City of Kelowna Regular Council Meeting AGENDA



Tuesday, June 13, 2023 4:00 pm Council Chamber City Hall, 1435 Water Street

Pages

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.

Reaffirmation of Oath of Office

The Oath of Office will be read by Councillor Stack.

3. Confirmation of Minutes

1-6

Tuesday Meeting - May 9, 2023

4. Call to order the Regular Meeting

5. Liquor License Application Reports

Mayor to invite anyone participating online or in the public gallery who deems themselves affected by the liquor license applications to come forward.

5.1 START TIME 4:00 PM - Lawrence Ave 274 - LL23-0005 - Victor Projects Ltd., Inc. No. BC1326399

7 - 30

To review a Staff recommendation to NOT support a liquor primary license amendment to permanently change the close time from 2 am to 3 am and to increase the occupant load from 500 persons to 655 persons.

5.2 START TIME 4:00 PM - Matrix Cr 7-2030 - LL23-0008 - 1301708 B.C. Ltd., Inc. No. BC1301708

31 - 48

To seek Council's support for a new lounge endorsement for a manufacturer with an occupancy of 30 persons.

6. Temporary Use Permit

6.1 START TIME 4:30 PM - Bay Ave 515 - TUP23-0001 - 1068956 B.C. Ltd., Inc.No. BC1068956

49 - 67

To temporarily allow a health services business to operate on the subject property.

7. Development Permit and Development Variance Permit Reports

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

7.1 START TIME 4:30 PM - Hilltop Cr 1810 - DP22-0200 DVP23-0076 - 1810 Hilltop Crescent Ltd., Inc. No. BC1303132

68 - 129

To issue a Development Permit and Development Variance Permit for the form and character of Multiple Dwelling Housing with a variance to the minimum amount of habitable space within any exposed storey.

- 8. Termination
- Call to Order the Public Hearing
- 10. Individual Bylaw Submissions

10.1 START TIME 5:00 PM - Killdeer Rd 5081 - OCP22-0002 (BL12525) Z22-0004 (BL12526) - Frazer Lake Developments GP Ltd., Inc.No. BC1313068

130 - 175

To amend the Official Community Plan to change the future land use designation of portions of the subject property and to rezone portions of the subject property to facilitate the development of a 12-lot residential subdivision.

- 11. Termination
- 12. Call to Order the Regular Meeting
- 13. Bylaws Considered at Public Hearing
 - 13.1 START TIME 5:00 PM Killdeer Rd 5081 BL12525 (OCP22-0002) Frazer Lake Developments GP Ltd., Inc.No. BC1313068

176 - 177

Requires a majority of all members of Council (5).

To give Bylaw No. 12525 second and third reading in order to change the future land use of portions of the subject property from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation and from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation.

13.2 START TIME 5:00 PM - Killdeer Rd 5081 - BL12526 (Z22-0004) - Frazer Lake Developments GP Ltd., Inc.No. BC1313068

178 - 179

To give Bylaw No. 12526 second and third reading in order to rezone portions of the subject property from the RR1 – Large Lot Rural Residential zone to the RU2 – Medium Lot Housing zone and the P3 – Parks and Open Space zone.

- 14. Termination
- 15. Call to Order the Public Hearing
- 16. Individual Bylaw Submissions
 - 16.1 START TIME 5:00 PM Wilkinson St 2110, 2120-2122, 2128-2130 and 2140 Z22-0068 (BL12517) Wilkinson St Holdings Ltd., Inc.No. BC1321697

180 - 252

To rezone the subject properties from the RU₄ – Duplex Housing zone to the MF₃r – Apartment Housing Rental Only zone to facilitate the development of rental apartment housing.

- 17. Termination
- 18. Call to Order the Regular Meeting
- 19. Bylaws Considered at Public Hearing
 - 19.1 START TIME 5:00 PM Wilkinson St 2110, 2120-2122, 2128-2130, 2140 BL12517 253 253 (Z22-0068) Wilkinson St Holdings Ltd., Inc.No. BC1321697

To give Bylaw No. 12517 second and third reading in order to rezone the subject property from the RU4 - Duplex Housing zone to the MF3r - Apartment Housing Rental Only zone.

20. Reminders

21. Termination

22. 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 City of Kelowna Regular Council Meeting Minutes

Date: Location: Tuesday, May 9, 2023 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 description

Staff Present

City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Community Planning & Development Manager, Dean Strachan, Urban Planning Manager, Jocelyn Black, Legislative Coordinator (Confidential), Rebecca Van Huizen

Staff participating

Legislative Coordinator (Confidential), Clint McKenzie

Remotely

(* Denotes partial attendance)

Call to Order

Mayor Dyas called the meeting to order at 4:00 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Singh.

Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT the Minutes of the Public Hearing and Regular Meeting of April 18, 2023 be confirmed as circulated.

Carried

4. Call to Order the Public Hearing

Mayor Dyas called the Hearing to order at 4:00 p,m.

5. Individual Bylaw Submissions

5.1 START TIME 4:00 PM - Barber Rd 135, 155 and Hwy 33 W 765 - TA22-0018 (BL12514) - ASI Barber Road GP Inc., Inc.No. A0122606

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The applicant was not present.

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 present or online indicated they wished to speak.

Staff responded to questions from Council.

There were no further comments.

6. Termination

The Hearing was declared terminated at 4:09 p.m.

Call to Order the Regular Meeting

Mayor Dyas called the meeting to order at 4:09 p.m.

8. Bylaws Considered at Public Hearing

8.1 START TIME 4:00 PM - Barber Rd 135, 155 and Hwy 33W 765 BL12514 (TA22-0018) - ASI Barber Road GP Inc., Inc.No. A0122606

Moved By Councillor Lovegrove/Seconded By Councillor Webber

THAT Bylaw No. 12514 be read a second and third time.

Carried

9. Termination

The meeting was declared terminated at 4:09 p.m.

10. Call to Order the Public Hearing

Mayor Dyas called the Hearing to order at 4:10 p.m.

11. Individual Bylaw Submissions

START TIME 4:00 PM - Ethel St 2473 - TA23-0003 (BL12515) - B.C. Life Builders Rehabilitation Society, Inc.No.S-0037307

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The applicant was present and available for questions.

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 present or online indicated they wished to speak.

Tom Smithwick, Chairman of B.C. Life Builders Rehabilitation Society, Applicant:

- Responded to questions from Council.

Staff:

- Responded to questions from Council.

There were no further comments.

12. Termination

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

13. Call to Order the Regular Meeting

Mayor Dyas called the meeting to order at 4:13 p.m.

- 14. Bylaws Considered at Public Hearing
 - 14.1 START TIME 4:00 PM Ethel St 2473 BL12515 (TA23-0003) B.C. Life Builders Rehabilitation Society, Inc.No. S-0037307

Moved By Councillor Cannan/Seconded By Councillor Hodge

THAT Bylaw No. 12515 be read a second and third time.

Carried

- 15. Termination [not applicable meeting continued)
- 16. Liquor License Application Reports
 - 16.1 START TIME 4:00 PM Lapointe Dr 5800 LL22-0007 City of Kelowna

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The applicant was present and available to answer questions.

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 present or online indicated they wished to speak.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

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 KF Aerospace Centre for Excellence for a liquor primary license for Lot A, District Lot 32, ODYD, Plan EPP106690, located at 5800 Lapointe Drive, Kelowna, BC for the following reasons:
 - o 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:
 - o The location of the establishment:

The location is in the Gateway, adjacent to Kelowna International Airport and Highway 97 which is intended to be an important regional hub primarily centered around the airport, UBC Okanagan, and adjacent industrial development.

 The proximity of the establishment to other social or recreational facilities and public buildings:

The proposed establishment is directly adjacent to Kelowna International Airport which is considered to be a compatible use.

o The person capacity and hours of liquor service of the establishment:

The proposed 127 person capacity and hours of 12:00 PM to 5:00 PM ensures that the proposed liquor primary license is secondary to the use of the building as an aviation museum and will limit any impact on adjacent properties.

o The number and market focus or clientele of liquor primary license establishments within a reasonable distance of the proposed location:

The closest licensed establishments are greater than 800 m from the subject property and consist of a manufacturing facility (cidery) to the north and establishments within the airport terminal building which primarily serve travelers.

o The impact of noise on the community in the immediate vicinity of the establishment:

The potential impact of noise is minimal given the limited hours and surrounding land uses.

o The impact on the community if the application is approved:

The potential for negative impact on the community is considered minimal.

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

Carried

16.2 START TIME 4:00 PM - Baillie Ave 727 - LL23-0001 - Acoma Holdings Ltd., Inc.No. 132091

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The applicant was present and available to answer questions.

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 present or online indicated they wished to speak.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

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:

 Council recommends support of an application from Jackknife Brewing Inc. for a manufacturer with lounge endorsement liquor license amendment for Lot 38 Section 30 Township 26 Osoyoos Division Yale District Plan 1014, located at 727 Baillie Ave, Kelowna, BC for the following reasons:

The applicant is proposing an increase to the approved occupant load from 70 persons to 84 persons for the indoor service area and 21 persons to 66 persons for the exterior patio service area. The requested amendment will have negligible impact to the neighbourhood.

- 2. Council's comments on LCLB's prescribed considerations are as follows:
- o The potential for noise if the application is approved:

The brewery is located in an industrial area within the City's Core Area and the increased occupant load for the indoor service area and expanded patio service area are not expected to increase current noise levels. The property is zoned appropriately for this type of use (alcohol production facilities). There are no residential dwellings in the immediate vicinity and the noise from the patio is not anticipated to be a nuisance.

o The impact on the community if the application is approved:

The potential for negative community impact is considered minimal. The increased occupant load for this business will aid in the redevelopment and activation of the industrial neighbourhood beyond the standard workday hours.

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

Carried

17. Development Permit and Development Variance Permit Reports

17.1 START TIME 4:00 PM - Bay Ave 845 - DVP22-0223 - David Tribiger

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Dave Tribiger, Bay Avenue, Applicant

- Available to answer questions.

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 present or online indicated they wished to speak.

There was no questions of the Applicant by Council.

Staff:

- Responded to questions from Council.

The City Clerk confirmed Council received one letter of concern regarding parking impacts to the area.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Council authorizes the issuance of Development Variance Permit No. DVP22-0223 for Lot 2 Section 30 Township 26 ODYD Plan 10292, located at 845 Bay Avenue, Kelowna, BC;

AND THAT variances to the following section of Zoning Bylaw No. 12375 be granted as shown on Schedule "A":

Section 11.5: RU4 - Duplex Housing Development Regulations

To vary the required minimum west side yard setback from 2.1 m permitted to 2.0 m proposed and the required minimum east side yard setback from 2.1 m permitted to 1.48 m proposed.

Section 11.5: RU4 - Duplex Housing Development Regulations

To vary the required minimum rear yard setback from 7.5 m permitted to 3.35 m proposed AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

City Clerk

18. Reminders

There were no reminders.

19. Termination

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

Mayor Dyas

sf/cm

REPORT TO COUNCIL LIQUOR LICENSE

Date: June 13, 2023

To: Council

From: City Manager

Address: 274 Lawrence Avenue

File No.: LL23-0005

	Existing	Proposed
OCP Future Land Use:	UC – Urban Centres	UC – Urban Centres
Zone:	UC1 – Downtown Urban Centre	UC1 – Downtown Urban Centre

City of

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 NOT recommend support of an application from Quail Place Estates for a liquor primary license amendment to extend the close time from 2 am to 3 am seven days a week for Lot 3 Block 13 District Lot 139 ODYD Plan 462, located at 274 Lawrence Avenue, Kelowna, BC for the following reasons:
 - A permanent change to the current hours of operation from 2 am to 3 am seven days a week will greatly impact policing resources which may adversely affect community/public safety and livability.
- 2.Council NOT recommend support of an application from Quail Place Estates for a liquor primary license amendment to increase the approved occupant load from the current 500 persons to 655 persons for Lot 3 Block 13 District Lot 139 ODYD Plan 462, located at 274 Lawrence Avenue, Kelowna, BC for the following reasons:
 - An increase to the approved occupant load from the current 500 persons to 655 persons will further tax existing policing resources and does not comply with Council Policy 359 which suggests a limit of 500 persons for a Liquor Primary.
- 3. Council's comments on LCRB's prescribed considerations are as follows:
- a) The potential for noise if the application is approved:
 - The noise levels are not expected to increase due to the change of hours alone. However, the noise would occur later in the night with the proposed 3am close time which could negatively affect livability of the area.
 - The proposed increase in capacity could exacerbate existing noise levels. This area of downtown is transitioning to include more mixed-use developments and will see increased residential density in the coming years. The proposed amendments may negatively affect the downtown livability for surrounding residential dwelling units now and in the future.
- b) The impact on the community if the application is approved:

- The proposed later close time coupled with the increased capacity could encourage more excessive drinking which could increase community disturbance issues following the bar flush.
- 4. 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.

2.0 Purpose

To review a Staff recommendation to NOT support a liquor primary license amendment to permanently change the close time from 2 am to 3 am and to increase the occupant load from 500 persons to 655 persons.

3.0 Development Planning

Development Planning Staff are not supportive of the proposed amendments to the existing Liquor Primary Licence. Council Policy #359 – Liquor Licensing Policy and Procedures outlines that when considering expansions of Liquor Primary Establishments the following guidelines should be considered:

- No establishment with a person capacity greater than 500 persons should be permitted.
- Large establishments (with a person capacity greater than 249 persons) should:
 - i. Only be located within an Urban Centre
 - ii. Be located a minimum of 250 m from another Large Establishment
 - iii. Be located a minimum of 100 m from a Medium Establishment
 - iv. Not be located beside a Small Establishment

While the property is located within an Urban Centre, the applicant is proposing to increase the occupant load beyond the suggested maximum of 500 persons to 655 persons and the business is located less than 250 m from other large Liquor Primary establishments as follows:

- Gotham Nite Club approx. 150 m, with a capacity of 440 persons
- Cheetahs Show Lounge approx. 70 m, with a capacity of 200 persons
- Bernie's Supper Club
 – approx. 200 m, with a capacity of 333 persons

The Official Community Plan (OCP) indicates significant residential growth within the downtown core. To encourage and foster downtown living, a number of factors need to be addressed to ensure a successful transition, such as public safety and livability. The extended close time of 3 am will further tax policing resources and increase potential negative consequences associated with 'bar flushes' later into the evening and early morning hours. There is value in having a predictable 2 am closure for all late-night establishments for current and future downtown residents. Further, it is beneficial to limit establishments to the 500 person capacity as this helps to not concentrate potential negative consequences associated with 'bar flushes' to a single establishment.

4.0 Project Details

Existing Hours of Sale:

	Sun	Mon	Tues	Wed	Thurs	Fri	Sat
Open	11:00 AM						
Close	2:00 AM						

Proposed Hours of Sale:

	Sun	Mon	Tues	Wed	Thurs	Fri	Sat
Open	11:00 AM						
Close	3:00 AM						

Occupant Load:

	Existing	Proposed
Total Persons Capacity	500	655

5.0 Site Context & Background

Orientation	Zoning	Land Use
North	UC1	Commercial
East	UC1	Commercial
South	UC1	Commercial
West	UC1	Commercial

Subject Property Map: 274 Lawrence Avenue



The subject property is located within the Downtown Urban Centre on the north side of Lawrence Avenue, near Water Street. The surrounding businesses are made up of a variety of commercial uses including offices, personal services and restaurants.

5.1 <u>Background</u>

The subject property has operated as a Liquor Primary establishment since the early 2000's. In 2015, Council approved an increase to the total capacity (occupant load) from 301 persons to 450 persons. In 2019, the capacity was further increased from 450 persons to 500 persons.

A new application has been submitted to the Liquor and Cannabis Regulation Branch (LCRB) for their approval. Procedurally, the province requires input from the Local Government prior to LCRB making a final decision

5.2 Project Description

Currently, all existing Liquor Primary establishments have the opportunity to apply for a temporary change to a liquor license up to six times per year. The request may include a temporary change to:

- Hours of sale (to allow a later close time)
- Addition of the Patron Participation endorsement (to allow for entertainment to take place)
- An extension of the licensed area (to allow for an increase in capacity)

When an application for a temporary change is applied for, Staff circulate the request to the RCMP for comment. Typically, a temporary change requires an applicant to provide payment for the costs associated with extra policing for the requested time frame. However, the applicant is requesting a permanent change (seven days a week) and as such would not be required to provide payment for the additional resourcing.

The RCMP have significant concerns related to both the later close time (2 am to 3 am) and the increased capacity (from 500 persons to 655 persons). The RCMP's statistical analysis of their call volume shows a spike at 3 am on both Fridays and Saturdays, which coincides with the current 'bar flush'. The RCMP have noted that crime in Kelowna has escalated quickly in recent years.

Additionally, there is a noted spike in calls throughout the summer months. The RCMP have indicated that while members on day shifts are fielding more calls overall, the severity of calls at night is considerably higher and requires more resources to safely and appropriately respond. The applicants proposal will increase demands during these already critical nightime hours.

6.0 Current Development Policies

6.1 <u>Kelowna Official Community Plan (OCP)</u>

Objective 9.4 Ensure that all community members are safe.				
Policy 9.4.1	Work with community members and partners to support solutions to matters of			
Personal and	public safety. Acknowledge and address unique safety concerns experiences by			
Collective Safety	members of equity-seeking groups.			
	The request for both a later close and an increased capacity for the subject business			
	may increase public safety concerns.			

6.2 <u>Council Policy #359 – Liquor Licensing Policy and Procedures</u>

The following sections of Policy #359 are applicable to a Liquor Primary application:

- B. Siting/Density Guidelines:
 - a) No establishment with a person capacity greater than 500 persons should be permitted.
 - b) Large establishments (with person capacity greater than 249 persons):
 - i) Should only be located within an Urban Centre.

- ii) Should be located a minimum of 250m from another Large establishment.
- iii) Should be located a minimum of 100m from a Medium establishment.
- iv) Should not be located beside a Small establishment

For the purposes of determining proximity, shortest walking distance (door-to-door) will be applied. These distances are meant to guide staff in their recommendations for particular applications, however, a number of other factors should be considered, including (but not limited to):

- a) Pertinent input from the RCMP;
- b) Vehicular and pedestrian traffic patterns for area and current zoning;
- c) Availability of on-site and off-site parking; proximity of playgrounds, schools, and other social facilities;
- d) Surrounding land-uses, and general impact on the local neighbourhood;
- e) Correspondence received from abutting property owners;
- f) Past licensee compliance and performance issues as may be provided by the LCLB.

E. Temporary License Changes

Staff may consider up to six temporary license changes per calendar year for Liquor Primary establishments that are members in good standing of the bar owners association know as "The Standard", including late closing requests. These requests will be considered on a case-by-case basis, and will be subject to additional policing costs being paid prior to the event (for example, 4:00am closings). Any establishment that generates concerns or complaints as a result of the use of temporary changes or through general operations of their establishment will have their temporary changes reduced to 3 for the first incident and for any subsequent incidents as the discretion of the RCMP and Liquor Licensing Inspector.

7.0 Technical Comments

7.1 <u>R.C.M.P.</u>

Refer to Attachment C dated April 19, 2023.

8.o Application Chronology

Date of Application Accepted: February 17, 2023

Date of Neighbourhood Consultation Completed: May 17, 2023

9.0 Alternate 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 Quail Place Estates for a liquor primary license amendment to extend the close time from 2 am to 3 am seven days a week for Lot 3 Block 13 District Lot 139 ODYD Plan 462, located at 274 Lawrence Avenue, Kelowna, BC for the following reasons:
 - A permanent change to the current hours of operation from 2 am to 3 am seven days a
 week will greatly impact policing resources which may adversely affect community/public
 safety and livability.
- 2. Council recommends support of an application from Quail Place Estates for a liquor primary license amendment to increase the approved occupant load from the current 500 persons to 655 persons for

Lot 3 Block 13 District Lot 139 ODYD Plan 462, located at 274 Lawrence Avenue, Kelowna, BC for the following reasons:

- An increase to the approved occupant load from the current 500 persons to 655 persons will
 further tax existing policing resources and does not comply with Council Policy 359 which
 suggests a limit of 500 persons for a Liquor Primary.
- 3. Council's comments on LCRB's prescribed considerations are as follows:
 - a. The potential for noise if the application is approved:
 - The noise levels are not expected to increase due to the change of hours alone. However, the noise would occur later in the night with the proposed 3am close time which could negatively affect livability of the area.
 - The proposed increase in capacity could exacerbate existing noise levels. This area of
 downtown is transitioning to include more mixed-use developments and will see increased
 residential density in the coming years. The proposed amendments may negatively affect
 the downtown livability for surrounding residential dwelling units now and in the future.
 - b. The impact on the community if the application is approved:
 - The proposed later close time coupled with the increased capacity could encourage more excessive drinking which could increase community disturbance issues following the bar flush.
- 4. 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."

Report prepared by: Lydia Korolchuk, Planner Specialist
Reviewed by: Jocelyn Black, Urban Planning Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Attachment A: Floor Plan/Occupant Load

Attachment B: Letter of Rationale Attachment C: RCMP Letter

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.

LIQUID ZOO

274 LAWRENCE AVE

PUBLIC LOADING CALCULATONS:

LICENSED BEVERAGE ESTABLISHMENT

MAIN FLOOR (PERSON 01) =

STANDING:

@ 0.40SM/PERSON

TOTAL AREA

= 1,857SF (173SM)

ASSUME 25% FURNITURE

= NET AREA OF 130SM/0.40 = 325 PEOPLE

FIXED SEATING:

= 102 PEOPLE

= 59 PEOPLE

670 PEOPLE

660 PEOPLE

59 PEOPLE

UPPER FLOOR (PERSON 02) = 184 PEOPLE

STANDING:

@ 0.40SM/PERSON

TOTAL AREA ASSUME 25% FURNITURE = 939SF (87SM)

=NET AREA OF 65M/0.40 = 163 PEOPLE = 18 PEOPLE

FIXED SEATING: POOL ROOM:

@ 9.30SM/PERSON = 391SF (36SM)

= 54 PEOPLE

TOTAL AREA ASSUME 30% FURNITURE

= NET AREA OF 25SM/9.30 = 3 PEOPLE

UPPER FLOOR (PATIO 1)

OPEN AND COVERED PATIO:

@ 1.2SM/PERSON

TOTAL AREA ASSUME 25% FURNITURE = 1014SF (94SM)

= NET AREA OF 71SM/1.2

TOTAL OCCUPANT LOAD =

REDUCED LOAD (UNIVERSAL TOILET ROOM) =

LIQUOR LICENSE BREAKDOWN: LIQUOR LICENSE BREAKDOWN:

PERSON 01 (-10 REDUCED LOAD UNIV. TOILET ROOM) = 427 PEOPLE

PERSON 02 = PATIO 1 =

INTENDED MAXIMUM OCCUPANT LOAD =

660 PEOPLETHE MAIN FLOOR.

(TO BE POST IN CONSPICUOUS LOCATIONS ON BOTH FLOORS)

has a net floor area of N/A m². The maximum occupant load shall be 417 persons, based on

REQUIRED FIXTURE COUNTS:

50% MALE (330) = 6 (3 LAVS.) (PROVIDED: 7 (4 LAVS)) 50% FEMALE (330) = 11 (5 LAVS.) (PROVIDED: 12 (5 LAVS)) PROVIDED 1 UNIVERSAL ACCESSIBLE TOILET ROOM

Architects Calculations

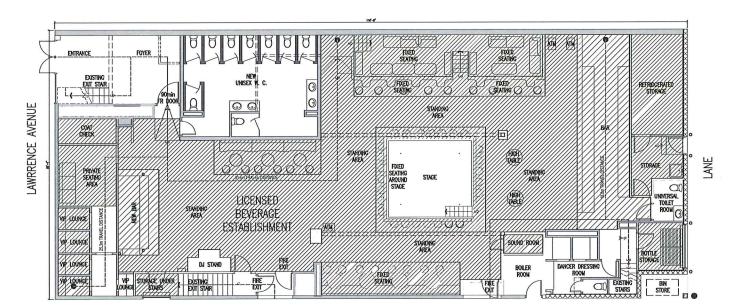
The UPPER FLOOR. has a net floor area of N/A m². The maximum occupant load shall be 84 persons, based on

Architects Calculations

The UPPER PLOOR PATIO

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

Architects Calculations



LANE

1 EXISTING MAIN FLOOR PLAN
SCALE 1/8"=1"-0"

STANDING AREA - 1857SF FIXED SEATING AREA - 912SF / 97 PEOPLE DINING AREA - N/A

BAR AREA - 495SF

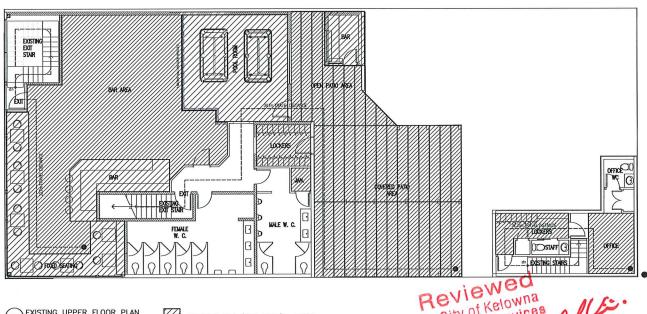
OFFICE AREA - 25SF

STORAGE AREA - 485SF

PERSONAGENCE. HONORDANA. EN CONTRACTOR DE LOS DE LAS DE LA CONTRACTOR DE LA CONTRA **ATTACHMENT** This forms part of application # LL23-0005

Planner LK Initials

Α City of Kelowna



2 EXISTING UPPER FLOOR PLAN
SCHE 1/8"=1"-0"

STANDING AREA (POOL ROOM) - 3915F FIXED SEATING AREA - 241SF BAR AREA — 939SF OPEN AND COVERED PATIO AREA — 1014SF

OFFICE AREA - 100SF

STORAGE AREA - 150SF

by City of Kelowna Inspection Services MAY 0 2 2023

EEMOVAL.

FOR BP AND LIQUOR LICENSE

PHONE:250-448-780

All ideas, designs, drawings and specifical struments of service, they may not be used or

ith the current municipality building by-laws ar

Revision No., Date and Description 06.26.19 - LIQUOR LICENSE 11.05.19 - AS-BUILT UPDATE 11.12.19 - AS-BUILT UPDATE 01.28.20 - AS-BUILT ISSUE 06.09.20 - LIQUOR LICENSE CLARIFICATION 01.24.23 - FOR REVIEW 04.12.23 -BP&LIQUOR LIC

> Plot Date 14-APR-23 Drawing No. A-002

PROJECT 274 LAWRENCE AVE. LIQUID ZOO AS-BUILT DRAWING TITLE







April 26, 2023

To: City of Kelowna

As a successful business in Kelowna for over a decade, *The Liquid Zoo* is deeply grateful for the support the city has offered over the years. When we opened our doors, we understood that a nightclub like ours achieves acceptance and longevity through consistent efforts toward responsible operation and respect for our neighbors. With your help and guidance, we have achieved both objectives.

We are writing today to ask for your consideration in allowing us to extend our operating hours to 3 am. We are always sensitive to the concerns of the community and wish to offer our reassurance based on our history of responsiveness and proactive steps to preserve the security of our neighbors:

- In 2013, we were the first in the area to implement Patron Scan, the ID scanning system allowing us to identify individuals who might threaten public safety.
- In the same year, we implemented a policy of physical pat-downs for all patrons, further ensuring the safety of our guests.
- We strictly enforce a policy of seizing all narcotics and turning them over to the RCMP.
- We took the lead in implementing "The Standard," a cooperative association of downtown licensed premises that work together to ensure a safer community.
- All of our security personnel are professionals, licensed with their BST and AST (allowing for arrest and the use of handcuffs).

Our request to extend our hours to 3 am reflects our observation over the last five years of the impact of implementing extended hours in similar circumstances.

- Staggered closing hours allow cab companies to respond more efficiently to demand and lessen the congregation of individuals outside closed establishments.
- With extended hours, our security staff can provide extended supervision, lessening outside incidents requiring the response of the RCMP.

We have always been cognizant of the City of Kelowna's bylaws, respected the concerns of the local LCRB inspectors, and maintained productive communication with our RCMP.

With the upcoming tourist season, *The Liquid Zoo* expects a record year. Extending our operating hours to 3 am will help us meet our responsibility to help maintain a safe environment for the citizens and visitors of the City of Kelowna.

We are also requesting and increase in capacity to meet the fire code capacity of the building. The fire code has always had a higher capacity than the liquor license. The building is designed to function at 655 patrons with all safety issues considered. The current liquor license permits 500. We are requesting the license capacity to be increased to 655.

We are grateful for your consideration and will be happy to answer any questions or respond to your concerns.

Sincerely,

Becky Komant





Kelowna RCMP Detachment 1190 Richter Street Kelowna, BC V1Y 2K7

Telephone: (250) 762-3300

Fax: (250) 470-6365

April 19, 2023

The RCMP have reviewed the applicant's request and would like to provide the following feedback under section 19(1) of the LCLA and Section 10.7.1 of LCRB Policy with regard to Public Interest and Public Safety concerns. These concerns relate to the application by the Liquid Zoo for;

- Application of the extension of service/operation hours from 2am to 3am,
- An increase in the occupant load from 500 persons to 650 persons.

Our concerns are broken down into three sections related to Policy and Research, RCMP Resourcing and Community Safety and RCMP Operations and Safety.

Policy and Research

Based on available policy and research the Kelowna RCMP have very serious concerns about the policing, community safety, health impacts of allowing a bar to increase it's capacity by 150 patrons and, to remain open with patrons consuming alcohol an additional hour. Research indicates this policy matter may have significant implications on police and medical resources, crime, victimization and community safety as well as public safety from impaired driving risks. For example, one study (2012), found "each 1-hour extension of closing hours was associated with a statistically significant increase of 4.8 assaults per 100,000 inhabitants per quarter." As further evidence, we point to a meta-analysis of research into the impacts of changes to permitted hours of drinking (2009) in which 11 of 14 methodologically sound studies "reported at least one significant outcome indicating adverse effects of increased hours or benefits from reduced hours". As further evidence, we point to a meta-analysis of research into the impacts of changes to permitted hours of drinking (2009) in which 11 of 14 methodologically sound studies "reported at least one significant outcome indicating adverse effects of increased hours or benefits from reduced hours". The international literature reviewed concludes that, "extended late-night hours lead to increased consumption and related harms". Other studies indicate efforts by police or cities to mitigate these increased risks and harms are costly and yet ineffective.

In addition, two Kelowna liquor policy initiatives have also considered and discouraged liquor primary closings beyond 2am. Those include the'

- 2004 Mayor's Entertainment District Task Force
 - There is clearly a desire by the nightclub owners and some members of the community to extend the actual hours of liquor service as well. The City of Nanaimo, recently prepared a Liquor Control Strategy. The problems facing the City of Nanaimo parallel those found in Kelowna. They were concerned about recent changes to the liquor legislation and the impact the changes would have on the downtown core. In particular, the City of Nanaimo also has a problem with a concentration of nightclubs in one area of the downtown, creating problems with rowdiness and vandalism. They are also concerned about livability issues. As part of the City of Nanaimo's strategy, Allan Neilson-Welch, consultant, conducted extensive research regarding the issue of "extending hours". In Nanaimo, as in Kelowna, the RCMP expressed concern about extending the hours of liquor service and made these observations:
 - $1\cdot$ the mass exodus that presently occurs at 2:00 a.m. on weekends would simply be deferred until 4:00 a.m.
 - the requirement for police to be on-hand in significant numbers would wreak havoc on RCMP scheduling which, in turn, would result in significant overtime costs

- \cdot the binge drinking that occurs at 1:45 a.m. could just as easily occur at 3:45 a.m.
- \cdot the public disorder that seriously impacts the downtown community on weekend nights would continue even longer into the early morning
- · an increase in liquor service hours would further enhance the social acceptability of alcohol and excessive drinking
- · the risks to the community resulting from a change in hours are not warranted in order to satisfy the demand of a very small portion of the population.
- The Task Force does not support the extension of hours within the City of Kelowna at this time, although the focus of concern is the "Yellow Area" Land Use Area 2 of the Downtown Plan. The other issue when considering whether to extend operating hours is inter-municipal consistency. For example, would patrons travel to Penticton if the liquor establishments are opened longer than those in Kelowna? Would this increase the number of drinking drivers in the region? Every municipality will have to make its decisions based on what is the right course of action for its circumstances. The Task Force does not deny the possibility that inter-municipal travel, because of different closing hours, may become an issue. However, the Task Force concurs with the Nanaimo Strategy findings that the problems associated with the extension of hours outweigh the community benefits.
- 2010 Kelowna Liquor Policy review
 - Supporters of later hour suggest that the typical "bar-flush" issues that occur between 2am and 3am would be mitigated, as patrons would have a longer period to leave the establishment. However, additional research suggest that additional hours merely encourages more excessive drinking and would exacerbate late-night community disturbance issue.
 - The RCMP recommend that the closing hours remain no later than 2am.

Kelowna RCMP Resourcing and Community Safety

Concern over crime in Kelowna have escalated quickly in recent years. Kelowna's 2020 Citizen Survey indicates that safety concerns and social issues are the most cited reasons for saying that the quality of life in Kelowna has worsened.

Due to Kelowna's status as a major tourist destination, demands on the RCMP are different than comparable sized cities due to the influx of a large seasonal population. 2021 research noted 169% more crime in Kelowna than the BC average and Kelowna RCMP members handle a workload that is 45% higher.

Further, the Statistics Canada Crime Severity Index for 2021 indicates Kelowna as 2nd highest among 35 CMAs nationally, driven by:

- A Violent CSI of 110.76 that was 7th of the 35 CMAs for Violent CSI. This is an increase of 33% from 2019 when Violent CSI was 83.16.
- A Non-Violent CSI of 126.15 that was 2nd overall of the 35 CMA's. This is a decrease of 6.2% from 2019 when Non-Violent CSI was 134.55. This decrease may be a result of the Covid restrictions.

In November 2019, the City of Kelowna and Kelowna RCMP received the report and recommendations of a Kelowna RCMP and Police Services Resource Review. Among the primary recommendations of the study was:

• 56 additional police officers recommended to meet current policing demands. This reflects a need to immediately increase local policing capacity by 20 percent.

Consideration should be given that since this report the population of Kelowna has increased by 7.5% and only 25 of the 56 recommended officers have been received.

Further the study found:

- Statistical analysis of priority 1 call volume/time shows a spike at 3am on Friday night/Saturday morning. This coincides with the end of current "bar-flush".
 - o The study also notes spikes on Friday and Saturday nights during the summer.
 - While members on day shifts field more calls, the severity of calls at night is considerably higher requiring more resources to safely and appropriately respond. Adding demands during these already critical nighttime hours when resources may be strained invites unnecessary risk to public safety.

RCMP Operations and Safety Concerns

RCMP member schedules and shift changes have been created around the current 2am close. Extending the nightclub hours will push back the "reaction/resolution" time for policing resources if occurrences were to happen after a 3am close rather than after a 2am close. If the nightclubs remain open until 3am (or later), all related investigations such as assaults, impaired driving, cause a disturbance files etc. have the potential to cause additional member overtime due to the proximity to shift change timing.

It is also important to note that neighboring municipalities would be negatively affected by the proposed change. People leaving Kelowna nightclubs later will be arriving at their homes later. The District of Lake Country RCMP detachment currently closes at 4am. Any calls after that time involve pulling a Kelowna RCMP member away from the Rutland area to cover the response. This reduces the RCMP level of service in the Rutland area of Kelowna.

In addition to the operational and resourcing concerns above, the RCMP continue to observe a lack of taxi and rideshare services to quickly reduce patrons at the time of "bar-flush" (between 2-3am). This issue will be further exasperated with an increased occupancy load of 500-650 people, and later nightclub closings lack of taxi services will result in larger numbers of intoxicated patrons on downtown streets with few safe/legal opportunities to get home.

Conclusion

While the request for neighborhood feedback relating to these applications may not have yielded detailed concerns from adjacent business, we believe the information presented above clearly shows that extended nightclub hours as proposed will have an immediate and detrimental impact on Kelowna's ability to maintain/improve community safety and is therefore not in the public interest.

- Kelowna's crime index is trending in the wrong direction and these types of requests will only exasperate the City's efforts to move this measure in the correct direction.
- Additional nightclub operating hours beyond 2am will cause operation impacts to the RCMP that may result in reduced levels of service in both Kelowna and neighboring communities.
- An increase in occupancy levels will further exasperate the ability of people to get home in a safe and legal manner due to the critical shortage of taxis and ride share options at this time, which further draws out the time people are loitering in the down town core, not able to get home and becoming frustrated and confrontational leading to fights, rowdiness and vandalism.
- The Kelowna RCMP handle 45% more work volume than their counterparts elsewhere in BC. This combined with a shortage of members means that discretionary changes such as nightclub operating hours will further strain resources and hinder efforts to have officers focus on community safety issues of the highest importance.
- Both international research and local policy recognize that extended nightclub/liquor primary operating hours work contrary to public safety efforts and can be costly for municipalities

Thank you for your consideration;

Kara Triance, O.3086 (Supt.)

Officer in Charge

Kelowna Regional RCMP Detachment

KnK



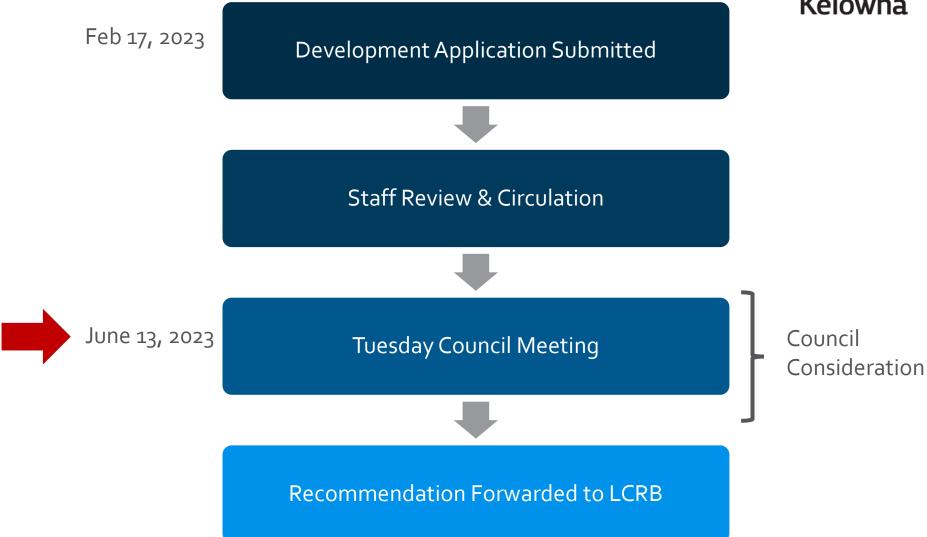


Purpose

➤ To review a Staff recommendation to NOT support a liquor primary license amendment to permanently change the close time from 2 am to 3 am and to increase the occupant load from 500 persons to 655 persons.

Development Process





Context Map Walk Score StPau Library Bertr ts Doyle Ave **Transit Score** Memorial Arena and Stuart Okanagan Military Park Museum City Hall Kasugai Okanagan Heritage Gardens Bike Score Museum Tourism Kelowna Vistor Centre Queensway. Kerry Park ts Off-leash Bernard Ave dog area Bernard Ave Lawrence Ave Abbott St Lawrence Ave Fire Hall #: Leon Ave \rightarrow BertramSt EllisSt Leon Ave Water Anchor Park Harvey Ave Harvey Ave ter St t 占

Subject Property Map







Hours of Sale

Existing:

	Sun	Mon	Tues	Wed	Thurs	Fri	Sat
Open	11:00 AM						
Close	2:00 AM						

Proposed:

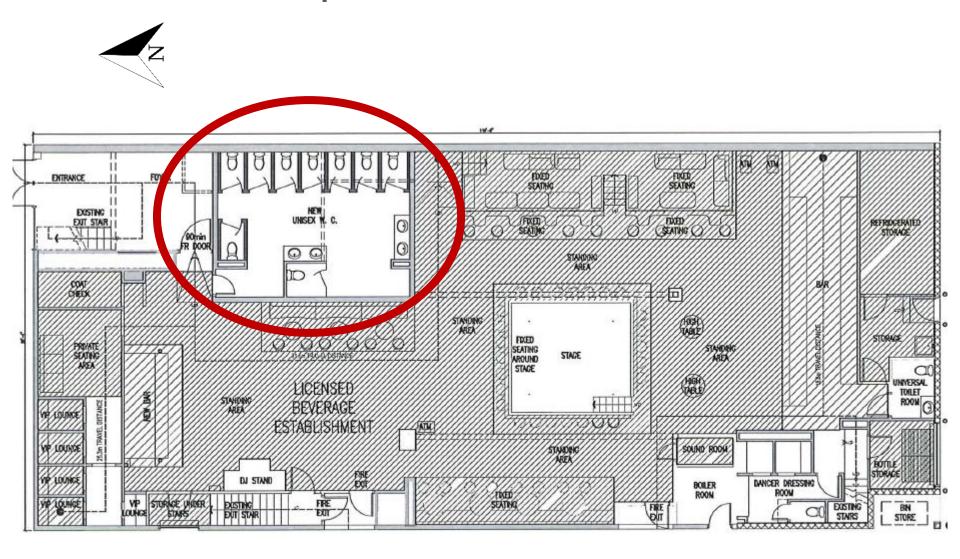
	Sun	Mon	Tues	Wed	Thurs	Fri	Sat
Open	11:00 AM						
Close	3:00 AM						



Occupant Load

	Existing	Proposed
Total Person Capacity	500	655

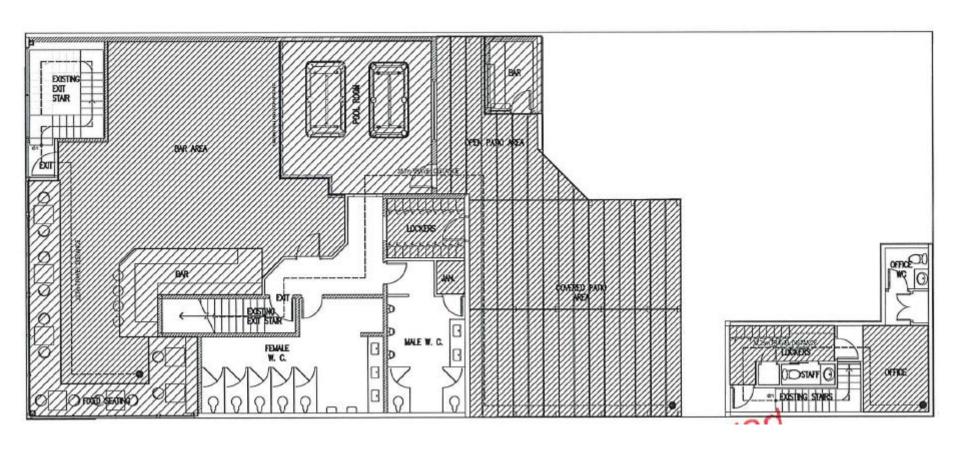
Floor Plan Proposed



Main Floor Plan

Floor Plan Proposed





Upper Floor Plan



OCP Objectives & Policies

➤ Policy 9.4.1 Personal and Collective Safety - Work with community members and partners to support solutions to matters of public safety.



