City of Kelowna Regular Council Meeting AGENDA

Tuesday, August 29, 2017 6:00 pm Council Chamber City Hall, 1435 Water Street

1. Call to Order

2. Reaffirmation of Oath of Office

The Oath of Office will be read by Councillor Singh.

3. Confirmation of Minutes

Public Hearing - August 15, 2017 Regular Meeting - August 15, 2017

4. Bylaws Considered at Public Hearing

4.1 Bennett Rd and Paly Rd, LUCT16-0002 (BL11404) - Various Owners

To give Bylaw No. 11404 second and third readings and be adopted in order to terminate Land Use Contracts LUC76-1088 & LUC78-1024 and revert the 68 subject parcels within the McKinley Area of Kelowna to the underlying zone of RR3-Rural Residential 3.

4.2	Clifton Rd N, Lynn Ct, Tina Ct and Kyndree Ct, LUCT17-0002 (BL11451) - Various	6 - 8
	Owners	

To give Bylaw No. 11451 second and third readings and be adopted in order to terminate Land Use Contract LUC76-1087 and revert the 22 subject properties to the underlying zone of RR3 - Rural Residential 3.

5. Notification of Meeting

The City Clerk will provide information as to how the following items on the Agenda were publicized.



Pages

1-5

6. Liquor License Application Reports

	6.1	109-590 KLO Rd, LL17-0009 - Simple Pursuits Inc	9 - 17
		City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the liquor license application to come forward. To consider a Liquor Primary License for a spa services establishment with an occupant load of 30 persons.	
7 .	Develo	opment Permit and Development Variance Permit Reports	
	7.1	4646 McClure Rd, DVP16-0241 - Pillar West Developments Inc	18 - 36
		City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward. To consider a Staff recommendation to NOT issue a Development Variance Permit to vary the required lot width on 1 of 3 proposed lots being created through Subdivision, for Lot B from 16.50m required to 15.72m proposed.	
	7.2	614 Barnaby Rd, Z16-0070 (BL11417) - Brent Hancock and Whitney Smith	37 - 37
		To adopt Bylaw No. 11417 in order to rezone the subject property from the RR1 - Rural Residential 1 zone to the RR1c - Rural Residential 1 with Carriage House zone.	
	7.3	614 Barnaby Rd, DVP16-0266 - Whitney Smith	38 - 48
		City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward. To vary the location of a carriage house from the rear yard to the front yard, to vary the upper floor of a carriage house from 75% of the carriage house footprint to 106%, and to vary the maximum floor area of a carriage house from 90m2 to 106m2 on the subject property.	
	7.4	3450 McKinley Beach Dr, DVP17-0104 - Acorn Resorts GP	49 - 61
		City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.	
		To consider a variance for a units within the 6 (unit building to even of the maximum	

To consider a variance for 2 units within the 64 unit building to exceed the maximum unit size by 67 square metres.

7.5 781 Bay Ave, DVP17-0128 - Folio Building Group Inc

City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.

To consider a Staff recommendation to NOT issue a Development Variance Permit to vary the side yard setback, carriage house roof height, and upper storey floor area of the proposed carriage houses on the subject properties.

7.6 1187 Sunset Dr, BL11423 (Z16-0077) - Sunset Drive Properties Ltd 79 - 79

To adopt Bylaw No. 11423 in order to rezone the subject property from C4 -Urban Central Commercial zone to the C7 - Central Business Commercial zone.

7.7 1187 Sunset Dr, DVP17-0157 & DP17-0154 - Sunset Drive Properties Ltd 80 - 172

City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.

The purpose of the Development Permit is to review the Form & Character of a 36 storey residential tower and a 29 storey residential tower that contains a three storey podium within the total height. The podium includes ground floor commercial, a third floor daycare space, and a three storey parkade. The purpose of the Development Variance Permit is to consider a variance to increase the maximum building height and reduce the north tower setback above the 16.0 metre mark.

7.8 2126 Long St, HAP17-0009 - Nicholas and Patricia Balfour

City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.

To consider the form and character of an attached garage addition and to vary the rear yard setback from 7.5m required to 2.1m proposed on the subject property.

8. Reminders

9. Termination

173 - 185

CITY OF KELOWNA

BYLAW NO. 11404

Early Termination of Land Use Contracts LUC76-1088 and LUC78-1024 Bennett and Paly Roads

WHEREAS a land use contract (the "Land Use Contract LUC76-1088") is registered at the Kamloops Land Title Office under the charge numbers M27805 and M57875 against lands in the City of Kelowna particularly known and described as in Schedule "A" attached (the "Lands"), located at Bennett and Paly Road, Kelowna, B.C.;

AND WHEREAS a land use contract (the "Land Use Contract LUC78-1024") is registered at the Kamloops Land Title Office under the charge numbers N74841 against lands in the City of Kelowna particularly known and described as in Schedule "B" attached (the "Lands"), located at Bennett and Paly Road, Kelowna, B.C.;

AND WHEREAS Section 548 of the *Local Government Act* provides that a local government may impose an early termination to land use contracts registered in a Land Title Office that applies to land within the jurisdiction of the local government;

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

- 1. This Bylaw may be cited for all purposes as "Early Termination of Land Use Contracts LUC76-1088 and LUC78-1024 Bylaw";
- 2. Land Use Contracts LUC76-1088 and LUC78-1024 are hereby terminated as of the date of adoption; and
- 3. This bylaw will come into force and effect one year after the adoption date.

Read a first time by the Municipal Council this 24th day of July, 2017.

Considered at a Public Hearing this

Read a second and third time by Municipal Council on the

Adopted by the Municipal Council this

Mayor

City Clerk

		Schedule A: L	UC76-1088			
No.	Legal Description	Address	Parcel Identifier Number	Charge Number	Land Use Contract	Underlying Zone
1	Lot B Section 17 Township 23 ODYD Plan KAP55322	2060 Bennett Rd	023-145-471	N74841	LUC76-1088	RR3 - Rural Residential 3 zone
2	Lot A District Lot 17 Township 23 ODYD Plan KAP55322	2070 Bennett Rd	023-145-463	N74841	LUC76-1088	RR3 - Rural Residential 3 zone
3	Lot 6 Section 17 Township 23 ODYD Plan 33033	2106 Bennett Rd	003-265-951	N74841	LUC76-1088	RR3 - Rural Residential 3 zone
4	Lot 14 Section 17 Township 23 ODYD Plan 31701	2105 Paly Rd	002-288-800	N74841	LUC76-1088	RR3 - Rural Residential 3 zone
5	Lot 27 Section 17 Township 23 ODYD Plan 31701	2160 Paly Rd	002-288-915	N74841	LUC76-1088	RR3 - Rural Residential 3 zone
6	Lot 12 Section 17 Township 23 ODYD Plan 33033	2030 Bennett Rd	002-289-318	N74841	LUC76-1088	RR3 - Rural Residential 3 zone
7	Lot 11 Section 17 Township 23 ODYD Plan 33033	2056 Bennett Rd	002-289-296	N74841	LUC76-1088	RR3 - Rural Residential 3 zone
8	Lot 10 Section 17 Township 23 ODYD Plan 31701	2145 Paly Rd	003-614-832	N74841	LUC76-1088	RR3 - Rural Residential 3 zone
9	Lot 11 Section 17 Township 23 ODYD Plan 31701	2135 Paly Rd	002-033-810	N74841	LUC76-1088	RR3 - Rural Residential 3 zone
10	Lot 18 Section 17 Township 23 ODYD Plan 31701	1970 Paly Rd	001-978-497	N74841	LUC76-1088	RR3 - Rural Residential 3 zone
11	Lot 19 Section 17 Township 23 ODYD Plan 31701	1980 Paly Rd	002-288-826	N74841	LUC76-1088	RR3 - Rural Residential 3 zone
12	Lot 20 Section 17 Township 23 ODYD Plan 31701	1990 Paly Rd	002-288-834	N74841	LUC76-1088	RR3 - Rural Residential 3 zone
13	Lot 25 Section 17 Township 23 ODYD Plan 31701	2040 Paly Rd	002-288-885	N74841	LUC76-1088	RR3 - Rural Residential 3 zone
14	Lot 26 Section 17 Township 23 ODYD Plan 31701	2155 Paly Rd	002-288-893	N74841	LUC76-1088	RR3 - Rural Residential 3 zone
15	Lot 9 Section 17 Township 23 ODYD Plan 31701	2157 Paly Rd	003-614-794	N74841	LUC76-1088	RR3 - Rural Residential 3 zone
16	Lot 13 Section 17 Township 23 ODYD Plan 31701	2115 Paly Rd	003-614-883	N74841	LUC76-1088	RR3 - Rural Residential 3 zone
17	Lot 15 Section 17 Township 23 ODYD Plan 31701	1940 Paly Rd	003-614-905	N74841	LUC76-1088	RR3 - Rural Residential 3 zone
18	Lot 16 Section 17 Township 23 ODYD Plan 31701	1950 Paly Rd	003-614-913	N74841	LUC76-1088	RR3 - Rural Residential 3 zone
19	Lot 21 Section 17 Township 23 ODYD Plan 31701	2000 Paly Rd	002-288-842	N74841	LUC76-1088	RR3 - Rural Residential 3 zone
20	Lot 22 Section 17 Township 23 ODYD Plan 31701	2010 Paly Rd	001-975-994	N74841	LUC76-1088	RR3 - Rural Residential 3 zone
21	Lot 23 Section 17 Township 23 ODYD Plan 31701	2020 Paly Rd	002-288-851	N74841	LUC76-1088	RR3 - Rural Residential 3 zone
22	Lot 24 Section 17 Township 23 ODYD Plan 31701	2030 Paly Rd	002-288-877	N74841	LUC76-1088	RR3 - Rural Residential 3 zone

	Schedule A: LUC76-1088						
	Legal Description	Address	Parcel Identifier Number	Charge Number	Land Use Contract	Underlying Zone	
23	Lot 6 Section 17 Township 23 ODYD Plan 31701	2179 Paly Rd	003-614-646	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	
24	Lot 7 Section 17 Township 23 ODYD Plan 31701	2175 Paly Rd	003-614-671	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	
25	Lot 8 Section 17 Township 23 ODYD Plan 31701	2165 Paly Rd	003-614-689	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	
26	Lot 41 Section 17 Township 23 ODYD Plan 31701	1928 Paly Rd	002-289-075	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	
27	Lot 39 Section 17 Township 23 ODYD Plan 31701	2015 Bennett Rd	002-289-041	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	
28	Lot 38 Section 17 Township 23 ODYD Plan 31701	2025 Bennett Rd	002-289-016	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	
29	Lot 37 Section 17 Township 23 ODYD Plan 31701	2035 Bennett Rd	003-614-948	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	
30	Lot 36 Section 17 Township 23 ODYD Plan 31701	2045 Bennett Rd	002-289-008	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	
31	Lot 35 Section 17 Township 23 ODYD Plan 31701	2055 Bennett Rd	001-762-893	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	
32	Lot 44 Section 17 Township 23 ODYD Plan 31701	1910 Paly Rd	003-614-999	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	
33	Lot 43 Section 17 Township 23 ODYD Plan 31701	1916 Paly Rd	003-614-964	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	
34	Lot 42 Section 17 Township 23 ODYD Plan 31701	1922 Paly Rd	002-289-091	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	
35	Lot 29 Section 17 Township 23 ODYD Plan 31701	2125 Bennett Rd	002-288-940	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	
36	Lot 28 Section 17 Township 23 ODYD Plan 31701	2135 Bennett Rd	002-288-923	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	
37	Lot 4 Section 17 Township 23 ODYD Plan 31701	2195 Bennett Rd	002-288-796	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	
38	Lot 34 Section 17 Township 23 ODYD Plan 31701	2065 Bennett Rd	003-614-921	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	
39	Lot 33 Section 17 Township 23 ODYD Plan 31701	2085 Bennett Rd	002-288-991	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	
40	Lot 32 Section 17 Township 23 ODYD Plan 31701	2095 Bennett Rd	002-288-982	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	
41	Lot 4 Section 17 Township 23 ODYD Plan 33033	2120 Bennett Rd	002-289-253	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	
42	Lot 15 Section 17 Township 23 ODYD Plan 33033	2000 Bennett Rd	002-289-351	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	
43	Lot 3 Section 17 Township 23 ODYD Plan 33033	2130 Bennett Rd	002-289-245	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	
44	Lot 20 Section 17 Township 23 ODYD Plan 33033	1950 Bennett Rd	002-289-431	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	
45	Lot 21 Section 17 Township 23 ODYD Plan 33033	1942 Bennett Rd	002-289-458	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	
46	Lot 19 Section 17 Township 23 ODYD Plan 33033	1960 Bennett Rd	002-289-423	N74841	LUC76-1088	RR3 - Rural Residential 3 zone	

	Schedule A: LUC76-1088							
	Legal Description	Address	Parcel Identifier Number	Charge Number	Land Use Contract	Underlying Zone		
47	Lot 2 Section 20 Township 23 ODYD Plan 31701	2225 Bennett Rd	003-614-565	N74841	LUC76-1088	RR3 - Rural Residential 3 zone		
48	Lot 1 Section 20 Township 23 ODYD Plan 31701	2245 Bennett Rd	001-869-655	N74841	LUC76-1088	RR3 - Rural Residential 3 zone		
49	Lot 30 Section 17 Township 23 ODYD Plan 31701	2115 Bennett Rd	002-288-958	N74841	LUC76-1088	RR3 - Rural Residential 3 zone		
50	Lot 2 Section 17 Township 23 ODYD Plan 33033	2140 Bennett Rd	002-289-229	N74841	LUC76-1088	RR3 - Rural Residential 3 zone		

	Schedule B: LU78-1024						
	Legal Description	Address	Parcel Identifier Number	Charge Number	Land Use Contract	Underlying Zone	
1	Lot 14 Section 17 Township 23 ODYD Plan 33033	2010 Bennett Rd	002-289-334	M27805	LUC78-1024	RR3 - Rural Residential 3 zone	
2	Lot 5 Section 17 Township 23 ODYD Plan 33033	2110 Bennett Rd	001-730-355	M27805	LUC78-1024	RR3 - Rural Residential 3 zone	
3	Lot 17 Section 17 Township 23 ODYD Plan 33033	1980 Bennett Rd	002-289-393	M27805	LUC78-1024	RR3 - Rural Residential 3 zone	
4	Lot 7 Section 17 Township 23 ODYD Plan 33033	2090 Bennett Rd	003-265-978	M27805	LUC78-1024	RR3 - Rural Residential 3 zone	
5	Lot 18 Section 17 Township 23 ODYD Plan 33033	1970 Bennett Rd	002-289-415	M27805	LUC78-1024	RR3 - Rural Residential 3 zone	
6	Lot 8 Section 17 Township 23 ODYD Plan 33033	2080 Bennett Rd	003-265-994	M27805	LUC78-1024	RR3 - Rural Residential 3 zone	
7	Lot 3 Section 20 Township 23 ODYD Plan 31701	2201 Bennett Rd	002-288-761	M27805	LUC78-1024	RR3 - Rural Residential 3 zone	
8	Lot 13 Section 17 Township 23 ODYD Plan 33033	2020 Bennett Rd	002-289-326	M27805	LUC78-1024	RR3 - Rural Residential 3 zone	
9	Lot 1 Section 17 Township 23 ODYD Plan 33033 Except Plan KAP51756	2150 Bennett Rd	002-289-202	M27805	LUC78-1024	RR3 - Rural Residential 3 zone	
10	Lot 22 Section 17 Township 23 ODYD Plan 33033	1938 Bennett Rd	002-289-466	M27805	LUC78-1024	RR3 - Rural Residential 3 zone	
11	Lot 23 Section 17 Township 23 ODYD Plan 33033	2034 Bennett Rd	003-266-010	M27805	LUC78-1024	RR3 - Rural Residential 3 zone	
12	Lot 16 Section 17 Township 23 ODYD Plan 33033	1990 Bennett Rd	002-289-377	M27805	LUC78-1024	RR3 - Rural Residential 3 zone	
13	Lot 12 Section 17 Township 23 ODYD Plan 31701	2125 Paly Rd	003-614-867	M27805	LUC78-1024	RR3 - Rural Residential 3 zone	
14	Lot 47 Section 17 Township 23 ODYD Plan 31701	1935 Bennett Rd	003-615-049	M27805	LUC78-1024	RR3 - Rural Residential 3 zone	
15	Lot 45 Section 17 Township 23 ODYD Plan 31701	1904 Paly Rd	003-615-014	M27805	LUC78-1024	RR3 - Rural Residential 3 zone	
16	Lot 40 Section 17 Township 23 ODYD Plan 31701	1934 Paly Rd	002-289-067	M27805	LUC78-1024	RR3 - Rural Residential 3 zone	
17	Lot 31 Section 17 Township 23 ODYD Plan 31701	2105 Bennett Rd	002-288-966	M27805	LUC78-1024	RR3 - Rural Residential 3 zone	
18	Lot 5 Section 17 Township 23 ODYD Plan 31701	2185 Paly Rd	003-614-603	M57875	LUC78-1024	RR3 - Rural Residential 3 zone	

CITY OF KELOWNA

BYLAW NO. 11451

Early Termination of Land Use Contracts LUC76-1087 Clifton Road North, Lynn Court, Tina Court and Kyndree Court

WHEREAS a land use contract (the "Land Use Contract LUC76-1088") is registered at the Kamloops Land Title Office under the charge number M17452 against lands in the City of Kelowna particularly known and described as in Schedule "A" attached (the "Lands"), located at Clifton Road North, Lynn Court, Tina Court and Kyndree Court, Kelowna, B.C.;

WHEREAS a land use contract (the "Land Use Contract LUC76-1088") is registered at the Kamloops Land Title Office under the charge number N17452 against lands in the City of Kelowna particularly known and described as in Schedule "B" attached (the "Lands"), located at Lynn Court, Kelowna, B.C.;

AND WHEREAS Section 548 of the *Local Government Act* provides that a local government may impose an early termination to land use contracts registered in a Land Title Office that applies to land within the jurisdiction of the local government;

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

- 1. This Bylaw may be cited for all purposes as "Early Termination of Land Use Contracts LUC76-1086 Bylaw";
- 2. Land Use Contracts LUC76-1086 are hereby terminated as of the date of adoption; and
- 3. This bylaw will come into force and effect one year after the adoption date.

Read a first time by the Municipal Council this 24th day of July, 2017.

Considered at a Public Hearing this

Read a second and third time by Municipal Council on the

Adopted by the Municipal Council this

Mayor

City Clerk

		Schedule A: LU	C76-1087			
No.	Legal Description	Address	Parcel Identifier Number	Charge Number	Land Use Contract	Underlying Zone
1	Lot 23 Section 8 Township 23 ODYD Plan 28178	436 Clifton Road N	004-438- 353	M17452	LUC76-1087	RR3 - Rural Residential 3 zone
2	Lot 22 Section 8 Township 23 ODYD Plan 28178	442 Clifton Road N	002-580- 101	M17452	LUC76-1087	RR3 - Rural Residential 3 zone
3	Lot 9 Section 8 Township 23 ODYD Plan 28178	466 Clifton Road N	004-625- 714	M17452	LUC76-1087	RR3 - Rural Residential 3 zone
4	Lot 7 Section 8 Township 23 ODYD Plan 28178	472 Clifton Road N	004-625- 692	M17452	LUC76-1087	RR3 - Rural Residential 3 zone
5	Lot 5 Section 8 Township 23 ODYD Plan 28178	478 Clifton Road N	004-625- 668	M17452	LUC76-1087	RR3 - Rural Residential 3 zone
6	Lot 3 Section 8 Township 23 ODYD Plan 28178	484 Clifton Road N	004-625- 641	M17452	LUC76-1087	RR3 - Rural Residential 3 zone
7	Lot 2 Section 8 Township 23 ODYD Plan 28178	490 Clifton Road N	004-625- 633	M17452	LUC76-1087	RR3 - Rural Residential 3 zone
8	Lot 1 Section 8 Township 23 ODYD Plan 28178	496 Clifton Road N	004-625- 625	M17452	LUC76-1087	RR3 - Rural Residential 3 zone
9	Lot 20 Section 8 Township 23 ODYD Plan 28178	1116 Lynn Court	002-170- 655	M17452	LUC76-1087	RR3 - Rural Residential 3 zone
10	Lot 19 Section 8 Township 23 ODYD Plan 28178	1120 Lynn Court	004-625- 889	M17452	LUC76-1087	RR3 - Rural Residential 3 zone
11	Lot 18 Section 8 Township 23 ODYD Plan 28178	1124 Lynn Court	004-625- 862	M17452	LUC76-1087	RR3 - Rural Residential 3 zone
12	Lot 17 Section 8 Township 23 ODYD Plan 28178	1128 Lynn Court	004-625- 846	M17452	LUC76-1087	RR3 - Rural Residential 3 zone
13	Lot 15 Section 8 Township 23 ODYD Plan 28178	1130 Lynn Court	004-625- 803	M17452	LUC76-1087	RR3 - Rural Residential 3 zone
14	Lot 16 Section 8 Township 23 ODYD Plan 28178	1132 Lynn Court	004-625- 811	M17452	LUC76-1087	RR3 - Rural Residential 3 zone
15	Lot 14 Section 8 Township 23 ODYD Plan 28178	1113 Kyndree Court	004-625- 781	M17452	LUC76-1087	RR3 - Rural Residential 3 zone
16	Lot 13 Section 8 Township 23 ODYD Plan 28178	1117 Kyndree Court	004-625- 765	M17452	LUC76-1087	RR3 - Rural Residential 3 zone

	Schedule A: LUC76-1087 (continued)							
No.	Legal Description	Address	Parcel Identifier Number	Charge Number	Land Use Contract	Underlying Zone		
17	Lot 11 Section 8 Township 23 ODYD Plan 28178	1118 Kyndree Court	001-590-936	M17452	LUC76-1087	RR3 - Rural Residential 3 zone		
18	Lot B Section 8 Township 23 ODYD Plan KAP70761	1122 Kyndree Court	025-329-235	M17452	LUC76-1087	RR3 - Rural Residential 3 zone		
19	Lot 8 Section 8 Township 23 ODYD Plan 28178	461 Tina Court	004-625-706	M17452	LUC76-1087	RR3 - Rural Residential 3 zone		
20	Lot A Section 8 Township 23 ODYD Plan KAP70761	464 Tina Court	025-329-227	M17452	LUC76-1087	RR3 - Rural Residential 3 zone		
21	Lot A Section 8 Township 23 ODYD Plan KAP57178	465 Tina Court	023-468-271	M17452	LUC76-1087	RR3 - Rural Residential 3 zone		

	Schedule B: LUC76-1087						
						Underlying Zone	
1	Lot 21 Section 8 Township 23 ODYD Plan 28178	1112 Lynn Court	004-625-901	N17452	LUC76-1087	RR3 - Rural Residential 3 zone	



1.0 Recommendation

THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor Control and Licensing Branch (LCLB):

In accordance with Section 10 of the Liquor Control and Licensing Regulation and Council Policy 359, BE IT RESOLVED THAT:

1. Council recommends support of an application from Boutique Esthetics & Tanning Lounge Ltd. for a liquor primary license for Lot A, District Lot 14, ODYD, Plan KAP68556, Except Plan EPP52684, located at 109 – 590 KLO Road, Kelowna, BC for the following reasons:

- New Liquor Licensing Laws allow for barbershops, salons, and other establishments to apply for a liquor primary license;
- Council Policy No. 359 recommends supporting alternative entertainment options and/or establishments which are less focused on alcohol consumption;
- The maximum occupancy is 30 persons which will have minimal on the community

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

Criteria for new liquor primary:

a. The location of the establishment: The location of the establishment is suitable for a small establishment liquor primary license (not located next to any other licensed establishment), and is located within an Urban Centre;

b. The person capacity and hours of liquor service of the establishment: The hours of liquor service is suitable given the low occupancy of 30 persons;

c. The impact of noise on the community in the immediate vicinity of the establishment: There is minimal risk of an impact of noise on the community;
d. The impact on the community if the application is approved: The overall impact on the community will be minimal;

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 consider a Liquor Primary License for a spa services establishment with an occupant load of 30 persons.

3.0 Community Planning

Community Planning supports the requested Liquor Primary License for the establishment known as Boutique Esthetics & Tanning Lounge Ltd. This is the first establishment in Kelowna that has applied under the new Provincial Liquor Licensing Regulations that allow other types of businesses to apply for a liquor primary license including barbershops, salons, bookstores, galleries, and a variety of others. The impacts on the community will be minimal and noise is not anticipated to be an issue due to the low maximum occupancy of 30 persons including staff. The establishment is located within an Urban Centre with access to alternate transportation options such as transit and taxi. Council Policy No. 359 recommends supporting alternative entertainment options and establishments which are less focused on alcohol.

4.0 Proposal

4.1 <u>Background</u>

The subject property is a brand new building 3 storey building recently constructed by Worman Resources. Tenants in the building include Bliss Bridal, Canadian Jewellery Exchange, and Orange Theory Fitness. Boutique Esthetics & Tanning Lounge Ltd. Is located on the first floor with a second floor loft, and plans to open their doors for business in August. They anticipate having as many as 18 esthetic stations open at one time with several staff members working, all of whom will have the appropriate Serving It Right certificate through the Province of BC.

4.2 Project Description

The applicant is the first establishment to apply for a Liquor Primary License under the new modern Provincial Liquor Licensing Regulations that allow a wider variety of businesses to apply for a liquor primary license. The proposal does not require any rezoning as the application falls under Liquor Primary Minor (less than 100-person occupancy) which is a permitted use in the C₄ – Urban Centre Commercial zone.

Boutique Esthetics & Tanning Lounge offers services such as facials, waxing, eyelash extensions, tanning beds, and botox. Their hours of operation are 10 am - 9 pm Mondays to Fridays, 9 am - 6 pm on Saturdays, and 10 am - 4 pm on Sundays. The applicant has applied for licensing hours of 10am - 9 pm on weekdays, 9 am - 9 pm on Saturdays, and 10 am - 8 pm on Sundays. This is to accommodate guests who may want to book VIP service times on Saturday and Sunday evenings after regularly scheduled business hours.

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open	10:00 am	10:00 am	10:00 am	10:00 am	10:00 am	10:00 am	9:00 am
Close	4:00 pm	9:00 pm	9:00 pm	9:00 pm	9:00 pm	9:00 pm	6:oo pm

Hours of Business for Boutique Esthetics & Tanning Lounge:

Proposed Hours of Liquor Sales for Boutique Esthetics & Tanning Lounge:

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open	10:00 am	10:00 am	10:00 am	10:00 am	10:00 am	10:00 am	9:00 am
Close	8:oo pm	9:00 pm	9:00 pm	9:00 pm	9:00 pm	9:00 pm	9:00 pm

Due to the regulations of the BC Building Code regarding number of occupants and number of bathrooms provided, the occupant load for the purpose of this license is 30. As this is a relatively low occupant load, it is anticipated that the liquor license will not have a negative impact on the community in terms of noise, activity, or safety. Further, the relatively low occupant load ensures that liquor service will remain a secondary service within the business. In the future, should additional washrooms be added, the applicant could re-apply for an increase in occupant load.

The location is suitable for this type of license as there are no other licensed establishments located beside this business, and it is located in a predominantly commercial zone with retail, food primary, and grocery services in close proximity. The South Pandosy Urban Centre location allows for access to alternate transportation methods such as transit or taxi and there is ample parking on site.

Council Policy No. 359 recommends supporting establishments which are less focused on alcohol consumption to add a mix of entertainment options in Urban Centres. This establishment will remain primarily a spa salon and therefore is an establishment less focussed on alcohol and will add to the mix of entertainment options in South Pandosy.

4.3 Site Context

The subject property is located in the South Pandosy Urban Centre in a new building on KLO Road east of Pandosy Street. It is near the new Sopa Development, Urban Fare, and Lakeview Market.

Orientation	Zoning	Land Use
North	C4 – Urban Centre Commercial	Health Services
East	C4 – Urban Centre Commercial	Retail / Health Services
South	C4 – Urban Centre Commercial	Shopping Centre
West	C4 – Urban Centre Commercial	Grocery Store

Specifically, adjacent land uses are as follows:



Subject Property Map: 590 KLO Road

5.0 Current Development Policies

- 5.1 Council Policy No. 359
 - Small establishments (with person capacity less than 100 persons) should not be located beside another liquor primary establishment. ¹
 - Where appropriate, support alternative entertainment options, and/or establishments which are less focused on alcohol consumption (including event-driven establishments, and Food Primary establishments with the Patron Participation Entertainment Endorsement) to add a mix of entertainment options in Urban Centres. Consider limiting potential community impacts via license terms and conditions (hours, capacity, etc.).²

¹ Council Policy No. 359 Section B.1.d.i

² Council Policy No. 359 Section B.2.a

6.o Technical Comments

6.1 Bylaw Services

• Currently there are no outstanding/open Bylaw enforcement files pertaining to property location: 109-590 KLO Rd.

6.2 <u>Fire Department</u>

• Kelowna Fire Department is not opposed to the liquor license.

6.3 <u>RCMP</u>

- Kelowna RCMP have reviewed the above noted application for a liquor primary at a hair salon and approve of the applications with a restriction of hours of operation to no later than 9pm on Saturdays (applicant requested 10pm).
- The RCMP requests for consideration of the Planning Department/City the establishment of a comprehensive policy to address new liquor primary and manufacturer lounge endorsement license applications. Such a policy would facilitate a consistent, guided response to applications. Input from the RCMP in the creation of the policy can be provided if so desired

7.0 Application Chronology

Date of Application Received:	May 1, 2017
Date Public Consultation Completed:	Not Required

Report prepared by	Trisa Brandt, Planner
Reviewed by:	Terry Barton, Urban Planning Manager
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager

Attachments:

Applicant's Letter of Intent Floor Plan

Boutique Esthetics & Tanning Lounge LTD

Letter of Intent

Boutiques primary focus of business will be the following Spa services:

~Facials
~Waxing
~Microdermabrasion & Skin Peels
~Microblading
~Eyelash Extensions
~Artificial Nails
~Manicures/Pedicures
~Tanning Beds
~Spray Tanning
~Botox

We will be offering VIP service times for our clients on Saturdays and Sundays after regular posted hours of operation. These functions will be a maximum of 4 hours and may or may not include the service of alcohol, but do bring the possibility of liquor service to 9:00pm on Saturdays and 8:00pm on Sundays. This option will consist of clients who have paid a premium to have their Spa services done after regular business hours.

Boutiques hours of operation are as follows: Monday- Friday 10:00am-9:00pm Saturday- 9:00am-6:00pm Sunday- 10:00am-4:00pm

Boutiques primary focus of business will never solely be the service of liquor. Liquor service is an option we want to offer as a complimentary luxury to our clients. Boutiques liquor service will consist of 1 glass of wine, beer or a wine spritzer with Spa services starting no earlier than 10:00am Mon-Fri/Sun and 9:00am on Saturdays.

There will be no entertainment offered at Boutique Esthetics & Tanning Lounge on a regular basis. We may have a customer appreciation day once a month which would include a live DJ, no entertainment other than that.

We will be providing our clients with their choice of coffee, tea, fruit infused water, fresh fruit and vegetables and a variety of baked goods each and everyday from the time we open through to closing.

Boutique is situated in a neighbourhood made up predominantly of commercial spaces. This area is referred to as "The Shopping District". There are however a few lots in the

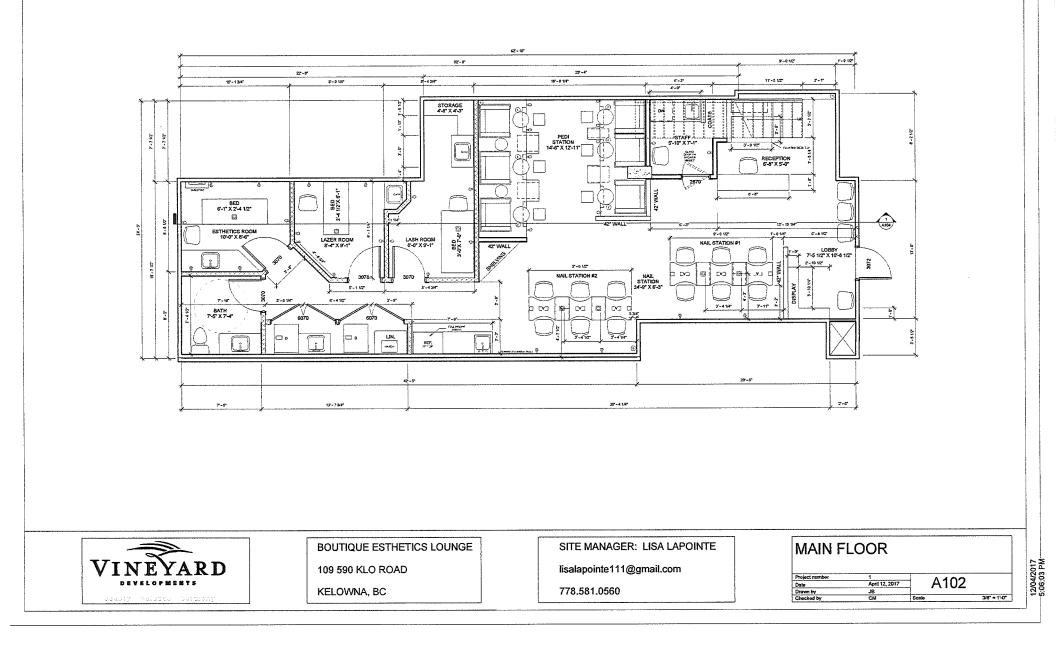
neighbourhood that have yet to be developed and may end up having buildings constructed with a mix of residential and commercial spaces. Sopa Square is the biggest up and coming development in the neighbourhood, this development consists of commercial spaces at street level with residential above. There is no Industrial in this neighbourhood.

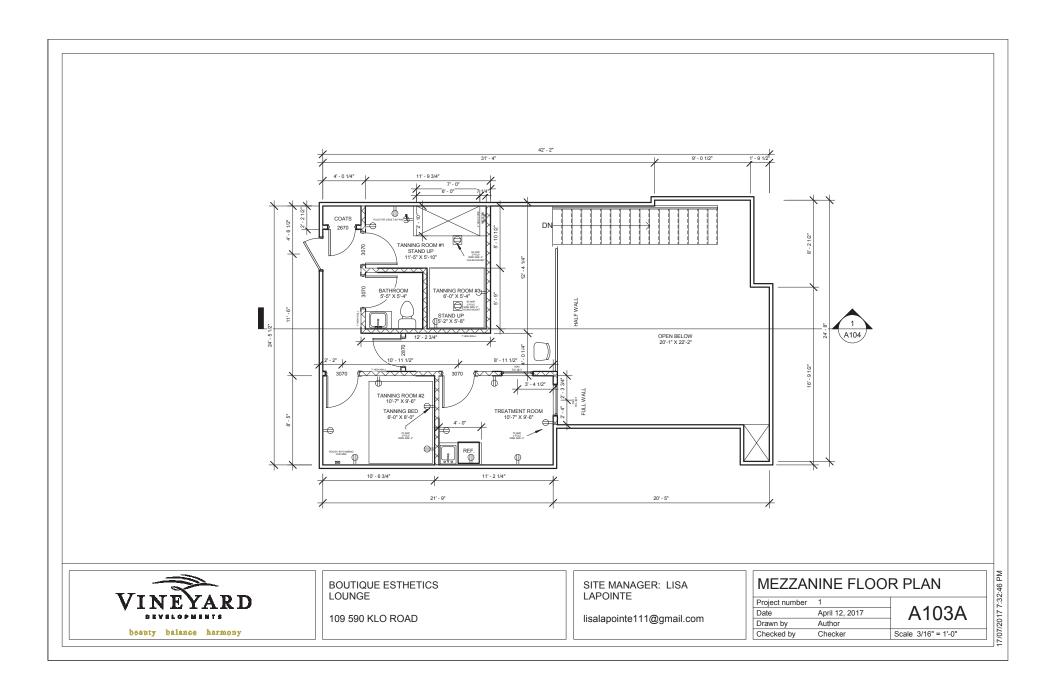
There is absolutely no potential for noise or other disturbances from Boutiques staff or clients. We will have music playing at all times during regular hours of operation which will create an atmosphere of relaxation and peacefulness.

As the owner/operator of Boutique Esthetics & Tanning Lounge I am implementing a strict 1 drink limit with all services over 30 minutes, all services under 30 minutes will not have the alcohol service option. This policy will strictly be in place to ensure the safety of not only Boutique patrons and the nearby residents but also the general public. All Boutique employees will be required to have their Serving It Right, also a very strict policy we will have in place for the protection of the general public.

As mentioned above Boutiques primary focus is not liquor service nor will it ever be, We simply want to offer our paying clientele this added luxury. Minors would be of no harm to be in the service areas at anytime, we will have the necessary steps in place to ensure- All employees of Boutique Esthetics & Tanning Lounge have their Serving it Right certificates, all liquor will be stored and prepared in one designated area(with locking storage cabinets), minors will never have access to any liquor on our premises. The exposure to liquor in Boutique will be very minimal and will not encourage an environment of over consumption or exposure by any means, therefore minors will be completely safe in our service areas at all times. I would like to request the licensing option of allowing Minors in the service areas.

I would like to add that I Dawne Russell have been apart of the service industry since 1995 and hold a valid Serving it Right certificate to date. I was employed by Earls restaurants for 12 years where I not only served the general public myself, but I managed and trained all new and existing staff on the rules and regulations of serving liquor and food. I am very well educated on all aspects of Liquor service in the province of BC.









Date:	August 29, 201	7		Relowing
RIM No.	0940-00			
То:	City Manager			
From:	Community Pla	anning Department (MS))	
Application:	DVP16-0241		Owner:	Pillar West Developments Inc.
Address:	4646 McClure I	Rd	Applicant:	Integrity Services Inc.
Subject:	Development \	/ariance Permit for Lot V	Vidth to facilita	te a Three Lot Subdivision
Existing OCP De	signation:	S2RES — Single / Two U PARK — Parks and Oper		
Existing Zone:		RU1 – Large Lot Reside	ential Housing	

1.0 Recommendation

THAT Council NOT authorize the issuance of Development Variance Permit No. DVP16-0241 for Lot 2 Section 25 TWP 28 SDYD Plan 29484, located at 4646 McClure Road, Kelowna, BC.

2.0 Purpose

To consider a Staff recommendation to NOT issue a Development Variance Permit to vary the required lot width on 1 of 3 proposed lots being created through Subdivision, for Lot B from 16.50m required to 15.72m proposed.

3.0 Community Planning

Staff does not support the application as proposed. Upon adoption of the current OCP in 2011, a number of policies were established for the requirement of dedication of natural areas upon subdivision, particularly in cases where rezoning or variances result in additional density. Options include dedicating the Riparian Management Area as a lot for City park or returning the land to crown, in order to facilitate the protection of all or significant portions of the Environmentally Sensitive Area (ESA). In addition, the policies are outlined to ensure that housing is an adequate distance with an intervening interface area between the housing and potential hazards such as flooding¹. As a last option, dedication to a land trust or similar non-government organization for conservation purposes is provided as an option.

As well as considerations for flood and riparian area protection, the Bellevue Creek Linear Park Master Plan runs along Bellevue Creek and a portion of the property has a Future Land Use of Park. While the plan identifies a walking trail along the other side of the creek (south) from the property, the Concept Plan has identified an interest for crossings that connect the trail to neighbourhoods north of Bellevue Creek where possible.

¹ City of Kelowna Official Community Plan, Policy 5.14.7 (Development Process Chapter).

The applicant has indicated they are willing to provide a 3.5m Statutory Right of Way (SRW) along the north property line, and a 3.0m SRW along the west property line, to provide access for maintenance an emergency protection (e.g. flood) only, not public access. (See Proposed Subdivision Plan below).

An alternate resolution is provided for Council's consideration where the 15m wide riparian area is protected through a dedication, and a 3.5 m width for maintenance as well as public access provided through a Statutory Right of Way (SRW) along the north property line, to access the riparian area and creek for flood mitigation purposes in a flood event, and a potential linkage in the future to Bellevue Creek Linear Park (see Proposed Alternate Subdivision Plan below and Section 8). As there are no imminent plans for a public trail connection through the property at this time, the SRW would be fenced, gated and locked for maintenance purposes, for the foreseeable future. The SRW would only be opened for public access should a continuous trail along Bellevue Creek and bridge crossing be built.

4.0 Proposal

4.1 Background

Property was originally subdivided in 1978, through a two lot split that divided the property from the property to the north (Lot 1). A Section 219 Covenant is on the property prohibiting building or disturbance within 15 metres of Bellevue Creek. This is shown on the Subject Property Map below.

4.2 Project Description

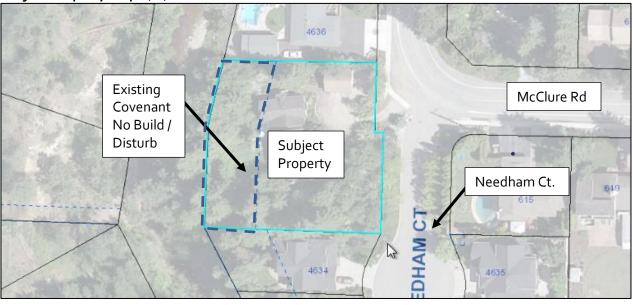
The application is for a Development Variance Permit to vary the required lot width on 1 of the 3 proposed lots, to facilitate a three lot subdivision in the RU1 – Large Lot Housing zone. Specifically, the request is to vary Lot B from 16.50 m required to 15.72 m proposed, together with a 3.5m Statutory Right of Way for public access on Lot A, and a 3.0m Statutory Right of Way for public access along the west property line of all three proposed lots.

Bellevue Creek runs to the west of the subject property and the riparian area to high water mark, lies within the property. An existing No Build / No Disturb covenant is currently on title for the 15 metre riparian area, but OCP policy outlines dedication as the preferred option for long term habitat and flood protection.

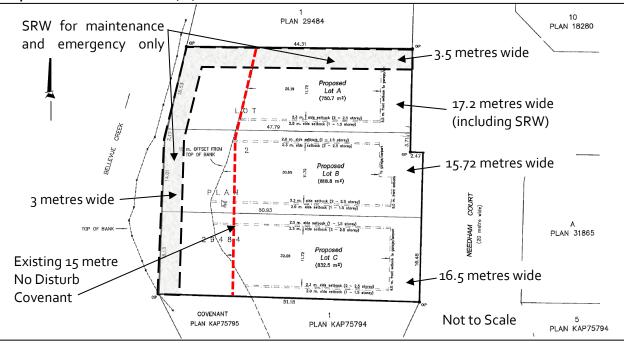
4.3 Site Context

The property is within the Southwest Mission Sector of the City according to the Official Community Plan. The elevation ranges from 366.5 metres above sea level (m.a.s.l.) to 369 m.a.s.l. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single / Two Unit Residential
East	RU1 – Large Lot Housing	Single / Two Unit Residential
South	RU1 – Large Lot Housing	Single / Two Unit Residential
West	RU1 – Large Lot Housing	Bellevue Creek / Single & Two Unit Residential

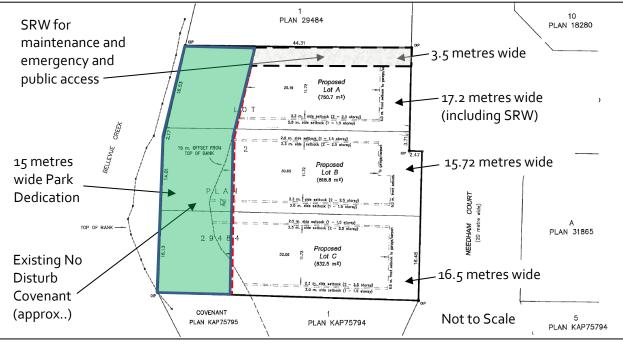


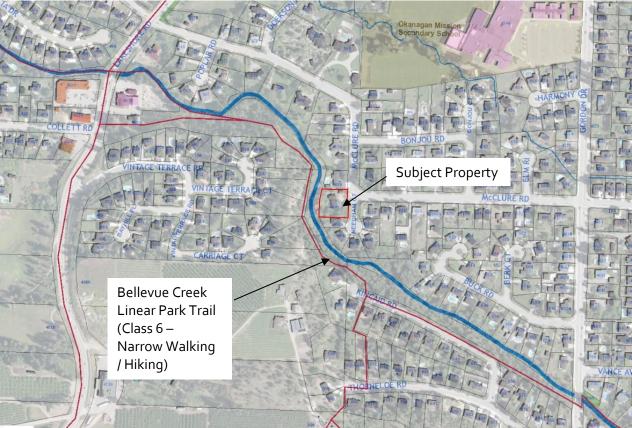
Subject Property Map: 4646 McClure



Proposed Subdivision Plan: 4646 McClure







Bellevue Linear Park Plan from Lakeshore Road to Gordon Road

Natural Environment Development Permit Area: 4646 McClure



EDINST PARK TRANSCERE VIENT CEREMAN ET SARES SARES SARES SARES SARES SARES

Future Land Use Map: 4646 McClure

4.4 Zoning Analysis Table

The subdivision regulations for RU1 – Large Lot Housing are noted in the table below, with requested variances noted.

