

City of Kelowna
Regular Council Meeting
AGENDA



Tuesday, March 12, 2024
4:00 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

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

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

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

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

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

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

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

2. Reaffirmation of Oath of Office

The Oath of Office will be read by Councillor Hodge.

3. Confirmation of Minutes

Tuesday Meeting - February 13, 2024

4. Call to Order the Public Hearing

5. Individual Bylaw Submissions

1 - 3

- 5.1 **START TIME 4:00 PM - Clifton Rd N 159 - OCP23-0007 (BL12625) Z23-0046 (BL12626) - Ashley and Todd Ramsay** 4 - 20

To amend the Official Community Plan to change the future land use designation of a portion of the subject property from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation and to rezone portions of the subject property from the RR1 – Large Lot Rural Residential zone to the RU1 – Large Lot Housing zone and the RR2 – Small Lot Rural Residential zone to facilitate the development of a two lot subdivision.

6. **Termination**

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

8. **Bylaws Considered at Public Hearing**

- 8.1 **START TIME 4:00 PM - Clifton Rd N 159 - BL12625 (OCP23-0007) - Ashley and Todd Ramsay** 21 - 22

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

To give Bylaw No. 12625 second and third reading in order to change the future land use designation of a portion of the subject property from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation.

- 8.2 **START TIME 4:00 PM - Clifton Rd N 159 - BL12626 (Z23-0046) - Ashley and Todd Ramsay** 23 - 24

To give Bylaw No. 12626 second and third reading in order to rezone portions of the subject property from the RR1 – Large Lot Rural Residential zone to the RU1 – Large Lot Housing zone and the RR2 – Small Lot Rural Residential zone.

9. **Liquor License Application Reports**

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

- 9.1 **START TIME 4:00 PM - Cook Rd 500 - LL24-0001 - 1004364 B.C. Ltd., Inc.No. BC01004364** 25 - 45

To seek Council's support for a Patron Participation Entertainment Endorsement to an existing Food Primary license.

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

City Clerk 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.

10.1 START TIME 4:00 PM - Findlay Rd 1281 - BL12532 (Z22-0048) - Multiple Owners 46 - 46

To adopt Bylaw No. 12532 in order to rezone the subject property from the RU1 - Large Lot Housing zone to the MF2 - Townhouse Housing zone.

10.2 START TIME 4:00 PM - Findlay 1281 - DP22-0168 DVP22-0169 - 2245713 Alberta Ltd. 47 - 87

To issue a Development Permit for the form and character of Townhouses and to issue a Development Variance Permit to vary Off-Street Parking Regulations.

11. Termination

12. 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 applicant is given up to 10 minutes to respond to any questions raised.
- (f) Questions of staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.

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



**City of Kelowna
Regular Council Meeting
Minutes**

Date: Tuesday, February 13, 2024
Location: Council Chamber
City Hall, 1435 Water Street

Members Present Deputy Mayor Luke Stack, Councillors Maxine DeHart and Rick Webber

Members Participating Remotely Councillors Ron Cannan, Charlie Hodge and Gord Lovegrove

Members Absent Mayor Tom Dyas, Councillors Loyal Wooldridge and Mohini Singh

Staff Present Acting City Manager, Stephen Fleming; Deputy City Clerk, Laura Bentley; Community Planning & Development Manager, Dean Strachan; Legislative Coordinator (Confidential), Rebecca Van Huizen

Staff Participating Remotely Legislative Coordinator (Confidential), Clint McKenzie

(* Denotes partial attendance)

1. Call to Order

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

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor DeHart.

3. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Cannan

THAT the Minutes of the Public Hearing and Regular Meeting of January 16, 2024 be confirmed as circulated.

Carried

4. Development Permit and Development Variance Permit Reports

4.1 START TIME 4:00 PM - Appaloosa Rd 3226 - BL12606 (Z23-0025) - Astria Academy Nominee Ltd., Inc.No. BC1396329

Moved By Councillor DeHart/Seconded By Councillor Webber

THAT Bylaw No. 12606 be adopted.

Carried

4.2 START TIME 4:00 PM - Appaloosa Rd 3226 - DP23-0079 DVP23-0170 - Astria Academy Nominee Ltd., Inc.No. BC1396329

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Jack Priestley, Astria Properties, Head of Development, Applicant, Online

- Displayed a PowerPoint Presentation.
- Provided details regarding the proposed building design and road frontages.
- Reviewed the variances requested related to side yard landscape setback and the proposed mitigation.
- Spoke to building design and Academy Way access to the subject property.
- Reviewed the proposed mural being completed by a local artist and some examples of artwork previously commissioned by the artist.

Deputy Mayor Stack 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 came forward from the gallery or online.

Staff:

- Responded to questions from Council.

Applicant:

- Responded to questions from Council.

There were no further comments.

Moved By Councillor DeHart/Seconded By Councillor Hodge

THAT final adoption of Rezoning Bylaw No. 12606 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP23-0079 and Development Variance Permit No. DVP23-0170 for Lot 1, Section 2, Township 23, ODYD, Plan EPP134314, located at 3226 Appaloosa Road, Kelowna, BC subject to the following:

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

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

Section 14.12 – Industrial, Institutional and Water Zone Development Regulations

To vary the minimum flanking side yard setback from 2.0m required to 1.0m proposed.

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

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

Carried

5. Reminders

There were no reminders.

6. Termination

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

Deputy Mayor Stack

lb/cm



Deputy City Clerk

REPORT TO COUNCIL

OCP & REZONING



Date: February 26, 2024
To: Council
From: City Manager
Address: 159 Clifton Rd N
File No.: OCP23-0007 Z23-0046

	Existing	Proposed
OCP Future Land Use:	S-RES – Suburban Residential NAT – Natural Areas	S-RES – Suburban Residential
Zone:	RR1 – Large Lot Rural Residential	RR2 – Small Lot Rural Residential RU1 – Large Lot Housing

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP23-0007 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 1 Section 6 Township 23 ODYD Plan EPP12985, located at 159 Clifton Rd N, Kelowna, BC from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation, as shown on Map “A” attached to the Report from the Development Planning Department dated February 26, 2024, 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 February 26, 2024.

AND THAT Rezoning Application No. Z23-0046 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot 1 Section 6 Township 23 ODYD Plan EPP12985, located at 159 Clifton Rd N, Kelowna, BC from the RR1 – Large Lot Rural Residential zone to the RU1 – Large Lot Housing zone and the RR2 – Small Lot Rural Residential zone, as shown on Map “B” attached to the Report from the Development Planning Department dated February 26, 2024, be considered by Council;

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

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 a portion of the subject property from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation and to rezone portions of the subject property from the RR1 – Large Lot Rural Residential zone to the RU1 – Large Lot Housing zone and the RR2 – Small Lot Rural Residential zone to facilitate the development of a two lot subdivision.

3.0 Development Planning

Staff support the Official Community Plan Amendment and Rezoning application to accommodate the creation of one new residential lot. The subject property is within the City's Permanent Growth Boundary. The proposed new lot is compatible with the adjacent pattern of single detached housing that lines Clifton Road N. It is located on the flattest portion of the property adjacent to the road avoiding the need for overheight retaining walls or disturbance of steep slopes, which complies with OCP Policy restricting development on steep slopes and discouraging development which causes high visual impact.

The rear of the property, which contains steep slopes and environmentally sensitive area, is already protected by an existing no-disturb covenant dating from a subdivision in 2012. No new vehicular accesses to Clifton Road will be created as the proposed new lot will share a driveway access with the existing house.

Lot Area	Proposed (m ²)
Gross Site Area	7885 m ²
Road Dedication	116.77 m ²
Undevelopable Area	5056.27 m ²
Net Site Area	2711.96 m ²

Public consultation was completed by delivering a notice to surrounding properties within 50 m of the subject parcel as per Council Policy No. 367. Staff have reviewed this application, and it may move forward without affecting either the City's Financial Plan or Waste Management Plan.

4.0 Site Context & Background

Orientation	Zoning	Land Use
North	RR1 – Large Lot Rural Residential	Single Detached Housing
East	P3 – Parks and Open Space	Natural Area
South	RR1 – Large Lot Rural Residential	Vacant
West	RU1 – Large Lot Housing	Single Detached Housing

Subject Property Map: 159 Clifton Rd N



The subject property is located on the east side of Clifton Road North, near the intersection with Sheerwater Court and Lochview Road. A single detached house is currently located on the subject property. The eastern portion of the property contains steep slopes.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

The Big Picture: 10 Pillars to Realize our Vision
<p>Stop planning new suburban neighbourhoods: Imagine Kelowna focuses on limiting urban sprawl and growing in a way that is more environmentally and financially sustainable. In recognition of this goal, the Official Community Plan signals that suburban neighbourhoods already approved will continue to grow into more complete communities but not new suburban neighbourhoods would be considered.</p>
<p>Promote more housing diversity: One of Imagine Kelowna’s goals is to build healthier neighbourhoods that support a variety of households, incomes, and life stages. Having the housing that Kelowna citizens need is critical to achieving this goal. With this in mind, the Official Community Plan signals a wider variety of housing types and not just single family homes or small apartments. This housing is focused in areas where residents have easier access to jobs, amenities, transit and active transportation routes. In addition, this Official Community plan supports more rental housing options.</p>

Objective 7.2 Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable	
Policy 7.2.2 Hillside Housing Forms	Encourage housing forms that best match to the topography and have the lowest amount of impact in hillside areas, such as minimum cuts and fills, for example, and provide the greatest environmental protection. Discourage housing forms and associated roadways that cause high amounts of slope disturbance and visual impact.
	<i>The applicant has demonstrated that the proposed additional lot can accommodate a building site that does not require over height retaining walls and minimizes site disturbance.</i>

Objective 15.2 Design and located development to reduce risks associated with steep slopes.	
Policy 15.2.1 Steep Slopes	Restrict development on steep slopes. These areas should be retained as natural open space, either public or private.
	<i>The proposed new lot is the flattest portion of the subject property. The steep slopes at the rear of the lot are protected by an existing no-disturb covenant.</i>

6.o Application Chronology

Application Accepted: July 19, 2023
 Neighbourhood Notification Summary Received: July 25, 2023

Report prepared by: Mark Tanner, Planner II
Reviewed by: Dean Strachan, Community Planning & Development Manager
Reviewed by: Nola Kilmartin, 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: Proposed Subdivision Plan

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

N



SHEERWATER CT

CLIFTON RD N

160

156

159

152

155

148

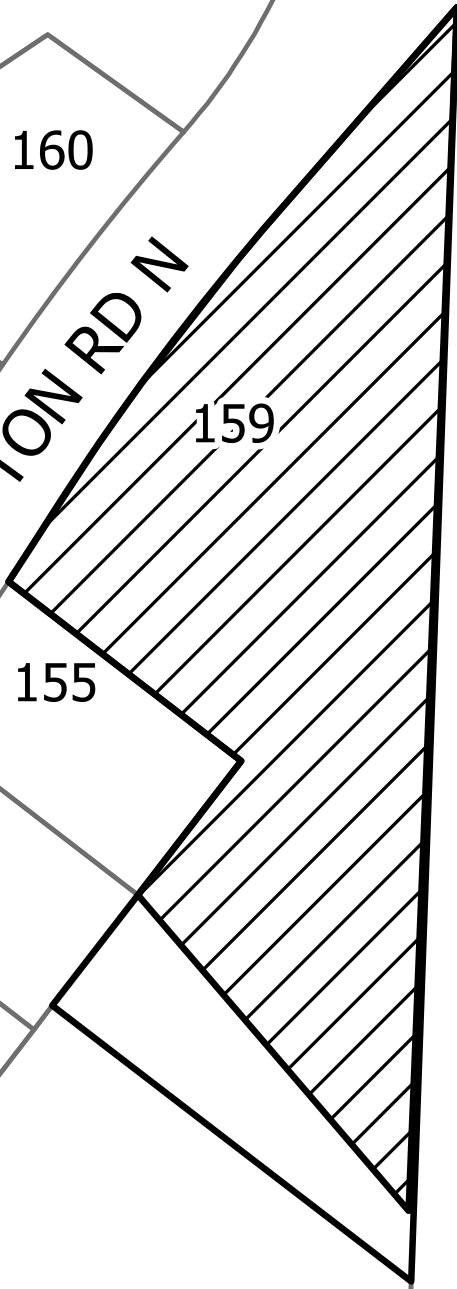
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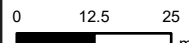
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MAP "A" OCP AMENDMENT OCP23-0007

-  NAT - Natural Area to S-RES - Suburban Residential
-  Subject Property

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



Rev. Friday, February 9, 2024



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SHEERWATER CT

CLIFTON RD N

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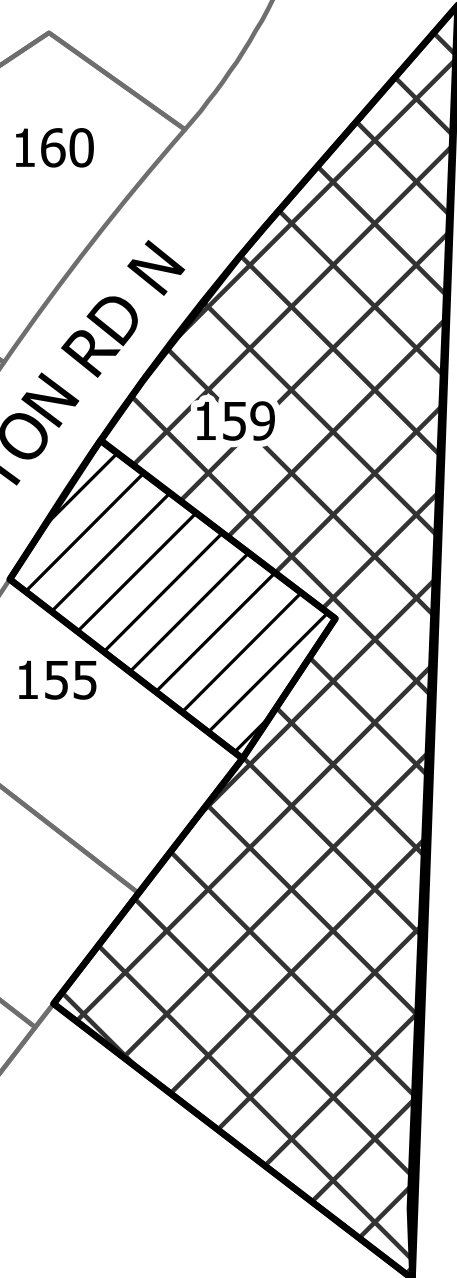
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

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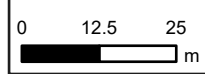
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MAP "B" ZONING AMENDMENT Z23-0046

-  RR1 - Large Lot Rural Residential to RR2 - Small Lot Rural Residential
-  RR1 - Large Lot Rural Residential to RU1 - Large Lot Housing
-  Subject Property

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Rev. Thursday, February 8, 2024





LEGAL DESCRIPTION:
 LOT 1, PLAN EPP12985, SECTION 19, TOWNSHIP 27, O.D.Y.D.
CIVIC ADDRESS: 159 CLIFTON ROAD NORTH
DESIGN CRITERIA:
 EXISTING ZONING RR1
 PROPOSED ZONING RU1
 DEVELOPMENT PERMIT CONDITIONS:
 HAZARDOUS CONDITIONS
 NATURAL ENVIRONMENTAL
 WILD LAND FIRE HAZARD

SETBACKS:
 FRONT YARD* 3.0m
 GARAGE** 6.0m
 SIDE YARD*** 2.1m
 YEAR YARD 7.5m
 * BASED ON SUB-URBAN RESIDENTIAL (S-RES)
 ** MEASURED FROM EDGE OF PAVEMENT.
 ***SIDE YARD SETBACK IS BASED ON 2 OR 2½ STOREY.

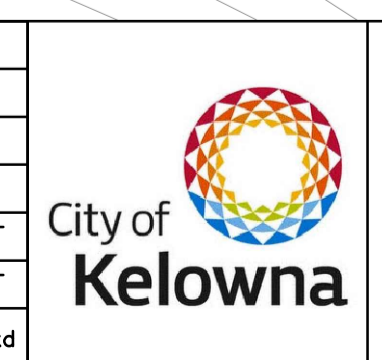
ROAD TYPE: COLLECTOR-CLASS 1
 SS-R5 (20.0m R.O.W.)



22079

ATTACHMENT A
 This forms part of application
 # OCP23-0007 Z23-0046
 City of Kelowna
 COMMUNITY PLANNING
 Planner Initials MT

No.	YY.MM.DD	By	Issued	Chkd	No.	YY.MM.DD	By	Revision	Chkd
1	23.09.12	ST	PRELIMINARY LAYOUT REVIEW	ST	1	23.09.12	MD	FOR CITY COMMENTS	ST
					2	24.01.22	MD	CHANGED TO 2 LOT SUBDIVISION	ST



Drawn	MD
Design	ST
Approved	
Date	JANUARY 2023
Scale	1:250

THE CITY OF KELOWNA
 ENGINEERING DEPARTMENT
 159 CLIFTON ROAD NORTH
 PRELIMINARY LAYOUT REVIEW
 2 LOT SINGLE FAMILY SUBDIVISION

Division	MUNICIPAL
Drawing No.	PLR-01
Rev No.	2

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PLR



City of
Kelowna

OCP23-0007 Z23-0046
159 Clifton Rd N

Rezoning Application

Purpose

- ▶ To amend the Official Community Plan to change the future land use designation of a portion of the subject property from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation and to rezone a portion of the subject property from the RR1 – Large Lot Rural Residential zone to the RU1 – Large Lot Housing zone and RR2 – Small Lot Rural Residential zone to facilitate a two lot subdivision.

