3550  
www.bluegreenarchitecture.com

KAMLOOPS

KELOWNA

2022-06-15

2022-06-15

These drawings are not to be used for construction without the architect's prior written permission.

This drawing must not be used. The general contractor and user of drawings, before and after, are responsible for the accuracy of the drawings and must verify the accuracy of the drawings before construction.

Client

MADISON AVENUE GROUP

Madison Avenue Group  
1000 - 100 Ave SW  
Calgary, Alberta  
T2P 3H1

NO.	DATE	RECORD OF REVISIONS
01	06.01.22	ISSUED FOR POST TENDER ADDENDUM
02	06.15.22	ISSUED FOR POST TENDER ADDENDUM
03	07.11.22	ISSUED FOR PRECING
04	06.04.22	ISSUED FOR B.P.
05	09.02.22	RE-ISSUED FOR PRECING & UP TO SUR CITY COMMENTS
06	11.08.21	RE-ISSUED FOR PRECING & DEVELOPMENT PERMIT
07	09.27.21	ISSUED FOR PRECING & DEVELOPMENT PERMIT
08	04.01.22	RECORD OF ISSUES

Project

SAVOY

RESIDENTIAL DEVELOPMENT

677, 657, 647 & 631 CLEMENT AVE

Sheet Title

PERSPECTIVE IMAGES

Job Number

21.888

Date

2022.07.11

Scale

1/8"=1'-0"

Issue Number

07

Drawing Number

A3.1

## FORM & CHARACTER – DEVELOPMENT PERMIT GUIDELINES

**Chapter 2 - The Design Foundations:** apply to all projects and provide the overarching principles for supporting creativity, innovation and design excellence in Kelowna.

- Facilitate Active Mobility
- Use Placemaking to Strengthen Neighbourhood Identity
- Create Lively and Attractive Streets & Public Spaces
- Design Buildings to the Human Scale
- Strive for Design Excellence

**The General Residential and Mixed Use Guidelines:** provide the key guidelines that all residential and mixed use projects should strive to achieve to support the Design Foundations.

- The General Guidelines are supplement by typology-specific guidelines (e.g., Townhouses & Infill on page 18-19, High-Rise Residential and Mixed-Use on page 18-42), which provide additional guidance about form and character.

### Chapter 2 - Design Foundations

Apply To All Projects

Page 18-8

#### Section 2.1 - General Residential and Mixed Use Design Guidelines

Page 18-9

#### Section 2.2 - Achieving High Performance

Page 18-17

Chapter 3  
Townhouses & Infill

Page 18-19

Chapter 4  
Low & Mid-Rise  
Residential &  
Mixed Use

Page 18-34

Chapter 5  
High-Rise  
Residential &  
Mixed Use

Page 18-42

**\*Note:** Refer to the Design Foundations and the Guidelines associated with the specific building typology.



Consideration has been given to the following guidelines as identified in Chapter 18 of the City of Kelowna 2040 Official Community Plan:

SECTION 2.0: GENERAL RESIDENTIAL AND MIXED USE						
RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE (1 is least complying & 5 is highly complying)	N/A	1	2	3	4	5
<b>2.1 General residential &amp; mixed use guidelines</b>						
<b>2.1.1 Relationship to the Street</b>	N/A	1	2	3	4	5
a. Orient primary building facades and entries to the fronting street or open space to create street edge definition and activity.						✓
b. On corner sites, orient building facades and entries to both fronting streets.	✓					
c. Minimize the distance between the building and the sidewalk to create street definition and a sense of enclosure.						✓
d. Locate and design windows, balconies, and street-level uses to create active frontages and 'eyes on the street', with additional glazing and articulation on primary building facades.						✓
e. Ensure main building entries are clearly visible with direct sight lines from the fronting street.						✓
f. Avoid blank, windowless walls along streets or other public open spaces.						✓
g. Avoid the use of roll down panels and/or window bars on retail and commercial frontages that face streets or other public open spaces.	✓					
<b>2.1.2 Scale and Massing</b>	N/A	1	2	3	4	5
a. Provide a transition in building height from taller to shorter buildings both within and adjacent to the site with consideration for future land use direction.					✓	
b. Break up the perceived mass of large buildings by incorporating visual breaks in facades.						✓
c. Step back the upper storeys of buildings and arrange the massing and siting of buildings to: <ul style="list-style-type: none"> <li>Minimize the shadowing on adjacent buildings as well as public and open spaces such as sidewalks, plazas, and courtyards; and</li> <li>Allow for sunlight onto outdoor spaces of the majority of ground floor units during the winter solstice.</li> </ul>				✓		
<b>2.1.3 Site Planning</b>	N/A	1	2	3	4	5
a. Site and design buildings to respond to unique site conditions and opportunities, such as oddly shaped lots, location at prominent intersections, framing of important open spaces, corner lots, sites with buildings that terminate a street end view, and views of natural features.	✓					
b. Use Crime Prevention through Environmental Design (CPTED) principles to better ensure public safety through the use of appropriate lighting, visible entrances, opportunities for natural surveillance, and clear sight lines for pedestrians.						✓

c. Limit the maximum grades on development sites to 30% (3:1)						✓
d. Design buildings for 'up-slope' and 'down-slope' conditions relative to the street by using strategies such as: <ul style="list-style-type: none"> <li>Stepping buildings along the slope, and locating building entrances at each step and away from parking access where possible;</li> <li>Incorporating terracing to create usable open spaces around the building</li> <li>Using the slope for under-building parking and to screen service and utility areas;</li> <li>Design buildings to access key views; and</li> <li>Minimizing large retaining walls (retaining walls higher than 1 m should be stepped and landscaped).</li> </ul>	✓					
e. Design internal circulation patterns (street, sidewalks, pathways) to be integrated with and connected to the existing and planned future public street, bicycle, and/or pedestrian network.	✓					
f. Incorporate easy-to-maintain traffic calming features, such as on-street parking bays and curb extensions, textured materials, and crosswalks.	✓					
g. Apply universal accessibility principles to primary building entries, sidewalks, plazas, mid-block connections, lanes, and courtyards through appropriate selection of materials, stairs, and ramps as necessary, and the provision of wayfinding and lighting elements.						✓
<b>2.1.4 Site Servicing, Access, and Parking</b>	<b>N/A</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
a. Locate off-street parking and other 'back-of-house' uses (such as loading, garbage collection, utilities, and parking access) away from public view.						✓
b. Ensure utility areas are clearly identified at the development permit stage and are located to not unnecessarily impact public or common open spaces.						✓
c. Avoid locating off-street parking between the front façade of a building and the fronting public street.						✓
d. In general, accommodate off-street parking in one of the following ways, in order of preference: <ul style="list-style-type: none"> <li>Underground (where the high water table allows)</li> <li>Parking in a half-storey (where it is able to be accommodated to not negatively impact the street frontage);</li> <li>Garages or at-grade parking integrated into the building (located at the rear of the building); and</li> <li>Surface parking at the rear, with access from the lane or secondary street wherever possible.</li> </ul>						✓
e. Design parking areas to maximize rainwater infiltration through the use of permeable materials such as paving blocks, permeable concrete, or driveway planting strips.	✓					
f. In cases where publicly visible parking is unavoidable, screen using strategies such as: <ul style="list-style-type: none"> <li>Landscaping;</li> </ul>	✓					

<ul style="list-style-type: none"> <li>• Trellises;</li> <li>• Grillwork with climbing vines; or</li> <li>• Other attractive screening with some visual permeability.</li> </ul>						
g. Provide bicycle parking at accessible locations on site, including: <ul style="list-style-type: none"> <li>• Covered short-term parking in highly visible locations, such as near primary building entrances; and</li> <li>• Secure long-term parking within the building or vehicular parking area.</li> </ul>						✓
h. Provide clear lines of site at access points to parking, site servicing, and utility areas to enable casual surveillance and safety.						✓
i. Consolidate driveway and laneway access points to minimize curb cuts and impacts on the pedestrian realm or common open spaces.				✓		
j. Minimize negative impacts of parking ramps and entrances through treatments such as enclosure, screening, high quality finishes, sensitive lighting and landscaping.				✓		
<b>2.1.5 Streetscapes, Landscapes, and Public Realm Design</b>	<b>N/A</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
a. Site buildings to protect mature trees, significant vegetation, and ecological features.	✓					
b. Locate underground parkades, infrastructure, and other services to maximize soil volumes for in-ground plantings.	✓					
c. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation.						✓
d. Design attractive, engaging, and functional on-site open spaces with high quality, durable, and contemporary materials, colors, lighting, furniture, and signage.						✓
e. Ensure site planning and design achieves favourable microclimate outcomes through strategies such as: <ul style="list-style-type: none"> <li>• Locating outdoor spaces where they will receive ample sunlight throughout the year;</li> <li>• Using materials and colors that minimize heat absorption;</li> <li>• Planting both evergreen and deciduous trees to provide a balance of shading in the summer and solar access in the winter; and</li> <li>• Using building mass, trees and planting to buffer wind.</li> </ul>					✓	
f. Use landscaping materials that soften development and enhance the public realm.						✓
g. Plant native and/or drought tolerant trees and plants suitable for the local climate.						✓
h. Select trees for long-term durability, climate and soil suitability, and compatibility with the site's specific urban conditions.						✓
<b>2.1.6 Building Articulation, Features and Materials</b>	<b>N/A</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
a. Express a unified architectural concept that incorporates variation in façade treatments. Strategies for achieving this include: <ul style="list-style-type: none"> <li>• Articulating facades by stepping back or extending forward a portion of the façade to create a series of intervals or breaks;</li> <li>• Repeating window patterns on each step-back and extension interval;</li> </ul>						✓

<ul style="list-style-type: none"> <li>• Providing a porch, patio, or deck, covered entry, balcony and/or bay window for each interval; and</li> <li>• Changing the roof line by alternating dormers, stepped roofs, gables, or other roof elements to reinforce each interval.</li> </ul>						
<p>b. Incorporate a range of architectural features and details into building facades to create visual interest, especially when approached by pedestrians. Include architectural features such as: bay windows and balconies; corner feature accents, such as turrets or cupolas; variations in roof height, shape and detailing; building entries; and canopies and overhangs.</p> <p>Include architectural details such as: Masonry such as tiles, brick, and stone; siding including score lines and varied materials to distinguish between floors; articulation of columns and pilasters; ornamental features and art work; architectural lighting; grills and railings; substantial trim details and moldings / cornices; and trellises, pergolas, and arbors.</p>						✓
c. Design buildings to ensure that adjacent residential properties have sufficient visual privacy (e.g. by locating windows to minimize overlook and direct sight lines into adjacent units), as well as protection from light trespass and noise.						✓
d. Design buildings such that their form and architectural character reflect the buildings internal function and use.						✓
e. Incorporate substantial, natural building materials such as masonry, stone, and wood into building facades.						✓
f. Provide weather protection such as awnings and canopies at primary building entries.						✓
g. Place weather protection to reflect the building's architecture.						✓
h. Limit signage in number, location, and size to reduce visual clutter and make individual signs easier to see.						✓
i. Provide visible signage identifying building addresses at all entrances.						✓

SECTION 4.0: LOW & MID-RISE RESIDENTIAL MIXED USE						
RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE (1 is least complying & 5 is highly complying)	N/A	1	2	3	4	5
<b>4.1 Low &amp; mid-rise residential &amp; mixed use guidelines</b>						
<b>4.1.1 Relationship to the Street</b>	N/A	1	2	3	4	5
h. Ensure lobbies and main building entries are clearly visible from the fronting street.						✓
<p>i. Avoid blank walls at grade wherever possible by:</p> <ul style="list-style-type: none"> <li>• Locating enclosed parking garages away from street frontages or public open spaces;</li> <li>• Using ground-oriented units or glazing to avoid creating dead frontages; and</li> </ul>						✓

<ul style="list-style-type: none"> <li>When unavoidable, screen blank walls with landscaping or incorporate a patio café or special materials to make them more visually interesting.</li> </ul>						
<b>Reesidential &amp; Mixed Use Buildings</b>						
j. Set back residential buildings on the ground floor between 3-5 m from the property line to create a semi-private entry or transition zone to individual units and to allow for an elevated front entryway or raised patio.						✓
<ul style="list-style-type: none"> <li>A maximum 1.2 m height (e.g. 5-6 steps) is desired for front entryways.</li> <li>Exceptions can be made in cases where the water table requires this to be higher. In these cases, provide a larger patio and screen parking with ramps, stairs and landscaping.</li> </ul>						
k. Incorporate individual entrances to ground floor units accessible from the fronting street or public open spaces.						✓
l. Site and orient buildings so that windows and balconies overlook public streets, parks, walkways, and shared amenity spaces while minimizing views into private residences.						✓
<b>4.1.2 Scale and Massing</b>	<b>N/A</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
a. Residential building facades should have a maximum length of 60 m. A length of 40 m is preferred.					✓	
b. Residential buildings should have a maximum width of 24 m.					✓	
c. Buildings over 40 m in length should incorporate a significant horizontal and vertical break in the façade.				✓		
d. For commercial facades, incorporate a significant break at intervals of approximately 35 m.	✓					
<b>4.1.3 Site Servicing, Access, and Parking</b>	<b>N/A</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
a. On sloping sites, floor levels should step to follow natural grade and avoid the creation of blank walls.	✓					
b. Site buildings to be parallel to the street and to have a distinct front-to-back orientation to public street and open spaces and to rear yards, parking, and/or interior court yards:						✓
<ul style="list-style-type: none"> <li>Building sides that interface with streets, mid-block connections and other open spaces and should positively frame and activate streets and open spaces and support pedestrian activity; and</li> <li>Building sides that are located away from open spaces (building backs) should be designed for private/shared outdoor spaces and vehicle access.</li> </ul>						
c. Break up large buildings with mid-block connections which should be publicly-accessible wherever possible.	✓					
d. Ground floors adjacent to mid-block connections should have entrances and windows facing the mid-block connection.	✓					
<b>4.1.4 Site Servicing, Access and Parking</b>	<b>N/A</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
a. Vehicular access should be from the lane. Where there is no lane, and where the re-introduction of a lane is difficult or not possible, access may be provided from the street, provided:						✓

<ul style="list-style-type: none"> <li>Access is from a secondary street, where possible, or from the long face of the block;</li> <li>Impacts on pedestrians and the streetscape is minimised; and</li> <li>There is no more than one curb cut per property.</li> </ul>						
b. Above grade structure parking should only be provided in instances where the site or high water table does not allow for other parking forms and should be screened from public view with active retail uses, active residential uses, architectural or landscaped screening elements.						✓
c. Buildings with ground floor residential may integrate half-storey underground parking to a maximum of 1.2 m above grade, with the following considerations: <ul style="list-style-type: none"> <li>Semi-private spaces should be located above to soften the edge and be at a comfortable distance from street activity; and</li> <li>Where conditions such as the high water table do not allow for this condition, up to 2 m is permitted, provided that entryways, stairs, landscaped terraces, and patios are integrated and that blank walls and barriers to accessibility are minimized.</li> </ul>						✓
<b>4.1.5 Publicly-Accessible and Private Open Spaces</b>	<b>N/A</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
a. Integrate publicly accessible private spaces (e.g. private courtyards accessible and available to the public) with public open areas to create seamless, contiguous spaces.	✓					
b. Locate semi-private open spaces to maximize sunlight penetration, minimize noise disruptions, and minimize 'overlook' from adjacent units.	✓					
<b>Rooftop Amenity Spaces</b>						
c. Design shared rooftop amenity spaces (such as outdoor recreation space and rooftop gardens on the top of a parkade) to be accessible to residents and to ensure a balance of amenity and privacy by: <ul style="list-style-type: none"> <li>Limiting sight lines from overlooking residential units to outdoor amenity space areas through the use of pergolas or covered areas where privacy is desired; and</li> <li>Controlling sight lines from the outdoor amenity space into adjacent or nearby residential units by using fencing, landscaping, or architectural screening.</li> </ul>					✓	
d. Reduce the heat island affect by including plants or designing a green roof, with the following considerations: <ul style="list-style-type: none"> <li>Secure trees and tall shrubs to the roof deck; and</li> <li>Ensure soil depths and types are appropriate for proposed plants and ensure drainage is accommodated.</li> </ul>					✓	
<b>4.1.6 Building Articulation, Features, and Materials</b>	<b>N/A</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
a. Articulate building facades into intervals that are a maximum of 15 m wide for mixed-use buildings and 20 m wide for residential buildings. Strategies for articulating buildings should consider the potential impacts on energy performance and include:					✓	

