

City of Kelowna

Public Hearing

AGENDA



Tuesday, March 21, 2017
6:00 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

THE CHAIR WILL CALL THE HEARING TO ORDER:

1. (a) The purpose of this Hearing is to consider certain bylaws which, if adopted, shall amend *Kelowna 2030* - Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.

(b) All persons who believe that their interest in property is affected by the proposed bylaws shall be afforded a reason-able opportunity to be heard or to present written submissions respecting matters contained in the bylaws that are the subject of this hearing. This Hearing is open to the public and all representations to Council form part of the public record. A live audio feed may be broadcast and recorded by Castanet.

(c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after March 8, 2017 (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.

(d) Council debate on the proposed bylaws is scheduled to take place during the Regular Council meeting after the conclusion of this Hearing. It should be noted, however, that for some items a final decision may not be able to be reached tonight.

(e) It must be emphasized that Council will not receive any representation from the applicant or members of the public after conclusion of this Public Hearing.

2. Notification of Meeting

The City Clerk will provide information as to how the Hearing was publicized.

3. Individual Bylaw Submissions

3.1 TA16-0018 (BL11363) C7 - Central Business Commercial Zone Amendments 4 - 24

To consider text amendments to the C7 – Central Business Commercial zone to accommodate Official Community Plan changes to the City Civic Block and to better align zoning requirements with recent building trends.

3.2 700 Swordy Road - TA17-0003 (BL11364) & Z17-0009 (BL11365) - FORTISBC Ltd 25 - 41

To consider a Text Amendment to allow non-accessory parking as a principal use within the P4 – Utilities zone and to consider a rezoning application for a portion of the subject property from the A1 Agriculture zone to the P4 – Utilities zone in order to construct a surface parking lot.

4. Termination

5. Procedure on each Bylaw Submission

- (a) Brief description of the application by City Staff (Land Use Management);
- (b) The Chair will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.
- (c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.
- (d) The Chair will call for representation from the public in attendance as follows:
 - (i) The microphone at the public podium has been provided for any person(s) wishing to make representation at the Hearing.
 - (ii) The Chair will recognize ONLY speakers at the podium.
 - (iii) Speakers are encouraged to limit their remarks to 5 minutes, however, if they have additional information they may address Council again after all other members of the public have been heard a first time.
- (e) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.
- (f) Questions by 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.
- (g) Final calls for representation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

Note: Any applicant or member of the public may use visual aids (e.g. photographs, sketches,

slideshows, etc.) to assist in their presentation or questions. The computer and ELMO document camera at the public podium are available. Please ask staff for assistance prior to your item if required.

Report to Council



Date: February 27, 2017
File: 1250-40
To: City Manager
From: Ryan Roycroft, Planner
Subject: TA16-0018 C7 Text Amendments

Recommendation:

THAT Council receives, for information, the Supplemental Report from the Community Planning Department dated February 20th, 2017 with respect to amendments to the Zoning Bylaw Text Amendment Application No. TA16-0018 to amend Zoning Bylaw 8000 as outlined in Schedule "A" attached to the Supplemental Report from the Community Planning Department dated February 20th, 2017 be considered by Council;

AND THAT Text Amend Bylaw No. 11307 be forwarded for rescindment consideration;

AND THAT Plan Text Amendment Application No. TA16-0018 to amend Zoning Bylaw 8000 as outlined in Schedule "A" attached to the Report from the Community Planning Department dated February 20th, 2017 be considered by Council;

AND FURTHER THAT the Zoning Bylaw Text Amendment Bylaw be forwarded to a Public Hearing for further consideration.

Purpose:

To consider text amendments to the C7 – Central Business Commercial zone to accommodate Official Community Plan changes to the City Civic Block and to better align zoning requirements with recent building trends.

Background:

In November of 2016, staff presented Council with proposed amendments to the C7 – Central Business Commercial zone, with an eye to better aligning the zone with modern development practices and accommodating the recently adopted Civic Block Plan. Council gave the bylaw first reading, and advanced the bylaw to public hearing. However, prior to Public Hearing, staff received late comments from the Urban Development Institute, as well as two applications for downtown tower projects. Based on these comments, the Public Hearing was deferred, and the proposed bylaw amendments have been modified.

The proposed bylaw changes are intended to accomplish several objectives.

The first objective is to accommodate the recommendations of the recently adopted Civic Block Plan. The proposed bylaw amendments establish differing development regulations for the Civic Block, based on the adopted plan.



As per the plan recommendations, these regulations will support smaller format development with emphasis on the Artwalk and pedestrian friendliness.

The second objective is to amend the bylaw to be more supportive of mid-rise construction projects, especially predominantly commercial and office construction. Recent mid-rise projects on St Paul and Doyle have required anywhere from 5 to 14 bylaw variances. While Council has granted these variances, the bylaw's lack of support for mid-rise construction sends a tacit message that this form of development is not supported.

Finally, the bylaw amendments would remove language which governs detailed tower form sizes and stepbacks, instead relying on more flexible development permit guidelines in the OCP to govern building form and character. Greater emphasis will be placed on Community Planning staff, the Developer and Council in determining what design is appropriate for situations, rather than one-sized fits all zoning restrictions.

Bylaw Amendments Table:

Removed maximum diagonal building footprint
Removed maximum building frontage width
Removed angle of incidence controls
Tied maximum building height to map
Increased maximum floorplate from 696 m2 to 1,221 m2.
Reduced low rise step backs
Removed high rise step backs
Removed Rutland related regulations

Development Permits Guidelines versus Zoning Restrictions

At the time the C7 – Central Business Commercial zone was developed, the City did not have extensive Development Permit Guidelines in place for tower and high rise construction. In absence of strong DP guidelines, the C7 zone was developed to include controls on building form and step backs, as interim controls for tall building development.