Development Process

July 19, 2023

Development Application Submitted



Staff Review & Circulation



July 25, 2023

Public Notification Received



Feb 26, 2024

Initial Consideration



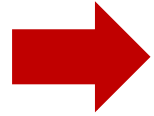
Public Hearing



Final Reading

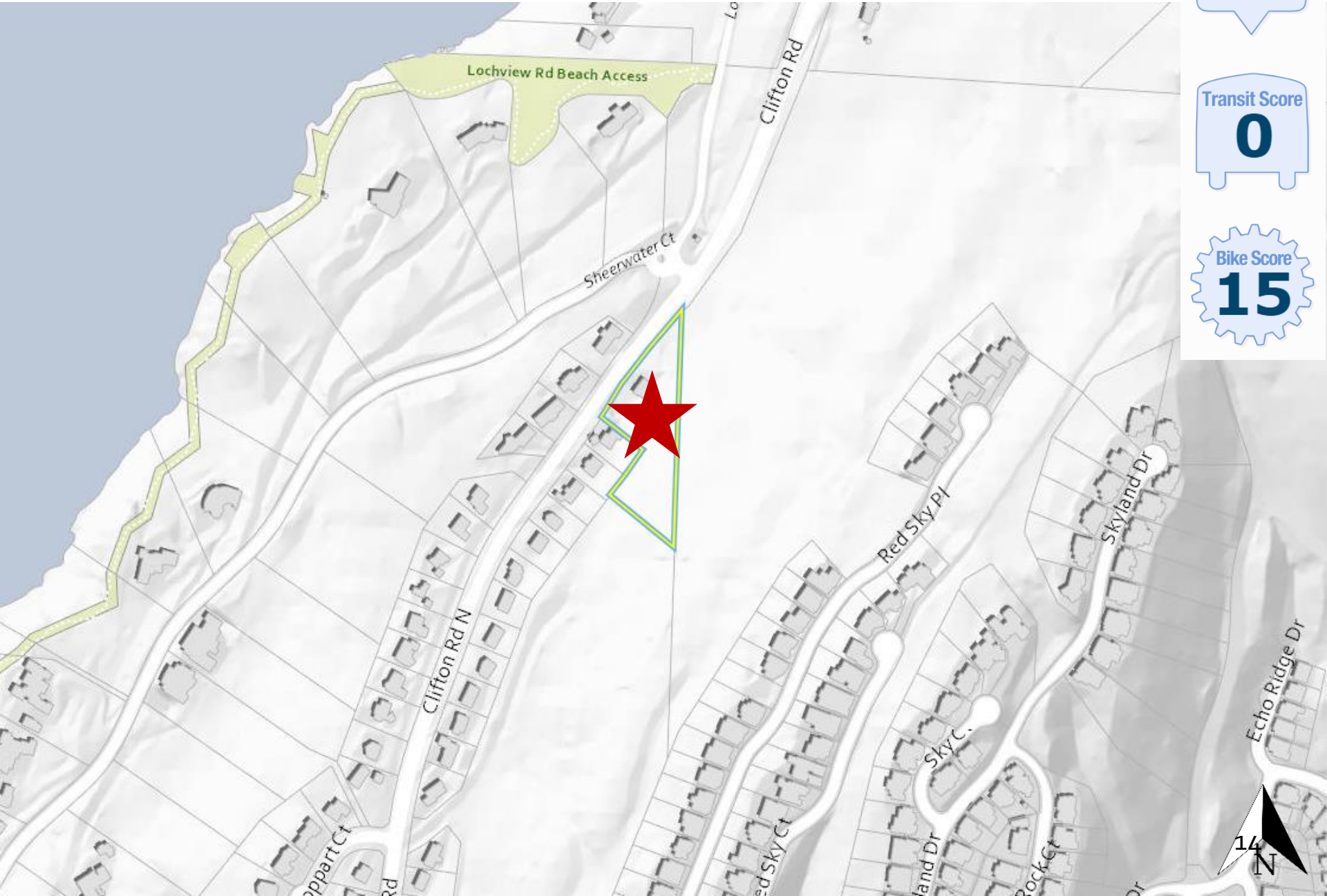


Subdivision/Building Permit



Council Approvals

Context Map



Walk Score
4




Transit Score
0

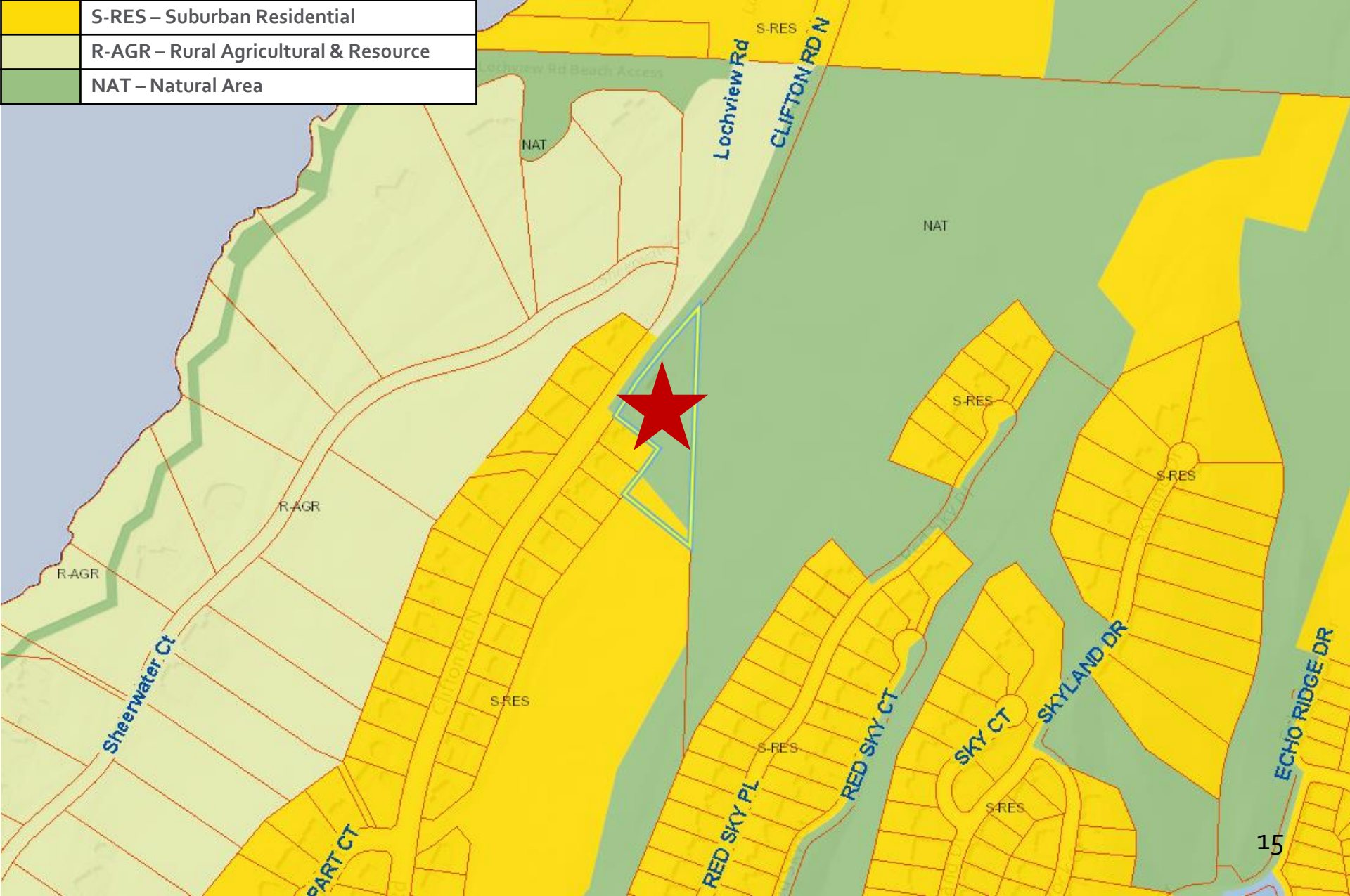
Bike Score
15

14
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OCP Future Land Use



	S-RES – Suburban Residential
	R-AGR – Rural Agricultural & Resource
	NAT – Natural Area



Subject Property Map



Project Details

- ▶ OCP Amendment and Rezoning to facilitate a two-lot subdivision
 - ▶ NAT – Natural Areas to S-RES – Suburban Residential
 - ▶ RR1 – Large Lot Rural Residential to RU1 – Large Lot Housing and RR2 – Small Lot Rural Residential
- ▶ New lot located on the flattest portion of the property
- ▶ Shared driveway access between existing house and new lot
- ▶ Existing no-disturb covenant protects steep hillside

Proposed Subdivision



OCP Objectives & Policies

- ▶ **Policy 7.2.2 Hillside Housing Forms**
 - ▶ Encourage housing forms that best match the topography and have the lowest amount of impact. Discourage housing forms that cause high amount of slope disturbance and visual impact.

- ▶ **Policy 15.2.1 Steep Slopes**
 - ▶ Restrict development on steep slopes. These areas should be retained as natural open space, either public or private.

Staff Recommendation

- ▶ Staff recommend **support** for the proposed OCP Amendment and Rezoning as it is consistent with:
 - ▶ OCP Policies:
 - ▶ Policy 7.2.2 Hillside Housing Forms
 - ▶ Policy 15.2.1 Steep Slopes

CITY OF KELOWNA

BYLAW NO. 12625

Official Community Plan Amendment No. OCP23-0007 159 Clifton Road North

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

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

1. THAT Map 3.1 – **Future Land Use** of "*Kelowna 2040* – Official Community Plan Bylaw No. 12300" be amended by changing the Future Land Use designation of a portion of Lot 1 Section 6 Township 23 ODYD Plan EPP12985 located on Clifton Road North, Kelowna, BC from the NAT – Natural Areas designation to the S-RES – Suburban Residential 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 26th day of February, 2024.

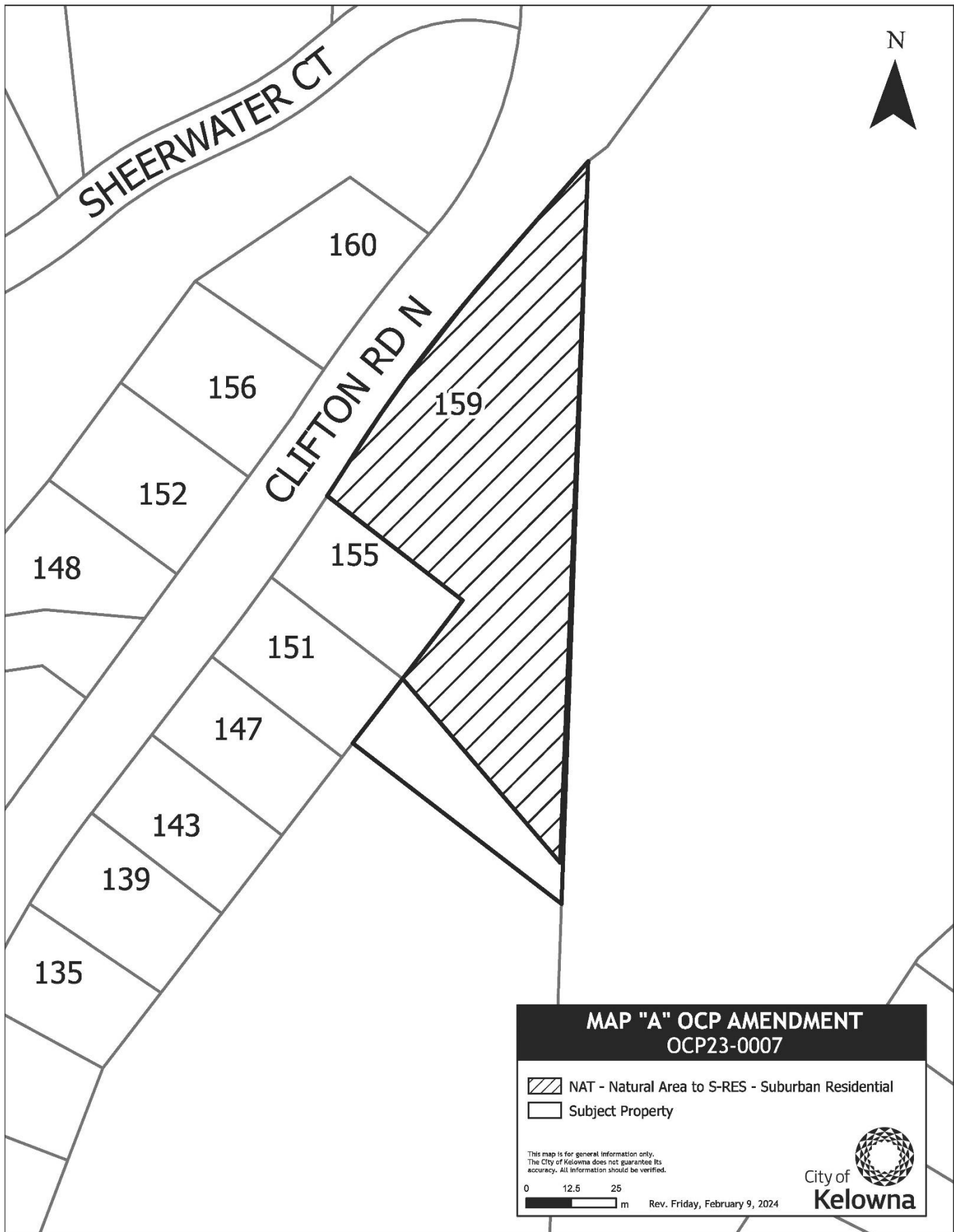
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA
BYLAW NO. 12626
Z23-0046
159 Clifton Road North

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 1 Section 6 Township 23 ODYD Plan EPP12985 located on Clifton Road North, Kelowna, BC from the RR1 – Large Lot Rural Residential zone to the RU1 – Large Lot Housing zone and the RR2 – Small Lot Rural Residential zone as shown on Map "B" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 26th day of February, 2024.

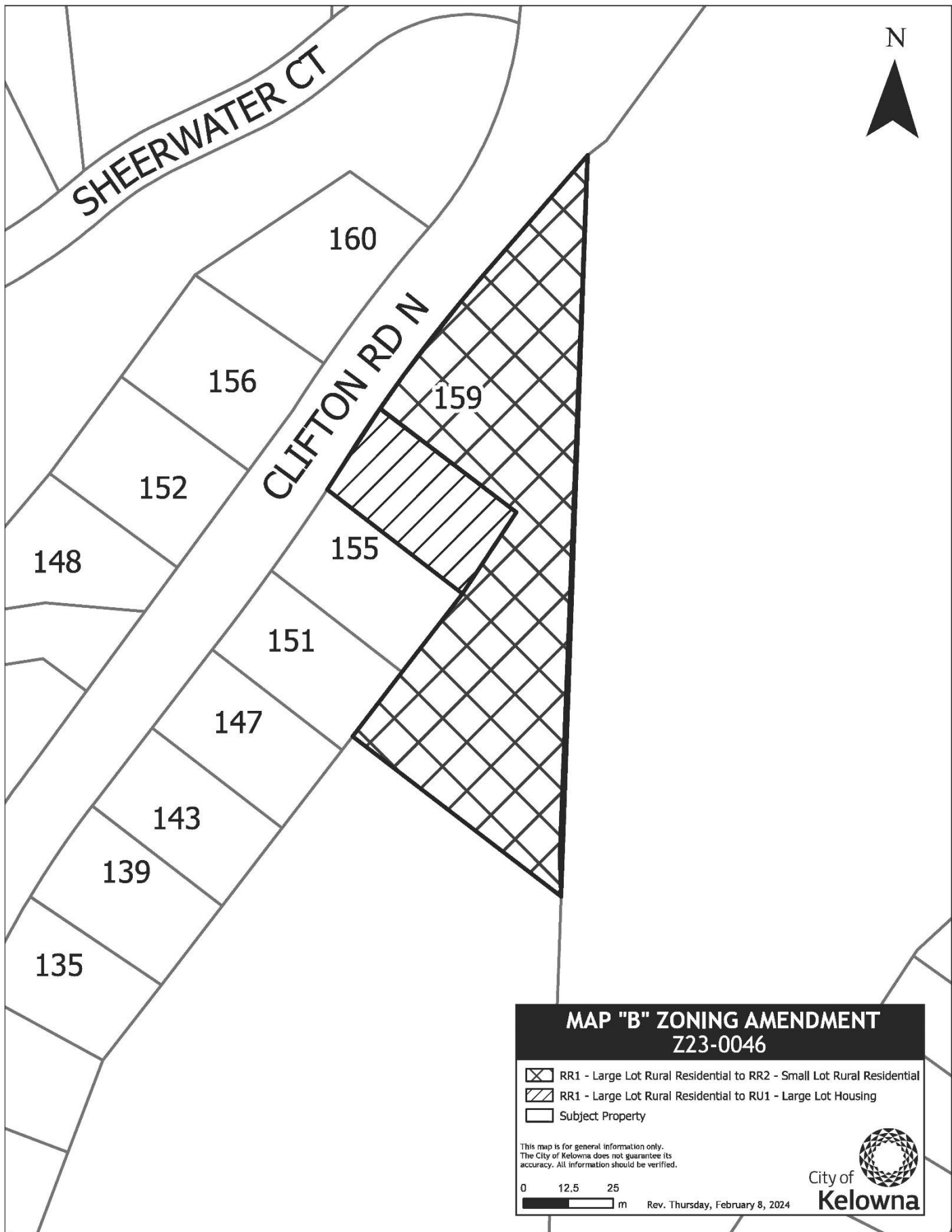
Considered at a Public Hearing on the

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




**MAP "B" ZONING AMENDMENT
Z23-0046**

-  RR1 - Large Lot Rural Residential to RR2 - Small Lot Rural Residential
-  RR1 - Large Lot Rural Residential to RU1 - Large Lot Housing
-  Subject Property

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Rev. Thursday, February 8, 2024



City of
Kelowna

REPORT TO COUNCIL

LIQUOR LICENSE



Date: March 12, 2024
To: Council
From: City Manager
Address: 500 Cook Rd
File No.: LL24-0001

	Existing	Proposed
OCP Future Land Use:	NAT – Natural Areas VC – Village Centre	NAT – Natural Areas VC – Village Centre
Zone:	VC1 – Village Centre	VC1 – Village Centre

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 Rising Tide Consultants for a Patron Participation Entertainment Endorsement to an existing Food Primary licence for Lot 1 Sections 1 and 12 Township 25 and District Lots 134 and 5225 ODYD Plan KAP67232, located at 500 Cook Rd, Kelowna, BC for the following reasons:

- The Patron Participation Entertainment Endorsement is perceived to have minimal impact on the community and surrounding properties.

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

Criteria for new food primary with Patron Participation Entertainment Endorsement:

- The potential for noise if the application is approved:
The potential impact for noise is minimal as hours of the Patron Participation Entertainment Endorsement would be limited to 11pm on the outdoor patio which is consistent with other licensed patioed areas in the City and compatible with adjacent land uses.
- The impact on the community if the application is approved:
The potential for negative impact on the community is considered minimal as it is an existing establishment.
- If the amendment may result in the establishment being operated in a manner that is contrary to its primary Purpose:
The operations would be consistent with the primary purpose of food primary establishment.