<ul style="list-style-type: none"> <li>• Façade Modulation – stepping back or extending forward a portion of the façade to create a series of intervals in the façade;</li> <li>• Repeating window pattern intervals that correspond to extensions and step backs (articulation) in the building façade;</li> <li>• Providing a porch, patio, deck, or covered entry for each interval;</li> <li>• Providing a bay window or balcony for each interval, while balancing the significant potential for heat loss through thermal bridge connections which could impact energy performance;</li> <li>• Changing the roof line by alternating dormers, stepped roofs, gables, or other roof elements to reinforce the modulation or articulation interval;</li> <li>• Changing the materials with the change in building plane; and</li> <li>• Provide a lighting fixture, trellis, tree or other landscape feature within each interval.</li> </ul>						
b. Break up the building mass by incorporating elements that define a building's base, middle and top.						✓
c. Use an integrated, consistent range of materials and colors and provide variety, by for example, using accent colors.						✓
d. Articulate the façade using design elements that are inherent to the buildings as opposed to being decorative. For example, create depth in building facades by recessing window frames or partially recessing balconies to allow shadows to add detail and variety as a byproduct of massing.						✓
e. Incorporate distinct architectural treatments for corner sites and highly visible buildings such as varying the roofline, articulating the façade, adding pedestrian space, increasing the number and size of windows, and adding awnings or canopies.						✓
f. Provide weather protection (e.g. awnings, canopies, overhangs, etc.) along all commercial streets and plazas with particular attention to the following locations: <ul style="list-style-type: none"> <li>• Primary building entrances;</li> <li>• Adjacent to bus zones and street corners where people wait for traffic lights;</li> <li>• Over store fronts and display windows; and</li> <li>• Any other areas where significant waiting or browsing by people occurs.</li> </ul>	✓					
g. Architecturally-integrate awnings, canopies, and overhangs to the building and incorporate architectural design features of buildings from which they are supported.						✓
h. Place and locate awnings and canopies to reflect the building's architecture and fenestration pattern.						✓
i. Place awnings and canopies to balance weather protection with daylight penetration. Avoid continuous opaque canopies that run the full length of facades.						✓
j. Provide attractive signage on commercial buildings that identifies uses and shops clearly but which is scaled to the pedestrian rather than the motorist. Some exceptions can be made for buildings	✓					

located on highways and/or major arterials in alignment with the City's Sign Bylaw.						
k. Avoid the following types of signage: <ul style="list-style-type: none"> <li>Internally lit plastic box signs;</li> <li>Pylon (stand alone) signs; and</li> <li>Rooftop signs.</li> </ul>						✓
l. Uniquely branded or colored signs are encouraged to help establish a special character to different neighbourhoods.	✓					

# DP21-0150 DVP22-0042 647 Clement Ave

Development Permit and Development Variance Permit  
Application

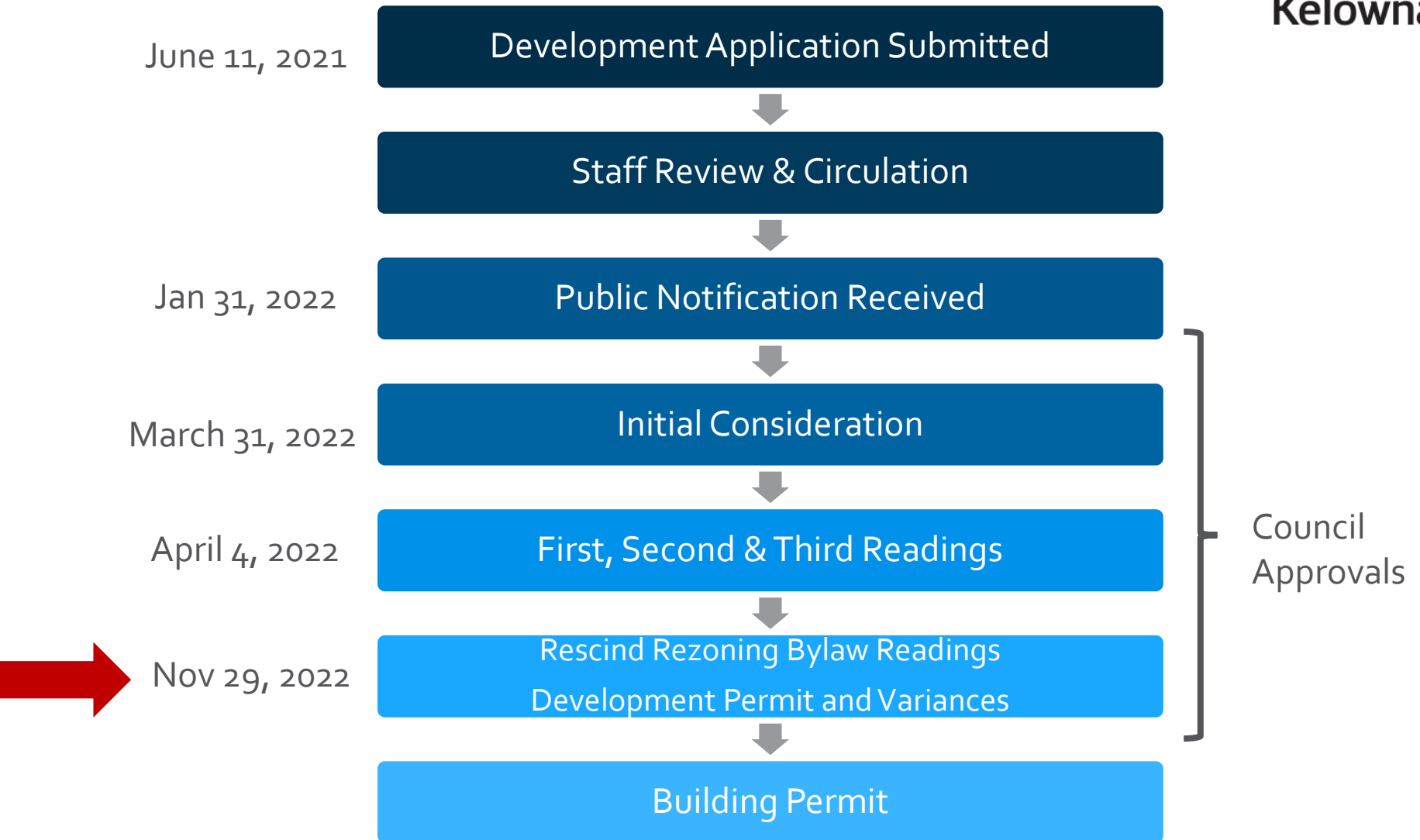
# Proposal

- ▶ To issue a Development Permit for the form and character of a 6-storey residential development and to issue a Development Variance Permit to vary the minimum upper floor setbacks on the east and west side of the building.

# Development Permit & Development Variance Permit

- ▶ “Does this proposed form and character meet the majority of the OCP Design Guidelines in Chapter 18?”
  - ▶ Appropriate to City’s context and climate
  - ▶ Relationship to the street
  - ▶ Scale & massing of building(s)
  - ▶ Building articulation, features, & materials
  - ▶ Site layout, landscaping, & open spaces
  - ▶ Access & parking
  
- ▶ “Have the potential impacts of this variance been considered and/or mitigated?”

