

City of Kelowna
Regular Council Meeting
AGENDA



Tuesday, January 17, 2023
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 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.

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 Cannan.

3. Confirmation of Minutes

Tuesday Meeting - November 29, 2022

4. Call to Order the Public Hearing

5. Individual Bylaw Submissions

1 - 9

- 5.1 START TIME 6:00 PM - Tanager Ct 5428 - Z22-0052 (BL12449) - Dianne and George Kamoschinski** 10 - 32
- To rezone the subject property from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.
- 6. Termination**
- 7. Call to Order the Regular Meeting**
- 8. Bylaws Considered at Public Hearing**
- 8.1 START TIME 6:00 PM - Tanager Ct 5428 - BL12449 (Z22-0052) - Diane and George Kamoschinski** 33 - 33
- To give Bylaw No. 12449 second and third reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.
- 9. Termination**
- 10. Call to Order the Public Hearing**
- 11. Individual Bylaw Submissions**
- 11.1 START TIME 6:00 PM - Barnaby Rd 741 - Z22-0005 (BL12458) - Haidong Liu** 34 - 47
- To rezone the subject property from the RU1 – Large Lot Housing zone to the RU4 – Duplex Housing zone facilitate a two-lot subdivision.
- 12. Termination**
- 13. Call to Order the Regular Meeting**
- 14. Bylaws Considered at Public Hearing**
- 14.1 START TIME 6:00 PM - Barnaby Rd 741 - BL12458 (Z22-0005) - Haidong Liu** 48 - 48
- To give Bylaw No. 12458 second and third reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU4 – Duplex Housing zone.
- 15. Termination**
- 16. Call to Order the Public Hearing**
- 17. Individual Bylaw Submissions**

- 17.1 START TIME 6:30 PM - Bernard Ave 1575 - OCP22-0006 (BL12454) Z22-0041 (BL12455) - 1575 Bernard Projects Ltd.** 49 - 104
- To amend the Official Community Plan to change the future land use designation of the subject property and to rezone the subject property to facilitate the development of long-term rental apartment housing.
- 18. Termination**
- 19. Call to Order the Regular Meeting**
- 20. Bylaws Considered a Public Hearing**
- 20.1 START TIME 6:30 PM - Bernard Ave 1575 - BL12454 (OCP22-0006) - 1575 Bernard Projects Ltd.** 105 - 105
- Requires a majority of all members of Council (5).**
- To give Bylaw No. 12454 second and third reading in order to change the future land use designation of the subject property from the EDINST – Educational/Institutional designation to the C-NHD – Core Area Neighbourhood designation.
- 20.2 START TIME 6:30 PM - Bernard Ave 1575 - BL12455 (Z22-0041) - 1575 Bernard Projects Ltd.** 106 - 106
- To give Bylaw No. 12455 second and third reading in order to rezone the subject property from the P2 – Education & Minor Institutional zone and the RU1 – Large Lot Housing zone to the MF3r – Apartment Housing Rental Only zone.
- 21. Liquor License Application Reports**
- Mayor to invite anyone in the public gallery who deems themselves affected by the liquor license application to come forward.**
- 21.1 START TIME 7:15 PM - Lakeshore Rd 4629-4649 - LL22-0021 - City of Kelowna** 107 - 130
- To support a structural change to an existing lounge endorsement for an existing manufacturer licence with an occupant load of 172 persons.
- 22. Development Permit and Development Variance Permit Reports**
- Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward for each item.**
- 22.1 START TIME 7:15 PM - Wardlaw Ave 727 - DP22-0032 DVP22-0033 - Cellar Door Developments Ltd., Inc.No. BC1292607** 131 - 169
- To issue a Development Permit and Development Variance Permit for the form and character of townhouses with a variance to the permitted front yard setback.

WITHDRAWN BY APPLICANT

23. Reminders

24. Termination

25. Procedure on each Bylaw Submission

- a) Brief description of the application by City Staff (Development Planning);
- (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) Final calls for representation (ask three times). Unless Council directs that the Public Hearing on the bylaw in questions be held open, the Chair shall state to participants the the Public Hearing on the Bylaw is closed.
- (e) Once the public has had an opportunity to comment, the application is given up to 10 minutes to respond to any questions raised.
- (f) 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, unless for clarification.

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 the item.



**City of Kelowna
Regular Council Meeting
Minutes**

Date: Tuesday, November 29, 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; Development Planning Department Manager, Terry Barton; Urban Planning Manager, Community Planning & Development Manager, Dean Strachan*; Legislative Coordinator (Confidential), Rebecca Van Huizen

Staff participating Remotely Legislative Coordinator (Confidential), Clint McKenzie

(* Denotes partial attendance)

1. Call To Order

Mayor Dyas called the Meeting to order at 6:00 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 DeHart.

3. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Lovegrove

R0862/22/11/29 THAT the Minutes of the Public Hearing and Regular Meeting of November 15, 2022 be confirmed as circulated.

Carried

4. Call to Order the Public Hearing

Mayor Dyas called the Hearing to order at 6:02 p.m.

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. BC0383776

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Andrew Bruce, Keith Rd, Applicant

- Displayed a PowerPoint presentation.
- Spoke to reasons for the application.
- Confirmed trees would be replaced at a 3 to 1 ratio.
- Displayed overall park and green space map of the neighbourhood.
- No new interface required. played the proposed site layout.
- Spoke to the infrastructure requirements.

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

Online:

Andy & Janet Kluftringer, The Edge Place

- Opposed to the application.
- Example of suburban sprawl.
- Development is in the fire interface area.
- No need for such large lots on the edge of the city.
- Referenced submitted correspondence.

Andre Beaulieu, Upper Mission Dr

- Opposed to the application.
- Concerned with negative impacts on wildlife.

Andrew Bruce, Applicant in Response

- Spoke to environmental considerations and regulations and topography when making development considerations.

Staff:

- Responded to questions from Council.

There were no further comments.

6. Termination

The Hearing was declared terminated at 6:34 p.m.

7. Call to Order the Regular Meeting

Mayor Dyas called the meeting to order at 6:34 p.m.

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

Moved By Councillor Hodge/Seconded By Councillor Lovegrove

Ro863/22/11/29 That Bylaw No. 12439 be read a second and third time and be adopted.

Carried

Councillors Cannan, Hodge and Lovegrove - Opposed

8.2 START TIME 6:00 PM - Upper Mission Ct 5639 - BL12440 (Z21-0079) - Calcan Investments Inc., Inc.No. BCo383776

Moved By Councillor Lovegrove/Seconded By Councillor Hodge

Ro864/22/11/29 THAT Bylaw No. 12440 be read a second and third time and be adopted.

Carried
Councillors Cannan, Hodge and Lovegrove - Opposed

9. Termination

The regular meeting terminated at 6:38 pm

10. Call to Order the Public Hearing

The public hearing was called to order at 6:38 p.m.

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

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Andrew Bruce, Applicant

- Displayed a PowerPoint presentation.
- Spoke to the reasons for the application.
- Provided details of the proposed lot layouts.
- Spoke to the support from the rock climbing community.
- Spoke to it being more of a boundary adjustment than a new rezoning.
- Spoke to the public consultation efforts.

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

Gallery:

Mike Greer, Trevor Dr, West Kelowna, Vice-President, Central Okanagan Climbing Association

- Speaking on behalf of the regional rock climbing community.
- Supportive of the application.
- Support based on three conditions being met: access to climbing wall and the climbing area gets turned over to public access and that the access trail to the climbing remains open.
- Raised concerns with parking availability, for both the City and RDCO parks in the immediate area.

Online:

Andy & Janet Klufftinger, The Edge Place

- Opposed to the application.
- Spoke to the need for parking in the neighbourhood for recreational users.
- Spoke to the negative impacts on the wildlife corridor running through the subject property.

Andrew Bruce, Applicant in Response

- Spoke to suitable lot for parking that is in the Regional District, have discussed with RDCO.
- Committed to the three conditions within their control the climbing representative raised.
- Responded to questions from Council.

Staff

- Responded to questions from Council.

There were no further comments.

12. Termination

The Hearing was terminated at 7:14 p.m.

13. Call to Order the Regular Meeting

The regular meeting was called to order at 7:14 p.m.

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

Moved By Councillor Hodge/Seconded By Councillor Lovegrove

Ro865/22/11/29 THAT Bylaw No. 12442 be read a second and third time.

Carried
Councillors Hodge and Lovegrove - Opposed

14.2 START TIME 6:00 PM - Upper Mission Dr 5548 - BL12443 (Z21-0051) - Calcan Investments Inc., Inc. No. BCo383776

Moved By Councillor Lovegrove/Seconded By Councillor Hodge

Ro866/22/11/29 THAT Bylaw No. 12443 be read a second and third time.

Carried
Councillors Hodge and Lovegrove - Opposed

15. Termination

The meeting was declared terminated at 7:16 p.m.

The meeting recessed at 7:16 p.m.

The meeting reconvened at 7:22 p.m.

16. Call to Order the Public Hearing

17. Individual Bylaw Submission

17.1 START TIME 7:00 PM – Glenmore Rd N 2340 – OCP22-0005 (BL12446) Z22-0033 (BL12447) – City of Kelowna

Application withdrawn.

18. Termination

19. Call to Order the Regular Meeting

20. Bylaws Considered at Public Hearing

Bylaws withdrawn.

21. Termination

22. Call to Order the Public Hearing

Mayor Dyas called the Hearing to order at 7:22 p.m.

23. Individual Bylaw Submissions

23.1 START TIME 7:00 PM - Miller Rd 3940 - HD22-0001 (BL12450) - Shona Renay Harrison

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Dr. Shona Harrison, Miller Rd, Applicant

- Displayed a PowerPoint presentation.

- Provided historical context and history of the J.N. Thompson House.

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

Gallery:

Mike Sheleppe, Miller Rd

- Opposed to the application.

- Referenced petition of opposition submitted previously.

- Provided history of development of Miller Road.

- Concerned with parking impacts of those who visit the heritage house.

- Raised concerns regarding shared access to the site.

- Made comment on legal actions between himself and the applicant.

- Inappropriate location for a heritage home.

Janice Henry, Mountain Ave

- Supportive of the application.

- Made comments regarding the heritage value of the house.

- Spoke to other heritage homes that have moved sites and maintained or achieved heritage designation at the new location.

- Raised doubts many members of the public will venture to Miller Road to view the house.

- Referenced the Miller Road counterpetition.

Pam Nicolas, June Springs Road

- Supportive of the application.

- Enhances the existing neighbourhood.

Tanya James, Westwick Rd

- Supportive of the application.

- Read a letter of support from a previous owner.

Lucy Ford, Matthews Rd

- Not concerned with traffic impacts not being as they will be minimal.

- Supportive of the application.

- Read comments of support from the Southeast Kelowna Facebook page.

Gillian Friesen Jaud Rd

- Supportive of the application.

- Does not believe traffic will be an issue.

Tyler Forgurth, legal representative for Mike Schleppe

- Supportive of heritage homes in general.

- Home is sited a distance from the road, concerned with trespass implications of members of the public parking on private lands.

Hannah Tran, Francis Ave

- Support of the application.

- Made reference to the South East Kelowna Facebook page and read posts from the page.

Applicant's daughter:

- Addressed some of the concerns raised in opposition.
- Provided reasons for choosing the move the house to Miller Road.

Hailey Reimer, Wallace Hill Rd

- Support the application.

Dallas Krick, Miller Rd

- Concerned with access to the property.

Applicant in Response

- Displayed a legal sketch on the ELMO.
- spoke to the driveway easement.
- Addressed the shared driveway access and trespass issues raised.
- Spoke to siting of the house on the property.
- Provided comments on the petition of opposition submitted.
- Responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Cannan

Ro867/22/11/29 THAT the item be deferred until legal action has been resolved.

Defeated

Mayor Dyas and Councillors DeHart, Hodge, Lovegrove, Stack, Webber and Wooldridge-Opposed

24. Termination

The hearing was declared terminated at 8:37 p.m.

25. Call to Order the Regular Meeting

Mayor Dyas called the meeting to order at 8:37 p.m.

26. Bylaws Considered at Public Hearing

26.1 START TIME 7:00 PM - Miller Rd 3940 - BL12450 (HD22-0001) - Shona Renay Harrison.docx

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

Ro868/22/11/29 THAT Bylaw No. 12450 be read a second and third time and be adopted.

Carried

Councillors Cannan and Singh -Opposed

27. Development Permit and Development Variance Permit Reports

27.1 START TIME 7:45 PM - Clement Ave 647 - BL12336 (Z21-0066) - Madison Avenue Clement GP Inc., Inc.No. A0117433

Moved By Councillor DeHart/Seconded By Councillor Stack

Ro869/22/11/29 THAT Bylaw No. 12336 be rescinded at first, second and third reading.

Carried

27.2 START TIME 7:45 PM - Clement Ave 647 - DP21-0150 DVP22-0042 - Madison Avenue Clement GP Inc., Inc. No. A0117433

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Dave Lewis, Ellis St, Applicant

- Displayed a PowerPoint presentation.
- Spoke to design choices and variances requested.
- Displayed renderings from different perspectives.
- Responded to questions from Council.

Staff

- Responded to questions from Council .

City Clerk 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.

Staff;

- Responded to questions from Council.

Applicant

- Responded to questions from Council.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

Ro870/22/11/29 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.

Carried

27.3 START TIME 7:45 PM - HWY 97 N 2339-2397 - DVP22-0134 - Dilworth Shopping Centre Ltd., Inc.No. 319846

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Alexis Tanner , Applicant Remote

-Spoke to the variances requested.
-Provided rationale for the signage.

City Clerk 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.

Staff;

- Responded to questions from Council.
-Applicant responded to questions from Council.

There were no further comments.

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

Ro871/22/11/29 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.

Carried

27.4 START TIME 7:45 PM - LakeAve274 - HAP22-0010 - Aleksandra Dulic

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Miles Thorogood, Applicant

-Provided rationale for the project.
-Spoke to the requested variance.

City Clerk 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.

Staff:

- Responded to questions from Council.

There were no further comments.

Moved By Councillor Singh/Seconded By Councillor Hodge

Ro872/22/11/29 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.

Carried

28. Reminders

Councillor Hodge -

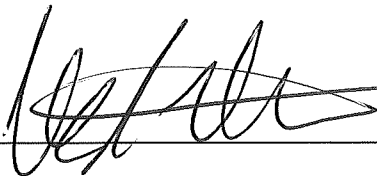
Made a statement of apology for comments made during the previous public hearing.

29. Termination

The meeting was declared terminated at 9:49 p.m.

Mayor Dyas

/cm



City Clerk

4.0 Proposal

4.1 Background

A Building Permit (BP) was received on January 27, 2021 for the accessory building which is currently undergoing construction. A Building Permit is valid for a period of 6 months; construction of this building did not begin during this time and an extension was requested. The extension was granted on July 9, 2021 for an additional 6 months.

During this period, the applicants decided to convert the accessory building to a carriage house. This decision has resulted in the current BP being placed on hold. The applicant has now applied for a Rezoning application along with a Development Variance Permit application. These were applied for on August 31, 2022. Should Council support both the rezoning and variance applications, the current building permit will be cancelled and a new building permit for the carriage house will be required.

4.2 Project Description

The proposed rezoning from RU₁ – Large Lot Housing to the RU_{1c} – Large Lot Housing with Carriage House zone is to facilitate the conversion of an existing accessory building to a carriage house. The subject property has a Future Land Use Designation of S-RES – Suburban Residential and is within the City’s Permanent Growth Boundary. As such, the proposed zone is consistent with the Official Community Plan’s (OCP) objectives. To finalize the rezoning, a Development Variance Permit is required to vary the net floor area of the proposed carriage house.

4.3 Site Context

The subject property is located on the intersection of Tanager Court and Stellar Court. The parcel has a Future Land Use Designation of S-RES – Suburban Residential and is within the Southwest Mission OCP sector. The property is within close proximity to the Lebanon Creek Greenway Regional Park. The surrounding area consists primarily of RU₁ – Large Lot Housing and RR₂ – Small Lot Rural Residential.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR ₂ – Small Lot Rural Residential	Single Detached Housing
East	RU ₁ – Large Lot Housing	Single Detached Housing
South	RU ₁ – Large Lot Housing	Single Detached Housing
West	RU ₁ – Large Lot Housing	Single Detached Housing

Subject Property Map: 5428 Tanager Court



5.1 Kelowna Official Community Plan (OCP)

Objective 7.2 Design Suburban Neighbourhoods to be low impact, context sensitive, and adaptable	
Policy 7.2.1 Ground Oriented Housing	<p>Ground Oriented Housing. Consider a range of low-density ground-oriented housing development to improve housing diversity and affordability and to reduce the overall urban footprint of Suburban Neighbourhoods. Focus more intensive ground-oriented housing where it is in close proximity to small scale commercial services, amenities like schools and parks, existing transit service and/or active transportation facilities</p> <p><i>The proposed carriage home reflects the character of the existing principal dwelling and is sensitive to the neighbourhood with respect to building design, height, and siting. The S-RES future land use designation supports single and two dwelling housing, with opportunities for secondary suites and carriage houses. A carriage home is a form of residential infill that allows for the modest intensification in an existing neighbourhood.</i></p>

6.o **Application Chronology**

Date of Application Accepted: August 31, 2022

Date Public Consultation Completed: September 7, 2022 and October 11, 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: Development Drawings

Attachment B: Applicant Rationale

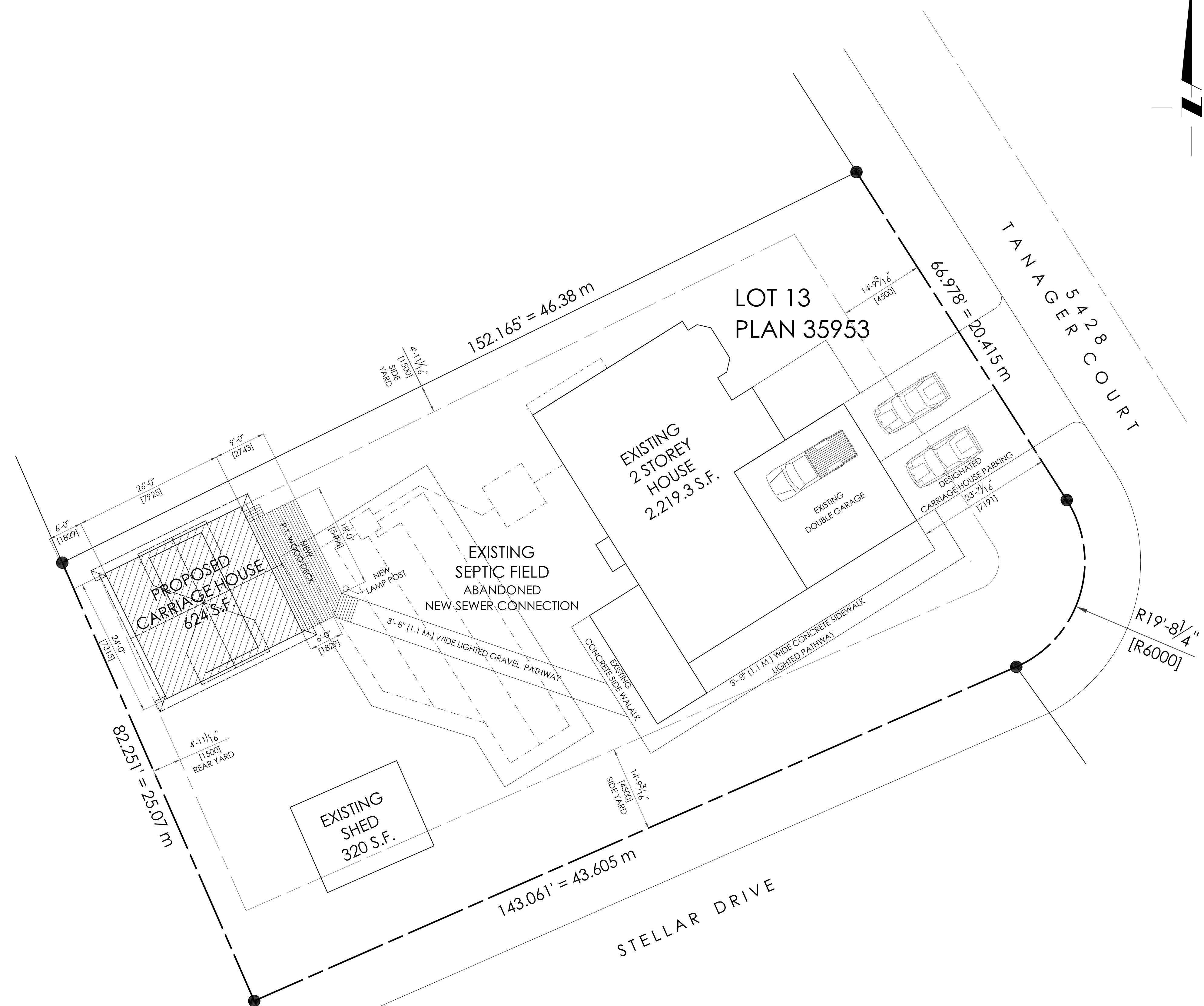
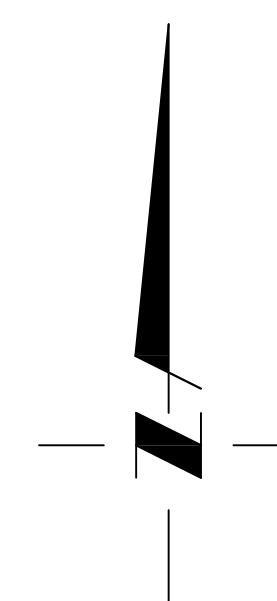
ATTACHMENT A

This forms part of application
Z22-0052



City of
Kelowna
COMMUNITY PLANNING

Planner Initials **SS**



SITE DATA

LOT 13
PLAN 35953
SEC 23
TWP 28
SIMILKAMEEN DIVISION YALE DISTRICT

STREET ADDRESS

5428 TANAGER COURT
KELOWNA BC

ZONING

CITY OF KELOWNA - BYLAW NO 12375
EXISTING ZONING RU1 LARGE LOT HOUSING
PROPOSED REZONING RU1c LARGE LOT HOUSING WITH CARRIAGE HOUSE

AREA CALCULATIONS

HOUSE AREA - AT GRADE	2,219.31	S.F.
EXISTING SHED	320.00	S.F.
PROPOSED CARRIAGE HOUSE	624.00	S.F.
TOTAL BUILDING AREA	3,163.31	S.F.

LOT AREA	0.1256	ha
	13,519.913	S.F.

MAX LOT COVERAGE AT 40%	5,407.965	S.F.
PROPOSED LOT COVERAGE	23.40%	

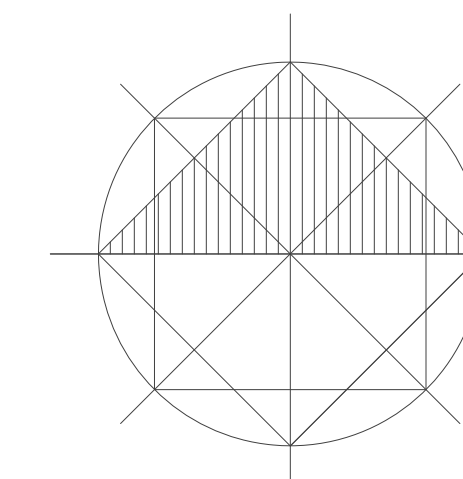
MAX LOT COVERAGE OF ALL BUILDINGS & IMPERMEABLE SURFACES AT 70%		
EXISTING BUILDINGS	3163.310	S.F.
IMPERMEABLE SURFACES-DRIVE & SIDEWALKS	1055.000	S.F.
TOTAL AREA	4191.310	S.F.
PROPOSED COVERAGE	31%	

CARRIAGE HOUSE -2 STOREY		
MAX BUILDING FOOTPRINT G.F.A	968.784 S.F. =	90.000 S.M.
EXISTING GROUND FLOOR G.F.A.	624.000 S.F. =	57.970 S.M.
MAX UPPER STOREY G.F.A. AT 70%	436.800 S.F. =	40.579 S.M.
PROPOSED (SUITE & WR)- 347+63 =	410.000 S.F. =	38.098 S.M.

REVISIONS:

Issued for Review	SEP 12, 2022
Reissued for Permit	SEP 27, 2022

NORTH



PROJECT
GEORGE KAMOSCHINSKI
CARRIAGE HOUSE

5428 TANAGER COURT
KELOWNA, BC

DRAWING TITLE

SITE PLAN
GENERAL NOTES

PROJECT NO	2011-125
DATE	SEP 08, 2022
DRAWN	Ray Lefebvre
SCALE	1"=10'-0"

DRAWING NO

GENERAL NOTES

COPYRIGHT

THESE PLANS ARE COPYRIGHTED AND ALL RIGHTS ARE RESERVED. ALL DRAWINGS AND IDEAS DEPICTED ON THEM REMAIN THE EXCLUSIVE PROPERTY OF KEYSTONE DESIGN. THE REPRODUCTION OF THESE PLANS, BY ANY MEANS, IN PART OR AS A WHOLE IS STRICTLY PROHIBITED BY LAW WITHOUT THE WRITTEN CONSENT OF KEYSTONE DESIGN.

GENERAL

KEYSTONE DESIGN MAKE EVERY EFFORT TO PROVIDE COMPLETE AND ACCURATE HOME PLANS. IT IS THE RESPONSIBILITY OF THE OWNER AND CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS, STRUCTURE, AND CONDITIONS ON THE DRAWINGS BEFORE PROCEEDING WITH CONSTRUCTION.

THE CONTRACTOR SHALL TAKE FULL RESPONSIBILITY FOR ANY DEPARTURE FROM THE STRUCTURAL DRAWINGS AND SPECIFICATIONS DEPICTED IN THESE DRAWINGS.

THESE PLANS HAVE BEEN DESIGNED TO CONFORM TO PART 9 OF THE MOST RECENT EDITION OF THE BRITISH COLUMBIA BUILDING CODE.

WRITTEN DIMENSIONS SHALL IN ALL CASES TAKE PRECEDENCE TO SCALE.

ASSUMED DESIGN LOADS

DEAD LOADS
 ROOF WITH CONCRETE TILES: 25 P.S.F. - 1.2 KPA
 ROOF WITH SHAKES/SHINGLES: 10 P.S.F. - .48 KPA
 FLOOR: 10 P.S.F. - .48 KPA
 DECKS: 10 P.S.F. - .48 KPA

LOADS
 FLOOR: 40/12 P.S.F. - 1.9 KPA
 ROOF: 35/10 P.S.F. - DESIGN ROOF LOAD
 DECKS: 40 P.S.F. - 1.9 KPA

1. THE GROUND SNOW / RAIN LOADS FOR YOUR PARTICULAR REGION CAN BE OBTAINED BY CONTACTING THE LOCAL BUILDING AUTHORITIES HAVING JURISDICTION. IF THE LOADS FOR THE REGION IN WHICH THESE PLANS ARE BEING CONSTRUCTED EXCEED THE ASSUMED LOAD STATED IN THESE DRAWINGS IT SHALL BE THE RESPONSIBILITY OF THE OWNER OR CONTRACTOR TO HIRE THE APPROPRIATE LOCAL PROFESSIONAL TO MAKE THE NECESSARY ADJUSTMENTS TO THESE PLANS.
2. CONSTRUCTION LOADS ON THE STRUCTURE CAUSED BY INTERIM STORAGE OF MATERIALS OR USE OF EQUIPMENT SHALL NOT EXCEED THE DESIGN LOAD.

ENGINEERING

1. THIS BUILDING IS DESIGNED UNDER PART 9 OF THE BRITISH COLUMBIA BUILDING CODE, CURRENT EDITION, OCCUPANCY GROUP C. ALTHOUGH THESE PLANS ARE DESIGNED USING STANDARD ENGINEERING AND BUILDING PRACTICES, IN SOME INSTANCES TO PROVIDE INNOVATIVE HOME PLANS, IT HAS BEEN NECESSARY TO DESIGN SUPPORTING STRUCTURES THAT MAY REQUIRE A REVIEW AND A SEAL BY A PROFESSIONAL ENGINEER AT THE DISCRETION OF THE LOCAL BUILDING AUTHORITY. AN ENGINEER SEAL MAY ALSO BE REQUIRED IF HIGH SNOW LOADS, RAIN LOADS, WIND LOADS, SEISMIC REQUIREMENTS OR UNUSUAL SITE CONDITIONS OCCUR IN THE AREA IN WHICH THE RESIDENCE IS BEING BUILT. IN SUCH CASES, THE PROVISIONS OF SUCH A SEAL IS THE RESPONSIBILITY OF THE OWNER OR CONTRACTOR.
2. ALL TRUSSES, ENGINEERED BEAMS, AND HANGERS ARE TO BE VERIFIED BY A REGISTERED PROFESSIONAL STRUCTURAL ENGINEER BEFORE PURCHASE.
3. SUGGESTED TRUSS LAYOUT SHALL BE CONFIRMED BY MANUFACTURER PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. REPORT ANY CHANGES TO THE DESIGNER.

FOOTINGS AND FOUNDATIONS

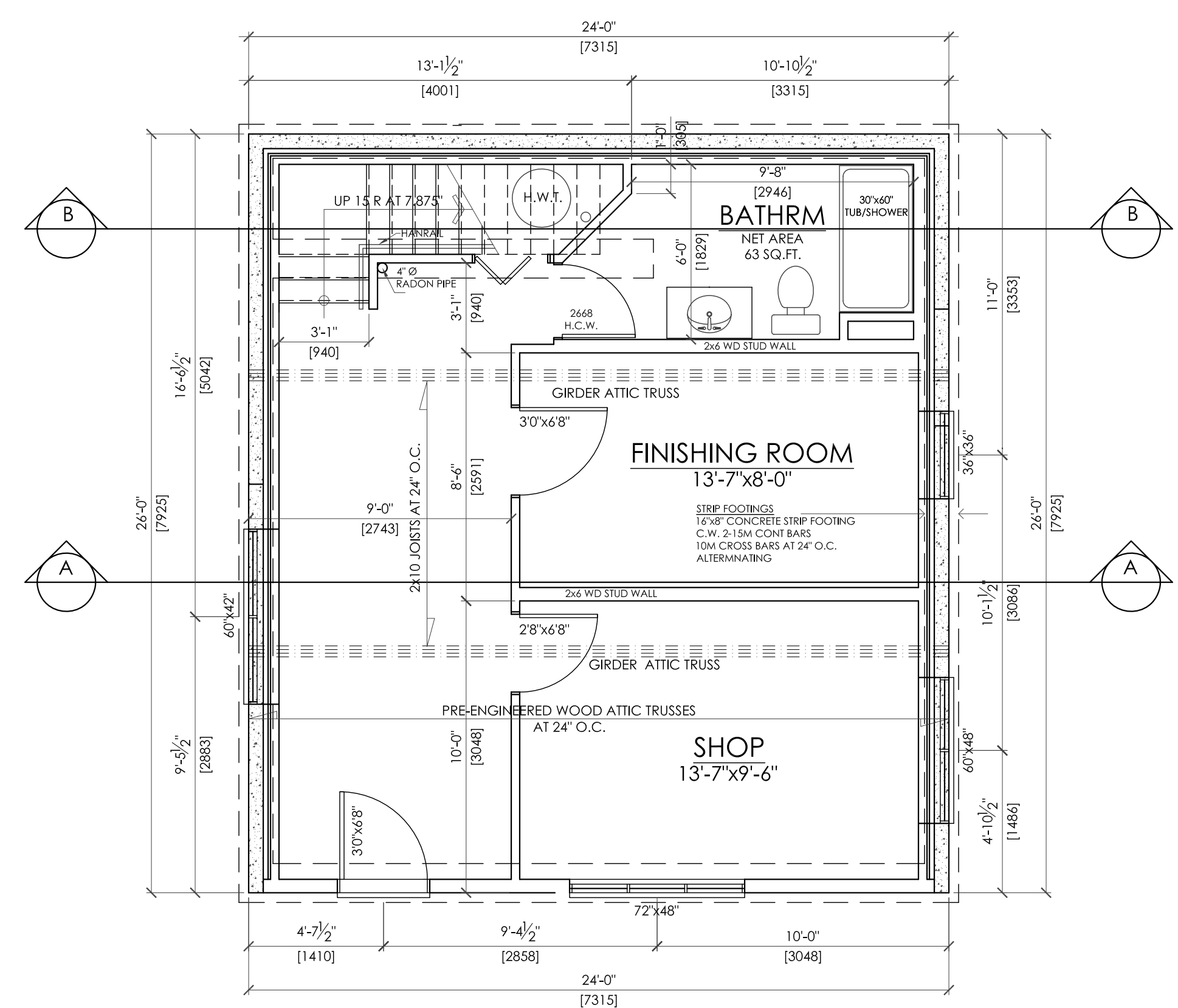
1. THE COMPRESSIVE STRENGTH OF CONCRETE AT 28 DAYS SHALL NOT BE LESS THAN 32 MPa FOR EXTERIOR STEPS, GARAGE AND CARPORT FLOORS, AND 25 MPa FOR ALL OTHER CONCRETE.
2. CONCRETE FOOTINGS MUST BE PLACED ON UNDISTURBED OR COMPACTED SOIL AT A LEVEL BELOW FROST PENETRATION.
3. FOOTINGS ON THESE DRAWINGS HAVE BEEN DESIGNED FOR A SOIL BEARING CAPACITY OF 2000 P.S.F. (95.8 KPA). IF LESSER BEARING CAPACITY IS ENCOUNTERED DUE TO LOCAL SOIL CONDITIONS, IT SHALL BE THE RESPONSIBILITY OF THE OWNER TO HAVE THE FOOTINGS REDESIGNED BY A PROFESSIONAL ENGINEER TO SUIT ACTUAL SITE CONDITIONS.
4. BACKFILL SHALL NOT BE PLACED AGAINST FOUNDATION WALLS UNTIL THE CONCRETE HAS REACHED ITS SPECIFIED 28 DAY STRENGTH AND THE STRUCTURAL FLOOR FRAMING (INCLUDING PLYWOOD SUBFLOOR) REQUIRED TO STABILIZE THE WALLS IS COMPLETE AND FULLY NAILED AND ANCHORED.
5. ALL FOUNDATION WALLS TO BE REINFORCED WITH ONE HORIZONTAL 10 M REINFORCING BAR CENTERED 4" FROM THE TOP CORNER, HORIZONTAL AT 24" O.C. AND VERTICAL AT 48" O.C.
6. ALL REBAR TO BE LAPPED MINIMUM 24".
7. ALL STRIP FOOTINGS TO HAVE TWO CONTINUOUS 15M REINFORCING BARS SITUATED 3" CLEAR OF BOTTOM AND SIDES.
8. 15M REINFORCING BARS AT 12" EACH WAY IN ALL PAD FOOTINGS.