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 Patron Participation Entertainment Endorsement to an existing Food Primary license.

3.0 Development Planning

The applicant is seeking to obtain a Patron Participation Entertainment Endorsement to an existing Food Primary License at the Hotel Eldorado. The endorsement area would be on the first and second floor and have a maximum capacity of 935 persons. The applicant is not seeking a change to the current capacity. The endorsement would permit patrons to dance and allow the operator to have bands and DJ’s. Patrons would be able to participate in karaoke and open microphone events.

The applicant has worked with staff in limiting the outdoor patio space that will help protect current and future neighbours from more intense use. For that reason, the hours on the patio will be consistent with other approved outdoor patios where any activity under the Patron Participation Entertainment Endorsement will conclude by 11:00pm.

4.0 Project Details

Existing Hours of Food Primary Licence:

		Sun	Mon	Tues	Wed	Thurs	Fri	Sat
Open		9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM
Close	Indoor	12:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM
	Patio	12:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM

Proposed Hours of Patron Participation Entertainment Endorsement:

		Sun	Mon	Tues	Wed	Thurs	Fri	Sat
Open		9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM
Close	Indoor	12:00 AM	12:00 AM	12:00 AM	12:00 AM	12:00 AM	12:00 AM	12:00 AM
	Patio	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM

5.0 Site Context & Background

Orientation	Zoning	Land Use
North	VC ₁ – Village Centre	Hotel / Motel
East	P ₁ – Major Institutional	Non – Accessory Parking
South	VC ₁ – Village Centre	Apartment Housing
West	W ₂ – Intensive Water Use	Okanagan Lake

Subject Property Map: 500 Cook Rd



The subject property is located on Cook Road in the Cook Truswell Village Centre adjacent to Okanagan Lake and north of Mission Creek. The Cook Road Boat Launch is immediately to the south and residential units are under construction. The surrounding land use designations are Village Centre and Natural Area along of the lake.

6.0 Current Development Policies

6.1 Kelowna Official Community Plan (OCP)

Objective 5.1 Encourage Village Centres as Kelowna’s secondary hubs of activity.	
Policy 5.1.4 Crook Truswell Village Centre	<p>Continue to support the evolution of the Cook Truswell Village Centre into a mixed-use tourist commercial destination by supporting development that contributes to the following vision for the area:</p> <ul style="list-style-type: none"> • A mix of tourist accommodation, with supporting residential and commercial development; • Uses at grade, such as retail commercial or restaurants to contribute to a lively, pedestrian-oriented tourist environment; <p><i>The application is in support of an existing restaurant which contributes to a lively, tourist environment within the Village Centre.</i></p>

7.0 Technical Comments

7.1 R.C.M.P.

Police have no concerns with this application.

8.0 Application Chronology

Application Accepted: January 3, 2024
Date Public Consultation Completed: January 12, 2024

Report prepared by: Jason Issler, Planner I
Reviewed by: Dean Strachan, Community Planning & Development Manager
Reviewed by: Nola Kilmartin, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Floor Plan/Site Plan/Occupant Load
Attachment B: Letter of Rationale

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

LCRB OFFICIAL PLAN
MUST BE KEPT WITH LIQUOR LICENCE AND
AVAILABLE FOR INSPECTION AT ALL TIMES
DATE ISSUED: December 1, 2023
EPLICENCE #: 135682
GENERAL MANAGER

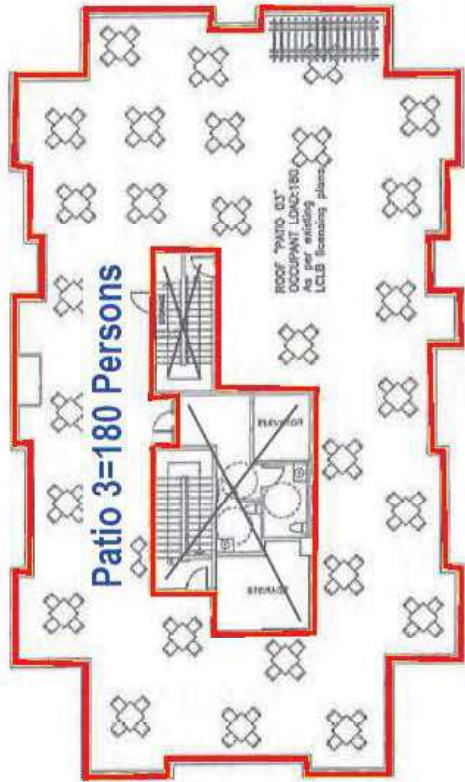
ATTACHMENT A

This forms part of application
LL24-0001

Planner Initials



GP15558
Reviewed
by City of Kelowna
Professional Services
2023/10/13



The **ROOF** has a net floor area of _____ m². The maximum occupant load shall be **180 persons** based on ARCH. DRGS.

LIQUOR AND CANNABIS REGULATION BRANCH
APPROVAL IN PRINCIPLE

Subject to the terms and/or conditions specified in the approval in principle letter(s) dated: **2023-11-16**

Job #: **089196** Max Person Capacity: 

Authority:

- Pers01=48
- Pers02=199
- Pers03=180
- Patio1=141
- Patio2=187
- Patio3=180

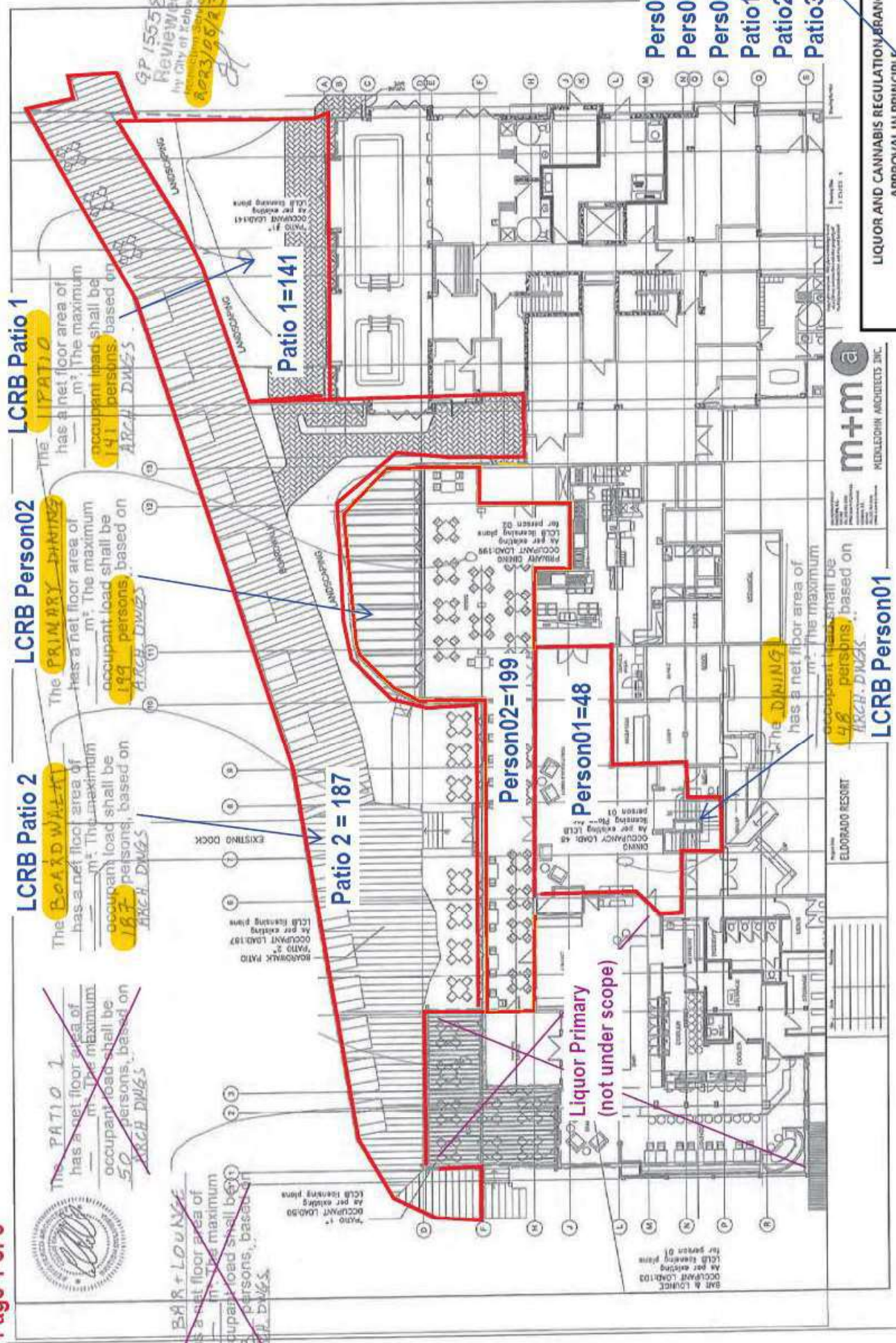
500 Cook Rd
Kelowna V1W 3G9



m+m
MEKLEDDOH ARCHITECTS INC.

Project Name	500 Cook Rd
Client	500 Cook Rd
Architect	M. M. M.
Scale	1/4" = 1'-0"
Date	10/13/23
Sheet No.	01

Roof Top Level



GP 15558
Reviewed
By City of Kelowna
08/23/2023

Pers01=48
Pers02=199
Pers03=180
Patio1=141
Patio2=187
Patio3=180

LIQUOR AND CANNABIS REGULATION BRANCH
APPROVAL IN PRINCIPLE

Subject to the terms and/or conditions specified in the approval in principle letter(s) dated: **2023-11-16**

Job #: **089196** Max Person Capacity:
Authority: *[Signature]*



ATTACHMENT A

This forms part of application # LL24-0001

City of Kelowna
DEVELOPMENT PLANNING

Planner Initials: **JJ**

LCRB OFFICIAL PLAN
MUST BE KEPT WITH LIQUOR LICENCE AND AVAILABLE FOR INSPECTION AT ALL TIMES

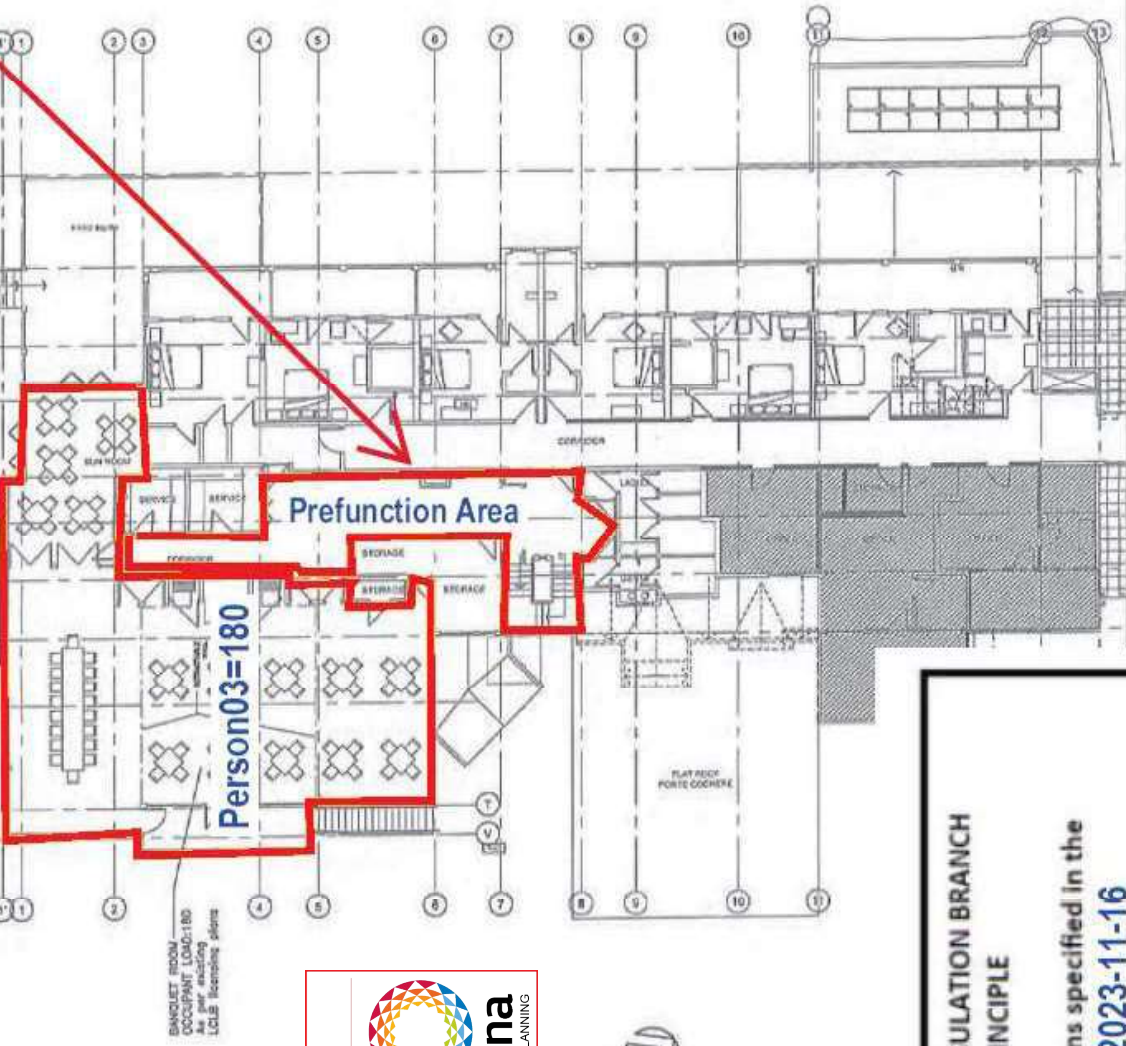
30

DATE ISSUED: December 1, 2023
FP LICENCE #: 133682

GENERAL MANAGER

Prefunction area licensed for liquor service only when in conjunction with an event in Person 03

LCRB OFFICIAL PLAN
MUST BE KEPT WITH LIQUOR LICENCE AND
AVAILABLE FOR INSPECTION AT ALL TIMES
DATE ISSUED: December 1, 2023
FP LICENCE #: 133682
GENERAL MANAGER



SP 15558
Reviewed
by City of Kelowna
2023/05/13

LCRB Person03
The BANQ. R.M.
has a net floor area of
m². The maximum
occupant load shall be
180 persons based on
ARCH. DWGS.



2/3

500 Cook Rd
Kelowna V1W 3G9
2nd Floor
Page 2 of 3



ATTACHMENT A
This forms part of application
LL24-0001
City of Kelowna
DEVELOPMENT PLANNING
Planner Initials: JI

LIQUOR AND CANNABIS REGULATION BRANCH
APPROVAL IN PRINCIPLE
Subject to the terms and/or conditions specified in the
approval in principle letter(s) dated: 2023-11-16
Job #: 089196 Max Person Capacity:
Authority: *[Signature]*

- Pers01=48
- Pers02=199
- Pers03=180
- Patio 1=141
- Patio 2=187
- Patio 3=180



December 4, 2023

VIA EMAIL

The Mayor and Members of Council
City of Kelowna
1435 Water Street
Kelowna, B.C. V1Y 1J4

ATTACHMENT		B
This forms part of application		
# LL24-0001		
Planner Initials	JL	 City of Kelowna <small>DEVELOPMENT PLANNING</small>

Dear Mayor and Members of Council:

**Re: Letter of Rationale
Application for a Patron Participation Entertainment Endorsement
on the Food Primary Licence
At: Hotel Eldorado
500 Cook Road, Kelowna, B.C. V1W 3G9
Food Primary Licence Number 133682
Licensee: Hotel Eldorado Limited Partnership**

The writer is assisting the above Applicant with an Application to the City of Kelowna and the Liquor and Cannabis Regulation Branch to add a Patron Participation Entertainment Endorsement to the Food Primary Licence at Hotel Eldorado, 500 Cook Road, Kelowna, B.C. V1W 3G9.

Hotel Eldorado is requesting the addition of the patron participation entertainment endorsement to the food primary licence to better serve the general public of Kelowna and also International and North American tourists who visit the area. Further our client is requesting the patron participation entertainment endorsement for this food primary licence to give greater operating flexibility to this establishment.

The patron participation entertainment endorsement will enable patrons to dance in the food primary licensed area of the establishment to music provided by Bands and DJs, Patrons could also participate in Singalongs and Karaoke from time to time and other patron participatory events such as "Open Mike" events etc.

All patron participation entertainment will finish at 12 Midnight by order of the Liquor and Cannabis Regulation Branch.

The nature of the establishment is such that there should be no noise impact on the community and the applicant will not operate the food primary licensed area contrary to its primary purpose as a food primary licensed establishment.

The applicant also submits the following additional factors for consideration:

- Patron participation entertainment will further diversify this establishment and add to the Restaurant and Hospitality offerings in Kelowna.
- This establishment will not be operated as a pub or neighbourhood house.
- It will further diversify this hospitality venue in Kelowna.

Hotel Eldorado has a positive record with the Liquor and Cannabis Regulation Branch, City of Kelowna and the RCMP Detachment in Kelowna.

The Applicant does not envisage any adverse impacts on the community with the addition of the patron participation entertainment endorsement to the food primary licence. Indeed, it will have very positive impacts and benefits as mentioned above.

We are respectfully requesting that the City of Kelowna approve this Application for a Patron Participation Entertainment Endorsement.

Please do not hesitate to contact me if you require further information.

Thanks kindly for your assistance.

Yours truly,
RISING TIDE CONSULTANTS



Susan Mander
Liquor Licensing Specialist

ATTACHMENT	B
This forms part of application	
# LL24-0001	
Planner Initials	Jl
 City of Kelowna DEVELOPMENT PLANNING	



City of
Kelowna



LL24-0001
500 Cook Rd
Liquor Licence Application

Purpose

- ▶ To seek Council's support for a Patron Participation Entertainment Endorsement to an existing Food Primary licence.