Council Policy #359

- No establishment with a person capacity greater than 500 persons should be permitted.
- Large establishments should be a minimum of 250 m from another large establishment:
 - ► Gotham 150 m with capacity of 440 persons
 - ► Cheetahs 70 m with a capacity of 200 persons
 - ▶ Bernie's 200 m with a capacity of 333 persons
- ► Consideration should be given to:
 - Pertinent input from the RCMP
 - Surrounding land-uses
 - General impact on the local neighbourhood



Staff Recommendation

- ➤ Staff recommend **non-support** for the proposed liquor license amendment:
 - Over the 500-person maximum suggested by Council Policy #359
 - Impacts RCMP resourcing
- ➤ That Council directs Staff to forward a resolution of non-support to the LCRB.

REPORT TO COUNCIL



Date: June 13, 2023

To: Council

From: City Manager

Department: Development Planning

Address: 7-2030 Matrix Crescent Applicant: Three Lakes Brewing Company

Subject: Liquor Licence Application

Existing OCP Designation: IND – Industrial

Existing Zone: l2 - General Industrial

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 Three Lakes Brewing Company for a lounge endorsement of a manufacturers licence for Strata Lot 7, Section 14 Township 23 Osoyoos Division Yale District Strata Plan EPS7897, located at 7-2030 Matrix Crescent, Kelowna, BC for the following reasons:
 - Establishment will have a small occupancy and appropriate hours for its location;
 - Establishment will have minimal impact on surrounding Industrial uses; and
 - Minimal residential impact within the area.
- 2. Council's comments on LCLB's prescribed considerations are as follows:

Criteria for a lounge endorsement:

a. The location of the winery/special event area:

The proposed location is suitable for a manufacturer - lounge endorsement as the property is within an industrial zone in close proximity to the Kelowna airport and the UBCO campus.

b. The proximity of the lounge area to other social or recreational facilities and public buildings:

The location is in close proximity to other lounge endorsements and food primary uses within the UBCO campus and the Kelowna airport.

c. The person capacity of the lounge endorsement:

The maximum occupancy load of this establishment is 30 persons which is considered to be minimal.

d. Traffic, noise, parking and zoning:

The potential impact for traffic, nuisance and parking issues is minimal. The I₂ – Industrial zone supports the proposed use.

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

The potential for negative impact is minimal due to the low capacity.

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.

2.0 Purpose

To seek Council's support for a new lounge endorsement for a manufacturer with an occupancy of 30 persons.

3.0 Development Planning

Staff support the request for a Lounge Endorsement Licence for Three Lakes Brewing at 7-2030 Matrix Crescent. The proposed licence area allows for customers to consume the manufacturer's product on-site. The proposed licence area would be 128 m² in size and is located on the first floor and mezzanine area of the commercial unit. The maximum patron cacpacity of this establishment is 30 persons. This establishment is located within an industrial zoned complex in close proximity to the CD12-Airport and CD20-University zones. Planning Department generally supports the model of smaller liquor establishments that are distributed throughout the community as opposed to a more traditional larger, concentrated model. As a result, the impact on the surrounding community will be minimal and noise is not an anticipated issue due to a combination of factors including:

- Maximum occupancy of 30 persons;
- The surrounding land uses are primarily industrial and airport related; and
- Hours of operation are in line with similar businesses in the area.

4.0 Proposal

4.1 <u>Background</u>

An application has been forwarded by the licensee to the Provincial Liquor and Cannabis Regulation Branch (LCRB) for their approval. Procedurally, this type of application requires a Local Government resolution prior to the LCRB making a final decision.

4.2 Project Description

The applicant is proposing to obtain a Lounge Endorsement Licence in addition to their on-site alcohol production facilities. The licenced area would be 128 m^2 in size and would have a maximum capacity of 30 persons. The proposed Lounge Endorsement will also seek to provide food service within the establishment.

Proposed Hours of Sale:

		Sun	Mon	Tues	Wed	Thurs	Fri	Sat
Open		9:00 AM						
Close	Indoor	12:00 AM						
	Patio	N/A						

Occupant Load:

	Existing Proposed		
Indoor	N/A	30	
Outdoor	N/A	N/A	

4.3 Site Context

The subject property has a future land use of Industrial and is in close proximity to the UBCO campus and the Kelowna airport. The property's north, south, and east of the proposed use are industrially zoned while the the area west of the proposed use is designated as Natural Area.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I2 — General Industrial	Industrial
East	I2 — General Industrial	Industrial
South	I2 — General Industrial	Industrial
West	P ₃ – Parks & Open Space	Natural Area

Subject Property Map: 7-2030 Matrix Crescent



5.0 Current Development Policies

5.1 Council Policy #359 – Liquor Licensing Policy and Procedures

The following sections of Policy #359 are applicable to this application:

- Small establishments should not be located beside another liquor primary establishment
- For the purposes of determining proximity, shortest walking distance (door-to-door) will be applied. These distances are meant to guide staff in their recommendations for particular applications, however, a number of other factors should be considered, including (but not limited to):
 - a) Pertinent input from the RCMP;
 - o b) Vehicular and pedestrian traffic patterns for area and current zoning;
 - o c) Availability of on-site and off-site parking; proximity of playgrounds, schools, and other social facilities;
 - o d) Surrounding land-uses, and general impact on the local neighbourhood;
 - e) Correspondence received from abutting property owners;
 - o f) Past licensee compliance and performance issues as may be provided by the LCLB.

6.0 Technical Comments

6.1 R.C.M.P.

No concerns

7.0 Application Chronology

Date of Application Received: March 24th 2023

Report prepared by: Carson Mackonka, Planning Technician II

Reviewed by: Jocelyn Black , Urban Planning Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Schedule A: Floor Plan/Site Plan/Occupant Load

Attachment A: Letter of Rationale

Product Rationale

Our brewery is 3 women doing what we love but also with a focus of locals supporting locals. We will continue to create strong relationships with new local suppliers and grow with them, not always using just one.

Also to be known as the three ladies at Three Lakes Brewing making high quality craft beer. There are not many women in the brewing industry and definitely not 100% women run in the Okanagan.

Along with that, a fun yet outdoorsy atmosphere where you can enjoy and learn about the craft and Okanagan.

Another future objective is helping local artisans as well, display and advertise their local products. Again, locals helping locals grow. Attracting tourist and locals to explore and see the growth of the Okanagan.

Our focus is that our brewery will have a more personal yet rustic, old school atmosphere that customers are looking for.

Being in the industry we have experience listening to what customers want, people like the variety. We have lived in the Okanagan for nearly 30 years and are very close with other small business owners and local is key. The community wants to see one of their own neighbours building a business in the community and then to support them.

In the future we personally have a plan to pick our own hops, local fruit and make our craft beer with grapes skins rather than the juice.

Personal tasting experience and then a relaxed sit down atmosphere. Not just coming in and buy a beer but learning exactly where it came from and the people who made it telling you. There is more of a connection when it is the brewer/owner taking the time to serve their product.

Which will keep customers returning, also to see what we come up with next.

Cathy and I both have high knowledge and experience with food, beverage and tourism in the Okanagan.



Community Impact

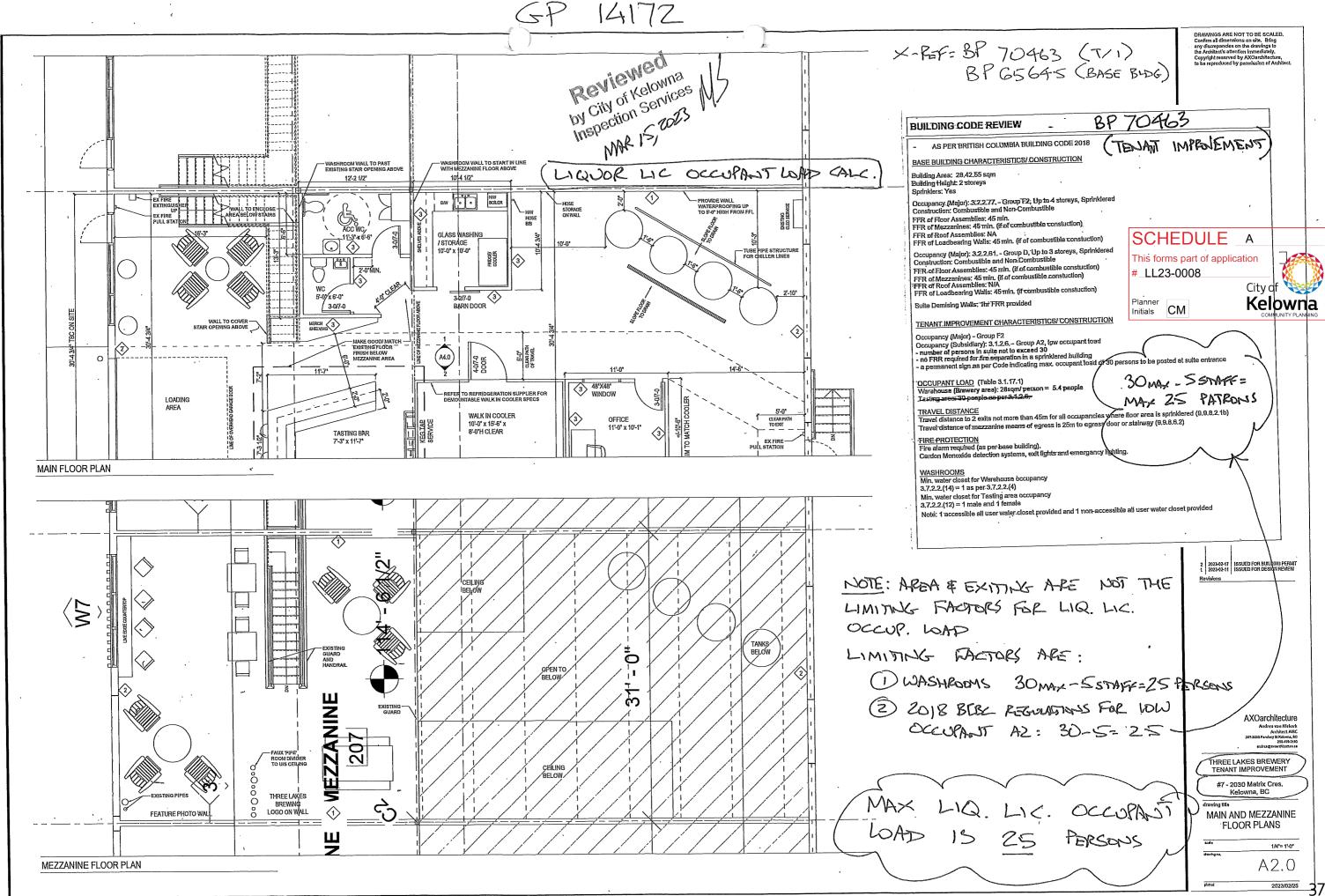
Having a brewery located in Kelowna north will help tourists and locals in the area to have access to, locally made, high quality beer. Which will bring tourists to that area and discover other local businesses existing and opening as well. We, as the owners, personally know Okanagan residents and the importance of local and quality to the community and will strongly execute that. Breweries are growing very fast in the Okanagan and everyone is interested to try knew creations, we have lots of ideas on hand already but will have a little more unique feel to offer. Our location is up and coming but already is a high traffic area. In our business complex, we are next to a local bakery and a meat and cheese company, which we have already discussed collaborations with.

Being near the airport and living in the Okanagan for almost 30 years, we can give many tourists, coming and going, information on our area. Also with us having worked in the tourism industry

We have heard feedback of residents in the Quail Ridge area that are excited to have a brewery near by and another option that the golf course.

This location will also make us a stopping point for for the wine/craft beer tours offered in the Okanagan.







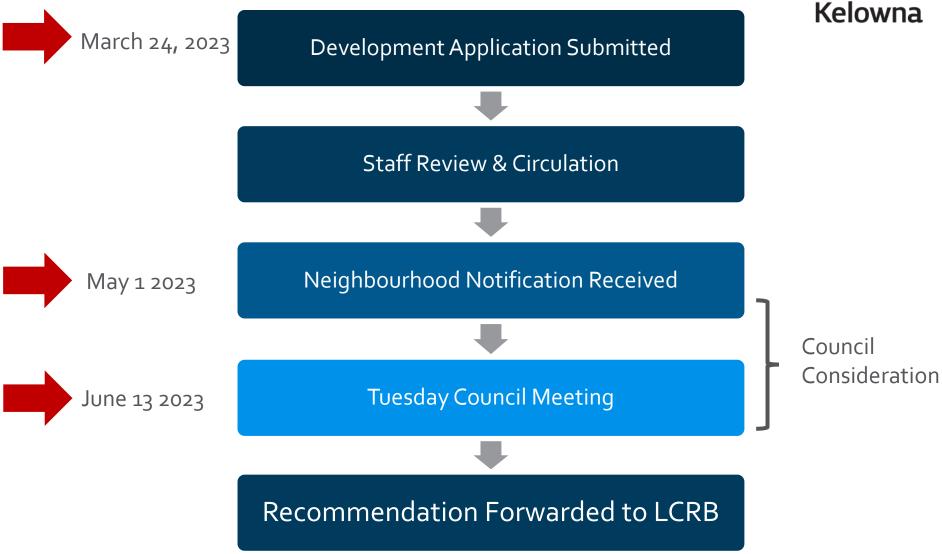


Purpose

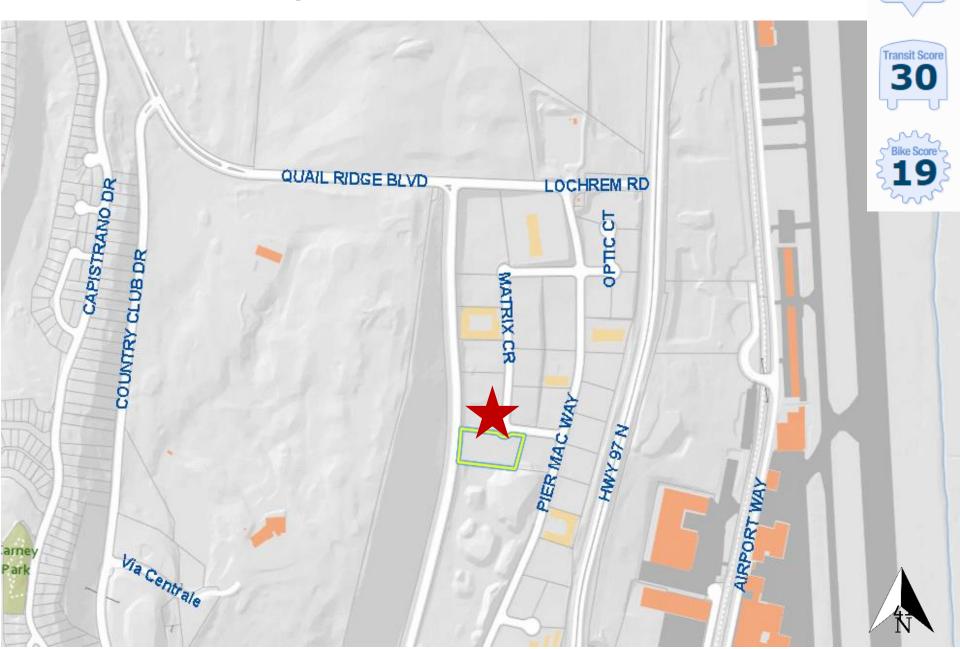
► To seek Council's support for a Lounge Endorsement with an occupancy of 30 persons

Development Process





Context Map



Walk Score

Subject Property Map





Hours of Operation

Proposed:

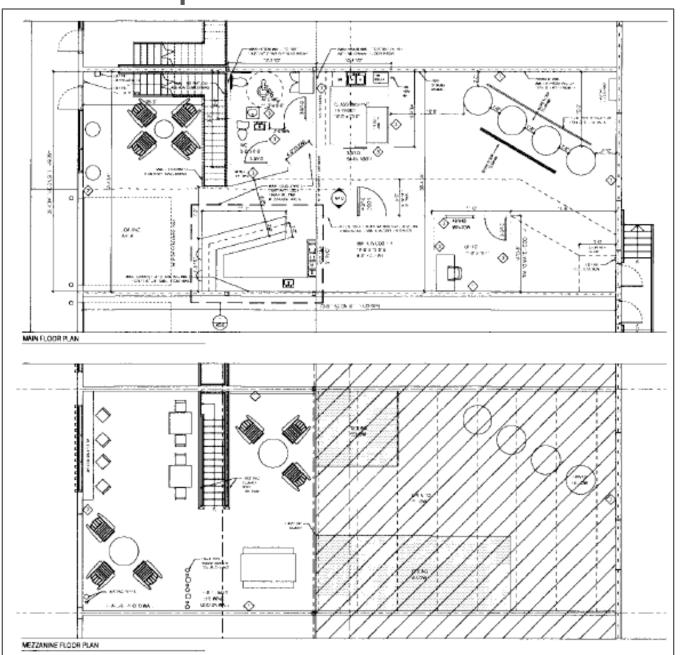
	Sun	Mon	Tues	Wed	Thurs	Fri	Sat
Open	9:00 AM						
Close	12:00 AM						



Occupant Load

	Proposed
Indoor	30

Floor Plan Proposed





Council Consideration

- Location: Industrial area in close proximity to the Airport and the UBCO Campus.
- ▶ Proximity: Surrounded by industrial zoned lots.
- ► Capacity: 30 person occupancy.
- ▶ Time of Operation: Open from 9am until 12am.
- ► Traffic: Minimal evening traffic.
- ▶ Impact: Impact believed to be minimal.



Council Policy #359

New lounge endorsements should be located and designed to limit potential impacts on surrounding property owners.



Staff Recommendation

- ► Staff recommend <u>support</u> for the proposed lounge endorsement as it is:
 - Consistent with Council Policy #359
 - Does not negatively impact the neighbourhood
 - Minimal occupant capacity
- ➤ That Council directs Staff to forward a resolution of support to the LCRB.

REPORT TO COUNCIL



Date: June 13, 2023

To: Council

From: City Manager

Department: Development Planning

Application: TUP23-0001 Owner: 1068956 B.C. Ltd., Inc.No.

BC1068956

Address: 515 Bay Avenue Applicant: Kelsey Garner

Subject: Temporary Use Permit Application

Existing OCP Designation: IND – Industrial

Existing Zone: I2 – General Industrial

1.0 Recommendation

THAT Council authorizes the issuance of Temporary Use Permit No. TUP23-0001 to allow for a health service business to operate for Lot A District Lot 139 ODYD Plan 33143, located at 515 Bay Avenue, Kelowna, BC for a three (3) year period commencing from Council approval subject to the following conditions:

a) The dimensions and siting of building to operate in the existing building as per Schedule "A";

AND FURTHER THAT any application to extend the permit must be approved by Council prior to this permit expiring.

Purpose

To temporarily allow a health services business to operate on the subject property.

2.0 Development Planning

Staff support the proposed Temporary Use Permit to allow for a health services business to operate on the subject property. Official Community Plan (OCP) policies generally suggest limiting non-industrial uses encroaching into industrial lands to protect the industrial land base. This is a unique circumstance because the proposed use will be located within an existing building and relatively small footprint. With the *North End Neighbourhood Plan* currently under development, there may be a change with land use direction in the area. The subject property is also abutting residential uses, which offers different site-specific considerations in comparison to other industrial properties in other areas of the City. Pending the results of the *North End Neighbourhood Plan*, an extension of this TUP beyond its initial three-year term, may or may not be appropriate.

Proposal 3.0

Project Description 3.1

The proposed Temporary Use Permit would allow for a registered massage therapist to operate on the subject property for a three-year period. The massage therapy business offers services to women needing specialized care. A massage therapist business is considered a health service and is not permitted within industrial properties.

The subject property has an existing industrial building on-site, which currently has industrial-related offices and is roughly 329.13m2 (3,542.73ft2) in size. The massage therapist business will offer two small treatment rooms and will have two practitioners operating at any given time. The unit is 50m² (538.5ft²) in size and also has two on-site parking stalls. If successful, the applicant is required to apply for a Business License and a Building Permit for any alterations proposed within the existing building. Once the three-year period has expired, an extension will be reviewed by Staff and brought back to Council if the applicant chooses to apply.

3.2 Site Context

The subject property is in located in the North End and is sited on Bay Avenue near the intersection with Ellis Street. The property is zoned I2 – General Industrial and has a Future Land Use Designation of Industrial. The surrounding area has a mix of uses including single-dwelling housing, commercial and industrial.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use			
North	PLL Duploy Housing / La Conoral Industrial	Automotive Uses, Participant Recreation			
NOILII	RU4 – Duplex Housing / I2 – General Industrial	and Single-Dwelling Housing			
East	RU4 – Duplex Housing	Single-Dwelling Housing			
South	I2 — General Industrial	Manufacturer			
West	I2 – General Industrial	General Industrial Uses			





4.0 Current Development Policies

Chapter 3 - Future Land Use

Temporary Use Permits

In accordance with the Local Government Act Section 492, an Official Community Plan may designate areas where Council may consider allowing temporary uses, and may specify general conditions regarding the issuance of temporary use permits in those areas. The temporary use designation is intended to apply to operations that are temporary in nature and the designation does not in itself permit specific uses on the designated sites. Within these areas, Council may, by resolution, issue a Temporary Use Permit and specify the conditions under which the temporary use be carried on. Upon the expiration of a Temporary Use Permit, the permitted uses revert to those outlined in the Zoning Bylaw.

Temporary Use Permits may be considered within the Permanent Growth Boundary (PGB) on all lands designated as Urban Centre, Village Centre, Regional Commercial, Neighbourhood Commercial, Education / Institutional, Industrial, or Public Service / Utility. Temporary Use Permits outside the PGB may be considered on lands designated Rural – Agricultural and Resource, with a stated time period considerably less than the maximum three-year time limit. A Temporary Use Permit on lands in the Agricultural Land Reserve (ALR) will require the approval of the Agricultural Land Commission (ALC). All Temporary Use Permits must conform to other policy direction in this OCP, including fit within the character of the neighbourhood and surrounding uses. Appropriate landscaping, screening, and buffering will be included as conditions of the permit to protect adjacent land uses.

The subject property is in the Permanent Growth Boundary and has a Future Land Use of Industrial. The proposal aligns with the above requirements.

Objective 5.8. Encourage employment-intensive industrial uses in the Core Area

Policy 5.8.1. Protection of Industrial Lands.

Discourage the re-designation of industrial lands and ensure their use for industrial purposed to protect employment, production, warehousing, logistics and repair functions in the City. This includes limiting residential and commercial uses within industrial areas that promote speculation and make development industrial uses challenging.

The application proposes a Temporary Use Permit rather than a standard Rezoning Application. Staff have concerns with the re-designation of the industrial lands, however, the TUP Application allows an interim solution while the North End Neighbourhood Plan is underway.

Policy 5.8.3. North End Industrial Lands.

Support the growth of industrial development in Kelowna's North End with additional opportunities for speciality retail where it is supportive of the production and manufacturing in the area. Develop more detailed policy guidance through the *North End Neighbourhood Plan*.

The application does not support industrial development; however, it offers employment opportunities while the North End Neighbourhood Plan is in development.

5.0 Application Chronology

Date of Application Received: February 27th, 2023

Date Public Consultation Completed: March 16th, 2023

Report prepared by: Tyler Caswell, Planner II

Reviewed by: Jocelyn Black, Urban Planning Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Attachment A: Draft Temporary Use Permit TUP23-0001

Schedule A: Site Plan and Floor Plans

Attachment B: Applicant's Rationale

TEMPORARY USE PERMIT



APPROVED ISSUANCE OF TEMPORARY USE PERMIT NO. TUP23-0001

Issued To: Kelsey Garner

Site Address: 515 Bay Avenue

Legal Description: Lot A District Lot 139 ODYD Plan 33143

Zoning Classification: I2 – General Industiral

SCOPE OF APPROVAL

This 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 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 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.

1. TERMS AND CONDITIONS

THAT Temporary Use Permit No. TUP23-0001 for Lot A District Lot 139 ODYD Plan 33143 located at 515 Bay Avenue, Kelowna, BC be approved for a three (3) year period subject to the following:

a) The dimensions and siting of the buildings to be constructed on the land be in accordance with Schedule "A",

AND THAT any application to extend the Permit must be approved by Council prior to this Permit expiring.

This permit will expire on June 13, 2026.

2. PERFORMANCE SECURITY

None required.

3. DEVELOPMENT

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit that shall form a part hereof.

This Permit IS NOT a Building Permit.



4. APPLICANT'S AGREEMENT

I hereby declare that all of the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree 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 granting to me the said Permit.
- b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of 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.

I further covenant and agree that should I be granted a Temporary Use Permit, that the Municipality may withhold the granting of any Occupancy Permit for the occupancy and / or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Divisional Director of Planning Development.

Should there be any change in ownership or legal description of the property, I undertake to notify the Development Planning Department immediately to avoid any unnecessary delay in processing the application.

APPROVALS

ssued	and	approved b	ov C	ouncil	on.	June	13,	2023

Terry Barton
Development Planning Department Manager
Development Services & Business Licenses

Date

The PERMIT HOLDER is the <u>CURRENT LAND OWNER</u>. Security shall be returned to the PERMIT HOLDER.

ATTACHMENT A

This forms part of application
TUP23-0001

City of

Planner Initials

TC

Kelowna

DEVELOPMENT PLANNING

Rational Letter

To whom it may concern,

My name is Kelsey Garner, I've been practicing as a Registered Massage Therapist for almost 7 years now. For the last few years, I've narrowed my scope to woman specifically needing specialized care. Specifically addressing breast health: mastectomy, cosmetic procedures, maternity, breastfeeding issues, healthy breast tissue & everything in-between. After an overwhelming response to the public, I quickly realized this is something that not enough practitioners have focused on. With the increased housing development in the north end & population density increasing rapidly there is a definite need for health providers to support this community. Only 2 vehicles at any given time will be parked out front, therefore causing no disruptions or parking issues to neighbouring businesses or residents.

My vision for Nest Registered Massage Therapy is to create a quaint, warm, small space that feels like a hug when walking in the front door. This is a sensitive area for woman to address so the space needed to match that emotion. My patient demographic is dominantly woman who are journeying through a life change. I want to normalize the conversation around optimizing breast health at any stage in a serene, quiet space.

There are 2 small treatment rooms to accommodate this specialized care with a calming signature scent that reminds you of the overall unique experience. I will have another practitioner (only 2 practicing at any given time) to round out other aspects of woman's care. Potentially a chiropractor, naturopath, doula, etc. but no one hired at this time.

It took me a long time to get enough courage and gain a little knowledge to make the jump in opening my own space. By granting this Temporary Use Permit you'll be allowing me one step closer to making that happen and most importantly, positively impact many woman's lives in the community. Please allow Nest Registered Massage Therapy to open at 515 Bay Ave.

Sincerely,

Kelsey Garner, RMT (306)-386-7884 kelsey.garner@hotmail.com



B.C. LAND SURVEYOR'S CERTIFICATE

ON LOT A, DISTRICT LOT 139, O.D.Y.D., PLAN 33143

SCALE 1:250 All distances are in metres.

FILE No: 15998 SC

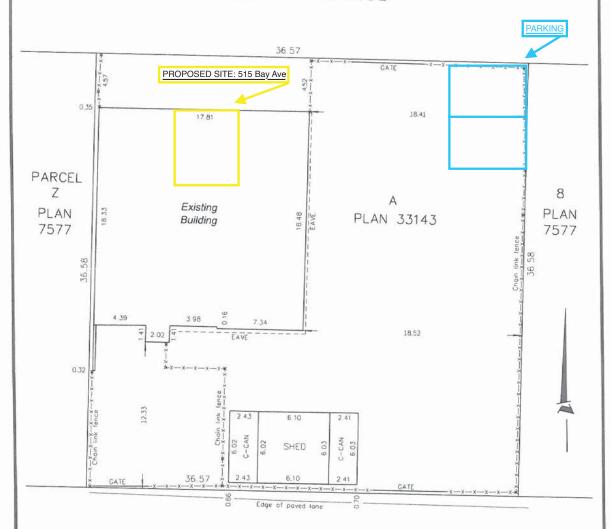
CIVIC ADDRESS: 515/525 Bay Avenue, Kelowna

SURVEY DATE: Morch 18, 2021

P.I.D. 003-238-920

BAY

AVENUE



LANE

8

⊕ Hydro Pole SCHEDULE A
This forms part of application
TUP23-0001
City of
Planner Indias TC
Reformation Amounts
Programmed To Amounts
Programme

Certified correct this 19th day of March, 2021.

NEIL R. DENBY B.C.L.S.

THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED

RUNNALLS DENBY

british columbia land surveyors

259A Lawrence Avenue Kelowno, B.C. V1Y 6L2 Phone: (250)763-7322 Fax: (250)763-4413

Email: nel@runnollsdenby.com

(C) THIS PLAN IS PROTECTED BY COPYRIGHT.

ELEVATIONS ARE GEODETIC AND ARE BASED ON GNSS OBSERVATIONS.

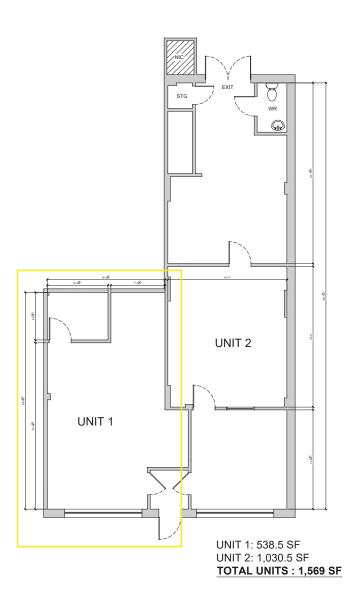
ELEVATIONS ARE TO MAIN FLOOR.

THIS DOCUMENT WAS PREPARED FOR MORTGAGE AND MUNICIPAL PURPOSES AND IS FOR THE EXCLUSIVE USE OF OUR CLIENT, EVERGREEN LANDS.

THIS DOCUMENT SHOWS THE RELATIVE LOCATION OF THE SURVEYED STRUCTURES AND FEATURES WITH RESPECT TO THE BOUNDARES OF THE PARCEL DESCRIBED ABOVE. THIS DOCUMENT SHALL NOT BE USED TO DEFINE PROPERTY LINES OR PROPERTY CORNERS.

THE SIGNATORY ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT MAY BE SUFFERED BY A THRO PARTY AS A RESULT OF ANY DECISIONS MADE, OR ACTIONS TAKEN BASED ON THIS DOCUMENT.





515 BAY AVENUE

SURVEY ADDRESS: 515 BAY AVENUE KELOWNA. BC

SCALE: 1/4" = 1'-0" DRAWN BY: AL DATE: 2021.03.25

Disclaimer

A: The Suite area is measured as the area bounded
by the centerlines of demising of party walls
separating one unit from another unit and to the
outside line of exterior walls.
B: All room dimensions are measured to drywall.
C: Thickness of demising walls are estimated.







Purpose

► A Temporary Use Permit Application to allow a health services business to operate on the subject property.

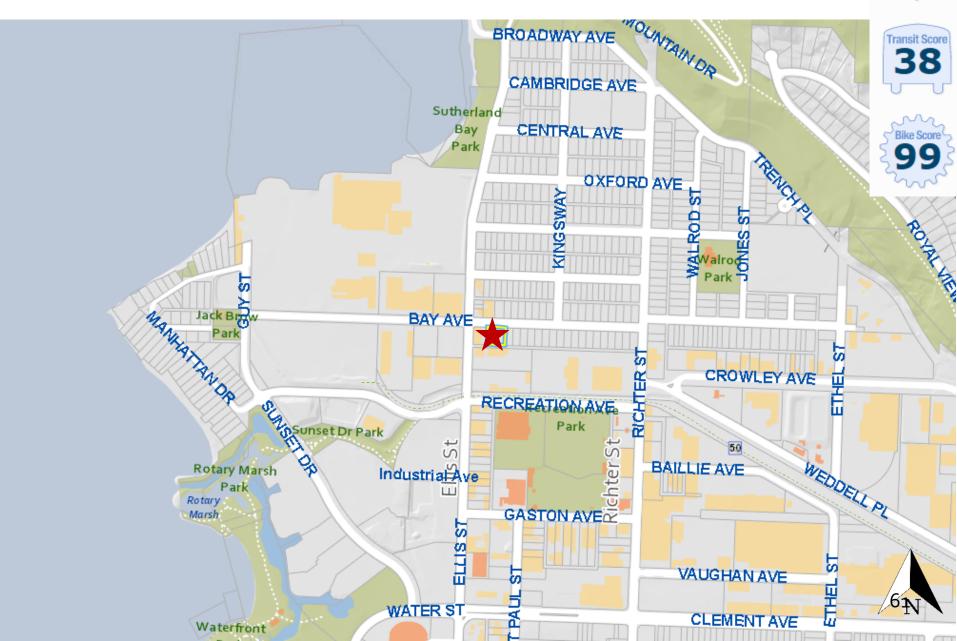
Development Process





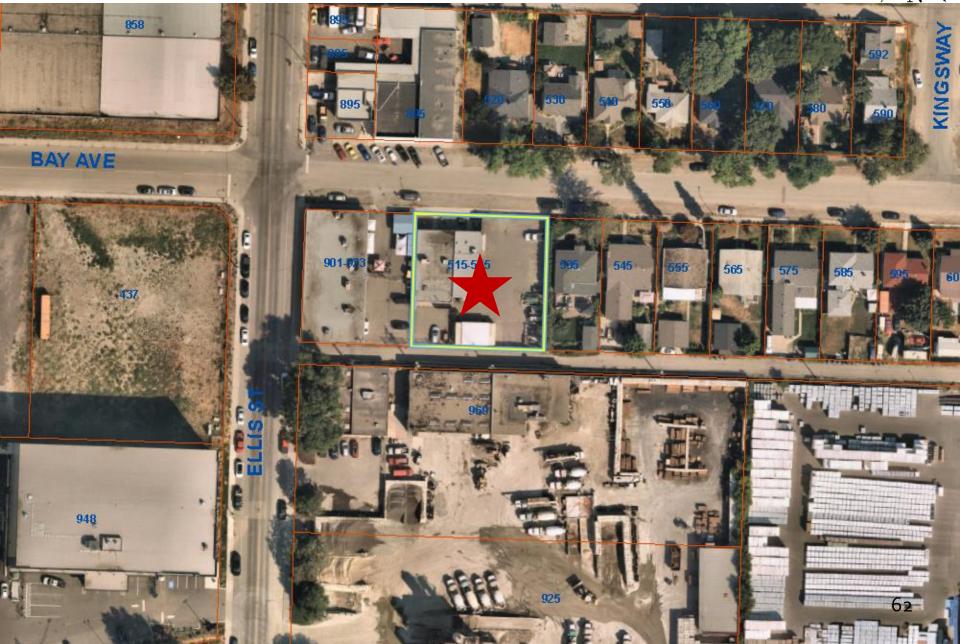
Context Map





Subject Property Map







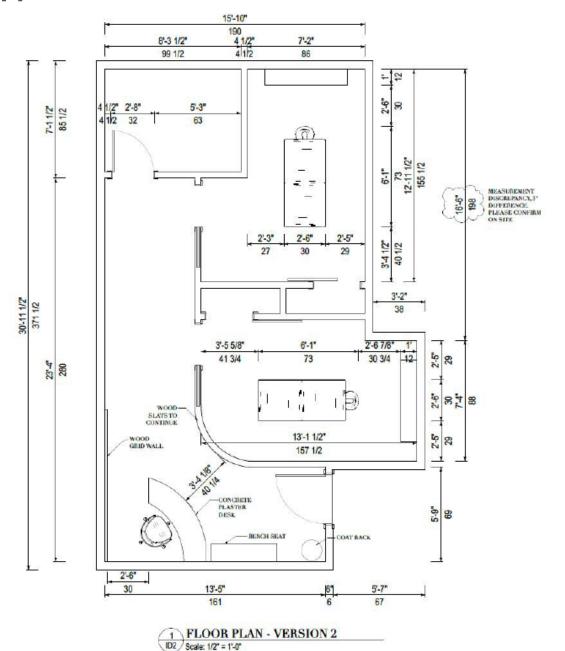
Technical Details

- ► The TUP Application is for a registered massage therapist to operate on the subject property.
 - ► The business offers services for women needing specialized care.
- ► The existing building is 329.13m2 in size, while the unit will be 50m2.
 - Two practitioners will operate at any given time.
 - ▶ There will be two treatment rooms.
- ▶ If the application is successful a Building Permit and a Business License are required.

Site Plan



Floor Plan





OCP Objective & Policies

- ▶ Policy 5.81. Protection of Industrial Lands
 - ► The application proposes a TUP Application rather than a standard Rezoning Application.
- ▶ Policy 5.8.3. North End Industrial Lands.
 - ► The application does not support industrial development; however, it offers employment opportunities while the North End Neighbourhood Plan is in development.



Staff Recommendation

- ➤ Staff recommend support for the proposed Development Permit as it:
 - ► Is a unique circumstance because the *North End Neighbourhood Plan* development is currently under development;
 - Subject property is abutting residential uses and offers different site-specific considerations;
 - ► Pending the results of the *North End Neighbourhood Plan*, an extension beyond its initial three-year term, may or may not be appropriate.

REPORT TO COUNCIL DEVELOPMENT PERMIT & DEVELOPMENT VARIANCE PERMIT



Date: June 13th, 2023

To: Council

From: City Manager

Address: 1810 Hilltop Crescent

File No.: DP22-0200 & DVP23-0076

Zone: CD₁8 – McKinley Beach Resort

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP22-0200 and Development Variance Permit DVP23-0076 for Lot 4 Section 28 Township 23 ODYD PLAN EPP76020, located at 1810 Hilltop Crescent, 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 amount of 125% of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect;

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

Section 15.4.5[.3]: CD18 Development Regulations

To vary the minimum amount of habitable space within an exposed storey from 60% required to 0% proposed.

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

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

2.0 Purpose

To issue a Development Permit and Development Variance Permit for the form and character of Multiple Dwelling Housing with a variance to the minimum amount of habitable space within any exposed storey.

3.0 Development Planning

Staff are recommending support for both, the Form and Character Development Permit as well as the Development Variance Permit. The proposal consists of a 24-unit, 6 storey multi-family building which

contains a mix of (12) 3-bedroom, 3 storey ground-oriented townhouse units and (12) 3-bedroom, single-level apartments on the upper 3 storeys of the building.

3.1 Form and Character Development Permit

The proposal creates a strong interface on the corner of Hilltown Drive and Hilltop Crescent, through ground-oriented units, landscaping, and distinct architectural treatments for corner prominence. The principal entrance for pedestrians is located on Hilltop Crescent and vehicular entrance from Hilltown Drive to a sunken parkade level. The height and building mass has a well-defined base, middle, and top, allowing for architectural detailing and variation between the townhouse units and apartment units. Exterior building materials include fiber cement panels, white stucco, cedar siding, and black metal clad vinyl windows and glass guard rails. The proposed development provides a human scaled experience along the street by articulating the façade, stepping back the building mass, repeating window patterns, and changes in the roofline. The proposal meets the number of required parking and bicycle parking, as well as amenity space requirements. To the North of the site, an environmentally sensitive area is protected via covenant, where existing mature trees and vegetation will remain on site and be protected during construction.

The proposal generally conforms to the Official Community Plan (OCP) Form and Character Development Permit Guidelines for Low and Mid-Rise Residential Mixed-Use. Key guidelines that are met include:

- 4.1.1.f Set back residential buildings on the ground floor between 3-5 m from the property line to create a semi-private entry or transition zone to individual units and to allow for an elevated front entryway or raised patio;
- 4.1.2.c Buildings over 40 m in length should incorporate a significant horizontal and vertical break in façade;
- 4.1.6.e Incorporate distinct architectural treatments for corner sites and highly visible buildings such as varying the roofline, articulating façade, adding pedestrian space, increasing the number and size of windows, and adding awnings or canopies.

Due to the functionality of the site and the orientation of the building, the following two guidelines cannot be met:

- 2.1.1.f Avoid blank, windowless walls along streets or other public open spaces;
- 4.1.2.b Residential buildings should have a maximum width of 24 m.

3.2 <u>Development Variance Permit</u>

Staff are recommending support for the Development Variance Permit to vary the minimum amount of habitable space within any exposed storey from 60% required to 0% proposed. The purpose of this regulation is to ensure a high-quality building elevation interface with the downslope hillside of the McKinley Beach Area, as the McKinley development area permits larger apartment buildings typically associated with parkades. This is to ensure that these larger buildings on the downhill slope side limit blank walls and provide an aesthetically attractive elevation from key public views such as from the lake, sidewalks, roads, playgrounds and other common amenity areas. This proposal includes an exposed parkade on the downhill slope side without including any habitable space, thus triggering the necessity for the variance. In this case, the exposed downslope parkade is interfacing into a gully with mature vegetation that provides effective screening of the parkade wall from key public views. Further, the building is designed to accommodate ground-oriented residential units interfacing with Hilltop Crescent and Hilltown Drive. The parkade exposure begins on the side property lines following the natural topography of the slope away from the street. The proposal includes a number of mitigative measures to soften the portions of parkade wall facing the side property lines which continues the high-quality architectural treatment along the fronting streets. This

includes landscape planting along portions of the exposed wall and includes a landscape retaining wall that adds visual depth to the overall side elevation.



Fig. 1 Exposed parkade storey triggering variance

4.0 Subject Property & Background

4.1 Subject Property Map



5.0 Zoning Bylaw Regulations Summary

UNIT COUNT AND FLOOR AREA				
Gross Lot Area	2 , 673.6 m²			
Undevelopable Land (riparian, 30% slope, etc.)	697.8 m²			
Total Number of Units	24			
3-bed	24			
Townhome	12			

DEVELOPMENT REGULATIONS										
CRITERIA	CD18 ZONE	PROPOSAL								
Total Maximum Floor Area Ratio										
Base FAR	N/A	1.1								
Max. Site Coverage (buildings)	N/A	58 %								
Max. Site Coverage (buildings, parking, driveways)	N/A	58 %								
Max. Height										
Base Height Footnote .3	38.25 m or 9 storeys Any building or structure in area 1 that exceeds 6 storeys then any exposed storey where parking is provided within a building must include 60% of the exposed area as habitable space	22.6 m or 7 storeys o% of exposed area as habitable space								
Setbacks										
Min. Front Yard (South facing Hilltop Crescent)	o.o m	o.o m								
Min. Rear Yard (West)	o.o m	o.o m								
Min. Flanking Yard (East facing Hilltown Drive)	o.o m	6.8 m								
Min. Side Yard (North)	o.o m	o.o m								
Amenity Space										
Total Required Amenity Space	600.00 m²	681 m²								
Landscaping										
Min. Number of Trees	N/A	4 trees								
Indicates a requested variance to the parking is provided within the building	ne minimum amount of habitable space g from 60% required to 0% proposed.	within any exposed storey where								

PARKING REGULATIONS							
CRITERIA	CD18 ZONE REQUIREMENTS	PROPOSAL					
Total Required Vehicle Parking	51 stalls	51 stalls					
Residential Visitor	48 stalls 3 stalls	48 stalls 3 stalls					
Ratio of Regular to Small Stalls	Min. 50% Regular Max. 50% Small	50% Regular 50% Small					
Bicycle Stalls Short-Term	6 stalls	6 stalls					
Bicycle Stalls Long-Term	23 stalls	23 stalls					
Bike Wash & Repair	Yes	Yes					

6.0 Application Chronology

Application Accepted: October 3, 2022
Neighbour Notification Received: April 21, 2023

Report prepared by: Sara Skabowski, Planner I

Reviewed by: Jocelyn Black, Urban Planning Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Attachment A: Draft Development Permit DP22-0200 & DVP23-0076

Schedule A: Site Plan & Floor Plans Schedule B: Elevations & Sections Schedule C: Landscape Plan

Attachment B: OCP Form and Character Development Permit Guidelines

Attachment C: Applicant Rationale Letter

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.