Zoning Analysis Table		
CRITERIA	RU1 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	550 m ²	774 m ² (Lot A); 770 m ² (Lot B); 841m ² (Lot C) (approx)
Lot Width	16.5 m	17.2 (Lot A); 15.72m (Lot B) and 16.5m (Lot C)
Lot Depth	30.0 M	46.05m (Lot A); 49.36m (Lot B);51.06m (Lot C)

Indicates a requested variance to the Lot Width from 16.5 m required to 16.48m (Lot A); 16.48m (Lot B) and 16.46m (Lot C) proposed.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Dedication of Linear Parks². Dedication of Linear Parks. At subdivision and rezoning for all development types secure a minimum 10-metre wide linear corridor for public access as included in Table 5.1 Linear Park – Public Access and/or are shown on Map 5.9 – Linear Corridors / Paths. The 10-metre wide corridor may be in addition to, and outside, any riparian management area requirements. Table 5.1 Linear Parks identifies Public Access for Bellevue Creek to be both sides of the creek.

Habitat Protection.³ Ensure a proposed development footprint within an ESA is configured in such a way as to minimise the encroachment toward aquatic or terrestrial habitat. Consider zoning and/ or subdivision

² City of Kelowna Official Community Plan, Policy 5.14.2 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.14.11 (Development Process Chapter).

variances where needed to prevent or minimize a relaxation of or encroachment into the RMA or to acquire greater RMA width for environmental protection or hazard avoidance.

Protect Sensitive Areas⁴. Sensitive environmental areas and riparian management areas (RMA) will be protected by siting trails beyond their boundaries, unless there are absolutely no alternatives.

Protection Measures⁵. Protect and preserve environmentally sensitive areas using one or more of the following measures, depending on which measures are appropriate to a given situation:

- Dedication as a City park or trail where the area complements the goals and objectives of sustainable development. ESA's acquired as parks or trails will be managed to protect their sensitive features in balance with public use;
- Return to Crown Land or covenant for conservation purposes with the City, the Province and/or a nongovernmental organization (e.g. Central Okanagan Land Trust) eligible to hold Conservation Covenants;
- Some form of development incentive (density transfer, cluster housing, etc.) that will facilitate the protection of all or significant portions of ESAs;
- Protection of ESAs or portions of ESAs as an amenity contribution when new development requires a change to zoning that in-creases density over present zoning;
- Ensure setbacks on adjacent developments are adequate to maintain the integrity of the ESA and to minimize hazards created at the interface between natural areas and development. For example, ensure housing is setback an adequate distance adjacent to an interface area with potential tree, rock fall, flooding or fire hazards;
- As a last option, dedication to a land trust or similar nongovernment organization for conservation purposes.

Environmental Protection Guidelines

Habitat Protection⁶

- Plan, design and implement land development and subdivision to protect environmentally sensitive areas. Habitats that provide for at risk species, at-risk ecological communities and keystone species will be given priority for protection.
- Maintain intact ecosystems. An intact ecosystem is considered to be a community or ecosystem that is maintaining proper function and has not lost significant species (for communities) or significant communities (for ecosystems).
- Retain connectivity to adjacent ecosystems and avoid the creation of isolated islands of ecosystems.

⁴ City of Kelowna Official Community Plan, Policy 5.14.4 (Development Process Chapter).

⁵ City of Kelowna Official Community Plan, Policy 5.14.7 (Development Process Chapter).

⁶ City of Kelowna Official Community Plan, Page 12.4 (Natural Environment Development Permit Guidelines Chapter).

6.o Technical Comments

6.1 Development Engineering Department

A memo from the Development Engineering Manager has been submitted for subdivision requirements, should the Development Variance Permit be approved. This is attached.

6.2 Infrastructure Planning

Infrastructure Planning has requested a 3.0 m wide SRW for public access through to Bellevue Creek for any potential future connections to Bellevue Creek Linear Park.

6.3 Fire Department

Ensure the lots are addressed off of the street they are accessed from as some appear to be accessed off of Needham Court.

6.4 Transportation

Comments from transportation regarding the subdivision at 4646 McClure Rd:

- The existing sidewalk on McClure should be rebuilt more in-line with the curvature of the road.
- Access (4m ROW) through the property to the creek would be advantageous.

7.0 Application Chronology

Date of Application Received:	September 9, 2016
Date of Determination of Final Lot Widths:	August 1, 2017

8.0 Alternate Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP16-0241 for Lot 2 Section 25 TWP 28 SDYD Plan 29484, located on McClure Road, Kelowna, BC;

AND THAT variance to the following section[s] of Zoning Bylaw No. 8000 be granted:

13.1.5 (a) Urban Residential Zones - Subdivision Regulations

To vary the minimum lot width for the future proposed Lot B from 16.5 m permitted to 15.72m requested.

AND THAT Council's consideration of this Development Variance Permit be considered subsequent to the outstanding conditions of approval as set out in Schedule "B" attached to the Report from the Community Planning Department dated August 29th, 2017;

AND THAT Council's consideration of the Development Variance Permit be considered whereby:

- A 15 metre width from the west property line is dedicated to the City of Kelowna as a lot as a condition of and concurrent with subdivision; and
- A 3.5 m wide Statutory Right of Way, in favour of the City of Kelowna, for maintenance, flood protection and public access from McClure Road to the riparian area to the City of Kelowna, as

outlined in Schedule B, is legally registered on title as a condition of and concurrent with subdivision;

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

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

Report prepared by:

Melanie Steppuhn, Land Us	e Planner
Reviewed by:	Ryan Smith, Community Planning Department Manager
Approved for Inclusion:	Doug Gilchrist, Divisional Director, Community Planning & Real Estate
Attachments:	
Development Engineering N Draft DVP16-0241 – Propos	

Draft DVP16-0241 - Alternate Recommendation Plan

CITY OF KELOWNA

MEMORANDUM

Date: October 31, 2016 File No.: S16-0104

To: Community Planning (MS)

From: Development Engineering Manager (SM)

Subject: Subdivision Application – PLR Requirements

LOCATION: 4646 McClure Road

APPLICANT: Integrity Services

LEGAL: Lot 2 Plan 29484

WORKS AND SERVICES REQUIREMENTS

The City's Development Services Department will handle the Works & Services requirements identified below between time of Preliminary Layout Review (PLR) and application for Subdivision Approval. Arrangements for construction must be made before making application for Approval of a subdivision plan. The Development Engineering Technologist for this project is <u>Sergio Sartori</u>.

The following Works & Services are required for this subdivision:

.1) General

a) This proposed subdivision may require the installation of centralized mail delivery equipment. Please contact Rick Ould, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC V1Y 2K0 to obtain further information and to determine suitable location(s) within the development.

.2 Geotechnical Report

(a) Provide a geotechnical report, prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.

The Geotechnical reports must be submitted to the Development Services Department (Subdivision Approving officer) for distribution to the Development Engineering Branch and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

ZONE RU1

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

.3 Water

a) The property is located within the City of Kelowna service area. The existing PVC water service will need to be upgraded to current standard. Arrange for the upgrade and additional lot connections for the new lots before submission of the subdivision plan.

.4 Sanitary Sewer

a) Arrange for additional lot connections for the new lots and existing upgrades before submission of the subdivision plan.

.5 Drainage

(a) The property is located within the City of Kelowna drainage service area. The Subdivision, Development and Servicing Bylaw requires each lot be provided with an individual connection; however, the City Engineer may permit use of individual ground water disposal systems, where soils are suitable. For on-site disposal of drainage water, a hydro geotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit).

.6) Roads

- a) McClure Road frontage must be upgraded to a full urban standard including curb, gutter, sidewalk, fillet pavement, street lights, storm drainage, landscaping and adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction.
- b) Needham Court frontage must be upgraded to a full urban standard including sidewalk and adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction.
- c) Re-locate existing poles and utilities, where necessary.

.7) Power and Telecommunication Services and Street Lights

- a) If the existing area is served by overhead wiring, the service connections may be provided overhead provided that there are no new poles required and service trespasses will not be created. If either of these conditions is not satisfied, then underground service will be required for that lot.
- b) Streetlights must be installed on all roads.
- c) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- d) Before making application for approval of your subdivision plan, please make arrangements with Fortis for the pre-payment of applicable charges and tender a copy of their receipt with the subdivision application for final approval.
- e) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

.8) 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.

.9) Servicing Agreements for Works and Services

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

to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

.10) Other Engineering Comments

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- b) If any road dedication affects lands encumbered by a Utility right-of-way (such as B.C. Gas, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.

.11) Charges and Fees

- a) Development Cost Charges (DCC's) are payable
- b) Fees per the "Development Application Fees Bylaw" include:
 - i) Survey Monument Fee: **\$100.00** (\$50.00 per newly created lot (GST exempt).
 - ii) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) only if disturbed.
- c) A hydrant levy charge of **\$500.00** (250.00 per new lot).

Steve Muenz, P.Eng. Development Engineering Manager

SS

Schedule 'A'

DEVELOPMENT VARIANCE PERMIT



APPROVED ISSUANCE OF DEVELOPMENT VARIANCE PERMIT NO. DVP16-0241

Issued To:	Pillar West Developments Inc.
Site Address:	4646 McClure Rd
Legal Description:	Lot 2 Section 25 TWP 28 SDYD Plan 29484
Zoning Classification:	RU1 – Large Lot Housing

SCOPE OF APPROVAL

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

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

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

1. TERMS AND CONDITIONS

THAT Development Permit No. DVP16-0241 for Lot 2 Section 25 TWP 28 SDYD Plan 29484, located at 4646 McClure Road, Kelowna, BC to allow the subdivision of three RU1 – Large Lot Housing be approved subject to the following:

a) The dimensions and siting of the building to be constructed on the land be in accordance with Attachment "A";

AND THAT variance to the following section[s] of Zoning Bylaw No. 8000 be granted:

13.1.5 (a) Urban Residential Zones - Subdivision Regulations

(a) The minimum **lot width** is 16.5 m permitted to:

Lot B – 15.72 m proposed on the subject property.

AND THAT the registration of a 3.5 m wide Statutory Right of Way in favour of the City for flood protection and maintenance along the north property line, and a 3.0 m wide Statutory Right of Way in favour of the City for flood protection and maintenance along the west property line;

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

2. PERFORMANCE SECURITY

None required.

3. DEVELOPMENT

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

If the Permit Holder does not register the subdivision permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit IS NOT a Building Permit.

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:

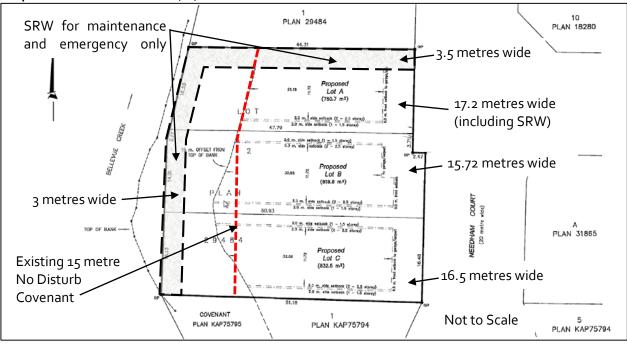
- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.
- b) All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called 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.

5. APPROVALS

Issued and approved by Council on the _____ day of _____, 2017.

Ryan Smith, Community Planning Department Manager Community Planning & Real Estate Date

The PERMIT HOLDER is the <u>CURRENT LAND OWNER</u>. Security shall <u>ONLY</u> be returned to the signatory of the Landscape Agreement or his or her designates



Proposed Subdivision Plan: 4646 McClure

Schedule 'B'

DEVELOPMENT VARIANCE PERMIT



APPROVED ISSUANCE OF DEVELOPMENT VARIANCE PERMIT NO. DVP16-0241

Issued To:	Pillar West Developments Inc.
Site Address:	4646 McClure Rd
Legal Description:	Lot 2 Section 25 TWP 28 SDYD Plan 29484
Zoning Classification:	RU1 – Large Lot Housing

SCOPE OF APPROVAL

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

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

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

1. TERMS AND CONDITIONS

THAT Development Variance Permit No. DVP16-0241 for Lot 2 Section 25 TWP 28 SDYD Plan 29484, located on McClure Road, Kelowna, BC to allow the subdivision of three RU1 – Large Lot Housing be approved subject to the following:

a) The dimensions and siting of the building to be constructed on the land be in accordance with Attachment "AA";

AND THAT variance to the following section of the Zoning Bylaw No. 8000 be granted:

13.1.5 (a) Urban Residential Zones - Subdivision Regulations

To vary the minimum lot width for the proposed Lot B from 16.5 m permitted to 15.72m requested.

AND THAT the conditions of the Development Variance Permit be issued whereby:

- A 15 metre width from the west property line is dedicated to the City of Kelowna as a lot as a condition of and concurrent with subdivision; and
- A 3.5 m wide Statutory Right of Way, in favour of the City of Kelowna, for maintenance, flood protection and public access from McClure Road to the riparian area to the City of Kelowna, as outlined in Attachment "AA", is legally registered on title as a condition of and concurrent with subdivision;

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

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

2. PERFORMANCE SECURITY

None required.

3. DEVELOPMENT

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

If the Permit Holder does not register the subdivision permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit IS NOT a Building Permit.

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.
- b) 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.

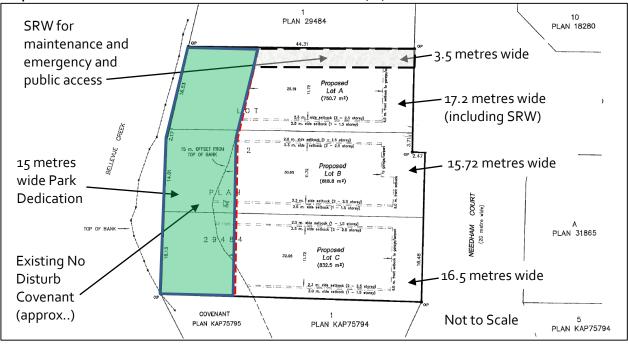
5. APPROVALS

Issued and approved by Council on the _____ day of _____, 2017.

Ryan Smith, Community Planning Department Manager
Community Planning & Real Estate

Date

The PERMIT HOLDER is the <u>CURRENT LAND OWNER</u>. Security shall <u>ONLY</u> be returned to the signatory of the Landscape Agreement or his or her designates



Proposed Alternate Recommendation - Subdivision Plan: 4646 McClure

CITY OF KELOWNA

BYLAW NO. 11417 Z16-0022 — 614 Barnaby Road

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

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

- THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2, District Lot 357, SDYD, Plan 17353 located on Barnaby Road, Kelowna, B.C., from the RR1 – Rural Residential zone to the RR1c – Rural Residential 1 with Carriage House zone.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 29th day of May, 2017.

Considered at a Public Hearing on the 27^{th} day of June, 2017.

Read a second and third time by the Municipal Council this 27th day of June, 2017.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL

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Date:	AUGUST 15, 201	/		
RIM No.	0940-00			
То:	City Manager			
From:	Community Pla	anning Department (EW)	
Application:	DVP16-0266		Owner:	Brent Hancock & Whitney Smith
Address:	614 Barnaby R	d	Applicant:	Whitney Smith
Subject:	Development Variance Permit Application			
Existing OCP De	esignation:	S2RES – Single/ Two U	nit Residential	
Existing Zone:	RR1 – Rural Residential 1			
Proposed Zone:	RR1c – Rural Residential 1 with Carriage House			

1.0 Recommendation

THAT final adoption of Bylaw No. 11417 be considered by Council;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP16-0094 for Lot 2 District Lot 357 SDYD Plan 17353, located at 614 Barnaby Rd, Kelowna BC to allow the construction of a carriage house;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted, as shown on Schedule "A":

Section 9.5b.1(c): Carriage House Regulations

To vary the location of a carriage house from the rear yard (permitted) to the front yard (proposed).

Section 9.5b.1(e): Carriage House Regulations

To vary the upper floor area of a carriage house from 75% of the carriage house footprint to 106% proposed.

Section 12.1.6(a): RR1 – Rural Residential 1 Development Regulations

To vary the maximum floor area of a carriage house from 90m² permitted to 106m² proposed.

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

DVP16-0266 – Page 2

2.0 Purpose

To vary the location of a carriage house from the rear yard to the front yard, to vary the upper floor of a carriage house from 75% of the carriage house footprint to 106%, and to vary the maximum floor area of a carriage house from 90m2 to 106m2 on the subject property.

3.0 Community Planning

Community Planning staff support the proposed variances. The variances along with a future building permit would legalize the existing structure as a carriage house. The subject property is a large, rural lot and the location of the carriage house is not anticipated to have impacts on neighbouring properties.

To fulfill the requirements of Council Policy No. 367, the applicant submitted a neighbourhood consultation summary form on February 26, 2017 outlining that neighbours within 50m of the subject property were notified.



4.0 Proposal

4.1 <u>Background</u>

The 1.86-acre property contains one single family dwelling, renovated in June 2014. An accessory building was constructed near the front property line in December 2012. The accessory structure was constructed with permits and met the zoning bylaw of the day.

A City Bylaw suite investigation was conducted in early 2016 which determined that illegal construction to convert the accessory building to a carriage house had taken place by the current owners. The owners completed a decommission permit to remove all unpermitted works and the structure is currently vacant. The owners brought a Rezoning Application to Council, which was given 3rd reading on Tuesday June 27, 2017. Final adoption of the rezoning is pending the receipt of a \$20,000 security deposit to ensure the applicant completes the legalization of the carriage house. As part of the legalization process, a Development Variance Permit is currently being considered by Council, which would follow a Building Permit to legalize the carriage house.

4.2 <u>Project Description</u>

In order to legalize the existing structure as a carriage house three variances are required:

1. Section 9.5b.1c: The principal dwelling unit shall be located between the front yard and the carriage house. As the location of the principal dwelling and carriage house do not conform to this regulation, the first variance is triggered.

2. Section 9.5b.1e: *The upper floor area of any carriage house is limited to 75% of the carriage house footprint. As* the footprint of the proposed carriage house structure measures

100 m², and the upper floor area measures 106 m², the second variance is triggered.

3. Section 12.1.6 a: *The maximum floor area of a carriage house shall be 90 m2 or 75% of the total floor area of the principal building.* As the floor area of the proposed carriage house is 106 m², the third variance is triggered. These variances would be presented to Council in a Development Variance Permit should this Rezoning application receive final adoption.

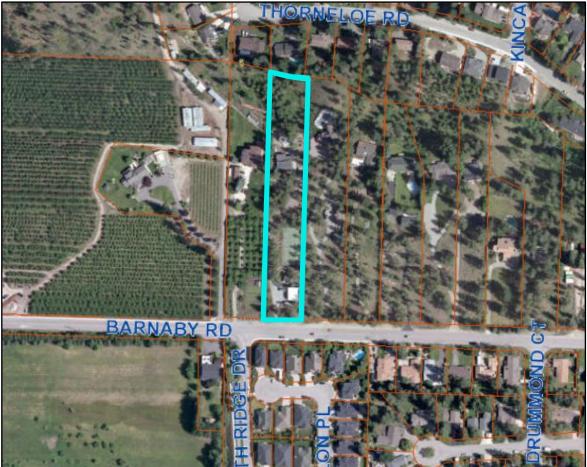
4.3 <u>Site Context</u>

The subject property is located within the Southwest Mission Sector of the City on the north side of Barnaby Road between South Ridge Drive and Drummond Court. The subject parcel and adjacent parcels on adjacent sides have a Future Land Use designation of Single / Two Unit Residential. This property contains easement where an existing sanitary sewer main is located, and has a water service that connects to a City water main within Barnaby Road.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Urban Residential 1 zone	Residential
East	RR1 – Rural Residential 1 zone	Residential
South	RU2 - Urban Residential 2 zone	Residential
West	RR1 – Rural Residential 1 zone	Residential with agriculture

Subject Property Map: 614 Barnaby Rd



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RR1c ZONE REQUIREMENTS	PROPOSAL
	Existing Lot	
Lot Area	8000 ² m if connected to City	7527.42 m ² & connected to City
Lot Alea	sanitary sewer system	Sanitary
Lot Width	40 m	34 M
Lot Depth	30 m	220 M
Car	riage House Development Regulat	ions
Maximum Site Coverage of all	10%	4 006
structures		4.0%
Site coverage for accessory		
buildings or structures and	14%	1.5%
carriage house		
Max. Height	6.o m	5.48 m
(mid-point of roof)	0.0111	5.40 m
Min. Front Yard Setback	6.o m	18 m
(to Barnaby Road)	0.0111	10111
Min. Sideyard Setback	3.0 m	3.0 M
Min. Sideyard Setback	3.0 m	> 3.0 m
Maximum floor area of carriage	$90 \text{ m}^2 \text{ or}$ 106 m ² 1	
house	75% of the principal residence	100111
Maximum upper floor area of	7-14 of corriged house footprint	106% of carriage house footprint
carriage house	75% of carriage house footprint	2
Minimum distance to principal		
building	3 m	+/-120 m
	The principal dwelling shall be	The carriage house is located
Location of carriage house	located between the front yard	between the front yard and the
-	and the carriage house	principal dwelling 🛛
• Indicates a requested variance for a	carriage house living area more than 9	o m ² in size.

Indicates a requested variance for a carriage house living area more than 90 m in size.
 Indicates a requested variance for a carriage house with the upper floor greater than 75% of the carriage house structure footprint.

• Indicates a requested variance for a carriage house to be located between the front property line and the principal dwelling.

5.0 Technical Comments

- 5.1 <u>Building & Permitting Department</u>
 - Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
 - The drawings submitted for Building Permit application is to indicate the method of fire separation between the suite and the garage.
 - Full Plan check for Building Code related issues will be done at time of Building Permit applications.

5.2 <u>Development Engineering Department</u>

• The DVP does not compromise servicing requirements.

6.0 Application Chronology

Date of Application Received:October 7, 2016Date Public Consultation Completed:February 26, 2017

Report prepared by:	Emily Williamson, Planner
Reviewed by:	Terry Barton, Urban Planning Manager
Reviewed by:	Ryan Smith, Community Planning Department Manager
Approved for Inclusion:	Doug Gilchrist, Divisional Director, Community Planning & Real Estate

Attachments: Draft DVP16-0266

DEVELOPMENT VARIANCE PERMIT



APPROVED ISSUANCE OF DEVELOPMENT VARIANCE PERMIT NO. DVP16-0266

Issued To:	Brent Kendall Handcock & Whitney Alexandra Smith	
Site Address:	614 Barnaby Rd	
Legal Description:	Lot 2 District Lot 357 SDYD Plan 17353	
Zoning Classification:	RR1 – Rural Residential 1	

SCOPE OF APPROVAL

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

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

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

1. TERMS AND CONDITIONS

THAT Council authorizes the issuance of Development Variance Permit No. DVP16-0094 for Lot 2 District Lot 357 SDYD Plan 17353, located at 614 Barnaby Rd, Kelowna BC to allow the construction of a carriage house;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted, as shown on Schedule "A":

Section 9.5b.1(c): Carriage House Regulations

To vary the location of a carriage house from the rear yard (permitted) to the front yard (proposed).

Section 9.5b.1(e): Carriage House Regulations

To vary the upper floor area of the carriage house from 75% of the carriage house footprint to 106% proposed.

Section 12.1.6(a): RR1 – Rural Residential 1 Development Regulations

To vary the maximum floor area of a carriage house from 90m² permitted to 106m² proposed.

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

2. PERFORMANCE SECURITY

None required.

3. DEVELOPMENT

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

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit IS NOT a Building Permit.

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.
- b) 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.

5. APPROVALS

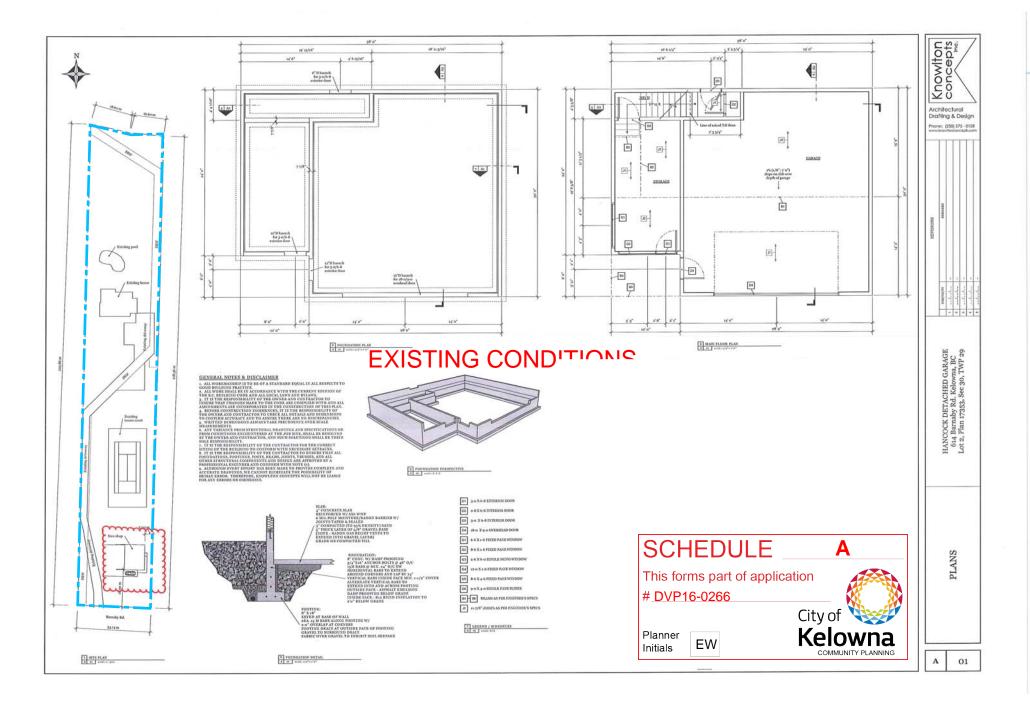
Issued and approved by Council on the _____ day of _____, 2017.

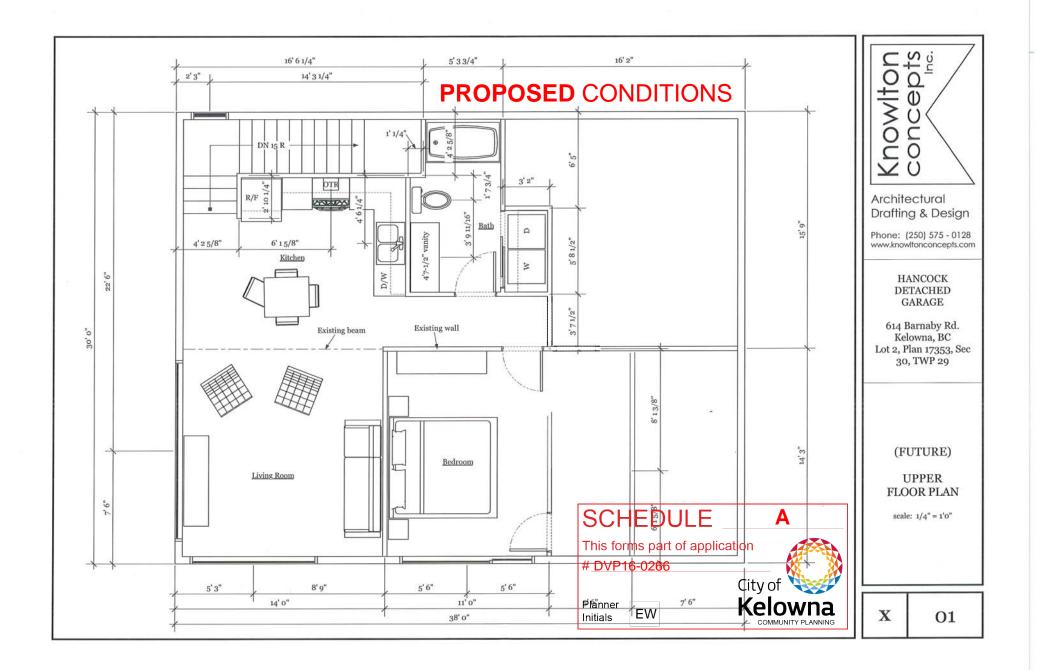
Ryan Smith, (Community Planning Departm	ent Manager
Community P	Planning & Real Estate	

Date

The PERMIT HOLDER is the CURRENT LAND OWNER.











Date:	August 29 ^{°°} , 2017			ILEIUWIIA
RIM No.	1250-30			
То:	City Manager			
From:	Community Planning Department (AC)			
Application:	DVP17-0104		Owner:	Acorn Resorts GP Ltd., Inc. No. BCo888222
Address:	3450 McKinley Beach Dr		Applicant:	GTA Architecture
Subject:	Development Permit Applications			
Existing OCP De	esignation:	MXT – Mixed Use Touri	sm	
Existing Zone:	CD18 – McKinley Beach		ı Comprehensi	ve Resort Development

1.0 Recommendation

THAT Council authorize the issuance of Development Variance Permit DVP17-0104 for Lot B, Section 29, Township 23, ODYD, Plan EPP67208, located on 3450 McKinley Beach Dr, Kelowna, BC,

AND THAT variances to the following section[s] of Zoning Bylaw No. 8000 be granted: Schedule 'B' Comprehensive Development Zones – CD18 – 1.3(g) [Development Regulations] To vary the required maximum Type 'A' unit size of 150 m² not floor area to 217 m².

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

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

2.0 Purpose

To consider a variance for 2 units within the 64 unit building to exceed the maximum unit size by 67 square metres.

3.0 Community Planning

Council approved the original Development Permit (DP16-0192) on November 7th 2017. During that review, Staff and the applicant did not realize the top penthouse units were over the maximum allowable unit size. This variance is proposed to allow for those two units. The original purpose for limiting unit size was to keep the use of the residential units as more of a vacation health resort with limited scale in development. This vision of the McKinley area does not apply anymore. As a result, Staff feel the condo unit size restriction could be seen as obsolete. Regardless, of the internal unit sizes, Staff review multi-family projects based on

the overall size, site coverage, massing, height, etc. in order to determine their impact. Lastly, the variance is minor and only applies to two units. Therefore, Staff are recommending this variance be granted.

Staff and the overall McKinley developers have discussed amending the zone including eliminating the maximum condo unit size. While Staff agree this rule should be relaxed, there are other development regulations Staff have been discussing with the developer which have included items like: minimum setbacks, maximum site coverage, and parking standards.

4.0 Proposal

4.1 <u>Project Description</u>

The subject property is currently vacant. The proposal contains a strata road running north-south with the semi-detached units located on the west side of the road or on the downslope portion. The 64-unit multi-family buildings are located upslope and to the east of the strata road. The project includes a single loaded corridor with all the suites facing the lake.

Figure 1.0: Site Plan

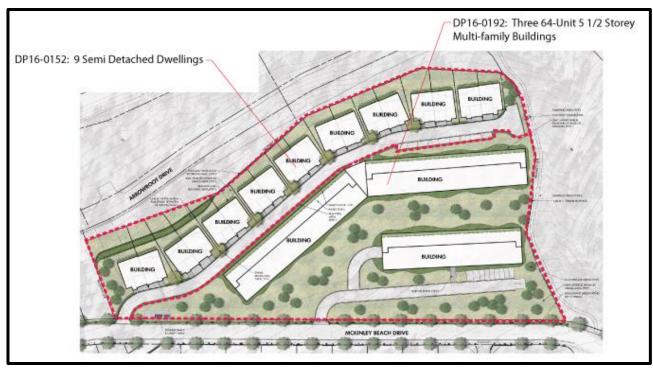


Figure 2.0: Colour Rending



4.2 <u>Site Context</u>

The site is located within the McKinley Beach neighbourhood. The subject property is designated MXT (Mixed Use Tourism) and the lot is within the Permanent Growth Boundary. Specifically, the adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	CD18 - McKinley Beach Comprehensive Resort Development	Residential
East	CD18 - McKinley Beach Comprehensive Resort Development	Residential
South	CD18 - McKinley Beach Comprehensive Resort Development	Residential
West	CD18 - McKinley Beach Comprehensive Resort Development	Residential

Subject Property Map: 3450 McKinley Beach Drive



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5 – Development Process – Policy 10 - North McKinley:

• Not approve any additional residential uses or densities (beyond existing zoning) for lands in the North McKinley area designated in the OCP for mixed use tourism use.

Chapter 13 – Hazardous Condition DP – General Guidelines:

• Disturbance of steep slopes and hazardous condition areas will be avoided in accordance with City of Kelowna hillside development guidelines.

Chapter 16 – Intensive Residential (Hillside Design Guidelines):

OBJECTIVES

- Promote development that respects the terrain, vegetation, drainage courses and constraints related to the hillside environment of the site;
- Promote the siting of buildings and designs that are compatible with the steep slope context;
- Minimize visual impact on the hillside through appropriate siting, finishes, materials and colours;
- Preserve the natural, hillside character and avoid scarring;
- Ensure compatibility with existing neighbourhood or streetscape; and
- Promote a high standard of design, construction and landscaping.

• Ensure road design and anticipated use (e.g. parking) provides for a safe environment and ease of on-going maintenance.

POLICIES

- (1.3) Set buildings into the hillside and step up or down the slope to mimic the natural topography;
- (1.4) Avoid placing tall buildings at high points on the site or in highly visible areas;
- (1.9) Ensure any structures, building faces, street or building lighting do not dominate the landscape.
- (2.1) Preserve any slopes greater than 30% as undisturbed unless roads are required to access developments;
- (2.4) Minimize cut and fill excavation to preserve the natural topography of the hillside. Necessary cuts and fills should be balanced to reduce trucking costs;
- (5.3) Stagger siting of buildings and screen with mature vegetation to minimize the "wall effect";

6.o Technical Comments

6.1 Building & Permitting Department

No comment

- 6.2 <u>Development Engineering Department</u> No comment
- 6.3 Fire Department

No Comment

6.4 <u>Glenmore-Ellison Irrigation District (GEID)</u>

No Comment

7.0 Application Chronology

Date of Application:

April 27th 2016

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

Attachments:

DVPP17-0104 Sample Images of DP16-0192

DEVELOPMENT VARIANCE PERMIT



APPROVED ISSUANCE DEVELOPMENT VARIANCE PERMIT (DVP17-0104)

Issued To:	Acorn Resorts GP Ltd., Inc. No. BCo888222	
Site Address:	3450 McKinley Beach Dr	
Legal Description:	Lot B, Section 29, Township 23, ODYD, Plan EPP67208	
Zoning Classification:	CD18 – McKinley Beach Comprehensive Resort Development	
Development Permit Ar	ea: COMPREHENSIVE DEVELOPMENT PERMIT AREA	

SCOPE OF APPROVAL

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

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

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

1. TERMS AND CONDITIONS

THAT Development Variance Permit No. DVP17-0104 for Lot B, Section 29, Township 23, ODYD, Plan EPP67208, located at 3450 McKinley Beach Dr, Kelowna, BC be granted subject to the following sections of Zoning Bylaw No. 8000:

Schedule 'B' Comprehensive Development Zones – CD18 – 1.3(g) [Development Regulations] To vary the required maximum Type 'A' unit size of 150 m² not floor area to 217 m².

2. PERFORMANCE SECURITY

None.

3. DEVELOPMENT

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

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit IS NOT a Building Permit.

4. APPLICANT'S AGREEMENT

I hereby declare that all of the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality granting to me the said Permit.
- b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

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

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

5. APPROVALS

Issued and approved by Council on the _____ day of _____, 2017.

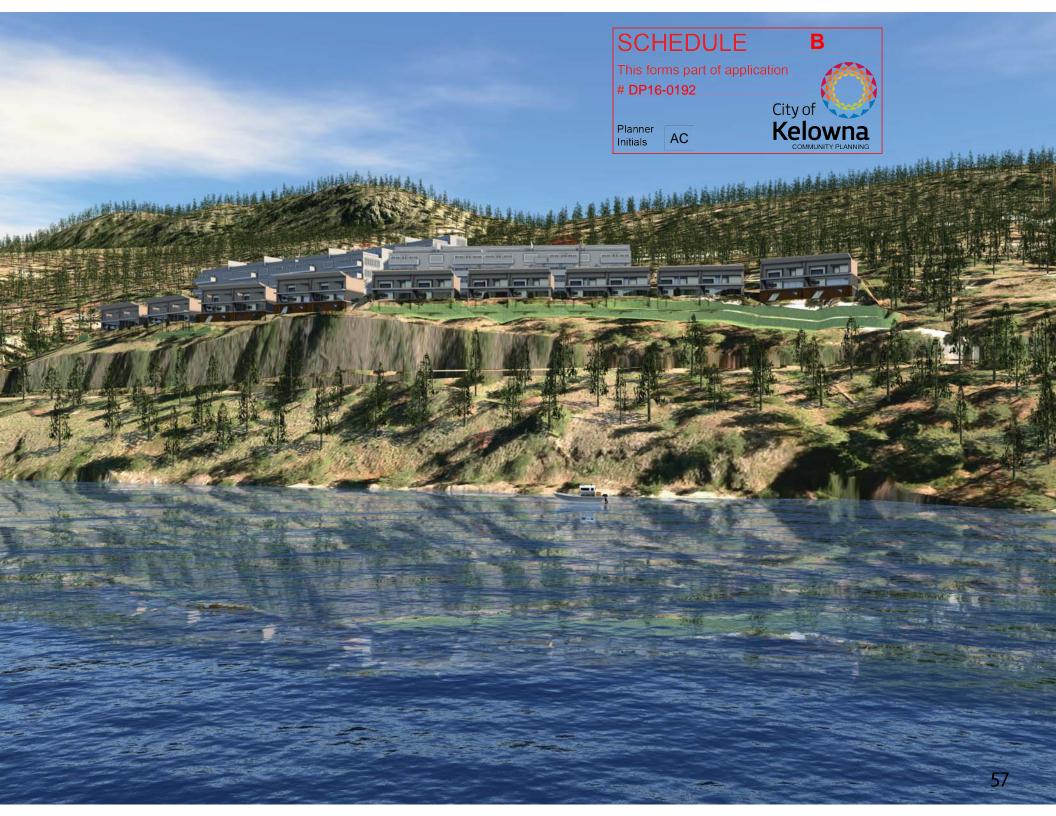
Ryan Smith, Community Planning Department Manager Community Planning & Real Estate

Date

Ryan Smith, Community Planning Department Manager Community Planning & Real Estate

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

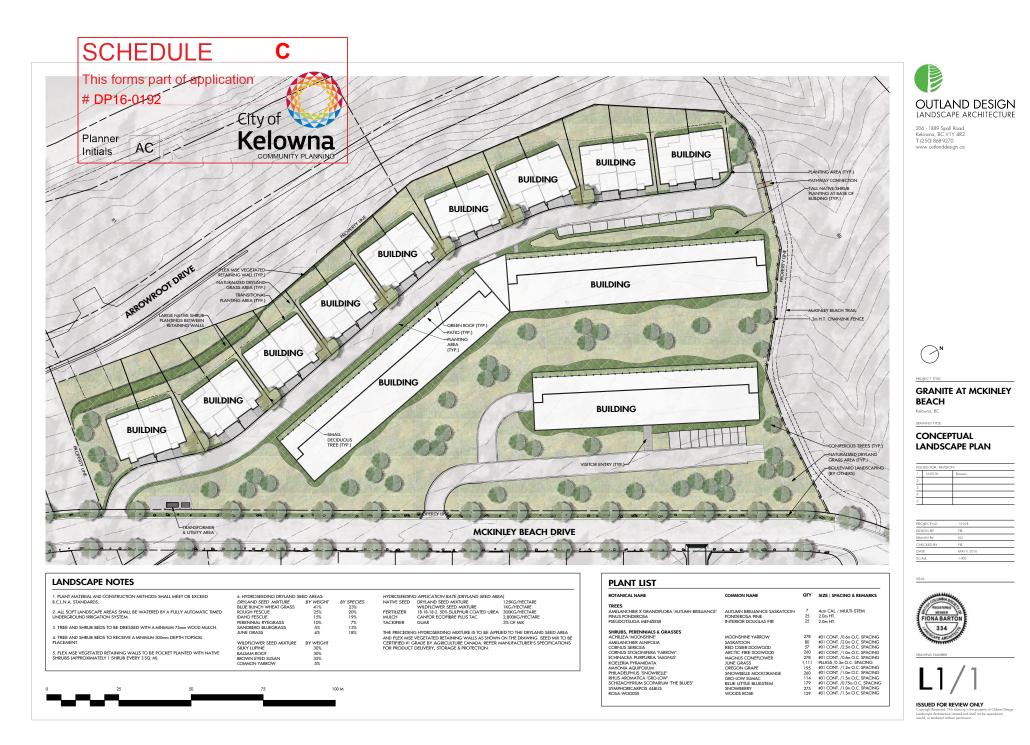


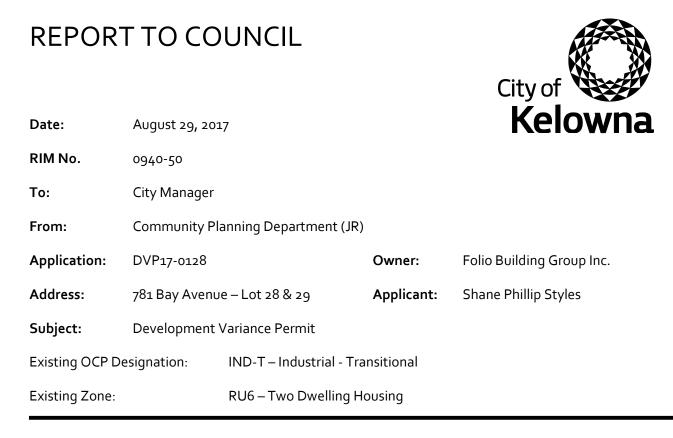












1.0 Recommendation

THAT Council <u>NOT</u> authorize the issuance of Development Variance Permit No. DVP17-0128 for Lot 28 & 29, Section 30, Township 26, ODYD, Plan 1304, located at 781 Bay Avenue, Kelowna, BC;

2.0 Purpose

To consider a Staff recommendation to NOT issue a Development Variance Permit to vary the side yard setback, carriage house roof height, and upper storey floor area of the proposed carriage houses on the subject properties.

3.0 Community Planning

The applicant is proposing a contemporary, 2 storey single family dwelling with a carriage house on each of the two subject properties. Access is proposed to be off the rear lane. Currently, there is an older single family dwelling and detached garage that straddle the two legal lots (Lot 28 & 29) that will be removed to facilitate the development. The contemporary nature of the proposed buildings has resulted in the request for three variances. The applicants have opted for a skillion style roof (lower slope) which has resulted in the request to vary the carriage house roof height and the upper storey floor area of the carriage house. The applicant is also requesting to vary the adjoining lot line side yard setback on each property.

Staff are not supportive of the proposed height and upper floor area variances. The City's current carriage house regulations were revised several times over the past decade to specifically guard against the visual impact of large carriage houses and their associated privacy concerns with neighbouring properties. This is why Council directed staff to include single storey incentives for carriage houses within the Zoning Bylaw as single storey privacy impacts are drastically reduced on neighbouring properties. Further, within the North End neighbourhood, the concerns of over-height carriage houses are magnified as the neighbourhood contains many smaller and shorter homes.

The proposed carriage house design includes a skillion style roof (lower slope) in order to maximize the amount of floor area above the garage. If a traditional gable roof was used with dormers, this would drastically reduce the effective floor area. This was the purpose behind the regulation requiring the upper floor to be 75% of the bottom floor in order to prevent box carriage house designs (i.e. exterior walls going straight up to the second storey). Further, the second storey footprint is larger than the first floor as the design contains an upper floor protrusion. The protrusion adds even more floor area to the second floor further undermining the maximum upper floor ratio and the overall definition of a carriage house. The proposed design is closer in form to a second dwelling, than that of a carriage house.