WOOD FRAME CONSTRUCTION

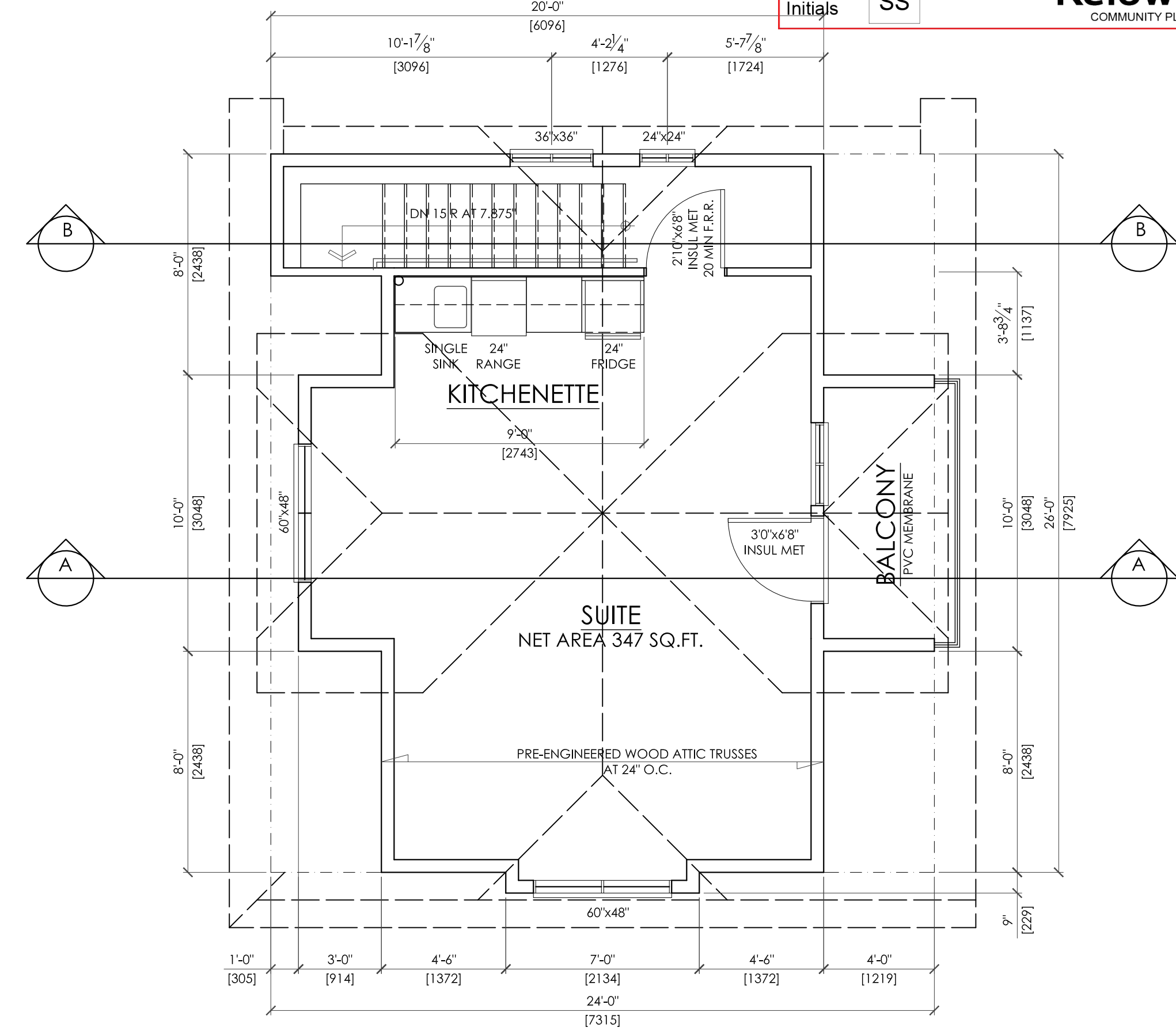
1. FRAMING METHODS AND PROCEDURES SHALL CONFORM TO THE REQUIREMENTS OF THE BRITISH COLUMBIA BUILDING CODE, CURRENT EDITION.
2. ALL FRAMING LUMBER TO BE NO 2 OR BETTER SPRUCE-PINE FIR (S.P.F.). THE DESIGN OF STRUCTURAL MEMBER'S MEMBERS HAVE BEEN BASED ON THE SPAN TABLES FOR WOOD RAFTERS, JOISTS AND BEAMS SHOWN IN PART 9 OF THE B.C. BUILDING CODE, CURRENT EDITION, AND THE CANADIAN WOOD COUNCIL PUBLICATION SPAN BOOK.
3. ALL LOAD BEARING LINTELS TO BE 2-2X10 UNLESS NOTED.
4. ALL LOAD BEARING BEAMS SHALL HAVE NOT LESS THAN 3/12" OF EVEN AND LEVEL BEARING AT SUPPORTS.
5. ALL JOISTS SHALL HAVE A MINIMUM 1-1/2" BEARING AT SUPPORTS.
6. ALL CONCRETE AND WOOD CONTACTS SHALL BE DAMP PROOFED WITH AN APPROVED SILL GASKET OR 6 MIL POLY.
7. EXPOSED LUMBER SHALL BE PRESSURE TREATED OR OTHERWISE PROTECTED WITH AN APPROVED PRESERVATIVE.
8. ALL PLYWOOD SUBFLOORS ARE TO BE GLUED AND NAILED TO FLOOR JOISTS.
9. FLOOR AND ROOF JOIST SPANS MORE THAN 6'-10" SHALL BE BRIDGED AT MID SPAN OR AT 6'10" O.C. MAX. WITH 2X2 CROSS BRIDGING, 1X3 STRAPPING AT 6'10" O.C. MAX OR GYPSUM BOARD TO UNDERSIDE OF JOISTS.
10. NON-LOAD BEARING WALLS PARALLEL TO FLOOR JOISTS SHALL BE SUPPORTED BY JOISTS BENEATH THE WALL OR 2X4 BLOCKING AT 40" O.C. MAX.

ATTACHMENT A
 This forms part of application
 # Z22-0052
 Planner Initials **SS**
 City of Kelowna
 COMMUNITY PLANNING

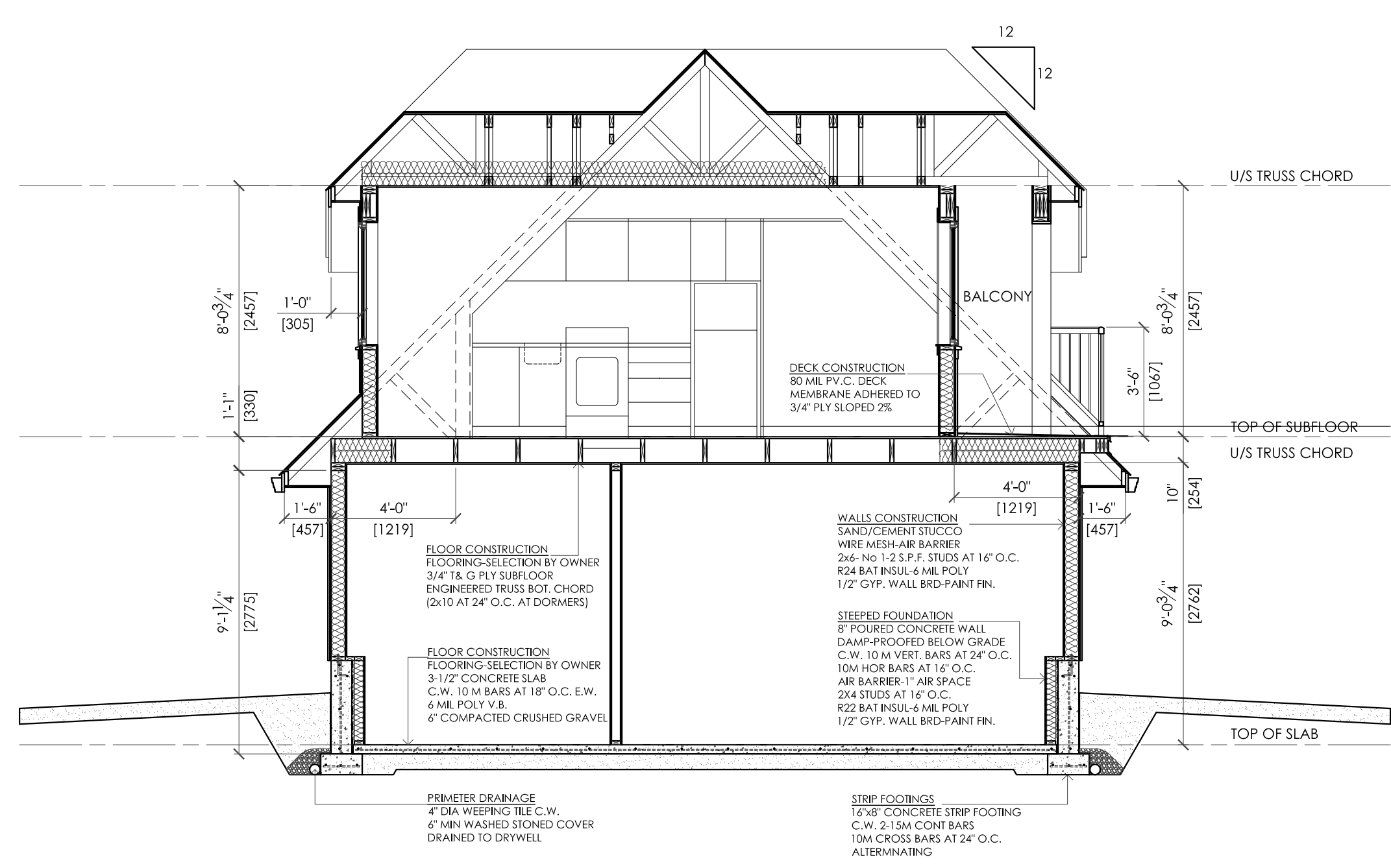
KEYSTONE DESIGN
 1743 Sunrise Road
 Kelowna BC
 VIP 1G3
 T: 250-765-0314
 C: 250-801-9717
 E: k-design@telus.net



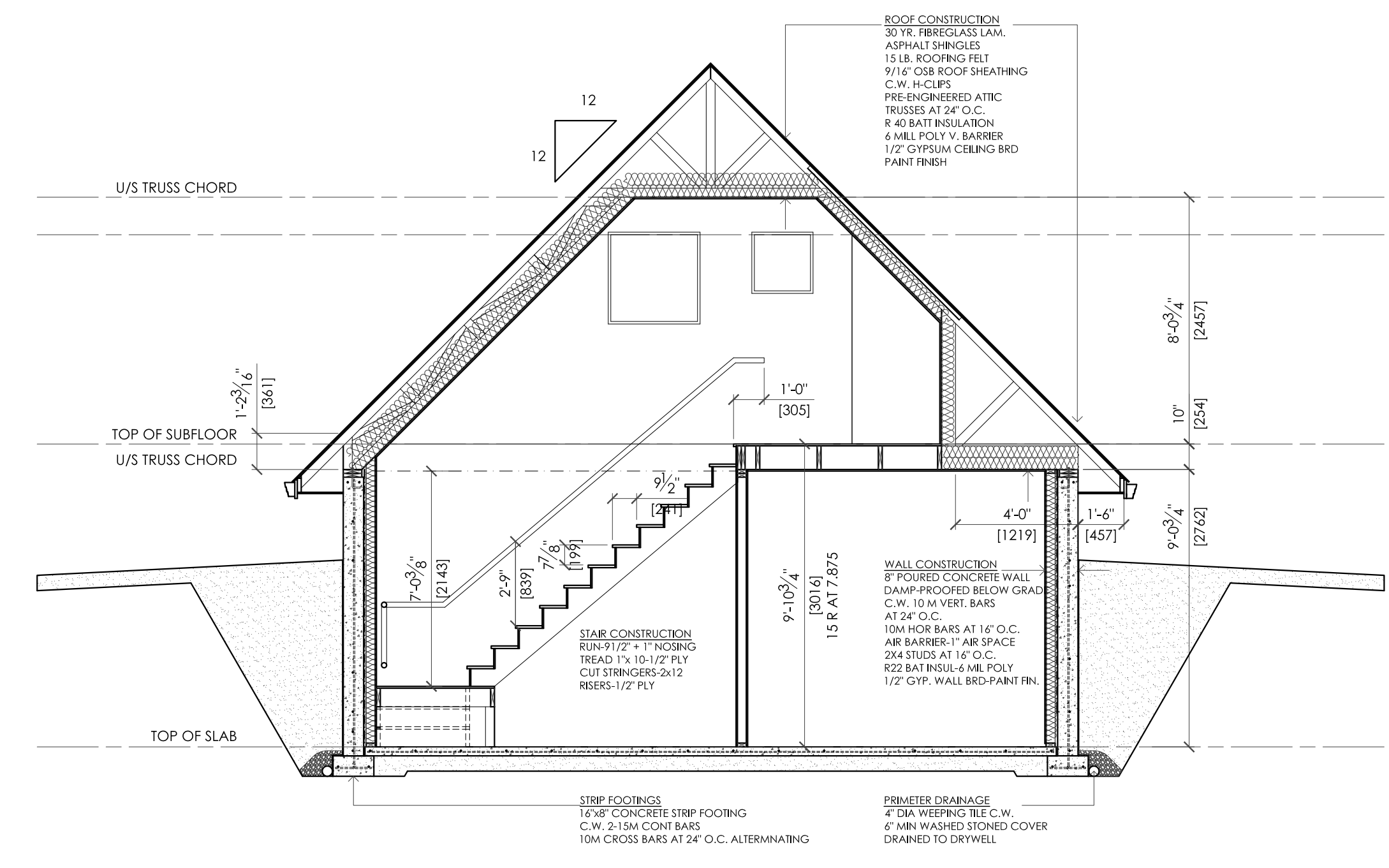
GROUND FLOOR PLAN
 G.F.A. 624 SQ.FT.



UPPER FLOOR PLAN
 G.F.A. 415 SQ.FT.



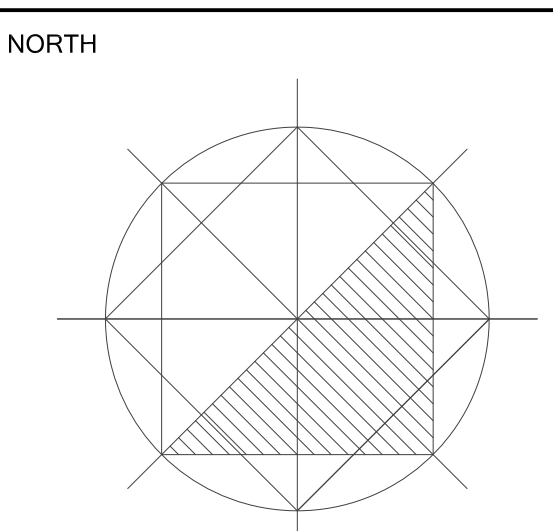
SECTION A-A



SECTIONS B-B

REVISIONS:

Issued for Review	SEP 11, 2022
Reissued for Permit	SEP 11, 2028

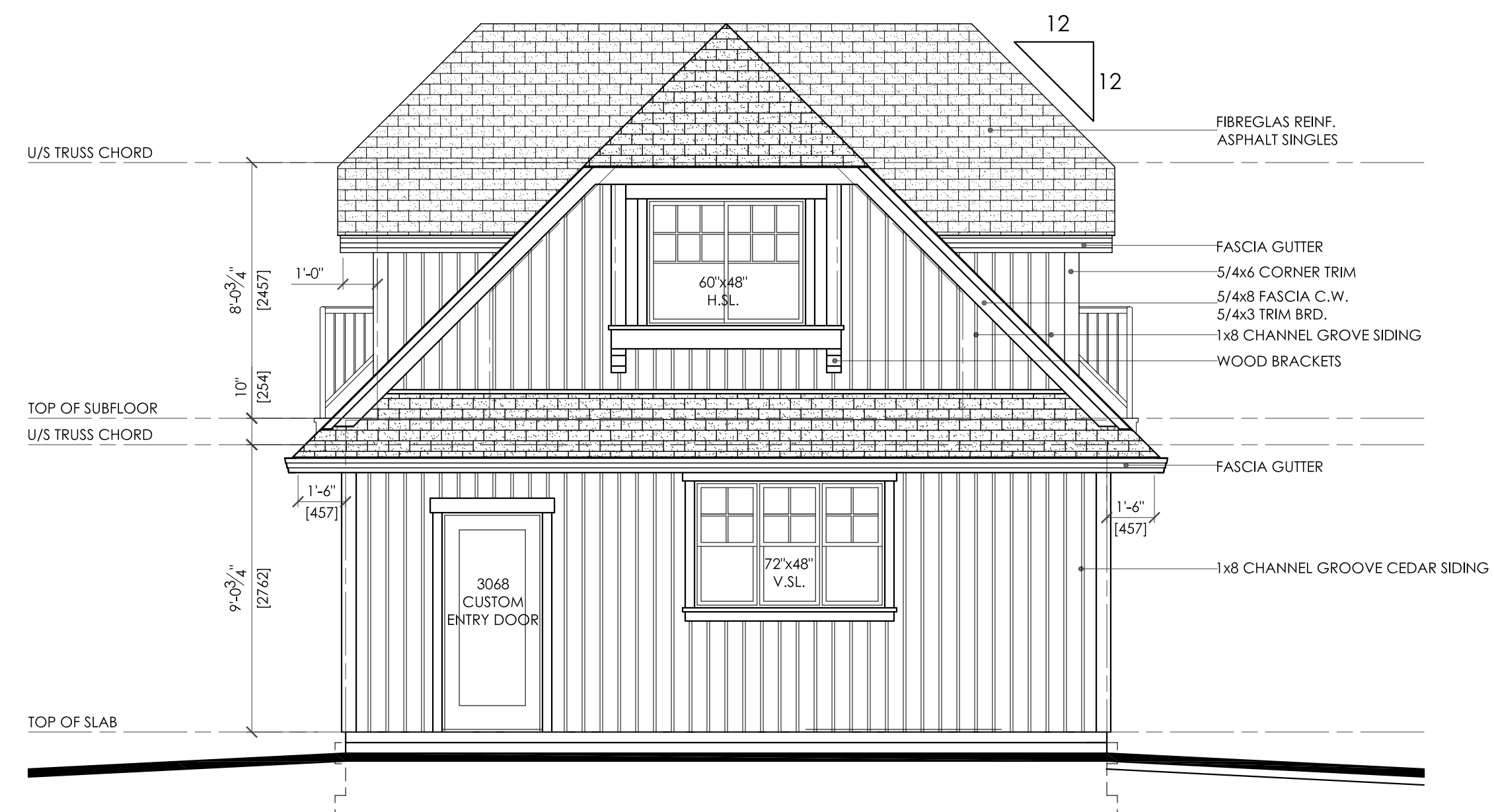


PROJECT
 GEORGE KAMOSCHINSKI
 CARRIAGE HOUSE
 5428 TANGER COURT
 KELOWNA, BC

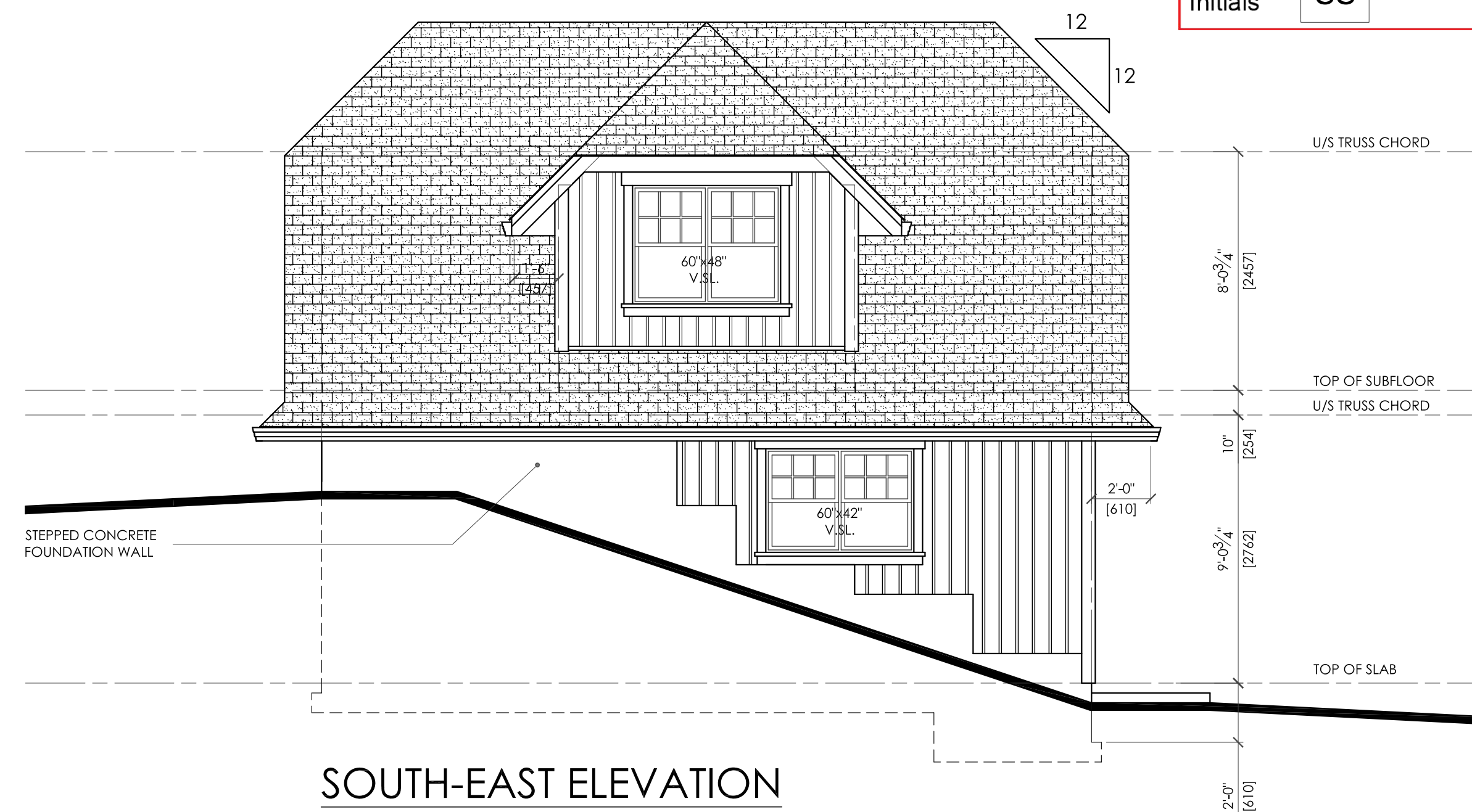
DRAWING TITLE
 FOUNDATION PLAN
 MAIN FLOOR PLAN
 SECTIONS

PROJECT NO	2011-125
DATE	SEP 08, 2022
DRAWN	Ray Lefebvre
SCALE	1"=10'-0"

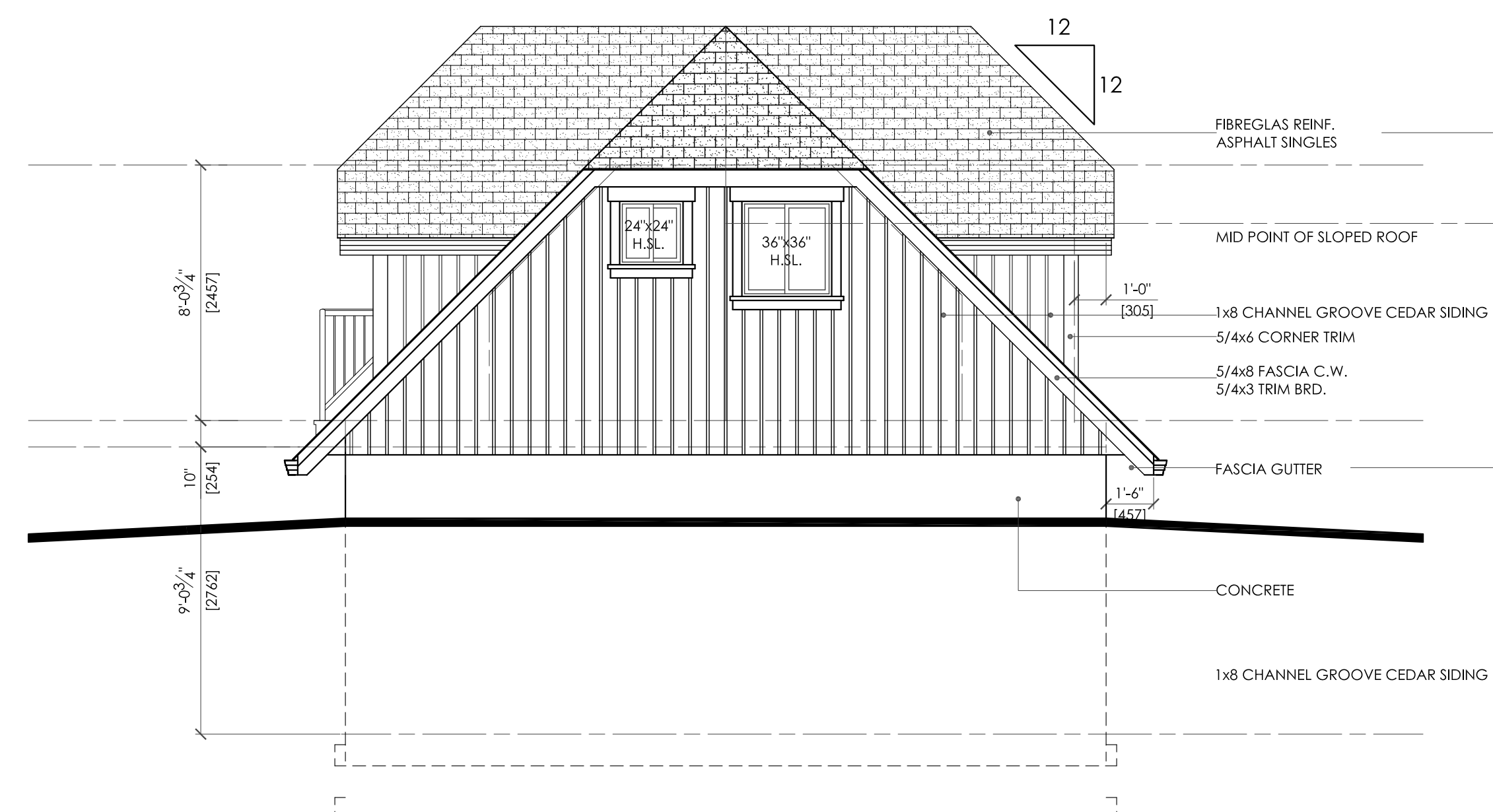
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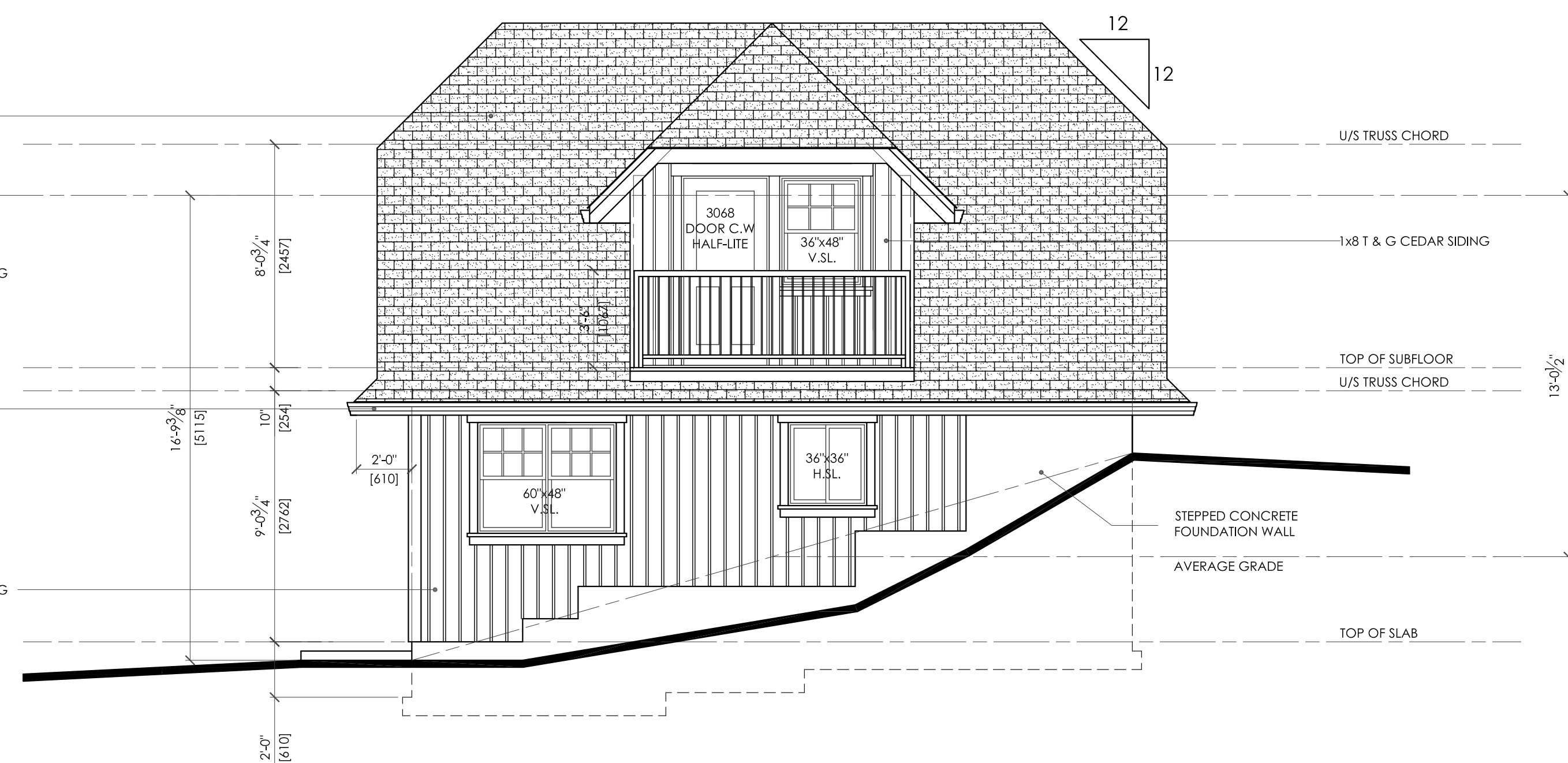
NORTH-EAST ELEVATION



SOUTH-EAST ELEVATION



SOUTH-WEST ELEVATION

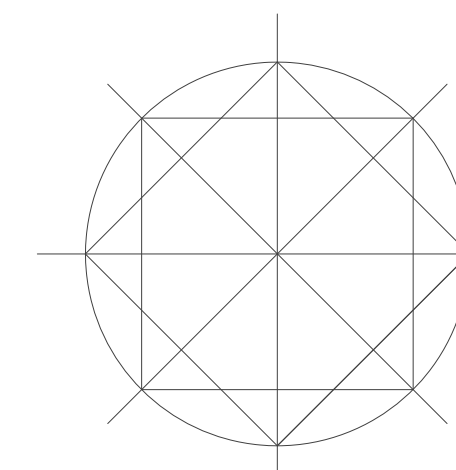


NORTH-WEST ELEVATION

REVISIONS:

Issued for Review	SEP 11, 2022
Reissued for Permit	SEP 11, 2022

NORTH



PROJECT
GEORGE KAMOSCHINSKI
CARRIAGE HOUSE

5428 TAGER COURT
KELOWNA, BC

DRAWING TITLE

ELEVATIONS

PROJECT NO	2011-125
DATE	SEP 08, 2022
DRAWN	Ray Lefebvre
SCALE	1"=10'-0"

DRAWING NO

5428 Tanager Court—Variance Permit Submissions to Council:

The following points are to answer questions for the council regarding our request for an RU1C variance permit and hope to provide more background and insight into our application.

What is the variance for? Why is the variance required?

- The variance permit we are applying for is for the new accessory building we constructed on the south west corner of our property.
- We are required to apply for a variance to increase the net floor area of that building from 90 square meters (allowed for a carriage house) to a 96.52 square meter (only allowed for an accessory building) two-storey carriage house.
- The original permit approved by the City for an accessory building allowed for the 96.52 square meters.

What is the purpose of the carriage house? Will it be used for family or a rental?

- The purpose of the carriage house is to provide affordable housing for our daughter and grandson. They moved home to Kelowna from an abusive situation in California a few years ago. Our daughter is an experienced (21 year career) and valued oncology nurse at BC Cancer Centre--Kelowna and a single mom to an almost 11 year old boy. They had previously lived on their own in a basement suite and had to vacate because the premises were required to care for the homeowners' elderly parents. Our daughter had tried to find another place to live but found that availability was slim to none and affordability was unattainable and has been living with us ever since.
- Also, my husband had suffered two simultaneous strokes almost three years ago and is still rehabbing from that ordeal. He requires quiet and no stimulation and we want to help our daughter and grandson but find that living in the same premises with a young boy is not ideal for his recovery. Having our daughter on the property is beneficial for my husband though since she helps with his care and we help her with the care of her son.



Why is the carriage house located in its existing spot?

- The current location was chosen since it was the best location to run a direct line from the plumbing of the main house to an accessory building and then connect to the City sewage system.

Are there any other accessory buildings on the site, what are they used for?

- Yes, there is one—a cottage and it's a 320 square foot building used for a workshop and storage.

Neighbour concern over the balcony and looking into the property. How is the privacy and screening addressed?

- Please see attached pictures; they will clearly show that there is no issue regarding privacy and infringement on any neighbour's privacy.
- The neighbour's property to the west of us can barely be seen from the new accessory building. In fact, more of the neighbour's house can be seen from our existing home than from the accessory building.
- There are plenty of trees and vegetation on both properties that provide for ample privacy.
- Window dressings/blinds are also used in our house and will be used in the carriage house to allow for increased privacy
- As far as the balcony goes, the balcony is recessed and does not go beyond the outside wall of the carriage house. It is very small (4'x8') and all views of the house are mostly blocked by existing trees, including evergreens. The only thing seen from the balcony is the window of the neighbour's garage (please see attached pictures).
- If the neighbour to the west is concerned about privacy, the house being constructed to the south of our property is much more invasive to many homes' privacy in our cul de sac, as you can see from the attached pictures.

Additional Information:

- We had changed from the purpose of the original accessory building to a carriage house upon the suggestion of the city planners when we went in to talk about permitting the build's flooring. We had to change it from what we first planned to radon flooring, not realizing that we could not stay safely in the building longer than four hours/day unless

we upgraded to radon, which required an additional permit. After discussion, the city planners also suggested that we apply to change the zoning of our lot from RU1 to RU1C.

- When we got the first permit, the intent was for no one to live in the building, but the upper floor was going to be used for a family social space, especially for our daughter and grandson who live with us.
- Because we had put so much money and extra work into the building, we thought we would apply for the carriage house permit so that it would be more beneficial for our family.
- We wanted to use the space for our daughter and grandson to live in. When we found out that we could apply for a carriage house permit, we thought that it was a no-brainer and would be helpful for our family situation.
- With the dramatic increase in the development cost charges, it prompted us to move more quickly in our permit application.



5428 Tanager Court—Photos:



View from accessory building balcony towards west neighbour's property



View from accessory building upstairs north window towards west neighbour's property



View from main house upstairs bedroom window showing accessory building and new build to the south of property



View from west side of accessory building towards the south to the new build

Z22-0052

5428 Tanager Court

Rezoning Application

Proposal

- ▶ To rezone the subject property from RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone to facilitate the conversion of an accessory building to a carriage house.

Rezoning

- ▶ “Is this proposed land use and density appropriate for this property?”

- ▶ Regulate the following within a zone:
 - ▶ Uses of land, building, & structures
 - ▶ Density of use of land (FAR)
 - ▶ Based on OCP Policies including Future Land Use

Development Process

Aug. 31, 2022

Development Application Submitted



Staff Review & Circulation



Sept. 7, 2022

Public Notification Received



 Nov. 21, 2022

Initial Consideration



First, Second & Third Readings



Development Variance Permit and Final Reading



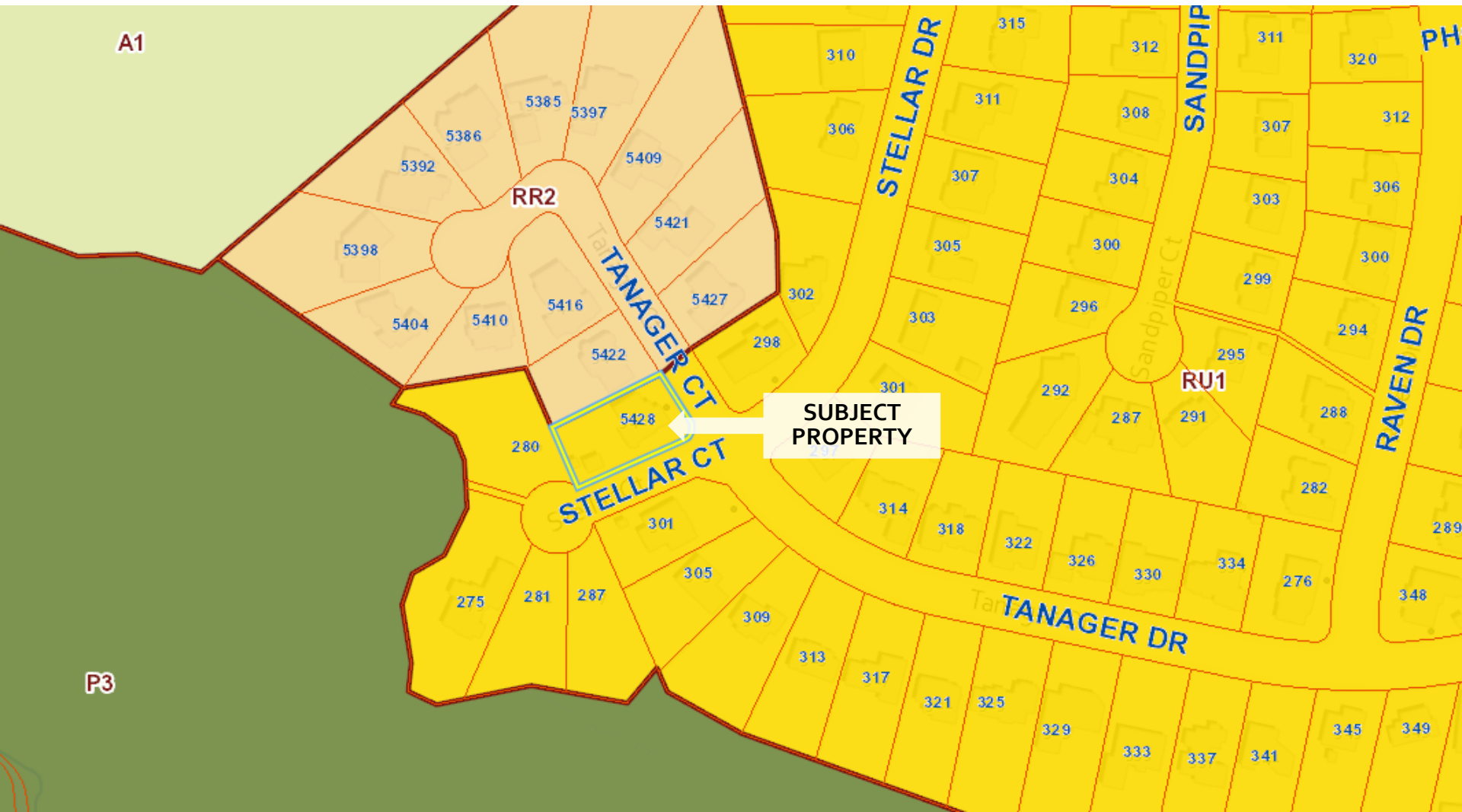
Building Permit

Council
Approvals

Context Map



OCP Future Land Use / Zoning



Subject Property Map



Project details

- ▶ Property size is 0.31 acres (1,254 sq.m). The proposed carriage house has a building footprint of 57.97 sq.m.
- ▶ Rezoning application is required to allow for the carriage house use, as the property is outside of the Core Area.
- ▶ Variance required for the maximum net floor area for a two (2) storey carriage house.
- ▶ All other Zoning Bylaw regulations have been met.