With the adoption of the most recent Official Community Plan and Downtown Revitalization guidelines, the City now has robust development permit guidelines to address building form. These DP guidelines obviate the need for extensive Zoning controls on building form.

The Zoning Bylaw is a cumbersome and difficult tool for regulating building form, as it is unable to be sensitive to context or design. The way the bylaw is currently drafted, it would allow only narrow pin towers with limited articulation in the C7 zone, without consideration of the site, neighbouring buildings or design considerations.

Overall, the proposed bylaw amendment will amend the C7 zone to work in concert with the Official Community Plan Development Permit guidelines and Downtown development objectives and reduce the variances caused by differences between the two documents.

Internal Circulation:

The proposed amendments have been developed by a team of staff from Policy Planning, Community Planning, and Real Estate.

External Agency/Public Comments

City staff worked extensively with representatives from the Urban Development Institute in reviewing the bylaw amendments, ensuring that the requirements would be economically possible with current construction technology.

Legal/Statutory Authority:

Section 479 of the Local Government Act allows the City of Kelowna to adopt a Zoning Bylaw regulating land uses within the city.

Legal/Statutory Procedural Requirements:

If Council grants initial consideration to the proposed bylaw amendments, a public hearing will be required prior to considering additional readings.

Existing Policy:

The current C7 zone is well suited for towers and two storey buildings, but generates low-value variances when applicants consider mid-sized buildings. The C7 zone also does not address the specific objectives of the Civic Precinct.

Personnel Implications:

The proposed amendments to the C7 zone will dramatically reduce staff time required to deal with low value variances for mid-rise construction, and are not expected to add any workload.

Considerations not applicable to this report:

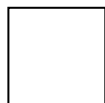
Communications Comments

Financial/Budgetary Considerations

Submitted by:

Ryan Roycroft, Planner

Approved for inclusion:



Ryan Smith, Community Planning Manager

Attached
Draft C7 Bylaw

14.7 C7 – Central Business Commercial

C7rls – Central Business Commercial (Retail Liquor Sales)

C7lp – Central Business Commercial (Liquor Primary)

C7lp/rls – Central Business Commercial (Liquor Primary/Retail Liquor Sales)

14.7.1 Purpose

The purpose of this zone is to designate and to preserve land for the orderly development of the financial, retail and entertainment, governmental, cultural and civic core of the Downtown while also encouraging high density mixed-use buildings.

14.7.2 Principal Uses

The **principal uses** in this **zone** are:

- (a) amusement arcade, major
- (b) apartment housing
- (c) apartment hotels
- (d) boarding or lodging houses
- (e) breweries and distilleries, minor
- (f) broadcasting studios
- (g) business support services
- (h) child care centre, major
- (j) commercial schools
- (k) community garden
- (l) community recreational services
- (m) congregate housing
- (n) custom indoor manufacturing/artist's studio
- (o) emergency and protective services
- (p) financial services
- (q) food primary establishment
- (r) funeral services
- (s) fleet services
- (t) gaming facilities
- (u) government services
- (v) health services
- (w) hotels
- (x) household repair services
- (y) liquor primary establishment, major (C7lp and C7lp/rls only)
- (z) liquor primary establishment, minor
- (aa) multiple dwelling housing
- (bb) non-accessory parking
- (cc) offices
- (dd) participant recreation services, indoor
- (ee) personal service establishments
- (ff) private clubs
- (gg) private education services
- (hh) public education services
- (ii) public libraries and cultural exhibits
- (jj) public parks
- (kk) recycled materials drop-off centres
- (ll) retail liquor sales establishment (C7rls and C7lp/rls only)
- (mm) retail stores, convenience

- (nn) retail stores, general
- (oo) spectator entertainment establishments
- (pp) spectator sports establishments
- (qq) supportive housing
- (rr) temporary parking lot
- (ss) temporary shelter services
- (tt) thrift stores
- (uu) used goods stores
- (vv) utility services, minor impact

14.7.3 Secondary Uses

The **secondary uses** in this **zone** are:

- (a) **agriculture, urban**
- (b) **amusement arcade, minor**
- (c) **child care centre, minor**
- (d) **home based businesses, minor**

14.7.4 Subdivision Regulations

- (a) The minimum **lot width** is 6.0 m.
- (b) The minimum **lot depth** is 30.0 m.
- (c) The minimum **lot area** is 200 m².

14.7.5 Development Regulations

- (a) The maximum allowable **height** shall be in accordance with the C7 – Map A Downtown Height Plan.
- (b) Where a property is not shown in the C7 Map A Downtown Height Plan, the maximum height shall be 22.0 m.
- (c) The maximum Floor Area Ratio is 9.0.
- (d) The minimum front yard is 0.0 m.
- (e) The minimum side yard is 0.0 m.
- (f) The minimum rear yard is 0.0 m.
- (g) There shall be a triangular setback 4.5 m in length abutting along the property lines that meet at each corner of an intersection, as shown in Figure 1. This setback will only be required at the first storey.

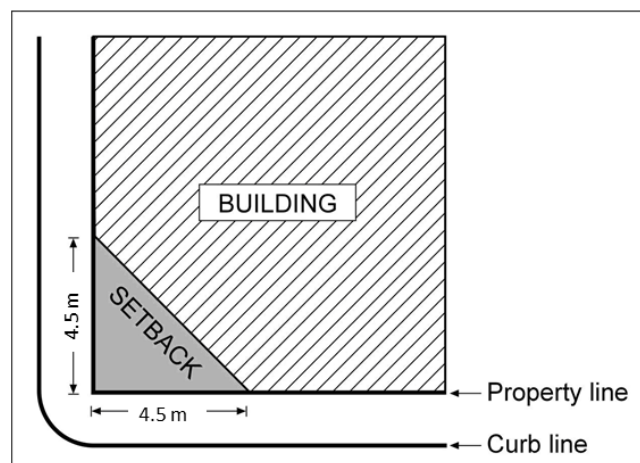


Figure 1

- (h) For any building above 16.0m in height:
 - i. Any portion of a building above 16.0 m in height must be a minimum of 3.0 m. from any property line abutting a street.
 - ii. Any portion of a building above 16.0 m in height must be a minimum of 4.0 m from any **property line** abutting another **property**.
 - iii. A building floor plate cannot exceed 1,221 m².