Most flat roof designed carriage houses need a height variance and Staff have previously supported flat roof design carriage houses but only when the building meets the 75% upper floor square footage rule. The applicant could have built more floor area on the first floor to eliminate the upper storey massing and eliminate the variance but the applicant wanted to maintain their backyard open space.

An alternative recommendation for support of the development permit and variances has been included in Section 7.0 for Council's consideration.

4.0 Proposal

4.1 <u>Project Description</u>

The applicant is requesting the following three variances to allow for the construction of a single family dwelling and carriage house:

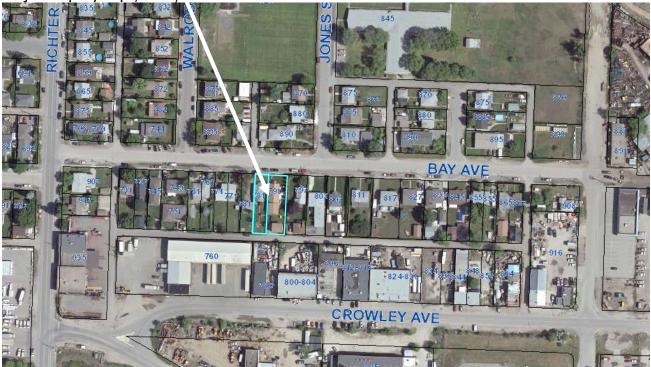
- 1) To vary the required side yard setback (adjoining lot line) on each property from 2-2.3m permitted to 1.2m proposed.
- 2) To vary the required carriage home roof height from 4.5m permitted to 6.26m proposed.
- 3) To vary the required upper storey floor area ratio to carriage house footprint from 75% permitted to 100% proposed

4.2 <u>Site Context</u>

The properties are located between Bay Avenue and a lane. The subject properties are 890 m² each, designated IND-T – Industrial – Transitional and are within the Permanent Growth Boundary.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing	Residential
East	RU6 – Two Dwelling Housing	Residential
South	I4 – Central Industrial	Industrial Warehouses
West	RU6 – Two Dwelling Housing	Residential



Subject Property Map: 781 Bay Avenue

4.3 Zoning Analysis Table

Zoning Analysis Table				
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL		
Development Regulations				
Site coverage of Building(s) (%)	Max 40%	36.25%		
Site Coverage of buildings, driveways, and parking (%)	Max 50%	43%		
Height	9.5 m	7.3 M		
Front Yard	4.5 m	4.5 m		
Side Yard (east/west)	2-2.3 M	1.2 m (adjacent property line) 0		
Side Yard (east/west)	2-2.3 M	2-2.3 M		
Rear Yard	7.5 M	m		
C	arriage House Regulations			
Maximum Accessory Site Coverage	14%	13.84%		
Maximum Accessory Building Footprint	90 m2	62.43 m2		
Maximum Net Floor Area	90 m2	62.15 m2		
Maximum Net Floor Area to Principal Building	75%	31.78%		
Maximum Upper Storey Floor Area to Building Footprint	75%	100% 🛛		
Maximum Height (to mid-point)	4.8 m	6.26 m 🛛		
Maximum Height (to peak)	Peak of principal dwelling	7.3 M		
Minimum Front Yard	To be in rear yard	7.62 m		

2.0 M	1.2m (adjacent property line) 🛛
4.5 m (flanking street)	2.3m
o.g m	
1.5 m (to garage / carport) 2.0 m (no lane)	4.94 m
3.0 m	7.62 m
Other Regulations	
3	4
30 m ²	30 m²
	4.5 m (flanking street) 0.9 m 1.5 m (to garage / carport) 2.0 m (no lane) 3.0 m Other Regulations 3

• To vary the required side yard setback (adjoining lot line) on each property from 2-2.3m permitted to 1.2m proposed.

2 To vary the required carriage home roof height from 4.5m permitted to 6.26m proposed.

• To vary the required upper storey floor area to carriage house footprint from 75% permitted to 100% proposed.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Sensitive Infill.² Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting.

6.o Technical Comments

6.1 <u>Building & Permitting Department</u>

- 1) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- 2) A third party work order may be required with the Development Engineering Department for an upgraded water line and sewage connection. These requirements are to be resolved prior to issuance of the Building Permit.
- 3) HPO (Home Protection Office) approval or release is required at time of Building Permit application.
- 4) The drawings submitted for Building Permit application are to indicate the method of fire separation between the garage and the suite.
- 5) Range hood above the stove and the washroom to vent separately to the exterior of the building. The size of the penetration for this duct thru a fire separation is restricted by BCBC 12, so provide size of ducts and fire separation details at time of Building Permit Applications.

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.26.6 (Development Process Chapter).

- 6) Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this complex at time of permit application.
- 6.2 <u>Development Engineering Department</u>

See Attachment

6.3 Fire Department

No concerns

6.4 FortisBC Inc - Electric

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Bay Avenue. The existing improvements are serviced from a pole located at the northeast corner of the existing Lot 28. Based on the plans submitted, it is recommended that FBC(E) be contacted as soon as possible to determine servicing and land rights requirements for the proposed design. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

7.0 Alternate Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP17-0128 for Lot 28 & 29, Section 30, Township 26, ODYD, Plan 1304, located at 781 Bay Avenue, Kelowna, BC;

AND THAT variance to the following sections of Zoning Bylaw No. 8000 be granted:

Section 13.6.6 (g): RU6 – Two Dwelling Housing Development Regulations

To vary the required side yard setback (adjoining lot line) on each property from 2-2.3m permitted to 1.2m proposed;

Section 13.6.6 (e): RU6 – Two Dwelling Housing Development Regulations

To vary the required carriage home roof height from 4.8m permitted to 6.26m proposed;

Section 13.6.6: RU6 (b) - Two Dwelling Housing Development Regulations

To vary the required upper storey floor area ratio to carriage house footprint from 75% permitted to 100% proposed;

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

8.0 Application Chronology

Date of Application Received: Date Public Consultation Completed:	May 19 th , 2017 July 5 th , 2017
Prepared by:	Jenna Ratzlaff, Planner
Reviewed by:	Terry Barton, Urban Planning Manager
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager

Attachments:

Schedule 'A': Development Engineering Comments Schedule 'B': Development Variance Permit Schedule 'C': Site Plan and Conceptual Elevations

CITY OF KELOWNA

MEMORANDUM

Date: June 06, 2017

File No.: DVP17-0128

To: Community Planning (JR)

From: Development Engineer Manager (SM)

Subject: 781 Bay Ave

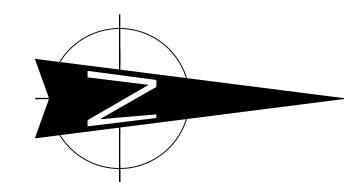
The Development Engineering comments and requirements regarding this DVP application are as follows:

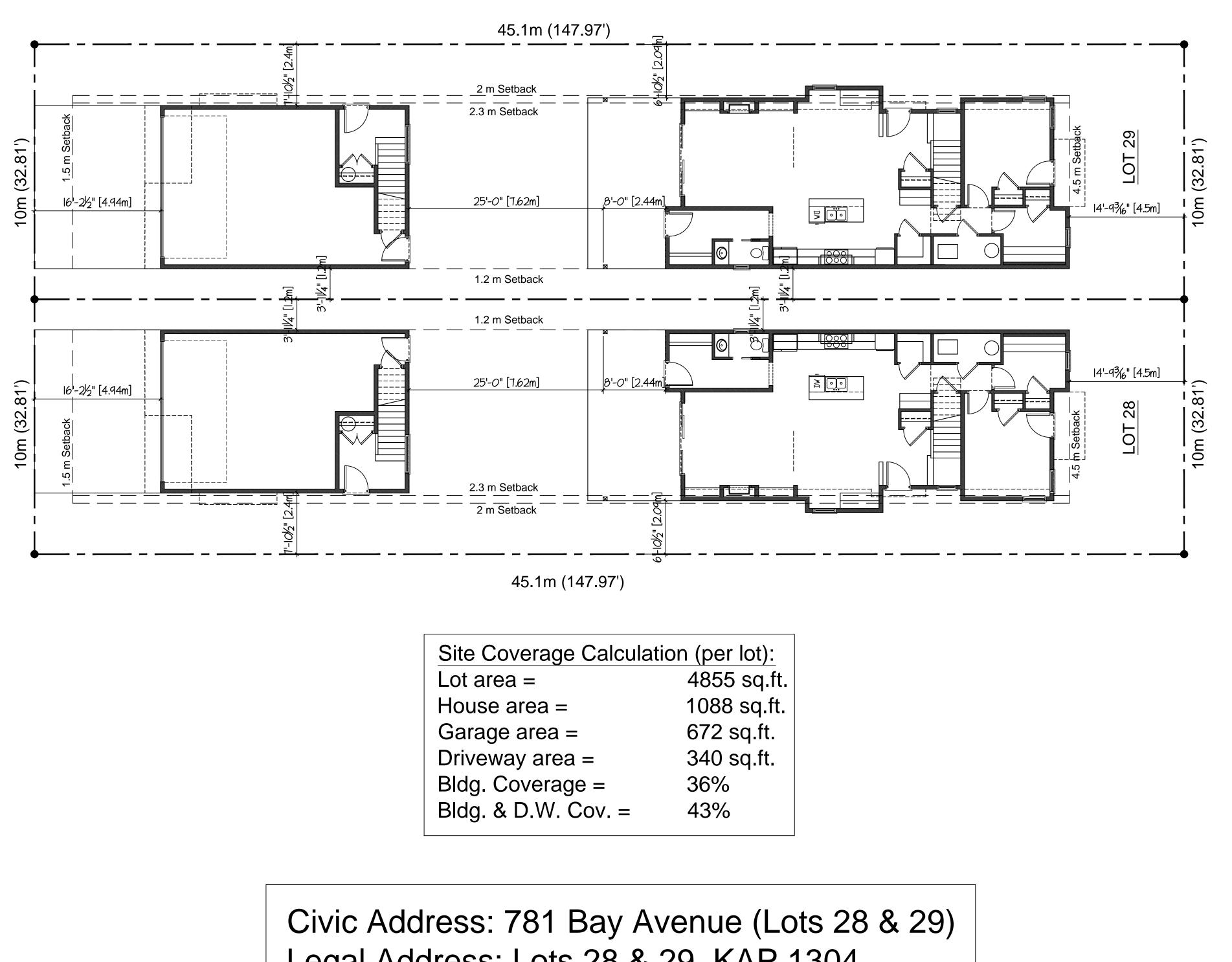
The request to vary the side yard setback, height, and upper floor area ratio of 2 carriage houses does not compromise any municipal services.

Steve Muerz, ⊾ng Development Engineering Manager JA









ANE



Legal Address: Lots 28 & 29, KAP 1304, Section 30, Twp. 26, ODYD Project Name: Bay Avenue Project Applicant: Folio Building Group Contact: Shane Styles 250-808-7998

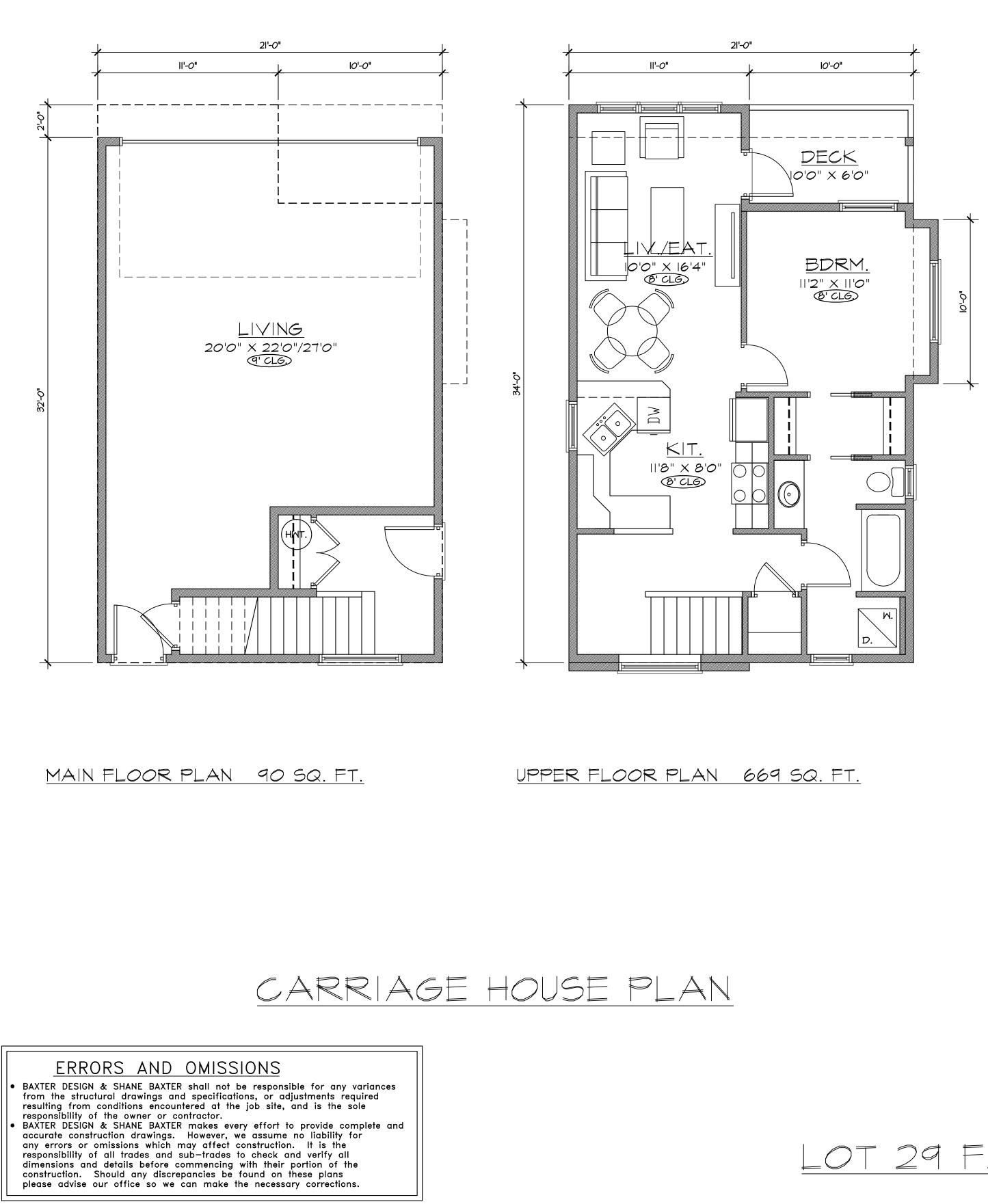
ERRORS AND OMISSIONS

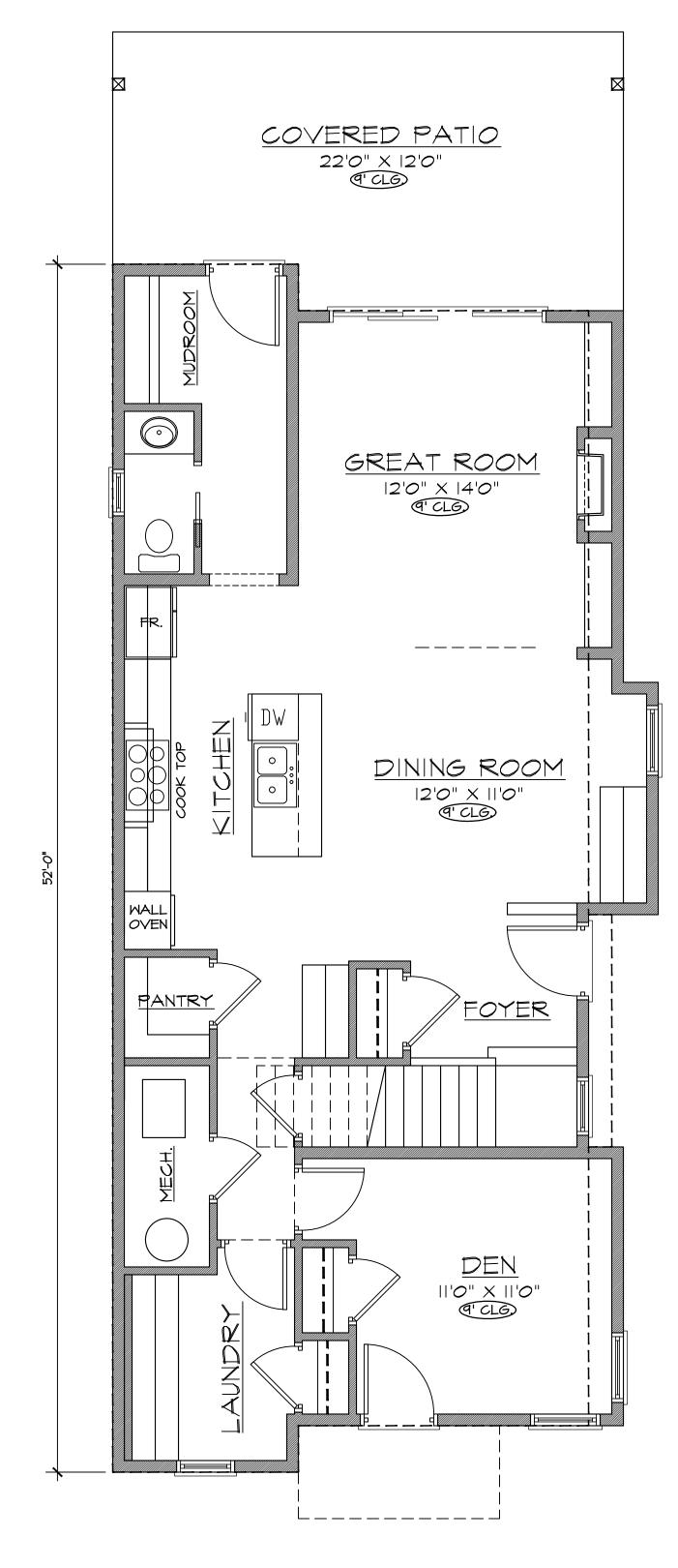
- BAXTER DESIGN & SHANE BAXTER shall not be responsible for any variances from the structural drawings and specifications, or adjustments required resulting from conditions encountered at the job site, and is the sole responsibility of the owner or contractor.
- BAXTER DESIGN & SHANE BAXTER makes every effort to provide complete and accurate construction drawings. However, we assume no liability for any errors or omissions which may affect construction. It is the responsibility of all trades and sub-trades to check and verify all dimensions and details before commencing with their portion of the construction. Should any discrepancies be found on these plans please advise our office so we can make the necessary corrections.







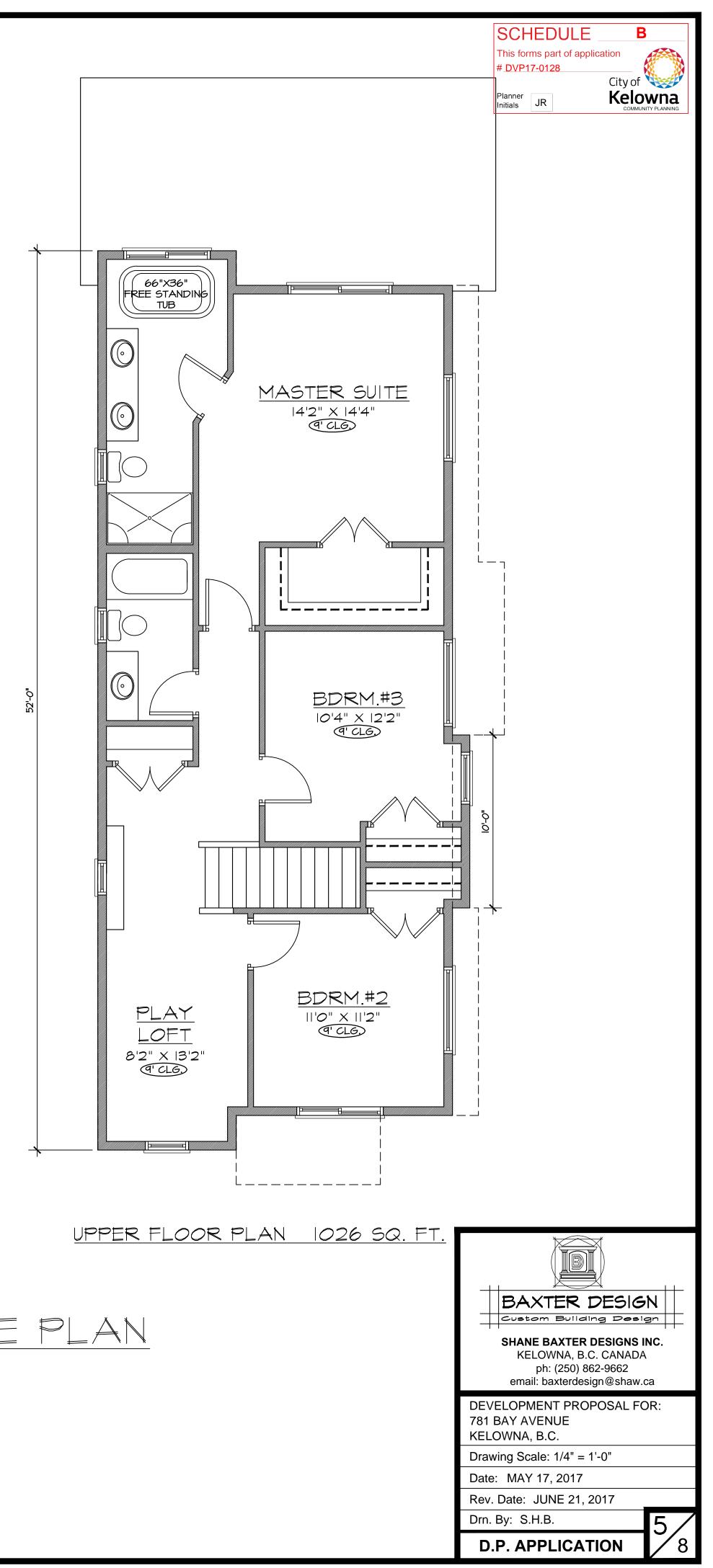




MAIN FLOOR PLAN 1088 SQ. FT.

MAIN HOUSE PLAN

LOT 29 FLOOR PLANS









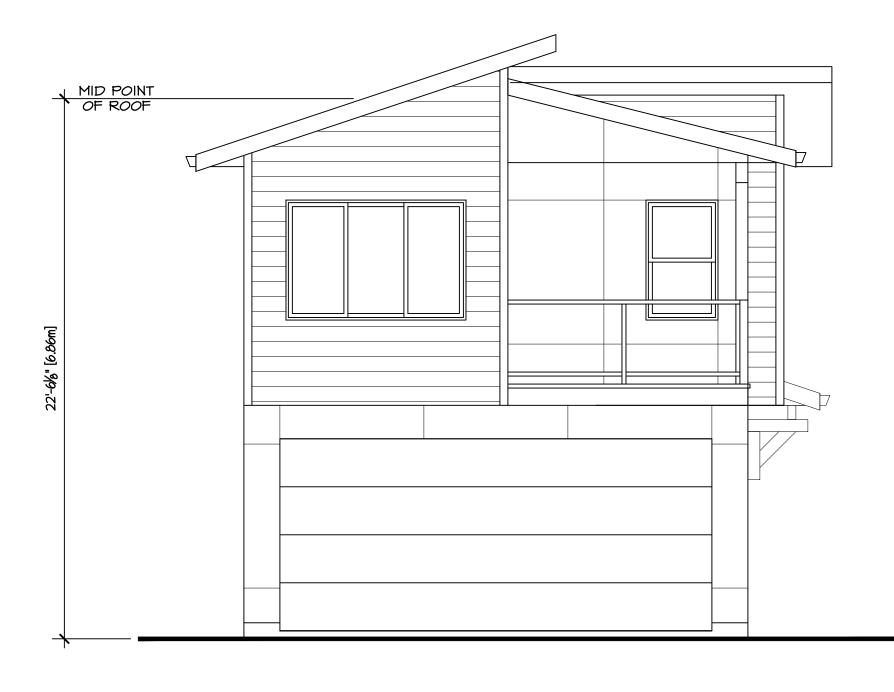
LOT 28 HOUSE ELEVATIONS



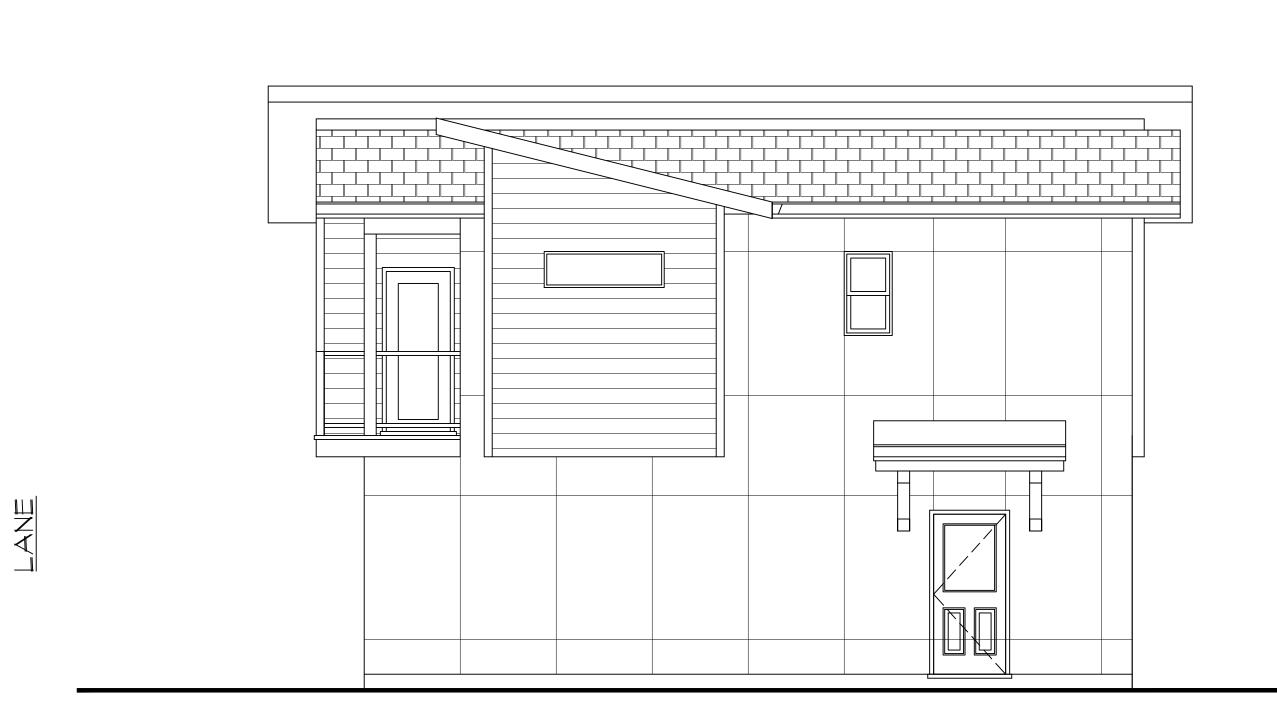
HOUSE FRONT ELEVATION

HOUSE REAR ELEVATION

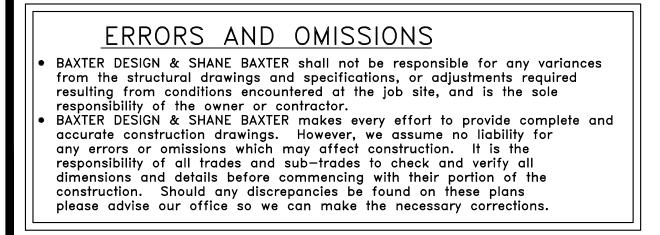


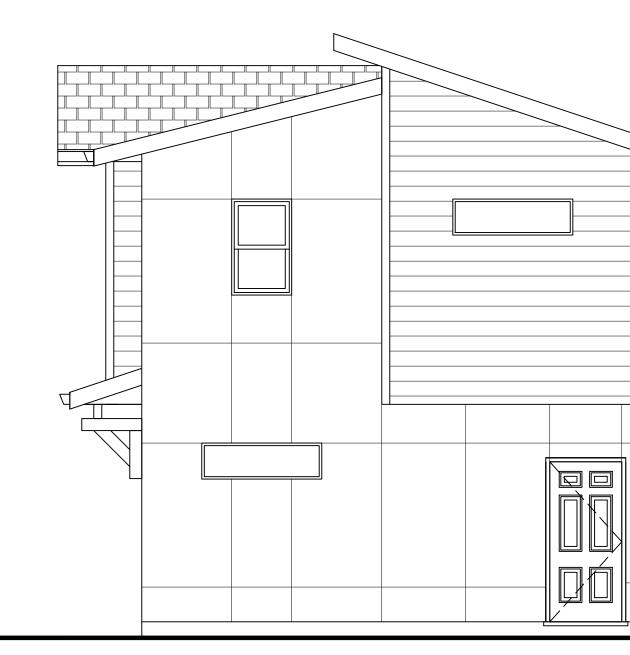


CARRIAGE HOUSE FRONT (LANE) ELEVATION

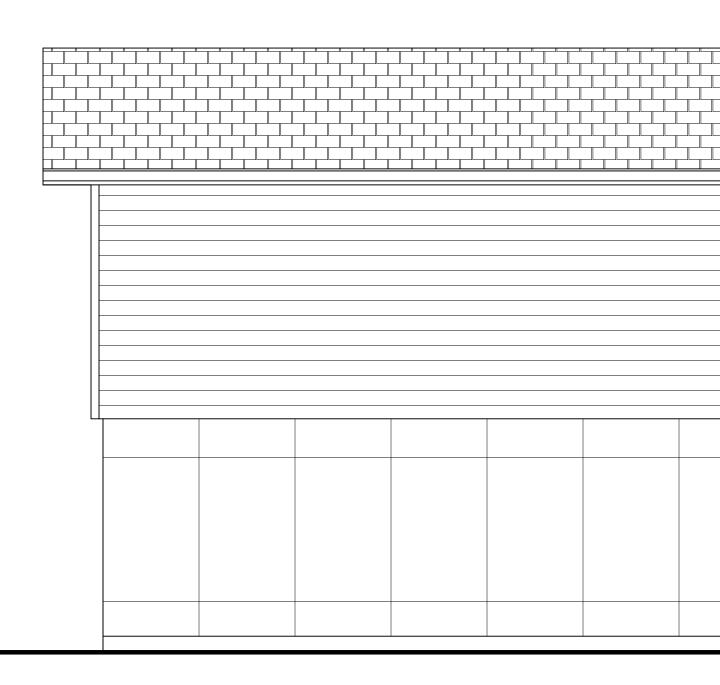


CARRIAGE HOUSE OUTSIDE ELEVATION







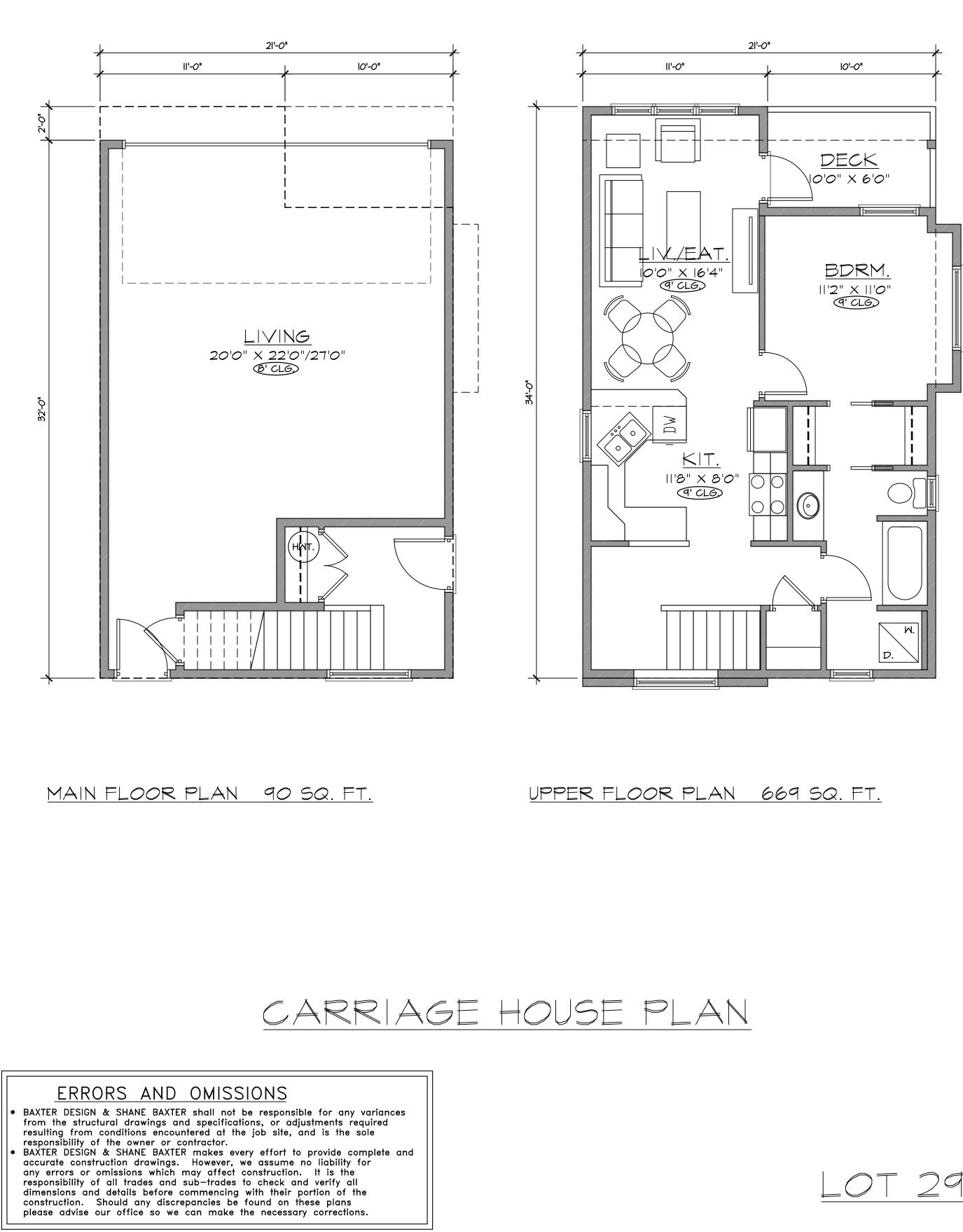


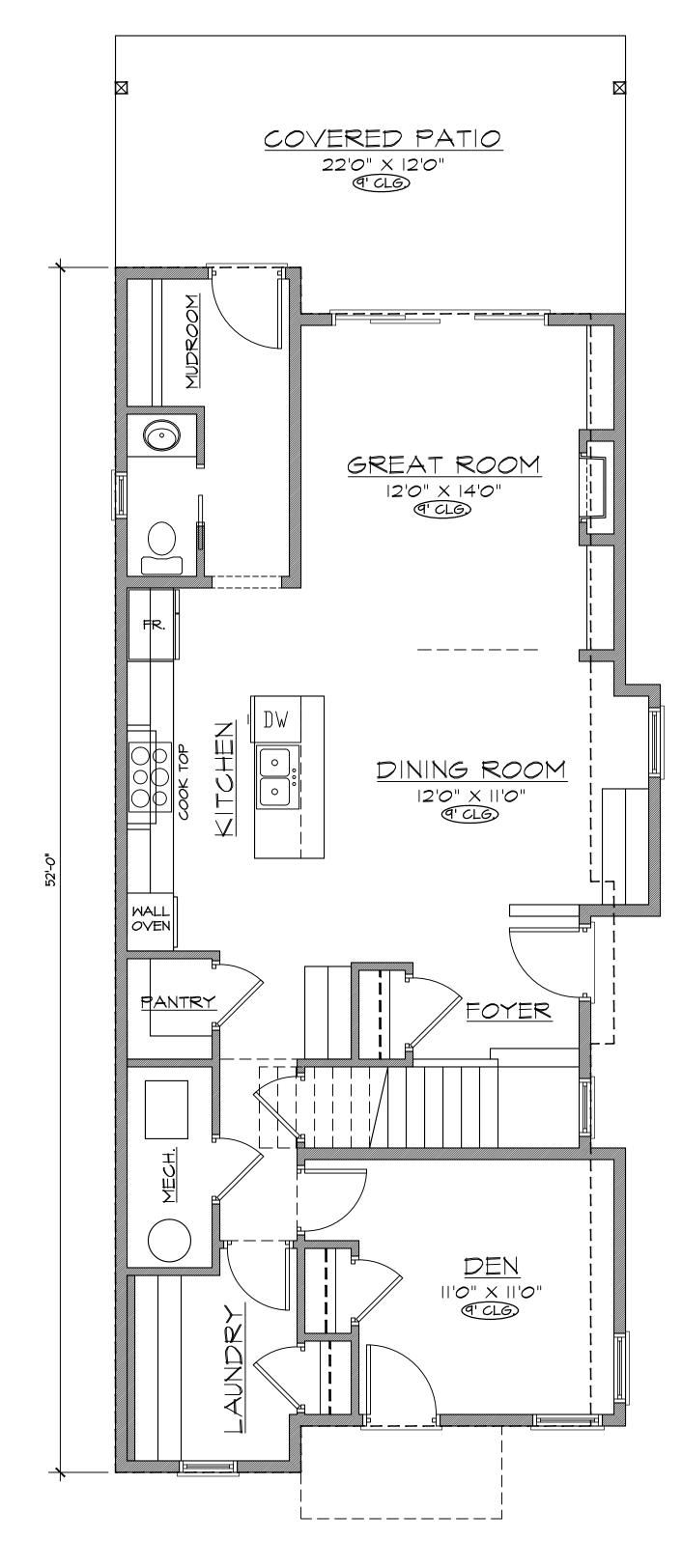
CARRIAGE HOUSE INSIDE ELEVATION

LOT 28 CARRIAGE HOUSE ELEVATIONS

		SCHEDULE This forms part of appli #_DVP17-0128	
		Planner Initials JR	City of Kelowna
7			
	ANE		
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			¥ >Esign
			ng Design
		KELOWNA, B.C ph: (250) 86 email: baxterdesi	C. CANADA 2-9662
		DEVELOPMENT PROF 781 BAY AVENUE	
		KELOWNA, B.C. Drawing Scale: 1/4" = 1	'-0"
		Date: MAY 17, 2017 Rev. Date:	
		Drn. By: S.H.B.	

D.P. APPLICATION

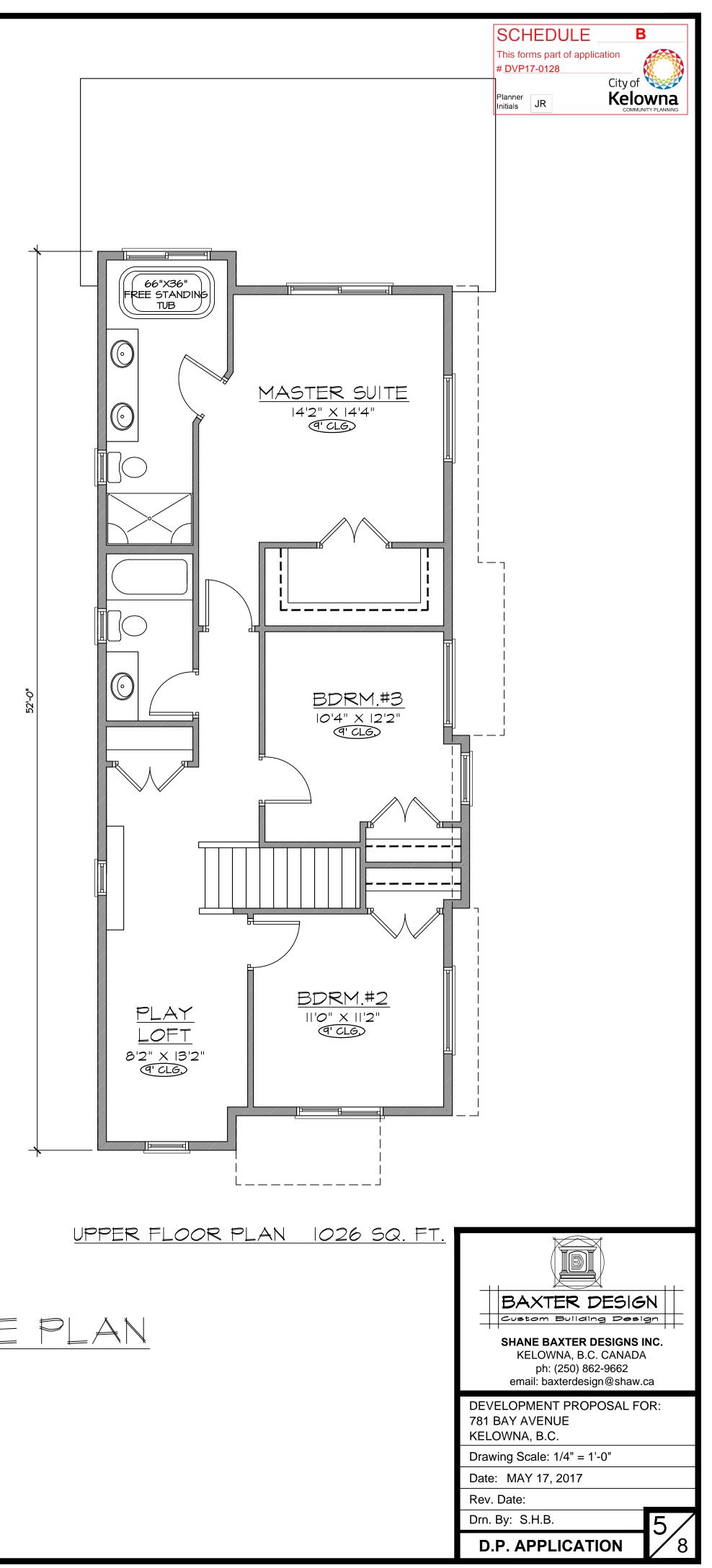




MAIN FLOOR PLAN 1088 SQ. FT.

