

SCHEDULE	A
This forms part of application # TA20-0009	
Planner Initials	ak
 City of Kelowna <small>DEVELOPMENT PLANNING</small>	

Schedule 'B' – Comprehensive Development Zones

CD24 – Comprehensive Development Zone

1.1 Purpose

The purpose of this Comprehensive Development Zone (CD24) is to provide for the integrated design of a comprehensive mixed-use development which includes tourist commercial and residential uses.

1.2 Principal Uses

The principal uses in this zone are:

- a) Apartment hotels
- b) Congregate housing
- c) Group home major
- d) Hotels
- e) Motels
- f) Multiple dwelling housing
- g) Supportive housing

1.3 Secondary Uses

- a) Agriculture, Urban
- b) Boat storage (only within an enclosed building or structure)
- c) Childcare centre, major
- d) Community garden
- e) Community recreation services
- f) Financial services (max floor area of 280m²)
- g) Food primary establishment
- h) Health services (Health and Office cumulative floor area cannot exceed 500m²)
- i) Liquor primary establishment, major
- j) Liquor primary establishment, minor
- k) Liquor primary license
- l) Non-accessory parking
- m) Home based business minor
- n) Offices (Office and Health cumulative floor area cannot exceed 500m²)
- o) Participant recreation services, indoor
- p) Personal service establishments
- q) Residential security/operator unit
- r) Retail liquor sales (establishments)
- s) Retail store, general (maximum single tenancy of 1,400m²)



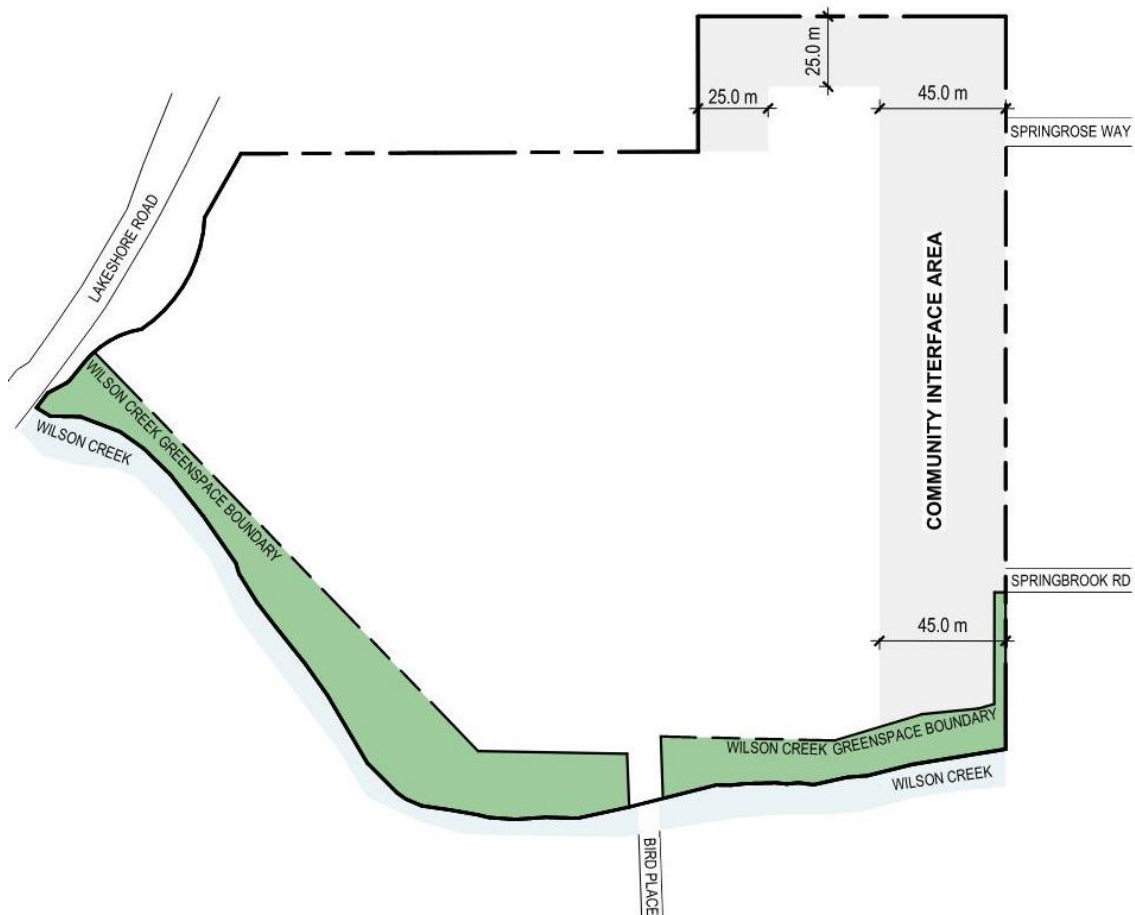
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1.4 Subdivision Regulations