Setback Table

Height	Front and Flanking Yard Setback	Side Yard Setbacks	Floorplate
0.0 to 16.0 m	0.0 m	0.0 m	No restriction
16.0 m and above	3.0 m	4.0 m	1,221 m ²

CIVIC PRECINCT

Where within the area shown in C7 – Map B Civic Precinct and Retail Streets.

14.7.6 Development Regulations

- (a) The maximum allowable **height** shall be in accordance with the maximum allowable height within the Civic Precinct, in accordance with the C7 – Map A Downtown Height Plan.
- (b) The maximum Floor Area Ratio is 9.0.
- (c) The minimum front yard is 0.0 m.
- (d) The minimum side yard is 0.0 m.
- (e) The minimum rear yard is 0.0 m.
- (f) Any portion of a building above 9.0 m in height must be a minimum of 3.0 m. from any property line abutting a street, as shown on C7 - Diagram B attached to this bylaw.
- (g) Any portion of a building above 9.0 m in height must be a minimum of 4.0 m from any property line abutting another property as illustrated on C7 - Diagram B attached to this bylaw.
- (h) A minimum separation distance of 25.0 m shall be provided where adjacent buildings are above 22.0m on the same block.
- (i) Any tower floor plate situated above 9.0 m in height but below 22.0 m in height cannot exceed 1,221.0 m².
- (j) Any tower floor plate situated above 22.0 m in height cannot exceed 676.0 m².
- (k) Any portion of a building above 22.0 m in height cannot exceed a continuous exterior horizontal dimension of 26.0 m.
- (l) Any portion of a building above 12.0 m in height cannot exceed a continuous exterior horizontal dimension of 40.0 m.
- (m) A continuous building frontage shall not exceed 50.0 m in length, and must be designed with appropriate architectural breaks such as a recessed courtyard, entry setback, breezeway, patio, or similar relief, where the length of the building exceeds 30.0 m.

14.7.7 Other Regulations

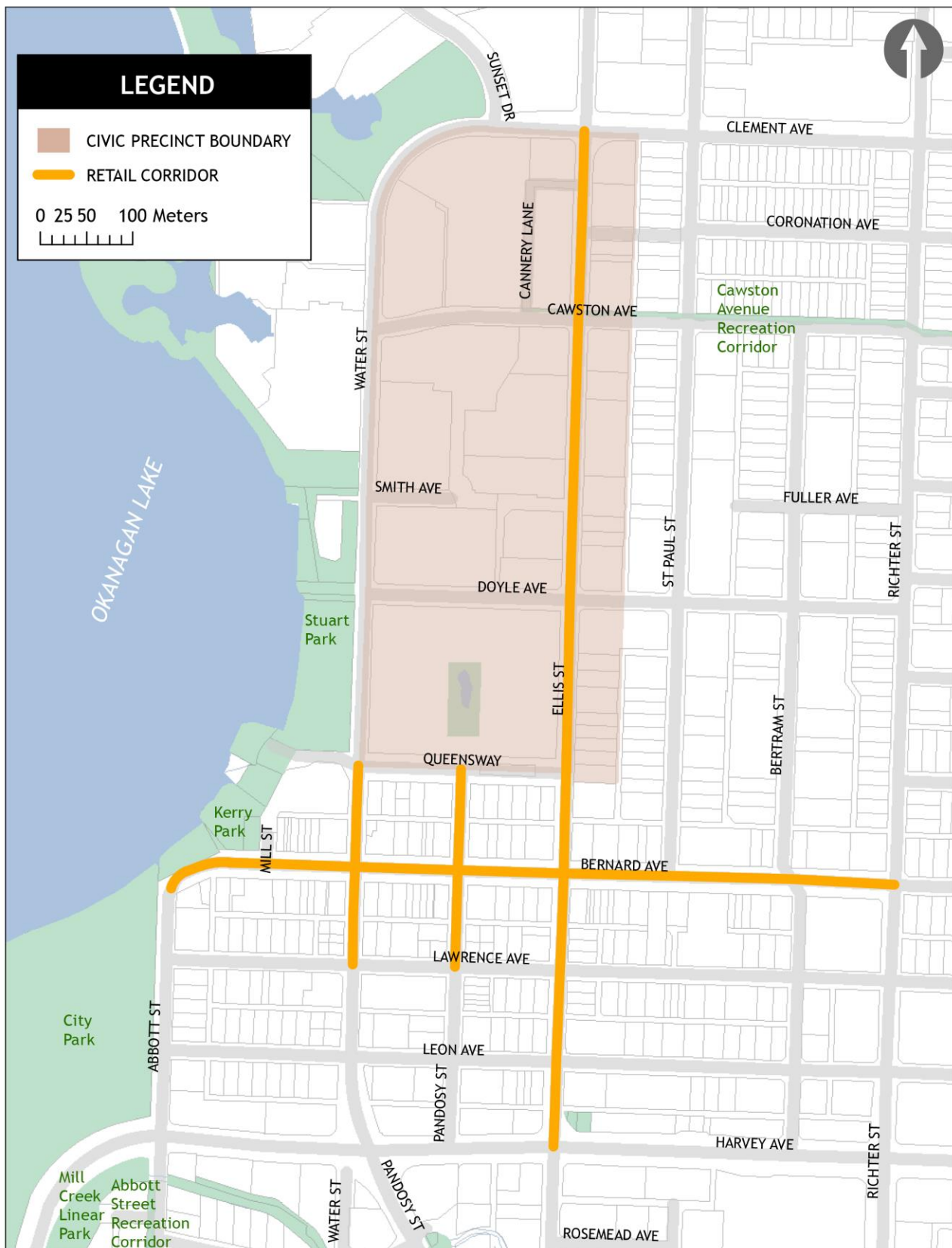
- (a) A minimum area of 6.0 m² of **private open space** shall be provided per **bachelor dwelling**, 10.0 m² of **private open space** shall be provided per 1-bedroom **dwelling**, and 15.0 m² of **private open space** shall be provided per **dwelling** with more than 1 **bedroom**.
- (b) In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 6 (accessory **development**, **yards**, projections into **yards**, accessory **development**, lighting, stream protection, etc.), the **landscaping** and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific **use** regulations of Section 9.
- (c) Drive-in food services are not a permitted form of development in this zone.
- (d) Development on streets identified as Retail Streets on C7 – Map B Civic Precinct and Retail Streets Floorplate and Section must provide a functional commercial, civic or cultural space on the first floor, which must occupy a minimum of 90% of all street frontages, OR a minimum of 75% on secondary street frontages provided 100% of the principal frontage has an active commercial, cultural or civic space.
- (e) Development on streets NOT identified as Retail Streets on C7 – Map B Civic Precinct and Retail Streets must provide a functional commercial, civic or cultural space, or ground oriented residential use, on the first floor, which must occupy a minimum of 90% of all street frontages, OR a minimum of 75% on secondary street frontages provided 100% of the principal frontage has an active commercial or residential space