Development Process

Jan 3, 2024

Development Application Submitted



Jan 12, 2024

Public Notification Received



Staff Review & Circulation



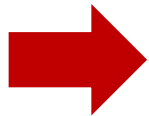
Mar 12, 2024

Tuesday Council Meeting

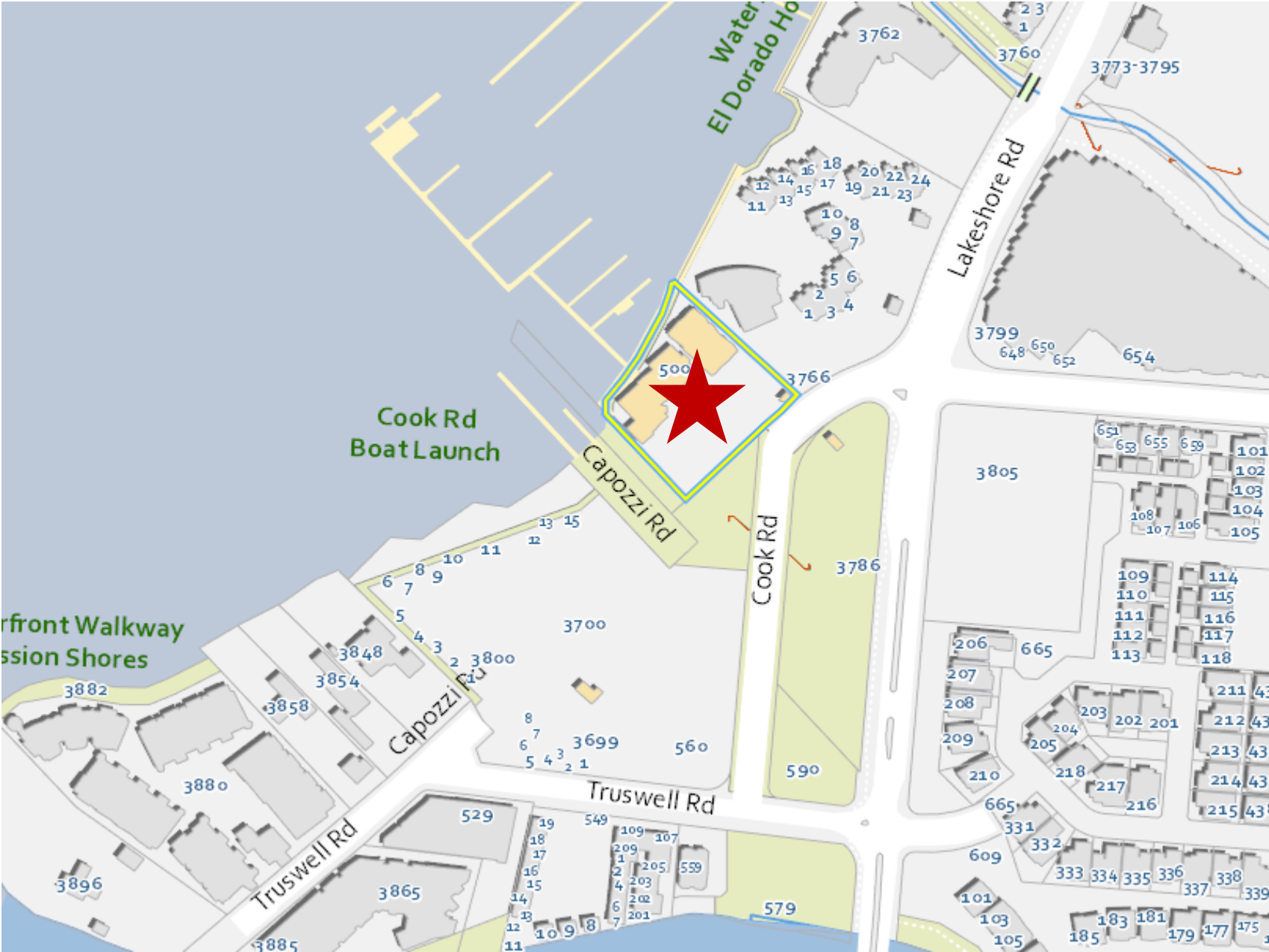
} Council
Consideration



Recommendation Forwarded to LCRB



Context Map



Walk Score
55

Transit Score
42

Bike Score
89



Subject Property Map



Project Description

- ▶ Seeking to add Patron Participation Entertainment Endorsement to the existing Food Primary Licence.
- ▶ This allows the active involvement of patrons or results in patrons leaving their seats, for example:
 - Dancing
 - Sing-alongs
 - Karaoke
 - Open Microphone

Hours of Sale

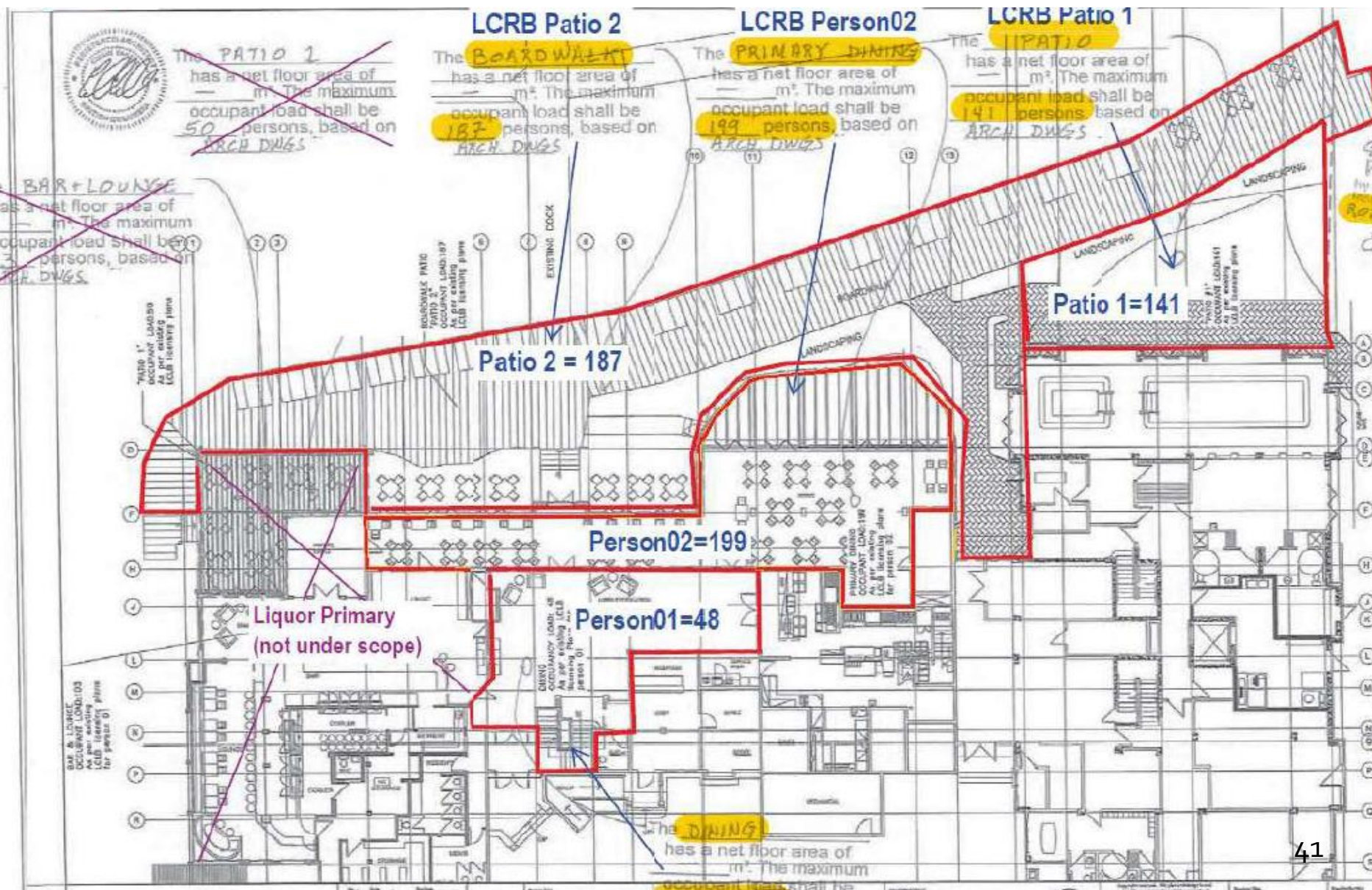
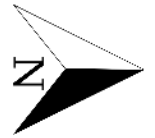
Existing hours of Food Primary Licence:

		Sun	Mon	Tues	Wed	Thurs	Fri	Sat
Open		9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM
Close	Indoor	12:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM
	Outdoor	12:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM

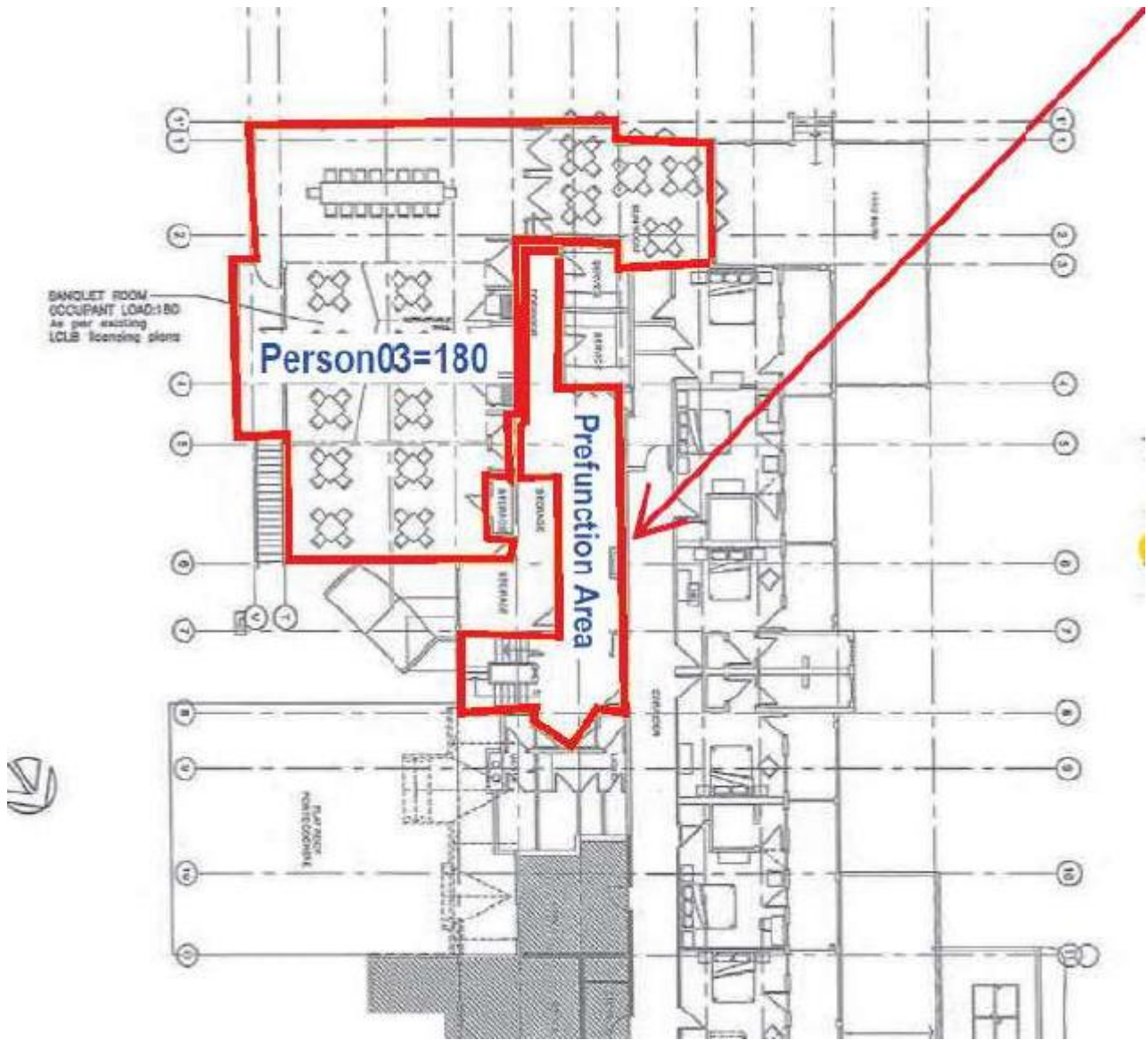
Proposed Hours of Patron Participation Entertainment:

		Sun	Mon	Tues	Wed	Thurs	Fri	Sat
Open		9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM
Close	Indoor	12:00 AM	12:00 AM	12:00 AM	12:00 AM	12:00 AM	12:00 AM	12:00 AM
	Outdoor	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM

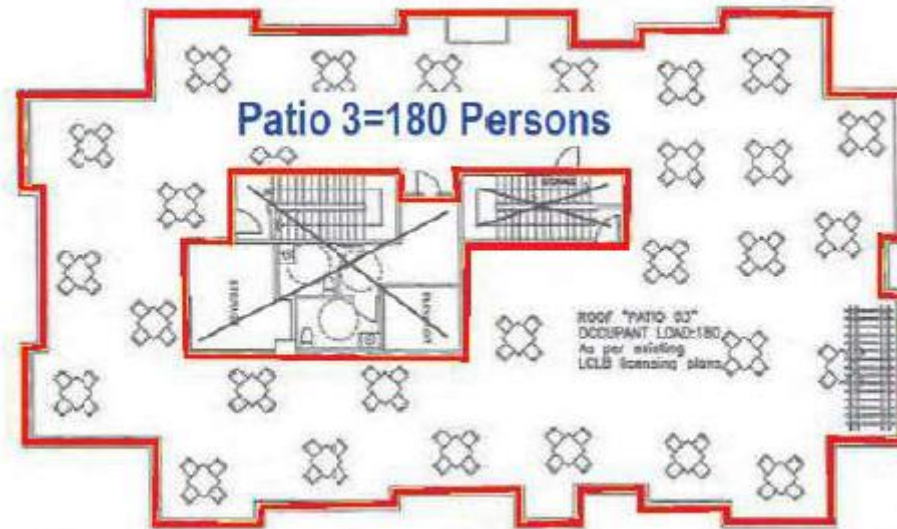
First Floor Plan



Second Floor Plan



Rooftop Plan



OCP Objectives & Policies

- ▶ Policy 5.1.4: Support the evolution of the Cook Truswell Centre into mixed use tourist commercial destination.
 - ▶ A mix of tourist accommodation, with supporting residential and commercial development
 - ▶ Use at grade to contribute to lively pedestrian-oriented tourist environment.

Staff Recommendation

- ▶ Staff recommend **support** for the proposed Patron Participation Entertainment Endorsement as it is consistent with:
 - ▶ Policies within 2040 OCP
 - ▶ Hours are sensitive to adjacent uses.
- ▶ That Council directs Staff to forward a resolution of support to the LCRB.

CITY OF KELOWNA

BYLAW NO. 12532

Z22-0048

1281 Findlay 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 Lot C Section 35 Township 26 ODYD Plan 18811, located on Findlay Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the MF2 – Townhouse Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 19th day of June, 2023.

Approved under the Transportation Act this 31st day of June, 2023.

Beth Bahm

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL DEVELOPMENT PERMIT & DEVELOPMENT VARIANCE PERMIT



Date: March 12, 2024
To: Council
From: City Manager
Address: 1281 Findlay Rd
File No.: DP22-0168 & DVP22-0169
Zone: MF2 – Townhouse Housing Zone

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 12532 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP22-0168 for Lot C Section 35 Township 26 ODYD Plan 18811, located at 1281 Findlay Rd, 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 Council authorizes the issuance of Development Variance Permit No. DVP22-0169 for Lot C Section 35 Township 26 ODYD Plan 18811, located at 1281 Findlay Rd, Kelowna, BC;

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

Section 8.2.2: Off-Street Parking Regulations, Parking Setbacks

To vary the off-street parking regulations to allow a parking stall in a landscape area.

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 for the form and character of Townhouses and to issue a Development Variance Permit to vary Off-Street Parking Regulations.

3.0 Development Planning

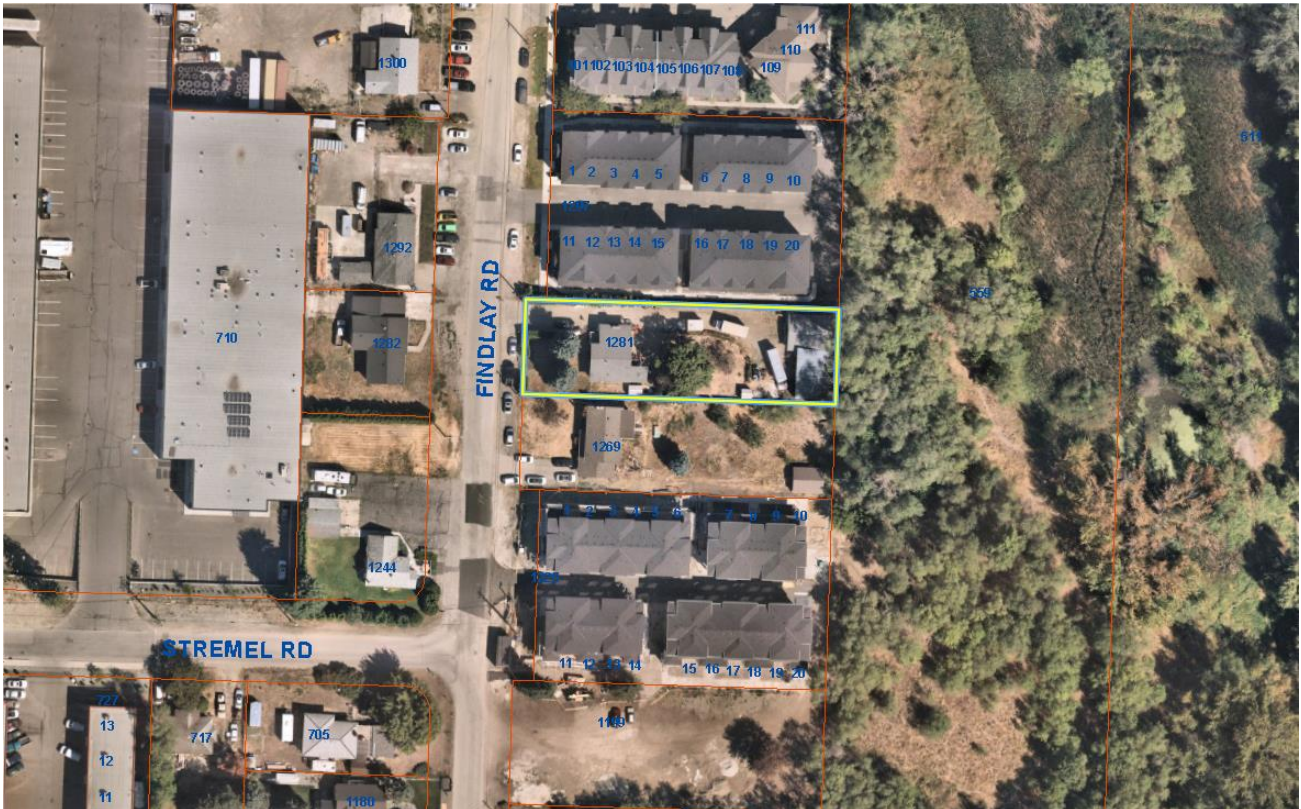
Staff support the Development Permit for the form and character of a 10-unit townhouse development. The proposal generally conforms to the Official Community Plan (OCP) Form and Character Development Permit Guidelines for Townhouses. Key guidelines that are being met include:

- The end unit facing the street is a custom street-oriented unit with primary entry directly accessible from the fronting street.
- All units have easy access to usable private outdoor amenity space.
- The development is a minor increase in scale and massing into existing neighbourhood.