- (a) Each lot created that is serviced by the common lot access shall have a minimum frontage on the common lot access of 10 metres.
- (b) Minimum lot width is 25 metres
- (c) Minimum lot depth is 30 metres
- (d) Minimum lot area is 750 m²
- (e) For all lots created within CD24, the maximum cumulative net floor area is 90,990m².

1.5 Development Regulations

- a) The maximum net floor area is 90,990m².
- b) The maximum height of buildings shall be the lesser of 60 metres or 17 storeys, not including rooftop mechanical penthouse, antenna or other ancillary structures. In the Community Interface Area of CD24, the maximum height of buildings shall be the lesser of 11.5 metres or 3.5 storeys.



- c) The maximum site coverage is 40%, provided that the maximum site coverage of buildings, driveways, and above ground parking areas is 50%.
- d) Parking structures located above natural finished grade and surfaced with landscaping or useable open space shall not be included in the calculation of site coverage.



1.6 Site Setbacks

Perimeter Property Line Setbacks

- a) South Side – 3.0 metres from the boundary of the Wilson Creek green space for any buildings and structures less than 15 metres in height. Buildings, excluding balconies, cornices and architectural features, above 15 metres in height will require an additional 1.5 metre setback for a total of 4.5 metre setback from the boundary of the Wilson Creek Green Space.
- b) North Side – 7.5 metres for all buildings and structures up to 11.5 metres in height, 15 metres for any buildings and structures, excluding balconies, cornices and architectural features, greater than 11.5 metres, with the exception of the townhome buildings located in the Community Interface Area.
- c) West Side / Lakeshore Road Frontage – 0.0 metres for 50% of the frontage and 3.0 metres for 50% of the frontage for any buildings or structures under 10 metres in height. 3.0 metres for any portion of buildings or structures above 10 metres in height. Notwithstanding this provision, architectural features that are less than 25% of the building face width may encroach into the 3.0 metre setback requirement, to a maximum of 1.5 metres.
- d) East Side – 7.5 metres
- e) If the site is subdivided further into individual parcels served by a common lot access road, the minimum setback for all internal parcels is 0 metres.

1.7 Private Open Space

A minimum area of 7.5 m² of private open space shall be provided per **bachelor dwelling, apartment hotel unit, or congregate housing bedroom**; 15 m² of **private open space** shall be provided per **1 bedroom dwelling**, and 25 m² of **private open space** shall be provided per **dwelling** with more than **1 bedroom**, except for hotel where no minimum private open space is required. Private communal outdoor amenity space is included for the purposes of this calculation.

1.8 Other Regulations

- (a) **Section 6 – General Development Regulations** of this bylaw applies;
- (b) **Section 7 – Landscaping and Screening** of this bylaw applies;
- (c) **Section 8 – Parking and Loading** of this bylaw will apply with the exception of:
 - a. The base parking stall requirement will be as per Village Centre parking ratios
 - b. If the development is guaranteed as rental through a Rental Agreement (for 10 years) with the City of Kelowna, a 10% reduction to the CD24 parking requirement (both base and visitor) can be applied.
 - c. Bicycle parking can be provided anywhere in the parkade necessary to be easily accessible to users.

SCHEDULE **B**

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TA20-0009

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**CITY OF KELOWNA
MEMORANDUM**

Date: February 19, 2020
File No.: TA20-0009
To: Urban Planning Manager (AC)
From: Development Engineering Manager (JK)
Subject: 3787-3795 Lakeshore Rd. Changes to the CD24 zone.

Development Engineering has the following comments Text Amendment application for various changes to the CD24 zone.