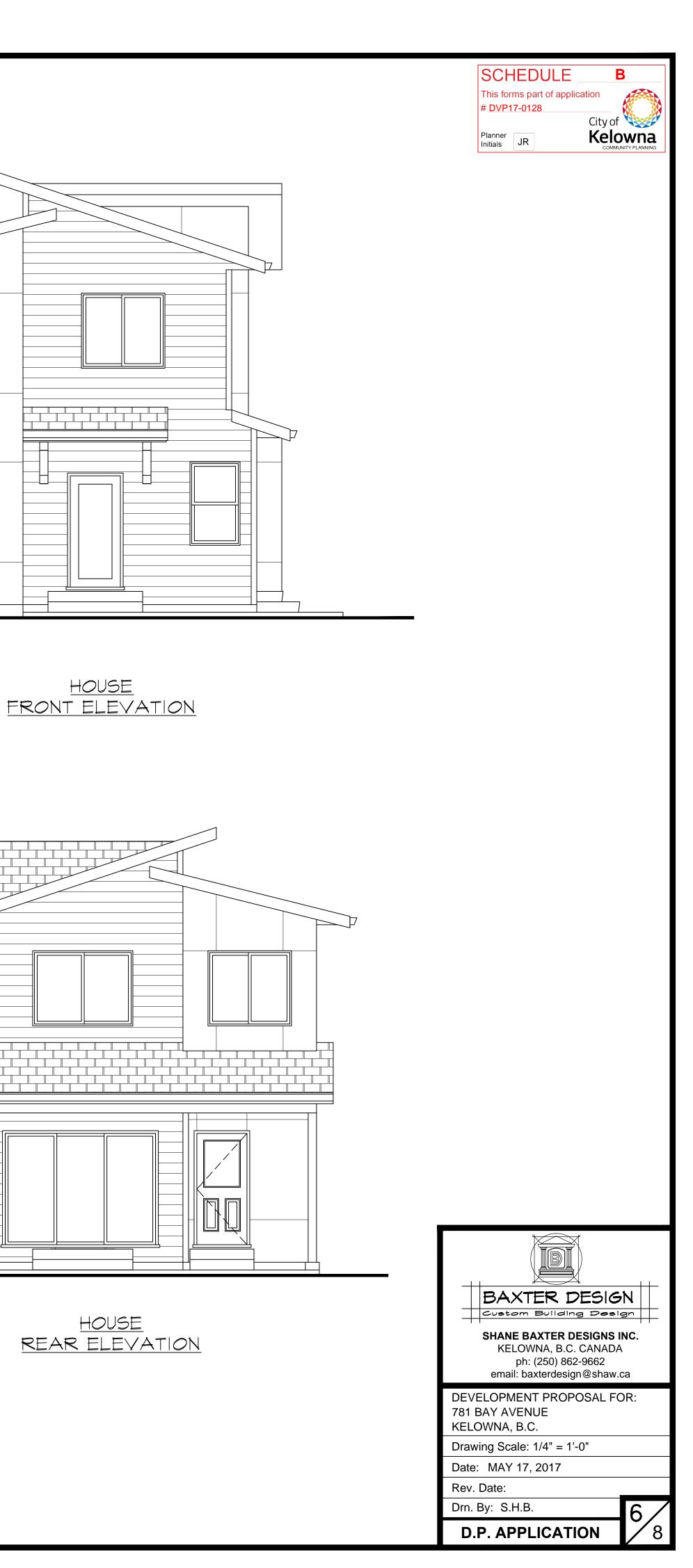
MAIN HOUSE PLAN

LOT 29 FLOOR PLANS



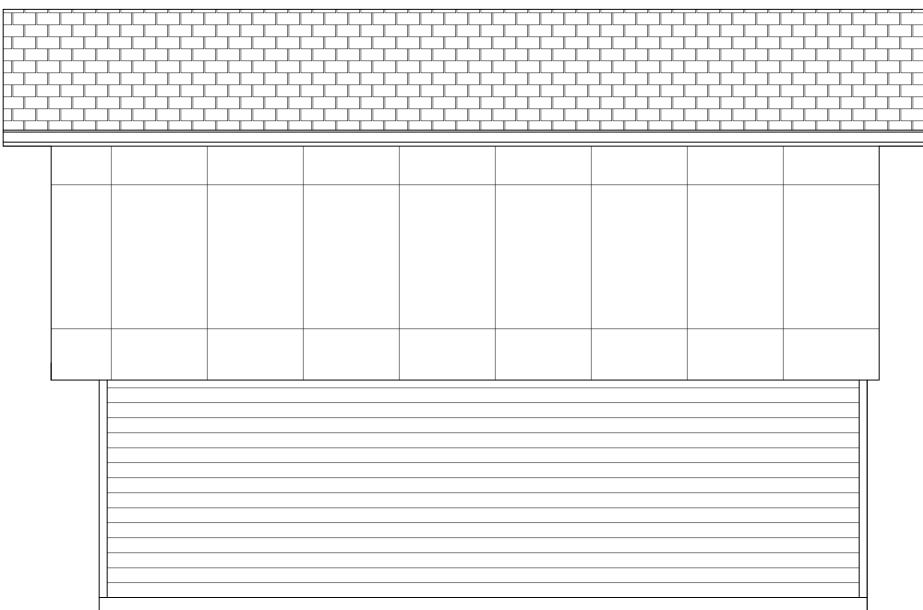


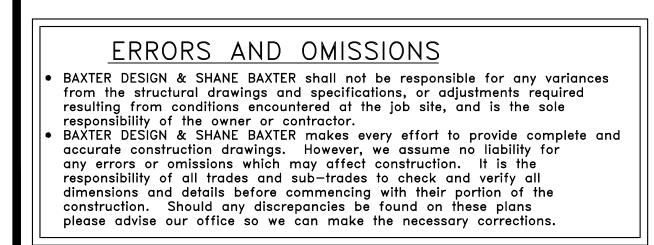
responsibility of all trades and sub-trades to check and verify all dimensions and details before commencing with their portion of the construction. Should any discrepancies be found on these plans please advise our office so we can make the necessary corrections.











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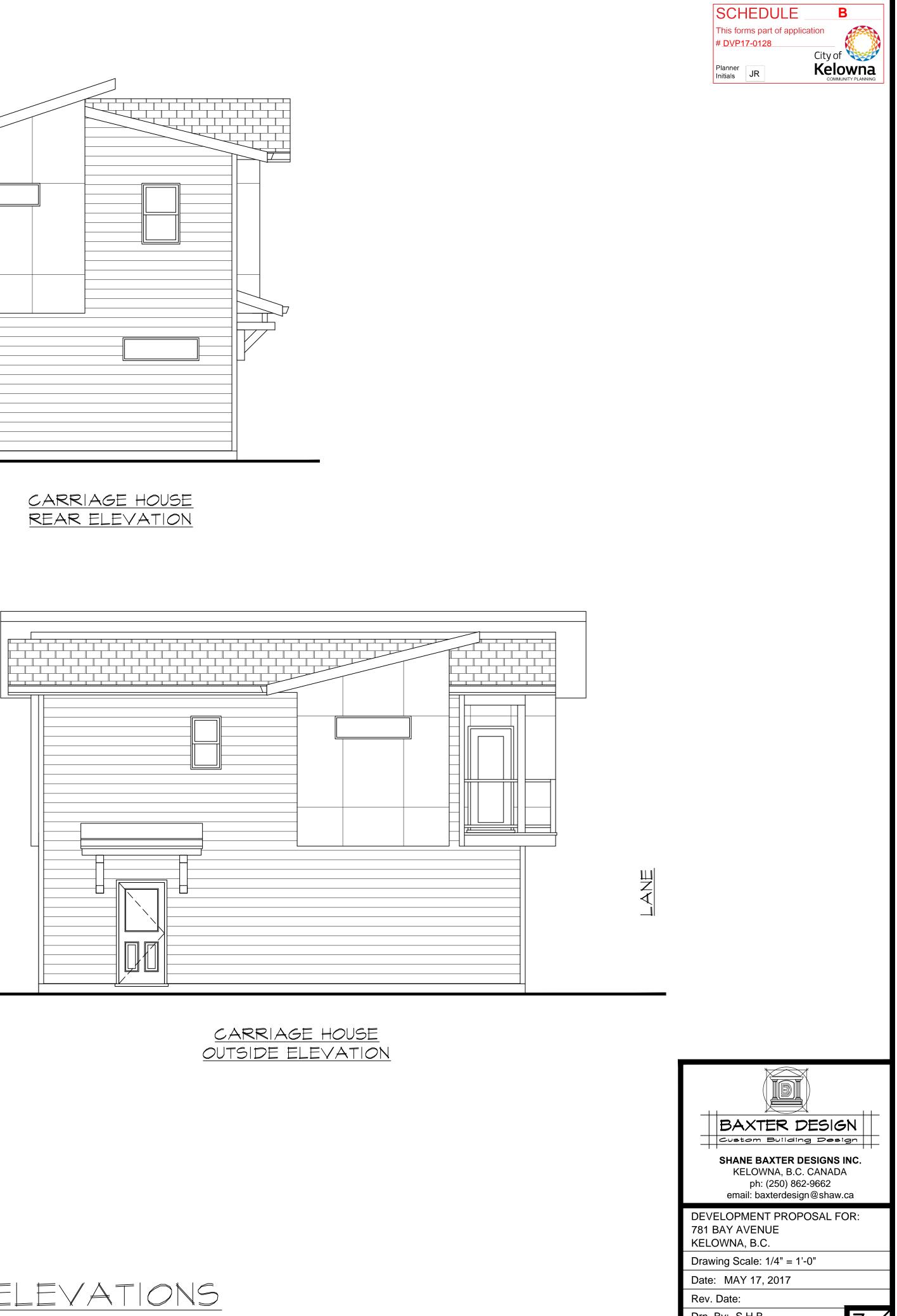
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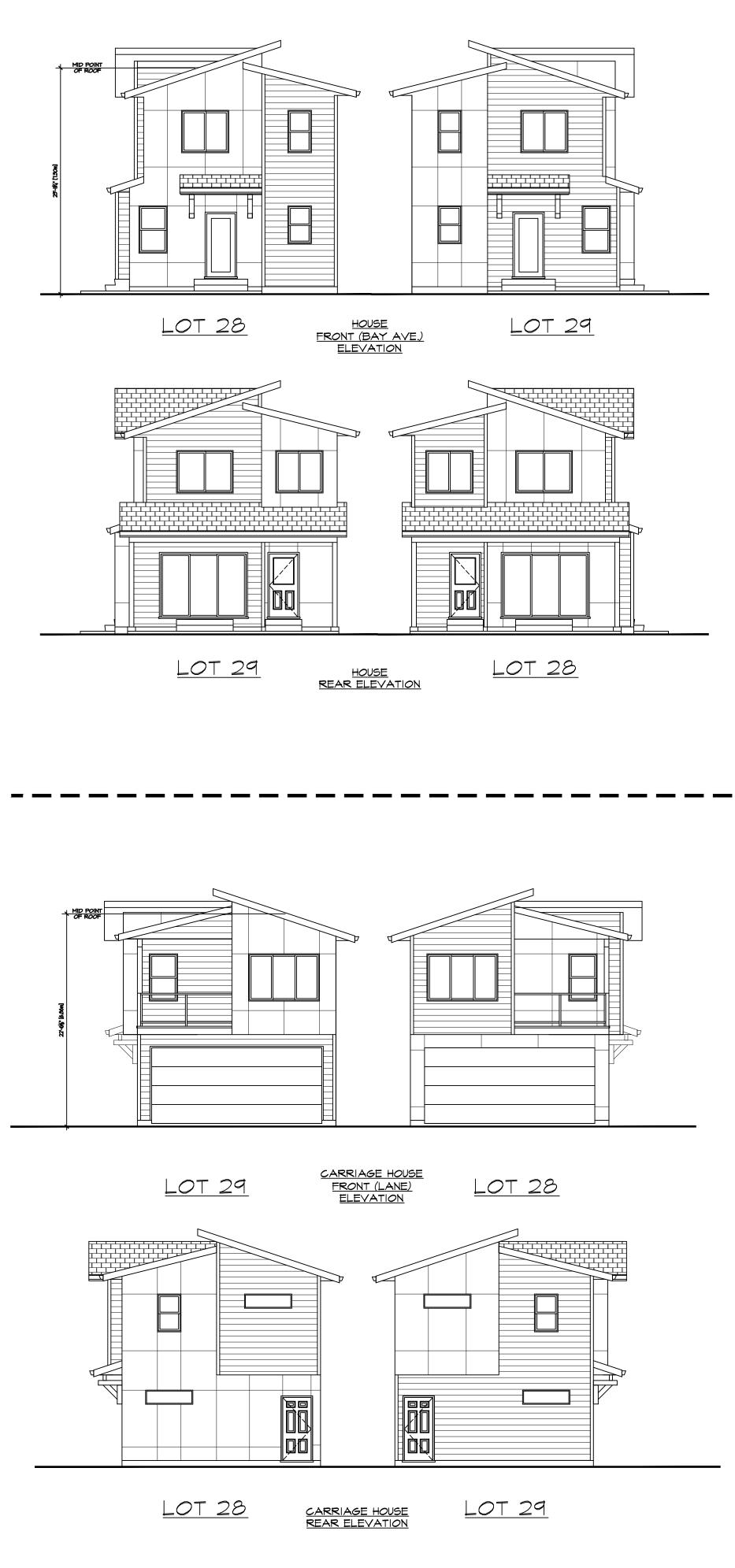








D.P. APPLICATION





DEVELOPMENT VARIANCE PERMIT



APPROVED ISSUANCE OF DEVELOPMENT VARIANCE PERMIT NO. DVP17-0128

Issued To:	Folio Building Group Inc.
Site Address:	781 Bay Avenue
Legal Description:	Lot 28 & 29 Section 30 Township 26 ODYD Plan 1304
Zoning Classification:	RU6 – Two Dwelling Housing

SCOPE OF APPROVAL

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

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

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

1. TERMS AND CONDITIONS

THAT Development Permit No. DPV17-0128 for Lot 28 & 29 Section 30 Township 26 ODYD Plan 1304, located at 781 Bay Avenue, Kelowna, BC to allow the construction of two single family dwellings with a carraige houses be approved subject to the following:

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

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted, as shown on Schedule "B":

Section 13: RU6 – Two Dwelling Housing

- 1) To vary the required side yard setback (adjoining lot line) on each property from 2-2.3m permitted to 1.2m proposed.
- 2) To vary the required carriage home roof height from 4.5m permitted to 6.26m proposed.

3) To vary the required upper storey floor area ratio to carriage house footprint from 75% permitted to 100% proposed

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

2. PERFORMANCE SECURITY

None required.

3. DEVELOPMENT

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

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit IS NOT a Building Permit.

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.
- b) 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.

5. APPROVALS

Issued and approved by Council on the _____ day of _____, 2017.

Ryan Smith, Community Planning Department Manage
Community Planning & Real Estate

Date

The PERMIT HOLDER is the <u>CURRENT LAND OWNER</u>. Security shall <u>ONLY</u> be returned to the signatory of the Landscape Agreement or his or her designates

CITY OF KELOWNA

BYLAW NO. 11423 Z16-0077 – 1187 Sunset Drive

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

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

- 1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1 District Lots 139 ODYD Plan KAP76304 located on Sunset Drive, Kelowna, B.C., from the C4 Urban Commercial zone to the C7 Central Business Commercial zone.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 12th day of June, 2017.

Considered at a Public Hearing on the 27th day of June, 2017.

Read a second and third time by the Municipal Council this 27th day of June, 2017.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11423 (Z16-0077) be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP17-0154 for Lot 1, District Lot 139, ODYD Plan KAP76304, located at 1187 Sunset Dr, Kelowna, BC, subject to the following:

- The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,";
- The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
- 3. Landscaping to be provided on the land be in accordance with Schedule "C";
- 4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;
- 5. That the outstanding conditions set out in Attachment "A" attached to the Report from the Community Planning Department dated August 15th 2017;
- 6. That a land use covenant protecting the use of the daycare be registered on title.

AND THAT Council authorize the issuance of Development Variance Permit DVP17-0157 for Lot 1, District Lot 139, ODYD Plan KAP76304, located at 1187 Sunset Dr, Kelowna, BC;

AND THAT the variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 14.7.5 Development Regulations (b)

To vary the maximum height of a building from 22 metres to 119 metres for the south tower and 98 metres for the north tower.

Section 6.4.2 Projections Into Yards

To vary the permitted balcony projection into the side yard (Sunset Drive) from 0.6m to 1.59m at various levels as described in Schedule 'A' and to vary the permitted balcony projection into the front yard (Water Street) from 0.6m to 1.32m on level 6 & 0.87m on level 36 as described in Schedule 'A'.

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

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

2.0 Purpose

The purpose of the Development Permit is to review the Form & Character Development Permit of a 36 storey residential tower and a 29 storey residential tower that contains a three storey podium within the total height. The podium contains ground floor commercial, a third floor daycare space, and a three storey parkade. The purpose of the Development Variance Permit is to consider a variance to increase the maximum building height and to consider an increase to the maximum balcony projections.

3.0 Community Planning

3.1 Development Permit

Staff are recommending support for the proposed Development Permit due to the proposal's consistency with the majority of the Official Community Plan's (OCP) urban design guidelines. The applicant has worked with City staff to review and refine the proposed building design which included a number of design revisions recommended by Staff. Particular emphasis was given to the base of the podium and to the tower design. The goal was to provide: a successful streetscape, a pleasant pedestrian experience on the prominent corner property, and a visual interest to Kelowna's skyline.

When assessing the merits of a tall building project, staff break the design into three components: the base of the building called the podium; the middle of the building largely consisting of the tower; and the top of the building as it relates to Kelowna's skyline.



Top: The tops of tall buildings, including upper floors and roof-top mechanical or telecommunications equipment, signage, and amenity space, should be designed, primarily through tower massing and articulation, and secondarily through materials, to create an integrated and appropriate conclusion to the tall building form.



Middle: The location, scale, floor plate size, orientation and separation distances of the middle affect sky view, privacy, wind, and the amount of sunlight and shadows that reach the public realm and neighbouring properties. The design and placement of the tower should effectively resolve these matters to ensure that a tall building minimizes its impact of surrounding streets as well as existing and/or future buildings on adjacent properties.



Podium: The lower storeys of a tall building should frame the public realm, articulate entrances and assist in the creation of an attractive and animated public realm which provides a safe, interesting, and comfortable pedestrian experience. The podium should define and support adjacent streets at an appropriate scale, integrate with adjacent buildings, assist to achieve a transition down to lower-scale buildings and minimize the impact of parking and servicing on the public realm.

The positive design features of this application that are congruent with the urban design guidelines are:

- 1) The building has three distinct sections: a top, a middle, and a bottom and the applicant has provided a positive design in each category (podium, tower, and skyline).
 - a. The top of the towers contributes positively to Kelowna's skyline with mechanical louvres, screening structures, and a rooftop gardens.
 - b. The 'middle' of the building contains a series of different building materials and large balconies to provide visual interest. The façade treatment of the towers further serves to breakdown the mass with the use of varying glass colours and with horizontal extensions of the balcony enclosures.
 - c. The podium has designed significant architectural variability around each street face. Further, the project meets all the podium height guidelines and the necessary corner cuts in the building at each intersection. The courtyard feature along Ellis Street provides an excellent pedestrian and streetscape interaction. Water Street presents a positive retail experience which wraps partially around Ellis Street. The majority of Ellis Street will have ground oriented live/work units facing the streetscape, providing a relatively unique street interaction for Kelowna.
- 2) The developer has committed to providing a third floor daycare unit and is willing to register a land use covenant to ensure the continued operation of that business. The City has been trying to encourage a daycare operator to locate in the downtown for some time now. Staff feel this is a significant community amenity not just to the residents of the building but to the downtown neighbourhood as it will increase the livability of Kelowna's downtown to live, work, shop, & play, all without the need of a vehicle for day to day operations.
- 3) The development is exceeding the minimum parking requirement and the parkade is hidden for view by wrapping the development with commercial or live/work units.
- 4) The proposal includes significant amenities and large communal areas.
- 5) From an urban design perspective this property is the most appropriate site in the downtown to achieve a tall building.
 - a. Few blocks back from the waterfront
 - b. Proximity to other significant towers on Sunset Drive creating a high density hub and a tower skyline.
 - c. Limited shadowing and view impacts on adjacent properties as the lands most impacted are across Ellis Street and they are designated as industrial as well as the site located to the immediately to the north which is vacant. The existing occupied towers on Sunset Drive have limited shadow impact. Additionally, the views of the existing occupied towers on Sunset Drive will only have a minor impact as their views to Knox mountain, the lake, the bridge, and the downtown will not be affected.

3.2 Development Variance Permit

There is a variance to increase the allowable height of the two towers. Officially, the maximum height is only 22 metres as this property was not identified in the downtown building height map. However, due to the location and proximity to other residential towers, employment, commercial, and downtown amenities, Staff feel this site warrants the maximum density and maximum height for the City. The maximum height currently permitted in the C7 zone is 76.5m (approximately 26 storeys). Multiple

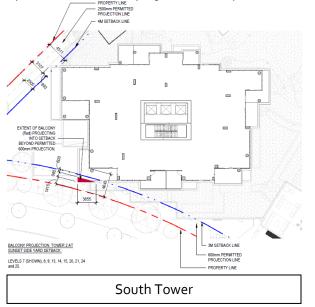
developers have informed Staff that the maximum physical height limit for geotechnical reasons within the downtown is approximately 120 to 140 metres before becoming economically unviable. The proposal for the south tower is to reach that maximum at 119 metres (36 stories). The north tower is proposed at 98 metres (29 stories).

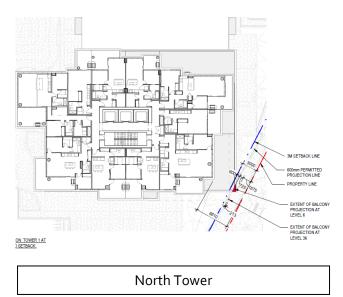
The applicant has put significant detailed planning and thought in the height of the towers including the impact on the overall form and character in order to create truly iconic architecture. The differing heights of each tower are aligned "to play" on the adjacent mountains silhouette. The towers themselves have been sculpted to reach higher by using a slimmer silhouette. This will ensure views between and around can be maintained as much as possible. It will also help reduce the shadowing on adjacent properties as the sun moves throughout the day (see the shadow analysis attached to the permit). The shadows will predominately affect a vacant site to the north and an industrial area located on the east side of Ellis Street. The slimmer profiles of the towers also maximize the amount of amenity and outdoor space available to the residents. The angle and rotation of the towers in relationship to the street and podium levels is to give prominence to the surrounding views both from the units within the towers and those from neighboring developments. Staff recommend this slimmer tower design with a height variance compared to shorter buildings that would increase the massing and bulk of the buildings. Shorter bulkier buildings would create less desirable streetscape and aesthetic environments, increase the mass of the shadowing to the north, and reduce the potential for amenities on the parkade rooftop.

Further, the developer has done an excellent job with the articulation of the podium facade and its massing to the human scale at the ground plane. The towers appear to recede as they rise up to the sky as a result of their positioning on the podium and placement back from the street faces.

In the future, Staff are recommending the downtown building height map be reviewed to see what sites in the downtown could reach the maximum geotechnical height limit of 120 metres or at least increase from the current maximum of 76.5 metres (26 stories). Other sites will have greater impacts on their neighbours than this site especially mid-block, therefore the time to review maximum height seems appropriate.

Lastly, the variance to increase the maximum balcony projections is minor according to Staff. The applicant originally had a building setback variance to the property line but after a redesign to eliminate that variance there remained a balcony projection variance. Due to the angle of the towers the area of balcony intruding beyond the maximum projection is very small (see red areas in images below).





4.0 Proposal

4.1 Project Description

The proposed development has been branded as 'One Water'. The One Water proposal consists of:

- ground floor retail;
- 3 floors of parking;
- 2 residential towers upper;
 - North Tower: 29 stories, 176 units, & rooftop gardens;
 - South Tower: 36 stories, 222 units, & rooftop gardens;
- 6 live/work units proposed along Ellis Street;
- 404 total residential units;
- Daycare located on 3rd floor;
- Parkade rooftop amenities including:
 - Sports courts;
 - Adult pool;
 - Children's pool;
 - o Bbq area;
 - Landscape area;
- Access to the parkade from Sunset Drive and from Ellis Street.

This proposal opts for a slender point tower form that promotes views to and from the development. These proportion permit breathing room between the towers with generous amenity spaces on the podium. The proposed aesthetic style and design is defined as "okanagan urban" by the architecture team. A harmonious blend of contemporary architectural style, abundant amenities, nestled within the downtown Kelowna lifestyle.

The towers are angled in plan to maximize views towards the lake and the bridge. This angular arrangement is found repeatedly in the layout of the podium and results in a breakdown of the mass of the podium façade creating human scale elements and exterior spaces with character. The façade treatment of the towers further serves to breakdown the mass with the use of varying glass colours and with horizontal extensions of the balcony enclosures. The units themselves are bright and spacious while allowing for large outdoor terraces, balconies and roof patios. a glass, enclosed penthouse courtyard will be illuminated at night time and will draw the eye up the slender silhouettes of the towers. At the tower entry lobbies either side of the Sunset Drive courtyard, the tower form extends to grade level and is expressed there. The scale of the buildings is repeatedly broken down by a series of lobby entrances and retail areas.

The ground plane is programmed and activated with retail frontages which is a prerequisite for a successful walkable neighborhood. The design enables a safe, active and cohesive street character. The public realm strategy promotes a cohesive and complexly layered community full of colour, texture, and activity. Large and small shops that are complimented by extensive landscaping, generous sidewalks, patios and retractable canopies. The development will feature a plethora of amenities in addition to plenty of shops, cafes and restaurants each with ample patio and outdoor space.

The courtyard facing Sunset Drive is a positive design inspiration at varying scales. The courtyard is ringed by trees, has a large public space located at the ground level and the courtyard is found on the tower levels with large semi-recessed balconies. This approach to elevated living encourages the outdoor lifestyle that is prevalent in the region. To this end, all site landscaping is specific to the Okanagan climate, and plantings are selected based on low maintenance and sensitivity to the local environmental. A main feature for the residents is a large landscaped and outdoor amenity space which acts as a gathering place. This is located on top of the podium with direct access from both towers. The terracing arrangement of the podium encourages interaction with the street and spills down from the residences to the gardens and amenities and finally to street level. The wrapping of the podium with at-grade retail at differing scales breaks down the mass of the façade and allows for an engaging streetscape, creating a generous sidewalk and outdoor seating areas. The provision of street lighting and clear site lines creates a warm and welcoming public realm and eliminates CPTED issues. Through a reduction in the number of grade changes, raised planter beds and other impediments as well as a requirement that all entrances be fully accessible, a healthy and walkable streetscape is ensured.

The stepped podium massing slows wind speeds and directs it away from sidewalk and patio areas. This massing combined with strategic landscaping will let the warm sun in, while keeping the cold wind out, extending the appeal of an outdoor lifestyle. Raised garden levels provide semi private amenities to residents, and further reduce heat island effect and storm water run- off.

Parking for the development will be located in the 3 story podium and will be wrapped by commercial units on Sunset Drive and on Water Street as well as live/work units on Ellis Street. Podium edges are articulated to create an enjoyable and walkable environment, allowing for easy navigation and orientation. Due to the high water table, the proposal does not include any occupied space below grade. Vehicular access to the site is at the northern limit of the site with access from sunset drive to the west and separate access from Ellis street to the east. This approach accommodates vehicles while permitting the remaining 3 sides of the site to be urban in scale and with a very strong focus on the pedestrian. Parking is provided in excess of the 1 per unit requirement and is to be screened from view from the street.

The proposed material strategy is designed to allow for a consistent and modern palate throughout the development while enabling individual tenancies to have their own character. At the base, durable materials such as concrete, stone, and metal complemented by warmer tones in wood allow some variety in form and colour. High quality materials provide texture, durability and a fine grain character to the retail streets and pedestrian mews in the project. All materials chosen are long lasting, durable, and will stand the test of time. Above this base, a clean modern material strategy emerges though the use of subtle tones and expansive glazing. Consistent use of materials and colours at the lobbies and entries of the buildings as well as in the parkade help orient residents and visitors alike.

4.2 Site Context

The subject property is located at the north end of downtown. The site is located across from Prospera Arena and is located on a street that has many residential towers.

Orientation	Zoning	Land Use
North	C4 – Urban Centre Commercial &	Vacant & Residential
NOITH	RM6 – High Rise Apartment Housing	
Eact	l2 – General Industrial	Industrial &
East	14 – Central Industrial	Commercial
South	CD5 – Multi-Purpose Facility	Arena &
500011	CD3 – Molti-Folpose Facility	Parking Lot
	RM6 – High Rise Apartment Housing;	Mixed use (residential / commercial)
West	C7 – Central Business Commercial; &	Residential
	P3 - Parks	Park

Specifically, adjacent land uses are as follows:

Subject Property Map: 1187 Sunset Dr



4.3 Zoning Analysis Table

The zoning analysis table shows the requirements of the C7 zone compared to the proposal:

	Zonin	g Analysi	s Table							
CRITERIA	C7 ZONE REC	UIREME	NTS	PRO	POSAL					
For porti	on of building betwe	een o.o m	etres & 16	6.0 metres in heigh	nt					
Front Yard (Water St)	0.0	m		0.171 M						
Flanking Street (Ellis St)	0.0	m		0.5	73 m					
Flanking Street (Sunset Dr)	0.0	m		0.1	20 M					
Rear Yard Setback	0.0	m		0.00 m(NW Cornei	r)				
Floorplate	No rest	.9.5 m²								
For po	rtion of building bet	ween 16.0	o metres	& above in height						
				North Tower	South	n Tower				
Front Yard (Water St)	3.0	m		70.44 M	6.6	51 m				
Flanking Street (Ellis St)	3.0			62.87 m		53 m				
Flanking Street (Sunset Dr)	3.0			4.65 m		44 m				
Rear Yard Setback	4.0	m		4.51 M	76.	21 M				
Floorplate	1,223			960.5 m ²	960	.5 m²				
		ment Rec	ulations			5				
	Podium	North Tower	South Tower	Podium	North Tower	South Tower				
Height	16.0 / ~4.5 stories (unless Bldg steps back)	22.0	om	12.2 m / 3 stories	29 storeys (~98m) ①	36 storeys (~119)				
Corner Cut Setback	4.5	m		4.5 m						
FAR	9.	0		5.3						
	Parki	ing Regula	ations							
Minimum Parking Requirements	498 parki (404 stalls for re 58 stalls fo 36 stalls for comm	esidential or visitors		544 parking stalls (46 stalls over or 8.5%)						
Two-drive aisle minimum	7.0	m		7	7.0m					
Min. Loading Spaces	1 st	all		2	stalls					
	Small Size	: 10% Max	(Small Size:		•				
Ratio of Parking Stalls	Medium Siz	•		Medium Siz	,	•				
	Regular Siz	-	n	Regular Size:						
Minimum Bicycle	Class 1: 2				: 206 bikes					
Parking Requirements	Class 2: A	-		Class 2	2: 48 bikes					
		er Regula				EII: C				
Minimum frontage for	Sunset Dr Wat	er St	Ellis St	Sunset Dr V	Vater St	Ellis St				

		Zoning Anal	lysis Table						
CRITERIA	C ₇ ZON	E REQUIRE	MENTS	PROPOSAL					
commercial, civic, cultural, or ground oriented residential on 1 st floor	75%	100%	75%	87%	100%				
Minimum Private Open Space	10.0m ² pe 15.0m ² pe <u>15.0m² pe</u>	r studio unit (er 1-bedroom Units) r 2-bedroom Units) er 3-bedroom <u>Units)</u> = 4,945.0 m ² include town live/work)	unit (118 unit (194 nunit (49	1 Bed 2 Bed <u>3 Bed</u> 6,4 (Does not incl	o = 161 m ² = 1367 m ² = 3853 m ² = 1093 m ² 74.0 m ² ude townł e/work)	: 2 -			
				Water St 🛛	Sun	set Dr 🛛			
Maximum Balcony Projection		o.6m		1.32 m on level 6 & o.87 m on level 3	7, 8, 9	1.585m for levels 7, 8, 9, 13, 14, 15, 20, 21, 24, &25.			
To increase the permitteeTo increase the permittee	0								

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Downtown Development.² Support rezoning to C7 use in the downtown Urban Centre area only where properties are surrounded on a minimum of 3 sides by existing C7 zoning. The intent of this policy is to support intensification within the existing core areas of Downtown.

Commercial Land Use Policies.³ Encourage mixed-use commercial development.

Contain Urban Growth.⁴ Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

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

² City of Kelowna Official Community Plan, Policy 5.3.4 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Objective 5.24 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Goals for a Sustainable Future, Objective 1 (Chapter 1 Introduction)

Housing Mix.⁵ Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

Objective 5.5: Ensure appropriate and context sensitive built form.

Building Height.⁶ In determining appropriate building height, the City will take into account such factors as:

- Contextual fit into the surrounding neighbourhood;
- Shadowing of the public realm;
- View impacts;
- Overlook and privacy impact on neighbouring buildings;
- Impacts on the overall skyline;
- Impacts on adjacent or nearby heritage structures;

Chapter 4: Land Use Designation Massing and Height.³

- Mitigate the actual and perceived bulk of buildings by utilizing appropriate massing, including:
- Architectural elements (e.g. balconies, bay windows, cantilevered floors, cupolas, dormers);
- Visually-interesting rooflines (e.g. variations in cornice lines and roof slopes);
- Step back upper floors to reduce visual impact;
- Detailing that creates a rhythm and visual interest along the line of the building;
- Wall projections and indentations, windows and siding treatments as well as varied material textures should be utilized to create visual interest and to articulate building facades;
- Building frontages that vary architectural treatment in regular intervals in order to maintain diverse and aesthetically appealing streets.

Chapter 14: Urban Design Guidelines Amenities, ancillary Services and Utilities.⁷

- Locate loading, garbage, storage, utilities and other ancillary services away from public view. All such areas shall be screened and designed as an integral part of the building to minimize impact;
- Create attractive rear alley facades with high quality materials on buildings facing residential areas (e.g. rear building entrances, windows, balconies, plazas, and plantings).

Chapter 14: Decks, balconies, rooftops, and common outdoor amenity space.⁵

- Incorporate decks, balconies and common outdoor amenity spaces into developments;
- Integrate vents, mechanical rooms and equipment, and elevator penthouses with the architectural treatment of the roof, and/or screen these elements with materials and finishes compatible with the building's design;

Chapter 14: Signs.⁵

- Integrate signage that contributes to the overall quality and unique character of a development (e.g. coordinate proportion, materials, and colour);
- Do not compromise the scale and visual qualities of a building with the size and number of signs;
- Locate, size, and format signs such that they can be easily read by pedestrians.

⁵ City of Kelowna Official Community Plan, Policy 5.27.11 (Development Process Chapter)

⁶ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

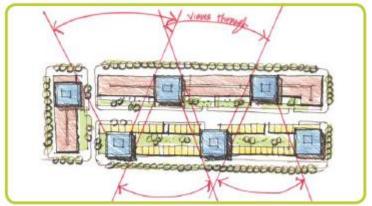
⁷ City of Kelowna Official Community Plan, Chapter 14 Urban Design Development Permit Areas, Guidelines

Building Height.⁸ In determining appropriate building height, the City will take into account such factors as:

- Contextual fit into the surrounding urban fabric;
- Shadowing of the public realm;
- View impacts;
- Overlook and privacy impacts on neighbouring buildings;
- Impacts on the overall skyline;
- Distance between adjacent buildings above 22m in height;
- Impacts on adjacent or nearby heritage structures;
- Building form and massing to mitigate negative impacts of buildings over 22m in height.

For all properties where height variances are required, a minimum separation distance of 36.5 m (120 ft.) will be sought between adjacent towers where there are floor plates larger than 697 sq. m (7,500 sq. ft.) and a minimum separation distance of 30.5 m (100 ft) will be sought between towers where floor plates are less than 697 sq. m. (7500 sq. ft.). In addition, where a height variance is required, adequate view corridors shall be provided between towers. For blocks a minimum of 100m in width, any portion of a building above 44.0m should be sited to afford existing surrounding tower development on the same block a 40 degree panoramic view, measured from the closest building face parallel to the lot line fronting a street. (See Diagram 5.1)

Diagram 5.1



6.0 Technical Comments

- 6.1 Building & Permitting Department
 - 1) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s).
 - 2) Location of existing preload material to be determined
 - 3) Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
 - 4) HPO (Home Protection Office) approval or release is required at time of Building Permit application.
 - 5) A Hoarding permit is required and protection of the public from the staging area and the new building area during construction. Location of the staging area and location of any cranes should be established at time of DP.

⁸ City of Kelowna Official Community Plan, Objective 5.5 (Development Process Chapter).

- 6) A Geotechnical & Structural peer review <u>will</u> be required and the Mechanical & Building Code analysis peer review may be required at time of building permit application review. Please contact the Chief Building Inspector to review the policy and procedures in place for the peer review requirements and cost that will be associated to the owner for this independent review work. Peer review and drawing revisions if any are required to be addressed on the approved building permit drawings.
- 7) Requirements of the City of Kelowna fire prevention regulations bylaw No. 10760 for buildings 6 stories and greater are to be shown on the building permit drawings. Please add these to the requirements outlined in BCBC 3.2.6 for High Buildings
- 8) Fire Department access to site, turn a rounds requirement for equipment, travel distance from the truck access to the front doors of the units and private hydrant locations if required are too be verified with Kelowna Fire Department. The Fire truck is required to be able to drive up to access the front door within a range of 3 meters to 15 meters on an unobstructed hard surface path.
- 9) A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):
 - a. Any alternative solution must be accepted by the Chief Building Inspector prior to the release of the Building Permit.
 - b. Location, Heights, Colors of mechanical systems and the required screening are to be determined at time of DP
 - c. Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
 - d. Handicap Accessibility to the main floor levels to be provided, ramps may be required.
 - e. Additional exit corridor maybe required for the tower since only one exit thru lobby is allowed. The travel distance for allowance of exit thru lobby is be defined to meet the limits or the lobby may require redesign.
 - f. Access to the roofs are required per NFPA and guard rails may be required and should be reflected in the plans if required
 - g. Single exit units (townhouses on the podium) are required to have a second exit if the single exit proposed is higher than 1.5 meters above the adjacent ground level BCBC 3.3.4.4. (3)
 - h. The terrace / roof top areas require a secondary means of egress as per BCBC 3.3.1.3. (2)
 - i. Green roof design will require schedules and sealed design by a building envelope consultant/engineer.
 - j. Washroom requirement for any Restaurant(s), CRU's, Live/Work or Amenity spaces are to be addressed on the base building drawings.
- 10) A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application. Minimum building elevations are required to be established prior to the release of the Development Permit. If a soil removal or deposit permit is required, this must be provided at time of Development Permit application.
- 11) A minimum Geodetic Elevation of 343.66 meters is required for all habitable spaces including the parking garage(s). Minimum building elevations are required to be established prior to the release of the Development Permit or alternative approval from the subdivision approving officer as per section 5.3 of the bylaw is required prior to issuance of any building permits. If the Architect, Mechanical Engineer and Structural Engineer decide to water proof the foundation the drawings submitted for permit application must clearly define the details for protection of the walls and slab. Details and elevations at the vehicle ramp may need to be modified to accommodate the 343.66 minimum elevation.
- 12) We strongly recommend that the developer have his professional consultants review and prepare solutions for potential impact of this development on adjacent properties. Any damage to adjacent

properties is a civil action which does not involve the city directly. The items of potential damage claims by adjacent properties are items like settlement of foundations (preload), damage to the structure during construction, undermining & underpinning of existing foundation, additional snow drift on neighbour roofs, excessive noise from mechanical units, vibration damage during foundation preparation work, water infiltration systems, etc.

- 13) An exit analysis is required as part of the code analysis at time of building permit application. The exit analysis is to address travel distances within the units and all corridors, number of required exits per area, door swing direction, handrails on each side of exit stairs, width of exits, spatial calculation for any windows in exit stairs, etc. Fire resistance ratings are required for storage, janitor and/or garbage enclosure room(s) / area(s). The drawings submitted for building permit is to clearly identify how this rating will be achieved and where these area(s) are located. Please address the requirements for temperature rise doors.
- 14) Mechanical Ventilation inlet and exhausts vents are not clearly defined in these drawings for the enclosed parking storeys. The location and noise from these units should be addressed at time of Development Permit.
- 15) Size and location of all signage to be clearly defined as part of the development permit. This should include the signage required for the building addressing to be defined on the drawings per the bylaws on the permit application drawings.
- 16) Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this complex at time of permit application.

6.2 Development Engineering Department

See attached memorandum dated July 6th 2017.

6.3 Fire Department

- 1) Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required. Template at Kelowna.ca.
- 2) Should a hydrant be required on this property it shall be operational prior to the start of construction and shall be deemed a private hydrant.
- 3) This building shall be addressed off of the street it is accessed from .
- 4) A fire safety plan as per section 2.8 BCFC is required at occupancy. The fire safety plan and floor plans are to be submitted for approval in AutoCAD Drawing format on a CD.
- 5) Fire Department access is to be met as per BCBC 3.2.5.
- 6) Approved Fire Department steel lock box acceptable to the fire dept. is required by the fire dept. entrance and shall be flush mounted.
- 7) All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met including those for high buildings and communications.
- 8) Fire alarm system is to be monitored by an agency meeting the CAN/ULC S561 Standard.
- 9) Contact Fire Prevention Branch for fire extinguisher requirements and placement.
- 10) Fire department connection is to be within 45M of a fire hydrant unobstructed unless all life safety issues are confirmed.
- 6.4 IPlan Parks & Public Spaces

- 1) Building corner creates a pinch point for pedestrians. Recommend cutting back to allow for clear sight lines, pedestrian safety and comfort, and adequate room for pedestrian to prepare to cross Ellis or Clement at the intersection.
- 2) Extend paving to create a bulb-out to serve as an entry plaza.
- 3) Ensure sidewalks at driveways remains level across the span of the drive aisle. Install MMCD standard vehicular letdowns.
- 4) Please provide a detail or specification for all fences which border public walkways. The intent would be to keep fencing low and transparent to increase vitality on the street.
- 5) Need to see a detail of tree planting in plaza in order to show how required soil volumes are being achieved.
- 6) Extend paving band to sidewalk and terminate sod here. Move tree over into sod area.
- 7) Recommend that retail entry doors are mirrored/paired to improve the street frontage rhythm, allow for larger entryways which create nodes for street life to occur. Once buildings are occupied, please ensure that the overall aesthetic and building façade is varied between units to provide an authentic, human scaled feeling within the urban realm.
- 8) Please show property lines on all plans/enlargements.
- 9) Indicate 900mm soil depth for all tree plantings areas. Refer to Bylaw 7900 for soil volume requirements.
- 10) Tree species along Ellis Street to be determined. We are trying to define a consistent character and some research needs to be done.

7.0 Application Chronology

Date of Application Received:	June 27 th 2017
Date Public Consultation Completed:	June 27 th 2017

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

Attachments:

Attachment 'A' Development Engineering Memo dated July 6th 2017 DP17-0154 & DVP17-0157

CITY OF KELOWNA

MEMORANDUM

Date: July 06, 2017

File No.: DP17-0154

To: Community Planning (AC)

From: Development Engineer Manager (JK)

Subject: 1187 Sunset Drive

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

1. <u>General.</u>

a) All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z16-0077.

James Kay, P.Eng. Development Engineering Manager

JA



CITY OF KELOWNA

MEMORANDUM

Date: July 06, 2017

File No.: DVP17-0157

To: Community Planning (AC)

From: Development Engineering Manager (JK)

Subject: 1187 Sunset Drive

Development Engineering comments and requirements regarding this development permit application are as follows:

This development variance permit application to vary the height to increase the north tower to 82.35 m - 29 stories and increase the south tower to 118.55 m - 36 stories does not compromise any municipal services.

James Kay, P. Eng. Development Engineering Manager ATTACHMENT A This forms part of application # DVP17-0157 City of Planner Initials AC COMMUNITY PLANNING

JA

DEVELOPMENT PERMIT / DEVELOPMENT VARIANCE PERMIT



APPROVED ISSUANCE OF DEVELOPMENT PERMIT (DP17-0154) / DEVELOPMENT VARIANCE PERMIT (DVP17-0157)

Issued To:	Sunset Drive Properties Ltd.
Site Address:	1187 Sunset Drive
Legal Description:	Lot 1, District Lot 139, ODYD Plan KAP76304
Zoning Classification:	C7 – Central Business Commercial
Development Permit Ar	rea: COMPREHENSIVE DEVELOPMENT PERMIT AREA

SCOPE OF APPROVAL

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

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

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

1. TERMS AND CONDITIONS

THAT Development Permit No. DP17-0154 for Lot 1, District Lot 139, ODYD Plan KAP76304, located at 1187 Sunset Dr, Kelowna, BC, to allow for the construction of the development be approved subject to the following:

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

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted, as shown on Schedule "A, B, & C":

Section 14.7.5 Development Regulations (b)

To vary the maximum height of a building from 22 metres to 119 metres for the south tower and 98 metres for the north tower.

Section 6.4.2 Projections Into Yards

To vary the permitted balcony projection into the side yard (Sunset Drive) from 0.6m to 1.59m at various levels as described in Schedule 'A' and to vary the permitted balcony projection into the front yard (Water Street) from 0.6m to 1.32m on level 6 & 0.87m on level 36 as described in Schedule 'A'.

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

2. 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 Permit Holder and be paid to the Permit Holder if the security is returned. The condition of the posting of the security is that should the Permit Holder 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 the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Permit Holder, or should the Permit Holder carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Permit Holder. There is filed accordingly:

- a) Cash in the amount of \$ 915,210.62 OR
- b) A Certified Cheque in the amount of \$_____OR
- c) An Irrevocable Letter of Credit in the amount of \$ 915,210.62

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.

3. DEVELOPMENT

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

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit IS NOT a Building Permit.

4. APPLICANT'S AGREEMENT

I hereby declare that all of the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality granting to me the said Permit.
- b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

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

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

5. APPROVALS

Issued and approved by Council on the _____ day of _____, 2017.