Staff Recommendation

- ▶ Development Planning Staff recommend **support** of the proposed Rezoning:
 - ▶ Subject property is within the Permanent Growth Boundary.
 - ▶ Meets the Future Land Use Designation of S-RES – Suburban Residential.

CITY OF KELOWNA

BYLAW NO. 12449

Z22-0052

5428 Tanager 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 Lot 13 Section 23 Township 28 SDYD Plan 35953, located on Tanager Court, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 28th 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

No. 196 for Panhandle Lots as the property has topographical constraints (steep slope at the rear of the lot). The steep slope will be protected by a no-disturb covenant as a condition of the subdivision.

4.0 Proposal

4.1 Project Description

The proposed rezoning from RU1 – Large Lot Housing to RU4 – Duplex Housing will facilitate a 2-lot subdivision of the subject property. After the proposed subdivision is complete, each resulting parcel would be permitted to have two dwellings.

4.2 Site Context

The subject property is located in the Upper Mission on Barnaby Road between Drummond Court and Steele Road. The southern portion of the property contains a steep slope. The Future Land Use Designation of the surrounding area is S-RES – Suburban Residential and zoned RU1 – Large Lot Housing and RU4 – Duplex Housing.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single detached dwelling
East	RU4 – Duplex Housing	Single detached dwelling
South	RU1 – Large Lot Housing	Single detached dwelling
West	RU1 – Large Lot Housing	Single detached dwelling

Subject Property Map: 741 Barnaby Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 7.2 Suburban Neighbourhoods to be low impact, context sensitive and adaptable.	
Policy 7.2.1 Ground Oriented Housing	Consider a range of low density ground-oriented housing development to improve housing diversity and affordability and to reduce the overall urban footprint of Suburban Neighbourhoods. Focus more intensive ground-oriented housing where it is close proximity to small scale commercial services, amenities like schools and parks, existing transit service and/or active transportation facilities.
	<i>The proposed RU4 zone will allow low density ground-oriented housing forms such as single detached dwellings and duplexes.</i>
Objective 15.2 Design and locate development to reduce risks associated with steep slopes.	
Policy 15.2.1 Steep Slopes	Restrict development on steep slopes. These areas should be retained as natural open space, either public or private.
	<i>The steep slope at the rear of the lot will be covenanted as a no-disturb area. Building envelopes can be located outside of this steep slope area.</i>

6.0 Application Chronology

Date of Application Accepted: January 19, 2022

Date Public Consultation Completed: February 2, 2022

Report prepared by: Mark Tanner, Planner II

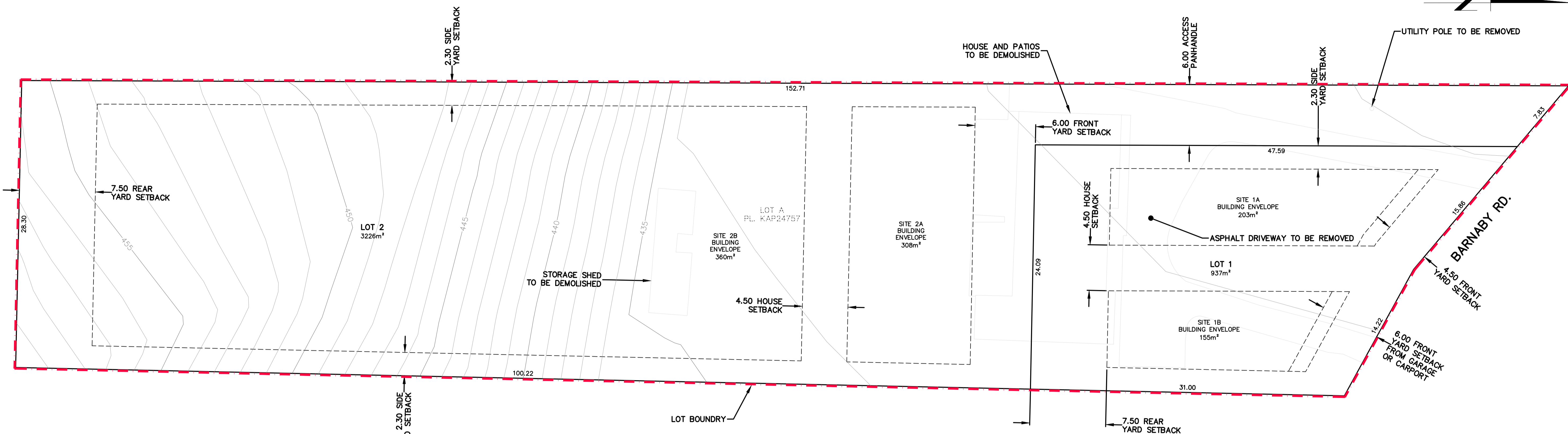
Reviewed by: Dean Strachan, Community Planning & Development Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Attachment A: Site Plan



	LOT WIDTH (MIN. 18m)	LOT DEPTH (MIN. 30m)	LOT AREA (MIN. 700m²)	LOT COVERAGE (MAX. 50%)
LOT A	28.30m	152.71m	4163m²	17%
LOT 1	24.09m	31.00m	937m²	49%
LOT 2	28.30m	100.22m	3226m²	24%

- NOTES:
1. ORIGINAL GROUND CONTOURS SHOWN AT 1.0m INTERVALS BASED ON FIELD SURVEY BY FERGUSON LAND SURVEYING AND GEOMATICS LTD.
 2. ORIGINAL LOT A TO BE RE-ZONED FROM RR2 TO RU6.

ATTACHMENT A

This forms part of application
Z22-0005

Planner Initials MT



City of
Kelowna
COMMUNITY PLANNING

741 BARNABY ROAD
LOT LAYOUT
PROJECT No.21088
DRAWING No.SK-01
SCALE 1:200
January 17, 2022





City of
Kelowna

Z22-0005

741 Barnaby Road

Rezoning Application

Proposal

- ▶ To rezone the subject property from the RU₁ – Large Lot Housing zone to the RU₄ – Duplex Housing zone to facilitate a two-lot subdivision.

Rezoning

- ▶ “Is this proposed land use and density appropriate for this property?”

- ▶ Regulate the following within a zone:
 - ▶ Uses of land, building, & structures
 - ▶ Density of use of land (FAR)
 - ▶ Based on OCP Policies including Future Land Use

Development Process



Jan 19, 2022

Development Application Submitted



Staff Review & Circulation



Feb 2, 2022

Public Notification Received



Nov 28, 2022

Initial Consideration



First, Second & Third Readings



Final Reading

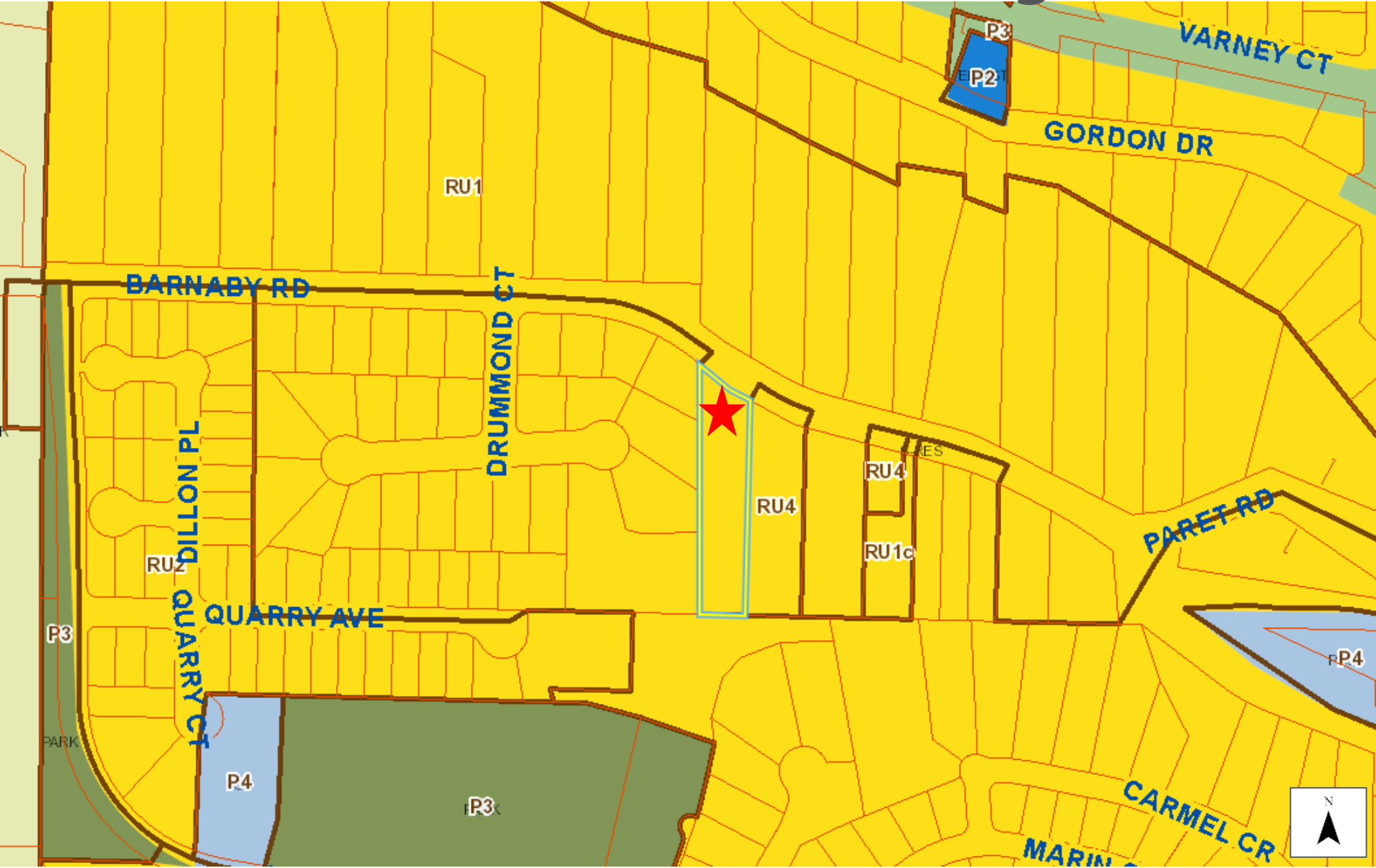


Subdivision
Building Permit

Council Approvals



OCP Future Land Use / Zoning



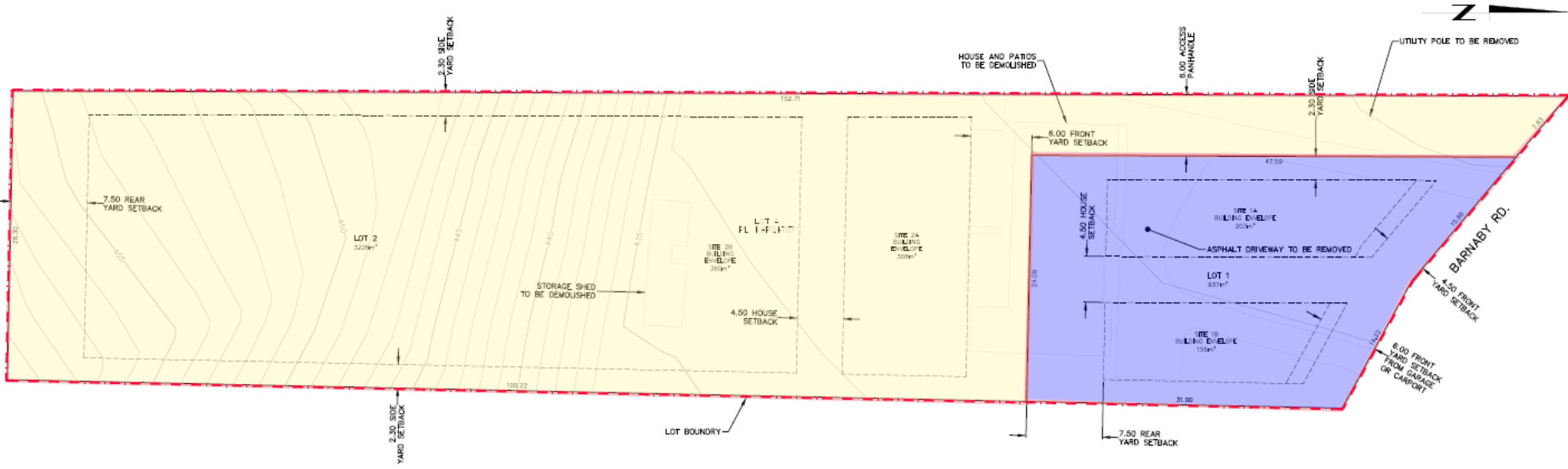
Subject Property Map



Project/technical details

- ▶ Proposed rezoning to RU₄ – Duplex Housing will facilitate the subdivision of the property into 2 lots.
- ▶ Proposed lots meet the minimum depth, width, and size requirements of the RU₄ zone.
- ▶ Two dwellings could be built on each lot after the proposed subdivision.

Site Plan



Staff Recommendation

- ▶ Staff recommend **support** for the proposed rezoning:
 - ▶ Meets the intent of the Official Community Plan
 - ▶ S-RES – Suburban Residential Designation and Policies
 - ▶ Complies with Zoning Bylaw requirements and Council Policy No. 196 – Panhandle Lots

CITY OF KELOWNA

BYLAW NO. 12458

Z22-0005

741 Barnaby Rd

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 Lot A District Lot 357 SDYD Plan 24757, located on Barnaby Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU4 – Duplex Housing zone;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 5th day of December, 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

REPORT TO COUNCIL



Date: November 28, 2022

To: Council

From: City Manager

Department: Development Planning

Application: OCP22-0006 & Z22-0041 **Owner:** 1575 Bernard Projects Ltd, Inc.
No. BC1354921

Address: 1575 Bernard Ave **Applicant:** Chris Joslin, Zeidler
Architecture

Subject: OCP Amendment and Rezoning Application

Existing OCP Designation: EDINST – Educational/Institutional

Proposed OCP Designation: C-NHD – Core Area Neighbourhood

Existing Zone: P2 – Education & Minor Institutional
RU1 – Large Lot Housing

Proposed Zone: MF3r – Apartment Housing Rental Only

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP22-0006 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of LOT 8 SECTION 20 TOWNSHIP 26 ODYD PLAN 32159, located at 1575 Bernard Ave, Kelowna, BC from the EDINST – Educational/Institutional designation to the C-NHD – Core Area Neighbourhood designation, 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 Information Session public 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 28, 2022;

AND THAT Rezoning Application No. Z22-0041 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of LOT 8 SECTION 20 TOWNSHIP 26 ODYD PLAN 32159, located at 1575 Bernard Ave, Kelowna, BC from the P2 – Education & Minor Institutional zone and the RU1 – Large Lot Housing zone to the MF3r – Apartment Housing Rental Only zone be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment “A” attached to the Report from the Development Planning Department dated November 28, 2022;

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

AND FURTHER THAT final adoption of the Official Community Plan Map Amending Bylaw and Rezoning Bylaw be considered in conjunction with Council’s consideration of a Development Permit for the subject property.

2.0 Purpose

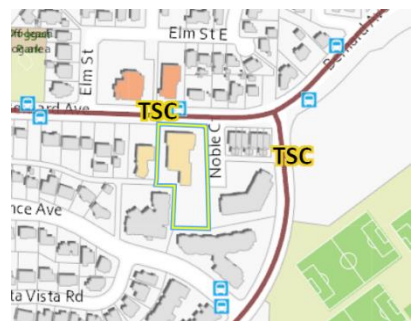
To amend the Official Community Plan Map 3.1 to change the future land use designation of the subject property from the EDINST – Educational/Institutional designation to the C-NHD – Core Area Neighbourhood designation and to rezone the subject property from the P2 – Education & Minor Institutional and RU1 – Large Lot Housing zones to the MF3r – Apartment Housing Rental Only zone to facilitate the development of long-term rental apartment housing.

3.0 Development Planning

There are two proposed land use bylaw changes that the applicant has requested for the subject property: an OCP amendment and a Rezoning application. The OCP amendment relates to a proposed change to the Future Land Use Designation of the subject property of which the current EDINST, Educational/Institutional is a reflection of the original historic use of the property as religious assembly and more recently childrens’ daycare. All other properties in the neighbourhood are designated C-NHD, Core Area Neighbourhood in order to achieve key OCP housing objectives. Therefore, the proposed change in land use designation for this property will not have a negative impact on the neighbourhood and will provide consistency in land use regulations for future redevelopment. It is for this reason that Staff are in support of the proposed land use designation.

The proposed rezoning bylaw to MF3r – Apartment Housing Rental Only would facilitate the development of the subject property for long-term rental apartment housing. Staff are in support of this zone as the request is consistent with several [OCP Pillars](#), Policies, and Objectives.

1. **Target growth along transit corridors:** Apartment Housing would bring additional residential density along Bernard Ave, which is identified in [OCP Map 3.1](#) as a transit supportive corridor. It is in close proximity to Burtch Ave, a second transit supportive corridor. As such, policy directs apartment housing as an appropriate form and use along these corridors.
2. **Promote more housing diversity:** The proposed Rental Only subzone provides guaranteed long-term rental housing which is much needed in this area and the City as a whole. The most recent statistics from CMHC (October 2021) show that Kelowna has less than 1% vacancy rate in the primary rental market. The proposal is for a low-rise (6 storey) apartment format which is consistent with Core Area land use policies.



3. **Stop planning new suburban neighbourhoods; protect agriculture; protect and restore the environment:** The proposed change in land use designation directs more housing within the Core

Area; away from agricultural and environmentally sensitive lands; while maximizing existing infrastructure.

4. **Focus investment in Urban Centres; Strengthen Kelowna as the region’s economic hub:** Although the property is not located within an Urban Centre, it is within 800 m walking distance to the Capri-Landmark Urban Centre which is a key employment hub for Kelowna. Supporting increased housing within walking distance of this Urban Centre reinforces investment and economic growth through supporting increased density.
5. **Take action on climate:** Increased housing density within the Core Area promotes a more compact urban form which is a key factor in reducing greenhouse gas emissions and automobile dependence.

The applicant hosted a Public Information Session in accordance with Council Policy #367 on October 5, 2022 and a summary is provided as Attachment C. The feedback received from the neighbourhood has been considered as the applicant puts together their design proposal and applies for a Development Permit.

Staff have reviewed this application, and it may move forward without affecting either the City’s Financial Plan or Waste Management Plan. Should Council support this OCP Amendment and Rezoning Application, Staff will bring forward a Form & Character Development Permit for consideration.

4.0 Proposal

4.1 Background

The historical use of the subject property was religious assembly initially and then a daycare known as Monkey’s Playhouse. The daycare relocated in 2012 to a property better suited for pick-up and drop-off activities. The building was in need of extensive repairs and remained vacant since 2012. It has recently been demolished in anticipation of redevelopment.



4.2 Project Description

The proposed building project is for approximately 150 units of long-term rental housing in the form of ground-oriented townhomes wrapped around a 2 level parkade with apartment housing above. Vehicle access is proposed from Noble Ct, and a road dedication is required along Bernard Ave to allow for future expansion. Additional traffic improvements for movement of cyclists, pedestrians, transit users, and vehicles may be identified through a Traffic Impact Assessment that is currently underway for the subject property.

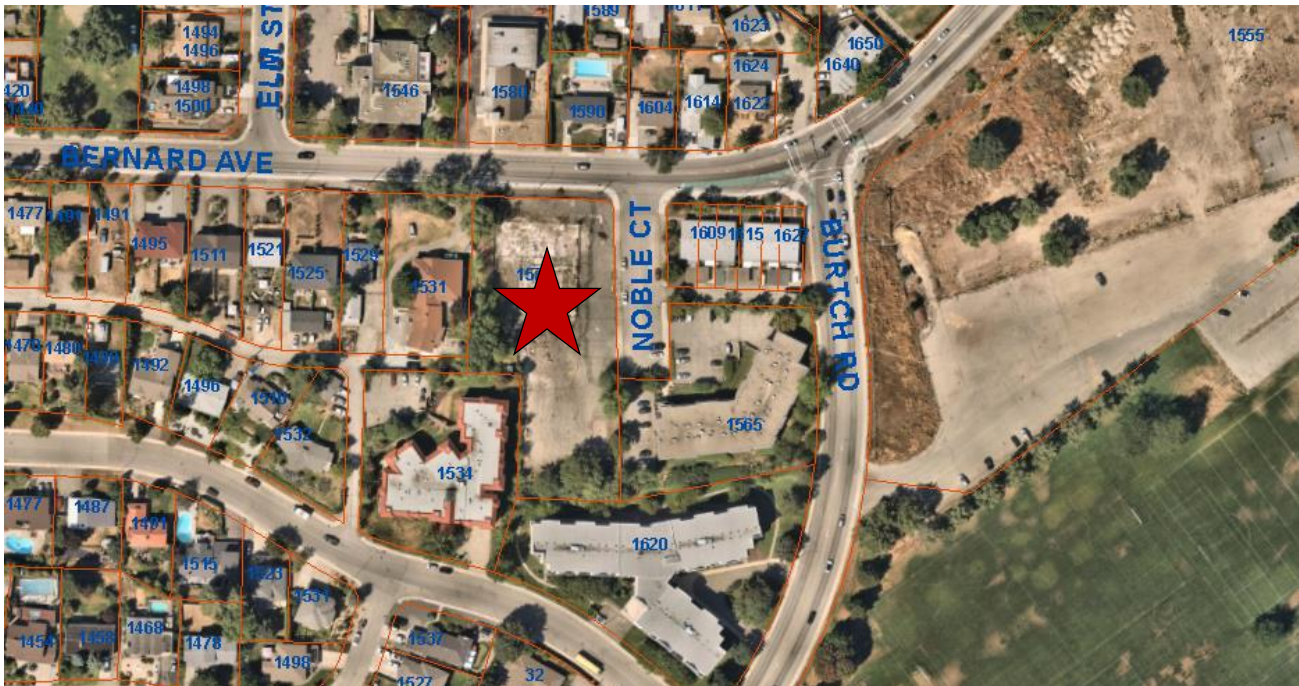
4.3 Site Context

The subject property is located within the Core Area, Central City Sector on Bernard Ave. The closest intersection is Bernard Ave and Burtch Road (both transit supportive corridors), adjacent to Parkinson’s Recreation Centre. It is within a 100 m walk to bus stops in both directions, and is less than 800 m to the Capri-Landmark Urban Centre. The neighbourhood is a mix of single family dwellings, duplex housing, multi-dwelling complexes, and institutional uses. It is an appropriate location for increased residential density and housing, particularly in the form of long-term rentals.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P2 – Education and Minor Institutional RU4 – Duplex Housing	Church Single & Two Dwelling Housing
East	MF2 – Townhouse Housing MF3 – Apartment Housing	Multi-Dwelling Housing
South	MF3 – Apartment Housing	Multi-Dwelling Housing
West	RU4b – Duplex Housing with Boarding House MF3 – Apartment Housing	Multi-Dwelling Housing

Subject Property Map: 1575 Bernard Ave



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 5.2 Focus residential density along Transit Supportive Corridors		
Policy	5.2.1.	Encourage development that works toward a long term population density of between 50 – 100 people per hectare within 200 metres of each corridor to achieve densities that support improved transit service and local services and amenities. Discourage underdevelopment of properties along Transit Supportive Corridors.
Transit Supportive Corridor Densities		<i>The proposed rezoning application to MF3r supports a Floor Area Ratio of up to 2.05 which represents the appropriate population density along a Transit Supportive Corridor.</i>
		Encourage low rise apartments and stacked townhouses up to six storeys in height in Core Area Neighbourhoods that front or directly about Transit

Policy 5.2.2. Low Rise Corridor Development	Supportive Corridors. Consider lower heights for such projects where adjacent neighbourhoods are not anticipated to experience significant infill and redevelopment. Consider buildings above six storeys where the project is adjacent to higher capacity transit along Highway 97, a major intersection, or near an Urban Centre, with due consideration for the context of the surrounding neighbourhood.
	<i>The proposed project is for a 6 storey low rise apartment building which aligns with this policy for projects along a Transit Supportive Corridor. The surrounding Future Land Use is also Core Area which would support other similar building forms such as apartments and townhomes between 3 and 6 storeys in height.</i>
Objective 5.11 Increase the diversity of housing forms and tenure to create an inclusive, affordable and complete Core Area.	
Policy 5.11.2. Diverse Housing Tenures	Encourage a range of rental and ownership tenures that support a variety of households, income levels and life stages. Promote underrepresented forms of tenure, including but not limited to co-housing, fee-simple row housing, co-ops, and rent-to-own.
	<i>The proposed rental tenure will support a variety of households with a mix of unit types and sizes from townhome units to apartment units.</i>
Objective 5.14 Provide safe, walkable, Core Area neighbourhoods that are connected to key destinations.	
Policy 5.14.2. Roadway Congestion	Recognize and accept that Kelowna’s streets and parking will become busier as the city grows. Reduce reliance on automobiles as redevelopment occurs in the Core Area by shifting trips away from driving by creating walkable streets, protected bike routes and investing in improved transit service.
	<i>A road dedication is required along Bernard Ave for this property for future expansion of cycling infrastructure and road widening.</i>
Policy 5.14.9. Access Management	Protect the functionality of Active Transportation Corridors, transit supportive corridors and arterial roads by limiting direct driveway accesses. Ensure that new development takes vehicular access via laneways or secondary streets. Where that is not possible, encourage lot assemblies that reduce the total number of driveway accesses.
	<i>All vehicle access for this project is proposed from Noble Ct with no accesses directly onto the Transit Supportive Corridor.</i>
Objective 5.15 Create major streets that are walkable, support local retail and connect neighbourhoods to Urban Centre by car, bike and transit.	
Policy 5.15.2. Transit Supportive Corridor Streets	Create pedestrian-friendly tree-lined streetscapes along Transit Supportive Corridors, providing easy and comfortable movement along the corridor.
	<i>Road improvements along Bernard Ave and Noble Ct include curb and gutter, separated sidewalk, street lighting, burial of overhead wires and landscaped and irrigated boulevards.</i>
Policy 5.15.7. Safe Crossings	Create safe and accessible crossing opportunities on collectors and arterials.
	<i>An east-west crosswalk will be installed as a function of this development at the intersection of Bernard Ave and Noble Ct.</i>

Objective 12.1 Design the community to be more resilient to a changing climate.	
Policy 12.1.2.	<p>Build climate resiliency through land use design by:</p> <ul style="list-style-type: none"> • Protecting natural areas and habitats; • Increasing park space and tree canopy coverage; • Focusing growth in connected, walkable, Urban Centres and Core Area; • Providing diverse transportation options to shift away from car-centric culture; and • Reducing energy consumption by constructing energy efficient buildings and neighbourhoods <p><i>Increasing housing density in this location is an example of focusing growth within the Core Area to help build climate resiliency.</i></p>

6.0 Technical Comments

6.1 Development Engineering Department

Please refer to Attachment “A” Development Engineering Memorandum.

6.2 Ministry of Transportation

The Ministry has no concerns with the proposed re-zoning from P2 and RU1 to MF3r as per documents submitted.

7.0 Application Chronology

Date of Application Accepted: June 27, 2022
 Date Public Information Session: October 5, 2022

Report prepared by: Trisa Atwood, 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: Development Engineering Memo
- Attachment B: Applicant’s Letter of Rationale and Site Photos
- Attachment C: Draft Project Statistics and Draft Site Plan
- Attachment D: Public Information Session Summary
- Staff Presentation

CITY OF KELOWNA

MEMORANDUM

Date: October 24, 2022

File No.: Z22-0041

To: Planning and Development Officer (TA)

From: Development Engineering Manager (NC)

Subject: 1575 Bernard Ave P2 & RU1 to MF3R

The Development Engineering Branch has the following comments and requirements associated with this application to rezone the subject property from P2 – Education and Minor Institutional and RU1 – Large Lot Housing to MF3r – Apartment Housing (Residential Rental Tenure) multiple dwelling housing. The Development Technician for this development will be Sarah Kelly (skelly@kelowna.ca).

1. GENERAL

- a. The following requirements are valid for two (2) years from the reference date of this memo, or until the application has been closed, whichever occurs first. The City of Kelowna reserves the rights to update/change some or all items in this memo once these time limits have been reached.
- b. This proposed development may require the installation of centralized mail delivery equipment. Please contact Arif Bhatia, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC, V1Y 2K0, (250) 859-0198, arif.bhatia@canadapost.ca to obtain further information and to determine suitable location(s) within the development.
- c. A Transportation Assessment will be required of this development in conjunction with the Ministry of Transportation and Infrastructure (MoTI). Please contact the Development Technician for this file to arrange for establishing Terms of Reference for the analysis and reporting.

2. DOMESTIC WATER AND FIRE PROTECTION

- a. The subject lot is located within the City of Kelowna water supply area. The existing lot is serviced with a 25mm diameter water service. Only one service will be permitted per legal lot. The Applicant, at their cost, will arrange for the removal of the existing services and the installation of one new larger metered water service.
- b. The Bylaw requirement for minimum available fireflow to multifamily residential lots is 150 L/s. If it is determined that upgrades to any existing water distribution system must be made to achieve the necessary fire flows, the applicant must upgrade the existing system at their cost. Please contact the development technician for this file to arrange for formal modelling analysis to be completed.

ATTACHMENT A	
This forms part of application # OCP22-0006 Z22-0041	
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 City of Kelowna DEVELOPMENT PLANNING	

- c. The Developer's Consulting Engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The applicant must demonstrate that both the calculated FUS fireflow demand and the internal building sprinkler demand of the proposed development does not exceed 150 L/s.
- d. A Water meter is mandatory for this development and must be installed inside a building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The Developer or Building Contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department and prepare the meter setter at their cost.

3. **SANITARY SEWER SYSTEM**

- a. Our records indicate that the subject lots are currently each serviced with a 100mm diameter sanitary sewer service off Bernard Ave. The Applicant's Consulting Mechanical Engineer will determine the requirements of the proposed development and establish the service needs.
- b. Only one service will be permitted. The applicant will arrange for the removal and disconnection the existing AC service and the installation of one new service at the applicants cost, complete with an inspection chamber and Brooks box as per SS-S7 & SS-S9.
- c. The Developer's engineer must confirm capacity of 150mm AC sanitary within Bernard Ave and 150mm VIT clay through SRW to Elm St. If it is determined that upgrades to existing sanitary system must be made to provide necessary capacity for development, the applicant must upgrade the existing system at their cost.

4. **STORM DRAINAGE**

- a. The property is located within an area identified by the City of Kelowna as possibly suited for groundwater recharge. Service connection to the City storm system, complete with onsite detention and flow control, is required for all multi-family land uses.
- b. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.
- c. The City will not permit infiltration to ground except for foundation drainage, safe use of infiltration is to be confirmed with submission of a geotechnical report provided by a Professional Engineer competent in the field of hydro-geotechnical engineering. The Lot Grading Plan must show the design and location of this system as well as the the interaction between this system and any retaining walls on the property.
- d. Provide the following drawings:
 - i. A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill);
 - ii. A detailed Stormwater Management Plan for this subdivision; and,
 - iii. An Erosion and Sediment Control Plan is to be prepared by a Professional Engineer proficient in the field of erosion and sediment control. The plan is to be prepared as per section 3.14 of Schedule 4 of Bylaw 7900. If a line item for ESC is not included in the Engineer's cost estimate for off-site work, then an additional 3% will be added to the performance security based on the total off-site construction estimate.

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

5. ROAD IMPROVEMENTS

- a. Bernard Ave is classified in the 2040 OCP as a Core Area Minor Arterial road and must be upgraded to an urban standard along the full frontage of the subject property. Required upgrades to include curb and gutter, separated sidewalk, LED street lighting, burial of overhead wires, landscaped and irrigated boulevard, storm drainage system, pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. Cross section to be provided, upon request, at time of detailed design.
- b. Noble Ct is classified in the 2040 OCP as a Core Area Local road and must be upgraded to an urban standard along the full frontage of the subject property. Required upgrades to include curb and gutter, separated sidewalk, LED street lighting, burial of overhead wiring, landscaped and irrigated boulevard, storm drainage system, pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. Cross section to be provided, upon request, at time of detailed design.
- c. A new east-west crosswalk letdown is to be installed at the intersection between Bernard Ave and Noble Ct. Crosswalk letdown is to be designed as per the British Columbia Active Transportation Design Guide. Further details to be provided, upon request, at time of detailed design.
- d. Driveway access for 1565 Noble Ct to be formalized with concrete driveway letdown as per SS-C7.
- e. Landscape and Irrigation plans require design and inspection by a Qualified Professional registered with the BCSLA and the IIABC, and are to be included as a line item in the estimate for the Servicing Agreement performance security. Landscape and irrigation plans require approval by the Development Engineering Branch at the same time as other “issued for construction” drawings.
- f. Streetlights must be installed on all public roads. All streetlighting plans are to include photometric calculations demonstrating Bylaw 7900 requirements are met and require approval by the Development Engineering Branch at the same time as other “issued for construction” drawings.

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- g. Provide traffic control and street name signs where required. The City will install all signs and traffic control devices at the developer's expense. The developer will sign a third-party work order and pay the cost of traffic sign installation prior to the registration of the subdivision.


6. POWER AND TELECOMMUNICATION SERVICES

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

7. GEOTECHNICAL STUDY

- a. The Applicant is required to provide a comprehensive geotechnical report, prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering, to address the items below:
 - i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
 - ii. Site suitability for development.
 - iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
 - iv. Any special requirements for construction of roads, utilities, and building structures.
 - v. Recommendations for items that should be included in a Restrictive Covenant.
 - vi. Recommendations for roof drains and perimeter drains.
 - vii. Recommendations for erosion and sedimentation controls for water and wind.
 - viii. Any items required in other sections of this document.
- b. Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.
- c. Should any on-site retaining walls surpass the following limits, an Over Height Retaining Wall Permit will be required:

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

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

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

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

NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.

8. ROAD DEDICATION/SUBDIVISION REQUIREMENTS

- a. A dedication of approximately 4m along the full frontage of Bernard Ave is required to achieve a 24m Core Area Minor Arterial ROW.
- b. No driveway access will be permitted to Bernard Ave. All vehicular access to the development site is to be provided off Noble Ct. Driveway(s) must be a minimum of 7 m from the lot corner nearest the intersection and a maximum of 6 m in width.
- c. Indicate on the site, the locations of loading bays as well as garbage and recycle bins. Provide turning movements for a HSU vehicle to confirm manoeuvrability on site without requiring reverse movement onto Noble Ct.
- d. Perimeter access must comply with the BC Building Code. Fire Truck access designs and proposed hydrant locations will be reviewed by the Fire Protection Officer.

9. DESIGN AND CONSTRUCTION

- a. Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- b. Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.

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- c. Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 & Schedule 3).
- d. A “Consulting Engineering Confirmation Letter” (City document ‘C’) must be completed prior to submission of any designs.
- e. Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City’s Development Engineering Department. The design drawings must first be “Issued for Construction” by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

10. **SERVICING AGREEMENT FOR WORKS AND SERVICES**

- a. A Servicing Agreement is required for all offsite works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant’s Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- b. Part 3, “Security for Works and Services”, of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

11. **CHARGES AND FEES**

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


 Nelson Chapman, P.Eng.
 Development Engineering Manager

SK

ATTACHMENT		A
This forms part of application		
# OCP22-0006 Z22-0041		
Planner Initials	TA	
		City of Kelowna DEVELOPMENT PLANNING

CITY OF KELOWNA
MEMORANDUM

Date: October 27, 2022
File No.: OCP22-0006
To: Urban Planning (TA)
From: Development Engineering Manager (NC)
Subject: 1575 Bernard Ave EDINST to C-NHD

The Development Engineering Branch's comments and requirements associated with this application for an Official Community Plan Amendment to change the future land use of the subject property from EDINST - Education/Institutional to C-NHD - Core Area Neighbourhood, to facilitate a rezoning application to rezone the subject property from P2 – Education and Minor Institutional and RU1 – Large Lot Housing to MF3r – Apartment Housing (Rental Only) multiple dwelling housing, are outlined in the Development Engineering Memo for rezoning under file Z22-0041.