1. General

- a) Applicant will be responsible for a new TIA for the proposed development and all improvements including construction associated with TIA. Terms of Reference can be provided by COK. Please contact Aaron Sangster: asangster@kelowna.ca.

2. Domestic Water and Fire Protection

- a) The developer's consulting mechanical engineer will determine the domestic, fire protection requirements of this proposed development and establish hydrant requirements and service needs. The applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service at the applicants cost.
- b) A water meter is mandatory for this development and must be installed inside the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department and prepare the meter setter at his cost. Boulevard landscaping, complete with underground irrigation system, must be integrated with the on-site irrigation system
- c) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures. The City of Kelowna water meter contractor must salvage existing water meters, prior to building demolition. If water meters are not salvaged, the developer will be invoiced for the meters.

2. Sanitary Sewer

- a) The applicant's consulting mechanical engineer will determine the requirements of the proposed development and establish the service needs. Only one service will be permitted for this development. If required, the applicant will arrange for the

removal and disconnection of the existing service and the installation of one new of larger service at the applicants cost.

3. Storm Drainage

- a) Provide a detailed Stormwater Management Plan for this development as per the Subdivision, Development and Servicing Bylaw #7900.
- b) Ground water will not be allowed to be pumped permanently to the City drainage system.
- c) The developer must engage a consulting civil engineer to provide a storm water management plan for this site which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems.

4. Road Improvements

- a) Lakeshore Rd must be upgraded to an urban standard along the full frontage of this proposed development, including barrier curb and gutter, separated sidewalk, irrigated landscaped boulevard, drainage system including catch basins, manholes and pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. Road classification is a 2 lane arterial + Center Turn Lane.
- b) Multi-use pathway fronting Rotary Beach Park must be installed to City of Kelowna design standards.
- c) Sidewalk along Cook Rd, between 670 to 694 Cook Rd must be built to an urban standard cross-section at phase 2 of this development.
- d) Frontage works along Lakeshore Rd must extend to the existing crosswalk at 3753 Lakeshore Rd.

5. Road Dedication and Subdivision Requirements

- b) Grant Statutory Rights of Way if required for utility services.
- c) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.
- d) 6.0m road dedication from Wilson Creek Linear Park to Springbrook Rd is required.

6. Development Permit and Site Related Issues

- a) As per bylaw 7900 only one driveway will be permitted on this development.
- b) Direct the roof drains into on-site rock pits or splash pads.

SCHEDULE B

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TA20-0009



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7. Electric Power and Telecommunication Services

- a) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground as this site is located within the Capri Landmark Urban Centre.
- b) 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.
- c) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

7. Design and Construction

- b) 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.
- c) 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.
- d) 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).
- e) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- f) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

8. Servicing Agreement 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.

SCHEDULE		B
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# TA20-0009		
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3. Erosion Servicing Control Plan

- a) Provide a detailed ESC Plan for this development as per the Subdivision, Development and Servicing Bylaw #7900.
- b) The developer must engage a consulting civil engineer to provide an ESC plan for this site which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900.
- c) Civil consultant is responsible for all inspection and maintenance.
- d) A Security Deposit for ESC Works equal to 3% of the Consulting Engineer's opinion of probable costs of civil earthworks and infrastructure will be added to the Servicing Agreement.

4. Geotechnical Report

- a) Provide a comprehensive 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 report must be submitted prior to submission of Engineering drawings or application for subdivision approval.

- i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- ii. Site suitability for development.
- iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- iv. Any special requirements for construction of roads, utilities and building structures.
- v. Suitability of on-site disposal of storm water and sanitary waste, including effects upon adjoining lands.
- vi. Slope stability, rock fall hazard and slippage including the effects of drainage and septic tank effluent on the site.
- vii. Identify slopes greater than 30%.



viii. Top of bank assessment and location including recommendations for property line locations, septic field locations, building setbacks, and ground water disposal locations.

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- ix. Recommendations for items that should be included in a Restrictive Covenant.
- x. Any special requirements that the proposed subdivision should undertake so that it will not impact the bank(s). The report must consider erosion and structural requirements.
- xi. Any items required in other sections of this document.
- xii. Recommendations for erosion and sedimentation controls for water and wind.
- xiii. Recommendations for roof drains and perimeter drains.
- xiv. Recommendations for construction of detention or infiltration ponds if applicable.