The applicant is proposing to vary the Off-Street Parking Regulations to allow a parking stall in a landscape area. Staff are supportive of the variance as the location of the visitor stall was chosen to provide enough space for garbage and recycling trucks to turn around while servicing the property. The stall is in the rear yard and screened from view from the street. Additional landscaping and permeable surfaces have been proposed to accommodate for the portion of the landscape area lost to the visitor parking stall.

4.0 Subject Property & Background

4.1 Subject Property Map



The subject property is located on Findlay Rd near the intersection with Stremel Rd and has a S-MU Suburban – Multiple Unit Future Land Use designation. The property backs onto Chichester Wetland Park. The surrounding area has a mix of single dwelling housing, townhouses, and industrial properties.

5.0 Zoning Bylaw Regulations Summary

AREA & UNIT STATISTICS	
Gross Lot Area	1,610 m ²
Total Number of Units	10
Townhome	10

DEVELOPMENT REGULATIONS		
CRITERIA	MF ₂ ZONE	PROPOSAL
Total Maximum Floor Area Ratio	1.0	0.82
Max. Site Coverage (buildings)	55 %	39%
Max. Site Coverage (buildings, parking, driveways)	80%	76%
Max. Height	11.0 m	9.9 m
Setbacks		
Min. Front Yard (west)	2.0 m	2.0 m
Min. Side Yard (north)	3.0 m	7.16 m
Min. Side Yard (south)	3.0 m	4.0 m
Min. Rear Yard (east)	4.5 m	5.9 m
Landscaping		
Min. Number of Trees	4 trees	4 trees
Min. Large Trees	2 trees	2 trees

PARKING REGULATIONS		
CRITERIA	MF ₂ ZONE REQUIREMENTS	PROPOSAL
Total Required Vehicle Parking	16 stalls	21 stalls
Residential	16	20
Visitor	1	1
Ratio of Regular to Small Stalls	Min. 50% Regular Max. 50% Small	50% Regular 50 % Small
Bicycle Stalls Short-Term	4 stalls	4 stalls
Parking Located in Landscape Area	No	Yes ①
① Indicates a requested variance to Off-Street Parking Regulations to allow a parking stall in a landscape area		

6.0 Application Chronology

Application Accepted: August 11, 2022
 Neighbour Notification Received: January 4, 2023

Report prepared by: Graham Allison, Planner I
Reviewed by: Jocelyn Black, Urban Planning Manager
Reviewed by: Nola Kilmartin, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Draft Development Permit DP22-0169 & Development Variance Permit DVP22-0169

Schedule A: Site Plan & Floor Plans

Schedule B: Elevations & Sections

Schedule C: Landscape Plan

Attachment B: OCP Form and Character Development Permit Guidelines

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

Development Permit & Development Variance Permit

DP22-168/DVP22-0169



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

1281 Findlay Rd

and legally known as

Lot C Section 35 Township 26 ODYD Plan 18811

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

Townhouses

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

Date of Council Approval: March 12, 2024

Development Permit Area: Form and Character DPA

Existing Zone: MF2 – Townhouse Housing

Future Land Use Designation: S-MU – Suburban Multiple Unit

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: 2245713 ALBERTA LTD.

Applicant: Lime Architecture

Nola Kilmartin
Development Planning Department Manager
Planning & Development Services

Date of Issuance

ATTACHMENT A

This forms part of application
DP22-0168 / DVP22-0169

Planner Initials **GA**

City of Kelowna
DEVELOPMENT PLANNING



1. SCOPE OF APPROVAL

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

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

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

2. CONDITIONS OF APPROVAL

THAT Council authorizes the issuance of Development Permit No. DP22-0168 for Lot C Section 35 Township 26 ODYD Plan 18811, located at 1281 Findlay Rd, 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 Council authorizes the issuance of Development Variance Permit No. DVP22-0169 for Lot C Section 35 Township 26 ODYD Plan 18811, located at 1281 Findlay Rd, Kelowna, BC;

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

Section 8.2.2: Off-Street Parking Regulations

To vary the Off-Street Parking Regulations to allow a parking stall in a landscape area

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

3. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property 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 **\$110,016.88**

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.

ATTACHMENT		A
This forms part of application		
# DP22-0168 / DVP22-0169		
Planner Initials	GA	
City of Kelowna DEVELOPMENT PLANNING		

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

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

DRAFT

ATTACHMENT		A
This forms part of application		
# DP22-0168 / DVP22-0169		
Planner Initials	GA	 City of Kelowna DEVELOPMENT PLANNING

LOT C FINDLAY ROAD, KELOWNA BC | BUILDING 1

PROPERTY DESCRIPTION

CIVIC: 1281 FINDLAY ROAD, KELOWNA BC
LEGAL: LOT C, PLAN KAP18811

BC ENERGY STEP CODE COMPLIANCE: STEP 3

ZONING CALCULATIONS:

CURRENT: CITY OF KELOWNA RU1 ZONING

PROPOSED: CITY OF KELOWNA MF2 ZONING

SITE INFORMATION:

	ALLOWED/REQUIRED	PROPOSED
GROSS SITE AREA - ORIGINAL=	18,554 SF (1,724 SM)	
GROSS SITE AREA - UPDATED=	17,325 SF (1,610 SM)	
ALLOWABLE SITE COVERAGE=	55% (9,529 SF)	39% (6,709 SF)
ALLOWABLE SITE COVERAGE & HARDSCAPING=	80% (13,860 SF)	76% (13,141 SF)
F.A.R.=	1.0 (17,325 SF)	.82 (14,134 SF)
HEIGHT=	11.0M (3 STOREYS)	9.9M (3 STOREYS)

YARD SETBACKS:

	2.0M	2.0M
FRONT YARD=		
SIDE YARD=	3.0M	4.0M/7.16M
REAR YARD=	4.5M	5.9M

PARKING CALCULATIONS:

	REQUIRED	PROPOSED
2 PER RESIDENCE=	2X10 = 20	20
VISITOR PARKING =	0.14X10=1.4	1
VARIANCE REQUIRED FOR VISITOR PARKING SETBACKS	4.5M	1.11M

BICYCLE STORAGE:

	NOT REQUIRED	20 (GARAGE STORAGE)
LONG TERM		
SHORT TERM	4	4

PRIVATE AMENITY SPACE

	25 SM/UNIT (269 SF)	SEE UNIT CALCULATIONS
TOTAL:	275 SM (2,750 SF)	475 SM (5,108 SF)

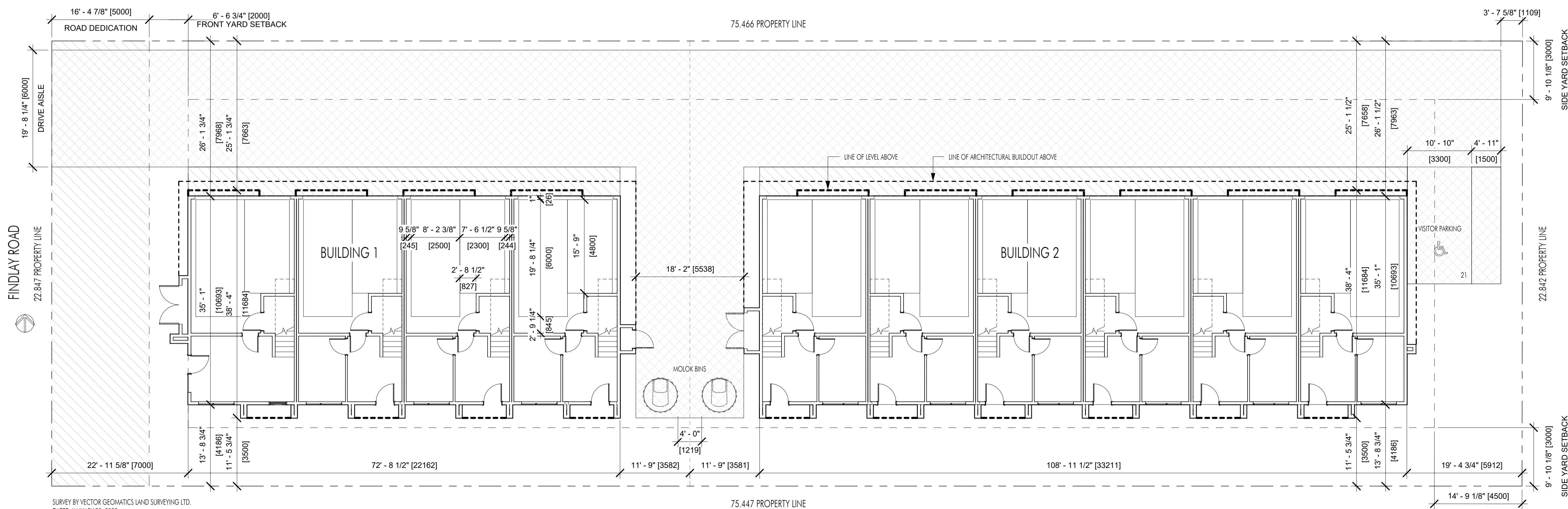
COMMON AMENITY SPACE

	4 SM/UNIT (43 SF)	0 SM/UNIT (0 SF)
TOTAL:	40 SM (430 SF)	0 SM (0 SF)

VARIANCE REQUIRED FOR COMMON AMENITY SPACE

UNIT CALCULATIONS			
UNIT	# OF BEDROOMS	UNIT AREA	PRIVATE AMENITY SPACE
UNIT 1 - LEVEL 1		238 SF	
UNIT 1 - LEVEL 2		569 SF	
UNIT 1 - LEVEL 3	3	586 SF	502 SF
UNIT 2 - LEVEL 1		243 SF	
UNIT 2 - LEVEL 2		582 SF	
UNIT 2 - LEVEL 3	3	600 SF	513 SF
UNIT 3 - LEVEL 1		243 SF	
UNIT 3 - LEVEL 2		582 SF	
UNIT 3 - LEVEL 3	3	600 SF	513 SF
UNIT 4 - LEVEL 1		236 SF	
UNIT 4 - LEVEL 2		574 SF	
UNIT 4 - LEVEL 3	3	591 SF	502 SF
UNIT 5 - LEVEL 1		236 SF	
UNIT 5 - LEVEL 2		574 SF	
UNIT 5 - LEVEL 3	3	591 SF	502 SF
UNIT 6 - LEVEL 1		243 SF	
UNIT 6 - LEVEL 2		582 SF	
UNIT 6 - LEVEL 3	3	600 SF	513 SF
UNIT 7 - LEVEL 1		243 SF	
UNIT 7 - LEVEL 2		582 SF	
UNIT 7 - LEVEL 3	3	600 SF	513 SF
UNIT 8 - LEVEL 1		243 SF	
UNIT 8 - LEVEL 2		582 SF	
UNIT 8 - LEVEL 3	3	600 SF	513 SF
UNIT 9 - LEVEL 1		243 SF	
UNIT 9 - LEVEL 2		582 SF	
UNIT 9 - LEVEL 3	3	600 SF	513 SF
UNIT 10 - LEVEL 1		238 SF	
UNIT 10 - LEVEL 2		569 SF	
UNIT 10 - LEVEL 3	3	586 SF	502 SF
TOTAL UNIT AREA		14134 SF	

PARKING SCHEDULE		
Type		Count
REGULAR - 90 deg		10
SMALL - 90 deg		10
VAN ACCESSIBLE - 90 deg		1



SURVEY BY VECTOR GEOMETRICS LAND SURVEYING LTD.
DATED JANUARY 20, 2022

1 SITE PLAN
A-001 1" = 10'-0"

SCHEDULE A

This forms part of application
DP22-0168 / DVP22-0169

Planner Initials GA City of Kelowna
DEVELOPMENT PLANNING

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Revision No.	Date	Description
06.15.22	FOR REVIEW	
06.24.22	FOR DVP	
11.17.22	ADDENDUM NO.1	
03.21.23	ADDENDUM NO.1	