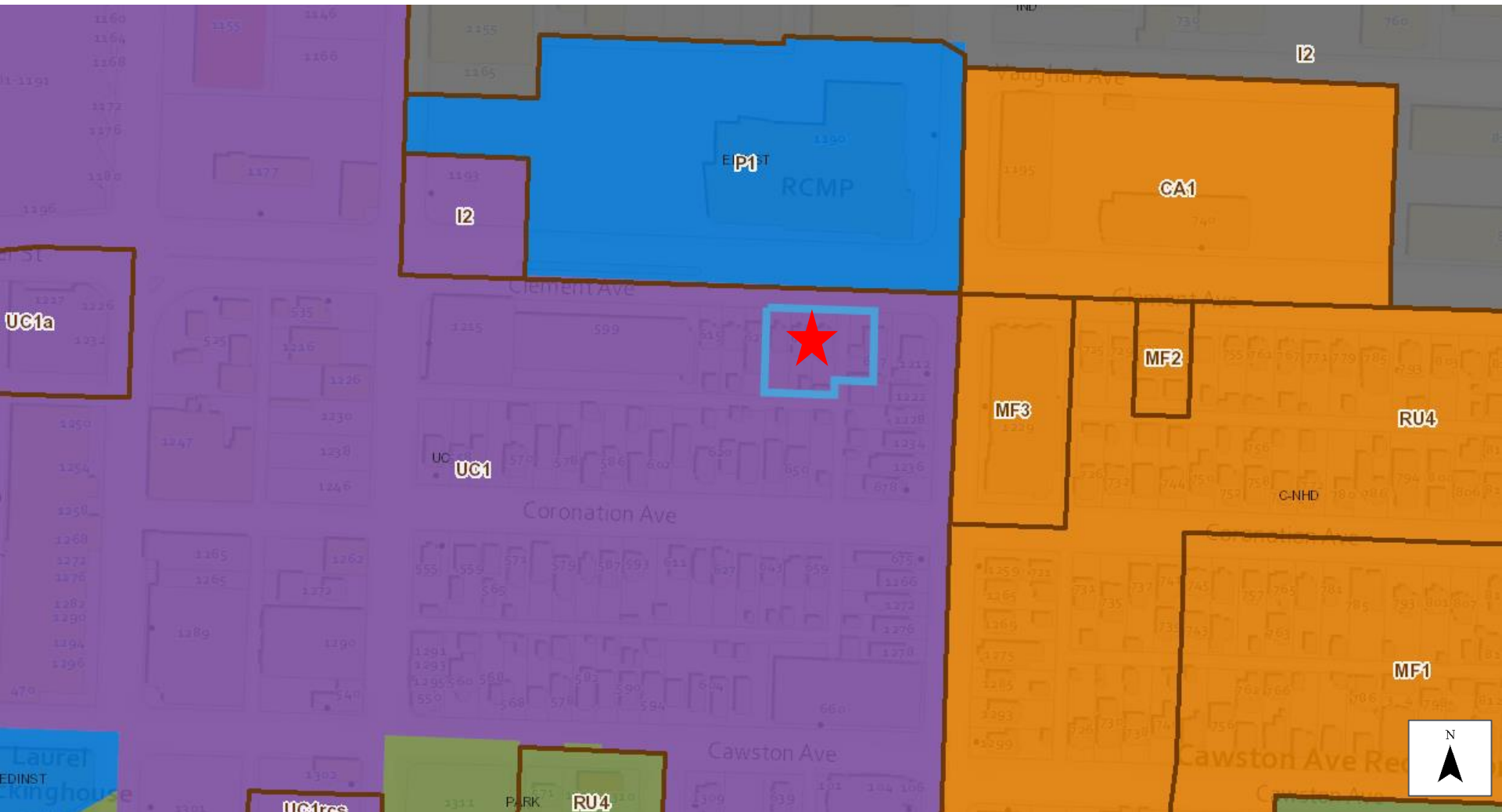
# Development Process



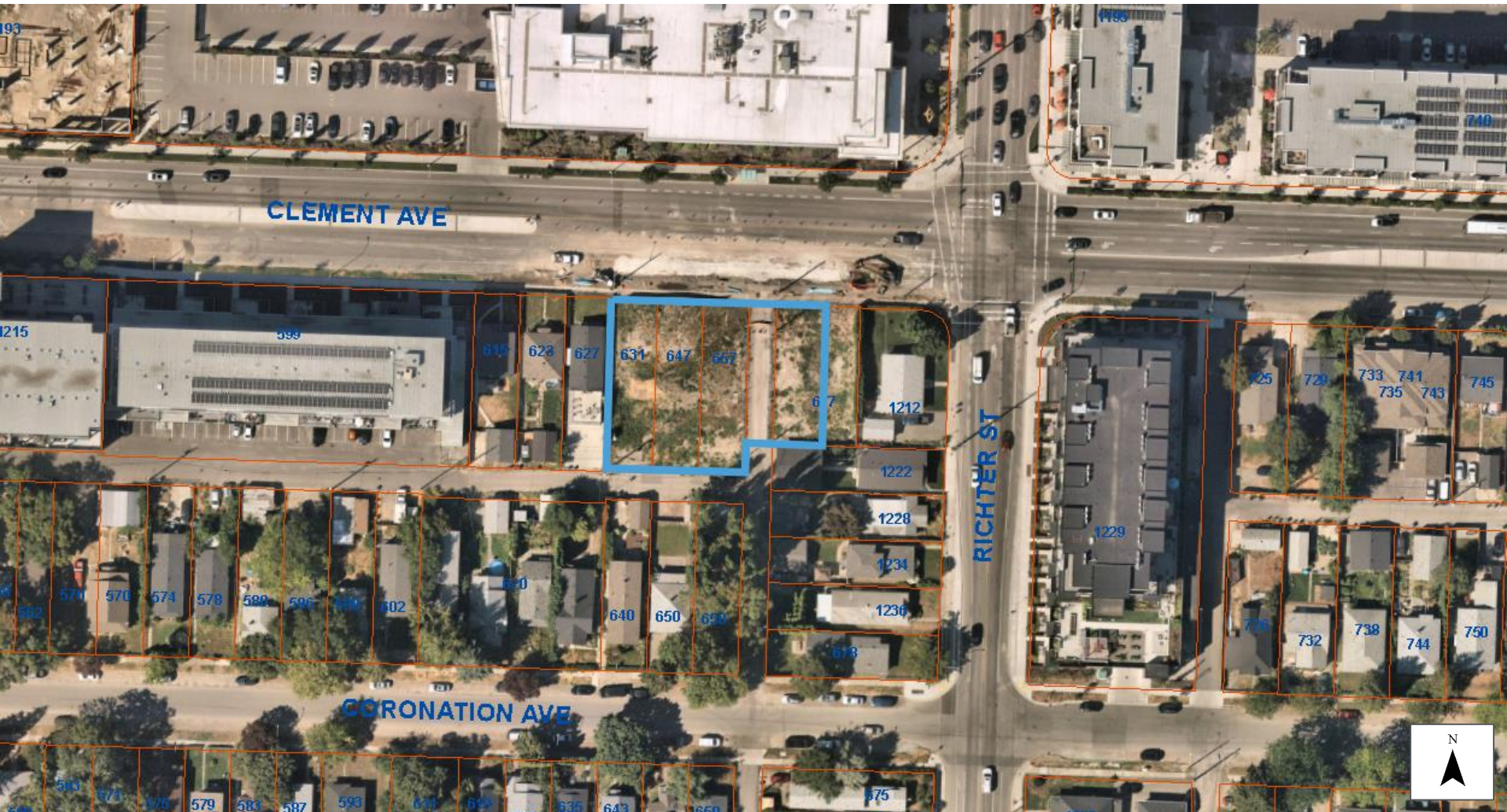
# Context Map



# OCP Future Land Use / Zoning



# Subject Property Map



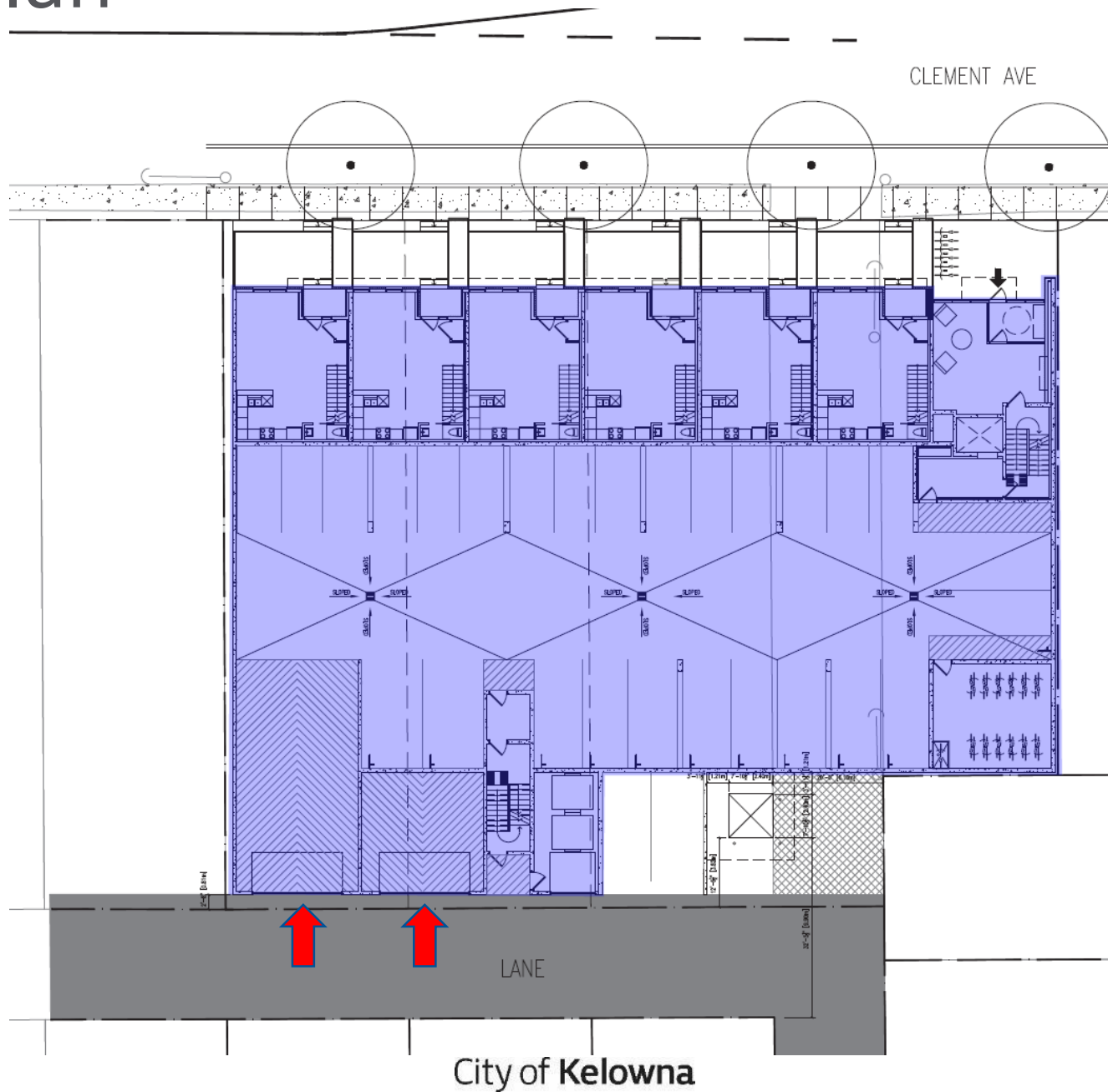
# UC<sub>1</sub> – Downtown Urban Centre

- ▶ UC<sub>1</sub> is a new zone for the Downtown Urban Centre. Previously a combination of multiple zones, primarily C7.
- ▶ The purpose of this zone is to designate and to preserve land for developments of the financial, retail and entertainment, governmental, cultural and civic core of the downtown while also encouraging high density mixed-use buildings.

# Project/technical details

- ▶ 6-storey apartment building
- ▶ 66 residential units
  - ▶ 20 bachelor units
  - ▶ 29 one-bedroom units
  - ▶ 17 two-bedroom units
- ▶ 2 levels of structured parking
  - ▶ Provision of a Modo car-share vehicle
- ▶ Amenity deck on top of parkade
- ▶ Variances: Upper floor setbacks

# Site Plan



CLEMENT AVENUE

PROPERTY LINE

BUILDING

PROPERTY LINE/LINE OF WORK

PROPERTY LINE/LINE OF WORK

WOOD PLANK FLOORING (TYP.)

FIREPIT SEATING AREA (TYP.)

OUTDOOR KITCHEN AREA

TRELLIS

ENTERTAINING & EATING AREA (TYP.)

DECIDUOUS TREE PLANTING (SYRINGA RETICULATA 'MOIRY SILK') (TYP.)

BENCH (TYP.)

SUNDECK & LOUNGING AREA

TURF AREA (TYP.)

CONCRETE CURB & GUTTER (TYP.)

1.8m WIDE CONCRETE SIDEWALK (TYP.)

DECIDUOUS BOULEVARD TREE PLANTING (ROBINIA PSEUDACACIA 'FRISA') (TYP.)

RAISED PLANTER (TYP.)

DECORATIVE SHRUB, PERENNIAL & ORNAMENTAL GRASS PLANTINGS (TYP.)

ROCK MULCH (TYP.)

TRELLIS FOR VINE PLANTING (TYP.)

CAST-IN-PLACE CONCRETE STAIRS (TYP.)

WATERING BOWL

GATED DOG RUN COMPLETE WITH ARTIFICIAL TURF

AGILITY LOGS AND BOULDERS (TYP.)

ARCHITECTURAL PRIVACY SCREEN (TYP.)

PRECAST CONCRETE PAVERS (TYP.)

DECIDUOUS TREE PLANTING (CRATAEGUS X MORDENENSIS 'SNOWBIRD') (TYP.)

CABANAS FOR SHADE PROTECTION (TYP.)

PHOTO: JEFFREY D. JAMES

# North Elevation (Clement Ave)



# East Elevation



# West Elevation



# South Elevation (lane)



# Renderings



# Renderings



# Renderings



# Renderings



# Staff Recommendation

- ▶ Staff recommend **support** for the proposed Development Permit and Development Variance Permit:
  - ▶ Meets the intent of the Official Community Plan
    - ▶ Urban Centre designation and policies for Downtown Urban Centre
  - ▶ Conforms to the Form & Character Design Guidelines for Low & Mid-Rise Residential Buildings
  - ▶ Proposed variances are minor



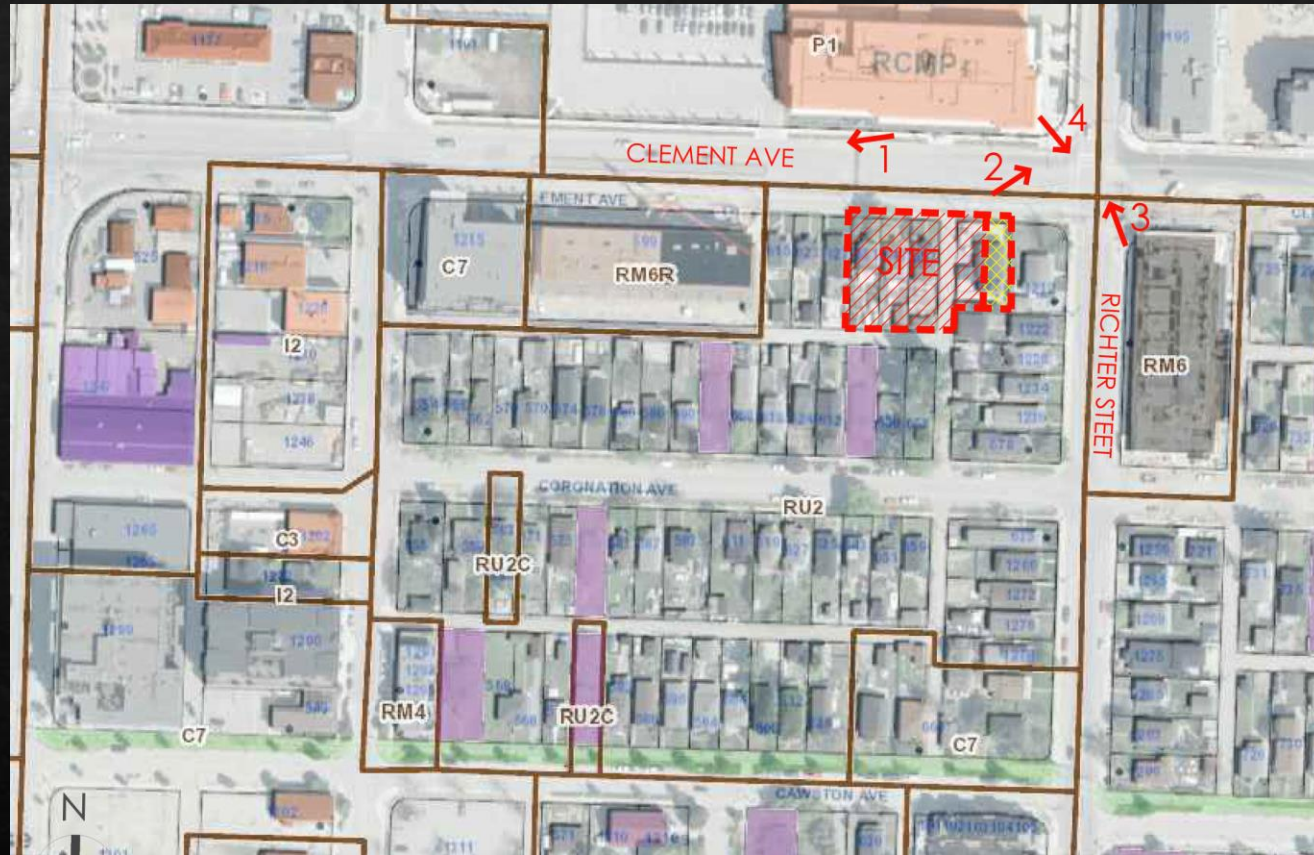
## *Conclusion of Staff Remarks*



# Savoy on Clement Multifamily Development

Development Permit & Development Variance Permit

677, 657, 647 & 631 Clement Ave., Kelowna, BC



*Kelowna's north end; a melting pot of industrial, commercial, cultural, and a growing residential presence*

## 66 residential condominium units

- (49) 1 bedroom (incl. + den options) condos
- (11) 2 bedroom (incl. + den options) condos
- (6) 2 bedroom ground oriented townhomes

## 6 storeys

- secure underground parking (partially buried)
- abundant landscaping at street scape & amenity podium
- bonus secure biking storage (50 total)



***“The architecture is sensitive to it’s built context and the people that inhabit it.”***

- pedestrian scaled design (ground-oriented townhomes)
- sensitive step backs with a defined base, mid and top section
- modern form with traditional materials consistent with surrounding context
- abundant private and public outdoor spaces



# 5<sup>th</sup> and 6<sup>th</sup> storey step back variance requested along portion of eastern wall abutting adjacent future development

-maintain density and feasibility of project while sacrificing a half lot to the future corner development

-stacking of density, rather than growing footprint allows for greater amount of landscaped private and public amenity areas

-considered material treatment and form of this portion of wall adds prominence to the lobby entry/feature wall and bookends this mid block site for an abutting future corner development





# REPORT TO COUNCIL



**Date:** November 29, 2022

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** DVP22-0134

**Owner:** Dilworth Shopping Centre Ltd.,  
Inc.No. 319846

**Address:** 2339-2397 HWY 97 N

**Applicant:** Gustavson Wylie Architects

**Subject:** Development Variance Permit

**Existing OCP Designation:** UC – Urban Centre

**Existing Zone:** UC3dt-rs – Midtown Urban Centre with Drive Through and Retail  
Cannabis Sales Zone

---

## 1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP22-0134 for Lot A District Lots 126 and 532 ODYD Plan 40108, located at 2339-2397 HWY 97 N, Kelowna, BC;

AND THAT variances to the following sections of Sign Bylaw No. 11530 be granted:

**Section 3.5.2 (c): Signs Not Requiring a Permit, Directional Sign, Regulations**

To vary directional sign regulations to allow for lit directional signs.

**Section 9.3 (b) h: Urban Commercial Zones, Signage Regulations**

To vary the maximum number of permanent illuminated fascia signs per business from two (2) permitted to three (3) proposed.

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

## 2.0 Purpose

To issue a Development Variance Permit to vary the maximum number of permanent illuminated fascia signs per business from two (2) to three (3), and to vary directional sign regulations to allow for lit directional signs.

## 3.0 Development Planning

Staff recommend support for the Development Variance Permit to vary the maximum number of permanent illuminated fascia signs in an Urban Centre zone from two (2) to three (3) and to vary directional sign regulations to allow for lit directional drive through signs. The subject site is a large commercial property with

a frontage on multiple roads. The application is for the business located at the corner of Leckie Road and Hwy 97 N. It is not in close proximity to any buildings that would be adversely impacted by additional illuminated signs.

#### 4.0 Proposal

##### 4.1 Project Description

The applicant is proposing an additional illuminated fascia sign for the Starbucks at the corner of Leckie Road and HWY 97 N for a total of three (3) fascia signs. The illuminated signs would be installed on the North, East and West sides of the building which are facing HWY 97 N, Leckie Road and into the Dilworth Shopping Centre. The signs are circular with a diameter of 1.5 m. Two illuminated directional signs are proposed on the East and West sides of the building. The directional signs are rectangular and measure 1.8 m in width and 0.5 m in height.

##### 4.2 Site Context

The subject property is located at the intersection of HWY 97 N and Leckie Road within the Dilworth Shopping Centre.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	CA1 – Core Area Mixed Use	Hotel / Motel
East	C2 dt – Vehicle Oriented Commercial with Drive Through	Retail
South	UC3 fg – Midtown Urban Centre with Fueling and Gas Stations	Retail
West	C2 dt – Vehicle Oriented Commercial with Drive Through	Retail

##### Subject Property Map:



## **5.0 Application Chronology**

Date of Application Received: June 22, 2022

Date Public Consultation Completed: November 2, 2022

**Report prepared by:** Graham Allison, Planner I

**Reviewed by:** Lydia Korolchuk, Urban Planning Manager

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

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

### **Attachments:**

Attachment A: Draft Development Variance Permit DVP22-0134

Schedule A: Elevations

# Development Variance Permit

## DVP22-0134



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

**2339-2397 HWY 97 N**

and legally known as

**Lot A District Lots 126 and 532 ODYD Plan 40108**

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

**Food Primary Establishment**

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

Date of Council Decision November 29, 2022

Decision By: COUNCIL OR DEVELOPMENT PLANNING DEPARTMENT MANAGER

Existing Zone: UC3dt-rs – Midtown Urban Centre with Drive Through and Retail Cannabis Sales Zone

Future Land Use Designation: UC- Urban Centre

### **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: Dilworth Shopping Centre Ltd.

Applicant: Gustavson Wylie Architects

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

\_\_\_\_\_  
Date of Issuance

**ATTACHMENT** **A**

This forms part of application  
# DVP22-0134

Planner  
Initials

GA

The logo for the City of Kelowna, featuring a stylized circular geometric pattern to the left of the text "City of Kelowna".  
**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 exterior design and finish of the building to be constructed on the land be in accordance with Schedule "A";
- b) AND THAT variances to the following sections of Sign Bylaw No. 11530 be granted:

**Section 3.5.2 (c) Signs Not Requiring a Permit, Directional Sign, Regulations**

To vary directional sign regulations to allow for lit directional signs.