5. Charges and Fees

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

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James Kay, P.Eng.
Development Engineering Manager
AS



ATTACHMENT A

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DEVELOPMENT PLANNING

Lakeshore Development – CD24 Design Rationale

Height

Density

- The total project density remains unchanged from what was approved by council in 2013. The 2013 generalized site plan envisioned a grouping of mid-rise towers on top of an extensive underground parkade that covered most of the site. Further site analysis has confirmed that a large underground parkade will not work well on this floodplain condition, so an above-ground parkade, large enough to accommodate all parking needs of the project, has been designed. Parkade functionality and size requirement, as well as a desire to create view corridors through the site, has led to the concentration of density on the site into 3 towers adjoining the parkade, and 4 stand-alone towers along the Wilson Creek corridor. An added benefit to this site massing approach is the addition of common greenspaces integrated throughout the development including an expansive 2.5-acre park-like green roof atop the parkade podium, internal pedestrian-oriented treed streetscapes, and landscape connections to Wilson Creek Linear Park.



OVERALL SITE PLAN

hdrinc.com/ca

210 Hastings Avenue, Penticton, BC V2A 2V6
T (604) 687-1898

Registered Architects:

Veronica Gillies, Architect AIBC, FRAIC, LEED AP BD+C Jim Aalders, Architect AIBC, AAA, MRAIC, LEED AP Troy Ransdell, Architect AIBC



Massing

- The development is proposing to distribute its density through a sensitive and site-specific approach to height. Higher buildings visually interact with Lakeshore Road, yet **feature large setbacks which allow for a generous pedestrian-scale public realm and landscape.** With the taller buildings being centrally located, the development **terraces** down to Lakeshore Rd, as well as to the single-family neighbourhood to the east.

VIEW FROM LAKESHORE RD LOOKING SOUTH



CD24 PREVIOUSLY APPROVED MASSING



CURRENT CD24 PROPOSED MASSING

*ARTISTIC RENDERINGS

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This forms part of application
TA20-0009



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VIEW FROM LAKESHORE RD LOOKING NORTH