Ryan Smith, Community Planning Department Manager Community Planning & Real Estate Date

Ryan Smith, Community Planning Department Manager Community Planning & Real Estate

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





1187 SUNSET DRIVE, KELOWNA, BRITISH COLUMBIA



2017-07-31 DEVELOPMENT PERMIT AMENDMENT





NorthAmerican[®] kerkhoff ARCHITECTURAL STRUCTURAL MECHANICAL ELECTRICAL LANDSCAPE LANDSCAPE 1-01 COVERPACE 1-02 OVERPACE 1-03 STEPLAN 1-04 STEPLAN 1-A 101 PROJECT DRAWING LIST A 102 PROJECT DRAWING LIST A 103 PROJECT STATETICS A 104 OFTED PLAN A 1061 CONTECTIVE RADIETINGS SHEET 1 A 1040 PERSPECTIVE RENDERINGS SHEET 1 A 1040 STE: SURVEY PLAN A 1050 STE: SURVEY PLAN A 1151 STE: SURVEY PLAN A 1151 STE: SURVEY PLAN UNIT OF MEASUREMENT : METRIC NOT TO BE SCALED. THE C ATA NOTED HEREIN WITH THE CONDITIONS ON SITE AND IS RESPONSIBLE EPORTING ANY DISCREPARCY TO KASIAN ARCHITECTURE INTERIOR DESIGN VANING LTD FOR ADJUSTMENT. THIS DRAWING, AS AN INSTRUMENT OF SERVICE, IS THE PROPERTY OF KASIAN AROHTECTURE INTERIOR DESIGN AND FLANNING LTD, THE COPYRIGHT IN THE MAKE BEING RESERVED TO THEM. NO REPRODUCTION BLAUMED WITHOUT THE PERMISSION OF KASIAN AROHTECTURE INTERIOR DESIGN AND PLANNING LTD AN WHEM IMDE MUST BEAR TIS NAME. SCHEDULE A & B A 1101 STE - CONTROLEAN & STE INGRES A112 STE - LOCATION FAIN A A112 STE - LOCATION FAIN A A113 STE - CORENLE TAN A114 STE - SUBCONTROLEAN A A114 STE - SUBCONTROLEAN A A116 STE - SUBCONT - FAIR LORGEN A116 STE - SUBCONT - FAIR LORGEN A116 STE - TOURE 2 STELACK ENCROLOMENT A117 STE - TOURE 2 STELACK ENCROLOMENT A117 STE - TOURE 2 STELACE (STELACE) A118 FLOOR FAIN - FOOLUL - LEVEL 2 A118 FLOOR FAIN - TOURE 1 - LEVEL 2 A118 FLOOR FAIN - TOURE 1 - LEVEL 2 A118 FLOOR FAIN - TOURE 1 - LEVEL 2 A128 FLOOR FAI This forms part of application #_DP17-0154 & DVP17-0157 City of Kelowna Planner FLOR FLAW-TOWERS 142-LEVELS OF TO 10 TYPICAL FLORER-ML-TOWERS 142-LEVELS OF TO 10 TYPICAL EVELS 110 25 TYPICAL FLORER-ML-TOWER 1-LEVELS 10 TO 25 TYPICAL & TOWER 2-LEVELS AT 102 TYPICAL FLORER-ML-TOWER 1-LEVELS & TOWER 2-LEVEL 39 BULLION GENERATION-OFFICIAL - SOTT BULLION GENERATION - FORMA - SEET 1 BULARDED ELEVITIONS - FORMA - SEET 1 BULARDED ELEVITORS - FORMA - SEET 2 MLITERUI- HELETE SCHEDLE AC A2.305 CIVIL Initials COMMUNITY PLANNING A2.306 C-01 C-02 C-03 LOCATION PLAN SITE SERVICING PLAN SITE GRADING PLAN A2.307 A4.001 A4.002 A4.003 A4.004 DEVELOPMENT PERMIT AMENDMEN DEVELOPMENT PERMIT ISSUANCE 2017-07-31 2017-06-28 DATE A4.101

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WATER

STREET

APPROVED:

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1187 SUINSET DRIVE KELOWINA B.C. CANADA

PROJECT DRAWING LIST

DEVELOPMENT PERMIT AMENDMENT NOT FOR CONSTRUCTION

PROJECT NO: 190104 AUTHOR: GM

A0.101

kasian KASIAN ARCHITECTURE 453 - 1011 9TH AVENUE CALGARY AR T2G DH7

KEYPLA

A4.102 A4.201

MATERIAL PALETTE SCHEDULE A4.201 MATERIAL PALETTE SCHEDULE A4.301 BUILDING ELEVATION - TOWER 1 - NORTH / EAST A4.302 BUILDING ELEVATION - TOWER 1 - SOUTH / WEST

A4.502 BUILDING ELEVATION - TOWER 1 - SOUTH / WEST A4.501 BUILDING ELEVATION - TOWER 2 - NORTH / EAST A4.502 BUILDING ELEVATION - TOWER 2 - SOUTH / WEST

				-
PROJECT INFORMATION	ARCHITECTURAL SYMBOL LEGEND	ARCHITECTURAL ABBREVIATIONS	DESIGN NARRATIVE	NorthAMERICAN
MUNICIPAL ADDRESS 1187 SUNSET DRIVE, KELOWNA, B.C., V1Y9P7	ANNOTATION SYMBOLS		PROJECT OVERVIEW THE PROPOSED DEVELOPMENT HAS BEEN BRANDED AS 'DNE WATER STREET AND IS DESIGNED WITH ALL THE AMENTES FOR MODERN HIGH DENSITY LIVING. IT HAS BEEN CAREFULLY DETILLED DE FULLY RESPONSIVE TO VIEWS, CLIMATE AND THE URBAN COMPEKT. THE OBJECTIVE IS TO DEVELOP A HIGH DENSITY PROJECT WITH COWE TOWERS AND GENEROUS	DEVELOPMENT GROUP
LEGAL ADDRESS LOT 1, DISTRICT LOT 139, ODYD PLAN KAP78304	DE IAL NUMBER		definited to de road reportingent to internet band the multiple a department to the experiment to the experiment of the	
PROPOSED ZONING C7			SITE	(kerkhoft
PROPOSED USES APARTMENT / RETAIL / LIVE-WORK	GRAWING NUMBER SECTION NUMBER		THE STIE SLOCATED AT 1197 SUIKET DRIVE, TO THE WORTH SDE OF CLEMENT WE ARRORS THE STREET FROM THE WORTHERN BUINDARY OF THE C7 AREA, A ZONE WHOSE PURPOSE IS TO ENCORAGE MOR DENSITY MIXED USE BUILDINGS. THE PROPOSED RE-ZONING IS A INATURAL EXTENSION OF THE C7 ZONE WORTHWINKED.	CONSTRUCTION
PROPOSED INCERT TOWER 1 (SOUTH) - 38 STOREYS / 118.55m TOWER 2 (NORTH) - 28 STOREYS / 82.35m STE AREA	0 REF NOUTO NOT NOT NOT NOT NOT NOT NOT NOT NOT N		ZOWING. THE CF 20XeE THAT IS BEFORE THE CITY FOR APPROVAL PERMITS AN FAR OF 9 AND A MAXIMUM HEIGHT OF TS.SH. IT ALSO LIMITS FLOOR PLATE SIZE TO A MAXIMUM OF 1221 SM. WITHIN THESE PROMETIESE, THO TO TAKENE OF SETORESY SEADL COLLOBLE BUILT WITH AN APPROXIMATE FAR OF 7 AL. THE ONE WATER STREET PROPOSAL CONSISTS OF THO TOWERSE THE WORTH AT SETORES WAT THE SOLTH AT STREPRS. THE THEORE ALL OR PLATE IS THIS SM AND THE PROPOSED FAR IS S1. AS SUCH, THE SPREAD PLATE SIZE THAN IS PREMITED BY THE PROPOSED OF ZONE.	UNIT OF MEASUREMENT : METRIC THIS DRAWNO IS NOT TO BE SCALED THE CONTRACTOR IS TO VERIFY DIMENSIONS AND DATA WITTED HERIS WITH THE CONTRACTOR IS TO VERIFY DIMENSIONS AND DATA WITTED HERIS WITH THE CONTRACTOR IS TO VERIFY DIMENSIONS AND PLANNED LIFTOR AND ADDITIONT.
11,493.2m ² BUILDING AREA			URBAN CONTEXT IN THE VIDANTY OF THE STE ARE SOME OF THE TALLEST BUILDINGS IN RELOWNA. TO THE NORTH IS 151 SUBJECT AT 20 STORETS HIGH. FURTHER NORTH IS WATERSCARES AT 20 STORETS AND APPROXIMENT MIN HIGH. THE STE DESIGN PROMOTE CONNECTION TO THE MARCHITE SURROWINGS PROTIN FREETRIN AND THROLLAN MEMO.	AND FLAMMING LID FCK ADJOSTMENT. THIS DRAWING, AS AN INSTRUMENT OF SERVICE, IS THE PROPERTY OF KASIAN ARCHTECTURE INTERVORDESIGN AND PLANNING LTD, THE COPYRIGHT IN THE SAME BEING PRESERVED TO THE NO. REPROJUCTION IS ALLICIDE WITHOUT THE
FOOTPRINT (IN C GRUDE) - 9.226.22m ² FOOTPRINT (INCL DRIVEWAYS) - 9.829.91 ²² COVERAGE BUILDING - 79.7% SITE COVERAGE (INCL DRIVEWAYS) - 84.5%	REFERENCE 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0		DESIGN PRILOSOPHY IN 1855, THE REINVINED ARCHTECT ARTHUR ERCISION GRATED A SVETICH, "PLAN 95 WHICH HELPED DEFINE THE VANCOURER SVYLINE FOR YEARS TO COME. IT WAS CHARACTERIZED BY TALL, BUT WHICH SYSPANATED, SLEDGER TOWERS, IN TERSPRESED WITH LOW ARKE BULLDING, PLBLU SYACES, SMALL ARKS AND PERESTRIAN-REDOLV, STREETS/DAYES AND FALOEIS TO MININZET THE MARKET OF A HIGH OBJECTIV POPULATION, VANCOUVER'S SUBSECLIENT APROXANT TO HIGH REE, HIGH ANIBOTT AND HIGH LESSIN'S NOW HIGH Y REVIEWED ACCIDES THE WARLE.	PERMISION OF KABIN ARCHTECTURE INTERIOR DESIGN AND PLANING LTD AND WHEN MADE MUST BEAR ITS NAME.
SITE COVERAGE (INCL. URIVEWALG)	Reference SM/TP/Rev		JUST AS ERCHSON'S VISION FOR VANCOUVER RESONATED AS IT REMANED SENSITIVE TO THE WITURU SURROUNDINGS, THE SWEEPING CURVE OF ASCEDIDING, HIGH-RISE FORMS, WHICH IS EXTENDED BY THIS SCHEME WILL CREERRATE AND REFLECT KELOWING S MOUNTAIN AND VALLEY LANDSCAPE.	
	exterior Audier exterior Elevation Reference Ref		ONE WATER STREET DELIVERS AN CONC DESIGN, CONSISTING OF TWO RESDENTINL TOWERS ABOVE A.S STOREY POOLIM. THIS PROPOSIL OPTS FOR A BLENDER POINT TOWER FORM THAT PROMOTES VENIS TO AND FRUIT TE DEVELOPMENT. THESE PROPORTION PERMIT BREATHING BOOM BETWEEN THE TOWERS WITH GENEROUS AMENITY SPACES ON THE POOLIM. THE PROPOSE DESTIFICIT CLANDALE IS BEFINED AS "OKAMIGAN URBAY." A HARMONICUS BLEND OF CONTEMPORARY ARCHITECTURAL STYLE, MESTLED WITHIN THE UNDLE CHARACTER OF THE OKAMAGIN ENVIRONMENT.	
	0 REF DRAWING NUMBER		FOOM THE TOWERS ARE ANCLED IN PLAN TO MAXINZEY VENS TOWARDS THE LAKE AND THE BROCE. THIS ANGLAR ARRANGEMENT IS FOUND REPEATEDLY IN THE LAYOUT OF THE POOLUM AND RESULTS IN A BRE-MOONIN OF THE MASS OF THE POOLUM FAGURE CREATING HUMAN SOLIE ELEMENTS AND EXTERIOR SPACES WITH OWRAVEER.	
	SIM/TYP/REV INTERIOR ROOM ELEVATION REFERENCE ELEVATION NUMBER		THE FACURE TREATMENT OF THE TOWERS FURTHER SERVES TO BREADOWN THE MASS WITH THE USE OF WAYING GLASS SOLOURS AND WITH HORZONTAL EXTENSIONS OF THE BALCOMY ENELOSIZES. THE UNITS TREATELIES AN E BROTT AND SPACOUS WHELE ALLOWING FOR LARGE OUTCOM TERMORES MAD WITH HORZONTAL EXTENSIONS OF THE BALCOMY COUNTYRY ON UNIT ELE LINUMETORS AND UNIT THE AND MULT BANK THE ALLOWING FOR LARGE ALLOWING FOR THE TOWERS.	
	0 REF GRID TAG		AT THE TOWER BYTRY LOBBES ETHER SIDE OF THE SUBSET DRIVE COURTY VARD, THE TOWER FORM EXTENDS TO GRADELEVEL AND IS EXPRESSED THERE. THE SOLIE OF THE BUILDINGS ARE REPEATEDLY BROWEN DOWN BY A SERES OF CELEBRATED LOBBY ENTRANCES AND RETAL AREAS.	
	NAME LEVEL NAME 100000 LEVEL TAG		RESPERTING USEND PRIVAPLES THE GOLD, THE RESIDENTS OF ME WATER STREET IS TO PROVIDE HIGH CUALITY, LIVINEL HOLES WITHIN A DENSE MOLVBRAHT URBAN ENVROIMENT. THESE HOMES ARE DESCRED FOR A WARETY OF FAMILIES AND INDIVIDUALS AT ALL STARES IN THEIR LIVES. THE RESIDENCES ARE SMPLY HARANKEED WITH GENERUS BERROOKS, LIVING ROOMS, KITCHES AND DINING ROOKS, ELONG PROVIDED WITH MARLE DAYLEHIT, GOOD VEINS AND PRIVACY. A GENERUS BALCONY, TERRACE OR ROOF PATIO BHANCES THEIR CONNECTION TO THE OUTDOORS AND COMMUNITY AT LARGE.	2 2017-07-31 DEVELOPMENT PERMIT AVENUMENT JB
			RETAL STRATEGY A SUCCESSFUL MAUXABLE NEGROBORHOOD STARTS AT THE GROUND FLOOR A GREAT DEAL OF THAT GROUND PLANE S PROGRAMMED AND ACTIVITED WITH RETAL FRONTAGES. THE DEGIS DEVELOSE A SAFE, ACTIVE AND COMESINE STREET OMAICTER THE PAILUR EXAM STRATEGY PROMOTES. A CONSINE AND COMPLEX L VARSED COMMUNITY FALL OF COLOUR, TEXTURE, MAI ACTIVIT, LAGE AND SMUL SHORT HAT ARE COMPLIANEED BY ESTINSKE LANGCAPHAC, GERKOUS SECANARS STROS AND ERTRA/TABLE COMPLICATE DEGISORIANT MIL FEDUIDE A ACTIVITION OF ADMINIST BANCING TO PERTY OF SMUCH COMPLIANTS SECONTIANTES FOR MINISTRATURE AND ACTIVITION OF DECONSTRATE AND ACTIVITION OF ADMINISTRATION OF ADMINISTRATIONAL ADMINISTRATION OF ADMINISTRATIONAL ADMINISTRATION OF ADMINISTRATIONAL ADMINISTRATIONAL ADMINISTRATION OF ADMINISTRATIONAL ADMINISTRATICA ADMINISTRATIONAL ADMINISTRATICA ADMINISTRATIONAL ADMINISTRATIONAL ADMINISTRATIONAL ADMINIS	1 2010438 DEFECTIVENT BENERALISENT BENERAL
	SPOT ELEVATION TAG		DELED IN THE A LINGSCAPE AND	
	ROOM NAME		THIS DEMONSTRATE DURING DURING DURING MANY MANY MANY MANY MANY MANY MANY MANY	483-1619 RAWING EE TEL - 4 61262 S440 OKUMAR AR TO BRT CHARDA BR, KASHKI CHAR CONSULTANT
	ROOM TAG		AT THE HEART OF THE DEVELOPMENT IS A LANDSCAPED. OUTDOOR AMENITY SPACE WHICH ACTS AS A GATHERING PLACE. COLLECTOR AND AMENITY FOR THE RESIDENTS. THIS WILL BE	
			LOOKITED ON TOP OF THE FOOLINI WIN IDRECT ACCESS FROM BOTH TOWES. THE TERMONA ARAMACEURTY OF THE FOOLINI WITH A GREEK AND STALLS DOWN TRAN THE RESERVENCES TO THE ACCESS FROM BOTH AT DISTRICT FLUEL. THE MANY FOOL OF THE FOOLINI WITH A GREEK AND FOOLING STALLS DOWN THE MASS OF THE ACCESS FROM BOTH AND AND THE FOOL OF THE FOOLINI WITH A GREEK AND FOOL ARAMA THE ACCESS FROM BOTH DOWN THE MASS OF THE THE OFFICE AND A BOTH AND THE FOOL OF THE FOOL OF THE FOOL WITH A GREEK AND FOOL ARAMA THE ACCESS FROM BOTH THE MASS OF THE THE OFFICE AND A DEFAULT OF MASS THE FOOL OF TH	
	E E E E E E E E E E E E E E E E E E E		GRADE CHANGES, RASED PLANTER BEDS AND OTHER IMPEDIMENTS AS WELL AS A REQUIREMENT THAT ALL ENTRANCES BE FULLY ACCESSIBLE, A HEALTHY AND WALKABLE STREETSCAPE IS ENSURED.	SCAL/PERMIT
	INTERIOR WINDOW / BORROWED LITE TAG		CUMMTIC DESIGN THE SUCCES OF THE PLACE AND SURROLADING TENNITS DEPENDS ON CREATING A NELCOMING AND COMFORTABLE OUTDOOR ENVRONMENT THAT PEOPLE CAN INVERT AND BUDY FOR AS MUCH COT THE YEAR AS DOSSILE. THE LANDACKAPE AND PIELL DEFAULT DIS DESIGNED TO HARRESS AND MITIGATE ENVRONMENTAL FACTORS TO CREATE A REASANT SHELTERED OUTDOOR UNCO CLAMME FOR FARTAS, BURKENS AND CHEMICAS.	
			COLOGRAFICATION IN A STATUS OF THE OWNER OF THE AND RECTS IT AWAY FROM SDEWALK AND PATD AREAS. THIS IMASSING COMBINED WITH STRATEGIC LANDROLPHOW WILL ALLOW US TO LET THE WARM SIX M, WILLE KEEPING THE COLO WIND OUT, EXTERIONS THE APPEL OF AN OUTDOOR LIFESTILE RAKED GARDEN LEVELS PROVIDE SEM PRIVATE AMENTES TO RESIDENTS AND RATHERE REDUCE THE STANDAUGHETCH TO STORM WITH RAN, ON A OUTDOOR LIFESTILE RAKED GARDEN LEVELS PROVIDE SEM PRIVATE AMENTES TO	
	ASSEMBLY SYMBOLS		PARKING & ACCESS ACCOMPRENENT FORSTRAIN ANY VEHICULAR STE ACCESS ARRANGENERY NEL ALLOW VISITORS AND RESERVACE TO COME NO. DO WITH EASE NOT CLARITY PARKING FOR THE ACCOMPRENENT FORSTRAIN ANY VEHICULAR STE ACCESS ARRANGENESY NEL ALLOW VISITORS AND RESERVACES TO COME NO. DO WITH EASE AND CLARITY PARKING FOR THE ACCESS AND ADDRESS AND ADDRESS AND ADDRESS AND ADDRESS AND ADDRESS AND RESERVACES TO ADDRESS AND ADDRESS	
	ASSEMBLY SYMBOLS		STREET: POULIE LOES ARE APPCULATED TO CHEET ALE BUOYNELE NO MULAURE ENVIRONMENT, ALLOWING FOR EASY HAUGUIDA NOD GENEMATION. DUE TO THE HAN WITE TRALE IN RELEDINON DOCUMED BYSER, LE LICCATTE BIELOUK ONGREE VENCULARACCESS TO THE STIEL SA THE NORTHERN LINE TO THE STIET THE INTERNIT TO REST HAU SERVARE ACCESS FROM LEUS STREET TO THE BAST. THIS APPROVAL COMMODICATE SEVERISES MULT REMITTING THE REMINING SCIES SET TO BE STREM TO SERVARE ACCESS FROM LEUS STREET TO THE BAST.	
	(F1) FLOOR ASSEMBLY TAG (VTD) WALL / PARTITION ASSEMBLY TAG		PROVIDED IN EXCESS OF THE 1 PER UNIT REQUIRED BY THE BY-LAW AND IS TO BE SCREENED FROM VIEW FROM THE STREET.	Jen Je
	CELLING ASSEMBLY CELLING ASSEMBLY TAG		THE PROPOSED MATERIAL STRATEGY IS DESIGNED TO ALLOW YOR A TIMELESS. CONSISTENT AND MODERN PALATE THROUGHOUT THE EVELOPMENT WHAT EXAMINES NOVOD ALLOW SOME TEMANCIES TO HAVE THER YOM CHARACTER AT THE BASE, DURABLE MATERIALS SUCH AS CONCRETE, STONE, MOM DATAL COMMENTURE TO THE EVEL STORES IN WOOD ALLOW SOME WARTERY TO RRU AND COUCH HARD AULTY MATERIALS PROVIDE TEXTURE, DURABLE MATE AND A FINE GRANC (HARACTER TO THE BETALL STREETS AND PEDESTINA WHEN IN THE PROJECT.	PROSECT
	CEILING HEIGHT A.F.F.		ALL MATERIAS DAGENARE LONG LASTING, CUMUREL, MAN WILL STAND INF 1551 OF TIME. ABOYE THE BARE, A CLANI MODERNI MATERIAS, TRANETO BERRESS THOLOW THE USE OF SUBETLE TOMES AND DEPANSIVE GLAZING, CONSISTENT USE OF MATERIALS NO COLOURS AT THE LOBBES AND ETHEORISS OF THE LOURISS AS WILL AS IN THE PRAVADE HELP ORDER RESIDENTS NO VISITORS A.K.E.	ONF WATER
	R1 ROOF ASSEMBLY TAG		OTED IN KROER TO ENSIRE EFFECTIVE CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (OTED) FOR THE PROJECT IT WILL USE SUFERAL APPROACHES IT WILL NOLDE BUT NOT LIMITED TO STATISTES SUBJISM INTELIAUSE, SUBJISMELTAUSE, TERRITORIA BEINFORGEMENT, INTERNA ACCESS CONTROL AND TARGET HRODEINIS. THE FOLLOWING SUMMARY WILL DERIFY THE	
	FINISH SET OUT / START POINT		ELEMENTS AND STRATEGES BARLONED WITH REGARDS TO THE AROVE. THE PROJECT FACES DON'T THE EFAULC STRETES, WATER 3T, ELLS ST. MOD SUNSET DRIVE. THE LOCATION OF RETALL LOBBY AND LIVEWORK UNITS PROVIDE INITIAL SURVEILLANCE BY HWING VERY OF THE STRETE THROUGHD THE COLSINE OF THE AVY. DRIVE REFINING HOURS AFTER BUSINESS HOURS STREET LIGHTING AND CLARA SIGHT LIKES HED TO PROVIDE SAVE	1187 SUNSET DRIVE, KELOWINA, B.C., CANADA
	CI FINISH TYPE TAG		ACCESS TO THE LOBBIES AND GROUND FLOOR UNITS. IT ALSO HELPS TO DETER VANDALISM OR RELATED ACTIVITIES.	
		SCHEDULE A&	CONTROL. PROJECT ANTRONE AND ACCOMPANIES AND A CONTROL METAGES AND SIGNATES LASSCAPANA ON DESIGNARYONES GEREEN AREAS THAT REQUIRE INMINA. LIVERE BUIL PROVICE ANTITURA UN OCCOMMISTER LIVELIA DERAS AND CLARK LIVENTIENTI DIFONDIATIONENT E TELLA FRANKASSA DOSIMANE. TE THERE SERVICES ENTRANCES CLARA Y CONTE THE PRIVATE ACCESS FOR REDIDENTS. THE PRAVADE LOBBY AND PARVORE ACCESS MULTUS SECURITY MEXARIE MAINTAIN A SEMPRIVATE ACCESS DURING REGULTA MON ATTER HOURS.	PROJECT INFORMATION, SYMBOLS & LEGENDS
		his forms part of application	REGISTIN RUM THE INFORMATION. THAGET HINREE THING MEASURE MILL BE REQUIRED FOR THE REMAINING LOW USE AREAS SUCH AS DIT STARRS, LOADING AREAS AND SERVICE ENTRANCES. THIS WILL REQUIRE BE ADDRESSENT HINREE THING AS A DREAM AND ADDRESSENT AND ADDRESSENT AND ADDRESSENT AD	
	ACCESSORY TYPE TAG	DP17-0154 & DVP17-0157	ACCESSIBILITY THE SPRALECT HIS BEEN DESIGNED TO ENSURE INCLUSIVENESS FOR PUBLIC, AND RESIDENTS ALIKE. UNDERSTANDING THAT ACCESSIBILITY IS NOT ONLY FOR MOBILITY INFAMINENTS BUT	PROJECT NO: 190104 AUTHOR GM APPROVED. Cher
	00 FINISH FLOOR TRANSITION TAG	City of	SHOLD ALSO ADDRESS THOSE THAT MAY HAVE OTHER FORMS OF IMPAIRIENTS THAT MAY LIMIT THER HEARING, SIGHT OR PHYSICAL ABLITIES. IN ADDITION THIS PROJECT ALSO LOOKS TO ADDRESS COMMON EVERTIOAN ACCESSIBILITY ISSUES WHEN CARRYING LARGE OBJECTS, TRAVELING WITH CHLIREN, MOVING AND DELIVERY OF GOODS.	DEVELOPMENT PERMIT AMENDMENT
	P			NOT FOR CONSTRUCTION
		itials AC Keio	LOBBY LELIVATORS PROVIDE ACCESS TO MIDITY SPACES LOCATED ON THE UPPER ROOF LEVEL OF THE POOLIM A CENTRU A PARKING LOBBY ALLOWS EASE OF ACCESS TO VISITORS, RETAILS SHOPPER, AND TENNITS ACCENTRU A PARKING LOBBY ALLOWS EASE OF ACCESS TO VISITORS, RETAILS SHOPPER, AND TENNITS ACCENTRU A PARKING LOBBY ALLOWS EASE OF ACCESS TO VISITORS, RETAILS SHOPPER, AND TENNITS ACCENTRU A PARKING LOBBY ALLOWS EASE OF ACCESS TO VISITORS, RETAILS SHOPPER, AND TENNITS ACCENTRU A PARKING LOBBY ALLOWS EASE OF ACCESS TO VISITORS, RETAILS SHOPPER, AND TENNITS ACCENTRU A PARKING LOBBY ALLOWS EASE OF ACCESS TO VISITORS, RETAILS SHOPPER, AND TENNITS ACCENTRU A PARKING LOBBY ALLOWS EASE OF ACCESS TO VISITORS, RETAILS SHOPPER, AND TENNITS ACCENTRU A PARKING LOBBY ALLOWS EASE OF ACCESS	SHEET NO. REVUS
			-ACCESSIBLE STALES MAYE BEEN LOCATED NARK THE CATINAL COMES AND MARKING LOBBY TO IMMILE TRAVEL DISTANCE FOR THE INDEX MITH ENDINEED IN COMES AND MARKING LOBBY TO IMMILE DISTANCE FOR THE INDEX MITH ENDINEED IN COMES AND MARKING LOBBY TO IMMILED MOTILITYACCESSIBLE STALES AND THE RESIDENT IN THE DISTANCE FOR THE INDEX MITH ENDINEED IN COMES AND MARKING LOBBY TO IMMILED MOTILITYACCESSIBLE STALES AND THE RESIDENT IN THE DISTANCE FOR THE INDEX MITH ENDINEED IN COMES AND MARKING LOBBY TO IMMILED MOTILITYACCESSIBLE STALES AND THE RESIDENT IN THE DISTANCE FOR THE INDEX MITH ENDING THE INDEX MITHER AND THE INDEX MITH ENDING THE INDEX MITH ENDING THE INDEX MITH ENDING THE INDEX MITH ENDING THE INDEX MITHER AND THE INDEX MITH ENDING THE INDEX MITH ENDING THE INDEX MITH ENDING THE INDEX MITH ENDING THE INDEX MITHER AND THE INDEX MITH ENDING THE INDEX MITHER AND THE INDEX MITH ENDING THE INDEX MITHER AND THE INDEX MITHER AND THE INDEX MITH ENDING THE INDEX M	A0.102 2

SCHEDULE A & B This forms part of application

DP17-0154 & DVP17-0157 Cityof

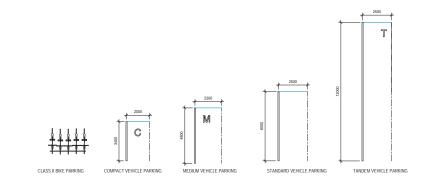
Planner

Kelowna AC

									Sout	h Towe	r Area	Matrix										Initials
Level					Unit # an	d Area (sf)					Total # of	Total Unit			1 Bed +		2 Bed +			2 Bed	3 Bed	
	1	2	3	4	5	6	7	8	9	10	Units	Area (sf)	Studio	1 Bed	Den	2 Bed	Den	3 Bed	4 Bed	Townhouse	Townhouse	
36	4423.0		· ·	-	-			-	-		1	4423.0	-	-			-		1	-	-	
35	2632.0	2604.0	1591.0	-	-	· ·	-	-	-	-	3	6827.0	-	-	-	-	1	2	-	-	-	
34	2632.0	2604.0	1591.0	-	-		•	-	-		3	6827.0	-	-			1	2	-	-	-	
33	2632.0	2604.0	1591.0	-	-	· ·	-	-	-	-	3	6827.0	-	-	-	-	1	2	-	-	-	
32	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	7	7128.0	-	-	2	3	1	1	-	-	-	
31	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	7	7128.0	-	-	2	3	1	1	-	-	-	
30	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	7	7128.0	-	-	2	3	1	1	-	-	-	
29	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	7	7128.0	-	-	2	3	1	1	-	-	-	
28	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	7	7128.0	-	-	2	3	1	1	-	-	-	
27	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	7	7128.0	-	-	2	3	1	1	-	-	-	
26	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	7	7128.0	-	-	2	3	1	1	-	-	-	
25	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	7	7128.0	-	-	2	3	1	1	-	-	-	
24	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	7	7128.0	-	-	2	3	1	1	-	-	-	
23	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	7	7128.0	-	-	2	3	1	1	-	-	-	
22	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	7	7128.0	-	-	2	3	1	1	-	-	-	
21	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	7	7128.0	-	-	2	3	1	1	-	-	-	
20	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	7	7128.0	-	-	2	3	1	1	-	-	-	
19	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	7	7128.0	-	-	2	3	1	1	-	-	-	
18	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	7	7128.0	-	-	2	3	1	1	-	-	-	
17	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	7	7128.0	-	-	2	3	1	1	-	-	-	
16	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	7	7128.0	-	-	2	3	1	1	-	-	-	
15	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	7	7128.0	-	-	2	3	1	1	-	-	-	
14	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	7	7128.0	-	-	2	3	1	1	-	-		
13	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	7	7128.0	-	-	2	3	1	1	-	-		
12	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	7	7128.0	-	-	2	3	1	1	-	-		
11	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	7	7128.0	-	-	2	3	1	1	-	-		
10	611.0	612.0	866.0	457.0	1015.0	553.0	536.0	840.0	1165.0	442.0	10	7097.0	2	2	2	3	1	-	-	-	· ·	
9	611.0	612.0	866.0	457.0	1015.0	553.0	536.0	840.0	1165.0	442.0	10	7097.0	2	2	2	3	1	-	-	-	· ·	
8	611.0	612.0	866.0	457.0	1015.0	553.0	536.0	840.0	1165.0	442.0	10	7097.0	2	2	2	3	1	-	-	-	· ·	
7	611.0	612.0	866.0	457.0	1015.0	553.0	536.0	840.0	1165.0	442.0	10	7097.0	2	2	2	3	1	-	-	-	· ·	
6	611.0	612.0	866.0	457.0	1015.0	553.0	536.0	840.0	1165.0	442.0	10	7097.0	2	2	2	3	1		-	-		
5	1908.0	1835.0	1929.0	1881.0	1856.0	1856.0	1731.0	1949.0	-		8	14945.0	-	-	-	-	-			5	3	
Totals (sf)	31,142.0	26,655.0	33,054.0	33,822.0	31,131.0	26,775.0	35,387.0	6,149.0	5,825.0	2,210.0	222	232,150.0	10	10	54	81	30	28	1	5	3	
Totals (m2)	2,893.1	2,476.2	3,070.7	3,142.1	2,892.1	2,487.4	3,287.5	571.2	541.1	205.3		21,566.7										

North Tower Area Matrix

Level	Unit # and Area (sf) T								Total # of	Total Unit	Studio	1 Bed	1 Bed +	2 Bed	2 Bed +	3 Bed	4 Bed	2 Bed	3 Bed	4 Bed			
Level	1	2	3	4	5	6	7	8	9	10	11	Units	Area	Studio	1 Deu	Den	2 Beu	Den	5 Deu	4 DCU	Townhouse	Townhouse	Townhouse
29	4423.0	•	-		-	-			-	-		1	4423.0	-	-	-	-	-	-	1	•	-	-
28	2632.0	2604.0	1591.0	•	-	-		•	-	-	· ·	3	6827.0	-	-	-		1	2		-	-	
27	2632.0	2604.0	1591.0	•	-	-		•	-	-		3	6827.0	-	-	-		1	2		-	-	
26	2632.0	2604.0	1591.0	•	-	-		•	-	-	· ·	3	6827.0	-	-	-		1	2		-	-	
25	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	· ·	7	7128.0	-	-	2	3	1	1	-	· ·	-	
24	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	•	-	-	· ·	7	7128.0	· ·	-	2	3	1	1		· ·	-	
23	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0		-	-	· ·	7	7128.0	· ·	-	2	3	1	1		· ·	-	
22	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0		-	-	· ·	7	7128.0	· ·	-	2	3	1	1		· ·	-	· ·
21	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	· ·	7	7128.0	-	-	2	3	1	1		· ·	-	· ·
20	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0	-	-	-	· ·	7	7128.0	-	-	2	3	1	1		· ·	-	· ·
19	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0		-	-	· ·	7	7128.0	· ·	-	2	3	1	1			-	
18	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0		-	-	· ·	7	7128.0	· ·	-	2	3	1	1			-	
17	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0		-	-	· ·	7	7128.0	· ·	-	2	3	1	1			-	
16	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0		-	-	· ·	7	7128.0	-	-	2	3	1	1		•	-	· ·
15	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0		-	-	· ·	7	7128.0		-	2	3	1	1		-	-	
14	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0		-	-	· ·	7	7128.0		-	2	3	1	1		-	-	
13	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0		-	-	· ·	7	7128.0		-	2	3	1	1		-	-	
12	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0		-	-	· ·	7	7128.0		-	2	3	1	1		-	-	
11	630.0	634.0	1001.0	1348.0	1100.0	1007.0	1408.0		-	-	· ·	7	7128.0		-	2	3	1	1		-	-	
10	611.0	612.0	866.0	457.0	1015.0	553.0	536.0	840.0	1165.0	442.0		10	7097.0	2	2	2	3	1	-			-	· ·
9	611.0	612.0	866.0	457.0	1015.0	553.0	536.0	840.0	1165.0	442.0		10	7097.0	2	2	2	3	1	-			-	· ·
8	611.0	612.0	866.0	457.0	1015.0	553.0	536.0	840.0	1165.0	442.0		10	7097.0	2	2	2	3	1	-			-	· ·
1 7	611.0	612.0	866.0	457.0	1015.0	553.0	536.0	840.0	1165.0	442.0		10	7097.0	2	2	2	3	1	-			-	· ·
6	611.0	612.0	866.0	457.0	1015.0	553.0	536.0	840.0	1165.0	442.0		10	7097.0	2	2	2	3	1	-			-	
5	1589.0	1486.0	1867.0	1588.0	2275.0	1729.0	1729.0	1729.0	1729.0	1729.0	1729.0	11	19,179.0	-	-	-		-	-		1	9	1
Totals (sf)	26,413.0	21,868.0	25,985.0	24,093.0	23,850.0	19,599.0	25,529.0	5,929.0	7,554.0	3,939.0	1,729.0	176	186,488.0	10	10	40	60	23	21	1	1	9	1
Totals (m2)	2,453.8	2,031.5	2,414.0	2,238.2	2,215.7	1,820.7	2,371.6	550.8	701.8	365.9	160.6	1 176	17,324.7										

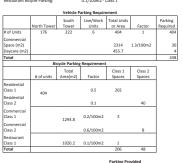


SIZE @ 100% SCALE: ARCH D (24 x 36" / 610 x 914mm)

Parking

Parking City Required Residential Parking: City Required Visitor Parking: Parking Requirement by Owner: Commercial Parking: Daycare Parking: Residential Bicycle Parking: Residential Bicycle Parking: Restaurant Bicycle Parking:

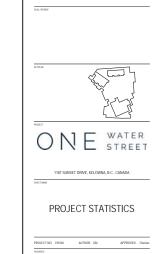
1 Stall per unit 1 Stall per 7 units (included in City requirement above) 1.4 Stalls per 100m2 4 stalls on 24 form 0.5/dwelling unit - Class 1 0.2/100m2 - Class 1; 0.6/100m2 - Class 2 0.1/100m2 - Class 1



				Parking Pro	ovided					
	Vehicle Spaces						Bicycle Spaces			
Level	Barrier Free	Regular	Tandem	Medium	Compact	Total	C1	C2	Total	
Level 1	3	134	3	2	4	149	172	56	22	
Level 2	2	147	18	6	3	194	0	0		
Level 3	1	159	19	1	1	200	104	0	10	
Total	6	440	80	9	8	543	276	56	33	

	South	Tower	North T	ower	Podium		
Level	Gross Area	Net Area	Gross Area	Net Area	Gross Area	Net Are	
36	7080.0	4423.0	-	-	-		
35	7794.0	6764.0	-	-	-	-	
34	7794.0	6764.0	-	-	-	-	
33	7794.0	6764.0	-	-	-	-	
32	8164.0	7128.0		-	-	- 1	
31	8164.0	7128.0		-	-	- 1	
30	8164.0	7128.0		-	-	- 1	
29	8164.0	7128.0	7080.0	4423.0	-		
28	8164.0	7128.0	7794.0	6764.0	-		
27	8164.0	7128.0	7794.0	6764.0	-		
26	8164.0	7128.0	7794.0	6764.0	-		
25	8164.0	7128.0	8164.0	7128.0	-		
24	8164.0	7128.0	8164.0	7128.0	-	· .	
23	8164.0	7128.0	8164.0	7128.0	-		
22	8164.0	7128.0	8164.0	7128.0	-		
21	8164.0	7128.0	8164.0	7128.0	-		
20	8164.0	7128.0	8164.0	7128.0	-		
19	8164.0	7128.0	8164.0	7128.0	-		
18	8164.0	7128.0	8164.0	7128.0	-		
17	8164.0	7128.0	8164.0	7128.0	-		
16	8164.0	7128.0	8164.0	7128.0	-		
15	8164.0	7128.0	8164.0	7128.0	-		
14	8164.0	7128.0	8164.0	7128.0	-		
13	8164.0	7128.0	8164.0	7128.0	-		
12	8164.0	7128.0	8164.0	7128.0	-		
11	8164.0	7128.0	8164.0	7128.0			
10	8187.0	7095.0	8187.0	7095.0			
9	8187.0	7095.0	8187.0	7095.0			
8	8187.0	7095.0	8187.0	7095.0			
7	8187.0	7095.0	8187.0	7095.0			
6	8187.0	7095.0	8187.0	7095.0	-		
5	11792.0	7679.0	5862.0	4569.0	5370.0	5370.0	
4	13962.0	7263.0	8049.0	4563.0	5004.0	5004.0	
3	-	-	-	-	90,379.0	76.822	
2	-			-	85,639.0	72,793	
1	-			-	99,569.0	84,633	
Total	276.759.0	231.948.0	207,768.0	176.242.0	275.587.0	234,249	
		Square Feet	Square Meters				
	Total Net Area	642,439.0 59,682.6					
	Site Area	123,709.6	11,492.6				
	FAR	5.2	5.2				
	FAR Permitted	9	9				

*Net Area on levels 1-3 assumed to be 85% of Gross until more detail is known



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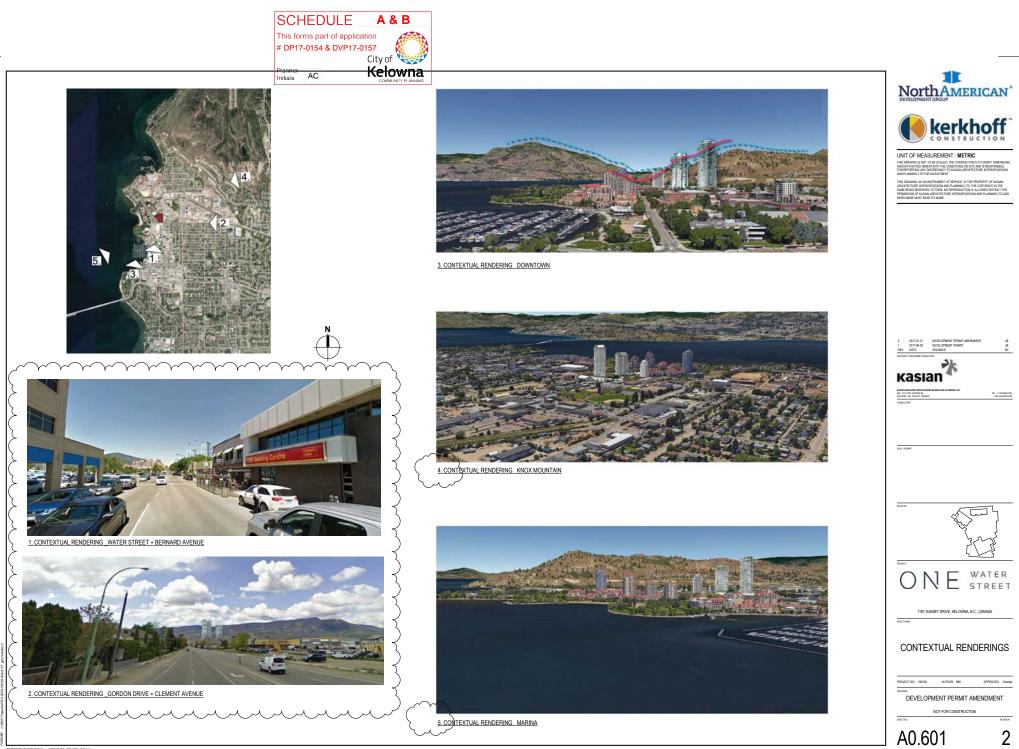
2017-07-31 DEVELOPMENT PERMIT AMENDMENT 2017-06-28 DEVELOPMENT PERMIT DATE ISSUMAN'E

*

TEL: +1.604.642.4045 URL: KASINGCOM

kasian









1. AERIAL RENDERING -WEST ELEVATION



2. STREET LEVEL RENDERING _SW CORNER

RSIZE @ 100% SCALE: ARCH D (24 x 36" / 610 x 914mm







UNT OF MEASUREMENT : METRIC THE DRAWNES SKIT TO BE SALED. THE CONTRACTOR IS TO VERHIP OWNERID ADMANNESS SKIT TO BE SALED. THE CONTRACTOR UND AND REPORTED REPORTED AND ISOCRAFICE TO ADMAN ADVITED THE THE DRAWNESS INTERCENT AND REPORT OF THE DRAWN ADVITED AND REPORT METRICANS INTERCENTS AND ADMAN ADVITED AND REPORT OF KASINA ADVITEDUAL REPORT OF ADMANDATION OF THE DRAWN ADVITED ADVITEDUAL REPORT OF ADMANDATION OF THE DRAWN ADVITED ADVITEDUAL REPORT OF ADMANDATION OF ADMINISTRATION OF ADMINISTRATION ADVITEDUAL REPORT OF ADMINISTRATION OF ADMINISTRATION OF ADMINISTRATION REPORT OF ADMINISTRATION OF ADMINISTRATION OF ADMINISTRATION OF ADMINISTRATION REPORT OF ADMINISTRATION OF ADMINISTRATION OF ADMINISTRATION OF ADMINISTRATION REPORT OF ADMINISTRATION OF ADMINISTRATION OF ADMINISTRATION OF ADMINISTRATION REPORT OF ADMINISTRATION OF ADMINISTRATION OF ADMINISTRATION OF ADMINISTRATION REPORT OF ADMINISTRATION OF ADMINISTRATION OF ADMINISTRATION OF ADMINISTRATION REPORT OF ADMINISTRATION OF ADMIN

1 2012 CONTRACTOR ADDRESS



PERSPECTIVE RENDERINGS - SHEET 2

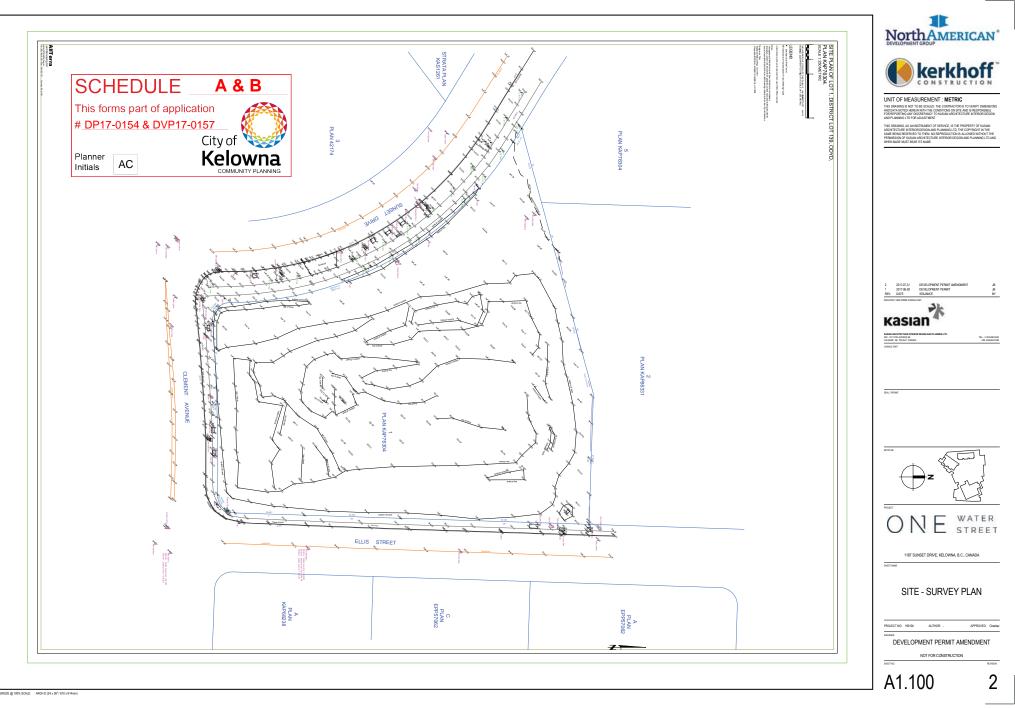
 ROLECTIVO 1999M
 AUTHOR M.M.
 APPROVED: Crushwith

 DEVELOPMENT PERMIT AMENDMENT

 NOT FOR CONSTRUCTION

 WEETE
 KKKKK

 ADD.6603
 2





SCHEDULE

This forms part of application

A & B

City of **Kelowna**

SITE CONTEXT _VIEW FROM EAST



SITE CONTEXT _VIEW FROM SOUTH



SITE CONTEXT _VIEW FROM WEST

ISIZE @ 100% SCALE: ARCH D (24 x 36* / 610 x 914mm)



CONTEXT PLAN



VIEW E @ CLEMENT AVE.