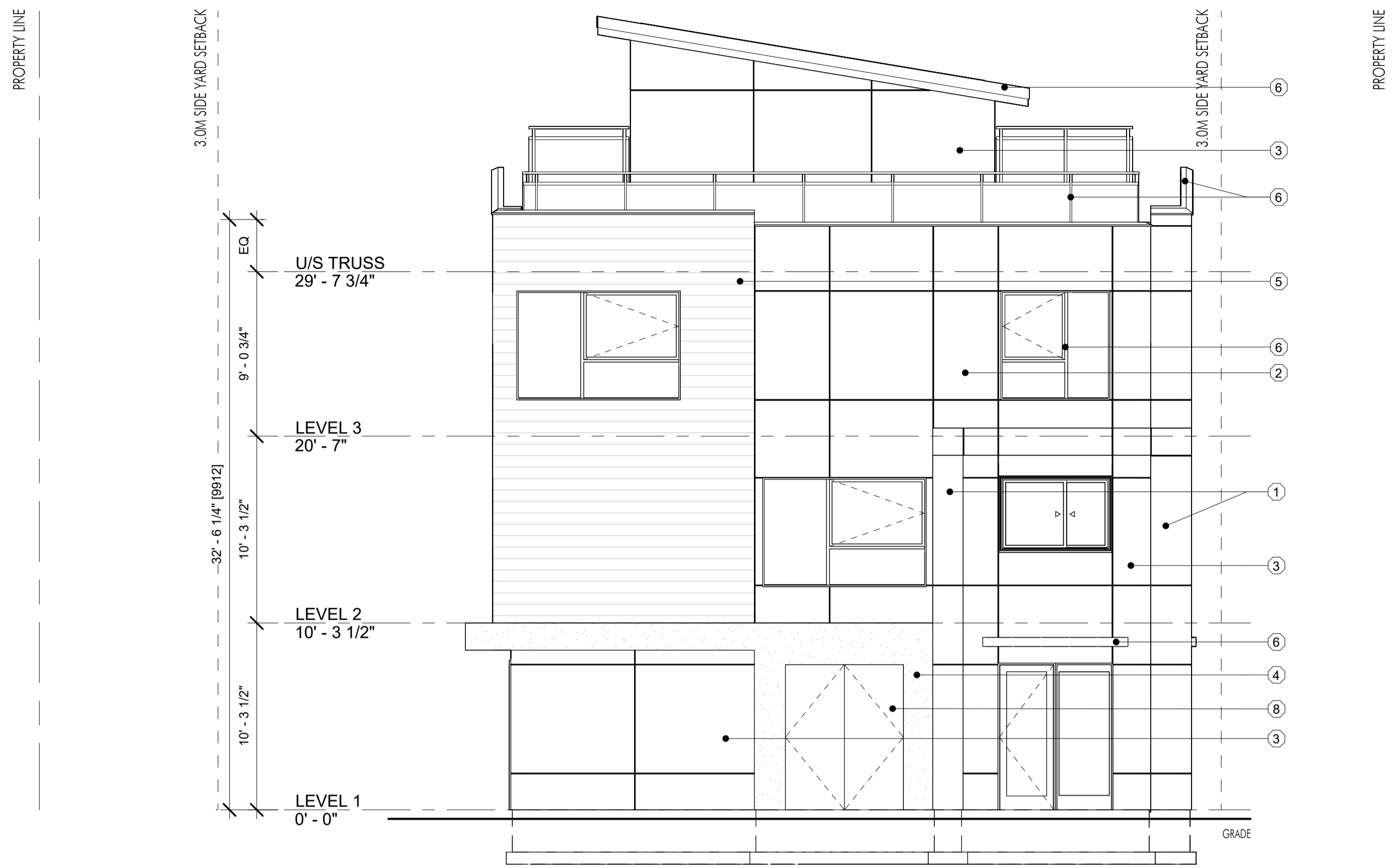
Plot Date
03.21.23

PROJECT
1281 FINDLAY - BUILDING 1

DRAWING TITLE
PROJECT INFORMATION

Drawing No.
A-001



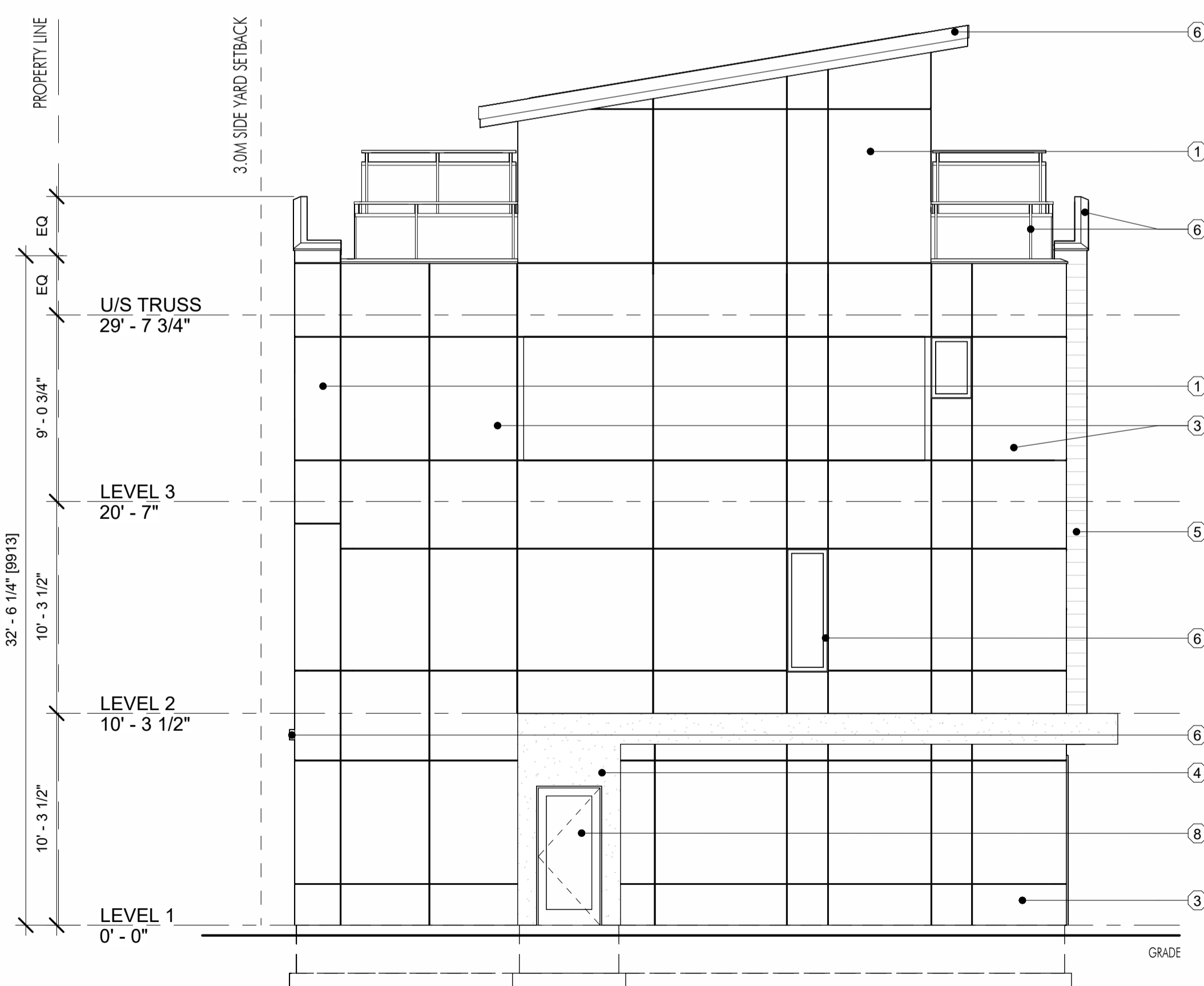


1 BUILDING 1 - WEST ELEVATION
A-200 3/16" = 1'-0"

EXTERIOR FINISHES		
#	IMAGE	MATERIAL
1		HARDIE PANEL: IRON GRAY
2		HARDIE PANEL: ARCTIC WHITE
3		HARDIE PANEL: LIGHT MIST
4		STUCCO: BENJAMIN MOORE - DISTANT GRAY 2140-70
5		MAC: WOOD COLLECTION - SMOKED BIRCH
6		FACIA, TRIM, RAILINGS, PERGOLA, WINDOW & DOORS: BLACK
7		IKO TOUCH-ON: BLACK
8		WHITE DOORS: BENJAMIN MOORE - DISTANT GRAY 2140-70



5 BUILDING 1 - WEST COLOUR ELEVATION
A-200 3/16" = 1'-0"



2 BUILDING 1 - EAST ELEVATION
A-200 3/16" = 1'-0"

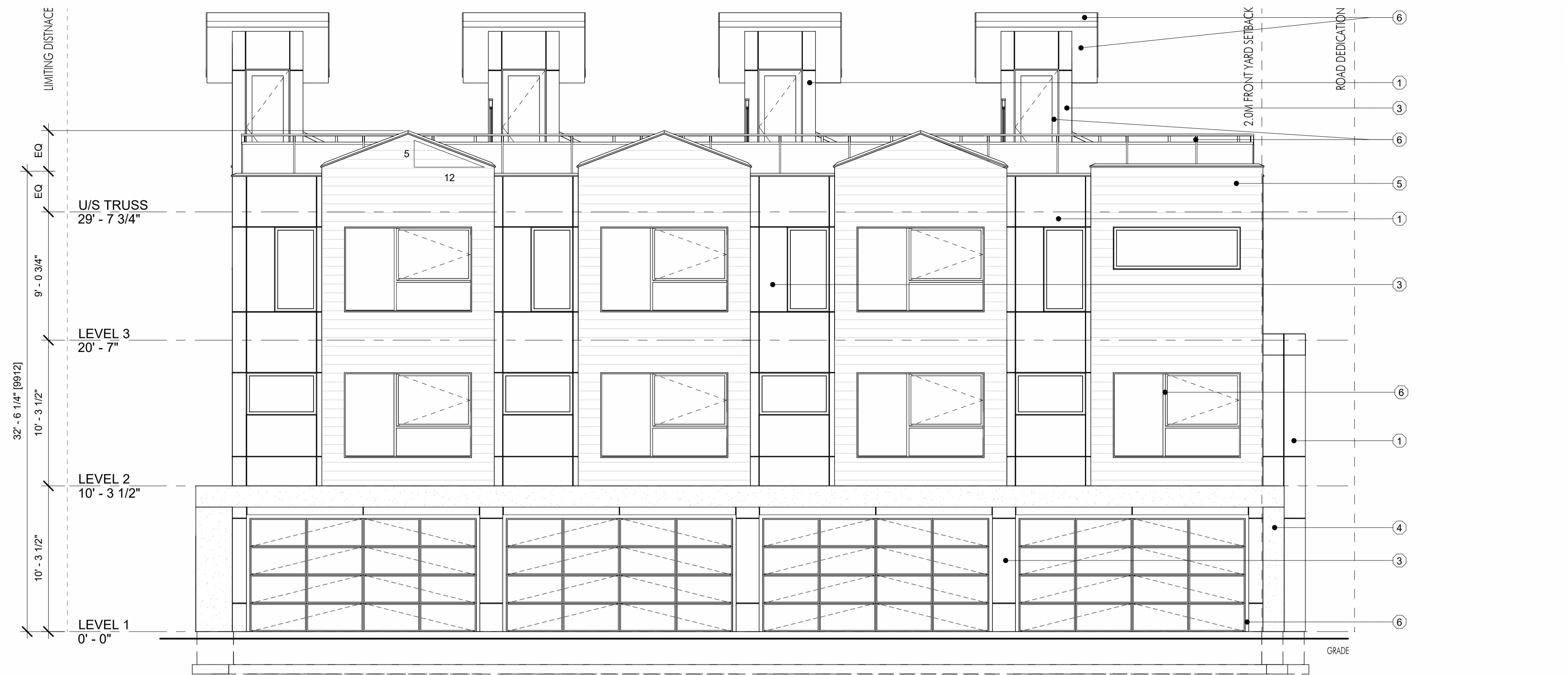


4 BUILDING 1 - EAST COLOUR ELEVATION
A-200 3/16" = 1'-0"

SCHEDULE B
This forms part of application
DP22-0168 / DVP22-0169
City of Kelowna
DEVELOPMENT PLANNING
Planner Initials GA

Plot Date
03.21.23
PROJECT
1281 FINDLAY - BUILDING 1
DRAWING TITLE
ELEVATIONS
Drawing No.
A-200





1 BUILDING 1 - NORTH ELEVATION
A-201 3/16" = 1'-0"



2 BUILDING 1 - NORTH COLOUR ELEVATION
A-201 3/16" = 1'-0"

EXTERIOR FINISHES		
#	IMAGE	MATERIAL
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SCHEDULE B
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EXTERIOR FINISHES		
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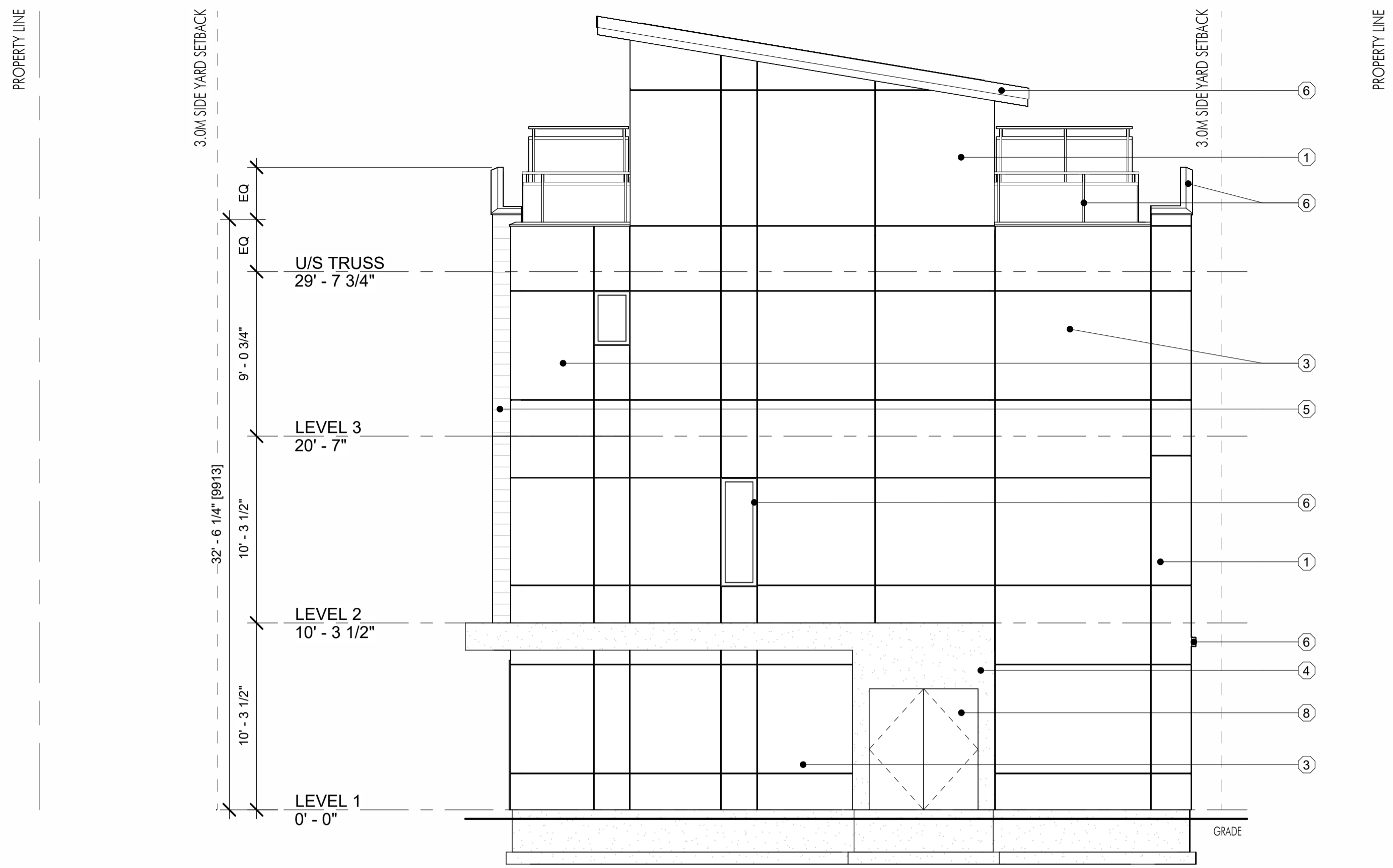


1 BUILDING 1 - SOUTH ELEVATION
A-202 3/16" = 1'-0"



2 BUILDING 1 - SOUTH COLOUR ELEVATION
A-202 3/16" = 1'-0"

SCHEDULE B
This forms part of application
DP22-0168 / DVP22-0169
Planner Initials GA
City of Kelowna
DEVELOPMENT PLANNING

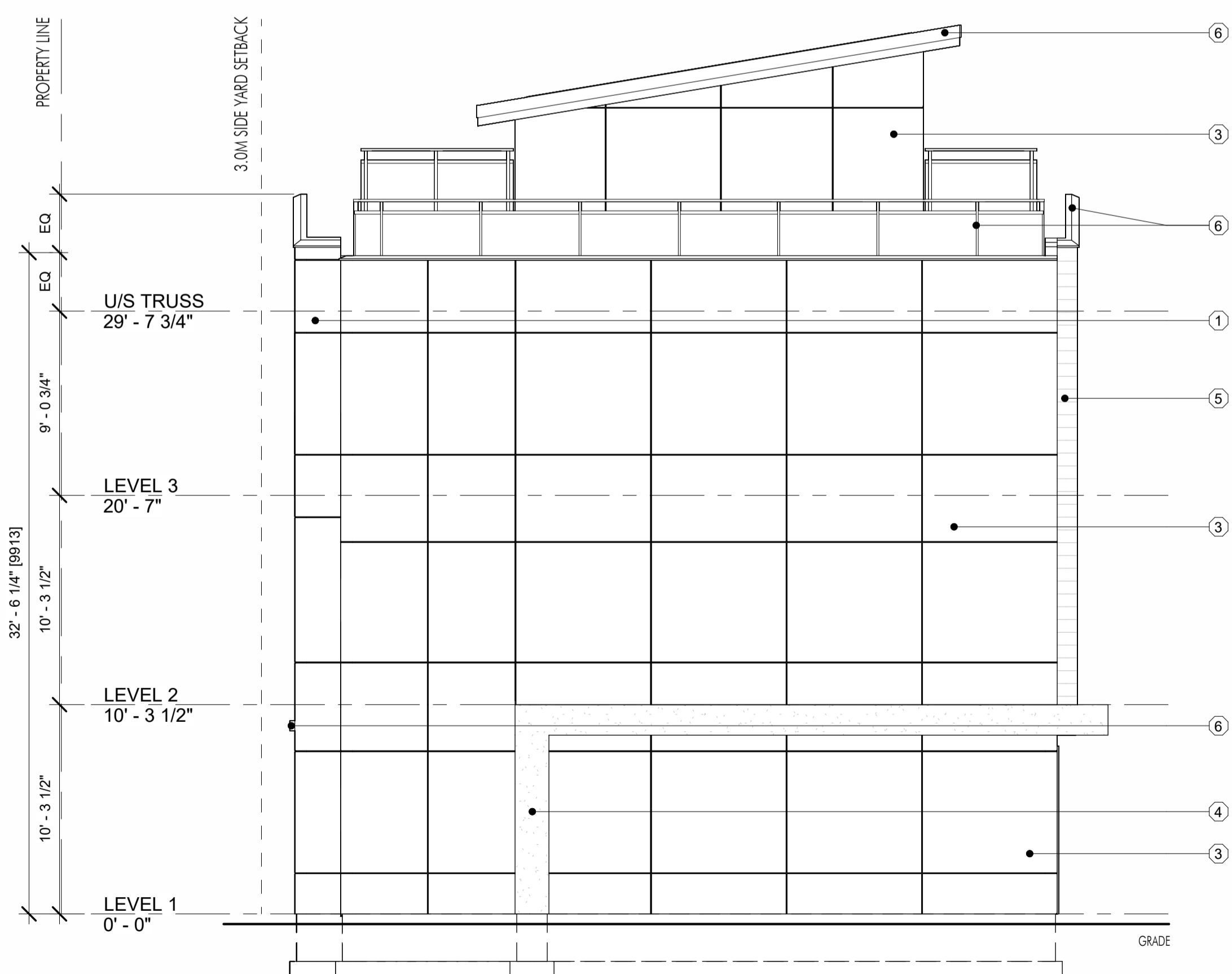


1 BUILDING 2 - WEST ELEVATION
A-200 3/16" = 1'-0"

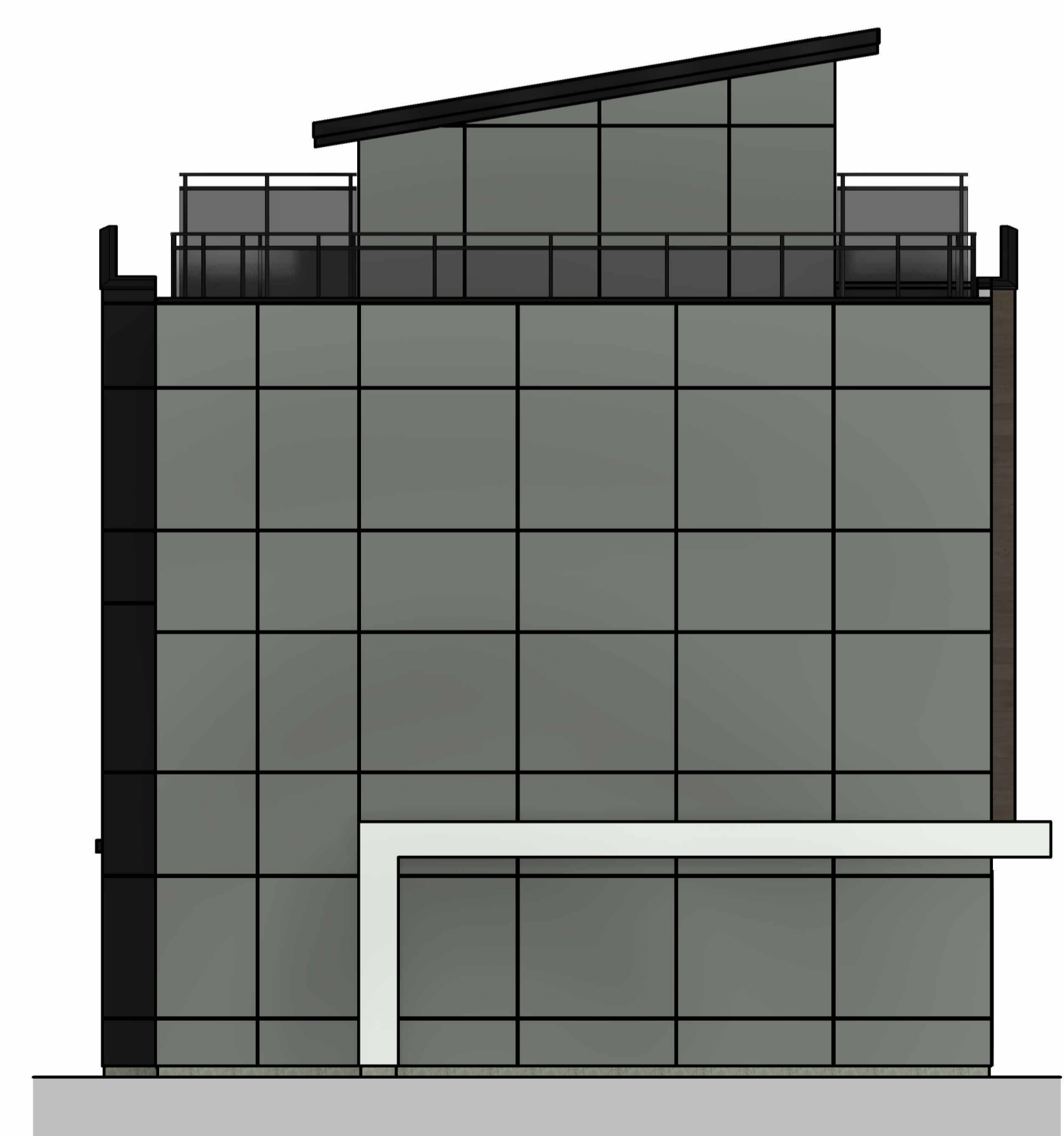
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3 BUILDING 2 - WEST COLOUR ELEVATION
A-200 3/16" = 1'-0"