C7 Map A - Downtown Building Heights Plan

Building Heights up to:



C7 Map B - Civic Precinct and Retail Streets



Application No. TA16-0018 C7 Text Amendments

Proposal

To consider text amendments to the C7 – Central Business Commercial zone to accommodate Official Community Plan changes to the City Civic Block and to better align zoning requirements with recent building trends.



Amendment Details

- ▶ Amendments to C7 – Central Business Commercial previously given first reading by Council
- ▶ Based on additional comments from UDI, staff have reworked bylaw amendments
- ▶ Amendments rework the C7 Zone to better align with Civic Block plan and City Development Controls

Development policy

- ▶ C7 zone applies downtown
- ▶ Governs development from short retail buildings on Bernard up to full towers on Ellis
- ▶ Recent mid-rise C7 developments (Innovation Center, Sole 1 & 2) have triggered extensive variances
 - ▶ Bylaw not set up to deal with 4 to 6 storey mixed use buildings with interior parking, necessitating variances

Civic Block Plan

- ▶ Bylaw amendments to C7 meet recommendations of the Civic Block plan
- ▶ Establish different regulations for the Civic Block, emphasizing slightly shorter and squatter building forms
- ▶ Based on recommendations in the adopted plan

Building Form Controls

- ▶ New zone eliminates most controls on building form
- ▶ Current C7 zone building form controls predate new Development Permit guidelines – intended as interim controls while Downtown Plan and OCP proceeded
- ▶ Building form controls in Zoning Bylaw are less useful than Development Permit controls – non-negotiable, one size fits all, non-context sensitive

Removed maximum diagonal building footprint

Removed maximum building frontage width

Removed angle of incidence controls

Tied maximum building height to map

Increased maximum floorplate from 696 m² to 1,221 m².

Reduced low rise step backs

Removed high rise step backs

Removed Rutland related regulations

Staff recommendation

- ▶ Staff recommend that the bylaw be given first reading and advanced to Public Hearing.
 - ▶ The bylaw amendments align the C7 zone with modern building trends and City statutory planning documents



Conclusion of Staff Remarks

REPORT TO COUNCIL



Date: March 6, 2017

RIM No. [RIM Classification Number]

To: City Manager

From: Community Planning Department (AC)

Application: Z17-0009 & TA17-0003

Owner: FORTISBC Inc.

Address: 700 Swordy Rd

Applicant: Zeidler BKDI Architects – Jean
Guy Beliveau

Subject: [Title]

Existing OCP Designation: MXR – Mixed Use (Residential/Commercial) & MRL – (Multiple Residential – Low Density)

Existing Zone: P4 – Utilities & A1 - Agriculture

Proposed Zone: P4 – Utilities

1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA17-0003 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Community Planning Department dated March 6th 2017 be considered by Council;

THAT Rezoning Application No. Z17-0009 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portion of Part of Lot 2 Outlined Red on Plan A917 District Lot 134 ODYD Plan 2864, located at 700 Swordy Rd, Kelowna, BC from the A1 - Agriculture zone to the P4 – Utilities zone, as shown as Map A” attached, be considered by Council

AND THAT the Zone Amending Bylaw & the Text Amendment Bylaw be forwarded to a Public Hearing for further consideration.

AND FURTHER THAT final adoption of the Zone Amending Bylaw & the Text Amendment Bylaw be subsequent to the following:

The outstanding conditions identified in Attachment “A” associated with the report from the Community Planning Department dated March 6th 2017.

2.0 Purpose

To consider a Text Amendment to allow non-accessory parking as a principal use within the P4 – Utilities zone and to consider a rezoning application for a portion of the subject property from the A1 Agriculture zone to the P4 – Utilities zone in order to construct a surface parking lot.