VIEW S @ SUNSET DR.



VIEW N @ ELLIS ST.



VIEW W @ CLEMENT AVE.





UNT OF MEASUREMENT : METRIC This pawne skot to the Soulca the Contractors is to very to week out a weet week week to the Contractors in the one second and the source of the Contractors in the Contractors and Pawne Lot for Austream And Tothers and the Contractors in the Contractor in the Austractors is settle second and and the Contractor in the Austractors is settle second and and the Contractor in the Research of Austre Austream Contractors in the Contractor in the Research of Austre Austream Contractors in the Contractor in the Research of Austream Contractors and Contractors in the Research of Austream Contractors and Research on Austream Contractors in the Austream Contractors and Research on Austream Contractors in the Austream Contractors and Research on Austream Contractors in the Austream Contractors and Research on Austream Contractors in the Austream Contractors and Research on Austream Contractors and Research o

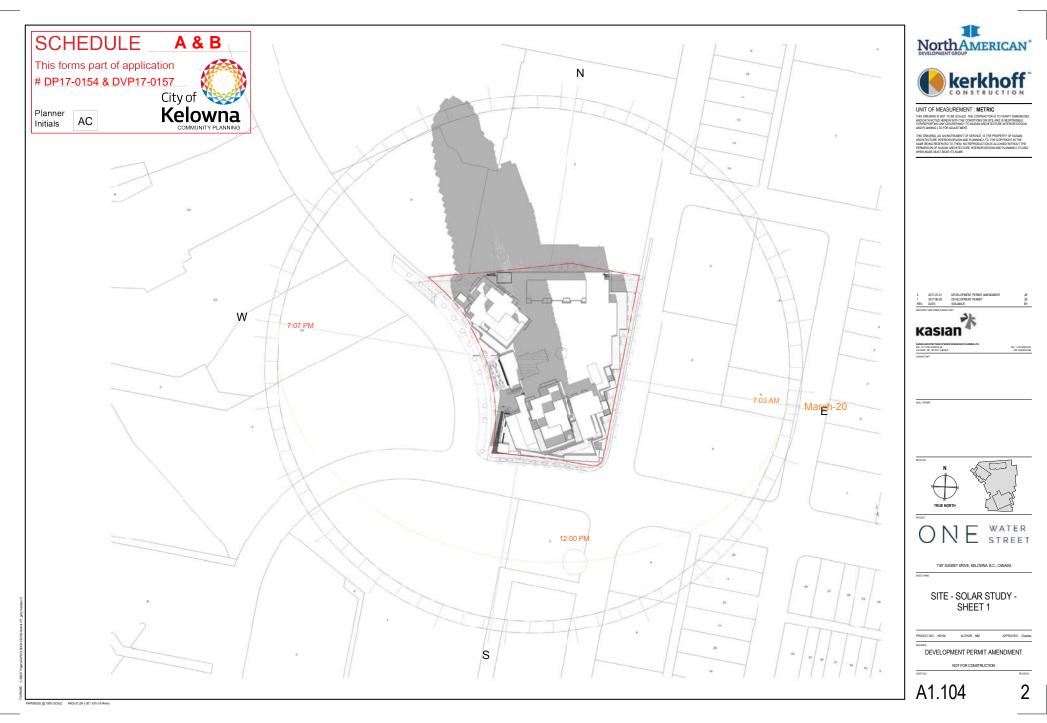






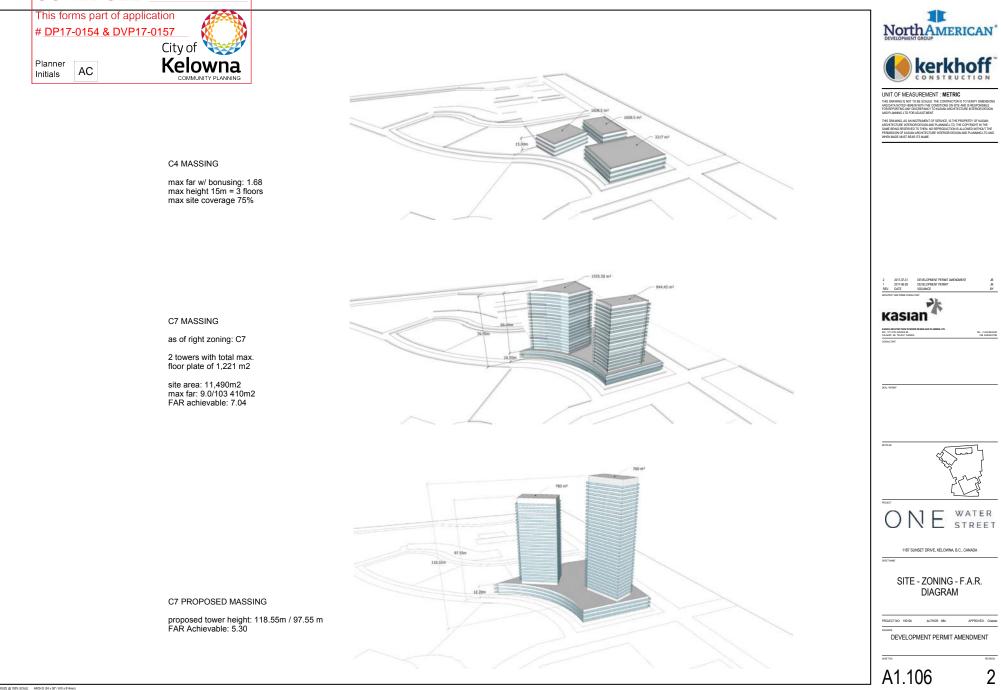


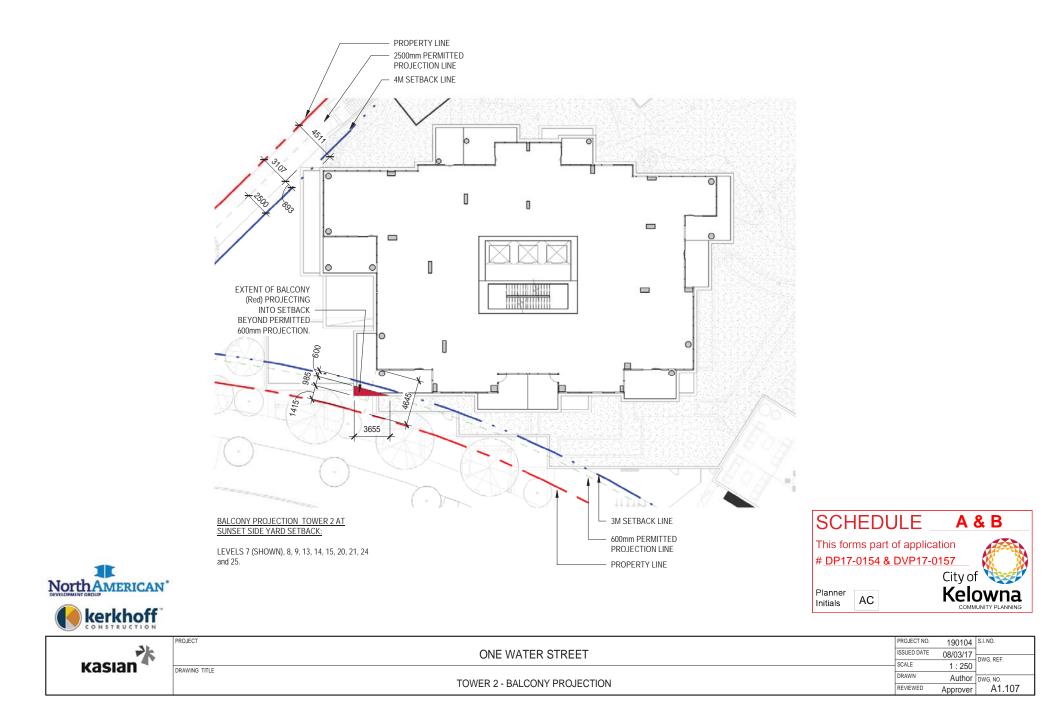


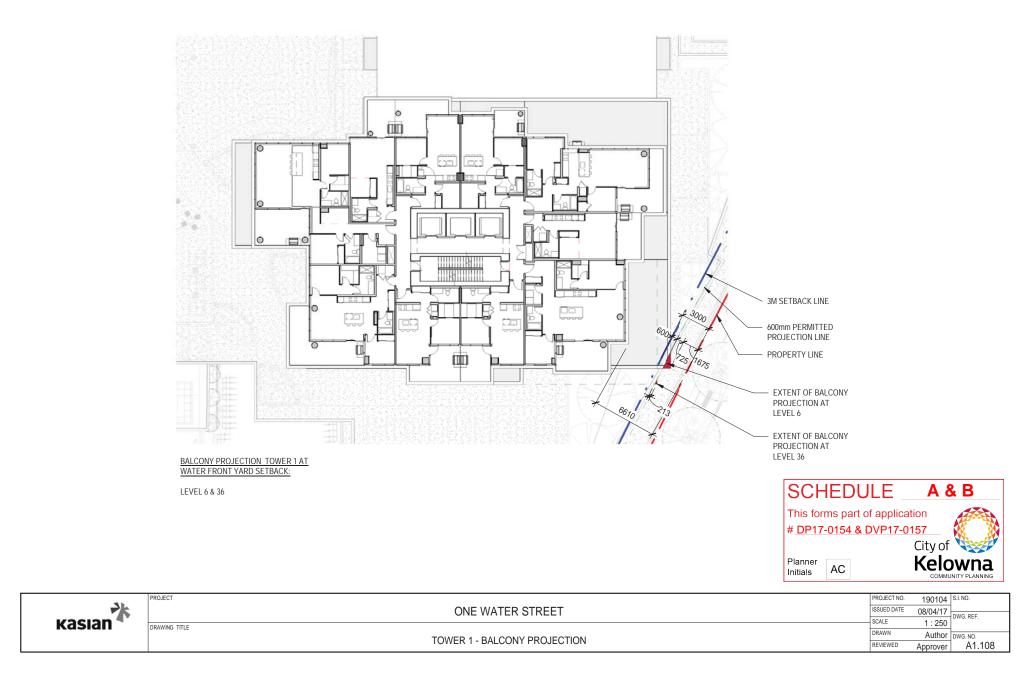


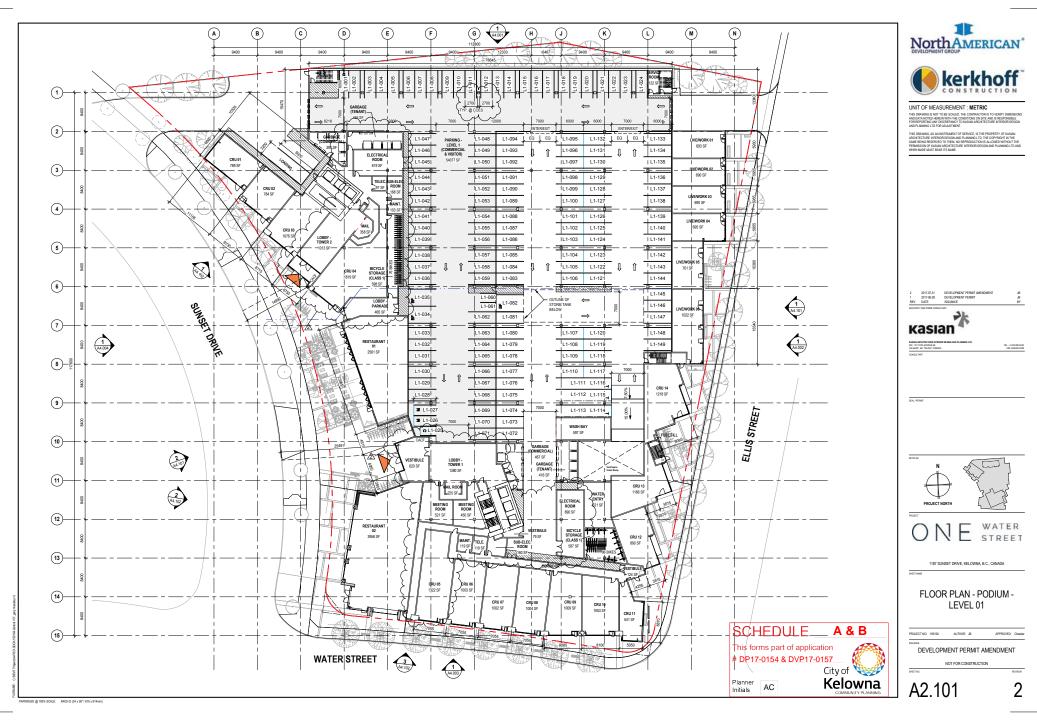


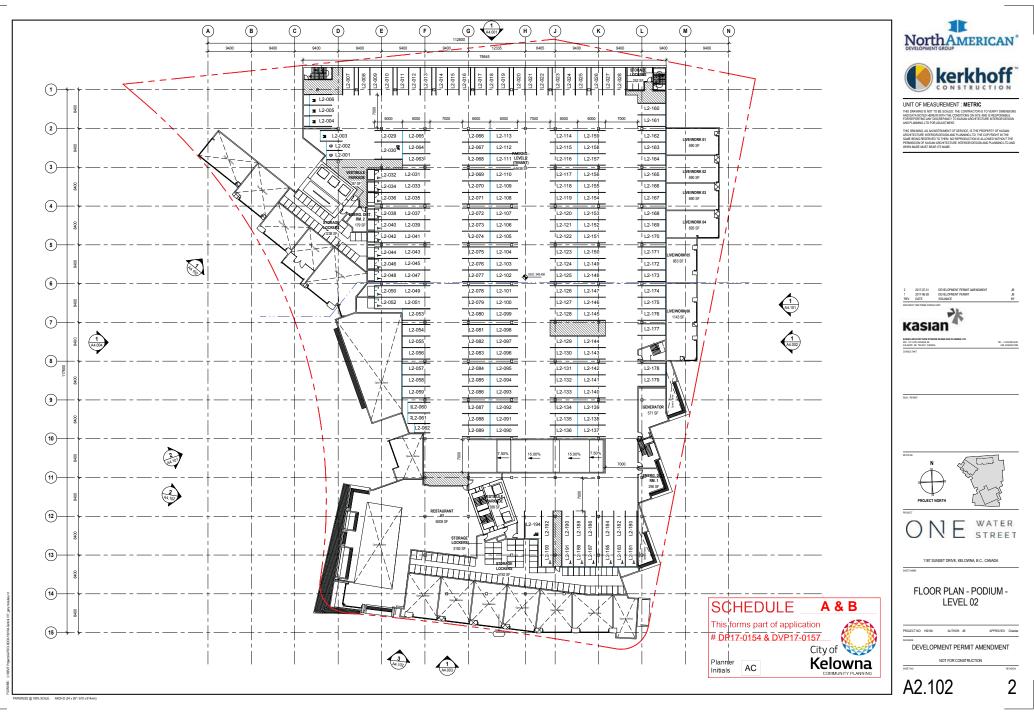
SCHEDULE A&B

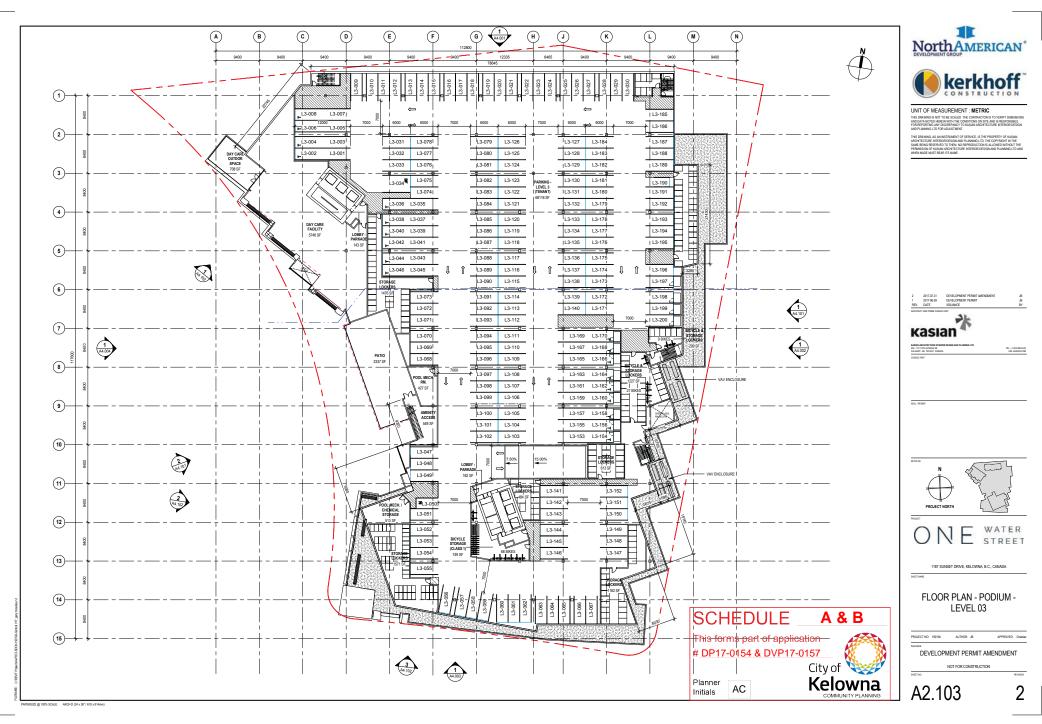




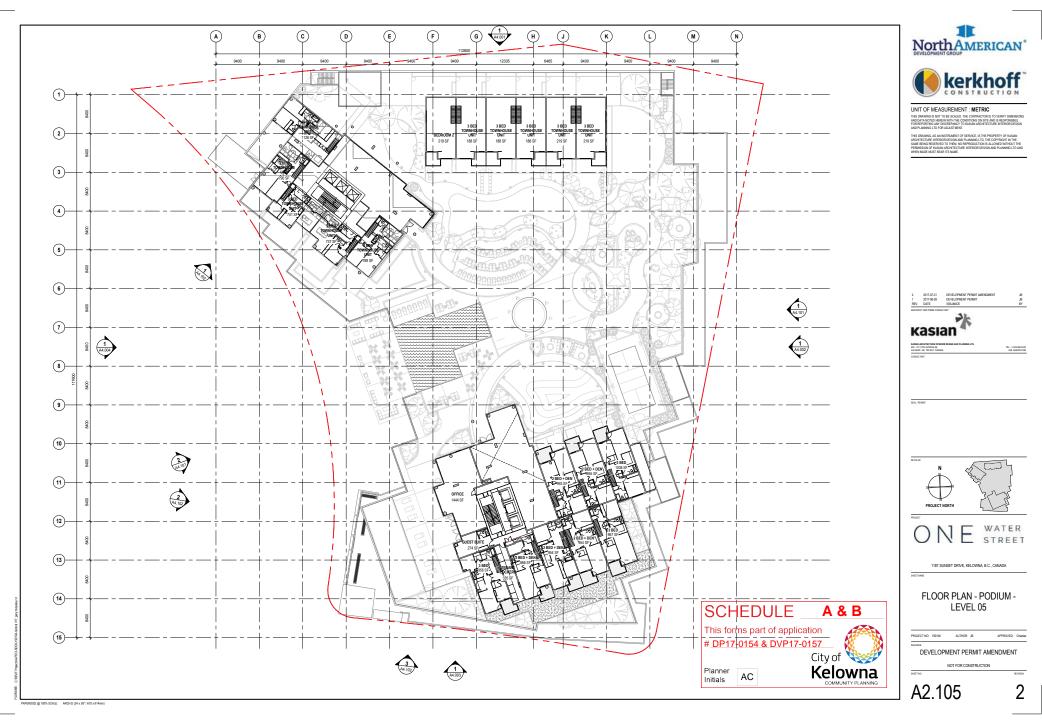


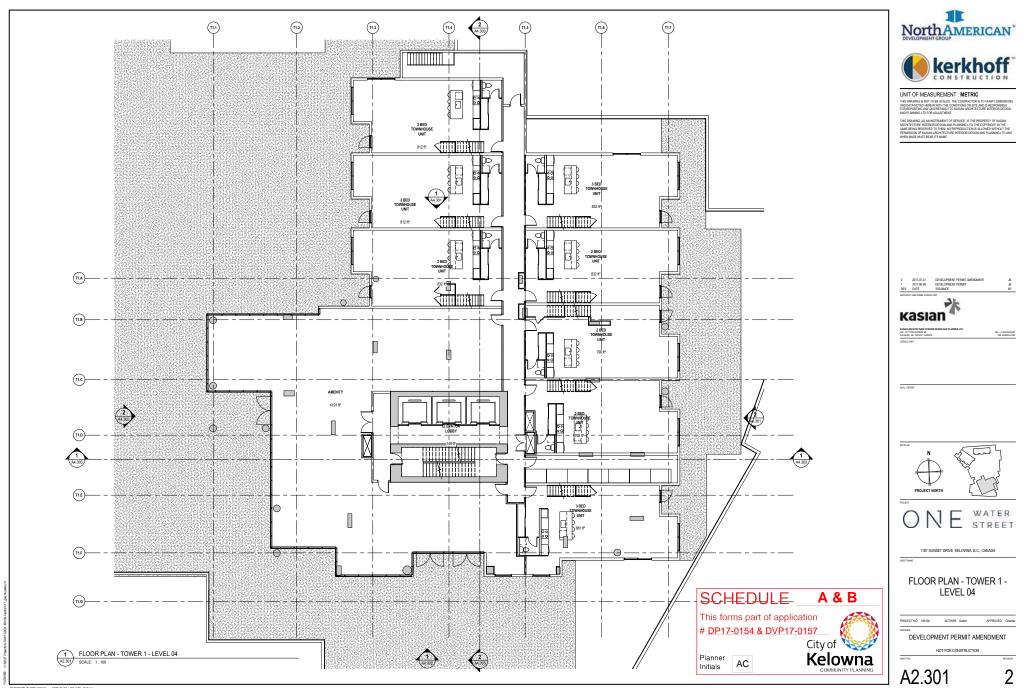


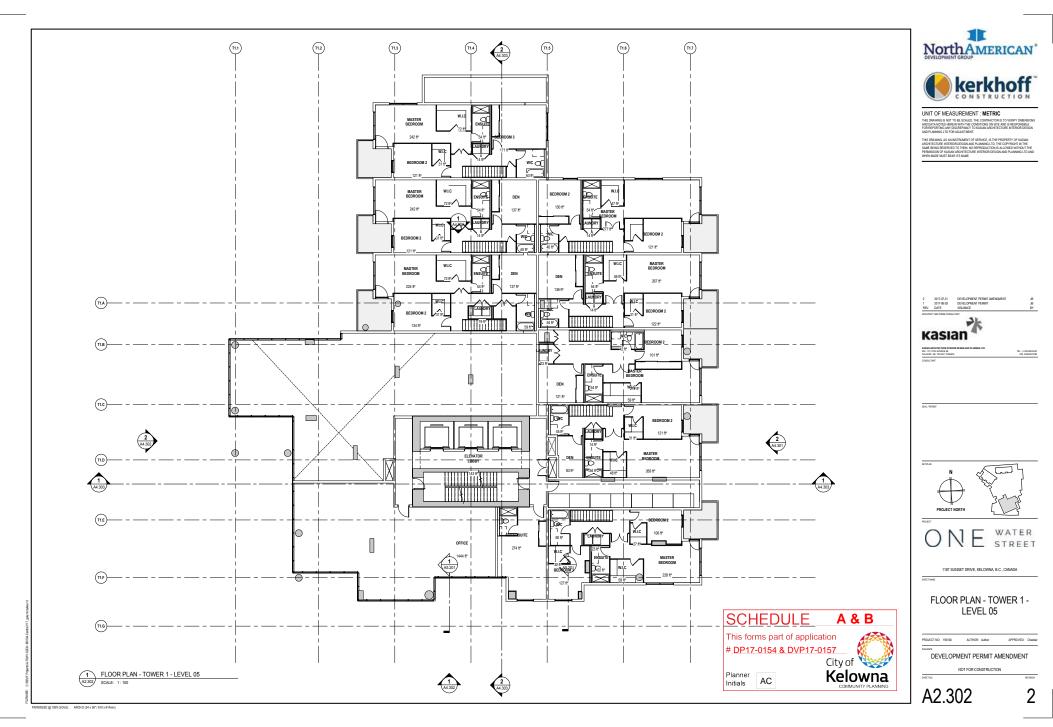


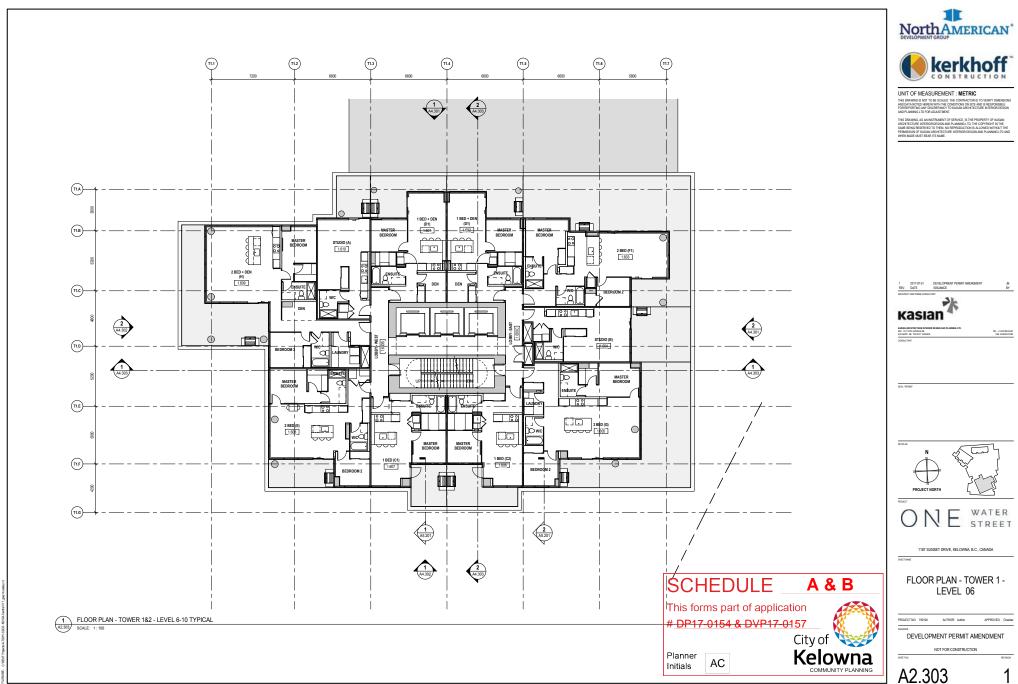




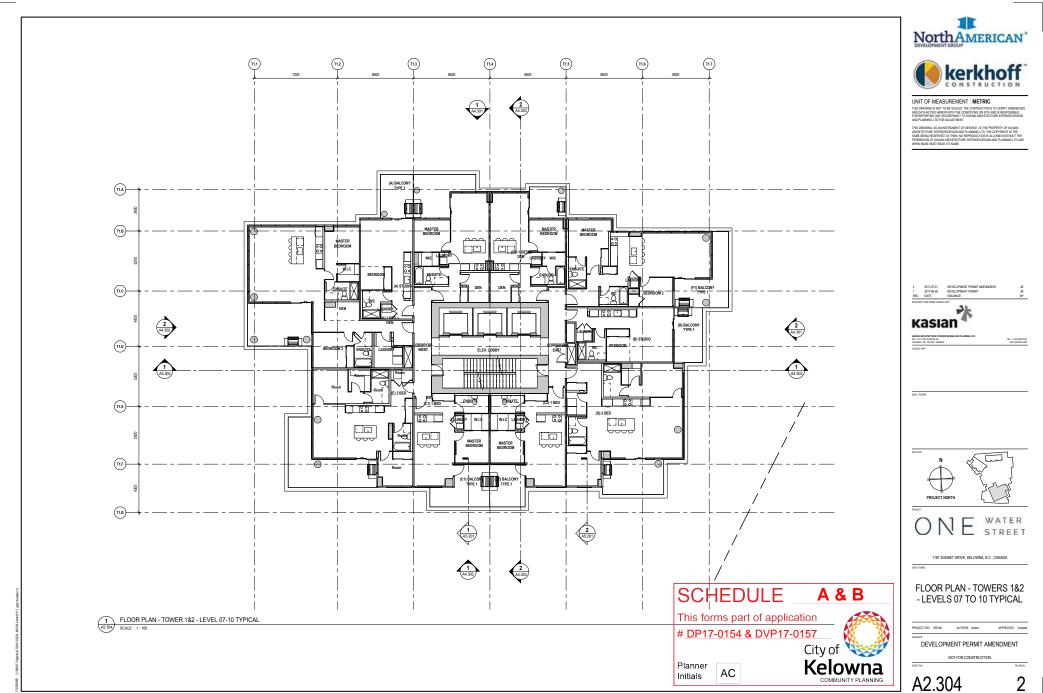


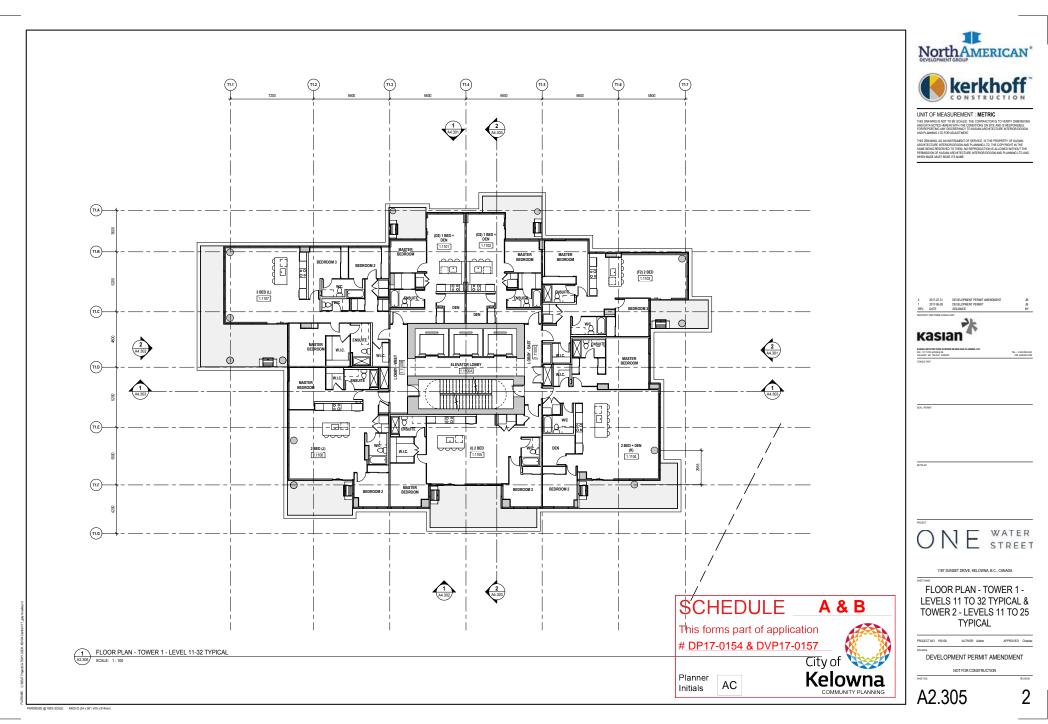


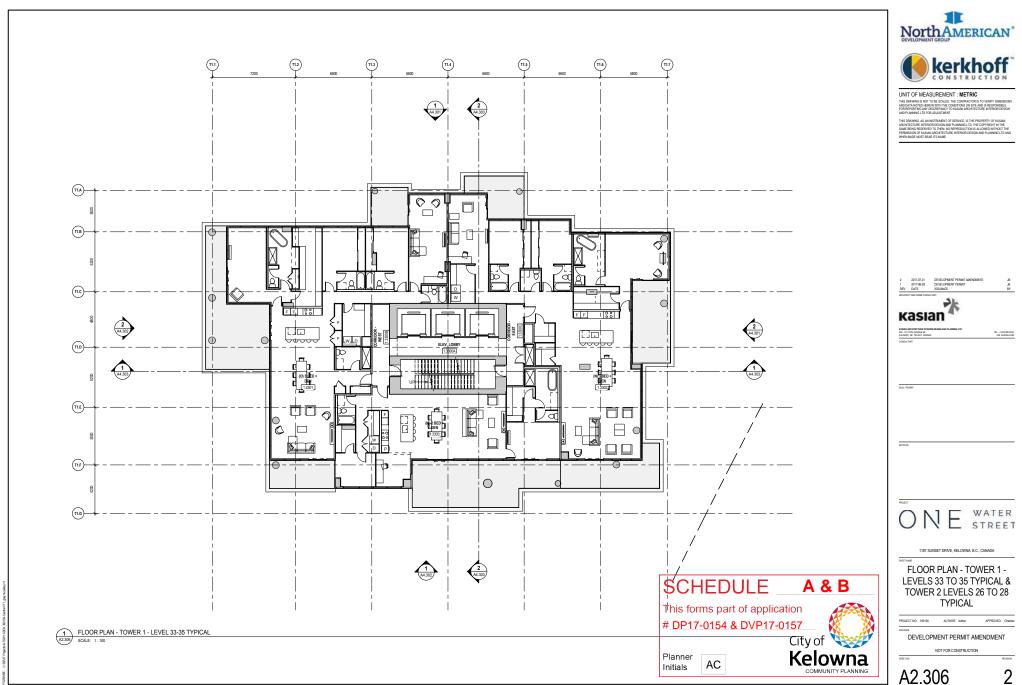


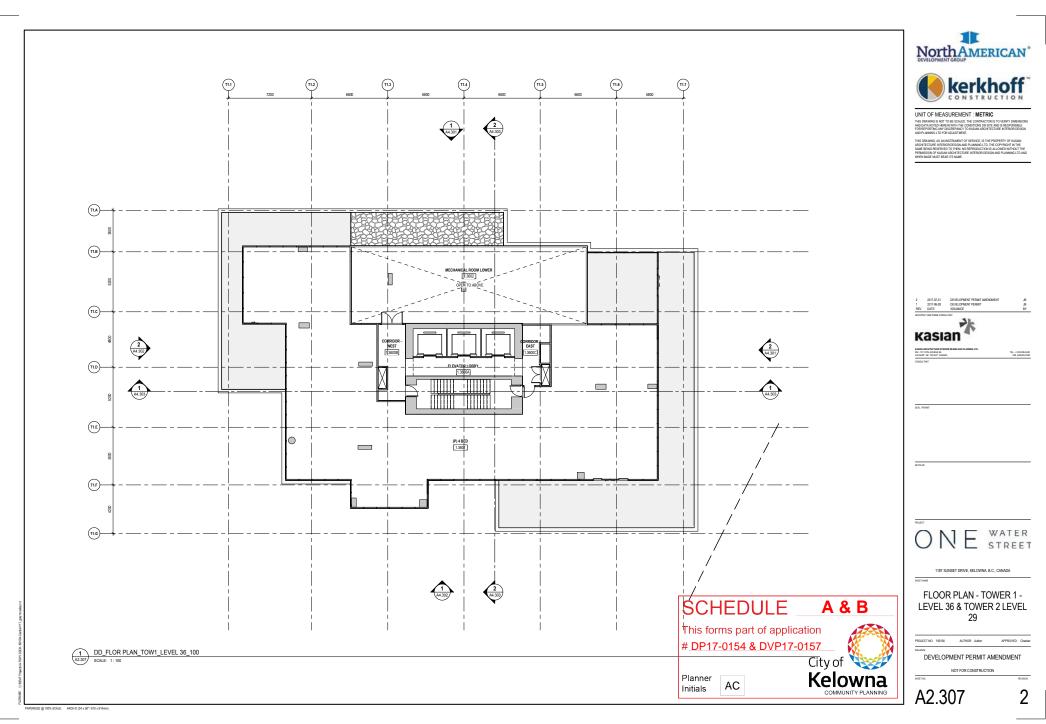


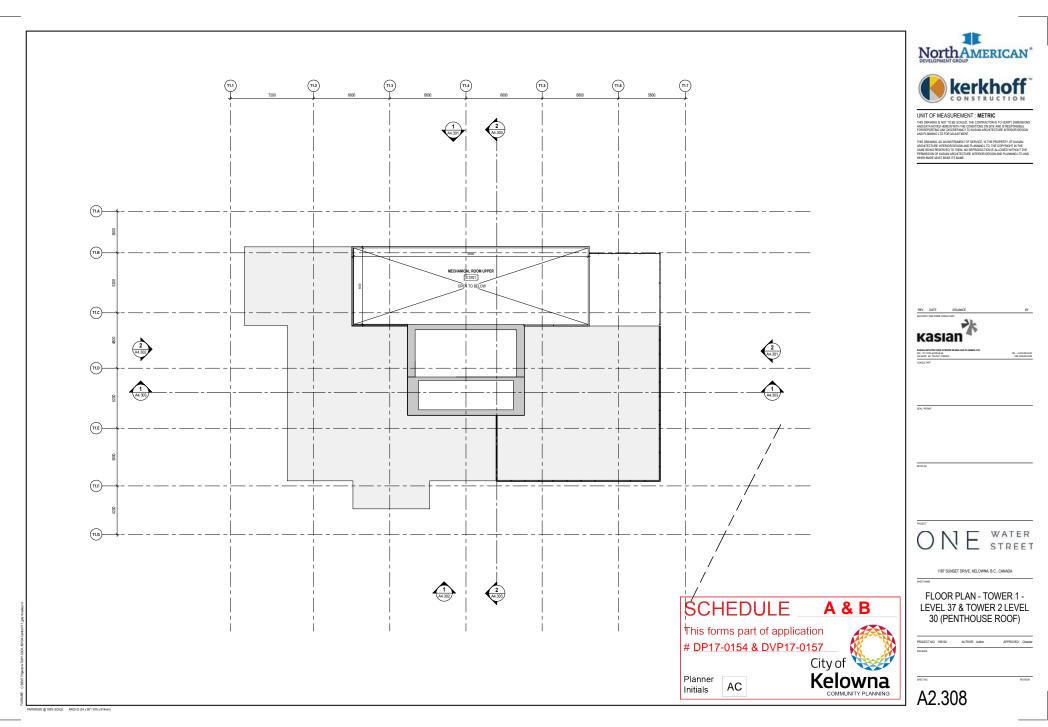
PERSIZE @ 100% SCALE: ARCH D (24 x 36* / 610 x 914mm)