2 BUILDING 2 - EAST ELEVATION
A-200 3/16" = 1'-0"

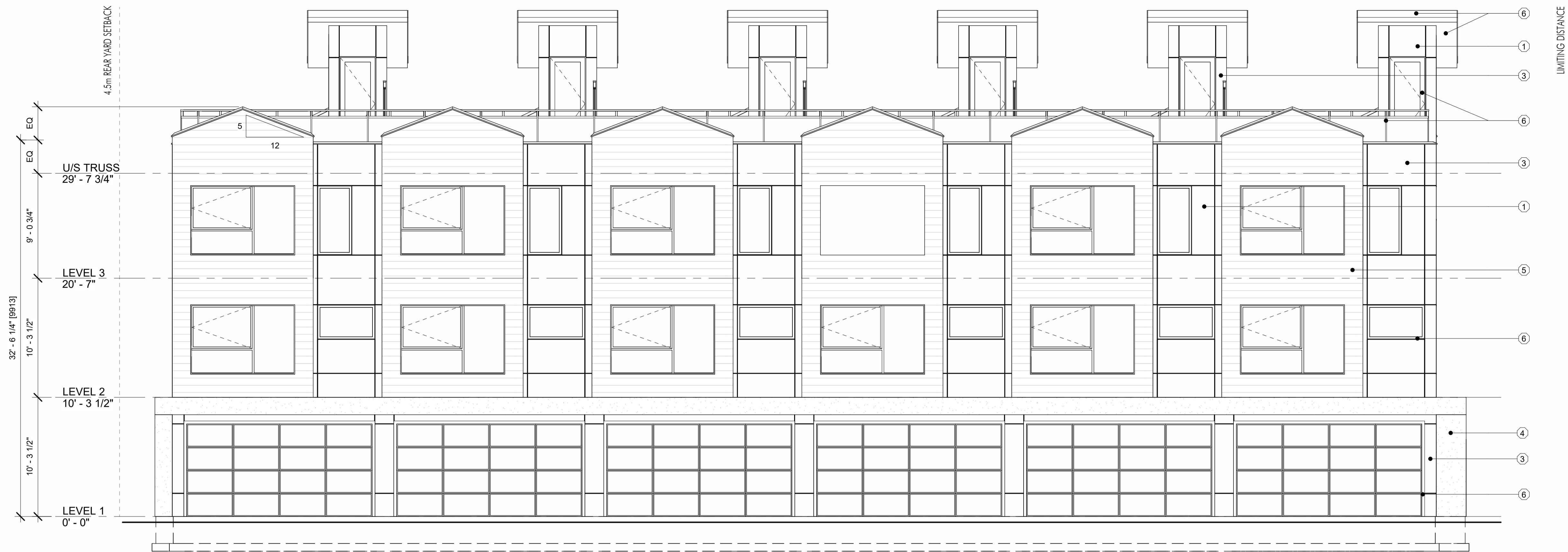


4 BUILDING 2 - EAST COLOUR ELEVATION
A-200 3/16" = 1'-0"

SCHEDULE B
This forms part of application
DP22-0168 / DVP22-0169
City of Kelowna
DEVELOPMENT PLANNING
Planner Initials GA



PROPERTY LINE



1 BUILDING 2 - NORTH ELEVATION
A-201 3/16" = 1'-0"



2 BUILDING 2 - NORTH COLOUR ELEVATION
A-201 3/16" = 1'-0"

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SCHEDULE B
This forms part of application
DP22-0168 / DVP22-0169
City of Kelowna
DEVELOPMENT PLANNING
Planner Initials: GA

Plot Date
03.21.23

PROJECT
1281 FINDLAY - BUILDING 1

DRAWING TITLE
ELEVATIONS

Drawing No.
A-201



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Revision No., Date and Description

06.15.22	FOR REVIEW
06.24.22	FOR DVP
11.17.22	ADDENDUM NO.1
03.21.23	ADDENDUM NO.1



1 BUILDING 2 - SOUTH ELEVATION
A-202 3/16" = 1'-0"



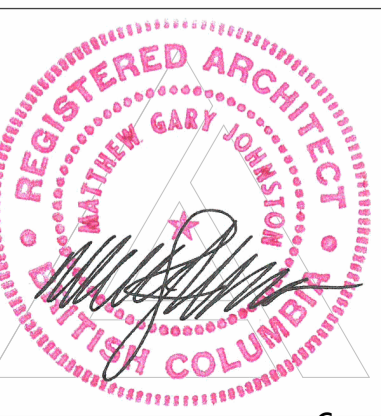
2 BUILDING 2 - SOUTH COLOUR ELEVATION
A-202 3/16" = 1'-0"

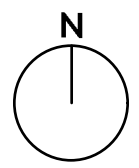
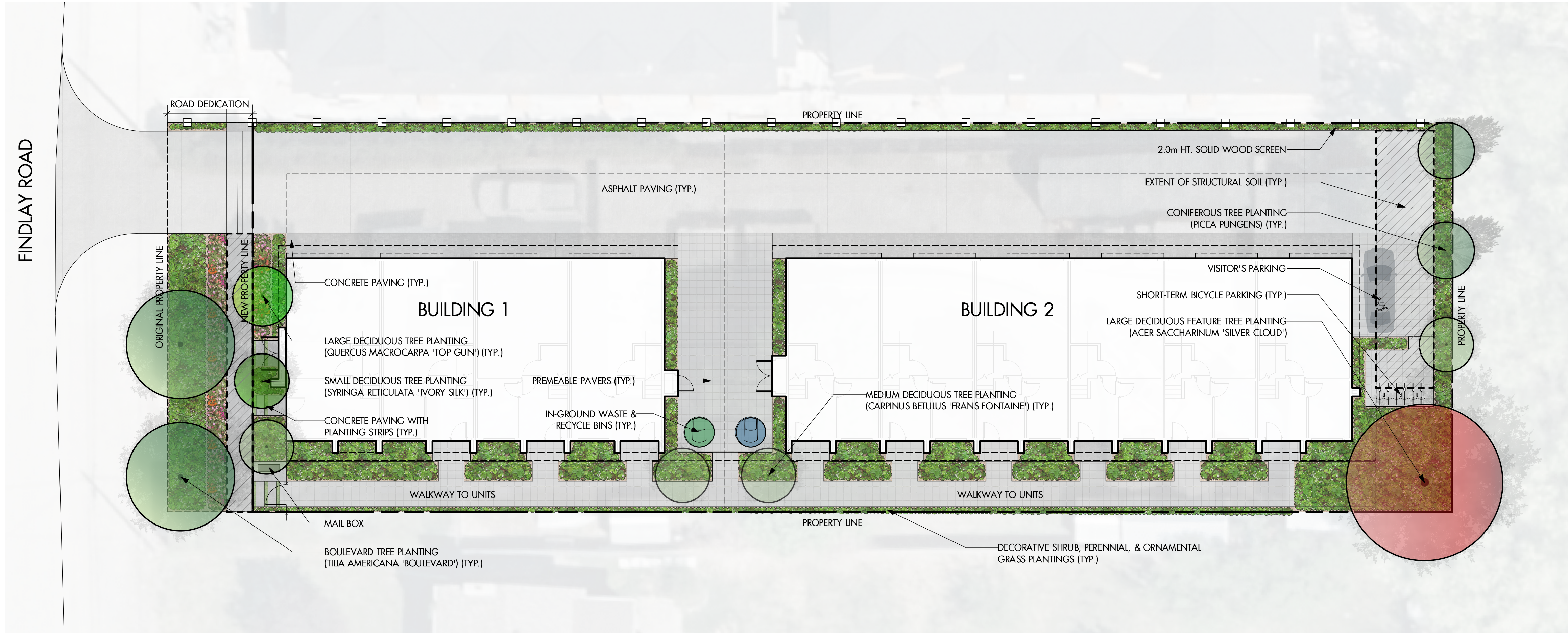
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SCHEDULE B
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DP22-0168 / DVP22-0169
City of Kelowna
Planner Initials GA

Plot Date
03.21.23
PROJECT
1281 FINDLAY - BUILDING 1
DRAWING TITLE
ELEVATIONS

Drawing No.
A-202





PROJECT TITLE

**1281 FINDLAY ROAD
MULTIFAMILY**

Kelowna, BC

DRAWING TITLE

**CONCEPTUAL
LANDSCAPE PLAN**

ISSUED FOR / REVISION

1	22.06.23	Issued for DP
2	22.11.08	Issued for DP
3	22.12.23	Issued for DP
4	23.03.27	Issued for DP
5	23.12.13	Issued for DP

PROJECT NO. 22-0618

DESIGN BY AM

DRAWN BY FH

CHECKED BY FB

DATE DEC. 13, 2023

SCALE 1:150

PAGE SIZE 24x36"

SEAL



DRAWING NUMBER

L1/2

SCHEDULE C

This forms part of application
DP22-0168 / DVP22-0169

City of Kelowna
DEVELOPMENT PLANNING

Planner Initials GA

PLANT LIST

BOTANICAL NAME	COMMON NAME	QTY	SIZE/SPACING & REMARKS
TREES			
ACER SACCHARINUM 'SILVER CLOUD'	SILVER CLOUD MAPLE	1	5m CAL
CARPINUS BETULUS 'FRANS FONTAINE'	FRANS FONTAINE HORNBEAM	5	4m CAL
PICEA PUNGENS	BLUE SPRUCE	2	2.5M HT. MIN.
QUERCUS MACROCARPA 'TOP GUN'	TOP GUN BUR OAK	1	5m CAL
SYRINGA RETICULATA 'IVORY SILK'	IVORY SILK LILAC	1	3m CAL
TILIA AMERICANA 'BOULEVARD'	BOULEVARD LINDEN	2	5m CAL
SHRUBS			
BERBERIS THUNBERGII 'MONOMB'	CHERRY BOMB BARBERRY	27	#01 CONT. /1.5M O.C. SPACING
CORNUS ALBA 'BAILHALO'	IVORY HALO DOGWOOD	15	#02 CONT. /2.0M O.C. SPACING
PHILADELPHUS 'SNOWBELLE'	SNOWBELLE MOCKORANGE	27	#01 CONT. /1.5M O.C. SPACING
PERENNIALS, GRASSES & GROUNDCOVERS			
ALCHEMILLA MOLIS	LADY'S MANTLES	30	#01 CONT. /0.9M O.C. SPACING
CALAMAGROSTIS ACUTIFLORA 'KARL FOERSTER'	KARL FOERSTER FEATHER REED GRASS	17	#01 CONT. /1.2M O.C. SPACING
PENNISETUM ALOPECUROIDES 'LITTLE BUNNY'	LITTLE BUNNY FOUNTAIN GRASS	44	#01 CONT. /0.75M O.C. SPACING
SALVIA NEMOROSA 'MAY NIGHT'	MAY NIGHT MEADOW SAGE	44	#01 CONT. /0.75M O.C. SPACING
THYMUS SERPYLLUM 'ELFIN'	ELFIN THYME	68	#01 CONT. /0.6M O.C. SPACING

NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED CANADIAN LANDSCAPE 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 AS SHOWN IN PLANS. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.
4. SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT. TREE BEDS TO RECEIVE A MINIMUM 1000mm DEPTH TOPSOIL PLACEMENT.
5. TURF AREAS FROM SOD SHALL BE NO. 1 GRADE GROWN FROM CERTIFIED SEED OF IMPROVED CULTIVARS REGISTERED FOR SALE IN B.C. AND SHALL BE TOLERANT OF DROUGHT CONDITIONS. A MINIMUM OF 100mm DEPTH OF GROWING MEDIUM IS REQUIRED BENEATH TURF AREAS. TURF AREAS SHALL MEET EXISTING GRADES AND HARD SURFACES FLUSH.
6. SITE GRADING AND DRAINAGE WILL ENSURE THAT ALL STRUCTURES HAVE POSITIVE DRAINAGE AND THAT NO WATER OR LOOSE IMPEDIMENTS WILL BE DISCHARGED FROM THE LOT ONTO ADJACENT PUBLIC, COMMON, OR PRIVATE PROPERTIES.



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

SECTION 4.0: TOWNHOUSES & INFILL						
RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE <i>(1 is least complying & 5 is highly complying)</i>	N/A	1	2	3	4	5
3.1 Townhouses & Infill						
3.1.1 Relationship to the Street	N/A	1	2	3	4	5
a. Design primary unit entrances to provide: <ul style="list-style-type: none"> • A clearly visible front door directly accessible from a public street or publicly accessible pathway via a walkway, porch and/or stoop; • Architectural entrance features such as stoops, porches, shared landings, patios, recessed entries, and canopies; • A sense of transition from the public to the private realm by utilizing strategies such as changes in grade, decorative railings, and planters; and • Punctuation, articulation, and rhythm along the street 					✓	
b. A maximum 1.2 m height (e.g. 5-6 steps) is desired for front entryways or stoops. Exceptions can be made in cases where the water table requires this to be higher.						✓
c. In the case of shared landings that provide access to multiple units, avoid having more than two doors in a row facing outward.	✓					
d. For buildings oriented perpendicularly to the street (e.g. shotgun townhomes), ensure that the end unit facing the street is a custom street-oriented unit with primary entry directly accessible from the fronting street and primary living space at grade.						✓
e. For large townhouse projects (e.g. master planned communities with internal circulation pattern), Guidelines 3.1.1.a-d apply for units facing strata roads as well as those units fronting onto public streets.	✓					
3.1.2 Scale and Massing	N/A	1	2	3	4	5
a. Wherever possible, reflect the positive attributes of adjacent housing while integrating new higher density forms of housing as envisioned in the OCP.					✓	
b. Scale and site buildings to establish consistent rhythm along the street by, for example, articulating individual units through integration of recessed entries, balconies, a change in materials and slight projection/recess in the façade.					✓	
c. Limit the number of connected townhouse units to a maximum of 6 units before splitting into multiple buildings. <ul style="list-style-type: none"> • In larger townhouse developments (e.g., master planned communities with internal circulation pattern), integrate a large proportion of 4 unit townhouse buildings to create a finer gran of development and limit visual impacts. 						✓
3.1.3 Site Planning	N/A	1	2	3	4	5



a. Gated or walled communities are not supported.							
b. For large townhouse projects, consider including communal amenity buildings.	✓						
Connectivity							
c. Provide pedestrian pathways on site to connect: <ul style="list-style-type: none"> • Main building entrances to public sidewalks and open spaces; • Visitor parking areas to building entrances; • From the site to adjacent pedestrian/trail/cycling networks (where applicable). 							✓
d. When pedestrian connections are provided on site, frame them with an active edge – with entrances and windows facing the path or lane.							✓
e. For large townhouse projects (e.g. master planned communities with internal circulation pattern): <ul style="list-style-type: none"> • Design the internal circulation pattern to be integrated with and connected t the existing and planned public street network. 	✓						
Facing Distances and Setbacks							
f. Locate and design buildings to maintain access to sunlight, and reduce overlook between buildings and neighbouring properties.							✓
g. Separate facing buildings on site a minimum of 10 – 12 m to provide ample spatial separation and access to sunlight.							✓
h. Limit building element projections, such as balconies, into setback areas, streets, and amenity areas to protect solar access.							✓
i. Front yard setbacks on internal roads should respond to the height of townhouses, with taller townhouses (e.g. 3 storeys) having greater setbacks to improve liveability and solar access.							✓
3.1.4 Open Spaces							
a. Design all units to have easy access to useable private or semi-private outdoor amenity space.							✓
b. Design front yards to include a path from the fronting street to the primary entry, landscaping, and semi-private outdoor amenity space.							✓
c. Avoid a 'rear yard' condition with undeveloped frontages along streets and open spaces.							✓
d. Design private outdoor amenity spaces to: <ul style="list-style-type: none"> • Have access to sunlight; • Have railing and/or fencing to help increase privacy; and • Have landscaped areas to soften the interface with the street or open spaces/ 							✓
e. Design front patios to: <ul style="list-style-type: none"> • Provide an entrance to the unit; and • Be raised a minimum of 0.6 m and a maximum of 1.2 m to create a semi-private transition zone. 	✓						
f. Design rooftop patios to: <ul style="list-style-type: none"> • Have parapets with railings; • Minimize direct sight lines into nearby units; and • Have access away from primary facades. 							✓



g. Design balconies to be inset or partially inset to offer privacy and shelter, reduce building bulk, and minimize shadowing. <ul style="list-style-type: none"> Consider using balcony strategies to reduce the significant potential for heat loss through thermal bridge connections which could impact energy performance. 	✓					
h. Provide a minimum of 10% of the total site area to common outdoor amenity spaces that: <ul style="list-style-type: none"> Incorporate landscaping, seating, play space, and other elements that encourage gathering or recreation; and Avoid isolated, irregularly shaped areas or areas impacted by parking, mechanical equipment, or servicing areas. 	✓					
i. For large townhouse projects, provide generous shared outdoor amenity spaces integrating play spaces, gardening, storm water and other ecological features, pedestrian circulation, communal amenity buildings, and other communal uses.	✓					
j. Design internal roadways to serve as additional shared space (e.g. vehicle access, pedestrian access, open space) using strategies such as: <ul style="list-style-type: none"> High quality pavement materials (e.g. permeable pavers); and Providing useable spaces for sitting, gathering and playing. 						✓
3.1.5 Site Servicing, Access, and Parking	N/A	1	2	3	4	5
a. Provide landscaping in strategic locations throughout to frame building entrances, soften edges, screen parking garages, and break up long facades.						✓
Site Servicing						
b. Exceptions for locating waste collection out of public view can be made for well-designed waste collection systems such as Molok bins.						✓
Parking						
c. Rear-access garage or integrated tuck under parking is preferred in townhouses, in general, and is required for townhouses facing public streets.					✓	
d. Centralized parking areas that eliminate the need to integrate parking into individual units are supported.	✓					
e. Front garages and driveway parking are acceptable in townhouses facing internal strata roads, with the following considerations: <ul style="list-style-type: none"> Architecturally integrate the parking into the building and provide weather protection to building entries; and Design garage doors to limit visual impact, using strategies such as recessing the garage from the rest of the façade. 	✓					
f. Provide visitor parking in accessible locations throughout the site and provide pedestrian connections from visitor parking to townhouse units. Acceptable locations include: <ul style="list-style-type: none"> Distributed through the site adjacent to townhouse blocks; and Centralized parking, including integration with shared outdoor amenity space 					✓	
Access						



g. Ensure that internal circulation for vehicles is designed to accommodate necessary turning radii and provides for logical and safe access and egress.						✓
h. For large townhouse projects (e.g. master planned communities with internal circulation pattern), a minimum of two access/egress points to the site is desired.	✓					
i. Locate access points to minimize impacts of headlights on building interiors.					✓	
j. Design the internal circulation patter and pedestrian open space network to be integrated with and connected to the existing and planned public street and open space network.	✓					
3.1.6 Building Articulation, Features, and Materials	N/A	1	2	3	4	5
a. Design facades to articulate the individual units while reflecting positive attributes of neighbourhood character. Strategies for achieving this include: <ul style="list-style-type: none"> • Recessing or projecting facades to highlight the identity of individual units; and • Using entrance features, roofline features, or other architectural elements. 					✓	
b. To maximize integration with the existing neighbourhood, design infill townhouses to: <ul style="list-style-type: none"> • Incorporate design elements, proportions, and other characteristics found within the neighbourhood; and • Use durable, quality materials similar or complementary to those fond within the neighbourhood. 						✓
c. Maintain privacy of units on site and on adjacent properties by minimizing overlook and direct sight lines from the building using strategies such as: <ul style="list-style-type: none"> • Off-setting the location of windows in facing walls and locating doors and patios to minimize privacy concerns from direct sight lines; • Use of clerestory windows; • Use of landscaping or screening; and • Use of setbacks and articulation of the building. 					✓	
d. In larger townhouse developments (e.g. master planned communities with internal circulation pattern), provide modest variation between different blocks of townhouse units, such as change in colour, materiality, building, and roof form.	✓					