**Section 9.3 (b) h.: Urban Commercial Zones, Signage Regulations**

To vary the maximum number of permanent illuminated fascia signs per business from two (2) permitted to three (3) proposed.

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

## 3. INDEMNIFICATION

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

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

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

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

**ATTACHMENT**

**A**

This forms part of application  
# DVP22-0134



City of  
**Kelowna**  
DEVELOPMENT PLANNING

Planner  
Initials

GA



## 2 EXTERIOR ELEVATION - EAST

Scale: 1:50



1 EXTERIOR ELEVATION - NORTH

Scale: 1:50



PHOTO 2:  
FUTURE SOUTH ELEVATION



PHOTO 1:  
FUTURE SOUTHWEST CORNER ELEVATION

## PHOTOS - EXISTING AND SURROUNDING SITE

## GENERAL NOTES

- A. GENERAL CONTRACTOR TO COORDINATE AND SCHEDULE SIGNAGE INSTALLATION WITH THE SIGNAGE CONTRACTOR PROVIDING A MINIMUM SCHEDULING NOTICE OF 4 WEEKS AND 1 WEEK PRIOR TO SCHEDULED DATE OF INSTALLATION. CONSTRUCTION MANAGER TO PROVIDE GENERAL CONTRACTOR WITH SIGNAGE CONTRACTOR CONTACT INFORMATION.
- B. GENERAL CONTRACTOR SHALL COORDINATE WITH ELECTRICAL CONTRACTOR TO FURNISH AND INSTALL ELECTRICAL CIRCUITS INCLUDING ALL CONDUIT, WIRE, CONNECTIONS AND BREAKER AT PANEL BOARD NECESSARY TO SERVE SIGNAGE.
- C. GENERAL CONTRACTOR TO PROVIDE FIRE TREATED WOOD STUD BLOCKING OR EQUIVALENT TO SUPPORT SIGNAGE. EXTEND BLOCKING 8" (205MM) MIN. BEYOND EDGE OF SIGNAGE.
- D. SIGNAGE CONTRACTOR SHALL VERIFY SIZE AND LOCATION OF ANY AND ALL ALLOWABLE MONUMENT OR POLE SIGNAGE AND PROVIDE SHOP DRAWING(S) PRIOR TO FABRICATION TO THE STARBUCKS DESIGNER FOR APPROVAL.
- E. SIGNAGE CONTRACTOR TO INSTALL SIGNAGE IN COMPLIANCE WITH LOCAL CODES AND OBTAIN PERMIT.
- F. SIGNAGE CONTRACTOR TO SUPPLY SHOP DRAWINGS TO CONSTRUCTION MANAGER AND TO THE GENERAL CONTRACTOR AS NEEDED. GENERAL CONTRACTOR TO NOTIFY CONSTRUCTION MANAGER IMMEDIATELY IF SHOP DRAWINGS OR INSTALLATION IS IN DISCREPANCY WITH ARCHITECTURAL DRAWINGS.
- G. ALL BUILDING FINISHES ARE EXISTING TO REMAIN.

## KEYED NOTES

1. EXISTING BASE BUILDING EXTERIOR WALL SCONCE.
2. EXISTING BASE BUILDING DUPLEX OUTLET.
3. EXISTING BASE BUILDING STROBE LIGHT.
4. NEW STARBUCKS CANOPY INSTALLED BY LL.
5. EXISTING BASE BUILDING GAS METER.
6. ~~EXISTING BASE BUILDING SCUFFP.~~
7. EXISTING BASE BUILDING RTU SCREEN.
8. ~~EXISTING BASE BUILDING RTU.~~
9. EXISTING BASE BUILDING SPANDREL PANELS.
10. EXISTING BASE BUILDING GAS PIPE.
11. NOT USED.
12. NOT USED.
13. ~~EXISTING BASE BUILDING ACCESSIBLE PARKING SIGN.~~
14. EXISTING BASE BUILDING HAND/GUARD RAIL.
15. EXISTING BASE BUILDING ADDRESS PLATE.
16. EXISTING BASE BUILDING BIKE RACK.
17. ~~EXISTING BASE BUILDING GARBAGE ENCLOSURE.~~

BUILDING SIGNAGE SCHEDULE - "S"				
DESIGN ID	COUNT	DESCRIPTION	FURN. BY	INST. BY
SIGNAGE - DISK				
13164	3	SIGN - DISK SF ILLUMINATED FLUSH MOUNTED EVOLVED - 60IN 1525MM	SV	SV
SIGNAGE - DRIVE THRU				
14532	1	SIGN - DRIVE THRU ILLUMINATED ARROW SERIES FLUSH MOUNTED - LH - 72IN 1830MM	SV	SV
14534	1	SIGN - DRIVE THRU ILLUMINATED ARROW SERIES FLUSH MOUNTED - RH - 72IN 1830MM	SV	SV
SIGNAGE - OTHER				
X99031	1	STORE ADDRESS - ACRYLIC - BLACK - 3"	SV	SV

## RESPONSIBILITY LEGEND

- |    |                               |
|----|-------------------------------|
| GC | GENERAL CONTRACTOR            |
| LL | EXISTING PROVIDED BY LANDLORD |
| SB | STARBUCKS                     |
| WH | STARBUCKS WAREHOUSE (3PL)     |
| VD | STARBUCKS VENDOR DIRECT       |
| SV | SIGNAGE VENDOR                |
| CV | CASEWORK VENDOR               |



STARBUCKS COFFEE  
COMPANY

2401 UTAH AVENUE SOUTH  
SEATTLE, WASHINGTON 98134  
(206) 318-1575

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THE GENERAL CONTRACTOR SHALL REVIEW THE  
DOCUMENTS FOR CONFORMANCE WITH CODES AND  
BYLAWS AND SHALL ADVISE THE ARCHITECT OF ANY  
DISCREPANCIES. THE GENERAL CONTRACTOR  
SHALL CHECK AND VERIFY ALL DIMENSIONS AND  
REPORT ALL ERRORS AND OMISSIONS TO THE  
ARCHITECT. DO NOT SCALE DRAWINGS.

## ARCHITECT OF RECORD



GWA PROJECT #: 19137

ISSUE SCHEDULE			
-	DATE	BY	DESCRIPTION
	22/05/19	BT	DP (VARIANCE)

REVISION SCHEDULE			
REV	DATE	BY	DESCRIPTION

	{YY/MM/DD}		

PROJECT NAME: STARBUCKS DILWORTH PLAZA

PROJECT ADDRESS:  
2397 HIGHWAY 97N,  
KELOWNA, BC V1X 4H9

STORE #:	58480
----------	-------

PROJECT #: 83711-001

CONCEPT: NEW DRIVE THRU

DESIGN MANAGER: LORI CRANDAL

PRODUCTION: BRIANNE TONE

CHECKED BY: ALEXIS TANNER

SHEET NO.:	PAGE NO.:
SHEET TITLE:	

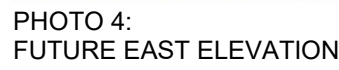
## EXTERIOR ELEVATIONS

As indicated

SHEET NUMBER:

A 201

A-201



190

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VANCOUVER, BRITISH COLUMBIA  
CANADA V6E 4H1

**GWA** architecture planning interiors

GWA PROJECT #: 19137

[illegible]

PROJECT NAME:  
STARBUCKS DILWORTH  
PLAZA

PROJECT ADDRESS:  
2397 HIGHWAY 97N,  
KELOWNA, BC V1X 4H9

STORE #: 58480

PROJECT #: 83711-001

CONCEPT: NEW DRIVE THR

DESIGN MANAGER: LORI CRANDALL

PRODUCTION: BRIANNE TONEE

CHECKED BY

SHEET TITLE:  
EXTERIOR ELEVATIONS

SCALE: As indicated

SHEET NUMBER:

A-202



City of  
**Kelowna**

# DVP 22-0134 2397 HWY 97 N

Development Variance Permit

# Proposal

- ▶ To issue a Development Variance Permit to vary the maximum number of permanent illuminated fascia signs per business from two (2) to three (3), and to vary directional sign regulations to allow for lit directional signs.

# Development Variance Permit

- ▶ “Have the potential impacts of this variance been considered and/or mitigated?”
  - ▶ Rationale for variance
  - ▶ Impact on adjacent properties
  - ▶ Impact on neighbourhood, community, City at large

# Development Process

Jun. 6, 2022

Development Application Submitted



Staff Review & Circulation



Oct. 25, 2022

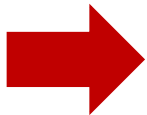
Public Notification Received



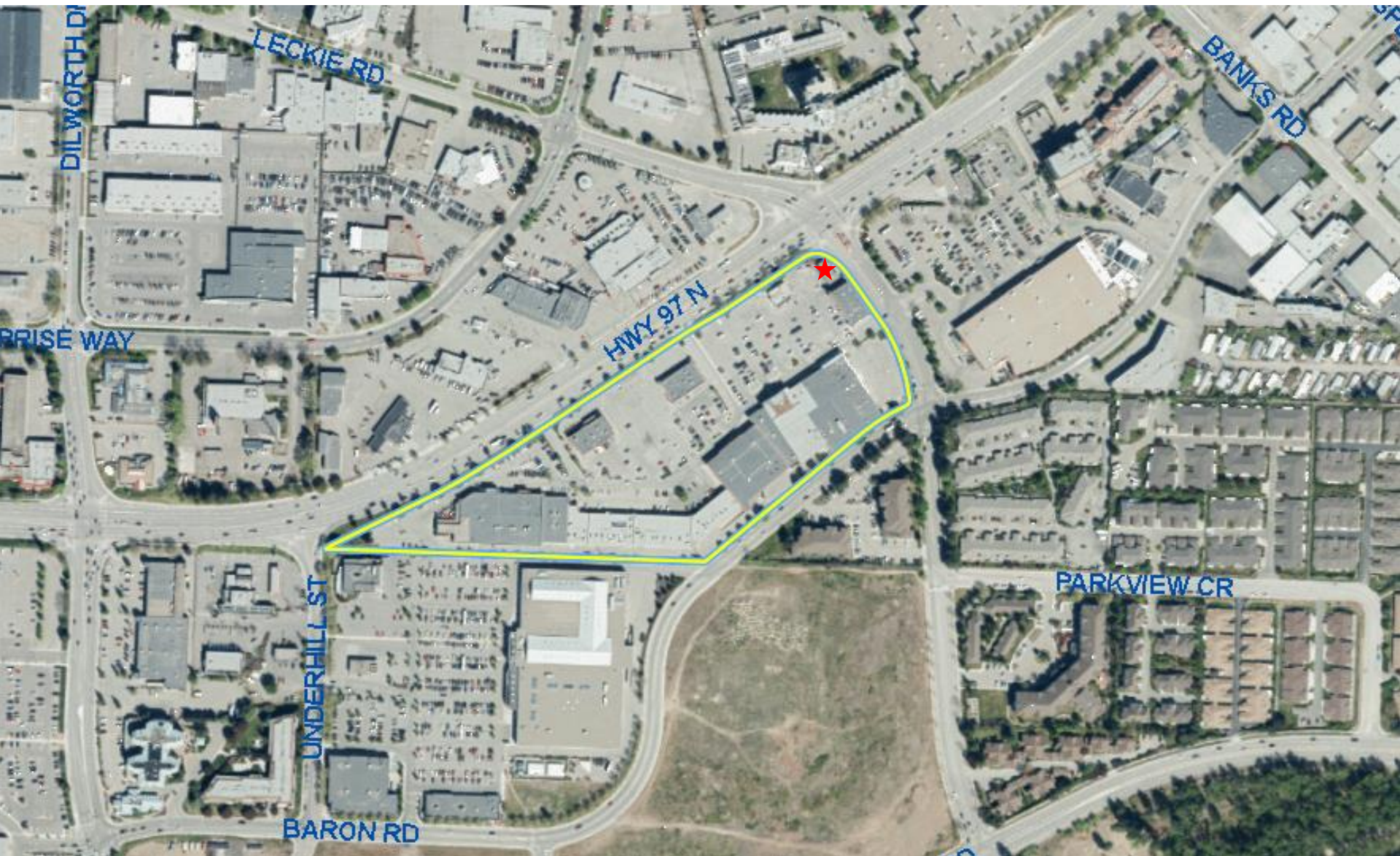
Nov. 29, 2022

Development Variance Permit

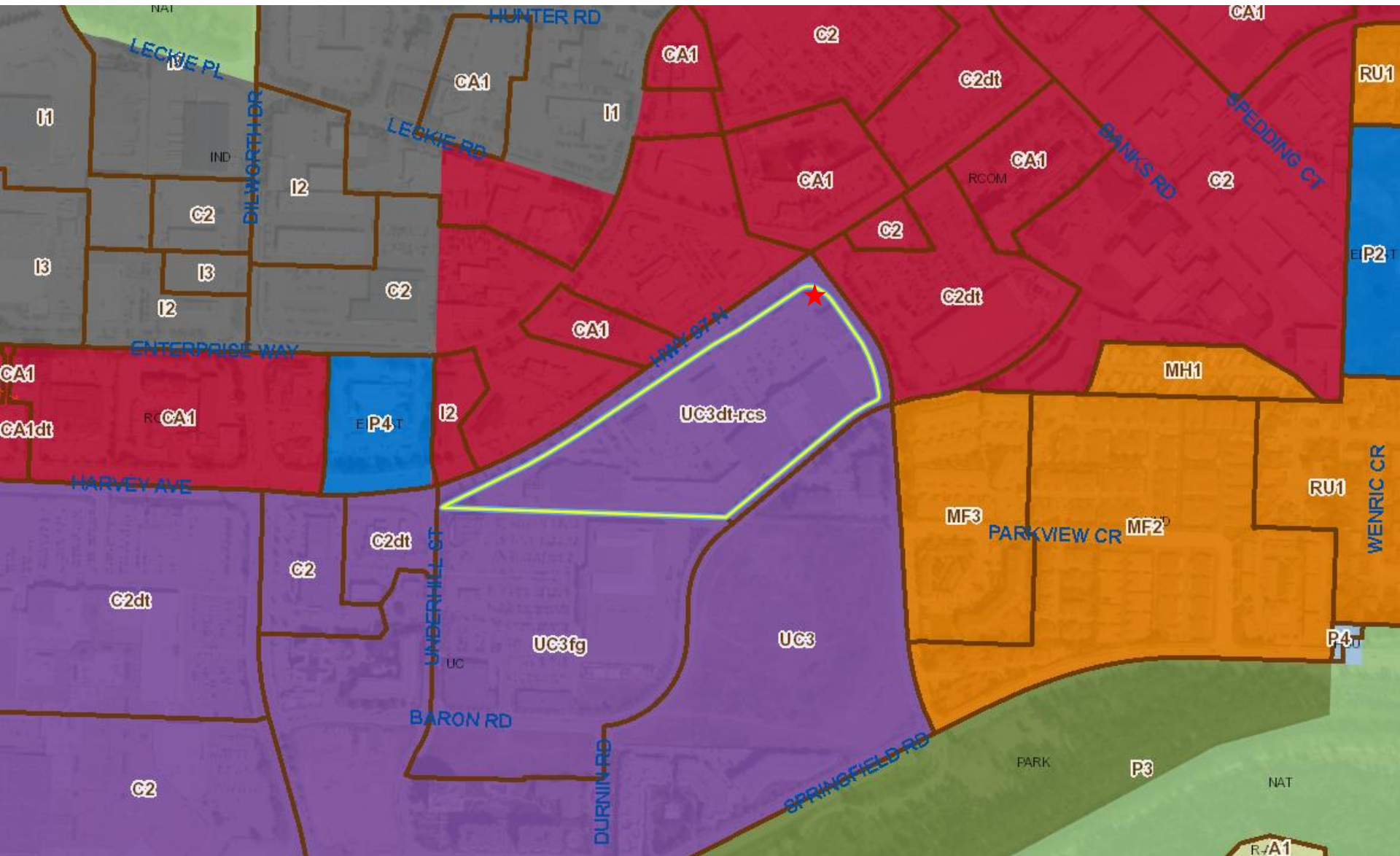
Council  
Approvals



# Context Map



# OCP Future Land Use / Zoning



# Subject Property Map



# Project/technical details

- ▶ The applicant is proposing two variances
  - ▶ To vary the maximum number of permanent illuminated fascia signs in an Urban Centre zone from two (2) to three (3) and;
  - ▶ and to vary directional sign regulations to allow for lit directional signs.
- ▶ Fascia Signs are circular with a diameter of 1.5 m.
  - ▶ Signs are proposed on the North, East and West sides of the building, facing the HWY 97 N, Leckie Road and the Dilworth Shopping Centre.
- ▶ Directional Signs are 1.8 m x 0.5 m.
  - ▶ Proposed on the East and West sides of the building.