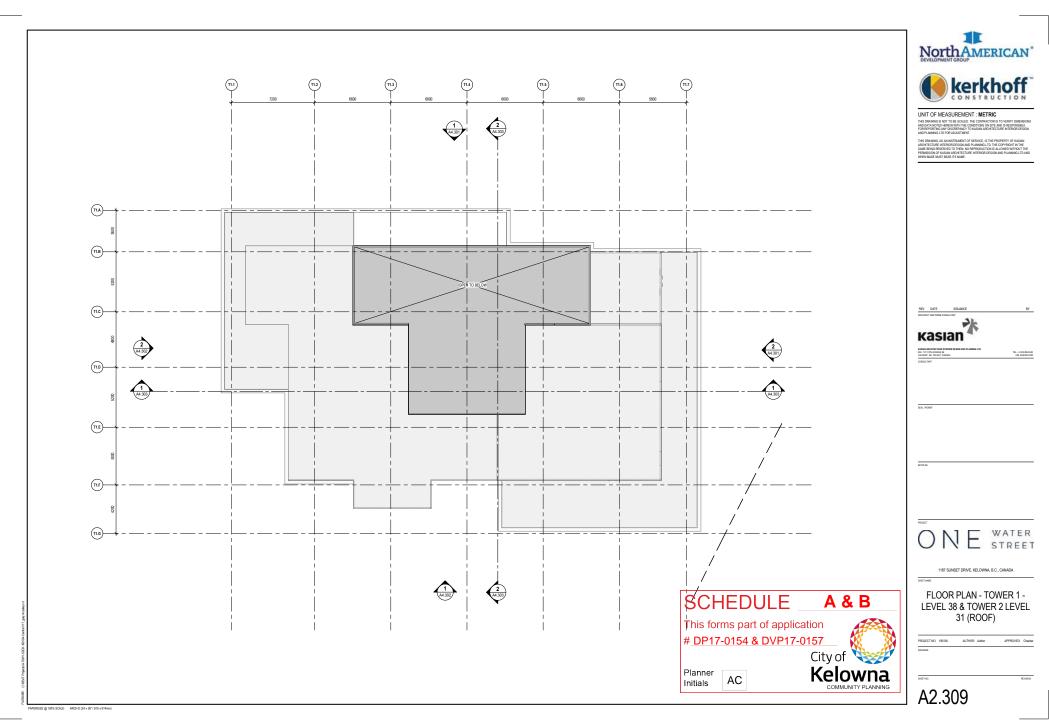


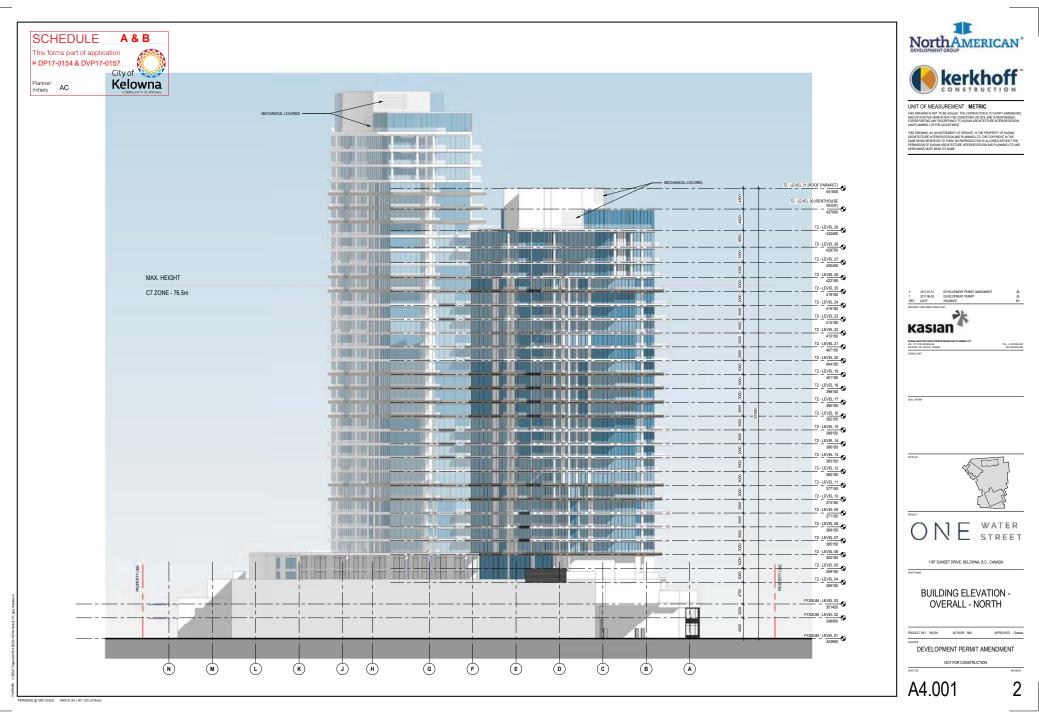


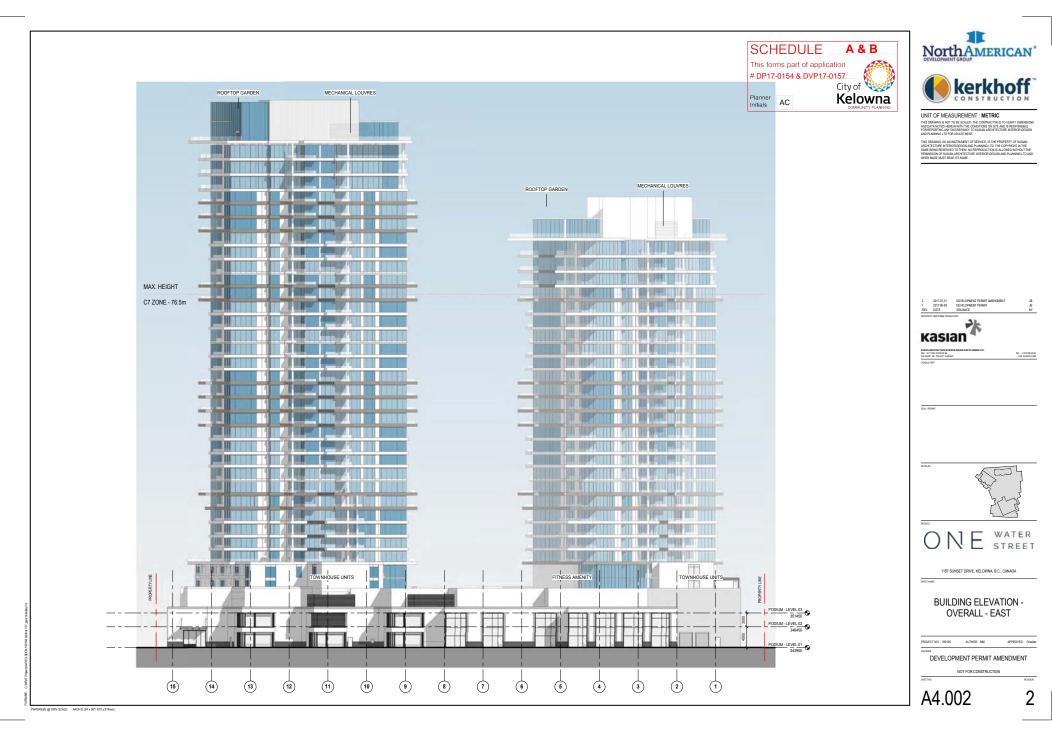


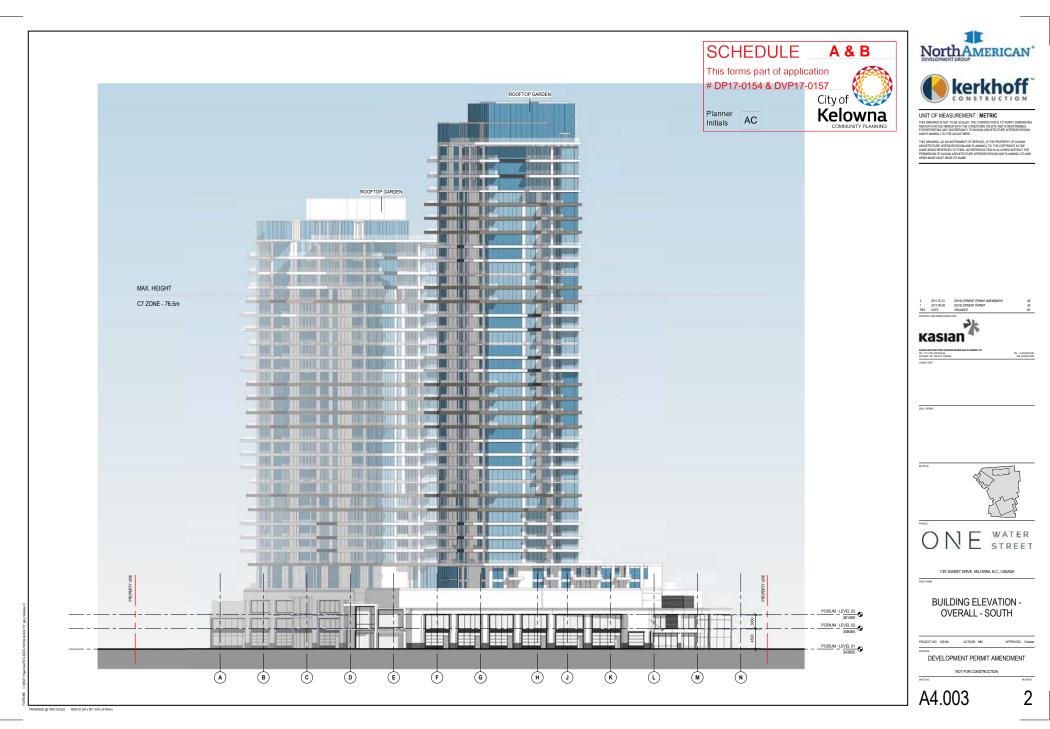




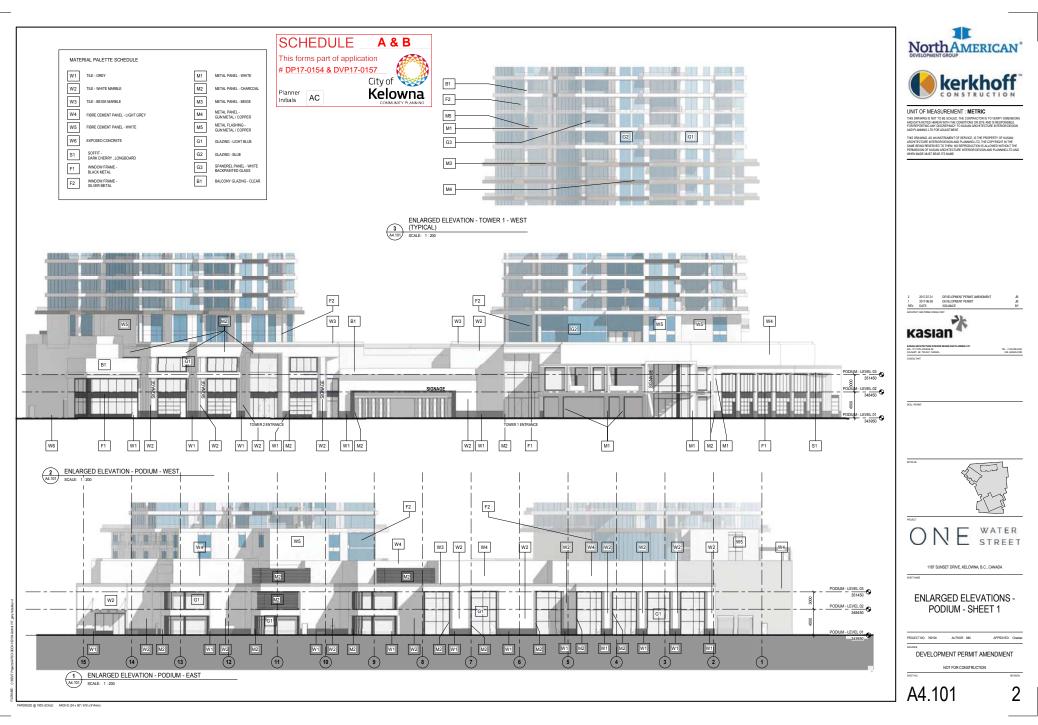


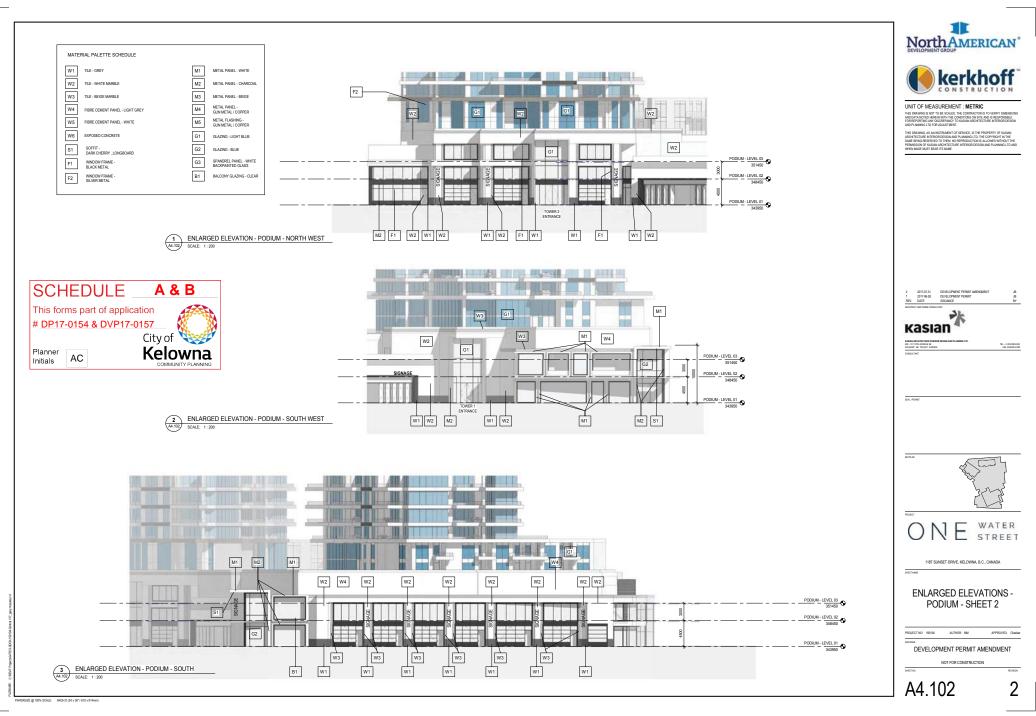


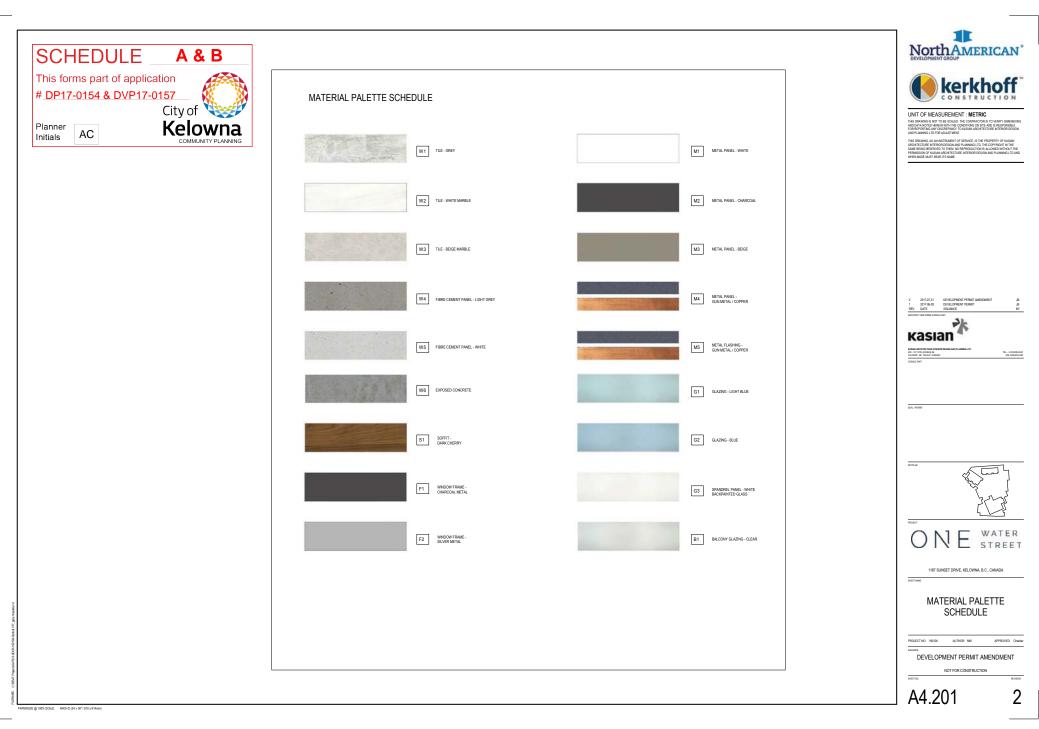


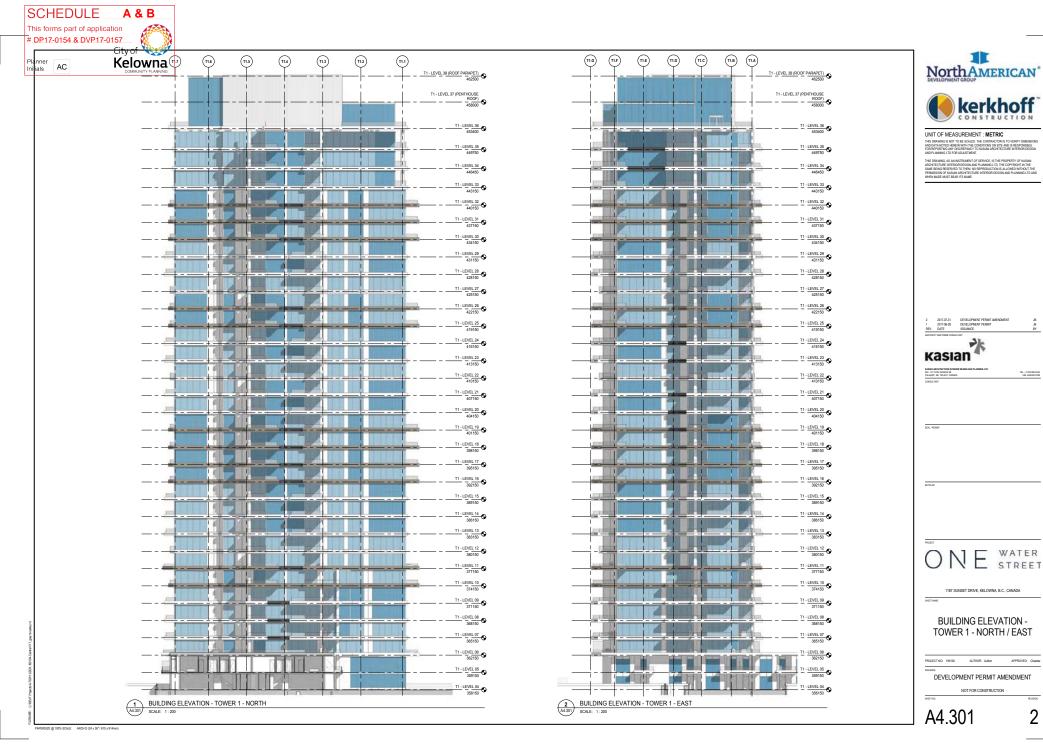


















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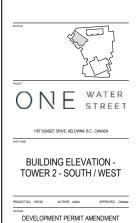


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SEAL / PERMIT

A4.502





One Water Street



Issued for Development Permit

Contact Information	Other Key Contacts:		
van der Zalm + associates Inc. Project Landscape Architecture Sulte 1 - 20177 97th Avenue Langley, British Columbia, y114 489 t. 604 882 0024 / 604 882 0042 Primary project contact: Stephen Heiler stephen@ydz.ca o. 604 882 0024 x27	North American Development Group Project Owner 302 Lakeshore Road Kelowa, 8 CV 1W 359 p. 250 575 0550	Kerkhoff Construction Project Builder 202-4538 Luckauck Way Chilliwack, BC V2R 3V1 p. 604 824 4122	Kasian Architecture Project Building Architecture 1011 Ninth Avenue SE, Suite 450 Calgary, AB T2G 0H7 p. 403 265 2440
Alternate contacts (incase away): Mark van der Zalm Principal Landscape Architect mark@vdz.ca 0. 604 882 0024 x22	Legal Address and De	escription:	



Sheet List Table

Number	Sheet Title
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L-03	SITE PLAN - LEVEL 1
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L-03C	SITE PLAN - LEVEL 1 SOUTH
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LD-01	DETAILS
LD-02	DETAILS
LD-03	DETAILS
LD-04	DETAILS
LD-05	DETAILS
LD-06	PLANTING DETAILS

	Kasian Architecture Interior Design and Planning Ltd		1011 Ninth Avenue SE, Suite 450 Calgary, AB Canada T2G 0H7 T 403 265 2440 F 403 233 0013 www.kasian.com	
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kasian

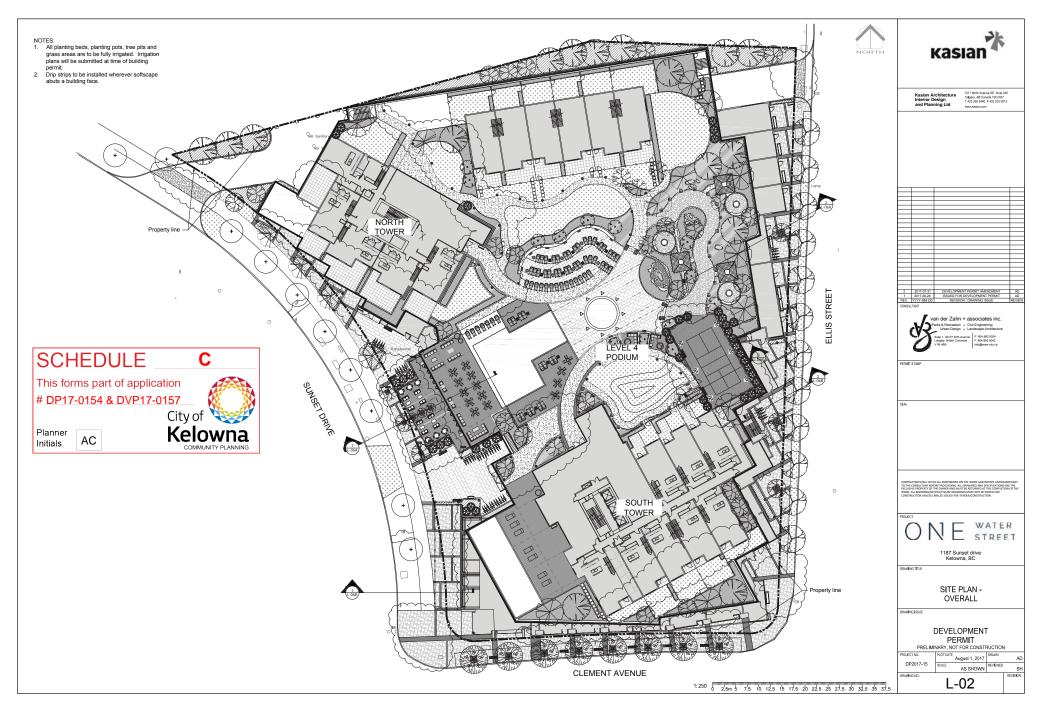
NORTH

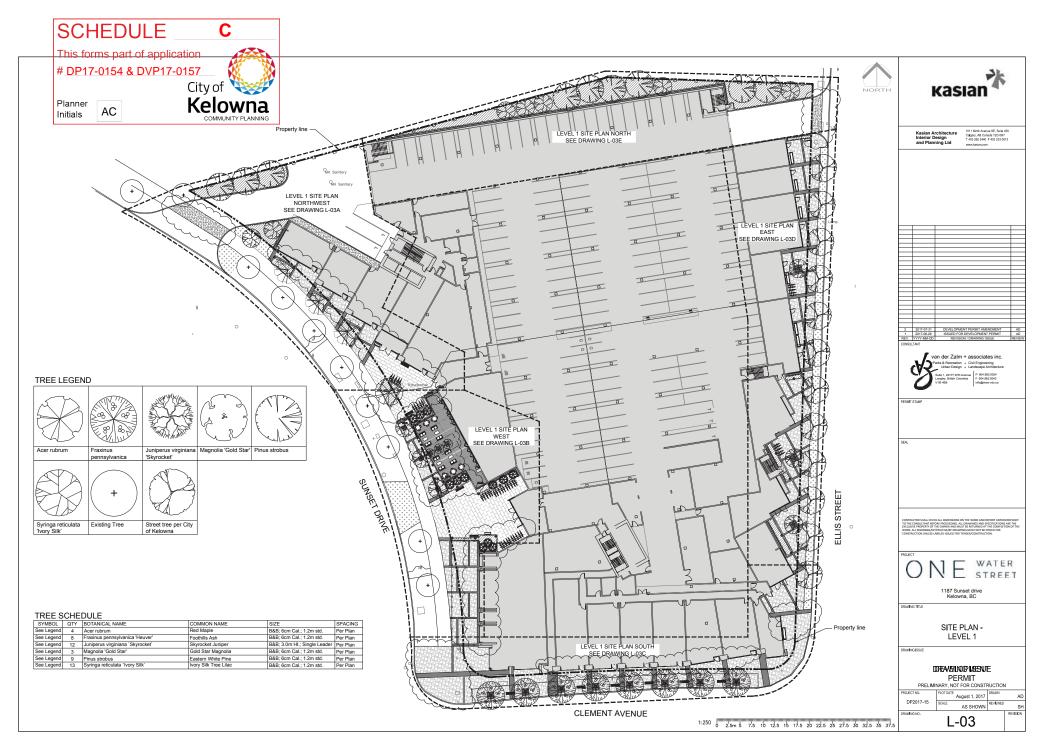


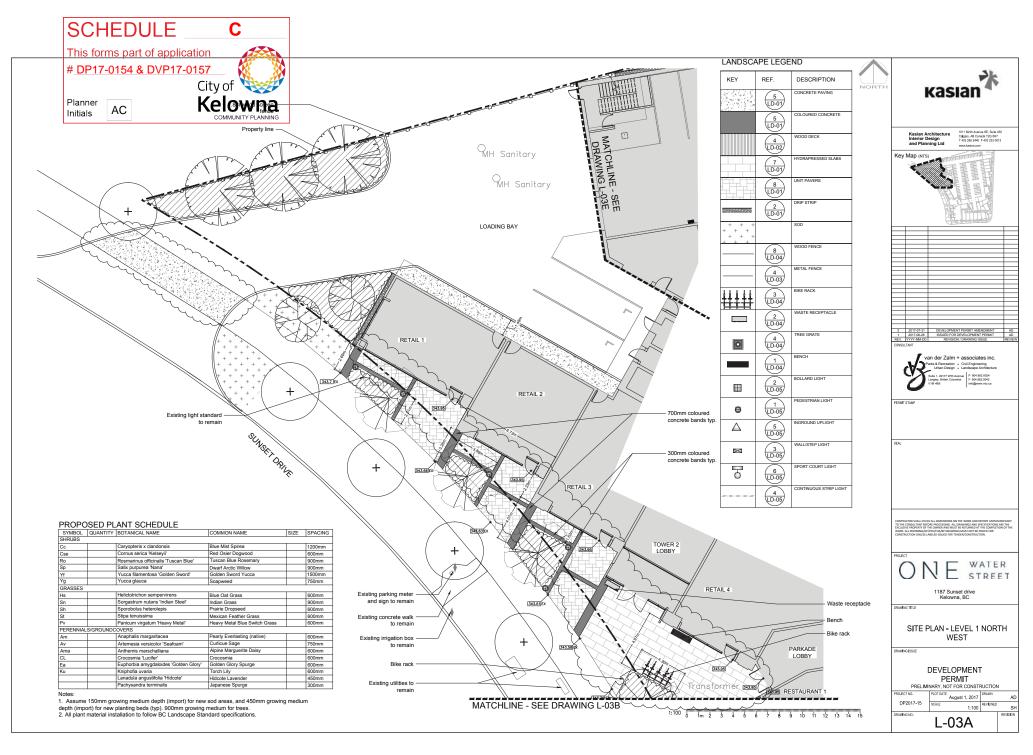


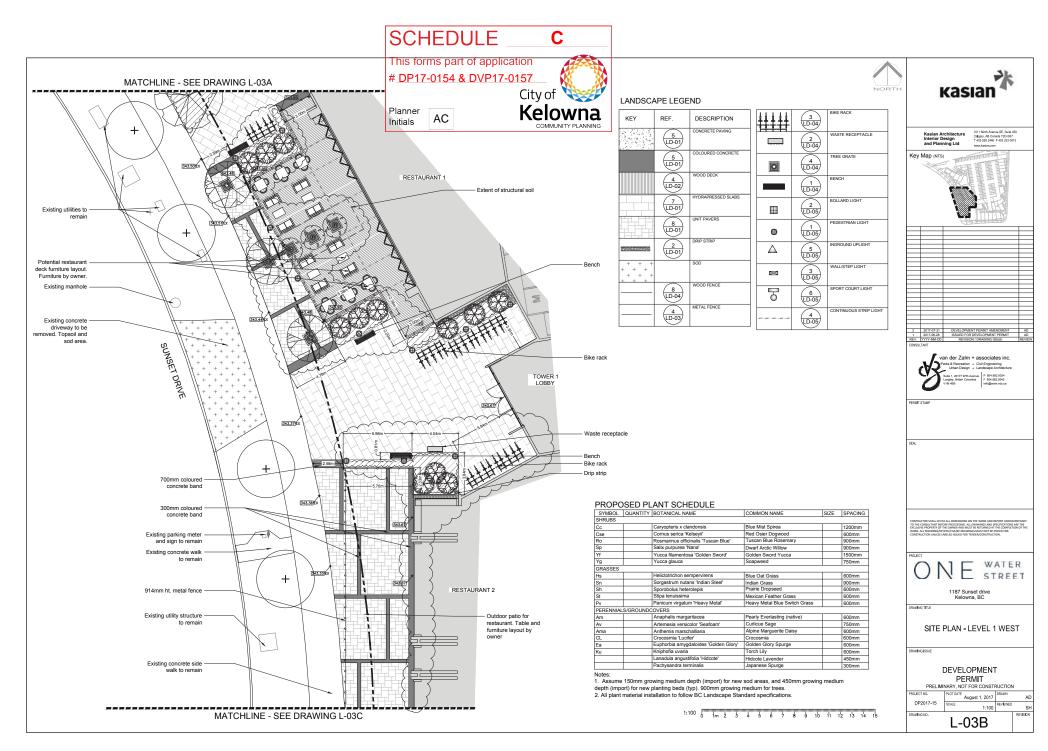
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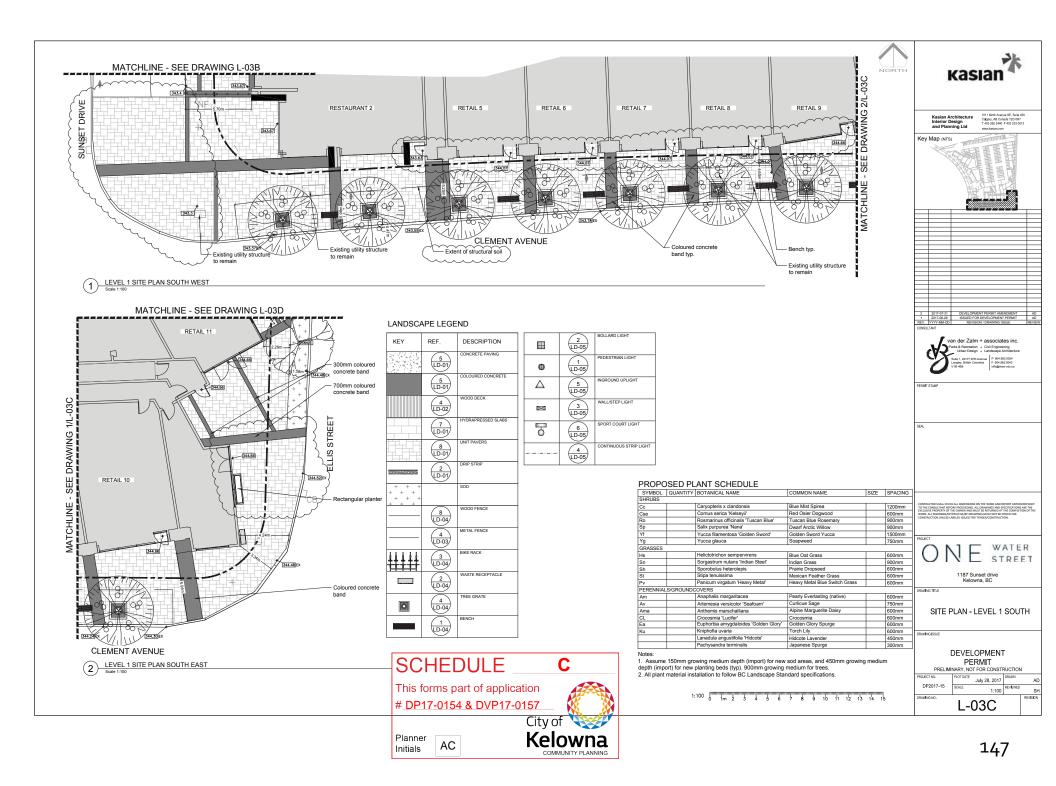
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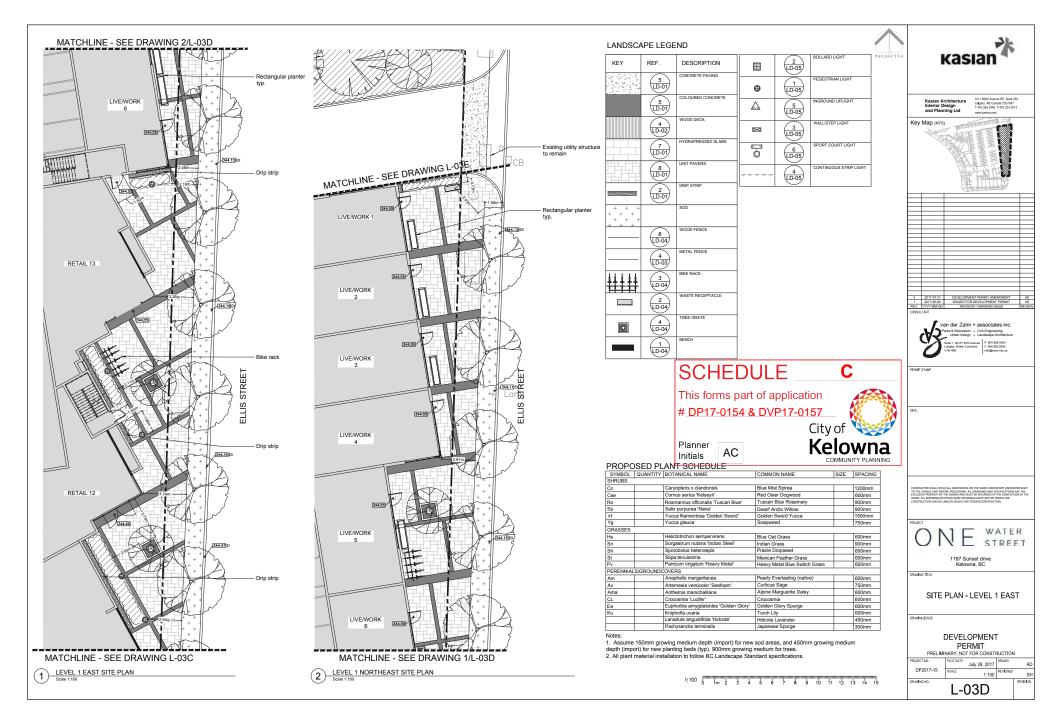


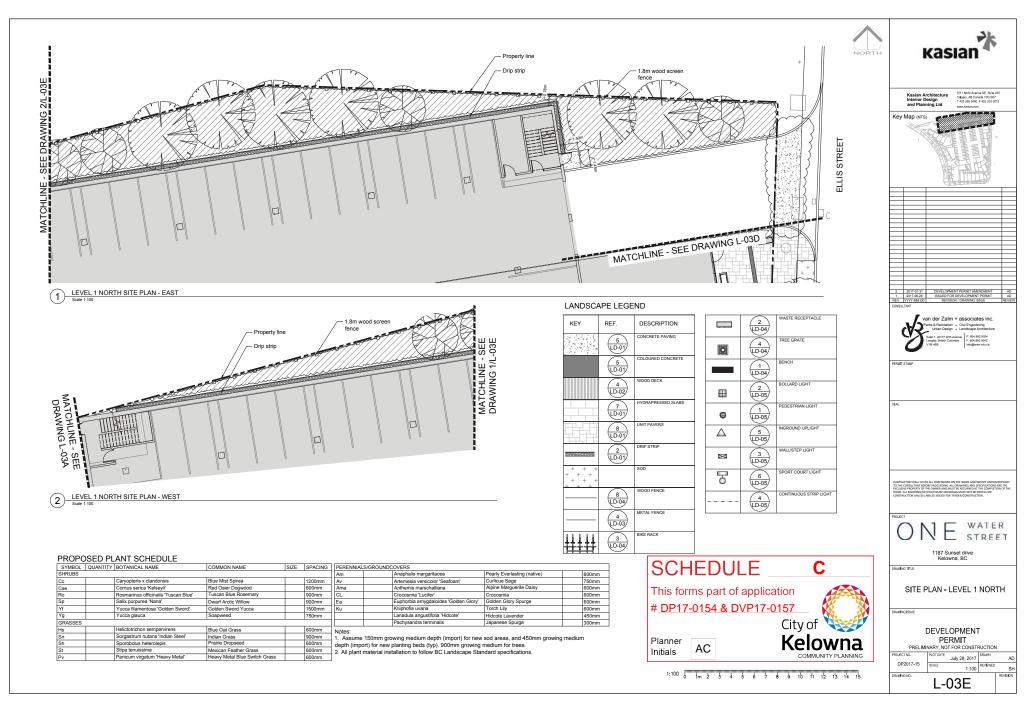


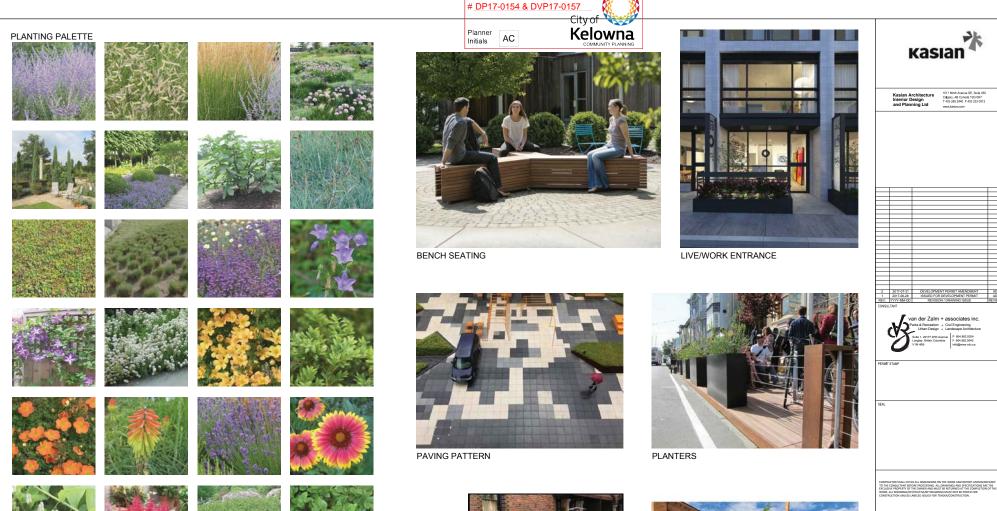












SCHEDULE

This forms part of application

С









RESTAURANT PATIO

RESTAURANT STREETSCAPE

REVEWED 1:100 R

SH

EVISION

NE WATER STREET

1187 Sunset drive Kelowna, BC

LEVEL 1 PRECEDENT IMAGES

DEVELOPMENT PERMIT PRELIMINARY, NOT FOR CONSTRUCTION

L-03F

PLOT DATE July 28, 2017 DRAWN

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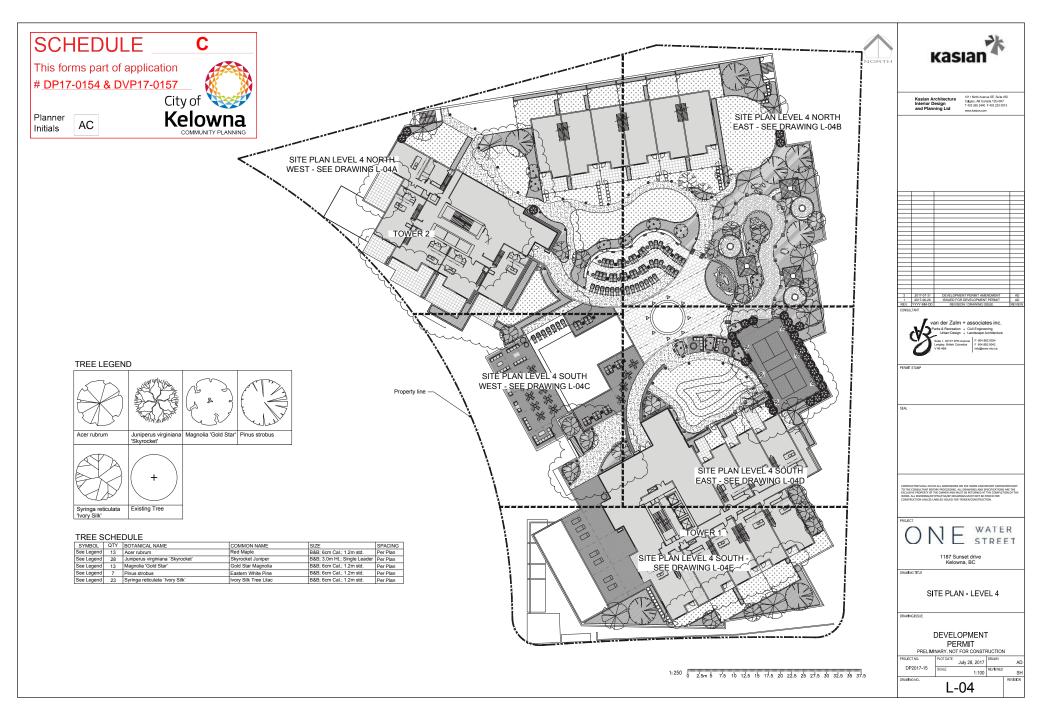
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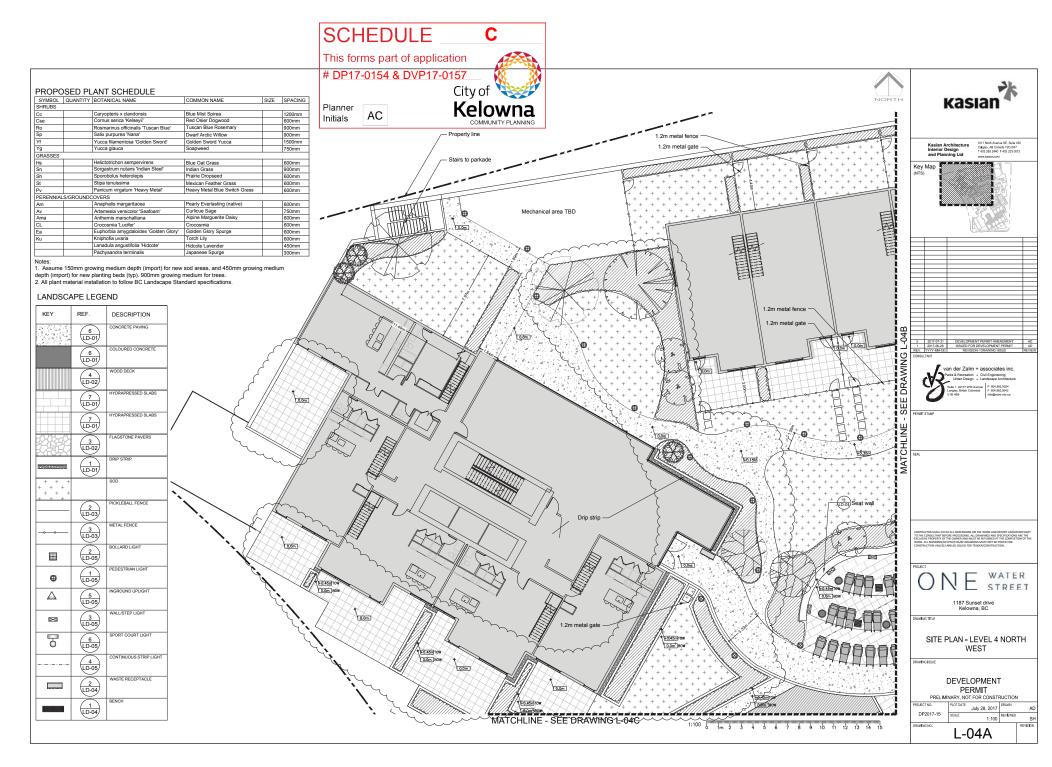
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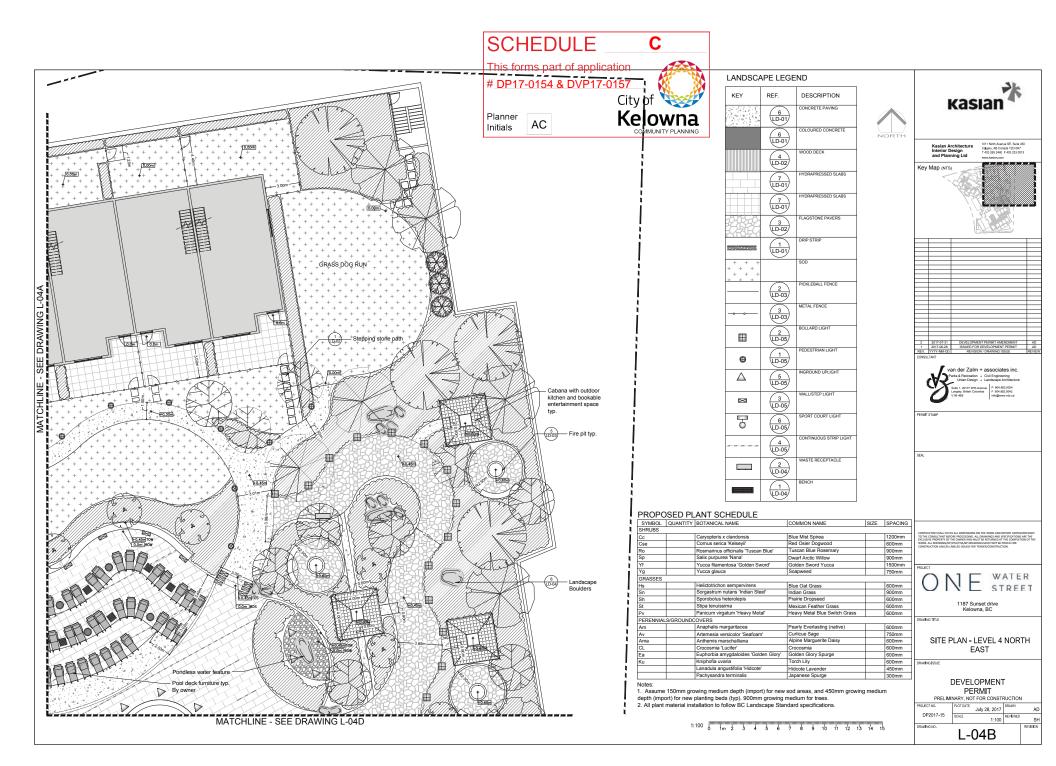
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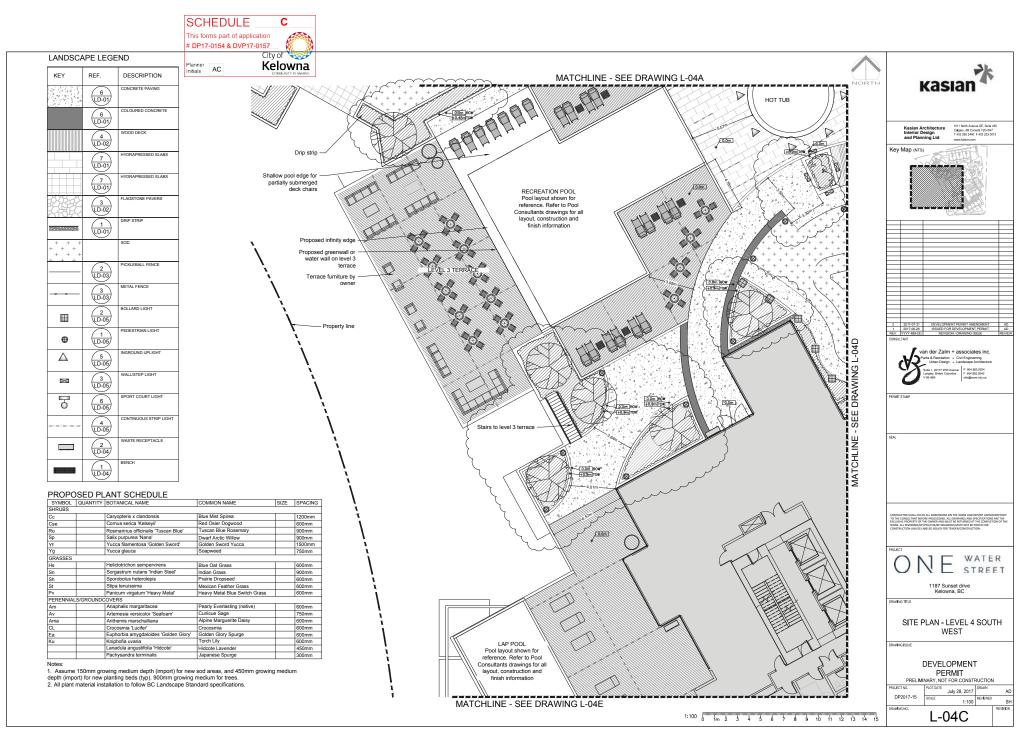
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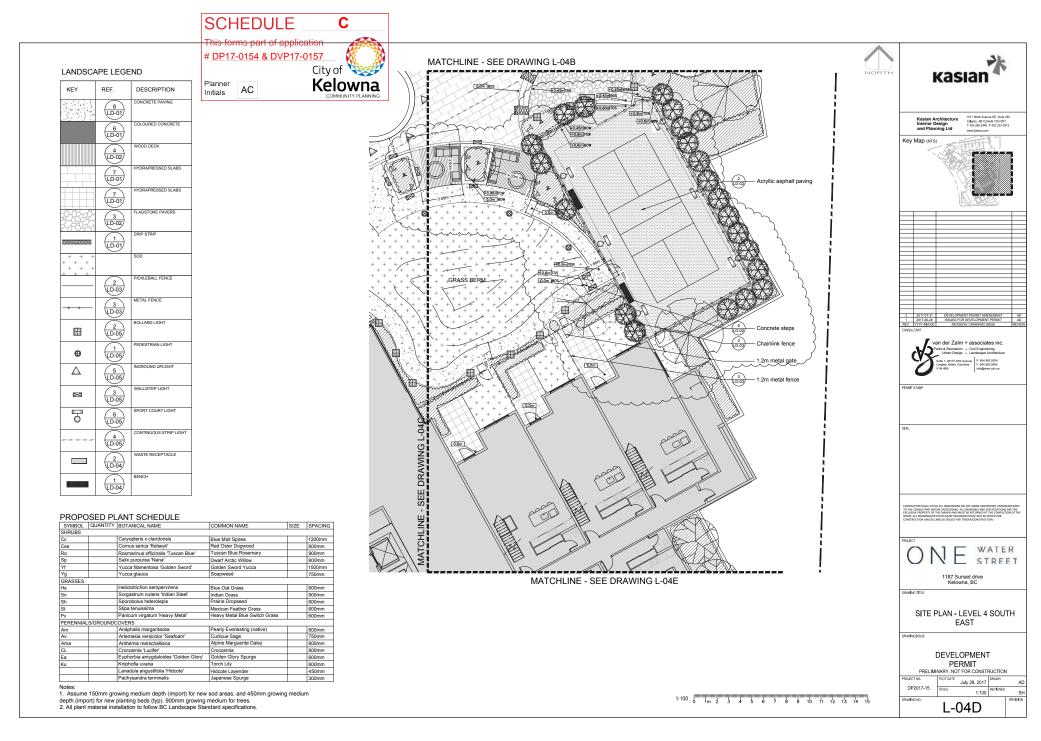
DP2017-15