Development Permit & Development Variance Permit

DP22-0200 & DVP23-0076



ATTACHMENT

SS

Planner

Initials

This forms part of application # DP22-0200 & DVP23-0076

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

1810 Hilltop Crescent

and legally known as

Lot 4 Section 28 Township 23 ODYD PLAN EPP76020

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

Multiple Dwelling Housing

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

<u>Date of Council Approval:</u> June 13th, 2023

Development Permit Area: Form and Character

Existing Zone: CD18 – McKinley Beach Resort

Future Land Use Designation: S-RES – Suburban Residential

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: 1810 Hilltop Crescent LTD. INC. NO. BC1303132

Applicant: VLS Developments Inc.

Terry Barton
Development Planning Department Manager
Planning & Development Services

Date of Issuance

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. DP22-0200 and Development Variance Permit No. DVP23-0076 for Lot 4 Section 28 Township 23 ODYD PLAN EPP76020 located at 1810 Hilltop Crescent, 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 variances to the following section[s] of Zoning Bylaw No. 12375 be granted:

Section 15.4.5[.3]: CD18 Development Regulations

To vary the minimum amount of habitable space within an exposed storey from 60% required to 0% 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 \$84,963.51

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 <u>CURRENT LAND OWNER</u>. Security shall **ONLY** be returned to the signatory of the Landscape Agreement or their designates.



FORM & CHARACTER - DEVELOPMENT PERMIT GUIDELINES

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

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

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

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

Chapter 2 - Design Foundations Apply To All Projects Page 18-8

Section 2.1 - General Residential and Mixed Use Design Guidelines
Page 18-9

Section 2.2 - Achieving High Performance Page 18-17

Chapter 3
Townhouses & Infill

Page 18-19

Chapter 4 Low & Mid-Rise Residential & Mixed Use

Page 18-34

Chapter 5 High-Rise Residential & Mixed Use

Page 18-42

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



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

	SECTION 2.0: GENERAL RESIDENTIAL AND MIX	KED US	Ε				
	TE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE	N/A	1	2	3	4	5
	s least complying & 5 is highly complying)						
2.1	General residential & mixed use guidelines		,				
	1 Relationship to the Street	N/A	1	2	3	4	5
a.	Orient primary building facades and entries to the fronting street						~
	or open space to create street edge definition and activity.						
b.	On corner sites, orient building facades and entries to both						~
	fronting streets.						
c.	Minimize the distance between the building and the sidewalk to					~	
	create street definition and a sense of enclosure.						
d.	Locate and design windows, balconies, and street-level uses to						/
	create active frontages and 'eyes on the street', with additional						
	glazing and articulation on primary building facades.						
e.	Ensure main building entries are clearly visible with direct sight						~
	lines from the fronting street.			<u>L</u>			
f.	Avoid blank, windowless walls along streets or other public open				~		
	spaces.						
g.	Avoid the use of roll down panels and/or window bars on retail and	~					
	commercial frontages that face streets or other public open						
	spaces.						
h.	In general, establish a street wall along public street frontages to						~
	create a building height to street width ratio of 1:2, with a						
	minimum ratio of 1:3 and a maximum ration of 1:1.75.						
•	Wider streets (e.g. transit corridors) can support greater street						
	wall heights compared to narrower streets (e.g. local streets);						
•	The street wall does not include upper storeys that are setback						
	from the primary frontage; and						
•	A 1:1 building height to street width ratio is appropriate for a lane						
	or mid-block connection condition provided the street wall height						
	is no greater than 3 storeys.						
2.1	2 Scale and Massing	N/A	1	2	3	4	5
a.	Provide a transition in building height from taller to shorter					~	
	buildings both within and adjacent to the site with consideration						
	for future land use direction.						
b.	Break up the perceived mass of large buildings by incorporating						_
	visual breaks in facades.						_
C.	Step back the upper storeys of buildings and arrange the massing						~
	and siting of buildings to:						_
•	Minimize the shadowing on adjacent buildings as well as public						
	and open spaces such as sidewalks, plazas, and courtyards; and						
•	Allow for sunlight onto outdoor spaces of the majority of ground						
	floor units during the winter solstice.						
	o dorning the minter solution	<u> </u>		1	<u> </u>	l	<u> </u>

2.1	.3 Site Planning	N/A	1	2	3	4	5
a.	Site and design buildings to respond to unique site conditions and opportunities, such as oddly shaped lots, location at prominent intersections, framing of important open spaces, corner lots, sites with buildings that terminate a street end view, and views of natural features.						~
b.	Use Crime Prevention through Environmental Design (CPTED) principles to better ensure public safety through the use of appropriate lighting, visible entrances, opportunities for natural surveillance, and clear sight lines for pedestrians.						~
C.	Limit the maximum grades on development sites to 30% (3:1)					~	
d. •	Design buildings for 'up-slope' and 'down-slope' conditions relative to the street by using strategies such as: Stepping buildings along the slope, and locating building entrances at each step and away from parking access where possible;						~
•	Incorporating terracing to create usable open spaces around the building						
•	Using the slope for under-building parking and to screen service and utility areas;						
•	Design buildings to access key views; and Minimizing large retaining walls (retaining walls higher than 1 m should be stepped and landscaped).						
e.	Design internal circulation patterns (street, sidewalks, pathways) to be integrated with and connected to the existing and planed future public street, bicycle, and/or pedestrian network.	~					
f.	Incorporate easy-to-maintain traffic calming features, such as on- street parking bays and curb extensions, textured materials, and crosswalks.	~					
g.	Apply universal accessibility principles to primary building entries, sidewalks, plazas, mid-block connections, lanes, and courtyards through appropriate selection of materials, stairs, and ramps as necessary, and the provision of wayfinding and lighting elements.					~	
2.1	.4 Site Servicing, Access, and Parking	N/A	1	2	3	4	5
a.	Locate off-street parking and other 'back-of-house' uses (such as loading, garbage collection, utilities, and parking access) away from public view.					~	
b.	Ensure utility areas are clearly identified at the development permit stage and are located to not unnecessarily impact public or common open spaces.						~
C.	Avoid locating off-street parking between the front façade of a building and the fronting public street.						~
d. •	In general, accommodate off-street parking in one of the following ways, in order of preference: Underground (where the high water table allows) Parking in a half-storey (where it is able to be accommodated to not negatively impact the street frontage);					/	

•	Garages or at-grade parking integrated into the building (located						
	at the rear of the building); and						
•	Surface parking at the rear, with access from the lane or						
	secondary street wherever possible.						
e.	Design parking areas to maximize rainwater infiltration through	~					
	the use of permeable materials such as paving blocks, permeable						
	concrete, or driveway planting strips.						
f.	In cases where publicly visible parking is unavoidable, screen using	~					
	strategies such as:						
•	Landscaping;						
•	Trellises;						
•	Grillwork with climbing vines; or						
•	Other attractive screening with some visual permeability.						
g.	Provide bicycle parking at accessible locations on site, including:					~	
•	Covered short-term parking in highly visible locations, such as						
	near primary building entrances; and						
•	Secure long-term parking within the building or vehicular parking						
_	area.						
h.	Provide clear lines of site at access points to parking, site						~
	servicing, and utility areas to enable casual surveillance and safety.						
i.	Consolidate driveway and laneway access points to minimize curb					/	
	cuts and impacts on the pedestrian realm or common open						
	spaces.						
j.	Minimize negative impacts of parking ramps and entrances						
-					~		
	through treatments such as enclosure, screening, high quality						
	through treatments such as enclosure, screening, high quality finishes, sensitive lighting and landscaping.	NI/A		_			_
2.1	through treatments such as enclosure, screening, high quality finishes, sensitive lighting and landscaping. 5 Streetscapes, Landscapes, and Public Realm Design	N/A	1	2	3	4	5
	through treatments such as enclosure, screening, high quality finishes, sensitive lighting and landscaping. 5 Streetscapes, Landscapes, and Public Realm Design Site buildings to protect mature trees, significant vegetation, and	N/A	1	2		4	5 ~
2.1 a.	through treatments such as enclosure, screening, high quality finishes, sensitive lighting and landscaping. 5 Streetscapes, Landscapes, and Public Realm Design Site buildings to protect mature trees, significant vegetation, and ecological features.	N/A	1	2			5 ~
2.1 a.	through treatments such as enclosure, screening, high quality finishes, sensitive lighting and landscaping. 5 Streetscapes, Landscapes, and Public Realm Design Site buildings to protect mature trees, significant vegetation, and ecological features. Locate underground parkades, infrastructure, and other services	N/A	1	2		4	5 ~
2.1 a. b.	through treatments such as enclosure, screening, high quality finishes, sensitive lighting and landscaping. 5 Streetscapes, Landscapes, and Public Realm Design Site buildings to protect mature trees, significant vegetation, and ecological features. Locate underground parkades, infrastructure, and other services to maximize soil volumes for in-ground plantings.	N/A	1	2			5 ~
2.1 a. b.	through treatments such as enclosure, screening, high quality finishes, sensitive lighting and landscaping. 5 Streetscapes, Landscapes, and Public Realm Design Site buildings to protect mature trees, significant vegetation, and ecological features. Locate underground parkades, infrastructure, and other services to maximize soil volumes for in-ground plantings. Site trees, shrubs, and other landscaping appropriately to	N/A	1	2			5 ~
2.1 a. b. c.	through treatments such as enclosure, screening, high quality finishes, sensitive lighting and landscaping. 5 Streetscapes, Landscapes, and Public Realm Design Site buildings to protect mature trees, significant vegetation, and ecological features. Locate underground parkades, infrastructure, and other services to maximize soil volumes for in-ground plantings. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation.	N/A	1	2			5 ~
2.1 a. b.	through treatments such as enclosure, screening, high quality finishes, sensitive lighting and landscaping. 5 Streetscapes, Landscapes, and Public Realm Design Site buildings to protect mature trees, significant vegetation, and ecological features. Locate underground parkades, infrastructure, and other services to maximize soil volumes for in-ground plantings. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation. Design attractive, engaging, and functional on-site open spaces	N/A	1	2			5 ~
2.1 a. b. c.	through treatments such as enclosure, screening, high quality finishes, sensitive lighting and landscaping. 5 Streetscapes, Landscapes, and Public Realm Design Site buildings to protect mature trees, significant vegetation, and ecological features. Locate underground parkades, infrastructure, and other services to maximize soil volumes for in-ground plantings. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation. Design attractive, engaging, and functional on-site open spaces with high quality, durable, and contemporary materials, colors,	N/A	1	2			5 ~
2.1 a. b. c. d.	through treatments such as enclosure, screening, high quality finishes, sensitive lighting and landscaping. 5 Streetscapes, Landscapes, and Public Realm Design Site buildings to protect mature trees, significant vegetation, and ecological features. Locate underground parkades, infrastructure, and other services to maximize soil volumes for in-ground plantings. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation. Design attractive, engaging, and functional on-site open spaces with high quality, durable, and contemporary materials, colors, lighting, furniture, and signage.	N/A	1	2			5 ~
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2.1 a. b. c. d.	through treatments such as enclosure, screening, high quality finishes, sensitive lighting and landscaping. 5 Streetscapes, Landscapes, and Public Realm Design Site buildings to protect mature trees, significant vegetation, and ecological features. Locate underground parkades, infrastructure, and other services to maximize soil volumes for in-ground plantings. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation. Design attractive, engaging, and functional on-site open spaces with high quality, durable, and contemporary materials, colors, lighting, furniture, and signage. Ensure site planning and design achieves favourable microclimate outcomes through strategies such as:	N/A	1	2			5
2.1 a. b. c. d.	through treatments such as enclosure, screening, high quality finishes, sensitive lighting and landscaping. 5 Streetscapes, Landscapes, and Public Realm Design Site buildings to protect mature trees, significant vegetation, and ecological features. Locate underground parkades, infrastructure, and other services to maximize soil volumes for in-ground plantings. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation. Design attractive, engaging, and functional on-site open spaces with high quality, durable, and contemporary materials, colors, lighting, furniture, and signage. Ensure site planning and design achieves favourable microclimate outcomes through strategies such as: Locating outdoor spaces where they will receive ample sunlight	N/A	1	2			5
2.1 a. b. c. d.	through treatments such as enclosure, screening, high quality finishes, sensitive lighting and landscaping. 5 Streetscapes, Landscapes, and Public Realm Design Site buildings to protect mature trees, significant vegetation, and ecological features. Locate underground parkades, infrastructure, and other services to maximize soil volumes for in-ground plantings. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation. Design attractive, engaging, and functional on-site open spaces with high quality, durable, and contemporary materials, colors, lighting, furniture, and signage. Ensure site planning and design achieves favourable microclimate outcomes through strategies such as: Locating outdoor spaces where they will receive ample sunlight throughout the year;	N/A	1	2			5
2.1 a. b. c. d.	through treatments such as enclosure, screening, high quality finishes, sensitive lighting and landscaping. 5 Streetscapes, Landscapes, and Public Realm Design Site buildings to protect mature trees, significant vegetation, and ecological features. Locate underground parkades, infrastructure, and other services to maximize soil volumes for in-ground plantings. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation. Design attractive, engaging, and functional on-site open spaces with high quality, durable, and contemporary materials, colors, lighting, furniture, and signage. Ensure site planning and design achieves favourable microclimate outcomes through strategies such as: Locating outdoor spaces where they will receive ample sunlight throughout the year; Using materials and colors that minimize heat absorption;	N/A	1	2			5
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2.1 a. b. c. d.	through treatments such as enclosure, screening, high quality finishes, sensitive lighting and landscaping. 5 Streetscapes, Landscapes, and Public Realm Design Site buildings to protect mature trees, significant vegetation, and ecological features. Locate underground parkades, infrastructure, and other services to maximize soil volumes for in-ground plantings. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation. Design attractive, engaging, and functional on-site open spaces with high quality, durable, and contemporary materials, colors, lighting, furniture, and signage. Ensure site planning and design achieves favourable microclimate outcomes through strategies such as: Locating outdoor spaces where they will receive ample sunlight throughout the year; Using materials and colors that minimize heat absorption; Planting both evergreen and deciduous trees to provide a balance of shading in the summer and solar access in the winter; and	N/A	1	2			5
2.1 a. b. c. d.	through treatments such as enclosure, screening, high quality finishes, sensitive lighting and landscaping. 5 Streetscapes, Landscapes, and Public Realm Design Site buildings to protect mature trees, significant vegetation, and ecological features. Locate underground parkades, infrastructure, and other services to maximize soil volumes for in-ground plantings. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation. Design attractive, engaging, and functional on-site open spaces with high quality, durable, and contemporary materials, colors, lighting, furniture, and signage. Ensure site planning and design achieves favourable microclimate outcomes through strategies such as: Locating outdoor spaces where they will receive ample sunlight throughout the year; Using materials and colors that minimize heat absorption; Planting both evergreen and deciduous trees to provide a balance of shading in the summer and solar access in the winter; and Using building mass, trees and planting to buffer wind.	N/A	1	2			5
2.1 a. b. c. d.	through treatments such as enclosure, screening, high quality finishes, sensitive lighting and landscaping. 5 Streetscapes, Landscapes, and Public Realm Design Site buildings to protect mature trees, significant vegetation, and ecological features. Locate underground parkades, infrastructure, and other services to maximize soil volumes for in-ground plantings. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation. Design attractive, engaging, and functional on-site open spaces with high quality, durable, and contemporary materials, colors, lighting, furniture, and signage. Ensure site planning and design achieves favourable microclimate outcomes through strategies such as: Locating outdoor spaces where they will receive ample sunlight throughout the year; Using materials and colors that minimize heat absorption; Planting both evergreen and deciduous trees to provide a balance of shading in the summer and solar access in the winter; and	N/A	1	2			\rightarrow

	COMM	MUNITY PLANNING					
g.	Plant native and/or drought tolerant trees and plants suitable for the local climate.						~
h.	Select trees for long-term durability, climate and soil suitability, and compatibility with the site's specific urban conditions.						~
i.	Design sites and landscapes to maintain the pre-development flows through capture, infiltration, and filtration strategies, such as the use of rain gardens and permeable surfacing.	~					
j.	Design sites to minimize water use for irrigation by using strategies such as:	~					
•	Designing planting areas and tree pits to passively capture rainwater and stormwater run-off; and						
•	Using recycled water irrigation systems.						
k.	Create multi-functional landscape elements wherever possible, such as planting areas that also capture and filter stormwater or landscape features that users can interact with.						~
I.	Select materials and furnishings that reduce maintenance requirements and use materials and site furnishings that are sustainably sourced, re-purposed or 100% recycled.						~
m.	Use exterior lighting to complement the building and landscape design, while:						~
•	Minimizing light trespass onto adjacent properties;						
•	Using full cut-off lighting fixtures to minimize light pollution; and						
•	Maintaining lighting levels necessary for safety and visibility.						
n.	Employ on-site wayfinding strategies that create attractive and	~					
	appropriate signage for pedestrians, cyclists, and motorists using						
	a 'family' of similar elements.						
2.1	.6 Building Articulation, Features and Materials	N/A	1	2	3	4	5
a.	Express a unified architectural concept that incorporates variation in façade treatments. Strategies for achieving this include:						~
•	Articulating facades by stepping back or extending forward a portion of the façade to create a series of intervals or breaks;						
•	Repeating window patterns on each step-back and extension interval;						
•	Providing a porch, patio, or deck, covered entry, balcony and/or bay window for each interval; and						
•	Changing the roof line by alternating dormers, stepped roofs, gables, or other roof elements to reinforce each interval.						
b.	Incorporate a range of architectural features and details into building facades to create visual interest, especially when approached by pedestrians. Include architectural features such as: bay windows and balconies; corner feature accents, such as turrets or cupolas; variations in roof height, shape and detailing; building entries; and canopies and overhangs.						~
	Include architectural details such as: Masonry such as tiles, brick, and stone; siding including score lines and varied materials to distinguish between floors; articulation of columns and pilasters;						

	ornamental features and art work; architectural lighting; grills and railings; substantial trim details and moldings / cornices; and trellises, pergolas, and arbors.				
C.	Design buildings to ensure that adjacent residential properties have sufficient visual privacy (e.g. by locating windows to minimize overlook and direct sight lines into adjacent units), as well as protection from light trespass and noise.	~			
d.	Design buildings such that their form and architectural character reflect the buildings internal function and use.				~
e.	Incorporate substantial, natural building materials such as masonry, stone, and wood into building facades.				~
f.	Provide weather protection such as awnings and canopies at primary building entries.				~
g.	Place weather protection to reflect the building's architecture.				~
h.	Limit signage in number, location, and size to reduce visual clutter and make individual signs easier to see.			~	
i.	Provide visible signage identifying building addresses at all entrances.			~	

SECTION 4.0: LOW & MID-RISE RESIDENTIAL MIXED USE										
RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE	N/A	1	2	3	4	5				
(1 is least complying & 5 is highly complying)										
4.1 Low & mid-rise residential & mixed use guidelines										
4.1.1 Relationship to the Street	N/A	1	2	3	4	5				
 Ensure lobbies and main building entries are clearly visible from the fronting street. 						~				
b. Avoid blank walls at grade wherever possible by:					~					
 Locating enclosed parking garages away from street frontages or public open spaces; 										
Using ground-oriented units or glazing to avoid creating dead frontages; and										
When unavoidable, screen blank walls with landscaping or										
incorporate a patio café or special materials to make them more										
visually interesting.										
Residential & Mixed Use Buildings										
f. Set back residential buildings on the ground floor between 3-5 m from the property line to create a semi-private entry or transition zone to individual units and to allow for an elevated front entryway or raised patio.						>				
A maximum 1.2 m height (e.g. 5-6 steps) is desired for front entryways.										
Exceptions can be made in cases where the water table requires										
this to be higher. In these cases, provide a larger patio and screen parking with ramps, stairs and landscaping.										

g.	Incorporate individual entrances to ground floor units accessible						~
<u> </u>	from the fronting street or public open spaces.						
h.	Site and orient buildings so that windows and balconies overlook						~
	public streets, parks, walkways, and shared amenity spaces while						
, ,	minimizing views into private residences2 Scale and Massing	N/A	_				_
	Residential building facades should have a maximum length of 60	IN/A	1	2	3	4	5
a.	m. A length of 40 m is preferred.						~
b.	Residential buildings should have a maximum width of 24 m.		~				
	te: Building width is 37.5 m fronting Hilltown Drive and 46.9 m		•				
	nting Hilltop Crescent.						
<u>у</u> . с.	Buildings over 40 m in length should incorporate a significant						_
· ·	horizontal and vertical break in the façade.						
d.	For commercial facades, incorporate a significant break at	/					
	intervals of approximately 35 m.	*					
4.1	3 Site Servicing, Access, and Parking	N/A	1	2	3	4	5
a.						~	
	and avoid the creation of blank walls.						
b.	Site buildings to be parallel to the street and to have a distinct					~	
	front-to-back orientation to public street and open spaces and to						
	rear yards, parking, and/or interior court yards:						
•	Building sides that interface with streets, mid-block connections						
	and other open spaces and should positively frame and activate						
	streets and open spaces and support pedestrian activity; and						
•	Building sides that are located away from open spaces (building						
	backs) should be designed for private/shared outdoor spaces and						
	vehicle access.						
C.	Break up large buildings with mid-block connections which should						~
	be publicly-accessible wherever possible.						
d.	Ground floors adjacent to mid-block connections should have						~
	entrances and windows facing the mid-block connection.						
4.1	4 Site Servicing, Access and Parking	N/A	1	2	3	4	5
a.	Vehicular access should be from the lane. Where there is no lane,						~
	and where the re-introduction of a lane is difficult or not possible,						
	access may be provided from the street, provided:						
•	Access is from a secondary street, where possible, or from the						
	long face of the block;						
•	Impacts on pedestrians and the streetscape is minimised; and						
•	There is no more than one curb cut per property.						
b.	Above grade structure parking should only be provided in	~					
	instances where the site or high water table does not allow for						
	other parking forms and should be screened from public view with						
	active retail uses, active residential uses, architectural or						
	landscaped screening elements.						
C.	Buildings with ground floor residential may integrate half-storey						~
	underground parking to a maximum of 1.2 m above grade, with						
	the following considerations:						

•	Semi-private spaces should be located above to soften the edge						
	and be at a comfortable distance from street activity; and						
•	Where conditions such as the high water table do not allow for this						
	condition, up to 2 m is permitted, provided that entryways, stairs,						
	landscaped terraces, and patios are integrated and that blank						
	walls and barriers to accessibility are minimized.						
4.1	5 Publicly-Accessible and Private Open Spaces	N/A	1	2	3	4	5
a.	Integrate publicly accessible private spaces (e.g. private	~					
	courtyards accessible and available to the public) with public open						
	areas to create seamless, contiguous spaces.						
b.	Locate semi-private open spaces to maximize sunlight					~	
	penetration, minimize noise disruptions, and minimize 'overlook'						
	from adjacent units.						
	6 Building Articulation, Features, and Materials	N/A	1	2	3	4	5
a.	Articulate building facades into intervals that are a maximum of 15						/
	m wide for mixed-use buildings and 20 m wide for residential						
	buildings. Strategies for articulating buildings should consider the						
	potential impacts on energy performance and include:						
•	Façade Modulation – stepping back or extending forward a						
	portion of the façade to create a series of intervals in the façade;						
•	Repeating window pattern intervals that correspond to extensions						
	and step backs (articulation) in the building façade;						
•	Providing a porch, patio, deck, or covered entry for each interval;						
•	Providing a bay window or balcony for each interval, while						
	balancing the significant potential for heat loss through thermal						
	bridge connections which could impact energy performance;						
•	Changing the roof line by alternating dormers, stepped roofs,						
	gables, or other roof elements to reinforce the modulation or						
	articulation interval;						
•	Changing the materials with the change in building plane; and						
•	Provide a lighting fixture, trellis, tree or other landscape feature						
1.	within each interval.						
b.	Break up the building mass by incorporating elements that define						🗸
<u>_</u>	a building's base, middle and top.						\vdash
C.	Use an integrated, consistent range of materials and colors and						
لم ا	provide variety, by for example, using accent colors.						\vdash
d.	Articulate the façade using design elements that are inherent to						
	the buildings as opposed to being decorative. For example, create						
	depth in building facades by recessing window frames or partially recessing balconies to allow shadows to add detail and variety as a						
	byproduct of massing.						
	Incorporate distinct architectural treatments for corner sites and						
e.	highly visible buildings such as varying the roofline, articulating						🗸
	the façade, adding pedestrian space, increasing the number and						
	size of windows, and adding awnings or canopies.						
	size of windows, and adding awnings of canopies.	l					

f.	Provide weather protection (e.g. awnings, canopies, overhangs, etc.) along all commercial streets and plazas with particular attention to the following locations: Primary building entrances;, Adjacent to bus zones and street corners where people wait for traffic lights; Over store fronts and display windows; and Any other areas where significant waiting or browsing by people occurs.				>
g.	Architecturally-integrate awnings, canopies, and overhangs to the building and incorporate architectural design features of buildings from which they are supported.				~
h.	Place and locate awnings and canopies to reflect the building's architecture and fenestration pattern.				~
i.	Place awnings and canopies to balance weather protection with daylight penetration. Avoid continuous opaque canopies that run the full length of facades.				~
j.	Provide attractive signage on commercial buildings that identifies uses and shops clearly but which is scaled to the pedestrian rather than the motorist. Some exceptions can be made for buildings located on highways and/or major arterials in alignment with the City's Sign Bylaw.	~			
k.	Avoid the following types of signage:	~			
•	Internally lit plastic box signs;				
•	Pylon (stand alone) signs; and				
•	Rooftop signs.				
I.	Uniquely branded or colored signs are encouraged to help establish a special character to different neighbourhoods.	~			



May 18, 2023



Prepared for:

Development Permit Application

Project:

1810 Hilltop Cr, Kelowna, BC

Re:

Design Rationale

1.0 PROJECT DESCRIPTION

This building site is at McKinley Beach, nestled along the main thoroughfare of Hilltown Drive and the secondary street of Hilltop Crescent. The proposal is to build a 24 unit, 7 level multifamily unit building (with one of those levels being parking) that explores the interplay between two different design scales, exploring a heavier and ornate base reminiscent of older architectural mass stone expressions and a lighter modern structure that creates a dialogue between the views from the site and the existing built precedents in the area.

The principal entryway for the complex comes off Hilltop Crescent for pedestrians and through a sunken parkade for drivers. Sitting on a concrete base through a sunken parkade, the 6-storey wood frame structure features a mix of twelve (12) 3-bedroom, three storey townhome units along the lower, stucco clad mass - and twelve (12) 3-bedroom, single-level apartments with large patio spaces along the upper three storeys of the building. Distinction between these two-unit types is found through form, exposure, and material.

One client sought a more permanent style of structure reminiscent of older European apartment typologies. On the lower floors, stucco finished mass forms with simple ornation work to create an interplay between light and shadow for those walking on the street. Another client sought a more modern structure that would speak to local precedents in the city while providing ample space to take advantage of the views out into the surrounding environment. On the upper floors, simple black clad panels with different finishes (satin, semi-gloss and matte) provide a visual depth to the facade, contrasting heavily with the warm white stucco; framing the windows and decks that look outwards. Simple roof planes and deck structures are pulled out from the face, providing further depth to the life of the façade while also allowing some warm wood to enter through structure and soffit materials.

Along Hilltop Drive, four townhome units with ground floor office areas provide an opportunity for dialogue between pedestrians passing by and the work happening in the home-based businesses (minor) within. These units feature a ground floor office space with two upper floors of further living space. Along Hilltop crescent, units do not feature a workspace, instead engaging the street front with a sunken patio space that adds depth for potential social engagements. This breaks down the common in this typology of having strict separations between public and private, and so too



limitations on chance social encounters in the community. The sunken semi-private patio provides an opportunity for engagement between the sidewalk and the unit if sought after. These four units along Hilltop Crescent are mirrored on the opposite face, where access to the unit instead comes from a double loaded interior corridor. These North facing units take in views of a forested back area between the building edge and McKinley Beach Drive, where beautiful Ponderosa Pines and a walking trail exist along the environmental corridor that will remain undeveloped. The units on the upper three storeys are all single level 3-bedroom units with living spaces oriented out into the surrounding landscape. Large patio spaces provide good exposure between the units and the community that surrounds them.

The height and massing of the building steps backs from the streetscape incrementally to provide sensitivity to its future built neighbors and the experience of the pedestrian from the street itself. Simple gestures like plantings alongside the road edge can help to not only provide a depth of beautiful sensorial stimulus to the street, but they also provide a barrier between the sidewalk and the street itself. This will provide a more confident sense of security for pedestrians to occupy these spaces, while the trees may help to slow traffic down on the wide roads that surround the site. An abundance of glazing and outdoor social spaces in the forms of patios will provide a more consistent stream of "eyes on the street," helping keep the streets safer. Staying activities will be encouraged through the walking areas and seating areas found around the site to help provide greater reason to explore the surrounding community outside of a vehicle.

Parkade access is provided along the main thoroughfare of Hilltop Drive. The rationale behind having the entryway to the underground parking along this face of the building is that it:

- A) Follows the existing topography of the site, which along the north face of the building to the edge of the site and existing covenant zone (waterway presence) sees a drop in grade of nearly a storey meaning to fully bury the parkade and make the entryway more seamless with the surroundings; this is a good option
- B) There are only 24 units in this building and so no great amount of traffic will be added to the main thoroughfare. Along Hilltop Crescent, proposals in place will see upwards of 200 units becoming accessible along this small crescent corridor by vehicle, meaning traffic around vital times (work commute) could become congested along this small arterial road
- C) Strategically placed opposite of the existing Laneway of Lot 22
- D) The Civil Engineer consulted supports the current orientation of the parkade access. We will work with both the Civil Engineer and the City to provide traffic calming devices for the main road that remain considerate of the pedestrian or other means of human powered transit and provides a priority to their safety, convenience, and scale around the building

With level 1 being the parkade structure, there is an exposed face of concrete along the rear of the building that held concern as it did not comply with Section 15.4.5 footnote .3 of the Kelowna Zoning Bylaw. Here, a variance has been proposed, as a concrete face without habitable space inhabits Level 0 (Parkade). Measures have been taken to ease this space for the experience of the path behind the site:

A) The concrete wall has been faced with both foliage in the form of hanging vines but also with raised planters to help ease the wall in to the surrounding landscape



B) The existing forest land around the site will further help ease this area of the building into the surroundings, with most of the sheer face of the concrete blocked from the street by foliage (if not by the landscaping measures introduced through the project itself)

Refuse collection is provided through a self-contained enclosed form that speaks to the proposed building complex and is accessed off the edge of the building on Hilltop Crescent. Here curbside pickup of bins will be provided, and minimal disruptions will be felt along the main thoroughfare in Hilltown Drive.

URBAN CONNECTIVITY 2.0

The project sits in the McKinley development area North of Kelowna and West of Highway 97. It is a 20-minute drive or an hour and 10-minute cycle between the site and the downtown core (intersection of Highway 97 and Water St.) and a 10-minute drive or 40-minute cycle between the site and UBCO (from which more convenient transit access could be found currently). Transit is not yet available directly to this site, though a future proposed network around the intersection of Beaver Lake Rd. and Highway 97 will provide a more convenient connection to a transit route (6-minute drive and a 23minute cycle).

However, the current lack of existing transit networks in these spaces will likely foster a dependency on car ownership and usage given this development has not been oriented around a proposed transit line (given many in the neighborhood will already have a car given the current walking and cycling distances to major and needed amenities, and so may prefer using the car out of convenience even when other transit options come available – especially given the current distance to even the newly proposed lines).

Encouraging other means of movement such as walking or cycling to these transit nodes will be important in ensuring the neighbourhood does not become entirely tied to personal vehicles alone in the future. Easily accessible bicycle storage and repair spaces have been provided in the parking garage with quick access to the street. As per the Pedestrian and Bicycle Master Plan there are plans in place to increase access to bicycle paths and a more cohesive network of cycling and walking infrastructure through the city. Greater development within the area in the future will provide more opportunity for local access to needed amenities and goods, and the building does work to provide the infrastructure needed to coincide with this potential. Greater consideration for local transit planning measures can help to ensure people moving into these areas can build their lives around transit rather than individual personal vehicles, in the meantime, ease of access to multiple nodes of traffic through provided facilities is provided to help encourage a more diverse range of movement for people in Kelowna.

SUSTAINABILITY 3.0

Envelope details that prevent water and moisture ingress while still allowing the assemblies to dry are being incorporated. Minimizing thermal bridging combined with appropriate continuous insulation will reduce heating and cooling loads. South and west facing windows will be specified to have appropriate shading and glazing coefficients to utilize the summer sun by blocking the heat while still



allowing the winter sun to penetrate, reducing cooling and heating loads in the summer and winter seasons respectively. Providing infrastructure for more sustainably minded human behaviors for both body and environment in activities like walking and cycling are provided through a care for the streetlevel experience around the site and the provision of spaces like bicycle storage conveniently accessed within the structure.

4.0 **CRIME PREVENTION**

The intentions of CPTED have been addressed with well-maintained entrances and frontages that promote pride in ownership amongst the residents through personal outdoor space along the street front, and with the reduced setback increasing the buildings presence. The sight lines of the occupants from decks and windows will provide "eyes on the street" to witness and therefore discourage criminal or antisocial behavior in crime or vandalism.

Site and unit lighting pouring into the surrounding area will be balanced to provide enough illumination to ensure there are no contrast areas that could conceal potential offenders, but not so much that the site is excessively contributing to local light pollution.

LANDSCAPING 5.0

Refer to landscaping description provided with their documents for greater detail. Simple plantings in street front gardens and shrubbery are provided in the spaces facing the roadways, while there has been an effort to minimize the visual and physical disturbance to the forested area out back, which provides a great trail to walk and a scale of greater sensory depth for the site.

SUMMARY 6.0

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

We look forward to your support for all this project brings to our community, and this opportunity to further develop the city into a destination for all to enjoy.

Respectfully submitted,

Aaron Whalen, Associate & Project Designer, Bluegreen Architecture



ANDREI BURLACU GREAT A&A PROPERTIES LTD. andreibkelowna@gmail.com 250.899.1899

JAMELA VAN STEINBURG DEVELOPMENT CONSULTANT/PROJECT MANAGER VLS DEVELOPMENTS jamela@vlsdevelopments.com 258.869.5260

BLUEGREEN ARCHITECTURE 100-1353 Ellis Street, Kelowna, BC, V1Y 1Z9 bluegreenarchitecture.com 236.420.3550

AARON WHALEN PROJECT DESIGNER awhalen@bluegreenarch.com 236.420.3550 x204

KEVIN RYAN PROJECT ARCHITECT kryan@bluegreenarch.com 250.374.1112 x304 ECORA 2045 Enterprise Way, Kelowna, BC, V1Y 9T5 250.469.9757

FIONA BARTON LANDSCAPE ARCHITECT fiona@ecora.ca

SCHEDULE

This forms part of application # DP22-0200 & DVP23-0076



_					
DRAWING LIST					
	#	DRAWING			
	A0.0	COVER PAGE			
	A0.1	ZONING + SITE INFO + SURVEY			
	A1.0	SITE PLAN + ZONING			
	A2.0	FLOOR PLAN LEVEL 0			
	A2.1	FLOOR PLAN LEVEL 1			
	A2.2	FLOOR PLAN LEVEL 2			
	A2.3	FLOOR PLAN LEVEL 3			
	A2.4	FLOOR PLAN LEVEL 4			
	A2.5	FLOOR PLAN LEVEL 5			
	A2.6	FLOOR PLAN LEVEL 6			
	A2.7	ROOF PLAN			
	A3.1	BUILDING ELEVATIONS			
	A3.2	BUILDING ELEVATIONS			
	A3.3	MATERIAL BOARD			
	A3.4	BUILDING PERSPECTIVES			
	A4.0	BUILDING SECTIONS			
	A4.2	BUILDING SECTIONS			



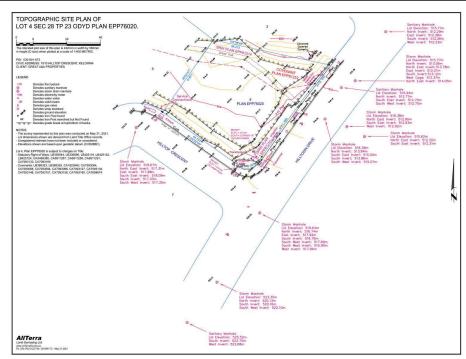
MCKINLEY LOT 4

LOT 4, HILLTOP CRESCENT KELOWNA, BC

COVER PAGE

A0.0

Planner Initials



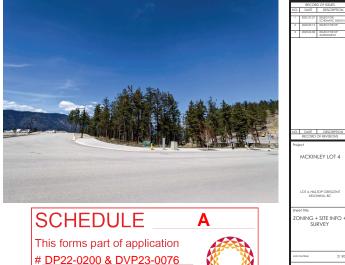


Planner

Initials

SS

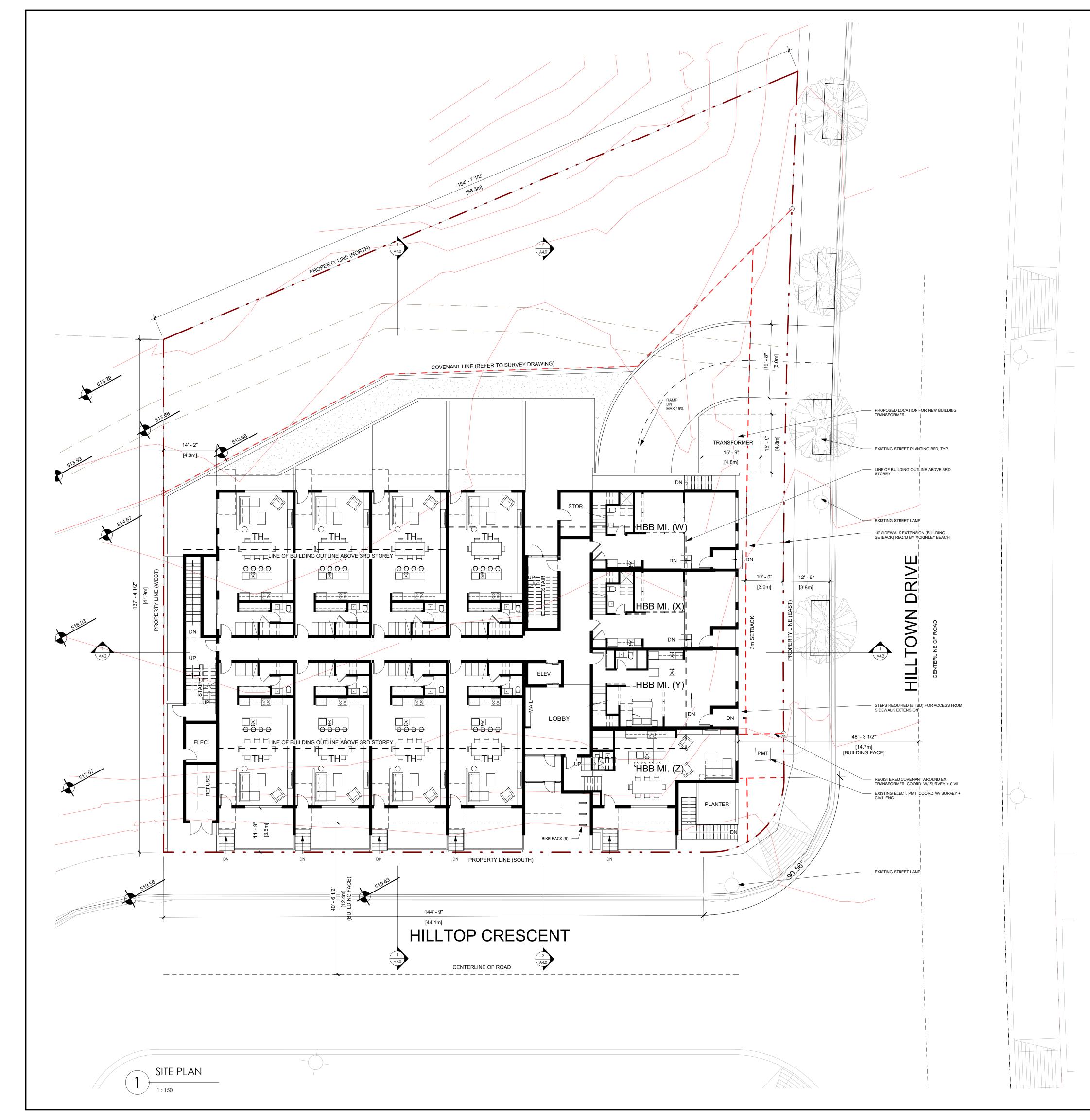


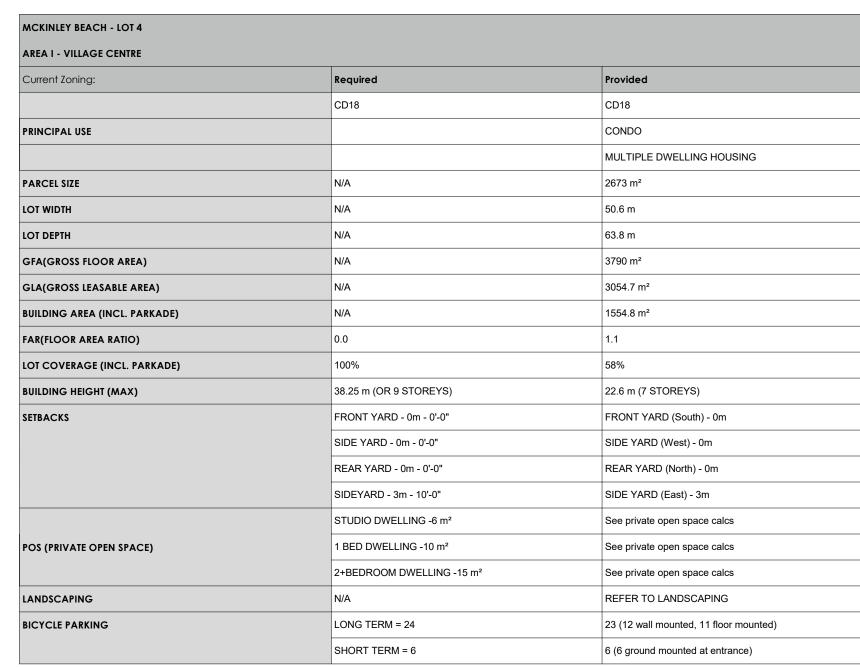


City of Kelowna

A0.1

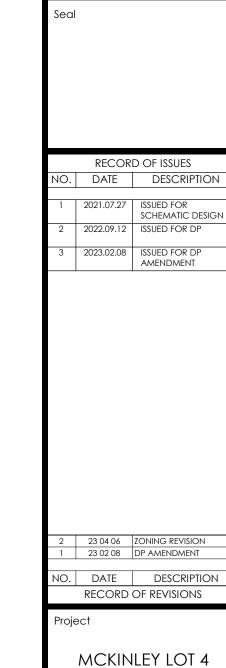
BLUEGREEN





0					
PARKING CALCULATIONS					
UNIT TYPE (PARKING MULTIPLIER)	TOTAL	REQUIRED			
TH-A1 - 3 BED (2.0/UNIT)	1	2			
TH-A2 - 3 BED (2.0/UNIT)	1	2			
TH-B - 3 BED (2.0/UNIT)	6	12			
HOME BASED BUSINESS MINOR -W - 3 BED+ DEN (2.0/UNIT)	1	2			
HOME BASED BUSINESS MINOR -X - 3 BED (2.0/UNIT)	1	2			
HOME BASED BUSINESS MINOR -Y - 3 BED (2.0/UNIT)	1	2			
HOME BASED BUSINESS MINOR -Z - 3 BED (2.0/UNIT)	1	2			
UNIT-A1-3 BED (2.0/UNIT)	3	6			
UNIT-A2- 3 BED (2.0/UNIT)	3	6			
unit-b1- 3 bed (2.0/unit)	3	6			
UNIT-B2- 3 BED (2.0/UNIT)	3	6			
TOTAL UNITS	24	48			
VISITOR PARKING (0.14/UNIT)		3			
PARKING PROVIDED	51	51			





LOT 4, HILLTOP CRESCENT KELOWNA, BC

SITE PLAN + ZONING

2023.02.08

Sheet Title

Job Number

evision Number

rawing Number

#100-1353 Ellis Street

Kelowna, BC V1Y 1Z9 p:236.420.3550

www.bluegreenarchitecture.com

Development Permit

- THIS DRAWING MUST NOT BE SCALED.