Nelson Chapman, P.Eng.
Development Engineering Manager

SK



June 9, 2022

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

RE: OCP Amendment and Rezoning Application – 1575 Bernard Avenue

The attached submission is an Official Community Plan amendment and Rezoning application for 1575 Bernard Avenue. Further to our pre-application discussions, we are pleased to propose a purpose-built rental building comprised of a blend of street-oriented townhomes and apartment units. This new infill location will provide strategic new housing units in an important area of the city. The development is committed to offering a quality, long term, affordable housing solution to Kelowna residents. Being in direct proximity to the newly planned Kelowna Community Campus, the Landmark District and situated between downtown and UBC makes this use ideal for the vacant property.

Project Description

The application proposes approximately 150 dwelling units containing a mix of townhomes and apartments located in a six-storey structure. Ground-oriented townhome units are proposed along both the Bernard Ave and Noble Court frontages to respond to the neighbouring properties and create a positive introduction to the streetscape. The adjoining medium density multifamily developments to the south and being positioned on a transportation corridor make this an appropriate location for increased density within the City of Kelowna.

In order to facilitate this new development, the following is requested:

Official Community Plan

- To amend the current OCP from Education / Institutional (EDINST) to Core Area Neighbourhood (C-NHD)

Rezoning Application

- Rezone the site from P2 –Education and Minor Institutional and RU1 – Large Lot Housing to MF3r – Apartment Housing (Residential Rental Tenure) in alignment with the proposed changes to the OCP.

Development Variances

- The preliminary drawing package includes information on the following requested variance:

DVP 1 - Site Coverage Buildings

West Point Projects Ltd.
612 Bernard Ave. Kelowna, BC V1Y 2G3

ATTACHMENT **B**

This forms part of application
OCP22-0006 Z22-0041

Planner Initials **TA**

City of **Kelowna**
DEVELOPMENT PLANNING

Project Rationale

Our community continues to grow in population with increased levels forecast to the year 2040. Providing affordable housing options is a key priority for our community. This location is fitting for increased density and the rezoning of this land will be critical in fostering the expansion of the Bernard Avenue corridor.

We believe the requested rezoning and OCP amendment to allow for a six-storey multifamily development is the highest and best use for the subject site. The MF3 zoning lends itself to a great ability to organize the livable spaces and create density consistent with the surrounding multi-unit buildings, within the regulations of the MF3 zone. Rental apartment housing is most suitable in its relationship to the adjacent properties and surrounding amenities.

Site Access and Vehicle Movement

Extensive efforts have gone into concealing the parking within the partially buried two-levels of underground parkade. Access off Bernard is avoided, with the parkade access, waste and recycling and loading organized from the south of Noble Court. The pedestrian realm is greatly enhanced by minimizing the vehicular access points along the main street frontages of the development. As part of the development plan, a generous road dedication is proposed along Bernard to facilitate the future expansion of the avenue.

Landscape and Lifestyle Amenities

The townhome units that line the frontage of Bernard Avenue and Noble Court will all have front entries that are oriented to the streetscape as well as a dedicated parking stall connected to the home. Young families or those interested in compact, urban living will enjoy these spaces. Each townhome also has an at-grade outdoor patio space which interfaces with the sidewalk in front of the development creating a warm and inviting presence.

The building will encapsulate a landscaped rooftop amenity courtyard which will provide a variety of secure outdoor amenity spaces to the residents. Lifestyle amenities contemplated for this space include a pet recreation area, sitting/relaxation spaces, walking pathways, and communal BBQ's. Planted areas will make use of soft colours, scented flowers and foliage to create a relaxing atmosphere for the courtyard patrons, and particular attention will be paid to plants and shrubs that will reflect the changing seasons. Having the ability to enjoy the indoor/outdoor climate in the Okanagan is a priority for planning in this development.

Community Well-Being and Connectedness

There are two primary considerations in this section, crime prevention and urban interaction. As part of the community well-being, safety measures such as security cameras, secure tenant access, generous lighting, and activated building faces will all be contemplated. The rental homes in this development will respond to our basic need for secure shelter. An active property manager and welcoming lobby environment will also add to the comfort of all residents within the development.

West Point Projects Ltd.
612 Bernard Ave. Kelowna, BC V1Y 2G3

ATTACHMENT	B
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The urban interaction surrounding the subject property is significant. Walking, running, and cycling from the development is even greater now with the improvements planned with the Kelowna Community Campus. Being steps from the Urban Core and the Landmark District, there are a multitude of restaurants, events, and community amenities that are all available. Being 'plugged-in' will be easy to do from this development.

Closing

This application is a significant opportunity to add new housing options near the central node of Kelowna. The proposal offers a variety of high-quality rental homes which will respond to the continued demand and sustainability of our growing city. The location of the development reinforces the consistent theme of building forms along a key transportation route.

We look forward to receiving the input of Staff and Council for this OCP Amendment / Rezoning Application. We welcome your feedback as we work together to enhance our community.

Kind Regards,

Sincerely,



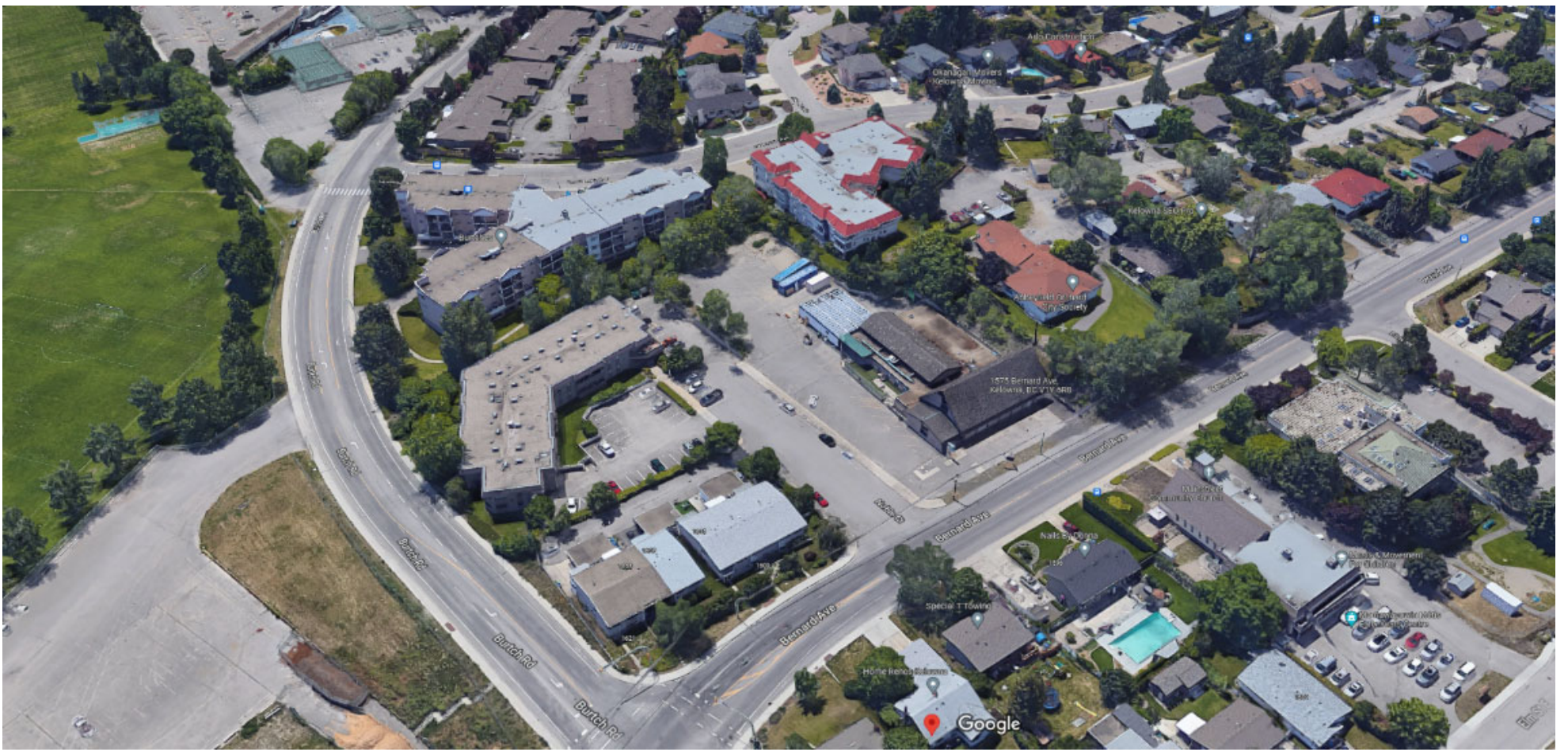
Mr. Corey Makus
Partner, 1575 Bernard Projects Ltd.

cc: Rob Haberman
Sam Brovender
Jim Langill
West Point Projects Ltd.

West Point Projects Ltd.
612 Bernard Ave. Kelowna, BC V1Y 2G3

ATTACHMENT	B
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AERIAL VIEW - LOOKING SOUTH WEST



VIEW FROM BERNARD AVENUE - LOOKING SOUTH



ATTACHMENT B
 This forms part of application
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 City of Kelowna
 DEVELOPMENT PLANNING
 Planner Initials: TA

AERIAL VIEW - LOOKING NORTH EAST



VIEW FROM CORNER OF BERNARD & NOBLE - LOOKING SOUTH WEST



VIEW FROM NOBLE COURT - LOOKING WEST



ATTACHMENT B
 This forms part of application
 # OCP22-0006 Z22-0041
 City of Kelowna
 DEVELOPMENT PLANNING
 Planner Initials TA

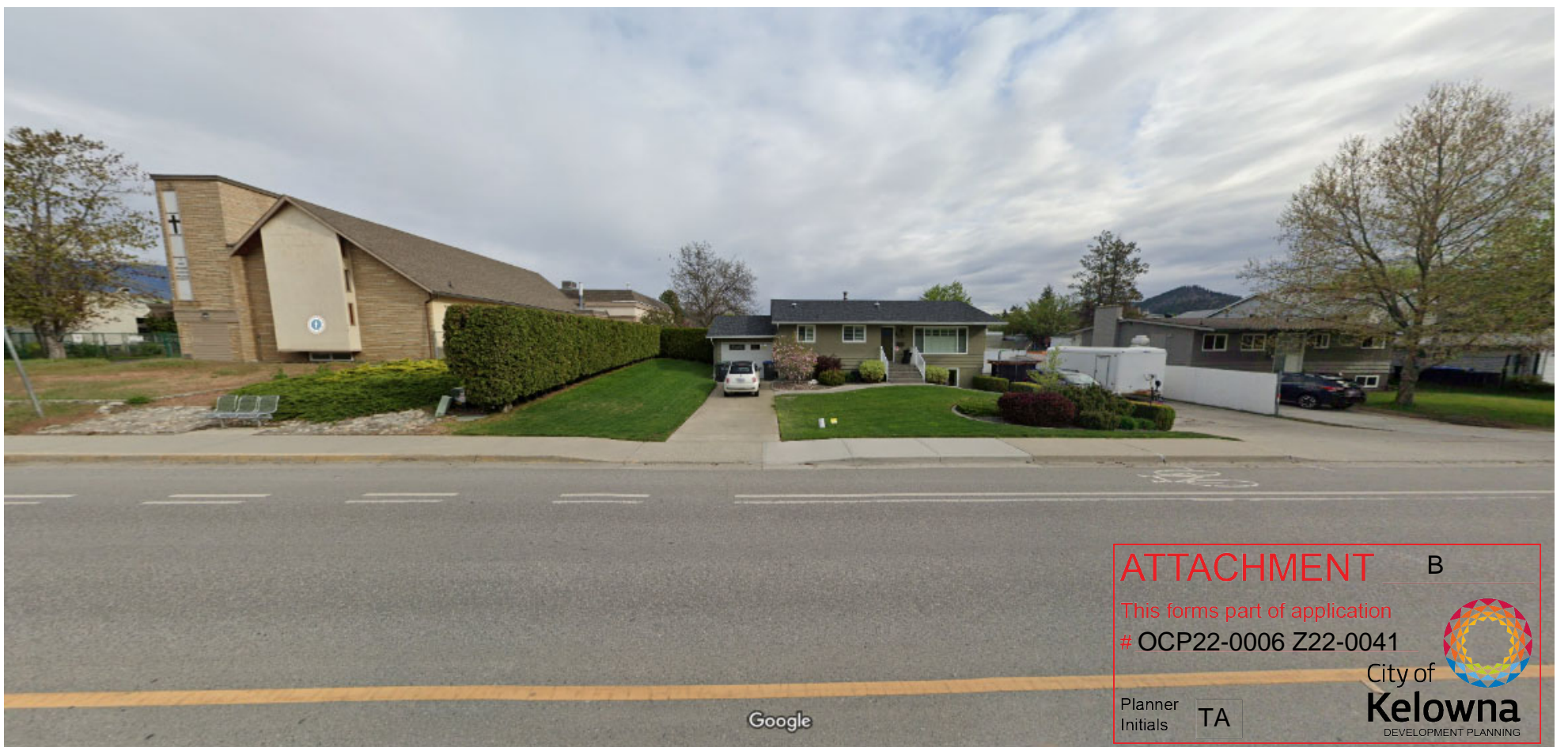
VIEW FROM NOBLE COURT - LOOKING SOUTH



VIEW FROM BERNARD AVENUE - LOOKING WEST



VIEW FROM BERNARD AVENUE - LOOKING SOUTH



ATTACHMENT B
 This forms part of application
 # OCP22-0006 Z22-0041
 City of Kelowna
 DEVELOPMENT PLANNING

Planner Initials TA

VIEW FROM BERNARD AVENUE - LOOKING NORTH



PROJECT STATISTICS

OCP AMENDMENT: EDINST TO C-NHD (CORE AREA NEIGHBOURHOOD)
EXISTING ZONING: P2 - ED AND MINOR INST & RU1 - LARGE LOT HOUSING
PROPOSED ZONING: MF3 - APARTMENT HOUSING
SITE AREA: 1.37 Ac. - 5,528.2 sq.m. - 59,505 sq.ft.

BUILDING AREA:

PARKADE (P1): 34,287 sq.ft.
 PARKADE (MAIN): 34,287 sq.ft.
 MAIN FLOOR: 5,769 sq.ft.
 2ND FLOOR: 27,334 sq.ft.
 3RD FLOOR: 24,362 sq.ft.
 4TH FLOOR: 24,362 sq.ft.
 5TH FLOOR: 24,362 sq.ft.
 6TH FLOOR: 24,362 sq.ft.

TOTAL FLOOR AREA (EXCLUDING PARKADE): 130,551 sq.ft.

AMENITY AREA: 2,518 sq.ft.
 STORAGE LOCKERS: 4,093 sq.ft.
 CIRCULATION/SERVICE: 16,521 sq.ft.

NET FLOOR AREA: 107,419 sq.ft.

SITE COVERAGE BUILDINGS: 68% (MAX. 65%)
SITE COVERAGE BUILDINGS & IMPERMEABLE SUFACES: 78% (MAX. 85%)

FAR: 1.8 (MAX 2.1) (BASE 1.8 + RENTAL BONUS 0.3)

BUILDING HEIGHT:

22.0m or 6 STOREYS fronting onto a Transit Supportive Corridor.

SETBACKS:

FRONT: 2.0m (for ground-oriented meeting additional criteria)
 FLANKING SIDE: 2.0m (for ground-oriented meeting additional criteria)
 BUILDING STEPBACK: 3.0m (for buildings 5 storeys or taller)
 (Stepback can occur on any floor above the second storey)
 SIDE: 3.0m
 REAR: 4.5m

UNIT COUNT:

(A) STUDIO: 10 UNITS (6%) (415 sq.ft.)
 (B) STUDIO - 1BED: 20 UNITS (25%) (465 sq.ft.)
 (C) 1 BED: 57 UNITS (36%) (585 sq.ft.)
 (E) 1 BEDROOM + DEN: 10 UNITS (9%) (750 sq.ft.)
 (F) 2 BEDROOM: 44 UNITS (18%) (870 sq.ft.)
 (G) TOWNHOME TYPE 1: 7 UNITS (4%) (1,250 sq.ft.)
 (H) TOWNHOME TYPE 2: 2 UNITS (1%) (2,050 sq.ft.)

TOTAL: 150 UNITS (100%)

PARKING CALCULATION:

PARKING REQUIRED:

154 RESIDENTIAL STALLS (0.9/BACHELOR, 1.0/1BR, 1.1/2BR, 1.4/3BR)
 $(0.9 \times 10) + (1.0 \times 87) + (1.1 \times 53) = 154.3$
 21 VISITOR STALLS (0.14/UNIT)
 $(0.14 \times 150) = 21$

TOTAL: 175 STALLS REQUIRED (158 STALLS REQUIRED with 10% rental reduction)

PARKING PROVIDED:

TOTAL: 166 STALLS PROVIDED (REGULAR SIZE)

BICYCLE PARKING CALCULATION:

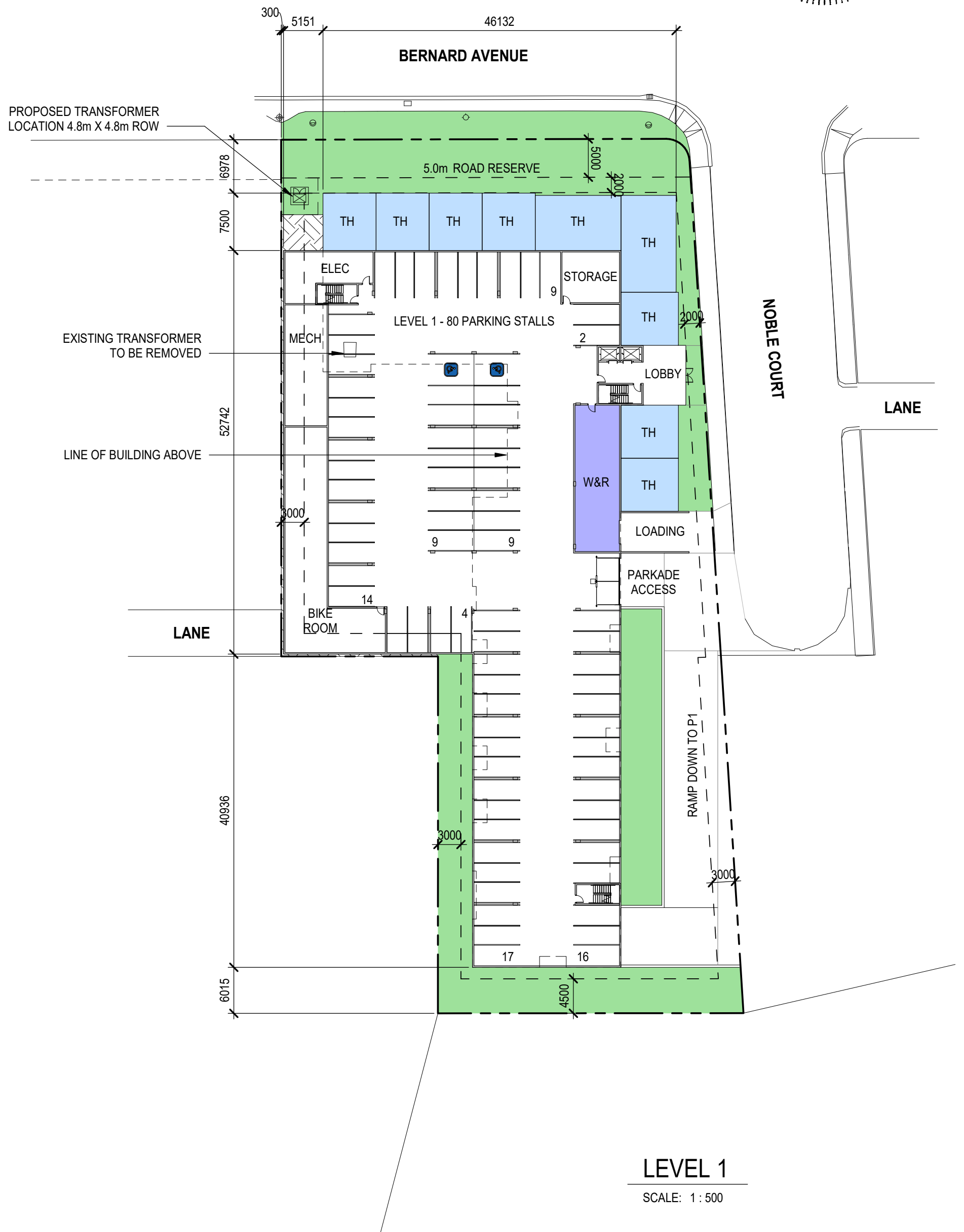
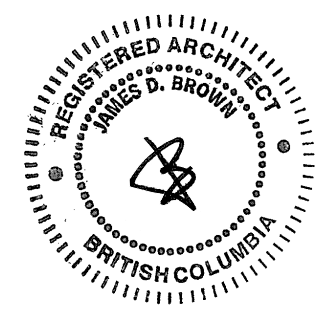
PARKING REQUIRED:

113 LONG-TERM SPACES REQUIRED (0.75/2BR or less, 1.0/3BR or more)
6 SHORT-TERM SPACES REQUIRED (6 per entrance)

COMMON AND PRIVATE AMENITY SPACE CALCULATION:

AMENITY SPACE REQUIRED:

(7.5m² per bachelor, 15m² per 1BR, 25m² per 2BR or more)
 $(10 \times 7.5m^2) + (87 \times 15m^2) + (53 \times 25m^2) = 2,705 \text{ sq.m. AMENITY REQUIRED}$



LEVEL 1
SCALE: 1 : 500

ATTACHMENT C
 This forms part of application
 # OCP22-0006 Z22-0041
 City of Kelowna
 DEVELOPMENT PLANNING
 Planner Initials **TA**



October 6, 2022

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

Attention: Trisa Atwood, Planner, City of Kelowna

RE: Public Information Session Summary Report for 1575 Bernard Ave.
Application OCP22-0006, Z22-0041

Dear Trisa,

In compliance with Council Policy No. 367, 1575 Bernard Projects Ltd. (the Developer) is pleased to submit the following Public Information Session summary report for the OCP Amendment and Rezoning applications for the property at 1575 Bernard Avenue.

The Development team hosted a Public Information Session on October 5th, 2022 from 5:00 - 6:30 pm. The session was hosted at First Baptist Church at 1309 Bernard Avenue (~650 meters west of the subject property). Photos of the event is attached as Schedule A.

The sign-in sheet recorded 12 attendees to the Information Session although there were quite a few more neighbours who did attend. All attendees were direct neighbours to the property within the 50m radius outlined. The sign in sheet is attached as Schedule B.

Advertising for the Public Information Session was outlined in our Neighbourhood Consultation Summary included here within. The Neighbour Consultation Form and all other relevant documents are included as Schedules. Original copies of any information can be provided if required.

Information Session summary:

The information presented included information about the development group itself, an explanation of the OCP and application to amend, an explanation of land zoning and conceptual site plans for the proposed rental development (inc. in Schedule C). In addition, a hard copy set of plans were provided along with reports and tests completed to date on the property.

Jim Langill and Corey Makus of 1575 Bernard Projects Ltd. were available to answer any questions and receive comments from the public. Ms. Trisa Atwood, Planner for this file, also attended the session and was engaged with attendees for most of the meeting.



The attendees had a variety of comments and feedback during the Information Session. Although no written comments were provided, the verbal feedback can be best summarized as:

- Parking: Concerns around where residents would park, as well as construction parking were noted.
- Height: Concerns with building height and views being compromised were raised, primarily by the residents of Vista View condos. Some were also concerned with the impact of the loss of view and the impact on their property value.
- Rentals: Although a couple of people were concerned about the building being rental housing, I think we addressed this well by explaining
 - locally developed and managed by a local operating group;
 - the long-term nature of the leases (12 month terms);
 - the quality of build to be provided as shown at Akin (prior apartment).
- Landscaping: There is a concern with how the perimeter and off site landscaping will be completed. We explained this will be outlined through the city development process.
- Traffic: Residents were concerned about how the vehicle traffic will be dealt with long term, access to Noble Court, and the intersection at Bernard/Burtch.
- Timeline /Noise during construction: Curiosity as to timeline for construction. We outlined the planning and construction process will move as quickly as we are able (no phasing, etc.).
- Affordability: One comment around providing affordable units was offered. Although a city program does not exist, we explained that there are initiatives through CMHC and many lenders to provide for affordable units within a development.
- Resident Mix: Some questions around who the residents of this type of building might be. We explained with the location on a transportation node, proximity to the Parkinson Rec Centre, employment at Landmark and along Harvey, the short distance to downtown, and the balanced suite mix that we are anticipating, there will be a very diverse resident mix of young professionals, families, and seniors. We expect that a site with this location and the density proposed would have a resident mix that reflects the city as a whole.


Information and feedback received will be taken into consideration for further design and development of the property. We trust that this report satisfies all requirements; should you need clarification or further information, please contact me directly.

Sincerely,



Mr. Corey Makus
Partner, 1575 Bernard Projects Ltd.

- Schedule A – Photo of the event
- Schedule B – Sign-In Sheet
- Schedule C – Information Session Poster Boards

ATTACHMENT		D
This forms part of application		
# OCP22-0006 Z22-0041		
Planner Initials	TA	 City of Kelowna DEVELOPMENT PLANNING

Schedule A – Photo from Event



ATTACHMENT **D**

This forms part of application

OCP22-0006 Z22-0041

Planner
Initials

TA

City of

Kelowna
72
DEVELOPMENT PLANNING



Schedule B – Sign-In Sheet



Oct. 5, 2022
5 - 6:30p

1575 Bernard Avenue – Rental Townhomes & Apartments OCP Amendment, Rezoning Info Session		
Name	Address	Contact info (optional)
Redacted		

mail.com
om

ATTACHMENT D

This forms part of application
OCP22-0006 Z22-0041

Planner Initials TA



Schedule C – Session Poster Boards



1575 Bernard Ave Development

Our Mission and Values

Residential Development

Our goal is to enrich the everyday lives of our community members for years to come.

<ul style="list-style-type: none"> Progressive Lifestyle Modern Family Long Term Home Attentive High Touch Safety Comfort Thoughtful Intentional 	<p>SMART COMMUNITY HOSPITALITY SECURITY QUALITY</p>
---	---

Brand Values



1575 Bernard Ave Development

RENTALS | LIFESTYLE

- Onsite management
- Secure and safe living environment
- Coworking Lounge
- Theatre
- Fitness Centre
- Electric vehicle charging
- Biking facilities
- Dog park and wash station
- Storage lockers on every level
- Separate freight/move-in elevator
- Games Room
- Dedicated Concierge Service



AUTHENTIC LIVING
THOUGHTFUL DESIGN
AMENITY RICH

ATTACHMENT

D

This forms part of application
OCP22-0006 Z22-0041

Planner Initials TA



Official Community Plan Amendment

What is an Official Community Plan (OCP)?

- An OCP is a policy tool outlining the community's goals and objectives for future growth. It is used by a municipality and the public to evaluate development purposes and ensure they are consistent with the community's desire. The OCP is an adaptive document which is intended to respond to the community and address changes within the municipality.



 Subject Property – 1575 Bernard Ave

Currently the OCP is designated as Education/Institutional (EDINST)

Proposal amendment to Core Area Neighbourhood (C-NHD)

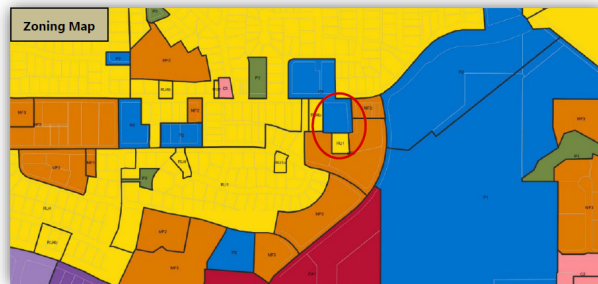
What is this OCP Amendment for?

- To amend the OCP from Education / Institutional (EDINST) to Core Area Neighbourhood (C-NHD). The 1575 Bernard Development proposal is requesting this amendment to support the corresponding rezoning application.
- There is good rationale to amend the OCP in this location the C-NHD designation is prevalent in the immediate surrounding area to the property.

Rezoning

What is property zoning?


- The Zoning Bylaw governs land use, access, height, and density of all development within the City of Kelowna. This provides for the orderly development of the community and avoid conflicts among incompatible uses.



- Current zoning:**
P2 – Education and Minor Institutional & RU1 – Large Lot Housing

- Proposed zoning:**
MF3r – Apartment Housing Rental Only

 Subject Property – 1575 Bernard

 Examples of Multi-family Residential zoning

What is this rezoning application for?

- The current zoning at 1575 Bernard Ave is P2 – Education and Minor Institutional & RU1 – Large Lot Housing. This proposal is to rezone the 1.4 acre parcel to MF3r – Apartment Housing Rental Only.
- This rezoning is necessary to support the upcoming townhome and apartment rental development. The MF3r designation provides appropriate density at this prominent land parcel along the Bernard Ave corridor. The zoning also responds well to the neighbouring properties as it interfaces with both Bernard Ave and Noble Ct.

ATTACHMENT D

This forms part of application

OCP22-0006 Z22-0041

Planner
Initials

TA

Proposed Rental Apartment Development



Vehicle movement- draft



ATTACHMENT D

This forms part of application
OCP22-0006 Z22-0041

Planner Initials

TA

City of
Kelowna
DEVELOPMENT PLANNING

Thank you for your feedback

ATTACHMENT	D
This forms part of application # OCP22-0006 Z22-0041	
Planner Initials	TA
 City of Kelowna DEVELOPMENT PLANNING	



City of
Kelowna

OCP22-0006 Z22-0041

1575 Bernard Ave

OCP Amendment and Rezoning

Purpose Statement

- ▶ To amend the Official Community Plan to change the future land use designation of the subject property from the EDINST – Education/Institutional designation to the C-NHD – Core Area Neighbourhood designation and to rezone the subject property from the P2 – Education & Minor Institutional and RU1 – Large Lot Housing zones to the MF3r – Apartment Housing Rental Only zone to facilitate the development of long-term rental apartment housing.

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

June 27, 2022

Development Application Submitted



Staff Review & Circulation



October 11, 2022

Public Notification Received



November 28
2022

Initial Consideration



Public Hearing & Reading Consideration

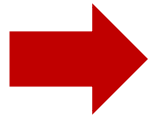


Final Reading & DP Consideration

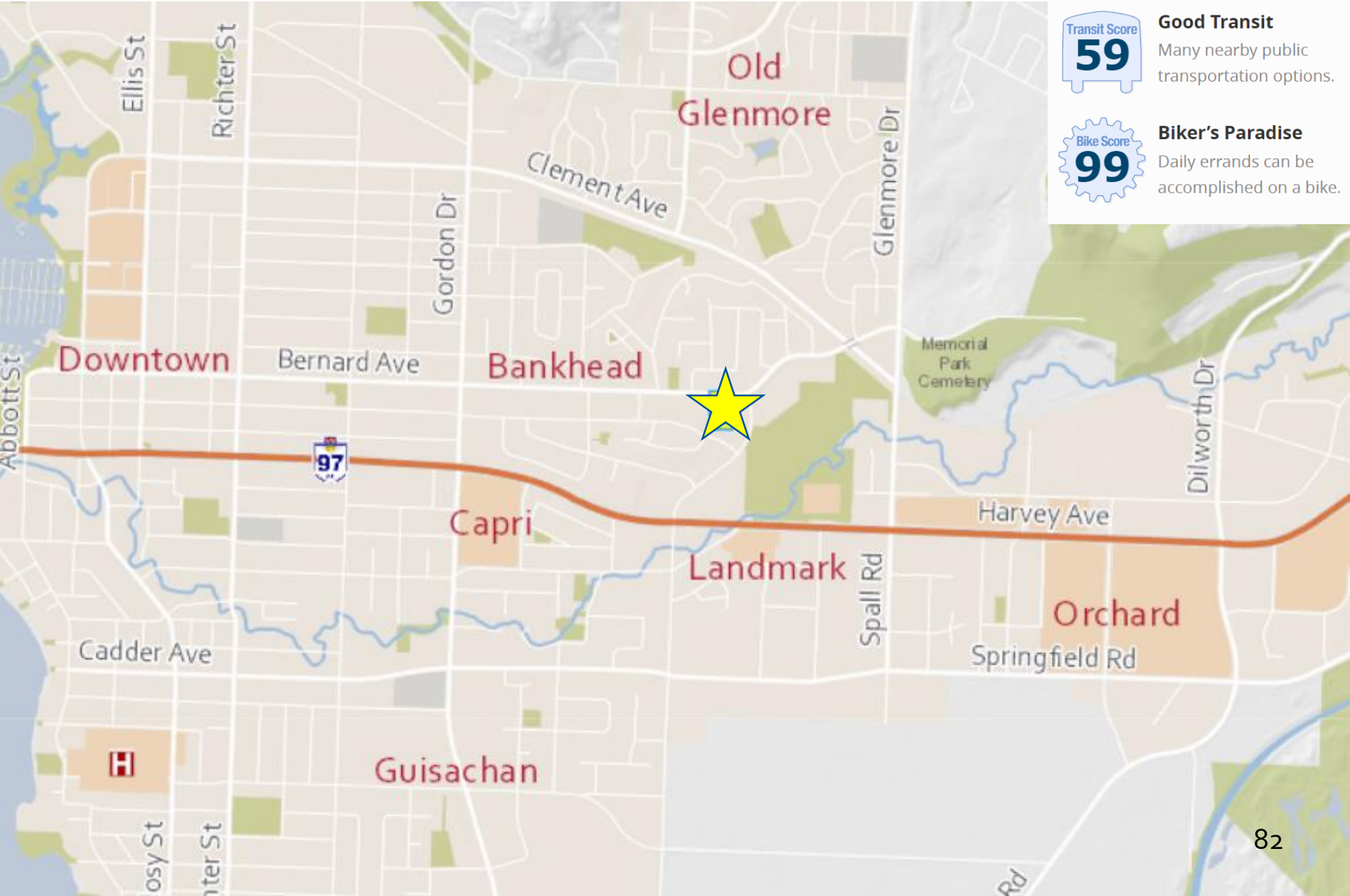


Building Permit

Council
Approvals



Context Map



Walk Score
85

Very Walkable
Most errands can be accomplished on foot.

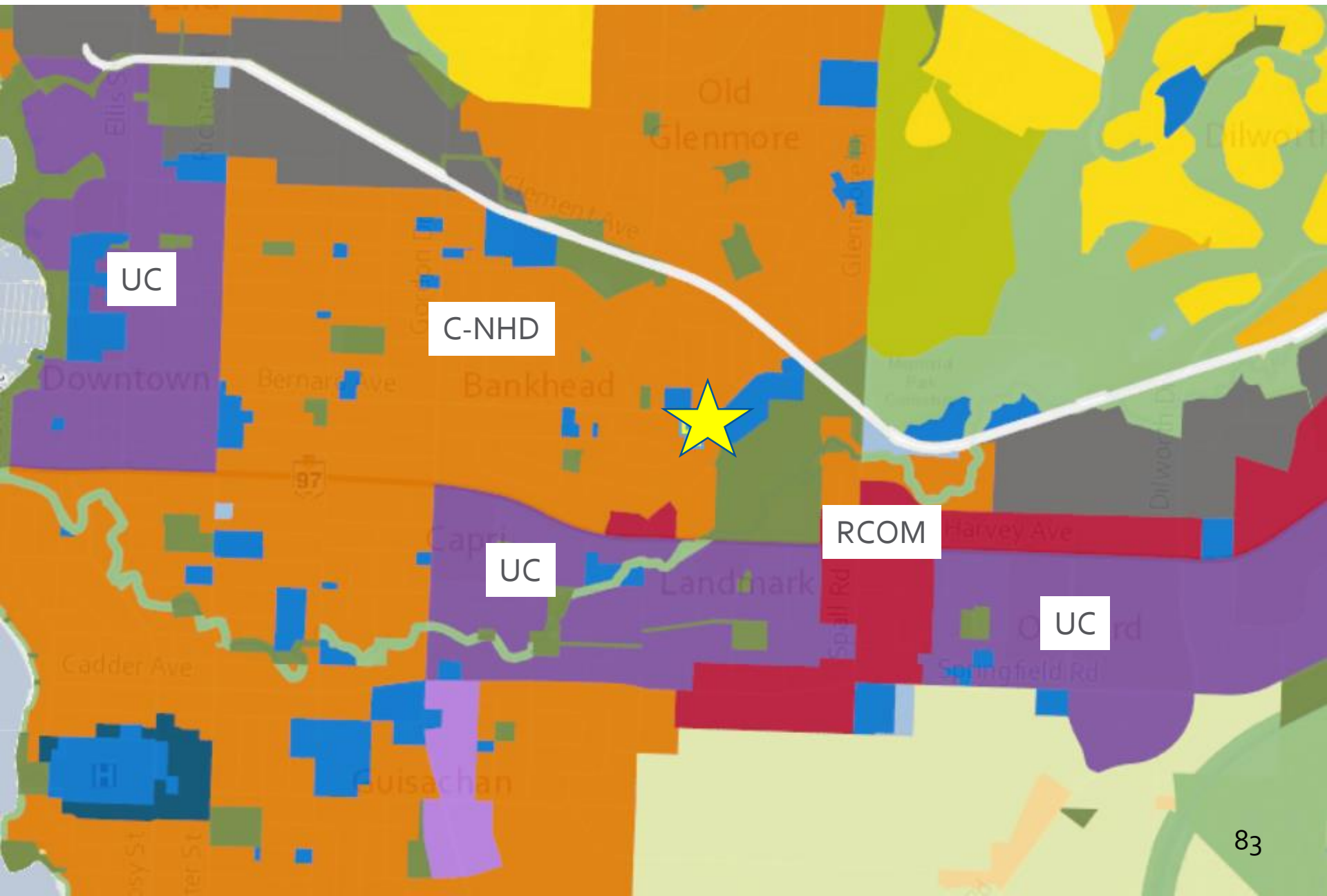
Transit Score
59

Good Transit
Many nearby public transportation options.