CD24 PREVIOUSLY APPROVED MASSING



CURRENT CD24 PROPOSED MASSING

*ARTISTIC RENDERINGS

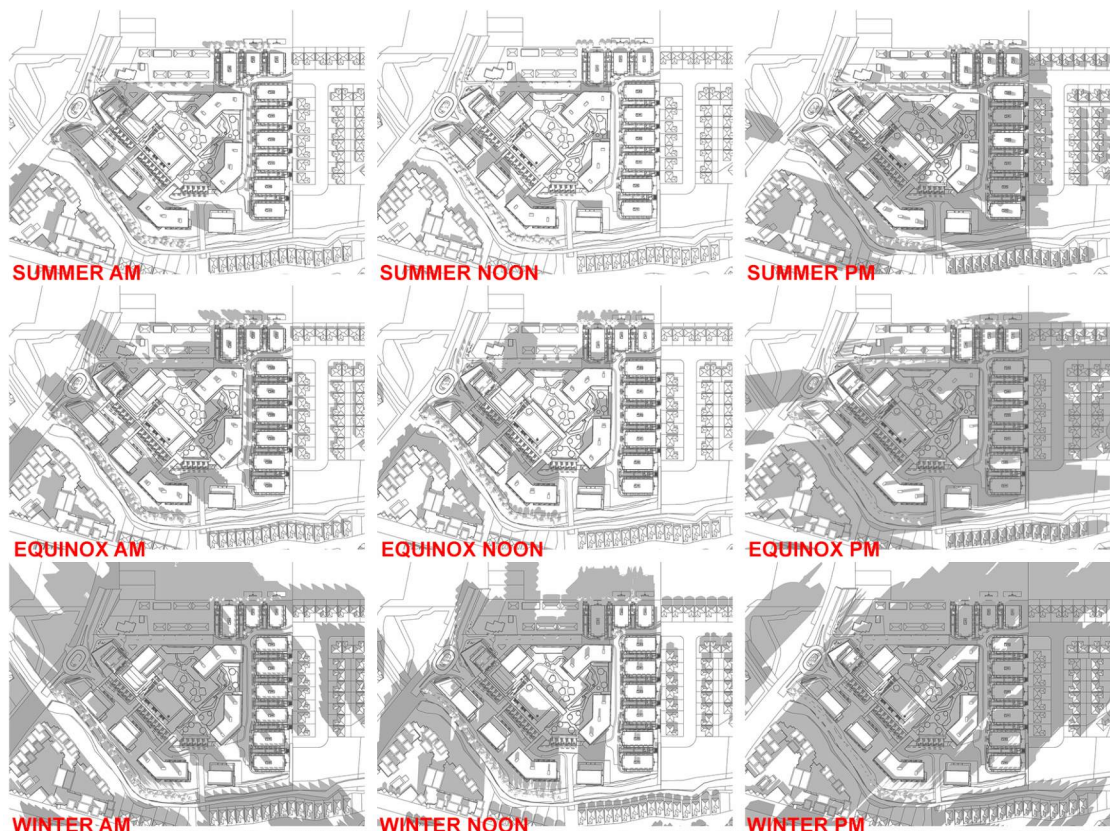


Urban Fabric

- The proposed development **relates in height and scale to various existing and proposed surrounding developments**, while enriching the urban and social fabric of the area. Height and density are pulled toward the center of the development, with generous setbacks to Lakeshore Rd. and surrounding residential areas. This lessens the impacts of shading and overlook, while preserving views throughout.