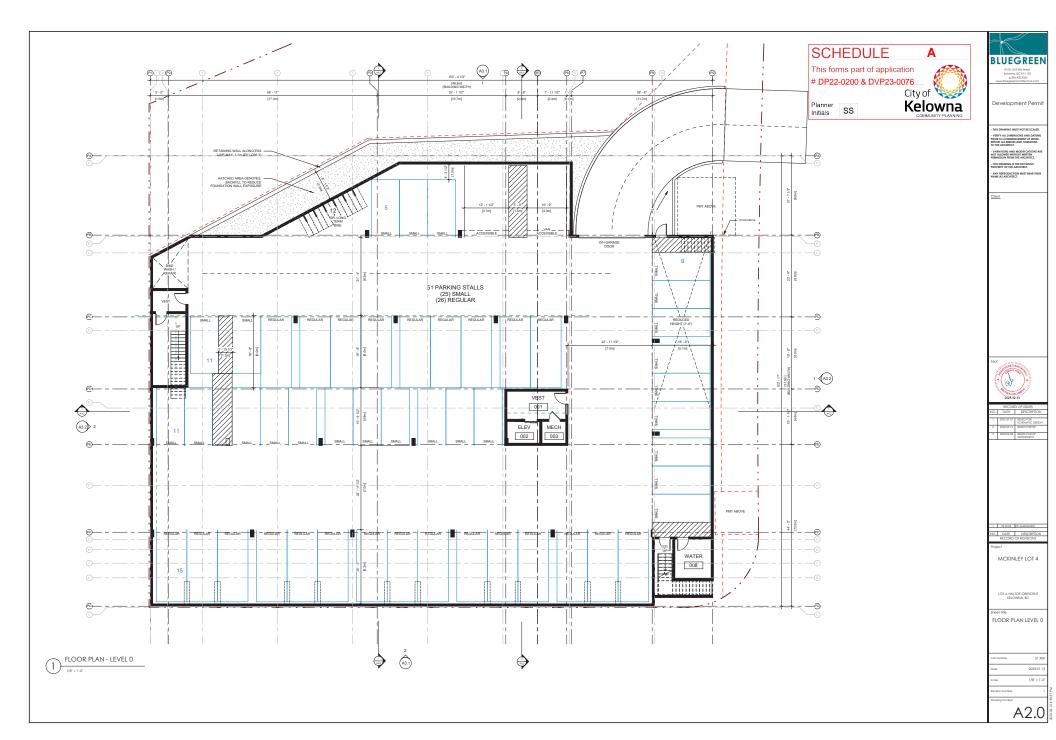
- VERIFY ALL DIMENSIONS AND DATUMS PRIOR TO COMMENCEMENT OF WORK. REPORT ALL ERRORS AND OMISSIONS

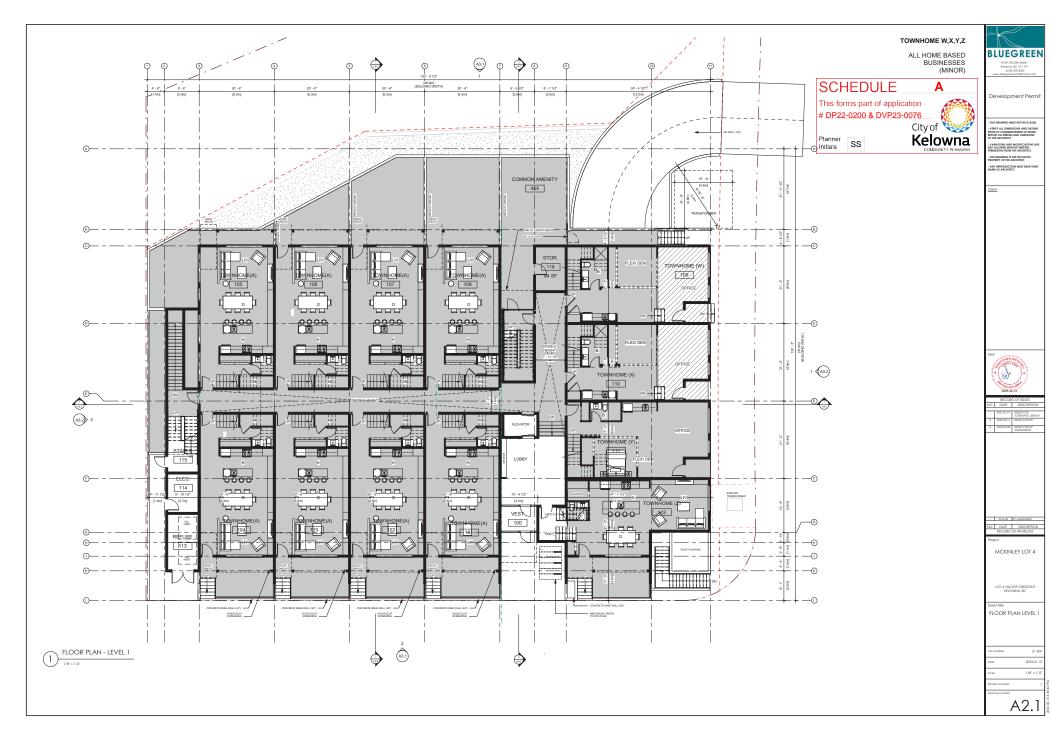
- VARIATIONS AND MODIFICATIONS ARE NOT ALLOWED WITHOUT WRITTEN PERMISSION FROM THE ARCHITECT.

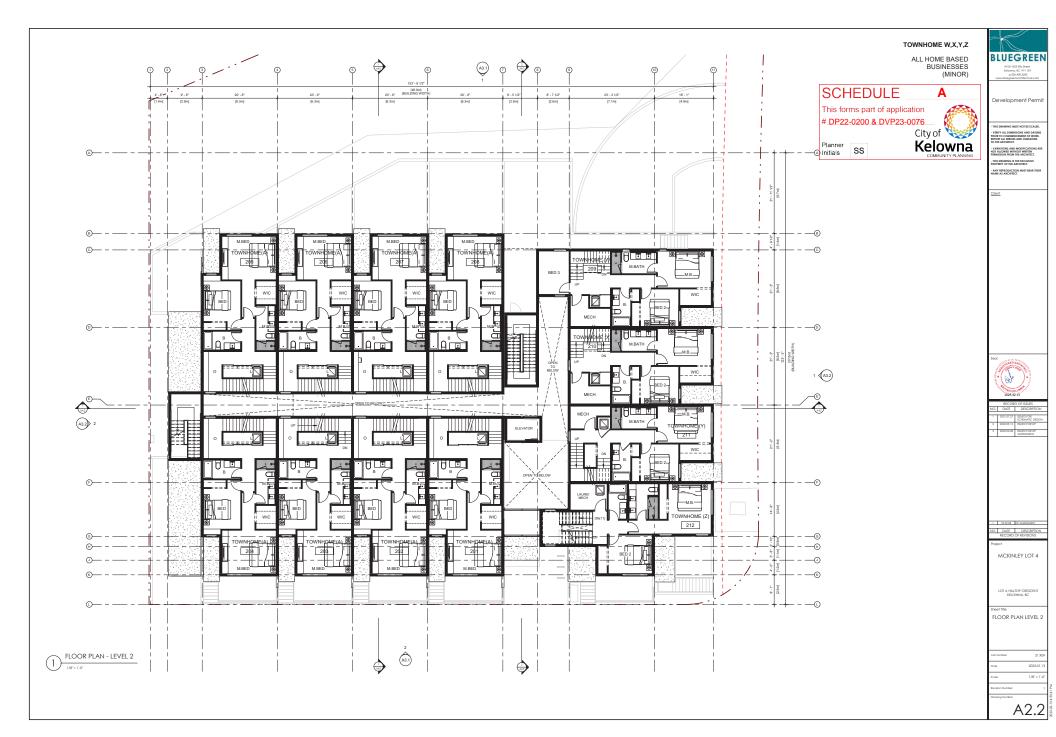
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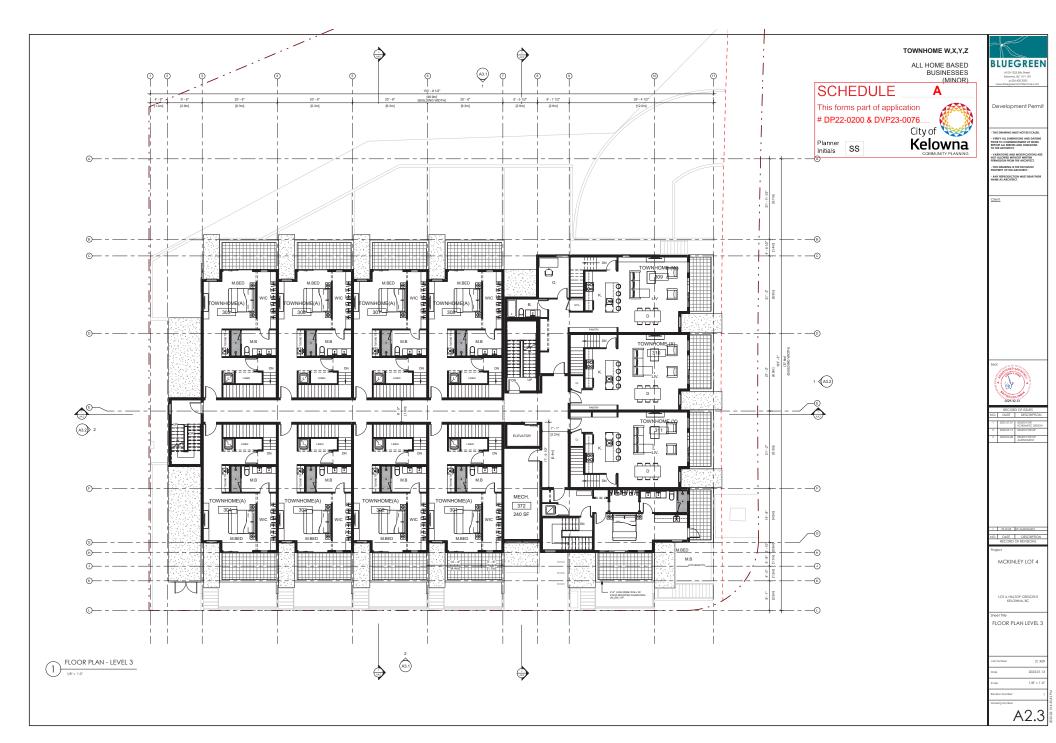
- THIS DRAWING IS THE EXCLUSIVE

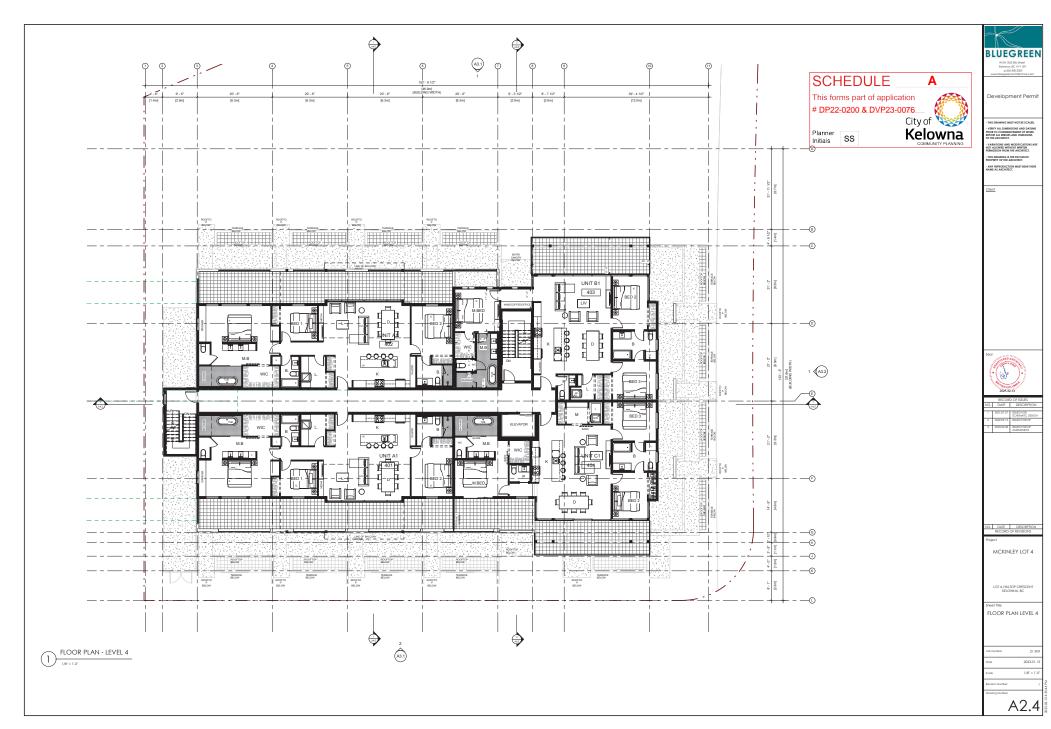
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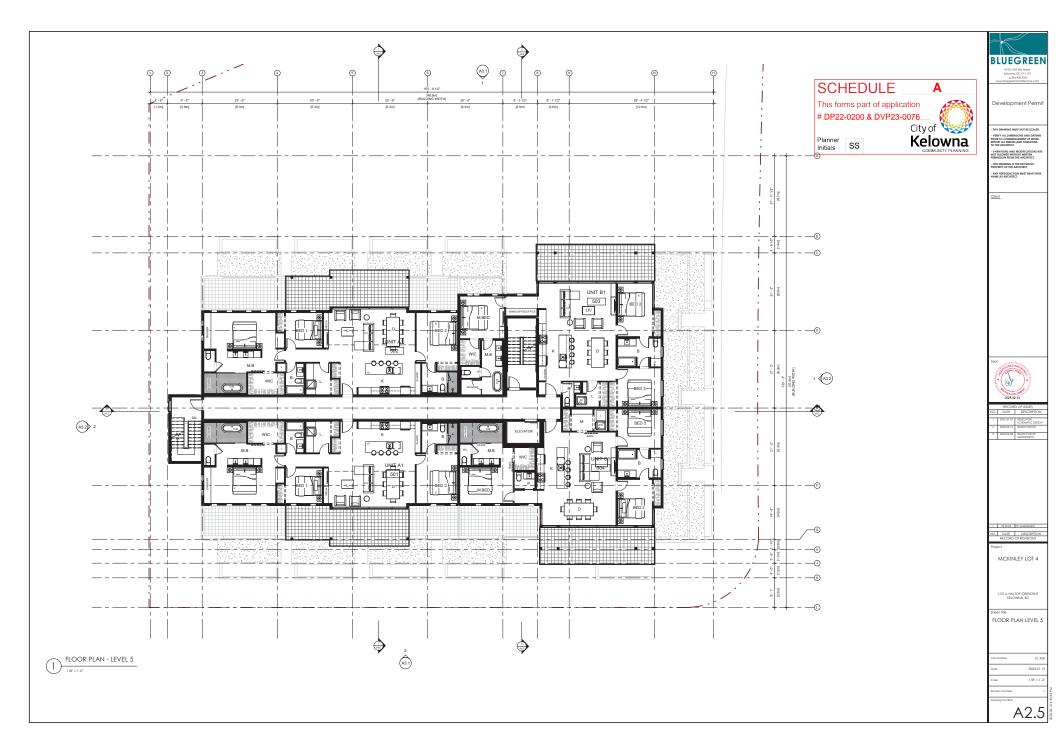


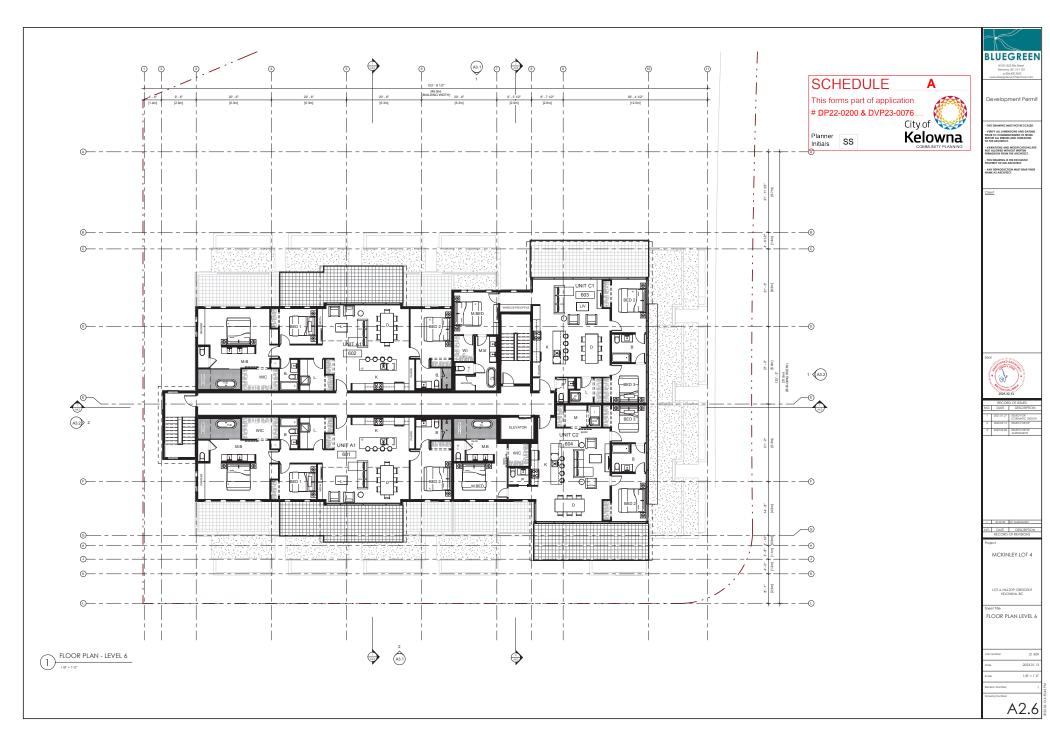


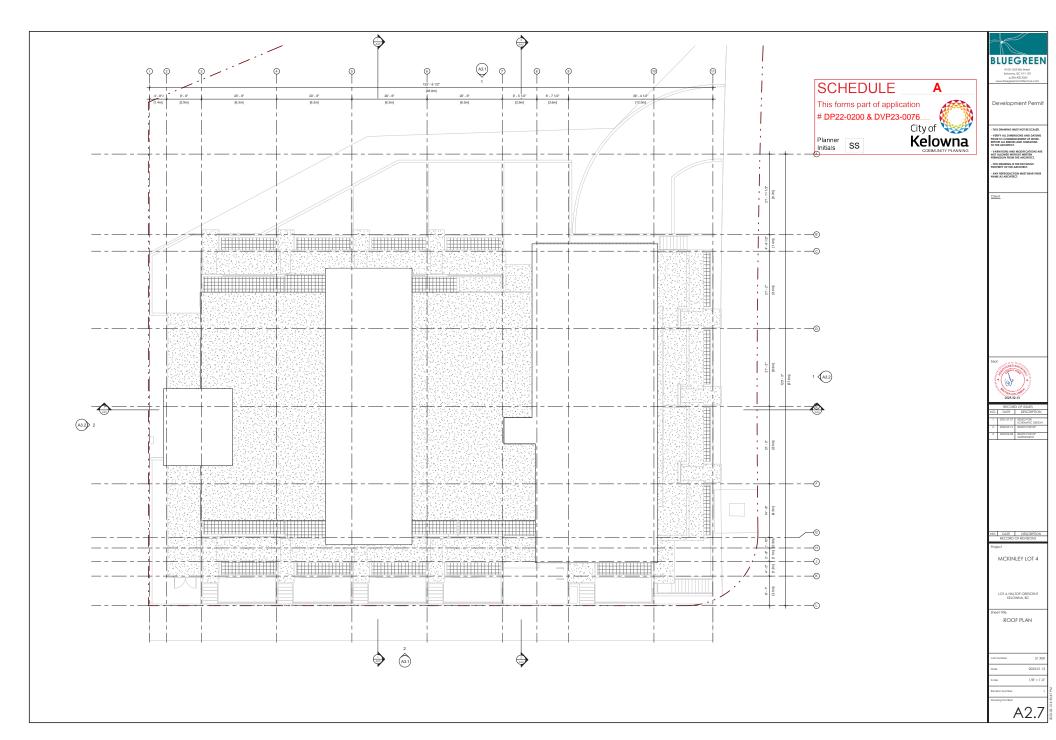




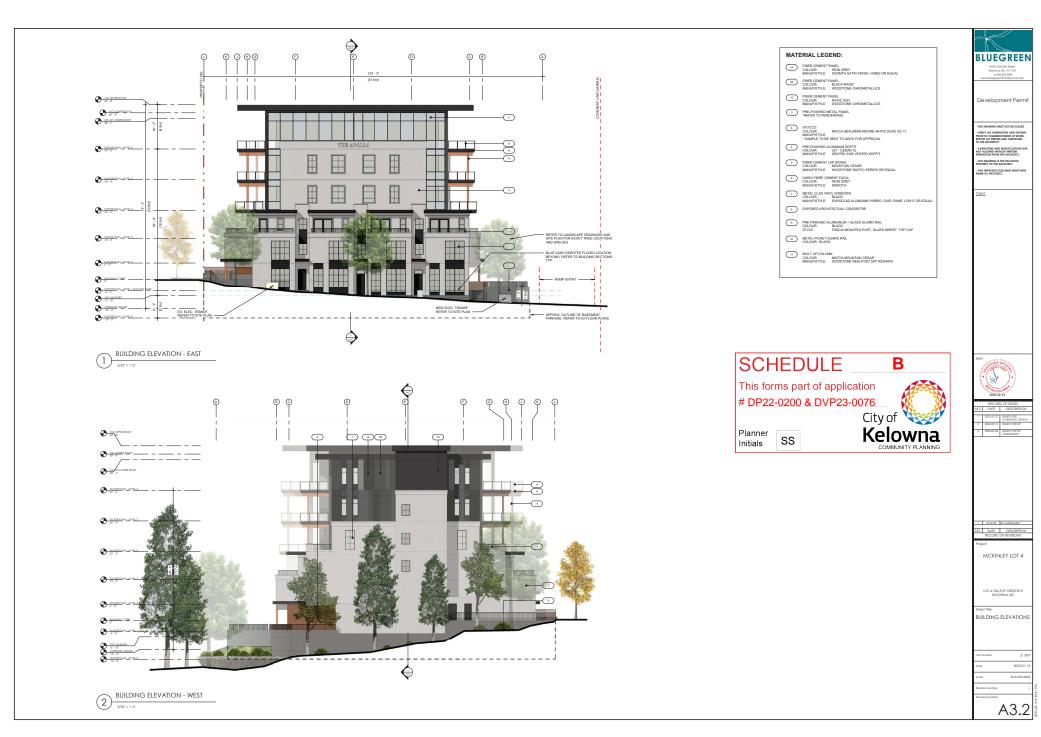


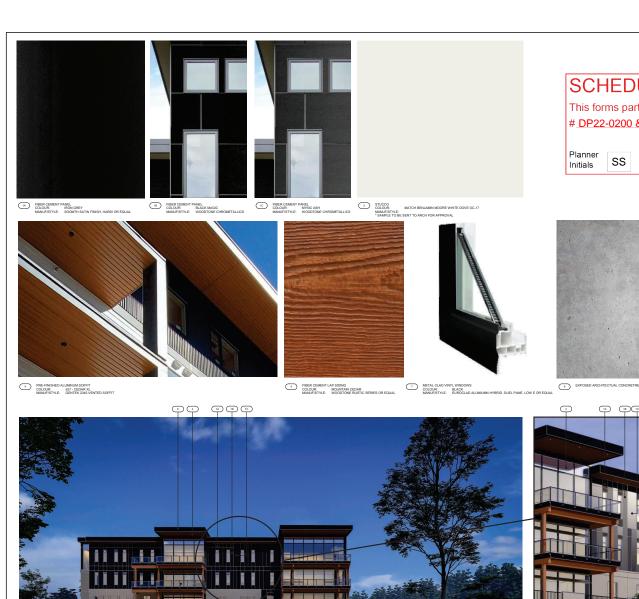




















EXPOSED ARCHITECTUAL CONCRETRE

10 METAL PICKET GUARD RAIL COLOUR: BLACK

PRE FINISHED ALUMIUNUM+ GLASS GUARD RAIL
COLOUR: BLACK
STYLE: FASCIA MOUNTED POST, GLASS INSERT, TOP CAP



RECORD OF ISSUES				
NO.	DATE	DESCRIPTION		
1	2021.07.27	SSUED FOR SCHEMATIC DESIGN		
2	2022:09.12	ISSUED FOR DP		
3	2023.02.08	ESUED FOR DP AMENDMENT		

NO. DATE DESCRIPTION
RECORD OF REVISIONS

MCKINLEY LOT 4

LOT 4, HILLTOP CRESCENT KELOWNA, BC

MATERIAL BOARD

 Job Number
 21,90

 Drafe
 2023,01,1

 Scale
 12" = 1"4

 Bevildon Number

A3.3

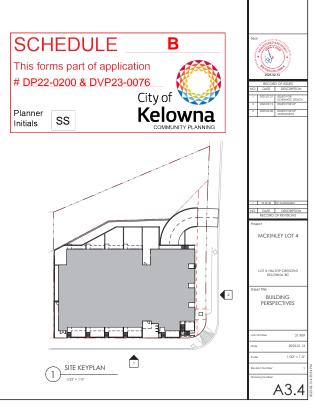


1. SOUTH VIEW

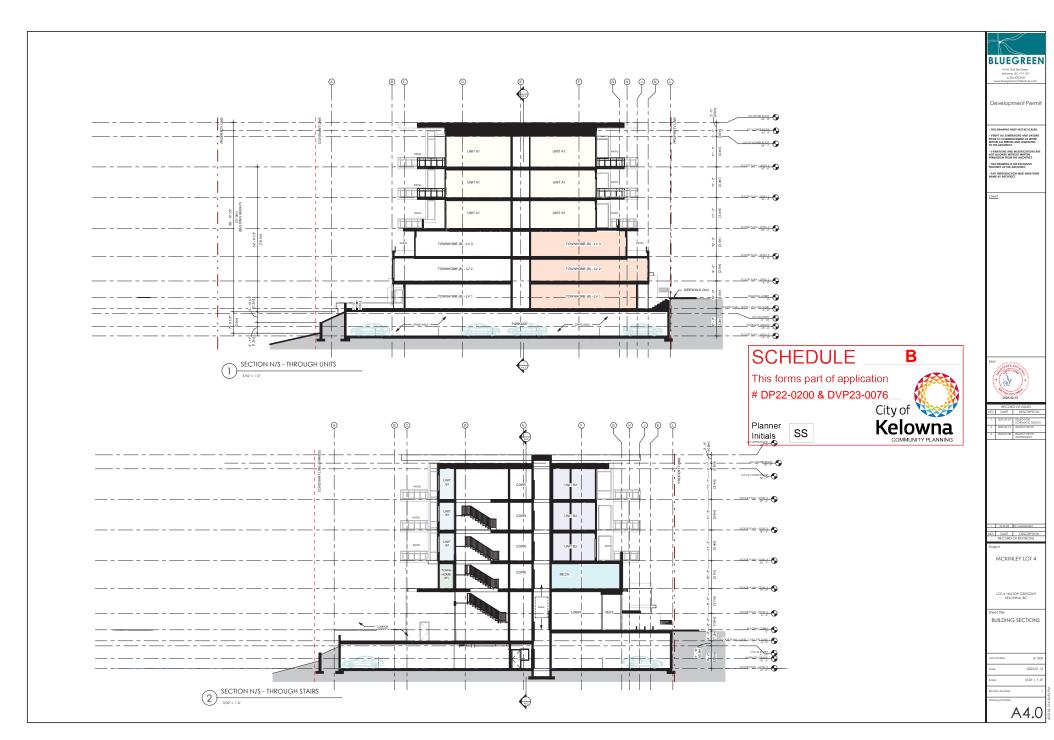


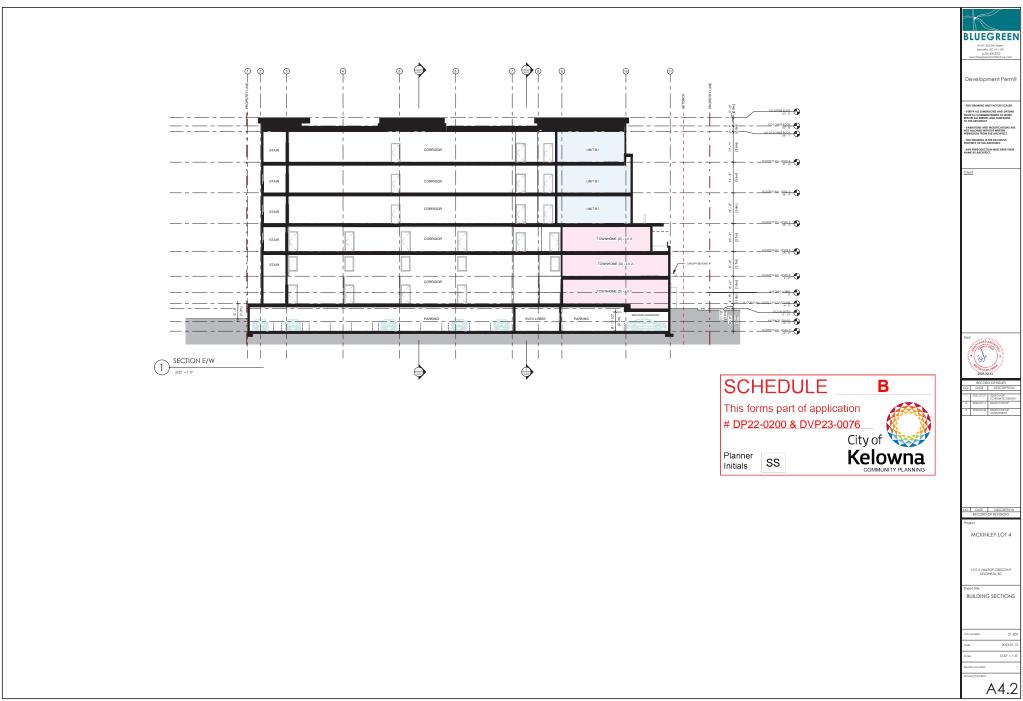
2. EAST VIEW



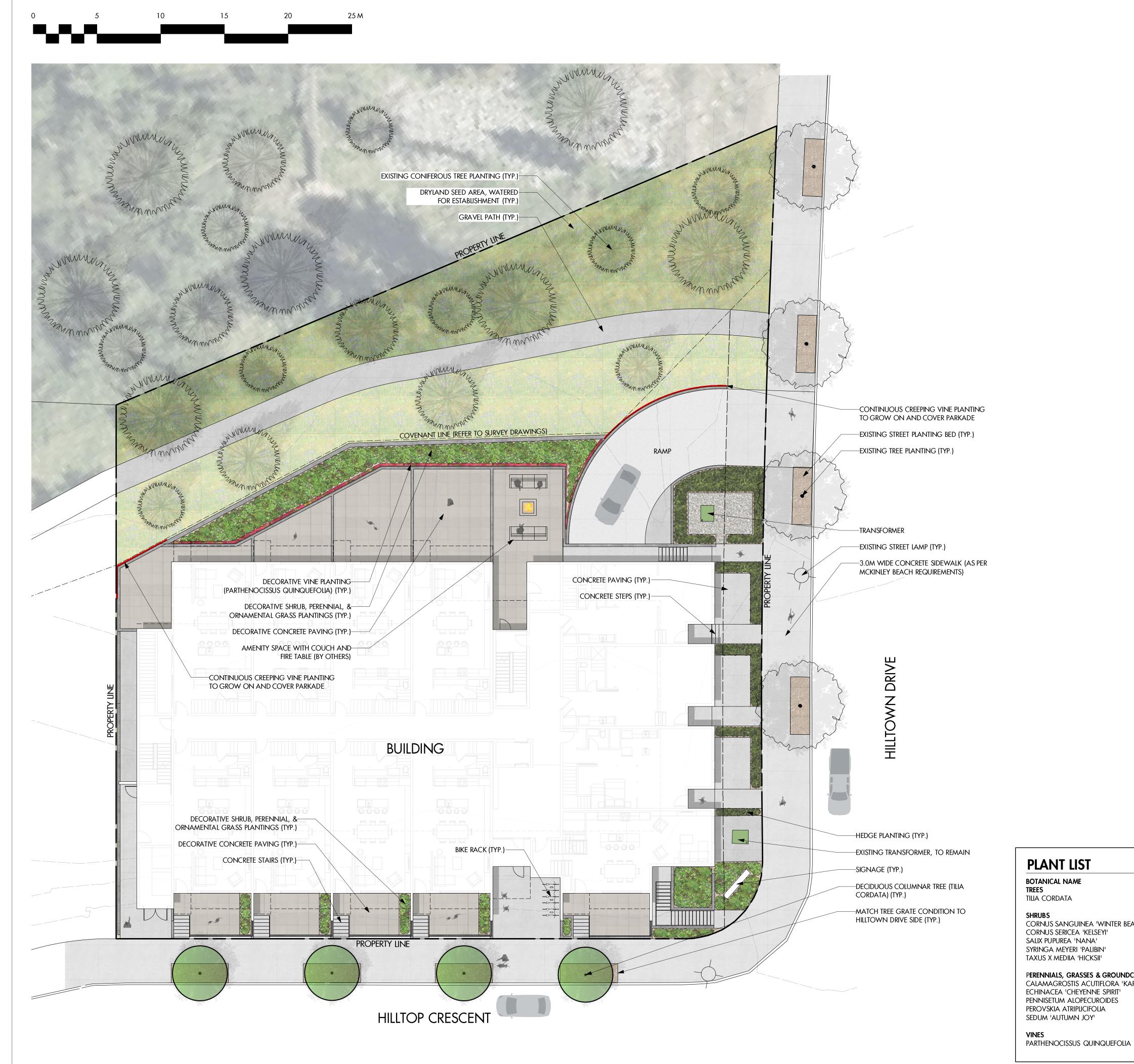






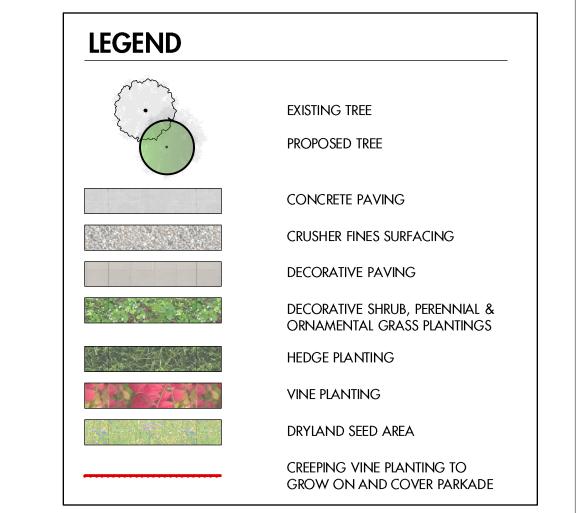












NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED THE CANADIAN NURSERY LANDSCAPE ASSOCIATION STANDARDS.

2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.

3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 75mm BLACK WOOD MULCH OR DECORATIVE ROCK MULCH, AS SHOWN IN PLANS. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS IN WOOD MULCH AREAS.

4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.

5. HYDROSEEDING DRYLAND SEED AREAS:

BY WEIGHT BY SPECIES DRYLAND SEED MIXTURE BLUE BUNCH WHEAT GRASS 40% 22% ROUGH FESCUE 25% 20% 15% IDAHO FESCUE 19% 10% PERENNIAL RYEGRASS **7**% SANDBERG BLUEGRASS 5% 13% JUNE GRASS **4**% 18% CANADA BLUEGRASS 1% 1%

HYDROSEEDING APPLICATION RATE

NATIVE SEED DRYLAND SEED MIXTURE 125KG/HECTARE
FERTILIZER 18-18-18-2, 50% SULPHUR COATED UREA 300KG/HECTARE
MULCH CANFOR ECOFIBRE PLUS TAC 2,800KG/HECTARE
TACKIFIER GUAR 3% OF MIX

THE PRECEDING HYDROSEEDING MIXTURE IS TO BE APPLIED TO THE DRYLAND SEED AREA AS SHOWN ON THE DRAWING. SEED MIX TO BE CERTIFIED #1 GRADE BY AGRICULTURE CANADA. REFER MANUFACTURER'S SPECIFICATIONS FOR PRODUCT DELIVERY, STORAGE & PROTECTION.

30 #01 CONT. /1.2M O.C. SPACING

PLANT LIST			
BOTANICAL NAME TREES	COMMON NAME	QTY	SIZE/SPACING & REMARKS
TILIA CORDATA	LITTLELEAF LINDEN	4	6cm CAL.
SHRUBS			
CORNUS SANGUINEA 'WINTER BEAUTY'	WINTER BEAUTY DOGWOOD	5	#02 CONT. /2.5M O.C. SPACING
CORNUS SERICEA 'KELSEYI'	KELSEY DOGWOOD	7	#02 CONT. /1.8M O.C. SPACING
Salix Pupurea 'Nana'	NEST SPRUCE	7	#02 CONT. /1.8M O.C. SPACING
SYRINGA MEYERI 'PALIBIN'	DWARF KOREAN LILAC	7	#02 CONT. /1.8M O.C. SPACING
TAXUS X MEDIIA 'HICKSII'	HICK'S YEW	24	#02 CONT. /1.2M O.C. SPACING
PERENNIALS, GRASSES & GROUNDCOVERS			
CALAMAGROSTIS ACUTIFLORA 'KARL FOERSTER'	Karl Foerster Reed Grass	8	#01 CONT. /1.2M O.C. SPACING
ECHINACEA 'CHEYENNE SPIRIT'	CHEYENNE SPIRIT CONEFLOWER	11	#01 CONT. /1.0M O.C. SPACING
PENNISETUM ALOPECUROIDES	FOUNTAIN GRASS	8	#01 CONT. /1.2M O.C. SPACING
PEROVSKIA ATRIPLICIFOLIA	RUSSIAN SAGE	8	#01 CONT. /1.2M O.C. SPACING
SEDUM 'AUTUMN JOY'	AUTUMN JOY STONECROP	11	#01 CONT. /1.0M O.C. SPACING

VIRGINIA CREEPER



PROJECT TITLE

MCKINLEY FLATS LOT 4, 1810 HILLTOP CRESCENT

kelowna, BC

DRAWING TITLE

CONCEPTUAL LANDSCAPE PLAN

ISSU	JED FOR / REVISION	I
2	22.08.10	Review
3	22.09.19	Review
4	23.01.19	Review
5	23.02.22	Review
6	23.03.10	Review

PROJECT NO	22-0268	
DESIGN BY	FB/AM	
DRAVVN BY	MC	
CHECKED BY	FB	
DATE	FEB. 22, 2023	
SCALE	1:150	
PAGE SIZE	24",26"	

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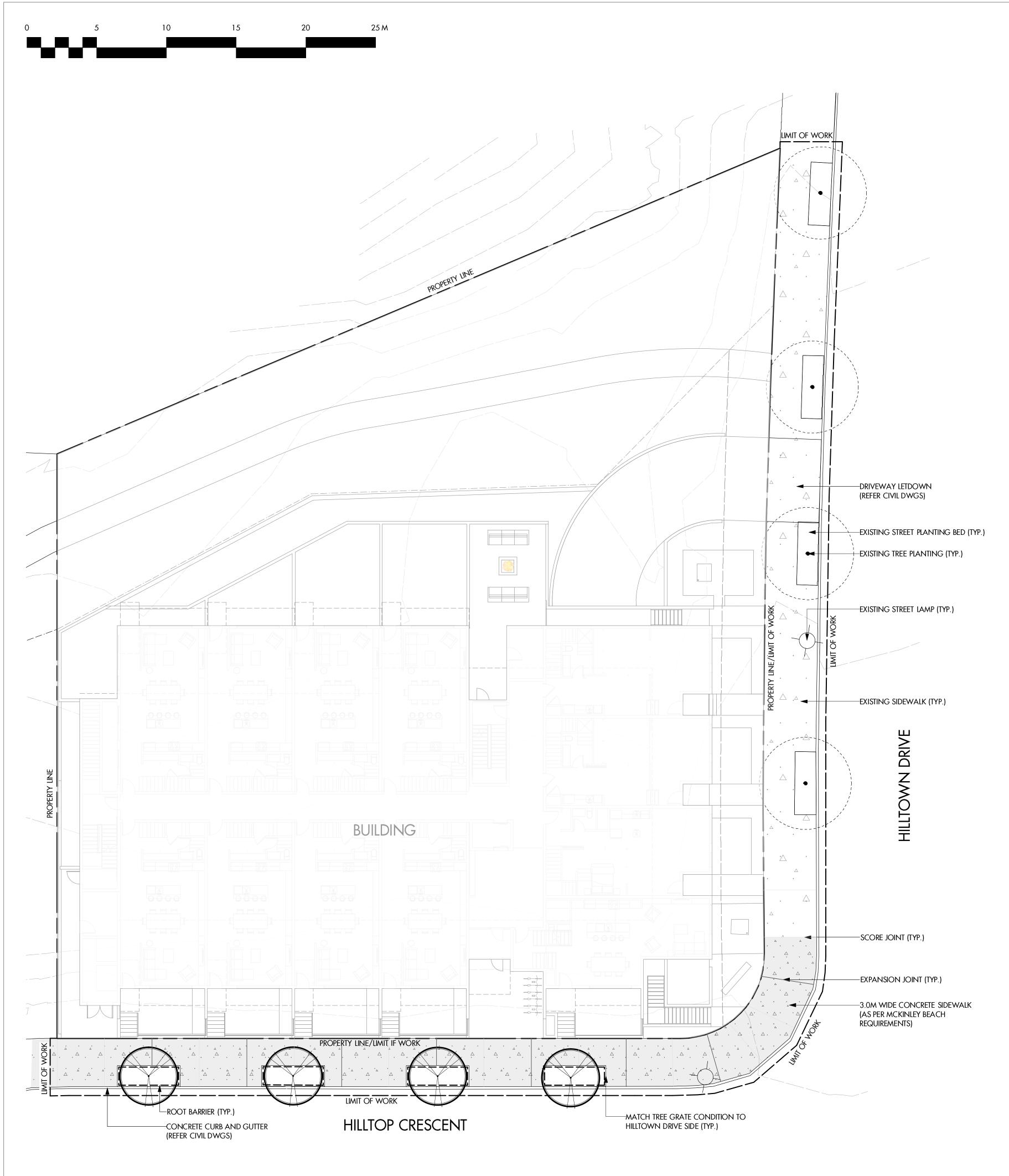


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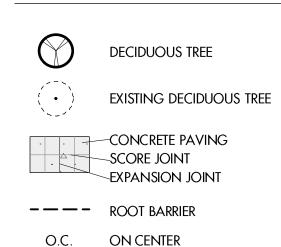
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LANDSCAPE LEGEND



MINIMUM

TYPICAL

PLANT LIST

KEY QTY BOTANICAL NAME COMMON NAME SIZE / SPACING & REMARKS

TREES
TCO 4 TILIA CORDATA LITTLELEAF LINDEN 6cm CAL.