Bike Score
99

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

OCP Future Land Use



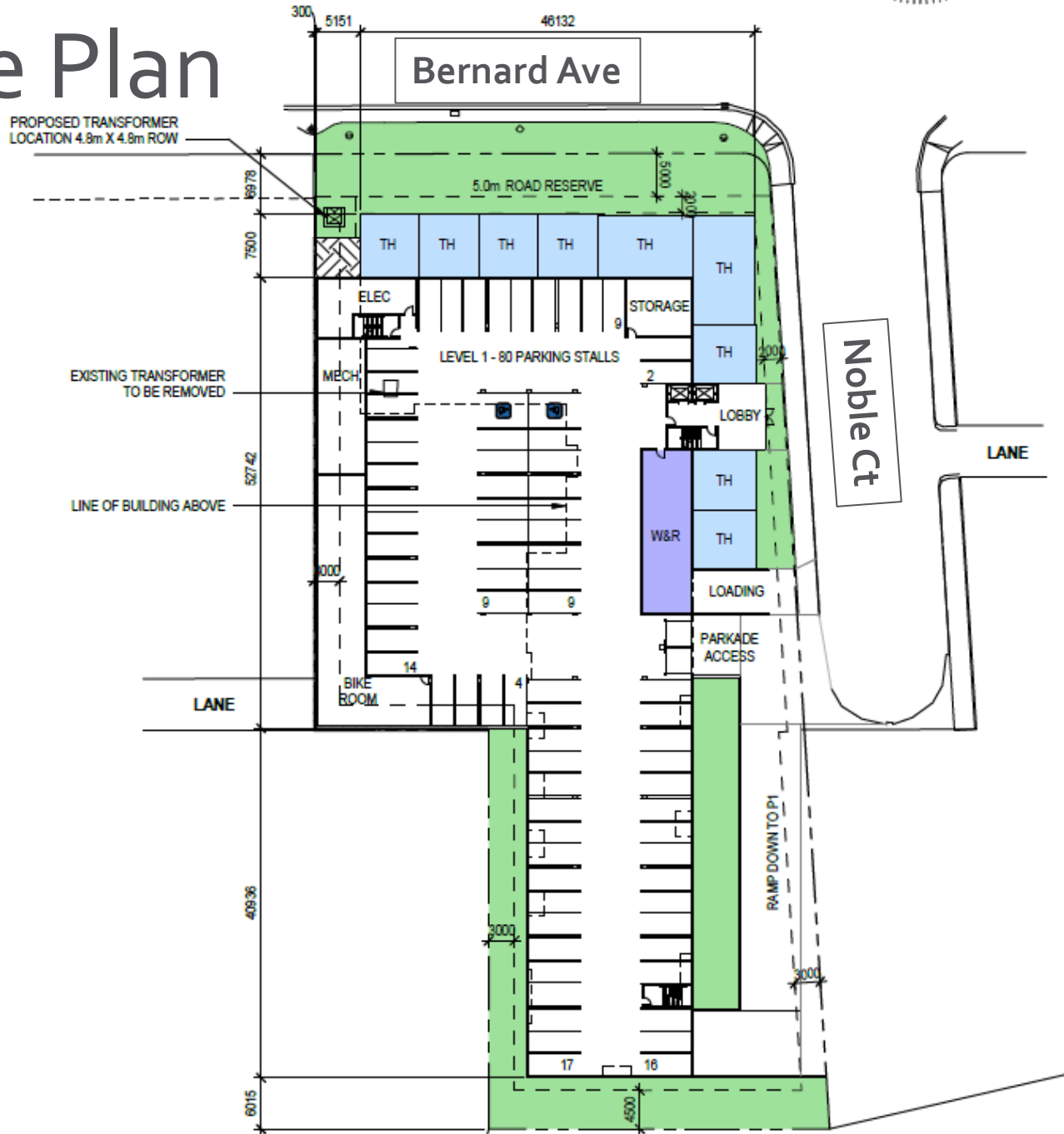
Background

- ▶ Existing OCP Designation of EDINST
 - ▶ From 2030 OCP
 - ▶ Original use of property as Church, then Daycare
- ▶ Monkey's Playhouse Daycare closed in 2012
- ▶ Vacant since that time
- ▶ Demolished recently
- ▶ No formal development applications on property since 2012

Project Details

- ▶ C-NHD – Core Area Neighbourhood
- ▶ MF3r – Apartment Housing Rental Only
 - ▶ 6 storey apartment housing & townhouses
 - ▶ Long-term rentals
 - ▶ Approximately 150 units
 - ▶ Lower levels parking
 - ▶ Vehicle entrance from Noble Ct
 - ▶ Traffic Impact Assessment underway

Draft Site Plan



OCP Pillars (Policy 16.1.2)

1. Target growth along transit corridors
 - ▶ Bernard Ave and Burtch Ave
2. Promote housing diversity
 - ▶ Rental only subzone



**Target growth along
transit corridors**



**Promote more
housing diversity**

OCP Pillars (Policy 16.1.2)

3. Stop planning new suburban neighbourhoods
4. Protect agriculture
5. Protect the environment
 - ▶ Direct housing within the Core Area
 - ▶ Away from agricultural & environmentally sensitive areas
 - ▶ Maximizing existing infrastructure



Stop planning new
suburban neighbourhoods



Protect
agriculture



Protect and restore
our environment

OCP Pillars (Policy 16.1.2)

6. Focus investment in Urban Centres (UC)
 - ▶ Increased housing within walking distance of UC
7. Strengthen Kelowna as region's economic hub
 - ▶ Support Landmark's employment hub
8. Take action on climate
 - ▶ Housing density within Core Area - Compact urban form



Focus investment in
Urban Centres



Strengthen Kelowna
as the region's
economic hub



Take action on
climate

OCP Chapter 5: C-NHD

- ▶ **Transit supportive corridor densities**
 - ▶ Meets minimum density with FAR up to 2.05
- ▶ **Low-rise corridor development up to 6 storeys**
 - ▶ Along transit corridors and higher capacity streets
- ▶ **Protect functionality of transit corridors**
 - ▶ Vehicle access from Noble Ct
 - ▶ Crosswalk at Noble Ct
- ▶ **Pedestrian-friendly tree-lined streetscapes**
 - ▶ Off-site improvements, road dedication

Public Notification Policy #367

▶ Public Information Session & Consultation

- ▶ Sept 23 – Oct 3 Consultation
- ▶ Oct 3 Public Information Session
- ▶ Newspaper advertisement
- ▶ Mail-outs within 50m
- ▶ Sign on property

ave another election and our neigh-
ods become polluted with plastic
hat end up sitting in the landfills for
years, well after the voters are gone
politicians are forgotten. One could
this needless waste if it were really
l for the process of democracy. How-
years as a nursing professor, I was able to
support myself and my family with my
career and hopefully, teach and touch a new
generation of nurses. Thank you, Queen
Elizabeth, for giving me, and countless other
young Canadians, that start.
Heather D. Wilson, Cobble Hill

JOIN THE CONVERSATION
Letters to the editor should be 400 words or less.
Email: letters@k.c.bc.ca.

Notice of Public Information Session
1575 Bernard Avenue, Kelowna.
1575 Bernard Projects Ltd. will be hosting a Public Information Session for the application for a OCP Amendment and Rezoning for the above property. The open house will be held Wednesday, October 3rd from 5 to 6:30pm at First Baptist Church (1109 Bernard Ave.).
Representatives from the Development Team will be in attendance to provide a project overview and answer any questions from interested parties.
For inquiries, please contact Corey Molan at 250-878-3000
corey@kaycan.ca

THE DAILY COURIER

ROUTES AVAILABLE

▶ Summary included in Council Package

Staff Recommendation

- ▶ Staff recommend **support** for OCP & Rezoning amendment for 1575 Bernard Ave to C-NHD and MF3r – Apartment Housing Rental Only:
 - ▶ Surrounding neighbourhood is C-NHD
 - ▶ Consistent with OCP Pillars for C-NHD
 - ▶ Consistent with OCP Policies for MF3r
 - ▶ Completed Public Information Session
 - ▶ Development Permit to follow for form & character

1575 Bernard Projects Ltd.

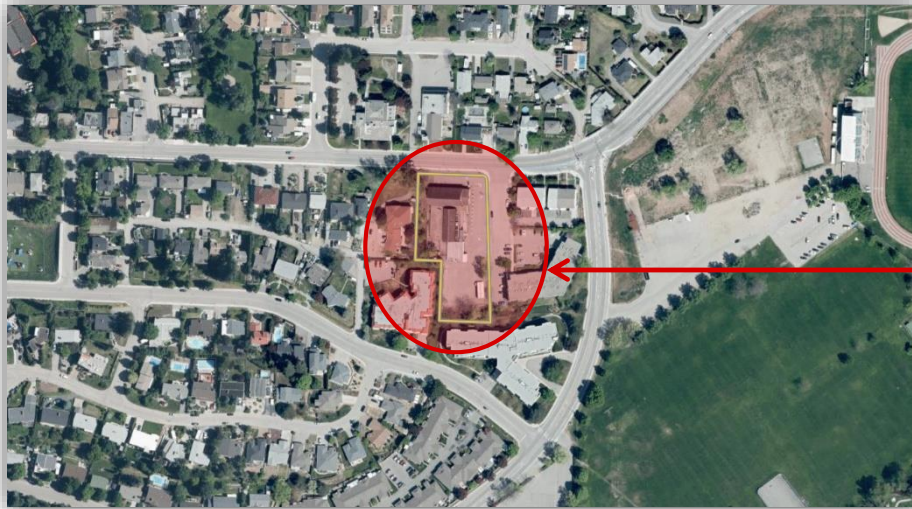
OCP Amendment OCP22-0006 and Rezoning Application Z22-0041

Public Hearing - Tuesday, January 17th, 2023

Official Community Plan Amendment

What is an Official Community Plan (OCP)?

- An OCP is a policy tool outlining the community's goals and objectives for future growth. It is used by a municipality and the public to evaluate development purposes and ensure they are consistent with the community's desire. The OCP is an adaptive document which is intended to respond to the community and address changes within the municipality.



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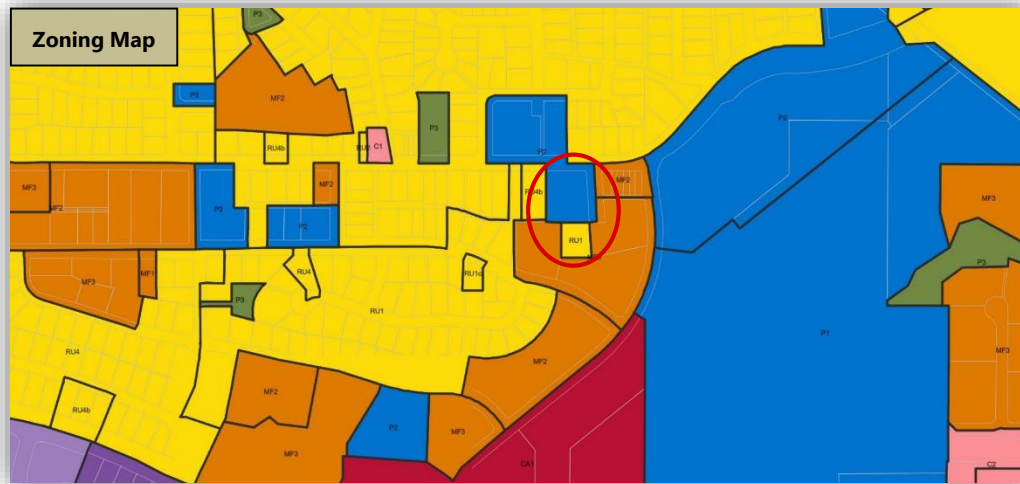
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RU1 – Large Lot Housing
- **Proposed zoning:**
MF3r – Apartment Housing Rental Only

-  **Subject Property – 1575 Bernard**
-  **Examples of Multi-family Residential zoning**

What is this rezoning application for?

- The current zoning at 1575 Bernard Ave is P2 – Education and Minor Institutional & RU1 – Large Lot Housing. This proposal is to rezone the 1.4 acre parcel to MF3r – Apartment Housing Rental Only.
- This rezoning is necessary to support the upcoming townhome and apartment rental development. The MF3r designation provides appropriate density at this prominent land parcel along the Bernard Ave corridor. The zoning also responds well to the neighbouring properties as it interfaces with both Bernard Ave and Noble Ct.

1575 Bernard Ave Development



**Target growth along
transit corridors**



**Promote more
housing diversity**

1575 Bernard Ave Development



**Take action on
climate**



**Protect and restore
our environment**

1575 Bernard Ave Development



**Strengthen Kelowna
as the region's
economic hub**



**Prioritize sustainable
transportation and
shared mobility**

Our Mission and Values

Residential Development

Our goal is to enrich the everyday lives of our community members for years to come.

Progressive
Lifestyle
Modern

Family
Long Term
Home

Attentive
High Touch

Safety
Comfort

Thoughtful
Intentional

SMART
COMMUNITY
HOSPITALITY
SECURITY
QUALITY

Brand Values

1575 Bernard Ave Development

RENTALS | LIFESTYLE

- Onsite management
- Secure and safe living environment
- Coworking Lounge
- Theatre
- Fitness Centre
- Electric vehicle charging
- Biking facilities
- Dog park and wash station
- Storage lockers on every level
- Separate freight/move-in elevator
- Games Room
- Dedicated Concierge Service



**AUTHENTIC LIVING
THOUGHTFUL DESIGN
AMENITY RICH**

Proposed Rental Apartment Development

Outdoor public gathering area feature multi-use "green spaces"

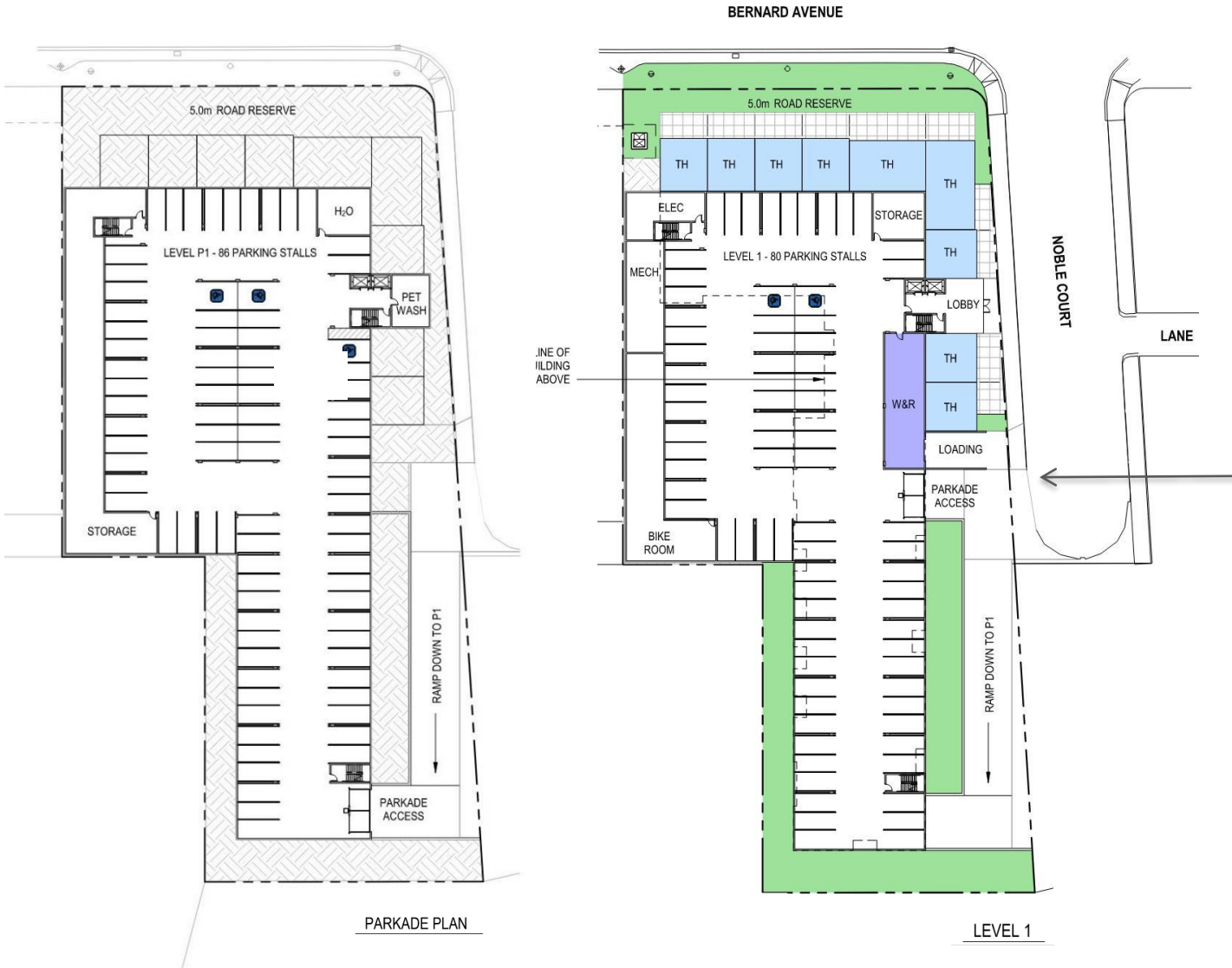
Animated streetscapes along both roadways

Development Highlights

- Approximately 150 dedicated rental homes to be added at 1575 Bernard Ave.
- A 6 storey multi-family building on this transitional land tract will create a vibrant feel by including townhomes and apartments.
- Townhomes fronting Bernard and Noble will ensure consistency to existing usages along this corridor and enliven the street.
- Large outdoor public gathering space within the site will promote a livable and healthy community.
- 100% of parking is provided below ground to ensure minimal impact to surrounding properties and separate pedestrian and vehicle traffic.



Vehicle movement



Parking as subscribed. Development is providing the required number of stalls for the MF3r Apartment Housing Zone.

Vehicle access and support services including loading zone and waste removal are located toward the end of Noble Court.

Thank you for your consideration.

CITY OF KELOWNA

BYLAW NO. 12454

Official Community Plan Amendment No. OCP22-0006 1575 Bernard Avenue

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 LOT 8 SECTION 20 TOWNSHIP 26 ODYD PLAN 32159, located on Bernard Ave, Kelowna, B.C., from the EDINST – Educational/Institutional designation to the C-NHD – Core Area Neighbourhood designation;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 28th 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. 12455

Z22-0041

1575 Bernard Ave

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 LOT 8 SECTION 20 TOWNSHIP 26 ODYD PLAN 32159, located on Bernard Ave, Kelowna, B.C., from the P2 – Education & Minor Institutional zone and the RU1 – Large Lot Housing zone to the MF3r – Apartment Housing Rental Only zone;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 28th day of November, 2022.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: January 17, 2023

To: Council

From: City Manager

Department: Development Planning

Application: LL22-0021

Owner: City of Kelowna

Address: 4629-4649 Lakeshore Rd

Applicant: 1139646 B.C Ltd dba Barn Owl Brewing Company

Subject: Liquor License

Existing OCP Designation: NAT – Natural Area

Existing Zone: P3 – Parks and Open Space

1.0 Recommendation

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 1139646 B.C Ltd dba Barn Owl Brewing Company for an amendment to a lounge endorsement for Lot A Section 25 Township 28 SDYD Plan KAP71341 Except Plan EPP76702, located at 4629-4649 Lakeshore Rd, Kelowna, BC for the following reasons:
 - Council Policy No. 359 recommends supporting alternative entertainment options, and/or establishments which are less focused on alcohol consumption;
2. Council's comments on LCLB's prescribed considerations are as follows:
 - a. The potential for noise if the application is approved:

The potential impact for noise is minimal as the occupancy is increasing by 13 patrons within the building and 41 patrons on an existing patio.
 - b. The impact on the community if the application is approved:

The potential for negative impacts is minimal as the area is primarily commercial to the West and South, with a church to the North. The residential to the south is separated by commercial buildings and existing mature landscaping.

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

Purpose

To support a structural change to an existing lounge endorsement for an existing manufacturer licence with an occupant load of 172 persons.

2.0 Development Planning

Staff support the request for an amendment to the existing manufacturer’s lounge endorsement licence for the commercial business known as Barn Owl Brewing Company. The intersection of Lakeshore Road and Collett Road is home to several food primary establishments, a church and a commercial plaza allowing this proposal to continue to compliment these surrounding land uses. The proposed business is looking to increase their inside occupancy from 87 occupants to 100 occupants and utilize an existing patio space with an occupancy of 41 patrons. The impact on the surrounding community will be minimal and noise is not an anticipated issue due to a combination of factors including:

- Indoor occupancy is increasing by 13 occupants and seasonal patio is increasing by 41 occupants,
- Surrounding area is commercial or institutional with residential screened by buildings and landscaping.
- Hours remaining unchanged
- Expanding the licensed area to include an existing patio.

3.0 Proposal

3.1 Background

The land is owned by the City of Kelowna with the land use and development regulations being regulated by a Heritage Revitalization Agreement (Bylaw 114,08). The use of “Breweries and Distilleries, minor” is a permitted use within the Heritage Revitalization Agreement.

3.2 Project Description

Barn Owl Brewing Company is proposing to increase the inside capacity to 100 occupants and expand into an existing food primary establishment on site. The food primary establishment is proposed to remain in operation with the lounge endorsement area expanding to include their existing interior and patio space. The occupant load, calculated by the City’s building department, allows for increased occupancy without any exterior changes to the heritage building.

Proposed Hours of Sale:

		Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open		9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM
Close	Indoor	12:00 AM	12:00 AM	12:00 AM	12:00 AM	12:00 AM	12:00 AM	12:00 AM
	Patio	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM

Barn Owl Brewing Company has a licence to operate from 9:00am until 12:00am (midnight) daily. The business currently closes at 10:00pm due to the smaller scale of the brewery. During the summer months there is an opportunity for the hours to be extended until 11:00pm during peak tourist seasons. Barn Owl Brewing would be subject to the City’s Good Neighbour bylaw. The patio will be consistent with other approved patios and the Bernard Avenue Sidewalk program:

- Patio hours of operation: 9:00 am – 11:00 pm
- Last Call for drinks: 10:30 pm
- Alcohol to be cleared from the patio area by 11:00 pm
- Patrons must exit the patio by 12:00 am

RCMP did raise concerns about the increased patio occupancy and the potential for increased noise. Staff have relayed these concerns to the applicant. Barn Owl Brewing is aware of the neighbourhood context and intentionally limits patio music to be sensitive to neighbours. The patio expansion for the licenced area does already exist for the food primary establishment on site meaning the number of additional people onsite will be quite minimal. Bylaw Services has indicated that the existing business has generated very few complaints since opening.

3.3 Site Context

The subject property has a future land use of Natural Area and is zoned Parks and Open Space. The property is located at the intersection of Lakeshore Road and Collett Road. There are a mix of land uses and zonings in the area including commercial, institutional, single family and multi-family residential.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P2 – Education and Minor Institutional	Cultural and Recreation Services
East	Ru1 – Large Lot Housing	Single Family Dwelling
South	Ru1 – Large Lot Housing	Single Family Dwelling
West	C2 – Vehicle Oriented Commercial	Retail Store

Subject Property Map: 4629-4649 Lakeshore Rd



4.0 Current Development Policies

4.1 2040 Official Community Plan

Objective 7.1 Create more complete communities in Suburban Neighbourhoods		
Policy	7.1.6	Encourage the development of small scaled Neighbourhood Commercial areas to provide, basic day-to-day services to surrounding residential neighbourhoods.
Neighbourhood		
Commercial Areas		<i>Barn Owl Brewing is a small scale neighbourhood brewery the provides an entertainment option for the surrounding residential neighbourhood.</i>

5.0 Application Chronology

Date of Application Accepted: October 14, 2022

Date Public Consultation Completed: October 31, 2022

Report prepared by: Jason Issler, 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: Floor Plan/Site Plan/Occupant Load

Attachment B: Letter of Rationale

Letter of Rationale

Barn Owl Brewing Company has been in operation now for more than three years. We opened our doors to the community just 8 months before Covid restrictions shut us down for two months and limited many of our activities for close to two years after that. Despite those unexpected issues, we have thrived. We are at the point now that we feel we should expand to continue to serve our community. Since we are in a heritage building, we have no options for building expansion. We have added extra washrooms in our Loft, and are in negotiation to purchase an adjoining business, It's a Bakery. This plan allows us to grow our business without changing the heritage character of the Surtees property. For those who have had the opportunity to visit our establishment, it is obvious that we have maintained the atmosphere of our 1927 Barn. We also continue to be neighbour friendly as we usually close by 11pm or earlier. Thankyou for considering this application.

ATTACHMENT	B
This forms part of application	
# LL22-0021	
Planner Initials	Jl
 City of Kelowna DEVELOPMENT PLANNING	

ATTACHMENT A

This forms part of application
LL22-0021

Planner Initials **JL**

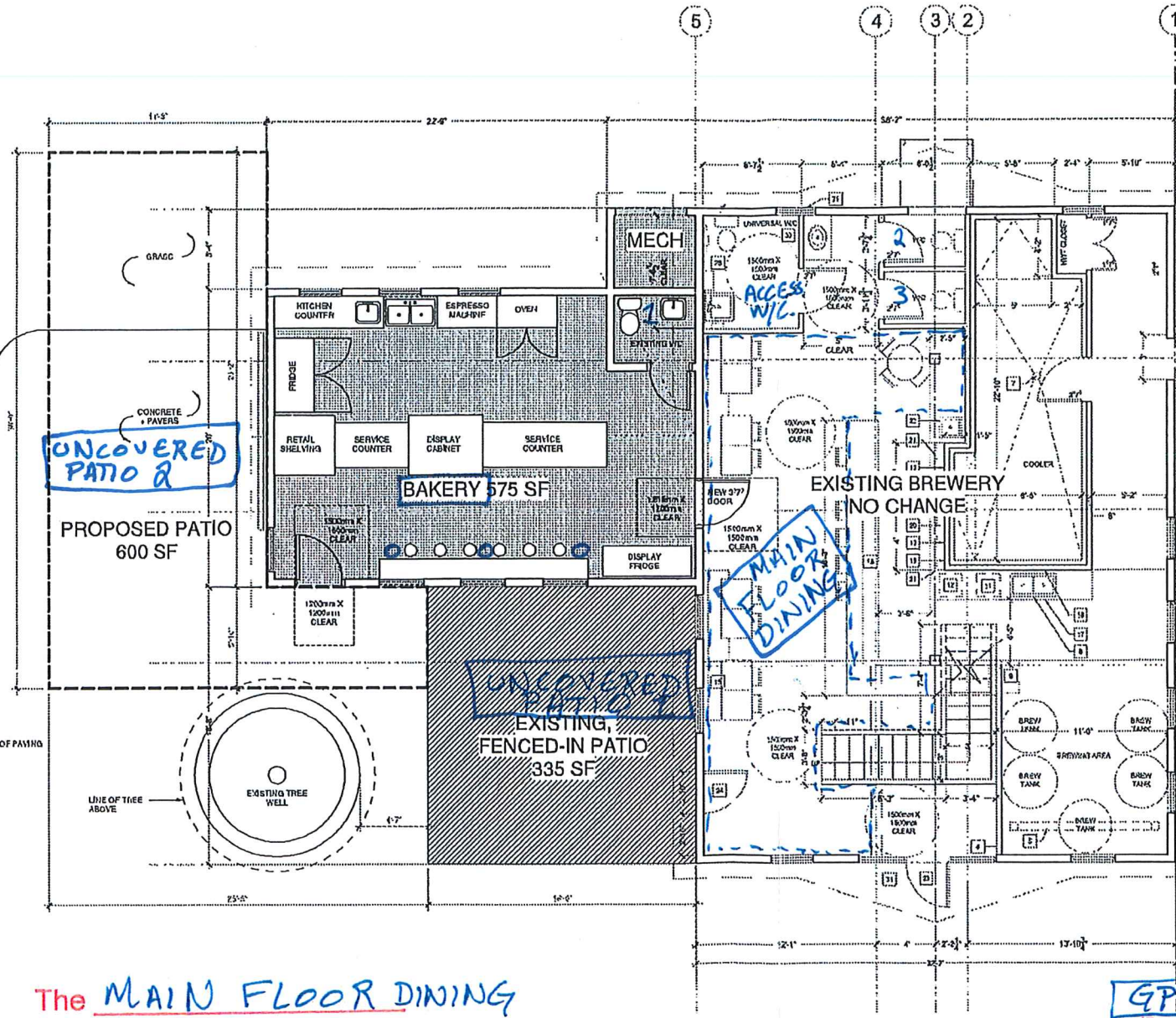


The **BAKERY** has a net floor area of N/A m². The maximum occupant load shall be 10 persons, based on SEATS

The **UNCOVERED PATIO 2** has a net floor area of 55.8 m². The maximum occupant load shall be 46 persons, based on 1.2 m²/person

The **UNCOVERED PATIO 1** has a net floor area of 31 m². The maximum occupant load shall be 26 persons, based on 1.2 m²/person

The **MAIN FLOOR DINING** has a net floor area of 44.1 m². The maximum occupant load shall be 36 persons, based on 1.2 m²/person



- NOTES (EXISTING):
- 1 42" AFF BAR TABLE C/W SEATING
 - 2 1 1/2" STEEL TOP RAIL C/W SAFETY GLASS PANELS. SUPPORT POSTS ATTACHED TO SIDE OF STAIR STRINGERS
 - 3 SLOPED & SEALED CONCRETE FLOOR C/W TROWEL FINISH: TO BE SLOPED TOWARDS FLOOR DRAIN
 - 4 4" HIGH PONY WALL COMPOSED OF:
 - 1/2" GWB, TAPED & SEALED, PAINTED,
 - 2x4 STUDS AT 16" O.C.
 - 1/2" GWB, TAPED & SEALED, PAINTED
 - MILLWORK SILL TO BE INSTALLED ON TOP OF PONY WALL @ 4" AFF
 - GLAZING SYSTEM TO BE INSTALLED ON TOP OF MILLWORK SILL TO 8" AFF
 - 5 HOIST SYSTEM FROM BREWHA. TO BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS
 - 6 BAR DOOR HINGED ON EAST SIDE OF ACCESS PANEL
 - 7 FLOOR DRAIN CONNECTED TO SEWER SYSTEM
 - 8 STAINLESS STEEL DOUBLE SINK C/W 2" DRAIN CONNECTION TO SEWER SYSTEM
 - 9 BREW CONTROLLER FROM BREWHA. TO BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS, 208V / 50A 3 PHASE SERVICE & 208V / 30A SINGLE PHASE SERVICE REQUIRED
 - 10 STAINED WOOD BAR C/W BAR SEATING AND SUPPORT AS REQUIRED
 - 11 DISHWASHER BELOW COUNTER
 - 12 GLASS WASHER BELOW COUNTER
 - 13 LOCATION OF BEER TAPS MOUNTED TO THE WALL. MOUNTING HEIGHT TO BE CONFIRMED. GLASS FILL TAPS AND GROWLER FILL TAPS TO BE SEPARATE
 - 14 INSULATED WALK-IN COOLER C/W INSULATED FLOOR SLAB
 - 15 STAINLESS STEEL SERVICE COUNTER @ 30" AFF
 - 16 BENCH SEATING ALONG WEST WALL
 - 17 1" WATER MAIN TO BE CONNECTED TO WATER FILTRATION SYSTEM
 - 18 HOT WATER SOURCE VIA WALL-MOUNTED HOSE BIB ACCESSIBLE VIA OPEN SPACE UNDER SINK COUNTER
 - 19 BREWERY FEATURE WALL
 - 20 STAINLESS STEEL COUNTER AND BACKPLASH
 - 21 PERFORATED METAL DRAINAGE GRATE BELOW BEER TAPS C/W DRAIN CONNECTION TO SEWER SYSTEM
 - 22 STAINLESS STEEL SINGLE SINK C/W 2" DRAIN CONNECTION TO SEWER SYSTEM
 - 23 MAIN ENTRANCE DOOR
 - 24 SECONDARY ENTRANCE DOOR
 - 25 SERVICE ENTRY DOOR
 - 26 STORAGE C/W SHELVING
 - 27 42" HIGH WOOD 'VIEWING TABLES' SECURED TO PONY WALL AND C/W HIGH CHAIR SEATING
 - 28 DROPPED GWB CEILING WITH HVAC UNITS ABOVE THE WASHROOMS. ENSURE HVAC UNITS ARE SEISMICALLY RESTRAINED.
 - 29 FROSTING FILM OVER JS SURFACE OF WINDOWS IN THE WASHROOMS
 - 30 UNIVERSAL WASHROOM WITH CLEAR FLOOR SPACE OF NOT LESS THAN 4.0m² WITH NO DIMENSION LESS THAN 1800mm (5'-11") AND SERVED BY AN ACCESSIBLE PATH OF TRAVEL. REFER TO UNIVERSAL WASHROOM DETAIL PLAN ON SHEET A301
 - 31 EXTERIOR WALK COMPLETE WITH A SLIP-RESISTANT, CONTINUOUS AND EVEN SURFACE TO BE NOT LESS THAN 1500mm WIDE AND HAVE A LEVEL AREA CONFORMING TO BCBC 2018 CLAUSE 3.8.3.5 (1)(c) ADJACENT TO THE ENTRANCE DOORWAY.