3.0 Community Planning

Staff support the rezoning and text amendment bylaws. The purpose of the 67 stall surface parking lot is to supplement the commercial parking lot at the adjacent mixed-use project (The Shore) located immediately west. The property will remain in the ownership of Fortis with a long-term lease to 'The Shore'. A landscape buffer variance for the surface parking lot, from 3.0m to 2.0m, is needed due to Fortis's vehicular requirements to service the existing sub-station and to the location of the overhead power poles. A Development Permit and Development Variance Permit for the surface parking lot will come to Council for review if the Rezoning and Text Amendment are supported. The purpose of the Text Amendment is to allow surface parking lots as a permitted use within the P4 zone. Staff believe the primary use of 'non-accessory parking' is an acceptable use within that zone. Staff considered rezoning a portion of the subject property to a zone that permits non-accessory parking (such as the C4 zone) but that was not acceptable to Fortis' re: protection of their long term interests. The property needs to permit 'Utilities, Major' as a principal use as Fortis would like to protect for a long-term possible expansion to the sub-station. The principal use 'Utilities, Major' is only permitted within the P4 zone.

4.0 Proposal

4.1 Project Description

The 67 stall parking lot will be screened with a landscape buffer and will be setback 9.2m from the existing Fortis sub-station at the south end. The 9.2m clearance is a safety setback required by the Fortis equipment. Access to the surface parking lot will be from Richter Street. Fortis will develop a new access for service vehicles from Swordy Road. A pedestrian link has been created at the south-western end of the surface parking lot to facilitate pedestrian movement between the two sites.

4.2 Site Context

The site is located at the south end of the South Pandosy Urban Centre within close proximity to Boyce - Gyro Beach. Specifically, the adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C9 – Tourist Commercial	Vacant
East	RU1 – Single Detached Housing & RM3 – Low Density Multiple Housing	Residential
South	RM3 – Low Density Multiple Housing	Residential
West	Future C4- Urban Centre Commercial	Vacant

Subject Property Map: 700 Swordy Rd



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Preferred Plant Species.¹ Use species of plants well-adapted to Kelowna, drought-tolerant, pest-resistant, with preference for plants indigenous to the Kelowna area, compatible with urban development and adapted to the specific site conditions in restoration and replanting practices on City land. Emphasize “right tree in the right location” to help ensure that trees will not have to be removed due to future conflicts with utility wires, building foundations, etc.

Power Lines.² Ensure development appropriately interfaces with transmission lines.

6.0 Technical Comments

6.1 Building & Permitting Department

A Building permit is required for the civil works portion of the parking lot. A Civil engineer is required to provide drawings and schedules at time of permit application.

6.2 Development Engineering Department

¹ City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.27.2 (Development Process Chapter).

See attached memorandum dated February 9, 2017.

6.3 Fire Department

No concerns.

6.4 Shaw

Shaw owns/operates an existing aerial fibre on the FortisBC transmission line that crosses the subject lot. As per the plan, it looks as though pole locations will be unaffected, but in the event that poles, and/or their associated downhauls, need to be relocated, Shaw will have to supply the developer a cost sheet for the relocation work.

7.0 Application Chronology

Date of Application Received: February 2nd 2017
Date Public Consultation Completed: February 20th 2017

Report prepared by: Adam Cseke, Planner 2
Reviewed by: Terry Barton, Urban Planning Manager
Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Development Engineering Memo dated February 9th 2017
Initial Drawing Package

CITY OF KELOWNA

MEMORANDUM

Date: February 9, 2017
File No.: Z17-0009
To: Community Planning (AC)
From: Development Engineering Manager(SM)
Subject: 700 Swordy Road

P4

Development Engineering has the following requirements associated with this rezoning application. The road and utility upgrading requirements outlined in this report will be a requirement of this development.

The Development Engineering Technologist for this project is Sergio Sartori

.1) Domestic Water and Fire Protection

- a) The development site is presently serviced with a small diameter (19-mm) water service off of Swordy Road. Only one service will be permitted for this development.

.2) Sanitary Sewer

- (a) The development site is presently serviced with a 100mm-diameter sanitary sewer service. Only one service will be permitted for this development.

.3) Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan for these sites which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems.
- (b) Only one service will be permitted for this development. The applicant, at their cost, will arrange the installation of one overflow service. The estimated cost of this construction for bonding purposes is **\$10,000.00**

.4) Road Improvements

- (a) Richter Street fronting this development has been upgraded to an urban standard to including barrier curb & gutter, concrete sidewalk. The boulevard will need to be landscaped and the driveway access constructed. The relocation or adjustment of existing utility appurtenances if required to accommodate the upgrading construction is at the developer's expense. The estimated cost of the road improvements for bonding purposes is **\$12,000.00**

- (b) Swordy Road fronting this development presently constructed to a rural standard. The road must be upgraded to a full urban standard (SS-R5) along the full frontage of this proposed development, including a barrier curb and gutter, monolithic sidewalk, piped storm drainage system including catch basins, manholes / dry-wells and pavement widening. The estimated cost for this construction for bonding purposes is **\$30,000.00**

.5) Electric Power and Telecommunication Services

- a) 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.
- b) Streetlights must be installed on Swordy Rd if required.

.6) Engineering

Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the City Engineering Department for review and marked "issued for construction" by the City Engineer before construction may begin.

.7) Design and Construction

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

.8) Servicing Agreements for Works and Services

- a) A Servicing Agreement is required for all 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

.9) Survey Monuments and Iron Pins

If any legal survey monuments or property iron pins are removed or disturbed during construction, the developer will be invoiced a flat sum of \$1,200.00 per incident to cover the cost of replacement and legal registration. Security bonding will not be released until restitution is made.

.10) Bonding and Levy Summary

(a) Bonding

Storm service	\$10,000.00
Richter Street upgrade	\$12,000.00
Swordy Road upgrade	\$30,000.00
Total Bonding	<u>\$52,000.00</u>

NOTE: The bonding amounts shown above are comprised of estimated construction costs escalated by 140% to include engineering design and contingency protection and are provided for information purposes only. The owner should engage a consulting civil engineer to provide detailed designs and obtain actual tendered construction costs if he wishes to do so. Bonding for required off-site construction must be provided, and may be in the form of cash or an irrevocable letter of credit, in an approved format. The owner must also enter into a servicing agreement in a form provided by the City.