LANDSCAPE NOTES

1. SPECIFICATIONS

ALL WORK TO MEET PROJECT SPECIFICATIONS & CITY OF KELOWNA BYLAW 7900, SUBDIVISION BYLAW, SCHEDULE 5, AND ALL STANDARDS OR SPECIFICATIONS ESTABLISHED IN THE LATEST EDITION OF THE CANADIAN LANDSCAPE STANDARD, PUBLISHED JOINTLY BY THE CANADIAN NURSERY LANDSCAPE ASSOCIATION (CNLA) AND THE CANADIAN SOCIETY OF LANDSCAPE ARCHITECTS (CSLA).

2. DIMENSIONS
ALL WRITTEN DIMENSIONS SUPERSEDE SCALED DIMENSIONS.

3. INSPECTIONS

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

4. LIMIT OF WORK

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

5. DESIGN INTENT

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

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

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

8. UTILITIES

PRIOR TO CONSTRUCTION, THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING THE UTILITY COMPANIES INVOLVED AND REQUESTING A VISUAL VERIFICATION OF THE LOCATIONS OF THEIR UNDERGROUND FACILITIES. MOST UTILITY COMPANIES ARE MEMBERS OF THE UNDERGROUND SERVICE ALERT 'CALL BEFORE YOU DIG' PROGRAM. THE CONTRACTOR OR ANY SUBCONTRACTOR FOR THIS CONTRACT SHALL NOTIFY MEMBERS 48 HOURS IN ADVANCE OF PERFORMING EXCAVATION WORK BY CALLING THE TOLL-FREE NUMBER (800) 474-6886. EXCAVATION IS DEFINED AS BEING 18 OR MORE INCHES IN

DEPTH BELOW THE EXISTING SURFACE.

THE CONTRACTOR IS CAUTIONED THAT ONLY EXCAVATION WILL REVEAL THE TYPES, EXTENT, SIZES, LOCATION, AND DEPTHS OF SUCH UNDERGROUND UTILITIES. HOWEVER, THE CONSULTANT CAN ASSUME NO RESPONSIBILITY FOR THE COMPLETENESS OR ACCURACY OF ITS DELINEATION OF SUCH UNDERGROUND UTILITIES, NOR FOR THE EXISTENCE OF OTHER BURIED OBJECTS OR UTILITIES WHICH ARE NOT SHOWN ON THESE DRAWINGS.

9. SLEEVINGREFER TO IRRIGATION PLAN FOR REQUIREMENTS OF SLEEVING UNDER PAVING.

INSTALL ALL PLANTS SHOWN SCHEMATICALLY ON THE DRAWINGS.

10. PROJECT STAKING

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

11. GRADING AND DRAINAGE

ALL PROPOSED PAVING AND TURF AREAS SHALL SMOOTHLY CONFORM TO EXISTING ADJACENT FEATURES. PROVIDE POSITIVE DRAINAGE ON ALL PAVING AND THROUGHOUT ALL TURF & PLANTING AREAS.

12. CONTROL JOINTS

CONTROL JOINTS WITHIN CONCRETE PAVING ARE TO BE SPACED AS FOLLOWS: SCORE JOINTS ARE TO BE A MAXIMUM OF 3.0m APART & EXPANSION JOINTS ARE TO BE A MAXIMUM OF 9.0m APART.

13. GROWING MEDIUM PLACEMENT

GROWING MEDIUM SHALL BE PLACED AT 1000mm MIN. DEPTH IN ALL TREE PITS, AS SHOWN ON DRAWINGS UNLESS OTHERWISE NOTED. EXTEND LENGTH OF TREE TO PIT TO ACHIEVE REQUIRED GROWING MEDIUM VOLUME. CONTRACTOR TO IMPORT GROWING MEDIUM OR SCREEN, AMEND & PLACE STOCKPILED ON-SITE TOPSOIL. GROWING MEDIUM TO MEET PROPERTIES FOR TREE PITS, AS PER TABLE 2 IN THE CITY OF KELOWNA'S SUPPLEMENTAL TOPSOIL & FINISH GRADING SPECIFACTIONS.

14. BACKFILL

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

15. ROOT BARRIER SHALL BE 450mm D

SHALL BE 450mm DEEP, AVAILABLE FROM DEEP ROOT OR APPROVED EQUAL. INSTALL IN 6.0m TYP. LENGTHS, AS SHOWN ON THE DRAWINGS. INSTALL PER MANUFACTURER'S RECOMMENDATIONS.

16. PLANT MATERIAL

ALL PLANT MATERIAL SUPPLIED AND PLACED BY THE CONTRACTOR MUST BE CERTIFIED TO BE FREE OF SUDDEN OAK DEATH (PHYTOPHTHORA RAMORUM), ACCORDING TO THE THE CANADIAN FOOD INSPECTION AGENCY (CFIA), OR BCLNA STANDARDS. THE CONTRACTOR WILL BE HELD RESPONSIBLE TO THE OWNER FOR THE SUPPLY AND PLACEMENT OF DISEASED PLANTS RESULTING FROM HIS NEGLIGENCE.

PLANT MATERIAL AND PRODUCTS SHALL BE AVAILABLE FOR OPTIONAL INSPECTION BY OUTLAND DESIGN AT SOURCE OF SUPPLY. THE CONTRACTOR SHALL PROVIDE A (1) YEAR REPLACEMENT GUARANTEE ON ALL PLANT MATERIAL TO THE OWNER FROM THE DATE OF SUBSTANTIAL PERFORMANCE.

17. SUBSTITUTIONS

18. CONTRACTOR SHALL NOT SUBSTITUTE PLANT AND THAT THE PLANT OF PROPULCES AND THE WARRENCE AND THE LANDSCAPE ADDITIONAL THE PLANT OF T

THE CONTRACTOR SHALL NOT SUBSTITUTE PLANT MATERIAL OR PRODUCTS WITHOUT THE WRITTEN CONSENT OF THE LANDSCAPE ARCHITECT. THE CONTRACTOR WILL BE RESPONSIBLE FOR THE REMOVAL AND REPLACEMENT OF ANY UNAPPROVED SUBSTITUTIONS.

18. QUANTITIES

THE QUANTITIES SHOWN ON THE LABELS ARE NOT TO BE CONSTRUED AS THE COMPLETE AND ACCURATE LIMITS OF THE CONTRACT. FURNISH AND

19. TREE LOCATIONS
ALL PROPOSED TREE LOCATIONS SHALL BE STAKED IN FIELD FOR REVIEW BY THE OWNER'S INSPECTOR PRIOR TO INSTALLATION.

ALL PROPOSED TREE

20. EXISTING TREE

EXISTING TREES 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

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 REINSTATED AT THE LIMIT OF EXCAVATION AND MAINTAINED THROUGHOUT THE ENTIRE CONSTRUCTION SEQUENCE.





PROJECT TITLE

MCKINLEY FLATS LOT 4, 1810 HILLTOP CRESCENT

Kelowna, BC

DRAWING TITLE

OFFSITE LANDSCAPE PLAN

1 23.04.06 Review	ISSL	jed for / revision	
	1	23.04.06	Review

PROJECT NO	22-0268	
design by	FB/AM	
DRAWN BY	MC	
CHECKED BY	FB	
DATE	APR. 6, 2023	
SCALE	1:150	
PAGE SIZE	24"x36"	

SEAL

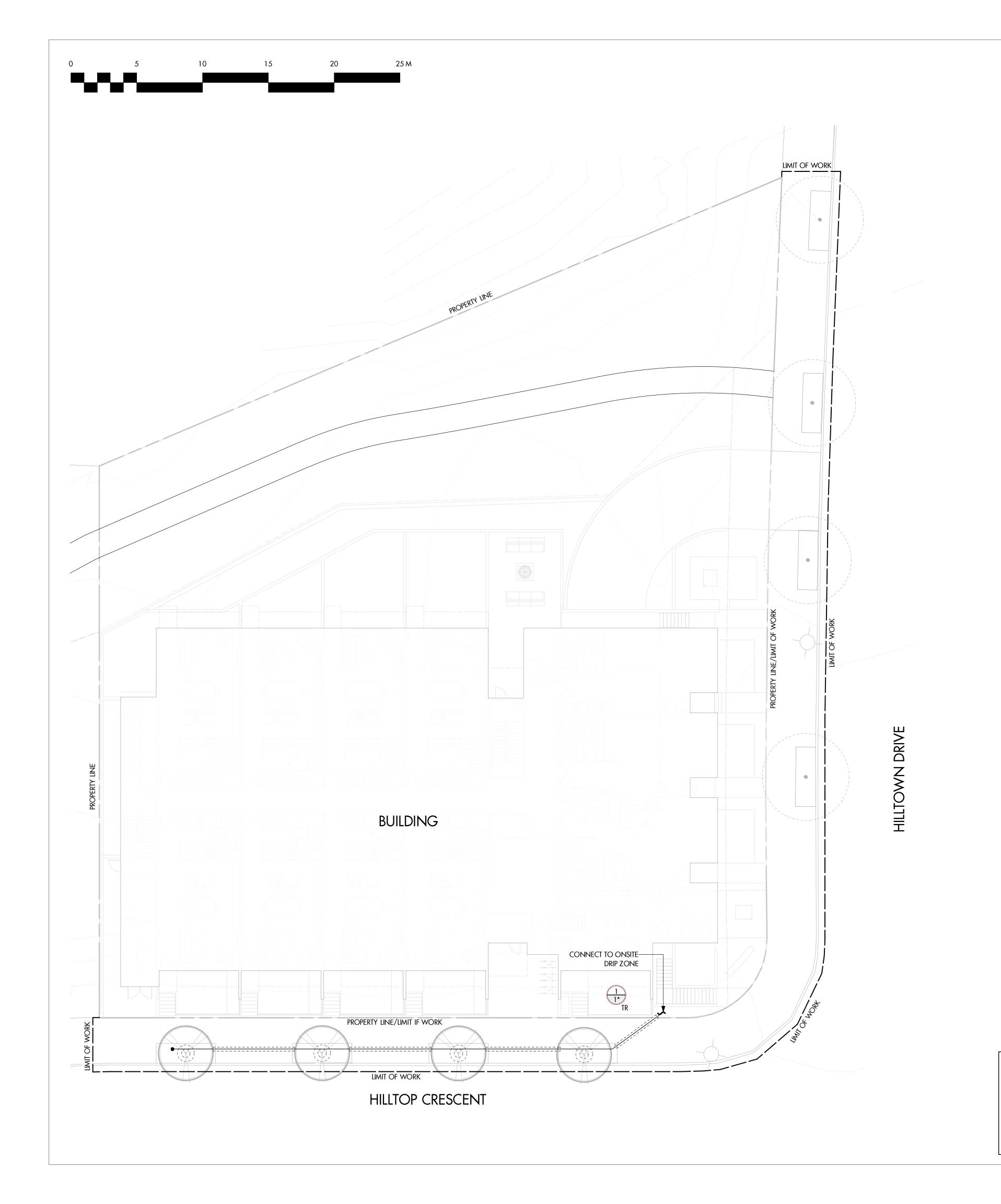


Drawing Number

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IRRIGATION NOTES

SPECIFICATIONS

ALL SPECIFIED WORK TO MEET THE PROJECT SPECIFICATIONS, AND ALL STANDARDS OR SPECIFICATIONS ESTABLISHED IN THE LATEST EDITION OF THE CANADIAN LANDSCAPE STANDARD, PUBLISHED JOINTLY BY THE CANADIAN NURSERY LANDSCAPE ASSOCIATION (CNLA) AND THE CANADIAN SOCIETY OF LANDSCAPE ARCHITECTS

2. VERIFICATION

SYSTEM DESIGN IS BASED ON (10) G.P.M. & (75) P.S.I. AVAILABLE AT THE POINT OF CONNECTION. VERIFY SAME AND NOTIFY THE OWNER'S REPRESENTATIVE IF SUCH DATA ADVERSELY AFFECTS THE OPERATION OF THE SYSTEM. SUCH NOTICE SHALL BE MADE IN WRITING AND PRIOR TO COMMENCING IRRIGATION WORK.

VERIFY LOCATION OF ALL ON-SITE UTILITIES. RESTORATION OF DAMAGED UTILITIES SHALL BE MADE AT THE CONTRACTOR'S EXPENSE TO THE SATISFACTION OF THE OWNER'S REPRESENTATIVE.

4. SCHEMATIC

SYSTEM FEATURES ARE SHOWN SCHEMATICALLY FOR GRAPHIC CLARITY. INSTALL ALL PIPING AND VALVES IN COMMON TRENCHES WHERE FEASIBLE AND INSIDE PLANTING AREAS WHENEVER POSSIBLE.

5. WATER SERVICE LINE EXISTING.

6. ELECTRICAL SERVICE

BY OTHERS, REFER ELECTRICAL DWGS
7. SLEEVING

ADEQUATELY SIZE ALL SLEEVES SHOWN ON PLAN. SLEEVES SHALL BE INSTALLED AT THE NECESSARY DEPTHS PRIOR TO PAVEMENT CONSTRUCTION. SLEEVING SHALL EXTEND 300MM FROM EDGE OF PAVING INTO LAWN OR PLANTING AREA, AND SHALL HAVE ENDS CLEARLY MARKED ABOVE GRADE UNLESS OTHERWISE SHOWN.

8. GRAPHIC CLARITY

MAIN LINE & IRRIGATION COMPONENTS SHOW ON PLAN FOR GRAPHIC CLARIFY. CONTRACTOR TO VERIFY ALL MATERIALS IN THE FIELD. VALVE BOXES TO BE LOCATED IN PLANTING AREAS.

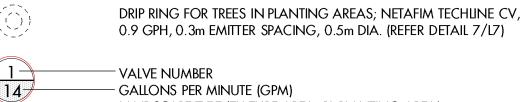
9. TESTS AND INSPECTIONS

AT VARIOUS MILESTONES DURING CONSTRUCTION, INSPECTION AND TESTING OF COMPONENTS WILL BE REQUIRED TO ENSURE PERFORMANCE OF IRRIGATION SYSTEM MEETS EXPECTED STANDARDS. PROVIDE EQUIPMENT AND PERSONNEL NECESSARY FOR PERFORMANCE OF INSPECTIONS AND TESTS. CONDUCT ALL INSPECTIONS AND TESTS IN THE PRESENCE OF THE CONTRACT ADMINISTRATOR. KEEP WORK UNCOVERED AND ACCESSIBLE UNTIL SUCCESSFUL COMPLETION OF INSPECTION OR TEST.

10. COMPONENTS

ALL INTERIOR POINT OF CONNECTION COMPONENTS TO BE BRASS.

IRRIGATION LEGEND



LANDSCAPE TYPE (TU-TURF AREA, PL-PLANTING AREA)

LATERAL LINE; CLASS 200 PVC PIPE, 1" UNLESS NOTED

IRRIGATION SLEEVE; SCHEDULE 40 PVC, 3" MIN. OR TWICE THE DIA. OF PIPE CONTAINED. INSTALL IRRIGATION WIRING IN SEPARATE 2" ELECTRICAL CONDUIT. EXTEND SLEEVE 0.3m PAST EDGE OF HARD SURFACE.

FLUSH VALVE; 3/4" SCHEDULE 40 PVC BALL VALVE, INSTALLED IN VALVE BOX (REFER DETAIL 3/L7)

IRRIGATION ZONE CHART

SCHEDULE TO ENSURE THAT PLANT MATERIAL RECEIVES ADEQUATE WATERING.

ZONE # VALVE LANDSCAPE TYPE PRODUCT TYPE APPLICATION RATE OPERATING ZONE FLOW OPERATING TIME SIZE PRESSURE PLANTING AREA 45 MINS / 2X PER WEEK 7.4mm/hr 40 PSI NOTE: OPERATING TIMES ARE SHOWN AS A BASE THEORETICAL SCHEDULE ONLY, BASED ON EVERY TOTAL RUNTIME PER WEEK = 90 MINS / WEEK (1.5 HRS) DAY WATERING IN JULY. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR SETTING THE IRRIGATION *GPM FLOW IS CALCULATED FOR OFF-SITE IRRIGATION PORTION OF ZONE ONLY.



PROJECT TITLE

MCKINLEY FLATS LOT 4, 1810 HILLTOP CRESCENT

Kelowna, BC

DRAVVING TITLE

OFFSITE IRRIGATION PLAN

ISSU	JED FOR / REVISION	
1	23.04.06	Review

PROJECT NO	22-0268
DESIGN BY	FB/AM
DRAWN BY	MC
CHECKED BY	FB
DATE	APR. 6, 2023
SCALE	1:150
PAGE SIZE	24"x36"

SEAL



Drawing number

L2/2

NOT FOR CONSTRUCTION

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Wednesday February 22, 2023

McKinley Flats Lot 4 1810 Hilltop Crescent

1810 Hilltop Crescent Limited c/o Blue Green Architecture #100-1353 Ellis Street Kelowna, BC V1Y 1Z9 Attn: Jamela Van Steinberg

Via email to: greatproperties@shaw.ca

Re: McKinley Flats Lot 4 1810 Hilltop Crescent – Preliminary Cost Estimate for Bonding

Dear Jamela:

Please be advised of the following preliminary cost estimate for bonding of the proposed landscape works shown in the McKinley Flats Lot 4 1810 Hilltop Crescent conceptual landscape plan dated 23.02.23;

• Landscape Improvements: 1,390 square metres (14,960 square feet) = \$67,970.81

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

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

Best regards,

Fiona Barton, MBCSLA, CSLA

as per

Ecora Engineering & Resource Group Ltd.

200-2045 Enterprise Way, Kelowna, BC, V1Y 9T5 P 250.469.9757

ecora.ca





Thursday April 6, 2023

McKinley Flats Lot 4 1810 Hilltop Crescent

1810 Hilltop Crescent Limited c/o Blue Green Architecture #100-1353 Ellis Street Kelowna, BC V1Y 1Z9 Attn: Jamela Van Steinberg

Via email to: greatproperties@shaw.ca

Re: McKinley Flats Lot 4 1810 Hilltop Crescent – Preliminary Cost Estimate for Bonding

Dear Jamela:

Please be advised of the following preliminary cost estimate for bonding of the proposed landscape works shown in the McKinley Flats Lot 4 1810 Hilltop Crescent conceptual landscape plan dated 23.04.06;

• Offsite Improvements: 27 square metres (291 square feet) = \$3,350.00

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

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

Best regards,

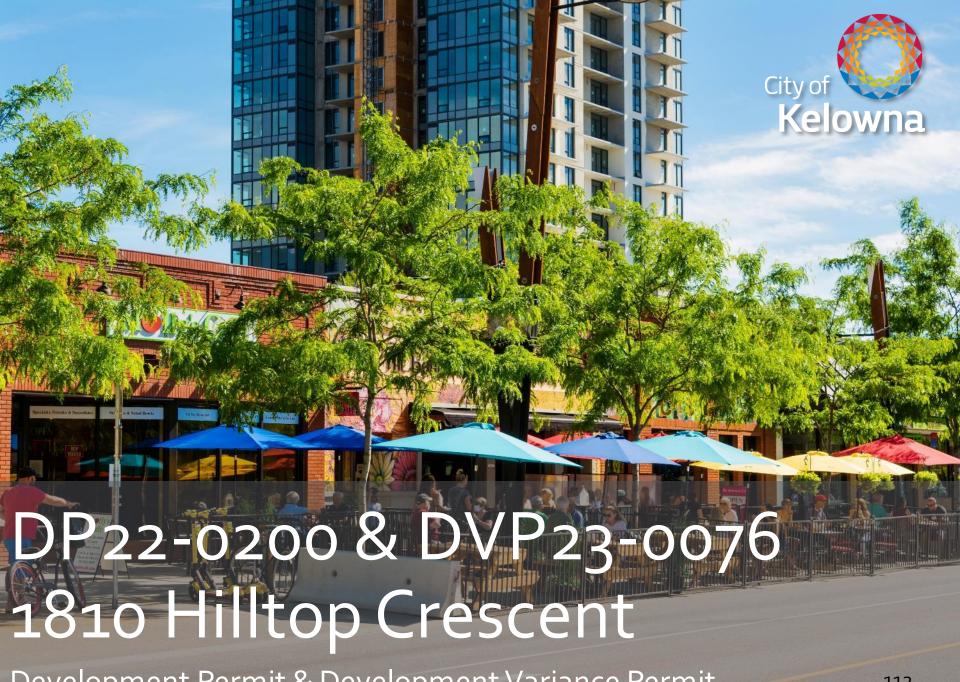
Fiona Barton, MBCSLA, CSLA

as per

Ecora Engineering & Resource Group Ltd.

200-2045 Enterprise Way, Kelowna, BC, V1Y 9T5 P 250.469.9757

ecora.ca



Development Permit & Development Variance Permit



Purpose

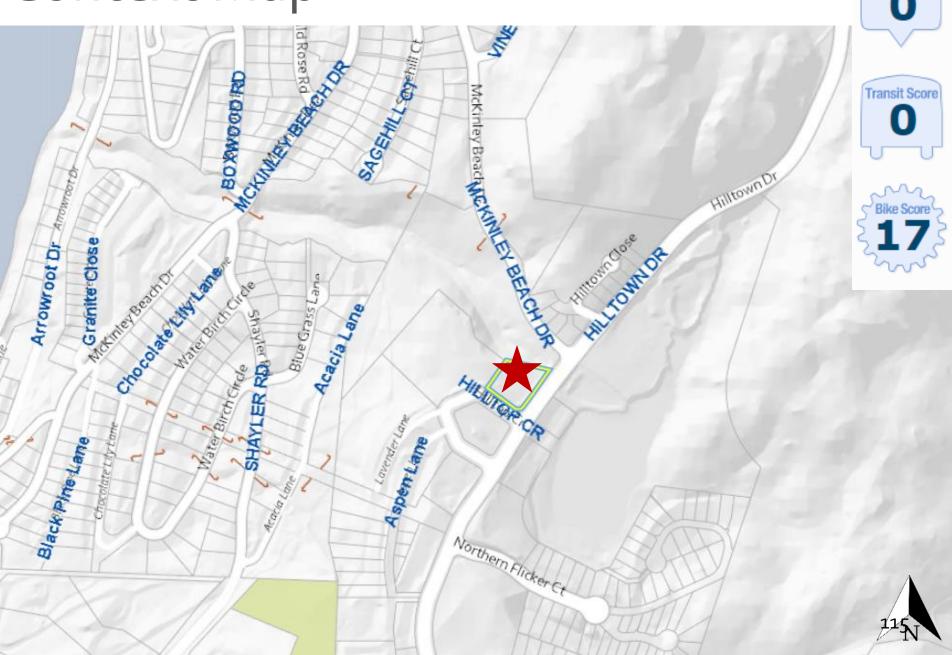
➤ To issue a Development Permit and Development Variance Permit for the form and character of Multiple Dwelling Housing; with a variance to the minimum amount of habitable space within any exposed storey.

Development Process



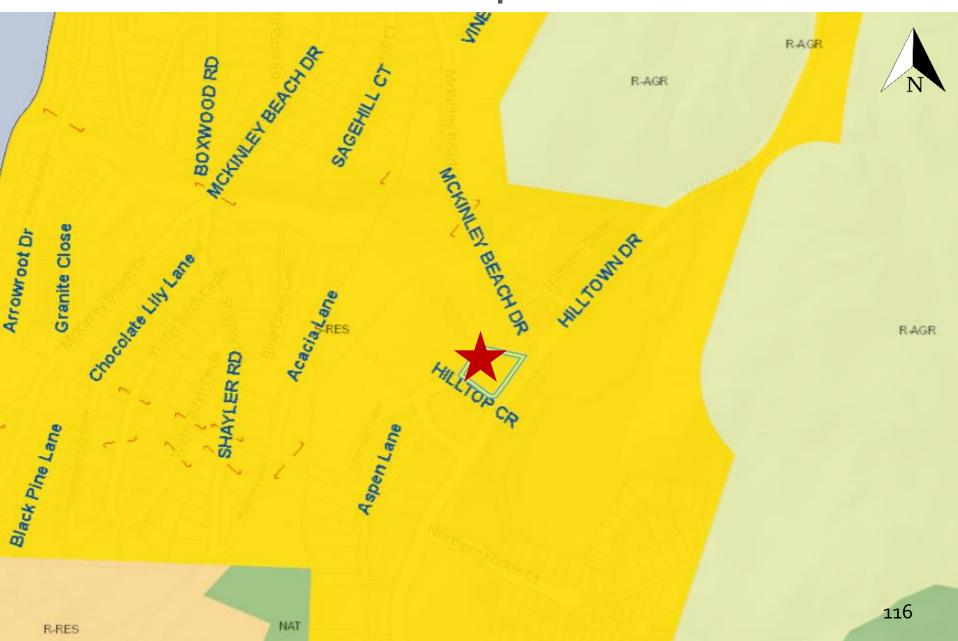


Context Map



Walk Score

Future Land Use Map



Subject Property Map

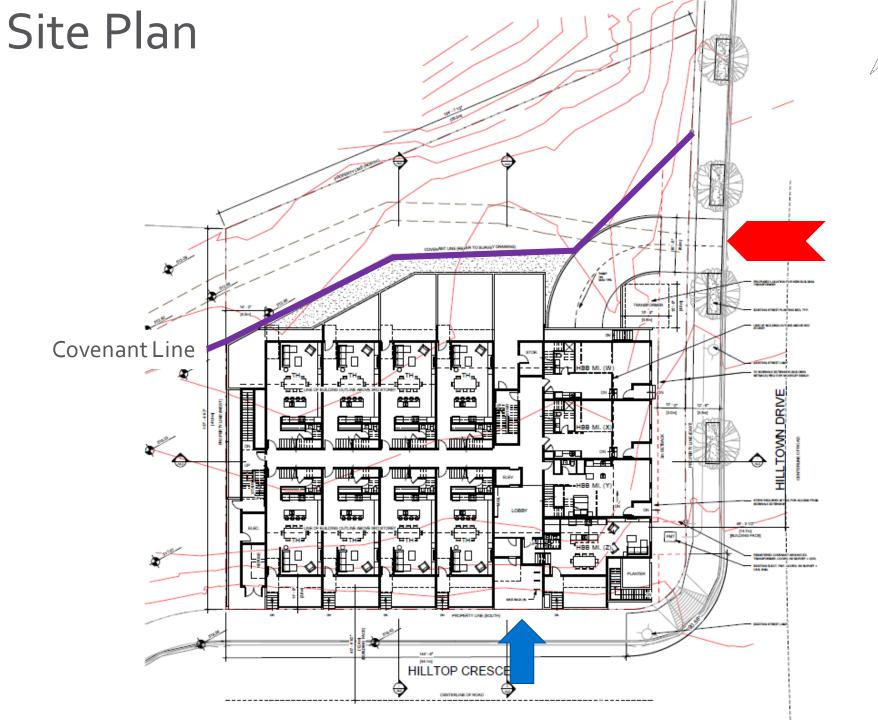






Technical Details

- > 24-unit, 3-bedroom townhouse/ apartment development
 - ▶ 12 townhouse units
 - ▶ 12 apartment units
 - 6 storeys residential with 1 storey underground parkade
- ▶ 51 parking stalls
 - ▶ 48 residential stalls
 - > 3 visitor stalls
 - 23 long-term bike stalls and bike wash/repair station
 - ▶ 6 short-term bike stalls
- ► Amenities:
 - Private balconies
 - Adjacent to park trails
 - Within walking distance to future McKinley amenity centre/park





Elevation – South



South Elevation – fronting Hilltop Crescent

Elevation – East



Materials Board





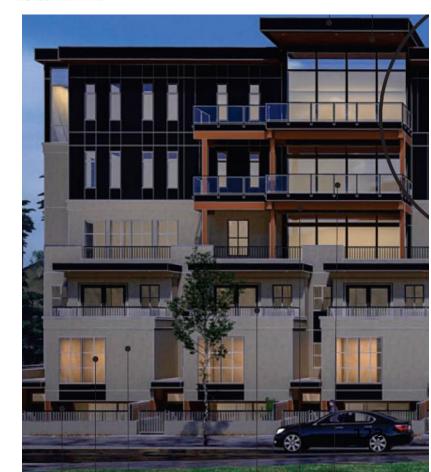




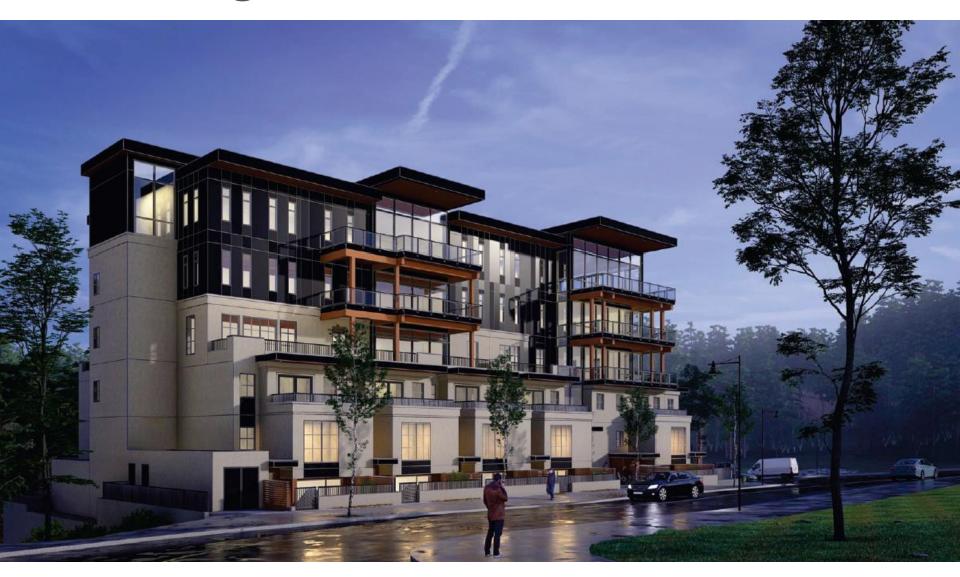


STUCCO
 STUCCO
 MATCH BENJAMIN MODRE WHITE DOVE OC 17
 MANUFASTYLE:
 *SAMPLE TO BE SENT TO ARCH FOR APPROVAL.





Rendering



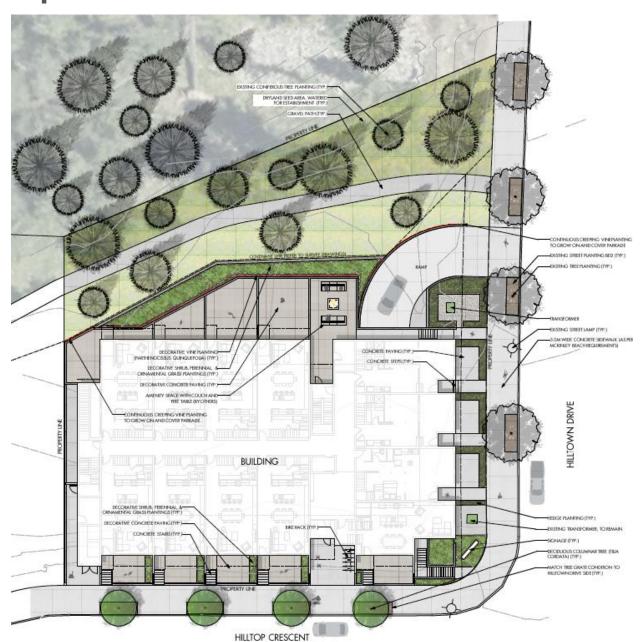
Rendering



North-West Elevation – Corner of Hilltop Crescent and Hilltown Drive

Landscape Plan







Variances

- ➤ To vary the minimum amount of habitable space within any exposed storey from 60% required to 0% proposed.
- Exposed parkade storey cannot accommodate habitable space
 - ▶ Parkade wall does not directly face the street, rather into the covenant area
 - Screened blank wall with extensive landscaping
 - Architectural treatment to the wall
 - Landscaped retaining wall

Variance - rendering





OCP Design Guidelines

- ► Ground-oriented entrances
- Strong architectural treatment of the building corner
- Variation between rooflines, building façade, increased number of windows
- ► Building facade articulates townhouse and apartment units
- Located parking underground
- ► Environmentally sensitive areas protected via covenant



Staff Recommendation

- ➤ Staff recommend **support** for the proposed Development Permit and Development Variance Permit as it:
 - Aligns with the OCP Form and Character Design Guidelines for Low and Mid-Rise Development
 - Variance has been mitigated through extensive landscaping and exposed wall treatment

REPORT TO COUNCIL



Date: May 8, 2023

To: Council

From: City Manager

Department: Development Planning

Application: OCP22-0002 Z22-0004 Owner: Frazer Lake Developments GP

Ltd., Inc.No. BC1313068

Address: 5081 Killdeer Road Applicant: Emil Anderson Properties

Subject: OCP Amendment & Rezoning Application

S - RES - Suburban Residential

Existing OCP Designation: NAT – Natural Areas

PARK - Parks

S-RES – Suburban Residential

Proposed OCP Designation: NAT – Natural Areas

PARK - Parks

Existing Zone: RR1 – Large Lot Rural Residential

RU₂ – Medium Lot Housing

Proposed Zone: RR1 – Large Lot Rural Residential

P3 - Parks and Open Space

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP22-0002 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of portions of Lot B Section 24 Township 28 SDYD Plan 28853 Except Plans 30846, 30848, 34710, 37381, 39945 and 42749, located at 5081 Killdeer Rd, Kelowna, BC from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation and from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation, as shown on Map "A" attached to the Report from the Development Planning Department dated May 8, 2023, be considered by Council;

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

AND THAT Council considers the Public Consultation process to be appropriate consultation for the *Purpose* of Section 475 of the *Local Government Act*, as outlined in the Report from the Development Planning Department dated May 8, 2023;

AND THAT Rezoning Application No. Z22-0004 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot B Section 24 Township 28 SDYD Plan 28853 Except Plans 30846, 30848, 34710, 37381, 39945 and 42749, located at 5081 Killdeer Rd, Kelowna, BC from the RR1 – Large Lot Rural Residential zone to the RU2 – Medium Lot Housing zone and the P3 – Parks and Open Space zone as shown on Map "B" attached to the Report from the Development Planning Department dated May 8, 2023, 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 May 8, 2023;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

2.0 Purpose

To amend the Official Community Plan to change the future land use designation of portions of the subject property and to rezone portions of the subject property to facilitate the development of a 12-lot residential subdivision.

3.0 Development Planning

Staff support the Official Community Plan amendment and Rezoning application to accommodate a 12-lot residential subdivision of the subject property and provide parkland. The proposal is consistent with the Area Structure Plan for Neighbourhood 2, which identified the property as being suitable for residential development. It conforms to OCP Policy which encourages integrating nature into new developments while protecting environmentally sensitive areas. An environmentally sensitive stream, wetland, ravine, and steep hillside would be transferred to the City and include an established trail network. The proposal to amend the Future Land Use Designation is intended to align the boundaries of the proposed development with the natural topography and reflects more detailed site investigation of the topographic condition of the site.

Road connections are identified through the Official Community Plan across other portions of the subject property. As a condition of Rezoning, the applicant will be required to provide a road reserve for the extension of Southcrest Drive between Killdeer Road and Horn Ct, a road reserve for the extension of Killdeer Rd to Cobble Crescent, and a road reserve for a turn around at the terminus of Horn Cr. Construction of these road connections would be contingent on future phases of development.

Staff have reviewed this application, and it may move forward without affecting either the City's Financial Plan or Waste Management Plan. The remainder of the site which is not subject to this application would be redeveloped through further development applications in the future.

Public consultation was completed in accordance with Council Policy No. 367 by mailing a notice to all property owners within a 50 m radius of the subject property. A summary of the applicant's public consultation efforts is attached as "Attachment C."

4.0 Site Context & Background

4.1 Site Context

Orientation	Zoning	Land Use
North	RR1 – Large Lot Rural Residential	Vacant
East	RU1 – Large Lot Housing	Single Detached Housing
EdSt	P ₃ – Parks and Open Space	Hillside Natural Area
South	A2 — Agriculture/Rural Residential	Vacant (Thomson Flats)
	RU1 – Large Lot Housing	Single Detached Housing
West	RU4 – Duplex Housing	Semi-Detached Housing
	RU5 – Multiple Single Detached Housing	Vacant





The subject site is located at the end of Benmore Place in the Upper Mission. Frazer Lake is on the property, located to the north of the development site. An unnamed stream flows north-south through the property, into Frazer Lake. The Future Land Use of the surrounding area is S-RES – Suburban Residential, NAT – Natural Area, and R-AGR – Rural – Agricultural and Resource and is zoned RU1 – Large Lot Housing, RR1 – Large Lot Rural Residential, P3 – Parks and Open Space, and A2 – Agriculture/Rural Residential.

4.2 Background

The Neighbourhood 2 Area Structure Plan (ASP) and related OCP Amendments were adopted by Council on January 22, 2001. The Plan envisioned a compact, well-ordered community tailored to the dramatic landscape of the site. The ASP notes that the predominant land use is low to medium density single-family housing, which should be clustered to preserve parkland and located to take the best advantage of natural

topography and views. The subject site was specifically identified in the Area Structure Plan as being suitable for single/two unit residential development.

5.0 Current Development Policies

5.1 <u>Kelowna Official Community Plan (OCP)</u>

Objective 7.1.1 Create more complete communities in Suburban Neighbourhoods		
Policy 7.1.1 Area Structure Plan Consistency	Support development that is consistent with adopted Area Structure Plans (ASPs) in Suburban neighbourhoods. Require amendments to ASPs where proposals include significant increases to the number of residential units beyond those signaled in an ASP or where proposals are likely to require significant changes to planned transportation, parks and utility infrastructure. The proposed development is in an area that was designated for residential	
	development in the Neighbourhood 2 Area Structure Plan.	
Objective 7.2 Des	sign Suburban Neighbourhoods to be low impact, context sensitive and	
Policy 7.2.3 Integrate Nature	Integrate the design of active parks with adjacent natural areas while maintaining individual park standards. Reduce the impacts of parks on adjacent natural systems. The development proposal would transfer parkland area to the City, including an environmentally sensitive ravine and wetland, steep hillside, and an established trail network.	
Objective 10.1 Acq	uire new parks to enhance livability throughout the City.	
Policy 10.1.15 Natural Areas	Preserve a diversity of Natural Areas for habitat and ecosystem conservation, including ecosystem connectivity corridors, with limited trails access and other low impact activities. The network should contain representative Okanagan ecosystems, contain areas of natural beauty and of high visual sensitivity, with opportunities for viewpoints, staging areas, and linear trails. Aim for contiguous spaces that link to other regionally and provincially protected spaces. Ensure that acquired spaces have adequate access for maintenance and linear trails, and that hazards (e.g. wildfire or rock fall) are mitigated prior to acquisition. Disturbed and weedy areas are not suitable for natural park areas, unless restored to the satisfaction of the City prior to transfer. The cost/benefit of the land must result in an overall benefit to the City rather than a maintenance burden. The proposed development would protect an environmentally sensitive ravine and wetland, and steep hillside as natural park area.	

6.o Technical Comments

6.1 <u>Development Engineering Department</u>

See Attachment A

7.0 Application Chronology

Date of Application Accepted: January 19, 2022
Date Public Consultation Completed: March 20, 2023

Z22-0004 OCP22-0002 - Page 5

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:

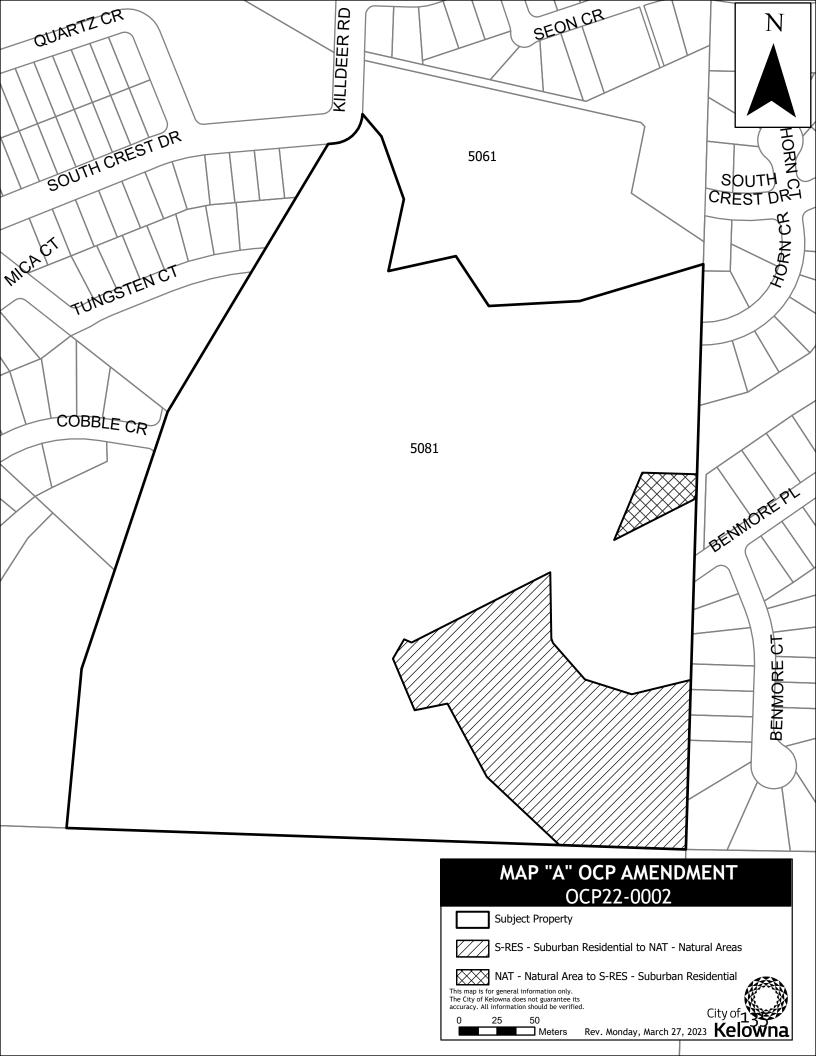
Map A: Official Community Plan Amendment

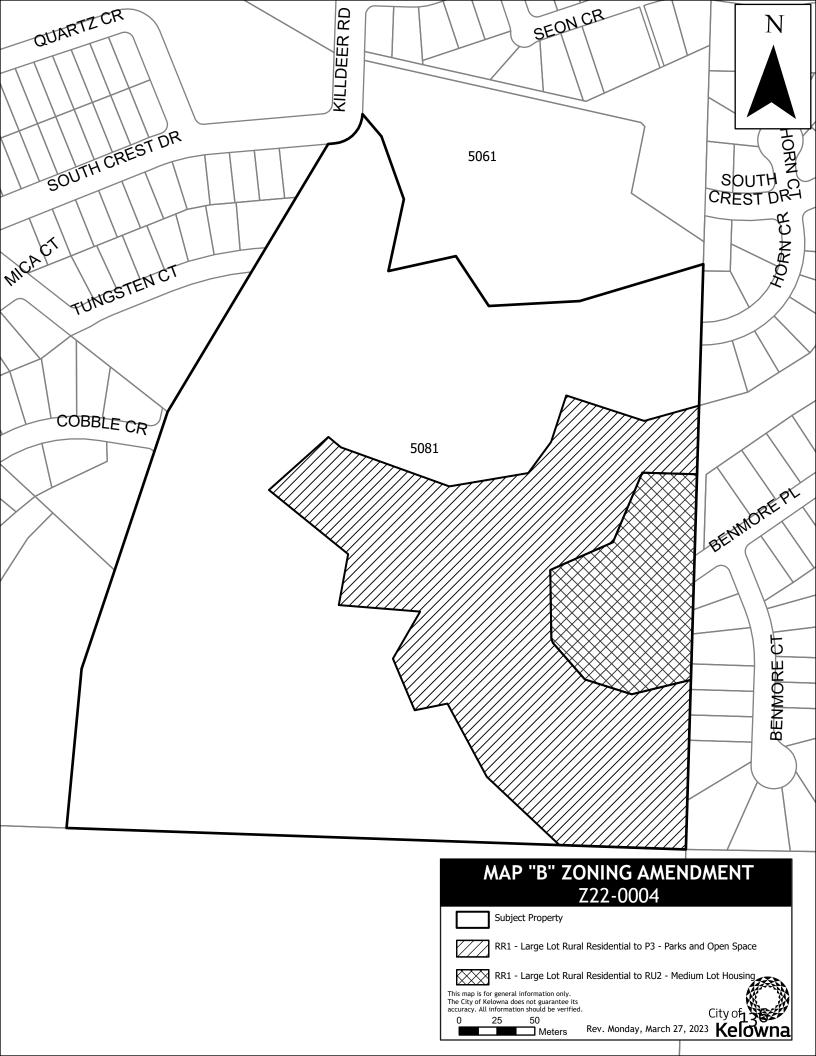
Map B: Zoning Amendment

Attachment A: Development Engineering Memo

Attachment B: Drawing Package

Attachment C: Public Engagement Summary





CITY OF KELOWNA

MEMORANDUM

Date: March 27, 2023

File No.: Z22-0004

To: Planning and Development Officer (MT)

From: Development Engineering Manager (NC)

Subject: 5081 Killdeer Rd A1 to RU2H

The Development Engineering Branch has the following comments and requirements associated with this application to rezone the subject property from A1 – Agriculture 1 to RU2h – Medium Lot Housing (Hillside Area).