ISSUES
05-21-2022 ISSUE FOR AHI R/FM/FW

REVISIONS

BARN OWL BREWING - TENANT INFILL

4429 LAKESHORE ROAD
KELOWNA, BC

DRAWING TITLE
LEVEL 1 PLAN

PROJECT NO.
608-01
SCALE
1/4" = 1'-0"
DRAWN BY
Author

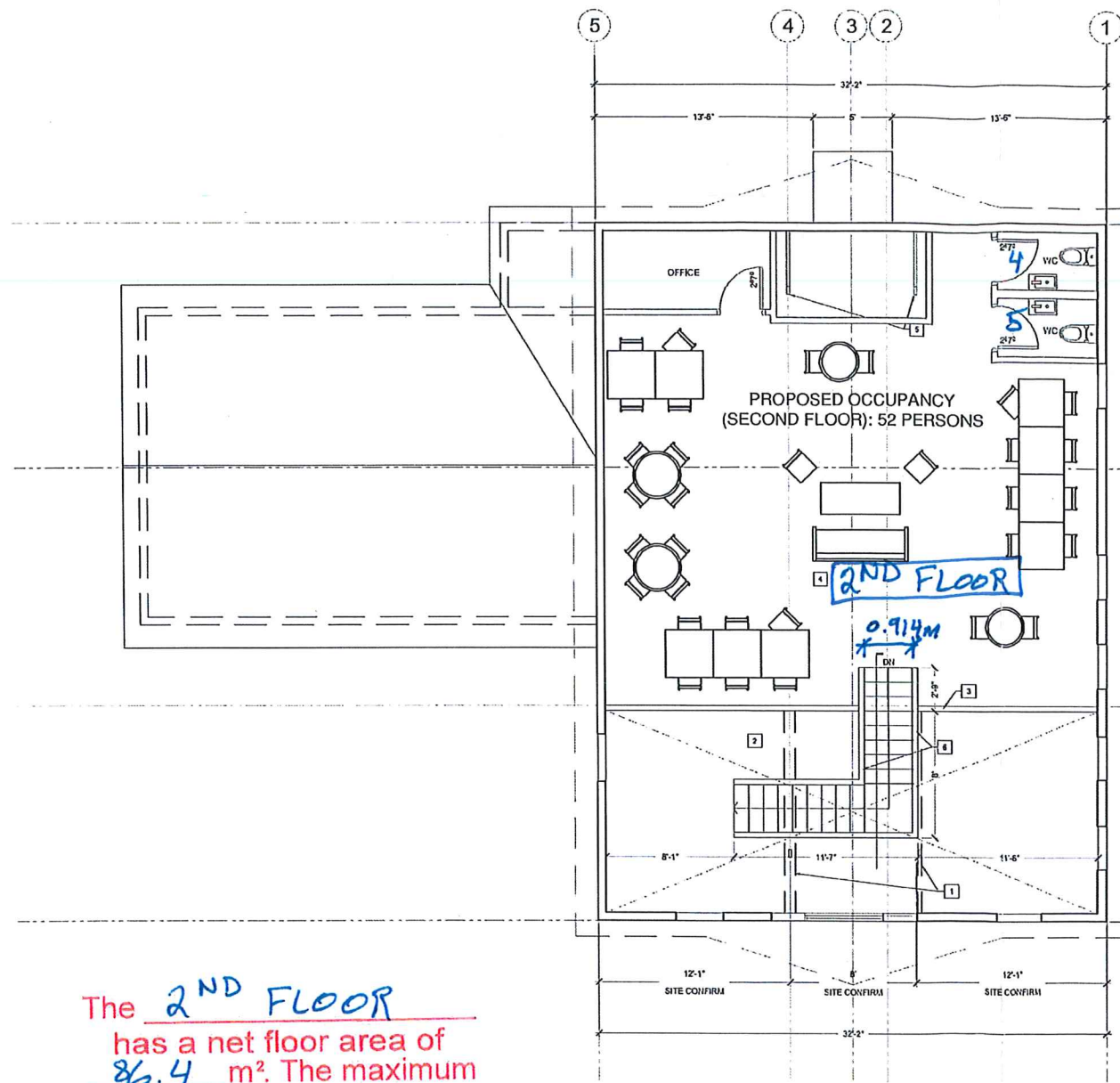
GP 13342
Reviewed
by City of Kelowna
Inspection Services

2022/11/08

- TOTAL OCCUP. LD. = 172
- W/C EQUIV. 2-M + 4F

DRAWING NO.
A1.01
1/2

2022-10-07 12:11:04 PM



- NOTES (EXISTING):
- 1 8"X8" HEAVY TIMBER FOR EXISTING END WALL BRACES
 - 2 OPEN TO BELOW
 - 3 GLASS GUARD RAIL
 - 4 FINISHED FLOOR ELEVATION = 11'-0"
 - 5 EXISTING END WALL BRACES
 - 6 1 1/2" STEEL TOP RAIL W/ SAFETY GLASS PANELS, SUPPORT POSTS ATTACHED TO SIDE OF STAIR STRINGERS

GENERAL CONSTRUCTION NOTES:

1. ALL WALLS TO BE FINISHED IN GWB AND PAINTED, I.N.O.
2. TYP 2x4 WALL CONSTRUCTION FOR ALL NEW INTERIOR WALLS.
3. ALL CONSTRUCTION TO COMPLY WITH BCBC 2018.
4. NEW WALLS TO BE 8'-8" HIGH, TYPICAL
5. NEW WC'S AND OFFICE TO BE FINISHED WITH GWB @ 8'-0" AFF

NOTES

PROJECT TYPE: INTERIOR TENANT IMPROVEMENT	PROJECT AREA: 124.5 m ² (1340.0 SF)
CIVIC ADDRESS: 4629 LAKESHORE ROAD KELOWNA, BC	OCCUPANCY: ASSEMBLY OCCUPANCY GROUP A, DIVISION 2

BUILDING CODE DATA

APPLICABLE BUILDING CODE:	BC BUILDING CODE 2018
MAJOR OCCUPANCY: GROUP A-2 ASSEMBLY	
EXISTING TENANT AREA: 124.5 m ²	
EXISTING BUILDING AREA: 190 m ²	
NO. OF STOREYS: 2 STOREY TENANT SPACE	
STREETS FACING: 1 STREET	
3.1 OCCUPANT LOAD (BY AREA):	TABLE 3.1.17.1
MAIN FLOOR:	
ASSEMBLY AREA (DINING, BEVERAGE AND CAFETERIA SPACE):	
44.1 m ² / 1.20 m ² per person = 36 persons	
SECOND FLOOR (LOFT AREA):	
ASSEMBLY AREA (DINING, BEVERAGE AND CAFETERIA SPACE):	
88.4 m ² / 1.20 m ² per person = 72 persons	
TOTAL OCCUPANT LOAD = 108 persons	
3.7 HEALTH REQUIREMENTS	
108 TOTAL OCCUPANTS	
THE TOTAL NUMBER OF PERSONS IN THE BUILDING USED TO DETERMINE THE NUMBER OF WATER CLOSETS TO BE PROVIDED IS PERMITTED TO BE REDUCED BY 10 BEFORE APPLYING SENTENCE (b)	3.7.2.2.(2)
98 / 2 = 49 FEMALES; 49 MALES	TABLE 3.7.2.2.B
TOTAL REQUIRED: 2 PER SEX	
TOTAL PROVIDED: 5 GENDERLESS WATER CLOSETS: 1 UNIVERSAL	

ISSUES
OCT OF 2022 ISSUE FOR AHJ REVIEW

REVISIONS

BARN OWL BREWING - TENANT INFILL
4629 LAKESHORE ROAD
KELOWNA, BC

DRAWING TITLE
LEVEL 2 PLAN - EXISTING AND PROPOSED

PROJECT NO.
BOB-01
SCALE
1/4" = 1'-0"
DRAWN BY
CK

The 2ND FLOOR has a net floor area of 86.4 m². The maximum occupant load shall be ~~*70~~ 54 persons; based on 1.2 m²/person

*54 MAX. FOR EXISTING + LAND-USE CONTRACT.



DRAWING NO.

A1.02

2/2



City of
Kelowna

L22-0021

4629-4649 Lakeshore Rd

Liquor Licence Application

Proposal

- ▶ To seek Council's support for a structural change to an existing lounge endorsement licence with an occupant load of 172 persons.

Development Process

Oct 14, 2022

Liquor Licence Application Submitted

Staff Review & Circulation

Oct 31, 2022

Neighbourhood Notification

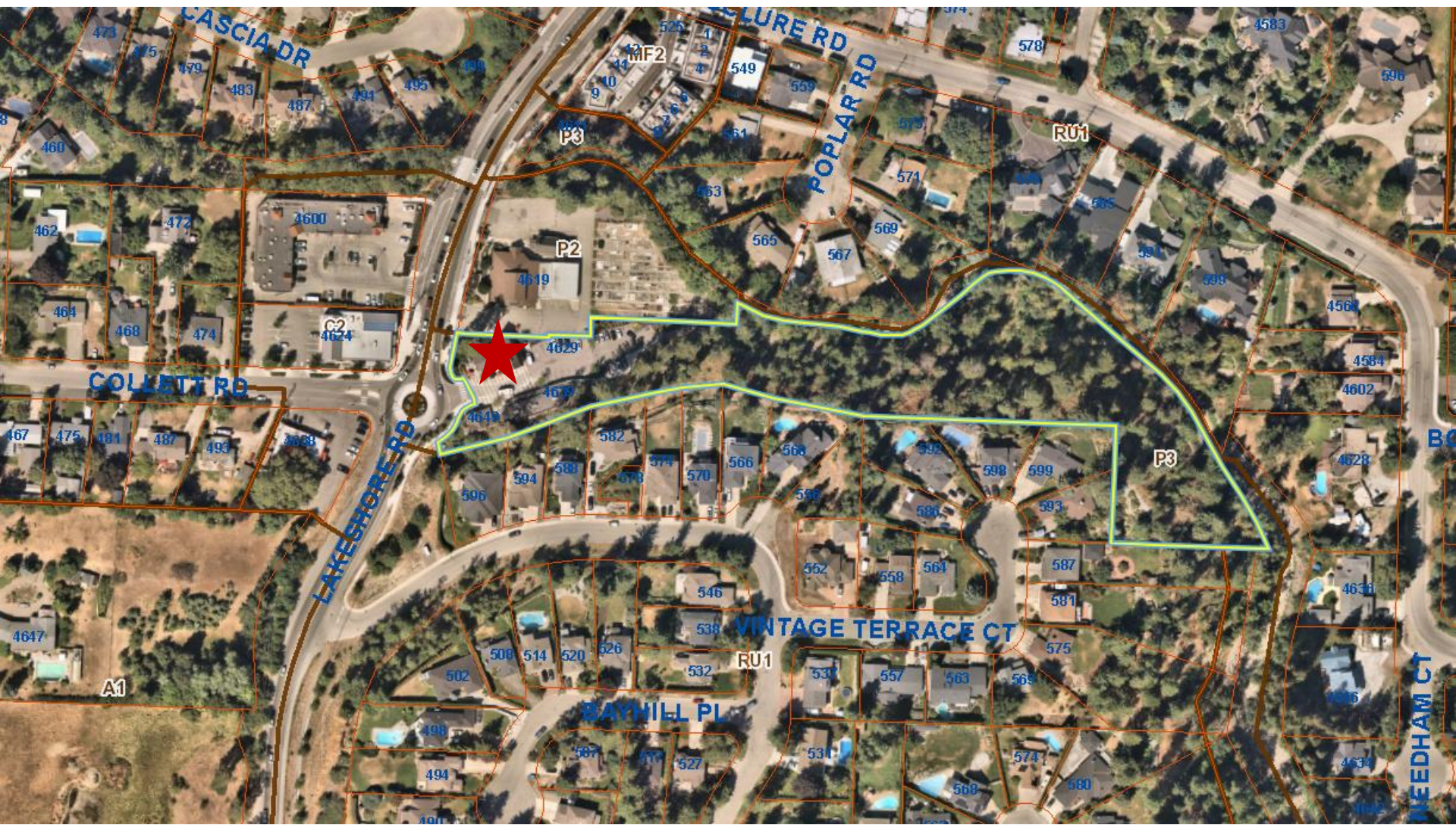
Jan 17, 2023

Tuesday Council Meeting

Council Approvals

Recommendation Forwarded to LCRB

Context Map



Site Layout – Main Floor

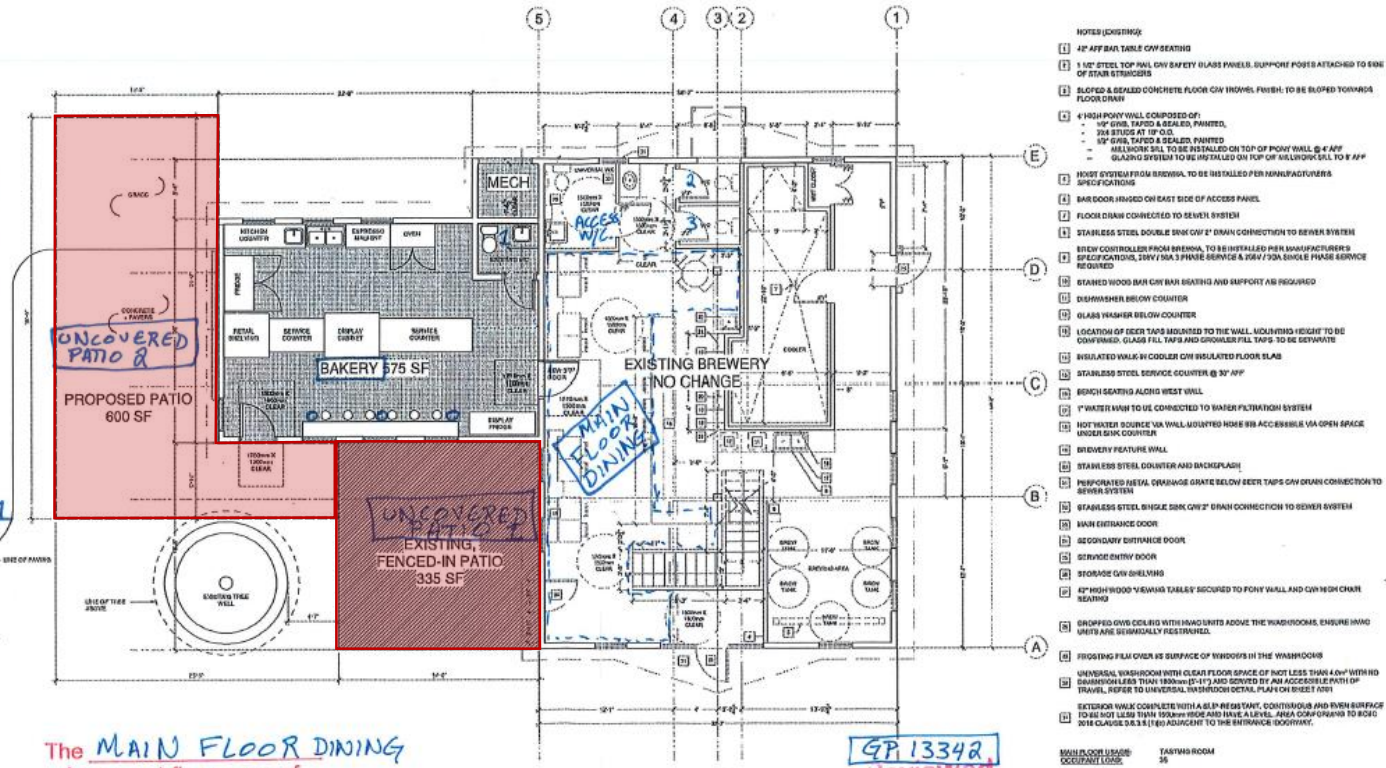
The **BAKERY**
has a net floor area of
N/A m². The maximum
occupant load shall be
10 persons, based on
SEATS

The **UNCOVERED PATIO 2**
has a net floor area of
55.8 m². The maximum
occupant load shall be
46 persons, based on
1.2 m²/person

The **UNCOVERED PATIO 1**
has a net floor area of
31 m². The maximum
occupant load shall be
26 persons, based on
1.2 m²/person

The **MAIN FLOOR DINING**
has a net floor area of
44.1 m². The maximum
occupant load shall be
36 persons, based on
1.2 m²/person

DATE: 11/10/22



- NOTES (EXISTING):
- (1) 4" AFF BAR TABLE C/W SEATING
 - (2) 1 1/2" STEEL TOP PAUL C/W SAFETY GLASS PANELS. SUPPORT POSTS ATTACHED TO EDGE OF FLOOR STRUCTURE
 - (3) SLOPED & SEALED CONCRETE FLOOR C/W TRIMMS. FINISH TO BE SLOPED TOWARDS FLOOR DRAIN
 - (4) 4" HIGH PONY WALL COMPOSED OF:
 - 1/2" GIBB, TAPED & SEALED, PAINTED
 - 2x4 STUDS AT 16" O.C.
 - 1/2" GIBB, TAPED & SEALED, PAINTED
 - SHEETROCK SHALL BE INSTALLED ON TOP OF PONY WALL @ 4" AFF
 - GLAZING SYSTEM TO BE INSTALLED ON TOP OF SHEETROCK TO 8" AFF
 - (5) HOIST SYSTEM FROM BREWERY, TO BE INSTALLED PER MANUFACTURERS SPECIFICATIONS
 - (6) BAR DOOR HINGED ON EAST SIDE OF ACCESS PANEL
 - (7) FLOOR DRAIN CONNECTED TO SEWER SYSTEM
 - (8) STAINLESS STEEL DOUBLE END C/W 2" DRAIN CONNECTION TO SEWER SYSTEM
 - (9) BEER CONTROLLER FROM BREWERY, TO BE INSTALLED PER MANUFACTURERS SPECIFICATIONS, 120V/10A/3 PHASE SERVICE & 120V/30A SINGLE PHASE SERVICE REQUIRED
 - (10) STAINED WOOD BAR C/W BAR SEATING AND SUPPORT AS REQUIRED
 - (11) DETERMINER BELOW COUNTER
 - (12) GLASS WASHERS BELOW COUNTER
 - (13) LOCATION OF BEER TAPS ADJACENT TO THE WALL. ADJUSTING HEIGHT TO BE COMPLETED. GLASS FILL TAPS AND GROWLER FILL TAPS TO BE SEPARATE
 - (14) INSULATED WALK-IN COOLER C/W INSULATED FLOOR SLAB
 - (15) STAINLESS STEEL SERVICE COUNTER @ 30" AFF
 - (16) BEER TAP SEATING ALONG WEST WALL
 - (17) WATER MAIN TO BE CONNECTED TO WATER FILTRATION SYSTEM
 - (18) HOT WATER SOURCE VIA WALL MOUNTED HOSE W/ ACCESSIBLE 1/4" OPEN SPACE UNDER SINK COUNTER
 - (19) BREWERY FEATURE WALL
 - (20) STAINLESS STEEL COUNTER AND BACKPLASH
 - (21) PERFORATED METAL DRAINAGE GRATE BELOW BEER TAPS C/W DRAIN CONNECTION TO SEWER SYSTEM
 - (22) STAINLESS STEEL SINGLE SINK C/W 2" DRAIN CONNECTION TO SEWER SYSTEM
 - (23) MAIN ENTRANCE DOOR
 - (24) SECONDARY ENTRANCE DOOR
 - (25) SERVICE ENTRY DOOR
 - (26) STORAGE C/W SHELVING
 - (27) 4" HIGH WOOD VENEER TABLES SECURED TO PONY WALL AND C/W HIGH CHAIR SEATING
 - (28) DRAPPED GIVE COLLARS WITH HANG UNITS ABOVE THE WASHROOMS. ENSURE HANG UNITS ARE SUITABLY RESTRAINED
 - (29) FROSTING FILM OVER RE SURFACE OF WINDOWS IN THE WASHROOMS
 - (30) UNIVERSAL WASHROOM WITH CLEAR FLOOR SPACE OF NOT LESS THAN 4' C/W WITH DIMENSIONS LESS THAN 1800mm (5'11") AND SCRIBED BY AN ACCESSIBLE PATH OF TRAVEL, REFER TO UNIVERSAL WASHROOM DETAIL PLAN ON SHEET 0001
 - (31) EXTERIOR WALK COMPLETE WITH A 6" IN HEIGHT, CONTINUOUS AND EVEN SURFACE TO 800 MM LESS THAN 100MM RISE AND HAVE A LEVEL AREA COMPLYING TO 8000 DBC CLAUSE 20.3.1 (E) ADJACENT TO THE ENTRANCE DOORWAY.

ISSUES
06-21-2022 BDP FOR REVIEW

REVISIONS

BARN OWL BREWING - TENANT INFILL
423 LAURENCE ROAD
KELOWNA, BC
DRAWING TITLE
LEVEL 1 PLAN

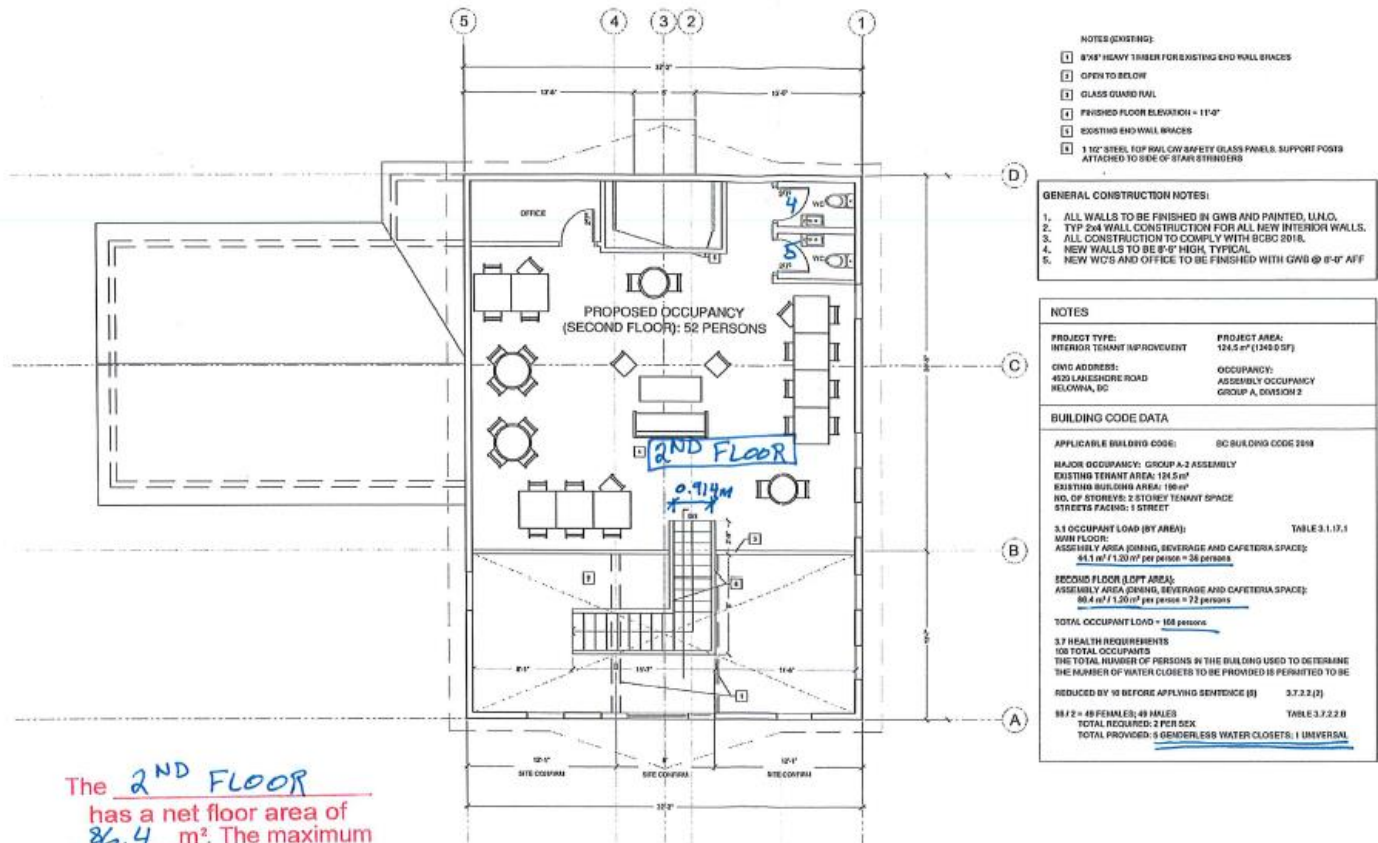
PROJECT NO.
208-21
SCALE
1/4" = 1'-0"
DRAWN BY
Adbar

GP 13342
Reviewed
by City of Kelowna
Inspection Services
2022/11/08

- TOTAL OCCUP. LD. = 172
- W/C EQUIV. 2-M + 4F

Site Layout – 2nd Floor

2022-10-07 12:11:04 PM



- NOTES (EXISTING):**
- 1 8"x4" HEAVY TRIMMER FOR EXISTING END WALL BRACES
 - 2 OPEN TO BELOW
 - 3 GLASS GUARD RAIL
 - 4 FINISHED FLOOR ELEVATION = 11'-0"
 - 5 EXISTING END WALL BRACES
 - 6 1 1/2" STEEL TOP RAIL WITH SAFETY GLASS PANELS. SUPPORT POINTS ATTACHED TO SIDE OF BEAM STRUCTURE.

- GENERAL CONSTRUCTION NOTES:**
1. ALL WALLS TO BE FINISHED IN GWB AND PAINTED, U/L/O.
 2. TYP 2x4 WALL CONSTRUCTION FOR ALL NEW INTERIOR WALLS.
 3. ALL CONSTRUCTION TO COMPLY WITH BCBC 2018.
 4. NEW WALLS TO BE 8'-0" HIGH, TYPICAL.
 5. NEW WCs AND OFFICE TO BE FINISHED WITH GWB @ 8'-0" AFF.

NOTES	
PROJECT TYPE: INTERIOR TENANT IMPROVEMENT	PROJECT AREA: 124.5 m ² (1343.0 SF)
CIVIC ADDRESS: 4920 LANESHORE ROAD REXDAWN, BC	OCCUPANCY: ASSEMBLY OCCUPANCY GROUP A, DIVISION 2
BUILDING CODE DATA	
APPLICABLE BUILDING CODE:	BC BUILDING CODE 2018
MAJOR OCCUPANCY: GROUP A-2 ASSEMBLY	EXISTING TENANT AREA: 124.5 m ²
EXISTING BUILDING AREA: 180 m ²	NO. OF STOREYS: 2 STOREY TENANT SPACE
STREETS FACING: 1 STREET	
3.1 OCCUPANT LOAD (BY AREA):	TABLE 3.1.17.1
MAIN FLOOR: ASSEMBLY AREA (DINING, BEVERAGE AND CAFETERIA SPACE): 85.1 m ² / 1.20 m ² per person = 72 persons	
SECOND FLOOR (LOFT AREA): ASSEMBLY AREA (DINING, BEVERAGE AND CAFETERIA SPACE): 86.4 m ² / 1.20 m ² per person = 72 persons	
TOTAL OCCUPANT LOAD = 144 persons	
3.7 HEALTH REQUIREMENTS 108 TOTAL OCCUPANTS	
THE TOTAL NUMBER OF PERSONS IN THE BUILDING USED TO DETERMINE THE NUMBER OF WATER CLOSETS TO BE PROVIDED IS PERMITTED TO BE REDUCED BY 10 BEFORE APPLYING SENTENCE (B)	3.7.2.2 (1)
88 F = 49 FEMALES; 49 MALES	TABLE 3.7.2.2.B
TOTAL REQUIRED: 2 PER SEX	
TOTAL PROVIDED: 4 GENDERLESS WATER CLOSETS: 1 UNIVERSAL	

ISSUES
OCT 03 2022 ISSUE FOR APPROVAL

REVISIONS

BARN OWL BREWING - TENANT INFILL
4920 LANESHORE ROAD
REXDAWN, BC

DRAWING TITLE
LEVEL 2 PLAN - EXISTING AND PROPOSED

PROJECT NO.
BCB-21
SCALE
1/8" = 1'-0"
DRAWN BY
CK

The 2ND FLOOR has a net floor area of 86.4 m². The maximum occupant load shall be *72 persons, based on 1.2 m²/person

*54 MAX. FOR EXISTING + LAND-USE CONTRACT.

Project/Technical Details

- ▶ Amend Liquor Primary Licence
 - ▶ Seeking to amend Liquor Primary Licence with occupancy of 172 persons.
- ▶ Licenced Hours:

		Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open		9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM
Close	Indoor	12:00 AM	12:00 AM	12:00 AM	12:00 AM	12:00 AM	12:00 AM	12:00 AM
	Patio	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM

2040 OCP Policy

- ▶ Encourage the development of small scaled Neighbourhood Commercial areas to provide, basic day-to-day services to surrounding residential neighbourhoods.

Staff Recommendation

- ▶ Development Planning recommends **support** for the amendment to the Lounge Endorsement for an existing Manufacturing Licence;
- ▶ That Council directs Staff to forward a resolution of support to the LCRB.

**LL22- 0021-
4629
LAKESHORE
ROAD**

**BARN OWL
BREWING CO.**

*JANUARY 17, 2023
PUBLIC MEETING*

BARNOWI.BREWING.CA





IT'S...A BAKERY
LUNCH & COFFEE

BARN OWL
BREWING CO

OPEN
COME ON IN

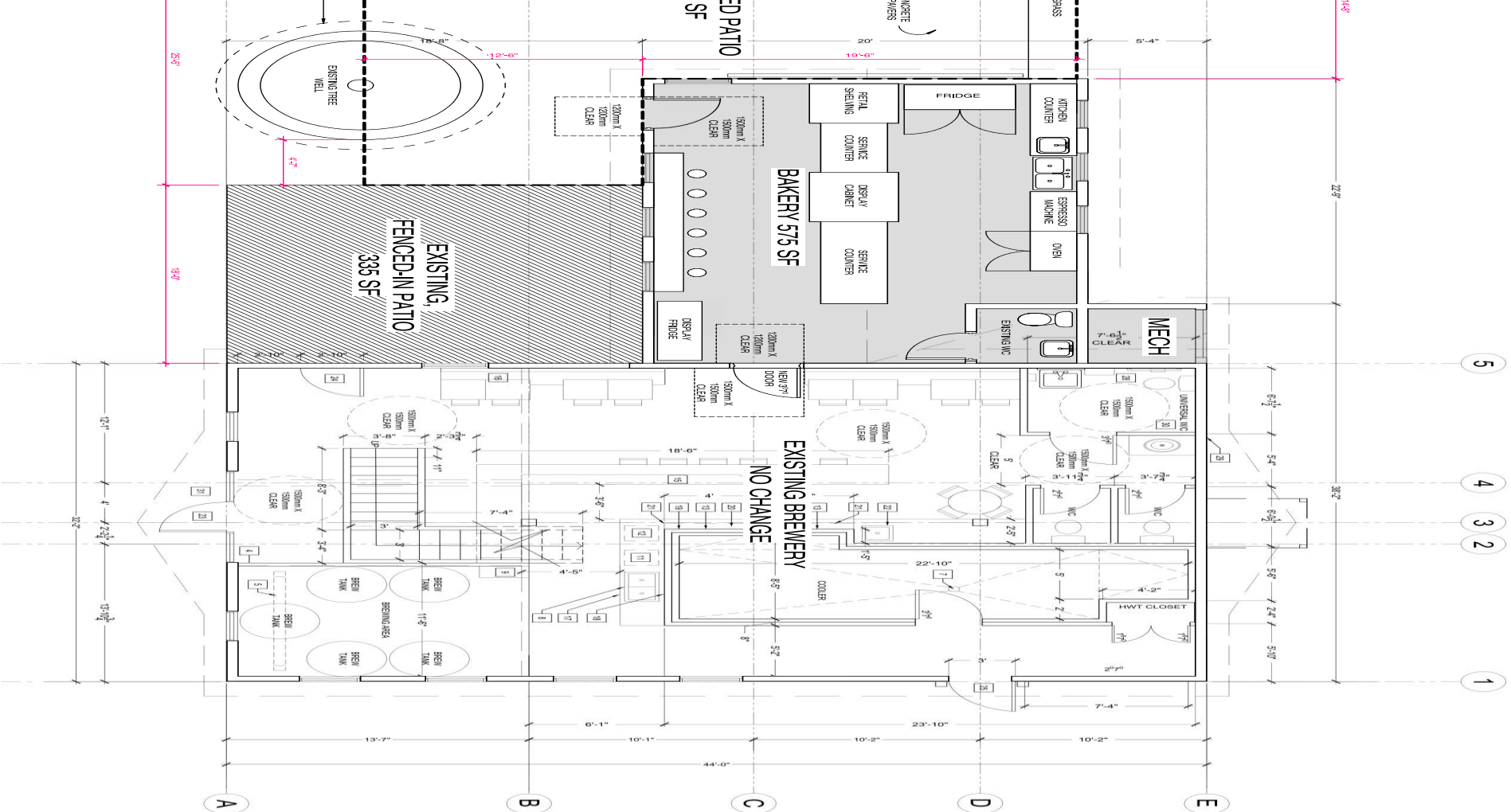


Reserved

BARN OW BREWING CO.
Place dirty glassware in the TRAY please!

OUTHOUSE

WICOMENFARM LTD DE ROCHE



NOTES (EXISTING):

- 1 4" AFF BAR TABLE CHAIR SEATING
- 2 1 1/2" STEEL TOP RAIL ON SHEET GLASS PANELS, SUPPORT POSTS ATTACHED TO SIDE OF STAIR STRINGERS
- 3 SLOPED & SEALED CONCRETE FLOOR ON TROWEL FINISH, TO BE SLOPED TOWARDS FLOOR DRAIN
- 4 #4 REBAR WILL COMPOSED OF:
 - 1/2 GRID TYPED & SEALED PAINTED.
 - 2X6 STUDS AT 8" O.C.
 - 1/2 GRID TYPED & SEALED PAINTED
 - MILLWORK SILL TO BE INSTALLED ON TOP OF WALLWORK SILL TO 8" AFF
 - GLAZING SYSTEM TO BE INSTALLED ON TOP OF MILLWORK SILL TO 8" AFF
- 5 HOIST SYSTEM FROM BREWERY, TO BE INSTALLED PER MANUFACTURERS SPECIFICATIONS
- 6 BAR DOOR HUNG ON EAST SIDE OF ACCESS PANEL
- 7 FLOOR DRAIN CONNECTED TO SEWER SYSTEM
- 8 STAINLESS STEEL DOUBLE SINK ON 2" DRAIN CONNECTION TO SEWER SYSTEM
- 9 BEER CONTROLLER FROM BREWERY, TO BE INSTALLED PER MANUFACTURERS SPECIFICATIONS 200V / 50A 3 PHASE SERVICE & 200V / 30A SINGLE PHASE SERVICE REQUIRED
- 10 STAINED WOOD BAR ON BAR SEATING AND SUPPORT AS REQUIRED
- 11 DISHWASHER BELOW COUNTER
- 12 GLASS WASHER BELOW COUNTER
- 13 LOCATION OF BEER TAPS MOUNTED TO THE WALL, MOUNTING HEIGHT TO BE CONFIRMED, GLASS FILL TAPS AND BROWLER FILL TAPS TO BE SEPARATE
- 14 INSULATED WALK-IN COOLER ON INSULATED FLOOR SLAB
- 15 STAINLESS STEEL SERVICE COUNTER @ 8" AFF
- 16 BENCH SEATING ALONG WEST WALL
- 17 #1 WATER MAIN TO BE CONNECTED TO WATER FILTRATION SYSTEM
- 18 HOT WATER SOURCE, IN WALL MOUNTED HOSE BIB ACCESSIBLE VIA OPEN SPACE UNDER SINK COUNTER
- 19 BREWERY FEATURE WALL
- 20 STAINLESS STEEL COUNTER AND BACKSPASH
- 21 PERFORATED METAL DRAINAGE GRATE BELOW BEER TAPS ON DRAIN CONNECTION TO SEWER SYSTEM
- 22 STAINLESS STEEL SINGLE SINK ON 2" DRAIN CONNECTION TO SEWER SYSTEM
- 23 MAIN ENTRANCE DOOR
- 24 SECONDARY ENTRANCE DOOR
- 25 SERVICE ENTRY DOOR
- 26 STORAGE ON SHELVEING
- 27 4" HIGH WOOD VENEER TABLES SECURED TO CONW WALL AND ON HIGH CHAIR SEATING
- 28 DROPPED GRID CEILING WITH HVAC UNITS ABOVE THE WASHROOMS, DISHIE SINK UNITS ARE SEISMICALLY RESTRAINED.
- 29 FROSTING FILL UNITS IS SURFACE OF WINDOWS IN THE WASHROOMS
- 30 UNIVERSAL WASHROOM WITH CLEAR FLOOR SPACE OF NOT LESS THAN 4'-0" WITH NO DIMENSION LESS THAN WIDTH IS 5'-1" AND SERVED BY AN ACCESSIBLE PATH OF TRAVEL, REFER TO UNIVERSAL WASHROOM DETAIL PLAN ON SHEET A101
- 31 EXTERIOR WALK COMPLETE WITH A SLIP-RESISTANT CONTINUOUS AND BEING SURFACE TO BE NOT LESS THAN 180MM WIDE AND HAVE A LEVEL AREA COMPROMISING TO 838C 2018 CLAUSE 3.8.13 (1) IN ADJACENT TO THE ENTRANCE DOORWAY.

MAIN FLOOR USAGE: TASTING ROOM
OCCUPANT LOAD: 36

ROOM: ROOF
SCALE: 1/8" = 1'-0"
DRAWN: [Signature]

DATE: 4/29/14
REVISION: [Signature]

ROOM: BAR
SCALE: 1/8" = 1'-0"
DRAWN: [Signature]

DATE: 4/29/14
REVISION: [Signature]

ROOM: TEN
SCALE: 1/8" = 1'-0"
DRAWN: [Signature]

DATE: 4/29/14
REVISION: [Signature]

ROOM: [Blank]

DATE: 4/29/14
REVISION: [Signature]





IT'S...A BAKERY
LUNCH & COFFEE

BARN OWL
BREWING CO.

OPEN
COME ON IN

REPORT TO COUNCIL



Date: January 17, 2023
To: Council
From: City Manager
Department: Development Planning
Application: DP22-0032 & DVP22-0033 **Owner:** Cellar Door Developments Ltd., Inc. No. BC1292607
Address: 727 Wardlaw Ave **Applicant:** Lime Architecture Inc.
Subject: Development Permit and Development Variance Permit
Existing OCP Designation: UC – Urban Centre
Existing Zone: UC5 – Pandosy Urban Centre

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP22-0032 and Development Variance Permit No. DVP22-0033 for Lot B District Lot 135 ODYD Plan 32260, located at 727 Wardlaw 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 a variance to the following section of Zoning Bylaw No. 12375 be granted:

Table 14.11: UC5 - Commercial and Urban Centre Zone Development Regulations

To vary the minimum front yard setback for ground-oriented housing from 2.0m permitted for to 1.5m 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 and Development Variance Permit for the form and character of townhouses with a variance to the permitted front yard setback.