[illegible]

2

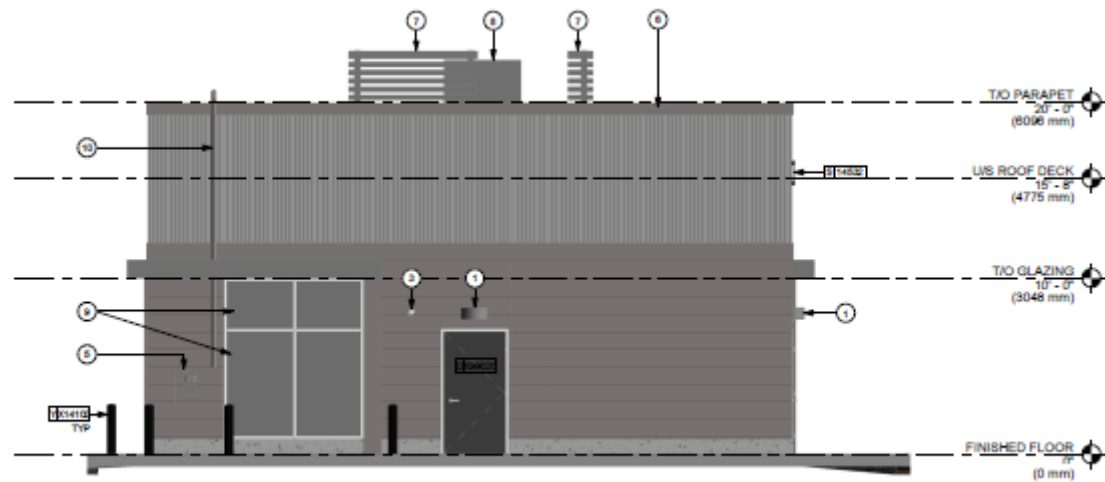


## 2 EXIT

# Elevations



1 EXTERIOR ELEVATION - NORTH  
Scale: 1/8"=1'-0"



1 EXTERIOR ELEVATION - SOUTH  
Scale: 1/50

# Staff Recommendation

- ▶ Development Planning Staff recommend support for the Development Variance Permit to vary the maximum number of permanent illuminated fascia signs in an Urban Centre zone from two (2) to three (3), and to vary directional sign regulations to allow for lit directional signs.
  - ▶ The subject property is highway fronting commercial.
  - ▶ Not in close proximity to any properties that would be adversely impacted by an additional illuminated signs.



## *Conclusion of Staff Remarks*

# REPORT TO COUNCIL



**Date:** November 29, 2022

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** HAP22-0010

**Owner:** Aleksandra Dulic

**Address:** 274 Lake Avenue

**Applicant:** Aleksandra Dulic

**Subject:** Heritage Alteration Permit

**Existing OCP Designation:** C-NHD – Core Area Neighbourhood

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

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## 1.0 Recommendation

THAT Council authorizes the issuance of Heritage Alteration Permit No. HAP22-0010 for Lot B District Lot 14 ODYD PLAN 42536, located at 274 Lake Ave, Kelowna, BC subject to the following:

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

AND THAT a variance to the following section of Zoning Bylaw No. 12375 be granted:

**Section 11.5: RU1 – Large Lot Housing, Development Regulations**

To vary the required minimum side yard from 1.5 m permitted to 1.0 m proposed;

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

## 2.0 Purpose

To issue a Heritage Alteration Permit for the conversion of an existing garage to a carriage house with a variance to the west side yard setback from 1.5 m permitted to 1.0 m proposed.

## 3.0 Development Planning

Development Planning Staff recommend support for the Heritage Alteration Permit for the conversion of an existing garage to a carriage house. The application includes a variance to the west side yard setback. The

required side yard setback is 1.5 m for a carriage house, which cannot be met as the existing building has a sideyard setback of 1.0 m to the west. The west side of the building has two rectangular privacy windows and is screened with fencing and mature landscaping. The proposal includes a small addition to the 2<sup>nd</sup> storey on the east side of the building. There is limited impact to the adjacent neighbours as the existing structure is located at the rear of the property and abutting a lane. Neighbourhood Notification as per Council Policy 367 was completed by mailing out letters to all neighbours within 50 m on October 7, 2022.

#### 4.0 Proposal

##### 4.1 Project Description

This Heritage Alteration Permit is to facilitate the conversion of an existing garage to a carriage house. The property is developed with an existing single detached dwelling and the garage is located at the rear abutting a lane. The proposal also includes a small addition on the east side of the garage and is intended to expand the 2<sup>nd</sup> floor living space. The proposed addition will be constructed to match the form and character of the existing building. A variance is required for the west side yard setback, as the existing building is within the 1.5 m permitted setback.

##### 4.2 Site Context

The subject property is within the Central City neighbourhood and is surrounded by RU1 – Large Lot Housing, RU1c – Large Lot Housing with Carriage House, and MF3 – Apartment Housing. The surrounding area has a Future Land Use Designation of C-NHD – Core Area Neighbourhood. The property is in the Heritage Conservation Area; however, the home is not on the Kelowna Heritage Register or designated by any other heritage bylaw. The neighbourhood is primarily composed of single detached dwellings, and some properties have a carriage house or secondary suite.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Detached Dwelling
East	RU1c – Large Lot Housing with Carriage House	Single Detached Dwelling and Carriage House
South	RU1 – Large Lot Housing	Single Detached Dwelling
West	RU1c – Large Lot Housing with Carriage House	Single Detached Dwelling and Carriage House

#### Subject Property Map: 274 Lake Ave



#### 4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1c ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Max. Site Coverage (buildings)	40 %	34 %
Max. Site Coverage (buildings, structures, impermeable surfaces)	70 %	49 %
Max. Height	5.4 m	5.2 m
Min. Front Yard	9.0 m	> 9.0 m
Min. Side Yard (East)	1.5 m	> 1.5 m
Min. Side Yard (West)	1.5 m	1.0 m <span style="color: red;">●</span>
Min. Rear Yard	0.9 m	1.5 m
Net Floor Area for Two (2) Storey Carriage House	90 m <sup>2</sup>	51.3 m <sup>2</sup>
Max. Building Footprint for Two (2) Storey Carriage House	90 m <sup>2</sup>	87.23 m <sup>2</sup>
Max. Upper Storey Gross Floor Area for Two (2) Storey Carriage House	70% of the carriage house footprint	28.02 m <sup>2</sup> (32%)
<span style="color: red;">●</span> Indicates a requested variance to the West side yard setback for the 2 storey carriage house.		

#### 5.0 Current Development Policies

##### 5.1 2040 Official Community Plan

Objective 5.3 Design residential infill to be sensitive to neighbourhood context (Chapter 5: Core Area)	
Policy 5.3.7	<p><b>Respect the Heritage Conservation Area.</b> Consider more limited opportunities for infill, such as carriage homes, two dwelling housing, subdivisions, and the conversion of existing single detached homes into suites in the Abbott Street and Marshall Street Heritage Areas only when consistent with the guidelines outlined in Chapter 23: Heritage Conservation Area. Discourage stacked row housing, apartment housing, and larger infill projects where lot consolidations are required, even where located along a Transit Supportive Corridor.</p> <p><i>The proposal is for the conversion of an existing garage to a carriage house, and is considered sensitive infill within the Heritage Conservation Area. The proposed addition is intended to match the sloping roofstyle of the existing building.</i></p>

##### 5.2 2040 Official Community Plan: Chapter 23 Heritage Conservation Area

Consideration has been given to the following guidelines as identified in Chapter 23 of the City of Kelowna Official Community Plan relating to Heritage Conservation Areas (see Attachment B).

#### 6.0 Application Chronology

Date of Application Received: September 12, 2022  
Date Public Consultation Completed: October 7, 2022

**Report prepared by:** Sara Skabowski, Planner I

**Reviewed by:** Lydia Korolchuk, Urban Planning Manager

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

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

**Attachments:**

Attachment A: Draft Heritage Alteration Permit

Schedule A: Site Plan and Floor Plans

Schedule B: Elevations and Colour Board

Attachment B: Heritage Alteration Permit Guidelines

# Heritage Alteration Permit (Major)

HAP22-0010



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

**274 Lake Avenue**

and legally known as

**LOT B DISTRICT LOT 14 ODYD PLAN 42536**

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

**CONVERSION OF AN EXISTING GARAGE TO A CARRIAGE HOUSE**

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



**Date of Council Approval:**      **November 29, 2022**

**Development Permit Area:**      Heritage Conservation Area

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

**Future Land Use Designation:**      C-NHD – Core Area Neighbourhood

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

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

In addition to your Heritage Alteration 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:**      Aleksandra Dulic

**Applicant:**      Aleksandra Dulic

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

\_\_\_\_\_  
Date of Issuance

## 1. SCOPE OF APPROVAL

This Heritage Alteration 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 Heritage Alteration 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 Heritage Alteration Permit. No implied variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

## 2. CONDITIONS OF APPROVAL

THAT Council authorizes the issuance of Heritage Alteration Permit No. HAP22-0010 for Lot B District Lot 14 ODYD Plan 42536 located at 274 Lake Avenue, Kelowna, BC, subject to the following:

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";

AND THAT variances to the following section of Zoning Bylaw No. 12375 be granted:

**Section 11.5: RU1 – Large Lot Housing, Development Regulations**

To vary the required minimum side yard from 1.5 m permitted to 1.0 m proposed.

## 4. INDEMNIFICATION

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

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

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

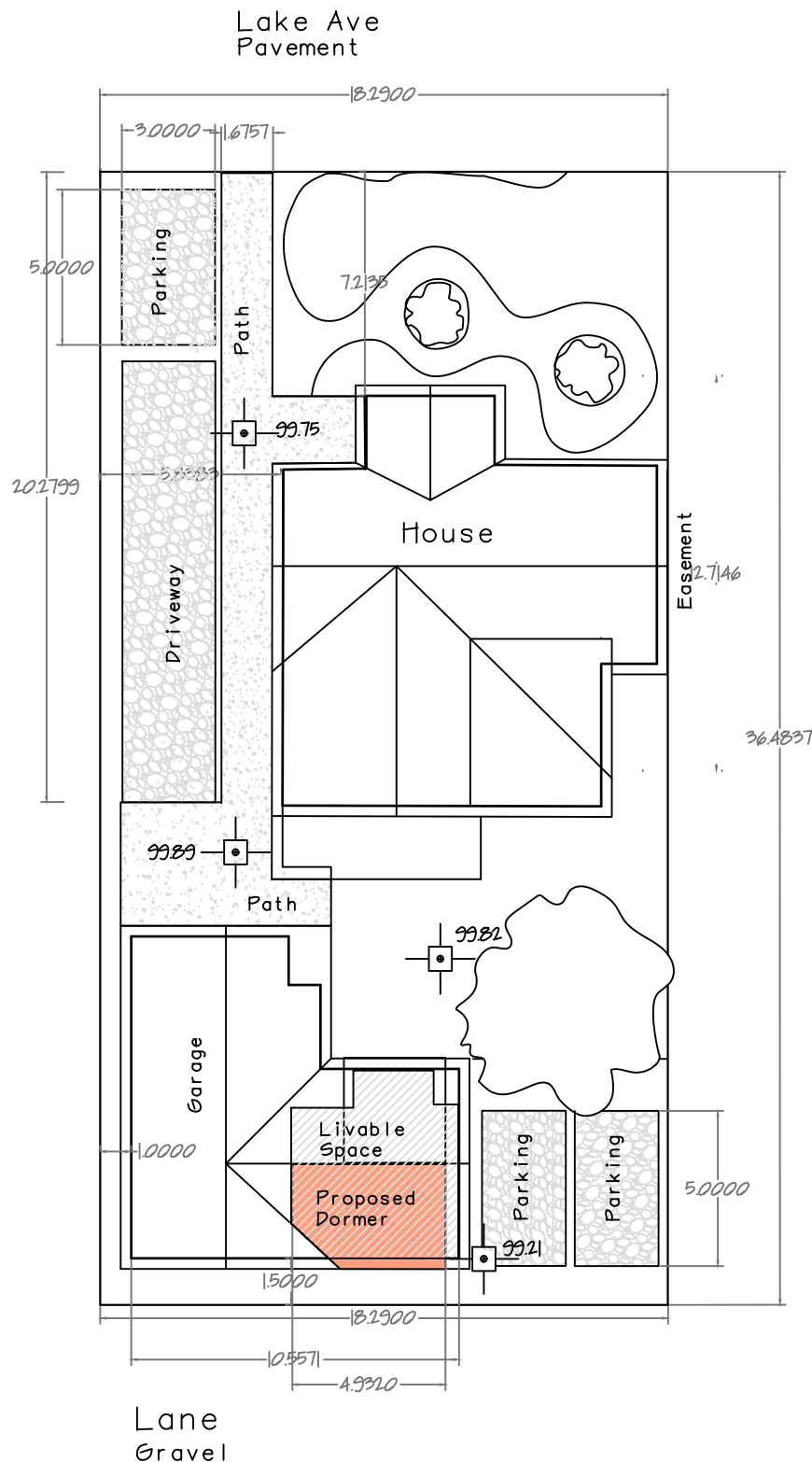
**The PERMIT HOLDER is the CURRENT LAND OWNER.  
Security shall ONLY be returned to the signatory of the  
Landscape Agreement or their designates.**