.11) Administration Charge

An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as (3.5% of Total Off-Site Construction Cost plus GST).

.12) Development Permit and Site Related Issues

Access and Manoeuvrability

- (i) The access to the south part of the site is existing from the lane. The access to the parking lot or north part of the site is proposed from Richter Street does not meet the throat length requirement of 15 m as laid out by TAC standard.
- (ii) The future, access and egress to Richter Street from the site may be restricted to right-in and right-out onto Richter Street with a future median.



Steve Muenz, P. Eng.
Development Engineering Manager
SS

CITY OF KELOWNA


MEMORANDUM

Date: February 10, 2017
File No.: DP17-0016
To: Community Planning (AC)
From: Development Engineer Manager (SM)
Subject: 700 Swordy Rd

The Development Engineering comments and requirements regarding this Development Permit application are as follows:

1. **General.**

- a) All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z17-0009.



Steve Muenz, P. Eng.
Development Engineering Manager

SS

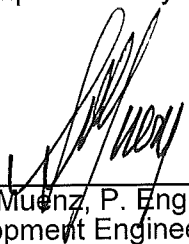
CITY OF KELOWNA

MEMORANDUM

Date: February 10, 2017
File No.: DVP17-0019
To: Community Planning (AC)
From: Development Engineering Manager (SM)
Subject: 700 Swordy Road

The Development Engineering comments and requirements regarding this DVP application are as follows:

The request to vary the landscape buffer for the front and side yards from 3.0m to 2.0m does not compromise any municipal services.



Steve Muenz, P. Eng.
Development Engineering Manager

SS

CITY OF KELOWNA

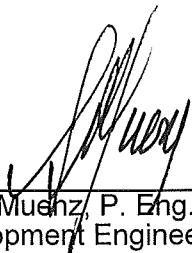
MEMORANDUM

Date: February 10, 2017
File No.: TA17-0003
To: Community Planning (AC)
From: Development Engineer Manager (SM)
Subject: 700 Swordy Rd

The Development Engineering comments and requirements regarding this Text Amendment application are as follows:

1. **General.**

- a) All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z17-0009.



Steve Muenz, P. Eng.
Development Engineering Manager

SS

January 30, 2017

Zeidler BKDI Architects
300, 640 – 8 Avenue SW
Calgary, Alberta T2P 1G7
T +1 403 233 2525
info@zeidler.bkdi.com
zeidler.bkdi.com

Design Rationale Statement

RE: CITY OF KELOWNA REZONING / DP APPLICATION: FORTIS PARKING LOT

PARTNERS

VAIDILA BANELIS | ARCHITECT

AAA, AIBC, OAA, SAA, MRAIC,
LEED® AP

STEPHEN BUGBEE | ARCHITECT

AAA, AIBC, SAA, MAA, NSAA,
MRAIC, CAA, AIA (IA)

TAREK EL-KHATIB | ARCHITECT

AAA, AIBC, SAA, OAA, AANB,
FRAIC, AIA, RIBA

CATHERINE RICHARDSON |

LICENSED INTERIOR DESIGNER
AAA, IDA, IDNS, IDC

BILL MITCHELL

JEAN GUY BELIVEAU

PRINCIPALS

MARTIN VEENHOVEN | ARCHITECT

AAA, AIBC, MRAIC, AIA (WA)

The proposed Rezoning / DP Application allows the site to located at 700 Swordy Road to be rezoned from A1 / P4 to A1 / P4 / C4. The purpose of the change in zoning is to allow the creation of a 67-stall surface parking lot next to the mixed-use project scheduled for construction at 3441, 3451, 3461, and 3471 Lakeshore Road. It is the aim that this parking lot supplement the commercial parking requirements for the above mentioned mixed-use building. As required by City of Kelowna zoning By-Laws, the lot is screened with a landscape buffer on the front and side yards, and will back onto a fence 9.2m away from the existing Fortis sub-station at the south end. The 9.2m clearance is a safety setback required by the Fortis equipment. Access to the lot will be from Richter Street, allowing a left and right in and a right out onto the latter. The site currently contains high voltage power lines running in the north-south direction, and two existing power poles. The power pole currently located in the middle of the site has a support guy wire and the one located at the north end will be fitted with one in the near future. As such, the former has a landscaped peninsula at its base, and a new impact resistant barrier to prevent collisions of cars with the power pole. The rationale behind the parking layout was to spread the 2 parallel rows of cars as far away as possible from the overhead power lines while maintaining appropriate landscape buffers to the neighbouring properties. To facilitate pedestrian movement from this site to the one the parking lot will be serving, a pedestrian link has been created at the south-western end of the lot.

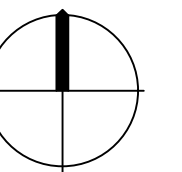
Sincerely,
Zeidler BKDI Architects

Jean Guy Beliveau
Partner

seal

consultants

This drawing must not be scaled.
The contractor shall verify all levels, datums, and dimensions prior to commencement of work. All errors and omissions must be reported to the Architects immediately.
This drawing is the exclusive property of the Architects and must not be reproduced without their written permission.
© BKDI ARCHITECTS