2.0 Development Planning

Staff supports the Development Permit for the form and character of townhouses and the variance to reduce the front yard setback. The proposed development meets zoning regulations for parking, building height and landscaping and is in general accordance with the Official Community Plan (OCP) Form and Character Design Guidelines for Townhouses. Key guidelines that are met include:

- Orient building entries, windows and patios to face the fronting street with direct access to the sidewalk
- Provide generous usable outdoor amenity space that is well designed to create privacy for the units and an attractive street interface
- Utilize building articulation, scaling, and setbacks to define individual units or intervals and to contribute to a consistent frontage pattern, pedestrian scale and rhythm along the fronting street
- Locate and design buildings to maximize access to sunlight, increase privacy and reinforce neighbourhood character
- Provide access to parking from a secondary street or lane

Variance

The application proposes to reduce the permitted front yard setback from 2.0m to 1.5m. When the application was received in February 2022, the proposed front yard setback was compliant with Zoning Bylaw No. 8000. The new Zoning Bylaw No. 12375 was adopted in September 2022 and it increased the permitted front yard setback for ground-oriented housing by 0.5m.

The subject property has development constraints that include a 3.0m sewer easement along the south property line for a sewer main connection to the adjacent property, lot consolidation is not achievable as the property to the west is an existing utility building and the property to the south is proposed to develop separately. Additionally, the property is wider than it is deep, and is located adjacent to Wardlaw Ave to the north and lane to the east.

3.0 Proposal

3.1 Project Description

The applicant is proposing a four-unit townhouse development with two ground-oriented units fronting onto Wardlaw Ave. All vehicle access will come from the east lane. The proposed building is 3 storeys in height with private open space for each unit being provided through a combination of at-grade patios and individual balconies to exceed the minimum private and common amenity space requirements.

The building proposes modern exterior finishes and includes white and black stucco, beige and grey hardi panels, faux wood siding and black trim. The landscape plan proposes 10 on-site deciduous trees, flowering shrubs and perennials that will complement the building and help to integrate the development within an established residential neighbourhood.

3.2 Site Context

The subject site is located at the northeast corner of the Pandosy Urban Centre nearest to the intersection of Richter St and Wardlaw Ave. Surrounding properties include a mix of residential, institutional, and utility.

The site has a walk score of 77, indicating it is very walkable. The transit score is 47, with some nearby transit options available and a bike score of 93, meaning daily errands can be accomplished on bike.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P2 – Education and Minor Institutional	Institutional
East	MF1 – Infill Housing	Residential
South	UC5 – Pandosy Urban Centre	Residential
West	P4 – Utilities	Utility

Subject Property Map: 727 Wardlaw Avenue



3.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	Uc5 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Max. Floor Area Ratio	1.8	0.85
Max. Site Coverage (buildings)	85%	45%
Max. Site Coverage (buildings, parking, driveways)	90%	59%
Max. Height	6 storeys / 22 m	3 storeys / 10 m
Min. Front Yard	2.0 m	1.5 m ●
Min. Side Yard (west)	0.0 m	5.17 m
Min. Side Yard (east)	0.0 m	0.9 m
Min. Rear Yard	0.0 m	3.5 m
Other Regulations		
Min. Parking Requirements	4 stalls	4 stalls
Min. Bicycle Parking	n/a	4
Min. Private Amenity Space	84 m ²	116 m ²
Min. Common Amenity Space	16 m ²	90 m ²
● Indicates a requested variance to the permitted front yard setback from 2.0m to 1.5m proposed to accommodate the building location.		

4.0 **Current Development Policies**

Objective 4.9. Transition sensitively to adjacent neighbourhoods and public spaces	
Policy 4.9.2. Transitioning to Core Area Neighbourhoods	<p>Use height and scale to ensure that buildings avoid height cliffs and shadowing, transitioning gradually to adjacent Core Area Neighbourhoods</p> <p><i>The site is located at the northeastern boundary of the Pandosy Urban Centre. A 3-storey building in this location will provide a sensitive transition to adjacent Core Area neighbourhoods to the north and east.</i></p>
Objective 4.12 Increase the diversity of housing types and tenures to create inclusive, affordable and complete Urban Centres	
Policy 4.12.2. Family-friendly Housing	<p>Incorporate ground-oriented units in the design of multi-family developments to support family-friendly housing types. Ensure that multi-unit developments include a variety of unit sizes, encouraging 10 per cent of new units to be three or more bedrooms.</p> <p><i>50% of the units are three-bedroom. The development will contain 2 two-bedroom and 2 three-bedroom units with two units fronting directly onto Wardlaw to provide ground-oriented housing.</i></p>

5.0 **Application Chronology**

Date of Application Received: February 7, 2022
 Date Public Consultation Completed: November 22, 2022

Report prepared by: Andrew Ferguson, 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 DP22-0032 and Draft Development Variance Permit DVP22-0033

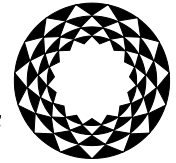
Schedule A: Site Plan and Floor Plans

Schedule B: Elevations

Schedule C: Landscape Plan

Attachment B: OCP Form and Character Development Permit Guidelines

Attachment C: Applicant's Letter of Rationale



Development Permit & Development Variance Permit

DP22-0032 & DVP22-0033

City of
Kelowna

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

727 Wardlaw Avenue

and legally known as

Lot B District Lot 135 OSOYOOS DIVISION YALE DISTRICT PLAN 32260

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

Townhouses

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

Date of Council Approval: January 17, 2023

Development Permit Area: Form and Character

Existing Zone: UC5 – Padosy Urban Centre

Future Land Use Designation: UC – Urban Centre

This Development 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 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: Cellar Door Developments Ltd., Inc. No BC1292607

Applicant: Lime Architecture Inc.

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

THAT Council authorizes the issuance of Development Permit No. DP22-0032 and Development Variance Permit No. DVP22-0033 for Lot B District Lot 135 ODYD, Plan 32260 located at 727 Wardlaw Ave, 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";
- c) Landscaping to be provided on the land be in accordance with Schedule "C";
- d) The applicant be required to post with the City a Landscape Performance Security deposit in the amount of 125% of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect;

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

Table 14.11: UC5 - Commercial and Urban Centre Zone Development Regulations

To vary the minimum front yard setback from 2.0m permitted for ground-oriented housing to 1.5m proposed

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 owner of the day. Should the Developer carry out the development as per the conditions of this permit, the security shall be returned to the Developer or his or her designate following proof of Substantial Compliance as defined in Bylaw No. 12310. There is filed accordingly:

- a) An Irrevocable Letter of Credit **OR** certified cheque **OR** a Surety Bond in the amount of **\$42,332.50**

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

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.**

727 WARDLAW AVE, KELOWNA BC



PROPERTY DESCRIPTION

CIVIC: 727 WARDLAW AVE, KELOWNA BC
LEGAL: LOT B, DISTRICT LOT 135, ODYD, PLAN KAP 32260

BC ENERGY STEP CODE COMPLIANCE: STEP 3

ZONING CALCULATIONS:

CURRENT: UC5

SITE INFORMATION:

	ALLOWED	PROPOSED
GROSS SITE AREA=	5,193 SF (482.4 SM)	
ALLOWABLE SITE COVERAGE=	85% (4,414 SF)	45% (2,329 SF)
ALLOWABLE SITE COVERAGE + HARDSCAPING =	90% (4,674 SF)	59% (3,068 SF)
F.A.R.=	1.8 (9,347 SF)	.85 (4,386 SF)

UNIT AREA CALCULATIONS:

UNIT 1	ENTRY:	118 SF
	SECOND:	431 SF
	THIRD:	398 SF
UNIT 2	ENTRY:	486 SF
	SECOND:	430 SF
	THIRD:	330 SF
UNIT 3	ENTRY:	486 SF
	SECOND:	430 SF
	THIRD:	330 SF
UNIT 4	ENTRY:	118 SF
	SECOND:	431 SF
	THIRD:	398 SF
TOTAL:		4,386 SF

	ALLOWED	PROPOSED
HEIGHT=	6 STOREYS	10.0M (3 STOREYS)
YARD SETBACKS:		
FRONT YARD=	2.0M	1.5M ← VARIANCE REQUIRED
SIDE YARD=	0.0M	4.0M/2.0M
REAR YARD=	0.0M	3.55M

	REQUIRED	PROPOSED
PARKING CALCULATIONS:		
2 OR MORE BED =	4 x 1 = 4	4
PARKING STALL SIZE ALLOCATION:		
REGULAR SIZE =	50%	
SMALL SIZE =	50%	
BICYCLE STORAGE:		
LONG TERM	N/A	PROPOSED 4 (GARAGE STORAGE)
SHORT TERM	N/A	
PRIVATE OUTDOOR SPACE CALCULATIONS:		
	REQUIRED 226 SF x 4 = 904 SF	PROPOSED 1,250 SF
COMMON OUTDOOR SPACE CALCULATIONS:		
	REQUIRED 43 SF x 4 = 172 SF	PROPOSED 976 SF

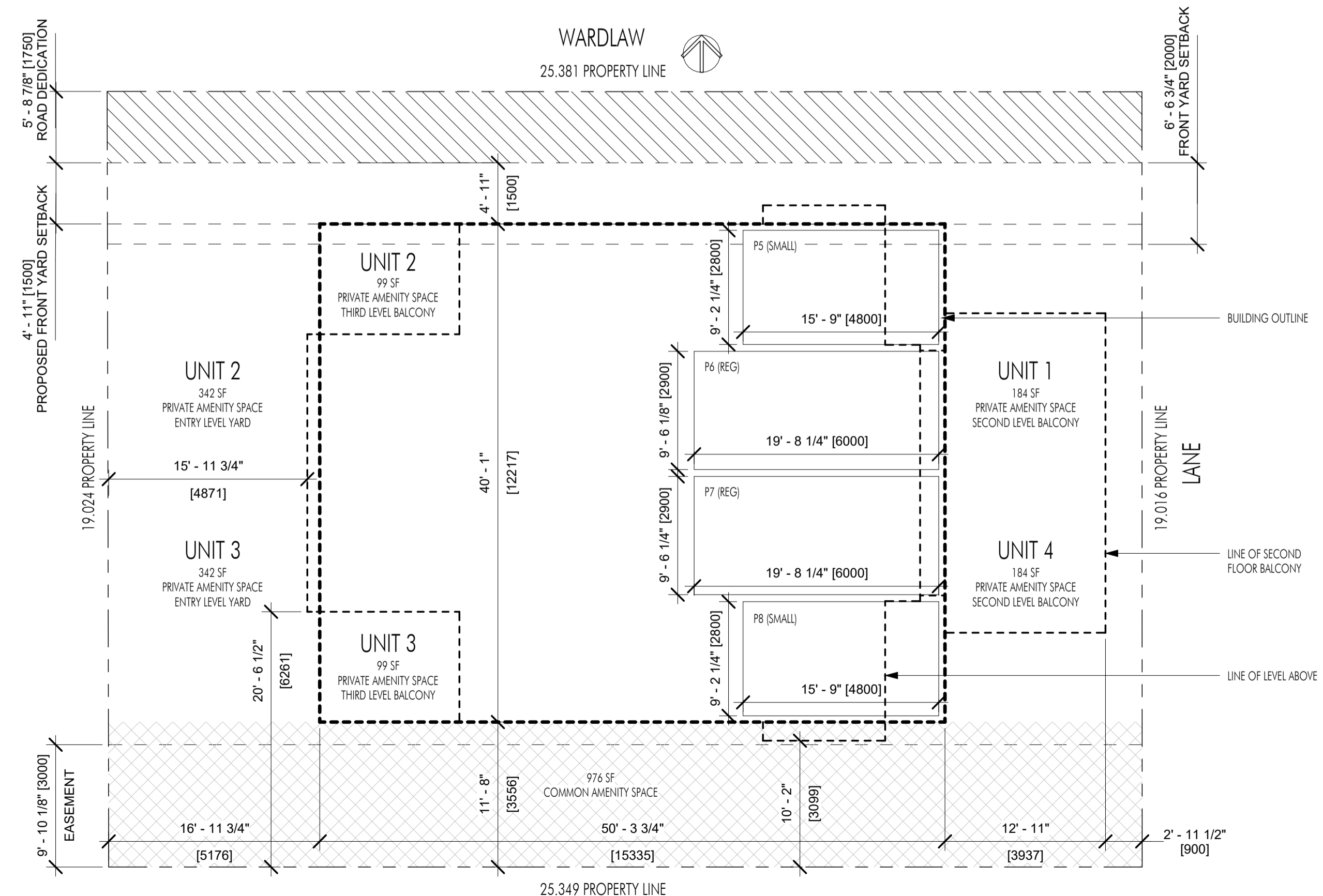


ARCHITECTURAL DRAWINGS

- A-001 PROJECT INFORMATION
- A-002 ASSEMBLIES
- A-101 ENTRY LEVEL PLAN
- A-102 SECOND LEVEL PLAN
- A-103 THIRD LEVEL PLAN
- A-200 ELEVATIONS
- A-201 ELEVATIONS
- A-300 SECTIONS
- A-500 DETAILS
- A-501 DETAILS

GENERAL NOTES - ARCHITECTURAL:

- ALL WORK SHALL CONFORM TO THE STANDARDS OF THE N.B.C. OF CANADA 2015 (ALL APPLICABLE SECTIONS), THE B.C. BUILDING CODE (BCBC) 2018 AND ALL LOCAL CODES, BYLAWS AND AMENDMENTS.
- DO NOT SCALE DRAWINGS; DIMENSIONS ALWAYS TAKE PRECEDENCE.
- ALL TRADES SHALL VERIFY ALL DATUMS, DIMENSIONS AND LEVELS PRIOR TO COMMENCEMENT OF WORK.
- ALL ERRORS AND OMISSIONS TO BE REPORTED IMMEDIATELY TO LIME ARCHITECTURE.
- VARIATIONS AND MODIFICATIONS TO THE WORK SHOWN ON DRAWINGS SHALL NOT BE CARRIED OUT WITHOUT THE EXPRESS WRITTEN PERMISSION OF LIME ARCHITECTURE.
- THESE DRAWINGS ARE THE EXCLUSIVE PROPERTY OF LIME ARCHITECTURE AND CANNOT BE REPRODUCED WITHOUT THE EXPRESSED WRITTEN PERMISSION OF LIME ARCHITECTURE.
- ALL WORK TO BE PERFORMED TO CURRENT GOOD TRADE PRACTICE STANDARDS BY WORKMEN SKILLED IN THEIR TRADES.
- ALL MATERIALS TO BE OF GOOD QUALITY, PROPERLY TRANSPORTED, STORED AND PROTECTED.
- ALL EXTERIOR DIMENSIONS TAKEN FROM OUTSIDE FACE OF WOOD STUDS AND EXTERIOR FACE OF CONCRETE UNLESS NOTED OTHERWISE.
- ALL INTERIOR DIMENSIONS TAKEN FROM FACE OF STUDS U.N.O.
- ALL LOAD BEARING LUMBER TO BE SPF #2 OR BETTER U.N.O.
- ALL LOAD BEARING WOOD BEAMS TO BE SPF #2 OR BETTER U.N.O.
- ALL EXTERIOR WALLS TO BE 2 X 6 @ 24" O.C., U.N.O.
- INTERIOR WALLS TO BE 2 X 4 @ 24" O.C., U.N.O.; INTERIOR LOAD BEARING WALLS TO BE 2X6 @ 24" O.C., U.N.O. (SHOWN SHADED ON PLAN DRAWINGS), PLUMBING WALLS TO BE 2X6 @ 24" O.C., U.N.O.
- USE DOUBLE JOISTS UNDER PARTITIONS PARALLEL TO JOISTS UNLESS NOTED OTHERWISE (U.N.O.).
- ALL LOAD BEARING COLUMNS TO BE AT LEAST EQUAL TO WIDTH OF BEAMS AND OF SOLID LUMBER OR LAMINATED STUDS.
- LINTELS UP TO 6'-0" WIDE TO BE 2-2 X 10 SPF #2 OR BETTER U.N.O. - TO BE BUILT UP TO EQUAL WIDTH OF WALL FRAMING.
- LINTELS OVER 6'-0" TO BE 2-2 X 12 SPF #1 OR BETTER OR ENGINEERED UNLESS NOTED OTHERWISE (U.N.O.).
- FRAMING TRADE TO PROVIDE MIN. 2 X 2 CROSS BRACING OR SOLID BLOCKING BETWEEN JOISTS AND RAFTERS @ 7'-0" O.C. MAXIMUM, MINIMUM ONE ROW UNLESS NOTED OTHERWISE BY FLOORING ENGINEER.
- ALL FOOTINGS TO BEAR ON UNDISTURBED NATIVE SOIL, APPROVED ENGINEERED FILL OR BEDROCK AND EXTEND A MINIMUM DEPTH 300MM BELOW FROST LINE FROM FINISHED GRADE.
- MINIMUM CONCRETE STRENGTH AT 28 DAYS: FOOTINGS, SLABS, FOUNDATION WALLS: 3000PSI, LIGHTWEIGHT CONCRETE TOPPING: 4000PSI.
- MINIMUM PAD FOOTING SIZES AS PER STRUCTURAL NOTES BELOW AND/OR AS NOTED ON PLAN DRAWINGS (LARGEST PAD AND REINFORCING SIZES TO TAKE PRECEDENCE WHERE CONTRADICTION EXISTS).
- SECURE SILL PLATES TO FOUNDATION WALLS WITH 1/2" DIAM. X 10" ANCHOR BOLT @ 4'-0" O.C. FOR EXTERIOR WALLS AND 6'-0" FOR INTERIOR WALLS.
- ALL WOOD MEMBERS IN CONTACT WITH CONCRETE TO BE PROTECTED WITH SILL PLATE GASKET.
- PROVIDE DAMPROOFING TO ALL EXTERIOR FOUNDATION WALLS (INCLUDING RE-DAMP-PROOFING) IN ACCORDANCE WITH BCBC 2018.
- PROVIDE A MINIMUM OF 6" CLEARANCE BETWEEN SOIL AND ANY WOOD MEMBERS.
- ALLOWABLE SOIL BEARING PRESSURE 2000 PSF ASSUMED FOR DESIGN AND TO BE CONFIRMED AT EXCAVATION BY A QUALIFIED ENGINEER.
- PROVIDE ALUMINUM FLASHINGS OVER ALL EXTERIOR OPENINGS.
- CAULK AND SEAL ALL EXTERIOR OPENINGS IN ACCORDANCE WITH BCBC 2018.
- VENTILATION REQUIREMENTS TO CONFORM TO BCBC 9.32.3 AND TABLE 9.32.3.5.
- UNIFORMLY DISTRIBUTE VENTILATION TO ROOFS AS PER BCBC 9.19.1.2.
- PROVIDE A MINIMUM CLEARANCE BETWEEN TOP OF ROOF INSULATION AND UNDERSIDE OF ROOF SHEATHING AS PER BCBC 9.19.1.3.
- DWELLING GLAZING SECURITY REQUIREMENTS TO CONFORM TO BCBC 9.7.6 AND APPENDIX (A) 9.7.5.3.(1).
- ALL EXTERIOR AND REQUIRED GUARDS TO BE 3'-6" (1070MM) HIGH WITH MAX. 3.9" (100MM) CLEAR OPENINGS.
- ALL HANDRAILS SHALL BE A MINIMUM 2'-8" HIGH ABOVE THE NOSINGS.
- ALL STAIR TREADS TO BE 10 1/2 INCH MINIMUM AND AN 1/2" NOSING.
- ALARMS AND DETECTION SYSTEMS TO BE AS PER 3.2.4.1 OF THE BCBC.



1 SITE & ROOF PLAN
A-001 1/8" = 1'-0"



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All trades are to execute the work in accordance with the current municipality building by-laws and requirements of other local authorities having jurisdiction as well as the British Columbia Building Code - (most recent edition) including all published revisions and addenda. All trades shall assume full responsibility for the locations and protection of all under and above ground utilities, wires and conduit connections, including (but not limited to) water, sewer, gas, hydro and telephone.

Revision No., Date and Description
12.06.21 - CLIENT REVIEW
01.27.22 - FOR REVIEW
01.27.22 - FOR DVP & REZONING
06.16.22 - ADDENDUM #1
09.09.22 - ADDENDUM #2
09.09.22 - FOR COORDINATION
09.16.22 - FOR COORDINATION
10.20.22 - ADDENDUM #3

Plot Date	Drawing No.
10.20.22	A-001

PROJECT
727 WARDLAW
DRAWING TITLE
PROJECT INFORMATION



ADDENDUM NO.3

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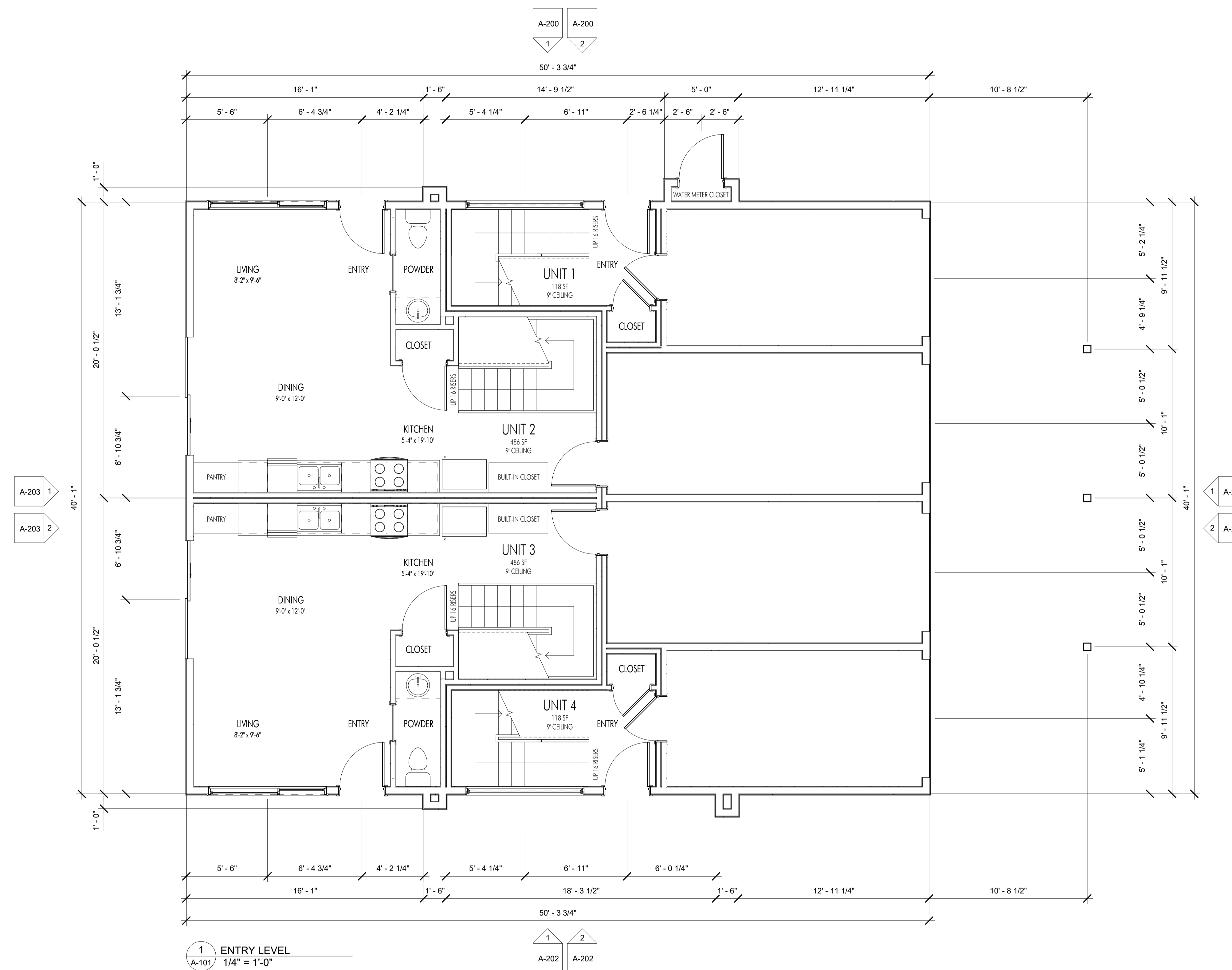
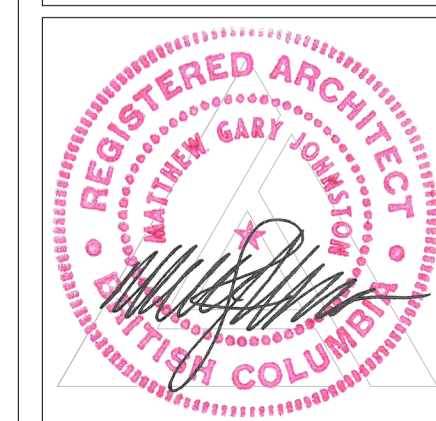
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Revision No.	Date	Description
12.06.21	-	CLIENT REVIEW
01.27.22	-	FOR REVIEW
01.27.22	-	FOR DVP & REZONING
06.14.22	-	FOR REVIEW
06.16.22	-	ADDENDUM #1

Plot Date	Drawing No.
06.16.22	A-101

PROJECT
727 WARDLAW

DRAWING TITLE
ENTRY LEVEL PLAN

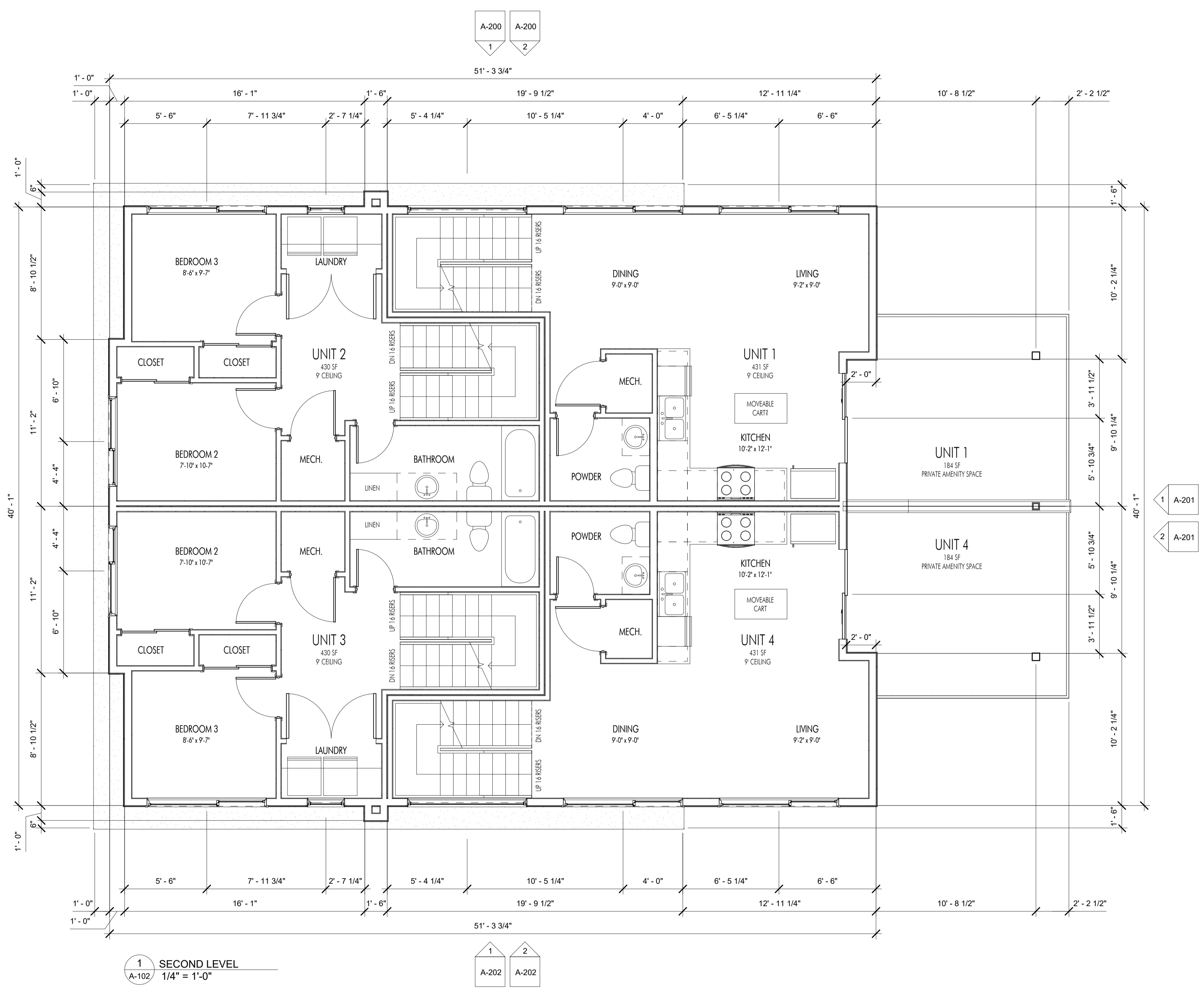
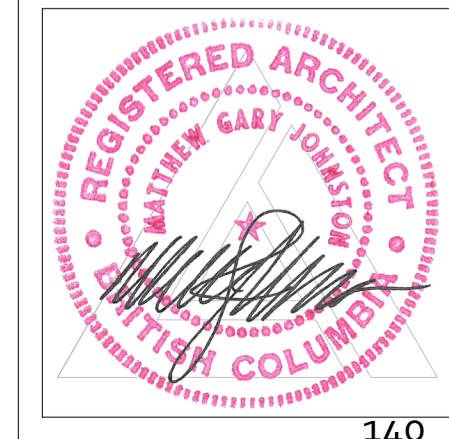


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Revision No.	Date	Description
12.06.21	-	CLIENT REVIEW
01.27.22	-	FOR REVIEW
01.27.22	-	FOR DVP & REZONING
06.14.22	-	FOR REVIEW
06.16.22	-	ADDENDUM #1

Plot Date 06.16.22	Drawing No. A-102
PROJECT 727 WARDLAW	
DRAWING TITLE SECOND LEVEL PLAN	



1 SECOND LEVEL
 A-102 1/4" = 1'-0"

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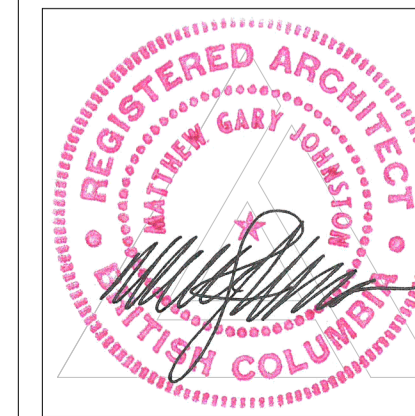
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Revision No.	Date	Description
12.06.21		CLIENT REVIEW
01.27.22		FOR REVIEW
01.27.22		FOR DVP & REZONING
06.14.22		FOR REVIEW
06.16.22		ADDENDUM #1

Plot Date	Drawing No.
06.16.22	A-103

PROJECT
 727 WARDLAW


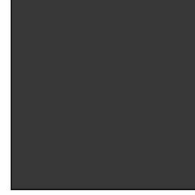

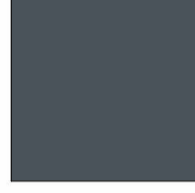




DRAWING TITLE
 THRD LEVEL PLAN





1 Front - Colour Elevation
A-200 1/4" = 1'-0"

EXTERIOR FINISHES AND COLOURS:

-  STUCCO:
BENJAMIN MOORE - DISTANT GRAY 2140-70
-  STUCCO:
BENJAMIN MOORE - BLACK BEAUTY 2128-10
-  HARDIE:
REVEAL PANELS IN COBBLE STONE
-  HARDIE:
REVEAL PANELS IN DEEP OCEAN
-  MAC:
WOOD IN SMOKED BIRCH
-  WOOD POSTS:
STAINED TO MATCH MAC
WOOD IN SMOKED BIRCH
-  FACIA, TRIM, WINDOWS AND DOORS:
BLACK
-  ACCENT DOORS:
RED



2 FRONT
A-200 1/4" = 1'-0"

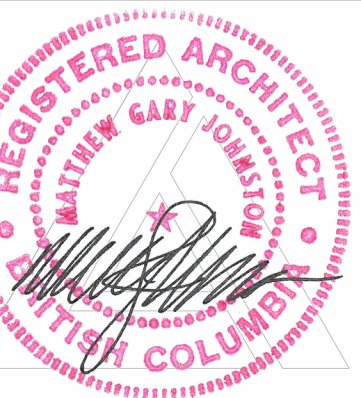
Revision No.	Date	Description
01.27.22		FOR REVIEW
01.27.22		FOR DVP & REZONING
06.16.22		ADDENDUM #1

Plot Date	Drawing No.
06.16.22	A-200

PROJECT
727 WARDLAW

DRAWING TITLE
ELEVATIONS

SCHEDULE B
This forms part of application
DP22-0032 DVP22-0033
City of Kelowna
COMMUNITY PLANNING
Planner Initials AF



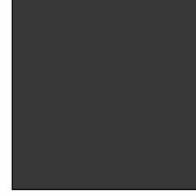



1 Left - Colour Elevation
A-201 1/4" = 1'-0"



2 LEFT
A-201 1/4" = 1'-0"

EXTERIOR FINISHES AND COLOURS:

-  STUCCO:
BENJAMIN MOORE - DISTANT GRAY 2140-70
-  STUCCO:
BENJAMIN MOORE - BLACK BEAUTY 2128-10
-  HARDIE:
REVEAL PANELS IN COBBLE STONE
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BLACK
-  ACCENT DOORS:
RED

Revision No., Date and Description
01.27.22 - FOR REVIEW
01.27.22 - FOR DVP & REZONING
06.16.22 - ADDENDUM #1

Plot Date	Drawing No.
06.16.22	A-201

PROJECT
727 WARDLAW

DRAWING TITLE
ELEVATIONS

SCHEDULE B
This forms part of application
DP22-0032 DVP22-0033
City of Kelowna
COMMUNITY PLANNING
Planner Initials AF





1 Back - Colour Elevation
A-202 1/4" = 1'-0"

EXTERIOR FINISHES AND COLOURS:

- STUCCO:
BENJAMIN MOORE - DISTANT GRAY 2140-70
- STUCCO:
BENJAMIN MOORE - BLACK BEAUTY 2128-10
- HARDIE:
REVEAL PANELS IN COBBLE STONE
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STAINED TO MATCH MAC
WOOD IN SMOKED BIRCH
- FACIA, TRIM, WINDOWS AND DOORS:
BLACK
- ACCENT DOORS:
RED



2 BACK
A-202 1/4" = 1'-0"

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All trades are to execute the work in accordance with the current municipality building by laws and requirements of other local authorities having jurisdiction as well as the British Columbia Building Code - (most recent edition) including all published revisions and addenda. All trades shall assume full responsibility for the locations and protection of all under and above ground utilities, wires and conduit connections, including (but not limited to) water, sewer, gas, hydro and telephone.