VIEW FROM OKANAGAN LAKE

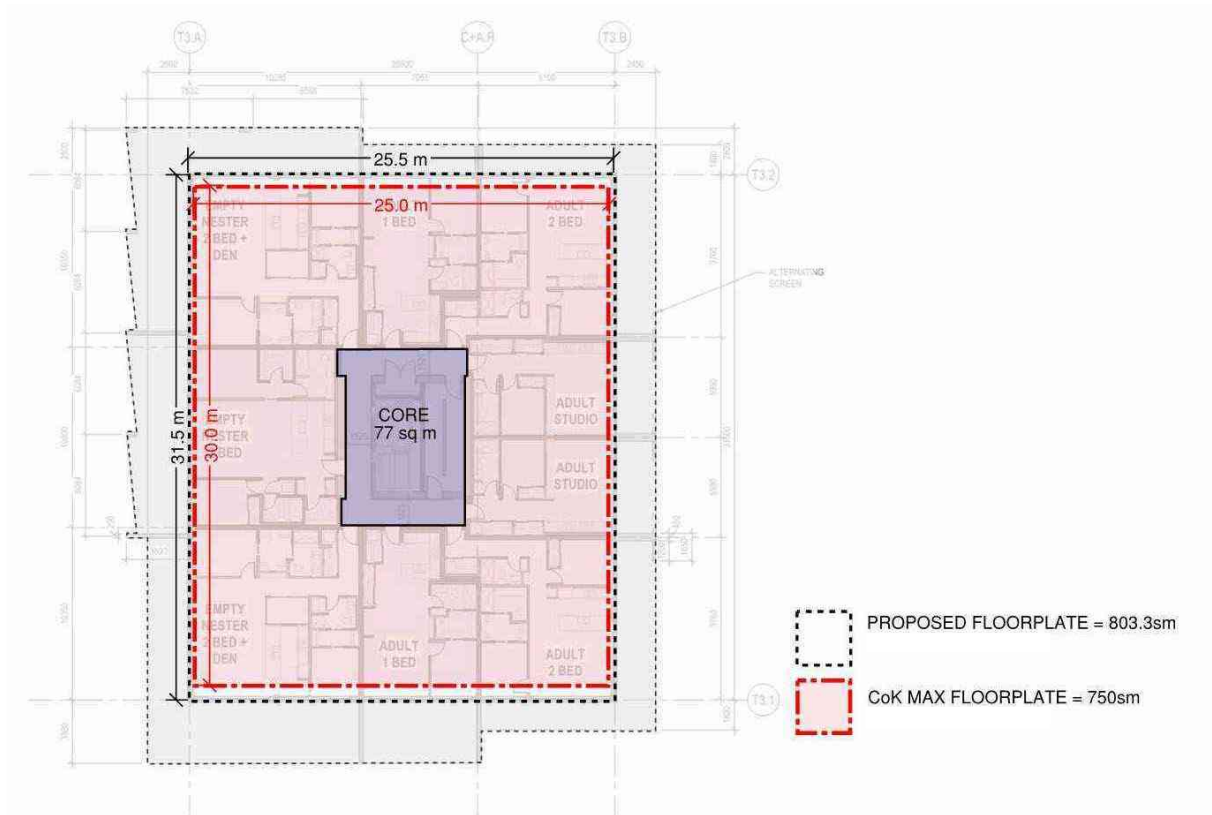


SHADOW STUDY



Floorplate

- The development features a typical floorplate (803sm) which is a marginal increase over the newly proposed City of Kelowna Maximum floorplate size (750sm) for all floors above 12 storeys:



- The proposed floorplate, designed prior to any knowledge of the City's 750sm maximum, features a rational and efficient layout – **with an emphasis on unit layout livability and performance efficiency**. The difference between a 750sm floorplate and the 803sm floorplate proposed is visually indiscernible.
- **Architectural scale and proportion of the towers is unrelated** to the floorplate, but achieved through the balcony articulation. The balconies are designed as features, with the intent to break down the scale and proportion of each tower. Added benefits include generous outdoor spaces for residents.

ATTACHMENT A

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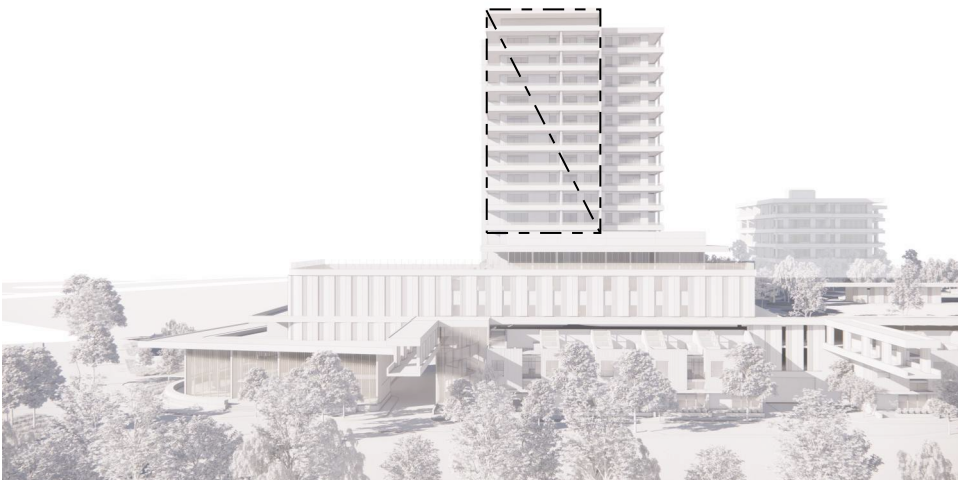
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WEST FACADE FROM LAKESHORE RD.



NORTH FACADE



SOUTH FACADE



DEVELOPMENT FROM LAKESHORE RD.



**Parking****Stall Functionality**

- As an initiative by the developer to promote a livable development, the majority of resident parking stalls are larger than the standard 2.5m width – proposing 2.7m widths. Though this strategy involves a slight reduction in overall stall count, the lifestyle benefits to all residents – space to accommodate a variety of vehicle types with room to load and unload children and personal items/equipment – facilitates an active Okanagan lifestyle. It also results in a parkade with fewer tenant and operational team frustrations.

Urban Realm

- The majority of resident and visitor stalls are located indoors, within the main parking structure. This alleviates the public realm and development streetscapes from vehicular congestion, and reserves valuable space for pedestrians and carbon-neutral modes of transportation.

Proposed:

- The developer will be providing 10 vehicles (of varying types) for a tenant car-pool. With this initiative in place, tenants will be able to fore-go a second car, or avail themselves of a different vehicle type (ie. truck or SUV) when the need arises. This amenity will lower parking demand, will be a valued amenity for tenants, and it demonstrates environmental and social responsibility.

A handwritten signature in black ink, appearing to read "Robert Cesnik".

Robert Cesnik, ARCHITECT AIBC, MRAIC, LEED AP BD+C
Associate
HDR Architecture Associates, Inc.