City of
Kelowna

DP22-0168 / DVP22-0169
1281 Findlay Rd

Development Permit & Development Variance Permit

Purpose

- ▶ To issue a Development Permit for the form and character of Townhouses and to issue a Development Variance Permit to vary Off-Street Parking Regulations.

Development Process

Aug 11, 2022

Development Application Submitted



Staff Review & Circulation



Jan 4, 2022

Public Notification Received



Jun 5, 2023

Initial Consideration



Jun 11, 2023

Reading Consideration



Mar 12, 2024

Final Reading & DP & DVP

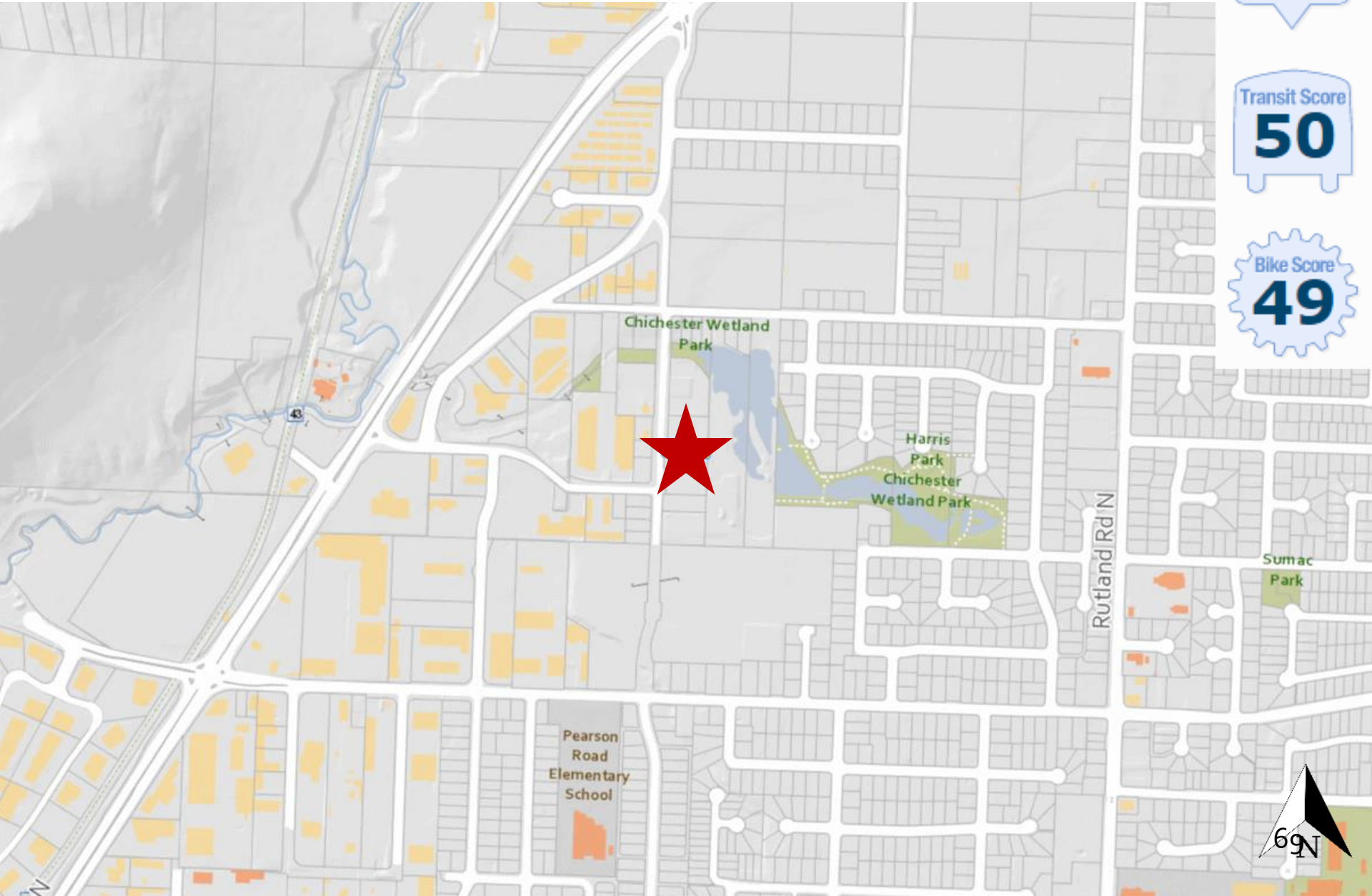


Building Permit

Council
Approvals



Context Map



Walk Score
46

Transit Score
50

Bike Score
49



Subject Property Map



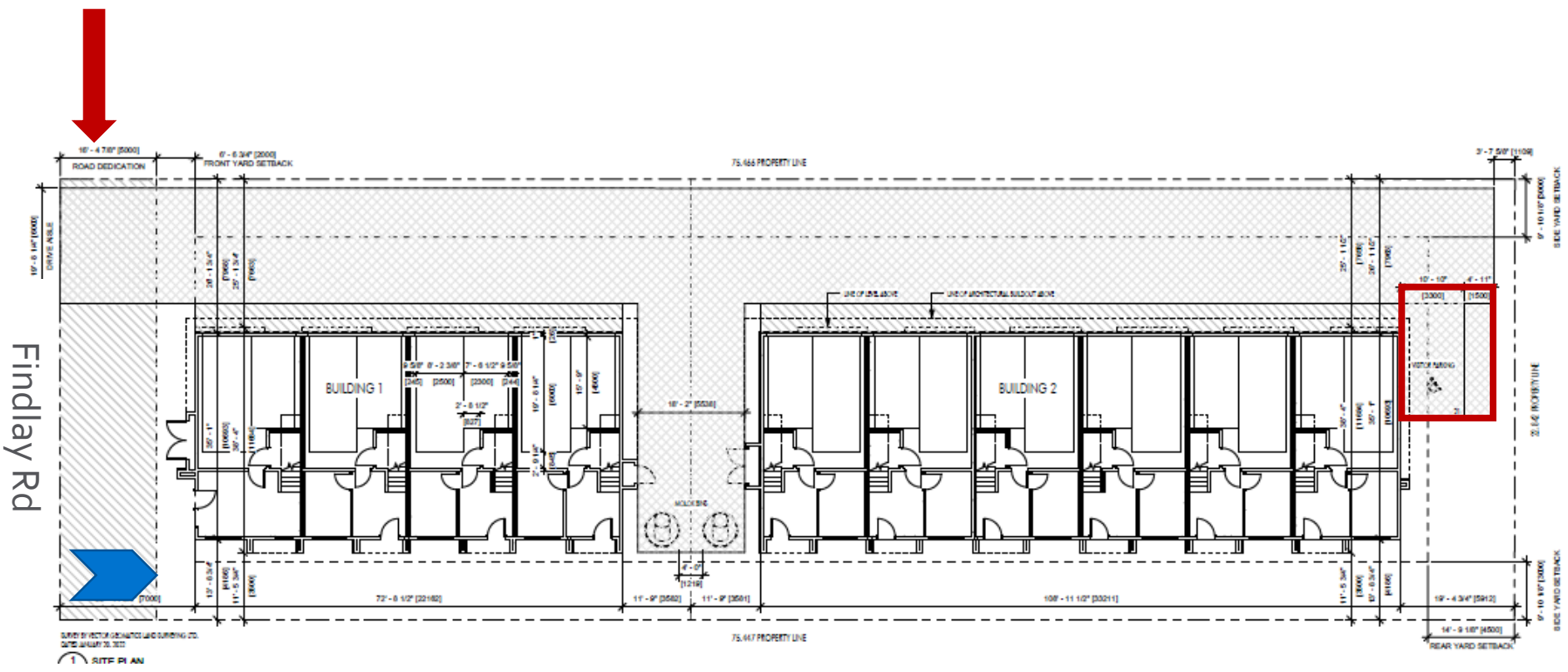
Technical Details

- ▶ MF2 – Townhouse Housing
 - ▶ 10 units
 - ▶ 3 storeys in height
 - ▶ 20 Resident Parking Stalls
 - ▶ 1 Visitor Stall

Variances

- ▶ Section 8.2.2: Off-Street Parking Regulations
- ▶ To vary the Off-Street Parking Regulations to allow a parking stall in a landscape area

Site Plan



Building 1 Elevation – South



2 BUILDING 1 - SOUTH COLOUR ELEVATION
3/18" = 1" = 0"

Building 1 Elevation – North



2 BUILDING 1 - NORTH COLOUR ELEVATION
A-201 3/16" = 1'-0"

Building 1 Elevation – West



Building 1 Elevation – East



4 BUILDING 1 - EAST COLOUR ELEVATION
3/18 • 1-0'

Building 2 Elevation – South



2 BUILDING 2 - SOUTH COLOUR ELEVATION
A-209 3/16" = 1'-0"

Building 2 Elevation – North

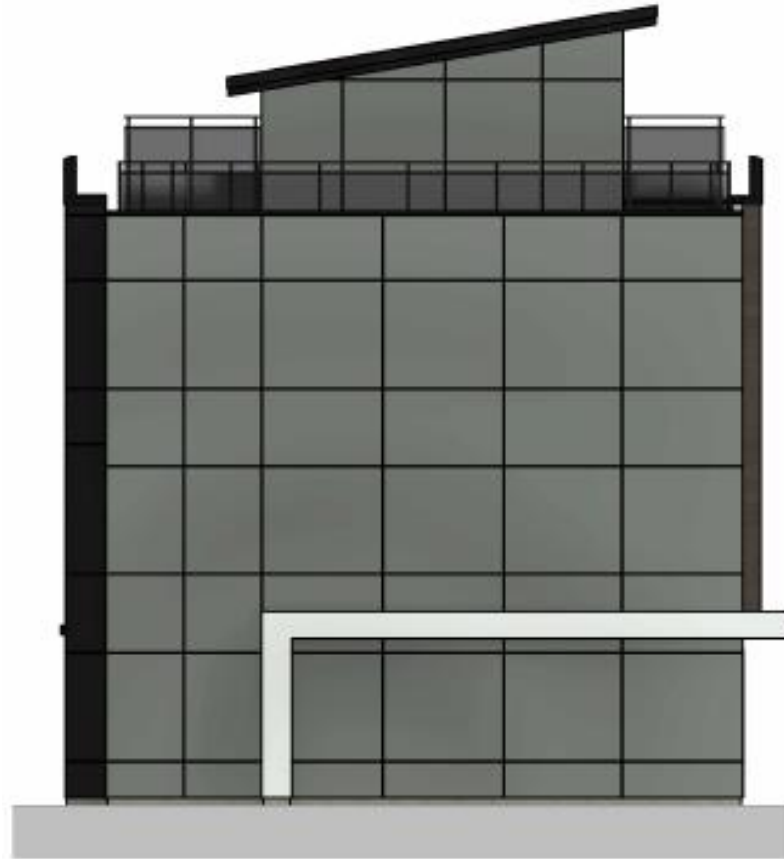


2 BUILDING 2 - NORTH COLOUR ELEVATION
A-201 3/16" = 1'-0"

Building 2 Elevation – West



Building 2 Elevation – East


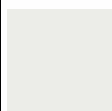

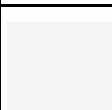
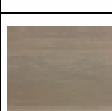
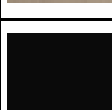

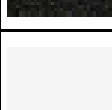


4 BUILDING 2 - EAST COLOUR ELEVATION
A-200 3/16" = 1'-0"

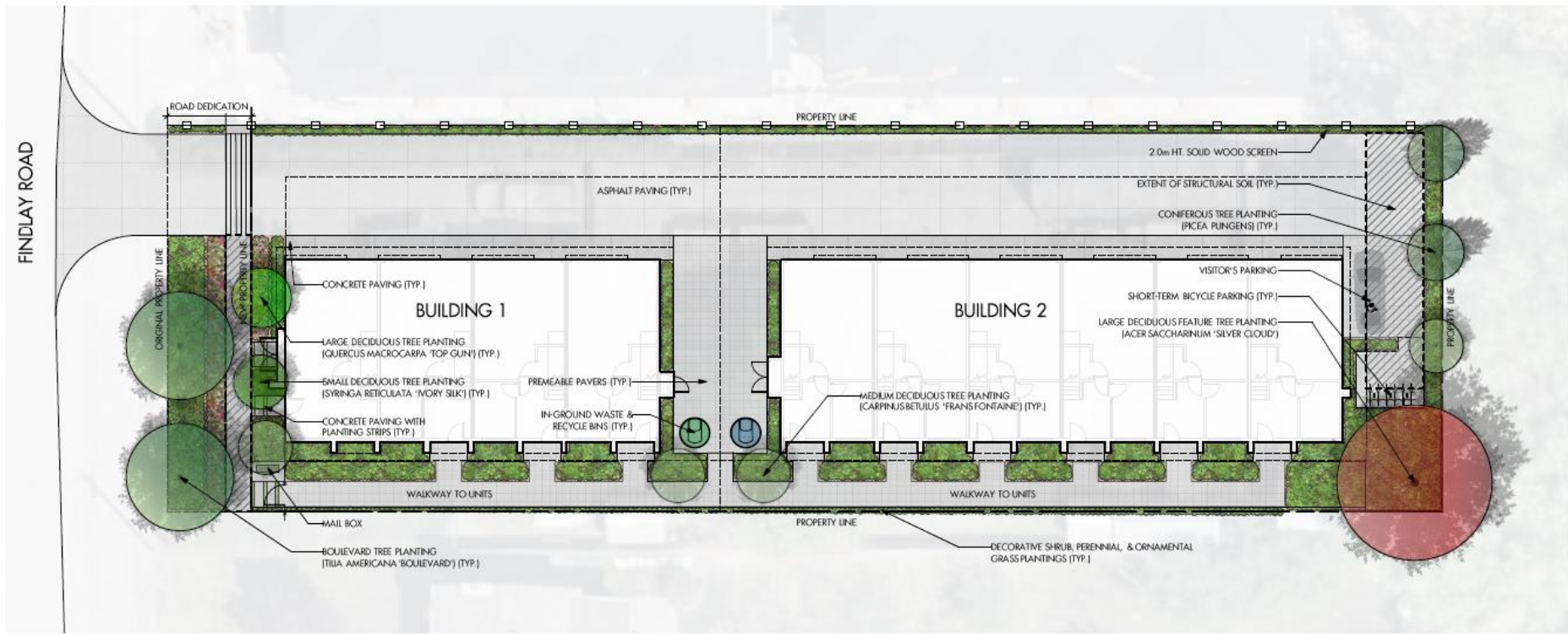
Materials Board



City of Kelowna

EXTERIOR FINISHES		
#	IMAGE	MATERIAL
1		HARDIE PANEL: IRON GRAY
2		HARDIE PANEL: ARCTIC WHITE
3		HARDIE PANEL: LIGHT MIST
4		STUCCO: BENJAMIN MOORE - DISTANT GRAY 2140-70
5		MAC: WOOD COLLECTION - SMOKED BIRCH
6		FACIA, TRIM, RAILINGS, PERGOLA, WINDOW & DOORS: BLACK
7		IKO TOUCH-ON: BLACK
8		WHITE DOORS: BENJAMIN MOORE - DISTANT GRAY 2140-70

Landscape Plan



Rendering – NE View



Rendering – SE View



OCP Design Guidelines

- ▶ Primary entry directly accessible from the fronting street.
- ▶ Established street pattern maintained.
- ▶ Units have access to useable private outdoor amenity space.

Staff Recommendation

- ▶ Staff recommend **support** for the proposed development permit and development variance permit as it:
 - ▶ Meets majority of OCP Design Guidelines
 - ▶ Mitigates variances through additional landscaping