The Development Engineering Technologist for this project will be John Filipenko, AScT (jfilipenko@kelowna.ca).

General

 A road connection is required between the South Crest Dr / Killdeer Rd corner and South Crest Dr / Horn Ct intersection.

Provide a road reserve complete with preliminary design for the extension of South Crest Drive between Killdeer Road and Horn Court. The road design is to be consistent with the existing cross section to the East (SS-R7 Standard).

b. A road connection is required between Killdeer Rd and Cobble Cr.

Provide a road reserve of 14.1-m width for the extension of Killdeer Rd to Cobble Court.

c. A turn around is required at the terminus of Horn Crescent.

Provide a road reserve and preliminary design for the cul-de-sac

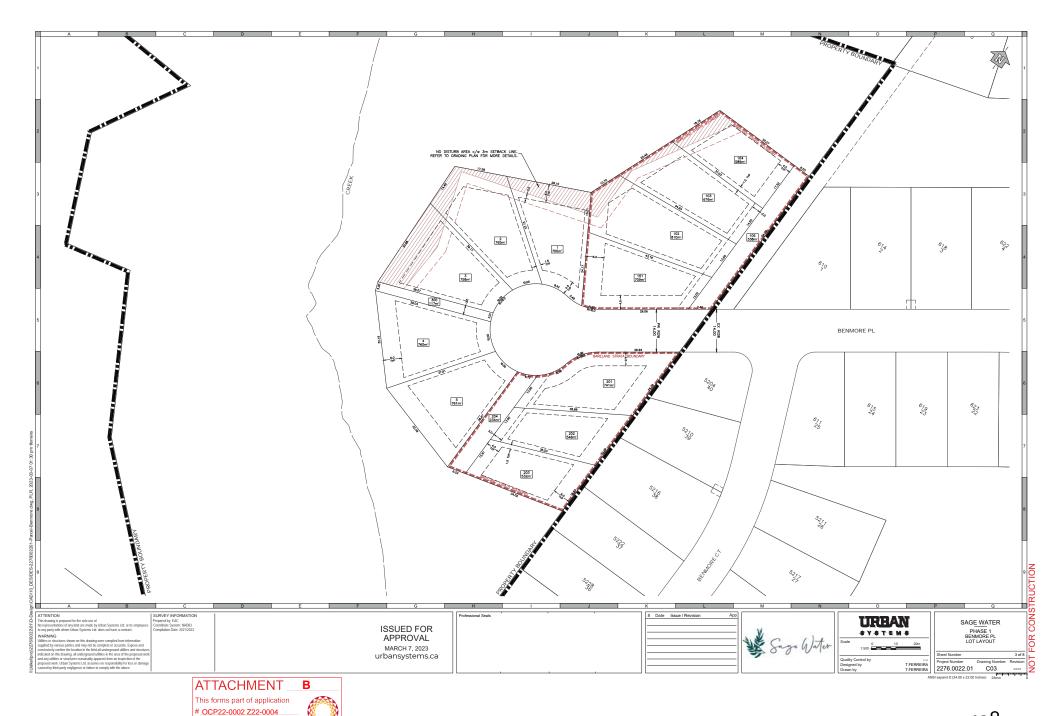
d. Works and Services requirements have been identified in the memo provided with the subdivision application S22-0002.

Nelson Chapman, P.Eng

Development Engineering Manager

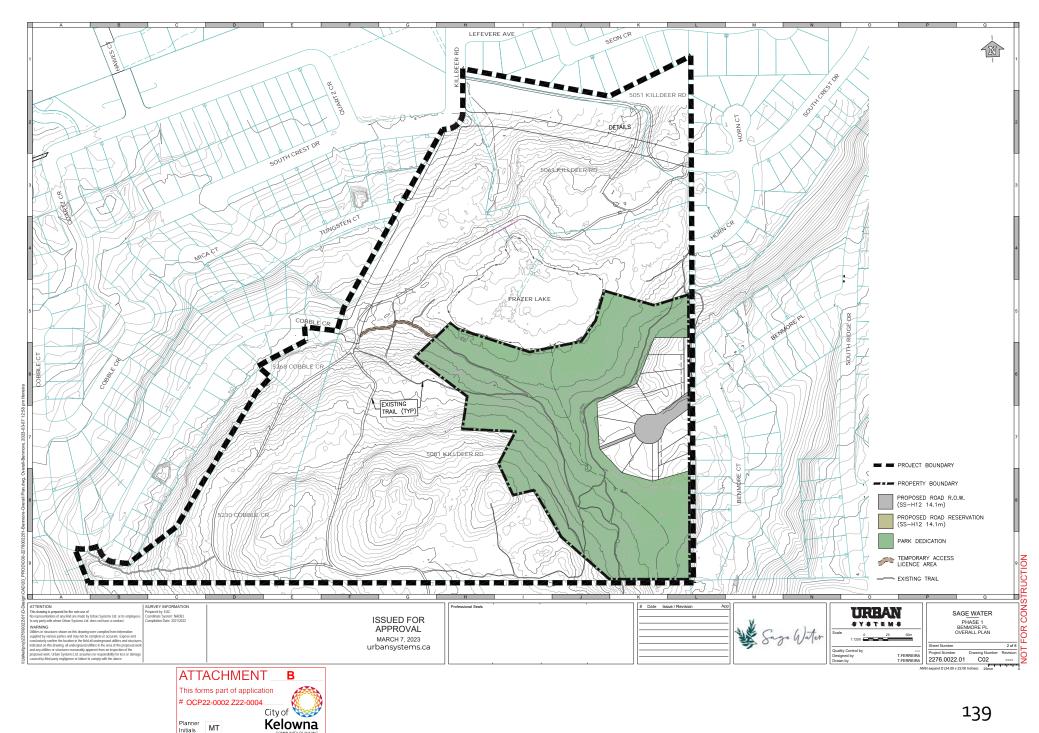
JF





City of **Kelowna**

Planner Initials MT



Planner Initials MT





April 3, 2023

City of Kelowna Community Planning & Real Estate 1435 Water Street Kelowna, BC V1Y 1J4

Attn: Mark Tanner

Re: DP22-0011/Z22-0004/S22-0002

5081 Killdeer Road - Sage Water Single Family Development

Public Notification and Consultation

Dear Mr. Mark Tanner,

Please find enclosed the Public Notification and Consultation report, completed by Emil Anderson Properties, in accordance with the Policy 367 of the City of Kelowna. The Public Consultation Report was completed as a requirement for the 5081 Killdeer Road rezoning.

The Public Engagement Plan comprised of the following:

- Letter mailed via Canada post to all property owners residing in a 50 m radius of 5081 Killdeer Road on March 20, 2023
- 2. Follow up email correspondence with property owners who inquired with questions.
- 3. On-site meetings with property owners at the following addresses:
 - 5204 Benmore Court
 - 5210 Benmore Court
 - 5216 Benmore Court
 - 5222 Benmore Court

All of the property owners that we spoke with were aware that the development had been planned for many years and expected the application. We had great conversations with our neighbors and the feedback was positive. The majority of questions pertained to potential construction impacts along the adjacent properties on Benmore Court and we look forward to continuing to work with our neighbors throughout the rezoning and construction stages.

We trust that this package satisfies the Public Engagement requirement as per Policy 367 and request that City staff please advise us of the Council date for Initial Consideration of the Rezoning Bylaw.





Regards,

Karmen Chanasyk Senior Development Manager Emil Anderson Properties

Encl.

- 1. Neighborhood Consultation Feedback Form
- 2. Emil Anderson Properties letter sent to all homeowners within a 50 m radius
- C.c. Ryan Smith, Divisional Director of Planning and Development, City of Kelowna
 Terry Barton, Development Planning Department Manager, City of Kelowna
 Matthew Temple, Vice President of Development and Construction, Emil Anderson Properties
 Ryan P. Malcolm, Director of Development, Emil Anderson Properties





Address List for Public Consultation Letter

Unit Number	Street Number	Street Name
	5204	Benmore Ct
	5210	Benmore Ct
	5211	Benmore Ct
	5216	Benmore Ct
	5222	Benmore Ct
	5228	Benmore Ct
	5234	Benmore Ct
	5240	Benmore Ct
	5241	Benmore Ct
	5246	Benmore Ct
	5252	Benmore Ct
	610	Benmore Pl
	611	Benmore Pl
	614	Benmore Pl
	615	Benmore Pl
	618	Benmore Pl
	622	Benmore Pl
	5230	Cobble Cr
	5264	Cobble Cr
	5265	Cobble Cr
	5267	Cobble Cr
	5268	Cobble Cr
	600	Horn Cr
	601	Horn Cr
	605	Horn Cr
	609	Horn Cr
	612	Horn Cr
	613	Horn Cr
	5020	Killdeer Rd
	5051	Killdeer Rd
	5061	Killdeer Rd
	5081	Killdeer Rd
	523	Lefevere Ave
	529	Lefevere Ave
	530	Quartz Cr





- III	LINILO	_
	537	South Crest Dr
	539	South Crest Dr
	541	South Crest Dr
	543	South Crest Dr
	545	South Crest Dr
	569	South Crest Dr
	574	South Crest Dr
	579	South Crest Dr
	5210	South Ridge Dr
	5300	South Ridge Dr
	548	Tungsten Ct
	552	Tungsten Ct
	556	Tungsten Ct
	5265	Upper Mission Dr
	555	Tungsten Ct
	560-562	Tungsten Ct
1	555	Tungsten Ct
2	555	Tungsten Ct
3	555	Tungsten Ct
4	555	Tungsten Ct
5	555	Tungsten Ct
6	555	Tungsten Ct
7	555	Tungsten Ct
8	555	Tungsten Ct
	560	Tungsten Ct
	562	Tungsten Ct
2	609	Horn Cr
2	537	South Crest Dr
2	539	South Crest Dr
2	543	South Crest Dr
2	545	South Crest Dr
2	552	Tungsten Ct







Neighbour Consultation Form (Council Policy No.367)

A summary of neighborhood consultation efforts, feedback and response must be provided to City staff, identifying how the efforts meet the objectives of this Policy. This form must be filled out and submitted to the File Manager a minimum of 20 days prior to initial consideration by Council. _____, the applicant for Application No. (brief description of proposal have conducted the required neighbour consultation in accordance with Council Policy No. 367. ☐ My parcel is located **outside** of the Permanent Growth Boundary and I have consulted all owners & occupants within a 300m radius My parcel is located inside of the Permanent Growth Boundary and I have consulted all owners & occupants within a 50m radius I have consulted property owners and occupants by doing the following: Please initial the following to confirm it has been included as part of the neighbour consultation: Location of the proposal: Detailed description of the proposal, including the specific changes proposed; Visual rendering and/or site plan of the proposal; Contact information for the applicant or authorized agent; Contact information for the appropriate City department;

Please return this form, along with any feedback, comments, or signatures to the File Manager **20 days** prior to the anticipated initial consideration by Council date. On the back of this form please list those addresses that were consulted.



Identification of available methods for feedback.

City of Kelowna 1435 Water Street Kelowna, BC V1Y 1J4 TEL 250 469-8600 FAX 250 862-3330 kelowna.ca

Address	Spoke with Owner & Occupant	Left Package with Owner & Occupant	Date
Refer to Attacked letter.	Occupant	Occupant	
THE TO FIFTHER MITCH.			
Manufacture			







March 20, 2023

Re: Completion of Benmore Place

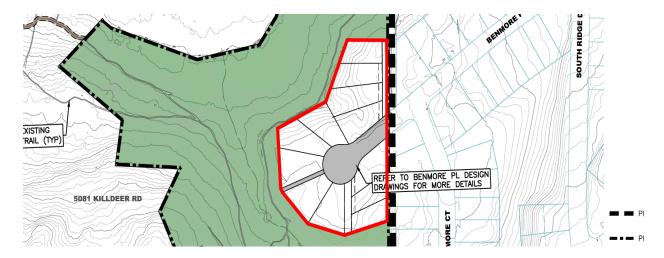
OCP22- 0002/Z22-0004/DP22-0011/S22-0002
5081 Killdeer Road – Sage Water Single Family Development
Rezoning, OCP Amendment, Development Permit and 12 Lot Subdivision

Dear Resident,

This letter provides an overview of Emil Anderson Properties (EAP) proposed Single Family Subdivision development located at 5081 Killdeer Road, Kelowna BC (the "Property"). You are being informed of this upcoming development application in adherence with the City of Kelowna Public Notification and Consultation Policy as part of the rezoning and OCP amendment process. Please take time to review the information contained within. Should you have any questions or concerns, we are happy to discuss the project details with you further.

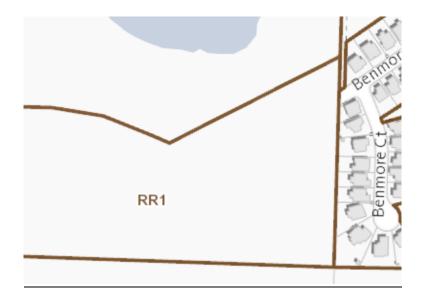
Proposed Rezoning

The area outlined in red is the subject section of 5081 Killdeer Rd. and is currently zoned as RR1. The much larger area highlighted in green is to be dedicated as park to the City of Kelowna as part of this development.



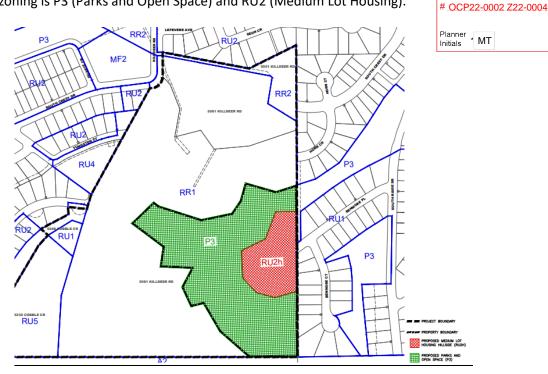
5081 Killdeer Road Letter to Residents

Current Zoning



Proposed Zoning

The proposed zoning is P3 (Parks and Open Space) and RU2 (Medium Lot Housing).



The subject property is located within the City of Kelowna's Permanent Growth Boundary. The site is located within a mature single family residential neighborhood that has been developed by EAP over many years. The focus and intent for this development is to integrate within the surrounding community while working within the site terrain. EAP's vision for this section of the Property is to finally finish off Benmore Place as planned many years ago by creating a 12 lot subdivision that fits in with the existing community as well as the surrounding natural environment. This development has applied to rezone the property to RU2 – Medium Lot Housing. A rezoning application was filed with the City of Kelowna in January, 2022 (OCP22-0002 Z22-0004).

ATTACHMENT

This forms part of application

C

Kelowna

City of

5081 Killdeer Road Letter to Residents



The End of Unfinished Benmore Place facing West into the Subject Development

Community Design

The overall design focus for this development is based on the site's surrounding uses and working with existing site terrain. The site is within a mature single family residential zone. The building design will complement the look and feel of the adjacent Benmore neighborhood and the South Ridge community.

Landscaping throughout the site will integrate the local and natural vegetation and will complement the developments overall form and character. EAP has worked closely with City staff and environmental consultants to define the adjacent ravine area, protection of nearby poplar groves, riparian areas, sensitive hillside and slope areas and setbacks, drainage, and environmentally sensitive areas.

The 12 lots have been placed strategically in a cul de sac to complete the Benmore Place Road. The housing units will include both walkouts and rancher style homes.

New trail connections and enhancements of the existing unauthorized trails on the Property are also part of this application to coincide with the significant amount of land to be dedicated as park to the City of Kelowna so that the community will be able to continue to enjoy these pedestrian connections which are currently unauthorized and not maintained. EAP is working with City staff to identify the existing unauthorized and non-conforming trails throughout the Property.

If there are any questions about the information contained within, please don't hesitate to contact either EAP or the City via phone or e-mail. EAP can share project details that are available, while the City can provide clarity on project process, including Council and Public Hearing dates. Contact information is provided below:

5081 Killdeer Road Letter to Residents

Karmen Chanasyk

Senior Development Manager Emil Anderson Properties 300 – 966 Crowley Avenue, Kelowna, BC V1Y 1L0 Phone | 250 808-1878

Email | kchanasyk@emilanderson.ca

Mark Tanner

Planner II
City of Kelowna
1435 Water Street, Kelowna BC
Phone | 250 469-8589
Email | mtanner@kelowna.ca

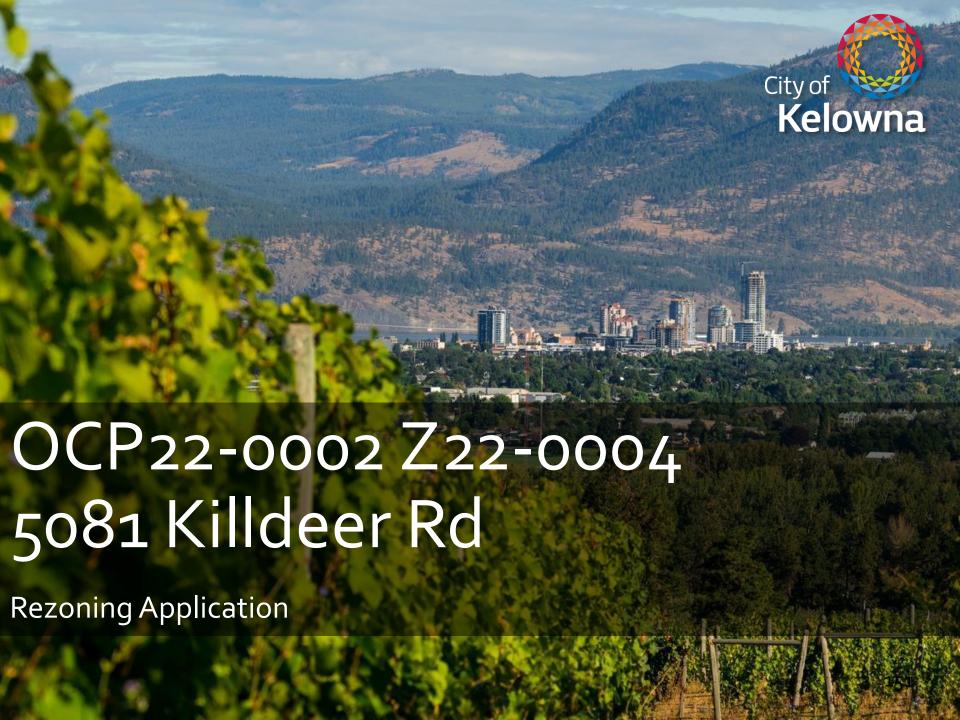


Thank you very much for your time and look forward to discussing the subject development with you soon.

Yours truly,

Emil Anderson Properties

Karmen Chanasyk Senior Development Manager





Purpose

➤ To amend the Official Community Plan to change the future land use designation of portions of the subject property and to rezone portions of the subject property to facilitate the development of a 12-lot residential subdivision.

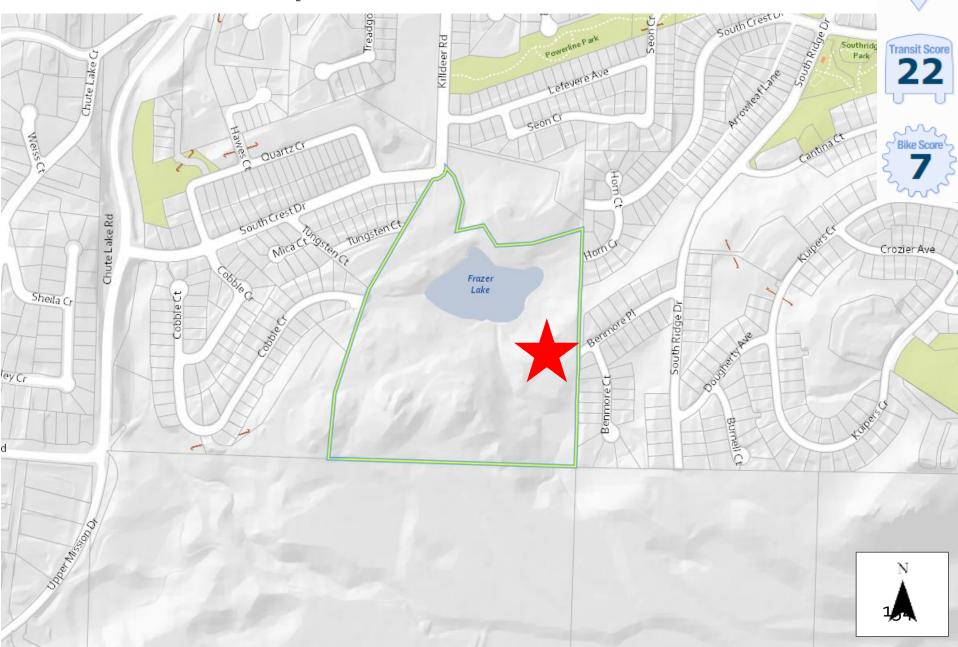
Development Process



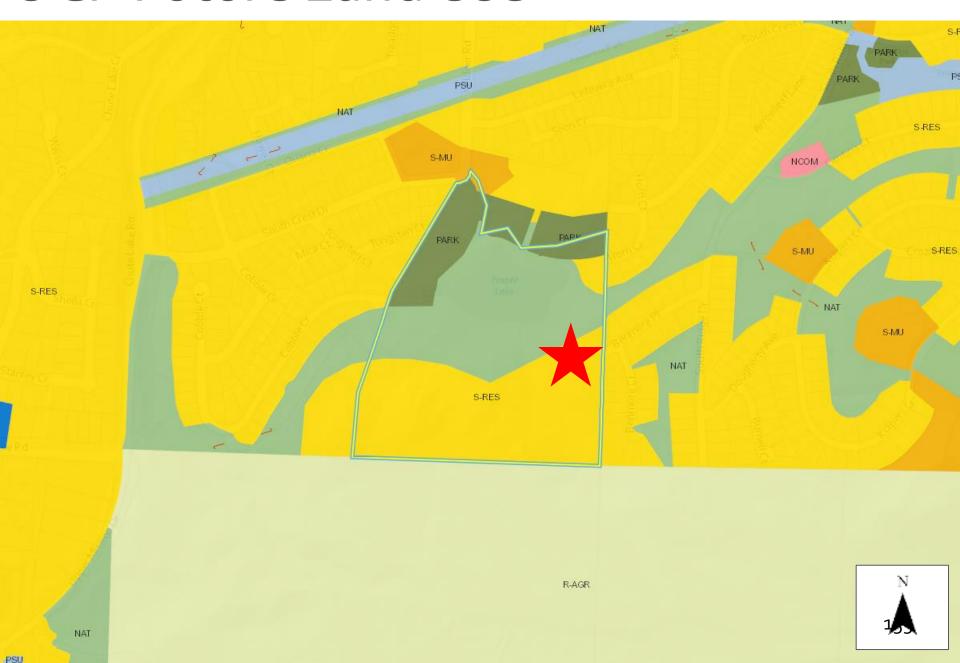


Context Map

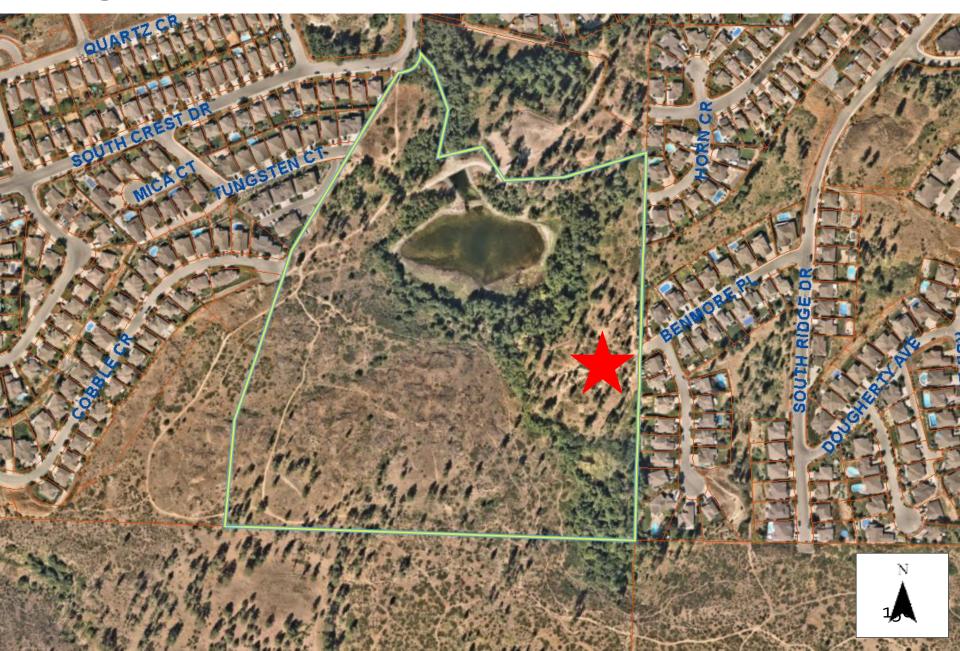




OCP Future Land Use



Subject Property Map

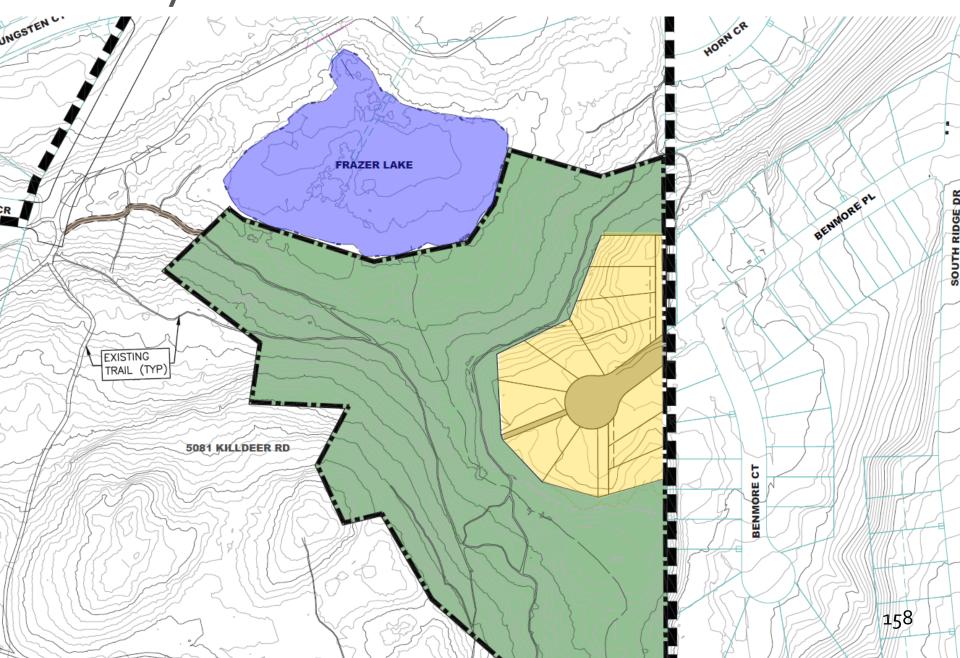




Project Details

- ► OCP Amendment:
 - NAT Natural Area to S-RES Suburban Residential; and
 - S-RES Suburban Residential to NAT Natural Area
- Rezoning: RR1 Large Lot Rural Residential to RU2
 Medium Lot Housing and P3 Parks and Open
 Space
- ▶ 12-lot residential subdivision
- Parkland dedication includes stream, wetland, riparian area, steep hillside and established trail network

Lot Layout





OCP Objectives & Policies

- ► Policy 7.1.1 Area Structure Plan Consistency
 - ➤ Support development that is consistent with adopted Area Structure Plans in Suburban neighbourhoods
- ► Policy 7.2.3 Integrate Nature
 - Integrate the design of active parks with adjacent natural areas
- ➤ Policy 10.1.15 Acquire new parks to enhance livability throughout the City
 - ► Preserve a diversity of Natural Areas for habitat and ecosystem conservation, with limited trail access.

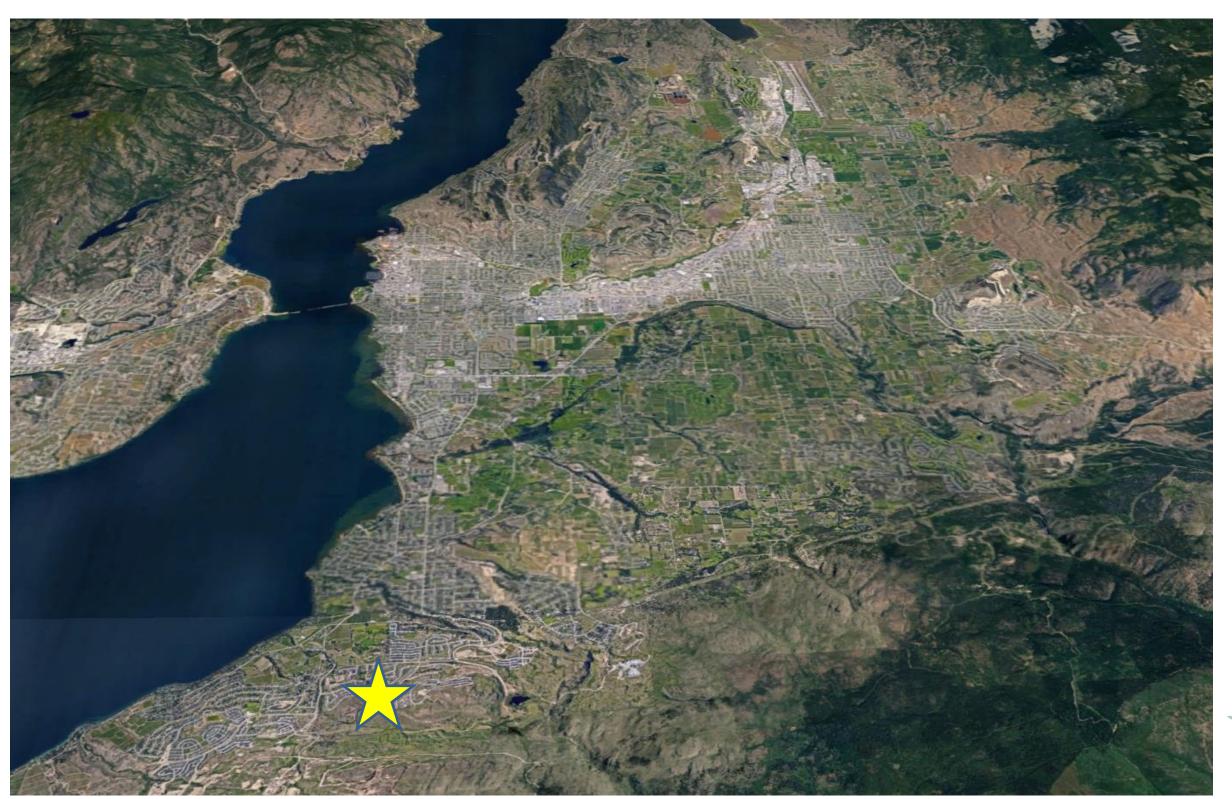


Staff Recommendation

- ➤ Staff recommend **support** for the proposed rezoning as it is consistent with:
 - OCP Future Land Use Designation
 - ► S-RES Suburban Residential
 - NAT Natural Area
 - ▶ OCP Policies:
 - ▶ Policy 7.1.1 Area Structure Plan Consistency
 - ▶ Policy 7.2.3 Integrate Nature
 - Policy 10.1.15 Acquire new parks to enhance livability throughout the City



Sage Water is located in the Upper Mission neighbourhood in southern Kelowna.



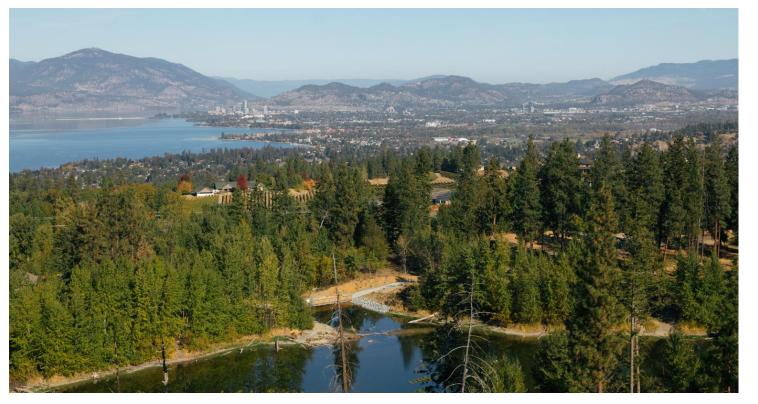


Emil Anderson has designed and constructed a significant portion of the surrounding Upper Mission community and associated civil infrastructure over the past two decades namely Southridge, South Crest and Stonebridge neighbourhoods.





- Land is currently owned by Frazer Lake Developments GP Ltd., a joint venture partnership
- One of the partners is the McKillican family who has owned the property for decades and lived on the property before their home and the entire neighbourhood was devasted by the fires of 2003
- Emil Anderson Properties is the managing partner for the project







•	1938	Emil Anderson Group was founded by Emil Anderson and is currently a fourth- generation company
•	1987	Emil Anderson invested in the Okanagan after a long history in the Fraser Valley. Dilworth Mountain Estates was the first Okanagan development
•	1989	Dilworth Homes was established
•	2010's	Southridge/ South Crest Communities were built
•	2015	Dilworth Heights Apartments were built (first purpose built residential rental development for Emil Anderson)
•	2022	Completed award winning Industrial Mixed Use project at 966 Crowley Ave. Kelowna
•	2023	Current Projects

- Kuipers Peak Upper Mission Kelowna
- Tower Ranch Kelowna
- Shorerise West Kelowna
- Hunters Hill Summerland













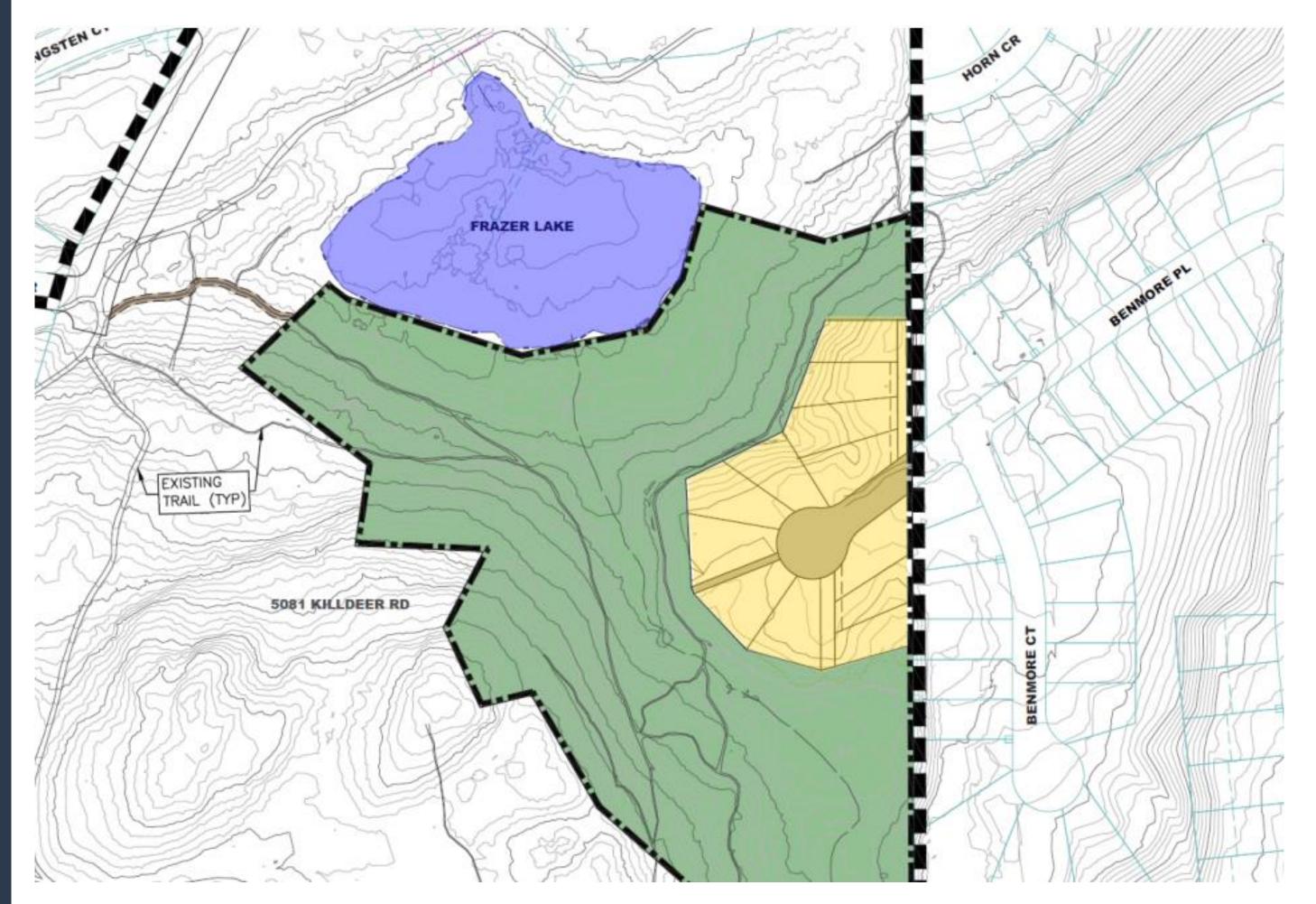


- Nestled into the mountain hillside of Kelowna's Upper Mission neighborhood, Sage Water is sheltered by mature stands of pine, poplar and aspen, with spectacular views of the surrounding mountains and Okanagan Lake below.
- Steeped in history and rich in memory making, this is a place where wetland exploration comes naturally, and wildlife trails stand as a testament to the connection between the people and wildlife who enjoy this land to the fullest extent.
- Envisioned to be a vibrant, multi-generational community for active families, outdoor enthusiasts and trailblazers alike, it will also be the connective keystone between the Stonebridge and South Ridge communities















- Parkland dedication includes stream, wetland, riparian area, steep hillside and established trail network
- Integration of nature within the development through landscape design