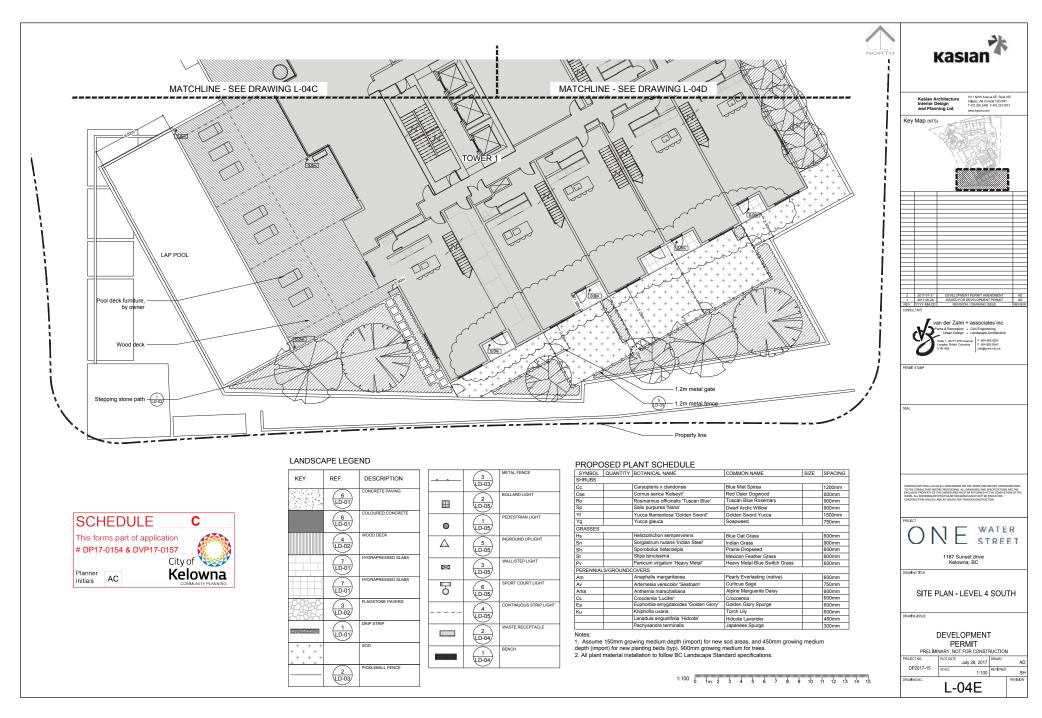
















FIRE PIT SEATING AREA



OPEN LAWN SPACE



RECREATIONAL POOL



PONDLESS WATER FEATURE





GREEN WALL



LEVEL 3 TERRACE





CABANA OPTIONS - PRIVATE ENTERTAINMENT SPACE



POOL DECK LOUNGE SEATING



ACCENT PAVING

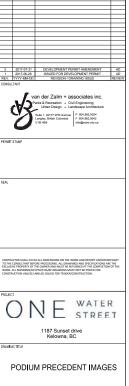


GRASS BERM AND OPEN LAWN

CABANA FIRE PIT AREA



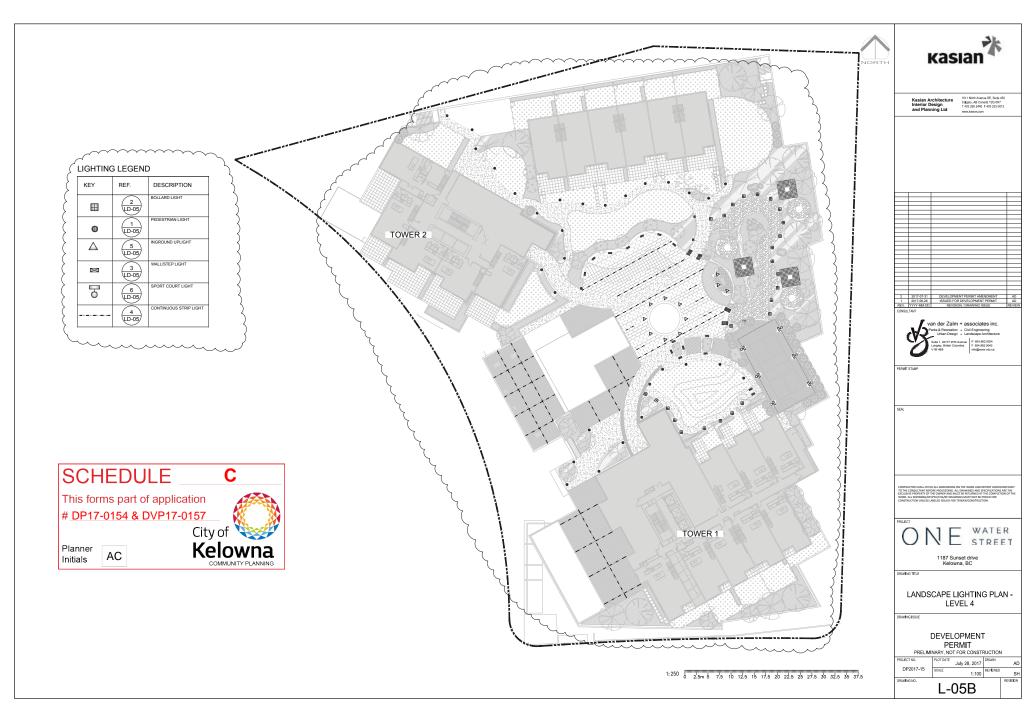
LAP POOL



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PROJECT NO.	PLOT DATE	July 28, 2017	DRAWN	AE
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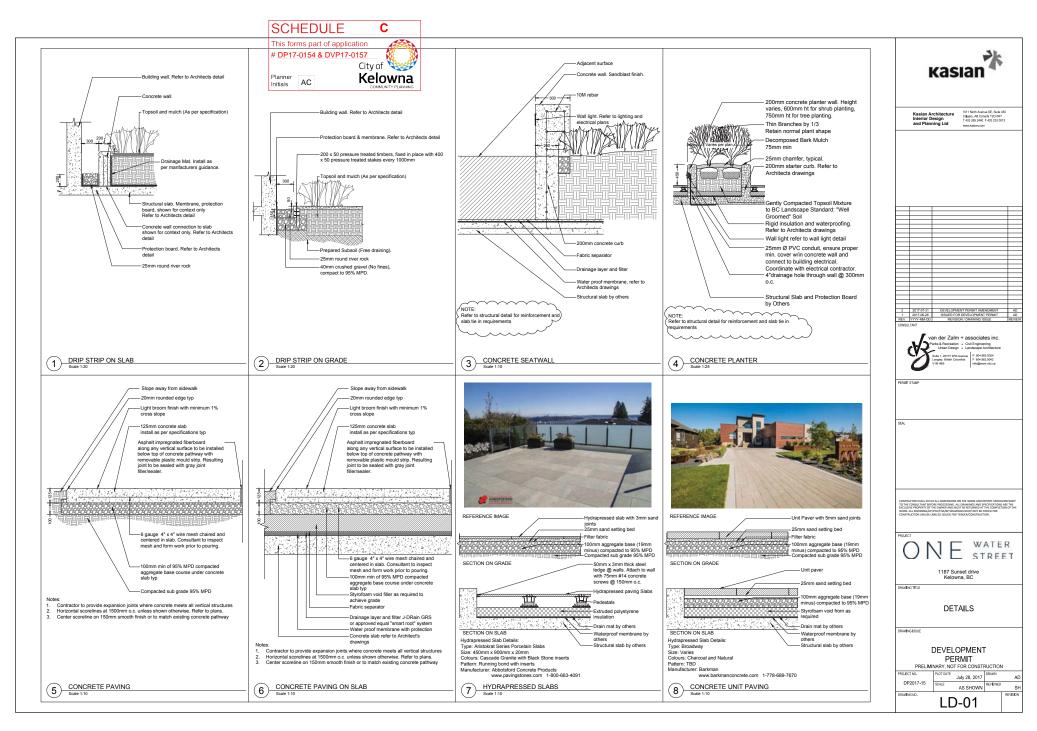


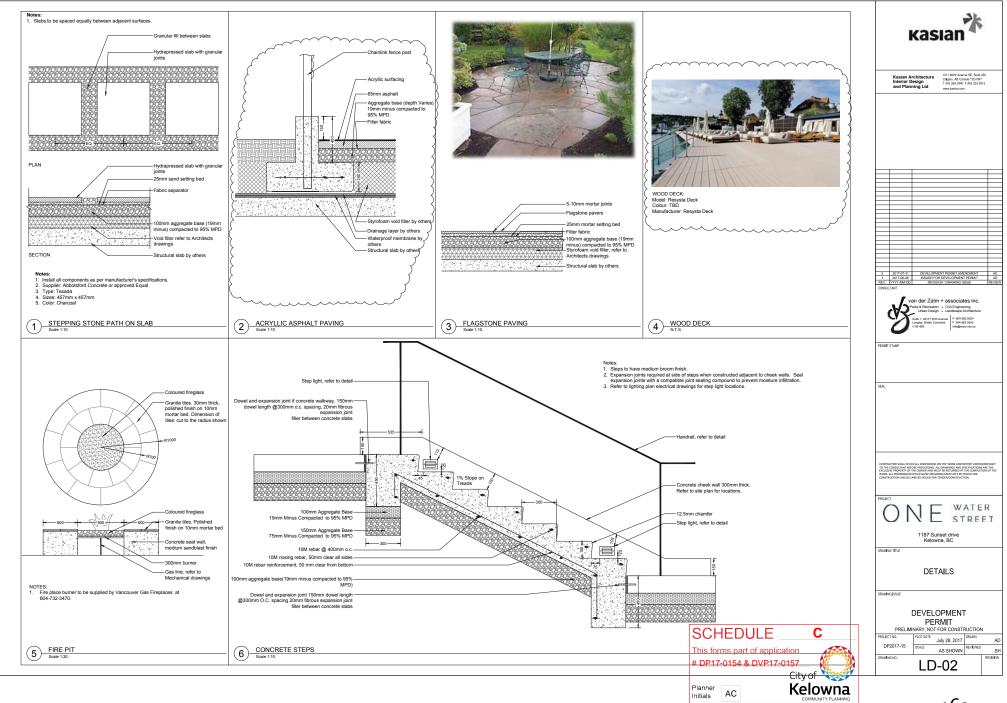


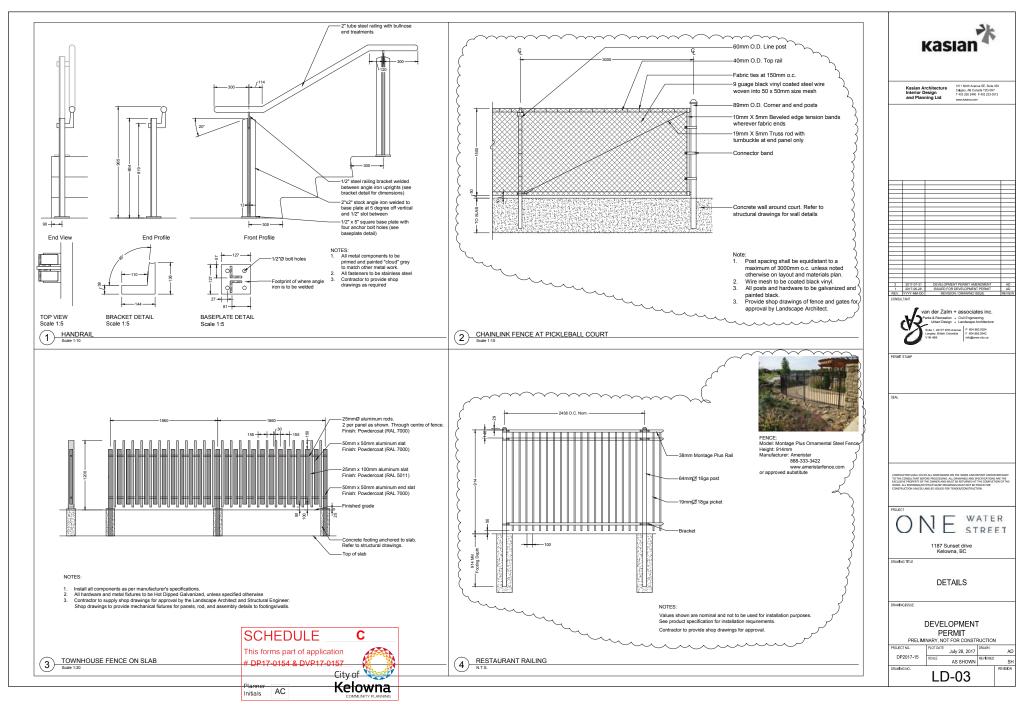




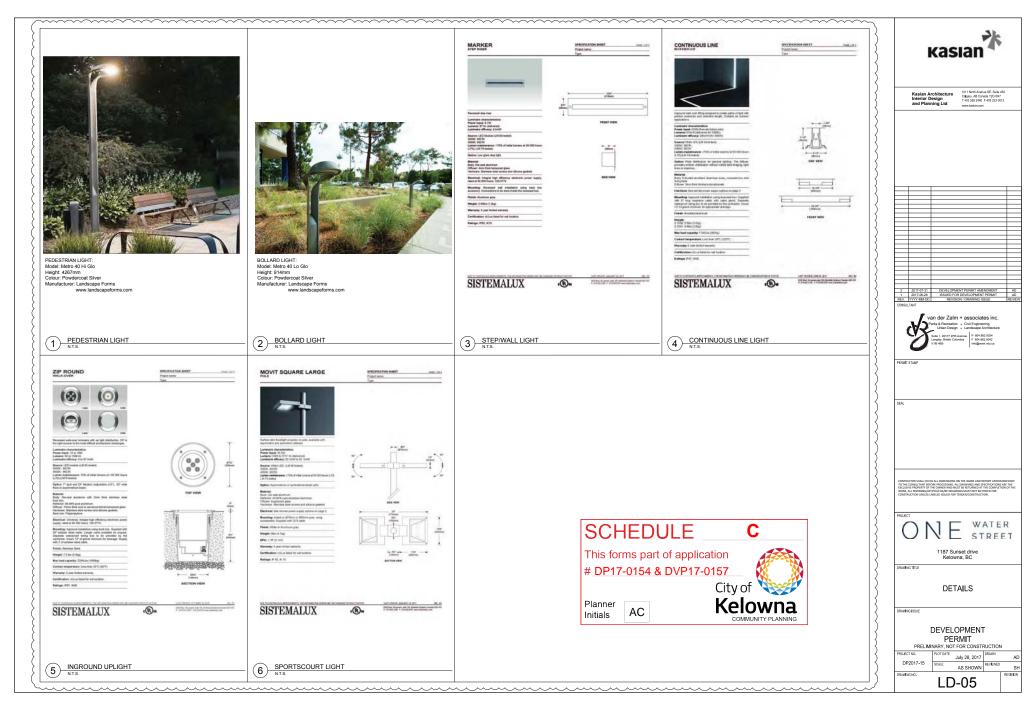


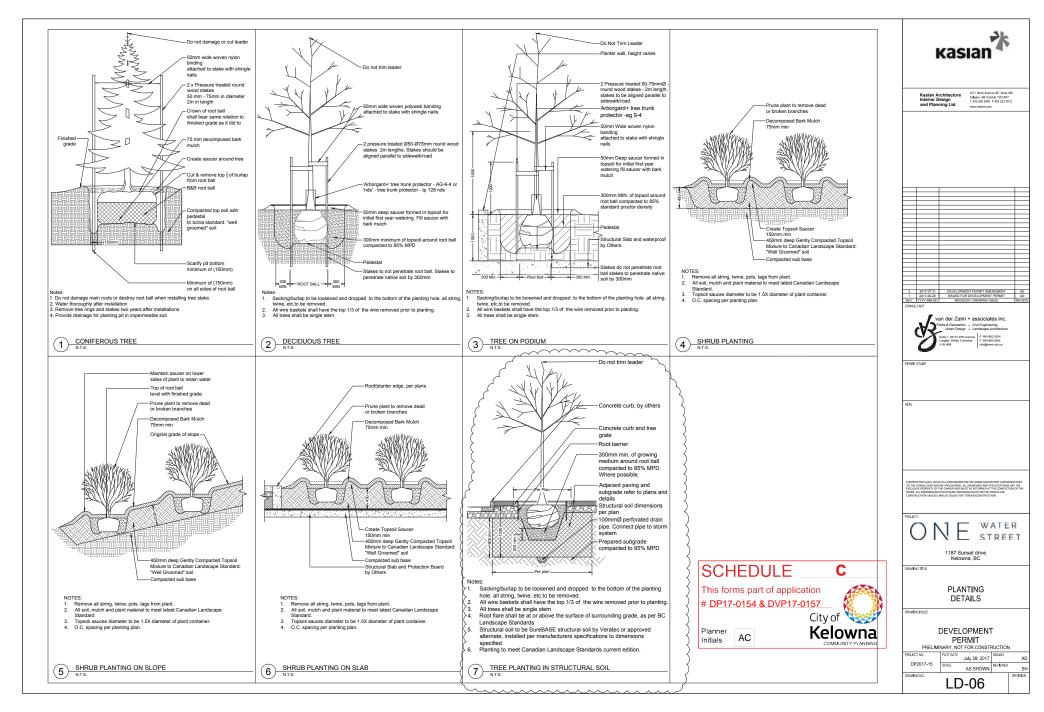




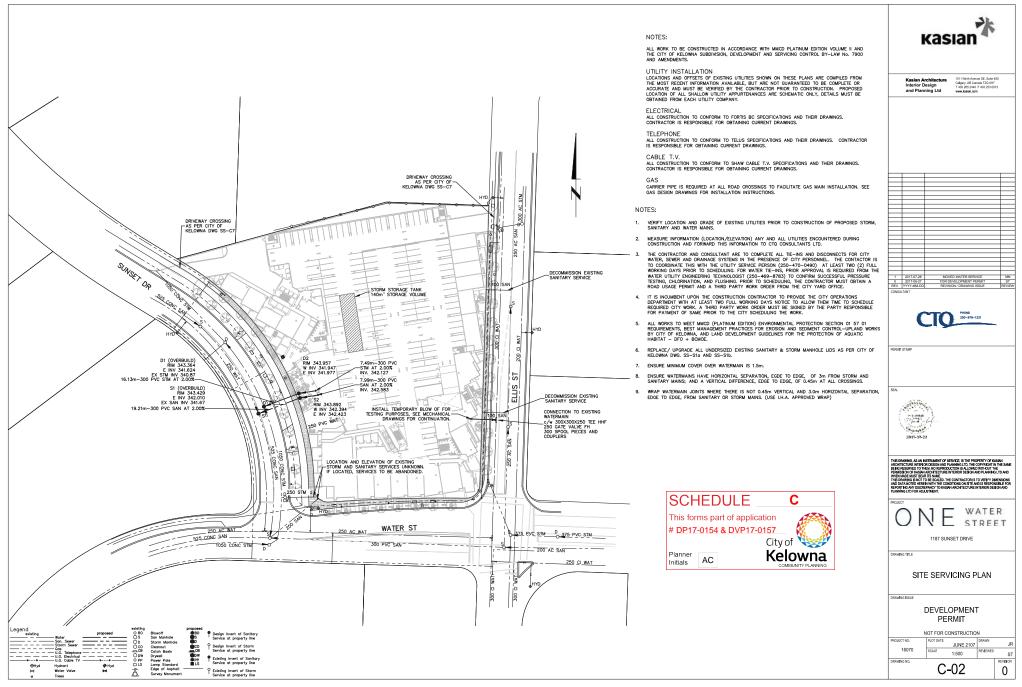


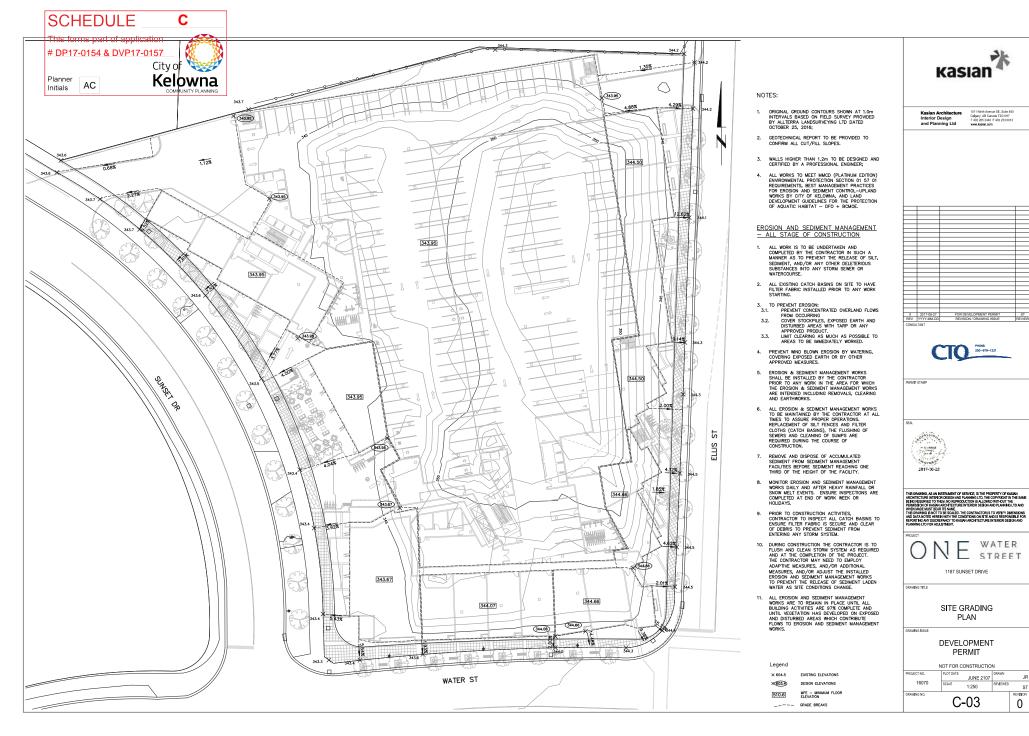














Date prepared: Attention: Firm Name: Address/Fax: 27-Jul-17 Sydney Madi Kasian Architecture 1011 Ninth Avenue SE, Suite 450 Calgary AB T2G 0H7 VDZ File Number: DP Application Number: Project Name: Prepared by: Checked by: DP2017-15

One Water Street AD MVDZ

Re: Cost Estimate for Bonding

Dear Sydney,

Please find attached a cost estimate for bonding for the One Water Street development permit application. Key Components of this estimate include:

HARDSCAPE	\$417,885.00
SOFTSCAPE	\$185,263.50
WALLS AND FENCES	\$71,920.00
FURNISHINGS	\$41,600.00
MAJOR AMENITIES	\$15,500.00
	OVERALL TOTAL: \$732,168.50

This estimate is for bonding only. This estimate has been prepared for Landscape works only, and does not include civil works, architectural elements, large-scale earthworks and fill, electrical or mechnical works etc. The cost estimate is not to be used for construction cost budgeting purposes or any other use other than for bonding at the development permit stage.

Signature: Date: 31-Jul-17 DAAAAAA UMBIA Se REGISTERED MEMBER Mark van der Zalm APE ARC PPPPPPPP





COST ESTIMATE FOR BONDING

Category	Description	Quantity	Unit	Unit Cost F	Price
HARDSCAPE		,			
Scored Concrete	Installed to MMCD Standards	549	m2	\$95.00	\$52,155.00
Coloured Concrete	Installed to MMCD Standards	193	m2	\$105.00	\$20,265.00
Hydrapressed Slabs	Installed to MMCD Standards	953	m2	\$105.00	\$100,065.00
Unit pavers	Installed to MMCD Standards	770	m2	\$105.00	\$80,850.00
Asphalt	Installed to MMCD Standards	200	m2	\$75.00	\$15,000.00
Gravel surfaces	Installed to MMCD Standards	60	m2	\$65.00	\$3,900.00
Natural Stone surfaces	Installed to MMCD Standards	191	m2	\$150.00	\$28,650.00
Resysta Deck	Installed to MMCD Standards	780	m2	\$150.00	\$117,000.00
				Subtotal	\$417,885.00
SOFTSCAPE				Cultivitat	•••••
Sod	As per specifications	1493	m²	\$3.50	\$5,225.50
Seed					
	Hydroseeding / drill		m²	\$1.50	\$0.00
Soil	Imported- (Depth as Specified)	937	cubic me	•	\$16,866.00
Structural soil	Udpate Depth as Required	242	cubic me	tı\$73.00	\$17,666.00
Mulching (including bioswale	100mm Depth	131	cubic me	t(\$22.00	\$2,882.00
Deciduous trees	Installed to BCLNA Standards	89	Each	\$160.00	\$14,240.00
Coniferous trees	Installed to BCLNA Standards	56	Each	\$85.00	\$4,760.00
Tree Stakes	Installed to BCLNA Standards	290	Each	\$8.00	\$2,320.00
Root		290	Laun	ψ0.00	ψ2,320.00
	Required as per standard notes and	222	Las	\$ 04.00	*7 000 00
Barrier	details	330	Lm	\$24.00	\$7,920.00
Silva Cells			Each	A 4 4 A A	\$0.00
Shrubs/groundcovers/grasse	•	6296	Each	\$11.00	\$69,256.00
Installation	Assumed 50% cost to total price of				
	softscape materials				\$44,128.00
				Subtotal	\$185,263.50
WALLS AND FENCES					
Fences	Chainlink	60	Lm	\$70.00	\$4,200.00
	Standard Cedar - 6' Height	137	Lm	\$90.00	\$12,330.00
	Custom Fencing - 4' Height	194	Lm	\$185.00	\$35,890.00
	Custom Fencing - 3' Height	75	Lm	\$150.00	\$11,250.00
Walls	Retaining Wall Systems	33	Face m2	\$250.00	\$8,250.00
				Subtotal	\$71,920.00
FURNISHINGS					
Benches		12	LS	\$850.00	\$10,200.00
Receptacles		9	LS	\$650.00	\$5,850.00
Bike Rack		9	LS	\$450.00	\$4,050.00
Planter Box		7	LS	\$1,250.00	\$8,750.00
Tree Grate		, 17	LS	\$750.00	\$12,750.00
Tree Grate		17	LO	\$750.00	\$12,750.00
MAJOR AMENITIES				Subtotal	\$41,600.00
Waterless Waterfeature		1	LS	\$5,000.00	\$5,000.00
		3	LS		\$10,500.00
Fire pit		3		\$3,500.00	
			LS		\$0.00
			LS	Subtotal	\$0.00 \$15,500.00
				Subiola	\$15,500.00
				Overall Total:	\$732.168.50

Overall Total:

\$732,168.50

CIVIL ENGINEERING

www.vdz.ca



LANDSCAPE ARCHITECTURE

URBAN DESIGN





Date:	August 29, 201	17		NEIUWII
RIM No.	0940-60			
То:	City Manager			
From:	Community Pl	anning Department (EW	()	
Application:	HAP17-0009		Owners:	Nicholas James Broadfoot Balfour & Patricia Marion Balfour
Address:	2126 Long St		Applicant:	Urban Options Planning & Permits
Subject:	Heritage Alter	nation Permit		
Existing OCP De	esignation:	S2RES- Single/Two Un	it Residential	
Existing Zone:		RU6 – Two Dwelling H	ousing	

1.0 Recommendation

THAT Council authorizes the issuance of Heritage Alteration Permit No. HAP17-0009 for Strata Lot 2 District Lot 14 ODYD Strata Plan EPS1754 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, located at 2126 Long St, Kelowna, BC subject to the following:

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

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted as shown on Schedule "A":

Section 13.6.6 (h): RU6 – Two Dwelling Housing Development Regulations

To vary the required minimum rear yard from 7.5 m permitted to 2.1 m proposed.

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

2.0 Purpose

To consider the form and character of an attached garage addition and to vary the rear yard setback from 7.5m required to 2.1m proposed on the subject property.

3.0 Community Planning

Community Planning Staff support the proposed heritage alteration permit and associated rear yard setback variance for an attached garage addition. The proposal provides additional off-street parking/storage alleviating street parking issues in the neighbourhood. The proposal is not anticipated to have a negative impact on the streetscape and the addition will be in the same colours and materials as the existing building. While the proposal triggers a rear yard setback variance, because the subject property is a corner lot, when viewed form Long St the rear yard also acts as a side yard from the neighbouring property to the north. The proposed setback of 2.1m maintains the minimum side yard setback for a single storey portion of a building in the RU6 zone and will blend into the neighbourhood's established setbacks.

To fulfill the requirements of Council Policy No. 367, the applicant submitted a neighbour consultation summary form on July 5, 2017 outlining that neighbours within 50 m of the subject property were notified.

4.0 Proposal

4.1 Background

The subject parcel was rezoned to the RU6 zone in 2012 and has two single detached houses on the property, which were stratified in 2013. Owner's authorization from both owners of the units has been obtained for this application. Pending approval of this heritage alternation permit, the owners would be responsible for amending the strata plan.

4.2 Project Description

The applicant is proposing the construction of an attached garage on the north side of the north home to provide additional storage. When the two single detached houses were constructed one single car garage was provided per unit with the other required parking spaces provided on the driveways. The owners of the north unit would like to increase storage and provide additional parking off of their driveway.

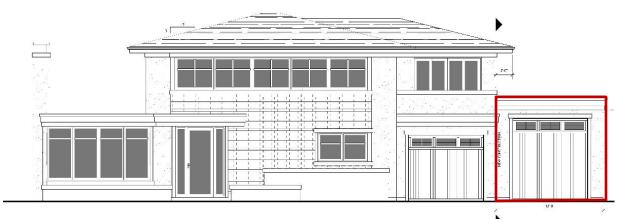


Figure 1. Elevation of existing dwelling with proposed garage addition outlined in red.

The proposal triggers one variance to the rear yard setback. As per the Zoning Bylaw interpretation the rear lot line is most opposite/distant from the front lot line; the front lot line in this case is the frontage facing Glenwood Ave.

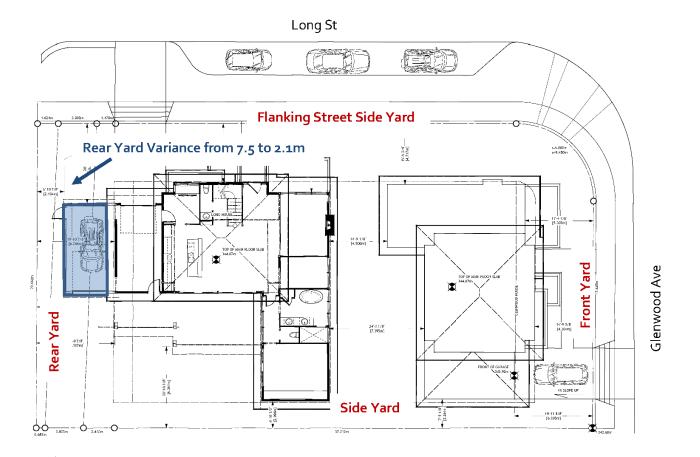


Figure 2. Site plan with labelled yards. The garage addition is indicated by the blue box and the associated rear yard variance is indicated by the blue text and arrow.

The dominant block style from the Abbott/Marshall St Heritage Conservation Area Map is Late Arts & Crafts. The existing single detached dwellings were inspired by the Arts and Crafts movement, specifically Frank Lloyd Wright's 'prairie house' phase. The proposed addition will be in the same colours and materials as the existing building.



Photo 1 (left). Photo of existing dwelling. Photo 2 (right). Photo of proposed location of garage addition.

4.3 Site Context

The subject property is located at the corner of Long St and Glenwood Ave within the Abbott St Heritage Conservation Area. The property is 1017 m² and is located in a primarily single family neighbourhood.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1c – Large Lot Housing with Carriage House	Residential
East	RU1 — Large Lot Housing	Residential
South	RU1 — Large Lot Housing	Residential
West	RU1 — Large Lot Housing	Residential

Subject Property Map: 2126 Long St



4.4 Zoning Analysis Table

Zoning Analysis Table				
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL		
	Existing Lot Regulations			
Lot Area	800m²	1017m ²		
Lot Width 20.0m 23.7m		23.7M		
Lot Depth	30.0M	43.3m		
Development Regulations for Garage Addition				
Site Coverage of Buildings	40%	38.7%		

Site Coverage of Buildings, Driveways, and Parking	50%	45.3%	
Building Height	9.5m/ 2 ½ storeys	6.3m	
Front Yard (Glenwood Ave)	4.5m	4.5m	
Side Yard (east – Long St)	6.om (garage setback)	6.2m	
Side Yard (west)	2.0M	2.1M	
Rear Yard	7.5M	2.13m 0	
Other Regulations			
Private Open Space	30m²	97-112 m ²	
Minimum Parking Requirements	4	4	
• Indicates a requested variance to the rear yard setback from 7.5m required to 2.13m proposed.			

5.0 Technical Comments

5.1 <u>Building & Permitting Department</u>

• Full Plan check for Building Code related issues will be done at time of Building Permit applications.

5.2 <u>Development Engineering Department</u>

- See Attachment 'B' memorandum dated June 14, 2017.
- **Staff Note**: The applicant is working with FortisBC to release the Statutory Right of Way which runs along the north property line. FortisBC has provided written confirmation that the applicant can build within the Statutory Right of Way while the paperwork for the release is being finalized.

6.0 Application Chronology

Date of Application Received:May 16, 2017Date Public Consultation Completed:July 5, 2017

Heritage Advisory Committee (HAC)

As per the terms of reference for the HAC's Terms of Reference, applications that propose an addition less than 30m² visible from a street will not be forwarded to the HAC for consideration. As the new proposed garage addition is 25.5m² the application was not considered by the HAC.

Report prepared by:	Emily Williamson, Planner
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager

Attachments:

Attachment `A' — Applicant's Proposal Letter Attachment `B' — Development Engineering Memorandum dated June 14, 2017 Draft HAP17-0009



Nick and Patty Balfour 2126 Long Avenue Kelowna, BC V1Y 0C6

May 15, 2017

City of Kelowna Urban Planning Department 1435 Water Street Kelowna, BC

RE: Development Variance Permit at 2126 Long Avenue Zone: RU6– Two Dwelling Housing



Dear Planning Staff:

We are seeking to relax the rear yard setback from 6.0m required to 2.1m to allow the construction of an attached garage. To proceed a Heritage Alteration Permit with a Development Variance is being triggered. When the original dwellings were constructed in 2013, only one garage was provided per unit. The new owners at 2126 Long Avenue need additional storage space for their sports equipment and motorhome.

There are several factors that make the attached garage a possibility. Currently there is a Fortis service right of way (SRW) along the north property line which contain the power services for 377 Cadder Avenue. This property was recently sold, will be redeveloped and the power lines are being relocated off Cadder Avenue. The owner at 2126 Long has made application in March 2017 to dismiss the SRW, which should be complete by June 2017. We are making this City application now so that it may run concurrent with the Fortis application. Please note that an owner's authorization from both dwelling owners has been submitted.

The proposed garage will attach to the north side of the north home. The plan is to seamlessly incorporate the new portion into the existing buildings, therefore, it will be finished in the same colours and materials. The defining difference is that the garage door will have an opening glass door into the yard space. This will allow for access to the yard. The owners are planning to upgrade the yard space to make it more suitable for outdoor living.

We believe that the variance has merit given that there are some parking difficulties in the neighbourhood and by adding a garage we are taking vehicles off the street and out of the driveway. Further, the owners are water sport enthusiasts and own several small human /wind

propelled watercraft. The additional garage provides them with a safe place to store their equipment and easy access to cart it to the lake. Given the garage design, the availability of the SRW, and the parking challenges in the area, we ask that you please support this variance.

Regards,

Mil Bel

N. and P. Balfour

Urban Options Planning & Permits+Kelowna, BC 250.575.6707 Mbirte@urbanoptions.ca

CITY OF KELOWNA

MEMORANDUM

Date: File No.:	June 14, 2017 HAP17-0009	ATTACHMENT B
То:	Community Planning (EW)	This forms part of application # HAP17-0009
From:	Development Engineering Manager (SM)	City of
Subject:	384 Glenwood Ave & 2126 Long Street	Planner Initials EW Kelowna COMMUNITY PLANNING

Development Engineering has the following comments and requirements associated with this Heritage application;

1. Domestic Water and Fire Protection

Our records indicate this property is currently serviced with two 19mm-diameter water services. The services are adequate for the proposed application.

2. Sanitary Sewer

Our records indicate that this property is serviced with a 100mm-diameter sanitary sewer service complete with inspection chamber. The service is adequate for the proposed application.

3. Development Permit and Site Related Issues

- a) The development variance for the rear yard setback from 7.5m to 2.13m does compromise an existing SROW that is in the City of Kelowna's name. This SROW is understood to be an old electrical SROW that was given to FORTIS when the City electrical was taken over by FORTIS. Confirmation is needed from FORTIS to be released to the property owner.
- b) Direct the roof drains into on-site rock pits.
- c) Driveway access width should be a maximum of 6m.

4. Electric Power and Telecommunication Services

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.

Steve Muenz, P. Eng. Development Engineering Manager

HERITAGE ALTERATION PERMIT



APPROVED ISSUANCE OF HERITAGE ALTERATION PERMIT NO. HAP17-0009

Issued To:	Nicholas James Broadfoot Balfour & Patricia Marion Balfour
Site Address:	2126 Long St
Legal Description:	Strata Lot 2 District Lot 14 ODYD Strata Plan EPS1754 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V
Zoning Classification:	RU6 – Two Dwelling Housing

SCOPE OF APPROVAL

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

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

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

1. TERMS AND CONDITIONS

THAT Council authorizes the issuance of Heritage Alteration Permit No. HAP17-0009 for Strata Lot 2 District Lot 14 ODYD Strata Plan EPS1754 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, located at 2126 Long St, Kelowna, BC subject to the following:

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

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted as shown on Schedule "A":

Section 13.6.6 (h): RU6 – Two Dwelling Housing Development Regulations

To vary the required minimum rear yard from 7.5 m permitted to 2.1 m proposed.

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

2. PERFORMANCE SECURITY

None required.

3. DEVELOPMENT

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

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit IS NOT a Building Permit.

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.
- b) 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.

5. APPROVALS

Issued and approved by Council on the _____ day of _____, 2017.

Ryan Smith, Community Planning Department Manag	Jer
Community Planning & Real Estate	

Date

The PERMIT HOLDER is the CURRENT LAND OWNER.