Revision No.	Date	Description
01.27.22	-	FOR REVIEW
01.27.22	-	FOR DVP & ZONING
06.16.22	-	ADDENDUM #1

Plot Date	Drawing No.
06.16.22	A-202

PROJECT
727 WARDLAW

DRAWING TITLE
ELEVATIONS

SCHEDULE B
This forms part of application
DP22-0032 DVP22-0033
City of Kelowna
COMMUNITY PLANNING
Planner Initials AF





1 Right - Colour Elevation
A-203 1/4" = 1'-0"

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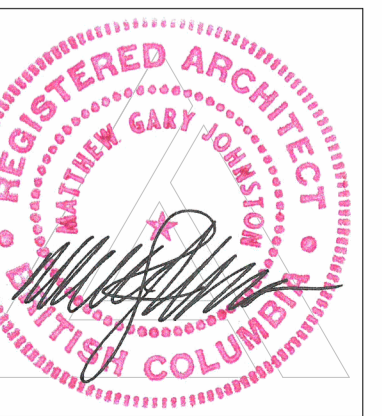
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01.27.22	-	FOR DVP & REZONING
06.16.22	-	ADDENDUM #1

Plot Date	Drawing No.
06.16.22	A-203

PROJECT
727 WARDLAW

DRAWING TITLE
ELEVATIONS



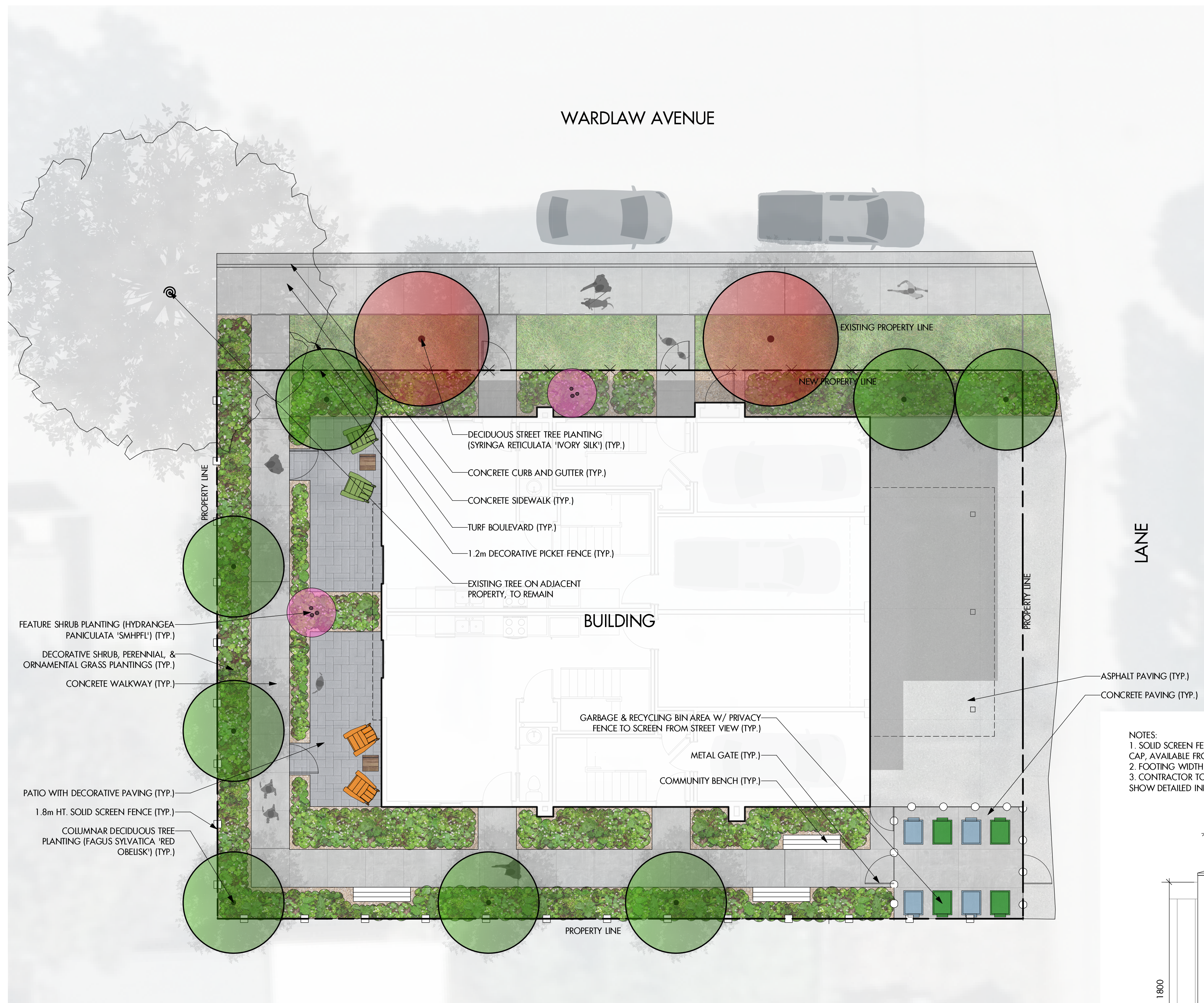
2 RIGHT
A-203 1/4" = 1'-0"

SCHEDULE B
This forms part of application
DP22-0032 DVP22-0033
Planner Initials: AF
City of Kelowna
COMMUNITY PLANNING

ADDENDUM #1

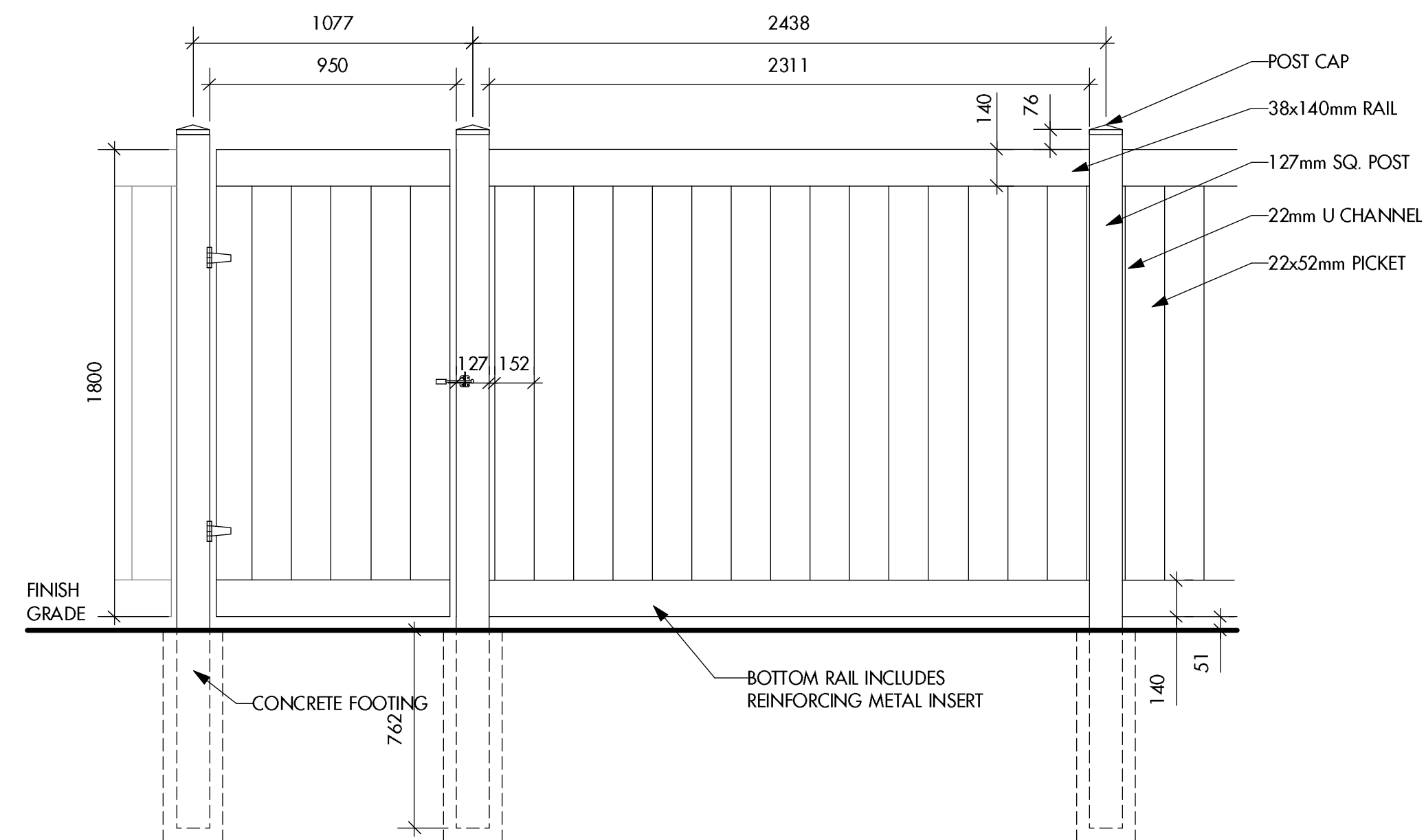


SCHEDULE C
 This forms part of application
 # DP22-0032 DVP22-0033
 City of Kelowna
 COMMUNITY PLANNING
 Planner Initials AF



- NOTES**
1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED THE CANADIAN LANDSCAPE STANDARD. ALL OFF-SITE LANDSCAPE WORKS TO MEET CITY OF KELOWNA BYLAW 7900 STANDARDS.
 2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.
 3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 75mm WOOD MULCH. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.
 4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT. TURF TO RECEIVE A MINIMUM OF 150mm DEPTH TOPSOIL PLACEMENT.
 5. TURF AREAS FROM SOD SHALL BE NO. 1 GRADE GROWN FROM CERTIFIED SEED OF IMPROVED CULTIVARS REGISTERED FOR SALE IN B.C. AND SHALL BE TOLERANT OF DROUGHT CONDITIONS. A MINIMUM OF 100mm DEPTH OF GROWING MEDIUM IS REQUIRED BENEATH TURF AREAS. TURF AREAS SHALL MEET EXISTING GRADES AND HARD SURFACES FLUSH.
 6. SITE GRADING AND DRAINAGE WILL ENSURE THAT ALL STRUCTURES HAVE POSITIVE DRAINAGE AND THAT NO WATER OR LOOSE IMPEDIMENTS WILL BE DISCHARGED FROM THE LOT ONTO ADJACENT PUBLIC, COMMON, OR PRIVATE PROPERTIES.
 7. EXISTING TREE ON ADJACENT PROPERTY TO BE PROTECTED DURING CONSTRUCTION W/ BARRIER FENCING & SIGNAGE. EVERY REASONABLE EFFORT WILL BE MADE TO ENSURE THAT EXISTING TREES TO REMAIN ARE PROTECTED DURING THE ENTIRE CONSTRUCTION SEQUENCE. TREES ARE TO BE FENCED TO THE EXTENT OF THEIR EFFECTIVE ROOT ZONE THROUGH THE ENTIRE CONSTRUCTION SEQUENCE. EXCAVATIONS WITHIN THE EFFECTIVE ROOT ZONE ARE TO BE COORDINATED AND OVERSEEN BY A CERTIFIED ARBORIST. ONCE EXCAVATIONS ARE COMPLETE, PROTECTIVE FENCING WILL BE REINSTITATED AT THE LIMIT OF EXCAVATION AND MAINTAINED THROUGHOUT THE ENTIRE CONSTRUCTION SEQUENCE.

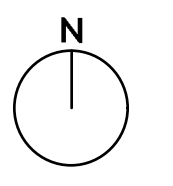
- NOTES:**
1. SOLID SCREEN FENCE TO BE MASTER HALCO LEGEND VINYL SERIES PRIVACY STYLE FENCE, WHITE COLOUR, WITH PYRAMID POST CAP. AVAILABLE FROM MASTER HALCO VANCOUVER (1-604-888-4290), OR APPROVED EQUAL.
 2. FOOTING WIDTH TO BE MIN. 2x POST WIDTH.
 3. CONTRACTOR TO PROVIDE SHOP DRAWINGS FOR APPROVAL PRIOR TO PURCHASE & INSTALLATION. SHOP DRAWINGS MUST SHOW DETAILED INFORMATION SHOWING HOW THE CONTRACTOR WILL EXECUTE THE INSTALLATION OF THE SOLID SCREEN FENCE.



1 Garbage Enclosure - Section
 L1 1:20

PLANT LIST

BOTANICAL NAME	COMMON NAME	QTY	SIZE/SPACING & REMARKS
TREES			
FAGUS SYLVATICA 'RED OBELISK'	RED OBELISK EUROPEAN BEECH	8	5cm CAL.
SYRINGA RETICULATA 'IVORY SILK'	IVORY SILK LILAC	2	5cm CAL.
SHRUBS			
CORNUS STOLONIFERA 'FARROW'	ARCTIC FIRE DOGWOOD SHRUBS	20	#02 CONT. /0.9M O.C. SPACING
HYDRANGEA PANICULATA 'SMHPFL'	FIRE LIGHT HYDRANGEA	2	#05 CONT. /1.8M O.C. SPACING
VIBURNUM OPULUS 'NANUM'	DWARF EUROPEAN CRANBERRY BUSH	29	#02 CONT. /1.0M O.C. SPACING
PERENNIALS & GRASSES			
ASTILBE 'BRIDAL VEIL'	ASTILBE BRIDAL VEIL	12	#01 CONT. /0.9M O.C. SPACING
HEUCHERA 'MAGNUM'	MAGNUM CORAL BELLS	12	#01 CONT. /0.9M O.C. SPACING
HOSTA 'GUACAMOLE'	HOSTA GUACAMOLE	12	#01 CONT. /0.9M O.C. SPACING
PENNISETUM ALOPECUROIDES	CHINESE FOUNTAIN GRASS	12	#01 CONT. /0.9M O.C. SPACING



PROJECT TITLE
727 WARDLAW AVENUE

LOCATION
 Kelowna, BC

DRAWING TITLE
CONCEPTUAL LANDSCAPE PLAN

ISSUED FOR / REVISION

NO.	DATE	REVISION
1	22.01.26	Review
2	22.08.05	Review
3	22.10.07	Review
4	22.11.18	Review
5		

PROJECT NO: 22-0004
 DESIGN BY: KM
 DRAWN BY: MC/TR
 CHECKED BY: FB
 DATE: NOV. 18, 2022
 SCALE: 1:75
 PAGE SIZE: 24x36"

SEAL



DRAWING NUMBER

L1/2

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FORM & CHARACTER - DEVELOPMENT PERMIT GUIDELINES

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

RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE <i>(1 is least complying & 5 is highly complying)</i>	N/A	1	2	3	4	5
CHAPTER 3.0: TOWNHOUSES & INFILL						
3.1 Townhouse Guidelines						
3.1.1 Relationship to the Street						
Townhouse built form is addressing the street frontage and front doors are directly accessible from a public walkway.						X
Corner Sites: built form is addressing both street frontages and front doors are directly accessible from a public walkway.	X					
End Unit: Townhouse built forms end unit is oriented perpendicularly to the street frontage and has high quality architectural design treatment with main entrance directly accessible from the fronting street.	X					
Blank façades (without window openings) proposed along the street frontages.					X	
Prominent entrance features for the main front doors such as stoops, porches, recessed entries, and canopies are provided.						X
Appropriate transition between public and private realm is being achieved by changes in grade, decorative railings, and planters.						X
3.1.2 Scale and Massing						
Proposed built form is sympathetic to the neighbourhood context and providing sensitive transition to the adjacent context (existing and future buildings, parks, and open spaces)					X	
Built Form is establishing a consistent rhythm along the street frontage with articulation of individual units through integration of projections/ recesses (entries and balconies), change in materials of the façade.					X	
Townhouse block is comprising of maximum 6 units.						X
3.1.3 Site Planning						
Proposed townhouse development is responding sensitively to topography, environmental features and enhancing privacy, livability, safety, and accessibility to the surrounding open space network (if applicable).						X
Townhouse development is a gated or walled community (such communities are discouraged)	X					
Proposed townhouse development has a communal amenity building.	X					
Proposed pedestrian connections are framed with entrances and window openings to provide active edges.						X

RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE <i>(1 is least complying & 5 is highly complying)</i>	N/A	1	2	3	4	5
Proposed development is providing pedestrian pathways on site to connect the main building entrances, visitor parking areas, to adjacent pedestrian/trail/cycling networks and municipal sidewalks (if applicable).						X
Internal pedestrian and vehicular circulation patterns are integrated and connected to existing and planned public street network.	X					
Minimum building separation of 10-12 m is provided to accommodate sunlight, reduce overlook between buildings and neighbouring properties.	X					
Building projections such as balconies are not provided within the setback areas, streets, and amenity areas of the proposed development.						X
Front yard setbacks on internal roads are responding to the height of the townhouses, for 3 storeys townhouses greater setback is provided to improve livability and solar access.	X					
3.1.4 Open Spaces						
Townhouse units are designed to have easy access to useable private or semi-private outdoor amenity space.						X
Front yards are designed to include a pathway from the fronting street to the primary entrance of the unit, landscaping, and semi-private outdoor amenity space.						X
Rear yard with undeveloped frontages along streets and open spaces should be avoided.						X
Design of private outdoor amenity spaces is having access to sunlight.						X
Design of private outdoor amenity spaces is having a railing or fencing to increase privacy.						X
Design of private outdoor amenity spaces is having landscaped areas to soften the interface with the street or open spaces.						X
Design of front patios provide entrance to the unit and is raised a minimum of 0.6 m and maximum of 1.2 m to create a semi-private zone.						X
Roof patios are provided with parapets with railings and minimize direct sight lines into nearby units.						X
Roof patios have access away from primary facades.	X					
Balconies are designed to inset or partially inset and offer privacy, shelter, reducing building bulk and minimize shadowing impact.						X
Minimum of 10% of total site areas is allocated to common outdoor amenity area.						X
Outdoor amenity area provides landscaping, seating, play space and other elements that encourage gathering or recreation.					X	
Outdoor amenity areas are preferred to be located centrally (should not be in an isolated, irregularly shaped areas or impacted by parking, mechanical equipment, or servicing areas).						X

RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE <i>(1 is least complying & 5 is highly complying)</i>	N/A	1	2	3	4	5
Larger townhouse development is providing generous shared outdoor amenity area that integrates play spaces, gardening, storm water and other ecological features, pedestrian circulation, communal amenity buildings and other communal uses.	x					
Internal road network of townhouse development is serving as additional shared space and is provided with high-quality pavement materials (example: permeable pavers).	x					
Useable spaces within the open space areas (for sitting, gathering, and playing) are provided.						x
3.1.5 Site Servicing, Access, and Parking						
Landscaping is provided to frame building entrances, soften edges, screen parking garages and to break up long facades.						x
Site Servicing: Waste collection systems such as, Molok bins are located away from any public views.					x	
Parking						
Townhouses facing public streets are provided with a rear-access garage or integrated tuck under parking.					x	
If applicable, centralized parking areas that eliminate the need to integrate parking into individual units are provided.	x					
For townhouses facing strata roads, front garages and driveway parking are acceptable. Front garages are architecturally integrated into the building and main building entrances are provided with weather protection.	x					
Garage doors are appropriately recessed and designed to limit the visual impact.						x
Visitor parking with pedestrian connections to the townhouse units is provided in an accessible location (adjacent to townhouse blocks or centralized parking integrated with shared outdoor amenity space).	x					
Access						
Internal circulation of vehicles is providing necessary turning radii and a safe access and egress.						x
Large townhouse developments with internal circulation pattern are provided with a minimum of two access/egress points within the site.	x					
Access points are located to minimize the impact of headlights on building interiors.						x
Internal vehicular circulation, including pedestrian and open space networks are integrated and connected to the existing and planned street and open space network.						x
3.1.6 Building Articulation, Features, and Materials						
Façade is designed and articulated to reflect positive attributes of the neighbourhood character.					x	

RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE <i>(1 is least complying & 5 is highly complying)</i>	N/A	1	2	3	4	5
Strategy to articulate façade: Recessing or projecting of architectural features to highlight the identity of individual units.					X	
Strategy to articulate façade: main entrance and rooflines features, and other architectural elements have been incorporated in the design.					X	
Infill townhouses are designed to incorporate design elements, proportions and other characteristics found within the neighbourhood.					X	
Infill townhouses are provided with durable, quality materials similar or contemporary to those found within the neighbourhood.					X	
Privacy of units is maintained on site and on adjacent properties by minimizing overlook and direct sight lines from the building. The following strategies have been incorporated in design: <ul style="list-style-type: none"> • Off setting the location of windows in facing walls and locating doors and patios to minimize privacy concerns; • Use of clearstory windows; • Use of landscaping or screening; and • Use of setbacks and articulation of the building. 						X
Large townhouse developments with internal circulation pattern are providing modest variation between different blocks of townhouse units, such as change in colour, materiality, building and roof form.	X					



Transmittal Page 1 of 2

To: Planning Department
CC: Kelly McQuiggan

City of Kelowna
kelly@cellardooradvisors.ca

October 20, 2022

**Re: Design Rationale for the Proposed Development of
727 Wardlaw Avenue, Kelowna, BC (The Site)**

Dear City of Kelowna Planning Department,

Further to submitted information as it pertains to the DVP associated with the proposed Development of 727 Wardlaw Avenue in Kelowna, we offer the following Design Rationale for the project:

Located adjacent to the corner of Richter Street and Wardlaw Avenue, 727 Wardlaw Avenue is located on the northern border of Kelowna's South Pandosy neighbourhood. The project location is in close proximity to shopping, personal services, and restaurants allowing most errands from the location to be accomplished by foot. This property boasts a Bike Score of 96 and a Walk Score of 77, making the downtown core and surrounding community easily accessible. Kelowna's South Pandosy area is ideally located for multi-family residential use as the area is experiencing tremendous population growth with low market availability. Because of its associated high walk score and bike score, the reliance on automobile use is greatly reduced allowing the area to diversify while creating healthy community practices and reducing the residents carbon footprint. The proposed development is in full alignment with the aim of the community now and for many years to come.

The building design includes 4 easily accessible units with all entries on ground level. To ensure minimal impact to the surrounding homes. The central location of the property influenced an overall design that includes the provision of additional non-required bicycle parking. The reduction in automobile reliance in conjunction with the higher density infill development of the property contribute to a more sustainable approach to the building design that aligns with the City of Kelowna's Healthy City Strategy and planning initiatives. The design concept for the building includes providing more than the required private and common outdoor space for each of the 4 residences.

The building form takes inspiration from the surrounding neighbourhood with more classic lines and assembled forms. With energy efficiency in mind, decks have been utilized to reduce the amount of solar gain during summer months while still allowing for transparent connection between indoor and outdoor. With the use of a regular window and door pattern and a reduction in overall glazing area, the energy efficiency of the building is greatly increased. The human scale of the building at street level is inviting with a majority of the massing above the entry level articulated to reduce the impact of the building massing while maintaining a sense of privacy between neighbouring buildings.

The priority to of this project is carefully develop precious land located within an existing urban centre while ensuring the neighbouring properties were respected resulted in a building that is sensible for the surrounding area. Achieving 4 residences on the property while being sensitive to the neighbourhood was felt to be important from a location and sustainability standpoint. The result is an attractive infill project that provides needed residential units, addresses the human scale while being sensitively designed to reduce impact on neighbouring properties.



Transmittal Page 2 of 2

The proposed infill development does require two variances which are as stated below.

1. Variance to front yard set back from the allowable 2.0m to 1.5m to make best use of the land.

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

- i. Provide a thoughtful, sustainable infill housing solution to a property located near an existing urban centre of Kelowna.
- ii. Provide 4 residences that provide generous private and common outdoor amenity spaces for each unit.
- iii. The proposed development meets the City of Kelowna Parking Bylaw requirements. Specifically, and in conjunction with zoning requirements, the project provides the required vehicle parking space for all 4 residences (4 stalls)
- iv. The proposed development results in a building design that is attractive in its design, is inviting and addresses the human scale at ground level as well is sensitive to the neighbourhood at large by the way it has been designed and massed on the site.
- v. The proposed development provides the required 4 short term bicycle storage spaces and as well accommodates for 4 non-required long term bicycle storage spaces located in the garage.

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

We look forward to your supportive comments in response to this Re-zoning and Development Permit application and kindly ask that you do not hesitate to contact our office if you have any questions or require additional information in these matters.

Sincerely:

Matt Johnston Architect AIBC, LEED AP
LIME Architecture Inc.



City of
Kelowna

DP 22-0032 DVP 22-0033 727 Wardlaw Ave

Development Permit and Development Variance Permit
Applications

Proposal

- ▶ To issue a Development Permit and Development Variance Permit for the form and character of townhouses with a variance to the permitted front yard setback.

Development Process



Feb 7, 2022

Development Application Submitted



Staff Review & Circulation



Nov 22, 2022

Public Notification Received



 Jan 17, 2023

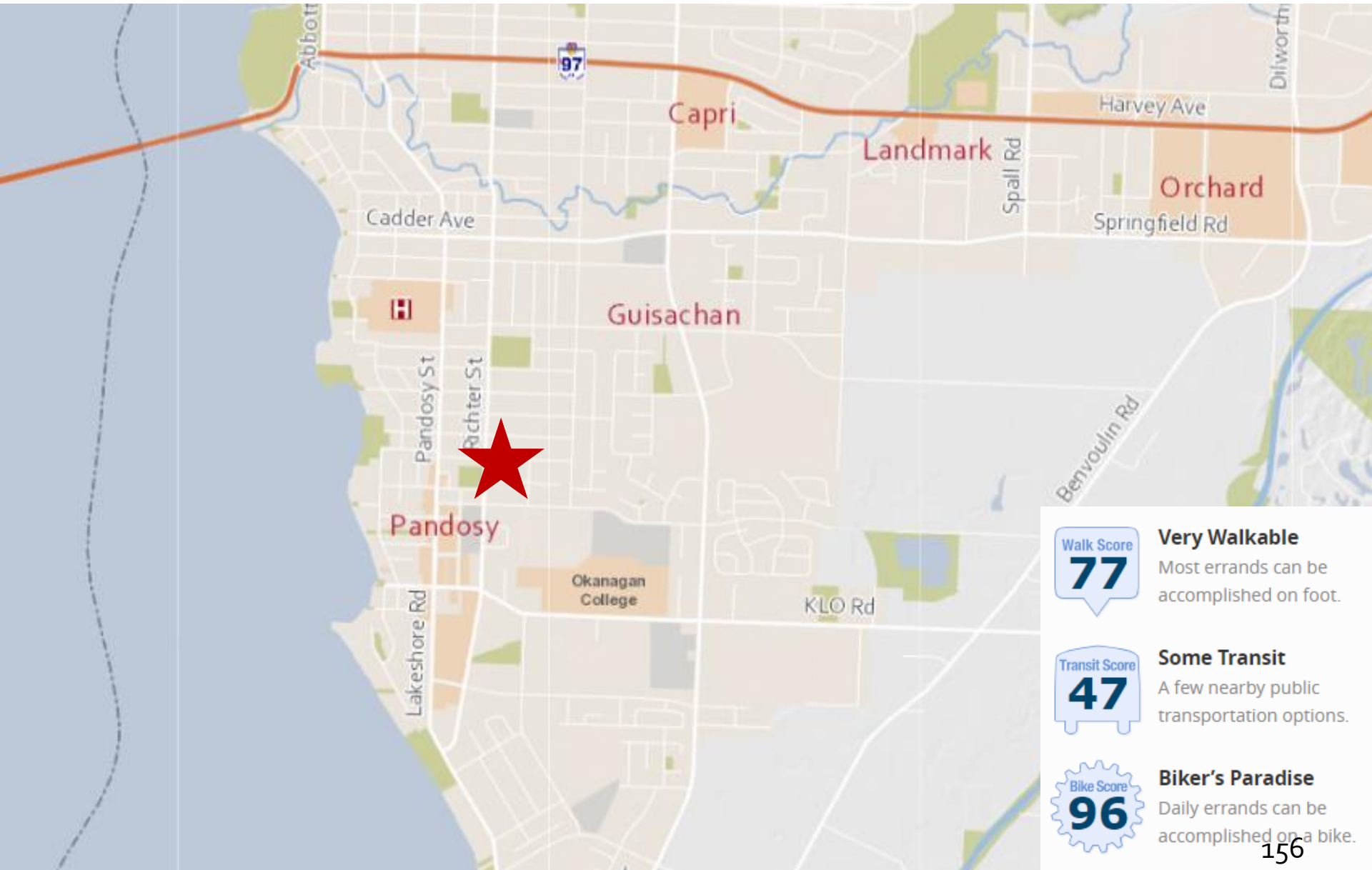
DP/DVP Consideration



Issuance of Building Permit

} Council Approvals

Context Map



Walk Score
77

Very Walkable
Most errands can be accomplished on foot.

Transit Score
47

Some Transit
A few nearby public transportation options.

Bike Score
96

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

OCP Future Land Use / Zoning



Subject Property Map



Project Details

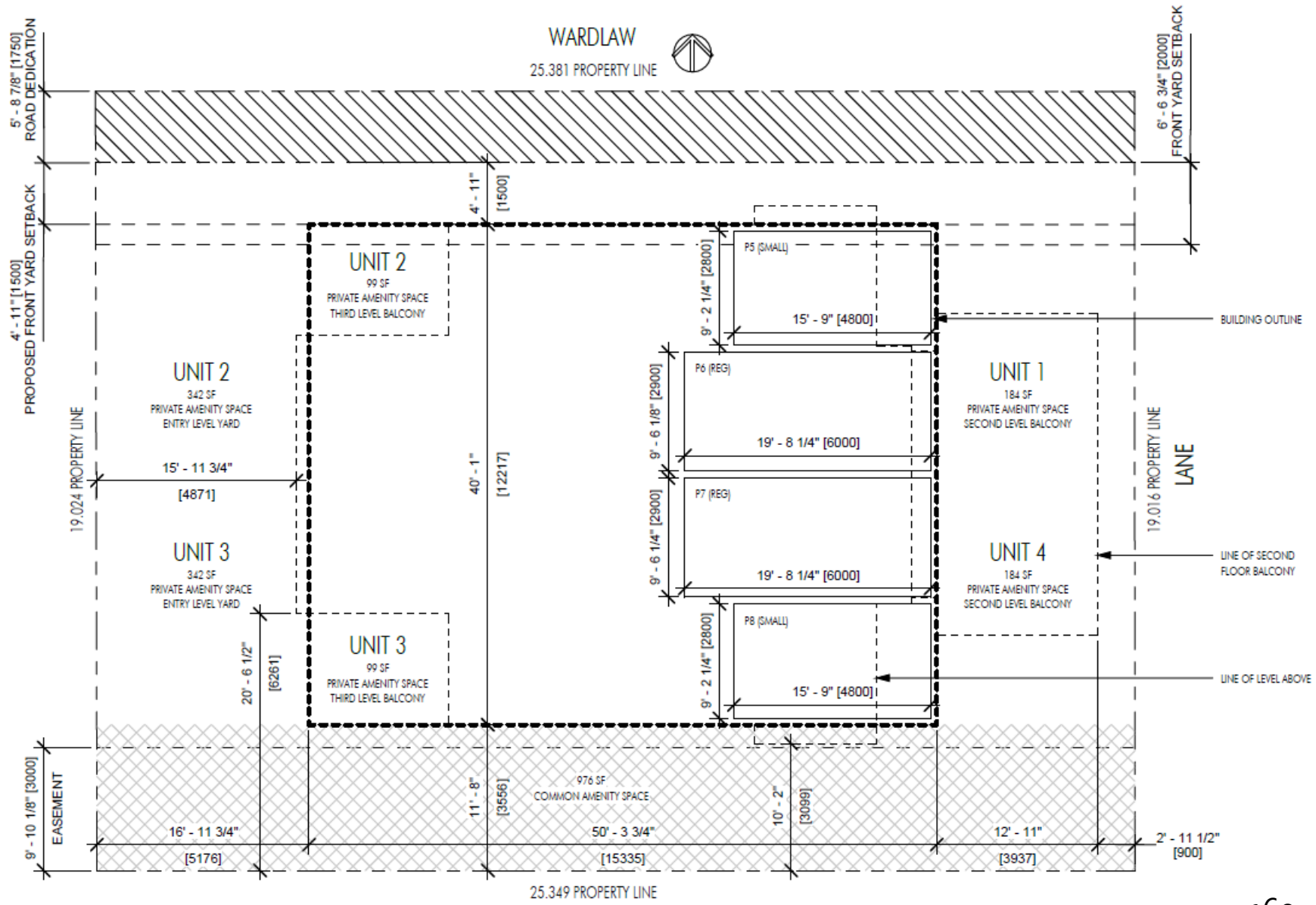
- ▶ UC₅ – Padosy Urban Centre zone
 - ▶ Townhouse (4 units)
 - ▶ 2 two-bedroom
 - ▶ 2 three-bedroom

- ▶ 3 storey building
 - ▶ With 2 units fronting directly onto Wardlaw Ave

- ▶ Private and Common Amenity Space
 - ▶ Proposal exceeds minimum common and amenity requirements
 - ▶ Balconies
 - ▶ At-grade patios
 - ▶ Generous landscaping

Site Plan

WARDLAW
25.381 PROPERTY LINE



Elevations



North Elevation – Facing Wardlaw Ave

Elevations



East Elevation – Facing lane

Elevations







South Elevation



West Elevation

Material and Colour Pallet

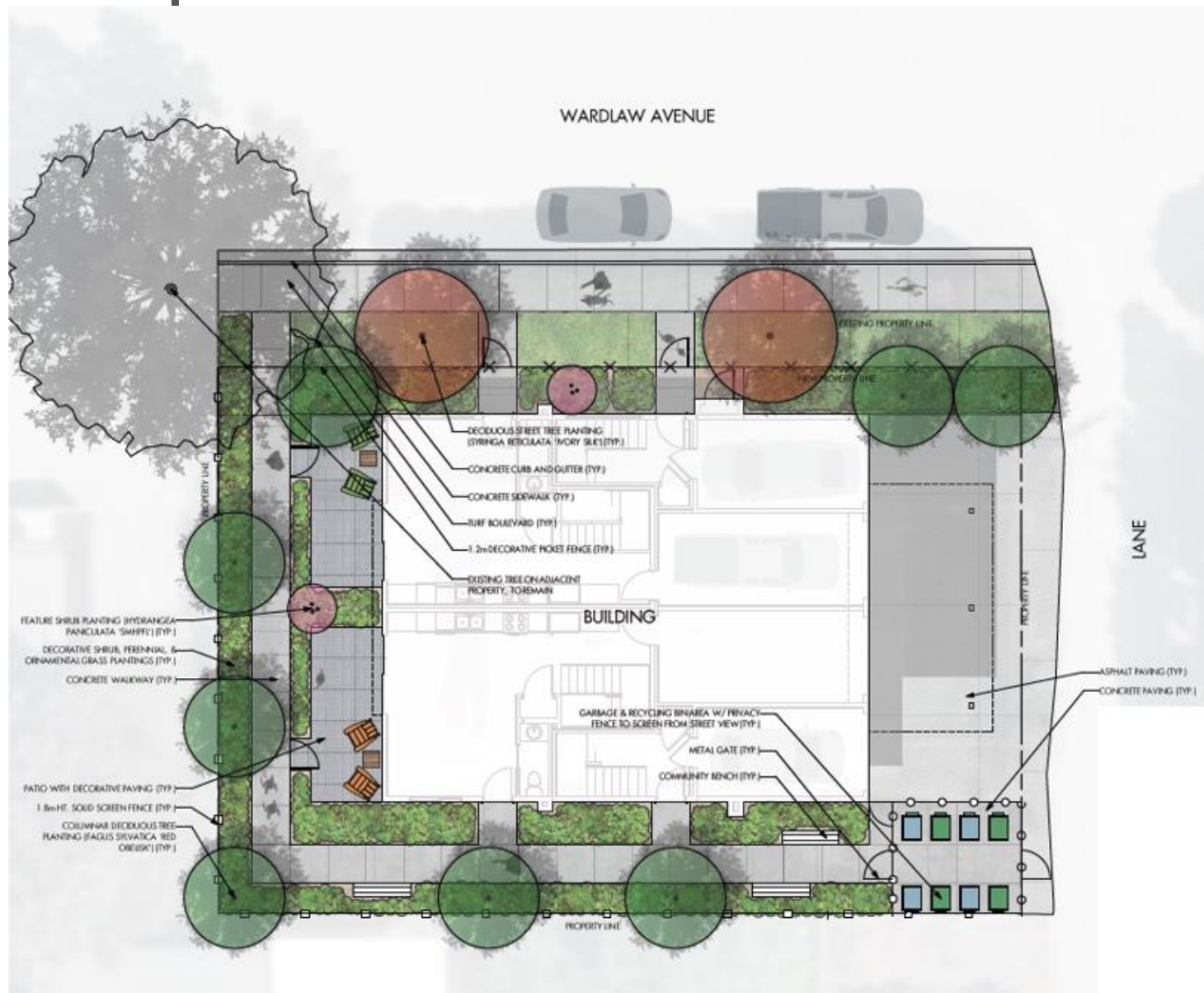
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BLACK
-  ACCENT DOORS:
RED



Renderings



Landscape Plan



Variance

- ▶ Reduce front yard setback from 2.0m permitted to 1.5m proposed
 - ▶ Application received prior to adoption of Zoning Bylaw No. 12375 (September 26, 2022).
 - ▶ New Zoning Bylaw increased front yard setback by 0.5m
 - ▶ Lot is wider than it is deep
 - ▶ Road and lane adjacent
 - ▶ 3.0m sewer easement
 - ▶ Lot consolidation not achievable

Development Policy

- ▶ OCP Form and Character Design Guidelines:
 - ▶ Orient building entries, windows and patios to face the fronting street
 - ▶ with direct access to the sidewalk
 - ▶ Provide generous usable outdoor amenity space to create privacy/attractive street interface
 - ▶ Utilize building articulation, scaling, and setbacks to define individual units
 - ▶ Locate buildings to increase privacy and reinforce neighborhood character
 - ▶ Provide access to parking from lane

Staff Recommendation

- ▶ Staff recommend **support** for the DP & DVP application
 - ▶ Consistent with OCP Urban Design Guidelines
 - ▶ Location of building to create sensitive transition to adjacent Core Area Neighbourhood
 - ▶ Healthy mix of unit type and size