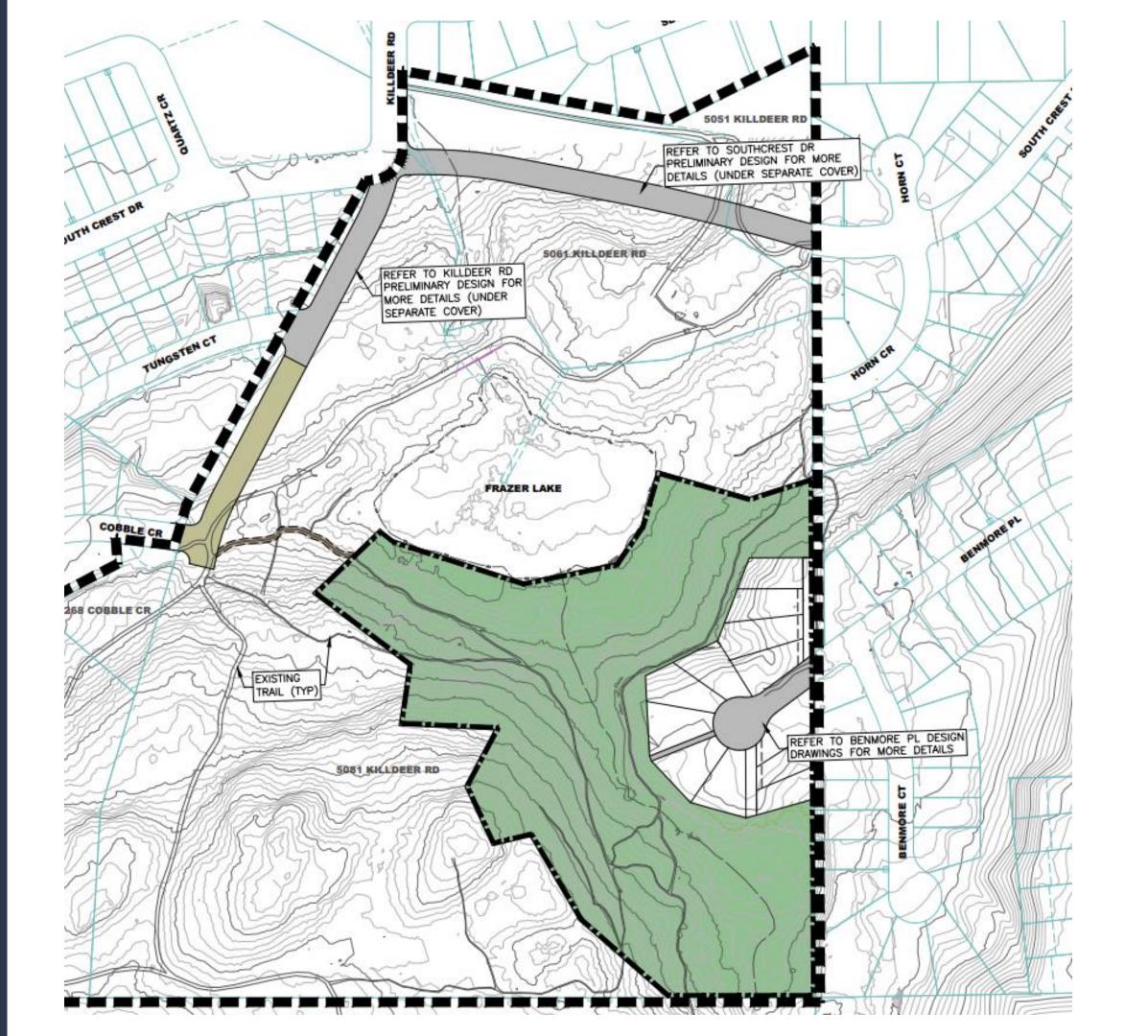




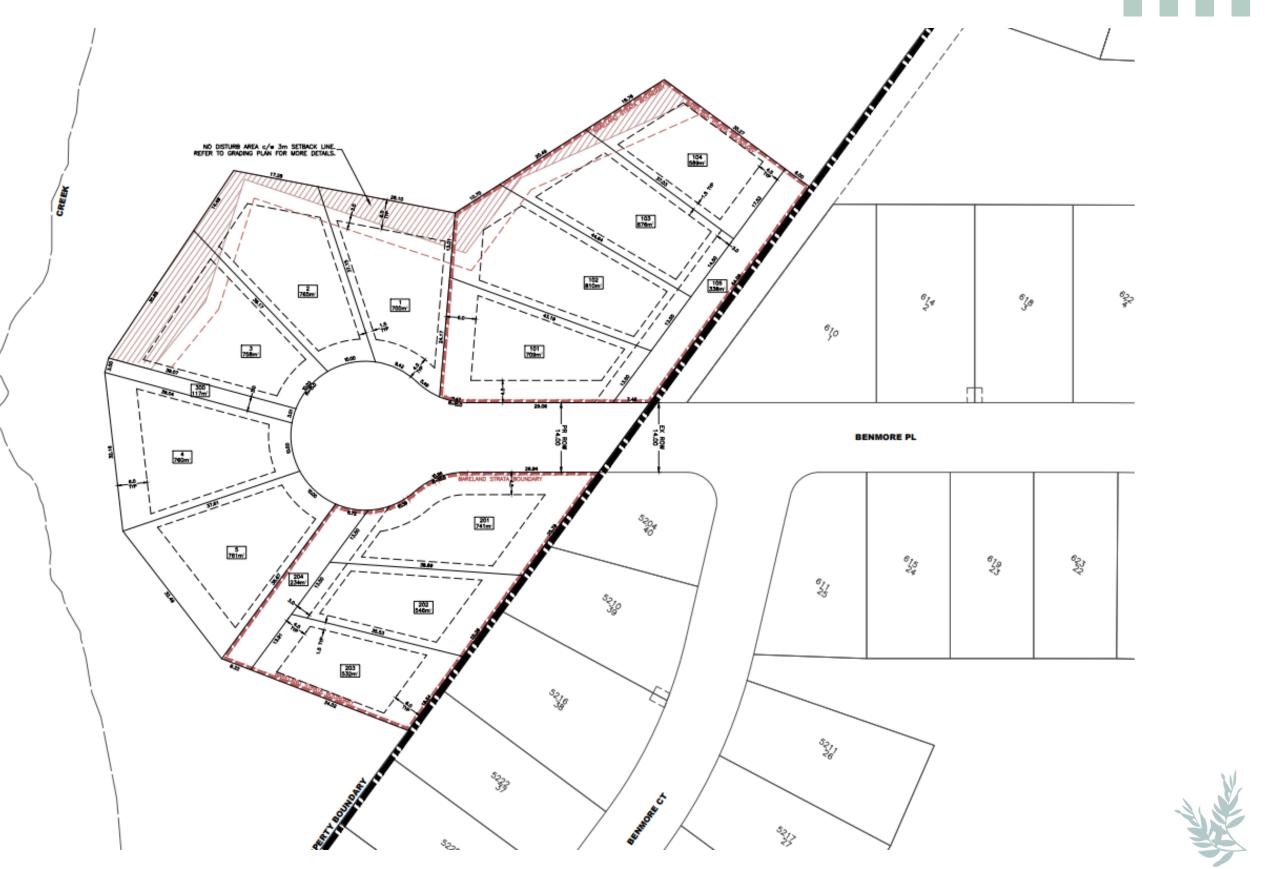














Okanagan Modern



Modern Farmhouse

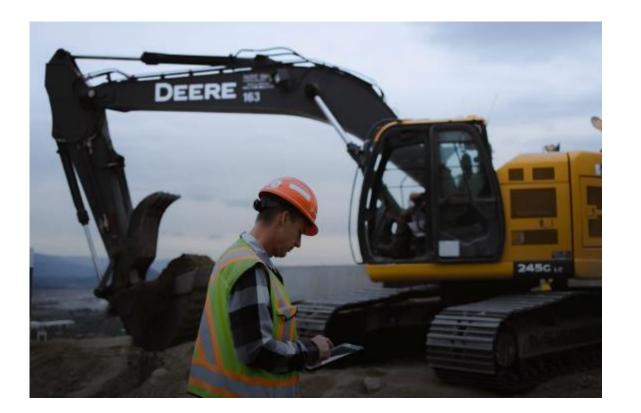


Okanagan Contemporary



- Emil Anderson Group is a safety leader in the industry. Safety of the workers and the public is the highest priority.
- Construction will be undertaken with a strict adherence to all City of Kelowna bylaws including but not limited too:
 - Hours of construction
 - Traffic management
 - Soil erosion management
 - Dust control







THANK MOU



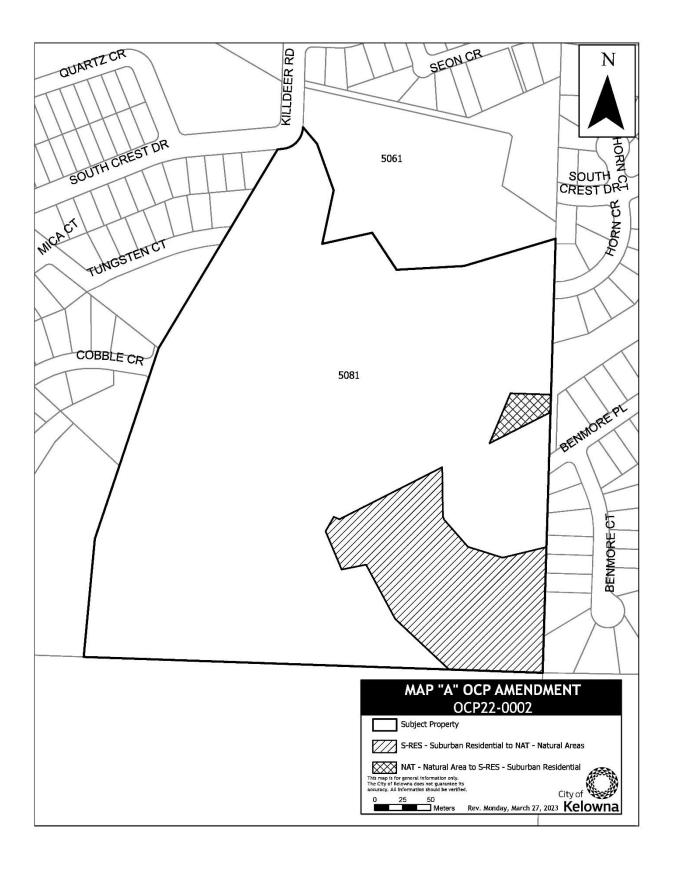
CITY OF KELOWNA

BYLAW NO. 12525

Official Community Plan Amendment No. OCP22-0002 5081 Killdeer Road

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

The Mu	unicipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:
1.	THAT Map 3.1 – Future Land Use of " <i>Kelowna 2040</i> – Official Community Plan Bylaw No. 12300" be amended by changing the Future Land Use designation of portions of Lot B Section 24 Township 28 SDYD Plan 28853 Except Plans 30846, 30848, 34710, 37381, 39945 and 42749, located on Killdeer Road, Kelowna, B.C., from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation and from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation as shown on Map "A" attached to and forming part of this bylaw.
2.	This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.
Read a	first time by the Municipal Council this 8 th day of May, 2023.
Consid	ered at a Public Hearing on the
Read a	second and third time by the Municipal Council this
Adopte	ed by the Municipal Council of the City of Kelowna this
	Mayor
	City Clerk



CITY OF KELOWNA

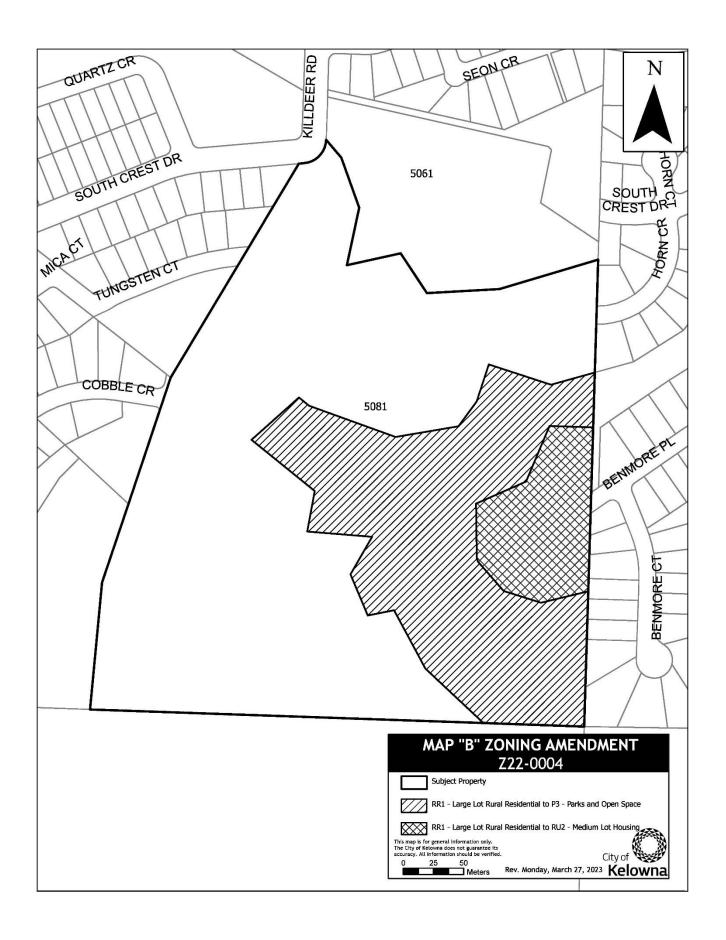
BYLAW NO. 12526 Z22-0004 5081 Killdeer Road

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

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

- 1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of portions of Lot B Section 24 Township 28 SDYD Plan 28853 Except Plans 30846, 30848, 34710, 37381, 39945 and 42749, located on Killdeer Road, Kelowna, BC from the the RR1 Large Lot Rural Residential zone to the RU2 Medium Lot Housing zone and the P3 Parks and Open Space zone as shown on Map "B" attached to and forming part of this bylaw.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

of adoption.	
Read a first time by the Municipal Council this 8 th day of May, 2023.	
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: May 1, 2023

To: Council

From: City Manager

Department: **Development Planning**

WILKINSON ST HOLDINGS Application: Z22-0068 Owner: LTD., INC.NO. BC1321697

2110 Wilkinson St

2120-2122 Wilkinson St

Brian Banman, Aligned Address: Applicant: **Properties Inc** 2128-2130 Wilkinson St

2140 Wilkinson St

Subject: Rezoning Application

Existing OCP Designation: C-NHD – Core Area Neighbourhood

Existing Zone: RU4 – Duplex Housing

Proposed Zone: MF₃r – Apartment Housing Rental Only

Recommendation 1.0

THAT Rezoning Application No. Z22-0068 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of LOT 3 SECTION 19 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 10906 EXCEPT PLANS H14021 AND 36316, located at 2110 Wilkinson St, Kelowna, BC, LOT 4 SECTION 19 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 10906 EXCEPT PLAN H14021, located at 2120-2122 Wilkinson St, Kelowna, BC, LOT 5 SECTION 19 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 10906, located at 2128-2130 Wilkinson St, Kelowna, BC, and LOT 6 SECTION 19 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 10906, located at 2140 Wilkinson St, Kelowna, BC from the RU4 - Duplex Housing zone to the MF3r - Apartment Housing Rental Only zone, be considered by Council;

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 May 1, 2023;

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

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

Purpose

To rezone the subject properties from the RU₄ – Duplex Housing zone to the MF₃r – Apartment Housing Rental Only zone to facilitate the development of rental apartment housing.

2.0 Development Planning

Staff recommend support for the proposed rezoning. The four subject properties have the Future Land Use Designation of Core-Area Neighbourhood in the 2040 Official Community Plan. The northernmost property fronts directly onto Springfield Rd, which is identified in the OCP as being a Transit Supportive Corridor. Lowrise apartments, such as those permitted in the MF3 – Apartment Housing zone, are supported by policy within the OCP when they front or directly abut Transit Supportive Corridors. The utilization of the rental only subzone also supports key direction within the Healthy Housing Strategy to promote and protect rental housing.

The applicant hosted a public information session in accordance with requirements of Council Policy No. 367. A summary of this public information session, provided by the applicant, has been included as Attachment B.

3.0 Site Context & Background

3.1 Site Context

Orientation	Zoning	Land Use
North	Hea Capri Landmark Hyban Contro	Townhouses
	Uc2 – Capri-Landmark Urban Centre	Single Detached Housing
East	RU2 – Medium Lot Housing	Single Detached Housing
South	RU4 – Duplex Housing	Single Detached Housing
West	RU4 – Duplex Housing	Single Detached Housing

Subject Property Map: 2110 Wilkinson St, 2120-2122 Wilkinson St, 2128-2130 Wilkinson St and 2140 Wilkinson St



3.2 <u>Background</u>

The four subject properties currently contain single detached housing and duplex housing, which would be demolished, and the lots consolidated to facilitate this development.

4.0 Current Development Policies

4.1 Kelowna Official Community Plan (OCP)

Objective 5.2 Focus	s residential density along Transit Supportive Corridors
Policy 5.2.1	Encourage development that works toward a long term population density of
Transit Supportive	between 50 – 100 people per hectare within 200 metres of each corridor to
Corridor Densities	achieve densities that support improved transit service and local services and
	amenities. Discourage underdevelopment of properties along Transit Supportive
	Corridors.
	The northernmost property included in this proposal fronts directly on a Transit
	Supportive Corridor
Policy 5.2.2 Low	Encourage low rise apartments and stacked townhouses up to six storeys in
Rise Corridor	height in Core Area Neighbourhoods that front or directly about Transit
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.

		The proposed MF3r – Apartment Housing Rental Only zone permits land uses that are consistent with this policy	
Objectiv	e 5.11. In	crease the diversity of housing forms and tenure to create an inclusive,	
affordab	affordable and complete Core Area.		
Policy	5.11.1	Ensure a diverse mix of low and medium density housing forms in the Core	
Diverse	Housing	Area that support a variety of households, income levels and life stages.	
Forms		The proposed MF3r - Apartment Housing Rental Only zone would permit medium	
		density housing forms, and the rental only subzone would prohibit any building or	
		bareland stratification, supporting households seeking rental housing.	

5.0 Technical Comments

5.1 <u>Development Engineering Department</u>

See Attachment A: Development Engineering Memo

6.0 Application Chronology

Date of Application Accepted: October 5, 2022
Date of Public Information Session: March 22, 2023
Date Public Consultation Submitted: April 3, 2023

Report prepared by: Kimberly Brunet, Planner II

Reviewed by: Jocelyn Black, Urban Planning Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Attachment A: Development Engineering Memo

Attachment B: Applicant's Summary of Public Information Session

MEMORANDUM

Date: October 26, 2022

File No.: Z22-0068

To: Community Planning (KB)

From: Development Engineering Manager (NC)

Subject: 2110-2140 Wilkinson St. RU4 to MF3r

The Development Engineering Department has the following comments and requirements associated with this application to rezone the subject properties from RU4 – Duplex Housing to MF3r – Apartment Housing (Rental Only) to facilitate an apartment housing development. (ZB 12375). The Development Engineering Technician for this project is Aaron Sangster.

1. General

- a) 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.
- b) This property is located within the 800m MoTI Highway Buffer therefore, Development Engineering comments/requirements are subject to the review and requirements from the Ministry of Transportation and Infrastructure (MoTI).
- c) The following requirements are valid for one (1) year from the reference date of this memo, or until the PLR and/or application has been closed, whichever occurs first. The City of Kelowna reserves the rights to update/change some or all items in this memo once these time limits have been reached.

2. Domestic Water and Fire Protection

- a) The subject property(s) is currently serviced with multiple water service(s). One metered water service will be required for the development upon lot consolidation or at time of Building Permit issuance. The disconnection of the existing smaller diameter water services and the tie-in of a larger service is the developer's responsibility.
- b) The Developer's Consulting Engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The 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.



- c) The fireflow capacity requirement for municipal systems fronting new multi-family housing zoned lots is 150 L/s. Please contact the development technician for this project to arrange for formal engineering modelling analysis to be completed.
- d) 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.

3. Sanitary Sewer

- a) These properties are currently serviced with a multiple sanitary service. The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs. Only one service will be permitted for this development upon lot consolidation. The applicant, at their cost, will arrange for the removal and disconnection of the existing services and the installation of one new larger service, if necessary.
- b) This development is serviced by an undersized sanitary main that has been identified as a DCC Project (Capri/Landmark UC SE Trunk Upgrades). Please contact the development technician for this project to arrange for formal engineering modelling analysis to be completed in order to ensure sufficient capacity is available in the existing network for this development without requiring downstream improvements.

4. Storm Drainage

- a) The property is located within the City of Kelowna drainage service area. For on-site disposal of drainage water, a geotechnical report will be required complete with a design for the disposal method. The Lot Grading Plan must show the design and location of these systems.
- b) 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. Intermittent pumping of groundwater for structures within seasonal range of the groundwater table may be permitted with some conditions. 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.
- c) 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.
- d) On-site detention systems are to be compliant with Bylaw 7900, Schedule 4, Section 3.11.1 Detention Storage.



e) Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.

5. <u>Electric Power and Telecommunication Services</u>

- a) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground as the subject properties are within the "City Center Urban Center".
- b) Streetlights must be installed on all roads.
- c) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- d) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

6. Road Improvements

- a) Wilkinson St. must be upgraded to a collector along the full frontage of this proposed development, sidewalk, curb (barrier) and gutter, drainage system, including catch basin, manholes, landscaped irrigated boulevard, pavement removal and replacement, laneway letdown and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The road cross section to be used is a modified SS-R5.
- b) Springfield Rd. must be upgraded to an Arterial along the full frontage of this proposed development, sidewalk, landscaped irrigated boulevard, pavement removal and replacement, laneway letdown and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.
- c) The intersection of Wilkinson St. and Springfield Rd. will require curb bulbs, East-West crosswalk, and accessible letdowns.
- d) The cross-walk lights across Springfield Rd. shall be reviewed; upgrades may be required depending on anticipated pedestrian demand.
- e) Bus-Stop east of this development on Springfield Rd. shall be reviewed to see if this development will increase the level of ridership service required.

7. Road Dedication and Onsite Requirements

- a) Grant Statutory Rights of Way if required for utility services.
- 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) A MSU standard size vehicle must be able to manoeuvre onto and off the site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles movements should also be illustrated on the site plan. Indicate on the site plan, the locations of the garbage and recycle bins.



8. <u>Erosion Servicing Control Plan</u>

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

9. <u>Design and Construction</u>

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

10. Servicing Agreements for Works and Services

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

11. Geotechnical Report

Provide a geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: NOTE:



The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision. The Geotechnical reports must be submitted to the Development Services Department (Subdivision Approving officer) for distribution to the Development Engineering Branch and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

- (i) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- (ii) Site suitability for development.
- (iii) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- (iv) Any special requirements for construction of roads, utilities and building structures.
- (v) Recommendations for items that should be included in a Restrictive Covenant.
- (vi) Recommendations for roof drains, perimeter drains and septic tank effluent on the site.
- (vii) Any items required in other sections of this document.

10. Charges and Fees

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

Nelson Chapman, P.Eng.

Development Engineering Manager

AS



April 3rd, 2023

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

Attention: Kimberly Brunet, Planner II, City of Kelowna

RE: Public Information Session Summary Report for Multi-family Development at 2110, 2120, 2130, 2140 Wilkinson Street, Kelowna BC.

City File #: Z22-0068

Dear Kimberly,

In compliance with Council Policy No. 367, Aligned Properties, is pleased to submit the following Public Information Session summary report for the Rezoning of the properties located at 2110, 2120, 2130, and 2140 Wilkinson Street.

The Development team hosted a Public Information Session on March 22nd, 2023 from 5:00 - 7:00 pm.

The session was hosted at Providence Baptist Church 2210 Stillingfleet Rd (within ~350m of the subject property). Photos of the event is attached in Schedule A.

The sign-in sheet recorded 53 attendees to the Information Session. Many of the attendees were neighbors to the property within the 50m radius however, there were also attendees outside of that radius that came to voice their concerns. The sign-in sheet is attached as Schedule B.

Advertising for the Public Information Session was outlined in our Neighbourhood Consultation. The summary is 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 regarding the relevant OCP policies that support this application, an explanation of the OCP, an explanation of the MF3 zone, conceptual site plans, massing, and landscapping for the proposed rental development (inc. in Schedule C). Brian Banman of Aligned Properties Inc. was available to answer any questions and receive comments from the public.

The attendees had a variety of comments and feedback during the Information Session. A comment box was provided for attendees to record their comments, hard copies can be found in schedule D. The verbal feedback can be best summarized as:

- **Rentals:** Many people were concerned about the building being rental housing and the transient nature of rental units. We offered that the plan is to have the rentals:
 - locally developed and managed by a locally operating property manager.
 - the long-term nature of the leases (12-month terms)
- **Parking**: Concerns about where residents would park and how the neighbourhood would deal with spillover parking.
- Traffic: Residents were concerned about how the vehicle traffic will be dealt with.
 Comments were made about how busy the flow of traffic is currently along Springfield
 and Wilkinson St and that increased traffic will risk the safety of the children in the
 neighbourhood. A traffic light at the corner of Wilkinson St & Springfield as well as a
 pedestrian bridge were requested multiple times.
- Resident Mix and Density: Some questions about who the residents of this type of building might be. The group of attendees voiced how they are concerned for the existing family character of their neighbourhood. We explained that with its location on Transit Supportive Corridor, proximity to the Landmark office buildings, Capri Center, Guisachen Village, etc, we are anticipating, that there will be a very diverse resident mix.
- Construction & Environmental Impact: Some concerns were voiced regarding
 construction and the impact of the development on the surrounding infrastructure and
 environment. We explained that although a noisy process, all efforts would be made to
 limit the impact of construction on neighbours and we will work with the appropriate City
 Engineers, environmental consultants, etc. as necessary, to mitigate any potential
 negative impacts on the environment and surrounding infrastructure.
- Project Viability and Completion: Some attendees were concerned that the
 development would be started and not completed. We explained that there are many
 economic factors that we are watching and we would not begin any project without the
 ability to complete it.

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,

Brian Banman
Partner, Aligned Properties.



Schedule A – Photo of the event

Schedule B – Sign-In Sheet

Schedule C – Information Session Poster Boards

Schedule D – Hard copy of Comments

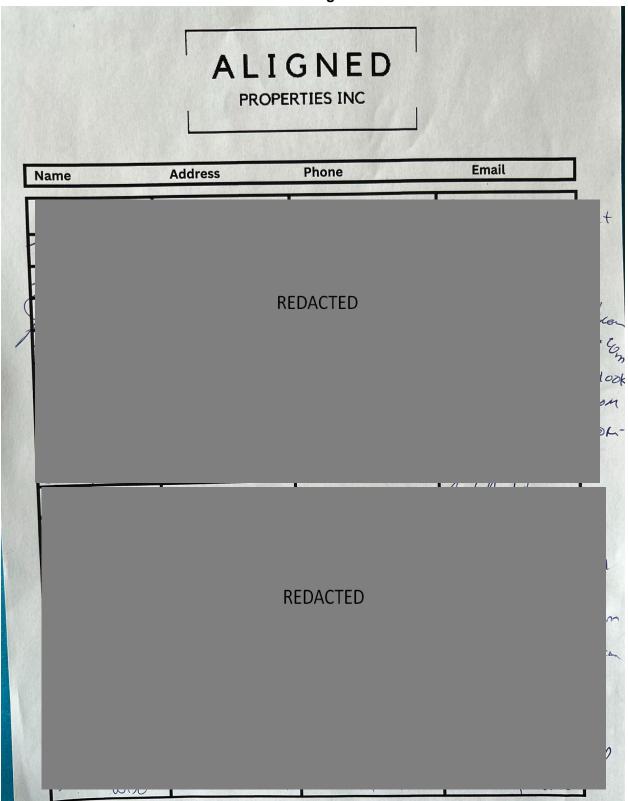
Appendix A - Information Night Binder

Schedule A – Photo of the event



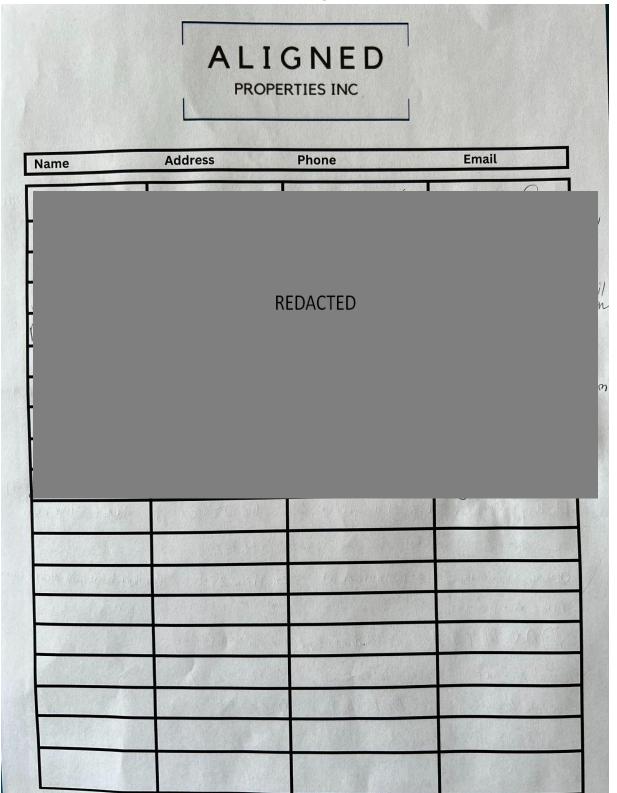


Schedule B - Sign-In Sheet

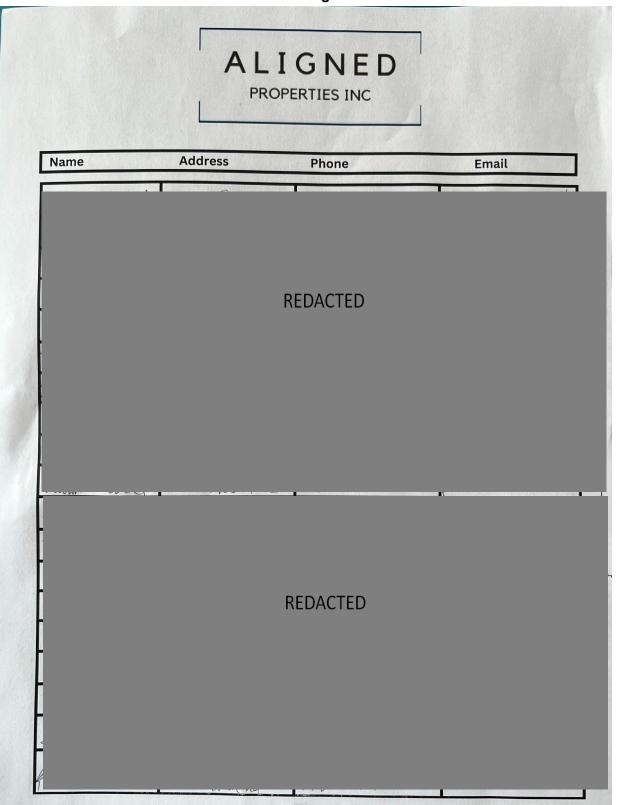




Schedule B - Sign-In Sheet



Schedule B - Sign-In Sheet





Schedule C – Information Session Poster Boards







Schedule C – Information Session Poster Boards







Schedule C - Information Session Poster Boards







Schedule D – Hard copy of Comments

Name:	REDACTED
Comment	= PROJET 15 NOT A GOOD FIT
	-HARD URBANIZATION IS NOT !!
Name:	REDACTED
Comments	
	Very concerned about the impact adding our 100 cars to a single the traffic or Wilkinson (and also Springfield) would be. This is a mishbourhood with a lot of families & ying that whildren Also very concerned about the lack of facing / sonoise screening & privacy.
Name:	Email:
Comments:	Phone number:
Comments:	S/ not enough party world consider
Comments:	Prione number:
Name: Comments Though	Prone number: 15/10-1 enough Parking World consider OMES REDACTED

Planner Initials KB
Name: REDACTED
Comments: Problems: + approx 200+ ppl, T traffic, T noise, less walkability -demographic would not be family based Solutions: Duplex, Fourplex, Townhouse, Single Family Homes Parking aptions (lots) (spaces)
Name
Ologe consider a smaller complex.
Owner owed Wo short term rentals.
REDACTED
Comments: 700 MANY UNITS - TOO MANY VEHICLES WHICH WILL PROBNBUL BE 200 NOTSUST 107. NOT ENDUGH PARKING. SO FT HIGH IN A RESIDENTIAL AREA - TOO BIG. THE CAPRI CORRIDOR IS THE PLACE FOR THESE APT. AS RENTERS DON'T CARE. INCREASE IN TRAFFIC ON AN HREADY BUSY INTERSECTION.
Name: REDACTED
Old frees on the corner of the property beside roce's.
The loss of those two beautiful trees that some

Name: REDACTED
Comments:
what is considered long term rentals? what is being done about noise control? Itas a shade analysis been done? It Is there some sort of son swety in place if this affects home owners properties in the tuture in terms of infrastructure power semerage pipes etc.? Con this be scaled down?
Name: REDACTED
Comments:
To many unite for rental
Thearca cannot suffert it Parking and triffic flows issues
10 TO THE PLOPESSU.
Name: REDACTED
Comments: - How are 102 additional vehicles on wickingony. 3 - How are 102 additional vehicles on wickingony. 3 - Why Dip the Developed not vecord minutes of the information media - What environmental studies have been done given the raptore. 3. Other species - Howe First National Been Consulted - What is the Traffic Volume when proposed Dioject amplete - What is the presented traffic Volume when proposed Dioject amplete
Name:
Comments: Stilling fleet Rd would need speed bumps Irm for the safty of Our Kids, and grandkids sould. Safety! As we have a lark on one street. Too. Much Teathic.
D. will con
Name: REDACTED
- To big of a project (200 more people) - Trafic issues - woise issues - moved in to a quet green and want it to stay that way.

	Initials	ND
Name: REDACTED		
		1
Comments: Too many 1 bedrooms		1
Too few parking stalls		1
More 3 bed rooms		
Family focus		
Needs Studie on environmental impact		
Prefer town homes		
More quenspace		
Name: REDACTED		
Comm		1
I'm workered (160 ut:		_
HEIGHT OF DENETOPMENT		-
INCREASED TRAFFIC		
INFRASTRUTURE - EFFECT ON		-
LOSS OF MOUNTAIN VIEW + SUNSET	-1	
		-
× v v		
Name: REDACTED		
Comments:		
I have significant concern with the construction of	21,00	
and impact to my property valve.		_
potential		_
		_
Please do crentino la present tu lusa tree.	2 20	
the lots.		_
REDACTED		
Name:		1
Comments:		4
I am okay with rentals but not okay with the limited parking the parking about have to be 1.5 sta	11.	+
	.115	~
		1
I would greter a givaller Dilling or well,		1
		1
]
DEDACTED		
Name: REDACTED		
Comments:		
too big, too little info available, not supp	OM	JE .
of community needs, no incractionisture to	27M	ron
all trul units' small & not conducive to	ra	milies,
		-

Name	REDACTED
Comments:	
- in Fractur	ture support?
Contract Con	•
- protection	for current homes.
- transpa	rency to community.
- much Sm	aller Oproject - 4plex - V townhomb.
Name:	REDACTED
Comments:	t i should be a should
The apac	their sains will vinar neighbourhood and number of people does not fit mar neighbourhood
OUT TANK	e values will as lawn.
our stre	of will not be safe - too many cars
we have	many small dildren + seions walking the atea
ratio	
Totalles	opposed go to small smaller densification
Name:	REDACTED
Comments:	
- Hay zv	
2-1-1 1	egied?
" 4 H	Liver in a such a two lawyear residential and w
	t tex Dayer subsidies are being considered ifin
- Whz	destrayed trax project subsidies are being considered find
	REDACTED
Name:	REDACTED
Comments:	a father of 4 yours children I have now tiple
Concerts, e	specially for the datety of my children with
for too fo	WSP. ty Parked cars increase the vish for
children	let alone the increased traffix or what
1 - s been	a residential family-ofiented helphourtro
Also, Yent	to are not committed to the neighbourhood
Please consi	
2.5.1	
ame:	REDACTED
Comments:	reight- and the way is is. It this
doverno s	por though it some to stat a domino
effet	When deterpolitud well follow.
44	os & Big time our way of lite
IF I wow	el densinty I mad like in Voncour

REMEMBER THE

Name	REDACTED
Comments	
my co	SERN IS the increase in traffic and lack
JE	SUFFicient parking. Also the Fact that
the	units are rental and . There is a park on
Mobil	ide where dividien day and the increase in
+raf	fic will be a dament.

Name:)	REDACTED
Comments: ' - D (95) - Have - Add	rically reduce # of 1 brd and gold more 2 and 3 bed pooms more parent spaces
- Consi	native plants/shubs/fices for your greenery

Name	REDACTED	
	nments: Lis project is not in alignment with our community and ur community cannot support the density of residence. arking traffic or transcient population. We are a community that benefits from Single Family dwellings and need to	
5 bd	tults needing wanting to headine a part of our community. This divelopment is already being provided in many, many areas of Kelowaz An	nie

ame:	REDACTED
Comments:	
(1)	LOWER DENSITY
(2)	LOWER DENSITY LOWER TRAFFIC
(3)	MORE PARTING
(4)	OWNER OCCUPIED
3	PAY FOR TRAFFIC LIGHT OVERPASS
6	SHOW ABILITY TO FINISH PROJECT

Name:	REDACTED	,
Traffic cons	come Too high a den- lation not Joffering	,



Name	REDACTED
Com 11 1 1 1 1 1 1 1 1 1 1 1	ments: Project doesn't fit the area raffic concerns " Los high a dentity of papulations not Joffering rotals aren space son the little and she area as permanent home.
	Name REDACTED
6	Comments: No. Kentals Traffic Traffic Lights, Bridge for Desestrians, no packing on of st.
\$ 6	REDACTED
ON PARKINGO	Comments: MULTIPLE CONCEILAS (D) TRAFPIC ISAPO NEVIRALY INCREASING -> NOISE ! (2) RENTERS (3) POPULATION DENSITY EXPONDITIONLY INCREASING IN OUR NEIGHBOURHOOD (4) EXCESSIVE LOAD ON INFRASTON ONTHE
Name	REDACTED
Com	ments: St the above are los to agains this deseptent. Acrelopseent



PARKING IS AN ISSUE

103 powering spaces

Average 15 1.5 car per family

** Increased traffic both in

values 4 people traffic

Name:	REDACTED	
Comment	s:	(
it.	13 Too HIGH !	
the S	with Side of Springfield as the "Urban" neighborhood.	
	his development will not "enhance" this area. he other building around this area are not this high, if this zoning is	
allow	ed here it won't be long before our houses will be dwarfed by there	4-6 Storey

ATTACHMEN	IT В
This forms part of appli	cation
# Z22-0068	City of
Planner Initials KB	Kelowna DEVELOPMENT PLANNING

	:	**	oplen-is luge ny driveway <u>now</u>		
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± 5				*	
	1 **				j.e.
				/	



March 2023

Re: Multi-family Development at 2110, 2120, 2130, 2140 Wilkinson Street, Kelowna BC

City File #: Z22-0068

Dear Neighbours,

You are invited to a public information session in your neighborhood. Here are the details:

When: March 22, 2023. 5pm – 7pm

Where: Providence Baptist Church. 2210 Stillingfleet Rd. Kelowna, BC. V1Y 7Y9

Why: To review an application made to rezone the properties located at 2110 - 2140 Wilkinson St from RU4 (Duplex Housing) to MF3r (Apartment Housing (Rental Only)) zone and facilitate the development of apartment housing. We will be there to answer community questions and receive feedback on the proposal.

The application to rezone these properties is being made in order to facilitate the construction of an 107-unit purpose built rental building. The project will bring much needed additional housing to Kelowna. It is located within near proximity of two commercial centers; Capri Urban Center and the Guisachan Village Center.

The Process: Although City Planning requires that all permissions be made at the same time, Council considers the Rezoning application at one public hearing. The Development Permit is initially reviewed by City Planning staff to consider the form and character of the building. Planning staff will then provide a report to City Council who evaluate and make final decisions on the project a future Tuesday evening meeting.

Highlights: This infill development has been designed to take advantage of deep lots which provide for increased space between neighbouring properties and the building. The 4-storey structure will be located on the Springfield Rd & Wilkinson St frontages which will enhance the current streetscape. A detailed landscape plan includes a significant



addition to the green canopy that currently exists on these properties. Many trees will be added to both road frontages, rear, and side yard property lines. In addition, a variety of planters and shrubs will help enhance the pedestrian scale as neighbours and residents walk along Springfield Rd and Wilkinson St.

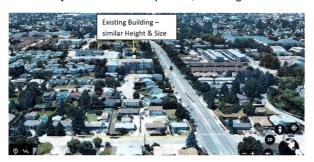
Currently City planners have identified variances in the application that pertain to the building setback for non-ground oriented units (second floor) along Wilkinson St, and landscaping



March 2023

requirements. The design team is working to resolve both variances so that there are none moving forward.

Context: The development team has worked to design a building that is located along a busy Transit Supportive Corridor close to amenities and public transport. The application is not introducing any height, scale or size that is unfamiliar to the neighbourhood. As you can see from the image provided, the proposed building is located within very close proximity to multiple multi-family residential developments, including some that have similar sized buildings.





We look forward to meeting you on Wednesday, March 22 to introduce ourselves, our plans and hear your feedback.

If you are unable to visit, comments may be directed to:

Brian Banman, Aligned Properties Inc. at alignedproperties@gmail.com or

Kimberly Brunet, City of Kelowna Planner assigned to this project at 250.469.8637 or kbrunet@kelowna.ca



alignedpropertiesinc@gmail.com

778-363-2425

Fact Sheet for 2110, 2120, 2130, 2140 Wilkinson Street.

Application(s) to the City of Kelowna:

- Rezoning from RU₄ Duplex Housing to MF₃ Apartment Housing (Rental only).
- Development Permit to construct a proposed 107-unit rental apartment building.

Comprehensive DP Objectives:

Some Comprehensive DP objectives and guidelines from the City of Kelowna Official Community Plan that are met by the project design:

- Strong sense of authenticity through urban design:
 - o Articulation of building for visual interest.
 - Use of large windows and mullions to enhance the building's appeal.
 - Use of high-end materials including fibre cement lap siding, large vinyl windows, and masonry,
 - High level of landscape using drought tolerant and native species.
 - Attractive entry plaza, and street trees.
 - Pedestrian-oriented accesses to lower-level units.
- Incorporation of architectural features and detailing of buildings and landscapes that define an area's character:
 - Articulated roofline to provide form and character, shade, and weather protection for units below.
 - An abundance of trees, shrubs, perennials, and grasses to provide colour and aesthetic.
 - Private landscaped terraces for all lower units and balconies for second and third-floor units.
 - Landscape buffering on all sides of the property (excluding parking areas).

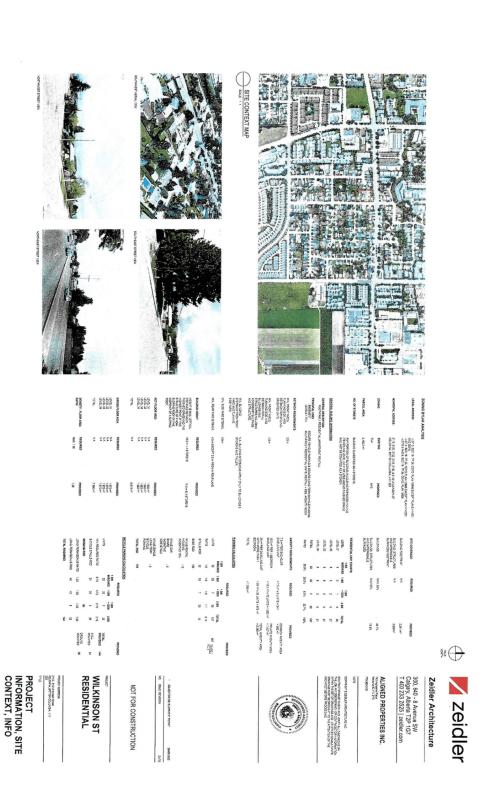


- Integration of new development with existing site condition and preservation of the character amenities of the surrounding area:
 - Parking spaces and parkade entrances located at the rear of property to prevent congestion on Springfield Rd. or Wilkinson St. and provide safety.
 - o Accessible access using an elevator for access to terrace.
 - Enhancement of laneway and assurances of sightlines for drivers and pedestrians.
 - Street furniture.

Other Project Details:

- Height: 4 storeys upon a parade (14.5m)
- Units: 107 in total.
- Breakdown: 1-bedroom 72 units.
- 2-bedroom 35 units.
- Parking: 103 stalls required (with rental reduction and bicycle incentive)
- Breakdown: Total 107 stalls provided
- 67 residential stalls (in parkade).
- 14 visitor stalls (on surface).
- 26 residential stalls (on surface).
- Bicycle Parking: Wall Mounted: 54.
- Ground Mounted: 90.
- Private Open Space: 15m² required per 1-bedroom unit.
- 25m² required per unit greater than 1-bedroom.
- Total Private Open Space: 2,089m² provided.









ATTACHMENT B This forms part of application # Z22-0068 City of Relowna Development Planning

Appendix A - Information Night Binder

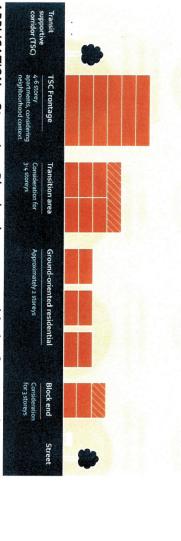
Objective 5.2. Focus residential density along Transit Supportive Corridors

Policy 5.2.1. Transit Supportive Corridor Densities.

within 200 metres of each corridor to achieve densities that support improved transit service and local services and Encourage development that works toward a long term population density of between 50-100 people per hectare amenities. Discourage underdevelopment of properties along Transit Supportive Corridors.

Policy 5.3.2. Transition from Transit Supportive Corridors.

setbacks that respect adjacent lower density residential areas. Discourage commercial uses in the transition zone Provide a transition area allowing for 3-4 storeys in height, as outlined in Figure 5.3, serving as a transition from the $\underline{\mathsf{Core}\ \mathsf{Area}}$. Encourage $\underline{\mathsf{ground}\ \mathsf{-oriented}}$ residential such as stacked townhouses and bungalow courts with the <u>medium density</u> development along the <u>Transit Supportive Corridor</u>s and lower density residential areas in



oriented residential neighbourhood. APPLICATION: 4 Storey Low-Rise development transitioning from Transit Supportive Corridor to existing ground:

ATTACHMENT B This forms part of application # Z22-0068 City of Kelowna Initials KB

Appendix A - Information Night Binder

Housing



families. Also, by encouraging the creation of new rental housing and protecting existing rental housing, there will be Area, it will be important to promote strategies and actions that limit displacement of low-income citizens currently more affordable and attainable housing options for low-income households. As land values increase in the Core As the City focuses growth in the Core Area, urban neighbourhoods will become increasingly desirable as more people choose to live close to services and amenities. By expanding the variety of housing forms and tenures, the Core Area will be better able to provide housing options for all citizens, including smaller households and iving in these neighbourhoods.

investment in land for affordable housing within the Core Area to ensure that affordable housing is in proximity to organizations will be needed to provide stable, affordable housing in the Core Area. The City will prioritize Partnerships between different levels of government, development community and non-profit housing sustainable transportation options, services and amenities.