# Site Plan

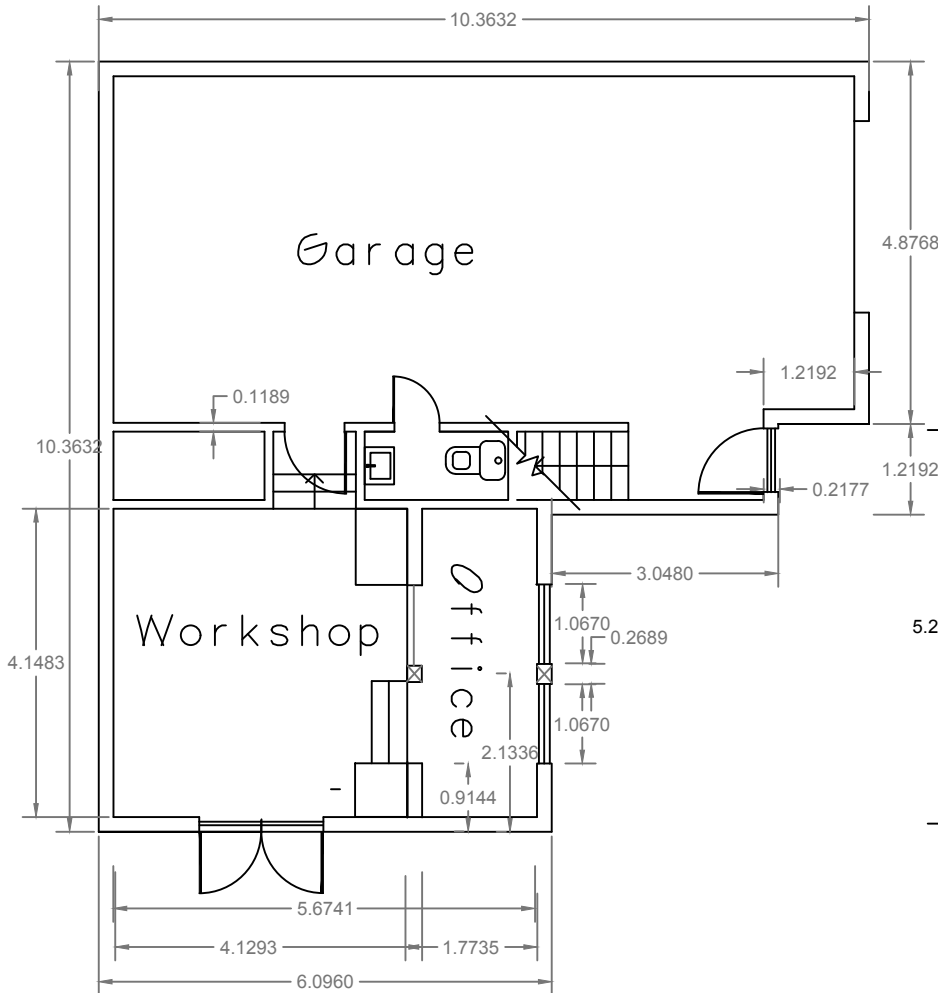
Property Address 274 Lake Avenue, Kelowna, V1Y 5W7  
 Registered Owner Aleksandra Dulic  
 Legal Description LOT B, DISTRICT LOT 14, O.D.Y.D., PLAN 42536

## Site Data

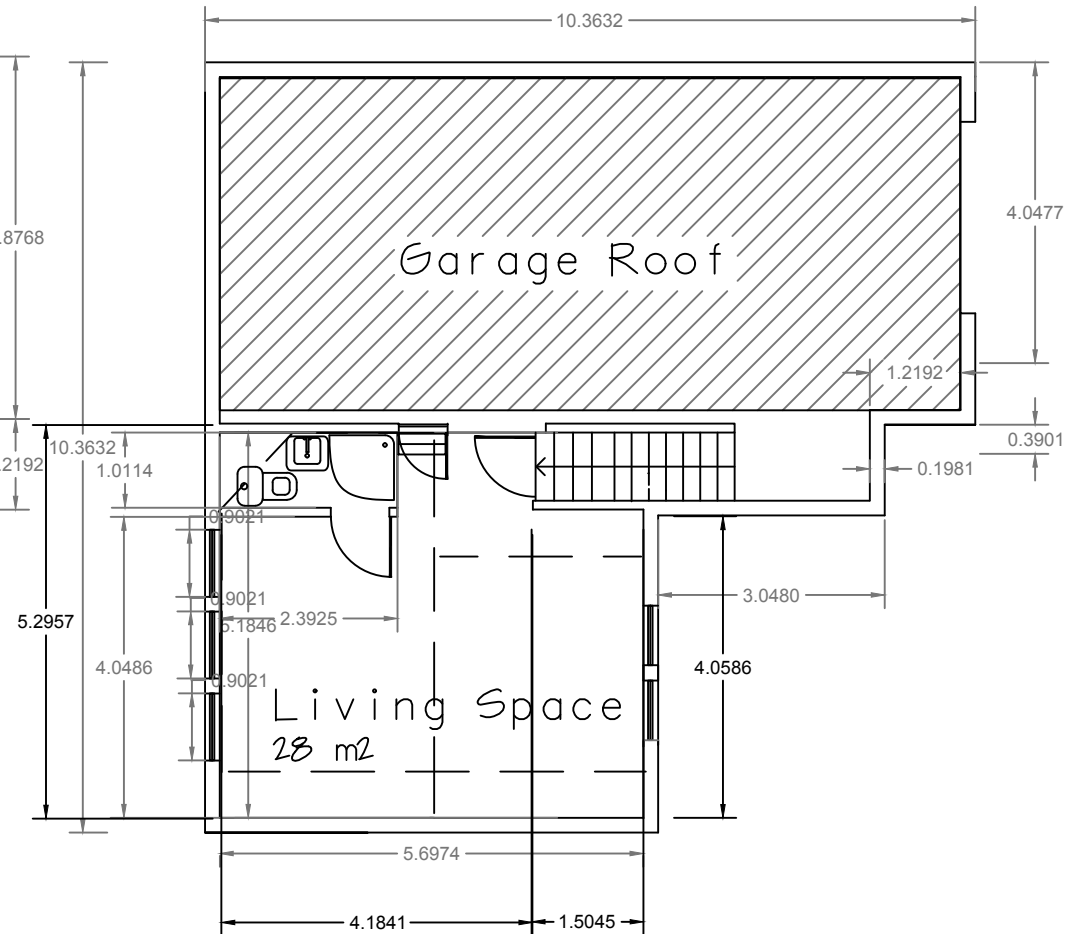
Total Lot Area	18.29 x 36.565	= 668.77 m <sup>2</sup>
Floor Area	House	= 142.38 m <sup>2</sup>
	Accessory Building	= 87.23 m <sup>2</sup>
	Gross Floor Area	= 229.55 m <sup>2</sup>
Private open space	Front Yard	= 108 m <sup>2</sup>
	Rear Yard	= 121 m <sup>2</sup>
	Gross Open Space	= 229 m <sup>2</sup>
Driveway & parking	Rear Yard	= 92 m <sup>2</sup>
Lot Coverage	Buildings	= 229.55m <sup>2</sup>
	Vehicular Use	= 92 m <sup>2</sup>
	Gross Lot Coverage	= 321.55 m <sup>2</sup>
Elevation Grades	Unchanged	
Driveway & parking	Gravel	
Exterior Treatemnt	Resemble existing house	