[illegible]

client



201-3975 LAKESHORE RD, KELOWN

project title

700 SWORDY RD FORTIS
REZONING / DP

700 SWORDY RD, KELOWNA BC
CALGARY, AB

drawing title

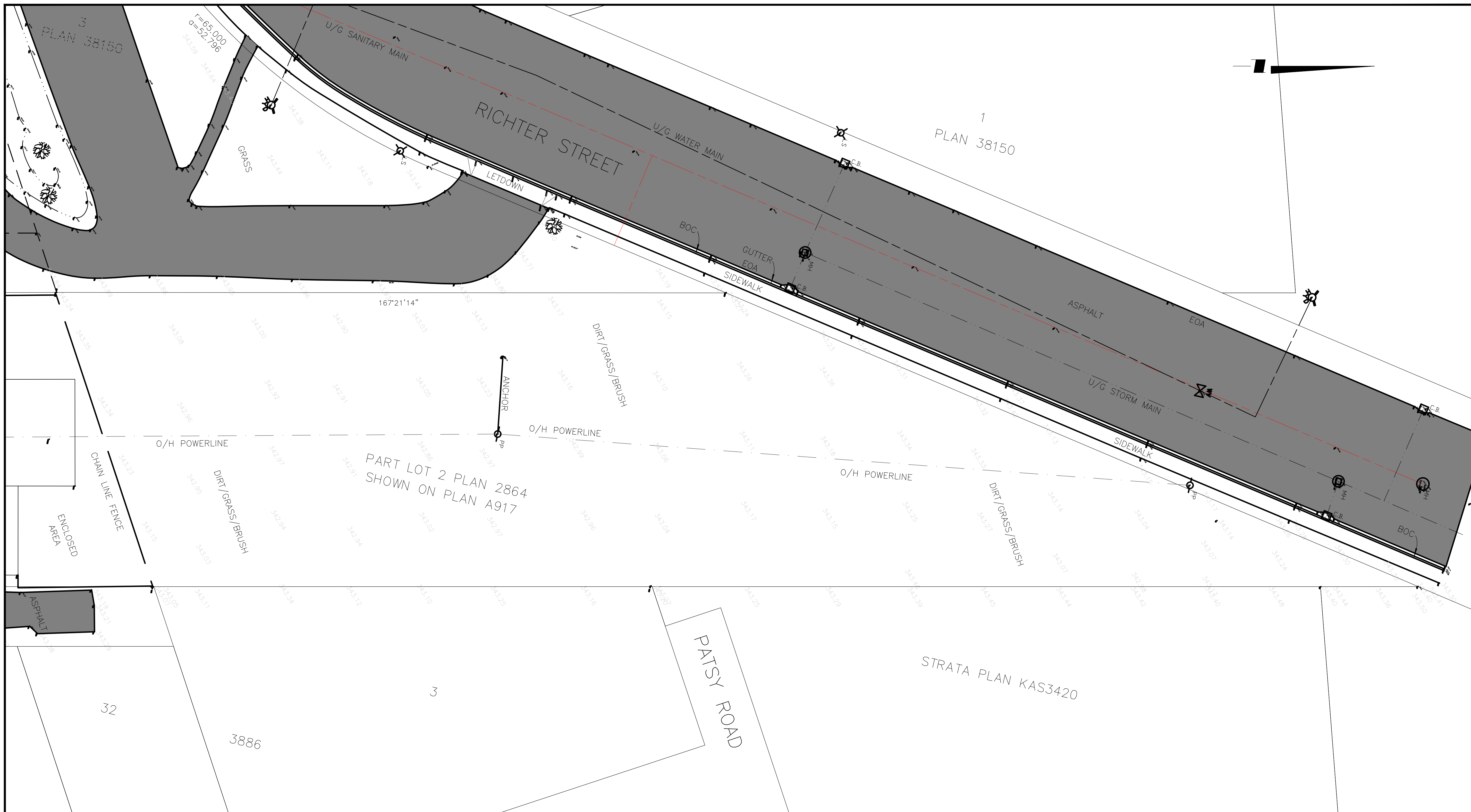
EXISTING SITE SURVEY

scale:	1:200
drawn by:	TC
checked by:	JG
project no:	215-085
date issued:	2017-01-30

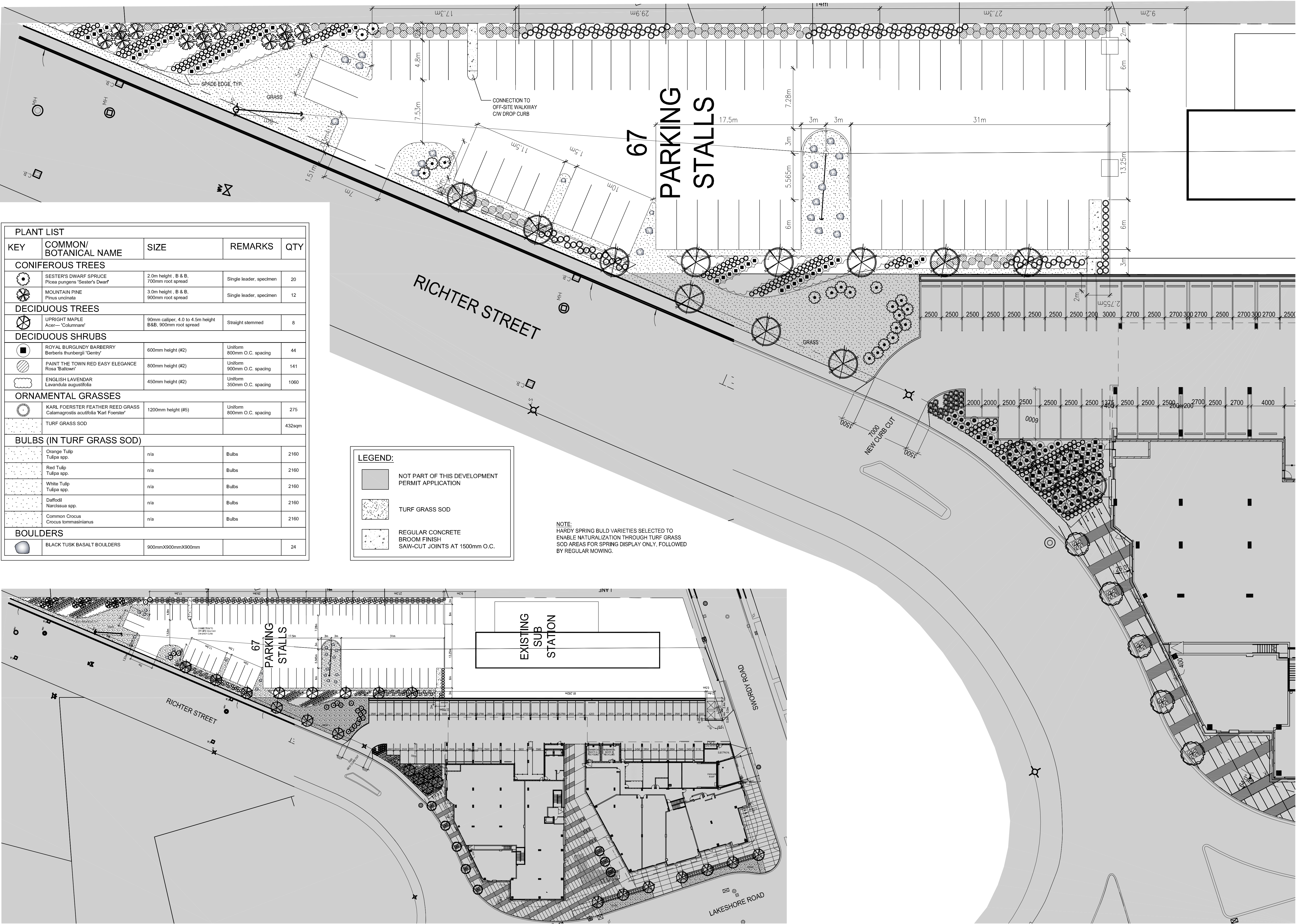
re-issue no: sheet no:



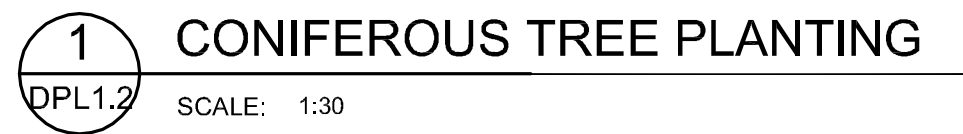
DP1.02



<div>7-Page Setback: 10/27/2012 L2B 2006X/10 L2B 2006X/10-Page Titles</div> <div>B.C. LAND SURVEYORS CANADA LANDS SURVEYORS Subdivision Design Legal, Topographic & GPS Surveys 404-1630 Pandey St., Kelowna, B.C. V1Y 1P7 Telephone (250)763-3115 Fax (250)763-0321</div>	LEGAL DESCRIPTION	CLIENT	LEGEND		NOTES	JOB NO. 20623
	LOT 36-39, PLAN 3886 LOT 3, PLAN 38150 PART LOT 2, SHOWN ON PLAN A917	RISE COMMERCIAL DEVELOPMENTS	<div><div><div><div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div><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1. Do not allow air pockets to form when backfilling.
2. Stake tree outside of tree pit.
3. Bars should be hammered secure down to a minimum of 400mm into compacted subgrade.
4. If tree is in wire basket, cut strapping and pull burlap an basket from top 1/3 of rootball prior to backfilling.
5. Use rubber hose on all guy wires to protect tree a point of contact.
6. Prune dead and broken branches to maintain natural form of tree as directed by Landscape Architect.



re-issue no:	sheet no:
1	DPL1.2

PRELIMINARY SOFT LANDSCAPE COST ESTIMATE - NOT TO BE USED FOR CONSTRUCTION

ITEM	QUANTITY	UNIT	UNIT PRICE	TOTAL
GENERAL LANDSCAPING				
Topsoil, imported (150mm depth)	432	m ²	\$5.00	\$2,160.00
Shrub Bed Preparation (600mm depth)	500	m ²	\$40.00	\$20,000.00
Wood Mulch (75mm depth)	250	m ²	\$8.00	\$2,000.00
Sod	432	m ²	\$5.50	\$2,376.00
Subtotal				\$26,536.00
TREES AND SHRUBS				
Trees - Coniferous				
Mountain Pine (2.0m height)	12	each	\$750.00	\$9,000.00
Sester's Dwarf Spruce (1.5m height)	20	each	\$450.00	\$9,000.00
Trees - Deciduous				
Upright Maple (50mm caliper)	8	each	\$700.00	\$5,600.00
Shrubs				
Paint the Town Red Easy Elegance (5 gal.)	141	each	\$45.00	\$6,345.00
Royal Bergundy Barberry (2 gal.)	44	each	\$35.00	\$1,540.00
Perennials				
Hardy Spring Bulb Varieties	10800	each	\$2.00	\$21,600.00
Feathered Reed Grass	275	each	\$30.00	\$8,250.00
Subtotal				\$61,335.00
LANDSCAPE FEATURES				
Irrigation		allowance		\$40,000.00
Black Tusk Basalt Boulders (900mm cubic)	24	each	\$1,500.00	\$36,000.00
Subtotal				\$76,000.00
TOTAL				\$163,871.00

MATRIX
 LANDSCAPE ARCHITECTURE

 Suite 300 640
 8th Avenue SW
 Calgary, AB, T2P 1G7
 Tel: 403.266.5241
 Fax: 403.262.2055

SCHEDULE A - PROPOSED TEXT AMENDMENTS TO ZONING BYLAW 8000 - TA17-0003

Zoning Bylaw 8000				
No.	Section	Existing Text	Proposed Text	Rationale
1.	16.4 - P4 Utilities 16.4.2 Principal Uses	Principal Uses The principal uses in this zone are: (a) agriculture, urban (b) community garden (b) utility services, major impact (c) utility services, minor impact	Principal Uses The principal uses in this zone are: (a) agriculture, urban (b) community garden (c) non-accessory parking (d) utility services, major impact (e) utility services, minor impact.	See Report