ATTACHMENT B This forms part of application # Z22-0068 City of Planner Initials KB City of Kelowna Development Planning

Appendix A - Information Night Binder

Encourage the installation of street trees in Core Area streetscape improvement projects, recognizing the critical role they play in pedestrian comfort, cooling of the urban heat island, habitat for local animal species and beautification of the public realm. Protect existing mature trees where possible. Policy 5.5.2. Urban Forest Canopy.



APPLICATION: 6 Large & Medium trees currently to 29 Medium and Large Sized trees in new development



Objective 5.13. Protect the rental housing stock.

Kelowna — Vacancy Rates by Bedroom Type by Zone

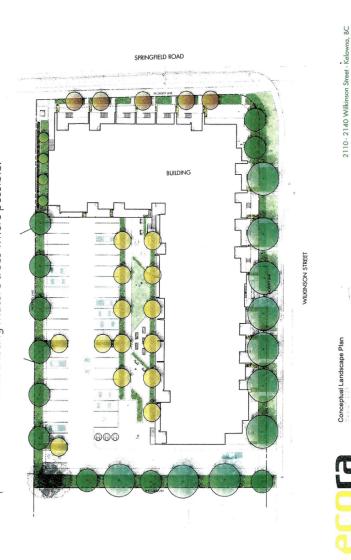
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t the seal	2.5 c	0.0 c	2 8.1	
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Between	1.7 a	p 60	1.6 a	
\$ 11.	0.1 a	\$	0.1 a	
	Core Area	Rutland	Kelowna	

CMHC Rental Market Survey

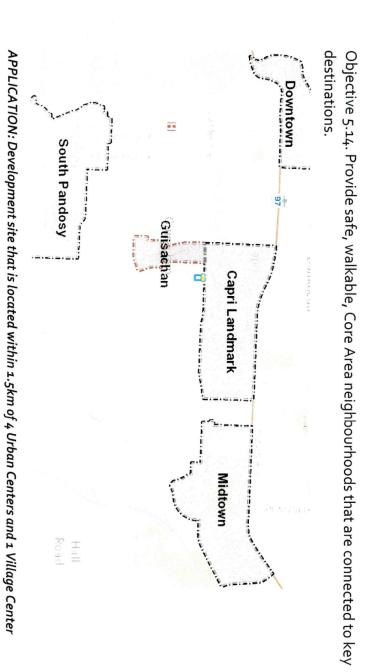
APPLICATION: Creation & retention of rental supply through the application to Rental Only Zoning



Encourage the installation of street trees in Core Area streetscape improvement projects, recognizing the critical role they play in pedestrian comfort, cooling of the urban heat island, habitat for local animal species and beautification of the public realm. Protect existing mature trees where possible. Policy 5.5.2. Urban Forest Canopy.



APPLICATION: 6 Large & Medium trees currently to 29 Medium and Large Sized trees in new development



ATTACHMENT B This forms part of application # Z22-0068 City of Planner Initials KB City of Kelowna DEVELOPMENT PLANNING

Appendix A - Information Night Binder

neighbourhoods to Urban Centres by car, bike and transit. Objective 5.15. Create major streets that are walkable, support local retail and connect

bus stop. APPLICATION: Development site that is located within 1.5km of 4 Urban Centers and 1 Village Center and close to

Objective 5.16. Create neighbourhood streets that are safe and comfortable for people to walk,



bovlevard treatment. Supplements existing park space by providing additional space for people to gather. APPLICATION: Substantially enhancing urban tree canopy with a pedestrian friendly environment and continuous

3/22/23, 12:10 PM **Zeidler** WILKINSON ST RESIDENTIAL | VIEW FROM NORTH **EXISTING MULTIFAMILY WITHIN 200M** Open 2023-03-07_Wilkinson_Google_Aerials_r1.png.png

https://mail.google.com/mail/u/3/#inbox?projector=1

1/2

ATTACHMENT B This forms part of application # Z22-0068 City of Planner Initials KB Celowna DEVELOPMENT PLANNING

Appendix A - Information Night Binder

3/22/23, 10:34 AM

Section 13 - Multi-Dwelling Zones | City of Kelowna

Zoning Bylaw No. 12375

Section 13 - Multi-Dwelling Zones

Last Updated: September 26, 2022

Zoning Bylaw | Section 13

Multi-Dwelling Zones





3/22/23, 10:34 AM

Section 13 - Multi-Dwelling Zones | City of Kelowna

Section 13 - Multi-Dwelling Zones

13.1 Zone Purposes

Section 13.1 Zone Purposes

Zones	Purposes	
MF1 – Infill Housing	The purpose is to provide a zone for infill development within the core area of the City limiting development to ground-oriented housing of 2 storeys.	
MF2 – Townhouse Housing	The purpose is to provide a zone for ground-oriented multiple housing (typically townhouse developments) up to 3 storeys on serviced urban lots.	
MF3 –Apartment Housing	The purpose is to provide a zone primarily for apartments ranging up to 6 storeys on serviced urban lots with various commercial uses permitted on transit supportive corridors.	

13.2 Sub-Zones

Section 13.2 Sub-Zone Purposes

Zones	Sub-Zones	Purpose
MF1 – Infill Housing	MF1r – Infill Housing Rental Only	The purpose is to provide a sub-zone that restricts the dwelling units to a rental only tenure and to prohibit any building or bareland stratification.
MF2 – Townhouse Housing	MF2r – Townhouse Housing Rental Only	The purpose is to provide a sub-zone that restricts the dwelling units to a rental only tenure and to prohibit any building or bareland stratification.
MF3 – Apartment Housing	MF3r – Apartment Housing Rental Only	The purpose is to provide a sub-zone that restricts the dwelling units to a rental only tenure and to prohibit any building or bareland stratification.

3/22/23, 10:34 AM

Section 13 - Multi-Dwelling Zones | City of Kelowna

13.3 Permitted Land Uses

Section 13.3 Permitted Land Uses

Uses	Zones ('P' = Principal Use, 'S' = Secondary Use, '-' = Not Permitte		
	MF1	MF2	MF3
Accessory Buildings or Structures	S	S	S
Agriculture, Urban	S	S	S
Apartment Housing	-	-	Р
Child Care Centre, Major	S	S	S
Child Care Centre, Minor	S	S	S
Cultural and Recreation Services	-	-	S .2
Duplex Housing	Р	Р	-
Food Primary Establishment	-	-	S .2
Group Home	P .1	P .1	-
Home-Based Business, Major	S .5	S .6	S .6
Home-Based Business, Minor	S	S	S
Health Services	-	-	S .2
Professional Services	-	-	S .2
Participant Recreation Services, Indoor	-	-	S
Personal Service Establishments	-	-	S .2
Retail	-	-	S .2
Secondary Suite	S .3	-	-
Semi-Detached Housing	Р	Р	-
Short-Term Rental Accommodations	S	S	S
Single Detached Housing	Р	Р	-
Stacked Townhouses	-	Р	P .4
Townhouses	Р	P	P .4

FOOTNOTES (Section 13.3):

^{.1} **Group homes are only permitted within a** single detached housing, semi-detached housing, or a duplex housing form.

 $^{^{\}text{-}2}$ These land uses are only permitted on transit supportive corridors and these land uses are

3/22/23, 10:34 AM

Section 13 - Multi-Dwelling Zones | City of Kelowna

not permitted above the first storey.

- ^{.3} No new secondary suites are permitted. Existing secondary suites that existed prior to December 4th 2017 are permitted to remain.
- ^{.4} Townhouses and/or stacked townhouses are only permitted if the majority of the residential dwelling units are in the form of apartment housing.
- .5 Home-based business, major is only permitted when the lot has two (2) or less principal dwelling units.
- ^{.6} Home-based business, major is only permitted within ground-oriented dwelling units fronting transit supportive corridors, ground-oriented dwelling units within urban centres, or ground-oriented dwelling units within village centres.

13.4 Subdivision Regulations

Section 13.4 Subdivision Regulations

 $m = metres / m^2 = square metres$

			Zones	
		MF1	MF2	MF3
Min. Lot Width	Regular Lots	7.5 m	20.0 m ·1 30.0	20.0
	Corner lots	9.5 m		30.0 M
Min. Lot Area	Regular Lots	277.5 m ²	- 900 m ^{2.1}	1 400 2
	Corner Lots	350 m ²	- 900 m²-1	1,400 m ²
Min. Lot Depth		30.0 m	30.0 m ^{.1}	30.0 m

FOOTNOTES (Section 13.4):

¹ Townhouse developments may be subdivided into smaller lots than the regulations listed above provided the site is comprehensively developed under a single development permit and a party wall agreement is registered on title.

3/22/23, 10:34 AM

Section 13 - Multi-Dwelling Zones | City of Kelowna

13.5 Development Regulations

Section 13.5 Development Regulations

m = metres / m² = square metres

Criteria		Zones	
Citeria	MF1	MF2	MF3
Max. Height Max. Density	Section 13.6 – Density and Height Development Regulations		
Max. Site Coverage of all Buildings	55%	55%	65%
Max. Site Coverage of all Buildings, Structures, and Impermeable Surfaces	75%	80%	85%
Min. Front Yard & Flanking Side Yard setback for Ground-Oriented units	4.0 m	3.0 m ^{.3}	3.0 m ^{.3}
Min. Front Yard & Flanking Side Yard setback for all Buildings including Accessory Buildings or Structures	4.0 m ^{.5}	3.0 m ^{.5}	4.5 m ^{.5}
Min. Building Stepback from Front Yard and Flanking Side Yard	n/a	n/a	3.0 m ^{.6}
Min. Side Yard Setback	1.2 m ^{.1} , .2	3.0 m except 1.2 m from a lane ^{.2}	3.0 m ^{.7}
Min. Rear Yard Setback	3.0 m except 0.9 m from a rear lane	4.5 m except 0.9 m from a rear lane	4.5 m except 3.0 m from a rear lane ^{.4}
Min. Rear Yard Setback for Accessory Buildings or Structures	1.5 m except 0.9 m from a lane	1.5 m except 0.9 m from a lane	1.5 m except 0.9 m from a lane ^{.7}
Min. Separation between Detached Principal Buildings	2.0 m	3.0 m	n/a
Min. Common and Private Amenity Space	7.5 m ² per bachelor dwelling unit 15.0 m ² per 1-bedroom dwelling un n/a 25 m ² per dwelling unit with more than 1-be		droom dwelling unit
Max. Building Frontage	A continuous bu	ilding frontage shall not exce	ed 100 m in length.
Vehicular Access	Where a lot has access to a lane, vehicular access is only permitted from the lane. If a lot does not have access to a lane then access will come from the street according to the City of Kelowna's Subdivision and Servicing Bylaw 7900.		

FOOTNOTES (Section 13.5):

⁻¹ For lots 17.0 m or wider, the minimum side yard setback is increased to 2.1 m.

² Side yards are not required for semi-detached housing or townhouses on a lot line that has

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Section 13 - Multi-Dwelling Zones | City of Kelowna

- a party wall agreement.
- ^{.3} The minimum setback can be reduced from 3.0 m to 2.0 m for ground-oriented units if both of these criteria are met:
- (a) The maximum first floor height above the adjacent curb level for ground-oriented residential units are 1.2 m. Height is measured from the grade at the sidewalk directly from a fronting publicly accessible street, walkway, open space or applicable lot line. See example diagram Figure 5.12.
- (b) The minimum net floor area for ground-oriented residential units on the first floor is 11m². See ≜ example diagram Figure 5.13.
- ^{.4} For portions of a parkade with lane access which do not project more than 2.3 m above finished grade, the rear yard setback for the parkade is 1.5 m.
- ^{.5} The setback for a garage, a carport, or a parkade door that has direct access to the street shall have a 6 m setback measured from back-of-curb or edge of road pavement, or edge of sidewalk or 4.5 m from lot line (whichever is greater).
- ^{.6} Minimum building stepbacks apply only to buildings 5 storeys and taller. The stepback can occur on any floor above the second storey.
- ¹⁷ If the property is abutting a Rural Agricultural and Resource, Rural Residential, or Suburban Residential future land use designation as defined in the Official Community Plan then a 1.5 m additional setback needs to be added to the minimums.
- ^{.8} Common and Private Amenity Space can be devoted to child care centres as long as the child care spaces have direct access to open space and play areas within the lot. The amount of Common and Private Amenity Space dedicated to child care spaces cannot be more than 50% of the total space required.
- ^{.9} 4.0 m² per dwelling unit of the common and private amenity space shall be configured as common area that is accessible to all residents and must not be located within the required setback areas.

3/22/23, 10:34 AM

Section 13 - Multi-Dwelling Zones | City of Kelowna

13.6 Density and Height Development Regulations

Section 13.6 Density and Height Development Regulations

 $m = metres / m^2 = square metres$

			Zones	
		MF1	MF2	MF3
Min. Density for Lots from Transit Supportive Corrid			4.75 units per 1,000 m ² and a = 3.1 units per 1,000 m ² and	
Max. Base Density		0.8 FAR with lane 0.6 FAR without lane and max. 9.9 dwelling units per 1000 m ² of lot area	1.0 FAR See Underground Parking Base FAR Adjustments ⁷	For 4 storeys and below max. FAR = 1.3 -2 For 5 storeys and above max. FAR = 1.8 -2 See Underground Parking Base FAR Adjustments -7
Max. Bonus Density (Floor area ratio increase)		n/a	An additional 0.15 FAR	An additional 0.25 FAR
Max. Bonus Density for Rental Projects		n/a	An additional 0.3 FAR	An additional 0.3 FAR ^{.3}
Max. Base Height		8.0 m & 2 storeys	11.0 m & 3 storeys	18.0 m & 4 storeys or 22.0 m / 6 storeys .1
Max. Base Height for Buildings with Walkout Basements	Front Building Elevation	n/a	10.0 m & 3 storeys	n/a
	Rear Building Elevation	n/a	12.6 m & 3 storeys	n/a
Max. Bonus Height		n/a	n/a	22.0 m & 6 storeys ^{.3} or 44.0 m & 12 storeys ^{.4}

FOOTNOTES (Section 13.6):

- $^{-1}$ The base height is 18.0 m & 4 storeys except the maximum height may be increased to 22.0 m / 6 storeys if:
- The subject property is fronting onto a Transit Supportive Corridor; or
- The subject property does not abut a RU1, RU2, RU3, RU4, or RU5 zoned lot.
- ^{.2} The base FARs are derived from the base height regulation. Therefore, the base FARs remain constant even if an owner successfully applies for a Development Variance Permit to the base heights.



3/22/23, 10:34 AM

Section 13 - Multi-Dwelling Zones | City of Kelowna

- ^{.3} These bonuses only apply to lots within the Core Area or within a village centre. The bonus density and bonus height provisions occur if the provisions of Section 6.8 Density Bonus are secured.
- ⁴ The increase in height to 44.0 m and 12 storeys only applies in situations where:
- (a) lots are fronting a Provincial Highway; and
- (b) lots are within 400 m of transit stop and that transit stop must be located fronting onto a Provincial Highway or a major arterial road; and
- (c) the abutting lots cannot be zoned A1, A2, RR1, RR2, RU1, RU2, RU3, RU4, or RU5; and
- (d) lots are within the Core Area Neighbhourhood Future Land Use Designations as outlined in the OCP.
- **(e)** The bonus density and bonus height provisions occur if the provisions of Section 6.8 Density Bonus are secured.
- ^{.5} For the purpose of calculating minimum densities the amount of commercial area considered as a unit will be measured at one (1) unit per 125 m² of commercial GFA.
- ^{.6} For the purpose of calculating minimum densities the amount of commercial area considered as a unit will be measured at one (1) unit per 125 m2 of commercial GFA.
- ^{.7} If eighty percent (80%) of the parking provided on-site is located underground (below finished grade) then the base FAR is increased by 0.25 FAR.

13.7 Site Specific Regulations

Section 13.7 Site Specific Regulations

Uses and regulations apply on a site-specific basis as follows:				
	Legal Description	Civic Address	Regulation	
1.	Lot A, District Lot 140, ODYD, Plan KAP58184	1915-1925 Enterprise Way	This property is permitted to have hotels as principal land use.	
2.	ODYD, Plan KAS3399	1132-1160 Bernard Ave	This property is permitted to have 16 storeys in height.	
3.	Lot 1, Section 32, Township 26, ODYD, Plan KAP 91641	530 Caramillo Crt	This property is permitted to have Apartment housing limited to 4 storeys.	
4.	Strata Plan of Lot 3 & Remainder Lot 3, Section 28, Township 26, ODYD, PLAN KAP74074 (See Posting Plan EPP 104511)	777 Denali Drive	This property is permitted to have Apartment housing limited to 3 storeys.	
5.	Lot B, Section 24, Township 28, Land District 54, Plan KAP30848, EXC EPT Plan KAP79047, EPP23768	530 Quartz Crescent	This property is permitted to have Apartment housing limited to 3 storeys.	

https://www.kelowna.ca/homes-building/zoning-land-use/zoning-bylaw/section-13-multi-dwelling-zones

City of Kelowna 1435 Water Street Kelowna, BC V1Y 1J4 250 469-8500 kelowna.ca **Council Policy**

POLICY 367

Public Notification & Consultation for Development Applications

APPROVED February 18, 2013

Contact Department: Development Planning

Guiding Principle

Increasing public engagement in development proposals that will be considered by Council through an approach that is consistent and appropriate to each type of application.

Purpose

To establish standards and procedures for applicants' public notification and consultation responsibilities in respect of development applications. This will ensure transparent and consistent application of standards for the benefit of affected residents, the development community, and the City.

Background

This policy was created to help improve public consultation associated with the development application process. The authority for this Policy comes from:

Local Government Act – Section 475 – Consultation during the OCP development Local Government Act – Section 494 – Public notice and hearing requirements for Temporary Use Permits

Local Government Act - Section 499 - Notice to affected property owners and tenants for Development Variance Permits

Application

OBJECTIVE

To ensure that those parties affected by an application made pursuant to this policy are given adequate notice and one or more meaningful opportunities to provide input, where appropriate and in keeping with the nature and scale of the application.

2. RESPONSIBILITY FOR NOTIFICATION AND CONSULTATION

Unless otherwise indicated, all costs associated with the Notification and Consultation required under this policy are the sole responsibility of the applicant.

3. REQUIREMENT FOR NOTIFICATION AND CONSULTATION

 a. Applications made pursuant to this policy must undertake the forms of public notification and consultation identified in Table 1 below and in accordance with the specifications identified in Development Application and Heritage Procedures Bylaw No. 12310,

	Application Type	Large Format Development Notice Sign (8' x 4') ¹	Neighbour Consultation	Public Information Session
	OCP Major	✓	✓	✓
	OCP Minor	-	✓	-
k	Zoning Major	✓	✓	
	Zoning Minor	•	✓	
	LUC Land Use Contract	-	✓	
	DVP	-	1	_ &

CITY OF KELOWNA		COL	UNCIL POLICY NO. 367	Page 2 of 4
	TUP Temporary Use Permit	-	✓	-
	DP Development Permit	-	-	-
	ALR ² Agricultural Land Reserve	-	-	-
	SFWH Seasonal Farm Worker Housing	-	·	-
	Direct SFWH	-	-	-

Table 1 - Forms of Public Notification & Consultation

- indicates a required form of notification or consultation.
- indicates a form of notification or consultation not required.
- City template is to be used for signage.
- please refer to Agricultural Land Commission requirements
- b. Fulfilling the requirements of this policy does not relieve the owner or applicant of the responsibility to comply with applicable regulations and bylaws of the City of Kelowna, and those requirements of any body having jurisdiction over the land.
- c. Failure to undertake the form(s) of Notification and Consultation in accordance with this policy may result in the postponement of initial consideration of the application by Council. All costs incurred by the City for public notification as a result of such postponement will be the responsibility of the applicant.
- d. Applicants are encouraged wherever possible to use online or web-based tools to enhance public engagement strategies.
- For the purposes of this policy, the following criteria will apply to Official Community Plan amendment applications, and Zoning Bylaw amendment applications made pursuant to this policy:

Official Community Plan Amendment – Major ("OCP Major") means an OCP Amendment Application that:

- Involves a major change to the Future Land Use class (including, but not limited to, Residential to Commercial, Commercial to Industrial, Educational to Residential) of the applicable parcel(s) or portions thereof; or
- Is determined by the Director of Planning & Development Services to be an OCP Major.

Official Community Plan Amendment – Minor ("OCP Minor") means an OCP Amendment application that is not an OCP Major..



Zoning Amendment - Major ("Zoning Major") means a Zoning Amendment Application that:

- Involves creation of a Comprehensive Development zone; or
- ii. Involves a total land area of 2 hectares or greater; or
- iii. Involves the addition of 50 or more dwelling units and/or parcels; or
- Involves a major change in land use intensity; or iv.
- Is determined by the Director of Planning & Development Services to be a Zoning Major.

Zoning Amendment – Minor ("Zoning Minor") means a Zoning Amendment application that is not a Zoning

4. NOTIFICATION AND CONSULTATION SPECIFICATIONS

Large Format Development Notice Signage (8' x 4')

Where required, an applicant must erect a Large Format Development Notice Sign using the City's template on that parcel of land which is the subject of the application, in accordance with the following specifications:

Timina:

Large Format Development Notice Signs will be posted a minimum of 10 days in advance of the applicant's Public Information Meeting and thirty (30) days in advance of Council's initial consideration. The Council Public Hearing date must be posted a minimum of 10 days in advance of the Public Hearing, if required. Project Boards must

CITY OF KELOWNA

COUNCIL POLICY NO. 367

Page 3 of 4

remain in place until the conclusion of the Public Hearing, or until Council has adopted the amending bylaw if there is no requirement for a Public Hearing, or until the development application has lapsed. Project Boards must be removed within seven (7) days of the conclusion of a Public Hearing or adoption of a bylaw.

Location:

All Large Format Development Notice Signs will be placed on a property that is subject to an application pursuant to this policy so that they are clearly visible from the street, approximately three (3) metres inside the property line.

Number:

One Large Format Development NoticeSigns is required for each road frontage provided that no more than three (3) signs are required for any one Site.

Size and Content:

The Large Format Development Notice Signs (s) will include the following information approved by City Staff:

- · Detailed description of the proposal;
- · Visual rendering and/or site plan illustrating the proposal;
- · Contact information for the applicant or authorized agent, including project website (if any); and
- · Contact information for the appropriate City Department.

Sign Installation:

Large Format Development Notice Signs will be located in a manner which does not interfere with pedestrian or vehicular traffic or obstruct visibility from streets, lanes or driveways and must be installed in a safe, sturdy manner capable of withstanding wind and weather.

The applicant must provide City Staff with evidence in the form of photographs that the Project Board(s) required by this policy has been installed on the subject property before the application will be considered at a Public Hearing or a regular meeting of Council.

b. Neighbour Consultation

Objective:

Neighbour consultation aims to promote, where possible, direct, face-to-face conversations between an applicant and their immediate neighbours. Both tenants & owners must be contacted.

Applicable Parcels:

For parcels located within the Permanent Growth Boundary, as shown on Official Community Plan Map 3.1, all abutting and adjoining parcels and any parcels within 50 m of the subject property must be consulted.

For parcels located outside of the Permanent Growth Boundary, as shown on Official Community Plan Map 3.1, all abutting and adjoining parcels and any parcels within 300 m of the subject property must be consulted, or as determined by City staff.

Neighbour Consultation Content:

- Location of the proposal;
- · Detailed description of the proposal, including the specific changes proposed;
- · Visual rendering and/or site plan of the proposal;
- · Contact information for the applicant or authorized agent;
- Contact information for the appropriate City department;
- · Identifications of available methods for feedback.

Evidence of Consultation:

A summary of neighbour consultation efforts, feedback and response must be provided to City staff, identifying how the efforts meet the objective of this form of consultation. This must be provided to City staff a minimum of 20 days prior to Council initial consideration of the application(s) for inclusion in the report to Council.

c. Public Information Session

Where required, an applicant must conduct a Public Information Session in accordance with the following requirements:

CITY OF KELOWNA	COUNCIL POLICY NO. 367 Page 4 of 4	_
1.	The Public Information Session must be held a minimum of 15 days prior to Council initial consideration and after submission of a complete application;	
2.	The date, time, duration and location of a Public Information Session are to be determined by the applicant, but shall be organized pursuant to the Objective set out in Section 1 of this policy;	
3.	A Public Information Session must be advertised by both mailout and by local newspaper advertisements, which must be delivered or printed, as applicable, a minimum of two (2) weeks in advance of holding of a Public Information Session;	
4-	The applicant must make available for review all relevant appropriate plans, studies, and technical information regarding the proposal;	
5-	The City of Kelowna must be notified of the meeting, and a City staff representative shall have the option to attend;	
6.	A summary report prepared and signed by an applicant or authorized agent must be submitted to the File Manager that provides responses to the following questions:	
	Where was the information session held?	
	At what time and for what duration was the information session held? How many people attended the information session?	
	How was the information session advertised (including copies of all advertising)?	
	 How were affected property owners notified of the information session? 	
	How was the input received at the information session used?	
	 Was the information session organized and conducted in a manner consistent with the Objective of this policy? 	
<u>Amendments</u>		
Rogo/13/02/18	nanges reflect development sign upgrades	
(102/14/02/1/ CI	ioniges reflect development sign opgrades	
	*	
i.		





Purpose

➤ To rezone the subject properties from the RU₄ – Duplex Housing zone to the MF₃r – Apartment Housing Rental Only zone to facilitate the development of rental apartment housing.

Development Process

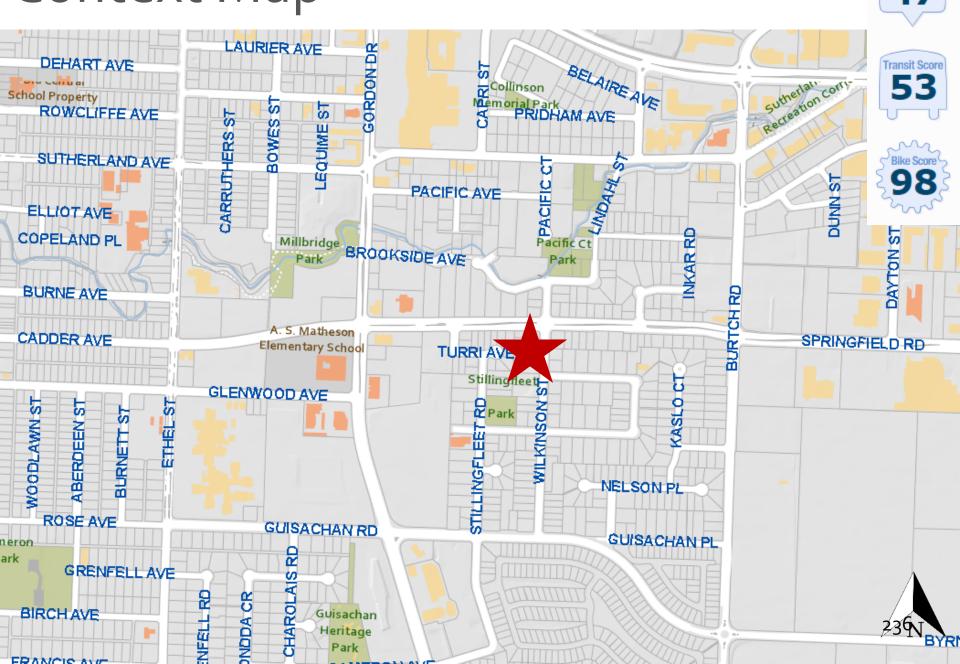




Context Map

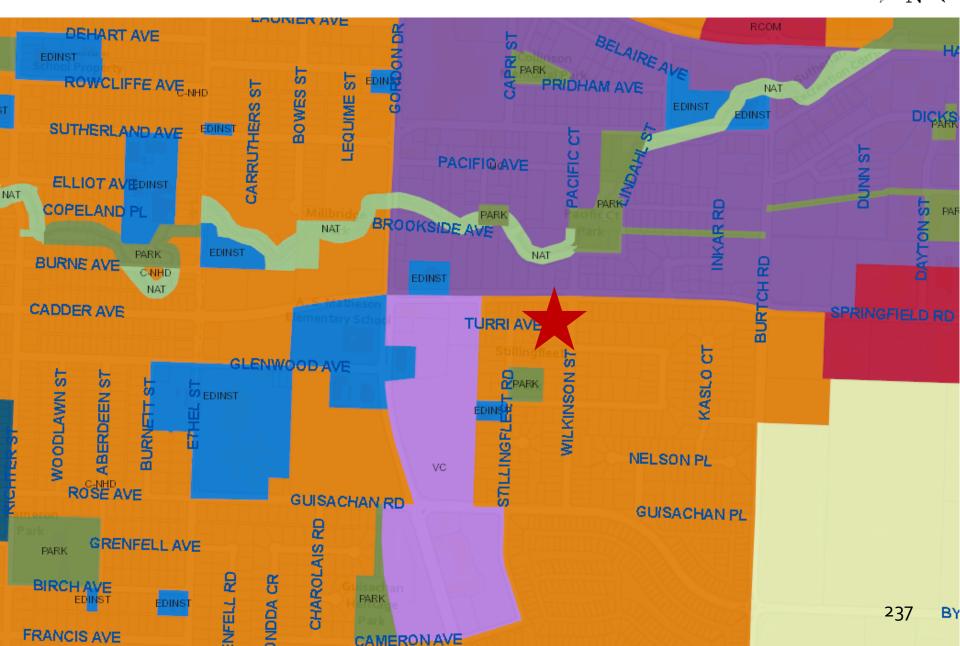
EDANCIO AVE





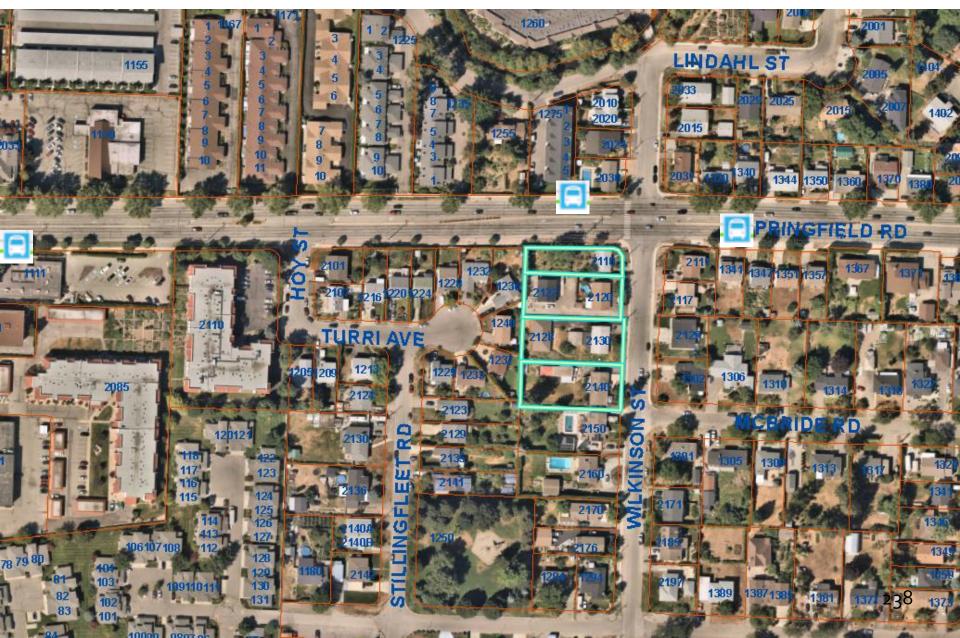
OCP Future Land Use





Subject Property Map





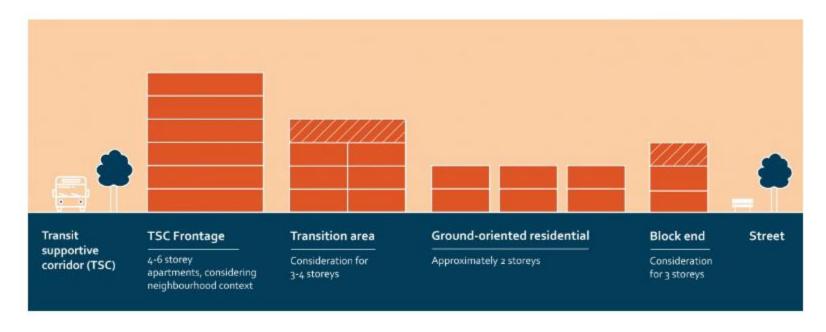


OCP Objectives & Policies

- ▶ Policy 5.2.1: Transit Supportive Corridor Densities
 - ▶ Encourage minimum density along TSC
- ▶ Policy 5.2.2: Low Rise Corridor Development
 - ► Encourage low rise apartments up to six storeys
- ▶ Policy 5.11.1: Diverse Housing Forms
- ► Healthy Housing Strategy
 - Promote and protect rental housing



Transit Supportive Corridors



► Policy 5.3.2. Transition from Transit Supportive Corridors.



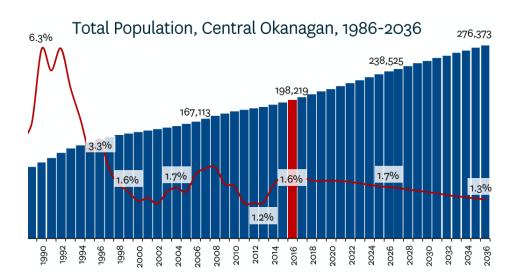
Staff Recommendation

- Staff recommend **support** for the proposed rezoning as it is consistent with:
 - OCP Future Land Use C-NHD
 - ▶ OCP Objectives in Chapter 5 Core Area
 - ► Transit Supportive Corridor Policies
 - ► Low Rise Corridor Development
 - Housing Diversity
 - Healthy Housing Strategy
 - Rental Housing



Housing Needs Current & Future

- Current Vacancy Rate = 1.2% ¹
 - Healthy Vacancy Rate = 3% 5%
- Current average 2 bedroom rent = \$2,255²
- Central OK population for 2036 = 276,363³









British Columbia

Looking to rent in Kelowna? Good luck



2040 Official Community Plan Pillars



Prioritize sustainable transportation and shared mobility



Take action on climate



Focus investment in Urban Centres



Target growth along transit corridors



Stop planning new suburban neighbourhoods



Strengthen Kelowna as the region's economic hub



Protect and restore our environment



Incorporate equity into city building



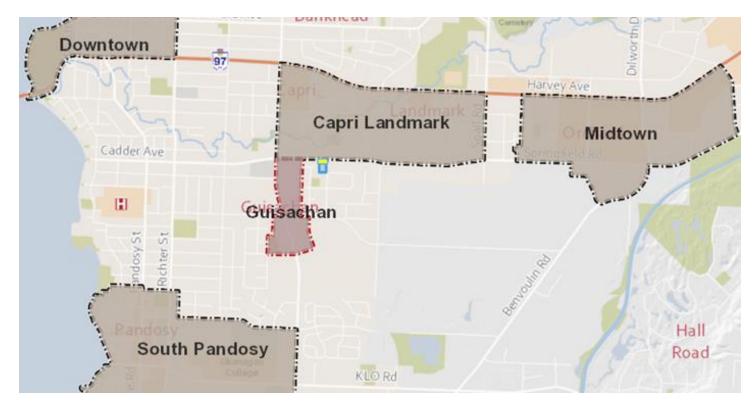
Promote more housing diversity



Protect agriculture

OCP Objectives & Policies Supported

- Policy 5.2.1. Transit Supportive Corridor Densities
- Policy 5.3.2. Transition from Transit Supportive Corridors
- Policy 5.5.2. Urban Forest Canopy Currently <10 trees; Planned >42 trees. 35 trees per acre vs 23 trees per acre in Ponds Development
- Policy 5.13.1 Protect the rental housing stock
- Objective 5.14. Provide safe, walkable, Core Area neighborhoods that are connect to *key destinations (Urban Centers, Landmark, Guisachan, etc)*
- Objective 5.15 Create major streets that are walkable, support local retail and connect neighbourhoods to Urban Centers by car, bike and transit – minutes by bike to Capri, Midtown, and Landmark
- Policy 5.16.2. Local Streets continuous boulevard treatment to support a robust urban tree canopy









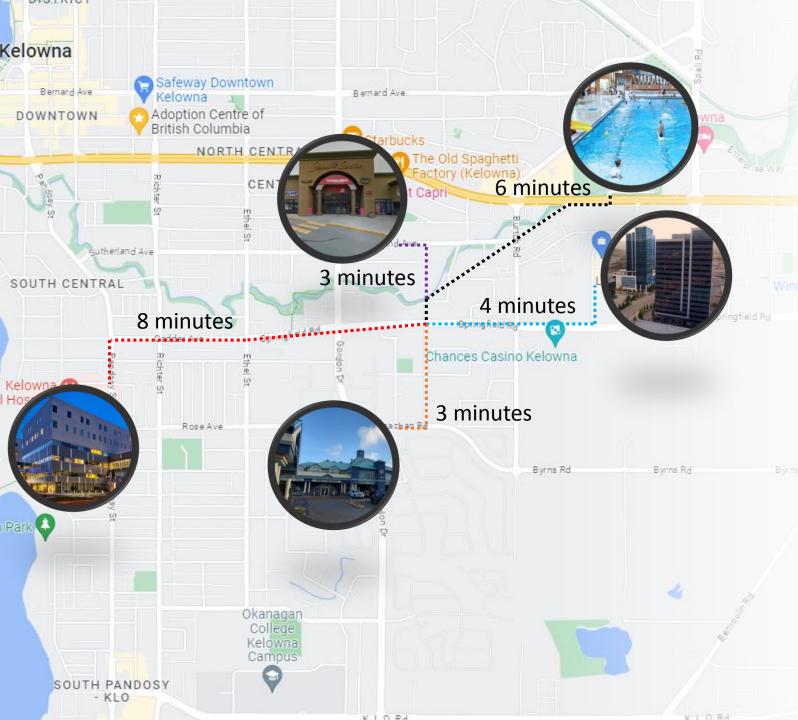
Healthy Housing Strategy

Proximity to Urban Centers, Guisachan Village Center, Landmark Center and Transportaion

Alignment of Investment

- Mill Creek Linear Park
 Higher density investment near infrastructure investment & transportation networks
- Parkinson Rec Center
 Easy walking and biking access to Kelowna's future premier health and wellness facility





Sustainable Location

- Landmark District (1000m): +1,000,000 sqft of Commercial space. Kelowna's primary office employment hub.
- KGH (1500m): one of Kelowna's major employers in desperate need of staff and housing for their staff.
- Capri Urban Center (500m): groceries, businesses and high on our City's priority list for further development.
- Guisachan Village (500m): walkable/bikeable many neighbourhood commercial options.
- Parkinson Rec Center (1000m): Kelowna's major Recreation Site and plans for future school.

Travel distances as per Google Maps, bicycle travel

Site Context & Neighbourhood Character



Responses to Neighbourhood Feedback



Sensitive & Variance-free

Not pursuing max unit count or full 6 storeys that would be permitted by current OCP. Plan to meet bylaws regarding setbacks, parking, etc.



Shadow Study

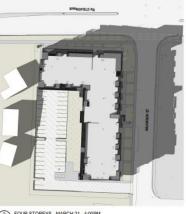
Shows limited to no intrusion on surrounding neighbours (see far right).



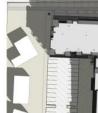
Urban Canopy

5-6 new trees for every 1 existing are planned in the landscape design, 35 trees/acre density.





FOUR STOREYS - MARCH 21 - 4:00PM



FOUR STOREYS - MARCH 21 - 10:00A



Corner Anchored

Minimizes disruption to existing streetscape. Very similar to precedent projects throughout the city (Gordon, Glenmore, etc.).



Site Access

Provides a wide buffer between the new building and the existing south neighbour while providing a safe distance from intersection.



Transportation Engineering

City Engineering has requested additional information regarding the Springfield and Wilkinson intersection to assess safety and possible improvements.

Traffic Analysis

VEHICLE movements

8AM = Current: Springfield-1459, Wilkinson-68

Additional: 44

4PM = Current: Springfield-2180, Wilkinson-98

Additional: 56

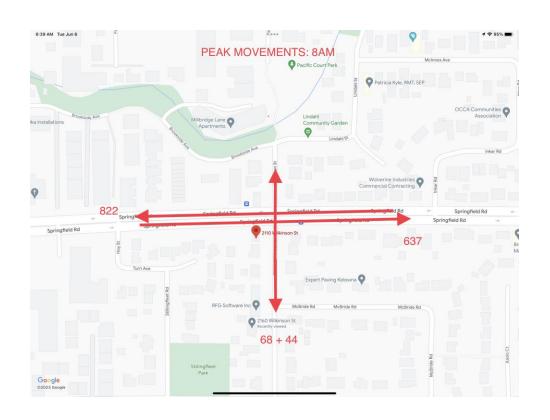
PEDESTRIAN movements

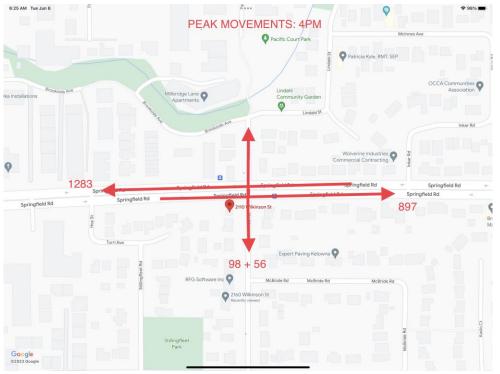
8AM = Current: 37

Additional: 4

4PM = Current: 16

Additional: 2





A Look to Next Steps



Affordable Component

Working on approval with the CMHC MLI Select program which includes requirements for affordability, energy efficiency and accessibility.



Energy Efficient Construction

Typical Traine builds average 25%-35% better energy efficiency than building codes. Building will be solar-ready and we are exploring including roof-mounted solar.



Accessible Friendly Suites

The eventual building will receive certification from the Rick Hansen Foundation for accessibility.



Professionally Managed

An experienced property manager will provide on-site management and ensure a clean, well-cared for building.



Site Security

Apartment buildings include full perimeter security as well as inherently provide more "eyes on the street" to enhance area safety.



Housing Diversity

Affordability issues in recent years have pushed more and more families into rental apartments. Offering an array of options in a variety of neighbourhood types ensures a more healthy, equitable city.





CITY OF KELOWNA

BYLAW NO. 12517 Z22-0068 2110,2120-2122, 2128-2130 & 2140 Wilkinson Street

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
 - a. LOT 3 SECTION 19 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 10906 EXCEPT PLANS H14021 AND 36316 located on Wilkinson Street Kelowna, BC;
 - b. LOT 4 SECTION 19 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 10906 EXCEPT PLAN H14021 located on Wilkinson Street Kelowna, BC;
 - c. LOT 5 SECTION 19 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 10906 located on Wilkinson Street Kelowna, BC; and
 - d. LOT 6 SECTION 19 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 10906 located on Wilkinson Street Kelowna, BC

from the RU4 – Duplex 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 8th day of May, 2023.

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 Kelown	a this
	Marian
	Mayor
	City Clerk