Ground Floor Plan



Top Floor Plan



Living Space = 28.02 m<sup>2</sup>

Workshop unchanged = 17.13 m<sup>2</sup>

Garage unchanged = 7.5 m<sup>2</sup>

Office = 6.15 m<sup>2</sup>

Upper Storey Gross Floor Area = 32%

# Proposed Change

## SCHEDULE

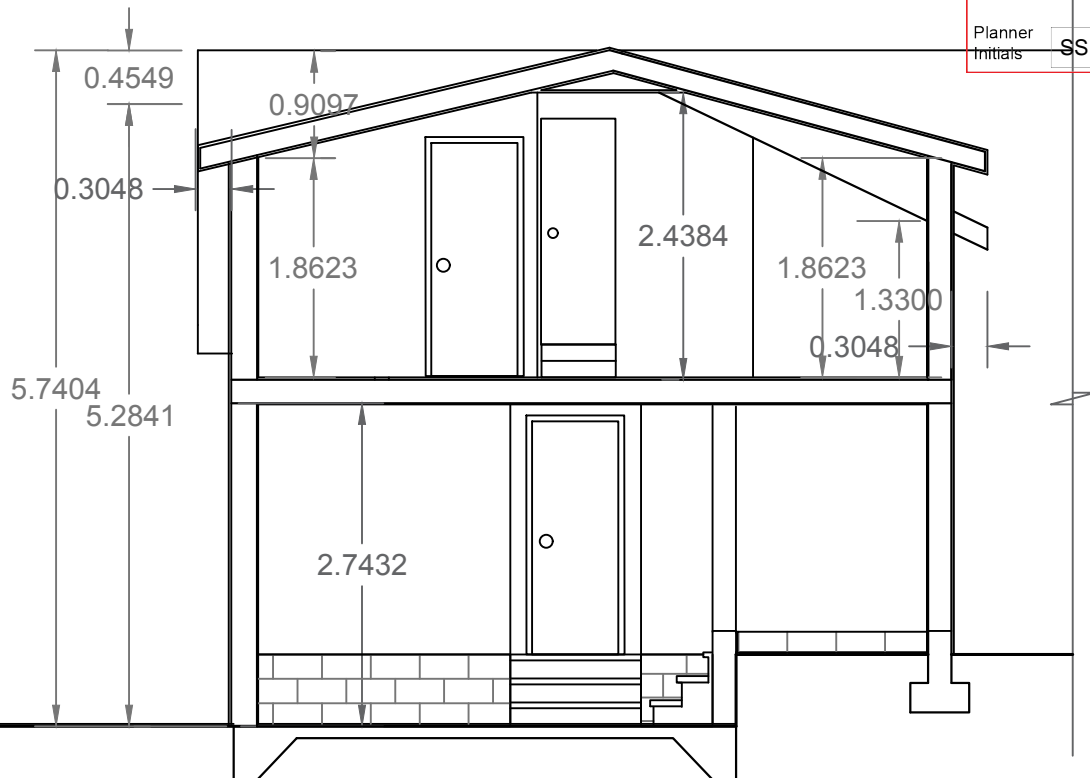
A

This forms part of application  
# HAP22-0010

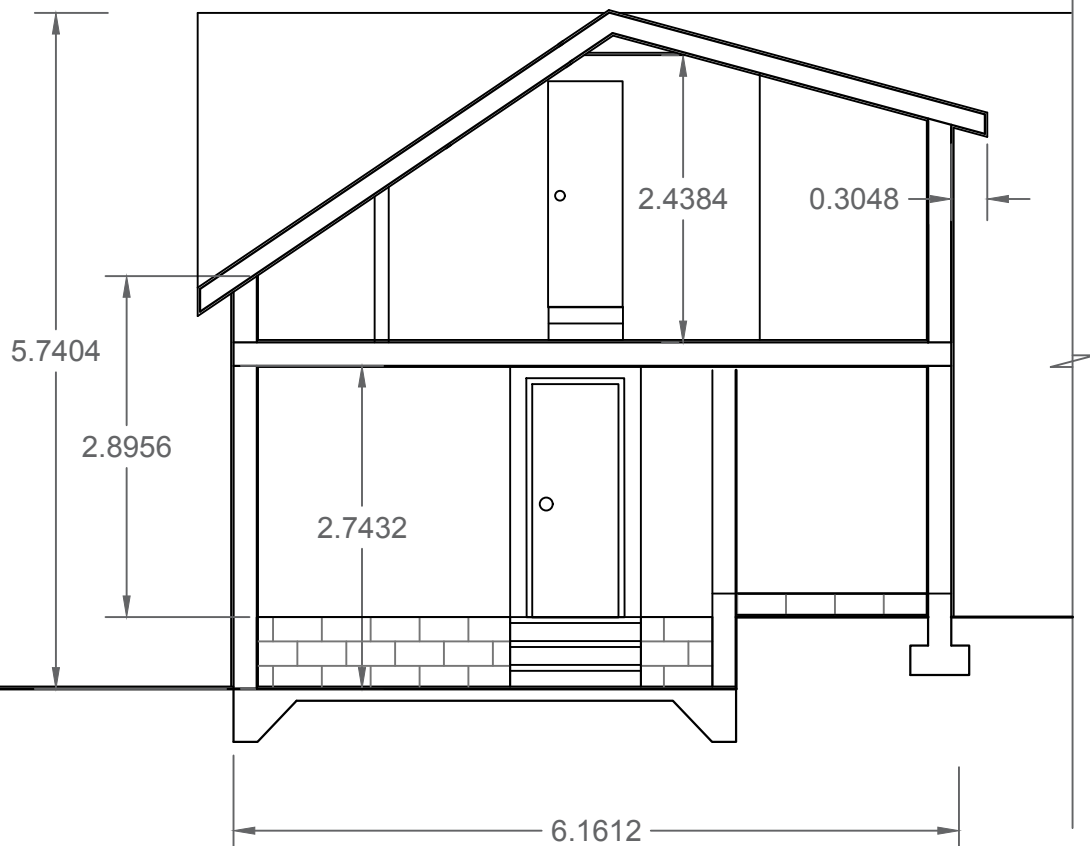


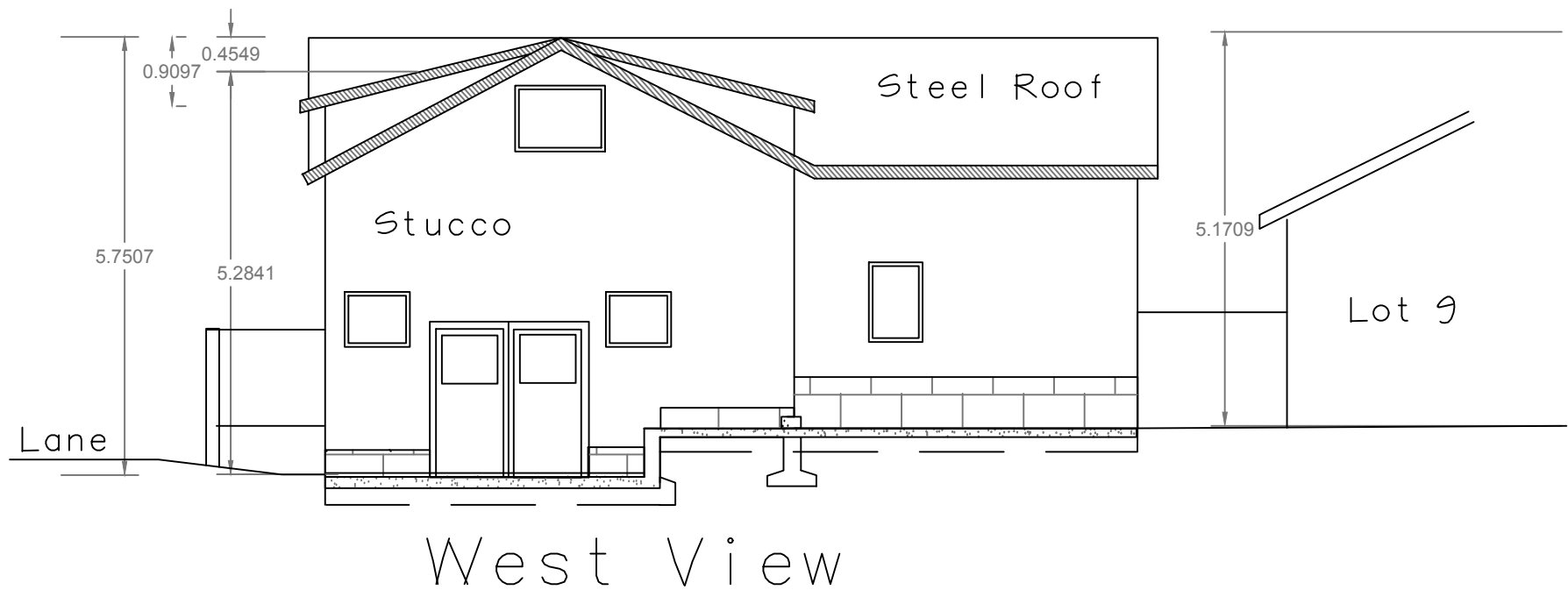
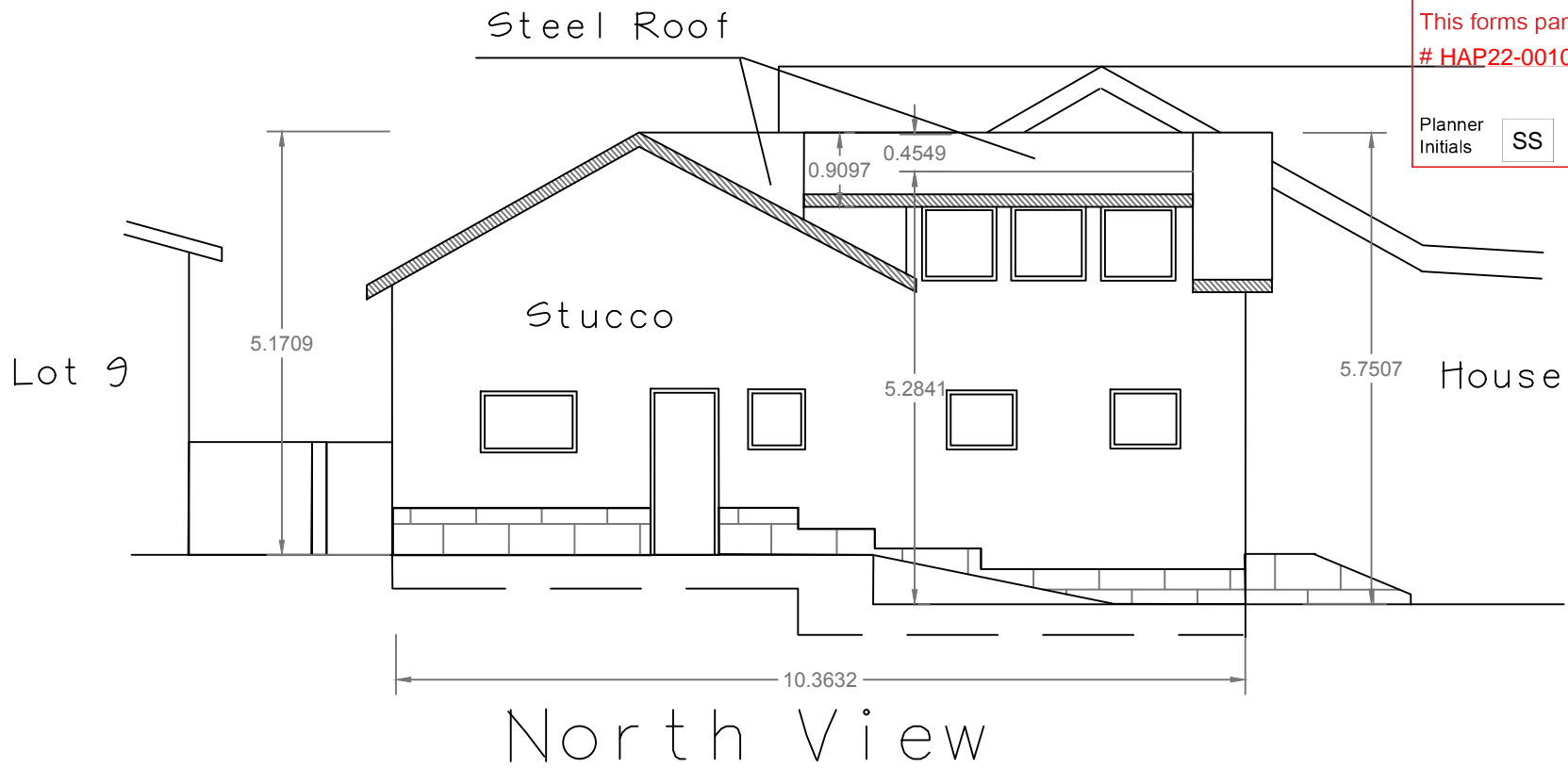
City of  
**Kelowna**  
COMMUNITY PLANNING

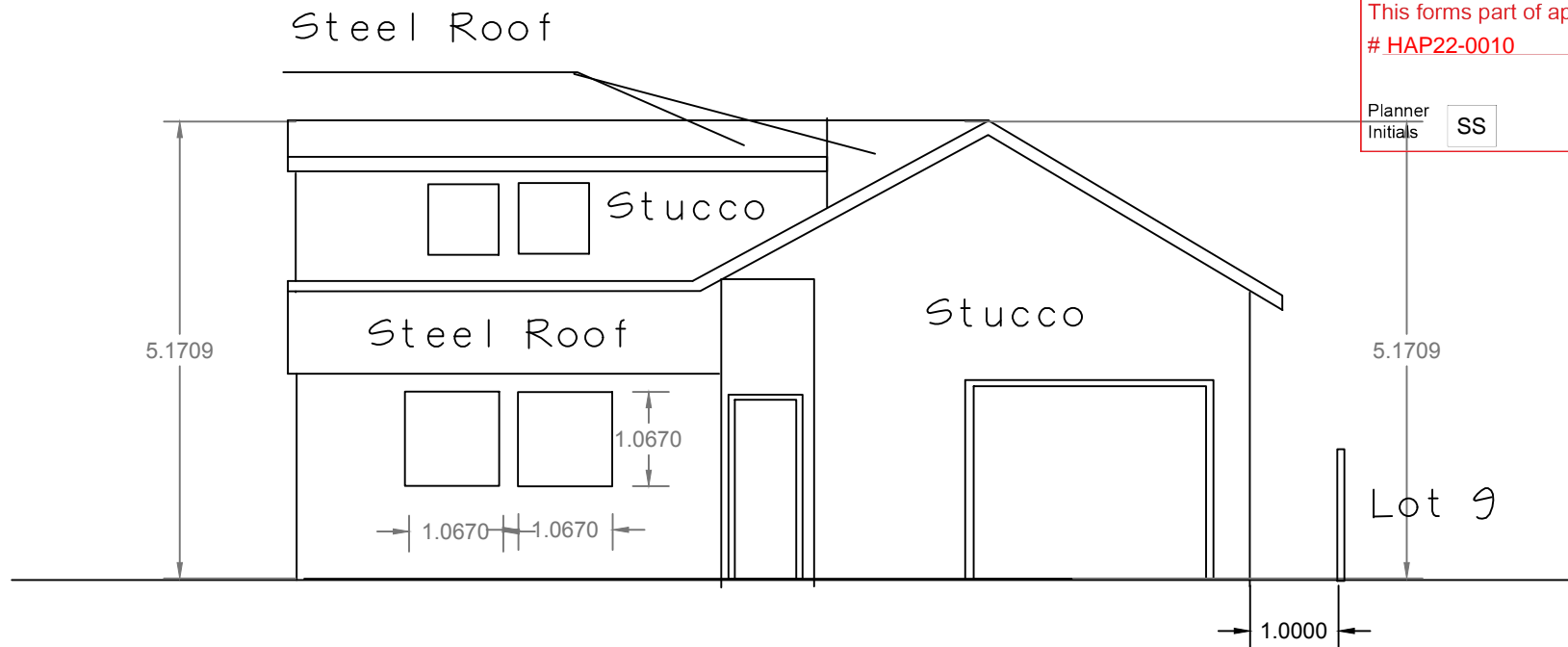
Planner  
Initials SS



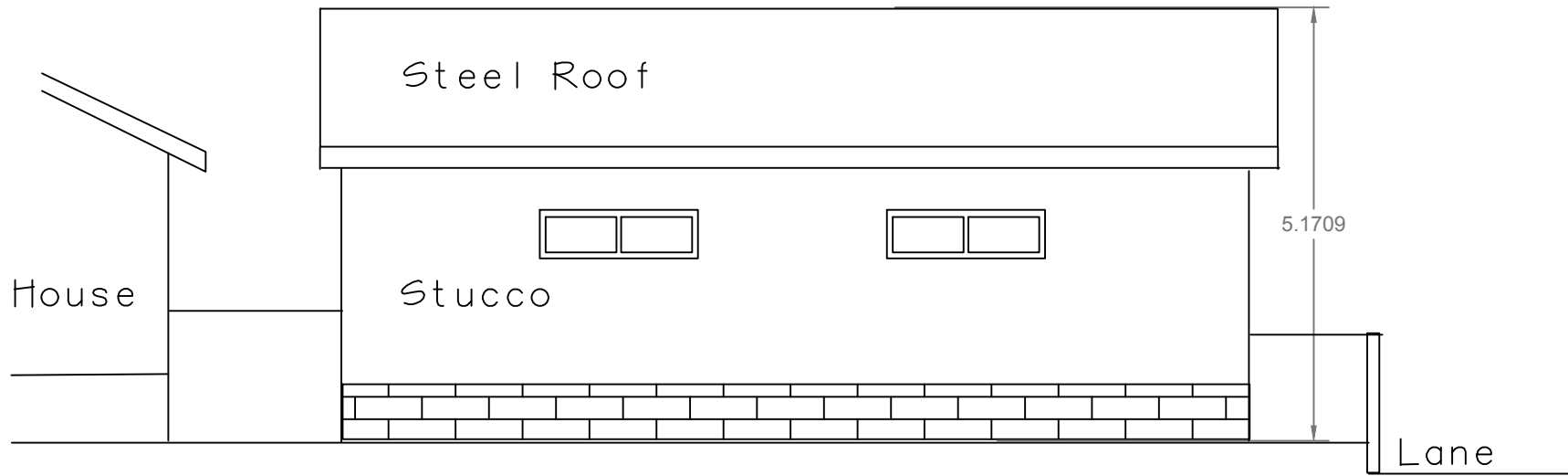
# Before







South View



East View

## 274 Lake Ave. Material and Colours Sheet

### SCHEDULE

**B**

This forms part of application

# HAP22-0010

Planner  
Initials

SS

City of  
**Kelowna**  
COMMUNITY PLANNING



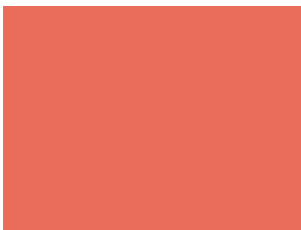
**Outside walls stucco finish:** Heavy broom dash stucco

**Roofing:** Aluminum and galvanized steel

**Main stucco colour:**

picante 006

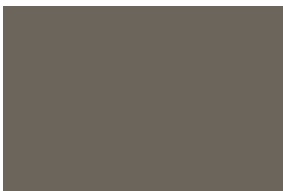
<https://www.benjaminmoore.com/en-us/paint-colors/color/006/picante>



**Trim colour 1:**

Deep Creek 1477

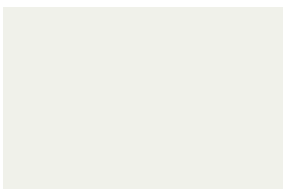
<https://www.benjaminmoore.com/en-us/paint-colors/color/1477/deep-creek>



**Trim colour 2:**

Stone White 2120-70

<https://www.benjaminmoore.com/en-us/paint-colors/color/2120-70/stone-white>



**Roofing colour:**

Anodized Bronze

**HERITAGE ALTERATION PERMIT GUIDELINES**Heritage Conservation Area

Consideration has been given to the following guidelines as identified in Chapter 23 of the City of Kelowna Official Community Plan relating to Heritage Conservation Areas:

<b>RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE</b> <i>(1 is least complying &amp; 5 is highly complying)</i>	<b>N/A</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Site Layout and Parking</b>						
Are established front yard setbacks maintained within 10% of neighbouring building setbacks?						✓
Are parking spaces and garages located in the rear yard?					✓	
Are established building spacing patterns maintained?					✓	
Does the carriage house complement the character of the principal dwelling?					✓	
Are accessory buildings smaller than the principal building?						✓
<b>Building Massing</b>						
Is the established streetscape massing maintained?						✓
Is the massing of larger buildings reduced?	✓					
<b>Roof Forms, Dormers and Chimneys</b>						
Is the roof pattern in keeping with neighbouring buildings?						✓
Are skylights hidden from public view?	✓					
Are high quality, low maintenance roofing materials being used?					✓	
Are the roofing materials similar to traditional materials?					✓	
Are the soffit, overhang and rain water drainage features in keeping with the building's architectural style?						✓
Do secondary roof elements have a similar pitch as the principal roof?						✓
Are chimneys in keeping with the building's architectural style?	✓					
<b>Cladding Materials</b>						
Are low maintenance building materials being used?					✓	
Are the building materials similar to traditional materials?						✓
Are exterior colours in keeping with the traditional colours for the building's architectural style?				✓		
<b>Doors and Windows</b>						
Are established window placement, style and window-to-wall area ratios maintained?					✓	

<b>RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE</b> <i>(1 is least complying &amp; 5 is highly complying)</i>	<b>N/A</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
Are established door placement, style and door-to-wall area ratios maintained?					✓	
Is the main entrance a dominant feature visible from the street?	✓					
Is the main entrance in keeping with the building's architectural style?	✓					
Are the door and window design details consistent with the building's architectural style?					✓	
<b>Landscaping, Walks and Fences</b>						
Are existing healthy mature trees being retained?						✓
Is the front yard landscaping consistent with neighbouring properties?						✓
Is street facing fencing or screening landscaping no more than 1 m in height?						✓
<b>Privacy and Shadowing Guidelines</b>						
Are there clear sightlines from the street to the front yard and dwelling?					✓	
Does the building location minimize shadowing on the private open space of adjacent properties?						✓

<b>ATTACHMENT B</b>	
This forms part of application # HAP22-0010	
Planner Initials	SS
 <b>City of Kelowna</b> <small>COMMUNITY PLANNING</small>	



City of  
**Kelowna**

HAP22-0010  
274 Lake Ave

Heritage Alteration Permit

# Proposal

- ▶ To issue a Heritage Alteration Permit for the conversion of an existing garage to a carriage house with a variance to the west side yard setback from 1.5 m permitted to 1.0 m proposed.

# Heritage Alteration Permit Major - with variance

- ▶ “Does this proposed design meet the majority of the OCP Heritage Objectives and Design Guidelines in Chapter 23?”
  - ▶ Maintain residential and historical character of neighbourhood
  - ▶ Preserving character elements
  - ▶ Streetscape & architectural pattern
  - ▶ Building massing, roof forms, dormers, & chimneys
  - ▶ Doors, windows, cladding
  - ▶ Landscaping & fencing
  
- ▶ “Have the potential impacts of this variance been considered and/or mitigated?”

# Development Process

Sept. 12, 2022

Development Application Submitted



Staff Review & Circulation

Oct. 7, 2022



Public Notification Received



Nov. 29, 2022

Heritage Alteration Permit & Variance

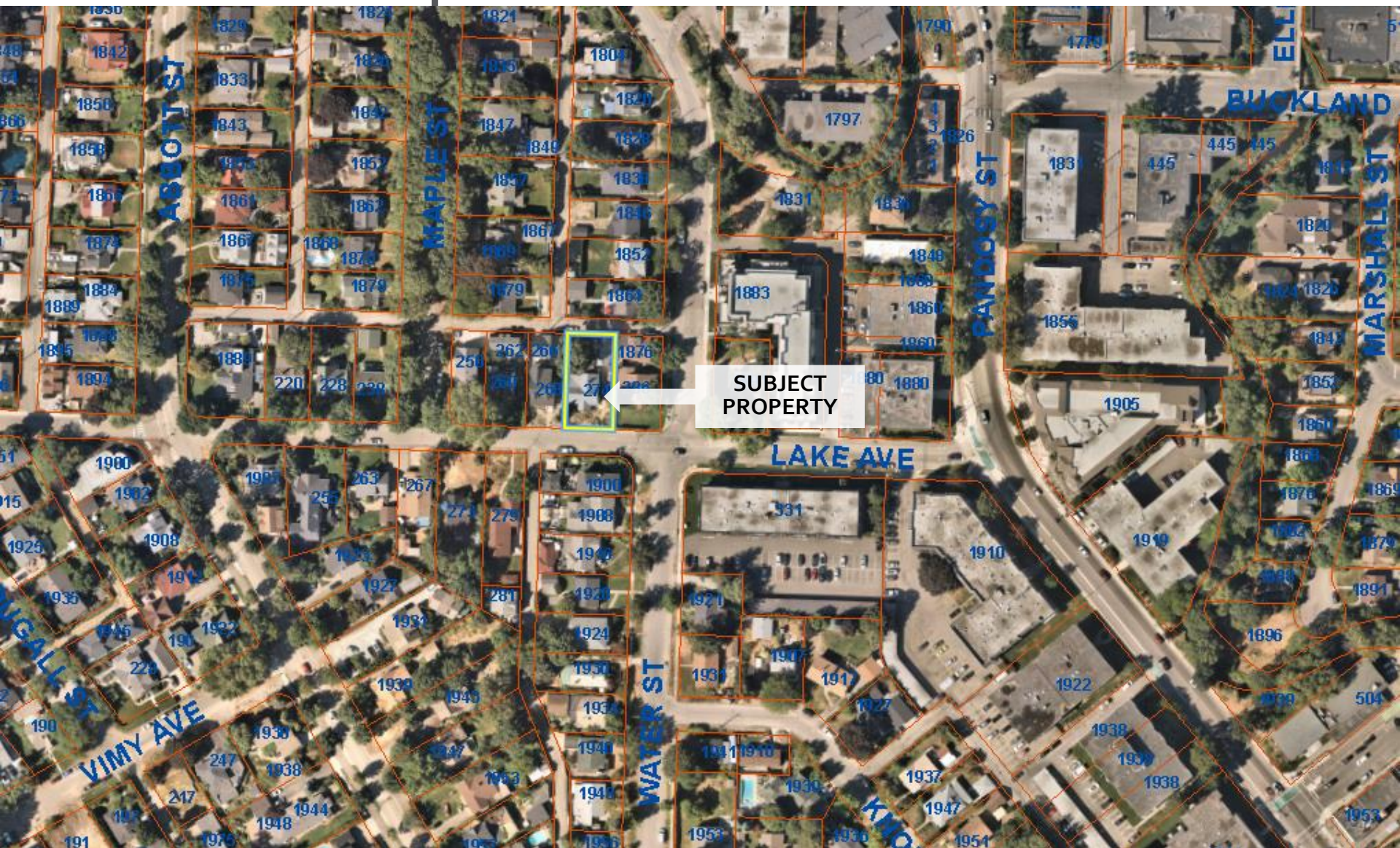


Council  
Approval

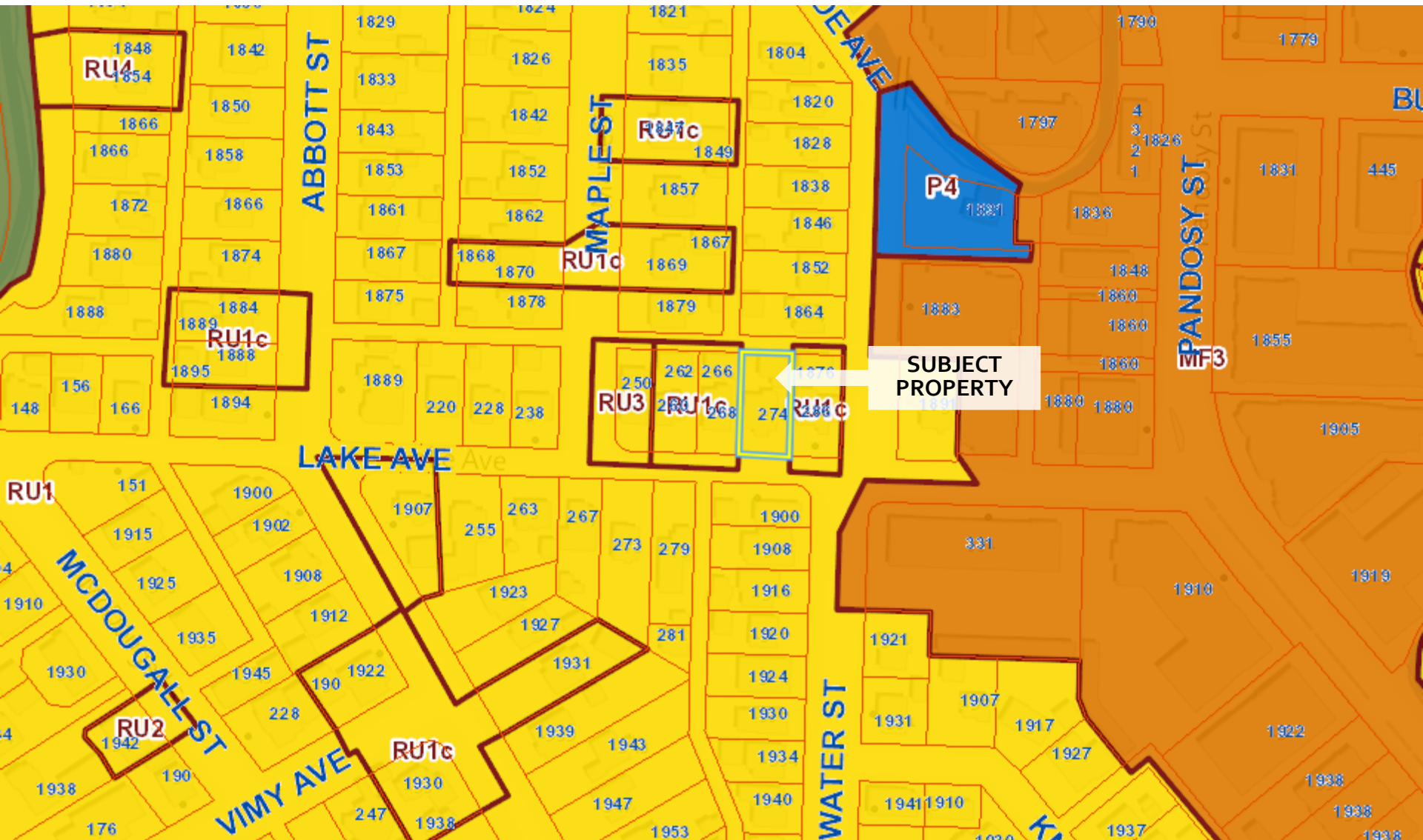


Building Permit

# Context Map



# OCP Future Land Use / Zoning



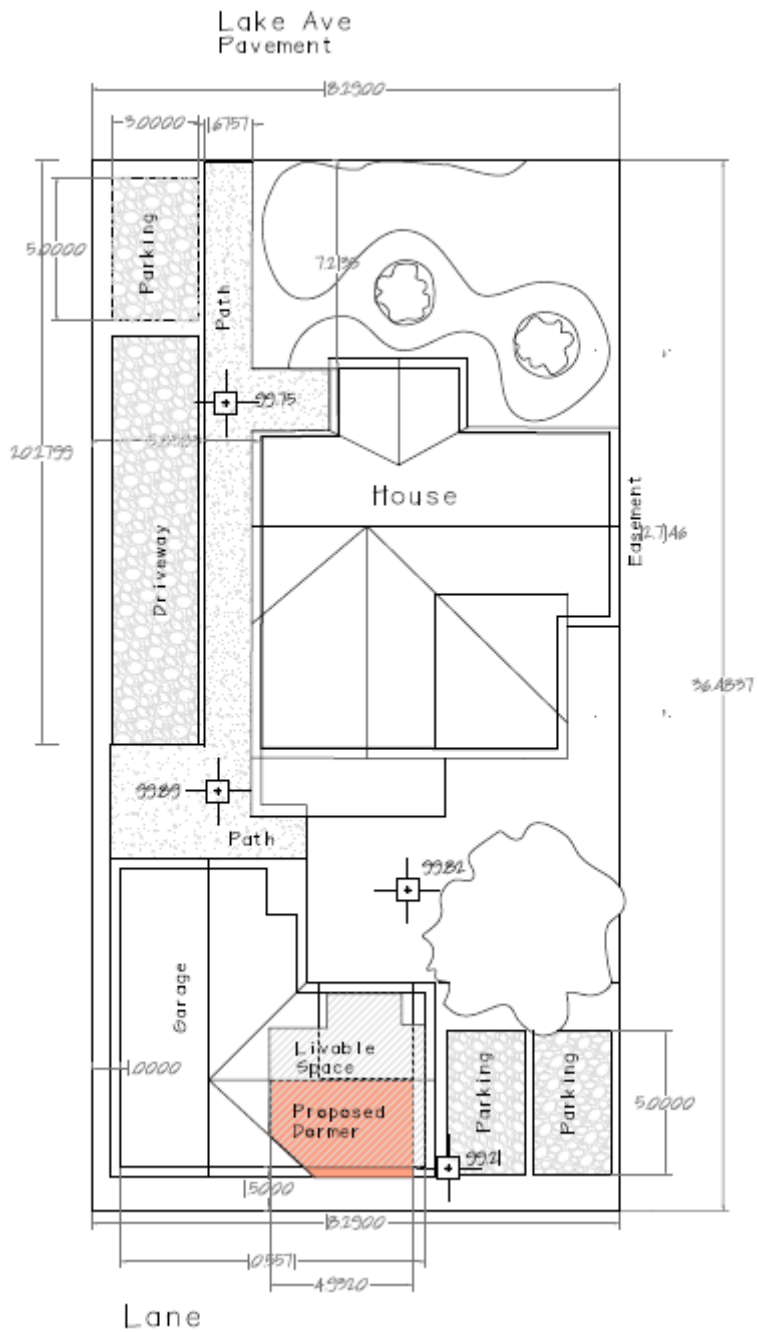
# Subject Property Map



# Project/technical details

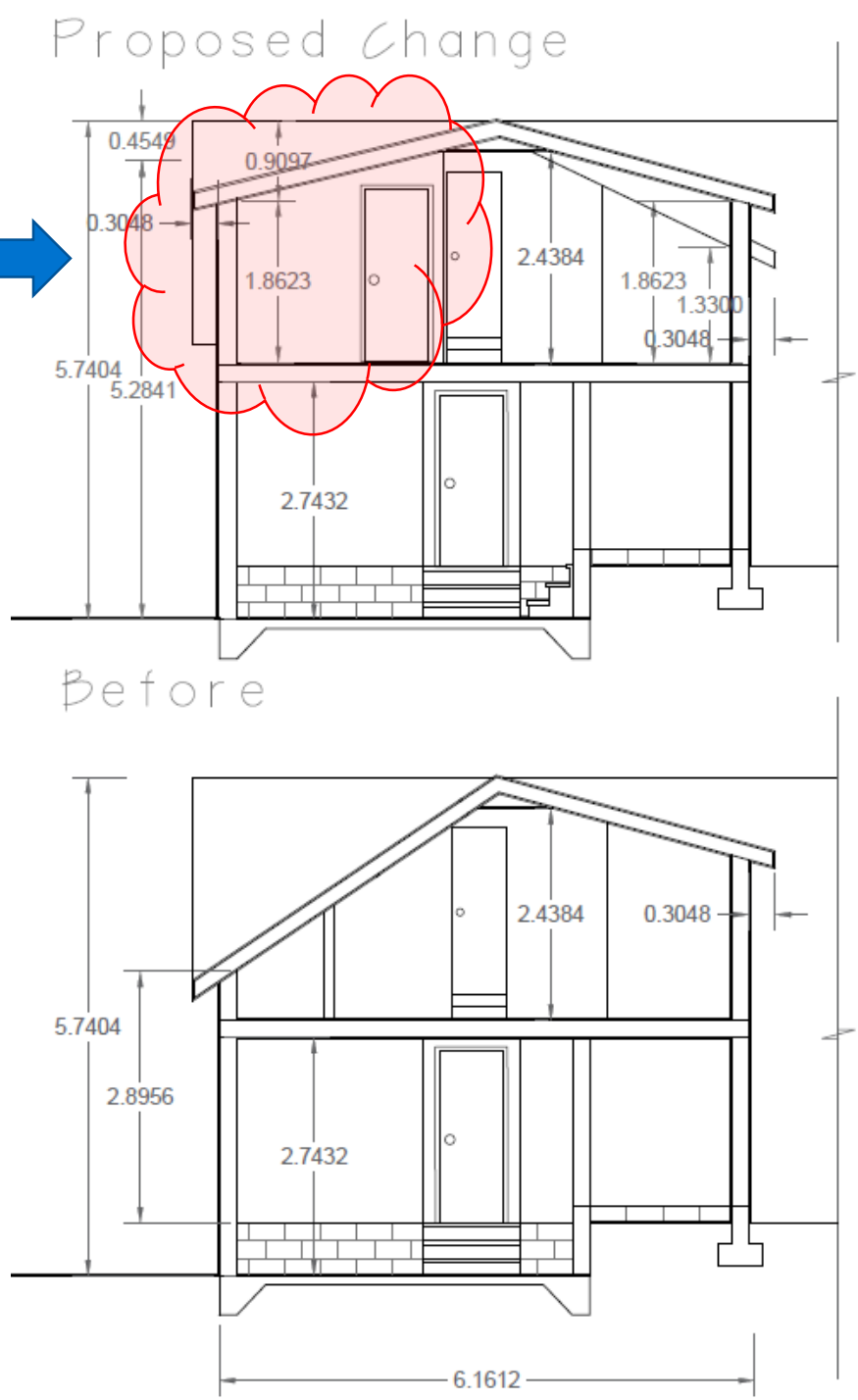
- ▶ Conversion of existing garage to a carriage house
- ▶ Carriage house development regulations are met
- ▶ Addition to 2<sup>nd</sup> storey living space
- ▶ Variance required for the west side yard setback from 1.5 m permitted to 1.0 m proposed

# Site Plan



# Elevations

Proposed  
addition to the  
2<sup>nd</sup> storey



# Heritage Conservation Area

- ▶ Chapter 23 of the Official Community Plan, Heritage Alteration Permit Guidelines
  - ▶ Sensitive infill respecting the HCA
  - ▶ Established streetscape maintained
  - ▶ Roof pattern in keeping with neighbourhood buildings
  - ▶ Existing building conversion
  - ▶ Lane access
  - ▶ Healthy, mature trees being retained

# Staff Recommendation

- ▶ Development Planning Staff recommend support of the proposed Heritage Alteration Permit
  - ▶ Subject property is within the Permanent Growth Boundary.
  - ▶ Meets the Future Land Use Designation of C-NHD – Core Area Neighbourhood.



## *Conclusion of Staff Remarks*